UNITED STATES OF AMERICA

Congressional Record

PROCEEDINGS AND DEBATES OF THE 89th CONGRESS
SECOND SESSION

VOLUME 112—PART 4

FEBRUARY 28, 1966, TO MARCH 9, 1966
(PAGES 4181 TO 5494)

UNITED STATES GOVERNMENT PRINTING OFFICE, WASHINGTON, 1966

DEPOSITED BY THE
UNITED STATES OF AMERICA

J
11
.R
v.112
pt. 4

stacks

DEPOSITED BY THE
UNITED STATES OF AMERICA
9-11-67

United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 89th CONGRESS, SECOND SESSION

HOUSE OF REPRESENTATIVES

MONDAY, FEBRUARY 28, 1966

The House met at 12 o'clock noon.

The Reverend W. G. Henson Jacobs, rector, St. Augustine's Episcopal Church, Brooklyn, N.Y., offered the following prayer:

Create in me a clean heart, O God; and renew a right spirit within me.

Let us pray.

Almighty God, who provideth for Thy people by Thy power, and rulest over them in love: we commend to Thy good providence, Thy servant, our President, and all those who with him take counsel for the peace of this Nation, and the world. Especially do we commend to the guidance of Thy Holy Spirit, the Representatives of Thy people, gathered together in this House, under the leadership of Thy servant, the Speaker. Let Thy wisdom be their guide: Let Thine arm strengthen them: let truth and justice, holiness and righteousness, peace and charity, abound in their days.

Finally, we commend the soul of Thy servant, the late beloved Chaplain, into Thy hands, thanking Thee for his life of devoted service, and we seek Thy favor in the words which Thou didst Thyself teach us to pray saying: *Our Father which art in heaven, Hallowed be Thy name. Thy kingdom come. Thy will be done in earth, as it is in heaven. Give us this day our daily bread. And forgive us our trespasses, as we forgive those who trespass against us. And lead us not into temptation, but deliver us from evil; for Thine is the kingdom, and the power, and the glory, forever.* Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, February 24, 1966, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Geisler, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Arrington, one of its clerks, announced that the Senate agrees to the amendments of the House to bills and a joint resolution of the Senate of the following titles:

S. 577. An act for the relief of Mary F. Morse;

S. 851. An act for the relief of M. Sgt. Bernard L. LaMountain, U.S. Air Force (retired);

S. 1520. An act for the relief of Mr. and Mrs. Earl Harwell Hogan; and

S.J. Res. 9. Joint resolution to cancel any unpaid reimbursable construction costs of the Wind River Indian irrigation project, Wyoming, chargeable against certain non-Indian lands.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 6845) entitled "An act to correct inequities with respect to the basic compensation of teachers and teaching positions under the Defense Department Overseas Teachers Pay and Personnel Practices Act," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MONRONEY, Mr. YARBOROUGH, Mr. RANDOLPH, Mr. CARLSON, and Mr. FONG to be the conferees on the part of the Senate.

THE TIME FOR TALKING IS OVER

Mr. SIKES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, there continues to be probing of our reason for being in Vietnam and a search for some happy solution to the war itself. Most of this is wasted energy. It is a time for united action and a drive for victory. I am more and more strongly convinced that the uncertainty regarding the Vietnamese war which weighs upon the American people would in large measure be dispersed if the President were to call repeatedly for patriotic support for our fighting men from all levels on the home front. The time for talking is over; it is time for action. We are in a war; argument and dissension will not win it. These provide only comfort to the enemy. The American people have always responded to crisis and to emergency. Now is the time to remind them of this Nation's great mission and of the essentiality of victory. Regardless of the reason we are in Vietnam, we are there and we must win.

JOINT ECONOMIC COMMITTEE OF THE COMMITTEE ON BANKING AND CURRENCY

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that the Joint Economic Committee be granted an extension of time from March 1, 1966, to March 17, 1966, to file a report of its findings and recommendations with respect to the Economic Report of the President, as required by section 5(b)(3) of Public Law 304, 79th Congress.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

CAPE LOOKOUT

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (S. 251) to provide for the establishment of the Cape Lookout National Seashore in the State of North Carolina, and for other purposes, with a Senate amendment to the House amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment to the House amendment, as follows:

Page 2, line 23, of the House engrossed amendment, after "Banks." insert: "Land donated by the State of North Carolina pursuant to this subsection shall constitute consideration for the transfer by the United States of 1.5 acres of land that is to be used as a site for a public health facility in the village of Hatteras, Dare County, North Carolina."

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Senate amendment to the House amendment was concurred in.

A motion to reconsider was laid on the table.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ASPINALL. Mr. Speaker, the amendment which the Senate has adopted to the House amendment to the Cape Lookout bill, S. 251, is acceptable to the supporters of the legislation and the members of the House committee. All this amendment does is to make clear that the transfer of the 16,000 acres of land to the United States which the State of North Carolina is making will stand as consideration for the 1½ acres which the United States last year transferred to the State of North Carolina under another act of Congress.

The two figures—16,000 and 1½—are out of all proportion to each other, but as long as the State is willing to accept 1½ acres in return for 16,000, I am in favor of it. More specifically, as I understand it, the language of the Senate amendment was developed in order to overcome certain qualms which developed when the Cape Hatteras bill, the 1½-acre bill, was under consideration in that body. Some thought that donating these 1½ acres to the State might be labeled as a "giveaway," and it was agreed that the Cape Lookout bill would contain some such language as that of the Senate amendment which is now before us. This got the doubters over their hurdle.

I recommend that the House concur in the amendment to its amendment.

SP4C. DANIEL FERNANDEZ

Mr. WALKER of New Mexico. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. WALKER of New Mexico. Mr. Speaker, it is with sadness but with much pride that I ask to address this body today.

The name of another young man from my State of New Mexico has been added to the list of those killed in the Vietnam struggle. But this young man has shown that he is to be counted among the heroes who have died for our country.

This young man is Sp4c. Daniel Fernandez, 21-year-old son of Mr. and Mrs. Jose I. Fernandez, of Los Lunas, N. Mex.

One Purple Heart for wounds received in his first tour of duty was not enough for Daniel. He realized the tremendous struggle taking place for a free people in Vietnam, and volunteered to go back for a second time. This second time cost him his life, but saved the lives of his buddies serving with him.

This young man has been nominated to receive this country's highest decoration for bravery, the Medal of Honor, for giving his life to save his buddies. I am hopeful that speedy action will be taken to make this posthumous award which will acknowledge our country's gratitude to this gallant man who died a hero's death.

Daniel Fernandez died Friday, February 18, in a fierce battle with the Vietcong about 25 miles west of Saigon.

At the height of the battle, a grenade was tossed into the midst of Daniel's unit. Without hesitation, he threw himself on the grenade as it exploded, shielding his buddies from the blast. Knowing what was about to take place as he covered the live grenade with his body, he shouted:

> Move out, you people.

Friends of Daniel say that he was truly an unselfish person who always got along well with others. He had a consuming passion for horses, and at one time before entering the Army was a bronc buster. He participated in amateur rodeos and took an active interest in all life had to offer.

Daniel was an outstanding athlete in cross-country track and took part in football.

This young man grew up in the pleasant little ranching and farming community of Los Lunas, a town of about 1,500 people, on the Rio Grande, 10 miles south of Albuquerque.

Even as a child Daniel showed his desire to help other people. He helped out with the March of Dimes drives, took part in school programs sponsored by the 4-H Club, and volunteered for the school patrol in order to be of help to other students.

His officers in Vietnam have the highest praise for Daniel. Lt. Joseph D'Orso, a member of Danny's platoon, echoed the words of all his friends:

> He was always volunteering. He was ready to do anything.

His platoon buddies have given the highest praise to this young hero. Even after the fatal incident, just before being flown away in a medical evacuation helicopter, Daniel turned to his sergeant, of Nashville, Tenn., and said:

> Who's going to take care of you now?

Sergeant Perkins said that he had been working with Daniel since he joined the unit:

> He called me Sergeant Rock and I called him Old Dan. He was real young, but real grown up in his attitude.

Daniel was first wounded in Vietnam in March of 1965 after volunteering to go there. He was awarded the Air Medal and the Purple Heart and was sent home on furlough before being transferred to Hawaii.

In January of this year he volunteered to return to Vietnam. On February 18 he died a hero's death.

ESCALATION IN VIETNAM

Mr. RYAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, tomorrow we will debate and vote on the supplemental defense authorization. The authorization involves a crucial policy decision about what kind of war we are fighting in Vietnam.

On February 26, the New York Times carried an article from Saigon written by Seymour Topping. It describes the new war strategy being mapped out in Saigon. It is a strategy of escalation, which is expected to last for 3 to 7 years. According to Topping:

> During periods of maximum combat effort, it is expected that American casualties each month will average about 400 to 500 dead and about 1,500 wounded.

Thus, an escalated war can be expected to produce a minimum of 50,000 casualties.

This is what tomorrow's vote is all about. I hope that every Member of this body will read Mr. Topping's account before voting tomorrow.

The article follows:

[From the New York Times, Feb. 26, 1966]

UNITED STATES AND VIETNAM DRAW WAR PLANS FOR 3 TO 7 YEARS—OFFICIALS IN SAIGON CHART STRATEGY FOR INVADING OF ENEMY STRONGHOLDS—HOPE FOR TALK IS DIM—PLANNERS ARE APPREHENSIVE OVER REACTION TO EXPECTED HEAVY GI CASUALTIES

(By Seymour Topping)

Saigon, February 25.—Senior United States and South Vietnamese officials are showing a new sense of purpose and direction in the war against the Vietcong.

"We have nothing to cheer about except that we have at last defined our problem and we have the go-ahead on a program," one of them explained.

The officials estimate, in their planning, that the war will last from 3 to 7 years. At the moment they are more concerned about the possible adverse reaction of American public opinion to a costly, prolonged struggle than about any of the specific military or political problems within Vietnam.

MORE TROOPS TO ARRIVE

Under the new plans, the level of offensive operations is to be raised as the support capability of U.S. forces is expanded through the improvement of port facilities at Saigon and other harbors extending north to Da Nang.

Additional troops are to be brought to Vietnam so that the military commanders will have sufficient forces to strike hard at Vietcong base areas.

Air strikes at communication lines in North Vietnam and infiltration routes through Laos are to be continued. U.S. troops will be permitted to enter Cambodia in pursuit of Vietcong forces and North Vietnamese units that are reported to be based there.

A decision has been postponed on the deployment of U.S. troops in Laos to cut the Ho Chi Minh trail, although senior military officers in Vietnam tend to favor such an operation.

OFFICERS DIVIDED ON PLAN

The administration has decided against such a move for the present because of the opposition of the Laotian Government and disagreement within the U.S. military leadership over the feasibility of such an operation.

It is within this strategic framework that Gen. William C. Westmoreland, the U.S. commander in Vietnam, is planning his operations. The general intends to employ U.S. troops, which now number more than 200,000, in a series of sweeps directed at destroying, defeating or neutralizing the Vietcong's main-force units, which are estimated to total 80,000 men.

Despite private assurances from President Johnson that the administration will prosecute the war as is required, officials in Saigon are wondering whether the American people will tolerate the casualties that are foreseen in the projected military operations.

During periods of maximum combat effort, it is expected that American casualties each month will average about 400 to 500 dead and about 1,500 wounded.

There are no startlingly new features to the war program. The essential difference is that since the Honolulu Conference the key U.S. officials here, Ambassador Henry Cabot Lodge, who has overall responsibility for the American field effort; his Deputy Ambassador, William Porter, who is the coordinator in support of the village pacification campaign, and General Westmoreland have been given a clearer mandate to put the program into effect.

NEGOTIATIONS BELIEVED UNLIKELY

A number of policy options have been discarded or pigeonholed by President Johnson.

Official planning in Saigon no longer takes account of any possibility of peace negotiations with the Vietcong. It is felt that the President's "peace offensive" was undertaken to demonstrate that the Communists are not interested in negotiations and to assuage public opinion. The President is said now to be bent on action to break the back of the Communist-led insurgency.

Officials here did not weigh seriously the issues raised in the exchanges between President Johnson and Senator ROBERT F. KENNEDY, over his proposals on the role of the Vietcong. Air Vice Marshal Nguyen Cao Ky, the South Vietnamese Premier, is planning to hold elections late next year, but the 10-member governing Military Directory says it has no intention of allowing the Vietcong to vote or to put up candidates.

LANDING IN NORTH DISCARDED

In military policy, two options on action to seal off the South Vietnam battlefield by impeding or discouraging infiltration from North Vietnam have been discarded. One of these was a proposal for an amphibious landing in North Vietnam, near the Vinh region to block the approaches to the infiltration corridor through Laos.

A decision also has been taken against bombing the population centers at Hanoi and Haiphong, although the mining of the channel to the port of Haiphong and the destruction of jet airfields near Hanoi are still under consideration.

General Westmoreland believes that it will take several years to break the Vietcong main force units. Since the Pleime campaign, which began late in October, about 17,000 Vietcong soldiers have been killed, according to official American estimates. Vietcong forces have been provoked into major engagements by U.S. troops penetrating for the first time into some of their base areas.

VIETCONG REPLACING LOSSES

Vietcong losses, in killed and wounded, are being made up by the infiltration of troops from North Vietnam, now estimated to total 4,500 a month, and the drafting of men in South Vietnam.

Under the U.S. military umbrella, the South Vietnamese armed forces, totaling 570,000 men, are to have the principal mission of destroying or dispersing the approximately 110,000 Vietcong guerrillas operating outside the main units.

Once reasonable security is restored to any area, the pacification and rural reconstruction programs are to be instituted. Teams of Vietnamese revolutionary development cadres would cooperate with security forces in rooting out 40,000 Vietcong political and military command and control cadres in the villages.

A modest beginning described by one American official as a "small, bite-sized deal," is to be made this year in a pacification program in four selected areas where security conditions are fairly good. At the end of the year a total of 40,000 revolutionary development cadres are scheduled to be in the field, and the pacification areas will be slowly expanded.

REFORM MEASURES PLEDGED

Along with the pacification program, the Ky government is pledged to a program of political democratization and economic reform which is to be announced soon, to check inflation. Premier Ky has assured U.S. officials that he will introduce a constitution in November well before the elections.

At no stage in the political and military program do American or Vietnamese officials in Saigon foresee an opening of negotiations with the Vietcong toward a peace settlement. The more optimistic of them predict that Hanoi, confronted by a determined military campaign and a successful pacification program, will halt the infiltration to the south and that the Vietcong will gradually disperse in 4 to 5 years.

However, even the most optimistic officials are uneasy about returning to Honolulu next June to meet President Johnson's demand for a demonstration of how many coonskins have been nailed to the wall.

Apart from the results that may be expected in the next months from emergency measures to slow down inflation, no responsible United States or Vietnamese official in Saigon expects to record spectacular gains by as early as next June. One South Vietnamese official wryly said he might have to skin his stuffed tiger to have something to show to the President in Honolulu.

GENERAL RIDGWAY SUPPORTS GENERAL GAVIN

Mr. RYAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, on January 27, 1 month ago, I inserted in the RECORD a letter from Gen. James Gavin to Harper's magazine. In that letter General Gavin advocated a policy of stabilization rather than escalation in Vietnam. His letter has since become the center of a nationwide debate over military strategy.

In the March issue of Harper's, General Gavin's position is supported by Gen. Matthew B. Ridgway, former Army Chief of Staff. The text of General Ridgway's letter follows:

MEDAL FOR A GENERAL

I read with absorbing interest Gen. James M. Gavin's "Easy Chair" ("A Communication on Vietnam," February) and my own views accord completely with his.

General Gavin's penetrating analyses of our major military problems and policies, which he has made over the past decade and a half, have been conspicuous for fertile and creative thinking and far-ranging vision in the military field. It was his advocacy of the concept of "Sky Cavalry," as he termed it, a concept based on sound fundamentals of the military art, which resulted in our having a new type of Army combat division in our troop list today—the 1st Cavalry Division. Its battlefield performance in Vietnam has so far amply vindicated General Gavin's originality of thinking and brought further luster to this brilliant combat leader and politicomilitary planner.

GEN. M. B. RIDGWAY.

PITTSBURGH, PA.

ELIMINATING UNLIMITED TREASURY BACK-DOOR BORROWING AUTHORITY OF FEDERAL NATIONAL MORTGAGE ASSOCIATION

Mr. WIDNALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. WIDNALL. Mr. Speaker, I have introduced today (H.R. 13102) a bill to limit and provide for the gradual reduction and elimination of the authority of the Federal National Mortgage Association to borrow from the Treasury in carrying out its "management and liquidating" functions.

Mr. Speaker, this unlimited Treasury backdoor borrowing authority came into existence 2 years ago. It was a Senate provision in the 1964 Housing Act authorizing FNMA to sell beneficial interests or participations in respect to mortgages or interests therein held by Government agencies. No similar provision was considered by nor included in the Housing bill as it passed the House. It was adopted by the committee of conference and thus became a part of the Housing Act of 1964.

In connection with sale of the participations, FNMA, under its "management and liquidating" functions was authorized to guarantee payment of principal and interest on such participations. This guarantee in turn was supported by the grant of unlimited authority for FNMA to borrow funds from the U.S. Treasury for this purpose. Such unlimited backdoor borrowing authority was achieved by excluding this activity from a provision elsewhere in the FNMA charter act effectively limiting the access of FNMA to Treasury borrowing authority for its other "management and liquidating" functions.

Mr. Speaker, the basic purpose of FNMA; namely, a Government secondary mortgage market facility, is being subverted. FNMA rapidly is becoming a mechanism to finance other agency lending programs on an unlimited basis. It is becoming a Federal hockshop.

The Appropriations Committees might as well close shop as far as control of Federal lending programs is concerned if this unlimited backdoor Treasury borrowing authority is allowed to go unchecked.

Already, FNMA has sold $1.2 billion of participation certificates in a pool of FHA and VA mortgages and sale of another $410 million of such certificates is scheduled on or about March 16. The 1967 budget contemplates sale by FNMA of $1.55 billion of participation certificates for the Farmers Home Administration, Office of Education, and the Small Business Administration as well as an additional $1.68 billion of certificates for the VA and Department of Housing and Urban Development.

Mr. Speaker, this program is getting out of hand. It is the unlimited pipeline to the Treasury that makes this program tick. My bill, upon enactment, will bring it to a halt because it will plug this unlimited pipeline to the Treasury. I anticipate my proposal will be of interest to the Appropriations Committees in particular as well as all Members of Congress interested in preventing abuses in backdoor financing.

PERSONAL ANNOUNCEMENT

Mr. MIZE. Mr. Speaker, at the time of rollcall No. 24 last Thursday, February 24, 1966, covering the supplementary appropriation bill for our aid program in Vietnam, the Dominican Republic and elsewhere, I was obliged to be absent from the floor.

I respectfully ask that the RECORD indicate that had I been present I would have voted "yea" in favor of passage of the bill.

VIETNAM

Mr. ROUSH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ROUSH. Mr. Speaker, I will support the supplemental appropriation bill for the Defense Department. In so doing I also wish to make clear my full commitment to the administration's policy in Vietnam. I support the administration's policy because I am convinced our goal is an honorable and lasting peace.

I am convinced we seek no domination over other lands, we do not seek to rule the fortunes or destinies of other people. I am convinced we have walked that extra mile in seeking peace and that at this time there is no other course open but to seek out and defeat the enemy. There is at this time no other path toward peace open to us. No acceptable alternatives have been offered.

Even as I express this conviction I know I must examine my own responsibilities. Agree or disagree—like it or not—when the Nation is at war we are committed to battle with an enemy and there can be no question where every citizen must stand. There is no one whose heart is not burdened with sorrow for those who suffer because of this war. But I am resolute in my determination to do that which must be done.

To criticize, to attack, to deny support to our policy—all at a time when we are at war can only serve to undermine the morale of our fighting men. Equally dangerous it can lead to a misinterpretation by our enemies of the strength of our policy. Such a misinterpretation could result in prolonging the conflict and delaying the advent of peace.

The news I want Hanoi to get is that this Nation is determined, that we are united, that we mean what we say and that what we say is backed by every citizen of this country.

OKLAHOMA HERITAGE TELLS CONSERVATION PROGRESS STORY

Mr. STEED. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. STEED. Mr. Speaker, I would like to call your attention to a booklet I received recently that describes in picture and story the dramatic problems of soil and water conservation in Oklahoma, and how the people of my State, with the help of Congress and the Federal Establishment, have acted to solve them.

The booklet is called "Oklahoma's Heritage, Ours To Guard and Keep." It is heartening to me, as I know it is to the people of my State, to realize the progress that has been made in conserving our land and water resources since the dread days of the Dust Bowl and the times of frequent and damaging floods.

The story begins 38 years ago—in 1928—when a concerned Congress took a first step to control soil erosion. In that year the first erosion control research station in Oklahoma was established at Guthrie. There followed the creation of the Soil Erosion Service in 1933, and the establishment of the Soil Conservation Service, in 1935.

In 1937, Oklahoma was among the first States to authorize soil conservation districts, the basis for continued cooperation in soil and water conservation and development among farmers and ranchers, the Soil Conservation Service, and other Federal and State agencies and organizations.

"Oklahoma's Heritage" tells a story that with some regional variations could apply to any part of the Nation where the transition in land and water conservation has been dramatic in its spread throughout the rural areas, and from the farm and ranch to the rapidly growing urban communities.

"Oklahoma's Heritage" tells us that watershed protection and development has become a people's program, a fact attested to by $850,000 provided annually by the Oklahoma State Legislature for watershed planning and assistance to soil and water conservation districts.

I believe this heartening story of one State's travels along the road of sound soil and water conservation and development is of considerable interest outside of Oklahoma. It is, really, a national story that will be told as long as the need for rich soil and an ample supply of clean water continues to exist.

TRIBUTE TO THE HONORABLE ALBERT THOMAS, OF TEXAS

The SPEAKER. The Chair recognizes the gentleman from Texas [Mr. PATMAN].

Mr. PATMAN. Mr. Speaker, I rise with a heavy burden of personal grief to announce to the Members of the House the death of their colleague and my dear friend, the Honorable ALBERT THOMAS, of Texas.

I have had the great gift of his friendship since he was first elected to this body in 1936. In all the many years that we served together, I found him always a pillar of strength, the soul of integrity, and an extraordinarily able and hardworking man, ever concerned with the well-being of those he represented, of the Government which he served, and of the country which he loved.

Most of us who were close to him have been aware of the seriousness of the illness with which he was afflicted. We have seen him bravely endure surgery time after time. He fought the good fight all of his life; it was not in him to act any differently when life had reached its sunset. He suffered with courage, with the grace of one who did not wish that those who loved him should grieve. The fight is over, and his suffering is over. Those who loved him do indeed grieve at his passing, and I here acknowledge the extent of the loss that I feel.

He was born in Nacogdoches, Tex., in 1898, attended public schools there, and entered Rice Institute prior to the First World War. When the United States entered the conflict, he immediately joined the Army, and was commissioned as a very young second lieutenant. After the war, he returned to Rice where he obtained a bachelor's degree. He then was graduated from the University of Texas Law School in 1926. He came back to Nacogdoches and was elected to the combined offices of district and county attorney. He was reelected to a second term which he was unable to complete, since his abilities had won for him the post of assistant U.S. attorney for the southern district of Texas.

He served with distinction for 6 years in that office of public trust and responsibility, and then won election to Congress in 1936 to represent the Eighth Congressional District in Harris County, Houston, Tex. By the summer of 1938 he had obtained no less than 12 PWA projects and $9 million worth of Federal flood control projects for his district. Throughout his congressional career he concerned himself mightily with Houston's problems of flood control, navigation, and waterways. Houston's ability to cope with the present huge shipping traffic that fills its ports is due in large measure to his magnificent efforts through the long years of his service in the House of Representatives.

Houston owes much else to him, such as the Veterans' Administration Hospital on Holcombe Boulevard, the city's freeways built in large part from Federal funds, the Houston ship channel, the Manned Space Craft Center, the Texas Medical Center, and many, many more constructive, progressive, and valuable projects.

He never forgot his constituents. He tried to read all of their letters to him, and to dictate answers on the same day their letters were received. He was proud of the extent of his information on the wishes, needs, and beliefs of those he represented in this House. He liked to tell the people in his district that he made up his mind about his vote on any bill by reading what they had written to him about it, by talking with as many of them as he could, and then deciding the correct and fair thing to do. He was one of the most conscientious men I have ever known.

On January 22, 1949, he was selected to be the chairman of the Independent Offices Subcommittee of the House Appropriations Committee. His chairmanship during the many years since his appointment to that highly important post has been a monument to his scrupulous honesty, his dedication to detail, to progress, and to achievement, his knowledge of the legislative process, of the needs of the Federal Government, and of the ways and wishes of his colleagues whose judgment he always respected and whose friendship he deeply treasured.

I am too deeply moved by his passing to recount the details of his many achievements as a man and as a Member of the House of Representatives. Moreover, the record of accomplishment which he established here is known to most of his colleagues, as was his warmth of spirit and generosity of heart. All who know him will deeply mourn his his loss. All who had the honor of serving with him will know how great was his contribution in effort and dedication to the heavy burden and awesome responsibilities of the work of the House.

As we express our most profound regrets for his loss to the members of his family, we must also offer our sympathies to those whom he served so faithfully and so well, his constituents of the Eighth Congressional District of Texas and Americans everywhere.

GENERAL LEAVE TO EXTEND

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks eulogizing our former colleague, ALBERT THOMAS.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to our distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I join the distinguished dean of the Texas delegation in his words of tribute to one of the great legislators of all times.

ALBERT THOMAS was indeed a key Member of this body for many, many years. He bore critical responsibilities because of his long experience, his committee assignments, and his exceptional abilities, for many major programs and decisions affecting our Nation's defenses, her atomic energy program, and the operation of the independent agencies of Government.

ALBERT met his responsibilities with uncommon gifts and dedication. He was a professional in the finest sense of the word. He was the tireless shepherd of his congressional district, the faithful Member performing his duties to the House, the strong, decisive yet cooperative leader in committee. He was in every aspect of his service completely impressive and unfailingly effective.

ALBERT THOMAS was one of the most articulate debaters ever to serve in this body. He has many times captured the ear and persuaded the House by his peerless skill in argument, as he captured our hearts with his warmth and compassion. Our colleague was a gentleman whose every word and act were stamped with the high quality of his Christian career.

I shall miss by Texas friend and neighbor who had given me a helping hand on countless occasions over the years. My personal loss is great; the loss suffered by the House and by the Nation with the passing of this outstanding American is beyond estimate.

Mrs. Albert and I extend our sympathy to Mrs. Thomas, their daughters, and to all their loved ones.

Mr. MAHON. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Texas.

Mr. MAHON. Mr. Speaker, I thank the gentleman from Texas [Mr. PATMAN].

As one who served for many years alongside the late ALBERT THOMAS, I can certainly speak firsthand about him, about his qualities of character, and the excellence of his performance as a Representative in Congress.

Our late friend served in this House for more than 29 years. Some of us treasure the memory of having served with him during all those exciting, eventful, and fruitful years. Others served with him for a lesser time, but they do not have lesser respect for the memory of this great man.

I was thinking this morning as I came to the office, on this question: What were the qualities that made the late ALBERT THOMAS great.

In my mind, I summed it up about like this: He knew how to work with the Members of the legislative branch. He had the right technique, the right spirit of mind and heart.

He had the understanding. He knew how to work with the Members of the legislative branch in committee, on the floor of the House of Representatives, and in conference with the Members of the other body.

He was always effective, superb. He was always the master of the situation. There is something about us all that causes us to accord respect to the man who is the master of the situation.

In the second place, our friend knew how to work with the people of the executive branch. Through the years he dealt, with calm and dispassionate justice and great effectiveness, with the executive branch of the Government. And as a result of his good work many benefits accrued to the Nation.

But these talents alone are not sufficient for a Representative in the Congress. He must also know how to work with the people of his district. This departed friend knew how to work with the people of the city of Houston, a thriving and growing and sophisticated metropolis. He knew how to deal with the humble and the weak and the poor, and he knew how to deal with the rich and the mighty. ALBERT THOMAS loved them all. His people have lost a great and effective advocate.

ALBERT THOMAS was able to perform many of these things because he did his homework. He did the work necessary to make himself the master of the situation on the floor and elsewhere. He was dedicated. His major earthly love—outside of the love which he cherished for his wonderful wife, Lera, and his two daughters, Anne and Lera—his great love was for the House of Representatives.

In a very special way the late ALBERT THOMAS should be remembered as a man of great courage. Those of us who knew him best saw in recent years an exhibition of courage which I think I have never seen before in my lifetime.

My colleagues will remember the statue erected to Christopher Columbus out in front of the Union Station here in the Capital, chiseled in stone on this statue are these words:

> To Christopher Columbus whose high faith and indomitable courage gave to mankind a new world.

Now, when I think of indomitable courage, I think of the late ALBERT THOMAS. He exhibited indomitable courage to a degree rarely known among men.

Mr. Speaker, I shall not deal here in a recitation of accomplishments. I simply wish to join with you today in tribute to the memory of this very great, tall fellow Texan, this warm personal friend, the late ALBERT THOMAS, of Houston.

Mrs. Mahon and I extend our continued sympathy to Mrs. Thomas, Anne, and Lera.

Mr. PATMAN. Mr. Speaker, I would now like to yield to the gentleman from Illinois [Mr. ARENDS].

Mr. ARENDS. Mr. Speaker, I, too, with a very heavy heart, join with my colleagues today in paying tribute to our late departed friend and colleague in the House, ALBERT THOMAS. I served with ALBERT the many, many years that he was privileged to be here as a Representative of a fine district in Texas. He was a truly outstanding individual, a dedicated public servant, and one who served exceedingly well and with distinction.

ALBERT THOMAS was my friend and I was proud of his friendship. His district, his State, and this Nation will miss him and the objective and forthright leadership that he provided in this House. His was indeed a notable career. We grieve at his passing.

Mrs. Arends joins me in extending to his lovely wife and daughters our heartfelt sympathy.

Mr. PATMAN. Mr. Speaker, I would like now to yield to the gentleman from Louisiana [Mr. BOGGS].

Mr. BOGGS. Mr. Speaker, it has been written that courage mounts with the occasion. Our departed colleague, my friend, ALBERT THOMAS, truly, as the gentleman from Texas [Mr. MAHON] said a few minutes ago, a giant in the service of his people, of his State, and of his Nation, exemplified that expression that courage mounts with the occasion. In the face of great pain and suffering for almost a decade ALBERT THOMAS worked tirelessly on, never complaining to anyone. In the last decade of his life the city of Houston which he represented for so many years, ended the greatest era of its advancement, an almost fantastic period of growth and prosperity. That modern city today, thriving, progressive, and forward looking, in many ways is a living monument to ALBERT THOMAS, for it was he who led the way in the development of that city.

We have lost a noble and dedicated public servant, a fine human being, who, as has been said here, knew how to deal with his colleagues here, with his friends downtown, and with his constituents who gave him courage and gave him support time after time. ALBERT THOMAS leaves behind him many monuments, but I suspect the greatest are not the material examples which he made a reality for his district and his State but that world of personal courage and fortitude—his will to live, his determination to carry on despite tremendous odds and suffering.

Mr. Speaker, ALBERT THOMAS and the spirit he leaves behind is one which binds up and strengthens the sinews of our heritage; and at the same time, this spirit looks ahead with vision and initiative to build a stronger America, a progressive America. Never would he subscribe to a static society—to a standpat country. It is the spirit a man leaves by which he is best remembered; and ALBERT THOMAS possessed that spirit in rare quality. His vision was always toward the future—he never looked back, or dwelt on what might have been.

On this sad occasion, I am proud to salute ALBERT THOMAS for the exemplary service which he rendered for our country. I am proud to salute him for those things which he did for us and for this House. I am happy that I had the honor and privilege to share his friendship.

So, Mr. Speaker, I join with all of you in paying tribute to a friend who was dear to all of us, in saying to his lovely wife and his lovely daughters how much we shall miss him.

Mr. PATMAN. Mr. Speaker, I yield to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Thank you, Mr. PATMAN, for yielding to me.

It was just about a year ago—within a matter of a few days—that a number of us from both sides of the aisle took part in the dedication of the new gymnasium in the Rayburn Building.

The event of the evening which will always mean most to me was the unveiling of a portrait of ALBERT THOMAS.

This portrait hangs today in the gym—a fitting tribute to a colleague who gave so unselfishly of his time and energies as chairman of the gym committee.

It was my happy privilege on that occasion to say a few words, among them these:

> For AL THOMAS, let me say that in my book he is one of the best men I have ever known. I have one brother, a doctor back in Indiana. ALBERT, I just wish that I could have had you for a brother, too.

I never meant anything more in my life.

As far as our careers here in the House of Representatives are concerned, we grew up together, so to speak.

And with each passing session my respect and admiration for this kindly, competent and courageous man rose higher and higher.

I remember one time when a great Secretary of State of this country was critically ill with something of like fashion, President Eisenhower saying to me on one occasion:

> He does not worry about doing his job next year; he just worries about doing his job today.

Those of us who were here with ALBERT know of his physical difficulties and the great courage that was shown through every day as he carried on here in the House of Representatives.

AL THOMAS was far and away one of the most effective debaters I have known in my time here in this body.

The significant contributions he made in matters of critical concern to the Nation reflected his dedication and diligence as chairman of the Subcommittee on Independent Offices of the great Committee on Appropriations.

There was no question in anyone's mind, when AL THOMAS got to his feet to defend or oppose a point at issue, as our colleague, the gentleman from Texas [Mr. MAHON], said, he had done his homework well and thoroughly.

His untimely passing is a heavy loss to the country he served so long and so devotedly.

It is a loss to this body, to his native State of Texas, and to all who knew and loved him.

May his bereaved family be consoled in the knowledge that he left a legacy of magnificent service none of us shall ever forget.

Mr. PATMAN. Mr. Speaker, I yield to the gentlewoman from Michigan [Mrs. GRIFFITHS].

Mrs. GRIFFITHS. Mr. Speaker, I arise to express my sorrow at the passing of ALBERT THOMAS and to offer my deep sympathy to his widow and his family.

ALBERT THOMAS was not only an informed and intelligent legislator, he moved with wit and laughter to accomplish his purposes. He was one of those few people who also brought out the wit of those around him—so, that where he was, there laughter was also.

One afternoon, during the great debate over the far-out design of the Air Force chapel, I was sitting beside Louis Rabaut, also a member of the Appropriations Committee, listening as men attacked and defended both the design and the cost of the chapel.

Presently, ALBERT THOMAS came down the aisle. He stopped beside Louis and said, "Louie, I would not mind voting for this thing, but what are those 17 chicken wishbone affairs supposed to represent?" He pointed to the arches. Quick as a wink, Rebaut replied, "Why ALBERT, those represent the 12 apostles and the 5 members of the subcommittee."

When ALBERT had moved on; Louie said to me, "THOMAS is one of the best members of the committee."

All who knew ALBERT THOMAS will remember him, and all who remember him, will remember the moments of laughter they enjoyed with him. The joy of life is diminished with his death.

Mr. PATMAN. Mr. Speaker, I yield to the gentleman from North Carolina [Mr. JONAS].

Mr. JONAS. Mr. Speaker, when I learned of ALBERT THOMAS' death I felt almost as if the world itself had been shaken, or as if the foundation was crumbling. I had watched ALBERT's tenacious fight for his life during the last few years and had come to believe that he was indestructible. Although I knew within my own heart that he could not win that battle, he displayed so much courage and so much determination to live that at first I was not prepared to accept the knowledge that it was all over. So even though I had to know that the end was inevitable, nevertheless it was a great shock to me when it came. And as I heard the news that he was gone I recalled the words of the poet who said:

> Our little systems have their day,
> They have their day and cease to be,
> But Thou, O Lord, art more than they.

Much more important than that we sat on opposite sides of the aisle in Congress was the rewarding experience of sitting beside him in a small hearing room of the Independent Offices Subcommittee of the House Committee on Appropriations for almost 14 years. I can say that throughout that experience he was uniformly courteous, considerate, and kind. I never saw him when he did not display in his personal conduct all of the qualities and attributes of a gentleman. He was a man with all the social graces yet he was not interested in Washington society because the most important things in life for him were his family and his work.

No one can work in close association with another for nearly 14 years without learning a great deal about him. I not only knew ALBERT as a man of keen intellect and of outstanding ability, without a peer, in my judgment, in analyzing budget requests, in examining witnesses on the intricate details of the budget, in building a record, and in presenting the finished product on the floor for the approval of our colleagues, but as a warm personal friend. I have always had the feeling that nothing finer could have happened to me in my congressional life than when I was assigned to work on the subcommittee which he headed with such distinction. The lessons I learned from him in that subcommittee have been invaluable, but these things have a way of passing and of being forgotten. The thing I shall never forget about ALBERT THOMAS was the warm and friendly smile he always gave me and the friendship he so generously extended to me.

It is strange and somewhat ironic that you can work closely with a man for 14 years, realizing all the while that you admire, respect, and depend upon him, and yet with his passing all of a sudden realize that your feelings run even deeper than you had suspected. There is a gulf, a tremendous sense of loss—almost inexplicable and beyond comfort. That is the feeling I have as I realize that this tall Texan is no longer among us. I will leave it to others to cite his many accomplishments, victories, and successes. My purpose today is to recount my own personal sense of loss in his passing.

It is sometimes fashionable for mourners to become preoccupied with rhetoric in seeking to say something that will seemingly fit the man to the words. It is not so in what I shall say because in my book ALBERT THOMAS was a man whose life virtually burst the bounds imposed by words. The mystical shroud of death has engulfed his body but no one would want those of us who remain to be deprived of the spirit of the man. Certainly the world is a bit better for his having abided a time here. When you consider all of the troubles, wars, diseases, and pestilences that confront our weary planet that is saying a great deal. The seasons come and go and the years pass and each one seems to remove a loved one from our midst. This time it was ALBERT THOMAS: statesman, leader, legislator, friend. He leaves many visible monuments of his diligent service to district, State, and Nation. These monuments will keep alive his memory in Houston and elsewhere, but the monument which will remain in my memory is more lasting than bronze.

When I think of ALBERT THOMAS today, and as I shall think of him in the days ahead, Shakespeare's words in "Julius Caesar" seem most appropriate:

His life was gentle, and the elements
So mix'd in him that Nature might stand up
And say to all the world—"This was a man."

To the gracious Mrs. Thomas, who stood by her husband's side throughout his long struggle for life and who selflessly devoted so much of her time and energy ministering to his comfort, and whose courage matched his own during the ordeal through which they both passed, and to their two lovely daughters who meant so much to ALBERT and who mean so much to their mother in this hour of sorrow, I extend my profound sympathy. They have lost a devoted husband and father and I have lost a true friend.

Mr. PATMAN. Mr. Speaker, I yield to the gentleman from Texas [Mr. CASEY].

Mr. CASEY. Mr. Speaker, it is indeed with a great sense of loss that I join my colleagues today in paying tribute to the late, great ALBERT THOMAS from Harris County, Tex.

ALBERT THOMAS is not only a legend on the floor of the House of Representatives, he is truly a legend in Houston and Harris County.

The first vote I ever had the privilege of casting at the age of 21 was for ALBERT THOMAS in his first great race for his seat in this House of Representatives. ALBERT THOMAS was an underdog in that race—a tall, straight, energetic, young man who had served with distinction in the U.S. district attorney's office which, as most of you know, is not one of the places that you are apt to come in contact with the greatest mass of people. But ALBERT THOMAS with his great personality and his great vigor went around to see the man on the street. The manner in which he campaigned is legendary. After his victory over what was then considered the most powerful political figure in Harris County, he went back and retraced his steps to thank the voters who had bestowed this honor upon him. From that time on, ALBERT THOMAS was in the hearts of everyone in Harris County.

I never will forget my own first political race. I was running for the State legislature. The first question anyone would ask me—and they would bristle a little when they said it—was, "Are you running against ALBERT THOMAS?" As soon as I assured them I had no such high and mighty ideas, they would talk to me.

ALBERT THOMAS was a legend in many of his mannerisms, some of which you are very familiar with. His trademark of "podner"—an expression of affection for his fellowman—his glasses, up on his forehead—when he was perhaps about to challenge you or to give it to a witness before a committee who needed a little deflation—or when he was about to throw a humorous barb at a colleague.

I can tell you that you cannot turn a corner anywhere in Houston or in Harris County without seeing the mark of ALBERT THOMAS on it. Our great Houston ship channel, which he guided during his 30 years in Congress, has grown from a fairly energetic port to second in the Nation. That did not just happen. It took men—and a man like ALBERT THOMAS—to see that this came about.

Houston's great airport is there because of ALBERT THOMAS.

Our freeway system is there because of ALBERT THOMAS.

Mind you, those are the big things, but I can tell you that the first time I ever wrote to ALBERT THOMAS I was still in college. I merely dropped a post card to him. I wanted to make slight inquiry about a particular aviation program. As the boy said, I really did not "want to know that much." But ALBERT THOMAS not only saw that I got the information but he also wrote a personal letter with an invitation to come back for more if I needed more information. He did not know me from Adam at that time, I know.

ALBERT THOMAS' shoes will never be filled. His footsteps are hard to follow. He has left such a mark in Harris County that all of us strive to partially achieve it.

It is indeed fitting that the newspapers of Harris County should write very glowing editorials and accolades about ALBERT, and they know that the words are inadequate. I know that my words today are inadequate to express the high admiration that I have for this lost colleague.

He was a man who loved his family, and his devoted family bore with him this tremendous burden that he had during his last years. No man showed more courage than did ALBERT THOMAS in these past years. An ordinary man would have possibly ended it sooner. But ALBERT THOMAS was not an ordinary man.

As county judge of Harris County before I had the privilege of joining this distinguished body, I had occasion to work with ALBERT THOMAS on many affairs of Harris County. As administrative head of the county, when we had problems, all I needed to do was to pick up the telephone and say, "Congressman, we have a problem." He said, "What is it?" When I told him he said, "Well, we had better attend to it."

One of the first that I had in my capacity as county judge was the great flood-control problem. Houston is a better place to live in for that one project alone.

I can tell you without hesitation and without equivocation that there will never be another ALBERT THOMAS in Harris County. But he has given us all something to strive for. He has given us all an idea of what dedication to public service is.

I, and my wife, Hazel, offer our deepest sympathy to his devoted and lovely wife, Lera, and his two lovely daughters, "Little Lera" and Anne. We will miss him with you. We bear this burden with you. God grant that we can all try and strive to serve our communities and the people that we represent in the manner in which this great and distinguished Texan has done.

Mr. Speaker, I include as part of this RECORD editorials and articles from the Houston Chronicle, the Houston Post, the Pasadena News Citizen, and KHOU-TV:

[From the Houston (Tex.) Post, Feb. 16, 1966]

THOMAS ALWAYS HAD TIME—"FOLKS" CAME FIRST

(By Franklin Reed)

WASHINGTON.—It was November 20, 1945, and a 16-year-old Houston youth, in Washington to appear on a radio program, dropped by the office of Congressman ALBERT THOMAS.

Possibly, the young Houstonian thought, a busy Congressman could take 30 seconds to shake hands with someone from the old hometown.

The Congressman took 30 seconds to shake hands. Then he took 30 minutes to chat with his visitor in the office; another 30 minutes to take him to lunch and—most memorable of all to the visitor—another 30 minutes to take him onto the floor of the House of Representatives to sit and listen, enraptured, as if he were a Congressman himself.

All this, when the visitor would have been sufficiently flattered with a simple handshake.

As much as anything, this was ALBERT THOMAS. He seemed to feel that nothing was too good for the home folks. The fact that one of them might be only 16 years old and couldn't vote didn't make a bit of difference to him.

And thus it is that a man who could easily be remembered for big things may come to be remembered more for little things—thousands of seemingly inconsequential acts, courtesies, and favors for the best people in the world to him, the residents of the Eighth Congressional District of Texas.

At his death, Houstonians in uncounted and uncountable numbers are probably calling forth some personal memory of the Congressman.

Maybe it was a lunch date, or a phone call, or a letter of congratulations or condolence, or an appointment to a service academy, or help in cutting through the redtape of Washington.

As they do this, this is their memory of ALBERT THOMAS.

The writers of the Constitution wanted the House of Representatives to be close to the people. THOMAS, though he had great power and prestige, which often make a man remote, never forgot this.

How is it that I know so much about that 16-year-old Houston youth? I was that youth.

MEMORIES OF ALBERT THOMAS, A FRIEND

(By Morris Frank)

Many fitting eulogies have been written in tribute to ALBERT THOMAS. Certainly I would not attempt to add to any of them.

ALBERT THOMAS, though, was not only a great statesman but a great friend. And I have many happy memories of my friend ALBERT THOMAS who grew up, so to speak, in good old Nacogdoches.

In fact, in a way, ALBERT and I had similar starts in life. Both of our fathers had dry goods stores in east Texas, ALBERT'S, of course, in Nacogdoches, ours in Lufkin.

As I always told ALBERT, he went on from his dad's dry goods store to stellar accomplishments. While I just went on.

We used to kid lots about the Lufkin-Nacogdoches rivalries.

Like others who knew ALBERT when, I took pride in his attainments.

However, being he was from Nacogdoches and I was from Lufkin, we wouldn't let that friendship interfere with our respective loyalties.

Indeed, one of the stories ALBERT got the biggest kick from was an experience I told him about.

I was on the Cruiser *Houston* when it was coming to Houston for Navy Day after World War II. I was on a newspaper assignment. We were docked at Guantanamo, Cuba. The cruiser captain was a fine fellow but he was very conscious of protocol. I had quarters on the top deck near the captain's. ALBERT was due to join us at Guantanamo. The captain told me one day:

"Mr. Frank, I hate to ask you this. But Congressman ALBERT THOMAS is to join us. He is a big factor in the naval appropriations. You know how it is."

He didn't wait to see if I knew how it was. For he continued: "So I'll have to move you to a lower deck and give your accommodations to Congressman THOMAS."

I bristled and answered: "Captain, you are not moving me anywhere. Let me tell you something. I come from a town named Lufkin in east Texas. Congressman THOMAS is from our ardent football rival, Nacogdoches, 20 miles away."

And I went on: "Captain, if it ever got back to Lufkin that I moved out for a Nacogdoches boy, king, President, Congressman or what, I could never go back home. So I ain't moving."

The day was saved only when ALBERT had to cancel the trip. Needless to state, I was not that ship captain's favorite after that.

ALBERT THOMAS left many memorable accomplishments and many happy memories. I join a legion of other friends in deepest sympathy to Lera and all the family.

[From the Houston (Tex.) Post, Feb. 16, 1966]

ALBERT THOMAS SERVED ABLY

Few congressional districts in the Nation have been served as ably as Harris County during the long tenure of Representative ALBERT THOMAS. At the time of his death and for many years before, he was a member of the powerful House Appropriations Committee. In this capacity, he had a major part in obtaining for the county such Government installations as the Veterans' Administration hospital (originally a Navy hospital) and the Manned Spacecraft Center.

If the success of a Congressman is measured by what he does for the people of his district, ALBERT THOMAS was greatly successful. But doing things for Harris County was only the bread-and-butter part of his 29 years in Congress. As chairman of the Appropriations Subcommittee that handled funds allotted to some 40 Government agencies, ranging from the Atomic Energy Commission to the Veterans' Administration, he sought to represent all of the people of the United States in seeing to it that the money was spent wisely.

He was regarded as one of the hardest-working Members of the House. He was at his office early every day, and frequently took work home with him at night. When bureau officials seeking money appeared before his subcommittee, they usually found he knew as much about their subject as they did. Within the committee and on the floor of the House, he often voted against administration projects he considered unwise or wasteful.

THOMAS was born in Nacogdoches in 1898. He was graduated from Rice University, served in the Armed Forces during World War I, and received his law degree from the University of Texas Law School. He also attended Harvard University Law School for a time.

He was serving as county attorney at Nacogdoches in 1931 when he was offered a place in the office of the U.S. district attorney here during the Hoover administration. When Douglas W. McGregor became U.S. attorney after the election of President Franklin D. Roosevelt, THOMAS remained in the office as an assistant.

He gained considerable fame in the Federal courts of the district as a prosecutor. To underworld characters he helped convict, he was known as Vinegarroon.

In 1936, the office of Congressman from the Eighth District, which then included all of Harris County, became vacant when Representative Joe Eagle retired to run unsuccessfully for the Senate. THOMAS became one of more than a dozen candidates.

THOMAS and former Mayor Oscar F. Holcombe were in the runoff primary, and THOMAS won. It was a political upset, and a tribute to the THOMAS smile and handshake.

The county's population was much smaller then than it is now. Television was still to be born, and if a young man in politics wanted votes, he had to get out and meet the voters. THOMAS, by traveling around the county from early morning until late at night, met most of them.

In election years since, he usually won reelection easily.

ALBERT THOMAS learned how the people of this county felt about him November 21, 1963, when some 3,300 attended a banquet in his honor. It was held in the coliseum. Among those who said complimentary things were President John F. Kennedy and then-Vice President Lyndon B. Johnson. Mr. Kennedy was killed the next day in Dallas, and ALBERT THOMAS was present in the plane when Mr. Johnson took the oath as President.

He also was honored in 1965 when the Brown Foundation gave $500,000 to Rice University to establish the ALBERT THOMAS chair of political science.

THOMAS' death, although not unexpected, was a shock to all who knew him and loved him. The Post joins many friends throughout the Nation in sympathy for Mrs. Thomas and his daughters. He will be long remembered here and in the Halls of Congress.

[From the News Citizen, Pasadena, Calif.]

THOMAS' DEATH IS "DARK DAY"

One of this area's truly great statesmen was laid to rest Friday.

Congressman ALBERT THOMAS came home to the Houston he loved best and did more for than perhaps any other single man in history.

Although Representative THOMAS did not represent the Pasadena area at the time of his death, his tremendous work was felt here.

He is given credit for bringing the Manned Spacecraft Center to Clear Lake. Had it not been for his work on this project, Pasadena might not be the booming city it is today.

THOMAS had been a Member of Congress since 1937 and had headed powerful appropriations subcommittees since 1949.

He is said to have helped then-Congressman, now President Lyndon B. Johnson acquire much of his political experience and savvy.

THOMAS was a down-to-earth guy who liked to campaign unannounced, shaking hands, seeking the opinions of his citizenry, and listening attentively to any thoughts they might have.

He was greatly admired by persons of all political philosophies and parties and seldom had an opponent.

His courage was especially demonstrated when he became one of the few southern Congressmen to vote for the Civil Rights Act and medicare. Although he was considered a liberal, his mind was always open to what he considered best for his populace.

Many Pasadenans remember THOMAS from the days when Harris County had just one congressional district, and he was the Representative.

South Houston Mayor George W. Christy put it well when he called THOMAS' death "a dark day for all of Harris County."

[From the Houston (Tex.) Chronicle, Feb. 18, 1966]

AVE ATQUE VALE, ALBERT THOMAS

This is a sad day for Houston and Harris County.

It is the day on which one of our most distinguished sons, ALBERT THOMAS, for 30 years the Representative in Congress of the Eighth District of Texas, is laid to his final rest.

His loss is hard to accept, even though we had advance warning of it. The state of his health had been precarious for 3 years and more. But he carried on so courageously and so well that when the blow fell none of us was really prepared for it.

During most of his career in Congress ALBERT THOMAS represented all Harris County; in recent years, since the county was divided into two districts, he has represented only the north half. Yet the interests of the entire county remained uppermost in his heart, as is evidenced most dramatically in the fact that the Manned Spacecraft Center, which he did so much to help locate here, is not in his own 8th but in the 22d District.

And it is all of Harris County that mourns him today, along with Texas and the Nation. All Harris County extends its sympathy to the wife and daughters of its veteran Congressman.

Many of the Nation's great came here today for the funeral. Those of his constituents who cannot join them at church service and graveside do so in spirit.

ALBERT THOMAS, hail and farewell.

[KHOU-TV 11 Editorial]

ALBERT THOMAS

A personal memory was jarred back to consciousness yesterday, with news of the death of Congressman ALBERT THOMAS.

It concerned a phone call just last week from Washington. The caller was Galveston Congressman CLARK THOMPSON, but the operator said it was Mr. THOMAS.

Mr. THOMPSON was asked if this happened often. It did, he said, but he wasn't bothered by it—he was flattered.

That brief, matter-of-fact comment comes strongly to mind today, as a quiet, but really unmatched testimonial to ALBERT THOMAS—for nearly 30 years, Houston's leading spokesman in the Nation's Capitol. It was a brief, but telling, assessment of the man who deserves much of the credit for making our community what it is today.

We in the news business remember him well, as an unassuming man whose nearest approach to flamboyance was his strong tie—a firm and positive person who devoted his life to the community he loved and the Nation he served—going happily into his last term in Congress, knowing that cancer, which already had brought him pain and misery, quite probably would bring death before the term was out, but choosing, nonetheless, to spend that time in the work few knew or could perform better.

And with these things in mind, we see the meaning clear in President Johnson's brief comment: "He worked hard. He served well. His death leaves a lonely place in the lives of those who knew him best."

Mr. PATMAN. Mr. Speaker, I yield to the gentleman from Ohio [Mr. MINSHALL].

Mr. MINSHALL. Mr. Speaker, death has deprived the Congress and the country of a good and wise Member of Congress, a distinguished chairman, and a brave and gallant gentleman.

In the brief year I served under Chairman THOMAS on the Subcommittee on Independent Offices Appropriations, I gained tremendous respect for his awesome knowledge of the operations of the 22 Federal agencies within his subcommittee's purview. He had a computer mind and his memory was uncanny concerning the thousands of employees and billions of dollars involved. The contributions he made to civil aviation and to the space program have made, and shall continue to make, a daily impact on the lives of millions of Americans. Future generations will have much reason to give thanks to the tireless and dedicated work of ALBERT THOMAS.

I shall always remember the generous welcome Chairman THOMAS gave me as a newcomer to his subcommittee last year. He did everything possible to ease my introduction to the complexities of the 22 agencies, each a beehive of problems and personalities. He was gracious and generous in giving every courtesy and help to this Member from across the aisle. He extended the hand of friendship and I was honored to take it. I am grateful that I had the opportunity to serve under this remarkable and brilliant chairman and to have been able to call him my friend. I will miss not only his kindly words and friendly pats on the back but most of all wise counsel and wonderful leadership—we have all lost a real friend.

Mr. PATMAN. Mr. Speaker, I desire to yield to a neighbor of Mr. THOMAS, from Galveston, Tex., the Honorable CLARK THOMPSON.

Mr. THOMPSON of Texas. Mr. Speaker, the formal remarks, which I shall extend in the RECORD, are to a large degree repetitious, but I want to give you a little anecdote, a true personal story that takes up a thread that has been woven through all of these eulogies today. It was during World War II, when I was in the Marine Corps, stationed in San Diego, and the Appropriations Committee, the Subcommittee on Naval Affairs, as I recall it, was coming through to look over our establishment and later to make appropriate appropriations.

I was assigned as the escort to the tall Texan, a man whom I knew not very well at that time, but still I knew him. We went around and saw what was going on. I thought I knew what he wanted to look at, and I took him around and showed him. Then came dinnertime, and we assembled in the ballroom in a big hotel. There was the speaker's table, and I went and looked at the name cards, and saw his there. I took him up there and I said, "Your seat is up here," and sat him down. He said, "Where are you going?" I said, "I am going down there." He said, "No, you are going to sit here by me." I said, "ALBERT, I can't. I have to sit down with the troops." And he got up and left that seat and would not return to it. He said, "When my friends don't go first class, I don't, either."

So it was, and I have never forgotten it. I just thought of it this morning, with all of these tributes being paid. He took care of his friends, and he took them all first class or he would not go himself.

Mr. Speaker, the passing of our old friend, ALBERT THOMAS, was a shock although we knew that for a long time he had been battling with one of the cruelest killers of them all—cancer. As much as a year ago, we knew that nothing was keeping him going except his indomitable courage.

Some of us recall how he would come in on the floor of the House, sit down in the back of the Chamber, and call one of us over to sit beside him. He did not want to talk much, but he told me one day that when the pain was particularly intense, he wanted some of his close friends nearby. He fought this pain, which he told me in recent weeks sometimes became so bad that he felt he just could not stand it. But, he did. And, he fought it right down to the last hour with his mind perfectly clear and his courage undaunted.

In the days since his passing, we have become increasingly aware of our loss. We know that no one can ever take his place and only by following closely his example can his successor find a place of his or her own.

Our hearts go out to his beloved Lera and to his two daughters, Anne and "Little" Lera. We share with them the sorrow that must be in their hearts.

Mr. PATMAN. Mr. Speaker, I yield to the gentleman from Massachusetts [Mr. CONTE].

Mr. CONTE. Mr. Speaker, I am honored and proud to add my own voice to the chorus of tribute being raised in this Chamber today in recognition of our late, lamented colleague, the Honorable ALBERT THOMAS, of Texas.

Congressman THOMAS was one of those rare public servants who stood as a giant among his colleagues, while at the same time forgoing the kind of publicity and personal flamboyance that would have made him a more famous man outside this body.

He was known, respected, and loved by all who knew and worked with him, both Democrat and Republican. His efforts in the Congress seldom made headlines for him outside of his native State, although the mark of his activities has had a tremendous impact upon the course of history and current events. He will be missed by a great many more than those in Texas, whom he served so well. Texas and the entire Nation have lost a faithful and beloved public servant.

I am proud to count myself among those who welcomed and profited by his experience and wise counsel. He was a man skilled in his profession and who used those skills with discrimination and unerring judgment. Much of his stature stems from his personal restraint in wielding the power and influence at his command.

Above all, he was a human being of deep understanding and compassion. His high good humor and warm optimism were undimmed even by the persistent and inexorable shadow of death. In his 29 years as a Member of this body, he established new standards for devoted public service, determination, and raw courage.

Among his greatest virtues, to me as a member of the opposition, was that he could rise above partisan dogma when the occasion demanded. He was not a man to carry party above public interest, or beyond personal friendship.

My fondest recollections of our honored colleague are those times when, in less formal surroundings, he would extend a gentle slap on the back and a personal word of encouragement. His life, his career, and in a sense his sad passing, have all been a source of much inspiration for me and, I am sure, for all of us.

I am pleased and proud to extend my personal condolences to the surviving members of his family, and to assure them that a great many willing shoulders share their burden of grief in this hour.

Mr. PATMAN. Mr. Speaker, I desire now to yield to the gentleman from Alabama [Mr. GEORGE W. ANDREWS].

Mr. GEORGE W. ANDREWS. Mr. Speaker, I lost a warm personal friend when ALBERT THOMAS passed. For many years it was my privilege to serve with him on the Independent Offices Subcommittee of the House Appropriations Committee. He was a great leader and one of the most conscientious men I have ever met. There did not seem to be enough hours in the day for him to accomplish the goal he set at the beginning of the day. He worked long and hard, and there are many of the agencies in our Government that are today accomplishing more and working better just because of the untiring efforts he put forth in committee hearings. He handled his subcommittee's annual appropriation bill on the floor of the House like the old pro he was.

He was ever conscious of the pressing needs of the day and met the challenge with the wisdom of Solomon. ALBERT THOMAS loved his work in Congress, and the people he represented in Texas. No problem was too complex for him to tackle, and those of us who knew him were well aware that he could solve the most complicated ones.

ALBERT THOMAS was a family man. He cherished his lovely wife, Lera, and their two wonderful daughters. His family can take pride in the many accomplishments he attained in his service in Congress. They have my deepest sympathy in their great loss.

Aside from his family and from my own personal sense of loss, I am thinking of the loss that has been suffered by the people he so ably represented in Congress, and of the loss sustained by the State of Texas and the Nation. We shall miss his keen and effective work in Congress.

Mr. Speaker, ALBERT THOMAS had all of the qualifications which I have always felt were necessary for the making of a good public official. He was honest, he was able, and he was courageous.

Mr. Speaker, I would like to say that there comes to my mind one of my favorite poems entitled "The Heart of a Friend."

The heart of a friend never wonders or doubts no matter if years intervene
The old faith is there and naught can compare with the comfort it gives though unseen
Yes, the heart of a friend is the one thing I prize as life lengthens and twilight descends;
It's the last boon I'll ask when I have finished my task that I live in the hearts of my friends.

I can assure the loved ones of ALBERT THOMAS that as long as his friends live ALBERT THOMAS will live in their hearts.

Mr. PATMAN. Mr. Speaker, I yield to the gentleman from Georgia [Mr. FLYNT].

Mr. FLYNT. Mr. Speaker, I respectfully pay tribute to the life and character and public service of the Honorable ALBERT THOMAS, late a Representative of Texas. His colleagues from the State of Texas can more effectively and more properly describe the tremendous affection, admiration, and esteem in which he was held by his home people and by his Texas colleagues.

Mr. Speaker, it is indeed true that the Nation, the State of Texas, and especially the Eighth District of Texas, have lost an outstanding Representative.

We who have had the privilege of serving with him in the Congress have lost a wise counselor, and an able colleague, and a good friend. For 12 years prior to the completion of the Rayburn House Office Building, the office of ALBERT THOMAS and my office were located on the same corridor. Because of this happy circumstance I saw ALBERT at least every day during those 12 years. When I came to work discouraged, downhearted, or blue or depressed, simply by meeting him in the hall and having him raise his hand and say "Hi, partner," it made it all worth while again.

I am sure that I speak for many of my colleagues when I remember him in that way.

Mr. Speaker, as a member of the Committe on Appropriations he participated in and guided the necessary funding of a multitude of agencies of our Government. Perhaps, more than any single individual he has guided the proper funding of man's exploration in space. He did not confine his activities and the wealth of his ability and his knowledge to one aspect of congressional service. In the spheres in which he was an acknowledged master he was probably the most capable and effective debater that many of us have seen.

When ALBERT THOMAS brought an appropriation bill to the floor of the House few dared to offer amendments thereto. When amendments were offered, few, if any, were adopted. As far as my knowledge goes, I believe only one major amendment was adopted to a bill which he managed, and many of us have reason to believe that he did not seriously object to that amendment.

ALBERT THOMAS was fair, he was honest, and he was courageous in everything that I saw him do during the period that I was privileged to serve with him.

I especially remember with pleasant affection our association together at the Democratic National Convention in Los Angeles in 1960. I could recount numerous other occasions when my life and its activities have been made more pleasant because of my association with this man whose memory we honor today.

Mrs. Flynt, our daughter, and our two sons join me in extending our heartfelt sympathy to his beloved life companion, and their two devoted daughters.

Mr. Speaker, I believe that somewhere in the Great Beyond ALBERT THOMAS is aware of the love and affection in which we held him in life and of the way that we feel about him in memory.

To where he is in that Great Beyond, I would like to lift my eyes and my voice and say: Good friend, wise counselor, tall Texan, outstanding legislator, and great American, we bid you an affectionate farewell.

Mr. PATMAN. Mr. Speaker, I yield to the gentleman from Florida [Mr. SIKES].

Mr. SIKES. Mr. Speaker, this is a sad occasion in the Halls of Congress. Death has claimed an able man—one of the ablest in our midst and one of the most beloved. I speak of ALBERT THOMAS, late a Congressman from the Eighth District of Texas.

ALBERT THOMAS was a veteran legislator—skilled in debate and a master parliamentarian. He was one of the most effective men ever to represent a constituency in Washington. Here was a man from whom it was always possible to learn, a man whose unfailing spirit of dedication to the principles of sound constitutional government was a constant inspiration.

Few men in Congress have been more genuinely respected and loved by his fellow Members. One of the senior Members of the House, he was also the ranking member of the great Committee on Appropriations. His steadying influence in that committee and on the floor was a guiding light which time and again directed the course of legislation into sound channels.

Throughout the course of his long and trying final illness, he exhibited a brand of courage seldom seen. Suffering could not dim his interest in the work of the Congress and in the good of his country. He fought a good fight, and his work lives on. His voice has been stilled but the spirit of leadership which he exhibited will remain as a monument to the name of ALBERT THOMAS. Our Nation and his State have lost a patriot—a leader—a friend.

I join with my colleagues in extending earnest sympathy to Mrs. Thomas and to all the members of the family.

Mr. PATMAN. Mr. Speaker, I yield to the gentleman from Massachusetts [Mr. BOLAND].

Mr. BOLAND. Mr. Speaker, I join with the great Texas delegation and other Members of this House in this tribute to ALBERT THOMAS.

Nothing that I can say on this occasion can describe the personal grief that I feel at his passing. No words of anyone are needed to highlight his magnificent record in all of the public offices that the people of his community entrusted to him in his beloved State of Texas.

The great and distinguished, brilliant chairman of the full Committee on Appropriations, Mr. MAHON, fellow colleague from Texas and long-time friend of AL THOMAS said something a moment ago that I think bears special emphasis. He said, "Mr. THOMAS knew how to deal with the executive branch." As chairman of the Independent Offices Subcommittee on Appropriations—of which I am a member—he presided over this tremendously important committee with sheer brilliance, unmatched ability, and courtly and considerate demeanor. He saw agency heads come and go in the years he presided as chairman over this committee. He knew the agencies and their missions better and understood their significance more than the many benchwarmers that passed through these agencies. He was aware of the fantastic power that regulatory agencies could bring to bear on the regulated and he recognized so well the actions of eager beavers who could run rampant with power. As much as anyone I know, he was everlastingly and constantly concerned that the public be protected, its rights guarded, and interests be met by the great regulatory agencies of our Government.

His control of his committee was masterful because he did his work. He knew the subject and he recognized the problems. He was a genius at interrogation and he always succeeded in building a wonderful record for his committee.

In the years he served as chairman of the Independent Offices Subcommittee on Appropriations, the budgets of the various agencies that came before his committee were reduced under his leadership of the committee by some $15 billion.

The fact that he was never overturned on this floor is eloquent testimony to the soundness of his actions.

I know that Houston has lost one of its finest public officials and one of the greatest in the history of that magnificent city.

This Nation has lost a brilliant legislator.

We have lost a good and valued friend.

To Mrs. Thomas, Ann, and Lera, I extend my heartfelt sympathy. What a truly magnificent, majestic woman Mrs. Thomas has been in the long, exciting years of her marriage to AL THOMAS. In the terribly trying days of the past many months, her toil and her sacrifice has been an example to behold.

I know that her great grief is softened by the regard and the esteem in which ALBERT THOMAS is held by all who knew him—the high and the mighty—the rich and the poor—his countless friends in Houston, in Texas, and in the entire Nation.

Mr. PATMAN. Mr. Speaker, I yield to the gentleman from Texas [Mr. POAGE].

Mr. POAGE. Mr. Speaker, I would feel entirely remiss were I not to say a word in connection with the passing of my dear friend, ALBERT THOMAS, although I recognize full well that none of us can add anything to the tributes that have been enunciated here today or to the fond recollection of his colleagues.

I became a Member here on January 3, 1937, the 75th Congress, and was assigned a room on the fourth floor in the Old House Office Building. Next door was the then new Representative from Harris County. Albert was my first office neighbor. It was the beginning of our friendship, which lasted until he left us.

I have always felt that it was proper to appraise and analyze our friends, and I tried to fairly appraise Albert Thomas. I have tried to apply to him the tests which, it seems to me, we might apply to the ideal Representative.

Of course, any Member of this body to be worthy of membership must be honest. No man ever questioned the honesty of Albert Thomas.

Almost every man to be worthy as a Member must be diligent. He must be a worker to achieve success. There are very few who are so blessed that they can perform the duties of this office without many hours of hard labor. Albert was a hard worker, and he did much of his work without publicity. He never spared himself.

Of course, in the final analysis, what everyone wants to know is: Is a Member of Congress efficient? Does he get results?

In the 30 years in which I have served here, no Member has been able to pile up a finer record of results. No Member has been more efficient in his services than Albert Thomas. He was effective by every standard. As has been so well pointed out he was effective for Houston, but he went much further. He was effective on every level. He served his day and generation, and generations yet to come.

Of course, I think that we should question ourselves as to how a man becomes efficient. Obviously, to be an efficient Representative he must be intelligent. Certainly Albert Thomas' intelligence was recognized by all who knew him. His was one of the great outstanding intellects of this House, and he was one of those rare individuals who had native ability and personality to apply it.

For a man to use his intelligence effectively, he must be polite; he must be courteous to his colleagues. Albert was always courteous, even courtly, always friendly, always anxious and solicitous on behalf of his colleagues.

Of course, along with that courtesy must go personal strength and bravery. Certainly for the last several years the Members of this House have come to know Albert as an outstandingly brave man. He never complained. He never burdened others with his personal problems. He accepted his afflictions and fought his own battles. He would help others but he would not ask their help for himself.

In that connection I think it would be remiss for anyone to overlook the cooperation, the help, and the strength that he received from his own wife and helpmate, our own friend, Lera Thomas, who bore with him through these trying periods, and his two outstanding daughters, who have been so faithful and so helpful. Frances and I want to join with the other thousands of friends all over this country in extending our personal sympathies and best wishes. You have the satisfaction of having known and loved a great husband and father.

We have all felt very keenly the loss, not only of a great legislator and leader, but we have felt very keenly the personal loss of a friend—one with whom we have had long and lovely associations. We will not soon see his equal.

Mr. PATMAN. I yield to the gentleman from Indiana [Mr. Harvey].

Mr. HARVEY of Indiana. Thank you very much.

Mr. Speaker, I would certainly be remiss if I did not take this opportunity to pay a word of tribute to and express my appreciation for Albert Thomas. Our country is indeed a better place for the fact that he served in the Congress of the United States. The House of Representatives is likewise a greater body because of his presence here.

It is not only in my own instance that I could give very outstanding tributes, but also as an observer and seeing his personality as it pervaded the House of Representatives. To me, it was an indication of the highest calling that any Member of Congress can achieve, and it is a tribute not only to his own personal integrity but as well to the enhancing of the congressional delegation from Texas, and, indeed, the whole United States.

I certainly want to pay tribute to him not only as a legislator, as a great authority on appropriation matters, but also as a great tower of strength in protecting our country in every way that he had an opportunity to assist. I just hope the House of Representatives will continue to be composed of men of his caliber.

Mr. PATMAN. Mr. Speaker, I yield to the gentleman from Texas [Mr. Rogers].

Mr. ROGERS of Texas. Mr. Speaker, I never knew a man for whom I had a deeper respect than I did for Albert Thomas. I think he was truly a living example of the gentlemanly qualities that should be a part of all of us. He was a man who was loved by everyone who knew him. I never knew a man who served with him in the Congress who did not look upon Albert as a friend and trust him. I think that is one of the greatest tributes. I think Albert Thomas left monuments here in the House of Representatives that will live for many, many years to come.

I know that everyone looked forward to seeing Albert every day. He was a fellow who dispensed good will, a man whom you felt you had the deepest faith and trust in the first time you met him. I hope this country produces many more like him.

I have never known a greater example of true courage, than that displayed by Albert.

Jean and the children join me in extending to Lera and to Anne and to "Little Lera" our deepest regrets and our most sincere sympathy. But I think they can have much solace in the fact that the world is a better place because Albert Thomas lived. I know that my life is much richer because I knew him.

Mr. PATMAN. Mr. Speaker, I yield to the gentleman from Texas [Mr. Wright].

Mr. WRIGHT. Mr. Speaker, the passing of our friend and colleague, Albert Thomas, leaves in this Chamber a void which never really can be filled, and in our lives a big and empty place.

Beneath his courtly manner of genteel affability and never-failing courtesy, Albert Thomas concealed the rapier thrust of a brilliant mind. He was a legislator's legislator, a pariliamentarian par excellence. He knew every turn in the legislative road.

Albert Thomas was intensely loyal to those whom he served. Because of his vision and skill, his beloved home city of Houston has prospered almost beyond belief. His devoted espousal of the Houston ship channel has built his city into the Nation's third largest port.

Almost everywhere one looks in that booming metropolis one can see monuments to his service. The Manned Space Center is in Houston because of Albert Thomas. The Veterans' Administration cemetery, in whose grassy mall he was buried, is the result of his labors. The magnificent Houston International Airport and the great freeways system testify to his achievements. To a truly unusual degree, Albert Thomas has set in motion the basic stimuli to chain-reactive growth which have sparked the fantastic mushrooming development of the Texas gulf coast.

And yet, Albert Thomas was not provincial. His mind was broad and his vision encompassed the needs of our Nation. For many years, since 1949, the 26 administrative agencies of our Government which received their appropriations from the independent offices appropriation, annually came to him to explain their programs and their needs.

He served the taxpayers of our Nation, and he served them well. His keen perception throughout the years has winnowed the wheat from the chaff, trimmed costly frills, and given to the Nation a stellar example of fiscal integrity.

To those of us who knew him, Albert was a constant inspiration during the long months of his painful illness. He never grumbled or complained. There was in his makeup no hint of self-pity. His cheerfulness in face of the stark adversity of health was a great and living sermon in itself. Albert Thomas was a man.

And so, infinitely poorer for his loss but infinitely richer for his having dwelt among us, we think of his family whom he loved and devoutly wish for them the consolation that can come in the knowledge that there are those who would share their unspeakable grief, and in the surety of his good life and its eternal reward.

Mr. Speaker, I include with my remarks two news articles written about our esteemed colleague soon after his passing:

[From the Star-Telegram]

Representative Albert Thomas: Modest but Powerful

(By John Mort)

Washington.—Representative Albert Thomas, of Houston, who died Tuesday of cancer, was one of the most powerful Members of the House and also one of the least known outside his district and Congress.

THOMAS, 67, died at his home here after battling cancer for more than 7 years. He had undergone a number of operations during that time.

They were something. The roster reads almost as a list of milestones in the history of the growth of the Southwest's largest city—the city hall, the coliseum, Jeppesen Stadium, the Veterans' Administration hospital, the new Federal building, improvements to the ship channel and port of Houston, and lately, the hallmark of a career, the billion-dollar Manned Spacecraft Center. In all these, the influence of THOMAS was pervading.

His power came from seniority (only 10 Members of the House outranked him), his behind-the-scenes persuasiveness, and his position as chairman of the Independent Offices Appropriations Subcommittee, a group which approves the spending programs of all Government agencies independent of Cabinet departments, and annually produces a bill second in size only to the massive defense appropriation.

Still, THOMAS was relatively unknown, not only nationally but in wide areas of Texas. This was largely of his own doing. Until his last illness, he was always accessible to Houston newsmen. Others, regardless of their eminence, found it virtually impossible to get to see him.

No major law bears his name but his hand was strongly felt in many a legislative battle.

He played a major role, for example, in blocking the funding of the Dallas Federal building during the tenure of Republican Congressman BRUCE ALGER.

THOMAS concealed behind his carefully cultivated air of Southern conservatism a strongly liberal voting record. While he talked enthusiastically about "cutting the fat" from budget requests, he was one of the most generous senior members of the Appropriations Committee.

Long before it became generally practiced in the South, THOMAS campaigned quietly among Houston Negroes, keeping engagements without public announcement and being driven to them by a chauffeur he trusted not to broadcast where he had been. He made a point of contributing to Negro philanthropies and fund-raising projects for Negro churches.

He was born in Nacogdoches and graduated from Rice Institute and the University of Texas Law School. After service in World War I and a stint as county attorney at Nacogdoches he became assistant to the U.S. district attorney in Houston. Five years later he ran for Congress. His leading opponent was Oscar Holcombe, who was later to serve 11 terms as mayor of Houston.

THOMAS won, 33,866 to 25,021.

He took his seat in the House in January 1937, and was never again to face a tough election battle.

Cancer struck in the late 1950's, and in 1963 THOMAS announced he was too sick to go on. He would retire at the end of his term.

But his constituents would have none of it nor would the then President Kennedy and Vice President Johnson.

THOMAS was elected again.

At a 1963 testimonial dinner in Houston, President Kennedy was the main speaker. He said:

"ALBERT THOMAS is old enough to dream dreams and young enough to see visions."

He also said: "He is one of the most widely influential Members of the House—but one of the least widely known outside of Texas and Washington.

"He has one of the longest records of seniority listed in the Congressional Directory—but one of the shortest, most modest biographies."

Whereas some Congressmen use up more than 50 lines of print in giving their biographies, THOMAS' was only 6 lines—in a sense a line for every 5 years of service to what he called "my people."

Surviving are his wife and two daughters, Mrs. Edward Lasater, of Houston, and Miss Lera Thomas, of Washington.

Funeral services will be at 2 p.m. Friday at the First Methodist Church in Houston with burial in Albert Thomas Memorial Veterans' Administration Cemetery there.

ALBERT THOMAS—SAD-FACED MAN IN THAT PICTURE

(By Seth Kantor)

WASHINGTON.—His colleagues considered him one of the 10 most influential men in Congress, yet it could be a quirk of destiny that makes ALBERT THOMAS recognized generally as "that very sad faced man in the picture."

"The picture" is that tortured classic, taken in the Presidential plane, Air Force 1, November 22, 1963, as Lyndon B. Johnson was sworn in and John F. Kennedy was aboard in a casket.

Representative ALBERT THOMAS, Democrat, of Texas, was standing at Mr. Johnson's right shoulder. The look on his face told the whole story, preserved for generations of the yet unborn.

Yesterday, in his 30th year in Congress and his name unknown even in great parts of Texas, Representative THOMAS died. As chairman of the House Independent Offices Appropriations Subcommitee, he directly controlled the spending of $15 billion in this year's budget and had a vital say in the appropriations of many billions more.

He was a behind-scenes guy who wore a bow tie, liked to flip his spectacles upon his forehead when not using them, took just enough time for a hurried sandwich for lunch, spurned fancy talk and social events even in the Nation's Capital, and could cut any bureaucrat to ribbons at subcommittee hearings when it came to knowledge of Federal expenditure needs.

Representative THOMAS worked hard at physical exercise, up until 2 years ago, to keep fit for the night-and-day grind of studying he forced on himself.

"I don't think the people of Texas can fully understand," said Representative GEORGE H. MAHON, Democrat, of Texas. "I don't think the American people ever can understand what it means to run a subcommittee the way THOMAS had done it.

"It's there that you have to stand on your two feet and hold your ground, or lose support. It has to be your whole life—a job like that."

But even that ALBERT THOMAS made sound simple. He said that "all I've done is follow the principle I learned as an east Texas farm boy. That is: A pound of butter is worth 2 pounds of sand."

Mr. PATMAN. Mr. Speaker, I yield to the gentleman from Oklahoma [Mr. STEED].

Mr. STEED. Mr. Speaker, when we turn our attention to the life and work of our late beloved colleague, Congressman AL THOMAS, of Texas, only words in the superlative seem to suffice in assessing his great work, his great dedication and his great achievements.

The record he made in Congress is so outstanding that it stands as a shining monument to the man who made it. He not only was endowed with all the attributes of statesmanship and devoted citizenship; he not only had a deep understanding and appreciation of the democratic process of Government; he not only had the ability to place service above self as few men have been able to do, but he could use these gifts and virtues to the end that outstanding achievement equaled his mark as a man and as an American.

With all my colleagues, I join in attesting these fine commendations to the memory of one of our truly great legislators. Our words are frail reward for his great service, but their sincerity bring to his memory a special tribute that few men have received or deserved.

But to me, Mr. Speaker, it is not enough just to review the fine character and record of this man. I think all of us who served with him for many years feel a special loss in his passing. AL THOMAS was more than a warm personal friend to me. He was my tutor and my strong helper in far too many ways to relate here. I was a great benefactor because I knew him and was fortunate to be numbered among his intimates. In the darkest and hardest hours that have been mine as I work in this place, AL THOMAS was so often a strong right arm to help me and to bolster me when I needed it the most. He won my eternal gratitude.

My State remembers him well. He was good to Oklahoma. We all will miss him. We join with all of you in high praise to the memory of this man.

Mr. PATMAN. Mr. Speaker, I yield to the gentleman from Connecticut [Mr. GIAIMO].

Mr. PATMAN. Mr. Speaker, I now yield to the distinguished Speaker of the House of Representatives, the Honorable JOHN W. MCCORMACK, of Massachusetts.

Mr. McCORMACK. Mr. Speaker, in the passing of our dear friend and late colleague, ALBERT THOMAS, the Congress and the country have sustained a great loss. For ALBERT THOMAS, a great American, was one of the outstanding legislators in the Congress of the United States.

Mr. Speaker, his passing leaves all of us with a profound feeling of sorrow.

ALBERT THOMAS, as our late Chief Executive, President John F. Kennedy, said of him in 1963 in commending ALBERT for his many years of outstanding service, and I quote:

> He has served with distinction and high ability his district, his State and his country. It would be impossible to exaggerate the importance of the leadership Congressman THOMAS has exerted in the House of Representatives.

Mr. Speaker, while he had been sick and laboring under difficulty and great pain for a long period of time, yet when his passing came it was a stunning blow to his colleagues, his constitutents and his countless friends and admirers throughout the country.

Mr. Speaker, to me his passing is an earthly separation from a dear and valued friend.

It can well be said of ALBERT THOMAS that there has never been a more dedicated Member of the Congress than he. His great ability, his logical and analytical mind, also his amazing capacity as a debater, his qualities of leadership, his dedication to the public service, the deep respect and friendship his colleagues held for him, made our dear friend, ALBERT THOMAS, one of the outstanding Members of this body.

Mr. Speaker, despite his serious illness and constant pain and strain he was undergoing, our dear friend remained in

Washington and at his post of duty, under difficulties almost beyond human endurance.

Mr. Speaker, ALBERT THOMAS continued to perform his duties, and always at his side was his sweetheart and wife, Mrs. Thomas.

Mr. Speaker, it was about 10 days before his death that I paid a visit to him at the U.S. Naval Hospital, and Mrs. Thomas was at his side. As I was leaving my dear friend, he turned to me and said, "Goodby, partner. Mr. Speaker, when you need my vote, let me know."

Mr. Speaker, he was still thinking in terms of service to his district, State, and country, and in terms of performing the duties of his office.

Mr. Speaker, as an individual, his understanding and considerate mind, his acts of help and kindness to his colleagues, his love of his fellow man, his nobility of character, was always an inspiration for all of us to follow. For, it could well be said of ALBERT THOMAS that he was "one of God's noblemen." The intellectual excellence, the firmness of moral purpose, and the nobility of character is an impression that ALBERT THOMAS has made upon his colleagues and upon the great history of this body.

Mr. Speaker, intellectual excellence, firmness of moral purpose, and nobility of character have not vanished from America as long as we can point to the life of ALBERT THOMAS, and as long as others emulate his life. For ALBERT THOMAS was nurtured on American soil, educated in American schools, and spent his life in American public service.

Mrs. McCormack joins with me in extending to Mrs. Thomas and her loved ones our deep sympathy in their great loss and sorrow.

Mr. GERALD R. FORD. Mr. Speaker, nothing could take the place of an all-absorbing purpose in the rich and meaningful life of Congressman ALBERT THOMAS. His goal was the national interest. A man of strong convictions, mental stamina and physical courage, his strength as a public servant serves as an inspiration to those who follow him.

ALBERT THOMAS was forward looking, cheerful, optimistic no matter the staggering odds and obstacles that faced him. Day by day he added knowledge, wisdom, experience, and skill. Upon these attributes rested his technical competence, broad intellectual outlook, high sense of humor, understanding, and appreciation of human relationships.

He saw problems not as difficulties. To him they were opportunities for action.

To me he was much more than a colleague in the House of Representatives. He was a partner with whom I served on the House Committee on Appropriations, and this was among my richest experiences.

The dedication and accomplishments of distinguished public servant ALBERT THOMAS will be long remembered in the Congress, the Nation, and the State of Texas.

Mr. ROGERS of Colorado. Mr. Speaker, ALBERT THOMAS was an old partner to all of the Members. ALBERT THOMAS in a good and friendly way would occupy a seat in the rear of Chamber, and would ask you to sit beside him. He would immediately ask "How is my old partner today?" Should you tell him of your problems, he would offer you good advice and would do what he could do to help you. He well deserves the honor of being called a partner.

We who knew him loved him. He was kind and understanding. He was a man among men.

I extend my sympathy to the family as I know their loss is great. We will all miss him in the future.

Mr. RHODES of Arizona. Mr. Speaker, every now and then it is the good fortune of each of us to meet a person with whom we instantly feel at home and whose personality is congenial to a person's own outlook. To me, ALBERT THOMAS was one of those rare persons.

He had the rare quality of being a warm, friendly personality, but also a very tough guy when his principles and deepseated beliefs were challenged. He was possessed of great native intelligence, a fine education, and the desire to work hard. As chairman of the Independent Offices Subcommittee of the Appropriations Committee, he was thoroughly familiar with all the nooks and crannies of this very important and very complex jurisdiction. Many of the department heads who came before this committee later agreed that Mr. THOMAS actually knew more about the workings of their department than they did. In conducting hearings, Mr. THOMAS was always courtly and polite, but he never suffered a fool gladly. Department heads always got along well until they proved beyond a reasonable doubt, by their own testimony, that they either did not know what they were talking about, or were trying to "fool the committee." At that time, they found in very short order that such tactics and such disregard for the intelligence of Congress did not serve them well in the Independent Offices Subcommittee.

ALBERT THOMAS believed in the House of Representatives, and in its rules. He had great respect for his colleagues, and always showed them the utmost consideration, without regard to their political party. As a member of his subcommittee, I can say truthfully that I have never received anything but kindness at his hands, and the utmost consideration for my own ideas and principles.

In the loss of ALBERT THOMAS, the Congress loses one of its really noble Members. This is a loss which all Members will feel for many years to come. Mrs. Rhodes joins me in expressing our deepest sympathy to the beloved family of ALBERT THOMAS in their bereavement. This expression of sympathy is also extended to the citizens of the State of Texas and to the congressional district which ALBERT THOMAS served so long and so faithfully. May his great soul rest in peace.

Mr. PIRNIE. Mr. Speaker, once again we have bade farewell to one of our colleagues who had impressed his great ability and pleasing personality indelibly upon the memories of us all. During the nearly 30 years he served the Eighth District of Texas, AL THOMAS grew steadily in the stature of public service. He became knowledgeable in the rules of the House, the functions of its committees, and the intricacies of the legislative process. When he came to the floor with appropriation measures he was prepared always to press for their enactment through his mastery of detail and rugged persistence. His gracious exchanges were suavely disarming, smoothing the path in the direction he wished to move.

Yes; the Eighth District has lost an able and admired legislator but we, his colleagues, have lost a good friend. AL THOMAS enjoyed his relationships in the House and always reciprocated any friendly gesture. During the latter days of his life, many of us sensed the fatal nature of his illness and admired the courageous battle AL was waging. He never sought pity, nor did he inflict his suffering upon others. On the contrary, he bowed out with the same gracious manner he had evidenced as he moved among us.

We truly mourn his passing and extend our deepest sympathy to his family. AL THOMAS will not soon be forgotten.

Mr. CLEVELAND. Mr. Speaker, the death of our colleague, ALBERT THOMAS, was a deep personal blow to me and I wish to take this opportunity to pay tribute to his memory.

Through his long and dedicated service in the House of Representatives, ALBERT THOMAS played a key role in shaping national policies during one of the most turbulent periods of our Nation's history. His death has taken a wise and valued counselor from us.

Mr. THOMAS was unfailingly courteous and helpful to the younger Members regardless of party and he was much respected by them. The courage which he displayed during his long battle against the affliction to which he succumbed inspired the highest admiration.

His portrait has an honored place on my wall. I am proud to have known him and to have had his friendship. He will be greatly missed and long remembered by those who knew him and knew the measure of his contributions to the welfare of our beloved country.

Mr. ULLMAN. Mr. Speaker, ALBERT THOMAS was one of the "giants" of this era in the Congress of the United States. None who served with him will ever forget his soft-spoken persistence, his genial repartee, his gracious consideration of even the newest of his colleagues. He suffered in the past few years more than most men do in a lifetime, yet few but his intimates ever knew it. He thought of others first. His qualities of genuine modesty and self-restraint combined with courage, vision, and dedication to his people and his country are a mark of his true greatness.

I loved ALBERT THOMAS as a friend, as a human being, as an adviser and teacher. He set an example for living that all of us could do well to emulate.

ALBERT THOMAS left his mark upon this time and this era of history. He left his mark particularly in the hearts of all those of us who loved and admired him. To his family and loved ones, I join my colleague from Texas in offering heartfelt condolences in this hour of great loss.

Mr. WHALLEY. Mr. Speaker, the untimely passing of our distinguished colleague from Texas, the Honorable ALBERT THOMAS, leaves us very sad. We will miss him. Mr. THOMAS was a kind man. He was a hard worker and a fighter for fairness and justice. He was a most able and efficient public servant and during his long service as a Member of this House, he left an imprint that will not soon be forgotten.

To know him was a privilege. I say to you, Mr. Speaker, this world is better because ALBERT THOMAS lived.

To his devoted wife and family, Mrs. Whalley and I extend our sincere sympathy, and we pray the Lord that Mr. THOMAS will rest in peace and that those who are dear to him may have strength to bear their great loss.

Mr. NATCHER. Mr. Speaker, at a time like this a man discovers that, though his heart be eloquent, his words are paltry. In this time of grief we, in our human, mortal way, seek thoughts that will give us some comfort, thoughts that will soften the terrible blow, that will help us adjust our hearts and minds to the incomprehensible truth that ALBERT THOMAS is gone.

The death of my friend, ALBERT THOMAS, removes from this earth one of Texas great statesmen and a man recognized throughout this country as a leader of men and a man of public spirit. He was always a perfect gentleman and a considerate man whose exemplary life influenced his own generation and will influence succeeding generations. In every position he held, either private or public, he achieved distinction. He loved people and they in turn loved him. The qualities which endeared ALBERT THOMAS to those who knew him best were his devotion to his family and friends, his rugged integrity and his unfailing sense of humor and good commonsense. His contributions to better government were many and will long be remembered.

I extend to his lovely wife and children my deepest sympathy in their bereavement.

Mr. DUNCAN of Oregon. Mr. Speaker, others, more eloquent than I and who have known him longer than I have, will eulogize ALBERT THOMAS today. No one, however, will miss him more than I. He befriended me early and often. I wished and wish that I could have "hepped" him as he "hepped" me.

I can only say, "So long, old pa'dner,"

Mr. KORNEGAY. Mr. Speaker, I am both sad and proud to add my humble praise to that of my colleagues for one we honor here today.

I did not have the privilege of knowing ALBERT THOMAS as long, or as well as many of the Members, for I was still in grammar school when he came to the Congress. Yet the brevity of our relationship did not detract from my great admiration for him both as a person and as a skilled practitioner of the legislative arts.

ALBERT THOMAS was to me a master engineer when it came to guiding legislation. I always marveled at the ease with which he handled difficult pieces of legislation. His was a consummate skill.

In spite of his busy schedule, he always had—and took—the time to help his colleagues. This was especially true with respect to younger and newer Members. To us, he was not only fair and sympathetic to our problems, but we always benefited from his wise counsel and sage advice. And, as we benefited, so did our constituents and the Nation.

The Eighth District of Texas has lost a great representative, but their loss is not greater than the Nation's, for he was a noble statesman. He leaves us, in addition to his many accomplishments as a legislator, a wonderful example of courage. ALBERT THOMAS never gave up, nor did he weaken in the face of adversity. Francis Scott Key may have foreseen a Nation of ALBERT THOMASES when he wrote America is the "home of the brave."

I extend my utmost sympathy to his wife and to his two daughters.

Mr. ROGERS of Florida. Mr. Speaker, I wish to join the colleagues and many friends of the late Congressman ALBERT THOMAS, of Texas.

Since first coming to the Congress in 1936, ALBERT served his constituents, State, and Nation with the greatest distinction.

I know that the Members of the Texas delegation who have served with ALBERT THOMAS can testify to his achievement and contribution to his State. I know that those who served with him on the House Appropriations Committee can testify to his effectiveness as an advocate for greater economy and efficiency in Federal operations.

May I associate myself with the sympathies and condolences extended to the members of Congressman THOMAS' family. They have reasons to be proud of his record of patriotism and dedication to his country. Congressman ALBERT THOMAS was a great American. His loss will be felt by all.

Mr. MORTON. Mr. Speaker, one of the first Members of Congress whom I came to know when I arrived here in January 1963, was ALBERT THOMAS. He was a longtime friend of my older brother, and because of this friendship, Congressman THOMAS took a special interest in helping me to become acclimated to a new professional life. For the privilege of this personal association I am deeply grateful.

ALBERT THOMAS was truly a Member of Congress in every sense of the word. His service to the people of his district, his service to all Americans, and more than this, his effective service to the Congress itself, to his colleagues and to the institution of government, sets the career of ALBERT THOMAS high apart.

No person, even those of just casual acquaintance, can escape a feeling of sorrow and loss as he leaves us. To Mrs. Thomas, his family, and to the people of his district, whose deep feelings for him are most understandable, may I extend heartfelt sympathy.

Mr. BROYHILL of North Carolina. Mr. Speaker, this Congress and the Nation mourn the passing of ALBERT THOMAS. His record in the House of Representatives spans three decades of steadfast service to the people of Texas' Eighth Congressional District and America. The void caused by his death will, indeed, be difficult to fill.

When I came as a new Member of Congress in 1962, Congressman THOMAS was one whom I came to respect and admire for his devotion to duty, wise counsel, and genuine friendliness. I feel that his work has given me a greater understanding that democracy is precious not as an inherited privilege but as a trust to be enhanced by continually striving for higher achievement.

In this Chamber his sound reasoning and careful guidance were instrumental in the thorough consideration of legislation reported to us by the Appropriations Subcommittee which he led so well. I am sure each of us will always remember his eloquent presentations here, both in outlining the provisions of bills studied by his subcommittee and in debating the merits of other measures before us.

ALBERT THOMAS was outstanding as a statesman, legislator, counselor, guide, and friend. The loyal spirit in which he served has helped light our way, for the purposes and ideals we honor and cherish have gained new luster by his life. Truly, he set a proud example for us to emulate, and I am grateful for the privilege of having served with him in the House of Representatives.

Mr. ICHORD. Mr. Speaker, upon this sad occasion hearts are grieved in the memory of our distinguished colleague. The passing of ALBERT THOMAS leaves an irreparable void in this Hall today and in the lives of all who knew him. It is a personal loss to me, but for the fine people he represented, the State of Texas, and the Nation at large, the loss is even greater for we have lost the services of a remarkable man and the resources of a great mind.

These few words of mine and the eloquent and moving tributes paid to our late departed colleague at this ceremony depict, in part, the high esteem in which he was held by all, but the greatest tribute of all—one he was able to enjoy while he lived—was the privilege granted by his people returning him to his seat in Congress for 30 years in recognition of his ability as a legislative technician and his hallmark contributions to Government.

ALBERT THOMAS had the stability of the oak. He had many qualities and he was a competent manager of them. He had lofty purposes in life, and he fulfilled them with the strength of his mind. To ALBERT THOMAS much was given and he gave much more—his accomplishments and achievements will live in his memory and in the hearts of his friends for many decades.

As a lawmaker, as a lawyer, as a veteran, as a husband, and as a father, ALBERT THOMAS personified honor, dedication, devotion, dignity, and selfless charity. His strength was rooted in his firm convictions. He approached his duties and responsibilities with sincere altruistic dedication and served his State and Nation with the same tenacious principles which characterized his life. Rare are the men who possess the values and the standards of the late ALBERT THOMAS. All who were associated with him can be grateful for having had the benefit of the inspiring influence of his personality.

It has been an honor to me to serve in the House of Representatives with my good friend ALBERT THOMAS—a practitioner of democratic ideas and American ideals. Words are insufficient to properly express any tribute or memorial to him. I extend deepest condolences to Mrs. Thomas and the other members of his family and to the people of his State of Texas.

Mr. WHITTEN. Mr. Speaker, I subscribe to every word of the statement made here today by my colleague, the gentleman from Texas, GEORGE MAHON, with reference to the service of our late friend, ALBERT THOMAS, of Houston, Tex. ALBERT THOMAS was truly a man of outstanding character, ability, and industry. As a committee chairman who developed in full the facts of the case before him, he was the best. On the floor of this House he was unsurpassed. It has been said that anyone who comes to the Congress must adjust himself to the fact that there is little one man can do to change the course of human events.

Mr. Speaker, ALBERT THOMAS never in 29 years accepted that fact. He was determined and he did influence the course of this House and of this Nation—to its advancement.

It was my personal privilege to serve on an appropriations subcommittee with ALBERT, beginning in January 1943. I liked and respected him then and through all the years since my liking and appreciation for ALBERT as a man and as a colleague has continued to grow.

To his lovely and fine family I extend my deepest sympathy. The Nation has lost a great son and all who knew him have lost a friend.

Mr. SHIPLEY. Mr. Speaker, I knew ALBERT THOMAS from the first week of the 86th Congress. He was one of the first Members I met. A year later I was appointed to his Independent Offices Subcommittee. I know of no one who expressed more interest in a freshman Member than AL THOMAS, nor do I know of anyone who was more sincere than AL in helping a new Member of Congress with the many problems that may arise.

I watched his leadership in his committee and on the floor with great admiration and great respect. The knowledge he possessed regarding the number of agencies he handled on his committee was superb. Without a doubt, AL THOMAS was one of the greatest minds and one of the hardest workers the Congress will see in many, many years. He will be missed personally and the knowledge that he gave all the Members will be missed very much as well. He was truly everyone's friend.

What I am trying to say is that AL THOMAS was truly a gentleman, truly a Christian, and truly a great American.

I will never forget his welcome when you visited him in his office, his committee, or his own home. He would always reach out with both hands and say, "Come in this house and sit down." And I know that when AL THOMAS met St. Peter, St. Peter said to him, with outstretched hands, "come in this house, AL, and sit down."

I certainly wish the best to Mrs. Thomas and the two daughters, and I know they realize how much AL was loved by everyone.

Mr. COHELAN. Mr. Speaker, the House of Representatives and each one of us has suffered a great loss with the passing of ALBERT THOMAS. He was a great man and a great Member of Congress. He will long be remembered with admiration, respect, and affection by all who had the privilege of serving with him and all those whom he served so ably.

One of the great moments in any year was to watch ALBERT THOMAS manage a bill which had been reported by his subcommittee. His judgment, his grasp of complex and difficult problems, combined with his never failing grace and good humor, marked it as a masterful performance in the best tradition of outstanding leaders of the House.

As a man, ALBERT was in a class by himself. He was a confidant of Speakers and Presidents, yet he was never too busy to extend a friendly hand, or a warm greeting, or a thoughtful word of counsel to any Member, no matter how junior he might be.

It was these and other similar qualities that stamped ALBERT THOMAS as a great man and a great leader of men. The House is saddened by his passing but it is richer for his many years of distinguished service.

Mrs. Cohelan joins me in extending heartfelt condolences to Mrs. Thomas and the other members of his family.

Mr. HALEY. Mr. Speaker, each of us here today realizes that one chair is empty. A chair that was filled so well by our departed friend and colleague, ALBERT THOMAS. We all will miss the warmth of his personality and the sincerity of his friendship.

ALBERT THOMAS was a loyal and faithful servant of the Eighth District of Texas for nearly 40 years. But more than that, during his years in the Congress he became the servant of all Americans. He had a broad and comprehensive knowledge of the needs of our Nation and he worked with skill and diligence to meet those needs. And so the whole Nation benefited from his service here.

He was one of the most able and conscientious men to ever sit in this House of Representatives. He was an effective legislator. His service on the Appropriations Committee and on the Joint Atomic Energy Committee was distinguished. Those of us who have been concerned over the enormity of the Federal budget and the vastness of the national debt were grateful for the wise and careful attention he gave to all of the appropriation requests that came before his committee. The American people should have felt a little more secure because a man of his ability and conscience was watching over such important matters for them.

Let us hope that those who seek to follow in his footsteps will take inspiration from the record he wrote and from the good life he lived. They could follow no finer example.

To Mrs. Thomas and her daughters, Mrs. Haley and I extend our deepest sympathy.

Mr. HULL. Mr. Speaker, it is with the most profound sorrow that I learned of the passing of an American patriot, the Honorable ALBERT THOMAS. His passing brought to an end a long career of dedicated public service.

I met ALBERT THOMAS when I was a freshman in the 84th Congress, and during the 11 years I have served in the House of Representatives my respect and affection for him have grown with every association.

His death is not only a personal loss for all of us who were privileged to be his colleagues but it is also a loss to the country which he served so well during the many years he represented the Eighth District of Texas in this body.

It has been my good fortune to serve on the Appropriations Committee with Mr. THOMAS and to have a personal insight into his leadership as Chairman of the Subcommittee on Independent Offices.

I shall miss ALBERT THOMAS as a personal friend and colleague, but even more the Congress and the Nation will miss his wise counsel and dedicated service.

I extend to his family my heartfelt sympathy. May his wife and daughters be comforted by the knowledge of the affection and respect in which he was held and that his spirit today rests in a place of greater glory.

Mr. SCHNEEBELI. Mr. Speaker, we are all going to miss our great "Mr. Chairman." This was the title which the lovable gentleman from Texas, ALBERT THOMAS, deservedly won from all of his House friends and colleagues who spend any time at the House gym. He was the unofficial "bossman" and he was so highly respected and dearly loved by all of us whose life he made cheerier with his presence. He was the cheerleader on the sidelines during a hectic paddle-ball game and he was particularly the friend of the new Members in making them feel welcome on their first trip to the gym.

"Mr. Chairman" had that wit and sparkle that made him the center of all the "jockeying" that takes place during this type of athletic activity, and he was always creating a happier environment with his charm. Even during his final days with us, "Mr. Chairman" remained cheerful and optimistic, despite the obvious discomforts and weaknesses which overcame him. We shall never forget this fine Christian gentleman, who certainly was the most popular man in the House of Representatives—and deservedly so.

Mr. SLACK. Mr. Speaker, on this somber occasion, as we meet to pay tribute to our late colleague, the Honorable ALBERT THOMAS, I am reminded of three precepts attributed to Cicero the great Roman orator: "Only the honorable is truly profitable." "True worth is always victorious." "Nothing is expedient but what it right."

These three principles form the foundation for a hundred speeches or more, as Cicero fought in the Roman Senate for preservation of the Republic, and warned repeatedly of the disasters which would accompany the arrival of military dictatorship.

Belief in these same principles characterized the career of our late departed colleague and my good friend, Albert Thomas.

Along with courage beyond measure, the courage of a man who has been permitted to know his fate, but will not bend an inch before he must. The courage of Cicero himself, who faced his assassins on a Roman highway, until all of them but one turned away their faces from the execution for which they had been paid.

Many who have served in this Chamber have earned the right to be called "distinguished" as a descriptive of their service—some for their keen abilities in debate; some as acknowledged masters of parliamentary maneuver; others whose presence brought a special fund of knowledge to the aid of our deliberation.

Only a very few have been able to earn a special place of distinction because of great natural ability balanced by a coequal sense of determined humanity—of humanity worn like a comfortable cloak to ward off the cold currents of suspicion and distrust. Only a few can wield great influence without partiality and spread the weight of their authority without creating unfair burdens. But he was one of these.

Albert Thomas was what the poet, Stephen Vincent Benet, would have called a "follower after the Western Star"—never entertaining a doubt of America's greatness; never knowing a moment without the firm belief in the Members of this Congress as the proper custodians of the people's stewardship; never spending an instant without the firm resolve to give of his very best, to the last possible moment, as he shared the troubles and the trials of this stewardship.

We have lost much from his passing but we have gained immeasurably from his presence among us.

His legacy is described in these words Cicero wrote to his own son-in-law:

> There is nothing, absolutely nothing fairer, more beautiful, more to be loved than high courage.

Albert Thomas personified courage when he was with us. It will be our good fortune if his memory leaves in each of us a broader trace of courage in the wake of his departure.

Mr. CEDERBERG. Mr. Speaker, I find it difficult today to fit together words that would form an appropriate tribute to our departed colleague we are eulogizing today. I was closely associated with him in a number of areas and his leaving us, although not wholly unexpected, has left me with a heavy heart.

Albert Thomas, to whom we pay tribute today, was truly a statesman in every sense of the word. During my first term as a Member of this body I was assigned to the House Committee on Appropriations, of which he was a senior member, and almost immediately I was struck by his ability and the firm grasp that he had of matters coming before our committee. He had a keen mind and was quick to analyze monetary requests presented to the subcommittee over which he presided.

Through observation and through personal experience I learned him to be understanding of the problems of his colleagues and was always kind and courteous in dealing with witnesses coming before his committee.

When he worked he worked hard and when he played he played hard. His heart was deeply imbedded in whatever he was engaged in doing.

I shall never forget his typical, jovial greeting of "Hello, there." His countenance radiated warmth and in spite of the burden he carried in recent months, that warmth did not wane until death removed the last breadth from his body.

It was such a man that Henry W. Longfellow described in his "Psalm of Life" when he said:

> Lives of great men all remind us
> We can make our lives sublime
> And, departing, leave behind us
> Footprints in the sands of time

When Albert Thomas departed this world he left behind the footprints of a statesman. Footprints identified with integrity, ability, wisdom, devotion, and patriotism to name but a few. Such a man was Albert Thomas.

Mr. TRIMBLE. Mr. Speaker, like all Members of the House of Representatives, I was saddened to learn of the death of Albert Thomas. He was one of the most able of our colleagues—he was able, devoted, and loyal, and he carried his smile right on to the day he died. It is not the same in the Congress without his "Hello, podner." That was his greeting, and it came from his heart.

Mrs. Trimble and I extend to his widow and the entire family our sincere sympathy in this, their hour of sorrow.

Mr. JONES of Alabama. With the death of Albert Thomas, this Nation lost a leader of unquestioned integrity and honor, a man whose primary concern from dawn to dark was to serve the public good.

Over the years since he first came to this Chamber with the 75th Congress, Albert Thomas has left his mark in so many ways. He has shown us what hard work is, what tenacity is, what vigor and determination is, and he has shown us how to play fair.

The national interest, the national good, was the paramount interest of Albert Thomas. Our defense posture was always critical to him and as a member of the Subcommittee on Defense Appropriations he worked assiduously and with selfless dedication to ever strengthen this Nation's defenses.

He was a farsighted man who firmly pursued the cause of science and scientific development. As chairman of the Independent Offices Subcommittee on Appropriations he played a vital role in the amazing development of our space program through the National Aeronautics and Space Administration. He contributed fully to the development of atomic energy as a member of the Joint Atomic Energy Committee.

Mr. Speaker, Albert Thomas has left many monuments by which we shall remember him. But in the months ahead we shall sorely miss this fine man, this doughty fighter, whenever we gather in council. I shall always miss him as a friend.

Mr. PASSMAN. Mr. Speaker, I wish to join with my colleagues in paying tribute to the memory of our friend, Albert Thomas.

During his many long years of service in this House, Al Thomas contributed greatly to the welfare of his country. His extensive knowledge of all matters relating to the appropriations procedure, and especially the needs of agencies coming under the appropriations subcommittee of which he was chairman, and his fairness in discharging the duties of his position were unsurpassed. His untiring devotion to duty and his outstanding record of accomplishment are an inspiration to all of us who were privileged to know and serve with him.

The passing of this brave patriot and great American statesman was a deep personal loss to me and a grave loss to this House and to the Nation as a whole.

Mr. Speaker, I extend to Mrs. Thomas, and their two daughters, my heartfelt sympathy in the loss of a devoted and faithful husband and father. May they be sustained by the cherished memory of his good, Christian, and useful life.

Mr. KEOGH. Mr. Speaker, with the passing of Representative Albert Thomas, I have lost a dear and valuable friend, the people of Texas have lost an outstanding representative, and the Nation has lost a true patriot.

Through all the years that I have known him, since January 1937 when he and I took our oaths of office as Members of this House for the first time, the great respect, admiration, and affection that I had for him has continued to grow. His death leaves a void that cannot be filled.

Albert Thomas was one of the kindliest gentlemen that it has ever been my good fortune to meet. His unfailing gentleness and good humor—even in the face of his deep personal physical suffering in the last few years—distinguished him among other men. He was a genuinely modest man, and now that he is no longer with us, none of the sentiments that we voice here today can offend that modesty. Of him it can be said that he was truly one of nature's noblemen.

The public career and the record established by Albert Thomas as a Member of this House is widely known and acclaimed by his colleagues and by the American people far beyond the limits of his Congressional district. Particularly in the field of financing the operations of the Government, as a conscientious member of the Committee on Appropriations, his concern for intelligent economy made him an esteemed leader and a genuine representative in the fine sense defined by Edmund Burke nearly 200 years ago. Albert Thomas was the personification of that definition—living in the strictest union, the closest correspondence, and the most unreserved communion with his constituents. Their views had great weight with him; their opinion high respect, their business unremitted attention. He sacrificed his repose, his pleasures, his satisfactions to theirs; and above all, ever, and in all cases, he preferred their interests to his own. He gave them not only his industry but his fine judgment, which he never sacrificed to satisfy public whims or pressures.

As a fellow member of the bar, I could personally appreciate the gifted legal mind of ALBERT THOMAS. His early training in the law remained a constant asset to him in resolving the intricate and often puzzling problems encountered by him as a lawmaker.

Mr. Speaker, with the bereaved family of ALBERT THOMAS, I genuinely share the loss of my dear friend. I extend to them my sincere condolences.

Mr. FALLON. Mr. Speaker, the passing of men with the stature of ALBERT THOMAS forces me to assess anew the validity of the old saying that death is the great equalizer.

There are many great, good, and talented men in the world but fate decrees that they expend themselves within a small compass. They go down like November leaves and their influence is limited to a small circle of relatives and associates. Then there are men whose lives and works can be compared with a great tree that long has been a landmark. When it falls, it leaves a great void in the landscape.

ALBERT THOMAS was such a man.

I knew him for 22 years, encountering him daily in possibly every situation which can confront all of us. His unfailing sunny temperament, his apt quips after triumph or success, and his cheerful outlook for what was ahead made many fond of him. His cool, judicial evaluation of national thinking and trends and of proposed legislation won universal respect in the Congress. It was almost public knowledge that for some years he battled a fatal illness, which could have sunk a lesser man into crushing melancholia and despair. ALBERT THOMAS met this awful challenge with the same cool courage and cheerful acceptance of possible defeat in which he would lose his life, with the nobility of mind and heart which will keep him in the special part of the memories of hundreds as a model of how a gallant gentleman should act under impossible odds stacked against him.

He was a model and set standards in and out of the Congress. In all candor, ALBERT THOMAS' career in the House could be a textbook on how to legislate. He brought the scholarship he acquired at Rice University and the Law College of the University of Texas here. His incisive mind probed deeply into proposed bills; it was always evident in committee hearings and it is unanimous that nobody managed legislation on the floor better than he did. Nobody before ALBERT THOMAS was more diligent in his efforts for his Houston area district, its people and interests, and anyone who succeeds him will learn quickly that a giant yardstick will be used to measure him after ALBERT THOMAS. Ever mindful of the people who delegated him to represent them in Washington, his influence on the national commonweal and its future was immense. As a member of the Committee on Appropriations, his decisions will operate for generations and his acumen in these affairs got ample recognition from the current and previous administrations, which sought his counsel.

Endowed with superlative gifts, ALBERT THOMAS used them to the full to benefit multitudes. The sheer human greatness of the man inspired me and will continue, as it will uncounted others who knew him. His death does not diminish him, but will grow as his contributions to his State and our Nation will be recalled by generations ahead as they will and deserve to be.

My heartfelt sympathy and prayers are with Mrs. Thomas, and the Thomas family, in their great loss.

Mr. ANDREWS of North Dakota. Mr. Speaker, it is with sadness that I rise here today to pay tribute to our departed colleague, ALBERT THOMAS, Representative from the State of Texas.

Although firm in the application of principle to the conduct of public affairs, ALBERT THOMAS was a kindly man and his friends were many. The very sincere and eloquent tributes being delivered on this floor are the best indication of the character of the man whom we are honoring today.

Although he was on the other side of the political aisle, and one of the ranking members of the committee on which I serve, he was never too busy to offer a piece of sound advice or a word of friendly encouragement.

ALBERT THOMAS will be sorely missed by all of us, but he will hold a special place in the memory of those of us with whom he served.

Mr. KIRWAN. Mr. Speaker, it is very difficult for me to stand before you today to pay my respect to our departed colleague and friend, ALBERT THOMAS.

In this very same room we stood together and took our oath of office, as freshmen Congressmen, to the 75th Congress.

Over these 30 years we have been close personal friends, serving together on the Appropriations Committee. We enjoyed the company of one another and had a sincere friendship.

ALBERT THOMAS was a most devoted man—to his country, to his loved ones, and to his friends. No matter what his suffering might be—and we all know it was tremendous and trying—he had a smile on his face, a hearty handclasp, and a pleasant greeting.

The memory of his vibrant personality, his great courage, and affection for his fellowman will remain with us forever.

To his good wife and family I extend my deepest heartfelt sympathy in these sad and troubled hours.

Mr. ROBERTS. Mr. Speaker, I rise to express my sympathy to the family and to pay tribute to my friend, ALBERT THOMAS.

It was my pleasure to know him. When I first came to Washington as a secretary on the staff of Speaker Sam Rayburn even then he had time to counsel with me and help me.

When I came to Congress as a Member of this House, ALBERT THOMAS again became my counselor. Whenever I had a problem that was beyond my ability to solve, I went to ALBERT THOMAS. Never once did he fail to find the proper answer.

Another great statesman has gone to his reward. He will be missed not only by his lovely family, but by his district, State, and Nation, as well. No man has left a greater impact on his fellow men.

Mr. CABELL. I rise to join with my colleagues in expressing sympathy to the family of ALBERT THOMAS in their loss and to the loss suffered by his district and by his Nation.

I did not have the privilege of knowing ALBERT THOMAS personally, nor to serve with him as a colleague in this body, until the inauguration of the 89th Congress.

But I soon learned that this was a man of great wisdom, a legislator of untold capacity to accomplish his task, and a man of dedication not only to his district but to his Nation.

And so, I join not only in expressing our sympathy to his family in the loss of a husband and father, but I join the people of our Nation in mourning the loss of a great citizen, an outstanding patriot, and an able and dedicated Member of this body.

Mr. PICKLE. Mr. Speaker, perhaps the best test of a successful life is the contribution one makes to those about him. By that measurement, ALBERT THOMAS lived one of the most successful lives in this century. As a relatively new Member of the Congress, I can vouchsafe that ALBERT THOMAS has helped me and the people of my district just as he has helped thousands of people over the years.

I have gone to him for counsel, I have listened to his good advice, and I have profited by the wisdom and experience of this great lawmaker. And when I appealed to him for help, in every instance, he delivered with characteristic swiftness and effectiveness. For example, in the city of Brenham, Tex., today there stands a remodeled and almost new Federal building which was made possible largely because of the direct assistance given to me by ALBERT THOMAS, working, of course, with our excellent GSA offices. This little building is of great help to the people of Washington County and a six-county area surrounding Brenham. It was ALBERT THOMAS who realized that this could be a service of our Government to smaller communities, and he personally cleared the pathway for its accomplishment. For years, this one project will help countless thousands of people—and you can multiply this example, yea, a thousand times more.

A few years ago, it was my privilege to help direct a reunion of those men at the University of Texas who lived in Little Campus Dormitory. This was a dormitory of poor boys, and it was a place where ALBERT THOMAS lived. All his life, he has worked his way up from his farm home in east Texas to one of the most powerful positions in congressional history. If you could characterize ALBERT THOMAS in any best way, I think it would be to say that he has been a fighter for little people—little people in all walks of life. His voting record and his accomplishments in the Congress stand as undeniable testimony that his interests always were with the little folks—the working man and woman, whose cause he espoused and whose welfare he improved.

And I think it would not be remiss today if we did not recall the great pleasure ALBERT THOMAS brought to so many lives here—both here on the floor and in the Capitol environment. His customary greeting of "Podner" rings in every Member's ear even today and will echo always down the corridors of our National Capitol. Last year this body officially dedicated the House gymnasium to Mr. ALBERT THOMAS, and it is known today as the Thomas gymnasium where his magnificent painting hangs extending a friendly greeting to every Member of this body who goes to that gym in an effort to maintain physical fitness. Dedicated to public interest, intensively hard-working, competent, courteous, and courageous, ALBERT THOMAS was a firm believer in reserving some portion of your day to keeping the body strong and alert. And perhaps in this place, ALBERT THOMAS found as much personal joy in visiting—relaxed and profitably—with his fellow Members. Always he greeted us with "My Podners—and what are the brothers doing today?" Here, perhaps, we knew him best and loved him best; and here, in turn, he reciprocated with his goodness and his wisdom and his helpfulness. As long as there will be a Congress, there will hang this friendly portrait of this warm and magnificent man, who will always be remembered as saying to us "And what are the brothers doing today?"

Mr. Speaker, the brothers—his brothers—are doing fine today because men like ALBERT THOMAS have made it so.

Mr. WHITE of Texas. Mr. Speaker, I regard myself as being fortunate to have numbered Congressman THOMAS as one of my friends.

He was always courteous and helpful to me. This courageous Texan was in himself a source of pride. In a State that places high premium on bravery, whose people throughout their history surmounted obstacles and triumphed in spirit, ALBERT THOMAS in his last uncomplaining, valiant battle does honor to this tradition. He was a tall Texan in every sense.

In his years in Congress, as now I read of his history, he attained great prominence and importance in this same quiet way, as a dedicated individual, as an American who has had far-reaching impact on American legislation and progress. No one can deny the expertness of his representation of his district. His accomplishments for his State and district are a model worthy to be studied by all Congressmen, present and aspiring.

His presence will be missed in many subtle ways—his example will be carried beyond by those who knew him, and read of him. This is a part of his legacy to his fellow Americans.

Mr. POOL. Mr. Speaker, we come this way only once. ALBERT THOMAS has come this way and left his mark.

We are going to miss ALBERT THOMAS at the daily Texas luncheon around the table. Here he did his best work. When tempers flared, ALBERT THOMAS extended a cool hand and settled many problems. His sense of humor stood him in good stead.

Everyone knows of his public floor works in the House. His was a logical and courageous performance on every occasion when he took the floor.

Texas is going to miss him, Houston is going to miss him, and America will always miss this great patriotic American. My sympathy to Lera and ALBERT's two children in their great loss.

Mr. YOUNG. Mr. Speaker, a partial chronicle of the greatness of ALBERT THOMAS would beg of this body much more time than could possibly be available. Suffice it to say, this great Congressman was truly an outstanding man representing an outstanding district in an era of unprecedented achievement. His district, his State, and his Nation is immeasurably the better for the service which he has so energetically and ably rendered in this House. As a man of great character and an outstanding American, Congressman THOMAS has set an example for this body that will not soon be equaled. His tenacity, his dedication, and his determination have been a source of inspiration to us all.

To his lovely family we extend our most heartfelt condolences. No words can replace a loved one, and are slight salve to the hurt of the loss. But all should remember that the greatness of ALBERT THOMAS will long survive him, Mr. Speaker, and take solace in the fact that this world is much the better for his having lived. This, indeed, is the richest legacy that any of us could hope to leave.

Mr. BECKWORTH. Mr. Speaker, Representative ALBERT THOMAS grew up at Nacogdoches, Tex., some 20 miles from the line of the Third Congressional District which I have had the honor to represent for 24 years. I knew him well and knew much about him and his wonderful family through mutual friends. All through his life his record has been outstanding. Those who knew him as a student, as a boy and young man working in a store, and as a young county attorney had the greatest affection for him just as we Members here have had the greatest of affection for him. All along the way he did outstanding jobs of work.

ALBERT was honest, able, and fearless. He was a friendy person and a helpful friend. The effectiveness of ALBERT as a legislator was truly outstanding.

To his wife Lera and his two daughters and all the family I extend my sincere sympathy.

We forever shall miss our beloved friend and colleague, Representative ALBERT THOMAS.

Mr. PURCELL. Mr. Speaker, it was with deep sorrow and a real sense of loss that we received the news of the death of one of our most beloved and respected colleagues, the Honorable ALBERT THOMAS.

I join my colleagues in paying tribute to the dedicated service and the courage of ALBERT THOMAS. I join also with the citizens of our entire Nation in offering our sincere and heartfelt sympathy to Mrs. Thomas and the family.

With unsurpassed courage our colleague labored in the service of his country, knowing full well that the pain which constantly racked his body would eventually bring his life to an end.

He worked without thought of self. He gave freely of his energy, both physical and mental, with an unselfish dedication which should be a shining example for all public servants and all Americans.

We could talk for hours about the many contributions he has made to his State and Nation. But at this moment, the moment we all knew was to come, all we feel can best be stated by simply saying we loved him, we will miss him, and the country he served so well will miss him.

Mr. BURLESON. Mr. Speaker, from the words of others who have spoken on this occasion, eulogizing our late and beloved friend and colleague, ALBERT THOMAS, it is obvious that all of us find it difficult to realize that he is no longer with us. I think one reason for it is because of the closeness and intimacy which he had with the House of Representatives as an institution. The influence of his warm personality will remain among us as long as those of us who knew him will remain Members of this body.

As has been mentioned by many, ALBERT THOMAS was a most unusual individual. He had his own inimitable way, with which all of us are familiar. As we all know, he was a most unassuming man, and yet we all know what a tremendous influence he exercised among us. When ALBERT THOMAS spoke on this floor, everyone listened, and everyone knew that they listened to authoritative words.

No man can ever be missed more than ALBERT THOMAS. He was one of the richest men I ever knew by possessing the high esteem, trust, and affection of so many people, and particularly those who were closest to him in matters both personal and official.

Mr. Speaker, I join with you and our colleagues in expressing our sympathy and condolence to Mrs. Thomas and her two lovely daughters, Anne and Lera.

Mr. BROOKS. Mr. Speaker, from private in World War I, to chairman of the Independent Offices Appropriations Committee, ALBERT THOMAS served with the highest distinction and dedication his Nation, Texas, and Houston.

With the kindness of a papa bear who wanted his friends to survive in the congressional jungle, he endeared himself to hundreds of Members of Congress from both parties from throughout the United States. His firm stride, warm smile, and magnificent sense of humor were overshadowed only by his rare capacity and tremendous knowledge as a legislator, committee chairman, floor parliamentarian, and analyst of the science of government—politics.

Congress, the United States, Texas, and certainly his hometown, Houston, are all significantly improved because of ALBERT THOMAS. His friends and family will miss him and treasure forever the memory of that friendship.

Mr. EVERETT. Mr. Speaker, I wish to concur in everything that has been said in behalf of our late colleague, ALBERT THOMAS.

Eight years ago when I came to this body, he was most kind and considerate to me in every way. With our offices right across the hall from each other, on major problems I would talk to him and counsel with him as to what action to take. He was most thoughtful and helpful to me which I appreciate more than words can express. We shall all miss him.

To Mrs. Thomas and the family I extend my deepest sympathy in his passing.

Mr. MURPHY of Illinois. Mr. Speaker, I was filled with sadness when I learned of the death of my very dear friend, ALBERT THOMAS, who represented the Eighth Congressional District of Texas since 1937.

Mr. THOMAS was a statesman of the highest order. He was devoted and attached to his work and gave generously of his great gifts and talents which was displayed by his chairmanship of the Subcommittee on Independent Offices of the House Appropriations Committee.

Congressman THOMAS left many indelible marks on the institutions of our Nation and those of us who continue to serve in the House will do well to heed these marks and devote ourselves to duty as did our late distinguished colleague. I had personal respect, admiration, and affection for this great man.

To his loving family to whom he was so completely devoted, I extend my humble prayers and most heartfelt sympathy in their deep and most sorrowful bereavement.

Mr. HAGEN of California. Mr. Speaker, the Nation and particularly the Congress, has suffered a great loss by reason of the death of ALBERT THOMAS.

He was a fiscal conservative with much influence on the subject of appropriations. With such a viewpoint he insisted that each dollar of Government expenditure meet a rigid test of cost-benefit ratio. At the same time he was not unwilling, whenever this test was met, to approve Government activity which would benefit the Nation or assist groups of our citizens who were in need of Government assistance.

In other words, he was a man of both sound judgment and compassion. To these capabilities and attitudes he added the ability of able advocacy. In my judgment he was the best debater in the House of Representatives. His presentations were convincing because they were knowledgeable, interesting, and informative.

ALBERT earned not only the respect but also the affection of his colleagues. I regard him as one of the best friends I have made in Washington.

This feeling comes from his friendly demeanor, his consideration for the progress of new Members, his code of honor which extended to all his relations with his colleagues.

We will all miss ALBERT and extend our heartfelt sympathy to his wonderful family.

Mr. LIPSCOMB. Mr. Speaker, we have lost a friend and an outstanding Member of the House of Representatives in the passing of our former colleague, Representative ALBERT THOMAS, of Texas.

It was my privilege to serve with Representative THOMAS on the House Appropriations Committee for a number of years. I respected very much his ability and fairness and his dedication to the principle of maintaining sound fiscal policies.

Congressman THOMAS during his years in public service made many fine contributions to his State and Nation. He will be very much missed.

I join in extending condolences to Mrs. Thomas and their family.

Mr. ZABLOCKI. Mr. Speaker, I join with my colleagues in expressing my sorrow and sense of loss at the passing of our esteemed colleague from Texas, the Honorable ALBERT THOMAS.

It was a distinct privilege to have served with him these many years in the House of Representatives. A man of noble character and deep convictions, he served his district, his home State of Texas, and our Nation with ability and distinction.

Congressman THOMAS was a man who knew the meaning of responsibility. As the chairman of the Subcommittee on Independent Offices Appropriations he was always conscious of his obligation to the American taxpayers. No budget, therefore, went through his subcommittee without receiving his most careful scrutiny.

His eye was always quick to see the fat and waste in an appropriation request and his hand was equally swift to cut it away, thereby saving millions of dollars for the American taxpayers.

How well I remember the many times he offered his advice to me on legislative matters. From his vast store of knowledge about the Government, he drew words of prudence and wisdom.

How well, too, I recall a time several years ago when we two were working together to prevent a legislative maneuver, initiated in the other body, which would have cast disrepute on previous House action and would have cost the U.S. Treasury millions of dollars of claims payments.

Although the pressures were heavy, ALBERT THOMAS stood firm and steadfast. Because of his efforts, the challenge was turned back and an unwise proposal was prevented from becoming law.

Today, remembering that instance and many other times, it becomes all the more clear how much ALBERT THOMAS will be missed here.

Above and beyond his counsel on legislative matters, Congressman THOMAS provided us all with good advice on physical fitness. I well recall his many admonitions to me to keep in shape by using the facilities of the House gymnasium.

Although I did not heed his words before, it is my intention to do so in the future.

Mr. Speaker, the passing of ALBERT THOMAS has inflicted a heavy loss upon his family and his many friends in Texas and throughout the United States.

Congressman THOMAS was a credit to this body and to our country. He served his God through his family and his work, and his fellow men through his legislative and personal endeavors. He has left a record of achievement in the Congress that few have equalled.

My wife joins me in expressing deep sympathy to his family. May they derive some consolation in the thought that we all share in their grief.

Mr. O'HARA of Illinois. Mr. Speaker, for 29 years the Honorable ALBERT THOMAS was a Member of this body and was in the 2d month of the 30th year of his tenure here when death came to him. Relatively few Members in the history of this body had served in 15 consecutive Congresses and none had served with greater distinction and was more firmly imbedded in the hearts of his colleagues. I first came within the radiant presence of AL THOMAS more than 16 years ago and after each meeting with him, even though only to pass the time of day, I left him with the cheering sense that the world in which we live is a world of sunshine and good will. My grief at his passing is coupled with a deep sense of personal loss. He has left with us a pattern of unquestioning acceptance and of sublime courage that will be a strength when pain and failing health comes our way. I never heard from AL THOMAS one word of complaint and when the facility of his body was bravely holding on to the flicker of life, the smile on his face denied his pain and affirmed his faith and his acceptance.

No Member of the House ever did more for his district. No Member ever served his State and his Nation with greater fidelity and dedication. No Member on departing the sphere of worldly activities ever left his colleagues with a keener sense of personal loss.

To his wife, his daughters, and the other members of his family go my warmest sympathy.

Mr. WYDLER. Mr. Speaker, the passing of my colleague, ALBERT THOMAS, was a bitter and sad piece of news to me.

In my congressional office there is only one picture of a fellow Congressman and that is of ALBERT THOMAS. It is there not because I knew him so well but because I liked him so much.

AL THOMAS was not of my political party; not of my age or generation; not of my State or region. He was a friendly guide to one new in the halls of Congress.

He was your friend. You always knew it.

Mr. EVINS of Tennessee. Mr. Speaker, this Congress and this Nation suffered an incalculable loss on the day of the passing of that great American, our beloved colleague, Hon. ALBERT THOMAS, of Texas.

Permit me to take this means of joining with his many friends in paying a brief but sincere tribute to his memory and to his life of selfless and dedicated service to our country.

We are indeed saddened by the realization that ALBERT THOMAS is gone—never to return to the House—never to be with us again in the Independent Offices Subcommittee on Appropriations or in the Congress.

It is my firm conviction that there has never been a greater chairman of the Independent Offices Subcommittee than ALBERT THOMAS.

Following the sad announcement of his passing, the subcommittee suspended hearings and tributes were paid to our late chairman in his subcommittee.

No one knew more than the members of the Subcommittee on Independent Offices Appropriations how hard ALBERT THOMAS worked or how dedicated and effective he was in furthering the best interests of this Nation.

My admiration and affection for ALBERT THOMAS were enduring and abiding. He was beloved. I shall always cherish the memory of my relationship with this great man and great teacher—one of the great men of our time.

ALBERT THOMAS was dedicated to the Congress—to his district—to his beloved State of Texas—and to our country. America will bear the imprint of the creativity and imagination of ALBERT THOMAS for generations to come as the work he did here continues to unfold in growth and progress. Our children and our children's children will live in a better America because of the foresight and wisdom of ALBERT THOMAS.

His grasp of complex and difficult problems was remarkable and his judgment was sound. He will long be remembered for his vision and initiative in the fields of space and science and technology—and in other areas of growth and progress.

ALBERT THOMAS was one of the first to visualize the importance of space exploration and the technological byproducts that such exploration has developed—and will continue to develop.

He was a member of the Joint Atomic Energy Committee and played a crucial role in the development of atomic energy for peaceful purposes and for defense.

He was a member of the Subcommittee on Defense Appropriations and took a consistent and strong position for a powerful defense posture for our country—for great national strength—for an America more powerful than any nation in history.

The unselfish dedication of ALBERT THOMAS to the national interest will echo down the corridors of history as the United States meets the challenges at home and abroad which he anticipated.

It was my great honor to serve with ALBERT THOMAS on the Subcommittee on Independent Offices Appropriations for more than a decade.

ALBERT THOMAS saw this committee as an instrument of service and progress—an instrument that touched the lives of almost every American through the independent agencies our committee funded. ALBERT THOMAS realized this and it gave him vision and dedication—and a will to create a greater America.

But—in addition to his great record of public service and his devotion to the national interest—ALBERT THOMAS was a warm human being. He had a great capacity for friendship—I was his close friend. Working with him, I came to know him well. He was not only a great man but a good man—a man of concern and compassion.

As a member of the funeral committee appointed by Speaker MCCORMACK, I attended the services for our late colleague in his beloved Houston, among his host of friends and the people he represented in the Congress.

The church was overflowing and there were crowds outside. The love felt for this great man could be sensed in the attitude and respect of this multitude of his friends and his people who honored him by electing him to the Congress.

ALBERT THOMAS was a man of great courage. He fought the fight for life with a smile on his face and a ready greeting for his friends, even as pain wracked his body.

As his successor as chairman of the Subcommittee on Independent Offices Appropriations, I know more than anyone that it will be most difficult to follow in his footsteps. It will be a tremendous challenge. There was, and could be, only one ALBERT THOMAS.

This man of high ideals and high principle will bear history's mark of greatness. It is because of men like ALBERT THOMAS that his beloved country stands strong among nations.

And so, Mr. Speaker, we are saddened by his passing. We are shocked and shaken by the departure of this wonderful man, good friend, and statesman.

This Congress and the country mourn the passing of this great and good man from Texas. I extend my deepest sympathy to Mrs. Thomas, to his two lovely daughters, and to the other members of his family in their bereavement.

Mr. HALPERN. It is with a deep feeling of personal grief that I address the House on this occasion, in memory of our late good friend and colleague, the Honorable ALBERT THOMAS formerly of the Texas Eighth District. A Member of this House for some 30 years, ALBERT THOMAS has passed on, leaving behind a record long to be remembered, long to be admired.

For almost 15 years he served as chairman of the Independent Offices Subcommittee of the Appropriations Committee, in which capacity he oversaw the policies and considered the budget requests of more than a score of Federal agencies. In this role he won the respect of everyone concerned, displaying as he did a liberal attitude coupled with a judicious nature, and a strong interest in detail. Until reorganization of Appropriations Committee's subcommittee structure, in 1964, ALBERT THOMAS also held the chairmanship of a special subcommittee with jurisdiction over supplemental appropriations. In the closing phase of his life he was recognized on every hand, as a past master in the field of Federal appropriations.

ALBERT THOMAS was born in Nacogdoches, Tex., in 1898, attended public schools there, and entered Rice Institute just prior to American entrance into World War I. When the fighting started he obtained a commission in the Army and subsequently served with distinction. Following the war he resumed his studies, graduating Texas Law School in 1926.

Returning to Nacogdoches, he was elected and reelected to the office of district attorney before being appointed assistant U.S. attorney for the southern district of Texas, in 1930. Six years later he was nominated for Representative from the Texas Eighth District. Successful in this his first congressional contest, he proceeded to instantly establish himself as a persuasive leader in Congress, and thereafter was reelected repeatedly until he voluntarily retired in 1964.

The diverse interests of ALBERT THOMAS were reflected in his varied congressional responsibilities. A scholar of the space age, he was appointed a member of the Joint House and Senate Committee on Atomic Energy. A zealous patriot, he served for a time, during the 1940's, as chairman of the House Un-American Activities Committee. At the close of World War II he recommended that all U.S. patents dealing with the atomic bomb be impounded to prevent a raid by the Russians on American industrial and military knowledge through the purchase of descriptions of such patents.

President Johnson, a good friend of ALBERT THOMAS, praised him for "devotion to the people he served and loyalty to his friends," declaring also that "he worked hard, and he served well."

Indeed, there are many able men and women in Washington, deeply concerned in the fate of the Union. But none exceeded ALBERT THOMAS in this regard and few exceeded him in any regard. He was, beyond question, a Congressman to remember, and one whom I shall dearly miss.

Mr. DERWINSKI. Mr. Speaker, I join the Members of the House in paying my respects to our late beloved colleague, ALBERT THOMAS. He has been properly lauded as a most effective legislator, and as such his achievements will go down in history.

However, he was to all the Members of the House an extremely good friend and most gracious colleague, and we all appreciated his great human qualities. He served long and honorably in the House and was greatly responsible for the continued effectiveness of the legislative branch of Government during the trials and tribulations which faced the Nation during his 30 years of service. Men such as ALBERT THOMAS, by their achievements and by the leadership that they provide, continue to maintain the Congress of the United States as the finest legislative body on earth.

Mrs. Derwinski joins me in extending to Mrs. Thomas and her family our deepest sympathy.

Mr. FASCELL. Mr. Speaker, I join my colleagues today in the tribute paid to the memory of one of the most distinguished men to have served in the House of Representatives of the United States, ALBERT THOMAS, of Texas.

The eulogies are many; they are warm and personal; they detail the life of full achievement; and they paint with vivid color and clarity the genuine character and characteristics of a man who loved his fellowman. All that has been said and will be said attests that these tributes are well merited. Otherwise they would not have been spoken in the manner in which they have.

To the deep blue of God's domain from whence he came, ALBERT THOMAS has now returned. During his travels through the ocean of life, the waves of his personality and achievements have inspired and been beneficial to all whom he encountered. I was one of those fortunate enough to be within the close periphery of ALBERT THOMAS as he went through life. He advised me, led me, and taught me as he did so many others. I still feel the warm glow of his infectious amiability.

On this Hill, ALBERT THOMAS had two loves—the House of Representatives and the gymnasium. On both arenas ALBERT was always the competitor and a gentleman. He taught me and many others here the most important aspects of the game of life, politics, and paddle ball. After having known ALBERT THOMAS for 11 years, I am a better man for having rubbed shoulders with him on all three fields.

I join in the well-earned accolades to ALBERT THOMAS' genius of achievement as a statesman in the House he loved so well and the dedicated and consecrated representation to the people of his district and to the Nation. I share with pride the knowledge of his indestructible courage as he faced the pain and death of cancer. And I shall never forget his interest in me as a fellow servant of the people and as an individual human being.

I can think of no greater objective in life for myself and all others than the life of ALBERT THOMAS as he lived it and the benefit he gave to all those who encountered it.

ALBERT THOMAS was and is positive, not negative, and the current generated from his life will flow forever.

My deepest sympathies to his beloved wife and daughters.

Mr. TEAGUE of Texas. Mr. Speaker, I was in Tokyo, Japan on Tuesday, February 15 and awoke in my hotel room at 5:30 a.m. and turned on my radio. The first words I heard were that my good friend and colleague, ALBERT THOMAS, had passed away. Of course I was well aware of the disease which finally took his life, but as is always the case with family and friends, death is such a shock.

ALBERT was a most unforgettable character and was the type person who goes about enriching the lives of all those who had the privilege of knowing him. He was never without a smile; never complained of his own personal discomfort and always had a happy and hearty "Hi podnuh" for everyone together with the ever familiar wave of his hand.

His service in the House of Representatives spans three decades in which much important legislation was written, and in which much history was made. It is marked with the same characteristic of no thoughts for himself, but always for his fellow man, and his welfare. The people he represented saluted this characteristic by returning him 15 times to this great body.

ALBERT THOMAS' position on the Appropriations Committee brought him into daily contact with officials of the various independent offices of our Government. His knowledge of fiscal affairs and budgetary procedures was uncanny. He was a shrewd inquisitor of witnesses who appeared before his committee and yet was respected by all.

My family joins with his in mourning the loss of a great statesman who served his Nation well.

Mr. ROSTENKOWSKI. Mr. Speaker, I wish to join with my other colleagues in expressing deep sorrow over the death of a good friend and colleague, ALBERT THOMAS, of Texas. Not too many of us will have the privilege of serving 30 years in this Chamber, so one that does must be an outstanding public servant for he has accepted the responsibilities entrusted to him and has performed his duties beyond what could be expected to gain the trust and confidence of those he represents.

ALBERT THOMAS was a remarkable gentleman. He was devoted to his country, sound in his ideals, and friendly toward his fellow man. He was a leader that gained the respect of all who came in contact with him. It goes without saying that he will be missed, not only by his family, but by all of us here, in this House, who were privileged to work with him and experience a lesson of statesmanship.

Although his warm and cheerful face will no longer radiate these Halls of Congress, his memory will be everlasting and I am certain that we will find it to be a comfort, for any one that has made his acquaintance, I am sure, has experienced a feeling of confidence instilled by his wonderful virtues.

To his family I extend my heartfelt sympathy.

Mr. CAHILL. Mr. Speaker, I was saddened, as was every other Member of this House, by the death of the beloved gentleman from Texas, ALBERT THOMAS. No one in the House of Representatives, in my opinion, had more friends than Congressman THOMAS.

I can recall my first meeting with Mr. THOMAS. It was in the gymnasium. I was a new Member, and he was then, as he was at the time of his death, one of the most important and loved Members of the House. The warmth of his greeting and the sincerity of his interest was indeed overwhelming. From the moment of our first meeting, I felt an attachment and a friendship for ALBERT THOMAS. From casual friends, that first meeting blossomed into a real and warm friendship and I can recall with fond memories my personal meetings and discussions with ALBERT THOMAS, all of which have been tremendously helpful to me in many ways.

ALBERT THOMAS was many things. He was a great patriot, a great son of Texas, a distinguished chairman of one of our most important subcommittees, a conscientious Congressman, a devoted family man, and an outstanding American. I think, however, if I were to be asked to describe ALBERT THOMAS in one word, that word would have to be "gentleman" because in the true sense of the word ALBERT THOMAS was indeed a real gentleman, always courteous regardless of the occasion, always kind regardless of the circumstances or the individual involved, always a gentleman even with his most avowed adversary. He carried himself at all times with great dignity and was indeed the symbol, for all who met him, not only of a great American but of a great gentleman.

It will be a long time before the House of Representatives, or indeed the United States of America, produces another ALBERT THOMAS.

Mrs. Cahill joins me in extending to his devoted wife and his wonderful family our sincere sympathy in their hour of sorrow.

Mr. WHITENER. Mr. Speaker, I join the gentleman from Texas [Mr. PATMAN] and our other colleagues in taking note of the unfortunate passing of our late friend, Congressman ALBERT THOMAS, of Texas.

When I first came to the Congress in 1957 one of the most cordial receptions that I received was from our departed friend. Through the years that followed our friendship became closer. This friendship was one of the rich experiences that I have had as a Member of the House of Representatives.

No man has ever served his district, State, and Nation with greater ability than did ALBERT THOMAS. His ability was frequently displayed on the floor of the House as he handled some of the most difficult legislation coming from the Appropriations Committee. His affability on the floor with all of his colleagues, regardless of their point of view on the particular legislation, was a most effective instrument in gaining support of his views by his colleagues. His gentlemanly attitude at all times was an attribute to which we may all well aspire.

I shall miss ALBERT THOMAS and his glowing personality. His district and the Nation will miss his great leadership ability.

His family will feel his loss more keenly than any others, but in that feeling I want them to know that they have countless frends of their departed loved one who share their feeling of loss.

Mr. MILLS. Mr. Speaker, I associate myself with and fully subscribe to the tributes which have been paid today to our departed friend and colleague, ALBERT THOMAS. The Nation has lost an able and dedicated public servant; his district and State have lost an aggressive and effective advocate; we have all lost an admired friend and colleague.

For nearly 30 years, ALBERT THOMAS has served with dedication and distinction, and a great deal of that period was in a position as chairman of one of the most important and influential subcommittees in the House of Representatives, the Independent Offices Subcommittee of the Appropriations Committee. Those of us who have had the privilege of watching ALBERT THOMAS carry out his duties know the careful scrutiny which he gave to the budget requests presented with respect to the various independent agencies and the skill and brilliance which he showed in debate when he was handling independent offices appropriation bills. He was a man of sound judgment. He was a determined advocate when he decided upon a course of action. He was knowledgeable at parliamentary tactics and procedure, and he was masterful in his ability to meet objections and solve difficult problems which would have defied a man of lesser determination and intelligence. ALBERT THOMAS was a great American. He will be missed.

I extend to his surviving family deepest sympathy and condolences. They can take solace in the knowledge that his long career of outstanding public service will forever stand as a monument to the great work which he has accomplished.

Mr. CULVER. Mr. Speaker, I want to join my colleagues today in paying tribute to the late ALBERT THOMAS.

It was with great regret that I learned of the death of this distinguished Member as he entered his 30th year of notable service to the Eighth Congressional District of Texas and to the Nation. His substantial accomplishments and the able guidance which he provided from his high position on the Appropriations and Joint Atomic Energy Committees speak eloquently for the loss experienced by the House of Representatives with his death.

From a personal standpoint, I shall always remain especially appreciative of the courtesy and assistance which Mr. THOMAS extended to me as a new Member during the past year. It was characteristic of the generous nature which won for him the respect and affection of his associates.

I considered it a great honor to serve with ALBERT THOMAS, and I share the loss felt not only by his many friends and colleagues in the House of Representatives, but in his native State of Texas and throughout the Nation as well.

Mr. YATES. Mr. Speaker, one of the great men of the House of Representatives is gone. ALBERT THOMAS of Texas, was one of our giants. He was a man who possessed great sympathy for his fellow men together with keen commonsense and superlative ability. These outstanding personal traits were enclosed in a genial and friendly personality that had few equals in our group.

I served with ALBERT THOMAS for 12 years on the Independent Offices Subcommittee of the Committee on Appropriations. He was a master of the very complex and detailed material which make up the budget. For that matter he knew as much about the operations of the many independent offices which appeared before our subcommittee for the funds with which to carry on their operations as their officials.

The late beloved Speaker Rayburn used to say of ALBERT THOMAS that "he knew his bill." This was the Speaker's highest accolade for a Member of the House.

He did know his bill and he handled his responsibilities with dispatch and with superb tact. Every Member of the House recalls with warmth and pleasure the memory of ALBERT THOMAS' handling the Independent Offices Appropriations bill on the floor of the House.

ALBERT was a man of great personal charm, graciousness, and generosity. His office was always open to requests for advice and assistance and there are few men in this House who did not receive help in connection with the various programs that were supervised by our committee.

It is difficult to single out any one of the many activities which came before his committee and say this was his favorite. I think, however, if I were to try to select one, it would be the National Science Foundation. I remember his pride in building the National Science Foundation into a powerful and efficient helpmate for the great scientific community of our Nation. He found particularly interesting and valuable the visits of outstanding scientists to the hearings of our subcommittee and he would greet them with a big smile and say, "Come on in Doctor—we are delighted to have you here. Sit down and tell us the story of what's going on in your field."

The success of the International Geophysical Year stands as a monument to the courage and determination of ALBERT THOMAS.

Recounting such incidents would be almost an endless task. Others which come readily to mind were his sympathy for the hospitalized veterans. He insisted that the regulatory agencies operate efficiently and economically, a demand which was made clear every time they appeared before us. His thorough and penetrating examination of every one of the witnesses brought the acknowledgment later from all of them that this was a man who was thoroughly grounded in the subject and who was fair in his treatment of them.

Mr. Speaker, there is a great void in the House of Representatives left by the departure of our beloved friend. We shall miss him very much. We extend to his fine family our profound sympathy and hope that time will in some measure ease the grief they now feel.

Mr. MATSUNAGA. Mr. Speaker, a great American, an unusually distinguished and able Member of this House and above all a good and courageous man, was lost to us on February 15 when the Honorable ALBERT THOMAS passed to his eternal reward. I say courageous, Mr. Speaker, because it certainly must have taken great courage to smile and remain as cheerful as ALBERT THOMAS did while suffering from the most dreadful and painful affliction known to man. Having had the opportunity to watch others afflicted with the same illness cringe and cry out in pain, I could not but choke with swelling admiration for ALBERT THOMAS when I visited him at the Bethesda Navy Hospital and he greeted me with the same, now legendary, broad smile and cheerful "Hi pardner."

Here was a man, the more of whose likeness the world would certainly profit by.

The esteem in which he was held by all who knew him was remarkable indeed. In his chairmanship of the Independent Offices Subcommittee of the House Appropriations Committee he won universal praise for the fairness of his judgment and for his passion for meticulous detail in the consideration of the requests for funds by a myriad of Federal agencies.

He won many friends among officers of the agencies of the executive branch who came before his subcommittee. The director of one of those agencies has said of him:

> He demanded the highest standards of public servants, while meeting those standards himself in every way. He was rigorous in his demands, but he was always fair, and he was always receptive to new ideas that might make the Government more responsive to the needs of the people it serves.

Now we must mourn his loss, and honor his memory. The Eighth Congressional District of Texas and his beloved country are the better for his great accomplishments on their behalf.

Born in Nacogdoches, Tex., in 1898, he attended public schools and matriculated at Rice Institute just before the First World War. When our country entered that conflict, he at once joined the Army, and was commissioned a second lieutenant. After the war, he obtained a bachelor's degree from Rice. He later became a student at the University of Texas Law School, and was graduated in 1926. After winning two terms as a district attorney, he became the assistant U.S. attorney for the southern district of Texas.

In that office of public trust and responsibility, he served with distinction for 6 years, and then was elected to the U.S. House of Representatives in 1936. During all of the many years of his career in Congress, he worked mightily for the interests of his district. He served his constituents with complete dedication.

In the work of his congressional office, in his committee assignments, in debate on the floor of the House, he was an able and outstanding legislator. In addition to his important chairmanship of the Independent Offices Subcommittee, he was a member of the Joint Committee on Atomic Energy and the Defense Appropriations Subcommittee. For many years he was chairman of a subcommittee of the House Appropriations Committee—a subcommittee no longer in existence—which had jurisdiction over supplementary appropriations for all departments and agencies.

The President expressed the feelings of all of us who admired and respected him when he said that the death of ALBERT THOMAS left "a lonely place in the lives of those who knew him best."

> I knew him, and knew him well—

The President continued—

> He loved Houston and the Congress of the United States. He worked hard. He served well.

As we express our high regard for the man and the public servant, we also tender our deepest sympathies to the members of his sorrowing family, his beloved wife and daughters. They have lost a devoted husband and father, his colleagues have lost a trustworthy friend, and the country has lost one of its finest and most courageous leaders.

Mr. MORGAN. Mr. Speaker, in the passing of ALBERT THOMAS, the country has lost one of its ablest and most distinguished legislators. We who had the honor and privilege of working with him have lost a dear friend and a colleague whose remarkable foresight and wisdom contributed lasting impacts in the enactment of major legislation.

During the three decades of his service in the House of Representatives, ALBERT THOMAS was a great and positive influence in the growth and progress of our Nation. As a member of the Defense Appropriations Subcommittee, he consistently worked for a strong defense posture for our country. As a member of the Joint Atomic Energy Committee, he played a major role in the development of atomic energy.

It was always a pleasurable and informative experience to watch ALBERT THOMAS in debate on the floor of this House. His grasp of difficult and complex problems was profound and he had the keenness of intellect to reduce them to the simplest terms. This faculty, together with his mastery of parliamentary procedure, made him one of the truly great elder statesmen of our time.

I was proud to number myself among his friends. My own life has been enriched by his example and I shall miss his cheerful and friendly disposition as well as his dedicated participation in the work of this House.

I join with his host of other friends in extending deepest sympathy to his family.

Mr. REUSS. Mr. Speaker, the Eighth District of Texas, this House, and the entire Nation owe an immense debt of gratitude for the late ALBERT THOMAS' 30 years of distinguished and dedicated congressional service.

As a member of the Appropriations Committee, chairman of two appropriations subcommittees, and a member of the Joint Committee on Atomic Energy, he worked behind the scenes quietly and effectively. With great skill and diligence, with his wealth of experience, and his progressive outlook, he made countless important contributions to the national welfare.

ALBERT THOMAS was a man of the people, born in Nacogdoches, Tex., where his father ran a general store. His humility and humanity allowed him to remain close to the people throughout his long tenure in office.

It was characteristic of this man who devoted his life to public service that he would continue his work throughout the lengthy illness which claimed his life February 15.

I should like to join today in expressing my deep sense of loss and my condolences to his wife and daughters. We shall miss him here in the Congress.

Mr. VANIK. Mr. Speaker, I want to take this opportunity to join my colleagues in the House of Representatives in paying tribute to the dedicated life of our recently deceased colleague, the Honorable ALBERT THOMAS, of the Eighth District of Texas.

During the course of my past 12 years in the House of Representatives, it has been my privilege many times to appear before his committee. On these occasions I had an opportunity to feel the inner warmth and the dignity with which he expeditiously conducted the work of his committee. His long experience and keen insight gave him the capacity for a quick appraisal of a person or a project far removed from his constituency. His kind manner was a source of strength.

On the flood of this body and throughout our daily work, ALBERT THOMAS was the friendly, warm person whose ready smile made our challenging day more acceptable. His affection for the House of Representatives extended to each individual Member.

Nothing inspires a Member of this body so much as the courage of a colleague. ALBERT THOMAS provided us with a bountiful share.

Mr. BENNETT. Mr. Speaker, no Member of Congress, at least in recent years, more justly earned the designation of gentleman than our beloved ALBERT THOMAS. He was firm, strong, self-reliant, and powerful, in counsel and in debate. But he was overall a kind, considerate, and gentle person. As such he won the respect and love of each of his colleagues and of the State and country he served as well.

Our deepest sympathy goes out to the loved ones of this great statesman who has been taken from us in a long and painful battle with a dread disease. A giant has fallen in the forest and the loss will long be felt.

Mr. PHILBIN. Mr. Speaker, I feel the deepest grief over the passing of my beloved and cherished friend, Congressman ALBERT THOMAS, of Texas. He was outstanding in every respect—a dear, loyal friend, a superb legislator, and a great American.

A lawyer of most exceptional ability, he was one of the most effective men we have ever had in the Congress, and he was a good, kind, and generous man who gave his all for his country and his people.

Like a soldier stricken in battle, he fought to the end with supreme courage.

No one could possibly take his place in the Congress of the United States or in the hearts of his friends.

His memory will always be with us as representing the finest kind of Americanism and the best kind of true friendship.

We shall never see the like of the great ALBERT THOMAS again, but he will always remain in our memory.

My heart goes out to his beloved family in the truly irreparable loss they have suffered, and my family joins me in extending to them and all their dear ones our fervent prayers and heartfelt sympathy in their time of deepest grief and sorrow.

I invoke divine praises upon them in their sorrowful bereavement and hope and pray that the good Lord will bless them and bring them His reconciliation and peace and the strength to bear their sorrow with true fortitude.

May our beloved and dear friend, AL, find eternal rest and peace in his Heavenly home.

Mr. GATHINGS. Mr. Speaker, it was with sorrow that I learned a few days ago of the passing of Hon. ALBERT THOMAS, of Texas. He was admired and beloved by all of those who knew him. Since the opening of the Rayburn Building our offices were on the same corridor but his serious illness limited our associations in recent months. He possessed a pleasing, sincere, and courteous manner. He also had great tact and diplomacy in dealing with people.

In the 76th Congress it was a genuine pleasure to serve with AL THOMAS on the Irrigation and Reclamation Committee. Our chairman was Hon. Compton White, Sr., of Idaho, the father of the Representative from that State who bears the same name. In the deliberations of that committee ALBERT THOMAS made great contributions. He was conscientious in his attendance at the hearings and executive sessions. He sought all of the facts and a complete and thorough understanding of the subject matter before arriving at an opinion. I realized then that here was a true leader who had a great future in the House.

He was a devoted husband and father. He was also a statesman in the truest sense. He was a rare lawmaker, being gifted in the art of handling a bill on the floor of the House. Few men who have served here in the last quarter of a century could equal his finesse and the manner in which he successfully steered legislation to final passage. He had a sense of dedication to the job at hand, working tirelessly on measures before his subcommittee as well as the full Committee on Appropriations.

Alfred Lord Tennyson's poem is most fitting to include in these remarks on the passing of our colleague. It expresses the great faith in God that he possessed in abundance:

CROSSING THE BAR

Sunset and evening star,
And one clear call for me,
And may there be no moaning of the bar,
When I put out to sea.

But such a tide as moving seems asleep,
Too full for sound and foam,
When that which drew from out the boundless deep,
Turns again home.

Twilight and evening bell,
And after that the dark,
And may there be no sadness of farewell,
When I embark.

For tho' from out our bourne of time and place,
The flood may bear me far,
I hope to see my Pilot face to face,
When I have crost the bar.

—ALFRED LORD TENNYSON.

Mrs. Gathings joins me in expressing sympathy to Mrs. Thomas, their daughters, and the family.

Mr. RUMSFELD. Mr. Speaker, the country mourns the passing of the Honorable ALBERT THOMAS, who has represented the Eighth Congressional District of Texas with honor and achievement in 15 Congresses of these United States. No greater tribute can be paid a Member of Congress than to have his constituents return him time after time to represent them in their national legislative body. His loss will be deeply felt not only by his constituents and his State, but by the country as a whole. He will be long remembered as a great American, a dedicated public official whose major concern was the welfare of his country and the needs of its people. Our late colleague was an astute politician and firm, but fair, in his demands for high standards from public servants, including himself. As a trusted friend and adviser, a true gentleman with a warm and friendly personality, he will be sorely missed by all those who have learned to respect and love him. His place will not be easily filled.

It was a high privilege to have served with him and I shall long cherish that association which began in my very first week in the Congress. My service in the Congress has been richer because of his friendship.

To his wife and children, I extend my deepest sympathy.

Mr. RODINO. Mr. Speaker, on February 16 I saw from my office window the flags on the Capitol flying at half-mast. It was with deep sorrow that I realized this was in tribute to our late and beloved colleague, ALBERT THOMAS.

For 29 years ALBERT THOMAS served his district, Texas, and the Nation with unusual ability and integrity. He will surely rank in history as one of the Nation's outstanding Members of Congress.

As chairman of the Independent Offices Appropriations Subcommittee, he had the heavy burden of guiding decisions on the funds to be approved for 26 Government agencies. Housing, small business, maritime, communications, and outer space are only a few of the myriad Federal activities which came under his scrutiny. He carried out this massive task with remarkable competence and knowledge. Under his leadership this key subcommittee made possible countless Federal programs of vital importance to all Americans. The individual citizen who was able to buy a home under the FHA loan program owes much to him. And the Nation as a whole is in his debt for his magnificient role in assuring America's strength and security and in initiating our pioneering work in outer space.

ALBERT THOMAS was a gentleman of great courtesy and character, whether engaged in his official duties or in athletic pursuits in the gymnasium. He was an unfailingly kind and gracious person. I recall, particularly, a personal experience which demonstrates his rare thoughtfulness. Some years ago, when I was in Johns Hopkins Hospital for eye surgery, ALBERT THOMAS called me to wish me well. He called, however, not from Washington, but from his own hospital bed in Texas, where he had just undergone the first of his several operations. I will ever remember this compassionate concern at a time when he himself was waging the most valiant struggle of all for survival.

I have been proud to call him my friend and colleague. And all who knew him can count themselves fortunate.

Mr. Speaker, the House, the Congress, and the Nation will long miss ALBERT THOMAS.

Mr. DE LA GARZA. Mr. Speaker, I am a freshman Member of the House to whom ALBERT THOMAS was always kind, always helpful. I know that I am one of a great number of new Members who have benefited from the consideration shown them by this great man.

It was in the nature of ALBERT THOMAS to be thoughtful of others. He loved this House, and he wanted every colleague of his to conduct himself in such a way as to bring honor to it. His long experience here had given him a wealth of knowledge—valuable knowledge that he willingly shared with those who were just getting started.

Now that he is gone from among us, the shining record of his service will continue as an inspiration to me—and, I know, to many, many others. All who knew ALBERT THOMAS are better men as a result. I join in mourning the passing of an eminent statesman, a loyal friend, and a grand human being.

Mr. DADDARIO. Mr. Speaker, our colleague, ALBERT THOMAS, will always be remembered with affection and respect by those who have been privileged to serve with him. His devotion to his duties as a Member of the House, and the stature of his service as chairman of the Subcommittee on Independent Offices Appropriations are outstanding examples to us all. The dignity and courage with which he bore the difficult burdens of his long final illness showed us a brave and selfless man at his best.

The work of ALBERT THOMAS had a significant effect on many of the most important national programs. He was a painstaking inquisitor, but most members of the scientific community realize that despite his searching questions, he was a perceptive, farseeing, compassionate friend. We will all miss ALBERT THOMAS for a very long time.

Mr. MADDEN. Mr. Speaker, when I came to the 78th Congress as a freshman one of the first persons to greet me as a newcomer was our departed colleague, ALBERT THOMAS. During the intervening years I, along with many other Members, enjoyed his friendship and consultations on various matters pertaining to the Government and other mutual problems.

ALBERT THOMAS possessed one of the most extraordinary personalities of any person whom I have met in public life. He had keen insight into legislative problems and devoted long hours of work in his legislative duties and service to his constituents. His remarkable ability to make friends and keep them is attested by the success he had in many reelections from the Eighth Congressional District of Texas.

During the later years all his friends knew he was suffering from painful and constant illness and marveled at his courage when they saw his friendly and smiling countenance greeting Members and friends with happiness and enthusiasm. Few Members of this legislative body could boast of having more sincere friends and well-wishers than Congressman ALBERT THOMAS. I know he will be greatly missed in the House of Representatives and in Washington as well as in his native Texas by thousands of devoted friends and acquaintances.

I wish to extend to Mrs. Thomas and his family my deepest sympathy in their bereavement.

Mr. FARNUM. Mr. Speaker, I grieve for the loss of ALBERT THOMAS, of the Eighth Congressional District of Texas, along with all of those who knew the joy of his friendship in this House, along with his loyal constituents, and, of course, with the members of his sorrowing family.

As a member of the Appropriations Committee of the House, I knew him as a committee colleague, and will revere his memory for the rest of my life, cherishing the recollections I have of his work in that committee where he was the member who ranked next tc the distinguished chairman.

The President recognized the extent of the loss which the House of Representatives, the Eighth Congressional District, and our country suffered by his passing, when he said of his fellow Texan:

> His devotion to the people he served and loyalty to his friends stand higher than all. I knew him—I knew him well—for a long time. He loved Houston and the Congress of the United States. He worked hard. He served well. His death leaves a lonely place in the lives of those who knew him best.

The details of his life have already been described in eulogies to this great man's record of achievement by those who have spoken of their deep sorrow at his passing. What I wish to mention is his extraordinary courtesy to the new Members of this body, new Members who sometimes found themselves in need of the kind of guidance that could be given only by someone who had been a vital part of the national legislative scene for the length of time that he had served here. The time of such men is precious. Besides the heavy burdens of their committee and subcommittee chairmanships there is the realization that life cannot go on forever, that if they are to achieve greatly, as most of them do, they must be about their tasks.

Yet, in counseling new Members, he never seemed to be in a hurry, he never displayed the least impatience, the slightest discourtesy, the smallest hesitation. He acted as if he had no other care in the world than to help the man who had asked his help. I will never forget ALBERT THOMAS for he was a public servant dedicated to helping other people help themselves.

I wish to extend my deepest, my most profound sympathies to his widow, Mrs. Lera Thomas; to his two daughters, Mrs. Edward A. Lasater, of São Paulo, Brazil, and Miss Lera Thomas, of Houston; to his sister, Mrs. James Ogg, of Brownsville, Tex., and to his brother, Eugene Thomas of Houston. They and his grandchildren have much to be proud of.

Mr. BURKE. Mr. Speaker, with the members of the Texas delegation, with all of his colleagues who knew his many virtues and his great abilities, with his devoted constituents of the Eight Congressional District of Texas, and with the members of his grieving family, I wish to join in expressing my own sorrow at the passing of ALBERT THOMAS.

His career in the House of Representatives was in the great tradition. He served long and well not only his district, but his country. He was born in the small Texas town of Nacogdoches where he attended the local school system. He prepared for Rice Institute in which he enrolled prior to World War I. When the United States went to war, he enlisted immediately, received a commission as a second lieutenant, and served with pride and distinction. He returned to Rice Institute after the war, and later received a bachelor's degree. He studied at the University of Texas

Law School from which he was graduated in 1926.

He returned to Nacogdoches and ran successfully for district and county attorney, a dual office. He was reelected and was serving his second term when he received an appointment as an assistant U.S. attorney for the southern district of Texas. After 6 years of distinguished service, he sought election to Congress, and in November of 1936 won his first contest for the seat he held until his recent tragic death.

He brought to every legislative task his wisdom, his unfailing courtesy, and his understanding of human aspirations and limitations.

He was a superb chairman of the House Un-American Activities Committee. He served with an unstinting measure of devotion and energy on the House Appropriations Committee. It was as chairman of the Independent Offices Subcommittee of the Appropriations Committee that his career reached its apogee, for here his vast knowledge of the intricacies of Federal finance was fittingly engaged on crucially important tasks.

He is survived by his widow, Mrs. Lera Thomas, his daughters, Mrs. Edward A. Lasater, of São Paulo, Brazil, and Miss Lera Thomas, of Houston, a sister and brother, and his grandchildren. In their hour of sorrow they may take some consolation from the brilliance of the record that was his life's history, and from the depth of the sense of loss experienced by his colleagues at his passing.

Mr. RANDALL. Mr. Speaker, our dear friend, AL THOMAS, may be removed from our midst but he will be forever cherished and loved as a dear and valued associate in the minds of his surviving colleagues so long as one remains.

There are many outstanding characteristics of this great man that should properly be commented upon in a eulogy. It is difficult to pick out any one to dwell upon. He was a great orator, one of the best I ever listened to in this House of Representatives. He was a hard working member and chairman of his appropriations subcommittee. He was a loyal and devoted follower of his party. But, if there is one characteristic that impressed me more than the others, it was the fact that he was a friend who was always willing to be helpful to his fellow Members. It has been quite properly observed that some persons are easier to become acquainted with than others. Some have an aloofness but others have a down-to-earth attitude that makes friends very quickly.

I distinctly recall my first meeting with AL THOMAS in the 1st session of the 86th Congress in 1959. It was an experience that I shall never forget because here was a man who had been on the Hill for a long period of years, that took the time to be friendly to a new freshman Member and offered to try to be helpful, offering to furnish information or to give of his advice when called upon.

We remember how very flattering it was to have such an influential Member of the House of Representatives as AL THOMAS take the time to become acquainted with a new Member's activities before his coming to Congress. Also, I shall never forget the occasion when our dear departed friend enjoyed a dish of green rice prepared by Mrs. Randall so much that he asked her for the recipe. He commented that he came from an area that produced rice, and he never knew before it could be so tasty.

That was the way it was with AL THOMAS. He was the sort of man that could pass a quiet compliment and make the recipient feel that everything came right from the heart.

AL THOMAS will be sorely missed by those of us he leaves behind. His passing leaves a void that cannot be filled. Mrs. Randall joins with me in this our expression of sympathy to his devoted wife.

Mr. LANGEN. Mr. Speaker, many things go through our minds as we gather to eulogize a departed colleague such as ALBERT THOMAS, of Texas. We automatically think of the 15 terms he served that span a time of almost 30 years. We remember his long service on the Appropriations Committee that saw him rise to the No. 2 position, right behind the chairman. We recall his chairmanship of the Independent Offices Subcommittee. We also note his service on the Joint Committee on Atomic Energy and the Joint Committee on Reduction of Nonessential Federal Expenditures.

We remember his stirring appearances on the floor of this House as he used his great grasp for complex and technical problems to hammer home his points.

We also remember ALBERT THOMAS' dedication to his district, to his State of Texas, and foremost to his Nation.

These things we automatically recall today as we ponder the future without the dynamic personality of ALBERT THOMAS among us.

But to me, the passing of a man of his stature, of his long term of service, of his great and unusual accomplishments, means something more than a record of performance. For truly, men such as ALBERT THOMAS continue to live in these Halls, not just through their past service, but through the inspiration and principles they leave behind.

I had the honor of serving on the Appropriations Committee with ALBERT THOMAS, and I am a better member of that committee because of him. All who have served with him, whether on a committee or merely as a colleague in this great body, are somehow better because of the association with ALBERT THOMAS.

The Congresses in the future will indeed be better because of the example and presence of ALBERT THOMAS who was here to show us the way. While all of us grieve his passing, we can rejoice in the legacy of wisdom and excellence bequeathed us by ALBERT THOMAS.

Mr. FISHER. Mr. Speaker, the passing of ALBERT THOMAS leaves a void in this House that can hardly be filled. He served for 30 years, and his presence here cast a long shadow over this Chamber. He was honored and respected by all who knew him.

To me I feel that I have lost a personal friend. Indeed few men who have served in this body could count quite as many friends among colleagues as was true with ALBERT. His friendly, pleasant, and positive attitude served to command a following and wield an influence on the issues of the day.

ALBERT was a very knowledgeable man. He was an expert in many fields. He did his homework well, armed with facts and good reason to support his position. His colleagues learned they could depend upon his judgment and upon his recitation of facts which related to an issue.

It was upon this record of ability, integrity, and sincerity that ALBERT built an enviable reputation in this body. He became widely recognized as one of the most effective and powerful legislators who has served here in many years.

To the family I extend my deepest sympathy in their bereavement.

Mr. FARBSTEIN. Mr. Speaker, I join with others of my colleagues in their tribute to ALBERT THOMAS, of Texas. It is impossible to sum up in any number of words and glowing phrases the life and accomplishments of so learned and competent a legislator as ALBERT THOMAS. Each of his 29 years in the House speak most eloquently of his dedication to his constituents and country. He was a public servant in the most honorable and unselfish sense.

All of us who knew him feel a real loss at his passing. Never will we forget his ability to work with his colleagues in the legislative branch. His service in the House was impressive, effective, and uncommon.

The same courage and resourcefulness he showed in the House carried over to his personal life and was apparent in the manner in which he responded to his serious illness. Regardless of personal pain and sacrifice, he carried out his duties.

Mr. Speaker, I add my personal message of sympathy to his devoted wife and daughters. I share their sense of loss at this time.

Mr. ROONEY of New York. Mr. Speaker, for the more than two decades that I have been privileged to serve as a Member of this body I have also had the privilege of serving on the House Committee on Appropriations with the Honorable ALBERT THOMAS, of Texas. But ALBERT THOMAS is now gone and we are saddened by, and poorer for, his absence.

In all his years of membership on the House Committee on Appropriations, ALBERT THOMAS provided continual guidance and leadership to the entire House of Representatives. Yet he always, too, had time for the warm greeting, the kind word. He was truly a fine gentleman. He also was truly a fine Congressman and one is hard pressed to call to mind a superior chairman of a House Appropriations Subcommittee. His interests ranged from defense, to veterans, to space and aviation, just to name a few. He fought for what he believed was right and slashed away at inefficiency and waste. And at all times ALBERT magnificently represented the people of the Eighth Congressional District of Texas and the city of Houston. I doubt that any Member of this House has achieved more for the people of his home city and congressional district than ALBERT THOMAS.

To lovely Mrs. Thomas and their charming daughters I offer my deepest sympathy and prayers.

Mr. STRATTON. Mr. Speaker, all of us have been deeply saddened by the passing of our great and good friend and colleague, ALBERT THOMAS, of Texas. All of us who had the privilege of serving with him in this body know the warmth of his personality, and the courtly and gracious and courteous manner in which he discharged his responsibilities.

I shall always remember ALBERT THOMAS best as he was when he was steering one of the appropriation bills from his own committee through the House. He always stood in the aisle, alongside the majority committee table, never in the well, with his glasses either in his hand or shoved back high on his forehead, a smile on his face, always trying hard to meet the desires and wishes of questioning or critical Members. ALBERT THOMAS in action on this floor was a legislative wonder to behold, the kind of grace in motion that President Kennedy used to refer to. He represented for all of us, I am sure, the epitome of the effective legislator, something we all hope ultimately to become.

One more point, Mr. Speaker, and that is the fantastic courage which ALBERT THOMAS embodied. Few who watched him steering a bill through this House could have dreamed of the heavy burden he was carrying. Yet he always faced the future with confidence, with hope, and with good cheer. What an inspiration for us all. How much we shall miss his voice and his step in this Chamber in the days ahead.

Mr. ROONEY of Pennsylvania. Mr. Speaker, I deem it an honor to add my voice to the many already raised in this Chamber in praise of a great and good American lawmaker, ALBERT THOMAS.

When I came to this Congress 3 years ago, I discovered very quickly that I would need the almost daily counsel and wisdom of as many of my distinguished seniors as I could possibly get. To my everlasting gratitude, not one request for guidance on my part has ever been denied, no matter how small or unimportant the issue may have seemed.

ALBERT THOMAS lives in my memory as one of those who tried, at all times, to give me the benefit of his experience. He was a kind, courteous, considerate gentleman whose 30 years in this House have left a mark of distinction and impressive achievement.

Above all, he was a man of consummate courage.

Those final days of his life were a shining monument to an indomitable human spirit.

I think we all should take consolation in the fact that one man among us could confront the daily reminder of impending death with an invincible faith in his fellow man.

I am privileged to count myself as one of the numberless thousands whose lives have been enriched by ALBERT THOMAS, a dedicated public servant and a devoted friend.

Mr. MORRIS. Mr. Speaker, the magnificent memory of ALBERT THOMAS will resound for years to come in this Chamber because the echo of his voice and the footprints of his life's dedication are immortal.

Not only his colleagues but people from all walks of life approached ALBERT for help with problems of major and minor significance—and each of them received a courteous audience and a helping hand. For ALBERT THOMAS, despite the high position he had attained, remained a kindly man whose patient guidance and thorough understanding endeared him to countless numbers of people who join me in mourning the passing of a "very dear friend."

We are taught that each of us is born with certain talents and the responsibility to multiply those talents. There is not the slightest question in my mind but what ALBERT's race was well run and that his life's work was eminently well done.

My heartfelt sympathy is extended to Mrs. Thomas and the two children. They, too, have suffered a great loss. But I hope they will find consolation in the fact that ALBERT THOMAS left them a cherished heritage that few of us can hope to approximate. His rule of life might well have been taken from the words of the poet, Edgar Guest, who said:

> Somebody said that it couldn't be done
> But he with a chuckle replied
> That "maybe it couldn't" but he would be one
> Who wouldn't say so till he'd tried.

Mr. CORMAN. Mr. Speaker, I wish to join with my colleagues in expressing my deep regret and sorrow at the passing of ALBERT THOMAS.

History demonstrates that this House is a sound judge of men and their character. The respect, admiration, and devotion of the Members of this body are the surest test of greatness. During his 30 years of service in Congress, ALBERT THOMAS met that test. The sincerity of emotion which has marked his passing is but a final confirmation of ALBERT THOMAS' monumental achievements. ALBERT THOMAS firmly believed that the U.S. Congress must fulfill its role vigorously and responsibly.

His burden was great, as chairman of the Subcommittee on Independent Offices Appropriations, but his competence and dedication have earned him a prominent place in the annals of our Nation.

It has been truly said that there could only be one ALBERT THOMAS and that we are much the lesser for his passing. But it is also true that his stirring example of courage and compassion will serve as an inspiration to all those aspiring to serve this Congress and the Nation.

Mr. SMITH of Iowa. Mr. Speaker, Members of this body who have served for many, many years in the House of Representatives with ALBERT THOMAS have set forth his outstanding characteristics.

The leadership on both sides of the aisle, men who have worked with him on many difficult and controversial problems that were very important to the Nation, have extolled his virtues and have told of his great ability.

Although I only had the privilege of serving with him on the Committee on Appropriations for 4 years, he provided many examples of leadership that will never be forgotten. It is generally conceded by all who served with him that no chairman of a subcommittee had greater capacity to handle a bill on the floor or to develop it for presentation to the entire membership of the House. He went out of his way to try to understand the problems of younger members of the committee as well as of the House and I was one of the continuous beneficiaries of his thoughtfulness.

As many others before me have stated, I considered him a personal, a good, and a warm friend whose name and record will never be forgotten and to his family I express my deepest sympathy for the great loss that they, too, have suffered.

Mr. PELLY. Mr. Speaker, like other Members of this House, I am deeply saddened that ALBERT THOMAS, of Texas, our good friend and most able colleague has gone to the only real "upper body" there is, where eventually all of us will meet.

ALBERT THOMAS was not only an outstanding Congressman, but in addition, his warm greeting and kindly words had won from us the real affection as well as admiration that gives each of us at this time such a real feeling of loss.

When AL managed an appropriation bill on the floor, when we asked questions or when we criticized the legislation before us, he always flattered us a bit, calling us genial and able friends and as a result there never was any hard feeling, only respect and kindliness.

Mr. Speaker, ALBERT THOMAS without a doubt was one of the hardest working Members of the House, and I never expect to meet any more dedicated and skillful legislator. His service to the Nation will be sorely missed.

My wife shares my sense of loss and we extend to Mrs. Thomas and his family our deepest sympathy.

Mr. RIVERS of South Carolina. Mr. Speaker, once again we pause to note the passing of a beloved colleague. Too often the stalwarts of the Congress, who have written so much of the history of their times, are suddenly gone from the scene. In awe of God's inscrutable ways we meet today to register our sincere thoughts of ALBERT THOMAS, what he meant and how we will miss him.

To know ALBERT was to love and respect him. During the years he so ably served the Eighth Congressional District of Texas, I learned to appreciate what a fine, outstanding job he did in carrying out his responsibilities to his people. Loved and respected for his fairness, sound judgment, deep courage and devotion to America, his rare capacity for leadership will be sorely missed in the years to come.

He was quiet and soft spoken, and as he went about his daily tasks, he had a kind greeting for everyone.

In thinking of ALBERT, I am reminded of the words penned by the late Sir William Osler, the noted Canadian physician:

> I have three personal ideals. One, to do the day's work well and not to bother about

> tomorrow. The second ideal has been to act the Golden Rule, as far as in me lay, toward my professional brethren and toward those committed to my care. And the third has been to cultivate such a measure of equanimity as would enable me to bear success with humility, the affection of my friends without pride, and to be ready when the day of sorrow and grief came to meet it with the courage befitting a man.

ALBERT THOMAS fully measured up to such ideals. We shall miss him, but he has left forever with us countless memories of a wonderful person.

Mrs. HANSEN of Washington. Mr. Speaker, at this time I would like to join with my colleagues in paying a deep and sincere tribute to our beloved Member, the late ALBERT THOMAS of Texas.

When I first came to Congress it was Mr. THOMAS who was so kind about details of budgetary affairs of great significance in my district.

There was never a time, nor an occasion, when he was not helpful and always he was a courtly, gracious gentleman.

The United States and Texas have lost a great Member of this body, but each of us has lost a magnificent friend.

My deepest and sincerest sympathy to his family.

Mr. CELLER. Mr. Speaker, for almost 30 years I have had the privilege of knowing ALBERT THOMAS who with each year of service rose in the esteem and affection of every Member of the House. This House will not be the same without him.

ALBERT THOMAS was a quiet man; he shunned publicity, devoting his energies to making himself expert in the most complex legislative matters, such as appropriations for the Department of Defense and appropriations for independent offices. His discretion and judgment served the Joint Committee on Atomic Energy well.

ALBERT THOMAS had courage and faith, and both sustained him during his last illness. I looked upon him as one of us oldtimers. Only 10 men now in the House of Representatives have served longer. Especially for those of us among the 10, his passing is especially cruel.

To his wife and to his family I extend my deepest sympathy and join in their sense of loss.

Mr. GIAIMO. Mr. Speaker, I rise to pay my respects to the memory of the late ALBERT THOMAS, of Texas. ALBERT THOMAS was one of my personal heroes and one of the finest Congressmen that any State of the United States has ever sent to Washington. He was a gentleman and a very gentle man. At the same time he was forceful, quick, brilliant, gracious, and always kind.

Before it became my honor to serve on his subcommittee of the Committee on Appropriations, I remember watching him with awe and I marveled at his masterful annual presentation of the complex independent offices budget on this floor. In the brief time that it was my pleasure to serve with him on this subcommittee I realized fully the extent of the work that he put into this task and his incredible and brilliant understanding of the complex workings of the many executive agencies under his committee's jurisdiction.

In the three decades that Mr. THOMAS served in Congress he has put his personal stamp on much of the good legislation which has come through this Congress. ALBERT THOMAS did not seek headlines or personal fame. I believe he viewed his task in Congress as a personal responsibility to work for the betterment of all people, for the increased effectiveness of our Government, and for the recognition of innovation and of the necessity for progress. Mr. THOMAS was a hard and tireless worker even while undergoing personal suffering which would have shattered a lesser man.

It was really an honor to know this man and to have him as a friend.

Mr. Speaker, to his widow and his daughter I extend my deep sympathy and prayers.

Mr. DADDARIO. Mr. Speaker, it was with sorrow that I learned of the passing of ALBERT THOMAS, a distinguished and dedicated public servant. I consider myself honored to have served with him in this body and in the Committee on Appropriations.

It was my privilege to meet ALBERT THOMAS in the cloakroom the opening day of the 87th Congress when I was being sworn in for the first time. He was friendly and kind—he gave me my first lesson in certain unwritten House rules with which we are all familiar—a lesson I have never forgotten.

ALBERT lived and worked for his district, State, and Nation. We all owe him a debt of gratitude for the great services he has rendered—his record of service has earned him a place among the great men who have served in this House. While he has left us, he lives on in the lives of those who were privileged to work with and to know him.

To his family I extend my heartfelt sympathy.

Mr. MARSH. Mr. Speaker, although I did not have the opportunity to learn to know the late ALBERT THOMAS as well as so many of my colleagues who have paid tribute to this distinguished American nevertheless, I became aware of the loss suffered not only by the Congress of the United States, but by the people of our great country by the passing of this man.

As a comparative newcomer in the House of Representatives, I remember him for the courteous and thoughtful manner which he always displayed to new Members of the House, I remember when I came here in the 88th Congress how he went out of his way to accommodate new Members and, although he had vast congressional duties and years of seniority, he always found time to talk to newer Members of the House in a manner that set them at ease and made them feel at home. Notwithstanding his many years of legislative experience and seniority that made him such a towering figure in the House, he was a man of humility, and carried his position and honors with an easy grace.

In the 89th Congress, it was my privilege to serve with him on the Appropriations Committee and encounter him as a newcomer serving on this committee. Again I saw the graciousness that was the hallmark of ALBERT THOMAS as he welcomed not only myself, but other new members to the committee of which he was such a valuable member.

As others have pointed out, he will be missed not only in the meetings of the committees and on the floor of the House, where he was a master of debate, but, even more, as a man whose warm and friendly ways contributed so much to the House of Representatives.

Mr. ASPINALL. Mr. Speaker, the Happy Warrior of Texas has given to us his last smile and his final handshake. Very few Members of Congress in recent years have made a greater lasting impression upon us than did ALBERT THOMAS when he walked among us. A tireless worker, a fearless advocate, an effective but considerate opponent, he invariably carried his congressional assignment forward to success without any apparent thought that defeat might come his way. Such a companion and coworker invariably leaves behind him a living immortality. His companions remember him long and well,

As John Donne wrote in his "No Man Is an Island":

> Any man's death diminishes me, because I am involved in mankind, and therefore never send to know for whom the bell tolls; it tolls for thee.

The death of ALBERT THOMAS has diminished this body more than a little. We miss him; we shall continue to miss him. No man, even while in great pain and with a constant reminder of the transient challenge of mortality, bore himself more courageously than our companion who has now made his final adieu.

Mrs. Aspinall and I extend to Mrs. Thomas and the family our most sincere sympathy and condolences.

Mr. McCLORY. Mr. Speaker, ALBERT THOMAS, U.S. Representative for the Eighth District of Texas whose passing we are mourning, fits precisely into the definition of a "gentleman." He was courteous and respectful, attentive to those with whom he came in contact, and respectful of the views of others even though in conflict with his own convictions.

Congressman THOMAS was an inspiration to all who found the need for physical exercise and recreation to enable them to carry on their arduous and demanding duties as Representatives in the Congress. His significant support of physical fitness and recreation for Members of the House resulted in the installation of more adequate exercise rooms and a swimming pool in the new Rayburn House Office Building. At the dedication of these facilities I was proud to join with numerous colleagues from the U.S. House of Representatives to honor AL THOMAS, distinguished lawmaker, valued friend, and leader among men. Both at this hour and during his long years of service, Congressman ALBERT THOMAS' greatness was recognized by those whom he served.

In the course of his 15 consecutive terms in the U.S. House of Representatives he devoted himself unselfishly to issues and purposes most beneficial to mankind's development and common good. The name of ALBERT THOMAS will be remembered with affection and admiration so long as the history of the U.S. House of Representatives is recalled. I extend my sympathy to his widow and to all members of ALBERT THOMAS' family.

Mr. DULSKI. Mr. Speaker, in the passing of ALBERT THOMAS, the House and the people of the United States have lost an old and dear friend. His death leaves a void in the affairs of this Nation and in the hearts of his countrymen that can never be filled.

Although I did not share the long association with Mr. THOMAS that many of my colleagues enjoyed, I felt a deep sense of deprivation and sorrow when I learned of his death. On several occasions I sought his wise counsel and sage advice. He was a warm and sincere person, and I valued his friendship.

We shall long remember ALBERT THOMAS for what he was—a knowledgeable and dedicated legislator, an outstanding citizen and, above all else to us, a kind and understanding friend.

He was a man of great courage and endurance. Under stress and pain, he carried on unflinchingly until the Maker called him to his eternal rest.

We in the Congress shall miss him greatly for he was indeed one of our true leaders.

I extend my deepest sympathy and condolences to his widow and daughters.

Mr. HORTON. Mr. Speaker, the final departure of ALBERT THOMAS, of the Texas Eighth District, is a serious loss, not only to those of us who knew, admired, and respected him for his talents as a Congressman, but also to the many thousands who valued his political accomplishments, even from afar.

Throughout his lifetime ALBERT THOMAS was a citizen of Texas, and he burned with a desire to serve the needs of the people and strengthen the traditions of his State. And—in keeping with this desire—he had the capacity to comprehend the needs of the times and to serve his constituents with unflagging energy and unswerving devotion.

ALBERT THOMAS was born in 1898 in Nacogdoches, Tex., where he attended the public schools before entering Rice Institute. Obtaining a commission in the Army, he left college to serve in World War I. Following the armistice he returned to college, graduating from Texas Law School in 1926.

As a young lawyer he was sufficiently impressive to win election as district attorney, which office he held for two terms. In 1930 he was appointed assistant U.S. attorney for the southern district of Texas, and in 1936 he was elected to Congress.

In Washington ALBERT THOMAS found that lawmaking was as much to his liking as law enforcement. In short time he revealed his knowledge and abilities in several phases of the law, serving on committees as different in nature as Appropriations, Un-American Activities, and the Joint Committee on Atomic Energy. He was for a time chairman of the Un-American Activities Committee, and was for many years chairman of the Independent Offices Subcommittee of the Appropriations Committee. He also served as chairman of a special appropriations subcommittee with jurisdiction over supplemental appropriations.

President Johnson, who knew ALBERT THOMAS for many years, has praised him for his unfaltering "devotion to the people he served," and surely there was never praise more well deserved than this. For undoubtedly, as the President observed, ALBERT THOMAS "worked hard" and "served well," far beyond the mere call of duty.

Yes, we who admired the political ability of this remarkable Congressman will miss him dearly in the days ahead. And those of us—myself included—who knew and loved him as a person, will be doubly mournful. It was indeed an honor to know and to work with ALBERT THOMAS, and to have experienced the satisfaction of dealing with an outstanding public servant wholly dedicated to the interests of his flag, his country, his district, and his fellowman.

Mr. RHODES of Pennsylvania. Mr. Speaker, I join with other of my colleagues in their tribute to ALBERT THOMAS, of Texas. In his 29 years in the House ALBERT THOMAS distinguished himself as an able and conscientious legislator. All of us who were privileged to have known him feel a real loss at his passing.

As an outstanding expert in the field of economics his service in the House was most impressive. His many achievements could not be covered in a few words. Suffice to say that the American people and the Nation were always well served by his prudent and wise judgments as a member of the House Appropriations Committee.

In addition to his abilities as a legislator, ALBERT THOMAS was a warm and friendly man. He was held in admiration and respect by every Member who served with him. All of us are better for having known him.

Mr. Speaker, I add my personal message of sympathy to his widow and family. I share their sense of loss and sorrow.

Mr. CHELF. Mr. Speaker, the House lost an able Member, the Nation lost a loyal and faithful legislator, and we lost a valued colleague when ALBERT THOMAS, of Texas, passed away recently.

ALBERT was my dear friend and I miss him here in the House where he served with great ability and distinction. He made an outstanding contribution to his district, his State, and his Nation during his years of membership. He was truly a "legislator's legislator."

He will always be remembered in the House not only for his valuable service but for his famous and familiar handwave and handclasp of friendship. It was a privilege to have known ALBERT THOMAS and the world is a far poorer place for his having left it. This world can ill afford to lose men of his caliber. God rest his sweet soul in peace.

To his family, I would like to extend my deep sympathy, and it is my hope that God will bless each of them and give them comfort.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks at this point in the RECORD on the life and service of the late Honorable ALBERT THOMAS.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. PATMAN. Also, Mr. Speaker, to include therein extraneous matter.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to insert a statement that appeared in the Houston, Tex., Chronicle, February 15, 1966, headed, "East Texan Recalls Congressman's Boyhood—ALBERT Liked Old Clothes, Walk Through Gentle Hills."

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The statement is as follows:

EAST TEXAN RECALLS CONGRESSMAN'S BOYHOOD—ALBERT LIKED OLD CLOTHES, WALK THROUGH GENTLE HILLS

(By Bob Bowman)

NACOGDOCHES.—ALBERT THOMAS came out of east Texas in the 1930's with a scrapping spirit and a country boy's love for the ramrod-stiff pines of Nacogdoches County.

He never lost either.

On the few precious occasions he stole away from the public's eye, for a time of rest, he came home to Nacogdoches to walk up and down its old brick streets and the gentle red hills he knew as a boy.

He owned a farm a few miles north, a place he called his retirement home.

"ALBERT liked to put on his old clothes and just walk over the land," said Jewel Byrd, an oilman and boyhood friend.

"He liked black-eyed peas, too, and he drank his coffee from a saucer."

THOMAS grew up in his father's general store.

"When his mother died, ALBERT stayed real close to his daddy. He was like that most of his life. Considerate and trying to make people feel better," said Byrd.

In high school, THOMAS was a spunky leader who didn't ask anyone for anything.

He courted the school's prettiest girl, Lera Millard, and made her his wife and closest political ally.

"I think the first time I really noticed ALBERT he was racing an old gray horse against some other boys on the high school campus," remembers Byrd.

"He won the race, too, like most everything else he did."

Another boyhood friend, Attorney F. I. Tucker, served THOMAS' unexpired term as Nacogdoches county attorney in the 1930's when he moved to Houston to become an assistant U.S. district attorney.

"ALBERT loved people. He was always shaking hands, walking the streets, and talking with people when he came home," Tucker recalls.

It was THOMAS' persistence and fighting spirit that prompted his Nacogdoches' cronies to nickname him "Hossfly"—a name that stuck throughout his life.

THOMAS' parents died during his youth and most of his family members have moved from Nacogdoches. Some of his wife's kin, however, still live here.

THOMAS was one of Nacogdoches' greatest success stories, says Lumberman Lacy H. Hunt.

"It was a case of a country boy making good."

REORGANIZATION PLAN NO. 2 OF 1966—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 388)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Government Operations and ordered to be printed:

To the Congress of the United States:

I transmit herewith Reorganization Plan No. 2 of 1966, prepared in accordance with the provisions of the Reorganization Act of 1949, as amended, and providing for reorganization of certain water pollution control functions.

Thirty-five years ago Justice Oliver Wendell Holmes said:

> A river is more than an amenity, it is a treasure.

Only recently has the truth of this observation entered the public conscience. For we now recognize that the Nation's rivers, far from being treasured, have been carelessly neglected for too long.

Today we face a harsh reality. Our waters are burdened with blight. We know that every river system in America suffers from some degree of pollution. This menace is growing more serious with every passing day.

We have just begun to take the steps to clean and restore our waters.

The task is immense. The journey will be long.

If our new programs are to succeed we must combine our efforts—Federal, State, local, and private—in new and creative partnerships.

The attack against water pollution should be unified and coordinated.

It should be carried forward as an integral part of comprehensive planning for the development of river basins.

But most importantly, the Government's management structure must be strengthened and reshaped to meet the challenges that lie ahead.

In my February 23 message on the quality of our environment I stated:

> We must reorganize the Federal effort. In the past, the Federal antipollution effort has been organizationally separate from water conservation and use programs.
>
> One agency should assume leadership in our clean water effort.
>
> That agency should be the Department of the Interior.

The Department of the Interior, for many years, has been concerned with the comprehensive management and development of the Nation's water resources.

It plans, constructs, and operates multiple-purpose water and related land resources projects.

It carries on research and development on the removal of minerals from water.

It administers the Water Resources Research Act.

The Secretary of the Interior also serves as Chairman of the Water Resources Council responsible for coordinating river basin planning. Under the Clean Rivers Restoration Act of 1966 and other legislation which I have recently proposed, the Secretary will become the focal point for Federal efforts in this area.

It is wise management to place under his control the related resources and authority now in the Department of Health, Education, and Welfare.

The reorganization plan maintains a proper and effective role for the Department of Health, Education, and Welfare with respect to the health aspects of pollution. At the same time it places in the Department of the Interior all of the necessary tools to move forward the drive to clean America's waters.

The reorganization plan herewith transmitted will transfer to the Secretary of the Interior the functions of the Department of Health, Education, and Welfare under the Federal Water Pollution Control Act except for responsibilities relating to public health for which the Department of Health, Education, and Welfare has special competence. That Department will retain responsibility under section 3(b) of the act for advising on public health questions involved in determinations by Federal agencies of the need for and value of the inclusion of storage for water quality control in Federal reservoirs. The Federal Water Pollution Control Administration would be transferred to the Department of the Interior.

The Secretary of the Interior in administering the act will also be required to consult with the Secretary of Health, Education, and Welfare on public health aspects relating to water pollution. This consultative responsibility is now vested in the Surgeon General by section 2(k) of the Water Quality Act of 1965. The plan transfers that responsibility to the Secretary of Health, Education, and Welfare.

The Water Pollution Control Advisory Board and the hearing boards provided for in the act would be transferred to the Department of the Interior, together with their respective functions. The reorganization plan also makes the Secretary of Health, Education, and Welfare a member of the Advisory Board and gives him the opportunity to select a member of each hearing board.

The reorganization plan would in no way impair the rights and benefits of commissioned officers of the Public Health Service who may transfer to the Water Pollution Control Administration.

The reorganization to be accomplished by the plan transmitted herewith will enable the Federal Government to organize for action against pollution on a river basin basis under the unified leadership of the Secretary of the Interior.

After investigation, I have found and hereby declare that each reorganization included in the accompanying reorganization plan is necessary to accomplish one or more of the purposes set forth in section 2(a) of the Reorganization Act of 1949, as amended. I have also found and hereby declare that it is necessary to include in the accompanying reorganization plan, by reason of the reorganizations made thereby, provision for the membership of the Secretary of Health, Education, and Welfare on the Water Pollution Control Advisory Board and for the appointment and compensation of an additional Assistant Secretary of the Interior. The rate of compensation fixed for that officer is that which I have found to prevail in respect of comparable officers in the executive branch of the Government.

The reorganizations provided for in the reorganization plan transmitted herewith will produce significant long-range savings and economies by reason of the efficiencies in organization and in the elimination of duplication of effort it will bring about. It is, however, impracticable to specify or itemize at this time the reductions of expenditures which it is probable will be brought about by the taking effect of the reorganizations included in the reorganization plan.

I recommend that the Congress allow the accompanying plan to become effective.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *February 28, 1966.*

CONSTANTINE BROWN

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, those of us who knew him were saddened by the death this past weekend of Constantine Brown, a most distiguished journalist. Mr. Brown wrote a column for the Washington Evening Star and other newspapers in recent years, but in addition, he compiled a great career in journalism which made him one of the outstanding members of that profession.

He covered World Wars I and II, the international crises between these conflicts and the key world complications since then. He was an acknowledged expert and writer on the international scene. He was respected by Government officials whose confidence he had and was admired by his colleagues for his professional ability. Mr. Brown was a most penetrating observer of major international developments.

In addition, he was an extremely human man. Mrs. Derwinski and I were honored to be numbered among his friends, and we express to Mrs. Brown and his two daughters our heartfelt sympathy at his passing and join in the belief that he will be long remembered as a friend and as a journalist of unusual caliber.

PROPOSAL FOR MINORITY ECONOMIC COUNCIL

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CURTIS. Mr. Speaker, this Nation continues to grow economically at a rapid rate. The coming decades, the 1970's and 1980's, will present increasingly complex problems. As our society grows we need better understanding of the private economic forces and Government's relations to it. We must continue to improve our mechanisms for intelligent political decisionmaking in respect to economic matters.

One means of achieving this objective is by establishing better procedures for national economic decisionmaking. Thus, in a speech to the 20th anniversary symposium of the House-Senate Joint Economic Committee on February 23, I proposed that a minority economic council be established to enable minority party Representatives in Congress better to analyze and present alternatives to administration economic policy decisions.

This speech follows:

TOWARD IMPROVED ECONOMIC POLICY: A PROPOSAL TO AMEND THE EMPLOYMENT ACT OF 1946 TO ESTABLISH A MINORITY ECONOMIC COUNCIL

(Text of remarks prepared for delivery by Congressman THOMAS B. CURTIS, St. Louis County, Mo., senior House Republican, Joint Economic Committee)

The Employment Act of 1946 was a milestone in our economic history because it established a viable procedure for the formulation and review of economic decisionmaking at the highest levels, both in the legislative and executive branches.

It is important to review the past—and the past record of the Employment Act has been one of success. But the record is not cloudless. Our stake in the future—in the 1970's and 1980's—requires a hard look at ways to improve the established procedures.

Today I propose that we refine these procedures in order to establish a better public dialog on economic affairs. I propose for the consideration and response of this distinguished group that a new, additional, advisory, research and information organization be established under the Employment Act to enable minority party representatives in Congress better to analyze and present minority alternatives to administration economic policy decisions. This "minority economic council" would be responsible to whichever party does not control the White House, and would be funded by Congress.

At the heart of the procedures of the 1946 Employment Act is the idea that debate and discussion about economic objectives is a healthy and constructive goal. This is one of the princpal themes of the literature on the Employment Act.

In spite of these Employment Act procedures, debate on economic issues is today not extensive enough or thorough enough. It needs further development: principally it needs a better informed, institutionalized challenger able to create more intelligent public discussion even of the most technical issues. Through such improved debate economic policy issues would be refined and clarified.

The complaint is often heard that Congress has abdicated one of its most important constitutional functions—full debate in a public forum where cross-examination and rebuttal are possible. The reasons for this are in part institutional, to be sure; most issues are debated in congressional committees rather than in the House of Representatives and Senate. But even in committees the process of debate is hampered by the lack of adequate professional staff and the resort to closed executive rather than public committee sessions open to the press and concerned citizens.

The need for "help for Congress" has become a commonplace, as public awareness of the complex organizational problems of Congress grows. I hold that one of the most urgent of Congress organizational needs is for professional staff, especially for the minority.

The need is especially acute in the area of economic policy. The size and diversity of the economy and of the Government's role in it require better understanding. In 1948, 2 years after the Employment Act when the economy had "cooled off" after the years of wartime spending, the gross national product (in 1958 dollars) was $323.7 billion and the fiscal year 1948 Federal administrative budget was $32.995 billion. In 1965 the gross national product was $609 billion in 1958 dollars and the fiscal year 1967 Federal administrative budget is an estimated $112.847 billion. The budget for this tremendous amount, to which should be added for completeness trust fund account expenditures of $32.153 billion, is both an economic document of very great complexity and a political document of great importance. Adequate understanding of the economic impact of the budget as a whole is as important as understanding it program by program, item by item, yet congressional facilities do not exist for analyzing the effects of the total budget.

The Employment Act's sponsors correctly saw the need even in 1946 for proper procedures through which to manage the huge new economic power of the Federal Government. Correspondingly, the President's Council of Economic Advisers has become accepted as one of the most important offices in the executive. Though the Council is itself small, it can draw on the almost limitless statistical and program resources of the other 14 executive departments and countless other agencies. The Council of Economic Advisers, rooted in academic institutions, has kept open its lines of communication with academic and other economic thinkers. It and the executive departments which also retain consultants are lodestones for professional economists throughout the country. Thus, while the executive has at its command vast internal resources and a strong attraction for private advisers, the minority party in Congress by comparison has no such resources, nor innate attraction.

This is a problem of the preponderance of executive branch knowledge, combined with power, over the minority, and, essentially, this problem is an institutional one. No mechanism in our society can now focus dissent on economic issues. The minority in Congress must have the research resources necessary to suggest workable alternatives to Government policy in all important economic areas. I believe there is considerable dissent in our society, within its broader consensus. Our problem is how to channel that dissent—to create a way to bring informed dissenters together to devise and propose creative alternatives based on their expert knowledge.

The institution I propose would provide a means of using existing knowledge to refine existing programs and to create new and better ones. It should be financed by congressional appropriation. It should assist whichever party does not control the White House. It should have a full-time professional staff which would establish a research organization extending to centers of learning and economic thought throughout the country. It should provide travel money for persons contributing their time and knowledge, and a center in Washington in which to meet. It should be a means whereby business, labor, agriculture, and academic economists, and any other practicing economists, could influence public policy through contributing to sound decisionmaking.

This minority economic council would report to a board of directors comprised of the minority leaders of the House and Senate, the ranking minority members of the House-Senate Joint Economic Committee, the House Ways and Means and the Senate Finance Committees, the House and Senate Appropriations Committees, and the House and Senate Banking and Currency Committees. Its resources would be made available to all the minority Members of Congress. It would be established formally by amendment to the Employment Act.

Of course, there are obstacles to such a plan. There will be objections both from members of the other party and from within my own party. There will be difficulties convincing those persons whose talents we would wish to utilize that their abilities are needed. The greatest single problem may well be encouraging private persons to speak out publicly, to stand up and be counted no matter what party is in power. But the merit and advantages of what I propose should be apparent and persuasive.

The effects of the growing role of the Federal Government in the colleges and universities are becoming serious. Substantial proportions of the budgets of academic institutions come from the Federal Government. Competition for such funds among universities is strong.

At the same time Government finances programs at universities, it finances individuals at those universities. College presidents, department heads, and students enjoy the reflected prestige of the professor called to consult with the administration in Washington.

These pressures could militate against the bright, ambitious scholar, businessman, labor or civic official coming to Washington to contribute his knowledge to the minority party.

The fundamental problem is again a systemic one. The present system reduces the incentive to criticize by creating allegiances between private consultants and Government; thus it operates to favor the party in power. The losers, in terms of better performance of our economy, are American men and women. A countervailing change in the present system is required to allow latent voices of dissent and constructive suggestions to be heard.

Other obstacles against creation of the institution I propose would be determining its role when Congress is held by one party and the executive by another. Also we can ask, what would be the role of the organization when one party controls one House and the other party controls the other? These structural problems can be solved.

Among the problems a newly formed minority economic council might turn its attention to are the following:

1. Generalized wage and price guidelines are being applied without having been understood or sanctioned as a valid instrument of economic policy, and I would argue, the means of their enforcement have been illegal.

2. In concentrating on aggregate economic policies equally valid specific approaches that can also reduce unemployment have been minimized. Manpower development and training programs are uncoordinated and redundant and so are grossly inadequate to meet needs. No effort, for example, has been made to integrate manpower trained for the Armed Forces with civilian skill categories and demands. In my book "Million Jobs,"[1] I proposed a computerized inventory of job vacancies which is still an urgent need.

3. The economic impact of the Nation's war effort is not understood. Beyond its budgetary costs, war spending is having reallocative effects on the Nation's resources which are vital but largely ignored.

4. Inflation is an immediate and pressing concern. Prices, especially of food, have risen sharply. The Bureau of Labor Statistics reported recently that the wholesale price index for January 1966 increased by 0.5 percent or at an annual rate of 6 percent. The importance of this rise is that it is generalized—it includes the industrial, as well

---

[1] Durell, Sloan & Pierce, 1963.

as the agricultural, commodities. Moreover, this increase hides the suppressed price increase which would have occurred in the absence of artificial and arbitrary Administration intervention to hold down selective industrial price increases in the face of generalized inflationary pressures.

5. The tax system is elaborate to the point where too many economic decisions are made on the basis of their tax consequence rather than on their economic merit.

6. A decade of public housing efforts has not solved the poverty-related problem of adequate housing for low income groups and other directly related environmental problems. Our previous efforts may, in fact, have aggravated the housing problem. This problem, largely one of the supply of the commodity of housing, has been badly mishandled in a period when rapid suburbanization has taken precedence over the older problems of urbanization and derustification of our population.

7. The Negro is our greatest underutilized resource, representing as a group a vast untapped reservoir of human talent and productive ability. The Negro is the unfortunate legatee of the withdrawal of economic power and ability from the city to suburbia, and he bears the brunt of the age-old problem of rural man's adjustment to urban society. The lack of jobs, the Negro's most urgent need, is mostly a structural problem. Unions and other economic, as well as social, forces have retarded this utilization. Aggregate economic policies cannot hope to solve these basic structural problems—nor can politically motivated, misguided poverty programs which are not based on adequate understanding of who is poor and how the poor can be helped. We must provide job training and basic education programs directly related to local industry needs and pull down the organizational barriers that stand between the man on the street and the man at work producing for a greater America.

8. The aged, increasing in proportionate size and retained agility, represent a vast economic resource which to large measure is discarded at great economic and human cost beyond an arbitrary age limit. We forget that age is a relative concept, and that age limits built into Federal and other programs misrepresent the ability to contribute to society.

9. The large number of new programs for the promotion of education have left educational institutions gasping in bewilderment, yet we have not defined the objectives of our education systems or related them to the vast amount of training and retraining done in the nonacademic and military worlds. A burning, unresolved issue is, "How is our educational system to be guided and coordinated?"

10. Foreign economic policy is bankrupt. Supposedly based on principles, it is a suggestion of ad hoc responses to immediate needs. As a congressional delegate to the current trade negotiations under the General Agreement on Tariffs and Trade (GATT), I am aware at firsthand that we have not begun even to talk about and understand, much less to meet, the needs of developing countries through trade. Nor, after years of trying, have we found the key to success in development aid policy. Instead of helping countries increase per capita wealth we have through our programs increased their reliance on artificial temporary income resources, often substituting U.S. Government funds for local private funds, without creating in them the will and the ability to solve their own problems. Administration fiscal and monetary policies generate inflationary price rises which increase pressure to buy cheaper imports and discourage export sales.

All of these issues, and many more, deserve the attention of the minority research organization I propose. These comprehensive research efforts could be mounted in different ways, depending on the nature of the problem. An example of the kind of project I have in mind is Operation Employment, an effort of Republicans in the House of Representatives in 1961 to address the structural problems of unemployment in the most enlightened way. About 60 House Republicans established committees to study all the associated problems of employment and unemployment. Each committee was aided by a panel of private experts. These committees reported and debated their findings in the House of Representatives. The result was the Manpower Development and Training Act of 1962.

Essentially this proposal for a minority economic council is an appeal for your ideas and comments. I propose it fully aware that as a concept it faces many of the same obstacles that Senator Murray and his Employment Act faced 20 years ago. But what I propose is a logical corollary to the Employment Act. Its result would be better decision-making in economic affairs.

The legislative year 1946 was a time of great ferment. It saw passage both of the Employment Act and also of the Congressional Reorganization Act. Twenty years later the substantive and institutional problems facing us are as great as they were then, and they require equally bold solutions. I am convinced that what I propose would help meet these problems.

BIG BROTHER STATE

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CURTIS. Mr. Speaker, the distinguished columnist and economist, Henry Hazlitt, writes in his News Week column of February 28, 1966:

> The Annual Economic Report of the President * * * has come to be considered a sort of official economic textbook. Yet it is primarily a political rather than an economic document. I described it here in 1952 as "political propaganda paid for by the taxpayers."

I think I would agree with Mr. Hazlitt's observation essentially. Yet I would go on to say that the economics and the dialog in this political document have improved considerably over the years. Certainly, it has brought at least one side of the dialog out into the open.

The area to test the strength, or the weakness of the dialog lies in the opportunity those who disagree with this political document have to express their disagreement and to have it disseminated in a somewhat equal fashion to the same audience, to the people.

It is to direct attention to the weakness of the other side of the dialog that I suggested before the distinguished group assembled in Washington, D.C., February 23, to celebrate the 20th anniversary of the Employment Act that a new and additional Council of Economic Advisers responsible to the political party not controlled by the White House be established by law.

Indeed, I do find in the 1966 President's Economic Report justification for Mr. Hazlitt's criticism that this is "big brother" government claiming all the credit for all the good things in the economy almost to the complete ignorance of the private sector, which after all is still the essence of our economy. I also find that the Economic Council and the economic report provide a rallying point for economists of a certain school of thought, and a limited school at that. Having rallied together they then proceed to seek to win debates by their rhetoric and the loudness of their voices, amplified as they are by all the modern techniques of the mass news media, rather than through the techniques of straightforward debate. In very few instances have they been willing to provide to their opposition equal time to have the other side of the dialog heard; on the contrary, they employ their control of the time to present the position of their opposition in the most unfavorable light possible.

It is this factor multiplied throughout the Federal Government today which is leading to the "big brother" state which Henry Hazlitt points up in his article.

A suppressed study by a subcommittee of the House Government Operations Committee, which started to study the extent to which the Federal Government is engaged in propagandizing its people with their own tax money revealed that $41½ million was spent in 1963. A full investigation of the extent to which the Federal Government is propagandizing its own people would reveal that the cost runs well into the $100 millions annually.

I will set forth the article of Mr. Hazlitt's to which I referred in full. I also insert into the RECORD a news item describing one of the most recent bits of propaganda issued by the Federal administration. All Members of Congress should look at this booklet put out by the Department of Health, Education, and Welfare, to judge for themselves whether the news item is missing the mark and being unfair in its description of it. As the Federal Government continues on its undisciplined way in violating the laws against propagandizing its own people with their own tax funds, hopefully it will become even more careless in concealing this masquerade. Disseminating information to the people is a proper function of the Federal Government and it is always difficult to draw the line between opinion and fact. Those who wilfully exploit this difficulty are creating double damage, damage to the process of disseminating information and damage to the process of public discussion and debate, both of which are essential to the successful operation of a republic.

The articles follow:

"BIG BROTHER" STATE

(By Henry Hazlitt)

The annual economic report of the President, a child of the Employment Act of 1946, has come to be considered a sort of official economic textbook. Yet it is primarily a political rather than an economic document. I described it here in 1952 as "political propaganda paid for by the taxpayers."

That description would apply to most of the annual economic reports, and certainly to the latest, which reads like a campaign speech. Most of it hammers in the message that you never had it so good and implies that you owe it all to the Great Society programs. The rest of it proposes still more controls and spending programs. All of these, of course, are to be piled on top of all the welfare and subsidy programs that have grown up during the preceding 36 years. The idea that private competition, free enterprise, and individual initiative ever accomplished anything is scarcely acknowledged.

These welfare programs are expensive, though in the President's economic report, otherwise crammed with euphoric figures, this expense is not mentioned. The Government's total cash expenditures in fiscal 1967 will be $145 billion, of which $83.6 billion will be nondefense spending. Both figures will be the highest on record. Compared with only 5 years ago (fiscal 1961) nondefense spending will be up $31.8 billion. Compared with 10 years ago (fiscal 1956) it will be up $52 billion.

ALL TO SPONGE ON ALL

All this must be collected from the taxpayers. The Government has nothing to give to anyone that it does not first take from the community. Yet Mr. Johnson constantly talks as if his Great Society programs will fill far more needs than the people could fill for themselves. Everybody is to live at the expense of everybody else.

This bewildering multiplicity of new programs adds up to the "big brother" state. Are there any unfulfilled desires anywhere? Then the Government will fill them. If there are or ought to be any limits to the sphere and powers of the state, the economic report gives no hint of what they are.

The report makes scores of recommendations, but with one or two exceptions (e.g., more pollution control) nearly all of them are questionable. Instead of proposing that the Government refrain from further inflation, the report seeks to end the balance-of-payments deficit by continuance of controls. It proposes that international monetary inflation be facilitated by "creation of new [nongold] reserve assets." It proposes that the aims of foreign aid be expanded. It proposes that the Federal Government rebuild the cities—i.e., that the taxpayers of every city pay for the rebuilding of all the other cities—as if this somehow relieved them of the cost. It proposes to increase compulsory unionism even further by repealing section 14(b) of the Taft-Hartley Act. It proposes to raise the minimum wage and so make it still harder for teenagers and unskilled workers to get jobs.

WHO MAKES INFLATION?

But what is of most immediate importance in the Economic Report is its discussion of inflation and the need of "maintaining cost-price stability." At one point, it is gratifying to see, the report comes close to acknowledging that the primary responsibility for inflation lies with the Government's own policies: "The basic precondition for price stability is a fiscal-monetary policy that deters total demand for goods and services from outrunning potential supply." But the report quickly takes this back by adding: "But the extent of the fiscal or monetary restraint that will be needed to avoid inflationary pressures will depend directly on the restraint and moderation exercised by those who have power over wages and prices."

This is a clear reversal of cause and effect. If the Government stops increasing the quantity of money, the average level of wages and prices cannot be raised. An excessive increase in the price of any given product will either reduce demand for that product or leave less purchasing power for other products. But if the Government continues to print more money, and then tries to sit on individual prices, it will unbalance and disrupt production. Only governmental monetary policy, by commission or neglect, can create inflation.

A Slick Trick? Fancy HEW Booklets, Filled With L.B.J., Irk Some—Colorful Pamphlets Said To Be Needed To Tell of Benefits; Baloney and Barbershops

(By Jonathan Spivak)

Washington.—This morning, under White House orders, the Public Health Service will start sending almost 100,000 copies of a report to the public on health to Government clinics, private doctors' waiting rooms, social security offices, and other places.

Unlike so many dreary Federal documents, this 54-page pamphlet is catchy, colorful and crammed full of Presidential photographs and pearls of Johnsonian wisdom. It paints a glowing portrait of the progress achieved in health research, medical care, and allied areas during L.B.J.'s tenure.

Administration advocates insist such publicity programs are necessary to keep Americans up-to-date on all the ambitious Federal endeavors undertaken in recent years. But critics are contending this amounts to patent political promotion for President Johnson—paid for out of public funds.

CARESSING LYNDON'S CHEEK

The frontispiece of the health pamphlet shows the President signing a bill, presumably one of the "recent landmark" health measures mentioned on the next page. The lengthy list dates back to December 1963, just missing mention of President Kennedy's big mental health and antiretardation programs, which were signed into law in October of that year. Next comes a captionless photograph of an old lady gazing adoringly at Mr. Johnson and caressing his cheek with a withered hand.

A sample selection from the easy-to-read text: "Some results of the past 2 years: New vaccines against measles and upper respiratory infections. New knowledge of human heredity, growth, development, and aging. Improved methods of diagnosing and treating disease. New miracles of surgery. The development of spare parts for the human body."

After more of the same the last two pages contain a photograph of the President poised pensively in a rocking chair, telling his chief health advisers: "Our first concern must be to assure that the advance of medical science leaves none behind."

So far the health booklet, which cost $17,000 to produce, has been mailed to 3,500 notables, accompanied by a thought-you-would-be-interested-in-seeing-this note from the President. Recipients include medical school deans, participants in the White House conference on health. Senators and Congressmen, the legislators can request copies for distribution to constituents.

COMPETITION FOR PLAYBOY

Already 100,000 copies of a companion report to the public on education have been dispensed and officials are pondering a second, probably smaller, printing. The education booklet has been mailed to every U.S. public library, Senator and Congressman and school superintendent, as well as other education leaders and 30,000 barbershops, The idea is that a customer waiting for a haircut will read a copy and learn about helpful adult or vocational training courses. "Well, it's better than reading comic books, isn't it?" demands an enthusiast.

The barbershop patrons also will learn a lot about Mr. Johnson and his doings. The 64-page education pamphlet, which cost $25,000, is larded with L.B.J. pictures and pronouncements. The President can be viewed holding an eager-eyed baby, talking with Negro youth, shaking hands with school kids, addressing Congress and signing a piece of the "landmark education legislation enacted under the Johnson administration."

The White House and the Health, Education, and Welfare Department defend the publications as legitimate efforts to publicize benefits available through recent health and education legislation. Regular news media, it's argued, prefer to publicize such infrequent problems as riots in Job Corps camps, ignoring the basic facts about the administration's social improvement programs.

"It's just very hard to get out to the people a positive story like this. I was surprised myself to find out how much we are doing," says one administration man.

This view isn't widely shared by HEW's older hands, however. "What a lot of baloney," blurts one. Public Health Service people have been baffled about where to unload the health booklet; many officials are embarrassed by its patently political purpose. "We've never put out anything like this before," says one health expert.

The credit or blame for creating the reports belongs to John Naisbitt, who also is helping HEW Secretary John Gardner revamp the department's public information setup. Mr. Naisbitt believes Government information efforts can be given verve and vitality, by relying on commercial techniques, without losing credibility. He and associates have turned two stodgy old Office of Education monthly publications into a glossy, glamorous life-sized illustrated magazine called American Education.

Now Mr. Naisbitt is thinking of two more special booklets, one dealing with HEW's welfare work and the other with its programs for the aging.

It is content, not form, that arouses opposition from HEW bureaucrats who are dedicated to a somewhat less slick tradition of Government information work. The important point, these people say, is the need to draw a dividing line between nonpartisan public information and partisan promotion.

There's no disagreement that the department's public information efforts could be improved, but the old-liners worry that Madison Avenue methods may take over, destroying public confidence in its credibility. "Is this really our job?" asks one old information hand. Secretary Gardner is well aware of the conflicting concepts. The loyal opposition presented its case against press agentry to him a while back.

CONSUMER IS TARGET OF WAR ON POVERTY

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Ashbrook] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, I want to call to the attention of the Members of this body a very excellent address which was prepared and delivered by George B. Hammond, of the Ohio State Council of Retail Merchants. His interesting observations indicate the degree of Government involvement in consumer relations and raise some interesting questions regarding the future role of the free economy. Mr. Hammond has spent his life in this work and certainly knows what he is talking about. For one, I am pleased that we have men such as Mr. Hammond studying this area and keeping us informed.

I know that every Member of this House would benefit by the few minutes it would take to read this excellent and incisive appraisal of the war on poverty as it relates to the consumer. The article follows:

CONSUMER IS TARGET OF WAR ON POVERTY

(Remarks by George B. Hammond, executive director, Ohio State Council of Retail Merchants, before the Greenbrier Conference, Schiller Park, Ill., January 28, 1966)

The title of my remarks is stated in the form of a declaratory sentence, because, I presume the gentleman who assigned it felt there are no questions involved. He assumed, I imagine, that we all would accept the thesis involved in such a title, and that all that remains is for me to fill in some of the details, citing instances and examples, and, perhaps, relating to you some personal experiences that would seem to fortify his simple declaratory statement.

I will of course conform. A glance at your program of yesterday and today reminds me that I am privileged indeed even to be here and that I might be well advised to speak my piece and leave as quietly as possible before someone discovers that I am merely a state association executive who happened to "luck out" in what might have been a very embarrassing situation. This is a most awkward way of saying that I am complimented by being asked to participate in your program, and very sorry that I could not have been here for the whole session. Since most, if not all of you, are concerned with the administration of "business leagues," to use the vernacular of the IRS, you will understand what I mean when I tell you that I was occupied in Cleveland yesterday by a conference with my president and treasurer.

Before we get into specifics, I should like to discuss with you some of the terms in the subject I have been assigned. What do we mean when we speak of consumers? Whose target are they, and why? Is the role of the consumer changing, and in what respects? What are the developing concepts as to the consumers' role; are they economic or political, or a combination of the two?

If, 50 years ago, a speaker on this or any other platform, had referred to the consumer, he would certainly have been speaking of him (and I use the male gender deliberately here, as you shall see) in the strictest economic sense. At that point in history the consumer was thought of as the user of goods grown or manufactured, and in that sense only. Little was known of his conduct, the way he lived, and very little about what he bought and why. I can say with no fear of contradiction, that certainly no one considered him as a factor in our political life. In common with many other aspects of our life in those halcyon days, he was really a very simple, uncomplicated guy.

How things have changed in those very short 50 years. The enactment of voting rights for women, the passage and repeal of prohibition, the growing economic and political power of the gentler sex are only a few of the developments germane to our subject. In the economic area of retailing in which I have some acquaintance, the thrust of our whole advertising and consumer relations program is now beamed at her—the consumer of 1966.

The concept of the consumer has changed in another way, and in a much shorter time. To find the genesis of this approach, we have to go back only to that master political strategist, Franklin Delano Roosevelt. It was he who saw, with the genius that was his, the cleavages among consumers that might be developed to serve his political ends. You remember, or at least some of you do, his dulcet tones when he spoke of the forgotten man and of the new deal Mr. Roosevelt had in mind for him.

In a very real sense, this was the beginning of the attack on poverty, as we now see it developing under the Great Society of Mr. Johnson. History reveals that it is primarily political and not economic in nature. Labor organizations, currently the general staff of the war on poverty as we know it, simply did not exist in 1932. As smart politicians, as well as brilliant strategists, the leaders of AFL–CIO have been quick to realize the economic and political possibilities in the appeal to the forgotten man—the consumer.

Meanwhile, what was our business community, whose very life depended on its close connection with the consumer, doing to woo her—to insure that she thinks favorably of the business community? Remember, please remember, that I am speaking now of the business community in its widest sense. I am aware, as I'm sure you are, of what segments of the business community are doing, especially in our field of endeavor where the customer is always right.

The tragic aspect of our present situation is that there simply have been no broad-scale programs designed to build a more sympathetic understanding between the business community and the consumers of America—and this deplorable situation exists at the very time when the labor organizations and the party presently in power have skillfully planned and are determinedly executing a program designed to separate us ideologically and philosophically from the very people we have to depend on for our lifeblood—the consumers.

One other point, and I will proceed to specifics. Historically, the earliest memory I have of politicians' attitudes toward consumers was the slogan of "a chicken in every pot and an automobile in every garage." This appeal, as you can readily see, was to the man with a job with which to buy the chicken and the family car, and a garage to put it in, that great middle class now so largely ignored by the political hucksters. Do we hear today from Washington about the housewife, typical or untypical, with a husband who earns between $3,000 and $10,000 and who lives in a home they are buying or have paid for? To read the press releases from the Potomac, you would think, frankly, that that particular class of Americans had vanished from the scene.

The very poor, or to us the more polite, and therefore more acceptable term, "the underprivileged," is now the consumer. She has to be taught how to buy with no money, except what Santa Claus doles out to her. She must be told the services she can afford and those she can't. She will, if the reports reaching me are accurate forecasts of what is to come, be told what and what not to buy, and, heaven forbid, where and where not to buy it.

I am sure you are well aware of the political implications involved in these developments. In a free society such as we like to think we have, power is lodged in the people, all the people. In a democracy, especially, this power is expressed through the vote, a political power, if you will. The politician, political party, or economic-political power group which attracts and holds the allegiance of most of the people gains power. It's just about that simple. And in a very real sense, this is what is going on in America today. The democratic-labor party is after the allegiance of the very poor, oops—the underprivileged, because, as we are reminded in the homely adage "there are so many of them."

And now, to the specifics of our experience with the consumer education aspects of the antipoverty program. As an introduction, let me read you one or two excerpts from a recent syndicated column by Holmes Alexander, titled, in one of our Columbus newspapers as "War on Poverty Is Labeled as a 'Crisis in Credibility.'" Mr. Alexander, commenting on the reactions by two whom he calls administration stalwarts, has this to say:

"Two stalwart Democrats, one a Johnson-backing Senator and the other a Johnson-serving administrator, trusted this reporter and spoke the truth which, if attributed to them by name, might cost them their citizenship papers in the Great Society.

"'Crisis in credibility,' was the Senator's unvarnished opinion on the President's state of the Union message. A war abroad, and an unabated war on poverty at home? All that additional spending, but only a teeny-weeny deficit?

"The expression 'crisis in credibility' has already been applied to the diplomacy of the bomb pause, to the flutter of peace-angel wings as L.B.J.'s emissaries fly into foreign capitals around the world, and to the remarkable inconsistency of White House actions on business prices and total inaction on labor wages.

"But now the derogatory expression was being applied to the President's heart desire, his domestic programs, and by one of his own men.

"Put the poor to ditch digging on public funds, and you couldn't justify it before congressional committees.

"But hire a flock of pseudoscientific analysts to make depth studies, sprinkle work projects into every congressional district whether or not they were needed, raise a great bustle and fuss as if something were really being accomplished, and pretty soon you have a $2.3 billion program that Congress will criticize—but will buy."

Last May, while in Washington attending a meeting of the American Retail Federation committee on consumer relations, I heard that the AFL–CIO was planning three pilot consumer education projects in Ohio. Returning to Columbus I found that the story was partially true, at least. Not three, but four, and later seven project applications were made. In our case, the regional office of the Office of Economic Opportunity is located in Chicago, and the applications had reached there when my investigation began. In brief, each application involved establishment of a local community action group, ostensibly widely representative of the local community. This committee submitted a plan of action, which included an administrative structure and a program of consumer education drawn along the lines outlined in the Community Action Program Guide, issued last February by the OEO.

Apparently, one Thomas T. Pogue, at that time an Ohio AFL–CIO staff member, had conceived of a brilliant idea. It was that he would leave the Ohio AFL–CIO and head up what he called United Consumers of Ohio, an organization, which, on paper, looked like a typical voluntary association designed to represent consumers before governmental bodies, in legislative halls, etc. I knew that, actually, Mr. Pogue had formed the organization before he joined the AFL–CIO staff, and had appeared before the "truth-in-lending" subcommittee of the Senate Banking and Currency Committee at its hearing in Louisville in August of 1963. At that time, Mr. Pogue revealed his true colors under skillful questions by Senators SIMPSON and BENNETT, when he made such statements as "95 percent of the consumers are cheated, defrauded and sheared," and again, in reply to a question by Senator SIMPSON, "I'm not trying to protect the vested interests of the people who are depriving and cheating the American consumer."

With this knowledge of the gentleman's economic orientation, you can imagine my alarm when I learned that his organization, United Consumers of Ohio, was to be delegated the task of conducting the consumer education program under these projects, and the further fact that the amount of money his organization was to be paid for conducting these programs reached the staggering total of almost $1.5 million.

At this point, I should remind you that in addition to some of the finest minority Members in the Congress, Ohio has Senator FRANK

LAUSCHE, who sits on the other side of the aisle. My natural inclination was to tell Senator LAUSCHE the story, remembering his independent attitude and how he likes to strike out at waste and irresponsible expenditures of public funds.

Both Senator LAUSCHE and several Ohio Congressmen jumped into the battle, with statements on the floor of the Congress and inspired newspaper stories, some of which got a little sticky, and which resulted in threats of huge personal damage suits. Fortunately, my principals stood behind me and I enjoyed wonderful cooperation of other major Ohio business groups and State officials.

The rest of my story is largely anticlimactic. We did get the projects turned down, all seven which had accumulated in the meantime; Mr. Pogue who had resigned his post with AFL-CIO to head up the program was thoroughly repudiated by that organization, and local unions were warned not to get mixed up with him. In addition I was told, though I can't verify it, that George Meany specifically asked Sargent Shriver to reject these programs, and not to approve any consumer education programs in which the administration was delegated to private organizations.

The fact that this Ohio skirmish was won does not mean that we have a reasonable chance of winning the battle of who is going to influence the minds of the underprivileged in America. Just this week, I was called to Baltimore, where I was told a consumer education program with antibusiness overtones is now underway. I am sure there must be dozens, maybe hundreds of others. The program of the Associated Better Business Bureaus, about which you will hear later this morning is a step in the right direction, but so far as I know, it contains no specific reference to the type of situation I have related to you. In addition, on Tuesday, I learned that Mr. Poage is now ensconced as director of the Southwest Regional Economic Opportunity Corp., in Bridgeton, N.J., wherever that may be.

During the time when we were working on the skirmish I have outlined, I attended a most interesting and alarming meeting in Washington. Since some of you may have heard the brief report I gave on this meeting at the ASAE meeting in August, I will not repeat it here, except in sketchy outline. The OEO called a 2-day meeting of OEO local community action program personnel, during which OEO officials and other extreme liberals exhorted the local officials to initiate and prosecute consumer education programs.

On the way home I wrote down these early impressions:

1. Liberals, in and out of our Government, are determined that consumers be educated to distrust business people as pedators intent on selling consumers products and services they don't need and can't afford.

2. Unless something is done, and quickly, recipients of antipoverty programs largesse will be welded into a potent pressure group of fantastic proportions.

3. At the very least, the poor will be urged to support antibusiness legislation at the National and State levels; at the worst, they will be organized into block cells to agitate, to demonstrate, and to take other action to express their distrust of merchants and other business people.

4. With the notable exception of Mrs. Esther Peterson, special assistant to the President, who delivered the closing address, I heard not one good word for merchants, either from the speakers' platform or in the roundtable discussions.

5. Local officials were urged to complain to Washington if their governing boards of local people thwart their efforts to education consumers and organize consumer action groups.

6. Sprinkled liberally through the 2-day meeting were unsubstantiated horror stories of how merchants victimize the poor by overcharging, by levying exorbitant credit and service charges, and by using bait and switch sales methods.

7. Manufacturers were castigated for their opposition to truth-in-packaging bills and other antibusiness legislation. Other business segments were dealt with almost as harshly. Financial institutions, newspapers, landlords, insurance companies, and purveyors of services were sharply criticized.

In my concern about finding a way to meet the challenge I believed evident here I tried to evolve a plan. In sketchiest form, it involves gathering into one central location all available consumer informational material produced by American business and industry. Here the material would be edited in the sense of selecting that which would be appropriate to use in consumer education projects under the antipoverty program. The next, all-important step would be to establish an alert network through national, State, and local business-oriented organizations, a group of individuals dedicated to the task of notifying the central point when a local community action group makes application for Federal funds to establish a consumer education component project.

If we are truly alert, we can easily determine when this is done. The applications must, according to OEO regulations, be approved by the local governing body, which again according to OEO rules, must be representative of the community and should include business representatives.

The final step would be to place the business-produced material in the hands of the teachers directly responsible for conducting consumer education classes for the poor, and using every skill that we possess to see that it is presented fairly and objectively.

This, gentlemen, is the challenge and the briefest of suggestions as to how it might be met. I can think of no finer group than this to present it to, and certainly no group better qualified to provide the leadership to meet it.

H.R. 10818—PROTECTING MORALE OF MEMBERS OF ARMED FORCES

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, last September 1, I introduced H.R. 10818 to protect the morale and efficiency of members of the Armed Forces by prohibiting the making of certain threatening and abusive communications to members of such forces or their families, and for other purposes. Similar legislation is now before the full Senate Judiciary Committee.

The need for such legislation is readily apparent when one reads the news item which appeared in the New York Daily News today, Monday, February 28, entitled "Threat Phones Still Ringing for GI Wives."

A pertinent example of the effectiveness of legislation in correcting abuses regarding the Vietnam protest movement is the case of the destroying of draft cards. When several cases of draft-card burning appeared in the press, Congress immediately went to work on legislation making such a practice a Federal offense punishable by a 5-year prison term. In less than a month, legislation was enacted. It did not take too long for the message to get through, and today draft-card burning seems to have gone out of style.

Although the apprehension of those responsible for threatening phone calls to families of servicemen is much more difficult, I believe that just several cases of the imprisonment of such malicious perpetrators for a term of 15 years, as called for in the proposed legislation, would greatly reduce, if not completely eliminate, this vicious practice.

I include the above-mentioned item in the RECORD at this point:

THREAT PHONES STILL RINGING FOR GI WIVES

FORT BRAGG, N.C., February 27.—The night her husband was reported executed by the North Vietnamese, someone telephoned a Fort Bragg Army wife and shouted, "I'm going to kill you just as your husband got killed."

About the same time, four other wives of men fighting in Vietnam received anonymous calls saying they should be ashamed of their husbands.

Two others were called and warned that they would be taken to some remote spot and beaten.

LISTED 24 CALLS

Since last October, the Army has officially recorded that 24 wives at Fort Bragg have received 1 or more such calls—16 of them obscene, 4 subversive, and 3 terroristic. Many more calls have been received but not officially noted.

Every call followed the same line. The caller knew the first names of the dependents, knew that the husbands were overseas, and, most of the time, knew enough to trace the daily activities of the wives.

One wife related that she received her first call shortly after her husband was reported missing in action.

"It was a long-distance call," she said, "and they knew my husband's name. I heard them tell the operator that they had vital information for me about my husband."

The wife refused to talk and immediately notified Army officials. Soon she began receiving a deluge of mail from antiwar organizations. They urged her to join, to assist in a march on Washington, and to picket the White House.

THE LEAKIEST WINTER ON RECORD

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. RUMSFELD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. RUMSFELD. Mr. Speaker, Clayton Fritchey has served as a newspaper reporter, editor and publisher, and as a special assistant to General Marshall, President Truman, and the late Adlai Stevenson. He is currently a columnist for Newsday and its syndicate and Washington correspondent for Harper's magazine.

Mr. Fritchey is well equipped to discuss the question of news management by the administration. He does so in the article, "The Leakiest Winter on Record," which was published in the March 1966,

edition of Harper's magazine. The article follows:

The Leakiest Winter on Record

(By Clayton Fritchey)

In some cities, it never rains except it pours. But in Washington it just "leaks." In this respect the American Capital differs from most other centers of government. In the totalitarian countries, of course, there is no "leaking" of information at all, except on pain of death. In most of the other democratic capitals, the press generally learns what the government wants it to learn, and not much more.

That's not the way it is in Washington, especially in recent months. Whether or not this is related to the Johnson administration's zeal for managing the news, there has never been a time when the marketplace has been so enlivened by the publication of hitherto secret insights into the intimate processes of government.

Is this bad or good? There is a growing belief that, on balance, disclosure is preferable to nondisclosure. But the question is a close one which inspires violent feelings and rude debate, for it involves grave problems of propriety and security.

It is no longer just the old problem of leak versus counterleak, from warring bureaucrats. That still goes on, but lately Washington has been inundated by a torrent of inside, classified information coming from other sources: through retiring Government officials; through memoirs and biographies; through informal, private "declassification" of hitherto classified data; through the last thoughts of prominent officials disclosed after their death; through the spilling of testimony given in secrecy before congressional committees; through the effort to influence high policy by the ventilation of critical intelligence.

It is fascinating and dramatic to watch. It keeps the Capital continuously excited. And nobody quite knows where it is going to end.

Washingtonians were intrigued by an extemporaneous exchange on this subject recently when both Dean Acheson, the former Secretary of State, and Historian Arthur Schlesinger appeared at a Democratic luncheon. Acheson hinted that he was prepared to write a sequel to his personal memoirs "Morning and Noon," but he added, he had left the State Department without "denuding the Government of its papers." He is just now getting permission to dust off the hitherto undisturbed State Department files in an Alexandria, Va., warehouse.

Schlesinger was unperturbed. He stoutly defended his right as a historian to deal with contemporary events. To suppress information until everyone is dead struck him as "a most curious view." He found it inconsistent for newspapers to campaign for freedom of information and the "people's right to know," and at the same time criticize him for his efforts to inform, as in his recent book about Kennedy.

It all ended serenely. Acheson said he would be pleased to have Schlesinger write his biography "if he will wait until I am safely tucked away." And Schlesinger, in turn, said he'd be pleased to have Ted Sorensen, another Kennedy biographer, write a book about him.

Schlesinger could have reminded Acheson, but didn't, that he had President Kennedy's personal approval for writing about even so touchy (and still classified) a matter as the Cuban invasion of 1961.

At the start of his administration, Kennedy said he did not want his staff recording the daily discussions of the White House. But after the Bay of Pigs he said to Schlesinger, his special assistant, "I hope you kept a full account of that." The historian reminded him of the earlier prohibition. Kennedy then said, "No, go ahead. You can be damn sure that the CIA has its record and the Joint Chiefs theirs. We'd better make sure we have a record over here. So you go ahead." So he did. This incident deals with the heart of the matter, for it eloquently reveals that in the competition for status in Washington, it's every man for himself, up to and including the President. This is the kind of competition on which the press flourishes, for it flushes out both fact and fantasy. It reminded Kennedy of Oscar Wilde's remark that "in America the President reigns for 4 years, but journalism governs forever."

Kennedy, Sorensen reports, gradually became more philosophical about a reporter's role in securing unauthorized information. He felt it took two to leak a secret, and "he blamed the premature or unauthorized publication of official information on the source, not the reporter, sometimes even requesting an FBI or informal investigation to find out who in Government had violated security regulations." When one official with intimate friends among the press was resigning, the President told Sorensen he was "tempted to tell this man, as he took his farewell, the name of his still undisclosed successor, but the wrong name, simply to see if it turned up in certain columns or newscasts."

It might be said in passing that official efforts to track down the source of leaks are hardly ever successful. While the writer was at the Pentagon during the Korean war, and later at the White House as a Presidential assistant, numerous investigations of leaks were ordered, but the culprits were never found.

The sudden death of Kennedy, and the massive, authoritative biographical works of Sorensen and Schlesinger so soon after the event, have provoked a situation quite different from the conventional leak. They personally participated in many of the dramatic events they write about. They were truly on the inside. And they make no bones about having kept notes for posterity, although both thought the material would be used much later when the President himself wrote his own memoirs.

WHOSE SECRETS?

The question of which files belong to the Government and which to its employees is an ancient one. Chalmers Roberts, the diplomatic correspondent of the Washington Post, noted that "apparently Sorensen took along a set of the (secret) letters (between Kennedy and Khrushchev) when he moved out of the White House. He also seems to have had at hand * * * General Taylor's never-published report on the Bay of Pigs disaster and numerous other documents. * * * Nobody has yet raised a fuss about Sorensen's use of what surely are classified documents, but a look at the principle involved is in order because he has done so."

George Washington established the principle that a President's office files, his papers so to speak, are his private property to dispose of as he pleases. President Washington simply sent his home to Mount Vernon, and that was that. Every succeeding President has done much the same.

The second half of President Eisenhower's history of his White House years has now been published. In it, as Roberts points out, "are many documents, or parts of documents and letters, which bore secret or top secret stamps before he took them to Gettysburg and declassified them on his own." Only a former President's own sense of what is fitting provides any limit on what he may publish.

For those below the rank of President, carbons, microfilms, and photocopies enable them to leave the original documents in the files for ultimate transfer to the National Archives. There is every opportunity for top officials to make copies for their own take-home file. "Classified" papers, of course, are another matter, especially when it comes to military and diplomatic affairs. Defense and State operate on a timelag principle before anything can be released, and sometimes the lag is absurdly long. The White House, however, is under no such restraints.

For former White House aids, Roberts observes, "the rule seems to be: take and use what you can get away with * * * and if anybody should complain that you are printing items you used to say were top secret, all you have to do is reply that now you are writing history."

It's a good answer. Leaks or no leaks, both Schlesinger and Sorensen have been writing history, and priceless history at that. It is clear that their primary motive was not to sell secrets, but to enrich our knowledge of an exciting time. Their sense of propriety and national security will serve as a good guide for similar books in the future.

WHAT WASN'T PRINTED ABOUT THE CUBA INVASION

As long as there is Government and a free press there will be continuing differences between them on freedom of information. Generally, of course, Government will be against disclosure, and the press will be for it. But not always. It is doubtful whether any good purpose was served when the Government panicked and made public the actual correspondence with Amintore Fanfani, the President of the U.N. General Assembly, over the now famous "peace feeler" from Hanoi.

Even the Washington press corps was dubious about this. The general feeling was that the State Department was more worried about its reputation than the success of the peace exploration. But the press can also reverse its role from time to time, sometimes out of a sense of patriotism or—like the State Department in the Fanfani incident—out of fear of criticism. The results have seldom been good for the long-range interests of the country.

We now know, belatedly, that shortly before the Cuba invasion in April 1961 the New Republic was about to publish a "careful, accurate, and devastating account" of the secret plans for the assault. The editor, Gilbert Harrison, sent advance proofs to Schlesinger at the White House, who asked himself whether the Government could properly ask an editor to suppress the truth. Kennedy, however, had no qualms. He wanted it killed. Harrison complied at once—"a patriotic act," Schlesinger says, "which left me oddly uncomfortable." As well it might.

At about the same time, the New York Times also discovered a landing in Cuba was imminent, but the head of the Washington bureau, James Reston, was against publication. He reasoned that publication would either alert Castro and jeopardize the success of the expedition, or cause abandonment of the project, with the Times inviting charges of grave interference with national policy. "This was another patriotic act," muses Schlesinger, "but in retrospect I have wondered whether, if the press had behaved irresponsible, it would not have spared the country a disaster."

Knowing, as we now do, how great were the President's misgivings and how close he came to calling off the invasion, it seems reasonable to suppose that it would not have taken place had there been advance disclosure; but public opinion never had a chance to save the President because the public was not informed. Later Kennedy, in anguish, was to say privately, "How could I have been so far off base? All my life I have known better than to depend on experts. How could I have been so stupid to let them go ahead?"

It may be useful to keep these incidents in mind when we hear Eric Sevareid castigated by some of Adlai Stevenson's friends for publicizing a confidential talk he had with the late U.N. Ambassador just before his death in London. In the opinion of the writer (who was the Ambassador's special assistant at the U.N.) Sevareid's account probably faithfully reflected what Stevenson said, but there would have been no report at all had he lived. This raises again the question of propriety and security, for Sevareid's posthumous report certainly dealt with highly secret matters.

Whatever the judgment may be elsewhere, in Washington—even in some official circles—the feeling is that Sevareid rendered a public service by forcing the State Department to admit that it had spurned peace overtures from North Vietnam, even though it was publicly blaming Hanoi for refusing to consider peace negotiations. This admission has certainly cleared the air in Washington; and the public everywhere is better informed.

Sevareid's interpretation of Stevenson's frame of mind and his views on foreign policy in general may be seriously disputed, but on balance the country is better off for his intimate report.

All governments instinctively believe, or they pretend to believe that leaks invariably compromise national security, but in practice, they more often just compromise the efforts of governments (always for the best of motives, of course) to fool the public.

Speaking of "patriotic" government lies, Prof. Eric Bentley suggests it would be helpful if we could know "when our leaders are not lying, so we can talk over the truth—the actual facts—with them. When Mr. Bundy implies that if we know the inside story about Vietnam, we would approve of each stand our Government has taken, including no doubt stands that contradict one another, is he patriotically lying? Is Johnson's explanation of what he did in the Dominican Republic a tissue of lies?"

Well, governments seldom tell outright lies. They are more likely to hedge, to insinuate, to be disingenuous; but one thing is sure—they do seek in every possible way to justify their actions. And the Dominican intervention could not be a better case in point. The administration (after intervening) tried out various justifications for size, but finally settled for the proposition that Communists had taken over the rebellion and the United States was saving the country from a fate worse than death—Castroism.

CHASTISEMENT FOR AN UNRULY SENATOR

This charge met with much public skepticism, but the extent of its exaggeration, and the extent of the U.S. Government's secret cooperation with the militarists in trying to suppress the revolt, finally became definitely known only through a very big leak on Capitol Hill. The Senate Foreign Relations Committee conducted an investigation into the Dominican intervention, in the course of which it took volumes of secret, authoritative testimony. On the basis of this record, the chairman of the committee, Senator FULBRIGHT, publicly denounced the Government's actions. He was denounced in turn, and accused of distortions. Later, however, when the actual testimony was leaked to the press, FULBRIGHT was vindicated—but not at the White House. When foreign leaders are given state dinners in Washington, the chairman of the Foreign Relations Committee is automatically included. But Senator FULBRIGHT was noticeably absent at President Johnson's dinners for President Ayub, Prime Minister Harold Wilson, and Chancellor Erhard. That will teach him not to contradict teacher.

The Freedom of Information Committee of Sigma Delta Chi, the national journalistic society, charges in its annual report that the Johnson administration has tried to "warp the proposed Federal public records legislation into an almost unlimited authority for the President to establish broader security practices." One of the principal complaints is the policy of increased centralization of information releases at the White House, and increasing sensitivity over leaks having no connection with national security.

Perhaps American journalism should give some thought to the Swedish rule that all government documents must be made available for inspection by any member of the public who wants to see them. "The effect of this remarkable arrangement," says Andrew Shonfield in a new book,[1] "is most apparent in the level and quality of information available in the newspapers." He quotes Prof. Nils Herlitz on what happens:

"Every day in the great offices in Stockholm, documents which have been received will be brought to a room where representatives of the newspapers are welcome to see them. A representative of the leading news agencies will never fail to appear, and through him a flood of news will go to the newspapers and to the general public. * * * Just as publicity in the courts all over the world makes it possible for everybody to know how justice is administered, the publicity of documents has the same effect insofar as documents reflect the activity of the authorities."

There are exceptions to this rule of ubiquitous publicity, but, according to Shonfield, it is not left to the discretion of the official bureaucracy to decide what is to be withheld. Specific legislative authority has to be given in the Secrecy Act.

This is a far cry from administration policy. Recently Dean Rusk told Walter Cronkite, "I think there's a built-in conflict of interest * * * between the news media and the Secretary of State. You're interested in the drama of the news. What we are working for is the repose of solutions and peace. * * * Our business is, in a sense, to get foreign policy off the front page back to page 8."

NEWS BY SECOND SIGHT

There is in Washington another form of information to which the Government might have more legitimate objections. It usually is presented to the public as exclusive news, which it often is; but in other cases it has its origin in the occult powers of the more gifted correspondents, some of whom have extrasensory perception.

A notable example is brought to mind by the imminent retirement of McGeorge Bundy, the co-Secretary of State who has directed the White House foreign policy section under both Kennedy and Johnson. Mr. Bundy, as everybody must know by now, is going to be the new president of the Ford Foundation at $75,000 a year. The announcement of his appointment did not, however, come from the White House or the Ford Foundation. It came from James Reston in an exclusive New York Times story. There was no confirmation of any kind for weeks, but during this interval it was fascinating to watch the superstructure of conjecture that was day-by-day built on Mr. Reston's foundation.

Shortly after the first story appeared two other authoritative columnists quickly tuned in, and the public got these additional exclusives: (1) Bundy would be succeeded by White House Press Secretary Bill Moyers; (2) Jack Valenti, in turn, would become the Press Secretary.

We were even let in on the President's private feelings about all this: He wasn't upset over Bundy leaving. Indeed, he welcomed the opportunity "to close down the little State Department in the White House basement." On top of all this, a well-trained lady columnist reported that in the wake of these changes and others to come, the President had created a new task force to solve the administration's brain drain.

At this point the most authoritative Washington columnist of all (at least for White House affairs) also tuned in, but his antenna got different signals. Bundy, he reported, was going to leave all right, but the logical successor was not Moyer but Clark Clifford or Walt Rostow.

Moreover, the little State Department in the White House was not going to be closed down. It might not be as powerful as in the past, but is would remain a vital post. Matters were further complicated by another "inside" report that Bundy would be succeeded by Defense Secretary McNamara, although McNamara had just been appointed by another columnist the head up the new Department of Housing and Urban Affairs.

Now if Moyers doesn't succeed Bundy, how can Valenti become Press Secretary? Don't worry, another columnist has just revealed that Valenti is going to Rome as the new U.S. Ambassador.

In a testimonial to the retiring Bundy, his close friend, Joseph Alsop asks how a man (Bundy) "can be disinterested who is also so obviously ambitious and so evidently enjoys the exercise of power?" The answer, Mr. Alsop says, "is that a public servant who is not ambitious and does not enjoy the exercise of power is at least a flawed if not an entirely useless instrument. A hesitancy in the face of power was in fact the flaw of the late Adlai E. Stevenson." Could Mr. Alsop be referring to that flaw which made Mr. Stevenson so hesitant about sharing Mr. Bundy's enthusiasm for those famous exercises of power, better known as the invasions of Cuba and the Dominican Republic? I fancy not.

MANAGING THE NEWS

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. RUMSFELD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. RUMSFELD. Mr. Speaker, journalists in Washington, D.C., are heard to complain frequently today that the President and agencies of the executive branch of the Federal Government are trying to manage the news. Newsmen also protest their lack of access to Government information, as well as increasing instances of deception by Government spokesmen.

The following article from the January 31, 1966, edition of U.S. News & World Report, entitled "Back of the Uproar About L.B.J. 'Managing' the News," analyzes the relationship between the executive branch and the press:

BACK OF THE UPROAR ABOUT L.B.J. "MANAGING" THE NEWS

Now President Johnson's relations with newsmen are turning sour. Reporters, complain of a "big blackout," grumble about L.B.J.'s "guided democracy."

What is happening? In what follows, Washington insiders put it all in perspective.

Lyndon Johnson and some of his key aids are not, at the moment, the favorites of reporters and commentators.

As Mr. Johnson enters the second year of the term he began on January 20, 1965, a change is evident.

A President who not long ago was the most accessible of all Presidents, holding frequent news conferences, taking reporters on walks, seeking questions to answer, suddenly seems withdrawn, supersensitive to reporters' mistakes, critical of newsmen, no longer outgiving.

---

[1] "Modern Capitalism" (Oxford University press).

Now Mr. Johnson is pictured as trying to "manage" the news, to impose a modified type of official censorship, to build a "guided democracy" in which the public could learn only what the President thought it should know.

Much was made recently of the fact that newsmen and others who telephoned the White House were required to give their names to its switchboard operators. Sardonic articles were written about this practice, which was instituted in November, and was dropped in mid-January.

Reporters air other complaints. They grumble about the necessity of making formal appointments before being allowed to enter the Executive Office Building across from the White House. They say that high officials are muzzled unless expressing the official "line."

Those with long experience in Washington recognize that Mr. Johnson is simply carrying forward a trend that has been developing over the years.

Most Presidents are concerned with their "image." They want to see their own viewpoints in print. Each, for many years past, has been sensitive about such matters as the angle at which pictures are taken and the impression that pictures give. Mr. Johnson is by no means unique in this regard.

Presidential relations with the press, history shows, often have presented problems.

Theodore Roosevelt was so eager to achieve a "good press" that he installed the first White House press room. But he was accused of favoritism and created hostility among the less favored.

WILSON TO HOOVER

Woodrow Wilson started the practice of holding White House news conferences regularly, but his ideas of what constituted news often did not coincide with those of the correspondents. When the United States entered World War I, Mr. Wilson considered it unwise to continue holding regular sessions with newsmen. Later, when he fell ill, he was isolated from all contact with the press.

Warren Harding, who had been a newspaper editor himself, pioneered the free-wheeling news conference. There were no restrictions on questions and he tried to answer them all. But this ended when Mr. Harding jeopardized the disarmament conference of 1921 by giving an off-the-cuff interpretation of the treaty exactly opposite to that which had been given previously by Secretary of State Charles Evans Hughes.

Calvin Coolidge and Herbert Hoover required written questions. When depression hit, Mr. Hoover's relations with the press suffered. Reporters complained in those days that the White House used pressure to downgrade or cover up unpleasant statistics.

F.D.R.: TROUBLES, TOO

Franklin Roosevelt was a master at use of news conferences to sell his ideas and programs. He met with newsmen twice a week. But F.D.R. had his troubles with reporters who failed to see things his way.

Harry Truman was very informal in his news conferences, expressing himself freely on delicate subjects, even though this sometimes backfired. Mr. Truman got along well with most newsmen. The executive offices were open hunting ground for reporters, with officials easy to reach and usually informative.

Dwight Eisenhower was more austere, more reserved, less accessible. It was in the Eisenhower administration that steps began to be taken to impose privacy and secrecy. One such step was what came to be known as the "beaverboard curtain," a wall that screened from the view of reporters visitors who entered or left the private office of the President.

J.F.K. AND L.B.J.

John Kennedy was adept at news conferences, but many newsmen thought that by turning them into TV shows he cut down on spontaneity and made it difficult for reporters to follow through on tough questions.

In the Kennedy administration, reporters were kept away from the side door of the White House, which enabled many Presidential callers to come and go in secrecy. Also, Kennedy aids made intensive efforts to control the flow of news. Those efforts, however, were not always successful.

The Johnson administration has brought what some newsmen call "the big blackout." Mr. Johnson and his press secretary, 31-year-old Bill D. Moyers, have adopted every measure taken by past administrations against unfavorable or premature news stories and have added methods of their own.

The entire Executive Office Building, for example, is sealed off from newsmen. A reporter can get in only by appointment. Appointments are hard to get. Even the cafeteria, previously open to the news corps, now is off limits.

BARRED FROM COFFEE

White House press credentials are being closely checked. In a departure from custom, White House police recently recorded all visits by reporters. The press no longer is permitted to patronize the coffee machine in the west basement of the White House, an area where they once chatted with Presidential aids.

All of Mr. Johnson's telephone talks with newsmen are recorded. The President himself often phones members of his staff and asks them to repeat to him conversations they have had with reporters. White House special assistants are required to report regularly to Mr. Moyers on talks they have had with members of the press.

The President repeatedly has lectured Government officials on the necessity of speaking with one administration voice, whether they are dealing with Congressmen or newsmen. News contacts with congressional leaders, Cabinet officers and other officials who visit the White House are severely restricted.

GOOD NEWS ONLY?

Some other "news management" techniques—

Favorable statistics—such as those showing a lower rate of unemployment or impressive economic growth—are released through the White House, not through the Government agency concerned. But the White House seldom, if ever, releases news that is not so good.

Reporters whose stories are considered "out of line" often are called in to face the President or one of his aids. Reporters' requests for interviews with the White House staff frequently are taken directly to the President for decision. In contacts with the press, most aids give only innocuous or "image polishing" answers to questions.

Of the President's "image," one White House correspondent says:

"A vast and growing publicity machine located inside the White House and fed by satellite publicity machines in every U.S. agency studiously nurtures the picture of a President who is concerned about, and 'on top of,' every crisis in the Nation and in the world."

An official White House photographer accompanies the President everywhere. His pictures, invariably flattering, are always available to the press.

AS MOYERS SEES THINGS

Controversy resulted recently from Mr. Moyers' comments—in a televised interview—on Presidential news conferences and other matters. Some of Mr. Moyers' comments—

On news conferences: "It's to serve the convenience of the President, not the convenience of the press, that Presidential press conferences are held."

On the job of press secretary: "My job is to make sure that the President's viewpoint is known. In Washington, the press generally tends to write its opinion of a matter, and then to seek out facts for it."

On the need for secrecy: "It's very important for a President to maintain up until the moment of decision his options, and for someone to speculate days or weeks in advance that he's going to do thus and thus is to deny the President the latitude he needs in order to make, in the light of existing circumstances, the best possible decision."

"NOT INSENSITIVE"

On Mr. Johnson's sensitivity: "The President is not insensitive to criticism. He, too, is a human being, and when other human beings form what he considers to be false judgments about him, he reacts."

Some of the press corps contend that the President "overreacts."

One reporter observed: "While apparently 'home free' in the public opinion polls, the President seems to be in constant terror of a slip that would send his popularity plummeting. One theory you hear is that Mr. Johnson, because of his relatively humble beginnings, suffers from a feeling of insecurity."

Another newsman said: "In trying to control the news, the President is just doing what most of his predecessors have done, from George Washington to Jack Kennedy. The difference is, Lyndon does things in a very big way. His success at managing Government news makes the efforts of previous administrations seem insignificant."

MR. WEEDER'S CLASS COMPLIMENTED

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. ERLENBORN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. ERLENBORN. Mr. Speaker, it is heartening to find American people eager and willing to discuss American problems and to state their opinions. In West Chicago, Ill., Mr. Douglas Weeder, social studies teacher, gave his junior high school class a project. The young people studied the background of the Vietnam war and arranged a discussion which they presented to the parent-teachers' association. At the end of their presentation they invited the adults present to vote their opinions on six questions. I submit herewith the results of their opinionaire. I think Mr. Weeder and his students are to be complimented for doing their small part to bring American public opinion into a focus.

1. I would abandon the conflict in Vietnam and withdraw our troops.

Strongly agree	2
Agree	0
Do not care	0
Disagree	15
Strongly disagree	21

2. I believe that we should continue the war to the end.

Strongly agree	12
Agree	22
Do not care	0
Disagree	1
Strongly disagree	3

3. I think we should step up action in Vietnam.

Strongly agree	13
Agree	18
Do not care	0
Disagree	6
Strongly disagree	3

4. I believe that we should continue the bombing which we have recently resumed.

Strongly agree	12
Agree	22
Do not care	0
Disagree	2
Strongly disagree	2

5. I think we should cease bombing and try harder to negotiate.

Strongly agree	3
Agree	4
Do not care	0
Disagree	26
Strongly disagree	5

6. I am of the opinion that we should ask other countries for help.

Strongly agree	13
Agree	18
Do not care	1
Disagree	5
Strongly disagree	1

GIVE US TRUE TRADE STATISTICS

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. WHALLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. WHALLEY. Mr. Speaker, one of the more admirable and reassuring characteristics of Americans that comes to the fore when they are confronted with a major complicated problem resides in their call for the facts before they reach a conclusion. There is, of course, a sound reason for this; for no matter how good our judgment may be it will go astray when it is guided by false information. We who represent the voters in Congress are all the more concerned about reliable data when we legislate on matters of national importance because of the far-reaching effects of our decisions.

Mr. Speaker, I make these introductory remarks as a preface to a joint resolution I am introducing, calling for a change in official reports of our imports and exports. No one will doubt that we should have statistics that reflect our private commercial transactions in foreign trade instead of statistics that overstate our exports and undervalue our imports; but we are not getting them.

For reasons that no one seems to be able to explain we record the value of our imports on the basis of what they cost on the other side of the water. If the foreign point of shipment is several thousand miles away as it is with some 75 percent of all our imports, the failure to include the shipping cost is serious. We fall short by several billion dollars toward showing the full cost of our imports by this method. By leaving off the shipping costs, such as ocean freight and marine insurance, we undervalue imports by that much. In 1964 this country paid out $2.4 billion in transportation costs related to our imports of merchandise, exclusive of marine insurance.

These costs, I repeat, are not added to the cost of imports in computing our official statistics. We are the only major trading nation that follows this odd practice. In 1965 our imports, according to our official statistics, were $21.3 billion; but they actually cost more nearly $24 billion by the time they were landed at our ports of entry. By following this method we have allowed ourselves to think that our export surplus was larger than it actually was—larger by an amount equal to all the shipping and insurance charges incurred in bringing the goods to this country.

Mr. Speaker, we should stop deceiving ourselves. We gain the notion that we are much more competitive in world trade than we are in fact; and we are prone to reach wrong conclusions with respect to our national trade policy as a result. We may feel that our tariffs can be reduced without causing much damage on the theory that we enjoy a wide competitive advantage.

Unfortunately we do not stop at this point of self-deception. We pad our export statistics with all the shipments of goods that arise from our foreign aid and the subsidies extended to certain agricultural products. We leave out only the military assistance shipments.

In recent years the shipments that should not really be classified as exports, if by exports we mean goods that are shipped on a private competitive basis without subsidy, have amounted to several billion dollars. Stripped of such shipments, our 1965 exports would not be reported at $26.5 billion, as they were reported, but at about $23 billion or less, since the larger figure included some $3.5 billion in AID shipments of all kinds—other than military—including Public Law 480 and food-for-peace shipments. They also included so-called commercial shipments of wheat and cotton which we sold in world markets at prices well below those prevailing in this country. This, again, is not competitive merchandise. The difference between our price and the world price is made up out of our Treasury.

I am not saying that these shipments should not be made. This is a different question that must be decided on its own merits. I simply say that such exports should not be combined with private competitive exports and the combined total then used as evidence of our healthy competitive status in world markets. That is where the deception comes in.

The upshot is that if we reported our imports on the basis of their true costs and reported our exports stripped of the giveaways, sales for foreign currencies and highly subsidized items, we would find this country in a deficit instead of a surplus position.

Mr. Speaker, I think that this fact is of the highest importance in consideration of our trade policy. As matters stand we are committed to across-the-board tariff reductions of a full 50 percent with only minor exceptions. This is justified by the false notion that we have been enjoying an annual export surplus of from $4.5 to $6.7 billion since 1960.

I say that if we do this we proceed unwisely and may do untold damage to scores of industries in this country, many of which already feel the sharp penetration of import competition.

Let us have the real facts, not so-called facts that come from distorted statistics, as a guide to our trade policy.

Mr. Speaker, I am deeply concerned, and join in the introduction of a joint resolution that will eliminate the false notions that have come from a statistical practice that not only has no justification but is deserving of strong condemnation, now that the facts are known. I urge all who wish to exercise their legislative judgment on facts rather than on misleading data to join in support of the legislative effort that has been launched to make the necessary correction. I gladly join in the introduction of a joint resolution that would accomplish that purpose.

OPPORTUNITY FOR A PAGE HOME IS AT HAND

Mr. BENNETT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. BENNETT. Mr. Speaker, it has come to my attention that the Carroll Arms Hotel, located at First and C Streets NE., across from the Senate Office Buildings, has been closed for business for several months.

I have written to the House Administration Committee requesting that a study be made on the possible use of this building as a home for pages employed by the House of Representatives. My legislation, House Resolution 17, would authorize the committee to rent or otherwise acquire a suitable residence for pages, and I believe the Carroll Arms Hotel to be a convenient and desirable facility, which might also house Senate and Supreme Court pages. I believe the title to this real estate is in the Federal Government already.

The need for a permanent page home is well documented, and I have personally testified for years to the responsibility we Members of Congress have to provide for adequate supervision of these young pages, many of whom are footloose and fancy free.

WEIGHTS AND MEASURES WEEK

The SPEAKER. Under previous order of the House, the gentleman from Ohio [Mr. ASHBROOK] is recognized for 15 minutes.

Mr. ASHBROOK. Mr. Speaker, the first week in March has been set aside to observe Weights and Measures Week. To many people this might not seem to be an important week or even the type of activity which deserves that much attention. Few of us realize, however, how much we depend on accurate weights and measures in our everyday lives and it is not just a matter of making sure we get all we pay for in exact measurement but in many cases life or death can hang on accurate dosage and use. I am merely pointing out that there is a great body of conscientious Americans who have made weights and measures their lifework and we owe them a great debt.

In my own district we have the Weights and Measures Research Center at Granville, Ohio, which has Dr. Leland J. Gordon as its director. Dr. Gordon was a member of the faculty of Denison University for many years and only recently retired his full-time post to devote his years of semiretirement to his work on weights and measures. I have asked Dr. Gordon to prepare a condensed article regarding weights and measures and I am sure that each Member of this body will know more about this vital field after reading this excellent, informative article. Dr. Gordon and the 3,000 dedicated men throughout the Nation who are serving as weights and measures officials are to be congratulated for the important part they play as exemplified in the article which follows. Incidentally, the chart to which he refers can be obtained by writing to any Congressman.

WEIGHTS AND MEASURES WEEK

Throughout the Nation the first week of March each year is designated as Weights and Measures Week. The primary purpose of Weights and Measures Week is to inform the public concerning the importance of the work of weights and measures officials in cities, counties, and States.

The distinguished Director of the National Bureau of Standards has said that "the impact of weights and measures on the affairs of mankind is well-nigh universal." Every newborn baby is weighed before being fed. In birth announcements parents proudly proclaim the weight. All through life people watch their weight, checking the scales regularly to compare actual weight with the standards established for their age, height, frame, and sex. Food and calorie intake, so important to health, are weighed and measured. Water intake is measured in pints. Everything we buy is weighed, measured, or counted. The importance of measurement is suggested by the fact that there are some 60 references to weights and measures in the Bible.

The National Bureau of Standards, in cooperation with the National Conference on Weights and Measures, has prepared a chart titled "Household Weights and Measures." On both sides of a white card which can be hung in the kitchen, one will find weights and measures tables. Included are equivalents of the common capacity units used in the kitchen, and their metric equivalents. Cooks measure by the teaspoon, the tablespoon, and the cup. The chart shows the equivalents of these measurements in terms of fluid ounces, liquid pints, and liquid quarts. "Household Weights and Measures" should be in every kitchen. Free copies may be available from local weights and measures officials. If not, the State director of weights and measures in the capital of each State may be able to supply a copy. If the chart is not available from these sources, it may be obtained by addressing a request to Dr. Leland J. Gordon, director, Weights and Measures Research Center, Denison University, Granville, Ohio, 43023.

The consumer-buyer's concern with measurements goes beyond the definition of units of measurement. It is not enough to know that a pound is defined as 16 ounces. What assurance does a buyer have that a package of butter marked 1 pound actually contains 1 pound? It is not enough to know that a quart is defined as 32 fluid ounces. How does the buyer of motor oil know that he is getting a full quart? It is not enough to know that a gallon is defined as 4 quarts or 231 cubic inches. How does the motorist know that the pump which dispenses gasoline actually delivers the amount shown on the indicator? The answers to these questions are numerous and varied. A scale is used to measure weights. A ruler is used to measure a foot, a yardstick is used to measure a yard. Supposedly accurate containers are used to measure a quart of milk. Practically all gasoline is measured by a meter. Baskets are used for dry measures in the sale of fruits and vegetables. The fact of the matter is that when a buyer purchasers various commodities he does not really know that the measuring device is correct or that it is used correctly. Necessarily the buyer trusts the seller, depending on him to dispense full weight, full measure, or accurate count.

How can a purchaser know that the scales in a store are accurate? Or that they are used accurately? The scale may continue to function even though it does not register correctly. Rarely does a scale get out of order so completely that it fails to function. Scales that appear to be registering correct weights may be no more accurate than a clock which is running fast or slow. Both may show weights and time accurately or inaccurately. Even if the scales are correct they may be used in such a way as to register inaccurately. This may be done inadvertently or deliberately.

Obviously consumer-buyers must have faith in the merchants with whom they deal. Fortunately most sellers are honest, according to weights and measures officials. But even though a retail seller may be honest he may unknowingly be using defective measuring devices. Such defective devices might be delivering more to the buyer than should be delivered, or they might be delivering less. This means that sellers and buyers need an impartial agency to define the units of measurement, to test the accuracy of measuring devices, and to supervise their use. To meet their need there are Federal and State laws enforced by Federal and State officials. In jurisdictions having good laws, well administered and effectively enforced sellers and buyers have reasonable assurance that they are delivering and receiving the specified quantities.

The Constitution of the United States gives Congress the power "to coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures." Many people are surprised to discover that this is one power which Congress has failed fully to use. The first Federal law concerned with weight and measures was passed in 1799, but it remained inoperative for the following 36 years because no legal standards had been adopted. Those familiar with colonial and early American history will recall that the commerce of those times was characterized by the confusing use of the standards of several European nations. It was not until 1828 that the first really effective weights and measures legislation was passed. Eight years later, Congress passed a joint resolution directing the Secretary of the Treasury to deliver to the Governor of each State a complete set of weights and measures conforming to those being constructed for use in the Federal customs houses. Then nearly 30 years passed with no significant weights and measures legislation. In 1866—100 years ago—Congress sanctioned but did not require the use of the metric system. Then followed another period of 25 years in which there was little congressional legislation dealing with weights and measures. The next important step was the establishment of the National Bureau of Standards, which since 1901 has functioned as a national center for testing and for promoting the use of uniform weights and measures. The Bureau has no regulatory authority.

Among other Federal laws containing weights and measures provisions probably the most significant is the Federal Food, Drug, and Cosmetic Act of 1938, as amended. That law provides that containers for foods, drugs, and cosmetics must not be made, formed, or filled so as to be misleading. Moreover it provides that all containers must carry labels showing their net contents in terms of weight, measure, or numerical count.

From a consumer-buyer point of view the foregoing acts practically cover the exercise of congressional power dealing with weights and measures. Although having authority to exercise control, Congress has failed to use it. One result has been an unfortunate hiatus between Federal and State measurement legislation and enforcement. The Office of Weights and Measures in the National Bureau of Standards has tried to achieve some uniformity in measurement legislation by urging each State to adopt a uniform model law, but many State laws are inadequate.

As the economy grew the need for impartial supervision of measurement increased. Since Congress failed to enact a general inclusive law, some of the States began to enact measurement laws. As recently as 1930 only 29 States had adopted basic measurement laws. Now every State has a law. Some of the laws are good, some of them fair, and some of them poor.

The year 1965 marked the golden anniversary of the National Conference on Weights and Measures. This is an organization of State, county, and city measurement officials, sponsored by the National Bureau of Standards. The conference meets annually and operates as a quasi-legislative body. During the year its committees on laws and regulations, specifications, and tolerances hold meetings. When the conference opens, hearings are held at which interested parties may express their support of or opposition to proposed changes. The executive committee then prepares its report for presentation to a plenary session of the conference. After debate, votes are taken. If a proposal is adopted all States which have previously adopted the handbook on laws and regulations are required to implement the new regulations.

Since there is no general Federal law and since State laws vary so much in effectiveness, the business of selling and buying is hampered. The ideal situation would be realized if there were a single effective public law applicable in every jurisdiction. Measurement officials in all jurisdictions are keenly aware of the need for uniformity. One of their first acts when they met together in the national conference was to draft a model measurement law in 1911. During the intervening years the conference has amended the model to keep it up to date. The various States have been urged to enact the model law but the number having adopted it is disappointingly small. Among the 21 States in the select model law group, most of them modified the provisions of the model, under pressure from vested interest groups.

No matter how good a law may be it is useless if it is not enforced. Two national surveys of State measurement laws, their administration, and enforcement, conducted by the Weights and Measures Research Center, reported many States with weak laws weakly enforced. It also reported some States as having weak laws vigorously enforced and some in which strong laws are enforced feebly. If the administrator of a program is a political appointee the people of his State can hardly expect rigorous enforcement or technical knowledge. Officials in 16 States have no protection against arbitrary discharge. Measurement officials and inspectors are poorly paid. Salaries range from $5,700 to $14,000 but only nine are paid more than $10,000. The salary figures for inspectors are even lower. As a result there is considerable turnover among administrative officials. In one 7-year period there were 28 personnel changes. Only 13 administrators have been in their present position more than 10 years. In seven States the newly appointed director had no previous experience in weights and measures work.

What happens in States having weak laws or weak enforcement? Defective scales which have been condemned or rejected in well supervised areas are shipped into States where there is little or no supervision. Short-weight packages which have been banned in a supervised State are dumped in a State not having a measurement program. Arkansas and Mississippi were two of the last States to enact modified versions of the model law. When Arkansas started its enforcement program 90 percent of all computing scales were found to be defective and were rejected. One-third of the gasoline dispensing pumps were rejected. In Mississippi 40 percent of the prepackaging scales were found to be inaccurate, and 65 percent of the packages inspected were found to be shortweight.

Without a strong measurement law it is difficult to imagine how sellers and buyers can operate. Sellers as well as buyers may lose money because inaccurate measuring devices overweigh as well as underweigh. One of the significant facts about measurement is that sellers and buyers have a mutual interest in accurate measurement.

Now that all States have measurement laws and enforcement programs one might expect that consumers everywhere can be assured of accurate weights and measures. Unfortunately this is not yet true. Even in States having good laws and good enforcement there seems to be an irreducible minimum of shorting. Shorting continues month after month and year after year. The Weights and Measures Research Center surveys reported some 46 shorting methods, and the list is by no means complete.

There is abundant evidence that there is a large volume of overweighing and overmeasuring. What one finds in the marketplace is a condition of quantity competition. At a price of 80 cents a pound a 1-ounce shortage costs the consumer 5 cents. At a price of $1 a pound an overweight of 1 ounce costs a seller $1,875 a year, assuming 100 weighings a day for 300 days. Quantity competition is secretive, in contrast to quality competition which is assertive. Sellers advertise their quality claims but not their quantity claims. Some sellers would not show their quantity claims on their label if the law did not require it. Often consumers have to search for the small print hard-to-find quantity declarations on many containers.

As more and more consumer goods are marketed in package form, two basic weaknesses of State control become increasingly evident. One weakness is the inability of States to interfere with interstate commerce. The other weakness is a disparity in the effectiveness of State laws and enforcement program. By the early 1960's deceptive packaging had become so prevalent that a spontaneous consumer uprising demanded that the Federal Government strengthen its laws and provide uniform regulation and enforcement. A poll of State directors, conducted by the Weights and Measures Research Center, found 81 percent of those officials in favor of a truth-in-packaging bill.

One hundred years have passed since the Congress enacted legislation making the use of the metric system legal in the United States. If the use of the metric system had been made mandatory in 1866 we would have been spared a major problem in 1966. The metric system is now used in 88 countries having 90 percent of the world's population. The United States, Canada, and Great Britain are the only major nations not using the metric system, and Great Britain is in process of converting to that system. The metric system is so simple that it can be mastered in 1 hour. Even though the United States is not on the metric system, its standard meter is Prototype Meter Bar 27, which is defined in terms of a wavelength of Krypton 86 atom. The standard of mass is Prototype Kilogram 20. The standard for time is the natural vibration rate of the Cesium 143 atom.

Many drug companies have already converted to the metric system. Firms which export to metric system nations put the metric and the U.S. measurements on their packages. All Armed Forces prescriptions are written in metric measurement. All military maps are in metric terms, and all fire-control equipment. The Space Agency uses metric measurements for range and projectory calculations. The National Bureau of Standards, the Department of Defense, and the American Geophysical Union all favor the metric system. A poll of State directors of weights and measures, conducted by the Weights and Measures Research Center, found 80 percent of those officials in favor of conversion to the metric system. When conversion is achieved the United States will have taken a major step toward the achievement of substantial national uniformity in weights and measures.

ASSESSMENT OF THE WAR ON POVERTY

Mr. WHITE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. POWELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. POWELL. Mr. Speaker, recently a group of Washington Post writers and a special Newsweek correspondent spent an intensive 3 weeks visiting communities all over the country.

Their purpose was to make an assessment of the war on poverty.

Participating newsmen were John Anderson, Robert E. Baker, John J. Carmody, Eve Edstrom, Flora Lewis, Jesse Lewis, and Elizabeth Shelton of the Washington Post and Jim Long of Newsweek. Alfred Friendly, associate editor of the Post, assembled the material for publication.

These reporters did more than simply visit the various community action agencies, Job Corps, and Neighborhood Youth Corps and talk with administrators.

They walked the streets and talked with the man in the street, the unrepresented poor, the lowest workers on the totem pole, and the unemployed. Out of their collective interviews and articles emerged an articulate and well-defined series on the war on poverty.

I would like to place in the RECORD today the last two articles of the series, written so ably by Mr. Friendly, which capsule the findings of these reporters. These last two articles, written on February 12 and 13, represent the series, conclusions about the efforts of the war on poverty—its strengths, its weaknesses, and its areas of needed change.

In addition, I am including an editorial from the Post on February 3, entitled "Progress in Poverty."

I commend these three articles to all of my colleagues as we prepare for reconsideration of legislation affecting the war on poverty.

[From the Washington Post, Feb. 12, 1966]

POVERTY WARRIORS SHOW THEY CAN WIN

(By Alfred Friendly)

The watchword of F.D.R.'s New Deal was "Get the people back on their feet." The premise was inherent that the poor third of the Nation had once stood upright, having previously held a decent position in society from which the great depression had toppled them. The task was to stand them back up where they had been.

The war on poverty of L.B.J.'s Great Society assumes a different premise. It is that some several million Americans never had a decent place in society, nor feet of the kind they could stand on.

The New Deal's great sociopolitical achievement was establishing the principle that the Nation has the responsibility of seeing to it that no citizen goes hungry or roofless.

The similar forward step of Harry S. Truman's Fair Deal came with the thesis of the Full Employment Act: the Nation's responsibility is to maximize job opportunities and income (Senator Taft insisted on keeping the language vague) for everyone willing to work.

Thirty-odd years after the New Deal and 20 after the Fair Deal, the Great Society's equivalent proposal in its war on poverty is that the Nation has the responsibility for making each citizen capable of earning his bread and roof.

The principle is still subject to argument, and its validity remains to be proved.

It focuses on what has come to be seen as congenital or even hereditary poverty, self-perpetuating and circular. Its aim is to give the poor person and his children—who have never had a tolerable position in society to which they might be restored—a stance and an environment from which to begin the upward climb.

DEPENDS ON PROSPERITY

The objective is entirely dependent on a very prosperous economy. If it turns sharply downward, and if other programs to cure unemployment fail, the Office of Economic Opportunity's phase of the war on poverty will be a ridiculous boutonniere in the lapel of disaster, spurs on a jockey whose horse has dropped dead.

But, assuming a continued high level of the American economy, a team of 8 Washington Post reporters who studied the war on poverty over a 3-week period in more than 20 communities throughout the country is convinced that it can do what it is supposed to do.

Only here and there can it be measured by what it has accomplished so far; but its promise can be measured. It looks enormous.

"CONTROL" BY POOR?

If it is to be realized, however, a handful of formidable problems must be solved:

1. A miasma of confusion still lingers over the famous command that the program be carried out with the "maximum feasible participation" of the poor. These are the most powerful words in the war on poverty; they are also the most plaguing.

To the extent that they are read to mean "control" of the programs by the poor, and to the extent that the purposes of the phrase are conceived of as an end rather than a means, to that extent the program will raise false hopes and kindle crippling fears.

In and out of OEO a kind of mystique has been built up around the conception, an inflation of a magnificent potential into a monster. The real potential is that with "maximum participation" the poor can define their needs and spotlight the inequities that beset them; by organizing their strength they can help themselves carry through remedial projects; by acting politically, in the broad sense of the word, they can induce corrective and helpful action from the powers that be.

DREAM VERSION

The dream version—the pipe dream version—is that the poor can weld themselves into a strident, monolithic political force that can hammer city hall and the establishment into submission, intimidate them by demonstrations, picketing, and more violent measures, and mayhap, take them over.

In a somewhat less extravagant piece of fantasy, some of OEO's theoreticians and many of the poor themselves have taken the phrase to mean that the poor must constitute the majority on the directing boards of each locality's antipoverty program.

The naivete of the first conception, of massive political conquest, needs little demonstration. The evidence is the most solid antagonism that the war on poverty first encountered on this score among the Nation's mayors. It now is happily abated.

COMMUNITY LEADERSHIP

But the practical problems of the second conception, inherent even when the poor are not in the majority but where their participation is too consuming, are almost as fatal. OEO has still to reckon with them effectively.

An antipoverty program in any community cannot be successful unless it is directed by the leadership forces in the community, along with the poor. Usually this means the mayor; it must include the superintendent of schools; it should include other top city department officials, the leaders of the dominant religious organizations, and representatives of the Community Chest agencies; it is lost without delegates from the establishment, i.e., the most influential political and nonpolitical personages in town.

Even at lower levels, where individual antipoverty projects are being conducted—in the schools, the neighborhood centers, the shops, and welfare and counseling offices—the direction of professionals responsible to the citywide agency and the guidance of trained technicians on the staff are indispensable.

2. A second dismaying problem is the prospective reduction in OEO appropriations, and its consequences on the momentum of the war on poverty.

On paper, the requested $1,750 million for OEO next year is larger than its current $1,500 million. In rate of spending, however, it will almost certainly be considerably smaller.

FUNDS SPREAD OUT

The financial details are intricate, but the essence is that the rate at which OEO will be funding projects this spring is far higher than the rate it can maintain throughout fiscal year 1967.

If, after all the ballyhoo and glowing expectations, the tempo of the program is reduced, the psychological impact will be severe and could be ugly, even disastrous. If the muscle is cut, its regeneration is unlikely.

3. OEO has yet to face up squarely and publicly to the curious fact that its program is deplorably fractional and that it appears to have no plans for making it complete. Indeed, OEO seems almost indifferent to the inequity.

ONLY SHOWING GOALS

At best, in a couple of its national programs like Headstart and Neighborhood Youth Corps, it will serve over a year-round period something like 20 percent of those who stand in need of the program. Other ventures, like Job Corps and individual projects in the cities' community action programs, will touch only from 3 to 10 percent of their particular "universes of need."

In a sense, then, the war on poverty is something like a demonstration program, showing that various goals can be achieved but not trying to achieve them in a volume even approaching totality.

It cannot remain indefinitely in that posture, which is completely alien to the American tradition of fairness. A city, strapped for funds, does not give hot school lunches to only half the children that need them, but gives half-adequate lunches to all.

Where will the correction of OEO's all for 10 percent, none for 90 come from?

In theory, if a demonstration or 10 percent sample project proves itself successful in Dubuque, the city fathers of Dubuque will take it over, expand it by 10 and serve the totality of its needy.

But in view of the present state of finances of the average American city, and its nonexistent prospects for much more revenue, nothing could be more unlikely.

FEDERAL FUNDS?

Must the job then be done by Federal funds, expanded 5 to 10 times above the present OEO appropriations? Presumably. But OEO is silent on even whether it will ask Congress for that kind of money in the future. At present, it obviously has no chance.

So the war on poverty functions only in part, like a hospital where the doctors treat only every 10th or 20th patient.

There are many other faults of the war on poverty—maladministration, too hasty and too diffuse operations, corruption, delay, some silly projects, some excess Madison Avenueism. There have been many failures.

All of these are the sort that present irresistible invitations for roaring (and transparently gleeful) complaint by every shrill critic from Congress down to the poverty wards. These categories of criticism have been highly publicized.

What is important about them, however, is that they are correctable, not inherently unsolvable. Which means they are really not important to a total assessment of the potential of the war on poverty.

[From the Washington Post, Feb. 13, 1966]

STRONG WEAPONS IN POVERTY WAR

(By Alfred Friendly)

The major claim that the war on poverty directors make for their program is that it is innovative and that the innovations work. If it is not that, it is nothing.

Its newness and usefulness, they assert, lie in its techniques, methods, and general philosophic approach.

A team of Washington Post reporters set out to assess the war on poverty in terms of those claims. Their consensus, very largely positive, follows.

POOR HELP THE POOR

1. The principal new technique that the war on poverty set out to demonstrate was that the poor themselves could operate many of the own welfare projects, thus performing a great portion of the tasks necessary to improve their environment and position. More generally, the concept is that the poor can do a host of jobs hitherto thought to be within the competence only of professionals or well-trained craftsmen—teachers, organizers, office workers, technical assistants.

In Rochester, Herbert M. Greenberg started a demonstration project using neighborhood women—all of them poor, none with much more than grade school education—to teach preschoolers.

The first stage of the project is now underway in the cheerful basement of a church in the Negro area of town. Doing the work are a half dozen of these neighborhood teachers' aids and only two professionally trained child care specialists for 30—soon to be 70—children.

One of the professionals, a singularly pretty young woman named Nancy Lyke, bubbles with enthusiasm. "It's astonishing," she says; "it's the most thrilling thing I've ever done. These girls (the teachers' aids) can do so much more for the children than we could ever do."

"First of all, they can get to the homes and bring the kids in here; second, they can get the mothers involved. Mainly, it is they—and not any middle-class person—who can put across the truly important idea, the project's main purpose—going to school is a good thing and school isn't merely another manifestation of that hostile society that the kids' families fear."

Mrs. Lyke referred to the forthcoming employment in the preschool center of a cook, a general manager, clerk-typists, health workers, a bookkeeper, and maintenance workers—all of them without prior training in the skills of their new jobs.

"The use of neighborhood people is just as valuable and feasible in other areas as it is with teacher's aids. They have warmth and understanding, an ease that is utterly lacking among the outsiders. They are our arms into a community where social workers from the red feather agencies failed."

There is little doubt that the war on poverty has proved the point, and it is an important one; workers can be recruited from the ranks of the poor and quickly made competent. In the task ahead—not merely conquering poverty but making the quality of life better for all Americans—there are simply not enough professionals and technicians to go around; "subprofessionals" will be needed by the millions.

However, the Washington Post's team was unanimous and emphatic on one caution: The poor alone, the subprofessionals, are lost in almost every job without the shoulder-to-shoulder cooperation of experts. The ratio need not be high, but one or two "pros" are indispensible. A Nancy Lyke is needed at the top.

STARTING WITH SCHOOL

2. The war on poverty's experiments with new methods in services to the poor have come principally in the area of schooling. The emphasis has been derived largely from the almost universal disdain of top officials in the Office of Economic Opportunity for the present American educational system.

The antipoverty program's most ambitious new educational method is the Job Corps, which itself amounts to a new and experimental, coexistent high school system. It has been discussed in earlier articles in this series.

Outside the Job Corps, the teaching methods employed in antipoverty projects have not been especially inventive or distinctive, least of all in vocational training. But the OEO is putting a premium on innovation in considering applications for grants, and some new fervor may be seeping into the schools. If there has not been much of acclaim in past performance, there is considerable future promise.

The 25 boys in Project Re-Entry in Syracuse spend 5 mornings a week in class and 5 afternoons at make-work jobs. Their goal is to get back into high school or to acquire an "equivalency certificate." Without either, their job chances are dismal.

These 25 boys are hard-core dropouts. For them, life both in school and out has been a "poor scene." Ralph Mingolelli and William Beard, two former schoolteachers who preside over Re-Entry, were asked how many of their scholars have had brushes with the police. Mingolelli replied, "Put the question the other way," and held up one finger.

Teaching these dropouts is different. The point of departure for morning class discussion may well be one student's claims about his amours the night before. The teacher's day may end at midnight in the police station, rescuing a pupil from whatever mess he has gotten into. Says Mingolelli: "When you want to change the action, become a part of it."

Since Project Re-Entry began last fall, only two have quit the program. Most of the rest will learn to read (passably), to do arithmetic (primitively), and to embrace a life of work (decently).

NEW IDEAS FOR OLD

3. The OEO stakes a great deal on the hope that its new techniques and, of course, its basic approach will prove massively contagious; that new ideas will impinge on old institutions: the schools, the welfare agencies, the hospitals, the community services. In this area, the Washington Post inquirers brought back a mixed verdict.

Some reporters saw a real feedback in the schools, where a premium was being put on original and imaginative programs as a basis for future OEO grants. They noted the number of teachers and school administrators who are as disillusioned with old methods as the OEO officials, and who chafe impatiently to introduce changes.

Others saw remarkable originality and an eagerness to shift gears in church groups, notably Catholic institutions, which are reshaping themselves and their methods of extending service to the poor who surround them.

But some reporters felt that the old guard in schools and welfare services resisted change and plodded along as always, inert and untouched by the novel, strident sound of the voice of the poor.

Some attitudes change hard, or not at all.

Annie, a Negro woman in Atlanta who works when she can and goes on relief when she can't, was convinced by her neighborhood aid to look into the opportunities at her nearby center.

On arrival, she was greeted by the same welfare worker, now employed by the center, whom she had dealt with under the old system.

Said the worker: "Well, Annie, here you are, back again."

Annie uttered a terse suggestion, turned on her heel and left.

The reporters believed it likely, however, that the drive behind massive participation would some day force cities' public services, such as the school, health and welfare systems, to accept representatives of the poor as members of their directing boards. And they noted that once new ideas and methods are accepted at the top, they would find their way into effective action below, regardless of the traditionalist attitudes within the agencies.

THE IDEA CATCHES FIRE

4. By far the most important innovation of the war on poverty is its insistence on the involvement of the poor, not merely as hired hands but as planners, originators, co-administrators and critics of the programs.

The number of the participating poor is still in the thousands, but the idea has caught fire. The unanimous view of the Washington Post's team is that its results cannot fail to be enormous: things will never be the same. Their forecast was highly optimistic and usually couched in excited terms.

They believe that enough people have been involved already who will not let go lightly of new found hope, a remarkable resurgence of dignity and, to be frank, a natural inflation of the ego that comes with being a member of this board or an officer of that.

More tangibly, they saw representatives of the poor taking the first timid—and, paradoxically, enormous—steps at telling off members of the power structure, at declaiming their needs, speaking their pieces, and discovering, to their own surprise, growing confidence in their strength.

Above all, the reporters were impressed with the potential of the neighborhood or community action centers organized under citywide "umbrella agencies" in several hundred localities. They forecast that community centers may become one of the great urban institutions of the next generation.

Already they have forced both the poor and the powerful to look much harder at the services the city and welfare agencies offer. They have intensified concern with the schools in particular. Although it was not anticipated, the centers have focused on urban renewal and inadequate, remote, and callous medical services as objects of particular outrage. The community action centers have been innovative in bringing free legal services to the poor. The programs are sensationally popular—and may produce sensational changes.

Community action programs have had especially heartening results in the South, where involvement of the poor means, in practice, involvement of the Negro. Southern moderates—and others who would now like to get off the segregation hook—can find in such programs a quiet way to begin constructive action, working on specific welfare projects side by side with Negroes.

What direction the community action neighborhood centers will take remains to be seen. Civil rights groups are believed to be lurking in the wings, wondering what their role should be. More radical groups must be contemplating their potential.

A new institution has been born—inherent with great promise.

[From the Washington Post, Feb. 13, 1966]

Progress in Poverty

The administration's well-advertised war against poverty is, on its first year's showing, a remarkable success. Its achievements already justify a forceful and steady expansion of its reach. The series of articles in this newspaper by Alfred Friendly and his colleagues have examined in some detail the nature of these achievements. And they also have shown the very important conditions of success in this enlightened campaign.

It has not worked equally well in every circumstance. The war on poverty is most effective where it involves urban Negroes. It is least effectve where it is dealing with white populations. The Economic Opportunity Act, and all of the reforms that it has set in train, are the direct consequence of the long struggle over civil rights. The people who best comprehend the war against poverty are those who, at least vicariously and emotionally, took part in the civil rights marches and demonstrations.

But among the 30 million Americans defined as impoverished, three-quarters are white. The impact of the Opportunity Act is very largely concentrated upon the most desperately deprived, embittered, and volatile slums. They happen to be heavily Negro. Clearly the Office of Economic Opportunity made the right choice. But it is necessary to understand that a choice was made. It was a choice forced by the limitations of the appropriations and lack of time for organization. But it was a choice that has excluded most of the people termed poor.

The poverty programs offer very little to the elderly, although the elderly comprise nearly a third of the poor families in this country. The great weight of the resources have been thrown into the programs for children and young families. Again, a choice was made.

The poverty programs are fully effective only where mayor and school superintendents welcome them. The cities with big, vigorous community action programs are those in which mayors are urgently attempting to work out a new style of city politics. They are the cities where the old ward organizations are collapsing, and mayors are looking for new lines of communication into the slums and particularly the Negro slums. While the slums want a hearing at city hall, it turns out that the more alert city halls want to hear from the slums. In cities like Detroit and Pittsburgh, the community action organizations are serving this double purpose. Where mayors are indifferent or hostile, as in Chicago or Los Angeles, community action is a meager and hobbled affair. Philadelphia demonstrates the point nicely. Its city hall neither understands nor likes the idea of community action, and Philadelphia's community action programs are hobbled by a lack of leadership and competent staff. But the same city's new school board, elected last fall on a tide of votes for reform, has seized the Opportunity Act and is exploiting it forcefully.

The Economic Opportunity Act has set loose the powerful concept of the participation of the poor, as a bloc, in the affairs of the community. The poor used to have at least the advantage of numbers, but now they are the minority in a hugely middle-class nation. The Opportunity Act has not only provided the professional direction and staffing that this inarticulate bloc must have. It has also set off a great process of soul-searching and reorganization among numberless school systems, welfare agencies, colleges, hospitals, government offices, and political parties. In the long run, these indirect effects may be the most telling.

The war on poverty has generated confidence and aspiration where there was none. To carry it forward will require sturdier support than the President's budget offers. To cut it back now, in this moment of hope, would be a severe misfortune for the whole country.

VIETNAM

Mr. WHITE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Farnum] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FARNUM. Mr. Speaker, I would like to call to the attention of my colleagues an editorial appearing in the Washington Post on February 25 concerning the President's speech upon receiving the National Freedom Award Wednesday evening.

The President in his speech once again clearly and definitely stated the position of the United States regarding the struggle for liberty by the people in South Vietnam. He has once again pointed out the pitfalls of indecision. He has taken a bold step to shatter any possible illusion of a wavering policy the Communists may have received from recent criticisms of our present course.

The President's statement is to be commended as evidence that he is a deserving recipient of the National Freedom Award.

Under unanimous consent, I include this editorial in the Record:

[From the Washington (D.C.) Post, Feb. 25, 1966]

The President's Address

The President made a powerful and persuasive defense of his policies in Vietnam in his address at the National Freedom Award ceremonies in New York Wednesday.

He disposed of the allegation that our objectives are unlimited with a flat "no." He dealt with the repeated expressions of anxiety about deliberate escalation of the war by voicing his own opposition to mindless escalation. He dealt with the hawks who have complained that not enough has been sent to General Westmoreland. He responded to the criticism that we fight alone by citing our allies. He made it plain we will not deliberately widen the war. He again emphasized the pacification program in which social and economic aids will parallel military efforts. He made it clear that we will not impose a coalition government—or any government on the South Vietnamese. He vigorously defended the peace offensive. He wisely put no time limit on American support to South Vietnam. He reviewed again the long train of commitments that brought us to South Vietnam. He closed with the stirring words of President Kennedy: "We shall pay any price, bear any burden, meet any hardship, support any friend, oppose any foe to assure the survival and the success of liberty."

It was time that the President restated our ends and reaffirmed our determination. It is not to reproach the critics but only to state a fact of life to say that the on-going debate over policies in South Vietnam has created an impression of irresolution and indecision. Whether it has given any aid to the enemy or not, it probably has given them some comfort. And it has helped confirm the favorite illusion of the Vietcong—that the United States is another broken and bankrupt France that can be driven out of South Vietnam by the collapse of morale at home.

It will not be sufficient to attack this illusion with occasional reassertions of purpose. By act and word we must make it plain, again and again, that we are ready for a long and hard struggle to preserve the right of the South Vietnamese people to determine their own government. The peace offensive and the internal debate no doubt have revived North Vietnam's hopes of imminent American default. It must be made clear to Hanoi that these hopes are false hopes.

WATER POLLUTION

Mr. WHITE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. FALLON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FALLON. Mr. Speaker, I have today introduced a bill which will carry forth one of the most important programs that this Congress has ever enacted—the cleaning up of our Nation's lakes, streams, rivers, and harbors. This is the greatest single domestic problem that our Nation is facing today. The time is now for a national concerted attack on this problem. The bill which has just been placed in the hopper of this House will carry forth this attack on a wide scale and will continue a program that I have been consistently advocating since the inception of the first Federal program dealing with water pollution several years ago. I was proud at that time to be one of the coauthors of the initial legislation which first began this great program to preserve our Nation's waters. That bill was reported from the Committee on Public Works a number of years ago and eventually became Public Law 660 of the 84th Congress. Since that time, the Committee on Public Works has made several forward-looking changes in the initial legislation and the proposal that I am presenting to the Congress today carries forth the spirit of that program.

It is a tragedy in this day and age to see the waste and spoilage of our Nation's waters. We are all guilty whether we be private or public entities or whether we be a part of the Federal, State, or local governments.

Last year the Water Quality Act of 1965, of which I was a cosponsor and upon which hearings were held before the Committee on Public Works and which is now on the statute books of our Nation, brought into the program the further development of the cooperation we hope to create between Federal, State, and local governments, industry and private citizens to solve this problem. This bill will guide us down that road.

For the information of the Members, there is included a rather brief summary of the four major titles of the bill:

Title I provides a new approach to the water pollution problem. It is aimed at cleaning up entire river basins through the development of comprehensive pollution control and abatement plans for selected river basins, and through grants to assist in financing the development costs of waste treatment works in accordance with the plan. The plan itself will include water-quality standards established under the criteria of the Water Quality Act of 1965, adequate provisions for enforcing those standards, a permanent local or interstate organization to carry out the plan, and adequate local financial programs to assure the maintenance of water quality and future expansion of treatment works.

Title II provides for an attack on the pollution problem on a statewide basis. It authorizes the Secretary to waive the dollar ceilings under the present grant program for waste treatment works, and makes more of the funds available under that program for matching grants. The State, in turn, must agree to match the Federal grants and adopt statewide water-quality standards. The grantee must adopt an adequate financial program to assure maintenance of water quality and a financial program to cover future expansion of treatment works.

Title III amends the Federal Water Pollution Control Act, as amended, in three principal ways, as recommended by the President: (a) it doubles the appropriation authorization for grants to State and interstate agencies to formulate, carry out, and enforce water-quality standards meeting the criteria of the Water Quality Act of 1965; (b) it removes the present dollar limitation on pollution control research; and (c) it strengthens the enforcement provisions of the act.

Title IV of the bill enables private citizens to bring suits in Federal courts to obtain relief from pollution in interstate or navigable waters, requires the Secretary of the Interior to consider whether the deposit of refuse matter in navigable waters of the United States is, in each case, consistent with the purposes of the Federal Water Pollution Control Act, as amended, and transfers from the Secretary of the Army to this Department the authority to administer the Oil Pollution Act, 1924.

MARYLAND DAY ADDRESS AT VALLEY FORGE

Mr. WHITE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. FALLON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FALLON. Mr. Speaker, on Sunday, February 13, the Honorable Theodore R. McKeldin, mayor of Baltimore, had the honor of representing Governor Tawes at the Maryland State Sunday Service at Valley Forge, Pa. During Mayor McKeldin's 8 years as Governor of Maryland, it was his privilege to speak at these Maryland Day services, and, therefore, he was delighted to return, once again, to this historic shrine to deliver the address of the day.

I hope many Americans, including Members of Congress, read Mayor McKeldin's eloquent address:

ADDRESS OF THEODORE R. MCKELDIN, MAYOR OF BALTIMORE, MARYLAND STATE SUNDAY AT VALLEY FORGE, FEBRUARY 13, 1966

A hundred and eighty-eight years have passed since Washington and his Army underwent the ordeal that has made the name of this place famous in American annals. It is a long time—a hundred and eighty-eight years—but not long enough to dim the glory of their achievement; nor has it diminished, but, rather, increased our amazement at what they were able to endure.

For what they exhibited in the highest degree is the basic military virtue, the foundation on which all the others rest. That virtue is endurance. Without it, the most brilliant tactics, the most desperate courage, the most furious assault, can never win a great war and only partial and transient success in a small one. Valley Forge proved that the force commanded by Washington had the one quality without which no army can become a really great one.

This place was not the scene of any of the brilliant feats of arms that are the subject of legend and song. Not here "the embattled farmers stood and fired the shot heard round the world." It was not here that Sergeant Jasper leaped over the parapet and retrieved the fallen flag. Not here did Washington give the British King the Christmas gift of a shattered mercenary army. Not here did Nathaniel Greene, our American Fabius, slowly wear out an army too strong for him in pitched battle. Nothing happened here except the stoic suffering that proved our men had the highest military virtue of all, the ability to imagine death, but not defeat.

It is appropriate, then, that nearly two centuries later we are still gathering here to celebrate what was demonstrated here, not exultantly with thunder of guns and fanfare of trumpets, but with joy and thankfulness that the men of old were such men, and with a profound resolve that their stout hearts shall not be disgraced by a wavering and quickly discouraged posterity.

For if ability to endure frustration and disappointment, and hope deferred that "maketh the heart sick" meant the salvation of the Nation in 1778, it means the salvation of the world in 1966. If they had failed, the United States of America would never have been born. If we fail, a despairing next generation may well believe that it might as well not have been born, since it lacked the element of survival and therefore raised hopes only to dash them. So it is not unreasonable to say that failure on our part would be worse than if they had failed.

From the physical standpoint, of course, there is no comparison of our ordeal with theirs. We are not leaving bloody footprints in the snow, our comrades are not dying without doctors or medicines, few of us are suffering constant hunger, constant pain, endless back-breaking labor. From that standpoint, we are indeed the fortunate ones.

But if we view it from the mental and spiritual, not the physical angle, I am not so sure of our advantage. The men of 1778 knew what they had to do. They had to win that war. No doubt they knew that in time other problems would arise, but until the war was won it was useless to think about anything else.

We, too, have a war on our hands, but it is a comparatively small war, and there are a hundred other problems that will not wait for peace. On only a few of these is there any general agreement on what we ought to do, while on some there is strong, almost violent disagreement among Americans of equal honesty and intelligence. That is to say, we suffer from distractions that the men of Washington's army escaped. Our ordeal is more mental than physical, but if we can't stand it we are certainly as complete failures as men who break down under physical torture.

So if we come to Valley Forge filled with admiration and gratitude, which we certainly ought to do, I submit that we ought also to come in a spirit of deep humility. We are better off than the men who suffered here, but not as much better off as complacent Americans tend to believe. It was their responsibility to deliver the country from the tyranny of a foreign prince. But it is ours to deliver it from tyrants far worse, and much harder to defeat, than George III. We have to defend it from the tyranny of prejudice, ignorance, hatred, and stupidity; and our failure would be more disastrous because it would affect not one country only but all the world.

To strengthen our spirits surely we can do no better than resort to this shrine of patriotism; for from this source, if from any, we should be able to draw new resolution and stouter courage. It was here that our forefathers met the supreme test of their time and passed it to the admiration of the world. So from this place their descendants should go out steeled to resist the failures, follies, and misfortunes of our time. If the fair reward of political freedom was the ideal that nerved them for the ordeal, do we lack the promise of an even fairer reward?

I think not. I think, on the contrary, that the reward offered us is as much greater than the one that inspired their courage and devotion, as the terrestrial globe is greater than the United States. It is the promise that, not by conquest, not by coercion of any kind, but simply by a practical demonstration of the ancient truth that "righteousness exalteth a nation" we may persuade men of diverse races and many tongues to accept, not the institutions, but the principles of government that our ancestors formulated and expressed in the Declaration of American Independence.

But for the very reason that this is a process of moral suasion, not of compulsion, it cannot be rapid; and to be compelled to "make haste slowly" is one of the severest tests to which an American can be put. We have always been precipitate. We rushed to the Pacific in just 40 percent of the time that Jefferson—himself a fast mover as the Louisiana Purchase showed—thought we would need. We built a gigantic railroad system with incredible speed. We invented the telegraph and the telephone and the aeroplane. It was said of Theodore Roosevelt, but it might be said of the typical American that "his natural gait is running away."

Then to call on such a nation to stop and consider, to wait for the auspicious moment, to apply pressure slightly, but steadily and for a long, long time—that puts a hasty nation to a very hard test indeed. We want results now, or by next week at the latest. We are builders, rather than cultivators, and to ask us to stand patiently while the seasons follow their leisurely round is hard on us. Consider, for example, the United Nations. It is now 21 years old and it hasn't reconstructed the world yet. So there are voices constantly demanding that the thing be abandoned. But the reconstruction of the world would be wonderfully swift if it were done in three generations, that is, in a single century.

This explains why I contend that February 1966, is as definitely "the winter of our discontent" as February 1778, was. It is different, certainly. The present ordeal is psychological, rather than physical, but never doubt that it is an ordeal, and never doubt that if we fail the present test the result will be as disastrous as failure would have been in the 18th century.

But at Valley Forge the Americans did not fail—and we, too, are Americans. Part of our inheritance is the grim determination, the dogged refusal even to imagine defeat that brought the men of old at last to Yorktown to accept the surrender of a beaten foe. The British Army band on that occasion played a tune called, "The World Turned Upside Down," but it was their final bad guess. It was in fact the day when this part of the world at last was set rightside up.

So if we are now enduring a spiritual Valley Forge, shall we not regard it as the prelude to a spiritual Yorktown that is bound to come? We are not fighting Redcoats now. Such military foes as we have may be curiously described as yellow Reds. But by far the heavier, tougher battle is against the invisible foes I named a few minutes ago. Nor are they foreign, for prejudice, ignorance, hatred, and stupidity have no nationality; they are universal, and their presence among us is more to be feared than their invasion from abroad.

By the same token, we may expect victory in this war to be longer delayed than it was in the 7 years of the Revolution, for the issues are greater and more widespread. Yet victory in this struggle will be even more glorious; for while the men of old won us freedom as a nation, if we can match their courage, their endurance, and their faith, we may emerge, not merely as a free nation, but as a leader of all free nations in the search for that wisdom whose "ways are ways of pleasantness, and all her paths are peace."

WATER POLLUTION

Mr. WHITE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. Sickles] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SICKLES. Mr. Speaker, when this country was first discovered, the supply of clean water seemed unlimited. The great bodies of water were more than adequate for fish and wildlife, and they were used for irrigation, for the production of power, and as inland highways for agriculture and industry.

But these waterways also were used as dumps for waste products without thought to the consequences for future generations.

Nationally, the problem of water supply has grown into one of major significance. We are making enormous demands on our water supplies—and it is estimated that at the current rate our requirements will greatly exceed supplies within the short period of 15 years. This means that we must hasten the cleanup of our fouled waters and adapt means to reuse water wherever possible.

This effort will tax our technical skills, our innovating ability, and our capital resources, both public and private, and at all levels of society.

On the east coast of the United States, the severe drought conditions which have plagued some areas, such as New York City, are previews of things to come for all of us unless we face the problem of managing water resources.

Because this is a national problem, there are naturally a number of legislative measures which have been enacted by the Congress or which will be voted upon in the near future. The Water Quality Act of 1965 was enacted to amend the basic Water Pollution Control and Abatement Act of 1961. The Water Quality Act provided means for additional pollution research and development, increased grants for construction of municipal sewage treatment works, and authorized establishment of water quality standards on interstate waterways.

Over the next 10 years, we could achieve very dramatic gains in the appearance and quality of our rivers and waterways. It does not take too long for streams to cleanse themselves, if there is a fast current flow, and if the flow of pollution into them stops. But to stop the inflow of pollution is going to require a massive investment in order to build the great number of sewage treatment plants needed.

The magnitude of the effort is indicated in a report made recently by the Senate Committee on Public Works. Although, State, Federal, and local officials, as well as representatives of industry were found to be overwhelmingly in favor of the present program of sewage treatment construction grants, they all agreed that current authorization for $150 million annually is entirely inadequate to keep pace with the problem—and even this authorization is scheduled to expire on June 30 of next year.

Right now, for example, 367 new sewage treatment centers are needed just in the largest cities of the United States at a total cost of over $1,300 million. The Federal share of 30 percent of this comes to $397 million.

There is a current need in Baltimore for three sewage treatment centers at a cost of $6 million, and by 1972 there will be a need for five more at a cost of about $42 million. In connection with cleansing the Potomac and keeping it clean, 11 new sewage treatment projects are needed in the District of Columbia, and 13 more will be needed by 1972.

After we get the necessary river basins cleaned up, we must have adequate sewage treatment centers to keep them clean, and for this purpose it appears that the Federal share will have to be nearly $1 billion per year rather than the currently authorized $150 million.

There is a very close relationship between water quality and industrial development. In fact, water quality is at the heart of the Nation's future economic growth. Clean water is essential to life. A coordinated program to assure its supply is, in my view, an absolute necessity.

FRIENDSHIP AIRPORT'S BOARD EXPLAINS

Mr. WHITE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. Friedel] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FRIEDEL. Mr. Speaker, I am sure you and most of my colleagues have read recent reports in the press regarding the Federal Aviation Agency's plans to convert Washington National Airport to a jet terminal at an estimated cost of $150 million of the taxpayers' money. I believe we will find that this figure will fall far short of the actual cost if present plans are carried out.

When I first came to Congress in 1953 the proposal to build a jet airport to serve the Washington area had already been approved by the Congress and the estimated cost as presented to the Congress was $14 million. When disagreement developed regarding the location for this new jet airport, it was necessary for the former Civil Aeronautics Administration and its successor, the Federal Aviation Agency, as well as the Civil Aeronautics Board to return to Congress again and again to request additional funds.

Numerous times during these discussions, I made statements on the floor to the effect that the proposed airport would not be built for $14, or $35, or $50, or even $90 million.

I was ignored then but time proved that I was right and that we have now spent more than $110 million on Dulles Airport. The Congress authorized this expenditure because we were told that this new jet airport would take care of the needs of the Washington area for airline service for dozens of years because there was plenty of room for expansion at Chantilly, Va.

At the same time, we were told that Washington National Airport could not possibly handle jet aircraft and could not be expanded. We were told that Washington National was already overcrowded to the point that it was no longer safe and that jets could not use Washington National because the noise was already a problem in the congested area of Washington and Virginia.

Now, all of these reasons for obtaining congressional approval to build Dulles Airport are being tossed aside and we are told that if we spend $150 million more of the taxpayers' money, all of these problems will disappear and Washington National can handle jet aircraft regardless of unsafe overcrowded conditions and regardless of the noise which now disturbs the residents in that area.

Recent reports in the press indicate that some Washington area residents and businessmen feel that the people of Maryland have no right to be interested in what happens at Washington National Airport.

Mr. Speaker, I think the people of Maryland have every right to be concerned about the present plans for Washington National Airport because they are taxpayers and their tax dollars will be used for this unnecessary expansion. And, Maryland citizens' tax dollars helped to build the jet terminal at Chantilly, Va., to help serve the Washington area residents.

The chairman of the Airport Board of Baltimore, Mr. Charles P. Crane, recently inserted an article in Washington's three newspapers further explaining why the residents of Maryland have a vital interest in any plans for Washington National Airport.

I think this explanation should be read by all of my colleagues in the House who will be asked to vote on legislation to authorize the wasteful expenditure of another $150 million of the taxpayers' money and I include this article at this point in the Record.

[From the Washington Daily News, Feb. 23, 1966]

Friendship Airport's Board Explains

The question has been asked on a number of occasions by Washington businessmen and others why the officials of Friendship International Airport should be concerned in the Federal Aviation Agency's plans with respect to Dulles and Washington National Airports.

The question is a natural one. Friendship Airport's board would like to explain its position in this matter. If Friendship had the air service so greatly needed by the people and businesses in the central section of Maryland, including as it does the city of Baltimore, its contiguous counties, the Eastern Shore, and the south central Pennsylvania area around York, my associates and I would perhaps have no official basis for interesting ourselves in the National Capital's airport activities.

I would not wish to imply, however, that as private citizens, paying Federal taxes, we are ostracized from expressing our viewpoints regarding Federal extravagance and waste.

But those of us interested in making Friendship of maximum usefulness to the 2,500,000 people and businesses in its service area have a direct and compelling interest in the maldistribution of flight service in the Washington/Baltimore complex.

Friendship Airport is grossly deficient in the short-hop type of air service to medium-size cities east of the Mississippi River. We are deficient in this type of service, which for years has been concentrated and overconcentrated at Washington National. While Friendship has good long-range jet service to most of the larger cities, it has only about 90 daily short-distance flights. Washington National has over 600 such flights daily. To some of these smaller cities, we have no flight service at all; in 36 instances we face the unbelievable disadvantage of having only one-way service from Friendship to these cities, while Washington National is abundantly supplied with single plane roundtrip service to many of them.

Between Friendship and Louisville, Kentucky, there is no service; but from Washington National there are 10 flights each weekday with 9 returns. Despite mutually important commercial trade relations—woolen mills, manufacturers of synthetics, fertilizer, rain garments, plumbing fittings, banking, credit and insurance, etc.—we have but one southbound flight to Charlotte, N.C., placing an air traveler (after enduring three intervening stops) in Charlotte at 1 o'clock in the morning. Washington National has nine flights each way, conveniently spaced between morning and evening.

Instance after instance of this kind could be cited, and the conclusion is inescapable that in these instances, and by design, Maryland travelers must submit to traveling 60 or 70 miles or more, through another city or its highly congested suburbs in order to obtain reasonable air service. This unfair burden is shouldered on Marylanders because of the flight concentration at Washington National—a concentration far beyond need and economically supportable because of the enforced patronage of Marylanders. Hence our interest in the air service at Washington airports.

Instead of the Federal Aviation Agency divesting Washington National of some portion of these flights, and thereby giving the people of Maryland a reasonable amount of air service and coincidentally reducing the hazards and discomfort suffered by residents in the vicinity of that airport, now comes the proposal to worsen this situation by allowing jets to fly from Washington National. If the FAA's decision is allowed to stand, the use of Boeing 727's (seating almost as many as our largest continental jets) can and probably will result in the diversion of some of Friendship's jet service to Miami, Chicago, etc.

It is futile to say that the FAA could not prevent this unfair treatment of the Nation's sixth largest city, with its magnificent seaport and its extensive industrial and commercial activities. It is within the Agency's powers to control the volume and congestion of air traffic at Washington National. More than that, it is the duty of the Agency to do this.

Nearly a decade ago, the official spokesman of the airlines told the Senate that Washington National was then congested and had reached the limit of its potential. A prominent member of the Senate Commerce Committee also made public the voluntary admission that conditions at Washington National were congested and even dangerous in 1956.

But since these disturbing announcements—made at a time when funds were being sought to build Dulles—what has the Federal Aviation Agency done? It has permitted an increase of 51,000 in yearly flight movements and an increase of 56 percent—now more than 6 million—in the volume of patronage at an airport admittedly congested 9 years ago. It has permitted this to be done, knowing full well of the pressing need for more air service in the populous Maryland areas. It has done this knowing that the large airport which it constructed at Chantilly, Va., is thirsting for greater use and, like Friendship, could accommodate flights transferred from old and inadequate Washington National.

Our board's interest in this serious situation is not due to civic loyalty nor to municipal rivalry nor to a desire to criticize unfairly important Federal agencies. It is an honest effort to obtain fair and reasonable treatment for that State from whose broad acres—solely—the National Capital is carved. The mother has no need to be jealous of the daughter.

ADDRESS OF REPRESENTATIVE HALE BOGGS, OF LOUISIANA, AT THE TESTIMONIAL DINNER HONORING STATE SENATOR PAUL DORF

Mr. WHITE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. Friedel] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FRIEDEL. Mr. Speaker, there is no doubt that the main issue of concern to the American people today is our involvement in the war in Vietnam but our efforts to bring peace to this area are widely misunderstood.

Those who state that we have no commitment in Vietnam ignore the fact that the United States is pledged to come to the aid of any country attacked by Communist aggressors and that we do so because it is in our own best interest to help freedom-loving people remain free to choose their own form of government. A very wise man once made a statement to the effect that those who do not respect freedom for others deserve it not for themselves.

To help the citizens of our country better understand the problems we are facing in Vietnam, the President and other administration officials have made numerous speeches and held many news conferences to explain why we are in Vietnam and what we are trying to do for the Vietnamese people who are unable to meet Communist aggression alone.

One of the most stirring speeches I have heard on this subject was delivered in Baltimore on February 16 by our distinguished Democratic whip, the Honorable HALE BOGGS.

The occasion was a testimonial dinner honoring State senator Paul Dorf, whose legislative district is within my congressional district. More than 1,100 people attended this dinner and this is one of the largest gatherings I have ever seen in Baltimore city.

Our colleague from Louisiana recently went to Vietnam to see for himself just what is going on there and he delivered an outstanding address that did much to explain and clarify the involvement of the United States in Vietnam and the administration's efforts to effect a peaceful settlement of the war. At the conclusion of his address, Congressman BOGGS received a standing ovation from those who had the privilege of hearing his stirring talk.

I am sure the observations of this knowledgeable statesman are of special interest to everyone and under unanimous consent I insert his address at this point in the RECORD:

ADDRESS OF REPRESENTATIVE HALE BOGGS, OF LOUISIANA, AT THE TESTIMONIAL DINNER HONORING STATE SENATOR PAUL DORF

Mr. Chairman, ladies and gentlemen, I shall talk to you of Vietnam. I shall try to tell you why we are there, what we are trying to do, and the means we are employing. I shall consider some of the alternatives which have been proposed by critics.

The subject is complex. Our cause is still misunderstood. So let us begin.

First, let us speak of old realities and new myths. The old reality is that the Communist world is still predatory. Now it is China more than the Soviet Union which casts covetous eyes on her neighbors. Communist China believes that it can conquer the world. It believes it can do this through so-called wars of national liberation. In South Vietnam, such a bloody war of so-called liberation is raging. The Communist Vietcong are trying to take over South Vietnam. They are being abetted, with men and arms, from North Vietnam; the root instigator is Communist China.

We are in South Vietnam to help the South Vietnamese people retain their independence and freedom. This is our immediate goal. Our whole history impels us to protect our weak friends from aggression.

Our resistance to militant communism in South Vietnam is part of a long series of events in which we have defended freedom. It started with the Truman doctrine in 1947. Congress and the country agreed with President Truman, and American aid was sent to Greece. The policy was a brilliant success and Greece and the Mediterranean were saved for the West.

So South Vietnam is in the tradition of our help to Greece and Turkey in 1947, Formosa and Korea in 1950, and Berlin since 1948. All these stands in defense of freedom were successful. All these areas remain in the free world.

But we have an even more important task. Vietnam is a crucial test between our country and Communist China. If we leave without a just and honorable peace, the word will quickly spread around the world, like a prairie fire, that the West has quit and communism is the victor. The impact of this is obvious.

First, it would demonstrate that the Chinese brand of communism which repeatedly and explicitly says it wants no peace will become dominant. The Sino-Soviet split will be resolved in favor of the militant and aggressive Chinese.

As Secretary of State Rusk recently pointed out: "A central issue in the dispute between the two leading Communist powers today is to what extent it is effective and prudent to use force to promote the spread of communism. If the bellicose doctrines of the Asian Communists should reap a substantial reward, the outlook for peace in this world would be grim indeed."

Now the leadership of the Communist Chinese, the average age—of the 17 men who make up the top leadership is 68—face many problems of their own. One is what Communists call revisionism. This is the tendency to forsake militant revolution for internal development, using some of the same incentives employed by free enterprise societies outside of the Communist orbit. This is what the Russians are experiencing, and by resisting aggression in South Vietnam, we are encouraging such revisionism in China.

The effect of such a withdrawal on Japan would be serious. There a laborious effort has been quite successful in creating a peaceful and democratic society. Its economy and industry are now harnessed to the ways of peace. I was in Japan recently and I am convinced that it could not continue as a free society if we, in effect, surrender in Vietnam and withdraw from southeast Asia.

Similarly, what do you think would have happened in Indonesia had we not been in Vietnam? Do you think the recent overthrow and demise of one of the largest and most powerful Communist parties in the world would have been successful had not the Indonesians known that we were in southeast Asia and would remain until an honorable peace is attained?

Equally important, we stand in Vietnam because we know that if we retreat there, then Thailand, Laos, Cambodia, Indonesia, Pakistan, India, would all fall very quickly. The probable result would be world war III.

President Johnson has stated our reasons for being in Vietnam. If the Communists win, he said: "They would know they can accomplish through so-called wars of national liberation what they could not accomplish through naked aggression in Korea—or insurgency in the Philippines, Greece and Malaya—or the threat of aggression in Turkey—or in a free election booth anywhere in the world."

Our military effort in Vietnam, then, is vital to the ultimate success of the South Vietnamese people in achieving a stable, viable, government with a free society. But the fact is that military success in defeating the Vietcong is only the initial step in a long, tough task of rebuilding the South Vietnamese society to meet the challenges and responsibilities of self-government as a modern state.

The military difficulties are compounded by the state of the South Vietnam economy and political organization. The Communists have wreaked havoc. In the dense jungles and broad deltas they have employed every conceivable method of terror and coercion.

Imagine, if you will, the United States with half of the cities and towns under Communist control. Imagine no road or railroad or canal or river safe for communication and transportation. Imagine the farmer unable to produce his crop because of terror, murder, and assassination. And picture a terrain of jungles and swamps largely inaccessible. Then you will have some notion of the problems in Vietnam. Add to this the fact that most of the leadership—mayors, councilmen, educators, editors, physicians, lawyers and engineers have been assassinated.

It is under these conditions that we seek to join with the forces of the South Vietnamese Government to pacify their country. This is why our military leaders do not claim victory.

The economic and social challenge is very great. But you do not hear enough of our efforts in these areas. That was the principal reason for the President's visit to Hawaii this week.

Today more than 1,000 employees of the Agency for International Development—many of them striving in the countryside and the small hamlets and villages—are engaged in helping the South Vietnamese people in every conceivable area.

Our Government is now providing more than $300 million a year for our technical personnel to work with the South Vietnamese. This economic assistance is a four-point effort in four major areas:

1. Grant aid, to finance imports to help maintain the South Vietnam economy on a day-to-day operating basis, and to prevent serious inflation, and curb the balance-of-payments deficit.

2. Capital projects assistance, to broaden the economic base and improve urban facilities with water supply systems, electrification, improved harbors, roads and transport facilities.

3. Technical assistance, to improve human skills through education in agricultural methods, public health, public safety, public administration, logistics and other areas, and

4. Counterinsurgency, to maintain basic services for the people by providing foodstuffs, farm tools, roofing and cement, and other materials. Included in this part of the program is strengthening of the national police force.

Now I have discussed with you why we are in South Vietnam and what we are trying to do there. I have a further duty. This is to frankly discuss with you what the critics of our policy, both in and out of Congress, are saying. A president can be right and the entire country disagree with him. Or he may be wrong and still enjoy mass approbation.

We have an obligation to answer these arguments. On one side some advocate at worst, complete surrender—that we get out right away. At best, they guise this defeatism in an enclave theory which would effectively give the bulk of the country over to the Communists and leave us isolated.

Others advocate mass bombing. They want us to take the war to the Chinese mainland. Their intension is honorable. The result would be devastation, but not victory. And their proposals might unleash a world war.

Disparate as these critics are in the solutions they propose, they are similar in their eagerness to be relieved of the burdens of world leadership. They both want us to get the whole thing over with. Both views smack of the sentiments of Prime Minister Chamberlain. Mr. Chamberlain once spoke to the British nation and I quote: "Of a quarrel in a far-away country between people of whom we know nothing—why should we get involved?"

This was appeasement. The result was 6 years of the bloodiest war in the history of mankind. That appeasement would work was a myth then—it remains a myth now.

These critics despair too soon. We have been in South Vietnam in force for a scant 6 months. Only now is our presence being felt. Six months ago, village after village was being surrounded and overcome, and the government forces had retreated to the town squares and to the city of Saigon itself. Today, many of the villages have been retaken and pacified. More than that, the people know that we are there. They know that we intend to stay as long as necessary. The impact is one of enormous significance.

Just over a month ago I was in Vietnam. I went there to see for myself. I saw the condition of the country. I saw the magnitude of the job. I saw that we were doing that job.

I was impressed by the will of the Vietnamese people. But I must pause to tell you about our magnificent men. Our forces are extremely able, alert, and intelligent. Most of the men in our Armed Forces today are high school graduates. Most of our officers are college graduates. Most of them are trained in government, in economics and political systems. And most of them, thank God, understand the philosophical and political threat of communism so that they know what the war is all about. The morale of our men is tremendous. Inspiring is the only word for it. They know why we are there. They know what we must do. And they have the ability and will to do it.

What then are the prospects for immediate victory? Victory in this instance is not like that of a conventional war, in that it must mean the containment of communism, and this will undoubtedly take time and effort and sacrifice. But the stakes are enormous.

I recall as vividly as any experience of my life, the days of the Cuban crisis. You may remember that Congress had just adjourned and President Kennedy summoned all of the congressional leaders back to Washington. There in the Cabinet Room of the White House he outlined in detail the Russian missile threat to the United States. For one terrible week the Nation looked down the nuclear barrel. On the Monday after the Sunday morning that Khrushchev wrote his letter to the President indicating withdrawal of the missiles, President Kennedy said, at his final briefing: "The military threat of Russia is receding. Now the threat will come from Communist China as it develops the hydrogen bomb."

Two years later, almost to the day, gathered in the same room, with almost the same people, with the exception of President Kennedy, President Johnson briefed us on the explosion of the first nuclear device in China. There were many questions directed at Secretary Rusk and Secretary McNamara. One prevailed above all the others. What threat does this pose to the free world? The answer came back, candid and brief: Very little as of now, but a major and dangerous one 10 years from now, baring no change in the aggressive government now dominant in China.

And as I talked with our leaders in Vietnam and Saigon, these meetings kept recurring in my mind.

So this is the ultimate challenge of Vietnam. Whether we turn back the threat now or whether we repeat the events of other days and ultimately face a China infinitely stronger than it is today and determined to conquer the rest of mankind.

This is the challenge, but what of the future? Our objectives are clear. We intend to contain communism in Vietnam. We do not believe that the Communists will stop unless we stand firm. Thus, we are erecting a wall. Not a wall of brick and stone and barbed wire, but a wall of will and resolution.

Yet, at the same time, I want to assure you that President Johnson is doing everything possible to get the Vietnam conflict to the conference table where we can achieve a just and honorable settlement. Our emissaries range the world for peace. Now we take our search for peace into a new forum at the United Nations.

We will stay in Vietnam no longer than is necessary. We seek no territory or bases. We support free elections in South Vietnam if they can be conducted in peace and without Communist intimidation.

The problem is, as the most recent pronouncements from Hanoi so graphically reveal, that the Communists do not yet want peace. They still think they can win.

Our enemies hope that we are a callow Nation. They confuse our reluctance to accept our destiny of world leadership with lack of resolve and thus call us a paper tiger. They hope that we will be unwilling to bear the weight of world leadership when the mantle grows heavy. They dream that the mightiest Nation in the world, with a gross national product of nearly three-quarters of a trillion dollars, will fall for the spurious alternative of guns or butter. They hope that the Democratic Party, fearful of being characterized as a war party, will hesitate to conduct our Vietnam policy with vigor. They cling to the vain expectation that our national determination will crumble.

In conclusion, let me quote from the address made by President Johnson at the Johns Hopkins University in April 1965:

"We fight because we must fight if we are to live in a world where every country can shape its own destiny. And only in such a world will our own freedom be finally secure.

"The first reality is that North Vietnam has attacked the independent nation of South Vietnam. Its object is total conquest.

"Over this war, and all Asia, is another reality: The deepening shadow of Communist China. The rulers in Hanoi are urged on by Peiping. This is a regime which has destroyed freedom in Tibet, attacked India, and been condemned by the United Nations for aggression in Korea. It is a nation which is helping the forces of violence in almost every continent.

"Why are we in South Vietnam?

"We are there because we have a promise to keep. Since 1954 every American President has offered support to the people of South Vietnam. We have helped to build, and we have helped to defend. Thus, over the years, we have made a national pledge to help South Vietnam defend its independence. And I intend to keep that promise.

"We are also there to strengthen world order. To leave Vietnam to its fate would shake the confidence of all these people in the value of American commitment, the value of America's word. The result would be increased unrest and instability, and even wider war.

"We are there because there are great stakes in the balance. Let no one think for a moment that retreat from Vietnam would bring an end to the conflict. The battle would be renewed in one country and then another. The central lesson of our time is that the appetite of aggression is never satisfied.

"There are those who wonder why we have a responsibility there. We have it for the same reason we have a responsibility for the defense of the freedom of Europe. World War II was fought in both Europe and Asia and when it ended, we found ourselves with continued responsibility for the defense of freedom.

"Our objective is the independence of South Vietnam, and its freedom from attack. We want nothing for ourselves, only that the people of South Vietnam be allowed to guide their own country in their own way.

"It should also be clear that the only path for reasonable men is the path of peaceful settlement.

"Such peace demands an independent South Vietnam securely guaranteed and able to shape its own relationships to all others, free from outside interference, tied to no alliance, a military base for no other country."

ATROCITIES NOTED

Mr. WHITE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Utah [Mr. King] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. KING of Utah. Mr. Speaker, I was greatly impressed by some figures I read recently in the Salt Lake City Deseret News. It pointed out:

> If the United States had as many mayors, police chiefs, and other government administrators assassinated as South Vietnam has in proportion to its population, 360,000 Americans would have been wiped out in 3 years.

The paper states that this throws light "on why the Vietnamese conflict is such a long, hard, dirty war."

Atrocities are nothing new in the history of human conflict, the paper continues. It adds:

> Such tactics did not prevent the British and Malayans from defeating the Communists.

I suggest that this article is worth study, and I include it in the Record:

[From the Salt Lake City (Utah) Deseret News, Feb. 16, 1966]

Can We Win in Vietnam?

If the United States had as many mayors, police chiefs, and other governmental administrators assassinated as South Vietnam has in proportion to its population, 360,000 Americans would have been wiped out in 3 years.

That fact explains more than just why the Vietcong went to such great lengths Tuesday to assassinate the chief of Le My, a showcase village in the U.S. marines' pacification program. It also sheds light on why the Vietnamese conflict is such a long, hard, dirty war.

It helps explain, for instance, why the Vietcong is so tenacious. In a complex society such as that of the United States where no man is indispensable, there can be a smooth transition from one administration to the next such as the one that took place after the assassination of President Kennedy. In a simple society such as Vietnam, however, where experienced administrators are at a premium and decisionmaking must consequently be more centralized, the loss of just one public official can be much more disruptive.

It helps explain why U.S. bombing attacks haven't been as effective as was hoped, at least not so far. The Vietcong likely feels

> that as long as it can decapitate South Vietnam's social structure by assassinating public officials, it can lose a score of troops for every administrator it murders and still be ahead of the game.
>
> It helps explain why the United States has refused to include the Vietcong in any peace negotiations. Among other reasons, there is an understandable reluctance on the part of representatives of a nation with a strict code of military conduct to sit at the same table with men whose hands are stained with the blood of innocent civilians.
>
> It also helps explain why the United States is having so much trouble winning the war. To us, life is not cheap and we would never think of stooping to assassination just as we have refrained from bombing civilian targets in North Vietnam.
>
> Does this mean the United States is fighting a war it cannot win?
>
> Not necessarily. Atrocities are nothing new in the history of human conflict, and as the Nuremberg trials and the more recent fate of Adolf Eichmann demonstrate, sooner or later there comes a day of reckoning for war criminals.
>
> Moreover, during the 1948-60 guerrilla war in Malaya, 2,473 civilians were slaughtered compared to 1,865 casualties among the security forces. But such tactics did not prevent the British and Malayans from defeating the Communists.

COMMENDATION OF VICE PRESIDENT HUMPHREY

Mr. WHITE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Utah [Mr. King] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. KING of Utah. Mr. Speaker, President Lyndon B. Johnson is a most unusual man, using the term in its complimentary sense. A decision recently made by him is particularly worthy of commendation, the decision to make Vice President Humphrey, the Secretary of Agriculture, the Director of the AID Program, and other high Government officials available to the Members of Congress to give them an in-depth briefing on their Vietnamese visits.

The most unusual feature of this operation is the fact that the Vice President has been so completely available and so completely forthright. Every Congressman who has so desired has had a chance to talk to him. Every question asked has been answered.

The atmosphere on Capitol Hill during the past week has been one of complete candor. I for one feel that this has created a most healthy situation. I congratulate President Johnson on his newest diplomatic tour de force, and reassure the Nation that on Capitol Hill no effort is being spared to get the facts.

NOTICE TO HOUSE MEMBERS ON REPRINTING OF UKRAINIAN DAY PROGRAM

Mr. WHITE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Flood] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FLOOD. Mr. Speaker, with respect to the 48th anniversary of Ukrainian Independence, a private order is being submitted for reprint publication of all statements and other insertions made by House Members prior to, during, and after the January 22, 1966, event, which was observed in the House on January 25, 1966.

If there is no objection from any such Member, his or her statement or insertion will be incorporated in the reprint brochure, which has been requested by the Ukrainian Congress Committee of America.

U.S. AIRPOWER SHOULD NOT HAVE CLIPPED WINGS

Mr. WHITE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Rogers] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, U.S. ground forces in South Vietnam are operating under difficult circumstances, yet our ground troops are under orders to fight to the finish.

Ironically, where the United States has definite superiority, in the air over North Vietnam, U.S. airpower has its wings clipped. American airmen are subject to careful review of air targets prior to bombing missions, and many targets are spared even though they may have definite military importance to North Vietnam.

If U.S. ground troops are told to fight to win, similar standards should be applied to the use of U.S. airpower over North Vietnam.

The President has stated that the United States will honor its commitment to defeat communism in Vietnam. Let our commitment allow no room for sanctuary in North Vietnam, but be carried out with the same resolution in the air that our military forces now use on the ground.

PROTECTION TO DESERT LAND ENTRIES

Mr. WHITE of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Tunney] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. TUNNEY. Mr. Speaker, today I am introducing legislation which is designed to protect the claims of those who had rights to desert land entries before the Secretary of Interior ruled last year that there was not sufficient water from the Colorado River to allow the desert land entries to be cultivated.

Desert land laws permit an individual to obtain title to as much as 320 acres of publicly owned land if certain conditions are met. One important condition is that a water supply be available in an amount sufficient to make the lands agriculturally productive.

Under the law at least $3 per acre must be spent on reclamation by the landpower within 3 years after the entry is filed. By the end of 4 years at least one-eighth of the land must be under cultivation.

Under the Maggie Havens ruling in 1923 the Department of Interior suspended the time limits prescribed by desert land laws on certain lands until water for irrigation becomes available.

The Secretary of the Interior on December 2, 1965, determined that insufficiency of water in the Colorado River to meet all the demands of the basin users required him to take action to terminate some 250 desert land entries principally in Imperial Valley, Calif.

Whatever the gravity of the Colorado River water supply, I believe the pioneers and their descendants who have sought to develop these desert land entries since the early decade of this century should be protected in their opportunity to hold their land when water does become available.

As a participant in the Interior Committee hearings on the lower Colorado River, I am well aware of the needs of protecting and augmenting our very valuable water supply. That is why I have urged immediate studies on the possibilities of importing water from the Northwest to replenish the supply of the Colorado River since California's use of Colorado River water for agriculture today approximates the allotment under the seven-party agreement.

The action of the Secretary last December has brought home in the starkest possible way the grim necessity of enacting Colorado River legislation which will augment the Lower Colorado River Basin supply.

In the meantime I am introducing this bill to preserve the desert land entrymens right to perfect their entries when sufficient water becomes available.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. Kee (at the request of Mr. Albert), for February 24, 1966, on account of official business in his district.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Halpern (at the request of Mr. Hutchinson), for 40 minutes, on March 1; to revise and extend his remarks and to include extraneous matter.

Mr. Ashbrook (at the request of Mr. Hutchinson), for 15 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. Laird (at the request of Mr. Hutchinson), for 10 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. Bingham (at the request of Mr. White of Texas), for 30 minutes, on March 2; to revise and extend his remarks and to include extraneous matter.

Mr. Matsunaga (at the request of Mr. White of Texas), for 60 minutes, on March 10; to revise and extend his remarks and to include extraneous matter.

Mr. Buchanan (at the request of Mr. Mize), for 1 hour, on tomorrow, March 1, 1966; and to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

(The following Members (at the request of Mr. Hutchinson) and to include extraneous matter:)

Mr. Harsha.

Mr. Bray

Mr. Byrnes of Wisconsin.

Mr. Chamberlain.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 5831. An act to provide for the free entry of certain stained glass and cement windows for Our Lady of the Angels Seminary of Glenmont, N.Y.;

H.R. 10185. An act amending certain estate tax provisions of the Internal Revenue Code of 1939;

H.R. 10625. An act relating to the tax treatment of certain amounts paid to certain members and former members of the uniformed services and to their survivors;

H.R. 11006. An act to extend the statutory burial allowance to certain veterans whose deaths occur as a result of a service-connected disability;

H.R. 11007. An act to provide statutory authority for the Deputy Administrator of Veterans' Affairs to assume the duties of Administrator during the absence or disability of the Administrator, or during a vacancy in that office, and for other purposes; and

H.R. 11747. An act to amend section 3203, title 38, United States Code, to restrict the conditions under which benefits are immediately reduced upon readmission of veterans for hospitalization or other institutional care.

SENATE ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to enrolled bills and a joint resolution of the Senate of the following titles:

S. 577. An act for the relief of Mary F. Morse;

S. 851. An act for the relief of M. Sgt. Bernard L. LaMountain, U.S. Air Force (retired);

S. 1520. An act for the relief of Mr. and Mrs. Earl Harwell Hogan; and

S.J. Res. 9. Joint resolution to cancel any unpaid reimbursable constructions costs of the Wind River Indian irrigation project, Wyoming, chargeable against certain non-Indian lands.

ADJOURNMENT

Mr. WHITE of Texas. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 46 minutes p.m.) the House adjourned until tomorrow, Tuesday, March 1, 1966, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2092. A communication from the President of the United States, transmitting a draft of proposed legislation to authorize the Secretary of the Interior to establish a National Visitor Center, and for other purposes (H. Doc. No. 389): to the Committee on Interior and Insular Affairs and ordered to be printed.

2093. A letter from the Chief Justice of the United States, transmitting amendments to the Rules of Criminal Procedure for the United States District Courts, adopted by the Supreme Court, pursuant to title 18, United States Code (H. Doc. No. 390); to the Committee on the Judiciary, and ordered to be printed.

2094. A letter from the Chief Justice of the United States, transmitting amendments to the Rules of Civil Procedure for the United States District Courts, adopted by the Supreme Court, pursuant to the provisions of title 28, United States Code (H. Doc. No. 391); to the Committee on the Judiciary and ordered to be printed.

2095. A letter from the board of trustees, Federal old-age and survivors insurance and the disability insurance trust funds, transmitting the 1966 annual report of the board of trustees, pursuant to the provisions of section 201(c) of the Social Security Act, as amended (H. Doc. No. 392); to the Committee on Ways and Means and ordered to be printed.

2096. A letter from the board of trustees, Federal hospital insurance trust fund, transmitting the annual report of the board of trustees, for 1965, pursuant to the provisions of section 1817(b) of the Social Security Act, as amended (H. Doc. No. 393); to the Committee on Ways and Means and ordered to be printed.

2097. A letter from the board of trustees, Federal supplementary medical insurance trust fund, transmitting the annual report for 1966, of the board of trustees, pursuant to the provisions of section 1841(b) of the Social Security Act, as amended (H. Doc. No. 394); to the Committee on Ways and Means and ordered to be printed.

2098. A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to provide a program of pollution control and abatement in selected river basins of the United States through comprehensive planning and financial assistance, to amend the Federal Water Pollution Act, as amended, and for other purposes; to the Committee on Public Works.

2099. A letter from the Secretary of Commerce, transmitting the 74th quarterly report for the 4th quarter 1965 on export control, pursuant to the provisions of the Export Control Act of 1949; to the Committee on Banking and Currency.

2100. A letter from the Secretary, Export-Import Bank of Washington, transmitting a report of the amount of insurance and guarantees on U.S. exports to Yugoslavia for the month of January 1966 not previously reported, pursuant to the provisions of title III of the Foreign Assistance and Related Agencies Appropriation Act of 1966, and to the Presidential determination of February 4, 1964; to the Committee on Foreign Affairs.

2101. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated June 2, 1965, submitting a report, together with accompanying papers and illustrations, on a review of the reports on the Wyaconda River, Missouri and Iowa, requested by a resolution of the Committee on Public Works, House of Representatives, adopted June 7, 1961; to the Committee on Public Works.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. WIDNALL:

H.R. 13102. A bill to amend title III of the National Housing Act to limit, and provide for the gradual reduction and elimination of, the authority of the Federal National Mortgage Association to borrow from the Treasury in carrying out its management and liquidating functions; to the Committee on Banking and Currency.

By Mr. MILLS:

H.R. 13103. A bill to amend the Internal Revenue Code of 1954 to provide equitable tax treatment for foreign investment in the United States; to the Committee on Ways and Means.

By Mr. FALLON:

H.R. 13104. A bill to provide a program of pollution control and abatement in selected river basins of the United States through comprehensive planning and financial assistance, to amend the Federal Water Pollution Control Act, as amended, and for other purposes; to the Committee on Public Works.

By Mr. WRIGHT:

H.R. 13105. A bill to provide a program of pollution control and abatement in selected river basins of the United States through comprehensive planning and financial assistance, to amend the Federal Water Pollution Control Act, as amended, and for other purposes; to the Committee on Public Works.

By Mr. ADAMS:

H.R. 13106. A bill to provide for the promotion of economic and social development in the Ryukyu Islands by amending the Tariff Act of 1930 to permit the duty-free entry of certain articles grown, manufactured, or produced in the Ryukyu Islands; to the Committee on Ways and Means.

By Mr. ASHBROOK:

H.R. 13107. A bill to amend the Internal Revenue Code of 1954 to exempt from income tax interest on obligations issued by colleges and universities; to the Committee on Ways and Means.

By Mr. ASHMORE:

H.R. 13108. A bill to amend subsection (f) of section 715 of title 32 of the United States Code to increase from $1,000 to $2,500 the authority for the settlement of claims which may be delegated to an officer of the Army or the Air Force or to a civilian attorney, and for other purposes; to the Committee on the Judiciary.

H.R. 13109. A bill to amend section 2735 of title 10 of the United States Code, to provide for the finality of settlement effected under sections 2732, 2733, 2734, 2734a, 2734b, or 2736 (76 Stat. 767); to the Committee on the Judiciary.

H.R. 13110. A bill to amend section 2733 of title 10 of the United States Code, to include authority for the settlement of claims incident to the noncombat activity of the Coast Guard while it is operating as a service in the Department of the Treasury, to increase the authority which may be delegated to an officer or civilian attorney under subsection (g) of section 2733 from $1,000 to $2,500, and for other purposes; to the Committee on the Judiciary.

H.R. 13111. A bill to amend section 2734 of title 10 of the United States Code to permit the use of officers of any of the services or qualified attorneys on claims commissions, and for other purposes; and to amend section 2734a of title 10 to authorize use of Coast Guard appropriations for certain claim settlements arising out of Coast Guard activities, and for other purposes; to the Committee on the Judiciary.

By Mr. BROYHILL of Virginia (by request):

H.R. 13112. A bill to authorize the Commissioners of the District of Columbia to provide certain parking privileges for physically disabled persons; to the Committee on the District of Columbia.

By Mr. CLARK:

H.R. 13113. A bill to provide for a special milk program for children; to the Committee on Agriculture.

By Mr. FINO:

H.R. 13114. A bill to amend title III of the National Housing Act to provide that the Federal National Mortgage Association may sell participations in the Government mortgage liquidation trust (or any similar undertaking or activity) only so long as it is limited to FHA-insured and VA-insured or VA-guaranteed mortgages; to the Committee on Banking and Currency.

By Mr. FRASER:

H.R. 13115. A bill to extend and amend the Library Services and Construction Act; to the Committee on Education and Labor.

By Mrs. GRIFFITHS:

H.R. 13116. A bill to amend the tariff schedules of the United States with respect to the rate of duty on certain nonmalleable iron castings; to the Committee on Ways and Means.

H.R. 13117. A bill relating to withholding, for purposes of the income tax imposed by certain cities, on the compensation of Federal employees; to the Committee on Ways and Means.

By Mr. KING of Utah:

H.R. 13118. A bill to provide for a special milk program for children; to the Committee on Agriculture.

By Mr. LOVE:

H.R. 13119. A bill to authorize assistance in meeting the initial cost of professional and technical personnel for community mental retardation facilities, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 13120. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. MINISH:

H.R. 13121. A bill to assist in the promotion of economic stabilization by requiring the disclosure of finance charges in connection with extensions of credit; to the Committee on Banking and Currency.

H.R. 13122. A bill to provide that the Secretary of the Army shall acquire additional land for the Beverly National Cemetery, N.J.; to the Committee on Interior and Insular Affairs.

By Mr. MOSS:

H.R. 13123. A bill to amend chapter 207, title 18, United States Code, to prescribe procedure for the return of persons who have fled, in violation of the conditions of bail given in any State or judicial district of the United States, to another State or judicial district, and for other purposes; to the Committee on the Judiciary.

By Mr. RACE:

H.R. 13124. A bill to provide a permanent special milk program for children; to the Committee on Agriculture.

By Mr. RIVERS of South Carolina:

H.R. 13125. A bill to amend the provisions of title III of the Federal Civil Defense Act of 1950, as amended; to the Committee on Armed Services.

By Mr. ROGERS of Florida:

H.R. 13126. A bill to prohibit the advertising in commerce of trips on foreign-flag vessels unless the advertisements make certain statements in connection therewith; to the Committee on Merchant Marine and Fisheries.

By Mr. SHIPLEY:

H.R. 13127. A bill to provide a special milk program for children; to the Committee on Agriculture.

By Mr. STAGGERS:

H.R. 13128. A bill to provide basic authority for the performance of certain functions and activities of the Federal Aviation Agency, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. TEAGUE of Texas:

H.R. 13129. A bill to provide at least a 5-year period during which educational assistance under chapter 35 of title 38, United States Code, may be afforded a person attaining eligibility solely by virtue of section 3 of Public Law 89–222; to the Committee on Veterans' Affairs.

By Mr. TUPPER:

H.R. 13130. A bill to provide for the best care, welfare, and safeguards against suffering for certain animals used for scientific purposes without impeding necessary research; to the Committee on Interstate and Foreign Commerce.

By Mr. WALKER of New Mexico:

H.R. 13131. A bill to provide a special milk program for children; to the Committee on Agriculture.

By Mr. WIDNALL:

H.R. 13132. A bill to amend title VIII of the National Housing Act to extend the armed services housing mortgage insurance program and provide additional authority thereunder; to the Committee on Banking and Currency.

By Mr. TUNNEY:

H.R. 13133. A bill to grant, subject to certain conditions, a preference right of reentry under the desert land laws to entrymen, their heirs or assigns, with desertland entries within the Imperial Irrigation and Coachella Valley County Water Districts, where such entries have been canceled subsequent to December 1, 1965; to the Committee on Interior and Insular Affairs.

By Mr. DOLE:

H.J. Res. 851. Joint resolution to provide for the designation of the fourth week in April of each year as "Youth Temperance Education Week"; to the Committee on the Judiciary.

By Mr. WHALLEY:

H.J. Res. 852. Joint resolution to require that reports on imports into the United States include the landed value of articles imported, and for other purposes; to the Committee on Ways and Means.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

401. By the SPEAKER: a memorial of the Legislature of the State of Kansas, relative to discontinuing further consideration of H.R. 11798 relating to taxation of interstate commerce; to the Committee on the Judiciary.

402. Also, memorial of the General Court of the Commonwealth of Massachusetts, relative to establishment of a national cemetery in central Massachusetts; to the Committee on Interior and Insular Affairs.

403. Also, memorial of the Senate of the State of Texas, relative to supporting U.S. policy in Vietnam; to the Committee on Foreign Affairs.

404. Also, memorial of the NATO Parliamentarians' Conference, relative to resolutions and recommendations of the 11th Annual Conference held in New York, October 4–8, 1965; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHMORE:

H.R. 13134. A bill for the relief of Nora Austin Hendrickson; to the Committee on the Judiciary.

By Mr. BROYHILL of Virginia (by request):

H.R. 13135. A bill for the relief of Maria Trinidad Perez Villagomez; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 13136. A bill for the relief of Kiamarz Eshghi and Pouran Ragadypour Eshghi; to the Committee on the Judiciary.

By Mr. JOELSON:

H.R. 13137. A bill for the relief of Vered Baum; to the Committee on the Judiciary.

By Mr. MORRISON:

H.R. 13138. A bill for the relief of Carlos Soto Baez; to the Committee on the Judiciary.

H.R. 13139. A bill for the relief of Masakiyo Kuzumoto; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 13140. A bill for the relief of Letterio Arcadi; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 13141. A bill for the relief of Mervin H. S. Bennett; to the Committee on the Judiciary.

By Mr. REES:

H.R. 13142. A bill for the relief of Byung Yuk Yu and Myoung Ja Yu; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

335. The SPEAKER presented a petition of Henry Stoner, Avon Park, Fla., relative to appropriations for land-grant colleges and universities, which was referred to the Committee on Appropriations.

* * *

SENATE

MONDAY, FEBRUARY 28, 1966

The Senate met at 12 o'clock meridian, and was called to order by the Acting President pro tempore (Mr. METCALF).

Brig. F. M. Gaugh, city commander, the Salvation Army, Birmingham, Ala., offered the following prayer:

Dear Lord, our Heavenly Father, look down in mercy upon this Senate and bless all the Members present or absent.

We ask for Thy guidance. We have looked into the atom, and no one knows the day or the hour when all may be changed, even the heavens and the earth.

Help us to invest ourselves without delay in the redemption of the human race, beginning where we are and giving our all so that we may gain that which can never be taken away.

Quicken our imagination, fortify our wills, and drive us beyond the security of self-concern into the struggle for truth and justice.

Give us the courage to express in our actions what we believe in our hearts.

Order our thoughts that they may be charitable, our tongues that they may be controlled, and our lips that they may be clean.

Grant us, O Lord, the spirit of Him who is Master of us all, yet who dwelt among men as one who served.

And so direct us in our doings and relationships that, following Him, we may spend ourselves for the good of our brethren.

For we ask it in Thy name. Amen.

The ACTING PRESIDENT pro tempore. Because the Senate adjourned on Saturday without a quorum being present, the Chair directs the clerk to call the roll to ascertain the presence of a quorum. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 38 Leg.]

Aiken
Allott
Anderson
Bartlett
Bass
Bayh
Bennett
Bible
Boggs
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Clark
Cooper
Cotton
Curtis
Dirksen
Dominick
Douglas
Eastland
Ervin
Fannin
Fong
Fulbright
Gore
Gruening
Harris
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Hruska
Inouye
Jackson
Javits
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
McNamara
Metcalf
Mondale
Monroney
Montoya
Morse
Moss
Mundt
Murphy
Muskie
Nelson
Neuberger
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Robertson
Russell, S.C.
Russell, Ga.
Saltonstall
Scott
Simpson
Smathers
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

Mr. LONG of Louisiana. I announce that the Senator from Maryland [Mr. BREWSTER] and the Senator from Louisiana [Mr. ELLENDER] are absent on official business.

I also announce that the Senator from Idaho [Mr. CHURCH], the Senator from North Carolina [Mr. JORDAN], the Senator from Ohio [Mr. LAUSCHE], the Senator from Connecticut [Mr. RIBICOFF], and the Senator from Connecticut [Mr. DODD] are necessarily absent.

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. CARLSON] is absent on official business.

The Senator from Iowa [Mr. MILLER] and the Senator from Kentucky [Mr. MORTON] are necessarily absent.

The ACTING PRESIDENT pro tempore. A quorum is present.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Saturday, February 26, 1966, was dispensed with.

WAIVER OF CALL OF THE CALENDAR

Mr. MANSFIELD. Mr. President, under rule VIII, I ask unanimous consent to waive the call of the calendar of measures that are not objected to.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

LIMITATION OF STATEMENTS IN MORNING HOUR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements made in the morning hour be limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS

On request of Mr. MANSFIELD, and by unanimous consent, the following committee and subcommittees were authorized to meet during the session of the Senate today:

The Committee on Aeronautical and Space Sciences.

The Subcommittee on Constitutional Amendments of the Committee on the Judiciary.

The Aviation Subcommittee of the Committee on Commerce.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate go into executive session to consider nominations on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to consider executive business.

EXECUTIVE MESSAGES REFERRED

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

The ACTING PRESIDENT pro tempore. If there be no reports of committees, the nominations on the Executive Calendar will be stated.

NATIONAL ENDOWMENT FOR THE HUMANITIES

The legislative clerk read the nomination of Henry Allen Moe, of New York, to be Chairman of the National Endowment for the Humanities.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

NOMINATIONS PLACED ON THE SECRETARY'S DESK—PUBLIC HEALTH SERVICE

The LEGISLATIVE CLERK. Nominations placed on the Secretary's desk in the Public Health Service.

The ACTING PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. MANSFIELD. Mr. President, I ask that the President be immediately notified of the nominations today confirmed.

The ACTING PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate return to legislative session.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries, and he announced that on February 21, 1966, the President had approved and signed the act (S. 1698) to establish a procedure for the review of proposed bank mergers so as to eliminate the necessity for the dissolution of merged banks, and for other purposes.

REORGANIZATION PLAN NO. 2 OF 1966—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 388)

The ACTING PRESIDENT pro tempore. The Chair lays before the Senate a message from the President of the United States on Reorganization Plan No. 2 of 1966, relating to water pollution. Without objection, the message will be printed in the RECORD, without being read, and appropriately referred.

The message from the President was referred to the Committee on Government Operations, as follows:

To the Congress of the United States:

I transmit herewith Reorganization Plan No. 2 of 1966, prepared in accordance with the provisions of the Reorganization Act of 1949, as amended, and providing for reorganization of certain water pollution control functions.

Thirty-five years ago Justice Oliver Wendell Holmes said:

> A river is more than an amenity, it is a treasure.

Only recently has the truth of this observation entered the public conscience. For we now recognize that the Nation's rivers, far from being treasured, have been carelessly neglected for too long.

Today we face a harsh reality. Our waters are burdened with blight. We know that every river system in America suffers from some degree of pollution. This menace is growing more serious with every passing day.

We have just begun to take the steps to clean and restore our waters.

The task is immense. The journey will be long.

If our new programs are to succeed we must combine our efforts—Federal, State, local, and private—in new and creative partnerships.

The attack against water pollution should be unified and coordinated.

It should be carried forward as an integral part of comprehensive planning for the development of river basins.

But most importantly, the Government's management structure must be strengthened and reshaped to meet the challenges that lie ahead.

In my February 23 message on the quality of our environment, I stated:

> We must reorganize the Federal effort. In the past, the Federal antipollution effort has been organizationally separate from water conservation and use programs.
>
> One agency should assume leadership in our clean water effort.
>
> That agency should be the Department of the Interior.

The Department of the Interior, for many years, has been concerned with the comprehensive management and development of the Nation's water resources.

It plans, constructs, and operates multiple-purpose water and related land resources projects.

It carries on research and development on the removal of minerals from water.

It administers the Water Resources Research Act.

The Secretary of the Interior also serves as Chairman of the Water Resources Council responsible for coordinating river basin planning. Under the Clean Rivers Restoration Act of 1966 and other legislation which I have recently proposed, the Secretary will become the focal point for Federal efforts in this area.

It is wise management to place under his control the related resources and authority now in the Department of Health, Education, and Welfare.

The reorganization plan maintains a proper and effective role for the Department of Health, Education, and Welfare with respect to the health aspects of pollution. At the same time it places in the Department of the Interior all of the necessary tools to move forward the drive to clean America's waters.

The reorganization plan herewith transmitted will transfer to the Secretary of the Interior the functions of the Department of Health, Education, and Welfare under the Federal Water Pollution Control Act except for responsibilities relating to public health for which the Department of Health, Education, and Welfare has special competence. That Department will retain responsibility under section 3(b) of the act for advising on public health questions involved in determinations by Federal agencies of the need for and value of the inclusion of storage for water quality control in Federal reservoirs. The Federal Water Pollution Control Administration would be transferred to the Department of the Interior.

The Secretary of the Interior in administering the act will also be required to consult with the Secretary of Health, Education, and Welfare on public health aspects relating to water pollution. This consultative responsibility is now vested in the Surgeon General by section 2(k) of the Water Quality Act of 1965. The plan transfers that responsibilty to the Secretary of Health, Education, and Welfare.

The Water Pollution Control Advisory Board and the hearing boards provided for in the act would be transferred to the Department of the Interior, together with their respective functions. The reorganization plan also makes the Secretary of Health, Education, and Welfare a member of the Advisory Board and gives him the opportunity to select a member of each hearing board.

The reorganization plan would in no way impair the rights and benefits of commissioned officers of the Public Health Service who may transfer to the Water Pollution Control Administration.

The reorganization to be accomplished by the plan transmitted herewith will enable the Federal Government to organize for action against pollution on a river basin basis under the unified leadership of the Secretary of the Interior.

After investigation, I have found and hereby declare that each reorganization included in the accompanying reorganization plan is necessary to accomplish one or more of the purposes set forth in section 2(a) of the Reorganization Act of 1949, as amended. I have also found and hereby declare that it is necessary to include in the accompanying reorganization plan, by reason of the reorganizations made thereby, provision for the membership of the Secretary of Health, Education, and Welfare on the Water Pollution Control Advisory Board and for the appointment and compensation of an additional Assistant Secretary of the Interior. The rate of compensation fixed for that officer is that which I have found to prevail in respect of comparable officers in the executive branch of the Government.

The reorganizations provided for in the reorganization plan transmitted herewith will produce significant long-range savings and economies by reason of the efficiencies in organization and in the elimination of duplication of effort it will bring about. It is, however, impracticable to specify or itemize at this time the reductions of expenditures which it is probable will be brought about by the taking effect of the reorganizations included in the reorganization plan.

I recommend that the Congress allow the accompanying plan to become effective.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *February 28, 1966.*

MESSAGE FROM THE HOUSE—ENROLLED BILLS AND JOINT RESOLUTION SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

S. 577. An act for the relief of Mary F. Morse;

S. 851. An act for the relief of M. Sgt. Bernard L. LaMountain, U.S. Air Force (retired);

S. 1520. An act for the relief of Mr. and Mrs. Earl Harwell Hogan;

H.R. 5831. An act to provide for the free entry of certain stained glass and cement windows for Our Lady of the Angels Seminary of Glenmont, N.Y.;

H.R. 10185. An act amending certain estate tax provisions of the Internal Revenue Code of 1939;

H.R. 10625. An act relating to the tax treatment of certain amounts paid to certain members and former members of the uniformed services and to their survivors;

H.R. 11006. An act to extend the statutory burial allowance to certain veterans whose deaths occur as a result of a service-connected disability;

H.R. 11007. An act to provide statutory authority for the Deputy Administrator of Veterans' Affairs to assume the duties of Administrator during the absence or disability of the Administrator, or during a vacancy in that office, and for other purposes;

H.R. 11747. An act to amend section 3203, title 38, United States Code, to restrict the conditions under which benefits are immediately reduced upon readmission of veterans for hospitalization and other institutional care; and

S.J. Res. 9. Joint resolution to cancel any unpaid reimbursable constructions costs of the Wind River Indian irrigation project, Wyoming, chargeable against certain non-Indian lands.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following communications and letters, which were referred as indicated:

NATIONAL VISITOR CENTER ACT

A communication from the President of the United States, transmitting a draft of proposed legislation to authorize the Secretary of the Interior to establish a National Visitor Center, and for other purposes (with an accompanying paper); to the Committee on Public Works.

REPORT ON EXPORT CONTROL

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report on export control, for the fourth quarter of 1965 (with an accompanying report); to the Committee on Banking and Currency.

REPORT ON EXPORT-IMPORT BANK INSURANCE AND GUARANTEES ON U.S. EXPORTS TO YUGOSLAVIA

A letter from the Secretary, Export-Import Bank of Washington, Washington, D.C., reporting, pursuant to law, that the amount of Export-Import Bank insurance and guarantees on U.S. exports to Yugoslavia for the month of January 1966, not previously reported, totaled $884,699; to the Committee on Appropriations.

REPORTS OF ACTING COMPTROLLER GENERAL

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a secret report relative to aircraft under the military assistance program for the Republic of China (with an accompanying report); to the Committee on Government Operations.

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on need for post award audits to detect lack of disclosure of significant cost or pricing data available prior to contract negotiation and award, Department of Defense, dated February 1966 (with an accompanying report); to the Committee on Government Operations.

PROPOSED ESTABLISHMENT OF REDWOOD NATIONAL PARK, CALIF.

A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to authorize the establishment of the Redwood National Park in the State of California, to provide economic assistance to local governmental bodies affected thereby, and for other purposes (with accompanying papers); to the Committee on Interior and Insular Affairs.

Report on Amendments to the Rules of Civil Procedure for the U.S. District Courts

A letter from the Chief Justice of the United States, transmitting, pursuant to law, a report on amendments to the rules of civil procedure for the U.S. district courts, adopted by the Supreme Court (with accompanying papers); to the Committee on the Judiciary.

Report on Amendments to the Rules of Criminal Procedure for the U.S. District Courts

A letter from the Chief Justice of the United States, transmitting, pursuant to law, a report on amendments to the rules of criminal procedure for the U.S. district courts, adopted by the Supreme Court (with accompanying papers); to the Committee on the Judiciary.

Clean Rivers Restoration Act of 1966

A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to provide a program of pollution control and abatement in selected river basins of the United States through comprehensive planning and financial assistance, to amend the Federal Water Pollution Control Act, as amended, and for other purposes (with accompanying papers); to the Committee on Public Works.

Report on Status of Construction, Alteration or Acquisition of Public Buildings

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting, pursuant to law, a report on the status of construction, alteration or acquisition of public buildings, dated December 31, 1965 (with an accompanying report); to the Committee on Public Works.

Report of Architect of the Capitol

A letter from the Architect of the Capitol, transmitting, pursuant to law, his report of all expenditures from moneys appropriated to the Architect of the Capitol, for the 6-month period ended December 31, 1965 (with an accompanying report); ordered to lie on the table and to be printed.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the ACTING PRESIDENT pro tempore:

A resolution adopted by the Board of County Commissioners of Orange County, Fla., protesting against the transfer of the Manned Orbital Laboratory from Cape Kennedy, Fla., to the Vandenberg Air Force Base in California; to the Committee on Armed Services.

A resolution adopted by the Commission of the city of Cocoa Beach, Fla., protesting against the transfer of the basic manned orbiting laboratory program at Cape Kennedy, to Vandenberg Air Force Base in California; to the Committee on Armed Services.

A letter in the nature of a memorial from O'Neal W. Chandler, of Daytona Beach, Fla., remonstrating against the foreign policy of the United States; to the Committee on Foreign Relations.

Resolutions adopted by the NATO Parliamentarians' Conference, held in New York City; to the Committee on Foreign Relations.

A resolution adopted by citizens of Lithuanian descent, at a meeting of the Lithuanian Council of Miami, Fla., relating to the restoration of Lithuania's independence; to the Committee on Foreign Relations.

The petition of Richard Paul Pavlick, of Concord, N.H., praying for a redress of grievances; to the Committee on the Judiciary.

RESOLUTION OF GENERAL COURT OF COMMONWEALTH OF MASSACHUSETTS

Mr. SALTONSTALL. Mr. President, on behalf of myself, and the junior Senator from Massachusetts [Mr. Kennedy], I present, for appropriate reference, a resolution of the general court of Massachusetts favoring the establishment of a national cemetery in central Massachusetts.

There being no objection, the resolution was referred to the Committee on Interior and Insular Affairs, and, under the rule, ordered to be printed in the Record, as follows:

A Resolution Memorializing the Congress of the United States in Favor of the Establishment of a National Cemetery in Central Massachusetts

Resolved, That the General Court of Massachusetts hereby respectfully urges the Congress of the United States to take such action as may be necessary for the establishment of a national cemetery in central Massachusetts; and be it further

Resolved, That copies of these resolutions be sent forthwith by the Secretary of the Commonwealth to the President of the United States, to the presiding officer of each branch of the Congress, and to the members thereof from the Commonwealth.

House of Representatives, adopted, February 9, 1966.

William C. Maiers,
Clerk.

Senate, adopted in concurrence, February 14, 1966.

Thomas A. Chadwick,
Clerk.

Attest:

Kevin H. White,
Secretary of the Commonwealth.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. METCALF (for himself and Mr. Mansfield):

S. 2985. A bill for the relief of Hill County, Mont.; to the Committee on the Judiciary.

By Mr. ROBERTSON:

S. 2986. A bill to extend the Defense Production Act of 1950, as amended, and for other purposes; to the Committee on Banking and Currency.

(See the remarks of Mr. Robertson when he introduced the above bill, which appear under a separate heading.)

By Mr. MUSKIE.

S. 2987. A bill to provide a program of pollution control and abatement in selected river basins of the United States through comprehensive planning and financial assistance, to amend the Federal Water Pollution Control Act, as amended, and for other purposes; to the Committee on Public Works.

(See the remarks of Mr. Muskie when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (for himself, Mr. Pastore, Mr. Cotton, Mr. Bartlett, Mr. Hartke, Mr. Hart, Mr. Brewster, Mrs. Neuberger, Mr. Morton, Mr. Scott, and Mr. Prouty):

S. 2988. A bill to amend the Interstate Commerce Act, as amended, in order to make unlawful, as unreasonable and unjust discrimination against and undue burden upon interstate commerce, certain property tax assessments of common carrier property, and for other puposes; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (by request):

S. 2989. A bill to amend the Communications Act of 1934, as amended, to give the Federal Communications Commission certain additional regulatory authority over communication common carriers; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bill, which appear under a separate heading.)

By Mr. HART:

S. 2990. A bill to amend the Federal Unemployment Tax Act to provide an exemption for county fairs and other agricultural or horticultural fairs; to the Committee on Finance.

By Mr. JAVITS:

S. 2991. A bill to amend the Public Works and Economic Development Act of 1965 as it relates to those areas to be designated as redevelopment areas; to the Committee on Public Works.

(See the remarks of Mr. Javits when he introduced the above bill, which appear under a separate heading.)

By Mr. TYDINGS (for himself, Mr. Gruening, Mr. Clark, Mr. Yarborough, Mrs. Neuberger, and Mr. Hartke):

S. 2992. A bill to authorize the use of foreign currencies to finance family planning programs in friendly foreign nations, and for other purposes; to the Committee on Foreign Relations.

S. 2993. A bill to provide Federal financial assistance to public agencies and to private, nonprofit organizations to enable them to carry on comprehensive family planning programs; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Tydings when he introduced the above bills, which appear under a separate heading.)

By Mr. EASTLAND:

S.J. Res. 140. Joint resolution proposing to amend the Constitution relating to the right of a State to enact legislation on the basis of its own public policy on questions of decency and morality; to the Committee on the Judiciary.

(See the remarks of Mr. Eastland when he introduced the above joint resolution, which appear under a separate heading.)

EXTENSION OF DEFENSE PRODUCTION ACT OF 1950

Mr. ROBERTSON. Mr. President, I introduce, at the request of the Office of Emergency Planning, a bill to extend the Defense Production Act of 1950, as amended, and for other purposes. I ask unanimous consent that the letter of transmittal be printed in the Record at this point.

The PRESIDING OFFICER (Mr. Gruening in the chair). The bill will be received and appropriately referred; and, without objection, the letter will be printed in the Record.

The bill (S. 2986) to extend the Defense Production Act of 1950, as amended, and for other purposes, introduced by Mr. ROBERTSON, was received, read twice by its title, and referred to the Committee on Banking and Currency.

The letter presented by Mr. ROBERTSON is as follows:

EXECUTIVE OFFICE OF THE PRESIDENT,
OFFICE OF EMERGENCY PLANNING,
Washington, D.C., February 17, 1966.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There is submitted herewith a draft of proposed legislation to extend the Defense Production Act of 1950, as amended, and for other purposes. It is proposed that the act be extended 4 years to June 30, 1970.

The Defense Production Act, which became law on September 8, 1950, has served to support and facilitate the defense program in many ways. As originally enacted it was the authority for virtually all economic mobilization measures taken during the Korean hostilities. Provisions for price and wage controls and related credit controls were allowed to lapse in 1953 when inflationary pressures subsided. The authority to require that production for the national defense be given preference over other business has continued to be used during the subseqeunt decade of cold war stress and extraordinary military expenditures. It is now being used to an increasing extent to meet problems arising as a result of hostilities in South Vietnam, and will be used to an even greater extent if the impact of those hostilities becomes greater. Continuous use has also been made of the authority provided by the act to guarantee production loans on Government contracts for the production of weapons and other defense supplies. A reserve of executives from private life is organized and trained for emergency employment by the Government under authority of the act. These active programs are essential to the support of current national defense activities to our readiness to meet future emergencies which may occur. The need for them will undoubtedly remain for a number of years.

Programs for the expansion of productive capacity under title III of the act have been inactive for some time but, as indicated by the Congress when it last extended the act in 1964, the existence of these authorities in the event of a future emergency is of importance to the national defense. We are not proposing any amendments to this title although, as we have pointed out in the past, the financial condition of the borrowing authority under section 304 of the act causes us concern. It is probable that within the next few years the fund will have deteriorated to such a point as to require an appropriation to avoid a fiscal deficit.

The authorities in the act serve essential needs of the current military, space, and Atomic Energy Commission programs and provide a firm basis for the maintenance of a defense readiness posture capable of meeting the needs of a larger national defense effort should they develop. Since the need for both current and readiness programs will continue for some time, it is proposed that the Act be extended for 4 years to June 30, 1970.

The Bureau of the Budget advises that enactment of this bill would be consistent with the administration's objectives.

It is respectfully requested that it be introduced in order that it may be considered for enactment.

Sincerely,
FRANKLIN B. DRYDEN,
Acting Director.

THE CLEAN RIVERS RESTORATION ACT OF 1966

Mr. MUSKIE. Mr. President, I introduce for appropriate reference a bill to amend the Federal Water Pollution Control Act, as amended, and to develop our pollution control and abatement program under a coordinated, river basin approach. The legislation was forwarded to the Congress by the Secretary of the Interior, February 25, 1966, as part of the administration's proposals to implement the President's February 23, 1966, message on "preserving our natural heritage." This legislation will be considered by the Subcommittee on Air and Water Pollution of the Committee on Public Works at the time of its hearings on S. 2947 and related bills dealing with water pollution.

It is reassuring evidence of the President's determination to provide strong Executive leadership in dealing with this critical national problem. He is clearly determined to generate substantially increased momentum toward the objective of clean water.

There are three principal features in the administration bill.

One provides for the development of coordinated pollution control and abatement programs in selected river basins. This proposal is based partially on the Water Quality Act of 1965. It would, in effect, tie eligibility for Federal sewage treatment construction assistance to participation in a river basin plan which includes the use of water quality standards, expanded enforcement and long-term local financing arrangements.

The second major feature is a tightening of enforcement procedures, including a reduction in the time required to implement enforcement actions under the present act, authorization for subpena powers for the Secretary in connection with enforcement procedures, provision for citizen's suits in Federal district courts where damage from pollution is alleged, and expansion of the authority of the Secretary in setting water quality standards.

Finally, the bill provides for some increases in Federal assistance for sewage treatment construction, an increase in Federal assistance in State pollution control programs and an increase in the authorization for Federal water pollution control research.

The President's proposals are far reaching. They provide additional evidence of his concern with the conservation of the quality of our environment. Taken with the other proposals before us they offer the Congress an opportunity to build an imaginative and sound water quality improvement program on the foundation of the Water Quality Act we developed and enacted last year.

I ask unanimous consent that a section-by-section analysis of the bill be printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the section-by-section analysis will be printed in the RECORD.

The bill (S. 2987) to provide a program of pollution control and abatement in selected river basins of the United States through comprehensive planning and financial assistance, to amend the Federal Water Pollution Control Act, as amended, and for other purposes, introduced by Mr. MUSKIE, was received, read twice by its title, and referred to the Committee on Public Works.

The section-by-section analysis presented by Mr. MUSKIE is as follows:

SECTION-BY-SECTION ANALYSIS OF PROPOSED BILL

A bill to provide a program of pollution control and abatement in selected river basins of the United States through comprehensive planning and financial assistance, to amend the Federal Water Pollution Control Act, as amended, and for other purposes

TITLE I

Section 101

This section provides a short title; namely, the "Clean Rivers Restoration Act of 1966."

Section 102

This section contains congressional findings: first, that the Nation's natural waters have become dumping grounds for industrial and domestic wastes and the sewage of our communities; second, that the people of the United States are concerned about the potentially harmful effects of these waters on our health, and about the quality of these waters for our resource needs; third, that there is an immediate need to control and eliminate water pollution through the construction of coordinated treatment works and sewer facilities if they are to be restored to adequate standards of quality; fourth, that the present Federal pollution control grant programs concentrate on providing assistance on a municipality-by-municipality basis; and fifth, that these programs need to be supplemented by a wider based program; namely, one aimed at restoring the quality of an entire river basin or basins.

Congress then declares that the purpose of the Clean Rivers Restoration Act of 1966 is to initiate and carry out in selected river basins of the Nation a program that supplements other water pollution control programs, that provides for maximum cooperation on the part of National, State, interstate, and local governmental units, and that will be directed at reclaiming and restoring the quality of the Nation's rivers, lakes, streams, estuaries, bays, and coastal waters.

Section 103

Subsection (a) authorizes the Secretary of the Interior to designate or establish a planning agency on his own initiative for a river basin or basins or portions thereof to be selected by him for the purpose of this act. He may also designate or establish such an agency if the Governors of one or more States located within a selected river basin request him to do so. If a River Basin Commission is established by the President under the Water Resources Planning Act (79 Stat. 244), it is expected that, in most cases, the planning agency for river basin planning under this act will be that River Basin Commission.

The Secretary, in his discretion, could, however, designate some other organization to plan, if that organization adequately represents the various National, State, interstate, and local interests in the selected river basin or basins, and if that organization is capable from a practical and technical standpoint of preparing a plan that will adequately and effectively carry out the purpose of this act.

Subsection (b) directs the Secretary to select for planning purposes only river basins where all the Governors of the States wherein the basin or basins are located agree in advance of planning to seek such legislation as may be necessary to carry out a plan and, in particular, to carry out subsections 104(e) (1), (2), and (3) of this act.

Section 104

Once designated, subsection (a) directs the planning agency to develop a comprehensive pollution control and abatement plan for the selected river basin or basins. The plan must be consistent with or part of a comprehensive river basin and related land resources plan being prepared or in existence for the selected river basin or basins or portions thereof.

The plan must include a provision for water-quality standards applicable to the entire basin which are consistent with the criteria set forth in section 10(c)(3) of the Federal Water Pollution Control Act, as amended, for such standards. Thus, the standards must, among other things, be designed to protect the public health, enhance water quality, and take into consideration the use and value of water for such things as public water supply, fish and wildlife, agriculture, and industrial uses. The plan must provide for the use of adequate enforcement measures to maintain these standards. It must provide that the local or interstate bodies within areas designated geographically by the plan shall organize, plan, construct, operate, and maintain treatment works and water and sewer facilities, or share the cost thereof with other public or private agencies, so as to provide the most effective and economic means of developing for the entire basin or for areas within such basin systems for the collection, storage, treatment, purification, and distribution of water and wastes. The plan must also provide for a permanent body with effective jurisdiction coextensive with the area covered by the plan. This body will have among its responsibilities water and related land resources regulation and enforcement authority and authority to coordinate the implementation of, and to review and update, the plan.

In addition, the plan will provide that the local or interstate bodies constructing and operating treatment works and water and sewer facilities must obtain the necessary and adequate authority, if they lack it, (1) to take actions necessary to carry out the purpose of this act, (2) to raise capital through the sale of revenue or other bonds or through other authorized methods, including the guarantee of bonds, (3) to levy water and sewer and sewage collection and treatment, and disposal charges which will cover the costs of these services, including capital costs, and (4) to use an effective metering system which will have the threefold purpose of conserving water, preventing or minimizing wastes, and serve as a basis for establishing water and sewer and waste treatment charges. These bodies will then have the capability of adopting sound financial programs designed to maintain water quality in the basin in accordance with the plan and to assure the future expansion and replacement of the works and facilities constructed under the plan without further Federal assistance.

The plan will also include such other provisions as the planning agency believes may be necessary to carry out the purposes of this act.

Subsection (b) directs the planning agency, in preparing a plan for the basin, to consider the possibility of effluent charges on public and private entities discharging wastes into the waters of the basin or basins covered by the plan.

Section 105

When the planning agency completes the plan, this section directs that agency to transmit the proposed plan to the heads of the Federal and interstate agencies represented on the planning agency and to the Governor of each State represented on the planning agency. If the plan affects an international boundary water or river crossing such boundary over which an international commission has jurisdiction, then the planning agency will transmit it to the United States section of the commission for review. Each agency, etc., will have 90 days to review the plan and submit views and recommendations thereon. The planning agency may then consider these and make appropriate changes or modifications and then submit the plan to the Secretary of the Interior.

In some instances where the planning agency has completed a meaningful part of the plan, it may be desirable and appropriate to submit such portion for review. In such instances, it may be desirable to proceed with the development of needed treatment works and water and sewer facilities based on this interim plan to prevent a potential pollution problem in a basin or to prevent a worsening of existing pollution in a basin or basins. This section permits such measures.

Section 106

Subsection (a) provides for the transmittal by the Secretary of the Interior of the completed plan or interim plan to the Secretary of Health, Education, and Welfare and to the Secretary of Housing and Urban Development and to the Water Resources Council.

Subsection (b) directs the Secretary of Health, Education, and Welfare to review the plan to determine its effectiveness in guarding and improving human health.

Subsection (c) directs the Secretary of Housing and Urban Development to review the plan to determine its effect on the comprehensively planned development of the metropolitan area or areas included in the proposed plan or interim plan. A metropolitan area is usually a standard metropolitan statistical area designated by the Bureau of the Budget and adjusted to include only urbanized and urbanizing areas.

Subsection (d) directs the Water Resources Council to consider whether the plan is consistent with or part of a comprehensive river basin water and related land resources plan for the basin which is being prepared or is in existence. The Council is particularly concerned with the relationship of the plan to the conservation of water in the basin and to the optimum development and use of the water and related land resources therein.

Subsection (e) directs the Secretaries of Health, Education, and Welfare and Housing and Urban Development and the Council to notify the Secretary of the Interior of the results of their review.

Subsection (f) directs the Secretary of the Interior to review the proposed plan or interim plan to determine that it substantially complies with section 104 of the act. If it does, he shall approve it. If it does not, he will return it with his comments.

Section 107

When a completed plan is approved subsection (a) authorizes the Secretary of the Interior to accept applications from local or interstate bodies located within a river basin or basins or portions thereof covered by the plan and to make grants to them to assist in the financing of the development costs of various treatment works necessary to carry out the plan. The Secretary can also accept applications and make grants based on an interim plan or reports, if he finds that the interim comprehensive pollution control and abatement plan is substantially completed and if the applications are consistent with such a plan. The grants are subject to a number of limitations.

First, the maximum amount of a grant shall be 30 percent of the estimated development costs of the treatment works. This limitation will not, however, apply to grants made for Appalachia and for economic development areas under the appropriate laws. Similarly, this limitation will not apply in the case of supplemental grants made under the proposed Housing and Urban Development Act of 1966 now pending in Congress.

Second, an application for a grant cannot be approved until the Secretary determines that the treatment works (A) substantially conform with the approved plan or interim plan, (B) are consistent with and carry out the purpose of this act, (C) will be properly and efficiently operated and maintained, (D) are designed to meet foreseeable growth needs of the area, and (E) when located wholly or in part in urbanized areas meet the same conditions with respect to planning and programing that are prescribed by the Secretary of Housing and Urban Development with respect to water and sewer projects under title VII of the Housing and Urban Development Act of 1965.

Third, grants under this act cannot be used to assist local or interstate bodies in financing the construction costs of particular waste treatment works within a river basin or basins or portions thereof covered by the completed or interim plan which are actually receiving a Federal grant under the appropriate provisions of such laws as the Federal Water Pollution Control Act, as amended, the Appalachian Regional Development Act of 1965, the Housing and Urban Development Act of 1965, and the Public Works and Economic Development Act of 1965. This limitation, however, would not prevent the use of the supplemental grant authority in title I of the proposed Housing and Urban Development Act of 1966.

Fourth, water-quality standards must be approved by the Secretary and in effect for the area covered by the completed or interim plan.

Fifth, the applicant must adopt prior to receiving a grant a financial program in accordance with the plan.

Subsection (b) contains standard labor provisions.

Section 108

This section provides that once a plan or a portion thereof is approved grants under any other provision of law for treatment works in a river basin or basins or portions thereof covered by such plan cannot be approved unless such works and facilities conform to that plan. If they so conform, the Secretary can, in making grants under section 8(b) of the Federal Water Pollution Control Act, as amended, waive the dollar limitations in that section for projects in the river basin or basins or parts thereof covered by such plan, as well as under this act.

Section 109

This section authorizes the Secretary to use, to the extent necessary, the authorities contained in section 5(a)(1), (2), (3), and (5) of the Federal Water Pollution Control Act, as amended, in carrying out the provisions of this act. They relate to such activities as research, studies, and the hiring of consultants.

Section 110

This section authorizes the Secretary of the Interior to pay all or part of the expenses of the planning agencies designated by the Secretary under this act to prepare a comprehensive pollution control and abatement plan.

Section 111

Subsection (a) requires grant recipients to keep records.

Subsection (b) requires the grant recipient to permit examination of pertinent books, etc., to determine that the funds granted are used as required by the act.

Section 112

This section authorizes an appropriation of $50 million for fiscal year 1967 to carry out the provisions of this act. It also authorizes additional appropriations for succeeding fiscal years. Funds appropriated are available until expended.

Section 113

This section defines various terms used in the act.

Section 114

This section specifically provides that this act will not affect the jurisdiction of any interstate compact or international body.

TITLE II

Section 201

Subsection (a) provides that it is the purpose of this title to encourage the several States to control pollution on a statewide basis, as well as on a city-by-city basis or a river basin basis. It is also the purpose of the title to encourage the States to establish for all of the waters in the State effective water-quality standards.

Section 8 of the Federal Water Pollution Control Act, as amended, now authorizes grants for waste treatment works to prevent the discharge of untreated or inadequately treated sewage or other waste into any waters of the Nation. The maximum grant can be 30 percent of the estimated reasonable cost of the project or $1.2 million, whichever is smaller. When the project serves several communities the dollar maximum is $4.8 million.

No grant can now be made under section 8 of that act for any project in any State for more than $250,000 until a grant has been made for each project which requires a grant of less than $250,000 in that State.

Subsection (a) of this section of title II of the bill authorizes the Secretary to make up to 30 percent grants without regard to the above dollar limitations and the limitation mentioned above regarding projects exceeding $250,000 in a State, if four conditions precedent are met.

These conditions are: first, the applicant State agency, municipality, or intermunicipal or interstate agency must adopt a financial program that will, as determined by the Secretary of the Interior, adequately assure the maintenance of water quality within the metropolitan area within which the applicant is located; second, such applicant must have adequate capability of adopting a sound financial program, including authority to levy water and sewer and sewage treatment charges, to use a metering system, and to raise capital by use of revenue bonds or other methods to assure the future expansion and replacement of such works without subsequent Federal assistance; third, the State must adopt adequate, as determined by the Secretary, statewide water-quality standards, consistent with the criteria established in section 10(c)(3) of the Federal Water Pollution Control Act, as amended; and fourth, the State must also match with its own funds the applicant's Federal grant made under this section. The Secretary cannot, however, waive these limitations if a comprehensive pollution contol and abatement plan or interim plan for a river basin within the State has been approved or is in preparation pursuant to the Clean Rivers Restoration Act of 1966 unless the particular project substantially conforms to such plan.

Section 202

The section authorizes the use of all funds appropriated to the Secretary under section 8(d) of the Federal Water Pollution Control Act, as amended, and allocated to the States pursuant to section 8(c) for the purpose of this title.

Section 203

This section repeals the last sentence of section 8(b) of the Federal Water Pollution Control Act, as amended. That sentence now waives the dollar limitation mentioned above if a State matches the grants made under section 8(b) of that act from any appropriations exceeding $100 million made pursuant to section 8(d) of that act and allocated to the States in the ratio that the population of each State bears to the population of all the States. Thus, the present act authorizes up to $50 million for a State matching pollution control program. This title will enable the Secretary to use more than $50 million of the total authorized appropriation of $150 million for fiscal years 1966 and 1967 for the program authorized by this title, if the conditions are met.

TITLE III

Section 301

This section provides a short title.

Section 302

This section provides that it is the purpose of this title to aid and expedite the present Federal, State, and local efforts toward controlling and preventing pollution by providing additional funds to aid the States in formulating, implementing, and enforcing water-quality standards, by increasing the Federal Government's pollution control research efforts, and by strengthening the Secretary's present enforcement authority.

Section 303

This section amends section 7 of the Federal Water Pollution Control Act, as amended.

Subsection (a) extends the authority in section 7(a) of that act for appropriations to aid the States in establishing and maintaining adequate control measures to prevent and control water pollution to the fiscal year ending June 30, 1972. This authority will now expire on June 30, 1968.

Subsection (b) adds a new subsection to section 7 which authorizes an annual appropriation of $5 million for fiscal year 1967 and for 5 subsequent fiscal years to be used by the Secretary, in his discretion, to assist the State and interstate agencies in formulating, implementing, and enforcing water-quality standards pursuant to section 10(c) of the Federal Water Pollution Control Act, as amended. This amendment will double the present Federal support under the act for State and interstate control agencies.

Section 304

This section amends section 10(c) of the amended. The amendment expands the provisions of that section which relates to the establishment of water-quality standards to include navigable as well as interstate waters. This change makes subsection (c) consistent with the other provisions of section 10 of the act which now apply to both navigable and interstate waters.

Section 305

Subsection (a) amends section 10(d)(1) of the Federal Water Pollution Control Act, as amended. That section now directs the Secretary to call a conference (1) when requested by the Governor of a State, or (2) when requested by a State water pollution control agency, or (3) when requested, with the concurrence of the Governor and of the State water pollution control agency, by the governing body of any municipality, or (4) on his own motion if the pollution is affecting persons outside the State where the discharge occurs.

This subsection of the bill amends section 10(d)(1) principally by authorizing the Secretary to call a conference on his own initiative, based on studies conducted pursuant to the Federal Water Pollution Control Act, as amended, if any pollution referred to in section 10(a) of the Federal Water Pollution Control Act, as amended, is, in his judgment, occurring. Thus, the Secretary can act to abate the pollution even if it only affects persons within a single State. He would only act in either case, however, if the pollution was occurring in such quantity to warrant such Federal action.

Subsection (b) amends section 10(d) of the Federal Water Pollution Control Act, as amended, principally by adding a new provision which is similar to the provision now contained in section 105(c)(1) of the Clean Air Act, as amended.

This provision directs the Secretary to call a conference if he believes that any pollution referred to in section 10(a) of the Federal Water Pollution Control Act, as amended, which endangers the health or welfare of persons situated in foreign countries, such as Canada and Mexico, is occurring, and if the Secretary of State requests him to call a conference, and if he believes that the pollution is occurring in sufficient quantity to warrant his taking such action. The Secretary will, through the Secretary of State, invite the affected country to participate in the conference.

Section 306

This section amends the second sentence in section 10(e) which now directs the Secratary to delay at least 6 months from the date he recommends remedial action to the State water pollution control agency, after a conference, before he calls a public hearing. This section of the bill eliminates the 6-month waiting period and allows the Secretary to determine what is a reasonable waiting period in each case.

Section 307

This section amends section 10(f) of the Federal Water Pollution Control Act, as amended, which now requires the Secretary to wait at least 6 months after sending the hearing board's findings and recommendations to the persons causing or contributing to the pollution and to the State water pollution control agency, before he acts to abate the pollution. This section of the bill eliminates this built-in delay and leaves it up to the Secretary, depending on the circumstances, to fix a reasonable time for such person or agency to act.

Section 308

This section amends section 10(g) of the Federal Water Pollution Control Act, as amended, which now authorizes the Secretary to request the Attorney General to initiate a suit to abate pollution, which endangers the health or welfare of persons only in the State in which the discharge originates and only if the Governor consents in writing. This section of the bill authorizes such a suit without the Governor's consent, if action is not taken within the time given the violator to abate the pollution.

Section 309

This section amends section 10(h) of the Federal Water Pollution Control Act, as amended. Section 10(h) now permits a court in which an action to abate pollution is brought to rehear all of the evidence produced before the Hearing Board and to receive additional evidence and to make new findings de novo. This procedure is time consuming, a burden on the courts, and unnecessary. The Hearing Board convened by the Secretary is composed of persons who are expert and impartial. The courts do not have the same expertise or the time to develop it adequately. The Board must now hear and consider all relevant evidence to make the necessary findings. The court should not review this evidence de novo and then make either the same or wholly new findings.

This section of the bill requires the court to receive in evidence a transcript of the Board's proceedings and a copy of their findings and recommendations. The court is then bound by the Board's findings if supported by substantial evidence considered on the record as a whole. The court may only receive new evidence discovered after the Board's hearing and before the filing of the suit.

The substantial evidence test is now used in the judicial review of most administrative hearings. It should apply in these cases also.

Section 310

This section adds two new subsections to section 10 of the act.

The first is subsection (k) which enables the Secretary to request the Attorney General to go into court immediately and on his own initiative whenever he believes that actual or threatened pollution deriving from an identifiable source presents an imminent danger to the public health or welfare, or to the Nation's natural resources, or to areas of significant scenic or recreational value, and that there is no other effective means of protection available. This subsection authorizes this action without first exhausting the time-consuming administrative procedures required by the Act.

Some types of pollution can present danger to the health or welfare of the public or to our Nation's natural resources, such as fish and wildlife, and scenic beauty. For example, chemical plants have in the past dumped deadly poisons, such as potassium cyanide into navigable waters. Also, various petroleum products can be a danger to our wildlife populations. When these and other dangerous wastes pollute these waters or threaten to do so, the Secretary needs an adequate tool to cope with this potential disaster. This amendment provides such a tool, but at the same time insures that he cannot exercise this authority lightly in order to avoid the scheme of regulation and procedure expressed in the act.

The second is subsection (l) which provides that findings and recommendations of a Hearing Board convened under section 10 of the Federal Water Pollution Control Act, as amended, and court decrees rendered pursuant to this section can be used in private suits to establish prima facie the fact of pollution and the fact that a particular party has caused or contributed to the cause of it.

To establish the fact of pollution in navigable or interstate waters and resultant damage can be very difficult and costly. It usually requires expert witnesses. The Hearing Board and the court have all obtained this evidence on an impartial basis.

There is precedent for this authority. Plaintiffs in private treble damage actions under antitrust laws are permitted to introduce such findings in Government cases. The plaintiff must still prove that he himself has been damaged by the defendant.

Section 311

This section of the bill amends subsection (d) of section 5 of the Federal Water Pollution Control Act, as amended, by deleting paragraph (2) which now limits the amount of funds for research to $5 million annually. This change will permit the Secretary to conduct research at the dollar level recommended by the President in his message "Preservation of Our Natural Heritage."

Section 312

This section redesignates six sections of the Federal Water Pollution Control Act, as amended.

Section 313

This section adds three new sections to the Federal Water Pollution Control Act, as amended.

The first new section is section 11.

Subsection (a) of that section authorizes the Secretary to issue subpenas compelling attendance of witnesses and the production of various records determined by the Secretary to be relevant at any proceeding held pursuant to the Federal Water Pollution Control Act, as amended. The subpenas must be served by authorized persons or service must be proved by affidavits of the serving official. Service must be at least 5 days in advance of the date of attendance and must be in the judicial district where the person lives or where such person is doing business.

Subsection (b) authorizes the Secretary to invoke the court's aid when a person fails to respond to a subpena. Willful failure or refusal to attend and testify, etc., subjects the person to a criminal penalty.

The second new section is section 12.

Subsection (a) of that section authorizes the Secretary, in order that he may abate the pollution of interstate or navigable waters which endangers the health or welfare of any person, to enter and inspect public and private facilities from which any discharge of matter emanates causing or contributing to the pollution, directly or indirectly, of such waters or their tributaries.

Subsection (b) provides a penalty for refusing to permit an inspection.

Subsection (c) defines the term "matter."

The third new section is section 13.

This section directs the Secretary to require by regulation that public or private facilities discharging matter into interstate or navigable waters must register such discharges with the Secretary, including the point, amount, and nature of the discharge. Changes in the nature, quantity, or location of the discharged matter must also be reported, as well as such other information as the Secretary may require to carry out adequately the purpose of the Federal Water Pollution Control Act, as amended.

Subsection (b) requires that fees be established by regulation which, in the aggregate will pay for the costs of handling the notices required by this new section.

Subsection (c) provides for a civil penalty of $200 a day for failure to file the notices required by this new section. The penalty begins after the expiration of 30 days after the Secretary notifies the person of his failure to file. The penalty is recoverable in a civil suit, but may be remitted or mitigated by the Secretary, if based on the circumstances of each case, he believes that such action is warranted and in furtherance of the purpose of the act.

Subsection (d) defines the term "matter."

TITLE IV

Section 401

This section amends title 28 of the United States Code by adding a new section 1362. This new section gives to the district courts of the United States original jurisdiction in private actions brought to enjoin pollution of interstate or navigable waters. Such persons are now permitted to bring actions to enjoin nuisances which adversely affect the use and enjoyment of their property. In the normal case, absent diversity of citizenship, such persons must sue in State courts. Even when diversity exists, the amount in controversy must be more than $10,000. Nuisance resulting from the pollution of interstate or navigable waters should be subject to injunctive relief in Federal courts without regard to the issue of diversity or the amount in controversy. This new section will further the objective of this legislation which is to abate pollution for the benefit of all.

Section 402

This section amends section 13 of the Refuse Act by requiring a determination by the Secretary of the Interior that the depositing of refuse matter into navigable waters is consistent with the purposes of the Federal Water Pollution Control Act, as amended. The Corps of Engineers must still determine if the refuse will be harmful to anchorage and navigation.

Section 403

This section amends the Oil Pollution Act. This section transfers the authority to administer the Oil Pollution Act, 1924, to the Secretary of the Interior from the Secretary of the Army.

DISCRIMINATORY RAIL TAXATION

Mr. MAGNUSON. Mr. President, I introduce for myself and for Senators PASTORE, COTTON, BARTLETT, HARTKE, HART, BREWSTER, NEUBERGER, MORTON, SCOTT, and PROUTY for appropriate reference, a bill to amend the Interstate Commerce Act in order to eliminate discriminatory tax assessments of railroad property. This bill has both a substantive and procedural aspect. First, it would amend the Interstate Commerce Act to declare unlawful, as an unreasonable and unjust discrimination against and an undue burden upon interstate commerce, the assessment of property of any common carrier which bears a higher ratio to its true market value than the assessed value of other property in the taxing district subject to the same property tax levy. Secondly, it would provide a remedy in the Federal courts for such carriers against the collection of any tax based on such unlawful assessment.

These discriminatory taxes force the railroad industry to annually pay over a hundred million dollars more ad valorem property taxes than if railroad assessments had been made at the same percent of value as were the assessments of other property owners.

The burden of proving that tax assessments in any State are not fairly and reasonably equalized remains on the railroad seeking relief. In the majority of States that do not discriminate, State property tax assessments would in no way be affected by this bill. In the remaining States, unless and until an affected railroad can prove that it is being unfairly discriminated against in property tax assessments, there would be no change required under this measure.

The special study group on transportation policy of the Committee on Commerce in its 1961 report found that despite State laws requiring uniform tax treatment, railroads are discriminated against as compared to other property taxpayers in the same jurisdiction due in large measure to outdated procedures for assessment of property. The Association of American Railroads supplied to the study group an analysis based on the 1957 Census of Governments, conducted by the Bureau of the Census, U.S. Department of Commerce, showing that for the year 1957 discriminatory taxes exceeded $141 million.

The study group recommended that either Federal law exempt railroad right-of-way property from States taxation, or that the antidiscrimination tax bill which I am today introducing be enacted. The study group had this to say about an antidiscrimination tax bill:

> Passage by the Congress of such a bill would not change the substantive effect of the tax laws of the several States because, without known exception, all States, either by constitutional safeguard or legislative provision declare it to be State law that taxpayers within its jurisdiction should be taxed uniformly. The addition of a procedural remedy, by authorizing Federal courts to enjoin collection of discriminatory taxes against interstate carriers, is consistent with the obligation of Congress to regulate interstate commerce, required under the Federal Constitution and is thereby a proper and necessary action of the Congress.

I was reluctant in 1961 to urge action by the Congress because I believed that the States should be given every opportunity to correct their outdated procedures which result in discriminatory rail taxation. Over 5 years have now elapsed since the study group report was transmitted to the Committee on Commerce. Unfortunately, the passage of time has indicated that the States either cannot or will not take action to end this discriminatory taxation. The impact on essential passenger services of State tax practices was highlighted at the Commerce Committee hearings last March on a number of bills to provide aid to passenger railroads throughout the Nation which were primarily motivated by the plight of the New Haven passenger service.

Last fall I supported the High-Speed Ground Transportation Act to provide Federal assistance, cooperative demonstrations, and research and development projects in high-speed transportation. This legislation will enable us to find ways to transport people faster, and with greater comfort and safety. As the President said in signing that act on September 30, 1965, the time has come to do something about improving the speed and the convenience of ground transportation.

Discriminatory taxation could nullify our efforts to achieve better and faster and more economical ground transportation. Since this problem was forcefully called to the attention of the Committee on Commerce 5 years ago by its special study group it is estimated that over one-half billion dollars in discriminatory taxes have been assessed against the railroad industry.

This amendment to the Interstate Commerce Act to end discriminatory rail taxation, which I am today introducing, will remove a barrier to Federal, State, and industry efforts to provide modern ground transportation without altering the freedom of a State to tax its taxpayers so long as interstate carriers are accorded equal tax treatment with other taxpayers.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2988) to amend the Interstate Commerce Act, as amended, in order to make unlawful, as unreasonable and unjust discrimination against and undue burden upon interstate commerce, certain property tax assessments of common carrier property, and for other purposes, introduced by Mr. MAGNUSON (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Commerce.

AMENDMENT OF COMMUNCATIONS ACT OF 1934

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to amend the Communications Act of 1934, as amended, to give the Federal Communications Commission certain additional regulatory authority over communication common carriers. I ask unanimous consent that a letter from the Chairman of the Federal Communications Commission, requesting the proposed legislation, together with an explanation of the proposed legislation, be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter and explanation will be printed in the RECORD.

The bill (S. 2989) to amend the Communications Act of 1934, as amended, to give the Federal Communications Commission certain additional regulatory authority over communication common carriers, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter and explanation, presented by Mr. MAGNUSON, are as follows:

FEDERAL COMMUNICATIONS COMMISSION,
Washington, D.C.

The VICE PRESIDENT,
U.S. Senate,
Washington, D.C.

DEAR MR. VICE PRESIDENT: The Commission has adopted as a part of its legislative program for the 89th Congress a proposal to amend the Communications Act to give the Federal Communications Commission certain additional regulatory authority over communications common carriers.

The Commission's draft bill to accomplish the foregoing objective was submitted to the Bureau of the Budget for its consideration. We have now been advised by that Bureau that from the standpoint of the administration's program there would be no objection to the presentation of the draft bill to the Congress for its consideration. Accordingly, there are enclosed six copies of our draft bill and explanatory statement on this subject.

The attached proposal is a revision of a Commission proposal submitted in the 88th Congress and introduced in the Senate as S. 2624.

The consideration by the Senate of the proposed amendment to the Communications Act of 1934 would be greatly appreciated. The Commission would be most happy to furnish any additional information that may be desired by the Senate or by the committee to which this proposal is referred.

Yours sincerely,
E. WILLIAM HENRY,
Chairman.

EXPLANATION OF PROPOSED AMENDMENT TO TITLE II OF THE COMMUNICATIONS ACT OF 1934, AS AMENDED, TO GIVE THE FEDERAL COMMUNICATIONS COMMISSION REGULATORY AUTHORITY OVER THE PROVISION OF COMMUNICATION FACILITIES BETWEEN COMMUNICATION COMMON CARRIERS

The proposed legislation would eliminate from the Communications Act a hiatus which exists in the statutory scheme for the regulation of communication carriers by the Commission. The Commission, under the provisions of title II of that act, is given full authority to regulate all charges, practices, classifications and regulations for and in connection with interstate or foreign communication by wire or radio furnished the public by communication carriers. The statute also authorizes the Commission to require communication carriers to establish physical connection with other carriers and to establish through routes and charges applicable thereto and the division of such charges and to require such carriers to establish and provide facilities and regulations for operating such through routes. No provision, however, is contained in the act granting the Commission authority to modify or prescribe the terms and conditions under which facilities are or may be provided by one common carrier to another for the rendition of interstate or foreign communication service to the public. Similarly, the Commission is without authority to require one carrier to provide such facilities to another if they are unable to agree regarding the provision of such facilities.

In the communications common carrier industry, it has been a common practice for one carrier to furnish facilities to another carrier for use by the latter in furnishing its services to the public. The practice has been most widespread in the domestic field. Thus, for example in 1964, the Western Union Telegraph Co. paid to the American Telephone & Telegraph Co. a total of $15 million for the rental of various kinds of communication facilities. In fact, more than 56 percent of Western Union's intercity telegraph circuitry (3.9 million out of a total of 7.1 million circuit miles) was derived in 1964 by Western Union from facilities supplied by other carriers.

In the international field, the international telegraph carriers have been almost entirely dependent upon the transoceanic cables of A.T. & T. for the cable circuits they require to meet expanding demands for their services. These facilities have been obtained under a variety of arrangements consisting of the rental or lease of one or more cable channels or by obtaining an indefeasible right of user to a given number of such channels in those cables.

On several occasions, carriers have complained to the Commission concerning the reasonableness of the terms and conditions under which they have obtained their facilities from another carrier. These complaints have been directed to the charges made by the lessor carrier or restrictions and restraints placed by the lessor carrier upon the use that may be made of the facilities by the lessee carrier. There has also been some independent awareness by the Commission of apparent inequities or improprieties in such arrangements. But notwithstanding such complaints or the Commission's independent awareness, absent complaints, the Commission has been unable to take corrective action with respect to the matter inasmuch as it is the Commission's view that it lacks clear statutory authority to regulate the charges and other terms and conditions governing the arrangements between common carriers regarding the provision of such facilities.

If charges made by the lessor carrier are unreasonably high, the result can be the imposition of burdensome charges on the users of the services of the lessee carrier. Excessive charges may also effectively prevent the lessee carrier from competing with the lessor carrier in the communications market. Moreover, if the lessor carrier imposes conditions that unreasonably restrict the use of the facilities by the lessee carrier, it can thereby prevent the lessee carrier from offering needed services to the public. Or, a lessor carrier may discriminate among carriers by refusing to lease facilities to one carrier at charges or under conditions as favorable as those under which it leases facilities to another carrier or to the public. It is the view of the Commission that such practices could have a serious and detrimental effect on both charges and services to the public, as well as on competition within the communications industry. Although it might be possible to control some of the practices within the framework of the antitrust laws, it seems clear that legislation is necessary to provide a more expeditious and efficient remedy by conferring direct regulatory authority on the Commission over such matters.

Thus, the proposed legislation would require a carrier to file with the Commission copies of all contracts or other arrangements with other carriers regarding the furnishing of facilities to be used to render communication service to the public. Such legislation would empower the Commission, upon complaint or upon its own motion and after full opportunity for hearing and the making of the required findings, to modify or prescribe the charges or other terms and conditions governing the furnishing of facilities pursuant to such arrangements.

To insure that this new statutory authority would fully protect the public interest, the Commission also believes that it should be able, in appropriate circumstances and upon petition by a carrier, to order one carrier to provide facilities to such other carrier. Otherwise, even if the Commission were able to regulate the charges and terms and conditions applicable to the provision of facilities among carriers, it would still be powerless to require carriers in the first instance to furnish facilities to another carrier or to require a carrier to continue to furnish facilities to another carrier although it may be in the public interest to do so. Absence of such authority might result in costly duplication of facilities by two common carriers, with a resultant adverse effect on the public. Under the new regulatory authority proposed, therefore, the Commission would be empowered, upon petition and after a full opportunity for hearing, to order one common carrier to provide facilities for interstate or foreign communication by wire or radio to one or more other carriers if the Commission finds (i) that such action is in the public interest; (ii) that the carriers have been unable to agree with respect to the provision of such facilities; (iii) that the provision of such facilities will not impair the ability of the supplying carrier to perform its duty to the public; and (iv) that such facilities are reasonably available without the construction of new facilities.

The authority sought in the proposed legislation is not entirely new or novel. The Commission has been given much more extensive regulatory authority over arrangements between the Communications Satellite Corporation and other communication carriers by section 401 of the Communications Satellite Act of 1962 (47 U.S.C. 741). This section also provides that the furnishing of satellite terminal station facilities by one communication carrier to another is deemed to be a common carrier activity fully subject to the Communications Act. In explaining why such provision was added to that act, the report of the Senate Committee on Commerce stated:

"The reason for this amendment is because the provision of facilities by one common carrier to another common carrier has not been regarded as a common carrier undertaking." (Sen. Rept. No. 1584, 87th Cong., 2d sess.)

Other Federal regulatory agencies have been given jurisdiction, in varying degrees, with respect to the furnishing by one public utility of services or facilities to another utility for the rendition of service to the public.

The Federal Power Act, subchapter II (16 U.S.C. 824, 824a–824h), grants authority to the Federal Power Commission to regulate the transmission and sale of electric energy at wholesale in interstate commerce by one utility to another for resale. Such authority includes the power to fix just and reasonable rates for the sale of such electric energy and to order the furnishing of adequate service, "*Provided,* That the Commission shall not have authority to compel the public utility to sell or exchange energy when to do so would impair its ability to render adequate service to its customers." The Natural Gas Act (15 U.S.C. 717, 717a–717w) grants similar authority to the Federal Power Commission with respect to transporting and selling natural gas by one utility to another for resale. The standards and criteria utilized in connection with the delegation of the above-described functions to the Federal Power Commission are substantially similar to those set forth in title II of the Communications Act of 1934, as amended (47 U.S.C. 201–222).

The charges for services rendered "airfreight forwarders" by air carriers which are directly engaged in the operation of aircraft in air transportation are subject to regulation by the Civil Aeronautics Board by virtue of the same sections of the Federal Aviation Act that confer jurisdiction on the CAB to regulate the charges of such air carriers for services rendered to the public (49 U.S.C. 1374, 1482). "Airfreight forwarders" are classified as indirect air carriers by the Civil Aeronautics Board (14 CFR 296.2(a), 297.2). See also section 101(3) of the Federal Aviation Act of 1958 (49 U.S.C. 1301(3)).

The Civil Aeronautics Board also is required either to approve or to disapprove of every contract affecting air transportation between an air carrier and any other air carrier, foreign air carrier, and certain other carriers regarding such things as pooling earnings or equipment, establishment of fares, improving safety and efficiency of operation, regulating wasteful competition, regulating schedules or other cooperative working arrangements (49 U.S.C. 1382).

A freight forwarder is defined in part IV of the Interstate Commerce Act as a common carrier. (49 U.S.C. 1002(5)). The Interstate Commerce Commission has authority to fix just and reasonable rates for such transportation by railroad (49 U.S.C. 1(5), 2, 3(1), 13, 15), by motor vehicle (49 U.S.C. 316), and by water carrier (49 U.S.C. 905, 907), including the transportation of property for freight forwarders (see also 49 U.S.C. 1007, 1008, 1009). The ICC also has authority to order a railroad to provide safe and adequate facilities for performing as a common carrier its car service and to extend its line or lines if it finds, among other things, that the expense involved will not impair the ability of the carrier to perform its duty to the public (49 U.S.C. 1(21)).

The ICC also is authorized by section 3(5) of the Interstate Commerce Act (49 U.S.C. 3(5)) to require the use of the terminal facilities of one railroad by another and to fix the terms and compensation therefor in event the carriers cannot agree.

In summary, the Commission believes that this additional regulatory authority is needed in order more effectively to carry out its statutory duties in the public interest, and, specifically, to remedy those situations where, because of a statutory gap, it is severely handicapped in efforts to assure that the public is provided with the most economical and efficient communication service.

Adopted: May 12, 1965.

AMENDMENT TO THE PUBLIC WORKS AND ECONOMIC DEVELOPMENT ACT

Mr. JAVITS. Mr. President, I introduce for appropriate reference a bill to amend the Public Works and Economic Development Act of 1965.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2991) to amend the Public Works and Economic Development Act of 1965 as it relates to those areas to be designated as redevelopment areas, introduced by Mr. Javits, was received, read twice by its title, and referred to the Committee on Public Works.

Mr. JAVITS. Mr. President, under the present act, Federal assistance for public works and development facilities is available to, among others, counties or municipalities with a population of over 250,000. The amendment which I propose would extend eligibility to "compact and contiguous areas containing a population of over 150,000." My intention is to include within the confines of the act contiguous areas within large metropolitan areas which do not presently qualify only because they are not separate political entities. My amendment would not allow smaller areas of population to be brought into the act. The contiguous areas in the proposed amendment must be at least as large as the presently defined municipality of 250,000.

This act seeks to bring help to disadvantaged areas through expanding public works which will create, directly or indirectly, new opportunities for long-term employment and economic growth. Certainly, the criteria for such assistance should not depend on the fact that an area is "a municipality" but rather assistance should flow to those areas where the greatest benefits may accrue. Areas such as New York's Bedford-Stuyvesant and Harlem, St. Louis' Kinlock area, the East Side of Detroit, and the Watts area of Los Angeles deserve the opportunity to apply for Federal assistance under this program. Under the present law, these areas which need it so badly and are clearly defined areas with a character of their own—though part of a metropolitan area—have no access to assistance because the cities of which they are a part do not qualify.

I hope this important amendment will receive the prompt attention of the Senate.

THE RIGHT OF EACH STATE TO DECIDE QUESTIONS OF DECENCY AND MORALITY

Mr. EASTLAND. Mr. President, I introduce, for appropriate reference, a joint resolution proposing to amend the Constitution relating to the right of a State to enact legislation on the basis of its own public policy on questions of decency and morality.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 140) proposing to amend the Constitution relating to the right of a State to enact legislation on the basis of its own public policy on questions of decency and morality, introduced by Mr. EASTLAND, was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. EASTLAND. Mr. President, I am introducing a constitutional amendment vesting in each of the respective States the authority to effectively deal with this deluge of obscene and pornographic publications which have now reached epidemic proportions throughout this country and presently constitutes a serious national problem. This amendment states as follows:

> The right of each State to decide on the basis of its own public policy questions of decency and morality, and to enact legislation with respect thereto, shall not be abridged.

My staff is also presently drafting legislation to give Federal postal authorities the means by which to exclude obscene materials from the U.S. mails. These bills will be drafted in final form after we have had an opportunity to study the decisions related to this subject which are expected to be handed down by the Supreme Court within the next several weeks.

Mr. President, it was the Senate Judiciary Committee which first exposed the American public to the shocking extent and nature of this multibillion-dollar smut industry in 1955 through its hearings held pursuant to Senate Resolution 62 of the 84th Congress. In 1957, as the result of the Roth decision, which I shall discuss more fully, it was generally believed that the Court had enunciated a decision by which obscenity could be effectively eradicated by State and Federal authorities, within the bounds of constitutional guarantees. However, subsequent decisions of the Supreme Court have given smut peddlers a free rein and have placed our State and Federal prosecutors in a legal straitjacket. The present situation has become so serious, Mr. President, that it virtually cries out for legislative relief.

There is a growing ground swell of anger, anxiety, and public outrage among the American people at the mounting deluge of literary and photographic filth being brazenly displayed in public places and distributed through the U.S. mails. Americans everywhere have grown sick and tired of having themselves and their families subjected to the perverted presence and the corrupting infectious influence of this moral and social disease which has now reached epidemic proportions. The Post Office Department alone records that the number of American citizens officially complaining about the receipt of this unsolicited, salacious literature has now increased 200 percent since 1957, to a 1965 high of 128,000.

Law enforcement and citizens' organizations concerned with this problem estimate that the smut peddlers now gross around $3 billion per year, with California alone now having 20 to 30 corporations engaged in publishing pornographic material on a multimillion-dollar annual basis.

The seriousness of the situation is summed up in the January 1966 publication of the Knights of Columbus, in an article entitled "Pornography Becomes Brazen," wherein it states:

> This current social contagion of pornography is comparable in many respects to the rat-borne bubonic plague of the Middle Ages. Pornography has become the new American plague.
>
> No undercover police investigation is needed to verify this. It's in the open.

The same cry of alarm has been echoed throughout the Nation in countless editorials and articles dealing with this acute problem.

Mrs. William H. Hasebroock, president of the 9 million member General Federation of Women's Clubs, raised the cry for legislative action in this area in the November 1964 issue of that organization's national magazine, the Club Woman:

> In recent months I have received a large amount of mail from clubwomen in all sections of the country protesting the emphasis on salaciousness which has gained such newsstand prominence. Consider this: surveys reveal that young people comprise a major part of the readership of these magazines. The results are matters of court records * * * sex crimes, shocking rises in social disease in teenagers. The total result is a lowering of our moral standards, the lives of young people blighted in their teens. It is due time that we clubwomen rise up and attack the problem, beginning with our individual communities * * *. Flagrant disregard of public opinion and public welfare cannot continue indefinitely. There is, inevitably, a day of reckoning. I hope this day now has arrived.

Mrs. Hasebroock and the General Federation of Women's Clubs are to be commended for their public stand on this crisis in national morality. I likewise hope that the day of reckoning has arrived and that this Congress will promptly and effectively meet its responsibilities in this area.

Mr. President, the most serious and shocking aspect of this entire national problem lies in the fact that approximately 75 percent of this commercialized obscenity is estimated to be directed at the young, immature, and impressionable minds of our teenage population. It is an undisputed fact that the smut peddling industry goes to great effort and expense to obtain mailing lists of young Americans who subsequently become the recipients of unsolicited filth through the U.S. mails, as stated by an article in the National Catholic Ecumenical Weekly:

> More shocking, though, is the fact that thousands of youngsters, even of grade school age, receive this smut through the mail when they innocently place orders for stamps or other hobby items. Once their name is on a mailing list, brokers often lease the list to filth merchants who use it indiscriminately. Despite hundreds of angry letters from parents, postal authorities have been unable to close this major source of smut by mail.

Recent decisions of the U.S. Supreme Court have virtually nullified our statutes regulating the traffic of immoral material through the Federal mails and have rendered our postal authorities helpless to prevent this shocking situation. The time for congressional action to remedy this situation is long overdue.

Responsible journalists throughout our country are taking notice of the danger which this problem poses to our Nation's youth. As stated in a January 8, 1966, editorial appearing in the Shreveport Journal:

> Publishers of filth, just as do the narcotics rackets, make a strong appeal to children. Their aim, of course, is to create lifelong customers regardless of what effects obscene pictures and reading matter may have on impressionable young minds.

Dr. E. Preston Sharp, executive director of the Philadelphia, Pa., Youth Center, Dr. Donald G. Cortum, national cochairman of Citizens for Decent Literature, and Dr. George Henry of the Cornell College of Medicine, are only a few of the medical experts who have testified as to the dangerous "effects obscene pictures and reading matter may have on the impressionable young mind."

The potential danger which this problem poses to our society is not necessarily limited to the degrading and corrupting influence it may have on those directly affected, for the presence of obscene literature will often provide the trigger by which the latent potential of an unbalanced mind may be transformed into an overt criminal act which is frequently violent in nature. As was ably stated in an editorial appearing in the February 6, 1965, edition of the Wabash, Ind., Plain Dealer:

> More than mere morality is involved in this fight against literary filth. Psychiatrists tell us that many seemingly normal persons are actually borderline psychotics. In effect, such persons are human bombs who can be frightfully detonated by the stimulus of vivid pornographic pictures or words.
>
> When it happens, women and children are usually their tragic victims.

The relationship between pornography and violent crime has long been recognized by such eminent law enforcement officials as J. Edgar Hoover, Director of the Federal Bureau of Investigation.

As stated by Mr. Henry E. Sheridan of the Massachusetts Citizens for Decent Literature:

> The assertion of recognized authorities should not go unnoticed as we survey this dismal picture, that there is a very definite link between many crimes of sex violence and smut literature.

Yes, Mr. President, it is an outrageous disgrace that these peddlers of perverted pornography can traffic in their tarnished trade in trash with insolent impunity from successful prosecution by State or Federal authorities, behind the protective cloak of a Supreme Court, the majority of which seemingly cannot comprehend the distinction between liberty and license. Their distorted misconstructions of the constitutional guarantee set forth in the first amendment have virtually nullified our State and Federal regulatory statutes and have bound our prosecuting attorneys in a legal straitjacket. Certainly their recent decisions call to mind the accusation of John Milton, wherein he charged:

> License they mean when they cry liberty.

As summed up by one religious periodical:

> With billions of dollars at stake, smut merchants naturally fight any legal strictures on their business, hiding behind the first amendment, which guarantees freedom of the press. Unfortunately, many well-meaning jurists, organizations, and individuals who tend to confuse liberty and license, join these publishers in their cynical misuse of the Constitution.

In the 1957 case of *Roth* v. *United States*, 354 U.S. 476, the Supreme Court upheld convictions under State and Federal statutes dealing with the regulation of obscene publications. In a comprehensive decision, the Court set forth what many hoped to be an effective test for obscene material. As stated by the Court:

> Obscene material is material which deals with sex in a manner appealing to prurient interests.

The test to be applied was "whether to the average person, applying contemporary community standards, the dominant theme of the material taken as a whole appeals to prurient interest."

However, the hopes of those who found encouragement in the Roth decision were soon dispelled.

In 1962 the Court, in the case of *Manual Enterprises* v. *Day*, 370 U.S. 478, held that in addition to the "prurient interest" standard set forth in the Roth decision, the material must be "patently offensive" to fall without the protective shield of the first amendment. According to Harlan, this means only "hard-core" pornography can "constitutionally be reached under this or similar State obscenity statutes."

The shocking impact of the Court's decision in the Manual Enterprises case cannot be fully realized without taking notice of the vile and obscene nature of the material involved therein. The Court's approval of such salacious trash which by its own admission consisted of publications "primarily, if not exclusively, for homosexuals, and have no literary, scientific or other merit" and which "would appeal to the prurient interest of such sexual deviates," is an outrageous and reprehensible perversion of the spirit as well as the letter of the first amendment. As stated in Justice Clark's dissenting opinion, the decision, "despite the clear congressional mandate—requires the post office to be the world's largest disseminator of smut and the grand informer of the names and places where obscene material may be obtained."

The indignation of the American people at these decisions was vividly described by Rev. John J. Regan, dean of St. Joseph's University of Liberal Arts and Sciences:

> We have come to expect periodic outbursts from the American public at the Supreme Court's decisions dealing with obscenity. The people are rightly concerned. Our society is in the middle of an anti-Puritan revolution in morals. Any writer who manages to shock is automatically entitled to respect as a worthy rebel. William Phillips, editor of the Partisan Review, has labeled the heroes of today's avant-garde as "the new immoralists." He adds: "To embrace what is assumed to be beyond the pale is taken as a sign of true sophistication. And this is not simply a change in sensibility; it amounts to sensibility of chaos."
>
> In reaction to this revolution, the ordinary citizen is developing a neurosis about courts and judges. He sees the flood of pornography inundating the newsstand and the local movie theater, and flowing steadily into the private home through the mails. In desperation he is turning to the legislatures and ultimately to the courts for protection. But he is frustrated by the apparent lack of concern in the courts for his problem. He sees little of the delicate judicial task of balancing the public interest in the moral fabric of society with the equally important public interest in free speech.

How long must the people of America be subjected to the outrage of having their families and children subjected to the public presence of this shocking, salacious, obscene literature?

How long must the public suffer the contemptuous, arrogant disregard for their rights exhibited by a court which seems obsessed with its role as the protective guardian of those who seek to subvert every institution, idea, principle, and moral value which our people hold dear and upon which this great Nation has been established?

We have taken progressive and effective steps to purge the pollution from our streams and air; to beautify our public highways and national parks; to protect the physical and mental health of our families.

When will be taken the necessary steps to purge the venomous stain of this malignant, infectious, pornographic plague from the midst of our society?

I submit that this responsibility rests with the Congress and that the time to act is now.

PROMOTION OF INTERNATIONAL TRADE IN AGRICULTURAL COMMODITIES—AMENDMENT

AMENDMENT NO. 489

Mr. TYDINGS (for himself and Mr. Gruening) submitted an amendment, intended to be proposed by them, jointly, to the bill (S. 2933) to promote international trade in agricultural commodities, to combat hunger and malnutrition, to further economic development, and for other purposes, which was received, ordered to be printed, and referred to the Committee on Agriculture and Forestry.

AUTHORIZATION FOR JOINT COMMITTEE TO FILE ITS REPORT ON MARCH 17, 1966

Mr. DOUGLAS. Mr. President, I ask unanimous consent that the Joint Economic Committee be granted an extension from March 1, 1966, to March 17, 1966, to file a report of its finding and recommendations with respect to the economic report which is required by section 5(b)(3) of Public Law 304, 79th Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXTENSION OF TIME FOR BILL TO LIE ON THE DESK FOR COSPONSORS

Mr. MUSKIE. Mr. President, the bill (S. 2947) to amend the Federal Water Pollution Control Act in order to improve and make more effective certain programs pursuant to such act, is at the desk for the benefit of Senators who may wish to cosponsor it.

I ask unanimous consent that the bill lie at the desk until this coming Friday, March 4, 1966.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTION

Mr. AIKEN. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from West Virginia [Mr. Randolph] be added as a cosponsor of the bill, S. 2888, to insure that children participating in domestic nonprofit school lunch programs will be assured of adequate supplies of nutritious dairy products.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MAGNUSON. Mr. President, at its next printing, I ask unanimous consent that the names of Senators Cannon and Scott be added as cosponsors of the bill (S. 2916) to provide for a weather modification program to be carried out by the Secretary of Commerce.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that my name be added as a cosponsor of Senate Joint Resolution 85, a resolution introduced by Senator McCarthy, providing that equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF BILL AND RESOLUTION

Under authority of the orders of the Senate, as indicated below, the following names have been added as additional cosponsors for the following bill and resolution:

Authority of February 16, 1966:

S. 2928. A bill to amend title IV of the Civil Rights Act of 1964 in order to authorize the Commissioner of Education to provide technical assistance and grants to school boards in support of programs designed to overcome any racial imbalance in the public schools: Mr. Bartlett, Mr. Clark, Mr. Douglas, Mr. Hart, Mr. Hartke, Mr. Inouye, Mr. Kennedy of New York, Mr. Mondale, Mr. Muskie, Mr. Nelson, Mr. Pastore, Mr. Pell, Mr. Proxmire, Mr. Randolph, and Mr. Young of Ohio.

Authority of February 21, 1966:

S. Res. 227. Resolution expressing the sense of the Senate that the Small Business Administration should remain an independent agency of the United States: Mr. Dominick.

NOTICE OF HEARING ON THE NOMINATIONS OF ANDREW F. BRIMMER, OF PENNSYLVANIA, TO BE A MEMBER OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM, AND WILLIAM W. SHERRILL, OF TEXAS, TO BE A MEMBER OF THE FEDERAL DEPOSIT INSURANCE CORPORATION

Mr. ROBERTSON. Mr. President, I should like to announce that the Committee on Banking and Currency will hold a hearing on the nominations of Andrew F. Brimmer, of Pennsylvania, to be a member of the Board of Governors of the Federal Reserve System, and William W. Sherrill, of Texas, to be a member of the Federal Deposit Insurance Corporation.

The hearing is scheduled to be held on Wednesday, March 2, 1966, in room 5302, New Senate Office Building, at 10:30 a.m.

Any persons who wish to appear and testify in connection with these nominations are requested to notify Matthew Hale, chief of staff, Senate Committee on Banking and Currency, room 5300, New Senate Office Building, telephone 225-3921.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, February 28, 1966, he presented to the President of the United States the following enrolled bills and joint resolution:

S. 577. An act for the relief of Mary F. Morse;

S. 851. An act for the relief of M. Sgt. Bernard L. LaMountain, U.S. Air Force (retired);

S. 1520. An act for the relief of Mr. and Mrs. Earl Harwell Hogan; and

S.J. Res. 9. Joint resolution to cancel any unpaid reimbursable constructions costs of the Wind River Indian irrigation project, Wyoming, chargeable against certain Indian lands.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the amendment of the Senate to the amendment of the House to the bill (S. 251) to provide for the establishment of the Cape Lookout National Seashore in the State of North Carolina, and for other purposes.

SENTIMENT ABOUT VIETNAM AT THE UNIVERSITY OF MISSOURI

Mr. SYMINGTON. Mr. President, often news is made by dissenters and critics.

Even though people in agreement often represent an overwhelming majority, content often appears less appealing than discontent.

Last week, at the University of Missouri in Columbia, it was announced that 50 persons were expected to take part in protesting our policies in Vietnam. I am told, however, that not more than 10 actually participated at any one time.

Very properly this news was reported and made headlines. Most of these same stories, however, failed to mention the fact, that shortly before the demonstrations, a great many more students at the university, specifically, 1,125, had signed petitions affirming their support of the policies of this administration in Vietnam.

Those petitions were circulated by both the Young Democratic and the Young Republican Clubs at the university.

I ask unanimous consent that the wording of the petition be printed at this point in the RECORD. I also ask unanimous consent that the names of all those who signed be printed at the point in the RECORD.

There being no objection, the petition and signatures were ordered to be printed in the RECORD, as follows:

VIETNAM PETITION

Whereas the American commitment in the Vietnam war has become a major issue on many college campuses;

Whereas some of the most striking dissenters to American policy in Vietnam have been college students; and

Whereas these critics seem unrepresentative of the majority of the students at the University of Missouri at Columbia: Therefore

We the undersigned students of the University of Missouri at Columbia, after consideration of the critical complexities of this issue, affirm our support of President Lyndon B. Johnson and his administration's policy in Vietnam.

SIGNERS

Kenneth G. Matthews, Dave Salisbury, William C. Tuen, Ronald Fuber, Paul Field, Ron Moody, Gary Shipper, Ralph Borsum, Kenneth McGee, Mike Burnham, Tom Young, Bob West, Stephen Struffer, Douglas C. Hager, Larry C. Copeland, Bill Dabney, Robert E. Kindle, Dale Mayness, Mike Martin, James T. McGregor, Michael D. Martin, James Russell Goff, Richard H. Kessinger, James H. Jarman, Michael Drury, Joseph W. Kubengoski, Wm. Franklin, Paul Sherrell, Glen Rutz, Dennis Hale, Tom Osborn, Jr., Patrick Zorsch, Thomas Hill, Jeff Hascovits, Edward W. Bass, Carl Ledbetter, Robin Watson, Bruce D. Findley, J. Randall Broyles, James D. Jones, David L. Duke, Roger Wehile, Greg Haase, Steve Sheppard, Don Lueckenotte, Gregory Luetkemeyer, Wm. F. Erling, Arthur Ellis, Claude Eldridge, Larry W. Zimmer.

Ronald Mann, Deanna Dean, Nancy A. Leaf, Michael R. Ewing, Gary Findlay, John Blance, Bob Parker, Larry Moore, Cindy Palmer, Harry Hill, Nancy Morgenstern, Noelle Schattyn, Marge Agatstein, Danny F. Moody, Rita Young, Judy White, Ricky Mongler, Tom Miskell, Thomas Jennings, Jeffrey D. England, Von Armstrong, Ralph Schoeder, Mike Macy, John Ford, Kay Cissna.

M. Walsh, Steven Overy, Edna Overy, John Montgomery, Eldon E. Hallen, Carl H. Graham, Steven Huitt, Andrew S. Kalmus, Clark A. Gurn, Mel Gerstner, Albert Ward, Jack Bard, Dennis E. Stevens, Tom R. Talbert, Michael E. Ming, A. Marion Houghton Jr., Ray Seward, Alan B. Holbrook, Robert T. Roth, Wilma Thompson, Garry S. Hirsch, John K. Zigler, George S. Kishmer, Russell L. Cooper, Kathy Grossarth.

Mike Smith, Michael Watkins, Ellen M. Kane, Dianne A. Taus, C. T. South, Anne T. Clark, Liz Manson, Alice A. Templeton, Robert F. Striken, Thomas S. Patten, Jennie Myers, Judith E. Turner, David W. Gardner, Ellen Sue Zigel, Frances E. Wilson, Mary J. Hagan, Carolyn M. Kaiser, Michael L. Villain, Richard Fredman, James V. Schwent, Thomas Lee Siffin, Paul Andrews, Toni Rewick, Loran, Maloney, William Gordon Culver.

Sharon Sue Patterson, Lindy Perner, Jacque Finney, William L. Smith, Jeffrey Murphy, June Throckmorton, David Murphy, Jr., Herbert R. Finch, James G. Freer, John Micholench, Ronald N. Bold, John D. Cuneio, Wesley H. Sizemore, Jr., Noel Lane Flippen, Matthew Knuckles, John Struwe, Charlie Dodds, Ray Raleigh, Randy P. Scott, Janice Taylor, M. V. Weertz, Bettie Marie Bommarito, Dominic Lee, Joseph Patten, Clarke Atteberry.

Larry E. Huffman, Robert Heek, Clarence R. Geud, George M. Cox, C. Hunt Bushnell, Jr., Beverly Jones, Lesere Dollar, Kurt A. Leonhard, Robert Botkin, David M. Etdle, Joe Smith, Donald George, Lawrence D. Whetley, Jacquelyn Steers, John R. Harris, Michael Pera, John Wyman Ewing, C. Eugene Thompson, Barb Rostenberg, Don Walter, Jim Willsey, Mike Lee, Andy Benage, Jim Alzbaugh, Jim Westcott.

William Gerry Brumfield, Thomas B. Allen, Donald C. Gerhardt, Kenneth R. Ray, James Edward Turner, Robert Eugene Heater, John M. Gianino, David Radunsky, Edward M. Wheat, Ronald N. Lingo, Mike Walters, Tom Haynes, Roger S. Mixtar, Mike Gibbons, Irving W. Kurtz, Lawrence R. Lemer, Mike Kuppel, Derrell Andrews, Robert Lee Hill, Edwin W. Joem, Gary Stitt, Stephen J. Levitch, Neal D. Warren, Roy G. Cappell, Robert T. Eppelson.

Darlene Bagert, John Koehler, Stephen Deurhtsky, Larry Fenton, Barbara Verespey, Linda Taylor, Lawrence Q. Ramey, Michael W. Risk, Randy Herzog, Michael Schroeder, Richard Boatman, Donald Whitney, James C. Bellis, Roger Cooley, John Marshal Gorchin, Paul C. Shirley, Jr., Dennis Long, Roger C. Combs, Fred K. Atkinson, John W. Laugh, Jr., Gerald Lee Wesselmann, Thomas A. Pallen, Diana Wegman, Arnie McNett, Duane Randall.

Phil Taylor, Thomas E. Lawson, William Fisher, Nancy Wendel, Mike Browning, John Bayner, Gary Lynn Lentz, Jim Powell, Terry Liles, David G. Harbison, Gary A. Duncan, Stephen F. Pickering, Jon Stanley, Carolyn Swallow, Steven Finkel, Brandt Croke, Norman Ryan, Heide Hallgagend, S. D. Caulder, Walter B. Panko, Paul H. Lettmann, Kathy E. Pontires, David P. DeWalls, Louis Schumaker.

Danny Paul Barrett, Arthur R. Kabey, David L. Toppen, Lawrence C. Rhyne, Suzie Parker, Paul Holt, Jack Belt, Albert Spinling, Tom Newly, C. P. Baggero, F. H. Repke, Mrs. Judith O. Repke, Mrs. Alfred Novak, Roy E. Baker, Jr., Georgia I. Caldwell, Edward S. Grigg, P. J. Loesch, Jr., Charles E. Meyers, Sr., Robert E. Pelty, James D. Calhoun, Lyndel H. Porterfield, James Van Hoosen, Patricia M. Jordan, James L. Dole, Perry W. Schaefer.

Lee Woodward, Mike Kupen, William T. Todd, Mike Cravens, Lawrence A. Schwartz, Evelyn Mooney, Joseph W. Weyerich, Philip M. Porter, John L. White, Donald J. Slifer, Leo G. Yoder, Robert C. Allen, Richard Pipes, Larry Hampton, Charles O. Mileaye, Gary Wilcox, Timothy Guse, Sidney Wengraver, Janice P. Wilmsmeyer, Ralph I. Gates, Tom S. Woods, Mrs. Diane G. Ghun, Steve Rose, Sharon Riley, Robert C. Holmes.

Luke W. Jenkins, Donald L. Packwood, Martin J. Megeff, Walter Browder, Kenneth D. Martin, Judith Eckley, Earl Eckley, Andrew B. Bable, Gerry J. Grecco, Arle B. Chever, Don Goodman, Jesse Miller, Phil Heath, K. Wendell Gore, Donald Jay Hanson, Gary C. Hengus, Larry Burdett, Ronnie Goldsmith, Douglas F. Divvers, Lin V. Lumar, Tommy King, Phyllis Christian, Sue Mitschele.

Roger Eugene Thaller, Darrell L. Kearns, Thomas R. Williams, David L. Sammerich, Joan Gentry, Frank Alfieri, Roy W. Mefford, Lee Copeland, W. A. Bryant, Dennis F. Tolahim, Stuart Smith, S. J. Dolson, Richard Eickelberger, Gary Thomas, Randy Russell, James Thomas Galut, Gary Lynn Sanders, Sue Shulanbarger, Jeannie Muench, George Mumford, Kathy Spohn, Larry M. Dyer, Adrian S. Juttner, John S. Haley, Robert F. Spurritz, Jr.

Stanley Ringusen, Jerry Schurenberg, R. F. Hawk, James D. Burch, Paul J. Nangle, Walter Klein, Bill Whitmer, Everett Sapp, C. Fred Thompson, William R. Manle, Richard Lans Spencer, Carol Fisher, Richard L. Swallow, William C. Sutton, R. M. Marshall, Larry N. Woods, John W. Boise, Carol Bowman, Tom Strongman, Richard E. White, Thomas M. Downs, Kenneth Harpster, Larry R. Hanning, Tom Butterworth, Dale Ridder.

Anne Marie Weiss, Kathleen Burton, Linda Braver, James N. Finnell, Lloyd H. Crews, Jr., Howard C. Wright, Jr., Joe Bauman, Patrick R. Baldwin, H. L. Calm, Joseph A. Saursen, Katie Love, Wally Williamson, Wayne Brady, H. Lawrence Hottelman, John A. Dearing, Jr., Tom Ballard, Neal Dowers, Michael L. Coney, Terry Green, L. W. Hosemon, Ginny White, Charles Stecher, Gary T. Christoff, John C. Taylor, Ronald G. Fenkel.

Don Boullear, Jack Garrison, W. P. Kane, E. A. Cabot, Janet Maerz, John Arnold, Jim Bowers, John Crestman, Sandra Bunch, Thomas B. Darnell II, Arthur Lee Gully, Mary Hartman, Ken Teepe, Janet Sawyers, Linda Miller, William M. Morton, Mike Wright, O. Keith Backhaus, Frank H. Knight, Thomas P. O'Donnell, Janine Boals, Richard Benks, Cheryl Smith, Ron Beck, Robert S. Davidson.

Dennis Sook, Richard King, Valerie Abeln, Ronald Price, Tom Rafines, David Fallmer, Greg McPike, John Pollard, Doug Wankel, David R. Davis II, Walter F. Love, Beverly J. Leach, Donald J. Saldway, Michael Chilsign, Jr., Margaret McGray, Michael Weber, Marlis McWilliams, Elmer F. Finke, Jr., Lauren Glauser, Richard Ritz, Charles Hanor, King D. Douglas, Terry R. Cantor, Len M. Beisn, Harriet C. Wadsworth.

A. K. Nelson, Linda Bupe, Jerry Finley, Ann Hemphill, Ronald F. Eldonighoff, Loren G. Rease, Jonathan Yedor, Walter Gross, Gerald Mers, Michael Paubel, Tom Perrin, Ronald E. Esser, Burt Doyhistin, Hisham Sirawan, John C. Graham, Stephen Novala, Pder Stewart, Sue Ginn, Robert R. Kosge, Father J. H. Wertham, Sanford Rothman, Helen M. Hubb, James William Stalles, Charles Cull, Danny Burton.

Doss Malone, Eddie Aylward, David E. Slagle, John K. Griesel, Stephen Richards, Helen Murrell, David L. Jacobson, Mary Lee Gordon, Richard Humony, Clinton E. Trammel, Jeffrey G. Preston, Robert W. Jones, James A. Martin, Alan J. Brown, J. R. Farris, Alfred B. Kelly, Del Miles, David B. Drummond, Rossell B. Shoell, Donald Fleet, Edward J. Jonaitis, George D. Nichol, H. R. Mehra, Jim Willsey, Louise Crawford.

Laurence Roy Latimio, Martha Glasscock, Donald Johnson, Rosalyn Barris, Kathleen Leach, Alan Kinkead, Don Ingrum, Kenneth Bretches, Lawrence A. Koppers, Carley Fisher, Michael Devereau, Ralph M. Rowlett, Rolinda Rowlett, Gary L. Scholing, Reta McCall, Sherri Lee McMurry, Michael A. Greenway, Paul A. Farris, David E. Selering, Lynn K. Treichel, Kent B. Newell, Thomas G. Johnston, Geoy A. Gale, Dr. J. C. Oliver, Gerald Link.

Ronald Dryer, Patricia L. Chamberlain, Doug St. Marie, Adella Lolli, Richard W. Meyer, W. H. Worley, Burton K. Robinson, Betty Howard, Carole Raihcoe, Larry Cox, Bill Kiems, Jerry Howard, Gerry V. Johnson, Donald E. Halt, Robert Mindler, Jesly Staurt, Patricia Hoffman, David Goddard, Dave Rowe, Sandra Riggins, Gerald L. Onlersan, Jerry Simmus, Neil Haggard.

Michael Rodgers, Mike Cunningham, Jeff Cennock, Mary Geldbach, Robert L. Mills, J. W. Kitemud, Jr., Rodney Bermin, Terry L. Anderson, John T. Nagy, Ralph Beckwith, Kenneth Geel, Kent Kukal, Mike Wallace, Whit S. Worcester, Jerry Meek, Jan Meek, Barbara J. Anderson, Vincent T. Nicosia, John Stann, Jany D. Roark, James Kessler, Michael Schwartz, Thom Clark, Eddy Thomsano, John E. Grogan.

Richard Van Meter, Ken Matten, A. C. Sakati, Mike Alassi, Gerald Folkus, Chester Bradley Bless, Jim Hobbs, Don Rabb Kappa Alpha Order, Dan Alcorn, Kathy Ruda, Richard P. Hedge, Lance Wethantex, Bob Denny, Sigma Chi, Fred Benson, John B. Crafton, Dean Bradley, Vic Kritzschman, Byron Haughn, Charles M. Berkley, USMCR, Pat Dooley, Bran Alkerson, Larry Wesselman, Jule Edward Anderson.

DeBra Ray, Bill Hancock, Bill Sebastian, Shirley Allen, Gene Turley, Bill Toldebusch, Barry Casper, James M. Robinson, T. Clark, Roger Bentley, Darlene Patricia Jost, Lucy Ann Waldeck, Bill Johnson, John C. Black, Ted L. Holt, Stephen M. Dean, Thomas Richey, Kay Segall, Richard F. Bennett, Thomas B. Lampitt, Larry C. Piros, Helen A. Bell, H. William Busch, Jr., Walter S. Strode, Pat Weast.

Elwyn Renne, Gary R. Underwood, Kent E. McMillen, Michael B. Snyder, Harriet Cohen, James Porter, Ralph Watkins, Benny Duffield, Robert Hugh Scott, Michael Letton, Lois Kreienheder, Mary Totter, Dennis Knapp, Walter L. Rehm, Jr., Don Koingas, George P. Bretbauger, Jim W. Hymes, Frances Balkenderch, Mary Jo Dawson, Robert Shaffer, Danny Minks, Robert Melton, Ronald Brune, John Lyell, Mrs. Andy Bridges.

G. Douglas Durham, Barry Sanders, Mark D. Whitlow, Edwin C. House, Jerolyn M. Onstad, J. Morton Nelson, John Perkins, Brant Stauffer, Derrell Andrews, Joe Paulsen, Earl Gylward, Ted Lee Atwood, Michael S. Shue, Clif Faddis, Betty Sack, Dennis Snell, R. Chaffer, Joe Kallinski, Ray Villanueva, Ed Storms, Larry Sullivan, Susan Veal, Robert J. Balmor, David Steele, Sorn Baird.

Gloria Saulberg, Paul Wickens, Sally O'Hare, Frank J. Irvin III, John M. Boniface, Ron Woods, Shelia Barber, Ralph Power, Herbert Schaffer, Martin Hill, Sandy Kelly, Carol Ann Garrett, Linda Rechler, Daniel Taylor, Clark Talbert, Edythe Draffen, Kenneth R. Jeeter, Ed Maher, Jr., Dennis X. Dodson, René Rozenblit, Glenn C. Ellsworth, Michael Resnick, Katie Hulin, Jane Duryer, D. M. Robinson.

Joseph C. Smith, Larry J. Leech, Stanley A. Pollman, Doris Brike, Nance Lynch, Wm. Mays II, Richard F. Steatman, Jack Ring, Jr., Terrell L. Minor, James W. DeClue, J. W. Hopson, Ernest Wolfe, Jr., Barbara E. Barman, James N. Story, Robert G. Williams, Wm. H. Ayres, Spencer Hovell, Jerry L. Wallace, Karl D. Hagh, Dorothy Sproat, Paul A. Johnson, Jr., Bill Lyons, John Koch, Charles T. Yates, Bill Neff.

Charlie G. Acrested, Mavilyn Seiff, Tim Mickley, Bonnie Suszko, Jerry Eddy, Jack M. Litman, Donald S. Singer, Dave Nixon Gorden Jost, Michael Melvin, Leslie Small, Janet George, Jud Chalkley, Mary Ann Smith, Nancy Kloepper, Kenneth B. Sloan, Oscar H. Calvert, Mack Sloush, Robert W. Haas, Nancy Cowan, Ellen J. Peared, Nancy Johnston, Robert V. Miller, William R. Houston, Charles Santhuff.

Michael T. Marcotte, Stephen M. Geis III, Margaret Hepworth, Carol D. Campbell, Susan Trail, John M. Bone, Lendol Vest, Richard B. Swirlington, Charles A. Shaw, Robert Allen Walther, Michael R. Deaver, Robert F. Rogers, Barbara L. Johnson, Darlene W. Edwards, James S. Skinner, Rudy Moe, Paul J. Marlan, Rex Danneill, Anne Lamkin, E. C. Reman, Marcia M. Lewis, Joe Leurs, John M. Welch, Frederick C. Boland, Herbert Britt.

Janet Lasley, Calvin Weber, Robert A. Boelsen, Jim Holton, Raymond Dawson, John T. Hoog, Barbara K. Pence, Jennifer S. Lambert, Janice Davidson, Jerry Hagg, Sandra Pell, Barrett Glascock, Wallace H. Landes, Willard Schnaubusch, Audrey D. Wilson, Alta Garcia Myers, C. J. Smith, Mrs. C. J. Smith, Ilan Nowinski, Joe Johnston, Cathy Bratek, Coleen Murphy, Wayne Thornhill, Karen A. Whaley, Carla Cox.

M. Allen Murphy, Jeff Taylor, Irma Latihiyya, Dallas D. Rhodes, Frank F. Hilton, Sandy Hallemeyer, William B. Wright, Lansing B. Demarest, Lucy E. Lockett, Diana L. Talley, Michael Reeves, Emery Morgan, Susie Schreiber, David J. Smith, Joe Flannery, Phyllis Jentry, Gayle Speiser, Jill Johnson, Claude Turner, Phaney Livingston, Katie Blanton, Gwendolyn A. Rayford, Tom B. Ballen, Cheryl Halper, Colleen Barnhart.

Linda J. Taylor, Janet Caywood, Lyn Noblett, Pamela Preston, Barbara Joan Peters, Joseph Henson, Judy Johnston, Loran C. Young, Janice McDaniel, John Henson, Clyde H. Howell, John H. Day, Vonna Kyprigder, Michael L. Sherman, Charles F. Clements, Phil D. Wann, Garry Kalts, Michael Luther, Jr., Kathleen Costeel, Charles Emmons, Ronald J. Baslen, Alfred N. Smith, Joan Krueger, Donald Fues, Gerald M. Sill.

Ronald W. James, Burt E. Deacock, Arthur H. William, Michael Woods, Thomas Wayne Mitchell, Wm. H. McKnight, Jr., Robert Pile, Bruce Lordfather, Charles Ervin, Karen Kay Thomson, Ronald R. Reagan, Barbara Crevello, Michelle C. Wilson, Robert N. Gould, Beverly D. Fields, Jerry L. Davenport, Ron Farley, Joan Powell, Tahy Stein, Mike Woodall, Henry Blair, Bill McBride, Virginia Mooney, Karen Mitchell, Bill Hynes.

Ron Carson, Frank Sadowski, Kalers Covusburg, Elizabeth R. Overton, Pamela Higginbotham, Jim Busby, Terry Shimaru, Paul Keichastacht, Carolyn Hellmich, Larry F. Moore, Fletcher A. Reynolds, Larry Anderson, Barbara Keur, B. S. Brown, David J. Danials, Thomas M. Wallace, Algo W. Fugit, Diane Dugan, James R. Holmes, Rosemary White, Tia Rolt, Dolores Muenks, Margie Boehner, Robert K. Busch, Jr., Don White.

Merry Beth Parker, Jane Fisher, Don Welage, Thomas P. Cathy, Slenson L. Morton, Charles A. Reed, Ronald Darks, Lowell T. Cooke, Arthur C. Hoffman, Martin R. Bailey, Leslie Gene Plummer, Algird J. Valiuzras, Earl N. Van Eatoy, Glenda Sue Van Eaton, Charles Alex Miller, Don E. Wickerham, Jo Hilton, Diana Pauls, Pamela E. Dunham, Richard Wayne Petersen, Susan Williamson, John E. Austin, Susie Gromer, Nancy Fowler, Lucinda Rice.

Mike Johnson, R. S. Weslister, Kenneth H. Long, Al Rubin, John F. Haslev, Suzanni Maupin, Michel W. Diviney, Roberta Beattie, Bob Swoboda, Erich C. Dueivy, Lowell Newson, William Fricth, Dale R. Hicks, Diana Lee Blackwell, Jay Chiles, Glenn Orr, Margaret Fisher, Ed Pochos, Wm. J. Kaggy, Lawrence Cook, Robert Sihauman, Erie Sowers, Charles Eddy, Peggy Diesel, Terri Brandinburg.

Galen H. Wilkes, John Franklin, Berta A. Tew, Stuart Huntner, Charles A. Musgrove, Thomas L. McRobert, Susan Hay, David Clark Zucker, Paul J. Reichert, David A. Aber, Dale C. Doerhoff, Mike Morgan, Bernice Zyk, Bob Whatley, Lee O. Elsner, Judith Ann Kern, Sandra Bayer, Joyce Roesel, David Rainbow, Tom Lener, Jr., Dale Belcher, Linda S. Moss, John W. Miller, John S. Tumel, Tom B. Latimer.

Michael E. Engel, John Wedleston, Mary Ellen Kirberg, Douglas Jones, Mike Alexander, Billy C. Dunehew, Terry G. Hayden, Michael Tellman, Perry Mudd, Jerry Fillmore, Kay Lang, Delmar Heinke, David Brown, U.S.

MCR, Richard K. Lucy, Sid A. Trojahen, Richard John Ohanesian, Glenn Germann, Sandra Lante, Frank G. Mays, II, Dick Newman, Gary W. Flick, John L. Walker, Ted Warmbold, Bruce Downey.

Bob Morfing, Benny Hainen, Greg Schuert, Gary Taylor, Steve Sailor, Tom Dowagher, Wolfgang A. Scheuder, Steve Sheppard, Delbert Meiny, James Gunderson, Russell Ramsey, A. Lee Cachery, John A. Owersado, Bill Rush, Kent Vantire, Nolan Berry, Dwight Degan, II, Ted Jenn, Denis Day Croone, Kenneth Creek, Earl Newman, William Beitz, John J. Venezons, Lawrence D. Ramsey.

Mike Hathaway, Alfred Gaskin, Hellyea Schmitt, Stanley Harrell, Marvin E. Krueger, Billy L. Gaus, Gary D. Heisel, Richard Kinder.

Charles M. O'Connor, Warren R. Brown, Richard N. Echols, Robert E. Cowan, Tim Wink, Michael S. Lechtenberg, Linda Jacobs, Maynard Davison, Linden Ousley, David S. Eblen, D. Clark Shows, William Kavanaugh, Margaret Hunt, R. J. O'Neill, Charles Pearson, Stephen Walters, Donovan Rhynshwgen, David Hennies, Mac McCollum, Henry Beauman, James Lindley, Robert M. Siebert, Ann Rozene Trolinger, Kathleen Lally, David McConnell.

Charlie F. Hudson, James S. Michie, Harold B. Strain, Ray Lord, Sharon Allen, Barry J. Weinberg, David Crenshaw, Bob Jordan, Wilton G. Risenhoover, Kathie Watson, Richard Meyer, Allan J. Begamy, Thomas H. Hrastich, Betty Ann Morgan.

Don B. Wittenberger, Bunny Richards, Robert Lois Anderson, Geoff Gifford, Kathy Offibey, Steve Durham, John Henafin, Ronald S. Adams, Robert W. Heckemeyer, Mike Phillips, Robert Dahl, Anita Letter, Terry P. Hudson, Teresa Murray, Tom Haughton, Robert L. Royle, Diana Lynn Newton, Robert Harold Dennis, Jerome Dopplich, Larry C. Henopel, Delano P. Wegener, Karin Sue Gordon, Thomas W. Marris, Ken Ramage, Thomas Schneider.

Stephen Koonse, J. E. Weinman, D.V.M., Henry S. Staley, William O. Reicke, George R. Allman, William B. Bowie, Lyle P. Bird, Janet Kuttenkule, Raymond C. Thomaston, John D. Schaffer, Bill Shively, William Bailey, Kathy Hamilton.

Bob. Faith, Keith Suchmen, Wayne Gerhardt, Jim Mealey, Paul H. Anderson, George Fadler, James R. Wencker, Walter Schwarty, Vicki L. Jaiger, John A. Gordon, Morton Wigner, Jim Schofield, Johnny Genchevy, Bob Benell, Dale W. Cleminte, W. Wade Davis, Jerry Rozell, Geland E. Haffin, Raymond D. Collins, Duane Hobbs, Robert Laughlin, Richard Powell, Kenneth M. Samuelson, Nadine Caldwell, Ray Anderson.

Ron Slaughter, Susie Barry, Linda Montgomery, Tom Stuber, Deana L. Laird, Martha S. Barnett, Richard P. Lawless, Majorie L. Kasenthal.

William Devins, James Wavvelly, Charles Richard Couchman, Gail Stantus, Robert N. Whilche, Cindy Gregg, Margaret Demien, Sandra Waldicker, Mike Bailey, Joseph J. Ingles, Thomas Dyer, Paul Clement Pritchard, John R. Snyder, Eldrid Mutlus, John N. Miller, Craig J. Layton, Emily Gordon, Linda Glascock, Salley Wright, Ron Schubel, Harold Mesile, Barry Saltzman, Allan J. Ward, Barb Harder, Dave Davenport.

John M. Howell, Donald Bradley, Rose McCall, Richard Rhodes, Mabel Joseph, Norma Logan, Gabrielle Lienhard, Eugene T. Loche, John M. Boniface, Stephen Frian, John F. Shain, Michael Geddington, Sally Stryelec.

Mr. SYMINGTON. Mr. President, I noticed in the Baltimore Sun of this morning the following headline: "U.S. Paratrooper Company Beaten Decisively." Now there are a great many young Americans in South Vietnam. Those I have talked to were glad to be there. Perhaps a few were not. But none of them are primarily responsible for being there, and I would hope the Senate would do everything in its power to in turn do its part by sending everything needed to help these young Americans as they wage this war in South Vietnam.

EXPANSION OF SOCIAL SECURITY ACT

Mr. PROUTY. Mr. President, many Members of the Senate have been receiving mail from older folks about my bill, S. 350, which would blanket in under the Social Security Act all persons age 70 and over who do not now receive benefits.

I am pleased to announce that when the Senate proceeds to consider the administration tax bill, H.R. 12752, I shall offer the text of S. 350, with only minor technical changes, as an amendment to this measure.

The amendment will provide that, first, all retired people age 70 and over who do not now have insured status will be eligible for social security benefits at the rate of $44 a month; the amount for spouses would be $22 per month; second, the transitional insured status provisions enacted in 1965 would be repealed effective with the coming into force of my proposed amendment; third, the increased payroll taxes enacted in 1965 to cover the cost of the transitional insured status would be retained; the additional amounts needed to cover the expense of my proposal would be paid from general revenues; and, fourth, the benefit amount for persons electing to retire early at reduced benefits would not be affected at age 70.

Mr. President, this is indeed a very modest proposal. I have said for a long time that the minimum social security benefit ought to be at the very least $70. One hundred dollars would, of course, be a more acceptable figure. However, a majority of my colleagues do not yet seem to share this view, so I am attempting to blanket in under the Social Security Act all persons age 70 and over at the minimum rate of $44 per month.

Included among those not now protected by the law are retired farmers, retired teachers, and many other deserving persons who never had an opportunity to obtain social security coverage during their working lifetimes.

Many live in extremely reduced circumstances. They receive little help from the antipoverty program and their need is for cash.

My amendment will not answer all their problems, but it may put a can of coffee, a pound of sugar, or a bag of flour on shelves that are rather empty at the present time.

The amendment I shall offer would give social security protection to all persons age 70 and over. All who may be interested in cosponsoring this amendment should contact my office on extension 2051.

THE ORGANIZATION AND OPERATION OF THE EXECUTIVE BRANCH

Mr. PEARSON. Mr. President, last August 16, 1965, I introduced a bill for a commission to study and appraise the organization and operation of the executive branch of the Government. This measure would create a new Hoover-type Commission which undertook studies of Government reorganization in the past.

Let me repeat the essence of the statement made at that time to the extent that I might note again that the Commission would be bipartisan in membership and would submit recommendations to Congress for appropriate action designed to abolish services and functions not necessary to the efficient conduct of the Government or which may be found to be in competition with private enterprise.

The study proposed would proceed with a view of improving Government efficiency and effecting economies whereever possible. We have learned that it is not easy to reduce the Federal expenditures. The proposed budget for fiscal year 1967 is ample proof of this thesis. But one safe way toward better Government is by reorganizing, merging, eliminating, consolidating, and standardizing those unnecessary and wasteful practices which exist in the executive branch of the Government.

The Commission should not, to my mind, devote itself only to new recommendations but could very well evaluate those recommendations of the former Hoover Commissions which have not been implemented.

I am proud to say that some 39 Members from both sides of the aisle have joined in the cosponsorship of this bill.

I should also make note once again that the President had previously recognized the necessity for reorganization. The passage of this bill would be consistent with the recommendations of the President in his 1965 state of the Union message and would also augment the efforts of the joint committee of the House and Senate now studying ways of improving the organization and operation of Congress. The President's recent recommendation for the establishment of a Department of Transportation is another manifestation of the need for executive reorganization.

In the past 10 years, many measures have been passed which will expand the powers and bureaus of the executive branch but which will only be effective if the executive branch of the Federal Government is efficient in all its operations.

MANDATORY REPORTING OF CERTAIN INJURIES BY PHYSICIANS AND HOSPITALS IN DISTRICT OF COLUMBIA

The PRESIDING OFFICER (Mr. Gruening in the chair) laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H.R. 9985) to provide for the mandatory reporting by physicians and hospitals or similar institutions in the District of Columbia of injuries caused by firearms or other dangerous weapons, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. **BIBLE**. I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. Morse, Mr. Kennedy of New York, and Mr. Prouty conferees on the part of the Senate.

APPOINTMENT OF NEW TRUSTEES IN DEEDS OF TRUST IN DISTRICT OF COLUMBIA

The **PRESIDING OFFICER** laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H.R. 647) to amend the act of March 3, 1901, to permit the appointment of new trustees in deeds of trust in the District of Columbia by agreement of the parties, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. **BIBLE**. I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. McIntyre, Mr. Morse, and Mr. Dominick conferees on the part of the Senate.

PREMARITAL EXAMINATION IN DISTRICT OF COLUMBIA

The **PRESIDING OFFICER** laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H.R. 3314) to require premarital examinations in the District of Columbia, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. **BIBLE**. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. Morse, Mr. Kennedy of New York, and Mr. Prouty conferees on the part of the Senate.

MANDATORY REPORTING BY PHYSICIANS AND INSTITUTIONS IN THE DISTRICT OF COLUMBIA OF CERTAIN PHYSICAL ABUSE OF CHILDREN

The **PRESIDING OFFICER** laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H.R. 10304) to provide for the mandatory reporting by physicians and institutions in the District of Columbia of certain physical abuse of children, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. **BIBLE**. I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. Morse, Mr. Kennedy of New York, and Mr. Prouty conferees on the part of the Senate.

PERSONAL PRIVILEGE

Mr. **YOUNG** of Ohio. Mr. President, I rise to a question of personal privilege. A short time ago my attention was called to some remarks made in the other body on Thursday by Representative Wayne Hays, of the 18th Ohio District, and Robert Sweeney, Ohio Representative at large, as reported on page 4019 of the Congressional Record adverting to the Vietnam conflict.

According to the Congressional Record, the Representative from the 18th Ohio District stated:

> Mr. Chairman, there is one matter that I would like to mention. I would like to sort of apologize to the House of Representatives. There have been a lot of remarks made on the other side of this building which I believe have aided our enemies out there, because I believe they are hoping for us to get tired of this war and quit. I further believe that is the reason they think they are winning.
>
> Yesterday the junior Senator from my State made a personal attack upon the Secretary of State and said that he ought to resign. On behalf of the people of my district, I want to apologize because I supported the junior Senator a year ago last fall.

Then Ohio's one-term Congressman at large added his two bits. He said:

> On behalf of the people from the State of Ohio, I would like to join with the gentleman from Ohio. I feel we can be doves and hawks and of various opinions without resorting to such disagreeable tones.

Then he charged the junior Senator from Ohio with making an "intemperate personal attack upon the most distinguished foreign minister this Republic has had in many years," and then he said, "I certainly offer an extreme apology on the part of the people of the Buckeye State."

Emboldened by the support of his colleague, the Representative from Ohio's 18th District was so encouraged he said:

> In conclusion, I would like to allude to one remark that our junior Senator made. He said he would sleep better at night if somebody else were Secretary of State. Well, if he sleeps at the switch much more than he does now, he will be asleep 24 hours a day.

Mr. President, I am not so much concerned by the personal vituperation of these two Representatives as I am by their attack on the integrity of the U.S. Senate and its Members. By innuendo and direct statements, they have charged that the junior Senator from Ohio was one of those on the "other side of this building"—in other words, Members of the Senate—who have "aided our enemies out there"—meaning the Vietcong. Mr. President, may I say in passing that centuries ago Samuel Johnson said, "Patriotism is the last refuge of a scoundrel."

I am taking the floor on a question of personal privilege. I repudiate the allegations made in the House of Representatives by the Representative from the 18th Ohio District and the one-term Ohio Representative at large that—

> A lot of remarks made on the other side of this building * * * have aided our enemies out there.

In face, the statements made by the Representative from the 18th Ohio District and specifically endorsed by the Representative at large who took upon themselves as censors and self-acknowledged superduper patriots the mission to impugn the loyalty of U.S. Senators, including the junior Senator from Ohio, falsely assailing our loyalty and patriotism. I repudiate such misconduct and statements of these two Ohio Members of the other body. I assert what they said is in direct violation of the rules of the House of Representatives in which I had the honor to serve as Ohio Congressman at large for four terms.

Mr. President, I propound a parliamentary inquiry: Would it be a violation of the rules of the Senate were I to assert in this Chamber at this time that Representative Hays, of Ohio, and one-term Representative Sweeney, of Ohio, are guilty of falsely, viciously, and maliciously making stupid, lying statements assailing the loyalty and patriotism of Senators, including the junior Senator from Ohio, and that they are liars in alleging that we "have aided our enemies"?

The **PRESIDING OFFICER** (Mr. Gruening in the chair). In response to the inquiry of the Senator from Ohio, the Chair states that under the precedents it has been held not in order in debate for a Senator to make reference to action by the House of Representatives. Also, it has been held out of order for Senators to make reference to Members of the House or to refer to a Member of the House by name, to criticize the action of the Speaker, to refer in debate to a Member of the House in opprobrious terms, or to impute to him unworthy motives.

Mr. **YOUNG** of Ohio. I, of course, abide by the ruling of the Chair, and I respect it. If, however, on some future occasion a similar contemptible attack is made on me with the insect-like buzzing of lying allegations by either or both of these publicity seekers, I shall surely embalm and embed them in the liquid amber of my remarks. [Laughter.]

Mr. **DIRKSEN**. Mr. President, will the Senator yield for a parliamentary inquiry?

Mr. **YOUNG** of Ohio. I have one other request to make; then I shall yield to the Senator from Illinois.

Mr. President, I ask unanimous consent to have printed at this point in the Record a column entitled "Impact of War Stirs Politicians," written by Marquis Childs, an internationally respected columnist, and published in the Washington Post of February 21, 1966.

There being no objection, the article was ordered to be printed in the Record, as follows:

Impact of War Stirs Politicians

(By Marquis Childs)

At the "liberal" table in the House of Representatives dining room at the Capitol you can hear two diametrically opposed views of the politics of the Vietnam war. The advice from hard-boiled House veterans such as Wayne Hayes, Democrat, of Ohio, is, "Keep your head down, don't get tangled up in the row over what to do in Vietnam if you want to come through the 1966 election."

Other Democrats challenge this view. They believe they have a duty in all conscience to speak out. They have called for a continued pause in the bombing, for action by the United Nations, for sterner efforts to negotiate. They have done this as the Republicans, with few exceptions, have followed the tactic of cautious silence in the belief that a Democratic split is bound to help them in the congressional elections this fall.

Certainly no one could have foreseen 6 months ago that the massive Democratic majorities in the Senate and House would be so riven by an issue with such deep emotional overtones. What the consequences will be not only for 1966 but for the long-term future of the party and for 1968 is at this stage the great unanswered question.

While it may not be subject to poll-taking measurement there can be little doubt of the loss the Johnson administration has suffered. It comes from academic, church, and other groups with a deep concern over Vietnam. It comes, too, from those who voted against Barry Goldwater in 1964 but without very much enthusiasm for Lyndon Johnson.

They are relatively few in number and the hard boiled would dismiss them as knee-jerk liberals and bleeding hearts. But in one important respect their contribution far outweighs their size as a small minority in the great Democratic mass. Over the past two or three decades, and particularly during the 8 years of the Eisenhower administration, they supplied the steam of idealism and ideas that gave their party a vital appeal. The hard-core supporters of the late Adlai Stevenson, they saw in him the idealism, the hope, that inspired them to do the hard work of political organization.

In the present House 74 Democrats are first termers, although of this number 4 had served before and suffered defeat prior to the Johnson landslide. The vulnerable seats are those that were won by less than 5 percent of the vote cast—62 Democrats, 50 Republicans. Conspicuous targets in November will be first-term Democrats elected in traditionally Republican territory.

Iowa is a case in point. The Republican delegation was decimated with only one survivor out of the seven congressional districts. The Democrats elected in the Johnson sweep are younger men with notable war records out of World War II or Korea who have done the spadework of political organization at the beginning level.

Typical is John R. Schmidhauser, of Iowa City, formerly a professor of constitutional law at the University of Iowa. He supports the President's policy on Vietnam, but he was one of 76 Representatives calling for submission of the conflict to the United Nations and a year ago he had joined in asking for open hearings by the House Foreign Relations Committee on Vietnam. Feeling strongly the issue should be debated, Schmidhauser is disturbed that he gets little or no mail on Vietnam while excise taxes and 14(b) draw a deluge.

John G. Dow, a businessman, the first Democrat in this century to win in New York's 27th District in the Hudson Valley, has been an outspoken critic of Vietnam policy. He was the only first termer to vote against the Vietnam supplemental appropriation last fall. Dow defeated Mrs. Katharine St. George who had served in the House 18 years. His share of the vote was 51.06 percent and his district will be closely watched to gage the political effect of the war.

On the Senate side two Democrats up for reelection were among the 15 who signed the letter appealing to President Johnson to continue the bombing pause. Senator E. L. Bartlett, of Alaska, is expected to win reelection with little difficulty, since he is so closely identified with the destiny of the new State.

But Senator Lee Metcalf, of Montana, is already discovering that he will confront the Vietnam issue. His likely opponent is the Republican Governor, Tim Babcock, far to the right of center. In his speeches around the State Babcock is saying that now we are in Vietnam we must win.

Mr. YOUNG of Ohio. Mr. President, I am ready to yield the floor, but I shall first be glad to yield to the Senator from Illinois.

Mr. DIRKSEN. Do not yield the floor.

Mr. President, first, I want to know if any Senator can get into the "fight," since it appears to be a free-for-all.

The PRESIDING OFFICER. Yes; indeed.

Mr. YOUNG of Ohio. Yes. I was about to yield the floor, but I shall yield for a comment by the minority leader, with whom I also had the honor to serve in the other body years ago.

Mr. DIRKSEN. Mr. President, for the sake of clarification and a meticulous interpretation of the rules, I should like to inquire whether calling a Member of another body a liar is an imputation of improper motive.

The PRESIDING OFFICER (Mr. Gruening in the chair). Under the precedents, that would not be in order.

Mr. DIRKSEN. That has nothing to do with motive. You just plain call him a liar; what you regard as a statement of fact.

Mr. YOUNG of Ohio. Evidently that is a fact. [Laughter.]

Mr. MORSE. Mr. President, will the Senator from Ohio yield?

Mr. YOUNG of Ohio. I yield to the Senator from Oregon.

Mr. MORSE. Would I be correct in assuming that the junior Senator from Ohio, keen lawyer that he is, proceeds on the basis that the truth is always a defense?

Mr. YOUNG of Ohio. That is correct. I yield the floor.

AMBASSADOR LODGE: LET'S GET ON SIDE OF LITTLE MAN IN VIETNAM

Mr. PROXMIRE. Mr. President, we are not doing the kind of educational, agricultural, health, land-reform job in Vietnam we can do and must do.

It is true that we have made some brilliant achievements in these areas in Vietnam. We have proved that we can make an excellent contribution, but it has been far too little. There has been no satisfactory answer from the administration to the glaring contrast between the 1 American who is in Vietnam for all nonmilitary purposes and the 200 soldiers, sailors, and marines.

The administration has made no justification for the pathetic $1 we are spending on education, agriculture, health, and land reform for every $400 we are spending on war in Vietnam.

Mr. President a dramatic and sharp step-up—well beyond the budgeted program for nonmilitary action in Vietnam—is needed for two reasons:

First. To shorten the war and permit us to win a victory that would leave a Vietnam not totally devastated by war.

Second. To have a fighting chance for freedom and independence to win the election that we now recognize we must face after the cease-fire becomes effective. Unless we initiate a far more ambitious program of land reform and education, unless we do a much better job for the majority of Vietnamese who are landless, and for the overwhelming majority who have not graduated and will not graduate from grade school, we are not going to win any election in which most of the people in Vietnam vote.

Yesterday the New York Times quoted our own Ambassador Henry Cabot Lodge as saying in Vietnam:

> For years now in southeast Asia, the only people who have been doing anything for the little man at the grassroots—to lift him up—have been the Communists.

On Friday the Washington Post reported that Gen. Edward Lansdale, the man who has been so eminently successful in fighting the Communists by leading a counter social revolution in the Philippines and who has a similar assignment in South Vietnam, is being smothered in bureaucratic redtape and given pitifully inadequate support in his immensely vital and onerous job.

General Lansdale is Ambassador Lodge's "special assistant."

I ask unanimous consent that the New York Times report on Ambassador Lodge's plea for more political emphasis and the article on General Lansdale be printed at this point in the Record.

There being no objection, the report and article were ordered to be printed in the Record, as follows:

Political Gain Is Vital to Victory, Lodge Says

Saigon, February 26.—The U.S. Ambassador, Henry Cabot Lodge, maintains that unless the South Vietnamese Government has a solid political program, the war with the Vietcong can drag on for 20 years.

Mr. Lodge, in an interview made public today, said:

"For years now in southeast Asia, the only people who have been doing anything for the little man at the grassroots—to lift him up—have been the Communists.

"This is a political war with violent military and criminal overtones. You can have military success and you can have success against the criminal element, and if you're not ready with a program which is going to make the man adhere to the Government and believe in the Government, you haven't accomplished anything durable."

Failure To Produce Viet Miracles Puts General Lansdale on Defensive

(By Stanley Karnow)

Saigon, February 24.—When he arrived in Saigon last summer as American Ambassador Henry Cabot Lodge's special assistant, Maj. Gen. Edward G. Lansdale was widely publicized as the man who could guide South

Vietnam's leaders toward the kind of social revolution necessary to defeat communism.

Lansdale was, after all, a living legend. He had helped President Ramon Magsaysay to defeat the Communist-led Huk rebels in the Philippines. Operating behind the scenes, he aided President Ngo Dinh Diem to consolidate his power in Saigon after 1954. To his own distress, Lansdale was expected to repeat those miracles when he returned here.

Now, nearly 6 months later, it is widely acknowledged here that Lansdale has performed no miracles. Instead, the key question is whether he has been able to do anything even remotely significant.

His adversaries, who are numerous within the U.S. mission, contend that Lansdale and his 11-man team have failed to make the slightest impact on the Vietnam situation. They support this view by pointing out that, in a major reorganization last week, Lansdale was bypassed and authority for overall nonmilitary programs was vested in Deputy Ambassador William G. Porter, a career diplomat.

Several of Lansdale's own subordinates agree that their group has accomplished little. However, they blame their lack of achievement on opposition within the vast U.S. bureaucracy here. As they explain it, Lansdale's efforts have been chronically sabotaged by American agency heads jealous of their prerogatives.

More cautious American officials, fearful of controversy, strive to shroud Lansdale in the ambiguous jargon that characterizes much establishment syntax here. To cite one senior U.S. diplomat: "Ed is showing fine capabilities in coordinating concepts."

Attempts to evaluate Lansdale's operation fairly are hampered by the fact that nobody here can quite define the role it was initially designed to fulfill.

Some of his original backers in Washington, among them Vice President HUMPHREY and Senator THOMAS DODD, Democrat, of Connecticut, saw Lansdale bringing to the highly militarized Vietnam situation the philosophies that had accounted for his earlier triumphs in the Philippines and Saigon. Like the harmonica-playing Colonel Hillendale in "The Ugly American," for whom he is the model, Lansdale was expected to win the confidence of the Vietnamese and help them to create sound, popular leadership.

In theory, at least, Lansdale was suited to the task. On previous occasions he had displayed an almost uncanny ability to drop into a strange setting, mix with the people, understand the problem, recommend a remedy, and assist in its implementation. And he was at his best when he played a solo hand, personifying American power for his native proteges.

But the Vietnam which Landsdale entered last year was far different from the scenes of his past glories. There were no visible leaders comparable to the dynamic Magsaysay or even the stubbornly nationalistic Diem. More important, the U.S. mission in Saigon had proliferated into a huge bureaucratic machine.

LACKED AUTHORITY

Within this bureaucracy, Landsdale soon found himself just another American official. Moreover, without the authority or finances of U.S. agency under his command, he lacked real weight—a fact the clever Vietnamese were quick to surmise.

Thus, Landsdale and his assistants might spend heady evenings with Vietnamese listening to folk songs and discussing their hopes and dreams. When it came to hard business, however, the Vietnamese went elsewhere. Or, as one high Saigon official put it:

"Mr. Lansdale is a wonderful man. But when our ministry needs money we see the AID people."

Without real authority, furthermore, Landsdale's team has been unable to function decisively in the various programs classified under the awkward heading of "pacification." Newspaper reports to the contrary, Lansdale was not instrumental in training rural police units and political action groups, which were organized by AID and the CIA respectively.

Nor has Lansdale served as an intermediary with the Vietnamese leaders on crucial issues such as peace negotiations or general U.S. policy.

Several U.S. Embassy officials also claim that Lansdale and his subordinates never really developed enough independent sources of information to justify their claim to being the eyes and ears of the mission.

In short, as one of Lansdale's own men summed it up:

"We haven't really done anything that couldn't have been done by any bureaucrats."

REPORTS PROLIFERATE

In a curious way, the antibureaucratic Lansdale team has itself taken on bureaucratic trappings. Its members probably turn out as many reports and memorandums as any other Government agency, and they devote themselves intensively to all sorts of minutae.

They have recently been deliberating, for example, whether the Saigon government could decently refer to the "fatherland," a term frequently employed by the Communists. Not long ago they came forth with the suggestion that the South Vietnamese post office issue a stamp portraying the different nations contributing to the war effort here.

A few Lansdale team members work on heavier subjects. One in particular has produced important studies on economic warfare techniques used by the Communists.

Lansdale himself is often credited with having given a certain currency to the expression of "social revolution" that figures in many statements by South Vietnam's Premier Nguyen Cao Ky.

Essentially, explains a seasoned American official here, the Lansdale group has not been able to meet the requirements of the present Vietnam situation. As he put it: "We are up against a superb Communist organization that must be uprooted by a better organization. This simply cannot be done by a few men of good will."

AMERICAN PARENTS COMMITTEE OPPOSES CUTS IN SCHOOL LUNCH, SPECIAL MILK PROGRAMS

Mr. PROXMIRE. Mr. President, the February issue of the American Parents Committee's "Washington Report on Legislation for Children" sharply criticizes the administration's plans to cut the special milk program for schoolchildren by 80 percent.

I would like to read into the RECORD for the benefit of my 43 Senate colleagues who have cosponsored my bill to make the school milk program permanent a few of the excellent points made by this newsletter.

First, the publication points out:

> Just as our public school system is available to all children, so must the school lunch and special (school) milk programs continue to be made available to all children. In his state of the Union message, the President pledged that the Nation's children must not be the victims of a false economy. Yet, curiously enough, the 1967 budget recommends that only those children too poor to pay be permitted to participate in these programs. * * * The specter of discrimination-in-reverse would become a reality if local administrators were forced to pin a poor child label on some children in order to eliminate others from eligibility.

Mr. President, this is the first time to my knowledge that this concept of discrimination in reverse has been discussed in connection with the school milk program. In exploring this concept the newsletter goes on to say:

> The sensitivity of the poorer child is disregarded in the 1967 budget proposal, and those supporting full continuance of the school lunch and milk programs can justifiably evoke the equal protection clause of the 14th amendment.

Perhaps the strongest point made in support of funding the school milk program at its present level was:

> The American School Food Service Association, whose members are local administrators responsible for the proven success of the school lunch and milk programs, has reported that when local costs of these programs have had to be raised 5 to 10 cents, approximately one-third of the participating students have dropped out of the programs. The situation would be even worse if the 1967 budget proposals are not changed.

What better reason is there to fight against the crippling cuts proposed by the administration—cuts which could easily kill an overwhelmingly popular program of proven merit?

Mr. President, I ask unanimous consent that the entire article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

School Lunch and Milk Programs

In a recent nationwide CBS television interview, APC's executive director was asked why we have consistently supported the national school lunch and milk programs. We noted that, ever since its enactment in 1946, the school lunch program has proven itself to be an outstanding bargain for the taxpaying parents' dollar. The 20 years of the program's operation have been marked by efficient and economical management. Its success has been attested by an average 5-percent annual increase in participaiton, with the current total of well over 17 million schoolchildren. A similar record of sound management and increase in participation (particularly in OEO's Headstart groups) holds true for the special milk program, enacted in 1954.

Under the Department of Agriculture's surplus commodity purchase plan, the Federal Government has bought up the perennial surpluses (now termed "reserves" in the new food-for-freedom bill) of foodstuffs and dairy products—of particular price-support benefit to the American farmer—and distributed these products throughout the States. This plan has aided local administrators in achieving low-cost balanced lunches for all schoolchildren, when supplemented by local purchases made possible by cash reimbursements under the program.

The American Parents Committee is convinced that, just as our public school system is available to all children, so must the school lunch and milk programs continue to be made available to all children. In his state of the Union message, the President pledged that the Nation's children must not be the victims of a false economy. Yet, curiously enough, the 1967 budget recommends that only those children too poor to pay, be permitted to participate in these prorgams. Such a proposal overlooks two important points. First, the specter of discrimination in reverse would become a reality, if local school administrators were forced to pin a "poor child" label on some children in order to eliminate others from eligibility. Secondly, a provision of the National School Lunch Act specifies that local school administrators are required to provide school lunches without cost to needy students, without separating them from the pay-as-you-eat students. This provision has been in force ever since 1946, when the program was enacted; and to change such an arrangement would require amending legislation.

In every public school system, there is inevitably a wide range of economic backgrounds among the students. The sensitivity of the poorer child is disregarded in the 1967 budget proposal, and those supporting full continuance of the school lunch and milk programs can justifiably evoke the "equal protection" clause of the 14th amenmdent.

The American School Food Service Association, whose members are local administrators responsible for the proven success of the school lunch and milk programs, has reported that when local costs of these programs have had to be raised 5 to 10 cents, approximately one-third of the participating students have dropped out of the programs. This situation would be even worse, if the 1967 budget proposals are not changed.

AIRLINES ANNOUNCE RECORD PROFITS: TIME TO CUT AVIATION SUBSIDY

Mr. PROXMIRE. Mr. President, the year 1964 was a good one for the Nation's airlines; but last year was out of this world. Profits for the last 3 months of the year, for example have just been disclosed as 50 percent higher than in the comparable period in 1964.

Yet subsidies to aviation are climbing to a record high. In 1957 they were about $220 million. This year the budget recommends well over $900 million.

At a time when we face a tight budget, when it is recommended that we virtually gut the school milk program to save money, does it make any sense for this immensely profitable industry to receive bigger subsidies than ever?

I ask unanimous consent that an article published in the Washington Daily News, reporting the level of recent airline revenues and profits, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PROFITS UP 50 PERCENT, REVENUES 18 PERCENT—AIRLINES FLYING HIGH

(By Robert Dietsch)

In our highflying business boom, few industries are flying higher than the airlines:

Last year, their revenues came to around $2.3 billion—18 percent higher than 1964 and triple those of 1955.

Their profits in the last 3 months of 1965 were more than 50 percent higher than the comparable 1964 period.

They are luring more and more Americans into traveling by air. To be sure (as the Northern Trust Co. of Chicago puts it), "Business travel still accounts for two-thirds of all airline trips, (but) personal trips, which are longer on the average, now produce nearly one-half of industry revenues as compared with 40 percent 10 years ago."

This is fine reading for airline executives and stockholders.

But for the public the most interesting news concerns fares.

Thanks to prodding by the Civil Aeronautics Board and some industry mavericks it costs less to fly today than ever before. Also fares come in a variety of packages—something for everybody from clergymen and college students to wives and kids.

Nonetheless, problems remain:

Spending on new aircraft will continue high for years to come.

The lines continue to add seat capacity; to keep up earnings they must continue to increase business 15 percent or more each year.

DIESEL-POWERED VESSELS ARE ONE ANSWER TO OUR MERCHANT MARINE PROBLEM

Mr. PROXMIRE. Mr. President, over the past few months we have witnessed an intensifying debate, both in Congress and within the administration, over the future of our merchant marine. This debate has been sparked by disclosures that our shipping industry simply is not able to meet the demands of the Vietnam war. It has become increasingly obvious that the United States is fast becoming, if, indeed, it is not already, a second rate shipping power.

Two reports on this tragic situation were made late last year by a maritime task force made up of administration personnel and by the Maritime Advisory Committee, composed of industry representatives. Unfortunately, these reports are diametrically opposed on many points. The consequence seems to be a policy deadlock which has to this date prevented the submission of a suggested program to Congress.

I strongly believe, Mr. President, that at least one factor in the decreased efficiency of our merchant marine in comparison with those of other maritime nations is our failure to use the most effective technology. More specifically, this Nation has failed to adequately utilize diesel engines in its merchant marine.

Let us look at the facts. As of December 1, 1965, only 129 out of 1,916 vessels of 2,000 tons or more deadweight under construction in the world's shipyards were steamers. In other words, 1,787, or more than 90 percent, were diesel propelled. Yet 43 of 50 ships under contract in the United States were steam turbine propelled. The seven U.S. diesel-propelled vessels were oceanographic or survey ships. These facts show beyond a shadow of a doubt that the diesel engine is more economical than the steam-turbine engine. The facts also show that we are not utilizing this superior propulsion.

Mr. President, an article which will be appearing in the April issue of Diesel and Gas Turbine Progress gives the facts and figures on the impressive performance of diesel engines. I hope that Senators will read this fine article. If we are to rebuild an effective merchant marine, the issue of diesel versus steam power must be given the utmost consideration. I ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LARGE, HIGH-PERFORMANCE CARGO VESSELS USE DIESELS

One of the primary objections to the use of large direct-drive, marine diesel propulsion power brought forth by U.S.-flag vessel operators and the Maritime Commission in Washington concerns large, high-performance cargo vessels. U.S. operators apparently feel that the diesel is not economically applicable to these type vessels, which make up the bulk of their future shipbuilding plans. It is felt apparently by both the Maritime Commission and ship operators in this country that the diesel takes up too much space that could be devoted to cargo and cannot deliver the speeds desired. We have developed a representative listing of cargo and cargo-liner type vessels over 10,000 tons deadweight that have been built recently throughout the world and equipped with diesel propulsion. This listing is taken from the excellent statistics published by the Motor Ship magazine in England. It is obvious that diesels are in great favor throughout the world for the latest designs in large, high-speed cargo vessels; and it would seem that the information contained in this article would allay the fears of U.S.-flag operators and the Maritime Commission as to the practicality of diesel propulsion in this type service.

Two of the highest power cargo liners ever put into service are the *Southampton Castle* and the *Gold Hope Castle*. These two vessels have gone into regular service for the British and Commonwealth Shipping Co. on high-speed runs to Cape Town, South Africa. They both can handle mixed refrigerated and general cargoes and take only 11½ days for the 6,000-mile voyage. They are each equipped as twin-screw vessels with two Wallsend-Sulzer type 8RD90, 8-cylinder, 2-cycle diesels rated 17,600 horsepower apiece for a total combined horsepower of 35,000 approximately for each ship at an engine speed of 119 revolutions per minute. These engines operate on heavy fuel and with this power can deliver an average voyage speed of 22½ knots. The vessels are 13,152 gross tons each, with cargo capacity of 598,000 cubic feet; of this capacity, approximately 380,300 cubic feet is insulated for refrigerated cargo.

In Germany, an interesting series of cargo vessels have been recently built. The *Tabora*, representative of this group, is a 13,500-ton deadweight vessel powered by a 9,600-horsepower MAN K6Z78/155 direct-drive diesel giving a ship service speed of 19 knots.

The *Clan Ramsay*, another high-speed cargo liner built for the British and Commonwealth Shipping Co. for fast service to South African ports, is an 11,500-deadweight-ton vessel powered with a 10,350-horsepower Kincaid-Burmeister & Wain diesel. This ship features advanced automatic control arrangements for the engineroom and virtually all the total cargo capacity of 527,000 cubic feet is refrigerated. This is the first of a new class that will include at least four ships.

The 12,070-deadweight-ton *Sharistan*, owned by the Strick Line, Ltd., is another new cargo vessel of advanced design. Bridge control of the 10,000-horsepower Doxford main diesel propulsion engine is featured along with automatic starting and control of generator sets and pumps. This ship has a cargo capacity of 676,000 cubic feet and a service speed of 17 knots. It is reported to be the fastest ship in the Persian Gulf service.

The brandnew *Australia Star*, owned by the Blue Star Line is powered with a Vickers-Sulzer 8-cylinder 8RD90 diesel rated at 17,600 horsepower. She is an 11,600-ton-deadweight cargo liner with a service speed of 20 knots. Length overall is 526 feet; breadth, molded, is 70 feet; depth, molded, is 41 feet, 9 inches; and draft, loaded, is 30 feet. This vessel will be used in the Europe-Australia run.

Large, high performance, diesel-equipped cargo vessels over 10,000 tons completed in 1965

Builders	Name of ship	Type	Owner	Tonnage deadweight	Engine-builders and design	Engine data	B.H.P.	Service speed knots
UNITED KINGDOM								
Charles Connell & Co. (Shipbuilders).	Beniedi	Cargo liner	Ben Line Steamers	13,000	Barclay, Curle-Sulzer	9RD90	20,700	21.0
Austin & Pickersgill	Exning	Cargo	Atlantic Shipping & Trading Co.	16,000	Clark-Sulzer	6RD76	9,600	17.0
	Inishowen Head	Cargo liner	Head Line	10,050	do	6RD76	9,600	17.0
	Australia Star	do	Blue Star Line	11,600	Vickers-Sulzer	8RD90	17,600	19.0
Burntisland Shipbuilding Co.	Tenbury	Cargo	Alexander Shipping Co.	11,620	Brown-Sulzer	6RD76	9,600	16.0
Wm. Doxford & Sons (Shipbuilders).	Aliki Livanos	do	Monrovia Tramp Shipping Co.	16,520	Doxford	67PT6	9,000	15.8
John Readhead & Sons	Sharistan	Cargo liner	Strick Line	12,100	do	67PT6	10,000	17.0
	Floristan	do	do	12,100	do	67PT6	10,000	17.0
Swan, Hunter & Wigham Richardson.	Southhampton Castle.	do	British & Commonwealth Shipping Co.	11,120	Wallsend-Sulzer	8RD90	2×17,600	22.5
	Good Hope Castle	do	do	11,120	do	8RD90	2×17,600	22.5
BRAZIL								
Ishikawagima do Brasil	Puebla	Cargo	Comissao de Marinha Mercante.	13,000	Ishibras-Sulzer	7RD68	7,700	15.3
	Presidente Kennedy	do	do	13,000	do	7RD68	7,700	15.3
DENMARK								
Nakskov Shipyard	Ancona	Cargo liner	East Asiatic Co.	9,390/ 12,770	B. & W	1074VT 2BF160.	15,000	20.8
FRANCE								
At. et Ch. de la Seine Maritime	Ville de Lyon	do	Nouvelle Cie. Harvraise Peninsulaire.	12,000	Antlantique B. & W	874VT 2BF160.	12,000	19.0
GERMANY								
Blohm & Voss	Hammonia	do	Hamburg-America Line	12,544	M.A.N	K9Z86/160	18,900	21.0
	Alemannia	do	do	12,544	M.A.N	K9Z86/160	18,900	21.0
	Borussia	do	do		M.A.N	K9Z86/160	18,900	21.0
Deutsche Werft	Tabora	Cargo	Deutsche Afrika Linien	13,500	M.A.N	K6Z78/155	9,600	18.2
	Talana	do	do	10,400	M.A.N	K6Z78/155	9,600	19.0
H. C. Stülcken Sohn	Republica del Equador.	Cargo liner	Flota Mercante Gran Colombiana.	12,450	Sulzer	9RD76	14,400	19.0
HOLLAND								
Rotterdam Dockyard Co	Moerdijk	do	Holland-American Line	12,500	Stork	8W6x85/170B	14,000	18.5
JAPAN								
Hitachi Shipbuilding & Engineering Co.	Straat Futami	do	Royal Interocean Lines	12,068	Hitachi-B & W	684VT2 BF180.	13,500	19.0
	Straat Fushimi	do	do	11,878	do	684VT2 BF180.	13,500	19.0
Kawasaki Dockyard	Tennessee Maru	Cargo	Kawasaki Kisen Kaisha	11,550	Kawasaki-M.A.N	K9Z70/120C	11,250	17.3
	Denmark Maru	do	do	10,500	do	K8Z70/120C	10,000	17.5
	Holland Maru	do	do	10,500	do	K8Z70/120C	10,000	17.5
Mitsubishi H.I.	Ise Maru	Cargo liner	Nippon Yusen Kaisha	12,500	Mitsubishi-Sulzer	6RD90	15,000	15.0
	Yamagata Maru	do	do	12,800	Mitsubishi		13,000	19.5
Namura Shipbuilding Co.	Rio de Janeiro Maru	do	Mitsui O.S.K. Lines	11,470	Mitsubishi-Sulzer	6RD68	7,200	15.4
	Iyo Maru	do	Nippon Yusen K.K	12,500	Yokohama-M.A.N	K6Z78/140D	10,000	18.2
Nippon Kokan K.K	Ibargi Maru	Cargo	Nippon Yusen Kaisha	12,500	Mitsubishi-M.A.N	K6Z78/140D	10,000	18.2
SWEDEN								
Uddevallavarvet A/B	London Citizen	do	London & Overseas Freighters.	15,120	Uddevalla-Götaverken.	760/1500 VGS8U.	10,000	17.5
YUGOSLAVIA								
Brodogradiliste Uljanik	Dmitri Gulia	do	U.S.S.R	12,000	Uljanik-B & W	874VT2 BF160.	12,000	18.4
	Nazim Khikmet	do	U.S.S.R	12,000	do	874VT2 BF160.	12,000	18.4
	Alexandr Grin	do	U.S.S.R	12,000	do	874VT2 BF160.	12,000	18.4
	Arkadij Gaidar	do	U.S.S.R	12,000	do	874VT2 BF160.	12,000	18.4

Large diesel equipped cargo vessels recently launched

Name of ship	Yard No.	Owners	Builders	Tonnage deadweight	Machinery	B.H.P.	Speed knots
Cantuaria (cargo)	701B7	Comissao de Marinha Mercante	Verolme Estaleiros Reunis do Brasil	10,560/12,530	Verolme-M.A.N	8,400	18.4
Apj Ambika (cargo liner)	375	Apeejay Lines, Surrendra Overseas	Rheinstahl Nordseewerke	15,000	M.A.N	8,400	16.0
Oriental Queen (cargo liner)	869	Malaysia Marine Corp	Uraga Heavy Industries Co	12,500	Uraga-Sulzer	12,800	19.5

Ships completed, 2,000 tons deadweight and above, 1963–65

Year	Diesel		Steam		Total	
	Number of ships	Tons deadweight	Number of ships	Tons deadweight	Number of ships	Tons deadweight
1965	698	13,512,540	77	3,753,430	775	17,265,970
1964	582	9,438,570	75	3,930,430	657	13,368,910
1963	547	7,910,980	108	4,342,190	655	12,253,170

REDWOOD NATIONAL PARK BILL ENDORSED BY STATE GOVERNMENT OF CALIFORNIA AND BY PIONEER CONSERVATION GROUP, SAVE THE REDWOODS LEAGUE

Mr. KUCHEL. Mr. President, last week I introduced a bill to establish a Redwood National Park in northern California. I am grateful that a number of my colleagues, Republicans and Democrats alike, have joined me as cosponsors. The proposed legislation has the support of the President, the Department of the Interior, the Bureau of the Budget, and many other organizations, including the government of the State of California.

Mr. President, I ask unanimous consent to have printed at this point in the Record the text of a telegram I have received from the distinguished chief executive of my State, Edmund G. Brown, fully endorsing the proposed legislation and particularly commending those features of the bill which provide for a smooth and equitable adjustment of the areas to be affected in the creation of a National Redwood Park.

There being no objection, the telegram was ordered to be printed in the Record, as follows:

> Sacramento, Calif.,
> *February 24, 1966.*
>
> Senator Thomas H. Kuchel,
> *Senate Office Building,*
> *Washington, D.C.:*
>
> Confirmation of telegram sent yesterday.
>
> I fully endorse your support and your action today in sponsoring legislation to create a National Redwoods Park in northern California.
>
> Since 1879 there have been proposals for such a redwood park. To no avail. Now with the united efforts of President Johnson, Secretary Udall, you and Senator Jackson, and conservation-minded people of the Nation, we can fulfill this dream. Any further delay and it will be too late.
>
> I was particularly pleased to note that the legislation includes the elements you and I have insisted are essential—economic adjustment payments to preserve the tax base of the area, a greatly speeded up schedule for creation of the new park to insure jobs and business development immediately, and a program for rounding out and improving existing State parks.
>
> I urge you and Senator Jackson to schedule early hearings in order that every aspect of this proposed legislation can be fully explored and perfecting amendments made so that the Redwoods National Park legislation can be enacted without further delay.
>
> Edmund G. Brown,
> *Governor of California.*

Mr. KUCHEL. Mr. President, I ask unanimous consent also to have printed in the Record a telegram of endorsement that I have received from Mr. Newton B. Drury, secretary of the Save the Redwoods League. I value this endorsement highly. The Redwood League is the pioneer conservation organization in this redwood area. In a recent statement, the Ford Foundation pointed out:

> Since it was founded in 1918, the league has defrayed (through private contribution) roughly one-half of the total cost of the State's (California's) 28 redwood parks whose current value is estimated at over $250 million.

There being no objection, the telegram was ordered to be printed in the Record, as follows:

> San Francisco, Calif.
> *February 24, 1966.*
>
> Senator Thomas H. Kuchel,
> *Senate Office Building,*
> *Washington, D.C.:*
>
> Glad to learn from the press that you support the National Park Service plan as recommended by the President for a Redwood National Park including Mill Creek Watershed, Jedediah Smith and Del Norte coast redwoods. Preservation of this area as an ecological unit and representative example of outstanding virgin redwood forest has been a top priority in the program of the Save the Redwoods League for over 30 years. Our board of directors on April 9, 1965, took action recommending this area as a Redwood National Park for many reasons including outstanding quality, administrative and protective consideration, and feasibility.
>
> Newton B. Drury,
> *Secretary,*
> *Save the Redwoods League.*

Mr. KUCHEL. Mr. President, I invite attention to the league's statement that the preservation of a national park including the Mill Creek watershed and the State parks in Del Norte County as a single ecological unit has been a top priority in the league's program for more than 30 years.

I am confident that, as we continue to examine this problem, the bill which I have introduced will find increasing support.

The purpose of the league's program is the same as that of the program of the proposed legislation.

A RECORD OF MISJUDGMENT

Mr. YOUNG of Ohio. Mr. President, in one of the Nation's great newspapers, the St. Louis Post-Dispatch, there was recently published an editorial regarding the statements of Gen. Maxwell Taylor. Personally, I lack confidence in his judgment and in his statements regarding Vietnam.

Last June when he testified before a joint meeting of the Senate Committee on Foreign Relations and Armed Services, he predicted that the Hanoi government would not commit its army fully to the conflict in South Vietnam. He stated:

> They would not do it because they know we would destroy their economy.

Recently he stated that there are three of North Vietnam's eight combat divisions presently fighting us in South Vietnam. If this later statement is accurate, then his previous prediction is just another of his statements proved wrong.

Furthermore, at this same committee hearing when questioned regarding the then civilian Prime Minister of the Saigon government, Quat, he stated he was certain this government was stable and would not be overthrown by a coup. Evidently, General Taylor's guess was fantastically wrong, or if based on information furnished by our CIA, his intelligence was bad. The committee records show his answers. The facts are that within the following 48 hours, before General Taylor left the United States for Vietnam, 10 generals operating one of those frequent Saigon coups, overturned the civilian Prime Minister and shortly thereafter the present Prime Minister, Ky, was installed by these generals.

Incidentally, Ky was born and reared near Hanoi. Some members of his present cabinet were also born and reared in North Vietnam. This is just further evidence that we are involved in a miserable civil war in Vietnam.

The chairman in South Vietnam of the National Liberation Front, so-called, is Nguyen Huu Tho, a Saigon lawyer, who, it is stated, is not a Communist. This National Liberation Front was formed years ago. It is said the Vietcong military units come under its direction. Also, it has representatives at Hanoi and at the capitals of other Asiatic, African, and European nations. Of course, if there are negotiations to bring about peace, it would be futile to give in to the demands of Air Marshal Ky of the Saigon government and bar representatives of the Vietcong. There can be no cease-fire or armistice secured at the conference table unless representatives of the Vietcong are present as delegates independent of the delegates of the Hanoi and Saigon governments.

I ask unanimous consent that the editorial referred to from the St. Louis Post-Dispatch entitled "A Long Record of Misjudgment" be printed at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

A Long Record of Misjudgment

> Victory is just around the corner. That is the message Gen. Maxwell Taylor sought to convey to the Senate Foreign Relations Committee in the hearings on Vietnam Thursday. The general's sincerity is not to be doubted, nor is there any doubt that his optimistic forecast if believable would be most welcome to the American people. But it must be measured against earlier promises of imminent success that did not materialize, and against conflicting forecasts, within the past few days, of a long, hard war.
>
> The unhappy truth is that at every stage of this escalating conflict whenever Congress raised questions about the deepening commitment, administration spokesmen have painted a rosy picture of imminent victory which subsequent events wiped out. General Taylor himself, along with Secretary McNamara, has repeatedly misjudged the situation. In October 1963, for example, he and Secretary McNamara returned from an inspection tour to announce officially "their judgment that the major part of the (American) military task can be completed by the end of 1965."
>
> In 1965 the United States had 15,000 troops in Vietnam. Today there are 205,000 troops on the ground and another 100,000 naval and air forces are engaged.
>
> No matter how sincere General Taylor may have been in his 1963 estimate, or in his present one, the fact is inescapable that he has been disastrously and repeatedly wrong in the past and his judgment must therefore be questioned today. The record is incontrovertible, it seems to us, that the authors of this Vietnam war, who have repeatedly advised the President to escalate just once more in the hope of an elusive victory, have never really understood what they were getting the American people into. The time is long past to reject this kind of advice.

The idea that we have once more turned a corner and are now on the way to victory is also controverted by testimony before Congress, released only this week, of Mr. McNamara and Gen. Earle G. Wheeler, Chairman of the Joint Chiefs. They were not before television cameras but behind closed doors. In the heavily censored transcript of their evidence before the Senate Armed Services Committee, both indicated the Pentagon looks forward to a long and difficult war lasting many years. Though they denied that final decisions have been taken, there is no doubt that the Pentagon is thinking in terms of putting at least 600,000 troops into Vietnam before the often predicted victory is attained.

And yet that prediction of victory, like others before it, rests upon imponderables which can destroy it—in this case, on the hunch, guess or hope that another escalation of such magnitude will not bring China with its millions of troops into the war.

General Taylor plainly revealed, perhaps unconsciously, why there is such a discrepancy between the limited war which the administration proclaims and the unlimited nature of its objectives. He spoke as if the objective is the modest one of simply "making Hanoi behave." It became clear, however, that in his mind this phrase means the total defeat of the Vietcong and the establishment in South Vietnam of an anti-Communist government—which could only exist, as 10 years of experience shows, under a permanent protectorate of American military power.

If the administration shares this view of the objective, then it is seriously misleading the people in professing a desire for peace negotiations. The only possible basis for negotiations would be a willingness on both sides to accept a compromise that fell short of total victory for either.

According to reports of Secretary General U Thant's peace explorations, Hanoi's terms for negotiation may not be so extreme as they have been pictured. They are said to include a pause in the bombing, a halt to escalation of the ground fighting, and acceptance of the Vietcong as a party to negotiations. President de Gaulle, who has written Ho Chi Minh expressing willingness to participate actively in a settlement at the proper time, is said to feel that peace calls for a three-stage process—first, a cease-fire, then establishment of a broadly representative coalition government in South Vietnam, and finally a reconvened Geneva Conference to guarantee the neutrality of both South and North Vietnam.

There would be nothing dishonorable in a settlement along these lines, and American policy ought to be firmly pointed in this direction as the alternative to an unlimited military escalation with increasing risk of world war. Our true national interests can be better served by a neutralized southeast Asia than by a costly and misguided effort to establish a national military outpost on Asian soil.

INTERNATIONAL MONETARY REFORM

Mr. JAVITS. Mr. President, in his annual report to the U.N. Economic and Social Council, Pierre-Paul Schweitzer, the Managing Director of the International Monetary Fund, made several comments which should be of great interest to the Senate.

He said that the "really important issue" for the longer term in keeping the international payments system functioning smoothly was "whether arrangements can be made to insure that the maintenance of a balance in the U.S. international accounts will not have harmful effects on the world economy."

He recognized the close relationship between the U.S. payments deficit and international monetary reform by concluding that prospects for avoiding any harmful effects from achievement of a balance in the U.S. payments "will depend to a considerable extent on appropriate action to deal with the problem of international liquidity."

On commenting on the U.S. balance-of-payments program, he said that he preferred the "voluntary" restraints on private U.S. capital outflows to policies which would reduce the growth of the U.S. economy. He concluded:

> Nevertheless, continuation over the long run of a comprehensive program to restrict the outflow of capital from the United States would not only represent a break with U.S. tradition, but would also not be in the best interests of the international community.

I hope that the administration will not ignore this warning. I hope that my colleagues will not dismiss it either. Mr. Schweitzer is one of the ablest international monetary experts in the world and is a distinguished civil servant. He is giving our country good counsel.

Mr. President, I ask unanimous consent that there be printed at this point in the RECORD an article entitled "IMF Quota Increase Cleared," written by Edwin L. Dale, Jr., and published in the New York Times of Friday, February 25, 1966; and an address by Mr. Pierre-Paul Schweitzer, before the Economic and Social Council of the United Nations, delivered on February 24, 1966.

There being no objection, the article and address were ordered to be printed in the RECORD, as follows:

[From the New York Times, Feb. 25, 1966]

IMF QUOTA INCREASE CLEARED—25-PERCENT RISE ACCEPTED BY 59 NATIONS BUT DELAY IS SEEN—FUND'S CHIEF VOICES CONCERN ON U.S. PAYMENTS PLAN

(By Edwin L. Dale, Jr.)

WASHINGTON, February 24.—The International Monetary Fund announced today that the increase in members' quotas and drawing rights of 25 percent aproved in September 1964, was now in effect.

The fund went "over the top" as enough members, with large enough quotas, made their subscriptions. So far, however, only 59 of the IMF's 103 members have accepted their larger quotas, with such major nations as West Germany, France, the Netherlands, and Belgium yet to consent. No nation's quota can be increased without its consent.

There is no indication here that these countries will refuse to make their subscriptions. However, the present deadline of March 25 will probably have to be extended for another period of 6 months to give the members more time to complete internal formalities.

In a related development today, the Managing Director of the Monetary Fund, Pierre-Paul Schweitzer, said that "the really important issue" for the longer term in keeping the international payments system functioning smoothly was "whether arrangements can be made to insure that the maintenance of a balance in the U.S. international accounts will not have harmful effects on the world economy."

In giving his annual report on the IMF's activities to the United Nations Economic and Social Council in New York, Mr. Schweitzer said that prospects for avoiding any harmful effects from achievement of a balance in U.S. payments "will depend to a considerable extent on appropriate action to deal with the problem of international liquidity."

"Liquidity" is the term for the total of the nations' official financial reserves and access to credit, which amounts to the wherewithal for conducting world commerce. Reserves have been increased in recent years chiefly through the existence of the U.S. payments deficit.

Mr. Schweitzer said there was broad agreement on the need to expand world reserves, but he urged that any solution take account of the needs of the less-developed countries as well as those of the industrial nations.

Speaking of the U.S. efforts to solve its balance-of-payments problem, Mr. Schweitzer said:

"A solution * * * by restraints on the outflow of private capital is much to be preferred to alternative policies which could lead to a contraction of the U.S. economy and an ensuing reduction in import demand."

PERILS OF RESTRAINTS

"Furthermore, the effort being made by the U.S. authorities to prevent these restraints from causing injury to the developing countries, or other countries in relatively weak payments positions, is to be welcomed.

"Nevertheless, continuation over the longer run of a comprehensive program to restrict the outflow of capital from the United States would not only represent a break with U.S. tradition, but would also not be in the best interests of the international community."

When all the members of the fund accept the quota increase that became effective today, the total of all quotas will rise from $16 to $21 billion. Mr. Schweitzer said today that "it should not be long before this occurs."

TWO-THIRDS APPROVAL

The quota increase became effective because 59 members having together 67.8 percent of total quotas have made their subscription. The needed amount was two-thirds of total quotas.

The 59 include 11 of the 16 members that were granted increases of more than the 25 percent provided by the general formula. The five not included, all expected to subscribe soon, are West Germany, Canada, Greece, Norway, and the Philippines.

Mr. Schweitzer said that "the last 2 years have been the busiest in the fund's history." Outstanding drawings now are at the record level of $4.3 billion and last year more countries, 23, drew on the fund than ever before.

ADDRESS BY THE MANAGING DIRECTOR OF THE INTERNATIONAL MONETARY FUND, MR. PIERRE-PAUL SCHWEITZER, BEFORE THE ECONOMIC AND SOCIAL COUNCIL OF THE UNITED NATIONS, FEBRUARY 24, 1966

This is the third year in which I have addressed the Economic and Social Council, and I should like to say how much I appreciate these opportunities to appear before you to discuss the many problems that we have in common. Looking back at world economic developments in recent years, I believe that we have cause for both dissatisfaction and encouragement. Acute poverty has persisted in many countries, along with hunger and even the fear of famine. The gap between rich and poor countries remains painfully wide, with the advance of the poorer countries proceeding too slowly, and often suffering grievous setbacks.

At the same time, there has been an unrivaled growth of world trade, a sustained and high level of economic activity in much of the world, and a solid strengthening of international monetary cooperation. The continuation of economic growth at a substantial rate cannot be regarded as accidental. It is basically attributable to a set of policies and attitudes that have developed after World War II. In all countries high rates of employment and economic growth have become accepted as high-priority objectives. Their realization in individual countries has been facilitated by a refinement in methods of economic diagnosis and management. It has been helped also by intensive cooperation and consultation on questions of economic policy in a number of bodies under the auspices of the United Nations, in the Fund and the World Bank, and in other international organizations such as the GATT and the OECD.

The favorable developments have not been confined to the industrial countries. Indeed, growth rates in the developing countries have on the average about equaled those in the developed countries, and have been high by historical standards. However, much of the progress made by the developing countries in increasing national growth rates has been nullified by the rapid increase in their populations, and we are all acutely aware that hundreds of millions of the world's people still live under deplorable conditions. If we are to raise the standard of living of the developing countries to tolerable levels, it is an essential condition that an adequate growth rate be sustained in the highly industrialized areas of the world, and we therefore place great value on the advance made by the industrial countries. Only as this progress continues can a rising demand be insured for the export products of the developing countries and the maintenance of conditions under which a growing volume of development finance can reasonably be expected to become available. We should, at the same time, recognize that an adequate solution of the problems of the developing countries will not flow automatically from the growing affluence of a relatively few rich nations. This will require a sustained effort by all countries, over many decades. This is an effort to which international organizations must contribute their share, and it is one in which the Fund, in its own sphere, has been participating since its inception.

During the past year, developments in the world economy and international payments have been more satisfactory than seemed likely when I addressed the Council a year ago. First, in spite of some slowdown in several major countries, mainly in the first half of the year, high levels of employment have continued. Aggregate production in the industrial countries was substantially higher in 1965 than in 1964. Second, the decline in the rate of growth of international trade during the first half of the year was subsequently reversed. Third, although a weakening in prices for primary products reduced the rise in the export receipts of the primary producing countries in the first half of 1965, thereafter commodity prices became steadier and the export earnings of primary producing countries improved. Fourth, the sharp tensions in international payments which characterized late 1964 and early 1965 have eased considerably.

But I must also note the fact that the general expansionary trend in the world economy has increased the pressures on prices on a broad front. The problems of how to avoid and how to contain inflationary pressures are now again among the major challenges facing all industrial countries.

An acceleration in the pace of the U.S. economic advance in the second half of 1965 was a major factor underlying the greater strength shown by the world economy. For the first time in many years, the rate of growth in North America was markedly higher than in the other industrial areas. Both the United States and Canada were able to make considerable progress toward solving their problems of unemployment.

In the industrial countries in Western Europe and in Japan, expansion was much less vigorous, and industrial output rose only slowly until the fourth quarter of 1965. There was relative stability in the aggregate output of industrial countries outside North America in the earlier part of 1965 but this overall result reflected a combination of continued expansion in some countries, notably Germany, with relative slack in others. These latter included France, Italy, Japan, and the United Kingdom, where measures had been taken to combat inflationary pressures or to redress balance of payments positions. However, in some of the latter countries, mainly France and Italy, output has recently begun to expand more rapidly. Production in the industrial countries as a group now appears to be advancing at a more rapid rate than a year ago. This year, their output may hopefully be expected to rise by a little over 4 percent—about the same rate as that recorded from 1964 to 1965.

The temporary slowdown in the rise in world trade in the first half of last year affected the exports of the primary producing countries more than those of the manufacturing countries, whereas during the 1963–64 boom both had increased at about the same rate. The wider fluctuations in the export receipts from primary products can only partly be ascribed to the changes in demand in the industrial countries; supply conditions and structural factors appear to have been at least as important.

The fall in prices from 1964 to 1965 only slowed but did not halt the growth in the export earnings of the primary producing countries. Nevertheless the price movements adversely affected their balance-of-payments positions. The primary producing countries had been in general surplus in 1963 and 1964, but in 1965 the more advanced members of this group ran into aggregate deficit. Although the developing countries as a whole continued to be in moderate surplus through 1965, the true measure of the pressure on their payments positions was again masked by the maintenance of rigid controls.

When I addressed the Council a year ago, both of the major reserve currencies were under pressure. During the past year both of these currencies were strengthened. This happened in spite of the fact that two of the major industrial countries, France and Italy, were in substantial international surplus as a result of relatively slack domestic economies. An offsetting factor was that the balance of payments of Germany, where boom conditions existed throughout the year, swung from surplus into deficit. The continued expansion in Germany was the most important single factor, aside from the strong performance of the U.S. economy, in preventing the recessionary tendencies in certain countries during 1965 from spreading to wider areas. With ample reserves and a large volume of international transactions in relation to national income, Germany was well able to provide this expansionary impulse to the rest of the world. Germany's imports rose by 20 percent between 1964 and 1965, but its exports also rose and its deficit remained relatively moderate and its reserve position strong.

The most serious feature of the balance-of-payments problems of the United Kingdom in 1964–65 was the deficit on current account, although at the same time an increase in the net outflow of long-term capital made the position more difficult. Several corrective measures taken by the United Kingdom late in 1964, including a temporary surcharge on imports, were supplemented in 1965 and again more recently by the adoption of more restrictive financial and monetary polices and various restraints on the outflow of capital. These measures resulted in some improvement in the current balance and a reduction in the net outflow of capital in the course of 1965. Toward the end of the year a considerable strengthening of sterling in exchange markets was in evidence.

The U.S. deficit, unlike that of the United Kingdom, has persisted over a number of years. It has gradually reduced U.S. reserves by about $10 billion from the postwar high of $26 billion in 1949. The drawing down of the U.S. gold stock and the substantial increase in dollar reserves held by other countries have brought into sharp focus the need for achieving a balance in the U.S. payments position.

The United States has had a long succession of large and, until last year, growing surpluses on current account. Its overall payments imbalance has been caused principally by large outflows of public funds and increased outflows of private capital, stemming in part from the dominant position that the United States holds in the world's capital markets. These outflows have been of great benefit to all the recipient countries—especially to the developing countries—and the need has been to achieve balance without unduly cutting off the world's access to U.S. capital. The U.S. program of voluntary restraint on the movement abroad of both short-term and long-term private capital has already been quite effective and, despite a decline in the current account surplus last year, the overall deficit has been reduced considerably.

Notwithstanding the reduction in the U.S. deficit, U.S. gold losses in 1965 were the largest in many years. This development is explained in part by large conversions of existing dollar balances into gold by some countries, mainly in the first half of the year, although these were partially offset by Canada's recent gold sales against U.S. dollars. Conversion of foreign exchange assets into gold during 1965 had the effect of destroying sizable amounts of international liquidity, and, in spite of considerable reserve creation through the International Monetary Fund, world reserves grew only slightly last year. This development is among the factors that have led to the recent intensifications of efforts to deal with the problem of international liquidity.

A solution to the U.S. balance-of-payments problem by restraints on the outflow of private capital is much to be preferred to alternative policies which could lead to a contraction of the U.S. economy and an ensuing reduction in import demand. Furthermore, the effort being made by the U.S. authorities to prevent these restraints from causing injury to the developing countries, or to other countries in relatively weak payments positions, is to be welcomed. Nevertheless, continuation over the longer run of a comprehensive program to restrict the outflow of capital from the United States would not only represent a break with U.S. tradition, but would also not be in the best interests of the international community.

In my judgment, the really important issue for the longer run is whether arrangements can be made to insure that the maintenance of a balance in the U.S. international accounts will not have harmful effects on the world economy. Prospects for avoiding these will depend to a considerable extent on appropriate action to deal with the problem of international liquidity. For many years, U.S. deficits have provided very large increases in the international reserves of other countries, and thereby have helped to maintain momentum in the growth of the world economy. Elimination of the U.S. deficit will dry up an important source of international liquidity. Without international action to create international reserves, this could well result in the adoption of contractionary or restrictive policies in other countries. This in turn could force the United States to take more severe measures to protect its balance of payments, and the result could be a vicious circle.

The continuing inquiry into the question of the adequacy of international liquidity, methods of improving the processes for adjusting payments disequilibriums, and possible improvements to the international monetary system, has been the principal preoccupation in international financial circles in recent months. Intensive studies of these matters are now being conducted in several bodies. I shall be saying more about these studies later. At this point, I should like to refer to the Fund's continuing role in this field.

One of the more important types of international liquidity is that provided by the Fund. As is well understood by our member countries, and, I am sure, by members of this Council, a part of a member's drawing facilities in the Fund is available on a virtually automatic basis. The remainder, and greater part, is available to members on certain conditions. These involve the maintenance or adoption by the member of satisfactory policies directed toward preventing or correcting the member's payments imbalances. The action which is now in process to increase members' quotas in the Fund is an important one. The Fund possesses the largest pool of credit resources available to countries for the financing of balance-of-payments deficits. These resources constitute a large potential supply of liquidity, available according to well-established principles, which many members have found to be of crucial importance.

I am, therefore, pleased to report that the executive board determined yesterday that countries having the required two-thirds of total quotas have consented to their quota increases, and these will therefore become effective within the next month. This brings into effect the quota increases approved by the Fund's Board of Governors last March, providing for a general increase of 25 percent in members' quotas, together with larger increases for 16 countries. It should not be long before, with further consents forthcoming, quotas in the Fund rise from the current level of about $16 billion to about $21 billion.

It is gratifying that this strengthening of the Fund's financial position should be in process just a few weeks before the 20th anniversary of the first meeting of the Fund's Board of Executive Directors. Twenty years ago Fund membership was 39, with total quotas amounting to $7.4 billion. Now the Fund has 103 members and when all the pending quota increases are completed, total quotas will be nearly three times the 1946 level.

The agreement last September to renew the general arrangements to borrow for a second period of 4 years, from October 1966, is further evidence of the determination of the major industrial countries to work together in safeguarding the existing international monetary system. You may recall that under these borrowing arrangements, the governments or central banks of 10 industrial members have agreed to lend their currencies to the Fund, up to an aggregate amount of $6 billion, if needed to forestall or cope with an impairment of the international monetary system. The arrangements have proved valuable, first in December 1964 and again in May 1965, in connection with large United Kingdom drawings on the Fund.

I should like not only to stress here the cooperative character of the agreement on Fund quota increases and the renewal of the general arrangements to borrow, but also to pay tribute to the central banks and monetary authorities who combined to make available an unprecedented volume of contingency financing to support the pound sterling in its recent period of weakness. Outside observers have recently been too impressed, in my view, by overpublicized differences among nations regarding the future course of the international monetary system. It is true that these differences exist, but they should not be allowed to divert attention from the less dramatic but vital practical day-to-day cooperation among bankers and governments that has become an integral part of the present international monetary scene.

The past 2 years have been the busiest in the Fund's history. Total drawings rose to $2 billion in 1964 and to $2.4 billion in 1965. Last year 23 countries drew on the Fund—more than in any previous year. Since March 1947, when the Fund began operations, the cumulative total of all drawings has risen to $11.5 billion, the number of countries that have used the Fund's resources has now reached 60—the majority being developing countries—and outstanding drawings, by 36 members, are at a record level of $4.3 billion.

The magnitude of the financial demands on the Fund in the past 2 years has largely been a a reflection of the payments difficulties encountered by the two main reserve centers, to the United Kingdom and the United States. It is the first time that these two countries have been simultaneously using the Fund's resources. Net drawings by the United Kingdom, at nearly $2.4 billion, are the largest ever made by a single Fund member. U.S. drawings on the Fund, which began in February 1964, have also been extensive on a cumulative gross basis, amounting to a total of more than $1 billion. However, during 1964 and 1965, U.S. dollars continued to be drawn from the Fund by other members, and outstanding U.S. drawings have been correspondingly reduced, and have remained always within the gold tranche. The current level of U.S. drawings—$516 million—is about half the U.S. gold tranche.

But, as I have noted earlier, this does not imply any slackening in the use of the Fund's resources by developing countries. In 1965, the Fund approved new standby arrangements for 20 such countries, 9 in Latin America, 5 in Africa, and 6 in Asia, providing total drawing facilities amounting to $646 million, of which $250 million was still available to be drawn at the end of the year. The largest standby arrangement approved last year was a $200 million arrangement for India, which was fully utilized during the course of the year to help sustain that country's sharply deteriorating exchange position. Other standby arrangements included a $125 million arrangement with Brazil; a new arrangement in the same amount was approved earlier this month in support of that country's comprehensive efforts to overcome inflation. An $80 million arrangement with Yugoslavia was approved in support of a broad program of exchange and economic reform. Drawings on the Fund in 1965—including drawings under the standby arrangements I have just enumerated—were made by more developing countries than in any previous year. A record number of these countries are currently using the Fund's resources, and their outstanding drawings are at an all-time high of $1.4 billion.

In its transactions and consultations with members, the Fund has continued to be concerned with the high level of external indebtedness of some countries. Repayment commitments and servicing on short- and medium-term debts have now reached critical proportions for a number of members. Short-term borrowings, of course, are often entered into on the tacit understanding that they will be renewable at maturity, but even these obligations introduce a precarious element into a country's exchange budget. Moreover, the preemption of future exchange earnings for debt servicing and repayment can seriously reduce a country's capacity to import and can exert excessive pressure on exchange reserves. In extreme cases, such commitments raise doubts about a country's future creditworthiness and can result in the denial of fresh resources from abroad, thus causing a disruption of the continuity of economic growth. Where appropriate, the Fund has assisted member countries in debt rescheduling negotiations with the countries to which they are indebted. It has, I believe, played a useful role as an impartial observer providing an assessment of the debtor country's position.

Useful as this work might be, the Fund has maintained that it is preferable to prevent the development of situations in which debt rescheduling is necessary. This is primarily a matter for enlightened action and constant watchfulness by creditor and debtor countries, but we believe that international institutions can make an appropriate contribution here also. The Fund is about to embark on a cooperative effort with the World Bank and the Organization for Economic Cooperation and Development to improve the documentation on countries' indebtedness on short term as well as long term. This should help the Fund to assist countries more effectively within its field of operation, since, as is the case with many human ailments, an early diagnosis is the best way to prevent later complications.

At the request of many of our developing members, the Fund is at present closely examining the workings of its compensatory financing facility. This facility was established in 1963 with the aim of helping primary producing countries to meet short-term fluctuations in their export earnings largely attributable to circumstances beyond the control of the member concerned, by making available financial assistance over and above that already available from the Fund for general balance of payments support. Since its introduction, however, only three countries—Brazil, the Sudan, and the United Arab Republic—have made drawings under its provisions. This small demand on the facility has been due to the fact that, in the 3 years in which this facility has been available, export earnings by primary producing countries have been relatively favorable.

The facility operates by means of drawings repayable within the normal term for the Fund's financial assistance; that is, a maximum of 5 years. It is thus not intended to offer a solution to the problems associated with longer term declines in commodity prices, which would raise deeper economic issues, such as the provision of new resources or commodity arrangements, or the reorientation of economics. However, the Fund has received a number of suggestions for improving the facility within the context of the Fund's existing purposes and resources. We are at present carrying out a thorough and critical review of the Fund scheme as it has been operated so far, and are considering how it might best serve future needs. I am not able to say at this stage what our conclusions will be, but I believe that we shall come up with some constructive proposals to improve the facility's usefulness to Fund members.

The provision of short-term finance to members in temporary payments difficulties is of course one of the central purposes for which the Fund was established. It is intimately connected with the adequacy of international reserves, to which the Fund has given attention throughout the 20 years of its existence. As early as 1953, this Council requested and received a report from the Fund on this question. This was followed by a study entitled "International Reserves and Liquidity," published in 1958, which prepared the ground for a general increase of 50 percent in members' Fund quotas in 1959.

International liquidity, therefore, is not a new field of interest for the Fund, although it is a subject which has come increasingly to the fore in international financial discussions in recent years. This has developed particularly since the Fund's annual meeting of Governors in September 1963. The Fund's annual report for that year included a comprehensive discussion of the liquidity question. Since then the Fund's 1964 and 1965 annual reports have contained extensive analysis of certain aspects of it.

A basic point underlying the present discussions is one I have mentioned earlier. If the United States balances its external accounts, as it is now in the process of doing, and if no counteraction is taken to insure an adequate supply of world liquidity, the future growth of world trade and payments would very likely be jeopardized.

I think it important to note that the growth of world reserves in 1965 was unusually low, and the postwar tendency for a relaxation of restrictions on trade and capital movements has been slowed down if not checked. In these circumstances it is widely recognized that it is not too early to try to reach an international consensus on two points: on the way the international monetary system should develop, and on possible new techniques for supplementing existing reserves that may be considered necessary. The Fund is intensifying its studies and discussions with this end in view. The group of 10 participants in the general arrangements to borrow are taking similar action, and they are expected to report on the progress of their deliberations later this year. The Fund has participated in this work of the group of 10 so that close contact has been maintained between the two deliberations. The staff of the Fund also assisted a special study group established by the Secretary-General of UNCTAD.

As a result of all these efforts, we have now progressed to the point where the liquidity problem is better understood, and there is broad agreement on the need to accelerate the search for a satisfactory solution to it. Among the issues to be determined are (1) What are the world's needs for reserves and prospects for their growth? (2) If a new reserve-creating mechanism is required, which countries should participate in that mechanism? and (3) On what basis will the reserves be distributed? These simple questions, however, are not conducive to simple answers. They involve complex technical, financial, economic, and political considerations.

It would be inappropriate for me to enter into the intricacies of these problems in my remarks today, but I should like to make a few observations of a nontechnical character. It is now generally agreed that the need for reserves is not limited to the more industrialized countries. I want to recall in this connection that the Fund has, from its very early years, urged the developing countries to increase their reserves, pointing out to them—in general and individual cases—the severity of the problems that arise if countries try to conduct their payments on the basis of inadequate reserves. As a matter of fact the developing countries as a group, excluding those few that happened to make unusual reserve gains during World War II, have increased their reserves by about 80 percent over the last decade, i.e., about in proportion to their trade.

Any scheme for reserve creation must, therefore, start out from the recognition of the legitimate reserve needs of developed and developing countries alike. Such a universal starting point does not necessarily mean that the provision of additional liquidity to all countries must be made in the same way. I do not preclude the possibility of approaches that are multiple in character and will yet be felt to be equitable all around and, therefore, fully acceptable. The process by which decisions on liquidity creation are taken must also in my opinion be one that properly reflects the widespread character of the problem. The experience of the Fund, in which all members can exercise their proper influence, shows that this can be arranged in ways which at the same time recognize the special position of certain countries.

The decisions that we are approaching refer not to the introduction of temporary improvisations but to basic further steps in the continuing evolution of the international monetary system. They will surely have a lasting influence on the future course of world economic developments, and thus on the economic position of each country. It is because of the international nature of the problem that I have urged the adoption of a truly international solution. To pursue any other course would, in my view, be a great disservice to the progress of international monetary cooperation.

Many of the issues now under consideration were faced by the participants of the United Nations Monetary and Financial Conference at Bretton Woods in 1944, and were there settled to the general satisfaction with the creation of the International Monetary Fund. The decisions then taken were based on the enlightened understanding that all nations, large or small, were interdependent parts of the international economic system. It is on that understanding that we must continue to build.

THE EUROPEAN-ASIAN PARALLEL

Mr. JAVITS. Mr. President, in a carefully argued article, Chalmers M. Roberts develops three points which I have stressed in my recent Vietnam speeches.

First, there is a genuine consensus in the United States on the need to stop the expansion by aggression and force of communism, but that the critics of the present policy of the administration in Vietnam resist drawing the conclusions which are inherent in their premise. This is, namely, that such expansion must be stopped in Asia as well as Europe.

Second, Roberts correctly argues that alliances in Asia may not be so unlike alliances in Europe if historical development is considered. When NATO was first created, it was strictly an American-British show. Only later did the Italian and French economies and political situation stabilize to allow them to make a contribution. Only in 1956 were the West Germans permitted to add their troops to the alliance. One cannot expect more from our Asian allies at this stage in their development than could have been expected from our European allies right after World War II.

Third, Roberts argues that the risk of direct Red Chinese intervention in Asia is no more likely than Russian intervention in Europe so long as their own interests and territory are not directly challenged. Specifically he doubts that Red China will send troops into Vietnam so long as the United States and Saigon do not attempt to occupy or overthrow the Government of North Vietnam.

I ask unanimous consent to have printed at this point in the RECORD the article by Chalmers M. Roberts which appeared in the Washington Post on February 27, 1966.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

OLD POLICY IS NUB OF NEW DEBATE

(By Chalmers M. Roberts)

The great debate wracking the United States today over its role and course in Vietnam is but the latest manifestation of an old argument about the role in world affairs of this longtime isolationist Nation.

It was barely a quarter century ago that Franklin D. Roosevelt was roundly criticized for seeming to suggest that the world should quarantine the aggressors, Hitler and Mussolini. In 1939, F.D.R. raised a storm by suggesting that America's frontier lay in France or along the Rhine.

In the wake of World War II, when the often uneasy American alliance with the Soviet Union was turning into a cold war, George Kennan wrote a magazine article enunciating a basic American policy, which came to be known as "containment."

Kennan, then head of the State Department's policy planning staff and later Ambassador to Russia and Yugoslavia, argued that there must be "a long-term, patient but firm and vigilant containment of Russian expansive tendencies." He said that because of the West's superior economic and military potential, it could and should apply counterforce at "a series of constantly shifting geographical and political points" corresponding to the shifts and maneuvers of Soviet policy.

Five months before the Kennan article appeared in print, the policy was in fact affirmed in the Truman doctrine. President Truman declared in an address to Congress on March 12, 1947, that "it must be the policy of the United States to support free peoples who are resisting attempted subjugation by armed minorities or by outside pressures. I believe that we must assist free peoples to work out their own destinies in their own way."

During the Eisenhower years, Secretary of State John Foster Dulles attempted to create, in the image of the NATO alliance for containing Soviet power in Europe, the CENTO and SEATO alliances in the Middle East and Asia. But both today are riddled with military weakness and political disagreement.

THE DEBATE'S ESSENCE

Today, the great debate, in essence, concerns whether Kennan's containment policy and Truman's doctrine have relevance to Asia, specifically to China and Chinese communism. China was not Communist-governed at the time Kennan wrote and even in the early years of Mao Tse-tung's control of the Chinese mainland many in the West viewed his realm as hardly more than a Moscow satrapy. The Sino-Soviet quarrel and the current Chinese verbal militancy have shattered that illusion in Moscow as well as in Washington.

As the American debate over Vietnam has progressed, many of the critics of President Johnson's policies have come at least to accept a basic relevance in Asia of the containment doctrine. Kennan himself told the Senate Foreign Relations Committee that "the policy of containment certainly has relevance to China, but it is a question of what and where and what lies within our resources. If we had been able to do better in Vietnam, I would have been delighted and I would have thought that the effort was warranted."

Senator FRANK CHURCH, Democrat, of Idaho, wrote in the Washington Post last Sunday that "our present interests compel us to shape a workable foreign policy which will (1) contain Russia and China and (2) discourage the further spread of communism."

Columnist Walter Lippmann, like CHURCH a strong critic of the President, has written that "the containment of Red China today, like the containment of Stalinist Russia after the World War, is necessary to the peace of the world and is a vital interest of the United States."

In defense of the administration, Secretary of State Dean Rusk has declared, also to the Senate committee, that the Korean war was fought to sustain "the principle that the Communist world should not be permitted to expand" and Under Secretary of State George Ball has said that we are in Vietnam as "part of a continuing struggle to prevent the Communists from upsetting the fragile balance of power through force or the threat of force."

THE BONES THEY PICK

To the President, Rusk, Ball, and administration supporters, the point seems obvious: we are trying to do no more and no less in Asia than we have done successfully in Europe. But to critics such as CHURCH, Lippmann, Senator J. WILLIAM FULBRIGHT, Democrat, of Arkansas, the Foreign Relations Committee chairman, and others, we have gone far beyond that to take on war which is not really relevant to containment of China and, in fact, may lead to a military conflict with China. In short, while such critics as these may not contest the principle, they deny its application in Vietnam.

What are the bones they pick with the Johnson policy?

They say the United States has no allies in Asia, as it has in Europe in the NATO Alliance. They perhaps forget, however, that West Germany, which now has the largest ground contingent in NATO, was not a member when the Alliance was created. They perhaps forget that the initial military power was almost totally American and British. And they perhaps forget that France and Italy were economically and politically chaotic with strong Communist parties. There was little democratic spirit in Germany in the early years after Hitler or in Italy after Mussolini. In short, the United States spent years in developing the Alliance both politically and militarily.

In southeast Asia, the United States has only rudimentary alliances by present European standards. Some allies back our stand in Vietnam; some do not; most worry about the consequences of our policy. Much of the future nature of the American posture in Asia, in terms of alliances to contain Chinese power, hinges on the outcome of the current military conflict.

ASIA VERSUS EUROPE

The critics also say there is a vast difference between Europe and Asia because most Americans share with the Western European allies a common culture and sense of democracy, whereas Asian culture is totally different and there is little democracy or even desire for it. In narrow fact, the charge is correct. But nations and peoples change, the interplay of East and West, of North and South, in today's jet age is immense in terms of ideas as well as economics. Or as Secretary Rusk has put it:

"There are people who speak of Asians as if they were strange creatures from another planet. Asia is a continent of many races and many cultures. But when you get down to fundamentals, Asians * * * want the same things we and other Western peoples want: a better life for themselves and their children, education, freedom from disease and terror and war. They know that in this age it is no longer necessary for men to live in misery."

Or as President Johnson remarked at Atlantic City shortly after attending the Honolulu conference:

"We cannot hold freedom less dear in Asia than in Europe or be less willing to sacrifice for men whose skin is a different color."

The United States has always been basically Europe-minded. Despite the Japanese attack on Pearl Harbor which plunged us into World War II, we insisted as a matter of national policy on giving the war against Nazi Germany priority over the war against fascist Japan. But must it always be so?

Involved in this attitude of repulsion for affairs Asiatic surely is the matter of race: Americans and West Europeans are predominantly white, the Asians of a spectrum of colors. Furthermore, Europe's population and economic level are in our own range; Asia's numbers seem endless. To many, they are simply hordes of the poverty stricken and unwashed.

Many Americans have come to see beyond the cliches of Asian life, but many more find safety only in a Europe-mindedness for their internationalism. The real world compels American acceptance of Asia as a massive fact of life in a world grown increasingly interdependent.

LOVE-HATE SYNDROME

Toward the Chinese especially there is an American love-hate syndrome. Many Americans simply cannot forgive Chinese ingratitude for the good deeds of missionary days, nor accept the fact that we trampled on Chinese pride along with other Western powers.

A further view of the critics is that we do not know how, and perhaps never will learn how, to cope with guerrilla wars based in part on indigenous discontent with local social and economic conditions; that we oversimplify such uprisings into wars devilishly instigated by a nonexistent international Communist conspiracy.

In short, they argue that the United States strikes only a negative and sterile anti-Communist posture.

It is true that this often seems to be the case, and at times it has been the fact. The President's effort at Honolulu was designed to add the other dimension; to show that the United States cares about the positive aspirations of the Vietnamese as well as the negative aspects of Communist encroachment.

It was late in the game, it also is true, for such emphasis. And the administration can be faulted as well for a tendency to anti-Communist hyperbole, to which the critics have objected, in Lippmann's words, as "verbalism" instead of realism and "amateurism" instead of professionalism.

There is another factor, too, which is too much overlooked: the changing nature of Communist tactics. We tended to view the Korean conflict in terms of World War II, and thus many were repelled by our self-imposed limitations in contradistinction to Gen. Douglas MacArthur's view that "in war there is no substitute for victory."

HARKING BACK

Now, in Vietnam, the tendency is to think back to Korea and lament the absence of a battle line on a daily map to show how we are doing in order to make evident some limit to our military ambitions. It has been the Communist choice to obfuscate the situation by using guerrilla tactics without Chinese participation, just as in Korea it was their choice to fight a limited war without Soviet participation.

The United States has finally evolved new military tactics to cope with a new military situation; but our political evolution has not kept pace. We find it difficult to accept this type of war as simply another change in Communist strategy for countering American power and efforts at containment. We could and did adjust to Stalin's blockade gambit over Berlin. Why should it be so difficult to adjust to a guerrilla war?

Finally, the critics contend that whereas containment in Europe was designed to say to the Soviets that we would not permit any further expansion of Russian power by means of the Red Army, the situation in Vietnam is different because it represents no effort at expansion of Chinese power by means of the Chinese Army. Here, again, we balk at accepting a differing technique to obtain similar if not identical ends.

On occasion, imperial China extended its direct military away; more often it used the just as effective technique of creating tributary states bound to it by fear and fealty. Communist China doubtless would employ this latter procedure throughout Asia were it not for the intervention of American power.

The Eastern European nations initially were true satellites of Moscow, but they have evolved to a degree of independence; yet on key issues they remain, with the exceptions of Yugoslavia and Albania, basically subservient to the Soviet Union—and all are Communist states. China's aim in Asia is simply another form of such tributary states. In Vietnam, Peiping wants a totally Communist neighbor.

THE KOREAN FEAR

Finally, on the American fear of another Korea, meaning a repetition in Vietnam of the Chinese intervention by hundreds of thousands of volunteers, historians now agree that China sent its troops into Korea to fight the United States and its United Nations allies only when it felt its own security was threatened and that its neighboring Communist regime, North Korea, was in danger of extinction because of the military push to the Yalu River boundary with China.

In the Vietnamese conflict, President Johnson has given every assurance that there is no such threat to China; he has said we do not seek to destroy the regime in Hanoi nor covet its territory, despite the bombings of North Vietnam. There is no sign of any intention to invade North Vietnam, as North Korea was invaded, and of carrying the land war to the Chinese frontier.

Fundamentally, then, the United States is involved in Vietnam, whatever the arguments over how it all began, to contain Chinese expansionism; that is, to contain the advance of Chinese power by the use of force, either Chinese force or that of a proxy. The North Vietnamese and their instrumentality, the Vietcong, are attempting to advance Communist power, just as the North Koreans attempted to advance Communist power.

The North Vietnamese are hostile to the Chinese, Communist or not, and there is hope that Ho Chi Minh can become the Tito of Asian communism, but this does not change the fact that China is attempting to use him to expand the realm of Asian communism, beholden in a tributary sense to Peiping.

The question for Americans is whether they recognize the essential fact: that to permit an alteration in the size and shape of the Communist orbit, however faction-ridden it is and despite degrees of internal independence, is to alter the balance of power. It also would encourage Peiping, as the center of Asian communism, to believe that success in Vietnam can lead to similar successes elsewhere—to the detriment of American power and prestige as well as to the peace of the world.

RESOLUTIONS PERTAINING TO PURCHASE OF SURPLUS OR USED EQUIPMENT IN NEW YORK STATE

Mr. JAVITS. Mr. President, I ask unanimous consent that certain resolutions relative to purchase of surplus or used equipment in New York State may be printed at this point in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

RESOLUTION 107, 1966

(By Suffolk County Board of Supervisors, resolution relative to purchase of surplus or used equipment)

Whereas counties and towns of New York State frequently have need for certain types of machinery and equipment, the use of which will be for a limited time, and surplus machinery and equipment, or used machinery and equipment, would be adequate, and the ability of a county or town to purchase such machinery and equipment at reduced prices would result in considerable saving to taxpayers; and

Whereas the State Finance Law permits the Office of General Services to sell surplus, obsolete, or used machinery and equipment; and it has been the experience that much of such machinery and equipment is sold to dealers, who then offer much of such machinery for sale to counties and towns at a large increase in price; and

Whereas the Federal Government from time to time disposes of surplus machinery and equipment, and about the only way a municipality is permitted to make purchase of such particular items is through the local office of civil defense; and

Whereas it is the consensus of this board that such surplus, obsolete, or used machinery and equipment should be made available to counties, towns, cities, and villages at a fair price before being sold to dealers: Now, therefore, be it

Resolved, That the Board of Supervisors of the County of Suffolk hereby urges the State legislature to pass legislation to require the several departments of the State having surplus, obsolete, or used machinery and equipment for sale, to prepare an inventory of the major items, such as trucks, power shovels, bulldozers, cranes, and other highway equipment, with prices established for the items, that copies of such inventories be furnished to each county, town, city, and village, that such municipalities be given a limited time in which to purchase such items at the prices indicated on the inventory, and that any items not sold to municipalities then be sold at public sale; and be it further

Resolved, That the U.S. Congress be urged to enact legislation which will permit municipalities of the United States to purchase surplus, obsolete, or used machinery and equipment at appraised value before the same are sold to the public; and be it further

Resolved, That the clerk of this board be, and he hereby is, directed to transmit certified copies of this resolution to the senators and assemblymen representing Suffolk County in the State legislature and the U.S. Congressmen and the U.S. Senators representing the people of Suffolk County, and all other county boards of supervisors of the State of New York, to the Supervisors Association, the Association of Towns, the County Officers Association, the County Superintendent of Highways Association, and the Town Highway Superintendents Association.

Dated: February 14, 1966.

Approved:

H. Lee Dennison,
County Executive of Suffolk County.

State of New York,
Board of Supervisors of Erie County,
Buffalo, N.Y., February 16, 1966.

To Whom It May Concern:

I hereby certify that at a session of the Board of Supervisors of Erie County, held in the county hall, in the city of Buffalo, on the 15th day of February A.D. 1966, a resolution was adopted, of which the following is a true copy:

"*Resolved,* That the Board of Supervisors of the County of Erie hereby urges the legislature to amend the State finance law, the general municipal law and other applicable statutes to require the several departments of the State having surplus, obsolete, or used machinery and equipment for sale to prepare an inventory of the major items such as trucks, power shovels, bulldozers, cranes, and other highway equipment, and the price established for each item, and that copies of such inventories be furnished to each county, town, city, and village and that such municipalities be given a limited time in which to purchase such items at the price indicated on the inventory and that any items not sold to municipalities then be sold at public sale; and be it further

"*Resolved,* That Congress be urged to enact legislation which will permit municipalities to purchase surplus, obsolete or used machinery and equipment at appraised value before the same are sold to the public."

Attest:

Walter A. Holz,
Deputy Clerk of the Board of Supervisors of Erie County.

RESOLUTION 17—PURCHASE OF STATE SURPLUS OR USED EQUIPMENT BY MUNICIPALITIES

(By Ways and Means and Finance Committees)

Whereas counties and towns frequently have need for certain types of machinery and equipment the use of which will be for a limited time and surplus machinery and equipment or used machinery and equipment would be adequate and the ability of a county or town to purchase at reduced prices would result in considerable savings to taxpayers; and

Whereas the State finance law permits the office of general services to sell surplus, obsolete, or used machinery and equipment and it has been the experience that much of such machinery and equipment is sold to dealers who then offer the same items for sale to counties and towns at a large increase in price; and

Whereas the Federal Government from time to time disposes of surplus machinery and equipment and about the only way a municipality is permitted to make purchase of particular items is through the local office of civil defense; and

Whereas it is the consensus of opinion of this board that such surplus, obsolete or used machinery and equipment should be made available to counties, towns, cities, and villages at a fair price before being sold to dealers: Be it

Resolved, That the Board of Supervisors of the County of Allegany hereby urges the legislature to amend the State finance law, the general municipal law and other applicable statutes to require the several departments of the State having surplus, obsolete or used machinery and equipment for sale to prepare an inventory of the major items, such as trucks, power shovels, bulldozers, cranes, and other highway equipment, and the price established for each item, and that copies of such inventories be furnished to each county, town, city and village and that such municipalities be given a limited time in which to purchase such items at the price indicated on the inventory and that any items not sold to municipalities then be sold at public sale; and be it further

Resolved, That Congress be urged to enact legislation which will permit municipalities to purchase surplus, obsolete or used machinery and equipment at appraised value before the same are sold to the public; and be it further

Resolved, That the clerk of the board of supervisors be and he hereby is directed to transmit copies of this resolution to the Supervisors' Association, Association of Towns, the County Officers Association, County Superintendent of Highways Association, Town Highway Superintendents' Association, all members of the New York State Legislature and the U.S. Congress representing Allegany County, Governor of the State of New York and all other county boards of supervisors of the State of New York.

Manley C. Ackerman,
Clerk, Board of Supervisors,
Allegany County.

RESOLUTION 27, 1966

(Resolution relating to purchase of surplus or used equipment by Mr. Storie)

"Whereas counties and towns of New York State frequently have need for certain types of machinery and equipment, the use of which will be for a limited time, and surplus machinery and equipment, or used machinery and equipment, would be adequate, and the ability of a county or town to purchase such machinery and equipment at reduced prices would result in considerable saving to taxpayers; and,

"Whereas the State finance law permits the office of general services to sell surplus, obsolete, or used machinery and equipment; and it has been the experience that much of such machinery and equipment is sold to dealers, who then offer much of such machinery for sale to counties and towns at a large increase in price; and

"Whereas the Federal Government from time to time disposes of surplus machinery and equipment, and about the only way a municipality is permitted to make purchase of such particular items is through the local office of civil defense; and

"Whereas it is the consensus of this board that such surplus, obsolete or used machinery and equipment should be made available to counties, towns, cities and villages at a fair price before being sold to dealers: Now, therefore, be it

"*Resolved,* That the Board of Supervisors of the County of St. Lawrence hereby urges the State legislature to pass legislation to require the several departments of the State having surplus, obsolete, or used machinery and equipment for sale, to prepare an inventory of the major items, such as trucks, power shovels, bulldozers, cranes, and other highway equipment, with prices established for the items, that copies of such inventories be furnished to each county, town, city, and village, that such municipalities be given a limited time in which to purchase such items at the prices indicated on the inventory, and that any items not sold to municipalities then be sold at public sale; and be it further

"*Resolved,* That the U.S. Congress be urged to enact legislation which will permit municipalities of the United States to purchase surplus, obsolete, or used machinery and equipment at appraised value before the same are sold to the public; and be it further

"*Resolved,* That the clerk of the board of supervisors be and he hereby is directed to transmit copies of this resolution to Senator Stafford, Assemblyman Ingram, Congressman McEwen, Senator Javits, and Senator Kennedy."

On a motion by Mr. Storie, seconded by Mr. Miller, the resolution was unanimously adopted.

I, Charles V. Fox, clerk of the St. Lawrence County Board of Supervisors, do hereby certify that the above is a true copy of the resolution unanimously adopted by the St. Lawrence County Board of Supervisors on February 14, 1966.

Charles V. Fox,
Clerk, St. Lawrence County Board of Supervisors.

RESOLUTION 29, 1966

Resolution objecting to sec. 53 of the conservation law, by Mr. Storie

"Whereas section 53 of the conservation law of the State of New York compels counties in the Adirondack preserve to pay one-half the cost of fighting forest fires; and

"Whereas the claims arise from expenses incurred by the State conservation department in fighting forest fires; and

"Whereas the State conservation department had complete control over the expenditures and do hire men and equipment, including an airplane and bulldozers; and

"Whereas some of this equipment is hired merely to stand by in case of need; and

"Whereas counties have no control or supervision over the expenditures; and

"Whereas the counties in the Adirondack preserve have no control over the closing of the woods during the drought season; and

"Whereas such a statute that compels the small counties in the Adirondack Forest Preserve to pay this expense is unjust and unfair to the taxpayers of these counties; and

"Whereas the users of the woods pay a license fee to the State of New York and the woods are used by residents from all over the State, as well as nonresidents of the State; and

"Whereas this type of expenditure causes a terrific financial injustice to the taxpayers of the small counties in which the fires happen to occur: Now, therefore, be it

"*Resolved,* That the Board of Supervisors of the county of St. Lawrence do hereby protest and do hereby object to this unfair law which is a statute; and be it further

"*Resolved,* That the New York State Senate and Assembly hereby consider amending or changing the existing law so as to eliminate this expense of fighting forest fires to an individual county; and be it further

"*Resolved,* That the said board of supervisors do hereby request the State senator and State assemblyman from this district to introduce legislation to change the law in relation to the counties bearing half of the cost of fighting forest fires in their respective counties."

On a motion by Mr. Storie, seconded by Mr. Dixson and Mr. Slate, the resolution was unanimously adopted.

I, Charles V. Fox, clerk of the St. Lawrence County Board of Supervisors, do hereby certify that the above is a true copy of the resolution adopted by the Board of Supervisors of St. Lawrence County on February 14, 1966.

Charles V. Fox,
Clerk, St. Lawrence County Board of Supervisors.

Steuben County Resolution

Resolution urging legislation in regard to purchase by municipalities of surplus or used equipment, upon the recommendation of the highway committee and the insurance and laws committee

Whereas counties and towns frequently have need for certain types of machinery and equipment, the use of which will be used for a limited time and surplus machinery and equipment or used machinery and equipment would be adequate and the ability of a county or town to purchase at reduced prices would result in considerable savings to taxpayers; and

Whereas, the State finance law permits the office of general services to sell surplus, obsolete or used machinery and equipment and it has been the experience that much of such machinery and equipment is sold to dealers who then offer the same items for sale to counties and towns at a large increase in price; and

Whereas the Federal Government from time to time disposes of surplus machinery and equipment and about the only way a municipality is permitted to make purchase of particular items is through the local office of civil defense; and

Whereas it is the consensus of opinion of this board that such surplus, obsolete or unused machinery and equipment should be made available to counties, towns, cities, and villages at a fair price before being sold to dealers: Now, therefore, be it

Resolved, That the Board of Supervisors of the County of Steuben hereby urges the legislature to amend the State finance law, the general municipal law and other applicable statutes to require the several departments of the State having surplus, obsolete, or used machinery and equipment for sale to prepare an inventory of the major items, such as trucks, power shovels, bulldozers, cranes, and other highway equipment, and the price established for each item, and that copies of such inventories be furnished to each county, town, city, and village and that such municipalities be given a limited time in which to purchase such items at the price indicated on the inventory and that any items not sold to municipalities then be sold at public sale; and be it further

Resolved, That Congress be urged to enact legislation which will permit municipalities to purchase surplus, obsolete, or used machinery and equipment, at appraised value before the same are sold to the public; and be it further

Resolved, That the clerk of this board of supervisors is directed to forward certified copies of this resolution to Senator William T. Smith, to Assemblyman Charles D. Henderson, to Congressman Charles Goodell, to Senator Jacob Javits and to Senator Robert Kennedy.

RETIREMENT OF SENATOR McNAMARA, OF MICHIGAN

Mr. DOUGLAS. Mr. President, it is with deep regret that I have heard of the pending retirement from the Senate of Senator Pat McNamara, of Michigan, on grounds of ill health.

I have never known a more honorable, candid, or forthright man. Senator McNamara speaks his mind without guile or craft and votes his convictions without fear or favor.

He is like the Rock of Gibraltar—a tower of integrity. He is also a brave and uncomplaining man. The Senate is the better for his service, and so is the country.

We shall miss him, and so will the Nation.

REDUCTION OF SPECIAL MILK PROGRAM—RESOLUTION OF THE VERMONT STATE BOARD OF EDUCATION

Mr. AIKEN. Mr. President, I submit a resolution of the Vermont State Board of Education under date of February 23, 1966, in opposition to the reduction of the appropriation for the special school milk program for fiscal 1966 and the reduction in the President's budget for fiscal 1967 in the appropriation for the school lunch and special milk programs, and ask unanimous consent that it be printed in the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Resolution of the Vermont State Board of Education

The Vermont State Board of Education at its regular meeting, February 11, 1966, unanimously voted the following resolution:

"Whereas the Federal Bureau of the Budget has reduced the appropriation for the special milk program for fiscal 1966; and

"Whereas the President's budget for fiscal 1967 proposes drastic cuts in the appropriations for school lunch and special milk programs, and

"Whereas the Vermont State Board of Education unanimously feels that both the school lunch and special milk programs are vital to the children of America and hence to the future of the Nation: Therefore be it

"*Resolved,* That the Vermont State Board of Education opposes any reduction in the appropriations for these programs; and

"That the Vermont State Board of Education believes that Federal appropriations for these programs should be increased, commensurate with the growth of both programs; and be it further

"*Resolved,* That copies of this resolution be forwarded to the Vermont delegation in the Congress and the Office of the President of the United States."

Richard A. Gibboney,
Commissioner of Education and Secretary to the State Board of Education.

THE WAR IN SOUTHEAST ASIA CUTS THE GRANTS FOR LAND-GRANT COLLEGES SUCH AS THE UNIVERSITY OF ALASKA

Mr. GRUENING. Mr. President, a source of pride to all Alaskans is the University of Alaska located at College, Alaska, a few miles west of downtown Fairbanks. The university dates from 1915, when the U.S. Congress set aside land for the support of an agricultural college and school of mines. This land-grant college opened for instruction in 1922 under the presidency of Charles E. Bunnell, previously a Federal judge. It was a small school, and remained so in the years before the war, but performed a unique task then, as it does today, for it is the only institution of higher learning in the United States that serves, within the scope of its resources, all of public educational needs, beyond high school, of an entire State. It became the University of Alaska in 1935 by action of the territorial legislature.

In number of students, as compared to other universities in the United States, the University of Alaska is a small but rapidly growing institution. Apart from the main campus, it operates six community colleges in cities throughout the State, and in four of those communities, it offers the only education programs above the high school level. In terms of activities in research and advanced study, it is burgeoning—its institute of arctic biology, its geophysical institute, the arctic research laboratory, are making valuable contributions to the advancement of knowledge of our planet.

The 1967 Federal budget, which purported to allow both guns and "the high priced spread" would sharply curtail these activities. The new budget would eliminate $39,276 in the Alaska Agriculture Experiment Station funds for research conducted jointly by the University and the Department of Agriculture. This cut, coupled with the budget's failure to provide funds for continued agriculture research in Alaska, amounting to $400,000 last year, will force the experiment station in Palmer to close. This station has developed a potato that can compete favorably with imported potatoes—those locally grown had a high water content attributed to the extensive hours of growth under the long daylight of northern latitudes. Also just announced by the Palmer station is a new variety of grass that will be of utmost importance to our dairy industry. It is vitally important that we in Alaska develop other products, for we are almost solely dependent upon air freight for the greater share of our fresh vegetables. Unless these funds are restored—if we are forced to close our research station, our harvest in many years to come will suffer, this is but another of the bitter fruits produced by the war in southeast Asia and nurtured by the ever-increasing escalation of our military efforts there.

Equally tragic is the drastic cutback in funds for instruction and facilities in land grant institutions. Here the University of Alaska is losing over $230,000. This means that if the average salary of an instructor in Alaska is $10,000, we will lose 23 instructors. Some programs will have to be eliminated. Others may of necessity be cut back or held at their present levels.

In a State that is noted for its richness in natural resources. Yet we consider our most important natural resource an educated populace. If we must sacrifice something to bear the burden of the wholly unnecessary undeclared war in Vietnam let the sacrifice be made in other areas that we can more readily afford—not in the education of our youth. They will be sacrificed both at home and abroad by the southeast Asian folly. These funds should be restored.

ELECTORAL COLLEGE—REFORM OR RETREAT?

Mr. MUNDT. Mr. President, this morning the Subcommittee on Constitutional Amendments of the Senate Committee on the Judiciary opened hearings on the question of reforming the electoral college. It was my privilege to present testimony today in behalf of my proposal, Senate Joint Resolution 12.

Mr. President, I ask unanimous consent to place in the RECORD my testimony before the committee in behalf of Senate Joint Resolution 12, which is cosponsored by Senators STROM THURMOND, Republican, of South Carolina; JOHN MCCLELLAN, Democrat, of Arkansas; ROMAN HRUSKA, Republican, of Nebraska; THRUSTON MORTON, Republican, of Kentucky; PETER DOMINICK, Republican, of Colorado; HIRAM FONG, Republican, of Hawaii; J. CALEB BOGGS, Republican, of Delaware; JOHN STENNIS, Democrat, of Mississippi; and WINSTON PROUTY, Republican, of Vermont to provide for the election of presidential electors by the district system.

There being no objection, the testimony of Senator MUNDT was ordered to be printed in the RECORD, as follows:

Mr. Chairman, it is a pleasure to appear before this subcommittee on the question of electoral college reform. This is an issue with which I have been closely associated since 1953 when I joined with former Representative Frederic R. Coudert, of New York, in introducing legislation which would elect presidential electors from districts within a State rather than from a State as a whole.

Such a plan did not originate with us, although it has been popularly called the Mundt-Coudert plan, for it was in fact originally advocated by such early and mightier statesmen as James Madison, Thomas Jefferson, and John Quincy Adams.

I point this out to emphasize that the need for such a plan has always existed although it has never been formally adopted. At least it has never been adopted on a national basis which would be the only fair way of utilizing such a procedure. I believe that today the need is even greater than it has been in the past.

As the result of Supreme Court decisions in *Baker* v. *Carr*, and of particular significance to the question of electoral districts, *Wesberry* v. *Sanders*, a profound change has occurred in our system of representation—a change that has provided us with both the increased need for equalization within our presidential electoral process and the vehicle to achieve that equalization.

Mr. Chairman, at a later point I will go into this matter of *Wesberry* v. *Sanders* and the subsequent redistricting of congressional districts so that they will be as equal in population as practical in more detail. I will also cover the provisions of Senate Joint Resolution 12; much of what I will say has been said before—the last time in 1961 before this same subcommittee. I note, however, that very few of the same members are present as the certainties of time and the uncertainties of elections have taken their toll.

For the present, let me say that I agree with James MacGregor Burns who has written: "Most Americans, regardless of party, are agreed on the failings of the electoral college. It is unfair, inaccurate, uncertain, and undemocratic. Unfair, because the presidential candidate losing a State by even a close margin forfeits all of that State's electoral votes. Inaccurate, because in most elections the winner's electoral votes are inflated grotesquely out of proportion to his popular vote. Uncertain, because presidential electors are not legally bound to vote for the candidate who carries the State. And undemocratic, because if no candidate wins a majority of the electoral college the verdict is rendered in the House of Representatives, where each State delegation, no matter how large, casts but a single vote in choosing among the three top candidates."

Senate Joint Resolution 12, in my estimation, is the only plan proposed which would correct these inequities without making basic changes in our constitutional system. It would correct the unfairness by eliminating the general ticket system. It would correct the inaccuracy because it would bring the electoral vote in line with the popular vote. It would correct the uncertainty because it would bind the presidential electors to the winning candidate. It would correct the undemocratic factors because it provides for a greater voice for the larger States should Congress be forced to name the President in the event no candidate wins a majority of the electoral college.

I stress this totality of correction for I believe that the amending process of the Constitution should never be used to confirm error; it should only be used to correct it and now that we have an opportunity to reexamine the electoral process for the President of the United States we should do a thorough job of it and get to the real root of the problem which is the general ticket system. This is not to say that I do not agree with some of the proposals advanced by President Johnson or that none of them are desirable. On the contrary, Senate Joint Resolution 12 includes some of them, and could be modified, I believe, to include others. The real problem, however, is not the fact that the electors are not bound to follow the will of the majority—a situation that has occurred only 8 out of a possible 14,554 times since 1820, or that certain gaps exist should the election be thrown into the House of Representatives—a situation that hasn't occurred since 1824 and has only happened twice in the history of our Nation. The real problem is the inequality of the voting power of the citizens of the various States—a situation which occurs every 4 years.

This is the main theme of my proposal and it can be summed up in one sentence:

I believe, and I hope you believe, and think you believe that every voter in this country as an individual, whether he lives in California, Delaware, New York, or South Dakota, ought to have equal voting power when it comes to electing the President of the United States.

This is the only important respect in which our electoral college system, so-called, has failed to function with fairness. It has stood the practical test of time since our country was established. It has carried us through 45 presidential elections, through peace and war, from George Washington to Lyndon B. Johnson. It was after the 4th presidential election that the 12th amendment was added to the Constitution to require presidential electors to vote specifically for President and Vice President, rather than, as the original provision provided, for two persons for President. Since then, 40 presidential elections have been held. It is obvious, therefore, that any system that has functioned so well for so long should not be changed lightly. Changes proposed or made should be the absolute minimum required to bring about the desired and necessary results.

Such minimum and wholly practical and necessary changes are proposed in Senate Joint Resolution 12, which I am sponsoring together with Senators THURMOND, MCCLELLAN, HRUSKA, MORTON, DOMINICK, FONG, BOGGS, STENNIS, and PROUTY. This is a slightly revised version of the original Mundt-Coudert amendment, with which most of us are familiar.

Our Founding Fathers, in the Constitutional Convention of 1787, gave long and careful consideration to the method of electing the President. At first it decided he should be elected by the Congress. Then it changed its collective mind and transferred the power of choice to an electoral college that was to be an exact counterpart of the Congress with the representation of the States as units, corresponding to the Senators, as well as population of the States, corresponding to Representatives, and which should meet at the seat of government.

Upon further consideration this plan was dropped because of the fear that the electors wouldn't travel so far for a single purpose. It took days in those times to cover distances that we span in a few hours. The Convention went back to its original idea that a President be elected by a joint session of Congress. They did this with reluctance because it ran counter to their strong beliefs in the principle of separation of powers of the executive and legislative branches of the new Government.

At this point the idea developed that the electors could meet and cast their votes in their own States and transmit the certificates of their ballots to the seat of government.

Accordingly, the work of electing the President was divided. The Convention transferred the act of voting from a joint session of Congress to electoral colleges in the several States, the results to be transmitted to the President of the Senate. It left with Congress, in joint session, the function of counting the certified results from the States, as would have been the case had Congress done the voting.

This plan appears in article II, section 1 of the Constitution—a part of which has been superseded by the 12th amendment:

"Each State shall appoint in such a manner as the legislature thereof may direct, a number of electors equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress; but no Senator or Representative or person holding an office of trust or profit under the United States shall be appointed an elector."

The exclusion of Members of Congress and Federal officeholders is required by the cardinal principle of separation of powers.

In Senate Joint Resolution 12, the clause, "in such manner as the legislature thereof may direct," is eliminated. In its stead, Senate Joint Resolution 12 requires:

"The electors to which a State is entitled by virtue of its Senators shall be elected by the people thereof, and the electors to which it is entitled by virtue of its Representatives shall be elected by the people within single-elector districts established by the legislature thereof; such districts to be composed of compact and contiguous territory, containing as nearly as practicable the number of persons which entitled the State to one Representative in the Congress; and such districts when formed shall not be altered until another census has been taken. Before being chosen elector, each candidate for the office shall officially declare the persons for whom he will vote for President and Vice President, which declaration shall be binding on any successor. In choosing electors of President and Vice President the voters in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature, except that the legislature of any State may prescribe lesser qualifications with respect to residence therein."

It is the clause, "In such manner as the legislature thereof may direct," that is the root of the present problem. Only 10 States participated in the election of our first President, George Washington. North Carolina and Rhode Island had not yet ratified the Constitution; and New York's two houses of the legislature could not agree on who the electors should be.

No uniform method of choosing electors was followed. Electors were chosen in a variety of ways: election by legislatures, election by the people in districts, and election by the people on a general ticket which means that each voter in the State could vote for every one of the State's electors. In Massachusetts, each of the eight districts chose two electors from which the legislature selected one per district and added two electors at large.

In the succeeding presidential elections through 1832, the various methods were used with States changing from one to the other. In 1836, the general ticket system was used in every State but South Carolina, which continued to elect by the legislature through 1860.

After Washington's two elections, the Presidency was contested every 4 years on a party basis as it is today. The majority party in each State was quick to see the advantage of consolidating its electoral strength either through legislature selection or through use of the general ticket system so as to exert maximum influence in electing a President. Federalists did this where they were in control in the New England States, for example, and the anti-Federalists, later Jefferson's Republicans, did the same thing in their States.

Since 1836, with the exception of South Carolina, there have been only three instances of departures from the general ticket system, the one we now employ. They were Florida in 1868 and Colorado in 1876, in which the elections were by the legislature, and Michigan in 1892, when the district system with two electors at large was used.

It is extremely doubtful if any voter living today has used anything but a general ticket system in presidential elections. This use of the general ticket system in every State is largely responsible for many of the misunderstandings of the electoral college system which exist today and for much of the notion that the electors are archaic and unnecessary.

When we regard the electoral college as the exact numerical counterpart of Congress we can see readily that it combines the two principles of representation in our Federal Union of States. We have the Federal principle of equal representation of the States in the Senate regardless of population, and, then, we have the national principle of unequal representation of the States in the House of Representatives based on their unequal populations. State representation in the House in the present Congress ranges from 1 to 41.

Each citizen of each State is represented in the Senate by two Senators and in the House of Representatives by one Representative, with a few exceptions. His representation in Congress, therefore, is two parts Federal and one part national. In the electoral college, with the general ticket system in force in every State, there is no equality of citizen representation. It ranges from a high of 43 members of the electoral college for a citizen of New York—to 3 for a citizen of each of the 5 States that sent only 1 Representative to the present Congress.

Conversely, each citizen has as many votes in presidential elections as his State has members in the electoral college, because they are elected on a general ticket. In other words, when a New York voter pulls a voting machine lever for a presidential ticket, he is actually casting 43 votes, 1 for each of 43 electors on a party slate.

On the other hand, the citizens of the five States which have only one Member of the House of Representatives have only three votes each in the presidential election. In my own State of South Dakota, each citizen has four votes.

This tremendous disparity in voting weight between the individual citizens of the large States and the small States is the true source of all the valid complaints which have been made against the electoral college system. The real culprit is the use of the general ticket by every State. Of course, each State legislature could abandon the general ticket, but none will without certain knowledge that all other States will abandon it at the same time. To do so as an individual State, acting alone, would of course be to sharply lessen its influence in the selection of a President. This is why a constitutional amendment is necessary to bring about a change.

Mr. Chairman, there is no more justification for choosing electors on a general ticket than there is for electing a State's delegation to the House of Representatives, counterparts of electors, on a statewide bloc basis, which is what the general ticket does. All of us remember the consternation on the part of both the Congress and the people, following the *Wesberry* v. *Sanders* decision, when it appeared as though some States might have to elect all of their Representatives at large if they did not redistrict.

The people in particular were outraged at the thought that their district's Representative was to be taken from them and given to the entire State. And yet it would be just as fair to use the general ticket for Representatives as it is to use it for their counterparts in the electoral college.

I submit that the number of persons which entitled a State to one Representative in the Congress should entitle the same group of people to one member of the electoral college.

What have been the effects of the general ticket system of choosing electors? I suggest these:

1. It excludes from the Office of President of the United States all men, no matter how able and outstanding they may be, unless they come from a State with a large bloc of electoral votes.

2. By the same token, the dominant forces in the large, pivotal States which are responsible for the nomination and election of our Presidents have inordinate influences at the White House and in the executive branch of our Government.

3. It invites fraud in the large States that are crucial and where the vote is expected to be close. The effect of such vote fraud is statewide under the general ticket. A fraudulent vote, undetected, counts just as much as a valid vote in the statewide total. This invitation to fraud in key or pivotal States works hand in hand with another evil of our political system—the large campaign contributions that gravitate to the big cities in the heavily populated States. Where the stake is some 40 electoral votes, which is just over one-sixth of the number necessary to elect a President, the temptation to make sure that the money achieves its objectives is alarmingly strong.

By utilizing the district system, if fraud would still prevail, it could influence simply the electors coming from that specific electoral district. It would, therefore, minimize the impact of fraud and, consequently, tend to minimize the importance of anybody coming forth. At worst, fraud or corruption in any specific area or election constituency could influence only 3 electoral votes not 36 or 40 as can now occur.

4. Although the Constitution gives each State the same numerical representation in the electoral college that it has in the two Houses of Congress by using the general ticket for electors, we have formed a constituency for the President which is altogether different from that which elects the Congress. The great difference between these two constituencies is that almost all Representatives are elected in single member districts while their counterparts in the electoral college are elected in multimember districts consisting of entire States. This situation permits voters of a State, voting straight party tickets, to produce one result in the electoral college and an altogether different result in the House of Representatives at the same election. The effect of all this is that we have what I have called a "presidential United States" and a "congressional United States" that are, politically speaking, two different countries within one national boundary.

I would like at this time to turn to the question of the districts themselves but first I believe a little background information is in order. As originally introduced several years ago, the Mundt-Coudert amendment provided that a State's electors corresponding to its Representatives in Congress should be elected from congressional districts and the two corresponding to its Senators should be elected statewide, as Senators are elected. Critics, most of them supporters of the status quo, objected strongly and with justice that the use of congressional districts was open to criticism since in some States districts were nowhere near being equal in population and district lines had been unfairly drawn by whatever political party controlled the State legislature, a practice long known as gerrymandering.

To meet this criticism the amendment was redrawn to provide for the establishment of electoral districts to be composed of "compact and contiguous territory, containing as nearly as practicable the number of persons which entitled the States to one Representative in the Congress."

Such language was, I believe, considered fair and acceptable by those who had earlier harbored some reservations as to the district system. Subsequently, however, doubts were raised as to the enforceability of this provision. From a practical viewpoint they questioned whether Congress would exercise the power granted to it to refuse to count the electoral votes not chosen in compact and contiguous districts.

Of far greater importance was the question of judicial enforcement. The last hearings were held during the months of May, June, and July of 1961. At that time serious doubts existed as to whether the judicial branch could or should accept jurisdiction of a case alleging malapportionment. The legal precedents on judicial enforcement of districting standards were not clear and, although I felt then that by placing the provision in the U.S. Constitution we had overcome this hurdle, I would be willing to admit that many individuals, both among my colleagues and in the academic circles, had reasonable grounds to question the effectiveness of the recourse to legal enforcement even though they by this time believed that the revised district system was a fair and acceptable method of reforming the electoral college.

When in the summer of 1961 this committee mulled over the problem of enforceability events were already taking place in the judicial branch of the Government which would have a profound impact on this question and indeed our entire system of Government. On March 26, 1962, the Supreme Court of the United States handed down its historic decision in *Baker* v. *Carr*. It is not necessary at this time to go into the background of this case for I am sure that we are all familiar with it. The result, however, is important for the Court held that legislative apportionment problems were within the jurisdiction of the Federal courts, that a justiciable cause of action exists and that a voter within a district that is allegedly malapportioned has standing in court to challenge such an arrangement.

In the wake of its *Baker* v. *Carr* opinion the Court has handed down additional decisions spelling out further what has come to be known as the "one man, one vote" principle. In certain aspects that relate to the right of the majority of the people to choose their own course and system of government I find myself in disagreement with the Court, but that is not important for the purpose of today's discussion. What is important is that the judicial branch has very clearly and vigorously indicated that they not only can but will enforce the districting standards.

One of these subsequent decisions, and from a practical viewpoint the one that has had the greatest impact on the district plan of electoral college reform, was the aforementioned *Wesberry* v. *Sanders* which was rendered on February 17, 1964. Not only was this the first instance in which the Court applied the "one man, one vote" principle on a nationwide basis but the objects of their directive were the congressional districts rather than State legislative districts. Admittedly, the Court based its decision on the history and wording of article I, section 2 of the Constitution which refers only to the makeup of the House of Representatives rather than on the 14th amendment but the Supreme Court rested on the findings of the *Baker* case to show that districting cases were justiciable.

As the result of *Wesberry* great strides have been made over the past 2 years toward bringing congressional districts into line with "one man, one vote" standards. Redistricting has been completed by the legislatures of 21 States and significantly has been brought about by the courts in three instances—Arizona, Illinois, and Montana.

Using the 15 percent deviation standard only 52 Congressmen in 14 States at the present time could be considered from districts that are either over- or underrepresented and in some of those States efforts are currently underway to redistrict.

In addition mention should be made of H.R. 5505 which has already passed the House of Representatives and as you know is currently being considered by your parent committee. Because this legislation is before your committee, I do not feel that it would be appropriate to dwell on it at length. For the record, however, I would like to point out that this bill as passed by the House would establish minimum standards for its districts. The House-passed version would include the 15-percent deviation standard and includes language regarding compactness and contiguousness similar to Senate Joint Resolution 12. It would also prohibit at-large districts when a State has more than one Representative. I understand that some of these provisions are being questioned by your committee.

I have mentioned both the progress made in redistricting as a result of *Wesberry* and H.R. 5505 because it would appear that the machinery is being developed which would enable the Mundt-Courdert plan to evolve back to its original proposal, which was the election in congressional districts of those electors corresponding to the State's Representatives in Congress. The establishment of House of Representatives districts that are nearly equal in population and meet the requirements of anti-gerrymandering would make it unnecessary, I assume, to establish separate districts for the electoral process.

For the time being no changes have been made in the wording of Senate Joint Resolution 12 regarding the utilization of existing congressional districts but I am sure that this would be a relatively simple matter to accomplish should such a change be deemed appropriate. Under existing court decisions and the present statutes, however, there is no requirement that Congressmen be elected in districts. Two States having two or more Representatives—Hawaii and New Mexico—elect their Representatives at large and this must be taken into consideration.

In summing up this particular part of my testimony I would like to emphasize these points:

1. Electoral districts that are as equal in population as practical appear to present no problem. The States themselves are moving rapidly in this direction and the courts have shown no hesitancy in enforcing population standards.

2. Electoral districts that are compact and contiguous could be enforced, if need be, through the courts by various means.

(a) Passage of H.R. 5505 may require all House of Representative districts to meet these standards, a provision enforcible by the courts, and thus the existing congressional districts could be utilized.

(b) Existing constitutional provisions may already provide the Court with authority to act.

(c) With the constitutional amendment provided by Senate Joint Resolution 12 additional and explicit authority would be provided for the enforcement of this provision, strong legal precedents already existing for the assumption of jurisdiction by the Federal courts.

There is another often-raised objection to the present system of electing a President. President Johnson in his message to the Congress commented upon it and requested that it be corrected. It is the provision that if no candidate receives a majority of the electoral votes when they are counted in Congress that the House of Representatives shall choose immediately a President from among the candidates with the three highest numbers of electoral votes. The vote in such a case—the last time it occurred was in 1824—is by State; each State delegation having one vote. In the event a State's House delegation is evenly divided its vote is not recorded. A majority of the States is required for election.

The objection to this system is that it is grossly unfair to the larger States, giving New York, California, and Pennsylvania no greater voice than Alaska, Delaware, and Nevada despite the great population disparities.

Senate Joint Resolution 12 corrects this situation. It provides that in the event no presidential candidate has a majority of the electoral vote that "then from the persons having the three highest numbers on the list of persons voted for as President, the Senate and the House of Representatives, assembled and voting as individual members of one body, shall choose immediately, by ballot, the President; a quorum for such purpose shall be three-fourths of the whole number of Senators and Representatives, and a majority of the whole number shall be necessary for a choice; if additional ballots be necessary, the choice on the fifth ballot shall be between the two persons having the highest number of votes on the fourth ballot."

The Constitution also provides that if no candidate for Vice President has a majority that the Senate shall choose him from among the two candidates with the highest electoral vote total. Senate Joint Resolution 12 provides that both Houses in joint session and voting by the head, as for President, shall elect the Vice President from among the candidates with the three highest numbers of electoral votes. This provision would also guard against the possibility of electing a President and Vice President from different parties.

So I point out that while we equalize the rights of individual citizens to vote for President, we recognize the validity that bigger States should have more authority if it comes to be decided in the House of Representatives, so that we also are fair and equitable to the big States by giving them more authority than they have now. We do not attempt to simply take power from one or the other but rather to equalize the power of both and to recognize that mere accident of geographical residence should give one American citizen more than 14 times as much significance, stature, and authority in the voting booth as another American citizen, and this is what occurs today.

We believe that the large States should have their proportionate power—no one is advocating taking away the 43 votes of New York—but we do believe that this power should be registered in the electoral college on the basis in which the people voted it. To do otherwise or, in other words, to continue the present system of general ticket voting, with its cumulative effect which produces 2d-, 3d-, and even 15th-class voting citizens, would be to give some individuals a greater voting power than they deserve.

The fact that this type of a result is clearly wrong, no matter how or where it is achieved, was pointed out by Chief Justice Warren in *Reynolds* v. *Sims* when he said:

"It would appear extraordinary to suggest that a State could be constitutionally permitted to enact a law providing that certain of the State's voters could vote 2, 5, or 10 times for their legislative representatives, while voters living elsewhere could vote only once. And it is inconceivable that a State law to the effect that, in counting votes for legislators, the votes of citizens in one part of the State would be multiplied by 2, 5, or 10, while the votes of persons in another area would be counted only at face value, could be constitutionally sustainable. Of course, the effect of State legislative districting schemes which give the same number of representatives to unequal numbers of constituents is identical. Overweighting and overvaluation of the votes of those living here has the certain effect of dilution and undervaluation of the votes of those living there. The resulting discrimination against those individual voters living in disfavored areas is easily demonstrable mathematically. Their right to vote is simply not the same right to vote as that of those living in a favored part of the State. Two, five, or ten of them must vote before the effect of their voting is equivalent to that of their favored neighbor. Weighting the votes of citizens differently, by any method or means, merely because of where they happen to reside, hardly seems justifiable. One must be ever aware that the Constitution forbids "sophisticated as well as simpleminded modes of discrimination."

We are all familiar with the fact that *Reynolds* v. *Sims* deals with legislative apportionment on the State level and was an attempt to give a more equal share of the voting strength to the urban areas but this does not detract from the basic premise that such weighting is wrong. It can be the other way around. The Chief Justice mentioned this in a footnote to his opinion when he pointed out that in the early 19th century the cities held the disproportionate representation and in the future the situation might be reversed again. The situation is reversed now as far as presidential elections are concerned and it should be rectified. As Warren said: "To the extent that a citizen's right to vote is debased, he is that much less a citizen. The fact that an individual lives here or there is not a legitimate reason for overweighting or diluting the efficacy of his vote. The complexions of societies and civilizations change, often with amazing rapidity. A nation once primarily rural in character becomes predominantly urban. Representation schemes once fair and equitable become archaic and outdated. But the basic principle of representative government remains, and must remain, unchanged—the weight of a citizen's vote cannot be made to depend on where he lives."

Before closing I would like to mention one additional and important point. Much has been said and written about minority Presidents. The major factor in such an occurrence is undoubtedly the general ticket—unit rules system. By breaking this up we would go a long way in eliminating such a possibility. It will not eliminate it entirely because as was pointed out in the memorandum prepared by the staff of the Subcommittee on Constitutional Amendments following the hearings in 1961 two other factors contribute to such a possibility: (1) The minimum of three electoral votes for each State, and (2), the allocation of additional electors on the basis of population.

With one exception, no plan proposed in the past would eliminate completely the possibility of a minority President. That one exception is a direct national election. I have mentioned this not because I consider this a basic flaw in any other plan including Senate Joint Resolution 12 but because I think it should be made very clear why this possibility, so small it is almost infinitesimal once the general ticket system is broken up, must continue to exist.

As long as this Nation follows the principle of equality of States—the basis of federalism—it must exist. Under this system each State is allocated two electors corresponding to its Senators and a minimum allowance of at least one more regardless of the population of the State. To quote from the memorandum "Obviously, any system which preserves the Federal principle and its three-vote minimum allows for the possibility that a majority of the electoral vote may go to a candidate who receives fewer popular votes. Indeed, this was the original purpose of the electoral vote bonus for smaller States, so that the greater populations of the larger States could not dictate the selection of the President. It was part of the compromise which made the Constitution possible."

Mr. Chairman, the emphasis here is mine—although the quote is from this subcommittee's memorandum. I have included this because, as I have said, I feel that this is important. We should attempt to reduce the possibility of a minority President by doing away with that which contributes the most to such a possibility and is neither needed nor desired to preserve our Federal system but we should not become so obsessed with the idea of elimination that we destroy the principle of statehood imbedded in our Constitution. To do so we would, as the old saying goes, throw the baby out with the bathwater.

In summary Mr. Chairman, I would say this. Our system of electing a President has, generally speaking, served us well during the 177 years since our Republic was established. It has never failed to give us a President.

Through no fault of the Founding Fathers, it has, however, become distorted through the use of the general ticket system. Most of the framers of the Constitution, it should be pointed out, went on record favoring a district system for choosing electors, as the fairest method of expressing the popular will.

Senate Joint Resolution 12, is, in my opinion and the opinion of the many who support it, the only simple method by which each voter in every State will have the same voting weight in electing a President. It is the only one among the various electoral reform proposals which have been offered which will bring about a needed reform without a basic change in our constitutional system. It alone leaves control of the election machinery in the States, where it belongs.

It will bring about the balance so desperately needed in today's inequitable system. It was this imbalance that former President Truman addressed himself to in 1961 when he endorsed the district plan. At that time he said:

"The electoral college was first devised to protect the small States from dominance by the larger States, as for example, Delaware and Rhode Island from being dominated by Virginia and New York.

"The problem we face today is that of the emergence of the big cities into political overbalance, with the threat of imposing their choices on the rest of the country."

In the ensuing years since President Truman made that statement much has happened to increase the imbalance.

If you accept the thesis, which I do not, that two wrongs make a right, in 1961, the argument could be made that although large urban areas possessed a disproportionate influence in the selection of the President this was offset by a certain disproportionate representation in Congress on the part of rural areas. In effect then there was a counterbalance of interests. As has been previously pointed out this is no longer true. We have reformed and equalized the election process for the legislative branch. Now we must do likewise for the executive.

Simply put, in the past a wrong existed and logic demanded that it be rectified. Today that same wrong exists and both logic and justice demand that it be rectified.

WORLD PEACE

Mr. RUSSELL of South Carolina. Mr. President, in our struggle in Vietnam, "more than the freedom of the South Vietnamese is involved," declares the Columbia, S.C., State. It believes that world peace may be at stake:

> But the United States can afford nothing less than firm adherence to principle and the search for the best answer—

The paper said on February 15.

Gen. Maxwell Taylor is quoted as saying:

> I wonder if those concerned about war with China would say we should simply let the Communists take over in South Vietnam—

And it adds:

> That effectively reiterates the position that the stand in Asia is, fundamentally and long range, one for the containment of communism.

The editorial gives a thoughtful summary of the issues before us and with the permission of my colleagues I ask unanimous consent to have it printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Columbia (S.C.) State, Feb. 15, 1966]

WEIGHING THE WAR

The questioning of our posture in southeast Asia boils down to the contention that we should modify our military efforts there in the light of our global commitments. Under this theory, all risks of the enlargements of the war in Vietnam should be abandoned.

The considerations in Congress of the American position will either shape the war into this modified, or holding, form, or will produce a reaffirmation of the broader offensive action now in force.

Whatever the citizen's view of these two positions, the fact that Congress is now attempting to play a hand in the war could turn out to be historic. Congressional participation in forging the policy for the future holds the chance of error or offers the opportunity for wisdom.

In holding current procedures suspect, Lt. Gen. James M. Gavin, retired, and ex-diplomat George F. Kennan have come close to the charge that fighting it out militarily is nonsense. They say the conflict tends to weaken, militarily, our world position and risks war with Red China.

Another retired officer, Gen. Maxwell Taylor, supporting current policy, says: "I wonder if those concerned about war with China would say we should simply let the Communists take over in South Vietnam."

That effectively reiterates the position that the stand in Asia is, fundamentally and long range, one for the containment of communism.

The raising of the issue in Congress has momentously exposed varying views and healthily brought the problem before the American people. The differences cannot be brushed aside and the issue must now be threshed out.

Widespread desire, in and out of the Government, to end the war is understandable. But opinions coming out of the congressional investigation which say, in effect, the whole stand we are taking is a mistake could be hazardously misleading unless judiciously examined by the people.

The criticism takes us to the brink of withdrawal or at least defensive stagnation in southeast Asia, but nevertheless contains points having the ring of what may be a seductive logic.

More than the freedom of the South Vietnamese is involved. World peace may be at stake. But the United States can afford nothing less than firm adherence to principle and the search for the best answer.

CONTINUATION OF THE PUBLIC LAW 874 AID TO IMPACTED SCHOOL DISTRICTS PROGRAM

Mr. PELL. Mr. President, the 1967 fiscal year budget proposals contain a recommended cutback in the Public Law 874, aid to impacted school districts program. This cutback is calculated to save the U.S. Treasury some $233 million.

Many of my Rhode Island constituents—parents, teachers, school superintendents—have written to me urging that this program be continued at its present level. I am certain my colleagues are also very well aware of the severe financial impact the proposed reduction of this fine program will have on the participating communities. In Rhode Island alone, the present entitlement of $3,015,729 would be cut down to $1,546,501.

The purpose of the impacted aid program is to provide financial support for educational services in those school districts which must accommodate the children of Federal employees who live on and work on Federal property, and children residing with a parent who is employed on Federal property.

Now it is obvious that one of two results must flow from any reduction in the Public Law 874 program—school districts which receive this support must either eliminate some of the educational services they provide our schoolchildren or the school district must find other means to raise funds to continue its educational efforts. I strongly oppose reducing education services, and believe it is wholly inconsistent with the recent efforts of Congress to expand educational opportunities. I also consider it grossly unfair to impose on local communities an increased tax burden to support needed educational efforts, which are imposed as a result of Federal requirements. We must remember, and this is my overriding consideration, that it is children who will suffer the effects of any cutback—and I do not believe this would be in our national interest.

There is little question of our continuing need to maintain our Federal bases and establishments. In Rhode Island, our U.S. naval bases are of great importance to the maintenance of our military strength. Let us not forget that with the conflict in Vietnam, this need is even more apparent, and the number of personnel—and schoolchildren—will increase.

We cannot, Mr. President, take the short range view. The communities which must assimilate substantial numbers of Federal employees, need assistance in providing services to them. One of the most important services, is the education of their children. I see no useful purpose that is served by cutting back the aid to impacted school districts. The financial saving is more than offset by the hardships which will be carried by the local communities, and the resultant decline in the education of our youngsters.

This program must continue at its present level, and I intend to do all I possibly can to insure that it is.

I ask unanimous consent, that at this point in the RECORD, there be printed the breakdown of the impact on Rhode Island school districts should the budget proposal be accepted by the Congress.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Rhode Island	Congressional district	Present level	Proposed reduction
Newport school system, Newport	1	$553, 102	$271, 989
Town of Middletown School Committee, Newport	1	703, 391	456, 122
Town of Tiverton School Committee, Newport	1	42, 015	24, 466
Town of East Greenwich School Department, Kent	1	77, 350	31, 338
School Committee of the Town of Portsmouth, Newport	1	236, 721	183, 994
Town of Jamestown School Committee, Newport	1	42, 661	22, 631
Coventry School Department, Kent	1	105, 869	41, 635
Coventry School Department, Kent	1	0	0
Warwick School Committee, Kent	1	272, 819	37, 772
West Greenwich School Department, Kent	1	4, 223	286
West Warwick School Department, Kent	1	71, 798	28, 902
Town of Smithfield Department of Public Schools, Providence	1	9, 724	0
Bristol School Committee, Bristol	1	19, 040	0
Foster School Department, Providence	1	4, 065	0
Town of North Smithfield School Department, Providence	1	15, 577	0
Foster Glocester Regional School Department, Providence	1	5, 038	0
Congressional district total	----------	2, 263, 483	1, 101, 538
Town of East Greenwich School Department, Kent	2	0	0
Town of North Kingstown School Department, Washington	2	683, 185	428, 653
Coventry School Department, Kent	2	0	0
Coventry School Department, Kent	2	0	0
Warwick School Committee, Kent	2	0	0
Town of Westerly School Committee, Washington	2	18, 434	0
Town of Charlestown School Committee, Washington	2	4, 527	0
Richmond School Committee, Washington	2	2, 717	0
Town of Narragansett School Committee, Washington	2	18, 967	4, 864
West Greenwich School Department, Kent	2	0	0
West Warwick School Department, Kent	2	0	0
Town of Smithfield Department of Public Schools, Providence	2	0	0
Bristol School Committee, Bristol	2	0	0
Exeter School Department, Washington	2	10, 250	4, 435
South Kingstown School Committee, Washington	2	42, 877	7, 011
Foster School Department, Providence	2	0	0
Chariho Regional High School District, Washington	2	7, 289	0
Town of North Smithfield School Department, Providence	2	0	0
Foster Glocester Regional School District, Providence	2	0	0
Congressional district total	----------	788, 246	444, 963
Total, Rhode Island	----------	3, 051, 729	1, 545, 501

UNDERSTANDING THE BACKGROUND OF THE VIETNAM CONFLICT

Mr. BOGGS. Mr. President, a series of articles in the News-Journal papers of Wilmington, Del., has contributed a great deal to an understanding of the background of the Vietnam conflict.

They are written by William P. Frank, Delaware's best known newspaperman, and are illustrated by photographs taken by Bill Snead, a prize-winning photojournalist who is chief of the News-Journal photo department.

These two men spent 3 weeks in South Vietnam recently, talking to men from Delaware in particular but generally getting an overall impression of conditions in the country and the role Americans are playing.

I am impressed by the insight evident in the articles. They have added to my understanding of the situation. With the hope that they will also add to the understanding of others, I ask unanimous consent that they be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Wilmington (Del.) Evening Journal, Feb. 23, 1966]

NO BITTERNESS—A JOB TO BE DONE ACCEPTS LIFE IN VIET

(NOTE.—This is the first of a series in which William P. Frank, who returned earlier this month from Vietnam, reports his impressions of that nation and its people.)

(By William P. Frank)

The greatest paradox in South Vietnam today is the average American fighting man who really doesn't know why he's there but who is not complaining or bitter.

In the main his aim is to do a good job as soon as possible and go home.

GI Joe knows that, wherever he is in South Vietnam—Saigon, in some hamlet, or even in the security of a large military installation—there is danger.

He truly believes the Vietcong is a cruel, ruthless enemy. His willingness to trust Vietnamese is complicated by the fact he doesn't understand the Vietnamese mind.

The American fighting man accepts long hours of work and duty without griping. He is not disturbed too much by the antics of the demonstrating "Vietniks" back home. He does worry a great deal about the safety and welfare of his family and wishes they wouldn't worry about him.

Several soldiers told of narrow escapes they had experienced or of having been shot at by Vietcong and then added, "But don't mention that in your stories. The folks back home might get worried."

In general, the American soldier is careful about his life in Vietnam.

He takes his malaria pills with strict regularity once a week. He avoids drinking water, except when he is positive it's safe.

He prefers American-type cooking to the strange dishes of the country.

While he admires and raves about the charm and beauty of the Vietnamese girls, he wouldn't want to take them home to meet mom or dad.

He has learned to bargain with street vendors and quite often beats them at their own game.

He keeps abreast of the news principally through the excellent Pacific edition of the Stars and Stripes, the Armed Forces Radio, and several American news magazines.

He has learned how to be extremely patient in air terminals when he has to spend hours waiting for a plane.

Many of the GI's have caught on to the spirit and philosophy of the civic action program of the United States and are willing to devote their off-duty hours to teaching Vietnamese children English or working in an orphanage or rescuing Vietnamese civilians in a battle zone.

But ask the average GI "Why are you here?" and he'll say, as if he had learned it by rote: "We're fighting to stop communism."

If the soldier has had no more than a high school education, he will not elaborate on that. If he is a college man, he will discuss the possibilities of communism's spreading to other parts of the Pacific and getting closer to his native country.

He hasn't too much to say about the Vietnamese soldier, first, because the average GI can't communicate with the natives and, next, because he doesn't come in contact with too many.

The average GI knows practically nothing about the history or ancient culture of Vietnam, except that he does know the French were there until recent years.

He has little or no respect for the Vietnamese police in Saigon and he knows that these police will not interfere with him. However, the soldier has a healthy respect for the U.S. military police who are always combing the bar districts in towns.

Of the several hundred American soldiers I've talked with in bars, restaurants, military installations, on planes and in bleak air terminals, none wanted to appear as a superpatriot.

The men, drafted or volunteers, don't want to wave the American flag and make fancy speeches about making South Vietnam safe for democracy.

The morale of the fighting man seems to increase the farther he gets from Saigon, the seedy, unkempt capital of South Vietnam. In faraway Da Nang or Chu Lai, men have told me that they have no hankering to get to Saigon.

The behavior of the American soldier in Saigon is not as bad as one would expect under the circumstances. Americans fill bars to capacity and are willing to spend lots of money buying "Saigon tea" for bar girls at the rate of about $1.25 or $1.30 a shot. But I saw very few American soldiers drunk on the streets.

Not all of these bar girls can be called prostitutes and when the curfew hour approaches, soldiers and girls come pouring out of the bars. Many girls are either picked up by their husbands or friends; the soldiers bunch up to hire taxis or pedicabs and make off for their billets.

Of course, a lot of them go off to parties but when the curfew time arrives, the streets of Saigon become as dead as Market Street in Wilmington at 4 in the morning.

The GI's have the greatest contempt for taxi drivers and pedicabbies who bedevil any American on the streets of Saigon. The taxi drivers and the pedicabbies will always try to overcharge and if the soldier knows his way around, he will pay what he thinks a trip was worth and just walk away from the squawking cabbies.

It is true, however, that some meaningful friendships have developed between the Americans and Vietnamese girls. In the better restaurants and in the officers' open mess in Saigon, it is not unusual to see soldiers and their Vietnamese dates, who are lovely in their native dress.

Oddly enough, even though prostitution is rampant in Saigon, there are very few streetwalkers. The streets are loaded with pimps approaching Americans to tell them where they can obtain "nice young girls."

When police do raid houses of prostitution, the girls are always held for court but "the foreigners" are always released. This is in keeping with the practice of the Vietnamese police to "interfere" with Americans as little as possible.

Technically, it is illegal for American soldiers to possess U.S. currency or "green" money. They get their money either in Vietnamese piasters or military currency.

Military money, which looks like the old American shinplasters, is adorned with the pictures of bobbed-haired American beauties and is used exclusively on military installations, at all post exchanges, in the USO, and officers' open messes.

The American soldiers travel around Vietnam chiefly on military planes on the basis of first come, first served at military passenger terminals.

Newsmen also travel that way and their press cards are accepted as "flight orders."

In Saigon, the Army operates buses to and from important points such as the Tan Son Nhut Airbase, or the major post exchange in Cholon, the Chinese section of Saigon.

For American servicemen who do not choose to wait for these buses, there are always the taxis and the pedicabs.

Army trucks and jeeps often will pick up servicemen, if there is room.

It is a common sight in Saigon, as throughout Vietnam where American forces are stationed, to see soldiers fully armed—rifles, submachineguns, revolvers in hip holsters or arm holsters. However, when entering PX's, the USO, or air terminals, the men are required to remove the clips from their guns.

The accommodations for the American fighting men range from comfortable billets in hotels that have been taken over by the United States to pup tents out in the field.

In the large installations, such as those for the marines near Da Nang or An Khe, the accommodations will range from tents with wooden floors and wooden sides to large tents erected right over the bare ground.

There is the widest variety in how the men in the military installations will try to spruce up and make the best of their tent cities. Some units have taken to planting native trees and even cultivated American corn for decorative and nostalgic purposes.

Some have built streets out of scrap lumber and what field stone they can find. Others have taken bits of the treads used for emergency air strips and used them as bridges over deep gutters.

The marines at a place called Chu Lai, on the South China Sea, have revealed a sense of humor. The area there is nothing but dark red sand dunes and scrub pines.

But in front of the small tent air terminal at Chu Lai, the sand has been raked clean and a sign put there, "Keep off the grass."

Hundreds of GI's have learned that they can buy expensive cameras very cheaply in the PX's—cameras that would sell for $350 back home, going for half that price.

A lot of them don't know how to use the cameras but they've got them.

At the main PX in Saigon, there's always a long waiting line of men trying to get into the camera, radio and tape recorder departments.

As souvenir buyers, no one can equal the American GI. He likes the Vietnamese doll in native attire, all kinds of luggage said to be made of elephant hides, imitation ivory chess sets, all kinds of imitation teakwood figures, lacquer boxes of many sizes and shapes. Now a few are going in for Vietnamese art, including very good oil paintings and wash drawings on silk.

The GI has learned how to evaluate anything. The best is "No. 1," the worst "No. 10."

In restaurants, he chiefly goes for Chinese food but has found the Vietnamese chop suey is nothing like it is back home. He tries to use chopsticks but gives them up when he attempts spaghetti.

In Saigon, when the GI gets tired of the exotic Far East, he finds refuge in the USO. There he gets a safe jumbo size milk shake for a quarter; a huge hamburger for 30 cents; good vegetable soup, ice cream, and free coffee—the best in Vietnam.

It also is in the USO that he can meet friends, read a variety of American newspapers, watch television, call home through a special telephone service of the USO, at the cost of $6 for 3 minutes, look at movies, and even play bingo.

The USO is the haven for the GI when he is weary of the hustle and bustle of Saigon and when he is not loaded with piastres.

It will take years before Vietnam gets over the impact of the American GI, and a long time before the native kids forget some of the Anglo-Saxon words they've learned.

[From the Wilmington (Del.) Evening Journal, Feb. 24, 1966]

VIETNAMESE A MYSTERY TO RANK-AND-FILE GI

(NOTE.—This is the second of a series in which William P. Frank, who returned earlier this month from Vietnam, reports his impressions of that nation and its people.)

(By William P. Frank)

GI Joe is ready to die in Vietnam, a country he knows little about.

Joe will go to great lengths to rescue civilians from combat zones, even at the risk of his life. He will contribute to their welfare and even get the folks at home to come across with gifts.

But he knows practically nothing about the 2,000-year history of the country, its folklore, customs, music or traditions.

However, some of the carefully selected wearers of the green beret, the elite Special Forces, are fully aware of the courage of Vietnamese junglefighters.

Air Force officers, who have trained with Vietnamese pilots, are impressed by the goals and standards of the Asians.

But the rank-and-file American soldier doesn't know, for example, that when his ancestors were in caves somewhere in Europe, the forebears of present-day Vietnamese were living in a highly developed culture of literature, art and even science.

Nor is GI Joe aware that the Vietnamese have been fighting aggressors for more than 1,500 years or that the Mongolian cavalry of the great Kublai Khan, whose empire stretched from Vienna to Peiping, was defeated by Vietnamese guerrilla forces in the 13th century.

American soldiers are in Vietnam to fight the Vietcong and the Communists of North Vietnam, but the strange thing is that the average GI can't tell a friendly Vietnamese from an unfriendly one. The chances are he has never seen a living enemy up close.

A major problem between the Americans and the natives of the country is a lack of communication. The American soldier is either too busy in his camp or on a mission. When he is in town, he is more bent on pleasure than information. Also, not too many Vietnamese can speak English beyond the jargon of the marketplace or the smoke-filled bars.

If more American servicemen could speak French, there would be, perhaps, better communication since this is the second language for so many Vietnamese, including cabbies and hotel boys. This dates back to the era when Vietnam was part of the French colonial empire.

The American soldier is tremendously impressed by the immaculate dress of the Vietnamese girls in their native costumes of black or white pantaloons, tight bodices with high collars and flowing slit-sided tunics called "ai dai," pronounced "zow die." It is a mystery how these girls can look so lovely, clean, fresh, and dignified even as they emerge from the dark and filthy hovels where they live.

In Saigon, the GI usually encounters the sneaky pedicab driver or taxi driver who pesters him with suggestions of taking him to see young girls; crowds of shoeshine kids who want cigarettes or money; innumerable street vendors who start bargaining at mountain-high prices and eventually come down to a reasonable one.

Since more Americans have arrived, the Vietnamese have become adept at the free enterprise, profitmaking system—so much so that Communists in the north probably will never convince the South Vietnamese that collectivism is the best thing in life. Never has there been such prosperity in Saigon and near the large U.S. military installations—yet, abject poverty still prevails.

While the American soldier still may not have a deep admiration for the Vietnamese, he does respect the religion and religious structures of the people. It is amazing to see small Buddha shrines and burial places undesecrated in the midst of huge military camps.

During the many hours of waiting in U.S. air terminals, where American and Vietnamese soldiers have been together in a small area for hours, I saw little or no fraternization between the two. Again the chief stumbling block: lack of communication.

However, the one major religious folk custom of the Vietnamese that GI Joe has learned about is Tet, the lunar new year observed late in January amid an enormous and fantastic outburst of firecrackers that gave many an American soldier battle jitters. Tet is a 3-day uncontrolled display of firecrackers in Saigon. For example, it left the pavements stewn with layers of red remnants of firecrackers, reminiscent of confetti after a big wedding.

The Vietnamese do have a long and notable history—dating back 20 centuries. The tiny nation's history is punctuated with innumerable wars for freedom and national identity against Chinese, French, and Japanese.

Despite invasions and the domination by intruders, the Vietnamese have managed to maintain their own identity. For example, they have not used Chinese writing for centuries but have adopted the Roman letter system, or "quoc ngu," given them by French and Portuguese missionaries.

The women of all classes still cling to their native dress. This ranges from the wealthy women in public life to the humblest street vendor.

The men of the upper classes, however, have adopted western dress, but peasants still wear what Westerners would call pajamas.

Vietnamese food, by and large, is traditional—plenty of fish and a wide variety of it; also chicken, duck and pork; lots of rice and in more than recent years, blanched spaghetti, which they manipulate skillfully with chopsticks. Occasionally, the diet includes dried bat, regarded as a delicacy.

Markets are filled with vegetables, including enormous cucumbers, Chinese lettuce, plenty of watercress and mounds of sugarcane. This is sold as it is, or chopped into segments or squeezed into juice.

Butcher shops are adorned with red-glazed roasted duck, beef, yellow-glazed roasted chickens and strings of strangely shaped sausage.

Tea is the chief beverage. It's a good thing they don't drink too much water, for most homes do not have safe water or, for that matter, any kind of interior plumbing system. People must obtain water at common faucets in the street.

There is little drunkenness apparent anywhere in Vietnam. Soft drinks, particularly orange soda, have become extremely popular. Because the Vietnamese are a strong family people, it is common to see entire families squatting on pavements and/or in alleys around a common table. Food is eaten from common dishes with the ubiquitous and incredibly nimble chopsticks.

Restaurants are for the wealthy or the more prosperous Vietnamese. Streets are crowded with women and youngsters who prepare and sell food in huge pots on small charcoal burners.

Many Americans believe the ordinary people of Vietnam are unclean, so it is amazing to witness the great lengths to which they will go to wash themselves. In Saigon, the levee of the murky, garbage-filled Saigon River is usually jammed morning and afternoon with workers washing themselves. Or, it is not unusual to see pedicab drivers, even beggars, crowding around street faucets splashing themselves with water.

Everywhere in Saigon, one sees mothers combing and brushing the long hair of their daughters, and pecking around searching for lice.

The Vietnamese are a small, wiry people. The average man isn't more than 5 feet, 4 inches and weighs about 105 pounds. He appears much younger than he really is.

The women also are diminutive. A 20-year-old woman looks like a girl of 15. It is rare to see a corpulent Vietnamese.

American helicopter pilots have a rule: Their aircraft will accommodate five Americans, but eight or nine Vietnamese.

Vietnam is really a variety of peoples. Those in the lowlands are commonly called Vietnamese. In the highlands are the Montagnards, an independent group, distinct in habits and customs. There are also other minorities such as the Khmers who are actually Cambodians and the smallest minority known as Chams.

Most of the Vietnamese are Buddhists. Other religions are Confucianism, Taoism, Caodaism, and Christianity.

The Christians are mostly Catholic. The Catholic faith was strengthened with the coming of French colonialism in the late 19th century. The Catholic cathedral in the heart of Saigon is interesting because its architecture is Western and its stained glass windows have Western figures, with very little evidence of Far Eastern culture.

Cao Dai is a recent religion, made up of Christianity, Buddhism, and several other faiths. Its followers have their own pope and a strange assortment of saints, including Victor Hugo. This is a militant religious group, almost approaching the status of a political party.

The extent of education among the people is not known although many youngsters in Saigon say they go to school in the morning and work in the afternoon. Many schools are operated by Catholic nuns. Wealthy Vietnamese send their children abroad for schooling.

However, even the poorest street vendor or wizened and toothless cabbie is a financial wizard when calculating and establishing a ratio of U.S. money and Vietnamese piastres.

Saigon has far more book stores than one anticipates—chiefly selling paperback books in Vietnamese, French, and English. These do not cater exclusively to visitors or servicemen, but also to the people, with the books spread out on sidewalks.

When one gets to know the Vietnamese, he learns that, in the main, they are honest. Once an agreement has been reached about the price of something, they stick to it.

In South Vietnam at least, the people usually are gentle and speak in a high-pitched tonal language, using the same words for different meanings according to the tone of the voice.

Their folk songs are as sad as most of the people are—usually songs of unrequited love and longing for peaceful days in gardens with beautiful flowers.

Their festivals are marked with striking floral displays and potted trees. In Saigon, nothing is more gorgeous, more vivid in color than the flower market, which is patronized chiefly by the people.

The people's arts and crafts are anything but primitive. Several art exhibits in Saigon revealed a wonderful sensitivity, more often in the Western style and abstractionism than oriental.

Artists are fond of brush painting on silk, using native themes of farmers and boys riding water buffaloes.

In the crafts, nothing surpasses their lacquer boxes and lacquer panels, designed with exquisite delicacy.

The people patronize movies so often that most of the theaters have a reserved-seat system for French, Chinese, and American films. In Saigon, one can also go to the traditional theater, which is reminiscent of the Chinese stage, yet slightly different.

A casual Western observer may think that the Vietnamese are lazy because of the heat, the humidity, and the long afternoon siestas. He also will see many Vietnamese taking life easy as they squat on their haunches on curbs or against building walls.

But nothing is as hectic as the heavy Saigonese traffic with thousands of taxis, pedicabs, and the millions of bicycles—so many vehicles belching forth clouds of blue exhaust fumes. A pedestrian can't help wondering whether he faces asphyxiation during an afternoon stroll.

[From the Wilmington (Del.) Evening Journal, Feb. 25, 1966]

ILLNESS KILLS MORE SOUTH VIETS THAN BATTLES

(NOTE.—This is the third of a series in which William P. Frank, who returned earlier this month from Vietnam, reports his impressions of that nation and its people.)

(By William P. Frank)

Disease kills more people in South Vietnam than the enemy, the ruthless Vietcong.

The principal aim of the Vietcong is to destroy leaders of provinces or hamlets, schoolteachers, priests, community spokesmen—those who can influence the people against communism.

But disease in that sad country of southeast Asia is more "democratic." It lashes out at everyone.

According to the latest reliable figures, cited in a recent issue of the American Medical Association Journal, a little more than 46 percent of the deaths in South Vietnam occur among children up to 15 years of age.

In the United States, comparable statistics show the death rate for that age group is 9 percent.

The journal also reported that of all the children born in 1958—the last year of any reliable statistics—half were destined to die before their fifth birthday.

The maternal death rate in Vietnam is reported to be 25 times higher than that in the United States. Eight percent of babies born in Vietnamese hospitals never leave them alive.

According to Dr. John M. Levinson, of Wilmington, now in Vietnam for his third tour of volunteer service among the people, there's no reason to believe that the situation has improved since 1958.

"In fact," Levinson said, "the disease problem has increased. Except for what a few American doctors have been able to contribute on a volunteer basis, the medical problem has increased."

It is also reasonable to conclude that if the war is escalated, more civilians will be hurt.

American casualties are cared for in U.S. military hospitals; Vietnamese military personnel have facilities, but the hapless civilian victims—the adults and children—must depend upon meager first-aid clinics and civilian hospitals already overcrowded, understaffed, and woefully short of supplies.

American doctors, not connected with the U.S. military effort but who are volunteering their skills among the people, have repeatedly told me that American guns may win the war, but it'll be up to American medical science to win the peace.

"That may sound like a tired cliche but it's the gospel truth," said Dr. George McInnes of Augusta, Ga., who heads an American medical team in a Da Nang civilian hospital. But medical help "is what the people see and understand—American compassion and concern for them. This is what is going to give them strength and confidence in America."

In a mountain village near Dalat is a small hospital operated by Dr. James Turpin. This hospital is called Project Concern, and is supported by contributions, many of which come from jaycee units in various parts of the United States.

Levinson has been working chiefly in a large maternity hospital in Saigon. One day recently 12 babies were delivered by midwives in one section of the hospital with a lone native doctor in attendance.

It is rare to see more than one or two Vietnamese doctors on duty in a civilian hospital. Most of them have been taken into the Vietnamese Army. It is estimated that there are not more than 200 Vietnamese civilian doctors for a nation with a population of 15 million. To make matters worse, most Vietnamese are extremely poor and they live in remote, rural areas.

At present, according to rough guesses, there are about 50 American doctors in South Vietnam. They are working in clinics and hospitals, treating every kind of imaginable case from war wounds to tuberculosis and cancer.

One of the major sources of disease in Vietnam is improper facilities for disposal and treatment of sewage and waste. Saigon, once hailed as the "Pearl of the Orient," has mounds of garbage on pavements and streets. It is uncollected for days at a time, making ideal breeding and nesting places for rats.

Supervision or control of food markets is virtually nonexistent; most restaurants are filthy. Untreated sewage is dumped into rivers; people live along these bodies of water and bathe in them.

Water is drawn from common taps in streets, and only the fact that the water is boiled for tea or soups, spares the people even greater disease.

Among the common maladies in the country are malaria, tuberculosis, various intestinal diseases, meningitis, typhoid, polio, and some leprosy.

According to one report, trachoma—a disease of the eyelids—is so common that at least four-fifths of the population has been infected with it at one time or another.

Levinson recently reported in an article in the American Medical Association Journal that it is not uncommon to see a leper sitting on the streets of Saigon begging for money or food.

Parasites of all kinds abound. According to Levinson, the peasant must face reinfection with parasitic diseases, since he must work barefooted in the flooded rice paddies where he is exposed again and again.

Residents of rural areas believe innumerable medical superstitions. These result from folklore from China. Only recently are these people beginning to accept Western medicines.

Peoples in villages that have been raked by the war, are known to carry their wounded on crude stretchers for miles to see the "bac si my," the American doctor.

Hospitals are so overcrowded, however, that it is meaningless to measure a hospital's capacity in bed space. Patients, small though the people are, live two and three in a bed. Sometimes, two cots are put together to accommodate four, maybe five patients.

Hospital attendants and hard-working nuns of nearby churches are unable to meet the demands of patients; so it is not unusual to see relatives of the sick on the wards, feeding, washing and given other attention to their ailing kin.

It is true that in many instances, American military doctors offer their services and so do other military personnel, but all of this is on a when-and-if-time-is-available basis.

The arrival of an American doctor in a civilian hospital is quite an event. Word spreads swiftly through the wards.

Levinson, for example, had no specific hour for arriving on his first day at the large maternity hospital. When he showed up at 8, he learned a patient had been readied and Levinson was to operate. The woman had been kept under anesthesia for at least 40 minutes, waiting for the "bac si my."

The United States through what is now known as U.S. Agency for International Development does provide some facilities and equipment for civilian hospitals but it is the American doctor himself, big as life, always smiling, stumbling through basic Vietnamese with a sprinkling of French who represents to the people the heart of the Americans.

"Giving of one's self is the key to success here," a doctor in Da Nang told me.

"Assistance from the free world and from civilian volunteer agencies offers a challenge to American medicine to help defeat communism in southeast Asia," Levinson adds.

Mere equipment, stamped with the U.S. AID emblem, won't do the job alone.

[From the Wilmington (Del.) Evening Journal, Feb. 26, 1966]

OPEN POLLS HAZY IDEA TO SOUTH VIETS

(NOTE.—This is the fourth in a series in which William P. Frank, who returned earlier this month from South Vietnam, reports his impressions of the nation and its people.)

(By William P. Frank)

Nguyen, a floor boy at the Hotel Catinat in Saigon, tried to explain his idea of freedom.

In broken English sprinkled with a few French words, it amounted to this:

"Freedom means I can work where I want to work. I can change my job to make more money. I can live in peace—no bullets—no Vietcong."

But he couldn't describe the kind of government now operating in South Vietnam, nor did he seem to have any concept of the American form of representative government.

Although he can read and write Vietnamese, the theory that Nguyen could someday elect his own representatives in the nation's government was incomprehensible. It must be equally difficult to understand for the illiterate peasants who comprise the bulk of the 15 million people in that nation today.

What will the Nguyens, the millions of peasants and others in Vietnam do or say when a new constitution is offered to them this year? What will their reactions be when popular elections are held next year? It is impossible to predict.

The U.S. Army's "Area Handbook for Vietnam," prepared 4 years ago, makes this observation:

"The vast majority of the people (of South Vietnam) have little notion and less experience of representative government and democratic processes.

"An educated, Western-influenced urban minority, intellectually familiar with constitutional concepts and influenced by democratic ideals, is eager for a larger voice in national affairs and impatient with government restrictions and controls."

This was written in the days of Ngo Dinh Diem, the first President of South Vietnam, who was assassinated during a coup staged by the military in November 1963.

A few months earlier, a 123-member National Assembly was approved in a popular election. Candidates supported by Diem got 92 percent of the vote. This would make any American arch a quizzical brow.

It is important for Americans to understand that his concept of popular democratic government is something the average Vietnamese reads about in his newspaper or hears discussed on radio, but does not grasp.

Presidents, chiefs of state or Prime Ministers in South Vietnam represent a distant authority in Saigon to the majority of the people in the villages. What the majority of people in the country knows about government revolves around the province chiefs or hamlet leaders.

This is the way the people have been ruled for centuries—first under the mandarins of the royal government, then under French colonialism, then the Japanese, and down to the present day.

As recently as January 6, the Mansfield committeee of the U.S. Senate—which included U.S. Senator J. CALEB BOGGS, Republican, of Delaware—on its return from Vietnam wrote:

"The new leadership in (Vietnamese) Government which is drawn largely from military circles, is young and hopeful but with little knowledge of politics."

The United States has been in and around the South Vietnamese Government, officially and unofficially, since 1945. Sometimes Americans openly took part in promoting certain men for top office in Vietnam, notably in the case of Diem, who turned out as a failure. Lyndon B. Johnson, when he was Vice President, had acclaimed him as the "Winston Churchill of Vietnam."

American advisers are still active in many segments of the Vietnamese Government. For example, a former prison official of Montana has been chief adviser for the National Police of Vietnam for several years.

A number of high-ranking U.S. Army officers have been assigned for years to Vietnam to help train its army, including Gen. John (Iron Mike) O'Daniel, formerly of Newark, Del., now a resident of San Diego, Calif.

However, American advisers generally insist that they are just that, advisers, and try to keep out of the internal affairs.

Col. Edward G. Lansdale, an expert in Philippine affairs, was, however, prominently involved in the administration of Diem.

The great problem in Vietnamese Government today is conceded to be the outlook of the villagers—whether they feel the South Vietnamese Government and the American forces are strong enough to protect them from the terrorism of the Vietcong.

The Mansfield report stated that some observers believe that no more than 25 percent of the country's villages under South Vietnam control will be free enough from Communist intimidation to take part openly in the election this year.

The Army's handbook on Vietnam also pointed out:

"It seems clear that the villager wants peace and security above all else. Confronted with the competing armed authority of the Government and of the Vietcong, he will accept what he must and respond slowly and cautiously to efforts to win his loyalty."

In effect, South Vietnam now has a military government called the Congress of Armed Forces.

But the country actually is run by what is known as the National Leadership Council, composed of top-ranking officers Maj. Gen. Nguyen Van Thieu has the title of Chief of State. Vice Air Marshal Nguyen Cao Ky is Prime Minister, and there are seven other generals on the council.

Sometimes Thieu speaks for the Government; sometimes Ky.

Several months ago, a copy of what passes for the present constitution of the nation was posted on the bulletin board of the press lounge in the Joint U.S. Public Affairs Office. It was one of the most-ignored items there.

The document has many fine-sounding phrases, such as this: "The rear (homefront) must be stable so that a solid foundation could be progressively laid and a tradition of liberty and democracy could be developed in an atmosphere of struggle and revolution.

On January 14, Ky addressed the Armed Forces Congress and admitted shortcomings since he became Prime Minister last June.

Indicating that some of the provisions of the "constitution" that had not yet been implemented, Ky said:

"We must also recognize that due to present circumstances, the Government still is unable to create a favorable political climate."

He then proceeded to talk about democracy suited for Vietnam and not for any other country.

He proposed seminars among the people in which they will be able to discuss the kind of government they want. He promised that a constitution will be proposed next *October, a referendum held and the document* promulgated in November.

He also promised that a civil government will replace the military government next year.

There is still no indication of what political parties will emerge or how much freedom they will have.

Much will depend on whether the religious factions will hold their temper, on whether the independent-thinking minority groups, such as the strange Montagnards of the highlands, will agree to come into the new Vietnam great society and, of course, on the progress of the war.

To date, there is no evidence of any strong opposition party in Vietnam except, of course, the National Liberation Front—the Communists. Even in the provinces, the terms of chiefs don't last long; they are either captured or killed by the Vietcong or are deposed by the Saigon government.

There are always subrosa stories of province chiefs with sticky fingers.

Only recently, 110 television sets were distributed by the United States, in one province, earmarked for the people.

The idea was that the people would be able to learn more about the outside world and get the democratic message via television, beamed from airplanes.

Just before the television programs began, an American official decided to check to see what happened to the sets.

He discovered that of 110, about 60 were in the homes of province officials or in police stations. Obviously, that's that not the use for which the television had been intended.

It is presumed they are now in public areas where the peasants can see television.

What is the future of Ky?

At present, the Ky government is trying to win the loyalty of the people by sending out teams into the villages to teach the people about democracy but the teams are still encountering the entrenched interests of the village chiefs.

The other day, in announcing reshuffling of cabinet officials, Ky said in effect, "I do not choose to run for public office."

But then other public figures have said the same thing and ended up in the saddle.

Historians and political scientists knowledgeable in Asian affairs are now advising caution in evaluating the political situation in South Vietnam. In the past two and a quarter years, there have been three coups, four attempted coups and at least 20 reshuffles in the government.

FURTHER TRIBUTE TO ALBERT THOMAS

Mr. YARBOROUGH. Mr. President, as a continuation of the tribute to the late Congressman Albert Thomas which I made on the floor of the Senate Friday, February 25, 1966, I would like to insert several matters pertaining to the final rites of this great Texan, which have been received by me subsequent to last Friday.

Although the tributes and descriptions of Albert Thomas will continue to call our attention to the outstanding nature of this remarkable individual for a long time, I think an account of the final rites should be printed for history in the Congressional Record. For this reason, I ask unanimous consent that the article from the Houston Post of Friday, February 18, 1966, entitled "Albert Thomas Laid To Rest With Military Ceremonies," the article from the Houston Chronicle of Saturday, February 19, 1966, entitled *"The Saddest Bugle Call, Day Is Done* for Thomas," the articles from the Houston Post of Saturday, February 19, *1966*, entitled "Thomas Bade Farewell" *and "High Officials Attend Rites,"* and the tribute which appeared in Maurine Parkhurst's column in the Thursday, February 24, 1966, Houston Chronicle be printed at this point in the Record.

There being no objection, the articles were ordered to be printed in the Record, *as follows:*

[From the Houston Chronicle, Feb. 18, 1966]

Albert Thomas Laid To Rest With Military Ceremonies

U.S. Representative Albert Thomas, 67, was buried today in a military cemetery in Houston's North Side.

An eight-gun salute was fired. A bugler blew taps as the coffin was lowered into the grave.

A score or more of his colleagues from the House of Representatives in Washington, D.C., attended the military service.

ALLEN GIVES EULOGY

Earlier this afternoon, Dr. Charles L. Allen eulogized Thomas at a service in First Methodist Church.

Dr. Allen quoted President Johnson:

"Of the qualities that made Albert Thomas a remarkable man, devotion to the people he served and loyalty to his friends stand higher than all."

The church was filled with financiers, labor leaders, millionaires, and other friends.

"COURTEOUS, COURTLY"

And many followed the hearse to the Veterans' Administration cemetery on Airline-Steubner Road.

Albert Thomas has represented Houston in Congress for 30 years.

Dr. Allen summed up Thomas as "courteous, courtly, polite—he never forgot to be a gentleman."

Thomas died Tuesday of cancer in his Washington, D.C., home. His body was flown here in a Presidential fleet plane Wednesday night.

A steady flow of mourners came to the Settegast-Kopf Funeral Home chapel, 3300 Kirby, where the body of Thomas lay in state until the funeral.

The chapel's Colonial Room was filled with wreaths from many individuals and organizations. Thomas, known as a titan of Washington, was also known down to the lowest in the ranks of labor from whence he drew much of his Democratic strength.

His familiar greeting of "podnah" for all set him apart from most political leaders. His office door was always open to his constituents.

There was nothing of snobbery about him. He was shrewd, gregarious and yet quiet.

Thomas came to Houston in 1930 from Nacogdoches, one of the first Anglo-Saxon settlements in Texas. He had been county attorney there after graduating from Rice University and the University of Texas Law School, and attending Harvard Law School.

He became an assistant U.S. attorney in Houston and traveled the southern district of the Federal court for 6 years before running for Congress and winning in 1936. He took his seat in January 1937, in the 75th Congress. He had filed for a seat in the next Congress when he died.

Gov. John Connally, Attorney General Waggoner Carr, Secretary of State Crawford Martin, and U.S. Judge Homer Thornberry were flown here for the funeral.

They were joined at the South Main Church by a large congressional delegation, led by Texas two Senators, Ralph Yarborough and John Tower, and U.S. Representative *George Mahon of Lubbock, chairman* of the House Appropriations Committee, of which Thomas was the second ranking member.

Texas Members of the House who announced *they would be in the funeral delegation* include:

Representatives Bob Poage, of Waco, O. C. Fisher, of San Angelo, Clark Thompson, of Galveston, Walter Rogers of Pampa, John Dowdy of Athens, Jack Brooks of Beaumont, Jim Wright of Fort Worth, John Young of Corpus Christi, Bob Casey of Houston, Henry Gonzalez of San Antonio, Graham Purcell of Wichita Falls, Ray Roberts of McKinney, Jake Pickle of Austin, Earle Cabell of Dallas, Eligio de la Garza of Mission, and Richard C. White of El Paso, all Democrats.

Also, the following members of the House Appropriations Committee: Representatives Mike Kirwan, Democrat, of Ohio, Jamie Whitten, Democrat, of Mississippi, John Fogarty, Democrat, of Rhode Island, Joe Evins, Democrat, of Tennessee, Tom Steed, Democrat, of Oklahoma, Frank Bow, Republican, of Ohio, Edward P. Boland, Democrat, of Mississippi, Winfield K. Denton, Democrat, of Indiana, William E. Minshall, Republican, of Ohio, Robert N. Giaimo, Democrat, of Connecticut, Thomas G. Morris, Democrat, of New Mexico, and George E. Shipley, Democrat, of Illinois.

The Joint Committee on Atomic Energy of which Thomas also was a member, will be represented by its chairman, Representative Chet Holifield, Democrat, of California, and Representative Melvin Price, Democrat, of Illinois.

At death, Thomas ranked 11th in House seniority and No. 2 on the powerful House Appropriations Committee.

He had led major subcommittees since 1949. He steered much to Houston, particularly to the ship channel and finally the Manned Spacecraft Center on Clear Lake, which will be his greatest monument.

Thomas' last resting place is the Veterans' Administration Cemetery on Steubner-Airline Road, deep in his congressional district and which he helped to create.

He chose that over Arlington National Cemetery as a place of burial. He was a World War I veteran, being discharged as a lieutenant.

Six soldiers from Fort Sam Houston in San Antonio acted as pallbearers.

Veterans held services at the cemetery.

His survivors include his wife, Mrs. Lera Thomas, and his daughters, Mrs. Anne Lasater of Houston and Brazil and Miss Lera Thomas of Houston.

[From the Houston Chronicle, Feb. 19, 1966]

The Saddest Bugle Call, Day Is Done for Thomas

(By Zarko Franks)

He lies buried today in a cemetery carved from a prairie of scrub pine, yupon, and weeds.

The eulogies had been delivered, a bugler sounded taps, a 24-shot rifle salute fired.

Two U.S. Senators, about 30 U.S. Congressmen, the affluent, the wealthy, the humble, and the unknown were there at the Veterans' Administration Cemetery on Airline-Steubner Road in the deep north side.

The widow had so willed it and Albert Thomas was buried there on the lonely prairie.

His body, as the preacher said, was "tenderly committed" to the earth.

Eight soldiers from Fort Sam Houston fired their rifles. Each fired a volley of three rounds.

From heaven's blue dome came a golden sun.

As the bronze coffin in a lead vault was lowered into the ground, a soldier blew taps, the saddest of all bugle calls.

FOR 30 YEARS

For Albert Thomas, 67, a cancer victim, day was done. For 30 years he had served this community in the halls of Congress.

Bureaucrats feared him, colleagues admired him, his constituents swore by him.

Albert Thomas was the north side. Oilmen gave him testimonial dinners. They courted him at the Houston Club.

SECRET FOR SUCCESS

He placated them, yes, and worked for them. But Albert Thomas knew where his voting strength rested. In the union halls among plumbers, longshoremen and pipefitters.

He once confided to a friend his secret for success in politics.

"There are more votes among the working class than in River Oaks."

This he believed and worked at. But the wonder of his political magic lies in the fact that he worked equally hard for big business and the oil industry in Texas.

The Cadillacs, as they must, led the funeral parade from First Methodist Church, Main and Clay.

FORDS AND CHEVVIES

But there were more Fords and Chevvies in the motorcade.

A Negro union laborer remarked:

"That's just the way Mr. Albert would have wanted it."

The congressional delegation, including U.S. Senator Ralph Yarborough, Democrat of Texas, and U. S. Senator John Tower, Republican of Texas, was near the undertaker's tent.

In the delegation were about 30 Congressment including Bob Casey, Houston; Henry Gonzalez, San Antonio; Jim Wright, of Fort Worth, and Clark Thompson, Galveston.

Also at the graveside military funeral were oilman-publisher John Mecom and his wife, Chronicle editor Everett Collier and his wife; John T. Jones, Jr., radio and television stations owner; Mayor Louie Welch and Mrs. Welch; Brown & Root's George Brown, and other big names in this community.

After taps was sounded, the six soldiers from Fort Sam Houston, moved clocklike to fold the U.S. flag before the coffin was lowered.

The flag was folded in triangular sections, then presented to the widow, Mrs. Lera Thomas.

Earlier, at the church service, Dr. Charles Allen, pastor of the First Methodist Church, had delivered the eulogy.

The crowd, not capacity, was estimated at about 2,000. However, about 400 people lined Clay Street outside the church.

Dr. Allen quoted President Lyndon Johnson's words:

"Of the qualities that made Albert Thomas a remarkable man, devotion to the people he served and loyalty to his friends stand higher than all."

The church was filled with financiers, politicians, labor leaders, and congressional representatives.

Texas Gov. John Connally was among those who had come to pay their respects.

In his eulogy Dr. Allen also quoted the late John F. Kennedy, who described Thomas as the kind of man "old enough to dream dreams and young enough to see visions."

Dr. Allen summed up Thomas as "courteous, courtly, polite—he never forgot to be a gentleman."

Perhaps the finest tribute to Thomas was paid by a mourner on Clay Street. He was a Latin-American, probably first generation American. He said:

"I'm happy they're burying him in the North Side. That's where he belongs, near his people."

[From the Houston Post, Feb. 19, 1966]

THOMAS BADE FAREWELL

(By Harold Scarlett)

The meek and the mighty joined Friday in a last reverent farewell to Representative Albert Thomas.

His beloved "home folks" and famous figures from Washington and Austin—more than 2,000 in all—came to the funeral in the downtown First Methodist Church.

They heard Dr. Charles L. Allen, the dead Congressman's minister, intone:

"His name is permanently inscribed on the pages of time. Truly Albert Thomas walked through life with purpose and without fear."

Then, to the keening wail of taps and the crash of musketry, the mourners saw the body of Thomas—a country boy who became a congressional giant—committed back to the Texas earth he always loved.

Thomas, fittingly, was buried in the new Veterans' Administration Cemetery at 10410 Steubner-Airline Road.

The cemetery in northeast Harris County was one of the last of many Federal emoluments which Thomas secured for the "home folks" during almost 30 years as Houston's congressional "water boy."

His wife Lera requested his burial there. She knew the cemetery was close to his heart.

To fulfill her request, the VA waived a rule which restricts the cemetery to veterans who have died in VA hospitals.

Thomas, a lieutenant in World War I, died in his Washington home Tuesday morning. He had suffered from cancer for several years.

Old friends began assembling in the horseshoe-shaped auditorium of the First Methodist Church 2 hours before the funeral began at 2 p.m.

Many filed by the opened bronze casket in a final farewell. One was a postman in uniform. Hundreds of others had viewed the body as it lay in state at the Settegast-Kopf Funeral Home.

The body was flown to Houston on Wednesday night and remained at the funeral home until 2 hours before the service.

At the foot of the coffin, there was a spray of white chrysanthemums and red anthuriums from President Johnson and his family.

While the President was unable to attend the service, 33 Congressmen and the two Texas Senators—John Tower and Ralph Yarborough—filled six front pews of the church.

Most of them flew from Washington to Houston by Air Force plane, then returned to the Capital after the funeral.

Gov. John Connally led a delegation of State leaders from Austin to the funeral. City and county officials were in the audience.

Thomas' wife and his two daughters, Mrs. Anne Lasater and Mrs. Lera Thomas, sat in the front row a few feet from the casket.

The 2,500-seat church still had some empty seats when the service began. Outside several hundred persons, apparently unaware that seats were still available, listened to the services over loudspeakers.

Behind the pulpit, a cascade of flowers covered most of the choir loft. The centerpiece was a spray of red, white, and blue blossoms in the shape of a shield, bearing the single word "Albert."

The hymn "O God, Our Help in Ages Past" opened the simple 25-minute service in the big brown-paneled auditorium where Thomas had worshiped whenever he was in Houston.

The Thomases had joined the church shortly after they moved to Houston in 1930.

An associate minister, the Reverend Frederick Marsh, read the scriptures. A second associate, the Reverend Robert Kristensen, led the opening prayer.

Reverend Kristensen in his prayer noted that Thomas, the son of a country storekeeper in Nacogdoches, had roots deep in Texas' past.

"But," he added, "the past was never a leash to hold him back, but a ladder on which to climb.

"He transformed the concept of the word 'politician' and made it never vain, haughty, or corruptive. He showed us a patriotism which enveloped not any single group, but all people."

Dr. Allen in his eulogy recalled that the late Bishop A. Frank Smith used to say that a man should always walk as if he is going somewhere.

"Albert Thomas walked through life with the walk of a man who has somewhere to go," Dr. Allen said.

He cataloged Thomas' traits—a courtly politeness; faithful work; modest self-effacement; dedication, and love of his fellow men.

"Study his voting record," the minister said, "and you see he was always for the things he thought would help people.

"He is an inspiration that will live down through the years."

With the words of homage finished, six soldiers from Sam Houston in San Antonio bore the casket to a hearse for the 14-mile journey to the cemetery.

Thomas was the 60th veteran to be buried in the VA cemetery, which held its first service last November 9.

His grave is near the end of the long entry mall, in front of the white stone hemicycle. The hemicycle is a circular, columned pavilion with a bell tower whose carillon has not yet been installed.

At the cemetery, more flowers were banked around a roped-off square surrounding the grave. Bees flitted among the wreaths.

The Washington legislators, arriving in a cortege of limousines, stood in a body at the foot of the grave. From the hearse, the soldier pallbearers moved the casket to the grave between a double rank of Houston firemen.

Underfoot, the rain-logged earth yielded to their tread.

The mall of the new cemetery, only recently sprigged with grass, is still mostly raw earth. A big square around the grave was covered with plywood squares and tarpaulins to support the mourners.

Dr. Allen recited the final words: "We therefore tenderly commit his body to the ground."

An Army bugler blew "Taps."

Across the roadway beneath the hemicycle, seven soldiers fired three rounds into the serene blue sky. A veteran had come home.

There is no monument yet. But on the wall of the hemicycle there is a bronze plaque, set in place when the memorial was built, which could be an epitaph. It reads:

"Albert Thomas, soldier—humanitarian—statesman

"Whose concern for America's veterans has made possible the placement of this cemetery here on the hallowed soil where honored dead sleep in Texas soil.

"Whose steadfast and uncommon public service has given the finest gift a man can give his age and time:

"The gift of a constructive and creative life."

[From the Houston Post, Feb. 19, 1966]

High Officials Attend Rites

(By Felton West)

Congressman Albert Thomas' funeral cortege was filled Friday with high officials from every area of government, from city hall to the Halls of Congress and the Federal executive branch in Washington.

A Presidential jet airplane load of Congressmen, Senators and other Washington officials flew into the Houston International Airport at 1:20 p.m. from Washington, about an hour late because of 120-mile-an-hour headwinds and mechanical difficulties with the airplane that delayed the departure from the Capital about 10 minutes.

Being so late, the congressional party had to abandon its plan to visit Mrs. Lera Thomas, the Congressman's wife, at her home at 2184 Troon, to pay their respects. Instead, the lawmakers were driven directly to the First Methodist Church, in 14 police-escorted limousines, to attend the funeral service.

There the lawmakers sat together near the front of the church during the service. Afterward they rode in the procession to the Veterans' Administration Cemetery, saw their deceased comrade laid to rest in the earth, and gave Mrs. Thomas their condolences.

Gov. John B. Connally; Texas Secretary of State Crawford Martin, and Federal Circuit Court Judge Homer Thornberry, a former congressional colleague of Thomas, flew into International Airport in the Governor's official Lodestar airplane about 11:50 a.m.

Met there by Attorney General Waggoner Carr, who had flown into town a little earlier from Dallas, the Governor and his party, which included Houston Attorney John L. Hill, went to the Thomas home on Troon to pay their respects. They later attended the First Methodist Church service, then left for Laredo to attend the annual George Washington birthday celebration there.

A Federal Aviation Agency Jetstar airplane arrived shortly after noon bringing Gen. William F. McKee, Administrator of the Federal Aviation Agency; James Webb, Administrator of the National Aeronautics and Space Administration; and James Ramey, a Commissioner of the Atomic Energy Commission, to the funeral. They returned to Washington after the burial service.

Webb was accompanied to the funeral by Dr. Robert Gilruth, Director of the Manned Spacecraft Center.

At least one former Governor of Texas, Price Daniel, was in the crowd at the church.

The representative of city hall was Mayor Louie Welch, and County Judge Bill Elliott and County Commissioner E. A. (Squatty) Lyons were spotted in the crowd.

Several State legislators were in the crowd, including State Senator Criss Cole of Harris County. There was State Representative Bob Eckhardt, who was an announced candidate for Thomas' congressional seat before the Congressman's death last Tuesday but had said he admired Thomas so much he would withdraw if the cancer-ridden incumbent was able to continue his lawmaking service.

In the crowd were Thomas' faithful office and appropriations committee staffs. His committee aids, Homer Skarin and Keith Mainland, had been here for several days as representatives of the House of Representatives helping with the funeral arrangements. They flew back to Washington aboard the presidential fleet jet after the burial.

Mrs. Rose Zamaria, Thomas' administrative assistant, had been in town for several days helping with the funeral arrangements. And she will probably be here a few more days with Mrs. Thomas, along with Mrs. Mari Ball, a former assistant and longtime friend of the Congressman's.

They were joined at the funeral by the rest of Thomas' office staff, who were flown here Friday morning from Washington in a NASA Gulfstream airplane. These were Mrs. Mary Louise Schwarzman, Al Martinez, Miss Theresa Napoli and Miss Geraldine Rothwell.

Accompanying them were Willard Deason of Austin, a member of the Interstate Commerce Commission; H. H. Morris, the House of Representatives Postmaster, and Herbert Botts, manager of the House gymnasium, which is named for Thomas.

The congressional party, accompanied by House Sergeant at Arms Zeake W. Johnson, Jr., included Senators Ralph W. Yarborough, Democrat, of Texas, and Senator John G. Tower, Republican, of Texas, and these Representatives from Texas (all Democrats):

George Mahon of Lubbock, chairman of the House Appropriations Committee, on which Thomas was the ranking Democrat; W. R. Poage of Waco; O. C. Fisher of San Angelo; Clark W. Thompson of Galveston; Walter Rogers of Pampa; John Dowdy of Athens; Jack Brooks of Beaumont; Jim Wright of Fort Worth; John Young of Corpus Christi; Bob Casey of Houston; Henry B. Gonzalez of San Antonio; Graham Purcell of Wichita Falls; Ray Roberts of McKinney; J. J. Pickle of Austin; Earle Cabell of Dallas; Eligio de la Garza of Mission and Richard White of El Paso.

Others in the party were Representatives Michael J. Kirwan, Democrat, of Ohio; Jamie L. Whitten, Democrat, of Mississippi; John E. Fogarty, Democrat, of Rhode Island; Joe L. Evins, Democrat, of Tennessee; Tom Steed, Democrat, of Oklahoma; Frank T. Bow, Republican, of Ohio; Edward P. Boland, Democrat, of Massachusetts; Charles R. Jonas, Republican, of North Carolina; Daniel J. Flood, Democrat, of Pennsylvania; Winfield K. Denton, Democrat, of Indiana; William E. Minshall, Republican, of Ohio; Robert N. Giaimo, Democrat, of Connecticut; Thomas G. Morris, Democrat, of New Mexico; and George E. Shipley, Democrat, of Illinois—all colleagues of Thomas' on the House Appropriations Committee.

The party also included Representatives Chet Holifield, Democrat, of California and Melvin Price, Democrat, of Illinois, two of Thomas' colleagues on the Joint Committee on Atomic Energy.

Others who came to the funeral aboard the Presidential fleet airplane were E. G. Riaden, manager of the House of Representatives bank; Navy Capt. William Fraser of the Bethesda Naval Medical Center, Bethesda, Md., who was Congressman Thomas' doctor at the Medical Center and was with Thomas when he died; Maj. Gen. D. L. Crow, Air Force Comptroller; Maj. Gen. R. Moore, Deputy Comptroller in the Office of the Secretary of Defense; Brig. Gen. C. E. Beck, Army Comptroller, and two military liaison colonels.

Lt. Gen. William R. Calhoun of the Eighth Army Corps, Austin. attended as a representative of Lt. Gen. Thomas Dunn, commanding general of the Fourth Army.

The list of Government officials spotted in the crowd at the church and the cemetery could be almost endless.

Almost all had come in contact officially—and many, many of them on a personal friendship basis—with Thomas in his more than 29 years' service as Houston's Congressman.

[From the Houston Post, Feb. 19, 1966]

He Never Lost Touch With the Working People—They Lined Street To Honor Albert Thomas

(By Bob Johnson)

The 350 to 400 people who lined Clay Street outside the First Methodist Church had no way of knowing there were plenty of seats inside.

They probably wouldn't have gone in anyway.

Few of them really knew Congressman Albert Thomas, and one man's guess is as good as the next as to what brought most of them to his funeral.

Perhaps it was the gleaming array of limousines—23 long, black Cadillacs. Or, maybe it was the persistent rumor that President Johnson would make a last-minute appearance like he did at Billy Graham's revival in the Dome Stadium last November.

The crowd outside began to form at noon. Three Negro women—one middle aged, and two elderly—were among the early arrivals.

"I'll bet there'll be plenty of folks from Nacogdoches here today. My family traded with Mr. Thomas' daddy at his store there. Both our families were well-known there," the youngest said.

"Do you think Mrs. Thomas will come in this way?" the oldest lady asked. "I sure hope to get to see her. She's such a fine lady.

"I just came to pay my respects," she concluded.

Small squads of policemen worked in the streets surrounding the big church, briskly directing traffic and people. Occasionally one of them would stamp the pavement to ease the ache in his feet.

The crowd outside continued to grow.

Four teenage girls dressed in drill team uniforms went in the church, and that caused a small stir. Four nuns were right behind them.

Then, the first of the limousines arrived. Two police officers rushed over to the car to help the lady out.

"Who's that?" one of the outsiders asked.

"I don't know, but she has got to be somebody. Did you see the way those cops jumped when she drove up?"

Shortly, the word came back. The lady was Mrs. W. W. Fondren, whose husband was one of the founders of the Humble Oil & Refining Co.

Presently, Mrs. Thomas and members of the Thomas family arrived in two limousines. Somehow, everyone seemed to know who they were, and the chatter outside quickly subsided to a more respectful murmur.

"I thought she was going to cry," a woman said, after Mrs. Thomas went inside.

"Not on your life," her husband answered softly. "She wouldn't let that happend."

Now, the big cars began to arrive in a quick, sleek stream. The riders were Congressmen, Senators, military men, and other officials from Washington, D.C.

They arrived so quickly, the spectators on Clay Street were unable to recognize many faces. Hardly anyone saw Gov. John Connally go in, but the onlookers didn't miss Senators Ralph Yarborough and John Tower riding together.

"How about that," an old man in a cowboy hat loudly exclaimed. "Never thought I'd see those two being so friendly."

No one replied to him, but some disapproving looks told him he was off base.

Finally, the word spread that the funeral service was underway, but the crowd outside stayed on. The sidewalk on Clay between Main and Travis was packed solid.

There was a lot of talk about Congressman Thomas, about how powerful he was in Washington, about how his office door was always open and about how he never failed to reply quickly to any man's letter.

One man told how Congressman Thomas always came to the Houston Post Office employees' annual picnics.

"And it didn't make any difference if he was running for office," he added. "He was always our friend. He never got so big he didn't want to rub elbows with working people."

Then, just before the service ended, and the long drive to the cemetery began, a bum—or maybe just a poor man—hobbled up on a crutch, surveyed the crowd and lines of limousines.

He let out a low, amazed whistle.

"Criminy, would you look at those cars. What's going on here, anyway?"

"Sshh," a lady in a red suit said, "You can see it's a funeral."

"Who died?" he asked, whispering quietly this time.

"Didn't you know? It's the Congressman—Albert Thomas."

[From the Houston Post, Feb. 19, 1966]

MRS. THOMAS URGED TO SEEK HUSBAND'S SEAT

A move is afoot to get Mrs. Albert Thomas to fill her husband's seat in Congress.

John McClelland, candidate for State representative, position 4 in the 22d legislative district, is a leader of the effort to petition Mrs. Thomas to run for the interim congressional term of her husband.

Thomas died Tuesday and was buried Friday.

"We hope to encourage and get Mrs. Thomas to run and get elected for the interim term ending January 1, 1967," McClelland said.

He said it was possible that Thomas' name on the May 7 Democratic primary ballot for a new term would receive a majority of the votes.

This would then make it possible for the county Democratic executive committee to select Mrs. Thomas as the Democratic nominee in the November general election, McClelland said.

Baytown chemist E. A. (Woody) Rose is the only person to file for the Republican nomination.

State Representative Bob Eckhardt and Larry McKaskle, a former aid to Mayor Louie Welch, filed for the Democratic nomination in the May Democratic primary along with Thomas.

Despite his death Thomas' name will be on the primary ballot since he had paid the full $3,000 filing fee.

Mrs. Thomas has made no comment concerning the move to get her to fill the vacancy caused by her husband's death.

McClelland said that "because of her 30 years in Washington with her husband she could pick up much more easily than anyone else the programs he initiated and was working on at the time of his death.

"This committee intends to not only work actively, along with other volunteers, in getting petitions signed, but also to campaign on Mrs. Thomas' behalf to get her elected if she heeds the desire of those who want her to run," McClelland said.

Governor Connally left for Laredo Friday with no indication he would call the special election to fill Thomas' unexpired 2-year term over the weekend.

Eckhardt and McKaskle have indicated they would be candidates in the special election. Others may also pay the $500 filing fee.

However, it was reported that McKaskle might change his mind and support Mrs. Thomas.

Asked about the report, McKaskle said, "I have no comment to make until I first talk with her.

"Mr. Thomas was a very good friend of mine. So is Mrs. Thomas."

Eckhardt declined comment on the possible candidacy of Mrs. Thomas and his own political plans in connection with the congressional vacancy.

There have been reports that one Texas Congressman has tried to get Eckhardt to pull out in favor of Mrs. Thomas.

"I have taken the position there ought to be at least a short political moratorium until after the (Thomas) funeral, and I don't think it appropriate to discuss the situation at this time," Eckhardt said.

[From the Houston Chronicle, Feb. 24, 1966]

A TRIBUTE

(By Maurine Parkhurst)

There have been so many splendid tributes to our late and beloved Congressman Albert Thomas, and our typewriter feels inadequate to compete with these, but our sincere affection and admiration has to thump itself into print, too.

"He was a friend of many"—this has been repeated over and over but he brought to each a deep personal feeling and sincerity. He was always kind because it was his nature, just as he was a gentleman because he could not have been otherwise.

We were respectful of his abilities and titles but these never got into the way of our warm affectionate relationship with him.

He and Lera were a magnificent team, with her dedication and service just as untiring and sincere. Her decision to further offer her services is the only light to come of this saddened dark. She has our wishes and affection—but then she has always known that.

HARRIS POLL SHOWS AMERICAN PEOPLE SUPPORT DOMESTIC PROGRAMS AND DO NOT THINK A WAR IN VIETNAM JUSTIFIED REDUCTION

Mr. YARBOROUGH. Mr. President, there has been much talk among many people that the American economy cannot continue to support our domestic programs in the face of our Vietnam expenditures and that there would have to be drastic cuts.

In his state of the Union message, President Lyndon B. Johnson stated:

> I believe we can continue the Great Society while we fight in Vietnam.

When I returned to Congress this session I pledged to the people of Texas that I would support legislation that would insure that the great programs passed during the first session of the 89th Congress would be run effectively. I also expressed my faith in America's greatness that these programs could be implemented without having to cut them back.

To illustrate the opinion of the American people that the domestic programs should be continued, I ask unanimous consent that the Harris poll in the Washington Post of Monday, February 7, 1966, indicating that 72 percent of the public are convinced that the domestic program should not be reduced, and that education programs be supported first of all, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE HARRIS SURVEY—PUBLIC GENERALLY SEES NO REASON YET TO CHOOSE BETWEEN GUNS AND BUTTER

(By Louis Harris)

Although the American people tend to think Congress should slow down from its 1965 pace, 72 percent of the public is equally convinced that President Johnson's domestic program should not be reduced in the face of mounting commitments in Vietnam. The popular conviction seems to be that a Nation so rich and prosperous need not yet choose between guns and butter.

Conservatives who backed Barry Goldwater in 1964, southerners who have consistently resented Federal incursions into their way of life, even high-income groups who suspect recent tax cuts may be short lived are included among the solid majority opposed to reducing expenditures for key programs of the Great Society.

When pressed to name those Government programs which in case of necessity ought to be cut first, two prime candidates emerged; the space program and aid to cities. The untouchables, in the judgment of most, would be aid to college education and health assistance.

A cross section of the public was asked:

"In general, because of Vietnam, do you think President Johnson should reduce the size of his programs at home, such as education, poverty, and health, or do you feel these programs should not be reduced?"

[In percent]

	Reduce	Don't reduce	Not sure
Nationwide	22	72	6
By politics:			
Voted Goldwater in 1964	41	50	9
Voted Johnson in 1964	12	84	4
By region:			
East	16	81	3
Midwest	24	69	7
South	28	64	8
West	24	69	7
By income:			
Under $5,000	18	75	7
$5,000 to $9,999	21	74	5
$10,000 and over		65	5

Time and again, people come back to their central view that domestic programs are important and essential and are high on the list of what our young men are fighting for. But if reductions are to be made, further questioning made clear, people are prepared to draw up their own list of priorities—both for cutting and for keeping.

The cross-section was asked:

"Which one of the following programs would you cut first, if one Government program had to be reduced?" and "Which one of the following programs would you cut last, if one of the Government's programs had to be reduced?"

[In percent]

	1st cut	Last cut
Space program	28	15
Aid to cities	24	6
Poverty program	20	21
Aid to farmers	11	7
Aid to college education	6	33
Aid to health care	5	15
Not sure	6	3

It is possible, of course, that Mr. Johnson's already expressed aim of providing both guns and butter will be realized in 1966. This is the clear hope of a large majority. But if reductions do become necessary, the President's treasured consensus may prove to be more difficult to achieve.

AWARD TO SENATOR ROBERTSON, OF VIRGINIA, OF THE GOOD CITIZENSHIP MEDAL OF THE NATIONAL SOCIETY OF THE SONS OF THE AMERICAN REVOLUTION

Mr. HILL. Mr. President, a few days ago our distinguished colleague, the senior Senator from Virginia, was given an award he richly deserves.

Senator ROBERTSON was presented with the Good Citizenship Medal of the National Society of the Sons of the American Revolution, which is its highest award. The presentation was made through the Virginia branch, of which the Senator is a member.

The certificate accompanying the gold medal points out:

> The society is dedicated to the patriotic purpose of perpetuating and inspiring the active practice and demonstration of those high ideals and principles which influenced and strengthened the founders of this Republic and upon which the future of our Nation depends.

Mr. President, the great Woodrow Wilson, proud of the fact that he was born in Virginia, once said:

> A man's rootage is more important than his fruitage.

The rootage of Senator ROBERTSON goes back to the first permanent settlement of Jamestown, and Dr. John Woodson, who came to Jamestown with Governor Yardley in 1619. Senator ROBERTSON is a member of the Jamestown Society, made up of those whose ancestors lived in the Jamestown area prior to 1700. He belongs to the Virginia chapter of the Society of the Cincinnati, limited to those who had an ancestor serving for 3 years in the Revolutionary War. He holds membership in the Sons of the American Revolution, which is a much larger organization of descendants of Revolutionary ancestors, and of the Sons of the Confederacy, being a grandson of a Confederate officer who was killed in the Civil War.

In fact, Senator ROBERTSON's ancestors were in every war this country ever fought, and he served in the Army in World War I.

With this "rootage" it is not surprising that he has been a champion of patriotic citizenship, and student and defender of the ideals and principles upon which our Republic was founded. He is indeed worthy of the tremendous heritage which is his as Senator from the State which has given to our country, Washington, Jefferson, George Mason, Patrick Henry, James Madison, James Monroe, and so many of her greatest and noblest sons.

Mr. President, the people of Virginia are most fortunate to be represented in the Senate by a man of the character, the ability, the courage, the vision, and the effective and inspiring leadership of WILLIS ROBERTSON. I join with them in congratulating him on the high honor bestowed upon him in being selected to receive the Good Citizenship Medal of the National Society of the Sons of the American Revolution.

PROPOSED ACQUISITION OF SPRINGFIELD, THE FORMER HOME OF PRESIDENT ZACHARY TAYLOR

Mr. COOPER. Mr. President, on February 16, 1966, the Kentucky House of Representatives passed a resolution memorializing the Congress to consider appropriate legislation to acquire Springfield, the former home of Gen. Zachary Taylor, the 12th President of the United States, and to acquire additional acreage for the expansion of the Zachary Taylor National Cemetery, both of which are located in my State of Kentucky.

The Honorable Troy B. Sturgill, chief clerk of the house of representatives, has forwarded me a copy of this resolution, and I ask unanimous consent that House Resolution No. 79, adopted by the Kentucky House of Representatives on February 16, 1966, be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

HOUSE RESOLUTION 79

Resolution memorializing Gen. Zachary Taylor

Whereas the remains of Gen. Zachary Taylor, the 12th President of the United States, and his beloved wife, Margaret, lie entombed in a beautiful marble mausoleum in the Zachary Taylor National Cemetery on the outskirts of Louisville, Jefferson County, Ky., surrounded by the graves of veterans from the Spanish American War to the wars of the present era; and

Whereas a small group of patriotic Kentuckians under the leadership of Mrs. C. D. Greer, of Louisville, as chairman of the Zachary Taylor Memorial Committee of the Outdoor Art League of Louisville, in 1921, undertook the task of beautifying the Zachary Taylor burial grounds, and to make of them a fitting resting place for this beloved soldier in the fall of 1922. The first step toward the development of the project was undertaken by the planting of pin oaks, and on March 10, 1924, the Kentucky legislature enacted a bill which was signed by Gov. William J. Fields, requiring the State of Kentucky to deed to Jefferson County that part of the Zachary Taylor burial grounds and road which had been deeded to the State in 1881 by Mr. George McCurdey, and on April 22, 1924, Jefferson County appropriated $10,000 for the building of a roadway leading to the burial grounds. In June of 1924, the Honorable Maurice Thatcher, Member of Congress from Louisville and Jefferson County, introduced a bill in the Congress calling for an annual appropriation for the maintenance of the grounds, the bill was enacted by the Congress and signed by President Calvin Coolidge on February 24, 1925.

Thus was established the Zachary Taylor National Shrine, and in 1926, the Kentucky Legislature enacted a bill which was signed by Gov. William J. Fields, appropriating funds for the purchase of 15 acres of ground surrounding the Zachary Taylor burial grounds, which was promptly purchased and deeded to the U.S. Government for the establishment of the Zachary Taylor National Cemetery, and was so dedicated on May 31, 1928. The dedicatory address was delivered by the Honorable Maurice Thatcher, Member of Congress from the Third Congressional District of Kentucky, who began his address with these glowing words:

"We are here today to dedicate this lovely mausoleum which shall hold through the indefinite future, all that remains of the sacred dust of that splendid Kentuckian, that great American, that splendid soldier and citizen, Zachary Taylor, the 12th President of the United States."; and

Whereas Gen. Zachary Taylor, affectionately called "Old Rough and Ready" by the officers and soldiers who served with him out of respect for his courageous and energetic leadership, was born on November 24, 1784, in Montebello, Orange County, Va., and a year later migrated with his family to Jefferson County, Ky., and thus truly became an early Kentucky pioneer. In 1806, Gen. Zachary Taylor volunteered for the Army which he served for 40 years. When the war with England broke out in 1812, Taylor, a major, was sent with 50 men to the defense of Fort Harrison on the Wabash River in Indiana, where on September 4, 1812, Indians led by Tecumseh furiously attacked and after 7 hours of hard fighting they were forced to flee in disorder. As a colonel, Taylor, in 1832 participated in the Black Hawk campaign, and for the defeat of the Seminoles in the Battle of Okeechobe in December 1837, he was brevetted brigadier general, and in 1840, General Taylor was promoted to command the southern division of the western department of the Army.

As commander of the Army of the Rio Grande, General Taylor, on March 6, 1846, was instructed to march to the Rio Grande, which was recognized by the United States as the southern boundary of Texas, but rejected by Mexico, and his first encounter with the Mexicans occurred on May 8, 1846, at Palo Alto, followed the next day by the battle of Resaca de la Paloma. General Taylor defeated the Mexicans in this and the war with Mexico was begun.

On September 21, 1846, General Taylor marched on Monterey, the chief stronghold in northern Mexico. General Ampudia, the Mexican commander, proposed surrender and terms were agreed on, then late in the autumn of 1846, General Santa Anna with a large army marched against General Taylor, who had taken a position near Buena Vista, on February 22, 1847.

General Santa Anna made a demand upon General Taylor for surrender, which was promptly refused and battle ensued, and just before the battle, General Taylor addressed his troops, "Soldiers, I intend to stand here not only so long as a man remains, but so long as a piece of a man is left." By nightfall the Mexicans were fleeing in confusion. With a force one-fourth the size of the enemy, General Taylor had won his greatest victory and won the Mexican War.

In 1848 General Taylor was elected President of the United States and was inaugurated on March 5, 1849. On July 4, 1850, President Taylor, while attending a ceremony connected with the building of the George Washington Monument, became ill and died July 9, 1850, and shortly thereafter he was brought to Kentucky and interred in the Taylor family burial ground, now the Zachary Taylor National Cemetery, neglected and almost forgotten by the Nation until the Outdoor Art League of Louisville in 1921 initiated their plan for the establishment of a Zachary Taylor National Shrine; and

Whereas the 15 acres acquired by the State of Kentucky and deeded to the U.S. Government for the establishment of a Zachary Taylor National Shrine and Cemetery is now completely filled with the remains of servicemen and their families and 63 members of the Zachary Taylor family and 200 slaves, and unless additional acreage is obtained the cemetery will be permanently closed to servicemen and their families forever; and

Whereas the Zachary Taylor National Cemetery is an important link in the system of national military cemeteries in this country, and the closing of this cemetery will create and cause great hardship to the families of countless number of veterans and servicemen desiring to be interred in Kentucky, especially in the Zachary Taylor National Cemetery; the national cemetery should not only be enlarged for cemetery purposes but the home of Zachary Taylor, Springfield, adjacent to Zachary Taylor National Cemetery, should be acquired for a national shrine and become a part of the Zachary Taylor National Cemetery thus making the cemetery and the home a national shrine; and

Whereas Springfield, the home of Gen. Zachary Taylor for the first 23 years of his life, now 175 years old, built by General Taylor's father upon moving to Kentucky from Virginia, situated on Apache Road, in an excellent state of preservation, privately owned, the owners having indicated, as reported in an article appearing in the Louisville Courier-Journal on Sunday, January 24, 1960, that they would make the home available to the Government if assured it would become a part of a shrine, that this home stands near the Old Taylor Burial Grounds and now the Zachary Taylor National Cemetery, and that Time magazine reported recently that the National Park Service is considering a systematic survey to insure that at least one residence for each President will be preserved; and

Whereas it appears that the memory of the life and exploits of Kentucky's greatest military leader and 12th President of the United States is not well known to many of us and forgotten generally by the public, hence, it behooves us, in reverence and everlasting appreciation for the accomplishments of Gen. Zachary Taylor, for his leadership and services in making a great contribution to this Nation, which greatly helped in the formation of our United States as we have it today, and that the acquirement of his old home, Springfield, for a national shrine and for the expansion of the Zachary Taylor National Cemetery, where he will be surrounded by honored veterans of the wars of the United States, will, indeed, be helpful and a fitting way of rendering a needed service to our service men and women and the Veterans of our armed forces, and in preserving the memory of Gen. Zachary Taylor: Now, therefore, be it

Resolved by the House of Representatives of the General Assembly of the Commonwealth of Kentucky, (1) That the foregoing resolution in respect to General and former President of the United States, the Honorable Zachary Taylor, that the Congress of the United States of America be, and it hereby is memorialized to consider appropriate legislation to acquire Springfield, the former home of Gen. Zachary Taylor and to acquire additional acreage for the expansion of the Cemetery;

(2) That the clerk of the house be directed to forward a copy of this resolution to the Governor of the Commonwealth of Kentucky, the Lieutenant Governor, speaker of the house of representatives, Kentucky Members of the U.S. Congress, the chairmen of the House Military Affairs and Veterans' Affairs Committees of the U.S. Congress, a copy to the Secretary of Defense, Secretary of the Army, and the Secretary of the Interior, urgently soliciting their support in the accomplishment of the purpose of this resolution—the acquisition of Springfield, and additional acreage for the expansion of Zachary Taylor National Cemetery.

PARTNERS IN AIR SAFETY

Mr. BARTLETT. Mr. President, for the pilot or air traveler, weather is an all-important consideration. The need for information about the weather is endless.

Thanks to the efforts of the Weather Bureau, which compiles the necessary data, and of Federal Aviation Agency personnel, who disseminate the information, our pilots are better equipped to complete their flights without mishap.

Perhaps in no other State of the Union is the cooperation between the FAA and Weather Bureau more appreciated. Not only is Alaska the "flyingest" of the 50 States, but its weather varies from heavy rains in sections of southeast Alaska to whiteout conditions in the Arctic.

Mr. President, as an article prepared by the FAA reports, the cooperation is the result of formalized agreements between the FAA and the Environmental Science Service Administration. So that others may learn of this partnership in air safety I ask unanimous consent that the FAA article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PARTNERS IN AIR SAFETY

"Everyone talks about the weather, but nobody does anything about it," said Charles Warner, the editor of the Hartford, Conn., Courant back in 1890.

Seventy-five years later, man still can do very little about the weather—but he knows a lot more about what causes thunderstorms, blizzards, rain, snow, and other weather phenomena. On the ground he can take shelter. For a pilot, however, weather takes on a much fuller meaning. He must share the airspace with it everytime he flies. It is his safety and that of his passengers which is of mutual concern to the Federal Aviation Agency and the Environmental Science Services Administration (Weather Bureau) of the U.S. Department of Commerce.

Working together as partners in air safety, it is their job to present the best available aviation weather information—current and forecast—to the pilot when he comes to a Weather Bureau airport station or to a flight service station for a weather briefing, or calls in for this information from his airplane.

This cooperation between FAA and ESSA is not a loose arrangement. It has been formalized by agreements in the past between CAA, FAA, and the Weather Bureau. A new interagency agreement signed by FAA Administrator William F. McKee and Commerce Secretary John T. Connors last August updated all previous agreements and working arrangements in the areas of aviation weather services and meteorological communications. Evaluation of weather information from many sources and forecasting continues to be ESSA's responsibility. FAA is responsible for distributing this information through its extensive communications facilities, and, where flight service stations are located, air traffic control specialists now display and present aviation weather to pilots.

FAA–ESSA teamwork has been developed to a high degree throughout the United States. In Alaska, teamwork between employees of both agencies and their families on and off the job is a way of life. Located at 13 airports, they serve pilots in the flyingest State in the Union, where 1 in 50 inhabitants holds a pilot's license, where for many the airplane is the only means of transportation, and where some of the world's most difficult weather to predict tests a forecaster's mettle. Torrential rains in the southeast panhandle, high winds and fog banks in the Aleutian Island chain, heavy snows and severe low temperatures in the interior and the whiteout conditions in the Arctic are examples of the extremes of weather FAA personnel and their ESSA counterparts have to contend with during the year.

King Salmon, a small community situated about 300 miles southwest of Anchorage, is a typical example of where excellent rapport and teamwork exist between FAA and ESSA in Alaska.

Carl E. Fundeen, FAA area manager, and John B. Baker, ESSA meteorological technician in charge, and their personnel work in a modern flight service station—a one-story structure commissioned in June 1963. Station life at the King Salmon FSS resembles that of typical stations in the rest of the United States. There are a few interesting exceptions, however. FAA performs plant maintenance for the Weather Bureau personnel which includes everything from repairing teletype equipment, maintaining motor vehicles, fixing plumbing and electrical wiring in living quarters in Government-furnished homes a short distance from the FSS, and just about anything else that needs fixing at the station.

Weather Chief John P. Baker assists Leonard L. Schornak and his air traffic control specialists maintain their proficiency in briefing pilots on the weather conditions—a function formerly performed by Weather Bureau forecasters. The new FAA–ESSA memorandum of agreement assigned to the FAA specialists the weather briefing responsibilities in the flight service station, and, at the same time, charged ESSA with establishing a quality control program to assure that there is no derogation of service.

The wives of the FAA–ESSA employees are also contributing their share to building the spirit of teamwork which is so evident to a visitor to King Salmon. Boredom and cabin fever are practically nonexistent as a result of social activities and programs they have organized for their husbands, youngsters, and themselves.

King Salmon is just one of the number of stations in Alaska where this interagency cooperation may be found. This cooperation is not restricted to Alaska: It exists throughout the United States wherever FAA and ESSA specialists are working together to help pilots and their passengers make their way through the airspace safely.

ACHIEVEMENT AND CHALLENGE

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent to have printed in the RECORD an address by my colleague, Senator ELLENDER, before the 20th annual convention of the National Association of Soil and Water Conservation Districts, at New Orleans, La., on February 9.

This address is a concise and timely approach to a subject that is vital to the welfare of our country at this time.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ACHIEVEMENT AND CHALLENGE

(Address by Senator ALLEN J. ELLENDER, before the 20th annual convention of the National Association of Soil and Water Conservation Districts, New Orleans, La., February 9, 1966)

I am pleased to be with you tonight and take part in this, the 20th annual meeting of the National Association of Soil and Water Conservation Districts. It gives me the opportunity to pay tribute to my good friend and your ardent supporter, Marion Monk, and the other officers and directors of this great organization. It also gives me the opportunity to salute the soil conservation district officials for the admirable job you are doing in advancing soil and water conservation throughout America. Your work is just about the most important work anybody can do. You have dedicated yourselves to making this Nation a better place in which to live, work, and play. Your work in protecting and developing soil and water resources benefits all of us.

I have cooperated with you and have followed your progress since becoming a member of the Senate Committee on Agriculture and Forestry in 1937. And the more I see, the more I have come to respect you. I well remember the deep gullies and eroded hills that marred the Louisiana landscape before the soil conservation district movement got its start. At that time, no one believed that one day the scars would be healed and the land covered with grass and timber to become once again an economic asset to the community and the State. Those early investments in soil conservation have paid off handsomely and they will continue to pay off in the years ahead.

The growth of the soil conservation district movement in the United States is one of the most phenomenal developments of the past three decades. Since 1937 every State legislature has enacted a soil conservation district law. Some 3,000 soil conservation districts have been organized by local people to include some 97 percent of all the farms and ranches in this Nation.

More than 2 million farmers and ranchers are now cooperating with local soil conservation districts in practicing conservation farming. This is a record you can be proud of, and I commend you for it. You have successfully met many challenges—some of which were quite formidable.

What are the challenges of the future, and will you be equally successful in meeting them?

We all know much work remains to be done if we are to adequately develop our most vital natural resources—soil and water—so that they can be of maximum benefit to present and future generations of Americans.

We also know that getting the work done will be immeasurably more difficult because of the tremendous demands on our resources.

Population pressures, our technological revolution, and rapid urban growth feed voraciously on a diet of natural resources. Our rapidly growing population needs food, clothing, and shelter. It also needs roads and superhighways, factories and shopping centers, and outdoor recreation areas.

The basic requirement for all these needs is land and water, and here is where we meet the problem face to face. Our land area is limited, but the demands upon it are phenomenal. Yet we continue to fulfill these demands with reckless abandon.

A good deal of our most productive agricultural land now lies buried under superhighways, parking lots and housing developments, and the pace continues unabated. We continue to let our good productive land be absorbed in the squeeze and shuffle of urban development.

We are losing more than 1 million acres of agricultural land each year to satisfy nonagricultural needs. This cannot continue very long. The fact that we can presently produce more food than we can consume is no excuse for destroying the one natural resource without which we cannot live—that of productive land.

One indication of the importance of your work for future generations is the prediction that our present population of 192 million is expected to rise to 245 million by 1980 and more than 330 million in the year 2000.

For too many years we have neglected, abused, and destroyed our environment in quest of short-lived gains. The early exploiters who denuded our forest land and ripped up the grass-covered hills may have used the excuse that they knew no better. But we know better, and we continue to destroy our natural resources at a rate that would make the early exploiters blush.

For example, in California 375 acres of open farmland are ripped up by bulldozers each day to fill the nonagricultural needs of the 1,500 new citizens added daily to the State's population. That's 140,000 acres a year to satisfy the needs of a half million new citizens—and much of that land is the most productive to be found anywhere in the Nation.

Before long 2 percent of California's land area will be permanently sealed under ribbons of concrete and asphalt for highways alone—a sad footnote, indeed, to this affluent society. Of course, California, with its burgeoning population, isn't typical of all States. But its problem is an indication of what is to come in many areas.

At one time you had a single primary objective—erosion control. Now your objectives reach into just about every facet of natural resource development.

You saw the need for the watershed approach to conservation and the need for a tailormade conservation program for the high-risk farming area of the Great Plains. And the Federal Government saw fit to supply you with the tools to accomplish these early goals. You've made excellent use of both Public Law 566 and Public Law 1021.

The Great Plains conservation program has been an outstanding success. More than 20,000 contracts have been signed on 40.3 million acres of land. Those in the program plan to convert 1.3 million acres from cropland to more stable vegetation. And there's a backlog of 4,200 waiting to get into the program.

Also very successful is the small watershed program, which in a little more than a decade has established itself as an essential part of our total water resource development work, including the downstream activities in our major basins such as the mighty Mississippi. Through a series of congressional amendments the small watershed program has evolved from one strictly for flood prevention to one that embraces the resource needs of all the people in the community.

Successful projects have boosted rural economies in several ways and in many cases a successful watershed project has been the key to new industry, increased employment, and a broadened economic base for the entire community.

Nationally 709 projects are completed or under construction and an additional 463 are in the planning stage. A total of 1,228 applications from local groups for help in watershed development are awaiting action. The popularity of this program is certainly reflected in this tremendous response.

The latest step in broadcasting your conservation concept has been the pilot Resource Conservation and Development projects. Ten of these projects are under construction and another ten have been approved for planning assistance.

In 1962 Secretary of Agriculture Freeman challenged you at your annual meeting to broaden your district programs and update your memorandums of understanding with the Department of Agriculture. To date, 2,153 of the 3,000 districts have done this.

It is with pride I report that Lousiana is one of the 11 States in which all districts have updated their agreements.

I have reviewed this progress merely to show that you have not been standing still. That in the face of population pressures and urban growth, you have been seeking new avenues to accelerate proper resources development.

I believe you can do much more. Indeed, you must do more.

If soil and water conservation is to keep pace with the Nation's growth, it must take on larger goals, and perhaps even new direction. However much we respect and revere the past, we must not permit our nostalgia for the good old days to deter us from seeing the problem of conservation in the realities of 1966.

Soil and water conservationists must look beyond the countryside if they wish to fulfill their hopes and dreams for an abundance of clear water and fertile soil. The active support and assistance of urban people are absolutely necessary if we are to achieve our goals. You must convince them and, at the same time, be convinced yourselves, that the rural countryside and the cities are mutually dependent upon each other. In a modern industrial and agricultural nation such as the United States, urban and rural areas exist symbiotically and it is this position of mutual support which must be brought home to all segments of our society.

Modern agriculture demands an industrial counterpart and, of course, it goes without saying that urban people could not exist without food, clothing and shelter provided from the country. Proper conservation measures must be applied in cities and suburban areas if there is to be any real conservation of rural lands and waters.

If anyone doubts the truth of these statements, he need only take the special case of Lake Erie. Today Lake Erie, far from being one of our Great Lakes, is a depository for chemicals, refuse, sewerage and other debris, because proper conservation measures were not applied in the cities and suburban areas bordering its shores. The problems which have faced these cities and suburban areas have been so overwhelming in magnitude that it was not possible for the local officials alone to cope with the waste and spoilage which are byproducts of an industrial society. Little or no attention was given to cleaning up the atmosphere, to purifying the water and to conserving the soil.

The magnitude of the problem of conservation is larger than the local area. It has been estimated that the cost of restoring Lake Erie will amount to several billion dollars. The polluted rivers and streams which feed into this great lake also must be cleaned up. The task facing the American people, in not only preserving, but in recovering that which is almost lost, is staggering. Many areas of our country have become junkyards and dumps for the disposition of our waste and refuse.

The warnings have been raised to rural Americans. Enlist the support and aid of urban Americans in order that both may be preserved, or lose everything for which you have been fighting for 30 years. State Legislatures will no longer be dominated by rural interests, and if more attention is not immediately paid to the problems of the urban dweller, he is most likely to ignore the problems of rural America when he becomes the complete master of the political process. Conservationists must rid themselves of their parochial attitudes and must see conservation in its broader sense; that all America, both city and country, must be preserved if the American civilization is to endure.

If modern Americans are to face up to the challenge of the last part of this century, and let me remind you that only 34 years are left, they must put aside ancient dualisms and cleavages which have polarized our Nation. The old conflicts of Jefferson versus Hamilton, country versus city and agriculture versus industry must once and for all be settled and put aside. It will take all of the energies of the American people, both urban and rural, pulling together to solve the problems of the conservation and preservation of the natural resources of this Nation.

In order to accomplish the objectives which modern conservation demands, some hard decisions will have to be made. Choices will have to be made—regulation of industry or polluted streams and rivers; navigation or salt water intrusion; seasonal floods or natural beauty in the wild state. I only pose these as examples of alternatives facing the people.

The drainage of vast lowland areas in Louisiana has radically altered the water tables in many areas of my State. This, of course, has not only affected cultivated lands, but has also affected the wildlife and fishing industry. Laws restricting the use of land and water are going to be necessary, even to a point which we perhaps cannot now envision, if we are to succeed in conserving these resources.

The issue boils down to this:

Can we provide sufficient water for our large urban populations, supply the need of water for our industries and our agriculture and, at the same time, have it in abundance in a more or less pure form for wildlife and recreation? I believe we can have an abundance of clean water and fertile soil for all of our needs if we begin to attack the problem in its entirety with a united purpose, and with the aid of all the American people.

As chairman of the Senate Committee on Agriculture and Forestry, chairman of the Subcommittee on Public Works, and member of the Senate Committee on Appropriations, I have sponsored and supported legislation concerning resource conservation. And I am proud of the support my committees, the Senate, and the House of Representatives gave this past year to resource development work.

Briefly, Congress increased Soil Conservation Service funds for fiscal year 1966 by $9.5 million over the previous year which will aid in staffing new soil conservation districts with technical personnel, speed up work in the small watershed program, permit the signing of additional contracts through the Great Plains conservation program, and permit authorization of 10 new resource conservation and development projects for planning assistance.

Congressional committees approved 80 new watershed projects for operations. This with the 20 approved by the SCS Administrator, set a new record for projects approved.

Congress also amended Public Law 566, authorizing an increase in flood storage capacity in project reservoirs from 5,000 to 12,500 acre-feet.

In addition Congress passed the Appalachian Regional Development Act, which, among other things, provides for water development and for conservation contracts for erosion control and land use changes.

The cropland adjustment program included in the Food and Agriculture Act of 1965 will encourage farmers to develop conservation practices to increase wildlife.

There were other proposals that, fortunately, didn't get considered. One I'm sure you heard of was to reduce the Soil Conservation Service's conservation operations fund by $20 million and charge the farmers and ranchers for half the cost of technical services in layout and design.

As a matter of fact, the Department of Agriculture recently sent up a suggested bill on the subject, requesting me, as chairman of the Senate Committee on Agriculture and Forestry, to introduce it. I want to tell you that I have refused to do so, even on the so-called by request basis in my capacity as chairman. Furthermore, if someone else does introduce such a measure, it will have to come before my committee, and I pledge to you that I will do everything in my power to see that it is defeated.

Your association's soil stewardship advisory committee has picked for this year's theme "Crisis in the Countryside." No more fitting title could have been selected. For we are truly facing a crisis in the countryside—one which you must share a great deal of the responsibility in meeting.

You can help meet this crisis by speaking out on the vital issues at stake, by carrying the word of resource conservation into the urban areas, the city councils, the State legislatures, and the National Government.

The cause of conservation is crying out for more men to speak on the misuse and abuse of our heritage of soil and water. It is crying out for those who believe in the stewardship of the soil to make their needs known in a convincing manner. Your national association should be forceful, resourceful, and original in making budget requests before congressional committees. Your State associations should take the same firm stand with your legislatures, and local soil and water conservation districts should do the same with county governments.

Your knowledge is one of the most important and most powerful assets you have. Use it in your effort to guide the development and use of our natural resources along wise and orderly lines.

In closing let me again commend you for the work you are doing. The challenges ahead are great, for we know the facts and they are alarming.

The cause of conservation needs you now as never before.

HOUSTON ADULT BASIC EDUCATION PROGRAM THREATENED BY LACK OF FUNDS FROM WAR ON POVERTY

Mr. YARBOROUGH. Mr. President, one of the most successful programs in my home State of Texas, under the war on poverty, is the Houston Adult Basic Education program for which more than 5,200 people enrolled, when only 500 were expected. And if allowed to expand 10,000 to 15,000 could be expected.

Despite its success, the program is now threatened because its allocation of funds have been cut. On February 14, 1966, I sent the following letter to the Director of the Office of Economic Opportunity entreating him to reexamine the worthiness of this program:

Hon. SARGENT SHRIVER,
Director, Office of Economic Opportunity, Washington, D.C.

DEAR MR. SHRIVER: The 1966 Office of Economic Opportunity budget which you presented to Congress called for an expenditure of $30 million for the adult basic education program. Congress appropriated the full amount which you requested.

Subsequently only $16 million was allotted by your office to the Office of Education for running this program. The State of Texas, and many other States, I am advised, made their plans for fiscal year 1966 on the assumption that the amount called for in the budget and the amount appropriated by Congress would actually be available. Now, since only a little more than half of this amount has been allotted to these States, many of the programs to which they had made commitments will have to cease operation unless the cuts are restored.

I need not point out the damage which will be done to the people's attitude toward these programs if in the first year of real operation they are abruptly curtailed. Neither the people running them nor those participating will have confidence in adequate funds for the future.

An example of what will happen unless more funds are made available is the situation confronting the Houston adult basic education program. This endeavor, which has an enrollment of 5,122 adults, will have to be terminated very soon unless it gets additional funds. This has been a very successful program, initiated by the people themselves. They come two nights a week for 2½ hours per night. They learn simple mathematics and how to read and write English. One of the teachers has written me: "We are using a book provided by the Government called 'My Country'; it is a simple and direct presentation of how our Government works, how it started, and what it means to be an American citizen. Now I must tell them that their Government's promises were false and that their hopes are empty."

I sincerely entreat you to reexamine this matter. I am sure that you will see the worthiness of this endeavor and the desirability of providing adequate funds.

Sincerely,

RALPH W. YARBOROUGH.

Mr. President, I am pleased to see that the Office of Education has reevaluated the needs of this program and has been able to raise the Texas allotment for the adult basic education program by an additional $1,290,066 as of February 25, 1966. This is a much deserved refunding and may serve to prevent the disappointments of the Houston program as pointed out in the article entitled, "Will Success Spoil a Poverty Program," from the February 26, 1966, New Republic, which I ask unanimous consent to be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WILL SUCCESS SPOIL A POVERTY PROGRAM?

HOUSTON.—Until bureaucrats turned off the tap, a program here to teach reading and writing had the city dazzled. Texans are not overly fond of Federal efforts to raise up the poor, but no one, rich or poor, quarreled with this one. The vocational department of the Houston school system, which ran the "basic adult education" program, had expected no more than 500 students. More than a thousand enrolled for classes last fall; by this February there were more than 5,200.

Such an enthusiastic response chipped at a comfortable Texas stereotype of the lazy poor who deserve what they haven't got. The classes offered no credit and hard work; they meet two nights a week for 3 hours, at the end of the working day. Teachers enlisted from the public schools drilled the students in reading, writing, and arithmetic. Organized by achievement into three levels, the students had only to meet one formal entrance requirement—no more than an 8th-grade education. Most classes were held in public school buildings and civic centers, but to take care of the unexpected crowds, a union hall and a fire station were commandeered.

The teachers, many of whom had volunteered to earn an extra $10 a night, were surprised to find themselves working with the most eager pupils they had ever encountered. "If they ever stopped this program I don't know what I'd do," one young Latin American student told his teacher. "This is the first chance I've ever had." "Of all the things I've ever done," a teacher remarked, "this is the only one that I've known was right. It takes a lot of guts when you're 50 years old to admit that you can't read and all these people get is the satisfaction of seeing themselves improve." One man had enrolled because he had a job waiting that required him to read and write. A grandmother enrolled because she wanted to be able to read the Bible herself before she died. Illiterates in the first level made astonishing progress.

On her third night of class, one woman teacher was presented with an orchid. At Christmas, the adults asked to have parties at their "school." After presents, the class brought out its tamales, cokes, apples, chili.

Then in mid-January, the Federal ax fell. The allocation for the Houston program was cut from $240,000 to $188,000 for the entire year. The superintendent of schools, discovering that this money would be eaten up by February 4, decided to abandon the program.

Ironically, it was success coupled with bureaucratic affection for paper budgets that caused the kill order to be given. The program was paid for out of poverty funds made available through the Economic Opportunity Act; but because it was educational, the Office of Economic Opportunity passed the funds along to the Office of Education, which in turn made grants to State education agencies.

Somewhere in this tangle of requisitions and agencies, the human purpose of the expenditure seems to have been lost. Of last year's $19 million Federal allocation to Houston, only $4 million had been used, because the program started late. And somehow, in the face of an unexpected crush of students, it was decided that less was needed this year than last; so the original $19 million was cut to $16 million. The OEO claimed that the Bureau of the Budget had done the slicing; the Office of Education claimed that the OEO had been in on it; and with a magical abacus, some officials explained that the reduction was really an increase, because last year's leftover money and this year's new money added up to $30 million. What in fact happened was that the Office of Education, confronted with an enormous turnout of eager illiterates and semiliterates, ordered each State to cut back its local allocations by 15 percent. Classes were swollen because the program was effective. If the poverty and education officials had not blundered into one of the most desperate needs of the poor, the program would not have been cut back. Since the amount of Federal money was determined on a per capita basis, the need of the poor exceeded the resources available.

Among the students in Houston, excitement and hope gave way to bitter disappointment. To educational administrators, however, it was all part of the game. "It's merely a reduction from what was originally allocated," said an official of the Texas education agency. "School people are used to that."

The city, impressed for once with its hardworking poor, failed to sympathize with this "administrative readjustment." Scores of churches and clubs called for volunteers to teach or raise money and offered space in which the classes could meet. There were individual offers of donations and talk of a fundraising campaign to allow the Houston school system to keep on without the undependable Federal Government. Many teachers said they would work for nothing.

At last, 2 weeks ago, a local foundation staked the poor to what the poverty program couldn't supply, a check for $54,000. The money wasn't enough, for the classes must now be restricted to students already enrolled. It is estimated by school officials that between 10,000 and 15,000 would have signed up, if they could have been accommodated; more than 160,000 people here have not finished the eighth grade.

—William P. Pannill.

THE WAR AGAINST CIVIL RIGHTS

Mr. McGEE. Mr. President, last week I made available for the CONGRESSIONAL RECORD the first portion of an outstanding report on the John Birch Society which was recently compiled by the Anti-Defamation League of B'nai B'rith, and I indicated my plan to offer the other sections of this report from time to time.

Today, I ask unanimous consent that the second section of this fine report be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE WAR AGAINST CIVIL RIGHTS

The major development in the John Birch Society's centrally directed program during 1965 was the launching of an all-out drive against the civil rights movement.

The assault started in May, with the publication of a pamphlet by Welch himself which laid down the ideological line. Five hundred thousand copies of a 16-page document called "Two Revolutions at Once" were distributed to the Birch army across the country—100 copies to every Birch Society cell.

In mobilizing his troops, Welch made it crystal clear that the campaign upon which they were embarking was the single most important undertaking of the John Birch Society in its entire 7-year history.

"Fully expose the 'civil rights' fraud," said Welch in May 1965, "and you will break the back of the Communist conspiracy."

In "Two Revolutions at Once," Welch set forth his view that the Negro civil rights movement in America was part of a worldwide, Communist-dominated, anticolonialism revolution that used the slogans of freedom, independence, and self-determination. At the same time, he said, it was part of the Communist-led revolutionary movement against capitalism in the United States itself.

In his analysis, Welch likened the Negro rights movement in the United States to various "national liberation fronts" in Asia and Africa which in his view have been sparked by Communist terror tactics. He claimed that Algeria's "murderous guerrilla band * * * given the high-sounding title of the 'Federation of National Liberation'—or FNL" was merely "a preview of what the NRM—the Negro revolutional movement—will do to the people of the South."

OLD COMMUNIST BOOKLETS

The relationship between the allegedly Communist-led national liberation movements abroad and the Negro revolutionary movement in the United States was revealed, Welch said, in a booklet published by the American Communists in 1928. Called "American Negro Problems," it referred to the southern Negroes as "virtually a colony within the body of the United States of America," and called for the establishment of a "Negro Soviet Republic" in the South.

In fact, this 37-year-old Red propaganda line was repudiated by the Communist Party's 1959 convention—because it had already died in the Red failure to win the American Negro to the Communist cause.

The Birch Society, nevertheless, continues to distribute thousands of copies of the 1928 Communist booklet to support its theme—that the efforts for civil rights equality and for racial desegregation are Communist-inspired and subversive.

Another Red booklet—published in 1935 and entitled "Negroes in a Soviet America"—is also being distributed by the Birch Society. It was originally reprinted by the National Economic Council under its late founder, Merwin K. Hart, a well-known American anti-Semite. Before his death a few years ago, Hart was the leader of Birch Society Chapter 26 in New York; his publications were recommended by Welch to Birch Society members in its early days.

In the June bulletin, Welch said:

"Our task must be simply to make clear that the movement known as civil rights is Communist-plotted, Communist-controlled, and in fact * * * serves only Communist purposes. So let's keep our activities and efforts concentrated on this central undertaking."

He added:

"Make yourself as much of an authority on the whole 'civil rights' segment of the total conspiracy as you can. * * * We are asking for, and counting on, a very heavy concentration of effort by our total membership during the next few months, to support our belief that the civil rights drive and the parallel Negro revolutionary movement constitute the most vulnerable point for attack."

IDEOLOGICAL WEAPONS

There were many weapons which Welch mobilized for the ideological warfare against the civil rights movement to which he had committed his propaganda army. For example, there were published materials. One was a book published by the Birchers' own Western Islands Co. It was written by Alan Stang of the Birch stable of writers, was called "It's Very Simple," and was essentially a popularized version of the Welch ideology on the Communist character of the civil rights movement. The book had an initial printing of 100,000 copies and sold out in the first few weeks. An additional 200,000 were printed soon thereafter, and more were on order as 1965 drew to a close.

Stang wrote that America's race problem and the effort of the civil rights movement to end it were both planned by the Communists, built up by the Communists and, most important, conducted by the Communists. Describing the Negro movement as a "social revolution" aimed at destroying capitalism, and the Civil Rights Act of 1964 as a major step toward a Washington dictatorship, Stang concluded his polemic by declaring:

"I accuse the Reverend Dr. Martin Luther King of being in effect one of the country's most influential workers for communism against the Negroes. I accuse President Kennedy and President Johnson of knowing this but nevertheless, not only closing their eyes to it, but lending a hand. I therefore accuse them of having betrayed their oath of office."

There were also printed flyers (suitable for use as full-page newspaper ads) asking "What's Wrong With Civil Rights?" followed by: "The answer is, nothing. But there is a great deal wrong with what is being done today in the name of civil rights."

Birch ads declared that the Negroes' problem was exaggerated, that the civil rights movement was not simply "infiltrated" by Communists, but actually "created" by them. Birch postal cards were distributed. One showed Martin Luther King at the Highlander Folk School, in Tennessee, which the Birchers and radical rightists have branded as a Communist training school. (King appeared there briefly on Labor Day weekend, 1957, to make a speech.)

Another postcard pictured a man identified by the Birchers as the founder of the civil rights movement. They described him as a Hungarian Communist who used such names as Joseph Pogany, John Schwartz, Joseph Lang, and John Pepper. They said he arrived in the United States in 1922 and in 1928 wrote the pamphlet, American Negro Problems, which laid down the Red line for establishment of the Negro revolutionary movement. Aside from the dubious Welchian history, the drawing of Pogany-Schwartz-Lang-Pepper was reminiscent of some of the viciously anti-Jewish caricatures that appeared in Der Stuermer during the Nazi era in Germany and of similar caricatures that have been circulated in anti-Semitic ideological circles in the United States.

These recent materials were added to the arsenal of anticivil rights propaganda which the Birch Society had been using for some time. Its "Civil Rights Packet" already included "Color, Communism, and Commonsense" by the late Negro ex-Communist, Manning Johnson, and Welch's "Letter to the South" which first appeared some years ago. Also available were various reprints, all hewing to the Birch line that the civil rights movement is a Communist manifestation, lock, stock, and barrel.

THE TACT COMMITTEES

The campaign for this nationwide attack was created by Welch in July 1965, with a proposed new and major approach to exposure of the fraud known as civil rights. He called for "the setting up throughout the country of hundreds of local or regional ad hoc committees for the specific purpose of telling the truth about the civil turmoil." Anticipating that they would come to be known as TACT—Truth About Civil Turmoil—he gave the shorthand name his blessing.

TACT front groups sprang up and swung immediately into high gear, distributing literature, holding meetings, sponsoring lectures by American opinion speakers, buying full-page ads in local newspapers, and peppering the letters-to-the-editors columns with Birch propaganda exposing the "truth about civil turmoil."

Welch's choice of the Communist-style front-group technique worked admirably. Many non-Birchite rightists and conservatists were lured into making common cause with the Birchers against the civil rights movement. In many localities, even the newspapers and other media of public information were at first unaware that the TACT committees were Birch fronts. For example:

In Fort Wayne, Ind., the News Sentinel reported the formation of the local TACT committee and merely noted that it had been formed to provide information about past instances of civil turmoil in order to prevent recurrences. There was not a hint in the news report of the TACT group's real sponsorship.

In the suburban Glenview-Northbrook area of Chicago, where a TACT committee was formed, the local newspaper reported that the committee chairman had said that the group, conservative in nature, is not connected with any organization. Yet the group's own newspaper advertisement was signed: "The TACT Committee of Northbrook and Glenbrook Division of the John Birch Society."

But the TACT committees around the country were not the only fronts spearheading the Birch Society's ideological warfare against civil rights.

The Detroit Committee for the Prevention of Racial Disorder listed the same post office box number as the local Birchite "support your local police" organization, and the same individual was listed as chairman of both.

In La Punta, Calif., Citizens for the Support of Law and Order seized on the Watts riots in Los Angeles, in the summer of 1965, to distribute a flyer captioned "Now Will You Believe?" It was, in effect, an advertisement for Stang's book and bore the "support your local police" emblem.

A woman in Whittier, Calif., received a letter from the Committee for Better Understanding which listed a post office box in racially troubled Selma, Ala. The letter ended with: "Yours for less government, more individual responsibility, and a better world," the slogan of the John Birch Society.

While waging war against the civil rights movement, the John Birch Society has, at the same time, diligently sought to create a public image of itself as friendly to Negroes. A mainstay of the Birch speakers' bureau during 1965 was Mrs. Julia Brown, a Negro lady who had once been a Communist and later an informant for the Government. More recently, the American Opinion Speakers' Bureau listed conservative Negro newspaper columnist George Schuyler as one of its lecturers. Birch spokesmen go out of their way to make it clear that the society has Negro members. As part of the campaign to rid itself of any anti-Negro stigma, the society has established a Manning Johnson scholarship for deserving Negro students.

EXPLOITING RACIAL TENSIONS

Nevertheless, the Birchers seek to exploit racial tensions, unrest, and disorders for their own purposes. Forty-eight hours after the Watts riots in Los Angeles in the summer of 1965, Birch chapters were mobilized—via a directive to all area chapter leaders—for an intensive anticivil rights propaganda drive to exploit the white reaction to the outburst of violence and disorder.

It is inevitable that, like the Communists, the Birchers will seek in this way to exploit racial tensions and outbursts of violence. During 1965, Birch propaganda had much to say about the Selma civil rights march, some of it indistinguishable from the outpourings of openly racist organizations in the Deep South.

In the June 1965 issue of American Opinion, Writer Jim Lucier described the Selma march as having been organized by the international conspiracy of evil. An unsigned article in the July issue purported to describe what happened "when a horde of termites from all over the country, led by half-crazed ministers and professors, swarmed over the small town of Selma, Ala., in a typical demonstration of Communist activism."

It would be hard to finger such explosive educational prose as a direct cause of violence in the South but it is equally difficult to see in it any indication of an attempt to restore the racial harmony which Robert Welch, born and raised on a North Carolina farm, claims existed in the past.

WELCH'S HAPPY VISION

Welch has described such visions. In the June 1965, Bulletin, he wrote of "that huge reservoir of good will between the races that was such a happy circumstance of American life only two decades ago." And in a recent television interview he saw that period (a time of Negro second-class citizenship and enforced Jim Crow vassalage) as having included "a very, very tiny amount of injustice."

Such may be the cornerstone of the racial attitudes the John Birch Society is building; the happy circumstance was one of segregation and inequality.

The quarrel of the Birch Society with the concept of Negro equality goes far deeper than mere questions of politics and methods, or even of the alleged Communist character of the civil rights movement itself.

In "the Blue Book" of the society, Welch decried democracy as "merely a deceptive phrase, a weapon of demagogery, and a perennial fraud." In a footnote he added that democracy was "the worst of all forms of government."

Jim Lucier, a frequent contributor to American Opinion, argued in the June 1965, issue that (1) Voting is not one of the basic rights of a human being; (2) there is no direct relationship between voting and freedom; and (3) the doctrine of majority rule is alien to American political tradition and ideals.

In the November 1964 issue, National Council Member Revilo P. Oliver, described by Welch as "quite possibly the world's greatest living scholar," wrote that it was a lie that the races are equal.

In the February 1965 issue, National Council Member Tom Anderson wrote that "the right to discriminate is the right to choose and the right to choose is the essence of liberty."

TAINTED SOURCES

Welch and those who wage war at his side are not always careful about the sources they cite to back up their contentions:

In the June 1965 Birch Bulletin for instance, Welch quoted "the long and prophetically accurate December 1965 Special Report of the American Flag Committee." The American Flag Committee had predicted 9 years earlier, he said, that 1965 was marked by the Communists as the target year for agitation for Negro voting rights. Welch devoted five full pages of the Bulletin to this report, and cited the American Flag Committee in five separate references.

The American Flag Committee was, in fact, a small-time propaganda outfit run by W. Henry MacFarland, Jr., of Philadelphia, an outspoken anti-Semite who toured the country some years ago with Gerald Smith, the anti-Jewish rabble rouser. MacFarland cooperated with the late Conde McGinley, Jew-baiting publisher of Common Sense, and with the gutter level, racist, and anti-Semitic National Renaissance Party, headed by James Madole of New York, a minor pamphleteer and street corner agitator.

Welch's members had no way of knowing that two of the organizations founded by MacFarland before he created the American Flag Committee were included in the U.S. Attorney General's so-called list of subversive organizations. One was MacFarland's Nationalist Action League; the other, the Committee for Nationalist Action.

The July-August 1965, issue of American Opinion gave source credit, in an evaluation of racial questions, to the Councilor, a blatantly racist and openly anti-Semitic publication edited in Shreveport, La. by Ned Touchstone. The Councilor is the organ of the White Citizens Councils of Louisiana.

What of the John Birch Society and the Ku Klux Klans, now wagering guerrilla race warfare in the American South? Welch and Society Public Relations Director John Rousselot have made it clear that Klan members are not welcome in the John Birch Society.

However, take the case of Dr. John R. Andrew of Stone Mountain, Ga. Andrew was the leader of the Birch Society's Emory (Atlanta) chapter until he resigned the position early in 1965 to run for political office. He is still a member of the society, and the Emory chapter still meets in his home. On August 23, 1965, Dr. Andrew addressed a rally of the Ku Klux Klan (United Klans of America) in Atlanta. He told the assembled Klansmen that he had been defeated in the special election for the reapportioned State legislature by the international banking conspiracy. Later, Andrew told a reporter for the Atlanta Journal that he was not actually a Klan member but would like to help the organization if he could.

Andrew was present on September 13, 1965, at the Henry Grady Hotel in Atlanta—as were Mr. and Mrs. George Birch (parents of John Birch) and other local society luminaries—to hear a speech by former Maj. Gen. Edwin A. Walker. During the question period, Walker, always proudly a Birch Society member, told a cheering audience:

> "There will be a KKK in the U.S.A. longer than there will be an L.B.J."

When, on August 10, 1965, at Long Beach, Calif., Walker told his hearers of the Red plot aimed at "you, the white race—just 90 miles from Florida," he was giving perhaps the ultimate expression to the politico-racial fears that have emerged as the wellspring of John Birch Society activity.

PURPOSES

The stated purpose of the society's anticivil rights campaign was set forth by Welch in a July 1965, pamphlet entitled "A Stick of Dynamite." The society, he wrote, was not strong enough to fight a war, but it was strong enough to fight a battle and have a chance of success if it concentrated its forces on one front.

What are the true purposes of the society's all-out attack on the civil rights movement?

It is a convenient instrument for exploiting whatever white backlash exists in the Nation as the result of the Negro thrust for equality.

The propaganda campaign is a logical preliminary to Welch's plan for a Birch Society effort in 1966 to influence the congressional elections.

The campaign offers an opportunity for nationwide activity by Birchers, using TACT and other front groups, and for recruiting new members into the society's ranks.

In short, like the Communists, the John Birch Society is seeking to exploit the Nation's racial tensions for its own propaganda and recruitment purposes, and for its deeper political goals. And it is using the Communist technique of the front group as a propaganda and recruiting instrument.

SUPPORT FOR STUDY OF CIA

Mr. HARTKE. Mr. President, the proposal made by Senator McCarthy recently for a Foreign Relations Committee study of the role of the Central Intelligence Agency in foreign policy has drawn several favorable comments editorially. One newspaper making such editorial comments is the Evansville, Ind., Courier in its February 9 edition. In fact, the paper indicates its approval also for the bill offered by Senator Young of Ohio to establish a joint Senate-House Committee for continuing understanding of CIA operations.

I ask unanimous consent that the editorial, entitled "Surveillance of CIA," be printed in the Congressional Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Surveillance of CIA

Past efforts to bring the Central Intelligence Agency under some meaningful scrutiny by Congress has not gotten far. Those who espouse the CIA's viewpoint have thwarted such moves. Their central argument is that the CIA's effectiveness as a highly secret undertaking would be crippled if Congress were to ask embarrassing questions.

This argument has come up against some which are more than its match. The CIA is being called increasingly into question for its evident dabbling in foreign policy. Some of its clandestine operations are demonstrably not for the purpose of gathering intelligence, and sometimes constitute interference in the internal affairs of other nations.

This imperils the national interest of the United States. The fact that little is known about CIA operations, so that observers are forced into the tricky waters of conjecture, is in itself dangerous. Secret or not, the CIA should in reasonable measure be subject to the same rule that applies to all Federal agencies: it is the public's business, and the public has a right to know what it is up to.

It is against this background that one must consider two current attempts, by Senators Stephen M. Young and Eugene J. McCarthy, to assert the congressional right of surveillance over the CIA as over the other agencies. Senator McCarthy would clear the air with a "full and complete study," to be made by a Foreign Relations Subcommittee, of how the CIA affects U.S. foreign relations. Young wants Congress to set up a permanent joint Senate-House committee to keep an eye on the intelligence agency. Both proposals have merit, and the first might indeed provide valuable guidelines for operation of a committee. Discreetly handled, surveillance by a committee would not hurt the CIA and might keep it from getting out of control.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER (Mr. Talmadge in the chair). Is there further morning business? If not, morning business is concluded.

SUPPLEMENTARY MILITARY AND PROCUREMENT AUTHORIZATION, FISCAL 1966

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which will be stated by title.

The Legislative Clerk. A bill (S. 2791) to authorize appropriations during the fiscal year 1966 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and research, development, test, and evaluation for the Armed Forces, and for other purposes.

DEFUSING THE POPULATION EXPLOSION

Mr. TYDINGS. Mr. President, I shall send to the desk, at the conclusion of my remarks, on behalf of Senators Gruening, Clark, Yarborough, Neuberger, Hartke, and myself, two bills.

These bills deal with the subject of family planning at home and abroad. One bill would amend the Foreign Assistance Act and authorize the Agency for International Development to use U.S. holdings in foreign currencies to finance voluntary family planning programs in friendly foreign nations. The other authorizes the Secretary of Health, Education, and Welfare to make matching Federal grants to State, local, and private nonprofit organizations to enable them to provide family planning information and related medical assistance to individuals who desire these services but cannot afford to obtain them.

I ask unanimous consent that these bills be printed in the Record at the conclusion of my remarks and that they lie on the table for 10 calendar days.

AMENDMENT NO. 489

I also send to the desk, on behalf of Senator Gruening and myself, a proposed amendment to S. 2933, the President's food for freedom bill, which would authorize the use of foreign currencies accumulated through future sales of agricultural commodities to finance voluntary family planning programs in friendly foreign nations.

In view of the fact that the Committee on Agriculture begins hearings on S. 2933 tomorrow, I ask unanimous consent that my amendment be printed in the Record at the conclusion of my remarks, but that it be immediately referred to the Agriculture Committee, and not lie on the table for cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TYDINGS. Mr. President, there is urgent need for the Congress to take decisive action to defuse the population explosion. We cannot pretend that this problem has nothing to do with the goals which our Nation is striving to foster both at home and abroad. We have made great sacrifices to help underdeveloped nations to improve their standards of life, yet hunger stalks the globe and the number of new mouths to feed outruns the ability of many nations, most notably India, to provide even a minimum diet. Indeed, the world food crisis has reached the point that U.S. production, even at full capacity, could not fill the gap in a few years.

At home we are seeking to attack the causes of poverty and crime, yet we know that the unwanted child of poor parents is the person least likely to break the cycle of poverty, illiteracy, unemployment, and despair—that he is the person most likely to become the burden and ultimately the enemy of society.

President Johnson has wisely said that finding effective but compassionate methods of curbing the population explosion is a cause second only to the search for peace.

The time is ripe for positive action. Ten years ago, even five years ago, this was a politically delicate subject. Today the Nation has awakened to the need for Government action.

The New York Times recently published the results of a poll conducted by the Gallup Organization, Inc. This poll, based upon an unusually large and carefully selected sample, shows that 63 percent of the American public favors U.S. Government aid to voluntary family planning programs and only 28 percent is opposed. It shows that 58 percent of all Americans favor such assistance to foreign governments, and only 34 percent are opposed. It shows that a majority of Catholics favor such assistance both at home and abroad. It also shows that 81 percent of Catholics and 86 percent of non-Catholics believe that family planning information should be easily available to any married couple which wants it. I ask unanimous consent that this article as well as a complete report on the Gallup survey be printed in the Record at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. TYDINGS. This change in public attitude has come about through the efforts of men who had the courage to brook the tides of public opinion. Senator Clark is such a man. Senator Gruening is such a man. So is President Johnson. Because of their leadership it is no longer necessary for an elected official to speak with trepidation on this subject. We have solid proof that a substantial majority of Americans feel it is a proper function of Government to provide family planning information and assistance to those, both at home and abroad, who explicitly request it.

The bills which I am introducing today would provide the funds and authority needed to make an impact on population problems. They make two basic points unmistakably clear:

First. The Congress of the United States regards family planning as an area of great concern. We cannot turn away from the overriding social and economic issue of our time.

Second. In this delicate area, the Government will neither influence nor coerce its own citizens or foreign nationals to engage in family planning or to prefer any one method of family planning over any other method.

My bills contain careful safeguards to insure the integrity of conscience. The foreign bill provides that the Secretary of State shall approve a program "only if he has received satisfactory assurances that in the administration of the program the recipient nation will take reasonable precautions to insure that, first, no person will receive any family planning information, medical assistance, or supplies unless such person desires such services, and, second, the information, medical assistance, and supplies provided any recipient will not be inconsistent with the individual's expressed moral, philosophical, or religious beliefs."

The domestic bill provides that:

> No grant shall be approved unless it contains and is supported by reasonable assurances that in carrying out any program assisted by any such grant, the applicant will establish and follow procedures designed to insure that—
>
> (a) No individual will be provided with any information, medical assistance, or supplies which such individual states to be inconsistent with his or her moral, philosophical, or religious beliefs; and
>
> (b) No individual would be provided any medical assistance or supplies unless such individual has voluntarily filed a written request with the applicant asking for such medical assistance or supplies.

It is clear that under either bill any assistance to practicing Catholics would have to be consistent with their faith. Indeed, under the domestic bill, a Catholic hospital or welfare organization could qualify for Federal assistance to provide church-approved family planning assistance to Catholics. There are many great Catholic hospitals that now provide such church-approved family planning assistance. I know this to be true in my own State of Maryland.

In order to insure full access to individually preferred sources of assistance the bill specifically authorizes the Secretary to make grants to more than one organization in each community. Requirements for eligibility would be determined by the grant recipients. If additional safeguards to insure integrity of conscience are needed or desired I would be prepared to support them.

In other words, Mr. President, the domestic legislation gives effective initiative to State and local officials. They will plan their own programs. No bureaucrat in Washington can arbitrarily disqualify a program, unless it violates those specific guarantees of freedom of choice which the bill contains.

The population crisis is widely recognized throughout our society. The Catholic Church is currently engaged in a fundamental reexamination of its attitudes toward family planning. The Ford and Rockefeller Foundations are spending millions of dollars to investigate and help resolve population problems.

Our great universities are devoting increased resources and attention to reproductive biology and family planning. I am particularly proud of the fact that the Johns Hopkins University in Baltimore is one of America's outstanding centers for research and for the training of personnel in all aspects of family planning. The School of Public Health is now establishing a Department of Population and Family Health to undertake coordinated studies in reproductive biology, demography, and the motivational aspects of family planning.

The school's Division of International Health has a population unit and under grants from AID has trained some of the people who are helping foreign countries to set up national family planning programs. Prof. William McElroy of the university is a member of the President's Science Advisory Council with particular responsibility for family planning. He chaired the National Academy of Science committees which recently published such impressive studies on the growth of world and of U.S. population.

Until just a few years ago, the subject of overpopulation was politically taboo. As recently as 1959, our Government took the view expressed by President Eisenhower—that giving birth control information to foreign countries was "none of our business," though in the same year the Draper report warned that the world's population would soon outstrip man's ability to feed himself.

President Kennedy took the first steps in focusing official interest on family planning. He quietly authorized AID to consider requests for family planning information from foreign countries and encouraged research in this area by establishing the National Institute of Child Health and Human Development.

No one has done more to focus public attention on the population crisis than President Johnson. In his state of the Union message of 1965, he said:

> I will seek new ways to use our knowledge to help deal with the explosion in world population and the growing scarcity in world resources.

Later that year, he told the 20th anniversary of the United Nations that "less than $5 invested in population control is worth $100 invested in economic growth." In his state of the Union message last month, and in the foreign aid and health messages he has sent to Congress, the President has reaffirmed his intention of finding ways to deal with the population problem.

The first man to discuss family planning on the floor of the Senate was the distinguished Senator from Pennsylvania [Mr. CLARK]. On August 15, 1963, he introduced a Senate concurrent resolution, cosponsored by the Senator from Alaska [Mr. GRUENING], urging the President to step up population growth research at our National Institutes of Health and to create a Presidential Commission on Population. Last year, a decisive breakthrough was achieved when the Senator from Alaska [Mr. GRUENING], introduced legislation which would set up the administrative machinery to deal with population problems. I am proud to be the first cosponsor of his bill, S. 1676.

Perhaps more important than the proposed legislation of the Senator from Alaska have been the pathbreaking hearings which he has conducted before his Foreign Aid Subcommittee of the Committee on Government Operations. These hearings—held continuously throughout 1965—have served magnificently the cause of public education and citizen enlightenment. They have brought to the attention of the Nation the pressing need for action. They have documented conclusively the fact that a vast majority of citizens at home and throughout the world desire to practice family planning and desire to be responsible parents—but that many lack the information and assistance which would allow them to do so safely and effectively in accordance with their religious convictions. To date, more than 70 eminent witnesses have testified before the subcommittee of the Senator from Alaska. They include four Nobel Prize-winning scientists, Dr. Albert Lleras Camargo, former President of Colombia, and many of our most distinguished public servants, including Chester Bowles, Marriner Eccles, Stewart Udall, Kenneth Keating, James V. Bennett, former Director of the Bureau of Prisons, and others.

President Eisenhower, who today serves with President Truman as honorary cochairman of Planned Parenthood—World Population, sent the Senator from Alaska [Mr. GRUENING] a most significant letter, in which he reversed the stand which he had taken earlier:

> Ten years ago, although aware of some of these growing dangers abroad, I did not then believe it to be the function of the Federal Government to interfere with the social structure of other nations by using, except through private institutions, American resources to assist them in a partial stabilization of their numbers. I expressed this view publicly but soon abandoned it.

President Eisenhower continued:

> If we now ignore the plight of those unborn generations which, because of our unreadiness to take corrective action in controlling population growth, will be denied any expectations beyond abject poverty and suffering, then history will rightly condemn us.

Those of us who seek to discuss the population problem today owe an incalculable debt to the Senator from Alaska and the Senator from Pennsylvania for creating an atmosphere of knowledge and understanding. In this atmosphere we may profitably examine the population explosion, the dangers which it poses to mankind, the steps which are being taken, and which need to be taken, to cope with it.

II

Many startling facts about the growth of the world's population are well known. It took all of human history to the beginning of this century for the world's population to reach one and one-half billion. In just 65 years—since the turn of the century—the population has more than doubled. In the next 35 years, if present trends continue, the population will more than double again. It would reach over seven billion.

The present growth rate in world population is 2 percent a year. That may not sound like much; but the Population Council estimates that if the human race had begun with a single couple at the time of Jesus and had grown steadily at 2 percent a year since then, there would now be 20 million times as many people as there are now, or 100 people per square foot of the earth's surface.

This growth rate is not uniform throughout the world. Unfortunately, it is far greater in the less developed countries. The Population Council reports that the third of the world's population that lives in the developed countries—Europe, North America, the U.S.S.R., Australia, New Zealand, Japan—has a growth rate of 1.2 percent. The other two-thirds—the peoples of Africa, Latin America, and most of Asia—have a growth rate of 2.5 percent. This means that the population of these areas will double within the next 30 years or less. The Population Reference Bureau has recently made a detailed study of population growth rates throughout the world.

I ask unanimous consent to have this study printed in the Record at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. TYDINGS. Mr. President, the grim predictions of Thomas Malthus are already coming true in the less developed nations; men die of starvation because the ability to create life has outrun the ability to sustain it.

III

Let us turn our thoughts to our own Nation. We cannot effectively help those abroad who would meet the menace of overpopulation if we are not willing to face up to our own situation. We cannot have a double standard.

Because most of us are more concerned about consuming too many calories, rather than too few, we instinctively feel that the population problem is something which only famine-ridden countries need to worry about. We complacently think that "It can't happen here." Yet our population grows with startling rapidity. It increased from 76 million in 1900 to about 181 million in 1960. By 1970, there will be almost 210 million people in the United States and by the end of the century, there are almost certain to be more than 300 million, or four times as many as at the turn of the century. That would mean the population had tripled since 1920—all since the end of the era of mass migration to the United States.

Fortunately, it appears likely, at least for the immediate future, that the increases in our gross national product will continue to outrun our population increases. Although the pressures upon our scarce land and water resources will become more intense, I do not doubt that we shall be able to feed, clothe, house and educate our swelling citizenry at or above our present standards. But even if we can physically provide for a growing number of people, there are disturbing social, psychological and moral problems to consider.

I do not suggest that the Government of the United States should advocate family planning. This is a private matter on which Government should not take any position. But it would be an equally shameful perversion of duty if officials charged with the public welfare did not freely and frankly face social realities.

The realities are that 4 out of every 5 American couples have the education, the knowledge, and the financial means to make a meaningful and informed private decision on whether and how to limit their families. Four of five American couples have reasonable access to a doctor who can provide such medical advice and assistance as they might desire.

But the remaining 20 percent of American families lack the effective freedom to make private decisions in this area. These are indigent families who desire to limit the number of children but who are unable to afford or obtain proper medical assistance. As a result these families all too often bring children into the world whom they cannot support and whom they did not want. A recent survey conducted in the South showed that 3 out of every 4 Negro women did not want any more children, but that over half did not know how to stop having them because they did not have access to good medical advice or assistance.

Seventeen percent of low-income white families interviewed in 1960 reported that, before the last conception occurred, either the wife or the husband or both had not really wanted another child at any time in the future. Among families in which the wife's education was grade school or less, 32 percent of white couples and 43 percent of nonwhite couples had unwanted children.

The experience with family planning services in my own city of Baltimore provides dramatic proof that there is a demand for such services. In February 1965, the Baltimore City Health Department began making information and medical advice available on a broad scale to indigent women who so requested. In a single year, over 4,000 Baltimore mothers have requested family planning services. This represents an increase of 100 percent in the number of indigent women in Baltimore City who are receiving family planning assistance through public or nonprofit private organizations. It shows that private organizations—and Baltimore has one of the most active planned parenthood groups in the country—cannot meet the need alone.

For the poor family, an unwanted child increases the burden of poverty. For the child, it all too often means growing up in an atmosphere that is hostile or indifferent. When a child grows up in a household where he is not wanted, where his father is absent or unconcerned, where there is no one to give him the love and the discipline which any child requires, are not his chances to develop into a useful, well-adjusted citizen tragically diminished?

Recent studies by the New York City Youth Board have confirmed that the child who is reared in poverty and neglect, may well become a juvenile delinquent.

Neglected youth tend to take out their bitterness against society when they become adults. James V. Bennett, former Director of the U.S. Bureau of Prisons, told Senator Gruening's subcommittee:

> In all my experience of dealing with the disadvantaged and the underprivileged, no case is sadder or more baffling than that of the lonesome, unwanted child * * * I know many who came into the world unwelcomed and undesired, who became burdens on our culture and sought to even their grudge against society with a knife or a gun or retreated into the solace of drugs acquired by assault, burglary, or prostitution.

I believe that a couple should not lose the right to plan the size of their family merely because they are too poor to seek medical assistance or advice. The Government has a responsibility to provide family planning services to those who desire them and cannot otherwise afford them—provided that this is done under programs which make certain that no person is influenced or coerced to limit his family or to use any particular method of family planning.

Regrettably, the Federal Government, held back by lack of funds and lack of authorization from Congress, has done relatively little to help provide family planning services or to stimulate research in the field of fertility control. Recent statistics show that last year the Public Health Service made only $50,000 in grants to be used for family planning assistance. The National Institutes of Health have a budget of only $500,000 for research into problems of fertility control. To be sure, President Johnson has proposed a substantial increase in research funds for fiscal 1967, but at best these proposed increases, when appropriated, will only bring the Federal Government roughly on a par with the amount of funds the Ford Foundation now spends on research in this area.

Some preliminary steps were taken toward Federal participation in family planning with the passage of the Maternal and Child Health and Mental Retardation Amendments of 1963. Under this legislation, 31 maternity and infant care centers have been set up in the United States and Puerto Rico. All but three of these centers offer family planning services. The Children's Bureau estimates that about $3 million is now being spent on family planning.

The Office of Economic Opportunity is now granting funds to community action agencies for the purpose of establishing family planning programs—provided that no contraceptive devices or drugs are given to unmarried women or to married women not living with their husbands. So far, about $1 million in grants have been given out through the war on poverty program.

None of this, however, is nearly enough to close the gap in family planning services needed. Last year, the total amount of money spent on family planning assistance from all sources, public and private, amounted to less than $15 million. Most of this was spent by a single private organization, the Planned Parenthood Affiliates. As a result, only about 500,000 indigent couples in the United States could be served.

Studies undertaken by planned parenthood affiliates indicate that there are at any given time in this country, approximately 5 million medically indigent women who potentially desire family planning assistance.

This figure was carefully derived by taking the number of persons in families with incomes below $3,000 per year, dividing this number in half to obtain the approximate number of medically indigent women, and making necessary adjustments to exclude those who are naturally infertile or not of childbearing age and further to exclude those women in this group who, at any given time, are pregnant or seeking to become pregnant with one of their first three children. The assumption that each woman who has had three children is a potential candidate for family planning assistance, is based on studies showing that three children is the average ideal number desired by American parents of all social classes.

About one-half million indigent women now receive such aid from public or private sources. Many of the remaining 4½ million need and want such assistance. The National Academy of Sciences estimates that 45 percent of the women in poor families with more than three children did not want their last pregnancy. In view of this we are safe in assuming that at least several million indigent couples want family planning services.

Planned parenthood's average cost of providing family planning assistance is $20 per patient per year. With a potential clientele of 5 million women today, experts in this field do not seem rash then in calling for a total public and private investment of $100 million by 1970, of which three-quarters or $75 million would have to be provided from Government funds and the rest provided by public or private organizations. My bill would provide these funds by authorizing $15 million the first year and an additional $15 million for each of 4 subsequent years. This would be enough with a matching contribution, to serve a million women the first year, 2 million the second, and so on, until the entire 5 million receive assistance by 1970.

Compare this, however, to the cost of maintaining the unfortunate, unwanted child who has become a burden to society. We spend billions to support those who cannot support themselves; many of these people were born to poor parents who did not want them and could not provide for them.

The legislation which I propose will work through existing machinery—local and State health departments and private, nonprofit organizations. To the maximum extent possible, each recipient will be encouraged to set eligibility requirements and program standards which reflect its own needs and do not offend the feelings of those it seeks to serve.

Obviously many different approaches to family planning are going to evolve; and that is all to the good. Sensitive moral and philosophical questions should be resolved on the local level, and not in Washington.

Attempts by the Office of Economic Opportunity to impose Federal eligibility requirements for family planning programs demonstrate the difficulties in a centralized bureaucratic approach from Washington. Earlier this month the trustees of Washington's antipoverty program rejected a $79,000 family planning grant because the OEO demanded that the money be spent only to aid married couples living together. My bill does not prohibit or require recipients to provide family planning assistance to unmarried women. I think that in these matters we have got to allow local communities to make up their own minds on the way they wish to operate.

My bill does not set up any superbureaus to deal with family planning. Existing agencies and bureaus within HEW would administer the law. Grants would be made to private, nonprofit agencies, to State and local health departments, and to hospitals; they will do the job. Mr. George Lindsay, the chairman of Planned Parenthood-World Population, has recently pointed out that since 97 percent of the Nation's women deliver their babies in hospitals, an increase in hospital family planning services is one of the most important single steps in setting up an effective program.

I realize that many sincere and high-minded Americans, predominantly but not exclusively of the Catholic faith, have argued that the Government has no right to intrude in a field which involves moral decisions. They say that the Government must remain strictly neutral, and neutrality for them means no Government action at all.

Now I certainly agree that the Government must not take a position for or against family planning. No one proposes, and my bill specifically forbids, the establishment of a corps of social workers to serve as advocates of family limitation or of any particular method of family planning. But I deny that neutrality implies inaction.

By not taking action the Government removes the power of private moral decision from the hands of poor couples. By failing to provide wanted assistance, the Government implicitly says that family planning is immoral and information concerning it should be kept from as many people as possible.

In effect it says to the indigent couple: "Because you are poor and cannot afford private medical assistance, you have no right to practice family planning, however much you may desire." This attitude sets up a vicious double standard—the rich are allowed to practice family planning because they do not need public assistance. They have the means to consult with a family physician. But the poor, the unfortunate, the needy—those who need the help of qualified public health personnel—are denied the right to make responsible family decisions.

I do not think the Government is being neutral when its inaction makes wealth the basis for determining man's rights, his responsibility as a parent, and his ability to make a decision reflecting the future of his own family.

Leading members of the Catholic Church do not object on principle to voluntary family planning programs that respect freedom of conscience. Cardinal Cushing has said:

> [It] is important to note that Catholics do not need the support of civil law to be faithful to their own religious convictions and they do not seek to impose by law their moral views on other members of society. (Boston Pilot, Mar. 6, 1965.)

IV

I have already given the cold, impersonal figures which tell of the staggering population growth in Asia, Africa, and Latin America. But it is scarcely possible for us to calculate the human costs, to imagine the terrible burdens which this soaring population imposes on nations which are struggling to remove the shackles of centuries of disease, ignorance, and deprivation.

For these people, in many instances, the gift of life often becomes a curse, dooming a new-born child to an existence in which mere sustenance is hopelessly lacking, in which social betterment is a hollow dream. For them the specter of starvation haunts their crudely cultivated fields by day and their wretched village huts by night.

Gen. William Draper, the new head of the Population Crisis Committee, has bluntly warned that the peoples of Asia, Africa, and Latin America "are on a collision course with their food supply." He said:

> The stark fact is, if the population continues to increase faster than food production, hundreds of millions will actually starve in the next decade. The 2 billions of people living in Asia, Africa, and Latin America are increasing by more than 2 percent a year and their food resources by only 1 percent a year. They are losing the race between food and people.

Experts in the Department of Agriculture have estimated that, merely to maintain present meager diets in Asia, yields per acre must increase by more than 50 percent between now and 1980. It would require 24 million tons of fertilizer to obtain such yields and, at present, there are only 28.6 million tons being produced in the entire world.

Recently I visited India, the country where the population crisis is the most severe, where hunger riots have broken out periodically in the past 5 years. I came away convinced that programs of family planning are the only alternative to unparalleled human suffering. U.S. imports of grain cannot continue to meet the burgeoning demands. Even last year, when India had a record crop, she was forced to import one-fifth of the U.S. total wheat output to meet her food needs.

Today we in the United States have barely enough surplus wheat in this country to satisfy our own needs for more than 6 months should a major catastrophe blight our crop.

I heartily endorse the President's recommendation that we increase domestic agricultural output and use the resulting surpluses in our food-for-peace program. Similar suggestions have been put forward most eloquently by the Senator from South Dakota [Mr. McGOVERN] and the junior Senator from Minnesota [Mr. MONDALE]. But we all know that America cannot hope to feed the almost 4 billion people who would swell the world's population by the end of the century if present trends continue. And even if we could, it would hardly be advisable to make large areas of the world totally dependent on the United States for the margin between minimal sustenance and starvation. This would sap their self-reliance and destroy their national dignity.

Some people have said optimistically that if the United States can send a man to the moon, we can surely teach Asian farmers to grow more grain. But the truth is that it is more difficult to break through barriers of illiteracy and encrusted tradition than it is to thrust out of the barriers of space. Having been to India, and having been deeply impressed by the dedication of their leaders, I would be the last person to downgrade the dedication of its Government and its people. Yet, one must conclude that India and much of the underdeveloped world will never be able to feed their people unless they find ways to control the population explosion. Fortunately, I believe India and other nations are beginning to realize this.

Many foreign governments have undertaken programs of family planning within the past few years. Korea, the Republic of China, and Tunisia are on the way to establishing effective national programs. India, Pakistan, and the United Arab Republic, and Turkey are also making efforts to set up programs which will reach all of their people. Until very recently, no government in Latin America, with the exception of Chile, had undertaken any programs in this field. But now Peru, Venezuela, Honduras, and Colombia have established population units as a part of their public health ministries.

These government family planning programs are a normal political response to the desire of millions of people in these countries to gain the knowledge which will allow them to plan the size of their families in accordance with their means and their personal aspirations. Dr. Irene B. Taeuber, of the Office of Population Research at Princeton University, told Senator GRUENING's subcommittee that:

> Studies in country after country, among remote villagers and city dwellers, among peoples of diverse cultures and many faiths, among the illiterate and the schooled * * * indicate that families wish children, but only those for whom they can provide adequate living, school, and an economic future.

Recent studies in India show that 62 to 77 percent of Indian mothers have expressed a desire to limit the size of their families.

Against this background of growing concern and activity, the U.S. Government has taken its first really positive steps to help those countries which are seeking to control their population growth. In March of 1965, AID Administrator David Bell advised all AID missions that AID would entertain requests from foreign governments for direct assistance in setting up family planning programs.

Since that time, AID has offered technical advice, assistance, or local currency to six different countries. Missions have been sent to India, Pakistan, Turkey, and the United Arab Republic to advise the officials in those countries who are setting up family planning programs. Turkey has requested and appears likely to receive over $3 million worth of jeeps for use in transporting workers and educational equipment to remote parts of the country. U.S.-owned local currencies have been released in Korea and Taiwan to help finance family planning projects which the Population Council, a private agency, established.

The Alliance for Progress has helped to finance a number of population studies and personnel training programs in Latin America. This agency recently made a grant of $176,000 to the University of Notre Dame to initiate a 3-year project which will study the whole area of family sociology. The project will be done in cooperation with educational institutions in Latin America. They have also aided the University of Puerto Rico in conducting programs to train family planning personnel.

This is a useful beginning. But it is only a beginning. In the 11 months since AID announced its new policies, the world's population has grown by 60 million. If we are to make a significant impact on the population growth rates in this century, it is incumbent upon us to treat every year, every month, and every day as an irreplaceable opportunity for action. I am hopeful, therefore, that AID will accelerate its programs and intensify its concern and that its steps will be less hesitant.

The first and most pressing need is to train more public health personnel to advise those countries which seek our help in setting up national family planning programs. At present, we have the greatest pool of available experts in this field—administrators, doctors, and demographers—but present demands have already exceeded the available supply. We need to institute Government programs to train more personnel in the field of family planning. The President's International Health Act, if creatively administered, can go far toward accomplishing this goal.

We also need to institute programs to help foreign nations send their own personnel for training to our schools of public health and demographic centers. We also need to help them to establish and expand programs for training in family planning at their own public health and medical schools.

If we are effectively to help those nations which seek to control their population explosion, we must also realize that this problem cannot be solved in a few years—by a brief frenzied infusion of American experts. To establish sound and humane family planning programs, nations must improve their entire range of public health programs. Under present conditions it is medically dangerous to administer modern birth control devices where there are not doctors or hospitals to treat women in case of complications.

Equally important, Dr. Carl E. Taylor, the distinguished director of the division of international health at the Johns Hopkins University, has offered impressive evidence to show that family planning is accepted most readily where health and medical services have been established longest. Surveys conducted in 20 different parts of India showed that parents wanted only 3 or 4 children but found it necessary to have 8 or 10 because they knew from experience that half of their children would die. Attempts during the 1950's to institute family planning programs in parts of India where medical facilities were undeveloped proved far less successful than in areas where medical facilities had been established.

A preliminary generalization, based on field trials in rural Japan, India, and Ceylon, is that areas with developed medical facilities are making the best progress in establishing successful family planning programs.

To meet the population crisis, then, we must help nations to make a new assault on disease and suffering. We must aid them in building up the entire structure of medical and health facilities, in providing rural health centers, in training doctors and nurses, in improving their medical schools and schools of public health.

When I was in India last summer, I asked the responsible minister how it was intended to have family planning implemented in the field. I was advised that in many instances malaria eradication clinics were being used. Those clinics had been established previously and had done magnificent work in the control of malaria in India.

Those who have pioneered in the field of family planning are unanimous in their belief that except for administrative consultants and teaching doctors, the overwhelming majority of family planning personnel must be natives of the countries involved. Foreign women will naturally accept advice and assistance far more readily from those who share their language and culture.

If we are to help in this long-term struggle against overpopulation, we must use every available source of revenues. It seems to me that the excess local currencies which pile up abroad are a logical source from which to draw. Under present law, 20 percent of the foreign currencies which our country accumulates through the sale of food under Public Law 480 and all of the foreign currency which we acquire through the repayment of "soft" loans under the Development Loan Fund are restricted to so-called U.S. uses funds. That is to say, they may be made available through the appropriations process to pay U.S. obligations, such as embassy expenses, maintenance of military bases, and the like. This is as it should be.

But in many countries the amount of money in our U.S. uses funds far exceeds the expenses which we incur, or are likely to incur. In India, for example, there is over $500 million worth of rupees in our U.S. uses funds. This is far more than we can use; but in order to free these funds for other uses we must, under existing law, go through the complete appropriation process. In short, we must treat existing foreign currency reserves as though they were new dollars.

Holdings of foreign currencies in U.S. uses accounts are also in excess of foreseeable U.S. requirements in Burma, Pakistan, Guinea, and the United Arab Republic. They are near excess in 11 other countries, including Brazil, Colombia, Indonesia, Syria, Turkey, and Tunisia.

The White House Conference on International Cooperation has estimated that America will need to spend $100 million a year for the next 3 years in order to provide effective help to those nations which seek to set up national family planning programs. My bill would simply unfreeze 5 percent of these excess U.S. uses funds and allow them to be used by foreign governments and private nonprofit U.S. organizations—such as the Ford Foundation or the Rockefeller Foundation which have done such magnificent work in this field—to establish voluntary family planning programs in friendly foreign countries that request such assistance. Since these funds are already excess to any foreseeable U.S. use, the effective cost to the United States is virtually nil. It makes better financial sense to invest some of these funds in urgently needed family planning projects than to allow them to lie around and depreciate. But with more than $1⅓ billion worth of foreign currencies already excess to our needs, just 5 percent or $65 million in local currencies, would make a great impact upon population problems in these countries.

My proposed amendment to S. 2933, the food for freedom bill, follows the approach suggested by Representative PAUL TODD, Democrat, of Michigan, and the amendment introduced last Friday by the very able Senator from Texas [Mr. YARBOROUGH]. Although the language differs, the basic idea is identical: specifically to authorize the use of soft currencies which hereafter accumulate under our sales of surplus agricultural commodities to finance voluntary family planning programs in friendly nations that desire such assistance.

v

There can never be a truly peaceful world while men die of starvation and live in squalor. The people of the emerging nations know that these conditions need not be the inevitable lot of man. They look hopefully toward a future in which opportunity is greater. If these hopes are thwarted because the burgeoning population nullifies man's efforts to create a richer life then I say that no disarmament agreement, no U.N. peace force will keep our planet from being torn with strife and violence.

We simply must help those nations which commit themselves to combat the menace of overpopulation. To do less is inhumane—and contrary to the national interest of the United States.

The **PRESIDING OFFICER**. The bills and amendment will be received and appropriately referred; and, without objection, the bills and amendment will be printed in the RECORD, and the bills will lie on the desk, as requested by the Senator from Maryland.

The bills, introduced by Mr. TYDINGS (for himself and other Senators), were received, read twice by their titles, appropriately referred, and ordered to be printed in the RECORD, as follows:

To the Committee on Foreign Relations:

"S. 2992

"A bill to authorize the use of foreign currencies to finance family planning programs in friendly foreign nations, and for other purposes

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Section 612 of the Foreign Assistance Act of 1961, as amended (22 U.S.C. Sec. 2362), is amended by adding a new subsection (c) as follows:

"(c) In addition to funds otherwise available, and notwithstanding Section 1415 of the Supplemental Appropriations Act of 1953, excess foreign currencies, as defined in subsection (b), may be made available to friendly foreign governments and to private, nonprofit United States organizations to carry out voluntary family planning programs in countries which request such assistance. No such program shall be assisted unless the President has received assurances that in the administration of such program, the recipient will take reasonable precautions to insure that no person receives any family planning assistance or supplies unless he desires such services. The excess foreign currencies made available under this subsection shall not, in any one year, exceed 5 percent of the aggregate of all excess foreign currencies.

"As used in this subsection the term 'voluntary planning program' includes, but is not limited to, demographic studies, medical and psychological research, personnel training, the construction and staffing of clinics and rural health centers, specialized training of doctors and paramedical personnel, the manufacture of medical supplies, and the dissemination of family planning information, medical assistance and supplies to individuals who desire such assistance."

To the Committee on Labor and Public Welfare:

"S. 2993

"A bill to provide Federal financial assistance to public agencies and to private, nonprofit organizations to enable them to carry on comprehensive family planning programs

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled:

"SECTION 1. The Secretary of Health, Education, and Welfare (hereinafter referred to as the 'Secretary') is authorized to make grants to State, local or other public agencies, and to private, nonprofit organizations for the purpose of assisting them in carrying on necessary programs in the field of voluntary family planning. Such programs may include demographic studies, medical and psychological research, the training of personnel, and the dissemination of family planning information, medical supervision and supplies to individuals who desire such information, assistance or supplies.

"SEC. 2. (a) Grants under this Act shall be made only under regulations promulgated by the Secretary. No grant shall be approved unless it contains and is supported by reasonable assurances that in carrying out any program assisted by any such grant, the applicant will establish and follow procedures designed to insure that—

"(1) no individual will be provided with any medical supervision or supplies which such individual states to be inconsistent with his or her moral, philosophical or religious beliefs; and

"(2) no individual will be provided any medical supervision or supplies unless such individual has voluntarily filed a written request with the applicant asking for such medical supervision or supplies.

"(b) The use of family planning services provided by the applicant under such grant shall not be a prerequisite to the receipt of services from or participation in any other programs of financial or medical assistance.

"(c) The Secretary shall make grants to carry out programs for the dissemination of family planning information, medical supervision and supplies only to applicants who—

"(1) serve areas where there are substantial concentrations of low-income families; or

"(2) will otherwise utilize such grants primarily to serve low-income families.

"SEC. 3. The Secretary shall not deny a grant under this Act to any applicant which is otherwise eligible therefor on the grounds that—

"(a) Such applicant will provide family planning assistance which is limited in scope to one or more methods or aspects of family planning;

"(b) The area to be served by the programs to be carried on by such applicant is already served by other family planning programs;

"(c) The applicant, under standards it prescribes, provides assistance to unmarried individuals.

"SEC. 4. For the purposes of this Act the term 'nonprofit,' when applied to any agency or organization, means a private agency or organization no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private owner or shareholder thereof, or any other private person.

"SEC. 5. Nothing contained in this Act shall authorize the Secretary to establish any new bureau or agency through which to exercise his authority under this Act. The Secretary shall, to the extent possible, utilize existing bureaus and agencies within the Department of Health, Education, and Welfare and the personnel thereof to carry out his responsibilities under this Act.

"SEC. 6. (a) No grant under this Act shall exceed 75 percentum of the total of the expenses required to carry on the program with respect to which the grant is made.

"(b) for the purpose of carrying out the provisions of this Act, there are hereby authorized to be appropriated not more than $15,000,000, for the fiscal year ending June 30, 1967; $30,000,000, for the fiscal year ending June 30, 1968; $45,000,000, for the fiscal year ending June 30, 1969; $60,000,000, for the fiscal year ending June 30, 1970; and $75,000,000, for the fiscal year ending June 30, 1971."

The amendment (No. 489) was referred to the Committee on Agriculture and Forestry, as follows:

AMENDMENT 489

Intended to be proposed by Mr. TYDINGS to S. 2933, a bill to promote international trade in agricultural commodities, to combat hunger and malnutrition, to further economic development, and for other purposes:

On page 13, line 2, strike the colon following the word "currencies," insert in lieu thereof a semicolon and add the following new subsection:

"(i) To assist friendly foreign governments and private, nonprofit United States organizations to carry out voluntary family planning programs in countries which request such assistance. No such program shall be assisted unless the President has received assurances that in the administration of such program, the recipient will take reasonable precautions to insure that no person receives any family planning assistance or supplies unless he desires such services.

As used in this subsection, the term 'voluntary family planning program' includes, but is not limited to, demographic studies, medical and psychological research, personnel training, the construction and staffing of clinics and rural health centers, specialized training of doctors and paramedical personnel, the manufacture of medical supplies, and the dissemination of family planning information, medical supervision, and supplies to individuals who desire such assistance:"

EXHIBIT 1

[From the New York Times, Feb. 17, 1966]

POLL FINDS CATHOLICS BACK BIRTH CURB AID

(By John W. Finney)

WASHINGTON, February 16.—Most Americans, including Catholics, favor Federal aid to States, cities, and foreign governments for birth control programs, according to a recent poll.

The survey also shows that most Catholics in the United States believe that the Roman Catholic Church should modify its opposition to many forms of birth control.

They also believe that birth control information should be easily available to any married person who wants it, the poll found.

The survey into American attitudes on population policy was conducted last fall by the Gallup Organization, Inc., headed by George Gallup. It was taken for the Population Council, a nonprofit foundation that has been active in promoting population control programs at home and abroad.

The results of the survey, which is believed by population planners to be the most definitive yet conducted on the politically touchy subject of birth control, will be published soon.

The survey was based on a scientific sampling of 3,205 persons. By public opinion survey standards, this was a large cross section. The Government's monthly unemployment report, for example, is based on a sampling of 3,500 persons.

The number of Catholics polled in the Gallup survey was not given, but in a probability sample such as is used in public opinion surveys, steps are taken to be sure of an adequate cross section of all groups.

The poll may have a considerable political impact; the administration is running into its first political difficulties in its quiet but deliberate move of the last year to extend Federal assistance to birth control programs at home and abroad.

Under a policy laid down by President Johnson a year ago, the Agency for International Development has begun extending assistance to foreign governments for direct support of birth control programs.

This policy has recently been challenged by Representative CLEMENT J. ZABLOCKI, of Wisconsin, who represents a district with a large Catholic vote in Milwaukee County.

In letters to AID, Mr. ZABLOCKI has asked whether the Agency, in its new policy, was not violating congressional intent. He argued that Congress meant to limit Government assistance to demographic and sociological studies rather than authorize outright support of birth control programs.

In view of Mr. ZABLOCKI's influential position as ranking Democrat on the House Foreign Affairs Committee, his letters have caused considerable concern among aid officials, who were already hesitant about pushing too fast into the politically sensitive area of birth control.

SUPPORT INDICATED

But the main finding to emerge from the poll was that the voters would strongly support any move by the administration to assist State or local governments or foreign countries in birth control programs.

In response to the question "Do you feel that the U.S. Government should give aid to States and cities for birth control programs if they request it?" 63 percent responded "yes," 28 percent "no" and and 9 percent "don't know."

To the question "Do you think our Government should help other countries with their birth control programs if they ask us?", 58 percent said "yes," 34 percent "no" and 8 percent "don't know."

Of the 58 percent supporting foreign assistance, 62 percent—or a minority of the total sample—favored going beyond administration policy by furnishing birth control supplies. The present policy is limited to technical and financial assistance for family planning programs.

The church now opposes all chemical or mechanical methods of contraception but does condone the rhythm method in which intercourse is limited to the nonfertile periods of a woman's monthly cycle.

Among the Catholics polled, 56 percent favored a change in the church's policy, compared with 53 percent among non-Catholics, and 33 percent were opposed, compared with 22 percent among non-Catholics. The Catholic support for a change in policy was particularly strong among the younger generation; among those Catholics 60 or older, only 39 percent favored a shift in the church's position.

The poll showed that Catholics as well as non-Catholics were overwhelmingly in support of providing birth control information to married couples.

In response to the question "Do you believe that information about birth control, ought to be easily available to any married person who wants it?", 86 percent of the non-Catholics and 81 percent of the Catholics replied "yes."

But a difference developed on the question whether such information should be easily available to any single adult person who wants it. A slight majority of non-Catholics—52 percent—favored such a policy, but it was supported by only 43 percent of the Catholics.

By coincidence, the survey was conducted in two periods immediately before and after Pope Paul VI's visit to the United States last October. In his speech before the United Nations, the Pope appeared to reaffirm the church's position on birth control.

AMERICAN ATTITUDES ON POPULATION POLICY

In fall 1965 the Population Council sponsored a survey of American attitudes on population policy. The survey was conducted by the Gallup Organization, Inc., and consisted of two interview waves with identical questions. The respondents were selected as a modified probability sample, with 1,571 cases in the first wave (in the field September 15–22) and 1,634 cases in the second wave (October 6–14). Unless otherwise indicated below, the two waves are combined in this report, and the results are based on a times-at-home weighting designed to improve sample representation.*

The questionnaire, made up completely of checklist questions, was initially formulated by John F. Kantner, then on the staff of the Population Council and now chairman of the Department of Sociology at the University of Western Ontario. The following report, prepared by Bernard Berelson of the Council, presents all the questions used in the survey and thus shows the kinds of information that can be secured in this way. The same questions may be asked in a similar survey 1 or 2 years hence in order to develop trend data on these matters.

THE TOTAL SAMPLE

"Can you tell me about how many people there are in the United States?"

	Percent
Under 50 million	8
50–99 million	6
100–149 million	8
150–174 million	10
175–199 million	22
200–224 million	9
225–749 million	8
750 million and over	8
Can't say	21

At the time of the interview, the correct figure was about 193 million, so only about one in five respondents named the right category. If the range is broadened to, say 25 million on either side of the right figure, the proportion correct is only about one-third of the total sample. Furthermore, of those providing a figure, just over half responded only after the probe: "Can you make a rough guess?" In other words, only one in the three gave a number in response to the initial question. Of them, about half gave the right answer, as against only one in seven of those guessing.

"If our population continues its present rate of growth, how many years will it be before it is twice as large as it is now?"

	Percent
10 years or less	15
11 to 25 years	27
26 to 44 years	16
45 to 60 years	15
61 to 75 years	3
76 to 100 years	4
Over 100 years	3
Can't say	17

In this case, the correct answer at the time was just over 50 years, the category for which only a few people were able to give. Here too, slightly over half the respondents were guessing, this time after two probes. Of those not guessing, only 13 percent gave the right answer. In short, people simply do not know the answer to this question and when they guess, they make the growth far faster than in fact it is.

"Here are some countries that have different rates of population growth. After each one, tell me whether you think it is growing faster, slower, or about the same as the United States?"

[In percent]

	Faster	Slower	About same	Don't know
Brazil	30	23	18	29
England	9	41	29	21
India	66	8	7	19
Japan	57	10	15	18
U.S.S.R	30	16	30	24

---

* The times-at-home method for adjusting survey data for persons not at home when the interviewer calls is based on the fact that in any sample using a single call the people reached can be grouped in terms of the extent to which they are usually at home. Some persons tend to be at home most of the time, some part of the time, and some infrequently. If groupings based on how frequently they can be found at home are made, then within each group or stratum we have a sample of persons who are homogeneous in this respect. Also we know that the people infrequently at home are underrepresented and those at home most of the time are overrepresented. This can be corrected if we have some measure of how often they are to be found at home. We can weight by the reciprocal of the fraction of time they are home. The measure adopted for classifying people in these terms is how many days they have been at home in a given number of days previous to the day the interview takes place, and at the same time of day. In the case of this survey the question was asked concerning 3 previous days. This combined with the day of interview provides information on 4 days. Weighting on the basis of this information is theoretically equivalent to four calls with regard to having a sample equivalently weighted by times-at-home groupings.

Here again, nearly half of those giving an answer were guessing, after a probe, and nearly one-fourth were not even willing to guess. In general, people are right on India and England, wrong on Japan, and doubtful on the others, but only a few know this comparative picture.

"What about the rate at which the U.S. population is growing? Do you feel this is a serious problem or not?"

"Do you consider the rate of growth of world population as a serious problem or not?"

[In percent]

	United States	World
Yes	54	62
No	39	28
Don't know	7	10

So the "population problem" is appreciated by a majority of Americans, but about a third of the people have yet to be persuaded. More people believe that population is a serious problem abroad—but not a great deal more. Note here and following that the "don't know" percentage on attitudinal questions is far below the "don't know" figure for the preceding informational queries. As with other such matters on the American scene, general conviction outruns specific information.

(If yes) "Which do you think is the more serious problem—population growth or ——— in the United States?"

[In percent]

	Population growth	The other	Both same	Don't know
Crime	20	67	11	2
Racial discrimination	28	56	11	5
Poverty	32	42	21	5

Read: 20 percent think population growth is more serious than crime, 67 percent think crime is more serious than population growth, 11 percent think they are equally serious, and 2 percent don't know. So population growth is well behind crime and race problems, and nearly even with poverty (with which it is probably seen as intertwined).

(If yes) "Which do you think is the more serious problem—the growth of world population or ———?"

[In percent]

	World population growth	The other	Both same	Don't know
International communism	19	71	6	4
Threat of nuclear war	29	62	7	2
Aid to backward nations	45	33	10	12

Read: 19 percent think that world population growth is more serious than international communism, 71 percent think international communism is more serious than population growth, 6 percent think they are equally serious, and 4 percent don't know. Here again, the world's population problem is seen as far behind communism and war, but somewhat ahead of social and economic aid. Even so, note that nearly one in three puts the population problem ahead of the threat of nuclear war.

"Do you believe that information about birth control ought to be easily available to any married person who wants it?"

"To any single adult person who wants it?"

[In percent]

	Yes	No	Don't know
Married	84	10	6
Single	50	43	7

There are three main points: (1) overwhelming support for providing birth control information to married people, (2) nearly an even split on providing it to single persons, and (3) very few don't-knows.

"Do you feel that the U.S. Government should give aid to States and cities for birth control programs if they request it?"

"Do you think our Government should help other countries with their birth control programs if they ask us?" (If yes) "Would this include furnishing birth control supplies?"

[In percent]

	Yes	No	Don't know
Aid to States and cities	63	28	9
Aid to other countries	58	34	8
(If yes) supplies	62	31	7

Note that (1) a firm majority favors the provision of such aid—nearly two-to-one on both questions combined; (2) there is not much difference between aid at home and abroad, but the edge goes to domestic help; and (3) of those approving foreign aid, a good majority also approve the furnishing of birth control supplies—though that is a minority of the total sample. (Present AID policy allows the provision of technical assistance on family planning but not supplies.)

"The Roman Catholic Church does not approve many methods of birth control. Do you believe that the church should change its position on this matter?"

	Percent
Yes	54
No	24
Don't know	22

A clear majority is favorable—over two-to-one of those giving their position. The high "don't know" for an attitudinal question is accounted for mainly by non-Catholics (Catholics 11 percent don't know, non-Catholics 25 percent) probably attributable to lack of information as well as the outsider's reluctance to judge another's policy, and consequently his deference thereto.

SOCIAL DIFFERENTIALS

The social differentials that matter are few—mainly sex, education, and religion.

On the informational questions, the educated do much better, and men do a little better. For example, here are the percentages who are correct about the size of the U.S. population:

	Percent
Grade school	13
High school	21
More than high school	36
Women	13
Men	32

The educated also do considerably better on the country comparisons, but not the men.

On the attitudinal side, here are the major differences:

By sex: Among those who consider population to be a serious problem (roughly equal between men and women), men are somewhat more likely to stress population in comparison with the other problems. The only other difference by sex comes on the provision of contraceptive information to single persons: 57 percent yes from men, 42 percent yes from women.

Education matters on most questions:

[In percent]

	Yes to U.S. problem serious	Yes to world problem serious	Give information to married
Grade school	51	54	75
High school	54	62	88
More than high school	58	76	92

[In percent]

	Give information to single	Federal aid to States and cities	Federal aid to other countries	Roman Catholic Church should change
Grade school	39	58	45	40
High school	51	63	59	56
More than high school	63	66	74	68

Note that the slightest differences appear on the two questions in which the uneducated (i.e., the poor) have a personal stake—the U.S. problem and Federal aid to the States and cities.

And here are the major attitudinal differences by religion:

[In percent]

	Yes to U.S. problem serious	Yes to world problem serious	Give information to married
Catholics	44	60	81
Non-Catholics	57	64	86

[In percent]

	Give information to single	Federal aid to States and cities	Federal aid to other countries
Catholics	43	59	55
Non-Catholics	52	65	59

On every question, the Catholics are less persuaded—but for the most part only slightly so. Incidentally, this is not simply a reflection of the Catholics' lower education: on every educational level, the Catholics show such differences relative to the non-Catholics.

Finally, here is the response to the question about Catholic policy:

[In percent]

	Catholics	Non-Catholics
Church should change	56	53
Church should not change	33	22
Don't know	11	25

The Catholics themselves strongly favor a change, and they are far less undecided. Actually, Catholic opinion on this matter is quite homogeneous except for the elderly. Among Catholics from their 20's through the 50's, the percentage favoring a change varies only between 58 and 62 percent, but of those age 60 and over, only 39 percent are for a shift in the Catholic position.

By a chance in timing, the two waves of interviews were held around the Pope's appearance at the United Nations on October 4, on which occasion he observed that "your task is to insure that there is enough bread on the tables of mankind, and not to encourage artificial birth control, which would be irrational, in order to diminish the number of guests at the banquet of life." Did that statement have an important impact on the attitudes of American Catholics? The evidence is not conclusive, partly because of sample size, but there is perhaps a suggestion that the Pope did influence some Catholic opinion, at any rate directly after the event. More Catholics, and non-Catholics too, appeared to believe that the population problems was serious in the second wave but fewer favored the indicated policies—only by 5 percentage points or less in most cases. However, on two central questions—whether the church should change its position and whether the Federal Government should help other countries with birth control programs—Catholic attitudes seemed to move somewhat more than non-Catholic from before to after the Pope's statement:

[In percent]

	Catholics		Non-Catholics	
	Before	After	Before	After
Church should change	58	55	55	52
Church should not change	29	36	20	23
Don't know	13	9	25	25
Government should aid other countries	60	51	62	56
Government should not aid other countries	31	41	31	35
Don't know	9	8	7	9
Total number of cases	407	374	1,127	1,238

Both Catholics and non-Catholics were less favorable after than before but the Catholics' position moved somewhat further—though on balance it is still on the favorable side. These differences generally fall within normal errors for samples of this size so no firm answer can be given, but the data do suggest that the Pope's statement had some effect on these questions.

It must, of course, be borne in mind that this measurement was taken immediately after the event and does not indicate what lasting impact the occasion may have made upon American opinion with regard to population policy.

EXHIBIT II

Population information for 131 countries—World population data sheet

Continent and country	Population estimates mid-1965 (millions)	Annual rate of increase from 1958–63 (percent)	Number of years to double population [1]	Birth rate per 1,000 population	Death rate per 1,000 population	Infant mortality rate (deaths under 1 year per1,000 live births)	Per capita gross national product, 1963 [2] (in U.S. dollars)
World	[3] 3,308	[3] 2.0	[3] 35	[3] 36	[3] 16	----------	----------
Africa	----------	[3] 2.3	[3] 31	[3] 46	[3] 23	----------	[3] 135
Northern and eastern Africa	----------	[3] 2.5	[3] 28	----------	----------	----------	----------
Algeria	12.6	2.2	32	45–49	----------	----------	185
Burundi	2.9	4.3	17	----------	----------	----------	40
Ethiopia	22.6	----------	----------	----------	----------	----------	48
Kenya	9.4	2.9	24	48–55	----------	----------	89
Libya	1.6	3.7	19	----------	----------	----------	359
Madagascar	6.4	3.0	24	42–50	17–21	----------	----------
Malawi	4.0	3.9	18	----------	----------	----------	35
Mauritius [4]	.7	3.1	23	38.1	8.6	56.7	----------
Morocco	13.3	2.9	24	43–50	----------	----------	173
Mozambique [4]	7.0	1.7	41	----------	----------	----------	----------
Rhodesia	4.3	3.3	21	46–52	----------	----------	219
Rwanda	3.1	2.6	27	----------	----------	----------	40
Somalia	2.4	----------	----------	----------	----------	----------	45
Sudan	13.5	2.8	25	50–56	----------	----------	100
Tanzania	10.6	1.9	37	----------	----------	----------	70
Tunisia	4.7	2.1	33	44–47	----------	----------	185
Uganda	7.6	2.5	28	42–48	----------	----------	74
United Arab Republic (Egypt)	29.6	2.5	28	41–44	17–29	----------	139
Zambia	3.7	2.8	25	49–54	----------	----------	153
Western, middle, and southern Africa	----------	[3] 2.4	29	----------	----------	----------	----------
Angola [4]	5.2	2.0	35	----------	----------	----------	----------
Cameroon	5.2	1.9	37	37–44	24–30	----------	92
Central African Republic	1.4	2.3	31	40–48	26–32	----------	90
Chad	3.4	----------	----------	45–52	25–31	----------	55
Congo (Brazzaville)	.8	1.5	47	43–51	----------	----------	150
Congo (Léopoldville) [5]	15.6	2.2	32	41–46	----------	----------	80
Dahomey	2.4	2.2	32	47–55	20–26	----------	70
Gabbon	.5	1.8	39	32–40	----------	----------	200
Gambia [6]	.3	2.5	28	----------	----------	----------	----------
Ghana	7.9	3.5	20	48–56	----------	----------	226
Guinea	3.5	3.0	24	53–57	33–35	215–225	60
Ivory Coast	3.8	3.5	20	49–56	----------	----------	196
Liberia	1.1	1.4	50	----------	----------	----------	170
Mali	4.6	3.5	20	55–63	26–32	----------	65
Mauritania	.9	----------	----------	----------	----------	----------	135
Niger	3.4	3.2	22	49–57	24–30	----------	75
Nigeria	57.2	1.4	50	46–53	----------	----------	93
Senegal	3.5	2.3	31	40–47	23–29	----------	200
Sierra Leone	2.2	----------	----------	----------	----------	----------	100
South Africa	17.9	2.4	29	----------	----------	----------	492
Togo	1.6	2.4	29	50–59	26–32	----------	75
Upper Volta	4.8	2.1	33	46–52	27–32	167–182	45
Asia	----------	[3] 1.8	[3] 39	[3] 38	[3] 20	----------	----------
Southwest Asia	----------	[3] 2.4	[3] 29	[3] 42	[3] 18	----------	[3] 222
Cyprus	0.6	1.1	63	24–27	----------	28–31	620
Iraq	7.8	2.8	25	47–51	----------	----------	228
Israel	2.6	3.5	20	25.7	6.3	28.2	1,111
Jordan	2.0	2.9	24	44–47	----------	----------	199
Kuwait	0.5	10.7	7	38–43	----------	----------	3,300
Lebanon	2.3	3.0	24	----------	----------	----------	383
Saudi Arabia	6.8	----------	----------	----------	----------	----------	175
Syria	5.6	----------	----------	----------	----------	----------	148
Turkey	31.6	2.9	24	43–48	----------	160–170	233
Yemen	5.0	----------	----------	----------	----------	----------	90

See footnotes at end of table.

EXHIBIT II—Continued

Population information for 131 countries—World population data sheet—Continued

Continent and country	Population estimates mid-1965 (millions)	Annual rate of increase from 1958–63 (percent)	Number of years to double population [1]	Birth rate per 1,000 population	Death rate per 1,000 population	Infant mortality rate (deaths under 1 year per 1,000 live births)	Per capita gross national product, 1963 [2] (in U.S. dollars)
Asia—Continued Middle south Asia		[3] 2.1	[3] 33	[3] 42	[3] 21		[3] 85
Afghanistan	15.6			45–53			80
Bhutan	0.8						
Ceylon	11.2	2.5	28	35–41	8.7	53–64	142
India	482.5	2.3	31	40–43	21–23	139–146	86
Iran	23.4	2.4	29	42–48	23–27		216
Nepal	10.1	1.6	44	45–53			59
Pakistan	115.0	2.8	25	48–53			81
Southeast Asia		[3] 2.4	[3] 29	[3] 42	[3] 18		[3] 113
Burma	24.7	2.1	33	43–50			72
Cambodia	6.4			47–53			127
Indonesia	104.6	2.3	31	43–48	19–23	120–155	80
Laos	2.0	2.4	29				87
Malaysia [7]	9.4	3.2	22	39–44	8.9	56–65	[8] 295
Philippines	32.3	3.2	22	44–50			142
Singapore [7]	1.9	3.2	22	33.2	5.8	29.3	[8] 295
Thailand	30.6	3.0	24	42–48	19–21		106
Vietnam, North	18.5	3.4	21				
Vietnam, South	16.2	3.4	21	41–48			114
East Asia		[3] 1.4	[3] 50	[3] 33	[3] 19		
China (mainland)	710.0						117
China (Taiwan)	12.4	3.5	20	34.5	5.7	26.4	169
Hong Kong [4]	3.8	4.7	15	29.4	4.9	26.4	367
Japan	97.8	0.9	78	17.7	6.9	20.4	626
Korea, North	12.0						
Korea, South	28.4	2.8	25	40–45	12–16		114
Mongolia	1.1	3.2	22				
America		[3] 2.2	[3] 32	[3] 32	[3] 12		
Northern America		[3] 1.6	[3] 44	[3] 22	[3] 9		[3] 2,990
Canada	19.6	2.0	35	23.5	7.6	2.47	2,100
United States	194.6	1.6	44	21.2	9.4	24.2	3,083
Middle America		[3] 2.8	[3] 25				[3] 331
Costa Rica	1.4	4.5	16	47–50	8.8	86.4	385
Cuba	7.6	1.8	39	31–36	9–13	77–90	305
Dominican Republic	3.6	3.6	20	48–54	15–20	80–100	269
El Salvador	2.9	3.2	22	46.8	10.4	65.5	275
Guatemala	4.4	3.2	22	47.7	17.2	92.8	284
Haiti	4.7	2.3	31				80
Honduras	2.2	3.2	22	45–50	15–20	47–60	216
Jamaica	1.8	1.8	39	39.9	7.8	39.4	429
Mexico	40.9	3.2	22	45.4	10.3	66.3	402
Nicaragua	1.6	2.9	24	43–52	12–17	75–85	282
Panama	1.2	3.2	22	40.4	9–12	55–65	448
Puerto Rico [4]	2.6	1.9	37	30.2	7.1	51.3	952
Trinidad and Tobago	1.0	3.2	22	34.5	6.2	39.6	630
South America		[3] 2.7	[3] 26				[3] 310
Argentina	22.4	1.6	44	21.7	8.1	60–65	614
Bolivia	3.7	1.4	50	41–45	20–25	135–155	154
Brazil	81.3	3.1	23	43–47	11–16		196
British Guiana [4]	.6	2.8	25	42.6	7.9	55.0	260
Chile	8.7	2.3	31	33.7	12.0	111.0	483
Colombia	15.8	2.2	32	42–46	14–17	100–110	292
Ecuador	5.1	3.1	23	45–50	15–20	94–107	199
Paraguay	2.0	2.4	29	45–50	12–16	110–120	193
Peru	11.7	2.8	25	42–48	13–18	95–105	262
Uruguay	2.7	1.2	58	21–25	7–9	75–85	478
Venezuela	8.7	3.4	21	45–50	10–15	60–75	728
Europe		[3] .9	[3] 78	[3] 19	[3] 10		
Northern and Western Europe		[3] 1.1	[3] 63	[3] 18	[3] 11		[3] 1,575
Austria	7.3	.6	117	18.6	12.3	29.2	1,069
Belgium	9.4	.5	140	17.2	12.1	27.2	1,496
Denmark	4.8	.7	100	17.6	9.9	18.7	1,675
Finland	4.6	.8	88	17.6	9.3	16.9	1,278
France	48.8	1.3	54	18.1	10.7	23.4	1,658
Germany, West [5]	56.8	1.3	54	18.5	10.8	26.9	1,635
Iceland	.2	1.9	37	25.1	6.9	17.7	1,719
Ireland	2.8	−.1		22.5	11.4	26.8	797
Luxembourg	.3	1.0	70	16.0	11.8	29.8	1,615
Netherlands	12.3	1.4	50	20.7	7.7	14.8	1,205
Norway	3.7	.8	88	17.9	10.0	16.7	1,537
Sweden	7.7	.5	140	16.0	10.0	14.2	2,046
Switzerland	6.0	2.1	33	19.2	9.4	20.5	2,002
United Kingdom	54.4	.7	100	18.8	11.3	20.6	1,564
Eastern Europe		[3] 0.7	[3] 100	[3] 18	[3] 10		[3] 883
Bulgaria	8.2	.9	78	16.1	7.9	32.9	594
Czechoslovakia	14.2	.7	100	17.1	9.6	21.2	1,276
Germany, East	16.0	−.2		17.2	13.5	29.5	363
Hungary	10.1	.4	175	13.1	10.0	39.8	843
Poland	31.6	1.3	54	18.1	7.6	47.7	775
Romania	19.1	.8	88	15.2	8.1	48.6	638

See footnotes at end of table.

EXHIBIT II—Continued

***Population information for 131 countries—World population data sheet*—Continued**

Continent and country	Population estimates mid-1965 (millions)	Annual rate of increase from 1957-63 (percent)	Number of years to double population [1]	Birth rate per 1,000 population	Death rate per 1,000 population	Infant mortality rate (deaths under 1 year per 1,000 live births)	Per capita gross national product, 1963 [2] (in U.S. dollars)
Eastern Europe—continued							
Southern Europe	------------	[3] 0.8	[3] 88	[3] 21	[3] 9	------------	------------
Albania	1.9	3.2	22	37.8	8.7	81.5	340
Greece	8.6	.7	100	18–20	8–10	35–40	517
Italy	52.6	.6	117	20.0	9.6	35.5	894
Malta	.3	.4	175	19.8	8.5	34.3	------------
Portugal	9.2	.7	100	23.7	10.2	73.1	321
Spain	31.6	.8	88	22.2	8.7	37.9	482
Yugoslavia	19.5	1.1	63	20.8	9.4	76.0	------------
Oceania	------------	[3] 2.1	[3] 33	[3] 27	[3] 11	------------	[3] 1,443
Australia	11.4	2.1	33	20.6	9.0	19.1	1,733
New Zealand	2.7	2.2	32	14.1	8.8	19.1	1,747
U.S.S.R.	234.0	1.7	41.	19.6	6.9	29.0	1,202

WORLD AND CONTINENTAL POPULATION ESTIMATES (MILLIONS)

	World	Africa	Asia	Northern America	Latin America	Europe	Oceania	U.S.S.R.
Mid-1965	3,308	311	1,842	215	248	443	17	234
2,000 projections [10]	7,410	860	4,401	388	756	571	33	402

---

[1] Assuming continued growth at present rate.

[2] Compiled from Agency for International Development data, using current market prices in 1963 dollars for 1963 population and gross national product figures for non-Communist nations; figures for Communist nations are unofficial estimates.

[3] Figures for a region of world. The 1964 PRB data sheet gave a mid-1964 world total of 3,283,000,000 projected from the mid-1963 U.N. figure. Final U.N. adjusted estimate for mid-1964 was 3,215,000,000, which at a 2-percent rate yields a 64,000,000 increase.

[4] Nonsovereign country.

[5] Prior to Aug. 1, 1964, known as Republic of the Congo.

[6] Declared independent Feb. 18, 1965.

[7] Singapore, since Sept. 16, 1963, a Constituent State of Malaysia, was declared independent on Aug. 9, 1965.

[8] Figures for Singapore and Malaysia combined.

[9] Excludes West Berlin, population 2,200,000 (1965), except in per capita gross national product which includes West Berlin.

[10] Continued-trends projections, U.N. estimates, 1964.

NOTE.—Data are compiled from United Nations and other reliable sources. Leaders indicates lack of reliable information.

Source: Information Service, Population Reference Bureau, December 1965.

EXHIBIT 3

STATEMENT OF DR. ALBERT SZENT-GYORGYI, PHYSICIAN, 1937 NOBEL PRIZE WINNER IN MEDICINE, BEFORE SENATE GOVERNMENT OPERATIONS SUBCOMMITTEE ON FOREIGN AID EXPENDITURES—ON S. 1676, JANUARY 19, 1966

Science has interfered with the order of nature by introducing death control. Women can now give birth to children, bring them up without fear of death, and our own cities are depopulated no more by mysterious epidemics. This means a dangerous disturbance of an age-old balance. If the present population growth continues undisturbed, then, according to Sir Howard Florey, president of the Royal Society and discoverer of penicillin, there will be one square yard available on the earth's surface for every human being in 600 years. If the acceleration of increase goes on, this stage will be reached much sooner, and men will have to kill and eat one another.

This situation could be corrected by interfering once more with nature's order in a way which would compensate for our earlier interference. Now that we have introduced death control, we have to introduce birth control, too.

The problems of birth control are complex, demand study from a social, scientific and technical point of view. They demand action on a scale which far exceeds the ability of the individual, and ask for urgent State action. I have, here, letters from several Nobel Prize winners, who all arrive at a similar conclusion and also point out the narrow relation of birth control to our social problems, poverty, ignorance, crime and delinquency. If human life is sacred and it is a sin to kill, extinguish a life, then it is an even greater sin to call to existence a human life without the ability or the desire to provide for it, leaving procreation to blind instincts, a burden on the rest of society. According to our Constitution, a woman has the right to do with her body what she wants, and in our democratic society she has the right to learn everything about her body and its working that she wants to know.

A Great Society cannot exist in a miserable world. As a privileged country we have the duty to come to the help of the less privileged ones. This is not only our moral obligation but our simplest self-interest. An increase in food production could have a favorable effect on social conditions only if it does not go parallel with an increase in the number of mouths which have to be fed.

There is ample evidence that birth control is possible without harmful effects to health and so the only obstacle in its way is ignorance, superstition and religious bigotry.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. GRUENING. Mr. President, I congratulate the Senator from Maryland on his magnificent presentation of what is one of the most pressing problems of our time. No other Senator has done more than he to bring this subject to the attention of the American people, and, far beyond the American people, to the entire world.

We have achieved in the last 2 years a great breakthrough in bringing the importance and urgency of the population problem to the attention of mankind. The junior Senator from Maryland has made a great contribution, not merely in sponsoring and supporting other legislation which has been introduced previously, but also in introducing these two bills and one amendment which I am most happy to cosponsor.

The great change that has taken place in the last few months, and perhaps within the last year, is that the urgency of this population problem is now apparent. It is a problem that has been swept under the rug in Congress prior to this time. The problem could not be freely discussed. All types of inhibitions prevented free public discussion of the matter. Now that situation has been changed.

The fundamental facts which have been brought out cannot be repeated too often. It took from the beginning of time, from Adam and Eve, to 1850 to bring the world's population to 1 billion people. Yet, a mere 75 years later that population had doubled, and it is now in the process of being doubled again in half that time. Discoveries in medicine, surgery, therapeutics, sanitation have brought that about. Unless we move rapidly and vigorously and purposefully, all the dire possibilities that the Senator so well foretells—strife, chaos, and starvation—will be inevitable.

It is pertinent that President Johnson has spoken publicly not fewer than 18 times since his election to the Presidency in favor of some action in this field.

These repeated statements and very vigorous injunctions by the President can be considered as mandates to the heads of his departments and agencies to do something about this problem.

Last year, in June, we received support from former President Eisenhower who, when President, thought this was a field in which government could not intrude. However, he pointed out in a letter to the Government Operations Subcommittee on Foreign Aid Expenditures of which I am chairman, that he has changed his mind and feels that the matter is so pressing that the Government must intervene.

The two bills and one amendment which the junior Senator from Maryland is introducing will be extremely helpful.

I think it is essential to make use of the vast amount of counterpart funds which are lying idle in so many countries. We would not be meeting the problem of starvation solely by increasing the food supply because the food supply today is inadequate.

We must offer positive assistance to those countries wherein the number of consumers of food surpass food supplies thereby causing widespread shortages and famines. Millions will die unless something is done about this deplorable situation. Unless that happens we will realize a diminution in our national resources and a shortage of all of the necessities of life. This situation will be aggravated unless we meet the problem head on.

I congratulate the junior Senator from Maryland, who has made a great contribution to the most important problem of our time.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

The PRESIDING OFFICER. The Senator from Maryland has the floor. He has not yielded the floor. Does the Senator yield to the Senator from Texas?

Mr. TYDINGS. Mr. President, I shall be happy to yield shortly.

When the distinguished Senator from Alaska [Mr. GRUENING] introduced legislation last year which provided for the establishment of an Assistant Secretary in the Department of Health, Education, and Welfare, to be responsible for the coordination of effort in the field of family planning, and also in the Department of State, to be responsible for efforts in the foreign field, he performed a great public service, not merely because he introduced the legislation, but also because he provided a forum for educators, economists, sociologists, demographers, and enlightened citizens to come in and point out the tremendous problems facing the world and our Nation. Each day, as distinguished witnesses testified before the Senator's subcommittee, a little more light was shed on this momentous problem.

I have here one statement which was made before his subcommittee as late as January 19 of this year. It is a statement of Dr. Albert Szent-Gyorgyi, a physician and the 1937 Nobel prize winner in medicine. I ask unanimous consent to have his entire statement printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, the statement will be printed in the RECORD at the conclusion of the Senator's remarks.

(See exhibit 3.)

Mr. TYDINGS. I should like to read at this point the first paragraph of the doctor's statement. It brings into focus the element of time, how important this problem is, and how necessary is action today.

He said:

> Science has interfered with the order of nature by introducing death control. Women can now give birth to children, bring them up without fear of death, and our own cities are depopulated no more by mysterious epidemics. This means a dangerous disturbance of an age-old balance. If the present population growth continues undisturbed, then, according to Sir Howard Florey president of the Royal Society and discoverer of penicillin, there will be 1 square yard available on the earth's surface for every human being in 600 years. If the acceleration of increase goes on, this stage will be reached much sooner, and men will have to kill.

I do not wish to imply that time has run out, but I do feel that the efforts of men like Senator GRUENING and Senator CLARK to try to focus public attention and to provide leadership is tremendously important. Senator GRUENING has been an inspiration to me since my arrival in the Senate last year. I was honored to be the first cosponsor of his vital, path-breaking legislation in this field, and I am very grateful to him for his remarks.

Now I am happy to yield to the distinguished Senator from Texas.

Mr. YARBOROUGH. Mr. President, I join in the congratulations and commendations to the distinguished Senator from Maryland for the measures which he has introduced. I am honored to be one of those who has cosponsored them, as I previously have cosponsored the measures that have been offered by the distinguished Senator from Alaska [Mr. GRUENING] in this Congress and the previous Congress.

By their leadership, they are doing much to focus public attention upon this problem, and not only to focus public attention upon it, but to bring it out into the light of day, where we can seek and obtain the support necessary to write into law, as intelligent people realize it is necessary to write into law, such legislation for the benefit of the human race.

Mr. President, last Easter season, in April 1965, it was my privilege to be a member of the delegation from this Congress to the Inter-Parliamentary Union at Dublin, Ireland, at a meeting of representatives from 64 nations. My section was the economic situation, and it was my job to present our views. We took, as the United States views, the necessity for control of population to avert world war, famine, and disaster.

Practically everything said at that conference was objected to, and we had anticipated strong objections to our resolution. But to our surprise, there was unanimous agreement that this was a vital problem; and all the nations there represented voted for the resolution presented by the U.S. delegation, that the time had come for national and international effort in the field of birth control.

I, last week, had the privilege of offering amendments to the bill of the distinguished senior Senator from Louisiana [Mr. ELLENDER] dealing with our surplus agricultural commodities being shipped overseas. My amendments, which have been cosponsored by a number of Senators, were ordered to be left at the desk until March 1, and are still at the desk for further cosponsors, provide for furnishing, with the food supplied, information as to birth control, and allocating funds for this worthy purpose.

As one who has worked under the leadership of the distinguished Senator from Alaska [Mr. GRUENING], following his leadership in the great hearings he has held, which have done more than any other one thing to focus attention of the people of America and of the European world, certainly, upon the urgency of this problem, I commend the distinguished junior Senator from Maryland for his very fine statement and his leadership in presenting these bills.

Mr. GRUENING. Will the Senator from Maryland yield so that I may ask unanimous consent to be shown as a cosponsor on the bill to which the distinguished Senator from Texas has referred, and which is now lying on the desk?

Mr. TYDINGS. I am happy to yield to the Senator from Alaska for that purpose.

The PRESIDING OFFICER. Without objection, the Senator from Alaska will be shown as a cosponsor on the next printing of the bill.

The Senator from Maryland.

Mr. TYDINGS. I am happy to yield to the Senator from Michigan.

Mr. HART. Mr. President, I had not planned to be present on the floor when the Senator from Maryland made his address. In fact, I had not known he anticipated making it today. But I have listened to it, and would feel somewhat a coward if I omitted commenting on it.

I was and am privileged to be a cosponsor of the Gruening bill to which the Senator from Maryland has made reference. I make no pretense of being a theologian, but I am a Roman Catholic, and seek to practice what my faith indicates to me is my own moral obligation. I wish I had had an opportunity to prepare remarks for this occasion, because I think there is great confusion across the country, not alone among my coreligionists, but among all of us, as to the difference between private morality and public policy. Perhaps if I survive the onslaught of incoming mail that I anticipate as a consequence of these remarks, the day will come when I will have an opportunity thoughtfully to prepare my impression of the distinction which should be drawn as between private morality and public policy.

I rise, Mr. President, to commend the Senator from Maryland upon this further discussion of what is and shall remain a matter of overriding public concern. I do not know what the year will be, whether it will be 3000 A.D. or 200 years, more or less, but conceivably the time will come when land space is used up. Does not the Government have some responsibility to anticipate that possibility, and develop a variety of programs which would be available, to be availed of depending upon one's moral judgment of what is acceptable and what is not?

I am not citing just a question of possible food shortage; this is a question of the atmosphere and environment in which human beings will live, and whether they can live in dignity or otherwise. It involves education, recreational resources, and other things. I think the state clearly has a responsibility to respond to that sort of problem, certainly at least to identify it and to explain it.

I think that broad research and then widespread disclosure of the information that is developed with respect to family planning methods is an appropriate and reasonable response. I should make clear again, Mr. President, that one's use of the information and the techniques should depend on his own moral judgment as to their appropriateness for him. But this is a pluralistic society, as we are so frequently reminding each other, and it works both ways. It means that I do not require my neighbor to go to my church, and I am uncomfortable in getting into a position where I require my neighbor to solve social problems only my way.

There is a little bit of this involved here. As a practical suggestion, it would seem to me desirable that there be active participation by Roman Catholics in the development of these programs because then our proper concerns can be made clear at every stage and they will be better understood.

Mr. President, much critical mail that I have received from sincere Catholics following my cosponsorship of the Gruening bill was on the theme, often repeated, that what was there proposed is something which is morally wrong and that we have an affirmative obligation to oppose moral evil. This results, in part, which is not generally understood, whether it be the Gruening bill or the Tydings bill, that the effort, primarily, is to research and develop as broad an understanding as man's mind permits of the possibilities for responsible family planning. Everyone recognizes that there is a moral obligation of responsible parenthood. To say that the State has no business in this area I believe indicates some lack of appreciation of what is proposed.

I have heard no protest with respect to a Latin American nation which is busy with public moneys explaining the rhythm method. If that is all right, then what is wrong with what is proposed here? That again oversimplifies the issue, but it is not an irrelevant observation. It bears on the question of whether the State has any right at all in the area. Public money, thought, and position are involved in a good many areas where a great many people have moral reservations with respect to certain things which are discussed, described, and foretold. Certain of the family planning proposals that might develop—indeed some which are currently available—I believe I should not adopt. It does not necessarily follow that therefore the Government is wrong in responding with this research and information.

But here is an example of public money used in handling activity thought to be morally wrong. Many Senators remember their experiences as selectees or soldiers in military service. One of the first series of lectures we received was with respect to military hygiene or personal hygiene, as I recall it. It was in three chapters. First, were the techniques; second, the horrible examples; and, third the chaplain. I am clear in my mind that adultery and fornication are morally wrong in the judgment of a great many people, but this Government's action as I have outlined with respect to the subject has been accepted. Private morality and public policy clearly are balanced in this instance. I believe that the use of Federal funds to support those lectures is quite appropriate. Here again, whether it is the selectee with respect to the subject I have mentioned, or the married couple in the matter of family planning, they should decide with respect to what shall be done in light of their own moral conscience. In the area of family planning, I would not wish to impose my moral judgment on others, although I would expect to have my own moral reservations and rules respected and be permitted freely to follow them. That is what the Senator from Alaska, the Senator from Maryland, and the Senator from Pennsylvania have always counseled, that we realize there must be no coercion, and that we must be clear as to the varied forms which coercion can take.

For example, a welfare recipient is especially subject to coercion. The circumstances and the setting are charged with this danger. Coercion can come also through ignorance; that is, one on welfare who may be medically ignorant is possibly also ignorant in a great many other areas requiring safeguards. To insure that there shall be no coercion in situations like that is particularly important. In the area of action by foreign governments, especially in the less developed countries, this problem will be real and acute, and must be recognized. I believe that all Senators who are giving leadership in this field recognize that.

Again, I believe that what we are talking about is a public, social response. It is a social value problem. We should not get that mixed up with the problem of private morality. There are certain things that Government cannot do, not just because it would be morally wrong but because they relate to social values, to individual human dignity.

For example, one would not propose a law to shoot down in cold blood the extra people in the world—whoever would define who would be extra—and not just because it would be morally wrong. It offends against human dignity, just as would abortion, which destroys nascent life.

Again, I wish very much one, that I had not been in the Chamber when the speech was given, and, two, had I known that it was going to be given, I would have had an opportunity more thoughtfully to prepare these responses. But, I rise to tell the Senator from Maryland, as I told the Senator from Alaska, that I believe this is the kind of discussion that will enable all of us more fully to respond to what becomes, is, and shall remain, a vastly important public question.

Mr. GRUENING. Mr. President, will the Senator from Maryland yield, that I may make a comment to the Senator from Michigan?

Mr. TYDINGS. I am glad to yield.

Mr. GRUENING. I should like to say to my friend, the Senator from Michigan, that if he had had all the time in the world to prepare his speech on this problem concerning which he says he did not have an opportunity to think about beforehand, he could not have spoken more eloquently or with greater enlightenment. He has greatly clarified the situation for those who have listened to what we who have sponsored these bills have tried to say. His thoughtful and courageous comments make for an exercise in freedom of thought and freedom of choice. There never should be any element of compulsion involved in this issue. We know that there is great demand and great need for this information. All that the bill which I have introduced would do, and in which its 12 cosponsors, including the Senator from Michigan and the Senator from Maryland, have joined, would be to make the information available to those who wish it. The bill seeks at the same time, to meet the vastly urgent and pressing problem without the solution of which mankind will face dire consequences in the very near future.

The support of the Senator from Michigan—because of his enlightened stand, and because of his religious beliefs, which enable him to state that he carries on the moral principles of his church in his own way and in his own family, but does not preclude the desire to achieve freedom for all others whether they share his particular beliefs or not—is one of the most vital, one of the most useful, and one of the most inspiring contributions to this dialog.

I wish to congratulate the Senator from Michigan on his contribution. He deserves great credit for his enlightenment and his courage.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield now to the Senator from Pennsylvania.

Mr. CLARK. I should like to join my friend from Alaska—and I know my friend from Maryland will participate too—in commending the Senator from Michigan not only for what he has just said, but for his cosponsorship of the bill of the Senator from Alaska [Mr. GRUENING]. I agree it was a wise and fine comment that he made. I agree he could not have done better if he had thought it over for a couple of months. But I think we all should appreciate the courage it took him to say what he did publicly and to put himself in the position in which he has placed himself. It is not an easy thing to do.

The Senator from Michigan could have remained silent. Nobody would have rebuked him. But I think it is a wonderful thing to have a man of the stature of the Senator from Michigan, being a devout believer in the religion to which he attaches himself, to make the comments he did this morning.

I would like to suggest to my friend the Senator from Michigan that he should be of good cheer, for he does not stand alone in his religious community. I recall the great courage of Dr. John Rock, the well-known Catholic gynecologist, professor emeritus of Harvard University; but, more than that, we should note what members of the hierarchy themselves have said. I have occasion to remember what Richard

Cardinal Cushing, head of the Catholic Church in New England, said in connection with the repeal of the Massachusetts law which prevented the sale of contraceptives. He said Catholics do not seek to impose their moral views on others. It was magnificent of him to say it.

I also well recall the review in the New York Times of Dr. Rock's book. I say this as a Unitarian, but I say this is the view of the more enlightened members of the Catholic Church, one of the greatest laymen, in my opinion, of whom is the Senator from Michigan.

If I may, I should like to engage in a colloquy with the Senator from Maryland about a couple of matters he spoke about.

First, I am delighted he has made his speech. I think the Senator from Alaska will agree with me that we came to the conclusion, within a few months of the Senator from Maryland's becoming a Member of this body, that he was articulate, aggressive, and diligent. I am delighted he is publicizing a matter which has been for so long brushed under the rug on the floor of the Senate.

I can speak only for myself, but I think the Senator from Alaska will agree with me, when I say that what the Senator from Maryland has so succinctly said and with courage has been enormously enlightening.

I wonder if the Senator agrees with me that the cause which the four of us who are alone on the Senate floor at the present time—with the exception of the distinguished Presiding Officer, the Senator from Georgia [Mr. TALMADGE]—have been discussing has had the wraps taken off this matter; that we have been making extraordinary progress in the 3 or 4 years since the present subject was first discussed publicly on the floor of the Senate. I think we can all agree that is so.

The Senator from Alaska has held hearings which have received a great deal of publicity. That really knocked the top off the bottle. Now the Senator from Maryland has made what I think are really fine proposals here.

I would hope that both the Senator from Maryland and the Senator from Alaska will give some careful, thoughtful consideration as to whether they do not want to go before the Committee on Foreign Relations, when it considers the foreign aid bill in an open session later this year with what I know will be carefully thought out arguments and testimony as to why the bill of the Senator from Maryland should receive the careful consideration of the members of the committee, both in the authorization and in the appropriations, in the help that it needs.

History shows that we will have more trouble with the Appropriations Committee than with the Foreign Relations Committee.

Then I make another suggestion: that in the Committee on Labor and Public Welfare we have not only a Subcommittee on Health, the chairman of which is the Senator from Alabama [Mr. HILL], but a Subcommittee on Employment and Manpower, which I have the honor to head.

It occurs to me that the domestic aspects of the family planning problem have very real and direct implications on the whole manpower and employment problems of our own country. I would be only too happy to make that committee available, if I can, to the Senators from Alaska and Maryland, and have them have an opportunity to testify further with respect to the manpower implications of the proposed legislation.

I wonder how my friend from Maryland would respond to that suggestion.

Mr. TYDINGS. Let me say first to the distinguished Senator that news that he, as chairman of a subcommittee of the Committee on Labor and Public Welfare, would be willing to hold hearings is tremendously good news. It is better than I had hoped for, to be quite frank.

Mr. CLARK. If I may interrupt the Senator for a moment, I am not sure whether the bill will be referred to it.

Mr. TYDINGS. I think it would be referred to the committee. If the bill is referred in the normal routine of business, it should be referred to the committee of the distinguished Senator from Alabama [Mr. HILL]. The second measure, referring to foreign assistance funds, unquestionably would go to the Foreign Relations Committee. My third measure, amendments to S. 2933, would go to the committee of the Senator from Louisiana [Mr. ELLENDER], the Committee on Agriculture and Forestry. He has already indicated he is going to hold hearings on the bill. I think it would be helpful if we could have hearings on the bill before the Foreign Relations Committee and the Committee on Labor and Public Welfare, but, in any event, any hearings would be tremendously helpful for the purposes of this legislation.

Mr. CLARK. I am happy to have that response from my friend.

I wonder if he would look with favor on the following suggestion. The Senator made reference in his speech to the recommendation of a very distinguished panel on population, the chairman of which is a former Deputy Assistant Secretary of State, Richard Gardner. I wonder if the Senator would be willing to join me in getting unanimous consent that the recommendations of this panel, which included a recommendation for an expenditure of $100 million a year for 3 years on the population problem, may be included at the end of the Senator's speech.

Mr. TYDINGS. I think that would be entirely appropriate.

The PRESIDING OFFICER (Mr. TALMADGE in the chair). Without objection, it is so ordered.

(See exhibit 4.)

Mr. CLARK. Mr. President, one of the matters which has not had much discussion on the floor of the Senate and which is a very ticklish one, indeed—but knowing my friend from Maryland, I do not think he will run away from it—is the vexing problem as to whether contraceptive information should be furnished to women who either are not married or who are not living with their husbands. Over in the OEO——

Mr. TYDINGS. If the Senator will yield at that point for one moment, I would like at this time to comment on that point and on some of the remarks of the distinguished Senator from Michigan. They are both dealt with in the legislation I have introduced.

Taking first the point raised by the distinguished Senator from Pennsylvania, I specifically wrote into my proposed legislation that the Secretary of Health, Education, and Welfare could not refuse a grant to a local applicant or local agency because the applicant would provide family planning assistance which is limited in scope such as might be the case at Mercy Hospital in Baltimore, or any other Catholic hospital. Nor could an applicant be denied a grant under my bill because that particular applicant might provide information on medical assistance to married or unmarried women.

It would preclude the situation which occurred in OEO, where an administrative decision was made in Washington that a grant would not be permitted to UPO, a local antipoverty organization, because OEO did not agree with the way they planned to operate their family planning program.

In response to the points made by the Senator from Michigan, I would like to read specifically the protections against coercion or depriving an individual of his religious or philosophical right to exercise free choice. Section 2(a) of my bill provides:

> SEC. 2. (a) Grants under this Act shall be made only under regulations promulgated by the Secretary. No grant shall be approved unless it contains and is supported by reasonable assurances that in carrying out any program assisted by any such grant, the applicant—

That refers to the local applying agency, whether a local public agency, a private nonprofit organization, or a Catholic hospital—

> will establish and follow procedures designed to insure that—
>
> (1) no individual will be provided with any medical supervision or supplies which such individual states to be inconsistent with his or her moral, philosophical or religious beliefs; and
>
> (2) no individual will be provided any medical supervision or supplies unless such individual has voluntarily filed a written request with the applicant asking for such medical supervision or supplies.

Further, as to the question which the Senator from Michigan posed, whereby an indigent family might be coerced into seeking family planning information by use of welfare checks or other means, section 8(b) provides:

> (b) The use of family planning services provided by the applicant under such grant shall not be a prerequisite to the receipt of services from or participation in any other programs of financial or medical assistance.

In other words, we tried to write into the proposed legislation all of the protections to safeguard the freedoms of choice which we all feel are so vital and important in this area.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. TYDINGS. I am happy to yield.

Mr. CLARK. I am, of course, in complete agreement with the Senator on the point he has made, but I am very much concerned about the attitude of OEO in this regard.

I have had dealings and some conversations with Mr. Sargent Shriver's office who takes the adamant position that he will not authorize a grant to any applicant such as Planned Parenthood unless they can assure him that contraceptives will not be made available unless it is proven that it goes only to individuals living in wedlock.

I think there is a real question here. I do not think this is black and white.

In Philadelphia, where I happen to know something about the poverty program, the local community action people are most anxious to have one or more of the civic institutions, which are ready to make available this information, given a grant by the OEO. But they have been told categorically that unless it is clear that the actual medical services are confined to those living in wedlock they are not going to get the grant. They are fudging around with their budget and in private areas, trying to fix things up so that without using government funds, they can make devices available on a voluntary basis to those individuals whom the people running the poverty program are absolutely convinced are the ones who need it most.

I know from my experience as the Mayor of Philadelphia that we are not going to solve the problem of overcrowding of slums—not that I think this particular factor is going to solve it, but it will make a contribution—and there is not going to be a real impact on what can be done by family planning in poverty-stricken areas or can be done to rehabilitate the unfortunate people, who are having a child every year and do not know how not to do it, unless OEO revises those standards.

I wish to use this opportunity on the floor of the Senate to plead with Mr. Shriver to change his point of view so that we can make a real impact where it is most needed in the big urban ghettoes of the country.

How does my friend from Maryland react to that suggestion?

Mr. TYDINGS. As I explained to the Senator from Pennsylvania, I specifically wrote into legislation which I propose in connection with these specific grants for family planning, that no one in Washington could withhold grants to local agencies purely for the reason that the local agency gave assistance to unwed mothers as well as to married mothers.

So far as the situation with the OEO is concerned, although I personally would have acted differently had I been in Mr. Shriver's position, nevertheless it is a little different situation. The sole purpose and the reason for my legislation is to move in the field of family planning, to provide these services particularly to the medically indigent, the poor, who cannot afford them. Many of these persons are unwed mothers. Mr. Shriver has a responsibility and an obligation to administer one of the most controversial programs this country has seen since New Deal days. He is under fire from all directions, all areas, and in all aspects of this program. His support in Congress has not always been as solid as it might have been. Therefore, I can appreciate that he might tread hesitatingly in some areas which might be controversial. I do not intend to use this forum to criticize him for those decisions, although I would have made them differently.

I wrote into this bill safeguards so that the local agency applying would determine the delicate question of eligibility for family planning assistance.

Mr. CLARK. I understand the point of view of the Senator from Maryland and to some extent I am sympathetic with him.

It occurs to me that the Senator from Alaska and I should give thought to whether or not we should sponsor amendments to the poverty program legislation to give it the same authority, freedom, and flexibility which the Senator from Maryland would like to see as a result of the legislation he is presently sponsoring for HEW.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield to the Senator from Alaska.

Mr. GRUENING. I would like to ask the Senator from Pennsylvania whether in his discussion with the Office of Economic Opportunity he has been able to find the reason why Sargent Shriver opposes it.

Mr. CLARK. I believe I can answer that question.

Mr. GRUENING. It seems to me that there is a moral decision involved in giving contraceptive information to unwed mothers. It could be a moral question with respect to the unwed mothers—who are what is know as "living in sin" and, of course, one would want them to sin no more.

Mr. CLARK. I think that that depends upon the definition of "to sin."

I think that Mr. Shriver's position was illustrated by the Senator from Maryland when he indicated the political problems in connection with the administration of the poverty program. I think that the difficulty with Mr. Shriver is that he finds the potato too hot to handle.

Mr. President, will the Senator from Maryland yield for one further comment?

Mr. TYDINGS. I am happy to yield.

Mr. CLARK. As the Senator knows, AID has taken huge strides in its point of view toward family planning in the use of its funds overseas. I feel certain that they were heartened by various comments made by the President, who again spoke out, in my judgment, with great courage and foresight.

But while AID is at present giving technical assistance and is engaging in demographic studies and offering advice, it still holds back from either furnishing devices or providing funds to assist in the manufacture of devices overseas. I am not too sure that those restrictions are particularly meaningful. It seems to me a little like saying, "Mother, may I go out to swim?" "Yes, my darling daughter. Hang your clothes on the hickory limb, but do not go near the water."

I wonder whether the Senator from Maryland has any views on this point, or indeed whether his proposed legislation would authorize the AID administration either to furnish devices or to furnish funds for the manufacture of devices overseas.

Mr. TYDINGS. My bill is designed to provide a little more gumption to the administration of the AID program—to insert a little more iron in the backbone of the administration of the program—by indicating that we in the Senate want the AID administration to move ahead. With respect to the specific point raised by the Senator from Pennsylvania, in both my amendment to the food-for-freedom bill and my amendment to the Foreign Assistance Act, I provide:

> The term "voluntary family planning program" includes, but is not limited to, demographic studies, medical and psychological research, personnel training, the construction and staffing of clinics and rural health centers, specialized training of doctors and paramedical personnel, the manufacture of medical supplies, and the dissemination of family planning information, medical supervision, and supplies to individuals who desire such assistance.

That language is specifically written into the law to cover just the areas about which the Senator from Pennsylvania has spoken.

Mr. CLARK. I congratulate the Senator from Maryland upon the drafting of a bill which might move this program forward. In saying this, I do not wish, even by implication, to criticize the AID Administration, or Mr. David Bell, its Administrator. I consider the research that they started a few years ago to be forthright and courageous.

Again, I congratulate the Senator from Maryland upon the splendid talk he has made and the fine bills he has introduced. I associate myself with his point of view and thank him for permitting me to be a cosponsor.

Mr. TYDINGS. I thank the Senator from Pennsylvania.

I yield the floor.

EXHIBIT 4

RECOMMENDATIONS

In the light of all these considerations, the Committee on Population makes the following recommendations:

1. That the U.S. Government encourage schools and universities here and abroad to study population in all its relevant aspects—particularly at the graduate level in relation to such fields as medicine, public health, public administration, theology, economics and other behavioral sciences.

2. That the U.S. Government greatly expand its support, both at home and abroad, of research related to the population problem—particularly research on the interrelation between population growth and economic development, on new or improved techniques of family planning, on the means of communicating these techniques, and on the administration and management of family planning programs.

3. That the U.S. Government set an international example by cooperating with State and local governments and private organizations to make family planning services and information readily available to those in the United States who wish to have them, with the understanding that there be no coercion and that in tax-supported facilities there be full freedom of choice of methods to be used in regulating pregnancy.

4. That the U.S. Government greatly expand its program of training U.S. and foreign

personnel who can themselves train doctors, auxiliary personnel, communications specialists, administrators, and others needed in the implementation of family planning programs in the United States and around the world.

5. That the U.S. Government be prepared to make available upon request up to $100 million a year over the next 3 years to help other countries implement programs of family planning and strengthen national health and social services necessary for the support of family planning programs.

6. That U.S. assistance to other countries in all of these areas be related to the maximum possible extent to the work of multilateral agencies, particularly the relevant agencies of the United Nations, including the World Health Organization, the United Nations Children's Fund, and the United Nations development program.

7. That private organizations be encouraged to expand their work in all of these areas, particularly in those fields where Government assistance is not readily available and that public and private sources be encouraged to give more generous support to such organizations.

8. That a White House Conference on Population be held within the next 2 years to consider domestic and international population trends and the appropriate measures to deal with them.

9. That the Secretary of Health, Education, and Welfare appoint a committee to prepare this Conference through careful advance planning and research and to advise the U.S. Government on steps that may be taken before the Conference to deal with domestic and international population problems.

10. That the Department of State, the Agency for International Development, and the Department of Health, Education, and Welfare undertake improvements in organization, staff, and budgets necessary to discharge their increased responsibilities pursuant to the above recommendations.

Mr. HART. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. INOUYE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

SUPPLEMENTARY MILITARY AND PROCUREMENT AUTHORIZATION, FISCAL 1966

The Senate resumed the consideration of the bill (S. 2791) to authorize appropriations during the fiscal year 1966 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles and research, development, test, and evaluation for the Armed Forces, and for other purposes.

THE MILITARY CONSTRUCTION AUTHORIZATION BILL WOULD GIVE ADVANCE CONGRESSIONAL APPROVAL TO THE PRESIDENT TO WAGE A WIDER, OPEN-ENDED UNDECLARED WAR ANYWHERE IN SOUTHEAST ASIA

Mr. GRUENING. Mr. President, S. 2791, the supplemental procurement and construction authorization bill now before the Senate, will plunge the United States into an unlimited war in Asia.

It is a blank check for unlimited escalation.

It will place absolute power without limit or restraint in the hands of the President and the Secretary of Defense.

If enacted, Congress will have abdicated all authority over the war-making powers vested in it by the Constitution.

S. 2791 will establish the final point of no return by which the people of the United States have been led—indeed, misled—into the bloodiest, and most needless holocaust in our history.

The New York Times in its lengthy dispatch from Saigon places the prospective U.S. casualties at 400 to 500 dead a month and 15,000 wounded.

We may expect that these figures are understatements, based on merely the present enemy resistance. They do not take into account the concomitant enemy escalation, leading inevitably, as the Mansfield report warned, into an open end war—that is with no end in sight.

While we are sending our finest young men to be slaughtered, we learn that in 1965, not less than 96,000 men deserted from the South Vietnamese Army. Our boys are to take the place of and to give their lives for a people who do not want to fight for their own cause.

S. 2791 is represented as a simple authorization bill to supply the needs of our men at the front.

But it goes far, far, beyond that.

It is a policymaking bill which commits the United States to do anything anywhere, to support all forces of other nations—our alleged allies—indefinitely.

It commits the United States on a scale unprecedented in our history.

It will keep the people of the United States in ignorance of where they are being led. Their only participation will be to send their sons to their death and to pay the staggering costs.

Only those who have carefully read the House and Senate hearings on this bill will understand how far along the road to world war III this bill will push the United States.

I hope that before voting on S.2791 we shall all have read carefully the excellent analysis of the bill's far-reaching implications made on the floor on Friday, February 25, 1966, by the able and distinguished senior Senator from Oregon [Mr. MORSE.]

I shall go into further details at a later time in this debate.

Mr. LONG of Louisiana. Mr. President, todays' Washington Post contains the results of a poll by the Harris group. This poll deals with the handling of the war in Vietnam.

It appears from the poll at first blush that there is less approval of the President's policy with regard to the war than there previously was. This result is occasioned because there are four different positions that people take. It is impossible for the President to take all four of these positions. There are varying degrees of thought on this subject.

It is interesting to note how the people think about this. Based on the movement of American sentiment, more are in favor of a stronger line than there were when Congress convened in January. I notice that, of those who were not sure what our position should be, there is now an increase from 7 percent to 8 percent.

The percentage of so-called doves, those who disagree and want to pull out, is unchanged. It was 9 percent in January and is 9 percent in February.

When one looks at the percentage of those who agree but who say, "Do more to negotiate," that percentage has declined according to the poll from 39 percent to 34 percent. There has been a very decided loss among those who agree, but favor taking a soft line, and say they would do more than the President is doing in an effort to negotiate. These people recognize the fact that the President has been making every effort to negotiate. It is not the fault of this Nation that there has been no negotiation. It is the fault of the Communist powers.

The next category consists of those who agree but who favor an increase in the military effort. The percentage is the same, 33 percent in February as against 33 percent in January.

The big increase occurs in those who disagree with the President's policy of carrying the war more to the north and say: "If you are going to send your men there, fight. If you are going to fight, fight to win." That is where the increase occurs. The increase is from 12 percent to 16 percent.

If one looks at the overall poll, he will note that those who want to pursue the soft line are declining in number and that those who want to pursue a harder line, in opposition to the Communists, are increasing in number.

I predict that, as the American people have always united behind their men on the field of battle when the Nation is in danger, we will see an increase in this trend as time goes by, notwithstanding what anyone states on the television or what anyone does to confuse the people of this country.

I believe that the people in the South are more inclined that way than are people in other sections of the country. They believe that in time of peril or danger we must unite behind our Nation and our fighting men on the field of battle. Our people are not soft on communism. They have no desire to live under communism. The trend in favor of victory over communism is growing stronger.

Mr. GRUENING. Mr. President, will the Senator yield for a comment?

Mr. LONG of Louisiana. I will not yield for a comment, but I shall yield for a question.

Mr. GRUENING. Mr. President, does the Senator not know that there are those who disagree with his statement that our country is in danger? That is the vital issue.

In the opinion of many of us, including the Senator from Alaska, our country is not in danger. Our country has not been menaced. On the contrary, we are barging into a foreign war in Asia where our security is not jeopardized.

I believe, indeed I know, that, if we were in danger, the people would rally as we did in World War I and World War II. We would, of course, do so again. However, many of us feel that our security is in no wise impaired and that our country is not in danger.

Mr. LONG of Louisiana. Mr. President, the Senator is entitled to his view. The Senator is one of the 2—of the approximately 500 people who voted on the joint resolution—who voted against the resolution. That resolution provided that we should support whatever measures the President found necessary to resist aggression.

It is well to point out that a far larger number of people believe that we are not pursuing a strong enough course than believe we are doing too much.

Mr. HARRIS. Mr. President, I, of course, intend to vote for the military authorization now before the Senate, because there is really no alternative.

> President Johnson is wisely holding to a middle course in the conduct of the war in Vietnam—

The Houston Chronicle states in a recent editorial, and it adds:

> The administration policy remains a two-pronged policy of limited war. It is designed to punish the Communist enemy while bolstering economic and social reforms in South Vietnam. It is designed to exert enough military pressure but not too much, to hit the enemy troops and installations and to convince them that they can't win by force. The level of military action, it is hoped, will not have to be greatly stepped up. Moreover, the policy recognizes that, when the desired negotiated peace finally comes to Vietnam, it will be the people, by free election, who must decided who they want to govern.

The Chronicle concludes that this policy "seems to be the wisest and most practical course that has yet been offered."

Our flag is committed in Vietnam; our young men are fighting there. For me, therefore, there is no alternative but to support our flag and our young men and to uphold the hand of the man upon whose shoulders this onerous burden rests, the President of the United States.

Because others will want to read this article from beginning to end, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Houston (Tex.) Chronicle, Feb. 17, 1966]

NEITHER HAWK NOR DOVE

Despite the continuing criticism from two opposite directions, President Johnson is wisely holding to a middle course in the conduct of the war in Vietnam. The hardliners—the hawks—think he isn't pushing hard and fast enough in pursuit of victory. The softliners—the doves—think he is bent on escalation and possibly eventual war with Red China. As the clamor from opposing sides rises, the President's policy looks increasingly calm, restrained, and reasonable.

The recent fire from the softliners has come mainly from the televised hearings of Senator J. W. FULBRIGHT's Senate Foreign Relations Committee. George F. Kennan, diplomat and historian, came out strong for a policy of restraint. He, like Lt. Gen. James M. Gavin, supports the "enclave" theory of digging in and waiting for a political solution to emerge—of preventing any deliberate expansion of the war. Kennan believes that southeast Asia isn't the theater from which the United States can best fight a war against Red China.

On the other hand, former Senator Barry Goldwater has little sympathy with Mr. Johnson's recent peace offensive. He calls it "groveling" and says he doesn't think "it's our job to get the Communists to the peace table by begging. * * * We'll get the Hanoi government to the conference table when we convince them that we have the will to attack and that we are attacking them."

President Johnson, significantly, points out that he agrees with those who are against escalation, but he sees some increase in the fighting as virtually inevitable. "No one wants to escalate the war and no one wants to lose any more men than is necessary," he explains. "No one wants to surrender and get out. * * * At least no one admits they do."

Thus, the administration policy remains a two-pronged policy of limited war. It is designed to punish the Communist enemy while bolstering economic and social reforms in South Vietnam. It is designed to exert enough military pressure but not too much, to hit the enemy troops and installations and to convince them that they can't win by force. The level of military action, it is hoped, will not have to be greatly stepped up. Moreover, the policy recognizes that, when the desired negotiated peace finally comes to Vietnam, it will be the people, by free election, who must decide who they want to govern.

While this Johnson policy of war, but limited war, is not perfect and while it is open to valid criticism from both the impatient hawks and the fearful doves, still it seems to be the wisest and most practical course that has yet been offered.

Mr. INOUYE. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER** (Mr. SYMINGTON in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. INOUYE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. LONG of Louisiana. Mr. President, on Saturday I called the Senate into session. I sent wires to 100 Senators that if they had speeches to make, they ought to come and make those speeches.

This is a very vital matter, providing necessary arms, food and weapons to our men who are in Vietnam, fighting for this country.

This is an urgent matter and should be passed immediately. It has been dragging on for almost two and a half weeks now, going on into 3 weeks since the majority leader announced that this matter would be the next pending business and that it would be laid before the Senate. Senators have had almost 3 weeks now to prepare speeches on this measure. I would be glad to yield right now to any Senator who says he is ready to make a speech. I took the responsibility of assuring those who are delaying this matter that I would not ask for a vote, and, in fact, would see to it that no vote would come until 4 o'clock, because they are now in a meeting discussing strategy. It seems to me they should meet today and come in here and make their speeches.

We are still waiting for them. I do not believe they have made more than a 3-minute statement today. If Senators want to filibuster they should come in here and filibuster, but they should not expect us to wait forever for them to make speeches which they are not prepared to make.

Mr. RUSSELL of Georgia. Mr. President, will the Senator from Louisiana yield?

The **PRESIDING OFFICER** (Mr. INOUYE in the chair). Does the Senator from Louisiana yield to the Senator from Georgia?

Mr. LONG of Louisiana. I am happy to yield to the Senator from Georgia.

Mr. RUSSELL of Georgia. The yeas and nays on this question were ordered on Saturday. I therefore ask, What is there to prevent our calling for a quorum and proceeding to vote?

Mr. LONG of Louisiana. I would be glad to, but on this particular occasion I have avoided, as the Senator knows, making any definite commitments. The fact is, a meeting is being held now by those who are delaying the bill, to decide on how to proceed, and therefore I would not like to permit the Senate to vote between now and 4 o'clock. Therefore, if there is no Senator who wishes to make a speech, I suppose we will have to recess from now until 4 o'clock.

Mr. RUSSELL of Georgia. I regret that the Senator from Louisiana finds himself in this position, but I can understand how the acting majority leader can easily be placed in such a position, in order to protect Members of the Senate. It does seem to me, however, that this is a sorry spectacle and should be brought to a conclusion.

I do not believe that what is going on will cause the American people to swell with pride about the Senate. I do not even believe it adds any credit to the stature of representative government around the world, that in the middle of a war we still debate whether we should be in the war. This has been going on for 18 or 19 days now. I hope that in the future the Senator from Louisiana will tell those who are carrying on this filibuster that they must protect their own interests on the floor of the Senate.

Mr. LONG of Louisiana. I have avoided making any definite commitments on many occasions. I did make such a commitment to help those who have been delaying this matter to be in the Chamber. As the Senator knows, frankly, on Saturday, if some of those who are in favor of this resolution, particularly on the Republican side of the aisle, had not seen fit to delay the matter for 15 minutes, we would have gone ahead and agreed to vote on the matter because those delaying the matter were not here and did not wish the Senate to vote. We left word that nothing would happen, so that they could come back from somewhere else, if they wished to delay it. In justice to their country, they should go ahead and vote on a matter so vital as providing help to our men in Vietnam, help which they need right now.

Mr. RUSSELL of Georgia. May I say we have had a bill before us for almost 3 weeks now. So far as I can recall, with the exception of two Senators who voted against the original Tonkin Gulf resolution, no Senator has brought forth any alternative to what we are proposing. So I suppose these Senators are now meeting and trying to frame some alternative. They are just against, against, against. I have asked them repeatedly to bring forward some alternative. Let us examine it. If there is any better course to take in the interest of the United States, let us have it on the floor and all the Members of the Senate may discuss it. But in time of war, when 300,000 American boys are in the combat area and we are having to increase the draft call to find replacements for those units that have gone overseas and for those who have paid the supreme sacrifice in Vietnam, it does seem to me we should have something better to offer the Senate than a mere objection. There should be some alternative procedure put forward for the consideration of the American people.

Mr. LONG of Louisiana. It seems to me that the same thing would apply to this matter, but they are just fiddling and faddling, that we should tell the Vietcong this, that we should suggest to the Vietcong that, they wish to suggest to the Secretary this, and to the Commander in Chief that. But the Vietcong does not want to negotiate with us, not so long as they can defeat us.

I will yield the floor right now if any Senator wishes to speak.

Mr. SYMINGTON. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I yield.

Mr. SYMINGTON. I would associate myself with the remarks of the Senator from Louisiana and the Senator from Georgia.

To me, it also seems incredible that the people of this country would be witnessing these developments in the Senate.

This morning I placed in the RECORD a headline from the press, "U.S. Paratrooper Company Beaten Decisively."

Regardless of any particular feelings any of us may have about the ideological aspects or rights of the war, or what they would or would not do if they had the authority, they should realize that today, from their State, as well as from my State, and from the State of every other Senator, men are fighting and dying in the cause of freedom. This delay can only result in increased casualties.

I would hope that we would get over the delay over this bill, and give these young men and women of America what they need in Vietnam, which in turn will give them the best opportunity to return home alive and well.

Mr. JAVITS. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I yield.

Mr. JAVITS. I invite the attention of Senators to the fact that there is an alternative. I heard the Senator from Georgia [Mr. RUSSELL] make the statement—and I yield to no one in my respect for him. I state this only for information. Let me say to him that this alternative has been made by the Senator from West Virginia [Mr. RANDOLPH] and myself. It is Senate Joint Resolution No. 134 which we introduced on January 20, 1966.

By way of discussion, incidentally, I identify myself with my colleagues on this vote. We should vote. If the Senator from Oregon [Mr. MORSE] wishes to undo the resolution of August 1964—which I believe would be a mistake, because it would repudiate the President in the eyes of the world—then let him put it up and let us vote it up or down. The amendment which the Senator from Alaska [Mr. GRUENING] states that he intends to offer on draftees, would be a great mistake, in my opinion. I will vote against them both, but let us vote them up or down. I do not believe that I need to apologize for my support of the President's policy to date. I do believe that the deep disquiet in the country relates to things which we could answer if the President allowed us to consider a resolution that he might propose to us to replace the one of August 1964.

I believe that resolution is out of date, that it was a power of attorney given to the President for a certain purpose, to meet the Gulf of Tonkin situation.

We can always pass a resolution, but I believe the general feeling here would be that in the face of a war situation, if a resolution were passed that the President has not asked for, it would downgrade the President's control of the foreign policy of our country, which would put us in an embarrassing and difficult position.

Perhaps, if there had been no resolution at all, then we would be arguing about it in a different way, but there was a resolution. The real objection is that that resolution is now out of date.

The Senator from West Virginia [Mr. RANDOLPH] and myself wish to concentrate attention on the social and economic reconstruction of South Vietnam, which the President has already emphasized at Honolulu. We would give attention to the order of magnitude of the resources which we would be willing to devote to the struggle, under present circumstances, which would have an effect—we cannot all be armchair generals—but which would have the effect on the totality of the commitment undertaken.

Of course, it can be put on this authorization bill; and it could be voted up or down; but, frankly, the Senator from West Virginia [Mr. RANDOLPH] and I, who have been considering such a step, would be reluctant, except in extremis, to do it. We would rather have the President suggest one. I am one of those who has been supporting the President. I think, in view of the fact that the President does have a resolution, many people would like to have this declaration updated in view of events.

Mr. RUSSELL of Georgia. Mr. President, I only point out that I did not refer to the Senator. I said those who are opposing the resolution should bring forward some alternative to the pending authorization if it is not agreeable to them. I am familiar with the resolution of the Senator. I do not think I can vote for it in totality, but he has brought it here in good faith. I was referring to those who object but who are not offering alternatives.

Mr. MAGNUSON. Mr. President, has that matter been referred to the Foreign Relations Committee?

Mr. JAVITS. Yes.

Mr. MAGNUSON. Was it subject to discussion at all during the recent hearings?

Mr. JAVITS. No. The Senator from Arkansas [Mr. FULBRIGHT] refused to have hearings on that motion. Perhaps there are others who felt that way. I can understand why. He is concerned about denigrating the position of the President, the man who is charged under the Constitution with our foreign policy. Unless the President requests one, we would be reluctant to offer one, except in extremis. I am not prepared at the moment to say that there is that much of a break between the executive and legislative branches of the Government. I would rather have something put forward that is constructive, and have the President come forward with some idea of his own. On the other hand, I think there is dissatisfaction in the country over this resolution, because it is out of date, and we think there should be another expression, so that we could at least join the President in what is the policy of the country.

Mr. MAGNUSON. Mr. President, I think the acting majority leader and the distinguished Senator from Georgia will join me in saying that this matter has been discussed, as to whether or not there should be something definite placed before the Congress, which might reiterate the feelings of any of those who might be opposed or for it. I think the matter is still under active discussion. I do not think there is any disposition on the part of the President not to come before the Congress in this particular case and consult with us, or have us consult with him, or even have them suggest something. I think he would be the last one to suggest that that should not happen.

But, as the Senator from Louisiana has said, we have had much advice and no answers. We have had many questions, but no answers.

I think the RECORD ought to be clear about what happened last Saturday. The Senator from Louisiana and I discussed the matter on Thursday. It was discussed with other Senators. We said, "Fine. If anyone has anything to add to the debate on this particular question, we shall be glad to hear them."

I was busy on a bill Saturday, but I said I could come to the floor in 5 minutes if a Senator had anything to say. No Senator apparently had anything to say. This is important. It is not very comfortable to the troops who are in Vietnam, or to those in other parts of the world, or the people in the United States, to read that the Senate cannot agree on whether military support shall be granted to our troops there.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield to the Senator from Missouri.

Mr. SYMINGTON. The bill, in effect, asking for additional support for our military was introduced into the Senate over a month ago, on the 19th of January. All of these delays tie into the same general disagreement. I would urge that we get on with this matter, and as soon as possible.

I would associate myself with the remarks of the senior Senator from Washington. It is creating a most unfavorable impression all around the world.

Recent polls show a large majority of the American people are behind the President, even though some of our colleagues apparently still do not wish to act.

Mr. LONG of Louisiana. Mr. President, the session was called last Saturday to give Senators who wanted to speak an opportunity to make whatever speeches they wished to make. I sent a wire to every one of the 100 Senators, including myself, to make sure that we would all receive wires, that if they had speeches to make they should come and make them. We adjourned because of a lack of a quorum. In my judgment, we could have gotten a quorum.

The Senator from Missouri [Mr. SYMINGTON] is on the floor. He suggested a quorum. We discussed the matter. He would have been willing to withhold that suggestion if we could have had any Senator come here to make a speech. There again I suspected that those who did not want to vote did not want to make speeches, either. Those Senators, it appears, do not want to make their speeches and will not vote.

If I may say so, it is even more than a filibuster, because during a filibuster we at least make speeches. Those who are engaging in a filibuster make speeches. If they do not want to vote, at least they ought to speak.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. JAVITS. I think it is pretty well recognized that what we are concerned about is erosion of domestic support for the President's policy. I think, in all frankness, the troops who are in South Vietnam are not going to be out of ammunition and guns because we have delayed passing the supplemental authorization bill in the last 2 weeks. But I do think that responsibility demands that we should move with vigor and alacrity in pursuing the purposes of the United States. So I join my colleagues in urging it. I couple that statement with the fact that I hope the President will seek the urgent support of the Congress and the people. I believe that he should bring forward a new resolution or ask Congress for a new expression on this matter and update the resolution of 1964, which has resulted in vexing debate and in much free speech.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield to the Senator from Washington.

Mr. MAGNUSON. I have no exact idea, but I know this is a matter which has been discussed in the Senate for some time.

Mr. JAVITS. I would say to my colleagues that I join with them in their anxiety to get a vote, because it is beginning to look unseemingly in the eyes of the world and the people of this country and to our own troops over there that we are not acting yet.

Mr. MAGNUSON. I want to say to the Senator, in respect to what he said about the 2 weeks and that the troops are not going to be out of ammunition because we have not voted in the 2 weeks, that the Senator and the rest of us have been around the military for some time, and we know that while it may be 2 weeks at the beginning, it may be 2 months at the other end.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield to the Senator from Missouri.

Mr. SYMINGTON. There is another side to this question. This morning I submitted evidence before the Foreign Relations Committee that there are specific problems that have to be taken care of.

I have great respect for my friend from New York. We rarely disagree on this subject. Based on information given to me, unless we go forward now, we will be responsible for additional casualties in Vietnam.

If the Senator from New York does not agree, I hope he will give me opportunity to show him information I possess on this subject.

Mr. JAVITS. On this I agree with the Senator, but I base my plea not only on his expertise, which I respect greatly, but also because I believe it is not appropriate, in a situation as critical as this to our troops, our Nation, and the world, to carry this along further.

Mr. SYMINGTON. To which I wholeheartedly agree.

Mr. LONG of Louisiana. Here is the need of the bill on Vietnam, and that is the supplemental aid bill for the Vietnamese Government. I would appreciate it if the Senator would look at it to understand how urgent it is. They are trying to get the bill out of the Foreign Relations Committee now.

This bill has been in committee for almost 3 weeks.

I would hope that we could vote on the matter. If anyone wishes to discuss this subject or any other, I will yield the floor. Otherwise, I suggest that we recess until 4 o'clock because I made a commitment that the Senate would not vote until 4 o'clock.

Mr. McCLELLAN. Reserving the right to object, is there an agreement that there will be a vote at 4 o'clock?

Mr. LONG of Louisiana. No, I have no agreement, I regret to say. This is one of the few times I made a commitment that I would not ask for a vote before 4 o'clock. I have declined to make similar commitments during the previous week, but those who have been delaying this bill are having discussions about what their procedure will be. In fairness, I felt it should be at 4 o'clock. I made that commitment.

Mr. McCLELLAN. I was trying to get information as to a reasonable prospect of a vote or are we still discussing it?

Mr. LONG of Louisiana. Mr. President, it would serve the same purpose if I suggested the absence of a quorum.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THURMOND. Mr. President, from all reports, the morale of the U.S. Armed Forces fighting in Vietnam is excellent. It should be a matter of concern to all Members of this body that their morale remains excellent. It is all too easy for both public officials and members of the public to overlook the fact that both our words and actions can and do have an impact upon the morale of our fighting forces.

There has recently come to my attention a booklet entitled "Soldier Management and Morale," issued in 1953 or 1954 by the U.S. Army, Europe, and personally written by Gen. Bruce C. Clarke, then commander-in-chief, U.S. Army Reserve, Europe. This booklet is still in use in the Army.

The section of this booklet entitled "Outside Influence on Morale" is, in my opinion, very pertinent to all Americans, particularly to those in official positions of our Government who have any concern for the morale of our fighting forces. The section on "Outside Influence on Morale" reads as follows:

> The factors, adjuncts, and indications of morale covered so far have to do with those things that are generally within the ability of the military leadership and management to influence. But there are influences on the morale of soldiers, especially those on duty in a far-off land, which stem from attitudes of officials, Members of Congress, the press, radio commentators, and the public at home. These factors have to do with the last two elements of the basic premise: (2) An important job, (3) and receiving recognition.
>
> It is necessary that the soldier feel that he is needed where he is in an important mission, that his sacrifices are of both immediate and of long-range benefit to his country, his home, his family, and himself. He will feel that importance so long as the people at home feel it. He is very sensitive to public opinion at home and, because of good radio, newspaper, and mail facilities, is constantly abreast of the attitude at home toward the importance of his job. The hometown and other releases by information officers play an important part in the attitude at home. Unless the people at home help maintain in him the feeling that he is doing an important job for them, the heart of the basic premise upon which good morale is built is eliminated. Then the several adjuncts to morale cannot fully fill the void regardless of the efforts made.
>
> The third element—"receiving recognition"—generally follows from the second, insofar as the attitude of the public is concerned. Visits, speeches and actions of officials, articles by newspaper correspondents and contents of letters which the soldier receives from home all affect morale. Because of this, every citizen shares with the military leaders the responsibility for the morale of the service personnel.

This little booklet then states in summary:

> The morale of a man in a military organization comes from many factors. It may well be summed up in one word, "confidence." Confidence in his training, equipment, leadership, in himself, in his unit, and in the support from home. The military commanders play a big part in it but so do civilian officials, Members of Congress, the press, radio commentators, and the general public at home. Together they must insure that the soldier does well at an important job and receives recognition for it. So long

as this is accomplished there is a general feeling of confidence, well-being, and progress in a military unit; and the report which states that the "morale is excellent" will be sound.

Mr. President, there is no question that the debate now taking place in the Senate has a major relation to the morale of our forces in Vietnam. Not only the military supplies which would be authorized under the pending legislation, but also the morale of American servicemen is seriously involved in this current debate.

ORDER FOR ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it stand in adjournment until 11 o'clock tomorrow morning.

The PRESIDING OFFICER (Mr. Symington in the chair). Without objection, it is so ordered.

Mr. LONG of Louisiana. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 39 Leg.]

Aiken
Allott
Anderson
Bartlett
Bass
Bayh
Bennett
Bible
Boggs
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Clark
Cooper
Cotton
Curtis
Dirksen
Dominick
Douglas
Eastland
Ervin
Fannin
Fong
Fulbright
Gore
Gruening
Harris
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Hruska
Inouye
Jackson
Javits
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
McNamara
Metcalf
Mondale
Monroney
Montoya
Morse
Morton
Moss
Mundt
Murphy
Muskie
Nelson
Neuberger
Pastore
Pearson
Prouty
Proxmire
Randolph
Robertson
Russell, S.C.
Russell, Ga.
Saltonstall
Scott
Simpson
Smathers
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

The PRESIDING OFFICER (Mr. Harris in the chair). A quorum is present.

Mr. STENNIS. Mr. President, I shall detain the Senate only a very few minutes. The only point that I have in mind has already been brought out once in debate, but perhaps what I have to say will spell out the figures a little better.

The pending bill, as everyone knows, is for authorization of military funds. Last year, the appropriation bill and the authorization bill carried $1.7 billion for the war in Vietnam. When those calculations were made and that figure arrived at, the Department of Defense assumed that there would be an additional authorization not later than the 28th day of February 1966. That is today.

That was the first assumption, which proves conclusively, even though there is further proof, that time has already run out, and that there is need now for funds for necessary military construction and other military hardware.

But that is not all. Since that assumption was made, the time has not only passed, but the level of military operations upon which this $1.7 billion calculation was based has doubled—even more than doubled—it has tripled.

So this problem is like being caught between two millstones. Congress is actually failing to perform a necessary function here in providing the needed authorization and money.

I repeat, the time has run out, and we have far more than doubled the military activity. That means we have more than doubled the rate at which money is spent and is needed. This now is a matter of necessity; there is no discretion left. These are the hard facts.

I think we have had enough discussion. The demands are such that I believe the leadership should exhaust every effort that they can, and we should all, by persuasion and any way possible, seek to bring this matter to a vote.

Things have been a little better down there in the fighting in the last few days. We are proud of that. But, basically and fundamentally, it is not any better. The need for these funds is just as great or even greater than it was a month or 60 days ago. The President has said as much, with all of his hopefulness, for some kind of peace negotiations or some kind of interlude. He said on Saturday that the fighting is going to be hard and it is going to be long. So I believe that the onus and the burden rests right here in the Senate. I believe that we have no choice left except to exhaust every possible effort to proceed.

Mr. RUSSELL of Georgia. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I am happy to yield to the Senator from Georgia.

Mr. RUSSELL of Georgia. I wish to commend the Senator from Mississippi for that statement. From what has transpired here during the past 3 weeks, one would think that we were discussing whether it was wise to have any military intervention in Vietnam. The truth is, we are there. The question is: Are we going to support our men who are there under the U.S. flag? These men are not there of their own volition, but under orders from a higher authority.

Mr. President, I say that I hope the leadership will serve notice here tonight that we are coming in tomorrow morning at 10 o'clock, and that the Senate will stay in session until it votes on the bill. I know of no other way to bring this matter to a conclusion. It may inconvenience Senators, but it will not kill them. The lives of some American boys in Vietnam could be lost if we keep shilly-shallying around here a great deal longer with this resolution. There are some items that are greatly in demand in Vietnam at this time. I believe that the leadership would be completely justified in serving notice that the Senate will come in tomorrow morning at 10 o'clock, and that it will remain in session until it votes on the resolution.

We should vote the issue up or down. If Senators wish to kill it, let them say so, but do not leave our young men over 9,000 miles away from home, without the resources with which to defend themselves, without food, without adequate transportation, without medicine.

If the Senate is going to defeat the authorization, its Members should stand up forthrightly and do so.

I hope that the leadership will keep the Senate in session until it votes on the measure.

Mr. STENNIS. I thank the Senator from Georgia very much for his fine statement.

Mr. SALTONSTALL. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I am happy to yield to the Senator from Massachusetts.

Mr. SALTONSTALL. I wish to add to what the Senator from Mississippi and the Senator from Georgia have just said. From this side of the aisle, we were unanimous in the Committee on Armed Services in reporting the bill promptly. While some of the Members did not fully agree, possibly, with the question of policy, they did agree with what the chairman of the committee has just stated, that this is a question of necessity for our boys who are serving under the leadership of our Commander in Chief over in Vietnam today.

I agree with everything the Senator from Georgia and the Senator from Mississippi have said. I hope that we will pass this bill promptly.

Mr. STENNIS. I thank the Senator from Massachusetts for his comments.

Mr. President, I should like to close with this statement, that this is the first time in the history of this country that the representatives of the people in Congress have stopped, right in the middle of a war—I repeat, stopped right in the middle of a war—and refused to pass necessary supporting legislation for men who have already been given their bayonets, men who are fighting on the battlefronts every day; but, instead, we argue as to how we got there, whether we should be there, and the policies surrounding the issue. The need for such debate has long since passed.

The need is now. The time for action is already here.

UNANIMOUS-CONSENT REQUEST

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that when the Senate meets on tomorrow, after the morning hour, debate be limited to 2 hours on each amendment, 1 hour for the sponsor of the amendment, and the remainder of the time for the distinguished Senator from Georgia, the Senator in charge of the bill; and that debate on the bill itself be limited to 4 hours, to be equally divided between the Senator from Georgia and the Senator from Oregon.

Mr. MORSE. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. LONG of Louisiana. Mr. President, I should like to include in the request that all amendments be germane, and I should now like to make the same motion for Wednesday.

Mr. MORSE. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. DIRKSEN. Mr. President, is this a motion or unanimous consent?

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that when the Senate meets on Thursday, that debate be limited to 2 hours on each amendment, to be equally divided, 1 hour under the control of the Senator from Georgia, and 1 hour under the control of the sponsor of the amendment; and that debate on final passage be limited to 4 hours, to be equally divided between the Senator from Georgia and the Senator from Oregon.

Mr. DIRKSEN. Wait a minute—the minority leader has something to say on that——

Mr. BASS. Mr. President, reserving the right to object, I should like to ask the Senator from Louisiana does that mean——

Mr. PASTORE. Mr. President, may we have order in the Senate?

The PRESIDING OFFICER. The Senator will suspend. The Senate will please come to order.

The Senator from Tennessee may proceed.

Mr. BASS. Does that mean that we are going to dispose of this matter on Thursday and vote on final passage of this resolution one way or the other?

Mr. LONG of Louisiana. Well, it is possible that so many amendments could be offered that, allowing for 1 hour on each side, we might have to go on through Thursday, Friday, or even Saturday until we eventually come to a conclusion.

Mr. BASS. What about Tuesday and Wednesday, then?

Mr. LONG of Louisiana. Objection has already been heard on limiting debate tomorrow and Wednesday. I am now asking that we limit debate on Thursday in order that we might be sure to vote on this bill.

Mr. BASS. Let me say here that I do not see the need for continuing Tuesday or Wednesday, because I believe the Senator from Georgia and the Senator from Mississippi have explained the situation very well. The business of delaying and filibustering—and it is a filibuster—whether we are an eagle, a hawk, or a dove, has gone on long enough. This resolution has been discussed all the way. Senators can stand up all night or all day, or all week, and say whether they agree with the position of this Nation or not, but we should come forward and vote—and we should do so now—on whether we are going to supply our men or not with what they need. If we are not going to do anything else, if we cannot get unanimous consent, then I suggest to my leader: Let us file a motion for cloture, and let the Senate get down to business. Let us take care of our fighting men.

The hawks and the doves have been flying all over. They have had the Senate floor. They have had television. They have had the whole country. Now it is time for the eagles to start taking over to see that our American men on the battlefronts in southeast Asia shall be provided with the necessary means. If we are not going to do that, we should get up a resolution which will draw the line as to whether we are going to get out or stay there.

I am not here to say whether we should start shooting or stop shooting. That is not my prerogative, or my business. I am here to say that I am getting sick and tired of seeing our American fighting men disregarded in the way that they are.

Twenty-one years ago, I was on the firing line myself. I would hate to think what would have happened to the over 2 million men who were serving in the European theater of operations with me at that time, if we had to sit down and worry about whether we were going to get enough bombs to fly a mission the next day, or whether we were going to get enough gasoline to fly a P-51 to escort a bombing mission over Nazi Germany. However, that is exactly what is going on at the present moment. It is almost a laughable situation, that a group of 100 grown men, elected by the people of the United States, cannot come to some decision as to whether our men, fighting for the welfare of this Nation and the freedom of the world—when we have the money to pay for the equipment, clothes, food, and comforts necessary for a man sacrificing his life—right or wrong—it was not his decision to be there—should be provided for.

Mr. PASTORE. Mr. President, reserving the right to object——

Mr. MORSE. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. PASTORE. Mr. President, has the Senator been recognized?

The PRESIDING OFFICER. The Senator from Louisiana has recognized the——

Mr. PASTORE. Who has the floor?

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. PASTORE. Mr. President, first of all, I should like to associate myself with what has been said here this afternoon by the Senators from Georgia, Mississippi, and Tennessee. I think the time has come when we ought to get to a vote. This is the first time in the last 3 weeks we have had so many Senators on the floor, so I suggest respectfully that our acting leader inquire of the Senator from Oregon when we can expect to get to a vote on the proposed amendment.

Mr. MORSE. I will be glad to answer.

Mr. LONG of Louisiana. I yield to the Senator from Oregon.

Mr. MORSE. I have been standing trying to get the floor to express my point of view. I want to say to the Senate that the senior Senator from Oregon has no intention at any time to engage in a colloquy with my colleagues in the Senate along the lines that I have heard made in the last 10 minutes in the Senate.

It is for each one of us to decide the reasons why he is following the course of action he is following. I would be quite less than human, of course, if I applauded the innuendoes in the speeches that have been made in the last 10 minutes. I only want to say most respectfully to my colleagues that I do not yield to a single one of them in my sense of loyalty to my Government and to the men in Vietnam.

There are quite a number of Senators I see in front of me who were in the East Room of the White House the other day, and I think, in view of the statements made on the floor of the Senate this afternoon, I am violating no privilege if I point out that when a question was asked if at present there was any shortage for any of our men there, the Secretary of Defense replied in the negative.

Every one of you gentlemen in the Senate know I would not be supporting any procedure that denied our fighting men in South Vietnam anything they needed. But where we do not seem to join issue and where we do not seem to be looking together with respect to the bill is the question of policy involved in the bill. Many Senators have been assuring us that there is no question of policy involved.

As I said Friday—and it is in the RECORD if any Senator wishes to read it—this bill is pregnant with policy, and new policy. If the bill is adopted the Senate will be proceeding, in my judgment, to abdicate some great responsibility it owes to the people of this country. All I am saying is that we should consider the policy questions involved.

On the question of filibuster, there is no basis for this charge——

Mr. BASS. Mr. President, will the Senator yield? I was the one who made the charge——

Mr. LONG of Louisiana. Mr. President, I have the floor.

Mr. RUSSELL of Georgia. Mr. President, regular order.

The PRESIDING OFFICER. The Senator from Louisiana has the floor.

Mr. LONG of Louisiana. I yield to the Senator from Tennessee.

Mr. BASS. How long does it take to discuss policy?

The PRESIDING OFFICER. The Chair recognizes the Senator from Louisiana.

Mr. DIRKSEN. Mr. President——

Mr. LONG of Louisiana. I yield to the Senator from Illinois.

Mr. MORSE. Mr. President, will the Senator yield to me?

Mr. DIRKSEN. The Senator from Louisiana has yielded to me.

I should like to ask the Senator from Oregon, Does he propose to offer his amendment this afternoon on the pending bill?

Mr. MORSE. Mr. President, if I can get the floor in my own right, I shall be glad to answer the Senator's question, but I do not want to do it now in the position I have been placed in.

I would like to make a parliamentary inquiry.

Mr. DIRKSEN. When I talked to the Senator from Alaska this afternoon, he said he was ready to offer his amendment. That amendment is printed. I discussed the matter with the Senator from Oregon at that time. At that time he indicated to me it would be either the amendment of the Senator from Alaska or his own amendment, although the amendment of the Senator from Oregon is not in print. I am simply asking for information whether the amendment will be offered this afternoon.

Mr. MORSE. I will give that information, but I will give it in my own time, because it requires an explanation, in view of the position I have been placed in, and I have not placed myself in this position, in the last hour and a half. I want to be sure I am protected in my parliamentary rights, so I wish to propound a parliamentary inquiry.

Mr. DIRKSEN. Let me ask one more question. There are no other amendments printed. I am asking whether there will be other amendments offered——

Mr. MORSE. In my judgment, there will be.

Mr. DIRKSEN. I am asking whether other amendments will be offered, so we can see how the business can be disposed of.

Mr. MORSE. In my judgment, other amendments will be offered, but it is going to depend upon what happens when I get the floor to make a statement and what happens between now and 6 o'clock, when a group in the Senate expect tc confer between now and 6 o'clock.

Mr. President, a parliamentary inquiry. Is there a unanimous consent in effect?

The PRESIDING OFFICER. There is none.

Mr. MORSE. The Chair recognized my objection to the one for Thursday?

The PRESIDING OFFICER. The Senator is correct.

Mr. MORSE. I will yield the floor now until I get it in my own right.

Mr. RUSSELL of Georgia. Mr. President, will the Senator from Louisiana yield to me? I tried to get him to yield to me three times. If he does not wish to yield to me, it is all right.

Mr. LONG of Louisiana. I yield to the Senator from Georgia.

Mr. RUSSELL of Georgia. I wish to say again this is a vital piece of legislation. There has been debate but not on the merits of the pending legislation. No debate has been directed to the content of the pending legislation since the opening remarks were made in presenting the bill by the Senator from Georgia and the Senator from Massachusetts [Mr. SALTONSTALL]. Almost everything else pertaining to Vietnam has been discussed except the contents of the pending bill.

The Senator from Oregon [Mr. MORSE] stated that it contained some matters of policy. I read his remarks of last Friday.

Mr. President, the time has come when the Senate must take some action on the pending bill. We are making ourselves ridiculous by talking about everything except what the bill proposes to authorize.

Oh, I have been in filibusters, but I have never run one like this one. In filibusters where I participate, we discuss the merits of the question.

I believe the Senate should come in at 10 o'clock tomorrow morning and stay in session and discuss the bill until we pass it. I might be the only one willing to do this, but I will be here tomorrow.

If a motion to adjourn is made, I shall try to get the yeas and nays on the question and see who wants to have a dilatory and desultory debate, while some men of the same blood as we are dying in Vietnam.

I shall ask the leadership to protect me if a unanimous-consent request is made. I cannot be here all the time. I am presiding over hearings on authorizations and appropriations for the fiscal year 1967.

I hope the leadership will protect me in my desire to determine whether Members of the Senate wish to continue to follow the procedure we have been following for the last 3 weeks. We should take some action one way or another.

If Senators want to vote down motions to adjourn and thereby to indicate that the bill should continue to hang here while the authorization is badly needed to support our efforts in Vietnam, let them do it. Let no Senator delude himself that this equipment is not badly needed in Vietnam. It is not only ammunition that is involved.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. RUSSELL of Georgia. I yield.

Mr. FULBRIGHT. How does the Senator explain the provision in the House committee report which indicates that the pending bill does not provide for any acceleration of any badly needed goods, and might even properly have been included in the 1967 authorization?

Mr. RUSSELL of Georgia. I do not undertake to explain what was in the House committee report any more than I undertake to explain the position of the Senator from Arkansas on the pending legislation. I am not responsible for the House report any more than I am responsible for the position taken by the Senator from Arkansas.

Mr. FULBRIGHT. If the Senator will yield, I might say that the House Armed Services Committee is very sympathetic, I am told, to the needs of the armed services. The question is as to how badly supplies are needed and as to the urgency. The Armed Services Committee of the House stated that there was no particular urgency and that this bill is a kind of legerdemain affecting next year's budget. It was handled in this way so there would not be as big a deficit as would have been the case otherwise. Therefore these authorizations were shifted into this bill. As far as the materiel being needed now, the House stated that the testimony on that point was not persuasive.

Mr. RUSSELL of Georgia. Does the Senator from Arkansas undertake to explain the House language? What he has said sounds more like the Senator from Arkansas than the Senator from Georgia. The testimony before our committees indicated that this legislation is urgently needed.

Mr. FULBRIGHT. If the Senator will yield, I wish to say that there is a big difference between the testimony in the Senator's committee and the Foreign Relations Committee. Half of the testimony on the Senator's committee has been deleted. It does not mean a thing when anybody reads it. In my committee, we at least try to inform the people of the country what this is about.

Mr. RUSSELL of Georgia. The Senator's committee did that.

Mr. FULBRIGHT. We did.

Mr. RUSSELL of Georgia. The Senator had lengthy hearings and had the hearings televised, while our hearings were in executive session.

Mr. FULBRIGHT. And most of the testimony in the hearings before the Senator's committee was deleted.

Mr. RUSSELL of Georgia. No, that is not correct. That statement is not correct. Most of it was not deleted. Less than 25 percent of it was deleted; only that part that was classified was deleted.

Mr. FULBRIGHT. I do not object to that. The Senator said that there is a big difference between the committees. There is a big difference between them. I am glad that the Foreign Relations Committee made every effort to tell the American people what this is all about.

Mr. RUSSELL of Georgia. I am not criticizing the Senator's committee.

Mr. FULBRIGHT. I thought the Senator was criticizing us. It sounded like that.

Mr. RUSSELL of Georgia. No, I am not criticizing the Senator's committee. I apologize if the Senator thought I was criticizing his committee.

Until the Senator referred to the Committee on Armed Services, I had not mentioned the Senator's committee or the Senator and I do not intend to do so at this time.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. RUSSELL of Georgia. I yield.

Mr. LONG of Louisiana. I wonder whether the Senator from Arkansas was talking about the bill before the Senate or the bill that is in his committee at the moment. There is a bill now before the Foreign Relations Committee. Perhaps the Senator was relying upon what the House committee said about the bill in the Foreign Relations Committee rather than the pending bill. That bill had a statement in it to the effect that it was of the utmost urgency and that unless we passed that bill many lives would be lost.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. RUSSELL of Georgia. For the moment I decline to be brought into any ring-around-the-rosy discussion on discussions in the House committee. I do not consider it appropriate in the first place, to discuss it here.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. RUSSELL of Georgia. I yield.

Mr. HOLLAND. I have been supporting the position of the distinguished Senator from Georgia and the distinguished Senators from Mississippi, and Massachusetts, ever since this debate started, as appears from the colloquy, while the Senator from Georgia was making his first speech. I shall continue in that course until we pass this bill.

I believe that every time we get acrimonious in our discussions here on the floor, we are doing a very great disservice to our country. I wish to make it very clear that in a visit to my home State, which I know as a patriotic State, just a few days ago, I found that this discussion here was causing confusion, was causing loss of morale in the minds of our people at home.

I wish all Senators could have heard the quotation from the Army textbook on morale in the armed services which was placed in the RECORD a little while ago by the Senator from South Carolina. Talking about men being hurt in Vietnam, talking about casualties there, I believe that confusion in our country and destruction of the morale of the homes whose sons are serving in the armed services of our country is as great a cause of loss of morale at the front as could possibly be occasioned by a great step-up in the casualties in Vietnam.

I hope that we may bring this debate to a halt even by filing a cloture motion if that is necessary. I am not very strong for cloture. I am strong for lengthy debate, as Senators know. But I think that every ordinary and reasonable limit has been exceeded in this debate and I would vote for cloture.

I hope that the leaders of this debate will insist on cloture or get some agreement, formal or informal, to bring this to a close.

I think we are sapping the morale of the men in Vietnam and sapping the morale of their families at home by this long discussion. If Senators do not think that that is so talk to the people at home whose boys are in the service. They will tell you that their morale is being strained and grievously hurt by this discussion. I hope that this debate will be brought to an early conclusion.

I completely support the consistent request of the Senator from Georgia that we come in tomorrow and see this matter through. We can see it through. We should see it through. It will be in the interest of the country if we do see it through tomorrow, if it takes an all-night session or however long it takes.

Let us get done with this matter and assure not only our men over there, fighting and in danger, some of whom may die, but also assure their families, friends, and communities that there is not a great division in the Senate on the subject of prompt supply of the things that they need. That is what is involved in this bill.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. RUSSELL of Georgia. The Senator is correct. This discussion cannot possibly help the country. It cannot establish policy. It cannot help anything except our enemies. This is not a policymaking bill.

It is unusual for members of one committee to hold up legislation reported from another committee so that they can have televised hearings to present the question before the country.

I saw a great deal of the televised hearings and I did not hear anything that detracted from the need for the pending bill.

Questions were asked about everything else, but Senators did not ask Mr. Kennan and General Gavin whether the authorization in the pending bill is needed.

Mr. FULBRIGHT. Does the Senator mean the pending bill?

Mr. RUSSELL of Georgia. Yes; I meant the pending business before the Senate. I am talking about the hearings before the Committee on Foreign Relations. Some members of the Committee on Foreign Relations are holding this matter up.

Mr. FULBRIGHT. We are not holding this matter up.

Mr. RUSSELL of Georgia. Is the Senator ready to vote?

Mr. FULBRIGHT. The committee has taken no action on this bill now before the Senate.

Mr. RUSSELL of Georgia. Some members of the committee have been holding it up. The Senator from Arkansas is here defending his action. He is criticizing the Armed Services Committee for its statement that the legislation is necessary. We have the amazing spectacle of one major committee delaying action or filibustering, or whatever one might call it, on the floor of the Senate so that they can conduct televised hearings on the same subject that another committee has reported legislation on.

Mr. FULBRIGHT. Mr. President, will the Senator yield ?

Mr. RUSSELL of Georgia. I had promised to yield to the Senator from Missouri.

Mr. SYMINGTON. As a member of the Foreign Relations Committee, I am on record for hoping we would get to a vote as soon as possible.

I trust the distinguished Senator from Florida, in talking about the nature of this debate, was not criticizing the senior Senator from Georgia.

Mr. HOLLAND. That was not in my mind at all.

Mr. SYMINGTON. I am glad to hear it.

I have been on the Armed Services Committee with the Senator from Georgia for some 14 years, and before that testified before him for some 7 years.

My opinion is shared by everyone on both sides of the aisle; namely, that no one in the Senate is more courteous when it comes to people stating their position, either in committee, or on the floor of the Senate.

Mr. RUSSELL of Georgia. I thank the Senator.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. RUSSELL of Georgia. I yield.

Mr. ERVIN. I hope the Senator from Georgia accepts the assurance of the Senator from North Carolina that the Senator from North Carolina heard all of the testimony presented before the Committee on Armed Services, both that which was printed and that which was deleted as classified, and that that testimony left in the mind of the Senator from North Carolina an abiding impression and an abiding conviction that the speedy passage of this bill is necessary to furnish weapons to our boys in South Vietnam who are being attacked at this moment by the enemy.

Mr. RUSSELL of Georgia. I thank the Senator. I yield to the Senator from Arkansas.

Mr. FULBRIGHT. The talk about this being relevant to the present needs of the men in Vietnam is clearly contravened by the statement of the Vice President at the meeting at the White House. When the Vice President was asked by a Member of the House: "Mr. Vice President, while you were in Vietnam, did you find any shortage of any essential material at the present time?"

The Vice President responded, approximately in these words: he said he had asked General Westmoreland and the general assured him that there was no shortage of any essential material necessary for the prosecution of the war at this time.

Mr. RUSSELL of Georgia. Does the Senator intend to continue this debate until there is a shortage?

Mr. FULBRIGHT. No.

Mr. RUSSELL of Georgia. How long does the Senator think we can delay?

Mr. FULBRIGHT. The only time I have spoken on this bill has been in this exchange. I do not know why the Senator accuses me.

Mr. RUSSELL of Georgia. The Senator is defending the delay.

Mr. FULBRIGHT. I think debate is perfectly proper, because there is no urgency. It is quite clear there is none. In addition to the statement by the Vice President, the Secretary of Defense, as I recall, made a similar reply. He said that this bill, as the House committee report itself states, is not designed to supply any present, current deficiencies in supplies in Vietnam; it is for a long-range procurement, except for one item. According to the Senator from Georgia, the only item which is to be put under contract in the relatively near future would be helicopters. But most of the bill is to provide over a long period of time for a major buildup or enlargement of bases, and so on. That is set forth in the report of the Senator's own committee. I need not read that.

I have not been delaying action on the bill. The Committee on Foreign Relations takes no position on this bill and is not responsible for any discussion that members of the committee have conducted personally. I have not yet said anything that I would like to have an opportunity to say.

Mr. RUSSELL of Georgia. The Senator from Arkansas is springing to the defense of his committee before it is attacked.

Mr. FULBRIGHT. In the 21 years that I have been a Member of the Senate, I have never seen the Senator from Georgia so anxious about stopping debate. He and I used to say that the Senate was the place to continue deliberations; that the Senate was ideally and uniquely fitted for the discussion of important subjects. I do not understand the Senator's sudden change. Why should we not have a few hours each in which to discuss this subject? I can remember when the Senator from Georgia and I used to take weeks to debate matters, matters which may not have been equally important, I will admit; but he never before took the view that the subject was so urgent that it had to be voted on immediately, without full discussion.

Mr. RUSSELL of Georgia. I have said time and again in the Senate that

I have participated in filibusters. I have also said that I would never vote for cloture unless the national security was involved. I feel so strongly that the national security is involved in this matter that I have about come to the conclusion that I could vote for cloture on this particular bill.

The Senator from Arkansas may console himself with the report of the House committee. He consoles himself with the thought that there is no GI or no marine who has to run because he does not have any ammunition. But a terrible situation exists in Vietnam. The conditions of logistics there constitute one of the gravest problems this country has ever had. Ships have been waiting week after week to be unloaded. We do not have the proper storage facilities there. It is difficult to find the things the men need.

A number of items that are not on order should be on order today. The assembly lines should be operating to turn them out, so that they can be sent to Vietnam.

If the Senator from Arkansas wishes to discuss this question further, he has in his committee a bill that deals with Vietnam. Let him bring it to the floor of the Senate. Let the members of his committee discuss it to their heart's content. But I do not think this bill should be held up any longer.

Mr. SALTONSTALL. Mr. President, will the Senator from Georgia yield?

Mr. RUSSELL of Georgia. I yield.

Mr. SALTONSTALL. The Senator from Arkansas said that there is no vital need to pass the bill at this time, a bill that provides for the supplies that are needed in Vietnam. I invite the Senator's attention to page 2 of the Senate committee report. I shall read two lines:

> The August addition was insufficient to finance the higher production rates beyond February 1966.

That is now.

> The procurement authorization of $3,417,700,000 contained in this bill is the part of the additional $7 billion requested for procurement in fiscal year 1966 that requires new authorization.

I also invite the attention of the Senate to page 46 of the hearings before the Committee on Armed Services, in which the Secretary of Defense replied to a question asked by me. The question and answer are as follows:

> Senator SALTONSTALL. So that fundamentally, you are increasing the 1966 budget through supplemental appropriations to keep your 1967 budget down?
>
> Senator MCNAMARA. No, sir; not to keep the 1967 budget down but to keep the military operations continuing in South Vietnam in fiscal 1967. We haven't put a dollar in 1966 that could be put in 1967 while still supporting the operations in southeast Asia. Because the operations in the future are so uncertain we want to fund them at the last possible moment and that has been the basic policy underlying both the 1966 supplemental and the 1967 budget, which means that we haven't pushed anything into 1966 that we think we could obtain delivery on if funded in 1967.

That is why the Committee on Armed Services unanimously reported the bill, regardless of whether we agreed with all the policymaking concerning Vietnam. The money is needed now to support our men and to provide them with the proper materiel—ammunition, helicopters, bombs, and all that goes with conducting the operations in South Vietnam.

Mr. RUSSELL of Georgia. And to see that it reaches them. It is not enough to have the materiel; it is necessary to provide the facilities which will enable the materiel to reach its destination. It has taken 2 months before some ships could be unloaded. If any Senators are left who are interested in Government expenditures, I point out that every day a ship lays over, every seaman draws $14 a day in addition to his regular pay, because he is said to be in a war zone. The master, too, receives additional pay. Hundreds of thousands of dollars are being paid out because sufficient facilities are not available to unload ships.

Many of the items in the bill are construction items that are of vital importance. They are needed to provide an uninterrupted supply of equipment.

I urge the majority leader again—and also the distinguished minority leader; I know how much opposed he is to lengthy sessions——

Mr. DIRKSEN. I am ready.

Mr. RUSSELL of Georgia. To have the Senate, after it convenes tomorrow, to remain in session until the bill is disposed of.

Mr. ROBERTSON. Mr. President, will the Senator from Georgia yield?

Mr RUSSELL of Georgia. I yield.

Mr. ROBERTSON. I stand behind the Senator from Georgia, the Senator from Mississippi, and the Senator from Massachusetts in urging the immediate passage of the bill. This is a vital bill. The leadership provided an opportunity on Saturday for those who claimed they wanted time to speak, but they would not come to speak. We understand the issues. Any further speeches will be for the purpose of delay.

It will not take more than one or two nights to conclude action on the bill. I think we can finish this debate, and we ought to do it. I support the position of the Senator from Georgia. I hope the leadership, when it calls us into session tomorrow, will have us remain in session until action on the bill is concluded.

Mr. RUSSELL of Georgia. I thank the Senator from Virginia.

Mr. STENNIS. Mr. President, will the Senator from Georgia yield?

Mr. RUSSELL of Georgia. I yield.

Mr. STENNIS. I wish to speak briefly to the Senate in response to what the esteemed Senator from Arkansas [Mr. FULBRIGHT] said concerning what the Vice President reported at the White House. The Senator from Arkansas questioned the incident with respect to the conversation with General Westmoreland, and General Westmoreland stating that his materiel was not in short supply, generally, with respect to ammunition. This received a general answer. Here is the specific situation, as reflected by the testimony of General Wheeler a few days ago, which expressly explains the particular situation with reference to the 2.75-inch rocket, which is now highly effective. It is a small rocket that has been used particularly from helicopters to clear a way in advance for a landing and then to protect the perimeter, to allow the boys to land. A large supply of these rockets is needed. We have received letters from the boys out there saying, "Send us more of the 2.75-inch rockets." The Department of Defense will be quite willing to admit that there is any kind of shortage; but here is the specific testimony of Secretary McNamara with reference to the 2.75-inch rockets.

Mr. KUCHEL. From what page of the hearings is the Senator reading?

Mr. STENNIS. I read from page 211 of the hearings before the Committee on Armed Services:

> However, in the last year or two, we have experimented with the use of 2.75-inch rockets for use against personnel when fired from helicopters, and this is a new use and requires a different head, a fragmentation head.
>
> The expansion of our helicopter force in South Vietnam and the arming of that force with this rocket has so sharply expanded our requirements for it that its supply has been tight.

That is the testimony of the Secretary of Defense, who says the supply has been tight.

The Subcommittee on Preparedness has an abundance of testimony—volumes of testimony—about the need for more of these rockets.

General Wheeler then said in response to a question from Senator BYRD of West Virginia:

> General Westmoreland has applied out there what is called an available supply rate for the 2.75's. I believe I have some information regarding the subject.

Mr. President, may we have order?

The PRESIDING OFFICER. There will be order in the Senate.

Mr. STENNIS. The accuracy of our report that this money is needed now has been challenged on the floor.

General Wheeler said:

> General Westmoreland has applied out there what is called an available supply rate for the 2.75's. I believe I have some information regarding this subject.

By "out there" General Wheeler was referring to Vietnam. The available supply rate means in battle terms, as all committee members understand, that there is a limitation. The supply rate is on a day-to-day basis, based not on what might be needed, but on what is available. That is the meaning of the term.

We have been able to keep them going and there has been no acute shortage. However, the boys flying the helicopters and getting shot at, and the men at the guns in the helicopters—and I have talked to wounded men at Walter Reed Hospital, and I have letters from many of them—say that the available supply rate is not enough.

General Wheeler said:

> I believe I have some information regarding this subject.

On page 212 of the hearings, General Wheeler said:

> I have that information now.

That information pertains to the 2.75's, and the tight supply and the daily available supply, and the rest of his answer is deleted. Why is it deleted? It is deleted because a full answer in print would be giving information from the Chairman of the Joint Chiefs of Staff to the enemy.

There is only a daily available supply for these men.

We have said from the beginning that the money in the bill is to supply this materiel.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. SYMINGTON. Mr. President, I associate myself with the remarks of the distinguished Senator from Mississippi, the very able chairman of the Military Preparedness Subcommittee. His subcommittee has done a great deal more work than any other committee in the Senate in an effort to discover the facts about shortages in Vietnam.

Mr. President, anyone with industrial experience knows that when one goes from tens of thousands of units or people to hundreds of thousands within a relatively few months, there are bound to be shortages, whether in a plant, or in a military department.

The bill before us involves an effort to overcome such shortages. We hear about Cam Ranh Bay, and the tremendous new port being developed there.

There was but one modern dock and one obsolete dock at Cam Ranh Bay less than 60 days ago.

This bill would help supply the needs which exist to supply the troops. When there is a shortage of ammunition, that ammunition can be "red balled" over by airplane. But, we cannot "red ball" tractors, or any heavy construction equipment.

Two months ago there were some 80 ships waiting to be unloaded because of a lack of adequate dock facilities. It is absurd on the face of it to have anyone say that under such an expansion it could be done without some shortages.

Anytime there is comparable augmentation, in any part of our economy, military or otherwise, to the extent there has been in South Vietnam, there are bound to be shortages.

The purpose of the bill is to overcome such shortages, as the distinguished Senator from Mississippi has so well presented this afternoon.

Mr. FULBRIGHT. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. FULBRIGHT. Mr. President, is it in order to read from a report of a committee of the House of Representatives?

The PRESIDING OFFICER. The Chair reads from page 314 of "Senate Procedure":

> Under the precedents it has been held not in order in debate for a Senator to make reference to action by the House of Representatives, to read an extract from the proceedings of the House relating to a matter under discussion, to read from a speech made by a Member of the House during that particular Congress on the pending subject, to refer to or make any illusion to or comment upon the proceedings of the House of Representatives, or to make reference to the proceedings in the House on the matter under consideration for the purpose of influencing the action of the Senate.
>
> It is out of order, as interfering with the independence of the two Houses, to allude to what has been done in the other House as a means of influencing the judgment of the one in which a question is pending.

However, if no objection is interposed, the Senator may proceed.

Mr. RUSSELL of Georgia. Mr. President, I ask unanimous consent that the Senator from Arkansas be permitted to read the report of any House committee.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. RUSSELL of Georgia. Mr. President, it is a new wrinkle to have the Senate run over to get support from the House.

Mr. FULBRIGHT. Mr. President, under the practice of the Foreign Relations Committee, we always receive reports from the other body and consider reports on bills that come to our committee. We take note of them. We accept the bills and notice the amendments the House has added to the bills.

I did not know that we were so insulated from the other body. All I want to do is to complete the RECORD and give at least some basis for my view.

I read from page 3 of the report of the House Committee on Armed Services, as follows:

> If there is one reservation felt by many members of the committee regarding the necessity for this legislation, it arises from the possibility that many of the items involved, in all three categories of procurement, research and development, and construction, may simply have been moved from the regular 1967 authorization to the supplemental 1966 authorization without any real program for acceleration. Obviously no military advantages would be gained by such a bookkeeping situation.

Mr. President, I submit that this is a very straightforward statement.

This is the committee report, issued after full hearings. I assume that they have just as full hearings as do Senate committees. It is their belief that there is no urgency about this matter, that it would be normally carried in the 1967 budget except that it is the desire of the administration to minimize the deficit in next year's budget, and throw it into this year's budget.

That is quite obvious. That is what that statement means to me. Of course, if we were to ask the Secretary of Defense point blank: "Do you mean to say that you are up here trying to hornswoggle this country and keep next year's budget in better shape?" he would say: "No. We need it."

This is the deliberate and considered judgment of the committee, issued in the formal report of the House committee. That is at least sufficient to raise a question as to the urgency of the matter.

I do not deny that the Senator from Georgia has a right to have exactly the opposite view. However, I think that he will admit that this raises a question which deserves some consideration and gives cause to wonder whether there is sufficient urgency to warrant forcing this bill through under high pressure.

That is all we are saying. I am not trying to delay the measure. I have not taken any time on this measure except for a few moments this afternoon by way of interrogatory.

Mr. RUSSELL of Georgia. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. RUSSELL of Georgia. Mr. President, there certainly are strong reasons to get the bill through. The measure has been here on the floor for almost 3 weeks. I cannot say that there are efforts to cram something down somebody's throat.

I have not read that report. However, I do not understand that the Senator has read anything from the report that stated this was an effort to evade anything.

It was stated that it is entirely possible that some items could go over to the 1967 appropriation bill. I have no quarrel with that statement. There may be some items that could safely be deferred to the 1967 appropriation bill. However, I do not believe the Senate should be willing to take chances when over 300,000 of our boys are in Vietnam and contiguous areas.

We have had this bill in the Senate for nearly 3 weeks. Nobody has tried to cram it down anybody's throat. We have given everybody a chance to speak. We begged them to come in and speak. But now we are begging them to vote.

I say there is nothing in that committee report that will justify a statement that the bill is not needed and is not urgent. The House report intimated it is possible that some items could be carried over until the regular authorization for fiscal year 1967; and, of course, when there are so many items involved, that statement undoubtedly is true.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. MAGNUSON. The Senator may yield to the Senator from Massachusetts, and yield to me later.

Mr. MANSFIELD. I want to talk myself sometime.

Mr. SALTONSTALL. May I speak for 1 minute?

Mr. MANSFIELD. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. Mr. President, I simply add to what the Senator from Georgia has said. Under section 612 of the statutes, there are certain things that can be carried over beyond the appropriation amount, such as food, clothing, and that type of thing; but not procurement, not ammunition, not construction of wharves, not airfields, nor runways, nor roads necessary for us to carry on our operations in Vietnam. Those items are provided for in this bill, and that is why the appropriation is so necessary.

Mr. MAGNUSON. Will the Senator from Montana yield to me?

Mr. MANSFIELD. I yield.

Mr. MAGNUSON. For clarification of the RECORD, there has been a great deal said about the Senate relating to this bill; and when we say the "Senate," our friends report it that way.

All of us are not going to speak on the matter, as that would delay it longer; but I think the Record should be clear that the vast majority of the Senators wish to vote on this bill now, wished to vote on it last week, and wish to proceed with the Senate's business. That majority includes the Senator from Washington. So I hope the Senate will not be chastised or the word go out that the Senate is delaying this bill. Because when the Senate is mentioned, in some places they say, "Oh, yes, that Senator of ours." You know?

I am ready to vote. I was ready last week. I was ready even the first of the week, and I think the quicker we get it done, the better.

So I hope my friends in the Press Gallery will do us justice in the matter.

Mr. RUSSELL of Georgia. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. RUSSELL of Georgia. Did the Senator from Arkansas insert all of the portion of the House report under the heading "Committee Reservation," or just the part that he read?

Mr. FULBRIGHT. I just read a part. I did not put it all in.

Mr. RUSSELL of Georgia. Mr. President, I ask unanimous consent that the three paragraphs under the heading "Committee Reservation" in House Report No. 1293 be printed at this point in the Record, because it states this legislation is approved by the committee in order to achieve more rapid replacement of articles consumed, and to provide proper equipment for a larger force in a shorter period of time. That is exactly what we are recommending here.

There being no objection, the excerpt from House Report No. 1293 was ordered to be printed in the Record, as follows:

Committee Reservations

The essential purpose of, and underlying cause for, the proposed legislation is, of course, the war in Vietnam. Aircraft, both fixed wing and helicopters, ships, missiles, and tracked combat vehicles are all being utilized at a rate greater than it was possible to anticipate when the 1966 authorization for those items was passed. This legislation was approved by the committee solely in order to achieve more rapid procurement of replacements of articles consumed, and to provide proper equipment for a larger force in a shorter period of time.

If there is one reservation felt by many members of the committee regarding the necessity for this legislation, it arises from the possibility that many of the items involved, in all three categories of procurement, research and development, and construction, may simply have been moved from the regular 1967 authorization to this supplemental 1966 authorization without any real program for acceleration. Obviously no military advantages would be gained by such a bookkeeping situation. Testimony on this subject was indecisive and the committee has not yet been provided with sufficient definitive data to pinpoint the exact degree of real acceleration, or to determine the amounts involved in the proposed legislation which could safely and should properly be deferred until the regular 1967 authorization.

We realize the difficulty of determining exact future needs in any wartime framework, however, and to the extent of the proposed legislation we are accepting in good faith the assurances of the services and the Department of Defense that this authority is needed for these purposes at this time. We assure the Members of the House that the performance of the Department of Defense and of the services in living up to these assurances will be closely followed.

The PRESIDING OFFICER. The Senator from Montana.

Mr. MANSFIELD. Mr. President, a reading of the Record indicated as recently as last Friday that there would be opposition to any unanimous-consent requests which would be offered during consideration of the pending measure. I believe that in view of what has happened today, as well as the statement of last Friday, we should recognize the fact that it would be impossible at this time to achieve a unanimous-consent agreement seeking to bring about an end to debate.

I would hope, therefore, that the Senate would be understanding enough to realize that even though it is impossible at this time to achieve unanimous consent to limit debate, the debate still may not be excessively long, and we may be able to come to a vote perhaps some time during the present week. As a matter of fact, I believe that the leader of the opposition to parts of this bill stated on last Friday that it was his impression and belief that it might be possible to arrive at a vote on Tuesday of this week. Time will tell.

As far as my position is concerned, it is my intention, at present, to vote against all amendments to the pending measure. I think the proposal is important in itself and I think, in view of the information brought out by the members of the Armed Services Committee, that its importance is recognized. I personally would take cognizance of what the Senate committee has reported, rather than a committee of the other body.

Insofar as cloture is concerned, it is not my intention to offer a motion for cloture, because I think that, too, might delay things beyond a reasonable length of time. Certainly on the basis of less than 2 weeks' consideration of the pending bill, I see no need for a cloture motion at the moment.

Insofar as the question of logistics is concerned, there are shortages in Vietnam, and this bill will help to make up those shortages. I recall, for example, when the distinguished Senator from Delaware [Mr. Boggs] was in Vietnam in November, he visited the headquarters of the 1st Cavalry, and if my memory serves me correctly, he learned that 59 percent of the helicopters were incapacitated because of lack of spare parts. That, of course, has been corrected since that time.

The distinguished chairman of the committee has brought out the fact that there is a logistical problem in Vietnam. There was and there is. Ships have lined up for miles out into the South China Sea. Some of them have become so low on fuel and food that they had to leave the line, go back to the Philippines to store up fuel and food to get going again, and come back and get in line. There are plenty of shortages which must be corrected out there. Regardless of anyone's position on what is going on in Vietnam, it would be my hope and it is my belief that if we operate in an orderly manner, if we keep our shirts on, if we avoid, for the time being, all talk of cloture and all-night sessions, in the long run we will be ahead.

Tomorrow the Senate meets at 11 o'clock. We will stay in session a little later. There is no objection to that kind of procedure. But there will not be all-night sessions; and as far as I am concerned, I do not intend to lay down a motion for cloture. I make this statement on the basis of deep consideration of the fact—at least I think it is a fact—that if we operate in that fashion, we will be able to bring this matter to a decisive vote sooner. And I should note, finally, that as far as the Senator from Montana is concerned, he is in favor of this bill 100 percent.

Mr. MORSE. Mr. President——

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MORSE. Mr. President, now that I have the floor in my own right, I wish to make a few observations before discussing my amendments.

The PRESIDING OFFICER. The Senate will be in order.

Mr. MORSE. Mr. President, there has been a great deal of discussion this afternoon about the views of many of my fellow Senators that we should have immediate action on this bill, before there has been a full debate on the merits of various issues involved in the bill.

No one has yet pointed out that the bill has not passed the House. This bill still has to be voted on in the House, and frankly, I am at a loss to understand why there is this terrific drive on in connection with this bill in the Senate, to shut off debate on issues that many of us have been raising in good faith. I have said and repeat, if I ever have the slightest idea that a filibuster has started on this bill, I will try to be the first to sign a cloture motion.

Mr. President, in my judgment—and I speak respectfully—it is grossly unfair for anyone to charge that any of us who have been discussing this bill has been engaged in a filibuster. Read our speeches.

Various discussions have taken place in the Senate while this bill has been pending. If those who have been talking about what I consider to be entirely irrelevant procedural matters connected with our debate had not eaten up the time with those hours we would be much further along in the consideration of the merits of this bill, and toward the completion of our discussion of its merits.

Those of us opposing the bill in its present form have not been filibustering it. We have been raising questions. We have been presenting evidence. We have been pointing out what we consider to be some of the serious defects in the bill.

I intend to point out a few more this afternoon.

Let me say for the benefit of the Senator from Louisiana and the Senator from Illinois that reference was made by the majority leader a few moments ago to the fact that we had discussions last week, when there was talk about trying to get a unanimous-consent agreement, and I said that I was not going to give unanimous consent at any time in connection with the bill.

I said then I was hopeful that if debate followed its regular course, we could be through with the bill tomorrow night. I also said that I hoped we could be through with the bill by last Friday night. It was my hope—I wish to repeat what I have just said—that after all, there were a great many interruptions in this debate from the standpoint of debate on the merits of the bill and because of certain parliamentary strategic matters and certain procedural matters. But, let the RECORD speak for itself; I made clear in all those discussions that that was what I hoped for, and that I would work to that end; but, also, I could not guarantee when debate on the bill as to its merits would finish. It was a question that the leadership of the Senate received from the Senator from Oregon, his statement of good faith, and I made the statement of good faith, and I stand by it.

I have done nothing to prevent the consideration of the bill on its merits, but I am disappointed that all the discussion has not been on the merits of the bill, but has been on what I consider to be extraneous, irrelevant procedural matters.

I had hoped to get an amendment before this body much earlier today, but let the RECORD say why I have not. As I said to the minority leader who came over to my desk a few minutes ago, I said to him that last week I hoped to get an amendment up and planned to get the amendment up today. I still hope to get the amendment up before we adjourn, if we do not adjourn too early.

Why have I not brought it in? Why am I not going to put one in, in the course of this speech? It is because I believe in teamwork in the Senate, that is why.

Earlier today, a group of Senators came to me and asked me not to put in an amendment until they could have a 3 o'clock conference. They had the 3 o'clock conference, and I was there part of the time. The Senator from Louisiana [Mr. LONG] agreed to give me full protection until 4 o'clock, so far as my procedural rights were concerned, so that I could go to the meeting. I was invited to go to the meeting. I went to the meeting.

It is not for me to disclose what took place at the meeting other than to say that there was a discussion as to what the position of some Members of the Senate should be, or might be, in regard to any possible amendments to the bill. They felt that if I introduced an amendment prior to the reaching of a consensus of opinion among them as to what their position might be, I might make it more difficult for them. That is all they had to say to me. They could count on me not to introduce an amendment until they had completed their discussions.

I was at that meeting when the quorum bell rang. I said to the group, "I have no recourse but to go to the floor of the Senate in accordance with my understanding with the Senator from Louisiana and in all fairness to him, but I am perfectly willing to tell you what I said. I will take the floor, and I will discuss the matter and offer no amendment until you give me some advice as to what conclusions, if any, you have reached."

I came up here to do that. The first man I went to was the Senator from Louisiana, and I told him just what I said on the floor of the Senate, that this was the situation in which I found myself because the Senator from Louisiana said to me at least two times, "When are you going to introduce your amendment?" I said, "I am not in a position to introduce it yet because of the procedural situation that is developing."

So I came to the floor of the Senate and reported to the Senator from Louisiana that I was not going to be in a position to introduce my amendment until the meeting downstairs had decided on a consensus of opinion, if they had a consensus.

Then the live quorum was called, and that meeting necessarily had to break up. I was sitting here in my seat when two representatives of the meeting came to me and said, "WAYNE, we are going to go back in session at 5:15 and we sincerely hope that you will not introduce any amendment until we complete the next conference because we did not have adequate time to reach a consensus."

I said to them, "I want the Senate to know that I will not introduce an amendment, but I have a good many things to say in regard to the merits of the bill. I will not introduce my amendment until you advise me as to what action you were able to reach in regard to the conference."

Ordinarily, I do not say these things on the floor of the Senate, but, in effect, some of the things which have been implied in regard to me I wish the record of this debate to show why I have followed the procedural course of action which I have followed.

I propose now to proceed to discuss some of the items that I indicated last Friday I would discuss again today.

I wish, in my first point on the substance of the bill, to say that this is a policy bill, that this is not just an authorization bill for funds, but that this is an authorization bill for many major changes in foreign policy of the Government of the United States vis-a-vis southeast Asia.

If we pass the authorization bill, we will be authorizing the President of the United States and the Secretary of Defense to follow a whole series of new policies in respect to the war in southeast Asia. We should decide whether we wish to adopt that policy. For, if we authorize the provisions of the bill, in my judgment, we will be turning over to the President of the United States and to the Secretary of Defense power which no President, no Secretary of Defense, should ever be given by Congress. We will be turning that power over, in respect to new policies, without retaining a check on the part of Congress. To me, that is of great importance to decide, before we come to a vote on the bill.

Mr. President, it pains me to express such great differences of opinion with my President but, in my judgment, he has announced an intention to follow a policy in the conduct of the war in southeast Asia which, in my judgment, unless we check him—and by that I mean unless we stop him—we will be on our way to an escalated war in Asia.

Of course, we have honest differences of opinion between and among us as to whether that will be the result. But it is because I am so deeply convinced that that result is inevitable that I have followed the course of action I have followed in regard to the war in southeast Asia.

I am perfectly willing to stand on that record, but let me say to the Senate this afternoon that we cannot put our heads in the political sands and come to a conclusion that the people are with us, for I am satisfied that the President of the United States is losing American public opinion by the millions of individuals week by week.

In my judgment, the friends of the President of the United States are not those who are fighting to give him this new policy under the bill. In my judgment, the votes for the new policy provided for in this bill are not, in terms of history, going to be a kindly and friendly act toward the President of the United States. History is going to prove that such votes in the adoption of such a policy are going to do great damage to the President of the United States.

The President of the United States needs to be checked in the proposals that are encompassed in this bill and from exercising the executive authority that the bill would give to him.

We saw the poll in today's papers. I do not know how accurate it is, but it is not on the basis of polls that I go. I do not think one can go into any region of the United States at the present time and not find increasing numbers of Americans who are expressing disapproval of the escalating policies of the President of the United States in the conduct of this executive war.

We, the Congress, must assume our responsibility for much of it. In my judgment, the Congress made a most unfortunate mistake in August 1964, when, undoubtedly at the request of the Chief Executive and the executive branch of the Government, Congress passed the ill-fated resolution of August 1964, proposing to give to the President of the United States the authority that the resolution gave him to prosecute, in accordance with his decisions, an executive war.

That was a great mistake, and I am going to talk about it momentarily. But what we gave him we can take away, and the resolution contained a rescission clause. The senior Senator from Oregon has been saying that he thinks the rescission clause should be up for a vote in the Senate.

I do not have to tell anyone what the argument is against offering a rescission clause.

Most Senators will vote either against the rescission clause or for a substitute resolution reaffirming the position that they took in August 1964—as though that were an argument why the senior Senator from Oregon should not offer his amendment.

I want to continue to believe we have a government by the people in this Republic, and not a government that stops with the Congress of the United States or with the White House.

It is still true that, after all, the residue of power rests in the people of this country; and the people of this country are entitled to know where their elected representatives stand in regard to an expansion and acceleration of this war. And the pending bill provides for an acceleration and expansion of the war. Oh, I know it can be said, that is true only if the President decides to use the power this authorization bill gives him to build more bases in southeast Asia and to finance a war effort for any other nation that sends in troops. I speak respectfully when I say the President has made perfectly clear he will use such power, on the basis of the power he has already used—far in excess of the power any President of the United States should use.

I have no doubt what the President will do if Congress passes this bill. I am not at all moved by the semantics he used in New York City the other night. I shall have something to say about that speech, too, before I finish.

We have just read in the last 24 hours or so in the press of the United States a statement by the President to the effect that he did not need any resolution to carry on his Executive power in connection with the prosecution of this war.

Mr. President, I do not scare easily, but that statement of the President of the United States frightens me, because it is the statement of a man who is saying, in effect, to the American people that he intends to do what he wants to do on the basis of his assumption that he has the Executive power to prosecute this war in accordance with his policy.

All I want to say to the American people is, "Take the power away from him just as fast as you can take it away." If the Congress of the United States does not want to check this President, then I say from the floor of the Senate today, the people must check him if we are to avoid the danger of a massive war in Asia.

So the senior Senator from Oregon is placed in a position where, in the next few hours, depending upon what the conference group to which I have already alluded may decide by way of a different suggestion that the amendment the senior Senator from Oregon may offer, I shall offer one of two amendments I have unless this conference group can come forward with a suggested substitute which in my judgment would be preferable to either one of the amendments that would be offered by the Senator from Oregon.

I stress again that the abiding concern of the senior Senator from Oregon in regard to the pending legislation in the Senate, which has yet to pass the House of Representatives, is that this legislation will underwrite and authorize the exercise of power on the part of the President of the United States and the Secretary of Defense that neither of these men should be given if we are to preserve a workable system of checks and balances in our form of government.

If I offered my so-called rescission amendment, I want to point out that rescission by concurrent resolution which I offered on January 29 is not possible as an amendment to this legislation.

I would that time had permitted the Foreign Relations Committee to hold hearings on my rescission concurrent resolution. I think that would have been preferable. Time has not permitted it. When I talk about the hearings of the Foreign Relations Committee, let me say I thought it was very disappointing in the debate this afternoon to hear the comments that were made, in reflection on the great work of the Foreign Relations Committee under the leadership of that great statesman from Arkansas [Mr. FULBRIGHT].

Those public hearings should continue. It is immaterial to me whether they continue in the same format in which they were conducted, but the American people are entitled to know in public hearings what our foreign policy is or is going to be.

We have not called before the Foreign Relations Committee yet a single authority on China. I am at a loss to understand how anyone who wishes to pass the authorization bill before us, which is an authorization for foreign policy, would want to do so without having a public record as to what the China experts think. What is to be expected from China when we further escalate the war under this bill? Does anyone know what China might do? Or North Vietnam?

It may very well be the difference of this bill. It may very well be the difference of the Senate bill which is pending before the Foreign Relations Committee. It may be the difference of the various proposals that are being advanced these days for an escalated and expanded war in Asia.

We ought to know before we authorize the policy. If there is a policy authorized there is not very much chance of getting it deauthorized. Senators are making the decisions as to the nature of the war that will be prosecuted in southeast Asia on this bill.

I certainly do not question the dedicated loyalty and patriotism of everyone on the other side of this issue. But I do not yield to them one iota in respect to my own dedication and my own loyalty. We have honest differences of opinion as to how to best protect those boys in southeast Asia. The policy I would follow is a policy that would stop killing them. The policy the majority is advocating is a policy that will kill increasing numbers of them.

The policy that I am advocating is one that leads to a stopping of the United States conducting, for the most part, a unilateral war in southeast Asia, which we had no right to start and we have no right to maintain.

Here is a Senator who is still waiting for an answer to the policies of a General Gavin and a former Ambassador George Kennan. In my judgment this administration has not, up to this time rebutted the proposals of a General Gavin or the proposals of a former Ambassador Kennan.

Mr. President, without losing my right to the floor, I yield to the Senator from Pennsylvania.

Mr. CLARK. Mr. President, over the weekend I have been asked by a good many of my constituents and members of the press whether there was any substantial difference between the President of the United States and me with respect to our attitudes toward Vietnam.

I have said that if the President—and I think that this is a fair statement—stands by the statements made on his behalf by his press secretary, Mr. Bill Moyers, and I have no reason to think he does not; and if the President stands by the first 9 points in his 10 point statement in his New York speech, and I have no reason to think that he will not—in fact, I believe that he will—and if the President believes that there is no substantial difference, or more accurately that he has no quarrel with the point of view expressed before the Foreign Relations Committee by General Gavin and Ambassador Kennan, then, as far as I am concerned the President of the United States and I are in accord.

But one hears disturbing stories and one reads disturbing stories in the press in which others are quoted as indicating that the President's real point of view is very different from that which I have just outlined.

I was on the west coast over the weekend and I was disturbed to read an article in the San Francisco Chronicle originally printed on Saturday, February 26, in the New York Times under the byline of Seymour Topping. The Chronicle carries the New York Times service. The article is entitled "United States and Vietnam Draw War Plans for 3 to 7 Years."

There are some statements in that article I would like to read into the RECORD. Then, I ask unanimous consent that the full text of the article may be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. CLARK. These excerpts disturb me very much. This comes from Saigon and it purports to quote high senior United States and South Vietnamese officials. One would assume that whoever spoke, spoke with the authority of Ambassador Lodge, General Westmoreland, and Marshall Ky. I quote as follows:

> Under the new plans—

Said to have been on the way to being carried out by South Vietnamese and American officials in Saigon—

> the level of offensive operations is to be raised as the support capability of U.S. forces is expanded through the improvement of port facilities at Saigon and other harbors extending north to Da Nang. Additional troops are to be brought to Vietnam so that the military commanders will have sufficient forces to strike hard at Vietcong base areas. Air strikes at communication lines in North Vietnam and infiltration routes through Laos are to be continued. U.S. troops will be permitted to enter Cambodia in pursuit of Vietcong forces and North Vietnamese units that are reported to be based there.

Further on, there is the following quotation:

> [Gen. William C. Westmoreland] intends to employ U.S. troops, which now number more than 200,000, in a series of sweeps directed at destroying, defeating, or neutralizing the Vietcong's main force units, which are estimated to total 80,000 men.
>
> Despite private assurances from President Johnson—

I repeat that—

> Despite private assurances from President Johnson that the administration will prosecute the war as is required, officials in Saigon are wondering whether the American people will tolerate the casualties that are foreseen in the projected military operations. During periods of maximum combat effort, it is expected that American casualties each month will average about 400 to 500 dead and about 15,000 wounded.
>
> Since the Honolulu Conference the key U.S. officials here * * * have been given a clear mandate to put the program into effect.
>
> A number of policy options have been discarded.
>
> Official planning in Saigon no longer takes account of any possibility of peace negotiations within the Vietcong.
>
> The President is said now to be bent on action to break the back of the Communist-led insurgency.

Quoting again:

> The mining of the channel to the port of Haiphong and the destruction of jet airfields near Hanoi are still under consideration.
>
> General Westmoreland believes that it will take several years to break the Vietcong main force units.

Quoting again:

> Vietcong losses, in killed and wounded, are being made up by the infiltration of troops from North Vietnam, now estimated to total 4,500 a month, and the drafting of men in South Vietnam.

Quoting again:

> At no stage in the political and military program do American or Vietnamese officials in Saigon foresee an opening of negotiations with the Vietcong toward a peace settlement.

Quoting again:

> Even the most optimistic officials are uneasy about returning to Honolulu next June to meet President Johnson's demand for a demonstration of how many coonskins have been nailed to the wall.

Then the final quotation:

> No responsible United States or Vietnamese official in Saigon expects to record spectacular gains by as early as next June. One South Vietnamese official wryly said he might have to skin his stuffed tiger to have something to show to the President in Honolulu.

If that report from Saigon, by a thoroughly reputable and experienced reporter, properly represents the policy of the United States, agreed to by the President, I say with deep regret and the utmost respect that I am strongly opposed to that policy and that, in my judgment, so are the people of the United States.

I thank the Senator from Oregon for his courtesy in yielding to me.

EXHIBIT 1

UNITED STATES AND VIETNAM DRAW WAR PLANS FOR 3 TO 7 YEARS: OFFICIALS IN SAIGON CHART STRATEGY FOR INVADING OF ENEMY STRONGHOLDS—HOPE FOR TALK IS DIM

(By Seymour Topping)

SAIGON, February 25.—Senior United States and South Vietnamese officials are showing a new sense of purpose and direction in the war against the Vietcong.

"We have nothing to cheer about except that we have at last defined our problem and we have the go-ahead on a program," one of them explained.

The officials estimate, in their planning, that the war will last from 3 to 7 years. At the moment they are more concerned about the possible adverse reaction of American public opinion to a costly, prolonged struggle than about any of the specific military or political problems within Vietnam.

TROOPS MAY ENTER CAMBODIA

Under the new plans, the level of offensive operations is to be raised as the support capability of U.S. forces is expanded through the improvement of port facilities at Saigon and other harbors extending north to Da Nang. Additional troops are to be brought to Vietnam so that the military commanders will have sufficient forces to strike hard at Vietcong base areas.

Air strikes at communication lines in North Vietnam and infiltration routes through Laos are to be continued. U.S. troops will be permitted to enter Cambodia in pursuit of Vietcong forces and North Vietnamese units that are reported to be based there.

A decision has been postponed on the deployment of U.S. troops in Laos to cut the Ho Chi Minh trail, although senior military officers in Vietnam tend to favor such an operation. The administration has decided against such a move for the present because of the opposition of the Laotian Government and disagreement within the U.S. military leadership over the feasibility of such an operation.

SWEEPS ARE PLANNED

It is within this strategic framework that Gen. William C. Westmoreland, the United States commander in Vietnam, is planning his operations. The general intends to employ U.S. troops, which now number more than 200,000, in a series of sweeps directed at destroying, defeating, or neutralizing the Vietcong's main-force units, which are estimated to total 80,000 men.

Despite private assurances from President Johnson that the administration will prosecute the war as is required, officials in Saigon are wondering whether the American people will tolerate the casualties that are foreseen in the projected military operations.

During periods of maximum combat effort, it is expected that American casualties each month will average about 400 to 500 dead and about 15,000 wounded.

There are no startlingly new features to the war program. The essential difference is that since the Honolulu conference the key U.S. officials here, Ambassador Henry Cabot Lodge, who has overall responsibility for the American field effort; his Deputy Ambassador, William Porter, who is the coordinator in support of the village pacification campaign, and General Westmoreland, have been given a clearer mandate to put the program into effect.

NEGOTIATIONS BELIEVED UNLIKELY

A number of policy options have been discarded or pigeonholed by President Johnson.

Official planning in Saigon no longer takes account of any possibility of peace negotiations with the Vietcong. It is felt that the President's peace offensive was undertaken to demonstrate that the Communists are not interested in negotiations and to assuage public opinion. The President is said now to be bent on action to break the back of the Communist-led insurgency.

Officials here did not weigh seriously the issues raised in the exchanges between President Johnson and Senator ROBERT F. KENNEDY, over his proposals on the role of the Vietcong. Air Vice Marshal Nguyen Cao Ky, the South Vietnamese Premier, is planning to hold elections late next year, but the 10-member governing military directory says it has no intention of allowing the Vietcong to vote or to put up candidates.

LANDING IN NORTH DISCARDED

In military policy, two options on action to seal off the South Vietnam battlefield by impeding or discouraging infiltration from North Vietnam have been discarded. One of these was a proposal for an amphibious landing in North Vietnam, near the Vinh region to block the approaches to the infiltration corridor through Laos.

A decision also has been taken against bombing the population centers at Hanoi and Haiphong, although the mining of the channel to the port of Haiphong and the destruction of jet airfields near Hanoi are still under consideration.

General Westmoreland believes that it will take several years to break the Vietcong main force units. Since the Pleime campaign, which began late in October, about 17,000 Vietcong soldiers have been killed, according to official American estimates. Vietcong forces have been provoked into major engagements by U.S. troops penetrating for the first time into some of their base areas.

VIETCONG REPLACING LOSSES

Vietcong losses, in killed and wounded, are being made up by the infiltration of troops from North Vietnam, now estimated to total 4,500 a month, and the drafting of men in South Vietnam.

Under the U.S. military umbrella, the South Vietnamese armed forces, totaling 570,000 men, are to have the principal mission of destroying or dispersing the approximately 110,000 Vietcong guerrillas operating outside the main units.

Once reasonable security is restored to any area, the pacification and rural reconstruction programs are to be instituted. Teams of Vietnamese revolutionary development cadres would cooperate with security forces in rooting out 40,000 Vietcong political and military command and control cadres in the villages.

A modest beginning described by one American official as a small, bite-sized deal, is to be made this year in a pacification program in four selected areas where security conditions are fairly good. At the end of the year a total of 40,000 revolutionary development cadres are scheduled to be in the field, and the pacification areas will be slowly expanded.

REFORM MEASURES PLEDGED

Along with the pacification program, the Ky government is pledged to a program of political democratization and economic reform, which is to be announced soon, to check inflation. Premier Ky has assured U.S. officials that he will introduce a constitution in November well before the elections.

At no stage in the political and military program do American and Vietnamese officials in Saigon foresee an opening of negotiations with the Vietcong toward a peace settlement. The more optimistic of them predict that Hanoi, confronted by a determined military campaign and a successful pacification program, will halt the infiltration to the South and that the Vietcong will gradually disperse in 4 to 5 years.

However, even the most optimistic officials are uneasy about returning to Honolulu next June to meet President Johnson's demand for a demonstration of how many coonskins have been nailed to the wall.

Apart from the results that may be expected in the next months from emergency measures to slow down inflation, no responsible United States or Vietnamese official in Saigon expects to record spectacular gains by as early as next June. One South Vietnamese official wryly said he might have to skin his stuffed tiger to have something to show to the President in Honolulu.

Mr. MORSE. I am always delighted to yield to the Senator from Pennsylvania. On this occasion, I was particularly delighted to yield to him because of the comments which he made, with which I find myself in complete agreement. The particular newspaper article he has discussed contains an accurate portrayal of what I think the policy of this administration will be from the standpoint of escalating the war and expanding the war.

If we authorize the policy contained in the proposed legislation, that is what we shall get by way of an escalated war. That is why I say that now is the time to stop the President by way of exercising congressional checks.

In my speech last Friday, I pointed out that our constitutional fathers wrote into the Constitution itself a check on the purse string. That is what this debate is all about. If we do not want the President to follow a policy, we do not finance the policy. The Constitution provides for that. Yet we heard speeches in the Senate this afternoon which sought to translate this action into a situation in which if we do not authorize this policy, we shall be letting down our forces in South Vietnam.

The Senator from Oregon is seeking to demonstrate that the policy of our Government should be to stop putting those men in South Vietnam in a position where increasing numbers of them will be slaughtered.

Before the intervention of the Senator from Pennsylvania [Mr. CLARK], I was discussing the testimony before the Committee on Foreign Relations by General Gavin and former Ambassador George Kennan. Let the RECORD show again to those out in the country who will read the RECORD—and as I go about the country, I am pleasantly surprised to learn how many people are reading the RECORD—that it was not so long ago that General Gavin was one of the top military strategists of this country. He is recognized as an exceedingly able military strategist who had the confidence of Congress and the confidence of the President. In my judgment, he continues to be the same able and great strategist.

Read the testimony of General Gavin. His testimony is in opposition to the policy of the bill. The major thesis of this great military strategist is that we should avoid an expanding of the war in Vietnam. The bill before us authorizes an expanding of the war.

Does the bill contain a check? It does not. But, say the proponents of the bill, the war will be expanded only if the President decides to expand it, if we pass the bill. I am sorry to say that I have lost all confidence in the President's not expanding the war. In my judgment, he has been expanding it, expanding it, and expanding it, completely contrary to the promises he made in the 1964 campaign. I campaigned for him in 14 States on the basis of those promises. I see no difference in the result from what the result would have been had his opponent been elected in 1964.

That is why I say to the American people: It is up to you, now, to exercise the check. It is up to you, now, to decide, through the ballot box, whether you want to send increasing numbers of American boys to their slaughter in a country in which, in my judgment, we do not have the slightest national interest from the standpoint of its being vital to this Republic. But more of that later.

I am for the Gavin enclave program. That will defend our country. I am for the Kennan program. That will defend the interests of our country in Asia. But it will avoid the dangers of carrying out what those two great men fear; namely, an escalated war that will lead to a massive war in Asia, ending in a war with China, and the great probability that after the war with China, we shall be in a war with Russia; and then the third world war will be on.

That is why I said last Friday that the bill is pregnant with policy. The bill is pregnant with the danger of the policy authorized in it that will lead us eventually into a third world war. Now is the time to stop it.

I certainly should not have to review again for the Senate what an authorization bill is.

The President cannot have any policy that can be financed with taxpayers' money that Congress does not authorize with an authorization bill. That is what the President is asking for. I am saying: Do not authorize it in its present form. Do not authorize it until the bill is changed.

Yes, the senior Senator from Oregon takes the position that American troops in Vietnam should not be sent into expanded, aggressive action, but that those troops should be kept in the type of general defensive position that General Gavin alluded to, and which was approved by Ambassador Kennan. That will also, do not forget, give protection to the South Vietnamese Army. That will provide an opportunity for other nations, through existing international procedures under the United Nations or the Geneva accords, to take the multilateral steps necessary to enforce peace in Asia, rather than to make war.

What is needed is for other nations to send over whatever number of divisions of troops are necessary to separate the combatants in this war, to separate the forces of the United States and the South Vietnamese on the one side and the Vietcong and the North Vietnamese on the other. They need to crisscross South Vietnam with whatever number of buffer zones are necessary to be occupied by these peacekeeping forces—either of the United Nations forces or, through the United Nations, the other forces—that could function under the International Control Commission of the Geneva accords until such time as stability can be developed in South Vietnam under that type of protectorate or trusteeship so that self-determination can hold sway and this war area of the world can be returned to peace.

The President and his spokesmen in the Senate keep saying that those of us who oppose the escalation of this war have no program. We have a program, but the administration refuses to join issue on the program. Oh, but they say: "We went to the United Nations."

I am glad that we finally did, but let me say to the administration that that does not answer the problem of our making use of the United Nations Charter, by saying that at long last we went there.

We went to the United Nations so late that it will take some time to really revive the procedures of the United Nations so that they can be effective. We went to the United Nations with an olive branch in one hand and bombs in the other.

The members of the United Nations are still talking about the bombs. The sad fact is that it is probably going to take some time to get this matter thrashed out in the United Nations and to determine what course of action the signatories may decide to take under that Charter. However, I would have it out in the open and not behind the scenes. I would have the American Ambassador, Mr. Goldberg, given strict instructions to use all the prestige of this Government in insisting that the members of the Security Council get this debate out in the open. Could it be that we are not too enthusiastic about getting it out in the open?

There are commentators in New York City who are pretty well informed as to what goes on behind the scenes in the United Nations. I know how those findings can be made, because I was a delegate to the United Nations in the 15th General Assembly. I know something about the backstage maneuverings of the United Nations.

There are commentators that are writing and observing these days that the United States is not taking a very effective, positive role in trying to get the matter out in the open. There is the process of so-called negotiating and maneuvering behind the scenes.

Mr. President, the stakes are so great, and the crisis so serious that, in my judgment, the time has come for the world to hear an open discussion of the crisis in South Vietnam, and an open debate in the meetings of the Security Council, just as, in my judgment, the American people are entitled to have a continuation of the public hearings of the Foreign Relations Committee and to hear a list of witnesses that ought to be heard for the information of the American people in respect to the crisis in Asia.

With regard to the Vice President of the United States making the most unfortunate remarks that he has been making in recent days to the effect that there has been enough talk in the Committee on Foreign Relations and in public hearings, I want to say to my Vice President that, in my judgment, the Foreign Relations Committee has only started to present the facts about the war in southeast Asia to the American people.

The Vice President of the United States does not move me in the slightest with his clear implication in opposition to further public discussions of this issue by the Foreign Relations Committee.

The Vice President is certainly anxious to keep talking about the war in Asia. He talks about it on television, and I understand he plans many speaking engagements all around the country to talk about the war.

What he means is only that he does not want to talk to the Foreign Relations Committee because members of the committee can talk back. That is not what the Vice President is seeking.

The Vice President ought to volunteer to appear before the Foreign Relations Committee. The Vice President ought to be willing to attend a public hearing and be questioned before the Foreign Relations Committee. The Vice President ought to be willing to answer whatever questions members of the Foreign Relations Committee want to ask him in respect to his commitment abroad, under what authority he made those commitments, what instructions he acted upon, and what the legal bases for the commitments are.

Mr. President, I do not have to explain to any Senator my years of shoulder-to-shoulder working with the Vice President of the United States.

It is a matter of great sadness to me that I find myself entertaining such deep feelings of keen disappointment in regard to the position taken by the Vice President of the United States, both procedurally and substantively, in regard to the war in southeast Asia. For I cannot interpret the remarks of the Vice President of the United States in any other light than that the Vice President seems to be of the opinion that we can bomb people to a negotiating table and that that will result in peace. We can bomb people to a negotiating table, all right, and bring them in as surrenderees, but no surrender will give us peace.

Let the record be perfectly clear that, concerning the controversy between the Vice President of the United States and the Senator from New York [Mr. KENNEDY], I am on the side of the Senator from New York, and millions of other Americans are, too.

In due course of time I am satisfied that increasing millions of Americans will be on the side of the Senator from New York, too, for I am satisfied that more and more millions of Americans are going to register their protest against the program that the Vice President of the United States is seeking to sell to the American people. I am convinced that he will never be able to convince them, because he is dead wrong in his major premises.

It is interesting to hear the talk of the Vice President and of the President and of Secretary Rusk and of Secretary McNamara and the rest of them, in their effort to seek to justify the course of action that we are following in Vietnam because of the nature of the Vietcong soldiery. There is no question about the fact that they are engaging in great terrorism and inhumanity. There is no question about the fact that they have committed murder. There is no question about the fact that they are engaged in brutality. However, so are the South Vietnamese soldiery.

This administration will not tell the American people the facts about the terror and atrocities of the South Vietnamese soldiery. One has to get that information from the foreign press. One has to get the pictures of their brutality out of the foreign press. Only the pictures of Vietcong terrorism appear in the American press.

This is another part of the failure of this administration to tell the American people the whole story.

Mr. President, we are dealing with the Vietnam soldiery on both sides, with a people who do not have our same culture, do not have our same sense of values, do not have the same understanding of the principles of morality that characterize the philosophy of the American people. We are dealing with a people who have been engaged in a civil war—and an administration almost aghast if we point out that we have gotten ourselves involved in taking sides in a civil war. But so we have.

We do not find the administration talking about who the Vietcong are. The Vietcong are men, women, and children who also are South Vietnamese. Even the latest statistics of the Pentagon, Mr. President, leave no room for doubt that the great majority of the Vietcong are South Vietnamese and not even North Vietnamese. But even if there was a large percentage who were North Vietnamese, do not forget, they would be Vietnamese.

The administration has succeeded in convincing many in the American public that there are two entirely different peoples involved as combatants and adversaries in this war in South Vietnam. They are all Vietnamese; all of them. If we walked 100 of them into this Chamber, 50 North Vietnamese and 50 South Vietnamese, no one would be able to tell the difference. That is one of the sad things about the situation. This is a war involving one indigenous population. For that matter, Mr. President, it is a war that, from the very beginning, has had as one of its major objectives the reunification of all of Vietnam.

One of the interesting things is that we are supporting Ky, when in my judgment, on his record, he is entitled to no support from the United States. That fact will rise to plague us throughout history. But we are supporting Ky, and one of the objectives is to put Ky in charge, eventually, ruling all of Vietnam, south and north.

Mr. President, we have made enough mistakes. We made the inexcusable mistake of setting up a government in South Vietnam that the Geneva accords themselves prohibit. We did it. The Geneva accords provide for no government in South Vietnam. The United States provided for that.

I wonder if that may be one of the reasons why there seems to be a somewhat lackadaisical attitude on the part of our country toward suggestions of a full public debate before the Security Council. For, of course, a full public debate before the Security Council would result in making a matter of record many of the wrongdoings of the United States in South Vietnam. We do not like to have our depredations made of such historical record.

The Vietcong, as I say, are men, women, and children. They comprise a substantial population. They occupy and control two-thirds of the land area of South Vietnam.

For a long time, there has been great conflict between the rural populations of Vietnam and Saigon. There is nothing new about that. Last Friday, I pointed out in my speech the story in Friday morning's newspapers of a military engagement that was taking place in South Vietnam, where Vietcong women and children were carrying in to the troops the ammunition and military supplies and bringing out the wounded and the dead.

Not a civil war? Not a war in which two large divisive groups of an indigenous population are in mortal combat?

But they have been battletorn for years and years, and they are struggling to get the conflict ended. We, the Senate of the most powerful nation in the world, have before us a bill by which we are proposing to authorize an expansion or escalation of that war at the discretion of one man, the President of the United States. And I still hear people talking about a government by law instead of a government by men, when what we are doing is leading this country, through such legislation as this, faster and faster down the road toward government by executive supremacy and secrecy in this country.

I say to the American people, "Your fundamental rights are being jeopardized by such legislation as this. You must hold to an accounting any administration that supports it. For only you, the people, can end it."

I am satisfied, Mr. President, that although it will prove costly, the American people will eventually end it. For I am satisfied that the American people, once they come to understand what is developing in this country, will do whatever is necessary to keep themselves free. And their freedom depends upon the maintenance and, now, the needed strengthening of our system of government, based upon three coordinate and coequal branches of government—which the people are rapidly losing.

When we have a President of the United States going to the press, when he is asked about the suggestion that the Tonkin Bay resolution of August 1964 should be rescinded in the opinion of some, and saying, in effect, that he does not need that resolution in order to continue the war, we have all I need to know about a President who apparently is losing his sensitiveness in conection with our precious constitutional system of checks and balances, who apparently has come to the conclusion that he is powerful enough to follow whatever course of action he decides he wishes to follow in regard to the war.

I say to the American people, "Watch such a President." I say to the American people, "When you get a President expressing such opinion, you had better make clear to him that you, the people, are still supreme."

Or are they? Let us hope so.

Let us hope that the American people will restate that supremacy immediately.

These are some of the views held by me in what I consider to be this critical hour, views which will cause me, tomorrow, to offer one of the two amendments which I shall now proceed to discuss.

First, let me say to the acting majority leader, the Senator from Hawaii [Mr. INOUYE], and the Presiding Officer of the Senate, the Senator from Virginia [Mr. BYRD], that a few moments ago I stated that there was going to be a meeting at a quarter after 5 of a group which was considering the possibility of trying to reach a consensus of opinion with regard to a possible substitute amendment for my amendment.

A few moments ago, the acting majority leader and the presiding officer witnessed my yielding to the Senator from Pennsylvania so that he could make the intervention statement he made, while I discussed the matter with the Senator from Alaska [Mr. GRUENING]. The Senator from Alaska was sent to me by the group with certain information, and all I am privileged to say is that the message was that they hoped I would not offer an amendment tonight.

Let the RECORD show that I stated to the Senator from Alaska, "I cannot continue postponing offering an amendment on the floor of the Senate. I am willing to cooperate as a member of a team, and I am willing to cooperate in any way, but, after all, the RECORD shows that last week in colloquy with the Senator from Louisiana and the Senator from Illinois, I stated that I thought we could get to a vote possibly on one of my amendments by Friday night; and then on Friday I said that I thought we could get to an amendment on Monday."

Mr. President, this is not a question of breaking my word, because my word is my bond, and I believe that everyone in the Senate will understand that it is not a question of breaking my word; but a condition which did not exist last Friday, and a condition which did not exist ealier in the week when we discussed my reasons for objecting to any unanimous consent agreement to limit time, have developed today, conditions which were not even thought of by me, or anyone else in the Senate.

Therefore, Mr. President, I am not going to offer an amendment tonight. I am going to discuss an amendment tonight.

I had made clear to the Senator from Alaska [Mr. GRUENING], and he has undoubtedly, by now, transmitted this information back to the group, that unless they have something to submit to me tomorrow which I will find acceptable as a substitute for my amendment, or one of my two amendments which I am about to discuss, I shall offer an amendment. So far as I am concerned, I have cooperated on this matter. I think they know that I have cooperated in this matter to the extent that they or anyone else has a right to expect me to cooperate if I am going to protect my reputation in the Senate to the other side. They are pressing me to offer the amendment—and they have a right to press me for it—even though some of them have been unkind enough to suggest that there is some kind of filibuster which began on the floor of the Senate—which is pure nonsense, so far as I am concerned.

Therefore, Mr. President, I thought that you and the Senator from Hawaii [Mr. INOUYE] should know what my procedure will be; that I am going to make certain arguments in regard to the two amendments, one of which I shall not offer, certainly not unless the groups to which I have already referred has a substitute which I can accept. I have heard nothing from them yet which convinces me that anything they will propose will be more acceptable than my amendment.

Of course, I understand the views of those who believe that because my amendment will not receive many votes, somehow that will strengthen the administration's hand for further escalation of the war, and will be interpreted as approval of further escalating the war.

I cannot accept that argument. That is for the President to decide. But the American people are entitled to know where Congress stands.

There are a considerable number of Senators who would prefer not to be placed in the position which my amendment would place them in—and there are a considerable number of Senators—but all the American people have to do is take note of their public statements in recent weeks. They have had some serious, second thoughts about the resolution of August 1964, and have publicly stated—and I summarize the collective views of the group—that when they voted for the resolution in August 1964, they did not intend to give the President the power which he has exercised in escalating the war to the degree that he has.

The RECORD is perfectly clear, as will be seen in part shortly—I am only going to quote from parts of it as to what transpired on the floor of the Senate in August 1964 when this unfortunate resolution was passed, with only the Senator from Alaska [Mr. GRUENING] and myself voting against it. Senators should not have voted for it then. In my judgment, in this bill, Senators should not, in effect, vote for its continuation now.

I speak respectfully, but with deep sincerity, because such votes will mean the sending of additional boys to death in South Vietnam, who should not be called upon to die because they are involved on battlefronts that do not involve the vital interests of the United States.

Therefore, we should adopt the General Gavin approach—called, for want of a better term, an enclave—to put us in a defensive position which will save those lives and provide the time for other nations to recognize how serious the import to the threat to the peace of the world is in southeast Asia, and come to recognize the terrific stake they have from the standpoint of the future of their own countries to carry out their obligations under existing international law and treaty commitments to enforce a peace in southeast Asia.

Mr. President, that is what I am pleading for.

I am engaging in no sentimentality—I say this because of the criticism I know I shall receive—when I say that my personal philosophy is one of the belief that the holy of holies does not happen to be the material symbolism of a religious edifice, but that the holy of holies happens to be each person's conscience; and when one sits in that citadel, he never sits alone. I have meditated on it hour upon hour in the last 2 years, and I am satisfied that, as a matter of conscience, I cannot support my President's course of action in southeast Asia in connection with this war because I consider it to be both illegal and immoral.

I think this is an immoral war, and I have no doubt that there is not the slightest legal basis for our course of action, the House of Delegates of the American Bar Association to the contrary notwithstanding. But let me say that a resolution is not proof. That is why the Foreign Relations Committee wired the House of Delegates of the American Bar Association to send us a memorandum in support of its resolution. We are waiting for it.

Mr. President, if anything is clear to the Congress and to the American people today, it is that infinitely more is being contemplated under the Tonkin Bay resolution than ever was contemplated by the Congress which passed it.

I do not want to take Senators into a long controversy over what the President may or may not do by way of using the Armed Forces of the United States for purposes of furthering American defense or security interests. But some things are matters of ascertainable fact.

One of them is that the Tonkin Bay resolution resulted from the naval action in the Bay of Tonkin. American military vessels were fired on in international waters. They fired back. When fired on a second time, they fired back and sent aircraft from carriers to shoot up the bases in North Vietnam from which their PT boats came. The purpose of the resolution as represented by the administration at the time was to gain an ex post facto endorsement of that use of the Commander in Chief's powers to command the Armed Forces of the United States.

Of course, the resolution contained many open-ended ambiguities, which was why I voted against it. One of them was the language whereby Congress supported and approved the determination of the President to take all necessary measures "to prevent further aggression." Any time a nation, much less a President, undertakes to prevent aggression or any other potential act by another nation, it is talking about preventive war.

The words "to prevent further aggression" had absolutely no qualifying language. Not a hint is there as to what country might be considered to be preparing aggression, whether North Vietnam, China, the Soviet Union, or who. Not a word of definition appears as to what may constitute evidence that aggression is being planned or set in motion.

In August of 1964, moreover, Congress was assured that the Southeast Asia Collective Defense Treaty was not at issue. Secretary Rusk told the Foreign Relations Committee, and Senator FULBRIGHT, who was managing the resolution, passed on the word to the Senate, that SEATO was not involved in the resolution, and was not being invoked.

Now, as an afterthought, grasping for straws, this administration finds itself in a drowning position so far as justification for its situation in southeast Asia is concerned; we find the Secretary of State trying to justify our course of action on the basis of SEATO.

I answered that statement in detail last Friday, and I stand on the answer.

Four international law authorities have called me since and told me they completely agree with my analysis of last Friday. I am asking to have them called before the Foreign Relations Committee in public session. The American people are entitled to know it from their lips.

That was the situation in August of 1964. It is not the situation today. In February of 1966, the SEATO treaty is cited over and over again by the President and the Secretary of State as the basis for our war effort in Vietnam. And it is not just the paragraph of the treaty that calls for consultation among the parties in case of subversion in the treaty area. No, the Secretary of State now tells the Senate Foreign Relations Committee that we are obliged to do what we are doing by paragraph 1 of article IV of that treaty.

It reads:

> Each party recognizes that aggression by means of armed attack in the treaty area against any of the parties or against any state or territory which the parties by unanimous agreement may hereafter designate, would endanger its own peace and safety, and agrees that it will in that event act to meet the common danger in accordance with its constitutional processes. Measures taken under this paragraph shall be immediately reported to the Security Council of the United Nations.

It was brought out many times in the Senate debate on ratification of the SEATO treaty that any action taken by the United States to meet an armed aggression would have to be undertaken "in accordance with its constitutional processes."

I submit that the Secretary of State and the administration violate that treaty when they act under this paragraph without resorting to the constitutional processes of the U.S. Constitution.

I am aware that mention is made of the SEATO treaty in the 1964 resolution. But we are also told in 1964 that the treaty was not being invoked. I am also aware that in colloquy with Senator COOPER, Senator FULBRIGHT expressed the opinion that the Tonkin Bay resolution could be an authorization for the President to act under SEATO. But he reiterated that this was not the request nor the position of the administration.

We had every right to rely upon the representations of the administration that presented the treaty to the Senate.

There is no question as to the representations of Secretary of State Dulles. They are opposite from the representations made by Secretary Rusk before the Foreign Relations Committee in February 1966.

I discussed that last Friday, and shall not go into it in detail again tonight.

So we have a fact situation wherein the administration is citing Public Law 88–408 for use for purposes that it assured us at the time would not be undertaken.

In 1957, we had a somewhat analogous situation in the so-called Middle East resolution. Senators debated and discussed then many of the same issues at stake here.

Probably the best analysis of the 1957 resolution was offered by the Senator from Arkansas [Mr. FULBRIGHT], and I shall quote some paragraphs from his remarkable speech of February 11, 1957:

This will be found in the CONGRESSIONAL RECORD, volume 103, part 2, page 1856.

> Mr. FULBRIGHT. If I put the question as I have, it is because that is precisely the way Senate Joint Resolution 19 puts it. In form and substance, the resolution, as prepared by the administration, wants something from this Chamber, the mere asking of which would have led to a national outcry under any other administration back to Washington's. It asks for a blank grant of power over our funds and Armed Forces, to be used in a blank way, for a blank length of time, under blank conditions, with respect to blank nations, in a blank area. We are asked to sign this blank check in perpetuity or at the pleasure of the President—any President.
>
> Who will fill in all these blanks?
>
> The resolution says that the President, whoever he may be at the time, shall do it. And that is not all it says. It says that in filling in the blanks, the President need not consult, much less be accountable to any other constitutional organ of government. He shall be the counsel, the judge, and the jury of the national interest.
>
> His judgment about world realities shall be the sole warrant for his deeds in committing our forces to battle, and our funds to who knows what purpose.
>
> His office shall be the only archive holding the record of his transactions, except as he reports the results once a year to the Congress.
>
> How are we as Senators to react to all this?
>
> Is the form and substance of the resolution consistent with the kind of constitutional government all of us in this Chamber took an oath to uphold?

This is the Senator from Arkansas [Mr. FULBRIGHT] and not the senior Senator from Oregon speaking. But this is the same thesis of constitutional checks and balances that the senior Senator from Oregon has defended and sought to uphold on the floor of the Senate for 20 years. It is basic in the preservation and perpetuation of this form of government.

I voted against the resolution in 1957 because I considered this case made by the Senator from Arkansas [Mr. FULBRIGHT] unanswerable. It was unanswerable then. It is unanswerable today. It is unanswerable when applied to the pending measure before the Senate because this authorization bill also violates this system of checks.

I continue the argument of 1957 of the Senator from Arkansas:

> Is the form and substance of the resolution consistent with the kind of constitutional government all of us in this Chamber took an oath to uphold? In the name of defending liberty abroad, are we, as Senators, henceforth to be deaf, dumb, and blind in the way we discharge our constitutional rights and duties in the conduct of foreign affairs? Do my colleagues believe that the President, any President, and his Secretary of State will be wiser and more effective, or more foresighted, in protecting the interests of our people if they are relieved of the necessity of consulting with and of justifying their actions to the Congress? Do you, my colleagues, representing 48 sovereign States, really desire to be rid of your power to influence the conduct of our foreign affairs?
>
> You may ask: "In what way does the resolution abridge the constitutional principles of the separation of legislative and executive powers and the power of the Congress to declare war?"
>
> The answer is that it does this in two ways: First, there is the fact that this is not a Senate resolution or a concurrent resolution having only the force of advice on policy. It is a joint resolution. This means that it has the force of law.
>
> The second way is related to the first. Since the joint resolution has the force of law, it represents, in its substantive content, a blanket transfer to the Executive, of the constitutional right vested in the Congress to declare war. This, indeed, is a startling innovation. The Constitution, as we inherited it from the past, provided in effect that the Congress would declare war on a case-to-case basis. Under the joint resolution, however, the Congress stockpiles a batch of hypothetical declarations of war, covering a variety of possible contingencies. Then it says to the President: "Here they are. Now that you have them, you can take us into war—if that is your pleasure—in the confident knowledge that whatever you do, you have a legal basis for it."

Mr. President, I have read many and many a treatise on the subject of separation of powers, including volumes, but none appears anywhere that is such a succinct, concise, penetrating, unanswerable statement of the separation of powers doctrine as the Senator from Arkansas [Mr. FULBRIGHT] presented in that historic speech of February 11, 1957. Every word of it is apropos to the resolution of August 1964. Every word of it is applicable to the pending business before the Senate. Every word of it sets out in crystal form the major thesis of the objection of the senior Senator from Oregon to the resolution of 1964, and to the pending bill.

I do not want to quote the Senator from Arkansas out of context or put words in his mouth, so let me add that it was his opinion that the President had the authority to use the Armed Forces of the United States in the Middle East without the adoption of any resolution.

As the Senator from Arkansas [Mr. FULBRIGHT] and the Senate knows, with that premise I completely disagree. But his objection went to the blank check nature of the resolution which endorsed in advance any action the President might take even if it led to a massive war, without coming back to Congress.

I think I interpret his speech correctly when I say it was his view that the President could act to use the Armed Forces, but that when a fact situation indicated that hostilities in the magnitude of a war were imminent or contemplated, the President must act jointly with Congress and not alone.

In my opinion, those views are entirely applicable to the situation we are in today. There are those constitutional authorities, and undoubtedly, there are many more in the executive branch, who will argue that the President needs nothing at all from Congress insofar as action under SEATO is concerned. If so, they must ignore the language of the treaty itself, which states that action under this particular paragraph shall occur only in accordance with our constitutional processes.

In my opinion, the views of the Senator from Arkansas [Mr. FULBRIGHT], previously quoted, are applicable to the issue that is now before the Senate.

The views of the administration also ignore the very grave dangers that any administration runs when it carries the Nation into a foreign adventure without close and continuous congressional consultation, debate, and support.

Also in 1957, the then Senator from Minnesota, Mr. HUMPHREY, had much to say on this point. He said, as appears in the CONGRESSIONAL RECORD, volume 103, part 2, page 1864:

> The resolution which is before us is tied not to the constitutional realities of the President's powers; nor is it tied to the international realities which, in part, may be due to the failure of policies on the part of this Government, but it is tied to the political realities. This administration does not wish to move until it hog-ties every Member of Congress.
>
> As the Senator from Arkansas well stated, the resolution, in effect, was a means of putting the cork into the bottle of Eisenhower-Dulles mistakes, so that we could no longer examine the ingredients thereof. It was designed to seal that cork by the vote of every Member of the Senate and the House of Representatives.
>
> I am perfectly willing to withhold the cork. I was one of those who wanted to take a look at what was in the bottle—the mistakes of yesterday, or, if that be considered an uncharitable expression, the accomplishments of yesterday. But I do not believe in sealing the political jug. I think we are trying to be a little too polite with one another when we say this is a great constitutional issue.
>
> In fact, what has been presented to us by the Secretary of State is his interpretation of how to quell the revolt in the ranks of the American people and the Congress of the United States over the mistakes of the Eisenhower foreign policy. That is what we have had laid before us. It will require more than a resolution to still what I believe to be a legitimate complaint against the mistakes of this administration in the field of foreign policy.
>
> I am perfectly willing to argue constitutional questions involved. The Secretary of State did not argue them well. He argued them very poorly in the presence of the Senator from Oregon, Mr. MORSE. He did not argue the urgency of the situation very well, in the light of the testimony of Admiral Radford.
>
> The only thing he argued was that the resolution was for peace. Whenever this administration runs out of legitimate arguments, it asks: "Are you against peace?" It can come forward with any kind of concoction, and if anyone is against it, he is against peace. I do not believe we can get peace or solve problems by hastily passing resolutions. We can do it by carefully designed, proposed, and executed policies and programs under mature leadership; and we are lacking in that respect.

That is not the senior Senator from Oregon speaking; that was the former Senator from Minnesota, Mr. HUMPHREY, who is now the Vice President of the United States, speaking on February 11, 1957. I continue to quote him, as his remarks appear on page 1877:

> One of the weaknesses I see in the so-called Eisenhower doctrine or resolution is that it was the effect of making the people believe that we have some answers to the Middle East crisis. Thus it becomes a diplomatic barbiturate, a diplomatic opiate, which calms one's nerves and puts him away into a kind of slumberland, when, in fact, the illness still persists, and the drug has in no way relieved the pain or distress.

I do not know of anyone better qualified to discuss the effect of drugs than one with the pharmaceutical background of the Vice President of the United States. He continued:

> For that reason, I believe that the President was unwise when he asked the Congress to adopt his resolution. The fact that he could formulate a policy for the Middle East and publicize it for the world without prior consultation with the Congress is to be decried. It shows a greater concern for public relations than it does for the public interest.

Mr. President, I digress to say that such a statement is just as applicable when the President is a Democratic President as when he is a Republican President. The same argument against vesting this kind of unchecked power in a President is applicable to a Democratic President if his name is Lyndon Johnson as it was to a Republican President whose name was Dwight D. Eisenhower. I continue to quote the Vice President, then a Senator from Minnesota, speaking in this body on February 11, 1957:

> Let me say too, Mr. President, that I deeply regret that during the course of the President's campaign for reelection in 1956, he misled the American people into believing that prospects for peace were great as a result of the activities of his administration.

Mr. President, I digress to say, as I have already expressed the view, that I resent the present President of the United States running for office on one platform, on which the American people were led to believe that he would not involve us in an escalated war in southeast Asia, and then shortly after his election taking us into an escalated war without, in my judgment, following constitutional processes.

I continue to quote from the speech of former Senator HUMPHREY of Minnesota, now the Vice President of the United States, on February 11, 1957:

> In fact, the dangers facing our Nation and the world increased materially during the course of the last 4 years. There is no doubt in my mind that the story is correct in the U.S. News & World Report to the effect that Mr. Eisenhower came to the Congress with his plan in order to counterbalance the erroneous impression that he had helped build up abroad during the campaign that he would go to any lengths to avoid war, even at the sacrifice of our country's national interests in the Middle East. In spite of that fact and in spite of that background, I would like to be able to vote for the Eisenhower doctrine and thus not contribute to a serious divisive face abroad which could be interpreted as a sign of weakness by our enemies. I can only do so, however, if the inadequacies of the Eisenhower doctrine are corrected and if the Congress sets about to place that so-called doctrine within the context of a more constructive national policy.
>
> Here is the effect of the administration's proposal as I see it:
>
> By making it appear that what the administration requests is support for a policy, while in actuality it is rather a declaration of general intent, the Congress would be committed, in advance of their elaboration, to the support of future policies, of whose substance the Congress is at present totally ignorant. The administration asks authority to use force. But it has remained silent about the substantive policies in whose support it intends to use that force, the ostensible one of defense against Soviet aggression not necessarily being the real one.
>
> I shall not go into the constitutional issues involved in Senate Joint Resolution 19, inasmuch as I participated in the colloquy this afternoon with the Senator from Arkansas, Mr. FULBRIGHT. However, I repeat that, no matter how we look at the constitutional issue, this resolution does not clarify it. It continues to confuse the issue. First, it confuses the question of the responsibility of the Congress relating to its power to declare war; and secondly, it sets a bad precedent with respect to the Executive's use of his constitutional powers to protect the vital interests of this country as Commander in Chief of the Armed Forces.

What the Senator from Minnesota said on February 11, 1957, in regard to the Eisenhower resolution, in my opinion, is equally applicable to the resolution of August 6, 1964, and, for that matter, it is equally applicable to the policies that are inherent in the pending bill before the Senate.

There is another section of the RECORD, volume 103, part 2, page 1881, that I should like to read. It involves a colloquy between the Senator from Louisiana [Mr. LONG] and the Senator from Minnesota [Mr. HUMPHREY].

It reads:

> Mr. LONG. The Senator has made a suggestion which occurred to me. I regret that I did not attempt to develop it with the Secretary of State when he was before the Committee. Perhaps my success in getting an answer to it would have been no better than it was with respect to some of the other questions which I propounded to him. But I certainly think we should take the attitude that not only the Security Council of the United Nations, which is subject to a veto by any of the major powers, but also the General Assembly of the United Nations, will be respected by the United States.
>
> It seems to me that in the areas which could lead to a third world war, when a crisis develops we should always be willing to submit our case to an international forum. Thus far we have been willing to abide by the views of the General Assembly of the United Nations; and, as we well know, although the Security Council has repeatedly failed to act to solve the problems, the United Nations General Assembly has proved itself capable of arriving at a decision.

That is not the senior Senator from Oregon speaking. That is the Senator from Louisiana [Mr. LONG]. However, when the Senator from Louisiana sets forth that point of view, he sets forth a major thesis that the senior Senator from Oregon has advocated on the floor of the Senate for well nigh onto 2½ years with regard to southeast Asia. I advocated it on last Friday and again this afternoon.

If we cannot get the Security Council to assume its obligations under the charter, then we should take the matter to the General Assembly, and I think they will take jurisdiction.

Mr. HUMPHREY replied to Mr. LONG with these words: "The Senator is correct."

Senator LONG continued:

> Mr. LONG. The Uniting for Peace resolution came, as the Senator may recall, when the Soviet Union had returned to the United Nations Security Council, following the terrible Korean war. The United States and the United Nations forces working together brought forth this kind of resolution. It has been found that the General Assembly has been able to take very constructive action under the terms of the resolution.
>
> The Senator knows, with all due deference to the President's intentions—and I am certain that his intentions are good and meaningful—the truth of the matter is that when he told us he would be willing to accept the view of the Security Council of the United Nations, he was making a very meaningless statement, because obviously any Communist country which is a member of the Security Council, particularly the Soviet Union, will veto any action by the United States to outlaw Communist aggression.
>
> It is like having the President say in this instance that he would be willing to obey the General Assembly whenever Russia is in a position to veto the action by the Security Council, and the resolution is directed against Communist aggression. It goes without saying that it would be a meaningless gesture.
>
> If the President said he would abide by the recommendations of the General Assembly of the United Nations, then he would be making a commitment to subject to an element of international restraint his power to use the Armed Forces of the United States.
>
> Mr. HUMPHREY. Of course the Senator from Louisiana is correct, and I have accommodated his point in my suggestion, since Security Council action depends on Soviet agreement, the Uniting for Peace procedure is all the more relevant.
>
> UNITED NATIONS POLICE
>
> Second. The second principle which should motivate our policies in the Middle East is to do what we can as a Nation to strengthen the military forces of the United Nations in the Middle East. We should use appropriations hitherto made pursuant to the Mutual Security Act of 1954, as amended, to furnish facilities and military assistance to the United Nations Emergency Force in the Middle East.
>
> Within the councils of the United Nations, we should initiate proposals for the immediate strengthening in size, flexibility, and continuity of this existing U.N. force. Our objective should be not only to utilize it for current purposes, that is, to interpose the U.N. troops between Israel and Egypt and at such strategic assignments as the Gaza Strip, the Straits of Tiran, and the Sinai frontier outposts, but we should also use the U.N. force as a permanent body ready for service any place in the Middle East, as circumstances may demand.

What an interesting thing it is that our recent foreign policy has been characterized by a resort to armed force when it suited the national interests of the United States, and a lecturing posture about the need to adhere to the rule of law when armed force has been used by others.

Senators who objected to the failure of the Eisenhower administration to rely upon the United Nations in the Middle East also referred frequently to the pronouncement of President Eisenhower himself when armed forces were used by others, even by those friendly to the United States.

In October of 1956, when Britain and France got together with Israel to invade Egypt after she seized the Suez Canal, President Eisenhower told the nations:

> In all the recent troubles in the Middle East, there have indeed been injustices suffered by all nations involved. But I do not believe that another injustice—war—is the remedy for those wrongs.

Mr. President, I quote further from President Eisenhower from a State Department bulletin dated November 12, 1956, as follows:

> Upon this decision, events followed swiftly. On Sunday (October 28) the Israel Government ordered total mobilization. On Monday, their armed forces penerated deeply into Egypt and to the vicinity of the Suez Canal, nearly 100 miles away. And on Tuesday, the British and French Governments delivered a 12-hour ultimatum to Israel and Egypt—now followed up by armed attack against Egypt.
>
> The United States was not consulted in any way about any phase of these actions. Nor were we informed of them in advance.
>
> As it is the manifest right of any of these nations to take such decisions and actions, it is likewise our right—if our judgment so dictates—to dissent. We believe these actions to have been taken in error. For we do not accept the use of force as a wise or proper instrument for the settlement of international disputes.
>
> To say this in this particular instance is in no way to minimize our friendship with these nations nor our determination to retain and to strengthen the bonds among us. And we are fully aware of the grave anxieties of Israel, of Britain, and of France. We know that they have been subjected to grave and repeated provocations.
>
> The present fact, nonetheless, seems clear: The actions taken can scarcely be reconciled with the principles and purposes of the United Nations to which we have all subscribed. And, beyond this, we are forced to doubt even if resort to war will for long serve the permanent interests of the attacking nations.
>
> FUTURE U.S. POLICY
>
> Now we must look to the future.
>
> In the circumstances I have described, there will be no U.S. involvement in these present hostilities. I therefore have no plan to call the Congress in special session. Of course, we shall continue to keep in contact with congressional leaders of both parties. At the same time it is—and it will remain—the dedicated purpose of your Government to do all in its power to localize the fighting and to end the conflict.
>
> We took our first measure in this action yesterday. We went to the United Nations Security Council with a request that the forces of Israel return to their own land and that hostilities in the area be brought to a close. This proposal was not adopted, because it was vetoed by Great Britain and France.
>
> The processes of the United Nations, however, are not exhausted. It is our hope and intent that this matter will be brought the United Nations General Assembly. There with no veto operating, the opinion of the world can be brought to bear in our quest for a just end to this tormenting problem. In the past the United Nations has proved able to find a way to end bloodshed. We believe it can and will do so again.

That was the position of a President in the Suez crisis. There was the President saying that they planned to take it to the General Assembly for veto in the Security Council. It has been the plea of the senior Senator from Oregon for more than 2 years, as it is my plea tonight, that that is where we should be concentrating our effort. That is why I said earlier in this speech we should follow the advice of that great military strategist, General Gavin, and the great former Ambassador to Russia, George Kennan, adopt their enclave approach, and get on with the job of using the prestige and influence of this Nation to try to get the matter resolved in the Security Council; and failing there, if we fail, call for an extraordinary session of the General Assembly, and call upon the nations of the world, under the provisions of the charter, to enforce the peace in southeast Asia.

Mr. President, it was a sound policy when enunciated by President Eisenhower as the proper approach to the threat to the peace in 1956. It is the proper approach now. We seek to bring to an end the slaughtering, not only of American boys, but of human beings involved in both sides of the war in southeast Asia.

I continue reading the position of President Eisenhower:

> My fellow citizens, as I review the march of world events in recent years, I am even more deeply convinced that the processes of the United Nations need further to be developed and strengthened. I speak particularly of increasing its ability to secure justice under international law.
>
> In all the recent troubles in the Middle East, there have indeed been injustices suffered by all nations involved. But I do not believe that another instrument of injustice—war—is the remedy for these wrongs.

President Dwight Eisenhower was right in 1956. The same principle that he advocated then is correct today. War is not the way to peace in Asia. War is the way to a holocaust.

Said the President:

> There can be no peace without law. And there can be no law if we were to invoke one code of international conduct for those who oppose us and another for our friends.
>
> The society of nations has been slow in developing means to apply this truth. But the passionate longing for peace on the part of all peoples of the earth compels us to speed our search for new and more effective instruments of justice. The peace we seek and need means much more than mere absence of war. It means the acceptance of law, and the fostering of justice, in all the world. To our principles guiding us in this quest we must stand fast. In so doing we can honor the hopes of all men for a world in which peace will truly and justly reign.

The injustices, and the charges and counter-charges of who violated international law first, and who took the first steps to resort to armed force, that characterized the struggle in the Suez area in 1956 have their counterparts in southeast Asia today. But today, it is the United States that is involved; so we drag out the double standard and find that resort to force is quite justified so long as it is the United States that is resorting to it.

That is why we find ourselves so far down the road to war in Asia, and that is why it is my fear that if we pass this authorization bill, the escalated war can very well end in a war with China. That is why Congress has seen things done to escalate and expand the war that it did not contemplate would be done under Public Law 88-408 of 1964.

The intent and the spirit of that resolution have been vastly exceeded by our President. I believe it should be withdrawn.

So, Mr. President, I have two amendments that I shall consider offering. One of my amendments reads as follows:

> At the end of the bill add a new section as follows:
>
> "SEC. 402. The joint resolution entitled 'Joint resolution to promote the maintenance of international peace and security in southeast Asia', approved August 10, 1964 (78 Stat. 384) is hereby repealed."

Now, the resolution itself, Mr. President, that was adopted in August 1964, provided a recision clause within it. It provided that the resolution should prevail until rescinded by the Congress. I think this is a very direct approach to the issue. When I read what Senators have said, when I listen to Senators expressing their views on the reasons for their course of action in August 1964, I should think they would want an opportunity to modify their position by votes.

Yes, the argument is made that it puts Senators on the spot, puts Senators in the position where they have to go on record as opposed to their President. I have never been able to understand what is wrong about doing that. For I hold to the point of view that if they think that their President is wrong, then they owe him the trust of doing what they can in his own best interests, to correct his mistakes or prevent him from continuing a mistake.

If they really believe—and they talk that language—that the President is exercising a power that he should not be exercising to the degree he has, they should be willing to vote for its modification. They should go on record to change the point of view which they expressed in August 1964. Oh, but they say, in the second place, I will not get many votes, and it will have the effect of causing the President to go further. I do not buy that argument, either. For, after all, the American people are entitled to have Senators vote and determine whether they wish to vote in support of their views for modifying the position which they took in August 1964.

I hope that we have not come to a position in the Senate that we should not consider a direct approach to the problem merely because there will only be few votes to sustain rescission. The people are entitled to know how many votes there will be. The people are entitled to know for their own benefit, when they come to exercise that greatest of all checking powers; namely, the right of the people to the ballot box, to check their elected representatives in both branches of Government—legislative and executive.

I say that unless a substitute is offered, which in my judgment will be preferable to this amendment, I feel it is my clear duty and trust, and in response to the dictates of my conscience, to offer this amendment tomorrow, or an alternative one.

I will give further consideration to the second one, which reads as follows:

> At the end of the bill, add a new section, as follows:
>
> "SEC. 402. It is hereby declared to be the sense of the Congress that the enactment of joint resolution entitled "Joint resolution to promote maintenance of international peace and security in southeast Asia," approved August 10, 1964 (78 Stat. 384), does not constitute, and should not be construed as constituting, compliance with the constitutional processes referred to in paragraph 1, article IV of the Southeast Asia Collective Defense Treaty."

Mr. President, I know that some Senators would welcome this amendment in preference to a rescission amendment, because they would feel it at least puts them on record as not intending on August 10, 1964, to give to the President the sweeping powers which he has read according to their sights—into the resolution of August 10, 1964.

Mr. President, my present feeling is that the country needs to know just where the Senate stands in regard to the resolution of August 10, 1964. It is entitled to know whether Senators, in fact, have modified the position which they took on August 10, 1964. They are entitled to know the clarifications on the position the Senate took on August 10, 1964, by a new vote in the Senate.

There is just no substitute for a vote in clarifying a position of a Senator.

It is probably true that there will not be many Senators who will vote for the rescission amendment, if I offer it tomorrow; but the American people will know what that vote is. I am satisfied that the American people will take note of it. The defeat of my amendment will not end the issue but that that vote will produce a reaction in the country showing renewed public concern about what more and more people are coming to recognize is a serious danger; namely, that the President is going to escalate the war.

Mr. President, I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks an article published in the February issue of the Frontier magazine, entitled "Our Futile War in Vietnam" with a subtitle "Escalation will lead us into a hopeless trap," written by the Senator from Ohio [Mr. YOUNG].

The PRESIDING OFFICER (Mr. KENNEDY of New York in the chair). Without objection, it is so ordered.

(See exhibit 1.)

Mr. MORSE. Mr. President, I completely agree with the Senator from Ohio [Mr. YOUNG] and point out again that the pending authorization bill in the Senate will lead to the escalation he warns about, that the authority is granted in there, that most people do not comprehend the fact that the authority in this bill is to finance, for example, the military operations in South Vietnam and the Philippines and Thailand vis-a-vis the war in Vietnam.

That will lead to many serious complications.

The bill provides that it shall be done as determined by the Secretary of Defense—of course, in consultation with the President. That vests power—which should not be vested—in the Secretary of Defense. It will lead, in my judgment, to the establishment of bases in South Vietnam which will be under American control for many years to come. That is why—when the President said in his speech in New York City the other night at the Freedom Awards banquet that we seek no bases—I believe that he is mistaken as to what the policy of his own administration is. We cannot spend these billions of dollars building American bases and not know that the United States is going to maintain a foothold on those bases for a long time to come. In fact, in Japan today, one of the great controversies ranging there is over Okinawa and our naval bases in Japan. It is a controversial, political issue in Japan.

The peace treaty calls for us to get out of Okinawa. There is a saving clause in it, but it is a saving clause put in it by the victor. When there are agreements of that type, with the victor in negotiation with the vanquished, we can take notice that there is not an equality of bargaining at that negotiating table. There was not an equality of bargaining at that time.

Having listened to the representations made by a good many of the political leaders of Japan, and finding that even in the majority party there was a serious split among them, we should not hesitate any longer to have a drastic revision of the so-called base rights in Okinawa. That does not mean we cannot negotiate an arrangement with them whereby we will have some privileges in regard to that base, but will not be in control.

Likewise, I think the time has come for some drastic renegotiation of our naval base arrangement in Japan itself. I am satisfied that if we do not take the leadership in regard to this matter, it is only a matter of time before the people of Japan will exercise such power that no administration in Japan will be able to continue the arrangement that exists between the United States and Japan, because the people will defeat any administration which seeks to continue those arrangements.

I cite the Japanese situation because I wish to point out there is a lag long after it is safe to relinquish base rights. There is inevitably a lag in relinquishing or modifying those rights.

So when we have a bill in the Senate which calls for the development and the expenditure of millions and billions of dollars, which I discussed Friday, for the development of American bases in southeast Asia, I say to the American people, you authorize and appropriate funds for these American bases in southeast Asia, and we will seek to stay there for many years to come.

All that is going to do is inflame large areas of Asia and to develop more and more anti-American feeling among the masses of the people of Asia, and finally we will be thrown out.

Let me say, frankly, that if most of us were Asians, we would feel the same way, for we cannot expect Asians to have the United States exercise any dictatorial power or exert any dominating control in any segment of Asia in the years ahead.

Before I close, I ask unanimous consent to have inserted in the RECORD following my speech the entire special report to the Cochairmen of the Geneva Conference on Indochina of the International Commission for Supervision and Control in Vietnam, dated June 2, 1962.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. MORSE. On page 10 of this report, the International Control Commission said:

> The South Vietnamese mission in its letter dated March 15, 1962, has not furnished the necessary information required by the Commission, other than stating that this military assistance command is not a military command in the usual sense of the term, and that its only function is to supervise and manage the utilization of American personnel and equipment. The mission stated further that there was no military alliance between the United States of America and the Republic of Vietnam as no treaty of this nature had been ratified by either Government.

That is interesting. Let the Secretary of State, Mr. Rusk, answer that, because part of the case of Mr. Rusk—and it is a very lame case—is that there is a legal alliance existing between our country and South Vietnam. But as of June 2, 1962, the International Control Commission's report stated that the South Vietnamese Government itself, in a report to the Control Commission, stated that no treaty of this nature has been ratified by either government.

The Commission goes on to say:

> Taking all the facts into consideration, and basing itself on its own observations and authorized statements made in the United States of America and the Republic of Vietnam, the Commission concludes that the Republic of Vietnam has violated articles 16 and 17 of the Geneva agreement in receiving the increased military aid from the United States of America in the absence of any established credit in its favor. The Commission is also of the view that, though there may not be any formal military alliance between the Governments of the United States of America and the Republic of Vietnam, the establishment of a U.S. military assistance command in South Vietnam, as well as the introduction of a large number of U.S. military personnel beyond the stated strength of the MAAG (military assistance advisory group), amounts to a factual military alliance, which is prohibited under article 19 of the Geneva agreement.

Not one word about the finding of the International Control Commission by our Secretary of State, Mr. Rusk, when he released, months ago, that propaganda document called the white paper on Vietnam. Not one word was there by the Secretary of State in his testimony at the public hearings of the Foreign Relations Committee the other day about the findings by the International Control Commission of the South Vietnam and the United States violations of the Geneva accords; but he dealt at some length with the violations of the Geneva accords by North Vietnam and the Vietcong.

As the senior Senator from Oregon has pointed out time and time again on the floor of the Senate during the last two and a half years, there is no doubt of the violations of the Geneva accords by North Vietnam, the Vietcong, and, under the table, by Red China, in my opinion; but also there is no doubt of the violations of the Geneva accords by the United States and by South Vietnam.

If, as, and when this matter gets before the Security Council, in my opinion there is no question of the devastating case that will be made against the U.S. outlawry in southeast Asia. Those are the inescapable, ugly realities we are going to confront our people with as the pages of history are written concerning our depredations in southeast Asia.

More of that later, as the debate continues, because the debate will continue even after the Senate takes whatever course of action it decides to take on the pending issue.

If we authorize the President to continue escalating the war, or if the President escalates it on his own, as he shockingly told the Nation in recent hours he can do without any resolution, what an assumption of power on the part of a mere man without seeking authorization by the exercise of constitutional processes.

Mr. President, this power of the President must be checked. The President must be held to an accounting by the people of this country. He has drawn the issue, not the senior Senator from Oregon, and not those of us who are opposed to the President's policies. It is the President who has drawn the issue, now aided and abetted by his Vice President.

Those two leaders of this Government must be checked by the American people wherever they can exercise a check, and the American people must start exercising that check in the primaries in 1966, and in the election of November 1966.

That is why I repeat what I have already stated in my State. As far as my party is concerned, I shall support no Democratic candidate for any congressional position in either the primary or the general election in my State who supports the policy that we are following in southeast Asia in making war, in my judgment, outside of the framework of the Constitution and in contravention of our obligations under international law.

I repeat what I said in the hearings the other day. In my judgment the American people are going to repudiate this policy.

Mr. President, I ask unanimous consent that an article by Gerry Pratt, business editor of the Oregonian, published in the Oregonian on Monday, February 21, 1966, entitled "War-Fueled Inflation Runs Wild in Saigon," be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Oregonian, Feb. 21, 1966]

MAKING THE DOLLAR: WAR-FUELED INFLATION RUNS WILD IN SAIGON

(By Gerry Pratt)

SAIGON.—Part of the "urgency" that brought the top administration team here from Washington last week in the wake of Secretary of Agriculture Orville Freeman's mission is the runaway inflation that is burning up Saigon.

Money in circulation in this country is reported to have increased twelvefold over the past 6 months so that already you are taking your Vietnamese piasters in packages of 1,000 or 5,000. Paying the tab at one of the plush Saigon night spots takes on the aspect of a job for the Brink's delivery van.

One of the answers the economists are considering is to flush this place full of consumer goods; "to sop up the loose money," one explained to me. The extra consumer items, he reasoned, also would give the farmers an incentive to start putting in two and three crops a year instead of merely growing what rice he needs locally.

The United States has shipped 275,000 tons of Public Law 480 gift rice into this country in the past 6 months.

But Vietnam is already a land of plenty. The black market is everywhere, changing American "green" at upward of 160 piasters to the dollar, more than double the 73-to-the-dollar exchange rate by the government. Ironically, under some kind of special deal aimed at curbing speculation by our people here, the American Embassy offers a modified black market exchange rate of 116 piasters.

SOCIETY LAUGHS AT POOLSIDE

At the plush Saigon Sports and Tennis Club where Ambassador Henry Cabot Lodge comes for a dip at noon and tennis, when things are not too hot, you see this moneymaking society of wealthy Chinese, Americans, Vietnamese, and East Indians, svelt-looking men with well-tanned hides, laughing with drinks at poolside and sharing the comfort of the place with girls in bikini suits.

A local Chinese who had come to lunch to compare notes with the influential Americans made it a point this day of showing off the milk importer, the automobile man, the holders of special licenses who are coining money at a fabulous rate. He was a cement dealer, he said, and openly admitted his two warehouses full of imported cement were available for 325 piasters a bag, almost triple the announced government control rate.

Listening to him and the Americans who respond to your naive interest in this, they tell you of a recent shipment from stateside for the military PX here. Seven trucks were sent to pick up the goods, only five returned. Two were missing, fully loaded. When the PX brass went after the truck contractor, his shoulders: "What two trucks?" he said. "I have only five trucks. Those other two did not belong to me."

They couldn't touch him and another bundle of PX stamped cigarettes and what-have-you went into circulation "sopping up the loose money."

At the dockside where the ships stand for a month or more waiting for space to unload, a French insurance broker introduced by an American friend explained why the docks cannot handle the shipments.

"When your American buildup became obvious, the Chinese warehouse owners made lease contracts with the American AID people," he said, "Now the Chinese leave their goods on the docks and pay nothing. Before they will ever unclog this harbor they will have to shut it down for 10 days and tell the Chinese to move their goods or dump them in the river. Then dump them. It is the only thing they understand."

KOREAN WAR "ALL OVER AGAIN"

The old pros of Asian wartime economics here tell you this is Korea all over again with the profiteering that suckles off Uncle Sam's economic offensives.

When the *Kimon*, a Liberian ship, put in here a month ago with a cargo of Public Law 480 rice, her manifest showed there were 878 bags lost between the ship and the warehouse; 669 bags found empty in the cargo and 5,748 wet bags or reportedly unsalable rice. At $125 a ton 10 tons to the bags, that is a $50,000 shrinkage in Uncle Sam's shipment.

The Greek vessel *Elias Dayfas* is another that put in recently. Her story was she ran out of fuel off Yokohama and had to be pulled to Japan to take on more fuel. When she arrived at Saigon there were 7,000 bags of rotten rice in her cargo, 700,000 pounds of Public Law 480 rice that was infested and stinking.

Nobody points a finger at anyone else; but it happens and you shake your head listening to these stories and reading the manifests of ships, * * * until your American host, who has shown you some of this to help take the stars out of your eyes, smiles and says: "Water flows where water is * * * that is a Vietnamese expression that means just what it says."

"No," he reasons. "This war has come to be a way of life for too many people. There are a lot of people here in Saigon that would hate like hell to see it settled."

Mr. MORSE. Mr. Pratt has been in Vietnam for some period of time, and during the last several weeks has been writing a series of articles in the Oregonian dealing with his observations in Vietnam.

Mr. President, again we get another person on the scene who does not find that the factual situation in many particulars corresponds to the representations of the White House, the State Department, and the Defense Establishment in regard to what is really going on in South Vietnam.

This is a second article by Mr. Pratt, the business editor of the Oregonian, dated February 24, 1966, under the heading, "Our Man in Saigon—South Viets, United States Often Bungle Economic Aid." This is an article which sets forth what the senior Senator from Oregon has referred to many times in recent years as I have protested the inefficiency, maladministration, and mismanagement of our foreign aid program.

Mr. President, I ask unanimous consent that the article entitled "South Viets, United States Often Bungle Economic Aid," written by Gerry Pratt, business editor, the Oregonian, dated February 24, 1966, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

South Viets, United States Often Bungle Economic Aid

(By Gerry Pratt)

Saigon.—The days dull your eyes to the basic weaknesses of our position in this country. In the beginning, when you see Prime Minister Nguyen Cao Ky, flourishing mustache and dressed in a scarlet dinner jacket at a steak-and-wine dinner hosted by Vietnam, the weakness is very sharp.

To the north, Ho Chi Minh walks in sandals cut from worn tires, dressed in a $2 army suit. And maybe what he does is terrible and wrong, but it is easier to identify him with the people we are seeking to win than it is to identify the Young Turks in South Vietnam in their black-silk flying suits shooting up the countryside in $2 million American airplanes.

But you accept the steak dinner and the wine and then you accept another, the dinner at the Chinese restaurant in the Cho Lon district of Saigon, where the restaurant entrance must be secured from bombs by a wire mesh enclosure.

The dinner in Cho Lon is by the ministers of the forestry department and they serve sharkfin soup and a whole suckling pig, a half dozen courses in all, with drinks and wine and small talk. And it is days now since you first came to Vietnam so that when you leave you hardly stop to look at the two babies asleep on the sidewalk, clutching to a piece of cardboard, bare and filthy as no human was meant to be.

"What can we do for them? Is there no program, no welfare?"

And your Vietnamese host grows nervous: "I, too, am helpless in the face of a child," he says. "But there are so many of them." And he shrugs and calls for the car and driver to take us away from Cho Lon and the children in the streets.

MANY STARTS, NO COMPLETIONS

All this we are trying to solve and to win a war and everyone has a different idea on where to start so that we have dozens of beginnings and no completions.

In the Provinces I talked with an $80-a-month AID volunteer from Minnesota, living in great jeopardy in a tiny hamlet shanty among the natives he is trying to help, half naked natives whose women walk bare breasted and whose men wear army boots and no trousers.

Our volunteer in this village was grateful to talk to Americans; grateful that someone had the interest to come and see a project that he had lived with for 2 years. But he was distracted, too, and finally, over cold tea, he explained:

"I have too many projects. I think the last count was there were 17 projects that I am supposed to supervise. Yesterday they sent me a new one from Saigon—find 18 students for a scholarship program to the United States. Great.

"Look around and find me 18 in this area who can speak English. But on the forms for the scholarships it says, 'list degrees and grades.'

"So I send it back to Saigon and ask them to be more specific. Do they want 18 of these people for college scholarships?

"It is like that all the time. Washington sends out a new team with the command: 'Now this time we must do something dramatic; we must show these people we mean business.' So we get a request for 18 students for American scholarships. I could send them 18 students; that would be dramatic."

BUREAUCRACY SPAWNS CONFUSION

And so it goes from the great bureaucracy we have created in Saigon, comes a mass of confusion and expensive projects. The cold storage locker built on the coast to the north of here by AID funds so the fishermen could store their catch, was one.

"But the Vietnamese fishermen have no trouble selling and eating their catch at once; also there was no electric power for the cold-storage plant. So today that expensive plant is serving as 'quarters' for a half dozen villagers who really don't know why the crazy Americans built them such a place to live."

Outside Saigon on the road skirting the infamous D zone of Vietcong that is hit again and again by the big bombers from Guam, there is a spectacular powerplant, a huge, crisp and clean building designed to generate power for the lights of Saigon, where the air conditioners go off until 10 p.m., and where the lights at the early church mass suddenly dim for want of local power.

The big powerplant has never been used. "One Vietcong with a scope-rifle can put us out of business," explained a military adviser in the province. "We cannot keep the power lines open."

Yet we keep pumping in the rural electrification plans; the tried and true New Deal devices for getting an economy off its feet; and we keep falling flat on our can.

We have an excellent hog program here, whereby we give them Public Law 48 corn and new breed hogs to increase the pork yield. And until the people became hungry and ate the corn and then the breeders, it worked fine.

But all of this vanishes in a haze of confusing enthusiasm and wishfulness in Vietnam. And as the days pass and the urgency of the situation fades, it is difficult to remember the terrible consequences of failure.

Mr. MORSE. Maladministration has existed in South Vietnam from the beginning. The Comptroller General of the United States has made reports that point out the maladministration of the foreign aid over there. Mr. Pratt has observed some of the same maladministration and writes a column on it. This is a business editor, who writes in the field of business problems. I need not tell Senators that he writes in a newspaper that is not considered a pro-Morse newspaper in my State.

There are not any pro-Morse newspapers except one little one down in Coos Bay, Oreg. All of the rest are against me.

Having mentioned that, I am never going to lose my sense of humor on this job; otherwise, it would kill me. CBS decided that they would have a documentary on the Senator from Oregon. For 10 days or 2 weeks they sent out their television team and called on my neighbors around my farm in Oregon, obviously hoping they could report that I did not have the support among my neighbors. But they discovered my neighbors agree with me.

Although they took these films, I have asked CBS, for my own film library and my descendants years to come, to at least supply me with film they took and did not use. I would have paid them for it. It is interesting history to record.

But they went down to the Young State Democratic convention to find if they could discover an anti-Morse attitude there. They were not satisfied there.

Not to be stopped they went to the editors of the State. I did not see the film. It is said that it was shown the other night. Of course, they were able to get editors who would not sing my praises.

The Oregonian has since published an editorial that, of course, I will be defeated in 1968. They have published those editorials ever since they have been seeking to defeat me. I hope that they continue publishing those editorials. They will be very helpful to my cause when I seek reelection, as I shall.

The editors accommodated CBS, although many people who saw this documentary the other night said, "You know, you came out pretty well. These editors said, in effect, that it was not going to be easy to beat you."

I make this comment because I am satisfied that when the people get the facts, if we can get the facts to them, that this administration will soon understand it is either going to change its foreign policy, or the people are going to change this administration. That is what I think will happen, and should.

Mr. President, I announced before you came into the Chamber to take the chair—the Senator from Hawaii [Mr. Inouye] was acting as the Presiding Officer at the time—that I would finish my

comments tonight and withhold offering my amendment until tomorrow.

EXHIBIT 1

OUR FUTURE WAR IN VIETNAM—ESCALATION WILL LEAD US INTO A HOPELESS TRAP

(By Senator STEPHEN M. YOUNG)

The most pressing problem facing our Nation and the world today is the war in Vietnam. I hope our President will continue to strike out boldly for a peaceful settlement of this bitter conflict. Bona fide peace negotiations mean concessions by us, concessions by the Vietcong, and a cease-fire with no one an abject loser and no one an arrogant winner. Unless there is a negotiated settlement, American GI's are likely to be fighting and dying in Vietnam in 1980.

President Johnson is to be commended for directing a pause in the bombing of North Vietnam. On November 23, I asked him to halt this bombing for 5 days at Christmas. He extended it beyond that. But standing alone, this is not enongh. We must further clarify our war aims and negotiating position. There are conflicting or imprecise statements by our officials on our support for the Geneva accords, on negotiations with the Vietcong, and on free elections. We should clearly announce our willingness to seek a settlement based on the 1954 Geneva accords providing neutrality, self-determination, and free elections for Vietnam. The Geneva accords, which we agreed to but did not sign, state, "The military demarcation line at the 17th parallel is provisional and should not in any way be considered as constituting a political or territorial boundary."

We should indicate explicitly our readiness to participate in negotiations with all parties involved—I mean with delegates of the Vietcong, or National Liberation Front, so-called. We should agree to abide by the results of a peaceful, free election by the people of Vietnam of their own government, their own leaders, and their own destiny. I know our CIA officials in Vietnam and Prime Minister Ky of the Saigon government oppose an armistice at this time. Our President should overrule their views along with those of the Curtis LeMays.

If our President moves decisively for such a peace, our people will support him. If instead, he approves steadily expanding military involvement, he will please our militarists, and war hawks in Congress. Then in the 1966 congressional elections and in 1968, as casualty lists mount, some Republican politicians, now urging acceleration of the war by bombing Hanoi and Haiphong and even Red China, will be the first to denounce this as "Lyndon's war."

Were we to bomb Hanoi and Haiphong, thousands of Vietnamese civilians, including women and children, would be killed and wounded. If we failed to destroy all the war planes of North Vietnam, undoubtedly some would bomb Saigon, and elements of the North Vietnamese Army, numbering some 400,000, would cross the demilitarized zone and invade South Vietnam.

Pentagon gossip reports plans to bomb Haiphong and Hanoi, followed by an amphibious landing at Haiphong and after that the bombing of Red China back into the Stone Age. Let's hope President Johnson rejects these proposals. Bombing Hanoi would be compared with the Nazi bombing of Guernica in the Spanish civil war. Furthermore, no one can accurately forecast just how damaging the reaction would be. It would at least outweigh any possible military gain.

From September 28 to October 20, I was in southeast Asia most of the time. I went, looked, and listened. In South Vietnam, I was at every airbase except one—traveling through the entire area by helicopter, airplane, and jeep. It is my considered judgment that South Vietnam is of no strategic importance whatever to the defense of the United States. Furthermore, the fact is that the conflict raging in Vietnam is a civil war. General Westmoreland stated to me that the bulk of the Vietcong troops fighting in South Vietnam were born and reared in South Vietnam. General Stilwell went further. He stated that 80 percent of the Vietcong fighting in the Mekong Delta area south of Saigon were born and reared in that area.

No matter how often we profess our intention to defend freedom in Vietnam, the increasing escalation of the war is raising grave doubts throughout Asia and elsewhere in the world as to the wisdom of our policy. Attacks with sophisticated weapons on unsophisticated and illiterate Asians is building a vast reservoir of anti-Americanism and misunderstanding of our country among the masses of the people in Asia.

HERITAGE OF HATE FOR THE FUTURE

A military surrender to the United States will never produce acceptance of American presence in Asia by most Asians. It would be a legacy of ill will that we should not leave to future generations of Americans. Until Asiatics show more interest in defending themselves, then unilateral American involvement in Asia is doomed to failure. The ugly reality is that for the most part it is American GI's who are fighting and dying in Vietnam for the alleged defense of freedom in Asia. Do we Americans have a mandate from Almighty God to police the entire world?

President John F. Kennedy said on September 3, 1963, shortly before his assassination, "I don't think that unless a greater effort is made by the Government to win popular support that the war can be won out there. In the final analysis, it is their war. They are the ones who have to win it or lose it. We can help them, we can give them equipment, we can send our men out there as advisers, but they have to win it—the people of Vietnam—against the Communists. We are prepared to continue to assist them, but I don't think that the war can be won unless the people support the effort, and, in my opinion, in the last 2 months the Government has gotten out of touch with the people."

Our initial commitment to South Vietnam made by President Eisenhower in 1954 in a letter to the President of South Vietnam stated, "I am instructing the American Ambassador * * * to examine with you * * * how an intelligent program of American aid * * * can serve to assist Vietnam in its present hour of trial * * *." He added, "The purpose of this offer is to assist the Government of Vietnam in developing and maintaining a strong, viable state capable of resisting attempted subversion or aggression through military means * * *. The U.S. Government hopes that such aid, combined with your own continuing efforts, will contribute effectively toward an independent Vietnam endowed with a strong government."

Can anyone claim that Prime Minister Ky of South Vietnam, who himself was born and reared in Hanoi, heads a strong, viable state? He could not remain in power a single day except for the operations of our Central Intelligence Agency and the support of our Armed Forces.

To justify sending a military advisory group to Vietnam and increasing its size from 327 in 1953 to 685 in 1961, President Eisenhower on April 7, 1954, said, "The loss of Indochina will cause the fall of southeast Asia like a set of dominoes." That was in the Stalin era. During Stalin's time, there was a bitter cold war between the Soviet Union and the United States. This is no longer true. The Soviet Union is no longer a "have not" nation. It is veering toward capitalism. Its leaders and the Russian people seek coexistence instead of coannihilation. Moscow and Peiping are now in bitter conflict. This domino theory has been completely discredited.

Red China is a paper dragon. It is overrated as a great power. It has crude nuclear capability. It will take 5 or 10 years before it will have the know-how to deliver any nuclear warheads on targets. Its air force is inferior. It has no surface navy except a few torpedo and gunboats, no modern transports—nothing except thousands of junks. It is an agrarian nation, with 85 percent of the population engaged in agriculture. On the Pacific, under the Pacific, and in the air, we have a more powerful Navy, submarine fleet and Air Force than all the nations of the world combined.

Can anyone claim that we would lose face and that our prestige in Asia would be damaged were we to withdraw from this conflict? France was bled white during the 7 years' struggle to save her vast colonial empire, Indochina. France became a greater and more powerful nation following her withdrawal from what is now North and South Vietnam, Cambodia, and Laos. Furthermore, did De Gaulle lose face or prestige when he surrendered Algeria, that vast domain larger than France?

The winds of freedom are blowing across the China Sea and elsewhere throughout the world in a manner and to an extent almost beyond belief. De Gaulle and France regained greatness by recognizing this fact. Surely we should not respond with our Armed Forces whenever the winds of change strike a country in southeast Asia or anywhere in the world. In Vietnam the security of the United States is not the issue. Vietnam very definitely is of no strategic imporatnce to the defense of the United States.

We should have long since learned that the outcome of a guerrilla war in the swamps, jungles, and highlands of southeast Asia does not threaten the security of the United States. We should, if we wish, give money, food, or guns, giving this aid from afar. We should withdraw from implicating ourselves so deeply into this conflict as to convert it into an American war.

WRONG WAR, WRONG TIME, WRONG PLACE

This steaming jungle where thousands of American GI's will be afflicted with malaria and other jungle diseases is the worst place in the world for us to wage a ground war. Where could we have found a worse place than this area 10,000 miles from our shores?

Americans should not blindly accept the propaganda coming from Washington. If mistakes are compounded on mistakes, then the conflict will be expanded and escalated. If, on the other hand, we follow the example of France, which gave up a great department of France, Algeria, our prestige will be enhanced in the eyes of the entire world, just as that of France has been enhanced since 1956.

I do not want to be misunderstood as advocating our unilateral withdrawal from Vietnam.

In my judgment, our national interest requires a redirection of policy in Asia. We should not be the sole defenders of freedom as we define freedom in Asia. The Joint Chiefs of Staff and our CIA should take a back seat when it comes to formulating foreign policy. I hope President Johnson will reassert that civilian authority must remain supreme over that of the military. The United States must reorient its policy. Any forces we have there should be only part of the forces of many nations under the United Nations and for peacekeeping and not warmaking purposes. They should be there in response to a widespread and deep-felt Asian need for assistance.

Vietnam is a land of breathtaking seacoasts, green jungles, fertile rice paddies, picturesque mountains—a lovely Garden of Eden converted into a hell on earth by man's inhumanity to man. Let it not be written by future historians that American boys died needlessly in far-distant jungles because of weakness of diplomats and indifference of politicians. I wish I had as much confidence in the skill and intelligence of our diplomats in trying to settle this war as I do in the bravery and high competence of our soldiers fighting the war.

The primary reason for our being in Vietnam today is our proud refusal to admit a mistake in our attempt to make Vietnam a pro-American and an anti-Chinese state. More than anything else, we are fighting to avoid admitting failure. As Walter Lippmann bluntly put it, "We are fighting to save face."

The late President John F. Kennedy said, "Transforming Vietnam into a Western redoubt is ridiculous."

Sallust, the Roman historian, about 40 years before the birth of our Saviour, wrote "It is always easy to begin a war, but very difficult to stop one, since its beginning and end are not under the control of the same man." That is true now as it was then. President Johnson deserves praise for ordering a holdup in bombing North Vietnam while his executive department officials are seeking to secure an armistice and cease-fire at the conference table with representatives of the Vietcong of National Liberation Front, so-called, and Hanoi.

We Americans should not be so much interested in saving face as in saving lives—the lives of Americans and Asiatics.

EXHIBIT 2

INTERNATIONAL COMMISSION FOR SUPERVISION AND CONTROL IN VIETNAM—SPECIAL REPORT TO THE COCHAIRMEN

The International Commission for Supervision and Control in Vietnam presents its compliments to the Cochairman of the Geneva Conference on Indochina and has the honor to refer to paragraph 2 of their message of May 8, 1956, in which the Cochairmen asked the Commission to inform them in case the Commission encountered any difficulties in its activities which could not be resolved on the spot and simultaneously had urged both the parties in Vietnam to extend to the Commission all possible cooperation and assistance. The International Commission had assured the Cochairmen in its message of May 27, 1956, that it would continue to persevere in its efforts to maintain and strengthen peace in Vietnam and affirmed its determination to perform its duties within the framework of the Geneva agreement.[1]

2. The International Commission has, from time to time, submitted to the Cochairmen interim reports giving a résumé of its activities as well as a brief review of the progress made by the two parties in the implementation of the provisions of the agreement. In these reports, apart from other things, the Commission had pointed out its difficulties, particularly with regard to the tendency of the parties to refuse to accept and implement the Commission's recommendations and decisions and their persistence in maintaining their own stand in certain cases. The Cochairmen were also informed about the difficulties which the Commission's fixed teams were experiencing with regard to the performance of their mandatory tasks of control and inspection in terms of their responsibilities under articles 35 and 36(d) of the agreement.

3. In its 11th interim report, which covered the period from February 1, 1960, to February 28, 1961, the Commission had mentioned that, in spite of certain difficulties and the lurking dangers in Vietnam, the active presence of the Commission and its work had helped in preserving peace.

4. Since the presentation of the 11th interim report, the situation in Vietnam has shown signs of rapid deterioration. The Commission is obliged to make this special report to the Cochairmen with regard to the serious allegations of aggression and subversion on the part of the Democratic Republic of Vietnam against the Republic of Vietnam and the serious charges of violation of Articles 16, 17, and 19 of the Geneva agreement by the Republic of Vietnam, in receiving military aid from the United States of America.

The Polish delegation dissents from the views expressed in this special report. The statement of the Polish delegation is forwarded herewith.

5. Reference is invited to paragraph 24 of the 10th interim report and paragraph 32 of the 11th interim report, in which mention was made of the concern which the Republic of Vietnam has been expressing over the problem of subversion in South Vietnam. Mention was also made in paragraph 61 of the 11th interim report to the complaints, which the Commission had received from the Government of the Republic of Vietnam, accusing the Government of the Democratic Republic of Vietnam of aggression in the Kontum and Pleiku Provinces during October 1960. Complaints of this nature continued to increase during 1961. In June 1961 the Commission made known its stand regarding its competence to entertain and examine complaints of this nature in terms of specific articles of the Geneva agreement.

6. The Commission also received several complaints from the High Command of the People's Army of Vietnam (PAVN) making serious allegations with regard to the increased introduction of U.S. military personnel into South Vietnam, along with substantial quantities of war material, in contravention of articles 16 and 17. All these allegations were forwarded to the South Vietnamese mission for comments. The party in most cases denied these allegations. But the Commission was not in a position to make a precise assessment as to the correctness or otherwise of these allegations, as the Commission's teams at most points of entry have not been able to carry out effective inspections and controls. However, the South Vietnamese mission did state in July 1961, that whatever American aid its Government was receiving was meant to fight Communist subversion in South Vietnam, and in support of this contention it had also referred to the text of the communique published after the visit of the U.S. Vice President Johnson to Saigon, in May 1961.

7. While the Commission continued to function in this difficult atmosphere, a communication was received on September 9, 1961, from the Liaison Mission of the Republic of Vietnam, alleging the the PAVN forces had launched another action in the Kontum region on September 1, 1961. The letter containing these allegations was forwarded to the Liaison Mission of the PAVN High Command for its comments. In its reply under its letter No. 492/CT/I/B dated December 11, 1961, the mission stated that "the PAVN high command will resolutely reject all decisions taken by the International Commission relating to the so-called subversive activities in South Vietnam, a question which has no relevance to the Geneva agreement." It further informed the Commission that "henceforth the mission would find itself constrained to resolutely reject all possible requests for comments of this kind."

8. In the meanwhile, in early October 1961, the Secretariat of State for Foreign Affairs of the Republic of Vietnam alleged that Col. Hoang Thuy Nam, the chief of the Vietnamese mission in charge of relations with the International Commission, had been kidnaped. Later, the Secretary of State for Foreign Affairs informed the Commission of the murder of Colonel Nam. The complicity of the authorities in the North in the kidnaping and murder of Colonel Nam was alleged. Reference is invited to the Commission's message No. IC/ADM/V-5/61/4097 dated November 9, 1961, in this regard. Since the allegations were of a serious nature, the Commission requested the South Vietnamese mission to furnish prima facie evidence to support their charge of the complicity of the northern party in this incident. The Commission received detailed communications from the mission on documents and photographs, in support of their contention. The mission also stated that the "Government of the Republic of Vietnam is confident that the case of Col. Hoang Thuy Nam should be taken, not as an isolated case, but as part of the extensive plan of subversion and terrorism deliberately decided by the Hanoi authorities, a plan which, with this assassination enters a new phase of execution and is designed for seizing power in South Vietnam." In November 1961, the Commission considered these letters containing numerous allegations, and referred them to its Legal Committee for examination "with a view to determining whether the allegations and evidence therein prima facie attract any provisions of the Geneva agreement."

9. The Legal Committee has made a careful examination of the various allegations and the evidence produced to support them, in the form of documents and other material evidence, and has made the following report, with the Polish member dissenting:

"We have studied the agreement on the cessation of hostilities in Vietnam, the South Vietnamese mission's letter No. 4460/PDVN/CT/TD/2 dated October 24, 1961, and No. 5078/PDVN/CT/TD/2 dated November 16, 1961, and related references from the commission together with the evidentiary material made available by the South Vietnamese mission in connection therewith, and reached the following conclusions:

(1) The agreement on the cessation of hostilities in Vietnam proceeds on the principle of the complete cessation of all hostilities in Vietnam, respect by either party of the zone assigned to the other, and the inescapable responsibility of the parties for the fulfillment of the obligations resulting therefrom.

Article 10 of the agreement states expressly the obligation of the two parties to order and enforce the complete cessation of all hostilities in Vietnam.

Article 19 of the agreement casts the obligation on the two parties to insure that the zones assigned to them are not used for the resumption of hostilities or to further an aggressive policy.

Article 24 of the agreement proceeds on the principle of the inviolability of the demilitarized zone and the territories assigned to the two parties and states expressly that the armed forces of each party shall respect the territory under the military control of the other party and shall commit no act and undertake no operation against the other party.

Article 27 of the agreement affirms expressly the responsibility of the commanders of the forces of the two parties of insuring full compliance with all the provisions of the agreement by all elements and military personnel under their command.

It follows that the using of one zone for the organization or the carrying out of any hostile activities in the other zone, violations by members of the armed forces of one party of the territory of the other party, or the Commission by any element under the control of one party of any act directed against the other party, would be contrary to the fundamental provisions of the agreement which enjoin mutual respect for the territories assigned to the two parties.

(2) Having examined the complaints and the supporting material sent by the South Vietnamese mission, the committee has come to the conclusion that in specific instances there is evidence to show that armed and unarmed personnel, arms, munitions and

---

[1] "Miscellaneous No. 20 (1954)," Cmd. 9239.

other supplies have been sent from the zone in the north to the zone in the south with the object of supporting, organizing and carrying out hostile activities, including armed attacks, directed against the armed forces and administration of the zone in the south. These acts are in violation of articles 10, 19, 24 and 27 of the agreement on the cessation of hostilities in Vietnam.

(3) In examining the complaints and the supporting material, in particular documentary material sent by the South Vietnamese mission, the Committee has come to the further conclusion that there is evidence to show that the PAVN has allowed the zone in the north to be used for inciting, encouraging, and supporting hostile activities in the zone in the south, aimed at the overthrow of the administration in the south. The use of the zone in the north for such activities is in violation of articles 19, 24, and 27 of the Agreement on the Cessation of Hostilities in Vietnam.

(4) The Committee considers that further investigation is necessary to reach a final conclusion as to whether the kidnaping and murder of Colonel Nam, late chief of the South Vietnamese mission, was a part of the activities referred to in subparagraphs (2) and (3) above and prohibited under articles 19, 24, and 27 of the agreement. The South Vietnamese mission has furnished prima facie evidence to warrant such a full investigation of the case by the Commission.

2. We shall submit in due course a full report setting out in detail the complaints made by the South Vietnamese mission, the evidence forwarded in relation to these complaints, and our specific observations thereon.

10. The Commission accepts the conclusions reached by the Legal Committee that there is sufficient evidence to show beyond reasonable doubt that the PAVN has violated articles 10, 19, 24, and 27 in specific instances. The Polish delegation dissents from these conclusions. On the basis of the fuller report, that is being prepared by the Legal Committee covering all the allegations and incidents, the Commission will take action as appropriate in each individual case.

11. Concurrently with the developments referred to in paragraphs 7 and 8 above, and subsequently, the Commission received communications from the PAVN high command and its liaison mission alleging direct military intervention in South Vietnam by the Government of the United States of America, and ever-increasing import of war material and introduction of military personnel in violation of the Geneva Agreement. The allegations, among others, were:

(a) The conclusions of a bilateral military agreement between President Ngo Dinh Diem and U.S. Ambassador Nolting;

(b) The gradual introduction of about 5,000 U.S. military personnel into South Vietnam, "which will soon be increased to 8,000";

(c) The arrival of four aircraft carriers—*Core, Breton, Princeton,* and *Croaton*—on different occasions, bringing in helicopters, other aircraft, military equipment, and military personnel;

(d) The introduction by the United States of America of approximately four companies of helicopters, many jet fighters, fighters, fighter bombers, and transport planes, along with military vehicles and other stores;

(e) The visits of a large number of high U.S. military experts and dignitaries to Saigon for inspection and guidance, particularly those of Gen. Maxwell Taylor, Adm. H. Felt and General Lemnitzer;

(f) The establishment of a U.S. Military Assistance Command, with a four-star General, Paul D. Harkins, as its chief.

12. Since December 1961 the Commission's teams in South Vietnam have been persistently denied the right to control and inspect, which are part of their mandatory tasks. Thus, these teams, though they were able to observe the steady and continuous arrival of war material, including aircraft carriers with helicopters on board, were unable, in view of the denial of controls, to determine precisely the quantum and nature of war material unloaded and introduced into South Vietnam.

13. On the other hand, the Commission received a communication from Liaison Mission of the Republic of Vietnam dated December 9, 1961, stating that: "In the face of the aggression, directed by the so-called 'Democratic Republic of Vietnam' against the Republic of Vietnam, in flagrant violation of the Geneva agreement, the Government of the Republic of Vietnam has requested the Government of the United States of America to intensify the aid in personnel and material which the latter was already granting to Vietnam. The right of 'self-defense' being a legitimate and inherent attribute of sovereignty, the Government of the Republic of Vietnam found itself constrained to exercise this right and request for increased aid, since North Vietnam continues to violate the Geneva agreement and to do injury to life and property of the free people of Vietnam.

"These measures can end as soon as the North Vietnam authorities will have ceased the acts of aggression and will have begun to respect the Geneva agreement."

14. The Commission considered this communication from the Government of the Republic of Vietnam and drew the attention of the South Vietnamese mission to the provisions of articles 16 and 17 of the Geneva agreement and the procedures laid down thereunder by the International Commission for the import of war material and the introduction of military personnel, and to the obligations resulting therefrom. The Commission also informed the mission that its complaints regarding allegations of subversion and aggression by the north were under active examination of the Commission separately.

15. In the light of the stand of the Commission as stated in paragraph 14 above, the numerous allegations received from the PAVN high command have been receiving the attention of the Commission with a view to the strict implementation of articles 16 and 17 of the agreement and the procedures laid down thereunder.

16. A summary of the allegations made by the PAVN high command, from December 1961, and up to May 5, 1962, would place the number of military personnel and the quantum of important war materials introduced into South Vietnam at approximately 5,000 personnel (which are likely to increase to 8,000 shortly), 157 helicopters, 10 reconnaissance aircraft, 34 jet aircraft, 34 fighters/fighter bombers, 21 transport aircraft, 35 unspecified aircraft, 40 armored and 20 scout cars, numerous armored boats and amphibious craft, 3,000 tons and 1,350 cases of war material, and 7 warships (exclusively of destroyers of the U.S. 7th Fleet alleged to have come for training). Most of the letters containing the allegations, referred to in this paragraph and paragraph 11 above, were sent to the liaison mission of the Republic of Vietnam for its early comments; but no satisfactory replies have been received. Also, in some cases the southern party has been asked to state reasons, if any, why violations of article 17(e) relating to prior notifications, as well as violations of articles 16 and 17 governing the introduction of military personnel and war material themselves, should not be recorded against it.

17. As the Commission has been denied mandatory controls, as pointed out earlier in paragraph 12 above, it has not been able to make a precise assessment of the number of military personnel and the quantum of war material brought in. However, from December 3, 1961, up to May 5, 1962, the Commission's teams have controlled the entry of 72 military personnel, and observed but not controlled 173 military personnel, 62 helicopters, 6 reconnaissance aircraft, 5 jet aircraft, 57 fighters/fighter bombers, 25 transport aircraft, 26 unspecified types of aircraft, 102 jeeps, 8 tractors, 8 105-millimeter howitzers, 3 armored carriers (tracked), 29 armored fighting vehicle trailers, 404 other trailers, and radar equipment and crates, 5 warships, 9 LST's (including 4 visiting LST's), 3 LCT's, 5 visiting aircraft carriers and spares of various kinds. In respect of some of the instances of import of war materials between December 3, 1961, and January 16, 1962, violations under article 17(e) as well as violation of article 25, have been recorded against the Republic of Vietnam for its failure to notify arrivals and imports as required by the Geneva Agreement, and for not affording all possible assistance to the Commission's teams in the performance of their tasks.

18. In regard to claims for credits made by the southern party in justification of certain imports, the Commission wishes to point out that insofar as major items of war material are concerned, except in a limited number of cases, there is no established credit in favor of the Republic of Vietnam. On the other hand, for some of these items, there is already a debit against it. In this context, it must be borne in mind that, even where credit exists, according to article 17(b) of the agreement, the party can only import war material "piece for piece of the same type and with similar characteristics." However, controls not having been permitted, the Commission is not in a position to satisfy itself whether this essential requirement has in fact been fulfilled even in cases where credit exists.

19. As regards the allegation of the PAVN High Command that a U.S. Military Assistance Command has been set up in South Vietnam in violation of article 19, the Commission requested the party to furnish the following information:

(i) Whether such a U.S. command has been set up;

(ii) The basis on which it has been established;

(iii) The purpose for which it has been constituted;

(iv) Its strength;

(v) The scope of its activities.

The South Vietnamese Mission in its letter dated March 15, 1962, has not furnished the necessary information required by the Commission, other than stating that this military assistance command is not a military command in the usual sense of the term, and that its only function is to supervise and manage the utilization of American personnel and equipment. The mission stated further that there was no military alliance between the United States of America and the Republic of Vietnam as no treaty of this nature had been ratified by either Government.

20. Taking all the facts into consideration, and basing itself on its own observations and authorized statements made in the United States of America and the Republic of Vietnam, the Commission concludes that the Republic of Vietnam has violated articles 16 and 17 of the Geneva agreement in receiving the increased military aid from the United States of America in the absence of any established credit in its favor. The Commission is also of the view that, though there may not be any formal military alliance between the Governments of the United States of America and the Republic of Vietnam, the establishment of a U.S. Military Assistance Command in South Vietnam, as well as the introduction of a large number of U.S. military personnel beyond the stated strength of the MAAG (Military Assistance Advisory Group), amounts to a factual military alliance, which is prohibited under article 19 of the Geneva agreement.

> 21. The Commission would also like to bring to the notice of the Cochairman a recent and deliberate tendency on the part of both the parties to deny or refuse controls to the Commission's teams, thereby completely immobilizing their activities and hindering the Commission in the proper discharge of its obligations to supervise the implementation of articles 16 and 17 of the Geneva agreement. During the last few months, there has been a near-complete breakdown so far as this important function of the Commission is concerned. The Commission considered the situation and addressed detailed communications to the two parties recommending the resumption of normal controls immediately. (Copies of the letters sent to the two parties are attached as annexure I to this report.) The Commission, however, regrets to inform the Cochairmen that there has been no improvement in this regard.
>
> 22. The International Commission wishes to draw the serious and earnest attention of the cochairmen to the gravity of the situation that has developed in Vietnam in the last few months. Fundamental provisions of the Geneva agreement have been violated by both parties, resulting in ever-increasing tension and threat of resumption of open hostilities. In this situation, the role of the Commission for the maintenance of peace in Vietnam is being greatly hampered because of denial of cooperation by both the parties. The Commission, therefore, earnestly recommends to the cochairmen that, with a view to reducing tension and preserving peace in Vietnam, remedial action be taken, in the light of this report, so as to insure that the parties—
>
> (a) Respect the zone assigned to the other party;
>
> (b) Observe strictly the provisions of articles 16, 17, and 19 of the Geneva agreement in respect of the import of war material and the introduction of military personnel;
>
> (c) Commit no act and undertake no operation of a hostile nature against the other party;
>
> (d) Do not allow the zones assigned to them to adhere to any military alliance and to be used for the resumption of hostilities or to further an aggressive policy;
>
> (e) Cooperate with the International Commission in the fulfillment of its tasks of supervision and control of the implementation of the provisions of the Geneva agreement.
>
> 23. The International Commission for Supervision and Control in Vietnam takes this opportunity to renew the assurances of its highest consideration to the co-chairmen of the Geneva Conference on Indochina.
>
> G. Parthasarathi, *India*.
> F. G. Hooton, *Canada*.
>
> Saigon, *June 2, 1962*.

Mr. INOUYE. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. INOUYE. I have listened to the address of the Senator from Oregon with great interest.

I was especially interested in his reference to the group which I presume is composed of Senators who are critical of our present military involvement in Vietnam.

I believe the Senator indicated that the members of this group, in supporting the Tonkin Gulf resolution, stated that they did not realize that the resolution gave authority to the President to order the present military buildup in South Vietnam.

Mr. MORSE. May I interrupt the Senator at that point?

Mr. INOUYE. I merely wanted to know if I had a correct impression.

Mr. MORSE. The Senator from Hawaii and I both want to be exceedingly fair. I do not want to talk about those individuals as a group, because there is a difference in point of view among them. I did not say anything—at least, I did not intend to say anything—that indicated that there was any unanimity among this group. What I sought to imply was that there was another group of Senators who wished to consider what course of action they should follow, if any, in considering amendments to propose to the bill. The group was considering while I was present. What they considered after I left, I have no way of knowing. But they had before them certain rough draft amendments that they were considering at that time.

As I said earlier, they hoped I would not offer any amendment of mine until they had reached, if they could reach, a consensus as to what their position would be.

I say that because I know the way the press works. I know it will be only a matter of time before the membership of the group who were in that meeting will be known. I do not want the Record to indicate that Wayne Morse said there was a unanimity among them as to what their position was on the resolution of August 1964, or any other matter.

I repeat what I said earlier in meaning and, in language, too: that a considerable number of Senators have been making public statements to the effect that they hold to a point of view somewhat different from the one they held on August 10, 1964, or who interpret what they did on August 10, 1964, somewhat differently than what is being represented as to what they supported. I think that is a fair statement.

Mr. INOUYE. In other words, the Senator from Oregon did not imply that members of this group did not realize that they were authorizing the President to order a military buildup.

Mr. MORSE. I would not say that of the group; but not only do certain members of that group imply that and say that; some of them have said it publicly.

Mr. INOUYE. I am surprised to hear that, because as the Senator from Oregon was speaking this afternoon, I obtained a copy of the Congressional Record of Thursday, August 6. I should like to quote a part of the colloquy, if I may.

Mr. MORSE. Oh, certainly.

Mr. INOUYE. I should like to have the Senator's observations with respect to it.

> Mr. Fulbright. * * * We are not giving to the President any powers he has under the Constitution as Commander in Chief. We are in effect approving of his use of the powers that he has. That is the way I feel about it.
>
> Mr. Cooper. I understand that, too. In the first section we are confirming the powers.
>
> Mr. Fulbright. We are approving them. I do not know that we give him anything that he does not already have. Perhaps we are quibbling over words.
>
> Mr. Cooper. We support and approve his judgment.
>
> Mr. Russell. Approve and support.
>
> Mr. Fulbright. Approve and support the use he has made of his powers.
>
> Mr. Cooper. The second section of the resolution goes, as the Senator said, to steps the President might take concerning the parties to the Southeast Asia Collective Defense Treaty and the countries under the protocol—which are, of course, Laos, Cambodia, and South Vietnam. The Senator will remember that the SEATO Treaty, in article IV, provides that in the event an armed attack is made upon a party to the Southeast Asia Collective Defense Treaty, or upon one of the protocol states such as South Vietnam, the parties to the treaty, one of whom is the United States, would then take such action as might be appropriate, after resorting to their constitutional processes. I assume that would mean, in the case of the United States, that Congress would be asked to grant the authority to act.
>
> Does the Senator consider that in enacting this resolution we are satisfying that requirement of article IV of the Southeast Asia Collective Defense Treaty? In other words, are we now giving the President advance authority to take whatever action he may deem necessary respecting South Vietnam and its defense, or with respect to the defense of any other country included in the treaty?
>
> Mr. Fulbright. I think that is correct.
>
> Mr. Cooper. Then, looking ahead, if the President decided that it was necessary to use such force as could lead into war, we will give that authority by this resolution?
>
> Mr. Fulbright. That is the way I would interpret it. If a situation later developed in which we thought the approval should be withdrawn, it could be withdrawn by concurrent resolution.

I have cited this because, as I recall, Thursday, August 6, 1964, was a rather historic day, a day when the Chamber was filled with Senators. I am certain that most Senators recall this section. I was surprised to note that Senators, in voting for the resolution, did not realize the possibility of the military buildup.

Mr. MORSE. In my speech on Friday, I referred to a part of that colloquy. I quoted in my speech in the Senate the colloquy between the Senator from Kentucky [Mr. Cooper] and the Senator from Arkansas [Mr. Fulbright]. I pointed out then that paragraph 4 does not, in fact, carry any of that meaning. I stated that at that time the Secretary of State did not think so either. This is an afterthought on the part of the Secretary of State.

I pointed out on Friday that Secretary Dulles did not hold to that point of view, either. In fact, when the Senate ratified the SEATO Treaty, it was on the basis of representations by the Secretary of State that there would be no buildup of a land army in southeast Asia. That the Senator will find in my speech of last Friday.

The Senator from Arkansas [Mr. Fulbright] can speak for himself; he does not need me to speak for him. But the Senator from Arkansas showed his bigness, his broad gagedness, when in a national television program he was examined in regard to the position he took in August 1964. Very frankly—I do not quote him, but I believe I paraphrase him accurately—he said, in effect: I made a mistake. I did not give the matter the careful thought I now think should have been given it.

His comment to the Senator from Kentucky which the Senator from Hawaii cited was, as we lawyers say, "curbstoning." It did not represent intensive analysis on the part of the Senator from Arkansas. In effect, he said that he has changed his mind. I respect him for the mental flexibility that gives him the ability to change his mind when he thinks that a previously held opinion was a mistaken one. But he will have to speak for himself.

Mr. INOUYE. Mr. President, will the Senator from Oregon yield for one more question?

Mr. MORSE. I yield.

Mr. INOUYE. If the Senator's amendment should be agreed to, does the Senator believe that by the amendment the President would be denied the authority to carry on a military buildup in South Vietnam?

Mr. MORSE. I think it would be an affirmation that at long last the Senate recognized that the President does not have such authority short of a declaration of war. I should think that the adoption of such an amendment would then put it squarely up to the President to decide whether he wants to use—as I think he should use—the constitutional processes; namely, a war message, a message asking for a declaration of war.

I repeat: I do not believe this President has any right to send a single American boy into battle without a declaration of war.

Mr. INOUYE. Then how would the Senator explain our military involvement in Korea and, I believe, in Lebanon, and in other areas, without a declaration of war?

Mr. MORSE. Considering the Lebanon resolution first, I took exactly the same position on that resolution. I opposed it as I opposed the Formosa resolution. As I pointed out at the time, the only reason why I supported the Cuban resolution was that power was not given to the President under the Cuban resolution. I do not have the precise situation at tongue's point, but I shall get it and place it in the Record tomorrow. I drew, in an international law argument at that time, the difference between the Cuban resolution and the Lebanon and Formosa resolutions.

Now I take the Senator to the Korean situation. It has been my position that it would have been much better to have had a declaration of war in the Korean situation. I shared the point of view of Senator Bob Taft, at the time, that there was a better procedure to follow. But there is this difference, and only this difference, that I think has materiality or relevancy in this debate, and that is that almost immediately in the Korean situation the President asked us to support participation in the Korean war in connection with our United Nations obligations under the charter. But my position is that it would have been much better to have had a declaration of war in that instance.

As the Senator from Hawaii has heard me say on many occasions, we cannot add up wrongs and ever get a right out of the addition.

Mr. INOUYE. Mr. President, I assume that it is possible to carry on military activities without a formal declaration of war, such as was the case in Korea.

Mr. MORSE. In my judgment, it is not possible to do so and to meet the strict requirements of the Constitution. However, as has been pointed out by the Senator from Louisiana, we have conducted war over our history without declarations of war. But that has not been to our historic credit. We have sent marines into Haiti and Mexico. We have engaged in what we dubbed as involving ourselves in military intervention. I think it was to the discredit of our country.

I do not want to see us make another such mistake or to continue the mistake that we are making in southeast Asia. I would vote against a declaration of war if it were offered tomorrow on the basis of the present situation in Vietnam. However, if war were declared, as I have said many times, we must rally behind that declaration and try to get the war over as quickly as possible. At the same time, we must continue to exhaust every possible procedure that is available to us to get an honorable, negotiated settlement through existing treaty obligations. However, if we had a declaration of war, then I would simply say that we must unite behind it. Those who are conscientious objectors are protected under the existing law.

As a U.S. Senator, it would be clearly my duty under the oath I have taken four times to urge support of that war. However, where I differ with some of my colleagues in the Senate is that this is a matter for each one to decide for himself. I feel that my supporting the prosecution of this war would be in violation of my oath.

I do not think this war should be prosecuted without a declaration of war. I have stated that I do not think this administration wants to declare war. I do not think the people would support it.

I think if the President of the United States were to come up tomorrow with a war message that the people would repudiate it and make it clear to Congress that they did not want war declared. Then for the first time it would dawn on the overwhelming majority of the American people that this President is not taking us to peace, but to a serious war. He is talking about peace and taking us into war. A declaration of war would get us into serious trouble overnight with an innumerable number of allies.

There is no question that it would get us into trouble immediately with Russia. Russia would not recognize that war. She would not abide by the war message we laid down. The first Russian ship that we sank in the prosecution of that war, trying to enforce a blockade or to mine that harbor, or, for that matter, placing restrictions on Russian ships anywhere else, I think would immediately involve us in a war with Russia.

That war would not be fought in Asia. It would be fought in New York City, Washington, Detroit, Portland, Moscow, and Stalingrad.

That is why I say that we owe it to our President to check him. I am sad to say this, but, in my judgment, our President is acting unchecked, and we need to check him, because if we do not do so, I think he will get us into a massive war.

ADJOURNMENT

Mr. INOUYE. Mr. President, I move, in accordance with the previous order, that the Senate stand in adjournment until 11 o'clock a.m. tomorrow.

The motion was agreed to; and (at 7 o'clock and 55 minutes p.m.) the Senate adjourned, under the previous order, until tomorrow, Tuesday, March 1, 1966, at 11 a.m.

NOMINATIONS

Executive nominations received by the Senate February 28, 1966:

THE JUDICIARY

Collins J. Seitz, of Delaware, to be U.S. circuit judge, third circuit, vice John Biggs, Jr., retired.

BOARD OF GOVERNORS, FEDERAL RESERVE SYSTEM

Andrew F. Brimmer, of Pennsylvania, to be a member of the Board of Governors of the Federal Reserve System for a term of 14 years from February 1, 1966, vice C. Canby Balderston, term expired.

BOARD OF DIRECTORS, FEDERAL DEPOSIT INSURANCE CORPORATION

William W. Sherrill, of Texas, to be a member of the Board of Directors of the Federal Deposit Insurance Corporation for a term of 6 years, vice Joseph W. Barr.

IN THE MARINE CORPS

Having designated, in accordance with the provisions of title 10, United States Code, section 5232, Maj. Gen. Lewis W. Walt, U.S. Marine Corps, for commands and other duties determined by the President to be within the contemplation of said section, I nominate him for appointment to the grade of lieutenant general while so serving.

IN THE ARMY

The following-named officer to be placed on the retired list in grade indicated under the provisions of title 10, United States Code, section 3962:

To be lieutenant general

Lt. Gen. Charles Granville Dodge, O18072, Army of the United States (major general, U.S. Army).

The following-named officer to be placed on the retired list in grade indicated under the provisions of title 10, United States Code, section 3962:

To be lieutenant general

Lt. Gen. Alva Revista Fitch, O18113, Army of the United States (major general, U.S. Army).

CONFIRMATIONS

Executive nominations confirmed by the Senate February 28, 1966:

NATIONAL ENDOWMENT FOR THE HUMANITIES

Henry Allen Moe, of New York, to be Chairman of the National Endowment for the Humanities for a term of 4 years, to which office he was appointed during the last recess of the Senate.

PUBLIC HEALTH SERVICE

The nominations beginning Eugene J. Gangarosa, to be surgeon, and ending William W. Murray, to be senior assistant therapist, which nominations were received by the Senate, and appeared in the Congressional Record on February 16, 1966.

EXTENSIONS OF REMARKS

Criticism of British Shipping to North Vietnam

EXTENSION OF REMARKS

OF

HON. CHARLES E. CHAMBERLAIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, February 28, 1966

Mr. CHAMBERLAIN. Mr. Speaker, I have spoken many times about the free world ships entering the port of Haiphong. I have placed in the RECORD the statistics on this shipping.

My good friend, Bo CALLAWAY, in a speech before the Atlanta Rotary Club, quoted these figures and "incurred the wrath" of the British Consul General.

I place in the RECORD an article from the February 15, 1966, Atlanta Constitution and a copy of a letter Congressman CALLAWAY wrote the Consul General. I agree wholeheartedly with Bo CALLAWAY.

The material follows:

BRITISH CONSUL CRITICIZES CALLAWAY'S TRADE BLAST

Criticism of British shipping to North Vietnam by Representative HOWARD (Bo) CALLAWAY touched off an exchange between the Congressman and British Consul General Thomas Sharman Monday.

In a speech before the Atlanta Rotary Club, CALLAWAY said the United States must blockade the port of Haiphong to end the war and criticized Washington's refusal to ask our allies to stop commercial shipping to North Vietnam.

Then he said most of the ships entering Haiphong are British and added, "We're not even getting our British allies to stop shipping. How can we back our troops?"

After his talk, Consul Sharman was among members of the audience who gathered around to talk to CALLAWAY. When the two came together, Sharman began gesturing and seemed to speak in angry tones.

He ended the conversation with a brisk, "Good day, sir," and walked quickly from the room.

Later he said in a prepared statement that he had told Representative CALLAWAY that he thought his comments had given an "unfair and unbalanced impression" of the actual situation in Vietnam shipping.

CALLAWAY had said "that in 1964, some 400 free ships, mostly British, entered the Haiphong port, and in 1965 there were 200, again mostly British."

In his statement, Sharman said:

"I told Mr. CALLAWAY at the end of the meeting that I thought he had given an unfair and unbalanced impression in speaking only of free world shipping, mainly British, carrying materials into Haiphong and in not having mentioned the giant Russian planes delivering supplies to the North Vietnam Government. Such British shipping as goes into Haiphong does not carry strategic materials."

Sharman quoted a statement by Secretary of State Dean Rusk saying he was not aware of any munitions supplied by the British by ship to the Vietcong and citing drastic reductions in free world shipping to North Vietnam.

ONLY $500,000

Exports and imports together between the United Kingdom and North Vietnam last year came to only half a million dollars, the Atlanta-based consul general added.

CALLAWAY said he stood by his speech.

Speaking to newsmen on other topics, CALLAWAY predicted a 2-percent increase in corporate taxes and an increase in personal income taxes from the administration.

Mr. THOMAS SHARMAN,
Consul General, the British Consulate,
Atlanta, Ga.

DEAR MR. SHARMAN: I sincerely regret that your abrupt departure on Monday at the Atlanta Rotary prevented our discussing further the matter of allied shipping to North Vietnam.

From what you said to me, and your followup statement to the press, I understand your position to be that British shipping to North Vietnam is nonstrategic; that it has been substantially reduced; and, that my criticism of British shipping without mentioning Russian aircraft deliveries gave an unfair impression of the situation.

Mr. Sharman, I find your position utterly indefensible, for the obvious reason that any nation—and especially a nation at war—expects more from its allies than it does from its enemies. I am totally at a loss to understand why Britain, as a long-standing friend, would insist that its actions be judged identically to the actions of a long-standing and present enemy. To do so, I feel, would insult our friendship, and therefore, I choose not to make such a comparison. Instead, my colleagues and I ask Britain to let its actions stand on their own merits or demerits, and to answer to them in that light.

Certainly we feel that British shipping to North Vietnam is entirely unjustified, if for no other reason than that free world shipping of nonstrategic goods frees Communist shippers to carry the instruments of war. But more important than this is the principle involved: that as long as our enemy is engaged in a war effort against America and American men, we cannot condone our friends supplying even so much as a spool of thread to that effort. I do not find our position unreasonable, but I would never have believed that we would have to express it to a friend of such long standing, and worse, that it would be rebuffed.

My colleagues in the Congress and I have and shall continue to press for a cessation of free world shipping to our enemy, and I can promise you that our exchange has only added to my determination that this be done.

Sincerely,

HOWARD H. CALLAWAY.

Vietnam

EXTENSION OF REMARKS

OF

HON. JOHN W. BYRNES

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, February 28, 1966

Mr. BYRNES of Wisconsin. Mr. Speaker, under leave to extend my remarks, I include the partial text of a speech I delivered at the Lincoln Day dinner of the Republican Party of Brown County, Wis., in Green Bay on February 22, 1966:

Lincoln has many messages for modern-day Americans. He spoke eternal truths which will long serve to guide us in our affairs. There is one message he addressed particularly to Republicans. He said:

"It is exceedingly desirable that all parts of this great Confederacy shall be at peace, and in harmony one with another. Let us Republicans do our part to have it so. Even though much provoked, let us do nothing through passion and ill temper."

I think this is wise party policy for Republicans at any time but particularly now when our Nation faces such critical problems, both at home and abroad.

We must reserve for ourselves the right to dissent, like every other right, carries with without it. But we know that the right of dissent, like every other right, carries with it a responsibility. That responsibility is to make sure that our dissent is not frivolous, self-serving, or, at worst, harmful to the national security. It should not spring, as Lincoln advised, from "passion or ill temper." It ought to be considered and constructive.

The Republican Party has met this test with flying colors during the continuing crisis in Vietnam.

We are not, as are some members of his own party, stabbing the Commander in Chief in the back with criticisms which impugn the motives of our country and give aid and comfort to the enemy. We have criticized, certainly. But I think the record is clear that our criticism, because it is aimed at the support of the American effort, has given no ammunition to the Communist propaganda machines.

Republican criticism stems from a deep concern. It is a concern for the future of this Republic.

We are concerned that the sacrifices being made in Vietnam shall not be made in vain—that we do not lose what our troops are fighting so valiantly to preserve. We fear that, if we make the wrong choices, freedom throughout the world will be gravely endangered.

It so happens that I strongly agree with the bipartisan policy which finds us fighting on the side of the Vietnamese in order to prevent their enslavement by communism through the use of force and terrorism. Freedom in this world is a lost cause, it seems to me, unless someone is willing to stand up and fight to prevent its permanent disappearance. If we deny freedom its chance in Vietnam, freedom is in danger throughout the world. If successful in Vietnam, the so-called Communist wars of liberation—the modern method of aggression—will continue. Eventually and inevitably this Nation will be forced to take a stand at another place. The costs then—in lives and treasure—could make the Vietnam war look like a minor skirmish.

I fervently hope this Nation has not forgotten the lessons of two world wars. The first lesson we learned is that the aggressor—whether he be Kaiser Wilhelm or Adolph Hitler, or Mao Tse-tung—will continue his aggression just as long as it remains profitable. The second lesson is that the United States, if it wants to save itself, must act to stop the aggression sooner or later. And the third lesson is that the longer we wait, and the more courage and power we allow the aggressor to achieve, the bloodier and more costly is the final struggle, with the outcome more and more in doubt.

If Communist aggression in the Far East continues to be profitable, if it is allowed to succeed at little cost, that aggression will continue. Those who want us to get out of Vietnam owe it to us, I believe, to tell us where they believe we should make the next stand. If they say that the success of Communist aggression in Vietnam means the end of Communist aggression in south Asia, then

I must say that every logic and every lesson of history is dead against them.

I do not believe Americans will accept that kind of advice. On the contrary, I believe Americans generally are in strong agreement with the policy which finds us in Vietnam—the policy that says the United States, in its own self-interest, cannot allow piecemeal Communist aggression to succeed and become profitable.

Yet, one can feel across the land an uneasiness among our people over our position in Vietnam. I submit, however, it is not the basic policy which concerns Americans. It is the conduct of that policy.

This uneasiness over the conduct of our policy in Vietnam strengthens the position of those who advocate, either directly or indirectly, abandonment of south Asia to the tender mercies of the Communists. It would be a great tragedy if they prevail. It is for that reason that Republicans feel a deep obligation to point out the errors of omission and commission which are threatening a policy essential to the preservation of freedom and our own security.

I suggest that we greatly need two things from the President and his administration. The first is candor and facts. The second is a clear-cut decision. The President is reputed to be a great politician, but I think he underestimates the capacity of the American people to support difficult decisions once they are given possession of the critical facts. It is high time that we started getting the unvarnished truth about Vietnam. The administration's record of playing square with the American people on Vietnam is an extremely poor one.

The President misled the people in the 1964 campaign. He gave the country, as we Republicans well remember, the impression that there would be no enlargement of our military activities there. The American people were not told, in 1964, the seriousness of the situation in Vietnam. We now know that the Communists were close to winning the war in the 1964 and early 1965 period.

We have been consistently misled by administration officials. Secretary of State Rusk told us in April 1963, that the corner had been turned. In October of that year, Secretary of Defense McNamara predicted that, by the end of 1965, the major part of the American military aid program could be ended. Yet only a short time ago, he would only go so far as to say "we have stopped losing the war."

Very often, in addition, the President's actions in regard to Vietnam seem more to confuse than to enlighten; they give the impression of an administration either thoroughly uncertain about its objective or more interested in creating some kind of effect upon public opinion than in actual results.

Thus, we have the hastily arranged Honolulu conference with its emphasis upon economic progress in Vietnam; we have the hastily arranged Humphrey visit promising new programs and more American gold at every stop; we have the sudden presentation of the Vietnam issue to the U.N. Security Council, a matter in which we have apparently since lost interest.

It is no wonder that Washington is talking about, and Americans are feeling, a "crisis of credibility." That is what Ambassador Goldberg calls it, and really, it's just a fancy way of saying that people are getting in the habit of not believing their Government is telling the whole truth.

The first thing we need, then, is some old-fashioned candor from the administration. We ought not to have to guess the factual situation in Vietnam and the Far East; we ought to be kept fully advised. We ought not be kept in the dark as to what our real objective is in Vietnam; we ought to be told and Hanoi should be told. We ought not be flimflammed as to the kind of sacrifices that will be required to reach our objective; we ought to be informed. Above all, recognizing that for security's sake, we cannot be told everything, we ought not to be misled by either false optimism or pessimism as to the true situation.

When the people have been given the facts, this administration needs to make a national decision. It has to decide whether it is fighting a war in Vietnam or whether it is not. I do not say this facetiously; I say it in all seriousness, and I say it again, and underline my words.

We are engaged in a war in Vietnam but this nation has not yet made a decision that it will fight a war in Vietnam. On the contrary, the administration has avoided that decision. Instead it has been trying to find a consensus rather than to create a consensus.

War is a serious business which ought not be undertaken without having success as a goal. Successful war requires knowing what one is fighting for in specific terms, in military terms, if you will. It requires a willingness to commit power to achieve those objectives. It requires sacrifices and it requires, if public support is to be kept as it must be kept, that those sacrifices be shared as equally as possible. War requires resources and, unless it is a very small war indeed, it requires a nation to pass up temporarily its less urgent needs in order to fill the immediate critical ones. War requires dedication and concentration of effort.

We are committing hundreds of thousands of men and billions of dollars to armed conflict in Vietnam without fulfilling any of these requirements. The people do not know what our military objectives are in Vietnam. We have not been willing to commit the power needed to achieve whatever those objectives are; we are instead holding back power. We are not cutting back domestic programs to pay for the war; we are, in fact, adding new ones and enlarging others. We are not concentrating our efforts on the war; we are simultaneously engaged in every kind of activity under the sun, including the greatest roadbuilding program, the most costly exploration program and the most expensive foreign aid program in the history of the world.

We are, in short, engaged in war in Vietnam with all that means in terms of death and privation for our fighting men, without having decided to fight a war, with all that means in terms of hardship, sacrifice and risk for the people back home.

I, for one, do not believe this situation can long prevail. The first kind of war cannot be successful without the second. The American people will, I believe, either be summoned to join in a national decision that we mean business in Vietnam, or the American people will one day reject the mounting costs and casualties of a half-hearted war being fought by a nation that can't make up its mind what it's fighting for. If that happens, if this Nation sneaks out of Vietnam in abandonment of both principle and the friendship and trust of a free people, then I fear indeed that we will have set the stage for an eventual vast world conflict we are all trying so desperately to avoid.

How can we as a people, how can our fightingmen, how can Hanoi or Peiping be convinced we have really determined to fight this war when they see some of the things going on here at home—on the domestic front?

Look at the budget—the financial plan of this Nation—which has been presented to us by the President.

In a time of war, particularly one which comes when the economy is booming, when shortages are appearing, when the demand for manpower is intensifying, a nation needs to adopt a budget of restraint. It needs to adopt a budget which says, "Let's proceed with caution; there is possible trouble ahead." It should shun like the plague an expansionary budget in an already greatly expanded economy, lest it supply those last few breaths of air which cause the balloon finally to burst.

Yet, how would you characterize a budget which proposes that this Nation not only undertake all its normal expenditures while paying the heavy costs of the war, but proposes to increase domestic spending for new programs just enacted and, on top of everything else, proposes new programs which will cost still more money?

This is not a war budget: it is the kind of budget you would propose if you wanted to stimulate a depressed economy in peacetime. It is potentially a very dangerous budget: it can bring on economic dislocations, miserable in themselves, but exceedingly harmful to any war effort.

This is a budget which proposes to spend the fantastic amount of $112.8 billion in 1 year—more than this Nation has ever spent in any other year, including the World War II years. But that amount understates actual spending; $6 billion from the sale of assets has been used to reduce the spending estimate; actual expenditures will be almost $119 billion and will be kept that low if, and it's a big if, Congress is able and willing to go along with a great number of phony cuts in the budget.

There has been a $37 billion a year increase in the level of spending since 1961 and don't think this has been all because of the war. Only a third of that increase can be attributed to Vietnam.

While the administration was trying last year to convince Hanoi of our seriousness in Vietnam, the administration was prodding the last session of Congress to turn out the largest program of domestic spending this Nation has ever seen. It is difficult to blame anyone for thinking that this Nation was more concerned with its domestic affairs than with fighting a serious war.

As a result of that program enacted last year, as the result of continuing large-scale appropriations for new programs, look at what our people, our fighting men, and our enemy can read in the newspapers. Here are three items I came across within the last few days.

Remember we are a nation at war—an extremely costly war.

Item No. 1. From the Washington Evening Star. "Washington is receiving a Federal beautification grant of $483,000 for landscaping around buildings. Other cities who are receiving grants are Pittsburgh which will get about $465,000 and New Haven, about $325,000."

Item No. 2. From the newsletter of the National Education Association. "The U.S. Office of Education is concerned lest some of the nearly $1 billion Congress made available under title I of the (education) act go down the drain because local school districts haven't yet figured out how to use it properly."

Item No. 3. From the Washington Daily News. "The Baltimore Health Department has requested a Federal grant of $300,000 to conduct an antismoking campaign—in the fifth grade of the city's public schools."

Does this sound like an administration which has decided to make the hard decisions required by the kind of war in which the Nation is engaged?

We did not act like a nation at war in 1964, nor in 1965, nor are we doing so today and as a consequence, the war drags on. We apparently will not act like a nation seriously at war during fiscal 1967—if we are to enjoy all of the luxuries which we will lavish on ourselves under the President's budget.

What about the period beyond that? After all, we are told we will be heavily engaged for a long time in Vietnam—some high officials even talk about a generation of conflict.

But, Hanoi and Peiping, if they look at the budget closely, will conclude that we must be planning to get out, because we will be in a frightful fiscal situation if the heavy costs of the war continue into the next fiscal period. That is so because this budget is being financed with future revenues. We are selling assets; we are taking advantage of windfalls; we are speeding up tax collections to reduce this year's deficit. There will come a time, and soon, when those wells will run dry, and then we will either have colossal deficits, or colossal tax increases, or both, plus Federal controls, if the war continues. A nation which has made a decision to fight a bitter war to a successful conclusion would not dare take such a grave risk.

Abraham Lincoln, to preserve the Union, and in defense of freedom, summoned up the entire energies of the Nation to fight a brutal war, brother against brother. "The man," he said, "does not live who is more devoted to peace than I am, none who would do more to preserve it, but it may be necessary to put the foot down firmly."

I think America is now waiting for the foot to be put down firmly. It is waiting for the national decision which sooner or later must be made. It is waiting for a decision, not to prolong a bitter war, but to shorten and end it; it is waiting for a decision which, in the long run, will enable us to prevent a major war which would set the world aflame.

Your Opinion, Please

EXTENSION OF REMARKS
OF

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 28, 1966

Mr. BRAY. Mr. Speaker, for several years it has been my custom to take samplings of public opinion in my congressional district.

For each Member of this body, the job of keeping aware of the thoughts and beliefs of his constituents is one of his foremost duties. Yet it is not easy to keep in touch with the opinions of 400,000 people in the average congressional district.

In addition to the thousands of letters, telegrams, and telephone calls I receive, I appreciate the opportunity for personal contact with the voters. Obviously, we cannot contact them all as frequently as we would like, and the opinion poll is a useful supplement.

I have found such questionnaires to be helpful to me in measuring public interest and attitudes on important matters before the Congress. This practice has also stimulated discussion and thought among my constituents on the major problems we face as a nation.

This year I am again asking for "Your Opinion, Please." The list of questions is necessarily brief, but I believe they touch upon the most important issues before us.

The war in Vietnam is obviously of paramount interest to us all. Of growing significance are the various domestic programs of the Great Society, and the level at which they should be pursued. An imminent threat is also posed by increasing inflationary pressures which may be felt in every segment of the economy in the coming months.

It is always difficult to select just the right questions and to phrase them in a way which is easily understandable and yet will elicit a meaningful answer. I have reviewed the questions asked by a score of my colleagues in an attempt to get the best possible.

Each of the replies to these questions will be tabulated and the results will be placed in the CONGRESSIONAL RECORD.

Here are the questions I am putting to my constituents:

	Yes	*No*
What course should the United States follow in Vietnam?		
Maintain present level of involvement	( )	( )
Suspend bombing of North Vietnam	( )	( )
Withdraw our Armed Forces	( )	( )
Intensify military action	( )	( )
Do you favor changing the term of the House of Representatives from 2 to 4 years?	( )	( )
Should the Federal Government pay a portion of the home rentals for some families, as proposed by the administration?	( )	( )
Should additional tax credits or deductions be allowed parents of college students?	( )	( )
The administration has asked $1.6 billion for the war on poverty—an increase of $400 million over the first year. Do you approve?	( )	( )
Do you believe there currently is a threat of serious inflation?	( )	( )

Representative Cramer Makes Highly Important Speech on Nation's Highway Problems

EXTENSION OF REMARKS
OF

HON. WILLIAM H. HARSHA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 28, 1966

Mr. HARSHA. Mr. Speaker, at the recent annual convention of the American Road Builder's Association in Denver, Colo., the gentleman from Florida, Representative WILLIAM C. CRAMER, made a very timely and highly important address on the Federal-aid highway programs of our Nation.

As the ranking Republican on the Committee on Public Works and as the ranking Republican on both the Subcommittee on Roads and the Special Subcommittee on the Federal-Aid Highway Program of that committee, Representative CRAMER is eminently qualified to discuss in open frankness the problems confronting the highway programs of this Nation and the States.

Mr. Speaker, under unanimous consent I insert this important speech, "Storm Clouds," in the RECORD. I commend it to the attention of all Members of the Congress.

STORM CLOUDS

(Address by Hon. WILLIAM C. CRAMER, Member of Congress, at the annual convention of the American Road Builders' Association, Denver, Colo., February 23, 1966)

It is a real pleasure to meet with the leaders of the Nation's roadbuilding industry in this mile high city, nestled among the towering, snow-clad peaks of the Rockies. The view from my hotel window is one of scenic grandeur, but it also impresses me with the formidable task of highway construction in rugged terrain. Should you desire a change from this brisk and invigorating climate, I invite you to enjoy the perpetual sunshine, the warm, balmy days and nights, and the garden-like countryside of Florida.

The American Road Builders' Association is to be commended for the leadership you have shown in the past, and are taking now, to assure that the people of this great country have a modern and safe highway system. Your association can take pride in the accomplishments of the Federal-aid highway program now underway. This construction program is unequalled in history, and its existence is due in large measure to your valiant efforts.

I know that I express the views of every member of the House Committee on public Works in saying that we are indebted to General Prentiss, and to his good right arm, Burt Miller, for the sound advice and counsel which they always provide with respect to highway legislation. And I trust that your association will continue to advise the Congress on highway matters, for we are facing critical decisions which will have tremendous impact upon the future of highway transportation in this country.

Already, there are dark, ominous storm clouds gathering overhead, and others are forming on the horizon. Unless these storms are weathered through proper legislative and administrative action, the traveling public will suffer.

INTERSTATE IN TROUBLE

Of most concern is the completion of construction of the presently designated 41,000-mile Interstate System. As you know, the 1965 interstate cost estimate, submitted to Congress by the Secretary of Commerce over a year ago, shows that construction of the Interstate System will cost $46.8 billion; which is $5.8 billion more than the 1961 cost estimate. Of this $5.8 billion increase, the Federal share is $5 billion. Mr. Rex Whitton, the Federal Highway Administrator, testified before the committee last year that $1.9 billion of this additional $5 billion Federal cost could be financed by revenues to the highway trust fund from present highway user taxes, thereby leaving a deficit of $3.1 billion to be financed from other sources. If this were the entire story, the situation might not be too bleak, but there is much more to it.

Rather than the increased Federal cost of the Interstate System being $5 billion, it now looks as though it may be as much as $10 billion, with a corresponding increase in the States' 10-percent share. This greater cost is attributable to a number of things.

A substantial amount of the anticipated increased cost, over and above the 1965 estimate, will be caused by rising unit prices for work yet to be performed. The 1965 cost estimate was based upon calendar year 1963 prices. Since then, unit prices have been increasing from 2 to 2½ percent per year, and the rate of increase is becoming greater with the passage of time. During the first 9 months of 1965, unit prices increased 3½ percent over the previous year. This is something over which the State highway departments have no control, and it is reflective of the rising costs of doing business, particularly rising labor costs. Based upon actual price rises since 1963, and reasonable projections thereof through 1973, it appears that the Federal share of the cost of completing the system will increase from $3 to $4 billion because of higher unit prices alone.

Design changes will add another one-half to $1 billion. With the passage of time from one estimate to another, conditions change, forecast traffic volumes increase, and technology and concepts advance, all of which result in constant upgrading of standards. There will be additional costs to provide for such things as full widths of shoulders across long bridges where traffic volumes require, more traffic lanes, and additional interchanges.

There is continuing pressure to add ramps to simple grade separation structures, to convert them into interchanges so as to meet the needs of increasing traffic and growing communities. The 1965 cost estimate provides for 754 more interchanges than were included in the 1961 estimate, and undoubtedly the cost estimate to be submitted to Congress in 1968 will include still additional interchanges. The average distance between interchanges on the Interstate System, included in the 1965 estimate, is 1.1 miles in urban areas and 4.4 miles in rural areas. As communities grow and urban limits expand, more interchanges are demanded. If the approximately 1,400 miles of two-lane highways on the Interstate System are to be made four-lane divided highways in the interest of safety, which we are hearing so much about of late, another $270 to $300 million will be added to the cost of the system. All of these additional construction features cost money.

BEAUTIFICATION BEFORE BUILDING

The Highway Beautification Act of 1965 provides financing from the general funds of the Treasury for the first 2 years for the control of advertising and junkyards adjacent to Interstate and Federal-aid primary highways, and for landscaping and scenic enhancement along all Federal-aid highways. This act expressly prohibits the use of moneys in the highway trust fund for these purposes. However, the President has recommended, in his budget for fiscal year 1967, that the Highway Beautification Act be financed from the highway trust fund, at an average rate of more than $200 million a year for the Interstate System alone.

No one knows what the cost will be for beautification of Federal-aid primary and secondary highways. Apparently the President intends that beautification of these highways be financed from regular A–B–C authorizations. If the authorizations continue at the present annual level, such financing would not add to the financial deficit of the trust fund; however, all money spent for beautification would be taken away from construction, and less miles of Federal-aid primary and secondary highways, and their urban extensions, will be improved. I find it most difficult to understand why the President thinks it is more important to beautify these roads than to construct them or to make them safe and adequate for travel by the public. If highway beautification is justified, and I would fully support a properly conceived and administered law, it should be separately financed and not carried on at the expense of highway construction. With highway fatalities reaching 49,000 in 1965, and still going up, in addition to some 1.8 million people disabled, this is not the time to divert construction money, that could be used to increase the capacity and safety of highways, to the less essential purpose of beautification.

As distinguished from the A–B–C program, the President's proposal to finance beautification of the Interstate System from the highway trust fund will not only add to the cost of completing that system but it will add to the already growing deficit of the trust fund. It has been estimated that the cost of the Highway Beautification Act attributable to the Interstate System alone will be at least $1.5 billion. Putting beauty before building and to assign it a higher priority is foolhardy.

TRUST FUND RAIDS CONTINUE

Not only are we faced with some $10 billion additional Federal cost to complete the Interstate System, with a trust fund deficit of about $8 billion, but the President wants to take money from the trust fund for still other purposes. He has recommended, in the 1967 budget, that forest highways and public lands highways be financed out of the trust fund, at a cost of about $272 million during the remaining life of the trust fund. These highways have always been financed out of the general funds of the Treasury, heretofore. The President also wants to take the 2-cents-per-gallon aviation gas tax from the highway trust fund, which would amount to some $74 million over the next 7 years.

In addition to these new drains on the trust fund, the President has recommended that a future highway safety program, which he proposes to send to Congress this year, be financed from the trust fund. No one knows what this program will ultimately cost, but it is reported $500 million is the starter.

It is true that the President has recommended some measures to add revenue to the highway trust fund. These consist of extending the life of the trust fund through February 1973, transferring 1 percentage point of the existing automobile excise taxes from the general fund to the trust fund to be earmarked for highway beautification, and imposing certain additional taxes on trucks. However, if all of the President's recommendations should be enacted by Congress, which is highly unlikely, there would still be a trust fund deficit of about $4 billion.

The administration, which has the means for making estimates of costs and revenues, should come forward with realistic figures and practical proposals for getting the job done. Some $8 billion of additional revenues must be obtained if the Interstate System is to be completed. This could be accomplished in a number of ways, such as by stretching out the program (which I oppose), transferring existing taxes to the trust fund, imposing new taxes, borrowing from the general fund, or a combination of these methods. For example, the ABC program could be continued at its present level and, to indicate the magnitude of the problem, $8 billion more must be provided for completion of the Interstate System, and even if the life of the highway trust fund were extended for a year and a half, until March 31, 1974, there would have to be transferred to the trust fund an amount equal to 2 percentage points of the automobile excise tax over the life of the trust fund to complete the job by 1974. We have already observed that at least a 1-year construction stretchout appears inevitable because of lack of push from the administration; however, if necessary to keep construction going, money could be borrowed from the general fund and later paid back with interest from trust fund receipts.

Unless we are going to be like the ostrich that buries its head in the sand and refuses to face reality, we must take into consideration known additional costs, which are not included in the 1965 cost estimate, and known deficits in the trust fund. This has not been done by the administration. All of the administration's recommendations to date have been based upon the 1965 cost estimate, which is so out of date as to be of little use in the authorization of funds or in providing needed revenue. If the administration does not submit realistic recommendations for legislation, I hope that the Congress will take the initiative to provide funds in the amounts actually needed for completion of the system.

Much has been said during the past several years about the desirability of completing the Interstate System on schedule in 1972. If necessary funds had been provided last year, and this program given its proper priority, this goal could have been reached, except for a few isolated projects in some large metropolitan centers. However, the administration has waited too long to meet this completion date. If all needed funds were made available as fast as they could be used, with only 6 years remaining for construction, the annual levels of authorizations would be so high that the required rapid acceleration of construction, probably followed by a sudden deceleration, would be most difficult for the State highway departments and the construction industry to absorb in an orderly and economic fashion. I think the administration must admit that it has gone too long at too slow a pace to complete the system on schedule. It appears that at least a one-year construction stretchout, until 1973, is inevitable. And unless action is taken soon to provide necessary funds, the Interstate System may not be completed until 1975, or even later.

TOLL ROADS INVESTIGATED

There are some 3,772 miles of toll roads in operation in the United States, and about 2,320 miles of toll roads, bridges, and tunnels are on the Interstate System. Additional toll facilities are now being constructed or considered in a number of States, and we must give thought to coordinating them with future free highways.

For more than a year, the staff of the Special Subcommittee on the Federal-Aid Highway Program has been studying and compiling information on existing and proposed toll highway facilities. Public hearings will be held soon on the relationship between toll highway facilities and the Federal-aid highway program, and the Public Works Committee will attempt to find solutions to the many problems which have concerned me for years, and with respect to which I have introduced legislation in every Congress since 1961.

Among the problems to be considered are (1) the delay in construction of free sections of the Interstate System and other toll-free highways which would compete with existing toll roads, (2) the construction of new toll facilities on all of the Federal-aid highway system, many of which facilities appear to be nothing more than toll traps that add to highway users' cost of travel, (3) the interspersing of short sections of free Federal-aid highways between short sections of toll roads, and (4) limitations contained in Federal and State laws which impede the construction of interchange connections between toll roads and major Federal-aid highways.

My own State of Florida, as well as other States, experienced this last problem. The Sunshine State Parkway, a toll road, crosses Interstate Highway 4 near Orlando; however, amazingly, there is no connection between these two major roads. Federal-aid funds cannot participate in constructing ramps to connect the two highways, and thereby convert the present grade separation structure into an interchange, because of limitations in the Federal law concerning the use of Federal funds for facilities that will serve only toll traffic. The turnpike authority felt that the ramps do not meet economic justification criteria which governs expenditure of its funds, and the State road board apparently does not have money to finance the construction. As a result, travelers who wish to go from one highway to the other must use widely separated interchanges and travel several miles over heavily congested city streets. Fortunately, however, I am informed that new private developments, including a proposed new Disneyland, have led the turnpike authority to decide recently that an interchange can be economically justified, and it is planning now to construct one with its own funds—someday.

I hope that the planned hearings will point the way to solutions of problems relating to toll facilities.

JANUARY 1968 REPORT ON THE FUTURE

We should not become so engrossed in the problems already upon us, that we fail to plan to meet the continuing highway needs of the future. A law enacted last year directs the Secretary of Commerce to report to Congress in January of 1968, and every 2 years thereafter, his estimates of the highway needs of the Nation. The Bureau of Public Roads and the State highway departments are now actively engaged in making a detailed study of future highway needs and in developing an appropriate highway construction program to be commenced upon completion of the current program.

There are more than 90 million vehicles on the Nation's highways today, and it is estimated that during 1966 these vehicles will travel some 900 billion miles. Our ever-growing population is demanding more and more mobility, and it is axiomatic that the number of vehicles and miles traveled will continue to increase. With constant usage and the passage of time, the 3,600,000 miles of highways, roads and streets in the United States are gradually wearing out and becoming functionally obsolete. There must be a continuing highway program for the construction and improvement of existing roads and for the construction of new roads to safely and efficiently accommodate the ever-increasing volumes of traffic.

All levels of government, Federal, State, and local, have vital interests in and responsibilities for providing these arteries of commerce and communication, which are essential to our very existence. This community of interest was the basis of recommendations to the Congress which are embodied in the present highway program that was commenced in 1956. Recommendations for any future highway program likewise should be developed cooperatively by the Secretary of Commerce and the State highway departments, with the latter working closely with local governments. This was clearly the intention of the House of Representatives last year when it directed the Secretary of Commerce to report to the Congress on the highway needs of the Nation.

HIGHWAYS TO BE DOWNGRADED IN FUTURE?

There are disturbing rumors circulating about Washington, which I hope are proven to be false, that the Secretary does not intend to permit the State to participate in the formulation of recommendations for the so-called "after 1972" highway program. But, rather, that the future highway program will be predicated upon a role to be assigned to highways, as a part of an integrated transportation system to be devised by the Secretary, without regard to actual highway needs. These rumors may be an outgrowth of comments which have appeared in the press, and elsewhere, of late, that the administration is writing a new national transportation policy which will have as its goal a coordinated, integrated transportation system throughout the country. Such a policy concept may have merit, but not if it forces the subordination of one mode of transportation to another contrary to the desires of the public in exercising their freedom of movement.

Ninety-two percent of all intercity passenger travel and over 300 billion ton-miles of freight a year move over highways. Highways are the principal mode of transportation in the United States today, and, in my opinion, they will continue to be in the foreseeable future. No other mode of transportation offers such diversification of travel patterns and flexibility in travel. The public should be able to determine the extent to which they want to use highways and not be forced to use other forms of transportation against their wishes.

It has been suggested that the $90 million demonstration high-speed transportation system which the Secretary of Commerce is now undertaking between Boston and Washington, involving rail transportation principally, may be a forerunner of the administration's new transportation policy. However, the unique transportation problems of the densely populated northeastern corridor of the United States are not common to the rest of the country. And the solutions to these peculiar problems should not dictate the transportation policy for 90 percent, or more, of the geographical area of the Nation, which is not similarly situated.

I sincerely hope that there will be no heavy handed attempt by the Federal Government to arbitrarily assign to highways a role in an integrated transportation system that is not commensurate with the desires of the public to use highways. To the contrary, such future public desires, determined cooperatively by the States and the Secretary of Commerce and translated into terms of highway needs, should be the basis of any future highway construction program.

Furthermore, highway funds should not be diverted to finance other forms of transportation when those funds are needed so badly for highway construction. There are bills now before Congress to authorize the use of moneys in the highway trust fund to finance mass transit facilities.

We need take only a short additional step to convert the highway trust fund into a transportation fund as a source of financing for all forms of transportation. It may be sheer speculation, but there are some who fear that the new transportation policy, now being written by the administration, may contemplate such a diversion of highway funds.

Time has not permitted a detailed discussion of the several matters which I have touched upon this afternoon, but they are exceedingly important to the future well-being of our country and will bear watching. Continued vigilance by your association will do much to assure a well balanced transportation system, with highway transportation playing its proper role.

SENATE

Tuesday, March 1, 1966

The Senate met at 11 o'clock a.m., and was called to order by the Acting President pro tempore (Mr. **Metcalf**).

Rabbi Eliezer Wolfish, Northeast Jewish Center of Yonkers, Yonkers, N.Y., offered the following prayer:

Av Horachamin Shochen Bamromin. God of mercy, who dwellest on high: In Thy fatherly care do we place our faith and our trust. Unto Thee our eyes are turned in humble supplication, and unto Thee our hearts are grateful for the abundance of blessings that Thou dost bestow upon us citizens of this great democracy. Guard and protect the members of our Armed Forces in Vietnam and throughout the rest of the world.

Help us, O Heavenly Father, never to become casual, or to lose our sensibility, consciousness, and appreciation of Thy grace in permitting us to live and toil in a free and unshackled society. No greater gift can man ask; no greater gift can man receive.

O gracious Father, verily it was Thou who didst inspire man and give him the superlative intellect to solve the awesome mysteries in realms on high and in the areas beyond the horizon.

At the same time, we implore Thee to stir and move us to search for answers in the innermost recesses of our hearts, so that we may ferret out all vestiges of inhuman discriminations and unspeakable cruelties that are untenable in this advanced stage of civilization.

Finally, we ask Thy blessings upon the President and the Vice President of these United States, and upon our legislators. Concretize their aspirations to eradicate poverty and disease from this Nation of plenty. Crystallize their hopes for a tolerant society. Answer their prayers that accompany their efforts to bring serenity, sobriety, and peace to a confused and despairing world.

All this we ask in Thy name, O Thou who art above us. Amen.

THE JOURNAL

On request of Mr. **Mansfield**, and by unanimous consent, the reading of the Journal of the proceedings of Monday, February 28, 1966, was dispensed with.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. **Mansfield**, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. **Mansfield**, and by unanimous consent, the following committees and subcommittees were authorized to meet during the session of the Senate today:

The Committee on Aeronautical and Space Sciences.

The Subcommittee on Improvements in the Judiciary Machinery of the Committee on the Judiciary.

The Subcommittee on Constitutional Rights of the Committee on the Judiciary.

The Subcommittee on Civil Service of the Committee on Post Office and Civil Service.

The Aviation Subcommittee of the Committee on Commerce.

On request of Mr. **Smathers**, and by unanimous consent, the Committee on Finance was authorized to meet during the session of the Senate today.

COMMITTEE MEETING DURING SESSION OF THE SENATE TOMORROW

On request of Mr. **Mansfield**, and by unanimous consent, the Committee on Agriculture and Forestry was authorized to meet during the session of the Senate tomorrow.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries.

HEALTH AND EDUCATION—MESSAGE FROM THE PRESIDENT—(H. DOC. NO. 395)

The ACTING PRESIDENT pro tempore. The Chair lays before the Senate a message from the President of the United States on health and education. Without objection, the message will be printed in the RECORD, without being read, and appropriately referred.

The message was referred to the Committee on Labor and Public Welfare, as follows:

To the Congress of the United States:

A nation's greatness is measured by its concern for the health and welfare of its people. Throughout the history of our democracy, this commitment has grown and deepened.

The education of our people is a national investment. The health of our people is essential to the pursuit of happiness.

Today we can set ambitious goals for the future: Full education for every citizen to the limits of his capacity to absorb it; good health for every citizen to the limits of our country's capacity to provide it.

The 88th and 89th Congresses have moved toward these goals. During the past three sessions, Congress has: Enacted 20 landmark measures in health and 19 in education; doubled the appropriations for health programs and increased the budget for our Office of Education more than fivefold.

The achievements of the past 3 years promise a dramatic enrichment of American life. They already include in the field of health:

1. The medicare program which, on July 1, will make benefits available to more than 19 million older Americans.
2. Health services for more than 200,000 migrant workers in 34 States.
3. Maternal and infant care for mothers and children previously receiving inadequate services.
4. Expanded services for crippled children.
5. Thirty-two new clinics for retarded children.
6. Construction assistance for 1,300 hospital and health facilities to add more than 56,000 new hospital beds.
7. Financial support for more than 16,000 medical research projects and advanced training for 25,000 scientists.
8. Construction starts for 62 institutions to enroll more than 2,400 additional students each year for training in the health professions.

Our achievements in education are equally impressive. Among them are:

1. Funds to improve educational opportunities for nearly 7.5 million underprivileged children in 20,000 school districts.
2. Summer Headstart programs for 560,000 preschool children in 13,350 community education projects and year-round programs for 120,000 children.
3. Textbooks and other learning materials for more than 40 million children in every State.
4. College work study programs for more than 110,000 needy college students.
5. Construction aid for 1,300 institutions of higher learning—including new classrooms, laboratories, and libraries.
6. 12 million books to improve public libraries and training programs for more than 400 librarians.

HEALTH

With these programs and those I am recommending today, we can move closer to attainment of our goals: To bring every child the care he needs to develop his capacity to the fullest. To reduce infant mortality, concentrating particularly on those minority groups whose death rate is highest. To eradicate major communicable diseases as a threat to life and health in the United States. To reduce the burden of mental illness, and mental retardation. To cut the toll of the three great killers—heart disease, cancer, and stroke.

The health budget which I have proposed for fiscal year 1967 is $4.67 billion—an increase of almost $1 billion. In addition, more than $3 billion in social security trust funds will be spent under medicare to assist our older citizens.

Funds for health, manpower, facilities, and services are up $707 million. Funds for environmental activities and consumer protection are up $158 million. Funds for health research activities are up $78 million.

To insure continuing progress, we must: Improve the administration of Federal health activities. Develop comprehensive health planning and services on the State and community level. Strengthen our system of health care. Train needed health workers. Increase our research efforts. Take additional steps to meet special health problems.

I. TO IMPROVE ADMINISTRATION OF FEDERAL HEALTH SERVICES

Our first concern must be the efficient and effective administration of the Federal health programs.

Over the last 12 years the budget of the Public Health Service for research, training, and services has grown almost tenfold—from $250 million to $2.4 billion. Yet major elements of the basic structure of the Public Health Service remain set by a law that is more than 20 years old.

The Secretary of Health, Education, and Welfare and the Surgeon General of the United States have consulted leading experts—physicians, administrators, scientists, and public health specialists—in a thorough search for the best means to improve the administration of Federal health programs. They all agree that the need to modernize the administration of the Public Health Service is urgent.

To fulfill that need, I will shortly submit to Congress a proposed reorganization of the health functions of the Department of Health, Education, and Welfare.

The ultimate success of Federal health programs depends on the men and women who direct them. At present, the personnel system of the Public Health Service is inadequate to recruit and retain the talent needed for its rapidly changing and expanding role.

I will recommend legislation to improve the personnel system of the Public Health Service.

This legislation will: promote career development, encourage more flexible use of health workers, provide them with broader opportunities, stimulate higher standards of performance.

II. TO DEVELOP COMPREHENSIVE HEALTH PLANNING AND SERVICES ON THE STATE AND COMMUNITY LEVEL

The focus of our efforts is the individual and his family, living in their own community. To meet their health needs requires the cooperation of many agencies, institutions, and experts—of State and local government, of doctors, nurses, and paramedical personnel.

These are the frontline fighters in our battle against disease, disability, and death. As in military battle, a winning strategy demands wise and well-planned use of manpower. It demands coordinated use of all the resources available.

I recommend to Congress a program of grants to enable States and communities to plan the better use of manpower, facilities, and financial resources for comprehensive health services.

At present, the Federal Government offers the States formula grants for categorical programs dealing with specific diseases. This leads to an unnecessarily rigid and compartmentalized approach to health problems.

Our purpose must be to help redirect and reform fragmented programs which encourage inefficiency and confusion and fail to meet the total health needs of our citizens.

I recommend a program to initiate new State formula grants for comprehensive public health services. This program would begin in fiscal 1968.

At the same time, we must recognize that special health problems occur in some parts of our Nation and not in others. Certain diseases, such as tuberculosis and venereal disease, are concentrated in metropolitan communities. Others, such as rabies and parasitic diseases, are prevalent in certain geographic areas.

Resources to serve health needs are not evenly distributed throughout the Nation. Special problems arise in remote rural areas and in the city slums. We need greater flexibility to pinpoint our attack.

To make certain we have that flexibility, I recommend a program, to commence in fiscal 1968, of grants to States, communities, medical schools, and hospitals to meet special health problems.

III. TO STRENGTHEN OUR SYSTEM OF HEALTH CARE

The Hill-Burton program for hospital construction is an outstanding example of creative federalism in action. Now in its 19th year, this Federal-State-local partnership has added more than 300,000 hospital and nursing home beds to our Nation and more than 2,000 other health facilities in areas of great need.

My budget requests the full authorization of $270 million for facilities construction under the Hill-Burton Act.

Medical advances demand new equipment and up-to-date laboratories. Intensive-care units, as well as ambulatory and extended care facilities, require changes in the structure and function of aging hospitals, particularly in urban areas.

General hospitals containing 260,000 beds—one-third of our Nation's—are now in obsolete condition.

When medicare becomes operative this July, the pressure on many hospitals will grow even more intense.

To begin to meet this urgent need, I recommend legislation to mobilize public and private resources to revitalize our obsolete hospitals. This will require a loan and grant program to assist in the long-term financing of hospital renewal projects.

The need for modernization goes beyond the bricks and mortar of construction. We must find new ways to lower the cost and raise the quality of health care, to organize health services more efficiently, to develop information systems. It will take the combined efforts of university, hospital, industry, group practice clinics, and many other organizations.

I am directing the Secretary of Health, Education, and Welfare to conduct systems analyses and other studies to determine the most effective means of bringing high quality medical services to all the people at the lowest cost.

I also propose a 5-year program of grants for research and demonstration projects in the organization, financing, utilization, and delivery of health services.

As medical practice becomes more complex, specialization becomes more common. The number of general practitioners is declining—66,000 today compared to 95,000 15 years ago. In 1950, there was 1 family physician for every 1,600 Americans. Today 2,900 Americans must depend on 1 family doctor.

Group practice benefits both physicians and patients. It makes expert health care more accessible for the patient. It enables the physician to draw on the combined talents of his colleagues.

High initial capital requirements and a shortage of long-term financing have restricted the development of this form of medical and dental practice.

I recommend that the Congress consider legislation now pending making mortgage insurance available for group practice facilities.

The first session of this Congress has liberated our citizens from the haunting fear of an inability to meet the cost of medical care in their later years. This landmark legislation assures that community hospitals, physicians, and others who provide for their health will be paid the reasonable cost and customary charges for such services. I propose that this same principle be extended to the care of patients in our own Federal hospitals and I recommend legislation to permit the reimbursement of these hospitals in the same manner.

IV. TO TRAIN NEEDED HEALTH WORKERS

Trained men and women continue to be in critically short supply in the field of health. Congress has already acted to help meet that need by enacting: The Health Professions Educational Assistance Act to provide assistance to both schools and students. The Nurse Training Act to provide Federal aid to increase the supply of professional nurses. The Vocational Education Act to provide for training of practical nurses and other health workers.

But critical specialties remain dangerously understaffed—medical technologists, biomedical engineers, dental hygienists, and other college-trained health workers.

These personnel, allied with doctors, dentists, and nurses, constitute the modern health care team. They extend the reach and the scope of the physician.

I recommend a 3-year program to provide grants for training in allied health professions: To construct and to improve needed educational facilities. To offer fellowships for students in advanced training. To stimulate institutions to develop new types of health personnel.

Last year, in the Higher Education Act of 1965, Congress enlisted the resources of our private banking community to make low-interest student loans. By this means, greatly increased financial assistance can be provided at minimal cost.

I recommend legislation to convert the health professions student loan program to privately financed and federally subsidized loans for students in the health professions.

V. TO ADVANCE RESEARCH

Over the past 10 years, Congress has increased the budget for health research thirteenfold. The dividends from this investment are incalculable. Miraculous progress in medical discovery is making possible: Development of support devices for the failing heart—and even replacement of a human heart by an artificial organ. Advances toward the cure of cancers such as childhood leukemia and Hodgkin's disease. Development of a less expensive and more efficient treatment for kidney failure. Isolation of viruses causing respiratory infections and production of vaccines to immunize against them.

My fiscal 1967 budget provides increased funds for health research. If research makes major new breakthroughs in lifesaving discoveries, I will submit requests for necessary additional funds. My overall budget provides for this contingency.

VI. TO MEET SPECIAL HEALTH PROBLEMS

1. Mental retardation: We have begun to ease the tragic burden of the mentally retarded and their families. By construction of research and service facilities, and by support of State programs, the Federal Government helps combat this dreaded handicap.

We shall continue our increasing attack on this problem. It deserves the concern and attention of our most able specialists. Therefore, I intend to appoint a Committee on Mental Retardation to assess our progress, to seek out new and better ways to cope with this terrible disability, and to recommend a long-range and comprehensive plan of action.

2. Nutrition for the needy: It is hard to teach a hungry child. This fact, known to parents and teachers alike, underlies the school lunch program throughout the Nation.

This year 18 million schoolchildren will enjoy lunches prepared and served in their schools under this program. Yet too many children still fail to get a good lunch even though the cost is low. Some cannot afford the 25- to 35-cent lunch charge. Others in low-income districts go to schools which lack lunch facilities.

Demonstration programs conducted in poverty areas in Colorado and North Carolina provided lunches this year at sharply reduced rates. The results were amazing. Virtually all the children purchased the school lunch—less than one-third had done so before. The children were more alert and interested in learning. The absentee rate fell by as much as 37 percent. School dropouts were reduced.

Too little of the Federal assistance in the school lunch program has been directed toward children who need it most. Too much of our subsidy, particularly in the special milk program, goes to children who already get a federally supported school lunch, including milk, and whose parents can afford to pay for additional milk.

I am submitting to the Congress the Child Nutrition Act of 1966 to redirect our efforts to provide food to those who need it most. The act will:

Extend the school lunch program to more needy children and give greater flexibility in providing low cost or no cost meals.

Assist schools serving low-income districts to acquire kitchen and lunchroom facilities.

Provide pilot school breakfast programs for those children who start the day hungry.

Direct the special milk program to those schools without food service, to schools serving children from low-income families, and to needy schoolchildren at whatever school they attend.

Start demonstration summer programs to provide food service for needy children at child-care centers and playgrounds.

Help State educational agencies strengthen their staffs to improve child nutrition programs.

I am requesting $50 million from the Congress for programs designed to provide adequate nutrition for disadvantaged children. This money is an addition to the $329 million in cash and commodities already included in the budget for school nutrition programs. The total Federal program of $379 million is a major redirection of our child nutrition efforts to children who otherwise would grow up hungry, suffer the diseases that come from being ill-nourished, and lack the energy so essential to learning.

No child in an affluent America should be without an adequate diet. The new program will move us far toward that goal. But it will not do the job alone.

I am directing the Secretary of Health, Education, and Welfare, in cooperation with the Secretary of Agriculture and the Director of the Office of Economic Opportunity, to examine means by which the benefits of sound nutrition can be extended to every child who needs our help.

We now know that among elderly Americans, a poor diet is a root cause of poor health. It adds to the burden of our hospitals and health manpower. It contributes unnecessary misery to the burdens of old age.

I have directed the Secretary of Health, Education, and Welfare to initiate a special food service program at multipurpose centers authorized by the Older Americans Act of 1965. Local organizations will be able to offer balanced, nutritious meals to the elderly—without charge or at reduced prices to those who are in need.

3. Alcoholism:

The alcoholic suffers from a disease which will yield eventually to scientific research and adequate treatment. Even with the present limited state of our knowledge, much can be done to reduce the untold suffering and uncounted waste caused by this affliction.

I have instructed the Secretary of Health, Education, and Welfare to: Appoint an Advisory Committee on Alcoholism; establish in the Public Health Service a center for research on the cause, prevention, control, and treatment of alcoholism; develop an education program in order to foster public understanding based on scientific fact; work with public and private agencies on the State and local level include this disease in comprehensive health programs.

4. Family planning:

We have a growing concern to foster the integrity of the family, and the opportunity for each child. It is essential that all families have access to information and services that will allow freedom to choose the number and spacing of their children within the dictates of individual conscience.

In the fiscal 1967 budget, I have requested a sizable increase in funds available for research, training, and services in this field. The National Institute for Child Health and Human Development will expand its own research and its grant program to study human reproduction. The Children's Bureau and the Office of Economic Opportunity will support family planning to the maternal and infant care programs in local communities when requested. State agencies will be aided by Federal welfare funds to provide family planning services to mothers.

EDUCATION

I have proposed a total Federal investment in education and training during the coming year in excess of $10 billion—a threefold increase since 1961.

Our education programs must be administered wisely and well. Shortly after passage of the Elementary and Secondary Education Act of 1965, I directed that the Office of Education be reorganized to carry out its expanded responsibilities more effectively and efficiently. This reorganization has now been completed.

In addition, we established the new post of Assistant Secretary for Education in the Department of Health, Education, and Welfare to strengthen program coordination throughout the Government.

The Congress has already put this Nation on the path toward the achievement of goals to:

1. Extend special educational help to 12 million disadvantaged and handicapped children;
2. Eliminate illiteracy within a decade;
3. Bring public library services to 15 million more Americans;
4. Reduce by half the rate of high school dropouts over the next 5 years;
5. Guarantee the opportunity for education beyond high school on the basis of ability to learn, rather than ability to pay;
6. Provide college building and facilities to meet the needs of 9 million students expected by 1975.

Full educational opportunity for every citizen requires that we build on the beginnings we have already made. I recommend measures: To expand the Headstart program for preschool children; to strengthen the Elementary and Secondary Education Act of 1965; to expand Federal assistance to higher education; to improve the Nation's libraries.

I. TO EXPAND THE HEADSTART PROGRAM FOR PRESCHOOL CHILDREN

Few programs have had the visible success of Operation Headstart. The disadvantaged children who have benefited from this program are already entering first grade—with new confidence in themselves and greater eagerness to learn.

I have requested funds almost to double the Headstart program during the coming year to insure: full-year programs for 210,000 children; summer programs for 500,000 children.

This marks a significant step in providing greatly expanded preschool assistance for 5-year-olds from disadvantaged homes, and summer nursery programs for 3- and 4-year-olds.

II. TO STRENGTHEN THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

Though funded only 4 months ago, the Elementary and Secondary Education Act of 1965 has already begun to bring its benefits to the Nation.

Special help is being provided the disadvantaged—remedial teaching, health and food services, augmented teaching and counseling staffs.

More books—interesting and up to date—have begun to appear on school library shelves.

New approaches to old problems are being tried; instruction for the student extends beyond the classroom—to museums, hospitals, factories.

Regional education laboratories are being developed to stimulate new techniques of teaching and learning in our schools.

State educational agencies are strengthening their staffs and assuming greater responsibilities.

Educational deprivation cannot be overcome in a year. And quality cannot be achieved overnight.

I propose that the Elementary and Secondary Education Act be extended for 4 years.

My budget includes increased funds for each title of the act.

In addition, I propose that coverage of the act be enlarged to raise from $2,000 to $3,000 the family income formula for allocating aid for education of the disadvantaged commencing in fiscal 1968, to earmark additional funds for children of American Indians and migrant workers.

Careful study of the "incentive grant" provision of title I shows that payments would be made to many districts unrelated to need.

I therefore recommend repeal of the "incentive grant" provision of title I in order to focus Federal aid on basic grants to more than 20,000 local school districts.

Too many schools in urban and rural slums are ancient and in disrepair. Obsolete schools aggravate the problem of eliminating de facto segregation in our northern communities, thus depriving children of full educational opportunities.

There is a pressing need for long-range, communitywide planning to bring innovation and imagination in school construction.

I propose that $5 million be added to title III to help communities in planning school construction to encourage innovation and to deal with obsolescence, overcrowding, and special problems such as de facto segregation.

A recently completed study of the federally impacted area program, requested by Congress, has concluded that certain provisions should be revised.

I recommend revision of the existing law to require school districts to absorb a uniform and fair share of the burden of educating children in federally affected districts; to base payments on school expenditures in local districts rather than on National or State average per pupil cost; to eliminate eligibility for Federal impacted area assistance in those cases where Government property is leased to private enterprises that pay local taxes.

III. HIGHER EDUCATION

Today, young people are seeking advanced learning in greater numbers than ever before. One million four hundred and thirty thousand new students will enter our colleges next September—more than the total enrollment only 20 years ago.

Our colleges and universities must keep pace with this growing influx of young Americans. And the Federal Government must be prepared to continue its assistance.

I recommend extension of the Higher Education Facilities Act for 3 more years, with authorization of $458 million for construction grants for fiscal 1967.

In a society that is growing more complex, advanced training is essential. Six hundred and forty thousand students will enroll in universities and institutions across the Nation at the postgraduate level next fall. This number will grow by another quarter million in the next 5 years.

I recommend that the grant program for graduate facilities be continued, and

I propose that $200 million be made available for loans to build both undergraduate and graduate facilities.

In addition, I will soon send to Congress legislation to permit more effective use of Federal resources in certain loan programs by applying credit from private financial institutions. This will make possible an additional $100 million for academic facility loans in fiscal 1967.

One out of every four of our institutions of higher learning is not good enough to get accreditation. Congress recognized this need last year by providing assistance to developing colleges.

I recommend that title III of the Higher Education Act of 1965 be continued for 2 years, with its authorization increased from $5 million to $30 million next year.

By June, 890,000 students at 1,700 institutions will have borrowed $800 million to invest in college education under the student loan program of the National Defense Education Act. Last year, Congress expanded the opportunity for student loans by establishing a subsidized program through the Nation's private banking system. Together with opportunity grants and the work-study programs, there now exists a wide range of student-assistance programs to help finance higher education.

To increase loans, funds available to students who want college educations, I recommend the conversion of the direct loan program to a program in which loans will be made from funds provided by the private capital market, with the Government subsidizing these loans. The teacher "forgiveness" features for students eligible under the national defense education program will be retained.

I am proposing an orderly transition to the new student loan program so that no eligible student will be deprived of the needed financial assistance, and I will ask for the necessary funds to accomplish this purpose.

I also recommend that the "forgiveness" provision be extended to medical personnel who will settle in rural areas where the doctor shortage is most critical.

There are more than 12,000 unfilled vacancies for qualified social workers, at a time when we need their skills more than ever before. These workers are important to the success of our poverty, health, and education programs.

A Task Force on Social Work, Manpower, and Education has just completed an extensive study of the problem. I have asked the Secretary of Health, Education, and Welfare to consult with educational leaders and other specialists and to submit recommendations to me to overcome this shortage in the ranks of our social workers.

IV. TO IMPROVE THE NATION'S LIBRARIES

Those who do not read are not much better off than those who cannot read. More than 100 million Americans have inadequate public library services. More than 15 million have none at all.

A library must be a living institution with trained staff and funds to obtain new books, periodicals, films, records and other material.

As the boundaries of learning are pushed back, our need for storehouses of knowledge grows greater. They offer man his link with the past and his vision of the future.

Most public libraries in the United States are poorly equipped to perform this vital role.

I recommend that Congress extend the Library Services and Construction Act for 5 more years, authorizing $57.5 million for fiscal 1967.

DEPARTMENT OF THE PEOPLE

Through the programs entrusted to its care, the Department of Health, Education, and Welfare exercises continuing concern for the social well-being of all our people. Already, as I have indicated in this message, it has become possible to set ambitious goals for the future.

To improve our ability to chart our progress, I have asked the Secretary to establish within his office the resources to develop the necessary social statistics and indicators to supplement those prepared by the Bureau of Labor Statistics and the Council of Economic Advisers. With these yardsticks, we can better measure the distance we have come and plan for the way ahead.

In health and education, we build with a double purpose: to meet today's needs, and to match tomorrow's hopes.

We look toward the time when every disease which need not happen will not happen. When every citizen can confidently expect care—competent, convenient care—if he is ill or injured. When every American receives the education and training he wants to enrich his life and fulfill his hopes.

With pain and ignorance no longer such fearsome enemies, our people will find a new freedom. Our society will be great as never before.

It is too early for self-congratulations. We must continue to plan and act. We march in a campaign which can have no retreats, no truce, no end: only new victories.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *March 1, 1966*.

REPORT ON U.S. PARTICIPATION IN THE UNITED NATIONS—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 178)

The ACTING PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Foreign Relations:

To the Congress of the United States:

Pursuant to the provisions of the United Nations Participation Act, I submit herewith the 19th annual report covering U.S. participation in the United Nations during 1964.

This report, like its predecessors, describes the activities of the United Nations agencies and programs that together carry out the aims of the charter: to maintain peace and security, to adjust and settle international disputes, to cooperate in economic and social development, and to promote the self-determination of peoples and worldwide respect for human rights. It also covers legal, administrative, and financial matters at the United Nations.

The activities covered in this report document the commitment of this Nation to the purposes and programs of the United Nations—a commitment demonstrated by the extent and character of our participation in and financial support for a broad range of United Nations activities over the past 20 years.

During 1964 the constitutional-financial crisis in the General Assembly tended to overshadow in the public mind all other affairs at the United Nations. The Assembly was limited to those minor actions which could be taken by unanimous consent without a vote. It is regrettable that a major organ of the United Nations could not function normally. However, the other elements of the United Nations system carried forward.

The Security Council in 1964 had one of its busiest years; it held over 100 meetings and dealt with some of the most intractable problems of peace and security.

It successfully organized the difficult peacekeeping operation in Cyprus, averting the threat of a direct military confrontation between two of our NATO allies, Greece and Turkey.

It aired the Kashmir dispute, the Malaysian charges against Indonesia, and the question of apartheid in South Africa.

It sent a factfinding group to report on the border situation between Cambodia and South Vietnam.

It requested the Secretary General to help the United Kingdom and Yemen resolve their differences over the Yemen-Aden border.

It provided a forum for the United States to explain the action it had taken to counter the attacks by Hanoi against U.S. naval vessels in the international waters of the Gulf of Tonkin. In this connection, regrettably, Hanoi was unwilling to admit that the United Nations had any competence in the conflict in Vietnam. Despite the fact that Hanoi and Peiping rejected United Nations involvement, given its responsibility for international peace and security, the United Nations should clearly be concerned about the conflict in Vietnam. It was with this thought in mind that in San Francisco on June 25, 1965, at the celebration of the 20th anniversary of the United Nations, I urged United Nations members, individually and collectively, to use their influence to bring to the negotiating table all governments involved in an attempt to halt all aggression and evolve a peaceful solution. I also wrote the Secretary General the following month saying how much I appreciated his efforts to remove the Vietnam dispute from the battlefield to the negotiating table and expressed the hope they would be continued. The Secretary General replied by expressing his determination to pursue such efforts by all means at his disposal.

Elsewhere in the world during 1964 the United Nations continued to maintain several active peacekeeping operations. United Nations peacekeepers continued to police the Sinai and Gaza lines. The

United Nations also supervised the borders between Israel and its Arab neighbors, and the truce line in Kashmir between India and Pakistan.

During 1964 the United Nations ended its military (but not its civilian) operation in the Congo and its observer mission in Yemen.

On the economic front, the United Nations Conference on Trade and Development (UNCTAD) during the summer of 1964 was unquestionably the most significant development of the year. It opened a search by the developing nations for trading and financial arrangements designed to accelerate their development. Machinery was established to carry on the dialog within the United Nations among developed and less developed countries concerning international trade and related questions of development. A hopeful sign was the adoption by UNCTAD of a system of mutual adjustment and conciliation designed to achieve a meeting of minds before arriving at decisions on important matters.

The record of operations of United Nations specialized agencies in the economic and social fields was impressive.

The World Bank and its affiliates—the International Development Association and the International Finance Corporation—made loans, credits, and investments totaling over $1 billion.

The World Health Organization spurred important advances in the worldwide campaigns to eradicate malaria and smallpox and in the field of epidemiology.

The World Meteorological Organization moved ahead toward a projected World Weather Watch—a worldwide cooperative venture to improve man's ability to predict the course of the weather.

The Food and Agriculture Organization dispatched about 1,000 technical experts to member countries to assist in agricultural productivity, pest control, animal health, and rural community development.

As science and technology develop, there will be new opportunities for international cooperation and common undertakings to serve mankind. On October 2, 1964, I proclaimed 1965 International Cooperation Year (ICY) in the United States. To implement our national program for ICY, on November 24, 1964, I named a Cabinet Committee for International Cooperation Year (1965) and called on our national citizens' organizations to help find new areas for common endeavor against the ancient enemies of mankind—ignorance, poverty, and disease. Every such enterprise helps in some small way to strengthen the fabric of peace. As I said at that time—the quest for peace through cooperation is the "assignment of the century."

In transmitting this report, I should like to add a more general observation about our policy toward the United Nations. Every President since the founding of the United Nations has expressed the deep commitment of this Nation to the purposes of the Organization. This commitment has been expressed in our dedication to the purposes of the charter and in our participation in the entire range of United Nations operations described in this report.

I reaffirmed our dedication on the occasion of the 20th anniversary of the United Nations at San Francisco on June 25, 1965, when I said:

> I come to this anniversary not to speak of futility or failure nor of doubt and despair. I come to raise a voice of confidence in both the future of these United Nations and the fate of the human race.
>
> * * * * *
>
> And let all remember—and none forget—that now more than 50 times in these 20 years the United Nations has acted to keep the peace.
>
> By persuading nations to justify their own conduct before all countries, it has helped, at many times and in many places, to soften the harshness of man to his fellow man.
>
> By confronting the rich with the misery of the poor and the privileged with the despair of the oppressed, it has removed the excuse of ignorance, unmasked the evil of indifference, and has placed an insistent, even though still unfulfilled, responsibility upon the more fortunate of the earth.
>
> By insisting upon the political dignity of man, it has welcomed 63 nations to take their places alongside the 51 original members—a historical development of dramatic import, achieved mainly through peaceful means.
>
> And by binding countries together in the great declarations of the charter, it has given those principles a strengthened vitality in the conduct of the affairs of man.

The record of our participation in the United Nations for 1964—set forth in this report—documents the deeds that support these words.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *March 1, 1966.*

EXECUTIVE MESSAGES REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on the Judiciary.

(For nominations this day received, see the end of Senate proceedings.)

MAUD HASTINGS—REPORT OF A COMMITTEE

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported the following original resolution (S. Res. 229), which was placed on the calendar:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Maud Hastings, mother of Howard H. Hastings, an employee of the Senate at the time of his death, a sum equal to four months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. TALMADGE:

S. 2994. A bill to amend section 3 (relating to retroactive death gratuity benefits) of the act entitled "An act to amend title 38, United States Code, in order to provide special indemnity insurance for members of the Armed Forces serving in combat zones, and for other purposes," approved September 29, 1965; to the Committee on Finance.

(See the remarks of Mr. TALMADGE when he introduced the above bill, which appear under a separate heading.)

By Mr. MONDALE (for himself and Mr. METCALF):

S. 2995. A bill to authorize the President to establish and maintain reserve stocks of agricultural commodities for national security, and for other purposes; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. MONDALE when he introduced the above bill, which appear under a separate heading.)

By Mr. RUSSELL of South Carolina:

S. 2996. A bill to amend and clarify the reemployment provisions of the Universal Military Training and Service Act, and for other purposes; to the Committee on Armed Services.

By Mr. CLARK:

S. 2997. A bill for the relief of Nariko Susan Duke (Nakano); to the Committee on the Judiciary.

By Mr. FONG (for himself, Mr. BARTLETT, Mr. GRUENING, and Mr. INOUYE):

S. 2998. A bill to amend title 38 of the United States Code to eliminate certain requirements for the furnishing of nursing home care in the case of veterans hospitalized by the Veterans' Administration in Alaska, Hawaii, or the Philippines; to the Committee on Labor and Public Welfare.

By Mr. BIBLE (for himself and Mr. CANNON):

S. 2999. A bill to repeal section 6 of the Southern Nevada Project Act (act of October 22, 1965 (79 Stat. 1068)); to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. BIBLE when he introduced the above bill, which appear under a separate heading.)

By Mr. MUSKIE:

S. 3000. A bill to permit States or other duly constituted taxing authorities to subject persons to liability for payment of property taxes on property located in Federal areas within such State under specified conditions; to the Committee on Government Operations.

(See the remarks of Mr. MUSKIE when he introduced the above bill, which appear under a separate heading.)

By Mr. SCOTT:

S.J. Res. 141. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of the President and Vice President; to the Committee on the Judiciary.

(See the remarks of Mr. SCOTT when he introduced the above joint resolution, which appear under a separate heading.)

RESOLUTIONS

MAUDE HASTINGS

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported an original resolution (S. Res. 229) to pay a gratuity to Maude Hastings, which was placed on the calendar.

(See the above resolution printed in full when reported by Mr. JORDAN of

North Carolina, which appears under the heading "Reports of Committees.")

INVESTIGATION OF THE INTERSTATE HIGHWAY SYSTEM

Mr. CURTIS submitted the following resolution (S. Res. 230); which was referred to the Committee on Public Works:

S. RES. 230

Resolved, That the Committee on Public Works, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to make a complete and comprehensive study and investigation of the National System of Interstate and Defense Highways (hereinafter referred to as the Interstate System). Such study and investigation shall include but shall not be limited to:

(1) The administration of the Interstate System program by the States with respect to the cost and quality of construction, planning and engineering specifications including planning and specifications of highways and bridges to withstand anticipated one-hundred-year-cycle floods and other disasters, the expenditure of funds and any irregularities in connection therewith, purchase of rights-of-way, overhead and administrative costs, and comparative costs among the States.

(2) Proposed extensions and additions to the Interstate System, including north-south routes for areas not now so served and plans for the construction of spurs and the filling of gaps in the presently authorized Interstate System to the end that the system will serve a greater portion of the population.

(3) The extent to which expenditures for the Interstate System have exceeded the original estimates and the reasons therefor.

(4) The future maintenance of the Interstate System and its financing.

(5) The present condition of the Highway Trust Fund and its immediate, future, and long range prospects.

(6) The effect on the Highway Trust Fund, and on revenue sources from which the Trust Fund is financed, of any existing or proposed highway beautification program, safety program, forest and public land highways program, scenic road program, mass transportation program, or other program which would affect such fund or sources of revenues.

SEC. 2. For the purposes of this resolution the committee, through January 31, 1967, is authorized (1) to make such expenditures as it deems advisable; (2) to employ a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1967.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $, shall be paid from the contingent fund for the Senate upon vouchers approved by the chairman of the committee.

GROUP LIFE INSURANCE PROGRAM

Mr. TALMADGE. Mr. President, last year, Congress enacted Public Law 89–214, which established a group life insurance program for all active members of the uniformed services. This program, underwritten by private insurance companies, became effective September 29, 1965. The public law also provided a death gratuity benefit of $5,000 payable by the Veterans' Administration to the beneficiaries of servicemen who died in combat zones between January 1, 1957, and September 29, 1965.

Unfortunately, while the $5,000 death gratuity is payable to the surviving widow, children, or parents of the deceased serviceman, it is required to be reduced by the amount of any death compensation or dependency and indemnity compensation the beneficiary may already have received, and in addition, he must waive his right to any future death compensation or dependency and indemnity payment to which he may be entitled. The effect of these conditions is to limit the $5,000 death gratuity to nondependents and to deny it to those who were truly dependent on the deceased serviceman.

This rank injustice should be corrected. Accordingly, I am introducing a bill to make certain that the death gratuity provided last year by Public Law 89–214 will go to the dependent widow, children, or parents of the deceased serviceman. My bill eliminates the reduction for any death compensation or dependency and indemnity compensation already received by them and removes the requirement that beneficiaries must waive their right to any future compensation payments.

Under this bill applications for the $5,000 death gratuity must be filed within 1 year from the date of enactment.

Mr. President, I send to the desk the bill and ask that it be appropriately referred.

The PRESIDING OFFICER. (Mr. BASS in the chair). The bill will be received and appropriately referred.

The bill (S. 2994) to amend section 3 (relating to retroactive death gratuity benefits) of the act entitled "An act to amend title 38, United States Code, in order to provide special indemnity insurance for members of the Armed Forces serving in combat zones, and for other purposes," approved September 29, 1965, introduced by Mr. TALMADGE, was received, read twice by its title, and referred to the Committee on Finance.

EMERGENCY FOOD RESERVES ACT OF 1966

Mr. MONDALE. Mr. President, on behalf of myself, and the Senator from Montana [Mr. METCALF], I introduce, for appropriate reference, the Emergency Food Reserves Act of 1966. This legislation provides for the establishment of reserves of food and fiber to meet the requirements of a national emergency or major disaster, stabilization of runaway food prices, and domestic relief programs.

For several years, huge and burdensome surpluses have depressed farm prices, and caused public outcry over the cost of storing and handling them. But today our grain programs have operated efficiently, and have scaled down the surpluses accumulated from the years prior to 1961. For example, corn reserves in Commodity Credit Corporation loans and inventories have been reduced from a high of 2 billion bushels in 1961, to an estimated 1.1 billion bushels at the close of fiscal year 1966. Wheat stocks in CCC hands have dropped in that period from a high of 1.4 billion bushels to an estimated 665 million bushels by this June.

However, stocks have reached the point where we must act to halt a further decline. Our reserves in corn, soybeans, rice, nonfat milk powder, and cheese will be less on June 30, 1966, than the needed reserve levels outlined by the Security Reserves Subcommittee to the National Agricultural Advisory Commission on October 7, 1964. Only wheat, cotton, and butter have adequate reserves, and wheat is approaching the minimum recommended level.

The idea of holding a reserve of agricultural commodities is not new. Joseph, the son of Jacob, established a security reserve in ancient Egypt to enable the Egyptians to survive 7 years of famine. In more recent times, Henry Wallace proposed the "ever normal granary." We have stockpiled critical and strategic industrial materials under the Defense Production Act.

President Johnson, last February 4, 1965, called for an agricultural reserve for national security, emergency relief purposes, and for domestic economic stabilization. He said then that these stocks should be insulated from the market so that they might be preserved for time of emergency. My bill would provide for such insulation, except when necessary to meet national emergencies, major disasters, or to stabilize runaway prices of agricultural commodities.

President Johnson also asked that the cost of maintaining these reserves be separated from the cost of farm income support operations, and my bill would do that as well, charging the cost of these programs to national defense.

Just 2 weeks ago, on February 10, the President renewed his request for legislation establishing the principle of the "ever normal granary." He emphasized, and my bill would not differ, that no additional cost to the Government would result in the first year, since we have stocks at the minimum reserve level in many commodities.

While we have in the past concentrated on measures to manage our productive capacity, there is an absolute and pressing need to set aside a portion of our abundance in an emergency food reserve—for national security, for emergency relief purposes, and for controlling runaway domestic prices. The twin scourges of famine and runaway food prices have afflicted mankind throughout history, and we must guard against that possibility in the United States. We are one of the few nations in the world who can do this, and who can meet the dangers of famine, emergencies, drought, and the sudden necessities that arise from international conflict or war. This is but minimum self-insurance against war, widespread catastrophe, or famine.

Apart from meeting emergency needs of our people, this legislation will benefit the farmer. Without the burden of surpluses on the market as a price depressant, farm commodity prices will reflect to a greater extent the substantial investment of capital, labor, and time that each farmer has made in the land he tills. By charging the costs of this program to national defense, and not to agriculture, the public will realize that a substantial portion of the agricultural budget directly and immediately protects their interests, and is not primarily a price-support operation.

My bill does differ, however, from the administration bill. The legislation I introduce today would provide for reserves specifically in wheat, feed grains, rice, cotton, milk and milk products, edible fats and oil, and soybeans, while the administration does not specify any commodities.

In addition, my bill establishes a separate price-quantity mechanism for release from the food reserve when necessary to stabilize food prices, similar to that proposed by the National Agricultural Advisory Commission Subcommittee on Food and Fiber Reserves. It allows the release of the reserve in stages, as the market price increases in relation to parity. For example, if the market price were between 95 percent and 100 percent of parity, 10 percent of the reserve could be used for stabilization. Another 10 percent would be available for this purpose when the market price climbed to 100 percent to 105 percent of parity, and so on up to 115 percent of parity, when the entire reserve would be available for release. At prices above that point, we would be facing unchecked food price escalation, harmful to both the public and to the farmer. This mechanism would help to insure that these reserves will not hang heavily over the market, but will be available for use in an inflationary situation.

The following tables, taken from information supplied by the U.S. Department of Agriculture, show how closely our present holdings relate to needed reserve levels, and the levels of domestic utilization each year:

TABLE 1.—*Estimated CCC loans and inventory holdings on June 30, 1966, compared to domestic utilization for the 1965–66 crop year*

	Estimate for year ending June 30, 1966 (in millions)	Domestic utilization or the 1965–66 crop year (in millions)
Corn .... bushels..	1,120	3,439
Soybeans .... do....	70	565
Wheat .... do....	665	675
Rice ..... hundredweight..	2.5	31
Cotton .... bales..	13.9	9,100
Dairy .... hundredweight..	....	[1] 100,025
Butter .... pounds..	150	....
Powdered milk . do....	121	....
Cheese .... do....	2	....

[1] In milk equivalent.

TABLE 2.—*Comparison of estimated CCC loans and inventory holdings on June 30, 1966, with needed reserve levels outlined by the Subcommittee on Food and Fiber Reserves of the National Agricultural Advisory Commission, Oct. 7, 1964*

	Estimate for year ending June 30, 1966 (in millions)	Needed reserve level (in millions)
Corn .... bushels..	1,120	[1] 1,600
Soybeans .... do....	70	100
Wheat .... do....	665	630
Rice ..... hundredweight..	2.5	9.0
Cotton .... bales..	13.9	6.2
Butter .... pounds..	150	100
Powdered milk ..... do....	121	530
Cheese .... do....	2	380

[1] All feed grains.

I believe legislation of this sort is necessary now. In order to give other Senators an opportunity to study this bill for possible cosponsorship, I ask unanimous consent that it lie on the table until March 8.

I also ask unanimous consent that the bill be printed in its entirety in the RECORD at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD, and held at the desk, as requested by the Senator from Minnesota.

The bill (S. 2995) to authorize the President to establish and maintain reserve stocks of agricultural commodities for national security, and for other purposes, introduced by Mr. MONDALE (for himself and Mr. METCALF), was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

S. 2995

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is hereby declared to be the policy of Congress to assure adequate stocks of agricultural commodities for national security, emergency relief, stability of the domestic economy, and for other purposes. Congress hereby finds and determines that the establishment of a national reserve of foodstuffs, feeds, and fibers will further our national interests at home and abroad, and stabilize and protect the national economy and farm prices in time of national emergency.

SEC. 2. The President, acting through Commodity Credit Corporation, is hereby authorized to establish and maintain reserve inventories of agricultural commodities and the products thereof in such quantities, forms and locations as he from time to time may determine are reasonable and necessary to effectuate the purposes and policy declared in section 1 of this Act. In establishing such reserve inventories, the President shall include therein, in such quantities and in such forms as he shall determine, the following commodities, among others: wheat, feed grains, rice, cotton, milk and milk products, edible fats and oils, and soybeans.

Notwithstanding the provisions of any other law, the President may—

(1) designate agricultural commodities and products thereof acquired by the Commodity Credit Corporation through its price support operations as reserve inventories under this Act;

(2) procure agricultural commodities and products, which are not available in existing Commodity Credit Corporation inventories for the reserve inventories through purchases, price support operations, or through barters of commodities held in Commodity Credit Corporation nonreserved inventories;

(3) process, exchange, or package any agricultural commodity or product into a form suitable for storage in the reserve inventory and for disposal under section 3 of this Act; and

(4) dispose of agricultural commodities or products from the reserve inventories as provided in section 3 of this Act.

Any power, authority, or discretion conferred on the President by this Act may be exercised through any department, agency, or officer of the Government as the President may designate, and shall be exercised in conformity with such rules or regulations as he may prescribe.

SEC. 3. (a) Any agricultural commodity or product thereof in any reserve inventory under this Act may be withdrawn for any one or more of the following purposes:

(1) for sale at such times and under such conditions as the President may determine to stabilize domestic prices; provided, however, that for the purpose of determining the price at which such sales shall be made, the President shall, after consultation with the Secretary of Agriculture, establish by regulation the level of price for each such commodity or product thereof and no such sale shall be made at a price less than the level of price so established. In determining the level of price at which any commodity shall be sold hereunder, the minimum adequate reserve supply for each such commodity and the parity price therefor shall first be determined and announced. The President may authorize the Secretary of Agriculture to release the following specified parts of the minimum adequate reserve supply of each such commodity only when the market price therefor falls within the following parity ranges:

Parity range	*Percent of minimum adequate reserve that may be sold*
95 to 100 percent....	10 percent.
100 to 105 percent..	Do.
105 to 110 percent...	Do.
110 to 115 percent...	Do.
115 percent or over.	Sale and management of reserve supply subject to discretion of the President.

(2) By donation as the Secretary may direct to meet the requirements during any period of major disaster, or of emergency pursuant to and subject to the provisions of title III of the Federal Civil Defense Act of 1950, as amended, the requirement for relief distribution under Section 407 of the Agricultural Act of 1949, as amended, the requirements for domestic distribution under Section 202 and clause (3) of Section 416 of the Agricultural Act of 1949, as amended, and for foreign distribution when, in the judgment of the President, emergencies or disasters outside the United States affect our national security or interests.

(3) By barter or exchange under other authorities available to the Commodity Credit Corporation for the conduct of such transactions.

(4) In redemption of payments in kind obligations of the Commodity Credit Corporation under its programs.

(5) Exchange for the same agricultural commodity for the same or similar product held by Commodity Credit Corporation in its nonreserve inventories or sale (including transfers to other Government agencies) for the purpose of rotating stocks in the reserve inventories to prevent loss through deterioration or for the purpose of consolidating such stocks.

Any sale under paragraph (4) of this section shall be offset by such purchases of the same agricultural commodity or the same or similar product for the reserve inventory of such commodity or product as the Corporation determines are necessary to prevent such sales from substantially impairing any price support program or to replace such commodity or products in the reserve inventory.

(b) Commodity Credit Corporation may commingle commodities and products in the reserve inventories with similar conditions and products in its nonreserve inventories or maintain such separate identity thereof as it determines will promote efficiency in its management of the reserve and other inventories.

(c) If at any time the President determines that the total quantity of any commodity or product in a reserve inventory is in excess of the quantity which is reasonable and desirable to achieve the purposes of such reserve, the excess quantity shall thereupon be subject to disposition by Commodity Credit Corporation under the laws applicable to the disposition of commodities or products held by the Corporation in its nonreserve inventories.

SEC. 4. (a) Commodity Credit Corporation shall keep such records and accounts as may be necessary to show for commodities in the reserve inventories the investment therein and quantity disposed of, method of disposition, and amounts received on disposition.

(b) There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

(c) Amounts expended under the authority of this Act shall not be considered amounts expended for the purpose of carrying out the agricultural price support program and appropriations for the purposes of this Act shall be considered, for the purpose of budget presentations, to relate to the functions of the Government concerned with national defense.

PROTECTION OF EMPLOYMENT RIGHTS OF VETERANS AND MEMBERS OF THE ARMED FORCES

Mr. RUSSELL of South Carolina. Mr. President, I introduce, for appropriate reference, a bill to protect further the employment rights of veterans and members of the Armed Forces and Armed Forces Reserves.

The basic provisions of this legislation will:

First. Insure that reservists and National Guardsmen who go on training duty shall not be denied their employment, promotion, or other incidents or advantages of employment solely because of a service obligation.

Second. Provide reemployment rights protection to servicemen on active duty since August 1, 1961, whose 4-year duty tour is extended up to one additional year. Servicemen and women who extended their tour of duty at the request of the military now forfeit their reemployment rights.

Third. Provide reemployment rights protection to reservists called back into active duty since August 1, 1961, whose total service time exceeds 4 years by not more than 1 additional year.

At a time when members of our Armed Forces are being called upon for increasing sacrifices, I feel that these employment rights should be clarified and improved.

The refinements and improvements in this legislation will accomplish that purpose and will meet problems which have been identified from experience with the present and past emergencies.

The problem of employment and promotion rights for reservists has become increasingly difficult in the past few years.

This additional provision in the law will enable reservists and guardsmen who leave their jobs to perform training in the Armed Forces to retain their employment and to enjoy all of the employment opportunities and benefits accorded their coworkers who do not have military training obligations. Guardsmen and reservists are an indispensable part of our strategic posture, and they should enjoy full protection of the law while they are discharging their military obligation to the country.

The benefits under this legislation for active duty personnel represent what should be done and what must be done in the interest of those who are bearing the harshest burdens in the Nation's struggle to preserve freedom and democracy in the crucial test areas of the world.

I hope that the Congress will look favorably upon this legislation during the current session.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2996) to amend and clarify the reemployment provisions of the Universal Military Training and Service Act, and for other purposes, introduced by Mr. RUSSELL of South Carolina, was received, read twice by its title, and referred to the Committee on Armed Services.

REPEAL OF SECTION 6 OF THE SOUTHERN NEVADA PROJECT ACT

Mr. BIBLE. Mr. President, on behalf of myself and my colleague, the junior Senator from Nevada [Mr. CANNON], I introduce, for appropriate reference, a bill to repeal section 6 of the Southern Nevada Project Act—act of October 22, 1965 (79 Stat. 1068). I ask unanimous consent that the bill be printed in the RECORD together with a letter from the Secretary of the Interior, requesting the proposed legislation.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the RECORD.

The bill (S. 2999) to repeal section 6 of the Southern Nevada Project Act—act of October 22, 1965 (79 Stat. 1068), introduced by Mr. BIBLE (for himself and Mr. CANNON), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6 of the Southern Nevada Project Act (Act of October 22, 1965 (79 Stat. 1068)) is hereby repealed.

The letter, presented by Mr. BIBLE, is as follows:

U.S. DEPARTMENT
OF THE INTERIOR,
Washington, D.C., March 1, 1966.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed for your consideration is a draft of bill to repeal section 6 of the Southern Nevada Project Act (act of October 22, 1965 (79 Stat. 1068)).

We recommend that this draft bill be referred to the appropriate committee for consideration and we recommend that it be enacted.

The Southern Nevada Project Act authorizes the Secretary to construct, operate, and maintain a project in southern Nevada for supplying water to municipalities and industrial centers within Clark County. Section 6 of that act provides:

"In all water supply contracts for the use of water in Nevada under this Act or section 5 of the Boulder Canyon Project Act (45 Stat. 1057) the Secretary shall recognize the intrastate priorities of water rights to the use of water existing on the date of enactment of this Act: *Provided, however,* That nothing in this Act shall be construed as validating any right diminished or lost because of abandonment, nonuse, or lack of due diligence, nor shall anything in this Act be construed as affecting the satisfaction of present perfected rights as defined by the decree of the United States Supreme Court in Arizona against California et al. (376 U.S. 340)."

That section was not in the original bill as submitted to the Congress and commented upon by the Department. It arose out of a statement submitted by the attorney for Basic Management, Inc., a Nevada corporation claiming certain rights to waters of the lower Colorado River. In that statement it was stressed that the rights of Basic Management, Inc., arose from a purchase contract executed with a subsidiary of the Reconstruction Finance Corporation, a U.S. Corporation. On the strength of that statement, the House amended the southern Nevada bill, S. 32, and sent it back to the Senate with that amendment. The Senate accepted the amendment and the bill was passed with section 6, as drafted by the House committee.

The problem that has arisen in connection with this act stems from the fact that, although it was intended to cover the claim of one particular organization, the section was couched in general language and may possibly have application far beyond that which was intended by its drafters. The President in a signing statement stated that—

"Although these provisions are couched in general terms, the scant legislative history of the bill indicates that they are intended to be applicable to one company only. While there may be some equities which would justify special consideration for this company, I am advised by the Secretary of the Interior that these provisions might well have a much broader sweep. In fact, it appears that they might affect in unforeseenable ways the water rights of a number of individuals and firms amounting to 60,000 to 70,000 additional acre-feet.

"In these circumstances I have asked the Secretary of the Interior to develop legislation which would amend section 6 to limit its effect to that intended by the Congress. I am confident that those members concerned with this legislation will agree that the uncertainties surrounding the broader than intended effect of section 6 makes its amendment desirable."

Basic Management, Inc., the company referred to by the President, acquired certain facilities on the Lower Colorado River in 1952. These facilities were built and operated by the United States during World War II as part of the basic magnesium project of the Defense Plant Corporation, a subsidiary of the Reconstruction Finance Corporation, which had applied for and obtained two State permits for the appropriation of Lake Mead water in 1942. Proof of application for beneficial use was made in 1948 and certificates of appropriation were issued in the same year with priority dates relating back to the permit dates in 1942. One of these certificates is for milling and metallurgical uses and covers 45 cubic feet per second of water. The second certificate covers

12 cubic feet per second for municipal purposes. These asserted water rights, it must be stressed, were acquired by compliance with State water law procedures. The Defense Plant Corporation never had a contract with the Secretary of the Interior for the use of these waters. After the end of World War II the basic magnesium project facilities were conveyed to the Colorado River Commission of Nevada and were ultimately acquired by Basic Management, Inc., and its subsidiary corporations. Assignments of certain of these asserted water rights have been made to each of the four operating subsidiaries.

The U.S. Supreme Court held in *Arizona* v. *California* (373 U.S. 526) that persons desiring water from the Boulder Canyon project must have contracts with the Secretary of the Interior as required by the provisions of the Boulder Canyon Project Act of 1928. Following that decree, the Department has been negotiating with water users on the Lower Colorado River to establish their rights to uses of Colorado River water. Basic Management, Inc., is one of the corporations with which the Department has been negotiating and these negotiations were taking place at the time of consideration of S. 32, the southern Nevada project bill. The Department had already established a general rule that uses of claimed water existing on December 21, 1963, would be given a priority to the extent of that use over subsequent uses. Basic Management, Inc., had claimed by virtue of its water rights, acquired from the U.S. corporation, that it was entitled to confirmation of the full extent of the rights which it had purchased, i.e., 57 cubic feet per second of water of the Lower Colorado River. The Department had asked for documents to be submitted to it supporting the position of Basic Management, Inc. This was the situation at the time of consideration of the southern Nevada project bill and enactment of the enabling legislation.

This Department is prepared to recognize whatever water rights Basic Management, Inc., has under Nevada law, and we have so assured the company. We are now engaged in drafting a water delivery contract with the company on that basis.

Were it not for a possible ambiguity in interpretation of section 6 of the act, it would be unnecessary to consider the draft bill attached to this letter. The concern of this Department is that the broad language of section 6 might be construed to carry beyond the specific case of Basic Management, Inc. That section relates to certain "intrastate priorities existing on the date of enactment of this act." It is not clear just what those priorities are or may be. A person wishing to make use of Nevada waters must generally first apply for a State permit for the use of those waters. There are on file with the State Engineer of Nevada a number of applications for the use of Colorado River waters. The State engineer's office then considers these applications and may grant permits to the applicants confirming their right to take the additional steps necessary to put that water to beneficial use. After the water has been put to beneficial use the applicant may then obtain a certificate confirming his right to the use of that water so long as he continues to make beneficial use of it.

The rights of Basic Management, Inc., in this case fall into the third category of certificated uses. There are a few other users with certificates purporting to entitle them to the use of Lower Colorado River water; in the main these certificates are now subject to cancellation for nonuse or are so minor as not to constitute a serious problem. Additional difficulties, however, have arisen in the identification of the possible claimants to the use of waters of the Colorado River, nor is it clear whether or not the classes of applicants and permittees fall within the category of persons described by section 6 of the Southern Nevada Project Act. If they should fall into that category, it is entirely possible that control over 80,000 acre-feet of Nevada's 300,000 acre-foot entitlement to the waters of the Lower Colorado River would be taken from the Department.

There is nothing in the legislative history of section 6 of the Southern Nevada Project Act to indicate that this result was intended by the Congress. To the contrary, at a time when the control of this vital resource is a matter of extreme importance to the citizens of the Southwest, it seems its proper management is a matter of great importance and of considerable concern.

The contract which is presently being negotiated will in fact comply fully with the requirements of the statute. The only explanation offered on the floor of the House for the existence of this section related specifically to the claim of Basic Management, Inc., a claim based on its acquisition of water rights obtained by the United States under Nevada State law. Once the justification for existence of the section has been removed, there can be no further justification for this section to remain in the bill.

We have prepared and present for your consideration this bill to repeal section 6 of the Southern Nevada Project Act. We can and do assure you that the contract which is presently being negotiated will recognize the intrastate priority to the use of Colorado River water to which Basic Management, Inc., is entitled under Nevada law. This being so, section 6 serves no further useful purpose and we urge its prompt repeal.

The Bureau of the Budget has advised that this proposed legislation is in accord with the program of the President.

Sincerely yours,

STEWART L. UDALL,
Secretary of the Interior.

LIABILITY OF CERTAIN PERSONS FOR PAYMENT OF PROPERTY TAXES

Mr. MUSKIE. Mr. President, I introduce, for appropriate reference, a bill to permit States or other duly constituted tax authorities to subject persons to liability for payment of property taxes on their property located in Federal areas within such State under specified conditions.

This bill would eliminate an intergovernmental friction point that has concerned Federal, State, and local officials for many years. It implements a recommendation of the Advisory Commission on Intergovernmental Relations, on which I have the honor, along with Senators ERVIN and MUNDT, to represent the U.S. Senate.

There are, Mr. President, some 5,000 individual areas of land scattered throughout the United States where the Federal Government has exclusive legislative jurisdiction. In these enclaves, States and their political subdivisions can exercise their governmental powers only to the extent that Congress gives its consent. In a series of acts dating back to 1936, Congress has consented to the application of most categories of State and local taxes within these enclaves in the interest of both equal tax treatment of private persons within and without these areas and of State and local tax revenues. Congress has not, however, consented to the imposition of State and local property taxes on private property—the only significant tax immunity that remains in these areas.

It should be clearly understood, Mr. President, that the tax immunity afforded property owned by the Federal Government is in no way affected by this bill.

Bills which would grant congressional consent to the taxation of privately owned properties in federally owned enclaves have been introduced in Congress in past years. Two general approaches were tried. One approach would provide unilateral congressional consent to State and local taxation of private property, paralleling previous congressional consent to the application of other types of State and local taxes in these areas. Another approach, proposed by several administrations, would authorize the property-owning agencies of the Federal Government to retrocede to the States legislative jurisdiction over some or all of their properties under specified conditions. Had this legislation been enacted, the property tax question would automatically have been resolved wherever legislative jurisdiction was retroceded. Both types of legislation have failed to gain support apparently because of the absence of any assurance to the Congress that the States would couple the exercise of taxing rights with the provisions of services and privileges to the residents of these enclaves and to their families. This was also the conclusion of the Advisory Commission on Intergovernmental Relations in its report on the subject in 1961.

Since both approaches have failed to make progress, the Advisory Commission recently reexamined the question in order to develop another approach which it believes—and I share its view—would reconcile the objectives of all levels of government. The bill I introduce, which embodies the Advisory Commission's approach, does this by granting congressional consent to the imposition of property taxes on the condition that there is in effect a certification "that persons living and working in areas under the exclusive Federal legislative jurisdiction within the State are afforded substantially the same rights and privileges and tax supported services as those available to other residents of the State." Since such certification would be on a State-by-State basis, subjecting private property in Federal enclaves to State and local property taxes could become effective without undue delay, particularly in those States where residents in Federal areas already enjoy all the rights and privileges accorded other residents. Where such is not the case, I believe passage of this bill would speed the extension of the rights of full citizenship to the residents in Federal areas.

Although the bill will have little revenue effect relative to total State and local property tax collections, it can have substantial revenue impact in some taxing jurisdictions, especially in the Western States where 50 percent of the acreage now under exclusive Federal legislative jurisdiction is located. Moreover, its contribution to the overall improvement of Federal-local relations will be large.

Because I believe this bill is the proper approach to the twofold purpose of eliminating a long-standing source of intergovernmental friction and assuring the rights of full citizenship to residents in Federal enclaves, I hope it will receive favorable consideration by the Congress.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3000) to permit States or other duly constituted taxing authorities to subject persons to liability for payment of property taxes on property located in Federal areas within such State under specified conditions, introduced by Mr. Muskie, was received, read twice by its title, and referred to the Committee on Government Operations.

REFORM SYSTEM OF SELECTING PRESIDENT AND VICE PRESIDENT BY ELECTORAL VOTES

Mr. SCOTT. Mr. President, I introduce, for appropriate reference, a joint resolution proposing an amendment to the Constitution of the United States providing for the election of the President and Vice President.

My resolution, while abolishing the electoral college, would retain the system of selecting our President and Vice President by electoral votes. Under my proposal, a presidential ticket winning a plurality of a State's popular vote would win two electoral votes—corresponding to that State's representation in the U.S. Senate. It would also win one electoral vote for each congressional district which it carried. Under my proposal, as under the present system, the total number of electoral votes would equal the number of Members in the Congress of the United States. The presidential ticket receiving a majority of the total number of electoral votes cast would be elected. If no presidential ticket obtained a majority of the electoral votes, Congress in joint session would select a President and Vice President from the top three tickets.

Mr. President, I offer my resolution as a constructive alternative to the Johnson administration's proposal. That proposal, while abolishing the electoral college and thereby preventing presidential electors from flouting the popular will as expressed in the November elections, would freeze into our Constitution the winner-take-all system whereby a State's entire electoral vote would go to the ticket carrying that State. A bad consequence of the winner-take-all system is that the parties concentrate their campaigns on those States having the largest number of electoral votes to the exclusion of the other States. A ticket that can carry the major industrial States can win a majority of the electoral votes.

My proposal would give the people a more meaningful voice in selecting their national leaders by requiring presidential tickets to go after every congressional district or special district in order to be sure of winning a majority of the electoral votes.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 141) proposing an amendment to the Constitution of the United States providing for the election of the President and Vice President, introduced by Mr. Scott, was received, read twice by its title, and referred to the Committee on the Judiciary.

TAX ADJUSTMENT ACT OF 1966—AMENDMENTS

AMENDMENT NO. 490

Mr. PROUTY (for himself and Mr. Jordan of Idaho) submitted amendments, intended to be proposed by them, jointly, to the bill (H.R. 12752) to provide for graduated withholding of income tax from wages, to require declarations of estimated tax with respect to self-employment income, to accelerate current payments of estimated income tax by corporations, to postpone certain excise tax rate reductions, and for other purposes, which were ordered to lie on the table and to be printed.

ADDITIONAL COSPONSOR OF BILL

Mr. McGEE. Mr. President, I ask unanimous consent that at the next printing of a bill I have introduced to promote the safety of railway employees, S. 2180, the name of the junior Senator from Nevada [Mr. Cannon] be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of February 21, 1966, the names of Mr. Dirksen, Mr. Hickenlooper, Mr. Morton, Mr. Simpson, and Mr. Tower were added as additional cosponsors of the bill (S. 2956) to amend the National Labor Relations Act so as to make it an unfair labor practice for a labor organization to discriminate on account of race, color, religion, or national origin, introduced by Mr. Dominick on February 21, 1966.

ADDITIONAL COSPONSORS OF AMENDMENT

Under authority of the order of the Senate of February 18, 1966, the names of Mr. Gruening, Mr. Hart, Mr. Inouye, Mr. Jackson, Mr. Kennedy of Massachusetts, Mr. Kuchel, Mr. McGee, Mr. Metcalf, Mr. Moss, Mr. Muskie, and Mr. Saltonstall were added as additional cosponsors of amendment No. 485, intended to be proposed by Mr. Bartlett, to the bill (S. 2933) to promote international trade in agricultural commodities, to combat hunger and malnutrition, to further economic development, and for other purposes, submitted by Mr. Bartlett (for himself and Mr. Magnuson) on February 18, 1966.

PUBLIC HEARINGS ON S. 1676, A BILL TO COORDINATE AND DISSEMINATE BIRTH CONTROL INFORMATION UPON REQUEST, SCHEDULED WEDNESDAY, MARCH 2, AND THURSDAY, MARCH 3, AT 10 A.M., ROOM 4200, NEW SENATE OFFICE BUILDING

Mr. GRUENING. Mr. President, this week on Wednesday and Thursday the Government Operations Subcommittee on Foreign Aid Expenditures, of which I am chairman, will hold hearings in which it is hoped that the growing population dialog will be further expanded.

These public hearings will start at 10 a.m. This week the hearings will be held in room 4200 of the New Senate Office Building.

On Wednesday contributions will be made by the following witnesses:

Dr. Donald M. Barrett, professor of sociology, University of Notre Dame, Notre Dame, Ind., director of the Notre Dame Institute for Latin American Population Research, and a member of the Papal Commission on Population and Birth Control.

Prof. Albert P. Blaustein, professor of law and law librarian, Rutgers University, Camden, N.J.

Dr. Andre J. deBethune, author and professor of chemistry, Boston College, Chestnut Hill, Mass.

Dr. Joseph D. Beasley, obstetrician and gynecologist, department of child health and pediatrics, Tulane University School of Medicine, New Orleans, La.

The subcommittee had hoped to hear from Dr. Joseph P. Martin of Cleveland, Ohio, but Dr. Martin is suffering from the flu. He will make his contribution at a later hearing.

On Thursday, contributions to these extended hearings on S. 1676, my bill to coordinate and disseminate birth control information upon request will be made by a man who is highly qualified to discuss food and housing needs—Secretary of Agriculture Orville L. Freeman.

NOTICE OF WEATHER MODIFICATION HEARINGS

Mr. JACKSON. Mr. President, for the information of the Senate and other interested persons, I want to announce that hearings have been scheduled by the Committee on Interior and Insular Affairs on S. 2875, the bill to authorize and direct the Secretary of the Interior to conduct a comprehensive program of scientific and engineering research, experiments, tests, and operations for increasing the yield of water from atmospheric sources. The hearings will start at 10 a.m., Monday, March 21, 1966, in room 3110, New Senate Office Building, and continue until all of those wishing to be heard have had an opportunity to testify.

S. 2875 was introduced by our distinguished colleague, Senator Anderson, for himself and 20 other Senators, on February 4, 1966. The purpose of the bill is to implement recommendations recently released by the National Science

Foundation and the National Academy of Sciences.

Because of the widespread interest in weather modification and its possible effect on our water supply and resources, it is my intention to invite testimony from qualified scientific and engineering individuals to give the committee the benefit of their knowledge and experience. I trust that a complete record of both past activities and the possibilities for the future can be completely explored. It is time to move forward in this field with boldness and perseverance, and S. 2875 is a step in this direction. We must continue to do all in our power to meet this Nation's water needs.

NOTICE OF HEARING ON NOMINATION OF RUSSELL E. SMITH TO BE U.S. DISTRICT JUDGE, DISTRICT OF MONTANA

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Thursday, March 10, 1966, at 10:30 a.m., in room 2300, New Senate Office Building, on the nomination of Russell E. Smith, of Montana, to be U.S. district judge, district of Montana, vice William D. Murray, retired.

At the indicated time and place persons interested in the hearing may make such representations as may be pertinent.

The subcommittee consists of the Senator from Arkansas [Mr. McClellan], the Senator from Nebraska [Mr. Hruska], and myself, as chairman.

NOTICE OF HEARING ON NOMINATION OF FREDERICK J. R. HEEBE TO BE U.S. DISTRICT JUDGE, EASTERN DISTRICT OF LOUISIANA

Mr. EASTLAND. Mr. President, on behalf of the committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Thursday, March 10, 1966, at 10:30 a.m., in room 2300, New Senate Office Building, on the nomination of Frederick J. R. Heebee, of Louisiana, to be U.S. district judge, eastern district of Louisiana, vice Frank B. Ellis, retired.

At the indicated time and place persons interested in the hearing may make such representations as may be pertinent.

The subcommittee consists of the Senator from Arkansas [Mr. McClellan], the Senator from Nebraska [Mr. Hruska], and myself, as chairman.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Record, as follows:

By Mr. FULBRIGHT:

Certificate of merit issued by the American Red Cross to Howard E. Haugerud; article published in the Washington, D.C., Daily News of February 4, 1966, entitled "Dramatic Minutes on a Bridge"; article published in the State Department Newsletter of February 1966, entitled "Red Cross Cites Haugerud for Saving Policeman's Life"; and letters from the Vice President, Representative Thomas E. Morgan, Senator Fulbright, Senator Mondale, Senator McClellan, Representative Fraser, and Senator McCarthy, all in commendation of Mr. Haugerud.

THE MAN WHO LEADS AMERICA'S GREATEST DEBATE

Mr. HARTKE. Mr. President, the Toronto Daily Star, one of Canada's greatest papers, recently presented to its readers a discerning portrait of the chairman of the Senate Foreign Relations Committee, under the heading "The Man Who Leads America's Greatest Debate." Says the article, by Staff Writer Robert Nielsen under a Washington dateline:

> Questioning national dogma and offending conventional wisdom is a risky habit, especially at times of stress. * * * His prestige as one of that rare species, the philosopher-statesman, is grounded in a 23-year record of reasoned and often prophetic discourses as Representative and Senator.

As the article points out, Senator Fulbright has been a prophet or a promoter of all the major constructive and moderating influences in world affairs, including foreign aid, coexistence, and restraining of nuclear arms rivalry.

Mr. President, I ask unanimous consent that this article, which is such a deserved tribute to our distinguished colleague, may be printed in the Congressional Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Man Who Leads America's Greatest Debate—Fulbright Goes on Thinking, and Saying the Unthinkable

(By Robert Nielsen)

Washington.—The Vietnam ulcer has begun to perforate and inflame the American body politic.

It is a time when conventional politicians talk of "honor" or "victory" or at least "firmness." But Senator James William Fulbright goes on doing what comes naturally to him—thinking unthinkable thoughts and uttering them when he believes they should be aired.

He is doing it this week as his Senate Foreign Relations Committee opens what amounts to a full-dress public inquiry into U.S. policy in Vietnam.

A few days ago Fulbright mused aloud, in his soft Ozark drawl, on whether the United States had been wrong to commit itself in South Vietnam, and on whether a great nation could admit such a mistake and draw back.

Then he bored in on Secretary of State Dean Rusk with embarrassing questions about the origins of the war.

Questioning national dogma and offending conventional wisdom is a risky habit, especially at times of stress, and Fulbright's latest heresies have clearly earned him the displeasure of President Johnson, who shows an increasing preference for yes men.

Johnson snubbed Fulbright at a meeting with 20 congressional leaders before announcing the resumption of U.S. bombing of North Vietnam.

OVEREDUCATED

The Senator had just begun an exposition of American policy in Asia since World War II when the President pointedly turned to Rusk and started a conversation.

Fulbright has known worse rebuffs than that.

President Truman once called him "an overeducated Oxford s.o.b." (Fulbright was a Rhodes scholar) for suggesting that the President should resign when the opposition party captures Congress in the midterm elections—as the Republicans did in 1946.

The late Senator Joe McCarthy tried to nickname him "Senator Halfbright." It never took, except among some rightwing patriots who are regurgitating their old scurrilities into Fulbright's mailbag these days.

But those who have disagreed with Fulbright have usually found, in the end, that it is unsafe to ignore his deeply considered opinions.

As chairman of the Foreign Relations Committee, which carries the main burden of the Senate's constitutional duty to give advice and consent to administration foreign policy, his words automatically carry weight.

His prestige as one of that rare species, the philosopher-statesman, is grounded in a 23-year record of reasoned and often prophetic discourses as Representative and Senator.

Although he is exceptionally mild mannered, and almost unfailingly temperate in language, Fulbright has ample inner toughness for the role of Great Dissenter in foreign policy matters.

LAPSE

When the Bay of Pigs invasion by Cuban exiles was being considered in 1961, Fulbright did not fear to pit his detached scholarly judgment against the optimism of the Central Intelligence Agency, the Pentagon, and the State Department.

He wrote President Kennedy a long memo condemning the project on both political and moral grounds. After the fiasco, the President said to him within the hearing of others: "You are the only one here who has a right to say 'I told you so.' "

McCarthy's fear-and-smear tactics caused one of Fulbright's few lapses from moderate speech. He observed that democracy has "no apparatus to deal with the boor, the liar, the lout."

At a time when President Eisenhower was trying to pussyfoot around the rampant McCarthy, and when Congress was afraid of him, Fulbright was the lone Senator to vote to cut off funds for McCarthy's investigations.

By the end of the same year (1954) his minority of one had become a majority of the Senate voting censure of McCarthy and breaking the latter's political power.

Arkansas lost an educator, and the United States gained a statesman, as a result of Fulbright's having got fired, for parochial political reasons, from the presidency of the University of Arkansas.

He made his mark in his first year (1943) as a freshman Representative, successfully moving a resolution favoring U.S. membership in a world organization with powers adequate to keep the peace. This was a forerunner to the establishment of the United Nations, and a decisive breakaway from American isolationism.

Yet when the U.N. Charter was being euphorically hailed in 1945, Fulbright rose in the Senate to voice critical reservations.

The U.N. was being sold on the ground that it would not infringe national sovereignty, he noted. But unless it developed to the point where it limited the autonomy of nations in their dealings with others, it would prove ineffective.

The rule of law, backed by U.N. power to settle disputes, could not operate if the member nations retained absolute sovereignty.

PROPHET

Since then Fulbright has been a prophet or a promoter of nearly every major constructive or moderating tendency in world affairs: Foreign economic aid, European union, the coexistence of capitalism and communism, "polycentrism" in the Communist world; restraint of the nuclear arms race.

Even without that record, his fame would endure from one simple idea he had in 1945: Conversion of surplus U.S. military supplies, left overseas after the war, into exchange scholarships.

At last count, more than 25,000 Americans had gone overseas on Fulbright scholarships, and 47,000 men and women had come to study in the United States.

Fulbright, now 60, was more noted as an athlete and good mixer than as a scholar at Oxford University.

Fulbright derives his authority from his habit of standing back coolly from the chaotic flux of current events, trying to detect the significant movements and then fitting them into their historical contexts.

His mind is richly stocked with political history, and he resorts frequently to the wisdom of the ancient philosophers, and of the 18th and 19th century thinkers.

In a sense he is still an educator. From his Senate forum he periodically lectures the American people about their qualities, both good and bad, especially as they relate to the difficulties of conducting an intelligent foreign policy.

"We have clung too long to our youth as a nation, during which our foreign policy consisted in a series of exhilarating and successful adventures. * * * But we live now in a far more difficult and more dangerous world, a world in which we must come of age. Neither God nor nature has preordained the triumph of our free society.

TRICKS

"History plays cruel tricks. It allowed us to believe that the triumphs of our past were the product of our vigor and resourcefulness alone. What we failed to perceive in our past was the presence of another element: The element of an improbable run of luck, the luck of a rich and unspoiled continent far removed from the centers of power politics and world conflicts."

Although he is a hero to liberal internationalists and a dirty word to the self-styled conservatives of the radical right, Fulbright himself is palpably a conservative. He has a conservative's respect for tradition and an aristocrat's mistrust of mass impulses.

He has voted the straight southern line against civil rights, without apologies and with inner discomforts that can only be guessed at, since he is certainly not a bigot.

He is forever counseling the United States to be prudent as well as conciliatory in foreign affairs, to beware of thinking it can police the world or remake the world in its image.

MODERATION

If Fulbright is passionate about anything, it is moderation.

But his insistent desire to see things in their true proportions can startle his countrymen when it collides with national myths and obsessions—as when he rated Fidel Castro "a nuisance but not a grave threat" to the United States.

Now he is applying his system of measurement to Vietnam and if he turns out right it will not be said, as it often has been, that he was "right too soon."

In fact, he swallowed this week some of the humble medicine he suggested for the country, and admitted he had been wrong to endorse a 1964 congressional resolution authorizing the President to take all necessary steps to repel aggression in southeast Asia.

Johnson now is waving this blank check under Congress' nose, and Fulbright evidently would like to write some conditions into it.

This will not restore him to the best graces of the White House, but then, Fulbright has never depended on the favor of Presidents. Or even on the agreement of his colleagues in Congress.

His constituency is scattered across the country and many parts of the world, in centers of learning and especially among students and practitioners of international relations.

LOYAL

His following is select, influential, and loyal.

His own status is unique, and indicated by the fact that British Labor dissidents wired a protest to him, rather than Johnson, over the resumption of bombing.

Even if the Presidential frowns should be followed by thunderbolts, Fulbright might take solace at having moved Walter Lippmann to this hyperbole:

"The role he plays in Washington is an indispensable role: There is no one else who is so powerful and also so wise."

NEBRASKA'S STATEHOOD DAY AND CENTENNIAL

Mr. HRUSKA. Mr. President, 99 years ago today, on March 1, 1867, the free State of Nebraska was recognized as the 37th State in the Union. Today we celebrate our natal day.

One year from now Nebraska will be celebrating its 100th birthday. Groundwork has been laid for ceremonies and festivities marking the anniversary of a century of pioneer heritage.

A fondly remembered part of that heritage is the postal history of Nebraska as a State and territory. Nebraska's request for the issuance of a Nebraska statehood centennial commemorative stamp in 1967 is presently on the agenda of the Citizens' Stamp Advisory Committee to the Post Office Department. The Centennial Commission's Commemorative Stamp Committee has plans for restaging the first night airmail flight from North Platte to Omaha. The Pony Express run from Fairbury to Scottsbluff will be reenacted along the original route.

The centennial program, according to the Nebraska Centennial Commission, has a three-part objective. The first is to honor our heritage. It is only through examination of our past and adherence to proven ideals and principles that we can be true to the land and continue to have a heritage worthy of honor. It is remembered at this time that these sturdy pioneers made sacred the land called Nebraska by their great bravery and sacrifices. By principles based upon a strong democratic ideal and spiritual faith a heritage has been forged deserving our highest respect. We are unalterably committed to its preservation.

The second aim of our program is a celebration or commemoration beginning on our Statehood Day, March 1, 1967, and running through Thanksgiving Day, 1967. This period of time will be filled with activities of national and local importance and interest. It is indeed fitting that these 8 months be set aside to commemorate the work of many years which have given us such a great State today. This is the birthday party.

The third objective is a rededication to the future. With renewed spirits and confidence, Nebraskans will look to the future and join their fellow countrymen in preserving the heritage and realizing the promise of our great land.

The people of Nebraska extend the hand of friendship. Inscribed on our centennial seal is "Welcome to Nebraskaland—where the West begins."

In conclusion, Mr. President, I believe that through the individual effort of Nebraskans combined with the support of all the Nation, the Nebraska Centennial of 1967 will be a tremendous success with lasting effects on our fine State and our great Nation.

WAR ON HUNGER

Mr. McGOVERN. Mr. President, the March issue of the Farm Journal strongly endorses President Johnson's new food-for-freedom program.

The Farm Journal called rather urgently last October for efforts to meet the population food crisis in the world. That editorial appeared in the Record of January 14. In its new comment on the President's world food proposal the magazine suggests that the label "war on hunger" would be appropriate. It says:

> We'd prefer "war on hunger" (words which the President used). They have the necessary ring of urgency.

As a past director of food for peace and author of a book entitled "War Against Want," I offer no specific label for the Nation's food program, but I would like to join Farm Journal Editor Carroll P. Streeter in his comment that there should be a "necessary ring of urgency" about the program.

Mr. President, I ask unanimous consent that the Farm Journal editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Good Hunger Program

President Johnson's new food-for-freedom program, with its implications for U.S. farmers and for the hungry of the world has Farm Journal's full support. It agrees in intent with what we have been advocating for months, particularly in our war-on-hunger statement on this page of last October.

The food-for-peace label has apparently been tossed aside. The new one isn't much better. We'd prefer "war on hunger" (words which the President used). They have the necessary ring of urgency.

In essence the policy calls for expanding our food shipments from here to a practicable degree; trying to put more of them on a long time loan basis; going into the market to buy what the hungry need, not just dumping surpluses we want to get rid of; sending food only to those who will show real effort to help themselves; clamping down on feeding unfriendly nations (does Russian belong here?); and guardedly bringing back into production as fast as needed, but no faster, some of our 60 million acres of idle land. Nothing was said about charging more of this cost to something other than agriculture—a step we still urge.

If we really hew to these lines and not just talk about them, and if we move in the direction of more "freedom" for American farmers as well as freedom from hunger (a big "if" indeed), our "hunger" campaign will be on the right track at last. Let's see now if we do as we say.

FISH PROTEIN CONCENTRATE FOR USE AS A DIET SUPPLEMENT

Mr. KENNEDY of Massachusetts. Mr. President, Secretary of the Interior Udall announced recently a dramatic breakthrough in the worldwide struggle against hunger when he revealed the development of a new process for producing a wholesome fish protein concentrate which can be used as a diet supplement throughout the world.

For many years the people of the United States have been actively engaged in an effort to provide food for the world's hungry people. The accelerating pace of modern life makes the problems of each country the concern of all countries, and hunger is the greatest common enemy in the world today. The statistics of world hunger do not need repeating. The President's recent message to the Congress on food for freedom clearly documented the problem.

It is enough for us to realize that more than half of the world's inhabitants are either chronically hungry or consistently undernourished.

The task of providing food for the world's starving millions has challenged American ingenuity, and America has responded in many ways. One response—the one cited by Secretary Udall—raises the intriguing probability that the harvest of the future can come from the sea.

The bounty contained in the world's oceans has never been underestimated. Scientists and nutritional experts have long known that fish and fish products could go far toward erasing hunger in many countries of the world. The question has always been, how could this invaluable resource be exploited, how could we actually get these fish products into the mouths of the hungry?

An enormous amount of research has gone toward answering this question, and out of it has come at least one very hopeful product. That product is called fish protein concentrate, or fish flour. It seems to offer an exciting victory in the war against hunger.

Fish protein concentrate is an utterly new concept in the food industry. For years fishermen and fish processors have used many devices to preserve fish against rapid deterioration. They have salted fish, smoked it, dried it, canned it, frozen it. And they have been successful in part with each of these methods. But in every case they have been trying to preserve fish in a form very closely resembling its original state, and not trying to extract from fish the greatest possible amount of nutritional value.

The process which results in fish protein concentrate takes a different approach. It is aimed not at preserving fish in its original state, but rather at taking advantage of the tremendous amount of protein which is concentrated in even the least valuable type of fish.

Protein deficiency is the most prominent element of malnutrition in the world today. Meat is far too expensive in most countries to provide a staple diet item for the average person. Wheat yields ample protein, but wheat is virtually unknown in many lands. Vegetables of one kind or another are common everywhere, but they often supply only small amounts of a low quality protein.

Fish protein concentrate is designed to meet this worldwide need for protein with a food supplement which contains a high amount of high quality animal protein in a form which is safe, inexpensive, easy to transport, and palatable.

The idea of developing a fish flour has been current among fishery technologists for more than a decade. But it has always faced a tangle of questions: could a fish protein concentrate be developed economically? Could it be made acceptable in countries where fish is not a common or recognizable part of the diet?

In 1963 the Bureau of Commercial Fisheries of the Department of the Interior began intensive research into these questions, and the National Academy of Sciences soon joined in the project. Work began with tests on various methods of removing the water and oil from the whole fish so that it yielded a dry, white powder containing most of the protein and minerals of the original raw fish.

On the basis of preliminary research in the laboratory, the Bureau was able to design a model scale FPC production plant which could manufacture 100 pounds of FPC per day. While research continued at the laboratory, construction of the scale plant was begun, and the plant was completed in the spring of 1965. This plant greatly accelerated the FPC study.

It was apparent early in the study that a protein product which would be made available to the poor of the world has to be manufactured at a very low cost. That meant using the whole fish as raw material—not a fillet, or a steak, but the whole fish. And this introduced the problem of wholesomeness.

With this and other considerations in mind, the Bureau of Commercial Fisheries began through exhaustive tests to narrow down the focus of its quest. By last summer it had developed a process whereby Atlantic red hake, a cheap and plentiful fish, could be turned into a highly acceptable protein concentrate through treatment with isopropyl alcohol. The protein content of this powdery substance is extremely high—about 80 percent. The estimated price is very low—somewhere between 14 and 29 cents a pound, depending on the capacity of the plant which produces it.

In October of last year an Advisory Committee of the National Academy of Sciences pronounced the concentrate "wholesome, highly nutritious, stable, safe, and capable of economic production and marketing." The Committee's report further said:

> The product blends well with other forms of food. The Committee has tested it as an ingredient in beverages, noodles, gravy, bread, and cookies. In percentages high enough to be of nutritional significance, the product is scarcely detectable, and in most forms, not at all.

A similar test, a flavor profile, was conducted by Arthur D. Little, Inc. It revealed that fish protein concentrate is not fishy in taste. FPC has been incorporated in noodles at levels up to 10 percent, in milkshakes at levels of 20 percent, and in dry beef gravy mixes at up to 20 percent. In no case was a fish flavor detected by a trained panel. FPC was even used in the making of tortillas, with no fish taste and no change in flavor.

On October 14, 1965, the National Academy's Committee recommended that the U.S. Government arrange for the production of 3,000 tons of fish protein concentrate within 2 years. The Committee recommended that an experimental pilot plant be constructed and operated which could produce 10 tons of concentrate per day based on the Bureau of Commercial Fisheries' process. These developments, culminating in Secretary Udall's recent announcement, make it clear that fish protein concentrate has been tested and proved to be a valuable, commercially marketable product. The question remains, how can it best be used?

Surely our first consideration should be America's foreign aid program. President Johnson has proposed a food-for-freedom plan designed to put America's skill and abundance at the service of the worldwide fight against hunger. Fish protein concentrate should become a key commodity in American food shipments to poor nations. The Bureau of Commercial Fisheries, working closely with the Department of State and the Agency for International Development, should distribute enormous amounts of fish protein concentrate which would have a strong effect on the world's nutrition. It should also make available to the countries of the developing world the fruits of this technical breakthrough so that each country could commence its own production.

The potential of fish protein concentrate as a worldwide nutritional supplement is clear. But let me point out that commercial production and distribution of fish protein concentrate could also have widespread benefits in the United States. In our own country nearly 13 percent of all households do not meet two-thirds of the food nutrient allowances recommended for their diets.

Another important beneficiary would be the U.S. fishing industry. Full-scale production of fish protein concentrate would enable fishermen to use fish which they now catch and discard because the fish are of insufficient commercial value. Fish protein concentrate would increase the present use of fish by 7 billion pounds per year in the United States alone. Commercial use of fish protein concentrate would also allow fishermen to work steadily the year round, catching marketable species of fish when they are available and turning to species suitable for fish protein concentrate during the remainder of the year. This new process could stabilize and diversify the fish market, and increase employment in fish processing plants.

But beyond the immediate advantages to the fishing industry, production of fish protein concentrate would also benefit other parts of our economy. A major FPC program would of course mean increased demands for ships and thus more work for shipbuilders. It would also open a new field of research into fish processing and the development of new processing techniques. And it could very well mean a whole new line of foods for domestic use—many major food companies in the United States have expressed interest in the use of FPC in everyday food such as cereal, bread, pastry, and even candy.

The potential contribution that fish protein concentrate can make both at home and abroad is clear, but it is essential that we plan now to take advantage of its benefits. I, therefore, propose a six-point action program to insure that fish protein concentrate is put to work quickly and effectively.

First. Our first objective must be to obtain approval by the Food and Drug Administration for the commercial marketing of FPC. The Food and Drug Administration has so far refused approval for domestic marketing of FPC because the product uses the whole fish, including the portions which are normally discarded. But exhaustive tests by the Bureau of Commercial Fisheries, the National Academy of Sciences, and an independent testing firm all show that the new FPC recently developed is safe and wholesome.

In order to obtain FDA approval, a group of New England Senators has twice petitioned the FDA, and a formal petition under the provisions of the food additives amendments to permit commercial use of FPC, is presently pending. This petition should be acted upon promptly, and in my judgment, favorably.

Second. We must work to obtain passage of Senator BARTLETT's bill providing for the construction of experimental plants to produce fish protein concentrate. This bill, S. 2720, would authorize the Secretary of the Interior to develop, through experimentation and the construction of up to five demonstration plants, practical and economic means for the production of FPC by the commercial fishing industry. I expect hearings to be held on this bill in the Senate Commerce Committee in this session of Congress, and I urge that every effort be made to insure its final passage this year.

The research done so far on FPC has only opened the door to much greater opportunities which lie in its future development. The possibilities inherent in developing food from the sea are too vast to summarize here. But it is clear that to realize these possibilities greater emphasis must be placed on future research and development. In particular, at least two major programs should be expanded by the Bureau of Commercial Fisheries immediately.

Third. Through the authority already existing under present law, the Bureau should institute a series of technological studies. It is not unrealistic to expect that ultimately every fishing vessel, large or small, would have on board the facilities to produce FPC from any kind of fish, with nothing wasted and nothing thrown back into the sea. But to make this possible we must design a processing plant small enough to be carried on board ship. Existing studies demonstrate that such plants are possible. What remains to be solved are the engineering problems incident to such construction. If we devote the resources, it is clear that these technological difficulties can be overcome.

Fourth. The Bureau of Commercial Fisheries can also bring to bear on future research and exploitation of FPC the great resources of private industry. Under the existing law and under the authority which would be granted to the Secretary of the Interior by passage of S. 2720, the Bureau of Commercial Fisheries has broad authority to contract with private industry. This authority should be exercised to encourage firms with experience in the area, such as VIOBIN, to undertake economic feasibility studies and research into marketing and distribution methods. Commercial exploitation of FPC will proceed at a far greater pace if we can harness the resources of private industry in its behalf, with technical assistance made available by the Government.

At the same time that this public and private effort in research and development is taking place, we must insure that the contribution which FPC can make to the war on malnutrition and hunger is realized both at home and abroad.

For these reasons I urge:

Fifth. That the Bureau of Commercial Fisheries presently establish a close coordinating link with the Office of Economic Opportunity. In this way, once fish protein concentrate is approved by the FDA for domestic consumption, the product could be made immediately available in the war on poverty.

Sixth. That FPC be included in our food-for-freedom program. Under the President's program our foreign assistance programs will continue to make full use of our farm goods in combating hunger around the world. Amendment No. 485 to the President's food-for-freedom program, which I was pleased to cosponsor, would include domestic fishery products among the commodities to be purchased by the Commodity Credit Corporation for use in this program.

This amendment should receive wide support so that upon approval by the FDA, fish protein concentrate can be exported under the President's program in substantial quantities. Furthermore, in addition to the product itself, the recent breakthrough in processing FPC from whole fish should be offered by the United States, through our AID program, to those countries which can exploit the process in the development of their own fish food resources. In this way the maximum benefits of this high protein resource can be realized throughout the world.

These are the steps I believe must be pursued if the Nation and the world are to reap the full benefits from the development of fish protein concentrate. And these steps must be taken quickly, for the hunger and malnutrition which afflict so many of the people in the world takes its human toll with each passing day.

FRIENDS OF THE MIDDLE BORDER MUSEUM

Mr. McGOVERN. Mr. President, one of the most interesting and inspiring cultural efforts now moving ahead in my State is the Middle Border Museum adjacent to the campus of Dakota Wesleyan University at Mitchell. Mr. Leonard Jennewein, director of the museum, with the help of concerned South Dakotans including a local bank executive, Mr. John Troth, has provided superb leadership for the development of the project. The museum is designed to provide a focal point for the cultural and historical riches of the area.

The January 16, 1966, issue of Empire magazine, a supplement to the Denver Post, carries an interesting article about the Mitchell museum entitled "Messiahs of the Middle Border," authored by Jeri Engh. I ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MESSIAHS OF THE MIDDLE BORDER

(By Jeri Engh)

On a Saturday afternoon back in 1955, Leonard Jennewein ran across the campus of Dakota Wesleyan University in Mitchell, S. Dak. Smoke billowed from the windows of College Hall. Jennewein, well knit and muscled despite the gray in his hair, ran grimly, dragging a heavy ladder.

Several students rushed to help him heave the ladder up to a west window. Inside was an extensive mid-American museum, with art gallery and library, built through the years to the brink of becoming a nationally respected research center and a valuable cultural focus for the Great Plains region.

Jennewein reached the top of the ladder, only to be ordered down by a fireman. Jennewein descended, but he was desperate. He cornered the fire chief, and by epic persuasion he gained permission to go into the threatened museum.

By this time flames were licking angrily at the first floor. Clambering up the ladder, Jennewein and one of his students grabbed whatever they could lay their hands on—sculpture, paintings, manuscripts. Students clinging to the ladder tossed them to other students on the ground.

But in a matter of minutes dense smoke choked the room and the heat became unbearable. Jennewein and his helpers had to retreat. They could only stand back and watch the flames win.

"Our loss was inestimable," say Jennewein. "The museum represented years of concentrated, dedicated effort by many individuals to establish an educational and artistic center. Generous people who had loaned or donated objects to the museum suffered the loss of their family treasures. We had just been on the verge of moving the museum to a new building, to make it available to the public on a large scale."

Perhaps most devastating of all, the museum library was destroyed. Early photographs, maps, tape recordings, Government documents, more than 5,000 books—many of them rare and autographed, all of them collected and cataloged by Jennewein over a 28-year span—went up in flames.

The movement for a museum had burgeoned on the DWU campus at the edge of Mitchell in 1939. Townsfolk, as well as university people, formed a group called Friends of the Middle Border (FMB), referring to the area between the Rockies and the Missouri River country and began a concerted effort to record all aspects of Middle Border development: political, economic, educational, artistic.

The movement attracted the attention of the American Academy of Arts and Letters.

Such men as John Dewey, educational philosopher; Gutzon Borglum, sculptor of Mount Rushmore; Carl Sandburg, poet; gave the group moral support and encouragement. The people of Mitchell sought out museum items, tackled the research, paid the light bills, and kept the doors open.

By the 1940's a solid museum was growing. Individuals gave generously of their time and Dakota Wesleyan donated space. Jennewein, noted authority on Great Plains and Middle Border history, joined the faculty at Dakota Wesleyan and offered the leadership the volunteers were ready for. He took on the job of executive secretary at no salary, donating his own extensive historical library to the museum.

Just before the fire, FMB members were about to launch a fund campaign to expand the museum. The fire seemed to change all that.

But the ashes of the disaster were still smoldering when Jennewein began talking of rebuilding around the museum and art gallery items he had saved. His courage spread to others. Friends of the Middle Border held a meeting and voted to start over again.

Before the fire, FMB had to work hard to make itself understood—Mitchell was too close to pioneer days for historical perspective. Only 40 years stretched between Sitting Bull and Scotch Tape.

But the fire stirred many Mitchell people to a new awareness of what the museum had meant. They realized the hand-forged plows and carved wooden spoons they had lost represented more than a means of living—they represented a way of thinking. Folks recognized with alarm that pioneer artifacts were being relegated to the sawdust pile—and they set out to rescue them.

Jennewein started re-collecting books for the library. A local schoolma'am left a legacy sufficient to build a new museum building; Dakota Wesleyan donated the land for it. In less than 10 years the museum grew larger than it had ever been in the past.

Ironically, the very success of FMB's comeback created a new crisis which came close to destroying the museum all over again.

The individuals who worked hard and long to reestablish the museum brought it to a point where it was too big for them to handle by themselves. The collections mushroomed out of the museum building into cellars and warehouses all over town. There weren't enough people to catalog the items, set up exhibits, guide tours, man the art gallery. For while many Mitchell townspeople were part of the museum effort, the great majority of the community were only vaguely aware that the museum existed. FMB needed help.

While FMB members were wrestling the problem of how to get such help without funds, wheels started turning in an unlooked-for direction.

Mrs. Agnes Delaney, a housewife and mother of 7 children, rode a bicycle out near the FMB building one quiet afternoon for some exercise. That afternoon she learned FMB's story, and "something snapped; I got excited about what Mitchell should be doing to help."

Mrs. Delaney rushed to rouse Floss Ronald, the owner of the Mitchell Daily Republic, who, it turned out, had been an early FMB board member. The board hadn't met for years. Floss Ronald phoned Jennewein with an idea: "Call a board meeting; I'll round up some new members—let's get something cracking."

Jennewein had been waiting for just such an opportunity. At the board meeting he produced a plan of action, complete with provisions for committees on program planning, membership, finance, publications and publicity. Soon, an army of willing helpers were swarming over the museum, making repairs, framing pictures, setting up exhibits, cataloging books, filing pictures and negatives. They organized a fund drive which netted enough to build an addition to the museum.

"Our whole purpose," says John Troth, a Mitchell businessman who enthusiastically heads FMB's new board of directors, "centers on the idea of stimulating new culture on the Middle Border by displaying the old culture. By exhibiting evidence of the pioneer's self-reliance and inventiveness, we hope to spark a fresh and fruitful native creativeness."

In summer, 65 volunteers keep the museum open and guided tours from 8 a.m. to 9 p.m. 6 days a week, and 9 hours on Sundays. College students, clubwomen, a druggist, a plumber, an engineer, a dentist, an architect, a heating technician, an accountant, all help out. The executive editor of the Mitchell Daily Republic led the successful search for a rural territorial schoolhouse to move to the museum; a local bank executive rolled up his sleeves and led the repair work while his 9-year-old daughter helped paint.

Says Mrs. Gertrude Patton, chairman of the Volunteer Assistance Committee: "We've explored the countryside to find desks; we dug up original class records from this very school. We've going at the reconstruction of it slowly, to make sure everything is authentic."

The schoolhouse is the first step in a 5-year expansion program to build a complete pioneer village, with church, general store, blacksmith shop, and doctor and dentist offices.

"Every item we use must satisfy two requirements," Jennewein says. "It must have been something settlers lived with and worked with in the home or on the farm, and it must contribute to a particular category of interest, be it our agricultural exhibit, the children's toy collection, the blacksmith tools, cooking implements, and the like."

The FMB Art Gallery has kept pace with the museum, garnering crafts and artistry of immigrant settlers, homemade quilts of homesteaders, and formal art by both early western painters like Catlin, Audubon, Deming, and Russell, and modern artists of the Middle Border region.

Harvey Dunn, a native son of the Dakota country, gave the gallery his finest painting, "Dakota Woman." Oscar Howe, three-fourth Sioux Indian, presented FMB with three of his paintings. Sculptress Nancy Coonsman Hahn contributed the original plaster cast of her noted statue, "Pioneer Woman." The Gallery boasts an extensive collection of famed Anna Hyatt Huntington animal bronzes. James Earle Fraser, who began his career carving chalkstone with a jackknife during his territorial Dakota boyhood, gave the FMB his Lewis and Clark statues and the plaster cast of "The End of the Trail" statue, which he made for New York's Metropolitan Museum.

FMB features a music collection related to the Middle Border region—the homemade harmonica; the charivari fiddle always part of pioneer hoedowns; chants of the Canadian voyageurs who poled boats for fur traders up the Missouri; barrack-room ballads of soldiers stationed in the prairie forts; folksongs of the homesteaders, harmonizing while they knotted wisps of hay to feed potbellied stoves during winter nights.

Dedication to authenticity guides the entire approach of the museum. "We're not creating just an interesting place," Jennewein says, "we're establishing an educational center."

Jennewein has rebuilt the FMB library. "After the initial shock of the fire I realized that all the books in the world hadn't burned and the only thing to do was go out and get some more," he says.

"Not even my wife knows how much I've spent for these books." He indicates shelves packed with volumes like the 1807 edition of Patrick Gass' "Journals of the Lewis and Clark Expedition," and the only known copy of "Curley's Guide to the Black Hills," published by Rand McNally in 1877. "And of course I can't tell her how much I spent," he adds.

Jennewein is building an incomparable collection of tape recordings for FMB. He camps out on Indian reservations, takes jeep roads to back-country ranches, hunts up old-timers who remember Sitting Bull, who recall digging wells by hand, fighting prairie fires, and riding 125 miles for a doctor.

He also combs the country for early photographs. His efforts have produced more than 1,000 pictures which represent what many believe to be the most complete pictorial record of the settling of the prairie country.

Volunteers at the museum match Leonard Jennewein's enthusiasm. Many of them spend most of their spare time working at FMB headquarters, tracking down museum items, and talking their friends into helping.

"There's still so much we can do," says Agnes Delaney. With no money yet for things like a heating plant on the main floor, when the museum closes in winter "we work on exhibits in longjohns, hunting clothes and boots. We do coax a little heat out of the woodstove in the pioneer kitchen display."

In their efforts to stimulate fresh pride and creativity in the vast reaches of mid-America, the people of Mitchell reflect the spirit of their grandfathers—who triumphed in building a new civilization on the prairie.

COLUMBIA AND TEACHERS COLLEGE RESEARCH CENTER DEVELOPS PROGRAMS TO TEACH AMERICAN LIBERTIES

Mr. YARBOROUGH. Mr. President, the Center for Research and Education in American Liberties was created in 1965 as a joint venture of Columbia University and Teachers College in New York City. The goal of this organization is to explore the effects of contemporary social change on the classic principles of American liberty and to carry this understanding into programs developed for educational purposes.

It is my honor to serve on the governing board of this center which performs the admirable task of reappraising our cherished liberties and rights in order that a better understanding might be reached.

I ask unanimous consent that an editorial from the Washington Post of Friday, February 25, 1966, entitled "Understanding Liberty" be printed at this point in the Record to illustrate the work that is being done in this area.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

UNDERSTANDING LIBERTY

Chief Justice Warren once expressed doubt at the height of the McCarthy madness, that the Bill of Rights would be adopted without great controversy if it were submitted to the American people then. There was reason for the doubt. It lies in the pathetically low level of understanding among Americans of their richest heritage—the tradition of individual liberty protected against governmental invasion by a written Constitution.

Columbia University has announced a new enterprise that should help to correct this condition—the formation of a Center of Research and Education in American Liberties. Under the auspices of the Center, scholars in law, the social and behavioral sciences, and in the humanities will meet over the next 2 years to study the realities of liberty, equality and justice in America. Their findings will be used to develop new, and more imaginative, instructional programs. Institutes and courses will be developed to train teachers and adult education leaders. And this program will be supplemented by outstanding civic leaders who will participate actively in the discussion of what American liberties mean today.

Columbia deserves great gratitude for tackling this vital educational assignment. It is carrying into effect a hope expressed more than a year ago by Justice Brennan for the establishment of a permanent center or institute for the teaching of the principles of the Bill of Rights * * * located at one of our great universities that already has graduate schools both of law and of education. The enduring values of the American past can be carried effectively into the future only by oncoming generations that appreciate and understand them.

A FATHER'S TRIBUTE TO HIS SON KILLED IN VIETNAM

Mr. DODD. Mr. President, a very moving tribute to a young soldier who recently lost his life in Vietnam has come to my attention.

Prof. Samuel Herrick of the University of California prepared this tribute in memory of his son, Henry. His intention in its preparation was not to memorialize Henry alone, but to "awaken the 'home lines' to a more conscientious effort of supporting the lives of our 'frontline' men."

All war is tragic, and we must do all we can to avoid it. Its tragedy is more evident in the personal feelings men and women have for those around them who are caught in the chain of events which history has devised, than it is in any larger and more encompassing pattern.

But war is also a crucible which brings out the best in some men, and the worst in others. Sending sons and brothers and husbands off to war is always an unhappy thing. Yet we may react to war in many ways.

We may oppose all war, thereby opening the way for those who do not refrain from force to subjugate and control us.

We may engage in wishful thinking, hoping that if we compromise, the enemy will cease his aggression.

Or we may resolutely set about doing the job which must be done.

Henry Herrick was a young man who believed that responsibility was as much a motivating factor in life as many today believe comfort to be. His father wrote:

> He made it clear that he was going to put in for that second tour of duty so that his brother, Rufus, and his sweetheart's brother would not have to come to Vietnam. And for you and me.

I wish to share this tribute with my colleagues, and to point out that it is young men such as Henry Herrick, and families like his, which make it possible for us to hope that our fight against aggression and tyranny will permit us to state with Winston Churchill, that if our society endures for 1,000 years men will still say, looking back upon this period, that "this was their finest hour."

I request unanimous consent that this tribute be inserted in the RECORD.

There being no objection, the tribute was ordered to be printed in the RECORD, as follows:

BEVERLY HILLS, CALIF.,
November, 1965.

The enclosed brief tribute to our son, Henry, is sent in appreciation to those who so kindly write of their sympathy and understanding, and to others of our friends who have not yet heard of his death. We pray that the true spirit of Christmas may bless you now and ever.

BETULIA and SAM HERRICK.

A FATHER'S TRIBUTE TO HENRY TORO HERRICK, 2D LT., CO. B, 1ST BATTALION, 7TH CAVALRY REGIMENT, 1ST CAVALRY DIVISION AIRMOBIL, U.S. ARMY, AUGUST 31, 1941–NOVEMBER 15, 1965

(By Samuel Herrick)

Another dawn is unfolding in the east as I write these words. Henry would have wanted each word to be there, because he believed in what he was doing, had to do, and was proud of his association with the men of the Custer-historic 7th Cavalry. Henry was bubbling enthusiastic about many things, worthwhile, good, beautiful things; he would have seen so much in this dawn and its reflection from the flowers in his mother's garden.

Henry's death cannot affect others as it affects his mother, his father, his sister, his brother, and his sweetheart. Those of you who have had such a loss can understand, but you cannot share. And yet each of you has lost something great and good, even if you did not know Henry. I am going to try to tell you, imperfectly, what it was.

Henry was goodness. It shines out of his letters to his parents. In their clarity of expression they are triumphant over both spelling and physical discomfort. One time drenched to the skin, another time huddled in his sleeping bag with only the red light permitted by the nearness of Vietcong, always he wrote. In his last letter his thoughts raced with lightning speed as they came from God into his eager soul:

"Daddy's letter, which explains so well why we are here, goes with me everywhere and is my morale builder when things look bad for me.

"I guess that most men do not get the opportunity to look back with such clear recollections of their past lives, as a soldier does. The knowledge that tomorrow may be the last, or may never come, makes me not so sad but sorry that I did not do more for you and more with and for my brother. All I did not do comes back, as well as the things I did which I thought were so important, yet very few were.

"My joining the church and my joining the Army were two of the outstanding things that I did. All of my travels and reading also stand out—especially reading with you. The small amount of music I heard, and the even smaller amount that (I wish) I could play. Why is it that I could not see all this before? I am not saying that I would not have joined the Army, for I would have. There is something that makes me tick in this Army, and also gives me the chance to do what I now feel is important in life: putting a little into the world for the large amount I have taken out.

"I pray that I may fully honor my mother and father, and that their days may be very long in number, and that they be fully rewarded as they deserve. Also for my brother I pray that he have as much success as I have found, as well as daddy has, for he has the makings of doing so.

"I love you all very much, and hope to return soon to see you—but that will have to wait until I have done the job I was sent to do, as well as the one I must do because I am able to."

There it is—nothing profound, if you are looking for profundity—but, along with other passages that include his sister and his sweetheart, it indicates that he was fully conscious of his world and full of love for his home and family. Henry was not perfect; he had had troublous teens; he could lose his temper still; he did not always work effectively. But his words, in recent years, in recent months, in recent days, were fully matched by his deeds. He had reached a very high level of goodness and accomplishment. He had found his soul, he was at peace with God, he was prepared for the death he saw so near.

Henry was heroism. I do not refer to death on a faraway battlefield. I refer rather to his hard-earned self-abnegation, to his resolution in the face of recurring disappointment, to his acceptance of responsibility, and to his cheerfulness.

Yesterday's paper carried a story that could have been about Henry; if not, it was about a boy very like Henry, another Henry. It is datelined Pleiku, November 18, and says that it happened "earlier in the week." "The platoon was part of the U.S. Army's air cavalry that landed at the foot of Chu Pong Mountain to force a regiment of North Vietnamese into a fight * * * (quoting a survivor). There were snipers on both sides of us and in front too * * *. The lieutenant commanding the platoon was trying to organize defenses. He ran around from man to man, and suddenly he was hit. The platoon sergeant took over and in minutes he was hit too.' "

It could have been Henry because, of a similar situation earlier, he spoke of the need to set a good example. And later he was proud of his accomplishment with them: "I felt a round pass next to my arm. That was all I was allowed to think about, since we were too busy to worry about ourselves. My platoon has the best record. * * * When we moved under fire not one man hid, but all moved out when ordered to."

Perhaps some of it was dreaming, but who can be truly heroic without first dreaming heroism? Henry lacked unconcern, brutality, and toughness, but he had more than dreams; he had pluck. When he was a Boy Scout he saw others preferred over him for honors and positions of leadership—boys with more personal charm or political sense—but Henry was one to persevere until he became an Eagle Scout. In his military prep school he began his struggle to discipline his good mind for effective learning and the routine of examinations, but could not yet achieve the success and satisfaction he desperately wanted. But he was already dedicated to, and persisted in seeking, a military career. Examinations again foiled his many attempts to win an appointment to one of the military academies, and he saw boys preferred to him flunk out, where he later proved that he would have succeeded. At boot camp he won one of the very few awards as an outstanding trainee. At officer candidate school he incurred the displeasure of his lieutenant—without doubt there was fault on both sides—escaped dismissal, but was set back 3 months. Again he bit his lips and dug in, and not only received his commission with an outstanding record, but also was selected for and later successfully completed the tough training of the Ranger. Let us accept with Christian charity his showing of his proud Ranger decoration to his ertswhile lieutenant and his words, "I hear that you flunked out of Ranger school." He let his vengeance stop there.

Do you begin to understand Henry? He was outgoing, and full of love and friendship and eagerness to serve, but fated to win love or friendship or acceptance from very few, and fated to striving and struggle for the few opportunities accorded to him. He had faced that striving like a man, he was full of hope and ambition, and he put his present duty on the highest plane. He had achieved heroic stature within himself.

Oh, ye of little faith, you who allow ourselves to be persuaded, whether by clergyman or atheist, to blame all your ills on nonacceptance, and all nonacceptance on race or creed, pray that something from Henry's great heart may enter into your own. Fight on, and expect support from others if you earn it, but realize with Henry that nonacceptance is part and parcel of life. He worked, and worked, and plugged away, equipped by nature not with the smartness or wheedling to find an easy way, but with the thorn-path qualities of compassion, love of beauty, of justice, and of intelligence, and with a sense of duty. With these he might never have achieved worldly success, but he had already found his soul.

And oh, ye politicians who tamper in so many ways with nature's survival law, forget not the Henrys still to come. Brush away useless tears for a Henry who dies for you; he had reached a zenith of achievement and hope and serenity. But brush away also the nearsightedness of a humanity that accomplishes little more than the preservation of the lazy, the stupid, the shrewd and unscrupulous, who, by approved methods, frustrate and annihilate the eager, striving, honest Henrys.

Henry was compassion. His greatest human successes were with little children. It was easy for him to love them, and easy for them to love him. In one of his last letters he wrote, characteristically:

"After 100 miles in the last 2 days and two river crossings of one-half mile of swift-running water, I am sitting in a Vietnamese church, finally dry, and with the prospect of getting 5 hours' straight sleep. We are defending one-half of the village.

"Best of all is my little friend 'Tiên.' She is 10 years old, and is only 3′6″. What caught my eye was that she was clean in body as well as clothing. Very shy, and attends the local school. She is intelligent and refuses to beg or pay attention to the GI's * * * her father is the richest man in town * * * so small a living that it barely matches in 1 year my monthly salary. She introduced me, in our broken way of communicating, to her father and mother. She must have some French blood, as do many Vietnamese."

And again, "If at Christmas you would slip in a small toy for Tiên, I would like to take it to her. She * * * has never seen a toy."

And again, "I have not been able to see Tiên yet, but it is because of her and her generation that we are fighting this war. The elders who are respected here, and are the supposed leaders, are narrowsighted and through the children are our answers. This is my reason for staying another tour."

He was fighting for Tiên not because of our modern unthinking sentimentalism toward the helpless, but because he found her worthy by simple, straightforward, specific standards. Elsewhere he made it clear that he was going to put in for that second tour of duty so that his brother, Rufus, and his sweetheart's brother would not have to come to Vietnam. And for you and me.

Henry had no rancor against the individual Vietcong. It was that he believed in freedom, not just in freedom to bury freedom, but in freedom to serve and preserve freedom, at any cost.

He sensed that death was near, and he was ready.

P.S.—Henry, as second lieutenant, was the leader of the 2d Platoon, B Company, 1st Battalion, 7th Cavalry Regiment, and the circumstances of his death are described, and its location shown on a map, in the Time of this date:

"The longest week began on a sun-drenched Sunday morning [Nov. 14], in a small clearing, designated landing zone X-ray, in the Chu Pong foothills.

"Struggling to set up a perimeter near the base of a hill, the 2d Platoon of B Company found itself under such severe shelling from mortars that it was soon forced up a finger-like slope—apart from the rest of the battalion and in the very midst of the enemy. Finally taking refuge on a narrow ledge, the isolated platoon fired at the khaki-clad North Vietnamese attackers from as close as 5 to 10 feet.

"For 26 hours the fight raged on as Communist crossfire kept the little band pinned down. 'Anyone who moved was hit,' said [Sergeant] Savage, as he described the bitter struggle in which first the platoon leader and then the platoon sergeant were mowed down. * * * When the remnants of the 2d Platoon were finally rescued and brought back to safety, they were dazed and jabbering, but still had discipline."

THE AMERICAN RESEARCH HOSPITAL FOR CHILDREN IN KRAKOW

Mr. WILLIAMS of New Jersey. Mr. President, recently I was privileged to attend the dedication ceremonies of the American Research Hospital for Children in Krakow. This modern hospital, built with a combination of American counterpart funds, private donations, and land and services given by the Polish Government, will stand as a monument to international understanding reaching across the barrier of the Iron Curtain.

The moving spirit behind the construction of this children's hospital is a constituent of mine and a personal friend, Mr. Wladek O. Biernacki-Poray. Born in Poland, Mr. Poray is now a distinguished architect in Montclair. After the serious illness of one of his own children, he conceived the idea of building a modern children's hospital so that Polish children could benefit from the best in modern medical techniques. Thanks to his tireless and persuasive efforts, he aroused widespread support in the Congress for this project in human understanding. I was happy to work with my distinguished colleague in the House, the Honorable Clement Zablocki, and others, in obtaining an authorization to use counterpart funds for the construction of the hospital.

Mr. President, Mr. Poray began his work in 1958. Once U.S. funds were available, he turned his skills to the design and construction of the hospital. He saw his dream fulfilled in December 1965, when the American Research Hospital for Children was formally dedicated at ceremonies attended by a distinguished congressional delegation, of which I was proud to be a member. This hospital is a fine example of what President Johnson meant when he spoke of "building bridges to the East." This hospital is truly a bridge of human understanding between the American and the Polish people. It shows that different ideologies are no bar to common humanity.

Mr. President, I ask unanimous consent that the remarks made at the dedication ceremonies by Ambassador Gronouski, Congressman Zablocki, and Congressman Morgan be printed in the Record at this point. In addition, I ask unanimous consent that a letter to the delegation from the Vice President and a column by Drew Pearson describing this noble project be printed in the Record.

There being no objection, the remarks, letter, and column were ordered to be printed in the Record, as follows:

Text of Ambassador John A. Gronouski's Remarks at the Dedication of the American Research Hospital for Children in Krakow, December 11, 1965

The hospital we are dedicating today is a symbol—a symbol of achievement and a symbol of future promise. Polish and American resources are here combined in creating an institution dedicated to the benefit of children, the perpetual hope of mankind. Our two peoples and our two countries have joined hands to work together for the health of our children.

American participation in this project is a further pledge of our historical and continuing friendship for the Polish people. It is our hope that the success of this hospital will give birth to other cooperative ventures. It is our further hope that the spirit of cooperation bred in such an enterprise will be contagious.

Let us not be diverted from our course of cooperation. It is essential that we build on that which binds us rather than dwell on that which divides us. This is a responsibility we bear to ourselves and to the world at large.

Ours is a troubled world—a world wracked by division. These divisions distract us from the really great problems of the ages. Science is now offering us opportunities to conquer sickness and want. Together we can do it. The American people would like nothing better than to participate in such a crusade.

Let us remind the cynics that, as President Kennedy declared, "sincerity is always subject to proof." I submit that this hospital project demonstrates our good will.

I arrived in Poland less than 14 days ago with a mission and a message from President Johnson. He said, "Let trust grow between us. Let us strengthen that bond—and work together for the peace and liberty we seek for all people." That is my goal. With Polish good will and industry I am sure we can succeed in opening a new chapter in Polish-American relations.

Statement by Hon. Clement J. Zablocki, Chairman, U.S. Congressional Delegation to the Dedication of the American Research Hospital for Children in Krakow, Poland, December 11, 1965

I want to tell you how very happy I am to take part in this ceremony opening the American Hospital for Children in Krakow.

I am sure that my feelings are shared by my colleagues from the Congress of the United States and of the hospital committee who are with us, as well as the architect, Wladyslaw Biernacki-Poray, who has devoted so much time and effort to the hospital.

I have no doubt that our Polish hosts also regard this hospital as the culmination of the cooperation of two nations for our children's welfare.

It is very appropriate that Krakow—symbol of the oldest Polish traditions in the field of culture and scholarship—is the place where our efforts—joined with those of Polish health officials and the faculty of the medical academy—have produced such fine results.

My former colleague in the Congress and on the hospital committee, Vice President Hubert Humphrey—is at this moment with us in spirit. A few days ago he wrote me how greatly pleased he is that this dream of the building of a hospital has been realized. Vice President HUMPHREY sees this hospital as a first step in the development of the concept he has called health for peace—a witness to the traditional friendship between the Polish and the American people. He has asked me also to bring his sincere greetings to the Children's Clinic of the Medical Academy in Krakow.

I believe that this fine medical institution demonstrates—as have favorably expanding United States-Polish trade relations—that it is possible that, where there is a will to do so, men of different ideological persuasions can find ways—and concrete projects—which advance the search for peace and promote human welfare. It is also visible evidence of President Johnson's expressed belief that the American dream of the Great Society does not stop at the water's edge.

May this research hospital which we dedicate today lead to further cooperative efforts and mutual understanding. May its facilities improve the health of our children. May its research contribute to the future excellence of Polish medical science and to the health and peace of our children in generations to come.

REMARKS BY HON. THOMAS E. MORGAN, CHAIRMAN, COMMITTEE ON FOREIGN AFFAIRS, U.S. HOUSE OF REPRESENTATIVES, AT THE DEDICATION OF THE AMERICAN RESEARCH HOSPITAL FOR CHILDREN IN KRAKOW, POLAND, DECEMBER 11, 1965

I am very pleased to be here at the dedication of the American Research Hospital for Children in Krakow, and I want to associate myself with the sentiments expressed by my good friend and colleague, Congressman ZABLOCKI.

As a medical doctor who has spent the past 31 years in the practice of medicine as well as politics, I have long had a keen personal interest in the institution which we are dedicating today. I believe that the field of medical research and practice offers great opportunities for the advancement of human welfare and—through it—the cause of peace among nations. This children's hospital is certainly an embodiment of this belief.

As chairman of the Committee on Foreign Affairs, I was happy to cooperate with Vice President HUMPHREY and Congressman ZABLOCKI in obtaining congressional approval—and the appropriation of U.S.-owned zlotys—for construction of this hospital. Now that I see the finished product, I can attest that this was a most worthwhile undertaking. This impressive hospital reflects both the humanitarian spirit of the American people, and the best of our technological and medical know-how. It constitutes, I am sure, a welcome addition to your country's medical facilities and should contribute greatly to the success of your doctor's efforts on behalf of all children—not only in Poland but throughout the world.

In conclusion, I would like to extend my congratulations and best wishes to the director and the staff of the children's hospital, and to the Medical Academy of Krakow. You have a hospital that we can all be proud of. The rest is now in your hands.

THE VICE PRESIDENT,
Washington, December 1, 1965.

Hon. CLEMENT J. ZABLOCKI,
House Committee on Foreign Affairs,
Rayburn Building, Washington, D.C.

DEAR CLEM: I am pleased that so distinguished a congressional delegation is participating in the dedication ceremony of the American Research Hospital for Children in Poland on December 11, 1965. What an outstanding event this will be in the history of international medical cooperation. And how happy an occasion it is in the long and warm friendship of the Polish and American peoples.

As chairman of the delegation, you, Congressman THOMAS E. MORGAN, chairman of the House Committee on Foreign Affairs, Senator HARRISON E. WILLIAMS, and so many other leading legislators so well represent the Congress deep interest in his notable project.

I would be grateful if you would convey my good wishes to the Pediatric Clinic of the Medical Academy of Krakow. It is appropriate that Krakow should be the site of this inspiring facility. The hospital's location there symbolizes deep and well-deserved respect of Krakow's and Poland's long tradition of excellence in science and scholarship. So, too, the very concept of this hospital is a tribute to private American initiative, notably by Mr. Wladek O. Biernacki-Poray. In 1958, he conceived the idea of this hospital. Through the years which have followed, he has faithfully and ably advanced its cause. His own skill in the hospital's architecture and design now has brought the idea into the most modern and functional reality.

It was a privilege to have served with you on the national committee for the hospital, together with Senator HARRISON E. WILLIAMS, Senator CLAIBORNE PELL, Senator EDMUND S. MUSKIE, Senator FRANK CHURCH, Senator JACOB K. JAVITS, Congressman JOHN J. ROONEY, and with former Ambassador Robert D. Murphy as chairman and Mr. Biernacki-Poray, president.

To Harold E. Miner, president of CARE, Inc., and his associates go our thanks for CARE's invaluable service in every phase of this project. Once again, this great voluntary agency has demonstrated citizens' dedication and resourcefulness at their best.

CLEM, you can be very proud in having introduced the first authorization for U.S.-owned zlotys to be used to construct this hospital. It was a privilege to work with you then, when I introduced the first appropriation amendment for the project and later, as we helped meet successive problems which arose over the years. I know the U.S. Department of State and Agency for International Development share our gratification in the project's successful conclusion.

Congress approval of over $8 million of U.S.-owned zlotys for this splendid purpose demonstrates our Government's and our people's desire to put to constructive work foreign currencies generated by our overseas sales of food. So, too, Congress' appropriation of over 2 million American dollars for the project attests to our people's willingness to invest their own tax funds for a worthy international cause.

Binational cooperation in building this new hospital constitutes, what I have termed, "health for peace." Health is, as you so well know, man's universal interest; peace even more so, especially to the Polish people—who suffered so deeply—and bravely—in World War II.

The hospital serves as a new "bridge" between our two peoples, a bridge—of peace and friendship—which spans the gap, resulting from other differences. May there be many more projects of "health for peace"—both bilateral and multilateral, official and private.

This hospital is a great beginning. Its 320 beds and outpatient facilities will help heal Polish children and gladden the hearts of their loved ones and friends. Already, Polish physicians who will serve there have visited our land for exchange training at leading institutions. The hospital itself will train Polish physicians in their fifth and sixth year of professional education. Its research laboratories will, we are confident, enrich the world with discoveries against scourges which are the common foe of children everywhere. The hospital will be a beacon—of idealism and realism, of Polish-American friendship and the universal good will of the healing arts.

My congratulations, CLEM, to you and the delegation and best wishes on your fruitful mission.

Sincerely,

HUBERT H. HUMPHREY.

[From the Washington (D.C.) Post, Dec. 13, 1965]

GOP STATE OF THE UNION MESSAGE

(By Drew Pearson)

The Republican coordinating committee, meeting in Washington today, has an important argument brewing behind the scenes plus a dramatic move to win more support from American voters.

The latter is a state of the Union message by the Republican Party to rival the annual state of the Union message by the President.

Republican leaders will demand equal time at a joint session of the two Houses to hear either Senator EVERETT DIRKSEN, of Illinois, minority leader of the Senate, or Representative GERALD FORD, of Michigan, minority leader of the House, so the GOP can get an equal break in presenting its program to the Nation.

The argument brewing backstage is over the question of "extremism" and outlawing the John Birch Society.

Gov. Robert Smiley, of Idaho, has already announced that he will demand a formal resolution denouncing the Birchites. But another high-ranking GOP leader, former Vice President Richard Nixon, considered the spokesman for the moderates, has urged a go-slow policy. He warns that big Republican money will dry up if the Birchites are officially condemned.

Senator THRUSTON MORTON, of Kentucky, former GOP national chairman and the GOP leader who first spoke out against the John Birch Society, is also wavering a bit. He says it may not be necessary to pass a formal resolution.

However, some of the top Governors of the Nation are coming to Washington all steamed up against the Birchites. They include George Romney, of Michigan; William Scranton, of Pennsylvania; Nelson Rockefeller, of New York; and John Love, of Colorado. They plan to remind their fellow Republicans of the lesson of the Goldwater defeat—namely, that the Republican Party cannot temporize with extremism of either the left or the right.

They will call for a forthright repudiation of the John Birch Society and all other right or leftwing groups.

BEHIND KOSYGIN

Behind Premier Kosygin's bitter blast at the United States last week, given to James Reston of the New York Times, are certain domestic economic developments.

Primarily, Soviet managers are having trouble with a sluggish economy. A terrible cold spell came early this year, setting back both agriculture and industrial production.

The economy has also long been bogged down by a heavy layer of bureaucrats who put directives and dialectics ahead of initiative and efficiency.

They are inclined to look upon farms and factories as political rather than economic units, as schools for teaching their own specialty—communism.

Meanwhile, democratic criticism has increased in the Soviet. The Russian people expect more from their leaders, don't hesitate to criticize their government. The policy of more guns and less butter is not popular. And with an increase in the Soviet arms budget, there will be a decrease in butter.

That's why Kosygin was genuinely sorry to increase the Soviet arms budget and bitter against the United States.

HOSPITAL DEDICATED

An American hospital in Communist Poland was dedicated by American Congressmen over the weekend in an exhibition of people-to-people friendship which could not have occurred in the old days of the rigid Iron Curtain.

A delegation of Polish-American Congressmen, with a sprinkling of Irishmen and one Italian-American, flew in an Air Force jet to Krakow for the dedication. The hospital was the idea of Wladek O. Biernacki-Poray, a Montclair, N.J., architect.

With the help of Senator Harrison Williams, Democrat, of New Jersey, Hubert Humphrey, then Senator from Minnesota, and Representative Clement J. Zablocki, Democrat, of Wisconsin, Congress provided $8 million in counterpart funds. These are funds that Poland pays in its own currency for the purchase of American surplus wheat, with the provision that the money must remain in Poland and be used for either the expenses of the American Embassy or other American projects.

Those who flew to Poland for the dedication ceremony included, in addition to Williams and Zablocki:

Representatives Thomas Morgan, of Pennsylvania; Edward Boland, of Massachusetts; Edna Kelly, of New York; Harris McDowell, of Delaware; Ronald Cameron, of California; William Murphy, of Illinois; Henry Helstoski, of New Jersey; Spark Matsunaga, of Hawaii; John Kluczynski, of Illinois; Lucien Nedzi, of Michigan; Roman Pucinski, of Illinois; and Charles Vanik, of Ohio, all Democrats, and Republicans William Broomfield, of Michigan; Alvin O'Konski, of Wisconsin; Edward Derwinski, of Illinois; James Fulton, of Pennsylvania; Irving Whalley, of Pennsylvania; and Vernon Thomson, of Wisconsin.

STATEMENT IN SUPPORT OF SENATE JOINT RESOLUTION 4, RELATING TO PROPOSED AMENDMENT OF CONSTITUTION PROVIDING FOR NOMINATION OF CANDIDATES FOR PRESIDENT AND VICE PRESIDENT

Mrs. SMITH. Mr. President, tomorrow I shall appear before the Senate Judiciary Subcommittee on Constitutional Amendments, in support of my Senate Joint Resolution 4. I ask unanimous consent to place in the Record the brief statement I shall make in support of it and the detailed supporting statement I shall file with the committee.

There being no objection, the statements were ordered to be printed in the Record, as follows:

Mr. Chairman and members of the committee, I appreciate your kindness in permitting me to testify in support of Senate Joint Resolution 4, introduced by Senator Aiken and myself, proposing an amendment to the Constitution of the United States providing for nomination of candidates for President and Vice President, and for the election of such candidates by popular vote. I can make no claim to pioneering this proposal but I do have the distinction of having advocated it longer than any other present Member of the U.S. Senate.

I have advocated this change during all of my years in the Senate. During these years, only twice has the Senate voted on this proposal. Both times it was offered by the late Senator William Langer, being defeated in 1950 by a vote of 60 to 31 and again in 1956 by a vote of 69 to 13—with the drastic drop in support being caused by the Republican shift away from the proposal. In 1950, 20 Republicans voted for it while in 1956 only Senator Langer and myself of the Republicans voted for it.

Perhaps with this drop in Republican strength I should have lost heart and given up—and especially since Senator Langer is no longer with us. But 4 years later there was a development that gave renewed argument for this direct popular vote proposal of nominating and electing our President and Vice President and so again in 1961 I reintroduced this resolution.

That development was the closeness of the 1960 election which resulted in the election of a minority President as no candidate received a majority of the votes cast. The winning candidate won by a margin of less than 113,000 votes and did not receive a majority of the total votes cast, but under the antiquated electoral college system he received a substantial majority of electoral college votes. That close election proved that the electoral college really thwarts the will of the majority of the voters.

Last year I again introduced this proposal and I believe that developments during this Congress have provided a new and additional impelling reason why my proposal should be adopted. I speak of the one-man, one-vote issue which has given impetus to the rapid reapportionment trend that is now in full swing and by which the State senates of the various States are mandatorily being reorganized on a strictly population representation basis.

One needs not go into elaborate detail to see the relevance, the similarity and the applicability of this point that I make. It is very simple. If the one-man, one-vote concept has any validity—if the State legislatures are to be organized on this basis—then it is clear that the electoral college is in direct conflict with the one-man, one-vote concept and that the only manner of election of the President and the Vice President that is compatible with the one-man, one-vote concept is by direct popular vote in which every individual vote counts on a national basis rather than an electoral college State basis which can result, and has in the past resulted, in the defeat of the candidate getting the greatest number of the votes of the voters but not the greatest number of the electoral college votes.

Specifically, Senate Joint Resolution 4 proposes, among other things, to:

(a) Abolish the electoral college system of electing the President and Vice President;

(2) Provide for election of the President and Vice President by direct popular vote;

(c) Abolish the national convention system of nominating the presidential and vice-presidential candidates of political parties;

(d) Provide for the nomination of presidential and vice-presidential candidates of political parties by direct primaries (first Tuesday after first Monday in August);

(e) Provide for runoff elections in both the general election and the primary in the event that no candidate received a majority of the total number of votes cast (to be held 28 days later);

(f) Require that in order to qualify as a candidate in the direct primary, a person must file a petition signed by at least 1 percent of the total vote cast in the last presidential general election (this would require 700,000 signers for the 1968 primary)—to be filed not before January 1 and not later than 2 months prior to the primary election; and

(g) Require that a political party have a registered membership of more than 5 percent of the total registered voters in the United States in order to qualify to get on the ballot.

It is my sincere belief that this proposal is responsive to what the overwhelming majority of the citizens of the United States desire. National public opinion polls have clearly demonstrated that an overwhelming majority not only wants the electoral college system abolished but wants it replaced by a direct popular vote system.

It is my belief that the selection of the party candidates should be made by the people themselves in a direct primary rather than by national convention—and that in order to obtain a clear-cut majority preference, if necessary, runoff elections both in the primary and the general election should be held.

I believe that candidates should openly declare their candidacies and make themselves available to recorded expression of the voters directly rather than refraining from a Presidential primary and instead relying on power plays in the back smoke-filled rooms at national conventions where a handful of people can make the choice of the nominees.

I believe that the position of Vice President has become so important that it should not be relegated to the status of consolation prize nor should it be decided by the vote of one person (the Presidential nominee) to the exclusion of the votes of tens of millions of Americans.

My proposal would incidentally attain an objective now desired by candidates and the public alike—to shorten the general election campaign at least 1 month with the primary being set for early August.

Because I do not want to take too much of the committee's time, I ask permission to file in your hearing record a much more detailed statement in support of Senate Joint Resolution 4. In this statement I present a historical résumé on this issue and an analysis of the various proposals offered to replace the electoral college system.

DETAILED STATEMENT OF SENATOR MARGARET CHASE SMITH, IN SUPPORT OF SENATE JOINT RESOLUTION 4, SUBCOMMITTEE ON CONSTITUTIONAL AMENDMENTS, COMMITTEE ON THE JUDICIARY, U.S. SENATE, MARCH 2, 1966

From the long-term aspect, the electoral college is doomed to be replaced by the direct popular election system. It is only a matter of time. Its years are numbered. For the American people will ultimately assert themselves and demand that the will of the majority prevail—and the American people will prevail over the powers that be who cling to perpetuation of the status quo.

It may take another razor-thin Kennedy-Nixon type election or an Adams-Jackson, Hayes-Tilden or Harrison-Cleveland type election—where the popular vote winner loses—to arouse the people to successful revolt against the electoral college. Whatever sets off the time fuse, the electoral college is ultimately doomed.

The foremost objection to the popular election vote proposal is that under it the small population States like my own State of Maine would lose proportional power to the large population States.

My answer to that argument is that it is the will of the people—the will of a majority of the voters—rather than the proportional power of any State that is important and that should prevail—the people should not be secondary and subservient to the States.

A good starting point for the elaboration of these fundamental points is to ask why the current intense interest in changing the electoral college system of electing Presidents? Hasn't this ever occurred to anyone before? Why the sudden interest?

Obviously, much of the current interest stems from the closeness of such elections as the 1960 presidential election in which Mr. Kennedy edged Mr. Nixon by only sixteen one-hundredths of 1 percent of the total vote—by only 112,881 votes out of the 68½ million votes cast.

Mr. Kennedy received 49.48 percent of the vote to 49.32 percent for Mr. Nixon—thereby making Mr. Kennedy a minority President since he received less than 50 percent of the total votes cast.

Yet, in the electoral college he received 303 to Mr. Nixon's 219 and 15 for Senator BYRD—or Mr. Kennedy received 56.6 percent of the electoral college vote but only 49.48 of the popular vote.

In short, we had a President elected by the electoral college even though he was close to trailing in the popular vote. In addition to that we had some members of the electoral college who defied the voters of their States and voted for someone other than whom the voters of their own States had voted for.

This has disturbed and aroused many people at the dangers and weaknesses of the electoral college, which can be used to thwart the will of the majority in our country. Many aroused people want to remove such a danger.

But this is nothing new. There have been many times in the history of our country when we have had a minority President. There have been times when the candidate getting the greatest number of votes in the direct popular vote was defeated in the electoral college.

Our minority Presidents have been Adams in 1824, Polk in 1844, Taylor in 1848, Buchanan in 1856, Lincoln in 1860, Hayes in 1876, Garfield in 1880, Cleveland in 1884 and in 1892, Harrison in 1888, Wilson in 1912 and 1916, Truman in 1948, and Kennedy in 1960. In most of these instances, they were minority Presidents because there were more than two nominees for President.

Even more striking were the elections of 1824, 1876, and 1888 in which the direct popular vote winner lost in the electoral college. In 1824, Andrew Jackson beat John Quincy Adams 4 to 3 in the direct popular vote as Jackson received 43.13 percent of the vote while Adams received only 30.54 percent of the vote—with Clay and Crawford each getting 13 percent of the vote.

In 1876, Samuel J. Tilden beat Rutherford B. Hayes 51 to 48 percent in direct popular votes but lost the election under the electoral college system. In 1888, Grover Cleveland beat Benjamin Harrison 49 to 48 percent in direct popular votes but under the electoral college system lost to Harrison.

These results—and the repeated possibilities—have worried Americans often in the past and they have tried to do something about changing the electoral college system which would permit such unfair results. In fact, more than 200 amendments have been introduced in the past 71 years.

It seems as though the Smiths have gotten into the act very conspicuously. The attempts to make changes, first, started back in 1797 when Congressman William L. Smith, of South Carolina, introduced the first amendment.

Because time does not permit a complete historical review of the attempts to change or abolish the electoral college, for the most part, I will confine my mention of the attempts to the time during which I have served in the U.S. Senate; that is, since 1949.

In 1950 the late Senator Langer proposed an amendment to abolish the electoral college and replace it with nomination and election by direct popular vote. The Langer amendment was defeated by a 60-to-31 vote. I voted for it. Republicans voted nearly evenly with a 21-to-20 vote against it. Democrats voted nearly 4 to 1 against it by 39 to 11.

Three other amendments offered that day were defeated by even more lopsided votes than the Langer amendment. But the Lodge proportional amendment did pass by a 64-to-27 vote and I voted for it. It also had a provision to require at least 40 percent of the electoral vote for anyone to get elected President.

But the Lodge amendment passed by the Senate died in the House because the House Rules Committee bottled it up in committee and refused to let it get out for a vote by the House.

The next attempt was in 1956. This time Senator Langer again offered his direct popular vote nomination and election proposal. But this time it was defeated 69 to 13—twice as great a defeat as 6 years before. This was because of a great shift on the Republican side.

While the Republicans voted 20 to 21 on the Langer amendment in 1950, they voted 41 to 2 against it in 1956. Senator Langer and I were pretty lonely that day as we were the only two Republicans to vote for it.

Whereas Senator Lehman had voted against the Langer amendment in 1950, 6 years later in 1956 he offered half of the original Langer proposal by the Lehman amendment which would continue nomination by convention but would have abolished the electoral college and provided election by direct popular vote. But his amendment was defeated 66 to 17.

Senator CASE, of New Jersey, offered an amendment to provide for the proportional system with a bonus for States with high voting participation and penalty for States with low voting participation. The Case amendment was defeated 66 to 20.

A majority of the Senate by a 48-to-37 vote did vote for the Daniel compromise amendment which would give each State a choice between the proportional plan or the district plan—but the Daniel amendment failed because it fell short of the required two-thirds majority.

Nothing has happened since that vote—except the several proposals that have been introduced. Before turning to these proposals for discussion, I want to touch upon what appears to be the sentiment of the American people for a change in the electoral college system of electing Presidents.

In 1948 the Gallup poll showed that the American people favored a change by a better than 2-to-1 margin—57 percent for to 22 percent against. On November 17, 1960, the Gallup poll showed the sentiment to be down a bit but still about 2 to 1 for a change with the percentages being 50 percent for and 28 percent against. Later such polls have had similar results.

And before getting into a discussion of the current proposed changes, let us take a look at the arguments pro and con on the present electoral college system of electing Presidents.

Those who defend the electoral college point to the fact that it is still with us after 174 years and that, on the whole, it has produced able Presidents.

They say that only rarely has a popular vote loser won in the electoral college. They point out that even the minority Presidents would probably have won had there been runoff elections such as I propose.

They say that the system gives protection to the smaller States—that it provides some protection against tyranny by a majority.

They contend that the unit rule system of the electoral college whereby the winner in a State takes all the electoral votes—that such "winner take all" unit rule helps prevent the growth of splinter parties such as plague France with it political instability prior to De Gaulle.

They contend that it gives desirable balance between urban and rural areas and their resepctive powers on influencing the final outcome of a presidential election.

And they finally conclude that in the event of a very close and bitter election, the electoral college tends to give the impression that the country is behind the winner because he has won a greater percentage in the electoral college than in the direct popular vote.

Of all the arguments made by the defenders of the electoral college system I find this to be the most fatuous and guilty of sheer sophistry.

I think the arguments against the electoral college system as it is now constituted are far more logical and impressive. One of the greatest arguments against it is the result of past elections. As I have pointed out, it has produced three Presidents—Adams, Hayes, and Harrison—who lost the popular vote to their opponents.

And it simply is not right for the wishes of the majority to be thwarted. That is certainly not the democracy that we give so much lipservice to. To paraphrase a national columnist-commentator, it does not "make democracy live."

Those who oppose the electoral college contend that our Founding Fathers never intended that there be en bloc "winner take all" voting by each of the States. Its unfairness is obvious.

A very incisive argument against the system is that it makes it practically impossible for anyone from a small electoral bloc State to be nominated but instead tends to limit the possibilities to persons from large States like New York, California, Pennsylvania, or Ohio.

And in such large States, if the division between parties tends to be razor thin, then certain pressure groups gain a disproportionate and unfair bargaining power under the unit system of the electoral college. It gives tremendous power to small highly disciplined, well-organized pressure groups in large pivotal States.

Critics of the electoral college contend that its unit system not only invites vote frauds by juggling a few votes in the large pivotal States where the vote may be close—but that it also discourages maximum voting participation.

Critics further point out that if 1 candidate fails to get 269 electoral votes, under the present electoral college system the voting is then thrown into the House where each State, voting under the unit system, has only a single vote regardless of the size of its population.

The one point of criticism on which there is the greatest agreement is that here is nothing binding legally upon an elector to vote for a candidate to whom he pledged himself prior to election or on whose ticket he ran. For example, in 1960 a Nixon elector voted for Senator BYRD.

One thing is sure on this subject—that most people are dissatisfied with the electoral college and want to change the system of electing Presidents. The trouble is that they can't get together and agree on the changes to make—and their division among themselves is why no change has been made and why it will be difficult to get any change.

The standpatters—the perpetuators of the status quo—the defenders of the electoral college system without change—have the great advantage of being united and having one, simple goal—merely to resist any and all proposals for change.

As to how many proposals for change there are, I am reminded of what the President of France said to me in 1954 when I asked him why France didn't drop its multiparty political system and adopt a two-party system like the United States to obtain greater stability in the French Government.

Very patiently he smiled at me and said softly, "Because, my dear Senator, in France there are 50 million Frenchmen and that means that there are 50 million political parties."

Yet, we can group the major proposed changes into three basic proposals—the district plan—the proportional method—and the direct vote for President. Let us examine each of these and the arguments for and against them.

The district plan is just like its name sounds. Under it, electors would be elected just like Congressmen and Senators. They would be elected by congressional districts—with the presidential candidate, who received the plurality vote, getting the vote of the one elector of that particular congressional district—and with the presidential candidate with a plurality statewide getting the two electoral votes equal to its two Senators.

In the early days of our Federal Government the district plan was easily the most popular reform proposal. It has come the nearest of any of the proposed changes to being adopted.

The proposed changes have less difficulty in getting by the Senate than in the House. While the Senate has several times passed proposed changes, such changes have died in the House. In other words, the House is the bottleneck or barrier against change.

The closest to ever breaking the House barrier was in 1820 when the House voted for a district plan proposed change by a 92 to 54 vote. But this wasn't enough for the required constitutional two-thirds majority.

In other words, it was within six votes of passage—for had six Congressmen voted for it instead of against it, then the States would probably have ratified the proposed change—and today and for the past 140 years we would have the district plan of electing Presidents.

One can speculate dramatically what changes there would have been in our history had the district plan been in effect for Abraham Lincoln and Woodrow Wilson might never have been President—and certainly John Quincy Adams and Benjamin Harrison would never have been President.

The basic district plan would keep the electors but have them chosen at the polls in the same way that Senators and Representatives are chosen—with the further provision that if no candidate received a majority of the electoral votes, the election would be thrown into a joint meeting of the Senate and the House—not just the House as under the present system—at which meeting the Senators and Representatives in the new Congress would vote and as individuals rather than by block under the unit rule—choosing between the top three candidates. The candidate getting a plurality on the first ballot would be the winner.

There are a half a dozen or more major arguments advanced in support of the district plan. Historical persuasion is attempted in the argument that the district plan is what our Founding Fathers, in their wisdom, contemplated in actual practice in the system they did set up.

It would be a return to the system they really intended. For in the early years of the electoral college, electors were chosen from the most distinguished leaders of each State and they voted as individuals in electing Presidents.

But that was short lived for politics moved in fast and political parties started to dominate the selection of electors. So that the intent of our Founding Fathers was subverted in actual practice as electors became merely representatives of political parties—and with this development came the death of independent voting by electors.

Among those who supported the district plan in the early days were John Quincy Adams, Hamilton, Jackson, Jefferson, Madison, Van Buren, and Webster. But the political bosses moved in and when they did so did the unit rule and the district plan in practice was completely eliminated by 1836.

A second major argument for the district plan is that it is more representative of the actual popular vote than the present system in that the district plan eliminates the statewide unit rule "winner take all" operation.

A third argument for the district plan is that it would make political parties give small population States consideration on the selection of the presidential candidates—just as much is given to the large States under the present system that tends to penalize any presidential aspirant from a small State.

A fourth argument is that it would make the President more responsive and sensitive to the same political pressures as those felt by Congressmen and Senators because all of them would be elected by the same constituencies.

A fifth argument for the district plan is that on the one hand it would not encourage splinter parties because they would have little chance of winning electoral districts—but on the other hand it would tend to build a stronger two-party system by giving courage and incentive to the minority party in what are considered to be one-party States.

Other arguments advanced in support of the district plan are that it would take control of selection away from political bosses and from State legislatures—that it would prevent vote frauds, local bad weather, or other accidental circumstances from tipping the scales of the entire electoral vote of a State—that it would provide fair balance of population representation for both urban and rural areas, both predominantly Democratic and predominantly Republican districts—and that it would minimize claimed inordinate influence of minorities in population centers of large States.

The principal arguments against the district plan center around the possibilities of inordinate minority influence. It is argued that under this plan it would still be possible for a minority President to be elected because of the two electoral votes given each State on the basis of two Senators for each State.

It is pointed out that under the district plan, splinter parties could still concentrate on swinging electoral districts to provide the balance in a close national election. The danger of gerrymandering districts by State legislatures is raised.

And some minority groups contend that the district plan would penalize them because it could isolate—and thus devaluate—the influence of minority groups in individual districts.

A final argument against the district plan is that while it eliminates the application of the "winner take all" unit rule on a statewide basis, it is at best only an improvement or change in degree on the unit rule since the unit rule would be applied at the district level even if removed from the State level.

They contend that such a compromise falls far too short of the goal of maximum control by the individual voter—the goal to make the individual voter's vote controlling nationally instead of controlling just by State or just by district.

The second basic proposal of change in the present electoral college system of electing Presidents is the proportional method. Oversimplified, this proposal is to divide the electoral vote of a State according to the percentage of the total vote in the State that each candidate receives.

For example, Maine has five electoral votes. If the Republican nominee received 40 percent of the total vote in Maine and the Democratic nominee received 60 percent, the electoral vote would be divided 3 for the Democrat and 2 for the Republican instead of all 5 electoral votes going to the Democrat.

It was first proposed 84 years ago by Congressman Levi Maish, of Pennsylvania—and a similar proposal was made in the same year by Congressman Jordan Cravens, of Arkansas. The difference in their proposals was that Maish proposed that the proportional division in whole numbers while Cravens proposed that the division be carried out to the third decimal place.

In 1950 the Senate by a 64 to 27 vote passed the Lodge-Gossett amendment, which was practically identical to the Cravens plan. But it died in the House—and because of a group about which you have been reading much this year—the House Rules Committee.

It died in the House because the House Rules Committee bottled it up in committee and would not clear it for being voted up by the full House.

Six years later in 1956 a majority of the Senate voted 48 to 37 in favor of the proportional method but the amendment was defeated because it failed to obtain the required two-thirds majority vote.

Perhaps the most effective argument and support for the proportional method resolutions now before Congress is that they would abolish the office of elector and thus remove the potential abuses it encourages.

This is only a part of the general argument that under the proportional method the voters would have a more direct voice than under the present system in electing Presidents—yet in the compromise nature of the proposal, the Federal principle of the two extra electoral votes for each State would be retained.

It would provide a method by which State legislatures could not tamper with the system as they can—and sometimes do—now. It would make less likely accidents and frauds frustrating the will of the people since no longer would a few questionable votes be able to swing the entire electoral vote of a State.

It is contended that the proportional method would be fairer with respect to minority groups—both in giving them fair representation and in preventing them from obtaining inordinate influence. Votes of the minority parties would be counted as they are under the unit system now in effect and under the district plan—but their bargaining power would be cut down to size because it would be measured by their actual numbers rather than their relatively few votes providing the thin margin for a "winner take all" result under the present unit system.

The proportional method is attractive to many of the minority in one-party States as their votes would really count in the total national result rather than being canceled out under the "winner take all" unit system with all electoral votes going to one candidate regardless of how close the vote in a State.

And the basic argument for the proportional method is that it would provide a far more accurate division of popular strength between the candidates than does the present system.

Against these arguments for the proportional method are the arguments that can be expected against any compromise plan. Just as its compromise character provides it with strength, that compromise character creates weaknesses.

It would not protect against the possibility that a candidate losing the popular vote contest could still win the election with the electoral votes. Had it been in effect in the past in 1880 James Garfield would have been defeated under the proportional method although winning the popular vote—and in 1896 William Jennings Bryan would have defeated McKinley.

There is some resistance to it in Congress because it is viewed as the opening wedge of a threat to extend proportional representation to Congress—in other words, instead of electing representatives by congressional districts, to elect them statewide. The threat this poses is that of the multiparty system that made the Government of France so unstable for so long.

The third basic proposal of change is the direction election plan of electing Presidents. It was first considered in 1787 at the Constitutional Convention. It was rejected by the States by a vote of 9 to 2 against—Delaware and Pennsylvania being the only two States to vote for it.

The arguments used to defeat it at that time were not very flattering to the American people when judged by our present day concepts. The arguments reflected on the intelligence and tolerance of the American people and imputed regional prejudice to them.

Most effective argument was that the American people didn't just know enough to be able to vote intelligently—didn't know enough about the qualifications and character of the candidates.

Southerners fought direct election because of its Negro slaves who were not permitted to vote—and because consequently there was greater voting participation in the North. There was the additional fear of regional favoritism leading to favorite son candidacies and resulting inability of States to agree on one candidate sufficiently to give him a clear majority.

The first attempt to amend the Constitution to provide for the direct election plan was made by Representative William McNamus, of New York, in 1836. Since that time there have been approximately 90 amendments embodying the direct election plan proposed in Congress. I have already alluded to the unsuccessful efforts in 1950 and 1956 by Senator Langer.

Principal argument against the direct election plan is that it would be at the expense of minorities and would provide no protection against what has been called the tyranny of the majority. It is contended in this respect that it violates the republic concept of our Government—the limited democracy that places some restraints upon the majority for the protection of the minority.

Specifically, it is pointed out that this would penalize a small State like my State of Maine and would reward a large State like California or New York—in that it would remove the slight advantage of the two extra electoral votes given each State, regardless of size of population.

The States rights issue is raised against the direct election plan because it tends to national laws regarding voting for President—such as minimum voting age—whether 21 or 18—poll taxes, education, and other criteria—which might extend to all other offices.

A further detailed argument on the States rights issue is that the direct election plan would give relative weight by the actual number voting rather than by the population of a State. Consequently, States with small voter participation—such as Mississippi—feel the heavy voter participation States would gain too much advantage under the direct election plan.

Finally, this very type of opposition is given as a practical reason for opposing the direct election plan—that with small States and Southern States opposing it, a direct election amendment would never be ratified by the necessary three-fourths or 38 of the 50 States.

Answers to these anti arguments are quick. The direct election plan for President is no more a threat of tyranny of the majority and impairment of our republic form of democracy than is the direct election system that practically all of our States have for all elective offices.

As to the penalty it would place on a small State like my own Maine by removing the slight advantage of the two electoral votes given to each State regardless of population size, I say that it is the individual citizen who is more important than the State and that the will of the individual must not be subservient to that of the State as in totalitarian nations.

As to States rights—as to the fastering of national uniform laws on elections—and election results being made by those who vote instead of just by State population and thereby indirectly to some extent to those who don't vote—I say that these are actually the very objectives to be sought rather than opposed.

As to the argument that Congress should not pass the direct election plan because the small States and Southern States would probably refuse to ratify it—I say this is a defeatist attitude—it is the standpat, perpetuation of the status quo attitude—and "faint heart never won fair lady."

In my opinion, not only do these observations answer such arguments against the direct election plan but the arguments for it are unanswerable. Under it the vote of every citizen would count equally. It would remove the feeling of frustration on the part of many voters in one-party States. It would stimulate the two-party system.

It would abolish all the potential abuses under the present system. It would prevent the possibility of electors disobeying instructions from the voters. It would prevent State legislatures from tampering with the election of Presidents.

It would remove the unfair advantages of small population States over big population States and vice versa. It would prevent the possibility that the popular vote winner would not be elected President by the quirks of the electoral college with its unit rule system. It would insure that the President would be elected by the people.

The arguments advanced against the direct election plan are accentuated with even greater emphasis against the Smith plan than against other plans because the Smith plan goes further and would extend to primaries and would abolish the national convention system of nominating Presidents.

Naturally I am prejudiced for the Smith plan or I would never have introduced it. My position is very, very simple. I think the party nominees for President should be chosen by the voters at direct primaries instead of by party delegates at national conventions.

I believe this for the very same reasons as those advanced for electing Presidents under the direct election plan. What is good enough for electing Presidents should be good enough for nominating party candidates for President.

It is only the logical end of putting the power in the hands of the people—for they should be able to choose among all possible candidates and not just in the final round at the general election.

In addition to abolishing the electoral college and electing the President by direct popular vote, my plan would provide the following changes. It would abolish the nominations by national conventions and replace this system with direct primaries on the first Tuesday after the first Monday in August.

In the event that no one candidate received a clear majority or more than 50 percent of the total vote cast, a runoff election would be held between the two highest candidates 28 days later. This runoff system would apply both in the primary and in the general election.

In order to qualify as a candidate in the direct primary, a presidential aspirant would have to file a petition signed by a least 1 percent of the total vote cast in the last presidential general election—this would require 700,000 for a 1968 primary.

A political party would have to have a registered membership of more than 5 percent of the total registered voters in the United States in order to qualify to get on the ballot.

There is one other significant point in my proposal for direct primaries. It is significant in that under this arrangement it would be the people themselves—millions of Americans making the choice for Vice President—instead of that privilege being limited to two men—the Democratic nominee for President and the Republican nominee for President who choose their own running mates—instead of the choice for voters being limited to between only two persons, each handpicked by one person.

Now having considered these various proposals for reform of the system of electing Presidents, let us apply them to the 1960 election and see what would have been the result in view of the closeness in the popular vote—as contrasted to Mr. Kennedy's very substantial margin in the electoral college vote.

There is one complication in applying the various proposals to the 1960 election results. That is the vote in Alabama where six of the presidential electors elected were Independents who ran as unpledged delegates and five ran as Kennedy delegates.

Strictly speaking, this would mean that while it could not be said, without fear of contradiction, that more than half of Alabama's Democratic vote was against both Kennedy and Nixon, by the same token it could not be said that it was for either of them.

The only valid conclusion that could be made would be that more than half of Alabama's vote was for neither Kennedy nor Nixon—and therefore would have to be withheld from the total given to Mr. Kennedy or Mr. Nixon in computations under the various proposals.

And this is a very important point, because it points up the uncertainty and the conjecture under the present electoral college system—an uncertainty and conjecture that would be removed completely under the direct election plan and only partially under either the district plan or the proportional method.

When this factor is properly applied, it withholds at least 160,000 votes from Kennedy in the National total otherwise generally accorded to him on the basis of giving him the unpledged votes in Alabama. This would drop his National total to about 50,000 less than that of Mr. Nixon.

With this in mind, under the district plan or the unit rule applied by congressional districts instead of statewide—Mr. Nixon would have garnered more electoral votes than the combination of Mr. Kennedy, the unpledged electors and the splinter candidates—and would have been elected by a clear majority in the electoral college.

With this in mind, under the proportional method plan, Mr. Nixon would have received a razor edge victory over Mr. Kennedy—but less than a clear majority because of the unpledged electors and percentage for splinter candidates.

Yet, were the proportional method plan in effect Mr. Nixon would have been elected because the proportional method does not require a candidate to get a clear majority but only to be the highest man and to get at least 40 percent of the electoral votes.

With this in mind, Mr. Nixon would have won by the 1956 Humphrey compromise plan of giving the two statewide electoral votes to the winner in the State but dividing the rest of the electoral votes in the State by the proportional method.

In fact, if any of these plans were applied to the 1960 election, Mr. Kennedy would not have been elected—but instead Mr. Nixon would have been elected. The only major plan existing or advocated, by which it can be said unequivocally Mr. Kennedy would definitely have won the election is the present electoral college system.

On the other hand, the only major proposed reform (other than abolishing electors as such) under which it can be said unequivocally that Mr. Nixon might not have won is the Smith plan. This is not to say that Mr. Nixon would have been defeated. Nor is it to say that Mr. Kennedy would have been defeated.

For under the Smith plan neither Mr. Kennedy nor Mr. Nixon would have been elected on November 8, 1960, for the simple reason that neither received a clear majority of the total vote cast.

Under the Smith plan, the decision of the people would not have been made until December 6, 1960, when a required runoff election would have been held between the two of them—and in which one of them would have received a clear majority of the vote of the people and would have been an unquestioned majority President instead of a minority President.

With a final difference of only sixteen-hundredths of 1 percent between Mr. Kennedy and Mr. Nixon in the November 8, 1960, election, who can say which would have won in a runoff election such as would have been required under my plan.

I have given you analyses of the various proposals for changing our way of electing Presidents. Naturally I am prejudiced and think my plan is the best—and I believe that its strongest logic is in the hindsight application of the various reform proposals to the 1960 election results.

The best prospect for change is to abolish the independence of electors and to restrict them to be only messenger agents of the voters to cast the vote as directed by the voters.

Generally speaking, the district plan, with its unit rule system, is sponsored by the conservative coalition in the Congress—and the conservative coalition is the strongest in the Congress. This would enhance the prospects for the district plan although the conservatives are somewhat on the wane.

Generally speaking, the proportional method is sponsored by the middle-of-the-road group in Congress—and while this group is not as adhesively strong as the conservative coalition its strength, instead of being on the wane, is gradually increasing.

Generally speaking, the direct election plan is backed by the rank and file liberals—although I consider myself to be more of a moderate than a liberal—and the liberal strength in Congress simply does not have the determined adhesion and leadership that the conservative coalition has.

This means that from the short-term standpoint—the near future—prospects are dimmest for the direct election plan. Why then you ask me do I espouse a cause on which the odds seem to be against me?

In the first place, I seem to have developed a mania for espousing causes on which the odds seem to be against me. I did it on the declaration of conscience. But I kept plugging year after year on the declaration of conscience theme which I was a pretty lonely voice in the Senate. Yet, ultimately the spirit of the declaration of conscience finally prevailed in the Senate.

Present odds are against me on the Smith plan for electing Presidents. But from the long-term view, I am confident that the odds are with the proposal. I will probably be long gone from this earth before it is adopted.

But I am confident that ultimately it will be adopted because I think it is inevitable that the will of the majority cannot be forever denied. It is only a matter of time until that will of the majority is made sufficiently articulate and sufficiently brought to bear on Congress and the States to so amend the Constitution.

The public will and the power are there. It is only a question of how soon the liberal and moderate supporters of not only direct election but direct nomination will be able to organize and crystallize this overwhelming sentiment of the American people.

And that is the key to what I am doing in the introduction of Senate Joint Resolution 4. To give to the people of our country an opportunity—a medium—through which they can express their will.

MUCH ADO ABOUT NOTHING

Mr. BASS. Mr. President, a great deal of comment has been generated by a motion picture partially sponsored by the U.S. Department of Agriculture entitled "A World of Pleasure." The purpose of this film is the development of the foreign market for tobacco in order to increase our foreign market for our Nation's oldest export. In view of the many critical remarks made by those opposed to this movie, it occurs to me that the facts should be brought out in order to set the record straight.

Authorization for making this type film is contained in Public Law 480. It involves not only tobacco but the expanded export sales of a broad range of American farm commodities. This is only 1 of 27 films utilized to promote commodity exports to foreign countries. Wheat, soybeans, cotton, tallow, fruits, and other agricultural products have been the subject of promotional films. It would appear that the Department of Agriculture, under the mandate of the law would have great difficulty in discriminating between products—for instance, promoting the sale of wheat and not the sale of cotton or tobacco.

The movie originated late in 1962 when the tobacco trade cooperation came to the Department of Agriculture with a proposal for a promotional film on behalf of U.S. tobacco. Their idea was to sponsor a picture of a light documentary nature which might qualify for overseas distribution. In May of 1963, long before the issuance of the Surgeon General's smoking report, the Department signed an agreement with the tobacco trade cooperators which provided for the making of this proposed movie. Bids were requested and Warner Bros., after submitting the winning bid, completed the filming of this movie in the fall of 1963, still prior to the issuance of the Surgeon General's report.

Not one solid American dollar from the Federal Treasury went into the making of this film. On the contrary, the Department of Agriculture spent $106,000 in foreign currencies or counterpart funds for this purpose. The contrast can be seen when it is realized that a total of $10.5 million—all in foreign currencies—will be utilized by our Government to contribute to the promotion of U.S. agricultural products during this current fiscal year. In this connection it is interesting to note a story which appeared in the February 25 issue of Time magazine. On page 26, under the subject heading of "Foreign Aid," it is reported:

> The Federal Government, which rarely enough finds itself at a loss to devise ways of spending money, has $2.8 billion cluttering its coffers and scant notion of how to get rid of it. These funds are piled up in nonconvertible foreign currencies from Conakry to Colombo. "We have used all the money we can in every way we can," confessed a State Department official last week. "We are no longer making a dent in the accumulation. We have got to do more."

Mr. President, the critics of this film focus primarily on two points. First, they raise questions as to whether it will be shown in countries which have a national policy to discourage smoking, such as England. The answer to this is very simple. The film will only be shown in those counrties were its acceptance is indicated by the issuance of a Government license. I might add that it will not be shown at all to the U.S. public. In this connection it is interesting to note that in passing the Cigarette Labeling Act last session of Congress, we saw fit to exclude from the labeling provisions all cigarettes manufactured for export. Yet, Mr. President, I have no doubt that some of these cigarettes will be sold in countries which have a national policy to discourage smoking. The other major point the critics raise is that this film does not urge people to shift from their native tobaccos to American tobacco, but simply encourages the use of tobacco. Mr. President, this argument is defeated by its own weight. Certainly no country would grant a license for the showing of a film which blatantly seeks to undermine its own economy. A country would not license the showing of a film which urges its people to stop using its own native produced wheat or cotton. It is folly to imagine that a foreign government would be so neglectful of the welfare of its own people as to place its stamp of acceptance upon a scheme purposefully designed to undercut its own economy.

Perhaps a word should be said about the nature of the film itself. Some of the original criticism of this film was made by people who had not yet viewed it. It is my belief that, had the critics seen the film before making their original comments, most, if not all, of the criticism would not have been voiced. This is a beautiful film, in technicolor, which basically is a travelog. It starts out in Hollywood, Calif., and works east through the tobacco country taking the viewer on a tour of the farms on which tobacco is grown and through the production of tobacco to a completed product. It then travels through London, England, showing the beauty of that great city, and jumps across to the Scandinavian countries taking in Copenhagen, Denmark, and Stockholm, Sweden. From there the viewers are transported to Egypt to the land of the Pharoahs and the pyramids. It progresses on through the origins of civilization to the great city of Alexandria. From there we travel to the Netherlands and view scenes of the famous flower gardens and the great harbors of this small country. Colorful scenes from West Germany's festivals are shown and finally the viewer arrives in Paris. The closest connection this film has to smoking is the short sequence of the trip through the tobacco country and periodic scenes of couples in various restaurants through the world lighting a cigarette. In this latter connection no comment concerning smoking or tobacco is made whatsoever.

Mr. President, tobacco is a very valuable and significant part of our economy. The Federal Government collected approximately $2 billion in taxes alone last year on tobacco products. The growing of tobacco brought almost $100 million to the farmers of my own State of Tennessee last year. The economists are worried about our balance-of-payments problems because our imports exceed our exports. Yet, the tobacco industry exported approximately $500 million worth of tobacco last year. Certainly to do anything inimical to this export program would only contribute further to the problem. But if tobacco exports were expanded the balance-of-payments situation would be improved. The U.S. Government will spend less than $300,000—all in foreign currencies, which, admittedly we have more than we can spend—to promote tobacco exports during this fiscal year.

Mr. President, in view of the nature of the film, the amount and kind of money utilized in its production, and the other data which I have stated above, it would appear to me that the hullabaloo raised would very aptly fit into the title of the great bard's play "Much Ado About Nothing." As a matter of fact, a line from that play seems apropos to the speeches and questions of the critics of this film: "I wonder that you will still be talking—nobody marks you."

WEST VIRGINIA EDITOR RETIRES

Mr. **BYRD** of West Virginia. Mr. President, Walter L. Hart has retired as editor of the Dominion-News of Morgantown, W. Va., after serving more than 30 years in that post.

I have known Mr. Hart for many years and, although I believe he has earned many times over the rewards of retirement, I know he will be sorely missed among the ranks of men who have offered the leadership which has made Morgantown one of the leading cities of West Virginia.

As a longtime aviation enthusiast, Mr. Hart will devote much of his time on retirement toward boosting this growing field of industry. I wish him good luck in this endeavor and I express the hope that he will be as successful in this new activity as he has been as a newspaper editor.

I ask unanimous consent that editorials commenting on Mr. Hart's retirement from the Dominion-News, of Morgantown, W. Va., and the Fairmont (W. Va.) Times be printed in the Record.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Morgantown (W. Va.) Dominion-News, Feb. 26, 1966]

A Crusty Editor Takes It Easier

Bill Hart's friend and fellow columnist, Drew Pearson, called him a "crusty editor."

Stronger terms have been used by Editor Walter H. Hart's enemies. Others, including former neighbors and friends in his native Preston, consider him a loyal friend and a major benefactor to this part of West Virginia.

There's not much neutrality when people talk about Bill Hart of z–1 fame. A crusty editor is bound to have enemies as well as friends with a fair amount of switching back and forth depending on different situations.

He is of the old school of personal editors. He started as an eager boy reporter here 47 years ago. He advanced to editor in days when it was not uncommon for editors to use their editor's chair from which to mix personal and public affairs, especially in political matters.

Mr. Hart is a Democrat. He used his political influence on many occasions to obtain major benefits for his hometown and surrounding area. He was unrelaxing in seeking WPA projects and had a big hand in obtaining some of the most worthwhile ones in the country. Through the years he has fought for aviation in general and Morgantown's beautiful airport in the mountains in particular. Several physical assets in this area are permanent monuments to his crustiness and persistence.

As a crusty editor, he has often gone it alone in his crusades. Sometimes he's gone overboard. He says he should have been a Barnum. He has enlivened life hereabouts by his showmanship, especially his ability to bring Presidents, Presidents' wives, Cabinet members, and other celebrities to Morgantown for such things as the Hart-promoted "Fabulous Showcase" events at the airport.

A self-styled "least of these, my brethren" country boy, Bill Hart has hobnobbed with the great and near great in unabashed fashion. He has ordered candidates, including one great President-to-be, to do his bidding as a campaign strategist. He's as much at home in Washington as in Tunnelton or Morgantown.

He loves to travel and has seen much of the world. When it comes to airplanes, he's still an eager—thrilled and thrilling—young reporter.

Editor Hart has a family of which he is very proud and one of which our whole community is proud.

Today is the last day Mr. Hart's name appears in the editorial page masthead as editor. He is retiring from that post to take things a bit easier. All, that is, except yielding to that eagerness to get around, to see things, and report. His inimitable column, "It May Interest You," will continue in this paper, often from far-away places such as Saigon, Anchorage, Saudi Arabia and Cuba, but always reflecting his pride in West Virginia, most especially Preston County and Morgantown.

We wish Bill Hart the happiness he gets from freedom to travel and the opportunity to take it easier, when and if his unabated young reporter's eagerness permits him to relax.

Best wishes, z-1 and flight chief.

[From the Fairmont (W. Va.) Times, Feb. 28, 1966]

All Out for Aviation

Relieved of the daily responsibilities of getting out a newspaper, Walter Lawrence Hart, of the Morgantown Dominion-News is going to devote almost his full time in the future to his "second love," aviation. He plans to travel extensively, and there is a possibility he will be given a Government office from which to operate.

Bill's interest in aviation goes back to the days of the Works Progress Administration, when he was a prime mover in the effort to obtain an airport for Morgantown. The late U.S. Senator Matthew Mansfield Neely, to whom Hart was close, had proposed an airport in the vicinity of Fairmont to serve this community as well as Morgantown and Clarksburg.

When local leaders gave the idea a cold shoulder, Hart and others acted quickly to obtain WPA assistance for a Morgantown airport. Those associated with the district office of the Federal agency here in those days recall his incessant demands for more men, more equipment, and more money—all of which he eventually got.

This connection with the world of flying expanded over the years. Hart is now actively associated with Drew Pearson and Jack Alexander in a charter-freight airline whose eastern base he may get changed to Morgantown if the runways there will stand the load. He has close ties with the Federal aviation regulatory bodies and for years has practically commuted between Morgantown and Washington in pursuance of his interests.

A confidant of the mighty, the Morgantown editor has taken an active role in politics. He was one of the first to know of Senator Neely's decision to run for Governor back in 1940. Unfortunately Bill's last political "scoop"—a prediction that Arch Moore would run for the U.S. Senate this year—did not pan out, but his average is still high.

As editor, he has been the most vigorous booster of what he proudly calls the Morgantown Trading Territory or, more recently, Mason-Dixonland. He has been an effective exponent of many community projects.

Bill Hart's influence as an editor in Morgantown has been substantial. He now turns to larger fields, and the cause of aviation will gain an ardent full-time supporter.

FARM LABOR'S LOT INCHES UP

Mr. **WILLIAMS** of New Jersey. Mr. President, over the years, the New York Times editorial board has taken great interest in farm labor problems. Its editorials in this field have been factual and thought provoking.

The Times' most recent observation—its February 15 editorial—urges that Federal minimum wage legislation and other protective laws which have benefited American labor for the last 30 years be extended to American farmworkers.

As chairman of the Senate Migratory Labor Subcommittee, I endorse the Times' editorial position and urge prompt passage of S. 1864 through S. 1868. These bills were introduced during the last session of Congress and would establish a minimum wage for workers employed on our Nation's larger farms, prohibit harmful child labor outside of school hours for some children under the age of 14, provide National Labor Relations Act coverage for farmworkers employed on our Nation's larger farms, establish a voluntary recruitment program for farmworkers administered by the Secretary of Labor to aid the farmer in finding qualified employees and the farmworker in finding employment, and establish a National Advisory Council on Migratory Labor to coordinate existing programs affecting migratory farmworkers and to recommend to the President and Congress such new programs as may be needed.

I wholeheartedly concur with the Times' conclusion that legislation in this field is "as fundamental as any in the war against poverty."

I believe that the Senate should have the benefit of this informative editorial and, therefore, ask unanimous consent that it be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the New York Times, Feb. 15, 1966]

Farm Labor's Lot Inches Up

In the year since Congress banned the mass import of low-wage farm labor from Mexico, the man-months of work done by foreign workers on American farms has declined by 83 percent. Seasonal job opportunities were thus created, Secretary Wirtz estimates, for at least 100,000 more domestic workers. This year even tighter limits on imported farm labor will be enforced.

Throughout the year farm interests sought to kill the restrictions by warning that crops would rot and prices skyrocket. Yet critical labor shortages were few; harvests were huge and the price of most fruits and vegetables declined.

Despite the wage increases offered by growers to attract an adequate flow of domestic labor, farm wages remain abysmally low by industrial standards. The Wirtz report indicates that the farm average is $1.14 an hour and that in 11 States it is still under $1 an hour. This compares with a $2.82 average for factory workers.

Farm laborers should be placed under the Federal minimum wage and the other protective laws that the rest of American labor has had for 30 years. It is time for President Johnson to push forward energetically on a front as fundamental as any in the war against poverty.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BASS in the chair). The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. TALMADGE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. MORSE. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard. The clerk will continue to call the roll.

The Chief Clerk continued the call of the roll.

Mr. TALMADGE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

SENATOR ALLEN J. ELLENDER REPORTS FROM CONGRESS ON SOUTH VIETNAM

Mr. ELLENDER. Mr. President, I ask unanimous consent to have printed in the RECORD excerpts from reports which I have made to the people of Louisiana during the year 1965 and part of this year, 1966, on the issue of Vietnam. I also ask unanimous consent that preceding each excerpt, the date of my report be printed in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

[From the report of Feb. 27, 1965]

SOUTH VIETNAM

Hearings began last week on the important $49 billion defense appropriations bill. The Defense Subcommittee of the Senate Appropriations Committee went into executive session to receive testimony and justification from Defense Secretary Robert McNamara on this mammoth expenditure. As a member of the subcommittee, I questioned Mr. McNamara very closely as to our military posture and our military policies throughout the world. Like many other Senators and Congressmen, I am becoming extremely concerned about the effectiveness of these policies, particularly in Vietnam. It appears to me that we have gone in so deeply in South Vietnam, that we now find ourselves in over our heads. I am not at all sure that we can gain any victory in that God-forsaken corner of the world, and I fear we are on the verge of finding another South Korea on our hands which may be more costly. God forbid that we become engaged in a big war on the continent of Asia.

I become particularly concerned when I recall the history of the French effort to hold Indochina. That war lasted from 1946 to 1954, and in its latter stages we supplied the French with approximately $1.5 billion worth of American aid. The French at one time had as many as 350,000 men in action on the Indochina peninsula, of which about 175,000 were French nationals. The administration of the Government and the entire population were under their control; yet in 8 years, the French were decisively defeated and driven out of an area they had held for 100 years. This history does not bode well for the future of the American effort.

[From the report of Apr. 3, 1965]

The news from the international scene has been dominated in the last weeks by the worsening situation in Vietnam. Personally, I have long given up hope that any good can come from our Nation's involvement in that God-forsaken corner of the world. Based on my personal knowledge and my inspections of the Vietnam situation, I repeatedly warned and advised against the coming entanglement, beginning with the Eisenhower administration. My warnings were not heeded, however, and we now find ourselves hanging on the tail of an increasingly ferocious bear.

As it is, I am becoming more and more concerned about the course of events. It seems to me as if we have very little to win, if, indeed, we can win, and a great deal to lose. At this point, we can do little more than hope that Red Chinese forces are not brought into the fray, for we shall then have another full-scale Korea on our hands—a condition that I have tried to head off in every way that I could.

Once again we are carrying the entire burden, while our erstwhile allies sit back and give advice.

It does seem to me, however, that our authorities could take the necessary steps to provide effective security for our facilities and installations on Vietnamese territory. I have in mind particularly the recent bombing of our American Embassy in Saigon, which did great damage and took a number of lives. It is unthinkable that with the number of forces we currently have in that area that adequate security from such sneak attacks cannot be provided. I express the hope that strong steps will be taken to assure that such attacks do not occur in the future.

[From the report of May 8, 1965]

VIETNAM

I was invited to the White House last week to take part in a briefing by the President on the state of our affairs in Vietnam and the Dominican Republic. The President announced to us at that meeting that he would ask Congress to appropriate an additional $700 million to carry out our expanded efforts in Vietnam and to deal with the new difficulties we have run into with the Dominican Republic.

There is no doubt that ample funds are already available to the President within the Department of Defense to carry out these purposes. It is apparent to me that the administration is actually seeking a congressional vote of confidence in respect to the course our foreign policy is taking. The President is seeking quick congressional approval as indicative of a united front on the part of the American people.

As to Vietnam, I see no other course that might now be followed with any hope of success. Personally, I went on record as far back as 1954 against the involvement of U.S. forces in Vietnam, and advised President Eisenhower against it. Instead, he and Secretary of State John Foster Dulles suggested that U.S. military advisers be assigned to Vietnam, and the pot soon began to boil and bubble.

President Kennedy augmented our forces by a substantial amount, and now, of course, we are engaged in what comes very close to being a full-scale war. I regret that this has come about, but now there seems to be no alternative but to push ahead and attempt to settle it in the shortest time possible, and with the smallest loss of life. From all reports the bombing we have engaged in north of the 17th parallel is having considerable effect, and I express the hope that some solution can be found without the necessity of sending larger numbers of American boys into action against the enemy. What I fear is the possibility of our becoming involved in another South Korea, of even greater intensity.

[From the report of May 15, 1965]

THE JOHNSON DOCTRINE

On another front, it seems to me that the President's leadership is more open to question. I refer to his statement when he signed the special congressional resolution making more funds available for the struggle in Vietnam. At that time, he indicated that congressional passage of the resolution indicated that the Nation and the Congress stood ready to do "whatever must be done" to protect South Vietnam from aggression. In other words, he apparently considers the congressional action more or less a blanket endorsement of whatever action he may take in the future in regard to southeast Asia. Yet, prior to this statement, many Members of both the House and Senate rose to express the feeling that their votes for the resolution should not be looked upon as an endorsement of all future action. Although these sentiments were issued a step ahead of the President, he has chosen to ignore them. Many Senators and Members of the House are very much opposed to any action which would draw the United States into a land war in Asia, and I share this attitude. As I have said before, however, if the Chinese Communists were to send masses of troops to Vietnam, I would favor using all the means at our command to deter the Chinese aggression and protect the lives of our American boys.

In connection with the Vietnam and Dominican Republic situations, recent Presidential statements have given rise to what is coming to be known as the Johnson doctrine. In short, this doctrine seems to mean that the United States will act as the policemen of peace, as New York Times Columnist Arthur Krock puts it, to protect nations and peoples all over the world. This goes far beyond the so-called Truman doctrine, which was the savior of Greece and Turkey, but which pledged only economic and financial aid in the worldwide fight against communism.

I expect that Congress is going to have a great deal to say in the future about the new Johnson doctrine, particularly if trouble continues to flare up in the far-off corners of the world and American troops are dispatched to put out the fires.

I, for one, am not sure that the Nation is prepared to make the sacrifices that such a course of action will necessarily call for. Aside from that, it seems that we will be compelled to go it alone.

[From the report of May 29, 1965]

VIETNAM AND THE DOMINICAN REPUBLIC

The news from Vietnam continues to be disturbing, although apparently conditions in the Dominican Republic are settling down somewhat. In Vietnam, it appears more and more as if we are heading toward a Korean-type situation of even greater dimensions. This, of course, is the one thing that I have bent every effort to avoid, beginning with 1956, when I first visited that beleaguered land after the French had withdrawn their forces.

We now have more than 50,000 American fighting troops stationed in South Vietnam, and we have been told that this number may be increased to 75,000 in the near future. This is the equivalent of almost three full divisions. In addition, our men are now being sent into direct offensive action, on their own, against the Vietcong, according to press reports. Reports are also being received concerning the buildup of Chinese men and material across the North Vietnam border. As far as I can see, none of this news bodes well for our Nation's hope for peace.

Fortunately, we have been able to withdraw a few of our boys from the Dominican Republic, and there appears hope that the multilateral peace force of the OAS will be able to maintain order and effect a settlement. No political agreement has been announced as yet, however, and I fear that if, as, and when agreement is reached, it is likely to prove of short duration. The Government of the Republic has already changed hands four times—more or less violently—in the 4 years since the assassination of Rafael Trujillo. In this connection, I was not surprised to hear President Johnson promise that even more economic aid will be sent to the Dominican Republic when the fighting is settled and agreement is reached. I can only remark that the same promise was made after Trujillo was deposed, and it cost our Government $103.9 million during the years 1962 through 1964. Before that time, our Nation extended $8.8 million in aid to the Republic, some of which was military hardware for internal security.

[From the report of June 5, 1965]

In South Vietnam, the undeclared war continues to go badly. The decisions of our policymakers have not borne fruit, and the casualties mount day by day. The bombing raids across the border into North Vietnam apparently have not been successful in halting the aggression in the south, and I fear we are being drawn more and more deeply into a second Korean conflict, one that will be more costly than the Korean war. Another pipeline to suck up American men and materiel is being constructed, and no one can predict when we will be able to close down the Vietnam pumping station.

We now have more than 50,000 American fighting men stationed in South Vietnam, and we are told that thousands more are on the way.

As one who has watched and studied southeast Asia very closely since 1954, when the French were driven from Indochina, the senior Senator from Louisiana has a right to feel bitter and frustrated. I have visited that area on many occasions over the last 10 years, and on each return trip from there I carried the same message: namely, that our Nation should not become involved, on its own, in a section of the world where we had no direct interest and which lay far outside our sphere of influence.

I told the late John Foster Dulles, then Secretary of State under President Eisenhower, that preparations for war should not be encouraged by the establishment of American military advisory groups in South Vietnam.

These military advisers do little more than keep the pot boiling. At their request, thousands of Americans were sent there to train the natives how to use our military hardware. Today we are sending thousands to do the actual fighting, while our rich allies of Western Europe gave us only their moral support. Some are critical of our actions. Despite my advice and on-the-scene experience, the advisers were sent in.

I advised President Kennedy to withdraw our military; instead, their number was increased. I suggested that steps be taken to make certain that the enormous amounts of economic aid to South Vietnam were distributed fairly and equitably; that President Diem be persuaded to mollify the dissident groups in his country, and satisfy their just grievances. No firm action along these lines was taken by our representatives.

In spite of all my efforts, we entered the morass of southeast Asian politics with one eye closed and the other on an idealistic vision of what we hoped might somehow and someway be brought about. Now our eyes have been opened, and we have been brought down to earth. I only hope it is not too late, and that some way can be found to avoid an all-out war on the Asiatic mainland.

[From the report of July 17, 1965]

SOUTH VIETNAM

In such a situation as now faces our Nation in South Vietnam, where we have gone in so deeply that the quicksands of southeast Asian politics are threatening to pull us under, we have no other recourse than to close ranks and support the policies of President Johnson and his advisers. The present and past administrations have taken a gamble and now it is too late to retreat. I for one do not believe that these so-called protest demonstrations against our foreign policy by beatniks, college students, and even teachers, do much good. They may very well do a great deal of harm, for the press and other news media play up these demonstrations to such an extent that foreigners are led to believe that a majority of our people are not supporting the President. In point of fact, only a very small minority is doing the demonstrating, making the noise, and "teaching in." In my estimation, it would be better if we had more "study-ins" and fewer "teach-ins."

[From the report of July 24, 1965]

VIETNAM

To turn to a subject far removed from the District of Columbia, I was interested to hear Defense Secretary Robert McNamara's comments after his recent inspection tour of Vietnam. The situation, he said, has deteriorated "in many aspects," since his last visit of 15 months ago. These sentiments, of course, are in marked contrast to his somewhat rosy early estimates of our Vietnam difficulties. On prior visits much optimism was expressed by him and many statements were issued to the effect that we had the situation well in hand.

Unfortunately, his most recent statement more closely approximates the true conditions to be found in that unsettled corner of the world. Long ago, I predicted that we were embarking on a course of folly by becoming deeply involved in the civil strife then building up in Vietnam.

It was my view that the presence of our so-called military advisers would serve to keep the pot boiling and cause both North Vietnam and Red China to provide more and more aid and assistance. I also pointed out to our officials on both the Vietnam and Washington levels, as well as to the Vietnam leadership, that the administration of the tremendous amounts of economic aid we were making available left a great deal to be desired. I did not feel that our aid was being made available to all Vietnamese citizens on an equitable basis, and because of this, a large portion of the populace was being alienated from the Government. My advice went unheeded, and today not even a Solomon could provide satisfactory answers.

As a corollary to Vietnam, I am informed that further tax reductions, which the administration's economic advisers had "in the works" for next year, may have to be set aside because of increased outlays for defense. In testimony before a congressional committee Tuesday, Gordon Ackley, the new Chairman of the President's Council of Economic Advisers, indicated that a possible increase in the exemption now allowed each taxpayer and his dependents, from $600 to $1,000, was being considered by the administration.

In my view, and in light of the mammoth tax reductions in income and excise taxes the Congress has so recently enacted, further proposals for tax reductions should be greeted very skeptically by the Congress. Especially is this true when rising defense expenditures are facing the Nation, as pointed out by Mr. Ackley, and when the Federal Government is headed into greatly expanded and more expensive activities in social welfare and related fields.

It is estimated that every $100 increase in the $600 exemption allowed for taxpayers and dependents will result in the loss of $2.5 billion in revenue for the Treasury. Thus, an increase of $400 in the exemption would bring about a Federal revenue loss of $10 billion. I doubt very much that such a tax reduction can be justified at this time, or in the near future.

[From the report of July 31, 1965]

THE PRESIDENT'S VIETNAM ADDRESS

I listened very closely to the President's address to the Nation on the Vietnam situation last Wednesday at noon. As predicted, President Johnson did not reveal much new information or startling decisions. As a matter of fact, I was one of a small group of Senators summoned to the White House early Wednesday morning for an advance briefing on the President's address. He is very much worried, and as many of you know, he inherited much of the trouble that now prevails in Vietnam.

The main point of his remarks was that many more troops would be sent immediately to Vietnam, raising our total force there from 75,000 to 125,000 men. He stated that more may be sent later, and in answer to questions, indicated that the American people could look forward to conflict in southeast Asia for many years ahead—perhaps 6 or 7. As you may recall, Secretary of Defense Robert McNamara recently stated our engagement there may last as long as 5 or 10 years, while Ho Chi Minh, leader of North Vietnam, has been reported as predicting that American forces may be fighting in South Vietnam for as long as 20 years.

To compensate for this drain of American troops, the President stated that the draft would be increased from 17,000 to 35,000 young men a month. I was pleased to hear the decision had been made not to call up the Reserves or to declare a state of emergency at this time, although those possibilities have not been ruled out for the future. Mr. Johnson said that he had instructed Secretary McNamara to request more defense funds from the Congress to support the increases. Further requests would be made in the budget presentation next January, he said.

I was also glad to hear President Johnson assure us that he had asked General Westmoreland, the commander of our forces in the area, what he needed to get the job done. The President said that the general had answered his request, and that all the needs of our fighting men would be supplied. Over the past few months, I have received correspondence from some of the families and friends of our men in Vietnam, which indicated that the equipment and supplies they were receiving left something to be desired. If we are going to fight what amounts to a full-scale war in Vietnam, it seems to me that we should make every effort to see that every possible advantage is working on our side. It appears to me that we are going to need all the odds we can get.

No doubt the Congress will approve the request for funds needed to support our efforts in South Vietnam. In a situation such as this, we in Congress can do little else, in all good conscience, than support our President. He is acting on far more accurate information than Congress has at its command. I only hope that the information given the President represents a true picture of the situation, which seems to grow from bad to worse with each passing day. So far, the results of plans pushed forward by our military experts in the Pentagon have not been reassuring. It strikes me that we seem to be making some of the same mistakes made by the French generals in the years before 1954, when they were defeated at Dienbienphu and driven out of Indochina. From my study of that long, drawn-out guerrilla war, it is obvious that one of the primary faults of the French was that they greatly underestimated the fighting potential of their enemy. The Vietminh defined the terms of war very differently than do the leaders of any modern army. And, just as was the case 10 or 15 years ago, the Vietcong is now in a position to impose their own definitions.

But make no mistake about it, I hold no brief with those in our society who seek to divide the national purpose and weaken our resolve to do what must be done in the defense of freedom and in opposition to communism. I wish only that some of our so-called allies could be persuaded to bear the burden with us. And I also hope and pray that ways and means can be found to settle this conflict by negotiation, as the President also hoped for in his remarks Wednesday.

[From the report of Aug. 7, 1965]

MORE FUNDS FOR VIETNAM

Turning to a subject far removed from our labor legislation, President Johnson last week sent Secretary of Defense Robert McNamara to the Congress with a request for an additional $1.7 billion for defense expenditures. The request, of course, is necessitated by our involvement in the Vietnam conflict. It is one more step in which I predict will be a long series of increased expenditures to carry on the war in Vietnam. At this point there is actually no way of telling for how long we may be heavily involved in that strife-torn section of the world.

As I said last week, I am sure the Congress will approve this request without much opposition, for no other course is open to those of us who have responsibility in these matters. As you may recall, several months ago the Congress was asked to approve a request for an additional $700 million for expenditure in Vietnam for economic aid and other purposes. What I fear is that because we are now sending more and more American forces to carry on the actual fighting, the South Vietnamese will be more and more prone to let us carry the entire burden. Since there is no stable government in South Vietnam, I do not see how it will be possible to force young Vietnamese to carry on the fight.

[From the report of Sept. 24, 1965]

HOPE IN VIETNAM

On our eastern front in Vietnam, it seems that at long last the tide of the battle may be turning. Our large commitment of U.S. men and materiel is beginning to bring more and more pressure upon the enemy, and of course, something would be seriously wrong if victories could not be entered on the ledger to at least partially balance the many defeats we have had to bear at the hands of the elusive Vietcong.

Unfortunately, the end is as yet nowhere in sight, and I fear that a great many more lives will be sacrificed before another American peace can be imposed on the rice paddies and jungles of South Vietnam.

While the news of our military victories is good, there is other recent news that is deeply disturbing to me. Now that the American commitment to South Vietnam has been made very plain by the President's statements and by the dispatch of more than 100,000 American troops, it is no doubt very obvious to the Vietcong that they cannot expect to gain a military victory against such odds. So it will be only natural for them to seek other avenues for action.

The recent student riots and demonstrations which have occurred in various Vietnamese cities against the Government seem to open up one of these avenues. The Vietcong must know, as well as you and I do, that a stable government is absolutely essential for any Western victory. I suspect, therefore, that more and more civilian political action, such as these student riots, will be organized and directed against the incumbent Government. At the present, it seems to me that a revolt of the civilian populace is by no means out of the question, and it holds dangers far more severe than any defeat of American forces. It must not be forgotten that the Vietnamese people have very little feeling of national unity, and feel very little sense of allegiance to any Saigon government. I express the hope that if we manage to pull through the very dangerous monsoon period, which will end in October, we will not find ourselves out of the military frying pan only to land into the fire of civilian upheaval.

[From the report of Jan. 15, 1966]

THE VIETNAM CONFLICT

While on my tour of the State, I also found that the Vietnam conflict was the subject of much intense interest and much speculation as to the probable outcome. Upon returning to Washington, I found much interest centering on the role the United States is playing in the attempt to bring that beleaguered nation out of its difficulties. There is much difference of opinion both within and without the Senate as to what our future course of action should be. Frankly, your senior Senator is very much concerned about the situation in which we now find ourselves, and about the pitfalls that lie along both sides of the path we are following.

There is no question that it is now vital that our Nation act decisively to prevent a Communist takeover in South Vietnam. The prestige and power of the United States has been laid on the line, and to withdraw under present conditions would do us untold damage not only on the Asian Continent, but all over the world. Our Nation has never run from a fight, and now that we have been drawn so deeply into this one, it seems to me that we have no choice except to stick it out until some sort of honorable resolution can be achieved. If our adversaries will not agree to meaningful peace talks, they should be hit harder, and the industrial and political centers of North Vietnam should be bombed by our forces if necessary.

As we are carrying out a military campaign in Vietnam, however, I firmly believe that a second front should be opened in Western Europe. In other words, if a victory or a cessation of the fighting is important for the future protection of the free world, we should make it plain to our so-called allies in Western Europe that we expect some meaningful assistance from them in carrying the burden. By meaningful assistance, I mean more than the moral support that has been offered until now. We should impress upon our friends that the United States cannot be expected to bear the entire load in southeast Asia, as we are already doing in Korea, and at the same time, maintain thousands of troops on duty for their protection in Western Europe. If offers of meaningful aid are not forthcoming, I advocate beginning the withdrawal of the thousands of troops we now have garrisoned across the Atlantic. This seems to my mind to be the commonsense approach, and one that is long overdue.

In the past, we have been too easy going in our relations with our erstwhile allies. As you may know, I have complained about this to past and present administrations on numerous occasions, and I have recommended that a much stiffer line be taken by the negotiators in our State Department. Until now, the line has always been taken that the United States is the richest and most powerful nation on earth, and therefore we should be willing and able to carry on alone, no matter what the cost and sacrifice. The fact that the Western European nations have also become rich and powerful during the past two decades, due in large part to our own generosity toward them, seems to be almost completely forgotten.

Now, however, the shoe of his commitments at home and abroad is beginning to pinch Uncle Sam's foot a little bit. We are waking up to the fact, or we should be, that our Nation is simply not rich enough, or powerful enough, to act as the policeman and protector of the entire world. We need assistance from those who are directly benefiting from our protection. We have been holding an umbrella or military might over Western Europe entirely too long. If we cannot obtain help when it is needed, from those we have been sheltering in the past, I say that it is time to begin folding up the umbrella.

[From the report of Jan. 22, 1966]

MORE FUNDS FOR VIETNAM

Also in connection with southeast Asia, the President has sent to the Congress a special request for another appropriation to carry on the struggle in Vietnam. The special amount requested for this fiscal year is $12.7 billion, over and above the special appropriations made for that purpose last year, and above the billions of dollars provided in the regular Department of Defense appropriation bill.

The amount of this latest request—$12.7 billion—provides a good measure of the increased role we are playing in the Vietnam conflict. Although the Congress has been informed that only about half the sum asked for is to be actually expended this year, I have no doubt that more and greater expenditures can be expected in the future.

Of course, our boys fighting in the rice paddies and jungles must be supported in every manner conceivable, and I am certain that the Congress and the country will do everything possible to see that their needs are met. You may rest assured that I shall do everything in my power to render whatever assistance is needed in order to bring the conflict there to a speedy end. Not only should our servicemen be supported, but as I stated last week, if the enemy continues to refuse to enter into meaningful negotiations for peace, their industrial centers should be hit by our forces until there can be no mistaking our intention to win an honorable peace in Vietnam.

Also included in the supplemental appropriation request is the sum of $415 million to be spent as an addition to this year's foreign aid program. Two hundred and ninety million dollars of that amount is earmarked for supporting assistance to southeast Asian nations. South Vietnam is to receive $275 million of this supporting assistance, while Laos and Thailand are to be the recipients of another $15 million. One hundred million dollars is also requested as an addition to the foreign aid contingency fund.

I was surprised to see included in the supplemental request the sum of $25 million for support to the Dominican Republic. It seems as if the President is now learning what it will cost if we continue our attempts to police, pacify, and bring prosperity to every corner of the world.

Before leaving the subject of southeast Asia and Vietnam, you will recall that last week I advocated that the administration and the State Department toughen our policy toward our so-called allies in Western Europe. On the question of assisting us to carry our worldwide burdens, particularly in southeast Asia, where we have no real economic interest, I pointed out that the struggle to protect and defend the free world is as much their struggle as it is ours. I further stated that I could see no real reason why our Nation should continue to maintain thousands of men garrisoned in Western Europe. The defense against aggression that these troops have provided has turned out to be an umbrella, beneath which Western Europe has found peace and prosperity. Also, the maintenance of these thousands of men has proved to be a substantial drain of our U.S. gold supply, and the recipients of this drain have been the coffers of our allies.

Last week I did a little checking into the record, and found that as of December 31, 1960, our military had 352,000 men stationed in Western Europe, plus 9,916 U.S. employees, and 311,000 dependents. The number stationed abroad rose by 54,000 during the period of the Berlin crisis, and then dropped somewhat after that. But the fact remains that as of September 30, 1965, the United States maintained 331,000 troops on guard in Western Europe, supported by 11,344 civilian employees, together with 288,000 dependents.

To my mind and in light of the current situation, this state of affairs is almost inexcusable. Our so-called allies have benefited from the military umbrella we have been holding over them for many years. They were able to reduce their military spending and build their own economy with the expenditure each year of many millions of dollars by our soldiers, their dependents, and our civilian employees. Now when we go to them for assistance, we find that nobody is home. That is why I stated last week that unless we can secure some meaningful assistance from them as we try to find a way out of the current conflict, we should make it plain to them that we will begin folding up the umbrella.

[From the report of Jan. 29, 1966]

Our Allies and Vietnam

Last week I called attention to the fact that over the last 5 years the United States has maintained a garrison of well over 300,000 troops on the other side of the Atlantic in Western Europe. As a matter of fact, the number of servicemen stationed in that section of the world at the end of 1960 was 352,000. By September 30 of 1965, the total had decreased by only 20,000 men under arms—to a figure of slightly less than 331,000.

I also pointed out that in addition to these fighting men, we maintain a sizable contingent of dependents and supporting personnel. For instance, as of September 30 of last year, there were almost 288,000 dependents of U.S. servicemen in Western Europe, in addition to over 11,000 U.S. civilian employees working for the Pentagon.

The idea behind these figures is simply this. The economies of the Western Europe nations—our so-called allies—have benefited tremendously from the presence of these American troops on their shores. These benefits have been realized in two ways. First, our troops have provided protection against possible Russian aggression, and because of this protection, our allies have been able to throw the resources at their command into the building up of their own economies. They have not been required to devote large-scale national efforts to develop and maintain military establishments as we have done. Because they have been so successful in developing their peacetime economies, with the assistance of both our massive foreign aid program and our military presence, they are today giving our American industry and businesses real competition in the marketplaces of the world.

In the second place, and equally important to my way of thinking, the great amount of money we have been required to send abroad to support and maintain these troops, dependents, and civilian employees, has been spent for the direct economic benefit of the host nations. It has also been to the direct economic benefit of our own Nation. As an illustration of this fact, I have recently obtained figures indicating what it costs our Government to maintain these hundreds of thousands of troops, the supporting civilians, and their dependents. That figure amounts to approximately 2.4 billion annually. To be specific, in the last fiscal year—fiscal year 1965—the total expenditure amounted to $2,390 million. That figure includes only Western Europe, and does not include the maintenance and upkeep of the sizable garrisons we maintain in Greece and Turkey; it does not include the cost of supplying and maintaining the 6th Fleet, which is constantly on patrol in the Mediterranean and Atlantic; nor does it include the major procurement costs of the planes, ships, and guns with which our fighting men are equipped.

I have also obtained figures concerning our balance-of-payments deficits for fiscal year 1965. By coincidence, last year's balance-of-payment deficits amounted to $2.3 billion, almost exactly equal to our Western European support cost of $2.4 billion. Not all of our military expenditures contributed to our balance-of-payments problem, because some of the dollars were returned to our shores. But our administrators readily admit that a large portion of our Western European expenditures do show up on the balance sheets to keep our international accounts in the red.

It is estimated that during the first half of fiscal year 1966, that is, from July to December 1965, our deficit in payments amounted to approximately $1.3 billion. I have been assured that stringent policies are being followed by the administration, and that the situation should improve considerably in the coming months. That may or may not be the case, for rosy predictions have been made in this area before, and have turned out to be sadly wanting. That is why I advocate now, as I have in the past, that definite steps be taken to secure Western European assistance in the Vietnam conflict. Commonsense requires it, and our own self-interest demands it. We can no longer afford to police and protect all the world, with no help other than lipservice from those we have been protecting and defending in years past. Our allies must be made to realize that the struggle for freedom is as much their struggle as it is ours. It is only realistic to expect them to bear a fair share of the burden.

[From the report of Feb. 19, 1966]

More Funds for Vietnam

Last week the Senate laid aside the question of repealing 14(b) in this session of the Congress, and has moved on to other matters. The first important legislation to be taken up by the Senate after the Lincoln's Day holiday was the supplemental military authorization bill to carry on our efforts in Vietnam.

This legislation would authorize additional appropriations during the last half of fiscal year 1966 for the procurement of planes and ships, and for research and testing of new devices and techniques to enable our forces to deal more effectively with guerrilla fighters. The bill also contains the sum of $1.2 billion for the construction of bases and facilities in southeast Asia.

I have been closely following the difficulties our forces have been experiencing in receiving the necessary supplies and hardware shipped from the States. A large part of these difficulties has to do with the lack of adequate port facilities for the unloading of ships and the handling of vast amounts of cargo which we are pouring into Vietnam. It is my hope that the sums authorized in the bill, and which will be provided by the Congress in a separate appropriation measure, will do a great deal to solve this vexing problem in the near future. I have on many occasions stated my belief that our boys who are fighting and dying in the jungles and rice paddies of South Vietnam should be supplied with all of the weapons and armaments that are necessary.

I have received reports from time to time that shortages have occurred among several items of clothing and military hardware used by our troops. I have looked into the matter through the Department of Defense, and have been assured that where such shortages do exist, they are being filled as rapidly as possible. Plant production of some items, such as special jungle boots and clothing, for example, have not yet reached what our authorities consider an adequate level to supply the need.

It is my hope and expectation that this current legislation will make it possible to fill any shortages of any items which might be needed by our fighting men. As you may know, the Subcommittee on Military Preparedness, headed by Senator STENNIS, of Mississippi, is looking into this problem, with the view of seeing to it that any deficiencies that come to light may be immediately corrected.

In connection with the military construction authorization, I was very disappointed several weeks ago when it was announced that several items authorized and funded by the Congress for military construction in this country would be indefinitely delayed because of mounting Vietnam expenditures. Several projects scheduled for construction in Louisiana were placed in this category.

I am glad to note that the supplemental military authorization bill contains the sum of $6 million for the rehabilitation and construction of barracks at Fort Polk. In addition, the regular military construction bill for the next fiscal year contains $861,000 for the construction of living quarters at Fort Polk, plus $700,000 for the construction of troop housing and other facilities at Barksdale Air Force Base in Bossier Parish.

You may recall that when the President first sent this special spending request to the Congress earlier in the year, the total amount asked for was $12.8 billion. The bill taken up by the Senate last week dealt with only $12.3 billion of that original request. The other portion—$415 million—is in the category of economic assistance, and must be acted upon by the Foreign Relations Committee of the Senate before the funds can be appropriated.

Of the $415 million total requested for supplemental economic assistance, $275 million has been programed for Vietnam; $175 million is to be used to finance the import of various agricultural and industrial commodities into South Vietnam. The other $100 million will go to finance the special counterinsurgency and rural construction program that is being developed.

One of the most interesting items in this special appropriation request is the sum of $21 million for the importation of rice into Vietnam. It appears that under the onslaught of war, the production of rice has been greatly curtailed, and where the Vietnamese at one time were able to export this commodity, it now must be brought into their country.

It is for this reason that President Johnson recently announced that he had instructed Secretary of Agriculture Orville Freeman to increase our rice acreage allotment by 10 percent this year. More and more of this staple commodity will no doubt be required in the weeks and months ahead. As I recently pointed out, it was not long ago that we were forced to purchase 150,000 tons of rice from Thailand for shipment to South Vietnam. As long as the requirement must continue to be met, and financed by the U.S. Treasury, I would prefer that the expenditures be made on our home soil, for the benefit of our American farmers.

[From the report of Feb. 26, 1966]

RIGHT TO DISSENT—VIETNAM

Today, the Nation is doing battle in a far corner of the world. While some of us may not agree entirely with that battle or its aims, it is nevertheless important that we present a united front to the enemy. A noisy minority speaking against our position cannot help doing more harm than good, it seems to me. They cannot help but give comfort to the enemy. Legitimate dissent must be tolerated if we are to maintain our free society, but in many cases the bounds have been overstepped.

As you no doubt know, much debate over our Vietnam policy is now taking place in the halls of Congress and its committees. My fear is that many Senators fail to understand that we are already in action in South Vietnam. It is no longer a question of getting into the fight—we are already in it. In other words, we are committed and must now back up our commitment.

I have no doubt in my own mind that many of the statements now issuing from Congress or from congressional committees will do no good to our cause in the fighting. I feel that some Congressmen and Senators—although certainly they are not doing it wilfully—are giving a lot of relief and a lot of propaganda material to Hanoi. In my opinion, this may result in postponing the end of the action—whether by military victory, a cease fire, or negotiation. In other words, as long as the pot of American public opinion is kept stirred up and boiling, the leaders of Hanoi and Red China can continue in their hopes that the escape valve will be opened in time to let the Vietcong win the war. I believe that too much dissension and difference of opinion, especially on the part of those not directly responsible for making and enforcing the decisions, can be very misleading to the enemy. The result will be longer war, and the killing and wounding of more of our soldiers. I for one do not want to see that.

TEACHER SPEAKS OUT AGAINST SLASH IN SCHOOL MILK PROGRAM

Mr. PROXMIRE. Mr. President, I have received dozens of letters from school administrators, teachers, parents, and children opposing the administration's plans to cut the special milk program for schoolchildren by 80 percent. As time passes I become more and more convinced that this cut simply cannot be justified.

Here is what one Wisconsin schoolteacher says about the cut:

> I am teaching in my 29th year and I feel that one of the finest things the Government has ever done for our boys and girls is the milk program. It makes me sick to read that this is to be dropped. In the same paper you can read of large amounts being spent for recreation programs for our rich to enjoy. It doesn't seem fair to me to deny our children milk which they need and enjoy and then spend it for recreation.

Mr. President, as one who has long fought against pork barrel public works projects which often are justified on the grounds that they will enhance recreation benefits, I say amen to this statement. We must allocate our resources efficiently if the taxpayer is to get the most out of his tax dollar. I know of no program of greater proven worth than the school milk program. Every penny spent means greater health for our Nation's children. We cannot forget this greatest of our natural resources.

This Wisconsin teacher goes on to give a concrete example of what the school milk program means to her pupils. She says:

> My little 6- to 8-year olds must eat before 7:30 to meet the bus. Dinner is served at 11:30 and the last ones aren't home until 4:45. The milk break at 2 p.m. is exactly what they need. It is economical so everyone has it, except three Amish pupils. It is not only for low-income families whose children do not have the milk these little bodies need * * *. It is not only low-income families who have parents that do not buy milk for their children so I feel that all children need the milk.

Mr. President, I would like to conclude my remarks by quoting one last sentence from this excellent letter. I think it speaks for itself:

> The breakfast program (proposed by President Johnson) may be fine but it can never do so much good to so many children for so little money.

PROCEDURES FOR THE REMOVAL, RETIREMENT, AND DISCIPLINING OF UNFIT FEDERAL JUDGES

Mr. HART. Mr. President, it is admitting to no weakness in our Federal court system that we seek to determine the adequacy of the procedures dealing with the removal, retirement, and disciplining of unfit judges.

Rather the junior Senator from Maryland [Mr. TYDINGS], whose subcommittee is conducting hearings in this area, seeks to determine "whether the Federal judiciary has the necessary statutory tools to police its own house fairly and efficiently, and, if not, to explore the possibility of enacting remedial legislation."

Senator TYDINGS displays both courage and energy in opening up this admittedly sensitive subject. All of us are the better for his willingness and leadership.

Fortunately, there have been only rare instances where a man of questioned ability or integrity has presided over a Federal court. But the infrequency of having such a man on the bench does not obviate the need for a solution to deal with the problem when it arises.

As Senator TYDINGS points out in his opening statement at the committee hearings, many influential judges themselves feel that present corrective measures are inadequate and that this inquiry is needed.

We are well aware of the tremendous backlog of cases that confronts our Federal courts today. The delay before many are brought to trial can be as much as 3 years. The division of this workload leaves no room for one judge who is unfit. And, it goes without saying, that in administering justice, there is no place for such a judge.

Certainly, I consider Senator TYDINGS' explanation of the problem and scope of the inquiry as one to which we should direct our attention.

Mr. President, at this point in my remarks, I ask unanimous consent that Senator TYDINGS' February 15 opening statement at the hearings before the Subcommittee on Improvements in Judicial Machinery be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

OPENING STATEMENT OF CHAIRMAN JOSEPH D. TYDINGS AT HEARINGS BEFORE THE SUBCOMMITTEE ON IMPROVEMENTS IN JUDICIAL MACHINERY ON PROCEDURES FOR THE REMOVAL, RETIREMENT, AND DISCIPLINING OF UNFIT FEDERAL JUDGES, FEBRUARY 15, 1966

Today the Subcommittee on Improvements in Judicial Machinery holds its initial session of hearings on the availability of and need for procedures to govern the removal, retirement, and disciplining of unfit Federal judges. An inquiry of this nature has been contemplated for several months and today's session will be only the first step in a lengthy and careful examination.

The purpose of these hearings is to determine whether the Federal judiciary has the necessary statutory tools to police its own house fairly and efficiently, and, if not, to explore the possibility of enacting remedial legislation. These hearings do not indicate any lack of confidence in the Federal bench. Indeed, the subcommittee recognizes that our Federal judiciary, as a whole, is characterized by men of remarkable integrity and ability. We believe that, given the proper tools, the judiciary has the capacity to handle the problems created by the tiny handful of judges who, because of physical or mental disability, senility, alcoholism, laziness, or misfeasance, do immeasurable harm to the efficient administration of justice.

Anyone even casually familiar with the Federal courts knows that their dockets are crowded and becoming more so as the amount of judicial business increases year by year. The situation is already critical. In certain districts the average litigant may wait for more than 3 years after joinder of issue before his case goes to trial. This is not merely a matter of administrative concern, for justice delayed is justice denied. To remedy this state of affairs, we in the Congress are constantly asked to provide more judgeships for various Federal districts and circuits, and we often hear proposals to place further limitations on the jurisdiction of the Federal courts in order to halt the constant increase in caseload.

But these measures cannot be enough. It makes no sense to keep adding more judges, or to deny litigants access to the Federal courts, if the backlog is caused to any degree by inefficient or unfit judges.

The workload in many districts is such that the court is crippled if even a single judge does not carry his share of the burden. I think that everyone agrees that ideally such an unfit judge should be replaced without delay, but only after a careful, impartial evalution of his fitness. Yet one thing that recent events have made clear is that there is at present no fair and effective procedure for dealing with these cases when they arise.

The subcommittee cannot ignore the charade that occurred recently in the western district of Oklahoma. For reasons that have not yet been made clear, the Judicial Council of the 10th Judicial Circuit, composed of able and conscientious appellate judges, reached the conclusion that Chief Judge Stephen S. Chandler of the western district of Oklahoma was "either unwilling or unable" to perform his judicial functions adequately. It therefore ordered that Judge Chandler be assigned no more cases and take no further action in cases pending before him. It based its action on section 332 of the Judicial Code, which gives a judicial council authority to "make all necessary orders for the effective and expeditious administration of the business of the courts within its circuit."

Judge Chandler has challenged this action in a petition to the Supreme Court, and has refused to obey the order with regard to the cases already pending before him. Just last week, more than a month after the order was originally issued, the judicial council agreed to rescind one part of the order and to allow Judge Chandler to dispose of those cases already pending before him.

I do not wish to comment at this time on the legal issues involved in the dispute between Judge Chandler and the judicial council. Nor can I comment on the question of Judge Chandler's actual fitness to continue on the bench, since the facts have not yet been brought out. An examination of the procedures used, however, leads me to believe that, regardless of the outcome of the Chandler case, the judiciary needs better tools to deal with this sort of problem.

The judicial council's abortive action in the Chandler case created havoc in the western district of Oklahoma. Look at what happened: A judge was ordered to cease the performance of his judicial functions, yet he was apparently given no notice that action was about to be taken against him, no charges were specified against him, and he was given no opportunity to present evidence or argument in his defense. The judge refused to relinquish jurisdiction over cases pending before him, although he had been ordered to do so and although the other judges of his district had divided his cases among themselves.

The Chandler case is an unfortunate incident. It is unfortunate in that a judge has apparently behaved in such a way that some of his colleagues are convinced he is no longer fit to serve on the bench. It is unfortunate in that the procedures used—apparently the only ones available to the judicial council—did not allow Judge Chandler to obtain a complete and fair hearing of the charges against him. It is unfortunate in that the judicial council's order and Judge Chandler's intransigence created inexcusable confusion for litigants and attorneys in the western district of Oklahoma. And finally and perhaps most important, it is unfortunate in that the wrangling and recriminations that have occurred have exposed our fine Federal judicial system to disrepute and even ridicule.

The Chandler case has brought to the attention of the Nation a situation that has troubled many observers for a long time. In October, long before the judicial council's action regarding Judge Chandler, I announced that the Subcommittee on Improvements in Judicial Machinery would conduct a study of the problems posed by judicial unfitness. We have done a great deal of research on this subject, and today we hold our first session of hearings.

The purpose of today's hearing is to outline and explore the difficulties that are presently experienced in handling the infrequent instances of unfitness in the Federal judiciary. Historically the only method of actually removing a Federal judge from office, so that he is deprived of his title and his right to salary, has been impeachment. This has created several difficulties, which our witnesses will explore with us in some detail tomorrow and at later sessions. First, constitutionally, impeachment lies only for "treason, bribery, or other high crimes and misdemeanors." It is uncertain whether senility, insanity, physical disability, alcoholism or laziness—all of which are forms of unfitness that require remedial action—are covered by the impeachment process.

The second difficulty lies in the nature of the impeachment machinery. Even in the early years of the Republic the inadequacy of this process was recognized. "Experience has already shown," Jefferson said in 1819, "that the impeachment the Constitution has provided is not even a scarecrow." It is a cumbersome, archaic process which requires one House of Congress, the House of Representatives, to act as a grand jury, and the other House, the Senate, to sit in judgment as a court. The House can perhaps do its share of the work effectively through the Judiciary Committee, but what of the Senate? We all know that the Members of the Senate are hard pressed to fulfill the many demands of the office. If we were required to do nothing but listen to testimony in an impeachment case for several weeks, the legislative calendar would be completely disrupted. Obviously, few Senators would be able to give so much of their time, yet I submit that an impeachment trial before an empty Senate Chamber would be little more than a farce. It would hardly comport with modern standards of justice. No conviction of a criminal defendant would be tolerated if it came after a trial at which most of the jurors were not present to hear the testimony.

Impeachment is perhaps the sole method of removal of Federal judges that may be constitutionally employed by the Congress, for the principle of an independent judiciary, free from interference by the legislative or executive branches, is central to the concept of a government of separated powers. But this is not to say that impeachment is the only constitutionally permissible method of removing a Federal judge from office. It should be borne in mind that a judge is to serve "during good behavior," while impeachment lies only for "high crimes and misdemeanors." It may be that the framers intended to permit other methods of removal not inconsistent with the principle of separation of powers. The scholarship on this question is disappointingly sparse, and I hope that one of the effects of our study will be to stimulate some scholarly reexamination of the arguments for and against the exclusivity of impeachment as a removal procedure.

Aside from impeachment and the disputed method employed by the 10th Circuit Judicial Council in the Chandler case, there is only one other provision which allows remedial action to be taken in the case of an unfit judge. This is a very limited provision which permits the judicial council of a circuit to certify the disability of a judge to the President, in which case the President may appoint an additional judge, in effect to take the disabled judge's place.

Many people—including, let us emphasize, many influential judges themselves—feel that this array of weapons is inadequate to deal with the problem of judicial unfitness, and that is why we are beginning this inquiry today. It is not our intention to conduct an exposé of the Federal judiciary. Such an exposé would undoubtedly find little to expose. We intend, rather, to ascertain whether there are now adequate procedures for dealing with those rare but damaging cases of judicial unfitness that do occur. If, as many of us expect, we find that existing procedures are inadequate, we shall attempt to remedy the situation.

The area of judicial fitness presents many difficult questions of law and policy. I suspect that we shall be at this job for some time.

POOL FORGE'S 250TH ANNIVERSARY

Mr. SCOTT. Mr. President, it is fitting that we take note of the 250th anniversary this year of the founding of Pool Forge—the first iron forge in Pennsylvania. This humble establishment was started in 1716 by Thomas Rutter on the banks of the Manatawny Creek in what is now Douglass Township, Berks County.

Pool Forge was the forerunner of the many Pennsylvania forges which were so vital to early settlers and provided much of the ordnance in our struggle for independence. These early ironmasters with their charcoal burning furnaces contributed a great deal to our Nation's early growth. We owe much to these men of ability and courage who literally started with the ground they walked on and the forest around them. Their primitive methods are long gone, and the focus in metals has moved from iron to steel.

Today Pennsylvania plays a mighty role in all parts of the metals industry. In this same county of Berks, metal products range from basic iron and steel items to highly specialized steel alloys and beryllium alloys for use throughout the Nation. In this time of vastness and complexity, we would be wise to keep the realization that here is one small beginning—one small forge which is not only important as part of our history, but is a vivid reminder of the pioneer spirit we must keep with us. Courage and ability never grow old, and although we work at different tasks today, we have need of the same incentives as that which built Pool Forge.

GARY—A LOGICAL CHOICE FOR A DEMONSTRATION CITY

Mr. BAYH. Mr. President, a massive demonstration cities program which would "offer qualifying cities of all sizes the promise of a new life for their people" was proposed by President Johnson on January 26. In line with this recommendation, I was pleased to join a number of colleagues in cosponsoring the demonstration cities bill, S. 2842, which was introduced by the senior Senator from Illinois [Mr. Douglas].

Both the President's message and the legislation proposed to achieve its goals have aroused widespread interest among urban dwellers, city officers, and the press. Recently the editor of the Gary Post Tribune, Mr. Dale E. Belles, Jr., wrote an editorial in the form of an open letter to the President, Secretary Weaver, Senator Hartke, Representative Madden, and myself, which sets forth the reasons why Gary, Ind., would be a logical community to be chosen as one of the "demonstration cities."

Although Congress has not yet acted on this significant measure, I agree with Mr. Belles that it is not too early to begin giving consideration to the qualifications of prospective cities for this selection. Because Mr. Belles' editorial quite accurately reflects the spirit of cooperation and enthusiasm of civic leaders in Gary, I ask unanimous consent that it be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

As We See It—Why Gary Is a Logical Demonstration City

To President Lyndon B. Johnson; Secretary Robert C. Weaver, Department of Housing and Urban Development; Senator Birch Bayh; Senator Vance Hartke; Representative Ray J. Madden.

Gentlemen: We have read with interest and excitement the President's message of January 26 to the Congress on demonstration cities.

We are convinced that Gary should be one of those demonstration cities.

Here, in part, are the reasons:

A. On the positive side—

1. Gary has shown through the combined governmental and civic launching of programs for new industry, downtown revitalization, and improved educational and recreation facilities that it shares the President's view that "1966 can be the year of rebirth for American cities." It was beginning to demonstrate before the Presidential program was outlined that it meets its requirements of being one of "those cities who help themselves" and where there is "a serious commitment to the project on the part of local * * * authorities."

2. Gary, through its long use of federally assisted housing programs, has, as the President said, "built a platform" from which further experimentation in development can be launched. It is preparing to launch its third urban renewal program, this one the largest undertaken here to date, having learned something of both "the strengths and weaknesses" through past experiences.

3. Gary's City Council during the past year has formally adopted a previously promulgated metropolitan plan, sharing with the President the view that it "should be an instrument for shaping sound urban growth—not a neglected document."

4. Gary's City Council, with urging of civic leadership, adopted last year probably the most liberal open housing ordinance of any city in the Nation, exhibiting its realization of the presidential point that "at the center of the cities' housing problem lies racial discrimination."

B. On the opposite side, not negative exactly, but showing need—

1. Gary is the core of an industrial area where increasing steel and other production insures growth, but has reached the point where help is needed to make sure that "the powerful forces of urban growth" do not "overwhelm efforts to achieve orderly development."

2. Gary is still beset with what the President terms "crowded miles of inadequate dwellings—poorly maintained, and frequently overpriced" in which many of its Negroes still live. While twin attacks, through the housing ordinance and the newest urban renewal program, have been launched, help will be essential.

3. Gary's mass transportation facilities are deteriorated and inadequate. Its major street system, cut up by railroads, is unsuited to carrying the necessary load. Some plans have been drafted, but a coordinated effort, preferably with Federal help, is needed.

4. Gary's parks, once a point of civic pride, and its indoor cultural and recreational facilities have been outgrown or become outmoded. Assistance is needed in pushing through plans already under consideration for meeting these needs both for the present and the anticipated population.

5. Gary's "one industry" image is gradually being altered, but making it one of the major "demonstration cities" could step up the program of intended diversification which could help make it a better city for all its people in the future.

It is anticipated that as the broad outlines of the President's proposals are solidified into legislation, Gary governmental and civic effort will combine to furnish detailed evidence of how Gary meets the specific guidelines he seeks to establish.

Meanwhile, we feel it our duty to make this advance nomination of Gary as one of the demonstration cities hoping it may become one of those "great urban areas" which, as the President says, can become "the masterpieces of our civilization."

Sincerely,

DALE E. BELLES, Jr.,
Editor.

CHEAPER AIR TRAVEL

Mr. JORDAN of North Carolina. Mr. President, for over 30 years, in a succession of increasingly responsible positions in the Federal Government, one of my fellow North Carolinians has distinguished himself by successfully tackling difficult assignments in the public service.

An article by Burt Schorr in the February 28 issue of the Wall Street Journal recognizes the excellent job that Charles S. Murphy is doing as Chairman of the Civil Aeronautics Board. I request unanimous consent that this article be printed in the body of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CHEAPER AIR TRAVEL—CAB CHAIRMAN MURPHY NUDGES CARRIERS TOWARD THAT GOAL

(By Burt Schorr)

WASHINGTON.—It may take some months to measure the success of the Civil Aeronautics Board's policy statement recently aimed at reducing air travel costs.

As the Board hoped, the other domestic trunklines appear to be matching United Air Lines' proposed 25-percent excursion fare discount. But there's always the possibility that these reductions won't achieve the goal of lowering fares without hurting the carriers' ability to finance their big orders for new aircraft. New air travelers may not be lured into otherwise empty seats in numbers sufficient to compensate airlines for the revenues they stand to lose.

Yet even if such an eventuality demands further fare tinkering by the CAB, the excursion plan already makes this point clear: Under its new Chairman, Charles S. Murphy, the CAB has demonstrated an ability to move carriers further along the path to lower fares than they would have ventured on their own.

And in accomplishing this, the Board seems to have ruffled fewer carriers feathers than might have seemed possible only a few months ago.

Moreover, this maintenance of cordial relations between the CAB and the airlines places the Board in a good position to seek more bargain flying for the public when it deals with several important route assignments now pending, including new service between southwestern and northwestern points.

Finally, the energetic attack on the fare problem—a potentially controversial issue as airline profits soar through the second year of the air travel boom—appears to have quashed any congressional criticism that the CAB isn't performing its assigned regulatory function. During an earlier period of carrier prosperity in the 1950's, Capitol Hill censure caused a marked stiffening of CAB fare policies, with unpleasant consequences for airlines.

Board watchers are inclined to credit the CAB's adroit fare maneuvering to the helmsmanship of Chairman Murphy, who took his post last June 1. Undoubtedly Mr. Murphy's effectiveness has been enhanced by Washington's knowledge that he enjoys the esteem of President Johnson. The Chief Executive's personal interest in air fares hasn't been publicized, but in fact he has followed the subject attentively. What Mr. Johnson reportedly was anxious to have—and what Mr. Murphy seems to be delivering—is a CAB fare policy designed to reduce travel costs without crippling the airlines' ability to pay for the $4.3 billion in new aircraft they will put in service between now and 1970.

LONG EXPERIENCE IN GOVERNMENT

With a Government career dating back to 1934, Mr. Murphy is considered wise in the workings of the Federal bureaucracy as it operates under the Democratic Party. For 11 years he was assistant legislative counsel to the Senate. (One job there: Helping draft the Civil Aeronautics Act of 1938 which created the CAB.) From that post, he moved to the White House, advancing in 1950 to a key job as special counsel to President Truman. Immediately prior to his CAB appointment by President Johnson, Mr. Murphy was serving as Under Secretary of Agriculture.

"Murphy knows how to get things done," comments one industry representative who deals frequently with the Board. "His background in writing the Aviation Act, his Senate and White House jobs, and the backing of the President give him prestige the rest of the Board can't ignore."

Mr. Murphy's influence was evident in, for example, the Board's recent 3 to 2 decision endorsing Frontier Airlines' 90-day experimental offer of a general 50-percent discount for standby seats on certain lightly patronized flights. Other carriers, including United and Western Air Lines, had vehemently opposed the innovation, but the Chairman, supported by his two fellow Democrats, Robert T. Murphy and G. Joseph Minetti, agreed with the Denver-based local service airline that "the only way to test the fares is by actual experience." What wasn't made public, however, was how one of the supporting Democrats almost joined Republicans Whitney Gillilland and John G. Adams in voting "no," then reconsidered out of a desire to "cooperate" with the new Chairman.

The Chairman's hand was apparent last July, too, when the Board rejected a 3-percent fare increase proposed by United to offset a bigger baggage allowance. At the time, United, Eastern Air Lines, and several other carriers were still earning well below the CAB standard for a reasonable rate of return on invested capital. Nevertheless, guided by its new Chairman, the Board held that the "favorable earnings" of the carriers provided "an excellent opportunity for reductions in fares, or improvements in service without fare increases."

The Board's fare campaign intensified in the following month with the first in a series of hold-the-line orders suspending proposed new jet fares. Here the Board broke with the long-accepted practice of allowing jet fares to include a surcharge that pegged them about 10-percent higher than propeller fares on the same routes. Hereafter, the Board said, it would allow new jet service at propeller rates only.

The airlines were dismayed at the threatened revenue loss—up to $200 million annually by one reckoning. There was much grumbling, too, that carriers fortunate enough to have already filed fares for most of their shorter-range jet service were barely affected by the surcharge ban. Summing up industry frustrations, United Chairman W. A. Patterson fumed about "a very impetuous conclusion reached very hastily."

It wasn't until this month's policy statement that the CAB finally assured the carriers it would be willing to allow jet surcharges *after all*; United, and any other carriers filing reductions comparable to the 25 percent excursion fare discount, could resume setting jet ticket charges higher than propeller fares.

Actually, CAB insiders maintain, the Board had this in mind all along. "The surcharge issue merely happened to be the first fare question to come along," explains one. "By issuing the suspension orders, the Board had time to think over the fare issue and also force carriers to come up with counterproposals."

CONVINCING THE CARRIERS

It developed, though, that counterproposals were slow in coming. So, in a series of speeches and private discussions with airline executives, Mr. Murphy sought to convince the carriers that the Board wasn't out to wreck them. This kept lines open between Government and industry despite rising tensions in Wall Street and airline executive offices over what sort of fare policy the CAB eventually would settle on.

Thus, shortly before the Board's definitive statement, one Washington-based airline vice president was pleased to find Chairman Murphy demonstrating "a very enlightened and progressive attitude. Rather than aiming to reduce airline earnings, he and the Board say carriers should pass along to the public the benefits of improved air technology * * *. When you get down to it, the carriers have the same objectives."

The recent rash of youth-fare discounts, allowing 50 percent off on standby seats, were another sign that airlines were beginning to attune themselves to broad thinking. Then came January's fruitful meeting of representatives of the 11 domestic trunklines to discuss alternatives to the surcharge ban. United first broached its plan at this Washington conference. "Everybody recognized that the Board has a problem with carrier earnings," says one executive of an extremely profitable airline who participated. "And the industry accepted the challenge of dealing with it."

The Board's success so far contrasts markedly with CAB handling of the fare question back in the early 1950's, a period when the airline industry also was enjoying a boom.

Early in 1952, the domestic trunklines sought to add $1 to all one-way domestic ticket charges and eliminate a 5-percent roundtrip discount. The year of the filing proved to be the peak year for postwar traffic; return on overall domestic trunkline investment skyrocketed to 15.3 percent. (Following a later general fare investigation completed in 1960, the Board concluded that 10.5 percent was the proper average rate of return for domestic trunks. Last year, by comparison, the figure probably exceeded 12 percent, after eliminating the effect of the investment tax credit.

The CAB permitted the $1 increase to stand on an "interim" basis, but it refused to allow abandonment of the roundtrip discount and ordered a general fare investigation. In turn, the carriers withdrew their proposal to end the discount and urged the Board to halt the investigation. Finally, in May 1953, despite having spent a year in preliminary work on the investigation, the CAB acceded to the airline request by a 3–2 vote.

PRODDING FROM CONGRESS

It was this leniency that moved the House Judiciary Committee, under Representative EMANUEL CELLER, Democrat, of New York, to include the CAB in an investigation of several regulatory agencies 3 years later. By this time, however, several changes in Board membership (a term is 6 years) had produced a majority considered less friendly to carrier interests. Stung by Celler committee complaints that the Board had "waltzed around" the fare question and was guilty of "scandalous abdication of responsibility," the CAB hastened to atone by ordering the prompt start of a general fare investigation.

In fact, airlines entered a lean period just as the investigation was getting underway; but their clamor for fare increases was resisted until sagging return on investment, which reached a low of 1.5 percent in 1961, confronted the Board with the prospect that airlines might not be able to pay for the flood of new jets they'd ordered some years earlier, and it agreed to a series of fare increases.

Perhaps the expanded use of promotional fares like the ones the Board now is encouraging might have filled many of the empty seats of the early 1960's. This in turn could have reduced the need for higher fares and kept air travel available to the broadest possible segment of the population.

True or not, the concept is one airlines can expect to see tested again in future Board rulings while Mr. Murphy is in charge. At a recent press conference the Chairman said of the airlines, "It seems to me they have to go out and hustle for business." He added the promise that "the Board will help as best it can to try to see that traffic is generated."

Around the end of this year the CAB is expected to decide the Northwest-Southwest case, the last major assignment of routes remaining on the continental United States air map. Competing carriers would do well to show the Board "who is able to do more for the public" in the way of lower fares, one CAB source suggests, and several of the applicants are indeed taking this tack. Similarly, route awards expected next year in the New York-Florida proceedings, as well as those later in the transpacific case involving service to Hawaii, offer further opportunities for reduced air charges.

Chairman Murphy gets high marks from CAB staff members and airline representatives for his patient absorption of complex issues. And those who have witnessed his talent for conciliating diverse views say it is impressive. Both qualities should be in great demand in the coming critical period of domestic airline growth.

THE FULBRIGHT PROGRAM: A HISTORY

Mr. FULBRIGHT. Mr. President, I wish to call attention to a recent book by Walter Johnson and Francis J. Colligan entitled "The Fulbright Program: A History."

Walter Johnson is Preston and Sterling Morton professor of history at the University of Chicago. He has been a member of the Board of Foreign Scholarships since 1947 and has provided continuity and leadership in promoting educational exchange programs. From 1950 to 1953, he served as chairman of the Board of Foreign Scholarships.

Francis J. Colligan is Director of Policy Review and Coordination for the Bureau of Education and Cultural Affairs at the Department of State. Mr. Colligan has also been associated with the exchange program since 1947 and during the years from 1948 until 1957 he was executive secretary of the program.

Both Walter Johnson and Francis Colligan have done a truly remarkable job in describing the postwar development of U.S. exchange programs. They have been able to do this because they have been active participants. At the same time, their participation has not destroyed their critical faculties and the book which they have produced is, I believe, a fair treatment of the successes and the failures of what has become known as the Fulbright program. I am glad to note for the record that the successes have far outnumbered and outweighed the failures. Members of the Senate I know receive many communications from their constituents requesting information about the availability of Fulbright grants and other questions regarding the program. This study by Messrs. Johnson and Colligan will be helpful not only to Members in answering inquiries but to individuals and institutions in the United States that have been involved in the program.

As author of the original legislation in this field, which was in the nature of an amendment to the Surplus Property Act of 1944, I wish to take this occasion to say that the program could never have succeeded had it not been for the hard work and perseverance and support of men like Walter Johnson and Francis Colligan. Throughout 20 years of this program, they have been aided by many other people in the academic and business community too numerous to mention. Any program can fail if it is not properly administered and supported by the American public. This program, I am glad to say, has had this support.

THE PRESIDENT'S WAGE-PRICE GUIDEPOSTS

Mr. HART. Mr. President, for the past several months, considerable discussion has been devoted to the validity of the administration's wage-price guideposts and their effectiveness as a tool of economic policy.

Implicit in this debate is the recognition by those—in favor and opposed to these guidelines—that sound planning is necessary to assure the steady, continued growth of the Nation's economy—without inflation.

The longrun best interest of the country is not served by either rising prices or wages. Both business and labor are well aware of the benefits that have accrued to them as a result of the economy's current, and unprecedented, period of prosperity—benefits in the form of increased profits and nearly full employment.

And, though both business and labor have said—albeit for different reasons—that the present guidelines are unrealistic, clearly each of them recognizes that some guarantee of a stable economy is needed.

In understanding both viewpoints, an article in the February 18 issue of the Commonweal should be considered as part of this discussion on economic policy.

Mr. President I ask unanimous consent that the magazine article to which I refer be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LABOR'S JUST COMPLAINT

The labor unions have begun to complain about the President's wage-price guideposts—and well they might. The best possible evidence for their argument has now been supplied by an unexpected source: General Motors Corp. All General Motors did was tell the world how much money it made in 1965; and labor's case was made.

The wage-price guideposts are based on the theory that wage increases must be tied to the increase in overall national productivity, so that demand does not outstrip supply, causing price rises and inflation. But wage demands are obviously related to corporative profits; and so the guideposts proposed that increase in profits be likewise limited by the rate of increase in national productivity. When profits are rising faster than productivity, the excess should be returned to the public in the form of price cuts, lest workers have grounds for inflationary wage demands.

A few spectacular cases of pressure from the Government have generally convinced the public that the guideposts have been more severely enforced against business than labor. But these few cases involved industries where prices were being raised. Totally ignored has been the obligation of industries with rising profits to cut prices. The results? Throughout 1965, labor unions were urged to limit their demands to a 3.2-percent increase in wages (in keeping with the 3.2 percent annual increase in national productivity). And, in fact, labor gains did stay between 3 and 4 percent. But meanwhile corporations enjoyed a 20-percent increase in profits.

Now General Motors, the Nation's largest company, reveals it has done even better. Its profits after taxes in 1965 jumped by 23 percent. In 1964, screams of anguish went up when the United Auto Workers obtained a contract from General Motors which went only slightly beyond the wage-price guideposts. Who's complaining now?

The wage-price guideposts have merits. Their existence is an admission of the need for national economic planning. But the guideposts have serious drawbacks. First, it is not excessive profits but the visibility of these profits which the guideposts fear will lead to inflationary wage demands. And since the accumulation of profits or the failure to cut prices can never be as visible as wage demands made during controversial contract negotiations, the burden of public pressure is always on labor.

Second, the wage-price guideposts are presented as though they derive from "natural" and impartial economic criteria, when in fact they mask very important political judgments about the kind of society America will be. Implicit in the guideposts is the assumption that the proportions of America's wealth enjoyed by various sectors of the population should remain constant. Since the share of the gross national product which goes to the wealthiest 20 percent of Americans is about 10 times that going to the poorest 20 percent, we cannot agree that this assumption is in accord with justice.

The wage-price guideposts could be a step to a more rational, democratic system of economic planning, in which social as well as economic criteria played a part. But if they are merely to become guarantees for General Motors' prosperity, then labor's revolt is fully justified.

THE ROLE OF THE VIETCONG

Mr. JAVITS. Mr. President, 2 weeks ago, I urged the President to openly acknowledge a central fact in the Vietnam struggle, the political-military fact that the Vietcong should be accorded an independent status at the future peace conference. I also argued that it would be detrimental to our own purposes and to the stability and morale of the South Vietnamese if any further concessions were made to the Vietcong at this time. Specifically, I argued against giving the Vietcong a role in a coalition government before negotiations and before free elections, but only as a result of negotiations. Max Lerner, in two articles, supports my position on this issue, and also agrees with my view that the United States must announce that it will accept the results of a genuinely free election in Vietnam.

I ask unanimous consent to have printed in the Record Mr. Lerner's articles of February 21 and 23 which appeared in the New York Post.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the New York Post, Feb. 21, 1966]

Vietcong Role

(By Max Lerner)

With the ending of the televised Fulbright hearings, the great debate on the Vietnam war has reached the end of its first phase in a dead heat.

The Fulbright forces succeeded in showing that the war has moved by a succession of unanalyzed steps to unintended consequences. There can be little doubt that the casualty lists hurt, that the war is unpopular and is likely to get more so and that the problem is not how America shall win but how America shall extricate itself without scuttling its Vietnamese allies and abdicating its national interests.

The proadministration forces in turn have shown that no one knows how this can be done, least of all the Fulbright witnesses and the commentators like Lippmann on whose analysis they lean. When Gen. Maxwell Taylor and Dean Rusk got their innings, they may not have triumphed, but they didn't come off second best. Rusk made the legal case he was expected to make. But he was best on the psychological and political factors, as in his discussion of the historic Oxford Pledge in its bearing on British unpreparedness in World War II, just as Taylor was best on the role of the French homefront in the French defeat in the Indochina war.

When the Fulbright forces, grasping for a straw in an effort to find an alternative military strategy, plumped for the enclave theory, Taylor had little difficulty in showing how frail a reed it was. It is hard to advocate an outright military withdrawal from Vietnam. But it doesn't solve anything to propose a policy that will abandon the Vietnam forces and villages to the Vietcong and strip the American soldier of both his mobility and his morale. The whole enclave theory is an attempt to dress up a military withdrawal in the guise of something less inglorious.

That is the point at which Senator Robert Kennedy came in with his proposal to give the Vietcong a share in whatever government is set up in South Vietnam after peace negotiations. That is further than Fulbright has gone, with his proposal that we recognize and deal directly with the Vietcong.

The trouble with the Kennedy proposal is that it fails to distinguish between the Vietcong role at the negotiating table and the Vietcong role in the postwar Government of Vietnam. To recognize that the Vietcong must have a role at the negotiating table is crucial. To give them a role in the Government of Vietnam would be fatal.

The current administration's refusal to deal with the Vietcong is obviously an effort to shore up the position of the Ky regime in Saigon. But Ky, whose rigid refusal to sit at any negotiating table with the Vietcong is clearly for homefront consumption, has said he is a realist and is learning to be a politician. A realist learns to accept the inevitable. The inevitable is that the Vietcong, as a major combatant, must be at the negotiating table. They insist on doing so as the only legitimate government of South Vietnam, which is impossible for us. America insists on their coming to the table, if at all, as an instrument of Hanoi—which is impossible for them. Why not have them there in a third role, as representing neither Hanoi nor Saigon but only the actual territory they occupy and in fact administer?

Neither Hanoi nor Peiping will agree to this straight off. Both are convinced the antiwar forces in America will give them the political victory they want even though the Vietcong are suffering considerable punishment and can have no hope for military victory. But if Johnson and Rusk are willing to have the Vietcong at the negotiating table as a third party, to represent the territory they actually hold, then Washington can offer Moscow a solution the Russians in the end can back up without sacrificing their role as Hanoi's champions.

But there is no reason to sign away South Vietnam now by offering to include the Vietcong in the postwar government. The nature of the peace arrangements is something for the negotiating conference to decide. Any coalition formula which will include the Vietcong is bound to result in a Communist government that has excluded or liquidated its non-Communist partners. The experience of Poland and Czechoslovakia after the Yalta agreements is witness to what happens.

One cannot exclude the possibility that the people of South Vietnam will want some day to vote in a Communist regime. But it ought not to be imposed on them by a peace treaty. In fairness to them, there should be a moratorium of perhaps 2 years, during which the economy and society of South Vietnam will have a chance to rebuild themselves with aid from American and other sources. A postwar government should have a chance to strengthen the political fiber of the nation and show the people what can be accomplished in peacetime.

At the end of that period, the Vietnamese should have a chance to ratify or reject what such a regime has done and become. If at that time it chooses a coalition popular front or a straight Communist government, that will be its own concern. Neither Hanoi nor the Vietcong are today confident they would get the suffrage of the people. If they were confident, they would welcome the chance to come to the negotiating table and agree to such a solution.

[From the New York Post, Feb. 23, 1966]

The Kennedy Tangle

(By Max Lerner)

The disarray surrounding Senator Kennedy's proposal on the Vietcong peace role was partly due to the clumsiness of trying to stage a debate through press conferences and TV shows on one side and press secretaries on the other; this is where the British system of straight parliamentary confrontation between the Government and its opponents would have served the Nation better. But partly also it was due to the fact that few public figures (and Senator Kennedy is no exception) have had a chance to think their way through the touchy problems of a peace conference and what would follow it. Compared with this the Vietnam jungle is a grove.

Too much of the general Vietnam debate thus far has been on the strategy and politics of the war, not enough on what happens when the shooting stops. Senator Kennedy had a hectic couple of days, backing and filling, in getting his position clear, and so did Maxwell Taylor; as for Hubert Humphrey, his troubles may still lie ahead. A confused time was had by all, but out of it may come some unraveling of the tangle.

I am not talking of the advertised agreement between Kennedy and the White House, subscribed to by both sides. On the crucial issues I doubt that there is any real agreement.

Examining the peacemaking process phase by phase, the first concerns the way in which the Vietcong will be represented at the conference. Here Kennedy does well to hold his ground. I agree with him that the Vietcong, simply because of the area they control, must be at the conference as "an independent entity."

The next phase has to do with the Vietcong role in a coalition government. KENNEDY originally talked as if the "share of power and responsibility" for the Vietcong was something for America to back, and something to emerge—however gradually—from the conference. He now talks more warily on both scores. He doesn't expect a coalition government to be shaped "automatically," but wants the administration not to shut the door on it. Certainly this door, like any other door, should not be shut. But it still leaves the question of whether the Americans are to put their influence behind it. To say that America should accept a solution agreed upon by the conference is to omit the patent fact that the South Vietnam governmental delegation will oppose a coalition agreement bitterly. To get the agreement KENNEDY envisages will mean American pressure.

Then there is the problem of elections. KENNEDY now seems to talk of a coalition government as including only "what they (the Vietcong) win in free elections." He also talks of a "permanent coalition" as a possibility, presumably without such elections. Such a "permanent coalition" would quickly eliminate the chances that free elections would ever be held. To prevent this, KENNEDY speaks of an international control authority to watch out for Communist attempts at seizing the government. But this would end with no effective government at all, from which only a totalitarian group could benefit, whether Communist or military.

We need to clear up the question of when the elections ought to come if they are best to serve the interests of a stable and democratic Vietnam. KENNEDY speaks of free elections to settle the "immediate composition" of the government. That is too soon, as anyone must know who understands the political immaturity of the southeast Asia area and the chaos that war has wrought. They should come after a waiting period to give a government, whether of one party or a coalition, a chance for stability. And lest the government-in-power rig the elections, this is where an international control commission should function: in making sure the elections are honest, and the votes honestly counted.

I am glad KENNEDY opened the floodgate on these themes. But the Kennedy name is so important in world opinion that he would have done better to wait until he was clearly ready.

SCHOOL MILK AND LUNCH PROGRAMS SHOULD NOT BE CUT

Mr. NELSON. Mr. President, I have received a large number of telegrams, calls and letters urging me to do everything possible to restore the proposed cuts in appropriations for the special school milk and school lunch programs.

There are many places where the budget can, and should, be cut this session but these are not among them. Both of these programs have had widespread support over the years, both in Wisconsin and across the country. They have been built up over many years through cooperative arrangements with the States.

These programs are important to the dairy industry and they are important to the health of our schoolchildren.

I have received a large number of letters from school administrators, schoolchildren, dairy farmers, cooperatives and others. I ask unanimous consent that a representative sample be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

AMERICAN SCHOOL FOOD
SERVICE ASSOCIATION,
Madison, Wis., February 18, 1966.
Hon. GAYLORD NELSON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR NELSON: I wish to thank you again for the generous time you gave to me and Mr. Langkop when we visited with you recently. We are very much concerned over the administration's budget proposals for the school lunch and special milk programs for 1966–67 and were very grateful for an opportunity to visit with you concerning the matter.

I am sending to you herewith a copy of a bulletin which I have requested the American School Food Service Association to issue to State directors of school lunch programs, State presidents of school food service associations, and State legislative chairmen concerning the administration's budget proposals for the school lunch and special milk programs for 1966–67. I want to keep you as fully informed as I possibly can, since I am sure you will be receiving inquiries and letters from many people in Wisconsin, and it may also be helpful to you to get our side of the picture when the budget comes up for consideration in hearings and on the Senate floor.

I believe the material I am sending to you is quite self-explanatory, but I should like to add some further explanation as to what the program might look like in Wisconsin if the President's budget proposals were to become effective.

There are now only 6 school districts of grades kindergarten through 12 or 9 through 12 which do not have the school lunch program in Wisconsin. There are, of course, a number of small rural districts operating one-room or two-room schools which do not have a lunch program since building facilities would not permit. Thus you can see that the program has been quite universally accepted and incorporated into the daily school activities in nearly all of the schools of the State.

There are 105 school districts involving 151 schools with an average daily attendance of 24,009 pupils which have a milk program only. In September these schools served 345,008 half pints of milk; in October, 452,541, and in November 379,654. The reimbursement from Federal funds in November, for example, was $10,187.

There are 467 school districts involving 2,511 schools which have both the school lunch and special milk programs. The average daily attendance in these schools is 644,488 pupils. In September these schools served 7,660,488 half pints of milk; in October, 8,830,621; and in November, 7,494,993. The reimbursement from Federal funds in November amounted to $276,395. In these schools the children also had the benefit of a balanced noon meal which included a half pint of milk. The figures given you above are concerned only with the extra milk which was consumed in these schools during recess, milk breaks, or additional milk with the noon lunch. In September these schools served 6,011,450 lunches with milk; in October, 6,161,321; and in November, 5,310,818. Therefore, in November, for example, there were 12,805,811 half pints of milk consumed in these schools in addition to other dairy products which were served as a part of the meal.

The point I am trying to make is that the special milk program would virtually be dead if it were limited to schools which do not have a lunch service.

Although the chart shows a net reduction of $19 million in the budget for the school lunch program (approximately 10 percent of this year's appropriation) the situation is actually worse than it appears. Section 11 funds are used in granting high reimbursement rates to schools in especially needy areas. The funds appropriated for this section are apportioned among the States primarily on the basis of need for serving lunches free of charge to children who cannot afford to pay. From a national standpoint the $6.5 million budget is but a token of what would be required if the need were to be met. The city of Chicago alone would require the total appropriation. Consequently, the funds appropriated for the current year ($2 million) were apportioned among the States to start experimental programs to determine what effect a high reimbursement rate and a reduced price to children might have on participation, number of free lunches required, etc. Wisconsin got $11,700. We were able to start four small projects beginning in February—one in Westboro; one in Pine Lake, near Rhinelander; one at Neopit and one in Keshena. Thus you can see that the $4.5 million increase in the budget for such purposes will have but little bearing on the program as a whole.

Appropriated funds available for reimbursement and section 6 commodities for the current year total $152,915,000 (not including the $45 million transfer from section 32 funds for this purpose). Appropriated funds for identical purposes next year would be $129,415,000. Thus there is actually a reduction of funds for the regular program of 15.4 percent and not 10 percent as it would appear on the surface.

Along with the 15.4 percent reduction in funds, it is quite evident that surplus commodities will not be available in the kinds and quantities we have had in the past. Several valuable items have disappeared from the surplus list. We have received only 202,173 pounds of cheese for schools this year. Last year we used 821,770 pounds. There are virtually no Government purchases being made for price support purposes. Butter has reached the same position. Section 709 of the Agricultural Act of 1965 authorizes the Secretary of Agriculture to go out on the market and buy butter, cheese, and powdered milk in any quantity needed to fulfill requirements of the program regardless of price or surplus situation, but he has not done so until February 10 when he announced he would buy a limited quantity of butter to meet the needs of the school lunch program. He made no offer to buy cheese, however.

If the administration's proposals prevail it will mean an increase of perhaps 5 cents per lunch in charges to children. Children attending schools where there is a lunch program would be required to pay the full cost of the milk, unless the district were to subsidize it somehow. There would be no milk reimbursement for such schools, excepting for the milk served to needy children who would be unable to pay. This would be an inconsequential amount, I'm sure.

Schools which have a lunch program are now being reimbursed at the rate of 4 cents per half pint of extra milk served, and the schools which do not have a lunch service are paid 3 cents per half pint. All schools are paid a uniform rate of 4 cents per lunch with milk. No reimbursement is paid for lunches served without milk.

This letter has grown somewhat lengthy and I apologize for it. Anything you can do in behalf of adequately funding both programs in the coming fiscal year will be very much appreciated.

Sincerely,
GORDON W. GUNDERSON,
Chairman, Legislative Committee, ASFSA.

MILK INDUSTRY FOUNDATION,
Washington, D.C., February 11, 1966.
Senator GAYLORD NELSON,
Senate Office Building,
Washington, D.C.

DEAR SENATOR NELSON: We solicit your support for continuance of the special milk program which in fiscal year 1965 was used by 92,005 schools and child care institutions where 2,966,800,000 half pints of milk were consumed. By comparison, 70,132 schools participated in the national school lunch program and used 2,876,150,103 half pints of milk in fiscal 1965.

This usage of milk aggregated nearly 3 billion pounds. Had this milk not been so used, there can be little doubt that it would have been acquired by the Commodity Credit Corporation in the form of nonfat dry milk, butter, and cheese since approximately 5.7 billion pounds on a milk equivalent basis was actually acquired. The direct cost at the present support price would have been $103 million, the exact amount Congress appropriated for the special milk program for fiscal 1966. In addition, there would have been the cost of acquiring, handling, packaging, and transporting the products which would have been made from the 3 billion pounds of milk used in the school lunch and school milk programs.

While commercial consumption has shown a gain during the past year and some further gain is expected this year, it now appears that an estimated 3 to 4 billion pounds of milk in the form of nonfat dry milk, butter, and cheese will be acquired under the price support program in 1966.

In the light of these circumstances it makes extremely good sense to continue the special milk program. Nearly 22,000 more schools and child care institutions use this program than use the school lunch program. More children are benefited by having a nutritious energy-giving food in the form of milk.

At a time when our Government is spending millions of dollars to rehabilitate school dropouts, is enlarging the food stamp program and carrying on a war against poverty, it is inconsistent to curtail a program that adds to the health, energy, and vitality of children who are in school and thereby helps them to stay in school. This is especially true with respect to the 22,000 schools and institutions which, because of lack of facilities, funds or for other reasons do not have a school lunch program.

We of the Milk Industry Foundation, a trade association of milk processors having members doing business in every State of the Nation, including, of course, your State, respectfully request your help in maintaining the Special Milk Program at a level where all schools and child institutions wishing to participate may do so.

Sincerely,
ROBERT H. NORTH,
Executive Director.

NEW RICHMOND PUBLIC SCHOOLS,
New Richmond, Wis., February 18, 1966.
Hon. GAYLORD NELSON,
Senate Office Building,
Washington, D.C.

DEAR SENATOR NELSON: The proposal in the Federal budget and in the Congress to cut back in the the appropriation for the special milk program in schools and to assign the administration of the fund to the Department of Health, Education, and Welfare instead of the Department of Agriculture has come to my attention. My personal feeling about this proposal, and its tie-in effect with other programs, are expressed as that of a parent, a taxpayer, and a school administrator.

1. Since the milk purchased by the reduced appropriation is to be distributed to needy children, there is an obvious tie-in with programing under the Education Act of 1965.

2. School lunch and special milk programs have stood for years as evidence that a federally aided program can do an effective job with a minimum of Government interference.

3. The Education Act of 1965 is becoming a monument of regulation, detail, restriction and administrative putter work. What was promoted as a first time opportunity for education innovation on a national scale has become restrictive to a point that programing is going to evolve into a number of neatly wrapped educational packages. Innovation, as I understand the implication of the term, will not happen.

4. Any remote tie-in of the milk or lunch program to the restrictiveness of Public Law 89–10 will tend to render that program ineffectual.

5. To spend billions in an emotion-packed great-experiment program and at the same time cut back in a program that has proved itself nutritionally, educationally, and economically sound for years, would be difficult to defend, I'm sure.

Your serious effort to restore the funding for the milk program to its original strength, and retain the administration of the program to the Department of Agriculture, will, I'm sure, receive the enthusiastic support and endorsement of your constituents.

Sincerely yours,
SHERMAN R. GROVES,
Superintendent.

MILK PRODUCERS COOPERATIVE, INC.,
KENOSHA, WIS., *February 16, 1966.*
Senator GAYLORD NELSON,
Senate Office Building, Room 404,
Washington, D.C.

DEAR SENATOR NELSON: The Wisconsin Council of Agricultural Cooperatives strongly protests the proposed unprecedented 1967 budget cut of $82 million for the special milk program for schoolchildren. We urge that the special milk program budgets be restored to $103 million, the current appropriation; preferably funds for this program should be authorized at $115 million.

The proposed reduction of $19 million in the school lunch program should also be restored by Congress.

A reduction of the size proposed is tantamount to complete elimination of the special milk program. Complete elimination would divert about 1.5 billion pounds of milk now consumed as fluid milk into manufactured dairy products.

USDA reports indicate the price for milk eligible for fluid consumption was $4.63 per hundredweight in 1965, compared to $3.33 for milk used for manufacturing. The difference in the two prices is $1.30 per hundredweight. The 1.5 billion pounds of milk times $1.30 per hundredweight would mean a loss of $19.5 million in dairy farmers' purchasing power.

The special milk program is one of our mose effective vehicles for insuring good eating habits and at the same time improving diets of all children. Certainly this important aspect of the program should not be based on ability to pay.

Does the administration realize how much milk consumption in schools will decline if the cost per half pint is increased? A study in Chicago schools revealed that an increase of 1 cent per half pint on white milk and chocolate milk reduced consumption by 40 percent. This fact alone should give cause for serious reconsideration of the proposed action.

We urgently request that you do your utmost to combat efforts to reduce the special milk program appropriations. The program, as we know it, has the support of not only dairy farmers but the general public as well. Our younger generation would be dealt a disservice by the U.S. Congress if appropriations for this program are dropped below the current level.

Sincerely yours,
MILK PRODUCERS CO-OP, INC.,
E. MACHT, *Sales Manager.*

AUTO SAFETY

Mr. KENNEDY of New York. Mr. President, I ask unanimous consent to have printed in the RECORD a brief on auto safety prepared by the Honorable Heward Grafftey, Member of Parliament of Canada, Mr. C. Alexander Brown, and Mr. Rheal Casavant, also of Canada, for consideration by the Federal Government of Canada.

This brief concerns the rising accident and death toll resulting from auto crashes in Canada. Although we usually think of auto safety in the American context, Canadians also use many cars designed in the United States. It is only natural for Canadians to be concerned with the safety of American automobiles.

I call to the attention of my associates the material prepared by Messrs. Grafftey, Brown, and Casavant. It is pertinent to our problems with auto safety.

There being no objection, the brief was ordered to be printed in the RECORD, as follows:

FULL TEXT OF BRIEF ON TRAFFIC ACCIDENT DEATHS AND INJURIES IN CANADA

INTRODUCTION

Significant new developments in the understanding of the complex casualty of motor vehicle fatalities and injuries have prompted us to set down our knowledge and understanding of this problem, together with three recommendations for remedial action that could be taken at the federal level, for presentation to the Prime Minister of Canada, the Minister of National Health and Welfare, the Minister of Justice, the Minister of Trade and Commerce and Minister of Industry.

This brief has been endorsed by:

C. E. Dionne, Member of Parliament, House of Commons, Ottawa.

Stanley Knowles, Member of Parliament, House of Commons, Ottawa.

Guy Marcoux, Member of Parliament, M.D., House of Commons, Ottawa.

John Matheson, Member of Parliament, House of Commons, Ottawa.

Wilson Southam, television producer, Champlain Towers, Ottawa.

This brief has been prepared and presented by:

Heward Grafftey, Member of Parliament, House of Commons, Ottawa.

C. Alexander Brown, writer, 135 Woodridge Crescent, Ottawa 14, Ontario.

Rheal Casavant, television executive, 195 Fontaine Street, Hull, Quebec.

BRIEF ON AUTOMOBILE SAFETY

In the past 10 years 35,031 people have been killed in automobile accidents in Canada, and 948,850 injured. It is estimated that by the end of 1965, 4,800 more will die and 150,000 will be injured. If the present trend continues between the beginning of 1966 and the end of 1970, 26,000 more Canadians will die on our roads and more than 1 million more will be injured.

Accidents are now one of the leading causes of death and injury in this, as in many other countries. It is estimated that about half of all cars in North America between the time they are first driven and the time they are scrapped become involved in at least one injury-producing accident.

To the present time nearly all efforts to correct this situation have been directed at drivers. In spite of this, the toll of death and injury continues to increase and there is absolutely no evidence to indicate that to continue to expend most of our efforts in educating, cajoling, and penalizing the driver will yield adequate results. The problem of highway death and injury must be attached in other areas. In modern times, the techniques of epidemiology have been successfully "extended from its original restriction to the communicable diseases to a broad application of mass diseases of man; to cancer, diabetes, congenital anomalies and many others. It is not so generally appreciated that injuries, as distinguished from diseases, are equally susceptible to this approach, and that accidents as a health problem of populations conform to the same biological laws as do disease processes and regularly evidence comparable behavior."

Epidemiological approach

Applying the terminology of epidemiology to automobile accidents, the roads are the environment, the driver is the host, and automobiles are the agents. Drivers (the host in our terms) are susceptible to human error. Therefore, there will always be accidents. We should try to protect drivers from the effects of their inevitable errors by building cars (the agents) in such a manner as to offer a large measure of protection against possible injury to occupants. The evidence indicates indisputably that automobile injury and death could be very significantly reduced approximately 60 percent if safety features already tested and known were incorporated into the design of automobiles.

We should not cease trying to improve the environment of this "epidemic," i.e., the highways, nor the performance of host—the driver—but priority should be given to delethalizing the "agent." The driver is the most rigid factor in the complex—road, car, driver—and the one least amenable to change. But we can change highways to some extent, and we could change cars.

Research on injury and fatality

Research done at the Accident and Crash Research Institute of Cornell University has shown that the leading instruments of injury, including fatal injury, were, in order of descending importance:

	Approximate percent
Instrument panel	25
Steering assembly	21
Windshield	15
Door structures	13
Ejection	12
Backrest of front seat	7
Top structures	3
Front corner post	2
Rearview mirror	2

The same study showed that the main causes of death were:

	Approximate percent
Ejection	36
Steering assembly	17
Instrument panel	12
Windshield	12
Door structures	9
Front corner post	6
Top structures	6
Backrest of front seat	1
Rearview mirror	1

Research done by Drs. Donald Huelke and Paul W. Gikas of the University of Michigan Medical School confirms this. Seventy-two percent of all automobile crash fatality results from injury to the head.

Research on automobile safety and design is being carried on at many centers, among them the University of California at Los Angeles, University of Minnesota, Wayne State University, the Liberty Mutual Insurance Co. of Boston, and of course by the car manufacturers themselves. In addition, aircraft manufacturers, many agencies of Government in the United States, and the Armed Forces, have sponsored or conducted massive studies on aircraft design and safety. Many of these studies are directly applicable to automobile design. In spite of this great wealth of material, however, the automobile companies have not given design of safety features priority and have largely ignored recommended modifications that would reduce the increasing toll of dead and injured. The attitude of the auto manufacturers is still that of the Detroit vice president who said: "Ten dollars of chrome will sell more new cars than one hundred dollars of safety features." This is especially ironic in view of the fact that much of the independent research on safety and design is supported by the car manufacturers. This, however, might be just good public relations, for it has long been possible for example, to make steering assemblies which will not impale drivers whose cars collide.

The aircraft industry years ago, after studies of pilot errors, adopted standardized instrument positions and the shape coding of knobs. Still today the same model cars will have their instrument positions changed from one year to the next at the behest of style. The value of shoulder harness has been known for years. The auto companies themselves use them in crash tests. They have yet to be offered to the public as standard equipment.

Disc brakes are demonstrably far safer than the standard drum brakes, yet up to 1965 they have been offered only as optional equipment on some 1965 models, for reasons of sales and prestige.

Criticisms of the auto companies have been mounting steadily in recent months as more and more people become aware of what could be and is not being done by the auto manufacturers to protect them.

In April of 1965 Walter P. Reuther, president of United Auto Workers, sent a letter to the presidents of American Motors Corp., Chrysler Corp. and Ford Motor Co., which stated in part: "As part of our common interest in the welfare of the industry, there goes a joint responsibility to the public that buys, or is affected by, the products manufactured in our plants by our members. Increasingly, that public is becoming concerned about the health and safety effects of automobiles."

To counter this growing criticism, the auto companies have launched a massive public relations campaign. Newspaper and magazine articles inform us of the research they are now doing and have been doing. Recently articles in various magazines have informed us that by 1967 cars will have recessed knobs on dashboards, large rear view outside mirrors, stronger door locks, dual braking systems, and uniform bumper height. But these changes are being made only because the U.S. General Services Administration required that these and some other safety features be incorporated in all cars bought by the Government by 1967. Furthermore, these recommendations, which are, in the view of many doctors and scientists concerned about automobile safety, inadequate and diluted, have been pending for 3 years, and had to be fought for.

In addition, bills dealing with auto safety are pending in 30 American State legislatures. So there is justification in asking whether these changes—which have been forced on the automakers—are not being widely touted to forestall the passage of stringent legislation. For experience shows that the manufacturers, obsessively concerned with sale and styling, will make significant safety changes when forced to do so. The now standard—and inadequate—two front seat lap belts were adopted only after the legislatures of New York and several other States passed laws requiring seat belts. Antismog and combustion fume devices are being installed on all cars only because California passed laws making them compulsory.

People who would otherwise have survived automobile accidents have been killed when toolboxes and spare tires hurtled from their car trunks through the cardboard trunk walls and into the passenger compartment, breaking backs and crushing torsos. Cardboard is still the material used to make the forward trunk walls of cars, sometimes with the addition of two thin metal crossmembers.

The list of correctable and dangerous shortcomings in today's cars is a long one. Nothing—no statements, no acts—emanating from the auto companies encourages anyone to believe that any great improvements will be volunteered by them. For example, they have, in their design of automobiles, completely ignored the concept of "second collisions" derived from research done at many centers, and most notably at the Transportation and Traffic Engineering Center of University of California. When a car collides and comes to an instantaneous stop, the driver and passengers (and also toolboxes and spare tires in the trunk) continue to travel at the speed of the car before collision, and strike the inside of the car and each other with exactly the same force with which, say, a pedestrian standing in the path of the car would be struck by the car moving at its precollision speed.

Eighty-seven percent of traffic accidents and forty-five percent of traffic fatalities occur at speeds less than 40 miles per hour. In many of these accidents the forces that tear seats loose, wreck the passenger compartment and smash occupants against each other and the interior of their cars like eggs in a barrel are of smaller magnitude than the human body could tolerate if properly protected. It is no longer even difficult for automotive engineers to build this protection into cars.

Survival prototype cars

The Liberty Mutual Insurance Co. of Boston with its "Survival Cars" and Pinifarina of Italy with its beautiful prototype safety car body, the Pininfarina "Sigma," have demonstrated that it is possible to design and build cars that promise considerable reduction of the risk of death and injury through ejection, collision with the unpadded or inadequately padded interior of the passenger compartment, intrusion of the inflexible steering wheel shaft into the driver area, and crushing of the passenger compartment.

Recommendations

In view of all the above, plus additional facts as stated hereunder, we urge the Federal Government to:

1. Make provisions to establish, perhaps within the National Research Council, a research and development unit that would develop a prototype safety automobile that would:

(a) Offer the maximum protection against injury to automobile passengers in the event of accidents;

(b) Have the highest possible standard of braking, stability, maneuverability, driver visibility, and such features as would mitigate against the occurrence of accidents.

This prototype safety car would not be merely a modification of existing automobile design, nor would it be built on a commonsense judgment, but would be based on solid research, including research done for aircraft and applicable to automobiles, and research done at various universities in the United States, plus other similar work being carried out in other countries.

2. We further urge that there should be established as either a part of the above research unit, or separate but working closely with it, a committee made up in substantial

part of scientists, engineers and doctors, which would keep abreast of research and advances affecting automobile safety carried on and made by universities, various auto companies and elsewhere. This committee would, from time to time, make recommendations to the Government that, within a specified but reasonable time, all automobiles made in Canada or imported into Canada must have specific devices, systems or features—or their equivalent—complying with the committee's recommendations. This jurisdiction should extend over all components of automobiles, including tires. It is urged that this committee, and the Government in ruling on the recommendations of the committee, limit themselves to minimum performance specifications only, and not write mechanical specifications. For binding specifications other than performance specifications have the effect of limiting advances. Two examples of this are:

(i) When the flashing turn signal was developed as a replacement for the semaphore arm type of turn signal, its adaptation was hampered by the fact that traffic laws in a number of places specified that turn signals should be the semaphore type.

(ii) Changes in headlamp shape that could possibly improve night time visibility are being hindered by laws in many places specifying that automobile headlamps be round.

Federal control

At present the Federal Government does not exercise any control over automobiles having to do with safety. Control over ownership and operation of automobiles is exercised by the Provinces. But there is no reason why the Federal Government could not exercise control by setting specifications for manufacture and importation. There are already agencies of Government protecting Canadians by control of, among other things, food and drugs, shipping, railroads and aircraft manufacture and usage. There is every reason for the same sort of control to be exercised over automobiles.

Today the problem of death and injury caused by automobile accidents is more urgent than other problems currently receiving more attention; probably because it is still widely believed by the public that all that can be done is being done. But this is not the case. Until fairly recently, the problem of accidents, and specifically automobile accidents, had not attracted the attention of serious scientific investigators. The Harvard Medical School research on fatal highway accidents project was the first large-scale study of its kind to attract wide attention.

One of the first things that the Harvard Medical School researchers discovered was that the word "accidental" is not the correct word to apply to many highway collisions, injuries and deaths, for chance is not the dominant factor, and our fatalistic acceptance of injury and death as a necessary price that we must pay for widespread use of automobiles is unjustified—and deadly. This view serves as an automatic barrier to intelligent observation concerning the problem. For a great deal can be done—with cars, with highways, with road signs—but mostly with cars. This has been confirmed and reinforced by research.

3. We further urge that the Federal Government take steps to establish, perhaps as a branch of the Department of National Health and Welfare, or the National Research Council, a National Accident Prevention Center, staffed with scientists from a wide spectrum of disciplines—physicians, psychiatrists, psychologists, toxicologists, engineers, physiologists, etc.—who would:

(i) Carry on extensive and detailed investigations as to causes of accidents;

(ii) Establish an information center;

(iii) Promote and coordinate related research in other places such as hospitals and universities;

(iv) Make recommendations to: (a) industry;

(b) governments at all levels on regulations and laws to prevent and reduce accidents.

Although traffic accidents would be a major area of concern for this National Accident Prevention Research Center, it would not be its only major area of concern.

It is to be expected that any attempts to regulate automobile design and safety will be opposed with all the skill that the great wealth and power of the automobile manufacturers can afford. There is precedence for this history. The Plimsoll Line for ships was opposed, as were airbrakes for locomotives, and safety precautions for miners. When New York State Senator Edward Speno tried to have a bill setting minimum safety specifications for automobile tires adopted by his State's legislature, he reported that the tire companies launched against his bill the strongest lobby he had ever seen mounted in Albany. In Washington, the Federal Trade Commission held hearings in January 1965 on automobile tires. The hearing revealed what Senator GAYLORD NELSON called a "national scandal in tires," including the fact that sizes stamped on tires do not give actual size and were never intended to. Ply label ratings have no understandable meaning. Automobile tires for six-passenger cars have their specifications based on a load of three passengers and no luggage in the trunk. What is significant here is that the testimony of the hearings have, as of this writing, not yet been printed and published so that the public can readily buy copies. Anyone wanting a copy will have to pay $496 for a typewritten transcript.

We urge that in this matter the Government consider not only the arguments that will be raised by the auto companies, but also the views of such experts as Dr. Alfred Moseley who conducted the Harvard University program; Dr. William Haddon of the New York State Department of Health; Mr. David Klein of the U.S. Association for the Aid of Crippled Children; Mr. William I. Stieglitz, chief of design safety and reliability, Republic Aviation Corp.; Col. (Dr.) John P. Stapp of the U.S. Air Force Medical Corps; Dr. James L. Malfetti of Columbia University; Prof. James Ryan of University of Minnesota; Mr. Frank Crandall of Liberty Mutual Insurance Co.; Dr. Paul Gikas of Veterans' Administration Hospital, Ann Arbor, Mich.; Dr. Donald F. Huelke, University of Michigan Medical School; Dr. Fletcher D. Woodward, University of Virginia Medical School; Drs. D. J. Campbell and Robert A. Wolf of Cornell University's Automotive Crash Injury Research Center; Dr. James L. Goddard, U.S. Federal Aviation Agency; Dr. John Lane of the Australian Department of Civil Aviation.

Finally, we urge that at least serious feasibility studies of our proposals be initiated.

Conclusion

Canadians should be assured that when they buy something as expensive, important and potentially dangerous as an automobile, they are getting the greatest measure of protection that science and technology can offer.

During 1952, the worst year of the polio epidemic, the number of people killed by polio was less than 4 percent of those killed by automobile accidents. Yet the efforts made to combat polio exceeded by several hundred times the efforts made to reduce highway deaths. Furthermore, the efforts to reduce highway deaths continued in the same old groove. Surely if the problem was as simple as the safe driving slogans indicate, we would by now be on the way to a solution. But we are actually moving in the opposite direction. The time is long past for the abandonment of useless and dangerous presumptions. In this age, when on an average downtown street in an average North American city on any weekday, an average driver has to make a decision that should result in his—or someone else's—death about once every 50 seconds, and the traditional approaches to this serious problem are obviously inadequate, it is necessary to move in new directions. Slow evolution has no value when its cost is paid daily in pain and death.

RETIREMENT OF SENATOR McNAMARA OF MICHIGAN

Mr. YOUNG of Ohio. Mr. President, today I wish to join my colleagues who have paid tribute to Senator PAT McNAMARA and manifest my deference and devotion to this great Senator of the United States who recently announced his decision to retire from the Senate at the end of this year. I have had the additional personal privilege of serving with him on the Public Works Committee of which he is chairman.

Senator McNAMARA's service throughout the 12 years of public service in the Senate has been and will continue to be an example for all public servants. He is a leader and an initiator of programs having a far-reaching impact on the welfare of our country. PAT McNAMARA's efforts helped to bring about tremendous achievements in the war on poverty, civil rights reform, resources development and conservation and important educational benefits to the young people of our country. These are but a few of the many legislative programs bearing the impact of PAT McNAMARA's untiring efforts.

I only hope, Mr. President, that our colleague will not direct his great abilities and energy away from public service even though he does retire from the Senate. The Senator from Michigan will always be held in the highest esteem and admiration by the citizens of Michigan and Members of Congress, especially by those of us who have had the privilege of knowing him and working with him during his service as a Senator of the United States.

THE PUBLISHER OF PARENTS' MAGAZINE, GEORGE J. HECHT, SUGGESTS THAT THE PRESIDENT APPOINT A TASK FORCE TO DETERMINE THE BEST U.S. POPULATION GROWTH RATE

Mr. GRUENING. Mr. President, a thoughtful contribution to the population dialog was made earlier this year in San Francisco by Mr. George J. Hecht, publisher of the nationally known Parents' Magazine. Mr. Hecht has urged the President to appoint a Presidential task force to determine and then make recommendations as to what rate of population growth is best for the American economy. He also discusses the importance of properly caring for children so that each child can make his maximum contribution to a better society.

I ask unanimous consent to have printed in the RECORD the full text of publisher Hecht's remarks of January 16, 1966, at a symposium held by the University of California School of Medicine, along with a news story appearing in the New York Times on January 17, 1966.

There being no objection, the material was ordered to be printed in the Record, as follows:

Motivation for Smaller Families

(An address by George J. Hecht, publisher of Parents' Magazine, delivered at a symposium held by University of California School of Medicine, San Francisco Medical Center, January 16, 1966)

There has been so much erudite talk at this symposium during the past 3 days that I think I should change the pace momentarily by telling you about a Peanuts comic strip, to which my attention was called recently. May I say parenthetically that its brilliant creator, Charles M. Schulz, was a speaker at a University of California School of Medicine symposium 1 year ago. In this comic strip, two young children are talking. The little girl says to the little boy, "Overpopulation is a real problem and you should worry about it—some day you are going to go to bed and when you get up the next morning, there will be no place to stand." And the little boy answers, "Why should I worry? * * * I'll just go back to bed."

Faced with the immensity of the population problem we might all be tempted to go back to bed. And it is just the immensity of the problem that makes it remote and abstract to too many people.

In the 3 days during which this symposium has been held, the population of the world has increased more than one-half a million and the population of the United States has increased more than 21,000.

More than half the 3⅓ billion people living on our earth are hungry now. And the world's population is increasing more rapidly than the food supply. I have been in India three times and have seen the frightfulness of overpopulation. There is widespread starvation in India this winter. In the coming decade millions of people may die of starvation not only in India, but in China and other underdeveloped countries unless massive population control programs are begun immediately. The population explosion gives the world a choice of famine, abortion, or birth control.

I think I should point out that because of increasing famine, which seems inevitable, in certain underdeveloped countries throughout the world, the United States will undoubtedly be called on increasingly to give or sell them (with payment questionable) more and more of our food, of which some day we may not have a surplus supply.

But today I am not going to talk about the biologic crossroads of the underdeveloped countries of Asia and South and Central America. I believe that I can be more constructive if I confine my remarks to the population problem as it exists in the United States.

We now have approximately 195 million people. Our population increased during the past year by approximately 2½ million. This means that the present rate of population growth is 1.6 percent. In India, the rate is 2.3 percent; in many South American and Central American countries the rate runs from 3 to 4 percent. But there is no country in western Europe where the rate is anywhere near as high as ours. In the United Kingdom the rate is eight-tenths of 1 percent, one-half ours. The same is true in Denmark and Norway. In Sweden and Belgium the rate is down to one-half of 1 percent, less than a third of our rate of increase.

At the present rate, our population will double in approximately 43 years and if this rate continues, we will have 360 million people by the year 2000.

In 1960—the last year for which official statistics are available—2½ children were born per married woman in the United States. For our country to have a stabilized population would take 2.2 children per married woman.

The U.S. Census Bureau has projected a dramatic rise in the annual infant crop when the postwar boom babies grow up and start having babies of their own. The number of children born each year—about 4 million in 1964 and 1965—is expected to be about 6 million by 1975 (about 50 percent more than now) and 6½ million by 1980.

Even though the decline in the U.S. birth rate since 1947 has been given much publicity, I wish to point out that it is a mistake to conclude that the U.S. baby boom is over. The number of women aged 20 to 29—the peak child-bearing years—will nearly double in the next 25 years. Many of these young women will shortly be the matured, postwar-boom babies who will have babies of their own during the next quarter century.

"This group of young women, between the ages of 20 and 29," points out Dr. Robert C. Cook, president of the Population Reference Bureau in Washington, "really holds the key to the economic future of the United States." If this group chooses a three- to four-child family, which was the fashion in the 1950's our Nation is in for a second baby boom of unprecedented magnitude. But if this group chooses a one-, two-, or three-child family then there is a good prospect for a population of 300 million in the United States rather than 400 million by the turn of the century. "Then," said Dr. Cook, "the shock waves hitting the schools and other vital areas of our country will be less devastating."

The question that naturally follows is: How do you motivate these people to have smaller families?

When I was first asked to make this speech the subject that was suggested to me was "Motivation for Population Control." I feel very strongly that hardly any families are going to limit the number of children that they have just because they do not want the population of the United States to grow too fast. That is why I asked that the title of my speech be changed to "Motivation for Smaller Families." Everyone is tempted to think that the increasing population is someone else's problem, not theirs. Before Mr. and Mrs. Jones can be persuaded not to have a third or a fourth child, they must first understand the advantages of a small family and the consequences of having too many children.

What is necessary is to make the problem personal and particular, so that each wife and each husband, and each as yet unmarried young person will be moved to ask herself or himself certain questions. What kind of future lies ahead for their children? How much training will those children need to get satisfactory jobs? How much money will it cost to raise and educate them? Could each member of the family lead a fuller, richer life with two children instead of with four? In short, only when each person begins to think how his family may be affected will the general become particular, and the abstract become concrete.

While there is little danger in the foreseeable future of there not being enough food in this country for an increasing population, there is the greatest kind of danger that there are not going to be enough schools and hospitals and health centers and water and roads and houses and recreation facilities and living space in general for our skyrocketing U.S. population. We are rightfully concerned now about the number of young people who cannot find jobs. To solve this problem we have been trying to give these young people more general and more technical education and training. But soon the available jobs will be filled by those who have received better education and training and there may not be jobs open for many young people, no matter how well they are educated and how well they are trained. Furthermore, automation is decreasing the number of jobs. True, it requires technically trained personnel (a relatively small number of them) to run the computers and the other laborsaving devices, but soon these jobs will be filled with competent people.

One way to convince the people that they'll be better off with a two- or at most three-child family is to present the economic argument. Many parents think that they can bring up three children about as cheaply as they can two. I hope that some organization will soon get out a pamphlet for wide distribution which might have the title "How Much Does Each Child Cost a Family?"

The Institute of Life Insurance recently came up with some rough calculations of what it costs to raise a child. Based on the latest Government statistics, the institute estimated that a family with two children and an average income of about $6,000 would spend around $24,000 to raise each child from infancy to 18 (before college). If a family's income is below this level, costs per child might be lower. However, an 18-year outlay could go as high as $59,000 per child for a 4-member family with an annual income of $15,000 or more.

In a recent study made to find out why couples had small families, the advantages were divided into three categories, suggesting some ideas that should be given wider circulation:

1. Parent gains: More money for the adults to spend. More time, less responsibility. Man can accomplish more. Better for woman's health.

2. Child gains: More money available for each child. Better education for children. Better care for children and more love and appreciation for them.

3. General economic reasons: Living costs are high. Avoids housing problems.

Other thoughts that need to be brought home to young couples, through all the various media of mass communication, should be that a small number of children can be reared more successfully than a large number. Children need individual attention, individual expressions of love, and this kind of care cannot be given in the same degree when there are many children in a family.

Another effective way to reduce the birth rate, in fact, is to encourage later marriages. Fewer children are born to couples who marry in their late twenties or in their early thirties. And certainly teenagers should be discouraged from marrying. Young marriages, which have been so popular in the United States, tend to result in more children. At home and at school youngsters should be educated to a realistic view of what life is like when the honeymoon is over, of what happens to a young man (or to a young woman for that matter), who suddenly finds himself with children to support and who cannot go on to a better job or a satisfying career because his education was cut short and he now has neither the time, money, nor energy to continue. Too often and too late young parents feel trapped and miserable and their unhappiness and frustration is bound to effect their children. Young women as well as young men should be encouraged to build fuller lives for themselves and not have babies simply to justify their existence or fill empty hours.

When large broods are the order of the day, it is the children who will eventually pay the price in terms of crowding and congestion, inferior schooling, and a style of living stripped of much that makes life pleasant and worthwhile.

There is a great need for meaningful arguments, imaginatively presented, demonstrating the richer life that can be led by each member of the family when that family is smaller. And the mass media can help to present these arguments.

To create the desire for smaller families is a particularly important role for women's magazines. I am not suggesting that magazines urge people to use any method of birth control that is prohibited by their religion. However, neither the Catholics nor any other religious group is against planned parenthood as such. Catholics oppose only certain methods of birth control.

There is, however, a twofold problem here. The means by which you communicate with the more or less educated middle class are not the same means you can use with those who are poor, whose parents have been poor, and who live in a dark world of their own which we must try to breach.

It should be noted here that the middle class is responsible for the largest numerical increase in postwar births. The middle class in general reads the glossy magazines. And those magazines often glorify the large family. In a recent issue of a women's magazine, with a circulation of million, the wife of a prominent Government official wrote of the advantages of the large family. A leading woman's magazine a few months ago published an article, which was featured on its front cover, about the joys of bringing up a family with 20 children in it—the combined brood of two previously divorced parents.

Many families like to show their neighbors that they can afford to have four or five children in much the same way that some people buy a Cadillac or some other luxury car as testimony to their affluence.

A book published this year, entitled "Family Design," by Lee Rainwater, reports that approximately half of all couples in the United States think a four-child family is ideal and only a very small percentage think that the ideal is a two-child family. The book further points out that in Europe a two- or three-child family is generally considered desirable by most families.

In short, large families are in vogue in this country. The mass media are often responsible for exploiting this vogue, and, of course, the present general affluence of our society encourages the large family fashion to continue. One magazine did recently publish an article pointing out certain advantages that were enjoyed by an only child, an almost heretical thought in our society. Well, we won't argue the merits or disadvantages of the one-child family. I mention the article to point out that magazines and other media can help state the case for the small family. If they would, they could help people get away from the present-day cliches. Life is not necessarily joyous in a large family, the children do not necessarily benefit from belonging to a small herd, the only child is not necessarily sad and lonely, six children are not better than three.

Other media, too, should be aware of their responsibility to educate the public. During audience participation programs on television and radio, for example, the master of ceremonies often mentions that the woman being interviewed has a large number of children and he encourages a round of applause for this, as though quantity in itself were some kind of virtue.

Family planning isn't just for poor people, it is for everyone. Even when they can afford it, there is the question of an ethical obligation on the part of the well-off to limit their families. All people, rich and poor alike, must consider the nightmare of crowdedness and limited opportunities for work, that will confront their grandchildren.

Family planning is for each person interested in a future where people will not so overcrowd the land as to make impossible the enjoyment of all that gives life value and meaning. There are certain intangibles that are as important to man as material things, for without these intangibles man is diminished, he cannot consider himself truly civilized. The enjoyment of nature, for example, is increasingly endangered; we are already fighting, as you know, to keep certain areas free for recreation. If our population growth continues, the Population Reference Bureau makes this grim prediction: "Outdoor recreation in these United States will have become a nostalgic memory, even perhaps before the babies born today have children of their own."

Communicating with the poor and less educated is as vital a problem as communicating with the middle classes, but it often requires a different approach. Poverty, it has often been pointed out, breeds poverty, apathy breeds apathy, and without the program of help that has lately been initiated, the poor can find no way to a better life. It is irrelevant to discuss the various steps being taken to open the gates of opportunity for those afflicted with poverty. Only one step concerns us here—active education for birth control. President Johnson has called the population problem "second only to the search for peace." We must not only awaken people on the low economic level to the advantages of smaller families, we must supply them with the information and services they need. Literature should be made widely available, literature that is simply and clearly written, setting forth the cogent economic arguments and the practical methods that can be taken, to limit the number of children.

The splendid new effort to abolish poverty in the United States cannot possibly be successful until the least educated elements of our population are informed and motivated to have smaller families.

Our society's minimal efforts to provide birth control information and services to the economic groups who most need it must be stepped up.

Certainly the Office of Economic Opportunity, which is administering the Federal Government's antipoverty program, should materially increase financial assistance to local poverty areas for birth control education and supplies. A goodly percentage of the poor and less educated people of this country do not want an excessive number of children but they do not know how to prevent conception. One of the greatest tragedies on earth in unwanted children. If they are to grow up to become useful members of society, to know some measure of fulfillment, children must be wanted. If a child simply represents another mouth to feed, he is a burden. He misses out not only on attention, but on proper physical nourishment and medical care. When couples freely decide to have children, the whole quality of family life is different. When considerations of health, and well-being for the child and the mother, for the entire family, are paramount, each individual within the family unit leads a better life, and faces a more hopeful future. Family planning services and information must be made widely available so that those who are born into the world can be cared for and cherished as they should be and equipped to lead productive lives when they are adults.

The U.S. Department of Health, Education, and Welfare, should also step up its activities in disseminating birth control information and in furnishing supplies in those communities where the people cannot afford them. It has been found that one of the best opportunities of education is among mothers while they are in the hospital, immediately after their babies are born. At that time many mothers are wondering whether they want more children. The medical personnel in these hospitals are well equipped to supply birth control information but they must be given a definite program to follow.

More research is needed for (1) improved, inexpensive contraceptives even though we now have a number that are safe and generally effective and (2) as to the best methods of communicating with families so that they accept child planning as a part of their family pattern. The Ford Foundation recently made a grant of approximately $15 million to Columbia University to establish a new International Institute for the Study of Human Reproduction, to produce new methods of birth control and to help apply this knowledge toward effective family planning.

It must always be remembered that educational efforts on behalf of family planning should be directed not only to the wife but also to the husband.

Unavailability of information on contraceptive devices play a large part in illegal abortions and maternal deaths. It is reliably estimated that there are about 1⅓ million abortions in the United States each year. That is about one abortion to every three births. This indicates the number of unwanted children that are being conceived. Only about 18,000 of these abortions are performed by qualified surgeons in accordance with medically accepted standards. Statistics are vague in the nightmare world of illegal abortions but the consensus is that nearly 10,000 women die each year in our country as a result of such operations. A starter toward abortion law reform has been formulated by the American Law Institute. Its proposed model code would legalize abortion performed in licensed hospitals if at least two physicians agree there is substantial danger to the mother's physical or mental health, or that the child will be born with a grave physical or mental defect, or when pregnancy is the result of rape or incest. More intensive public education on the use of safe contraceptive methods will undoubtedly decrease unlawful, dangerous abortions.

The urgency of the population crisis was well stated by Richard Gardner at the White House Conference on International Cooperation on November 29: "The rate of population growth is so great * * * that this may be the last generation which has the opportunity to limit population growth on the basis of free choice."

Most Americans are, on the whole, poorly informed and little concerned about our Nation's population problems. They generally think that population problems only relate to the underdeveloped countries.

The problem of population control in the United States is twofold. To inform the least educated and poor families of the country that family limitation is possible and to provide them with the means of controlling conception. Second, and for the great majority of people, it is a question of changing their views as to what constitutes the ideal family. About 85 percent of our population in the reproductive age bracket is acquainted with and use birth control devices. But as long as this 85 percent regards a three- or four-child family as ideal, rather than a one-, two-, or possibly a three-child family, we will not be able to check our dangerous population growth.

Nothing less than a change of social attitude has to take place, a change that would confer approval on the one-, two-, or possibly the three-child family rather than on the family with four or five children.

Of course, there will always be some who insist on more or who have more by mistake, or because they think their religion forbids them to limit their family size.

I maintain that parents who really love children can and should do a better job with two than they can possibly do with more. If they feel they must have more and can afford to raise more, there are always adoptable children who need love and a good home.

Here are a few additional suggestions on motivation for smaller families on which I do not have time to elaborate:

A citizens committee should be formed to encourage smaller families. Such a committee, if it had members all over the country, could do much in stimulating local magazines, community newspapers, radio and television stations, ministers, mothers' club leaders, and others, to encourage families to limit their children to two or three.

The Advertising Council prepares most effective advertisements for magazines, newspapers, radio and television stations on all sorts of public welfare causes. Someday—and I hope it will be soon—it will be preparing advertisements based on the theme that large families are not the American ideal—that our goal should be smaller families who cannot only provide for the material well-being of each child but can also give him the love, care, and education to which he is entitled.

Actually, the Federal Government provides incentive for large families inasmuch as it gives a $600 tax exemption for each child without limit. The time may come when the Federal Government may change this provision in the tax laws and provide such exemption for perhaps only two or three children per family. Local communities and the States, with some help from the Federal Government, also provide some subsidies—without limit—to families with a large number of children, inasmuch as they provide these children with free education. The U.S. Office of Education has estimated that it currently costs $588 per year to provide elementary and secondary school education for each child. Again, it is not inconceivable that a time may come when free education may be given only to a limited number of children in each family, as a means of discouraging large families. Hopefully population control in the United States can be done on a voluntary basis.

The battle against overpopulation also needs the participation of an influential segment of our society—American business. The business community must come to realize that in the long run overpopulation will not benefit our economy. Just a number of years ago, many of the big business associations were promoting the idea that "the baby boom means better business." While more babies may create a demand for more children's clothing and food and certain other products, they will also require vastly increased governmental expenditures which will have to be financed out of increased local, State, and Federal taxes to provide the increased number of schools, health centers, roads, water, etc., that a surging population requires.

But as our population booms forward there will be more people out of work who will have to be supported by welfare payments. Since most of the money spent by the government comes from taxpayers, it is these taxpayers who will really be paying for increased governmental expenditures.

The point of view of most business interests is that yearly increases in population are not only good for business but also absolutely essential to a healthy U.S. economy. And then there is the other, broader point of view, which I have been discussing. I think the majority of forward-looking people want to see the reduction of poverty, want better education for all, are concerned about unemployment, think many of our big cities are already overcrowded, our highways inadequate for our increasing number of cars, and our water resources threatened. We generally consider that the United States has a sufficiently large population already and that our rate of growth cannot proceed unchecked without serious consequences.

The two conflicting points of view need to be reconciled. We study everything else in this country, why not study population?

Therefore, I urge the appointment of a Presidential task force to study the population problems of the United States. This is, I think, the most important thing that I am going to say in this speech. I am not suggesting a Presidential commission because that requires congressional action and an appropriation and it is doubtful whether such enabling legislation can be enacted at the present time. This task force should be composed predominantly of top flight scientists and economists. Certain other qualified officers of the U.S. Census Bureau, the Department of Health, Education, and Welfare, the Commerce and Agriculture Departments, the Office of Economic Opportunity, and perhaps other departments of the Federal Government should also be members of the task force. This task force should try to figure out what is the optimum population of the United States. The task force presumably will conclude that the United States should grow in population at a more moderate pace than it is now growing. It should try to recommend the rate of population growth that is best both for the economy of the United States and for the health, welfare, education, and happiness of the people in it, and at what rate of growth we can increase our number of schools; at what rate of growth we should increase our number of hospitals and our supply of doctors, nurses, social workers, and teachers, and at what rate of growth we can build additional highways, and provide water enough for our citizenry, to keep pace with our increasing population.

The task force should recommend an optimum population timetable. We may not be able to keep this optimum population timetable but we ought to have something at which to aim.

In conclusion, I wish to emphasize again that further reduction of the U.S. birth rate is not solely—perhaps not even predominantly—a problem of the availability and effectiveness of birth control devices. Rather, it centers around motivation drives, the will of a large percentage of people to have small rather than large families. The role of mass communications media can be crucial in motivating people to use the fertility controls that science perfects. Obviously, one can't force families to limit the number of children they will have. They must be persuaded that it is to their advantage.

To check overpopulation in the United States (our greatest danger second only to nuclear war) there is needed, as I have said, not only more medical research for better means of contraception, but also—and equally important—an intensive nationwide program to change existing attitudes as to what is the ideal family size.

The time for decision is 1966. I hope to see in 1966 the appointment of a Presidential task force to study the Nation's problems. I trust that by 1967 this Presidential task force will come up with its report, including an optimum population timetable. And during 1968, I hope a nationwide motivation program will be started, using all media of communication, to educate all strata of our society to the advantages, in fact to the necessity, of having smaller families.

We in the United States have a choice: Intolerable overcrowding in cities and suburbs, higher taxes, too few schools, inadequate housing, insufficient, perhaps polluted water, insurmountable traffic problems, and little unspoiled land left for outdoor recreation. Or we can check our population growth by making small families the American ideal.

I think the choice is clear. But the American people must make the choice, and the time for decision and for definitive action is now.

[From the New York (N.Y.) Times, Jan. 17, 1966]

SYMPOSIUM ASKS U.S. TIMETABLE TO CONTROL POPULATION GROWTH

(By Lawrence E. Davies)

SAN FRANCISCO, January 16.—The appointment of a Presidential panel of outstanding scientists and economists to produce a population timetable was urged here today.

One recommendation by speakers at a 2-day symposium at the University of California Medical Center, it came from George J. Hecht, publisher of Parents magazine. He said the panel should "try to figure out what is the optimum population" of this country.

The task force presumably will conclude that the United States should grow in population at a more moderate pace than it is now growing," he went on. "It should try to recommend what rate of population growth is best both for the economy and for the health, welfare, education, and happiness of the people in it, and at what rate we should increase our number of hospitals and our supply of doctors, nurses, social workers, and teachers, and at what rate of growth we can build additional highways, and provide water enough for our citizenry, to keep pace with our increasing population."

AD CAMPAIGN SOUGHT

Mr. Hecht also urged formation of a citizens committee "to encourage smaller families." Moreover, he said he hoped the Advertising Council would soon be "preparing advertisements based on the theme that large families are not the American ideal."

He contended that family planning "isn't just for poor people, it is for everyone."

"Even when they can afford it there is the question of an ethical obligation on the part of the well-off to limit their families," Mr. Hecht continued. "All people, rich and poor alike, must consider the nightmare of crowdedness and limited opportunities for work and creative leisure that will confront their grandchildren."

Dr. Robert C. North, professor of political science at Stanford University, declared that changes in intimate habits and patterns of living were inescapable because of the booming population.

Compared with what he believes is in prospect he found social security numbers and Zip codes no more than preliminary irritations.

"It is not enough to have a contraceptive pill," he said. "People must be willing to take it—in many cases not merely to prevent the birth of unwanted children, but also to prevent the birth of deeply wanted, even longed-for children. The time may not be far off when some societies, at least, may find themselves forced to tax families for more than a minimal number of offspring."

Criticism was leveled yesterday by symposium participants at the medical profession, the Roman Catholic Church, and politicians for birth control delays around the world. Today, Dr. Russel V. Lee, a Palo Alto physician and State Department consultant, added lawyers to the list of social system laggards.

Associate Justice Stanley Mosk, of the California Supreme Court, the symposium's last scheduled speaker, said he could not plead not guilty to the charge that the law was one of the inhibiting forces, nor would he confess total guilt.

In a paper reviewing legal aspects of contraceptives, abortion, sterilization, and other matters related to population, he said members of the bar were now becoming reconciled to the existence of problems caused by the population explosion.

"We are beginning to tool up for a long campaign of attrition," he said. "Whether contraception, in the form of the pill or other devices, can save mankind from his fecundity must now be answered by fields other than the law.

"Perhaps the first concern must be public opinion. More people than we suspect refer to the population explosion in the terms of Harry S. Truman: 'I don't believe in that hooey.' "

THE HIGH-RISK AUTOMOBILE INSURANCE INDUSTRY

Mr. RIBICOFF. Mr. President, my colleague, the senior Senator from Connecticut [Mr. Dodd], has devoted a great deal of time and energy to an in-depth investigation of the high-risk automobile insurance industry.

Senator Dodd has brought to light a significant number of facts and figures pointing toward many abuses of the present system of regulating the high-risk auto insurance business.

The failure rate among these companies is 8.9 percent, an appalling statistic especially when contrasted to the 1.2 percent rate among businesses and 0.2 percent among banks.

I ask unanimous consent to have printed in the Record three newspaper pieces describing and endorsing Senator Dodd's work in this area: First, an editorial from the Washington Evening Star entitled "Rx for Auto Insurance"; second, an article from the Washington Post entitled "Senate Survey Finds States Lax in Regulating Insurance Firms"; and, third, an editorial from the Journal of Commerce entitled "Threat of New Federal Controls Is Raised—Senator Dodd Urges States To Act Immediately."

There being no objection, the material was ordered to be printed in the Record, as follows:

[From the Washington Star, Feb. 23, 1966]

Rx for Auto Insurance

Let's suppose you're driving home some night and a motorist insured by a high-risk company hits your car. The accident puts you in the hospital, runs up several thousand dollars worth of medical expenses and cuts off your paycheck for 4 months. The court awards you enough to cover at least your expenses. But the insurance company in the meantime goes bankrupt. So you get nothing.

That's the kind of true case history that has filled the files of Senator Dodd, of Connecticut, as his Antitrust Subcommittee continues to collect data on high-risk insurance company bankruptcies. The Senator does not exaggerate when he calls the situation "appalling."

In a floor speech the other day, the lawmaker noted that since 1960 a total of 58 companies doing business in high-risk auto insurance have failed. In going to the wall, those firms have left well over a million persons without insurance. In the past 2 years alone 31 high-risk firms have collapsed.

Senator Dodd did not enter lightly upon this investigation. He represents a State that dominates the insurance industry, and his willingness to plow ahead anyway has indicated the strength of a New England conscience when faced with a challenge.

It is the very fact that the industry has always been a symbol of integrity that particularly disturbs the Senator. And he puts this recent unsavory aspect in perspective by comparing insurance with another symbol of financial probity, the Nation's banks. In the past 2 years 14 banks have failed, he notes, equal to one-tenth of 1 percent of the total number of such institutions. By contrast, nearly 9 percent of all high-risk auto insurance firms have failed in the same period.

Traditionally the insurance industry has been regulated by the individual States rather than by Washington. That is the way Senator Dodd would like to keep things. In his words, "Federal control of the insurance industry would be to me a rather distasteful alternative."

But he also warns that State regulation is now not adequately protecting the consumer.

Back in the 1930's, the Federal Deposit Insurance Corporation was established to protect bank depositors. It has magnificently fulfilled, through good times and bad, the purpose for which it was created. The Senator is certainly justified in suggesting a similar mechanism for high-risk auto insurance in the present climate of bankruptcies. The scandal is tainting the entire industry. Unless something on the order of the FDIC is forthcoming, the prospect of far more drastic Federal control seems inevitable.

[From the Washington Post, Feb. 21, 1966]

Senate Survey Finds States Lax in Regulating Insurance Firms

(By George Lardner, Jr.)

The insurance industry produces millions of dollars a year in State taxes and fees, but of every dollar collected, not a State in the Nation spends more than a dime watching the insurance industry.

Nine States—where 811 insurance companies of all types are chartered and where another 6,341 do business—had no insurance examiners at all, a survey by the Senate Antitrust and Monopoly Subcommittee showed.

Another 6 States had only 12 examiners to keep tabs on another 159 insurance companies that call the States home and 3,615 more that do business there.

In Minnesota, the State insurance commissioner has been indicted by a Federal grand jury with 16 other persons on charges of fraud stemming from the operations of a company under his supervision.

In Mississippi, State officials spend little more than a penny on regulation out of every dollar they collect from the insurance companies in that State—the lowest ratio in the country.

New York, with the highest ratio and the biggest regulatory budget, spends about 8 cents.

Yet the American public pays more than $43 billion a year for insurance policies—about 9 cents out of every dollar they spend.

Senator Thomas J. Dodd, Democrat, of Connecticut, has suggested that Federal regulation may be required in short order, at least in the auto insurance field.

High-risk auto insurance companies have been folding at an appalling rate, Dodd said in a Senate speech last week. Almost one of every 10 companies in the field have collapsed in the last 2 years, he said.

"The simple fact," Dodd said, "is that State regulation is not adequately protecting the consumer, and at all costs, he must be protected."

Since 1964, Dodd said, 31 of some 350 high-risk auto insurance companies—or 8.9 percent—have failed. Over the past 5 years, he added, 58 companies collapsed, leaving more than a million motorists without insurance.

They also left more than $100 million in accident claims up in the air, a subcommittee investigation directed by Dodd showed. The results were released over the weekend.

The corporate collapses were heaviest in Illinois (with 14 since 1960), Pennsylvania (with 7), and Missouri (with 6). Eleven of the 58 firms that fizzled had authority to operate in a dozen or more States.

In Maryland, where earlier savings and loan scandals had created a furor in the insurance department, two firms writing high-risk auto policies went under, both since 1964.

The subcommittee's investigation showed that the auto insurance field is ready-made for operators bent on a fast buck.

With motorists in one State after another now required to buy insurance, companies competing to offer the lowest rates have tended to concentrate on the best risks.

Subcommittee Counsel Dean Sharp said the so-called bad risks often include not only "drivers with miserable records," but "old people, students, servicemen, Negroes and orientals" as well.

According to Michigan Insurance Commissioner Allen Mayerson, many drivers have had their insurance policies with standard firms dropped or canceled "for reasons which do not seem completely justifiable."

BLAMES APATHY

Driven to high-risk companies, motorists are in no position to be fussy. Lax or ineffective State regulation leaves the field wide open for slicksters.

"Public apathy and, less understandably, apathy among the balance of the industry, which constitutes an overwhelming majority, account for some of the gains registered, to date, by these alien elements," according to South Carolina Insurance Commissioner Charles W. Gambrell.

Dodd said he considers many State insurance departments excellent, but stressed that "there are others whose record is less enviable."

MINNESOTA CASE

In Minnesota, reports to the subcommittee said that more than $3 million was taken out of American Allied Insurance Co., of St. Paul, by its officers before it collapsed last summer.

Minnesota Attorney General Robert W. Mattson said policyholders' money was used for such items as a lake home and a speedboat for one company official.

Yet a prompt investigation, Mattson said, would have shown that American Allied "was insolvent on the day it commenced business."

While it started out with high-risk auto insurance, Mattson added, American Allied also reinsured other companies for risky fire, wind, hail, and crop damage policies before it was even licensed to move into those fields.

Indicted on Federal fraud and conspiracy charges last fall, Minnesota Insurance Commissioner Cyrus R. Magnusson, now on leave, sent out an appeal last month to his fellow insurance commissioners and industry officials for money to fight the charges.

Magnusson asked for contributions to the Cy Magnusson Defense Fund so that "a precedent cannot be established whereby Federal power can be insinuated into State insurance regulation and rehabilitation of companies is made hazardous to the State commissioner." He has reportedly gotten $6,500 in contributions so far.

The Supreme Court ruled in 1944 that the insurance industry was interstate in nature, but the Federal Government was kept from regulating it the next year under legislation sponsored by the late Senator Pat McCarran, Democrat, of Nevada.

In November, Senator Roman Hruska, Republican, of Nebraska, a member of the investigating subcommittee, endorsed continued State regulation. He argued that failures in the high-risk auto insurance field were not disproportionately high.

POINTS TO BANKS

Dodd, however, said that the 8.9-percent failure rate over the past 2 years is 89 times higher than it was for banks. "The vast majority of the banking public," he added, "is completely insured by the Federal Government against bank insolvencies."

Dodd, whose home State is headquarters for some of the Nation's biggest insurance companies, said he considers outright Federal control rather distasteful. But he said a Federal guarantee fund or something akin to the Federal Deposit Insurance Corporation may be worthwhile.

The Senator said he didn't see how State regulation could be considered adequate when it "generally doesn't maintain examiners sufficient in number to carefully analyze the financial standing of thousands of insurance companies."

According to 1964 figures, he added, State insurance departments operate on marginal budgets averaging only about 4 percent of the taxes and fees the insurance companies pay their States. Only $29.9 million was spent on insurance regulation in 1964 while insurance companies paid the States $737.6 million.

DISTRICT SIXTH HIGHEST

The States that spent the least, in relation to their income from the insurance industry, were in order, Mississippi, Ohio, Oklahoma, Missouri, Idaho, Michigan, Connecticut and Minnesota. None budgeted more than 2.15 cents of the insurance tax dollar for insurance regulation.

The District of Columbia, which budgeted 6.24 cents, ranked sixth highest. Maryland and Virginia, which spent about 3 cents each, ranked 33d and 34th, respectively.

States without any examiners at all, according to the subcommittee's survey, were Alaska, Arizona, Arkansas, Delaware, Idaho, Mississippi, Oklahoma, Tennessee, and West Virginia. Yet Arizona and Mississippi alone had the prime responsibility for checking on the financial stability of 404 insurance companies chartered in their States.

New Hampshire and Vermont had only one examiner each; Maine and Montana, two; Oregon and Wyoming, three.

NINE EXAMINERS HERE

The District of Columbia, with 50 companies chartered here and another 630 doing business, had 9 examiners. Virginia had 10 examiners for 846 companies, 95 of them homegrown. Maryland, with 57 companies chartered in the State and another 752 in business there, had 12 examiners.

New York had 342 examiners for 736 companies.

"No State insurance department, none of the 50 States, is going to be any stronger than the weakest examiner they have on their payroll," one witness testified before the subcommittee.

In some of the States that have no insurance examiners of their own, private accounting firms are hired to make the checks.

Dodd said he had no illusions about getting a perfect system of insurance regulation. But, he said, "what we are getting now is not even within shouting distance of this ideal."

[From the Journal of Commerce, Feb. 24, 1966]

Threat of New Federal Controls Is Raised—Senator Dodd Urges States To Act Immediately

(By Alexander Picone)

A short while back we allowed as how the substandard risk automobile insurance market, a relatively insignificant segment of the business, could turn out to be the "Achilles heel" of State regulation, unless the companies and the State regulatory authorities pay more attention than has been given to date to the cleansing of this obviously unpleasant fringe of the business. It is a full-blown threat as of now.

Since 1960, some 58 high-risk auto insurance companies went under leaving over a million persons without insurance. This, plus other developments, has provided ammunition for those who would prefer stronger Federal supervision of the business, if not complete takeover by repeal of the McCarran Act.

STRONG EFFORT

It is useless to go on carping and editorializing, but sincere executives must make every effort—and do it now—to prevent even the smallest black mark from spotting the image of effective State regulation.

Perhaps, there are some insurance executives among us who do not want State regulation to continue. If this view is widely shared by people within the industry then efforts should be started to determine where such defections exist.

The Senate Judiciary Antitrust Subcommittee, of which Senator Thomas J. Dodd, Democrat, of Connecticut, is chairman, has the continuing responsibility of studying the effectiveness of the system of State regulation of insurance.

In a speech last week on the floor of the U.S. Senate. Mr. Dodd, who has been called the congressional watchdog of the insurance business, revealed that nearly 1 of every 10 high-risk auto insurance companies had failed in the last 2 years, leaving more than half a million persons without protection. He said the situation was appalling and added that it may be time for the Federal Government to pass legislation unless the States take immediate and sufficient action. The words "immediate" and "sufficient" should be underlined. And, any action taken on a State level would be futile unless the companies cooperated fully and wholeheartedly.

POINT STRESSED

The Senator from Connecticut also stressed a point which should, by now, be imprinted on the minds of all insurance people. It is this: "The legislative history of the McCarran Act clearly indicates that Congress was making only a conditional delegation of authority to the States, to be reconsidered if the States should demonstrate an inability to properly serve the public interest."

The Senator was kind enough to stress the excellent record of some State insurance departments and to assert his personal support of State regulation as best suited for supervision of the insurance industry "because it is at the level most aware of the local and regional needs of the consumer." The Senator, like most public figures, is subject to a multitude of pressures, political and otherwise, and he may be forced to take steps that are contrary to his personal convictions.

The bald fact, as the Senator sees it is that State regulation, in toto, is not adequately protecting the consumer, and at all costs, he must be protected.

Mr. Dodd, in his speech before the Senate, raised these questions, questions which every responsible person in the insurance industry should be prepared to answer:

"Can a form of regulation be adequate which allows virtually 9 percent of the high-risk automobile insurance companies in the Nation to fail over a 2-year period, leaving considerably more than half a million persons without insurance?"

"Can a form of regulation be adequate which generally doesn't maintain examiners sufficient in number to carefully analyze the financial standing of thousands of insurance companies?"

"Can a form of regulation be adequate in which at least six of the States have three or less examiners and at least nine States have no examiners at all?"

"Can a form of regulation be adequate which is operated on a marginal budget of usually less than 4 percent of the premium taxes and fees collected from insurance companies by the States?"

FEDERAL CONTROL

Although no system of supervision can hope to achieve perfection, Senator Dodd said, "we know that no type of Federal control would tolerate a failure rate of the magnitude of that presently occurring in high-risk automobile insurance."

Complete Federal regulation of insurance may be undesirable, Senator Dodd said, "but we have a critical problem in the high-risk automobile insurance area today, one which needs serious attention. If the States do not immediately and sufficiently respond, the Federal Government will be left with no alternative but to itself respond.

"There are alternatives not amounting to outright Federal control which would protect the public from these many insolvencies. An approach similar to that of the Federal Deposit Insurance Corporation in banking or a Federal Guaranty Fund are possibilities which have merit.

"The time may be at hand to begin exploring the feasibility of these and other possible legislative solutions to this very serious problem before the American public suffers any further injustices," the Senator said.

As we said earlier, the time for carping has passed, indeed editorializing is of little help. What must be so evident is the fact that the insurance commissioners should appoint a competent all-industry committee and staff to cooperate with the State regulatory authorities and solve the high risk problem and other problems affecting the private insurance concept and State regulation of insurance. The integrity of the private insurance business is on trial and we must have faith that both the commissioners and the companies will cooperate and come through with needful solutions.

CONCLUSION OF MORNING BUSINESS

Mr. MANSFIELD. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

SUPPLEMENTARY MILITARY AND PROCUREMENT AUTHORIZATION, FISCAL 1966

The PRESIDING OFFICER. Without objection, the Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (S. 2791) to authorize appropriations during the fiscal year 1966 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles and research, development, test, and evaluation for the armed forces, and for other purposes.

Mr. MORSE. Mr. President, it is my judgment that the Senate is about to start a session of the Senate which will result in a series of votes, probably before the day is over, which may be as important to the future of this Republic as any series of votes ever cast in the history of the Senate.

Mr. President, I believe that at least, irrespective of how we feel about the issue, the American people are entitled to have the attendance of their elected representatives in the Senate on this very critical occasion and, therefore, I suggest the absence of a quorum and ask for a live quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 40 Leg.]

Aiken
Bass
Bayh
Bible
Boggs
Burdick
Clark
Cotton
Dodd
Ellender
Fannin
Fulbright
Inouye
Jackson
Javits
Kennedy, Mass.
Long, Mo.
Mansfield
McIntyre
Mondale
Monroney
Morse
Pastore
Prouty
Russell, S.C.
Russell, Ga.
Saltonstall
Smith
Talmadge
Tydings
Williams, N.J.
Young, Ohio

Mr. LONG of Louisiana. I announce that the Senator from Maryland [Mr. Brewster] is absent on official business.

I also announce that the Senator from Idaho [Mr. Church], and the Senator from Ohio [Mr. Lausche] are necessarily absent.

The PRESIDING OFFICER. A quorum is not present.

Mr. PASTORE. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Rhode Island.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay, the following Senators entered the Chamber and answered to their names:

Allott
Anderson
Bartlett
Bennett
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Cooper
Curtis
Dirksen
Dominick
Douglas
Eastland
Ervin
Fong
Gore
Gruening
Harris
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Hruska
Jordan, N.C.
Jordan, Idaho
Kennedy, N.Y.
Kuchel
Long, La.
Magnuson
McCarthy
McClellan
McGee
McGovern
McNamara
Metcalf
Miller
Montoya
Morton
Moss
Mundt
Murphy
Muskie
Nelson
Neuberger
Pearson
Pell
Proxmire
Randolph
Ribicoff
Robertson
Scott
Simpson
Smathers
Sparkman
Stennis
Symington
Thurmond
Tower
Williams, Del.
Yarborough
Young, N. Dak.

The PRESIDING OFFICER (Mr. Bass in the chair). A quorum is present.

Mr. MORSE. Mr. President, I shall speak briefly in support of my amendment, which I shall offer at the end of the statement. I may at a later hour offer a second amendment.

Mr. President, the major thesis of my case against the pending business of the Senate is that the bill goes far beyond what its proponents claim for it. The pending bill is a policy bill. The pending bill greatly enlarges American foreign policy in Asia. The pending bill is pregnant with a policy that will lead to the escalation of the war in Asia. The pending bill, in my opinion, greatly endangers the development of world war three. Therefore I think that the policies inherent in the bill should not be adopted by the Senate without restrictions being placed upon the bill.

It is my view, as I expressed in some depth last Friday, that this bill greatly weakens our system of checks and balances.

It is a bill that would greatly enlarge the discretionary power of the President. It is a bill that would give determination by way of the exercise of what I consider to be, for the fiscal year 1966–67, almost unlimited discretionary power on the part of the Secretary of Defense. Therefore, I think that the bill should be defeated.

When we finally come to the rollcall on the bill, I shall vote against the bill, and when I vote against the bill, I shall not be voting to let down American boys in southeast Asia. But I shall be voting to try to save the lives of many who, in my judgment, will be sent into Asia as a result of the passage of this bill.

It is, of course, to be understood that I expressed in some detail last Friday my answer to the oft-repeated—but unfounded—charge that those of us who oppose the President's policies in southeast Asia have no substitute plan.

We have a substitute plan, a plan that we have expressed in great detail.

Mr. President, let me say that I support the position of General Gavin. I support the enclave approach which would afford an opportunity for other nations to come in and live up to their obligations under the United Nations Charter to enforce the peace in southeast Asia.

Mr. President, with those preliminary remarks, I now proceed with my formal statement in support of my position in opposition to the bill.

What is printed in the hearings is enough to destroy the claim that there is little difference between the Gavin-Kennan proposal for Vietnam and the administration objective. The administration objective in South Vietnam, which is quite different from any alleged commitment, is one of clearing the country for them of the Vietcong, and restoring General Ky to full control over the people and territory of South Vietnam. Only then will we be prepared for any elections. That is what was in the President's Honolulu speech, and here is the military funding that will be needed to carry it out.

We are going to go to elections when we destroy large numbers of Vietcong. We are going to go to elections when we have "pacified" the country and put Ky in power. We are going to go to elections when we can be sure that Ky is going to win the election. However, if we had elections controlled by Communists, then we would have much to say and to deprecate.

Much of the talk of the leaders of our Government about elections in South Vietnam spells out the word "hypocrisy." I think we are highly hypocritical in regard to our allegation that we seek elections. I think we also seek controlled elections in Vietnam, in that we only want them when we control the country.

I point to Secretary McNamara's statement on page 105 of the hearings in response to a question by Senator Smith, for this colloquy shows the pregnancy of this bill with new foreign policy.

I read from the hearings:

> Senator Smith. Mr. Secretary, are there any plans to escalate and step up the offensive in Vietnam?
>
> Secretary McNamara. Well, there are preparations being made, and they are reflected in this fiscal 1966 supplement, for substantially increasing our deployments to South Vietnam and raising the rate of activity of our air units there. Whether or not we will carry out such higher rates of activities and actually deploy all of those additional forces is a decision that only the President can make, and no such decision has yet been made. His instruction to us is to be prepared to meet such higher deployments and such higher rates of activity should the need for them arise.
>
> Senator Smith. If there aren't any ammunition shortages in the Vietnam fighting and if there aren't any plans to escalate and step up the fighting in Vietnam, then why have you recently opened a half dozen or more ammunition plants directed to start operations on increased ammunitions?
>
> Secretary McNamara. To be prepared to support higher deployments and higher rates of activity. We have laid out over the period of the next 18 months—through June 1967—possible levels of deployment, and possible rates of activity which are higher than present levels of deployment and rates of activity, and in order to be prepared to support them, we are requesting funds to procure the ammunition for such higher deployments and higher rates of activity.

Elsewhere, Secretary McNamara was pressed by Senator McClellan to describe and define our military strategy and tactics in Vietnam. The Senator's question appears on page 112 of the hearing record and it was:

> Are we going to continue fighting what appears to be a holding action?

I read further from the hearings:

> Secretary McNamara. I don't believe that we would characterize our present military strategy or present tactics as holding actions. On the contrary, we are taking the offensive, seeking to find and destroy the enemy bases and forces, and we propose to continue to follow that strategy and tactic, using whatever forces are required to accomplish it in order to convince the Vietcong and particularly the North Vietnamese who are directing their operations, that they cannot win in the south, and therefore, must cease their attempt to subvert and destroy the political institutions of the south.
>
> Senator McClellan. That is why it occurs to me that it is primarily a holding action. We are just going to hold on and show them they can't win.

May I have order, Mr. President?

The PRESIDING OFFICER. The Chair has attempted to secure the cooperation of Senators. The Senate will be in order.

Mr. MORSE. I continue to read:

> Secretary McNamara. No sir. As I have said, our military strategy which is associated with the political objective of preserving the right of the South Vietnamese to determine their own destiny is to find and destroy the Vietcong and North Vietnamese forces operating in South Vietnam.

A few sentences later, the Secretary added:

> If the circumstances change, if the North Vietnamese add greater force, if the military risk associated with our present policy increases beyond the limits we presently see, it might be desirable or necessary in the future to modify that strategy (deleted).

This, of course, is quite in keeping with the Honolulu speech of the President at the Honolulu airport on February 6, when he said:

> We will leave here determined not only to achieve victory over aggression, but to win victory over hunger, disease, and despair.

Today's press informs us once again that General Ky intends to reunify both North and South under his command. Despite his many statements to that effect, they have never been rejected by the American Government. We finance and support Ky; we maintain him and his coterie of ruling generals in command in South Vietnam. They are our responsibility. When Ky declares it to be the policy of his government to "go North" he is reiterating what President Diem declared the policy of his government to be in 1955, a policy for which he claimed American support.

Mr. President, in the Washington Post this morning, on page A-13, we have a story under the headline "Ky Says Saigon's Task Is To 'Liberate' North."

The article reads:

> South Vietnamese Premier Nguyen Cao Ky believes his country has the "noble and supreme task" of "liberating the North and reunifying the fatherland."
>
> Ky made the statement in a speech on February 21 during a public seminar in Saigon, but word of it became available in Washington only yesterday.
>
> In calling for reunification of the North, Ky said "we cannot betray the 4,000 years of our history, and * * * we cannot betray the sacrifices in bones and blood made by our ancestors and our sons and brothers, and * * * we cannot let the millions of the North Vietnamese people continue to endure these sufferings under the yoke of Chinese colonialists and their North Vietnamese puppet administration's lackeys."
>
> Ky has made similar statements in the past, but this appeared to be the first of its kind since his Honolulu meeting last month with President Johnson. Ky's talk of "liberating" the North is directly at odds with the Johnson policy.
>
> Mr. Johnson has repeatedly said that the United States is not threatening the existence of the North Vietnamese regime and is not attempting to alter its Communist form of government.

BILL AUTHORIZES COMBINED WAR FORCE FUNDED DEFENSE DEPARTMENT

The bill provides for the increased scope of the war in three ways. First, it provides for the funding of all military forces serving in South Vietnam out of U.S. Defense Department appropriations.

Second, it authorizes the construction of new military bases throughout southeast Asia at the discretion of the Secretary of State.

And third, it provides for an increase of nearly half a million men in the armed services of the United States.

The first of these—the funding of all military activities in Vietnam out of our Defense budget—contemplates a total and direct reversal of the policy of the United States as set forth at the time the Southeast Asia Collective Defense treaty was presented and ratified.

I read section 401(a):

> Funds authorized for appropriation for the use of the Armed Forces of the United States under this or any other act are authorized to be made available for their stated purposes in connection with support of Vietnamese and other free world forces in Vietnam, and related costs, during the fiscal years 1966 and 1967, on such terms and conditions as the Secretary of Defense may determine.

The bill provides a blank check on American defense spending for expanding this war into Laos and Thailand, and when we get through paying and equipping the armed forces of South Korea and the Philippines I think we will see the war spread to those countries, too.

Under this bill, and in this title, we are making the Vietnam war an American war. No longer is there any pretense that military aid to the forces of South Vietnam, Thailand, South Korea, the Philippines, Australia, or New Zealand is aid to separate and independent military identities. Their forces are to be funded out of our American military defense spending, and I predict that this provision, which is totally unlimited as to amount and as to countries, will serve to further destroy the integrity of such neighboring countries as Thailand and any other country that is included in it.

ASIAN DEFENSE FORCE UNDER SEATO REJECTED

As I recited to the Senate on Friday, this kind of organization was specifically rejected in 1954 and 1955 when Secretary of State Dulles presented the treaty to the Senate, and when it was ratified by this body.

He told the Foreign Relations Committee that he did not like to use the word "SEATO" in connection with the treaty, because the "O" stood for "Organization" and no organization was intended or contemplated. He said:

> We are trying to get away from the word because it implies a southeast Asia treaty organization comparable to the North Atlantic Treaty Organization. That organization is designed in the case of the North Atlantic Treaty to build up a defensive force on the continent of Europe which itself would be sufficient to resist attack by the Red armies.
>
> As I point out, that is not now the purpose under this treaty. We do not intend to dedicate any major elements of the U.S. Military Establishment to form an army of defense in this area. We rely primarily upon the deterrent of our mobile striking power. That we made clear to our associate in the treaty, and that is our policy.
>
> So that we do not intend, Mr. Chairman, to have under this treaty any such local combined forces as have been created in Europe under the North Atlantic Treaty, and which goes by the name of NATO.

It was on that basis, and with those assurances, that the treaty was ratified by the Senate. In this bill, we not only reverse that policy by creating a local combined force, including major elements of the American Military Establishment, but we are going to pay the entire cost for all the countries that contribute to it. I know that so far, we are told that Australia and New Zealand are paying their own way, but there is no reason to expect they will continue to do so, once the U.S. Defense Department pays for everyone else.

Mr. President, when Secretary of State Dulles presented the treaty to the Senate, he told the Foreign Relations Committee that he did not like to use the word "SEATO" in connection with the treaty, because the "O," as he said, stands for "organization," and no organization was intended.

That is very critical in this debate, Mr. President. That is why I said last Friday, and will not review it in detail, in my judgment the Secretary of State is quite mistaken in his now contention that SEATO is a justification for a course of action. But of course the Secretary of State, when he testified before our committee, forgot what he told the Foreign Relations Committee in both 1962 and 1964 and in executive session in regard to SEATO. He seemed then to have been aware of what Secretary Dulles had said.

EXPANSION OF BASES IN SOUTHEAST ASIA

The second way in which the bill authorizes the expansion of the war is in the authority it gives the Secretary of Defense to penetrate further into that area of the world.

Look at the language of section 302. The bill authorizes certain construction in support of military activities in southeast Asia, and for other purposes. Section 302 reads:

> The Secretary of Defense may establish or develop installations and facilities which he determines to be vital to the security of the United States, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities and equipment in the total amount of $200 million.

Do not tell the American people again, I say to the Secretary of State, to the Secretary of Defense, and to the President, that the United States seeks no military bases in South Vietnam or in southeast Asia.

Mr. President, stark realism ought to warn us: "We spend these huge sums of money for the building of American bases in southeast Asia, and we will be there for a long time."

In fact, at the present time, as I pointed out in my speech last night here on the floor of the Senate, we are finding ourselves becoming more and more involved in political controversy with Japan for we are maintaining huge bases in Okinawa, and we are maintaining our naval bases in Japan.

Even the majority party in Japan is split over our course of action. Even the majority party of Japan wishes more favorable negotiations for our use of those bases to the economic advantage of Japan. There are many in the majority party who believe that we should get out now, and of course the other parties in Japan campaign on that controversy as one of their major issues in opposition to the Government of Japan.

When we spend these huge sums of money for the building of American bases abroad, the tendency is to postpone and postpone and postpone getting out. In my judgment, in view of what is going to develop in southeast Asia, it is my great concern and my fear that the construction of these bases, contrary to the enclave theory of a General Gavin, will result in America's presence in southeast Asia for many years to come.

I believe that now is the time to reject that policy. I believe that now is the time to reject a bill which has that policy included in it, and also, to reject a bill which, in my judgment, gives to the Secretary of Defense and to the President of the United States the discretionary power which this bill would give them. For, as section 5 provides:

> The Secretary of Defense may establish or develop installations and facilities which he determines to be vital to the security of the United States.

As Senators know, I am always concerned about giving broad discretionary power to any administrator of the Government because that always increases the danger of going further and further down the road—a road on which we have already traveled too far—of government by executive supremacy.

I deplore the extent to which Congress has already delegated what I consider to be entirely too much discretionary power to the executive branch.

Therefore, I say that it is a great mistake to approve the policy of building these installations in southeast Asia. That is why I say that the Secretary of State, the Secretary of Defense, and the President of the United States should no longer repeat what they have been saying so frequently, that we seek no military bases in southeast Asia.

This section refers to installations and facilities "vital to the security of the United States." Who is to say what is vital to the security of the country?

WHAT IS VITAL IN ASIA?

Why not the Congress rather than, as in the provisions of this bill, the Secretary of Defense. It is he who is authorized by this bill to establish the outposts of American military command that will thence have to be defended by all the resources of this Nation that may be required to defend them. And these so-called vital interests are not in the Western Hemisphere, for the short title of the bill explains that it refers to military activities in southeast Asia.

Mr. President, one of the great differences between sincere men in this debate from its inception, which started two and a half years ago, is that the Senator from Alaska and I have stated time and again on the floor of the Senate in our speeches that, in our judgment, South Vietnam is not worth the life of a single American boy.

I repeat that assertion today.

In my judgment, we cannot justify the slaughtering of a single American boy in South Vietnam. I am perfectly willing to let history be the judge. To those who are talking about protecting our boys over there by enacting this bill, let me say in rebuttal that we who are urging defeat of the bill, are urging its defeat so that it will force upon the administration a change of policy which will prevent the killing of American boys in South Vietnam.

Mr. President, that is one of the precious checks which the Constitution gives to Congress; namely, the check on the purse strings. All this talk that if we exercise this check we will be endangering the lives of American boys is entirely unreal.

If we exercise the check, we will have to change the policy. We will have to return to such a program as General Gavin has been advocating. We will have to fall back on a program which prevents escalating the war and sending our forces farther and farther into South Vietnam, eventually into North Vietnam—and, in my opinion, ultimately into China, where they will be killed by the hundreds of thousands.

That is the issue at stake here.

Let the American people understand that that is the issue. Let the American people answer Congress on that issue as we go forward across the Nation in the months ahead in this historic debate at the grassroots of America over our foreign policy.

As long as we remain free, the American people have the ultimate check upon Congress. In my judgment, we have reached the point now so that American foreign policy can be changed only by the American people. I am satisfied that it is not going to be changed by Congress.

I do not accept the premise of the opposition that we have vital interests in southeast Asia which call for unilateral American military action. The world has some vital issues in southeast Asia. The world has some obligations vis-a-vis southeast Asia.

When I speak of the world, I mean those nations which have pledged themselves, over their own signatures, to preserve the peace—but not the United States unilaterally. Every signatory to the United Nations Charter has an obligation to preserve the peace of the world. Do we not see the great difference?

One of the great differences which exist between us as sincere men is the honest difference of opinion as to whether we have any right, legally or morally, to set ourselves up as the policemen of the world, to carry out what we consider to be the policy that we believe the world should adopt. That is why we are having so much difficulty, in so many places around the world, in getting more than token support, more than lip service to our foreign policy in Asia.

As the war escalates, and more human beings on both sides of the war are slaughtered, we will find rising opposition and resentment to our country's policy. That is why I have been pleading that we should come to grips with the great moral issue involved, too, in connection with the war. For, in my judgment, our policies cannot be reconciled with the glorious, historic record of our Republic in support of historic ideals. For I consider that we have walked out on those ideals.

Since when, and in what act of Congress, is southeast Asia defined as vital to the security of the United States, justifying any unilateral action that may be needed on our part to defend it? The most that can be cited is the SEATO treaty, which, however, does not define the area as vital but refers to a "common danger" to all SEATO members that has never been seen by our SEATO partners.

The resolution of August 1964 cites southeast Asia as an area where the United States regards "the maintenance of international peace and security" as vital to our interests. The continued intrusion of large-scale American military forces, bases, and navies into this area, as provided by the bill, will destroy what little international peace and security is left to the people of Thailand, Laos, Malaysia, and eventually Burma and Cambodia, for the war that is lapping at their shores will engulf them, too, if it is allowed to proceed on its present course.

According to Secretary McNamara's testimony on pages 52 and 53 of the hearings, about $975 million of existing and new military construction money is to be spent in South Vietnam, the remaining $666 million elsewhere in the general area. Senators cannot authorize a Defense Department to exercise this kind of discretion and then not see it exercised. This is how the war has been enlarged and under this provision it will continue to be enlarged.

On the basis of my observations in my many years in the Senate, if the military is given the funds it seeks, it always finds ways to spend those funds. If mere men—I care not who they are—with all the human frailties that characterize each one of us, gets this kind of power, the danger is that they became drunk with power. The best way to stop intoxication is to keep liquor away from the potential intoxicant. The best way to avoid the growing danger in this country that leaders of this country will become more drunk with power is to deny them the authorization for the exercise of the power.

That is the policy involved in the bill.

Sometimes it is said that the resolution of August 1964 justifies this course of action. The resolution of August 1964 cites southeast Asia as an area where the United States regards "the maintenance of international peace and security" as vital to our interests. The continued intrusion of large-scale American military forces, bases, and navies into this area is what I am concerned about, for they bring an enlargement of the war, not peace or security. We ought to reject the policy of this bill that permits another enlargement of the war at the discretion of the President.

NEW MANPOWER INCREASES PROVIDED IN BILL

The third way in which the bill authorizes an escalation in the war is in the manpower increases for American Armed Forces it provides.

I call the attention of Senators to the tables furnished by the Secretary of Defense which appear on pages 14, 15, and 16 of the hearings. There we see that the plans of the Defense Department call for increases in active duty military personnel by a net total—these are increases—of 452,843 men to be financed by this measure. That increase is planned to be realized by the end of fiscal year 1967. Three hundred and forty-seven thousand of these men are expected to be added by June of 1966.

Surely Senators who continue to delude themselves that this pending measure merely finances what has already been done and what is now being done have simply not read the hearings. The purpose of the new authorization is substantially to increase our ground and air operations in southeast Asia and to provide both the manpower and the material to do it. Our immediate objective is to eliminate the Vietcong forces from South Vietnam and to establish General Ky as the unchallenged authority throughout South Vietnam.

It seems to be well understood that General Westmoreland wants at least another 200,000 men in South Vietnam to step up the work of seeking out Vietcong forces and destroying them. Assuming that we can do that without North Vietnam raising the ante on its side, those 400,000 troops will have to remain in South Vietnam as occupation forces for the indefinite future.

In fact, I think with the adoption of this bill the American people ought to understand that we are going to have large numbers of American soldiers in southeast Asia for a long, long time to come. I only raise the caveat that, in my judgment, when the American people fully come to understand that that is inherent in our policy in southeast Asia, they will repudiate any administration that sponsors such a plan, and they should.

RESPONSE FROM OTHER SIDE UNKNOWN

The most amazing thing about this bill is the ease with which Congress has accepted its authorization for a larger war without even asking what we expect the other side to do in response. There is not a word in the hearings of what the administration expects the Vietcong, North Vietnam, China, or Russia to do in response to our projected buildup.

Our leaders are, in effect, whistling in the dark. They are engaging in wishful thinking that China will not come in, or that Russia will not come in, or that North Vietnam will not commit her army. But they have been so wrong so many times in regard to what was going to happen in Asia that I think time will prove them wrong again. I do not think the people of the United States or any other Western nation will be permitted to maintain a foothold in Asia. No matter how many years it will take to throw us out, we will be thrown out, but at the cost of a shocking holocaust.

Is it assumed that North Vietnam, that Russia and China, will do nothing? If that is the assumption, on what is it based?

Or is there evidence that North Vietnam will increase its own military strength in the south? Or will the Soviet Union pour more equipment into North Vietnam to be used in the south? We are preparing another escalation in the war, I say to my colleagues, and we are doing it in this bill without so much as a hint as to what the response of the opposition may be.

I have quoted Secretary McNamara's statement on page 115, wherein he said that if the North Vietnamese add greater force, if the military risk associated with our present policy increases beyond the limits we presently see, it might be desirable to change our strategy of not seeking to destroy the Government of North Vietnam. But as to the possibilities and expectations of the administration as to what the response of North Vietnam will be, I find nothing in the hearings. Nor are we given any hints about possible reactions and responses from the two great Communist powers, China and Russia.

We have already been through the experience of the failure of the bombing of the north to force Hanoi to the bargaining table. We were all assured a year ago that air raids on North Vietnam would quickly demonstrate to her the potential destruction the U.S. Air Force and Navy could visit upon her and bring her to the sensible conclusion that in the face of such overwhelming power she should seek the best peace she could get at the negotiating table.

We listened to testimony of General Gavin and Ambassador Kennan. We heard the general point out that Hanoi and Saigon are, in fact, two hostage cities, and that an attack on one will mean, in all probability, an attack on the other.

I most respectfully express the view that I am at a loss to understand how my colleagues who support this bill think that we can go forward with a new policy that is authorized under the bill and not have it result in a great escalation of the war on both sides, by the United States and by North Vietnam, and I think eventually by China, too, with Russia not for long standing on the sidelines as a noncombatant.

Mr. President, I am very much of the opinion that there is no hope of our reaching a peace table. We may eventually reach a surrender table, only to have the war continue in a different form. But there is no hope for a peace table under the policies in this bill.

I repeat that we were all assured a year ago that air raids on North Vietnam would quickly demonstrate to her the potential destruction the U.S. Air Force and Navy could visit upon her and bring her to the sensible conclusion that in the face of such overwhelming power she should seek the best peace she could get at the negotiating table.

The Vice President is now abroad in the country trying to sell that policy. He is going to be answered, although it is interesting that he does not want to come before a public meeting of the Foreign Relations Committee or apparently even an executive meeting of the Foreign Relations Committee to try to defend the action he took on the trip that took him into southeast Asia.

But, Mr. President, come or not come, policies that he is now advocating, thinking that people can be bombed to a peace table, must be answered and will be answered, because he has drawn the issue. We will meet him on the issue because in my judgment he, too, must be repudiated.

The Senator from New York [Mr. KENNEDY] has brought out with crystal clearness the alternative that ought to be followed in recognizing that we must not take the position that we are going to dictate the terms, who will be invited to the negotiating table, and as to who will comprise that interim government that is going to be necessary for that period of years until at long last the people of North and South Vietnam will be in a position where they can really exercise the precious privilege of self-determination.

All of the proposals for bombing the enemy to a negotiating table have thus far failed, in my judgment, and will continue to fail, if we are talking about a peace table.

That expectation proved false. The reaction of Hanoi was just the opposite. The Defense Department and Secretary Rusk contend now that she has increased her support to the Vietcong.

What does Secretary McNamara or Rusk think will be the response of Hanoi to the increased deployment of troops and increased air activities provided for in this bill? Senators do not know. If the administration has any opinion, it has not revealed it.

I cannot vote for these continued expansions of the war that jeopardize, and do not conserve, more of our Armed Forces than are already there.

This bill does not support the men in Vietnam. It calls for the sending of hundreds of thousands more, for military objectives that are well beyond the capacity of our existing Vietnamese force to achieve.

For these reasons and the reasons I have already expressed in the series of speeches I have made in opposition to this bill heretofore in the Senate, when the roll is called on the bill itself, I shall vote against it.

HANDWRINGING IS NOT ENOUGH

Mr. President, I have one closing comment with regard to what we are reading in the newspapers today, the wire reports, about, may I say respectfully, the handwringers who conclude that the bill is not a proper vehicle for any limiting language. They should be asked what is the proper vehicle.

The only measure on this subject is the foreign aid supplemental and subsequent to that, the appropriation. Will they take the position that maybe those bills, after they have authorized this policy, are the proper vehicle for placing some restriction on this administration?

Or are we always going to hear from them that the proper vehicle has not come along while the whole world slides deeper into war?

Now is the time to place the restriction on this administration. Now is the time for Senators who voted for the resolution in August 1964, to go on record as to the degree they want it modified because this is the first opportunity they have had to pass upon any policy in regard to America's program in southeast Asia.

I will say to them that they will never have a better chance, never a more appropriate chance to take a stand on whether or not they reaffirm the position that they took in August 1964, or now believe that that resolution should be restricted.

Therefore, it is with sadness in my heart that I say that I am keenly disappointed that Members of this body who have been making so many speeches in so many places expressing the view that they did not agree when they voted on the resolution of August 1964, to all the things that this administration has done in southeast Asia under it.

Apparently they are willing today to vote without any restriction to a whole line of expanded policy in southeast Asia. In my opinion they do a great injury by following that course of action without voting restrictions now.

As I announced last night, I would have offered my amendment yesterday had I not said that I would accommodate a group of Senators on two occasions to see if they could reach an agreement on a possible modification of the resolution of August 1964. Therefore I withheld offering the amendment.

I offer the amendment now. I send it to the desk. It is the amendment which proposes to add a new section, at the end of the bill, as follows:

> SEC. 402. The joint resolution entitled "Joint resolution to promote the maintenance of international peace and security in southeast Asia", approved August 10, 1964 (78 Stat. 384), is hereby repealed.

I say to the Senate that I have checked in regard to the applicability of this amendment as an appropriate amendment to the pending measure and I have been advised that it is in order.

Mr. President, I ask that the amendment be read.

The **PRESIDING OFFICER** (Mr. NELSON in the chair). The amendment will be stated.

The legislative clerk read as follows:

> SEC. 402. The joint resolution entitled "Joint resolution to promote the maintenance of international peace and security in southeast Asia", approved August 10, 1964 (78 Stat. 384), is hereby repealed.

Mr. **RUSSELL** of Georgia. Mr. President, I am somewhat in a dilemma with respect to the amendment proposed by the Senator from Oregon.

It had been my intention to offer as a substitute an amendment that would reaffirm all of the original powers and all of the original purposes of the joint resolution of August 10, 1964.

There is no doubt in my mind that a substantial majority of the Senate would support such an amendment.

It is evident that there would be so much explanation, and hemming and hawing on the part of those who have delayed action on this authorization for so many days, that this debate would be prolonged for several more days if not weeks.

I have concluded, after careful consideration, that the defeat of the proposal of the Senator from Oregon by the Members of the Senate would have the same effect as the adoption of the substitute proposal that I envisioned. I say that, Mr. President, because when his amendment has been defeated, this will leave the original joint resolution of August 7, 1964, commonly called the Tonkin Gulf Resolution, unimpaired, in full strength and vigor, and with Congress, except for two Members of the Senate, who voted against the 1964 resolution, solemnly and solidly behind the President in the steps that he has taken in southeast Asia.

Whatever we may call it, no matter how much those who hesitate to take a formal position in this matter may obfuscate the issue, when we defeat the amendment of the Senator from Oregon—and I can understand why he deplores the positions of some of those who have been associated with him in this fight—the effect will be a reaffirmation of the President's power.

I stated when I brought the bill to the floor that I did not regard this authorization for weapons, medicine, and facilities—including port facilities—as being either an affirmation or a rejection of our policies in Vietnam and that the bill did not set policy in the slightest degree. I have done my best to keep policy determinations out of the bill, because I thought it was more orderly to have them considered in some other way. But the question of policy has been injected into the debate now, and I wish to make it perfectly clear that so far as the senior Senator from Georgia is concerned—and I hope the President will take the same view—the vote on the amendment of the Senator from Oregon will be, in effect, a reaffirmation of the joint resolution passed in August 1964.

I have not reached my conclusion hastily. I opposed the original proposal to send American military advisers or a training mission, together with a quantity of military equipment and materiel, to South Vietnam, as vigorously as I could. I am not now in favor of intervention throughout the entire world. By instinct and inclination, I must confess that I am an isolationist. I do not believe that the might and power of the United States can bring about the millennium. I do not believe that any number of treaties, however solemnly drafted, however well-intentioned, will absolutely clear up all the strife among the peoples of the world, of different nationalities, different races, and different creeds. There is nothing in all history to suggest that they will.

But I am in favor of striving for peace, because this is indeed a laudable aim to work for. Nevertheless, as a realist, I am not in favor of contributing American money and American blood in unlimited quantities for a goal that I do not believe is attainable.

When the joint resolution of August 1964 was brought forward, I saw how broad it was in its terms. I cannot plead ignorance. I understand that some Senators say that they did not know exactly what they were voting for when they voted for that joint resolution. I knew how broad it was. For that reason, I suggested that Congress reserve its power in this matter by a provision that the resolution could be terminated by a concurrent resolution, in which the executive branch of the Government does not participate.

That provision was written into the joint resolution, I think that the Senator from Oregon would have been better advised if he had tried to secure adoption of a concurrent resolution instead of offering an amendment to this bill for supplies and equipment.

I am a congressional man. I have stood here for more than 30 years and deplored—almost wept over—the slow erosion of congressional power that has placed this body in a position inferior to the other branches of the Government. The whole genius of our Government was to provide three coequal branches—legislative, executive, and judicial.

But, Mr. President, I cannot plead ignorance. I knew that the joint resolution conferred a vast grant of power upon the President. It is written in terms that are not capable of misinterpretation, and about which it is difficult to become confused. I read one or two sentences:

> Consonant with the Constitution of the United States and the Charter of the United Nations and in accordance with its obligations under the Southeast Asia Collective Defense Treaty, the United States is, therefore, prepared, as the President determines, to take all necessary steps, including the use of armed force, to assist any member or protocol state of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom.

The language could not have been drawn more clearly. Personally, I would be ashamed to say that I did not realize what I was voting for when I voted for that joint resolution. It is only one page in length; it is clear; it is explicit. It contains a very great grant of power. I would be the last to deny it.

I stand here today supporting the pending measure with all the power of my being, not because I believe that the United States should be the policeman of the world, but because we are confronted with a condition. We are not discussing possibilities and theories and contingencies. We are confronted with a condition where more than 300,000 of the flower of the young manhood of this Nation are 9,000 miles away from home, on foreign soil and waters. I have just enough of the old clan spirit of the Scotch-Irish—indeed, of the European people—to come to the defense of those of my own blood when they are in danger anywhere throughout the world.

As I see this matter in its simplest terms, I am not going to quibble over how those men got there. I am not going to involve abstract constitutional arguments. I intend to try to help them.

I regard this situation as being similar to one in which a man has become involved in quicksand. He has slowly sunk until only his eyes can be seen. Along comes his brother with a rope under his arm. The unfortunate man says, "Brother, please help me out of the quicksand."

The brother asks, "How did you get in the quicksand? What did you want to walk over there for? You ought to have had more sense. When are you going to get out of the quicksand?"

Mr. President, I am not going to go through all of that. I am going to throw the rope. I intend to do all within my power without splitting hairs, without legalisms, and without theorizing to support these men who are there in Vietnam, not of their own volition. They did not order themselves there. But they are there because they were ordered by authority established under our form of government.

I am not afraid of the constitutional issue that is involved here. There is no question in my mind about the constitutionality of all that has been done. I have grave doubts as to the wisdom of some of it, but there is no question whatever as to the constitutionality of it.

There have been over 125 instances in which American men have been ordered to take action or maintain positions abroad through pure Presidential order without the support of the kind that was afforded to the President of the United States in the Tonkin Gulf resolution.

Wilson sent the marines into Vera Cruz to satisfy American honor. As I recall it, Buchanan sent troops into foreign lands. He sent them to attack and charge and carry the forts at Canton in China because of an insult to the U.S. flag.

There was a day when the American people cheered when Theodore Roosevelt said: "Perdicaris alive, or Raisuli dead." That was in the days when we were not so completely international. That was in the days when people were proud to be American citizens. That was in the days when an American citizen felt that he had a right to look to his country to protect him. That was before we got all of this infection that is today making this county quiver and hesitate and raise a fictitious issue.

There should be no question as to the constitutionality of this situation. There is nothing mandatory in the Constitution about declaring war.

In an effort to separate governmental powers and establish a system of checks and balances, the Constitution of the United States provides that the power to declare war is in the Congress. However, that same Constitution, in enumerating the powers of the President of the United States, provides that he is Commander in Chief of all the Armed Forces of the United States. Every person knows that the Commander in Chief has a right to order the forces wherever he may will. Congress then, to shift back to the system of checks and balances, has ways of exercising its responsibility. One way is the power of the purse. It can deny the President the funds. But I hope that we never have another instance in which an attempt is made to deny funds in the middle of an undertaking that has been approved by Congress. That can only mean hardship to the young men serving in our Armed Forces. It would not really punish those who actually ordered them there.

The Constitution grants the Congress a great many powers that it does not exercise. One is that Congress has the power to define and punish offenses against the law of nations.

A substantial argument could be made that we are undertaking to punish offenses against the law of nations in the fight in Vietnam.

We have waged war without a declaration of war time and again. Not only has the Commander in Chief waged war without any formal declaration of war, but Congress has also done so.

I have a very errant and varied appetite in reading. I suppose that I have accumulated more useless information from books than has any other living person. I spend hours each day in reading. However, one sometimes comes up with something that is helpful.

When this question of constitutionality was raised a few months ago, I remembered that I read an old book that was entitled "Our Naval War With France." I sent to the Congressional Library for the book.

If ever there were a case in which Congress waged a war for 3 years, it was in the naval war with France. In proportion to our strength in that period we put more of our resources and men into that war than we have put into this war in South Vietnam.

I am not going to read at length from this book. It is fascinating to me, but it would be very boring to most people to read about the battle between the privateer *Bette* and the man-of-war *Excalibur*, and how one boarded the other. I get a vicarious pleasure from that type of reading.

As recounted in this book, when our representative to France had been insulted, the President sent a message to Congress and said:

> I will never send another minister to France without assurances that he will be received, respected, and honored as the representative of a great, free, powerful, and independent nation.

Our people had much more confidence in themselves when we had about 3½ million people scattered along the Atlantic seaboard from Canada to Florida than we have today when we are unquestionably the greatest power on earth.

I continue to read:

> Congress had already begun to act, and during the spring and summer of 1798, adopted a number of warlike measures. The first of these was an act, passed April 27, to provide additional armament for the protection of American trade; and on the 30th, another, organizing the Navy Department.

We had no Department of the Navy until 1798. It had been in the Department of the Army.

I continue to read:

> Acts soon followed directing the construction and purchase of more vessels, authorizing the capture of French vessels, suspending intercourse with France, establishing the Marine Corps, and making other necessary provisions for hostilities. Inasmuch as under the Constitution of the United States treaties are the supreme law of the land, these measures of defense, being in conflict wth existing treaties with France—

That refers to the treaties—

> were deemed unlawful. Therefore, to avoid this difficulty, as well as to get rid of troublesome obligations, the treaties were abrogated by the act of July 7, on the ground that they had already been violated by France.

Here Congress was abrogating treaties of immunity and friendship with France. In that case, we walked right up to a declaration of war.

It will be recalled that our Government summoned George Washington from his well-earned retirement to Mount Vernon, and said:

> We are about to fight these French. We want you to come and take command of the armies.

What George Washington said should cause some people to be ashamed of themselves. He said:

> I must not conceal from you my earnest wish that the choice had fallen upon a man less declined in years and better qualified to encounter the usual vicissitudes of war. Feeling how incumbent it is upon every person, of every description, to contribute at all times to his country's welfare, and especially in a moment like the present, when everything we hold dear and sacred is threatened, I have finally determined to accept the commission of Commander in Chief of the Armies of the United States.

Mr. President, the book continues about how they established the Marine Corps. I could read the reports of 100 naval engagements. We sent American frigates to the Bay of Biscay; we sent them into the Mediterranean; we sent parties into the harbors at Martinique and Guadalupe and Cap-Haïtien in Haiti, where the French were then stationed, and cut out their ships and attacked their forts; and we had a good many people killed and we killed many Frenchmen over a period of 3 years. But nobody declared war and nobody urged that we declare war.

I remind you, Mr. President, that there were men in that Congress who had served in the Constitutional Convention. They had some idea of what was intended by that document, the Constitution of the United States.

Oh, I realize it is considered as outmoded, in some quarters. Some persons think the Constitution has no place in today's scheme of things. But as long as I am in the Senate, I shall refer to the Constitution as a guide for my actions. I have taken an oath to do so, and I make no pretense to great piety, but I shall not welsh.

Here is another paragraph:

> To supplement the activity of the Navy in the defense of the country, private enterprise was stimulated by issuing letters of marque. The act of June 25, 1798—

That was an act of Congress, my fellow Senators, not an act of the President of the United States—

> The act of June 25, 1798, ordered that merchant vessels might "repel by force any assault" committed upon them by French cruisers or privateers, capture the aggressors and recapture American vessels which had been taken by the French.

It goes on to say:

> The act of July 9 authorized the President to grant the owners of private armed ships * * * special commissions * * * and such private armed vessels, when duly commissioned, shall have the same license and authority for subduing, seizing, and capturing any French armed vessels * * * as the public armed vessels might by law have.

That law was passed by the Congress of the United States. This was no quick, overnight affair. It lasted for over 3 years. I do not wish to bore Senators, but there are many references to many acts of Congress while the United States was waging war for 3 years without any formal declaration.

I do not favor any declaration of war in this case. Whom would we declare war against? If we can only declare it against the Vietcong, it would have been just as sensible in other eras to have said, "We declare war against Francisco Villa, or we declare war against Sandino"—I believe that was the bandit down in Nicaragua we fought for some time.

It just does not make sense to declare war against the Vietcong.

Should we declare war against the North Vietnamese? We do not recognize North Vietnam. They are not in the United Nations. And we do not know what effect such a declaration of war would have.

A declaration of war against North Vietnam might bring into play mutual defense treaties between and among

North Vietnam, Communist China, and the Soviet Union. So I am not in favor of declaring war. I see nothing to be gained by it, and I perceive that we might lose a great deal. It would be a very, very foolish step to take.

Mr. President, the issue of constitutionalism comes with a hollow sound from anybody except the Senator from Oregon and the Senator from Alaska. They voted against the Tonkin Bay resolution; and therefore they can certainly offer or urge any argument they wish against this matter free of any criticism.

We gave the President of the United States power in that resolution. If we want to take it back, the best way is through a concurrent resolution.

But I knew what I was doing. I did it with some qualms, but I am not here today to plead ignorance and say I did not know what I was doing, or that I did not know the power would go so far, when the resolution said he could use any steps—any steps—that might be necessary to protect our vital interests in the maintenance of international peace and security in southeast Asia.

So we may criticize the President, but with the exception of 2 Members of this Congress—535 Members—we are absolutely changing face when we do it, because we voted him even greater powers than he has employed.

I do not discount the possibility that Red China and even the Soviet Union might be brought into this war. I had that in mind when I was originally urging that we not become involved in any way. I appreciate the fact that the distinguished Senator from Kentucky [Mr. MORTON], who was then Assistant Secretary of State—I had forgotten all about the incident until last summer, when I returned from my illness, he mentioned it here on the floor—was sent down to Georgia to tell me a mission had been sent to South Vietnam, and that we were going to send material. I told him then, "I think you have made a mistake, but the Commander in Chief can commit our flag, and I will support the flag, even though I think it is going to be a long struggle and costly in blood and treasure."

I feel that way today. I think the sooner we come to some decision there, the better off everybody will be. I do not favor all this timidity, whether it is in the executive branch of the Government or in the Congress. If we are going to keep men there, I am not in favor of having them picked off by handfuls here and there, in order to keep down the casualty lists, when we know over a period of years it is going to amount to massive numbers. If it is our policy to keep them there—and it is our avowed policy—I say, "Visit such punishment on the North Vietnamese as will bring about a conference, and let us come to some determination of this issue. Let them have an election in South Vietnam. If they want a Communist government and can vote for it without intimidation, I think they have a right to have it, under our doctrine of self-determination."

However, self-determination is somewhat like the Constitution; it becomes less deserved in our system as we go along, because it seems that we support authoritarian regimes and republics alike, if we happen to be allied with them by treaty.

Mr. President, I must say that I was more than mildly surprised and perplexed by the timing of this assault, particularly the vehicle which was selected for it. This is an authorization bill, and I have tried to point out that it did not specifically involve policy, although I concede that money is going to be spent in Vietnam.

If Senators wish to punish the President by starving 300,000 American boys and leaving them in Vietnam, they should not only vote for the resolution of the Senator from Oregon but should also vote against the authorization. Senators have this power. But, I have an idea, if they do, that they will hear something from the American people. Every State in the Union has men in Vietnam. The people back in the "boondocks" and in our towns, and those living in the fords of the creeks, have a high value of life. It is a matter of grief when one of those coffins, with the American flag draped over it, comes back home to a small town. It is not a matter of higgling and haggling about policy or Presidential power. It is a matter which strikes right into the homes of a whole community.

We have been placed on notice that this authorization would be sought. Last August there was brought before the Senate and clearly explained a $1.7 billion supplemental appropriation for the same purposes involved here.

It passed by an 89-to-0 vote. At that time, it was declared on the floor of the Senate that the $1.7 billion would be just the downpayment, that additional authorizations and appropriations would be required early this year. Now we run into difficulties—right in the middle of the war—with a maze of technicalities, legalisms, surmises, false premises, more than I have ever seen hurled at one bill, much less a relatively modest authorization of this kind.

Mr. President, it has been stated on the floor of the Senate, in flights of hyperbole, that this measure is an open-ended invitation to war. I suppose this could be said about every annual appropriation bill enacted for the Defense Department from year to year, if it could be said, with accuracy, of the pending bill. If this is an open-ended invitation to war, then every appropriation bill for the maintenance of our Armed Forces is also an open-ended invitation to war. I, for one, am not willing to go about curbing the President's power by punishing American boys in Vietnam.

Mr. President, I do not wish to discuss this matter at further length, although I am full with it, because I have been torn by conflicting emotions, as I am sure most Senators have, concerning this issue. But I am not badly torn when it comes to the issue of supporting American soldiers, sailors, marines, or airmen, because I have some familiarity with the lives they must live and their obligations. I know that they do not control their own comings and goings, that it is impossible to do so in any military establishment. I cannot conceive of a higher duty on the part of Congress than to support those who have been brought into the Armed Forces, who have been taken out of their businesses, taken away from civilian pursuits, paid a minimum salary, and then there is haggling over whether we are going to support them or not.

To me, it is utterly incomprehensible. I cannot understand it.

We have taken a calculated risk in Vietnam. We took it when the first man landed. We had it when a contingent landed there yesterday. We took a calculated risk when we operated our airpower in the south. We took a calculated risk when we operated our airpower in the north. I hope that we will take a calculated risk in undertaking to put a "stopper in the bottle" at the port at Haiphong and cut off their supplies to those trying to conquer South Vietnam.

I do not believe that we are ever going to bring this war to a termination until that is done.

Mr. President, sometimes I believe that the American people do not realize the tremendous might and strength of our military organization. However, our enemies know it. There was no doubt about it in the mind of Mr. Khrushchev when he received that letter on Cuba. He knew more about the strength of this country, and respected it more, than those who may tremble now at the thought of a confrontation.

It did not take Mr. Khrushchev long to send an answer, although I am not satisfied with the termination of that episode. I believe that in our exultation and celebration of that victory, we gave the victory away. We are now in the position of babysitting for Castro, when we should have destroyed him when we found the long-range missiles there.

That is my own view. As an individual I can express it, although I realize that it is not a majority view, either of Congress or the American people; but I just do not know when we will ever have another reason for doing it.

Congress had passed a resolution shortly before, declaring that the introduction of any offensive weapon into Cuba was an act of aggression against the United States. But now we are babysitting for Castro, who is 90 miles away from our shores, while fighting other communism 9,000 miles away. The human and logistical costs are staggering to contemplate. There is no doubt in my mind that if we had wiped out Castro, there would not be any similar probings along the perimeter of the Iron Curtain for the next 8 to 10 years. There will be, even if we bring the Vietnamese situation under control—as we will, eventually. There will be further probings on the part of communism in their quest for world domination, because they are not going to stop. But firm action against Cuba would have stopped them for a long time. It would certainly have slowed down the Communists.

Mr. President, if there ever were a time when Congress should have at least an appearance of unity—whether we have any unity or not—it is today. Upon the unity of the American people in this Vietnam war depend the hopes of bringing it to an early conclusion. I do not doubt that Hanoi, Peiping, and Moscow know what is going on. With every little sign of dissent, every criticism, every attack on American foreign policy, they will say, "Well, we are catching hell out there in Vietnam, but look what is going on back in the United States. We will hold on for a while longer. They will tire, and they will withdraw. Thus we will gain a victory."

So I say, Mr. President, it is time for an appearance of unity. And I hope that this issue will not be brought up recurringly on every bill that comes along. It should have been fought out when the Tonkin Gulf resolution was before the Senate. If an issue were to be made of the situation, it should have been made then.

Mr. President, generally I do not approve of appeals to emotion, because I do not believe they serve any useful purpose; but I should like to tell the Senate of a letter I received from a Georgia widow, with a son who is a corporal in the 1st Battalion of the 1st Marines. He had served his hitch in Vietnam and was returned to the United States in December 1964, but was shipped back to Vietnam in August of 1965. She wrote me to ask if it were right for a person who had finished one tour of duty there to be sent back so quickly. She informed him she had written to me, and she sent me his answer. This is from a man who had already served one hitch in Vietnam and had been sent back. This is the reply to her letter she received from him:

> DEAR MOTHER: I can't approve of what you did; I could not come home any way but the right way, and that is when my time is up, or else I'm wounded or dead, and I believe it will be because my time is up.

He had faith in himself. I do not know whether he is still alive and serving there. The letter continues:

> The other two ways I don't like. I'd love to be home, but there are times a man can't do what he would like to do, but has to do his part, and I believe this is my part. I hope you understand it isn't because I don't want to see you, but rather it's because I have a duty to do here. Come October I'll be home.

There may be a finer or higher sense of duty than that, but it has not been reflected here in this body.

Robert E. Lee is one of my heroes. I say that unashamedly. He was a great man, though he was the head of the rebel armies. He said that "Duty" is the most sublime word in the English language. The spirit of that American fighting in Vietnam is the most sublime spirit. Would to God it could permeate some of those in this Chamber, because we cannot win by haggling over an authorization bill at this time.

Mr. SALTONSTALL. Mr. President, we have listened to a very eloquent plea by the Senator from Georgia for action on the bill. I know we are going to do it very shortly. The Senator from Georgia, who made his plea, has pointed out the authority involved under the Constitution, and our duty in the Senate. He expressed himself very fully on this subject. He and I spoke on the floor over 2 weeks ago, when we brought the bill out of the Senate Armed Forces Committee by a unanimous vote. We believe there should be prompt action because the boys in Vietnam should be supported, and they need this authorization and the appropriation to support them.

I am opposed to the amendment of the senior Senator from Oregon for two reasons. First, I do not think it is in order in connection with the bill presently before us, and second, I oppose it on its merits. This is no time to pull the rug out from under the President.

S. 2791, which authorizes $4.8 billion in supplemental fiscal 1966 defense appropriations, provides necessary funds so that our men in Vietnam will have the equipment, food, and clothing they need to carry out their assigned tasks in the best possible way. It was reported out of the Armed Services Committee by a unanimous vote, even though some committee members may not entirely agree with our Vietnam policy.

Whether that policy is right or wrong was not considered central to consideration of this bill. It is a separate issue which, as I stated at the time the bill was reported, should be considered separately.

Of course there should be free and open discussion of our role in Vietnam. Certainly no one denies the right of an individual to raise questions regarding the wisdom of our policies there; we know there are important differences within this body on the issue. But S. 2791 is not the proper place to debate the fundamental question raised by the Senator from Oregon.

We must be aware that the issue presented by the Senator from Oregon is not a matter of withholding from the President some new authority he has requested. It is a question of withdrawing from him authority which the Senate, with but two dissenting votes, freely gave to him in August of 1964, and withdrawing it at a most awkward time. The implications of such an action are therefore very serious, and the consequences could be far reaching and lasting.

The legal basis for our participation in the Vietnam conflict has been questioned here and elsewhere. I find it significant and gratifying that recently the house of delegates of the American Bar Association by a unanimous vote of 279 to 0 upheld the legality of our involvement and said it was consistent with the United Nations Charter.

There are different opinions in this body regarding Vietnam, but I think we all applaud the recent statement of President Johnson as he received the National Freedom Award in New York:

> We stand for self-determination—for free elections—and we will honor the result.

His statement of our purpose is worth repeating:

> Our purpose in Vietnam is to prevent the success of aggression. It is not conquest; it is not empire; it is not foreign bases; it is not domination. Our men in Vietnam are there to keep a promise made 12 years ago. The Southeast Asia Treaty promised—as Secretary John Foster Dulles said for the United States—"that an attack upon the treaty area would occasion a reaction so united, so strong, and so well placed, that the aggressor would lose more than it could hope to gain." But we keep more than a specific treaty promise in Vietnam. We keep the faith for freedom.

None of us likes the situation in which we find ourselves in Vietnam. Everyone is troubled by it. We know that an increasing number of Americans is being exposed to danger and that some of our boys are being wounded or killed. We all want peace in that troubled area, but we must face the facts. We are in Vietnam—we are there because of our belief that people everywhere should be free to determine their own way of life, free to make the basic decisions regarding their government. We know there is no easy way out. As George Kennan, in analyzing our policy, said recently in testimony before the Senate Foreign Relations Committee:

> A precipitate and disorderly withdrawal could represent in present circumstances a disservice to our own interests and even to world peace greater than any that might have been involved in our failure to engage ourselves there in the first place.

Given the situation and the responsibilities of the President as Commander in Chief and the chief agent of our foreign policy to exercise leadership in this crisis, can we shoot down his authority, restrict his actions, and indeed in effect repudiate the earnest efforts he has made to bring peace to that troubled area? I think we cannot, and I think we should not.

Whether or not one has misgivings about our policy in Vietnam, it seems to me inappropriate at this time to take the action recommended by the senior Senator from Oregon. What would be the consequences of such an action? What would be its effect on the morale of those serving us there? What would be the effect on our allies and on the Government of South Vietnam? How would Thailand, Cambodia, Indonesia, and other neighboring countries react? Such an action would bring satisfaction to our enemies, consternation to those countries who, like us, are dedicated to the preservation of freedom, and would strike a crippling blow at the morale of our fighting men presently in Vietnam.

This is a time to show the world that individual differences over particular actions do not prevent us from presenting a united front, from supporting our Commander in Chief.

Senators and other Americans ought to continue to discuss the situation in Vietnam, to raise questions about policies, and offer constructive suggestions. That is one thing, but to shoot from under the President at this time his authority which we almost unanimously gave him in 1964 is, to me, unthinkable.

Of course, we expect the President to use sound judgment and to confer and consult with his advisers and the Congress as he goes about the difficult task of ending this conflict. He has kept us informed so far and has asked our views and I see no reason to think he will stop doing so.

I am confident that when the vote is taken on the Morse amendment it will be defeated by an overwhelming margin. That will reveal our unity of purpose, that will give hope to our servicemen and to the people of South Vietnam, and will dismay our enemies who may have been deluded into thinking discussion meant fundamental disagreement. It will remind the world of our concern for our fellow man as he fights to remain free and to live in peace and rebuild his economy and the social and political life of his country. At this difficult time we cannot repudiate our President or imply that we have no confidence in his future actions. Passage of the Morse amendment would be misunderstood around the world with irreparable damage to our prestige and that of our President. I shall vote against it, and hope that it will be overwhelmingly defeated.

Mr. STENNIS. Mr. President, will the Senator yield to me for 1 minute?

Mr. SALTONSTALL. I yield.

Mr. STENNIS. I wish to say to the Senate and to the people of this Nation that I do not believe the solidarity and unity of this Chamber has ever been better represented in a time of peril than it has by the two spokesmen we have just heard, the Senator from Georgia [Mr. RUSSELL], who is the chairman of the committee, and the Senator from Massachusetts [Mr. SALTONSTALL], who is the ranking Republican member of the committee. I salute them and commend them.

I would like to be associated with every point that they made. I would like to be especially associated with the point that the Senator from Georgia made when he said every dissent, every division, every expression of doubt, every expression of uncertainty is encouragement to our adversaries. They are looking for that kind of encouragement. They know that they cannot beat us on the field of battle, but they are looking here for encouragement to carry on their activities.

I hope that we get an overwhelming vote.

Mr. LONG of Louisiana. I will only state what I said some time ago when I said I hoped that this amendment would be offered, because I wanted to speak against it and vote against it.

Senators have complained in some instances that they have not had an opportunity to express themselves. If anyone does not have confidence in the President, if he wants to withdraw from the President as our Commander in Chief under the Constitution, the authority given the President to take whatever steps he finds necessary to resist aggression, then that Senator should vote for the amendment. If the motion to table is made, he should vote against the motion to table.

As far as I am concerned, I am voting on the merits of this matter. I understood the merits of the matter when I voted in August of 1964. I understand very well that we cannot fight a war by having 535 commanders in chief. There must be one Commander in Chief. We must unite behind that Commander in Chief and have faith and confidence in him, just as we have in the men that we send there to defend our national honor and the freedom of the world.

I will vote against the amendment and I hope that anyone who lacks faith and confidence in the President will vote against the motion to table in the event it be made.

Mr. President, I have an editorial here that I wish to put in the RECORD from WTOP in Washington. It is a very fine statement making clear the fact that those who wish to urge a policy of weakness and urge that we should not be firm and strong in our commitments, and those who wish to further erode the strength of our position, should seek to address themselves to the President individually and personally rather than through the press and the CONGRESSIONAL RECORD.

Mr. President, I ask unanimous consent that the WTOP editorial be printed in the RECORD as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[Editorial broadcast on Feb. 23 and 24, 1966, over WTOP radio and television]

PRENEGOTIATION STRATEGY

Perhaps the wisest thing that has been said in the most recent flap about Vietnam came from U.N. Ambassador Arthur Goldburg following a White House conference. The Ambassador was asked about Senator KENNEDY'S statement to the effect that the Communists might be allowed to participate in a coalition South Vietnamese government. His response was that enough has been said on the subject already.

There has been a great to-ing and fro-ing here in Washington the last couple of days about Senator KENNEDY'S argument that it might be necessary to admit dissident groups—meaning the Vietcong, mostly—into "a share of power and responsibility" in Saigon.

There have been any number of attempts at clarification, with the result that Senator KENNEDY appears to be edging closer to the White House view on how the Communists might become entitled to share power in South Vietnam. But in the midst of all the declarations on the subject, a fact emerges which needs attention.

It is that the United States cannot decide publicly before negotiations start just what our final bargaining positions will be. The situation allows a considerable number of options, depending on a number of circumstances when and if the Communists decide to talk to us.

We have offered unconditional negotiations. We have agreed to have the Vietcong represented, in fact if not in name. We have said—before Senator KENNEDY raised the issue—that we will accept the consequences of self-determination among the people of South Vietnam, whether we like those consequences or not. Surely this is as much as we ought to concede in advance of talks about the terms of a peace agreement.

This was a WTOP editorial, Jack Jurey speaking for WTOP.

Mr. JAVITS. Mr. President, I feel moved to speak because I think there is a point of view which has not been expressed.

Those of us, like myself, who will vote against the Morse amendment and want to table it, and who will vote for the bill to give the President additional funds, are not again writing a blank check.

I do not, and I cannot accept the vote against the Morse amendment as being a reaffirmation. Reaffirmation is the word used by the Senator from Georgia [Mr. RUSSELL]. He made a most moving speech, with which I agree in substance, as well as the speech of the Senator from Massachusetts [Mr. SALTONSTALL].

I cannot accept the fact that this will be a reaffirmation of the resolution of August 1964. The fact is that as the President has handled this situation he leaves us no other alternative. He has left no alternative for those who disagree with his policies except to vote against an authorization on another occasion. As I agree with his policies to date, I shall vote for this authorization. But if tomorrow I disagree with his policies the President leaves us no alternative but to vote against an authorization, and I shall do so.

Why is that so? It is a fact that the President has, in my judgment, the constitutional authority—as the house of delegates of the association of the bar found, as the Senator from Massachusetts [Mr. SALTONSTALL] said, as Commander in Chief and the official charged with foreign policy of the Nation—to intercede in Vietnam or any place with the Armed Forces of the United States where the interests of the United States are in such imminent danger. He can come to the Congress for the necessary authority which is, generally speaking a declaration of war.

I thoroughly agree with the Senator from Georgia [Mr. RUSSELL] that a declaration of war would be most inadvisable at this time and I have said so in debate on the floor of the Senate.

The President was not satisfied with that. He not only ordered U.S. troops to Vietnam under aforementioned Presidential authority but he came to the Congress for a resolution and asked us to join in the policy. That resolution was not juridically necessary and it has no juridicial force. But in terms of policy it is critically important. It committed us to Presidential policy as of that time.

That is what the Gulf of Tonkin resolution meant. Having associated ourselves with this policy then, we now have a right to be consulted once again.

The Senator from Oregon told us the only logical thing he could do, considering his point of view, was to give us the opportunity to repudiate the policy the President set, and he is right. If we voted for the amendment of the Senator from Oregon, and the other body did, as it is also required to act, we would no longer be the President's partners in a policy sense.

It is a fact, whether we like it or not, that by virtue of having acted on the resolution of August 1964, we are a party to present policy. But we are a party that should be consulted now as well. We must be given an opportunity at the initiative of the President, to reaffirm our support for a new situation and also to set limits to his commitments of U.S. power. Our August 1964 resolution is analogous, in my mind, to a power of attorney that one gives to a lawyer or someone else for a particular purpose: buying a house, a withdrawal of money from a bank account, and so forth, which power is also on very general terms.

I agree with the Senator from Georgia [Mr. RUSSELL] that we are not engaged in legal tautologies. I understood perfectly that the President would get a grant of enormous authority. I said so. The Senator from Kentucky [Mr. COOPER] said so. The Senator from Georgia, I am sure, understood that very clearly. I know that he is an excellent lawyer; of course he did.

Mr. RUSSELL of Georgia. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I yield.

Mr. RUSSELL of Georgia. The Senator knows that we were approving the use of the President's constitutional power.

Mr. JAVITS. Exactly.

Mr. RUSSELL of Georgia. We put Congress behind the President. We put the imprimatur of congressional power on a power that he could have exercised anyway. The late Senator Borah answered an argument that the Congress could make the President bring home certain troops then stationed in Europe:

> We could not make the President do it. He is Commander in Chief of the Army and Navy of the United States; and if in the discharge of his duty he wants to assign them there, I do not know of any power that we can exert to compel him to bring them home. We may refuse to create an army, but when it is created he is the commander.

Mr. JAVITS. The Senator is exactly correct. The logical sequel to that is that if the President has abused his power to commit our forces, Congress still has a remedy. That remedy is to deny him the money. Then he can no longer exercise the power, and he must withdraw our forces. That is exactly what the Senator from Oregon is telling us.

The Gulf of Tonkin action has no role with reference to the action subsequently taken. At that time we were reacting to an attack upon American personnel and equipment. Our ships were in the Gulf of Tonkin. Since that time, and specifically from February to June of 1965, we have been engaged in combat operations. We are no longer advising; we are in direct combat operations in South Vietnam with organized American forces. I respectfully submit that this is an entirely different policy decision from the decision which authored the Gulf of Tonkin resolution. Therefore, I am speaking today to explain why I back the actions of the President to date and to give notice why I may refuse to back him tomorrow.

Incidentally, I think there is a rather broad feeling pretty much along this line throughout the country. That is why the President has been making all the statements he has made—and quite properly—about his willingness to negotiate without conditions and about the limited purpose and the limited means he proposes to use to attain that purpose. But it is extremely important that the President should at no time mask his purposes. Consistent with the national security and with the way this matter is being handled, the President has a duty to the country and to Congress to at no time mask his purposes. We ought to know at all times exactly what his purpose is, if we are called upon to support that purpose. I think the President would do well to associate himself with Congress. Personally, I believe he is making a great mistake in not again coming to Congress and asking for a resolution of support. By coming to Congress again with a resolution, he would thereby give us an opportunity to support his present policy in a formal and direct way, and not force us to express approval or disapproval through other legislative means.

Therefore, when I vote in favor of this authorization bill, I am not reaffirming the joint resolution of August 1964 nor rejecting it. New policy support should necessitate a new resolution. Without such a resolution, I am left with no alternative but to protest against future Presidential actions in Vietnam through the authorization and appropriations process, that is, through the back door. And on behalf of the people of my State, I shall protest should any policy go beyond limited military means and objectives.

The final question, then, is, Why do I support the President as far as he has gone? I do support him, and I shall vote that way, and shall know what I am voting for when I vote. The President has expressed a willingness to negotiate unconditionally. I believe, as I have said in a previous speech, that if we actually get a chance for peace talks, the President will, as Averell L. Harriman indicated, recognize the National Liberation Front of the Vietcong as a party to the negotiations. I am against the idea that they should be included in a coalition government before negotiations.

A second element of the President's policy, as I understand it, is that he is applying limited means to a limited purpose. In other words, he is not asking Congress for general mobilization. He assures us that he is not prejudicially draining down the forces of the United States that are charged with responsibilities around the world; but that he is utilizing forces which are available to the United States for this purpose, and that the purpose is solely to bring about sufficient pacification of major population concentrations in South Vietnam to enable that country to proceed to free elections and self-determination.

I think this is a very exciting day. It indicates the complete maturity of our country when not only the President, but also Senators like the Senator from Georgia [Mr. RUSSELL], can say that if in free elections, after a reasonable pacification period insuring the elections will really be free, the Vietnamese decide they want a Communist government, that is what they will have. We certainly will not stand in the way of free elections. This is an extremely important and most mature declaration of policy on the part of very important people in our country.

There is one ambiguous point in the President's declaration to date. The difficulty is that the President seems content to carry around in his pocket a worn copy of the August 1964 joint resolution. The President may further wrongly assume that a vote for this authorization bill is an endorsement of any future actions.

Perhaps that is the real essence of the argument of the Senator from Oregon [Mr. MORSE], and of the previous arguments which I have heard him make—and he knows that I have the highest respect for his judgment in the matter. I have debated as an administration defender in this particular matter. I speak in the role of a liberal, although the general liberal community is considered to be unfavorable to what the Government is doing in Vietnam. I do not agree with that because it seems to me to be anomalous that the liberal community of the United States should not recognize a struggle for freedom, as this one is, in my judgment, within the conditions I have described. Nonetheless, that is so.

So I have engaged in these debates. And I recognize the problem of escalation. We are always faced with the problem that if we put in another 100,000 men, the other side will put in another 100,000; then it will be increased 100,000 beyond that. Then we shall move into Cambodia, into North Vietnam, and into Laos; or we may take some other overt action against Communist Chinese installations, and the fat will then be in the fire.

But I do not conceive of that at all within the authority which I would be voting the President by supporting the bill to authorize $4.7 billion in additional appropriations. I do not believe, from everything that he has shown to date, that the President will construe our action in that way. I believe we are making a pact with him based exactly on what he has said. I make the urgent plea in terms of penalty, of being a grievous, deep offense in this country, that if the President wishes to espouse another policy which goes beyond the present deployment of our forces, the President, because he has now opened the door by the joint resolution of August 1964, should again come back to Congress for a new declaration of policy.

If there is any escalation beyond that point, then all of the arguments which have been made with reference to the escalation become relevant and pertinent.

I believe I have stated the situation thoroughly. It is my judgment that if the President sticks to his peace offensive, if he sticks to the limited purpose which he has described to us, and the means which he has described to us, those missions will accomplish that purpose.

This particular appropriation, it seems to me, has as its base the testimony of the Secretary of Defense, found at page 55 of the hearings.

I believe that to be so important that I hope my colleagues will indulge me as I read it into the RECORD.

Senator ELLENDER asked:

> Now, you have asked, for an increase in the number of personnel generally, in the amount of 510,521 as appears on page 12 of your statement, that is your exhibit appearing at page 12. How many of those will be directly connected with our operations in South Vietnam?

This was Secretary McNamara's answer:

> Secretary MCNAMARA. First, Senator ELLENDER, we haven't asked for 510,521 to be added to the original 1966 program, but, rather, that amount less the military jobs transferred to civilian jobs, plus another adjustment, with the result that the net increase we are asking above the original 1966 total is 452,843.
>
> Senator ELLENDER. Well, they are Americans who are going to be employed either in the Army, or the Navy, or the Air Force as well as personnel to take care of the administrative portion of our operations.
>
> Secretary MCNAMARA. The net total is 453,000, not 510,000.
>
> Senator ELLENDER. At the bottom of your exhibit, you have a total of 510,521, you deduct 74,300 and add 16,620 to give you the figure——
>
> Secretary MCNAMARA. That is correct, sir. It is 453,000.
>
> Senator ELLENDER. Well, of that 453,000, how many of those will be used in South Vietnam?
>
> Secretary MCNAMARA. Well, these are additions to the total U.S. military force and it is not possible to say that any of those in particular will be used in South Vietnam, but, in the net, all of them are being added because of the South Vietnam conflict.

Mr. President, we have a right to assume that the order of magnitude we are talking about in this supplementary appropriation is approximately 450,000 personnel. The exact number is not material.

I am satisfied, as one Senator, that this kind of deployment in South Vietnam is enough, and that we will not have to go in for a general mobilization. We should not prejudicially drain the personnel available for our responsibilities around the world; We can do the limited job in South Vietnam described by the President with the presently projected force level.

With my eyes wide open, I am prepared to support that kind of effort. My reason is twofold: First, we must show that wars of national liberation, so-called euphemistically by the Communists, do not work. Even if they were to work, I do not believe in the domino theory. It will not be Malaya, Burma, or Thailand tomorrow, but it may very well be 8 or 10 Latin American countries, or 4 or 5 African countries, or 3 or 4 countries in the Middle East.

The Communists will try this approach wherever they can because it will be a formula that works. We shall have shown our inability to deal with it.

In terms of averting world war III, it is so critically important that we show our ability to deal with these guerrilla wars, that I believe that every American boy who falls in Vietnam is as much a hero as any boy who fought the Kaiser in World War I or Hitler in World War II.

Before I conclude, I shall read a letter which made my hair stand up. I believe that it will have the same effect on everyone else.

My second point is that in our great struggle with communism, the difference between the Soviet Union and Communist China is that the Communist Chinese think that in order to prevail, they must exterminate a good part of mankind.

The Soviet Union believes, and I think this is fairly clear from their policy, that they can outcompete the free world.

We very much prefer the latter kind of policy and welcome the competition on these grounds. We are ardent rooters for the latter because we think we can do mighty well ourselves. However, the Soviet Union is now engaged in this struggle in Vietnam up to its neck. Why? Because it is still placing its leadership of the Communist world on a higher priority than it places the effort to arrive at a detente or coexistence with the United States and the rest of the world.

I want to change that priority. The only way to avoid world war III and to change that priority is to show the Communist Chinese that the Soviet Union scheme of peaceful competition is better than the risks of war.

I consider that what has been done in South Vietnam, regardless of whether I would have gone there in the first place, or whether it is the best place for the confrontation—and there will be a lot of argument about that—is now a fact. The situation is there. It makes little sense to rehash past mistakes.

I believe that we must ultimately find a way to get along with Communist China. The alternative is ever-increasing risks of war through miscalculation. The coexistence idea must prevail, rather than the extermination idea which prevails presently among the Communist bloc.

It is for those reasons that I shall support the request for the appropriation now, without any assurance that I would do so tomorrow.

Mr. President, it is also for those reasons that I shall oppose the amendment of the senior Senator from Oregon.

I think it is most unfortunate that, because of the disputes and the differences and the unhappiness in many quarters, especially in very articulate quarters, in the newspapers, the press, the radio, and television, there is some feeling that the boys who are fighting in Vietnam are not quite earning the kind of gratitude, understanding, and appreciation from the American people as did those who fought in World Wars I and II. This is a very unhappy and most unfortunate situation.

I hope very much that whatever may be our view upon this situation—and I certainly have frankly expressed mine—that we will give recognition to those who are encountering the terrible dangers involved in this struggle. We have extended such recognition from our hearts for the patriotism of so many others around the world.

Mr. President, I should like to close by reading a very brief note. I sent a letter of condolence to this family which lost a son, a lieutenant, in the action in Vietnam.

The family wrote me as follows, the letter being signed by the members of the family:

> DEAR MR. AND MRS. JAVITS: Thank you for your letter of comfort in this tragic time. We have lost our only child, a wonderful, loving, devoted, dedicated son. He has left us with beautiful memories. Our hope is that all involved in the struggle for the freedom for which Joseph sacrificed his life will be channeled in the right direction because that sacrifice must not have been in vain.

The letter is signed, "Sincerely, Joe and Pat De Gennaro."

Mr. President, if I can help as a Senator, as a human being, I shall do everything that I can.

The PRESIDING OFFICER. The Senator from Montana.

Mr. MANSFIELD. Mr. President, for the information of the Senate, it is my intention, at an appropriate time, to move to table the amendment offered by the distinguished Senator from Oregon [Mr. MORSE]. While the Senator's amendment is in order, of course, under the Senate rules, I feel that it is inappropriate and inadvisable in connection with this bill at this time.

S. 2791, the pending business, is a military "nut and bolts" measure. The questions involved in it are clear and tangible. Regardless of the Tonkin Bay resolution we will have to dispose of this measure sooner or later. It is a bill which should stand alone and, in my judgment, should be considered on its own merit. I do not believe that any Member of the Senate wishes to delay the bill, as such, unduly. Difficulty has arisen here primarily because S. 2791 has been given in the minds of some a significance which it does not possess. There are many views, for example, on the precise meaning of the Tonkin Bay resolution which the distinguished Senator from Oregon seeks to rescind by his amendment. They cannot be resolved, in my judgment, through the vehicle of S. 2791 and so I shall move to table. If the Senator's amendment is tabled, it will have the effect of keeping in force the Tonkin Gulf resolution as passed by the Senate on a rollcall vote of 88 to 2 in 1964.

The prevailing constitutional situation will be unchanged. The significance of the Tonkin Gulf resolution will remain unchanged. It will still be as it is now, for each Senator in his own conscience to decide. The President believes that this resolution gives him some additional assurance, some authority in addition to that embodied in his constitutional position as Commander in Chief. Obviously that is the case or he would not have asked for the resolution in the first place. But among Senators, I know, there has been a wide divergence of view as to what, if any, constitutional significance attaches to a resolution of this kind. Those divergencies will remain. Indeed, that has been the case with all these so-called hand-upholding resolutions beginning with the Eisenhower administration.

Insofar as the leadership is concerned, however, a vote to table is most of all a vote to get on with the main business of S. 2791. It is also a vote to keep the Tonkin Gulf resolution in effect with whatever constitutional force it may have, even as a vote against tabling, as the distinguished Senator from Oregon has indicated, will result in its rescinding provided that the other House also agrees.

To that extent, the issue is clear even though this is not the appropriate way, in my opinion, to consider this matter. As long as it has come before the Senate, however, a choice will have to be made. We are in too deep now. The situation is one of the utmost delicacy and the risk of misinterpretation is very great. It is, in short, a situation which each Senator will have to face up to on the basis of his own convictions.

Several Senators addressed the Chair.

The PRESIDING OFFICER (Mr. BAYH in the chair). The Senator from Washington is recognized.

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield to the Senator from Washington.

Mr. JACKSON. Mr. President, I should like to ask the distinguished leader, is it his interpretation that his motion to table shall have the effect of reaffirming the Tonkin Gulf resolution?

Mr. MANSFIELD. If the Senator was on the floor, he will recall that I said, in the course of my brief remarks, it meant that the Tonkin Gulf resolution would still be in effect.

Mr. JACKSON. Mr. President, my only concern is that I think, after this long debate on the floor, it would be unfortunate if we came out of our deliberations with muted decisions. While a bill of this sort is not necessarily the place to offer this kind of amendment, I think the country is entitled to know the position of the Senate on Vietnam. I am very pleased that the majority leader makes that interpretation in offering his motion to table.

Mr. MANSFIELD. I appreciate the remarks of the Senator from Washington, and again call to his attention what I previously said:

> Insofar as the leadership is concerned, however, a vote to table is most of all a vote to get on with the main business of S. 2791. It is also a vote to keep the Tonkin Gulf resolution in effect with whatever constitutional force it may have, even as a vote against tabling, as the distinguished Senator from Oregon has indicated, could well result in its rescinding, provided that the other House also agrees.

I yield to the distinguished minority leader.

Mr. DIRKSEN. Mr. President, this entire matter had long discussion before the majority leader came in and his question as to whether or not there would be a vote directly on the Morse amendment or on the motion to table came up. There was some apprehension that a vote on the motion to table might leave some misapprehension or misimpression abroad.

In all kindliness, I say to my distinguished friend the Senator from Oregon that I wish to make clear that the position of the minority—and I think I speak for most of them—is that we completely separate ourselves from the views expressed by the distinguished Senator from Oregon, both in committee and on the floor, and that if those views are something of a symbol in southeast Asia, we wish to do what we can to destroy that symbol as a reflection of the views of the American people.

So when we vote for the motion to table—and the majority leader informed me this morning that he intended to make that motion—I wish to say for my part, to my fellow Senators and to all the wide world, that what we are trying to do is get on with the serious business, the undramatic business of this struggle in Vietnam and wind up as quickly as possible, and to supply the American troops with whatever is necessary to do a complete and final job.

Mr. MANSFIELD. I yield to the Senator from Wyoming.

Mr. McGEE. Mr. President, I am happy that the majority leader has moved to table the amendment of the Senator from Oregon.

Mr. MANSFIELD. No; I will move.

Mr. McGEE. Will move to table it. I, too, however, express concern over how the vote on that matter will be interpreted. People sometimes have difficulty, I think, understanding a parliamentary move on the floor of the Senate. As a matter of fact, if I may say so, there is sometimes some disagreement among Senators as to what their votes mean. It is no wonder that beyond our shores, there is occasionally confusion as to the meaning of an action taken by the U.S. Senate.

For that reason, I think we should be under no illusions about what will be said about a Senate vote this afternoon to table the amendment of the Senator from Oregon. If that motion is indeed agreed to, as I am sure it will be, I trust that it will be understood that this is in no sense a diminution of the Tonkin resolution, that this is in no sense a backhanded slap at an existing policy position. I think we should make it unalterably clear, especially to the aggressors, that this has no significance for them that could be equated with a retraction or withdrawal or some other form of weakness. I think it is important that we make that clear because there are those who press against their restraints as they seek a sign of weakness, as they probe for soft spots of which they can make the maximum psychological use.

I personally believed that the Gulf of Tonkin resolution was very clear at the time it was passed. I did not think I was confused about it, and do not think I am now, but I do respect those who are raising questions, and I think as we vote on the motion which will be made by the majority leader to table the rescinding proposal of the Senator from Oregon, that we still should make clear on the RECORD that we are taking two actions. Those who believe with him that we should rescind the August 1964 resolution should stand up and be counted. I think that is their free right to expression, and I think it is a part of our system. I think it is a part of the risk that we have to afford in our kind of society.

But for the others, I desperately hope than an overwhelming vote to table will mean exactly what it says, that there is no intention on the part of the Members of the Senate to in any way detract, by that vote, from the President's position in southeast Asia. I think that must be made unequivocally clear, that no aggressors should take comfort in it, that no psychological warriors may seek to exploit it beyond its real meaning.

If we take those precautions, I think we will be, in a sense, sustaining, in effect strengthening and reaffirming the role of the President himself as Commander in Chief.

This is a technique used many, many times in our history by our Commander in Chief. I only hope that the parliamentary maneuver does not lend itself to a negative interpretation, or to a weakened response. Let the aggressors, I say, stand on notice that the Senate is, indeed, with the President on the question of aggression.

I wish to thank the majority leader for yielding to me at this time.

Mr. NELSON. Mr. President, I wish to make a few brief remarks about the amendment offered by the Senator from Oregon which I shall oppose because it has no current relevance. I have taken no time on the bill, and do not intend to do so. However, first I should like to take this opportunity to commend the Senator from Arkansas [Mr. FULBRIGHT], and the Committee on Foreign Relations, for the great contribution he and the committee have made to the dialog concerning the issue which now confronts the country.

Far too little credit has been given to the chairman of that committee, and to the committee itself, for the great contribution to the public education they have made.

I have had occasion twice to be back in my own State. I have no notion, no judgment, and no guess as to whether it changed the viewpoints of the people in the country on balance; but I do know that it was the first time in the history of our involvement in South Vietnam that the people of this country have had an opportunity to hear the experts representing diverse viewpoints intelligently discuss the subject on television in their homes.

I read a number of columnists who declared that no one learned anything as a result of the hearings. Well, Mr. President, of course Mr. McNamara did not learn anything. He did not pick up any new facts, and neither did the chairman of the committee nor those in the Congress and of the press who have made it their business to study the issue. But the general public learned a great deal.

Tragically, Congress has permitted almost 2 years to pass by without adequately discussing what is involved in southeast Asia. In my opinion the lack of debate and discussion is what has caused the confusion and misunderstanding in this country.

The contribution to this debate of the hearings in the Foreign Relations Committee has been of great value and significance, and I wish to commend the chairman and the committee.

Mr. FULBRIGHT. Mr. President, will the Senator from Wisconsin yield just briefly?

Mr. NELSON. I am glad to yield to the Senator from Arkansas.

Mr. FULBRIGHT. First, I appreciate what the Senator said. I have already said publicly that I believe one of the most serious mistakes I have made as chairman was in not accepting or urging the Senate to accept the amendment offered by the Senator from Wisconsin in August 1964. I do not believe it is proper, and do not wish to take the time to explain the circumstances of that particular moment, but, nevertheless, I believe it was a mistake and I commend the Senator from Wisconsin for having more foresight than I had at that time, and I think many other Senators, as to the possible significance of that resolution. He did offer a very sensible, limiting amendment to that resolution, and I regret that we did not have the kind of discussion of it in public at that time that we have had recently. But I do commend the Senator from Wisconsin for his foresightedness and regret that I did not have as much.

Mr. NELSON. I believe that the Senator advised me at that time that his interpretation of the resolution was the same as the purpose of my amendment, and that therefore the amendment was unnecessary.

Mr. FULBRIGHT. I thought it was.

Mr. NELSON. I also wish to commend those who have participated in this debate on both sides of the aisle.

Although very frequently I do not agree with the Senator from Oregon, I should like to say that he has made a most valuable contribution to this discussion—and he will continue to do so.

One thing, however, that disturbs me very much is the argument I have heard advanced in the press, by columnists, by distinguished Members of Congress, and people in the executive branch, that we should not be debating this issue because what we say here, in our free country, will be misunderstood by some Communists in some other country, Communists who do not know what free speech is all about and never will.

Mr. President, this is the greatest parliamentary body in the world. It is the oldest parliamentary body in the world. Its function and purpose is constructive debate. The strength of this Nation is measured by its capacity for intelligent debate, not by its ability to goosestep. I hope we do not undermine that source of our power. I have heard it implied here and elsewhere lately that free speech and dissent should stop because it may be misunderstood in Communist countries. This is a dangerous parallel to the theory that was recently used by the Russian court in sentencing two writers to jail, not because of what they said in Russia but because they published books in this country which the Russians thought would be misunderstood in America and damage Russia. On that theory the Russian court sentenced the writers to jail.

Over here, we have people saying that we should stop debate because someone else who cannot understand the debate might misunderstand our resolve and damage America.

Mr. President, freedom is what democracy is all about. If some foreign dictator does not understand it, that is too bad. I have no intention of giving up my freedom of speech because some Communist does not understand what free speech is all about—and never will.

Regarding the Tonkin Bay resolution, let me comment briefly. It has been repeatedly stated by those who unqualifiedly support the Tonkin Bay resolution that there were only two Senators who had any reservations about it.

Mr. President, I had reservations about that resolution and I made them clear. I was in the Chamber on August 6, August 7, and August 8, and participated in the dialog concerning the resolution, as did several other Senators, who also expressed grave reservations about the resolution. Their remarks were intended to interpret that resolution and demonstrate congressional intent.

I discussed the subject on three different days with the chairman of the Foreign Relations Committee, and I am a little weary of having my vote interpreted as an unqualified endorsement of escalation. The record will show it was not such an endorsement.

The chairman of the Foreign Relations Committee was in the Chamber—the Senator from Arkansas [Mr. Fulbright], as the spokesman for the administration. As a U.S. Senator, I was entitled to accept his advice, counsel, and interpretation of that resolution as an expression of the intent of the administration.

Mr. President, I shall not read the whole dialog, but I will read a part of it from the Record of August 6 and 7, 1964, as follows. Addressing myself to the chairman of the Foreign Relations Committee:

> But I am concerned about the Congress appearing to tell the executive branch and the public that we would endorse a complete change in our mission. That would concern me.
>
> Mr. Fulbright. I do not interpret the joint resolution in that way at all. It strikes me, as I understand it, that the joint resolution is quite consistent with our existing mission and our understanding of what we have been doing in South Vietnam for the last 10 years.

Skipping some of it, I addressed the chairman once more, as follows:

> In view of the differing interpretations which have been put upon the joint resolution with respect to what the sense of Congress is, I should like to have this point clarified. I have great confidence in the President. However, my concern is that we in Congress could give the impression to the public that we are prepared at this time to change our mission and substantially expand our commitment. If that is what the sense of Congress is, I am opposed to the resolution. I therefore ask the distinguished Senator from Arkansas if he would consent to accept an amendment, a copy of which I have supplied him. I shall read it into the Record:
>
> "On page 2, line 3, after the word, 'That' insert '(a)'.
>
> "On page 2, between lines 6 and 7, insert the following:
>
> " '(b) The Congress also approves and supports the efforts of the President—

This was the amendment to the Tonkin Bay resolution—

> to bring the problem of peace in southeast Asia to the Security Council of the United Nations, and the President's declaration that the United States, seeking no extension of the present military conflict, will respond to provocation in a manner that is "limited and fitting". Our continuing policy is to limit our role—

Listen to these words—

> to the provision of aid, training assistance, and military advice, and it is the sense of Congress that, except when provoked to a greater response, we should continue to attempt to avoid a direct military involvement in the southeast Asian conflict'."
>
> This amendment is not an interference with the exercise of the President's constitutional rights. It is merely an expression of the sense of Congress. Would the Senator accept the amendment?
>
> Mr. Fulbright. It states fairly accurately what the President has said would be our policy, and what I stated my understanding was as to our policy; also what other Senators have stated.
>
> * * * * *
>
> I do not object to it as a statement of policy. I believe it is an accurate reflection of what I believe is the President's policy, judging from his own statements. That does not mean that as a practical matter I can accept the amendment. It would delay matters to do so. It would cause confusion and require a conference, and present us with all the other difficulties that are involved in this kind of legislative action. I regret that I cannot do it, even though I do not at all disagree with the amendment as a general statement of policy.

I would think that ought to be a sufficient answer to those who have repeatedly insisted that the Tonkin resolution was a blank check. It was not. I had reservations. So did others. I was assured that we were not changing our role in southeast Asia. We have changed it. Obviously we cannot turn back the clock. But I trust that, for the sake of the historical record this may correct those gross misinterpretations of the record which have been so frequently uttered on the floor and elsewhere in recent months.

Mr. President, I ask unanimous consent to have printed extracts of the statement to which I previously referred.

There being no objection, the extract was ordered to be printed in the Record, as follows:

> But I am concerned about the Congress appearing to tell the executive branch and the public that we would endorse a complete change in our mission. That would concern me.
>
> Mr. Fulbright. I do not interpret the joint resolution in that way at all. It strikes me, as I understand it, that the joint resolution is quite consistent with our existing mission and our understanding of what we have been doing in South Vietnam for the last 10 years.

(August 7, 1964)

INTERPRETATION

Mr. NELSON. Mr. President, I have read the RECORD. There was some colloquy on the floor yesterday. I noticed that every Senator who spoke had his own personal interpretation of what the joint resolution means.

One Senator yesterday stated for the RECORD that he understands the resolution to mean that there will be no more privileged sanctuaries.

Another Senator interprets the resolution to mean that it would authorize the Chief Executive to eliminate any aggression, future and present. Some Senators interpret this language to mean aggression against South Vietnam; others interpret it to mean aggression directly against our military forces.

Another Senator interpreted the joint resolution to mean that it is the sense of Congress that no change is suggested by Congress in the present mission in South Vietnam—the mission that has been ours for 10 years, which is to supply advisers, technical advice, and materiel, for the purpose of attempting to encourage the establishment of an independent, viable regime, so that we can withdraw our forces; and that it has not been our mission in the past 10 years to substitute our military forces for the South Vietnamese forces, nor to join with them in a land war, nor to fight their battle for them, nor to substitute our Government for theirs.

This 10-year-old limited mission can be legitimately defended as a responsibility of ours to assist free and independent nations; and it can be legitimately questioned, too, because of the geographic location of that mission.

In any event, I am most disturbed to see that there is no agreement in the Senate on what the joint resolution means. I would like to see it clarified.

NELSON'S AMENDMENT

Mr. NELSON. In view of the differing interpretations which have been put upon the joint resolution with respect to what the sense of Congress is, I should like to have this point clarified. I have great confidence in the President. However, my concern is that we in Congress could give the impression to the public that we are prepared at this time to change our mission and substantially expand our commitment. If that is what the sense of Congress is, I am opposed to the resolution. I therefore ask the distinguished Senator from Arkansas if he would consent to accept an amendment, a copy of which I have supplied him. I shall read it into the RECORD:

"On page 2, line 3, after the word 'That' insert '(a)'.

"On page 2, between lines 6 and 7, insert the following:

" '(b) The Congress also approves and supports the efforts of the President to bring the problem of peace in southeast Asia to the Security Council of the United Nations, and the President's declaration that the United States, seeking no extension of the present military conflict, will respond to provocation in a manner that is 'limited and fitting'. Our continuing policy is to limit our role to the provision of aid, training assistance, and military advice, and it is the sense of Congress that, except when provoked to a greater response, we should continue to attempt to avoid a direct military involvement in the southeast Asian conflict.' "

This amendment is not an interference with the exercise of the President's constitutional rights. It is merely an expression of the sense of Congress. Would the Senator accept the amendment?

Mr. FULBRIGHT. It states fairly accurately what the President has said would be our policy, and what I stated my understanding was as to our policy; also what other Senators have stated. In other words, it states that our response should be appropriate and limited to the provocation, which the Senator states as "respond to provocation in a manner that is limited and fitting," and so forth. We do not wish any political or military bases there. We are not seeking to gain a colony. We seek to insure the capacity of these people to develop along the lines of their own desires, independent of domination by communism.

The Senator has put into his amendment a statement of policy that is unobjectionable. However, I cannot accept the amendment under the circumstances. I do not believe it is contrary to the joint resolution, but it is an enlargement. I am informed that the House is now voting on this resolution. The House joint resolution is about to be presented to us. I cannot accept the amendment and go to conference with it, and thus take responsibility for delaying matters.

I do not object to it as a statement of policy. I believe it is an accurate reflection of what I believe is the President's policy, judging from his own statements. That does not mean that as a practical matter I can accept the amendment. It would delay matters to do so. It would cause confusion and require a conference, and present us with all the other difficulties that are involved in this kind of legislative action. I regret that I cannot do it, even though I do not at all disagree with the amendment as a general statement of policy.

Mr. FULBRIGHT. Mr. President, in that connection, I certainly agree with what the Senator from Wisconsin has said. He is right to have made it. I have stated that I understood, from the information that was given to us, a specific incident was presented as the reason for that resolution. It was that a direct attack had been made on our ships on the high seas—this is what we were told—where they had a right to be.

We were told it was an unprovoked attack. In other words, we had not done anything that properly could be considered as provocation. These facts are difficult for a committee or any of us to check. I think we were told things happened at night and things were moving rapidly, and so on.

I had no reason to doubt the factual situation. On the other hand, it is extremely difficult to prove what happened. In any event, the Senator from Wisconsin has certainly stated very clearly what the situation was. We all know the President has, without any resolution, the right to respond to an immediate attack. He has the right to take actions of a temporary nature, one might say, to protect our interests. Then at some point, if hostilities continue, if the Constitution means anything, a declaration of war should be sought.

I will leave it to Senators, the manager of the bill, the administration, whether or not we are now at war. This bill and other events would indicate we are. I have discussed this matter with some of those who have responsibility in this area. They are reluctant to do what I have suggested. I am not at all sure, if we continue along the course we are following, it will not be necessary to impose powers and disciplines and controls upon our economy sooner or later. We cannot carry on this kind of conflict and call it a skirmish. So this is a matter I think the administration should be giving thought to.

I have a few remarks to make generally about the situation, in addition to the pending measure, but I want to join the Senator from Wisconsin in paying tribute to the Senator from Oregon for the analysis he presented to the Senate last Friday, particularly with regard to the legal basis for our involvement in Vietnam. I think he did the finest job of research, of putting together and pulling together the various aspects concerning Vietnam, particularly the shifting basis upon which the administration has presented its case. First they said that action was not based on SEATO, then that it was, and so on. I shall not take the time to elaborate; I only recommend a reading of the Senator's speech by anyone who is interested in following the origin and legal basis of the Vietnam situation. It is difficult for people who do not make it their business to follow these matters to understand the issue. I think this fact lies at the root of much of the confusion in the country as to why we are involved, how we got in that war. To them I recommend a reading of the analysis made by the Senator from Oregon.

I wish to say a few words generally about the southeast Asia situation and a few words about the pending measure.

In a book written in 1898 called "The Mysterious Stranger," Mark Twain, one of our greatest writers, for whom all Members here have admiration; I do not know of anyone who does not—who had a genius for understanding human nature and presenting it in printed form, wrote the following on war. I read a paragraph:

> There has never been a just one, never an honorable one—on the part of the instigator of the war. I can see a million years ahead and this rule will never change in so many as half a dozen instances. The loud little handful—as usual—will shout for the war. The pulpit will—warily and cautiously—object—at first; the great, big, dull bulk of the Nation will rub its sleepy eyes and try to make out why there should be a war and will say, earnestly and indignantly, "It is unjust and dishonorable and there is no necessity for it." Then the handful will shout louder. A few fair men on the other side will argue and reason against the war with speech and pen, and at first will have a hearing and be applauded, but it will not last long; those others will outshout them, and presently the antiwar audiences will thin out and lose popularity. Before long you will see this curious thing: the speakers stoned from the platform, and free speech strangled by hordes of furious men who in their secret hearts are still at one with those stoned speakers—as earlier—but do not dare to say so. And now the whole Nation—pulpit and all—will take up the warcry and shout itself hoarse, and mob any honest man who ventures to open his mouth, and presently such mouths will cease to open. Next the statesmen will invent cheap lies, putting the blame upon the nation that is attacked, and every man will be glad of those conscience-soothing fantasies and will diligently study them, and refuse to examine any refutations of them, and thus he will by and by convince himself that the war is just and will thank God for the better sleep he enjoys after this process of grotesque self-deception. (Mark Twain, "The Mysterious Stranger," 1898.)

Past experience provides little basis for confidence that reason can prevail in an atmosphere of mounting war fever. In a contest between a hawk and dove the hawk has a great advantage, not because it is a better bird but because it is a bigger bird with lethal talons and a highly developed will to use them. In China this is the year of the horse; in America it appears to be the year of the hawk.

Without illusions as to the prospect of success, we must try nonetheless to bring reason and restraint into the emotionally charged atmosphere in which the Vietnamese war is now being discussed. Instead of trading epithets about the legitimacy of debate and about who is and is not giving "aid and comfort" to the enemy, we would do well to focus calmly and deliberately on the issue itself, recognizing that all of us make mistakes and that mistakes can only be corrected if they are acknowledged and discussed, and recognizing further that war is not its own justification, that it can and must be discussed unless we are prepared to sacrifice our traditional democratic processes to a false image of national unanimity.

That is largely what these hearings the Senator from Wisconsin referred to were all about.

The issue underlying our vote on the military supplemental authorization now before the Senate is not whether, but how, to bring about an early and honorable end to the war in Vietnam. I emphasize "underlying" because later I shall state clearly that this particular bill should not be interpreted as a policy statement. I know that it may be and the Senator from Oregon stated it will be, but I shall refer to the statements of the chairman of the committee who introduced it.

Since I have properly been held responsible for some things that I said in regard to the 1964 resolution, I think we are entitled to rely on the statement made by the chairman of the Armed Services Committee as to the effect of this bill.

There are vigorous differences of opinion as to whether an early and honorable peace is more likely to be gained by intensifying the war or by reducing its scale, but no responsible participants in the debate have advocated either expanding the conflict into a general war with China or an unconditional and disorderly withdrawal of American forces from Vietnam. Divided though we are, therefore, with respect to means, there remains a powerful consensus in support of the objective of an early and honorable peace.

The Harris survey contained in the Washington Post on February 28 reports a growing consensus for peace along with a growing division as to how to achieve it and a mounting uneasiness as to the continuation of the war. The Harris survey reports that the American people "are becoming split between those who favor an all-out military effort to shorten the war and those who prefer negotiation to the risk of escalation." The survey reports that no more than 10 percent of the American people favor immediate withdrawal and only about 16 percent favor an all-out war against North Vietnam, leaving the great majority of our people in between, hopeful, that is, of an early and honorable end of the war but divided as to how it can be achieved. According to the Harris survey, this great majority who agree on the goal of peace are almost evenly divided as to how to attain it, with 33 percent favoring an increased military effort and 34 percent favoring an accelerated effort to bring about negotiations.

Discounting extreme points of view, as I think we can and must, the practical choice before us is between a policy of accelerated war confined to Vietnam but nonetheless aiming at total victory within South Vietnam and a policy of deescalation aimed at neogtiation and an accommodation among the parties to the South Vietnamese civil war.

My own view is that the second course is the wiser by far. I am in agreement with Mr. Kennan, General Gavin, and General Ridgway, all of whom have indicated that they favor a military policy of "making do with what we have" in South Vietnam until an honorable peace settlement can be negotiated.

I might say that General Ridgway did not appear. He had been ill, but he wrote me a letter which I made public. I shall put it in the RECORD. It endorses in full the statements and the theories of General Gavin.

Mr. MORSE. Mr. President, will the Senator yield for a suggestion?

Mr. FULBRIGHT. I yield.

Mr. MORSE. Will the Senator obtain the letter and put it in the RECORD? I think it is important to put it in the RECORD.

Mr. FULBRIGHT. I shall. I overlooked bringing it with me.

I ask unanimous consent that the letter from General Ridgway may be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. FULBRIGHT. That letter was from General Ridgway, who was the Chief of Staff under General Eisenhower at the time of the 1954 tragedy.

I shall try to explain why I believe that a policy of accommodation is preferable to a policy aimed at military victory, even a military victory confined within the limits of South Vietnam. I shall try also to suggest what seems to me to be the central requirement for an accommodation in southeast Asia.

History seldom if ever tells us exactly what we must do in specific situations, but it does provide guidance as to the kinds of policies that are likely to succeed and the kinds that are likely to fail. The experience of nations in the last 150 years leaves one in no doubt that generally policies of accommodation make for more durable peace settlements whereas policies of total victory make for renewed conflict, usually generating greater problems than they solve. I commend to the attention of my colleagues the following examples:

In 1815, the great powers of Europe, led by the great conservatives, Lord Castlereagh of England and Prince Metternich of Austria, granted terms of peace to a defeated and helpless France which can only be described by 20th-century standards as astonishingly generous. They did so despite the fact that France had conquered most of Europe and kept it in turmoil for a quarter of a century. Under the terms of peace, the French lost no territory at all that had been theirs before the Great Revolution, were subjected to a limited occupation of only 3 years, and were compelled to make limited reparations and then were given assistance in paying them, with the result that France's financial obligations were liquidated within 4 years of the end of hostilities.

Three years after the end of the Napoleonic Wars, France was brought into the concert of Europe as a full and equal great power. The conservative statesmen who made this generous peace did not do so out of love for a revolutionary and aggressive France but out of respect for the power and dynamism of the French nation. Wanting above all things peace and stability, Castlereagh and Metternich gave France a peace that she could endure. Castlereagh said that he had come to Vienna not to collect trophies but "to bring the world back to peaceful habits." He was admirably successful. Not only was France reconciled with the nations that defeated her but never again after 1815 did France engage in major aggression and never again did she pose a major threat to the peace of Europe.

Another example of a highly successful peace based on accommodation came out of our own War of 1812. The Americans won a great victory over the British at New Orleans, but the victory did not win the war because the Treaty of Ghent which ended the war had already been signed when the battle was fought. England at the time was at the peak of her power. Napoleon had already been defeated, the British fleet was unchallenged on the seas, and undoubtedly, had they wished to do so, the British could have defeated the young American Nation militarily and might even have brought it back into the British Empire.

They had the generosity—and the wisdom—not to do so. Had the British tried to use their overwhelming power to reconquer America, they would probably have encountered fierce national resistance by an aroused American people fighting for their own homes, their own towns, and their own farms. The British themselves had supported the Spanish in their successful guerrilla war against Napoleon and, powerful as they were, the British knew how hopeless it would be to try to subjugate a patriotic people determined to defend their independence.

The Treaty of Ghent simply restored the status quo between America and England as it had existed before the war. There were no victor and no vanquished, and the issues that had set America against England remained unsolved. But what diplomacy did not resolve history did. Never again did England and America go to war; and in the 20th century, confronted with new circumstances and new dangers, they have become each other's closest allies. It all began with the unpromising Treaty of Ghent.

By contrast with the conflicts of the 19th century, 20th century warfare has been marked by total victories and total defeats. The total victories of 1918 and 1945 both generated more problems than they solved, sowing the seeds of new, unforeseen, and greater conflicts. These conflicts were generated by the totality of things—by the totality of violence in two world wars and the totality of the victories that ended them.

The harshness of the treaty of Versailles was more in its implementation than in its provisions. For many and complex reasons, the vindictive provisions of the treaty, those pertaining to reparations and the occupation of Germany, rather than the promising parts of the treaty, those pertaining to disarmament and the League of Nations, were most vigorously implemented in the 1920's. The failure of the belligerents of World War I to reconcile in the 1920's was the most important single factor behind the rise of Hitler in the thirties. In short, the vindictiveness of World War I became the major cause of World War II.

The cold war of the last 20 years was spawned by the total victory of 1945. The total destruction of German and Japanese power created a vacuum which was soon enough filled, quickly and eagerly by Russia and belatedly and reluctantly by America. Had the generals who tried to kill Hitler in 1944 been successful at that time or earlier, a negotiated peace might conceivably have saved Germany from partition. It was the total defeat of Germany that resulted in her division, and that division, the product of a total victory, became the paramount issue in a new, great, and still unresolved conflict, a conflict which could rise up, indeed, and cause us trouble now.

As we consider now whether we wish to bid for victory or accommodation in southeast Asia, we would do well to consider the wisdom of a tragically prophetic letter written by Lord Lansdowne to the Daily Telegraph of London on November 29, 1917. He wrote:

> We are going to win the war, * * * but its prolongation will spell the ruin of the civilized world, and an infinite addition to the load of human suffering which already weighs upon it. Security will be invaluable to a world which has the vitality to profit by it, but what will be the value of the blessings of peace to nations so exhausted that they can scarcely stretch out a hand with which to grasp them?—Lord Newton, "Lord Lansdowne: A Biography" (London: Macmillan, 1929), page 467.

The debate between those who would accelerate the war in Vietnam and those who would reduce its scale is as fateful and significant as any we had in the last two decades. There is a deceptive appeal about proposals for expanded military action; they are simple and clean cut and they seem to promise quick and easy solutions to difficult and painful problems. Proposals for accommodation, on the other hand, as the Senator from New York has discovered, are complex, ambiguous and easily misunderstood. History, however, suggests that the military solution that seems so promising today is likely to result in disaster tomorrow, whereas the course of accommodation, which always seems so difficult, is the only course with demonstrated promise of being able to bring about a lasting and honorable peace.

The essential principle of an accommodation in southeast Asia is that it must apply not just to Vietnam but to all of southeast Asia. Vietnam, after all, is only one of many small and weak nations on the periphery of a powerful China and, as has been pointed out innumerable times, what happens in one such country may well happen in another.

This premise underlies the domino theory, which holds that if one country falls to the Communists so must another and then another. The inference we have drawn from this is that we must fight in one country in order to avoid having to fight in another, although we could with equal logic have inferred that it is useless to fight in one country when the same conditions of conflict are present in another, that the failure of subversion in one country might simply result in the transfer of subversion to another. Some of us can really see no reason why there should be consideration of only one aspect of the so-called domino theory.

History and logic and commonsense suggest that a viable settlement in Vietnam must be part of a general settlement in southeast Asia. Unless we are prepared to fight a general war to eliminate the effects of Chinese power in all of southeast Asia, we have no alternative but to seek a general accommodation. This is what really causes uneasiness among most of us. The central issue is the contest between Chinese and American power; and the prospect for a lasting peace depends far more upon the resolution of that issue than it does on the matter of who is to participate in a South Vietnamese Government and by what means it shall be formed. If the issue between Chinese and American power in southeast Asia can be resolved, the future of Vietnam should not be too difficult to arrange, although it would involve some difficulty, of course; but if the issue of Chinese and American power is left unresolved, even a total victory in South Vietnam is unlikely to solve very much. As long as China and America are competitors for predominance—particularly military predominance—in southeast Asia, there can be no lasting peace or stability in that part of the world.

Just as history suggests the advisability of accommodation, it also offers guidance as to the kind of accommodation which might make for lasting peace in southeast Asia. In the past when great powers have competed for predominance over smaller and weaker nations, the one workable alternative to the victory of one or the other has been neutralization. In such arrangements, it is the fact of neutralization rather than the political or ideological complexion of the small countries concerned that has made for stability and peace. Neutralization is not a foolproof method of resolving great power conflicts, but it is a demonstrably more successful one than total victory.

Switzerland is an example. The Swiss Federation was established by the Congress of Vienna in 1815 as a perpetually neutral state. To this day, despite the fact that she is surrounded by great powers, Switzerland remains both neutral and at peace.

Belgium was established as a perpetually neutral state under the guarantee of the great powers by a treaty signed in 1839. The treaty was violated in 1914, but the more astonishing fact is that for 75 years Belgium remained both neutral and at peace despite the ambitions of the great powers and despite her strategic location between France and Germany, the latter having been one of the most powerful nations in that area. Belgium might well have been the victim of great power ambitions, but neutralization made her instead the beneficiary of great power rivalry and also served as the means of regulating that rivalry. The solution lay quite simply in the fact that, hopeful as was each great power for its own hegemony, it was no less fearful of the hegemony of the other and neutralization was judged to be the acceptable price of its prevention.

Austria is the outstanding contemporary example of accommodation by neutralization. Ten years after World War II Austria was divided and occupied by the great powers. The State Treaty of 1955 laid the basis for the independent and prosperous national existence that Austria now enjoys and at the same time resolved a major issue between Russia and the West without upsetting the European balance of power.

Applying historical experience, it seems to me that the crisis in southeast Asia can only be resolved on a lasting basis by the neutralization of the entire region as between China and the United States. China is profoundly fearful of American bases on her periphery; she demonstrated that by intervening in the Korean war in 1950 only when American troops approached her Manchurian frontier. Fearful as she is of American military power in southeast Asia, China might well be willing to purchase its removal by the exclusion of her own. It would seem to me highly advisable that, by one means or another, we indicate to the Chinese that we are prepared to remove American military power not only from Vietnam but from all of southeast Asia in return for a similar prohibition on her part.

A general neutralization agreement for southeast Asia could be enforced in two ways. First, a degree of automatic enforcement would arise from the prospect that the reintroduction of Chinese military power would be followed by the reintroduction of American power. Secondly, a neutralization agreement could and should be placed under the guarantee of the major powers with interests in the southeast Asia, notably the United States, China, the Soviet Union, Great Britain, France, India, and Japan.

It is quite likely that the Chinese are not at present prepared to enter a neutralization agreement. As long as the United States is expending more and more lives and more and more money in an ever widening but inconclusive war in Indochina, the Chinese can logically hope that the American people will sooner or later find the effort intolerable and force the withdrawal of U.S. forces from southeast Asia.

As a matter of fact, that is what in effect happened in the Korean war. The American people got tired of the Korean war. The policy of growing involvement that the United States is now following in the apparent belief that it will persuade the Chinese of our determination to remain in southeast Asia may in fact have the opposite effect: it may persuade them, however wrongly, that the American people and their Government will sooner or later withdraw their support from an insupportable commitment and abandon southeast Asia to the unchallenged hegemony of China.

Mr. Charles Taylor, a correspondent for the Toronto Globe and Mail, one of the few Westerners who have been allowed to report from Peiping—and who was here in Washington at a meeting a few days ago—recently wrote of the Chinese:

> It is a matter of faith with them that the United States can never win a land war in Asia and that for all its awesome power, the United States lacks the resources to fight several revolutionary wars at the same time and will eventually be engulfed without direct Chinese intervention.

Mr. Taylor quotes the Peiping Review as saying:

> If South Vietnam alone is enough to keep the U.S. aggressor forces tied down so hopelessly, one can easily visualize what is in store for Yankee imperialism once it gets itself entangled in other parts of Asia.

What then can we do to induce China to pay the price of a neutralization agreement? What we can do, it seems to me, is to confront her with the perfectly credible prospect of being confronted with that which she most fears, which is to say, with permanent American military bases on her periphery.

We can make the threat of permanent bases credible by reducing the cost of sustaining them to a level which the Chinese will know we can sustain indefinitely. This, I think, is the implication of views put forth by such eminent individuals as George Kennan, Walter Lippmann, and Generals Gavin and Ridgway, each of whom has suggested that we confine our military efforts in Vietnam to "making do with what we have," or holding easily defensible fortified bases somewhat like Guantanamo or Gibraltar, which has been held for some 200 years, I believe, by the British.

If we were to entrench ourselves in powerful bases on the coast of Vietnam or inland where appropriate, bases which could be held with minimal loss of life and at moderate cost, the Chinese would be confronted with a perfectly credible threat of permanent American bases on their periphery. Knowing that we could remain in these bases indefinitely, they would have a powerful inducement to seek an agreement for the neutralization of all of southeast Asia. At the very least, such a policy would convert a situation in which our enemies believe themselves to be wearing us down to one in which we, at supportable cost, would be wearing them down.

The present policy of gradually expanding warfare is costing the United States a tragic toll in lives, large and growing sums of money, and a worldwide loss of prestige, including mounting disaffection on the part of those very allies to whom we are supposed to be proving our high determination. In addition, according to late information, the present policy seems to be costing our Government the confidence of growing numbers of the American people.

I think that is reflected in the polls that I mentioned earlier.

A policy of holding impregnable bases, on the other hand, aimed at a general solution based on the neutralization of southeast Asia, would reverse the American position in all of these respects, creating the long-term prospect of a stable peace and the short-term prospect of nothing more than drastically reduced military engagements.

Mr. President, I want to say a few words more directly about the pending bill. Although I think the pending bill has a significance as to our overall policy, it authorizes money to carry on the war, and is not a policy statement. I am dubious of this legislation because passage of the measure may be viewed as an endorsement of the present policy in Vietnam for the reasons that I have just offered—which policy I do not endorse.

I state again, as I did yesterday, that I accept wholly the statement made by the able and distinguished Senator from Georgia [Mr. RUSSELL], the chairman of the Committee on Armed Services when, in presenting this bill to the Senate, he said that nothing in this legislation can properly be construed as determining foreign policy, as ratifying decisions made in the past, or as endorsing new commitments.

I think that we are entitled to rely upon that statement from the Senator. We have had this debate about policy. I hereby state that I do not mean by voting for this bill that I endorse the military or political policies that are being followed, as I understand, at the present time in escalating the war in Vietnam.

Mr. MORSE. Mr. President, will the Senator yield for an observation?

Mr. FULBRIGHT. I yield.

Mr. MORSE. Mr. President, this is an appropriate place to make the observation that the principle that the Senator from Arkansas seems to be relying upon is that when there is ambiguity as to what the policy of the bill is, then legislative history is made by turning to the statements of the Senator in charge of the bill. That, of course, completely falls when the administration itself states what its policy is in the hearings on the bill and in the bill itself.

In my judgment, there is no question as to the policy of this administration in the bill. Therefore, there is not anything that the Senator from Georgia can say to change that policy. The policy is set out with complete clarity in the bill itself and in the statements of the witnesses of the administration.

Mr. FULBRIGHT. Mr. President, I recognize, as I have said in discussing the matter with the Senator privately, as all of us have, that this is a very difficult situation in which we have an authorization for an appropriation. An appropriation is normally not inclined to be considered as a statement of policy. It is normal that legislation, according to our rules, should not be included in an appropriation bill.

I say that we are faced with an extremely difficult situation. I am very reluctant to vote for this measure for the reasons the Senator has stated. The alternative proposed by the Senator from Oregon would result in a situation which would force a decision on the floor as to whether the Senate should reaffirm policies which I do not wish to reaffirm, speaking for myself. We are merely delaying the decision to a better day so we can make the decision under more favorable circumstances and determine what our policy should be.

I think it is unfortunate that in the beginning of this session these questions have arisen in connection with an authorization for the armed services.

This gives at least some color to the pleas that we are interfering with the supplies of our soldiers. This opens up opportunities for all kinds of irrelevant and very damaging debate, irrelevant, I think, to the real essence of policy.

What I am trying to say is that insofar as this bill is concerned, I accept that statement in the same way the Senator from Wisconsin said he relied upon the statement of the Senator from Arkansas. I thought I was telling him, as far as I knew at the time, the truth of the matter I was trying to interpret what the administration told us in presenting that 1964 resolution.

So as a matter of legislative history, for whatever it is worth—and I must say in many cases it is not worth much—that is the limit of our power. I know we do not have the votes to change the existing resolution which has been under discussion; and, therefore, I think it is the better part of wisdom to follow the course upon which I suggest.

It is not a happy choice. It is very seldom, any more, that one has a good choice between what he likes and what he does not like. The choice always seems between the lesser of two evils. At least about 99 percent of the time, that is the kind of choice we have here.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. FULBRIGHT. Yes; I yield.

Mr. CLARK. I should like the RECORD to show my complete agreement with the position taken by the Senator from Arkansas. I shall vote against the Morse amendment and I shall vote in favor of the bill.

I do both with a heavy heart, most reluctantly, as the least unacceptable of all available choices. But I wish to make it very clear indeed that my votes, both against the Morse amendment and for the bill, do not indicate an endorsement of the policy which I fear the administration is following.

Mr. FULBRIGHT. The Senator has expressed very well what I feel. We are holding it in abeyance for a better day, a better opportunity, where the matter of our involvement in Vietnam as a matter of national policy can be discussed as freely as possible and without being entwined into our flag, which flies over the Capitol.

Nobody wants a white flag on the Capitol, and I do not like this kind of discussion in connection with it. It makes it very difficult, really, for us to discuss a matter of high policy under these circumstances.

That is why I think it is the better part of wisdom, in effect, to defer to a better day a full-fledged discussion, and I hope a proper decision on this matter of policy.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. MORSE. I understand the argument of the Senator from Arkansas and the Senator from Pennsylvania. Where they lose me is when they assume they are going to be in a better position to discuss policy when they get 450,000 more American boys over there. That is the policy they are approving in this bill.

Mr. FULBRIGHT. The Senator knows very well that I do not approve of 450,000 more men over there, or even 450,000. As I understood General Gavin's statement—and I have tried to associate myself with it here today—he said we should make do with what we have there. He did not develop, as far as I have attempted to develop today, the next steps.

As I see it, this is implicit in what he did say on how to go about treating a state of mind on the part of the Chinese so they will negotiate. This is the first step. All of the discussion of what the final solution will be is for the future. It is all right to speculate about it, but the No. 1 problem now is how we get them in a mood even to have a discussion.

It is obvious now that this constant escalation from 20,000 to 200,000 has by no means brought them along closer to negotiation. If anything, I think the Chinese reason that we are foolish enough to expend our manpower and our treasure and our material at such a furious rate that we will grow tired of the effort. As large as we are, because of our many other commitments, we will reach the point where we cannot afford it, and that is the way we will sooner or later give up the ghost.

That is in effect what both General Gavin and Mr. Kennan said: We should look at this more in perspective with regard to our overall commitments, and not concentrate so much upon just Vietnam.

Mr. CLARK. The Senator said, I suspect inadvertently, "to bring the Chinese to negotiate." Did he not mean "to bring the Vietcong to negotiate"?

Mr. FULBRIGHT. No; I mean the Chinese. I think the Chinese are involved in this. I think the Senator from Pennsylvania will agree that the great concern that underlies much of what has been said is the possibility or even the probability that the course we are pursuing will lead to a conflict with the Chinese.

We also know that much moral support and external physical support to the Vietcong in the way of equipment, and so forth, comes from the Chinese; and the proximity of this area to China—it is as close as Cuba is to the United States. Of course, North Vietnam adjoins China.

The Senator will remember what consternation arose in this country when we discovered Russia's presence in Cuba. Why would it not be somewhat similar, when we are so close to China?

Mr. CLARK. The Senator is probably correct. It is my view, however, that the end of this war is going to come first through some arrangement with the Vietcong that Hanoi is prepared to support; whereas China is, I believe, just sitting back watching American boys get killed while they do not have a single soldier involved. I would question whether the Senator would be able to force Hanoi to continue to fight if they did not wish to do so.

Mr. FULBRIGHT. Of course, I should be happy to settle it with the Vietcong if we could, if they are so disposed.

There is another matter about the Vietcong. The Vietcong have been deceived twice, as the Senator knows: By the French in 1946 and I guess you might say all of us in 1956, after failing to go through with the Geneva accords.

I do not know whether they will be disposed to make a settlement or not. I think the Chinese could have great influence upon them. One thing which leads me to approach it this way for purposes of discussion is that we constantly hear, as an excuse for this bill, about the buildup in Thailand. We have heard that discussed at nearly every meeting of the committee: "You know, the Chinese have already given orders and subversive organizations are being started in northeast Thailand, and that is the next one on the course."

That is part of the justification for this bill. It is assumed that even if we wipe out the Vietcong, next we are going to be over there in Thailand. It is that domino theory in this connection.

So that is what has led me to believe and to think along the lines that if we settle South Vietnam, we will not have settled very much, because we have Cambodia, Laos, Thailand. All right, they are all very weak. We should try to begin looking at the problem on a broader basis, in order to get some kind of a settlement that might be useful. I do not wish to have a succession of these conflicts, and I know nobody else does.

Mr. GORE. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. GORE. Could it not easily be reasoned that the spread of insurgency to other areas in southeast Asia is the result of the buildup of an American expeditionary force?

Mr. FULBRIGHT. I think the Senator is quite correct. Implicit in what I am saying, if I did not make it clear, is that the thing that would be of great value as an incentive to the Chinese and the North Vietnamese in leading to a settlement would be a withdrawal of our military.

To put it another way, our presence itself is the principal reason for much of the activity, the insurgency, the energy, and the willingness of the enemy to sacrifice. I often think of what consternation struck us as we realized that Russia had a real presence in Cuba. This country was ready to do anything. We would not have hesitated if the President had ordered an invasion. As the Senators know, we would have approved it, and everyone would have applauded.

President Kennedy picked a better method, a much wiser method that had never occurred to most of us, as a matter of fact, a very ingenious method, which in my view was a form of accommodation. He allowed Russia to save her face and to get out without humiliation.

And what has happened? The Cubans are Communists, but with the Russians gone, we do not hear any more speeches on the floor of the Senate about Cuba. Very few. Senators will remember at what white heat everyone's tempers were around here, and the great speeches that were made denouncing Castro, and so on. I have hardly heard Castro mentioned in recent years; only incidentally, when we receive these circulars from some organized group of emigres, and we feel sad about them and all that.

But the country is not concerned about Cuba at present. It has simmered down, and that is what George Kennan says this country ought to do, simmer down about Vietnam and look for some form of solution.

I think the Senator is quite right: As long as we are there, to them it is like the presence of the French. As long as the French were there, there was bound to be agitation to get them out.

I know this may not sit well with my fellow Americans, to be compared with the French. I know we are there under the best of motives. I do not question the motives; all I question is the wisdom.

I do not believe that our motives are bad. Our motives are of the best. We wish to help them. But that has no effect upon the wisdom of what we are doing, or whether what we are doing is designed to achieve our purpose, or whether the purpose we set out with is achievable.

I applaud the efforts concerning pacification and improving the life of these people. It is possible that they think we are like the French, that our administration looks the same as that of any foreigners. We look like the French. Of course we do not talk like them, but we have similar characteristics. It reminds me of the article I read, which was placed in the RECORD the other day, that we are sleeping in the same beds as the French but dreaming different dreams. We look too much like colonialists from a western country, perhaps. I do not believe that our motives are bad. I believe that our motives are high. I believe it is a question of wisdom as to policy, particularly when we believe it is within our power to accomplish what we say is our objective.

Mr. McGOVERN, Mr. YARBOROUGH, and Mr. GRUENING addressed the Chair.

Mr. FULBRIGHT. I yield to the Senator from South Dakota first, and then I shall be glad to yield to the Senator from Texas and the Senator from Alaska.

Mr. McGOVERN. When the Senator from Georgia [Mr. RUSSELL] presented the bill on February 16, he had this to say about it:

> This bill cannot possibly be construed as either an endorsement of or as an attack upon national policy. It involves more the throwing of a rope to a man in the water. We may have cause to question how he got there, but he is there, he is a human being, he is our friend and a member of our family and, therefore, if we have a rope and do not throw it to him to enable him to assist himself out of the water this would be a callous and heartless attitude for us to take.

As I interpret that statement by the Senator in charge of the bill, it is open to question whether we were right in getting so deeply involved in this struggle but that, nevertheless, because of those policies which may be open to question, we have our troops in there, over their heads—as he states—in the water, and we have no other reasonable or acceptable course other than to throw a rope to them in the form of needed equipment. Is that the Senator's understanding of what we are doing with regard to this bill?

Mr. FULBRIGHT. Yes. Our forces are there, and I believe that as I have already said to the Senator from Oregon—I do not know whether the Senator from South Dakota was in the Chamber—there is a distinction between the necessity to authorize an appropriation for the Army and a statement of policy or endorsement of policy. I read another part of the same Senator's speech that this was not interpreted to be a statement of policy, but the Senator from Oregon has made the point that it is impossible to insulate these two. If we totally reject what is going on, one of the ways to stop it is to cutoff the money; but this is a drastic thing to do and, furthermore, the Senator has to admit it is utterly unrealistic to think that we can.

I notice that the Senator from Oregon has a quizzical look on his face, so let me assure him that I mean he does not have the votes—and the Senator knows that he does not have them. Therefore, we are faced with the facts in this case. I like to argue theory in other forums, but in the Senate we have to recognize the facts and vote accordingly on an issue which could if pressed have the effect of reaffirming a policy I do not wish to reaffirm. This may not be a very gallant or straightforward way in ordinary business, but in politics, I believe it is perfectly logical and necessary, certainly in this instance.

Mr. YARBOROUGH. Mr. President, will the Senator from Arkansas yield?

Mr. GRUENING. Will the Senator from Arkansas yield?

Mr. FULBRIGHT. I have only one more page to read, but I yield at this time to the Senator from Texas.

Mr. YARBOROUGH. I desire to ask this question of the Senator from Arkansas. Does the Senator know the approximate speed of our bombers which were used over North Vietnam before the pause? How fast were they going—how many miles per hour?

Mr. FULBRIGHT. These are the best we have—supersonic, I believe—1,200 to 1,400——

Mr. YARBOROUGH. One thousand five hundred miles per hour?

Mr. FULBRIGHT. In that neighborhood; yes. These are the best we have.

Mr. YARBOROUGH. How close were they bombing to the Chinese border—approximately 30 miles?

Mr. FULBRIGHT. Somewhere around that figure, I believe.

Mr. YARBOROUGH. So that with a speed of 1,500 miles an hour and the border 30 miles away, we were dropping bombs only 1 minute from Red China; is that not correct?

Mr. FULBRIGHT. Less than 1 minute——

Mr. YARBOROUGH. Less than a minute——

Mr. FULBRIGHT. Much less than a minute I believe, is it not?

Mr. YARBOROUGH. In the opinion of the Senator from Arkansas, as chairman of the Foreign Relations Committee, and having studied this resolution, when we bomb within less than 1 minute of the Chinese border, could not the neutral nations of the world believe, in the Senator's thinking, that we are tweaking the tiger's tail and trying to lure him into a war?

Mr. FULBRIGHT. It certainly could be interpreted as such. This is one of the explanations which I have been curious about. I do not like ever to challenge anyone's veracity without having anything to base it on and, therefore, I cannot do it; but I have often wondered what were our ships doing up there, so close to that seacoast? It has been stated that we were approaching them on the radar at night, so I do not know, but I certainly believe that is subject to some kind of interpretation.

Let me ask the Senator, did he say tweaking whose tail?

Mr. YARBOROUGH. I asked whether the neutral nations of the world might not think we were kind of stomping the tiger's tail——

Mr. FULBRIGHT. The Senator must mean the dragon's tail, in this case. Dragon's tail, is it not? The Senator must be thinking of a "tiger in your tank." [Laughter.]

Mr. YARBOROUGH. I invite the attention of the Senator from Arkansas to page 35 of the February 21 issue of U.S. News & World Report, on page 35, under the subhead of "U.S. Goals in Vietnam." The article states, under a Honolulu dateline, that there are 12,000 villages and hamlets in Vietnam, that the Government holds a thousand and that the other 11,000 are held by the Vietcong. The article states that our aim this year is to recapture and pacify 900 out of South Vietnam's 11,000 hamlets held by the Communists—900 of the 11,000 this year, 1,500 in 1967, and, hopefully, to accelerate the rate in future years.

My question for the distinguished chairman of the Foreign Relations Committee is: As a result of the recent hearings, how do we intend to pacify these villages and hamlets? Do we intend to burn these villages down and destroy them? Or how can we pacify them?

Mr. FULBRIGHT. I stated a moment ago that I believe the objectives which have been announced are, for all practical purposes, practically impossible for foreigners to achieve. This is one of the things I have in mind. As the Senator stated, if we burn these villages down, that would be a difficult way to pacify them, naturally. We would have to rebuild them. But even if we did rebuild them after burning them down, that would not necessarily create a viable structure for these people who differ from us in so many ways. They could not help regarding us as anything but similar to their former colonial masters. When we have poured in 200,000 troops with all the services that go with it, we are completely disrupting their economy.

We all read about the same things in the newspapers, that the whole economy of Vietnam is being thrown into chaos by the infusion of so much money, so rapidly, by our troops and by our construction there. It is creating an almost intolerable situation. So we do, more and more, have to take control of this country. We have to do that, to try to keep them in there. The bill before the Foreign Relations Committee for economic aid is to try to control inflation. I am not sure whether it will control or enhance it. It is questionable. This is a very, very difficult thing. I cannot think of anything quite comparable in our experience. We can think of the Philippines, if we like, at least it is somewhat near there, but we did not do the job there. Magsaysay did it with very little economic aid. We did not do it ourselves. I do not believe that we could have done it. But, he did it.

Mr. YARBOROUGH. Mr. President, I thank the distinguished Senator from Arkansas for his comments. Mr. President, I ask unanimous consent to have printed in the RECORD, the article published in the U.S. News & World Report on page 35, in the issue of February 21, 1966, entitled "U.S. Goals in Vietnam."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

U.S. GOALS IN VIETNAM

HONOLULU.—Here's what the United States and South Vietnam are hoping to accomplish in this year's fighting:

Recapture and pacify 900 out of South Vietnam's 12,000 hamlets held by Communists.

Consolidate control of 1,000 Government-held hamlets—making a total of 1,900 hamlets firmly under Government control.

Build 2,050 new classrooms.

Construct 500 miles of road, 148 bridges, 57 dams, and 120 miles of canals.

In 1967, the aim is to pacify 1,500 more hamlets. After 1967, it is hoped, the rate of pacification will snowball—with the country brought entirely under control of the Government within 5 to 7 years.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield to the Senator from Alaska.

Mr. GRUENING. I first would like to say I find myself in complete accord with the fears, doubts, and questions which the distinguished chairman of the Foreign Relations Committee has expressed. I may not take the same position on the bill as he has, but I realize the dilemma which faces us.

I wish to comment briefly on the colloquy had between the Senator from Arkansas and the Senator from Oregon, and the fact that we have a certain amount of comfort in accepting the assurance by the chairman of the Armed Services Committee that voting for the bill is no compliance with or acceptance of the present foreign policy or future policy. That may be true.

As the Senator from Oregon pointed out, no Member of the Senate, not even the chairman in charge of the bill, can make a commitment that the President makes. We find that commitment in the very letter of transmittal, in which it is stated:

> In the last 2 years, in repeated acts of authorization and appropriation, the Congress has provided continuing support for our national decision "to prevent further aggression" in southeast Asia. The quoted words come from the joint resolution of Congress—Public Law 88-408—approved on August 10, 1964.

That was the basis for the resolution. Of course, that resolution was drafted in the White House. So there we have it in black and white.

If we vote for the bill, we are approving the policy which the Senator from Arkansas, the Senator from Alaska, the Senator from Oregon, and other Senators do not approve of. There it is in black and white. One may find comfort in the words of the chairman of the Armed Services Committee [Mr. RUSSELL], but there it is. If we pass this bill, the administration has served notice that we approve the policy.

Mr. FULBRIGHT. I do not agree with that. I do not accept that.

Mr. GRUENING. It is there.

Mr. FULBRIGHT. It is there, yes; this business of our relations with the executive has been a difficult one. No government of any importance that I know of, a country as big as this one, has the same relationship between the legislative and executive. In England and in all other large parliamentary bodies the executive is a part of the legislative, and they work problems out between themselves, and they have their own method of resolving their differences. They have the very important power that when they disagree with the executive they can change him. We cannot do it. We have to accommodate to it. In many ways our President has much greater power, regardless of the Legislature, than is true of the executive in other countries. People do not recognize that fact.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield. I have about concluded my statement.

Mr. MORSE. This is the last time I shall interrupt.

I would like to go back to the time of what happened at the Tonkin Bay incident. I judge, from the way the Senator from Arkansas has expressed himself, that he is not too sure just exactly what happened at Tonkin Bay.

The Senator from Oregon is not, either.

There is one thing we ought to make very clear in the RECORD. It is that the administration told us that our ships were 70 or 75 miles away. I was one who pressed them on this, because I had been informed in advice from the Pentagon building that our ships were a much, much shorter distance away than 75 miles. We learned subsequently that the ships were only 13 or 14 miles away from the place where bombing took place by the South Vietnamese ships, which we had completely equipped. The testimony also brought out that our officials in Saigon had constant information as to what they were doing.

History has already recorded that our ships were sufficiently close in proximity to those South Vietnamese vessels that were bombing islands three or four miles off the mainland of North Vietnam that we were in fact giving coverage. At least, our destroyers were close enough to come to the assistance of those ships if they got into trouble.

The Senator will recall that in the Foreign Relations Committee—and the record will show it—I said to the administration witnesses, "What do you suppose we would have done if Russia had had destroyers 75 miles from Key West and started bombing Key West?" We know what we would have done. We would have sunk those Russian ships.

Mr. FULBRIGHT. The Senator forgets that we are "good guys." It makes a lot of difference.

I have about concluded.

I should like to make another comment about the House committee report with regard to the urgency of the bill. I do not think there is any reason at all to apologize for the discussion that has taken place, since the House report states that there is no urgency for the bill. I have stated that and placed it in the RECORD, and I shall not do so again. Furthermore, the House is only acting on the bill today.

According to the House Committee on Armed Services, which, as we know, is composed of gentlemen who can hardly be considered unsympathetic to the material needs of the armed services, there is no urgency about this supplemental authorization. In the words of the report of the House Armed Services Committee:

> If there is one reservation felt by many members of the committee regarding the necessity for this legislation, it arises from the possibility that many of the items involved, in all three categories of procurement, research and development, and construction, may simply have been moved from the regular 1967 authorization to this supplemental 1966 authorization without any real program for acceleration. Obviously no military advantages would be gained by such a bookkeeping situation. Testimony on this subject was indecisive and the committee has not yet been provided with sufficient definitive data to pinpoint the exact degree of real acceleration, or to determine the amounts involved in the proposed legislation which could safely and should properly be deferred until the regular 1967 authorization.

The accusations which have been leveled at us have been perfectly unjustifiable. There has been direct reference to the debate which has gone on about this question, as well as the hearings. I do not take with very good grace the criticism that has been leveled at members of the Foreign Relations Committee or any other Members who have taken part in the debate. Some strong words were used on the floor of the Senate in an attempt to try to show that the delay in passing this bill was injuring our Armed Forces, which is nonsense.

There are shortages of certain materials in Vietnam, but no evidence has been offered to show that this is due to a present lack of money. Whatever shortages there may be are due to congestion in the ports, to the lack of warehousing or transportation, or to poor planning, but not to lack of money. If I understand the situation correctly, this money might just as well be carried in the regular Defense Department authorization which will soon be before us and which will, of course, require well over half of the total taxes paid by the 190 million people of the richest Nation in the world.

I intend, with great reluctance, to vote for this bill. I hope I have made it clear that my vote will not indicate support of present military policies. I shall vote for the bill because, although available evidence, including the stated reservation of the House Armed Services Committee, indicates that this supplemental authorization is not necessary to meet the present material needs of our Armed Forces in Vietnam, the merest possibility that a delay in funds might conceivably handicap our fighting men obliges me to support it. However unwise the policy that put them there, our men are in Vietnam and fighting, and one cannot take the chance—even a very remote one—of denying them anything they may need. The only item mentioned in which there might be a delay in issuing contracts is for helicopters. I am unwilling to vote against this bill because—and only because—of the dim and remote possibility that it may actually serve some useful purpose for our fighting men.

EXHIBIT 1

FEBRUARY 11, 1966.

Gen. MATTHEW RIDGWAY,
U.S. Army (Retired), Mellon Institute, Pittsburgh, Pa.

DEAR GENERAL RIDGWAY: I regret that you do not feel in a position to testify before the committee concerning the situation in Vietnam. Many of the members of the committee, and I particularly, had hoped that you would give us the benefit of your vast experience and knowledge in military affairs.

I can certainly understand your desire to restrict your activities in the next few weeks and I hope that you will be fully recovered from your illness soon.

You have no doubt read press accounts of General Gavin's testimony before the committee on Tuesday. His testimony was extremely well presented and his comments will, I am sure, be very helpful to the members of this committee and the public generally in gaining a better understanding of the issues facing us in Vietnam. If you have any comments on his testimony or on Vietnam generally, the committee would be glad to have them, either for publication or for the information of the members only. If you do not care to make any comments, I will certainly understand.

With kind regards, I am,

Sincerely yours,

J. W. FULBRIGHT,
Chairman.

PITTSBURGH, PA.,
February 19, 1966.

Hon. J. WILLIAM FULBRIGHT,
U.S. Senate,
Washington, D.C.

DEAR SENATOR FULBRIGHT: Your gracious letter is deeply appreciated. While it is dated February 11, it was only delivered to me here on the 18th.

I welcome the opportunity you kindly offer me to comment on General Gavin's testimony, and I have no restrictions to request as to the disposition you may wish to make of my comments. If, in your judgment, they merit distribution among the members of your committee, or inclusion in the records of the hearings, I shall be happy.

On December 13 last, General Gavin wrote me, enclosing a copy of a draft of a letter he had written for publication in Harper's magazine, saying that since I was mentioned in it, he "thought it appropriate for me to see it," even though "you may not be in agreement with the sentiments expressed in it."

On December 17, I replied that I thought "the letter—will have a substantial impact on all thoughtful persons who read it and on those in official circles in Washington—executive and legislative—concerned with the problems with which it deals." At the same time I wrote Harper's magazine that my own views accord completely" with those of General Gavin, as stated in the draft sent me. I added that I was then considering publishing an article on the Vietnam situation. Actually I had been working on the draft of one prior to receipt of General Gavin's letter, and for some time now that draft has been undergoing review by a prospective publisher.

When General Gavin's letter was published, I was disturbed to see the distortions to which it had been subjected, and which had read into his statements thoughts I assume he had never entertained. I telephoned him verifying the correctness of my assumption, and was gratified to have him state his intention of making all this clear in his testimony before the Senate Foreign Relations Committee the following day.

I watched all of General Gavin's testimony before your committee. I thought it revealed great depth and breadth of view, and I was deeply gratified, not only by his complete candor in responding to all questions and the temperate language in which his answers were couched, but equally so by the clarity of his presentation. I thought it dissipated the cloud of misinterpretation and misrepresentation by which others had obscured the meaning he had intended. Again I found myself in basic agreement with his stated views.

In conclusion, having sat before the TV screen throughout all of the hearings, may I state, sir, my respectful opinion that you conducted them in the finest traditions of the Senate, and that you and your colleagues performed a signal service to our people. Out of these hearings I hope will accrue increasingly strong support for the middle course which I believe the President to be following, in rejecting the counsel of extremists in either direction, while continuing to seek an honorable solution which will put an end to hostilities without prejudice either to our vital interests, or to the fulfillment of our pledges.

With my highest respect, I am,
Sincerely,
M. B. RIDGWAY,
General, U.S. Army, Retired.

Mr. SMATHERS. Mr. President, I shall necessarily be brief because, regrettably, the condition of my throat is such that I cannot speak for as long as I should like. However, I am happy to have an opportunity to make a few remarks.

I think I express the views of the majority of the Members of the U.S. Senate when I say I am relieved and pleased that the Senate is finally going to have an opportunity to vote on the amendment which has been offered by the distinguished Senator from Oregon to repeal the Southeast Asia Resolution of 1964.

While I do not agree with the distinguished senior Senator from Oregon and his conclusions with respect to most matters having to do with Vietnam, nevertheless I recognize him, as does every other Senator, as a man of great courage and a man of great forthrightness. He has presented to us the real problem with which we are all concerned, and now we have a chance to vote up or down the real issue at stake.

I have listened with interest to the remarks made by a man for whom I have great respect, the chairman of the Foreign Relations Committee [Mr. FULBRIGHT], with respect to the fact that he did not think this was necessarily going to be a vote on the key issues of what we are doing in Vietnam, whether we should be there or not, or whether we are giving support to the resolution as passed in 1964.

I quote from the CONGRESSIONAL RECORD of August 6, 1964. The distinguished Senator from Arkansas said:

> It should be made equally clear to these regimes—

Meaning the Communists—

> if it is not yet sufficiently clear, that their aggressive and expansionist ambitions, wherever advanced, will meet precisely that degree of American opposition which is necessary to frustrate them.

That is what the distinguished Senator said that day.

When one reads what the President said when he sent to Congress the present request for supplemental funds, it is in almost precisely the same language. I quote from the first page of the message:

> We are currently engaged in a major effort to open a road to a peaceful settlement. Whether the present effort is successful or not, our purpose of peace will be constant; we will continue to press on every door.
>
> But until there is a response—and until the aggression ends—we must do all that is necessary to support our allies and our own fighting forces in Vietnam.

This is the purpose of the present request. It has been made so that we can meet whatever force they apply against us and meet whatever force they apply against South Vietnam.

That is what I understand the distinguished Senator from Arkansas said the Gulf of Tonkin resolution meant when he led the debate for it in 1964.

At this point in my remarks, I ask unanimous consent to have inserted in the record the full text of Public Law 88–408 of the 88th Congress approved August 10, 1964—the joint resolution and to promote the maintenance of international peace and security in southeast Asia together with the President's message to the Congress dated August 5, 1964.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[Public Law 88–408, 88th Cong.]

H.J. RES. 1145

Joint resolution to promote the maintenance of international peace and security in southeast Asia

Whereas naval units of the Communist regime in Vietnam, in violation of the principles of the Charter of the United Nations and of international law, have deliberately and repeatedly attacked United States naval vessels lawfully present in international waters, and have thereby created a serious threat to international peace; and

Whereas these attacks are part of a deliberate and systematic campaign of aggression that the Communist regime in North Vietnam has been waging against its neighbors and the nations joined with them in the collective defense of their freedom; and

Whereas the United States is assisting the peoples of southeast Asia to protect their freedom and has no territorial, military, or political ambitions in that area, but desires only that these peoples should be left in peace to work out their own destinies in their own way: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress approves and supports the determination of the President, as Commander in Chief, to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression.

SEC. 2. The United States regards as vital to its national interest and to world peace the maintenance of international peace and security in southeast Asia. Consonant with the Constitution of the United States and the Charter of the United Nations and in accordance with its obligations under the Southeast Asia Collective Defense Treaty, the United States is, therefore, prepared, as the President determines, to take all necessary steps, including the use of armed force, to assist any member or protocol state of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom.

SEC. 3. This resolution shall expire when the President shall determine that the peace and security of the area is reasonably assured by international conditions created by action of the United Nations or otherwise, except that it may be terminated earlier by concurrent resolution of the Congress.

Approved August 10, 1964.

To the Congress of the United States:

Last night I announced to the American people that the North Vietnamese regime had conducted further deliberate attacks against U.S. naval vessels operating in international waters, and that I had therefore directed air action against gunboats and supporting facilities used in these hostile operations. This air action has now been carried out with substantial damage to the boats and facilities. Two U.S. aircraft were lost in the action.

After consultation with the leaders of both parties in the Congress, I further announced a decision to ask the Congress for a resolution expressing the unity and determination of the United States in supporting freedom and in protecting peace in southeast Asia.

These latest actions of the North Vietnamese regime have given a new and grave turn to the already serious situation in southeast Asia. Our commitments in that area are well known to the Congress. They were first made in 1954 by President Eisenhower. They were further defined in the

> Southeast Asia Collective Defense Treaty approved by the Senate in February 1955.
>
> This treaty with its accompanying protocol obligates the United States and other members to act in accordance with their constitutional processes to meet Communist aggression against any of the parties or protocol states.
>
> Our policy in southeast Asia has been consistent and unchanged since 1954. I summarized it on June 2 in four simple propositions:
>
> 1. America keeps her word. Here as elsewhere, we must and shall honor our commitments.
>
> 2. The issue is the future of southeast Asia as a whole. A threat to any nation in that region is a threat to all, and a threat to us.
>
> 3. Our purpose is peace. We have no military, political or territorial ambitions in the area.
>
> 4. This is not just a jungle war, but a struggle for freedom on every front of human activity. Our military and economic assistance to South Vietnam and Laos in particular has the purpose of helping these countries to repel aggression and strengthen their independence.
>
> The threat to the free nations of southeast Asia has long been clear. The North Vietnamese regime has constantly sought to take over South Vietnam and Laos. This Communist regime has violated the Geneva Accords for Vietnam. It has systematically conducted a campaign of subversion, which includes the direction, training, and supply of personnel and arms for the conduct of guerrilla warfare in South Vietnamese territory. In Laos, the North Vietnamese regime has maintained military forces, used Laotian territory for infiltration into South Vietnam, and most recently carried out combat operations—all in direct violation of the Geneva agreements of 1962.
>
> In recent months, the actions of the North Vietnamese regime have become steadily more threatening. In May, following new acts of Communist aggression in Laos, the United States undertook reconnaissance flights over Laotian territory, at the request of the Government of Laos. These flights had the essential mission of determining the situation in territory where Communist forces were preventing inspection by the International Control Commission. When the Communists attacked these aircraft, I responded by furnishing escort fighters with instructions to fire when fired upon. Thus, these latest North Vietnamese attacks on our naval vessels are not the first direct attacks on Armed Forces of the United States.
>
> As President of the United States I have concluded that I should now ask the Congress, on its part, to join in affirming the national determination that all such attacks will be met, and that the United States will continue in its basic policy of assisting the free nations of the area to defend their freedom.
>
> As I have repeatedly made clear, the United States intends no rashness, and seeks no wider war. We must make it clear to all that the United States is united in its determination to bring about the end of Communist subversion and aggression in the area. We seek the full and effective restoration of the international agreement signed in Geneva in 1954, with respect to South Vietnam, and again in Geneva in 1962, with respect to Laos.
>
> I recommend a resolution expressing the support of the Congress for all necessary action to protect our Armed Forces and to assist nations covered by the SEATO Treaty. At the same time, I assure the Congress that we shall continue readily to explore any avenues of political solution that will effectively guarantee the removal of Communist subversion and the preservation of the independence of the nations of the area.
>
> The resolution could well be based upon similar resolutions enacted by the Congress in the past—to meet the threat to Formosa in 1955, to meet the threat to the Middle East in 1957, and to meet the threat in Cuba in 1962. It could state in the simplest terms the resolve and support of the Congress for action to deal appropriately with attacks against our Armed Forces and to defend freedom and preserve peace in southeast Asia in accordance with the obligations of the United States under the southeast Asia treaty. I urge the Congress to enact such a resolution promptly and thus to give convincing evidence to the aggressive Communist nations, and to the world as a whole, that our policy in southeast Asia will be carried forward—and that the peace and security of the area will be preserved.
>
> The events of this week would in any event have made the passage of a congressional resolution essential. But there is an additional reason for doing so at a time when we are entering on 3 months of political campaigning. Hostile nations must understand that in such a period the United States will continue to protect its national interests, and that in these matters there is no division among us.
>
> LYNDON B. JOHNSON.
>
> THE WHITE HOUSE, *August 5, 1964.*

Mr. SMATHERS. Mr. President, let us recall that we had a united Congress and a united nation. The resolution was adopted by the House of Representatives by a vote of 414 to 0 and the Senate by a vote of 88 yeas to 2 nays. I am confident that we have that support today and that the Congress will overwhelmingly defeat the Morse amendment.

Let us also be very clear on this issue: Public Law 88-408 previously referred to declares that the United States regards as vital to its national interest and to world peace the maintenance of international peace and security in southeast Asia.

I am confident that the Congress approves and supports the determinations of our President, as Commander in Chief to take all necessary steps to repel any armed attack against the forces of the United States, to prevent further aggression, and that the United States is prepared, as the President determines, to take all necessary steps, including the use of armed force, to assist any member or protocol state of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom. I might point out that South Vietnam is a protocol state and did request our assistance.

Now is the time to again demonstrate our support for administrative policy and get on with the business at hand to let our fighting men know that their country is united in its efforts and their efforts for the cause of freedom.

The time for action is now.

The time to show a unified nation to the free world is now.

The time to stand up against Communist aggression is now.

The time to give full support to our fighting men abroad is now.

The time to give full support to our President in the interest of our own national security as well as promoting the cause of freedom is now.

Whether Senators agree with the distinguished Senator from Arkansas or the distinguished Senator from Alaska on this point, of course, what we are doing is carrying out the spirit of the resolution.

I would hate to think that anybody was going to delude or kid himself into believing that when we vote to table this amendment which has been offered by the distinguished Senator from Oregon that we are not in fact voting to keep on the books the resolution which we passed in August 1964, which we did, as the distinguished chairman of the Foreign Relations Committee said, to let us meet every aggressive act with precisely the correct response so that we can preserve freedom in South Vietnam.

I would not want the people deluding themselves over the fact any more than I would want members of the Finance Committee to say that when we reduce taxes from 50 to 40 percent, "I really mean that I voted for 45 percent."

When the 50 percent is eliminated, there is left standing the result. There is no middle ground. The act will speak for itself. It will be a law on the books.

I have only spoken on the floor one time this year with respect to the entire question of our policies in southeast Asia. But I believe that the discussions which were held and the debates which have developed have been very useful. Certainly they have been legal. Certainly they have been lawful in every sense. But I do think this kind of debate can be carried on so long that it begins to hurt. I think there is no doubt that it has now begun to hurt, not only in the United States but elsewhere.

There was an article in the Washington Post on February 27, by Mr. Ward Just, of the Washington Post Foreign Service, which I would like to read in part:

> SAIGON, February 26.—Senior U.S. officials here are dismayed and angered by congressional criticism of the war in Vietnam. This view is shared, it is understood, by virtually every top official in the U.S. civilian and military command.
>
> These officials believe that what one senior diplomat called "organized congressional criticism" of the U.S. position here has damaged morale in the Armed Forces, sowed doubt in the minds of Vietnamese leaders, and encouraged the enemy to believe that the United States cannot stay the course.

He goes on to say:

> An American delegation which journeyed to Ankhe, headquarters of the 1st Cavalry Division, earlier this week was told that the criticism of the war effort "cannot help but hurt morale" among American soldiers.

I do not want to go so far as to bring in personal matters, but I wish to relate from personal knowledge and personal experience that I know these continued criticisms directed against the policies we are following in Vietnam have greatly disturbed and dismayed some of our own servicemen out there.

Obviously, there is no question that some of our allies have been worried about what our course of action is going to be. Certainly the South Vietnamese want to know whether we really mean what we say, whether we will stand by our commitments, whether we are going to stay and help them defeat communism or put our tail between our legs and get out because it has become difficult and hard and is costing us materiel and men.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. SMATHERS. I would like to finish my discussion and then I will be happy to yield.

I think that by a vote here today the vast majority of the Senate can prove and establish beyond the hint of a doubt the fact that we uphold the hand of the President.

Certainly we do not like to be out there. I wish that my two sons were home and I wish that the sons of other parents were home. Nobody wants to be tied down there.

When our President took over, there were approximately 25,000 men there. When the preceding President took over there were about 1,000 men there. Do we put our tail between our legs and run, and say we signed a treaty but it does not amount to anything? I do not think we can do that.

We have had to meet aggression with aggression. The President has said over and over again that this is a limited war with limited objectives. We have not struck Red China. We have not struck some of the strategic targets in Vietnam. This is the course we are endeavoring to follow, hoping we can somehow bring these people to the negotiation table.

I would like to read an article by Max Freedman, a fine liberal columnist with whom I do not always agree. I do respect him, and I do think that he is one of the greatest columnists of all time.

He wrote an article last night in which I thought he put his finger right on the nubbin of the problem. He said:

> Until North Vietnam is ready to accept the fact that she cannot impose her will by military force and organized subversion on South Vietnam, the road to peace will remain closed.
>
> The war, rather than diplomacy, holds the key to peace. For, in the judgment of highly placed officials in Washington, it will be impossible to persuade Hanoi that the President's promises and assurances will be fulfilled while they are regarded, as they now are, as no more than a skillful effort to weaken and divide the Communist military campaign.

Mr. President, I never in my life have known of anyone getting into a fist fight when he was a young man or a little boy who was able, while losing, to say "Let us stop now; let us negotiate; let us sit down and show how reasonable we can be."

The only time you can get a man to negotiate is when you are beginning to hurt him a little; when he is beginning to suffer a little. Then you can say to him, "Let us negotiate," and he will listen to you. He will not listen to you when he feels he is winning. This is the situation, expanded many times, that we find today in Vietnam.

Until the Communists know that we intend to stay there, until they know that we mean business, until we show that we are united, until we show that we are not going to be driven out, and until we show that we will live up to our commitments, we are not going to get them to negotiate.

Every time someone gets up and talks about the tide changing and people losing heart, it encourages the enemy. That is how the Vietnamese Communists won before. As General Maxwell Taylor said before the Foreign Relations Committee, that is how they won in 1954. He said the Communists won in Paris, not out in Indochina. That was so because the French people had lost heart, because they were divided, and because they gave up.

Certainly, this is not the intention or the desire of the American people. Certainly, it is not the intention or desire of anyone in Congress. I do not believe that we ought to give that impression, or that we are even considering such a thing. I do not really believe that we are. However, some of the debate in this Chamber is being interpreted in that way.

Let us have no illusions about this particular vote. While I disagree with the conclusions of the Senator from Oregon, I believe he is absolutely correct in stating that when we vote, there will be no mental gymnastics which we can follow. No one can say that what we do will not in effect be a reaffirmation of the Gulf of Tonkin resolution which was passed in August 1964.

If any Senator does not like that, he ought to vote for the amendment of the distinguished Senator from Oregon. By our vote to table the amendment of the Senator from Oregon, we shall be voting to reaffirm the decision we made when we passed the joint resolution of August 10, 1964. When I vote, I want to reaffirm it, and I believe the great majority of Senators have the same feeling.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. SMATHERS. I am happy to yield.

Mr. CLARK. I have listened with growing amazement to the comments of my good friend from Florida, comments which, to my way of thinking, impose a dilemma on those of us who in many ways object to the acts of our Government in Vietnam, although not necessarily, yet, to the policy as enunciated by the President.

I should merely like to state for the record that I have not the slightest intention of having my vote on this question interpreted as the Senator from Florida would like to have it interpreted. I do not believe for a moment that the Gulf of Tonkin resolution added as much as one inch to the powers of the President. He had all those powers without adding another. They were his right as Commander in Chief.

I do not intend to vote in favor of the Morse amendment, and I do not intend, no matter what the Senator from Florida may say, to have my vote interpreted in any other way but the way I stated it a few moments ago in a colloquy with the Senator from Arkansas [Mr. FULBRIGHT].

I am opposed to a policy which would escalate this war. I shall vote against the Morse amendment. I shall vote for the bill. Nothing that the Senator from Florida can say will change my own interpretation or the interpretation of the people of Pennsylvania of the way I shall vote.

Mr. SMATHERS. All I say is that the joint resolution of August 10, 1964, is in simple, understandable English. It is on the books. There it is. It will stand as the law of the land, it seems to me, until it is removed. If any Senator wishes to challenge it, he can offer a proposal to change it, as the Senator from Oregon has done. The Senator from Oregon does not like the joint resolution; he wants a change. I have not seen any other amendments or proposals to change the joint resolution of 1964.

So when we vote on the motion to table the amendment of the Senator from Oregon, it seems to me that we can arrive at only one conclusion: that we are affirming the resolution of 1964. I shall vote to table the amendment. I want to reaffirm the position we took in August 1964. I want to uphold the hand of the Commander in Chief. I want to uphold the hand of the President. I want to uphold our boys in the fight they are making, because I believe it is right to do so. I do not believe we should quit. We should not run away. We will not run away.

I do not believe we should cut and run merely because the struggle is getting difficult, and no others want to make the sacrifice we are making.

The Senator from Illinois, I think, wishes to comment.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield.

Mr. DIRKSEN. It occurs to me that now and then we should refresh ourselves a little on the power of the Commander in Chief. The Constitution makes the President the Commander in Chief, and that is a reflection of the experience that George Washington had with divided authority under the Continental Congress. The closest that the Constitutional Convention ever came to putting a limit on the powers of the President was when they toyed with the idea of a limitation to the effect that the President could not take command of an army in the field. But that proposal was dropped in the Convention, so there is no limit whatsoever.

In the joint resolution of 1964, Congress was only affirming the power that the Commander in Chief had to use the Armed Forces of this country. Every time we support or approve action by the President, we are in effect supporting his capacity as Commander in Chief under a constitutional power that cannot be modified, unless the Constitution is changed.

So we ride along with the joint resolution of 1964. I see no reason why it should be modified or changed, or why we should be Indian givers and pull it back, now that we are in the thick of things. We gave the President the power with our eyes open. We knew what we were doing. Now to smash it up, to impair it, or to diminish it in any respect would be about as foolhardy an act as Congress could undertake.

Mr. SMATHERS. I totally agree with the Senator from Illinois. I should like to have his comments concerning what would be the reaction around the world should we now withdraw our endorsement. What would be the reaction around the world were we at this particular moment to say to the President that we now rescind the endorsement which we gave him in August 1964?

Mr. DIRKSEN. I doubt whether that reaction could be measured. It would be almost fantastic in its dimensions.

I said to the Senator from Oregon earlier today—and I said it with the utmost of candidness—that as I listen to the international radio monitors and hear his name mentioned and his speeches quoted from time to time, and reported by short wave from Peiping, and out of Hanoi, I believe he has become something of a symbol. He may laugh about this, but I have read pages and pages in the international monitors, and the Senator from Oregon has become a symbol.

I said today that, in my judgment, we shall have to destroy that symbolism, if we are to indicate to the world that we mean business—and we do mean business.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield.

Mr. MORSE. I do not propose to let any despicable Communist or group of Communists anywhere in the world determine whether the senior Senator from Oregon will carry out what he considers to be his trust in the Senate and to say whatever he thinks needs to be said in trying to bring about a policy that he believes will be in the best interests of his country.

Mr. DIRKSEN. Oh, surely; I would be the last to impeach the motives of the Senator from Oregon. I am only stating what I think is a fact.

The name of the senior Senator from Oregon has become a symbol, and they have tied this viewpoint to his name. That does not represent, in my judgment, the feeling of the Senate or the feeling of the people of this country.

We must destroy that symbolism. Otherwise, they will go on with the idea that if they stay at it long enough we will throw our hand in and withdraw. Of all the things that we could not countenance for one single moment, that would be it.

Mr. SMATHERS. Mr. President, I thank the distinguished minority leader for his contribution. I totally agree with him.

Mr. President, I should like to make a very brief reference to the comments of the distinguished Senator from Arkansas [Mr. FULBRIGHT] with respect to the new Harris poll, by which he concluded that the people were in effect leaving the position taken by the President of the United States.

I do not think that anyone who reads that poll can accurately arrive at that conclusion. I submit that if one reads the second column in which it states the basic stand on U.S. policies he will see that it states: "Disagree. Carry war more to the north." In January, 12 percent wanted to do that. In February, when the poll was taken, 16 percent wanted to do that.

What is happening is that the President is losing some of the people who were supporting him in his limited war with limited objectives, and they want to go further.

The next question asked was: "Agree, but increase the military effort." Thirty-three percent were in this category in January and 33 percent were in the same category in February.

In the next category, "Agree, but do more to negotiate," 39 percent of those interviewed in January thought we should do more to negotiate. However, after the President has made such great efforts to negotiate, the percentage is now 34. This is not disagreement. This is an understanding and appreciation that we have explored every possible avenue open to us with respect to negotiating this matter. We are still trying to negotiate the matter. As we read the poll, it appears that the middle group is beginning to move into the "hawk" group, and that is where the President loses the percentage.

As I stated at the outset, I firmly believe that the vast majority of the people of the United States, as well as the vast majority of Senators and Representatives, totally and completely support and endorse the program of the Commander in Chief, the President of the United States. They uphold his hand. They support and approve the manner in which General Westmoreland is conducting our efforts out there. They applaud the sacrifice being made by our young men.

When we have an opportunity today to vote on this particular measure and vote resoundingly to table, there is no other conclusion that can be reached than that we are voting to affirm that resolution which we agreed to in 1964 concerning the course of action in which the President is leading us.

I yield the floor.

Mr. COOPER. Mr. President.

Mr. McCARTHY. Mr. President.

The PRESIDING OFFICER. The Senator from Oregon wanted the floor. The Chair notes that so many Senators wish to express themselves on this important piece of legislation that it is extremely difficult for the Chair to observe the order in which the floor has been sought, particularly when a Senator seeks the floor and then yields temporarily.

The Chair will try to make note of this in the future. The Senator from Oregon had previously asked for the floor. I was going to recognize the Senator from Kentucky, but then thought of the commitment that had been made to the Senator from Oregon.

Mr. MORSE. Mr. President, I yield to the Senator from Kentucky.

Mr. COOPER. Mr. President, I appreciate the difficulties that you are having. My remarks will not be long.

I recognize after this long debate the limitation of adding very much to it. I did want to speak now because I spoke on this matter at the time the joint resolution was agreed to in August 1964, and I took notice of the effect that the 1964 resolution could have.

In questions I directed to the chairman of the Committee on Foreign Relations, I asked if the 1964 Bay of Tonkin resolution would ultimately be used to approve any action that the President might take, including the bombing of cities and ports in North Vietnam, and to undertaking a course of action which could lead to a war that might involve China and become world war III.

I cannot say that I was not conscious of the implications of the resolution when I raised those questions that day, August 6, on the floor of the Senate. However, in voting for the resolution I expressed my concern at the time that because we were approving great powers to the President of the United States, he had the duty to immediately and assiduously search out the possibility of negotiations, and, if necessary, refer the question to the Geneva powers or, indeed, to the United Nations for settlement.

I spoke in the Senate again in March 1965, and pointed out that I believed the President had placed preconditions upon our willingness to negotiate. I asked him to assert clearly that the United States would negotiate without preconditions.

Mr. GORE. Mr. President, before the Senator leaves that matter, will he yield?

Mr. COOPER. I yield.

Mr. GORE. Of course, the resolution and its contents and the context in which we agreed to the resolution is not the important thing. The important thing is what we do from here.

Mr. COOPER. That is the point that I was going to make.

Mr. GORE. Since so much emphasis has been placed upon that, I should like to read a portion of some material.

Mr. COOPER. I do not want to speak so much on the 1964 resolution. I have already said that I understood its implications at the time we agreed to it. I wanted to speak with reference to the present day, and what can be done looking to the future.

Mr. GORE. I shall be brief, if the Senator will yield further.

Mr. COOPER. I yield.

Mr. GORE. The Senator will recall that on the night before the resolution came to Congress, at the time that our forces were responding to the attack, President Johnson spoke by radio and television to the American people.

I should like to read a portion of the speech of the President. I shall not take the time to read that entire address. However, this is it, in part:

> But repeated acts of violence against the Armed Forces of the United States must be met not only with alert defense, but with positive reply. That reply is being given as I speak to you tonight. Air action is now in execution against gunboats and certain support facilities of North Vietnam which have been used in these hostile operations.

I call this specifically to the attention of the Senate and the country in order to indicate the atmosphere in which the Senate acted.

I read further from the speech:

> Yet our response for the present will be limited and fitting. We Americans know, although others appear to forget, the risk of spreading conflict. We seek no wider war. I have instructed the Secretary of State to make this position totally clear to friends and to adversaries, and, indeed, to all.

In the message to Congress the next day, there appeared this sentence in the message of the President:

> As I have repeatedly made clear, the United States intends no rashness and seeks no wider war.

Then 2 days after this resolution was agreed to, to indicate, I think, that the President did not then interpret this resolution as being tantamount to a declaration of war, he said in a public speech to the American people:

> Some others are eager to enlarge the conflict. They call upon us to supply American boys to do the job that Asian boys should do. They ask us to take reckless action which might risk the lives of millions, and engulf much of Asia, and certainly threaten the peace of the entire world. Moreover, such action would offer no solution at all to the real problem in Vietnam.

I thank the Senator for yielding. I wished to read these statements of the President of the United States, both before the resolution was passed and 2 days after it was passed, to indicate that the legislative intent was not then, in my opinion, what it has since been interpreted to be.

Mr. COOPER. I agree that circumstances have changed. But they have changed because of the continued increase in forces, which has been matched by the other side.

I said I did not wish to spend too much time discussing the resolution of August 6, except to say that it could have put the Senate upon notice that the progression of events which have occurred might occur. And that although we could not give the President any authority that he did not already possess, we did approve such action as he might take in the future, as I saw it, according to the second paragraph of the resolution.

But that is past, and we come now to this day, and another legal question is raised—a stale question, perhaps, by now—in which we are asking, "If we take action today, and pass the bill are we further approving the policy of the President of the United States?"

Many say, "I am not," and of course that is their view and their opinion and state of mind.

I do not think the action we take today will affect the President's powers in any way. Even if we should rescind the August 1964 resolution, we are now engaged in a war, and have been engaged since we passed the resolution. About 33,000 troops were fighting in Vietnam then. Even if we rescind this resolution today, it could not reduce the powers of the President, as Commander in Chief, to carry on a war in which we are presently engaged.

As I see it, the only constitutional power Congress has to stop the President's action is to deny him funds. The other things we can do are merely expressions of approval or disapproval.

But I am bound to say that the action we take here in approving this authorization bill, will, in my view, at least, be a measure of approval. It is a way of saying to the President, "To this point, at least, we do give a kind of approval to your course of action." That is my understanding of it. Others, of course, have their own positions.

But now I should like to go further. We are all trying, as we can, to give the President advice in some way. This debate is the best evidence that we are speaking because we are concerned.

Otherwise, there would be no debate on the matter. The bill would have been passed 2 weeks ago. While the debate is an indication of concern about the policy in Vietnam, it is also an indication of concern about Vietnam's consequences.

We cannot withdraw honorably, we cannot surrender, and we cannot afford to deny the young men who did not choose that battlefield, this measure of support.

So I would say at this point the most important thing that we can accomplish in this debate is to try to look ahead, and advise the President as to what our views are in the hope that they will influence a restrained course of action.

I followed the debate in the Foreign Relations Committee, and it was a very effective debate. I have followed the debate on the floor.

The debate has indicated our concern with policy, and I believe it grows out of the fear that the war is going to be moved up, step by step, until finally we may find ourselves in a major war with China, unlimited in area and unlimited in weapons and forces. No one can say that will happen, but it is a concern.

I noted in the hearings of the Foreign Relations Committee, that the chairman of the committee and others—including my friend, the able Senator from Tennessee [Mr. GORE], whose questions were so incisive—the fear there were no limits which were being placed by our country upon the expansion of the war. I remember the chairman said that he could see no limits except surrender by one side or the other.

I would agree that if North Vietnam and China intervened and intervened and intervened, there might be no limit. But I wish to say today I think there is a limit which is within the control of the United States and its President—one which is within our control for trial.

I think that the administration must decide whether or not it can maintain a situation where negotiations are possible. Because if one thing was made clear by the debate in the Senate and in the Foreign Relations Committee—and I am not a member of the committee—it is the firm opinion that this war should be settled by negotiation and not by a total war.

Then the question is, "How can we maintain such a situation where negotiations may be possible?"

If force is met by force, there will be escalation, until finally there is likely to come such an engagement of forces, both on our side and on the other side, when there will be no possibility of decision except for war and surrender.

I do not think that it would be the United States which would surrender and I do not want to see the enlargement of the war. The President has the power to limit the situation so negotiations will still be possible.

This means that the battlefield must be kept at its narrowest scope consistent with the actual security of our forces.

I was one of those who believed that bombing should not be resumed, but that is now past. So I would urge today, that the battlefield ought to be confined to South Vietnam.

If we move north, and extend bombing north, and extend it north again, we may reach that point where our troops are wholly committed and engaged and settlement would not be possible, except as war determines. And, at some point, China may consider that it must make its decision about entering the war.

Mr. PASTORE. Mr. President, will the Senator from Kentucky yield?

Mr. COOPER. I am glad to yield to the Senator from Rhode Island.

Mr. PASTORE. I am very much in agreement with what the Senator from Kentucky has said, but what disturbs me is that we seem to have two schools of thought in the Senate, as we seem to have two schools of thought in the country. We have characterized the situation as the "dove" concept and the "hawk" concept. There are those ready to blockade Haiphong, to bomb Hanoi, to go the full distance if we are in war. Their logic is let us try for all-out victory. Then there are some who feel that possibly we should accept the enclave theory.

Mr. President, I listened carefully to General Gavin and I believe that by the time he finished testifying it was rather uncertain exactly what he meant by "enclave." So much so that I believe a Senator asked him the question categorically whether he was in agreement with the administration policy, and I believe that he answered in the affirmative.

The Senator from Kentucky has stated that we should make sure it is within the power of the President. Indeed, it is within the power of the President to keep this conflict within reasonable limits, if that is at all possible, consonant with the security of our boys. But, Mr. President, would it be to the interest of this Nation to announce publicly what the limits are? Is that not exactly the question?

Mr. COOPER. I have not said that we should. I am talking about actual limitations on the battlefield, not announced limitations.

Mr. PASTORE. I know the Senator has not said that.

Mr. COOPER. I have said, though, that the Senate should make known—by our own statements and our advice—what our position is, with the hope that it would influence the decisions of the President of the United States.

Mr. PASTORE. Well now, if the Senator will indulge me for another moment, I believe this issue preoccupies every American, particularly Members of Congress, we have responsibility in this premise for this conflict in Vietnam, and I believe it overrides every other matter and every other issue that can come before Congress in this session. We have 205,000 American souls committed in that part of the world—and they had no decision, no choice, in going there. They were commanded to go, and out of a sense of duty to their country, and their patriotism, they are there now.

What disturbs me is this: I have listened to many briefings. We have been invited to briefings in the White House. We have faithfully attended these briefings. We have been briefed by the Secretary of Defense, the Secretary of State, and many other officials, including the President of the United States.

Only a short while ago, the Vice President came back from a tour of that area and he briefed us as well.

The one thing that comforts me—if anyone can gain any comfort at all from this very confusing and complex situation—is the fact that from all the conversations I have heard from men in high places in the Government who have the power of decision, they have talked in a restrained manner. They have talked in terms which are restrained.

I attended one meeting where certain Senators were pushing for greater efforts. The Secretary of Defense then made it abundantly clear—and this has been reiterated time and again by the Secretary of State—that we have no desire to overthrow the government of Hanoi. Further, we have no desire to bomb the industrial complex of North Vietnam, because we feel that whatever ammunition and arms are coming in, now being supplied by North Vietnam, are coming in from other places. The only bombing we can engage in is that bombing which has to do with transportation of men and materiel—lines of communication, and the defeat of the forces of the Vietcong and the North Vietnamese who are in South Vietnam.

Mr. President, I do not know how more clearly the President of the United States, the Secretary of Defense, and the Secretary of State can tell Congress and the American people that all that we have in Vietnam is a limited political objective, and that our whole push is a restrained offensive.

I know that there are many people who say that we should never have gone twice in the first place. A long time ago, in 1954, in 1961, in 1962, and in 1963, with the fall of Diem, that may have been a debatable question; but the fact remains that we are there now.

I have never heard a responsible person say that we should get out. It was refreshing to hear my distinguished colleague, the Senator from Oregon [Mr. MORSE], state today that he adopts the Gavin theory. That is going a long way, for the Senator from Oregon. I do not say that facetiously, because the Senator has been consistent. If any man in the Senate has been consistent, it has been the Senator from Oregon [Mr. MORSE].

I have not agreed with him, but he has been consistent. When he goes so far as to say that he would be willing to accept the Gavin philosophy, then, in fact, he is saying that we cannot get out. We cannot get out, but let us be careful how far we go.

I believe that that idea palpitates in the hearts of every Member of the Senate, every Member of Congress, and every American. No one wishes to see a massive engagement with Red China. No one wishes to see a nuclear or a thermonuclear bomb used again by America in Asia. I hope that never happens, under any circumstances.

I would hope that this Government, out of all of these debates, out of all of the confusing and divergent points of view, at some point will show and indicate to the mothers of America, whose sons are in Vietnam, that there is some sense of unanimity in America, at least in Congress—on this issue.

All I am saying is that the man who is calling the "shots" is the President of the United States. He is the man who has the responsibility to make the decision. I do not believe that he is going to change overnight. I do not believe that he is going to change overnight, because he has stayed awake long into every night trying to figure out what his next step should be.

We cannot go on debating and delaying forever. I do not care what the Senator from Oregon says, I do not care what the Senator from Arkansas or the distinguished chairman of the Committee on Foreign Relations says, the fact is, we cannot change or take away from the authority of the President, whether we vote for this resolution or not, or amend it. We are committed. We are committed, and we are going to vote this money for our boys in Vietnam. These men who met yesterday talked it out, but they knew in their hearts that there was nothing they could do—even though they disagreed with the policy—to impede the passage of this proposed legislation.

We have been told time and again by our American military leaders that this money is necessary and that this equipment must be sent to our boys. Therefore, let us not delude ourselves about that. We are going to vote for this money, with or without an amendment.

All I am saying to my colleagues is this: There is the situation. It is there. We are committed. We are committed heavily. No matter how much we talk, the President of the United States has the responsibility of making that decision, and he will make it today, he will make it tomorrow, or he will make it next week.

I say only this, that I pray to God that some light from on high will illumine the President's mind to make a decision which will be good for the American people and good for peace in the world.

I thank the Senator from Kentucky.

Mr. COOPER. I also thank the Senator from Rhode Island for a fine speech, but I did not answer his question.

Mr. PASTORE. Well—sufficiently—I usually ask a question as a reason to make a speech.

Mr. COOPER. Mr. President, I am going to close my remarks in a few minutes. Let me point out again that I am not questioning the authority of the President. I believe that nothing we do in the Senate in the way of a resolution or amendment can take away his authority as Commander in Chief, except to deny him the funds and thus nullify or vitiate his authority. But, we can advise, and that is what we are talking about, and should do.

The President has stated again and again that our objectives in the war are limited. I do not doubt his sincerity in making this statement, which he has made many times. However, there is a vast difference between the pronouncement of limitations, honest as they are, and a course or policy which could lead to their nullification.

What I have been pointing out is that if while we admit our objective is limitation we still take steps which extend the conflict—then we will reach that point where there can be no settlement possible except by the outcome of war.

There is the possibility now of limiting the war to South Vietnam. I am not talking about enclaves, but I am talking about limiting the war to the territory of South Vietnam. I believe with this limitation, and with the development of the strength of our forces and our supply system—which is much better than the supply system from the north—it would be much more difficult for the north than for us if the north introduced more troops.

So the war could be limited to its narrowest scope, to South Vietnam. The limitation would avoid escalation in forces and weapons, and help avoid possible intervention of China as we approach her borders, either physically or by bombing.

I think this is a power which is in the hands of the administration. That is my reason for speaking today.

Mr. MORSE. Mr. President, I shall take but a few moments to make a few replies to some of the arguments which have been made today on the other side of the issue. In fairness to my record, I think I owe it to myself to make these replies.

Before replying to some of the arguments of the opposition, I wish to have the attention of the Senator from Arkansas for a moment.

There is no substitute for scholarship in meeting issues and in presenting to the Senate information and data in support of a position taken by a Senator. When we go back to reflect on the debate of today, we shall recognize that the Senator from Arkansas, as is typical of him, being the great student that he is, made a speech today that is characterized by scholarship.

The eloquent remarks of the Senator from Arkansas took us back to the history of some of the wars of mankind and the policies that were followed in the ultimate solution of those wars. He pointed out that when the solution was one of surrender, there was never a peace which lasted very long; and when there was, as he used the term, a solution of accommodation, and there were long periods in which at least the combatants in such wars lived in peace.

That is a lesson to learn in the contest in which we are now involved. That is why I find myself, and have right along, holding to the position which the Senator from Arkansas so eloquently expressed today—that we must find an accommodation.

My great concern with the course of action we are following is that it is a course of action which seeks surrender. Surrender will never give us peace. The course of action we are following is based primarily upon a unilateral approach by the United States in the situation in southeast Asia which is not going to give us peace, either. That is why it is important that we work out an accommodation that will make it possible for others to come in and settle the war for us.

We cannot settle the war, and we will never settle the war successfully, if we are going to measure success in terms of peace.

As I have said so many times, I have not any doubt that we can bring about such devastation in Asia by our military might, fighting an enemy at the present time which has no navy, no air force, no heavy equipment. I have been heard to say so many times in the last few years that we can continue to shoot fish in a barrel—and that is what we are doing. We can bring about great human destruction by our military might. What makes us think that will lead to peace? What makes us think that will lead to the type of accommodation the Senator from Arkansas talked about today?

That is going to lead us to a world which for decades to come will be in turmoil, and the primary responsibility for that turmoil will be the unilateral course of action we are following, for the most part.

Our great chairman of the Foreign Relations Committee made one of the greatest contributions in recent weeks toward the offering of an intelligent solution of a great crisis that any Senator in my many years in the Senate has made in a critical situation.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. FULBRIGHT. I wish to express my appreciation to the Senator. His great contribution has stimulated us to think about this problem in a way that we otherwise would not have. I am pleased indeed he feels that way. My position is implicit in other statements I have made, and I have only tried to carry on to fortify them. I am pleased that he approves of it.

Mr. MORSE. What the Senator has said is typical of the generosity of the Senator from Arkansas. I appreciate his remarks, but I want him to know I appreciate something much more, and that is his friendship.

Mr. FULBRIGHT. I thank the Senator from Oregon.

Mr. MORSE. Let me now say that I do not question in the slightest the sincerity, the high motivations, the dedication to our country, and the loyalty to our country of all my colleagues in the Senate, whether or not they hold views contrary to mine.

We have had great differences of opinion in the last 2½ years over the matter of foreign policy, and those differences will continue. The vote is not going to settle them today. The vote will temporarily in this body stop discussion, but it will settle nothing in this great contest which is reaching the grassroots of this country. The American people are going to make clear to our Government, as the French people made clear to the French Government, that our continued participation in this war will not continue to have public support.

The vote today will no more settle anything than did the vote on the Tonkin Bay resolution.

Only time will be the judge of what I have said. But so far as this Senator is concerned, short of a declaration of war I am going to continue to oppose our foreign policy in respect to this war. That foreign policy must change.

IS FREE DEBATE UNPATRIOTIC?

I turn to the first point that was made against me this afternoon. I say "against me" because it certainly was an argument to which I hold the opposite point of view.

I do not question the sincerity of those any more than I question the sincerity of the Senator from Illinois who made the statements that the Senator from Oregon is quoted in Peiping, Hanoi, Moscow, and quoted in other Communist areas of the world.

I do not intend to let a bunch of Communists silence my lips. If I can be influential in changing the foreign policy of my country in the interest of preserving freedom and giving a greater assurance of a legacy of freedom to be handed down to future generations of American boys and girls, no Communists in Hanoi or Peiping are going to stop me.

These issues are fundamental and basic and our differences are honest and sincere. The argument that those of us who are trying to get changes in this bill are letting down our boys in southeast Asia loses me completely.

I say respectfully that in my judgment we do not protect those by waving the flag into tatters. Those of us who try to follow the program so brilliantly and eloquently outlined by the Senator from Arkansas this afternoon, and which, in my humble and inadequate way, I have been urging on the floor of the Senate for a long, long time past, are not letting down these boys in Asia.

We are trying to stop increased killing of our men which, in my judgment, we are going to become guilty of as a nation if we follow our present policy and if we authorize the new policy that is inherent in this bill.

Mr. President, if the stamp of approval is put on this policy this afternoon, in my judgment, we are on our way to a further escalation and expansion of this war that is going to call for many more thousands of men in southeast Asia.

I pointed out on Friday, I pointed out last night, and I pointed out earlier today in my speech that this administration, in its own statement of policy through its Secretary of Defense, in his testimony before our committee, admits that this bill will authorize an additional 452,843 military personnel within this period of 1966–67. There is already talk of 800,000 additional men, if we find there is an escalated speedup in South Vietnam because of what may happen on the part of the program of our enemies.

My good friend from Arkansas and I disagree on how to implement this matter. I will come to that later. I wish to point out that when those of us trying to follow the program of the Senator from Arkansas do so, we are trying to create a situation where this country will not have to be sending, in round numbers, 500,000 additional men over there. We cannot send 500,000 additional men over there without enlarging the war and increasing the killing of larger numbers of them. Those of us who oppose this war feel we have no business there on that scale.

The Senator from Rhode Island is correct. The Senator from Oregon from the beginning has taken the position that we had no business getting involved there and creating the situation we created. We cannot pull stake and get out.

I have said over and over, and I am sure ad nauseam to some Senators, that if we just pulled stakes and got out, mankind would then probably be confronted with the greatest human massacre ever known because through whichever side is stronger over there, it would be a blood bath. That is why there has to be a position taken where there is power to stop the blood bath.

But we have the defensive position where other nations, noncombatant nations, can come in to enforce a peace. That is what is needed and that is what the enclave theory is going to provide for.

What was one of the main points of the arguments of General Gavin, as the Senator from Arkansas has said? We have to make use of what we have. We should not follow a program of expanding. We should take these positions that will protect the Vietnamese and our soldiers.

That does not mean, as he pointed out, that we are going to retreat. When asked in the hearing he made clear he is advocating no retreat, but a holding operation. He is not going to permit the Vietcong to advance.

Of course, this strategy will help provide for the accommodation that the Senator from Arkansas is pleading for because it brings to an end the extension of the war and this bill will extend it further and in an alarming degree as I shall point out in just a moment.

Then, it provides an opportunity for other nations that are not combatants to take advantage of what is their clear obligation to come in with peacekeeping approaches, including peacekeeping forces, if necessary; separate the combatants, stop the warmaking.

Then, the interesting thing is that if it gets into that situation where people start coming to their senses and the nations start coming to their senses, there will be the beginning of negotiations.

Of course, General Gavin pointed out that if we follow the course of action we are now following, with more and more bombing into North Vietnam, it will be only a matter of time before we shall be bombing urban centers. Urban centers, he said. Once we begin the bombing of urban centers, the situation cannot be controlled. Once we get into the situation of bombing cities, let us face it: we cannot bomb Hanoi today, without bombing a large number of Russians, for there are many Russians in Hanoi. They are there giving technical assistance and advisory assistance for the defense of Hanoi and other defense centers of North Vietnam.

Then the great danger will be that when we begin to bomb urban centers in North Vietnam, as was pointed out by the Senator from Texas [Mr. YARBOROUGH], we shall be only seconds away from the Chinese border. When we begin to drop bombs within 30 miles of China proper—and we have already done so—think of what a miscalculation can do, what a mistake can do, what the dropping of a bomb on China can do.

There are no risks of an escalated war? There are no risks of a war with China? It is beyond my power of comprehension to assume that there is no danger of war with China. We are living 24 hours of the day and night under the danger of a war with China, which can be caused even by a miscalculation.

So many of us are urging that the program of a great military strategist of our country, General Gavin, be followed. It was not so long ago, when he was in uniform, that we recognized how fortunate we were to have such a brilliant mind exercise strong influence in the development of American military strategy. His being out of uniform in no way, so far as the senior Senator from Oregon is concerned, diminishes his intellectual ability. I shall continue to heed him.

We find General Gavin's views buttressed by those of former Ambassador George Kennan, who in effect said the same thing—that we ought to make use of what we have; we ought to take a holding position; we ought to take a defensive position, where the Vietcong cannot advance, but where we will not advance and carry on the war at an expanded rate. He is a witness whom we ought to heed.

As my chairman knows, I think we have just started to listen to the witnesses we ought to hear. As he knows, I have submitted to the committee a list of witnesses who I think ought to be called in a public hearing, for the American people are entitled to have their foreign policy discussed in public hearings of the Committee on Foreign Relations. We have yet to hear our first China expert. We have yet to hear our first constitutional law authority. We have yet to hear our first international law authority.

But I am not going to be deterred from urging the type of approach that the distinguished Senator from Arkansas [Mr. FULBRIGHT], chairman of the Committee on Foreign Relations, has urged in his eloquent, brilliant, and scholarly speech this afternoon, when he said we ought to make an approach to accommodation, if we want peace. If we want to annihilate the enemy, let us stop talking about accommodation; but also just forget about peace, because that course of action will result in a heritage of intense Asiatic hatred toward future generations of American boys and girls. All we are doing is condemning our future generations to massive burdens and possible destruction—if that does not occur even while we are still alive, in our generation.

What makes us think that the United States will be allowed to maintain a foothold of domination anywhere in Asia? The Asiatics will throw us out, if it takes 50 or 100 years to do it. We ought to be thinking further into the future. I respectfully say that, in my opinion, not very much thought is being given to it at the present time by very many.

CONGRESSIONAL CHECK THROUGH PURSE STRINGS

The second argument that was advanced against me this afternoon, related to the constitutional check of Congress through the purse strings. My good friend from Georgia [Mr. RUSSELL] said he recognized that we have the control of the purse strings. That is a check. I am merely asking, "Why don't you use it in this bill?" The Senate has before it an authorization bill for more than $4 billion. It will move on to an appropriation. It will be passed; and as I said earlier this afternoon, merely provide the military with the money, and the military will spend it. They will find ways to spend it. What I seek to do as of now, until we can try to work out a program of accommodation such as the Senator from Arkansas has spoken about, is to stop increasing the money we give the military.

But it is said that we will be letting down the boys. Of course not. The purpose of the check is to force the President to change his foreign policy. The regular Defense Department funds are not affected. But this bill is for an increase, and that is what should be checked.

That is what I am pleading for. I am saying that we should not give the President this additional authority and money. We have this checking authority; in my judgment, we should use it. Deny the President the money. That will not be letting down the boys; it will be saving the lives of thousands of them, because we will change the President's policy, and he will be forced to move into a defensive position which will not in any way weaken the security of our country.

So I am a little at a loss to understand how in one breath my opposition can talk about the purse strings being a check, and then with the next breath say, "Of course, we should not exercise this check against the President, because, after all, he is the Commander in Chief. He is in charge; therefore, we should give him what he wants."

I have been arguing that the time has come to stop giving the President what he wants. In my judgment, the President is leading us into the increasing danger of massive war that can lead to world war III.

The checking principle of the Constitution means exactly what it says. The responsibility of Congress is to exercise the check. Go ahead and give the President everything he wants. If we continue to do so, then stop talking to me about using the purse strings as a check.

Here and now, in this bill, are the time and place to exercise that check. If we are ever going to exercise the check of the purse string, now is the time. Do not forget what the Secretary of Defense has said. I have quoted it before; I shall do so briefly again. If there is any question as to the policy contained in this bill, so far as the authority to extend the war in southeast Asia is concerned, the Secretary of Defense gave his answer when Senator SMITH asked the question:

> Mr. Secretary, are there plans to escalate and step up the offensive in Vietnam?

Secretary McNamara replied:

> Well, there are preparations being made, and they are reflected in this fiscal 1966 supplement, for substantially increasing our deployments.

What does that mean? It means our manpower. Secretary McNamara later in the hearings stated:

> The figure I have given in round numbers—

Four hundred and fifty thousand men—

> increasing our deployments to South Vietnam and raising the rate of activity of our air units.

That means obtaining the money so that we can expand the policy and the air battles and the airpower. That is the policy. I am merely asking that we check the President and not give him that authorization.

As to all the talk about not going to supply the material for these boys, I simply say that me must not expand the operations. As the Senator from Arkansas pointed out in his comment, we already have too much of a backlog and delivery problem to even take care of the manpower that we presently have over there. It will take many months to build the installations called for in the bill in order to accommodate the ships and the delivery of materiel.

Mr. President, we are not going to be letting any boys down unless we continue to expand this war while they are in a situation in which we cannot even deliver to them all of the supplies as rapidly as we want to delierver them at the present time.

We have already overextended ourselves. We have already gone too far both in sending manpower and in the rate of the hostilities that we are conducting.

HOW BIG A WAR CAN WE WAGE WITHOUT DECLARING WAR?

I come very briefly to the constitutional argument. We again hear about the resolution of the house of delegates of the American Bar Association.

It is only a resolution. The Committee on Foreign Relations wired the American Bar Association and asked for a memorandum in support of the resolution. The committee asked for a documentation that would support the conclusion. No documentation has been received.

However, I have been advised as to what happened. The house of delegates of the American Bar Association is characterized by a good many characteristics of a political institution.

I have been advised by one who sat there during the meetings that there were emotional and political speeches. I repeat that, in my judgment, this war is an unconstitutional war and it has been from the very beginning.

Mr. President, on last Friday I set forth at some great length in the Record the material discussing the constitutional debates on article I, section 8, of the Constitution, when the declaration of war section was written into the Constitution, and when the debates were had as to whether there should be a declaration of war and power to make war.

It will be found that I quoted from Hamilton. I quoted from the Federalist Papers. I quoted from the Constitutional Fathers, which quotations made it perfectly clear that what they were seeking to do was to prevent the President of the United States from having the power of the King of England to make war. They sought to vest that power in the Congress of the United States.

There has not been one word uttered in this debate that changes what the Constitutional Fathers said and obviously intended.

Mr. President, I ask unanimous consent that that material from my speech of last Friday be printed at this point in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

In "The Federalist" Hamilton wrote:

"The President is to be Commander in Chief of the Army and Navy of the United States. In this respect his authority will be nominally the same with that of the King of Great Britain, but in substance much inferior to it. It will amount to nothing more than the supreme command and direction of the military and naval forces, as first general and admiral of the Confederacy, while that of the British King extends to the declaring of war and to the raising and regulating of fleets and armies—all which, by the Constitution under consideration, would appertain to the Legislature."

Mr. MORSE. Mr. President, I have from time to time quoted one constitutional authority after another in regard to this matter. I quoted great American writers such as Professor Commager, of Amherst University, who talked to me at length the other morning on the long-distance telephone. He told me—and I say this with immodesty, I know—that I was correct in the many statements that I have made on the history of article I, section 8 of the Constitution, and as to what happened in the Constitutional Convention. He told me how right I have been in the position I have taken that, under the Constitution, a declaration of war is necessary if we are going to send American boys constitutionally into battle.

The argument was made this morning by my good friend, the senior Senator from Georgia, that on a number of occasions a President alone had sent men into battle. That does not make it constitutional.

The interesting thing is that we can add all of the mistakes and all of the wrongs, one on another, and never end up with a summation of right.

A continuation of practices that have no constitutional basis does not make the practices constitutional. Let us not forget that, as a result of some of the examples that were cited of sending the Marines to certain places, we are still paying the price. We are still paying the terrible price, the loss of confidence in us, and the loss of prestige because we misused the Marines at the times a President sent them in.

In Latin America, this has been referred to as an example of shocking American military intervention.

I do not want to see my country continue that. I want to see my country get back inside of the Constitution. However, Mr. President, I have discussed my views with regard to the international aspects of this matter with a recognized international lawyer such as Ben Cohen, who has, because of his brilliancy in the field of international law, represented the United States in a considerable number of international conferences.

Mr. President, over a year ago, I had printed in the Record that great treatise of Ben Cohen in respect to the international law aspects of this problem, using him as my authority.

I called him on yesterday and talked to him about it again. He again verified the position I have been taking in regard to the international law aspects of this problem.

I have used the writings of the great Edward Corwin on our Constitution and on the power of the Presidency, sustaining my position.

I have used the writings of Prof. Roger Fisher, of Harvard.

Mr. President, as I have said now for 2½ years, in my judgment, we have been following an illegal course of action in southeast Asia in respect to our Constitution. There is no doubt about our frequent violations of the United Nations Charter.

Mr. President, as an old law teacher, I know the importance of documentation.

On last Friday I had printed in the Record a memorandum of law, prepared by a group of American lawyers, which holds a view different from that of the American Bar Association, together with a letter of transmittal from that group, submitting the memorandum to the President of the United States under date of January 25, 1966. I do not endorse every proposition in it; but it poses the issues that are still unsettled and unsolved.

I ask unanimous consent that, at the close of my remarks, this material be printed in the Record. It appears in the Congressional Record of February 25, 1966, at pages 4166 to 4173.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MORSE. Mr. President, I come now to the Tonkin Bay resolution.

I do say to my friend, the Senator from Alaska, that I shall always be proud, as I am sure he will be proud, to have our grandchildren read that we did not vote for the resolution in August 1964. I would not vote for a renewal of the resolution because, in my judgment, it sought to recognize a power that a President of the United States does not have.

There was some talk earlier today by the Senator from Georgia [Mr. Russell] who talked—about the Lebanon resolution, and about the Cuban resolution, and also, I think, about the Formosa resolution.

Mr. President, the Cuban resolution—let me say it again—the Cuban resolution differs from all the other resolutions, because it did not give the President any power to make war.

The majority leader knows why it did not. I will refresh his memory by reminding him that the Senate accepted the proposal I made to modify the Cuban resolution. It would not contain any language giving war power to the President as did the Formosa resolution and the Lebanon resolution. That is not in the Cuban resolution. The Senator from Oregon was responsible for its being taken out. And only because it was taken out, the Senator from Oregon voted for that resolution. I voted against the Formosa resolution; I voted against the Lebanon resolution. I have voted against every resolution that has been presented in the Senate which seeks to give the President the power to make war, because, in my judgment, we cannot give him that power. Congress must declare war.

MAJOR MILITARY EFFORTS HAVE FOLLOWED WAR MESSAGES, NOT PRECEDED THEM

Mr. President, there has been a lot of talk here today about the power of the President as Commander in Chief. The President, as Commander in Chief, does not have the power to make a war. The President, as Commander in Chief, has the power to respond immediately to the self-defense needs of our Nation. The President had the power, as Commander in Chief, to respond immediately to any attack that was made upon us on the high seas in Tonkin Bay. The then President of the United States, Franklin Delano Roosevelt, had the power to respond immediately after Pearl Harbor to the self-defense needs of this Republic. But he recognized that he also had the obligation to ask Congress for a declaration of war.

Last Friday, I put in the Record the war message of Franklin Roosevelt following Pearl Harbor and the war message of Woodrow Wilson on April 2, 1917, before a joint session of Congress, when he gave his reasons as to why he thought the Congress, under article I, section 8 of the Constitution, should declare war against the German Imperial Government.

I wish to take a moment, if the Senators will bear with me, to find that declaration, because once again, I wish to read the first paragraph of that great war message of Woodrow Wilson.

I do not have to refresh the memory of the Senators as to the understanding of that great American historian. Prior to entering politics, he was one of the great historians of the time. He was more than a historian; he was one of the great scholars of American political science, one of the great professors at Princeton University.

I read the first paragraph from the message of Woodrow Wilson on that historic night in April 1917:

> I have called the Congress into extraordinary session because there are serious, very serious, choices of policy to be made, and made immediately, which it was neither right nor constitutionally permissible that I should assume the responsibility of making.

He knew his constitutional history. He knew his constitutional law. He knew that as President of the United States, he was without constitutional authority to make war against the German Imperial Government without a declaration of war by the Congress. Mr. President, I am perfectly willing to rest my case on this issue with Woodrow Wilson.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from Alaska.

Mr. GRUENING. I should like to say, in connection with the allusion of the Senator from Oregon to the Tonkin Gulf resolution, that it is difficult to understand why it was not clear at the time when that resolution was drafted at the White House, sent to Congress, and approved by a great majority, that it, itself, was a violation of the very kind to which the Senator is addressing himself.

The Tonkin Bay resolution, in its opening paragraph, spoke of the attacks on naval vessels, and said they "have thereby created a serious threat to international peace."

"A serious threat to international peace." But article 33 of the United Nations Charter, to which we are a signatory, said that, "the parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security"—those very same words—"shall, first of all, seek a solution by negotiation," and it names eight alternatives: negotiation, inquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means.

That resolution was a violation of the United Nations Charter and its purpose. We were as violative of that charter as we have charged the other people of being.

Mr. MORSE. As the Senator from Alaska knows, I completely agree with him. I am just not going to give into the United Nations aspects of this tonight, because if I started, in justice to the subject, it would take a long time. But as the Senator knows, I have argued here for two and a half years that we have violated at least 13 articles of the United Nations Charter in our course of conduct in southeast Asia, and we have violated section after section of the Geneva accords.

It is no alibi to say that we did not sign them, and then at the same time say we are in there, in part, because the North Vietnamese are violating them. We cannot have it both ways, Mr. President.

Mr. GRUENING. If the Senator will yield further, of course we gave unilateral approval, and, through Under Secretary of State Walter Bedell Smith, said we would adhere to 12 of the 13 articles.

Mr. MORSE. I agree with the Senator. I made my case on that last Friday, as I have made it many times heretofore.

I only wish to say now, Mr. President, that from the beginning, when we took this little Vietnamese exile by the name of Diem out of Washington, D.C., and out of Paris, who had never fought the French, militarized him, and set him up as our first puppet President of South Vietnam, we violated the Geneva accords. The Geneva accords do not provide for two governments in Vietnam. The 17th parallel was nothing but a line of demarcation separating the military forces of the Vietminh and the French. That is what that 17th parallel was for.

The accords then provided for 2 years to work out, under the direction and jurisdiction of an International Control Commission represented by India, Canada, and Poland, arrangements for an election in July 1956, that would establish a government and a reunification of all Vietnam.

That is what the Geneva accord called for. Who divided Vietnam? The United States. That is our record. Of course, we are going to hear about that when we get into the councils of the world. There does not seem to be much enthusiasm for getting into an open world debate on Vietnam in the Security Council; but I am still hoping it will come, and if it does not come, then I wish to repeat very quickly here, my President ought to get before the General Assembly of the United Nations and make a plea to the world for that General Assembly to take over its peacekeeping functions in South Vietnam, and stop the danger of this war escalating into a holocaust.

FLOOR MANAGER DOES NOT CONTROL POLICY

Then, Mr. President, there is another point on which my good friend, the Senator from Arkansas [Mr. FULBRIGHT], and I may not see eye to eye, although I fully understand his point of view. I believe that the situation of the Senator from Georgia [Mr. RUSSELL], is quite different on this bill from the situation of the Senator from Arkansas, the chairman of the Foreign Relations Committee, on the Tonkin Bay resolution. There is no ambiguity in this bill, to justify any legislative history, as there was in the Tonkin Bay resolution.

For the Senator from Georgia to say that it does not involve policy does not erase the record of the administration as to what the policy of the bill is. It contains new authority which makes it possible to escalate the war. The Secretary of Defense says so, that it is a decision for further escalation, to be made by the President. He has not made it yet, but we are going to give him all the materiel, all the manpower, and all the money for the escalation of the war.

Mr. President, that is what I am protesting. It is that policy which should be stopped.

Now is the time to check the President. He must not be placed in a position that he can exercise his discretion to escalate the war and send increasing numbers of American boys to their deaths in southeast Asia.

As I stated earlier, in my judgment, southeast Asia is not worth the life of a single one of our boys. It is not our unilateral responsibility. It is the responsibility of the nations of the world, who have committed themselves to keep the peace, to start living up to their obligations.

Therefore, I dismiss the point by saying that nothing which the Senator from Georgia has said can make legislative history for the simple reason that unless a bill is ambiguous, then anything the Senator in charge of the bill states is superfluous. We know what the intent is. It is that intent which I am protesting. That is why I do not believe that the statements of the Senator from Georgia help my friend the Senator from Arkansas [Mr. FULBRIGHT], one iota in regard to the policy which is spelled out in the bill.

Mr. President, first, a vote for my amendment would be a vote to make clear to the President that those who vote for the amendment disapprove of the continuation of the exercise of the power he has been exercising under the Tonkin Bay resolution.

A vote against the bill would constitute a check on the purse strings, in order to deny to the President the authorly that the bill would give him to expand the war. For it is an expansion of the war which I believe is so dangerous. It is an expansion of the war which I fear would lead us to a war with China and eventually with Russia.

Mr. President, it is a risk we should not take. That is why I say that we should take the General Gavin program, the so-called holding operation, and then use that time period in order to urge other nations to come in and enforce the peace.

I make this plea to the chairman of my committee: A vote for the authorization bill will be a vote which will not strengthen those in the American population who, in my judgment, in increasing millions, wish the United States to follow a course of action whereby the war will not be escalated.

A vote against the bill, in my opinion, would strengthen those within American public opinion who, in increasing numbers, are urging a change in our course of action in the operation of our foreign policy in southeast Asia.

A vote for this bill on the part of any Senator who has great reservations about the Tonkin Bay resolution, who has great reservations which many have expressed, in terms of fear as to what may happen in Vietnam, even by miscalculation, or direct planning on the part of the administration to expand the war, would be a vote to weaken those in American public opinion who, in increasing numbers, in my judgment, are insisting that our foreign policy in southeast Asia be changed.

The only alternative left the American people, if Congress will not carry out, in this instance, its power of check through the purse strings, would be for them to take the issue to the polls. I shall be one who will urge them to take to the polls, because I believe that every procedure available to the American people, under our constitutional system, should be exercised with them to check the expansion of this war, to increase thereby the possibility of finding a peaceful solution or, as the Senator from Arkansas has said, an accommodation which will lead to peace.

Mr. President, I wish to put into the RECORD the conclusion of that great report of my majority leader which sets forth, for those who will read it, the warning signs of where we may be going in southeast Asia if we follow the authorization of this bill, if we give to the administration the authority to expand the war, which this authority would give to the administration, dependent only upon the decision of the President of the United States.

Mr. President, speaking most respectfully of my President, and I make no personal comment, I will not vote to give to this President, or to any President, the kind of discretionary power which the bill would give to him. As the Secretary of Defense states, the President gave instructions to submit this bill to provide for all these authorities which will result, if they are exercised, in an escalation of the war, all dependent upon the discretionary decision of the President of the United States.

Mr. President, we should not give it to any man—no man; and if we give it to any mere man, with all the frailties that every man possesses, we will weaken our system of constitutional checks, and we will enhance the growing danger in this country of a government by men and not of law. We would also increase the danger of a government by executive supremacy, instead of a government which would preserve the precious system of three coordinate and coequal branches of government.

Mr. President, I rest my case.

EXHIBIT 1

LAWYERS COMMITTEE ON AMERICAN
POLICY TOWARD VIETNAM,
New York, N.Y., January 25, 1966.

Hon. LYNDON B. JOHNSON,
President of the United States,
Washington, D.C.

MR. PRESIDENT: Following the issuance by the Department of State in March 1965 of a memorandum captioned "Legal Basis for U.S. Actions Against North Vietnam," our committee, in consultation with leading authorities in the fields of international law and constitutional law, undertook to research the legal issues, culminating in the memorandum of law (here enclosed).

Our committee's memorandum of law has been endorsed, among others, by Profs. Quincy Wright, of the University of Virginia; Wolfgang Friedmann, of Columbia University; Thomas I. Emerson, of Yale; Richard A. Falk, of Princeton; Norman Malcolm, of Cornell; D. F. Fleming, of Vanderbilt; David Haber, of Rutgers; Roy M. Mersky, of the University of Texas; William G. Rice, of the University of Wisconsin; Chancellor Robert M. MacIver, of the New School for Social Research; Profs. Robert C. Stevenson, of Idaho State University; Alexander W. Rudzinski, of Columbia; Darrell Randell, of the American University in Washington, D.C.; and Profs. Wallace McClure and William W. Van Alstyne, both from Duke University and the World Rule of Law Center.

For the reasons documented in our memorandum our committee has reached the regrettable but inescapable conclusion that the actions of the United States in Vietnam contravene the essential provisions of the United Nations Charter, to which we are bound by treaty; violate the Geneva accords which we pledged to observe; are not sanctioned by the treaty creating the Southeast Asia Treaty Organization; and violate our own Constitution and the system of checks and balances which is the heart of it, by the prosecution of the war in Vietnam without a congressional declaration of war.

The principal argument advanced in the State Department's memorandum is that our Government's action in Vietnam is justified under article 51 of the United Nations Charter sanctioning "individual or collective self-defense if an armed attack occurs against a member of the United Nations." However, South Vietnam is indisputably not a member of the United Nations and, indeed, under the Geneva accords of 1954, is merely a temporary zone. Moreover, since the Geneva accords recognized all of Vietnam as a single state, the conflict in Vietnam is "civil strife" and foreign intervention is forbidden. We do well to recall that President Lincoln, in the course of our Civil War to preserve the union of the North and the South, vigorously opposed British and French threats to intervene in behalf of the independence of the Confederacy.

In addition, the right of collective self-defense under article 51 is limited to those nations which are within a regional community which history and geography have developed into a regional collective defense system. The United States—a country separated by oceans and thousands of miles from southeast Asia and lacking historical or ethnic connections with the peoples of that area—cannot qualify as a bona fide member of a regional collective defense system for southeast Asia.

The State Department's memorandum also contends that the actions of the United States "being defensive in character and designed to resist armed aggression, are wholly consistent with the purposes and principles of the charter and specifically with article 2, paragraph 4." Yet article 2, paragraph 4, declares in clear and unambiguous language that "all members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state or in any other manner inconsistent with the purposes of the United Nations."

The State Department's memorandum also attempts to justify our Government's actions in Vietnam on the ground that the "North Vietnamese have repeatedly violated the 1954 Geneva accords." But this statement ignores our Government's antecedent violations of the pledges we made. On July 21, 1954, Under Secretary of State Walter Bedell Smith in a declaration confirmed by President Eisenhower, pledged that our Government would not "disturb" the Geneva accords and would "not join in an arrangement which would hinder" the rights of peoples "to determine their own future." However, the United States departed from these pledges when, on July 16, 1955, the Diem regime announced with American backing, that it would defy the provision calling for national elections, thus violating the central condition which had made the Geneva accords acceptable to the Vietminh. And the United States also chose to ignore the ban on the introduction of troops, military personnel, arms, and munitions into Vietnam, and the prohibition against the establishment of new military bases in Vietnam territory—provisions set out in the Geneva accords. It is a historical fact that the refusal to hold the elections prescribed by the Geneva accords, coupled with the reign of terror and suppression instituted by the Diem regime, precipitated the civil war.

In the light of the foregoing, more fully detailed and documented in the enclosed memorandum, we submit, Mr. President, that the State Department has incorrectly advised you as to the legality of U.S. actions against Vietnam.

We further submit, Mr. President, that the frequent citation of the pledges given by Presidents Eisenhower and Kennedy to aid South Vietnam afford no justification for U.S. intervention in Vietnam. President Eisenhower has stated that his administration had made no commitment to South Vietnam "in terms of military support on programs whatsoever." President Kennedy insisted that the war in Vietnam was "their war" and promised only equipment and military advisers. Hence the historical facts fail to support the point advanced. Beyond this, these Presidential pledges do not even have the status of treaties, not having been ratified by the Senate. Manifestly, the obligations assumed by our Government under the United Nations Charter, with the advice and consent of the Senate, transcend any Presidential pledge undertaken vis-a-vis the South Vietnamese regime.

Our Government has often urged that our presence in South Vietnam is solely to preserve freedom for its people and to uphold the democratic process. Yet the series of regimes supported by the United States in South Vietnam have been authoritarian in character, quite without popular support and largely indifferent to the welfare of the local population. Ambassador Henry Cabot Lodge, on June 30, 1964, commenting on the consequences of massive American involvement in Vietnam, stated, "Well, that means we become a colonial power and I think it's been pretty well established that colonialism is over. I believe that if you start doing that you will get all kinds of unfortunate results: you'll stir up antiforeign feeling; there'll be a tendency to lay back and let the Americans do it and all that. I can't think that it's a good thing to do.

As we have stated, our committee has also come to the painful conclusion that our Government's action in Vietnam violates the clear provision of our Constitution which vests in Congress exclusively the power to declare war—a power not constitutionally granted to the President. The debates in the Constitutional Convention at Philadelphia make explicitly clear that warmaking was to be a purely legislative prerogative and the President was not to have the power to wage a war or "commit" our Nation to the waging of a war, although the Executive was intended to have the power to repel sudden attacks.

In pointing out that the President lacks constitutional power to make war, our committee does not imply that a declaration of war by the Congress is desirable. Rather, we mean to point out that the failure to abide and conform to the provisions of our Constitution inevitably lead to tragic situations.

In alerting the American people to the unconstitutionality of the war being waged in Vietnam, we are following the example followed by Abraham Lincoln who, in a speech made on January 12, 1848, before the House of Representatives opposing the war undertaken by President Polk, set out the reasons which impelled him to vote for a resolution which declared that "the war with Mexico was unnecessarily and unconstitutionally commenced by the President."

Our committee conducted its research because of a deep sense of responsibility as members of the bar and because of our dedication to the principle of world peace through law. It was the American lawyers who conceived and nurtured this principle, and after holding conferences on four continents (San Jose, Costa Rica; Tokyo, Japan; Lagos, Nigeria; Rome, Italy), finally convened the First World Conference on World Peace Through Law at Athens, Greece, in July 1963.

In the proclamation of Athens, the declaration of general principles for a world rule of law, among other things, declared that "all obligations under international law must be fulfilled and all rights thereunder must be exercised in good faith."

Mr. President, we submit that our Government's intervention in Vietnam falls far short of the declaration of principles at Athens, Greece, in July 1963, and is in violation of international agreements. The rule of law is the essential foundation of stability and order, both between societies and in international relations. When we violate the law ourselves, we cannot expect respect for the rule of law by others. Our present unilateral intervention is an offense, we submit, against the spirit of American institutions.

As lawyers, we feel that the national interest is best served—indeed it can only be served—by (a) a commitment that our Government will be bound by and implement the principles of the Geneva accords of 1954, and that the main provisions thereof be the basis for the establishment of an independent, unified neutral Vietnam; (b) an invocation of the provisions of the United Nations Charter to assure peace in southeast Asia; and (c) a declaration that there will be no further bombing of Vietnam, that we will agree to a cease-fire, and publicly declare that the United States is willing to negotiate directly with the National Liberation Front—a point endorsed by leading Senators and Secretary General Thant and mandated by article 33 of the United Nations Charter requiring that the "parties to any dispute * * * shall first of all, seek a solution by negotiation * * * or other peaceful means of their own choice," and that all elements of the South Vietnamese people should be represented in that country's postwar government.

Respectfully yours,
Robert W. Kenny,
Honorary Chairman.
William L. Standard,
Chairman.

American Policy Vis-a-Vis Vietnam, in Light of Our Constitution, the United Nations Charter, the 1954 Geneva Accords, and the Southeast Asia Collective Defense Treaty

MEMORANDUM OF LAW

(Prepared by Lawyers Committee on American Policy Toward Vietnam, Hon. Robert K. Kenny, Honorary Chairman)

Executive committee

William L. Standard, Chairman; Carey McWilliams, Vice Chairman; Joseph H. Crown, Secretary.

Lawyers Committee on American Policy Toward Vietnam, 38 Park Row, New York, N.Y.

American Policy Vis-a-Vis Vietnam

The justification of American involvement* in Vietnam has troubled lawyers in the light of the literal language of our Constitution and the United Nations Charter. Though the United States initially entered South Vietnam only to advise, American troops, now numbering 125,000,[1] have moved from a passive to an active combat role. American forces have mounted repeated air strikes against targets in North Vietnam. Is such action, raising the threat of large-scale war, consonant with our Constitution, our obligations under the United Nations Charter, the provisions of the southeast Asia collective defense treaty?

Observance of the rule of law is a basic tenet of American democracy. Hence it is fitting that American lawyers examine the action pursued by our Government to determine whether our Government's conduct is justified under the rule of law mandated by the United Nations Charter, a charter adopted to banish from the earth the scourge of war.

We shall explore and assess the grounds advanced to justify the course of conduct pursued by our Government vis-a-vis Vietnam. In section I, we examine American policy in the light of the United Nations; in section II, in the light of the Geneva accords and the southeast Asia collective defense treaty; and in sections III–IV in the light of our Constitution. Mindful of the grave importance of the issues, we have exercised the maximum diligence in the preparation of this memorandum which is fully documented.

I—THE UNITED STATES IN VIETNAM: THE UNITED NATIONS CHARTER

The Charter of the United Nations was signed on behalf of the United States on June 26, 1945, by the President of the United States, and was ratified on July 28, 1945, by the Senate.[2] Thus, the United States became a signatory to the Charter, along with 55 other nations (there are now 114), obligating itself to outlaw war, to refrain from the unilateral use of force against other nations, and to abide by the procedures embodied in the Charter for the settlement of differences between states. In essence, the obligations assumed by member nations under the United Nations Charter represent the principles of international law which govern the conduct of members of the United Nations and their legal relations.

The Charter of the United Nations is a presently effective treaty binding upon the Government of the United States because it is the "supreme law of the land."[3] Indeed, the Charter constitutes the cornerstone of a world system of nations which recognizes that peaceful relations, devoid any use of force or threats of force, are the fundamental legal relations between nations. The following provisions of the Charter are relevant:

(a) "All members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state or in any other manner inconsistent with the purposes of the United Nations" (ch. I, art. II(4)).

(b) "The Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression, and shall make recommendations or shall decide what measures shall be taken * * * to maintain or restore international peace and security." (Ch. VII, 39.)

It is thus plain that signatory members of the United Nations Charter are barred from resorting to force unilaterally and that only the Security Council is authorized to determine the measures to be taken to maintain or restore international peace (apart from the question as to whether or not the General Assembly has any residual authority by virtue of the "Uniting for Peace" resolution for this purpose when the Security Council is unable to meet its responsibilities[4]).

It may be recalled that in 1956, Israel justified its attack on the Egyptian forces in the Sinai Peninsula "as security measures to eliminate the Egyptian Fedayeen 'Commando' bases in the Sinai Peninsula from which raids had been launched across the Israeli frontier." Starke, "Introduction to International Law," fourth edition, London, 1958, at page 83 et seq.

When Great Britain and France introduced their troops into the Sinai Peninsula, under claim of a threat to their vital interests, the "preponderant reaction of the rest of the world was to condemn this action as inter alia, a breach of the United Nations Charter." Starke, "Introduction to International Law," fourth edition, London, 1958, at pages 85–88.

When the Soviet Union suggested a joint military operation with the United States to restore the peace in the Middle East, Secretary of State John Foster Dulles rejected this proposal as "unthinkable" (New York Times, November 6, 1956). Dulles declared:

"Any intervention by the United States and/or Russia, or any other action, except by a duly constituted United Nations peace force would be counter to everything the General Assembly and the Secretary General of the United Nations were charged by the charter to do in order to secure a United Nations police cease-fire."

At a news conference on November 8, 1956, President Eisenhower, answering an announcement of the Soviet Union at that time, declared that the United States would oppose the dispatch of Russian "volunteers" to aid Egypt, saying that it would be the duty of all United Nations members, including the United States, under the clear mandate of the United Nations Charter to counter any Soviet military intervention in the Middle East. The President said:

---

*For a historical background, see Robert Scheer, "How the United States Got Involved in Vietnam" (A Report to the Center for the Study of Democratic Institutions, Post Office Box 4068, Santa Barbara, Calif., 93103); sample copy free.

[1] President Johnson, in his news conference of July 29, 1965, stated:

"I have today ordered to Vietnam the Air Mobile Division and certain other forces which will raise our fighting strength from 75,000 to 125,000 men almost immediately. Additional forces will be needed later, and they will be sent as requested." (Presidential Documents, vol. 1, No. I, p. 15, Aug. 2, 1965.)

[2] See Historical Note under title 22, United States Code, sec. 287. By the act of Dec. 20, 1945, c. 583, 59 Stat. 619 (22 U.S.C. 287–287e), Congress enacted "The United Nations Participation Act of 1945," empowering the President to appoint representatives to the United Nations and to render various forms of assistance to the United Nations and the Security Council under specified terms and conditions.

[3] The treaties to which the United States is a signatory are a part of the fundamental law, binding upon all officials and all governmental institutions. Art. I, sec. 2, clause 2, of the U.S. Constitution confers power upon the President to make treaties with the concurrence of two-thirds of the Senate. Art. VI, clause 2, of the U.S. Constitution provides that treaties so made, together with the Constitution and the laws of the United States made pursuant thereto, are "the Supreme Law of the Land." *Missouri* v. *Holland*, 252 U.S. 416, 432–434; *Hines* v. *Davidowitz*, 312 U.S. 52, 62–63; *United States* v. *Pink*, 315 U.S. 203, 230–231; *Clark* v. *Allen*, 331 U.S. 503–508.

[4] The constitutional validity of the "Uniting for Peace" resolution adopted in 1950, is disputed.

"The United Nations is alone charged with the responsibility of securing the peace in the Middle East and throughout the world." United Nations Action in the Suez Crisis. Tulane Studies in Political Science, volume IV entitled "International Law in the Middle East Crisis."

To the fundamental, substantive and procedural requirements and conditions vesting sole authority in the United Nations to authorize utilization of force, there are only two exceptions set forth in the charter. The first exception is found in article 51 of chapter 7:

"Nothing in the present charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a member of the United Nations, until the Security Council has taken measures to maintain international peace and security."

Article 51 of the charter marked a serious restriction on the traditional right of self-defense. As was stated by Prof. Philip C. Jessup in his work, "A Modern Law of Nations," published in 1947 (at pp. 165–166):

"Article 51 of the charter suggests a further limitation on the right of self-defense: it may be exercised only 'if an armed attack occurs.' * * * This restriction in article 51 very definitely narrows the freedom of action which states had under traditional law. A case could be made out for self-defense under the traditional law where the injury was threatened but no attack had yet taken place. Under the charter, alarming military preparations by a neighboring state would justify a resort to the Security Council, but would not justify resort to anticipatory force by the state which believed itself threatened." [5]

The traditional right of self-defense, even prior to the adoption of the United Nations charter, was limited. As stated by Secretary of State Daniel Webster in the Caroline case,[6] and as adopted in the Neurenberg Judgment in 1945, any resort to armed force in self-defense must be confined to cases in which "the necessity of that self-defense is instant, overwehlming and leaving no choice of means and no moment of deliberation." [7]

In expressly limiting independent military action to instances of armed attack, the founding nations explicitly and implicitly rejected the right to the use of force based on the familiar claim of "anticipatory self-defense," or "intervention by subversion," or "pre-emptive armed attack to forestall threatened aggression," and similar rationale. Such concepts were well known to the founding nations if only because most of the wars of history had been fought under banners carrying or suggesting these slogans. More importantly for our purposes here, however, the United States was aware of these precepts before the Senate ratified the United Nations Charter and consciously acquiesced in their rejection as a basis for independent armed intervention.[8]

It has been authoritatively said that the exceptional circumstances stipulated in article 51 are "clear, objective, easy to prove and difficult to misinterpret or to fabricate".[9] The wording was deliberately and carefully chosen.[10] [11]

Hence article 51 can under no circumstances afford a justification for U.S. intervention in Vietnam, since the Saigon regime is indisputably not a member of the United Nations and, indeed, under the Geneva Accords of 1954, South Vietnam is merely a temporary zone not even qualifying politically as a state (See Section II infra), even if it be assumed that an "armed attack," within the meaning of article 51, has occurred against South Vietnam. For, as has been shown, article 51 is operative only in the event of "an armed attack against a member of the United Nations." Hence, neither the right of individual self-defense nor the right of collective [11] self-defense can become operative.

It has been claimed that United States intervention in Vietnam is sanctioned under article 51 on the ground (1) that South Vietnam in an independent state; (2) that South Vietnam had been the victim of an armed attack from North Vietnam and (3) that the United States, with the consent of South Vietnam, was engaging in "collective self-defense" of that country, as claimed by the United States in a communication to the United Nations Security Council in March 1965 (U.N. Chronicle, vol. 2, p. 22). To sustain this claim, all three elements must be satisfied.

This claim is untenable, however, on several grounds. First, South Vietnam was not recognized as an independent state at the 1954 Geneva Conference (see sec. II, infra). Even if it had become a de facto state in the course of events since 1954, the infiltration from North Vietnam cannot be deemed to constitute an "armed attack" within the purview of article 51.

Since the Geneva Accords recognized all of Vietnam as a single state, the conflict whether of the Vietcong or Ho Chi Minh against South Vietnam is "civil strife" and foreign intervention is forbidden, because civil strife is a domestic question—a position insisted upon by the United States in its civil war of 1861. Ho Chi Minh can compare his position in demanding union of Vietnam with that of Lincoln, when Britain and France were threatening to intervene to assure the independence of the Confederacy (and with the added point that the national elections mandated for 1956 in the Geneva Accords were frustrated by South Vietnam with apparent support of the United States; see sec. II, infra). Nor should it be overlooked that Lincoln had very little support from the people of the South, who generally supported the Confederacy, while Ho Chi Minh has a great deal of support from the people in South Vietnam organized in the National Liberation Front whose military arm is the Vietcong. There is, therefore, a basic issue whether the hostilities in Vietnam constitute external aggression (by North Vietnam) or "civil strife." Here it should be noted that the United Nations is authorized to intervene where civil strife threatens international peace, as the United Nations did in the Congo, in accord with article 39 of the charter—but individual states are not permitted to intervene unilaterally.

The third element requisite for the invocation of the right of collective self-defense under Article 51 presupposes that the nations invoking such right are properly members of a regional collective system within the purview of the United Nations Charter. The point here involved is: Can the United States validly be a genuine member of a regional system covering southeast Asia. Article 51 and Article 53, dealing with regional systems, were interrelated amendatory provisions intended primarily to integrate the inter-American system with the United Nations organization (see fn. 8, 13, 15). The concept that the United States—a country separated by oceans and thousands of miles from southeast Asia and bereft of any historical or ethnic connection with the peoples of southeast Asia—could validly be considered a member of a regional system implanted in southeast Asia is utterly alien to the regional systems envisaged in the charter. The "Southeast Asia Collective Defense Treaty"—connecting the United States with southeast Asia, architectured by Secretary of State Dulles, is a legalistic artificial formulation to circumvent the fundamental limitations placed by the United Nations Charter on unilateral actions by individual members. However ingenuous—or disingenuous—the Dulles approach, SEATO is a caricature of the genuine regional systems envisaged by the U.N. Charter. A buffalo cannot be transformed into a giraffe however elongated its neck may be stretched. The Dulles approach to collective defense treaties employed legal artifice to circumvent the exclusive authority vested in the United Nations to deal with breaches in the peace. Articles 51 and 53 were intended to make a bona fide integration of regional systems of cooperation with the world system of international security—but these envisaged regional systems which historically and geographically developed into a regional community—not contemplating a regional system which fused a region like southeast Asia with a country on the North American Continent. SEATO is not a regional agency within the letter or spirit of the U.N. Charter as to authorize the United States to claim the right of collective self-defense even if there had been an armed attack on a member of the United Nations geographically located in southeast Asia. If artifices like SEATO were sanctioned, the path would be open for the emasculation of the United Nations organization and the world system of international security assiduously developed to prevent the scourge of war.

Hence article 51 cannot be properly invoked for (1) South Vietnam does not have the political status of a state; (2) even if South Vietnam were deemed a de facto state, the infiltrations do not constitute an "armed attack" within the purview of article 51; and (3) the United States cannot claim the right of "collective self-defense" in respect of a regional system involving southeast Asia.

Apart from article 51 (inapplicable to the situation here), the only other exception to the renunciation of the "threat or use of force" by member states is found in chapter VIII of the charter dealing with regional arrangements. Article 53 of said chapter contains two paragraphs of particular significance:

(a) "The Security Council shall, where appropriate, utilize such regional arrangements or agencies for enforcement action under its authority. But no enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council, with the exception of measures against an enemy state, as defined in paragraph 2 of this article." (Ch. VII, art. 53(1).)

---

[5] In support of his views, Professor Jessup noted:

"The documentary record of the discussions at San Francisco does not afford conclusive evidence that the suggested interpretation of the words 'armed attack' in article 51 is correct, but the general tenor of the discussions, as well as the careful choice of words throughout chapters VI and VII of the charter relative to various stages of aggravation of dangers to the peace, support the view stated." (Jessup, "A Modern Law of Nations," p. 166.)

[6] See, Louis Henkin (professor of law and international law and diplomacy, Columbia University), 57 "American Society of International Law Proceedings," 1963, at p. 152, Moore's "Digest of International Law," vol. II, p. 412.

[7] Henkin, ibid.

[8] Hearings on U.N. Charter, Committee on Foreign Relations, U.S. Senate, 79th Cong., 1st sess., July 9–13, 1945, at p. 210.

[9] Henkin, ibid.

[10] [11] "* * * at the conference itself, every word, every sentence, every paragraph of the charter's text was examined and reconsidered by the representatives of 50 nations and much of it reworked." (Report to the President on the results of the San Francisco Conference [by the Chairman of the U.S. Delegation, i.e., the Secretary of State, June 26, 1945], hearings on U.N. Charter, Committee on Foreign Relations, U.S. Senate, 79th Cong., 1st sess., at p. 41.)

Paragraph two of that article provides:

(b) "The term enemy state as used in paragraph 1 of this article applies to any state which during the Second World War has been an enemy of any signatory of the present charter."

With respect to regional arrangements therefore, it is clear that no enforcement action may be undertaken without the authorization of the Security Council of the United Nations, save and except in only one instance; against any state which, during World War II, was an enemy of any of the charter,[12] to wit, Germany, Italy and Japan. Since Vietnam was manifestly not an "enemy state" within the purview of article 53(b), enforcement action under SEATO is unauthorized and cannot be justified in view of the express restrictions set out under article 53(a) of the United Nations Charter.

In summary, the United Nations Charter obligates all of its signatory members to refrain from the threat or use of force, and only the Security Council (apart from the residual authority (see footnote 4) granted the General Assembly under the "uniting for peace" resolution) is authorized to determine the existence of any threat to the peace, breach of the peace or act of aggression and to determine the measures to be taken to maintain or restore international peace. To these salient provisions, there are only two exceptions: the first, the right to self-defense if an armed attack occurs against a member of the United Nations; and, the second, the right of nations to enter into appropriate "regional arrangements," subject, however, to the provision that no enforcement action shall be taken under such arrangements without the authorization of the Security Council, the only exception to the latter requirement being with respect to measures against an enemy state, as defined in the charter.

We have shown that none of the aforestated exceptions can be invoked by the U.S. Government with respect to its conduct in Vietnam. It follows therefore that the fundamental requirements of the United Nations Charter with respect to the renunciation of force and the threat of force are directly applicable to the actions of the United States.

One other noteworthy charter provision is article 103 which subordinates all regional and treaty compacts to the United Nations Charter.

"In the event of a conflict between the obligations of the members of the United Nations under the present charter and their obligations under any other international agreement, their obligations under the present charter shall prevail." (Ch. XVI, art. 103.)

This supremacy clause was drafted to meet the predictable reassertion of dominance by the great powers within their respective geographic zones or hemispheres. Because of the unhappy history of a world fragmented by such "spheres of influence," the supremacy clause and the restrictions on the use of force under regional agreements emerge as limitations upon the superpowers even within their own geographic zones. It is significant that the United States not only accepted these limitations, but actively supported their incorporation within the charter.[13]

Article 103 makes clear that the obligations of the United Nations Charter prevail vis-a-vis the obligations of the SEATO treaty. Indeed, article VI of the SEATO expressly recognizes the supremacy of the United Nations Charter (see sec. II infra). Moreover the frequent citation by President Johnson of the pledges given by Presidents Eisenhower, Kennedy, and himself to aid South Vietnam afford no justification for U.S. intervention in Vietnam.[14] In the first place, these pledges or commitments do not even have the status of treaties, for these Presidential pledges have not been ratified by the Senate. And even if these Presidential pledges had been solemnly ratified by the Senate, any obligations thereunder must yield to the obligations imposed under the United Nations Charter by virtue of the supremacy clause embodied in article 103. Nor would the illegality of U.S. intervention in Vietnam be altered by the circumstance that the Saigon regime may have invited the United States to assume its role in the Vietnam conflict. The supremacy clause of the charter manifestly prevails and cannot be annulled by mutual agreement of third parties.

It is by virtue of the supremacy clause that the Secretary General of the United Nations has called the world's attention to the emasculation of the authority of the United Nations resulting from actions taken by regional agencies without reference to the Security Council.

We believe that any fair study of the United Nations Charter will affirm the observations of Prof. Lewis Henkin, of Columbia University, when he speaks "of the law of the charter":

"So far as it purports to prescribe for the conduct of nations, it consists, basically, of one principle: Except in self-defense against armed attack, members must refrain from the threat or use of force against other states * * * the rule of the charter against unilateral force in international relations is the essence of any meaningful concept of law between nations and the foundation on which rests all other attempts to regulate international behavior. It is a rule which all nations have accepted and which all have a common interest essential to law."[15]

It appears difficult to escape the conclusion therefore, in the light of the aforesaid, that the action of the U.S. Government in Vietnam contravenes essential provisions of the United Nations Charter. The U.S. Government has decided for itself to use armed forces in South Vietnam and to bomb North

---

[12] The reason for this exception appears clear. When the charter was signed in San Francisco on June 26, 1945, peace treaties had not yet been finally signed by the allied nations with each of the enemy states. Reparations, sanctions, territorial changes had not then been finalized. And so, in order to permit necessary flexibility in these respects, this sharply limited exception, permitting action against an enemy state in World War II by an allied government, was spelled out.

[13] Hearings on U.N. Charter, Committee on Foreign Relations, U.S. Senate, 79th Cong. 1st sess., supra, n. 6, at p. 306.

On May 15, 1945, Secretary of State Stettinius issued a statement at the San Francisco Conference regarding the Act of Chapultpec vis-a-vis the United Nations Organization which declared (so far as here pertinent), hearings on U.N. Charter, op. cit., p. 306;

"As a result of discussions with a number of interested delegations, proposals will be made to clarify in the charter the relationship of regional agencies and collective arrangements to the world organization.

"These proposals will—

"1. Recognize the paramount authority of the world organization in all enforcement action.

"2. Recognize that the inherent right of self-defense, either individual or collective, remains unimpaired in case the Security Council does not maintain international peace and security and an armed attack against a member state occurs. Any measures of self-defense shall immediately be reported to the Security Council and shall in no way affect the authority and responsibility of the Council under the charter to take at any time such action as it may deem necessary to maintain or restore international peace and security.

"3. Make more clear that regional agencies will be looked to as an important way of settling local disputes by peaceful means."

The first point is already dealt with by the provision of the Dumbarton Oaks proposals (ch. VIII, sec. C, par. 2) which provides that no enforcement action will be taken by regional agencies without the authorization of the Security Council. It is not proposed to change this language.

The second point will be dealt with by an addition to chapter VIII of a new section substantially as follows:

"Nothing in this chapter impairs the inherent right of self-defense, either individual or collective, in the event that the Security Council does not maintain international peace and security and an armed attack against a member state occurs. Measures taken in the exercise of this right shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under this charter to take at any time such action as it may deem necessary in order to maintain or restore international peace and security."

The third point would be dealt with by inclusion of a specific reference to regional agencies or arrangements in chapter VIII, sec. A, par. 3, describing the methods whereby parties to a dispute should, first of all, seek a peaceful solution by means of their own choice.

The U.S. delegation believes that proposals as above outlined if adopted by the Conference would, with the other relevant provisions of the projected charter, make possible a useful and effective integration of regional systems of cooperation with the world system of international security.

This applies with particular significance to the long-established inter-American system.

[14] President Johnson, in his news conference of July 28, 1965, declared:

"Moreover, we are in Vietnam to fulfill one of the most solemn pledges of the American Nation. Three Presidents—President Eisenhower, President Kennedy, and your present President—over 11 years have committed themselves and have promised to help defend this small and valiant nation" (Presidential Documents, vol. 1, No. 1, p. 15). President Eisenhower has stated that his administration had made no commitment to South Vietnam "in terms of military support on programs whatsoever" (the New York Times, Aug. 18, 1965, p. 1).

[15] Henkin, in 57 "American Society of International Law Proceedings," 1963, supra, n. 6, at p. 148. See also in further explication of Professor Henkin's succinct conclusion: Statements of Hon. Edward R. Stettinius, Jr., Secretary of State, the testimony of Senator Millikin, and the testimony of Mr. Pasvolsky, Special Assistant to the Secretary of State for International Organization and Security Affairs, in hearings on U.N. Charter, Committee on Foreign Relations, U.S. Senate, 79th Cong., 1st sess., supra, n. 8, at pp. 34–147, 210, 95–100 and 304–307; Jessup, "A Modern Law of Nations" (1947); Proclamation of Athens and Declaration of General Principles for a World Rule of Law, adopted by the First World Conference on World Peace Through Law, Athens, Greece, July 6, 1963; Francis T. P. Plimpton, U.S. Representative to the United Nations, State Department Bulletin, vol. XLIX, No. 1278, Dec. 23, 1963, pp. 978–979.

Vietnam without authorization of the Security Council or the General Assembly of the United Nations. The failure of the United States to honor its obligations under the United Nations Charter is a regrettable but inescapable conclusion which we as lawyers have been compelled to reach. We, as lawyers, urge our President to accept the obligations for international behavior placed upon us by our signature of the United Nations Charter.

II—THE UNITED STATES IN VIETNAM: THE 1954 GENEVA ACCORDS AND THE SEATO TREATY

Officials of the U.S. Government have nevertheless asserted, on different occasions, that the actions of the United States in Vietnam are consistent with the U.S. duties and obligations under the United Nations Charter and sanctioned by the treaty creating the Southeast Asia Treaty Organization (SEATO).[16] The conduct of the U.S. Government has been justified as support of a legitimate government defending itself against insurrection from within and aggression from without. We have demonstrated above that even if this latter position were accepted on its face, unilateral conclusions and actions taken by the Government of the United States upon the basis of such conclusions are violative of the firm obligations under the United Nations Charter. However, we do not let the matter rest with this assertion, but proceed to an examination of the validity of the claims made by the U.S. Government in support of its conduct in Vietnam.

The Geneva agreement, under which the war between Vietnam and the French was terminated, effected the division of Vietnam into north and south, at the 17th parallel. The said "agreement on the cessation of hostilities in Vietnam," entered into in Geneva on July 20, 1954, provided that the division of Vietnam at the 17th parallel was only "a provisional military demarcation line," on either side of which the opposing forces could be "regrouped"—"the forces of the Peoples Army of Vietnam to the north of the line and the forces of the French Union to the south" (ch. I, art. 1).[17]

The Geneva agreement makes plain that the division of the 17th parallel was to be temporary and a step in the preparation for a general election to elect a government for a unified nation. Pending such election, "civil adminstration in each regrouping zone [was to] be in the hands of the party whose forces are to be regrouped there" [art. 14(a)].

The day after the aforesaid cease-fire agreement was entered into, representatives of Cambodia, the Democratic Republic of Vietnam (Vietminh), Laos, France, the Peoples Republic of China, the U.S.S.R., and the United Kingdom affirmed The Final Declaration of the Geneva Conference on the Problems of Restoring Peace in Indochina, July 21, 1954.[18] The declaration emphasized that the north-south division was solely a means of ending the military conflict and not the creation of any political or territorial boundary. Article 6 of the declaration stated:

"The Conference recognizes that the essential purpose of the agreement relating to Vietnam is to settle military questions with a view to ending hostilities and that the military demarcation line is provisional and shall not in any way be interpreted as constituting a political or territorial boundary."

This constitutes a recognition of the historical fact that Vietnam is a single nation, divided into two zones only temporarily for administrative purposes pending an election. This being so, the action of the North Vietnamese in aiding the South Vietnamese, to the extent that it has taken place, neither affect the character of the war as a civil war nor constitutes foreign intervention. It cannot be considered an armed attack by one nation on another.

The United States is in fact a foreign nation vis-a-vis Vietnam; North Vietnam is not. The latter by the Geneva Agreement was to participate in an election not to determine whether North and South Vietnam should be united, but to select a government of the nation of Vietnam, constituting all of Vietnam—north, south, east, and west. It was the refusal on the part of the Diem regime and the subsequent "governments" of the south, supported by the United States, to participate in such elections that opened the door to the present conflict.

It was also stated in the declaration that the clear objective of settling political problems and unifying the nation was to be by means of free general elections. Article 7 of the declaration provided:

"The Conference declares that so far as Vietnam is concerned, the settlement of political problems effected on the basis of respect for the principles of independence, unity and territorial integrity, shall permit the Vietnamese people to enjoy the fundamental freedoms, guaranteed by democratic institutions established as a result of free general elections by secret ballot. In order to insure that sufficient progress in the restoration of peace has been made, and that all the necessary conditions obtain for free expression of the national will, national elections shall be held in July 1956, under the supervision of an International Commission." [19]

The reference to "national elections" reinforces the evidence of the historical status of Vietnam as a single nation. To present the picture, as the United States repeatedly has done, as though North Vietnam were an interloper having no organic relationship to South Vietnam is to ignore both the applicable legal principles and treaties and the facts of history.

Although the United States participated in the discussion leading up to the Geneva accords, it did not sign the final declaration. Instead, the U.S. Government, through its Under Secretary of State, Walter Bedell Smith, made its own unilateral declaration [20] on July 21, 1954. In this declaration, the United States took note of the Geneva agreements and declared that the United States would "refrain from threat or the use of force to disturb them, in accordance with article 2(4) of the Charter of the United Nations dealing with the obligation of members to refrain in their international relations from the threat or use of force."

Referring to free elections in Vietnam, the United States declaration stated:

"In the case of nations now divided against their will, we shall continue to seek to achieve unity through elections supervised by the United Nations to insure that they are conducted fairly." [21]

Thus the United States recognized the fact that Vietnam was a single nation. Nevertheless the justification of United States policy today ignores this admitted fact. The United States persists in its denial that it is intervening in a civil war. It seeks to justify the bombing of North Vietnam by the United States on the basis that North Vietnam is a foreign aggressor in South Vietnam.

Nor is this all. The United States further pledged "that it will not join in any arrangement which will hinder" the reunification of Vietnam, and concluded with the hope that:

"The agreement will permit Cambodia, Laos, and Vietnam to play their part, in full independence and sovereignty in the peaceful community of nations, and will enable the peoples of the area to determine their own future."

No election was ever held pursuant to the Geneva Accords, although both the International Control Commission (composed of India, Poland, and Canada) and the United Nations announced readiness to supervise such elections. South Vietnam announced that it did not regard itself obliged to take part in the elections because the participation of North Vietnam would render such elections not free, a position apparently supported by the State Department.[22] In 1955,

---

[16] Geneva Conf. Doc. No. IC/42/Rev. 2, in 1 "American Foreign Policy"; 1950–55 Basic Documents 750; New York Times, July 24, 1954, p. 4.

[17] It is relevant to note that at the time this provision was agreed upon, the Vietminh occupied all but a few "islands" of territory to the north of the 17th parallel as well as approximately two-thirds of the territory south of that line. See map showing areas of South Vietnam under Vietminh control at end of May 1953 in Henri Navarre, "Agonie de L'Indo-Chine" (1953–54) (Paris, 1956), p. 37. Thus, by the cease-fire agreement the Vietminh gave up substantial areas of territory in what is now called South Vietnam.

An article in the New Republic, May 22, 1965, p. 29, by the Honorable Henry W. Edgerton, senior circuit judge of the U.S. Court of Appeals for the District of Columbia, brilliantly delineates the provisional character of the "Government" of South Vietnam and casts doubt on the juridicial claim to the existence of that Government.

[18] See "Further Documents Relating to the Discussion of Indochina at the Geneva Conference" June 16–July 21, 1954 (London) (Her Majesty's Stationery Office, Cmd 9239), 1954 (referred to as "Geneva Accords"). The French-sponsored Bao Dai regime, which was not endowed as yet with any real political substance, did not sign the Geneva Accord; not until 1956 did France relinquish control over South Vietnam; the Republic of Vietnam was proclaimed on Oct. 26, 1955, but French troops were not completely evacuated from the country until Nov. 1, 1956.

[19] Note that article 7 stipulates that the elections were to be antecedent to and a necessary condition for the "fundamental freedoms, guaranteed by democratic institutions" and that the elections were to be held "in order to insure * * * that all the necessary conditions obtain for free expression of the national will." This particular portion of the Geneva Accord has frequently been quoted out of context, with the key phrases in reverse order, in order to justify the refusal to hold elections on the grounds that the necessary conditions did not exist.

[20] See "Extracts From Verbatim Records of Eighth Plenary Session," Geneva Accords.

[21] Nowhere in its own declaration did the United States recognize the political partition of Vietnam; insofar as it referred to the country, it designated it as "Vietnam," not "South Vietnam" and "North Vietnam."

[22] See, Question No. 7, "Questions and Answers on Vietnam," Department of State publication No. 7724, August 1964, p. 8. See also footnote 19, George McT. Kahin and John W. Lewis, professors of government at Cornell University, in their article, "The United States in Vietnam," which appeared in the June 1965 issue of the Bulletin of Atomic Scientists, note (op. cit. p. 31):

"When on July 16, 1955, the Diem government announced, with American backing, that it would defy the provision calling for national elections, it violated a central condition which had made the Geneva Accords acceptable to the Vietminh. Regardless of what sophistry has been employed to demonstrate otherwise, in encouraging this move the United States departed from the position taken in its own unilateral declaration. And France in acquiescing abandoned the responsibility which she had unequivocally accepted a year earlier."

(Citing—Allan B. Cole, ed., "Conflict in Indo-China and International Repercusfollowing the Geneva Accords, then Prime Minister of State Diem repudiated the Geneva Agreements and refused to hold the elections. Former President Dwight D. Eisenhower, in his Memoirs, suggests a further reason for Diem's refusal to hold elections pursuant to the Geneva Accords:

"I have never talked or corresponded with a person knowledgeable in Indo Chinese affairs who did not agree that had elections been held at the time of the fighting possibly 80 percent of the population would have voted for the Communist Ho Chi Minh as their leader rather than Chief of State Bao Dai.[23]

The consequences of the repudiation of the Geneva Accords were delineated by Senator Ernest Gruening in a speech to the Senate on April 9, 1965:

"That civil war began—let me repeat, because this is crucial to the issue—when the Diem regime—at our urging—refused to carry out the provision contained in the Geneva Agreement of 1954 to hold elections for the reunification of Vietnam. That was one of the underlying conditions of the Geneva agreement. The civil war began and has continued with intensified fury ever since * * *. For over 800 years, before the conquest by France, Vietnam was a united country. After defeating the French in 1954, the Vietnamese went to the conference table at Geneva, agreeing to a settlement only on condition that reunification elections be held. Yet, nowhere in President Johnson's speech of April 7, 1965, at Johns Hopkins University is there held out a hope of ultimate reunification of Vietnam. He conditioned the ultimate peace 'upon an independent South Vietnam instead'."

In view of all of the aforesaid, the assumptions and justifications for our governmental policy in Vietnam do not appear to have support, either in law or in fact. The conduct of the U.S. Government in Vietnam appears plainly to violate the terms of the Geneva Accords and to repudiate solemn pledges to "refrain from the threat or the use of force" to disturb the Geneva Accords.

Moreover, nothing in the provisions of the southeast Asian Collective Defense Treaty would appear to justify the conduct of the U.S. Government in Vietnam. The SEATO Treaty was signed in Manila some 7 weeks after the signing of the Geneva Agreement on the Cessation of Hostilities in Vietnam. The SEATO Treaty became effective in February 1955, following the treaty ratification by eight member states—the United States, France, Great Britain, Australia, New Zealand, Thailand, Pakistan, and the Philippine Islands.

By the preamble and by article I of the SEATO Treaty, the parties acceded to the principles and supremacy of the United Nations Charter in accordance with article 103 thereof, which it will be recalled, provides as follows:

"In the event of a conflict between the obligations of the members of the United Nations under the present charter and their obligations under any other international agreement, their obligations under the present charter shall prevail."

The supremacy of this provision was expressly reiterated by the eight SEATO nations under article VI of said treaty, in which each solemnly agreed that the SEATO Treaty:

"* * * does not affect the rights and obligations of any of the parties under the Charter of the United Nations, or the responsibility of the United Nations for the maintenance of international peace and security."

The key provisions of the SEATO Treaty are to be found in article IV. Paragraph 1 thereof permits the use of force by one or more member states only in the event of "aggression by means of armed attack." But where the integrity or inviolability of any territory covered by the treaty is threatened "by other than armed attack" or "by any fact or situation which might endanger the peace of the area," then, paragraph 2 of article IV requires, as a prerequisite to intervention, that "the parties shall consult immediately in order to agree on the measures to be taken. * * *"

The consent of all eight SEATO nations was originally required before any military action under article IV could be undertaken by any of them (New York Times, May 28, 1962). Later, this rule was modified so that action could be undertaken if there was no dissenting vote—i.e., an abstention would not count as a veto (New York Times, April 19, 1964). At the last two annual meetings of the Ministerial Council of SEATO, France has refused to support a communique pledging SEATO backing for South Vietnam against the Vietcong (New York Times, April 15–16, 1964; May 3–6, 1965; see also, Los Angeles Times, May 3-4, 1965). It would appear that with the threat of a French veto a formal SEATO commitment in Vietnam has not been sought by the United States. However, even if there had been unanimity among the SEATO nations, the provisions of article 53 of chapter VIII of the United Nations Charter will still prevail:

"But no enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council. * * *

Manifestly, no such authorization has ever been conferred, either by the Security Council of the United Nations or by the General Assembly, from which it follows that American action in Vietnam clearly cannot be supported by reference to SEATO.

So long as the United States remains a member of the United Nations, our right to intervene is circumscribed by the provisions of the United Nations Charter. As members of SEATO, our right to intervene is limited, both by the requirement for unanimity among all of the eight treaty nations and, in addition, by the superseding requirement of article 53 of chapter VIII of the United Nations Charter, prohibiting any enforcement action under a regional arrangement without the authority of the Security Council. Our justification for acting contrary to our solemn obligations under the United Nations Charter appears tenuous and insubstantial. The fact of the matter is that the U.S. Government has simply acted as its own judge of its own interests in patent disregard of the fundamental law embodied in the United Nations Charter.

III—CONSTITUTIONAL ASPECTS OF UNITED STATES INTERVENTION IN VIETNAM

This disregard of the rules of the charter, inherent in U.S. intervention in Vietnam, is compounded by the fact that such intervention is also violative of our own Constitution. Whatever doubts may have existed prior to the President's "Report to the Nation Following a Review of U.S. Policy in Vietnam"[24] (set out at his news conference on July 28, 1965), as to whether U.S. action in Vietnam constituted the conduct of a war, the President in that report made it explicitly clear that "this is really war," noting that "our fighting strength" was being raised from 75,000 to 125,000 "almost immediately" and that "additional forces will be needed later, and they will be sent as requested." Can the President's conduct be squared with our Constitution (apart from the obligations imposed upon member states by the United Nations Charter)?

It is the genius of our constitutional system that ours is a government of checks and balances. A dangerous concentration of power is avoided by the separation—in Articles I, II, and III of the Constitution—of the legislative, executive, and judicial powers. The doctrine of "separation of powers" is fundamental to, and is one of the "great structural principles of the American constitutional system."[25] The Supreme Court has recently characterized this "separation of powers" as "a bulwark against tyranny," *United States* v. *Brown — U.S. —*, 33 Law Week 4603 (June 7, 1965). The Supreme Court had earlier said:

"The power to make the necessary laws is in Congress; the power to execute in the President. Both powers imply many subordinate powers. Each includes all authority essential to its due exercise. But neither can the President, in war more than in peace, intrude upon the proper authority of Congress, nor Congress upon the proper authority of the President." Ex parte Milligan, 4 Wall 2, 139 (1866).

Classically stated by Blackstone[26] and derived from Plato, Aristotle, Polybius, Cicero, Machiavelli, Harrington, Locke, and Montesquieu,[27] this constitutional separation of powers was deliberately carried over by the Framers into the conduct of foreign affairs. For, contrary to widely held assumptions, the power to make and conduct foreign policy is not vested exclusively in the President, but is divided between him and Congress, with each endowed with complementary, but separate[28] powers and responsibilities.[29]

Thus, in making and carrying out general foreign policy, Article II, Section 2 requires the President to have the "Advice and Consent of the Senate, to make Treaties, provided two-thirds of the Senators present concur." And the President also requires the advice and consent of the Senate to "appoint Ambassadors, other public Ministers and Consuls."

When statecraft fails and the question becomes the ultimate one of war or peace, the Constitution imposes a tight rein upon the President. His participation ends at the threshold of the decision whether or not to

---

sions," a documentary history, 1945–1955 (Ithaca, N.Y.) 1956, pp. 226–228; and Donald Lancaster, "The Emancipation of French Indo-China" (Oxford, 1961), pp. 370–372.)

[23] Dwight D. Eisenhower, "Mandate for Change: The White House Years, 1953–1956" (London, 1963), p. 372.

[24] Presidential Documents, vol. 1, No. 1 (Aug. 2, 1965), pp. 15–19. See also State Department bulletin, April 26, 1965, p. 606; State Department bulletin, May 24, 1965, passim; State Department bulletin, May 31, 1965, p. 838, Krock, "By Any Other Name, It's Still War," New York Times, June 10, 1965.

[25] Corwin, "The President: Office and Powers" (New York, 1957), p. 9.

[26] Blackstone, "Commentaries on the Law of England," 146 (7th ed. 1775).

[27] Cf., Sharp, The Classical American Doctrine of "Separation of Powers," 2 U. of Chi. L. Rev. 385 (1935).

[28] "One of the most striking facts in the institutional philosophic history of the United States (is) that the legislative-executive quarrels during the colonial period convinced the colonists of the desirability of a separation of powers rather than a union of powers." Wright "Consensus and Continuity," p. 17 (Boston, 1958).

"The doctrine of separated powers is implemented by a number of constitutional provisions, some of which entrust certain jobs exclusively to certain branches, while others say that a given task is not to be performed by a given branch." *United States* v. *Brown*, supra—U.S., 33 Law Week, at p. 4605.

[29] Story, "Commentaries on the Constitution" (Boston, 1833), passim, Dahl, "Congress and Foreign Policy" (New Haven, Conn., 1950); Robinson, "Congress and Foreign Policy-Making: A Study in Legislative Influence and Initiative" (Ill. 1962).

declare war. Under Article I, Section 8, Clause 11, that power is confided exclusively to the Congress.[30] There is no mention of the President in connection with the power to "declare war." Under the Constitution, Congress alone must make this decision. The Clause does not read "on recommendation of the President," nor that the "President with advice and consent of Congress may declare war." As former Assistant Secretary of State James Grafton Rogers has observed: "The omission is significant. There was to be no war unless Congress took the initiative." Rogers, "World Policing and The Constitution," p. 21 (Boston, 1945).

"Nothing in our Constitution is plainer than that declaration of war is entrusted only to Congress." *Youngstown Sheet and Tube Company* v. *Sawyer,* 343 U.S. 579, 642 (1952) (Jackson, J.).

That the President lacks constitutional power to make war is underscored by the historic statement made by President Woodrow Wilson on the night of April 2, 1917, when he addressed the Congress in a joint session:

"I have called the Congress into extraordinary session because there are serious, very serious choices of policy to be made, and made immediately, which it was neither right nor constitutionally permissible that I should assume the responsibility of making." [31]

President Franklin Roosevelt also heeded his constitutional responsibilities and was also mindful and sensitive of the constitutional limitations applicable to the President when, before a joint session of the Congress on December 7, 1941, he requested the Congress for a declaration of war following Pearl Harbor.

The decision to place the responsibility for declaring war exclusively in Congress as the direct representative of the people, and not even to provide for the President's participation in that decision was a most deliberate one by the Framers.

The Constitutional Convention had been urged to rest the power to declare war, the "last resort of sovereigns, ultima ratio regum," in the executive, or, alternatively, in the Senate. 3 Story, "Commentaries on the Constitution," par. 1166. The arguments were made that "large bodies necessarily move slowly" and "despatch, secrecy, and vigor are often indispensable, and always useful toward success." Story, ibid.

When the issue was debated at the Convention, Mr. Gerry stated that he "never expected to hear in a republic a motion to empower the Executive alone to declare war." Madison and Gerry "moved to insert 'declare,' striking out 'make' war; leaving to the Executive the power to repel sudden attacks." The motion carried. Farrand ed., "Records of the Federal Convention" (New Haven, 1911), II, pp. 318–319.[32]

Nowhere in the debates is there support for the view that the President can wage a war or "commit" our Nation to the waging of a war. On the contrary, warmaking was to be a purely legislation prerogative. The only use of force without a declaration of war that was contemplated as the debates clearly show, was "to repel sudden attacks." [33]

These constitutional provisions that only Congress shall have the power to declare war and that Congress has the sole responsibility to raise and support the armies, to provide for a navy, and to impose the taxes to provide the funds to carry on a war, reflected a profound distrust of executive authority and a corresponding reliance upon the legislature as the instrument for the decisionmaking in this vital area. Bemis, "The Diplomacy of the American Revolution" (New York, 1935), pp. 29–35.

These provisions reflected things painfully learned during the early colonial period, when every major European war had its counterpart on the American frontiers. The Colonies were therefore determined to end the imperial authority to decide for them what wars they should enter and what the outcome of those wars should be. Savelle, "The American Balance of Power, and the European Diplomacy 1713–78," in Morris ed., "The Era of the American Revolution" (New York, 1939), pp. 140–169.

The Convention was not only determined to deny warmaking power to the President, but was also unwilling to entrust it to the Senate alone. To assure the fullest consideration, the Framers therefore provided that the House of Representatives, larger and more representative than the Senate, should also be brought in to decide this vital question. The action and decision of the whole Congress were therefore constitutionally made necessary to this fateful undertaking.

"The Constitution says, therefore, in effect, 'Our country shall not be committed formally to a trial of force with another nation, our people generally summoned to the effort and all the legal consequences to people, rights and property incurred until the House, Senate and the President agree.'" Rogers, "World Policing and the Constitution" (Boston, 1945), p. 35.

Concededly there have been many instances, when the President has sent U.S. Armed Forces abroad without a declaration of war by Congress.[34] These have ranged from engagements between pirates and American ships on the high seas to the dispatch of our Armed Forces to Latin American countries.

These precedents cannot justify the present actions without bringing to mind Swift's comment on "precedents" in "Gulliver's Travels":

"It is a maxim among these lawyers, that whatever hath been done before, may legally be done again; and therefore they take special care to record all the decisions formerly made against common justice and the general reason of mankind. These, under the name of precedents, they produce as authorities to justify the most iniquitous opinions; and the judges never fail to directing accordingly."

Here it is important to distinguish our country's involvement in the Korean war. For the United States fought under the aegis of the United Nations pursuant to a definitive resolution of the Security Council authorizing and directing the employment of Armed Forces of member states, so that the United States was thus performing its solemn obligations undertaken in becoming a signatory of the United Nations Charter, a treaty which is the "Supreme Law of the Land." But in the Vietnamese situation, there has been no authorization by the Security Council; indeed the Security Council has not even been seized of the matter, has not been requested to entertain jurisdiction of the present conflict.

It is therefore unfortunately vitally necessary, although trite, to recall that "the Government of the United States has been emphatically termed a government of laws, and not of men." *Marbury* v. *Madison,* 1 Cr. 137 (1803). Under a government of laws, the President is not free from the checks of the Constitution of the United States; the President is not free to assume the powers entrusted solely to the Congress. Ours is not a government of executive supremacy.[35]

Here it is fitting to recall that on May 6, 1954, at a time when the fall of Dien Bien Phu was imminent, then Senator Lyndon Johnson, as Democratic leader of the Senate, at a Jefferson-Jackson dinner, criticized the Eisenhower administration in these terms:

"We will insist upon clear explanations of the policies in which we are asked to cooperate. We will insist that we and the American people be treated as adults—that we have the facts without sugar coating.

"The function of Congress is not simply to appropriate money and leave the problem of national security at that." [36]

A New York Times survey (June 14, 1965) reports widespread "uneasiness" over the President's foreign policies; that the American academic world "is intellectually and emotionally alienated from the President, to

---

[30] Article I, Section 8, Clause 11 of the Constitution reads:

"The Congress shall have the power:

* * * * *

"1. To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water."

[31] President Wilson went on to say:

"With a profound sense of the solemn and even tragical character of the step I am taking and of the grave responsibilities which it involves, but in unhesitating obedience to what I deem my constitutional duty, I advise that the Congress declare the recent course of the Imperial German Government to be in fact nothing less than war against the Government and people of the United States; that it formally accept the status of belligerent which has thus been thrust upon it; and that it take immediate steps not only to put the country in a more thorough state of defense but also to exert all its power and employ all its resources to bring the Government of the German Empire to terms and end the war."

[32] The Framers concluded and provided that "the power of declaring war is not only the highest sovereign prerogative; but that it is in its own nature and effects so critical and calamitous, that it requires the utmost deliberation, and the successive review of all the councils of the nation. War, in its best estate, never fails to impose upon the people the most burdensome taxes, and personal sufferings. It is always injurious and sometimes subversive of the great commercial, manufacturing, and agricultural interests. Nay, it always involves the prosperity, and not infrequently the existence of a nation. It is sometimes fatal to public liberty itself, by introducing a spirit of military glory, which is ready to follow, wherever a successive commander will lead; and in a republic whose institutions are essentially founded on the basis of peace, there is infinite danger that war will find it both imbecile in defense, and eager for contest. Indeed, the history of republics has but too fatally proved, that they are too ambitious of military fame and conquest, and too easily devoted to the views of demagogs, who flatter their pride and betray their interests. It should therefore be difficult in a republic to declare war; but not to make peace." Story op. cit., sec. 1166.

[33] Manifestly the residuary power left to the President—"to repel sudden attack" contemplated attacks on the country's geographical territory—not "sudden attacks" in far-off lands, such as southeast Asia. Cf. Tonkin Bay joint resolution of Aug. 6–7, 1964, discussed in sec. IV, infra.

[34] See U.S. Senate Committee on Foreign Relations and Committee on Armed Services, hearing, "Situation in Cuba," 87th Cong., 2d sess., Sept. 17, 1962 (Washington, G.P.O., 1962), pp. 82–87; Rogers, op. cit., especially pp. 93–123.

[35] "With all its defects, delays, and inconveniences, men have discovered no technique for long preserving free government except that the executive be under the law, and that the law be made by parliamentary deliberations," Mr. Justice Jackson, concurring in *Youngstown Sheet and Tube Company* v. *Sawyer,* supra, 343 U.S. at 655 (1952).

[36] Jackson, "Role and Problems of Congress with Reference to Atomic War," May 17, 1954, publication No. L–54–135, Industrial College of the Armed Forces.

whom it gave such strong support in the election"; that there is "increasing—and mutual—hostility between the President and many segments of the press"; that many Democratic Members of Congress are "restive and unhappy * * * over what they regard as [the President's] high-handed manner of making and carrying out decisions on foreign affairs"; that many friendly governments abroad "are apprehensive about Mr. Johnson's use of national power"; that among these views are expressions of "dismay," the unreliability of CIA and FBI reports which the President accepted, the lack of clear policy, the disregard of "principles, support or advice."

It is therefore imperative that Congress guard zealously against any executive usurpation of its exclusive power to declare, or to decline to declare war.

President Johnson has not been unmindful of the damaging consequences inherent in the violation of the separation of powers. As recently as August 21, 1965 the President vetoed a $1.7 billion military construction bill, calling it "repugnant to the Constitution." In a stern message to Congress, the President described certain sections of the bill as clear violations of the "separation of powers"; warned Congress to stop meddling in the prerogatives of the executive branch (New York Times, August 21, 1965, p. 1). Yet the President has not hesitated to intrude upon the exclusive power vested in Congress to declare war.

IV—CONGRESS HAS NOT DECLARED WAR IN VIETNAM; ITS JOINT RESOLUTIONS ARE NEITHER A SUBSTITUTE FOR A DECLARATION OF WAR NOR DO THEY MAKE PRESIDENT JOHNSON'S WAR-MAKING CONSTITUTIONAL

Congress has not declared war in Vietnam and the President does not claim that any declaration of war supports his actions in Vietnam. In fact, the President is reported to be extremely reluctant to ask Congress directly to declare war.[37] Instead, the President is reported (New York Times, June 19, 1965, p. 10) to believe that authority for his actions may be inferred or extracted from the Tonkin Bay Joint Resolution of August 6–7, 1964 (H.J. Res. 1145; Public Law 88–408, 78 Stat. 384, 88th Cong., 2d sess.) and the Joint Resolution of May 7, 1965 (H.J. Res. 447; Public Law 89–18; 79 Stat. 109, 89th Cong., 1st sess.) making a supplemental appropriation to the Defense Department for the Vietnam operations.

The Tonkin Bay resolution is not a declaration of war. At most, it is an ultimatum—if that. It "approves and supports the determination of the President, as Commander in Chief, to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression." It goes on to express the view that "the maintenance of international peace and security in southeast Asia 'is vital' to the national interests of the United States" and declares the readiness of the United States to take all necessary steps, including the use of armed forces, to assist any member or protocol SEATO state to defend its freedom. The resolution, however, provides that all such steps shall be "consonant with the Constitution of the United States and the Charter of the United Nations and in accordance with its obligations under the Southeast Asia Collective Defense Treaty."

It is clear that Congressmen who voted for the Tonkin Bay Joint Resolution were not voting a declaration of war in Vietnam. The resolution does not mention North Vietnam nor China; indeed it does not even mention Vietnam. It was "passed in the fever of indignation that followed reported attacks by North Vietnamese torpedo boats against U.S. fleet units in Tonkin Bay." CONGRESSIONAL RECORD, volume 111, part 10, page 12990. There is no evidence that Congress thought or understood that it was declaring war. It took no contemporaneous action which would have implemented a declaration of war. And the remarks of several Members of the House and Senate during and since the debate on the resolution reinforce the conclusion that the Tonkin Bay Resolution was not regarded as a declaration of war. Congress manifestly cannot delegate to the President its exclusive power to declare war; and even under the specific terms of the Tonkin Bay Resolution, the President's actions neither conform nor are consonant with the Constitution—and, as we have seen in the earlier analysis, the President's actions are not consonant with the Charter of the United Nations, nor with the SEATO Treaty.

In passing the May 7, 1965, resolution, authorizing a supplemental appropriation for the Vietnam operations, Congress was confronted with a fait accompli which severely circumscribed its action. Its constitutional check on the will or errors of the Executive was by the President's message, reduced to its power of the purse. Such a circumscription will not necessarily prevent unwise or unpopular decisions or allow for the exercise of the full discretion which the Constitution intended Congress to have, and for it alone to exercise. Nevertheless, a resolution authorizing an appropriation does not constitute a declaration of war, nor can it constitutionally authorize the President to wage an undeclared war.

The presidential assumption of powers vested exclusively in the Congress concern arrogations of power which convert republican institutions, framed for the purpose of guarding and securing the liberties of the citizen, into a government of executive supremacy. If the Constitution has such elastic, evanescent character the provisions for its amendment are entirely useless; presidentially-determined expediency would become then the standard of constitutional construction.

Under the rule of law, compliance with the forms and procedures of the law are as imperative as compliance with the substance of the law. A lynching is a totally inadequate substitute for a trial, regardless of the guilt of the victim. What Mr. Justice Frankfurter wrote in another context is equally applicable here: "The history of liberty has largely been the history of observance of procedural safeguards." *McNabb* v. *United States,* 318 U.S. 332, 347, (1947).

Under our system, constitutional powers must be exercised in a constitutional manner by constitutionally established institutions. Disregard of fundamentals in an area concerning the highest sovereign prerogative affecting the very lives and fortunes of its citizens in the interest of a short term expediency undermines " 'constitutional morality' to such an extent that the maintenance of the order itself is endangered." Friedrich, "The Philosophy of Law in Historical Perspective," p. 216 (Chicago, 1963).

Finally, it cannot be overemphasized that even a declaration of war by the Congress would not negate the violations of our obligations assumed under the United Nations Charter or negate the violations of international law inherent in United States intervention in Vietnam.

Conclusion

A learned authority in international affairs has stated:

"Bluntly, all the rules about intervention are meaningless if every nation can decide for itself which governments are legitimate and how to characterize particular limited conflict. Unless we are prepared to continue a situation in which the legality of intervention will often depend upon which side of the fence you are on, and in which, therefore, our policy becomes one of countering force with force, we must be willing to refer questions of recognition (i.e., legitimacy of the government involved) and characterization of a disorder (i.e., whether an armed attack from abroad or a civil war) to some authority other than ourselves. The United Nations is the most likely candidate for the role."[38]

The United States has not observed the letter or spirit of its treaty obligations with respect to the action taken in Vietnam. World order and peace depend on the willingness of nations to respect international law and the rights of other nations. The United Nations is a symbol of the rejection of fatal policies which led to World War II, and an acceptance by the peoples of the world of the principles of collective security, and the avoidance of war and the use of armed forces in the settlement of differences between nations. The United Nations was intended to insure the preservation of international peace, security, and justice, through rules of law, binding upon all member nations. The fundamental condition for the effective functioning of the United Nations is the observance on the part of all signatory nations of the obligations assumed under the charter. Only in this way can the awesome potential of a third world war be prevented.

We have concluded that the U.S. Government is in violation of its treaty obligations under the U.N. Charter. We urge upon the Government that all steps be immediately taken to undo this illegality by an immediate return to an observance of the letter and spirit of the provision of the U.N. Charter.

This is a solemn hour in history. We have a moral obligation to history to return to the high purposes and principles of the United Nations—to honor the pledges we solemnly assumed—to settle international disputes by peaceful means—to refrain in international relations from the threat or use of force.

At this fateful hour, we do well to recall the prophetic dream of President Franklin D. Roosevelt, the architect of the United Nations, who upon his return from the Yalta Conference in his last address to the Congress in March 1945, said:

"The Crimea Conference * * * ought to spell the end of the system of unilateral action, the exclusive alliances, the spheres of influence, the balances of power, and all the other expedients that have been tried for centuries—and have always failed. We propose to substitute for all these, a universal organization in which all peace-loving nations will finally have a chance to join."

Should we not, 20 years after President Roosevelt's hopeful dream—20 years after the advent of the nuclear age with the awesome potentiality of incineration of our planet and the annihilation of our civilization and the culture of millenia—should we not "spell the end of the system of unilateral action * * * that has been tried for centuries—and has always failed"?

Mr. CASE. Mr. President, the measure before the Senate would authorize the appropriation of supplemental defense funds required by our forces in Vietnam. I shall vote for the measure for what it is—an authorization to fund urgent military requirements. And I shall vote to table the amendment to repeal the so-called Tonkin Gulf resolution of 1964.

Much has been said in recent days about the implications of our votes for or against this or that proposition bearing upon the foreign policy of the United States. We have been reminded that the Senate approved ratification of the Southeast Asia Collective Defense Treaty in 1955 by a vote of 82 to 1, and adopted the Tonkin Gulf resolution by a vote of 88 to 2. And it has been suggested that, by these acts, the Senate conferred upon the President complete discretion to deal with southeast Asia as he may see fit.

---

[37] Wall Street Journal, June 17, 1965, "The United States May Become More Candid on Rising Land-War Involvement," pp. 1, 16.

[38] Roger Fisher, professor of law at Harvard University, "Intervention: Three Problems of Policy and Law" found in Essays on Intervention, a publication of the Marshon Center for Education in National Security, Ohio State University Press, pp. 19–20.

I do not so regard my votes for the SEATO treaty and the Tonkin Gulf resolution. Nor do I feel that, by now voting against repeal of the resolution and for this authorization bill, I am abdicating my responsibility as a Member of the Senate and of the Committee on Foreign Relations to maintain a vigilant watch over the course of this Nation's policies in southeast Asia in the months ahead.

Eighteen months ago, when we adopted the Tonkin Gulf resolution, we were giving a vote of confidence to the President in his handling of a particular situation. To repeal that resolution today would make no sense unless one feels, as some of my colleagues may feel, that it is time for a vote of no confidence in the President. That is not my view, and that is why I shall vote to table the amendment.

I am satisfied that the administration is sincere in its purpose to avoid an escalation that would lead to a general war in the Far East and in its conviction that our objectives can be attained without that happening.

At the same time, I believe that we have a continuing and continuous responsibility to satisfy ourselves that our policies make sense and should be supported. And I believe that the President has a similar responsibility to Congress and to the people to keep us fully informed at all times.

Mr. MANSFIELD. Mr. President, I send to the desk a motion and ask that it be read.

The PRESIDING OFFICER. The motion will be read for the information of the Senate.

The LEGISLATIVE CLERK. The Senator from Montana [Mr. MANSFIELD] proposes as follows:

> I hereby move to table the pending amendment of the senior Senator from Oregon [Mr. MORSE] to the pending bill, S. 2791, a bill to authorize appropriations during the fiscal year 1966 for the procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and research, development, test, and evaluation for the Armed Forces, and for other purposes.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

On this question, the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Maryland [Mr. BREWSTER] is absent on official business.

I also announce that the Senator from Idaho [Mr. CHURCH] and the Senator from Ohio [Mr. LAUSCHE] are necessarily absent.

I further announce that, if present and voting, the Senator from Maryland [Mr. BREWSTER] and the Senator from Ohio [Mr. LAUSCHE] would each vote "yea."

The result was announced—yeas 92, nays 5, as follows:

[No. 41 Leg.]

YEAS—92

Aiken
Allott
Anderson
Bartlett
Bass
Bayh
Bennett
Bible
Boggs
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Clark
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Douglas
Eastland
Ellender
Ervin
Fannin
Fong
Gore
Harris
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, Mo.
Long, La.
Magnuson
Mansfield
McClellan
McGee
McGovern
McIntyre
McNamara
Metcalf
Miller
Mondale
Monroney
Montoya
Morton
Moss
Mundt
Murphy
Muskie
Nelson
Neuberger
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Russell, S.C.
Russell, Ga.
Saltonstall
Scott
Simpson
Smathers
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.

NAYS—5

Fulbright
Gruening
McCarthy
Morse
Young, Ohio

NOT VOTING—3

Brewster
Church
Lausche

So Mr. MANSFIELD's motion to lay on the table Mr. MORSE's amendment was agreed to.

APPOINTMENTS BY THE VICE PRESIDENT

The VICE PRESIDENT. The Chair wishes to announce the following appointments:

BOARD OF VISITORS TO THE AIR FORCE ACADEMY

Pursuant to Section 9355 of title 10, United States Code, the Chair appoints Senators MCGEE, MOSS, and ALLOTT as members of the Board of Visitors to the Air Force Academy.

BOARD OF VISITORS TO THE COAST GUARD ACADEMY

Pursuant to Public Law 207 of the 81st Congress, the Chair appoints the Senator from Connecticut [Mr. DODD] as a member of the Board of Visitors to the U.S. Coast Guard Academy.

BOARD OF VISITORS TO THE MILITARY ACADEMY

Pursuant to Public Law 1028 of the 84th Congress, the Chair appoints Senators ELLENDER, ROBERTSON, and MURPHY as members of the Board of Visitors to the U.S. Military Academy.

BOARD OF VISITORS TO THE MERCHANT MARINE ACADEMY

Pursuant to Public Law 301 of the 78th Congress, the Chair appoints Senator ROBERT F. KENNEDY of New York, to the Board of Visitors of the Merchant Marine Academy.

BOARD OF VISITORS TO THE NAVAL ACADEMY

Pursuant to Public Law 1028 of the 84th Congress, the Chair appoints Senators HOLLAND, BIBLE, and BOGGS as members of the Board of Visitors to the U.S. Naval Academy.

JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES

Pursuant to Public Law 250 of the 77th Congress, the Chair appoints Senator CLINTON ANDERSON as a member of the Joint Committee on Reduction of Nonessential Federal Expenditures to fill the vacancy created by the retirement from the Senate of Senator Harry F. Byrd.

INTERPARLIAMENTARY UNION, CANBERRA, AUSTRALIA

Pursuant to Public Law 170 of the 74th Congress, the Chair appoints the following Senators to attend the Interparliamentary Union, Canberra, Australia, April 11–16, 1966; Senators TALMADGE, YARBOROUGH, LONG of Missouri, SCOTT, HRUSKA, and SIMPSON.

SUPPLEMENTARY MILITARY AND PROCUREMENT AUTHORIZATION, FISCAL 1966

The Senate resumed the consideration of the bill (S. 2791) to authorize appropriations during the fiscal year 1966 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and research, development, test, and evaluation for the Armed Forces, and for other purposes.

Mr. MANSFIELD. Mr. President, it is my understanding that the distinguished Senator from Alaska [Mr. GRUENING] is about to propose an amendment. I understand that he does not intend to speak on it very long. I understand that the distinguished chairman of the committee may have a few words in answer.

It will be my intention then to move to table the amendment of the Senator from Alaska [Mr. GRUENING]. I would anticipate there will be a yea-and-nay vote. I can guarantee that there will be.

I suggest that all Members stay close to the floor as possible.

The VICE PRESIDENT. The Senator from Alaska is recognized.

Mr. GRUENING. Mr. President, I call up my amendment No. 481 to S. 2791, and ask that it be read.

The VICE PRESIDENT. The amendment will be stated for the information of the Senate.

The legislative clerk read as follows:

> On page 3, after line 8, add the following new section:
>
> "SEC. 302. During any period that any armed force of the United States is engaged in armed conflict or hostilities in southeast Asia, no person who is a member of that armed force serving on active duty by virtue of involuntary induction under the Universal Military Training and Service Act shall be assigned to perform duty in such area, unless (1) such person volunteers for service in such area, or (2) the Congress hereafter authorizes by law the assignment to duty in southeast Asia of persons involuntarily inducted into such armed forces."

Mr. GRUENING. Mr. President, the proposed amendment would merely provide that draftees should not be sent to southeast Asia to combat without the consent of the Congress.

It does not provide, as some columnists have mistakenly reported, that they shall not go. It provides that Congress must approve.

There are two objectives. Congress should be further included in our proceedings. There has been much discussion in the last few days and months on the degree of participation of the Congress in some important measures. This would be one way for Congress to participate and stand up and be counted.

The history of the proposed amendment is that last August when I was visiting in the White House with President Johnson, who had invited me to come there and express my views or opposition to our policy in southeast Asia, I told him that I was planning that afternoon to introduce this amendatory legislation.

The President asked me very insistently not to do it. Then he said, "If we are not out of there by January, you can do anything you please."

The President hoped and assumed we would be out of warfare by the next January. We are now in March and the war has been greatly escalated.

One of the reasons why I offer this amendment is that I feel there is a difference between those who are permanently in the Armed Forces, those who enlisted and are serving as a part of the regular Military Establishment, and these young men who are being snatched from their homes and being sent there, often to die.

It is an interesting fact that only last Saturday, a front page story in the New York Times brought out the problem that for the year 1965, 96,000 members of the South Vietnam force had deserted. That is about one-half the number of the 200,000 men we have sent there.

While they are brought to fight down there, a number half as great as those we have sent have already deserted.

Yet, we propose to send our young men there, to snatch them from their education, their homes, their incipient careers, and send them there to fight and sometimes die.

Congress should have an opportunity to go on record to say that it approves.

On this amendment I ask for the yeas and nays.

Mr. MANSFIELD. Mr. President, will the Senator from Alaska withhold this request for the yeas and nays? I guarantee that we shall get the yeas and nays on the motion to table.

Mr. GRUENING. I thank the Senator.

Mr. RUSSELL of Georgia. Mr. President, I merely wish to say that this innocent-sounding time bomb would absolutely destroy our Armed Forces, if it should be agreed to. It would require that every unit from the squad level up be culled to determine who was eligible to go to Vietnam.

In addition, it would stop the rush of volunteering for the Armed Forces that is now underway.

The Army is the only service that acquires inductees through selective service. Every young man who is liable for service may volunteer for induction under selective service, but under the proposed amendment he could no longer be sent to South Vietnam. Also, the forces that are now in Vietnam would be left there without much hope of relief, because the men needed for relief would be presenting themselves for induction and thus could not be sent to Vietnam.

Today the Armed Forces are getting about three or four men by voluntary enlistment for every one who is inducted through selective service, because so many boys prefer to to enlist in the service of their choice.

The Navy does not need to use the draft, because as long as selective service is breathing down the necks of all eligible men, many of them volunteer for the Navy.

The Marine Corps has a peculiar attraction that makes it unnecessary for the Marine Corps to draft now, even though they are substantially involved in combat operations.

This proposal would set up an entirely new standard in the middle of the fighting in Vietnam. More than 33,000 young men who were chosen through selective service are in Vietnam at this very moment. They would probably have to remain there without relief if this amendment were adopted. I think there would be a large increase in the number of draft eligibles that volunteer for induction so that they would be ineligible to serve in Vietnam. It would deplete every unit in training in the United States today. They would all have to be reformed, if the draftees were pulled out.

This proposal would be unfair to those who have volunteered and who have been sent overseas, because no one coming on active duty through selective service could be sent to help them.

France tried this proposal when she was fighting in southeast Asia. Under French law, no conscript could be sent to Vietnam without his consent. I have been told the French people came to look upon those fighting in southeast Asia as mercenaries and that the public therefore tended to be indifferent about their fate.

It was necessary to send German boys who were in the Foreign Legion, and a couple of regiments of Moroccans. Also, I believe several regiments of Thais were sent in after the fighting started.

We know the results of that system.

We are getting along well under our present system. We are getting three, four, or five volunteers for every young man who is drafted under the present selective service law.

If we adopt this amendment, if we erect this shelter for inductees, voluntary enlistments would be adversely affected. Enlistments would not end, of course; some persons would always be adventuresome and willing to serve. But such a restriction would disorganize, if not destroy, the military strength of the United States.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. RUSSELL of Georgia. I yield.

Mr. LONG of Louisiana. Would not the amendment discriminate in two ways? First, would it not discriminate in favor of those who did not volunteer to serve their country and against those who volunteered to serve their country? Second, would it not destroy the morale of the men who have already been sent overseas?

Mr. RUSSELL of Georgia. It certainly would. Any man between the ages of 18 and 26 who was liable for service could present himself for induction with the assurance that he would not have to serve in Vietnam.

Mr. GRUENING. I invite the attention of the distinguished Senator to the fact that my proposal would not forbid a draftee from going to South Vietnam. It merely provides that Congress shall vote on this question. If Congress does not want it, it should vote it down. But it seems to me that Congress should participate.

Mr. RUSSELL of Georgia. Congress is participating. The Selective Service Act, now called the Universal Military Training and Service Act, was passed by Congress. It is impossible to provide a system that is perfect for selecting those who must serve in the Armed Forces, but the present law is the fairest method we have been able to devise.

The extension of the selective service must be considered next year. If Senators wish to submit their proposals next year, because a number of changes probably will be considered they may do so. But for the moment, I cannot conceive of anything that would be more disastrous to the effort of the United States in Vietnam or to our capacity to defend ourselves in other locations than this amendment.

I say in all candor that it would have been better to vote for the amendment of the Senator from Oregon or even to vote against the bill than to adopt this kind of amendment, which would severely handicap our Armed Forces.

Mr. SYMINGTON. Mr. President, I always regret that some of the people most actively opposed to the politics of this administration with respect to Vietnam go out of their way to denigrate the fighting qualities of our friends and allies in war, the South Vietnamese.

It is a fact that many of the desertions mentioned are by men who go home and are absent without leave, and then come back shortly thereafter.

In the U.S. Army, which numbers approximately 1,068,000, some 25 percent are draftees. In the South Vietnamese Army of some 700,000, 5 percent are draftees.

In addition, defections to our side by the Vietcong and the regular PAVN units of the North Vietnamese in South Vietnam, have, in percentage, tremendously increased in recent weeks.

I associate myself with the remarks made by the distinguished Senator from Georgia, in that I would rather have seen passed the resolution of the Senator from Oregon than this amendment offered by the Senator from Alaska.

The amendment offered by the Senator from Alaska would decimate our Armed

Forces. In addition, it would work a terrible injustice on those who are already fighting for the United States in South Vietnam.

Mr. MANSFIELD. Mr. President, I have a motion at the desk. I ask that it be read.

The VICE PRESIDENT. The motion will be stated.

The LEGISLATIVE CLERK. The Senator from Montana [Mr. MANSFIELD] proposes as follows:

> I hereby move to table the pending amendment of the Senator from Alaska [Mr. GRUENING] to the pending bill, S. 2791, a bill to authorize appropriations during the fiscal year 1966 for the procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and research, development, test, and evaluation for the Armed Forces, and for other purposes.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Montana [Mr. MANSFIELD] to table the amendment of the Senator from Alaska. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Maryland [Mr. BREWSTER] and the Senator from Oregon [Mrs. NEUBERGER] are absent on official business.

I also announce that the Senator from Idaho [Mr. CHURCH] and the Senator from Ohio [Mr. LAUSCHE] are necessarily absent.

I further announce that, if present and voting, the Senator from Maryland [Mr. BREWSTER] and the Senator from Ohio [Mr. LAUSCHE] would each vote "yea."

The result was announced—yeas 94, nays 2, as follows:

[No. 42 Leg.]

YEAS—94

Aiken
Allott
Anderson
Bartlett
Bass
Bayh
Bennett
Bible
Boggs
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Clark
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Douglas
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Gore
Harris
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
McNamara
Metcalf
Miller
Mondale
Monroney
Montoya
Morton
Moss
Mundt
Murphy
Muskie
Nelson
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Russell, S.C.
Russell, Ga.
Saltonstall
Scott
Simpson
Smathers
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—2

Gruening
Morse

NOT VOTING—4

Brewster
Church
Lausche
Neuberger

So the motion of Mr. MANSFIELD to table Mr. GRUENING's amendment was agreed to.

Mr. HART. Mr. President, we are approaching the end of a debate that has been, in my opinion, a valuable one.

Some of the speeches have been spirited, some subdued, some peevish, some thoughtful. Some have outlined new courses to follow, others have expressed approval of the current flow of events.

The debate has, all in all, been a perhaps predictable response to a difficult, dangerous, and disagreeable problem that to varying degrees has frustrated our eagerness for a solution, has harassed our consciences, has drained our emotional resources and filled our mailbags.

Vietnam is a tough problem and we are all understandably uneasy because we have evolved no formula that guarantees we will be able to bat 1,000 against every new problem that will be thrown at us.

Some of us have dug into rather strongly held positions. Others of us—pressed by the concern of constituents—have made statements that hopefully appear firm and straightforward while not seriously binding the speaker to any course.

There are a set of rules, I think, that should be applied to difficult problems—rules so universal that I am sure all of us would encourage our children to apply them to whatever difficulties they encounter, now and in their adult years.

Those rules, I would think, go something like this:

Are there people who possess most of the facts in the case? Consult them.

Are there alternative courses? Identify them.

Does history hold a lesson relative to the current problem? Apply it.

Do your opponents have a stated case? Try to understand their circumstances and attitudes.

Are competing principles involved? Establish a priority among them.

Does it appear that no solution will be an entirely happy one? Accept it.

These are, I think, the rules that many of us have sought to apply. These are, at least, the rules that I have sought to apply.

Earlier, I said that I thought this debate has been illuminating and valuable. I have listened to many and have read much. The one thing that strikes me, as it has struck others, is that the spectrum of opinion is really much narrower than many believe.

Our news media, as is natural and understandable, thrives on controversy to the point where even apparent controversy shoulders its way into the headlines. Thus, each new suggested approach to a problem is sometimes interpreted by the public as a new signal of discontent, a new voice of rebellion, a new eruption of dissent.

But how much disagreement has there been among us, anyway?

We all agree that a swift and just peace is desirable. No one advocates unilateral and immediate withdrawal. No one urges unlimited escalation of the war. All recognize the need for effective social and economic programs even under the difficult existing conditions.

No, we are all walking a parallel course somewhere in the middle of the road searching for a center line that will lead us to a safe, responsible solution.

Now my study of the problem—and I only wish I could pose as an expert—indicates that the current administration course is the closest to that center line; after all this debate, no better alternative has emerged.

That course can be stated something like this: Unremitting pressure in a carefully measured response to aggression while, at the same time, trying hard to improve the economic lot of the people most concerned—in Vietnamese workers and farmers.

No power on earth can guarantee its success, but it seems to me to be the soundest approach under existing facts. In the kind of world in which we live, of course there will be episodes that some will seize on in an attempt to rattle our confidence in it.

There will be a military reverse and the critics will scream that our whole strategy has gone sour.

There will be a case of waste in our economic aid program and someone will shout that the entire plan is a failure.

But in the difficult and unavoidable business of using war as an avenue to peace, it seems to me that the President's course is the wisest. I have said this before and I continue to hold this view.

I have described a few simple rules in decisionmaking that I hope I have applied during these discussions. I know of many others here who have used the same tests.

One of them is a man I greatly respect for his thoughtfulness and integrity, the junior Senator from Maine [Mr. MUSKIE].

Since I have already admired his reasoning, it will come as no surprise that I also agree with his conclusions.

These are succinctly stated in a speech he made before the Philadelphia United Jewish Appeal last night.

I ask unanimous consent that the speech be printed at this point in my remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

OUR CHOICES IN VIETNAM

(Speech by Senator EDMUND S. MUSKIE to the 1966 Philadelphia Allied Jewish Appeal, Philadelphia, Pa., February 28, 1966)

Last fall I was privileged to travel with Senator MANSFIELD and three other colleagues from the Senate on a Presidential mission to 15 countries in Europe, the Middle East, and the Far East. I have been asked to speak of that mission today.

Our mission, as described by Senator MANSFIELD, was to "look, to listen, to ask questions, and to report" to the President.

In the process we engaged in some 50 formal discussions with the leaders of the countries we visited and with our representatives in those countries.

We traveled more than 30,000 miles in 37 days and 50 flying hours. Such a sweeping and swift bird's-eye view clearly presented the picture of a world of great diversity of geography, of climate, of peoples, of opportunities, of resources, of poverty, of wealth, of political systems, of languages, of history, of tradition, of hopes, and of dreams.

Technology has made the world smaller but, in the process, has made the world's problems greater.

It is by no means one world except in the sense that the stability of the whole is now inevitably affected by instability in any part of it.

We cannot escape such a world; we cannot ignore such a world; we cannot avoid influencing such a world; we are inevitably a force in such a world—good, we hope, rather than evil. But we cannot hope to run such a world exactly to our own specifications.

Whether we like it or not, countries and peoples, friendly and unfriendly, will pursue their own interests, and seek their own destinies, in ways of their own choosing.

Our concern is that, in the process, they do not make it unsafe for others to do likewise.

Our approach to our mission was simple:

1. To discuss any subject, any problem, any issue, any point of friction raised by our hosts.

2. To state and to clarify, to the best of our ability, any American policy involved.

3. To consider, evaluate, and report to the President any suggestion, expressed or implied, to deal more effectively with any problem.

4. To note any possibility, however vague or remote, for moving toward a reduction of friction.

This approach led to discussions of a wide range of subjects in almost every country.

The one subject which arose in every instance was Vietnam. Only the Communist countries urged our unconditional withdrawal from South Vietnam—with varying degrees of emphasis and harshness in their criticism of American policy.

There appeared to be an underlying regret in Warsaw, Moscow, and Bucharest that the Vietnam problem exists and a wish that it might go away, but the words used consistently placed responsibility upon the United States for the existence of the problem and for eliminating it.

There was a general uneasiness in all countries about the dreadful uncertainties to which the Vietnamese conflict might lead.

There was a general pessimism in all countries about the prospects for a negotiated settlement, but indications of an interest in some countries in contributing to that objective if the opportunity arose.

Support for U.S. policy in Vietnam varied inversely with the distance from southeast Asia.

There was very great uneasiness in all southeast Asia as to the consequences for southeast Asian countries of a complete U.S. withdrawal; and the strengthened American presence of recent months has been a source of reassurance to them.

All the areas of the world which we visited were a constant source of interest to all of us, but southeast Asia had a particular fascination. It is, of course, the site of our greatest overseas problem. It is an area of great variety and beauty. It is an area of great resources and potential richness.

On the surface, the five countries we visited—Burma, Laos, Thailand, Cambodia, and South Vietnam—have much in common and would appear to have much to gain from a closer association. In reality there are differences and divisions, deep-seated and historic, which are sources of constant friction and instability, even within a given country. And the gap between the rich and poor is as great as anywhere in the world—and productive of more instability.

There is no love or natural affinity between any of these countries and China, before or since mainland China has gone Communist. And each of them, in its own way, is seeking to be independent of Chinese domination and control.

There is no question in my mind but that all of them would eventually fall under Chinese domination and control if the United States withdraws or is driven from South Vietnam.

To the leaders of Red China, South Vietnam is just another incident in the long struggle which they have waged for 40 years and which they intend to continue to wage for the ultimate supremacy of their brand of communism in the world. It is, however, an important demonstration of their theory that so-called wars of liberation are a cheap and safe method for the expansion of communism. They will not be diverted from their ultimate objective by whatever happens in Vietnam.

Only the forces of evolution and change, when, as, and if their country emerges as a modern, industrial state, can blunt or eliminate their revolutionary fervor and persuade them to accept coexistence and diversity as the normal condition of the world.

In the meantime, we are faced with the dilemma of Vietnam. Our involvement in Vietnam goes back to 1954—and before. The most important new factor in the war in 1965 was the introduction of large numbers of U.S. troops and their direct entry into combat. The second important new factor was the bombing of targets in North Vietnam.

These two steps were taken because a total collapse of the Saigon government's authority appeared imminent in the early months of 1965. The Mansfield mission undertook to evaluate the first few months of this increased involvement. Some observers have concluded that the report of the Mansfield mission presents a hopeless predicament. This is not accurate. It does undertake to lay the facts on the table and to establish the working area within which our policies should be developed.

What did we find in December of 1965? The presence of U.S. combat forces has acted to arrest the deterioration in general security in Government-controlled parts of South Vietnam. The ability of the Vietnamese Government to hold Saigon, the strategic heart of the country, the coastal bases, and certain other key areas in the country has improved. There has been an improvement of morale in the Government and the armed forces. There has been a return of confidence among Vietnamese civilians. Politically and commercially minded Vietnamese have found renewed courage and confidence. Of great significance is the fact that there has been a period of government stability.

Moreover—

1. In addition to prosecuting the war, the Government of Vietnam is seeking to initiate measures to protect and improve the welfare of the population.

2. A new effort is also being made to bring the people of the villages into closer and firmer rapport with the Government.

The dark side of the picture in December 1965 was also covered: The enemy has reacted strongly to the new situation, bringing in rapidly increasing numbers of North Vietnamese troops and greatly stepping up the recruiting, induction, and training of South Vietnamese.

The Vietcong have stepped up sabotage, terrorism, and hit-and-run attacks in the Government-held areas. The ravages of war and terrorism are taking a toll of the country's productive capacity.

Shortages of food and labor, and inflationary pressures resulting from the war and the changed U.S. role are increasing sources of concern. There are also the beginnings of the rumblings of personal discontent and antagonism which generally characterize the reaction in any nation to the sudden infusion of a large body of foreign forces.

The overall control of the country remains about the same as it was at the beginning of 1965—22 percent of the population under Vietcong control, 18 percent in contested areas, and 60 percent under some sort of government control.

This balance sheet of the situation in South Vietnam itself at the end of 1965, while revealing serious and difficult problems, certainly does not suggest an unmanageable situation. To improve it is within the capabilities of the world's greatest power.

Why, then, has there been the sudden surge of alarm since the first of the year among Americans, in and out of Congress?

The concluding comment of the Mansfield report may have contributed to it. Let me repeat it: "the situation, as it now appears, offers only the very slim prospect of a just settlement by negotiations or the alternative prospect of a continuance of the conflict in the direction of a general war on the Asian mainland."

What we must do, of course, and what we are doing is to improve the prospect of the first while avoiding the realization of the second.

The debate in which we are engaged arises wholly out of questions as to whether and by what means we can move toward negotiations while avoiding a general war on the Asian mainland.

I don't believe that we really doubt our capacity to manage the war in South Vietnam and to convince Hanoi that the conference table is the best course for North Vietnam.

Doubts have been raised as to whether what we are doing or are likely to do to achieve that result will trigger direct Chinese intervention.

What, then, are the alternatives before us?

1. Unconditional, unilateral withdrawal? No witness before the Senate Foreign Relations Committee has advocated such a course. No Senator to the best of my knowledge has clearly and publicly advocated such a course.

2. Unlimited, unrestrained escalation? No witness before the Foreign Relations Committee has advocated this course. This is not the President's course. There appears to be little, if any, support for this course in the Senate.

A sharply increased military effort, short of unlimited escalation, concentrating especially on an enlargement of our air attacks on North Vietnam.

This course is supported by a number of Senators. They do not advocate indiscriminate bombing of civilians. They do argue that we now avoid many targets that are related to the enemy's war potential: That, by striking them, we could increase the economic price which Hanoi must pay for continuing the war and reduce Hanoi's ability to continue the war effectively.

There are those who believe we should welcome the risk of direct Chinese involvement. They do not necessarily believe in launching a preventive war. However, they believe that, by challenging this risk in a more aggressive prosecution of the war in Vietnam, we might destroy the blackmail effect of the Chinese threat.

This course clearly suggests the marginal targets which may or may not trigger greatly enlarged Chinese, and even Russian, involvement—the bombing or mining of Haiphong Harbor, the bombing of power stations, irrigation dams, petroleum tanks, etc. Some of these targets are more marginal than others. Our policy has been to draw a very careful line which is constantly reviewed.

What would open the floodgates of Chinese involvement?

1. A direct threat to China herself?

2. Invasion of North Vietnam?

3. Clearly threatened destruction of the regime in Hanoi?

We must consider these three possibilities as being in the area which China would probably identify as related to her security interests.

The fourth possibility—failure of Hanoi's aggression in South Vietnam—is probably not included in that area. Such a failure would not constitute a direct threat to the regimes in Hanoi and Peiping.

Whether a particular target or a given level of military effort on our part is interpreted by the Chinese as related to the area of her security interests is our constant problem as we seek to defeat the aggression in South Vietnam.

That interpretation may be inhibited and restrained by two factors: (1) Peiping's theory that so-called wars of liberation can be won by elements within the country—in this case Vietnam—without overt military action by China herself; and (2) her direct military involvement would subject China, her barely started industrial complex, her newly developing nuclear capability, and her marginal economy to unacceptable destruction.

This brings us to two other alternatives available to us.

4. Make do with what we have in Vietnam and hold until Hanoi agrees to negotiate? This course has been advocated, in one form or another, by witnesses before the Foreign Relations Committee and by Senators.

It is argued in opposition that this course would eliminate options which now leave the enemy in doubt; that to eliminate them would enable him to concentrate on more limited objectives and targets, thus increasing his capacity to continue. It is argued further that this course would result in abandonment of much of the countryside, a consequent undermining of the morale of the South Vietnamese and the stability of their Government, and a reduction of pressure on Hanoi to seek the conference table.

5. The application of unremitting pressure in a carefully measured response to the aggression of the enemy. This is as I understand the policy of the administration. This course was carefully defined by General Taylor before the Foreign Relations Committee. It is the course which I believe can hold the greatest support in the Senate. It is the course which I think makes sense.

The opposition to it appears to make two points: (1) That this course inevitably means expansion of our effort in numbers of troops, in targets, and in treasure; and (2) that, at some point, it will trigger direct Chinese intervention and unlimited escalation of the war.

The supporters of this course argue that it is the only realistic alternative to withdrawal; that only in this way can Hanoi be made to feel the pressure which will force it to the conference table; that there is a ceiling on Hanoi's ability to respond effectively without direct Chinese intervention; and that, although we should not overlook the risk of direct Chinese involvement, that risk can be avoided so long as the Chinese do not consider that our effort is a direct threat to their security interests.

These, then, appear to be the alternatives. As we debate them, I trust that one of the beneficial results of our debate will be a clearer understanding of the implications of each.

One point, especially, I hope we will clearly understand—that whenever the Soviet Union or Red China choose to force a confrontation upon us to challenge our will, we can never be sure in advance how far they mean to go. And we cannot afford to retreat simply because that point is in doubt.

I have spoken of the uncertainties and unknowns related to the intentions of Hanoi and Peiping; and of the risks involved in a miscalculation of those intentions. This, of course, is a challenge to our wisdom and our policy.

Of at least equal importance is the credibility of our own policy and national will.

We are involved in a searching review of both.

This is in keeping with our traditions as an open, democratic society. Let us not forget, however, that the enemy is closely watching this exercise in national policymaking. Undoubtedly, he is encouraged by every evidence of continuing and irreconcilable division among us which confirms his belief that we will tire and quit. Undoubtedly, he is encouraged by every concession to his ultimate objective which may emerge from our debate. Each of these sources of encouragement undoubtedly delays the day when he might otherwise be prompted to move toward the conference table.

This is a price we must pay, and which we pay willingly for the right to challenge and discuss national policy.

And so, let us debate, let us discuss, let us consider. But then, let us decide—unite—and press forward in a way that will convince the enemy we mean and support what we say.

If we mean what I think we mean—to convince our adversary that a continuation of the war is unacceptable in his own interests—then let us do so in a way that will make our policy and our national will clear and credible to him. Let him not miscalculate either. Only when he is no longer in doubt on this point will he begin to doubt the wisdom of his present course.

As we appraise our own policies and prospects, we should examine the impact of our effort to date upon our adversary. Are we getting results? Are we making him pay a price? Is it a price which drains his resources and his will in a meaningful way? The reply of our intelligence sources is in the affirmative.

"There is," I am advised by the Central Intelligence Agency, "no room for excessive optimism." Nevertheless, "the military situation has been stabilized, the confidence and performance of the GVN has been improved, the attitude of the South Vietnamese people has shifted, and it is our adversaries who are beginning to have serious doubts about the wisdom or probable success of their present courses of action."

They lost 35,400 men killed in 1965, 25,000 in the last 6 months alone. This compares with 11,250 South Vietnamese and 1,365 Americans in the same period.

They are faced with a growing desertion problem among their troops and among the local citizens they rely on for various kinds of support. The Saigon Government's amnesty program brought in 42,522 persons from the Vietcong side in 1965—3 times as many as in 1964. Of these, 10,391 could be identified as VC military defectors and 2,174 of "political cadres," i.e., Vietcong civilian leaders who are among those most strongly indoctrinated.

Communist prisoners, defectors, and captured documents all indicate that the events of the past year have had a material adverse effect on Vietcong morale and shaken confidence in ultimate victory throughout their ranks.

North Vietnam has been forced to pay a price for its continuing aggression—a reduction in foreign trade earnings of $6 million in 1965; the loss of almost 17 percent of its national bulk petroleum storage capacity and 25 percent of its electric power generating capacity; the postponement of plans for orderly economic development and increasing upheaval of industrial output; the diversion of large amounts of manpower from productive employment to repair and keep open lines of communication and to construct new roads and bypasses in the southern provinces of North Vietnam and through Laos to South Vietnam.

A recent speech—on February 3, 1966—by Le Duc Tho, a party politburo member in North Vietnam, indicates that the nature and size of our present effort is beginning to generate doubts within the party itself about the wisdom of the policies of Hanoi's leaders.

This recital of some of the gains which have materialized from our policies and efforts of the past year should be placed in perspective. They have been encouraging but by no means massive. As the Mansfield report indicates, the enemy has increased his forces in the field, his rate of infiltration of men and supplies, his terrorism of the countryside. He takes full advantage of the terrain and the jungle. He is a fierce and resourceful guerrilla fighter. His government is unyielding on the question of negotiations and under pressure from Peiping to remain so.

Nevertheless, he is paying a price in resources and manpower for his continuing aggression.

It is not our objective to conquer any country or to destroy any regime. It is to stop aggression in South Vietnam. Why? The reasons include the same reasons which prompted us to take a stand in Iran, immediately following World War II, in Greece and Turkey, in Berlin, in Korea, in Cuba.

We believe that freedom is at stake.

We believe that the right of small nations to work out their own destinies in their own way is at stake.

We believe that containment of expansionist communism regrettably involves direct confrontation from time to time, and that to retreat from it is to undermine the prospects for stability and peace.

We believe that the credibility of our word and our purpose as a nation is at stake; and that its loss would be an enormous setback for the forces of freedom.

What is happening in South Vietnam, in southeast Asia, and its outcome, will exert a strong influence on the shape of the next Asia and its impact upon the lives of hundreds of millions of Asian people and the stability of the world as a whole.

Hedley Donovan, editor in chief of Time, Inc., put it this way, recently:

"If southeast Asia, instead of being a temptation to aggression and a threat to world peace, became a strong point of economically vigorous and fully independent states, the beneficial effects would spread well beyond the peninsula itself. Communist China would be "contained" in the best sense. Not just in military positions but in terms of performance, by the dynamism of Japan on the northeast and this healthy new growth center to the south. South Korea, Taiwan, the Philippines, Burma, Indonesia would all benefit to some degree; even India's staggering problems would look a little less hopeless."

Is it in our interest to try to contribute to such an objective? I believe so.

Mr. NELSON. Mr. President, this authorization is to supply, equip, and provide the necessary material for our men fighting in South Vietnam. They have been sent there on a mission by our Government. So long as our men fight there they must have the best equipment and support we are able to give them as a Nation. Though there were divisions of opinion and vigorous debates over the size of our troop commitment there, that decision was made. In my judgment it is not in our national interest to withdraw that commitment; nor, either, is it in our national interest to broaden that commitment to involve us in an Asian-wide war which will depreciate the enterprise of freedom and independence rather than promote it.

I shall continue to discuss our role and objective in Vietnam. That is my duty. Debating now about the history of our involvement will not change it. But, debating about our future role in Vietnam and Asia is necessary in order that we may be guided by an enlightened policy that is most effective in promoting freedom in the world.

Mr. McGOVERN. Mr. President, I am voting today to provide the necessary equipment and supplies for our forces in Vietnam. My Senate colleagues and my constituents know that I have opposed our growing military involvement in southeast Asia. I believe that we have no interest there that justifies the heavy loss of life involved in trying to settle a Vietnamese civil conflict with American troops.

But since we have sent 300,000 men to southeast Asia, we have no practical alternative now except to provide them with the equipment they need to survive.

I want to make it clear that my vote for this military equipment bill is not an endorsement of our Asia policy. Rather, my vote reflects my conviction that we must protect men we have sent into battle no matter how mistaken the policy may be that sent them to that battlefield.

I accept the words of Senator Russell, chairman of the Armed Services Committee, when he said in presenting this bill to the Senate:

> It could not properly be considered as determining foreign policy, as ratifying decisions made in the past, or as endorsing new commitments.

I agree with these further observations of Senator Russell:

> Mr. President, an aftempt to brush aside the misgivings and reservations that many Senators and members of the public hold about events in southeast Asia would be futile. This is not my purpose. I, too, am extremely unhappy and concerned about the gravity of the situation there and what our commitment portends.
>
> This bill cannot possibly be construed as either an endorsement of or as an attack upon national policy. It involves more the throwing of a rope to a man in the water. We may have cause to question how he got there, but he is there, he is a human being, he is our friend and a member of our family and, therefore, if we have a rope and do not throw it to him to enable him to assist himself out of the water, this would be a callous and heartless attitude for us to take.

I think the debate over the past few weeks and the Senate Foreign Relations hearings have been most helpful in clarifying some of the problems we face in Asia. I only wish more Senators had been involved in the debate of our southeast Asia policy a year ago. I hope now that we will do everything in our power to avoid an all-out war in Asia. Such a war would claim the lives of vast numbers of American men and in the end create conditions of disorder that would open the way for the very tyranny we fear. I hope the debate will continue on all aspects of our Asia policy. It is only through such free and open discussion that we can find the way to an effective policy.

THE AMERICAN PEOPLE ARE BEING MISLED INTO AN UNNECESSARY HOLOCAUST IN VIETNAM

Mr. GRUENING. Mr. President, yesterday, in discussing S. 2791, I stated that, in my opinion, the American people are being misled into an unnecessary holocaust.

S. 2791, the supplemental procurement and construction authorization bill, now before the Senate, will plunge the United States into an unlimited war in Asia.

It is a blank check for unlimited escalation.

I use the word "misled" advisedly because the true facts are not made available to the Amercan public and we are asked to legislate under a cloak of secrecy.

Just as when we were asked to pass the Bay of Tonkin resolution in August of 1964 and to pass an unneeded $700 million appropriation in May of 1965, we are now asked to pass—in a hurry—a $4.8 billion military authorization which is far more than it seems, and takes us one more step down the road to a major war which, while now confined to southeast Asia, could easily spread to the rest of the world.

The President was clear when he requested this supplemental authorization.

He said in his message of January 19, 1966:

> In the last 2 years, in repeated acts of authorization and appropriation, the Congress has provided continuing support for our national decision "to prevent further aggression" in southast Asia. The quoted words come from the joint resolution of the Congress—Public Law 88–408—approved on August 10, 1964. It is in the letter and the spirit of the resolution that I request this supplementary appropriation. While that resolution remains in force, and until its obligations are discharged, we must persevere. I believe the resolution is right, and I believe the course we follow is necessary. I intend that those who must face danger and death as we follow that course shall be supported. I am confident that the Congress will agree.

In the clear and unequivocal words of the President, the supplemental is requested within "the letter and spirit" of the Tonkin Bay resolution.

We are being urged to pass this supplemental as an urgent matter.

Yet, as the able and distinguished chairman of the Foreign Relations Committee, Mr. Fulbright, pointed out on February 28, 1966:

> The Armed Services Committee of the House stated that there was no particular urgency and that this bill is a kind of legerdemain affecting next year's budget. It was handled in this way so that there would not be as big a deficit as would have been the case otherwise. Therefore, these authorizations were shifted into this bill. As far as the material being needed now, the House stated that the testimony on that point was not persuasive.

The report of the Armed Services Committee of the House states:

> The essential purpose of, and underlying cause for, the proposed legislation is, of course, the war in Vietnam. Aircraft, both fixed wing and helicopters, ships, missiles, and tracked combat vehicles are all being utilized at a rate greater than it was possible to anticipate when the 1966 authorization for those items was passed. This legislation was approved by the committee solely in order to achieve more rapid procurement of replacements of articles consumed, and to provide proper equipment for a larger force in a shorter period of time.
>
> If there is one reservation felt by many members of the committee regarding the necessity for this legislation, it arises from the possibility that many of the items involved, in all three categories of procurement, research and development, and construction, may simply have been moved from the regular 1967 authorization to this supplemental 1966 authorization without any real program for acceleration. Obviously no military advantages would be gained by such a bookkeeping situation. Testimony on this subject was indecisive and the committee has not yet been provided with sufficient definite data to pinpoint the exact degree of real acceleration, or to determine the amounts involved in the proposed legislation which could safely and should properly be deferred until the regular 1967 authorization.
>
> We realize the difficulty of determining exact future needs in any wartime framework, however, and to the extent of the proposed legislation we are accepting in good faith the assurances of the services and the Department of Defense that this authority is needed for these purposes at this time. We assure the Members of the House that the performance of the Department of Defense and of the services in living up to these assurances will be closely followed.

As I have said, we are called upon today to legislate under a cloak of secrecy. And it is not easy for an individual Senator to obtain the necessary information on which to determine whether the broad grants of power to the President and the Secretary of Defense which would be made by this bill are really necessary. In the 367-page printed volume of the Senate hearings on S. 2791 there are not fewer than 958 deletions—close to 3 deletions per page. The 374-page printed volume of the House hearings on a companion bill contains the same abundant deletions.

Even if an individual Senator should obtain unanimous consent from the Senate Committee on the Armed Services to read the original hearing record containing all the testimony, including the portions deleted for security reasons, the individual Senator would be better informed, presumably, but could in no event share that additional information with the American people.

Thus, if in the course of the original hearings, it should be disclosed that substantial escalation is provided for in this bill—as Secretary of Defense McNamara did testify to publicly—the individual Senator could not reveal the factual background to the American people if those facts are based on the classified material he read.

There are five basic policy decisions which the Senate is being called upon to decide in voting on S. 2791.

In the first place, it is being called upon to authorize unlimited escalation as the President may decide. As Secretary of Defense McNamara stated before the Senate Committee on Armed Services:

> The budget will provide forces and equipment sufficient to fight the war at substantially increased scope and intensity, should that become necessary and desirable.

In the second place, S. 2791 would authorize the Secretary of each military department to build military installations and facilities any place in southeast Asia they may decide. This is contrary to established precedent under which military installations and facilities are authorized on a line item basis.

In the third place, S. 2791 would authorize the Secretary of Defense to build such permanent military bases anywhere in the world. This again violates established precedent for line item authorizations by the Congress for each such base.

The House hearings clearly reveal that the Department of Defense, in submitting its budget request for these military bases, could not justify its request on the basis of specific items, again pointing to the fact that there is no urgency for the authorization of such bases because the military planners do not now know what they will need.

And finally, S. 2791 would change the method of funding the support of Allied forces in southeast Asia from the military assistance program—coming within the purview of the Senate Committee on Foreign Relations—to the regular authorizations for the support of the Department of Defense—coming within the purview of the Senate Committee on Armed Services. This is a vital change in policy since, to all intents and purposes, this represents a downgrading of civilian influence in South Vietnam as represented by our Ambassador there to the benefit of our military commander there.

There are thus five policy decisions involved in S. 2791:

First. A reaffirmation of the Bay of Tonkin resolution;

Second. Delegation to the President of the power of unlimited military escalation in southeast Asia;

Third. A change in long established precedents for Congress to authorize the establishment of each military base and the delegation of such authorization authority to the Secretary of Defense and the Secretaries of the Army, the Air Force, and the Navy; and, finally,

Fourth. A change in financing the support of the allied forces in South Vietnam from the military assistance program to the regular authorizations to the Department of Defense.

S. 2791 is therefore not a simple military supply bill. It is a bill making sweeping changes in U.S. policy.

If this were just another military authorization bill to supply needed material for our fighting men in Vietnam, there would be no question of my support for it.

But S. 2791 is not just another military authorization bill.

S. 2791 is nothing more than another device like the premise was to commit the Congress to administration policy.

It is designed to obtain blanket congressional approval of what has been done militarily in Vietnam and of what may be done militarily in the future however great the escalation and into whatever part of southeast Asia this military adventure may lead our forces.

I have in the past and will in the future support military authorization and appropriation needs but only where such needs are real and where the bill is not being used as a coverup device for securing enormous delegations of power from the Congress to the executive branch or for securing congressional approval for future policies, the nature of which is not disclosed to the Congress.

It has been alleged and will be again that this bill is needed to support our boys at the front. On the contrary, the enactment of this bill will spell the death of thousands more. I want to see that wanton sacrifice of the flower of our youth stopped. I have voiced again and again on the floor of the Senate my conviction that all South Vietnam is not worth the life of a single American boy. We have already lost over 2,000 of them, and under this bill the casualties will steadily increase. I cannot in good conscience lend my vote to this needless and unjustifiable slaughter. I shall vote against this bill.

Mr. RUSSELL of Georgia. Mr. President, I ask unanimous consent that the order for the yeas and nays entered on Saturday, February 26, 1966, on the committee amendment in the nature of a substitute, be rescinded, and that the bill proceed to a third reading, and then I shall ask for the yeas and nays on passage.

The VICE PRESIDENT. Is there objection to the request of the Senator from Georgia? The Chair hears none, and it is so ordered.

The question is on agreeing to the committee amendment.

The committee amendment in the nature of a substitute was agreed to, as follows:

TITLE I—PROCUREMENT

SEC. 101. In addition to the funds authorized to be appropriated under Public Law 89–37 there is hereby authorized to be appropriated during the fiscal year 1966 for the use of the Armed Forces of the United States for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles in amounts as follows:

Aircraft

For aircraft: for the Army, $825,600,000; for the Navy and the Marine Corps, $738,300,000; for the Air Force, $1,585,700,000.

Missiles

For missiles: for the Army, $64,000,000; for the Navy, $26,200,000; for the Marine Corps, $27,500,000; for the Air Force, $63,700,000.

Tracked combat vehicles

For tracked combat vehicles: for the Army, $75,800,000; for the Marine Corps, $10,900,000.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

SEC. 201. In addition to the funds authorized to be appropriated under Public Law 89–37 there is hereby authorized to be appropriated during fiscal year 1966 for the use of the Armed Forces of the United States for research, development, test, and evaluation, as authorized by law, in amounts as follows:

For the Army, $27,995,000;

For the Navy (including the Marine Corps), $52,570,000;

For the Air Force, $71,085,000.

TITLE III—MILITARY CONSTRUCTION

SEC. 301. The Secretary of each military department may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities and equipment, which are necessary in connection with military activities in southeast Asia, or in support of such activities, in the total amount as follows:

Department of the Army, $509,700,000;
Department of the Navy, $254,600,000;
Department of the Air Force, $274,100,000.

SEC. 302. The Secretary of Defense may establish or develop installations and facilities which he determines to be vital to the security of the United States, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities and equipment in the total amount of $200,000,000.

SEC. 303. The Secretary of each military department may proceed to establish or develop installations and facilities under this Act without regard to section 3648 of the Revised Statutes, as amended (31 U.S.C. 529) and sections 4774(d) and 9774(d) of title 10, United States Code. The authority to place permanent or temporary improvements on land includes authority for surveys, administration, overhead, planning, and supervision incident to construction. That authority may be exercised before title to the land is approved under section 355 of the Revised Statutes, as amended (40 U.S.C. 255), and even though the land is held temporarily. The authority to acquire real estate or land includes authority to make surveys and to acquire land, and interests in land (including temporary use), by gift, purchase, exchange of Government-owned land, or otherwise.

SEC. 304. Whenever—

(1) the President determines that compliance with section 2313(b) of title 10, United States Code, for contracts made under this Act for the establishment or development of military installations and facilities in foreign countries would interfere with the carrying out of this Act; and

(2) the Secretary of Defense and Comptroller General have agreed upon alternative methods of adequately auditing those contracts;

the President may exempt those contracts from the requirements of that section.

SEC. 305. There are authorized to be appropriated such sums as may be necessary for the purposes of this title, but the appropriations for public works authorized by sections 301 and 302 shall not exceed—

(1) for section 301: Department of the Army, $509,700,000; Department of the Navy, $254,600,000; Department of the Air Force, $274,100,000, or a total of $1,038,400,000.

(2) for section 302: a total of $200,000,000.

TITLE IV—GENERAL PROVISIONS

SEC. 401. (a) Funds authorized for appropriation for the use of the Armed Forces of the United States under this or any other Act are authorized to be made available for their stated purposes in connection with support of Vietnamese and other free world forces in Vietnam, and related costs, during the fiscal years 1966 and 1967, on such terms and conditions as the Secretary of Defense may determine.

(b) Within 30 days after the end of each quarter, the Secretary of Defense shall render to the Committees on Armed Services and Appropriations of the Senate and the House of Representatives a report with respect to the estimated value by country of support furnished from appropriations authorized to be made under this subsection.

The VICE PRESIDENT. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. RUSSELL of Georgia. Mr. President, I ask for the yeas and nays on passage of the bill.

The yeas and nays were ordered.

The VICE PRESIDENT. The bill having been read the third time, the question is, Shall it pass? On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Maryland [Mr. Brewster], the Senator from Oregon [Mrs. Neuberger], and the Senator from Maine [Mr. Muskie] are absent on official business.

I also announce that the Senator from Idaho [Mr. Church] and the Senator from Ohio [Mr. Lausche] are necessarily absent.

I further announce that, if present and voting, the Senator from Maryland [Mr. Brewster], the Senator from Idaho [Mr. Church], the Senator from Ohio [Mr. Lausche], the Senator from Maine [Mr. Muskie], and the Senator from Oregon [Mrs. Neuberger] would each vote "yea."

The result was announced—yeas 93, nays 2, as follows:

[No. 43 Leg.]

YEAS—93

Aiken
Allott
Anderson
Bartlett
Bass
Bayh
Bennett
Bible
Boggs
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Clark
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Douglas
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Gore
Harris
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
McNamara
Metcalf
Miller
Mondale
Monroney
Montoya
Morton
Moss
Mundt
Murphy
Nelson
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Russell, S.C.
Russell, Ga.
Saltonstall
Scott
Simpson
Smathers
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—2

Gruening
Morse

NOT VOTING—5

Brewster
Church
Lausche
Muskie
Neuberger

So the bill (S. 2791) was passed.

The title was amended, so as to read: "A bill to authorize appropriations during the fiscal year 1966 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, research, development, test, evaluation, and military construction for the Armed Forces, and for other purposes."

Mr. MANSFIELD. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. DIRKSEN. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, it is always a great honor and a distinct privilege to congratulate the distinguished senior Senator from Georgia [Mr. Russell]. Today is no exception. The able and skillful chairman of the Armed Services Committee has again earned the highest respect of the Senate with the near-unanimous passage of the supplemental authorizations for our Armed Forces.

Characteristically, his resolute and highly capable handling of this measure, more than anything else, was responsible for this great success. He was eloquent. He was articulate. The credit is his and it is richly deserved.

The Senate's action today represents just one of many brilliant achievements in support of our servicemen brought about by the tireless efforts of the great Georgia Senator. Through the years he has keenly appreciated and anticipated consistently the needs of our servicemen. That is extremely important. But even more, he, like no others, has devoted his unexcelled determination and undaunted capacities to assuring the fulfillment of those needs—all to make our troops unmatched on the face of the earth. So again today he has successfully represented those men with his usual incomparable advocacy, or, as he put it himself—with all the power of his being. We are grateful. All America is grateful.

We are grateful, too, for the splendid efforts of the junior Senator from Mississippi [Mr. Stennis]. As chairman of the Preparedness Investigating Subcommittee, he is always a tireless and devoted worker for the men in our armed services. Today's success is his to share.

And to the distinguished senior Senator from Massachusetts [Mr. Saltonstall] goes high commendation and sincere appreciation for his unsurpassed cooperative leadership. As always, his unfailing efforts helped immensely to bring about the passage of this most important authorization.

Finally, I personally am deeply grateful to those Members of this body who so ably and properly presented their own views concerning our efforts in Vietnam, but who nonetheless joined today in giving our fighting men the decisive support which they deserve so much. I am referring particularly to the distinguished Senator from Arkansas—that astute and eloquent chairman of the Foreign Relations Committee. I also refer to the senior Senators from Indiana [Mr. Hartke], Idaho [Mr. Church], Pennsylvania [Mr. Clark], and Tennessee [Mr. Gore], to the junior Senators from Ohio [Mr. Young], and South Dakota [Mr. McGovern], and to all other Senators who, while examining and analyzing our southeast Asia policy and the nature of our commitments there—which is truly their privilege in the best traditions of this body, today stood behind our troops to meet the vital needs of those brave men who risk their lives daily.

Additionally, I want to express my sincere appreciation to the senior Senator from Oregon [Mr. Morse] and the junior Senator from Alaska [Mr. Gruening] for the cooperation shown in assisting us in the completion of this measure today. Their sentiments on this measure are strong and sincere and they have articulately expressed their views, but they did not attempt to prevent the Senate from exercising its will on the measure.

To the Senate as a whole, I express my thanks for completing action today on this important piece of legislation.

Mr. LONG of Louisiana. Mr. President, the senior Senator from Maryland [Mr. Brewster] was not available to vote today. The Record will reflect that had he been here he would have voted for the bill that was passed as he said in his speeches on the floor of the Senate. He would have voted to table the amendments that were offered.

The senior Senator from Maryland [Mr. Brewster] was appointed as a congressional adviser to the American delegation to the GATT Trade Center meetings in Geneva, Switzerland. He is serving as the personal representative of the Senate Commerce Committee at the trade meetings.

The GATT meeting which opened on Monday has been specifically called to consider ways and means of promoting increased trade with underdeveloped nations.

Senator Brewster will be in Geneva for a week as a member of the American delegation. He regarded the mission as extremely important to the United States, and of particular interest to the port of Baltimore, one of the foremost trading centers in the United States.

We assured the Senator that we would make every effort to see that he had a pair; and in the event that that was not possible, if it appeared his vote would be required, we would seek to have him return. We did not think that that was necessary and the Record will so show.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, informed the Senate that, pursuant to the provisions of 42 United States Code 2251, the Speaker had appointed Mr. Young of Texas as a member of the Joint Committee on Atomic Energy, to fill an existing vacancy thereon, on the part of the House.

The message announced that the House had passed a bill (H.R. 12889) to authorize appropriations during the fiscal year 1966 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, research, development, test, evaluation, and military construction for the Armed Forces, and for other purposes, in which it requested the concurrence of the Senate.

SUPPLEMENTAL MILITARY AND PROCUREMENT AUTHORIZATION, FISCAL 1966

Mr. RUSSELL of Georgia. Mr. President, I ask that the Chair lay before the Senate the bill H.R. 12889, just messaged over from the House of Representatives.

The PRESIDING OFFICER. The Chair lays before the Senate H.R. 12889, which will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 12889) to authorize appropriations during the fiscal year 1966 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, research, development, test, evaluation, and military construction for the Armed Forces, and for other purposes.

Mr. RUSSELL of Georgia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 12889.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (H.R. 12889).

Mr. RUSSELL of Georgia. Mr. President, I move to strike out all after the enacting clause of H.R. 12889 and substitute therefor the language of S. 2791 as it just passed the Senate.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Georgia.

The motion was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The question is on passage of the bill, as amended.

The bill (H.R. 12889) was passed.

Mr. RUSSELL of Georgia. Mr. President, I move that the Senate insist on its amendment, request a conference with the House on the disagreeing votes thereon, and that the Chair appoint conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. RUSSELL of Georgia, Mr. STENNIS, Mr. SYMINGTON, Mr. SALTONSTALL, and Mrs. SMITH conferees on the part of the Senate.

The PRESIDING OFFICER. Without objection the Senate bill (S. 2791) is indefinitely postponed.

PERSONAL STATEMENT

Mr. McCARTHY. Mr. President, I had intended to make these remarks before the motion to table was acted on, but when the motion was presented, I thought it was being presented as an amendment rather than a motion. Since I felt my remarks would have little effect on the outcome of the vote, I withheld them until this time.

It was my hope that we would have a straight vote on the amendment of the Senator from Oregon. The matter of the Tonkin Gulf resolution has been discussed for some time, and it was indicated that there would probably be a vote on the question of rescinding it, which had been suggested by some officials high in the administration.

There was a later indication that, following the vote on that, or perhaps as a substitute, we would have a vote on the reaffirmation of the Tonkin Gulf resolution.

I had intended to vote against the Morse proposal to rescind the Tonkin Gulf resolution, but also to vote against the amendment which would have reaffirmed that resolution.

It is my judgment, by virtue of the various interpretations that have been placed on the Tonkin Gulf resolution since it was first approved in August 1964, that the resolution, in the minds of some persons, has taken on a meaning and a significance which had not been attributed to it at the time it was before the Senate and was passed on August 10, 1964.

It is my opinion, in view of the continuing discussion of the resolution, that the Senate will be somewhat slow in the future about adopting resolutions of this kind.

It is my position—a position which was affirmed by some Members of the Senate, and reaffirmed by the President in his press conference—that this resolution did not give to the President any power he did not have before we passed the resolution, and that if we had rescinded it we would not have taken away any powers he possessed under the Constitution and any powers which have been confirmed by the history of this country and by precedents.

I think the question must be asked: What purpose do resolutions of this kind serve?

Acknowledging that the resolution gives the President no power which he does not already possess, there are, then, two possible purposes.

One, it may be reassuring to the President in the way of congressional or public support. Second, there is the possibility that passing such resolutions will prevent second-guessing and improper criticisms.

Those of us who served either in the House or in the Senate following the action of President Truman in the Korean war will remember the conversations in the cloakroom to the effect that it would have been wise if President Truman had had a resolution passed to prevent criticism on the part of Members who had given their vote in support of a resolution for that action in Korea.

I think President Truman acted quite properly, and took the responsibility which the President has, to carry it out on his own accord.

Various interpretations have been placed on the resolution by Members of the Senate. The minority leader said we should not rescind the resolution because we would be taking away powers the President was given. I submit we could not take way any power by rescinding the resolution because we did not give the President any power by passage of the resolution.

It was suggested in debate—not so much on the floor, but outside this Chamber, in statements made by some people high in the administration—that because Congress passed the resolution, Congress should not be critical of new policies or new applications. I submit this is a dangerous interpretation of the resolution.

In view of the experience we have had over the last 6 months in the interpretation and application of the resolution, I think we ought to be most careful in the future with regard to similar resolutions, not just because of the political implications but because what is involved is a fundamental change of the constitutional power of the Presidency.

If we are to allow this practice to grow and establish precedents whereby resolutions of this kind begin to take on strength of their own, the only logical conclusion is that, first, the constitutional powers which Presidents have exercised since the country was founded are being challenged, and perhaps even undermined.

Second. There is danger in this kind of resolution that there may be a growth of tradition and the establishment of precedents of power in the Congress which it does not possess and which is not provided for under the Constitution.

Third. There is danger that resolutions of this kind will be turned against Congress in order to prevent criticism or discredit critics. Whether the attempt would be successful or not is an open question, but if we are concerned about protecting the constitutional powers of the President, if we are concerned with not making the Senate into a kind of garden club which passes resolutions with reference to Presidential powers, and if we are concerned perhaps with the freedom of this body to carry out its own constitutional responsibilities in the field of foreign policy, resolutions of this kind should not be approved in the future.

ORDER OF BUSINESS

Mr. MANSFIELD. I am about to lay down the pending business.

Mr. MORSE. I invite the attention of the majority leader and the minority leader to the fact that this is a day of precedents in the Senate; a very important precedent, I believe, was established and the policy reaffirmed.

The minority leader will recall that a few days ago on the floor of the Senate, we were discussing how to dispose of the bill, timewise, and I urged that the Senate go ahead without a unanimous-consent agreement and the probabilities would be that we might finish the bill by Tuesday night.

I invite attention to the fact that this Tuesday night, the time is now 6:15, and a vital precedent has been established. In fact, as an old common law lawyer, and a believer in sound precedent, I should like my majority leader to know that that precedent is going to stand.

Accordingly, we can forget about unanimous-consent agreements on major legislation from now on, because we save time without having them.

Mr. DIRKSEN. The distinguished Senator from Oregon is truly generous. He is extremely tolerant. He possesses an infinite amount of wisdom with respect to human nature, and I congratulate him.

Mr. MORSE. Mr. President, that is a great compliment and I thank the Senator from Illinois.

Mr. JAVITS. Mr. President, I should like to join the minority leader and the Senator from Oregon [Mr. MORSE] in saying that I, too, believe that the Senate has had one of its finest days of debate.

It has resulted in the exercise of self-discipline which the Senate has shown so well in the Chamber today.

ORDER FOR ADJOURNMENT

Mr. **MANSFIELD.** Mr. President, I ask unanimous consent that when the Senate concludes its business today, it adjourn until 12 o'clock noon tomorrow.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

U.S. PARTICIPATION IN THE ASIAN DEVELOPMENT BANK

Mr. **MANSFIELD.** Mr. President, I ask unanimous consent that Calendar No. 982, H.R. 12563, be laid down and made the pending business.

The **PRESIDING OFFICER.** The bill will be stated by title for the information of the Senate.

The **LEGISLATIVE CLERK.** A bill, H.R. 12563, to provide for the participation of the United States in the Asian Development Bank.

The **PRESIDING OFFICER.** Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. **MANSFIELD.** Mr. President, no action will be taken on the Asian development bill tonight.

AUTHORIZATION FOR THE COMMITTEE ON FINANCE TO FILE ITS REPORT ON H.R. 12752, TAX ADJUSTMENT ACT OF 1966

Mr. **LONG** of Louisiana. Mr. President, I ask unanimous consent, assuming the Senate meets tomorrow which I assume will be the case, that the Committee on Finance have until midnight Thursday, March 3, 1966, to file its report with individual and minority views on the bill, H.R. 12752, the Tax Adjustment Act of 1966.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

LEGISLATIVE PROGRAM

Mr. **DIRKSEN.** Mr. President, I should like to ask the majority leader about the program for tomorrow, the rest of the day, and for whatever other days of the week he has in mind having a program.

Mr. **MANSFIELD.** Mr. President, in response to the questions raised, it appears to me that there are a few small bills on the calendar which may be taken up tomorrow but, evidently, it will not be possible to take up the tax bill before Friday next. It is anticipated that we will come in early on that morning with the intention of disposing of the tax bill if possible.

Mr. **DIRKSEN.** I thank the majority leader.

DEATH OF COLUMNIST CONSTANTINE BROWN

Mr. **THURMOND.** Mr. President, the journalism profession and, indeed, our whole country suffered a profound loss upon the death of Constantine Brown on the evening of February 23. Although he was 76 years old, Connie's death came as a surprise and shock to his many friends, for he was still a vigorous, active newspaperman who, despite many years of close observation of man's "clay feet," retained his enthusiasm for life.

He was a journalist of the old school who felt very strongly that one could qualify as a columnist only by serving long years as a working reporter. He was convinced that one should have to prove his right to regularly express an opinion in print. Certainly, Constantine Brown proved that he had every right to have his opinions published. His understanding of international affairs and relations between nations and men, was repeatedly evidenced by his abilities to prognosticate with an accuracy that at times suggested clairvoyance.

To those who were his friends, however, Connie will not be remembered primarily as a newspaperman, but rather as a fine and gracious gentleman that all of us knew him to be. He was in every sense a "gentleman of the press," for he had learned to disagree without being disagreeable. His warm and friendly personality was such that it could only have sprung from his deep and abiding Christian faith. Both the counsel of his experience and the warmth of his friendship will be sorely missed.

Mr. President, I ask unanimous consent that the article published in the Washington Evening Star of February 24, 1966, entitled "Constantine Brown, 76, Veteran Columnist, Dies" and the article published in the Washington Post of February 25, 1966, entitled "Constantine Brown, 76, News Columnist, Dead" be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Evening Star, Feb. 24, 1966]

CONSTANTINE BROWN, 76, VETERAN COLUMNIST, DIES

Constantine Brown, 76, a distinguished journalist and, for the past 25 years, a columnist for the Star and other newspapers, died last night of a heart attack while playing bridge with friends.

Brown was stricken at 8:40 p.m. in the home of Mr. and Mrs. Charles F. Lombard, 3610 Upton Street NW., old friends whom the Browns often visited.

The foursome had played two hands of bridge when Brown gasped for breath. A doctor was summoned from next door, but death was almost instantaneous.

A jaunty man with a thick mane of white hair and white moustache, Brown looked more the part of a diplomat than most of the state leaders of whom he wrote and with whom he often made close friendships.

RETURNED FROM ROME

Though he had retired from the Star's news staff, which he joined in 1931, and despite a history of coronary trouble, Brown continued to turn out three columns a week on world affairs for the Star and the Bell-McClure Syndicate.

Less than a year ago he returned to Washington and a new home at 4633 Greene Place NW., after having been based for 3 years in Rome.

He had attained a reputation, before and during World War II, as one of the best informed of Washington reporters, and a columnist who often anticipated internationally significant events.

PREDICTED MAJOR EVENTS

As an analyst, he probed deeply into the reasons behind the news and, though not infallible, he was credited with prognosticating certain events.

He predicted World War II on June 8, 1939, almost 4 months before Hitler's initial attack; called the shot on Pearl Harbor 10 days beforehand, and warned of the Korean war 3 weeks in advance of the fact.

His years of reporting were climaxed in 1964 with publication of a book, "The Coming of the Whirlwind." At a reception marking the event President Johnson presented his friend of 30 years with a gold inaugural medal, 1 of only 37 minted, and wished him success.

A review of the book could double as a characterization of the author. Wrote the Star's Edgar Prina:

" 'The Coming of the Whirlwind' is not the usual contemporary history book. There is no pomposity or stuffiness in it. Rather the author takes the reader on an exciting journey, much of it in a behind-the-scenes manner, and gives him what amounts to personal introductions to a host of historical characters."

WARNED OF TOTALITARIANS

Summing up his long experience, Brown wrote of the future: "The really alarming thing * * * is to observe the repetition of mistakes. If experience should have taught us anything, it is that concessions to a totalitarian power * * * increase rather than diminish the danger of war."

A gregarious and chatty, far-from-pompous man, Brown spoke with an accent hardly consonant with Sheldon, Iowa, where he was born September 27, 1889.

Orphaned at 16, he used a $5,000 inheritance to attain a Ph. D. at the University of Berlin in 1913.

Brown was geared to the international scene from the beginning. His first job was with Lord Northcliffe's London Times, but he lost it as World War I was starting.

He went to Vienna and, in an adventurous moment, secreted himself aboard an Austrian troop train bound for the front. Discovered by a group of officers whose card game he interrupted, Brown suggested they might like to learn an American game called poker.

No mean player, the stowaway managed to stay aboard the train by the simple expedient of winning. At each stop, where he was to be evicted, he reminded the Austrians they still had a chance to recoup their losses.

Finally, in the Budapest station, where he was to be sent back to Vienna, Brown called for "one more round," excused himself to go to the rest room, and disappeared.

The young journalist's sharp wits did not fail him during the war, either. His stories caught the eye of American editors and in time he became a member of the Chicago Daily News foreign staff. In succession he was the paper's bureau chief in Turkey, Paris, and London.

It was from the News that Brown began his affiliation with the Star and in time launched the syndicated column, "This Changing World," with a nationwide circulation.

On Nov. 29, 1941, he wrote:

"The Japanese Government's answer to last week's State Department note will in all likelihood be the salvos of her men-of-war. The earliest estimates of high officials in Washington that a crisis may be expected within the next 2 or 3 months has now been narrowed to a few weeks—even a few days."

SCORED MANY FIRSTS

Brown also is credited with the first interview with Lenin after the Bolsheviks seized power, with an accurate assessment of what the Yalta agreement would bring, with a forecast on February 11, 1945, that the Japanese would unconditionally surrender (6 months before the fact).

On June 6, 1950, Brown wrote: "The start of the Communist invasion in Korea is set for the second half of this month." The actual date was June 25.

Known as "Connie" to his friends, Brown after the war was in demand as a lecturer, was widely quoted by Government officials, and received numerous awards.

In August 1939, Gen. Hugh S. Johnson called him "one of the most informed men in the country" on military matters. His columns were closely followed by Government officials, some of whom saw fit to counsel with him.

He often was lauded in Congress, as in April 1958, when the late Senator Styles Bridges, Republican, of New Hampshire, had reprinted in the Congressional Record an editorial titled "Courage Never Goes Out of Style."

VIEWS ON VIETNAM

Calling again on his half century of experience as journalist and analyst, Brown in his penultimate column for the Star examined Vietnam in light of the two World Wars he had followed so closely.

"The present conflict in Vietnam is unlike the two World Wars of the past," he wrote. "Then the enemy was the enemy regardless of shade.

"In World War I the Austrians were not regarded differently from their German allies. In World War II there was no differentiation between the Nazis, Fascists and Japanese warlords. But now we have divided our enemies into good and bad Communists and all spokesmen of the administration, from President Johnson down, speak about opposing communism."

In addition to his wife, the former Elizabeth Churchill, Brown is survived by two daughters by an earlier marriage, Mrs. Frank Gannon III, of Staten Island, N.Y., and Mrs. Frank Roudybush, of France.

[From the Washington (D.C.) Post, Feb. 25, 1966]

Constantine Brown, 76, News Columnist, Dead

Constantine Brown, a nationally syndicated newspaper columnist for nearly a quarter of a century, died Wednesday night. He was 76.

Mr. Brown, whose column was called This Changing World, collapsed and died of a heart attack while he and his wife were playing cards at the home of friends.

His specialty was international diplomacy. With his thick mane of white hair and white mustache, he looked more the part of a diplomat than many of the statesmen of whom he wrote.

Mr. Brown is credited with predicting the start of World War II nearly 4 months before Hitler's initial attack. He said 10 days before Pearl Harbor that a Japanese attack was only a matter of a few weeks—even a few days away.

He predicted on June 6, 1950, that the Communists would invade Korea during "the second half of this month." The actual date was June 25.

He capped his reporting career in 1964 with publication of a book—"The Coming of the Whirlwind." President Johnson attended a reception for the event and presented Mr. Brown with a gold inaugural medal, 1 of only 37 minted.

Mr. Brown was born in Sheldon, Iowa, September 27, 1889. He obtained a doctorate from the University of Berlin in 1913 and went to work for the London Times. The job was of short duration, however, because of the start of World War I.

He worked his way to the front by teaching a group of Austrian Army officers how to play poker and soon his stories of the fighting caught the eye of American editors.

He became a member of the Chicago Daily News foreign staff and served as the newspaper's bureau chief in Turkey, Paris, and London before joining the Washington Evening Star in 1931. It was while he was with the Star that he started his column through the Bell-McClure Syndicate.

Despite a history of recurring coronary trouble he wrote three columns a week and returned to Washington in 1965 after being based in Rome for 3 years.

He is survived by his wife Elizabeth Churchill Brown, of the home address, 4633 Greene Place NW., and two daughters by an earlier marriage, Mrs. Frank Gannon III, Staten Island, N.Y., and Mrs. Frank Roudybush, of France.

ADJOURNMENT

Mr. LONG of Louisiana. Mr. President, if there is no further business to come before the Senate at this time, in accordance with the order previously entered, I move that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 33 minutes p.m.) the Senate adjourned until tomorrow, Wednesday, March 2, 1966, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate March 1, 1966:

U.S. Attorney

Clinton N. Ashmore, of Florida, to be U.S. attorney for the northern district of Florida for the term of 4 years. (Reappointment.)

U.S. Marshal

Harry D. Mansfield, of Tennessee, to be U.S. marshal for the eastern district of Tennessee for the term of 4 years. (Reappointment.)

U.S. Attorney

Joseph L. Ward, of Nevada, to be U.S. attorney for the district of Nevada for the term of 4 years vice John W. Bonner, retiring.

HOUSE OF REPRESENTATIVES

Tuesday, March 1, 1966

The House met at 12 o'clock noon.

Rev. Edward G. Latch, Metropolitan Memorial Methodist Church, Washington, D.C., offered the following prayer:

Give thanks unto the Lord for He is good: His mercy is everlasting and His truth endureth to all generations.—Psalms 100: 5.

Eternal God, our Father, in all reverence of mind and heart we pause in Thy presence to offer unto Thee our morning prayer. Lift us into the reality of Thy spirit where we may be still and know that Thou art God. Great art Thou and greatly to be praised.

Lift us from ingratitude to gratitude and may this spirit of thankfulness fill all our days. We thank Thee for homes where love dwells; for churches where we can worship as we desire; for friendships that bless our lives; for a nation that is free; and for work to do and the strength to do it. Rekindle in us the fires of gratitude and tune our hearts to Thee that we may be lifted above all malice and all ill will, and with increasing faith—faith in ourselves, faith in our fellows, and faith in Thee—we may be made adequate for the tasks and the responsibilities of this day.

We pray in the spirit of Christ. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Geisler, one of his secretaries, who also informed the House that on February 19, 1966, the President approved and signed a bill of the House of the following title:

H.R. 30. An act to provide for participation of the United States in the Inter-American Cultural and Trade Center in Dade County, Fla., and for other purposes.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate insists upon its amendments to the bill (H.R. 647) entitled "An act to amend the act of March 3, 1901, to permit the appointment of new trustees in deeds of trust in the District of Columbia by agreement of the parties," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. McIntyre, Mr. Morse, and Mr. Dominick to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 3314) entitled "An act to require premarital examinations in the District of Columbia, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Morse, Mr. Kennedy of New York, and Mr. Prouty to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 9985) entitled "An act to provide for the mandatory reporting by physicians and hospitals or similar institutions in the District of Columbia of injuries caused by firearms or other dangerous weapons," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Morse, Mr. Kennedy of New York, and Mr. Prouty to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 10304) entitled "An act to provide for the mandatory reporting by physicians and institutions in the District of Columbia of certain physical abuse of children," disagreed to by the

House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Morse, Mr. Kennedy of New York, and Mr. Prouty to be the conferees on the part of the Senate.

ALLEN DUCKWORTH

Mr. POOL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. POOL. Mr. Speaker, a great newspaperman died yesterday in Dallas. He was Allen Duckworth, political editor of the Dallas Morning News. His career began in police reporting for the old Dallas Journal.

His face was a familiar sight at all the Democratic National Conventions since 1944. Among his friends numbered Presidents, Senators, Congressmen, Governors; and it is to his eternal credit that all levels of politics he covered thoroughly in order to give the public the facts involved in various issues of the times.

Allen Duckworth was a politician's reporter. When information was given him in confidence, he kept it in confidence. He had a sixth sense of impending events. His stories of predictions for the future nearly always became fact eventually. Once he sunk his teeth into a story, he never backed down until the public had all the information.

To Allen Duckworth's wife and daughter, I offer my deepest sympathy. Dallas and all of Texas have lost a great reporter. We who knew him well have lost a great friend. Though he came this way but once, his contribution to journalism will always be remembered. May God rest his soul in peace.

SPECTER OF FAMINE

Mr. HANNA. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HANNA. Mr. Speaker, I have before indicated to this House that I believe strongly that the specter of famine will soon claim the limelight of world attention even above the specter of war. Too many times we are left with only the warning of words as our weapons, but here and now we have an opportunity to act.

The greatest source of hope for improved diet now on the scene is the development of fish protein concentrate, a powdered product refined from whole fish. For several years the Department of the Interior has been at work under a small grant made by this Congress to develop a chemically pure product. The powder has been used successfully in tests with gravy, beans, cookies, and other foods. It gives a real protein punch to intake otherwise lacking in this body-building essential.

Now—right now—the Department of the Interior has a petition before the Food and Drug Administration for a clearance of fish protein concentrate as an acceptable food additive. The world urgently needs the swift and favorable action of the Food and Drug Administration. I can assure this House that without our encouragement it will be easy for the Administration to become entangled in a morass of technical barriers. These will have no necessary relevancy to the chemical purity of the product and be completely blind to the great benefit its distribution can be to the world. Please, please join me in urging that the authorities in charge of the Food and Drug Administration do not make this error.

You may wonder why it is so important that this product, which is needed more abroad than at home, so desperately needs the official blessing of our Food and Drug Administration. Since the product will only be broadly available at the hand and upon the financial support of our country, it has been clear to quite a number of us in Congress for over 2 years that we cannot hope to get acceptance abroad if we do not have approval at home. If you wish to know more about this important new food product, the Department of the Interior would be delighted, I am sure, to provide you with full details.

We cannot fill empty stomachs with words. We need a product widely available, easy to assimilate, cheap to produce, proven in quality, and of long shelf life and stable integrity. All these qualities have been tested and been found in fish protein concentrate. Can we break the barriers and begin the expansion of production and the means of distribution?

SUBCOMMITTEE ON REGULATORY AGENCIES, COMMITTEE ON SMALL BUSINESS

Mr. DINGELL. Mr. Speaker, I ask unanimous consent that the Subcommittee on Regulatory Agencies of the Committee on Small Business have permission to sit during general debate this afternoon, and I make the same unanimous-consent request with respect to Thursday next.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

DEAN DITTMER, VETERAN NEWSPAPERMAN

Mr. PRICE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE. Mr. Speaker, it is with a deep feeling of sorrow that I announce to the House the death of a veteran newspaperman, Dean Dittmer, who passed away last Friday at his home in Alexandria, Va., at the age of 55.

Dean was a native of Illinois, having been born in Pekin and attended schools there before enrolling in the University of Illinois and Bradley University.

He began his newspaper career in 1931 on the Pekin Daily News, and eventually became its managing editor. He joined the United Press in 1943 and covered the State legislature. He was assigned to the United Press Washington bureau late in 1943 and served with distinction in Washington until 1956. He later worked on the staffs of Representative Oliver P. Bolton, of Ohio, Representative James E. Van Zandt, of Pennsylvania, and Senator Everett M. Dirksen, of Illinois.

Most of his newspaper service in Washington consisted of covering proceedings of the House of Representatives. His objectivity, fairness, and integrity won him many friends in this body. It was my pleasure to have accompanied him on a visit by the former House Military Affairs Committee to the Far East and South Pacific in 1946.

Dean leaves his widow, the former Josephine Stoldt of South Pekin, Ill., whom he married in 1936, and a son, Thomas. To them I offer my sincere sympathy. They well may be proud of the esteem in which he was held by all who knew him.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. ROGERS of Texas. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce be permitted to sit during general debate this afternoon.

The SPEAKER. It there objection to the request of the gentleman from Texas?

There was no objection.

SOIL SURVEY AIDS LAND DEVELOPMENT

Mr. STALBAUM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. STALBAUM. Mr. Speaker, it is indeed refreshing to know that in some areas of the United States conscientious people are taking steps to plan our land resource use for the benefit of those who will occupy it in the generations to come.

One excellent example can be found in southeastern Wisconsin where a seven-county regional soil survey, of approximately 2 million acres of land, is in the final stages of completion.

The basic purpose of the soil survey is to aid men make more intelligent decisions in determining the proper use of the land. This survey was the first in the Nation of this magnitude. It was sponsored jointly by the Southeastern Wisconsin Regional Planning Commission and the Department of Agriculture's Soil Conservation Service.

All the field work for the survey has been completed and detailed maps will be available this spring. Right now the data provided by the inventory is already being put to use by engineers, planners, boards of assessment, conservationists, sanitarians, land developers, planning commissions, farmers, and foresters throughout the area.

This basic scientific inventory will prove valuable in the construction and location of highways, parks, subdivisions, and sewage disposal facilities, in addition to its value in zoning, agriculture, woodland, and recreational land-use planning and management.

Three of the seven counties in this group are in my congressional district. The Rock County Board of Supervisors, in the fourth county in my district, voted last year to provide $58,500 over a 3-year period to match funds from the Soil Conservation Service to provide a soil survey inventory for that county.

I want to commend these people, and the Soil Conservation Service assisting them, for their farsightedness and their dedication. The work they are doing will be immensely valuable in making needed adjustments in rural and urban development today and far into the future.

THE ADMINISTRATION'S LIMITED INTEREST IN UNDERPRIVILEGED OR EDUCATION

Mr. GLENN ANDREWS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. GLENN ANDREWS. Mr. Speaker, the recommendation appearing in the budget to cut school milk funds and impacted area education funds indicates clearly the administration's very limited interest either in the underprivileged or in education.

The presumption that these cuts are wartime savings fades away when one encounters a new bundle of education measures heading for the committees, which are bigger and better than last year's. These new bills, appear to have the ingredients which are missing in the school milk or Federal impacted areas programs. First these new bills are the gifts of this administration; and secondly, these new bills contain the cardinal advantage which the old bills lacked—Federal control. The pupils of America, under the nimble fingers of Federal education manipulators, are like Tony Sarg's marionettes going to, at least, learn to dance.

FLYING PROCEDURES IN SPACE PROGRAM

Mr. PELLY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PELLY. Mr. Speaker, the tragic loss yesterday of astronauts Charles A. Bassett II and Elliott M. See, Jr., is indeed a hard blow to the space program, to say nothing of the personal loss to their families.

According to press reports space officials have said there will be no change in astronaut training procedures. However, Mr. Speaker, with this tragedy we have now lost a total of three astronauts, and I believe it is time for a thorough investigation of the overall training program of astronauts which requires the flying of high-speed aircraft.

Mr. Speaker, this 10-percent casualty rate in the astronaut program is higher than that which is experienced by fliers on duty in Vietnam.

The Science and Astronautics Committee should immediately begin an investigation into the flight training of astronauts because the question of spending literally millions of dollars to train a single man must be considered, much less the loss of life of these brilliant men.

Mr. Speaker, we spend billions and billions of dollars on the space program; every imaginable safety precaution to insure the safety of those men chosen for duty should be taken not only in space flights but also in their other official activities. For example, I would like to know the number of hours of flying time required and the justification for such requirements.

I urge a thorough investigation of the flying procedures required in the space program.

NINETEENTH ANNUAL REPORT COVERING U.S. PARTICIPATION IN THE UNITED NATIONS DURING 1964—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 178)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed, with illustrations:

To the Congress of the United States:

Pursuant to the provisions of the United Nations Participation Act, I submit herewith the 19th annual report covering U.S. participation in the United Nations during 1964.

This report, like its predecessors, describes the activities of the United Nations agencies and programs that together carry out the aims of the charter: to maintain peace and security, to adjust and settle international disputes, to cooperate in economic and social development, and to promote the self-determination of peoples and worldwide respect for human rights. It also covers legal, administrative, and financial matters at the United Nations.

The activities covered in this report document the commitment of this Nation to the purposes and programs of the United Nations—a commitment demonstrated by the extent and character of our participation in and financial support for a broad range of United Nations activities over the past 20 years.

During 1964 the constitutional-financial crisis in the General Assembly tended to overshadow in the public mind all other affairs at the United Nations. The Assembly was limited to those minor actions which could be taken by unanimous consent without a vote. It is regrettable that a major organ of the United Nations could not function normally. However, the other elements of the United Nations system carried forward.

The Security Council in 1964 had one of its busiest years; it held over 100 meetings and dealt with some of the most intractable problems of peace and security.

It successfully organized the difficult peacekeeping operation in Cyprus, averting the threat of a direct military confrontation between two of our NATO allies, Greece, and Turkey.

It aired the Kashmir dispute, the Malaysian charges against Indonesia, and the question of apartheid in South Africa.

It sent a factfinding group to report on the border situation between Cambodia and South Vietnam.

It requested the Secretary General to help the United Kingdom and Yemen resolve their differences over the Yemen-Aden border.

It provided a forum for the United States to explain the action it had taken to counter the attacks by Hanoi against U.S. naval vessels in the international waters of the Gulf of Tonkin. In this connection, regrettably, Hanoi was unwilling to admit that the United Nations had any competence in the conflict in Vietnam. Despite the fact that Hanoi and Peiping rejected United Nations involvement, given its responsibility for international peace and security, the United Nations should clearly be concerned about the conflict in Vietnam. It was with this thought in mind that in San Francisco on June 25, 1965, at the celebration of the 20th anniversary of the United Nations, I urged United Nations members, individually and collectively, to use their influence to bring to the negotiating table all governments involved in an attempt to halt all aggression and evolve a peaceful solution. I also wrote the Secretary General the following month saying how much I appreciated his efforts to remove the Vietnam dispute from the battlefield to the negotiating table and expressed the hope they would be continued. The Secretary General replied by expressing his determination to pursue such efforts by all means at his disposal.

Elsewhere in the world during 1964 the United Nations continued to maintain several active peacekeeping operations. United Nations peacekeepers continued to police the Sinai and Gaza lines. The United Nations also supervised the borders between Israel and its Arab neighbors, and the truce line in Kashmir between India and Pakistan.

During 1964 the United Nations ended its military—but not its civilian—operation in the Congo and its observer mission in Yemen.

On the economic front, the United Nations Conference on Trade and Development—UNCTAD—during the summer of 1964 was unquestionably the most significant development of the year. It opened a search by the developing nations for trading and financial arrangements designed to accelerate their development. Machinery was established to carry on the dialog within the United Nations among developed and less-developed countries concerning international trade and related questions of development. A hopeful sign was the adoption by UNCTAD of a system of mutual adjustment and conciliation designed to achieve a meeting of minds before arriving at decisions on important matters.

The record of operations of United Nations Specialized Agencies in the economic and social fields was impressive.

The World Bank and its affiliates—the International Development Association and the International Finance Corporation—made loans, credits, and investments totaling over $1 billion.

The World Health Organization spurred important advances in the worldwide campaigns to eradicate malaria and smallpox and in the field of epidemiology.

The World Meteorological Organization moved ahead toward a projected World Weather Watch—a worldwide cooperative venture to improve man's ability to predict the course of the weather.

The Food and Agriculture Organization dispatched about 1,000 technical experts to member countries to assist in agricultural productivity, pest control, animal health, and rural community development.

As science and technology develop, there will be new opportunities for international cooperation and common undertakings to serve mankind. On October 2, 1964, I proclaimed 1965 International Cooperation Year (ICY) in the United States. To implement our national program for ICY, on November 24, 1964, I named a Cabinet Committee for International Cooperation Year (1965) and called on our national citizens' organizations to help find new areas for common endeavor against the ancient enemies of mankind—ignorance, poverty, and disease. Every such enterprise helps in some small way to strengthen the fabric of peace. As I said at that time—the quest for peace through cooperation is the "assignment of the century."

In transmitting this report, I should like to add a more general observation about our policy toward the United Nations. Every President since the founding of the United Nations has expressed the deep commitment of this Nation to the purposes of the Organization. This commitment has been expressed in our dedication to the purposes of the charter and in our participation in the entire range of United Nations operations described in this report.

I reaffirmed our dedication on the occasion of the 20th anniversary of the United Nations at San Francisco on June 25, 1965, when I said:

> I come to this anniversary not to speak of futility or failure nor of doubt and despair. I come to raise a voice of confidence in both the future of these United Nations and the fate of the human race.
>
> And let all remember—and none forget—that now more than 50 times in these 20 years the United Nations has acted to keep the peace.
>
> By persuading nations to justify their own conduct before all countries, it has helped, at many times and in many places, to soften the harshness of man to his fellow man.
>
> By confronting the rich with the misery of the poor and the privileged with the despair of the oppressed, it has removed the excuse of ignorance, unmasked the evil of indifference, and has placed an insistent, even though still unfulfilled, responsibility upon the more fortunate of the earth.
>
> By insisting upon the political dignity of man, it has welcomed 63 nations to take their places alongside the 51 original members—a historical development of dramatic import, achieved mainly through peaceful means.
>
> And by binding countries together in the great declarations of the charter, it has given those principles a strengthened vitality in the conduct of the affairs of man.

The record of our participation in the United Nations for 1964—set forth in this report—documents the deeds that support these words.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *March 1, 1966.*

DOMESTIC HEALTH AND EDUCATION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 395)

The SPEAKER laid before the House the following message from the President of the United States; which was read and referred to the Committee of the Whole House on the State of the Union and ordered to be printed:

To the Congress of the United States:

A nation's greatness is measured by its concern for the health and welfare of its people. Throughout the history of our democracy, this commitment has grown and deepened.

The education of our people is a national investment. The health of our people is essential to the pursuit of happiness.

Today we can set ambitious goals for the future: Full education for every citizen to the limits of his capacity to absorb it; good health for every citizen to the limits of our country's capacity to provide it.

The 88th and 89th Congresses have moved toward these goals.

During the past 3 sessions, Congress has enacted 20 landmark measures in health and 19 in education; doubled the appropriations for health programs and increased the budget for our Office of Education more than fivefold.

The achievements of the past 3 years promise a dramatic enrichment of American life. They already include in the field of health:

1. The medicare program which, on July 1, will make benefits available to more than 19 million older Americans.
2. Health services for more than 200,000 migrant workers in 34 States.
3. Maternal and infant care for mothers and children previously receiving inadequate services.
4. Expanded services for crippled children.
5. Thirty-two new clinics for retarded children.
6. Construction assistance for 1,300 hospital and health facilities to add more than 56,000 new hospital beds.
7. Financial support for more than 16,000 medical research projects and advanced training for 25,000 scientists.
8. Construction starts for 62 institutions to enroll more than 2,400 additional students each year for training in the health professions.

Our achievements in education are equally impressive. Among them are:

1. Funds to improve educational opportunities for nearly 7.5 million underprivileged children in 20,000 school districts.
2. Summer Headstart programs for 560,000 preschool children in 13,350 community education projects and year-round programs for 120,000 children.
3. Textbooks and other learning materials for more than 40 million children in every State.
4. College work-study programs for more than 110,000 needy college students.
5. Construction aid for 1,300 institutions of higher learning—including new classrooms, laboratories, and libraries.
6. Twelve million books to improve public libraries and training programs for more than 400 librarians.

HEALTH

With these programs and those I am recommending today, we can move closer to attainment of our goals:

To bring every child the care he needs to develop his capacity to the fullest.

To reduce infant mortality, concentrating particularly on those minority groups whose death rate is highest.

To eradicate major communicable diseases as a threat to life and health in the United States.

To reduce the burden of mental illness, and mental retardation.

To cut the toll of the three great killers—heart disease, cancer, and stroke.

The health budget which I have proposed for fiscal year 1967 is $4.67 billion—an increase of almost $1 billion. In addition more than $3 billion in social security trust funds will be spent under medicare to assist our older citizens.

Funds for health manpower, facilities and services are up $707 million. Funds for environmental activities and consumer protection are up $158 million. Funds for health research activities are up $78 million.

To insure continuing progress, we must—

Improve the administration of Federal health activities;

Develop comprehensive health planning and services on the State and community level;

Strengthen our system of health care;

Train needed health workers;

Increase our research efforts;

Take additional steps to meet special health problems.

I

TO IMPROVE ADMINISTRATION OF FEDERAL HEALTH SERVICES

Our first concern must be the efficient and effective administration of the Federal health programs.

Over the last 12 years the budget of the Public Health Service for research, training, and services has grown almost tenfold—from $250 million to $2.4 billion. Yet major elements of the basic structure of the Public Health Service remain set by a law that is more than 20 years old.

The Secretary of Health, Education, and Welfare and the Surgeon General of the United States have consulted leading experts—physicians, administrators, scientists, and public health specialists—in a thorough search for the best means to improve the administration of Federal health programs. They all agree that the need to modernize the administration of the Public Health Service is urgent.

To fulfill that need, I will shortly submit to Congress a proposed reorganization of the health functions of the Department of Health, Education, and Welfare.

The ultimate success of Federal health programs depends on the men and women who direct them. At present, the personnel system of the Public Health Service is inadequate to recruit and retain the talent needed for its rapidly changing and expanding role.

I will recommend legislation to improve the personnel system of the Public Health Service.

This legislation will promote career development, encourage more flexible use of health workers, provide them with broader opportunities, stimulate higher standards of performance.

II

TO DEVELOP COMPREHENSIVE HEALTH PLANNING AND SERVICES ON THE STATE AND COMMUNITY LEVEL

The focus of our efforts is the individual and his family, living in their own community. To meet their health needs requires the cooperation of many agencies, institutions, and experts—of State and local government, of doctors, nurses, and paramedical personnel.

These are the frontline fighters in our battle against disease, disability, and death. As in military battle, a winning strategy demands wise and well-planned use of manpower. It demands coordinated use of all the resources available.

I recommend to Congress a program of grants to enable States and communities to plan the better use of manpower, facilities, and financial resources for comprehensive health services.

At present, the Federal Government offers the States formula grants for categorical programs dealing with specific diseases. This leads to an unnecessarily rigid and compartmentalized approach to health problems.

Our purpose must be to help redirect and reform fragmented programs which encourage inefficiency and confusion and fail to meet the total health needs of our citizens.

I recommend a program to initiate new State formula grants for comprehensive public health services. This program would begin in fiscal 1968.

At the same time, we must recognize that special health problems occur in some parts of our Nation and not in others. Certain diseases, such as tuberculosis and venereal disease, are concentrated in metropolitan communities. Others, such as rabies and parasitic diseases, are prevalent in certain geographic areas.

Resources to serve health needs are not evenly distributed throughout the Nation. Special problems arise in remote rural areas and in the city slums. We need greater flexibility to pinpoint our attack.

To make certain we have that flexibility, I recommend a program, to commence in fiscal 1968, of grants to States, communities, medical schools, and hospitals to meet special health problems.

III

TO STRENGTHEN OUR SYSTEM OF HEALTH CARE

The Hill-Burton program for hospital construction is an outstanding example of creative federalism in action. Now in its 19th year, this Federal-State-local partnership has added more than 300,000 hospital and nursing home beds to our Nation and more than 2,000 other health facilities in areas of great need.

My budget requests the full authorization of $270 million for facilities construction under the Hill-Burton Act.

Medical advances demand new equipment and up-to-date laboratories. Intensive care units, as well as ambulatory and extended care facilities, require changes in the structure and function of aging hospitals, particularly in urban areas.

General hospitals containing 260,000 beds—one-third of our Nation's—are now in obsolete condition.

When medicare becomes operative this July, the pressure on many hospitals will grow even more intense.

To begin to meet this urgent need, I recommend legislation to mobilize public and private resources to revitalize our obsolete hospitals. This will require a loan and grant program to assist in the long-term financing of hospital renewal projects.

The need for modernization goes beyond the bricks and mortar of construction. We must find new ways to lower the cost and raise the quality of health care, to organize health services more efficiently, to develop information systems. It will take the combined efforts of university, hospital, industry, group practice clinics, and many other organizations.

I am directing the Secretary of Health, Education, and Welfare to conduct systems analyses and other studies to determine the most effective means of bringing high-quality medical services to all the people at the lowest cost.

I also propose a 5-year program of grants for research and demonstration projects in the organization, financing, utilization, and delivery of health services.

As medical practice becomes more complex, specialization becomes more common. The number of general practitioners is declining—66,000 today compared to 95,000 15 years ago. In 1950, there was 1 family physician for every 1,600 Americans. Today 2,900 Americans must depend on 1 family doctor.

Group practice benefits both physicians and patients. It makes expert health care more accessible for the patient. It enables the physician to draw on the combined talents of his colleagues.

High initial capital requirements and a shortage of long-term financing have restricted the development of this form of medical and dental practice.

I recommend that the Congress consider legislation now pending making mortgage insurance available for group practice facilities.

The first session of this Congress has liberated our citizens from the haunting fear of an inability to meet the cost of medical care in their later years. This landmark legislation assures that community hospitals, physicians, and others who provide for their health will be paid the reasonable cost and customary charges for such services. I propose that this same principle be extended to the care of patients in our own Federal hospitals and I recommend legislation to permit the reimbursement of these hospitals in the same manner.

IV

TO TRAIN NEEDED HEALTH WORKERS

Trained men and women continue to be in critically short supply in the field of health. Congress has already acted to help meet that need by enacting—

The Health Professions Educational Assistance Act to provide assistance to both schools and students;

The Nurse Training Act to provide Federal aid to increase the supply of professional nurses; and

The Vocational Education Act to provide for training of practical nurses and other health workers.

But critical specialties remain dangerously understaffed—medical technologists, biomedical engineers, dental hygienists, and other college-trained health workers.

These personnel, allied with doctors, dentists, and nurses, constitute the modern health care team. They extend the reach and the scope of the physician.

I recommend a 3-year program to provide grants for training in allied health professions: to construct and to improve needed educational facilities; to offer fellowships for students in advanced training; and to stimulate institutions to develop new types of health personnel.

Last year, in the Higher Education Act of 1965, Congress enlisted the resources of our private banking community to make low-interest student loans. By this means, greatly increased financial assistance can be provided at minimal cost.

I recommend legislation to convert the health professions student loan program to privately financed and federally subsidized loans for students in the health professions.

V

TO ADVANCE RESEARCH

Over the past 10 years, Congress has increased the budget for health research thirteenfold. The dividends from this investment are incalculable. Miraculous progress in medical discovery is making possible:

Development of support devices for the failing heart—and even replacement of a human heart by an artificial organ;

Advances toward the cure of cancers such as childhood leukemia and Hodgkin's disease;

Development of a less expensive and more efficient treatment for kidney failure;

Isolation of viruses causing respiratory infections and production of vaccines to immunize against them.

My fiscal 1967 budget provides increased funds for health research. If research makes major new breakthroughs in lifesaving discoveries, I will submit requests for necessary additional funds. My overall budget provides for this contingency.

VI

TO MEET SPECIAL HEALTH PROBLEMS

1. MENTAL RETARDATION

We have begun to ease the tragic burden of the mentally retarded and their families. By construction of research and service facilities, and by support of State programs, the Federal Government helps combat this dread handicap.

We shall continue our increasing attack on this problem. It deserves the concern and attention of our most able specialists. Therefore, I intend to appoint a Committee on Mental Retardation to assess our progress, to seek out new and better ways to cope with this terrible disability, and to recommend a long-range and comprehensive plan of action.

2. NUTRITION FOR THE NEEDY

It is hard to teach a hungry child. This fact, known to parents and teachers alike, underlies the school lunch program throughout the Nation.

This year 18 million schoolchildren will enjoy lunches prepared and served in their schools under this program. Yet too many children still fail to get a good lunch even though the cost is low. Some cannot afford the 25- to 35-cent lunch charge. Others in low-income districts go to schools which lack lunch facilities.

Demonstration programs conducted in poverty areas in Colorado and North Carolina provided lunches this year at sharply reduced rates. The results were amazing. Virtually all the children purchased the school lunch—less than one-third had done so before. The children were more alert and interested in learning. The absentee rate fell by as much as 37 percent. School dropouts were reduced.

Too little of the Federal assistance in the school lunch program has been directed toward children who need it most. Too much of our subsidy, particularly in the special milk program, goes to children who already get a federally supported school lunch, including milk, and whose parents can afford to pay for additional milk.

I am submitting to the Congress the Child Nutrition Act of 1966 to redirect our efforts to provide food to those who need it most. The act will—

Extend the school lunch program to more needy children and give greater flexibility in providing low cost or no cost meals;

Assist schools serving low-income districts to acquire kitchen and lunchroom facilities;

Provide pilot school breakfast programs for those children who start the day hungry;

Direct the special milk program to those schools without food service, to schools serving children from low-income families, and to needy schoolchildren at whatever school they attend;

Start demonstration summer programs to provide food service for needy children at child-care centers and playgrounds;

Help State educational agencies strengthen their staffs to improve child nutrition programs.

I am requesting $50 million from the Congress for programs designed to provide adequate nutrition for disadvantaged children. This money is an addition to the $329 million in cash and commodities already included in the budget for school nutrition programs. The total Federal programs of $379 million is a major redirection of our child nutrition efforts to children who otherwise would grow up hungry, suffer the diseases that come from being ill-nourished, and lack the energy so essential to learning.

No child in an affluent America should be without an adequate diet. The new program will move us far toward that goal. But it will not do the job alone.

I am directing the Secretary of Health, Education, and Welfare, in cooperation with the Secretary of Agriculture and the Director of the Office of Economic Opportunity, to examine means by which the benefits of sound nutrition can be extended to every child who needs our help.

We now know that among elderly Americans, a poor diet is a root cause of poor health. It adds to the burden of our hospitals and health manpower. It contributes unnecessary misery to the burdens of old age.

I have directed the Secretary of Health, Education, and Welfare to initiate a special food service program at multipurpose centers authorized by the Older Americans Act of 1965. Local organizations will be able to offer balanced, nutritious meals to the elderly—without charge or at reduced prices to those who are in need.

3. ALCOHOLISM

The alcoholic suffers from a disease which will yield eventually to scientific research and adequate treatment. Even with the present limited state of our knowledge, much can be done to reduce the untold suffering and uncounted waste caused by this affliction.

I have instructed the Secretary of Health, Education, and Welfare to—

Appoint an Advisory Committee on Alcoholism;

Establish in the Public Health Service a center for research on the cause, prevention, control, and treatment of alcoholism;

Develop an education program in order to foster public understanding based on scientific fact;

Work with public and private agencies on the State and local level include this disease in comprehensive health programs.

4. FAMILY PLANNING

We have a growing concern to foster the integrity of the family, and the opportunity for each child. It is essential that all families have access to information and services that will allow freedom to choose the number and spacing of their children within the dictates of individual conscience.

In the fiscal 1967 budget, I have requested a sizable increase in funds available for research, training, and services in this field. The National Institute of Child Health and Human Development will expand its own research and its grant program to study human reproduction. The Children's Bureau and the Office of Economic Opportunity will support family planning to the maternal and infant care programs in local communities when requested. State agencies will be aided by Federal welfare funds to provide family planning services to mothers.

EDUCATION

I have proposed a total Federal investment in education and training during the coming year in excess of $10 billion—a threefold increase since 1961.

Our education programs must be administered wisely and well. Shortly after passage of the Elementary and Secondary Education Act of 1965, I directed that the Office of Education be reorganized to carry out its expanded responsibilities more effectively and efficiently. This reorganization has now been completed.

In addition, we established the new post of Assistant Secretary for Education in the Department of Health, Education, and Welfare to strengthen program coordination throughout the Government.

The Congress has already put this Nation on the path toward the achievement of goals to:

1. Extend special educational help to 12 million disadvantaged and handicapped children;
2. Eliminate illiteracy within a decade;
3. Bring public library services to 15 million more Americans;
4. Reduce by half the rate of high school dropouts over the next 5 years;
5. Guarantee the opportunity for education beyond high school on the basis of ability to learn, rather than ability to pay;
6. Provide college buildings and facilities to meet the needs of 9 million students expected by 1975.

Full educational opportunity for every citizen requires that we build on the beginnings we have already made. I recommend measures—

To expand the Headstart program for preschool children;

To strengthen the Elementary and Secondary Education Act of 1965;

To expand Federal assistance to higher education;

To improve the Nation's libraries.

I

TO EXPAND THE HEADSTART PROGRAM FOR PRESCHOOL CHILDREN

Few programs have had the visible success of Operation Headstart. The disadvantaged children who have benefited from this program are already entering first grade—with new confidence in themselves and greater eagerness to learn.

I have requested funds almost to double the Headstart program during the coming year to insure full year programs for 210,000 children, and summer programs for 500,000 children.

This marks a significant step in providing greatly expanded preschool assistance for 5-year-olds from disadvantaged homes, and summer nursery programs for 3- and 4-year-olds.

II

TO STRENGTHEN THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

Though funded only 4 months ago, the Elementary and Secondary Education Act of 1965 has already begun to bring its benefits to the Nation:

Special help is being provided the disadvantaged—remedial teaching, health and food services, augmented teaching and counseling staffs.

More books—interesting and up to date—have begun to appear on school library shelves.

New approaches to old problems are being tried; instruction for the student extends beyond the classroom—to museums, hospitals, factories.

Regional education laboratories are being developed to stimulate new techniques of teaching and learning in our schools.

State educational agencies are strengthening their staffs and assuming greater responsibilities.

Educational deprivation cannot be overcome in a year. And quality cannot be achieved overnight.

I propose that the Elementary and Secondary Education Act be extended for 4 years.

My budget includes increased funds for each title of the act.

In addition, I propose that coverage of the act be enlarged to raise from $2,000 to $3,000 the family income formula for allocating aid for education of the disadvantaged commencing in fiscal 1968; and to earmark additional funds for children of American Indians and migrant workers.

Careful study of the "incentive grant" provision of title I shows that payments would be made to many districts unrelated to need.

I therefore recommend repeal of the "incentive grant" provision of title I in order to focus Federal aid on basic grants to more than 20,000 local school districts.

Too many schools in urban and rural slums are ancient and in disrepair. Obsolete schools aggravate the problem of eliminating de facto segregation in our northern communities, thus depriving children of full educational opportunities.

There is a pressing need for long-range, communitywide planning to bring innovation and imagination in school construction.

I propose that $5 million be added to title III to help communities in planning school construction to encourage innovation and to deal with obsolescence, overcrowding, and special problems such as de facto segregation.

A recently completed study of the federally impacted area program, requested by Congress, has concluded that certain provisions should be revised.

I recommend revision of the existing law to require school districts to absorb a uniform and fair share of the burden of educating children in federally affected districts; to base payments on school expenditures in local districts rather than on National or State average per-pupil cost; to eliminate eligibility for Federal impacted area assistance in those cases where Government property is leased to private enterprises that pay local taxes.

III

HIGHER EDUCATION

Today, young people are seeking advanced learning in greater numbers than ever before. One million four hundred and thirty thousand new students will enter our colleges next September—more than the total enrollment only 20 years ago.

Our colleges and universities must keep pace with this growing influx of young Americans. And the Federal Government must be prepared to continue its assistance.

I recommend extension of the Higher Education Facilities Act for 3 more years, with authorization of $458 million for construction grants for fiscal 1967.

In a society that is growing more complex, advanced training is essential. Six hundred and forty thousand students will enroll in universities and institutions across the Nation at the post graduate level next fall. This number will grow by another quarter million in the next 5 years.

I recommend that the grant program for graduate facilities be continued, and I propose that $200 million be made available for loans to build both undergraduate and graduate facilities.

In addition, I will soon send to Congress legislation to permit more effective use of Federal resources in certain loan programs by applying credit from private financial institutions. This will make possible an additional $100 million for academic facility loans in fiscal 1967.

One out of every four of our institutions of higher learning is not good enough to get accreditation. Congress recognized this need last year by providing assistance to developing colleges.

I recommend that title III of the Higher Education Act of 1965 be continued for 2 years, with its authorization increased from $5 million to $30 million next year.

By June, 890,000 students at 1,700 institutions will have borrowed $800 million to invest in college education under the student loan program of the National Defense Education Act. Last year, Congress expanded the opportunity for student loans by establishing a subsidized program through the Nation's private banking system. Together with opportunity grants and the work-study program, there now exists a wide range of student assistance programs to help finance higher education.

To increase loan funds available to students who want college educations, I recommend the conversion of the direct loan program to a program in which loans will be made from funds provided by the private capital market, with the Government subsidizing these loans. The teacher "forgiveness" features for students eligible under the national defense education program will be retained.

I am proposing an orderly transition to the new student loan program so that no eligible student will be deprived of the needed financial assistance, and I will ask for the necessary funds to accomplish this purpose.

I also recommend that the "forgiveness" provision be extended to medical personnel who will settle in rural areas where the doctor shortage is most critical.

There are more than 12,000 unfilled vacancies for qualified social workers, at a time when we need their skills more than ever before. These workers are important to the success of our poverty, health, and education programs.

A task force on social work manpower and education has just completed an extensive study of the problem. I have asked the Secretary of Health, Education, and Welfare to consult with educational leaders and other specialists and to submit recommendations to me to overcome this shortage in the ranks of our social workers.

IV

TO IMPROVE THE NATION'S LIBRARIES

Those who do not read are not much better off than those who cannot read. More than 100 million Americans have inadequate public library services. More than 15 million have none at all.

A library must be a living institution with trained staff and funds to obtain new books, periodicals, films, records, and other material.

As the boundaries of learning are pushed back, our need for storehouses of knowledge grows greater. They offer man his link with the past and his vision of the future.

Most public libraries in the United States are poorly equipped to perform this vital role.

I recommend that Congress extend the Library Services and Construction Act for 5 more years, authorizing $57.5 million for fiscal 1967.

DEPARTMENT OF THE PEOPLE

Through the programs entrusted to its care, the Department of Health, Education, and Welfare exercises continuing concern for the social well-being of all our people. Already, as I have indicated in this message, it has become possible to set ambitious goals for the future.

To improve our ability to chart our progress, I have asked the Secretary to establish within his office the resources to develop the necessary social statistics and indicators to supplement those prepared by the Bureau of Labor Statistics and the Council of Economic Advisers. With these yardsticks, we can better measure the distance we have come and plan for the way ahead.

In health and education, we build with a double purpose: to meet today's needs, and to match tomorrow's hopes.

We look toward the time when every disease which need not happen will not happen—when every citizen can confidently expect care—competent, convenient care—if he is ill, or injured; when every American receives the education and training he wants to enrich his life and fulfill his hopes.

With pain and ignorance no longer such fearsome enemies, our people will find a new freedom. Our society will be great as never before.

It is too early for self-congratulations. We must continue to plan and act. We march in a campaign which can have no retreats, no truce, no end: only new victories.

Lyndon B. Johnson.

The White House, *March 1, 1966.*

VICE PRESIDENT AN EXECUTIVE ENVOY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. McCormack] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. McCORMACK. Mr. Speaker, the recent visit of Vice President Hubert H. Humphrey to a number of countries in the Far East was a most successful mission. His ability, his personality, his love of his fellow man—particularly the poor, the sick, the afflicted—made a profound favorable impression, leaving in the minds of the people of the several countries the Vice President visited a much better image of the United States, and of our people.

In my remarks, I include a fine and deserving article entitled, "Vice President an Effective Envoy," written by David Lawrence and appearing in the Washington Star of February 28, 1966:

Vice President an Effective Envoy

(By David Lawrence)

Originally, the chief function of a Vice President of the United States was to preside over the Senate. Now, however, he plays a far more important role as an unofficial member of the executive branch of the Government. This practice arose only in recent years, when America began to participate actively in world affairs and the help of allies in meeting emergencies became essential.

Vice President Hubert H. Humphrey, who returned last week from a 43,000-mile journey to Asia, can do more during brief visits to the various capitals of the world to publicize American policies than sometimes can be accomplished in longer periods of time by the ambassadors or ministers accredited to those countries.

This is because diplomatic representatives must be supercautious in what they say, as they have to stay at their posts the year around. But a Vice President, as the No. 2 man in the U.S. Government, can make speeches of a positive nature, and they will be widely printed.

Public relations has become a significant factor in the evolution of international policy. Many Americans do not realize that, although a speech by the President may be broadcast over television and radio and be given considerable space in the newspapers within the United States, it may get only a brief mention abroad—even in countries friendly to the United States. The reason is that what happens locally or in neighboring areas takes up most of the space in the news media.

When an emissary as prominent as the Vice President of the United States visits a foreign country, however, it becomes a local story of magnitude. Crowds assemble to hear him speak, and the newspapers give front page treatment to the event. Many an issue that has been repeatedly explained at home by the President is clarified for the first time in other lands when it is given publicity on the occasion of a Vice-Presidential visit.

It is, therefore, sensible tactics for the Vice President to go around the world making speechs, especially during critical times when the Communist propaganda machine is so active in sneering at or denouncing American policies.

Mr. Humphrey visited South Korea, the Philippines, Australia, New Zealand, India, Pakistan, Thailand, and Laos, and, of course, spent some time in South Vietnam. All of these countries were given a clear statement not only of America's firmness and resoluteness in handling the Vietnam war but of the sincere desire of the United States to achieve an honorable peace.

Mr. Johnson, while Vice President, also made trips to Asia, Africa, and Europe, and in the preceding administration Vice President Richard M. Nixon went to countries on every continent, including a visit to the Soviet Union. The use of a Vice President for foreign trips is even more necessary today than it was a decade or two ago, because the international situations that have since developed are frequently subject to misunderstanding, particularly as the Communists are busily engaged in fomenting friction by means of repeated distortions.

When the Constitution was written, it was agreed that a Vice President should be designated to succeed the President in the event of the latter's death or disability, but nowhere else in the document were any duties of a Vice President specified in relation to the executive branch of the Government. Some Presidents have altogether ignored their No. 2 man. In the last 30 years, however, it has become customary for the Vice President to attend cabinet meetings and to be given the confidential background of many important developments in national and international policies.

Mr. Humphrey happens to be a very vocal, healthy, exuberant person who delivers effective speeches. He has a congenial personality and makes a good impression abroad. Most important of all, he follows carefully the instructions given him by the President and the Secretary of State back home. So the role of the Vice President as a roving ambassador is indeed unique.

Certainly, in bygone days, when it was often said that a Vice President really had nothing to do, few people envisaged the important position that the No. 2 man occupies today in the American Government and throughout the world.

DOMESTIC HEALTH

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, we in the United States of America are blessed with a high degree of general public health.

We have seen the virtual conquest of such scourges as typhoid fever, yellow fever, tuberculosis, and many other infectious diseases. We are now adding poliomyelitis to the list, and are engaged in nationwide campaigns to eliminate such child killers and cripplers as measles, diphtheria, whooping cough, and tetanus.

Nevertheless, we are still far from our national objective in public health.

Having followed the progress of our great national health team over a period of years, with justifiable pride in the congressional support which its efforts have enjoyed, I am pleased to note the administration's proposal of the next logical step toward our goal of the best possible health and medical care for every man, woman, and child in the United States. For this is what I see in President Johnson's proposal for "a more effective partnership between Federal, State, and local health agencies and activities."

Under the administration's recommendations, the Congress is being called upon to adopt legislation which will—

First, permit each State to plan a comprehensive program of health care, tying together the fundamental needs of manpower, facilities, and treatment.

Second, enable each State to strengthen its own resources by adding needed staff members in its public health agencies and utilizing to the fullest practical extent the resources of other health-related official agencies and private nonprofit organizations and institutions; and

Third, encourage each State to devote more effort toward treating the human being as an entity, rather than as a vehicle for tuberculosis, or venereal disease, or some other specific ailment.

I applaud the President's desire to "create a stronger focus for health at the State level." I am happy to join with him in a crusade for more effective partnership for national health. I urge my colleagues to study the proposed health legislation carefully, and I invite them to join me in its support.

DOMESTIC HEALTH

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from West Virginia [Mr. Staggers] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. STAGGERS. Mr. Speaker, the needs for trained health manpower are so great as to be unattainable during the next decade. We have already, through the Health Professions Assistance Acts of 1963 and 1965, and the Nurse Education Assistance Act of 1964, taken long steps to meet the needs which are foreseen. Through the Vocational Education Act of 1965, the Manpower Training and Development Act, and through earlier vocational education assistance, we have made substantial progress in developing training programs for practical nurses and other subprofessional and auxiliary health workers.

The bill which President Johnson has now placed before us will fill one great lack in the training of health workers: it will assist in the expansion and development of coordinated training programs, at the college level, for the growing variety of professional health workers who stand with the physician, the nurse, and the dentist in our hospitals and communities. Not only will it add to the training capacity for such workers, it will also stimulate support and the training of teachers for these professions, and for the many vocational and junior college programs whose expansion is now critically impeded by the lack of teachers.

While it is popular to speak of the health team—and indeed essential that health workers do work closely together, their training too often is not related to professions other than their own and gives little basis for later working together.

To meet the needs of teamwork learning, and to make the best use of scarce teachers, a small number of universities with medical schools have developed schools of the allied health professions—schools in which these professional workers are studying and learning to work together. One such school is the College of Health Related Professions in the University of Florida's J. Hillis Miller Health Center. Here, students in occupational therapy, physical therapy, medical technology, rehabilitation counseling, clinical psychology, speech pathology, audiology, health and hospital administration, and other fields engage in learning together in the company of aspiring doctors, nurses, and pharmacists, and in an atmosphere which inspires them to think as community leaders in the health professions.

Such schools not only bring new unifying concepts into teaching—they meet another great need—that of making the educational and vocational opportunities in the health fields much more visible and attractive and thus bring needed recruits to the health professions. Their efforts deserve support. I believe we should give them that support by endorsing the President's proposals.

NATION'S HOSPITAL AND MEDICAL FACILITIES

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Moss] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MOSS. Mr. Speaker, it is a great pleasure for me to endorse wholeheartedly the President's proposal to modernize the Nation's hospital and medical facilities.

The need for modernization is especially great in our large cities where many of our quality-care hospitals are becoming obsolete. These are the hospitals which conduct research, which put into practice the latest advances in medical science, and which help train our future doctors, nurses, and other health specialists. If they are allowed to further deteriorate, we shall face overwhelming difficulties in continuing our tradition of providing quality medical care to the American people.

A beginning was made when Congress authorized funds for modernization under the Hospital and Medical Facilities Amendments of 1964. But additional and aggressive action in the form of increased Federal aid is needed to overcome the gap between the funds authorized to initiate this program and the funds needed to complete it.

At present, 260,000 hospital beds are in outmoded facilities and approximately 13,000 are added to that list each year. During the 10-year period, therefore, action must be taken to modernize 390,000 hospital beds.

I welcome the proposal for new methods of financing the modernization program and pledge my support for legislation to make it effective.

DOMESTIC HEALTH

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentlewoman from Hawaii [Mrs. MINK] may extend her remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mrs. MINK. Mr. Speaker, among the hundreds of letters the President's Committee on Mental Retardation gets each week there are scores which say approximately the same thing: "I keep hearing about all the wonderful new things being done for the mentally retarded. Why can't I find a place for my retarded child? The schools reject him. They say he's not bright enough. The institution says it can't take him. There is a long waiting list. Where can I turn? My husband and I are desperate."

I have received similar messages, and I am sure each of you has. These messages are constant—and powerful—testimony to the need for passage of President Johnson's Mental Retardation Facilities and Services Amendments of 1966.

The goal of these amendments is to—

Find all the causes of mental retardation and seek ways to prevent this tragic affliction from occurring in Americans still to be born;

Diagnose retardation at the earliest possible date, and provide services to rescue as many as possible from a life of helplessness; and

Establish programs under medical supervision to provide a wide range of services, including social services and speech, physical, and occupational therapy for thousands now excluded from such help.

Approval of these programs would provide us with answers for those distraught parents who now are seeking help without success.

And approval would, indeed, help assure that some day there will be no more such letters.

DOMESTIC HEALTH AND EDUCATION

Mr. PERKINS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include an explanation of the Elementary and Secondary Education Amendments of 1966.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. PERKINS. Mr. Speaker, today the President has transmitted to the Congress a message on domestic health and education. I am extremely pleased that it carries forward the hopes initiated in the 89th Congress for greatly expanded educational opportunities from preschool programs to programs at the college level. I am particularly pleased with the proposed extension and expansion of the Elementary and Secondary Education Act of 1965, Public Law 89–10.

These recommendations include extension of authorizations for the program for a 4-year period. This provision is of particular significance in assisting school administrators at the State and local levels in planning wisely and more adequately for projects to improve educational opportunities. The extension of the programs authorized by Public Law 89–10 for a period of 4 years will greatly facilitate the staffing of the programs with teaching personnel, school administrators, and the technicians so essential in carrying out programs of high quality. The broadening of the coverage being recommended will assure the provision of substantial assistance in all areas of need.

The General Subcommittee on Education will initiate next week hearings on the extension of Public Law 89–10 and the proposed amendments with a view to securing thorough study of the legislation and prompt action so that the U.S. House of Representatives may have before it at an early date the legislation for further action.

From all of the information at my disposal, the Elementary and Secondary Education Act in the few months that it has been in existence is being enthusiastically heralded throughout the States for the real promise it offers in improving educational opportunities in those school districts and schools where the greatest need exists. This enthusiasm and this regard for the new programs and projects being developed exceeds the expectations of the most ardent proponents of the legislation at our hearings during the last session in which the program was initiated.

At this point, Mr. Speaker, I would like to insert in the RECORD a fact sheet further explaining the provisions of the President's message as it relates to the educational aspects of the message; and excerpts of the text of the proposed legis-

lation in the field of elementary education:

FACT SHEET ON ELEMENTARY AND SECONDARY EDUCATION AMENDMENTS OF 1966

Appropriations requested for fiscal year 1967

[In millions]

Title I—Amendments to the Elementary and Secondary Education Act of 1965 (Public Law 89-10):	
Part A: Opportunity for the disadvantaged (title I)	$1,070.0
Part B: School library resources, textbooks, and other instructional materials (title II)	105.0
Part C: Supplementary educational centers and services (title III)	150.0
Part D: Research (title IV of ESEA; Cooperative Research Act)	80.0
Part E: Strengthening State departments of education (title V of ESEA of 1965)	22.0
Total	1,427.0
Title II—Amendments to federally affected areas program:	
Part A: Operation of schools (Public Law 81-874)	183.4
Part B: Construction of schools (Public Law 81-815)	22.9
Total	206.3
Total: Elementary and Secondary Education Amendments of 1966	1,633.3

TITLE I—AMENDMENTS TO THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

Part A: Opportunity for the disadvantaged (1966 amendments to title I of the Elementary and Secondary Education Act of 1965, Public Law 89-10)

Background

The close tie between poverty, low academic achievement, and poor schools has long been recognized. The 10 States with the lowest per capita income have consistently high levels of Selective Service rejection. Two-thirds of the families headed by persons with fewer than 9 years of education live in poverty. In the 18- to 24-year-old age bracket, 20 percent of the young men and women with an eighth-grade education or less are unemployed.

The poor school, whether situated in the rural or urban slum, breeds disinterest resulting in a dropout rate far above that in schools serving high-income neighborhoods. In the inner city high schools, as many as 60 percent of the students enrolled in the 10th grade may drop out before graduation.

The Federal Government assumed a responsibility for helping provide quality education to all children with the passage of the Elementary and Secondary Education Act of 1965. Title I of this law established a billion dollar program aimed at educationally deprived children. The Congress appropriated $775 million for the first year of this program.[1]

Local public school districts are eligible to receive a share of these funds based on half the average current school expenditures per child in the State, multiplied by the number of school-age children in the district from families having an annual income below $2,000 or from families receiving aid for dependent children payments in excess of $2,000.

As of January 31, 1966, an estimated 6,000 projects are being supported at an approximate cost of $550 million. More than 3.5 million children are already benefiting; new programs are being approved daily.

A sample of 484 of these projects indicates that educationally deprived children are receiving a variety of services. Almost two out of every three projects call for remedial reading. Forty percent involves summer programs to develop and reemphasize student interest in various fields. Thirty percent of the projects are using teacher aids and other subprofessional personnel. Moreover, emphasis has been placed on the early years of education. Sixty-eight percent of the children are in the grades from preschool through sixth.

Proposal

The program would be extended through fiscal year 1970. The current authorization formula would be continued through fiscal year 1967. In fiscal year 1968 and the following 2 years, however, the low-income factor would be raised to $3,000 and the most recent data on aid to families with dependent children would be used. Thus, 2.9 million additional children would be counted, a total of 8.4 million. This would increase the authorization by approximately $600 million.

The incentive grant proposals scheduled to go into effect in fiscal year 1967 would be repealed because they would be erratic and would fail to help the neediest school districts with the largest numbers of disadvantaged children. The estimated savings of $400 million would thus be available for making basic grants to more than 20,000 school districts.

Local school districts would be permitted to use part of their grants for planning, including planning for school construction. The districts would have to demonstrate that the planning funds would lead to a program for educationally deprived children. Moreover, schools would be required to show that the planning grants are needed because of the innovative nature of the program or because the schools lack the resources to plan adequately.

Special provision would be made to meet the special educational needs of educationally deprived Indian children in Bureau of Indian Affairs schools. In fiscal year 1965, there were nearly 150,000 Indian children between the ages of 6 and 18. Only 134,000 of them were enrolled in school, one-third of them in schools maintained by the Bureau of Indian Affairs. Of those not enrolled in school, more than 8,000 were unable to attend because of lack of facilities. An additional 4,000 lived in dormitories away from home so that they might receive an education. Of those who attend school, 50 percent drop out before they complete the 12th grade. On the reservations, young adults—those under 45 years of age—average an eighth grade education, compared to a national average of almost 12 years of school.

Funds would also be made available for the education of migratory children of migratory agricultural workers. Each year, approximately 150,000 migrant children accompany their parents from community to community and from State to State. Those migrating from some home bases are estimated to spend only 2 to 6 weeks in any one school district during the harvest season. Well over half of all migrant children are not achieving at their grade level; a substantial number of them are 2 years or more behind in their schooling. Of all migrants over the age of 25, one-third have only a fourth grade education or less. An additional 43 percent have no more than an eighth grade education. The median years of school completed by migrants over the age of 25 is 6.5.

A total of $1.07 billion would be requested for fiscal year 1967, $111 million more than the appropriations request in fiscal year 1966.

Part B: School library resources, textbooks, and other instructional materials (1966 amendments to title II of the Elementary and Secondary Education Act of 1965, Public Law 89-10)

Background

Quality in textbooks and school library programs is related to students' academic achievement, to remaining in high school, and to continuing on to college or a job. Almost 70 percent of the public and more than 50 percent of the private elementary schools have no libraries. Nearly one-half of the elementary school children in the United States attend schools that do not have libraries. The current public school levels of 6.2 library books per pupil and $2.28 annual expenditure for books per pupil are well below the recommended professional standards of 10 books and $4 to $6 annual expenditure for books per pupil.

In addition, school systems in 33 cities with a population of more than 90,000 do not provide free high school textbooks. A family with children in high school may have to spend $15 to $20 per student for current textbooks. In 1961 families spent $90 million for textbooks, 40 percent of that year's total textbook expenditures. Sales of textbooks in 1963 for kindergarten through grade 12 were $293 million, or about $6.11 per student. This amount would hardly purchase two new textbooks, which is inadequate in view of the rapid accumulation and changing nature of knowledge.

In the Elementary and Secondary Education Act, Congress recognized the Federal responsibility for the improvement of school libraries and instructional materials. The first year appropriation was $100 million.

Title II funds may be used to purchase textbooks as well as library books and audiovisual materials. The money may also be used to purchase periodicals and documents, films and recordings, but not equipment.

By February 10, 46 States had submitted their State plans for title II, to the Office of Education. Thirty-four of these plans had been approved potentially affecting 40 million students and 1.5 million teachers in these States.

Acquisition of library resources has been given priority by the States. Every State plan calls for spending at least half of the money for school library resources. Twenty of the 34 State plans require at least two-thirds of the money to be used for this category.

By summer, the remaining plans should be approved with children in all States feeling the impact of the program by next September.

Proposal

The program for library resources, textbooks, and other instructional materials would be continued through fiscal year 1970. Special provisions would be made for Indian children presently not covered by the program.

State departments of education would be able to expend up to 3 percent of their allotment, or $30,000, whichever is the greater, for the administration of the program at the State level.

Funds authorized for fiscal year 1967 would be $105 million, up $5 million from this year's appropriation. Such sums as may be necessary would be authorized for the next 3 years.

Part C: Supplementary educational centers and services (1966 amendments to title III of the Elementary and Secondary Education Act of 1965, Public Law 89-10)

Background

Seventy percent of the Nation's public secondary schools have no language laboratories. Seventy-five percent of our elementary schools do not have the services of a guidance counselor for even 1 day a week. In 40 States, there are still high schools without science laboratories.

---

[1] An additional appropriation request for $184 million is currently before the Congress for fiscal year 1966, making a total request for this title of $959 million.

The supplementary centers and services which Congress authorized under title III of the Elementary and Secondary Education Act were based on the premises that communities and local school districts know their deficiencies and that they are most able to devise remedies for their own needs.

A wide variety of services can be used to raise the quality of education on the local level. The title encourages school districts to look at their educational needs and develop original and innovative programs to enrich courses of study.

By the first deadline, 746 title III proposals were submitted requesting more than $75 million for these supplementary centers and services. One hundred and forty-seven planning projects and 70 operational projects were approved. An estimated 20 million persons are to be served by these efforts—children and teachers in public and private schools, preschoolers, adults, handicapped children, and out-of-school youth.

More than half of these projects were for multipurpose programs, such as media and material centers, cultural enrichment programs, and mobile activities. Almost one-third were for special activities outside the regular curriculum, such as guidance counseling, remedial instruction, special education for the talented, and self-instruction.

By the close of this fiscal year, it is expected that 1,000 projects will have been approved affecting some 2,000 school districts; however, the available funds will help less than 10 percent of the Nation's 24,000 school districts.

Proposal

The program for supplementary centers and services would be continued through fiscal year 1970. Special provisions would be made for Indian children presently not covered by the program.

Funds authorized for fiscal year 1967 would be $150 million, doubling this year's appropriation. Such sums as may be necessary would be authorized for the next 3 years.

Part D: Research (1966 amendments to title IV of the Elementary and Secondary Education Act of 1965, Public Law 89–10, and to the Cooperative Research Act of 1954)

Background

While $42 billion will be spent on education in the United States this year, less than 1 percent will be expended for educational research. Private industry allocates up to 10 percent and more for research and development.

The Cooperative Research Act of 1954 (Public Law 83–531) was passed to provide support for research to develop new knowledge about the process and content of education and to devise new applications of this knowledge in solving these problems.

Despite the small U.S. investment in educational research, important progress has been made. For example, blind children are being taught to read at four times the previous rate. Under the Braille system, the average sixth-grade blind child is able to read at the rate of 60 words a minute. A new technique, which uses an accelerated rate of words on tape, enables the child to comprehend oral instruction at the rate of about 240 words a minute or, in some instances, as many as 400 words a minute.

Using programed instructional materials developed by researchers, fourth and sixth graders at the experimental Oakleaf Elementary School in suburban Pittsburgh scored higher than college freshmen on science tests prepared by the University of Pittsburgh.

Preschool children have been taught to read, and to read well, in experimental programs that stimulate their curiosity and intellectual drive.

As of June 30, 1965, more than 1,700 projects had been supported. In 1966, with the increased funds available, 346 additional projects will receive support. Moreover, nine research and development centers at universities have been established to focus attention on high priority problem areas.

Seeking to improve the depth of U.S. educational research, Congress appropriated $100 million over 5 years under title IV of the Elementary and Secondary Education Act for the constructing and equipping of national and regional research facilities. In so doing, it amended the Cooperative Research Act to include a national program of educational laboratories. Nine development grants have already been made. The research program was also expanded to provide for the training of educational researchers. Seven hundred people will be trained in the summer of 1966, with an additional 1,300 receiving training in the fall.

Proposal

The program would be broadened to permit research training contracts including those with profitmaking organizations. Moreover, authority would be added to permit the acquisition of existing buildings for research facilities (now only new buildings may be constructed).

Part E: Strengthening State departments of education (1966 amendments to title V of the Elementary and Secondary Education Act of 1965, Public Law 89–10)

Background

The State provides instructional leadership and technical services to local school districts, and coordinates education planning and activity. These activities demand strong State education agencies. Funneling of Federal funds through the State agencies has intensified the need. The agencies must plan disbursements and submit plans, programs, and accomplishments to the U.S. Office of Education and other Federal agencies.

But despite growing demands upon the State education agencies, most are seriously understaffed in almost every field. One State education department last year had only 75 professionals to assist 1,300 schools and 20,000 local school people. Under circumstances such as these, State educational leadership has often been inadequate.

To strengthen State education departments under title V of the Elementary and Secondary Education Act, Congress appropriated $17 million. Applications for funds have been approved for the 50 States, the District of Columbia, the Virgin Islands, and Puerto Rico. All call for hiring additional personnel, estimated to total more than 1,500.

Ninety-one percent of the proposals outline efforts to strengthen capacity for planning and developing new educational programs, for evaluating existing programs, and for coordinating research activities. Some 88 percent of the States said they planned to improve their general administration.

In addition, 83 percent of the States want to provide more leadership to local school districts and educational agencies. Such leadership would include the services of consultants and technical assistance.

Almost two-thirds of the States submitted plans for improving teacher education, teacher certification, and teacher licensing. In many cases the States hope to raise the level of teacher qualifications.

An equal percentage of States hope to strengthen statistical and data collection methods with automatic processing equipment, and to improve methods of communication between State offices, school districts, and individual schools.

Groups of States are also joining forces for a team attack on common problems in education, using the funds reserved for experimental projects under title V. In New England, for example, States will use funds to plan a program for educational assessment.

PROPOSAL

The program for strengthening State departments of education would be continued through fiscal year 1970.

Funds authorized for fiscal year 1967 would be $22 million, up $5 million from this year's appropriation. Such sums as may be necessary would be authorized for the next 3 years.

TITLE II—AMENDMENTS TO FEDERALLY AFFECTED AREAS PROGRAM (1966 AMENDMENTS TO PUBLIC LAW 81–815 AND PUBLIC LAW 81–874)

Background

Congress has recognized that Federal activities have an impact on local school districts. The influx of new families generated by these activities and the loss of tax revenue resulting from Federal acquisition of property has caused severe strain on school districts across the Nation. To help relieve this strain, the Lanham Act was adopted in 1941 to provide Federal assistance to communities impacted by Federal defense installations. In 1950, the 81st Congress passed two laws which were designed to set up a uniform nationwide formula to continue the program, Public Law 81–815 for school construction and Public Law 81–874 for operating expenses. As a result, the Federal Government has assisted with the construction of school facilities where Federal activities have caused a rapid increase in school enrollment and has compensated local school districts for educating federally connected children.

Funds are made available to local educational agencies providing free public education to substantial numbers of children in the following two major categories: (1) those whose parents work and live on Federal property (category "A" children) and (2) those whose parents either live or work on Federal property (category "B" children).

Since the program began in 1950, more than $2.36 billion has been appropriated for operation and maintenance of schools and $1.23 billion for school construction. More than 61,000 classrooms serving almost 2 million children have been built.

The relative number of federally connected enrollments has remained constant, at around 15 percent, and Federal payments have averaged about 5 percent of the total operating costs of eligible school districts each year since the program was enacted in 1950.

In the 1965 budget submitted to Congress, the President recommended that a thorough study be made of the program of Federal assistance to federally impacted areas. Of particular concern was the effect that Federal activities have on the fiscal and economic resources of local communities for the education of their children.

Congress approved this recommendation and appropriated $200,000 for the study. A contract for the project was concluded with the Stanford Research Institute.

The proposed amendments are based upon the major recommendations of the study.

Proposal

The amendments to Public Law 81–874 are designed to make major revisions in the impacted areas program—making the payments to school districts more equitable across the Nation and, consequently, reducing the cost of the program.

The three major amendments are as follows:

1. The present eligibility requirement would be eliminated and school districts would be required to absorb without Federal payment a minimum percentage of federally connected children. As the law presently operates, if the total number of federally connected children constitutes 3 percent of the enrollment in a school district, that district receives payment for all federally connected children. However, if the number of federally connected children constitutes 2.9 percent of the enrollment, the district re-

ceives no payment whatsoever. The result is that some districts educate federally connected children at Federal expense while others carry out this responsibility with local revenues.

This amendment would require each local educational agency to "absorb" without Federal payment a number of "A" category children equal to 3 percent of total attendance and a number of "B" category children equal to 6 percent of total attendance. Payments would be made only for the number of children above the absorption level in each category. If a local educational agency has less than the minimum percentage of "A" category children, it may count those children in the "B" category.

2. The method of computing the Federal contribution would be uniformly based on a local cost of education basis. The rate of Federal payment is designed to (a) meet the cost of education in the locale where the child is being educated, and (b) replace the revenue lost to the school district by the loss of tax on property owned by the Federal Government.

Some districts now receive Federal payments in excess of the amount required to compensate them for burdens imposed by Federal activities.

In order to limit Federal payments to the burden actually imposed by Federal activities, this amendment would eliminate the local educational agency's option to use one-half the national average per pupil expenditure or one-half the State average per pupil expenditure as its rate of payment.

Each local educational agency would also be placed in a group composed of generally comparable districts in the State. The local contribution rate of each agency within a group would be the average per pupil expenditure of the entire group. At present, a local agency is able to select the districts to which it considers itself to be generally comparable, and this often results in overpayment.

3. Federal property which is leased to a private concern and is, therefore, subject to local taxation would not be considered Federal property with regard to ascertaining the Federal connection of pupils who reside on that property or whose parents are employed on that property. Federal property leased to private individuals is subject to local taxation; therefore, the local school district may derive taxes from the property. This amendment would provide that any Federal property which is subject to local taxation on the leasehold interest no longer would be considered "Federal property" for purposes of the act. Since the States have the power to tax this type of property, they have a source of revenue which makes it unnecessary for the Federal Government to pay a portion of the cost of educating children "connected" with the property.

The temporary provisions for construction of school facilities, Public Law 81-815, would be allowed to expire, except those which apply to Indian children living on Indian reservations. The temporary provisions apply essentially to children whose parents either work or reside on Government property, but not both.

A number of minor and technical amendments would also be made in both laws to improve cost effectiveness, to streamline administration, and to eliminate minor inequities.

The effect of the amendments would be to reduce the cost of the two programs from $466 million (estimated cost for fiscal year 1967 under present provisions) to about $206 million. Of the 4,077 school districts now eligible under Public Law 81-874, about 1,200 would not be eligible. All participating schools would receive a reduced Federal payment. Overpayments, cited in the Stanford Research Institute study, would be virtually eliminated. Savings, thus effected in the impacted areas program, could be used to finance the expansions recommended by the administration in the Elementary and Secondary Education Amendments of 1966.

Estimated amounts under Elementary and Secondary Education Amendments of 1966

	Education of children of low-income families,[1] title I		School library resources, textbooks, and instructional material,[2] title II	Supplementary educational centers and services,[3] title III	Strengthening State departments of education,[4] title V	Estimated total, Elementary and Secondary Act of 1965, amended
	Grants	Administration				
United States and outlying areas	$1,058,721,000	$11,689,000	$105,000,000	$150,000,000	$18,700,000	$1,344,110,000
50 States and the District of Columbia	1,026,959,370	10,996,268	101,850,000	145,500,000	18,326,000	1,303,631,638
Alabama	31,151,253	311,513	1,800,874	2,732,702	361,015	36,357,357
Alaska	1,732,923	75,000	129,701	382,290	118,744	2,438,658
Arizona	9,318,065	93,181	853,113	1,332,790	217,266	11,814,415
Arkansas	20,327,061	203,271	966,884	1,583,973	241,611	23,322,800
California	70,147,541	701,475	9,787,430	12,589,383	1,437,553	94,663,382
Colorado	8,790,792	87,908	1,114,118	1,598,167	252,769	11,843,754
Connecticut	6,472,728	75,000	1,458,132	2,099,636	280,390	10,385,886
Delaware	1,776,563	75,000	270,021	546,903	134,006	2,802,493
Florida	24,715,289	247,153	2,748,090	4,056,634	483,058	32,250,224
Georgia	33,586,697	335,867	2,256,992	3,327,457	431,120	39,938,133
Hawaii	2,136,088	75,000	407,038	709,210	150,904	3,478,240
Idaho	2,291,324	75,000	382,890	718,382	154,511	3,622,107
Illinois	54,966,856	549,669	5,591,129	7,487,586	755,185	69,350,425
Indiana	16,529,689	165,297	2,650,790	3,669,950	452,975	23,468,701
Iowa	16,776,967	167,770	1,531,091	2,184,442	296,258	20,956,528
Kansas	9,639,316	96,393	1,175,453	1,788,552	259,100	12,958,814
Kentucky	27,100,922	271,009	1,593,703	2,492,249	308,713	31,766,596
Louisiana	34,487,814	344,878	2,003,958	2,786,147	351,879	39,974,676
Maine	3,610,490	75,000	544,811	907,359	169,830	5,307,490
Maryland	13,715,571	137,156	1,904,186	2,633,905	339,343	18,730,161
Massachusetts	14,876,237	148,762	2,728,985	3,869,475	420,266	22,043,725
Michigan	31,242,404	312,424	4,887,784	6,135,629	719,819	43,298,060
Minnesota	22,063,088	220,631	2,068,916	2,763,034	353,642	27,469,311
Mississippi	27,787,106	277,871	1,260,296	1,954,221	283,476	31,562,970
Missouri	26,855,025	268,550	2,401,130	3,264,755	402,645	33,192,105
Montana	3,418,579	75,000	395,520	720,585	152,336	4,762,020
Nebraska	6,325,882	75,000	796,691	1,246,523	200,033	8,644,129
Nevada	856,179	75,000	229,847	473,397	133,251	1,767,674
New Hampshire	1,306,195	75,000	349,514	655,047	140,440	2,526,196
New Jersey	22,090,176	220,902	3,371,589	4,746,261	503,589	30,932,517
New Mexico	8,818,773	88,188	620,337	967,954	184,013	10,679,265
New York	98,643,466	986,435	8,618,018	12,235,977	1,101,390	121,585,286
North Carolina	47,513,169	475,132	2,504,777	3,755,963	470,811	54,719,852
North Dakota	4,694,910	75,000	357,659	682,180	146,721	5,956,470
Ohio	35,244,655	352,447	5,643,817	7,461.900	812,434	49,515,253
Oklahoma	15,644,836	156,448	1,262,746	1,929,491	283,311	19,276,832
Oregon	7,416,851	75,000	1,013,281	1,536,447	240,762	10,282,341
Pennsylvania	50,315,211	503,152	5,972,654	8,201,297	787,239	65,779,553
Rhode Island	3,633,284	75,000	445,330	817,275	148,487	5,119,376
South Carolina	24,715,094	247,151	1,363,223	2,125,418	300,222	28,751,108
South Dakota	6,253,895	75,000	399,827	725,914	151,982	7,606,618
Tennessee	28,967,138	289,671	1,888,685	2,920,727	373,661	34,439,882
Texas	69,840,209	698,402	5,588,951	7,725,464	890,024	84,743,050
Utah	2,587,221	75,000	610,149	955,527	189,883	4,417,780
Vermont	1,573,613	75,000	216,741	493,228	126,442	2,485,024
Virginia	27,539,809	275,398	2,182,362	3,305,677	409,477	33,712,723
Washington	9,690,586	96,906	1,637,304	2,340,062	327,026	14,091,884
West Virginia	15,282,360	152,824	932,364	1,540,777	234,491	18,142,816
Wisconsin	16,243,444	162,434	2,386,251	3,156,334	369,614	22,318,077
Wyoming	1,405,377	75,000	188,761	451,235	127,086	2,247,459
District of Columbia	4,840,649	75,000	356,087	714,509	145,197	6,131,442
Outlying areas	31,761,630	692,732	3,150,000	4,500,000	374,000	40,478,362

---

[1] Estimated distribution based on State maximum possible allotments, fiscal year 1966. Base data do not include handicapped or migrant children. 3 percent of the grant amount reserved for the outlying areas (including Bureau of Indian Affairs).

[2] Estimated distribution of $105,000,000 (3 percent reserved for the outlying areas, including BIA) on the basis of the estimated total elementary and secondary school enrollment, fall 1965.

[3] Estimated distribution of $150,000,000 (3 percent reserved for the outlying areas, including BIA) with a basic allotment of $200,000 to the 50 States and the District of Columbia and the balance distributed: ½ on the 5 to 17 population, July 1, 1963, and ½ on the total resident population, July 1, 1963.

[4] Estimated distribution of $18,700,000 (2 percent reserved for the outlying areas, excluding BIA) with a basic allotment of $100,000 to the 50 States and the District of Columbia and the balance distributed on the basis of the total public school enrollment, fall 1965. The State allocation does not include the 15 percent set aside for experimental projects.

FACT SHEET ON THE LIBRARY SERVICES AND CONSTRUCTION ACT AMENDMENTS OF 1966 (AMENDMENTS TO THE LIBRARY SERVICES AND CONSTRUCTION ACT OF 1964, PUBLIC LAW 88-269)

BACKGROUND

The Nation's public libraries face a rising demand for facilities and services. But inadequate budgets in both urban and rural areas have resulted in deficient, deteriorating facilities. The nationwide shortage of trained librarians is perpetuated by low salaries, difficult working conditions, and poor equipment. Few public libraries can take advantage of new information retrieval systems and other technological advances. To meet accepted standards, public libraries in 1966 need 102 million more books, 6,500 more trained librarians, and 40.5 million square feet of additional building space.

Congress recognized the need for better libraries by passing the Library Services Act of 1956. The act marked the beginning of an 8-year State-local-Federal effort to improve public library service for 40 million rural Americans. It made available more than 14 million books and helped to finance hundreds of bookmobiles to bring literature to remote farm homes.

The Library Services Act was expanded in 1964 by the Library Services and Construction Act. It extended services and construction assistance to urban as well as rural areas.

Congress authorized $45 million for the first year of the program and appropriated $7.5 million. For fiscal year 1965, it appropriated $55 million. Of this, $25 million was for services and $30 million for construction grants. Congress renewed this appropriation for fiscal 1966.

During 1965, new or improved library services were made available to 65 million Americans. Over 6.5 million books or other materials and 80 bookmobiles were added under the program.

Construction grants authorized under the program totaled $29,800,000 in fiscal 1965 and resulted in 363 approved library construction projects costing $99,600,000. Construction funds may be used to acquire land and equipment, and for the construction, expansion, remodeling, and alteration of library buildings.

PROPOSALS

Aid to public libraries would be extended for 5 years through fiscal year 1971.

Funds for library services for fiscal year 1967 would be $27.5 million, up $2.5 million from this year's appropriation. Funds for construction for fiscal year 1967 would remain at $30 million. Such sums as may be necessary would be authorized for the next 4 years.

Library Services and Construction Act Amendments of 1966

	Estimated total Federal amounts[1]	Title I, services		Title II, construction	
		Estimated Federal amounts[1]	Estimated matching funds[2]	Estimated Federal amounts[1]	Estimated matching funds[2]
United States and outlying areas	$57, 500, 000	$27, 500, 000	$28, 801, 373	$30, 000, 000	$31, 581, 237
50 States and the District of Columbia	56, 533, 000	27, 023, 183	28, 555, 740	29, 509, 907	31, 328, 765
Alabama	1, 042, 634	499, 376	257, 254	543, 258	279, 860
Alaska	239, 723	127, 650	177, 368	112, 073	155, 724
Arizona	523, 856	259, 196	209, 259	264, 660	213, 670
Arkansas	651, 693	318, 381	164, 014	333, 312	171, 706
California	4, 330, 375	2, 021, 510	3, 163, 178	2, 308, 865	3, 612, 820
Colorado	643, 157	314, 429	330, 289	328, 728	345, 309
Connecticut	849, 468	409, 945	762, 331	439, 523	817, 335
Delaware	297, 851	154, 562	310, 146	143, 289	287, 526
Florida	1, 487, 537	705, 354	539, 755	782, 183	598, 546
Georgia	1, 221, 241	582, 066	343, 170	639, 175	376, 840
Hawaii	347, 093	177, 359	183, 934	169, 734	176, 027
Idaho	356, 182	181, 567	120, 541	174, 615	115, 925
Illinois	2, 842, 088	1, 332, 474	2, 015, 450	1, 509, 614	2, 283, 386
Indiana	1, 411, 205	670, 014	668, 408	741, 191	739, 414
Iowa	908, 171	437, 123	378, 710	471, 048	408, 100
Kansas	755, 296	366, 346	320, 467	388, 950	340, 240
Kentucky	982, 272	471, 430	268, 184	510, 842	290, 605
Louisiana	1, 040, 068	498, 188	279, 502	541, 880	304, 015
Maine	435, 950	218, 498	152, 907	217, 452	152, 176
Maryland	998, 785	479, 075	613, 207	519, 710	665, 220
Massachusetts	1, 539, 562	729, 440	1, 016, 050	810, 122	1, 128, 432
Michigan	2, 245, 837	1, 056, 426	1, 092, 966	1, 189, 411	1, 230, 550
Minnesota	1, 081, 485	517, 363	465, 283	564, 122	507, 335
Mississippi	755, 172	366, 289	188, 694	388, 883	200, 334
Missouri	1, 320, 714	628, 119	648, 546	692, 595	715, 119
Montana	358, 183	182, 494	148, 471	175, 689	142, 934
Nebraska	552, 683	272, 542	249, 169	280, 141	256, 116
Nevada	255, 332	134, 877	266, 901	120, 455	238, 362
New Hampshire	340, 267	174, 199	156, 852	166, 068	149, 530
New Jersey	1, 782, 028	841, 695	1, 264, 122	940, 333	1, 412, 264
New Mexico	431, 133	216, 268	142, 564	214, 865	141, 639
New York	4, 611, 631	2, 151, 724	3, 495, 845	2, 459, 907	3, 996, 542
North Carolina	1, 383, 124	657, 013	378, 631	726, 111	418, 452
North Dakota	347, 007	177, 320	123, 223	169, 687	117, 918
Ohio	2, 743, 126	1, 286, 657	1, 335, 428	1, 456, 469	1, 511, 676
Oklahoma	794, 819	384, 644	282, 251	410, 175	279, 658
Oregon	647, 049	316, 231	325, 993	330, 818	341, 031
Pennsylvania	3, 169, 057	1, 483, 852	1, 492, 782	1, 685, 205	1, 695, 346
Rhode Island	406, 961	205, 077	203, 850	201, 884	200, 676
South Carolina	809, 162	391, 285	201, 571	417, 877	215, 270
South Dakota	359, 701	183, 197	124, 542	176, 504	119, 992
Tennessee	1, 121, 946	536, 095	301, 161	585, 851	329, 112
Texas	2, 709, 664	1, 271, 165	949, 598	1, 438, 499	1, 074, 602
Utah	415, 183	208, 883	160, 691	206, 300	158, 704
Vermont	282, 954	147, 665	112, 217	135, 289	102, 812
Virginia	1, 227, 535	584, 980	419, 623	642, 555	460, 922
Washington	933, 436	448, 820	477, 537	484, 616	515, 624
West Virginia	671, 273	327, 446	201, 973	343, 827	212, 077
Wisconsin	1, 223, 528	583, 125	553, 793	640, 403	608, 189
Wyoming	267, 159	140, 352	144, 685	126, 807	130, 722
District of Columbia	381, 734	193, 397	392, 654	188, 337	382, 381
American Samoa	50, 295	27, 452	14, 142	22, 843	11, 768
Canal Zone					
Guam	62, 704	33, 196	17, 101	29, 508	15, 201
Puerto Rico	800, 434	387, 244	199, 489	413, 190	212, 855
Virgin Islands	53, 477	28, 925	14, 901	24, 552	12, 648

[1] Estimated total of basic and additional Federal amounts.

[2] Estimated total of basic and additional matching expenditures from State and local sources.

EXCERPT FROM PROPOSED LEGISLATION

EDUCATION

I have proposed a total Federal investment in education and training during the coming year in excess of $10 billion—a threefold increase since 1961.

Our education programs must be administered wisely and well. Shortly after passage of the Elementary and Secondary Education Act of 1965, I directed that the Office of Education be reorganized to carry out its expanded responsibilities more effectively and efficiently. This reorganization has now been completed.

In addition, we established the new post of Assistant Secretary for Education in the Department of Health, Education, and Welfare to strengthen program coordination throughout the Government.

The Congress has already put this Nation on the path toward the achievement of goals to—

1. Extend special educational help to 12 million disadvantaged and handicapped children;
2. Eliminate illiteracy within a decade;
3. Bring public library services to 15 million more Americans;
4. Reduce by half the rate of high school dropouts over the next 5 years;
5. Guarantee the opportunity for education beyond high school on the basis of ability to learn, rather than ability to pay;
6. Provide college building and facilities to meet the needs of 9 million students expected by 1975.

Full educational opportunity for every citizen requires that we build on the beginnings we have already made. I recommend measures to expand the Headstart program for preschool children; to strengthen the Elementary and Secondary Education Act of 1965; to expand Federal assistance to higher education; and to improve the Nation's libraries.

I

To expand the Headstart program for preschool children

Few programs have had the visible success of Operation Headstart. The disadvantaged children who have benefited from this program are already entering first grade—with new confidence in themselves and greater eagerness to learn.

I have requested funds almost double the Headstart program during the coming year to insure full year programs for 210,000 children; summer programs for 500,000 children.

This marks a significant step in providing greatly expanded preschool assistance for 5-year-olds from disadvantaged homes, and summer nursery programs for 3- and 4-year-olds.

II

To strengthen the Elementary and Secondary Education Act of 1965

Though funded only 4 months ago, the Elementary and Secondary Education Act of 1965 has already begun to bring its benefits to the Nation:

Special help is being provided the disadvantaged—remedial teaching, health and food services, augmented teaching and counseling staffs.

More books—interesting and up-to-date—have begun to appear on school library shelves.

New approaches to old problems are being tried; instructions for the student extends beyond the classroom—to museums, hospitals, factories.

Regional education laboratories are being developed to stimulate new techniques of teaching and learning in our schools.

State educational agencies are strengthening their staffs and assuming greater responsibilities.

Educational deprivation cannot be overcome in a year. And quality cannot be achieved overnight.

I propose that the Elementary and Secondary Education Act be extended for 4 years.

My budget includes increased funds for each title of the act.

In addition, I propose that coverage of the act be enlarged to raise from $2,000 to $3,000 the family income formula for allocating aid for education of the disadvantaged commencing in fiscal 1968; to earmark additional funds for children of American Indians and migrant workers.

Careful study of the incentive grant provision of title I shows that payments would be made to many districts unrelated to need.

I therefore recommend repeal of the incentive grant provision of title I in order to focus Federal aid on basic grants to more than 20,000 local school districts.

Too many schools in urban and rural slums are ancient and in disrepair. Obsolete schools aggravate the problem of eliminating de facto segregation in our northern communities, thus depriving children of full educational opportunities.

There is a pressing need for long-range, community-wide planning to bring innovation and imagination in school construction.

I propose that $5 million be added to title III to help communities in planning school construction to encourage innovation and to deal with obsolescence, overcrowding, and special problems such as de facto segregation.

A recently completed study of the federally impacted area program, requested by Congress, has concluded that certain provisions should be revised.

I recommend revision of the existing law—

To require school districts to absorb a uniform and fair share of the burden of educating children in federally affected districts;

To base payments on school expenditures in local districts rather than on national or State average per pupil cost;

To eliminate eligibility for Federal impacted area assistance in those cases where Government property is leased to private enterprises that pay local taxes.

JOINT COMMITTEE ON ATOMIC ENERGY

The SPEAKER. Pursuant to the provisions of title 42, United States Code, section 2251, the Chair appoints as a member of the Joint Committee on Atomic Energy the gentleman from Texas [Mr. YOUNG] to fill an existing vacancy thereon.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first individual bill on the Private Calendar.

ENZO (ENZIO) PEROTTI

The Clerk called the bill (H.R. 4926) for the relief of Enzo (Enzio) Perotti.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. TALCOTT and Mr. GROSS objected, and, under the rule, the bill was recommitted to the Committee on the Judiciary.

OSMUNDO CABIGAS

The Clerk called the bill (H.R. 5838) for the relief of Osmundo Cabigas.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

RONALD WHELAN

The Clerk called the bill (H.R. 7141) for the relief of Ronald Whelan.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

RONALD POIRIER, A MINOR

The Clerk called the bill (H.R. 8865) for the relief of Ronald Poirier, a minor.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

LT. CHARLES W. PITTMAN, JR., U.S. NAVY

The Clerk called the bill (H.R. 9302) for the relief of Lt. Charles W. Pittman, Jr., U.S. Navy.

There being no objection, the Clerk read the bill, as follows:

H.R. 9302

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Lieutenant Charles W. Pittman, Junior, United States Navy, of Columbia, South Carolina, is relieved of liability to the United States in the amount of $3,493.71, representing the total amount of overpayments of compensation made to him by the Department of the Navy during the period June 6, 1960, through June 30, 1964, as a result of the use of an erroneous pay entry base date. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for amounts for which liability is relieved by this section.

SEC. 2. The Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Lieutenant Charles W. Pittman, Junior, an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him, on account of the liability to the United States referred to in the first section of this Act. No part of the amount appropriated in this section in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 5, strike "$3,493.71" and insert "$3,358.70".

Page 2, lines 10 and 11, strike "in excess of 10 per centum thereof".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. This concludes the call of the Private Calendar.

CALL OF THE HOUSE

Mr. HALL. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 25]

Annunzio
Baldwin
Baring
Berry
Bolling
Dawson
Dingell
Dowdy
Downing
Dyal
Edwards, Calif.
Fisher
Fuqua
Griffin
Gubser
Hagan, Ga.
Irwin
Jones, Mo.
Keith
Leggett
Matthews
Miller
Morgan
Morton
Mosher
Olson, Minn.
Powell
Purcell
Rostenkowski
Saylor
Scott
Springer
Steed
Todd
Toll
White, Idaho
Willis
Wilson, Charles H.
Wright

The SPEAKER. On this rollcall 394 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PROVIDING FOR CONSIDERATION OF H.R. 12322, COTTON RESEARCH AND PROMOTION ACT

Mr. SISK, from the Committee on Rules, reported the following privileged resolution (H. Res. 750, Rept. No. 1302) which was referred to the House Calendar and ordered to be printed.

H. RES. 750

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 12322) to enable cottongrowers to establish, finance, and carry out a coordinated program of research and promotion to improve the competitive position of, and to expand markets for, cotton. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

AUTHORIZING APPROPRIATIONS DURING FISCAL YEAR 1966 FOR PROCUREMENT OF AIRCRAFT, MISSILES, NAVAL VESSELS, TRACKED COMBAT VEHICLES, RESEARCH, DEVELOPMENT, TEST, EVALUATION, AND MILITARY CONSTRUCTION

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 743 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 743

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 12889) to authorize appropriations during the fiscal year 1966 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, research, development, test, evaluation, and military construction for the Armed Forces, and for other purposes, and all points of order against said bill are hereby waived. After general debate, which shall be confined to the bill and shall continue not to exceed three hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from California is recognized for 1 hour.

Mr. SISK. Mr. Speaker, I yield 30 minutes to the gentleman from California [Mr. SMITH], and, pending that, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 743 provides an open rule, waiving points of order, with 3 hours of general debate for consideration of H.R. 12889, a bill to authorize appropriations during the fiscal year 1966 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, research, development, test, evaluation, and military construction for the Armed Forces, and for other purposes.

The essential purpose of, and underlying cause for, H.R. 12889 is, of course, the war in Vietnam. Aircraft, both fixed wing and helicopters, ships, missiles, and tracked combat vehicles are all being utilized at a rate greater than it was possible to anticipate when the 1966 authorization for those items was passed. It is hoped that the legislation will achieve more rapid procurement of replacements of articles consumed, and will provide proper equipment for a larger force in a shorter period of time.

The bill authorizes $3,417,700,000 for procurement; $151,650,000 for research, development, test, and evaluation; and $1,288,100,000 for military construction.

Mr. Speaker, there have been questions raised, and we have heard a great deal of discussion in the past few days respecting this particular piece of legislation.

It seems to me that the issue is very clear cut and the interpretation to be placed upon a vote for and in support of this legislation is very simple. We simply desire to make certain that our men in uniform will have ample equipment and weapons to meet our commitments there and to make certain that we carry out the aims and the programs of our Government in South Vietnam and in other areas of the world where such commitments exist. Through the proper and timely and, yes, the escalated carrying out of those commitments we will that much sooner bring the enemy to the point of being willing to discuss peace with reference to these problems.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. SISK. I will be glad to yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I appreciate the gentleman from California yielding to me, and I would like to associate myself with his statement as far as the vote on H.R. 12889 is concerned. My question, in the interests of consistency, inasmuch as last week I raised similar doubts re waiving all points of order on the rule making in order debate on the supplemental foreign aid bill authorization, is one on the rule. As the member of the distinguished Committee on Rules of this House who is bringing this legislation to the floor, will the gentleman kindly advise me why line 9 is inserted therein eliminating all points of order? This was a bill which was brought from the Committee on Foreign Affairs recently. It was stated then that there was no reason within the bill itself for this, and that it had simply been inserted on recommendation of the Parliamentarian without a request by the chairman of the committee or without the desire of the Committee on Rules. Is this the same situation today?

Mr. SISK. Mr. Speaker, if I may comment, I would like to call the gentleman's attention to page 5 of this legislation, the bill H.R. 12889, and specifically to call his attention to line 8 of page 5, Title IV: General Provisions, section 401(a). If the gentleman will read that, he will find that this bill provides for certain transfers of funds. Therefore, that would be subject to a point of order, since it does amount to a transfer of funds.

Mr. HALL. Mr. Speaker, if the gentleman will yield further, I have read that in detail. I know that the committee of which I am a member, the House Committee on Armed Services, in its wisdom, inserted this there for this stated purpose. If in fact this does eliminate the question of the transferability between operation and maintenance funds, and pay of the Army or personnel funds for all the military services, then why is it necessary to have a waiver of all points of order, which I believe the gentleman will agree with me eliminates the powers of the individual Members as to germaneness and as to other functions in an authorization bill which is coming from a legislative committee to be considered in debate on the floor of the House? It is getting to be a habit rather than a necessity for simply inserting the waiver in all rather than an appropriation bill or a Ways and Means Committee bill. I wonder if the elected Members, the people's personal representatives in this Congress, realize that they are waiving away by operating under such rules their power of objection and even compounding it because of the fact that it is not necessary?

Mr. SISK. Let me say to my good friend from Missouri that I well appreciate the statements he is making. I want to assure the gentleman that the Committee on Rules does not take lightly this idea of waiving points of order. We only do this when we feel it is essential in order to expedite the legislation as well as in order to be completely fair to all Members of the House. According to legal advice which we had in the committee that this particular transfer would be subject to a point of order, which means that one individual could bring about the elimination of transfers, we sincerely feel that this would be in the best interests of the legislation. I want to say to my good friend that I do not think you will find the committee feels lightly about this whole question of waiving points of order. We are concerned, I think, to try to see every Member's rights are protected and that legislation is brought to the floor where it may be considered from the widest possible standpoint, with an open rule, with the right of amendment and the right of every Member to make his position known. However, as the gentleman very well knows, from time to time, on these transfers which are subject to points of order, it is simply felt that it is in the best interests of the expeditious handling of the legislation to waive points of order in such a case. I hope the gentleman will accept that statement, that it was done in all good faith.

Mr. HALL. Mr. Speaker, I do accept that, and I am delighted with the statement of the gentleman from the Committee on Rules, which is thus made a matter of record, but if you will refer to page 2 of the report of the committee where it discusses section 401, it plainly sets forth that in the original Department of Defense language there was this "transferability," but that the committee added the words "for their [the services] stated purposes."

And then there is the last sentence in that paragraph, discussing section 401 (a) wherein there appears the statement:

> There is no intent to authorize additional appropriation transfer authority for the purposes of this section.

Mr. Speaker, I also want to get that in the RECORD.

Then there is the question which simply comes back to the statement of whether, if there is no intent and if it was not requested—it has not been requested over the past 19 years based upon my available research and knowledge, by the Committee on Armed Services that any points of order be waived, why is it suddenly injected here so that debate thereon can be eliminated?

Mr. Speaker, I believe we are treading on dangerous ground.

Mr. SISK. I well appreciate the gentleman's position, but our advice was that that language was subject to a point of order. I understand the explanation of the report and I gather that that possibly was not the intent.

I well understand the gentleman's feelings, and I want to assure the gentleman that the committee is going to look closely at all requests for waiving points of order and we shall not do so unless such requests are made.

Mr. HALL. I appreciate that.

Mr. Speaker, I withdraw my reservation. I have done this in order to emphasize the point that I made in the House last week when we were considering the rule on the bill which came to us from the Committee on Foreign Affairs, and I shall continue to object to the inclusion of such points of order.

Mr. McCORMACK. Mr. Speaker, would the gentleman yield?

Mr. SISK. I yield to the distinguished Speaker of the House of Representatives.

Mr. McCORMACK. Mr. Speaker, I wish to congratulate the chairman and members of the Committee on Armed Services for the very fine hearings which the committee held on this bill, and for the manner in which they expedited the consideration of the bill in the committee.

I also wish to congratulate the chairman and the members of the House Committee on Rules for their prompt action so that this bill could be brought up at this time, which is the earliest consideration of the bill that could possibly be accomplished.

Mr. Speaker, these two actions represent leadership on the part of the Committee on Armed Services and on the part of the Committee on Rules.

Mr. Speaker, this bill is a very important one. As stated in the committee report, it is directed toward the support of our forces in Vietnam. All of us understand the purpose of this bill. When we are voting on this bill every Member will appreciate the fact that he or she is voting to give our boys who are fighting in South Vietnam and carrying out the word of our country and the obligation of our country, and to act in accordance with the national interest of our country, the means and the facilities—the military means and facilities—to accomplish the purposes that we have in mind—to stop aggression and to bring about as early as possible peace in this area, and in the world.

Mr. Speaker, in connection with this legislation there is the resolution of August 10, 1964, which completely covers the entire situation. In that resolution we said, in unity with the Chief Executive, and to show the world the unity between the Chief Executive and the legislative branch, that the United States—and I quote:

> The United States regards as vital to its national interest and to world peace the maintenance of international peace and security in southeast Asia. Consonant with the Constitution of the United States and the Charter of the United Nations and in accordance with its obligations under the Southeast Asia Collective Defense Treaty, the United States is therefore prepared, as the President determines, to take all necessary steps, including the use of armed force, to assist any member or protocol state of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom.

Now, Mr. Speaker, the President has the power and has had the power under the reserved powers of the President as Commander in Chief, but this resolution was adopted at the time in order to show the world the unity that existed between the executive branch and the legislative branch of the Government of the United States.

Mr. Speaker, we took the same course of action in the Formosan resolution when President Eisenhower was the Chief Executive of our country. We took the same course of action in the Middle East resolution when President Eisenhower was our Chief Executive. Both of the resolutions are still the law of our land, just the same as the resolution of August 10, 1964, is the law of the land today.

So, Mr. Speaker, the firmness of President Johnson in performing his duties as Commander in Chief of our Armed Forces, following in consonance with this resolution, is the finest example of leadership that could be evidenced by any man.

If we had firm leadership in the thirties when Hitler was around, the probabilities are that World War II never would have taken place.

If we had that firm leadership as exemplified by the late Sir Winston Churchill, I believe Hitler would never have been permitted to go in and take over Austria.

Those who felt that Hitler would be satisfied were living in a dreamworld of hope. Hitler was not satisfied. Then followed the taking over of the Sudetenland—the forcing of the Czech Government to cede the Sudetenland, an important part of Czechoslovakia, to the German Reich. They hoped Hitler would be satisfied. But Hitler was not satisfied. Later Hitler without opposition took over the remainder of Czechoslovakia. Then came the rape of Poland and then the war.

We were dealing with a militant aggressor in those years and we are dealing with a militant aggressor today. There is the calculated risk of action—yes. But there is the calculated risk of inaction. And the calculated risk of inaction was evidenced in the thirties when Hitler was permitted to go ahead—and to go ahead—and to go ahead—finally bringing about the great catastrophe known as World War II.

So this bill is up today to enable our boys and those of our allies to fight for freedom and to fight against militant aggression. It is as important today that we have firm leadership as it was important in the thirties when firm, strong leadership was lacking.

So in voting for this bill today, I am voting not only for the bill but I am also voting again for the resolution that we adopted on August 10, 1964, which was adopted by an overwhelming majority of both branches of the Congress. Thus, we will convey to the actual and potential enemy and also the rest of the world that America is united. They will understand that message. They will understand that action. They will understand that language.

Mr. SISK. Mr. Speaker, on behalf of the Committee on Rules, I express my appreciation to the distinguished Speaker of the House for his comments with reference to our committee. I join with him in his commendation of the Committee on Armed Services for their expeditious handling of this bill.

Further, Mr. Speaker, I join with our distinguished Speaker in the very eloquent way in which he has expressed the position of the House of Representatives, and join fully and wholeheartedly with him in the hope that our vote will be unanimous. I join with him, too, in feeling that we will again be expressing our support for the resolution which was adopted in 1964.

Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, House Resolution 743 will provide for 3 hours' debate, an open rule so far as amendments are concerned, waiving points of order for the consideration of H.R. 12889, to authorize additional appropriations for fiscal 1966 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, research, development, test, evaluation, and military construction. Points of order are waived because of section 401 (a) which apparently provides additional leeway for the use of funds previously appropriated.

The purpose of the bill is to authorize additional appropriations in fiscal 1966 in the areas of weapon procurement, research and development, and military construction. These additional funds are required because of the accelerating situation in Vietnam.

The authorization is broken down as follows: $3,417,700,000 for procurement, $151,650,000 for research and development, $1,288,100,000 for military construction, and $4,857,450,000 for total authorization.

All services share in the authorization, and in all parts of it. The Marines are included with the Navy.

The committee has tightened up the language submitted by the Department of Defense in section 401 to insure that funds appropriated for one purpose will not be shifted to another, according to the report. However, the requested rule asks that points of order be waived, because of this very point. The language in question is the last phrase of section 401, lines 14 and 15 on page 5 of the bill.

The committee also added an amendment to insure that it would receive information prior to contract letting on intended military construction. In the same field, the committee added authorizations to the bill for the Navy to construct additional facilities at Okinawa and Subic Bay. The Joint Chiefs approved the addition.

This authorization is not to be merely a speeding up of fiscal 1967 actions, but is to be in addition thereto. While testimony on this subject and solid facts are indecisive as to how much an increase will be achieved, the committee has the assurances of the Department of Defense and will keep a close watch on the situation to see that an actual increase is achieved.

Pages 5 through 21 of the report detail the various construction projects, research programs, and weapons covered by the bill. Three billion one hundred forty-nine million six hundred thousand dollars alone is for aircraft, planes, and helicopters. Also included are tracked vehicles, missiles, and missile ground support equipment. Construction projects run the gamut from troop housing to airfields and supply depots.

Finally, section 302 includes a $200 million authorization to provide the Secretary of Defense with authority to proceed with any construction he finds vital to U.S. security, wherever needed, to support our troops.

There is no minority report.

As stated by the distinguished chairman of the Committee on Armed Services, Mr. RIVERS:

> Our men are in South Vietnam. They need weapons. This bill is an essential step in providing those weapons.

Mr. Speaker, I know of no objection to the rule, and urge its adoption.

Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin [Mr. LAIRD].

Mr. LAIRD. Mr. Speaker, I rise in support of the pending legislation, which is authorized by this rule. I hope that the House will take prompt action on the appropriation authorization. Our Defense Appropriations Committee has had hearings on all items included in this authorization bill and is ready to report as soon as the authorization becomes law.

The funds authorized in this bill are needed now because our Defense Establishment is spread dangerously thin from one end of this world to the other if we are to meet all of the worldwide commitments outlined by the Secretary of Defense in his Senate testimony within the past 2 weeks. Not to pass this legislation would place reserve stocks for American fighting men in a dangerous position in some sections of the world.

We have Reserves and National Guard troops that have recently enlisted in the Reserve and National Guard that have gone as long as 3 and 4 months without fatigues in which to train. That fact came out in the testimony before our committee. Funds are needed and are necessary to carry on worldwide commitments of this Nation. I hope that the House will move forward and act promptly on this legislation.

Mr. Speaker, for the past 10 days our Nation has witnessed confusion within the administration on the U.S. peace terms and future form of government in Vietnam. This spectacle has produced so much official fog that it can only be harmful to the war effort.

It is time, indeed it is past time, for the party in power to face its responsibilities and offer clear, consistent leadership with regard to our goals in Vietnam. Instead, we see a continuing wrangle that disputes whether we should be in Vietnam at all, what our aims are there, and whether the right means are being used to achieve these aims.

These divisions were brought to a head when a prominent Democratic Senator proposed settling the problem of Vietnam as the problems of Poland, of Rumania, of Bulgaria, of Czechoslovakia were settled after World War II—by admitting the Communists to a share of responsibility and power in government. This proposal has triggered an outpouring of contradictory statements and doubletalk from administration spokesmen.

Some spokesmen denounced the idea. Vice President HUMPHREY declared:

> Such a plan would be like putting a fox in a chicken coop * * * an arsonist in a fire department.

Under Secretary of State George Ball termed the Senator's suggestion "absurd." McGeorge Bundy said the United States is "not going to deliver the South Vietnamese people to the administrations of a Communist regime, because that is what this war is all about."

But, almost simultaneously, other official spokesmen began to talk in different terms. Gen. Maxwell Taylor, one of the President's chief advisers on Vietnam, said the Senator's call for Communist participation in the government was "very, very close" to his own view. However, just 2 days before, General Taylor had told the Senate Foreign Relations Committee that he did not see how "the freedom of 15 million South Vietnamese could be compromised." At the time this was generally understood to mean that General Taylor opposed any political role in South Vietnam for the Communists. The next day, February 23, the Senator in turn seemed to back off from his original proposal by saying that he was not proposing that the Vietcong should automatically have a share of power in an interim preelection government but was merely saying that they should not be "automatically excluded" from having it.

Mr. Speaker, at almost the same time, Bill D. Moyers, the White House press secretary, said there was no disagreement between the administration and the Senator "if Senator KENNEDY did not propose a coalition government with Communist participation before elections are held." But then Moyers, when asked what kind of government the administration envisioned in the interim period between negotiations and elections, said this "should be left to the negotiating parties."

Mr. Speaker, the same day the President in a speech attempted to answer the question: Who has a right to rule in South Vietnam? Unfortunately, he confined himself to broad philosophy, rather than addressing himself to the questions raised by the Senator. The President said:

> The people must have this right—the South Vietnamese people—and no one else. Washington will not impose upon the people of South Vietnam a government not of their choice. Hanoi shall not impose upon the people of South Vietnam a government not of their choice. We shall insist for ourselves on what we require from Hanoi; respect for the principle of government by the consent of the governed. We stand for self-determination—for free elections—and we will honor their results.

At a news conference on February 26, the President avoided the opportunity to make the administration view clear. He was asked:

> Mr. President, to clear up some confusion * * * about the role of the American military in Vietnam could you set the record straight on whether the American troops in Vietnam are fighting to stabilize and maintain a democratic, non-Communist government or whether their goal is to get free elections in which the Communists might emerge as a part of a coalition government?

The President replied:

> Well, I would have to refer you to the detailed statements of Secretary Rusk * * *. If they're not satisfactory, I would refer you to the statements of the Prime Minister in Honolulu.

Since Secretary Rusk and Prime Minister Ky have not been in complete agreement, this answer given by the President is anything but helpful.

Premier Nguyen Cao Ky and Chief of State Nguyen Van Thieu have both said they would never deal with the Vietcong or the National Liberation Front. Secretary Rusk has said there is no insuperable obstacle to representation of the Vietcong at a peace conference and that the administration would accept any government in Vietnam provided that the elections were free.

On February 27, the debate within the party in power reached new heights. The Senator insisted that the administration would be prepared to see Communist elements in the government. The Senator cited Mr. Moyers eight times as support for his views although he agreed that the administration had on some occasions made conflicting statements. The Senator pointedly said:

> Statements that are made that we will never deal with assassins and we will never deal with murderers makes it difficult for them to believe they are being asked to come to the negotiating table other than to surrender.

The Senator also moved back to his original position, saying that in return for certain concessions, "we"—note he does not say the South Vietnamese people but "we"—"would see that they played a role in the processes of the government, whether it is in the interim period of time or in the final period of time."

Vice President HUMPHREY, that same afternoon, reminded the Senator that the Vietcong was "not an Asian version of Americans for Democratic Action" and that he is "not going to be any part of suggesting to the people of South Vietnam or any other government, that you should reward the kind of banditry and murder which has characterized the Vietcong by giving it legitimacy in a government. I just do not believe in it. There is no legitimacy to the National Liberation Front. It is exactly what it says it is, a front and we do not intend to recognize it as a sovereign entity."

The Vice President also pointed out the dangers in coalition governments when he cited the situation in Laos today. He described Laos as "a country in turmoil; the Pathet Lao attacking, backed by thousands of North Vietnamese troops and moving in on the Mekong River which if the Communist attack is successful, would destroy the hopes of the development of that vast area."

Mr. Speaker, is it any wonder that a member of the administration admitted that "the credibility of our Government has been assailed. We have a great problem here maintaining our credibility with our own people." This remark was made last December.

I call upon President Johnson to end the confusion. Perhaps he is unable to be as forthright as his Vice President, but he should make unmistakably clear whether he is supporting the suggestion that the Vietcong be given a share of power and responsibility in an interim government and in a government established after elections or whether he is supporting his Vice President. The American people have a right to know exactly what it is their young men are fighting for in Vietnam, and they have the right to know it now.

Several Democratic Members of the other body have endorsed the proposal that the Communists be admitted to a share of power and responsibility in the Government of South Vietnam.

The longer uncertainty continues about the attitude of the President toward a settlement that would, in the Vice President's words, "put the fox in the chicken coop," the more difficult it will be to maintain the morale of American fighting forces and the people of South Vietnam. And the more difficult it will be to justify American casualties in a war that is presumably fought to prevent Communists from forcing themselves into positions of power and responsibility.

Let there be no misunderstanding about the issue. The question before the President is not the ultimate government of South Vietnam after a free election. The question is what is the attitude of the United States toward inclusion of Communists in a government that would rule until elections are held and would determine the form of the elections—a government that would determine whether the elections would be truly free.

Unless the United States is prepared to oppose a coalition interim government at a peace conference, South Vietnam will go the way of the satellite nations of Eastern Europe and of Laos.

Mr. Speaker, if a coalition government including Communist representation is acceptable to the President—as it is to many influential members of his party, all the fighting in South Vietnam—all the sacrifices—all the bloodshed—make no sense, and they should not be further prolonged.

Mr. REID of New York. Mr. Speaker, will the gentleman yield?

Mr. LAIRD. I yield to the gentleman from New York.

Mr. REID of New York. Mr. Speaker, I would like to ask the gentleman a question and make a statement before I ask the question. I intend to support the rule and to back strongly the President's supplemental authorization of $4.8 billion to fully back our men in the field, but I do think it is unfortunate, given the importance and implications of the legislation, that the House today is limiting debate to merely 3 hours.

Mr. LAIRD. Debate and full consideration of this request as well as the U.S. commitment in this area of the world is absolutely vital. I agree with the gentleman from New York and hope we proceed in that fashion here in the House of Representatives.

Mr. SISK. Mr. Speaker, I yield to the gentleman from Virginia [Mr. ABBITT] such time as he may consume.

Mr. ABBITT. Mr. Speaker, I support the rule and the bill, H.R. 12889, the supplemental defense authorization bill, commonly known as the Vietnam military bill. This legislation is of vital importance, not only to our military men fighting in Vietnam but to all Americans.

Our boys, through no choice of their own, are in Vietnam where they are being shot at, many of whom are being wounded, mutilated, and killed. It is inherent upon us to furnish them with all necessary military material that is at our command so that they will not be lacking one whit to protect themselves and to achieve the goals for which they have been sent. We either must furnish every needed article of offense and defense or else it is our duty to pull them out. We must support them wholeheartedly and fully or else bring our boys back home. It is not fair to them and it is not fair to America to do less.

This is not the time to argue whether we should be in Vietnam or whether we should have gone. We are there and our boys are being killed by the Communists daily. It is inherent upon us to put up or get out and I call upon this administration to do everything necessary by way of supplying our men with the needed munitions of war immediately and constantly and I, therefore, wholeheartedly support this bill and hope it will be passed unanimously.

Mr. SISK. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. COHELAN].

Mr. COHELAN. Mr. Speaker, I rise in support of the rule and of the bill which is to follow. I appreciate very much the gentleman from California giving me this time, which I have asked for in order to present the following statement in behalf of 78 Members of the House of Representatives, and I understand there may be a few more coming in before the day is over.

I understand that several of the 78 Members who signed this statement will make additional remarks.

But as one who has just returned from an inspection tour of Vietnam and who served for 6 years on the Armed Services Committee, I believe this statement stands by itself as a timely and important contribution to the discussion and understanding of a critical issue:

> Mr. Chairman, we will vote for this supplemental defense authorization. The support of the American and allied troops who are fighting in South Vietnam requires it.
>
> We agree with President Johnson's statement that "we will strive to limit conflict, for we wish neither increased destruction nor increased danger." We therefore reject any contention that approval of this legislation will constitute a mandate for unrestrained or indiscriminate enlargement of the military effort, and we strongly support continued efforts to initiate negotiations for a settlement of the conflict.
>
> We, in particular, wish to express our concurrence with the President's statement of last week in which he declared the Vietnamese conflict to be a limited war for limited objectives calling for the exercise of "prudent firmness under careful control."

That is the end of this statement, and it is signed presently by 78 Members of the House of Representatives. A list of the signers is included below:

William Anderson.
Thomas Ashley.
Jonathan Bingham.
John Blatnik.
John Brademas.
James Byrne.
Ronald Cameron.
Emanuel Celler.
Jeffery Cohelan.
James Corman.
Dominick Daniels.
William Dawson.
Charles Diggs.
John Dow.
Ken Dyal.
Don Edwards.
George Fallon.
Leonard Farbstein.
Donald Fraser.
Samuel Friedel.
Richard Fulton.
Edward Garmatz.
Robert Giaimo.
Jacob Gilbert.
John Gilligan.
Martha Griffiths.
Richard Hanna.
Julia Butler Hansen.
William Hathaway.
Augustus Hawkins.
Ken Hechler.
Henry Helstocki.
Floyd Hicks.
Chet Holifield.
James Howard.
J. Oliva Huot.
Charles Joelson.
Harold Johnson.
James Kee.
Cecil King.
Paul Krebs.
Robert Leggett.
Clarence Long.
Torbert Macdonald.
Harris McDowell, Jr.
Roy McVicker.
James Mackay.
John Mackie.
Spark Matsunaga.
Lloyd Meeds.
Patsy Mink.
Walter Moeller.
William Moorhead.
John Moss.
Lucien Nedzi.
Robert Nix.
James O'Hara.
Arnold Olsen.
Edward Patten.
Melvin Price.
Rolland Redlin.
Thomas Rees.
Joseph Resnick.
Henry Reuss.
George Rhodes.
Benjamin Rosenthal.
Edward Roybal.
Fernand St Germain.
James Scheuer.
Carlton Sickles.
Robert Sweeney.
Herbert Tenzer.
Frank Thompson, Jr.
Paul Todd, Jr.
Morris Udall.
Lionel Van Deerlin.
Weston Vivian.
Lester Wolff.

Mr. SMITH of California. Mr. Speaker, I yield 10 minutes to the gentleman from Iowa [Mr. GROSS] and ask unanimous consent that he be permitted to speak out of order.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GROSS. Mr. Speaker, last week, when the foreign aid supplemental authorization bill was before the House, I questioned the need for an additional $100 million for the contingency fund for a period of 120 days when $50 million had been provided in the regular appropriation for the entire current fiscal year and not a dime had been spent in Vietnam.

I said then that money from the present contingency fund was being used by President Johnson, not in Vietnam but to help the British in the boycott of Rhodesia—in a joint and outrageous effort to destroy that friendly government which is seeking its independence from Britain.

In addition to the use of contingency funds, I am going to try to ascertain before the day is over whether U.S. military planes are being used in this reprehensible enterprise and, if so, on what conditions and by what authority.

The subject of United States-British persecution of Rhodesia on last Thursday brought the gentleman from Illinois, [Mr. O'HARA] to the floor of the House where he referred to me and proceeded to unburden himself of a few remarks from which I quote briefly:

> Our position as regards Rhodesia—

He said—

> is based upon our national morality and our sense of virtue * * *. Our virtues and moralities do not change with the scenery of different parts of the world. What we stand for * * * is the right of self-determination of peoples everywhere * * *. I cannot make it too clear that the issue in Rhodesia is essentially the same as the issue in Vietnam.

Then he topped it off with this:

> But we are not beholden to Britain, nor Britain to the United States, because our two countries think alike and act with similar response when the virtues and moralities are in issue.

I assume that when the gentleman from Illinois says our "virtues," "morality," and support for "self-determination" does not change with the scenery that these ingredients would apply with equal force and effect to the city of Chicago, among others. There, according to reports, Mayor Daley, the nominal head of the Democrat political machine, with whom I assume the gentleman from Illinois has at least a passing acquaintance, is accused by some Negroes and whites of denial of the right to determine "the kind of lives they will make for themselves and their children."

A Negro leader has announced he will be a candidate to unseat the mayor and perhaps attention should be given, in the interest of "virtue," "morality," and "self-determination," to a boycott of Chicago by the 50 States—a boycott in which the virtuous British would be invited to participate.

But let us take a quick trip abroad and see, as the gentleman from Illinois says, how well "our two countries—the United States and Britain—think alike and act with similar response when the virtues and moralities are the same."

Let us begin with Cuba, less than 100 miles off our shores. Perhaps, the gentleman from Illinois [Mr. O'HARA] would like to describe to the House the standard of "virtue," "morality," and "self-determination" the U.S. Government ascribes to Fidel Castro. He might also explain the British version of "virtue" and "morality" which permits them to trade as usual with Dictator Castro while the latter supplies subversives and guerrillas to undermine the governments of Latin America and bleed this country of money and troops, as in the case of the Dominican Republic.

Perhaps the gentleman from Illinois would also like to explain the "virtue" and "morality" of British trade and profits as usual with Communist North Vietnam whose guns have killed 2,000 Americans and wounded another 11,000. He might further explain by what standard of "virtue" and "morality" the British continued to trade with Red China during the Korean war when 35,000 Americans were being killed and another 120,000 wounded. Without Red Chinese troops, equipment, and supplies in North Korea there would have been little more than a skirmish.

Turning now to Africa I can remember how the society of bleeding hearts in Washington hailed the establishment of a so-called independent, self-determining government in Ghana. They called it the African "showcase of democracy," and the dollars of American taxpayers rolled in. Not too long afterward, the head of that government, Nkrumah, also known as the "Redeemer," made a trip to Washington, received the red carpet treatment, and promptly went on a national television network to boast that he was a Marxist. Thereafter, he kept the path hot to Moscow, carrying high the torch for communism, at the same time grabbing the money we so tenderly proffered him. That worked so well that Dictator Nkrumah either executed, or jailed and held incommunicado, all self-determining opposition. Through the years since 1957, we heard of no strangling boycott by the virtuous British, in which the U.S. Government was joined to bring down the tyrannical Nkrumah government and provide freedom for the Negroes of that land.

Can the reason be that the Rhodesians unlike the British and Ghanians never picked the pockets of American taxpayers? For the Rhodesians the moral of this story seems to be that if you want to escape a boycott and economic punishment climb aboard the Johnson gravy train as have the British, Ghanians, and a host of others. The tried and tested formula these days seems to be to grab all the foreign aid possible, then stage an insurrection, throw cut the bad guys, establish a military dictatorship, and start the process all over again.

Incidentally, it would be interesting to know the extent of Dictator Nkrumah's masterminding, along with his Communist pals, including the notorious Roberto Holden, of the massacres and atrocities that have taken thousands upon thousands of lives, black and white, Protestant and Catholic, on the African Continent in the last few years.

Now Ghana has just acquired a military dictatorship and it will be interesting to hear from the apologists, both in and out of Congress, when it is expected "virtue" and "morality" will take over. Or is a military dictatorship now accepted as "self-determination"?

When it became apparent that the showcase government of Ghana was in reality a brutal tyranny, Nigeria was then touted as the new showcase. Prime Minister Balewa was pro-Western and an able man. But early this year Negro troops of the Nigerian army cut him down with their machineguns, along with some of his Cabinet officials, and established a military dictatorship. If there has been a British-United States boycott of Nigeria for the purpose of establishing "virtue," "morality," and "self-determination" for the Negroes of that African country we have not heard of it.

Mr. Speaker, it was some 190 years ago that a little band of men assembled on this continent, announced they had absorbed enough abuse from the British monarchy, and sued for their independence.

Promptly haughty Britain, then mistress of the seas, threw a blockade on this continent and attempted to strangle the colonists economically. That failed because, in part, the British could get no help. France, a world power, helped break the blockade.

A few months ago British subjects in Rhodesia announced they, too, had paid enough tribute to and taken enough dictation from Britain. They announced their independence.

Promptly the British Government established a boycott in an effort to strangle the Rhodesians economically and just as promptly the shameless opportunists in Washington announced they would join and help bring the Rhodesians to their knees.

Why have the ultraliberal opportunists in Washington involved this Government in still another affair on the African Continent—a move that may well lead to warfare?

Because, they say, Rhodesia, which has been self-governing for two decades, "is not yet ready for independence," and because the color line has been drawn too tightly in Rhodesia.

These Washington opportunists have apparently never read history or they would know that the rebel colonies of 1776 had at hand a large population of colored natives, Indians, and many thousands of Negroes, none of whom were recognized as a part of the community for political or governmental purposes.

But laying aside for the moment the history of our forefathers' successful struggle to win freedom and independence from the leeching British in London, it is unbelievably reprehensible that the United States would now join Britain in clamping a boycott on any friendly country.

Rhodesia is a friendly country. It is not and never has been an enemy. It is strongly anti-Communist and has offered to send combat troops to Vietnam even though they may be needed at home if the British carry out their threat to use military force. Whether the British, in that case would use Englishmen to kill Englishmen or hire mercenaries as they did in 1776, is not known at this juncture.

But by what authority did Lyndon Johnson impose a boycott on trade with Rhodesia? Article 1, section 8, paragraph 3 of the Constitution of the United States provides that Congress has sole power to regulate commerce with foreign nations. No power is vested in the Executive to block foreign trade except under laws which control trading with the enemy and Rhodesia has not been designated an enemy.

Additionally Congress, less than a year ago, in legislation which bears the Johnson signature, amended the Export Control Act of 1949 to provide that:

> The Congress further declares that it is the policy of the United States (A) to oppose restrictive trade practices or boycotts fostered or imposed by foreign countries against other countries friendly to the United States and (B) to encourage and request domestic concerns engaged in the export of articles, materials, supplies, or information, to refuse to take any action * * * which has the effect of furthering or supporting the restrictive trade practices or boycotts fostered or imposed by any foreign country against another country friendly to the United States.

Mr. Speaker, I charge that President Johnson, in his usurpation of authority to regulate foreign commerce with Rhodesia deliberately violated the Constitution of the United States, and I charge that in the second instance, with reference to the Export Control Act, as amended, he deliberately violated the will and intent of Congress, if not the law.

Yes, let us have virtue and morality but let it begin here at home.

On the walls of this Chamber hang two portraits and only two. One is that of the man often referred to as "the Father of his Country," George Washington, the first President of this Republic. It is not difficult to imagine what Washington would say to those in this country today who so blithely use the power of the Government he welded to join in destroying the Government of a valiant little country seeking its independence from British dominion.

The other gentleman we honor each day is the Frenchman, Lafayette, without whose help in breaking the British boycott of 1776, it is doubtful that either portrait would hang in this Chamber. Instead, there would probably be one portrait—that of King George III.

To those who now pander to the British, in view of their dealings with Communist China, Communist North Vietnam, and Communist Cuba, I ask again whether this Government is operated on a standard of double, triple, or quadruple morality?

Mr. SISK. Mr. Speaker, I yield to the gentleman from Georgia [Mr. FLYNT].

Mr. FLYNT. Mr. Speaker, I support the rule called up by the gentleman from California [Mr. SISK] and I support the bill, H.R. 12889.

If the resolution referred to a few moments ago during the debate on the rule by the Speaker of the House of Representatives were at issue today, I would vote to reaffirm that resolution.

Mr. SISK. Mr. Speaker, I yield to the gentleman from Texas [Mr. WRIGHT].

Mr. WRIGHT. Mr. Speaker, this debate on Vietnam which has been going on in the other body for some weeks, and which we join in the House today, will serve a national purpose if—instead of producing recriminations—it makes us face up to our present alternatives, which are relatively few.

In conducting this debate, we need to bear in mind that it could be hurtful to the national purpose if it should result in giving Hanoi and the Vietcong a false impression of indecision and irresolution, increasing their will to persist and thus prolong the war.

I do not mean to imply that we should refrain from engaging in debate. The right to debate this and any other issue freely, both in this forum and throughout the land, is the very thing for which American men are dying in Vietnam today.

But surely this particular bill, providing the military wherewithal necessary to the successful conduct of the effort to which the Nation is committed, must pass. And it must pass overwhelmingly.

This bill is hardly a proper vehicle for the expression of disaffection from our national objectives. Let us express verbally whatever reservations we may sincerely feel, but a vote against this bill would be almost unthinkable.

It would be like coming upon a man in the ocean, whose boat had capsized and left him swimming, and—instead of throwing him a lifeline—engaging in a long, abstract debate about whether he should have been in the ocean in the first place. The time for discussion would be after the lifeline had been thrown.

Today American men are engaging a ruthless and relentless enemy in the jungles of Vietnam. For the most part, they did not ask to go. We sent them. Certainly, by all that is right and holy, we owe them the obligation to back them up with the weapons, the tools, the materiel, and the united support that they need.

For any Member of this House to vote against this bill today would not hasten the end of the war. If any considerable number of our Members were to do so, it could result in unnecessarily extending the war by planting false hopes in the minds of our enemies. It has been their central hope that, if they hold on long enough, eventually we will weary of the long, twilight struggle as did the French, and ultimately withdraw. If we would hasten their laying down arms and coming to the conference table, then let us demonstrate clearly and forcefully today that theirs is a vain and forlorn hope. The best opportunity for such a demonstration on our part would be by a unanimous vote for the adoption of this bill.

If we really will peace, then the peace offensive and the military offensive must go hand in hand. They must be conducted with equal vigor, for one depends upon the other.

We might as well pontificate on the free coinage of silver or the admission of slave States to the Union as to argue about whether American troops should be in Vietnam. The fact is that we are there. The question is: Where do we go from here?

Hardly anybody actually wants to tuck tail and run, inviting an armed Communist takeover. Few indeed are bloodthirsty for a bigger war. Practically nobody is really satisfied with the present situation, and almost everybody yearns for an honorable solution. In the search for this elusive grail, we have been repeatedly frustrated.

Perhaps the clue to such a solution may be found in a comment by President Johnson, upon receiving the Freedom Award on February 23, wherein he said:

> Men ask who has a right to rule in South Vietnam. Our answer there is what it has been here for 200 years: The people must have this right—the South Vietnamese people—and no one else. We stand for self-determination—for free elections—and we will honor their result.

Part of the vulnerability of the South Vietnamese to Vietcong propaganda stems from the dismal fact that for the 12 years of its independent existence South Vietnam has not elected its national leaders. They have had 10 Premiers in the past 2 years alone, and not one of them chosen by the people. Little wonder that so many in that land show limited enthusiasm for defending their freedom.

Think for a moment what a dramatic thing it would be if the President should publicly and formally propose to the United Nations a clear-cut peace plan based upon one simple keystone—the will of the people.

To begin, the President could recommend that a free election be held in all of South Vietnam—not next year but this year—in which it would be proven, by ballots rather than bullets, just exactly what government the people of South Vietnam want to represent them.

He could propose that these elections be supervised by the U.N. to avoid their being falsely rigged by either side—and be preceded by a U.N.-supervised 6-weeks truce to provide a proper atmosphere for their conduct.

It would be necessary, of course, for both combatant forces to agree in advance to respect and abide by the results of the elections. But on what defensible basis could Hanoi or the Vietcong refuse? A turndown on their part would expose as total fraud their pretenses at representing the popular will, betray their lack of faith in the people of South Vietnam, and help turn the tide of Asian opinion to our side.

Surely we would have nothing to fear from such free elections. There has been no truly free election anywhere in the world during the past 15 years which has given any real comfort to the Communists. The South Vietnamese people have demonstrated their desire to participate. On last May 30, elections were held throughout South Vietnam for provincial and municipal advisory councils. In spite of Vietcong threats and intimidation aimed at keeping people away from the polls, fully 70 percent of those registered voted in the election even though the officers elected were to have very little real authority.

As a second stage, we might want to consider building into the plan a concrete proposal for similar free elections, either 2 or 3 years hence, in which all the people of North and South Vietnam could vote on unification as decreed in the Geneva accords of 1954.

Both north and south profess to want reunification of the country—but each on its own terms. The Geneva agreement specified that such nationwide elections would be conducted in July of 1956.

South Vietnamese leaders were never satisfied that really free balloting would result in the northern zone, and the solemn agreement was never kept. Much of the present bitterness stems from this failure.

A somewhat disturbing report in the morning newspaper today quotes South Vietnamese Premier Ky as saying that his country has the "noble and supreme task" of "liberating the North and reunifying the fatherland." Let us devoutly hope that he does not mean a reunification merely on his own terms brought about solely by the force of arms and unratified by popular vote, for this would be as wrong in principle as the evil against which we fight. The evil of communism lies not in its name alone, but in its policies and its methods. We shall not defeat it by mimicking those methods. We shall defeat it ultimately by demonstrating to the world that there is a far better alternative by the way of democracy, the way of the freely and constitutionally expressed popular will.

We have repeatedly said that we stand behind the Geneva accords, even though we were not a signatory. This proposal would be wholly consistent with our joint declaration with Great Britain, made in Washington on June 29, 1954, as reported in the Department of State Bulletin, volume XXXI, which reads:

> In case of nations now divided against their will, we shall continue to seek unity through free elections, supervised by the United Nations to insure that they are conducted fairly.

So actually we have said these things before, at different times and places. But most of the world, unfortunately, does not know that we have said them. Maybe we have not quite put them into one simple package sufficiently dramatic to constitute a clarion call to peace and freedom in Asia.

At worst, it would put Hanoi on the psychological defensive. If the overture failed, then all the world would know that we really had tried, and everybody would have a clearer idea as to just what we are fighting for—the right of every people to have a government of their own choice, and not one forced upon them by anybody else. No longer, if Hanoi rejected the proposal, could the Vietcong masquerade as liberation forces or accuse us of trying to force our will upon their country.

Surely this is one weakness in Senator Robert Kennedy's proposal that the Vietcong be admitted to a coalition government, for the impression arises that we are bartering away the freedom of South Vietnam.

The point is that we are not there to impose on the South Vietnamese a government of our choice but to defend their rights to a government of their choice.

Let us make this crystal clear—so clear that nobody can mistake or misconstrue it. Such an assertion of our faith in the democratic processes would show the strength of our deepest national convictions. It would be consistent with every major civilizing development since the Magna Carta.

We would be challenging the aggressors to let the people decide—in the forum of reason rather than the battlefield of war. If they should refuse, it would further condemn them even in the eyes of Asians, perhaps gain us more allies and certainly leave us in a better psychological position if we are to stay and fight.

And if they should accept, it might pave the way to the conference table and the honorable settlement for which all men of good will so fervently yearn.

But if we would encourage the enemy to join us on this or any other avenue to peace, then we must demonstrate beyond doubt that we have both the will and the means to triumph in the military phase of this struggle against aggression, and the patience to persist even in the face of adversity. Unanimous passage of this bill today would be one such clear demonstration.

Mr. SISK. Mr. Speaker, I yield to the gentleman from California [Mr. Holifield] 5 minutes.

Mr. HOLIFIELD. Mr. Speaker, I am supporting this rule and I am supporting the legislation. I think if a study of the map of southeast Asia is made, you could readily determine that we are not fighting in South Vietnam just for 16 million people. We are fighting to keep 1 billion people from sliding into the control of Red China. That is what we are fighting for.

In that 1 billion people, there are 85 million people, highly industrialized and scientifically trained people in the nation of Japan with a capability of making any kind of plane or electronic gear or any other kind of equipment that can be used in war. This is the one thing that Red China needs—the industrial capability of Japan.

We are fighting against the four-prong formula of Communist conquest—infiltration, subversion, terrorism, and guerrilla takeover. If this formula of Communist conquest is allowed to go unchallenged, it will be used in every country in southeast Asia and in every country of the underdeveloped world.

Let no one believe that our surrender and withdrawal from Vietnam would bring peace in southeast Asia or in the world. It would bring further use of the formula of Communist conquest in every country in southeast Asia and in the underdeveloped world.

Peace cannot be established by the surrender to a dictator's forces of tyranny and aggression. We cannot bring peace to the world in that way. None of us want war. None of us want our boys to be killed in foreign jungles. We all want peace and we all want to negotiate, but we do not want to reveal every term of possible negotiation before we get to the negotiation table. That is not the way that negotiation is successfully accomplished. Peace can be established in my opinion by the support of just principles by our country and hopefully by other countries throughout the world.

Mr. Speaker, I yield back the balance of my time.

Mr. SISK. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. RIVERS of South Carolina. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 12889) to authorize appropriations during the fiscal year 1966 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, research, development, test, evaluation, and military construction for the Armed Forces, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from South Carolina.

The motion was agreed to.

IN COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 12889, with Mr. Carey in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from South Carolina [Mr. Rivers] will be recognized for 1½ hours, and the gentleman from Massachusetts [Mr. Bates] will be recognized for 1½ hours.

The Chair recognizes the gentleman from South Carolina [Mr. Rivers].

Mr. RIVERS of South Carolina. Mr. Chairman, in that a little later, time may be of the essence, I yield 10 minutes now to the distinguished gentleman from New York [Mr. Ryan].

Mr. RYAN. Mr. Chairman, I thank the distinguished chairman of the Committee on Armed Services for having yielded to me to start what I hope will be a reasoned debate on the policy considerations which should guide us in considering this very important bill today.

The bill before us authorizes a supplemental appropriation of $4.8 billion principally for the procurement of aircraft and missiles and the construction of bases. The funds are needed, we are told, for the war in Vietnam. This is certainly not a routine authorization for a routine appropriation. It is rather a request for another brick in the arch of congressional support which the administration is constructing for its policy. Although the war is being fought without a declaration of war, the President never hesitates to remind the Nation that it is being fought with the sanction and approval of Congress. The President made it clear in his news conference on February 27 that he regards support of this authorization for military appropriations as an endorsement of the administration's Vietnam policy. If the President considers this a matter of policy, so do I.

The basic issue is U.S. policy in Vietnam.

The question is not whether courageous American soldiers, sailors, and airmen are to be adequately equipped, supplied, and protected in carrying out and executing their assigned missions. Of course, as long as they are committed to battle, they must be provided for properly. No one argues that. If this were simply a bill to give supplies to the dedicated men in the field, it would have my full support. The real question is what our goals and objectives in southeast Asia should be and what strategy should be adopted in an attempt to realize them. It is not a matter of support for men in combat, but whether they should be in combat at all, or if they are, what their missions should be in the context of what strategy and what policy.

This is a bill to finance escalation, not to finance an existing policy or decisions already made. It is now before us, and our responsibility is a heavy one.

We should understand, if not accept, the fact that modern warfare is conducted without a formal declaration of war by Congress. We delude ourselves, and we delude the American people, if we pretend that Congress should ignore policy when it authorizes the appropriation of funds.

Let us admit it. Since the House grip on the budget is the only hold it has on foreign policy, an authorization request is the only time when the House can review foreign policy.

Yet the American people rely on Congress to oversee foreign policy. I am receiving hundreds of letters about the Vietnam crisis. I am sure we all are. Unless we are prepared to tell our constituents that they have come to the wrong place—that they should write to the President instead—we must at some point take a stand. This bill is likely to be our only chance.

We are entrusted by our constituents to act in this, as in every matter, in their interest and in the national interest.

Today is the third time in 2 years the House has been called upon to express itself on our policy in Vietnam. It may be the last time.

THE IMPORTANT DEBATE

Mr. Chairman, there is a crucial debate raging within the councils of government, and this authorization touches the fundamental issues. The important debate is not about "withdrawal" or "mindless escalation." Nor is it about appeasement or bombing China. There are no Chamberlains or Hitlers in seats of power in this country.

Mr. Chairman, the U.S. objective in Vietnam has not been clear. Most Government officials now agree on one of two general objectives, and many of them vacillate between the two. One's view of what military and diplomatic strategy to pursue really depends on which of these objectives he believes that the United States should seek.

The general objective sought by one view is a limited one: to prevent the Vietcong from taking over South Vietnam by force, and to end hostilities in such a way that ultimately the United States can honorably leave the country. Those who favor this objective generally argue that the United States can and should only play a limited role in Asia. They believe that a future Vietnamese Government would be independent of China, at worst a Tito-type situation. Therefore, they are not overly troubled by the prospect of a coalition government in Vietnam, reflecting the political realities.

This general view was expressed before the Senate Foreign Relations Committee by the distinguished diplomat, George Kennan.

Those who take this line believe the Vietcong must be a party to negotiations and are prepared to accept an interim coalition government. This was the essence of Senator ROBERT F. KENNEDY's statement on February 20.

Furthermore, those who take this line have a military strategy which they believe will lead to a solution. That strategy is based on the theory that we must show Hanoi and the Vietcong that they cannot win the war. This military strategy has been most clearly outlined by Generals Gavin and Ridgway. Proponents of this view oppose escalation of the war.

The second general objective has been gaining popularity within the administration during the past month. It is a much wider objective. It holds that the United States should help the Saigon government to gain control of South Vietnam and to carry out an extensive pacification plan which will deny the Vietcong the allegiance of a significant part of the population. Those who urge this objective believe that, if South Vietnam goes Communist, the whole area of southeast Asia will be jeopardized. Conversely, they believe that, if the Vietcong are decisively defeated, Chinese communism will be effectively contained.

Those who take this view are horrified by the thought of an interim coalition government—or by the prospect of elections which the Vietcong might win. This is the line of reasoning which, according to Senator FULBRIGHT, calls for "total victory." It is the doctrine espoused by the Secretary of State. Officials who follow this approach necessarily react very sharply to Senator ROBERT F. KENNEDY's proposal.

Those who take this line have a military strategy of their own. They want the United States to conduct search-and-destroy missions—to drive the Vietcong out of areas which they now control. They then want our troops to "hold" these areas, while pacification plans proceed.

This is the strategy proposed by Vice President HUMPHREY and Gen. Maxwell Taylor. According to General Wheeler's testimony before the House Armed Services Committee (hearings on H.R. 12334 and 12335, pp. 4932, 4933, 4949), this is the strategy of General Westmoreland. It calls, of course, for a continually increasing U.S. troop commitment. It believes that the U.S. role in southeast Asia must be long term, and that we will need many bases and supply lines. In short, this is a policy of extended escalation.

Mr. Chairman, this crucial policy debate may well determine the course of U.S. domestic and foreign policy for the next decade. It is a debate which Congress should not avoid. Otherwise, we abdicate our responsibility and contribute to the process by which the Executive determines when and where and how to put this Nation to war.

Mr. Chairman, I am convinced that the authorization which we consider this afternoon deals directly with the substance of this debate. As I will demonstrate, it is an escalation authorization. In my view, it deals directly with policy. For it in effect says to the President: Here is the money with which to escalate. If you do so, it is all right with us.

Mr. Chairman, it is not all right with me. In my view of domestic and international policy, a wider war is not the answer.

IMPLICATIONS OF MINDFUL ESCALATION

First, I want to make clear what I understand the mindful escalation policy to propose. It would impose a military solution upon an essentially political problem. My understanding of that policy comes from reading the transcript of the hearings before the House and Senate Armed Services Committees, reading dispatches from Vietnam in the New York Times and Washington Post, and listening to the recent speeches and comments of President Johnson and Vice President HUMPHREY.

The object of the policy is to wipe out the Vietcong, and to hold huge areas of the Vietnam countryside while the Saigon government carries on a program of pacification. Its proponents hope that the countryside can be cleared in 2 or 3 years—through intensive search and destroy missions—but they believe that the pacification of the countryside may take a great many more years to realize.

Advocates of this escalated policy have no illusions about its cost. They know that it will take a great many men to conduct the search and destroy missions; more important, they know that it will require a great many more men to hold on the countryside once it has been initially cleared. While it would be nice to believe that these tasks can be left to the South Vietnamese themselves, advocates of this policy are convinced that the countryside cannot be held without the presence of American troops in each village and hamlet.

Most of those who urge mindful escalation admit that the cost will be considerable. They are calling for a minimum of 400,000 American troops. According to Hanson Baldwin, writing in the New York Times magazine on Sunday, February 27, all of the President's military advisers agree that more than double the present strength is essential. Senator STENNIS has said 600,000 men may be required. Seymour Topping reported from Saigon in the New York Times on February 26 that military authorities there expect that during peak combat periods there would be at least 2,000 American casualties per month.

Mr. Chairman, I am not persuaded by these military "experts." I might remind my colleagues that the military have been wrong before. It was Secretary of Defense MacNamara, who upon returning from Vietnam on October 2, 1963, said the major part of American forces would be home by Christmas, 1965. I do not doubt that America has the ability to defeat the Vietcong and to secure victory for the Saigon government. But I am neither convinced that the allies could secure victory according to their timetable, nor persuaded that the total annihilation of the Vietcong is worth the cost to America.

I have always taken General MacArthur's crisp comments on a land war in Asia most seriously. Senator Cain asked General MacArthur whether he had told Secretary of State Dulles that:

> Anybody who commits the land power of United States on the continent of Asia ought to have his head examined.

MacArthur replied:

> I don't know whether I made the statement, but I confirm absolutely the sentiments involved.

Military situation in the Far East: Hearings before the Committee on Armed Services and Committee on Foreign Relations, U.S. Senate, 82d Congress, 1st session, part 1, page 156.

I have also been impressed by the study which Gen. Matthew B. Ridgway had made on the conditions for a land war in Indochina while he was the Army's Chief of Staff. After reading the full reports of the study, General Ridgway concluded:

> We could have fought in Indochina. We could have won, if we had been willing to pay the tremendous cost in men and money that such intervention would have required—a cost that in my opinion would have eventually been as great as, or greater than, that we paid in Korea. (See "Ridgway, Soldier: The Memoirs of Gen. Matthew B. Ridgway," Harper & Row, 1956.)

Mr. Chairman, I think it is clear that the cost of the policy of mindful escalation may be just as great as the cost of the Korean war. In that war there were 157,000 casualties, including 54,000 deaths.

We have all perhaps read the report published last month by Senator MANSFIELD upon his return from Vietnam. Its conclusions are sobering. We would do well to recall them this afternoon. The report concluded:

> Despite the great increase in American military commitment, it is doubtful in view of the acceleration of Vietcong efforts that the constricted position now held in Vietnam by the Saigon government can continue to be held for the indefinite future, let alone extended without a further augmentation of American forces on the ground. Indeed, if present trends continue, there is no assurance as to what ultimate increase in American military commitment will be required before the conflict is terminated. For the fact is that under present terms of reference and as the war has evolved, the question is not one of applying increased U.S. pressure to a defined military situation, but rather of pressing against a military situation which is, in effect, open ended.

The Mansfield report, it seems to me, makes it indelibly clear that the war can be won only by literally multiplying the numbers of American troops. It points out that, when we began to increase our troops after the authorization last May, the Vietcong began to supplement their forces correspondingly. The report also points out that the Vietcong at the present time "have the capability of a substantial increase in their numbers within a short period of time." Although an estimated 35,000 Vietcong were killed last year, their ranks swelled from 103,000 to 230,000 during that time. At a minimal guerrilla ratio of 5 to 1, it would have been necessary to recruit 600,000 new troops just to keep pace.

To put the matter more vividly, Secretary of Defense McNamara estimates that 4,500 North Vietnamese are infiltrating South Vietnam each month. To keep the current 4-to-1 superiority, it will take 20,000 additional troops a month to Vietnam.

A more depressing way of looking at these statistics is offered by Prof. Bernard Fall. He points out that the traditionally accepted guerrilla ratio—based on the experience of Malaya and the Philippines—is 10 to 1. According to U.S. News & World Report for March 7, the Vietcong now have 235,700 men. Thus, an army of more than 2 million men would be required to defeat the Vietcong. At present the Saigon government has an army of about 570,000 men, but the manpower pool appears to be pretty well depleted. Professor Fall doubts that the Saigon government could ever field an army of more than 1 million men. Therefore, to defeat the Vietcong, he reasons, the United States would be required to send at least a million men to fight in Vietnam.

Mr. Chairman, I am troubled by the escalation of this war for yet another reason—the threat of Communist China. The threat of Chinese intervention must always remain a consideration in any review of our role in Vietnam. This is the area where our aspiration to secure freedom may collide with China's ambition to secure protective satellites. We must look beyond the conflict in Vietnam to the potential collision between the United States and China.

Prof. Roger Hilsman, Jr., former Assistant Secretary of State for Far Eastern Affairs, testified before the Subcommittee on Far Eastern Affairs of the House Committee on Foreign Affairs on February 1:

> Today Communist China and the United States are on a collision course. The outcome can only be war.

The cost of war with China, Mr. Chairman, would be inestimable.

Then there is the possibility that in the face of mounting casualties the administration will have difficulty in resisting increasing pressure to end the land war by using ultimate weapons on Hanoi, Haiphong, or China.

Mr. Chairman, these are my concerns about a policy of mindful escalation. Yet I believe that an analysis of the proposed authorization makes it clear that continued escalation is precisely what is intended.

AUTHORIZATION FOR ESCALATION

My study of the bill, hearings, and Secretary McNamara's testimony before the Senate and House Armed Services Committees shows that virtually all of the authorization is for procurement of aircraft or missiles, and for bases and other military construction. The rest is for research. No new authorization is asked for ammunition or supplies.

The bill before us is not simply designed to keep the war at the present level, but to permit the escalation of the war in the discretion of the Executive.

The largest item in the authorization bill is $3.4 billion for procurement of aircraft and missiles. Almost all of this is for the procurement of aircraft and aircraft parts. This is not simply to replace aircraft which have been lost in battle. In 1965, 275 fixed-wing aircraft and 76 helicopters were lost. According to Secretary McNamara, aircraft cost less than $2 million per plane. Thus, less than $600 million are needed to replenish the air force. Yet the bill authorizes almost $3 billion for aircraft.

It is also worth noting that most of the lost aircraft were lost in missions over North Vietnam. Secretary McNamara estimated that 169 of the 275 planes were lost over North Vietnam. It seems fair to conclude that, if the Defense Department expects to lose more planes this year than it did last year, the losses will result primarily from a stepped-up program of bombing in the north.

We should be especially reluctant to underwrite such a project. Bombing of North Vietnam has neither brought the North Vietnamese to the bargaining table nor stopped the inflow of men and munitions. Indeed, Secretary McNamara estimates that infiltration from the north has more than tripled since we began the bombing. Senate hearings, page 338. It should also be noted that the intervention of regiments of the North Vietnamese Regular Army came about as a result of the bombing which was started on February 7, 1965.

In his testimony before the Senate Armed Services Committee Secretary McNamara explained at pages 132–133 that the authorization is not just for replacement of planes:

> It does include added inventory.

He explained:

> We are providing for procurement of aircraft to be added to the force or modernize the force, rather than to replace potential losses.

As for helicopters, Secretary McNamara stated:

> The number of helicopters that we are buying far exceeds any number that we are likely to lose, and far exceeds any number that would be required to modernize units in the forces as of July of last year. (Senate hearings, p. 191.)

Besides the procurement of aircraft and missiles, the other major request in the authorization bill is for military construction; $1.2 billion are requested for this purpose. Certainly there is a need for increased port facilities and access routes to transport supplies to the men who are already in Vietnam. Also, hospitals, housing, and community facilities are needed. But the bill goes beyond this by providing for the construction of airfields and ports which will allow continued escalation of the war without further action by Congress.

Thus, in explaining the administration's request for funds, Secretary of Defense McNamara said:

> We will be prepared to house and support additional units if their deployment should be required in the future. (Senate hearings, p. 12.)

Following this theme, the House Committee on Armed Services Report at page 16 states that the money is needed "to achieve and maintain objectives in southeast Asia under present force deployments and to provide a base for augmentation thereof."

Furthermore, other policy decisions appear to be hidden in this authorization bill. Only about one-half of the $1.2 billion request for military construction will be spent in South Vietnam; $346 million will be spent on "other" parts of the Asian mainland—presumably in Thailand.

The decision to build new military airfields, ports, and facilities in Thailand may seem desirable militarily, but it also appears to represent a decision to broaden the base of the war. Similarly, many of the new airfields and ports will be built—under this authorization—with cement, rather than with temporary construction materials such as aluminum matting. This would seem to suggest a decision to build military ports and airfields which will last for a long time to come.

Mr. Chairman, my conclusion that this authorization will be considered as congressional approval of mindful escalation is drawn largely from the testimony of the Secretary of Defense before the House and Senate Armed Services Committees. At one point in the Senate hearings, page 105, for example, the following exchange took place between Secretary McNamara and Senator SMITH:

> Senator SMITH. Mr. Secretary, are there any plans to escalate and step up the offensive in Vietnam?
>
> Secretary MCNAMARA. Well, there are preparations being made, and they are reflected in the fiscal 1966 supplement, for substantially increasing our deployments to South Vietnam and raising the rate of activity of our air units there. Whether or not we will carry out such higher rates of activities and actually deploy all of those additional forces is a decision that only the President can make, and no such decision has yet been made.

Mr. Chairman, I believe that Congress should have some voice in the decision about whether to escalate this war rather than stabilize it. Yet as Secretary McNamara's statement makes clear, this authorization would put that decision squarely and solely in the hands of the President.

Mr. Chairman, I think it is important to point out that the House Armed Services Committee report expresses the committee's view that there was inconclusive evidence that the authorization is necessary for this fiscal year. It states this doubt at page 3:

> If there is one reservation felt by many members of the committee regarding the necessity for this legislation, it arises from the possibility that many of the items involved, in all three categories of procurement, research and development, and construction may simply have been moved from the regular 1967 authorization to this supplemental 1966 authorization without any real program for acceleration. Obviously no military advantages would be gained by such a bookkeeping situation. Testimony on this subject was indecisive and the committee has not yet been provided with sufficient definitive data to pinpoint the exact degree of real acceleration, or to determine the amounts involved in the proposed legislation which could safely and should properly be deferred until the regular 1967 authorization.

I would suggest that the administration has asked for this authorization for yet another reason, not connected with military necessities or bookkeeping. It wants a congressional authorization which it can cite as evidence of approval of the strategy of escalation.

Mr. Chairman, this is not a simple authorization to continue the war at its present level. We should not pretend to ourselves or to the American people that it requires no policy judgment on our part. This authorization represents the administration's decision to make it easy to escalate the war in the future.

THE NATURE OF THE COMMITMENT

There are those who believe that Vietnam marks the single great battleground of freedom. They argue that we should be prepared to send every soldier, every plane, and every bomb that we have to gain control of that country. If the government of Saigon does not triumph, they argue, no country can be assured of freedom.

Mr. Chairman, let us examine the nature of our commitment to Vietnam. Until this month, the administration argued that it was based on the statements and policies of three American Presidents.

The most important building block in this argument was President Eisenhower's letter to President Diem on October 23, 1954. The letter said:

> We have been exploring ways and means to permit our aid to Vietnam to be more effective and to make a greater contribution to the welfare and stability of the Government of Vietnam. I am, accordingly, instructing the American Ambassador to Vietnam to examine with you in your capacity as Chief of Government, how an intelligent program of American aid given directly to your Government, can serve to assist Vietnam in its present hour of trial, provided that your Government is prepared to give assurances as to the standards of performance it would be able to maintain in the event such aid were supplied.
>
> The purpose of this offer is to assist the Government of Vietnam in developing and maintaining a strong, viable state, capable of resisting attempted subversion or aggression through military means. The Government of the United States expects that this aid will be met by performance on the part of the Government of Vietnam in undertaking needed reforms. It hopes that such aid, combined with your own continuing efforts, will contribute effectively toward an independent Vietnam endowed with a strong Government. Such a government would, I hope, be so responsive to the nationalist aspirations of its people, so enlightened in purpose and effective in performance, that it will be respected both at home and abroad and discourage anyone who might wish to impose a foreign ideology on your free people.

For a while the administration maintained that our military commitment stemmed from this letter. But that argument has since been discredited. It was first deflated in a 1965 essay by Arthur Larson, who was Director of the U.S. Intelligence Agency under President Eisenhower. Larson goes through the letter sentence by sentence and concludes:

> The nearest thing to a commitment at this stage was an indicated willingness, subject to some stiff (and as yet unsatisfied) conditions and understandings, to provide economic and technical assistance, including military advisers, material, and training" (Larson, "Vietnam and Beyond.")

Then, on August 17, 1965, President Eisenhower settled the question surrounding his letter once and for all.

> We said we would help that country—

He said—

> We were not talking about military programs, but about aid. (See Max Frankel's article "Military Pledge Is Denied by Eisenhower," New York Times, Aug. 18, 1965.)

After President Eisenhower refused to accept responsibility for our military involvement, the administration turned to a treaty and congressional declarations to explain the root of our commitment. It pointed to the SEATO Treaty and two principal actions of the Congress—the Gulf of Tonkin resolution of August 1964 and the $700 million supplemental appropriation for military activities in southeast Asia which passed the House on May 5, 1965.

In his testimony before the Senate Foreign Relations Committee, Secretary Rusk said on February 18 that our commitment to Vietnam grew out of SEATO. "It is this fundamental SEATO obligation that has from the outset guided our actions in South Vietnam," he said.

However, our obligation under SEATO is clearly limited under the treaty. In the first place, the testimony, Senate report, and Senate debate which surrounded the passage in 1954 of the Southeast Asia Treaty make it clear that instances of Communist subversion, inspired from without, were to be treated under article IV paragraph 2 of the treaty which says:

> If, in the opinion of any of the parties, the inviolability or the integrity of the territory or the sovereignty or political independence of any party in the treaty area or of any other state or territory to which the provisions of paragraph 1 of this article from time to time apply is threatened in any way other than by armed attack or is affected or threatened by any fact or situation which might endanger the peace of the area, the parties shall consult immediately in order to agree on the measures which should be taken for the common defense.

Instead, Secretary Rusk relies upon article IV paragraph 1, which says:

> Each party recognizes that aggression by means of armed attack in the treaty area against any of the parties or against any state or territory which the parties by unanimous agreement may hereafter designate, would endanger its own peace and safety, and agrees that it will in that event act to meet the common danger in accordance with its constitutional processes. Measures taken under this paragraph shall be immediately reported to the Security Council of the United Nations.

Even if paragraph 1 of article IV were applicable, the nature of our obligation to Vietnam would be limited.

As Secretary of State John Foster Dulles told the Senate Foreign Relations

Committee at page 14 of the Senate hearings on the treaty:

> We made clear at Manila that it was not the intention of the United States to build up a large local force including, for example, U.S. ground troops for that area, but that we rely upon deterrent power of our mobile striking force.

It was apparent to the signers of the treaty, to the Eisenhower administration, and to the U.S. Senate that the treaty did not involve any promise to commit American ground troops to Asia. Senator Alexander Smith, one of the two U.S. Senators to accompany Mr. Dulles to the treaty conference in Manila, emphasized this point in the debate on the Senate floor.

Senator Smith said:

> The great contribution which this country is capable of making to the defense of southeast Asia in the event of an act of open aggression would be, as Secretary Dulles has said, to strike at the source of aggression rather than to rush American manpower into the area to try to fight a ground war. We have no purpose of following any such policy as that of having our forces involved in a ground war. (CONGRESSIONAL RECORD, vol. 101, pt. 1, p. 1053.)

Article IV paragraph 1 is only operative in the event of an open armed attack. If such an attack should occur, each state agrees to "act to meet the common danger in accordance with its constitutional processes." This provision helped to assuage the doubts of a Congress which was troubled that the Korean war had been fought without a declaration of war. It makes it clear that the treaty signatories are not bound to take any action without going through the appropriate constitutional channels. Thus, the President of the United States is obligated to consult Congress before meeting the obligations of the treaty. Moreover, the treaty requires that "Measures taken under this paragraph shall be immediately reported to the Security Council of the United Nations." Yet, if we accept Secretary Rusk's contention that we have been acting in Vietnam under this treaty since 1954, we should recognize that for the first decade we were violating the treaty by not reporting the measures taken to the Security Council.

The framers of the SEATO treaty did not contemplate our involvement in an Asian land war, and we have not acted in accord with the provisions of the treaty. SEATO should not be considered the source of our increasing commitment in Vietnam.

President Johnson has also often said that our commitment to Vietnam was sealed by the Gulf of Tonkin resolution.

However, the Gulf of Tonkin resolution in August of 1964 did not contemplate extending the war to North Vietnam, nor the landing of large American armies in Vietnam.

That resolution is cited as the legal basis although before it was adopted in the House and Senate the Senate debate made it clear that the resolution was an affirmation of the then existing policy.

Senator FULBRIGHT, in making the legislative history of that resolution, had the following exchange with Senator MCGOVERN:

> Senator MCGOVERN. Does the Senator think there is any danger in this resolution that we may be surrendering to General Khanh's position as to where the war should be fought? (General Khanh had advocated attacking North Vietnam.)
>
> Senator FULBRIGHT. I do not think there is any danger of that. * * * I do not think the policy that the war be confined to South Vietnam has changed. I think it is still the policy. I think it is the correct one.

Later in the debate, Senator BREWSTER asked:

> So my question is whether there is anything in the resolution which would authorize or recommend or approve the landing of large American armies in Vietnam or in China.

Senator FULBRIGHT replied:

> There is nothing in the resolution, as I read it, that contemplates it.

Senator FULBRIGHT during the debate also said:

> I personally feel it would be very unwise under any circumstances to put a large land army on the Asian Continent.

Mr. Chairman, in my view the policy pursued in Vietnam was not contemplated by the resolution of August 1964.

Last May 5 the administration asked House approval of a supplemental appropriation of $700 million for military activities in southeast Asia not because the appropriation was necessary but because the administration candidly sought congressional approval for a new departure in policy.

No longer was the United States aiding the South Vietnamese to fight their own war. The United States was fighting the war. I voted against that bill because I was not willing to vote approval of the decision to convert the conflict into an American war. The administration had not defined its objectives, and there had been no congressional debate.

On May 5 there were 34,000 American Armed Forces personnel in South Vietnam. Today there are 210,000 and 6 divisions.

The war has indeed escalated, and the administration cites the $700 million supplemental appropriation vote of May 5 as another legal basis for our commitment as well as one of the bricks in the arch of congressional support.

Let there be no mistake about it. Today's vote will be similarly construed.

Mr. Chairman, there is yet a third explanation for our commitment to Vietnam—one which invokes American history and evokes America's idealism. In his speech at Freedom House on February 23, President Johnson appealed to the traditional American devotion to liberty. We are in Vietnam, he said, to "keep the faith for freedom."

In his speech last week, President Johnson recalled President Roosevelt's four freedoms. Freedom of speech, freedom of religion, freedom from want, and freedom from fear. I agree that we are dedicated to these freedoms at home and abroad. But our commitment is no less great in Paraguay, Spain, or Southern Rhodesia than it is in South Vietnam. Do we not have as strong a moral responsibility to "keep the faith for freedom" for the people of Cuba and Hungary as for the people of Indochina?

In these cases the United States has recognized that it cannot join the battles of every nation in the world. We should send economic aid; we should exert diplomatic and economic pressure; we should set a personal example; we should strengthen the United Nations; but we cannot commit ourselves to fight an unlimited military war in every case of injustice.

Our friends around the world recognize that no matter how great our love for freedom, our resources are not omnipotent. They know that we are prepared to use our full resources to stop armed aggression, as in Berlin, and to defend ourselves against a nuclear threat, as in Cuba. However, they do not expect us to devote all of our resources to the battle in Vietnam. Many of the world's leading diplomats no doubt share the view of George Kennan, the distinguished former Ambassador to Yugoslavia and the Soviet Union:

> Not only are great and potentially more important questions of world affairs not receiving as a consequence of our preoccupation with Vietnam, the attention they should be receiving, but in some instances assets we already enjoy, and hopeful possibilities we should be developing, are being sacrificed to this unpromising involvement in a remote and secondary theater of activity.

Most of the world's leaders seem to be baffled and distressed—rather than heartened—by our increasing involvement in Vietnam.

Whatever the nature of the commitment may be, we are clearly not obligated to pursue a policy of continued escalation which involves a full-scale land war on the Asian mainland.

ALTERNATIVES TO ESCALATION

Mr. Chairman, there are realistic alternatives to the extended escalation policy implicit in this bill, and they should be considered before we embark upon a wider war.

I want to make it clear that I do not consider pulling out to be an acceptable course of action. The damaging effect of withdrawal upon our prestige and our relations with other countries of southeast Asia and our allies elsewhere would be severe. The consequences for Cambodia and Thailand must be recognized. We are past the point of unilateral withdrawal even if it would have been sensible—which I do not suggest.

The decision has been made without being formally made. We do have a pledge to the freedom of the people of South Vietnam and their right to freely choose their own government. However, within the framework of that pledge, there are reasonable and honorable alternatives.

In past speeches before the House, I have made specific proposals for a diplomatic resolution of the conflict. I believed they were meritorious when I outlined them on June 10, 1964, and again on February 24, 1965.

Although conditions have changed and we have Americanized the war, I still believe they should be pursued.

They should be explored in a stabilized situation, not an intensified war. If we follow what might be called the Gavin-Kennan-Fulbright-Hilsman plan, we can hold Saigon, the provincial capitals, and our own bases, while we support the South Vietnamese as long as they are willing to carry forward counterguerrilla warfare and programs of economic and social reform.

This would bring about a deescalation of our military involvement in South Vietnam which should be accompanied by a cessation of the bombing in North Vietnam. While pursuing this military strategy, we should continue to press for negotiations.

Mr. Chairman, I have consistently said that the conflict in Vietnam was not susceptible to a wholly military solution—that it would be won not on the battlefield but in battle for men's minds, that the Government must win the confidence of the people, that we could help with support—but that our power must be exercised in a supporting role for the benefit of the underdeveloped peoples. We must assist development, not insist on domination.

This raises the whole question of our intervention policy, whether in Vietnam or Santo Domingo or in any one of the 40-odd nations with which Dean Rusk reminded us we have treaty obligations. Of course, we cannot withdraw from the world. Neither neoisolationism nor the doctrine of military might should guide our actions. George Kennan said at hearings of the Senate Foreign Relations Committee on February 10 that we should not be asked "to shoulder the main burden of determining the political realities in any other country." The administration has sought to create a vital interest where there was a stake but not a life or death embrace.

Mr. Chairman, our obligation to the freedom of the South Vietnamese did not require nor commend increasing escalation and a further influx of American combat troops. Rather it commended to us a search for political and diplomatic alternatives. In the interest of aiding that search, eight of us sponsored on January 21 and 22, a conference of experts and scholars to examine and analyze the situation in Vietnam, prepare realistic proposals to facilitate a negotiated settlement and to project the framework of a creative Far Eastern foreign policy.

The report of the ad hoc Congressional Conference on Vietnam was issued on February 15, 1966. Our colleague, the gentleman from New York [Mr. ROSENTHAL], deserves our commendation for his initiative in this project. While I do not necessarily subscribe to all of the conclusions and recommendations in that report, I believe they point to the general direction our policy should take. Therefore, I include the foreword and the conference recommendations at this point in the RECORD:

AD HOC CONGRESSIONAL CONFERENCE ON VIETNAM

FOREWORD

On January 21 and 22, 1966, a group of experts and scholars met in Washington at the invitation of eight Members of the House of Representatives to analyze the current situation in Vietnam and prepare realistic proposals to help end the war and facilitate a negotiated settlement.

The sponsoring Congressmen have felt unsatisfied with the recent role of Congress in foreign affairs. They believe their office requires a more fundamental examination of foreign policy than that allowed by even the most careful consideration of specific legislation. The sponsors are convinced that the level of congressional analysis can be raised through greater intimacy between the legislative branch and the intellectual and university community. It was with this in mind that they invited to Washington a group of experts particularly qualified to discuss with them Vietnam and its implications for American diplomacy.

Some of the participants have spent considerable time in Vietnam, and have obtained intimate association with conditions there. Others offered the important perspectives of experience in negotiation, study of economics, diplomacy or international law, or expert knowledge of relevant geographical areas.

Participants were requested not to dwell on episodes or errors of the past. Instead, they were asked to discuss present policies and possible alternatives to them; to analyze the problems involved in reaching and enforcing a settlement in Vietnam; and to project the outlines of a creative American policy toward Asia.

Certain conclusions and recommendations emerged in the discussions and these are stated explicitly at the beginning of the report. The subsequent summary of the discussions also includes some individual points which contributed to the analysis, although they were not unanimously endorsed.

The sponsors regard the proposals made by the conference as important contributions to their own thinking about Vietnam and the formulation of American foreign policy. They feel the report deserves the attention of their congressional colleagues, members of the executive branch, and the American people. Finally, they view the conference as having set an important precedent for future congressional initiatives in foreign affairs.

CONFERENCE RECOMMENDATIONS

The Conference reached the recommendations and conclusions set out below. A summary of the discussions from which they were developed follows.

Present strategies

1. There are diplomatic alternatives, not yet fully explored, to continued military escalation of the war in Vietnam.

2. Continued bombing of North Vietnam is not in the American interest either in shortening the war or in improving prospects for a negotiated settlement.

3. There should be no further escalation of American troop commitment. There are serious risks of inviting greater North Vietnamese and Chinese activity.

4. Unilateral withdrawal of all American troops prior to a cease-fire or peace conference is not in our national interest.

New policy initiatives

5. The most productive course for the future is a deescalation of military activity and commitment.

6. The National Liberation Front must be recognized as a principal belligerent in the war, and as a necessary party to any peace conference and settlement.

7. To improve the likelihood of negotiations, the Saigon government should be broadened to include representatives less hostile to negotiations.

8. The United States must help promote greater contact between all South Vietnamese factions—representatives of the National Liberation Front, the Saigon government, and influential private citizens.

Negotiations and the convening of a conference

9. The difference between the several negotiating positions is not insurmountable. The United States might agree to Hanoi's four points, treating them as one interpretation of the 1954 agreement and thus an appropriate basis for negotiations. The controversial point three of the Hanoi program would then be a subject for subsequent discussion rather than prior approval.

10. The 1954 Geneva Conference should be reconvened with all parties to the hostilities represented.

11. A procedure for reconvening the Geneva Conference would be to have the three nations on the International Control Commission (Canada, India, Poland) request a conference to receive new instructions on enforcement of the 1954 agreements.

12. The inability of the United Nations thus far to use its good offices to help end the Vietnam war dramatizes the urgency of including China as a full member of that institution. Despite the difficulties of involving the U.N. in a settlement of the war, all parties should seek opportunities to utilize the United Nations in appropriate ways.

Terms of a settlement

13. A cease-fire must be secured. Given the dispersed nature of the conflict, a cease-fire might be more easily reached at a conference, though the possibility of a prior cessation of hostilities should be explored carefully.

14. Agreement must be reached on a provisional government in South Vietnam and procedures for the holding of elections to form a constituent assembly. A provisional government might be established on the basis of geographical areas controlled, with contested areas to be administered temporarily by the International Control Commission. Alternatively, decisions regarding such a government could be reached by prior negotiations between all parties in the south.

15. All parties must firmly adhere to the results of free elections.

16. Amnesty must be granted for all parties in the conflict.

17. Guarantees of the cease-fire, the provisional government, free elections, troop withdrawals, amnesty, and neutralization must be enforced by an effective International Control Commission. The International Control Commission must, therefore, be significantly strengthened. United Nations participation in this process might reduce administrative difficulties and set precedent for future United Nations participation in the solution of other civil conflicts threatening world peace.

18. A settlement should assure the neutralization of the two zones of Vietnam, Laos, and Cambodia. Arms control agreements must be reached applying to other nations of the area, prescribing their nonparticipation in military alliances, the freedom of their territory for foreign military bases, and their protection from outside arms, material, and armed personnel infiltration.

Mr. Chairman, these 18 points by no means exhaust the possibilities for negotiations. Rather, they indicate the direction in which our policy should, in my view, be directed. Unfortunately, our policy does not now appear to be headed in this direction. During the pause in the bombing in December and January the administration appeared genuinely to seek negotiations. There was no apparent response from Hanoi to the President's peace offensive, and the administration appears to doubt the possibility of negotiations.

But this Nation should never abandon the search for peace. We should never abandon ourselves to all-out war. We are not only the strongest nation on earth, we are the most ingenious. We have an unflinching belief in the law, and we have a great tradition of domestic peace preserved by the law. It is in this tradition that I have a great belief in the possibility of world peace through world law. Or, more precisely, I believe that world law is our only hope for world peace.

It was with this faith in international law that the United Nations was founded some 20 years ago. It was founded by men who had learned a lesson far more profound than the lesson of Munich or Manchuria or Ethiopia. They had learned the lesson of London, of Berlin, of Paris, of Hiroshima. They had learned that while wars can be won, they are never an answer. They provide no answer for the hundreds of thousands who are injured, made homeless, killed. The lesson of the Second World War was the need for a world order and international law.

But we seem to have forgotten that lesson in the war we fight today. We should have taken this dispute to the United Nations the moment it arose. We should have taken it to the Security Council. If the Soviet Union blocked us there, we should have gone to the General Assembly. There is a good case to be made against the Vietcong. That was the place to make it.

Mr. Chairman, I cannot believe that it is now too late to bring the United Nations into this dispute. Finally, last month, we took the matter to the Security Council. They decided not to act. Now we should be prepared to take it to the General Assembly.

There are those, I know, who say that the United Nations is too weak to handle this war. If it should try to handle this war, and fail, says the argument, then the United Nations will be damaged, perhaps permanently.

But, consider the damage which follows from not taking this issue to the United Nations. In effect, we are saying to the world: The United Nations cannot handle major disputes. Mr. Chairman, need I remind this body that the United Nations was founded precisely to handle major disputes. If we embark on a major war on the Asian mainland, and bypass the United Nations, we throw away the lessons of the last war, and discard the hope of our fathers.

It is often said that each new generation must learn its lessons anew. I pray that that maxim will not prove true of the lessons of total war.

At the outset of this speech, Mr. Chairman, I said that a great debate is now raging about which of two objectives this Nation should pursue in Vietnam—a negotiated settlement or "total victory." In all candor I must confess that the debate appears to be being won by those who ask "why not total victory?"

This objective will be sought through a policy of mindful escalation. Its proponents will elevate the American troop commitment slowly, gradually conditioning the American people. They are mindful of the domestic consequences which might follow full mobilization. Its proponents will also be selective in their bombing of North Vietnam. They are mindful of the danger of an all-out war with North Vietnam, or beyond that, with China.

Mr. Chairman, those of us who urge stabilization of the war are also mindful of the effects of escalation. We are mindful of the domestic effects and the international effects. We should accept the challenge of the generals and explain why not total victory.

Mr. Chairman, I do not doubt that America can win this war if we are willing to pay the price. If we are willing to sacrifice American lives and Vietnamese lives, to sacrifice the poverty program at home, to sacrifice a treaty banning nuclear proliferation. But is this in our national interest? Is it in the interest of world peace and the rule of law? Do we not have an obligation to the U.N. Charter which requires that threats to the peace be dealt with by that international organization? We are not discussing Munich. We are discussing Laos; we are discussing Algeria. Each of those conflicts ended with a compromise settlement, a negotiated peace. That should be our goal in Vietnam.

But instead, the administration's policy is now swayed by those who council us to abandon ourselves to the great game of war. We can win it they urge, so let us. Mr. Chairman, it is hard to resist this temptation, I am sure. But that is the role of statesmen and politicians. When generals council victory, we must council peace.

Mr. Chairman, when I vote on this measure it will be with a heavy heart. I know that few in this body will vote with me, and I do not lightly disagree with my President and my party.

This has not been an easy decision for me to make. In fact, it has caused me more soul searching than any vote I have cast in 6 years in this House. I yield to no one in my devotion to my country. I yield to no one in my respect and admiration for the qualities of courage, dedication, and patriotism of the American soldier. He performs miraculously in battle regardless of the conditions under which he fights. I know something of what he is experiencing in Vietnam today, for 20 years ago I too fought a jungle war in the Pacific. I hoped then, as my father did before me in the Meuse-Argonne almost 50 years ago, and as my brother did after me in Korea, that thereafter disputes among nations could be settled through international law.

I fully recognize that war is still an instrument of national policy. It is used today in Vietnam where we are at war without a declaration of war. If war were declared by Congress, the situation might be different. But today on the basis of the record I am unwilling to ratify with my vote an authorization which will be interpreted as the sanction for greater escalation of our military commitment.

It will be accepted as the third brick in 2 years in the arch of congressional support for a policy which may well lead to world war III.

Imbedded in this authorization are far reaching questions about how the United States should relate to the developing world and the social, political, and military revolutions in that world, about our relations with the Soviet Union, about our approach to China which is the key to peace in Asia.

Mr. Chairman, now is the time to reassess our policy and find an honorable, diplomatic resolution of the Vietnam conflict and then build a viable policy in the Far East.

Mr. RIVERS of South Carolina. Mr. Chairman, I yield myself as much time as I may require.

Mr. Chairman, at the outset I want to say that I totally, unequivocally, internally, and eternally, disagree with the position of the gentleman who has just preceded me. This bill, the title of which I have read in asking for the House to go into the Committee of the Whole House on the State of the Union, is for the purpose of providing the needed equipment and bases for our boys in southeast Asia. The bill, as I have said, is supplemental to fiscal 1966 for procurement authorization and is directed entirely to the support of these men in this part of the world.

I would like to state at the outset that regardless of the debate that is raging in other places in the area known as Washington, D.C., one thing is crystal clear to MENDEL RIVERS, a Representative from South Carolina; namely, our soldiers, our sailors, our marines, our airmen, our Coast Guardsmen, are in southeast Asia. Most of these men are in Vietnam and, for your information, that number exceeds 250,000. They need your support, they need facilities, and weapons. The passage of this bill is your expression to your fighting men in this part of the world, mostly Vietnam, and to the American public and to the world that we intend to support our forces in every possible way.

The bill we have for consideration today is H.R. 12889 which authorizes supplemental appropriations during fiscal year 1966 for the procurement of aircraft, missiles, tracked combat vehicles, research and development and military construction for the Armed Forces.

For my part, I do not need to know anything more than what I have just stated. Your flesh and blood are far away—today they need your support—they are dying for you and for me.

Let me describe the bill briefly for you.

The Department of Defense submitted two separate bills, one for procurement and research and development, and the other for military construction. We combined these two bills for the simple reason that they both constitute a part of the same program and it was felt that dealing with the whole matter at one time was proper for all concerned.

This bill contains authorization for appropriation as follows:

Procurement	$3,417,700,000
Research, development, test, and evaluation	151,650,000
Military construction	1,288,100,000
Total	4,857,450,000

I will draw your attention to three tables on page 5 of the report which set out, very clearly, the authorizations and appropriations for fiscal year 1966 in the first two columns and in the third column, the additions which will be made by this bill. The amounts for aircraft, missiles, and so forth, are set out in money amounts. I will not recite all of the details that appear on these three tables. It is all set out there in clear, factual fashion.

In virtually every respect this bill is exactly like those which you have considered in the past, and merely represents more of the same. There are two differences, however, that I would like to point out. First there are no naval vessels in this bill as there always have been in the regular programs; and second, for the first time the bill contains authority for tracked combat vehicles. We amended the law last year to include the requirement that these items be specifically authorized. But other than that there is nothing new.

PROCUREMENT

On page 6 of the report you will see that the Army will receive at total of $965,400,000 broken down into aircraft, missiles, and tracked combat vehicles. Each aircraft, missile, and tracked combat vehicle is named and described. For obvious reasons, numbers are not given but you may be sure that if any Member of the House wishes to have that kind of detail I will be very glad to furnish it with the understanding that it is classified material.

On page 9 of the report you will see that the Navy and Marine Corps will receive $802,900,000. This again is broken down in the same fashion—and on page 11 it will be seen that the Air Force will receive $1,649,400,000, in this case broken down only into aircraft and missiles. In all these instances each of the items is named and described.

A matter of particular note, I think, is that of the $3.4 billion representing procurement in this bill, a little over $3.1 billion is for aircraft and the reason for this is quite simple. Mr. McNamara testified that:

> Although the aircraft loss rate continues low, the rapidly increasing number of sorties is resulting in larger total losses. In 1964, we lost 38 fixed-wing aircraft and 24 helicopters to hostile action.
>
> In 1965, with both the very large increase in activity and the attacks against North Vietnam, we lost 275 fixed-wing aircraft and 76 helicopters. We anticipate that 1966 losses will be somewhat higher.
>
> A total of about $1.8 billion for the replacement of aircraft losses is included in the fiscal year 1966 supplemental. Another $168 million is included for the Army to equip new aviation units.
>
> The considerably higher rates of utilization of many types of aircraft in all the services will also increase the consumption of spares. For example, Air Force tactical aircraft in Vietnam are now flying 60 percent more hours per month than they normally do in peacetime. And you may recall that I mentioned last August, we were increasing the utilization rate of Military Airlift Command aircraft also by about 60 percent. Accordingly, we have included in the fiscal year 1966 supplemental about $1.2 billion for aircraft spares and other aircraft equipment for all the services.

I will now go to "Research and development."

The amount in this bill for research and development is very small. Normally, in the regular programs, research and development comes to almost half of the total bill. Here the sum of $151,650,000 represents only about 3 percent of the bill. The reason for this is evident in that the weapons that the men are fighting with and will fight with are the result of research and development carried on in the past. Actually the funds in this supplement will be used in every instance to accelerate development projects of particular interest to our operations in southeast Asia.

On pages 13 through 15 of the committee report there is set out considerable detail as to the research and development programs which are contained in this bill.

Perhaps one of the most important items is a very much intensified program to find a cure for a particularly virulent strain of malaria. Another important item relates to field medical treatment facilities and equipment. Others are an aircraft photo flasher system for night photography—and acceleration of the frozen blood program to provide backup for the blood bank system.

MILITARY CONSTRUCTION

The "Military construction" portion of the report begins on page 16. It will be seen there that the total program is $1,288,100,000. On pages 17 and 18 are set out in quite considerable detail the areas in which the construction will be carried on and the amounts involved.

It is in the military construction portion of the bill that there is the only monetary addition made by the committee. The committee added $49.7 million. This addition covers two items—the construction of a jet-capable field in Okinawa for the Marines, and ship repair facilities in the Philippines for the Navy. These were found to be very important projects which had not been included in the program but which after its submission were approved by the Joint Chiefs of Staff.

While on the subject of "Military construction," I should point out another amendment made by the committee. This appears as subsection 401(b) on page 5 of the bill. It is also set out on page 2 of the report.

Under this amendment, the Secretary of Defense is required to furnish to the Armed Services Committees a description of each military construction project, "together with full and complete justification therefor, including a cost analysis thereof, prior to the execution of any contract for the establishment or development of a military installation or facility."

The reason for this amendment is the fact that the committee was concerned over the lack of preciseness in the "Military construction" request.

As the report states:

> While providing sufficient latitude to the Department to construct necessary facilities, the committee felt that it should receive information prior to the contract execution—

Relating to these projects.

The committee does not mean to infer by this amendment that it doubts the need for these construction projects. The committee is anxious, however, to avoid giving the Department of Defense anything like a "blank check."

Obviously it is difficult to plan construction in an area some of which is in an actual combat condition. I would be less than frank if I did not tell you that some of these facilities described on pages 17 and 18 of the report may never be built, or, if built, not in the locations which appear in the secret backup material. The progress of the war and many other considerations will dictate the actual course to be followed.

Mr. Chairman, that is the bill.

Let me repeat what I said at the outset—that while I have very strong personal feelings about the war in Vietnam and have expressed myself frequently on this subject, I feel that these considerations have very little to do with this bill and its passage.

Our men are in Vietnam. They need our support and our help. Passage of this bill is that support and that help.

Let the debate as to whether we should be in Vietnam, or how we should conduct the war in Vietnam, be carried on at another time. I will join in such debate. This is not the time for that debate. This is the time for only one thing—and that is to vote our fighting men the weapons that they need.

Mr. FARBSTEIN. Mr. Chairman, will the gentleman yield just for a moment?

Mr. RIVERS of South Carolina. I yield to the gentleman for just one moment.

Mr. FARBSTEIN. This bill also includes appropriations for housing, hospitals, doctors, food, and clothing for our Armed Forces; does it not?

Mr. RIVERS of South Carolina. This bill and the rest of the supplemental together, yes. That is absolutely right. You cannot fight a war without taking care of such necessary things as that.

Mr. FARBSTEIN. I thank the gentleman from South Carolina.

Mr. RYAN. Mr. Chairman, will the gentleman yield for a question?

Mr. RIVERS of South Carolina. I am delighted to yield to the gentleman from New York.

Mr. RYAN. Mr. Chairman, is this not a supplemental authorization bill for the fiscal year 1966?

Mr. RIVERS of South Carolina. That is right.

Mr. RYAN. Did I understand the gentleman to say that he had been assured by Secretary of Defense McNamara that our boys had everything they need and that there were no shortages?

Mr. RIVERS of South Carolina. "Positively," I said.

Mr. RYAN. Will the gentleman explain where in this bill there is an authorization for money for clothing?

Mr. RIVERS of South Carolina. For clothing?

Mr. RYAN. For clothing.

Mr. RIVERS of South Carolina. For the gentleman's information, we do not authorize clothing. We authorize weapons systems, implements of war. Clothing comes under housekeeping. It is a continuing appropriation, and the Appropriations Committee has exclusive jurisdiction on that. They provide an awful lot of clothing. I know you will be delighted to hear we have all the clothing we need, and we are getting along like a million dollars.

Mr. RYAN. I thank the gentleman. May I ask another question? Where in this bill is there an authorization for money for food?

Mr. RIVERS of South Carolina. That is not in this bill.

Mr. RYAN. Then I take it the gentleman did not intend, in answering the question of the gentleman from New York [Mr. FARBSTEIN], to leave the impression that this bill authorized money for clothing and food.

Mr. RIVERS of South Carolina. We have an Appropriations Committee that takes care of all of that.

Mr. FARBSTEIN. Mr. Chairman, will the gentleman yield?

Mr. RIVERS of South Carolina. Certainly. I yield to the gentleman from New York.

Mr. FARBSTEIN. But this includes hospitals, does it not?

Mr. RIVERS of South Carolina. That is right.

Mr. FARBSTEIN. And this is made evident on page 19 of your report. Without this appropriation we could have no hospitals or the necessary money to build whatever new hospitals are needed in Vietnam; is that correct?

Mr. RIVERS of South Carolina. In southeast Asia.

Mr. LAIRD. Mr. Chairman, will the gentleman yield?

Mr. RIVERS of South Carolina. I yield to the gentleman from Wisconsin.

Mr. LAIRD. I would like to inquire of the chairman to make the record eminently clear that there are no appropriations included in this particular bill. This is an authorization bill for appropriations, and the question of the clothing will be considered in the supplemental appropriation bill which will be before the House in a week or 10 days.

There may be no clothing shortages as far as Vietnam is concerned, but I am sure that the distinguished chairman, from South Carolina, will admit that there are clothing shortages in the United States and in other sections of the Army because of the drawdown in stocks.

Mr. RIVERS of South Carolina. Let me say this: This is an authorization bill. Our committee does not authorize clothing. If the gentleman on the Appropriations Committee—and he is a distinguished member—says there are clothing shortages, this comes under his committee and I will accept that statement.

Mr. PEPPER. Mr. Chairman, will the gentleman yield?

Mr. RIVERS of South Carolina. I yield to the gentleman from Florida.

Mr. PEPPER. Mr. Chairman, I want to commend the able chairman for the splendid statement he has made and for bringing this bill to the House, and to assure him that I am wholeheartedly for this bill.

What I want to ask is this: Every time I see a picture in the paper of some American men going down a jungle trail in Vietnam, running the risk of being attacked by snipers and being ambushed and the like, I just wonder if there is not some way that the genius of our country can provide a method of ferreting out, or a method of destroying, the enemy without those men having to walk and to expose themselves on those jungle trails.

My question to the able gentleman is this: Is there any way that we can possibly provide the firepower to our men over there which will save their lives and limbs better than they are now being saved from the enemy?

Second, could we do this by increasing the amount of our research appropriation? I notice that the bill provides for the Army $27 million-plus, for the Navy $52 million-plus, and for the Air Force $71 million-plus for research and development.

Mr. RIVERS of South Carolina. Right.

Mr. PEPPER. I know there are many problems, but could we possibly provide any more money for research that would, at a greater financial expense, conserve the lives of our precious men over there?

Mr. RIVERS of South Carolina. At the moment the Defense Department tells us this is all they need, but following this up, on the 7th of March we will begin hearings on the regular 1967 authorization, and in that bill there no doubt will be more research and development authorization. No doubt some of the questions which perplex the gentleman will be answered in that bill as far as research and development is concerned.

As far as the safety of the men is concerned, we have tried every way on earth to safeguard these men. I do not like the idea of photographers following them all over the place with TV cameras, showing all kinds of things. I do not like that, but they do it. There are many things I do not like about this war, but I have to back my President, and he does the very best he can.

This is the most insidious thing we have ever gotten into. There has never been a war like this or one to compare with it. We are learning all kinds of new things.

Just the other day a friend of mine invented a light which he puts in a C–123—and you open up the bays and a very vast light comes out and lights up the whole area like a football field. They try all kinds of things that the minds of these great scientists can produce to save our men and ferret out the Vietcong. People have called me lots of things. Some have called me a hawk. No one has called me a dove. But what I am interested in is the American Eagle and keeping the American Eagle flying.

Mr. PEPPER. I remember President Roosevelt telling me during the early part of World War II, when he was Assistant Secretary of the Navy in World War I we were losing a terrific amount of tonnage and lives to German submarines. The Navy decided to put a research program into effect and invited a great number of the inventors of the country to come to facilities that the Navy established for them in New London, Conn., and put each one in a little cubicle and let him go to work with his idea. He said that in 6 months' time those men had come up with the best methods that we had been able to contrive to diminish our shipping losses due to submarine warfare.

Now, all I want to say here is that I was wholeheartedly behind the able chairman and his committee and the President, but I hope, I will say, that we will tell the armed services of our country and the Department of Defense, do not spare any money in research and do not spare any money in more weapons or more firepower. You will not have any trouble with Congress giving more money for research and for more and better weapons which will save the lives of the men making this gallant fight.

Mr. RIVERS of South Carolina. Mr. Chairman, I assure the gentleman from Florida that we have told the Secretary that 100 times. Every chance we have had. Every bill we have had before our committee has come out of our committee unanimously.

Now, as far as research and development is concerned, we have averaged between $6 and $7 billion per year on that. We are exploring every area we know. I do not think we have been niggardly with our funds at all. We have given them everything that they claim they need.

Mr. STRATTON. Mr. Chairman, will the distinguished chairman yield to me?

Mr. RIVERS of South Carolina. Of course I will yield to the distinguished member of the committee.

Mr. STRATTON. Is it not true in response to the questions raised by the gentleman from Florida that the overall departmental appropriation request is also a request for very substantial amounts of ammunition to do just the job he is talking about, so that we can use our vast productive capacity and vastly superior firepower to save lives of American soldiers?

Mr. RIVERS of South Carolina. So much so that we have opened up another ammunition plant which is now in full production.

Mr. STRATTON. I thank the gentleman.

Mr. RYAN. Mr. Chairman, will the distinguished chairman yield to me?

Mr. RIVERS of South Carolina. I do not have much time, but I will yield to you one more time.

Mr. RYAN. Could the chairman tell the Committee what he expects in the way of an increase in our troop strength in South Vietnam? The chairman said earlier we have 250,000 men there. What does he expect in the next 6 months, and in the next year?

Mr. RIVERS of South Carolina. I did not say 250,000 on the mainland. I said over 250,000 in southeast Asia.

Mr. RYAN. Could the chairman tell us what he anticipates in the next 6 months?

Mr. RIVERS of South Carolina. Your guess could be as good as mine; but it will be sizable. It will be sizable; but your guess is as good as mine. However, I will tell you one thing: I would rather have too many than too few, and that is what we are trying to do. I know the gentleman agrees with me that we do not want to have too few, because these Communists do not frighten very easily.

Mr. BATES. Mr. Chairman, I yield myself such time as I may desire.

Mr. Chairman, I join with the distinguished chairman of the Committee on Armed Services in urging your support of H.R. 12889. Before proceeding with my remarks, Mr. Chairman, I would like to address myself briefly to some of the questions which have just been asked, especially in reference to inventories. Now, on yesterday, when Gen. Lewis Walt appeared before the House Committee on Appropriations, I asked to have a conference with him in respect to the military situation and the inventory situation specifically under his command presently in Vietnam. He advised us that this is the third war in which he has participated and never has he found the inventory situation as good as it is presently in Vietnam. This does not mean that our inventory situation back here in the United States or in anticipation of future developments is all that we want, because as we brought out in the hearings—and it is in the published hearings presently before you—we do have shortages, including shortages of Marine clothing.

Mr. RIVERS of South Carolina. Mr. Chairman, will the gentleman yield to me?

Mr. BATES. I will be glad to yield to the chairman.

Mr. RIVERS of South Carolina. The shortages about which I was speaking were not in Vietnam. There are no shortages in Vietnam. I am sure the gentleman will agree with me on that.

Mr. BATES. Yes, indeed. That is the point I tried to establish.

Mr. LATTA. Mr. Chairman, will the gentleman yield to me?

Mr. BATES. I will be glad to yield to the gentleman.

Mr. LATTA. Before my question, let me say that since I have been a Member of Congress I have always supported these authorization requests and the appropriations for them. I intend to support this one. But I know there are a lot of Members of Congress who have had many, many letters from parents who have received letters from boys in South Vietnam indicating certain shortages.

Therefore, Mr. Chairman, I would like to call to the attention of the gentleman in the well, the gentleman from Massachusetts [Mr. Bates], an article dated Monday, February 21, 1966, written by Mr. Hansen W. Baldwin, which goes into great detail with reference to some of the shortages which exist in Vietnam.

I know that the gentleman from Massachusetts has seen this article, but I would like to have the comments of the gentleman upon the article.

Mr. BATES. I have not only read the article, but I have also talked on the telephone personally with Mr. Baldwin. As a matter of fact, this morning at 8 o'clock. I met with the Secretary of Defense and asked him to complete the study which is now being made of Mr. Baldwin's article and to which reference has been made by the gentleman from Ohio. However, the Secretary of Defense did indicate generally—and I want to say "generally"—and the report has not been submitted to me yet—that the accusations and the charges which are made by Mr. Baldwin in his article are not accurate.

Mr. LATTA. Mr. Chairman, if the gentleman will yield further, I want to thank him for following through on this matter. I know this article was very disturbing. We have had other reports which seem to verify some of the charges which have been made in this article.

Mr. Chairman, I look forward to further discussion of this matter on the floor of the House as a result of the request which you have made.

Mr. BATES. I will say to the gentleman from Ohio that no one is more concerned than I am to make absolutely certain that our men have what they need in combat.

Mr. MINSHALL. Mr. Chairman, will the gentleman yield?

Mr. BATES. I am glad to yield to the gentleman from Ohio.

Mr. MINSHALL. As a member of the Defense Subcommittee of the Committee on Appropriations, we have been holding intensive hearings for the past several days on exactly the subject about which my distinguished colleague [Mr. Latta], and the gentleman from Massachusetts have been discussing, mainly with reference to clothing shortages. We have discussed this question with General Johnson, Chief of the Army; we have recently discussed it with General Greene and General Walt of the Marine Corps, and also the Chief of Naval Operations, Admiral McDonald.

As a result of our subcommittee hearings there is no doubt in my mind or in their mind that our troops in Vietnam are currently receiving all that they presently need. I concur with the chairman of the Committee on Armed Services when he says that they are getting all they need. However, what concerns General Johnson and General Greene are forecast shortages and the shortages that are presently in existence today with reference to our troops here on the homefront.

There is a definite shortage of clothing, specifically of cotton khaki pants that they are issuing to the Marine Corps. They are presently receiving only one issue of cotton khaki pants, whereas the normal issue calls for three pair. This shortage will not be relieved until late this year.

So, we cannot say that there are no shortages of clothing. There is this particular shortage, plus others, that we brought out in the hearings, and which will be made public when our hearings are published.

The Army will have adequate fatigue jackets but not enough pants in the months ahead. The Marines forecast a shortage of cotton khaki pants. This will be a funny looking Military Establishment. George Washington's army at Valley Forge may have had no shoes, but the Great Society's forces are running out of pants.

Mr. BATES. As a matter of fact, I heard about them in our own hearings.

Mr. LATTA. Mr. Chairman, will the gentleman yield further?

Mr. BATES. I yield further to the gentleman from Ohio.

Mr. LATTA. There have also been other shortages that have been brought to the attention of the Armed Services Committee in addition to clothing.

Mr. Chairman, I would like to call to the attention of the gentleman the testimony which appears on page 5068 of the hearings which were held by the Committee on Armed Services where General Greene was being questioned by Mr. Blandford.

Mr. Chairman, Mr. Blandford asked the question:

> How about 105 ammunition, proximity fuse ammunition, proximity fuses, and 8-inch howitzer ammunition? Has there been any reduction in that for practice purposes?

General Greene replied:

> We have had some shortages in 105-millimeter illuminating ammunitions. I checked on that specifically when I was out this last time in South Vietnam. However, although we don't have the levels that we would like, our operations at night using this ammunition have not been restricted. We still had enough on hand. I would say that 105-millimeter illuminating would have to necessarily be used carefully in training.

Then Mr. Blandford asked the following question:

> Well, actually, am I correct that there has been a reduction in the availability of this type of ammunition for training purposes?

General Greene replied:

> That would depend, of course, upon the division commanders. I cannot give you the specific answer.

Then he goes on to another question which appears at the top of page 5069 to which General Greene replied:

> We have had a problem there again in 4.2 illuminating projectors.

Then Mr. Blandford asked this question:

> Where are the other places where we have problems?

General Greene replied:

> I believe the committee in their visits and examination of this problem, as I recall, found six different types of ammunition in which there were indications of shortages. The Marine Corps has not been hampered or crippled in actual operations in South Vietnam in any of these areas.

Mr. Chairman, this is testimony which was given by General Greene before the Committee on Armed Services.

I believe we ought to admit these shortages exist and do something about them.

Mr. BATES. I want to thank the gentleman from Ohio for revealing to the House this matter which was uncovered by our Committee on Armed Services, and we certainly intend to pursue this at every opportunity.

I would just like to say to the Members generally now, if anyone has any specific items that they have reason to believe is in short supply either overseas or here, call it to our attention and we will certainly look into it and see that the situation is rectified.

Mr. RIVERS of South Carolina. Mr. Chairman, will the gentleman yield?

Mr. BATES. I gladly yield to the gentleman.

Mr. RIVERS of South Carolina. General Greene also said this—and we certainly do not want to cover up anything—but this is what General Greene said:

> The Marine Corps has not been hampered or crippled in actual operations in South Vietnam in any of these areas.

If we find any shortages, believe you me, we certainly are going to follow through on them.

If the gentleman will yield further—right today in Washington, Lieutenant General Walt who heads the marines in the Da Nang area, said that he has never had an army of marines with better morale or better equipped. That is what he said today and he also said he has fought in three wars.

So wherever we find shortages, we will follow through on them. So I do not think we need to worry about that kind of thing in Vietnam today.

Mr. BELCHER. Mr. Chairman, will the gentleman yield?

Mr. BATES. I yield to the gentleman.

Mr. BELCHER. This does not necessarily involve the question of shortages, but I had a complaint from the wife of a serviceman in Vietnam. She said his letter stated there were 10 of them in their outfit, I think it was in the engineers—and all their sidearms and weapons had been taken away from them. He said that four of them had been killed by snipers and they had no means of protecting themselves.

I also noticed on television, as I imagine a lot of other Members of the House did, where a lady complained that her husband had been attacked and the only thing he had to defend himself with was a knife. He had no side arm or rifle whatsoever to defend himself with. Has anything like that come to the attention of the committee?

Mr. BATES. I have heard a story such as the gentleman relates. Has the gentleman addressed any inquiry himself to the Department of Defense?

Mr. BELCHER. Yes, I have.

Mr. BATES. What was their reply?

Mr. BELCHER. They have not had time to make a reply yet.

Mr. BATES. If the gentleman will give me specific information, I will be very happy to cooperate with him. Because certainly the interest which the gentleman displays is on something that we on the committee also take very, very seriously. If there are any problems—if there are any shortages, we want to correct the situation. We do not want to hide anything under a bushel.

Mr. BELCHER. Of course, this did not involve the question of a shortage. The guns were there but they were taken away from the men and the guns were locked up.

Mr. BATES. I am not referring only to shortages. I am referring to any other kind of situation that the gentleman will give me specific information on and I will be happy to cooperate with him.

Mr. LATTA. Mr. Chairman, will the gentleman yield?

Mr. BATES. I am glad to yield to the gentleman.

Mr. LATTA. This is a very important matter. I think when the committee was before the Committee on Rules they asked for 3 hours and you thought that 3 would be adequate.

Mr. BATES. The gentleman is doing very well.

Mr. LATTA. I thank the gentleman for yielding because we did bring out something that was apparently overlooked in the Armed Services Committee. I want to commend the gentleman in the well.

You gave assurances that you will look into these matters as they come to the attention of the Members. I, also want to commend the chairman of the committee because he has been most helpful in the past about these matters. I think in my own case when I hear from parents of servicemen in Vietnam instead of bucking these things over to the Pentagon and getting their stock reply—"We will look into it"—I will buck them over to your committee. I will get more information that way.

Mr. BATES. I shall be very, very grateful to the gentleman if he does so. As a matter of fact, yesterday afternoon someone made an inquiry of me with reference to a particular bomb. This morning I was at the Pentagon, as I indicated a few moments ago, and I asked the Secretary of Defense to get out his book. We looked specifically into that book to find out about the inventory situation that we have and as to the present usage rate on this particular bomb and what our production is going to be and what our inventory is going to be 12 months from now. So if the gentleman will give us the information to which he refers, he will be doing us a favor. We would be most happy to cooperate with him because this is our business and when we come before the House we want to indicate what the facts truly are. I must say that the gentleman has been most helpful here today.

Mr. HUNGATE. Mr. Chairman, will the gentleman yield?

Mr. BATES. I yield to the gentleman.

Mr. HUNGATE. I understand the gentleman is fully familiar with the article by Hanson Baldwin that appeared in the New York Times of February 21, and the committee has the problems therein mentioned under active consideration.

Mr. BATES. Yes, we have had the full discussion on that and will get full disclosure of information on those points.

Mr. HUNGATE. I thank the gentleman very much.

Mr. BATES. Mr. Chairman, just to complete our thinking on this particular point. If this bill was before the Congress 10 years ago, not a single item in it would be considered by the Committee on Armed Services. Now why do I say that? Because years ago our committee did not take under its jurisdiction and purview missiles or airplanes. This year we are adding tracked vehicles. The only thing this committee had at one time under its jurisdiction was the question of the construction and also naval vessels, but there are no naval vessels in this particular bill. So now when we come before you, we want to make certain that as fully as possible we give you all the information to which you are entitled.

In fact, there was a time when naval vessels were provided by the Congress when we did not even have to give an authorization because there was enough authorization left over from World War II to last a thousand years.

Mr. Chairman, I agree fully with the distinguished Speaker of the House when he said that if we had had firm leadership prior to World War II, perhaps we would never have had World War II.

I believe, too, that if we had not declared that Korea was outside the defense perimeter of the United States, perhaps there would have been no Korea. But that is history. Today we are dealing with facts and not with conjecture.

As the distinguished chairman of this committee has said, our boys are now in South Vietnam. Maybe some in your family are in South Vietnam. I know that my family is represented there.

So this bill contains authorizations for appropriations for procurement, for research and development, test and evaluation, and for military construction in the amount of $4.8 billion.

We have done much in the field of research and development. This year alone we will spend $6.7 billion just in military research and development. The fantastic things that have been invented, if they could be revealed here, would give you considerable comfort. Some of these are already in the hands of our troops and more are forthcoming.

I would like to say that we do have one reservation, and that is the question of the timing of this specific legislation. Was it necessary to come here today, or could it have waited in the orderly process of things and been considered with the fiscal year 1967 bill, which we will consider on the 8th of March? That is a question. We asked for the specific facts. I must be frank and candid and say to you that the information which came to us was inconclusive. We did feel that much that is in this bill perhaps could have been deferred until the 1st of July, but we do not want to gamble. We do not want to take a chance.

Oh, I know and you know that when the President comes up here with a budget for 1967 and he can eliminate from it $12 billion, like we have in this general appropriation supplemental bill, then, of course, it looks much better as the American people review it. But from a military point of view it achieves no purpose if bookkeeping is the only purpose.

Nevertheless, we do not want to gamble. If this bill can be expedited, we want it expedited, because we want to make certain that our young men have what they need when they need it and not have too little too late.

The rapid buildup of U.S. forces in South Vietnam in the calendar year 1965 did not provide time for the advanced development of detailed plans. Many of these will be submitted as soon as the Secretary of Defense receives this information. I would not say that clairvoyance was used by the Department of

Defense as to the development of programs either last year or this year. Many of the members of our own committee believed a year ago that we should have increased our production of helicopters, ammunition, and production in other fields. But it was not done at the time we recommended because it was never believed, so we were told, that this war would escalate to the degree which it has.

But as I have indicated, we are dealing with facts and not with fantasies, and we have young men there today and we must support them.

In the military construction area this bill provides for troop housing, ports, depots, hospitals, signal communications, airfields, and community facilities, not only in Vietnam, but nearby in the Philippines, in Guam, in Okinawa, Wake Island, Midway, and even in Thailand.

Some will even be built in the United States. The list appears on page 26 of the report.

As proposed originally by the Department of Defense, the language in section 401(a) of this bill was susceptible of an interpretation that it constituted an unlimited transfer of authority to the extent that the Department of Defense appropriations for personnel functions could have been used for procurement, or that procurement appropriations were authorized to be transferred to operations and maintenance-type expenditures in behalf of South Vietnam.

But our committee wisely—I believe wisely—added the words, "for their stated purposes," so that whatever we have in this bill must be used for the general purposes intended and not according to what someone might want to do regardless of the intent of Congress.

I will invite your attention to the fact that any aircraft, missile, or tracked combat vehicle for which funds are authorized in this bill can be made available to the Vietnamese or to the Koreans or to the Filipinos or to the Australians or whoever else might be engaged in combat on our side in Vietnam.

Why did we do this? The practical aspect of this is obvious. When these men are engaged in combat, that is no time to be keeping detailed accounting records.

The fact of the matter is that the U.S. Government and the people of this country must pick up the tab anyway. So let the men spend the time on defending themselves and executing the war, rather than keeping these detailed reports.

Now, Mr. Chairman, I shall close. I have already taken more time than I had anticipated, but the basic purpose of this bill is to support our fighting men, as well as our friendly allies, who are in Vietnam now fighting for the objectives of freedom.

There might be all kinds of debate that could extend day after day, as it has in the other body, as to whether we are bombing enough, or just right, or too little, or whether we should get out of South Vietnam altogether. But while we are discussing this, time is moving on, and it takes a long time for many of these implements of war to be manufactured.

Our forces require essential supplies, equipment, and facilities, to enable them to accomplish the job which they have been sent over there by us to do. I advocate that all members of this committee, regardless of what disposition they might have in respect to foreign policy, to support this bill and to support our men that we have sent 10,000 miles away to fight in the cause of freedom.

Mr. RIVERS of South Carolina. Mr. Chairman, I yield 10 minutes to the distinguished majority leader [Mr. ALBERT].

Mr. ALBERT. Mr. Chairman, I congratulate the distinguished chairman of this committee and the distinguished ranking member, both of whom have adequately explained the details of this bill. I join them in urging the prompt adoption of this measure.

The bill which is now before this House, its background and its implications, have been considered with all the wisdom and experience we can bring to bear. It has been referred from committee with a strong endorsement which has taken into account every pertinent circumstance and consideration. It has been examined and debated, and extensive public discussion has taken place. I believe that the time for debate is over and the time to pass this bill is at hand. What is needed now is prompt and overwhelming approval of the present bill to demonstrate to those who oppose us that there is no division in the Congress or among the American people regarding support for our troops in Vietnam.

I think recent discussions have made our goals in Vietnam crystal clear. As the President stated on February 23:

> Our purpose in Vietnam is to prevent the success of aggression. It is not conquest; it is not empire; it is not foreign bases; it is not domination. It is to prevent the forceful conquest of South Vietnam by North Vietnam.

The Secretary of State wisely pointed out on February 18:

> We are in Vietnam because the issues posed there are deeply intertwined with our own security and because the outcome of the struggle can profoundly affect the nature of the world in which we and our children will live.

Now, I do not intend to try the patience of my colleagues by repeating on this occasion all the reasoning which has led to the conclusion that we must stand by the people of South Vietnam. Of course the task which faces us is not an easy one. Of course it is not without risks, grave risks. Of course, we cannot foretell how long it will be before an obdurate aggressor will be brought to his senses. But the difficulty of the task is not the criterion. This country was born under a resolution which called for liberty or death.

Our men are in Vietnam now, they have undertaken the brave struggle with courage and determination. They are not going to be abandoned by this House at this hour. We are standing and they are fighting for what we believe is the right war in the right place and at the right time.

Surely we are under no illusions about the nature of the war we are fighting or the goals of those who have provoked it. This is no struggle for liberation. This is a part of an international conspiracy aimed at all southeast Asia. This is not a civil war. It is an invasion, organized, sponsored and led from Hanoi. The hardened international conspirators behind this invasion have already made it clear that Thailand is the next target in southeast Asia while the free lands of Latin America and Africa should not be neglected.

The horrors which have been visited upon the people of South Vietnam as a result of these decisions are well known to us. Our hearts go out to them in their suffering, but also our admiration for the determination with which they have resisted the onslaught. I am proud that this country has, in consonance with our cherished traditions, lived up to its promises made to come to the assistance of the South Vietnamese.

I hope that any doubts about whether we have a legitimate commitment to South Vietnam have been laid to rest. Our vital interests are involved in the struggle of the people of South Vietnam to build a new society according to their own desires, free from Communist aggression. Our commitment to Vietnam has been expressed since 1954 in congressional resolutions and acts, Presidential declarations, bilateral assistance agreements, and the SEATO treaty, as well as in the joint resolution of August 7, 1964. The Congress has supported this commitment at every stage of the way. The vote we ask on the bill before us today will be a further expression of support for that commitment. The word of the United States is at stake here, and if the word of the United States is not good everywhere, it will not be good anywhere. If we fail in our commitments at one time how can friend or foe ever depend on our commitments at anytime.

That the Communist north might attempt to take over South Vietnam by subversion or aggression was clear from the moment the Geneva agreements were signed in 1954. Indeed, it is a fact accepted even by the few scholars expert on Vietnam who criticize aspects of our policy, that the Communists violated the Geneva agreements before the ink was dry on them. They did this primarily by leaving their agents and caches of arms behind in the south, thus failing to regroup to the north as agreed, with a view to the battle they foresaw even then. The United States declared formally at Geneva that we "would view any renewal of aggression in violation of the aforesaid agreements with grave concern and as seriously threatening international peace and security."

In October 1954, President Eisenhower undertook a program of direct assistance to help South Vietnam become "capable of resisting attempted subversion or aggression through military means." And the United States joined with its allies in the SEATO Treaty, which was made applicable to South Vietnam by a special protocol. On May 11, 1957, Presidents Eisenhower and Diem issued a joint statement which included the following language:

> Noting that the Republic of Vietnam is covered by article IV of the Southeast Asia Collective Defense Treaty, President Eisenhower and President Ngo Dinh Diem agreed that aggression or subversion threatening

> the political independence of the Republic of Vietnam would be considered as endangering peace and stability.

On August 2, 1961, President Kennedy declared:

> The United States is determined that the Republic of Vietnam shall not be lost to the Communists for lack of any support which the United States can render.

And on December 14 that year, replying to President Diem's appeal for additional support to meet the growing effort of the north, President Kennedy reaffirmed that the United States was "prepared to help the Republic of Vietnam to protect its people and to preserve its independence."

President Johnson has reaffirmed these commitments many times, and on August 7, 1964, the joint resolution of the Congress, adopted by a vote of 504 to 2, stated inter alia, as follows:

> The United States regards as vital to its national interest and to world peace the maintenance of international peace and security in southeast Asia. Consonant with the Constitution of the United States and the Charter of the United Nations, and in accordance with its obligation under the Southeast Asia Collective Defense Treaty, the United States is, therefore, prepared, as the President determines, to take all necessary steps, including the use of armed force, to assist any member of protocol state of the Southeast Asia Collective Defense Treaty, requesting assistance in defense of its freedom.

This resolution is still on the books.

This resolution is the law of the land.

The legality of the U.S. involvement in South Vietnam is not subject to question. As my colleagues surely know the American Bar Association's House of Delegates has voted unanimously on this question, to uphold the only reasonable view possible; namely, that our action concords with the Constitution, the United Nations Charter, and the SEATO Treaty. Specifically, the charter recognizes the right of individual and collective self-defense, a right inherent under international law. And the applicability of the SEATO Treaty under which the pertinent obligations are individual and collective, was definitively spelled out by the Secretary of State in his statement of February 18.

At this late stage can there be any doubt who started the war in South Vietnam or who provoked its escalation? It is crystal clear that the actions of the United States have constituted a measured response to escalation by North Vietnam. Having laid the groundwork for aggression as early as 1954, the Communists hoped to achieve their conquest through rigged unification elections in 1956. However, the South refused to be taken in this way, insisting that the voters' freedom to vote would have to be supervised and guaranteed by an adequate and impartial system of supervision. The north thereafter began gradually to infiltrate native South Vietnamese trained in guerrilla warfare, with the result that from 1957 to 1959 over 1,000 civilians were assassinated or kidnaped by the Vietcong. From 1959 through 1961 Vietcong terrorism and armed attacks were intensified. In 1961, in response to President Diem's request, the small American military mission was increased in order to add advisory functions to its former logistical and support functions. North Vietnam between 1962 and 1964 greatly increased its infiltration of military personnel, political cadres and equipment, and the number of American military advisers had to grow. By early 1965, Vietcong attacks reached intensive levels, and as a result we responded with air attacks against the north and the introduction of combat personnel. Regular units of the North Vietnamese military forces were introduced from December 1964, and this infiltration has continued to grow.

Does any one doubt that the so-called National Liberation Front of South Vietnam is an artificial creation of Hanoi. This apparatus was created in late 1960 in Hanoi, indeed the names of the alleged leaders were not even disclosed until spring of 1962. When these names finally were released, these purported leaders were unknown to the people of South Vietnam, in fact Vietcong prisoners to this day reveal a singular unawareness of the names of these so-called leaders. An attempt has been intensified to create the impression that the Vietcong front is composed of independent South Vietnamese groups as well as Communists, and that it represents the people of South Vietnam. However, the flow of refugees away from Communist areas, the Vietcong's ever increasing reliance on terror, the morale of the South Vietnamese fighting forces, and the lack of support by legitimate South Vietnamese organizations give the lie to these claims. The Vietcong have never been able to gain any kind of a foothold in South Vietnamese political parties, labor unions, refugee groups, regional organizations or churches, and South Vietnamese politicians who have opposed particular governments in Saigon have never defected to the Vietcong.

The Vietcong's attempts to call general strikes have failed, and their best efforts to prevent the people from voting in last year's provincial and municipal council elections also failed. People outside Vietnam are in many cases regrettably ready to believe the fiction that the Vietcong represent an indigenous political movement, perhaps because this would make our own withdrawal easier to bring about, but the people of South Vietnam are not duped by these pretensions. The Vietcong are an arm of Hanoi, and the South Vietnamese know this.

In certain quarters we still hear the call for negotiation, for peaceful settlement. Does any one at this stage doubt the sincerity and perseverance of the United States in seeking a peaceful solution in South Vietnam? Again and again, using every channel available, the United States has invited Hanoi to meet for discussions without the imposition of any conditions whatsoever. Every suggestion made has been considered and, where possible, acted upon by the United States. At considerable military cost, the air attacks against the former sanctuary of North Vietnam were shut off for over a month.

Hanoi, however, has remained obstinate and vitriolic about these negotiation efforts, rejecting them out of hand insisting upon prior acceptance of its own conditions. As the Members of this House know, the chief stumbling block remains Hanoi's insistence upon recognition of the so-called National Liberation Front as the sole, genuine representative of the South Vietnamese people. Hanoi has likewise insisted upon acceptance of this front's program, that is, upon handing over South Vietnam to Hanoi.

I do not say that we should give up our attempts to negotiate a peaceful settlement in South Vietnam. Indeed, we must continue to persevere in these efforts. But I do believe that we must not, we cannot betray our commitments to the South Vietnamese people. This Nation has the resources and the will to win in South Vietnam, and win we shall. Our objectives are limited and reasonable. They boil down to making North Vietnam back off from its aggression in South Vietnam. I for one am not going to be frightened from this course by those who raise the specter of a possible war with Communist China. We seek no such confrontation with Red China, and our limited objectives should be clear to Peiping's leaders. At the same time, we possess the awesome power necessary to such a confrontation, should the Chinese Communists indulge in suicidal rashness. The central point is that we must persist in the struggle to thwart the ambitions of Hanoi backed by Peiping, so that, pacification achieved, the noble, revolutionary programs which were the subject matter of the Honolulu Conference can proceed with greater vigor—and the people of South Vietnam can live in peace.

The issues are clear, Mr. Chairman. Our commitments and our obligations are clear. Our duty is clear. Our troops and the civilian representatives who are helping the South Vietnamese are doing their duty. The people of this country will not shirk their duty. And just as surely, this House will not shirk its duty. Our military have carefully considered what they need to carry on the fight, and the bill which is before us is a request for the funds necessary to provide for these needs. Let us, then, without further prolonging discussion, without feeding the hopes of the enemy that he can win in Washington what he cannot win on the battlefield, proceed to enact this bill. Our fighting men deserve this vote of confidence, immediately, overwhelmingly, and without further ado.

Mr. BATES. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Indiana [Mr. BRAY].

Mr. FINO. Mr. Chairman, will the gentleman yield to me?

Mr. BRAY. I yield to the gentleman from New York.

Mr. FINO. Mr. Chairman, I want to thank the gentleman from Indiana for yielding to me at this time.

Mr. Chairman, I rise in support of this bill, but I do so with several qualms. My first qualm is that the President seems to want to keep this war on an unadmitted "no win, no lose" middle track.

We are not pulling back to enclaves and we are not pushing ahead to military success. This kind of policy is costly—much too costly. I will not vote to fund a war that throws men into a meatgrinder and money into a pool of quicksand. I want to see us switch to military and diplomatic tactics aimed at putting us in a position to negotiate a successful conclusion to this war before we have spent tens of thousands of lives and tens of billions of dollars.

To move into this particular legislation, I would like to say I am not surprised that the Armed Services Committee had to make provision for additional funds for Navy construction in the Far East. Secretary McNamara has been extremely careless during the last few years in assessing American maritime and naval needs. He has grossly underestimated our civilian and military seapower needs in the Far East. Our merchant marine has been left to stagnate. Our Navy has also been neglected—as witness the fact that it was up to the Armed Services Committee to provide for Navy construction needs in the Far East. I think the Secretary's lack of awareness of seapower and water transport has been costly to our war effort. From Vietnam to Brooklyn Navy Yard, Secretary McNamara has done too little, too late.

I would like to say, frankly, that I am worried about American maritime power. Secretary McNamara decided some time ago that Vietnam could be supplied by airlift, and he neglected the merchant marine. Now the Russians are building a merchant marine that is planned to make our merchant marine look like a tugboat fleet. The British have said that our merchant marine is so old and shoddy it can for the most part be insured only at a premium—and this could force many of our ships off the sea. I would have thought that the British would be content with bringing supplies to North Vietnam. Evidently they want to get the profits out of supplying both sides in this war.

In short, the administration has not shown any foresight in planning the needs of our Navy or merchant marine. I hope that this carelessness is over and done with. There is only one area in which this administration has anticipated seapower needs before they developed. I have read recently that our Potomac fleet is being reactivated. Evidently the President has determined that our budget is so well balanced that the Presidential yacht can be brought out of mothballs—but we cannot afford Brooklyn Navy Yard.

I am also disturbed that much of the supplemental appropriation before us here today really belongs in the 1967 budget, but has been moved up to get it out of the fiscal 1967 budget to make room for wasteful spending programs in next year's budget. I do not think a supplemental appropriation should serve this purpose.

I support this bill as a military spending bill necessary to support troops in the field, but in many ways it disturbs me. Its disturbs me if it has any connotation as being a mandate for escalation. It disturbs me that votes for this authorization may be construed as support of administration policy—my vote is not a vote in support of administration policy, my vote is rather a vote in support of American troops. I would also like to say that my vote here today is not a vote for the budget gimmick aspect of this bill. I am starting to feel that everything that comes before us these days has a budget gimmick in it.

I am getting tired of the President's little devices for getting expenditures out of the fiscal 1967 budget and getting receipts into it. I am getting tired of his foreign and Vietnamese policies. We are pursuing policies at home and abroad that would not convince a child, no less Ho Chi Minh, that we have any long-range fortitude. We are pursuing wasteful programs at home and absurd programs abroad. We are giving our allies aid while they give Ho Chi Minh trade. We are stationing troops in Europe to protect Europeans who thumb their noses at our war effort because they think that any nation pursuing such shapeless and soggy policies must be in water over its head.

I am worried about the President's policies. There is too much blood and too little belt-tightening. I favor a tough policy, but toughness is not optimistic, extravagant, and malcoordinated sacrifice for insufficiently defined objectives. Toughness is a stern, calculated unwavering pursuit of reasonable and well-defined goals. This is not a definition of administration policy.

The policies of this administration are dangerous because they are not coming to grips with diplomatic reality as regards our allies and military reality with respect to Vietnam. The administration's glittering generalities and optimism have built the American people up for a letdown if we cannot win a reasonable settlement at a reasonable cost. The potential backfire of this secrecy, optimism, and misrepresentation would cheer Hanoi more than all the dissent in these United States. It is constructive dissent that can head off the backfire.

My vote is for our soldiers, and for their splendid endurance in the face of this nerve-shattering war. I do not support the way in which the administration is conducting our overall cold war policy.

I would also like to point out a way in which we can cut military expenditures to make up for the money we are voting today. We can begin to withdraw some of the 318,000 troops we have in Europe to protect the allies who do not support us. Three weeks ago, I introduced a resolution, House Resolution 728, to call on the President to begin withdrawing troops. Today's expenditure authorization makes my budget-cutting resolution more important. I urge this House to consider House Resolution 728, and I am putting its text and other information in the RECORD today.

Mr. BRAY. Mr. Chairman, we have heard from many that we should not be in Vietnam. I do not care to discuss that matter at this time, because it is a moot question. It is a condition, not a theory that confronts us. We are in Vietnam. Several hundred thousand troops, sailors, and airmen are there engaged in as vicious war as anyone has participated in during the history of this country. We are suffering heavy losses. The situation is very precarious.

So, Mr. Chairman, the purpose of this bill today is to provide the proper weapons and supplies for servicemen who are in Vietnam. The weapons and supplies called for in this legislation are necessary.

After all, Mr. Chairman, we only have two alternatives before us in southeast Asia. We are in Vietnam in great force, and the enemy has refused to even talk about peace. So one alternative is to surrender. That would make the United States the paper tiger of our time, and it would also result in turning over all of southeast Asia to the Communists. The ultimate results of such action on our part is horrible to even contemplate.

Mr. Chairman, we have another alternative—an alternative which the appeasers ignore. That alternative is to win, and that is what this legislation is designed to help us accomplish.

Mr. Chairman, despite the fact that the United States has been bemeaned and cursed and attacked at home and abroad—and I especially refer to those attacks at home with reference to the demonstrations which are designed to do everything they can to defeat the United States—despite this fact the United States is still the "Real McCoy." Despite all of the anvil choruses denouncing the United States and demanding that we surrender, the fact of the matter is that we are still there, and do not plan to surrender until peace is secured. Also, despite the fact that we have made many, many errors—no question about that—in our military planning, and timing, I have never yet seen and I do not believe anyone has ever seen American troops any braver, more dedicated, and more patriotic than those which are participating in the conflict in South Vietnam.

Mr. Chairman, I have been over there several times, and I have talked to many of our American troops. I want to say that at no time have I found one man who was not proud that he was an American and proud of the job he was doing. They did ask the question as to why we did not try to win. They asked the question as to why Americans were demonstrating against their country. They could not understand with all that America means to the world, all of the greatness of America; they could not understand why our own people would bitterly attack America for its effort unselfishly being made in Vietnam.

Mr. Chairman, I heard that question raised many times. I went to the hospitals and talked with dozens of young men and boys there. I talked to men who had an arm off or a leg off. At no time did I hear one man complain. He was proud he was an American.

Mr. Chairman, the only questions they were asking were what are we doing to win on the homefront, and why these anti-American demonstrations are taking place in America.

Now, Mr. Chairman, the GI in Vietnam has only one thing in his mind; that is, that the United States may win, and I deeply hope that in some way these wounded American patriots can transfer that patriotism; that same will to win to the homefront.

Mr. RIVERS of South Carolina. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. FARBSTEIN].

Mr. FARBSTEIN. Mr. Chairman, in the past, I have expressed reservation about some of the administration's actions in Vietnam. Recently, I joined a number of other Representatives in urging the President, among other things, to deescalate our military efforts in Vietnam as a further effort to bring the war from the battlefield to the conference table. I still feel no good can come from further escalation and do not wish this vote to be considered otherwise. I desire to create a climate leading to the conference table.

Today we are faced with the task of voting on an appropriation for $4.8 billion for Vietnam. Each Member must do some soul searching before casting his vote. I, for one, have carefully reviewed my predilections and balanced them with the Nation's well-being.

American boys are committing their lives and honor to this fight in the Far East. These young men must not be deprived of equipment, necessary hospitals, medical treatment, essential supplies, and helicopters needed to help them survive in this jungle war. The Congress, regardless of any reservations and unanswered questions on administration policy, must not fail to grant the funds to supply these brave men. I do not desire to be in the position of turning my back on our young men who are presently sacrificing their lives in Vietnam.

On the scale, I find I must vote in favor of the appropriation.

Mr. PIRNIE. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, the hearings that preceded the approval of H.R. 12889 by the Armed Services Committee represented a very earnest effort by our members to determine the urgent needs of our military and to support them by this bill. We are aware of the scope of our involvement in southeast Asia and wish to provide what is required to achieve victory at the earliest possible time.

It is apparent that as yet our full military capabilities have not been employed in Vietnam nor have we followed the strategy that full military considerations would dictate. We trust that our actions are understood to reflect our desire to resolve the differences by peaceful means. However, there is a real danger that our enemies will exploit our restraint through propaganda designed to create the impression we are losing the war, know we cannot win, and are plagued by disunity on the homefront. Certain events and actions might tend to give credence to such claims but our debate here today is not one of them.

We are here attesting that we are determined to win and will meet the needs of our forces in their effort to do so. We on the committee have asked our service chiefs and department heads to tell us what they required and by this legislation we are seeking to meet their needs in full.

I have been disturbed that certain items have been transferred from the fiscal 1967 program without any real assurance that procurement will be so accelerated that inclusion in this bill is necessary. To the extent such technique is employed, it does not have my approval. However, I have found it difficult to remove this criticism without in some way interfering with sound objectives. Therefore, I rely upon the good faith which must be implicit in the underlying request.

Another important element in this legislation is the provision for military construction totaling over $1¼ billion. Our involvement in southeast Asia necessitates prompt action to provide needed facilities in support of supply, housing, and hospital operations. Although many of the items have been specified, the bill makes available to the Secretary of Defense an additional $200 million for expeditious accomplishment of emergency contruction needed to meet any crisis which might develop. It is proposed that this authority will be fully funded.

This bill will appeal to all as a timely, and we hope adequate, response to needs paramount in our thinking. We trust none shall misread our intent. Our determination to achieve our valid objectives in Vietnam is clear and in this spirit we support H.R. 12889.

The action we take today will have an impact on our fighting men. Too frequently the headlines suggest confusion or division on the home front. This is detrimental to their morale and makes their task more difficult. We can be sure that our support of this measure will furnish unmistakable evidence that this House will respond to their needs promptly and completely.

Mr. CUNNINGHAM. Mr. Chairman, will the gentleman yield?

Mr. PIRNIE. I yield to the gentleman.

Mr. CUNNINGHAM. It is my impression and the impression, I believe, of others that the French lost the war over there not on the battlefield but in Paris. Would the gentleman agree with that?

Mr. PIRNIE. There is reason to believe that is true. But we certainly have something more working in our favor as compared with the French.

Mr. CUNNINGHAM. Yes, I certainly hope that is true. But the French soldiers over there were left with nothing to fight with because of decisions resulting from agitation and dissent in their capital city of Paris. Is that not true and is it not so that that resulted in their defeat?

Mr. PIRNIE. I hope that history will not repeat itself insofar as our effort and our operations are concerned.

Mr. CUNNINGHAM. We must give our fighting men every support on the battlefield and I commend the gentleman on his statement and certainly agree with him.

Mr. PIRNIE. I thank the gentleman.

Mr. HÉBERT. Mr. Chairman, I yield 8 minutes to the gentleman from Virginia [Mr. HARDY].

Mr. HARDY. Mr. Chairman, there is no doubt in my mind that this bill is essential to the support of all of our forces in Vietnam.

I have visited Vietnam in the recent past and have seen the construction at Da Nang, Chu Lai, and Cam Ranh Bay and at a number of other locations. I was very pleased by the construction activities that I saw. In fact, I made particular note of my feelings in this regard when Defense Department construction witnesses were before the committee.

This is not to say that I am completely happy about the form of this present bill.

The bill authorizes construction in a number of different areas as will be seen from pages 17 and 18 of the report. There is construction in the Philippines, Guam, at Midway and Wake Islands and about $63 million worth of construction right here in the United States. And, incidentally, that U.S. construction is set out by State and installation on page 26 of the report.

The majority of the construction in this bill, over $736 million worth, is in Vietnam itself. The construction program involves almost every type from training facilities to ammunition storage. Some of it is for the Navy, some of it is for the Air Force and the largest part, some $407 million, is for the Army.

We have a lot of people in Vietnam and maybe we will have more in the not too distant future. These people have to have, in great part, much the same kind of facilities that they would have to have here in the United States. They have to have barracks, hospitals, airfields, fuel, and ammunition storage, and every other kind of facility which is a normal part of a military operation. I guess food and weapons come first in priority, but physical facilities such as I have named run a very close second. And we have got to provide them.

Of course, there are special problems involved in construction in a place like Vietnam. Vietnam is an undeveloped country, and any kind of logistic support is difficult.

Right now, there is only one major port, Saigon. Transportation within the country is practically nonexistent. Simply stated, there was nothing in Vietnam for us to start with as there would be in a developed country. We have to provide everything ourselves. We have to provide port and warehouse facilities. We have to construct roads, and all of this has to be done under the most difficult circumstances and, obviously, at costs that are much greater than they would be here in the United States.

Notwithstanding a full appreciation of these difficulties, I think I should say, as I mentioned a moment ago, that I was not at all pleased with the way the Department presented the construction program for this bill. I am against any kind of blank check to the Department of Defense. And I am not alone in this. Many members of the committee feel the same way. But that is the kind of program that was handed to us in committee. I tried as hard as I could to keep some congressional control, realizing the difficulty in predetermining exactly what was going to be built where, and how much it was going to cost. I know that General Westmoreland needs to have a good bit of flexibility. I know he cannot predict the exact course of this war and for this very reason he cannot predict exactly where he is going to need a particular facility or the exact cost of it.

Notwithstanding these understandable difficulties, the Congress, in my mind, has a responsibility to see to it that it keeps itself informed as to just how our funds are being spent.

It was with this in mind that I offered an amendment in committee which now appears as section 401(b) of the bill. The department has contended that this language is too rigid—that it will cause delays. I do not think the problem is as great as they contend. But anyway we have agreed on substitute language which I think will serve the purposes I had in mind about as well as the original language.

The new language which is in the form of a committee amendment and will be offered by your chairman reads as follows:

> The Secretary of Defense shall furnish to the Committees on Armed Services of the Senate and House of Representatives a description of all construction projects, including cost estimates and periodic reports, made available to the Secretary of Defense simultaneously with the receipt of such information from the persons responsible for the construction of such projects in support of Vietnamese and other free world forces in Vietnam. Whenever such construction projects, involving $1,000,000 or more, are performed by private contractors, the Secretary of Defense or his representative in Vietnam shall report to the Committees on Armed Services of the Senate and House of Representatives the name or names of such private contractors. The amounts involved in each contract, a copy of the report in support of each progress payment, and a complete report prior to final payment.

The new language still does not provide an ideal situation but it will enable us to keep our finger on the construction program.

I want to stress that I have no doubt as to actual need for this construction, but I want to know and I think that you and I have a right to know just what is being done and how it is being done.

Mr. FASCELL. Mr. Chairman, I rise in support of the pending bill, H.R. 12889, authorizing appropriations for equipment, materiel, construction, and other purposes in support, primarily, of our effort in Vietnam.

Our fighting men are engaged in one of the bloodiest, dirtiest, most brutal conflicts ever witnessed. It is the responsibility of this Congress to provide full support promptly for all equipment, materiel, and facilities which will aid in saving the lives of our fighting men and hasten a successful conclusion of our effort in Vietnam.

I strongly endorse this legislation for weapons procurement and other purposes in full support of our commitment in Vietnam, just as I voted for the recently adopted supplemental authorization for economic aid and assistance. As I have previously stated, the military effort and the economic effort in Vietnam are inseparable policy of the United States in dealing with the problem of Vietnam and southeast Asia.

I also support this resolution as a logical supplement of the policy decision made by the Congress in 1964 in the adoption of House Joint Resolution 1145, which authorized the President to take all necessary steps including the use of armed forces, since we regard as vital to our national interest and to world peace the maintenance of international peace and security in Vietnam and in southeast Asia.

A vote for this legislation today is a vote to support our fighting forces, a vote to support previously adopted congressional policy, and support for the President of the United States and the policies of this country in the critical conflict in Vietnam. Some might have doubts; others might have reservations; we may debate our respective positions; but support of this legislation is support for the policy of President Johnson. We ought to overwhelmingly support this legislation because it is the right thing to do and the only thing to do.

I congratulate the distinguished chairman from South Carolina [Mr. RIVERS], and the members of the Armed Services Committee who have brought this legislation to the floor. They have given it the most thorough consideration, and yet have acted expeditiously on a matter of the most urgent need. The whole question of Vietnam has been discussed, reviewed, and debated very thoroughly in the halls of this Congress. On the Foreign Affairs Committee, of which I am a member, we have been meeting and holding hearings on this subject almost daily since we reconvened this year. Both in subcommittee and full committee, we will, as other legislation comes before us, particularly the foreign aid authorization bill, debate Vietnam and other world issues for many weeks and months during the balance of this session. There have been discussions and debate on previous days on this floor just as there is today. Everyone has had ample opportunity to project his viewpoint, to criticize, to support, or to say what he has to say on behalf of himself and his constituents.

Notwithstanding voices of dissent, and I do not discourage proper dissent, it is clear that by vote after vote in this body, the overwhelming number of representatives of the people of this country, in carrying out the desires of their constituents, have time and again supported the President of the United States and the policies of this country as they apply to Vietnam.

I also support this resolution because I am opposed to unilateral withdrawal by the United States from Vietnam. Such a course of action is unthinkable surrender, and would accomplish nothing, while its results would be disastrous. There are those who maintain that we have no business in Vietnam at all. I disagree with this viewpoint because we Americans have learned the bitter lessons of two world wars when aggression is allowed to succeed. Aggression under any name, technique, or strategy must not succeed. Nevertheless in determining our policy course and in support of this legislation whether the United States should be in Vietnam is almost moot. We must face the facts of life as they are.

The fact is that the United States is committed in Vietnam in principle, in manpower, and in materiel. We are committed by treaty, the pledges of three Presidents of the United States, a joint resolution of the Congress, and other declarations. We have approximately 250,000 men in southeast Asia, and the prospects seem apparent that we may have 400,000 or more, if necessary. By way of comparison I note that at the peak of the conflict in Korea we had 327,000 men there. Our expenditures for Vietnam are at the rate of $2½ billion a year and climbing steadily. With these facts, I find very little comfort or logic in the argument which alleges that the United States should not be in Vietnam for political reasons, military reasons, moral and humanitarian reasons, or that the United States is there illegally; or that the United States should not be there because this is a Vietnamese problem; an Asian problem; a problem for the United Nations; or a problem of someone else.

Another blunt fact is that there is no doubt in my mind that South Vietnam is and has been fighting for its life against a brutal campaign of terror and armed attack inspired, directed, supplied, and controlled by the Communist regime in Hanoi. Vietcong, National Liberation Front, or any other group of alleged or real indigenous dissent to the contrary, the fact remains that there is a determined aggressive and violent campaign to take over the government and the people of South Vietnam. General Giap, leader of the North Vietnamese Army recently said:

> If the special warfare that the U.S. imperialists are testing in South Vietnam is overcome, then it can be defeated everywhere in the world.

In other words, if the United States wins in Vietnam, we will have effectively destroyed the new technique of aggression, the so-called wars of national liberation. Vietnam therefore is a big test of the Communist strategy of aggression.

The United States has in vain sought to substitute words for bullets. We have talked to every nation in the world; we have gone to the United Nations; we have temporarily ceased bombings; we have made it clear that we do not intend to use more force than is necessary; and yet—we have had no favorable response from the National Liberation Front, the Vietcong, the North Vietnamese, the Red Chinese, or anybody else. The reason it seems to me that we have had no response is that the enemy thinks that the United States and its allies will tire of this fight and that they, the enemy, therefore can win it.

It seems to me that we cannot fail or unilaterally pull out of South Vietnam without dire consequences.

The people of South Vietnam are fighting for self-determination, a principle we strongly believe in. Therefore, the South Vietnamese ought to have that right without any infringement or interference by the North Vietnamese, the Red Chinese, or anybody else.

By our action here today we will make it clear to the world that the majority of Americans support our strong military help to the people of South Vietnam to resist subversion and foreign military intervention plotted, directed, and supplied from the north; and make sure that the Communist doctrines of guerrilla warfare and wars of national liberation will not succeed against the determined people with firm allies.

We seek an end of the war by negotiation or other honorable means not in conflict with our obligations. I support our efforts to do so. I also support the purpose of moving on as rapidly as possible with the more constructive task of laying foundations for a better future for all the people of southeast Asia.

But our fighting men know why they are fighting in South Vietnam and they need our support. U.S. Army Capt. James Spruill, who was killed in Vietnam just last April, recorded his own conviction on Vietnam in simple and eloquent words in one of his letters. I quote a passage:

> Above all, this is a war of mind and spirit. And it is a war which can be won no matter what present circumstances are. For us to despair would be a great victory for the enemy. We must stand strong and unafraid and give heart to an embattled and confused people. This cannot be done if America loses heart. At the moment my heart is big enough to sustain those around me. Please don't let them back where you are sell me down the river with talk of despair and defeat. Talk instead of steadfastness, loyalty, and victory—for we must and we can win here. There is no backing out of Vietnam, for it will follow us everywhere we go. We have drawn the line here and the America we all know and love best is not one to back away.

Mr. Chairman, I urge unanimous approval of this vital Presidential request, because the United States must persevere.

Mr. EDWARDS of California. Mr. Chairman, I would like to be announced as for the $4.8 billion supplemental appropriation for Vietnam, although I have opposed and will continue to oppose the policies that have made this appropriation necessary. I support the appropriation because our men in Vietnam are the victims of that policy and they must have the support they need.

I believe that the President sincerely wants peace, but I also believe that peace is unattainable unless the assumptions upon which our current Far Eastern policy is based are drastically changed. Specifically, if we continue to treat every Chinese move as a major threat to world peace, our panic policies will serve to translate that potential into action which will endanger not only Asia, but the entire world.

There is evidence that China, despite her bellicose statements and her harsh and cruel internal life, is cautious in deed if not in word. It is clear that she has a paranoid fear of being attacked and this fear can only be intensified by U.S. efforts to encircle China. The Chinese have developed a nuclear capability that may soon be operational. Therefore, China must begin to share—along with the other great powers—the responsibility of keeping the peace and protecting the integrity of other nations.

Our success in containing Russian expansion since World War II is insufficient argument for applying exactly the same policy in Asia. We have forgotten that that policy of containment was established among nations sharing our traditions and values, who had sufficient wealth and wisdom to maintain their own independence, and who had a democratic foundation to sustain the ideals that we were defending. But we cannot defend freedom and democracy in southeast Asia the same way we did in Europe precisely because Asia is not Europe. Much of southeast Asia is anti-Chinese; but, because of its immediate colonialist background, it is also anti-Western—perhaps more so.

Unfortunately, the people of southeast Asia do not yet have the institutions, the training, or the leadership to make Western democracy work—no matter how much we insist and no matter how much we help. But, they do not want to be pawns in a forever shifting cold war. They want more than anything else to be left alone—left alone by the Chinese and, more importantly, by us. They want no entangling alliance, no binding treaties, and, no depreciation of their already meager resources through war.

It would appear that a sound Asia policy would be to foster the neutrality of southeast Asia and do all we can to help bring China into the community of nations so that her fears of the West, and of the United States particularly, could be brought to the level of rational discussion.

This cannot be done so long as we are forcing her hand through attempting to beat North Vietnam into diplomatic submission. This can only be done through the relaxation of tensions in southeast Asia, through a negotiated settlement in South Vietnam and through the peaceful and faithful implementation of such a settlement.

We must, I believe, be ready to sit with the Vietcong at the conference table and to allow them participation in the future political life of South Vietnam. And we must stop the bombing of North Vietnam lest we draw in China and destroy hope for peace in that region of the world.

I announce myself as for this measure because I do not want to see our boys die in the wrong war, at the wrong time, in the wrong place for lack of domestic support. But I would hope that our efforts for peace in southeast Asia would be intensified to end not only that war but also the threat of world war III.

The CHAIRMAN. The Chair recognizes the gentleman from Louisiana [Mr. HÉBERT].

Mr. HÉBERT. Mr. Chairman, I should like now to discuss the Army's fiscal year 1966 supplemental program for procurement of aircraft, missiles, and tracked combat vehicles, for which authorization is requested under the provisions of section 412b, Public Law 86-149, as amended.

This program has as its principal objective the availability of military hardware to equip the Army. Because of the expansion of the Army's operations in Vietnam during the past year, equipment shortfalls will occur unless procurement actions are continued in several commodity areas.

The supplemental request reflects Army plans to make heavy current-year investments, especially in long leadtime items, to sustain our buildup in southeast Asia, to permit orderly expansion of the Army to authorized force levels, and to replenish inventories reduced by drawdowns resulting from increased combat consumption or new unit activations.

Authorization is requested, under the fiscal year 1966 PEMA, supplemental budget submission, for $825.6 million for aircraft and aircraft spares and repair parts; $64.0 million for missiles and missile spares and repair parts, and $75.8 million for tracked combat vehicles. This is the first time that tracked combat vehicles have been included as a separate budget activity, and the first time for which special congressional authorization has been required.

AIRCRAFT

The budget figure of $825.6 million for aircraft and aircraft spares and repair parts represents approximately 34 percent—slightly more than one-third—of the total PEMA request of $2,465 million. The aircraft category is second only to the ammunition category in projected dollar outlay, and reflects the continued emphasis on the role of Army aircraft in support of both combat and logistical operations in Vietnam.

Funds budgeted under the fiscal year 1966 supplemental estimate will permit inventory add-ons to aircraft which are urgently needed to enhance combat capabilities in Vietnam, assist in meeting deployment schedules, and pay back, with preferred items, drawdowns from reserve assets.

Additional buys of the CH-47A cargo transport helicopter—Chinook—and UH-1B/D tactical utility helicopter—Iroquois—are projected. These are the workhorses of Army air operations in Vietnam. The Army also plans to finance the initial PEMA procurement of the CH-54A heavy lift helicopter—Flying Crane—and to expedite procurement of the OH-6A observation helicopter—Pawnee—to replace several marginally adequate aircraft types currently in use in Vietnam. Additional procurements of helicopter trainers and fixed-wing surveillance aircraft are also envisioned.

Other costs relate to the modification or retrofit of in-service aircraft, $16.6 million; ground and support equipment, $16 million; component improvement, $2.1 million; production base support, $2.2 million, and first destination transportation, $0.2 million. Included is $220.9 million for accelerated requirements of aircraft spares and repair parts.

MISSILES

The $64 million estimate for missiles and missile spares and repair parts represents 2.6 percent of the total PEMA submission. The projected funding is to cover costs of replacing Hawk air defense equipment connected with southeast Asia deployments and for providing similar equipment to support new unit activations. No new missiles are included. The estimate for missile spares and repair parts is $28.5 million.

TRACKED COMBAT VEHICLES

For tracked combat vehicles the supplemental request comprises approximately 3 percent of the overall PEMA total. Estimated costs, in almost all cases, are related to the replacement of combat losses or the equipping of new units. Approximately $22.8 million is projected for add-ons of self-propelled artillery and mortar carriers, to include the 155 millimeter medium howitzer, M109; the 8-inch heavy howitzer; M110; the 175 millimeter field artillery gun, M107, and the 81 and 107 millimeter mortar carriers, M125A1 and M106A1. Some $9 million is included for additional buys of the full-tracked cargo carrier, M548; the command post carrier, M577A1, and the light armored recovery vehicle, M578. A total of $44 million is also budgeted for repair parts and support materiel.

Mr. Chairman, I support the unanimous recommendation of the House Armed Services Committee that the Army's fiscal year 66 supplemental request for missiles, aircraft, and tracked combat vehicles be approved and I recommend its favorable consideration by this body.

Mr. Chairman, I yield to the gentleman from Florida [Mr. BENNETT] such time as he may consume.

Mr. BENNETT. Mr. Chairman, I rise in strong support of this legislation and its implications of backing the President in his efforts to bring about world peace in our time and security and freedom throughout the world.

Mr. Chairman, this bill is a carefully drafted piece of legislation and should have the support of every Member of Congress. It will provide the tools now necessary to pursue our objectives in South Vietnam. I am happy to support the President and the troops 100 percent in this noble effort to preserve freedom and stop aggression.

Our President has said:

> To know war is to know that there is still madness in this world.

The truth of this is borne out in South Vietnam. There we are vigorously responding to the requests of the local government to assist in preserving the independence of that tiny nation.

In so doing we are upholding the nonaggression and freedom-seeking objectives of the southeast Asia collective defense treaty, approved by the overwhelming vote of our Senate, 82 to 1. We are also following the overwhelmingly approved resolution of the entire Congress in support of our national efforts there, allowing "the use of armed force" to assist South Vietnam upon its request for "assistance in defense of its freedom."

Yet the whole matter could come to an end and bloodshed could cease and the avowed objectives of most of mankind could be achieved if—as President Johnson suggested in his latest state of the Union speech—everyone would "stand by the Geneva agreements of 1954 and 1962." We are willing to do so.

These agreements are certainly reasonable, providing as they do for free elections and local self-determination. If in fact North Vietnam and the communist world have confidence in the popularity of their cause, their aggressions in South Vietnam should come to an immediate halt; and we could proceed together to bolster up the local government of South Vietnam with free elections and assured independence.

Our own Government has sent, throughout the world, topflight representatives seeking to find some channel to bring peace while preserving the independence of South Vietnam in fulfillment of the accords of Geneva.

It is appalling that thousands of persons are losing their lives and billions of dollars are being expended in the machinations of war, when these lives and these treasures—both of life and of materials—could be much better spent in the forward progress of mankind.

These thoughts all underline the statement of the President:

> To know war is to know that there is still madness in this world.

Nevertheless the responsibilities are on our shoulders at this time and we must fulfill them to the best of our ability, as disagreeable and as tragic as they may appear from time to time.

When I spoke in Jacksonville on May 30, 1964, Memorial Day of that year, I said something about the Vietnam War which I think is appropriate to repeat at this time. I said:

> Under these circumstances we, the American people, should be careful that partisan political considerations have nothing to do with the decisions that must be made, and we should be in constant prayer that whatever decisions are made are in the best interests of the country and of mankind generally.

As I conclude my remarks I would like to give you an analogy which seems fitting: in the world of business, no businessman would put great responsibilities on the shoulders of his office boy. He would not send that inexperienced lad to conclude some important contract transactions or any other deed of large proportions. In the troubled times of 1966, it is true that our country has these grave responsibilities of which we all are soberly thinking today.

But if we believe, as I am sure we all do, that there is a God in heaven, he surely would not be giving us, in these times, these responsibilities unless he thought that we were indeed capable of fulfilling them.

So, although our tasks may be hard and the sacrifices great, I share with you the hope that we will each here today take courage and rededicate ourselves not only to our beloved Nation, but to the highest of human principles: sharing as we must these great responsibilities called forth by the challenging times in which we live.

Mr. HÉBERT. Mr. Chairman, I yield 4 minutes to the gentleman from New York [Mr. STRATTON].

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield to me?

Mr. STRATTON. I am glad to yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Chairman, I support this bill and commend the committee for bringing it to the floor of the House, with full provision for all recognized needs of our Armed Forces in southeast Asia.

The fight being waged in South Vietnam is a fight for freedom. In the long run, it is also a fight for peace, for no real peace will be possible for men anywhere unless the forces of aggression are stopped in southeast Asia.

I cannot conceive of any action by the Congress that would do more to encourage aggression, in all parts of the world, than the defeat of this measure. The evidence that Congress was not prepared to back its Armed Forces with the supplies and equipment needed to carry out our policies—which defeat of this bill would mean to the world—would undermine the faith of every friend and ally we have. It would also encourage the enemies of freedom to embark on new conquests and invasions all over the world.

On the other hand, overwhelming approval of this bill will demonstrate our determination to do all that is necessary to back our men and to provide them with what they need to do their difficult and dangerous duty in Vietnam.

I hope and trust the bill will be overwhelmingly approved.

Mr. STRATTON. Mr. Chairman, I rise in support of this bill. It is a simple bill. It simply represents a recognition of the requests of our fighting services for what they need to do the job to which our servicemen are presently committed in Vietnam. And I think we have no alternative in this body except to support this legislation.

I have been a little concerned by those Members of this House and of the other body who have suggested that one can support this bill today without supporting the policy of our Government. That, to me, is nonsense, self-delusion. What is Congress supposed to do in a fighting situation anyway?

We do not make decisions on strategy. We do not consult with the commanders in the field at every point. Rather we pass authorization bills, like this one. We pass appropriation bills. That is what we have done before with regard to Vietnam, and that is what we are doing again today. Obviously we are supporting the policy of our Government in this legislation, a policy of resisting the spread of communism in southeast Asia and thereby proving to the Communist aggressors that aggression does not pay.

I would submit, Mr. Chairman, that it just is not possible to have it both ways: either you support that policy of our Government or else you are against it. And your vote today registers your position on that vital question.

Mr. Chairman, what we are facing today in South Vietnam represents in my judgment a very serious test, indeed an acid test, in our history as a government. As the majority leader indicated a moment ago, it is a showdown test of our ability as a democracy to survive the continuing challenge of communism.

People in Communist countries have said that we are paper tigers—not because they do not recognize that we have bigger bombs or greater carriers or more planes than do the enemy countries, but because they are convinced that when the chips are down, we in America just do not have the courage to see things through.

It is about time that we recognize that, whether we like it or not, we are in a fighting war in Vietnam and that we must give to our fighting forces and to the administration, which has been pursuing a policy backed by the overwhelming votes of this Congress and the people, the support that they deserve and should have.

Debate is a good thing in a democracy. But even in a democracy there must come a time when debate ends and when we get behind the decision that has been taken and back up our men on the fighting fronts. That is what this bill does, Mr. Chairman, and that is what the companion appropriation bill will do when it, too, comes to this floor.

The time has come now for us to put an end to further harassment of our Vietnam policy, to these attacks on our policy, these proposals which seem to come forward every day or so, of some new concessions that somebody thinks we ought to make to the Communists to somehow lure them to the negotiating table.

This is a time now for national unity. Let us not forget that it was President Kennedy who describe the Communist method of negotiation by saying, "What is mine is mine, and what is yours is negotiable."

That's what the Communists are trying to do in Vietnam. That is what our forces out there are trying to prevent. Let us support them, not add to their burdens and problems.

I say, Mr. Chairman, it is time for us to have a little confidence in our Armed Forces, to have a little unity in support of our policy. As President Johnson indicated in the White House briefing the other day, no politician ever gets elected by constantly predicting his own defeat. The question in Vietnam is whether we can prove to the Communists and to the world our determination, our patience, and our fortitude under pressure. Let us put an end to these doubts and fears that undermine our will and our resolution, and let this House join now in an overwhelming expression of confidence in our policy and confidence in our Armed Forces.

Mr. BATES. Mr. Chairman, I yield 12 minutes to the distinguished gentleman from Michigan [Mr. CHAMBERLAIN].

Mr. CHAMBERLAIN. Mr. Chairman, I rise in support of H.R. 12889 and say to my colleagues that this bill should not only pass, but it should pass with an overwhelming vote. This would serve notice on the world that when it comes to supporting our servicemen, who are defending freedom wherever challenged, that the American people are ready, willing, and able to provide whatever they may need to carry out their missions. This legislation was approved by the Armed Services Committee, as the accompanying report states, "solely in order to achieve more rapid procurement of replacements of articles consumed, and to provide proper equipment for a larger force in a shorter period of time."

But, Mr. Chairman, I would like to call the attention of my colleagues to the reservations expressed by the committee on page 3 of the report regarding the necessity for this legislation. I cannot but have the feeling—which you will note from the report is shared by most members of our committee—that many of the items involved in this legislation may simply have been removed from the regular 1967 authorization to this supplemental 1966 authorization without any real program for acceleration. I am not satisfied that the actual need for this legislation has been sufficiently established and that the procurement of essential items will, in fact, be appreciably accelerated by the enactment of this bill today.

Again, Mr. Chairman, I would refer my colleagues to the language of the report on page 3 wherein it is stated that:

> Testimony on this subject was indecisive and the committee has not yet been provided with sufficient definitive data to pinpoint the exact degree of real acceleration, or to determine the amounts involved in the proposed legislation which could safely and should properly be deferred until the regular 1967 authorization.

So, as you read this report, which I remind you again was a unanimous report, it is certainly not unfair to conclude that the Department of Defense has failed to sustain the burden of proof with respect to the necessity for this supplemental authorization and that, being realistic, we are participating in a substantial bookkeeping exercise that obviously offers little military advantage.

In saying this, however, I do not mean to infer that what has been asked for in support of our troops will not be needed within the time frame of the budget for fiscal year 1967 which will be before the House for approval within the next few months. It is for this reason that I have no hesitation in my support for this bill. But as I said at the outset of my remarks, I nonetheless feel that by our actions today we should let our voices be heard loud and clear so all may know that we are going to provide our troops in the field with whatever they may need in supporting the interests of our Government and our determination to resist communistic aggression at this crucial hour.

Now, Mr. Chairman, if I may, I would like to use the balance of my time to make two other points. While they may not be directly related to the legislation before us, they certainly have a vital bearing on the conduct of the war in Vietnam.

My second point is simply this: Our concern today in seeking to provide all the supplies necessary to our troops should not be permitted to pass without drawing attention to the similar problems confronting our enemy. Ho Chi Minh is dedicated to a policy of total victory. Anything that the Hanoi regime needs and is denied cannot help but put roadblocks in their path to the south. The traffic of free world ships into North Vietnamese ports, regardless as to whether their cargoes are Communist or free world, strategic or nonstrategic, simply must be stopped. Our governmental policy has clearly been too tolerant of this free world assistance to our enemy. The administration's indifference has created a leadership vacuum which the maritme unions have recently sought to fill through independent action because of this apparent tacit abdication of this aspect of foreign policy to private effort. Bills exist in Congress which would do what the maritime unions seek to accomplish, but the administration has shown only a negative interest. Regardless of official efforts to depreciate the importance of this trade, I simply cannot comprehend how the tolerance of even one free world ship in the harbor of Haiphong can be justified. Now, in January of this year there was, in fact, a decided increase in this traffic over the previous month. The Department of Defense publicly admits that there were three British, one Cypriot, and three Greek vessels in North Vietnam. While again the classified report indicates that the true figure is well over double that—well over double it, I tell you—and that is what we are not being told—actually the secret reports given to me by the Department of Defense show that free world arrivals in North Vietnam in January are actually more than in any month since last July. I will say that again. Free world arrivals in January in North Vietnam were more than during any month since last July.

Now, Mr. Chairman, I submit that we cannot say that we have provided our fighting men with the supplies they need without looking at the other side of the coin, without having done everything that we can to interdict the enemies' lines of supply.

We should close every possible valve in their lines of supply and the higher up in the pipeline the better it will serve our interests. That is why I say that we should make sure that nothing destined for North Vietnam is ever loaded aboard a free world ship.

Now, Mr. Chairman, my third point focuses not upon military hardware needs but, rather, upon that which this hardware seeks to accomplish.

Mr. Chairman, the struggle in South Vietnam is essentially no different from that encountered in many other places in the world, where we are confronted with communistic aggression and subversion. It is simply nothing but a struggle for the minds of men.

Mr. Chairman, the U.S. presence in South Vietnam, to be successful in lessening the spread of communism, must win the support of the South Vietnamese people by convincing them that we share a common cause, and that the United States is determined to help them achieve security and to establish a better way of life.

Mr. Chairman, this effort can only be successful if the South Vietnamese are fully and accurately informed about the problems which we are facing jointly, and what is being done to solve these problems.

Mr. Chairman, early last summer General Westmoreland made it clear to our special subcommittee of the House Armed Services Committee that was sent to South Vietnam by the chairman of the Committee on Armed Services, the gentleman from South Carolina [Mr. Rivers], that in his judgment television offered a tremendous opportunity to help unify a country where communication is extremely difficult, if not totally nonexistent. With proper encouragement, this project was finally approved. I have followed its progress closely. While I am apprised of some initial technical difficulties, I am informed that it is now operational and performing well since its inauguration in early February, and that there are airborne transmitters beaming daily television signals to the Saigon area.

Mr. Chairman, I was privileged to see these flying TV stations as they were being assembled right here in the Washington area, at the Andrews Air Force Base. I talked to the officers and men that were actually installing the equipment. I saw what went into these planes. It was the biggest scavenger hunt I have ever heard of—spare parts and obsolete equipment were sought wherever they could be found, and if they could not be found, makeshift parts were fabricated on the spot.

I was even told that some essential components were found on the local shelves of the Sears & Roebuck stores.

Mr. Chairman, I have never witnessed a greater dedication than that of the crews who worked 24 hours a day, really around the clock, in order to get these planes operational and send them on their mission.

Mr. Chairman, just this past week I had an opportunity to talk with the Vice President, following our White House briefing—that was last Thursday morning—and I asked him how this television project was getting along and whether or not he had heard anything about it while he was in Saigon. I am pleased to report to my colleagues of the House that he was most enthusiastic about the great potential of this program. He concurred in the need for its expansion just as fast as possible.

So, Mr. Chairman, I say to the Members of the Committee of the Whole House on the State of the Union today that if this program is a good program and if it can perform a vital function in helping to convince the people of South Vietnam of our determination to help them resist a ruthless advance of communism in their homeland, it is time we got to work here procuring the proper equipment with which to do this job, rather than sending them wornout, discarded, obsolete equipment held together with coathangers, baling wire, paper clips, and scotch tape.

Mr. Chairman, I have heard rumors to the effect that there are requests now pending for new and better equipment, including more suitable aircraft for this job, and as soon as I can learn more of the details as to what will be required, I am going to do what I can to get it and get it quick, and get it to South Vietnam. I urge your help in providing whatever may be needed in order to realize fully this dramatic potential of television in South Vietnam.

Mr. Chairman, the bill now pending before us calls for the authorization of $4.8 billion. The total of the President's recent supplemental request was $12.3 billion. These are only supplemental funds. No one knows how much we have spent in the past, and certainly all of us are certain that much more is going to be required in the future. I have been told that the original program, this television program, in South Vietnam called for the expenditure of $1.4 million.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. BATES. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. CHAMBERLAIN. I thank my colleague for yielding to me this additional time.

The original program to provide this television network in South Vietnam called for only $1.4 million, to provide a network throughout the country that would reach from 80 percent to 90 percent of its inhabitants, and that this could be accomplished within a year. When we are talking about a $12 billion supplemental appropriation, I say $1.4 million is a modest sum. The Government could afford it as much as the Government could afford my taking a sip of water from this glass.

So, Mr. Chairman, as we provide the hardware and equipment that will be needed for our troops in South Vietnam let us be bold to also think in terms of using one of our greatest assets, one we have not used heretofore to the fullest.

You know, Mr. Chairman, we hear so much about bold and imaginative programs. But when we come up with something truly bold and imaginative we put it together with obsolete equipment.

Let us do all we can to convince the South Vietnamese of our good intentions especially when we have a program that can serve our purpose and be expanded without bloodshed. Now bear that in mind. We are not going to try to kill people with television. Why do we have to appropriate all this money and send our boys by the hundreds of thousands crawling through the jungle and wreaking destruction on the countryside just to convince the South Vietnamese people that we mean business when no nation in the world can claim the abilities we have achieved with television?

By way of conclusion, Mr. Chairman, I should like to add that the occasion of this bill is a time for unity and not a time for dissension. The debate in recent weeks over our policy in Vietnam has had its purpose and its day in court. It has properly served to get a lot of thinking out in the open. However, the criticism that has been prompted, I believe, has reached the point of diminishing return. After all that has been said, we are still confronted with the stubborn fact that there is no real alternative to the basic premise of our present policy. We do not intend to abandon the South Vietnamese people and our own long-range interests to the aggressive demands of communism. It is timely for us to put Ho Chi Minh on notice of our firm, united determination to support such a policy. There should be no other interpretation as to the meaning of what we do here today.

Mr. BATES. Mr. Chairman, I yield to the gentleman from California [Mr. Don H. Clausen].

Mr. DON H. CLAUSEN. Mr. Chairman, I rise in support of this legislation. The Speaker of the House, Mr. McCormack, the distinguished majority leader, Mr. Albert, the chairman and ranking members of the Armed Services Committee have all presented a strong position of support. The committee members have passed the bill unanimously.

I do not believe this is the time to project an image of disunity to our free world friends or our enemies. I do not believe any real service would be rendered by not providing our men serving in Vietnam with the best in equipment to carry out their military mission.

The debate here today suggests that many Members of Congress are becoming increasingly disenchanted with the inconsistent and sometimes ambiguous reports coming out of Vietnam. The American people have expressed an increasing amount of doubt about our policies. I believe this attitude arises because the people do not feel they have been told the entire story. I further believe the American people will back a firm policy that is designed to win, if they are told the complete facts.

I have felt for some time that we should find out who our friends really are in southeast Asia and this includes our allies in both NATO and SEATO.

As the gentleman from Michigan suggests, the shipping in and out of Haiphong has increased appreciably this year—this is, of course, understandable during times of military conflict. But the deplorable fact that our allies—our friends, if you will, are among those who are carrying supplies and materiel for the support of our enemies. Why cannot we be equally firm with these so-called friends who choose to make a profit from both sides of this war? To me, this borders on the brink of international treason. Not only does this problem exist in Vietnam but they continue their normal trade relations with Cuba and other puppet countries of the Soviet Union and Red China. Sooner or later we are going to have to get tough with our friends and ask them to appropriately decide which side of the fence they are really on.

I sincerely believe President Johnson's place in history will be determined by his ability to strengthen the SEATO alliance to bolster their ability to provide for their own security in that section of the world—thereby minimizing the number of American boys required to uphold our commitment in that faraway section of the world. The same thing can be said of our relationship with the

NATO countries. Heaven forbid the day when our traditional alliances crumble.

The only way we can expect to retain the respect of mankind is through a policy of firmness and fairness—be it military, economic, or political.

Therefore, I support this bill today, but in closing I would like to admonish my colleagues to continue to seek other means to win this war. We can and must escalate the peace offensive throughout the world through the application of an economic, political, psychological, technological, and humanitarian offensive—employing techniques that are creative, bold, and imaginative. This will require a broader commitment from all Americans and our free world friends as we jointly uphold our firm resolve to sustain freedom for all mankind.

Mr. BATES. Mr. Chairman, I yield to the gentleman from Missouri [Mr. Hall] such time as he may require.

Mr. HALL. Mr. Chairman, as has been well stated, this bill represents authorization for our troops of all the services in South Vietnam. I rise in support of it because I think the way it has been reviewed, albeit hastily but by line item, whether in areas of research and development or in procurement of military equipment, tanks and missiles, or whether in the area of construction—indicates the proper approach to all authorizations by a legislative committee.

Many of us are extremely proud of the logistical support that is being rendered to our troops there.

A vote for this bill is a vote for continued support of these people and I would like to assure one of the gentlemen who queried our distinguished chairman that medicine is again making a record in South Vietnam that has never been made before, based on the modern state of the art, to the point where we are having less than 1 percent of deaths from all battle casualties that reach any kind of aid. However, Mr. Chairman, all the supplies will not help if we are handicapped too much by a lack of will to win and by dissension in the ranks back home.

We have perhaps in the past overextended ourselves and not defended ourselves to the maximum. It is poor military policy if we do not use a maximum offense as the best defense.

Perhaps there are items here in this supplemental or deficiency bill that have been moved from the fiscal year 1967 into the supplemental or deficiency authorization in many areas. But there is certainly much here that is needed immediately in follow-on and long leadtime items, and your committee is convinced this is the most appropriate way to get the materiel into the hands of our troops. Perhaps there is much here that was lopped off a year or so ago by a penny wise and pound foolish Secretary of Defense or Bureau of the Budget. But now the equipment is needed and to my mind it is proper and not further debatable, in view of the committee hearings, report, and unanimous action.

Perhaps there has been too long a delay in the proper interdiction of logistical supply lines of the North Vietnamese but now it is time to get on with the job.

Yes, Mr. Chairman, a vote today is not in support of any of the Secretary of Defense's multiple mistakes or lack of State Department foreign policy. This is a vote for all our men in all the services in southeast Asia on a basis where we have undoubted superiority, in the air and sea, and should be about the job with adequate supplies.

I strongly recommend a unanimous vote in favor of this supplemental authorization bill for the men in southeast Asia.

Mr. RIVERS of South Carolina. I yield to the distinguished gentleman from Washington [Mr. Hicks] whatever time he might require.

Mr. HICKS. Mr. Chairman, I rise to support this bill.

My office is now tabulating the returns from a questionnaire I sent out last month—13,000 have been returned, and they are still arriving in large numbers. The questionnaire has a good deal of blank space, which the respondents have used liberally for comments. Mr. Chairman, these comments, as well as answers to the questions I asked, show that the people of my district overwhelmingly support the President's policy in Vietnam. Therefore, they would support this bill as I do.

But, Mr. Chairman, along with their concern about Vietnam they are tremendously concerned about inflation. I confess that I too am worried about inflation, and have been for some time. The bill before us is a supplemental authorization bill. Why must it be supplemental? Because we did not properly evaluate the situation last year. Now military expenditures are rising relentlessly, while unemployment continues its downward trend, and unemployed skilled labor virtually no longer exists. All of these things show inflationary pressures, and those pressures are tremendous now.

We must not ignore the inflationary danger. We must not allow ourselves to take half measures and pretend that we are facing the problem squarely with all its implications. We must not let ourselves underestimate the danger by always dealing with parts but never with the whole. If we do, we will continue to have supplemental instead of comprehensive legislation.

What is the answer? Because inflation is caused by rising demand, measures must be taken to curb demand. Many approaches are offered, and several of them together seem to me to offer the best approach. The Federal Reserve Board has already raised the price of money. This alone will not solve the problem. However, combined with other measures it can help to restrain investment and reduce demand in that way. We must also look to decreased Government spending and increased taxes.

Nonmilitary spending must be curtailed where it is possible to do so without jeopardizing what is best in our Great Society programs. And that does not mean cutting down impacted areas school aid, or school milk, and hot lunches. It does mean that we must redouble our critical scrutiny of every measure for the expenditure of funds to be sure that it will achieve the purpose as economically and efficiently as possible.

As for taxes, last week I voted against the tax bill the purpose of which was to raise revenue to pay for increased spending of the Vietnam war. I voted against it not because I think we do not need a new tax measure but because it seemed to me a palliative and not a cure. I do not oppose the withholding changes, and I think it is sensible to graduate the withholding rates to coincide more closely with tax rates. And since it is true that the Government needs funds now, a speedup in collection will obviously help in the short run. The excise tax reimposition does bother me because excise taxes are not the most equitable kind of tax. But above all, I consider the measures in that bill too little and too late.

The tax which was not even discussed last week but which will be paid regardless of the tax bill approved by this body, the tax which is the most discriminatory of all, is inflation.

We cannot avoid taxation of some kind. The question then is whether we should tax through inflation, ignoring the problem and letting it take its course, or face the problem squarely and make the decision to tax in an orderly and evenhanded way. I think the choice is clear. Although it is never popular to raise taxes, we will have to do so. But we must do so in a meaningful way, not by halfhearted measures which lull us into thinking we have met the need. The sooner we recognize this fact and move to act the better.

If we do not take well-planned measures soon, then we will surely give rein to inflation. By so doing we may impose the cruelest tax of all on those least able to bear the burden, on the elderly and disabled living on fixed incomes, on the poor, the unemployed.

A minute ago I mentioned the questionnaires I am receiving from my constituents. A comment on one of them seems to me to reflect the responsible thinking of the people of my district on the need to be realistic about paying for our programs, both foreign and domestic. The writer said:

> We all want the benefits of the Great Society but nobody seems to want to foot the bill—if we are going to spend let us raise taxes (I might point out that I make over $10,000 a year with two dependents so I will feel it) but it has to be done.

I was pleased to find in last Sunday's Washington Post that my views coincide with those of a most eminent economist, Dr. Paul A. Samuelson. He points to the latest estimates of our gross national product in this coming year, now expected to rise about $5 billion above what has been forecast. His most telling point, in my view, is that our economic expansion is becoming rapid and frantic instead of orderly and durable, that it cannot benefit the country, and that it will harm those at the bottom of the economic ladder. It should be restrained so that orderly growth can be continued.

I fully agree with Dr. Samuelson's conclusion that a new tax plan is needed, and that work on such a plan should go forward at once.

In closing, Mr. Chairman, I want to reiterate my support for this bill and to express the hope that all my colleagues will support it too. At the same time I urge them to face without flinching the need to keep our economy in hand and the responsibility to do so.

Mr. ROSENTHAL. Mr. Chairman, will the gentleman yield?

Mr. HICKS. I yield to the gentleman from New York.

Mr. ROSENTHAL. Mr. Chairman, I vote for this supplemental authorization with reluctance and apprehension.

The policy which such a vote would seem to endorse is one with which I have often disagreed. It is one with which, in many respects, I disagree now. Bombing of North Vietnam has been of negligible military effect and has involved serious diplomatic drawbacks. I have also felt that any settlement, any negotiations, any provisional government, and any elections which excluded the participation of the National Liberation Front would be highly impractical. Indeed, I think one of the principal obstacles to peace, in addition to the present hostility of North Vietnam, is our apparent refusal to acknowledge the existence of the National Liberation Front which is composed largely of South Vietnamese, and is clearly in control of much of South Vietnam. We do not intend to exterminate that force. We therefore must deal with it. And we must make clear to all that we shall deal with it. That concession I believe to be a prerequisite for settlement.

I believe, therefore, that there are diplomatic alternatives to further escalation of this war. Not being sure if these alternatives have been adequately explored, indeed having some feeling that they have been too quickly passed by, I am unable to accept any contention that we must escalate in Vietnam. Yet, I fear that this authorization permits such an escalation.

I am, moreover, puzzled by many of the provisions in this authorization itself. I share the reservations expressed in the committee report:

> "If there is one reservation felt by many members of the committee regarding the necessity for this legislation, it arises from the possibility that many of the items involved, in all three categories of procurement, research, and development, and construction, may simply have been moved from the regular 1967 authorization to this supplemental 1966 authorization without any real program for acceleration. Obviously no military advantages would be gained by such a bookkeeping situation. Testimony on this subject was indecisive and the committee has not yet been provided with sufficient definitive data to pinpoint the exact degree of real acceleration, or to determine the amounts involved in the proposed legislation which could safely and should properly be deferred until the regular 1967 authorization."

With these misgivings, however, I still feel constrained to vote for the measure before us today. I can find no adequate reason to refuse American forces the support necessary for their survival. I question the policies which brought over 200,000 men to Vietnam. That being said, I still cannot find acceptable grounds for refusing those forces the means to defend themselves and to survive in war.

Here is a deeper problem, a more fundamental issue. The President's primacy in foreign affairs is nothing to be treated lightly. Its ultimate source of legitimacy is the Constitution. I do not believe that the congressional role in foreign affairs is such that we should feel completely free to deny the President the means to pursue a policy, particularly in war, once that policy has been reached with ample consultation. Clearly, Congress must reserve the right to act in such a manner. The proper constitutional vehicle for such action, however, is a declaration of war. In any case, I believe that the right to deny the President in war should be exercised only in circumstances of the greatest clarity, or in issues about which there is little ambiguity. Vietnam is not such an issue, despite the misgivings many have about policy.

I am not happy with the minimal role to which Congress is thus consigned. Nor am I convinced that the Congress has been adequately consulted or respectfully attended in the formulation of policies in Vietnam. But I do not accept the proposition that this vote today constitutes a considered and broad sense of Congress.

I do not believe my own vote, simply as a vote, properly represents my viewpoint on this matter, any more than the total vote of Congress adequately represents the total sentiment of Congress. Complicated positions on matters of war and peace are not to be abbreviated by such simple symbolism. So I deny the legitimacy of this vote as a deep expression of individual or collective viewpoint on the full range of policy in Vietnam. I am voting for support and supplies for the American troops already committed to Vietnam.

Mr. RIVERS of South Carolina. I yield to the distinguished minority leader, the gentleman from Louisiana [Mr. BOGGS], whatever time he might require.

Mr. BOGGS. Mr. Chairman, I am happy to commend the chairman of the distinguished Armed Services Committee and the members of that committee, including my colleague, the gentleman from Louisiana [Mr. HÉBERT], and many others. This committee reported this legislation unanimously. It is a committee that debates issues thoroughly and completely. In my judgment, this committee would not have reported this bill unanimously had it not felt that it was absolutely essential for the security of our Nation and for the freedom of our Nation.

I should also like to commend and congratulate the Members of this body, the House of Representatives, for the unity which they have shown in the face of this challenge to our country.

In my judgment, the only way we can be defeated is not by the Communists from North Vietnam or by the support which they receive from the Chinese Communists, who have declared time and time again their announced intention of conquering all free world, but we can be defeated if we divide among ourselves. We can be defeated if the word goes out to Hanoi and Peiping that we will not stand united in Vietnam, and that we will talk when we should be defending the bastions of freedom there and helping the men who are fighting in the name of freedom.

I hope that this bill will be adopted by an overwhelming vote—I hope by a unanimous vote.

For 25 years this country, known as the hallmark of freedom, has faced first one, then another threat to freedom—to our own and to that of our friends. One after another these threats have been confronted and eventually contained. But still the threats persist.

It has been a trying quarter of a century for the forces of freedom. At times we become exasperated with the continuing need to defend freedom. It is at those times that we need to remind ourselves that freedom is not entirely free; it must constantly be defended to be assured. If there has been any time in the history of the changing world that we could not afford to tire, it is now.

I believe that we must reexamine the quarter century that has just passed us to see where we have gone, what we now have, and what we should be striving for. Let me take a minute or two to try to gain that perspective.

In the Second World War the challenge to liberty quickly became obvious and direct, and the call for our response became apparent. After 1945 the new challenge of communism in the form of the Red army moving across Europe became clear-cut; our measured response to that advance was clearly called for. It was successful; the adversary was stopped, but not before he had engulfed much of Eastern Europe.

The Communist threats in southern Europe and the Middle East in the late 1940's were not as direct and open, but they soon became clear. The bold responses of the American Government and of the threatened peoples themselves brought about a subsidence of the threat, and again Communist expansionism was stifled.

In Asia, meanwhile, the calamities of the World War and its aftermath were permitting Communist rule to establish itself on the Chinese mainland and on the northern part of the Korean Peninsula. The free world was at a loss to stop it. But, by 1950 when the Communists were sufficiently organized in power to openly attack South Korea, the free world no longer stood by passively, and as in Europe, the Communist thrust was eventually stalled.

Shortly thereafter, the southeast Asian independence movements, which were soon to drive European colonial power from that area, were usurped by the Communists. A Communist regime, in the guise of anticolonialist liberators, was installed in North Vietnam under terms of the 1954 Geneva agreements. Not satisfied with the territory they already had, the Communists that same year began stockpiling arms in the south

and infiltrating some 10,000 Communist guerrillas into the South Vietnamese peasantry. The groundwork for an extensive insurgency was laid in the south.

By 1956–57 the insurgents began to act, when it became evident that South Vietnam would not fall peaceably under Hanoi's control. By 1959 terrorist attacks, assassinations, and kidnapings had claimed an estimated 1,000 South Vietnamese civilian victims. Another Communist thrust was underway against a free world country.

An earlier campaign against the French in Indochina had not been stopped until the Communists were able to establish another Communist-ruled nation. By 1960 that new Communist country was pressing in a new push into Laos and actively into South Vietnam, and it was making progress.

If the new thrust of communism was to be stopped, it had to be done in Vietnam and Laos. It was clear that Communist forces were gaining new territory. The free world had been relatively successful in stalling Communist aggression elsewhere in the world. Was it to falter in southeast Asia? That question was posed in the 1960–62 period. It is still posed for us in 1966 with regard to Vietnam.

Asia then has become the locale for the Communist offensive. But they are different Communists than the free world faced in Europe, and they are using different techniques. There is no longer direct, open aggression. Instead the Chinese and their North Vietnamese agents are perfecting the art of national liberation wars—of subtle, covert, and ambiguous external assistance to internally based guerrilla units.

What we face in Vietnam today is this kind of ambiguous, elusive military confrontation. But the world is not preoccupied with other major wars at this moment, or with other major responsibilities that are of overriding concern. Nor is there a decolonization battle waging in Vietnam. There are no excuses for us not to see this conflict in Vietnam as aggression by one state against another. A properly measured and positive response to this aggression must be found and pursued.

To those who would ask proof of aggression against the South Vietnamese, I would ask the purpose of the 80,000 Communists, taken from the south to Hanoi in 1954, who were infiltrated back into the south beginning in 1961. I would also ask why nine or more regiments of regular North Vietnamese forces have been brought into South Vietnam in the past year. And I would ask the meaning of open boasts by the Hanoi leadership of its support for the so-called liberation movement in the south as a step toward reunification on Communist terms.

That there has been aggression from North Vietnam, there is no question. This aggression against the south is directed and supported politically and militarily from Hanoi. The weapons, equipment, and other supplies for it are supplied largely by Hanoi, which in turn is supported by Communist China.

That the South Vietnamese deserve and must have help from us and other allies, I believe, is without question. How can we, or anyone, expect the South Vietnamese to meet successfully the growing power of all Asian communism? It is not by our choice that we are there. It is by the decision of the North Vietnamese, supported by the Red Chinese, that we are forced to respond to their aggression. The initiative has been on their part. Our actions have only been in response to their determined and growing aggression.

Our actions have been in accord with our commitments under the Southeast Asia Treaty and with our bilateral commitments to the South Vietnamese made and confirmed by three Presidents. Our commitment to South Vietnam is firm. Under the SEATO terms we have agreed that "each party recognizes that aggression by means of armed attack would endanger its own peace and safety, and agrees that it will in that event act to meet the common danger in accordance with its constitutional processes." That obligation has been called.

It seems to me that our obligation is even more than this. It is to come to the defense of freedom. "Let every nation know, whether it wishes us well or ill, that we shall pay any price, bear any burden, meet any hardship, support any friend, oppose any foe to assure the survival and the success of liberty." Those words of the late John F. Kennedy are still our guidelines.

Mr. Chairman, at this point, I should like to insert into the RECORD a recent speech on the war in Vietnam which I delivered in Chicago to the annual convention of the National Sand & Gravel and the National Ready Mixed Concrete Associations. The address was given on February 10, 1966, and the text of this speech follows:

ADDRESS OF REPRESENTATIVE HALE BOGGS, DEMOCRAT, OF LOUISIANA, BEFORE THE NATIONAL SAND & GRAVEL AND THE NATIONAL READY MIXED CONCRETE ASSOCIATIONS, CHICAGO, ILL., FEBRUARY 10, 1966

Mr. Chairman, ladies and gentlemen, it is a pleasure to come here today. You stand in the tradition that has made this country great: That of individual enterprise and effort. Your work contributes to the well-being and security of all Americans. And, because this is America, you too reap the benefits.

I could speak with you about some of the legislative proposals now pending in the Congress, or at some length of the relationship of Government to business and labor.

Today, however, because of the limitation of time, I would like to speak on a subject that now transcends all other. It is an issue that, despite the best efforts of President Johnson, Secretary Rusk, and many others, requires broad discussion and understanding.

I shall talk to you of Vietnam. I shall try to tell you why we are there, what we are trying to do, and the means we are employing. I shall consider some of the alternatives which have been proposed by critics.

You are intelligent businessmen. Your profession impels you to be realistic. You look at the hard facts. Thus, I shall not demean your intelligence with platitudes.

Your time is limited. The subject is complex. Our cause is still misunderstood. So let us begin.

First, let us speak of old realities and new myths. The old reality is that the Communist world is still predatory. Now it is China more than the Soviet Union which casts covetous eyes on her neighbors. Communist China believes that it can conquer the world. It believes that it can do this through so-called wars of national liberation. In South Vietnam, such a bloody war of so-called liberation is raging. The Communist Vietcong are trying to take over South Vietnam. They are being abetted, with men and arms, from North Vietnam. The root instigator is Communist China.

We are in South Vietnam to help the South Vietnamese people retain their independence and freedom. This is our immediate goal. Our whole history impels us to protect our weak friends from aggression.

Our resistance to militant communism in South Vietnam is part of a long series of events in which we have defended freedom. It started with the Truman doctrine in 1947. Congress and the country agreed with President Truman, and American aid was sent to Greece. The policy was a brilliant success and Greece and the Mediterranean were saved for the West.

So South Vietnam is in the tradition of our help to Greece and Turkey in 1947, Formosa and Korea in 1950, and Berlin since 1948. All these stands in defense of freedom were successful. All these areas remain in the free world.

But we have an even more important task. Vietnam is a crucial test between our country and Communist China. If we leave without a just and honorable peace, the word will quickly spread around the world, like a prairie fire, that the West has quit and communism is the victor. The impact of this is obvious.

First, it would demonstrate that the Chinese brand of communism which repeatedly and explicitly says it wants no peace will become dominant. The Sino-Soviet split will be resolved in favor of the militant and aggressive Chinese.

As Secretary of State Rusk recently pointed out: "A central issue in the dispute between the two leading Communist powers today is to what extent it is effective and prudent to use force to promote the spread of communism. If the bellicose doctrines of the Asian Communists should reap a substantial reward, the outlook for peace in this world would be grim indeed."

Now the leadership of the Communist Chinese—the average age of the 17 men who make up the top leadership is 68—face many problems of their own. One is what Communists call revisionism. This is the tendency to forsake militant revolution for internal development, using some of the same incentives employed by free enterprise societies outside the Communist orbit. This is what the Russians are experiencing, and by resisting aggression in South Vietnam, we are encouraging such revisionism in China.

The effect of such a withdrawal on Japan would be serious. There a laborious effort has been quite successful in creating a peaceful and democratic society. Its economy and industry are now harnessed to the ways of peace. I was in Japan recently and I am convinced that it could not continue as a free society if we, in effect, surrender in Vietnam and withdraw from southeast Asia.

Similarly, what do you think would have happened in Indonesia had we not been in Vietnam? Do you think the recent overthrow and demise of one of the largest and most powerful Communist parties in the world would have been successful had not the Indonesians known that we were in southeast Asia and would remain until an honorable peace is attained.

Equally important, we stand in Vietnam because we know that if we retreat there, then Thailand, Laos, Cambodia, Indonesia, Pakistan, India, would all fall very quickly. The probable result would be world war III.

President Johnson has stated our reasons for being in Vietnam. If the Communists win, he said: "They would know they can accomplish through so-called wars of national liberation what they could not accomplish through naked aggression in Korea—or insurgency in the Philippines, Greece, and Malaya—or the threat of aggression in Turkey—or in a free election booth anywhere in the world."

Our military effort in Vietnam, then, is vital to the ultimate success of the South Vietnamese people in achieving a stable, viable government with a free society. But the fact is that military success in defeating the Vietcong is only the initial step in a long, tough task of rebuilding the South Vietnamese society to meet the challenges and responsibilities of self-government as a modern state.

The military difficulties are compounded by the state of the South Vietnam economy and political organization. The Communists have wreaked havoc. In the dense jungles and broad deltas they have employed every conceivable method of terror and coercion.

Imagine, if you will, the United States with half of the cities and towns under Communist control. Imagine no road or railroad or canal or river safe for communication and transportation. Imagine the farmer unable to produce his crop because of terror, murder, and assassination. And picture a terrain of jungles and swamps largely inaccessible. Then you will have some notion of the problems in Vietnam. Add to this the fact that most of the leadership—mayors, councilmen, educators, editors, physicians, lawyers, and engineers have been assassinated.

It is under these conditions that we seek to join with the forces of the South Vietnamese Government to pacify their country. This is why our military leaders do not claim victory.

The economic and social challenge is very great. But you do not hear enough of our efforts in these areas. That was the principal reason for the President's visit to Hawaii this week.

Today more than 1,000 employees of the Agency for International Development—many of them striving in the countryside and the small hamlets and villages—are engaged in helping the South Vietnamese people in every conceivable area.

Our Government is now providing more than $300 million a year for our technical personnel to work with the South Vietnamese. This economic assistance is a four-point effort in four major areas:

1. Grant aid, to finance imports to help maintain the South Vietnam economy on a day-to-day operating basis, and to prevent serious inflation, and curb the balance-of-payments deficit.

2. Capital projects assistance, to broaden the economic base and improve urban facilities with water supply systems, electrification, improved harbors, roads, and transport facilities.

3. Technical assistance, to improve human skills through education in agricultural methods, public health, public safety, public administration, logistics and other areas, and

4. Counterinsurgency, to maintain basic services for the people by providing foodstuffs, farm tools, roofing and cement, and other materials. Included in this part of the program is strengthening of the national police force.

Now I have discussed with you why we are in South Vietnam and what we are trying to do there. I have a further duty. This is to frankly discuss with you what the critics of our policy, both in and out of Congress, are saying. A President can be right and the entire country disagree with him. Or he may be wrong and still enjoy mass approbation.

We have an obligation to answer these arguments. On one side some advocate at worst, complete surrender—that we get out right away. At best, they guise this defeatism in an enclave theory which would effectively give the bulk of the country over to the Communists and leave us isolated.

Others advocate mass bombing. They want us to take the war to the Chinese mainland. Their intention is honorable. The result would be devastation, but not victory. And their proposals might unleash a world war.

Disparate as these critics are in the solutions they propose, they are similar in their eagerness to be relieved of the burdens of world leadership. They both want us to get the whole thing over with. Both views smack of the sentiments of Prime Minister Chamberlain. Mr. Chamberlain once spoke to the British Nation and I quote: "Of a quarrel in a faraway country between people of whom we know nothing—why should we get involved?"

This was appeasement. The result was 6 years of the bloodiest war in the history of mankind. That appeasement would work was a myth then—it remains a myth now.

These critics despair too soon. We have been in South Vietnam in force for a scant 6 months. Only now is our presence being felt. Six months ago, village after village was being surrounded and overcome, and the government forces had retreated to the town squares and to the city of Saigon itself. Today, many of the villages have been retaken and pacified. More than that, the people know that we are there. They know that we intend to stay as long as necessary. The impact is one of enormous significance.

Just over a month ago I was in Vietnam. I went there to see for myself. I saw the condition of the country. I saw the magnitude of the job. I saw that we were doing that job.

I was impressed by the will of the Vietnamese people. But I must pause to tell you about our magnificent men. Our forces are extremely able, alert, and intelligent. Most of the men in our Armed Forces today are high school graduates. Most of our officers are college graduates. Most of them are trained in government, in economics and political systems. And most of them, thank God, understand the philosophical and political threat of communism so that they know what the war is all about. The morale of our men is tremendous. Inspiring is the only word for it. They know why we are there. They know what we must do. And they have the ability and will to do it.

What then are the prospects for immediate victory? Victory in this instance is not like that of a conventional war, in that it must mean the containment of communism, and this will undoubtedly take time and effort and sacrifice. But the stakes are enormous.

I recall as vividly as any experience of my life, the days of the Cuban crisis. You may remember that Congress had just adjourned and President Kennedy summoned all of the congressional leaders back to Washington. There in the Cabinet Room of the White House he outlined in detail the Russian missile threat to the United States. For one terrible week the Nation looked down the nuclear barrel. On the Monday after the Sunday morning that Khrushchev wrote his letter to the President indicating withdrawal of the missiles, President Kennedy said, at his final briefing: "The military threat of Russia is receding. Now the threat will come from Communist China as it develops the hydrogen bomb."

Two years later, almost to the day, gathered in the same room, with almost the same people, with the exception of President Kennedy, President Johnson briefed us on the explosion of the first nuclear device in China. There were many questions directed at Secretary Rusk and Secretary McNamara. One prevailed above all the others. What threat does this pose to the free world? The answer came back, candid and brief—very little as of now, but a major and dangerous one 10 years from now, barring no change in the aggressive government now dominant in China.

And as I talked with our leaders in Vietnam and Saigon, these meetings kept recurring in my mind.

So this is the ultimate challenge of Vietnam. Whether we turn back the threat now or whether we repeat the events of other days and ultimately face a China infinitely stronger than it is today and determined to conquer the rest of mankind.

This is the challenge, but what of the future? Our objectives are clear. We intend to contain communism in Vietnam. We do not believe that the Communists will stop unless we stand firm. Thus we are erecting a wall, not a wall of brick and stone and barbed wire, but a wall of will and resolution.

Yet at the same time, I want to assure you that President Johnson is doing everything possible to get the Vietnam conflict to the conference table where we can achieve a just and honorable settlement. Our emissaries range the world for peace. Now we take our search for peace into a new forum at the United Nations.

We will stay in Vietnam no longer than is necessary. We seek no territory or bases. We support free elections in South Vietnam if they can be conducted in peace and without Communist intimidation.

The problem is, as the most recent pronouncements from Hanoi so graphically reveal, that the Communists do not yet want peace. They still think that they can win.

Our enemies hope that we are a callow nation. They confuse our reluctance to accept our destiny of world leadership with lack of resolve and thus call us a paper tiger. They hope that we will be unwilling to bear the weight of world leadership when the mantle grows heavy. They dream that the mightiest nation in the world, with a gross national product of nearly three quarters of a trillion dollars, will fall for the spurious alternative of guns or butter. They hope that the Democratic Party, fearful of being characterized as a war party, will hesitate to conduct our Vietnam policy with vigor. They cling to the vain expectation that our national determination will crumble.

They are wrong and their hopes futile.

We are strong, and we are resolved. President Johnson has the vast majority of our people behind him. And even if he faced substantial public opposition to our policy, he would still do what is right in Vietnam. His duty is to the national interest of the United States, not partisan political concerns.

So we will persuade the Communists that the price of aggression is too high. And in the process, we will prevent world war III.

Mr. RIVERS of South Carolina. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from California [Mr. LEGGETT].

Mr. LEGGETT. Mr. Chairman, I yield to my colleague from California [Mr. BURTON].

Mr. BURTON of California. Mr. Chairman, once again, as with the special appropriation of $700 million for the war in Vietnam which was voted last May 5, I am required, by conscience, to vote in opposition to the overwhelming majority of the Members of this House and to question, by that vote, the course and conduct of our policy in Vietnam.

I do this with sadness, for I do not like to be in opposition to the President who, no less than myself or any other Member of this House, is acting out of conscience and a profound desire to serve the best interests of this Nation.

I am not ignorant of, nor lacking in appreciation for, the terrible sacrifices made each day by our fighting men on the battlefields of Vietnam. Indeed, it is what these men are going through that has moved me to studied and deep reflection on this war.

I oppose this bill as a futile attempt to achieve, by additional force of arms, solutions to problems which are not primarily military but essentially political, economic, and social.

I am concerned lest the money that is voted today be interpreted as a support of this most futile course. I am concerned for the lives, American and Vietnamese, that this act of expansion of the war will cost.

Last week, I supported and voted for an authorization of funds to pursue a program of peace to relieve the hunger, misery, and suffering of the Vietnamese people.

Today, I cannot now vote funds to permit us to expand the war.

Time does not permit us, under the limited debate rule, to discuss the wisdom of our initial involvement in Vietnam. Suffice it to say, we did, in fact, go astray, and now we find ourselves sinking deeper and deeper into a land war in Asia for goals which become increasingly obscure and at costs which we dare not fully assess.

Somehow, we find ourselves in the role of a nation attempting to preserve the era when Western nations determined the fate of Asia. That era is gone forever.

The course we follow runs counter to the sweep of history and puts this Nation in opposition to the forces of nationalism which history has demonstrated cannot be contained by military action.

We have been repeatedly warned of the dangers of committing ourselves to a course which involves us in a land war in Asia. Yet, the funds we are asked to vote today finance such a commitment and reinforces the notion that with more men, more weapons, and the inevitable higher casualty lists, we can achieve stability of the political situation in Vietnam, foster support by its people of the government, develop its economic potential, and alleviate the suffering of its people.

This course is counterproductive in my estimation.

If we continue along this course and wander ever more deeply into the jungle mists of Asia, I fear that many more innocent Vietnamese will die, many more brave American soldiers will perish, many mothers and fathers will weep, and the honor of this great Nation will be cast over with a shadow that only time will dispel.

It diminishes, in the eyes of the world, our very real desire for peace.

The era has long since passed when we must arm to negotiate—for negotiate we must. We must negotiate with all parties to this conflict. The Vietnamese people must be represented in these negotiations by all parties, including the Saigon government and the NLF.

We must pursue peace through the United Nations and work toward the achievement of the Geneva accord. Peace in Vietnam, in all of southeast Asia—indeed in the entire world, dictates this course as it dictates my nay vote on this supplemental authorization of funds.

Mr. LEGGETT. Mr. Chairman, I should like to ask the Chairman of the Committee if he would give me 4 minutes.

Mr. RIVERS of South Carolina. I do not have 4 minutes to give to the gentleman, but I will give him 2 minutes; I have already given him 2 minutes.

Mr. LEGGETT. Mr. Chairman, it is unfortunate that the only record that will really be made in the House of Representatives this first day of March 1966, is that virtually unanimously, with few exceptions, the Congress of the United States votes $4.8 billion additional authorization to defend freedom in South Vietnam.

I support the President and this appropriation—the loyalty to the United States of those who do not certainly is no issue here. There are perhaps some outside this hall who would question the patriotism of anyone who expresses trepidation with respect to our commitment in southeast Asia. I would say that anyone who is not concerned with discussing choices of procedure to accomplish peace and the freedom and progress of southeast Asians in the face of the obvious threats to the existence of mankind is a superpatriotic fool.

All Americans, I believe, are impressed with our own ability in this country to accumulate one-half of the production of the world by private enterprise, democratic, reasonably bloodless, hard work. There are none of us who would not want our system to work for the world as it does here.

American policy since post-World War II is to spread the benefits of our system worldwide through Marshall plan aid, Agency for International Development, Alliance for Progress, food for peace, and kindred international organizations. We supplement our program through the most extensive military oversight system ever designed on this globe, Peace Corps, tourism, and sundry other State, private, and Federal technical assistance programs. We have spent more money and given more people assistance under this program than other nation or group of nations in history.

By and large we have been extremely successful with sophisticated people. The threat of communism which I understand to be as a forsaking of liberty and justice and individual freedom in favor of a precisely managed socialistic dictatorship has been met and has been successfully challenged.

The trend for the left in Britain, Italy, France and Japan after World War II is now only a whisper because through our aid and their own creativeness these countries are economically successful. Were this not a fact, all of our guns and rockets could not have changed the tide.

In the underdeveloped countries, however, of Africa, Asia and South America where poverty is rampant and populations are exploding, our "do good" policy has been questionably successful. A success record for Japan, Taiwan and Western Europe should be closely evaluated in relation to other restless countries unable to fathom the precedents we give to them.

The problem is that we become mesmerized with the term "communism." We know of the doctrine of Stalin, Khrushchev and Mao Tse-tung that they peacefully or forcefully plan to capture the imagination of peasants and rural people first in south Asia, then Africa, then South America, and we are set in panic. We remember Hitler said what he would do and in 10 years he almost did it. We see the Communists restless in their containment and we fear they will do the same.

Communism should be contained—there are many other ways where liberty is not irrevocably lost by which people might develop and progress. History will no doubt record our age, I hope, as the great era when mankind conquered space and poverty through the programs developed in the competition between democracy and communism. I hope that the programs which ebb to the top as successful are democratic.

We should not become paranoid, however, when the competition is discussed. I and many Americans would like to see the United States develop the leadership and the programs that will bring peace and prosperity to the underdeveloped world. When war breaks out, usually all hope of real progress is jeopardized.

The problem is that if the United States is going to assume the stature of policeman of the world we should develop a realistic policy of helping people declare effective wars on poverty and stagnation worldwide. We are the only nation that literally has a military ring around the world—the only nation that can provide that needed cloak of protection. When we use that cloak to stamp out dictatorships of the right or left, we are working for the good of mankind. When we use that cloak and the CIA to stultify programs of people and perpetuate military coups and dictatorships, we many times militate against the progress of peoples.

When people's movements are grounded in communism we are in a dilemma. The people's program to change poverty we should support—communism we fight, and rightfully. Not to recognize that Communist programs with their ham-and-egg offerings appeal to many people, however, is to misread human nature. To handle such a movement of change when war does not break out is relatively easy. We step up our military assistance program to maintain the status quo and simultaneously step up AID efforts to promote economic development. A military coup many times is superimposed and our purposes are confounded in local public opinion. The point is that we want to help people develop because that gives us security in the United States. However, we do not act with vigor until we are hit on the head with communism.

When local war breaks out we are totally confounded as in southeast Asia today. We want to help people but things are so confused we do not know who to help or who to hurt. We are engaged in a war which it is to our own and the world's interest not to formally declare. We want to fight communism wherever it might be, but we are obviously confused because we are forced to support six successive dictatorships, none of which were popularly elected, one of which only this morning very democratically announced the summary execution of a number of too enthusiastic merchants for the American dollar.

I am pleased to see the United States now announce the $1 billion effort to solve the economic problems of South Vietnam, this sum apparently to constitute the balm to salve the pangs of any would-be Communist supporters for a better economy. We certainly were not prepared to offer this kind of "dough" while the French had control and it is only now that we are psychologically prepared to support this kind of one small country commitment. If we want to be the policeman of the world, which role I frankly support, I think we should have better reflexes than this.

We are now in this position where to prove our point we are dropping bombs at a greater daily rate than during World War II. Our commitment as reported in the newspapers is better than 50,000 tons of TNT per month, or 500,000 250-pound bombs per month. It is obvious that if we only wound one Vietcong with every 10 bombs we would cascade the enemy to the conference table in 30 days. We now have in excess of 200,000 men committed, joining 500,000 South Vietnamese, plus 40,000 allied soldiers. Civilian casualties, I understand, are fantastic, though American military deaths are light to date. We have a program to liberate territory and are making modest gains. However, the Vietcong today is twice as strong as they were last year this time, control more territory, and their main units are yet to be engaged.

We are raising our level of support by a substantial percentage and I believe the fiscal year 1967 military budget, when it is properly supplemented next year, will again extend substantially our commitment.

We are expending ammunition at the greatest rate in history, perhaps expending on this undeclared war one-fourth of our national income—approximately $24 billion. We are thus drawn in battle to defeat a so-called Vietcong and North Vietnam who have a less budget for a year than we have in a month, who need but a few truckloads of materials a day to sustain them, who have no air force, no navy and certainly not a modern army. They do have tunnel and jungle sanctuaries that are difficult to penetrate.

I think then my judgment under these circumstances would be to gage carefully not only what we do but how we do it. We are really not so much ourselves trying to beat the Vietcong but trying to supplement the force of the free South Vietnamese so that the people themselves will want to rid themselves of the Vietcong. Barbarous executions by South Vietnamese and massive land scarring by B-52's and our artillery will not get the support of the people if nearly a million injured refugees are forced into Saigon as was reported today.

It is possible that we can try too hard and lose the people. In a jury trial you can have a perfect plaintiff's case, but spend too much money on diagrams and witnesses and lose the jury.

So in an election you can have an electable candidate, spend too much money and he is defeated by the electorate because the money shows.

The point is that money alone will not win the war of ideas in South Vietnam.

I do not think we can say realistically for long that the peasant just wants to be left alone, he has no philosophy, yet by night many of them make the best soldiers in the world.

The people of South Vietnam are erupting in part by northern stimulation and in part by conditions. The stimulation we can control, but we must develop and sell long-term economic programs to change conditions, to control corruptions, to expand education, to democratize leadership, to abort class and caste systems and foreign economic domination.

We must outline workable programs. It is not enough that we carry on a foreign aid program at the $3 billion-plus authorized level and $1 billion-plus appropriated level and carry on a program largely with surplus grains and through the many times corrupt private sector and channel that aid to scores of countries.

We appropriate at the $2 billion level to change poverty in our domestic program in 3,000 counties—OEO. Are we successful? How can we do the job worldwide at this level where per capita income is not $2,000 as in the United States but $100 as in nearby Mexico or less.

The point is that we cannot ship surplus materials with hands clasped across the boxes even at the greatest rate in history worldwide and then under our assumed worldwide police power declare that nations in our favor can qualify for this aid to more or less do as we do but that if this program is obviated by creeping poverty, local corruption, dynastic domination or population explosion, we will blow your head off if you try to revolt if you are Communist tinged.

Rightfully and in a good moral conscience if the United States would stimulate people rebellious against dictatorship oppression and poverty, where our aid programs are ineffective, maybe more rebellious people would be oriented toward the U.S. middle ground rather than the extreme right or extreme left.

In our efforts to maintain and perpetuate our own security we should not be satisfied with a good try to defeat poverty worldwide. We should make our programs work. Where poverty and domination swell behind dormant dictatorships, then should American foreign policy be to effect change by democratically oriented revolution if need be.

Declare to the world, then, that the impoverished and the dominated will receive our support, not just a halfhearted effort and not just when communism is the competitor. This policy declared and followed then will mean a successful U.S. foreign policy—people will rally around us worldwide—this is the best and only effective containment policy—this policy also will have a natural fallout of giving us security at home.

It will mean a worldwide effort for perhaps our lifetimes by the United States and other successful democracies at a dollar level commitment not at current foreign aid rates, but at current military South Vietnam rates.

By my words of trepidation to the President concurrent with 77 of my colleagues this is what I mean.

Mr. CLANCY. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, I wholeheartedly support H.R. 12889 and the $4.8 billion of supplemental military authorizations, primarily for southeast Asia.

This supplemental authorization is needed in support of the American effort to help block Communist efforts to subjugate all of Vietnam.

Today, the one most compelling problem demanding our attention is the situation in Vietnam, and it is up to us to see that our military needs there are adequately funded. Our Nation's primary obligation is to fully support our men who have been sent to combat in South Vietnam. Wherever American boys are sent to battle they should be supplied with the best possible weapons and with the best logistical support that we can give them.

The passage of the bill we are now considering is indispensable to our military posture and preparedness. It is designed to insure that there will be no shortages in Vietnam so that our fighting men in the field can perform their mission with maximum efficiency. Overwhelming passage of this legislation will give needed assurance to our men in Vietnam that we are standing behind them 100 percent.

We now have more than 200,000 men actually deployed in South Vietnam. Added to this figure are the many thousands who directly support them in southeast Asia. And our commitment in South Vietnam is growing daily in terms of men, material and money.

We must not be content to fight just to keep from losing; rather, we must marshal our resources and concentrate our energies on winning this conflict in the shortest possible time. We must strive to avoid a long and bloody stalemate dragging on for years. It appears the Communists are testing our will and determination at this time and in this place to see how long they can drain our resources—particularly our manpower. They are counting heavily on a collapse of the American will to resist their aggressive designs.

Yes, our will and staying power are being tested by the Communists in this hard and bitter contest. It is obvious that the principal Communist objective is to get the United States involved to a maximum extent in a ground war of attrition in Asia in which our superiority in weaponry remains unused.

It is mandatory that we undertake effective action to bring this struggle to a successful conclusion as quickly as possible.

Certainly we would all prefer not to have to be there. However, aggressions left unchecked will continue to grow. It is in our best interests to repel this aggression, but I urge that we do so with all deliberate speed.

The legislation before us provides in the main authorization for appropriations for the procurement of aircraft, missiles, and tracked vehicles, and for the construction of military installations. The authorization totals $4,857,450,000, which exceeds by $50 million the sum requested by the administration. It will provide the required authority for the necessary appropriations to support military operations in southeast Asia.

Section 401 of the bill provides that funds for the support of the South Vietnamese armed forces and the other free world forces fighting in South Vietnam shall be derived from the regular appropriations for the support of our own military forces rather than from funds carried in the military assistance program. We are advised that a transfer of this authority will result in improving procedures for supplying military items to the United States, Vietnamese, and other free world forces in Vietnam.

It is unfortunate that the appropriations requested last year were insufficient. I would be the first to concede that developments in a situation such as we find ourselves in Vietnam cannot be predicted precisely, and we must allow for flexibility in our planning and judgments.

My colleagues and I on the Armed Services Committee must rely to a great extent on the information and facts furnished us in briefings by the Secretary when he appears before us. Yet, even a cursory review of the record indicates that he, too, is sometimes wrong in his assessments of the war in Vietnam, the U.S. role in that war, and in his short-term predictions of the outcome.

It is my earnest hope that Secretary McNamara will give greater heed to the combined judgment of the Joint Chiefs of Staff and that he will follow more closely recommendations made by them on military matters. The military advice he receives represents many years of experience. Experienced professional military judgments are most essential in aiding the Secretary to arrive at the crucial decisions he must make.

Before closing my remarks I would like to urge once again that we lose no time in passing the bill under consideration. To win the struggle in Vietnam, we must unite as a nation to let the entire world know that we are going to make the necessary sacrifices and bear the necessary costs to defeat the Communist aggression there.

It is well to remember that the war in Vietnam is not primarily a war about Vietnam. It is a war which concerns the future of Asia, a war which could very well determine the future of the entire free world. I hope we will continue to honor our commitment to freedom in Vietnam, and we should take every step possible to insure that the struggle is brought to a successful conclusion in the shortest possible time.

Mr. Chairman, I now yield to the gentleman from Alabama [Mr. GEORGE W. ANDREWS].

Mr. GEORGE W. ANDREWS. Mr. Chairman, I am supporting this bill 100 percent. I think the sooner it becomes law the better off our fighting men in South Vietnam will be.

Mr. Chairman, I want to say that in my opinion the vast majority of the people in Alabama are supporting our President in this vicious war against communism. Mr. Chairman, I want to say that there has not been a draft card burned in Alabama; there has not been a beatnik-led demonstration against our foreign policy in Alabama. We have had some beatnik-led demonstrations down there that did not concern our foreign policy. I will predict to you if such a demonstration as that occurs in Alabama, somebody is going to get hurt.

Now, Mr. Chairman, I think the sooner we fight this war to win the better off the whole world will be. I think the greatest, most courageous decision made in the history of this Nation was made by former President Harry Truman when he ordered the use of an atomic weapon on Hiroshima. He served notice on the Japanese Government that if they did not surrender, they could expect further bombings within 3 days. Hearing nothing from the Japanese, the second bomb fell on Nagasaki. You know the story. That courageous action forestalled the bloodiest invasion that had ever been planned in the history of this world and saved hundreds of thousands, if not millions, of lives. If I were running this war, Mr. Chairman, I would pick up the telephone and call Hanoi and say, "We will give you 30 days to get out of South Vietnam lock, stock, and barrel. If you are not out at the end of that time, then you can expect us to drop whatever type bombs we desire, wherever we choose to drop those bombs," and let us get this thing over with and bring those boys back. I know the argument against that is that you might endanger the lives of the people in this country. Now, this is war that we are in, Mr. Chairman.

We should all share the jeopardy. I am thinking of that kid in that rice paddy and in that snake-infested, malaria-infested, sniper-infested jungle whose life is in danger and in jeopardy 24 hours a day. Let us bring this war to an early conclusion. I tell you in my opinion there is nothing that the Communists respect more than power. We have it today; let us use it and get through with this war.

Mr. RIVERS of South Carolina. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. BINGHAM].

Mr. BINGHAM. Mr. Chairman, earlier today the distinguished gentleman from California [Mr. COHELAN] submitted a brief joint statement on behalf of 78 members of this House. I was privileged to be among the sponsors of this statement.

I shall vote for H.R. 12889 for the purpose stated in the committee report. But, in so voting, I do have reservations, and these reservations go somewhat beyond the terms of this joint statement. My vote does not mean that I am wholly satisfied with the administration's policies with respect to Vietnam. While I agree with President Johnson that we cannot withdraw from Vietnam and let the Communists take over, and while I salute him for resisting the pressures of those who would expand and escalate the war, I do not believe that we have yet been sufficiently resourceful or flexible in our efforts to get negotiations started. In fact, recent developments create the impression that the administration is no longer giving much thought to the question of how to achieve a negotiated settlement.

Why, then, am I voting for this supplemental authorization bill? First, for the simple and obvious reason, mentioned in the joint statement, that we must give our forces in Vietnam all the support they need, so long as they are there. The second reason is more complicated: I fear that a substantial vote against the authorization might actually impede our objective of getting talks started by encouraging Hanoi to continue its apparently total intransigeance.

This leads to a question which I submit we should all ponder. It is certainly one of the key questions before us at this time. The question is: Why, in spite of all the President's efforts since last April to get discussions started with Hanoi, has Hanoi steadfastly refused to budge?

Rather than discuss this question today, in the atmosphere of a debate on this defense authorization bill, I intend to examine it at some length tomorrow under special orders, and I would be glad to have any Members join in a discussion of the question at that time.

Mr. CLANCY. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. KUPFERMAN].

Mr. KUPFERMAN. Mr. Chairman, I am voting for this appropriation because I cannot leave our American troops in the lurch without proper protection on a foreign shore. But it must be pointed out that it was a great mistake to have put them and us in this position.

The biography of General Ridgway, in discussing the filling of the vacuum in Indochina when the French pulled out in 1954, shows that we could only be involved in a stalemate at great loss to the United States in lives and money.

We should not have been put in our present position. We should not have been involved in an escalation. We should not have waited so long to bring the question to the United Nations.

When the administration states that it seeks no blind escalation, we must question whether it has not already done so and left us in the lurch.

An article by Murray Kempton in the New York World-Telegram and Sun on Friday, February 25, 1966 entitled, "Clear Sighted Escalation" well describes the situation into which we have been led. I should like to insert Mr. Kempton's article in the RECORD at this point.

The only course left to us to pursue, as my predecessor, now Mayor Lindsay, has said, is hard diplomacy to seek peace.

CLEAR-SIGHTED ESCALATION

(By Murray Kempton)

"The tide of battle in Vietnam has turned in our favor."—Vice President HUMPHREY on his return.

It will be 5 years in June since another Vice President came back from Saigon.

"There has been a substantial improvement in the situation in Vietnam," Lyndon Johnson said then.

There were 685 American military advisers in South Vietnam at the time. The Vice President brought a promise to raise the total to 1,600 or so. But the real danger, he said, is not from communism but "from hunger, ignorance, poverty, and disease."

Privately, the Vice President told President Kennedy that "American combat involvement at this time was * * * undesirable because it would revive anticolonial emotions throughout Asia."

For this is a war that has always been going well.

Even so, by October of 1961, Gen. Maxwell Taylor went to Saigon and came back to report that, while only the Vietnamese could beat the Vietcong, more American troops were needed to show them how to do the job. President Kennedy was skeptical.

"The troops will march in," he said, "and in 4 days everyone will have forgotten. It's like taking a drink. The effect wears off and you have to take another."

Still, in December 1962, he ordered larger commitments to Saigon. Everyone was encouraged. That spring, Secretary of Defense McNamara went to South Vietnam for the first time. "Every quantitative measurement we have," he reported, "shows that we are winning the war."

Taylor came back in October of 1962 and found "a great national movement" assembling to destroy the Vietcong. "The spearpoint of aggression has been blunted in South Vietnam," the President said in his 1963 state of the Union message.

Prime Minister Ngo Dinh Diem was having his troubles by then and none of our official tourists echoed Vice President Johnson's assessment of Diem as the Churchill of Asia. Still, in October, Secretary McNamara said that a thousand of the 16,000 American troops in Vietnam could be brought home by the end of the year and that the major part of the military job would be finished by 1965.

So, by Christmas of 1965, we had more than 200,000 Americans under arms in South Vietnam, and the Vietcong had risen from their 12,000 at the time of Lyndon Johnson's confident introduction to the problem in 1961, to more than 230,000.

There was never a time when the thing was not said to be going well, and here we are at a moment when it is impossible to deny that, until now, it has all along been going very badly indeed.

There is no way to imagine the delight of our enemies in our situation except to think what would be our own pleasure if there were 200,000 Chinese struggling through Indonesia or 200,000 Russians wallowing in Albania without one of our soldiers to the smallest degree inconvenienced.

And poor President Johnson, since all these disasters come from the careful plans of Democrats, is reduced to a dreadful mangling of history in order to argue that a series of decisions, which time has proved to have been based on mistaken estimates, where part of a sober, coherent plan now turning toward fulfillment. We can believe him when he says that we have no cause to fear a mindless escalation. It is quite enough to remember the history of the last 5 years and recognize that everything that was done was so carefully thought out.

Mr. CLANCY. Mr. Chairman, I yield 1 minute to the gentleman from New York [Mr. REID].

Mr. REID of New York. Mr. Chairman, I rise in support of H.R. 12889, a supplemental authorization of $4.8 billion for necessary procurement, research and development, and military construction.

Mr. Chairman, I have been in Vietnam. I have been with our troops, and I can report to this House that their morale is absolutely magnificent and is deserving of the fullest support.

Further, Mr. Chairman, there should be no doubt whatsoever in Hanoi or Peiping that the United States of America will totally and completely back its men in the field while at all times utilizing every resource of diplomacy—including the U.N.—to reach the conference table and an honorable and viable peace.

However, Mr. Chairman, I believe that this debate today is important. It is on a serious subject. It deals with many implications for the future of American policy, the chances for peace, and the opportunity—free from terror and aggression—for South Vietnam to do the job that must be done in rural reconstruction and pacification backed by major reforms—including education and land reforms—by the government in Saigon.

Mr. Chairman, I am sorry that the debate here in this House, compared with the other body, is very limited; that we are only devoting 3 hours to one of the most important subjects ever to come before these United States. Frankly, we have not conducted a serious national debate here today, and I regret it. However, I strongly support this authorization.

Mr. RIVERS of South Carolina. Mr. Chairman, I yield such time as he may require to the gentleman from Louisiana [Mr. LONG].

Mr. LONG of Louisiana. Mr. Chairman, I rise to give my full support to H.R. 12889 and urge its immediate passage.

The duty we owe to our fighting men is clear. Those men and women who today are performing so nobly to guarantee a continuing place for freedom in our world must be as fully supplied with the equipment necessary for them to do their jobs as it is possible for us to give them. Their sacrifices are incalculable. We must not fail in our duty to them.

Few individuals outside our own military forces are acquainted with the tremendous effort being made by our forces in Vietnam. Focus your attention on the wide role played by any one of our services. Our Navy, for example, is involved in almost every facet of the conflict. Its flexibility, mobility, and ability to extend our national power through every medium has been well demonstrated.

In the air, fighters and bombers are flying combat sorties well into North Vietnam. Three carriers from the 7th Fleet are on station off Vietnam at all times. Two of these giant warships, each with their 100-plane airwings, strike at North Vietnamese infiltration routes 24 hours a day. The third carrier, operating further south off the Vietnamese coast, provides air support for United States and Allied ground forces in South Vietnam.

Destroyers, the workhorses of the fleet, cruise the waters of the South China Sea. These ships have fired an average of 12,000 rounds a month—more than 160 tons of ordnance—against the Vietcong targets. In addition to bombardment, our destroyers are carrying out missions in antisubmarine warfare, search and rescue, and protection of the fast carrier striking forces. Other craft are on constant alert for possible shipment of supplies into South Vietnam. Thousands of junks are detected and searched each week. Still other ships carry thousands of marines ashore and thousands more are ferried in behind the enemy in helicopters from amphibious assault ships.

Logistics is an area of naval activity which cannot be overlooked. Over 94 percent of the logistic support for all U.S. Forces operating in Vietnam is brought in by sea. Ashore, more than 10,000 Navy personnel are providing support. Seabee units are at work constructing bases in the jungles of Vietnam, Navy hospital corpsmen are carrying out their duties with units, and officers are performing advisory roles with the Vietnamese Navy and river assault groups.

Gentlemen, these operations depend on our authorization of the appropriations for the procurement of the aircraft, missiles, and equipment needed for the job. This bill enables us to continue acquisition of these things during the remainder of fiscal 1966. The committee under the leadership of its illustrious chairman has studied carefully the needs reflected by this bill and is convinced of the soundness of the bill. Their vote on the bill was unanimous. I heartily endorse that vote.

Mr. RIVERS of South Carolina. Mr. Chairman, I yield 1 minute to the gentleman from Missouri [Mr. ICHORD].

Mr. ICHORD. Mr. Chairman, I rise in support of H.R. 12889 authorizing the appropriation of $4,857,450,000 for the procurement of aircraft, missiles, naval vessels, tracked combat vehicles, research, development, test, evaluation, and military construction for the support of our troops in South Vietnam. This authorization, Mr. Chairman, representing a supplemental authorization for the fiscal year of 1966 is vitally needed to support our troops.

It has been asked for by the President of the United States, the Commander in Chief of our Armed Forces as necessary to accomplish our objectives, in South Vietnam. It has been supported by the Secretary of Defense and Joint Chiefs of Staff. It has been unanimously recommended by the House Committee on Armed Services. This measure must be passed to meet the commitment this body itself made when it passed the Tonkin resolution of August 10, 1964 by a vote of 416 to 0.

The time for debate is past. The time for action is now. This is not only to carry out a commitment of the Executive. This is a commitment of the Congress itself and we should show the Communist aggressors not only in southeast Asia but all over the world that we are united in our determination to stop Communist aggression.

Mr. Chairman, Winston Churchill said:

> *It is the duty of every citizen in time of trouble to do or say or even think of nothing that can weaken or discourage the energies of the state.*

This statement, in my opinion, can well serve as a standard of conduct for all Americans in regard to South Vietnam. The questioning of our policy now which we committed ourself to on August 10, 1964, can only serve to weaken the state and give encouragement to our enemies. This is our time to say something which will strengthen and encourage our men in South Vietnam. We should speak out with an overwhelming vote in favor of this measure.

Mr. RIVERS of South Carolina. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio [Mr. LOVE].

Mr. LOVE. Mr. Chairman, I supported this bill and in so doing support the administration and its policy in Vietnam. I naturally feel that this bill is necessary to support our forces in southeast Asia but I especially like the psychological impact it can make at this time in the world of ideas and the need for unity in our own country. My remarks are in extension of research, development, test and evaluation supplement for the Air Force as set forth in page 15 of the committee's report.

The fiscal year 1966 southeast Asia support supplemental for the research, development, test and evaluation, Air Force authorization amounts to $71,085,000. These funds are required for immediate initiation of developments involving two aircraft weapons systems, development and test of an item under the chemical/biological operational support program, development and test of a number of items in the conventional munitions program, and a classified project.

The aircraft and related equipment program amounts to $36,300,000 which provides for two engineering development programs under the close support fighter program. These developments, which will increase our capabilities for close air support of ground forces in southeast Asia, consist of $10 million for development and test of modifications to the F-4 (TSF) aircraft to improve its performance capabilities, and $26,300,000 for development and test of modifications to the A-7A aircraft to adapt this Navy aircraft to meet Air Force requirements.

The other equipment program amounts to $34,785,000 which provides for an advanced development program requirement, a number of items in the engineering development program, and a general support program development requirement. In the advanced development program, $1,600,000 is included for development and test of a conventional munitions component. In the engineering development program, $250,000 is provided for development and test of a munition under the chemical/biological operational support program, and $7,735,000 is provided for a number of munitions and other projects under the other operational support program. The general support program includes $25,200,000 for development of a specialized collection activities program system.

The fiscal year 1966 southeast Asia support supplemental for this authorization includes only the most urgent developments which can be made available to combat forces before June 30, 1967. Therefore, the items selected are those whose lead times are so long that they cannot be deferred until the fiscal year 1967 appropriation becomes available.

Mr. BATES. Mr. Chairman, I yield to the gentleman from Illinois [Mr. ANDERSON] such time as he may require.

Mr. ANDERSON of Illinois. Mr. Chairman, I rise in support of H.R. 12889, the supplemental defense authorization bill. At an hour when more than 200,000 American men are locked in mortal combat with the enemy in southeast Asia, it is inconceivable to me that as Representatives of the people in the Congress we would do less than support this bill. It is a bill designed purely and simply to authorize the necessary supplemental funds required to fund military procurement of needed items. There have been some suggestions both in the debate here on the floor today and elsewhere that something more should be read into this vote than an approval or authorization of necessary funding for the American Armed Forces. Indeed, there have been times today when it seemed as if certain Members of this body wished that there could be two separate and distinct votes on this measure. One vote would permit those who are simply in favor of doing something for the boys to vote "aye." The other vote would be for those who not only wished to authorize funds for the Department of Defense but simultaneously to give a ringing and rousing approval to everything past, present, and future that has been or will be done by the Johnson administration.

Certainly, there is nothing in the wording of the legislation now before us which explicitly commits anyone to an approval of the various policies that have been pursued by the administration with respect to the matter of Vietnam. It could be argued that implicit in the approval of this authorization bill is the approval of current policy. However, I think that we would be establishing an unwise precedent indeed if we were to attempt to read too much into the passage of a military authorization bill. By the same token, I think that the 76 Members of this body who have signed a manifesto or declaration that their vote for this measure does not carry with it approval for the escalation of the war or our deeper involvement in southeast Asia will also "carry coals to Newcastle."

Mr. Chairman, I have no qualms at all concerning the legality of our present position in South Vietnam as expressed in a recent resolution of the American Bar Association. I think our presence there is legal under international law, under the SEATO treaty to which we are a signatory, and under the Charter of the United Nations. However, I think that the future actions of the present administration with respect to the conduct of the war in South Vietnam must be based on a clear declaration of what our ultimate purpose there is to be. I am not convinced that the administration has been absolutely clear in this regard. In particular, I am concerned at the obvious attempts that have taken place recently to gloss over the differences that apparently were opened up between the administration and the junior Senator from New York when the latter spoke in favor of admitting the Vietcong to a share of power and responsibility in South Vietnam. Rather than attempt to paper over internal differences of such fundamental nature, I think that the administration should make it crystal clear that our boys are not dying in South Vietnam merely so that we can ultimately repair to the bargaining table perhaps to hand over a portion of the government of that country to the Vietcong. Therefore, Mr. Chairman, I take this time to set down these words so that my position may be irrevocably clear. I support this measure and with it the heroic sacrifices being made by our men in South Vietnam. At the same time I do not want history to record that by this vote I gave this administration my blank check with respect to its future conduct of policy in South Vietnam.

Mr. BATES. Mr. Chairman, I have no further requests for time, and yield back the balance of my time.

Mr. RIVERS of South Carolina. Mr. Chairman, I yield 3 minutes to the gentleman from Missouri [Mr. RANDALL].

Mr. RANDALL. Mr. Chairman, our fighting men are committed in Vietnam and we have passed the time for much more debate. It seems to me we should be more concerned about getting the implements and tools of war to them so that they can do the job. I think we might pause for a moment to reflect that this is the first time in all of our American history that we have ever stopped in the middle of a fighting war to debate how we got into the war and why and whether it was a wise thing to do. That is exactly what we have been doing for far too long.

Mr. RYAN. Mr. Chairman, will the gentleman yield?

Mr. RANDALL. I yield to the gentleman.

Mr. RYAN. Has war been declared by the Congress?

Mr. RANDALL. It has been brought out crystal clear that the joint resolution unanimously agreed to by this House, 416 to 0 on August 7, 1964, is a sufficient declaration to authorize the President to conduct military operations in southeast Asia.

The southeast Asian resolution stated "that the Congress approves and supports the President as Commander in Chief to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression." The resolution was very firm and included the recitation:

> The United States regards as vital to its national interest and to world peace the maintenance of peace and security in southeast Asia.

Mr. RYAN. Does the gentleman construe that resolution to be a declaration of war?

Mr. RANDALL. Not a formal declaration, but for my part the resolution provides ample authority and I think also, for the overwhelming majority of fellow Members, as will be shown by the vote on this bill today.

The situation as to Vietnam is that the President has ordered a gradual buildup of forces only after frequent consultations with the Congress. The Congress has repeatedly expressed its approval not only through the August 1964 resolution but by monetary appropriations for the war. Exclusive of the measure before us today, the Congress has overwhelmingly approved two supplemental appropriations including the $1.7 billion southeast Asia emergency fund passed on September 17, 1965, directly after the President announced his intention to increase our military participation in that area. There have been frequent consultations by the President with Congress, both by resolution and by appropriation and by both means we have overwhelmingly approved the President's policy. The Congress' strongest weapon in foreign policy is through control of appropriations. Approval of these monetary sums should be recognized as constituting firm support of the President's authority to conduct war in Vietnam without a formal declaration of war by the Congress. There exist some valid reasons why there should not be a formal declaration of war.

Mr. Chairman, there has been a lot of humanitarian concern about injury or harm to a few Vietnamese civilians in the jungles of Vietnam. If this has happened, it has been accidental and unavoidable and not by design or intentional.

But I want to take the time to discuss some items in this authorization that were touched on briefly by the gentleman from Missouri [Mr. HALL].

I refer to funds for more and better field hospitals and evacuation facilities. I know you have heard about the new hospital ship and also those new portable operating rooms that can be brought in by helicopter and permit an operation to be performed very near the scene of combat. Let us remember the present rate of fatalities among our American wounded is less than 1 percent. That represents a drop from the 2.5 percent level of Korea. In World War I it was about 9 percent, as I recall. In World War II it dropped to 3.4 percent. In Korea it was 2.5 percent. Now it is less than 1 full percentage point.

This means we now enjoy the most admirable record of any war in history in taking care of those who are badly wounded, and seeing to it that they survive.

I ask my fellow Members to compare the foregoing figures with casualties on our highways. On February 26 the National Safety Council finally got all of its estimates in for 1965. The death toll on our highways was 107,000. But listen to this—52.2 percent of all injuries were fatal. This is the figure we must set for comparison to the less than 1 percent figure of fatalities among our wounded in Vietnam, all because of the excellence of our evacuation and field hospital procedures.

Mr. Chairman in the remaining moments of the time which has been accorded me I wish to commend the gentleman from Virginia [Mr. HARDY], for the amendment which he added to H.R. 12889, which provided that the Secretary of Defense shall furnish to the Armed Services Committees of the Senate and House a description of each construction project, including a cost analysis, prior to the execution of any contract.

It is also heartening to know that an amendment has been added that requires the Secretary of Defense to furnish the Armed Services Committees of both the Senate and the House complete information on any alternative methods of adequately auditing contracts before the President is empowered to waive any provisions of present statutory requirements for audit either by the Comptroller General or the Secretary of Defense.

Mr. Chairman, I am not suggesting that construction costs are excessive but I was glad to learn that the General Accounting Office is going to send some representatives to Vietnam. We cannot have a construction program going forward in southeast Asia with an attitude of "business as usual." These facilities must be constructed to a minimum standard consistent with their intended use. Maximum use must be made of local labor and materials. The maximum of emphasis should be placed upon prefabricated, dismountable, and even inflatable structures which will give the very greatest value for the lowest cost. These remarks are simply cautionary, but become necessary when contractors are proceeding on a cost-plus-fixed-fee basis. For the present I have confidence that our American ingenuity and experience will win out over the serious construction problems facing us in Vietnam.

The Asian Communists have decided to make the war in Vietnam a test of our determination and resolution. In other words, to make this war a test of our will to win. They think they can sap our capability to the point where we will either withdraw or consent to peace on their terms. This must not happen.

Mr. RYAN. Mr. Chairman, I am convinced that neither the House nor the Senate had any intention of declaring war when they passed the Gulf of Tonkin resolution. Not even the President, who asked for the resolution, has ever suggested that he was asking Congress to declare war.

I would remind my colleague of the debate which took place in the Senate at that time. Those who engaged in the debate never thought that they were declaring war. They were not. I would recall, for example, the exchange between Senator BREWSTER and the floor manager of the bill, Senator FULBRIGHT.

> Senator BREWSTER. So my question is whether there is anything in the resolution which would authorize or recommend or approve the landing of large American armies in Vietnam or in China.
>
> Senator FULBRIGHT. There is nothing in the resolution, as I read it, that contemplates it.

Mr. Chairman, I might note that I explored this question more thoroughly in my speech during the debate earlier this afternoon.

Mr. RIVERS of South Carolina. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. DOW].

Mr. DOW. Mr. Chairman, as one who is not in favor of escalating the conflict in Vietnam, let me say that I will vote for the bill before us to authorize a total of $4.8 billion as a Department of Defense supplement, southeast Asia, fiscal 1966.

My affirmative vote for this bill is given with a sad heart. The men at the front should not be allowed to run short of the ammunition and equipment they need to defend themselves. That is the only reason I can see to vote for this authorization.

The situation is different from one last year when there was an earlier authorization for the Vietnam conflict. At that time I did not support it, for administration spokesmen told us that funds were available in other accounts without legislation. The legislation then was intended as an expression of policy.

Although voting today for the new legislation for munitions, I still do not favor the policy of escalation which the legislation makes possible.

It is a great inspiration to me that I can join today with several score of my colleagues in a statement that throws some question upon the escalation of the combat in southeast Asia. Those who have assembled these signatures deserve appreciation for they have done us all a great service.

Let us look at the authorization before us today. From the testimony at the recent hearings before the Committee on Armed Services of the other body, it is unmistakably clear that the purpose of the present authorizations is to provide for much more extensive combat. For example, on page 132 of the report of those hearings, the Secretary of Defense says of the aircraft procurement that after replacement of losses, "It does include added inventory."

In referring to helicopters he says on page 191:

> Well, the number of helicopters that we are buying far exceeds any number that we are likely to lose.

Commenting generally on all procurement to be authorized, the Secretary of Defense on page 11 has the following to say:

> To support these higher rates of consumption and combat attrition, rebuild inventories, and provide for the additional forces, we have greatly increased production rates and started new production lines.

So that, in voting, "aye" to maintain our men overseas, we are unfortunately required to vote at the same time for increasing the conflict.

If we had clear reasons for our actions in Vietnam and a clearly limited objective at the end, it would be much easier to justify the procurement which we are permitting today.

They say that we have a commitment in Vietnam. However, the Constitution of the United States does not contain the word "commitment." The Constitution provides for treaties, because these are a definite form in which the parties sign for definite obligations. Is our ship of state to be guided by bulging commitments which are not written and no one can define? If we have to get along in a world of commitments, a good case could be made that we have a commitment to all men everywhere in the world to keep the peace. And that commitment may be a firmer one than any commitment we owe to a particular group of men in Vietnam.

If the aim of the United States is to contain communism, I wonder if the planting of a fencepost in Vietnam is going to serve as a complete fence against communism all over the world. If our aim is to destroy communism, how can we do that by a single beachhead on the coast of Asia, a continent where there are over a billion men? I suspect that any hold we maintain there, or any local government we set up there can never exist in peace with the rest of Asia. It will always be a thorn in the side of civilization in that part of the world and will either be expelled or it will promote a third world war, engulfing us all.

I know that our people truly believe that they are fighting for the freedom of people of South Vietnam. Yet hardly knowing the language of Vietnam, how can our people impart American-style freedom in a few short years to a society where other customs have obtained for centuries back?

How many more times and in how many places can we continue to be the sole policeman and judge for enforcing a law that no association of nations has authorized us to enforce? The Americans fighting and serving in Vietnam are doing so nobly and sincerely. But is the leadership that we Congressmen are giving them the wise leadership that it should be? That is a question.

Should we not listen to the recent words of caution that come from the World Council of Churches, our National Council of Churches, the Union of American Hebrew Congregations, and from Pope Paul, himself, urging that we should hold back in this sad conflict?

Mr. Speaker, these are not the only questions that can be raised about the policy of our country in Vietnam. They are enough, however, to suggest that we should consider a better course.

For the reason stated earlier, I will not attempt a denial of these military funds as my small lever for changing our line of action. Yet certainly, I and those of like mind, must find other ways to guide our national policy upon a better course.

I endorse measures which the President is taking in the direction of peace and justice. Many hopeful measures have been proposed by others, as well. Let us believe that some of these will prevent escalation of the conflict to the point of worldwide nuclear catastrophe.

A legislator owes more to the men under arms than the obligation to supply weapons and ammunition. He owes to those men who are offering their lives the application of his best judgment and wisdom in order to make sure that those men are sent only to the right places at the right time. Our eyes should not be focused solely on the battlefield in southeast Asia.

More important still, are the moral questions and a horizonwide view of international politics which will bring a correct evaluation of the whole situation. Above all, we must set a good objective and a clear one. This is our part of the job. This is what Congressmen owe our fighting men.

Mr. RIVERS of South Carolina. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from New York [Mr. PIKE].

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield?

Mr. PIKE. I am happy to yield to the gentleman from New Jersey.

Mr. GALLAGHER. Mr. Chairman, Kahlil Gibran, a poet and artist of the Near East, once wrote a story about critics that may be appropriate as we consider the cruel dilemma of Vietnam.

> One nightfall a man traveling on horseback toward the sea reached an inn by the roadside. He dismounted, and confident in man and night like all riders toward the sea, he tied his horse to a tree beside the door and entered into the inn.
>
> At midnight, when all were asleep, a thief came and stole the traveler's horse.
>
> In the morning the man awoke, and discovered that his horse was stolen. And he grieved for his horse, and that a man had found it in his heart to steal.
>
> Then his fellow lodgers came and stood around him and began to talk.
>
> And the first man said, "How foolish of you to tie your horse outside the stable."
>
> And the second said, "Still more foolish, without even hobbling the horse."
>
> And the third man said, "It is stupid at best to travel to the sea on horseback."
>
> And the fourth said, "Only the indolent and the slow of foot own horses."
>
> Then the traveler was much astonished. At last he cried, "My friends, because my horse is stolen, you have hastened one and all to tell me my faults and my shortcomings. But strange, not one word of reproach have you uttered about the man who stole my horse."

I think President Johnson could well paraphrase the words of the traveler and say, "My friends, there are so many who can point out the faults and shortcomings of our Nation's policies. But is it not strange that hardly a word of reproach has been uttered against the policies of Hanoi who started the war in Vietnam, and who keep it going. Stranger still, to hear not one word of reproach for the Vietcong, or National Liberation Front, which has systematically killed and tortured thousands of civilians in South Vietnam for the past 12 years."

Now the time has come for us to reaffirm the vote of the Tonkin resolution. It is in the interest of peace that the world know we support our President and that our country is united. The Communists of southeast Asia would gravely underestimate the staying power of this country if they thought that the Congress of the United States did not support the President. When our adversaries recognize our determination, and the validity of our commitment, then, and only then, will we move this war to the peace table. A vote for this bill is a vote for peace. Not the peace of surrender, but an honorable peace where free men can determine what shall be the course of their nation's destiny.

What we are doing today makes certain that a military victory is beyond the hopes of Hanoi.

When this penetrates the policymakers in Hanoi, I am convinced that the real hopes for peace will begin to surface. They will not be convinced, if they think we are divided. The vote today will demonstrate not division, but unity.

Mr. PIKE. Mr. Chairman, we have heard every shade of opinion in this debate. We have shown for what my chairman would call the "gillionth" time that in a free society free speech means that every shade of dissent must be heard. It has been heard.

The debate on this bill started with an expression of anxiety from one of my colleagues, from my party, from my State. He was afraid that if we passed this bill, we would, in his words, be placing another brick in the arch of congressional support for our Nation's policy in Vietnam."

I would like to conclude this debate with an expression, not of fear, but of hope. I hope that we will pass this bill. I hope that it will be construed as another brick in the arch of congressional support for our policy in Vietnam. I hope that it will be construed as the support of the American people for our policy in Vietnam. I hope that it will be so construed in this Chamber, in this city, in this Nation, in Saigon, and especially in Hanoi and Peiping.

I hope for more than that. I hope that we are not building an arch but are building a firm foundation, a foundation of strength and security on which a firm peace can be built, a foundation on which the brave people of South Vietnam can build a future of hope for their children.

As the people of Vietnam look to America for hope, so do the people of Thailand. As the people of southeast Asia look to this land for hope, so do all the people in this world. If all they hear when they listen to the debate on this bill this afternoon in this House of Representatives are words of anxiety and fear, of nibbling and quibbling, then there is not much hope for them. If people all over the world look to America and conclude that America offers them no hope, then there is not much hope for America.

Let us give them some hope today. Let us give America some hope for the future. This is the measure on which to do it. This is the time to do it. Now is the hour to put this debate behind us and get on with the job.

Mr. PUCINSKI. Mr. Chairman, I rise in support of H.R. 12889 which authorizes appropriations during fiscal year 1966 for procurement of aircraft, missiles, naval vessels, track combat vehicles, research, development, test, evaluation, and military construction.

I rise in support of this important legislation because incorporated in its provision are funds to give, above all, our soldiers in Vietnam, the tools they need for victory. This legislation helps make it possible for our Nation to carry out our present policy in Vietnam.

My colleague from New York completely overlooks the fact that our total lack of arms during the early and middle 1930's was an open invitation to Hitler's aggression.

My colleague ignores the facts of history when he argues that the legislation before us today is designed to escalate the war in Vietnam. On the contrary, this whole appropriation will make possible purchases of those very sinews which our soldiers need to finally convince the Communists in Vietnam that their course of continued hostility against freedom will end in defeat and disaster.

I submit, Mr. Chairman, that we are now winning the war in Vietnam. We are winning this war because we have finally turned the tide against Communist subversion and terrorism by giving our soldiers all of the tools they need. There are those who argue that the Vietnam conflict is the most costly conflict that our Nation has ever been engaged in when measured against the number of Communist casualties. I think it is a dangerous practice to weigh the cost of the war against enemy losses. My own judgment is that the most meaningful test is, one, whether we can win sooner with these added tools for our soldiers, and more importantly, and, two, whether this additional equipment which we are now sending to Vietnam is saving American lives and those of our allies. The answer in both instances is "Yes."

Because of our massive assignment of equipment to Vietnam, our losses are steadily going down; and those of our soldiers who have received injuries are being saved at a higher percentage rate than ever before recorded in any conflict. Mr. Chairman, I am confident that the American people, once having committed themselves to the defense of freedom in Vietnam, want to make sure that our American troops are fully equipped in their difficult struggle against the Communists; and it is for this reason that I intend to support this bill.

But more importantly, I support this legislation because I remember only too well how an unprepared America saw a Hitler escalate his maniacal quest for victory into World War II.

The tragedy of Dachau and Buchenwald, the massive losses which we suffered in World War II, and the mammoth destruction could have been avoided. Hitler could have been stopped before he got started had we 30 years ago had the same vision and determination which we are demonstrating in Vietnam today.

Those who argue against our policy in Vietnam insist on being blind to the fact that this struggle is part of a 20-year struggle against the ravages of communism. It is ironic that at a time when we have every reason to believe that victory can be ours in Vietnam, voices are being raised in this country to withdraw our effort and leave the whole of three continents—Asia, Africa, and, yes, South America—subject to the same kind of terror and subversion by Communist guerrillas that we are witnessing in Vietnam.

It is in this light that I hope this legislation before us will be overwhelmingly approved this afternoon.

Mr. **BROWN** of California. Mr. Chairman, I rise to oppose this supplemental defense authorization for the war in Vietnam, just as I opposed the much smaller request of $700 million on May 5, 1965.

It is difficult for me to take this action. I do not desire to deprive our military forces of the support they need to carry out the jobs assigned to them, regardless of how much I may differ with the policies which have led to those assignments.

Many of my colleagues, who are similarly concerned with our course in Vietnam, have elected a different type of action. In a statement circulated to other Members and the press they indicate that they will vote for this supplemental defense authorization. But they add this statement:

> We therefore reject any contention that approval of this legislation will constitute a mandate for unrestrained or indiscriminate enlargement of the military effort, and we strongly support continued efforts to initiate negotiations for settlement of the conflict.

I can support that statement. But I cannot accept the faith of my colleagues that this statement will alter the course which has been set within the military and executive offices toward a larger and, in the last analysis, an unlimited war.

Why do I say this? Last year when the President asked this Congress for $700 million in supplemental defense appropriations, many of my colleagues made similar statements as they voted for that modest sum. At the very moment we were voting, operations were being conducted that required many times that amount of additional funding. Plans were then in existence, and were announced within a few weeks, to triple our military manpower in Vietnam and to expand our military construction program in Vietnam many times over. In addition, those plans, since carried out, have been doubled and may be doubled again before the year is out. Not once has Congress been asked to vote on these decisions prior to their being taken.

This has been the history of our involvement in Vietnam for 15 years. Congress has gone along with the plans of the executive branch, voting the funds requested, voicing a pious hope for the use of good judgment, but never establishing an independent policy or lifting an independent voice.

The United States financed the last several years of the French effort to maintain their colonial rule in southeast Asia, as part of our commitment to the military containment of Russian communism, which we saw as the specter of the postwar period. I doubt if Congress knew the extent of our commitment to the French, or knew that Dulles offered them atomic bombs to use against the Viet Minh or the Red Chinese. I doubt if Congress realized that our policy at that time merely postponed the inevitable collapse of French colonialism in southeast Asia—a collapse which the French themselves had accepted in 1946—and cost the peoples of France and Vietnam a few hundred thousand more in dead and wounded, as well as costing the U.S. taxpayers a few billion wasted dollars.

We created and supported to the hilt the government of Ngo Dinh Diem for the 10 years of its existence. Congress voted the funds for this adventure as part of our foreign aid program, never asking whether Diem had a legitimate mandate to rule this artificial creation of South Vietnam as a family empire—never asking why he was permitted to unilaterally declare that the Geneva agreements were not binding on his country—never asking who in the U.S. Government was authorized to encourage him in this defiance of an international agreement.

Yet today we are told by the executive branch that Congress has approved every step of our involvement in Vietnam. We are told that approval by Congress of our aid program for Vietnam is evidence of our approval of the escalating military involvement there—is evidence of congressional commitment to a program now costing tens of billions of dollars, involving hundreds of thousands of our youth, and leading to yet unknown perils. I voted for some of those aid programs, little realizing how that vote would be construed.

If the argument that congressional approval of AID programs to Vietnam constituted endorsement of our military involvement there is not sufficient, we are told that the Tonkin Bay resolution of August 1964 provides the basis for our involvement in Vietnam today. I voted for that resolution. Who can vote against a resolution supporting our right to defend ourselves when our vessels are attacked at sea? I made this vote knowing that on the floor of the other body abundant colloquy made it clear that this resolution added no authority to the President's powers as Commander in Chief to repel attack, and provided no mandate for a change in the U.S. military involvement in Vietnam. Yet, today, it would not surprise me to see U.S. bombers over Peiping, with the pilots waving a copy of the Tonkin Bay resolution as the authority for their action as the bombs are dropped, if this same justification were carried to another extreme.

This country is involved in a problem of tremendous complexity in Vietnam, and in all of Asia. This is a problem requiring the most exhaustive and far-reaching analysis, the best judgment, and the most dedicated effort of which this country and its Government is capable. Yet at no point in recent years, except possibly during the last few weeks, has the Congress of the United States examined fully the nature of that problem. We are presented with the problem in pieces. We are told that we must accept the judgment of those who are closer to the situation, who know all the facts. Because we accept that judgment on the little pieces, over the years, then when the time comes that the mistakes of the past come home to haunt us, we are told that we authorized those mistakes, that each approval of a little piece on faith now adds up to approval of a total policy—a policy which can no longer be changed.

I choose now to break that pattern in the only way that a Member of Congress can do so with any effect. I will vote against this bill, just as I voted last week against the tax bill and the foreign aid bill.

I urge my colleagues to do likewise. They will then be fulfilling their responsibilities as representatives of the people of the United States, for it is the vote that will be examined by the people, and by those members of the executive branch who seek to analyze the will of Congress—not their very laudable disclaimers of intent to support a larger war, or their call for a negotiated peace.

The contradictions of the U.S. course in Vietnam may soon be apparent for all our people and all the world to see. The political leaders of this country have contended that our efforts in Vietnam have been motivated by a desire only for the freedom of the people of that country. We are publicly committed to accept the free choice of the people of South Vietnam as to the kind of government which they desire. For 16 years, however, U.S. policies have prevented the expression of that free choice, despite all our protestations to the contrary. When the day comes that that choice is expressed—and that choice repudiates the United States and its handpicked military dictators—the people of this country will be entitled to ask the quesion: "Why have we labored and sacrificed so much, and in vain?"

Mr. SHRIVER. Mr. Chairman, I rise in support of H.R. 12889 which will authorize additional defense appropriations in the amount of $4.8 billion during this fiscal year.

The issue before us is not whether we should or should not be in Vietnam. There are over 200,000 young Americans fighting in Vietnam today.

The President, who under the constitution has the responsibility for foreign policy and is designated as Commander in Chief of the Armed Forces, has made the decisions which commits our Nation to this struggle in southeast Asia.

The Congress has the constitutional responsibility of providing the funds to give our boys the weapons, food, clothing and other equipment to sustain them in their dangerous mission.

Last summer I recall there were many of us in the House who felt the 1966 defense budget was not adequate to insure sufficient funds for the greater U.S. role, determined by the President in southeast Asia.

Minority members on the House Appropriations Committee stated in additional views contained in the committee report dated June 17, 1965:

> The situation in Vietnam and the overall problem caused by Communist aggression in southeast Asia is of extreme concern to everyone. It is our judgment, based on the testimony before this committee, that the fiscal year 1966 budget request reflects inadequate funding for the Vietnamese effort. Policy decisions affecting our position and commitments in Vietnam were made by the President. This commitment included the large-scale introduction of American personnel and equipment. We believe these decisions to commit American lives and American prestige must be backed up and supported with the appropriations necessary to carry them out successfully.

Although there were additional funds included in the final version of the defense measure last year, it is obvious that the administration did not heed the minority views. Nevetheless, our responsibility remains the same: We must back up and support the decisions of the President to commit American lives with the necessary appropriations to insure the success of their mission.

Mr. MACHEN. Mr. Chairman, I rise to support the supplemental appropriation bill, H.R. 12889, for the Defense Department. In so doing I want to make it clear that I fully support the President's conduct of our involvement in Vietnam. How we vote and what we say today on this crucial policy decision will have far-reaching implications. We must show our fighting men in Vietnam that we are united behind them and will not hesitate to give them whatever is needed to do the job they are doing for the cause of freedom. We must at the same time show Hanoi that we are united behind and support our President in his continuing efforts to find an honorable solution to the war in Vietnam. We must guard against doing anything that could lead to misinterpretation by our enemies of the strength of our determination to do what must be done in Vietnam.

Never before in our history has our involvement in armed conflict had to be explained over and over again as has our participation in the fight for freedom in Vietnam. The simple answer is this: We are fighting by the side of the Vietnamese in order to prevent their enslavement by communism through the use of force and terrorism. But our reasons for being in Vietnam go much further. They include the protection of our own national interest. For, if we allow Communist aggression in Vietnam to be profitable and to succeed, then that aggression surely will continue. Inevitably we will have to stand up to it somewhere. The costs then—in lives and money—could make the Vietnam war look like a minor conflict by comparison.

There is a great paradox existing in our world today because of our nuclear capability. However, in reality there is nothing paradoxical about it. Our capacity to destroy people and property in an instant has in itself aroused new hopes of lasting peace. When victory can mean a struggle for survival, a worldwide conflict with the armed power that is apparent today has become unthinkable.

The peace of the world absolutely requires that we maintain a powerful national defense—a defense that could destroy an enemy and one that could assure survival if nuclear war should be forced upon us. The world is now in the situation that another Pearl Harbor is not possible. Our destruction and the destruction of our enemy would be separated by only a few minutes. However, at the same time we must be prepared for the continuance of small wars.

I can remember in the thirties when we heard so much about "peace in our time." A few years later we were involved in the most terrible war in the history of mankind. History has taught us that peace cannot be bought by appeasement. Appeasement only feeds the appetite of the aggressor.

It is an irrefutable fact that if the United States were to remove its troops from South Vietnam, the Communists would move in from the north and take over. This has been made clear to us by the continued aggression of North Vietnam.

As a matter of fact, escalation has occurred very rapidly since I have been in Congress. When I took my seat in January last year, our policy and program was a continuation of the Eisenhower-Kennedy position; that is, technical assistance and advice to the South Vietnamese and housekeeping tasks for the advisers.

However, in the early morning of February 7, 1965, the Vietcong forces carried out coordinated attacks on South Vietnamese air bases in Pleiku and Tuy Hoa on two barracks installations in the Pleiku area and on a number of villages in the area of Tuy Hoa and Nha Trang. Numerous casualties were inflicted and at least one village was burned.

These attacks by the Vietcong were a concerted and politically timed effort to sharpen and intensify the aggression and to test the will of the Republic of Vietnam and the United States to resist.

From that point on, the combined efforts of the United States and South Vietnam were stepped up. We began the bombings of limited military targets in North Vietnam and greatly increased our commitment in numbers of men and supplies.

We are present in Vietnam today because we were asked for help and we responded. Now we have the grave responsibility not to withdraw and abandon the 15 million Vietnamese that have fought at our side.

I can assure you that a unilateral suspension of hostilities would result, not in an end to violence, but in an increase of North Vietnam's terrorist aggression against what would then be a totally defenseless population.

There is a second consideration. If the United States were to pull out of Vietnam, the Communist world would be put on notice that they could defeat democracy in any area they chose by the exertion of brute force.

We can be certain that as long as the Vietcong—with their ally, Red China—feel that they can win, they will continue to press forward.

We have and must continue to demonstrate that we will resist aggression, either overt or covert—and at the same time keep the door open for negotiation. Our President has kept an open offer of negotiation, which he has reiterated again and again. But this offer has never been accepted.

The United States has attempted more than once to use the machinery of the U.N. to help solve various aspects of the Vietnam situation. Only to have the Vietcong condemn the U.N. activities as illegal and state that they could not guarantee the safety of any investigative mission.

As you can see, any peace settlement, to be effective, must be agreed to by parties who are willing to work out and abide by such an agreement. However, we have received no indication that Hanoi or Peiping are interested in any type of peace discussion.

I can quote to you from a letter that President Eisenhower wrote to Winston Churchill in 1954. He said:

> If I may refer again to history, we failed to halt Hirohito, Mussolini, and Hitler by not acting in unity and in time. That marked the beginning of many years of stark tragedy and desperate peril. May it not be that our nations have learned something from that lesson?

I think that with draft card burners and demonstrators to the contrary, our position in Vietnam is the only possible one for the cause of peace.

It is unfortunate that those who exercise the right of free speech in opposition to our policy do damage out of proportion to their numbers. There is disturbing evidence that their demonstrations are prolonging the war and undermining the morale of our Armed Forces. Because of the worldwide attention they have received it is believed that the Vietcong and/or Red China are encouraged to prolong the war because they feel that a collapse of the U.S. war effort is imminent.

However, until the regime in Hanoi decides to halt its intervention in the south, or until effective steps are taken to maintain peace and security in the area, the Governments of South Vietnam and the United States will continue necessary measures of defense against the Communist armed aggression coming from North Vietnam.

Mr. ROYBAL. Mr. Chairman, the measure now before the House for its consideration is directed toward providing adequate defense support for our American troops in Vietnam.

World peace is certainly the goal of each and every one of us here in this Chamber, as it surely is the earnest desire of every American.

I am confident that no one hopes and prays for lasting peace more than our own young men now serving in the Armed Forces in South Vietnam. For they know the terrible meaning of war, and must hope for the early success of our efforts to start negotiations, get the conflict away from the battlefield, and bring it to the conference table.

But, while these efforts to discuss our differences, and to negotiate a just and equitable settlement in Vietnam go forward, and while we continue to promote the cause of peaceful social revolution, political reform, and economic development in southeast Asia, we dare not neglect to support fully our fighting men with the essential implements to lighten their burden and shorten the time before they can return to their loved ones at home.

For that reason, I know Congress will give its overwhelming approval to the present legislation as an expression of national unity behind America's servicemen in the field.

In voting for this supplemental defense authorization I wish to make it clear that my vote should not be contrued as an unqualified endorsement of all aspects of our policy in Vietnam.

Moreover, such an affirmative vote by the Congress of the United States, in my opinion, does not constitute a mandate for unrestrained or indiscriminate enlargement of the military effort, and most certainly, not a blanket approval of present and future action in that part of the world. On the contrary, I believe it is vital to all concerned that this country exercise the most careful prudence in all our activities in southeast Asia so as to limit the conflict as much as possible.

But it seems to me to be in the interest of our constant search for peace to support the authorization.

This demonstration of unity in today's vote is designed to convince the Vietcong that the vast majority of the American people are determined to support our fighting men in Vietnam and open the way for an early settlement of the conflict, giving the Vietnamese people themselves the right of self-determination without external interference, and the opportunity to live in freedom and peace.

Mr. PHILBIN. Mr. Chairman, first I want to compliment my very able friend and distinguished chairman, the gentleman from South Carolina [Mr. RIVERS], and the entire committee for the very fine, expeditious work they have done in bringing this bill to the floor of the House.

This is a very important supplemental bill authorizing appropriations during fiscal year 1966 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, research, development, test and evaluation and military construction in the amount of some $4,800 million.

The programs and items contained in this bill are directed toward the support of our forces in Vietnam, and for that reason especially, I hope that the bill can be speedily considered and preponderantly passed by the House.

Such a result would serve once again to emphasize the determination of this House to press forward with utmost vigor, speed, and determination with every measure that is designed to sustain our gallant forces in Vietnam which are now fighting one of the most savage, difficult conflicts in which our Nation has been engaged.

This bill, and others to follow it during this session of Congress, will make it clear to our adversaries and others who are supporting, financing, encouraging, and helping them, that we here are completely united in our purpose to continue to do everything in our power to supply our fighting forces with every type and kind of military power, materiel, weapons, strength, and equipment that they need to gain all their objectives in this desperate struggle against tyranny and aggression.

Our armed services have their roles and their missions and their objectives, and we of this Congress have ours. Let us make it clear to all that we intend to carry them out in every detail with firm purpose, with efficiency and speed and adequacy.

Let it not be said for one moment by anyone, friend or foe, that our committee and our membership are not fulfilling, to the utmost, the constitutional duty we have imposed upon us to provide for the common defense of this country, and to make sure at all times that our armed services, wherever they may be, and especially in Vietnam, are furnished with everything that they need to carry out every single mission that is committed to them in this hour of trial, challenge, and peril for the cause of freedom and security of this Nation and the free world.

History is replete with the despicable oppressions of tyrants, and their ruthless violence, mass slaughter, bloodshed, and inhumanity.

Still fresh in our minds is our own experience with tyrants of our own times.

If we learn any lesson from past wars or past conflicts, it is the awful consequences that flow from appeasement of those who are making determined efforts to destroy us and our way of life and impose upon us a debased slave system that would destroy our liberties.

It is not the duty, or the mission, of this committee, or this House to determine the foreign policy of this Nation, map out strategy and tactics, or conduct military operations in which this Nation may be engaged. These matters lie in the province of the executive department of the Government.

But as Members of this House, we have the urgent, special duty imposed upon us by the Constitution of backing up and sustaining our foreign policy and providing the sinews of power and strength that may be needed at any time to defend the United States, to provide as best we can for our present and future security, and to leave nothing undone to insure that our Armed Forces shall have the power, the strength, and the striking force we need to protect the Nation, to preserve our freedoms and carry out our commitments to freedom in the perilous, upset world in which we live.

That is what we are seeking to do now by bringing this bill before the House, and others will follow along the same lines, designed for the same purpose, the strengthening of the national defense, and all of them will be brought here as this one is here, not for the purpose of throwing our weight around the world to see how quickly we can become involved in a nuclear war, not to conduct unwarranted and unprovoked military aggression against any nation, but solely with the design of pursuing freedom, peace, seeking justice through opposition to injustice, opposing tyranny, to preserve freedom and law and order in the world, protecting our own shores and our own homes and our own free institutions which are so meaningful, not only to us, but to all those who are determined that men and women shall be free.

However, we must be mindful of the practical realities that face us, the kind of world we are living in, surrounded as we are by so many adversaries who are working to undermine the pillars of our Government and destroy our freedoms.

There is no way that I know of by which we can wring peace from those who do not want peace, whose interests are best served, so they believe, by promoting conditions that make peace impossible, by encouraging and creating discontent and dissatisfaction among the masses of people, promoting demonstrations, agitations, civil uprisings, and insurrections designed to undermine established governments, engage in unwarranted aggression against their neighbors, testing the will of freedom-minded people to resist and repel aggression, injustice, and violence in the belief that they do not have either the moral fiber, the courage, or the strength of purpose to do so.

Peace cannot come alone by making appeals to those who have shown that they are deaf to appeals, although everything must be sought and tried that we believe will bring peace. There is little to be gained by trying to plead with those whose hearts and minds are already closed to our pleas, and who may well construe our repeated pleas as evidence of weakness and indecision.

To bring about peace in Vietnam would be one of the greatest things this Nation could accomplish, not only for ourselves, but for the world, and by all means, we must continue to seek peace with all our hearts and energies, even as we realize that peace may not dwell in the hearts of those to whom we direct our ardent sincere appeals.

Some choices in this situation are not easy ones, because in the end they add up either to surrender and withdrawal and the terrible disaster that course would entail, or of continuing with this bloody struggle until the price becomes too high for Communist aggressors to pay. These are not easy choices, my friends, but neither are some of the consequences that would follow from abandoning our resistance, our commitments, and our long-range security interests.

That is the very importance of this bill, and others that will follow it, because it is our readiness and strength and purpose, more than anything else, that will make clear to aggressors and tyrants that, while we want peace, and strive with all our hearts to secure peace, we will not flinch from any struggle that we deem is necessary to preserve freedom and security and justice, and that we will continue to face every contingency, and bear any risk, and make any sacrifice to uphold the cause of this country and the ideals and principles of free government.

I do not intend to discuss the technical provisions of this bill because they are spelled out in the report, and I believe the House already understands their purpose and scope.

This is the time, of all times, that the executive department and the Congress must work together. There is a time for discussion and arguing, and there is a time for wholehearted cooperation between every branch of this Government, and every official in this Government, and in the Congress, to strengthen our defense and to assert for ourselves, as a powerful, unified, national front, our firm purpose of sustaining and preserving the Nation and doing our best through our great strength—military, economic, and spiritual, the power of our ideals and principles as well as the power of our arms, to put an end to the fighting in Vietnam and establish peace.

There is no reason why this objective cannot be achieved if our adversaries will lend an ear and listen to our appeals and cooperate with us and other nations of good will and peaceful intentions by sitting around the peace table and agreeing to the conditions for permanent, enduring peace.

Call this peace through strength, if you will, but call it the expression of our deep, determined American interest in peace, and our intention to pursue that interest, until we finally achieve the peaceful objectives we and most other nations in the world have in mind.

Until that time comes, we must be strong, always prepared and ready for any eventuality, never letting it be said that we did not do our best to maintain and preserve the peace, letting it be known to all Communists and free peoples in clear, unmistakable ways that we will not surrender our freedom, independence, democratic institutions, and that we will use our strength, not only to protect ourselves and keep our commitments, but to foster justice and peace in the world.

I hope and urge that the House will vote to sustain the committee and overwhelmingly pass this very vital, important bill, which should be passed as soon as we can pass it, in support of our cause in Vietnam and all those gallant young men who are giving so much to uphold it.

Mr. KASTENMEIER. Mr. Chairman, the vote today on the supplemental military authorization bill, like the war in Vietnam itself, poses a great dilemma for Americans inside and out of Congress. The fact is that our war policies have gotten us into a situation which cannot be reversed by a vote on a single measure, but which will require a significant change in our approach to the terms by which we are willing to accept a settlement. However strong my reservations, objections, or criticisms of the policies that are engulfing us in a southeast Asia war, I am constrained to view and to vote for this measure as one to provide material support for our troops in the field.

I do want to emphasize that I oppose our war policy in Vietnam. I criticized it when it took the form of an excessive response to the naval attack on our ships in the Gulf of Tonkin. I opposed it when it extended our efforts to bombing North Vietnam. I opposed it last May when it changed our role from one of advising South Vietnamese in their war against the Vietcong to one of making it our war. I opposed it when the bombing of the north was to be resumed in January.

Regrettably, I must come to a similar conclusion about the economic assistance we are providing Vietnam as well. Last week I reluctantly voted for the foreign aid supplemental appropriations as a longtime supporter of foreign aid. The outstanding fact about the billions of dollars of foreign aid we have poured into Vietnam in the 10-year period from 1954 to 1964 is that it is a failure. It has completely failed to establish a viable government in South Vietnam and as a result is responsible in large measure for us being involved in such a major war in that country. While I am not convinced that the economic aid we are now providing the Vietnamese can be effective while we are at the same time engaged in heavy military operations in the same areas, I voted for that measure in the hope that some improvement in the condition of the Vietnamese people will result. The time is rapidly approaching, however, when I will not be able to continue to support such expenditures, particularly in combination with military efforts with which I basically disagree.

Thus, it should be clear that although I vote today in support of this authorization, it is the troops in the field that I vote to support and not the policies that got them there. Others have on the floor today sought to reaffirm the Gulf of Tonkin resolution which the President has relied on so extensively as the basis for the escalation of the war in Vietnam. Particularly, in the light of this intensification and the implication that further escalation lies ahead, I want it clearly understood that my vote today does not reaffirm that resolution. In fact, if the vote today were simply on the language of that resolution I would vote against it, in view of the construction that has been placed on it. Certainly if the war spreads, I may regret the action taken today and my own assent to it. I trust and pray that will not come to pass.

Mr. FRASER. Mr. Chairman, my vote for this supplemental appropriation for the Vietnam conflict is not an endorsement of the policies the United States has been following in Vietnam.

I believe that some of our actions in Vietnam have not been wise. It seems to me that the reasoning offered in support of those policies would lead us on a course of action in the future that is not in our national interest.

My vote today is based on the need to sustain the troops already in Vietnam.

Mr. COHELAN. Mr. Chairman, I have just returned from a week-long trip to South Vietnam and the Philippines.

In the course of my intensive 5-day inspection tour of South Vietnam, which took me to three delta Provinces, to each of the four military corps areas and to conference with General Westmoreland and key Embassy and AID officials, I gained a vivid impression of what we are doing in South Vietnam.

In my talks with Province chiefs and Province representatives I was informed of the programs that are being undertaken to win the loyalty and confidence of the general population. I was advised of some of the continuing problems in finding and holding adequate South Vietnamese personnel to do the job.

I saw schools and hospitals and agricultural projects designed to help develop communities that have been involved in war for over 20 years.

We observed teams of American and Filipino surgeons working with South Vietnamese nurses and medical personnel in an attempt to cope with the massive medical and public health needs of the people.

We visited with administrators and technical assistants to get a feeling for the range and depth and quality of our programs.

I saw a South Vietnam in the throes of a vicious war. Throughout the country, from the Fourth Corps area in the delta to the First Corps in the north, ARVN, Korean, Australian, and American troops were on battle alert, and in the north especially, involved in the most active kind of military operations.

Artillery fire, air strikes, ambushes, mortar fire from the Vietcong, rifle fire from Vietcong snipers—well concealed in the canopy of the jungle and in tunnels leading to underground dens large enough to include a hospital with surgical suite and big enough to cache food supplies—were daily events.

Gallant and well-trained American forces were carrying out the most basic military maneuvers.

There were casualties and there were deaths from hostile action.

The Vietcong are pursuing their objectives of domination and subjugation with fanatical intensity in spite of growing signs that they are unable to overcome the formidable allied resistance. There are, indeed, hopeful signs that we may now be denying them their former comfortable and unchallenged access to jungle redoubts and to vital supplies of munitions and food.

The weapons, food, and medical supplies now being captured in ever greater amounts are a clear indication that the Communists are paying an increasingly high price for their open aggression.

It must surely be evident by now to Hanoi that South Vietnam cannot be taken by force of arms. The policy of our Government and our allies, combined with our field operations, must make it clear that the President meant what he said when he told the world that we would not be driven out of South Vietnam, but that we would be quite willing to go to the conference table at any time for unconditional discussions leading to a peaceful settlement.

I think it should be noted here that practically every important witness who appeared before the Senate Foreign Relations Committee stressed that we must not withdraw from Vietnam, even though some of them expressed serious doubts about how we got there in the first place, and others raised questions of how we should proceed from here to resist aggression and achieve a just settlement.

Mr. Chairman, I share many of these doubts and questions that have been expressed by such distinguished men as Senator FULBRIGHT, General Gavin, and Ambassador Kennan. But because I believe it is essential to sustain our superb military forces which are in the field today, I will vote for this authorization of funds to help them carry out their mission.

While I support this measure I do so with the deep conviction, as the joint statement of 78 of our colleagues makes clear, that this vote today should not constitute a mandate for "unrestrained or indiscriminate enlargement of the military effort." Our military force should be used with firmness, skill, and restraint. But it should be used for no longer and in no greater amount than is absolutely necessary to convince our adversaries that they can achieve neither a military victory nor capitulation to their tactics of terror and violence.

Our policy must have another side as well. Our military determination must be accompanied by at least as great a determination to find a peaceful settlement. We have seen the administration, particularly in the last few weeks and months, make a concerted effort to bring this grave conflict to the conference table. I believe the President is especially to be commended for taking this matter to the United Nations, as many of us have urged for some time. I earnestly hope that we will continue to pursue every avenue this may afford, in spite of what appears to be serious obstacles.

But we must not rest on our oars. We must not overlook any reasonable diplomatic initiatives. We must state clearly our willingness to engage in mutual and inspected deescalation of military activities by the belligerents in this war. And we must certainly encourage our policy planners and negotiators to define the terms of any conference so as to include all those who are actively engaged in carrying on the war. In this latter respect it should be noted that a conference does not make progress through voting but through negotiations, and the presence of the National Liberation Front would not in any way diminish the negotiating strength of the allied delegations.

There are indications, through reports over the last few weeks from the United Nations, that these overtures might prove fruitful in bringing about a resumption of the Geneva Conference.

It may very well be, Mr. Chairman, that the Communist leaders in Hanoi and Peiping do not want a peaceful settlement at this or any other time; that they seek nothing short of a total military victory. But with the dangers of a larger and much more costly war on one hand, and the unmet need of our own society on the other, the stakes are simply too great not to make every reasonable effort to get to the conference table.

If our goal, as I believe it properly to be, is both to end aggression and to negotiate a settlement that will enable the South Vietnamese people to determine their own future by free elections, then a continued and measured response to aggression, accompanied by a continued and persistent search for negotiations and a cease-fire is certainly a proper course for us to follow.

We must repeat over and over again our willingness to accept the results of a properly supervised free election.

We must make very clear to Peiping that we do not want to engage in a war with Communist China, in spite of our strong aversion to her policies and her social order.

We must make it unmistakably clear that we are against any major escalation of the war. For, as President Johnson stressed to Premier Ky at Honolulu, while we would like to see a quick end to the conflict, we are not about to take military steps in an attempt to hasten victory that might bring on still a larger war. The war in South Vietnam is essentially a Vietnamese war and must be won on South Vietnamese soil.

This flat statement by the President to Premier Ky at the Honolulu conference should make it clear to anyone intoxicated by temporary military success, that we are not interested in abandoning our basic military objective, which is to stop the aggression that is largely mounted, supported, and directed from outside the borders of South Vietnam.

If Premier Ky entertains the idea that we will support a war whose aims are the unification of Vietnam, he should be promptly advised of the limits of our support.

On the other hand, Premier Ky is to be applauded for his announced decision to hold elections by 1967. This, in my judgment, is a most encouraging development and he should be supported in every possible way in making this promise a reality.

Mr. Chairman, we clearly possess the military might to prevent a military takeover of South Vietnam by the combined forces of the Vietcong and North Vietnam. It should be equally clear, however, that unless the South Vietnamese Government and its leaders can offer their people tangible hopes of free elections, a constructive attack on the critical problem of inflation, long overdue land reforms, the just claims of the Montagnards to a place of full citizenship, adequate programs for refugees, and massive improvements in health, education, and agricultural technology, then a mere military success of victory would be hollow indeed. It would be tragic and ironic to win the war and lose the people.

There is a revolution now in process in South Vietnam. A Communist victory would end it. Armed aggression, therefore, must be stopped or there can be no alternative to domination.

But once this step of resisting aggression is taken, the answer is not to escalate the military conflict but to escalate the economic, social, and governmental reforms and improvements which are the essential base of any stable society where people are free in any meaningful sense to choose their own future.

It is only in this way that the legitimate aspirations of men for independence and a better life can be finally and firmly achieved.

Mr. MULTER. Mr. Chairman, I support this supplemental defense authorization for Vietnam. We are asked to authorize $4.8 billion for aircraft, missiles, tracked combat vehicles, research and development, and military construction. This is part of the cost of freedom for Vietnam and for the free world. It is well worth the price. Freedom is a commodity whose value increases when we lose it. Let us pay its price without demurrer and insure its retention. Let us not chance the risk of its loss. For it may not be recoverable. Freedom once lost is not easily regained.

I agree with President Johnson when he says "we will strive to limit conflict, for we wish neither increased destruction nor increased danger." My approval of this legislation does not therefore constitute a mandate for unrestricted or indiscriminate use of military force. But make no mistake, I do not mean by this that we diminish our effort or that we strive for anything less than victory. We must weaken the will of the enemy to continue his assault against freedom. He must learn that there is no future for him but defeat in the course he now pursues. He must understand that unless he stops his attack upon the South Vietnamese and his destruction of their villages, he can only look forward to the bitter frustration of defeat. We will not be intimidated by him, no matter what the cost. We will not be denied in our resolve, no matter how hard the effort. The choice is his; armed conflict to the end or a reasonable settlement of differences. Whatever his choice, we will meet it.

I stand foursquare behind the policy enunciated by our President in his speech on the occasion of his acceptance of the Freedom House's Freedom Award on February 24, 1966, in New York City.

I agree with him that for us this is not a war of unlimited objectives. We seek neither conquest nor do we engage in aggression. In simple terms, we fight to prevent the forceful conquest of South Vietnam by North Vietnam.

We do not engage in a war of blind escalation. We meet force with sufficient force to turn the tide of battle so that our enemy will know that he cannot prevail. We practice prudent firmness, not blind escalation.

We have 200,000 fighting men in Vietnam. They have and will continue to have all the tools they need to defeat the aggressor. The authorization for supplemental defense appropriations that we now consider gives our men the muscle to do the job. I know that the Members of this House will face their responsibility and authorize these funds.

We are not alone in freedom's fight in Vietnam. Many of our allies contribute to the cause, each according to his strength and each in his own way.

I believe our President when he says that never by any act of ours will we risk a wider war with China. We neither threaten anyone nor do we seek the end of any regime. We defend only against aggression and we practice restraint in action. We are immune from vituperation in the justice of our cause.

We strive for more than military victory. We seek an enduring victory that can only be won in the hearts and minds of men and that can only be sustained in the firm faith that we seek nothing more than freedom for our Vietnamese friends to share in the good life with their children.

We stand ready to help the people of North Vietnam also in their fight against want and misery. For the victims of want are the soil in which conflict and war grow. Unless we do this, we will be called again and again to meet the challenges to peace inherent in suffering. The Communists must learn that the rewards of peace are more to be preferred than the destruction of war.

We must not be misled by the misguided few who preach love, peace, and liberty while they would deny these benefits to the very people of South Vietnam whose fate they lament by consigning them to a ruthless enemy who believes in none of these things.

In the shorthand of the current lexicon, those who fight freedom's fight are called hawks, while those who would abandon the field to the enemy carry the label dove. Now, Webster tells us that a dove is a pigeon—a bird with a stout body and short legs, an easy mark, a dupe. The same Mr. Webster tells us that a hawk is a bird of prey and that prey is spoil or booty. To call "hawks" those who seek no conquest, engage in no aggression, desire no reward, but fight only to defeat the predator who preys on freedom for booty, reverses the order of things and denies the truth. Such misnomer victimizes the unwary and misleads the unsuspecting.

I believe in democracy for Vietnam. I do not agree with those who say that the Vietnamese and, for that matter, all of the people of southeast Asia do not understand democracy and that it is therefore futile to believe that democracy can live in that part of the world. This kind of criticism dangerously feeds on the reactionary belief in racial superiority and isolation and is often mouthed by the very people who pose as the champions of human rights. I believe that the people of South Vietnam should be free to choose their own government by free elections. Whatever the result, we will honor it.

While we resist the aggressors with all our power and stop his depredations upon the people and villages of Vietnam, we must at the same time never relax our search for peace. When the aggressor learns that the road to aggression leads but to the grave, he may seek the road to the conference table. He knows that we await him there and are ready to sit down with him in the spirit of peace to seek solutions. He will learn that the rewards of the conference table are much to be desired.

Certain efforts are not measurable in time. They endure forever. The search for freedom is one of these. We who enjoy its benefits must bear its burdens for if we do not, we will not long enjoy its benefits. We must continue to bear the burden of Vietnam as long as it may be necessary to secure freedom there. If we remain steadfast, it will surely come.

We fight in Vietnam not only to fulfill our commitments to our allies and to the free world but, more important, to ourselves. The commitment is inherent in our heritage. We are the children of freedom and hopefully will be its progenitors. That is the duty and burden of all freemen. Each generation faces the challenge of the threat to its freedom and each must rededicate itself to its cause. History will never say that we allowed it to be destroyed in our lives. We will stop terrorism, subversion, and aggression whenever and wherever it rises to threaten freedom. The threat looms in southeast Asia. We have already faced and met it in Korea and elsewhere. Now we meet it again in Vietnam. We will face this challenge bravely as freemen always have in time of crisis. Let those who would destroy freedom know that freemen die in its defense not that they love life less, but they love freedom more.

I have faith in our man in the White House who daily faces the hard decisions of war. I know that he neither decides lightly nor is unaware of the consequences. But he lives with it in the knowledge that he can do nothing less without betraying freedom's cause. When in the course of time the history of our period is weighed on the scales of justice, we shall not be found wanting because of the indomitable spirit and dedication to the cause of freedom of Lyndon B. Johnson.

Mrs. GREEN of Oregon. Mr. Chairman, as I have listened to the debate today I have wondered if an almost unanimous chorus of praise is an assurance of survival.

There has never been a vote in my 12 years in the House which has caused me as much concern as the vote on this legislation today. A quotation of unknown origin comes to my mind:

> When the fires of patriotism, revolution, and war rage fiercely, popular attention is on the blast and the heat instead of what is right and what is wrong.

With all my heart I wish today I knew what was absolutely right and what was absolutely wrong. The bill before us has been offered as an authorization for supplies necessary to the proper defense and the well-being of American servicemen who are now in Vietnam. The rightness of sending 200,000 there coupled with the possibility of sending 400,000 or 600,000, I question, but I am unwilling to make their lives the hazard in my expression of opposition or uncertainty. Therefore, I am accepting the word of the administration spokesmen that this legislation authorizes purchase of supplies urgently needed for the safety of troops in Vietnam; and reluctantly and sadly, I will vote for it on that basis and that basis only.

Unfortunately, it has become necessary in recent months to define the limit of one's vote. My vote today does not in any way express wholehearted approval of past Vietnam policies nor blanket endorsement for any future policy. I in no way considered this a reaffirmation of the 1964 vote at the time of the incident of the Bay of Tonkin. If I regarded this legislation in any way as a vote to escalate the war, my vote would be "No," for I am most sorrowfully convinced that such escalation is based on premises which are at a minimum questionable and which history may well record as disastrous.

Mr. Chairman, I am not convinced of the infallibility of any who argue on either side. But I do believe that "the only way fallible men can find the truth is by keeping the process of inquiry continually open." I am also sure that President Johnson wants as sincerely as John F. Kennedy to "above all to be known as a President of whom history might say, 'He not only laid the foundations for peace in his time, but for generations to come as well.'" I take no consolation in the cliches and slogans heard today because as Conant has said:

> Slogans are both exciting and comforting, but they are also opiates for the conscience.

But rather, I take hope in what President Kennedy said:

> Let us, if we can, get back from the shadows of war and seek out the way of peace.

Mr. RIVERS of South Carolina. Mr. Chairman, I have no further requests for time.

The **CHAIRMAN**. There being no further request for time, the Clerk will read.

The Clerk read as follows:

H.R. 12889

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—PROCUREMENT

Sec. 101. In addition to the funds authorized to be appropriated under Public Law 89–37 there is hereby authorized to be appropriated during the fiscal year 1966 for the use of the Armed Forces of the United States for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles in amounts as follows:

Aircraft

For aircraft: for the Army, $825,600,000; for the Navy and the Marine Corps, $738,300,000; for the Air Force, $1,585,700,000.

Missiles

For missiles: for the Army, $64,000,000; for the Navy, $26,200,000; for the Marine Corps, $27,500,000; for the Air Force, $63,700,000.

Tracked combat vehicles

For tracked combat vehicles: for the Army, $75,800,000; for the Marine Corps, $10,900,000.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Sec. 201. In addition to the funds authorized to be appropriated under Public Law 89–37 there is hereby authorized to be appropriated during fiscal year 1966 for the use of the Armed Forces of the United States for research, development, test, and evaluation, as authorized by law, in amounts as follows:

For the Army, $27,995,000;

For the Navy (including the Marine Corps), $52,570,000;

For the Air Force, $71,085,000.

TITLE III—MILITARY CONSTRUCTION

Sec. 301. The Secretary of each military department may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, which are necessary in connection with military activities in southeast Asia, or in support of such activities, in the total amounts as follows:

Department of the Army, $509,700,000;

Department of the Navy, $304,300,000; and

Department of the Air Force, $274,100,000.

Sec. 302. The Secretary of Defense may establish or develop installations and facilities which he determines to be vital to the security of the United States, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of $200,000,000.

Sec. 303. The Secretary of each military department may proceed to establish or develop installations and facilities under this Act without regard to section 3648 of the Revised Statutes, as amended (31 U.S.C. 529), and sections 4774(d) and 9774(d) of title 10, United States Code. The authority to place permanent or temporary improvements on land includes authority for surveys, administration, overhead, planning, and supervision incident to construction. That authority may be exercised before title to the land is approved under section 355 of the Revised Statutes, as amended (40 U.S.C. 255), and even though the land is held temporarily. The authority to acquire real estate or land includes authority to make surveys and to acquire land, and interests in land (including temporary use), by gift, purchase, exchange of Government-owned land, or otherwise.

Sec. 304. Whenever—

(1) the President determines that compliance with section 2313(b) of title 10, United States Code, for contracts made under this Act for the establishment or development of military installations and facilities in foreign countries would interfere with the carrying out of this Act; and

(2) the Secretary of Defense and the Comptroller General have agreed upon alternative methods of adequately auditing those contracts;

the President may exempt those contracts from the requirements of that section.

Sec. 305. There are authorized to be appropriated such sums as may be necessary for the purposes of this title, but the appropriations for public works authorized by sections 301 and 302 shall not exceed—

(1) for section 301: Department of the Army, $509,700,000; Department of the Navy, $304,300,000; Department of the Air Force, $274,100,000, or a total of $1,088,100,000.

(2) for section 302: a total of $200,000,000.

TITLE IV—GENERAL PROVISIONS

Sec. 401. (a) Funds authorized for appropriation for the use of the Armed Forces of the United States under this or any other Act are authorized to be made available for their stated purposes in connection with support of Vietnamese and other free world forces in Vietnam, and related costs, during the fiscal years 1966 and 1967, on such terms and conditions as the Secretary of Defense may determine.

(b) The Secretary of Defense shall furnish to the Armed Services Committees of the Senate and House of Representatives a description of each project, together with full and complete justification therefor, including a cost analysis thereof, prior to the execution of any contract for the establishment or development of a military installation or facility, whenever it pertains to the acquisition, construction, conversion, rehabilitation, or installation of permanent or temporary public works, including land acquisition, appurtenances, utilities and equipment, the moneys for which are authorized to be appropriated by this Act.

(c) The Secretary of Defense shall also furnish to the Armed Services Committees of the Senate and House of Representatives complete information regarding the alternative methods of adequately auditing contracts which he and the Comptroller General have agreed upon prior to the execution of any contract which would waive the provisions of section 2313(b) of title 10, United States Code.

Mr. RIVERS of South Carolina (interrupting the reading). Mr. Chairman, I ask unanimous consent that the bill be considered as read and open to amendment at any point.

The **CHAIRMAN**. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

COMMITTEE AMENDMENT OFFERED BY MR. HARDY

Mr. HARDY. Mr. Chairman, I offer the committee amendment now at the desk.

The Clerk read as follows:

Committee amendment offered by Mr. Hardy: On pages 5 and 6, beginning with line 16 on page 5, strike subsection 401(b) in its entirety and substitute in lieu thereof the following language:

"(b) The Secretary of Defense shall furnish to the Committees on Armed Services of the Senate and House of Representatives a description of all construction projects, including cost estimates and periodic reports, made available to the Secretary of Defense simultaneously with the receipt of such information from the persons responsible for the construction of such projects in support of Vietnamese and other free world forces in Vietnam. Whenever such construction projects, involving $1,000,000 or more, are performed by private contractors, the Secretary of Defense or his representative in Vietnam shall report to the Committees on Armed Services of the Senate and House of Representatives the name or names of such private contractors, the amounts involved in each contract, a copy of the report in support of each progress payment, and a complete report prior to final payment."

Mr. HARDY. Mr. Chairman, the amendment which has just been read is a refinement of the language contained in section 401(b) of the bill now before the House.

The Department of Defense contends that section 401(b) as it now appears in the bill is too restrictive and might impose unacceptable delays in military construction projects in Vietnam.

Certainly we don't want to do anything that will impose delays for any needed construction projects in that area.

At the same time, the Committee on Armed Services does want to be kept fully informed on the cost of these projects, because we do not believe that we should give any private contractors, or anyone else, a blank check.

Therefore, the Committee on Armed Services, this morning, unanimously agreed to this substitute language for section 401(b). It will require the Secretary of Defense to give to the Committee on Armed Services of both bodies all of the information that is made available to the Department of Defense with respect to these construction projects. In addition, this new language will require the Secretary of Defense, or his representative in Vietnam, to report to the committees the name or names of private contractors who are awarded $1 million contracts or more, the amounts involved in each contract, a copy of the report in support of each progress payment, and a complete report prior to final payment.

In this way the Congress will be kept informed with regard to the cost of these projects that will be constructed in Vietnam. We have the duty and obligation to this body to keep you informed as to how this money is being spent, and we feel this amendment will accomplish this objective.

Mr. BATES. Mr. Chairman, will the gentleman yield?

Mr. HARDY. I yield to the gentleman from Massachusetts.

Mr. BATES. Mr. Chairman, I want to say that our side of the aisle on our committee concur with the changes. It is the only practical thing that can be done under the circumstances.

Mr. HARDY. I thank the gentleman.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. HARDY. I yield to the gentleman from Iowa.

Mr. GROSS. I thank the gentleman for yielding. Have not you restricted this to construction projects? As the bill now stands, it goes to each project and without limitation.

Mr. HARDY. It is intended to relate to construction projects. I will say to the gentleman that it is only to the construction phase of the bill, not to the hardware phase.

Mr. GROSS. But of course the language in the bill before us does not carry any such limitation. The amendment does, but the bill does not, and I am wondering why you want to limit it?

Mr. HARDY. I think the language in the bill refers specifically to construction projects only. I do not think that the provisions of the amendment could be made applicable to military hardware, which is provided for in the remainder of the bill. Construction is the only phase of the bill to which this could be applied.

Mr. Chairman, I ask for a vote.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

Mr. RIVERS of South Carolina. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from South Carolina is recognized for 5 minutes.

Mr. RIVERS of South Carolina. Mr. Chairman, before we come to a vote on this bill, I want to make it very clear for the RECORD what we are about.

Public Law 88-408, which at the proper time I will ask to be placed in the RECORD, approved by the President on the 10th of August 1964, declares that the United States regards as vital to its national interests and the world peace the maintenance of international peace and security in southeast Asia.

Therefore—and listen to this:

1. The Congress approves and supports the determination of the President, as Commander in Chief, to take all necessary measures:

(a) to repeal any armed attack against the forces of the United States, and

(b) to prevent further aggression.

2. The United States is prepared, as the President determines, to take all necessary steps, including the use of armed force, to assist any member or protocol state of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom. (South Vietnam is a protocol state and did request assistance.)

Also, Mr. Chairman, at this time I want to include in the RECORD the message of the President of the United States which he made at the time when he implemented that resolution, which, Mr. Chairman, is the law of the land. Also I would like to include the resolution itself.

To the Congress of the United States:

Last night I announced to the American people that the North Vietnamese regime had conducted further deliberate attacks against U.S. naval vessels operating in international waters, and that I had therefore directed air action against gunboats and supporting facilities used in these hostile operations. This air action has now been carried out with substantial damage to the boats and facilities. Two U.S. aircraft were lost in the action.

After consultation with the leaders of both parties in the Congress, I further announced a decision to ask the Congress for a resolution expressing the unity and determination of the United States in supporting freedom and in protecting peace in southeast Asia.

These latest actions of the North Vietnamese regime have given a new and grave turn to the already serious situation in southeast Asia. Our commitments in that area are well known to the Congress. They were first made in 1954 by President Eisenhower. They were further defined in the Southeast Asia Collective Defense Treaty approved by the Senate in February 1955.

This treaty with its accompanying protocol obligates the United States and other members to act in accordance with their constitutional processes to meet Communist aggression against any of the parties or protocol states.

Our policy in southeast Asia has been consistent and unchanged since 1954. I summarized it on June 2 in four simple propositions:

1. America keeps her word. Here as elsewhere, we must and shall honor our commitments.

2. The issue is the future of southeast Asia as a whole. A threat to any nation in that region is a threat to all, and a threat to us.

3. Our purpose is peace. We have no military, political, or territorial ambitions in the area.

4. This is not just a jungle war, but a struggle for freedom on every front of human activity. Our military and economic assistance to South Vietnam and Laos in particular has the purpose of helping these countries to repel aggression and strengthen their independence.

The threat to the free nations of southeast Asia has long been clear. The North Vietnamese regime has constantly sought to take over South Vietnam and Laos. This Communist regime has violated the Geneva accords for Vietnam. It has systematically conducted a campaign of subversion, which includes the direction, training, and supply of personnel and arms for the conduct of guerrilla warfare in South Vietnamese territory. In Laos, the North Vietnamese regime has maintained military forces, used Laotian territory for infiltration into South Vietnam, and most recently carried out combat operations—all in direct violation of the Geneva agreements of 1962.

In recent months, the actions of the North Vietnamese regime have become steadily more threatening. In May, following new acts of Communist aggression in Laos, the United States undertook reconnaissance flights over Laotian territory, at the request of the Government of Laos. These flights had the essential mission of determining the situation in territory where Communist forces were preventing inspection by the International Control Commission. When the Communists attacked these aircraft, I responded by furnishing escort fighters with instructions to fire when fired upon. Thus, these latest North Vietnamese attacks on our naval vessels are not the first direct attack on armed forces of the United States.

As President of the United States I have concluded that I should now ask the Congress, on its part, to join in affirming the national determination that all such attacks will be met, and that the United States will continue in its basic policy of assisting the free nations of the area to defend their freedom.

As I have repeatedly made clear, the United States intends no rashness, and seeks no wider war. We must make it clear to all that the United States is united in its determination to bring about the end of Communist subversion and aggression in the area. We seek the full and effective restoration of the international agreements signed in Geneva in 1954, with respect to South Vietnam, and again in Geneva in 1962, with respect to Laos.

I recommend a resolution expressing the support of the Congress for all necessary action to protect our Armed Forces and to assist nations covered by the SEATO Treaty. At the same time, I assure the Congress that we shall continue readily to explore any avenues of political solution that will effectively guarantee the removal of Communist subversion and the preservation of the independence of the nations of the area.

The resolution could well be based upon similar resolutions enacted by the Congress in the past—to meet the threat to Formosa in 1955, to meet the threat to the Middle East in 1957, and to meet the threat in Cuba in 1962. It could state in the simplest terms the resolve and support of the Congress for action to deal appropriately with attacks against our Armed Forces and to defend freedom and preserve peace in southeast Asia in accordance with the obligations of the United States under the southeast Asia Treaty. I urge the Congress to enact such a resolution promptly and thus to give convincing evidence to the aggressive Communist nations, and to the world as a whole, that our policy in southeast Asia will be carried forward—and that the peace and security of the area will be preserved.

The events of this week would in any event have made the passage of a congressional resolution essential. But there is an additional reason for doing so at a time when we are entering on 3 months of political campaigning. Hostile nations must understand that in such a period the United States will continue to protect its national interests, and that in these matters here is no division among us.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *August 5, 1964*.

H.J. RES. 1145

Joint resolution to promote the maintenance of international peace and security in southeast Asia

Whereas naval units of the Communist regime in Vietnam, in violation of the principles of the Charter of the United Nations and of international law, have deliberately and repeatedly attacked United States naval vessels lawfully present in international waters, and have thereby created a serious threat to international peace; and

Whereas these attacks are part of a deliberate and systematic campaign of aggression that the Communist regime in North Vietnam has been waging against its neighbors and the nations joined with them in the collective defense of their freedom; and

Whereas the United States is assisting the peoples of southeast Asia to protect their freedom and has no territorial, military, or political ambitions in that area, but desires only that these peoples should be left in peace to work out their own destinies in their own way: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress approves and supports the determination of the President, as Commander in Chief, to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression.

> SEC. 2. The United States regards as vital to its national interest and to world peace the maintenance of international peace and security in southeast Asia. Consonant with the Constitution of the United States and the Charter of the United Nations and in accordance with its obligations under the Southeast Asia Collective Defense Treaty, the United States is, therefore, prepared, as the President determines, to take all necessary steps, including the use of armed force, to assist any member or protocol state of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom.
>
> SEC. 3. This resolution shall expire when the President shall determine that the peace and security of the area is reasonably assured by international conditions created by action of the United Nations or otherwise, except that it may be terminated earlier by concurrent resolution of the Congress.
>
> [Approved August 10, 1964. Public Law 88-408.]

Mr. YATES. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I shall vote for this bill. I shall vote for it because I believe it is needed. Our Armed Forces are fighting in Vietnam. The arms, the materiel, the weapons, the supplies, the logistic support which are provided for in this bill are needed as quickly as possible to sustain our fighting men. That is reality, and one cannot speculate or equivocate or rationalize about it.

Few issues have provoked the disagreement, the confusion and the controversy as has our intervention in Vietnam. Few issues have been so emotionally charged or so hotly contested. No useful purpose, however, can be served at this time by discussing the legal status or the original basis for our intervention or whether this bill is an affirmation of the August 1964 resolution approved by Congress. Members will differ on all of these. What we must realize now is that we are engaged in a bitter armed struggle from which we cannot arbitrarily and totally withdraw. What is important now is that our troops be given the weapons to carry on the fight, and we shall do that in this bill.

Of paramount importance, too, is that we continue to search for a way to take the battle from the rice paddies to the conference table where a ceasefire can be established and hopefully, a peaceful settlement can be negotiated. I believe President Johnson is sincere in his efforts to find a basis for establishing peace, even though so far success has eluded him. His recent speech at Freedom House in New York City when he attempted to define our purposes and goals in Vietnam affirmed once again that our purposes are limited—to prevent the forceful conquest of South Vietnam by North Vietnam. He said, too, that the administration is not neglecting any hopeful chance for peace, that free and unfettered negotiations are sought, and that he is not discouraged by the results so far. He said that efforts to gain peace will continue.

I was particularly pleased by the President's statement in the speech in which he affirmed that we are not caught in a "blind escalation of force toward a wider war that no one wants," that there will not be a "mindless escalation of the war." Although we recognize that men may differ in their interpretation of the adjectives "blind" and "mindless" to describe wrongful escalation, we may nevertheless take heart in the President's firm posture of restraint. In disavowing escalation of the conflict in Vietnam, I believe he voices the overwhelming sentiment of the American people, who want no unwarranted buildup of American troops in Vietnam. Certainly, Mr. Chairman, this, too, is my position. Inevitably, escalation begets counterescalation, leading to an unending and frustrating spiral of death and destruction.

It is to be hoped, too, Mr. Chairman, that his announced policy in resisting escalation will apply, as well, to the question of escalating the bombing of North Vietnam. History shows that all-out air attacks do not greatly diminish the enemy's will to resist. Rather, such will to resist may be strengthened. Bombing civilians in Hanoi and Haiphong, or civilian targets such as dams that provide drinking water and irrigation, or powerplants that serve only civilian purposes gain us only the peoples' hatred. These are not important military targets and their destruction afford no significant military advantage.

Significant support against escalation of the scale of the conflict was given by General Gavin and Ambassador Kennan before the Senate Committee on Foreign Relations only a few days ago. These men are acknowledged experts of wide experience. They pointed out that we have vital interests throughout the world, and apart from the unfortunate toll in lives and resources which escalation might bring, it might well jeopardize important commitments the United States has in other quarters. I was very much impressed by their testimony and I believe it deserves the serious consideration of the executive branch and by all of us in the Congress.

In his Freedom House speech, the President also said:

> Men ask who has a right to rule in Vietnam. Our answer there is what it has been here for 200 years. The people must have this right—the South Vietnamese people and no one else. Washington will not impose upon the people of South Vietnam a government not of their choice. Hanoi shall not impose upon the people of South Vietnam a government not of their choice. * * * We stand for self-determination—for free elections—and we will honor the result.

I commend the President for his statement reaffirming our longstanding principle of self-determination. I hope, however, that the President initiates steps which need to be taken to make it meaningful. The National Liberation Front cannot now participate in the elections in South Vietnam. Its members cannot vote. It can offer no candidates. Premier Ky will not let them. He describes its members as gangsters, murderers and assassins, and refuses to discuss any possible role for them in the life of South Vietnam.

The Vietcong claim to have the people's support. Why not test their claim? It appears to me that a possible basis for negotiating with the NLF is to give them the opportunity to prove their popularity in free elections. New position and rights can be protected in an election held under the auspices of a neutral, impartial body such as the United Nations. Let them take their battle from the battlefield to the ballot box and win if they can. But until it is shown that the National Liberation Front does in fact represent a majority of the people, there is no justification for accepting Hanoi's proposal that the NLF be recognized as the sole negotiating representative of the Government of South Vietnam. Certainly, up to the present time this contention has not been demonstrated to have any foundation in fact, and our administration is right in rejecting this demand.

The proposal has been suggested in some quarters that in order to induce Hanoi and the NLF to come to the negotiating table a place in a coalition government of South Vietnam should be given to the NLF. I do not favor such a proposal. Let them gain office by winning it fairly in an election. The NLF should be given the opportunity to win the people's approval, if they can do so, through a free election, controlled and supervised by an impartial authority. I believe the present Government of South Vietnam should offer them that opportunity as a possible means of settling the conflict. Details of a cease fire and the ground rules to assure a free and fair election could be worked out.

Mr. Chairman, as long as Premier Ky adheres to his present refusal to have anything to do with the NLF, as long as he treats them only as outlaws, refuses to permit them to appear in settlement negotiations, the war will go on. Perhaps hope is offered, Mr. Chairman, in a newspaper report that Premier Ky proposes to hold elections early next year. Why not offer to let the NLF take part? It offers an alternative to armed conflict—and they may accept.

The cause of peace will not be served unless there is a disposition on the part of both sides to make a reasonable settlement. Offering the opportunity to the NLF to participate in national elections—in fact, challenging them to do so, is a reasonable gesture of conciliation. It is a gesture that will give meaning to President Johnson's proposal that we will honor the results of a free election in South Vietnam.

Mr. Chairman, the cause of peace requires constant and unremitting effort. Hanoi has been harsh, stubborn and severely uncooperative in its reactions to all peace gestures from all sources. It has not given one inch. It speaks about settlement on the basis of the Geneva agreement. So do we. However, it insists upon the unacceptable proposition that the NLF be recognized as the sole representative of South Vietnam. Nevertheless, Mr. Chairman, we must continue to move in every channel available in our effort to find some avenue that may bring the belligerents together for agreement.

I continue to hope and to believe that the United Nations will provide the means through which the settlement will be made. Under its auspices, a way will be found for a settlement that will be based upon the free expression of the will of the people of South Vietnam. It appears now that the Security Council has reached an impasse. My experience at the U.N., Mr. Chairman, has taught me that even the knottiest problems have their solutions. Impasses have been broken. Let us hope this one will be broken, too—and soon.

Mr. GROSS. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I hope I shall not take the 5 minutes, but I would like to ask a question or two of the distinguished gentleman from South Carolina. I note the bill provides $75.8 million for tracked combat vehicles, which leads me to ask a question as to whether any vehicle has been devised for warfare in Vietnam capable of moving through swamps and rice paddies. I note private industry has developed vehicles with huge rubber tires capable of this. Certainly such vehicles ought to be able to carry light armor and still traverse swamps. Is there any such thing available or even in the works?

Mr. RIVERS of South Carolina. Mr. Chairman, is the gentleman asking me about a swamp vehicle or a tracked vehicle?

Mr. GROSS. No. I am talking about a swamp vehicle. Obviously a tracked vehicle will not traverse the rice paddies and swamplands.

Mr. RIVERS of South Carolina. We have everything you can imagine to traverse the rice paddies that are in being now.

Mr. GROSS. Except for this.

Mr. RIVERS of South Carolina. In the research and development stage now is a vehicle that we hope will be in operation soon and will do exactly what the gentleman is talking about.

Mr. GROSS. So there is such a vehicle?

Mr. RIVERS of South Carolina. There is one that we hope will be in production very soon.

Mr. GROSS. And on the way?

Mr. RIVERS of South Carolina. On the way. In addition, I would say that they have adequate funds with which to produce such vehicle. I understand the price is $2 million.

Mr. GROSS. I noted in the papers the other day that from some fund in the Defense Department money was found to recondition and refurbish a couple of yachts. Is there any money in this bill for that purpose and, if so, where is it?

Mr. RIVERS of South Carolina. It is not in this bill. You know it is not in this bill.

Mr. GROSS. I would not know whether it is in this bill or not.

Mr. RIVERS of South Carolina. You are just kidding me and I am not going to let you kid me. You know it is not.

Mr. GROSS. No. I am serious about it. I want to know if there is any money in this bill for such purpose?

Mr. RIVERS of South Carolina. I am serious, too.

Mr. GROSS. Is there any money in this bill for the refurbishing of any yachts at this time?

Mr. RIVERS of South Carolina. There is not. I thank the gentleman for asking the question; but the answer is there is not.

Mr. GROSS. I appreciate the answer of the gentleman.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. Carey, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 12889) to authorize appropriations during the fiscal year 1966 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, research, development, test, evaluation, and military construction for the Armed Forces, and for other purposes, pursuant to House Resolution 743, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes had it.

Mr. RIVERS of South Carolina. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 393, nays 4, answered "present" 1, not voting 35, as follows:

[Roll No. 26]

YEAS—393

Abernethy
Adair
Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, George W.
Andrews, Glenn
Andrews, N. Dak.
Arends
Ashbrook
Ashley
Ashmore
Aspinall
Bandstra
Baring
Barrett
Bates
Battin
Beckworth
Belcher
Bell
Bennett
Betts
Bingham
Blatnik
Boggs
Boland
Bolling
Bolton
Bow
Brademas
Bray
Brock
Brooks
Broomfield
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke
Burleson
Burton, Utah
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Callan
Callaway
Cameron
Carey
Carter
Casey
Cederberg
Celler
Chamberlain
Chelf
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Clevenger
Cohelan
Collier
Conable
Conte
Cooley
Corbett
Corman
Craley
Cramer
Culver
Cunningham
Curtin
Curtis
Daddario
Daniels
Davis, Ga.
Davis, Wis.
de la Garza
Delaney
Dent
Denton
Derwinski
Devine
Dickinson
Diggs
Dingell
Dole
Donohue
Dorn
Dow
Downing
Dulski
Duncan, Oreg.
Duncan, Tenn.
Dwyer
Edmondson
Edwards, Ala.
Ellsworth
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Farbstein
Farnsley
Farnum
Fascell
Findley
Fino
Flood
Flynt
Fogarty
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Gallagher
Garmatz
Gathings
Gettys
Gibbons
Gilbert
Gilligan
Gonzalez
Goodell
Grabowski
Gray
Green, Oreg.
Green, Pa.
Greigg
Grider
Griffiths
Gross
Grover
Gurney
Hagan, Ga.
Hagen, Calif.
Haley
Hall
Halleck
Halpern
Hamilton
Hanley
Hanna
Hansen, Idaho
Hansen, Iowa
Hansen, Wash.
Hardy
Harsha
Harvey, Ind.
Harvey, Mich.
Hathaway
Hawkins
Hébert
Hechler
Helstoski
Henderson
Herlong
Hicks
Holifield
Holland
Horton
Hosmer
Howard
Hull
Hungate
Huot
Hutchinson
Ichord
Irwin
Jacobs
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Okla.
Johnson, Pa.
Jonas
Jones, N.C.
Karsten
Karth
Kastenmeier
Kee
Keith
Kelly
Keogh
King, Calif.
King, N.Y.
King, Utah
Kirwan
Kluczynski
Kornegay
Krebs
Kunkel
Kupferman
Laird
Landrum
Langen
Latta
Leggett
Lennon
Lipscomb
Long, La.
Long, Md.
Love
McCarthy
McClory
McCulloch
McDade
McDowell
McEwen
McFall
McGrath
McVicker
Macdonald
MacGregor
Machen
Mackay
Mackie
Madden
Mahon
Mailliard
Marsh
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Mathias
Matsunaga
May
Meeds
Michel
Mills
Minish
Mink
Minshall
Mize
Moeller
Monagan
Moore
Moorhead
Morgan
Morris
Morrison
Morse
Mosher
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nedzi
Nelsen
Nix
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Passman
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Pool
Price
Pucinski
Quie
Quillen
Race
Randall
Redlin
Rees
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Resnick
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rivers, S.C.
Rivers, Alaska
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Ronan
Roncalio
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Roudebush
Roush
Roybal
Rumsfeld
Satterfield
St Germain
St. Onge
Saylor
Scheuer
Schisler
Schmidhauser
Schneebeli
Schweiker
Secrest
Selden
Senner
Shipley
Shriver
Sickles
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Va.
Springer
Stafford
Staggers
Stalbaum
Stanton
Steed
Stephens
Stratton
Stubblefield
Sullivan
Sweeney
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Tenzer
Thompson, N.J.
Thompson, Tex.
Thomson, Wis.
Todd
Trimble
Tuck
Tunney
Tupper
Tuten
Udall
Utt
Van Deerlin
Vanik
Vigorito
Vivian
Waggonner
Walker, Miss.
Walker, N. Mex.
Watkins
Watson
Watts
Weltner
Whalley
White, Idaho
White, Tex.
Whitener
Whitten
Widnall
Williams
Wilson, Bob
Wolff
Wright
Wyatt
Wydler
Yates
Young
Younger
Zablocki

NAYS—4

Brown, Calif.
Burton, Calif.
Conyers
Ryan

ANSWERED "PRESENT"—1

Powell

NOT VOTING—35

Abbitt
Annunzio
Ayres
Baldwin
Berry
Colmer
Dague
Dawson
Dowdy
Dyal
Edwards, Calif.
Edwards, La.
Feighan
Fisher
Fuqua
Giaimo
Griffin
Gubser
Hays
Jones, Ala.
Jones, Mo.
McMillan
Matthews
Miller
Morton
O'Brien
Olson, Minn.

Purcell
Rostenkowski
Scott
Toll
Ullman
Willis
Wilson,
Charles H.

So the bill was passed.

The Clerk announced the following pairs:

Mr. Toll with Mr. Baldwin.
Mr. Miller with Mr. Gubser.
Mr. Fisher with Mr. Berry.
Mr. Matthews with Mr. Ayres.
Mr. Dyal with Mr. Griffin.
Mr. Feighan with Mr. Morton.
Mr. Colmer with Mr. Olson of Minnesota.
Mr. Scott with Mr. Giaimo.
Mr. Jones of Alabama with Mr. Edwards of Louisiana.
Mr. Charles H. Wilson with Mr. Abbitt.
Mr. Annunzio with Mr. Dowdy.
Mr. Ullman with Mr. McMillan.
Mr. Hays with Mr. Willis.
Mr. Rostenkowski with Mr. Edwards of California.
Mr. Purcell with Mr. O'Brien.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. RIVERS of South Carolina. Mr. Speaker, I ask unanimous consent that all Members may have 4 days in which to extend their remarks in the RECORD and include extraneous matter on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

A PROGRAM FOR TOTAL MOBILIZATION

Mr. SCHEUER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SCHEUER. Mr. Speaker, I am today introducing a bill for total mobilization of our national human resources inventory by restructuring the Economic Opportunity Act of 1964 so as to provide training and employment opportunity for long-term unemployed, low-income persons in subprofessional careers.

This bill is the result of many months of work by the full employment steering committee of the Democratic study group. This committee, of which I am chairman, became concerned early last year over the need to insure that our economy is able to offer a job to every employable person. We need more jobs and we should continue the thrust of the Employment Act of 1946, which became law 20 years and 1 week ago.

Today, the majority of Democratic study group members supported and validated the President's conduct of the war in Vietnam. That campaign against aggressive Communist imperialism must be carried on, mobilizing the full force of our economic capability in manpower as well as materials.

We want the Nation to know that at the same time we affirm our continuing commitment to programs to mobilize to the full our human resources—to help our own poor become productive and self-supporting by affording them opportunity to perform socially useful work. We do not support the President's request for added military procurement authorization with the idea that the poor or any other disadvantaged group in our Great Society will pay that bill.

If we believe in the concept of justice in the rice paddies of the Far East, we also must believe in it at home; if we seek development of human resources in the Far East, we must seek the same at home.

Mr. Speaker, we must devote our concern and compassion to bringing our own long-term unemployed into the mainstream of this Great Society. We must enact the necessary programs and then we must fund them.

We cannot allow conditions of unemployment, especially of our disadvantaged Negro citizens, to remain at the present tragically high level. Today, Negro unemployment is 7 percent. The white rate is 3.5 percent. Negro teenage unemployment is 27 percent, about double the national unemployment rate of the depression of the 1930's.

Mr. Speaker, we have gone far enough with the attitude of "let private enterprise do it" and "leave it to the States." There has not been enough accomplishment.

The bill I introduce today would add a new part D to title I of the Economic Opportunity Act of 1964, entitled "Subprofessional Careers." The jobs to be created would be in the fields of health, education and welfare, as well as urban and rural beautification projects. The subprofessional jobs would require personal supervision of professionals, who could be freed from less challenging duties.

The jobs created would be permanent and would provide opportunity for upward mobility on a career basis within the employing Government agency or nonprofit private organization. Eligible would be unemployed low-income individuals.

Mr. Speaker, I hope we can schedule hearings and early action on this bill. Each day of unutilized human potential is a missed opportunity to strengthen our society. We must demonstrate the falsity of the old canard that the unemployed actually do not want to work, that they somehow enjoy their careers on the welfare rolls. Let us offer them real options.

SUMMARY OF THE CAREER OPPORTUNITY ACT

The Career Opportunity Act aims at creating careers for unemployed, low-income individuals in the fields of health, education, and welfare. As a first step, in fiscal year 1967, an estimated 200,000 jobs would be developed and filled at the subprofessional level in aid capacities in the schools, hospitals, nursing homes, libraries, playgrounds, and correctional institutions, indeed anywhere that a public demand for human care and service exists.

Up to 10 percent of the aids employed under this program in any State could be put to work on activities which would improve or beautify the community.

The persons eligible to embark upon these careers would include any low-income individual age 16 and over, although youths between 16 and 20 could not drop out of school in order to enter this program. The Neighborhood Youth Corps currently offers some 128,000 out-of-school youths temporary work conditioning for a maximum duration of 6 months. This act would give those youths and hundreds of thousands of adults permanent jobs with career potential.

No individual would be excluded from the benefits of this act merely because he has acquired a criminal record, unless he was convicted of a crime whose circumstances were substantially related to the type of work available under this act.

Inservice skill training would effectively guarantee the individuals employed by virtue of this act the opportunity either to advance within the employing organization under the auspices of this program or secure employment that is not federally financed. Their level of education would be raised by organized instruction furnished in a work setting that would be conducive to learning. Health services would maintain their fitness to perform their assignments.

The result is a comprehensive package designed to reach the basic needs not only of unemployed, low-income individuals who require jobs, training, and education plus career hopes for the future but also of society in general, whether low or high income, which demands a vast array of human services in the public interest that cannot otherwise be supplied.

A BILL TO DIRECT THE SECRETARY OF THE TREASURY TO SELL SILVER DOLLARS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include a bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, I have today introduced a bill which would direct the Secretary of the Treasury to sell the silver dollars now held in the Treasury to the American Cancer Society and the American Heart Association, Inc. The Treasury Department now has on hand almost 3 million silver dollars. Almost all of these dollars, more than 2,800,000, were minted at the Carson City Mint in the late 1800's. These are now collectors' items having a numismatic value several times that of their monetary worth.

These Carson City dollars came to light in March 1964 when the Treasury opened some vaults which had been under seal since 1935. At that time, hundreds of people were standing in line at the Treasury buying silver dollars and thousands of others throughout the country had sent in orders for silver dollars. Since it was plain that all of the demand for silver dollars at this time could not be filled, the Secretary of the

Treasury stopped their sale. These silver dollars now remain in the Treasury.

The bill which I have proposed would enable the Secretary of the Treasury to sell these dollars in equal amounts to the American Cancer Society and the American Heart Association, Inc. The Treasury, of course, would sell these dollars at their face value of $1 each. The Cancer Society and the Heart Association would then be able to sell them at their numismatic value of several times their face value, thereby raising several million dollars for their worthy endeavors. It seems to me that this would be a desirable way of enabling collectors to add these very desirable coins to their collections with the profits not going to speculators but being used in the continuing fight against cancer and heart disease, two of our major health problems.

At the same time, this will give the Secretary of the Treasury an orderly means of disposing of the silver dollars which now lie idle.

I want to give particular credit to Mrs. Charles W. (Mary Love) Bailey, of Austin, Tex., who has worked on and developed information concerning this proposal. She is to be commended for bringing this matter to the attention of the Congress.

Mrs. Bailey is the director at large of the Texas Division of the American Cancer Society and a member of the crusade committee of the National Board of the American Cancer Society. She is also associated with the American Heart Association. Mrs. Bailey, herself a former cancer patient, is the wife of Dr. Charles W. Bailey, a practicing physician and surgeon at Austin. Her son, Charles W. Bailey, Jr., is a junior medical student at the University of Texas Medical Branch at Galveston.

H.R. 13150

A bill authorizing the sale of standard silver dollars held by the Treasury

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, the Secretary of the Treasury is hereby authorized and directed to sell at face value to the American Cancer Society and the American Heart Association, Inc. the standard silver dollars held in the Treasury in such quantities at any one sale as the purchaser or its assignee is prepared to move from Treasury storage. Not more than one-half the total of the standard silver dollars now held by the Treasury, shall be sold to either purchaser. The entire cost of moving, shipment, protection, and insurance of the silver dollars sold shall be borne by the purchaser or its assignee. Movement of the silver dollars sold from the Treasury shall be subject to the direction of the Secretary of the Treasury.

SPEECH BY HON. THOMAS G. MORRIS EULOGIZING MRS. THOMAS MONTOYA

Mr. WALKER of New Mexico. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. WALKER of New Mexico. Mr. Speaker, today I would like to call attention to a speech given by my able colleague, Congressman Thomas G. Morris, of New Mexico, in which he eulogized an outstanding lady of our State who died on May 19, 1965. It is with great pleasure that I would like to read this resolution and add my own compliance with the words and thoughts expressed in this resolution:

Whereas on May 19, 1965, our beloved Mrs. Thomas Montoya, the former Frances De La O passed away and;

Whereas it is the will of the Democratic Convention duly assembled that the following resolution be enrolled on the records of this convention and a suitable copy duly attested by the chairman of this convention and the secretary be conveyed to the family of Mrs. Montoya: Know all men, born Frances De La O in the quiet ancestral village of Pena Blanca, she graduated from the high school convent of the Franciscan Sisters at Pena Blanca and devoted her activities to the traditional cultural aspects of the village.

As a young lady she joined in the bonds of holy matrimony with the late Honorable Thomas Montoya and to the everlasting happiness of Thomas Montoya and his wife, four sons and four daughters were born, six of whom were destined for noteworthy careers under the love and guidance and affection of their beloved mother. Two daughters of Mr. and Mrs. Montoya passed on at an early age.

Thomas Montoya, the eldest child, was to gain statewide popularity for his ability in serving in an executive capacity under four Democratic Governors, the while maintaining his status as a successful rancher and agriculturist in Sandoval County. Thomas O. Montoya also served with distinction and ability as a State senator from Sandoval County.

Two of the other sons, the Honorable Al Montoya and Theodore Montoya, having completed their college education, due in large part to the sacrifice of their beloved mother, chose to elect the law as their vocation and were graduated from Georgetown University. Today both Al and Ted Montoya are highly respected members of the New Mexico bar and Al Montoya has served with distinction in both houses of the New Mexico Legislature, and is presently serving as a senator from Sandoval County following the footsteps of his illustrious brother, Tom O. Montoya.

Mrs. Montoya in her declining years experienced the joy and happiness few mothers live to experience, having witnessed her son, Joseph M. Montoya, serve with honor and distinction in the New Mexico House of Representatives and also the New Mexico State Senate. She, too, saw him serve as Lieutenant Governor of New Mexico. She was proud to know her son served in those offices with honor. Joyfully, shortly before her passing, she learned with her usual humility the news that same loyal and affectionate son had been chosen as a Senator to the U.S. Congress from New Mexico. That was her crowning achievement.

To those of us here it would be unanimously agreed that no other young woman in New Mexico has been the recipient of more deserved honors and platitudes than that shining star of the Democratic Party Lorella Montoya Salazar, whose long service to the cause of Democratic principles has merited the undying gratitude of us all. She served as the loyal arm and bower to the Honorable Clinton P. Anderson, senior Senator from New Mexico, whose standing internationally in all fields of endeavor and in all walks of life is acknowledged as peerless.

The charming Virginia Montoya was an assistant secretary of state where she served with distinction. She married into the pioneer Chavez family and today, as Mrs. Antonio Chavez, she is administrative secretary to the Honorable Boston Witt, attorney general for the State of New Mexico.

The Montoya children were dedicated to following the ideals of their mother and their feelings are perhaps best expressed in that beautiful poem by the poet laureate of America who said:

"My mother first friend of joy;
Last at the cross,
Joy of our gain, comfort for loss
The perfect gift to earth-born given,
Love of the heart, of home, of heaven.
Mother, O wonder word that throbs and
Thrills to heart of man and ever fills
The universe with endless song
Echoing from angelic throng."

The most fitting tribute that we can say for Mrs. Montoya was the one said by Adlai Stevenson when he memorialized Mrs. Franklin D. Roosevelt: "She would rather light a candle than curse the darkness."

As it must to all human beings, sorrow, sadness, misery, and pain, it came to Mrs. Montoya, but she was truly a great person. She was a lovely, gentle woman, a person of cultural taste and high standards and above all she was a strong character; witness her role as father and mother to her not yet reared lovely family when her husband was called, untimely, to his Heavenly reward.

Under the extending shadows of the soft fall pine trees of Cedarcrest and within sight of Sangre Christo Peak in the year of our Lord, May 19, 1965, all that was mortal of Frances De La O Montoya was laid to rest with the solemn requiescat en pace as a parting blessing from the lips of the parish priest whose church she served so faithfully the whole of her life in the village of Pena Blanca where she was born, and Bernalillong where she left to join her husband and two daughters.

WHAT IS THE EXPLANATION, MR. McNAMARA?

Mr. MARTIN of Alabama. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. MARTIN of Alabama. Mr. Speaker, today I received a letter from the district I have the honor to represent. The letter, asks me the question: "As a father, mother, and wife who have a son and husband missing in North Vietnam, we would like to know if these men are being sacrificed to keep the Great Society going at home? If not, why have they not been given the proper equipment and management of operations over there to complete the job?"

These good people, in their hour of tragedy, sent me a copy of the last letter they received from their boy. I would like to quote a part of that letter written by a bomber pilot and then pose the question to the Secreary of Defense, Mr. McNamara, "What's the explanation?"

The pilot's letter reads in part as follows:

If we adhere to the schedule I saw yesterday, the combat portion of this deployment is half over. That seems a little difficult to believe in view of our scheduled return the Fourth of July. I fully expect to become a very impatient person along about mid-May if we do, indeed, conclude combat operations at that time.

Maybe we'll do something important enough to convince us that it's worth not being home during our period of "special operations," after that, but it sounds like a big waste of time to me. * * * Since my last letter, we have completed another period at Dixie Station. * * * During our period at Dixie we ran squarely up against one of the most frustrating facts of this war. We are short of bombs. And if Mr. McNamara says differently, I'd like to know why we could only carry 4 small bombs per plane when our aircraft should have an absolute minimum of 6 and could carry 12 just as easily.

Every bomb we carried over South Vietnam, by the way, was a World War II design; I know they aren't being made any more, and I suspect that they haven't been made since World War II.

I'm sure you've read in the papers that we have not escalated the war any; we're still trying to bomb roads, trucks, bridges, etc. That one powerplant strike back in December seems to have been one of a kind, and no word that we'll get any more targets like that has filtered down to my level at least.

Mr. Speaker, this boy is now missing in action. He may have died in the service of his country. Is it not probable that his last thoughts were, "Why?" He did not flinch from performing his duty. He carried out orders and he was willing to die in the cause of freedom. But certainly he would wonder, as all our men out there must wonder, why do we hold back and refuse to win this war as quickly as possible, or at least, take such action as will convince the enemy he cannot win and bring him to negotiations?

I think the Secretary of Defense should explain to Congress and to the American people why we send brave men out to die on bombing raids only partially armed? Why are we using World War II bombs, which must be over 20 years old, while we are spending billions for modern and up-to-date equipment for our Armed Forces? Why are we refusing to bomb strategic military targets such as railroads, powerplants, munitions dumps, war factories, military airfields, missile sites, and oil and fuel dumps? In short, Mr. McNamara, what is our goal in Vietnam? Are we going to continue to sacrifice American lives in a land war in the jungles where we cannot hope to match the Communist man for man; or are we going to use the power we have to bring the enemy to reasonable discussion by stopping his source of supplies? What is the explanation, Mr. McNamara?

BRITISH-FLAG SHIPS CONTINUE DOING BUSINESS WITH COMMUNISTS IN NORTH VIETNAM AND SOVIET CUBA

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. DICKINSON. Mr. Speaker, ships sailing under the British flag continue to do business with the Communists in North Vietnam and Soviet Cuba. The administration apparently cannot or will not prevent it. At the same time we honor the British shipping boycott of Rhodesia. Now, the New York Times, which has always been friendly with Great Britain, reports that Uncle Sam is being made "Uncle Sap" again and that American business is being made to suffer.

I quote an article which recently appeared in the New York Times that sets out the situation to which I just referred:

[From the New York (N.Y.) Times, Feb. 23, 1966]

UNITED STATES IS SAID TO LOSE TRADE IN RHODESIA

SALISBURY, RHODESIA, February 22.—In the curious twilight world of business activity that has grown up around Rhodesia since it seized its independence last November, the Americans appeared today to be faring rather less well than the British.

This is the essence of reports to home offices in the United States from American oil companies doing business here, from the big buyers of chrome and asbestos, from tobacco traders and from small brokers of all kinds.

Some of them have stopped doing business with Rhodesia since the State Department advised them to respect the economic sanctions Britain imposed against the rebellious Rhodesians in her effort to bring them to heel.

Some companies, such as Union Carbide, stopped after the British passed an order January 20 making it an offense under British law to export specified products from Rhodesia.

TWO PRODUCTS SPECIFIED

Tobacco and chrome were brought specifically under the terms of the order. Union Carbide stopped making new purchases and was shipping the last of the chrome ore it had already paid for when word got around that the British Government was not playing the game.

By special authorization from the British Government, exempting both Rhodesian exporters and British importers from the order, 9,000 tons of high-grade metallurgic chrome ore have been shipped to Britain since the order was passed, enough to keep Britain's ferroalloy industry in supply for 6 months.

As long as American users abide by the law, their alternative sources of supply for chrome ore of the same high quality are Turkey and the Soviet Union, and Turkey is not able to increase her production enough to take on any new orders before 18 months.

There is chrome in the American stockpile, but to bring it up to the same grade would cost more than twice what it costs to mine, process, and ship the ore to the United States from Rhodesia.

U.S. COMPANIES COMPLAIN

The two biggest American oil companies operating in Rhodesia, Mobil and Caltex, each with more than a 15-percent share of the market before independence, are reliably reported to have complained to their parent offices that business is slipping away to the big British companies bringing oil clandestinely into the country.

An asbestos mining official estimated that British industry now has a 9-months' supply of Rhodesian asbestos.

There are alternative sources of supply, but not of the Rhodesian grades of exceptionally long fiber. The stockpile will enable the British users to carry on longer before they have to worry about the expensive conversions to use shorter fiber.

The big American tobacco traders here are still, for the most part, without instructions from home. But one, at least, is in business. In a deep southern accent, hardly diminished after years of living in Rhodesia, he gave a wisp of an explanation.

"It's like this," he said, "I don't ship the tobacco; he does. I'm not breaking the law; he is. He gets 1 percent, and I would say that's a pretty good bargain."

VETERANS NURSING HOME CARE

Mrs. MINK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentlewoman from Hawaii?

There was no objection.

Mrs. MINK. Mr. Speaker, I am happy to join my colleague the gentleman from New York, Congressman HALPERN, today in cosponsoring legislation to correct an inequity with regard to the nursing home care furnished veterans who have been hospitalized under contract provisions of the law by the Veterans' Administration.

Under the current law, only veterans who have been hospitalized in a hospital under the direct and exclusive jurisdiction of the Veterans' Administration may be transferred for further care to a nursing home.

Two States, Alaska and Hawaii, do not have VA hospitals. Consequently no veteran who has been hospitalized in Alaska or Hawaii under the auspices of the Veterans' Administration can qualify for transfer to a nursing home facility, because that hospitalization did not occur in a hospital under the direct and exclusive jurisdiction of the Veterans' Administration.

I believe that to be fully equitable the law must clearly provide that the Veterans' Administration shall make available nursing home care to all eligible veterans who have been treated in any hospital through contract arrangements wherein the Veterans' Administration assumes the financial cost for such hospitalization.

Whether a veteran is entitled to receive nursing home care or not should not be dependent upon where he gets his hospitalization, but rather upon whether that treatment is being paid for in the first instance by the Veterans' Administration. If the veteran's hospitalization is covered by the VA then logically his transfer to a nursing home ought to also be covered within the cost limitations as currently provided under Public Law 88–450.

What I propose is just and fair legislation, and certainly in keeping with this Congress' enactment of the medicare bill and its provisions for nursing home care for our elderly. I hope that there will be expeditious consideration of this matter, with full and extensive hearings to determine the extent of this inequity, and certainly if in fact only Hawaii and Alaska are currently under this disability, then there ought not be any reluctance to extend to our veterans the same privileges as are now enjoyed by all others throughout the country as result of the act of the 88th Congress.

PERMANENT AUTHORITY FOR THE CHILDREN'S SPECIAL MILK PROGRAM

Mr. HORTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, I am honored to call my colleagues' attention to H.R. 12804, a bill I introduced recently to extend the special milk program for children beyond the next fiscal year and to provide funds so that all children can participate in the program for the fiscal year beginning July 1, 1966, and thereafter.

The people of New York were shocked by the budget recommendations slashing appropriations for the special milk program for children from $103 million to $21 million for the next fiscal year. This cut in appropriations would destroy the special milk program for children. The special milk program for children has been in operation since 1954. In New York alone, it has made available 2.4 billion half-pints of milk for children in schools, day camps, and child centers.

The special milk program must be continued, and all children must have an opportunity to participate in it. The following statistics will show the extent and the growth made in this important program in New York State alone for the years 1955 through 1965. I am confident that my bill will receive the wholehearted support of the Congress:

New York—Special milk program, number of ½ pints of milk reimbursed, number of outlets participating, and program operations, 1955–65

Year	Number of ½ pints reimbursed (in millions)	Number of outlets participating	Program operations
1955	42.4	2,587	$1,652,647
1956	161.9	3,614	4,228,020
1957	203.6	4,341	7,585,343
1958	214.1	4,565	8,085,884
1959	232.6	4,859	8,622,922
1960	247.3	5,168	9,126,850
1961	250.3	5,434	9,098,631
1962	251.0	5,594	8,907,306
1963	262.9	5,781	9,252,379
1964	276.5	5,843	9,720,000
1965	277.2	6,021	9,602,000

Source: USDA.

This program has been an important element in improving nutrition among our children. It has had the further benefit of providing a fluid milk market for our dairy farmers. In New York, as elsewhere, milk used for fluid purposes returns more money to dairy farmers than the same milk if manufactured into such products as butter, cheese, or nonfat dry milk. This price difference in New York to dairy farmers is approximately $3 per hundredweight. Thus, for last year alone, dairy farmers in New York received $4.5 million additional from sales of milk made through the special milk program for children. At the same time the children participating through over 6,000 outlets in the State purchased their milk at approximately 3 cents per half-pint less than the market price.

Mr. Speaker, through constituent communications I also have brought the threatened cutbacks in the special milk program to the attention of the people I represent. Just recently I devoted one of my broadcast commentaries to the subject. A copy of the script I used on this occasion is included with my remarks at this point in the Record:

Text of Remarks Prepared for Broadcast in the 36th Congressional District of New York on and After Friday, February 25, 1966

This is Congressman Horton reporting from Washington.

Another new Horton bill is in the legislative hopper. It is the Children's Special Milk Act which would make permanent the school milk program and counteract the administration's attempts to severely curtail it.

School milk assistance has proved to be one of the best helps our Government gives to the youngsters of America. It insures the healthful nutrition of milk in the lunch of schoolchildren—in many cases the only milk in their daily diet.

It also provides a favorable formula for helping our dairy industry. Rather than direct subsidy, it stimulates the consumption of milk, thereby reducing Government purchases and price supports. In this respect, it has been very helpful to many dairy farmers in Monroe and Wayne Counties.

The administration is proposing an 80-percent cut in the school milk program. I am strongly opposed to this reduction. I shall vote to restore the funds and continue my efforts to make the program permanent through the legislation I have introduced.

This is Congressman Frank Horton in Washington.

Also, Mr. Speaker, one of the newspapers serving the Rochester, N.Y., area, the Democrat and Chronicle, published an article by Reporter Kay Fish on the impact of these proposed cutbacks. Believing that it will be instructive for my colleagues to read Miss Fish's analysis, I take pleasure in having it included with my Record remarks:

[From the Democrat and Chronicle,
Feb. 20, 1966]

What Will Happen to School Lunch Plan?

(By Kay Fish)

"This was my lunch:

"Meat, mashed potato and gravy, salad, a slice of bread and butter. Plus a half pint of milk.

"It was good, hot, and cheap.

"It was served in school in 1966. Then the President cut back funds to the school lunch program. There was a war going on in Vietnam."

An excerpt from some 1984 diary?

Could be, if Mr. Johnson's proposals to reduce Federal funds for school lunches and milk are accepted by Congress. And if it's true that the Federal Government is running out of surplus foods to supply the schools.

A canvass of local school authorities and lunch program directors indicates that many are unaware that their food programs are in jeopardy.

But public officials in Albany and Washington know of the proposed cuts, are concerned and ready to fight.

Representative Frank J. Horton says, "A storm is developing in Washington over the cutbacks. There will be a very determined fight here to restore the funds."

What are the proposed slashes?

The school lunch budget would be cut to $183 million beginning July 1 (fiscal year 1967) as compared with the $202 million allocated for 1966.

The school milk program would be cut from $103 million to $21 million—an 80-percent cutback.

In addition, Federal authorities have estimated they will not be able to supply the full 8 cents' worth of surplus food per child per meal because the Government is running out of food surpluses.

What could this mean?

Some contend the school hot lunch, which in our area sells for 20 to 40 cents, might conceivably be raised in price, suffer in quality, be abolished or be subsidized more by other moneys (State or local).

The milk program—because of the cutback—might possibly be eliminated. Most children in the area purchase a half pint of milk for 2 or 3 cents.

Some areas may benefit from the proposal. Herbert D. Rorex, director of the school lunch division of the Department of Agriculture, says, "The President's budget message to Congress calls for cutting back the Federal funds being spent for school lunches in schools where parents are able to pay more. Those districts with a higher tax base will get less money and more of these food payments will go to needy schools."

But Washington legislators will argue this point because it will require a Federal "means test" for schoolchildren, carrying with it a "poor stigma." Senator William Proxmire, Democrat, of Wisconsin, already has raised this issue.

To counter the President's proposals, Representative Horton has submitted a bill the Children's Special Milk Act, with these points:

1. That Congress make permanent authorization of this special milk program;
2. that it provides $110 million for the program for fiscal year 1967, $115 million for 1968, and $120 million for 1969; and
3. that it provides legislative authority for reallocation of funds from State to State.

"Because of the war we have to be concerned how we spend our money," says Representative Horton, "but regarding this cutback, I believe it is a misdirected priority. There are some other programs we can hold off.

"I also am concerned as to what it will do to the milk producers. It may cause a lot of dairy farmers to go out of business and become a serious threat to the economy."

As for the cut in surplus foods to the lunch program, Representative Horton says, "I don't feel we should supply food to the world when we have this situation at home."

At the State level, it was learned that Governor Rockefeller is very concerned about the President's revised lunch program. It is estimated that New York State might receive about $8.2 million under the new budget compared to $9.4 million last year.

The Governor has sent a telegram to Representative Emanuel Celler protesting the cutback which will affect 4,000 schools in the State.

Officials in Albany say it is too early for concrete decisions as to how the differences might be made up.

But Louis Schorr, assistant supervisor of the division of educational finance in Albany, advises that the schools in the State will not lose out on the Federal-State 9-cent reimbursement per meal (the hot, type-A lunch) per child. The Federal Government has paid 5 cents toward this reimbursement. If this is not met under the proposed decreased budget, the State bylaw is committed to meet the 9-cent payment, Schorr explained.

All areas in the State, he continued, will receive this because the Government's proposal to reduce funds in higher tax areas would not apply in this State. However, receiving this aid is strictly a local option. Any local school board can reject the money, Schorr said, and this money would then be reallocated to another area. He said about 99 percent of the communities in the State now accept the funds.

Regarding the losses that areas might suffer in milk moneys and Government-donated foods, Schorr said, "No State could touch these cutbacks."

As far as the special milk program is concerned, for this current year (through June 30) the schools will be all right, Schorr said, but the President's proposals will seriously affect the school year beginning in September.

He added that the uncertainty over the Federal subsidies hits at a time when schools across the State are planning their budgets for next season.

How a school can plan for a school lunch program when moneys counted on may not be forthcoming was a serious concern among many local program directors.

"I'm very disturbed," said one. "How can I plan a budget for next year if I don't know what the financial situation will be?

"We've had a program here for 20 years that will be annihilated. It's up to us to let our Congressmen know we're not for it."

Another contended that the President's proposal runs contrary to the long-desired goal of seeing that all children receive a hot meal in school, possibly by reducing the price of the meals further so all could participate.

Many pointed out that these hot school lunches are the only hot meals some children are given each day.

"Getting a child to drink milk and eat proper, nutritious meals is as much a part of education as the subject matter," said another director in an area school.

"I'm not sure our families could pay more for the meals and milk," felt another. "I'm afraid if the cost isn't raised, then the quality of the meals will suffer. In either case, participation will go down and the program will suffer.

A MILLION PINTS OF MILK—30,000 HOT LUNCHES

The number of hot meals (the subsidized type A lunches) and half pints of milk served in the city and suburban schools:

	Type A lunches (per day)	Milk (per month)
City of Rochester	2,200	521,451
Brighton District No. 1	1,700	60,000
Brighton District No. 2	350	1,450
Gates-Chili Central School District	2,300	40,000
Greece Central School District	5,093	159,797
Irondequoit Central School District No. 1	2,217	44,909
Irondequoit Central School District No. 3	2,000	61,970
Penfield Central School District No. 1	2,650	81,000
Pittsford Central School	2,200	29,658
Rush-Henrietta School District	4,100	44,000
Webster Central School	4,292	116,935
Total	29,102	1,161,260

In conclusion, Mr. Speaker, I ask that the text of my bill, H.R. 12804, the Children's Special Milk Act, be printed with my remarks. It is a short bill, but it provides the necessary authority to continue this very worthwhile program and I hope it can be acted upon positively and promptly by Congress:

H.R. 12804

A bill to provide a special milk program for children

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Children's Special Milk Act."

SEC. 2. The Secretary of Agriculture is hereby authorized and directed, under such rules and regulations as he may deem in the public interest, to encourage the consumption of fluid milk by children in the United States in (1) nonprofit schools of high school grade and under, and (2) nonprofit nursery schools, child-care centers, settlement houses, summer camps, and similar nonprofit institutions devoted to the care and training of children. For the purposes of this Act, "United States" means the fifty States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.

SEC. 3. All sums appropriated under this Act, less such amounts as the Secretary shall determine to be reasonable and necessary for his administrative costs and reserves, shall be allocated at the earliest possible date for the use of nonprofit schools and other nonprofit institutions desiring to participate in the program and shall be used to reimburse such nonprofit schools and other nonprofit institutions for fluid milk served to children. Any such allocation, or portion thereof, which the Secretary shall determine will not be fully utilized by any such nonprofit school or other nonprofit institution as then allocated, shall be reallocated by the Secretary so as to accomplish maximum use of such funds.

SEC. 4. For the purpose of carrying out this Act, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1967, not less than $110,000,000; for the fiscal year ending June 30, 1968, not less than $115,000,000; and for the fiscal year ending June 30, 1969, and each succeeding fiscal year thereafter, not less than $120,000,000.

SOUTHWEST IDAHO WATER DEVELOPMENT PROJECT

Mr. WHITE of Idaho. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include a memorial passed by the House of Representatives of the State of Idaho.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. WHITE of Idaho. Mr. Speaker, the Idaho House of Representatives, meeting in special session, Monday, adopted a memorial which I want to bring to the attention of my colleagues. In the President's food-for-freedom message, and from many other quarters, it has been pointed out that world food supplies will be critically low in the years ahead. Unless we increase farm production in the United States to meet this demand our war against poverty abroad is doomed to failure. In southwestern Idaho more than a half million acres of fertile land need only water to blossom forth with the abundance that we shall need to help feed the hungry millions. Soon I plan to introduce legislation authorizing Idaho's gigantic southwest Idaho water development project. The memorial from the Idaho House of Representatives concerns this valuable development:

HOUSE JOINT MEMORIAL 7

A joint memorial to the Honorable Senators FRANK CHURCH and LEN B. JORDAN and the Honorable Representatives COMPTON I. WHITE and GEORGE HANSEN

We, your memorialists, the Legislature of the State of Idaho, respectfully represent that—

Whereas in order to provide for the comprehensive development of the Snake River in Idaho for the purposes, among other, of regulating the flow of the Snake River and its tributaries, furnishing water for irrigation and for municipal and industrial purposes, controlling floods, controlling water quality, producing and distributing hydroelectric power, conserving and developing fish and wildlife resources, enhancing outdoor recreation opportunities, and for other purposes the southwest Idaho water development project is being proposed to promote the development, whether by private effort or by reclamation projects, of the Mountain Home division, the Garden Valley division, the Weiser River division, and the Wickahoney and Bruneau division, as outlined in the Bureau of Reclamation proposal, and other projects, such as supplemental water for the Salmon Falls tracts, that might fall within the area;

Whereas our congressional delegation has advised us that united support from the State of Idaho is necessary to their efforts in our National Capitol;

Whereas time is perhaps short for the State of Idaho to start using her waters: Now, therefore, be it

Resolved by the 2d extraordinary session of the 38th session of the Legislature of the State of Idaho, now in session, That we, the Legislature of the State of Idaho, do wholeheartedly endorse the concept of the southwest Idaho water development project as supported by the entire congressional delegation from the State of Idaho; be it further

Resolved, That the secretary of state of the State of Idaho be, and he hereby is authorized and directed to forward certified copies of this memorial to Senators FRANK CHURCH and LEN B. JORDAN, and Representatives COMPTON I. WHITE and GEORGE HANSEN, congressional delegates for the State of Idaho.

PERSONAL ANNOUNCEMENT

Mr. ULLMAN. Mr. Speaker, on the last vote I was detained from getting to the floor. Had I been present and voted, I would have voted "yea" on the passage of the legislation.

NURSING HOME CARE FOR VETERANS

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. MATSUNAGA. Mr. Speaker, I rise to express the appreciation of Hawaii's citizens to the distinguished gentleman from New York [Mr. HALPERN] for introducing legislation today which would resolve a problem that our veterans in Hawaii and Alaska have encountered under the restrictive wording of section 2, Public Law 88-450.

Briefly, the technical wording of the provision involved does not authorize the transfer of a veteran from a nonveteran hospital, such as the Army's Tripler General Hospital in Honolulu, to an institution providing nursing care. Since Hawaii and Alaska are the only States which do not have VA hospitals, they are the only States adversely affected by this restriction.

The gentleman from Alaska [Mr. RIVERS] and I have joined the gentleman from New York in introducing legislation to correct this situation. The bills we have introduced provide that any veteran who is furnished care by the Administrator of Veterans' Affairs in a hospital in Hawaii or Alaska may be furnished nursing home care even if such hospital is not under the direct and exclusive jurisdiction of the Administrator.

Mr. Speaker, I ask the support of our colleagues for this legislation which would correct an unintended restrictive situation in Hawaii and Alaska with respect to institutional nursing care required by our veterans.

I also would like to commend my colleague, the gentleman from New York [Mr. HALPERN], who became cognizant of this restriction while on an inspection trip to Hawaii as a member of the House Committee on Veterans' Affairs, and who took immediate steps to seek a legislative resolution of the problem.

PRINTING OF ADDITIONAL COPIES OF JOINT ECONOMIC COMMITTEE HEARINGS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, on behalf of the Joint Economic Committee, I submit for appropriate reference a concurrent resolution authorizing the printing of 5,000 additional copies of its hearings entitled "Recent Federal Reserve Actions and Economic Policy Coordination."

The resolution, as introduced, is to provide for the printing of 5,000 additional copies of the Joint Economic Committee hearings entitled "Recent Federal Reserve Actions and Economic Policy Coordination." These hearings were held in December 1965 to inquire into the reasons for the Federal Reserve Board's action in raising the discount rate and the rate on time deposits. Because the subject matter of these hearings is of widespread interest the Joint Economic Committee anticipates a heavy demand for printed copies of the proceedings from the press, universities, and professional groups. Under the normal allowance established by the Joint Committee on Printing, our committee will receive only about 2,000 copies of each part of the hearings, which will meet only a fraction of the anticipated demand.

HIGH INTEREST AND TIGHT MONEY HURTING HOMEOWNER

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, back in December we were assured by Chairman of the Federal Reserve Board, William McChesney Martin, that the danger of hidden inflation was being thwarted by the Board's decision to raise the discount rate and regulation Q. At that time I warned the American people that this ill-timed action was only the beginning of a serious and dangerous tight money policy initiated and executed by those who profit most, the big banks.

Vice Chairman C. Canby Balderston admitted in our Joint Economic Committee hearings in December that the Board moved to help bail out the big banks whose certificates of deposit were coming due. The time since the Board's decision in December has proven my point that it is the homeowner, the small businessman, and the big businesses in need of ample credit who will be hurt most. I have received many letters from people across the Nation, describing the difficulties that the Fed's decision has provoked and the dampening effect that this action has had on our booming economy.

The following letter, Mr. Speaker, is a shameful indictment of Federal Reserve policies. Despite all the bankers' and the Fed's reasoning to the contrary, the American citizen contemplating buying a new home is in very serious trouble so far as obtaining a mortgage is concerned. His costs are now too high, so that for all practical purposes many citizens are now frozen out of home ownership. I call to the attention of my colleagues the following letter to study and to see how the American homeowners are being unnecessarily penalized by the high interest, tight money policies of the Federal Reserve Board:

PHILADELPHIA, PA.,
February 15, 1966.

Hon. WRIGHT PATMAN,
Chairman, House Banking Committee,
Washington, D.C.

DEAR SIR: Because of your constant concern for the American homeowner, I thought that you would be interested in my recent experiences in buying and selling a house. A few months ago when my wife and I made application for a mortgage insured by FHA, the mortgage company told us they expected that the buyer would have to pay one or two points as a placement fee. The couple who purchased our house was also informed of the same point requirement. After the Federal Reserve Board's December decision created a tighter money situation, we were told that three points would have to be paid to place an FHA mortgage at a 5¼-percent interest rate. Settlement on the two houses was held February 8 and 9 respectively, right after the FHA interest rate was increased to 5½ percent, and both mortgage companies held that not only would the FHA mortgage be placed at 5½ percent but they would still require a three-point placement fee.

As the points are charged to make up the difference between the FHA rate and the going private market rate, the 5½-percent FHA interest rate plus the three points seemed to us to be excessive. This was discussed with the mortgage companies, but they held firm. Their argument was that the market was unstable and they felt the three points was justified. However, they must have felt they were making a fair profit a few days before when they charged three points at the 5¼-percent rate, or they would have charged more points. It would seem that the market did not become more unstable with the increase in the FHA rate.

What happened to the parties in this particular transaction is not important. What is important is how it will affect home buyers generally if the mortgage bankers are taking advantage of the occasion of the FHA rate increases to maintain the current points for the placement of FHA mortgages and not passing part of the benefit on to the home buyer.

If selling to FHA mortgagees is expensive to the seller, it will certainly discourage sales to buyers who have to rely on FHA mortgages. The one who suffers most will be the little guy who does not have enough in savings to carry a conventional mortgage. If he can't get an FHA mortgage, no matter how good his credit or his potential, he is frozen out of homeownership. Increasing the cost of homes, discouraging the use of FHA, and restricting homeownership certainly run contrary to President Johnson's Great Society housing proposals. The implication for the large cities is that instead of stimulating the use of FHA mortgages in older areas of the city, which has a large proportion of potential homeowners who would necessarily rely on FHA mortgages, it will retard investment in the older neighborhoods.

As a homeowner, I wish to express my appreciation to you, Representative PATMAN, and to Representative BARRETT for the fine work you and your committee members are doing.

With all best wishes, I am,
Sincerely yours,
ROBERT J. MCMULLIN.

A CALL FOR CONSOLIDATION OF FEDERAL BANK SUPERVISORY FUNCTIONS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, though I do not agree with all of the details of the editorial appearing in the Wall Street Journal of February 23, entitled "Insuring Regulatory Chaos," I must say that I found the basic conclusion of this editorial sound and based on logic, a realistic appraisal and commonsense.

The editorial argues in effect, that the present fragmented organization for the Federal supervision and examination of banks is intolerable and that consolidation of these functions in one agency must be accomplished.

Everyone would certainly agree with the conclusion of the editorial:

> Even granting that a single agency would not be an ideal solution, it certainly seems preferable to a so-called system whose chief accomplishment is to insure continued regulatory chaos.

Under unanimous consent, I insert this Wall Street Journal editorial at this point in the RECORD:

[From the Wall Street Journal, Feb. 23, 1966]

INSURING REGULATORY CHAOS

The confused state of affairs at the Federal Deposit Insurance Corporation has led a House Banking Subcommittee to propose a legislative remedy—but not, we fear, an adequate one.

At present one seat on the three-man FDIC Board is vacant, and Chairman Kenneth A. Randall is usually the only member who attends meetings. Currency Comptroller James J. Saxon, by law automatically a Board member, has been sending a delegate, who sometimes deadlocks the meetings by voting against Mr. Randall or abstaining.

Under the House group's bill, the FDIC would still have a three-man Board but the Currency Comptroller would no longer be included. While the proposed exclusion sounds like an effort to rap the knuckles of the controversial Mr. Saxon, there may be a little to be said for it under the present regulatory setup.

The trouble, indeed, lies in that system, under which the Comptroller, the FDIC and the Federal Reserve share Federal regulation of banking, with responsibilities that frequently overlap. The arrangement has led to a great deal of interagency bickering, and the general confusion is made even worse by the current contretemps at the FDIC.

Rather than deal only with the FDIC, however, it might be better to attack the central problem by merging all Federal bank regulation in a single agency, as is urged by Federal Reserve Board member J. L. Robertson and others. Many bankers claim the result would be an oppressive regulatory colossus, but that danger could be minimized if Congress carefully defined and curtailed the agency's powers.

Even granting that a single agency would not be an ideal solution, it certainly seems preferable to a so-called system whose chief accomplishment is to insure continued regulatory chaos.

FLORIDA ACCOUNTANT CITES DISTURBING TREND TOWARD UNFAIR COMPETITION BY BANKS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, while I have always supported a healthy and prosperous banking system and always will, to me it is fundamentally wrong that banks enter into nonbanking fields and compete unfairly with small, independent business and professional men.

Following is an excerpt from a letter I recently received from Mr. Matt F. Gettings, a Florida accountant, who makes some interesting comments on nonbanking activities by banks, as well as the big-bank sponsored campaign to insulate bank mergers from the antitrust laws. Mr. Gettings closes by suggesting that Congress pay more attention to what banks are up to rather than leave everything to the Federal banking agencies that claim they are independent of the rest of the Government.

In our area, flooded with both Federal-approved and State-approved banks, it would seem that said banks would have enough to do to keep their own houses on interest charges and interest payments. The local papers reveal humorous advertising by our banks and our savings and loan institutions—interest on a daily basis, interest on a quarterly basis, on a semiannual basis; interest at 3½, at 4, at 4¼, and 4½ percent; no check charges on a balance of $500, on a balance of $1,000 and—one to beat them all—no check charges on any accounts maintained by persons 65 or over. Now we have the banks and saving institutions offering everything from dining mats to TV sets for simply opening an account. We have banks not only soliciting accounts but soliciting bookkeeping services and insurance sales on life, on casualty, and even on income.

We who sincerely practice our profession must comply with Treasury Department Circular No. 230 which prohibits advertising, soliciting, and so forth, and we must back up every tax return with facts including facts on accounts receivable and billing. We must secure and pay for municipal, county, and State licenses.

Recently, a news article indicated that a New York bank purchased and is operating the national credit service known as Diner's Club. This is far afield of banking and I, for one, have already canceled my membership in Diner's Club because, after an error made by Diner's Club in a charge, I have written four letters in an honest and provable effort to get the charge corrected and I have received not a single reply to any one of the letters because I'm sure the computer cannot read my letters.

We have the Federal and State Governments bearing down on us for details and facts in a jungle of paperwork and we find independent agencies of the Federal Government in the form of banks coming into direct competition with us and eliminating numerous workers who generally serve as thinking clerks.

As to the efficiency of computer control, we have the examples of the Internal Revenue Service in the southeastern area for our arguments. The automation has been in effect for several years and, believe me, if the cost of manpower and correspondence were added up on the matter of straightening out computer errors on returns, on estimates, et cetera, I'm sure there would exist many reservations by professional men and small businessmen on the reliability of computers.

It appears, in this area, that the solicitation of accounts by our bank in competition with accounting services, bookkeeping services, et cetera, is not too successful but if the door is left open, the little fellows will soon find the banks not only taking over his business and resulting income but he will face the problem of turning his billing and accounts receivable calculations over to his bank or he'll find himself unable to secure a loan to keep going. Also, once he turns over such accounting procedures to his banks, he'll find his unemployment insurance mounting because of the clerks he was forced to discontinue.

Let's keep banks under control, let's make the banks face the facts of antitrust legislation in force, let's keep the banks in banking procedures and, most of all, let's keep the banks operations under the control of our elected Members of the House and Senate.

THE NEVER-ENDING GOLD PROBLEM

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, the past 10 years have witnessed much discussion on the gold situation and its effects upon our balance-of-payments problem, the international monetary system, and our own domestic economy.

Recently I received a letter from a friend, Mr. Robert Harriss, who has long been interested in this very complex field, containing some comments on the gold problem from the Treasury Department and some interesting remarks by Mr. Harriss. I wish to insert these remarks in the RECORD, Mr. Speaker, to enable my colleagues to obtain some insight into this complex and controversial field:

FOREST HILLS, N.Y.,
February 9, 1966.

Hon. WRIGHT PATMAN,
House Office Building,
Washington, D.C.

DEAR WRIGHT: In reference to my recent letter on the gold and money question, I thought you would be interested in copy of letter from Under Secretary of the Treasury Frederick Deming, and copy of my reply.

With all good wishes.

Sincerely,

ROBERT M. HARRISS.

FOREST HILLS, N.Y.,
February 8, 1966.

Mr. FREDERICK L. DEMING,
Under Secretary of the Treasury for Monetary Affairs, Washington, D.C.

DEAR MR. SECRETARY: I thank you for your letter of the 12th ult. with copy of letter enclosed from Mr. Bowman to Senator ROBERT KENNEDY on the gold and money question.

Economists whose views I value do not agree with the views outlined by Mr. Bowman for the following reasons:

1. The program outlined by Mr. Bowman has been in effect some years and the record shows during this time we have lost billions of our gold and our monetary stability is deteriorating until we are now facing a serious gold, silver and monetary situation.

2. In carrying out this program since 1949 we have lost $10,800 million of our gold. It has been reduced from $25,500 million to $10,700 million and during the past year, 1965, we lost $1,654 million of our gold.

3. It does not seem logical or fair to permit foreigners to drain away our gold when they owe us billions of dollars, while at the same time it has been a criminal offense for U.S. citizens to own gold.

4. With exceptions the program to stabilize world currencies has failed and has been at our expense. The British pound formerly reduced from $4.80 to $2.80 for the dollar has only been stabilized at that level at the expense and the loss of our gold. The black or free market in gold instead of our unrealistic price of $35 per ounce for gold is as high as $75 to $100.

5. Regarding stabilization of purchasing power of the dollar. According to Government statistics the consumer's purchasing power of the dollar has dropped from $2.24 in 1940 to $0.46 at the end of 1965. This means the purchasing power of the dollar in 1940 would buy more than 2⅕ times as much as it will now for the consumer. From 1945 to 1965 the purchasing power of the dollar dropped from $1.59½ to $0.914. This means that the consumer has to now pay 1¾ times as much as in 1945. During the period of 1945 to 1965 the Federal debt has risen from $278,700 million to approximately $323 billion.

6. The existing unrealistic price of gold makes it difficult for our farmers and manufacturers to sell their products in the export markets and at the same time makes it easier for foreign nations to sell their manufactured products to the United States.

7. A realistic price on gold would be helpful and it is essential to the protection of the dollar and the balance of payments because it would make it easier for foreigners to buy our products.

8. A realistic and free market for gold is essential to free markets and free trade, and a sound national and world recovery.

No doubt there will be powerful opposition to a free gold market from some in the Federal Reserve and some domestic and foreign bankers. Yet the interest and welfare of our country must not be blocked by such influences. A free gold and silver market is inevitable. The longer it is delayed the worse the inflation will be.

Possibly until the Vietnam war is settled it should not be put into effect. As stated, economists whose views I respect and agree with which you enclosed a communication done as soon as possible and practical.

With best wishes,

Sincerely,

ROBERT M. HARRISS.

P.S.—I own no gold or silver, or gold and silver stocks.

R.M.H.

THE UNDER SECRETARY OF THE
TREASURY FOR MONETARY AFFAIRS,
January 12, 1966.

Mr. ROBERT M. HARRISS,
Palm Beach, Fla.

DEAR MR. HARRISS: The Vice President has forwarded to my office your letter advocating a free gold market. We recently received from Senator KENNEDY the material which you sent with your letter. I am enclosing a copy of our letter to Senator KENNEDY which sets forth our views on this subject.

I hope you will find our comments helpful in explaining the administration's policy on this matter.

Sincerely yours,

FREDERICK L. DEMING.

OFFICE OF THE SECRETARY OF THE
TREASURY,
Washington, D.C., December 20, 1965.

Hon. ROBERT F. KENNEDY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR KENNEDY: This is in further reply to the transmittal of December 8, 1965, with which you enclosed a communication from Mr. Robert M. Harris advocating a free gold market.

It is our belief that any change in the price of gold or adoption of a system which would permit the price to fluctuate would not be in the best interest of a stable international monetary system. Most responsible authorities in other countries and in the IMF concur in this view as is evident by the fact that the studies currently being conducted in connection with international liquidity and improvement of the monetary system have specifically excluded from consideration any change in the price of gold.

Two of the most important aspects of the present system are the stability of international exchange rates among the major currencies and the use of both gold and currencies, primarily dollars, as international reserves. The key to stability of this system is that the relationship between gold and the dollar be steadfastly maintained. If it were not, the attractiveness of the dollar as an international reserve would be severely reduced and this pool of liquidity greatly restricted. Also if the value of national currency in terms of gold were subject to fluctuation all international trade and payments would suffer since no one could be assured of the stability of the national currencies in which such transactions must inevitably be carried out.

The role of gold in the international monetary system is one of contributing stability and this stability is best achieved through maintenance of a fixed price. It should be noted in this connection that gold is distinct from other commodities in that its value is primarily derived from its use as a monetary metal and the willingness of monetary authorities to accept it. As a result no true market price could be determined. If the monetary authorities chose not to buy gold the relatively small demand for industrial and artistic purposes would be far exceeded by the supply of new gold production, not to mention the tremendous hoards now in monetary reserves, so that the price would most likely sharply decline.

I hope this information will be of use to you in responding to Mr. Harris' communication which is returned herewith.

Sincerely yours,

JOSEPH M. BOWMAN,
Assistant to the Secretary.

OUR PRESENCE IN SOUTH VIETNAM

The SPEAKER. Under previous order of the House, the gentleman from Alabama [Mr. BUCHANAN] is recognized for 60 minutes.

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BUCHANAN. Mr. Speaker, for some weeks now debate has raged and many questions have been asked concerning the rightness of our presence in South Vietnam and the rightness or wrongness of the way in which we are conducting our mission there.

It was my privilege, within the past two weeks to visit southeast Asia on the occasion of the Lincoln Day recess. I felt there could be no more appropriate way to spend it than with our troops who are fighting for human freedom in South Vietnam. So it was I spent 6 days in the field, observing our men, what they are doing, and how they are doing it. This trip was not made at Government expense, but was financed by friends in my district, and it had a rather special purpose.

BIRMINGHAM'S ADOPTION OF 1ST INFANTRY

Back in January I informed the House that during the fall recess my city had adopted the 1st Infantry Division. We did so as a sign of our support for the men in Vietnam, for our soldiers, and for what they were attempting to do there. This idea was first conceived by retired Brig. Gen. Edward M. Friend, Jr. It was a good choice.

The Big Red One is this country's oldest division, and has an outstanding and much-decorated history. It was first to shed American blood in France in World War I, and it was the first to land in North Africa in World War II. It spearheaded the conquest of Sicily; it stormed across Omaha Beach in the D-day assault at Normandy, and was first to be in Germany. It was the first infantry division to sweep across the line into Czechoslovakia, the farthest advance of U.S. troops in World War II. The 1st Division is now distinguishing itself in the battle for the freedom of the people of Vietnam. It was my pleasure to go as the people's representative to tell these fighting men of our support for them and our pride in them.

Mr. Speaker, the idea of this adoption became a reality when the mayor of the city of Birmingham, the president of the county commission, the Birmingham Chamber of Commerce, the Birmingham News, and others, got together to organize a coordinated council of distinguished citizens. It was fulfilled by the overwhelming support of the people of Birmingham. In this plan, particular civic groups and other organizations are sponsoring or adopting units of the 1st Division. While there have been many letters, Christmas gifts sent, and so forth, to individual soldiers by sponsoring groups, the primary emphasis has been on joint projects for the benefit of the Vietnamese people in the III Corps area. For example, the Birmingham Retail Druggists Association has donated medicines and supplies for use in dispensaries set up by the 1st Division for citizens of hamlets and villages there. Many hundreds of people are receiving medical help heretofore not available from any source in this way. Berry High School in Birmingham has adopted an orphanage. The list of such activities goes on and on.

At the kickoff of this project, Sgt. Maj. Bill Wooldridge of the 1st Division came to Birmingham to represent the Big Red One. He promptly won the hearts of our city for himself and for his division. Later, the Birmingham News sent two representatives, Alf Van Hoose, correspondent, and Tony Faletta, photographer, to cover the 1st Infantry's operation and to provide the communications necessary to maintain the relationship. These two fine ambassadors for Birmingham accompanied me throughout my tour in Vietnam.

QUESTIONS NEEDING ANSWERS

There was a second reason for my visit. I have many constituents and sons of constituents who are engaged in the Vietnamese action, and I have personally written many letters to the parents and to the wives of servicemen who have given their last full measure of devotion for the freedom of southeast Asia.

Therefore, in my own mind, as I know has been the case with many Members, there were questions: Is what we are doing in Vietnam necessary? Are we doing it right? Can we succeed in our mission? How is the morale of our troops? Are they adequately trained? And are they adequately supplied?

To seek out the answers, I spent 2 days in the field with the 1st Infantry, touching all its units and operations, then the balance of my time touring from the engineering miracle of Cam Rhan Bay to the Marine's domain in Da Nang and the far north; touching all our major forces, plus the crack Republic of Korea Tiger Division; visiting the "golf course" at Ankhe and spending the night on America's nuclear-powered *Enterprise*, with its awesome striking power.

I came back encouraged and inspired by what I found in Vietnam. There has never been a more classic case of good versus evil, light versus darkness, freedom versus tyranny than the struggle in which we are now engaged. Nor has America ever produced finer soldiers than the officers and men of the Military Assistance Command, Vietnam.

Our forces are in large part made up of and led by regulars, fine professional American soldiers. Yet there are also represented young draftees and volunteers, taken away from a life here which had every reason to make them soft at an age in which they could not be expected to yet be men. To all the doubters of the strength or virtue of this Nation's youth I must report that these magnificent young Americans who are fighting in Vietnam are their Nation's crowning glory. They are not soft and they are fully men. They are the finest soldiers a great military tradition has yet produced. From where I stand, they look 10 feet tall.

Typical was a young man I met in a field hospital who could not have been more than 20—blond hair, young face, young-old eyes and a fine, muscular body minus one leg, lost to a Vietcong mine.

He said:

> It's all right, sir, I know what I've been fighting for.

This conviction was repeated by every American I met in Vietnam. Would God the Congress—all the Congress—could know as well.

IS VIETNAM NECESSARY?

Is such a costly action as this really necessary? In answer, we must face two great grim realities about southeast Asia in our time.

The first is the fact—the reality of Communist aggression—the aggressive acts of a tyranny which would impose its iron rule upon the people of all southeast Asia if it were permitted to do so. In Vietnam we face the present and continuing aggression on the part of North Vietnam and Ho Chi Minh that is continuing every week of every month at this time. But it is not only a present aggression, an aggression we are sworn to act against and committed to act against. It is also a longrun aggression. Ho Chi Minh has been working for 20 years to establish his rule in Vietnam.

The infiltration of subversion and the terrorism in South Vietnam sponsored from the north—these things have gone on not for months but for years and because for years he has been working to infiltrate and to subvert and to capture control of South Vietnam and of its people, the Communists of the Vietcong are thoroughly woven into the fabric of the society of the Republic of Vietnam. They are deeply entrenched. They are interwoven into the whole life of the society.

They are imbedded and they are in a position so intermingled with the rest of the people of South Vietnam that their removal is a slow and painful and step-by-step process. This longrun aggression makes of this present action in Vietnam a unique kind of warfare in our history in which we are combating not only the regular troops in the field, where we can find them and get them to face us, but in which we are struggling against a very insidious kind of guerrilla warfare.

A REIGN OF FORCE AND FEAR

The reign of the Vietcong where they do have power and influence is not one of the love of peace or democracy, it is gangster government. It can best be compared to the influence and power of the Cosa Nostra—the underworld—in this country. Sixty-five percent of their actions are criminal rather than military—crimes against people.

The idea that there is any desire on the part of the Vietnamese people for the kind of government which regularly beheads those who disagree with it and which regularly uses as its methods, murder, torture, and terrorism and which rules by force and fear is ridiculous in the extreme. The benefit to the people involved in permitting VC control of or participation in government is approximately equal to letting the underworld take over the government of Chicago, or advocating that Bogaloosa, La., be run by the Ku Klux Klan.

Mr. Speaker, the people of Vietnam are enduring a terrible kind of tyranny and persecution at the hands of the Vietcong.

The aggression being committed in southeast Asia is a brutal and tyrannical aggression. There is nothing pretty about it. There is nothing in it that either conservatives or liberals in this country could reasonably defend. This rule of force and fear has been imposed upon large numbers of people in the Republic of Vietnam and has been sustained by terrorism. This is the first grim fact about southeast Asia.

We see in Vietnam Communist aggression which, if left unrepelled and unchecked, which if we bow before it and surrender, will extend to nation after nation until the millions of Asia are living under the dark night of tyranny.

This is the grim threat not only of the North Vietnamese but of the Red Chinese aggression—the dark night of communism which threatens all of southeast Asia is the first great reality that we must face.

THE NEED

The second is the poverty of Asia. Americans are not prepared to see the poverty which fills Asia, and Vietnam is no exception. The condition of the people stands in marked contrast to the startling beauty of the land. Poverty, disease, illiteracy are everywhere.

It is a wonderful thing that here in these United States we have to search out the people to be the recipients of our poverty program and apparently have to use great diligence to find these persons. But the fact is one does not have to look in Vietnam.

One does not have to go anywhere at all to find poverty, disease, and illiteracy running rampant. It is unfortunate to have to say so but we were not left a very pretty legacy by the French. The citizens of Vietnam have been subject peoples most of the time for hundreds of years, and for 70 years they were under the control of the French.

Yet, when we see the legacy left us and to the Government of the Republic of Vietnam, we see a country in which there are virtually no public schools. We see one in which various epidemics run rampant, and disease is everywhere, one in which there is no kind of public health program, one in which there is great poverty and no little hunger.

We see one in which there is one hospital per province, and these poor by our standards. There are only 100 doctors in the land and most of these are inaccessible to the people. American military medics, AID people, and private agencies have become literally the difference between sickness and health—and even life and death—for countless citizens of this nation.

So if we ask ourselves is it necessary for us to do what we are doing in Vietnam, we need to answer that question in the light of Communist aggression, which left unchecked, could threaten the freedom of all Asia and, indeed, all the world.

We must also answer recognizing the poverty of Asia and the need of the people for a life that is blessed with liberty, with human dignity, and with some opportunity for economic, medical, and agricultural advancement.

OUR COMMITMENT

We must also look at our solemn commitments. Everything we are doing is in line with our commitments as a member of SEATO and our specific commitments to the Republic of Vietnam.

Those are solemn contracts of this Government which must be solemnly fulfilled.

THE INVESTMENT

We must look at what we are doing in the light of our investment in southeast Asia. We have invested not only millions of dollars economically, but also that which is most precious in our land. Some of us for the first time voted the other day for an aid bill to provide economic assistance to the people of southeast Asia.

The House of Representatives overwhelmingly voted for that bill and for the bill this day, not only in the fulfillment of our commitment, but as a sign of our willingness to make whatever further investment is necessary to fulfill our mission there. And well we should, for we have invested our young men in Asia, and any other investment pales to insignificance in the face of their sacrifice.

During my visit to the 1st Infantry, I talked to a certain young soldier. He and another American had for some time been helping the people in a nearby Vietnamese village build a school for their children. Having worked for several weeks without incident, they had relaxed their guard a bit and had set down their weapons a little too far away. Suddenly a group of Vietcong appeared from hiding, grabbed the rifles, fired at the Americans, and ran away. One soldier was wounded, his buddy killed. This wounded soldier had requested to return to complete the project as soon as his wounds permitted. "The school is not finished yet," he explained, "and besides, now I have got an investment." America's job is not finished yet, either, in Vietnam. And our investment is too great to turn back now.

THE ALTERNATIVE

Is it necessary to stay in Vietnam? Let us answer in terms of the future freedom and safety of all the world, because this, too, is at stake. The domino theory is not inaccurate, for if the tyrant sees he can succeed by aggression and by extending his tyranny, he will continue by force to so extend it, and he must be stopped still here and now.

THE MORAL QUESTION

Are we doing right in southeast Asia? There are the doves who say that we have no moral right to be doing what we are doing, and we ought to seek immediate negotiations and not do anything that might be interpreted as escalation of the war, that we are the aggressors, and we are the ones who are immoral.

What are we doing, and are we doing it right? It seems to me that in response to the doubters of our land we need to recognize very fully and very firmly that the President has gone the second mile and has turned the other cheek in his attempt to find the road to peace. He has sought negotiations consistently for a long period of time. He has explored through his own efforts and those of the Vice President, the Ambassador to the United Nations, the Secretary of State and others every avenue that might lead toward negotiations and toward peace.

He declared a cessation in the fighting, two holiday periods. He declared a cessation in the bombing. He has persistently sought the pathway to peace, to negotiation. And consistently Hanoi and Peiping have jeered at those efforts, and rejected them. They have rather used those times of unilateral peace moves on our part as times of reorganization, entrenchment, increasing supplies and men into South Vietnam as times of increased aggressive action.

Mr. Speaker, once, when I was a 10-year-old boy, the lesson in Sunday School one Sunday morning made a great impression on me. For some weeks another boy who lived two doors from my home and I had had a series of fist-fights almost every day over events that would develop. The Sunday School teacher said:

> One should turn the other cheek and go the second mile.

Being thereby converted, I told my friend the next morning that no matter what he did, my response would be to turn the other cheek and not fight back. He became delighted at the idea. He hit me on one cheek, I turned the other, and he hit me on that one, too. While I did not completely lose my religion, it seemed I had run out of cheeks to turn, and it became necessary for me to enter into fisticuffs with him to attempt to teach him to respect other people's religion.

It seems to me that we have gone well past the second mile and we have turned all the checks that there are to turn in seeking the way to peace and to negotiation, and the enemy has used these to his consistent advantage and has consistently rejected our overtures of peace.

Consequently, it seems that the only thing we can do under such circumstances is to do everything in our power to render the aggressor incapable of further aggression, to stop his present and continuing aggression, and to do all we can to demonstrate to him with all the force at our command the foolishness, the folly, of trying to get those who are firmly determined to stand for freedom and for human dignity to bow before tyranny and to accept his aggression without responding with great force and with unaltering firmness. Such a course seems the most likely way to bring the present conflict to an early and honorable conclusion. There are times when a big stick brought down with vigor upon the head of a bully is the most effective instrument of peace.

STRIKING AT THE SOURCE

I would say this would include stepping up the bombing of strategic targets, cutting supply lines, cutting the flow of North Vietnamese troops into South Vietnam in every way possible, increasing sanctions against those who are supplying North Vietnam, and doing anything and everything reasonably possible to stop the aggression there at its source.

PACIFICATION AND RECONSTRUCTION

There is a second task. Even if we step up the bombing of strategic targets, even if we close the harbors, even if we use strong enough sanctions against other nations so that they do stop supplying the Vietcong—he receives supplies from many places, though Red China is the primary source of supply—we must, nevertheless, do a second job, which is a job of step-by-step pacification and reconstruction in South Vietnam, in the Republic of Vietnam.

It is an oversimplification to feel that we can step up our activities against the north, against Ho Chi Minh, and that, in 6 months or a very short period of time, by escalating our own conduct of the war, we can bring this situation to a successful conclusion. The fact is that because of the long-term aggression of Ho Chi Minh and of the Communists in Vietnam, this is not enough. The only kind of action which can possibly secure the land, which can possibly put the country into a condition under which there can be such a thing as free elections, such a thing as self-determination, is action to release the people from the rule of terror and the reign of fear of the Vietcong within South Vietnam.

Our troops, in cooperation with the Republic of Vietnam, are conducting a step-by-step pacification and reconstruction program. They are going out to clear given areas of the Vietcong, and they are moving in to convince the people of those areas that we can protect them from the one who holds his gun to their heads. If elections were held all over South Vietnam now, in those areas where he has influence and power, he would respond with murder to any who opposed him.

We must, as we are doing now, seek out the hidden enemy. He is hidden and entrenched as a guerrilla. For example, tunnels have been found that have been as long as 2 miles, and six layers deep. Also he dissolves into the populace. Because people fear him, they do not always readily identify him, until they are sure we can provide them security from his reprisal.

We must, therefore, convince the people that this enemy who dissolves himself into the civilian population, and who remains unidentified, because of the fear the people have of him, is one from whom we can and will protect them.

In the second place, we must convince them that we are their friends. Regrettably, one of the propaganda instruments the Vietcong have used rather effectively against the Americans has been to compare them to the French, by saying, "They are here to rule, to exploit."

The French soldiers in many instances were mercenaries. They were fighting for pay and for the loot they could take, and their record was not always what it should have been. The French rule did not accomplish for the people of Vietnam what might have been accomplished by more humane and enlightened policies.

Therefore, we must overcome this and other forms of propaganda against our troops. We must persuade the people that we are their friends, that we can protect them and that we want to help them.

Mr. Speaker, everywhere I went I was greatly impressed by the understanding of this phase of our mission possessed by our troops. They understood they had a military mission to meet the enemy on the field, as regular troops. When this has been done they have made a marvelous record and have totally defeated the enemy.

They also understand that they have to search out the guerrilla forces, which is a step-by-step as well as a dangerous and time-consuming occupation, requiring many troops. They are doing this and doing it well.

But a civic action phase of our mission goes hand-in-hand with the military program. We are helping to demonstrate concretely our friendship for the people of Vietnam, our desire to help rather than to rule them, by helping them to construct roads and schools and churches. We are helping them to meet their medical needs by setting up dispensaries all across the land, and are conducting a variety of other programs of civic action, all in cooperation with the Government of the Republic of Vietnam. This is being done in cooperation also with our AID people and our private civilian agencies, and it is being conducted in many instances by our military personnel.

THE GREAT HUMANITARIANS

Our men are demonstrating once more for the world to see that GI Joe is the world's greatest humanitarian. Their understanding of this part of their mission and its necessity and the way they are performing it is an inspiration to behold. These men understand that they must win the friendship of the Vietnamese people, and they are doing so. It is apparent to anyone.

The fine young officer assigned to escort me was Capt. Bert H. Custer, a West Pointer, a fine soldier, a good example of the kind of fine professional that we have at every level of leadership in Vietnam. His easy but firmly disciplined relationship with both senior officers and enlisted men was matched by his rapport with the people of Vietnam. He has been a fine fighting soldier as well as having the kind of finesse and patience necessary to serve as a congressional escort.

On the day of my departure from Vietnam, he and I went to visit an orphanage in Saigon. This orphanage was one that Dr. Tom Dooley had helped begin. When we entered the grounds little Vietnamese children swarmed around us and surrounded us. They lifted their arms to us with their faces lighted in smiles. In the wisdom of their innocent hearts they knew that Americans were the good guys.

Those tough combat soldiers who had come into Saigon for an evening and taken a little group of orphan children to the zoo and who had hearts as big as all outdoors—the children knew them to be their friends, and so did the people in the villages and the hamlets.

When people have had sick children for many months, and the Americans have come in to provide medical care to help heal their children, such people understand that we have come in friendship. As they understand they begin to have confidence in us and in their Government, which Government looks more hopeful than any we have seen for some time in Vietnam. They are beginning to warm up to us and to gain courage to identify the hidden enemy in their midst, the local Vietcong, so that the Government of the Republic of Vietnam can deal with these enemies.

Now, this step-by-step part of succeeding in our mission will take time and will take troops. This will require firmness of purpose; it will require patience at home; but unless we do this to free and liberate the people of the Republic of Vietnam from the power and influence of this long-term aggression of the Vietcong, and unless we stand firm until we do this, we cannot succeed in our mission in Asia.

CAN WE WIN IN VIETNAM?

This brings me to another question; namely, Can we succeed? May I say that I have never seen anything quite matching the high morale of our troops in Vietnam. These men, everywhere I went, wounded men, generals and privates, men in the hottest spots in Vietnam, and everywhere in that area, universally reflected high dedication matched by understanding of and an unshakable faith in the rightness of their mission. They also demonstrated the confidence and conviction that they were going to succeed in their assignment in Vietnam. Their morale was as high as I have seen anywhere.

LEADERSHIP

We shall succeed in Vietnam because these men who would match any soldiers that this country has ever fielded in any of its wars, and we will succeed in this mission because we have great military leadership. The men who are leading the combat there in this supporting role of ours read like a roll of honor. First among them, of course, is Gen. William Westmoreland, who is a gifted military general and who has also a gift for understanding the delicate political and diplomatic phases of his mission. He respects his supporting role in the Republic of Vietnam and remains in that role, but he manages to lead magnificently from that position.

I found confidence, unshakable confidence, in General Westmoreland on the part of every man under his command as well as on the part of the Vietnamese everywhere. This man has done nothing less than a magnificent job of leadership, and we owe him a debt of great gratitude. Such was also the case with each of his field commanders.

Gen. Jonathan O. Seeman, who is commanding officer of the 1st Infantry Division, with which I spent much of my time, is the finest kind of military leader. High quality marks the leadership of the 1st Cavalry, the Air Force, the Navy. Nor could any military force boast greater leadership than that of General Walt with whom some of us were privileged to meet this day. The marines under his command are living up to the highest traditions of their corps. Everywhere one goes in Vietnam, one is impressed with the high caliber of both officers and men.

General Westmoreland gives to every man who becomes a part of the U.S. Armed Forces in Vietnam nine rules for personnel to follow.

Mr. Speaker, I ask unanimous consent to include them in the RECORD at this point.

The SPEAKER pro tempore (Mr. KREBS). Is there objection to the request of the gentleman from Alabama?

There was no objection.

The matter referred to follows:

NINE RULES FOR PERSONNEL OF U.S. MILITARY ASSISTANCE COMMAND, VIETNAM

The Vietnamese have paid a heavy price in suffering for their long fight against the Communists. We military men are in Vietnam now because their Government has asked us to help its soldiers and people in winning their struggle. The Vietcong will attempt to turn the Vietnamese people against you. You can defeat them at every turn by the strength, understanding, and generosity you display with the people. Here are nine simple rules:

1. Remember we are guests here: We make no demands and seek no special treatment.
2. Join with the people. Understand their life, use phrases from their language and honor their customs and laws.
3. Treat women with politeness and respect.
4. Make personal friends among the soldiers and common people.
5. Always give the Vietnamese the right-of-way.
6. Be alert to security and ready to react with your military skill.
7. Don't attract attention by loud, rude or unusual behavior.
8. Avoid separating yourself from the people by a display of wealth or privilege.
9. Above all else you are members of the U.S. Military Forces on a difficult mission, responsible for all your official and personal actions. Reflect honor upon yourself and the United States of America.

Mr. BUCHANAN. Mr. Speaker, these rules are abided by, and our men are following them and following them well.

MOBILITY AND FIREPOWER

We shall win because we have superior mobility and firepower. This is being used with increasing effectiveness to rout the Vietcong. There has never been more extensive use of air transportation and air support, from helicopters to bombers and from light reconnaissance to heavy transport. Helicopters are used with great flexibility and effectiveness—transporting troops and supplies, rescuing downed aviators and wounded men, and flying combat missions. Armed helicopters are proving of great value in this operation. Artillery is being widely and effectively used against Vietcong strongholds.

Ground-air support and bombing missions by Air Force, Marine, and Navy jets are having a cumulative effect both in casualties and in their demoralizing effect upon the Vietcong. As our intelligence improves, these become increasingly effective. Skill and science, men and morale, mobility and firepower are being blended into a devastating combination which is playing havoc with the enemy.

MEDICAL AND LOGISTICAL SUPPORT

Mr. Speaker, the medical work we are doing outstrips anything we have ever done. We have stationary hospitals which are in a central location. Since the conflict is everywhere, and there are not fixed battlelines, as in previous wars, rather than having field hospitals which normally follow the troops, helicopters bring into this central location men who have been wounded in battle. A doctor there at one of the hospitals told me that often within 30 minutes of the time a man was wounded he had him in surgery at that particular hospital. We are losing almost no men who get to the hospital and who have been wounded. The ratio is extremely low. This work has been outstanding.

We shall win because the men who are there have had excellent training. They are marvelously led. They are highly motivated. They understand their mission. They have excellent medical care. And they are well supplied. In spite of the engineering and logistical miracle required to move 150,000 troops into this little country with no real port facilities, few roads, none of them safe, and limited railway, persistently interdicted by the Vietcong, and then sustain those troops and support the military actions of a highly mobile army, this has been done. We are developing the port facilities. We are moving the supplies. I found no present shortages anywhere I went, and I went almost everywhere.

ROTATION POLICY

Mr. Speaker, another thing that means a great deal to them is this: We have a policy of rotating each man after 1 year. While morale is of the highest, every man there can tell you to the minute how much time he has left on his tour and on his mission. This is a system worth maintaining.

A STABLE GOVERNMENT

Then, Mr. Speaker, we have the encouraging South Vietnamese progress.

This government is taking seriously the need for reconstruction in order to meet the needs of the people and is determined to lead the way to a better life for them. This government is determined to successfully complete its military operation. It is committed to free elections as soon as security is established. And it shows signs of strength and stability that are greatly encouraging to see.

Mr. Speaker, we have another encouraging factor, and that is the participation of the forces of the Republic of Korea. It was my privilege to visit the Tiger

Division and to see with my own eyes as fine a group of fighting men as I have seen anywhere. These men are the reflection of our earlier investment and continuing investment in this part of southeast Asia.

It was with particular interest that I visited with this Republic of Korea division and saw its outstanding work, because the blood of my own family was shed in Korea, for the people of southeast Asia. Their devotion to freedom is an inspiration to behold.

Mr. Speaker, this represents another indication of the fact that what we are doing is right, and that indeed we can succeed. I believe we shall succeed, not only because of our superior mobility and firepower and magnificent leadership, not only because of the high morale and courage on the part of our troops doing an outstanding job, not only because of the new hope on the part of the South Vietnamese Government, and the other hopes that we see reflected in Korea and in its people there, but I believe that we shall win because in the last analysis, as Abraham Lincoln said, "Right makes might."

RIGHT MAKES MIGHT

We are on the side of truth and justice in Vietnam. The Communists murder and steal and dismember and destroy. We heal, and we help. They tax away the people's rice. We take it away from the Vietcong, and give it back to the people. They tear down. We build up. They terrorize. We make secure. They enslave. We set free. There may be those in the other body of this Congress, and there may be those elsewhere, who will question the rightness of what we are doing in southeast Asia. But there is no question on the part of our military forces there. We are fighting a battle to liberate a people from a tyranny and from poverty and sickness. We are fighting a battle to bring new hope to the millions of Asians. We are fighting the eternal battle for human freedom. This is perhaps the most crucial battle of all in the modern history of Asia. This can be the turning point, introducing a new era of hope, of freedom, of self-determination, of individual liberty and human dignity for the people of southeast Asia, or it can be the beginning of the darkest night that Asia has ever seen.

Mr. Speaker, there is much at stake in Vietnam. We have invested much, because we have invested there our young men. But we must not swerve in our purpose. We must recognize the necessity of victory for freedom and the danger of settling for anything less. Our President must stand firm, and we must stand firmly behind him.

THE SUPPORT OF THE AMERICAN PEOPLE

Mr. Speaker, on the day on which I left Saigon I had the privilege of visiting with Mr. Mann of our AID program. He made a suggestion which I am glad to pass on to my colleagues. There are some 43 provinces in Vietnam, each roughly equivalent to a State. He recommended that it might be a good idea if each State in these United States adopted a Province. I had told him about my city's adoption of the 1st Infantry Division, relating that since the men's needs were met, other than the need for the knowledge of our support, we had agreed that what we could do best was to work together on civic action programs to help the Vietnamese people of the area of operation of the 1st Infantry in Vietnam.

So we are doing so in a number of concrete ways. I told him about it and he said that he would like to see each State of our Union adopt a Province in South Vietnam. There is such tremendous popular support for what we are doing in southeast Asia.

There is a great desire on the part of millions of Americans to demonstrate how much they stand behind our troops, and how much they believe in this battle for human freedom. Here is a concrete way to demonstrate that support and to turn it into a constructive channel that can help us fulfill our mission and succeed therein.

NO TURNING BACK

There can be no turning back in southeast Asia. The battle call is sounded. The troops are in the field and human freedom and human dignity and all the things that all the years of American history stand for are at stake. If we fail in our mission, we shall not only fail the people of Vietnam but the people of southeast Asia and not only the people of southeast Asia but the hope for freedom for the people of all the world in our time. If we fail, we shall have betrayed our own heritage and our own future.

If we become weak and if we do not stand firm, we shall betray everything that America has stood for in all its shining years. In our weakness and in our failure, we shall become traitors to our own destiny, and the Judas Iscariots of a civilization.

We have no choice in southeast Asia but the choice that was made by the men of the Continental Army and by Americans in each succeeding generation: That we will pay whatever price is necessary that freedom might live in our time.

THE HIGH COST OF MEDICAL DRUGS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 40 minutes.

Mr. HALPERN. Mr. Speaker, on previous occasions I have spoken here of the often prohibitive costs of prescription drugs, and I want to underline the seriousness of this problem once again.

Last February 10, the distinguished Senator from Louisiana [Mr. LONG] alleged a price-fixing conspiracy in antibiotic drugs. He detailed the accusations and named several major U.S. pharmaceutical firms. He charged that an international cartel had been functioning for the deliberate purpose of maintaining prices of certain drugs at an artificially high level.

Last October, in New York City, the Citizens Committee for Metropolitan Affairs released the results of a comparative price study. They sent researchers into areas of different income levels in the city. They found that identical drugs were sold by different pharmacies at price variances up to 820 percent. This report showed that drug prices are far from standardized. New York City's middle-income areas were found to be hardest hit; I read that an identical drug was sold as Medicorten at one Manhattan store for $11.50 and as prednisone at another pharmacy for $1.25.

This survey indicated that the real victim of excessive manufacturing markups, of brand-name promotion, and of the entire drug-pricing structure is the good old consumer. This does not surprise me. The committee concluded that two elements led to what it termed "managed drug pricing": lack of competition at the retail level and the cost structure inherited by the pharmacist.

There is no question but that consumers could save a lot of money if they were informed of price variances.

And now, most recently, an international conspiracy to fix and maintain prices has been further substantiated. This entire field demands careful, objective scrutiny.

As a first step, I recommend the passage of legislation I am sponsoring to permit competing manufacturers of a drug when, after 3 years, the patented drug exceeds 500 percent of production cost. I do not believe the effect of this legislation will be to deter research or experimentation by private enterprise. Moreover, the bill allows the patentee to realize a monopolistic return on his investment for a reasonable period. It is undoubtedly true that the existing structure has led to the defensive alliances which the law prohibits.

It appears evident that the root cause of the drug-price syndrome rests with the manufacturing firms which some people have named the highest profit-making industry in the United States.

They must have a reasonable return. But evidence has been collected which suggests that these profits are often excessive, that lack of competition, the inbred tendency toward monopoly, and the promotion of brand names results in a cost structure which is both artificial and dangerously beyond the reach of a great many consumers.

I think the Congress should explore this situation fully. In my view we have reached the point where a full-scale inquiry is in order. We are concerned here not with tail fins or television sets, but with the basic health and welfare of the public.

The effect of injurious practices which I have mentioned is to maintain prescription drug prices at often exorbitant cost, which falls most heavily upon the poor and the elderly. It is shameful that our advances in medical science are evidently out of reach of those who could most benefit.

NURSING CARE FOR VETERANS IN HAWAII, ALASKA, AND PHILIPPINES

Mr. HALPERN. Mr. Speaker, as a member of the House Committee on Veterans' Affairs, I consider it my responsibility to be particularly responsive to the legitimate legislative needs of our Nation's veterans. Together with my distinguished colleagues from Alaska and Hawaii, I introduced a bill today which is addressed to those needs, and I call upon all our colleagues to join in supporting this measure.

The legislation we are sponsoring seeks to rectify an inequity in the present law, which has the effect of discriminating against the veterans who live in our two newest States, and in the Philippines. In 1964, we enacted Public Law 88–450, which authorized the Administrator of the Veterans' Administration to transfer certain veterans to public or private nursing homes, when such veterans have received the maximum hospital care required, but when an additional protracted period of nursing care is appropriate. Such transfers serve the threefold purpose of providing an additional hospital bed, reducing the cost of caring for the patient, while insuring that the patient receives the care he needs before being returned to a normal life. In that act, we authorized these transfers only from "hospitals under the direct and exclusive jurisdiction of the Administrator." And since there are no VA hospitals in Alaska, Hawaii, or the Philippines, we are faced with the anomalous situation which the legislation we introduced today is designed to correct.

Currently, the Veterans' Administration's regional offices in Alaska, Hawaii, and the Philippines, have arrangements with nearby Government hospitals, pursuant to which veterans residing in those jurisdictions may receive necessary medical treatment. In Hawaii, for example, an average of 80 daily beds is made available to the VA by Trippler Army Hospital, on a reimbursement basis of $28 per patient, per day. In addition, psychoneurotic patients are treated at State facilities at a cost of $8 per patient, per day. Mr. William Oshiro, the competent and dedicated director of the Honolulu regional office advised me that both these arrangements have proved most satisfactory to all concerned. In the Philippines, there are comparable arrangements with the Government of the Philippines, which operates the Veterans Memorial Hospital; and in Alaska, the VA utilizes the services of the Army hospital at Fort Wainwright, the Air Force hospital at Elmendorf Air Force Base, and various hospitals maintained by the Department of Health, Education, and Welfare.

The fact is, however, that these excellent hospitals are not VA hospitals—they are not "hospitals under the direct and exclusive jurisdiction of the Administrator"—and therefore, veterans who are patients in those hospitals and whose care is being furnished by the VA, may not be transferred to nursing homes, regardless of how sound and appropriate such a transfer would be.

Mr. Speaker, every other State has at least one veterans' hospital, as does Puerto Rico and the District of Columbia. I fully realize, therefore, that this is no major piece of legislation, for the problem to which it is addressed affects relatively few people. The point is however, that this is an injustice, and I feel that it is incumbent upon me as a legislator, to rectify these loopholes and quirks wherever they crop up. I would not want to be responsible for denying a veteran the nursing care he needs just because he does not happen to live in my congressional district, or simply because his problem does not affect many others. This is not a question of doling out gratuities, it is a question of right. And no veteran should be deprived of this right simply because of an oversight in the law.

My bill corrects this oversight by providing that any veteran who is furnished care by the Administrator in a hospital in Alaska, Hawaii or the Philippines, may be transferred to an institution which furnished nursing home care even if such hospital is not under the direct and exclusive jurisdiction of the Administrator.

I have been advised that the senior Senator from Hawaii, Senator FONG, is introducing a companion bill in the Senate today, and I trust that this legislation will receive the timely approval of both Houses.

GENERAL LEAVE TO EXTEND REMARKS

Mr. HALPERN. Mr. Speaker, I ask unanimous consent that all Members who may wish to join in discussing the subject matters of my remarks may include such remarks following my remarks today.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

SOUGHT WRONG KINGDOM

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, very few tears should be shed over the forcible ouster of the African tyrant, Kwame Nkrumah. He was a disciple of totalitarianism, materialism, and socialism. He consistently followed the Communist Party line. How fitting that he was in Peiping with his friends when the coup took place. I do not know that the people of Ghana now have the possibility of achieving some basic form of self-government but they have at least benched the showoff performer who played to the Red stands.

This anti-American loudmouth who endeavored to show other Africans "the way" used threats, international blackmail, and double-dealing to build his kingdom on the sands. Like most dictators, he fashioned memorials to himself in his own lifetime. The stamps bore his likeness as did the coins and his statutes and pictures were everywhere. His statue in Accra bears witness to this ungodly and materialistic philosophy which he endeavored to spread throughout Africa.

It reads "Seek ye first the political kingdom and all things shall be added unto you." This was Nkrumah's deliberate perversion and mocking of the scriptures. Now it is all over. Nkrumah, the Socialist, the materialist, the friend of the Communists, failed. He sought the wrong kingdom.

A SUGGESTION TO CONGRESS ON GUN LEGISLATION

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, many of us are concerned about the effort to enact restrictive Federal gun legislation which would be harmful to our freedom and place a burden on those who use firearms for sport, defense, and marksmanship. I have introduced two bills which are consistent with the objectives of the National Rifle Association and am working for their passage. At the same time, I work against any legislation which makes the gun the target and endeavors to fasten on it rather than the user the sanctions of sweeping legislative change. The illegal use of firearms deserves our attention. Any sportsman or gun enthusiast would agree that this is proper. To register firearms, unduly restrict their proper sale, use or transportation would be wrong and it is certainly hoped that the Congress will be intelligent enough to reject these bleeding heart appeals.

The January 1966 issue of the American Rifleman contained an excellent editorial on this subject and an article which hits the nail right on the head. I include these two items with these remarks and would call them to the attention of the Members of this House for their study and comment:

[From the American Rifleman, January 1966]

A SUGGESTION TO CONGRESS

When Congress reconvenes on January 10, one of the questions to be answered by our elected representatives is what legislation, if any, is needed to further control firearms in interstate commerce.

A total of 34 bills were introduced during the 1st session of the 89th Congress, 5 in the Senate and 29 in the House of Representatives. Each of these bills, in one way or another, is an attempt to prevent criminals and other lawbreakers from obtaining firearms in interstate commerce. Public hearings were held, and the issue has been debated in the press, and on radio and television. Major attention has been given to mail-order guns and destructive devices.

Unfortunately, most of the proposed legislation has the wrong emphasis. It tends to harass the law-abiding citizen, while it would fail in its avowed purpose of denying firearms to those who violate the law. Unfortunately, also, much of the debate has been based upon emotion rather than reason, and upon impression rather than fact.

This has led to gun control confusion and misunderstanding.

Our Federal Government is one of limited or delegated powers. The courts have interpreted the second amendment as imposing a limitation on the Federal Government, but have held that the States under their general and broad police powers may regulate, within the limits of their constitutions, the possession and use of firearms in furtherance of the health, safety, and general welfare of their citizens. Any gun controls enacted by the Federal Government must be based on its commerce power, or its power to tax, or its jurisdiction over the mails. The Federal Firearms Act and prescribed regulations now provide reasonable controls of firearms in interstate commerce. The National Firearms Act now imposes a tax and registration on the making or transfer of machineguns and sawed-off shotguns. The postal laws and regulations now prohibit the shipment through the mails of concealable firearms, such as pistols and revolvers. Stripped of emotion and false information, the real problem requiring the attention of Congress involves two fundamental issues. One is the control of mail-order guns in interstate commerce in contravention of State laws. The other is the elimination of destructive devices from commerce.

The Federal Firearms Act now contains a provision that no dealer may ship any firearm into any State, which requires a permit to purchase such firearm, without receiving evidence of the possession of such permit by the prospective purchaser. Likewise, it can be made unlawful for any dealer to ship, pursuant to mail order or otherwise, any firearm into any State in violation of any law of that State.

The National Firearms Act now provides for a tax of $200 and for registration with the Secretary of the Treasury upon the manufacture or transfer of a machinegun. This has been effective, and the law can be extended to include destructive devices.

Both of these laws provide a maximum fine of $2,000 or imprisonment up to 5 years, or both, for conviction of a violation of any of their provisions. The enforcement of these penalties can be encouraged, and they can be made more severe, if necessary.

The right to keep and bear arms is a fundamental personal freedom of the people of the United States of America. It should not be denied to citizens of good repute so long as they use them for lawful purposes. When a limitation of this right becomes necessary in the public interest, such limitation should be based on the circumstances involved in a particular State and accomplished by State legislation. The Congress should direct its attention to the need, if any, for further control of firearms in interstate commerce in order to make such State laws effective and to the elimination of destructive devices from commerce.

[From the American Rifleman, January 1966]

FEDERAL GUN LEGISLATION—NATIONAL RIFLE ASSOCIATION EXECUTIVE COMMITTEE DIRECTS STRONG POSITIVE APPROACH

The National Rifle Association executive committee, meeting in Washington, D.C., on December 4-5, 1965, reaffirmed its unqualified opposition to the provisions of S. 1592, the Dodd bill, in the U.S. Senate. Even with proposed amendments, S. 1592 would prohibit the interstate movement of all firearms to all persons other than federally licensed manufacturers and dealers.

While reiterating its opposition to this legislation, the executive committee took cognizance of the fact that a problem does exist where juveniles, convicted felons, and undesirables have been able to circumvent the laws of their State by purchasing firearms by the mail-order route. The executive committee also recognized that a problem has been created by the marketing of items of military ordnance, such as mortars, bazookas, bombs, mines, etc.

NATIONAL RIFLE ASSOCIATION POLICY

The executuive committee also reiterated a National Rifle Association policy of long standing, first enunciated by the National Conference of Commissioners on Uniform State Laws, that legislation cannot prevent the determined criminal from obtaining firearms, but legislation can effectively discourage the use of firearms by criminals by providing certain and adequate penalties.

It is a matter of concern to the National Rifle Association that no reasonable and effective solution was reached during the 1st session of the 89th Congress. Extensive hearings were conducted, both by the Senate Subcommittee on Juvenile Delinquency and the House Committee on Ways and Means. Many organizations, including the National Rifle Association, in their testimony, urged reasonable legislative approaches to the problem. The hearings were, by and large, related only to the Dodd bill. Since this approach was found to be unacceptable, no action was taken and the problem remains unsolved, to be grappled with again by the 2d session of the 89th Congress.

After careful deliberation, the National Rifle Association executive committee proposed a positive legislative package which will be actively promoted and suported by the National Rifle Association. This package is made up of three separate bills. One is a bill already introduced in the House of Representatives by Congressman BOB CASEY, of Texas (22d District), providing mandatory prison terms for those who commit specified criminal acts while armed with a firearm. The second is a proposed amendment to the Federal Firearms Act making it a Federal offense for a federally licensed manufacturer or dealer to ship a firearm in interstate or foreign commerce in contravention of a State law. The third bill is a proposed amendment to the National Firearms Act (Machine Gun Act) to make subject to that act the sale or transfer of certain items of military ordnance. The items are to be carefully defined to exclude sporting or training firearms.

DETAILS OF PROPOSALS

Following are the details of the proposals:

The first measure, H.R. 11427, the Casey bill, was referred to the House Committee on Ways and Means. This bill would amend the Federal Firearms Act by adding the following language to the act:

> "Whoever during the commission of any robbery, assault, murder, rape, burglary, kidnaping, or homicide (other than involuntary manslaughter), uses or carries any firearm which has been transported in interstate or foreign commerce shall be imprisoned—
>
> "(1) in the case of his first offense, for not less than ten years; (2) in the case of his second or more offense, for not less than twenty-five years."

The National Rifle Association firmly believes that swift and sure punishment for the illegal use of a firearm in a crime of violence constitutes a sound, effective deterrent to this problem.

The second measure would also amend the Federal Firearms Act by adding the following provision to this law:

> "It shall be unlawful for any licensed manufacturer or dealer to ship or transport, or cause to be shipped or transported, pursuant to mail or other order, any firearm in interstate or foreign commerce, to any person for delivery to such person in any State where the receipt by such person of such firearm at the point of receipt thereof would be in violation of any statute of such State: *Provided, however,* That no conviction shall be obtained under this section if it can be shown by the dealer or manufacturer that reasonable efforts were made to ascertain whether such shipment would be in violation of State law."

NATIONAL RIFLE ASSOCIATION PROPOSAL

The Federal Firearms Act presently prohibits a licensed manufacturer or dealer from shipping or transporting any firearm to a person in a State which requires a permit to purchase such firearm without such person first submitting the permit to the manufacturer or dealer. States which require a permit or its equivalent to purchase a handgun are: Hawaii, Massachusetts, Michigan, Missouri, New Jersey, New York, North Carolina, Virginia (certain counties). The amendment proposed by the National Rifle Association executive committee would prohibit any shipment or transportation of any firearm to any person in violation of any State firearm statute.

The third measure would amend the National Firearms Act to provide Federal control of crew-served ordnance weapons and items such as bazookas, grenades, bombs, mines, etc. Such controls were envisioned by Senator DODD when he introduced S. 1591 on March 22, 1965.

DESTRUCTIVE DEVICE

This bill, while supported in principle by the National Rifle Association and other national sportsmen's groups, received objection on technical grounds connected with the bill's definition of the term "destructive device." As worded, it would have included many large-caliber sporting and antique weapons which it was not the bill's intent to include.

To clarify the term "destructive device," the National Rifle Association will seek an amendment to S. 1591 to reflect a new definition of this term as follows:

> "(3) The term 'destructive device' (A) means any explosive or incendiary (i) bomb or (ii) grenade or (iii) mine or (iv) rocket or (v) missile or (vi) similar device; (B) shall include any type of weapon by whatever name known which will, or which may be readily converted to, expel a projectile or projectiles by the action of an explosive, the barrel or barrels of which have a bore of more than 0.78 inches in diameter; and (C) shall also include any combination of parts designed and intended for use in converting a device other than a destructive device into a destructive device; but (D) shall not include—(i) a device which is not designed or redesigned or used or intended for use as a weapon; or (ii) any device, although originally designed as a weapon, which is redesigned for use or is used as a signaling, pyrotechnic, line throwing, safety or similar device; or (iii) any shotgun or rifle as defined in Section 5848 of this Act; or (iv) any firearm designed for use with black powder, regardless of when manufactured; or (v) surplus ordnance sold, loaned or given by the Secretary of the Army pursuant to the provisions of 10 U.S.C., 4684(2), 4685, or 4686; or (vi) any other device which the Secretary finds is not likely to be used as a weapon."

The effect of this amendment to the National Firearms Act would be to class items of military ordnance (subject to the exclusions noted above) in the same category as machineguns, short-barreled rifles, sawed-off shotguns, and silencers. This means they will be subject to a $200 transfer tax and registration with the Department of the Treasury.

LEGISLATIVE PACKAGE

The three-part legislative package will be the policy of the National Rifle Association in the consideration of Federal firearms controls. National Rifle Association members are urged to take a positive and aggressive position in support of this policy. There can be good, forward looking, Federal legislation. It is not necessary to accept unreasonable restrictions or the banning of all interstate commerce in all firearms.

When the U.S. Congress reconvenes, firearms legislation will be a vital topic. Elected representatives, Congressmen and Senators, will appreciate the views of the voters. If sportsmen do not stand up for good laws, they will have little reason to complain of bad ones.

BASIC PROVISIONS OF THE TWO PRINCIPAL U.S. FIREARMS LAWS

The Federal Firearms Act of 1938, as amended, principally provides that—

(a) All manufacturers, importers and dealers in firearms, pistol or revolver ammunition and components must obtain a license to operate in interstate or foreign commerce;

(b) No licensed manufacturer or dealer may transport or ship any firearm in interstate commerce to any person, other than a licensed manufacturer or dealer, in any State the laws of which require a permit for the purchase of such firearms, unless such permit is exhibited to the manufacturer or dealer by the prospective purchaser;

(c) All licensed manufacturers, importers, and dealers must maintain complete records of the production, receipt, and disposition of all firearms;

(d) No person may buy, sell, pawn, or transport interstate any stolen firearms or ammunition;

(e) No person who is under indictment or has been convicted of a crime punishable by imprisonment for more than 1 year or who is a fugitive from justice, may transport, ship, or receive any firearm in interstate commerce;

(f) No person may receive, possess, or dispose of any firearm from which the serial number has been removed, altered, or obliterated;

(g) No person may receive, possess, or dispose of any firearm or ammunition stolen while moving in, or part of, interstate commerce.

The National Firearms Act of 1934, as amended, imposes a tax and registration on the making or transfer of—

(a) All fully automatic firearms;

(b) All rifles with barrels less than 16 inches in length and all shotguns with barrels less than 18 inches in length;

(c) All firearms made from a rifle or shotgun and having an overall length of less than 26 inches;

(d) All handguns with attached shoulder stocks;

(e) Certain other concealable firearms, except a pistol or revolver;

(f) All silencers or mufflers.

The provisions of the National Firearms Act do not apply to any firearm not using fixed cartridge or fixed shot-shell ammunition.

The penalty for conviction of violation of the provisions of the National or Federal Firearms Act is a maximum fine of $2,000 or imprisonment for not more than 5 years, or both.

DEMOCRACY—WHAT IT MEANS TO ME

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent that the gentleman from Vermont [Mr. STAFFORD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. STAFFORD. Mr. Speaker, it is always a pleasure for me, as the Representative from the State of Vermont, to insert in the CONGRESSIONAL RECORD the speech which has been awarded first prize in the annual Voice of Democracy contest in Vermont, sponsored by the Veterans of Foreign Wars. I again compliment the VFW on its sponsorship of this national contest.

This year, first prize in the Voice of Democracy contest in Vermont was awarded to Edward Robert Barna, of Brandon, Vt. Considering our present international involvements and the reaction to these involvements by a few of our young people, I am particularly pleased to bring to the attention of my colleagues the outstanding speech which won the Voice of Democracy contest for Edward Barna in Vermont.

DEMOCRACY—WHAT IT MEANS TO ME

(By Edward Robert Barna)

Trenton, New Orleans, Vera Cruz, Gettysburg, San Juan Hill, the Argonne, Normandy, Inchon, Da Nang—over 1,200,000 Americans have died for democracy. Men have died for people they never saw, in places without names, in ways we'll never know. But there are those in my generation who use the freedoms so dearly bought to obstruct the effort to keep them. I wish to disagree with these people, and add my voice to those who believe in democracy. I wish to say what democracy means to me.

For me, the policeman is a man who lives in a house on Church Street in my hometown, a neighbor I can talk to, who keeps people safe. I have no idea what it feels like to hear a tramp of boots and a battering on the door at night, with the only other sound the whistle of a train that will never return. I have freedom from arbitrary arrest.

For me, democracy is the right to say that my country is wrong. For example, as a citizen, if I think government is becoming the house that redtape built, I can say so. As a debater, I can get a fair hearing for any plan to change the present system. And as just an interested human being, I can hear views that are totally different from mine. I accept responsibility for proving what I say, and for judging what others say, and I welcome freedom of speech.

For me, democracy is yesterday's local newspaper, with headlines showing men dying in Vietnam, people killing themselves on the highways, and gloomy predictions about the economy. If something is wrong with the world, I want my chance to help correct it, and I cannot do that without freedom of the press.

For me, democracy means that if my friends and I start or join a club, nobody seizes the membership list and hands out prison sentences. I sometimes tend to take Boy Scouts, student government, and other organizations for granted, but I imagine that if I were in a totalitarian country, I might be in one club only. This speech itself is enabled by the VFW's freedom of assembly.

For me, democracy is a light that shines in the darkness, a light on Carver Street, behind the unlocked doors of my church. If I go in to talk with God, I needn't look over my shoulder if another man comes in afterwards. My life just goes on as it did before, with a little extra help. I can't think of any freedom more important to me than freedom of religion.

These freedoms, and others I could list, probably sound commonplace when I tell you what they mean to me. But a look into the past shows just how important democracy is.

In Egypt, there are huge pyramids, thousands of years old, that jut up in the desert. Millions of men, men who loved life as much as you and I do, died so that kings could build these tombs in the sky. All those men are now nameless bones in the yellow sands. The stones had more freedom and importance than they did. But men have built a new pyramid here in America, one that all can climb and stand tall on, not be crushed under. Men have built freedom, and with it the chance for happiness, greatness, destiny.

That pyramid is so big that there is room for all on top of it. I'm grateful that I can stand there and you should be, too. But we are also the foundations that hold up the pyramid. It can crumble quickly if we think that democracy is ordinary and commonplace. For me, democracy is life itself. If it is up to me, that pyramid will never fall.

INCREASE IN FOREIGN SUGAR IMPORTS

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. LANGEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LANGEN. Mr. Speaker, I am wondering if the success of last year's foreign sugar lobby is beginning to show? I ask this question after noting the recent Department of Agriculture increases in the amount of sugar allowed to be imported during the first quarter of this year.

It is unique when the Department increases the import quotas of sugar by 100,000 tons in the very first quarter of the year. It automatically raises the question of adequate sugar supplies for the rest of the year. If the sugar supply has tightened to such a degree that added imports are necessary to keep prices down, our own American sugar growers have a right to demand a full explanation of the causes of such actions and the prospects for the future.

I have had numerous expressions of concern from sugarbeet growers in the Red River Valley area of Minnesota and North Dakota. They note the published reports of increased imports of foreign sugar amid rumors that the 1966 planted acreage in the United States will be far short of allocations. They are curious why it should be necessary to increase foreign imports at the very moment when American beet factories are at their peak of production and immediately following an imposed acreage reduction of sugarbeets throughout the Nation last year. The situation is compounded by the fact that last year's sugar bill forced them to give up their right to participate in the expanding domestic consumption in order to market supplies already on hand.

No matter how you look at it, the picture is one of discouragement for established sugar producing areas of the Nation where an increase in acreage is sorely needed.

REFITTING OF YACHTS

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. MICHEL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MICHEL. Mr. Speaker, at a time when there is a critical shortage of shipping to supply our fighting men in Vietnam and when the President is setting an example of austerity by turning off the lights in the White House, I am somewhat shocked that Secretary Robert Strange McNamara is spending nearly a half-million dollars from secret funds to refit two yachts and a light two-engine pleasure plane for the Chief Executive.

The White House press secretary has stepped to bat and described this expenditure—which it seems is made every 2 years—as "routine" and denied it was made with the knowledge of the President.

If the expenditure was all right, why was it made from secret funds? Is it to hide the yachts' refitting from the Chief Executive or from the American people under the "right to lie" policy? This the press secretary did not explain.

Now if Mr. McNamara wants the President to have two yachts in his basin, I am sure the American people will not object to such a prerequisite of office, even if President Eisenhower did put the Presidential yachts in moth balls. But I do ask you how long the President has to keep the White House dark to make up the $427,900 Secretary McNamara is secretly spending each 2 years on the Executive's yachts?

YOU DON'T HAVE TO WAIT UNTIL 1984

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. RUMSFELD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. RUMSFELD. Mr. Speaker, George Orwell shocked this Nation in 1949 by writing the novel, "Nineteen Eighty-four," a chilling look into the future.

Now, 17 years after Orwell wrote his prophecy, it appears some of the author's predictions are becoming a reality.

Through the efforts of Senator EDWARD V. LONG, of Missouri, a great deal has come to light regarding electronic eavesdropping by Federal employees. The Senator from Missouri has unfolded tales of deceiving juries and judges, wiretapping, lockpicking, and outright lying by Federal Government employees. He has brought to the public's attention a dangerous trend in Government.

I place in the RECORD today an editorial concerning Federal snooping from the Chicago Tribune of March 19, 1966:

[From the Chicago (Ill.) Tribune, Mar. 19, 1965]

YOU DON'T HAVE TO WAIT UNTIL 1984

Senator E. V. LONG, of Missouri, a Democrat, unfolded a shocking story of the invasion of privacy by Federal snoopers in his talk before the Executive Club here yesterday. He said that agents in many branches of the Government are trained in electronic eavesdropping, wire tapping, and lock picking, and are sworn to lie about it if they are detected or challenged.

The Senator said that the constitutional right to privacy is being dangerously and recklessly ignored and violated, and asked, "How long must Americans tolerate Federal law enforcement officials who break the laws they are sworn to uphold? How long must we stand for agents who deceive a U.S. attorney, deceive a Federal jury, and deceive a Federal judge, as we found they are doing in San Francisco?"

Senator LONG is chairman of a subcommittee investigating such illegal operations of Federal agents. The inquiry has disclosed the use of such ingenious devices as a martini olive containing a tiny transmitter; electronic listening devices which can pick up voices at a distance of hundreds of yards, and standard (but unlawful) telephone taps.

In San Francisco, Mr. LONG said, the Internal Revenue Service has placed "bugs" in public telephones over a wide area. It runs a snooping school and as graduation presents hands out a set of lock picks. The Federal Narcotics Bureau, the Senator said, regularly employs wiretaps. Its agents are expected to lie under oath about their activities, and revenue agents called as witnesses in tax cases testify under a similar injunction, on pain of dismissal if they tell the truth.

Federal agents are so enthusiastic over their methods of surveillance and detection, the Senator said, that they are exporting their equipment and training to foreign governments. Mr. LONG said that a foreign aid official was ignorant that his subordinates had trained aid recipients in wire tapping and electronic snooping, the equipment for which was given away free.

"Big Brotherism," he said, "is spreading around the world quickly enough without our speeding it up."

Readers of George Orwell's chilling prophecy, "Nineteen Eighty-Four," know that a total tyranny requires constant surveillance of the subject herd in order to enforce discipline through terror. In everyone's living quarters there was a telescreen which received and transmitted simultaneously. Any sound that the slave-citizen made would be picked up, and as long as he remained within the field of vision, he could be seen as well as heard.

The slogan of the master-state was, "Big Brother Is Watching You." That watch was perpetual, as long as life lasted, and the only possible freedom was death.

When Orwell wrote in 1949, he thought it might take 35 years—until 1984—for the all-encompassing totalitarian despotism to achieve full sway. Of course, tyranny had become firmly rooted in Russia, in the eastern European Communist satellites, and in Red China. It had imposed itself on Germany in Hitler's time and in Italy in the days of Mussolini. It has risen since in Communist Cuba, and authoritarianism is installed in much of Africa.

We might have fancied that the United States would be exempt from these feverish fantasies, but we are on our way. Nothing ought to concern citizens more than the fact that their liberties are already under attack through surreptitious and insidious invasions of privacy by faithless agents of a government supposed to serve them.

SPEAKERS OR SPECTATORS

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. YOUNGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. YOUNGER. Mr. Speaker, on February 9, President Ernest S. Marsh of the Atchison, Topeka & Santa Fe Railway Co. delivered an address to the Traffic Club of Chicago, in which he mentions many of the problems which evidently will be presented to the Congress later on in the President's message on transportation.

This is a most interesting and timely address and should be of interest to every Member of Congress in the light of our consideration of the proposed transportation bill.

The address follows:

SPEAKERS OR SPECTATORS

(An address by Ernest S. Marsh, president, the Atchison, Topeka & Santa Fe Railway Co., before the Traffic Club of Chicago, Ill., February 9, 1966)

Chairman Caiazza, distinguished gentlemen at the head table, members of the Traffic Club of Chicago, and guests, I am greatly honored to have the privilege of appearing before this fine group.

As you know from that 1918 date in the introduction, I have been around railroading an awful long time—still I am not ready yet to assume what you would call an "advisory capacity." Is is not my intention here tonight to advise anyone, although I must confess I have tried to do that elsewhere on some prior occasions.

Tonight I want merely to give you some facts and ask some questions, in the hope they will provoke thought that will cause you to become speakers rather than spectators in the events that are unfolding in transportation—events of significant importance to every business and every individual in the whole American society.

One subject I want to touch on is an important part of the railroad labor relations field.

Strikes and threats of strikes are becoming a way of life with us. Hardly a month passes when one or another of the many unions representing our employees does not serve fresh demands. We look down the road beyond these demands and we always see the same thing—another strike threat.

The seriousness of such threats was brought home forcefully by the recent strike of transit workers in New York City where one man willfully paralyzed the normal activities of 8 million people and seems to have produced a reorientation of thinking on the part of the public—the vast majority of voters. This undoubtedly played a prominent role behind that part of the President's state of the Union message in which he said that he intended to ask the Congress to consider measures which would enable the Federal Government, without invading State or local authority, to deal effectively with strikes "which threaten irreparable damage to the national interest."

Plainly, this is a matter of great interest to passengers, shippers, and carriers alike. For some years the railroad industry has proposed that Congress enact legislation which would provide for the adjudication of labor disputes by a tripartite board and thus pave the way to the end of railroad strikes. In the present posture of the law, railroad strikes are forbidden in "minor" disputes—that is, disputes of the grievance type over the interpretation or application of existing agreements. These are settled by the National Railroad Adjustment Board. However, strikes still can occur in so-called major disputes over establishment of or changes in collective agreements when the processes prescribed by the Railway Labor Act for the handling of such disputes have been exhausted. Reports by emergency boards appointed by the President under section 10 of the Railway Labor Act, which make findings of fact and recommendations for settlement, are virtually, although not legally, binding on the railroads but not binding in any way on the unions. To them, such reports provide only a floor for future bargaining. In other words, we now have a one-sided system equivalent to final arbitration which leads to the hands of the railroads being tied to a floor while the unions are left to press on for more and more.

Given the premise that major railroad strikes are intolerable, the answer cannot be to leave the parties free to resort to self-help. That is inconsistent with the public interest. The present system has often been proved inadequate—most dramatically in the National Work Rules case where a catastrophic strike by the operating brotherhoods was avoided at the 11th hour only by a special act of Congress directing the dispute to binding arbitration.

The system of adjudication of major disputes favored by the railroad industry, which it is hoped will be considered by the present Congress, would, very generally speaking, make final and binding the recommendations of special boards duly appointed under the Railway Labor Act. Strikes in such disputes would be prohibited. Measures along these lines have been introduced many times in the past but apparently were sidetracked by political expediency. But when millions of people and the whole economy can be immobilized by the decision of one or two labor chiefs who can determine how many people he wishes to inconvenience and in what geographic area, it is time that political expediency gave way to statesmanship and the interests of all of the people. Should not all of us be supporting the President's proposal for such measures—when it is the public that is immediately inconvenienced and harmed by actions that are countenanced under present law?

Now, getting to the general facts on our railroad industry—all of you know the railroads and those who run them occasionally come in for a bit of criticism, some of it subtle and some not so subtle. They are sometimes painted as an industry being dragged into the 20th century by the heels, kicking all the way. Despite efforts to set the record straight, the facts are not always realized and acknowledged. I sincerely believe, however, that the shippers of freight—more than any other group—recognize the true facts as they are. Still the stubborn flames of opinion, fanned by years of statistics of inadequate financial results and declining employment in the industry, produce an atmosphere which seems responsible for misunderstandings. This atmosphere, I am sure, inspired some words relating to transportation of goods and people in the President's message to Congress last March 4 on the high-speed ground transportation research bill. The following appeared:

"The last three decades have produced great technological achievements in air and highway transportation. Commercial planes today fly three times as fast as they did in the thirties. Automobiles speed along modern highways at greatly reduced travel time. The progress of our rail transportation system, unfortunately, has not matched these strides."

You did not hear much about this—I wonder why? Does it strike you as saying in effect that railroaders and railroad suppliers have been resting on their arms and elbows while others in industry generally and elsewhere in the fields of transportation forged boldly ahead on the path of ever improved technology?

Actually, this industry has poured $22 billion of its own money into a continuous program of improvement in the 20 years since the close of World War II. The result has been a virtual revolution in railroad operation, although a quiet revolution—perhaps too quiet.

A catalog of all the many outstanding technological advances and achievements which have made this revolution possible would be a long speech in itself. Briefly, the $22 billion has produced, among other things, 28,000 new diesel locomotives; 1,090,000 new freight cars; 30,000 added miles of centralized traffic control; new communications systems with radio and microwave; push-button classification yards, mechanized maintenance and freight handling equipment, in a long list of other improvements of new design.

The Santa Fe alone has spent $1.3 billion on improvements in those 20 years. When you go back three decades, you get into a war and a depression; but in that time I have seen great change take place on the Santa Fe. The dramatic economy and performance of the diesel; the convenience and comfort of air-conditioned streamlined passenger trains; bigger and better freight cars customized for the shipper with their roller bearings and shock control features; centralized traffic control; traffic reversal signaling; automatic train stop; instant radio communications; microwave transmission; new and enlarged switching facilities with automated hump yards; new freight stations with automatic towveyors and improved devices for handling freight; mechanized equipment adapted to nearly every performance in track and shop maintenance; centralized data processing like the IBM 7074 system we will replace before the end of this year with the very newest computer equipment—the highly sophisticated 360 system. The track structure has undergone radical improvement with more than 2,000 line changes reducing grade, curvature and distance. There are better and longer crossties. Then, of course, there is the new and heavier rail of the continuous welded variety. Our first test of welded rail was installed in 1947, but since 1954 new rail has been welded by the electric-flash method in quarter mile lengths, and today we have more than 2,250 track miles of it in use.

If someone familiar with the railroad 30 years ago had been lost in the jungles and suddenly reappeared, he would be amazed to find things new and different in every piece of equipment and every phase of the operation. He would be surprised to see us hauling the huge volume of new automobiles in the multilevel rack cars. He would be told that this development actually came from collaboration between the Santa Fe and one of the auto manufacturers and the prototype was built in our own Topeka shops in January 1960, by conversion of flat car AT 90082, which moved the very first multilevel load of new automobiles from Wixom, Mich., to Los Angeles on January 19, 1960. He would be intrigued by the fact, too, that we handled some 65,000 trailers in piggyback last year. We did not invent that—the circus wagons of the 1880's were piggybacking, although they used elephants and horses rather than the internal combustion engine. Piggybacking was tried in a few places during the 1920's and the 1940's but the economics were against it. It was not until the mid-1950's that the development of highways and highway vehicles reached a point that started piggybacking on the popularity it has attained.

I recall there was considerable to-do about putting the California Chief on a 62-hour schedule from Chicago to Los Angeles in 1928. Good Lord, we run freight trains faster than that today. In any event, it has taken huge capital expenditures to make the plant so much more efficient and make possible the faster and more consistent operations of today. In a real sense they produced a new plant and a new technology. They helped us to keep abreast of rising costs of doing business. How else could we have reduced the Illinois-California freight schedules by 2 whole days and brought down the average revenue per ton mile for the shipper by 14 percent since 1958, while the consumer price index of the country increased nearly 10 percent over this same 7-year span?

Admittedly, we are not perfect. There is still a lot of money to be spent in the industry. We could always use more freight cars. We could use more roller bearings under the cars we have. We could install a lot more welded rail and things like that; but to the extent of the railroads' financial ability, we are and have been doing everything possible in the way of using and adopting every new technology that has come on the scene in the last 30 years. All this is well and good, but what does it mean for the long pull? The most important meaning is, I think, that the industry as a whole is capable and willing to help itself when given a fair chance. Would it not have been better for the whole country if the industry had been given a fair chance to be strong and healthy over the last 30 years?

The fellow who came back from the jungle after a 30-year absence would find a vastly improved type of railroad operation, but he would also find that the revolutionary changes in railroad technology have not been matched by equal progress in Federal transportation policy. He would find that the railroads are still trying to operate under the same old restrictive policies that have denied them equality of competitive opportunity for 30 years, and he would encounter the unhappy fact that the American public has not enjoyed the full advantage potentially available as a result of this revolution in the art of railroading. Is it altogether the fault of the railroads or should blame be laid at the doorstep of Congress, which has procrastinated taking the action that has been recommended from comprehensive studies for over 30 years, and which it has known was needed to avoid an undesirable situation in time?

We hear a good deal about the transportation problem or the railroad problem. Indeed, this problem has been studied almost to death for the last 30 years. Transportation surveys have been repeatedly made by the Department of Commerce in every administration since World War II, beginning with the Sawyer report of 1949, the Weeks report of 1955, and the Mueller report of 1960.

Before that there were numerous reports in the 1930's and 1940's, each preceded by research and surveys of considerable extent. The first was the report of the National Transportation Committee composed of Calvin Coolidge, chairman; Bernard Baruch, Alfred E. Smith, Alexander Legge, and Clark Howell. The report was based on staff studies under the direction of Dr. H. G. Moulton, president of the Brookings Institution. Mr. Joseph B. Eastman, as Federal Coordinator of Transportation, made a succession of reports. Studies were made by the Committee of Three, composed of Commissioners Splawn, Eastman, and Mahaffie, of the Interstate Commerce Commission, in 1938. A Committee of Six, composed of representatives of railroads, management, and labor, also made a report to the President in 1938. The National Resources Planning Board made a report on transportation and national policy in 1942. The Hoover Commission, whose formal title was the Commission on Reorganization of the Executive Branch of the Government, was created in 1947 and made reports in 1949 and 1955.

Congress itself has made numerous investigations, including prominently those in connection with the Motor Carrier Act of 1935, the Transportation Act of 1940, the Transportation Act of 1958, as well as the investigation of the Senate Commerce Committee which culminated in the so-called Doyle report of 1960.

Perhaps the most exasperating thing about these studies is not their regularity alone, but the consistency with which they result in generally comparable recommendations.

Let me read to you the major recommendations resulting from one of the studies:

1. The Nation's entire transportation system should be subject to regulation, but only as much as necessary for the protection of the public;

2. Regulation should not usurp management's right to manage;

3. No form of transport should be either handicapped or favored by Government;

4. Government subsidy of any of the costs of competing transport as a defense against monopoly should cease, inasmuch as the threat of monopoly in the transportation field no longer exists.

When do you think these recommendations were made; 1965? They might well have been. In fact, I will be much surprised if there is not a remarkable resemblance between these and the promised transportation message to the 2d session of the 89th Congress.

Actually, these are the recommendations of the National Transportation Committee created in 1932, to which I have already referred.

Every few years they have been renewed in substance by every study group, and in the meantime each President has said in effect the same words used in the most recent state of the Union message:

"If the Nation is to have a truly efficient system of transportation, we must revise the traditional Government programs of regulation and operating subsidies to place greater reliance on the forces of free competition."

In discussing the competitive disadvantages of the railroads before the Smathers committee in January 1958, I said that if the trend were allowed to follow its course it could have an end result that Congress might wish to prevent—the eventual end of the private ownership of the railroads, and then of other agencies of transportation. I said, too, I thought everyone agreed that the best way to have good railroads is through the American system of private investment and operation in an atmosphere of competition on a fair and equal basis and that the alternative has been proved by other countries to produce inefficient and expensive service with substantial burdens upon the taxpaying public. I said, also, that the time had come for a decision on the really important questions. It was clear to me that even though no one really wanted to see nationalization of transportation, it could come nevertheless by inaction on the part of those responsible for transportation policy. The Transportation Act of 1958 did not resolve the really important questions. Today nationalization is not advanced directly as a solution to the problems except occasionally by some of the labor unions as a threat while conducting negotiations. No one seems genuinely disturbed by the possibility that it could come in a different way in a series of actions by the Government taking over one part of the operation or one ailing property after another until it finds someday that it has control of a network in competition with privately owned carriers, and, of course, the next step is the big one.

The industry has had problems for many years. They are hurting in some places. There are passenger and commuter problems. The circumstance that bring them about are regrettable. We see the efforts by the States of New York, Connecticut, Pennsylvania, and New Jersey particularly, and the Federal Government, to salvage commuter service by subsidy because it is nonprofitable. We see the Long Island Railroad purchased by the State of New York on the basis that the magnitude of the investment required to improve the railroad and operate it in the public interest is more than a private enterprise could possibly undertake. Just this week a Republican member of the New Jersey Senate, who heads a committee to examine the problems of commuter railroads, stated that committee would soon recommend creation of an authority to have the power to take over—lock, stock, and barrel—the railroad and operate it. He says there is disinterest and lack of acumen to run a railroad and he thinks it is about time somebody else ran it. In the last few days two transit experts came up with the suggestion that free public transportation would be a good thing—certainly that is more than a private enterprise could undertake, but it represents the kind of thinking we encounter with reference to dependency upon the Federal Government. There is the uncertain fate of the New Haven and the Erie-Lackawanna if not included in mergers. Drastic decisions may be needed. What are the alternatives—abandon them, outraging shippers and hundreds of commuters—or, perish the thought, Federal control?

I believe that under private investment and management the United States has today the best overall system of transportation in the world. Certainly our country is entitled to that distinction.

I am also a firm believer in research looking to forward planning of a long-range nature. We should have more of it. Some of the plans for development, however, give cause for concern if they are expected to be executed on the basis of realistic economic justification with private investment entitled to a fair return.

Perhaps part of the excitement about high speed for intercity trains is teed off by the very fine new Tokyo to Osaka operation of the Japanese National Railways. This line is 320 miles long and is said to have carried 23 million riders in its first year of operation. Its trains attain speeds of about 125 m.p.h. It is a dream railroad with no restrictive grades or curves and no highway crossings at grade, but according to my information its cost exceeded $1,250,000,000. Someone called the new Tokaido line an example of what to do with the know-how if you have the yen. My, my, how I would like to see the Santa Fe converted over to that kind of a speedway. I imagine it could be done physically with existing know-how, even over the Rocky Mountains, but my pencil tells me that mile for mile even at comparable cost the outlay on the Santa Fe would approximate the Defense Department budget. Such an investment could not possibly stand the test of business economics. It would require more than all of our gross revenues to pay the property tax on it, as a private ownership would need to do.

Is that the kind of money we are contemplating when we talk of the need for new intercity rail lines to link some 19 large metropolitan areas? Again, is it more than a private enterprise could undertake or are we really talking about Government ownership without saying so?

There is one other part of the railroad picture I want to mention this evening. The President's state of the Union message recommended to Congress that it help him modernize and streamline the Federal Government by creating a new Cabinet-level Department of Transportation. In his economic message to Congress, he stated further:

"I am recommending the creation of a Department of Transportation to manage the vast Federal promotional programs in highways, waterways, air travel and maritime affairs and to take leadership in the development of new transportation policies in accord with current realities."

I am a bit puzzled by the absence of any reference to the railroads, although this may be explained by the fact they have had no "vast Federal promotional programs" to be coordinated and managed.

There was a time once before when a Department of Transportation was proposed that I thought it might not be too bad, but I had second thoughts. I became concerned with the likelihood that it would mean more Government regulation and control in the transportation industry at a time when the need was for more reliance on freedom of management. I was concerned that it would inevitably mean the injection to a much greater degree of political considerations into regulation and control. Then when I saw the draft of the bill to implement that proposal, I lost any remaining enthusiasm for the idea that we needed to try something different. Broad powers would have been conferred by law on such a department. It could have exercised authority over such things as the allocation of traffic, operating procedures, maintenance requirements, and expenditures, including employment, under the guise of invoking arbitrary ideas of safety requirements and in a very realistic way further remove the railroads and other transportation from private management and, conceivably, from private ownership as an ultimate result. I would prefer to withhold final opinion on the current proposal until it takes more definitive form and we can see if it is of a constructive nature or another step in the events leading to greater control.

In closing, I would like to say I am only pointing up signs of the times and repeat that I am not attempting to talk in an advisory capacity. I could remind you of the foreman on a gang repairing the tip of the Washington Monument who said to his men—"It is very dangerous up here; a fellow could fall. My only advice is if you do fall, then look over there to the right as you will get a better view to take with you."

DISCRIMINATION IN THE SELECTION OF WOMEN ON FEDERAL AND STATE JURIES

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent that the gentlewoman from New Jersey [Mrs. DWYER] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mrs. DWYER. Mr. Speaker, in his state of the Union message to the Congress earlier this year, the President proposed "legislation to establish unavoidable requirements for nondiscriminatory jury selection in Federal and State courts—and to give the Attorney General the power necessary to enforce those requirements."

I, for one, Mr. Speaker, wholeheartedly support this objective. The recent history of civil rights legislation and its implementation in areas of racial discrimination should convince us that justice in the courts can be a very uncertain thing when juries are selected on the basis of racial discrimination. Justice must be blind to color.

But justice, too, must be blind to all other irrelevant factors. Discrimination of any kind in the selection of a jury undermines the very foundation of democracy in the administration of justice, whether such discrimination is based on race, religion, economic class, political affiliations, or sex.

Unfortunately, Mr. Speaker, in only 21 of the 50 States are jury selection laws applied equally to men and women. And despite the mandate of the Civil Rights Act of 1957, which made women eligible to serve on all Federal juries, many Federal district courts have failed to give full effect to this purpose.

This situation has been a matter of deep concern to many of us here including several of our colleagues among the women Members of the House and Senate. We believe that this Nation has for too long tolerated the wholly arbitrary discrimination against women's participation in the jury system. We believe it is essential to have Federal legislation which will truly establish "unavoidable requirements for nondiscriminatory jury selection" for all State and Federal courts. We believe such legislation is fully authorized under section 5 of the 14th amendment to the U.S. Constitution. And we hope the President will propose and Congress will enact jury selection legislation which will prohibit discrimination against women.

To give expression to these views, Mr. Speaker, I am pleased to announce that I have been joined by seven of our distinguished colleagues—representing both Houses of Congress and both political parties—in requesting the President and the Attorney General to include in the jury selection proposals now under study in the administration specific provisions which will preclude discrimination based on sex.

These distinguished colleagues are: the senior Senator from Maine [Mrs. Smith], the junior Senator from Oregon [Mrs. Neuberger], the gentlewoman from Ohio [Mrs. Bolton], the gentlewoman from Washington [Mrs. May], the gentlewoman from Washington [Mrs. Hansen], the gentlewoman from Illinois [Mrs. Reid], and the gentlewoman from Hawaii [Mrs. Mink].

For the information of the House, Mr. Speaker, I include as a part of my remarks the texts of our letters to the President and the Attorney General and the text of a memorandum on the status of the problem which was prepared at my request by Mr. Phineas Indritz, counsel to the Committee on Government Operations.

The documents follow:

Congress of the United States,
House of Representatives,
Washington, D.C.

The President,
The White House,
Washington, D.C.

Dear Mr. President: In your state of the Union message of January 12, 1966, you advised the Congress and the Nation that you will "propose legislation to establish unavoidable requirements for nondiscriminatory jury selection in Federal and State courts."

Discrimination in the selection of a jury undermines the very foundation of democracy in the administration of justice, whether such discrimination is based on race, economic class, political affiliation, or sex.

We, as Members of Congress, believe that this Nation has for too long tolerated the wholly arbitrary discrimination against women's participation in the jury system.

Although women are now eligible to serve on all Federal juries by virtue of the Civil Rights Act of 1957, the procedures still being used in many of the Federal district courts have failed to give full effect to the statutory purpose.

The situation is much worse in State courts. Only 21 States apply the law equally to men and women. The others contain varying degrees of discrimination which effectively discourage or totally exclude women from serving on both grand and petit juries.

We were heartened by the recent decision of a three-judge Federal district court (*White* v. *Cook,* opinion of Feb. 7, 1966), declaring that Alabama's law excluding women from serving on juries is unconstitutional. But that decision does not necessarily apply to all the varying provisions of the many other State laws which discriminate against women's participation on juries. We believe it is essential to have Federal legislation which will "establish unavoidable requirements for nondiscriminatory jury selection" for all State and Federal juries, and that such legislation is fully authorized under section 5 of the 14th amendment.

We therefore urge that when you present the administration's bill on nondiscriminatory jury selection, it will preclude, in both State and Federal courts, any discrimination in jury service on the basis of sex, as well as other irrelevant factors such as race, color, political or religious affiliation, or economic or social status. Such legislation will be in accord with the principles embodied in the Equal Pay Act of 1963 and title VII of the Civil Rights Act of 1964 guaranteeing equal treatment for women in employment. They deserve equal treatment in the exercise of their civic responsibilities with respect to the selection of jurors for the administration of justice in civil and criminal controversies.

Respectfully yours,

Congress of the United States,
House of Representatives,
Washington, D.C.

Hon. Nicholas deB. Katzenbach,
Attorney General,
Washington, D.C.

Dear Mr. Attorney General: We, as Members of Congress, believe that the legislation which the President promised to present to Congress "to establish unavoidable requirements for nondiscriminatory jury selection in Federal and State courts" should include provisions dealing with discrimination based on sex, as well as other irrelevant factors such as race, color, political or religious affiliation, or economic or social status.

We believe there is no rational or legal justification for the continued toleration of discrimination against women in jury participation anywhere in our country.

Enclosed is a copy of the joint letter we have sent to the President expressing these views.

We hope, and respectfully urge, that the bill which your Department is preparing to submit to the President for his presentation to Congress will include provisions to prohibit and eliminate discrimination based on sex in the selection of juries in both Federal and State courts.

Sincerely yours,

February 14, 1966.

To: Hon. Florence P. Dwyer.
From: Phineas Indritz, Counsel, House Committee on Government Operations.
Subject: Discrimination against women in selecting jurors in Federal and State courts.

Pursuant to your request, I have prepared the following brief summary of the present status of discrimination against women in jury service in Federal and State courts.

I. JURORS IN FEDERAL COURTS

By virtue of the Civil Rights Act of 1957 (28 U.S.C. 1861), women are now eligible to serve on all Federal juries. State eligibility rules are no longer controlling for either grand or petit jurors in Federal courts. The validity of this statute was upheld in *United States* v. *Wilson*, 158 F. Supp. 442 (D.C., Ala., 1958), aff'd. 255 F. 2d. 686, cert. den., 358 U.S. 865. Compare *Ballard* v. *United States*, 329 U.S. 187 (1946).

However, the Committee on Civil and Political Rights of the President's Commission on the Status of Women reported, in October 1963, that the new statutory eligibility of women has not been given full effect in many of the Federal district courts. The report stated that the percentages of women serving on juries were very low, and that the jury-listing procedures are not calculated to secure their full participation on the district court juries. The Committee therefore recommended enactment of legislation to expressly prohibit discriminatory exclusion of women from Federal juries and to help achieve equal jury service through the improvement of jury listing and panel selection procedures.

The Committee specifically endorsed section 1864(b), paragraph 2, of H.R. 3284, 88th Congress, which provided: "The procedures employed by the jury commission in selecting the names of qualified persons to be placed in the jury box shall not systematically or deliberately exclude any group from the jury panel on account of race, sex, political or religious affiliation, or economic or social status" (report, pp. 11–12).

The Committee also recommended that the Judicial Conference and other Federal agencies should give attention to practices concerning listing and calling of women jurors, and should press for equal jury service.

On February 10, 1966, Senator Douglas, on behalf of himself and 19 other Senators of both political parties, introduced S. 2923 entitled "The Civil Rights Protection Act of 1966 (Congressional Record, pp. 2976–2983). Sections 101–104 of the Douglas-Case-Hart-Javits, etc., bill contains provisions designed to secure, in the selection of Federal court jurors, "a representative cross-section of the population of the judicial district without exclusion on the basis of race, color, sex, political or religious affiliation, or economic or social status."

II. JURORS IN STATE COURTS

A. Three States specifically permit only males to serve on juries. These are: Alabama, Mississippi, and South Carolina.

B. Twenty-six States and the District of Columbia provide different treatment for men and women with respect to jury service, as follows:

1. Three States permit women to serve on juries only if they first register with the clerk of the court.

These are: Florida (in addition, Florida specifically provides that a jury in a condemnation case shall be composed only of men), Louisiana, New Hampshire.

2. Sixteen jurisdictions permit women to claim exemption from jury service solely because they are women. These are: Alaska, Arkansas, District of Columbia, Georgia, Kansas, Maryland (Maryland jury law varies from county to county—of the 23 counties, 4 permit women to claim exemption on the basis of sex alone, and 19 counties apply the law equally to men and women), Minnesota, Missouri, Nevada, New York, North Dakota, Rhode Island, Tennessee, Virginia, Washington, Wisconsin.

3. Eight States specifically exempt women (but not men) on the basis of their responsibilities in connection with child care or other family matters. These are: Connecticut, Massachusetts, Nebraska, North Carolina, Oklahoma, Texas, Utah, Wyoming.

4. Two States include women on the jury only when courthouse facilities permit. There are: Rhode Island, Nebraska.

5. Two States specifically provide that women are not required to serve in trials

involving certain crimes. These are: Massachusetts, Nebraska.

(C) Twenty-one States apply the law equally to men and women. These are: Arizona, California, Colorado, Delaware, Hawaii, Idaho, Illinois, Indiana, Iowa, Kentucky, Maine, Michigan, Montana, New Jersey, New Mexico, Ohio, Oregon, Pennsylvania, South Dakota, Vermont, West Virginia.

The 1963 report of the Committee on Civil and Political Rights of the President's Commission on the Status of Women stated (pp. 12–14):

"The Committee believes there is urgent need for State legislative reform with respect to jury service eligibility, exemption, and excuse in order to achieve equal jury service in the States. The removal of sex distinctions in State laws respecting jury service would not mean that women having the care of small children would be forced out of the home; it would mean only that eligibility for an exemption and excuse from jury service would be the same for either sex."

The Douglas-Case-Hart-Javits, etc., bill (S. 2923) contains provisions (sec. 105–112) to prohibit jury discrimination in State courts but only with respect to discrimination based on "race or color," not with discrimination based on sex. This bill, I understand, was prepared by the Leadership Conference on Civil Rights which announced that the principles of the bill are supported by the following organizations participating in the Leadership Conference (Congressional Record, p. 2977, of Feb. 10, 1966): American Civil Liberties Union, American Jewish Committee, American Jewish Congress, American Veterans Committee, Americans for Democratic Action, Anti-Defamation League of B'nai B'rith, Congress of Racial Equality, Episcopal Society for Cultural and Racial Unity, National Association for the Advancement of Colored People, National Council of Catholic Women, National Urban League, Protestant Episcopal Church Division of Christian Citizenship, Southern Christian Leadership Conference, Union of American Hebrew Congregations, Unitarian Universalist Fellowship for Social Justice, United Automobile Workers of America, United Steelworkers of America, Women's International League for Peace and Freedom.

The effect of discrimination against women in jury selection is dramatically illustrated by the situation of Lowndes County, Ala., where State court juries recently acquitted the slayers of Mrs. Viola Liuzzo and Jonathan Daniels, both white civil rights workers. The population of Lowndes County, aged 21 to 64 years, inclusive, is as follows:

		Percent
Men:		
White	738	13.2
Negro	1,798	32.1
Subtotal	2,536	
Women:		
White	789	14.1
Negro	2,278	40.6
Subtotal	3,067	
Total	5,603	100.0

Thus, of 5,603 persons in that age group, 4,865 (86.8 percent) are excluded from jury service, and only 738 white males in that age group are available for jury service.

In view of this situation, a number of persons—including Negroes, white women and others—filed suit in August 1965 in the U.S. District Court for the Middle District of Alabama, Northern Division (*White, et al.* v. *Crook, et al.*, civil action 2263–N) against various Alabama officials responsible for jury selection in Lowndes County. The U.S. Department of Justice intervened in support of the plaintiffs. On February 7, 1966, the court ruled that Alabama's law excluding women from jury service is unconstitutional on the ground that it violates the equal protection clause of the 14th amendment.

This decision does not necessarily settle the issue. There will probably be further litigation, both in Alabama and in other States, for at least two reasons.

First, there have been past decisions by the Supreme Court and by State courts which have either ruled, or assumed, that it is constitutionally permissible for a State to provide different treatment for women and for men (including the total exclusion of women) in relation to jury service: *Hoy* v. *Florida*, 368 U.S. 57, 60 (1961); *Strauder* v. *West Virginia*, 100 U.S. 303, 310 (1880); *Fay* v. *New York*, 332 U.S. 261, 289–290 (1947); *State* v. *Emery*, 224 N. Car. 581, 31 S.E. 2d. 858, 157 A.L.R. 441, annotation at 461 (1944); *Bailey* v. *State*, 214 Ark. 472, 217 S.W. 2d. 424, 9 A.L.R. 2d. 643 (1949); *Black* v. *State*, 215 Ark. 697, 222 S.W. 2d. 816 (1949); *Commonwealth* v. *Welosky*, 276 Mass. 398, 177 N.E. 656 (1931); *cert. den.* 284 U.S. 684 (1932); compare *Ballard* v. *United States*, 329 U.S. 187 (1946).

Second, the district court decision in *White* v. *Crook* relates only to Alabama law. In view of the variety of the State laws relating to jury service by women, it is probable that extensive litigation will be required before women are treated equally with men in connection with jury service in all States.

Accordingly, the judicial case-by-case method will take a long time to end discrimination against women in the selection of State court jurors. The question therefore occurs: Why was the Douglas-Case-Hart-Javits, etc., bill (S. 2923) drafted to end sex discrimination in selecting Federal court jurors, but not in selecting State court jurors? The answer probably is that since the bill was drafted before issuance of the opinion in *White* v. *Crook* (which was announced on February 7, 1966), those who drafted the bill may have doubted whether, in view of the above cited decisions, Congress could constitutionally legislate on the subject of sex discrimination in the selection of State court jurors.

I think Congress has such authority. The equal protection clause of the 14th amendment is not restricted solely to the protection of Negroes. It prohibits any State from making a distinction between classes of persons unless the classification is based upon a reasonable and rational ground which bears a just and proper relation to the attempted classification and is not a mere arbitrary selection. *Gulf, Colorado & S. F. Ry.* v. *Ellis*, 165 U.S. 150, 165 (1896); *Hernandez* v. *Texas*, 347 U.S. 475, 478 (1954).

Insofar as its rationality with respect to jury service is concerned, there is no difference between a legal distinction predicated solely on race (which the courts have uniformly held is unconstitutional) and one resting solely on the basis of sex. In neither case does the distinction bear a reasonable relationship to either civic responsibility, the quality of juror selection, or the proper functioning of the jury system.

Hence, women have a constitutional right, under the equal protection clause of the 14th amendment, to be free from State-imposed discrimination based solely on their sex, in the selection of those who serve on either grand or petit juries. This is the rule adopted by the district court in *White* v. *Crook*. Section 5 of the 14th amendment authorizes the Congress "to enforce, by appropriate legislation," the guarantees of the equal protection clause, and thus to enact legislation prescribing methods and procedures to eliminate discrimination in State court juries on the basis of sex.

In *Ballard* v. *United States*, 329 U.S. 187 (1946), the Supreme Court ruled that a criminal conviction in a Federal court case where women had been purposely excluded from the jury, violated the Federal statute regarding the qualification of jurors. Justice Douglas, speaking for four Justices, expressed the following views which are equally pertinent to the constitutional issue stated above:

"The American tradition of trial by jury, considered in connection with either criminal or civil proceedings, necessarily contemplates an impartial jury drawn from a cross-section of the community * * *. This does not mean, of course, that every jury must contain representatives of all the economic, social, religious, racial, political, and geographic groups of the community; frequently such complete representation would be impossible. But it does mean that prospective jurors shall be selected by court officials without systematic and intentional exclusion of any of these groups. Recognition must be given to the fact that those eligible for jury service are to be found in every stratum of society. Jury competence is an individual rather than a group or class matter. That fact lies at the very heart of the jury system. To disregard it is to open the door to class distinctions and discriminations which are abhorrent to the democratic ideals of trial by jury.

"We conclude that the purposeful and systematic exclusion of women from the panel in this case was a departure from the scheme of jury selection which Congress adopted.

"It is said, however, that an all male panel drawn from the various groups within a community will be as truly representative as if women were included. The thought is that the factors which tend to influence the action of women are the same as those which influence the action of men—personality, background, economic status—and not sex. Yet it is not enough to say that women when sitting as jurors neither act nor tend to act as a class.

"Men likewise do not act as a class. But, if the shoe were on the other foot, who would claim that a jury was truly representative of the community if all men were intentionally and systematically excluded from the panel? The truth is that the two sexes are not fungible; a community made up exclusively of one is different from a community composed of both; the subtle interplay of influence one on the other is among the imponderables. To insulate the courtroom from either may not in a given case make an iota of difference. Yet a flavor, a distinct quality is lost if either sex is excluded. The exclusion of one may indeed make the jury less representative of the community than would be true if an economic or racial group were excluded. (329 U.S. at 192–194.)

"[The] exclusion of women from jury panels may at times be highly prejudicial to the defendants. But reversible error does not depend on a showing of prejudice in an individual case. The evil lies in the admitted exclusion of an eligible class or group in the community in disregard of the prescribed standards of jury selection. The systematic and intentional exclusion of women, like the exclusion of a racial group, *Smith* v. *Texas*, 311 U.S. 128, or an economic or social class, *Thiel* v. *Southern Pacific Co.*, *supra*, deprives the jury system of the broad base it was designed by Congress to have in our democratic society. It is a departure from the statutory scheme. * * * Such action is operative to destroy the basic democracy and classlessness of jury personnel." (329 U.S. at p. 195.)

Phineas Indritz.

CITIZENS OPPOSE SCHOOL MILK, LUNCH CUTBACKS

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Nelsen] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. NELSEN. Mr. Speaker, the wisdom of passing legislation such as I have introduced (H.R. 12846) to make the special school milk program permanent legislation and to provide adequate funds to carry it out is underscored by a veritable flood of mail I have been receiving. This mail is coming from school administrators and many other individual citizens alarmed by the drastic proposed and actual cutbacks in the school milk and school lunch programs. These cuts amount to some 80 percent for the special milk program, and 10 percent for the school lunch program.

To give you a better idea of the thinking back home relative to these accepted programs, I include a portion of the correspondence I have recently received:

Independent School District No. 224,
Wells, Minn., February 23, 1966.
Hon. Ancher Nelsen,
House of Representatives,
Washington, D.C.

My Dear Mr. Nelsen: Our newsletter from the school lunch section of the State department of education indicates a change in the school milk program. We are directed to reduce our claim by 10 percent for February on the special milk program.

I understand the proposed budget request for the next year has been reduced from $103 to $21 million. I wish to invite your attention to the fact that a substantial segment of the people, including me, would oppose this planned reduction.

With the rather massive spending programs of the so-called Great Society it is difficult for me to believe that a reduction should be made in funds for milk for schoolchildren. This appears to be in conflict with the philosophy of other administration programs.

I urge you to reject the administration's proposed reduction and restore sufficient money to continue the special milk program for schoolchildren.

Sincerely,
Gordon A. Hansen,
Superintendent.

Tyler Public Schools,
Independent School District No. 409,
Tyler, Minn., February 21, 1966.
Hon. Ancher Nelsen,
House of Representatives,
Washington, D.C.

Dear Sir: Last week on the Mankato TV station I saw a short film clip in which you spoke of your efforts to retain the special milk programs in our schools. I feel confident that a vast majority of the people here in Minnesota would prefer to maintain the special milk and school lunch programs at the present levels and forget some of the new projects the administration is dreaming up.

In case you are not getting a lot of mail supporting your stand it is because the people do not know what is happening.

Senator Mundt, of South Dakota, expressed a similar view in an interview on a Sioux Falls station over the weekend.

It doesn't make sense to take away something we want and replace it with something we haven't asked for. I am sure schoolmen in Minnesota are 100 percent in agreement with your views and urge you to put up a real battle.

Yours truly,
Gordon Getty,
Superintendent.

Fairmont, Minn.,
February 18, 1966.
Representative Ancher Nelsen,
State Office Building,
Washington, D.C.

Dear Sir: I certainly want to commend you for the stand you are taking on the curtailment of the school milk and lunch programs. When the Congress has already appropriated funds for this year's program, it hardly makes sense to suggest cutting the current program. I am sure that Lady Bird's beautification program and the funds for it can wait—let the billboards stand—I like to read them—but let's continue this school lunch program.

I also wish to say that I admire your direct letter to the President with reference to the funds to be dispersed by the United Nations to assist in the education program of Cuba. Ironic, isn't it, that we support a university by 40 percent when only Communists are allowed to attend. Like furnishing the money to buy the knives that are to be stuck in our backs.

We Republicans in Minnesota, especially Martin County and Fairmont, plan to work harder than ever in coming campaigns. Thanks for all that you are doing for us and all worthwhile programs.

Sincerely,
Mrs. Florence Quackenbush.

Wettergren Dairy,
St. Peter, Minn., February 2, 1966.
Hon. Ancher Nelsen,
Washington, D.C.

Dear Mr. Nelsen: I was happy to read in paper where you opposed cutting the milk program to just needy. I want to congratulate you on your stand. The milk that the children get in the morning is the only breakfast most of the children get—rich or poor—as they don't take time to eat as we did when we were on the farm going to school.

Also, I would like to know how they are going to select the needy for the milk program. I presume hire some high-priced officials to try to screen the needy.

What can we as dairymen do to keep this worthy program going on a full scale?

Sincerely,
Bob.

Minneapolis Public Schools,
Minneapolis, Minn., February 24, 1966.
Hon. Ancher Nelsen,
House of Representatives,
Washington, D.C.

Dear Congressman Nelsen: The Board of Education of Special School District No. 1, Minneapolis, Minn., at a meeting held February 21, 1966, adopted by unanimous vote a resolution opposing the reduction of Federal funds supporting the school milk program. A copy of the resolution is herewith attached.

Because of your interest in the school milk program, we are sure you will use your good office to support the continuation of this program to build stronger boys and girls for the future.

Respectfully,
Stuart W. Rider, Jr.,
Chairman.

Resolution Opposing the Reduction of Federal Funds Supporting the School Milk Program

Whereas the nutritive value of milk as a basic food product is essential for the full physical development of all school age youth; and

Whereas the school program is the major source of milk for many school age children and the only source of supply in many cases; and

Whereas milk is recognized as a daily necessity for good health in order to build sound bodies; and

Whereas there is a proposal that the Federal Government reduce its funds in supporting the school milk program: Therefore be it

Resolved, That the School Board Directors of Special School District No. 1 of Minneapolis, Minn., inform the President of the United States, Senators McCarthy and Mondale and the congressional representatives of Minnesota that we oppose the proposed cut in the school milk program and urge that the program be maintained without any reduction in Federal support.

Le Sueur Public Schools,
Le Sueur, Minn., February 24, 1966.
Hon. Ancher Nelsen,
House of Representatives,
Washington, D.C.

Dear Representative Nelsen: May I solicit your efforts on behalf of the public schools of the State of Minnesota to have the 30-percent cutback in the Federal milk program reinstated. I understand this cutback has been ordered by the Bureau of the Budget, but perhaps your office can intervene in this matter in order to continue offering inexpensive milk to the children in our school district.

You are undoubtedly aware of the fact that the milk program is beneficial to all children, but particularly beneficial to those children who do not receive proper attention to their diet at home.

Our school-lunch program is more beneficial to the financially disadvantaged than any other program supported by the Government. It is difficult for me to understand why this program is being discontinued in the face of that fact and in view of the fact that we do not have a surplus of milk in the country.

Our schoolboard members heartily endorse our school-milk program and are also at a loss to understand the reason for the discontinuance of these funds. May we solicit your support in reestablishing the full milk program for schools?

Very sincerely yours,
H. G. Anderson,
Superintendent.

Watertown Public Schools,
Watertown, Minn., February 24, 1966.
Ancher Nelsen,
House of Representatives,
Washington, D.C.

Dear Sir: We have been informed of a proposal to cut the special milk appropriation from $103 million to $21 million and that the school lunch program appropriation will be reduced $9 million.

We hope very much that the appropriation for milk and the school lunch will not be reduced from the amount appropriated this year. This lunch program with its Federal reimbursement has been one of the finest and worthwhile services we can offer the schoolchildren and we would like to see it be continued at the present rate.

Thank you very much.

Sincerely yours,
Carl N. Bye,
Superintendent.

Jeffers Public Schools,
Jeffers, Minn., February 25, 1966.
Hon. Ancher Nelsen,
House of Representatives,
Washington, D.C.

Sir: The President's proposed budget for next year has the special milk appropriation cut from $102 million to $21 million. If this is passed we will not be receiving reimbursement for our extra milk served as a morning and afternoon break to our pupils.

About one-fourth of our pupils are poverty children under the Federal aid program. What better way to help the nutrition of these youngsters than to see they have the milk break.

Personally, I would prefer to keep the milk reimbursement in and cut back on the Federal aid, Public Law 89-10, if necessary. Can we keep our milk appropriation up?

Sincerely,

Erling H. Kolke,
Superintendent.

Madelia Independent
School District,
Madelia, Minn., February 23, 1966.
Representative Ancher Nelsen,
House of Representatives,
Washington, D.C.

Dear Representative Nelsen: In my opinion it would be an error to decrease support for lunch programs by decreasing reimbursement for a portion of the milk program.

It is not the easiest thing for every small school to determine who should and who should not pay for his meals. At the present time all benefit. For us to start determining who should have a free meal and who should not is taking us into areas that we are not equipped to handle. Welfare boards should have this responsibility. Raising our lunch prices for those who can afford to pay will hurt our program. In the long run, it will hurt more than what is being suggested will help.

Some of us are not going to find enough projects to spend the money that we are eligible for under title I. Reduce title I and give it to us where it will do the most good. Let us keep it in the lunch program.

If you are determined to provide for free lunches in school, why not divert some title I money to the welfare boards and tell them to pay the schools for lunches for whatever children in their opinion need to be served free meals.

The only other alternative is for you to make it legal that parents must open their books to us. That is the only way we can determine who really deserves to have free meals.

The very obvious hardship cases do receive free meals now.

Yours truly,

D. G. Peters,
Superintendent.

February 24, 1966.

Congressman Ancher Nelsen,
Longworth House Office Building,
Washington, D.C.

Dear Sir: After reading about the proposed slashes and cutbacks in the school milk and lunch program I am shocked and disgusted to think a country who spends thousands of dollars on war on poverty, food for peace, etc., wants to save money by cutting the school lunch program by $18 million. It would seem to me that the school lunch program does much to fight the war on poverty by giving many poor children a good, nourishing meal at school at a much cheaper cost than many of the other ways our war on poverty is being fought. I believe President Johnson is doing the best he can in leading our country during these months of fighting in Vietnam but I disagree very strongly with his proposed method of cutting down on spending by doing it in a way which is going to hurt our school milk and lunch programs. Think of the many, many people on the payroll helping to fight this war on poverty which is accomplishing little; but yet President Johnson seems to think it is better to spend money on that and let our schoolchildren suffer for it.

I am requesting that these cutbacks do not take place. Will you please take my views into consideration?

Thank you.

Sincerely,

Mrs. Ray Hokeness, Jr.

Adrian, Minn.

Minnesota Farmers Union,
St. Paul, Minn., February 21, 1966.
Hon. Ancher Nelsen,
House Office Building,
Washington, D.C.

Dear Congressman Nelsen: In a series of meetings which we are currently holding around the State in regard to USDA appropriations for fiscal year 1967, and other matters, we are finding widespread concern about the projected reductions in the budget allocations for the special school milk and school lunch programs.

We are certain that, as a result of this series of meetings, we will eventually have thousands of signatures on petitions to restore and increase the funds for both programs in line with growth in participation.

The Federal aid reductions would be damaging in themselves, but the suggestion to focus the programs mainly toward aiding need children and needy schools, is entirely foreign to the spirit of the school milk and school lunch programs.

It would not be desirable, in our opinion, to require a child to come from a needy family in order to be eligible for a federally aided container of milk, or a school lunch. Such a distinction would not only be bad morally, but would create difficult problems for the school administration.

We will appreciate your advising us when the matter of school lunch and school milk funds might come up before the Agricultural Subcommittee of the Appropriations Committee so that the feeling of Minnesota farm people might be registered.

We are attaching a background memo, which indicates the growth in participation in these programs in Minnesota.

Respectfully,

Edwin Christianson,
President.

U.S. Budget Reduction for School Lunch and School Milk Programs

BACKGROUND

The Federal Government budget for fiscal year 1967 (beginning July 1, 1966) recommends reductions in appropriations for both school lunch and school milk programs. The budget message says: "The school lunch and school milk programs will focus more on needy children, helping to provide them with adequate and well-balanced meals."

The budget message proposes that the school milk program be reduced from the existing authorization of $103 million for 1966 to $37 million for 1967, a cut of $66 million. It is declared that the "program will be directed to needy children, plus children in needy schools where there is no lunch program."

The budget proposes $186 million for the school lunch program for 1967, with a reduction of $14.3 million for school lunch commodity purchases and a reduction of $9.2 million in cash payments to States.

MINNESOTA PARTICIPATION

About 410,000 school lunches are served daily in Minnesota schools and about 740,000 half pints of milk consumed. In 1965, schoolchildren consumed 69.3 million half pints of milk under the special milk program and 64.1 million half pints of milk served with the noon school lunches.

School lunch participation increased by 6.1 percent in 1965 and school milk participation increased by 11.95 percent.

The school milk program provides for Federal reimbursement of up to 4 cents per half pint of milk served.

Of the 2,211 schools participating in the school milk program: 1,013 schools supply the milk free to the students; 626 schools charge 1 cent per half pint to the student; 465 schools charge 2 cents per half pint to the student; 107 schools charge 3 cents or more per half pint.

Application of a needs test or poverty test would mean that almost all students would have to pay the full cost of the milk, varying from 3 to 5 cents per half pint, which would be 3 to 4 cents more than they now pay.

Presently, only a very small number of students obtain the school lunches free because of low family income. About 4 percent of the school children participating in the lunch program are given the meals free, but most of these receive the meals in return for assisting with the kitchen or lunchline work.

Adrian, Minn.,
February 25, 1966.

Dear Congressman: We were very shocked and angry to find the school lunch and milk program had been cut back 10 percent.

We do not wish to sacrifice the health of our children—at least until we adults have done all the sacrificing that is humanly possible.

Please do everything in your power to restore the 10 percent which has been taken away from our young people.

Sincerely,

Mrs. Marvin Klooster.

Jasper Public Schools,
Jasper, Minn., February 23, 1966.
Congressman Ancher Nelsen,
Longworth House Office Building,
Washington, D.C.

Dear Mr. Nelsen: I am deeply concerned about the proposed reductions in school lunch and special milk programs for next year. In this area both programs are very popular and have widespread participation. If the proposed reductions become a reality our participation will suffer greatly and eventually decrease our employment and effect the economy of the community.

I urge you to use your influence to hold present budget figures to prevail through the next year.

Respectfully yours,

Henry Tschetter,
Principal.

USE PSYCHOLOGICAL WARFARE AGAINST NORTH VIETNAM AND THE VIETCONG

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Hosmer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOSMER. Mr. Speaker, earlier this month I suggested using psychological warfare to implement our efforts in the Vietnam war. Some people without much understanding of warfare or the long history of effective psychological warfare all the way from ancient times to the present had a hilarious time poking fun at the idea of spooking and hexing the enemy. To the satisfaction of their own egos they off-handedly depreciated a methodology which might, in the end, be employed to save many American lives and shorten the Vietnam casualty lists. I made these suggestions in a series of three speeches to this body which were released to the press.

This technique was adopted largely to get the ideas to the President and his Defense Secretary. It is well known that Members of the Congress find it almost impossible to communicate directly with these officials who apparently have a feeling of omnipotence or for some other reason, possibly a limitation on their time, give short shrift to non-self-generated ideas. They do read the newspapers however, according to reports, and that seems to be the way open to communicate with them.

It is desired to emphasize that I claim no credit for originating the idea of using psychological war techniques in Vietnam. For many years all branches of our Armed Forces have studied this subject and become expert in it. There are, at present, psywar efforts being conducted in the Vietnam theater of operations.

The real point is that the level of this activity is much less than it could be and much less than a number of experts in this subject feel is desirable. In short, along with our more conventional efforts, it would seem desirable to escalate our psywar efforts.

Relative to the idea of psychological warfare's potentialities in Vietnam, some newspapers have made favorable editorial comment. Examples: The Pasadena Independent on February 8, as follows:

Putting Hex on Hanoi

Congressman Craig Hosmer is nobody's nut. As a Republican he has been reelected term after term in a district where Democrats hold the registration edge. He has served on important committees and has established himself as an authority on such diverse subjects as western water, tidelands oil, military contracts, and the armed services.

Hosmer rarely shoots from the hip. When he sounds off he quotes facts, chapter and verse. He knows how to use his staff as well as the research facilities of the Library of Congress—and does so to bolster his speeches.

For these reasons Hosmer's latest suggestion—to prey upon primitive oriental superstitions in waging the Vietnam war—should not be dismissed too readily. He makes it seriously and it deserves consideration.

Hosmer points out that psychological torment might "create enough misery, anxiety, wretchedness, and distress in the minds of the North Vietnamese people to induce an intense general annoyance with the war."

Specifically, he suggests showering North Vietnam with symbols of misfortune. And those would include the ace of spades, a traditional bad luck sign; plastic models of running dogs made to look like Mao Tsetung, Red China's leader; even plastic women. In North Vietnam it's bad luck to see a woman on first getting up in the morning.

This psychological offensive might also include dropping harmless green dyes and smelly ingredients into rice paddies to leave the rice edible but unappetizing; skywriting unlucky symbols over the villages, and dropping soundmakers, particularly those that make noises like owls, which are unlucky.

Basing his suggestions on research done by the Library of Congress, Hosmer notes that conventional bombings do not disrupt the agricultural economy of the peasants, but that playing on their superstitions might demoralize them and shorten the war.

We should like to hear the Pentagon's answer—and if the ideas aren't feasible, why not? They'd be inexpensive to try, wouldn't cost any lives, and would take advantage of built-in weaknesses of the Vietnamese people.

Let's not knock Hosmer's ideas at least until they've been investigated.

The News of Mexico City on February 8, as follows:

Owl Hoots and Grasshopper Men

Those who are tempted to ridicule the suggestion by a Republican Congressman that the war in Vietnam could be won by owl hoots, playing cards, and plastic models of dogs and girls, underestimate the force of superstitution. The idea has weird merit. To demoralize the enemy is one of the oldest of military techniques, as attested by the Old Testament account of the defeatism of those who saw themselves as grasshooper size compared with the stature of the opposing host.

The "Golden Horde" of Genghis Khan swept to the very portals of Christian Europe, and its mysterious retreat has been attributed to superstitious fear on the part of the oriental leader. The conquest of Mexico was facilitated by the astuteness of Cortez in capitalizing on native traditions which cast the invading Spanish in the role of "white gods."

During the early part of World War II, German efforts were directed at undermining the morale of the countries earmarked for invasion, through radio broadcasts explaining the futility of resistance. Still within memory are the broadcasts of "Lord Haw Haw" in Europe and "Tokyo Rose" in the Pacific whose object was to erode the enemy psychologically.

The technique of psychological warfare has been perfected far beyond these clumsy efforts. The process of brainwashing is not limited to captured prisoners, but extends throughout the world in a vast and subtle competition for the minds of men. All media of mass communication are employed to generate attitudes, to create acceptance or opposition to a given program or policy. We pride ourselves on "independent judgment," without realizing the extent to which the clothes we wear, the food we eat, the vote we cast, and the ideas we cherish are decided by constant bombardment from those who have an interest in influencing our choices and our views.

It is frequently asserted that the present ideological struggle is a "battle for human minds." In psychological warfare, no weapon can be despised if it helps to create specific symbols or images. Those who march in protest do so because they have been made to see one set of values, while those who clamor for escalation see another set.

What Representative Craig Hosmer suggests makes sense: instead of dropping bombs, to release the despicable running dog in the effigy of Ho Chi-Minh and Mao Tsetung, or playing cards bearing the ominous Ace of Spades, and to arrange devices to reproduce the triple owl hoot so dreaded among the North Vietnamese. Such measures, in themselves, cannot be expected to decide the issue of the war, but they can certainly make it no worse. The expense and effort would be justified if only a few of the Vietcong are made to feel, "and we were as grasshoppers in their sight."

The New Haven Register on February 19, as follows:

Psychological Approach To Beat North Viet

A Congressman from California suggests that we bomb North Vietnam with such harmless objects as ace of spades playing cards, gadgets that hoot like an owl, and plastic models of girls and running dogs. He believes this would be more effective than dropping explosives and would cause no casualties.

The North Vietnamese are, on the whole, very superstitious. The use of psychological warfare covering the population areas with objects having an ill omen to the natives is recommended by Craig Hosmer, a Republican. He suggests dropping a foul-smelling but nonpoisonous dye into irrigation ditches around rice paddies. The water would change the color of the rice. A good dosage of such incidents would, Hosmer is convinced, prompt the North Vietnamese to lose interest in pursuing the war.

It can be assumed that various methods of upsetting the North Vietnamese psychologically have already been studied. It is difficult to believe that an ace of spades playing card would be more frightening than a demolition or napalm bomb. But Vietnam is a strange country of strange people with many strange customs and practices.

Hosmer says he has been apprised of some of the superstitions by people who have lived with the North Vietnamese and know their habits and thinking. Fighting the Vietcong is largely an effort of search and destroy. It might be worth an exploratory attempt to see if this method could be trumped by an ace of spades.

And, on a related topic, the use of psychological war against us by the North Vietnamese, the San Diego Union of February 18 states as follows:

Subversion at Work—We Must Back Our Military

Today as in the early 1950's Hanoi is fighting the war in Vietnam with nearly equal emphasis on two fronts.

One of the fronts is in the jungles of Vietnam, where Ho Chi Minh's legions of guerrillas should learn they cannot defeat the might and power of the United States of America and South Vietnamese.

The other front is in the United States of America, where forces of the Vietcong fifth column seek to undermine the will of our people to continue the war.

As Representative Craig Hosmer, Republican of California, said in a House speech, Ho's technique is nearly identical to the one he used to defeat France in Vietnam in the 1950's.

Contrary to general opinion, France did not lose the Vietnamese war on the battlefield, but at home when the people lost heart to continue. Even after the disaster at Dienbienphu, about 90 percent of the French military forces in Vietnam were intact. The lack of home support, adequate supplies and a sense of futility lost the war.

The loss of the French civilian's will was not accidental. Front groups sponsored by Communists staged demonstrations, emphasizing the theme "Asia for the Asians" and "bring the boys home." Families of French soldiers were harassed, peace marches, placards, self-labeled "intellectuals" harped on the futility of fighting, and defeatist talk was encouraged.

The same familiar pattern is in use today in the United States of America by the Vietcong fifth column, actively promulgated by the Communist Party and sympathizers. It has spread from the campuses to the streets, from lecture halls to the Congress.

Fortunately, most of the American people are too intelligent to be duped. Opinion polls show the public supports the President's policy in Vietnam and our military forces. The Vietcong fifth column remains a great danger, however, because of its violence, persistence and because it gets official attention out of proportion to its size.

Abroad, the Vietcong fifth column also serves the purposes of Hanoi and Peiping. The controlled press of Red China and North Vietnam consistently publicizes the demonstrations and antiwar speeches, claiming "it shows the masses have begun to feel they can no longer tolerate the Lyndon Johnson administration's policy." It fans the desires of the Communists to persist in Vietnam.

It is a fight to the death for the Communists on both fronts. They know they cannot win the military war in Vietnam unless our fighting forces lose popular support.

They are also aware that the United States is the last power in the world today that is capable and willing to stop the tide of Communist aggression for world conquest. If the will of the United States to stop the tide crumples, the road of conquest elsewhere will be open to atheistic communism.

This is why the public must support its military forces in Vietnam.

COFFEE SMUGGLING AND CASE STUDY IN A PRICE-FIXING FAILURE

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, the following article and editorial printed recently in the Wall Street Journal pretty well speak for themselves. They report the apparent failure of the International Coffee Agreement against which I voted twice.

These articles appear to vindicate those of us who opposed this international price-fixing cartel. The grand scheme of the agreement is apparently doomed to failure because of the smuggling which is documented here. Production continues to soar and market stability has apparently eluded the planners. In my opinion, the agreement was an unworkable one and should be ended as soon as possible. It encourages a one-crop economy in nations that should be encouraged to diversify their economies. It serves chiefly to enrich the rich (and the smugglers). I commend the article and editorial to my colleagues for their thoughtful consideration:

PSSST. "HOT" COFFEE?—SMUGGLERS FIND PROFIT IN THE COFFEE BUSINESS—INDIRECT SHIPPING AVOIDS PACT—ROASTERS ASK JOHNSON'S AID—PLEAS "CALL IT TOURIST COFFEE"

(By Frank J. Prial)

The world's newest smuggling ring seems a discredit to its trade. It couldn't care less about false-bottomed suitcases or rendezvous on moonless nights. It shuns opium and diamonds and weapons and other staples of the business. It keeps its prices low.

The smugglers deal in, of all things, coffee. They deal in it almost openly, and they deal in it in a big way. Since October 1, the smugglers have shipped coffee valued at "well in excess of $50 million" into the United States, according to a letter sent to President Johnson last week by the New York Coffee Roasters Association. It asked for help in stopping the coffee runners.

"Smuggling is so flagrant," says one New York coffee trader, "that we just think of it as part and parcel of the business. I'd say 90 percent of the trade (in the United States) buys this stuff now" for some of their supplies. Another trader seeks to lend respectability to the practice. "Don't call it smuggling," he cautions. "Call it tourist coffee" because it comes by way of a third country.

HOW TO SMUGGLE

Whatever it's called, the operation is relatively simple and, in a few instances, apparently is legal at the moment. Most major coffee-producing and coffee-consuming nations are members of the International Coffee Organization, which sets maximum and minimum prices for green, unroasted coffee beans. The prices are enforced through export and import quotas that the nations must adhere to when dealing with fellow members. Last spring, for instance, when the price slipped below the floor, exports from coffee-growing nations were cut 4.5 percent to boost the price back up.

But the controls don't affect dealings with nonmember nations or with countries termed "new markets"—Nations where coffee drinking is just becoming established. Thus, a producing nation could ship bags of coffee to a nonmember nation, which could merely reship it to a consuming land. (Specifically to the United States which takes 47 percent of world coffee exports.)

This, in fact, is just what is happening. All of a sudden, trade sources say, coffee is coming into the United States from such lands as Yemen and Laos, nations not particularly noted for their coffee output. Hamburg, Germany, is an especially popular "midway" port, dealers say. The coffee is underselling that which enters the United States through normal channels, though smugglers are said to be making a tidy profit despite the extra shipping costs.

If the shipper takes the trouble to pay export taxes in the producing nation and customs duty in the midway port, he probably isn't violating the letter of the law, coffee people say. But most smugglers apparently ignore these finer points. One trader says he knows of a Colombian smuggler who handsomely pays customs guards to ignore his shipments to "third countries."

The smuggling has proved so successful that in the "last few months or weeks smuggling has increased," says Cyril C. Spencer, the London-based deputy executive director of the International Coffee Organization. He believes the $50 million figure is too high, but has none to offer in its place.

IMPLIED CONSENT

So far, no smuggler has been caught, the industry people say. And they imply that one reason may be because the producing nations close their eyes to the practice because it helps them get rid of their overproduction.

Overproduction is the cause of the problem. There is, it seems, an awful lot of coffee in Brazil. It and other nations produce more than they may export under ICO rules.

"Eventually," predicts Donald Diamond, a coffee trader with New York's A. C. Israel & Co., "there is going to be a terrific break in the market. Overproduction is heavy right now and high prices only encourage more people and more countries to grow coffee." Actually, the smuggling has already forced down the price of coffee somewhat, according to ICO headquarters in London.

Some steps are being taken to curb the smuggling. Beginning April 1, coffee shipped via third countries will have to have "certificates of origin" on the bags, and if these end up in a consuming nation they will be counted against the export quota of the actual producing nation. But this regulation can be circumvented easily, traders say.

For instance, the smugglers could follow the practice of one of their colleagues who ships Guatemalan coffee to the United States by way of Tangier. "It comes in double bags," says a trader in the United States. "They simply strip off the original bags in Tangier and send it on here."

In their letter to the President, the New York roasters group asked that he bar imports from countries that aren't members of the ICO as soon as the level reaches "historical import figures." It also urged the United States to press plans "designed to eliminate overproduction in the coffee producing world."

THE GLOBETROTTING COFFEE BEAN

If smuggled coffee is keeping members of the International Coffee Organization awake these nights, it is easy to understand why. For the smuggling operation offers another bit of evidence that most coffee-producing nations still haven't learned very much about the law of supply and demand.

The ICO was created some years ago to fix coffee prices through a system of quotas. If prices drop below a certain point, the ICO cuts the coffeegrowers' export quotas, creating an artificial scarcity which hauls the price back up again. This is dandy for the coffee producers but hardly so for consumers. They either have to pay the fixed price or drink tea, or something.

The ICO's operations were designed to stabilize not only prices but also production. However, producing nations have been going on merrily overproducing coffee which, under the quota system, they can't export to ICO members. And here, as this newspaper disclosed the other day, is where the smugglers come in.

To be a successful coffee smuggler, it seems all you have to do is to ship coffee to a country not a member of the ICO or a country classified as a "new market" where use of the beverage is just starting to catch on. Such a deal is not covered by the quota restrictions applying to all ICO members when they do business with each other.

The "third country" simply reships the beans to a buyer in a consuming nation such as the United States. So artificially high has the ICO kept coffee prices that traders can ship beans grown in Guatemala to the United States by way of Tangier, sell at below-ICO prices and still make a tidy profit.

Crying "foul," the New York Coffee Roasters Association has sent a letter to President Johnson asking his help in putting an end to what one trader calls "tourist coffee," tourist being a more delicate word than "smuggled." It would seem, though, that the plea for action is going to the wrong place. It might better have been sent to those ICO-member nations with huge coffee surpluses which they hope to reduce by pretending a brisk trade in tourist coffee doesn't exist.

If the producing nations are unable or unwilling to manage their affairs sensibly, they should not be surprised to see globe-trotting coffee bring an end to the ICO as a global price-fixing mechanism—an end which consumers, both tourists and stay-at-homes, would be quick to applaud.

CLEVELAND PRAISES CURTIS PROPOSAL FOR MINORITY ECONOMIC COUNCIL

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, the most distinguished gentleman from Missouri [Mr. CURTIS] deserves the praise and support of this body and the public for his proposal that a minority economical council be created so that the minority party—and the public—may have the best possible means of assessing and appraising economic programs advocated by the administration in power.

The executive branch has resources that are nearly infinite in relation to the Congress and in particular in relation to the minority party. It is becoming increasingly difficult if not impossible to criticize Executive proposals in a responsible and constructive way.

The situation is described in an excellent manner in a recent column by Mr. Roscoe Drummond who adds his support for the proposal.

As chairman of the Republican task force on congressional reform and minority staffing, I am acutely aware of the need for increased staff assistance for the minority. It is essential for the preservation of the two-party system and for our adversary form of government which, like our system of justice, relies on two sides presenting their cases in the most informed and detailed manner. It is the best way for all the facts to be presented so that in the end the people themselves may decide.

I am pleased to offer Mr. Drummond's column for the RECORD and urge all my colleagues to give it the attention it deserves:

AN INFORMED DISSENT—REPRESENTATIVE CURTIS SUGGESTS ECONOMIC COUNCIL FOR HILL

(By Roscoe Drummond)

Representative THOMAS B. CURTIS, of Missouri, one of the most influential Republicans in the House, is advancing a fresh idea that should stir the administration and the academic world.

Mr. CURTIS has scarcity value. He does not talk all the time and, when he speaks out, he says something.

His proposal is to equip Congress, and especially the minority party in Congress, with better means to pass upon the mounting and massive powers and programs that play such a pervasive role in everybody's economic life—businessman, worker, farmer, and taxpayer.

We have now had 20 years of experience with the Employment Act of 1946. This act was made possible by the collaboration of liberal Democratic Senator James E. Murray and conservative Republican Senator Robert A. Taft. It rested on the premise that, since Federal spending, taxing, and fiscal policy can make or break the Nation's economy, the economic decisionmaking of the Government ought to be made more orderly and coherent.

It was made so, in part, by the creation of the President's Council of Economic Advisers.

And none too soon. In these 20 years, the gross national product has doubled, the Federal budget has nearly quadrupled, and the economy looks good in one direction and dangerously inflationary in another, with prices mounting for both producer and consumer.

Representative CURTIS suggests that the way the Government uses its vast economic power is a dangerously one-way street, that dissent is not nourished by competent research, that good alternatives are not well presented—and that something needs to be done about it soon.

Hence, the timely Curtis proposal that an additional economic council be established under the Employment Act to provide minority Members of Congress with a better means of analyzing and presenting alternatives to administration plans.

"Many knowledgeable people disagree with many aspects of many different problems," Mr. CURTIS points out. "There is considerable dissent in our society within its broader consensus. Our problem is how to channel that dissent, how to create a means to bring informed dissenters together to devise and propose alternatives based on expert knowledge."

The need is for fuller and more outspoken participation by the academic economists and political scientists. But there is a suffocating inhibition. Through large research grants, the Government makes it possible for many colleges and universities to make ends meet. It finances programs at universities and it finances individuals at these universities. Competition for such funds is strong. Mr. CURTIS sees this as tending to dampen dissent in the academic community and to lure much of its brainpower to the service of the administration.

What is needed is to counter this lure. One effect of a prestigious minority economic council would be to attract bright, ambitious scholars, businessmen, labor and civil officials to contribute their knowledge to the minority party.

This proposal deserves support. However, it is hard to see the heady Democrats giving the minority such a powerful tool. But if Mr. CURTIS cannot persuade Congress to create a minority economic council, the Republicans ought to create one by themselves.

FCC SHOULD BE LIMITED IN ITS ARBITRARY ACTIONS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. ASHBROOK] is recognized for 15 minutes.

Mr. ASHBROOK. Mr. Speaker, once more we see a need to establish clear legislative guidelines to prevent a bureaucratic agency from pressing into areas where there is no congressional authorization. Time and time again, we see bureaucratic agencies receiving a delegaton of power from the Congress and then set out to go far beyond the orginal intent of the law. The Federal Communications Commission, in my opinion, is doing this precise thing in the matter of the CATV controversy. There are legitimate rights of both CATV and local television stations which must be considered and protected but we should not allow the FCC to enter a jungle where bureaucratic regulations and not the intent of Congress dictates. For that reason, I support the current efforts of the Interstate and Foreign Commerce subcommittee to bring this matter before the House for a declaration of policy and the establishment or clearly delineated guidelines.

CONTROVERSY HAS BEEN BOILING

The present controversy in the television industry involving television broadcasting stations and the regulation of community antenna television systems promises to get more heated before a final solution is reached. When the Federal Communications Commission in April of 1965 declared its rulemaking authority over CATV systems, its action might well have been but the opening stages of a long-drawn-out controversy involving extended litigation. Chairman E. William Henry of the FCC referring to the prospects of a final decision through final court action, conceded before a House subcommittee last year that "those matters are not decided quickly."

Those knowledgeable in the television field are familiar with the steady growth during the past 10 years of the community antenna television systems, commonly referred to as "CATV systems" or "CATV's." Generally speaking, a CATV system is a facility which receives and amplifies the signals broadcast by one or more television stations and redistributes such signals by wire or cable to the homes or places of business of subscribing members of the public for a fee.

CATV's are nearly as old as television itself, the first systems having been started in the mountainous areas of Pennsylvania and Oregon where television reception was inadequate. Over the years, along with the expansion of other segments of the television industry, the CATV's have extended their services into more densely populated areas, thus confronting and competing with local television broadcasting services.

Due to ensuing complications between these two segments of the industry, the Senate in 1959 and 1960 held hearings on the possible regulation of CATV's and reported out a bill which was defeated by one vote. In April 1965, the FCC asserted that it has jurisdiction over all phases of CATV and proposed certain limitations upon their operation. This assumption of authority by the Commission was a reversal of its former policy wherein it had stated that congressional action was required before the Commission could acquire the necessary jurisdiction. The Commission's former position was amply clarified in the Commission's own precedents, its statements to the courts, and its requests to Congress for legislation on the issue.

The Commission now holds that primarily due to further investigations, a reappraisal of the language of the Communications Act of 1934, along with the findings of the court in the Carter Mountain case in 1962, it has the requisite authority to proceed with the regulation of the CATV's.

In May and June of 1965, the House Subcommittee on Communications and Power of the Committee on Interstate and Foreign Commerce held hearings on H.R. 7715, a bill to establish a national television policy and relating to the regulation of the CATV industry by the FCC. The measure is at present before the subcommittee, and the hearings provided a forum in which the various FCC commissioners, in addition to representatives of the television industry could state their views on the proposed CATV regulations and be interrogated by committee members. Much useful information was elicited from witnesses and statements submitted which should be of use in further hearings which will be held on this issue shortly before the House Interstate and Foreign Commerce Committee.

COMMISSION SHUNS HEARINGS

Unfortunately, the Commission to date has not held similar hearings in which the various parties to the CATV controversy could be heard and examined. Nor has the Commission deemed it necessary to conduct a full-scale investigation of the factors involved in this issue. Commenting on the lack of adequate investigation by the Commission, the Harvard Law Review of December 1964—see "Wire Mire: The FCC and CATV"—states:

> Although the FCC seems to recognize that there are many questions still to be answered as a result of the growth of CATV, its decision as to these regulations, if pursued, will limit the direction that further investigation can take. And if the Commission continues to evade full investigation, it will have failed to use that flexibility that is its most important asset in dealing with the broadcasting industry.

It is indeed unfortunate that the flexibility referred to above as being the Commission's most important asset has not been utilized to the fullest in an extensive investigation. For example, it has been the Commission's policy in the past to forbid multiple ownership in which television broadcasters could own a CATV system or vice versa. This proscription has been lifted and could well be a help to both sides under varying circumstances. Other restrictions which television broadcasters feel serve to hamper their efforts toward a more viable operation should have been reviewed via public hearings in the FCC's investigation.

One predominating theme which has appeared in the correspondence which I have received on the CATV issue goes right to the heart of the matter as far as I, as a Member of Congress, am concerned. While it is generally conceded that some guidelines are necessary in the CATV industry, FCC jurisdiction over the CATV's should be subject to congressional authority and direction.

On Monday, February 15, the Commission announced a broad plan for the regulation of community antenna television systems. The chairman of the House Committee on Interstate and Foreign Commerce, after a 3-hour discussion on the Commission's proposals between the House committee and the FCC, stated in the CONGRESSIONAL RECORD of February 17, that:

> The Commission has no intention to cut out service anywhere and fully intends that existing programs on which customers of antenna systems have come to rely fully should be retained. There is only one possible exception to this, and that is, the system must carry a local television station where the station is truly local, but this would not seem generally to have any effect on the ability of the system to continue existing programs. Other than this possible exception, there will be no disruption.

CONCLUSION

As the matter now stands, the House committee is awaiting the legislative recommendations which the Commission will submit to Congress. As soon as these recommendations have been received by the committee, hearings will be scheduled so that, in the words of the chairman, "there will be adequate opportunity for all to be heard and for the committee to review all aspects of the problem."

With a thorough review of the factors involved, I am hopeful that a satisfactory settlement can be reached, and that one of the purposes for which the Federal Communications Commission was founded in 1934 will be best served; namely, to make available, so far as possible, to all the people of the United States a rapid, efficient, nationwide, and worldwide wire and radio communication service with adequate facilities at reasonable charges. The Congress has the power to straighten this matter out. Bureaucracy should not be allowed to arrogate to itself arbitrary power through our inaction. We all recall the threats of former FCC Chairman Newton Minow, who felt that his agency had the power to go as far as the content of programs on television. Nothing short of a full congressional debate will suffice, and I will do everything in my power, Mr. Speaker, to see that the House of Representatives does not shirk its duty.

THE ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Georgia [Mr. MACKAY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. MACKAY. Mr. Speaker, from time to time proposals have been made in my State of Georgia to establish a State Office of local affairs, to help local governments find solutions to intergovernmental problems, study local government needs, serve as a clearinghouse of information, and advise the Governor and legislators on coordination of programs in our State affecting urban development. The Advisory Commission on Intergovernmental Relations has provided a valuable service by preparing a brief report on action taken by some seven States to date to establish such State offices of local affairs. This information report summarizes the activities of each of these State agencies, identifies proposals by the Governors and legislative groups in a number of additional States to establish such agencies, and cites the support given for such an Office by a number of national organizations of elected officials. The Advisory Commission has also prepared a model State bill designed to serve as a guide to State legislative drafters in setting up an office of local affairs.

Those States that have pioneered in the local field need assistance to broaden their efforts. Other States have to be encouraged and assisted to initiate and pursue programs dealing with local problems. I believe that consideration should be given to Federal financial inputs to States for establishment of a continuing program to analyze the structure of their local governments, promote intergovernmental cooperation in urban areas, and assist generally in encouraging action to meet urban planning and development needs to permit a more effective execution of existing and future national programs in the urban development field.

Federal financial support is at least as well justified as in many other functions of State and local government in which administrative costs are shared. Federal participation in administrative costs is currently authorized in the fields of agriculture research, highways—planning and research—civil defense, vocational education, poverty, water pollution, hospital and medical facilities—planning—and public assistance, among others.

Section 701(g) of the Housing and Urban Development Act of 1965 authorizes planning grants totaling up to two-thirds of the cost to organizations of public officials in metropolitan areas for the purpose of assisting such bodies to undertake studies, collect data, develop regional plans and programs, and engage in other activities for the solution of metropolitan or regional problems in such areas or regions.

The support suggested here would similarly assist local units of government to meet urban needs by encouraging continuing State support of a wide gamut of approaches to urban problems. Urban problems are not confined to metropolitan areas but rather are found throughout the State in all present and emerging urbanized areas. Such grants might therefore appropriately extend beyond the major metropolitan areas of the State and would also include all local units of government in urban areas.

Mr. Speaker, I include the text of the report in the RECORD immediately following my remarks:

STATE AGENCIES AND ACTIVITIES FOR LOCAL AFFAIRS

(Report of Advisory Commission on Intergovernmental Relations, Washington, D.C., February 8, 1966)

Within the past decade, a number of States have initiated changes in their administrative organization to insure systematic, interrelated, and continuing consideration of local needs and problems. One of the first studies to call attention to the need for special State machinery for dealing with urban problems is the 1956 report of the Council of State Governments to the Governors' conference, "The States and the Metropolitan Problem," which recommended creation or adaptation of an agency of State government to "aid in determining the present and changing needs of metropolitan and nonmetropolitan areas of the State." It was suggested that the importance of such an agency is not confined only to States with large metropolitan areas, and that the agency could also assist in strengthening local governments generally. The "Suggested State Legislation, Program for 1957," issued by the Committee of State Officials on Suggested State Legislation of the Council of State Governments, and the "State Legislative Program" of the Advisory Commission on Intergovernmental Relations, both carry model State bills incorporating the recommendations in the council's report.

It is significant that States have recognized the need for coordinative mechanisms to assist local governments. As the following discussion shows, each has designed the particular mechanism it believes most appropriate to its needs.

STATE OFFICES OF LOCAL AFFAIRS ALREADY ESTABLISHED

At least seven States have created agencies specifically to provide technical assistance to local officials and units of government and to coordinate the entire range of services applicable to problems of community affairs: New York, Pennsylvania, Rhode Island, Alaska, Tennessee, Washington, and California. They do not have responsibilities for direct State programs. While these agencies have been established to deal essentially with matters of concern to local government, their organization and functions vary widely from State to State. The attached table summarizes the basic facts on the existing formal State offices of local affairs.

In some instances these offices were established by legislation to provide broad overall services for local governments. In other cases, agencies initially responsible for supervisory responsibilities over local finance are evolving a broader program of general assistance to local governments.

New York's office for local government and Rhode Island's division of local and metropolitan government are similar in location and functions. In New York the office is located within the executive department of the State government and serves as a staff aid to the Governor, having to coordinate State relations with the local units and assisting in formulating policies with regard to urban areas. Technical assistance activities of other State agencies remain undisturbed, but the office for local government as an overall coordinator makes them more effective. It encourages joint action among local governments in solving mutual problems, serves as a clearinghouse for legislation affecting local government, and serves as the general information clearinghouse for all State activities affecting local governments. The office works with an advisory board consisting of representatives of all the local government associations and conducts annual workshops on local government problems. In his 1966 annual budget message, Governor Rockefeller recommended establishment of a Federal-aid clearinghouse in the office of local government to assist localities in preparing applications for aid and help expedite these applications through the Federal agencies. An appropriation of $180,000 was requested for this new unit.

Rhode Island's division of metropolitan government is located within the department of administration and has been assigned functions generally similar to those of the office in New York. It is also performing the functions of the former State board of tax equalization.

Pennsylvania has gone the furthest in setting up a counterpart to the newly created Federal Department of Housing and Urban Development. A department of community affairs, an agency of cabinet status with a secretary appointed by the Governor, was established in 1965.

The powers and duties exercised by the existing bureau of community development in the department of commerce, the bureau of municipal affairs in the department of internal affairs, the public service institute in the department of public instruction, and the local planning and development responsibilities of the State planning board have been transferred to the new department.

Essentially these duties and responsibilities involve (1) providing information, research, and assistance to local governments; (2) preparing and receiving budgets and financial reports from local governments and certifying general obligation bond issue and borrowing proceedings; (3) the administration of Federal housing and urban renewal and redevelopment programs; (4) establishing and staffing in-service training programs for public officials; and (5) coordinating regional or municipal development programs.

The department also has been assigned programs formerly in the State department of commerce for administration and supervision. They include the mass transit program, the antipoverty program, the Appalachian program, project 70 (open space program), air and water pollution control program, and the area development program.

The responsibilities of the bureau of municipal affairs will not be assumed by the new department until January 1967, which coincides with the beginning of a new term for the secretary of internal affairs. The bureau of municipal affairs is generally regarded as the first State agency in the Nation (1919) with a general responsibility to provide technical assistance to local governments.

In New Jersey, the division of local government and its local government board are located in the department of treasury, since their most important function is fiscal supervision of local government finance. Although they are largely concerned with financial controls, they also engage in advisory and related activities. The board has authorization to study the entire field of local government, advise municipalities, and to submit recommendations to local officials on the basis of its studies. Exercise of this authority, however, has been limited.

In Tennessee, the office of local government is advised by the local government advisory commission consisting of nine members appointed by the Governor. The chairman is the State comptroller of the treasury, three members are selected by the Governor from slates nominated by the Tennessee Municipal League and the Tennessee County Services Association, and two members are appointed by the Governor from his State executives.

The functions and duties of the office include coordination of State programs and activities which involve local governments, technical assistance to governmental groups studying problems of local government structure or financing for particular areas, and, upon request, assistance to local governments in efforts to develop mutual and cooperative solutions to their common problems.

The 1965 session of the California Legislature has taken still another approach by establishing a permanent intergovernmental council on urban growth. This agency is patterned to a considerable extent upon the activities and functions of the advisory commission on intergovernmental relations, with primary emphasis on urban problems. The council has been in existence for the past 2 years on an interim basis. Located in the office of the Governor, the council is composed of three city officials, three county officials, two school district officials, six State officials, and four public members with an interest in State and regional affairs. All members are appointed by the Governor. Appointments of city members are made from a list submitted by the League of California Cities, county members from a list submitted by the County Supervisors Association of California, and school district members from a list submitted by the State board of education.

The council is responsible for developing long-range policies to assist the State and local agencies in meeting problems presented by growth and development in urban areas, serving as a continuing council on intergovernmental relations to coordinate State and local activities and to inform and advise the Governor and the legislature respecting its activities and recommending policies and programs for administrative and legislative action.

SPECIAL ASSISTANTS IN THE GOVERNOR'S OFFICE

Governors in a number of States, such as Missouri, Kentucky, and Michigan, have appointed special assistants to advise them on local affairs. In Missouri, the Governor's assistant for urban affairs and in Kentucky, the director of housing and urban development within the office of the Governor, are members of the executive cabinet. A more informal arrangement may be found in other States with the Governor assigning responsibility for urban affairs to one of his administrative assistants.

STATE UNIVERSITY-BASED AGENCIES

A different type of agency to serve cities may be found in Maryland. The Maryland Municipal Technical Advisory Service was established as a State agency in 1959, but is organizationally within the University of Maryland.

This agency provides advice and technical aid to municipalities upon request but does not attempt to undertake technical assistance in fields provided by other State departments. It has a close and continuing relationship with the State municipal league and works with it during sessions of the legislature to review all bills affecting the cities. The local government agency in North Carolina is also based at the State university. The institute of government, located at the University of North Carolina, provides municipal management services including finance and accounting, engineering and public works, municipal information and ordinance codification. It has an extensive publication program including directories, handbooks, statistical compilations, and other factual data of interest to local officials.

RECENT PROPOSALS FOR STATE ACTION

Governor Love of Colorado recommended establishment of a State office of local affairs in his address to the 1966 session of the general assembly and Governor Kerner of Illinois has indicated support for a similar agency. Legislators in Ohio and Georgia have also proposed local affairs agencies.

There are other types of agencies set up by the States for study and action on State-local relations. The Colorado Legislature established the Governor's local affairs study commission and Maine has established a commission on intergovernmental relations. The Wisconsin Legislative Council established a 1963–65 biennium urban problems committee to make recommendations to the legislature.

A bill introduced in the Iowa Senate in 1963, but not passed, would have created a commission on State and local governments. In early 1964, however, Governor Hughes of Iowa established the Governor's commission on State and local government, consisting of 95 persons representing municipal, county, and State governments, the universities, and other related interests. Its purpose was "to develop and strengthen cooperative relationships between State and local governments and between the various jurisdictions of local government." The Governor considers the commission both a study and action group, which will make recommendations from time to time for improvement in government operation that can be carried out administratively, as well as those that require legislation.

A bill introduced in the 1965 session of the Massachusetts Senate would have established a permanent bipartisan municipal problems commission. The commission would consist of legislators, municipal officials, and citizens. It was intended that it hold hearings throughout the Commonwealth to obtain views of municipal officials as to the problems they face and what steps might be taken to solve them.

Following a special study, New Jersey's Governor Hughes proposed establishment of a department of community affairs in 1964. The proposal did not receive legislative approval, but will be introduced again this year. Several existing agencies were proposed to be transferred into the new department, including the division of local government.

The powers and responsibilities of the proposed department are broad and include technical assistance, regulatory, and supervisory powers over local government. Advice on the formulation and development of State programs and policies relating to local government would be provided by an advisory council consisting of representatives of counties, municipalities, school districts, municipal managers, and city planners.

An office of community services would coordinate services through municipalities. Five divisions would be responsible for operating programs: the division of housing and urban renewal, the division of State and local planning, the division of aging, the division of youth, and the division of local finance.

SUPPORT BY ORGANIZATIONS OF ELECTED OFFICIALS

Several organizations have taken formal action endorsing State action for the establishment of a local affairs agency at the State level. The "1965 National Municipal Policy" of the National League of Cities recommends that State governments consider "establishment of a unit of State government for continuing attention, review, and assistance regarding the State's metropolitan areas."

The National Association of Housing and Redevelopment Officials has urged the States establish official bodies concerned with housing and urban development. The policy resolution of the association is a part of its 1965–67 program and recommends "that such bodies be created at the State level over the next biennium, with responsibility (a) for encouraging metropolitan, regional, countywide, or similar areawide operations where appropriate; (b) for exploring the need for statewide minimum housing standards, with concomitant authority to insure their enforcement; (c) for exploring other areas of need for statewide standards; (d) for undertaking, where feasible, direct financial aid to localities or supplements to Federal housing and urban development programs; (e) for encouraging State educational institutions to be aggressive partners in urban development through teaching, research, and leadership."

A resolution adopted by the Governors' Conference at its 1962 annual meeting urged that each State give early consideration to "the establishment of a unit of State government for continuing attention, review, and assistance to the State's urban areas." * * * Also in 1962 the U.S. Conference of Mayors by resolution urged the States to act with respect to "the establishment of a unit of State government for continuing attention, review, and assistance regarding the State's local governments."

MODEL STATE LEGISLATION

The model legislation included in the State legislative programs of the Council of State Governments and the advisory commission suggests the following functions for the office of local affairs:

(a) To assist and advise the Governor in coordinating those activities and services of agencies of the State which involve significant relationships with local governments.

(b) To encourage and, when requested, to assist in efforts of local governments, to develop mutual and cooperative solutions to their common problems.

(c) To study existing legal provisions that affect the structure and financing of local government, and those State activities that involve significant relationships with local government units; and to recommend to the Governor and the legislature such changes in these provisions and activities as may seem necessary to strengthen local government and permit its better adaptation to diverse and changing conditions. Particular attention in such studies and recommendations shall be given to problems of local government for metropolitan areas and other areas where major changes in population or economic activity are taking place.

(d) To serve as a clearinghouse, for the benefit of local governments, of information concerning their common problems and concerning State and Federal services available to assist in the solution of those problems.

(e) When requested, to supply information, advice, and assistance to governmental or civic groups which are studying problems of local government structure or financing for particular areas.

(f) To consult and cooperate with other State agencies, with local governments and officials, and with Federal agencies and officials, in carrying out the functions and duties of the office.

The applicability of the draft legislation is not confined to States that have metropolitan areas. A number of its provisions are important to the strengthening of local governments generally, whether or not they are located in metropolitan areas. The legislation is drafted for the establishment of a new agency in the Office of the Governor. However, this agency could be located in, or the functions enumerated above assigned to, an appropriate existing department or agency. The responsibility could also be assigned to a new permanent commission composed of public officials and private citizens, or both, or to an existing or new joint legislative interim committee that operates on a continuing basis.

FEDERAL INTEREST IN STATE ASSISTANCE TO URBAN AREAS

The Federal Government has clearly recognized the need for areawide and local planning as a means providing coordination of Federal programs affecting urban development within metropolitan areas. As a result, Federal programs are looking to metropolitan planning as a means of providing an areawide framework for federally assisted programs; urban highways, open space, urban mass transportation, waste treatment facilities, airports, water and sewerage systems, and other facilities are being related to areawide planning through various incentives and requirements.

The success of such planning is, however, dependent upon effective execution of these functional programs. A major gap exists because of the absence of governmental machinery and authority to carry out agreed upon areawide development plans. Filling this gap will require State action as well as Federal requirements and local initiative, for the States have powerful and unique powers permitting them to make a constructive contribution to meeting urban needs. They have jurisdiction embracing the whole urban area, full legal and administrative authority to exercise direct action and leadership, major tax resources and revenue powers, and control over the organization and powers of local governments.

Moreover, States are increasingly concerned with urban areas because of (a) continuing urbanization of State populations; (b) rising State expenditures; and (c) increasing recognition of the need for reform of the current pattern of local governments, for readjustments of local government powers, and for higher quality of development in urban areas.

Summary of information on existing State offices of local affairs

	New York	Pennsylvania	Rhode Island	Alaska	Tennessee	Washington	California
Name of agency	Office of local government.	Department of community affairs.	Division of local and metropolitan government.	Local affairs agency.	Office of local government.	Local affairs division.	Intergovernmental council on urban growth.
Year established	1959	1965	1961	1959	1963	1963	1965.
Where located	Executive department.	Independent administrative department.	Department of administration.	Office of Governor.	Office of comptroller of treasury.	Department of commerce and economic development.	Governor's office.
Functions:							
Municipal management	X	X	X	X	X	X	
Finance	X	X	X	X		X	
Engineering aspects	X			X		X	
Boundary considerations				X		X	
Legal aid	X			X		X	
Research, statistics, information.	X	X	X	X	X		X.
Personnel	X	X	X	X			
Local planning		X		X		X	
Regional planning and intermunicipal cooperation.	X	X		X	X	X	X.
Coordination with statewide planning.		X					X.
Proposed programs and legislation.	X	X		X		X	X.
Assists Governor in coordinating State activities affecting localities.	X	X	X	X	X		X.
Statutory citations	New York Consolidated Laws, executive law, art. 19–E (1959).	Senate bill 1144, 1965, printer's No. 1880.	Public Law 1961, ch. 93.	A.S. 44.19.180 et seq. and sec. 14, art. X of the constitution.	Laws, 1963, ch. 205.	Ch. 161, Laws 1963, Apr. 15, 1964.	Ch. 823, Laws, 1965.

Source: Advisory Commission on Intergovernmental Relations, January 1966. Adapted from "Toward More Effective Government, a proposed Department of Community Affairs," final report to Gov. Richard J. Hughes (Trenton, N.J.), 1963, p. 13.

AID FOR FEDERALLY IMPACTED SCHOOL AREAS

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. HOWARD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. HOWARD. Mr. Speaker, today in his message to the Congress, President Johnson proposed that $190.6 million be cut from aid to schools in federally impacted areas.

While I can well appreciate the problems confronting the President and the Bureau of the Budget, it is my very strong feeling that this curtailment would be unwise.

Mr. Speaker, as a former schoolteacher and school principal, I am disappointed over the proposals to reduce aid to federally impacted school districts, as well as the plan to reduce the school milk program. I am very much opposed to both plans and today am introducing legislation which would make the present school milk program permanent.

We Members of the 89th Congress have passed many good bills and I feel that we have done a magnificent job in the area of aid to education. I think it would be inconsistent to make this additional aid to schools available and then turn around and cut out money from other programs which are already in existence.

The proposed cutback in federally impacted area aid would force local school boards to do one of two things; either cut back on the number of teachers of the present services given or ask for an expanded school budget with the money coming from the local citizens. Neither alternative is fair nor wise.

Under the proposal of the Bureau of the Budget, New Jersey's cut in federally impacted school district aid would be $4.7 million. My own third congressional district would lose some $1.3 million.

It is my contention that the Federal Government has the responsibility of sharing in the costs of educating the children of Federal employees. In at least one community in my district more than half of the students in the school system are the children of Federal employees or those serving in the military.

I urge all of my colleagues to oppose the proposals to cut back federally impacted area aid and the school milk program. To do less would be a disservice to our children.

At this point I place in the RECORD a breakdown of how the proposed cutback in aid to federally impacted areas would adversely affect my district.

Name of school district	1967 estimated entitlements without amendment	1967 estimated entitlements reduced by amendments
MONMOUTH COUNTY		
Tinton Falls	$73,912	$40,473
Red Bank	48,353	17,407
Henry Hudson Regional	18,920	6,780
Eatontown	522,803	405,066
MONMOUTH COUNTY—con.		
Wall Township	$59,146	$16,686
Oceanport	42,956	28,830
Long Branch	204,847	113,476
Shrewsbury	29,573	15,957
Little Silver	33,674	12,874
Fair Haven	25,687	8,160
Ocean Township	134,265	72,348
Neptune Township	189,093	86,129
Asbury Park	41,019	0
West Long Branch	53,749	34,814
Rumson	9,930	0
Spring Lake Heights	13,599	4,896
Neptune City	22,234	8,160
Howell Township	38,207	0
Atlantic Highlands	6,908	363
Bradley Beach	15,326	3,445
Highlands	10,577	5,258
Avon	2,806	0
Belmar	14,031	3,083
Brielle	5,397	0
Upper Freehold Regional	17,406	1,272
Raritan	35,833	0
Rumson Fair Haven Regional	20,938	4,662
Monmouth Beach	7,771	3,626
Keansburg	13,383	0
Holmdel	10,793	0
Colts Neck	30,867	12,330
Monmouth Regional	174,816	116,332
Shore Regional	54,488	35,599
OCEAN COUNTY		
Eagleswood	2,590	544
Toms River	262,702	127,289
Lakehurst	132,752	97,187
Manchester	69,075	49,138
Lakewood	47,921	0
Brick	55,476	0
Plumsted	56,066	38,803
Jackson	40,582	0
Island Heights	3,885	1,451
Lacey	4,533	0
Central Regional	23,213	5,067
Point Pleasant	30,220	0
Berkeley	14,678	3,083

ADDRESS OF VICE PRESIDENT HUBERT H. HUMPHREY AT 25TH ANNIVERSARY BANQUET OF CHRISTIANITY AND CRISIS, NEW YORK CITY, FEBRUARY 25, 1966

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. BRADEMAS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. BRADEMAS. Mr. Speaker, on February 25, 1966, the editors of the journal, Christianity and Crisis, marked the 25th anniversary of the founding of this publication.

Christianity and Crisis has come to be regarded as one of the most thoughtful and influential voices of American Protestantism. Its founders included the distinguished American theologian and social thinker, Dr. Reinhold Niebuhr, and the then president of the Union Theological Seminary, Dr. Henry Sloane Coffin.

Because Christianity and Crisis has come to win such respect among so many leaders of our country in so many fields of thought and action, I am taking this time to draw this anniversary to the attention of my colleagues and I shall insert in the RECORD a number of articles and addresses which mark this event.

As a member of the board of sponsors of Christianity and Crisis, I had the great honor on February 25, 1966, of introducing the distinguished Vice President of the United States, the Honorable HUBERT H. HUMPHREY, at the 25th anniversary banquet in New York City, and I include the text of the Vice President's address on this occasion at this point:

REMARKS OF VICE PRESIDENT HUBERT H. HUMPHREY, CHRISTIANITY AND CRISIS, 25TH ANNIVERSARY, NEW YORK CITY, FEBRUARY 25, 1966

I am honored to be here this evening at this dinner honoring Christianity and Crisis on its 25th anniversary.

The quarter century since the founding of Christianity and Crisis has been one of the most extraordinary in this history of mankind—a period of great crisis, great triumphs, great events.

If we looked back through the pages of the magazine we honor tonight, we could find a wisdom and vision about these events that other journals—and perhaps our public policies—have not always reflected.

There are journals of huge circulation that we all must read, just in order to know what is going on. But there are other journals that we want to read, in order to get some perspective—some insight and guidance and reflection—about what is going on. For me, Christianity and Crisis is foremost among journals of the latter type.

REINHOLD NIEBUHR'S CONTRIBUTION

With all respect to the many fine contributors and editors through the years, to Dr. John Bennett and to Wayne Cowen and all the others, we all know that to speak of Christianity and Crisis is to speak of Reinhold Niebuhr.

It is with a sense of deep privilege and humility that I join this distinguished assemblage in honoring one of America's—and the world's—most profound political philosophers, theologians, and prophets.

The 1920's and early 1930's were empty years in American intellectual and political life. It was into this moral vacuum that a new voice was heard—the voice of an unknown preacher serving a working class community in Detroit. Ever since that time, Reinhold Niebuhr has been taming cynics and pulling utopians back to earth.

No preacher in our time has had a greater impact on the secular world. No American has made a greater contribution to political wisdom and moral responsibility.

NIEBUHR, LINCOLN, AND TWAIN

Reinhold Niebuhr, like Abraham Lincoln, and Mark Twain, came out of that great Middle Western river valley, and he brought east with him realism and humor and energy and a brooding thoughtfulness.

Like Lincoln and Mark Twain, Dr. Niebuhr brought a mixture of profundity and practicality. Like Lincoln, who I think has always been his favorite statesman, Dr. Niebuhr showed how to combine decisive action with a sensitive knowledge of the complexity of life, including politics.

That combination is what Dr. Niebuhr taught to a whole generation of us, as we came out of the great depression. We knew there were urgent demands of social justice that required direct action and idealism.

POLITICIANS, THEOLOGIANS, AND THE ROLE OF GOVERNMENT

At the same time, we had to learn that politics was complicated and many sided—that life wasn't simple. Dr. Niebuhr was the man—more than any other—who fitted these two things together, and who showed how they are both connected with our religious faith.

Dr. Niebuhr helped us to see that politicians and theologians have a mutual interest in the sin and evil of the world. Martin Luther, I believe, once noted that the state was ordained by God because of man's sin—and the function of the state was to restrain evildoers.

If these words sound a bit old fashioned, I can assure you that, when I was mayor of Minneapolis, one of my main jobs was to do just that—restrain evildoers. And I suspect Mayor Lindsay is not wholly free of this burden.

James Madison expressed the same proposition in somewhat different words in the Federalist: "If men were angels, no government would be necessary."

The vocation of the politician includes the task of dealing with fallen angels—of restraining evildoers—of mitigating man's inhumanity to man. In positive terms, our task is to create the external conditions for social justice, human dignity, and freedom. But we must be willing to accept man as he is—to work with the material at hand. This is surely at the core of our democratic faith and democratic institutions.

JUSTICE, INJUSTICE, AND DEMOCRACY

In a score of books, hundreds of articles, and thousands of lectures—in classroom and seminar, here and abroad, Niebuhr has hammered away at this one basic theme: "Man's capacity for justice makes democracy possible, but man's inclination to injustice makes democracy necessary."

By affirming "man's capacity for justice" and the possibility of a democratic society, Niebuhr has asserted his belief in the upper reaches of human nature.

He has believed in what he has called "original righteousness"—that man is made in the image of God—that at his best, man is capable of justice—of granting to other men their due. The achievement of democratic government—the most difficult and least tried form of government—is not wholly beyond human attainment.

At the same time, Niebuhr has affirmed what we all know—that all men, including good men, have a tendency to pursue their private ambitions and interests—often to the detriment of the rights and interests of their fellow men. This he has called man's inclination to injustice.

After the rhetoric is over, the case for democracy must rest on its realism. Democracy takes into account the full range of human nature. It is the only form of government that can guarantee both justice and freedom because it is the only one that seeks to recognize and respect the legitimate claims of all conflicting interests.

With these insights into human nature and the human condition, Dr. Niebuhr helped many of us understand our obligation to work for social justice without falling into soft utopian nonsense. These were essential truths that my generation of Americans had to hear—and Reinhold Niebuhr spoke to us clearly and courageously.

In sum, Reinhold Niebuhr has contributed to American life and thought because he has been a realist without despair and an idealist without illusion.

THE NEW IDEALIST

But I believe that Dr. Niebuhr's wisdom should be heard by other generations as well, by the social activists of today—the young left, the students and clergy and civil rights workers who are speaking out with such conviction and courage.

I applaud much that they are doing. I am never happier than when I can speak to a group of students, and the revival of social idealism among the young is one of the most heartening developments of the sixties. Going through the great depression is one way to develop a social conscience, but apparently it's not the only way.

I know there has been a new burst of social idealism among the clergy and laymen too, as well as among students. One of the many side benefits of the civil rights movement is this new social conscience. But sometimes it occurs to me that the new generation of students and clergy also needs to sit at the feet of Reinhold Niebuhr—as many of us certainly did in the thirties and forties.

The great tradition of social protest in America has failings that crop up regularly. One is oversimplification. Another is self-righteousness. Another is political naivete. Another is sweeping impatience with everybody in authority (the establishment and the power structure is what they are called now; we had other names in my day). If you would go back to the abolitionists you would find—along with their great contribution and moral idealism—all of those faults.

Reinhold Niebuhr demonstrated for us—as he demonstrates for the social reformer today—the vital need for self-criticism—criticism of humane movements by those who believe in their purposes.

NIEBUHR'S AVOIDANCE OF SIMPLE SOLUTIONS

One aspect of this liberal self-criticism is to understand the limits of politics. Many idealists just picture what ought to be, without enough attention to what can be. They do not put themselves in the place of responsible officials, and try to imagine what is possible—and what isn't possible.

On one occasion Dr. Niebuhr illustrated this point by quoting the passage that Stephen Vincent Benet gives to Abraham Lincoln:

> "They talk to me about God's will
> In righteous deputations and platoons,
> Day after day, laymen and ministers.
> They write me prayers from 20 million souls
> Defining me God's will and Horace Greeley's.
> God's will in general this and senator that;
> God's will is this poor colored fellow's will.
> It is the will of the Chicago churches;
> It is this man's and his worst enemy's.
> But all of them are sure they know God's will.
> I am the only man who does not know it."

Reinhold Niebuhr has never claimed to know God's will. But he has understood the importance of preserving in America the great liberal objectives we derive from our Anglo-Saxon heritage—the rule of law, the consent of the governed, and fairplay. And he has understood why this Nation must be committed to the great Judeo-Christian values—human dignity, equality of opportunity, and the dream of a better and more just society.

He has been both a reformer and a prophet. But he has not been a crusader. He has steadfastly warned against the nostrum peddler, the salesman of simple solutions, the fixer—all of whom promise easy answers.

NO SIMPLE SOLUTION IN SOUTHEAST ASIA

Dr. Niebuhr has always understood there is no easy way out of difficult dilemmas, because there is no escape from the human situation. There is no painless remedy for the racial prejudice and injustice which still exists in America. There is no quick or easy victory in the war on poverty. There is no simple solution to the complex, tragic situation facing America in southeast Asia.

The challenge is to recognize and accept the complexity and difficulty of these tasks, yet nevertheless to face them in the knowledge that they cannot be evaded—in the words of Keats "to bear all naked truths * * * and to envisage all circumstances, all calm."

In southeast Asia, for instance, there is ample evidence of man's inclination to injustice.

I have seen firsthand in these past days the desperate poverty of the ordinary people of that part of the world.

I have seen the tremendous gaps there between rich and poor.

I have seen young children undernourished—many without hope for education, many without hope of ever reaching adulthood.

I have seen fields across which soldiers of many nationalities and allegiances—over the course of many years—have fought, to the pain and misery of the peasants who ask the chance only to cultivate, in peace, those fields.

I have seen, in Vietnam, the marks left by terrorists and assassins who would subvert the strivings of nationalism for the purposes of totalitarianism.

But I have seen, too, in these past days ample evidence of man's capacity for justice.

I have seen national leaders who have, literally at risk of life, devoted themselves to the betterment of their people, when it would be far easier for them to follow paths of self-service and self-gain.

I have seen men and women from more comfortable places—without direct obligation to those they help—working on street and farm so that their brothers in mankind might have some eventual share of abundance and well-being.

I have seen human beings casting their lot with free institutions when those institutions offer little immediate, material benefit and when their abandonment would, at least today, seem to be the easy course.

And, above all, I have seen Americans of every race, color, and national origin waging their struggle with pride, honor, and conscience—and not only with arms. American troops in Vietnam are participating in countless projects of community assistance and restoration—healing the sick, teaching the illiterate, building schools and hospitals, and demonstrating in village and hamlet their courage and compassion.

We can be justly proud of the sacrifices which these Americans are making in our behalf.

And there are American civilians, of equal courage, skill, and determination, fighting the battle against man's ancient enemies of disease, ignorance, hunger, and poverty.

I have seen the forces of freedom waging two battles; one to prevent the success of aggression; the other to build a new society of promise and hope.

And from all I have seen, I have come away convinced that as we must continue to work at home—yes, often with imperfect means and with insufficient understanding, toward social justice and self-determination and human dignity—so must we continue to strive in southeast Asia.

Today in Vietnam our liberal means and objectives are being tested by totalitarians who have never had anything but contempt for those means and objectives. We are being tested in a struggle which demands both courage and conscience, both determination and dedication.

I have come away from Asia and the Pacific convinced that the spiritual and material resources of America are essential ingredients in winning this struggle. And I have come away convinced that whatever our contribution may be—and it is substantial—it will be surpassed by the peoples of these embattled nations. Proud of their own history, traditions, and culture, and with a deep sense of self-respect and self-achievement, the free peoples of Asia and the Pacific look to America for understanding and assistance in their fight against the injustices of the past and the threat of aggression and subversion today.

AMERICA'S COMMITMENT

That is why, in these past days, I have made known America's commitment to preventing the success of aggression and assuring the triumph of self-government, economic development, and social progress.

This is the course far more difficult to pursue than the course of withdrawal—far more difficult than the course of unlimited violence and massive escalation.

This is the course which faces with realism and responsibility the complex and difficult business of fostering conditions congenial to the expansion of social justice, human dignity, and freedom.

And this is the course which President Johnson and the American people are determined to pursue—a course fully consistent with our own social and ethical values.

With full knowledge of the difficulties ahead, we reaffirm our intention to sustain the struggle against the forces of Communist expansion—against the forces of poverty, illiteracy, famine, and disease—for as long as the cause of freedom requires it.

MILITARY ACTION AND THE SEARCH FOR PEACE

We reaffirm our intention of using military power of almost limitless quantity in measured, limited degree. In Vietnam we have one—and only one—military objective: the halting of forceful conquest of South Vietnam by North Vietnam.

We reaffirm our determination to search for peaceful negotiations in face of continued rejection of such negotiations by our adversaries.

We reaffim our devotion to the building of free and democratic institutions in the face of violent opposition from those with little regard for them.

We reaffirm our belief that ultimately those who live by force, violence, and terror will come to understand that these devices are not acceptable means for settlement of international disputes.

We cherish no illusion that this path is easy, or without pitfalls, or guaranteed of immediate success. We only know that in our judgment the defense of freedom and the ultimate peace of the world require us to pursue it.

But let us do so with the same wisdom and faith which prompted Reinhold Niebuhr to write these words in Christianity and Crises almost 20 years ago: "* * * we recognize the tragic character of the human drama, including the particular drama of our own day, and call upon the mercy of God to redeem us, not from the contemporary predicament of democracy but from the perennial human predicament."

"CHRISTIANITY AND CRISIS" TOMORROW

Now may I be permitted a final observation on this 25th anniversary of Christianity and Crises? These have been 25 productive and challenging years. They have been years true to the original vision and purpose of Reinhold Niebuhr and the other founders of this Christian journal of opinion.

Now, what of the future? I hope Christianity and Crisis will continue publishing for another quarter of a century, and for many more beyond that. We are going to need it in the years that lie ahead. We are going to need it because two things are not going to go away: the claims of social justice, and the complexity of politics.

We need, in these times, journals such as Christianity and Crisis to stimulate the critical faculties of both our leaders and our citizens. I understand, in the words of your managing editor, that Christianity and Crisis has been surrounded by the establishment. That has, I suppose, certain advantages as well as disadvantages. But I have every confidence that your unwavering commitment to social justice and your profound understanding of the intricacies of the democratic process will provide ample copy for the months and years ahead.

Christianity and Crisis, as a Christian journal, must by definition, have a perspective as wide as humankind and one eye on eternity. It cannot afford to reflect a parochial nationalism or a short-run outlook.

A journal like that, a perspective like that, is a requirement of our time.

Borrowing from the pages of the current issue of Time magazine, longtime reader HUBERT HUMPHREY, as well as the many others who honor you on this important birthday, is expecting you to live up to your reputation.

Mr. Speaker, I should like at this point to include the address at the banquet of the cochairman of the editorial board of Christianity and Crisis, Dr. John C. Bennett, the distinguished president of the Union Theological Seminary:

REMARKS OF DR. JOHN C. BENNETT, FEBRUARY 25, 1966

CHRISTIAN REALISM AND CHRISTIANITY AND CRISIS

On this occasion we are celebrating the role that Reinhold Niebuhr has played in influencing the church and the Nation. His influence has extended far beyond the circle of those who are aware of it. He has influenced the assumptions of a whole generation. He met considerable resistance in the days when he had to be most polemical. I remember that one of our Union Seminary colleagues visited many colleges and universities in the Middle West in the 1940's and brought back the report that there was widespread resentment against Niebuhr's influence because there was a tendency to blame him for the sins of which he had discovered the symptoms. I doubt if this would be true today because events have driven home so many of the lessons which Dr. Neibuhr had to emphasize in his polemics against an earlier liberalism in the decades of the 1930's and 1940's. This Christian realism that is now mentioned so often today as the label for Niebuhr's thought was not an expression of a dark and negative view of humanity, though this was often the journalistic picture of Niebuhr. More significant than his stress on sin or his realistic diagnoses, are his compassion for the victims of injustice, of any kind of self-righteous hardness and his appreciation of the unexpected and almost hidden goodness of people.

I like to put two passages by Niebuhr together because they suggest so well both his sharp prophetic judgment within the church and his remarkable openness to people outside the church:

"The sad experiences of Christian history show how human pride and arrogance rise to new heights precisely at the point where the claims of sanctity are made without due qualification" (II, 122). "Thus the saints are tempted to continue to sin that grace may abound, while sinners toil and sweat to make human relations a little more tolerable and slightly more just" (II, 197).

His use of Biblical categories and insights brought illuminating diagnoses of the historical situation to many circles to which they were news, and to a large number of our contemporaries he brought not only diagnoses but also positive words of grace.

Christianity and Crisis was only one medium that he used in communicating his thought but it has in large measure been his voice from the beginning. He gives everyone else the credit for the influence of the journal that has grown quite steadily over the years.

I take this opportunity to pay tribute to the editorial imagination and drive and patience of Wayne Cowan, without whose willingness to stick with this very modest enterprise when the going was hardest, especially in all material ways, there probably would be no Christianity and Crisis today. Ours is still a modest enterprise but the circulation has increased fourfold during the time of Wayne Cowan's editorial supervision and in this he has been greatly helped by the initiative and skill and devoted service of Frances Smith. I should say one other thing. Our journal could not exist if it were not for the fact that it is a cooperative enterprise with a continuous process of consultation on the part of the editorial board and with the willingness of the members of the editorial board to write the editorials signed by their initials, willingness after some pressure from Wayne Cowan.

THE VIEWS OF CHRISTIANITY AND CRISIS

I do not want to boast on this occasion, but I do think that we have been right on many things. Certainly Christianity and Crisis was right on the issues raised by the struggle against Hitler as over against what at the time often seemed to be an incongruous combination of Christian pacifism and isolationism. Also on the early postwar issues involving the reconstruction of Europe and the safeguarding of Europe against the possible expansion of Stalinism we were right. The same thing was true of the great emphasis that we placed on the Christian struggles against totalitarianism, on the worldwide mission of the church, on the ecumenical movement.

TOLERANCE, SCHOOLS, AND POLITICS

Long before Pope John and the second Vatican Council, we resisted the anticatholicism that was so common in American Protestantism. We emphasized that the fact that the Catholic Church was no monolith when this was much less clear than it is today. Very early we battled against the hard-line separationism in the context of church-state relations so common in Protestant circles and in liberal circles. We have long believed that non-Catholics should use their ingenuity to find ways of improving the education, the welfare of all children in all schools without sacrificing essential constitutional protections of church and state. Our recommendations about the relation of the state to pupils in parochial schools were similar to steps that have been taken in recent legislation providing Federal aid to education.

We were one of the earliest and most insistent Protestant voices that give support to the idea that the Nation should be open to the election of a Roman Catholic President. Now almost everyone agrees with this view though at the time we received a great deal of abuse from fellow Protestants.

We have also written a good deal about the hopeful changes in the Communist world, about the break in the Communist monolith, about the various degrees of humanization in European communism, about the new dialog between young Christians and young Communists in some eastern European countries. We have also called many times for a change in American policy in regard to China, for the attempt to establish all possible relations with China. Though we have no illusions about the problems that a China become more powerful may create for its neighbors, we are concerned to overcome the isolation of China and to face the fact that at least one factor in the paranoia of China that sounds so dangerous is that she has good reason to hate the white West.

It was not difficult for us to add our voices to so many others in opposition to McCarthyism and in opposition to the election of Goldwater. In the latter case we were often criticized for taking a partisan stand in an election. We have usually tried to avoid partisanship as such but in 1964 it was obvious that Senator Goldwater was opposed to everything for which we had long stood. Under such situations how does one avoid a touch of partisanship?

NIEBUHR AND RACIAL JUSTICE

Reinhold Niebuhr had been a pioneer on the problems of racial justice in the 1930's. He led us all in the struggle against racial segregation both before and after the Supreme Court decision in 1954. Since then

Christianity and Crisis has been one of many voices that have tried to deal imaginatively and rigorously with the issues of civil rights and with the many companion issues of urban poverty and decay. We have not said more than many others but we have tried to be faithful here and will continue to do so as the spotlight shifts to northern cities.

A CRITICAL VOICE ON VIETNAM

It would be easier for me to stop here but to do so would be less than candid. It would deceive no one if, out of deference to the Vice President, I omitted one of our major interests at this time which is a criticism of policies of this administration in relation to Latin America and Asia. In our next issue we are publishing one of our rare joint editorials defining our position on the war in Vietnam.

This editorial questions the presuppositions of our policy and suggests that the discovery of a better policy will come only as these presuppositions are reexamined by the policymakers themselves. It emphasizes the extent to which we are engaged in sacrificing the very people in South Vietnam whom we intend to help with our fire and sword. It shows how self-defeating it is to intensify military operations. It charges that the talk of unconditional readiness for negotiation is mixed with adamant unwillingness to concede anything. And it points to the irony involved in actions which drive the Communists in Vietnam into greater dependence on China. We do not represent a new isolationism or a callous willingness to write off Asia but we are impressed by the limitations of American power on a continent where we, whatever our intentions, are the representatives of the white West with its history of imperialism. We endorse efforts to strengthen viable governments and economies and question our power not so much to support existing nations but to create a nation to support. The editorial begins with the words of Herbert Butterfield: "The hardest strokes of heaven fall in history upon those who imagine that they control things in a sovereign manner, as though they were kings of the earth, playing providence not only for themselves but for the far future."

FROM CHRISTIAN SOCIALISM TO THE MIXED ECONOMY

There is one little-noted fact about our history. During our first 15 years, Reinhold Niebuhr edited both Christianity and Crisis and Christianity and Society. The latter had once been called radical religion and it began as an organ of Christian socialism. When Dr. Niebuhr wrote editorials for Christianity and Crisis he limited himself in the main to the consensus on international affairs and ecumenical concerns on which this journal had been founded but when he wanted to express his full mind on the economic order he wrote without inhibitions and with prophetic vividness in Christianity and Society. After Christianity and Society ceased publication in 1956, Christianity and Crisis took over its interests. This was made easier because the Christian Socialism of the editors developed into the pragmatic acceptance of a mixed economy and the journal came to promote the goals of the more progressive proponents of the New Deal, the Fair Deal, the New Frontier, and the Great Society. Where this tendency will lead our country is far from clear and some of us suspect that in the future we shall have to ask far more radical questions than we have recently asked about our economy and our culture, for there may well be a crisis which the combination of current reforms cannot meet.

I think that our policies on social and economic domestic issues have been embodied and expressed by Vice President HUMPHREY who has long been admired by our editors. We think of him less as Vice President than as HUBERT HUMPHREY.

COLLOQUIUM ON CRISIS CHARACTER OF MODERN SOCIETY

Mr. Speaker, I should add that among other persons who participated in the banquet were Dr. Roger L. Shinn, Dr. Henry P. Van Dusen, Dr. Hans Morgenthau, and Dr. Robert J. McCracken, pastor of the Riverside Church in New York, where the banquet was held.

There was also held as part of the anniversary celebration a colloquium on "The Crisis Character of Modern Society."

The following persons participated in the morning panel of the colloquium: Chairman, John D. Maguire, assistant professor of religion, Wesleyan University; Richard N. Goodwin, former special assistant to the President; Professor of Missions Johannes Hoekendijk, of the Union Theological Seminary; Candido Mendes De Almeida, director of the faculty of political science and economics of Rio de Janeiro; and Roger Hilsman, former Assistant Secretary of State for Far Eastern Affairs.

The following persons participated in the afternoon panel of the colloquium: Chairman, William Sloan Coffin, Jr., chaplain, Yale University; Vincent Harding, chairman, department of history and social studies, Spelman College; Bayard Rustin, executive director, A. Philip Randolph Institute; Hannah Arendt, author and political philosopher; Herbert Blau, director, Lincoln Center Repertory Theater; Gerald Holton, professor of physics, Harvard University; and our distinguished colleague, the Honorable GEORGE S. MCGOVERN, U.S. Senator from South Dakota.

At this point in the RECORD, I should like to include, "A Call To Participate in a Day-Long Conversation on 'The Crisis Character of Modern Society,'" a statement planned by the editors of Christianity and Crisis on the occasion of this 25th anniversary.

The statement follows:

A CALL TO PARTICIPATE IN A DAY-LONG CONVERSATION ON THE CRISIS CHARACTER OF MODERN SOCIETY

Christianity and Crisis began publication a quarter-century ago when the world was confronted with a particular crisis. The journal tried to help America meet the challenge of militant nazism. Since World War II a series of other crises have followed. Now only too familiar, these crises have been posed by nuclear weapons, East-West antagonisms, Asian warfare, racial injustice, technological change, insurgent and resurgent nationalism, and so on. If at times we have had a measure of ethical guidance to offer, at others we could utter only a word of protest or a cri de coeur.

The recurrent crises of these years, occurring in all areas of social and political life, have led many persons to suspect the existence of an underlying "state of crisis," which may be not merely chronic at this period but permanent. It has been suggested that we shall have to live almost constantly in crisis, without nostalgia for more stable epochs, without panic yet without resignation, and without hope that a cultural or political order can be established to rid modern society of its crisis character. The phrase "situation of continuous revolution," a bold contradiction in terms, is already being used to describe our time.

There are several ways of accounting for the crisis character of our times. Some hold that it is a byproduct of that acute consciousness of man's historical conditioning that arose in the 19th century. The burden of knowing that he is a child of time rather than of eternity gives man a special sense of urgency and makes all his acts "crucial" because his history and his destiny are the same.

Others hold that the acute historical consciousness of our epoch and its attendant sense of crisis are an outgrowth of the industrial revolution. This revolution opened the possibility that certain groups and classes of men might move creatively beyond the established order without being condemned to social ostracism; for the industrial revolution (extended now into the technological revolution) heralded an apparently unending period of rapid change. Changeability, not stability, defined human existence. In this light, the crisis character of our period might be seen simply as a lack of adaptation to the reality of constant change.

There is also the view that the crises we are encountering are symptoms of a general crisis attendant upon the end of a capitalistic era.

Some contemporary theologians hold that it is a purposeful action of God that has plunged man deeply into historical consciousness in order to move society beyond any status quo "establishment" and thus to set man at liberty in history. This would mean that God himself has taken away the possibility of overcoming crises by reestablishing some known order. He has thus contributed to the crisis character of our time and the "situation of continuous revolution." Consequently, men of faith are involved in and partly responsible for the fluid state of the world.

Whatever the best explanations for the crisis character of our times, we believe it is necessary to examine the interconnection of crises and crisis. We believe this cannot be done well if particular problems and general considerations are divorced. We do not expect the most helpful insights to emerge either from "cultural analysis" or from "problem solving" if either of these is isolated from the other. For this reason, the persons we are asking to participate in the February discussion are individuals who have had experience in dealing with the problems cast up by particular crisis of the day, and who also have shown that they recognize the crucial depths of cultural disarray these problems signify.

In the analysis of crisis, do we find guidance for action in Vietnam? In the problematic existence of the U.N. do we find clues for the interpretation of our enduring crisis? What has the use of national power to do with the pervasive sense of futility in our culture? Is racial unrest simply the result of injustice, or does it point also to other disturbances in personal and social existence? These are examples of the questions we wish to raise. We hope that the result will be guidance for action in the years to come.

Mr. Speaker, under unanimous consent, I insert in the RECORD the text of three articles concerning the 25th anniversary of Christianity and Crisis.

The articles follow:

[From the New York (N.Y.) Times, Feb. 20, 1966]

RELIGION—CHRISTIANITY AND CRISIS

(By Edward B. Fiske)

Twenty-five years ago this month a group of liberal Protestants, concerned with the extent of pacifism in the churches, launched a biweekly journal aimed at supporting the war against Hitler.

The group was centered in New York's Union Theological Seminary and included its president, Henry Sloane Coffin, and social philosopher Reinhold Niebuhr. Their mood was evident from the title they chose: Christianity and Crisis.

A crisis had arisen, explained the magazine's opening editorial, because "the most powerful state in Europe has sworn to destroy our North Atlantic civilization, and during 1940 has proved its ability to keep its word."

This Friday, Christianity and Crisis will celebrate its silver anniversary with a daylong colloquium on "The Crisis Character of Modern Society" at the Riverside Church. Vice President HUBERT H. HUMPHREY is scheduled to speak at an evening banquet.

Despite 25 years of growth, the journal still publishes modest 12-page issues and has a circulation of only 17,500 (twice that of 5 years ago) and a budget of less than $100,000.

LARGE INFLUENCE

Such figures, however, are no indication of its influence. The magazine can be found in the mailboxes of leaders of the church, the Government, and the academic community.

For the first 15 years of its life, when it operated largely out of the vest pocket of Dr. Niebuhr, Christianity and Crisis was principally concerned with articulating a Christian view of international affairs.

Its passacaglia was always the theme of Christian realism which Dr. Niebuhr articulated following his own disillusionment with pacifism during the thirties. "Love must be regarded as the final flower and fruit of justice," he wrote in the first issue. "When it is substituted for justice it degenerates into sentimentality and may become the accomplice of tyranny."

In the last decade, under the imaginative leadership of 38-year-old Wayne H. Cowan, who assumed the newly created post of managing editor in 1954, the emphasis has shifted somewhat toward a concern for domestic social and political problems. A section on literature and the arts has also been added.

In a special 25th anniversary issue now in the mail, the editors make it clear that they regard the original theme of Crisis to be as relevant today as it was when Hitler's panzer divisions were rolling across Europe.

"The moral crisis is ever changing, but all changes reveal one constant factor," wrote Dr. Niebuhr in the current issue.

"The moral life of man is continually in the embarrassment of realizing that the absolutes of biblical and rational norms—which enjoin responsibility for the neighbor's welfare—can never be perfectly fulfilled. * * * Therefore religious and moral guides must teach the necessity of discriminate judgment."

HARD TIMES

Pursuit of Dr. Niebuhr's plea for "discriminate judgment" in the face of moral ambiguities has led Christianity and Crisis along a straight but rocky path for the last quarter century. Among its controversial positions, for instance:

It backed the World War II effort but criticized sharply American policies of obliteration bombing, pressing for an unconditional surrender and relocating Japanese Americans.

It was the first Protestant publication to challenge absolute separation of church and state and tangled with the Protestants and Other Americans United for Separation of Church and State when it called for Federal aid to parochial schools.

It attacked McCarthyism as early as April 1950 with an article by Liston Pope, dean of the Yale Divinity School, entitled "The Great Lie."

It set out in the forties to destroy going Protestant ideas about the monolithic natures of Roman Catholicism and communism.

Today the editors have the intriguing problem of explaining how a magazine founded to support a major war finds itself in the position of opposing the war in Vietnam.

In the anniversary issue the Reverend Dr. John C. Bennett, cochairman with Dr. Niebuhr of the editorial board and the current president of Union, argues that coexistence is possible with communism, which it was not with nazism, and that in a revolutionary situation such as Asia military successes can easily lead to political and moral defeats."

"We hope we are still 'Christian realists' and that we are as 'realistic' in emphasizing the limited relevance of American military power today as we were in calling for its use to defeat Hitler in 1941," he said.

Even though it regards the "crisis" as a continuing one, however, Christianity and Crisis is not at all sure about how it should approach the new moral ambiguities of the next 25 years.

Many of its battles have been won, and views that it first espoused in the forties and fifties, have now become the official policies of Protestant churches.

"The establishment has surrounded us," said Mr. Cowan this week. "We're looking now for a new focus. Maybe the time has come to direct the same searching light on the activities of the churches that we previously did on public affairs."

Among the possible targets he suggested: church finances and the sins of denominationalism.

[From Newsweek, Feb. 28, 1966]

RELIGION: CHRISTIAN REALISM

Nazi German soldiers occupied Europe from Norway to the Pyrenees on the February day in 1941 when the first issue of Christianity and Crisis was published from a cramped apartment across Broadway from New York's Union Theological Seminary. And, in a front-page editorial of the modest *eight-page journal, the editors attacked the* immorality of American isolationism, urging that the United States provide "maximum material help" for beleaguered Britain and its allies. Beyond that, C and C called on Protestants to abandon their pietistic counsels of peace, love, and individual righteousness, and to commit themselves to action on worldwide *political, social, and economic* problems.

This was a new voice for American Protestantism—liberal, lucid, internationalist and committed to what theologian Reinhold Niebuhr, chairman of C and C's editorial board, called "Christian realism" toward the political order.

This week, C and C celebrates its 25th anniversary in a similar mood of concern over impending catastrophe. But now the editors are sharply critical of "the American Government's policy of belligerence in Vietnam," and, in an editorial this week they reiterate their call for "the reduction of violence, for a negotiated end to the fighting and for a political settlement that will not depend upon the defeat of the other side." C and C hopes, writes editorial cochairman John C. Bennett, Union's president, "that we are as 'realistic' in emphasizing the limited relevance of American military power today as we were in calling for its use to defeat Hitler in 1941."

PLATFORM

In its early days, C and C was widely regarded as a journalistic platform for Niebuhr's philosophy and political comment. Editorial assignments were rotated among members of the editorial board—most of them Union professors—but Niebuhr himself usually added his own editorial notes to each issue. In addition, such astute social and political observers as Lewis Mumford, Jacques Maritain, John Foster Dulles, and Barbara Ward willingly contributed articles without payment. Yet management of the magazine was haphazard at best and little effort was made to expand circulation beyond its original 4,000 subscribers. "For many years," recalls Dr. Henry P. Van Dusen, former Union president, "the board met annually to decide whether to continue publication.

In 1952, C and C entered a crisis of its own. Niebuhr suffered a stroke which seriously limited his editorial work, and when Wayne Cowan, 26, a former Union student took over as the journal's first managing editor 2 years later. Union president John C. Bennett warned him that the magazine was in a precarious position. Yet under Cowan's organizational policies, circulation has more than tripled to 17,500 subscribers, 4 more pages have been added to every issue, and C and C has now secured a permanent position of leadership in Protestant journalism.

One reason for this leadership is the astute commentary of the 63-year-old Bennett himself, whose views as editorial cochairman now permeate the magazine. Bennett was perhaps the first Protestant leader to argue that history and nationalism would fracture the Communist world. With similar realism, he recognized in 1959—before the opening of Vatican Council II—that Roman Catholicism was not the monolithic institution imagined by many Protestants. "The difference between Spanish Catholicism and American Catholicism," he editorialized, "almost belongs to the study of comparative religion."

Today, many of C and C's views are shared by Protestantism's leading churchmen; indeed, many of the journal's former editors are now solid members of the liberal establishment in church, government and foundation posts. Yet a new generation of bright editors like Union's Roger Shinn, Harvard's Harvey Cox and Stanford's Robert McAfee Brown are as relentlessly independent as *their forebears in applying Neibuhr's Chris-*tian realism to issues of civil rights, politics and peace.

This week, a dozen distinguished scholars and political analysts—including Vice President HUBERT HUMPHREY—will honor C and C's quarter-century anniversary with a daylong colloquium on "The Crisis Character of Modern Society." *At 73, Niebuhr is now too* ill to attend. But as usual, it was Niebuhr *himself, in an anniversary editorial,* who best articulated C and C's future: "As long as this journal combines moral imperatives with moderate moral discrimination," he wrote, "it will have a creative future in both church and nation."

[From Time, Feb. 25, 1966]

PROTESTANTS: CRISIS CONTINUES

In early 1941, when Hitler's troops stood poised across the English Channel from Britain, American churchmen had mixed feelings about U.S. entry into the war. One of the most outspoken advocates of the allied cause was Protestant Theologian Reinhold Niebuhr, a onetime pacifist who had come to see that stance as "utopianism" in the face of nazism's threat to Western civilization. With a group of like-minded thinkers, Niebuhr founded a biweekly journal of Christian opinion to oppose the prevailing pacifism of church leaders and to relate the Gospel message to problems of war and peace.

The particular danger posed by Hitler was banished to the history books, but Niebuhr's Christianity and Crisis found enough troubling issues to keep right on publishing. This week the magazine celebrates its 25th anniversary by sponsoring a colloquium on mankind's present crisis and a banquet at which the main speaker will be longtime reader, HUBERT HUMPHREY.

GIFT OF $5,000 FROM LIPPMANN

The magazine has only 17,500 subscribers, but its influence is well out of proportion to its size. Readers range all the way from Martin Luther King to Boston's Richard Cardinal Cushing to Walter Lippmann, who recently paid tribute to C and C in the form of a $5,000 gift. Over the years, its contributors have included Paul Tillich, Jacques Maritain, Adlai Stevenson, and John Foster Dulles.

Niebuhr, 73, and in poor health, has taken a less active role in the magazine in recent years, eventually will step down. Since 1953 he has shared the title of editor with President John C. Bennett of Union Theological Seminary, while day-to-day operations are handled by Managing Editor Wayne Cowan, 38, a former Methodist missionary in Japan.

Unbound by church control, the magazine takes its stand with considerable passion, and almost always on the liberal and ecumenical side. At a time when most other Protestant magazines suspiciously viewed Roman Catholicism as a formidable monolith, C and C was inviting Catholic contributors to explain the church's views on issues that caused interfaith tensions. One article 2 years ago by Harvey Cox of the Harvard Divinity School suggested that it was time for Protestants to reexamine their attitude of total opposition to premarital sex. Another, by Pastor Howard Moody of Manhattan's Judson Memorial Church, proposed a redefinition of obscenity: the really filthy word, he suggested, was not a four-letter Saxonism for sex but the word "nigger" shouted by an Alabama cop.

CHRISTIAN REALISM

Ironically, the journal that once condemned Hitler now criticizes the United States in its confrontation with Asian communism. Niebuhr and Bennett say that a nation at times has a "moral obligation" to check power with power, but they advocate a negotiated end to the fighting in Vietnam, a position that some critics feel is surprisingly akin to the antiwar view the magazine opposed in 1941. "We hope we are still Christian realists," Bennett writes in the anniversary issue, "and that we are as 'realistic' in emphasizing the limited relevance of American military power today as we were in calling for its use to defeat Hitler in 1941."

A STATEMENT BY REINHOLD NIEBUHR

Finally, Mr. Speaker, I include an article by Dr. Reinhold Niebuhr from the 25th anniversary issue of "Christianity and Crisis," February 21, 1966.

The article follows:

A CHRISTIAN JOURNAL CONFRONTS MANKIND'S CONTINUING CRISIS

(By Reinhold Niebuhr)

As one of the midwives of Christianity and Crisis, I have been asked to reminisce about its past and speculate on its future. I can begin by stating that the name was given spontaneously because there was no question about the crisis that prompted the birth of this new Protestant journal.

It was quite simply the crisis of Western civilization, posed by the Nazi threat to its moral and religious foundations. Hitler's Fascist movement combined a pagan philosophy with a racialism and anti-Semitism that threatened the very existence of the Jewish minority in the whole of Europe. Some of us suspected the degree of this evil even before millions of Jews perished in the terrible gas chambers of Auschwitz. The paganism and racialism was related to and a product of an extravagant nationalism, which threatened all the non-German nations of the continent with slavery. The fabeled militarism of Germany, developed from the days of Frederick the Great to Bismarck and the Kaiser, was the instrument of this planned subjugation of Europe to the "master race."

When our founders used the word "crisis," however, they were referring not only to the perils confronting Western culture but also to the moral and religious crisis in our own Nation. This was manifested in the complacency and irresponsibility of American neutralism in the face of the Nazi threat to a common religious, moral and political culture.

This irresponsibility had both political or national roots and religious roots, which we must analyze in turn. Nationally our traditions bred self-righteousness because—from Jefferson to Wilson—we were under the illusion that we were a chosen democratic nation and, therefore, free of the European vices of national egotism and aggression.

Thus we entered World War I reluctantly, never being fully conscious of the fact that our national interests were parasitically dependent on the British Navy and, therefore, on British hegemony in Europe which was then threatened by the German Kaiser. Ostensibly we entered the conflict because Germany's unrestricted submarine warfare resulted in the sinking of the *Lusitania* and the loss of many American lives. Wilson's idealism substituted a new moral goal for the mediocre rivalries of all nations, including democracies. It was to be a "war to make the world safe for democracy."

The draconic peace of Versailles affronted the country's idealism. Wilson's League of Nations failed to satisfy our nationalists because it did not seem to protect our vital interests, the hidden, but always potent, motivation of national policy. We rejected the League, and both nationalism and idealists conspired to express their disillusionment in an almost neurotic isolationism and neutralism.

Closely related to the idealistic reaction in the Nation was the crisis in the church. American Protestantism was influenced by the radicalism of the sects, which had had only a minor influence in Europe. But on the frontier they combined sectarian millenarianism with secular utopianism, and thus imparted an atmosphere of political sentimentality to our religious and moral life. De Tocqueville, writing about nineteenth century America, thought that both our religious and political life were informed by a self-righteous and complacent assumption that the kingdom of God had been established in the new nation, as distinguished from the sin-tainted old nations of Europe. Thus it could be truthfully observed that "spiritually we are all Quakers."

The religious pacifism that grew up after World War I was a combination of the old perfectionism and an idealistic reaction to the horrendous international realities revealed in the Treaty of Versailles. I was one of those new perfectionists who swore never again to participate in a war. Ours was a rather simple solution to the complex problems of the morality of sovereign nations living in a state of international anarchy.

Some of the founders of Christianity and Crisis were perfectionists of this type. But they disavowed their earlier pacifism when they recognized that our neutralism in the face of the Nazi threat posed the problem of guarding our virtue by irresponsibly ignoring the dangers facing other nations. (The combination of nationalist and idealistic motives in the America First movement, incidentally, revealed the fact that selfish and idealistic irresponsibility could be combined. It showed that any moral theory can be the basis of irresponsibility.)

Most of the founders, however, were never bitten by the perfectionist illusions of radical Protestantism. They were, on the whole, the children of the orthodox or Anglican Reformation, and included priests and bishops of the Episcopal Church, ministers of Presbyterian and other churches, and some idealists turned realist, such as the present author.

The real founder of Christianity and Crisis was the late Henry Sloane Coffin, president of Union Theological Seminary, elder statesman and ultimately moderator of the Presbyterian Church, a churchman of imposing talents. Trained in Scotland and influenced by the German theologian Wilhelm Herrmann, he defined his position as evangelical liberalism and distinguished it sharply from liberalism. He was a man of immense compassion and personal charm, but he drew the line against all theologies that obscured our collective responsibilities.

Without Dr. Coffin's great prestige in church and state this journal could not have been founded. The present writer was merely his amanuensis and assumed the position of editor because Dr. Coffin was burdened with too many responsibilities. He became chairman of the board of sponsors, and the editorial board numbered many of the faculty of Union Seminary, including two of his successors as seminary president, Henry P. Van Dusen and John C. Bennett, who was later to become cochairman of the editorial board.

As one of the journal's founders, I must pay tribute to the immense success of Dr. Bennett's leadership. His wide sympathies and discerning judgments on religious, moral, and political issues have lifted Christianity and Crisis to a height and breadth of influence, with the aid of Managing Editor Wayne Cowan, beyond the wildest dreams of the founders.

An explanation of the journal's abiding function and the continued use of the word "crisis" to explain its ministry to church and nation is in order. In addition to the political crisis, we were concerned by the crisis in the church's relation to the political and international order. This was occasioned by the absence of discriminate responsibility toward all the complex problems of social existence in an increasingly technical culture, culminating ultimately in the fantastic nuclear dilemma.

Our Nation was cured of irresponsible neutralism by the measure of its power after World War II. We were, in fact, one of the two great nuclear powers of the world, involved in a struggle with Russia on the edge of a nuclear abyss. Though saved from our irresponsibility, we were still tempted to self-righteousness. Were we not the appointed guardians of the free world against Communist despotism?

The two forms of crisis were constantly changing. In the world nazism was displaced by communism. But this change merely emphasized the other form of crisis in the church, namely the need for perceptive judgment in relating the absolutes of the Gospel to the various challenges of justice, order and peace—domestically in a technical culture and internationally in an era of nuclear terror. Our most recent domestic crisis was to help the Nation to take belated steps toward racial justice for a Negro minority long defrauded of its rights as citizens and of its dignity as human beings.

The problem of indiscriminate pacifism in a communitiy in which order and justice are attained not by pure love or pure reason but by an equilibrium of various forms of economic and political power has given way to the problem of curbing pure force in the international realm. Thus we seek to persuade our Nation that Chinese communism cannot be contained or restrained purely by military violence, particularly when we regard ourselves as the appointed saviors of the world and do not consult the consensus of the nations. We also need to be more astute in rejecting all false analogies, particularly the flagrant ones that equate Nazi and Communist despotism and that fail to distinguish between Russian and Chinese communism, the one partly domesticated and the other in its original revolutionary fervor.

Thus a survey of past history in both church and state, and possibly a projection of that history into the future, reveals that the social life of mankind is in a perpetual crisis of community and conflict on various levels—tribal, national, imperial, and universal. History also reveals that such diverse instruments as language, religion, racial identity, political power and military force can be used as instruments both of community and of conflict.

The moral crisis is ever changing, but all changes reveal one constant factor. The moral life of man is continually in the embarrassment of realizing that the absolutes of biblical and rational norms—which enjoin responsibility for the neighbor's welfare—can never be perfectly fulfilled, either by the use of or abstention from any of the instruments of community or conflict. Therefore, religious and moral guides must teach the necessity of discriminate judgment. As long as this journal combines moral imperatives with moderate moral discrimination, it will have a creative future in both church and nation.

EQUITABLE EXPORT PROCEDURES NEEDED FOR U.S. PORTS

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. McCarthy] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. McCARTHY. Mr. Speaker, I believe that it is both sound and necessary economics for U.S. ports to receive a fair share of exports of commodities donated abroad under the Agency for International Development program.

Buffalo, N.Y., like many other U.S. ports, does not receive its equitable share of federally subsidized export business. Buffalo, for example, is the leading city in the world in the manufacture of flour. The Federal Government will ship approximately 24 million tons of flour abroad under its foreign aid program, yet Buffalo's allocation of export in this program is less than a mere one-half of 1 percent.

The bill that I am introducing today would amend the Agricultural Trade Development and Assistance Act of 1954 to provide for a method of designating U.S. ports for foreign aid exports.

My bill will reverse this inequitable situation. The Secretary of Agriculture would be empowered to designate U.S. ports from which such donated commodities would be exported. He would be required to give special consideration to the promotion of the general welfare and economic health of existing grain handling and processing industries, and related industries, at ports of the United States.

The Secretary of Agriculture would also be required to seek full utilization of existing facilities, resources and manpower in the United States in order to safeguard domestic economic development.

To insure the greatest equitability feasible, the Secretary would be required to take appropriate steps to assure a pro rata division of the annual export tonnages of donated commodities among existing U.S. ports on a geographical basis. Such division would be directed toward community and other self-help activities designed to alleviate economic stress and unemployment.

ONE OF THE MOST BEAUTIFUL ANTE BELLUM HOMES IN THE SOUTH HAS NOW BEEN RESTORED—ROSEDOWN PLANTATION—SYMBOL OF THE OLD SOUTH AND LOUISIANA

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. Morrison] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. MORRISON. Mr. Speaker, recently, Rosedown Plantation and Gardens near St. Francisville, La., was open to the public after an extensive restoration of the building and grounds was completed. As a delighted public immediately noticed, the result of the restoration was the newest and most majestic showplace in the State of Louisiana. I am indeed proud that this magnificent old home is part of the culture and heritage of my congressional district.

Rosedown is a restored ante bellum plantation home and garden that equals in architectural authenticity Mount Vernon, Monticello, the Hermitage, or any of the Nation's historical homes. Mr. and Mrs. Milton Underwood, of Houston, Tex., purchased Rosedown nearly 10 years ago, when it was in a state of near ruin. Their meticulous and painstaking work to return this patrician mansion to its original state of lavish beauty has given Louisiana one of the Nation's most distinguished shrines. Work on the house was completed last year when it was opened to the public.

The beautiful Rosedown Gardens, designed in the 17th century French style, have received the same scholarly restoration. In 1956, Ralph Ellis Gunn, landscape architect of Houston, Tex., blueprinted a 10-year plan for regeneration of the magnificent formal gardens. The restoration schedule is now in its final phase, and this spring thousands of garden lovers will discover for the first time this "new-old" garden, with its formal boxwood hedges, imported statuary, camellias and azaleas grown to enormous size, rare shrubs over a century old, and one of the oldest and most beautiful oak alleys in the South.

Rosedown was built in 1835 by Daniel Turnbull for his wife, Martha. As a wealthy young planter, he had the means to create a home of impeccable beauty. From New Orleans he brought rare woods for paneling. From France, he imported furniture, fine fabrics, exquisite carpets, marble and crystal. From Italy, he brought marble statuary to enhance the formal beauty of his gardens.

For a homesite, Turnbull chose St. Francisville along the lower reaches of the Mississippi, a rich plantation country that yielded quick cash crops of cotton and created fortunes overnight. Named in honor of the gentle St. Francis by the earliest settlers of West Feliciana, this tranquil village from the beginning became a refuge for early pioneers and political greats. It was the land John James Audubon loved, for it abounded with birdlife and beautiful flora for his artistic drawings. It is still the first natural sanctuary for birds north of Yucatan in America's largest flyway.

In recapturing the elegant beauty of this grand era, the Underwoods have given Louisiana a majestic new symbol, a proud reflection of the romantic, gracious South of more than 100 years ago. They have also made a rich contribution to the national beautification program and the preservation of historic landmarks.

Today, many other attractions reminiscent of this period attract touring Americans. Among them are the Myrtles, Afton Villa Gardens, Oakley—Audubon's "Happyland," the Cottage, and Grace Episcopal Church, which exerted a strong spiritual influence in the early 1800's.

While most visitors to Louisiana have New Orleans as their ultimate goal, the number of attractions along the way is growing. Because of its varied fishing waters, both fresh and salt, and vast forestlands open to hunters, sportsmen are waking up to Louisiana's value as a year-round playground. A mild climate and plenty of rainfall make Louisiana a horticultural paradise for both native and cultivated plants.

In the spring, the land literally glows with the bloom of camellias, azaleas, fragrant yellow jasmine and roses, attracting out-of-State guests by the thousands.

Even the history of Louisiana is rich with colorful lore from ancient Indian cultures to early Spanish and French explorers, from American settlers to Civil War violence, Reconstruction, and 20th century modernity.

The beautiful Rosedown Plantation represents the best in Louisiana history and culture. It is located on Louisiana Highway 10, just off the Great River Road—U.S. Highway 61—and is open year round from 10 a.m. until 4 p.m. I strongly urge that all who are interested in briefly tasting the gracious plantation life of 100 years ago visit this magnificent plantation.

MEDICARE FOR THE DISABLED

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Pepper] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. PEPPER. Mr. Speaker, this year of 1966 will bring about the establishment of the first national health insurance program in the United States when the medicare bill for the aged goes into effect on July 1, as a result of the Social Security Amendments of 1965. I found a great deal of satisfaction out of the experience of going to Independence, Mo., to be with Presidents Harry S. Truman and Lyndon B. Johnson for the signing of this historic legislation. For it was my privilege, 20 years ago, to be selected as one of Mr. Truman's chief advocates of the health insurance principle as a means of increasing the economic security of Americans. I stated then my belief that "the national health-insurance principle is a wise, sound, and thoroughly American principle to apply to the health needs of the people."—CONGRESSIONAL RECORD, 80th Congress, 1st session, May 7, page 4679. I have always been particularly proud of the fact that, in his health message to Congress in 1945, President Truman referred specifically to the findings of my Subcommittee on Education on Wartime Health and Education of the Senate Committee on Education and Labor with respect to the health needs of the American people in calling for his national health insurance program.

Because of some of the bitter charges which were made against such legislation in those early days, I may say I also take particular pride in the fact that few legislative proposals have been enacted with so clear a mandate from the American people themselves—for medicare was a key issue in the 1964 campaign. President Johnson repeatedly described it as being on the top of the list of his must legislation. And the people spoke. We have, then, achieved a health insurance program in this country for those of our people 65 and over who, for this reason, have less opportunity—as years of experience have shown—to purchase the kind of health insurance they need through private means.

I rise today, however, on behalf of another group of Americans who, I am convinced, should also have been given the right to the kind of medical care we are now committed to provide for people 65 and over. I refer to those people who are drawing social security benefits today because they have been retired from the labor force by a crippling total disability.

I am not alone in this conviction. The report of the Advisory Council on Social Security, which appeared on January 1, 1965, following over a year's deliberations recommended that hospital benefits be provided for the disabled as well as for the aged. In their words:

> Hospital expenses are a serious problem for the totally disabled, too. Like the aged, they, too, are hospitalized frequently and in many cases their hospital stays are long. According to a survey of workers (50 and over) found disabled under the social security disability provisions (conducted by the Social Security Administration in 1960), about one out of five disability beneficiaries under social security received care in short-stay hospitals in the survey year; and, excluding hospitalizations in long-term institutions, half of those hospitalized were in the hospital for 3 weeks or more.

Pointing to the fact that health care has become so expensive that only the relatively well-off person at the height of his earning power can afford to pay the cost of a major, prolonged illness without effective insurance, the Council added this pertinent sentence:

> And the great majority of the aged and the disabled are neither well off nor have adequate health insurance.

I would point out that the members of this Advisory Council were broadly representative of American business, labor, and economic and social conscience. To illustrate this point I want, at this time, to name and identify the 13 members of the Council—a group appointed in line with legislation enacted by the Congress to provide a periodic review not only of the financing of the old-age, survivors, and disability insurance program but also all other aspects of the program, including extensions of coverage and the adequacy of benefits:

Robert M. Ball, Commissioner of Social Security, Chairman.

J. Douglas Brown, dean of the faculty, Princeton University.

Kenneth W. Clement, M.D., practicing physician and immediate past president, National Medical Association.

Nelson H. Cruikshank, director, department of social security, American Federation of Labor and Congress of Industrial Organizations.

James P. Dixon, M.D., president, Antioch College.

Loula F. Dunn, director, American Public Welfare Association, 1949–64.

Marion B. Folsom, director and former treasurer, Eastman Kodak Co.

Gordon M. Freeman, president, International Brotherhood of Electrical Workers.

Reinhard A. Hohaus, director, Metropolitan Life Insurance Co., and fellow, Society of Actuaries.

Arthur Larson, director, Rule of Law Research Center, Duke University.

Herman M. Somers, professor of politics and public affairs, Princeton University.

John C. Virden, chairman of the board, Eaton Manufacturing Co.

Leonard Woodcock, vice president, United Automobile, Aerospace and Agricultural Implement Workers of America.

Mr. Speaker, this is a modest proposal for the extension of medicare coverage involving relatively few people, all of whom have already experienced the misfortune of having a crippling illness or injury and, for this reason, are unable to continue in their job. Of the 20.7 million people now receiving social security benefits they total only some 930,000 people, less than 5 percent of all beneficiaries.

For some reason I cannot really understand why we have, throughout the history of social security been tardy in recognizing the particular problem of this group—perhaps because they are small in number. Back in 1947, the bill I sponsored would have paid benefits to severely disabled in the same way benefits were then being paid to people retired from the labor force because of age. But not until almost a decade later, in the Social Security Amendments of 1956, did they become eligible for the cash benefits, and then only if they were aged 50 and over. We have since provided them with benefits, regardless of their age, and made their dependents also eligible for benefits—but this rounding out of the program took another 4 years.

I hope that this Congress will see the wisdom of extending the benefits of the medicare program to this group within the next few months, so that they may be qualified for these important benefits along with the aged when the programs go into effect this July. To this end, I am introducing a bill, H.R. 13151. I remind you that no new administrative machinery will be required since the social security people are already charged with the responsibility for making the determination as to whether or not they are so severely disabled as to be entitled to cash benefits. Under my legislation, once that determination has been made, they would be eligible for the benefits already established for people 65 and over. I urge every Member of Congress to consult his conscience in this matter, for I am convinced that such consideration would produce wide support for my proposal.

THE RECKLESS PURSUIT OF HIGHER AND HIGHER INTEREST RATES

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Oregon [Mr. ULLMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. ULLMAN. Mr. Speaker, in the past it may have been possible for an independent agency to determine the level of interest rates through discount rate action, but this Nation can no longer afford that luxury. Fiscal, monetary, and tax policies are so closely interrelated in the new growth economics that unilateral action in any segment can be disastrous to the Nation. Congress can no longer permit the Federal Reserve Board to continue its reckless pursuit of higher and higher interest rates. The American people have a right to demand that the vaunted independence of the Board will not be a license to nullify the basic economic and fiscal policies of Congress and the administration. The consequences of actions of the Board are much too basic, far reaching, and potentially expensive to be immune from the hopes and aspirations of the people and their elected representatives.

The Chairman of the Board of Governors contends that higher interest rates are necessary to prevent inflation. He apparently ignores, however, the very real and immediate inflationary result of his cure. While the Fed has been fighting inflations so vigorously, basic interest rates in this Nation have gone up 100 percent in 15 years. The December 6 raise in the discount rate amounted to a 12.5-percent increase in the cost of the most widely used commodity in America today—money. An increase in money costs is reflected in the cost of every product purchased by American consumers. Therefore, the action can only result in increases in the cost-of-living index.

We all recognize that high interest costs do also have a deflationary impact on the economy. But even in that respect, it is a damaging weapon. The burden of high interest first hits the small businessman who must curtail plans for expansion. It prevents the purchase of new homes because of a tightening mortgage market and the enormous increase in total costs. In the area I represent, the effect of high interest first hits the lumber industry, and time and time again has sent it reeling into a state of high unemployment, recession, and near bankruptcy.

Yet, some segments of business and industry are able to pass along high interest costs directly to the consumer without ill effects to themselves. Obviously, the result is not uniform and wreaks tremendous havoc on some segments of the economy. As a weapon against inflation, raising the discount rate has proved to be an expensive failure. The pattern of the 1950's demonstrates that increased interest rates always preceded economic recession.

Congress must act to assure the coordination in monetary policy that is necessary to our national goals of steady economic growth, full employment, and a sound dollar. The Federal Reserve Board must be put on notice that it cannot avoid the responsibility intended when it was created by Congress. It must direct itself to the goal of making a positive contribution to the needs of the U.S. economy.

To restore to Congress and to the people a vital tool of national policy, I am today introducing a bill requiring the Federal Reserve Board to notify Congress of changes in the discount rate, the change to go into effect immediately upon notification. Congress would then have the opportunity to approve the change or to restore the rate to its previous level. In the event that Congress takes no action within 90 days, the discount rate is automatically restored to its previous level, and may not be changed, without prior approval of Congress, for an additional 90-day period.

The Board would still be able to react swiftly to real and urgent necessities that may arise for changes in the discount rate. Any long-term changes, however, would be subject to thorough inquiry, debate, and approval by Congress.

Mr. Speaker, we can no longer afford to isolate the mechanisms of monetary policy from those of national economic policy. We have made great strides in recent years in making economic policy more responsive to the needs of our free enterprise system and to the achievement of our national ideals.

This must now be extended to the realm of monetary policy.

PARRIS OPPOSES "STOP-FRISK" LAWS

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. O'Hara] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. O'HARA of Michigan. Mr. Speaker, in a number of cities and States proposals have been made which would permit police officers to stop and search "suspicious" persons. In my opinion such statutes are unwarranted and are unconstitutional violations of the fourth amendment protection against unreasonable search and seizure.

An article in a recent edition of the Macomb Daily published in Mount Clemens, Mich., reports the views of the Honorable George N. Parris, prosecuting attorney of Macomb County, Mich., on the subject of the so-called "stop and frisk" laws and of law enforcement generally.

George Parris, who serves as the chief legal officer of Macomb County, which has a population of more than half a million, has a long and distinguished career of public service and his views on these subjects deserve careful attention. His standing among lawyers and law enforcement officials in Michigan is attested to by the fact that he is the president of the Michigan Association of Prosecuting Attorneys.

Under unanimous consent, Mr. Speaker, I include in the Record at this point a copy of the article referred to from the Macomb Daily, of Thursday, February 24:

Parris Opposes Stop-Frisk; Suggests Return of "Beat"

(By Leon Goldman)

Citizens are in danger of losing constitutional rights, warns Macomb County Prosecuting Attorney George N. Parris, if they allow themselves to panic into enacting questionable laws to wage the so-called war on crime.

A case in point, said Parris, is the proposed "stop and frisk" law presently under consideration by the Michigan Senate.

Parris expressed the view that getting policemen back to patrolling beats would be a better approach. He also took occasion to express himself on law enforcement in general.

"I'm opposed to stopping people and frisking them for several reasons," the prosecutor said. "In the first place, it is, in my opinion, unconstitutional.

"Besides that, I don't feel that it is needed. Present laws on the statute books are sufficient to achieve the purpose."

The proposal originated with Detroit Mayor Jerome Cavanagh who claims that the State needs a "stop and frisk" law to aid in the battle against crime.

The Cavanagh proposal would allow any policeman to stop any person and demand that the person give his name, address, and an explanation of his actions if the officer reasonably suspects that the person has or is about to commit a felony or a high misdemeanor.

It also would provide for seizure of any weapons found on any person questioned. The weapon would be returned if legally possessed.

Such action constitutes an arrest under present law.

Senator Raymond Dzendzel, Democrat of Detroit, the majority leader, has given his endorsement to Cavanagh's "stop and frisk" plan by including it in a package of 11 "war on crime" bills he has placed before the Senate.

"Law enforcement has enough problems with present statutes," commented Parris, "without imposing new laws such as this that create more problems.

"In enforcement of a 'stop and frisk' law, a police officer would have to be highly intelligent and almost God-like. Otherwise, he would find himself infringing on and depriving the individual of his constitutional rights.

"The reason our country is great," the prosecutor continues, "is that we enjoy more freedom under our present laws than any other nation. To commence the amending of our laws to deprive people of individual freedoms would be aiming for a police state. This, of course, we never want in the United States."

Parris feels that present laws are sufficient to handle the overall apprehension and arrest of criminals.

Elaborating on why he is opposed to the "stop and frisk" proposal, Parris said:

"Mere suspicion alone would be sufficient to allow the stopping and frisking of citizens. The aspect of mere suspicion is so broad that it is tantamount to a license to stop anyone at any time for any reason. The freedom of walking the streets or driving your car would then be gone."

The prosecutor underlined his statement with: "The abuses of a 'stop and frisk' law would, in my opinion, outweigh the advantages."

Parris noted that under Michigan law to say, an officer has the right to arrest a person if there is reasonable cause to suspect he has committed a felony or for a misdemeanor committed in presence of the officer.

"After the arrest," added Parris, "the officer not only has the right, but the duty, to frisk the suspect."

Continuing on the subject, the prosecutor observed that the recent legislative proposal called for giving police the right to set up a roadblock to permit stopping of motorists for the purpose of vehicle inspection and to insure that the driver has an operator's license.

"This measure," commented the prosecutor, "would take away the privilege and rights of citizens to drive on our highways without constant interference by police. Say a motorist has a journey of 100 miles. While it's little farfetched, he possibly could be stopped 100 times to see if he has a license or if his vehicle is in proper working order."

Declaring that "the so-called war on crime has certainly not reached the point where we should declare martial law or a police state," Parris added:

"We are all concerned with law enforcement, but we should not become emotionally unstable in waging the battle. Our worthwhile laws are based on logic and reason and not on our emotions. Everyone should be treated fairly. The pendulum should not swing to either extreme."

Relative to the crime war, Parris said that Federal Bureau of Investigation statistics do not provide a true picture of the crime situation.

"It does not differentiate between 'inside' and 'outside' crimes," notcd the prosecutor. "The distinction is important in terms of crime prevention."

He then explained that inside crimes, such as crimes of passion, embezzlement and the like, cannot be prevented no matter what law enforcement measures are taken.

Outside crimes, such as assaults, holdups, car thefts and other offenses of that kind can be cut down with stricter measures Parris acknowledged, adding a recommendation.

"One of the best methods known for curbing outside crimes," said the prosecutor, "is to get police officers back on the beat.

"In the old days, when policemen walked beats, the officers knew everybody in the neighborhood and they knew him. A rapport was established. There was more respect for the law, too, because of the contacts prior to a citizen becoming a victim of a crime. I say let's return to that practice."

Declaring that most criminals will not commit a crime unless they think they can get away with it, Parris commented:

"The greater the risk of apprehension, the greater crime prevention becomes."

In conclusion, the prosecutor expressed the view that "more police officers, better educated and better paid, will provide a more formidable deterrent to the crime rate than a 'stop and frisk' law."

ESTONIAN INDEPENDENCE DAY—A RESOLUTION OF HIGH PURPOSE

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Feighan] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. FEIGHAN. Mr. Speaker, appropriate ceremonies were held in Cleveland on February 19, 1966, to observe the anniversary date of the declaration of Estonian independence. At that ceremony a resolution was adopted setting forth the just claims of the Estonian nation, a victim of Soviet armed aggression, and calling for action to restore the rights of self-determination to Estonia and the other Baltic countries.

An unusual part of that resolution announced a plan whereby every citizen of Estonian descent residing in Ohio was invited to donate a pint of blood to save the life of one of our servicemen fighting in Vietnam. The date set for donating the pint of blood was February 24—Estonian Independence Day. By this thoughtful plan the Estonian-Americans of Greater Cleveland have reaffirmed their belief in the indivisibility of freedom's cause and have reminded all that the struggle in Vietnam is in defense of the same principles they seek for enslaved Estonia. The resolution reads as follows:

Resolution by Citizens of Ohio of Estonian Descent

Recalling that 26 years ago Estonia was a prosperous and progressive small Republic in northern Europe; and

Accusing that Soviet armed forces invaded Estonia in 1940, abolishing all constitutional rights and institutions and incorporating Estonia into Soviet Union; and

Protesting that Soviet crimes and the ruthless exploitation of Estonian natural and physical resources is still continuing; and

Reaffirming that Estonians are determined to continue the struggle against Soviet oppression; and

Announcing that on February 24, 1966, on the anniversary date of Estonian independence, every citizen of Estonian descent, now residing in Ohio, is being invited to donate a pint of blood to be sent to save a life of a wounded U.S. serviceman fighting for the cause of freedom and stopping Communist aggression in Vietnam:

Resolve,

To appeal to the Government of the United States to employ all means at their disposal to restore the rights of self-determination in Estonia and other Baltic countries;

To request the U.S. delegation to the United Nations to demand that the question of the Baltic States be included in the agenda of the General Assembly of the United Nations; and

To ask the Government of the United States to refuse and reject any general disarmament settlement in Europe unless the people of Estonia and other enslaved nations will be given guaranteed rights to choose, in free elections, the form of government under which they wish to live; and it is further

Resolved, That a copy of this resolution will be sent to the President of the United States, U.S. Secretary of State, Secretary General of the U.N., U.S. Ambassador to the United Nations, U.S. Senators of Ohio, and U.S. Congressmen of Ohio.

Andreas Traks,
Chairman of the Meeting.
Juri Pargas,
Cochairman.

Cleveland, Ohio, *February 19, 1966.*

TAX TREATMENT OF EMPLOYEES' REIMBURSED MOVING EXPENSES

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Burke] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. BURKE. Mr. Speaker, on February 24, I introduced H.R. 13070 to add a provision to the Internal Revenue Code which will provide for the exclusion from income of certain reimbursed moving expenses for employees who are transferred to a new job location. The bill will, in effect, overturn the recent decision of the Court of Appeals for the Seventh Circuit in *England* v. *United States,* 345 F. 2d 414, and related Revenue Ruling 65–168, certiorari denied, January 1966, 34 U.S. Law Week 3242. Appropriate limitations are contained in the bill to prevent abuse.

In our dynamic and ever-changing economy, employers frequently find it necessary to transfer employees from one location to another. Such moves may be the result of opening up a new installation, a shift in production emphasis to accommodate defense requirements, or any one of a number of other valid and important business reasons. Regardless of the reason for the transfer, however, such moves generally have one common denominator: they entail a great deal of expense to the employees involved.

Among the many costs involved are the expense of transporting family members and household goods, the costs of selling a home or terminating a lease at the former location, the costs of locating and acquiring a residence at the new location, the cost of temporary living accommodations for the employee and his family at the new location while awaiting arrival of their furniture or availability of their new residence, and various incidental out-of-pocket costs such as forfeited tuition fees, costs of disconnecting and reconnecting appliances, and the like.

Most employers recognize that they must reimburse their employees for all or most of these costs, first of all because the costs are, in fact, incurred primarily for the business convenience of the employer rather than the employee, and secondly because failure to do so would in many cases result in serious financial hardship to the employee, strained personnel relationships and even flat refusals to move. By making appropriate reimbursements, the employer provides no financial gain to the employee but merely protects him against an out-of-pocket loss of capital as a result of his company-directed transfer.

Unfortunately, this desire on the part of the employer to minimize or eliminate the financial hardships of his employee's relocation has been at least partially thwarted by the adamant insistence of the Treasury Department that a substantial portion of this reimbursement of out-of-pocket expenses constitutes taxable income to the transferred employee. Beginning in 1954, with the issuance of Revenue Ruling 54–429, the Treasury has required that all such reimbursements with the exception of the "barebones" costs of transporting the employee, his family and his possessions from the old location to the new, must be reported by the employee as income and has required that the employer withhold Federal income tax at the time of making the reimbursement.

Congress was aware of this problem in 1964 when it eased some of the burdens of employee relocation by granting to all employees, old or new and reimbursed or unreimbursed, a deduction for the "barebones" expenses of moving. This was done at the administration's request to equalize—from a tax standpoint—all transferred employees insofar as these basic costs are concerned. It was recognized that a further question remained with respect to the tax treatment to be accorded old employees or reimbursements beyond the "barebones" level, but this question was expressly "left for judicial interpretation."

Regrettably, the trend of judicial decisions has not been favorable to the position of the taxpayer-employee. Although the Tax Court and a lower Federal court have expressed vigorous disapproval of the Treasury's interpretation of the law, a Federal court of appeals has recently ruled in the Treasury's favor and the Supreme Court has declined to review the question, at least for the present. (*John Cavanaugh* v. *Commissioner,* 36 T.C. 300; *Kenneth D. England* v. *U.S.,* 226 Fed. Supp. 762; reversed, 345 F. 2d 414 (C.A. 7th, 1965); cert. denied January 1966, 34 U.S. Law Week 3242.)

With the added emphasis upon defense activities which the events of recent months have generated, it is more important than ever that the administration's frequently enunciated goal of a high degree of labor mobility be achieved and maintained. The bill I have introduced furthers this purpose by eliminating the existing tax deterrent. By overruling the Treasury Department's contention that an employee has realized taxable income when his employer covers the reasonable and necessary costs of a business-motivated transfer, and unfair and artificial barriers which might otherwise discourage the relocation will be removed.

The items covered in H.R. 13070—in addition to the cost of moving the employee, his family and household goods to the new place of work which are clearly nontaxable under present law—are as follows:

First. House hunting trip of employee and spouse when both the old and the new job locations are located within the United States.

Second. Temporary living expenses at the new employment location while awaiting occupancy of permanent quarters. Reimbursement here cannot exceed a period of 30 days except that the period is extended to 60 days when a taxpayer is moved from or to a foreign country such as Puerto Rico, the Canal Zone, or one of the possessions of the United States.

Third. Selling commissions and other expenses incident to the sale of the employee's old residence or to the settlement of an unexpired lease on the employee's old residence.

Fourth. Out-of-pocket expenses incident to the purchase of a residence at the new job location.

Fifth. Other miscellaneous expenses directly attributable to the transfer but not to exceed the lesser of 2 weeks' pay or $1,000 in the case of a family man or the lesser of 1 week's pay or $500 in the case of a single employee.

The benefits of the special exclusion for employees who are reimbursed for the above items are limited under the bill to those employees who have worked for the same or a related employer for at least 1 year at the time of the transfer. Thus, relatively new employees and employees who are not reimbursed for their moves are not covered by the bill. The reason for this distinction is two-fold: First, old employees who are moved are usually required to do so for the convenience of the employer and the costs of such moves are incurred primarily for the benefit of the employer rather than for the employee. This factor is not so evident in the case of a new employee where the reimbursement may be an inducement to persuade him to accept employment or in the case of the old employee who is not reimbursed. Second, the revenue cost of the bill is held down by limiting coverage of the bill to those cases which clearly require tax relief.

While the revenue estimates are still being worked on, it is believed that the potential revenue cost of the bill, if enacted, would run somewhere between $40 and $60 million a year. The word "potential" is used because litigation continues in this area even after the denial of certiorari in January of this year by the Supreme Court in the England case and thousands of employees have not yet begun to pay taxes on such reimbursements. It is estimated that the bill, if passed, will benefit approximately 340,000 military personnel and more than 150,000 industrial employees who are transferred annually. In addition, if H.R. 10607—reported favorably by the House Government Operations Committee—becomes law, the tax bill would also provide needed relief for approximately 35,000 Federal employees who are transferred annually in the interest of the Government.

In the Revenue Act of 1964, Congress added section 217 to the code to provide "new employees" and "existing employees who are not reimbursed" with a deduction from taxable income for the transportation costs of the employee, members of his family, and his household goods in connection with a move to a new job location. Since 1954, existing employees who were reimbursed by their employer for such "barebones" moving expenses have been permitted by an Internal Revenue Service ruling to exclude such reimbursed amounts from income. In the committee reports accompanying the 1964 act, the Ways and Means Committee and the Finance Committee specifically stated:

> The question of whether the exclusion for existing employees extends beyond these three categories is left for judicial interpretation (H. Rept. No. 479 to accompany H.R. 8363, p. 59; S. Rept. No. 830 to accompany H.R. 8363, pp. 71 and 72).

In its brief to the Supreme Court in opposition to the grant of certiorari in the England case filed last December, however, the Justice Department argued against such judicial review, stating that:

> Congress, rather than the courts, is the appropriate forum to initiate a change in the tax treatment of reimbursed (moving) expenses. (Brief for the United States in opposition, *England* v. *United States*, Supreme Court Docket No. 603, October term, 1965, p. 11.)

In effect, the Justice Department has blocked final court interpretation of the extent to which present law provides an exclusion for reimbursements to existing employees.

Mr. Speaker, enactment of this legislation is essential if years of litigation, confusion, and hardship affecting many thousands of employees are to be avoided.

INTEROCEANIC CANAL PROBLEM—MORE INFORMATION

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. FLOOD. Mr. Speaker, on April 1, 1965, I made a major address before this body on the subject of the "Interoceanic Canal Problem: Inquiry or Coverup?" Followed up on July 29 by a sequel on the same subject in which were included a wealth of authoritative information in documents quoted, those addresses have evoked responses from informed citizens that are most gratifying.

Among such reactions, I have received a thoughtful paper by L. W. Lewis of Hendersonville, N.C., a former Panama Canal engineer, who rose to be the Director of the Bureau of Supply and Services in the canal organization. His statement, which is largely historical, emphasizes the dangers of the treacherous Isthmian terrain, the vulnerability of any type of canal at Panama to destruction from nuclear attack, and the enormous investment of the United States in the Canal Zone.

Major excerpts from the indicated paper follow:

THE INTEROCEANIC CANAL PROBLEM

On December 18, 1964, the President announced that the Panama Canal will need to be converted to a sea level type or be replaced by such a waterway at some other location by 1980. This announcement provided the President of the Republic of Panama the instrument for suppressing the incipient anti-Yanqui riots staged for January 9–13 to commemorate the destructive outbreak of the same period in 1964. But it has far deeper implications; the House Committee on Merchant Marine and Fisheries has swung into action to make the proposal an actuality, by directing the project from the geopolitical to the commercial and defense directions.

It has been a continuing responsibility of the administrative staff of the canal organization since the completion of the enterprise in 1914 to study closely the trends in shipping affecting canal transits with the view to projecting the date when the ultimate saturation would require a replacement. A comprehensive study for projecting this date made during the early 1930's indicated that saturation would be reached by 1960. The study also posed the question of whether the present canal should be converted to the sea level type or be augmented by an additional set of locks of sufficient width and length to accommodate the largest ships ever likely to be built.

In 1931 the engineering staff of the canal made a hurried study and estimate for converting the present canal to the sea level type. This study provided for the removal of the locks and showed that the project was feasible. The cost was estimated to be approximately $1 billion.

However, decision was subsequently made to retain the present canal in all of its physical aspects and to augment it by the construction of a third set of locks, each chamber measuring 140 feet wide by 1,200 feet long, as compared to 110 feet and 1,000 feet for the existing chambers. Decision was also made to construct the third locks about half a mile from the present locks to reduce the hazard of total paralysis of operations from aerial bombing or sabotage. Their approach channels were designed to intersect the existing channels above and below the present locks. The estimated cost was $277 million.

Work was begun on this project in 1940. After considerable excavation had been performed for the chambers and channels work was halted in early 1942 with the eruption of World War II and it has never since been resumed. A total of about $80 million was appropriated to the end of fiscal year 1946. This included the cost of close-out procedures.

Prior to the war, ocean liners existed of sizes which the present locks could not accommodate. Subsequently, aircraft carriers, tankers and ore carriers were also developed in this category. Above every other consideration, the war developed the atomic arsenal; a means for pulverizing a lock-type canal without warning.

These factors have influenced the inclination to favor a sea level project to replace the present lock-type canal but the proponents of the sea level type must come to realize that the latter is just as vulnerable to the atomic bomb as is the lock type. The more than 50 years of operation of the present waterway have amply demonstrated the instability of the Isthmian soil. The exposure of earth that has been submerged under a minimum of 45 feet of water, together with the increased lengths of the slopes, can only result in greatly accelerated slide activity.

It is apparent what would happen to such material under nuclear blasts, not to mention the destruction of the diversions and flood control works which must form an integral part of a sea level canal.

It would seem then that the defense factor is only of great importance in guarding the canal against destruction, the extermination of the population and the contamination of the area; of much less importance, from the defense angle, is the determination of the type of canal to be constructed.

The matters of the location, type of construction and appropriations of funds for the new waterway are for congressional decisions. The location and cost will naturally be determined by the method of construction to be used, unless location is to be the prime consideration and cost a secondary matter. * * *

Since the termination of World War II the capacity of the canal has been increased. During the past 15 years the sum of approximately $60 million has been spent on replacements, such as towing locomotives, and improvements to increase transit capacity and to insure safety. These include the cutting back of Contractors Hill, the widening of the channel, the easing of curves, and the installation of channel and terminal entrance lighting to facilitate operations at night and during foggy periods. These improvements have made it possible to project the canal replacement project from 1960 to 1980. But even now ships are at times required to wait for as long as 15 hours before they can move into place in the transit pattern, and since commercial traffic has increased from 36 million to almost 65 million tons annually during the past decade it would appear that 1960 should have been retained as the target date.

The searches for interoceanic routes, or passes, comprises a long and interesting history. "Central America" by William Paterson, born April 1658, founder of the Bank of England and instigator of the Darien Colony, lists eight passes from Magellan Strait to Vera Cruz-Acapulco, Mexico. Baron Humboldt between the years 1799 and 1804 considered nine interoceanic routes from Missouri-Mississippi and Peace-Columbia Rivers to the Gulf of St. George route across Patagonia. Both of these lists include the familiar isthmian routes but the American isthmus, as defined in the Isthmian Canal Commission report of 1899–1901, extends from the Isthmus of Tehuantepec in Mexico to the Gulf of Uraba and the Atrato River in Colombia.

The 1867 report of Capt. C. H. Davis, U.S. Navy, lists 19 possible routes between Tehauntepec and the Atrato. These include No. 6, San Juan del Sur in Nicaragua; No. 13, Navy Bay, Rio Chagres, Rio Bonito, Rio Bernardo, substantially the present canal route; No. 14, San Blas, Rio Chepo in Panama; No. 15, Bay of Caledonia, Gulf of San Miguel in Panama; No. 19, Rio Atrato in Colombia.

The December 21, 1964, issue of U.S. News & World Report listed these routes as follows, with the basic data supplied by the Atomic Energy Commission:

Nicaragua-Costa Rica: Longest of all, 140 miles, and most expensive. Estimated cost: $1.9 million. (Time estimates, Dec. 25, 1964: 168 miles and $1.24 billion. The distance from the Canal Zone to the town of La Cruz near the Nicaraguan-Costa Rican border and close to the canal route is approximately 700 miles via the Pan-American Highway.)

Conversion of the present 50-mile canal: nuclear techniques are impossible in this densely populated area. (The estimated cost by conventional methods is $2 billion: Time, Dec. 25, 1964. In 1947 the canal organization estimated the cost to be approximately $2.5 billion: more than double the estimate of 1931. This increase was due to increased construction costs in general, the inclusion of a tide lock, and increase in dimensions.)

San Blas: shortest, route, 37 miles. Too close to populated centers for atomic blasting. Estimated cost: $1.2 billion. (Approximately 40 miles from the Canal Zone to the town of Chepo in the path of this route.)

Caledonia-San Miguel (Sasardi-Morti): second shortest of the new routes, 46 miles. Estimated cost: $770 million. (Time estimates: 60 miles and $500 million. Distance from the Canal Zone, 145 miles.)

Atrato-Truando, Colombia: Through 95 miles (Time estimate) of swampland, almost uninhabited. Overall length: 102 miles. Estimated cost: $1.2 billion. (Approximately 240 miles from the Canal Zone via the existing and proposed Pan-American Highway.)

Since these estimates disagree, their accuracy is questionable. Still the estimate for converting the present canal is higher than that for any of the other proposals. More accurate estimates by the Corps of Engineers will be more revealing. However, the estimates are sufficiently divergent to permit of consideration on a relative basis. In view of the desirability of locating the project removed from a center of rabid political disturbances and in consideration of the value of U.S. tax dollars, since the President has declared that he favors a program of strict economy, with expenditures to be made only for value received, it would be difficult to justify any preference over the Caledonia-San Miguel route in Panama. This is along the Darien route traversed by Vasco Nunez de Balboa and where, on September 25, 1513, he discovered the "South Sea," now the Pacific.

The President's announcement has aroused the hopes of four Central American countries. Whatever the ultimate decision, one of these countries will be jubilant, with its future assured. The others will be rewarded only with disappointment. Unless the United States deliberately chooses to mollify Panama by converting the present canal to a sea-level type it would be a waste of public funds to authorize such construction.

The construction of the canal through Darien should give Panama all she could reasonably hope for. Even then she should expect to pledge certain ironclad assurances; without these assurances the United States should not contract to spend $2 billion or even $1 billion in a country of political instability and which permits the Reds and hoodlums within its borders to run rampant for its political convenience. The diplomatic and political problems require study and solution before a decision as to location can be made. The physical problems then present themselves and they are formidable. If the route of the future canal is to be retained within the geographical boundaries of Panama, she will demand and doubtless receive a large share of the revenues, possibly as much as 50 percent. Panama could not, therefore, interpose adamant objections to the Darien route.

Although the President has not stated as much, it could be assumed that in his current mood he would entertain a suggestion that the present canal be turned over to Panama for ownership and operation if it is not converted to a sea-level type. It could also be assumed, and safely, that the Congress would not countenance such a suggestion. Panama does not want the canal; she wants the revenue, without the responsibility for the operation and maintenance of the enterprise. She has neither the technical capability nor the personnel for taking over such a burden.

The Panama Canal is in a tropical climate where floods, blinding rains, and fogs are of frequent occurrence. In October 1923 a great flood occurred in the entire canal area, following a rainfall that continued almost uninterrupted for 8 days. The transiting of ships was interfered with for 3 days. Another serious flood occurred in November 1931. This, combined with a slide, interfered with traffic for 6 days. Strong winds and the currents and surges created in the channels by the filling and spilling of water into and out of the lock chambers call for the most skillful handling of ships. The pilots are licensed masters of oceangoing vessels of unlimited tonnage and after undergoing rigid appointment examinations are required to undergo long periods of training before being fully qualified. The lockmasters and operators, who are responsible for the handling of the ships in the locks, are skilled craftsmen in the electrical and mechanical trades. The admeasurers are graduates of engineering colleges and are responsible for the measuring of the ship's tonnages for the application of the tolls charges.

Other responsibilities facing Panama, should she undertake the operation and maintenance, include the dredging periodically required to maintain navigable depths of channels and harbors. Also involved is a transisthmian railroad (constructed in the early 1850's, at an appalling sacrifice of lives, after the forty-niners showed the need for it), highways, sewer and water systems, electrical power generating and distribution system, a telephone system, oil tank farms, storehouses, docks and piers, drydocks, shops, townsite buildings and grounds; in fact, any activity connected with a municipality. By lack of the capabilities, any attempt by Panama to operate the present canal in competition with a sea-level type would result only in her economic ruin.

* * * * *

Nicaragua was a serious contender for the acquisition of the canal early in the century. In the two decades before 1900 the French were defeated by disease, waste, and graft in their efforts to construct a canal through the Isthmus of Panama, after an expenditure of about $260 million. Nicaragua's hopes were dashed by the French who held out to the United States the sale of their rights and properties for $40 million. In 1914, the United States upon the cash payment of $3 million, acquired exclusive rights to construct a canal through Nicaragua. This route offers a saving of some 800 miles in sea distance from New York to the west coast and 900 miles from New Orleans.

Title to the French interests was worthless without the consent of the Colombian Congress to the transfer as the site of the work was, at that time, in Colombian territory. The Congress failed to ratify the transfer of title whereupon a revolutionary party, aided and abetted by the United States, broke the Province of Panama away from Colombia and in November, 1903, created the Republic of Panama. A treaty, which later became so controversial, was then quickly ratified by the new Republic. This treaty provided, among other things, for a cash payment of $10 million and annual payment of $250,000 for rental of the Canal Zone. This was later increased to $430,000 per annum and is now $1,930,000. The project got underway in 1904. The outraged feelings of Colombia were later somewhat salved by a cash gift of $25 million but she would no doubt consider the selection of her territory for construction of the sea level waterway to be an act of simple justice.

After the diplomatic and political discussions now underway between U.S. representatives and those of the countries containing prospective canal routes have been exhausted and the contracting parties have reached their decisions regarding the route and all the conditions pertaining to the construction and operation of the project, the technical aspects present themselves for studies and decisions. The major items in this category are the following:

Topographical surveys, mapping of the entire area by land and aerial survey parties will need to be done to determine the actual alinement of the canal. The mapping would also be required to show the locations and courses of the main streams and the areas of their drainage systems.

Hydrography: Hydrographic stations to record rainfall, periods of floods in the principal streams, and the volumes of streamflow at all times will need to be established.

Borings: At the same time, work of boring for cores would be conducted to determine the geological formations of materials to be mined and excavated.

Land acquisitions: This involves both private and public lands. The latter would be ceded by treaty. A joint land commission will need to be created to prove the titles to private tracts and to determine the equitable prices required to extinguish these titles. Some of these may be found to be original Spanish grants which would require delving into the archives in Madrid.

Sanitation: Malaria and yellow fever were the largest contributors to the defeat of the French in Panama and they seriously hampered the American effort in the early years of the work. Malaria was prevalent until as late as 1913. In the late 1940's a few cases of yellow fever appeared in the interior of the country. A sanitary commission will need to be created to take over control of the sources of disease and infection.

Tide lock: The proposal to convert the present canal to sea level indicated the possible need of a tide lock at the Pacific entrance. Here, the maximum swing between high and low tides is 22 feet. The inward and outward currents at high and low levels could be severe and hazardous to ship control. The tide swing at the Atlantic entrance is negligible—about 4 feet. Scale models simulating the proposed canal will doubtless be constructed to answer the questions involved.

Depopulation: It will be necessary to remove from the sites of the various parts of the work all persons and things which would interfere with the project and all subsequent operations. This will be unfortunate for the Indians even though their numbers are comparatively small in any of the proposed areas outside the Canal Zone. None resides in the zone.

Most of these requirements are already in hand in the Canal Zone but they are not worth the difference in the costs between that for the canal conversion and those for the other routes.

Mr. Speaker, in connection with Mr. Lewis' statement, I would emphasize what I have stated on various occasions: that the key issues in the Isthmian question are obvious and simple. They are:

First, the transcendent responsibility of our Government to safeguard our indispensable sovereign rights, power, and authority over the Canal Zone for the efficient and adequate maintenance, operation, sanitation, and protection of the Panama Canal. See my address in the RECORD of May 5, 1964, entitled, "Under Two Flags: Blunders, Confusion, and Chaos at Panama."

Second, the subject of the major increase of capacity and operational improvement of the existing high-level lake-lock canal through the modification of the third locks project—53 Stat. 1409—to provide a summit-level lake anchorage at the Pacific end of the canal to correspond with the layout in the Atlantic end, on which project some $75 million of our taxpayers' money were expended on enormous lock-site excavations at Gatun and Miraflores before work was suspended in 1942.

Third, the question of a new Panama Canal of so-called sea-level design, or modification thereof, to replace the existing canal.

Fourth, the matter of the construction and ownership of an alternate canal at a site other than the Canal Zone, including Nicaragua.

Mr. Speaker, what is needed in this gravely important situation is an inquiry and not a coverup or a study designed to prevent consideration of the major increase of capacity of the existing high-level canal, which experienced engineers and other experts consider to offer the best solution when the problem is evaluated from all vital angles. Such inquiry can only be accomplished by an independent and broadly based Interoceanic Canals Commission as provided in H.R. 6963, H.R. 6126, and H.R. 4871 introduced, respectively by Representatives ANDERSON of Tennessee, Bow, and myself.

The text of these identical bills follows:

H.R. 4871

A bill to create the Interoceanic Canals Commission, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Interoceanic Canals Commission Act of 1965".

SEC. 2. (a) A commission is hereby created, to be known as the "Interoceanic Canals Commission" (hereinafter referred to as the "Commission"), and to be composed of eleven members to be appointed by the President, by and with the advice and consent of the Senate, as follows: One member shall be a commissioned officer of the line (active or retired) of the United States Army; one member shall be a commissioned officer of the line (active or retired) of the United States Navy; one member shall be a commissioned officer of the line (active or retired) of the United States Air Force; one member shall be a commissioned officer of the Corps of Engineers (retired) of the United States Army; and seven members from civil life, four of whom shall be persons learned and skilled in the science of engineering. The President shall designate one of the members from civil life as Chairman, and shall fill all vacancies on the Commission in the same manner as original appointments are made. The Commission shall cease to exist upon the completion of its work hereunder.

(b) The Chairman of the Commission shall receive compensation at the rate of $30,000 per annum, and the other members shall receive compensation at the rate of $28,500 per annum, each; but the members appointed from the Army, Navy, and Air Force shall receive only such compensation, in addition to their pay and allowances, as will make their total compensation from the United States $28,500 each.

SEC. 3. The Commission is authorized and directed to make and conduct a comprehensive investigation and study of all problems involved or arising in connection with plans or proposals for—

(1) an increase in the capacity and operational efficiency of the present Panama Canal through the adaptation of the third locks project (53 Stat. 1409) to provide a summit-level terminal lake anchorage in the Pacific end of the canal to correspond with that in the Atlantic end, or by other modification or design of the existing facilities;

(2) the construction of a new Panama Canal of sea-level design, or any modification thereof;

(3) the construction and ownership, by the United States, of another canal or canals connecting the Atlantic and Pacific Oceans;

(4) the operation, maintenance, and protection of the Panama Canal, and of any other canal or canals which may be recommended by the Commission;

(5) treaty and territorial rights which may be deemed essential hereunder; and

(6) estimates of the respective costs of the undertakings herein enumerated.

SEC. 4. For the purpose of conducting all inquiries and investigations deemed necessary by the Commission in carrying out the provisions of this Act, the Commission is authorized to utilize any official reports, documents, data, and papers in the possession of the United States Government and its officials; and the Commission is given power to designate and authorize any member, or other officer, of the Commission, to administer oaths and affirmations, subpena witnesses, take evidence, procure information and data, and require the production of any books, papers, or other documents and records which the Commission may deem relevant or material for the purposes herein named. Such attendance of witnesses, and the production of documentary evidence, may be required from any place in the United States, or any territory, or any other area under the control or jurisdiction of the United States, including the Canal Zone.

SEC. 5. The Commission shall submit to the President and the Congress, not later than two years after the date of the enactment hereof, a final report containing the results and conclusions of its investigations and studies hereunder, with recommendations; and may, in its discretion, submit interim reports to the President and the Congress concerning the progress of its work. Such final report shall contain—

(1) the recommendations of the Commission with respect to the Panama Canal, and to any new interoceanic canal or canals which the Commission may consider feasible or desirable for the United States to construct, own, maintain, and operate;

(2) the estimates of the Commission as regards the approximate cost of carrying out its recommendations; and like estimates of cost as to the respective proposals and plans considered by the Commission and embraced in its final report; and

(3) such information as the Commission may have been able to obtain with respect to the necessity for the acquisition, by the United States, of new, or additional, rights, privileges, and concessions, by means of treaties or agreements with foreign nations, before there may be made the execution of any plans or projects recommended by the Commission.

SEC. 6. The Commission shall, without regard to the civil service laws, appoint a secretary and such other personnel as may be necessary to carry out its functions, who shall serve at the pleasure of the Commission and shall receive compensation fixed in accordance with the Classification Act of 1949, as amended.

SEC. 7. The Commission is hereby authorized to appoint and fix the compensation of such engineers, surveyors, experts, or advisers deemed by the Commission necessary hereunder, as limited by the provisions in title 5, United States Code, section 55a; and may make expenditures, in accordance with the Travel Expense Act of 1949, as amended, and the Standardized Government Travel Regulations, for travel and subsistence expenses of members of the Commission and its employees while away from their homes or regular places of business;

for rent of quarters at the seat of government, or elsewhere; for personal services at the seat of government, or elsewhere; and for printing and binding necessary for the efficient and adequate functions of the Commission hereunder. All expenses of the Commission shall be allowed and paid upon the presentation of itemized vouchers therefor approved by the Chairman of the Commission, or such other official of the Commission as the Commission may designate.

SEC. 8. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions and purposes of this Act.

SEC. 9. The Act entitled "An Act to provide for an investigation and study to determine a site for the construction of a sea-level canal connecting the Atlantic and Pacific Oceans" (Public Law 88-609, 78 Stat. 990), is hereby repealed.

BURNING OF U.S. FLAGS IN PANAMA DESTRUCTIVE OF U.S. PRESTIGE

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. FLOOD. Mr. Speaker, in my address to this body on January 26, 1966, on the subject of "Panamanian Flags in Canal Zone Paid for by U.S. Taxpayers," I stated that, on the second anniversary of the January 1964 Red-led Panamanian mob assaults on the Canal Zone, the U.S. flag was grossly insulted and that I had reported the facts about this indignity to the Secretary of State with request to be advised as to what protest, if any, was made by our Government. The Department of State on February 8 made its reply to my query.

The facts in the January 9-10, 1966, incidents in Panama are simple: The U.S. flag was dragged on the pavement, trampled, and spat upon, hoisted and burned, under the eyes of the Panama National Guard. The incidents received extensive coverage, with pictures, in the Panamanian press, both Spanish and English language, gaining prestige for the perpetrators among the mob elements in Panama.

In this connection, Mr. Speaker, I would stress what I have stated on previous occasions that such conduct is not approved by the better citizens of Panama. They understand the situation and its peril but have not been able to control radical groups. I would also add that if our citizens in the Canal Zone had inflicted similar indignities to the Panama flag, such incidents would have been exploited to the maximum degree by the press and Government of Panama.

It is a matter of grave interest to note that the burning of U.S. flags in the instances cited followed unhampered speeches made by Communist revolutionaries that were severely critical of our Government's Vietnam policies and boldly assertive of the affiliation of the speakers with Castro of Cuba and Mao of China. No action whatsoever seems to have been taken by the Panamanian Government against those responsible for these outrages. The excuse that proper measures by the Panamanian Government against the offending revolutionaries would provoke more serious disorders, is a cowardly evasion of responsibility; and the same may be said of our own Government for its acceptance of this excuse.

As the Congress and the people of our country are well aware, diplomatic representatives of the United States and Panama are now negotiating for new canal treaties on which I commented in a press release on September 27, 1965. These latest flag incidents emphasize again the vital importance of retention of full U.S. sovereignty over our territorial possession known as the Canal Zone without which authority we could not have built the canal nor subsequently operated and defended it.

In order that the Congress and the Nation may have full information in the premises, I quote four news stories from the English language press of Panama, my exchange of letters with the Department of State, and my September 27, 1965, press release as parts of my remarks.

[From the Panama (Republic of Panama) Star & Herald, Jan. 10, 1966]

JANUARY 9 OBSERVANCE GOES OFF WITHOUT INCIDENT IN PANAMA

The observance of the second anniversary of the start of the January 1964, Panama-United States crisis went off without incident yesterday.

The turnouts were small at both the official and nonofficial exercises.

A procession to the National Cemetery sponsored by antiadministration groups never had more than 250 persons marching. Along the way it went into the Canal Zone on President Kennedy Avenue, escorted by Panama National Guard radio patrol cars which followed at a discrete distance.

The march through the zone was peaceful.

The marchers included members of the teachers union, the association of professors, the labor federation, the students federation, the university students union, the bar association, the Committee for Defense of Sovereignty and relatives of some of the victims of the 1964 clashes.

They paused in front of the Legislative Palace, overlooking the boundary, and observed 1 minute of silence. Then they returned to Panama City, marching along Central Avenue. There were frequent cries against "Yankee imperialism."

Midway along the way to the cemetery, two youths marching with the university student delegation produced a full-size replica of a U.S. flag which was then carried dragging on the pavement. Some of the student marchers spat and trampled it.

At Santa Ana Plaza, which is the city's traditional popular rallying point, the students tied the replica of the flag to the flagpole reserved for the carnival flag, set it afire and raised it.

There was no applause from spectators.

There were a government-sponsored mass in the cathedral and another in San Miguel Church auspiced by the nonofficial groups. The procession to the National Cemetery followed the mass at San Miguel. The usual Sunday morning crowds were out buying lottery tickets and paused briefly to watch the march.

At the National Cemetery, wreaths were placed on the grave of student Ascanio Arosemena, who was the first fatality in 1964.

Among the offerings was a red gladioli wreath with a ribbon inscribed: "From the President of the Republic." President Marco A. Robles, however, was away in David Chiriqui Province.

Most of the participants in the National Cemetery exercises then took free buses to the Jardin de Paz Cemetery in the city outskirts where similar exercises were conducted at the graves of other 1964 dead.

The national flag was half-staffed in Panama and the U.S. flag also was half-staffed in the Canal Zone alongside the Panamanian colors. Foreign flags at the embassies in the capital also were flown at half-staff.

Observance of the anniversary started at midnight Saturday with an unannounced demonstration by the Christian Democrat Party youth. About 90 members marched in a torchlight demonstration of tribute to the Panamanian victims of the January 1964 clashes.

They were stopped at the boundary intersection of L Street and President Kennedy Avenue by 30 armed Panama National Guardsmen. A delegation of 11 demonstrators was permitted to enter the Canal Zone to place a wreath at the foot of the granite wall in Shaler Plaza, where the Panama and U.S. flags are flown daily side by side. The rest of the demonstrators stayed at the boundary intersection and sang the national anthem.

The march had begun from the Christian Democrat Party headquarters about 3 miles away and was timed to reach Shaler Plaza at midnight. Last year, the Christian Democrats carried out a similar midnight ceremony.

After the delegation had returned to the intersection, the group walked back to Central Avenue and guardsmen followed and dispersed them.

Both the Christian Democrats demonstration and the morning procession were handled by the Panama National Guard during the time they were on the Canal Zone side of the boundary line.

By noon yesterday, National Guard headquarters reported all the ceremonies were over without incident and that there was quiet everywhere.

The official observance was limited to yesterday. The nonofficial observance, however, is scheduled for 2 more days. The University Reform Movement (MUR) faction of the University Students Union plans a meeting in Santa Ana Plaza early tonight while a literary recital is being held in the university auditorium. Another meeting of "popular forces" has been called for Tuesday evening, also at Santa Ana Plaza.

The 1964 clashes along the Canal Zone boundary were the issue of Panamanian sovereignty in the U.S. controlled Canal Zone. The toll after 4 days of violence numbered 21 Panamanian and 4 North American dead and 350 injured. The clashes resulted in negotiations for a new Panama Canal Treaty which still are underway.

[From the Panama (Republic of Panama) Panama American, Jan. 10, 1966]

FLAG BURNING MARS RIOTS ANNIVERSARY

Tribute was rendered yesterday to the memories of 22 Panamanians on the second anniversary of their deaths in the bloody Panama-Canal Zone border riots that was climaxed with a temporary break in diplomatic relations between the two countries.

No violence marked the observances but anti-U.S. gestures on the part of a small group of students marred memorial activities organized by both official and nonofficial groups.

During a march to the national cemetery where one of the riot victims is buried, a U.S. flag carried by two youths was dragged along the street and trampled and spat on by some student marchers.

And later the same flag was set afire and then hoisted atop a flagpole at Santa Ana Plaza.

Shouts of "Down with Yankee imperialism" were heard frequently during the activities organized by the Teachers Union, Professors Association, the Labor Federation, the Students Federation, the University Student Union, the Bar Association, the Committee for the Defense of Sovereignty, and the National Committee for Economic Betterment.

Part of the procession route was through the Canal Zone.

The procession through the zone completed, the marchers paused in front of the Legislative Palace where a minute of silence was observed. Marchers then continued along Central Avenue on to Santa Ana where the flag burning incident took place.

One mass, sponsored by the Government was held at the Metropolitan Cathedral and another, sponsored by nonofficial groups, was held at the San Miguel Church.

A wreath from President Marco A. Robles was among the floral offerings placed on the National Cemetery grave of Ascanio Arosemena, the first Panamanian to die in the rioting.

The chief executive, who was away in Chiriqui, was represented during the official ceremonies by Minister of Government and Justice Jose D. Bazan.

The Panama flag flew at half-mast throughout the republic as did the U.S. flag on the Canal Zone alongside the Panamanian emblem. Foreign flags at the embassies in the capital also were flown at half staff.

On Saturday night some 90 youths, members of the opposition Christian Democrat Party staged a torchlight procession in tribute to the memory of the Panamanian victims.

At the border intersection of L Street and President Kennedy they were stopped by armed National Guardsmen but a delegation of 11 demonstrators was allowed to enter the Canal Zone where they placed a wreath at the foot of the wall in Shaler Plaza.

Although the official observances ended yesterday, nonofficial groups will continue memorial activities to be climaxed with a public meeting in Santa Ana tomorrow night.

The University Reform Movement (MUR) has announced a meeting at Santa Ana for tonight.

[From the Panama (Republic of Panama) Star & Herald, Jan. 11, 1966]

HOMEMADE U.S. FLAG BURNED AGAIN IN PLAZA—SOLIDARITY WITH MAO PROCLAIMED; RALLY POORLY ATTENDED

A homemade U.S. flag was burned again last night in connection with the observance of the January 1964 Panama-United States crisis.

The flag burning occurred in Santa Ana Plaza, where the University Reform Movement (MUR)—known as the Peiping faction of the University Students Union—called a public meeting.

Barely 100 persons stood in front of the bandstand from where 5 speakers delivered revolutionary harangues. There were expressions of solidarity with Castro's Cuba, with Mao Tse-tung, with Patrice Lumumba, and others; cries of "death to the imperialists" and denunciations of U.S. involvement in Korea, the Congo, the Dominican Republic, and Vietnam. The Robles administration also was attacked.

A large banner inscribed "The New Treaty Will Not Pass" dominated other posters displayed in the bandstand.

The flag burning followed the pattern of a similar incident the previous day during a procession sponsored by antiadministration groups. The homemade banner was carried twice around the bandstand, dragging the pavement, and then was soaked with gasoline and set afire.

The 3-hour meeting opened with the playing of Communist Cuba's anthem. At the conclusion of the meeting, the usual singing of Panama's national anthem was omitted.

The nonofficial observance of the January 1964 events is scheduled to end tonight with another meeting at Santa Ana Plaza which has been called by the Committee for Economic Betterment and the Committee for Defense of Sovereignty.

[From the Panama (Republic of Panama) Panama American, Jan. 11, 1966]

STUDENTS BURN SECOND U.S. FLAG

Leftist Panama University students last night burned a homemade U.S. flag at Santa Ana Plaza in the second such incident in 2 days in connection with the second anniversary of the bloody January 1964 Panama Canal Zone riots.

Last night's flag burning was carried out by the university reform movement (MUR), a leftist group which follows the "hard line" policies of Communist China.

During the 3-hour meeting, five speakers scored the Robles administration and U.S. involvement in Korea, the Congo, the Dominican Republic, and Vietnam.

The same orators praised Fidel Castro, Mao Tse-tung, Patrice Lumumba and other Communist leaders. There were shouts from among the sparse number of spectators of "death to the imperialists."

Conspicuous at the meeting was a large banner which read "The New Treaty Will Not Pass."

Before the flag was saturated with gasoline and burned, it was dragged on the pavement twice around the bandstand in the plaza.

The incident was similar to one which occurred Sunday when another U.S. flag was dragged along the street, and trampled and spat on before it was finally burned at Santa Ana.

Three-day nonofficial observances of the anniversary of the riots which claimed 22 Panamanian and two American lives, will be climaxed tonight with a public meeting at Santa Ana.

Tonight's rally has been organized by the Committee for Economic Betterment and the Committee for Defense of Sovereignty.

Official observance of the anniversary was limited to 1 day, on Sunday.

JANUARY 18, 1966.

Hon. DEAN RUSK,
Secretary of State,
Department of State,
Washington, D.C.

DEAR MR. SECRETARY: The Panamanian press, both English and Spanish, of January 10–11, 1966, carried feature news stories of the Panamanian observances of the second anniversary of the bloody January 1964 mob assaults on the Canal Zone.

Based upon these news stories and accompanying pictures, I believe the following facts are established:

1. That the procession route passed through the Canal Zone and ended in Panama City.

2. That in the course of the march in Panama City a U.S. flag was dragged along the pavement, with some of the Panamanian marchers trampling and spitting upon it.

3. That on two occasions, Sunday, January 9, and Monday night, January 10, 1966, U.S. flags, after being soaked with gasoline, were publicly burnt.

4. That these desecrations of U.S. flags took place under the eyes of the Panamanian National Guard, which made no attempt to prevent or discourage such acts.

5. That extensive publicity in the Panamanian press has given prestige to the perpetration of these outrages in the eyes of the mob elements in Panama.

I shall appreciate your advice as to what, if any, protest to Panama was made by our Government to these gross insults and indignities.

An early reply is respectfully requested. Thanking you, I am,

Sincerely yours,

DANIEL J. FLOOD,
Member of Congress.

DEPARTMENT OF STATE,
Washington, February 8, 1966.

DEAR CONGRESSMAN FLOOD: I refer to your letter of January 18, 1966, concerning reports appearing in the Panamanian press of certain incidents in Panama during the second anniversary of the disturbances there in January 1964.

Reports received from our Embassy in Panama confirm that a procession did pass through a portion of the Canal Zone on January 9 of this year. The procession in question was not a part of the Panamanian Government's official ceremonies in observance of the anniversary but had been sanctioned by it. At the request of the Panamanian Government, U.S. authorities in the Canal Zone, after consultation with the Embassy and in keeping with precedents for the authorization of Panamanian parades in the Canal Zone, agreed to permit the procession to pass through a small portion of the Canal Zone in the area of Shaler Triangle en route from the San Miguel Church to the National Legislative Palace, both points being within the city of Panama. The Canal Zone portion of the route was limited, thus, to a border street and did not pass through any residential area. Appropriate police and security precautions were taken, consultations were held with the Panamanian police authorities, and the procession passed briefly on the border of the Canal Zone in an orderly fashion and without incident.

The first incident involving a U.S. flag occurred in Panama City on Sunday, January 9, when a small group of Panamanian students, who were part of the parade, produced an American flag or a replica of it, trampled on it, and set fire to it. Promptly the following day the Embassy received calls from a number of senior Panamanian Government officials, including the Vice Minister of Foreign Affairs in the absence of the Foreign Minister, who was out of town. All expressed their regret at the discourtesy shown our flag. The Vice Minister of Government and Justice explained that the Commander of the Panamanian National Guard detachment had been ahead of the spot where the incident took place and that by the time he got there it was over. The judgment of the guard officer on the spot, our Embassy was told, was that under the circumstances to step in at that point would have run the risk of provoking more serious disorders. A similar incident occurred on the evening of January 10 at a poorly attended rally sponsored by a Communist student group.

On January 11 our Embassy again discussed these incidents with representatives of the Government of Panama, pointing out the Embassy's concern and calling the Panamanian Government's attention to reports which were circulating that another such demonstration was scheduled for the evening. The Embassy was assured of the intent of the Panamanian Government to seek to prevent a repetition. As it happened, a third incident did occur, but it was clear that it happened so rapidly the national guard had no time to prevent it. One of the demonstrators suddenly and furtively pulled a flag from inside his shirt and quickly set it afire. It was abundantly apparent that the demonstrators totally failed in these efforts to evoke the support of spectators and bystanders. The response of the public was apathetic if not hostile. To have taken specific police action against them would have run the risk of engendering the further publicity which was obviously the goal of the demonstrators.

It does not seem to be the case, as your letter suggests, that the demonstrators achieved increased prestige as a consequence of these incidents. In this connection, the reaction of the news media in Panama is relevant. Several news stories, for example, referred to the perpetrators as "irresponsible adolescents." The Panama American said the incidents "marred" the commemoration, while La Prensa said it was the "only dissonant note." El Dia stated that "Communist agitators" tried to create disorder by burning the flag. Most news stories mentioned the fact that spectators remained passive during the burning.

Please call upon me whenever I may be of assistance to you.

Sincerely yours,
DOUGLAS MACARTHUR II,
Assistant Secretary for Congressional Relations
(For the Secretary of State).

FEBRUARY 15, 1966.

Hon. DEAN RUSK,
Secretary of State,
Department of State,
Washington, D.C.

DEAR MR. SECRETARY: I have carefully read the Department of State's explanation of February 8, 1966, under the signature of Assistant Secretary Douglas MacArthur II, relative to the recent indignities in Panama to the flag of the United States.

Although the subject insults to the U.S. flag were extensively covered and exploited in the Panama press by newsstories and pictures, I have seen no newspaper accounts of any formal protest by our Government; and apparently there was none.

I would also add that if our citizens in the Canal Zone had committed like indignities to the flag of Panama such acts would have been treated in sensational manner with strong protest from the Panamanian Government.

Such incidents thus countenanced certainly do not add to the prestige of the United States at home or abroad.

Sincerely yours,
DANIEL J. FLOOD,
Member of Congress.

[Press release of Sept. 27, 1965]

Congressman DANIEL J. FLOOD, Democrat, of Pennsylvania, concerning the proposed treaties with the Republic of Panama, released the following statement today from his Washington office:

"The President's announcement on September 24, 1965, about the status of current treaty negotiations with the Republic of Panama, fully justify my fears for the security of our position on the isthmus and confirm my predictions on this subject.

"It means a complete and abject surrender to Panama of our indispensable sovereignty and authority with respect to the Panama Canal in favor of a so-called dual governmental and managerial setup for it in an era of endless bloody revolution and political instability. This can only lead to unending conflicts and recriminations that always accompany extraterritorial jurisdictions where two masters are involved.

"The Canal Zone is a territorial possession of the United States with sovereignty granted by treaty in perpetuity and ownership of all land in the zone obtained by private purchase at a total cost of some $144 million. Our investment in the canal enterprise and defense installations is in billions of dollars furnished by the American taxpayers but in the indicated agreements not a dollar is to be repaid to us.

"Under existing treaty, the United States is obligated to Panama for the perpetual operation and maintenance of the canal. The issues involved in the agreements under negotiations are so grave that candor is required. Panama gets everything it desires and the United States nothing but losses and ignominy.

"The Panamanian negotiators have written out what they demanded and our negotiators, figuratively speaking, have merely signed on the dotted line. We certainly should not have agreed to Panamanian sovereignty but, on the other hand, should have demanded the extension of the Canal Zone to include the watershed of the Chagres River.

"The grant of complete jurisdiction of Panama over the Canal Zone, means that all laws made by the U.S. Congress for the government of the zone and the operation and maintenance of the canal may be scrapped at any time by Panama, and superseded by Panamanian law. Also, all civil activities in the zone—courts, police and fire departments, schools, roads, and public utilities—will be taken over by Panama.

"All this means, sooner or later, the elimination of U.S. citizen employees in the canal enterprise with substitutions by Panamanians. It will be inevitable that all these positions will become political plums eagerly sought by Panamanian politicians with gross confusion and embarrassment. Yet, our negotiators were unable or unwilling to deal with the situation realistically and have agreed to leave our Government with responsibility without any adequate authority. Think what this means in time of war or other grave emergency? Even as to the matter of land in the zone, which may be required for canal purposes, we should have to buy back at exorbitant prices areas we already own by actual purchase from the owners. What a ridiculous situation.

"Panama, having secured such outstanding results in its claims, will, inevitably, demand all control over the canal enterprise with withdrawal by the United States. If such abandonment occurs, Panama and all of Latin America will go down the Communist drain.

"For our officials to proclaim that Panama, which since 1955 has not been able to collect its own garbage from the streets of Panama City and Colon, as a partner of this great interoceanic public utility, is, to say the least, unrealistic and really astounding; and it will evoke serious reactions from maritime countries as regards the fixing of tolls.

"The President's announcement, indeed, marks a sad day for the United States, although it may bring rejoicing at Peiping and Moscow. He has completely yielded to the counsel of his advisers, sappers, and appeasers, who must be made to bear basic responsibility for what has occurred. Moreover, I predict that the expressed willingness to surender control over the Panama Canal will be taken as a signal for accelerated activity among Communistic revolutionary elements all over Latin America and the Caribbean.

"There should be only one flag flown over the Panama Canal and Zone—the flag of the United States—and the proposed treaties should be defeated."

LEGISLATION TO AMEND THE INTERNAL REVENUE CODE OF 1954

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. ROSTENKOWSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. ROSTENKOWSKI. Mr. Speaker, I have today introduced a bill, which would eliminate an unfair tax burden that the Internal Revenue Service is presently seeking to assert against hundreds of thousands of private industry employees and military personnel who are transferred annually for the convenience of their employer to new duty stations. Moreover, when H.R. 10607, an administration sponsored bill reported favorably last October by the House Government Operations Committee, becomes law, as I am confident it will, my bill will bar the Treasury from attempting to collect tax on the broadened moving expense allowances that will be payable under that bill to Federal employees who are required to move in the interest of the Government. As was stated publicly last year by Chairman John Macy of the Civil Service Commission before a subcommittee of the House Government Operations Committee, the employer should as a matter of equity and fairness pay the expenses of the move when the employer finds it necessary or desirable to transfer an employee to another job location. I find myself in complete agreement with Mr. Macy on this point. Moreover, when the move is primarily for the benefit of the employer, I again agree with Chairman Macy that there is no good reason why the employee should be taxed simply because the out-of-pocket expenses of the move are paid by the employer. Accordingly my bill provides for the exclusion from income of certain reimbursed moving expenses for employees who are transferred by their employer from one duty station to another.

One purpose of the bill is to overrule the recent decision of the Court of Appeals for the Seventh Circuit in *England* v. *United States*, 345 F. 2d 414, cert. denied, January 1966, 34 U.S. Law Week 3242, and related Revenue Ruling 65–158 to the effect that moving expense reimbursements for such things as house-hunting trips, temporary meals and lodging at the new post of duty, and fees incurred in selling the former residence are compensatory in nature. The bill would also reverse Revenue Ruling 64–153 which holds that a dislocation allowance paid to a member of the armed service whose dependents are moved in connection with a permanent change of station is taxable to the serviceman.

The bill would remove a serious deterrent to the mobility of labor. It would deal with the entire moving expense problem in a prompt, systematic, and definite manner, bringing to an end years of litigation and confusion which are adversely affecting employer and employee alike. It would eliminate the imposition of an unfair tax on an estimated 340,000 members of our Armed Forces and on more than 150,000 employees of private industry who are transferred annually at the request of their employers. If and when the civil service bill, H.R. 10607, becomes law, the bill will provide tax equity for an additional 35,000 Federal civilian employees.

With important limitations, the bill would exclude from income of a transferred employee the following expenses of moving—in addition to the cost of transporting the employee, his family, and household goods to the new place of work, which are clearly nontaxable under existing law:

First. House-hunting trips.

Second. Temporary living expenses at the new job location.

Third. Out-of-pocket expenses incident to the sale of the old house or to the settlement of an unexpired lease on the employee's old residence.

Fourth. Out-of-pocket expenses incident to the purchase of a residence at the new job location.

Fifth. Other miscellaneous expenses directly attributable to the transfer.

The more important of the conditions and limitations included in the bill to prevent abuse and to hold the revenue cost to a minimum are as follows:

Only employees who have worked at least a year for the same or a related employer are covered. This is generally in accord with the civil service bill—H.R. 10607—which pertains to transferred employees rather than new appointees. Furthermore, transfers which may be regarded as primarily for the benefit of the employer usually involve existing employees rather than newly hired individuals.

No provision has been included relative to the reimbursement of losses, such as those suffered by an employee on disposal of his old residence. The bill is limited to payments by the employer covering out-of-pocket expenses connected with the move, as distinguished from losses. Here again, this is in accord with the approach taken in the civil service bill.

The exclusion for house-hunting trips is limited to trips within the United States. This provision incorporates a limitation similar to that provided in the civil service bill. While no express limit is placed on the number of house-hunting trips, this provision is subject to the general requirement that the expense be reasonable.

The exclusion for temporary living expenses at the new job location is limited to a period not to exceed 30 days, except if the move is to or from a location outside the United States, the maximum period can be extended to 60 days. This provision is in line with the Civil Service recommendations and is much more restrictive than the reimbursement policy in this area of many of our large corporate employers.

Nontaxable reimbursements under the miscellaneous moving expense provision cannot exceed, in the case of a family man, the lesser of $1,000 or 2 weeks' pay, with the limitation being cut in half for the employee who has no family. The dollar limitations are generally similar to those recommended by the civil service and are intended to preclude unjust criticism of the bill as a "rich man's" bill. In this regard, a recent statistical study involving employee moves of 18 large corporations indicated that 55 percent of those moved earned less than $10,000 a year, with more than 87 percent under the $15,000 level. Also of significance is the fact that approximately 60 percent of the employees moved received no promotion, and of those promoted, 65 percent received annual salary increases of less than $1,000 a year.

For completeness, several technical points connected with my bill should perhaps be mentioned. First, the exclusion provided for reimbursed expenses of transporting the employee, his family and household goods from the old to the new post of duty covers the same ground as present section 217 of the code, except that the language "including temporary storage expenses" is added to overcome the adverse decision on this point by the Treasury Department in regulations issued under section 217. There is, however, no overlap between section 217 and my bill because section 217 has no application to reimbursed expenses which, as in my bill, are excluded from income.

Second, a provision is included in the bill to cover the problem of an employee who is transferred among related companies. In effect, a parent corporation and its subsidiaries—and also "brother-sister" controlled groups—are to be considered as a single employer for purposes of testing whether the 12-month employment period has been satisfied by the employer to make him eligible for the benefits of the bill.

Third, conforming changes to the social security and Federal unemployment tax laws are included to eliminate the necessity of withholding on reimbursements which are excludible from income under the bill. It will be recalled that this problem was encountered following the enactment of present section 217 as part of the Revenue Act of 1964 and was subsequently clarified by Public Law 88-650.

Mr. Speaker, the December 9, 1965, edition of the Wall Street Journal contained a very informative article on the problems and frustrations resulting from the Internal Revenue Service decision to tax reimbursed moving expenses and I commend it to the attention of the Members.

Also, because of its significance to the problem covered by my bill, I wish to refer to the statement of John W. Macy, Jr., Chairman, Civil Service Commission, on H.R. 10607 at hearings held last September before a subcommittee of the House Committee on Government Operations. In order to hold down printing costs, I request that the documents accompanying Chairman Macy's statement not be reproduced, but I highly recommend that they be studied carefully by interested parties for important background information.

Mr. Speaker, revenue estimates with respect to the bill are somewhat difficult to make because of the lack of reliable information on the number of employees transferred annually who meet the conditions specified under the bill. It is estimated, however, that the potential revenue cost would run somewhere in the neighborhood of $40 to $60 million a year. This assumes that the Internal Revenue Service wins the continuing litigation involving reimbursed moving expenses and that it moves from a hit-or-miss enforcement policy to an organized crackdown—on both corporate and military transfers, a step which in my humble judgment would practically guarantee the enactment of corrective legislation. At the present time, however, it seems clear that many thousands of servicemen and civilian employees are not paying taxes on their reimbursed moving expenses—so the revenue cost figure does not represent a corresponding diminution of actual dollars now flowing into the Treasury.

It seems to me incredible that the Service would seek to tax employees on reimbursed moving costs of the type covered in my bill. This problem is not going to go away any time soon. The Government, itself, last December, in opposing review of the moving expense tax issue by the Supreme Court, has unfortunately contributed to the continuing uncertainty and confusion in this important area. If the problem is to be solved, it is up to Congress to do it.

I respectfully urge passage of the bill I have introduced.

LEGISLATION TO AMEND THE INTERNAL REVENUE CODE OF 1954

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. TUNNEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. TUNNEY. Mr. Speaker, I would like to introduce legislation today which would amend the Internal Revenue Code of 1954 to provide that construction workers shall be allowed the deduction for moving expenses without regard to the length of time they are employed at their new location.

This legislation would eliminate a provision in the present law which discriminates against the construction worker. The inequity in the present law involves the allowance of deductions for moving expenses for workers of the trades and crafts of the construction industry.

A general rule of the Internal Revenue Code provides:

> There shall be allowed as a deduction moving expenses paid or incurred during the taxable year in connection with the commencement of work by the taxpayer as an employee at a new principal place of work.

Under present law, conditions are imposed which have the effect of eliminating the construction worker's ability to take full advantage of the deduction allowance for moving expenses. Here we have a situation in which the benefits of this very worthwhile provision are denied to those who need them most—the construction worker.

Section 217(c)(2) of the Internal Revenue Code says:

> That no deduction shall be allowed unless: (2) during the 12-month period immediately following his arrival in the general location of his new principal place of

> work, the taxpayer is a full-time employee, in such general location, during at least 39 weeks.

Because of the temporary nature of his employment this section is inequitable to the construction worker. The legislation which I am introducing today would allow construction workers to take the same advantage of the moving expense deduction allowance as other qualified employees in other professions now take.

McGEORGE BUNDY

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. CULVER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. CULVER. Mr. Speaker, this week McGeorge Bundy leaves Government service to assume his important new duties as president of the Ford Foundation. During the past 5 years Mr. Bundy's outstanding service to two Presidents and his unquestioned devotion to furthering the national interest have established brilliant new standards of fulfilling the high ideals of public service.

My own association with McGeorge Bundy dates back to 1952 when I was fortunate to have him as my tutor in American government at Harvard College. His unsurpassed intellectual capacity and breadth of vision together with his vigor and sincere interest made this a most stimulating and rewarding educational opportunity as well as an unforgettable personal experience. These same qualities combined successfully with a tough-minded pragmatic approach characterized his service to the country.

The Washington Post of February 27 contained a most fitting tribute to McGeorge Bundy by Arthur Schlesinger, Jr., his colleague both at Harvard and on the staff at the White House. I am personally familiar not only with Mr. Schlesinger's description of Bundy's exceptional contribution to Government, but his account of the warmth and thoughtfulness of his personal relationships with his friends.

On this occasion, as we wish Mr. Bundy every success in his new position, it is with the knowledge that the American Government is stronger today because he served it for 5 critical years. It will be forever stronger because of the nature of that contribution and its inspirational legacy to future Americans in the service of our Nation.

I respectfully include in the RECORD at this point the tribute of Arthur Schlesinger, Jr., to McGeorge Bundy:

McGEORGE BUNDY: THE END OF AN ERA

(By Arthur Schlesinger, Jr.)

> It is, as they say, the end of an era. Tomorrow when Mac Bundy leaves, the last of the Kennedy White House will have gone. We were, for better or worse, a distinctive group. Kennedy always wanted to bring together the world of power and the world of ideas, and he turned more systematically than any other President to the universities Bundy suited his theory and his needs perfectly.
>
> The dean of the faculty of arts and sciences at Harvard combined the wide-ranging and imaginative mind of a professional intellectual with the instinct for hard judgment of an administrator who had become a top lion in the academic jungle. I think, too, it amused the President to enlist a man who was not only a Boston Brahman but a representative of the Stimson-Lovett-McCloy mob in New York, for which Democratic Presidents have always had an amiable weakness.
>
> Bundy, at once so spirited and so realistic, fitted superbly into Kennedy's mode of operation. He knew everybody, feared nobody, respected the President's power of decision, stated each side of an argument better than the protagonists, and was always cool, swift, lucid, precise, and funny. He had, too, the indestructible personal vitality Kennedy enjoyed so much. Nothing seems to tire him. It used to madden Mike Forrestal and me, hardly able after a late night to drag ourselves to his morning staff meeting, to watch Bundy, who had been working or relaxing as long as we had and, in addition, had played an hour of tennis before breakfast, bounce into the room, pink-faced and merry, emitting a rapid fire of bulletins, instructions, questions, and jokes.
>
> Not everybody liked Bundy. He was very charming and very tough. People resented his air of confidence and impregnability and thought him cold and ambitious. Though warm and thoughtful in private relations, he could be ice in official contacts, and his wit sometimes declined into sarcasm in dealing with the press and the public. Like his mentors in the New York establishment, he united his commitment to public service with an evident appetite for power.
>
> But these traits, real or fancied, hardly decreased his effectiveness. He served two Presidents brilliantly and faithfully, giving them the assistance they needed to retain their personal control over foreign and defense policy in the age when policy out of control could mean the end of the world. He brought them a wider range of alternatives than the traditional departments were ready to propose, a trenchant and fertile intelligence and a deep sense of responsibility to history. He was a great public servant.

VIETNAM

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. SISK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. SISK. Mr. Speaker, the San Francisco Examiner states:

> It is refreshing to read that college students are demonstrating in support of President Johnson's Vietnam policy.

It finds this further evidence that:

> Campus troublemakers who urge ducking the draft, issue pro-Vietcong proclamations, and call for peace at any price, are a minority; a noisy headline-grabbling minority.

The Examiner declares that the facade of united resolution in Hanoi "appears to be yet another Communist falsehood."

The paper continues that:

> General Taylor has reminded us of peculiar and unheralded shifts of Communist policy in the past. He cited the Berlin airlift and the Korean war. In both situations Communist intransigence seemed intractable until the very last moment, then suddenly evaporated.

In the belief that others may want to read this editorial in its entirety, I am offering it to the RECORD:

OPINIONS CLASH IN HANOI, TOO

> Has a crack appeared in North Vietnam's apparently solid determination to continue its aggression against South Vietnam, come hell, high water, and the prospect of expanding conflict with U.S. forces?
>
> Hanoi sources provide some indication that this might be so. A Hanoi broadcast reported that the top Hanoi leadership has had to criticize publicly a dissident faction in the North Vietnamese Communist Party for posing the current theme of militancy.
>
> Thus, it would appear that "doves" and "hawks" exist in North Vietnam as they do elsewhere. In this case, however, the "doves" appear to be the realists. They seem to consist of a minority group within the party that fears the consequences of a lengthy struggle with the United States, presumably for highly practical reasons. Much of what has been done in North Vietnam since 1954 is being pounded into rubble by American airpower and the "doves" see no letup from this, and no profit either.
>
> One indication of the apparent strength of the "dove" faction is the fact that Hanoi's top echelon has had to resort to public denunciation to deal with it. Thus the facade of united resolution against "American imperialism" that North Vietnam has so assiduously sought to present to the world appears to be yet another Communist falsehood.
>
> It could even presage a sudden and dramatic turn of events. Gen. Maxwell D. Taylor has, in a recent interview, reminded us of peculiar and unheralded shifts of Communist policy in the past. He cited the Berlin airlift and the Korean war. In both situations Communist intransigence seemed intractable until the very last moment, then suddenly evaporated.
>
> In our country it is refreshing to read that college students are demonstrating in support of President Johnson's Vietnam policy. It is further evidence of what we have frequently written—that campus troublemakers who urge ducking the draft, issue pro-Vietcong proclamations, and call for peace at any price, are a minority; a noisy headline-grabbing minority.

THE GREAT QUALITIES OF SECRETARY OF STATE DEAN RUSK

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Delaware [Mr. McDOWELL] is recognized for 30 minutes.

Mr. McDOWELL. Mr. Speaker, the great qualities of Secretary of State Dean Rusk were revealed during his 7 hours before the Senate Foreign Relations Committee, the New York Journal-American asserts.

The paper adds that when the true portrait emerged, it was clear why President Johnson says of him, "He is No. 1 in the Cabinet and No. 1 with me."

The article noted that "patiently, imperturbably, undramatically, Rusk repeated time and again a defense of the Johnson administration policies in Vietnam," until the issues seemed clear.

I believe that others will want to see the article to which I have referred, and I therefore am including it in the CONGRESSIONAL RECORD.

[From the New York Journal-American, Feb. 20, 1966]

Rusk—True Portrait Revealed

(By William McCullam)

Thanks to his 7-hour televised ordeal before the Senate hearings on Vietnam, the little-known stature of Secretary of State Dean Rusk today stands revealed to millions of Americans for the first time.

For the first time, too, many Washington critics of the controversial man they have called colorless, indecisive, slippery, and unimaginative have seen at first hand the depths of strength and conviction behind his diplomatic mask.

It took 7 hours for the full portrait to emerge because Dean Rusk, once a former Georgia hillbilly and Rhodes scholar, is so remarkably complicated. In the end, it was clear why President Johnson says of him:

"He is No. 1 in the Cabinet and No. 1 with me."

During his marathon questioning before the Senate Foreign Relations Committee Friday, the tall, bald, stolid witness displayed all the qualities which have caused exasperation among his enemies and unswerving loyalty among the relative few who have known him well.

Historian Arthur Schlesinger, Jr., in his sweeping indictment of Mr. Rusk as a "Buddha-like" figure in the Kennedy administration, said the late President had considered replacing him because of the Secretary's many objections to New Frontier proposals.

On the Washington witness stand, the "Buddha-like" qualities were much in evidence as he placidly resisted the needling of his opponents, particularly Senators Wayne Morse and J. W. Fulbright, the latter also a former rural boy who became a Rhodes scholar.

Patiently, imperturbably, undramatically he repeated time and again in his southern drawl a defense of the Johnson administration policies in Vietnam.

In a word, the witness for long stretches presented the picture described by his critics—that of a man who sees all sides, pro and con.

Not until the very end of the hearing did the lack of self-dramatics begin to emerge as the self-effacement of a gentleman; the lack of ringing pronouncements as a Gilbraltar-like commitment to a policy of searching for peace while defending against aggression.

The full, true qualities of Dean Rusk began to be evident when Senator Fulbright—deliberately sardonic and sarcastic by turns—ripped into the Secretary's hour-long opening statement and went on to declare that the huge expense of the Vietnam war is unjustified.

When the assault was ended, and only then, Mr. Rusk calmly voiced the answer which deflated his hostile questioner and revealed the singleness of purpose which has guided him for over 5 years as head of the State Department.

He noted that it was the Senate Foreign Relations Committee which had voted all-important approval in 1954 for the southeast Asia treaty, the treaty whose obligations have guided the Nation's actions in South Vietnam.

Then he added:

"If there is any doubt in Congress about this major policy, let us vote. Let those who oppose our involvement, our commitment, stand here on the Senate floor like men and vote it down.

"There wouldn't be a single American combat soldier in South Vietnam if Hanoi had not launched its aggression."

The issues are as clear as that to Dean Rusk, and as simple. This Nation will either live up to its pledges to halt Communist aggression against her allies, or she will not.

At long last, the issues seemed to become blindingly clear to Senator Fulbright as well. In adjourning the hearing, he said:

"I do not believe any further sessions will be required."

WILLIAM F. ENGLEHART, OF DOVER, DEL., WINS THE VOICE OF DEMOCRACY CONTEST OF THE VETERANS OF FOREIGN WARS

Mr. McDOWELL. Mr. Speaker, William F. Englehart, of Dover, Del., is the winner of the Voice of Democracy Contest of the Veterans of Foreign Wars, and its ladies auxiliary. Mr. Englehart is to be commended for winning this contest. Among other things he says:

> Democracy means responsibility. We must face this fact if we are to preserve the doctrines of our forefathers. The very survival of democracy in today's world demands responsibility and involvement.

I include the complete text of Mr. Englehart's winning speech for the information of my colleagues:

What Democracy Means to Me

(By William F. Englehart)

In an attempt to improve their lives, our Founding Fathers gave birth, through great personal sacrifice, to American democracy. This legacy of freedom, passed on from them to us, is ours today to perpetuate or to destroy.

And what is democracy today? In our sophisticated, modern-day society it is an act of indifference, of letting someone else make the important decisions, of "passing the buck." Contemporary democracy allows the individual to live in a private world, unhampered by concern for others. But in contrast to the apathy, democracy guarantees the right to become involved with mankind, to protest against war, hatred, and inequality. It allows freedom to follow one's conscience in the pursuit of better understanding between men of all nations and creeds.

Democracy, because of its very nature, fosters extremes which are necessary to maintain equilibrium of thought and purpose among the moderate majority. In recent months for example, rightwing and leftwing extremists have been under constant fire from various sources in both the Government and the press. Their indignation, born of patriotism, is commendable; but it is necessary to keep one basic tenet of democracy in mind: The rights of the radical must be protected if the rights of the rational are to be perpetuated. Democracy requires tolerance just as a fire requires air. Without the one, the other will soon be smothered and will die.

Having established these guidelines to democracy in contemporary America, where do I fit in? Exactly what does democracy mean to me?

American history has provided me with a heritage rich in the tradition of freedom. It has left a record of unequaled achievement in science and industry. It has given birth to world leaders for three centuries. Because of these and other accomplishments, democracy has made me proud to be an American, a citizen of the great United States of America.

At the same time, pride is accompanied by the recognition of my good fortune in living in a land such as ours. This knowledge engenders dedication to the preservation of the ideals our country is based on, and creates a desire to extend the fruits of democracy to a suffering world.

The success or failure of democracy is dependent upon the individual. Without the initiative of individualism, the spark of democracy is gone. The American colonies would have made little progress had it not been for the individualism of Thomas Paine, Thomas Jefferson, Samuel Adams, and countless others. These believers in democracy practiced its principles to the best of their ability, and succeeded in establishing a type of government that attempted to meet the needs of a free society.

Because of democracy an individual has the opportunity to plan his future, to decide what education he will attempt to obtain. He has the right of choice regarding his religion, his mate, and his home. He is allowed freedom of thought, speech, and peaceful assembly. He is not punished for dissenting, but rather, is encouraged to think for himself.

These things which we take for granted constitute the most valuable treasure on earth: our freedom. In observing the world around us, it should be obvious that God has truly blessed us.

On the surface it appears that democracy gives so much and asks so little in return. It is at this point that democracy attains its full meaning for me, for in its one major requisite is found a meaning for life in general, and citizenship in particular. That requisite is responsibility.

Democracy means responsibility. We must face this fact if we are to preserve the doctrines of our forefathers. The very survival of democracy in today's world demands responsibility and involvement. Apathy threatens to destroy the foundations of freedom built with the labor and lives of countless Americans. Only in fulfilling our responsibilities as citizens and human beings can we hope to perpetuate democracy as we know it.

In the final analysis what does democracy mean to me? Democracy is a free way of life that can be preserved only through responsibility in fulfilling the duties of citizenship. It is an invaluable treasure to be safeguarded at all costs. Democracy is my heritage, the heritage of a free America.

THE GOLDEN DOOR

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. Rooney] is recognized for 30 minutes.

Mr. ROONEY of New York. Mr. Speaker, on Sunday, February 20, the Washington Star distributed a keepsake issue of This Week devoted to telling the story of the immigrants who built America. This is a truly historic document. The text is replete with story after story of the foreign-born heroes to whom all of us owe everlasting gratitude.

Mr. Speaker, this issue makes all of us who supported President Johnson in enacting the Immigration Act of 1965, proud indeed of our participation. I am particularly proud of the honor you accorded me in letting me preside as Chairman of the Committee of the Whole during consideration of that important legislation. I am proud, too, that I could be numbered among those who were invited to join the President at the historic signing of that law under the very shadow of the Statue of Liberty. And I am proud that I could participate personally in Naples, Italy in the issuance of the first visa under the new act to my new constituent, Salvatore Esposito.

I have always held in high regard the great American heroes who came to these shores from countries overseas and I have known and admired scores of Italian-born, Polish-born, German-born, and other foreign-born Americans who today are such loyal and productive American citizens. My own district has an unusually large number of these fine citizens whose daily contribution to our life and our society is indeed magnificent.

Mr. Speaker, because the February issue of This Week tells the story of so many of our great foreign-born heroes, and is therefore of such real interest to all of us, I include it with these remarks. My one regret is that the many graphic drawings which enhance its pages cannot be included with the text.

The story of the immigrants who built America reads as follows:

In 1748, 16-year-old George Washington made his first trip over the Blue Ridge Mountains to work as a surveyor along the western frontier. One day he noted in his journal meeting an Indian war party, with two scalps—and later a group of immigrants who impressed the future Father of his Country as "ignorante * * * they would never speak English but, when spoken to, they speak all Dutch."

There is a beautiful simplicity to this encounter. It sums up, in an offhand sentence, the whole story of the immigrants in America.

The young man who made the observation was the great-grandson of immigrants who had been driven to Virginia by poverty and religious persecution about 90 years before. The immigrants who spokes only "Dutch" were Germans, seeking refuge on the frontier for almost identical reasons.

So it has gone, from generation to generation. Each new wave of immigrants have come to America poor and unschooled and prospered until they came to regard the next wave as "ignorante." (Later generations added such unlovely names as mick, wop, yid, polack, spik.) John F. Kennedy, a great grandson of an immigrant from Ireland, wanted to stop, once and for all, this futile pattern. When he died he was working on a book which he called "A Nation of Immigrants." There are grounds for believing he got the idea from his father, Joseph P. Kennedy, who once remarked, "I was born in the United States and so was my father. Yet my children are still called Irish. What the hell do we have to do to become Americans?"

WE ARE ALL CHILDREN OF IMMIGRANTS AND REBELS

It is the plain truth. All of us, from *Mayflower* descendants to the toddlers born to Cuban refugees from Castro's communism, are children of immigrants. President Franklin D. Roosevelt threw the Daughters of the American Revolution into a furor when he reminded them of it in a 1938 speech. "Remember," he said, "always, that all of us, and you and I especially, are descended from immigrants and revolutionists." But the whole truth is much larger than this plain truth. The story of American immigration is more than the search for a full dinner pail. It is one of the sagas in the history of the human race. Since 1607, when the first English settlers landed at Jamestown, Va., a staggering 42 million people have migrated to the United States—the largest mass movement in recorded history.

FIRST WEDDING, A MAID AND A LABORER IN VIRGINIA

Who were they—and why did they come? One thing is certain. From the beginning, almost to a man and woman, they were not aristocrats. Although there were a number of gentlemen among the first settlers in Virginia, they were of the poorer sort. As one of Virginia's earliest historians, Robert Beverely, remarked in 1705, "'Tis not likely that any man of a plentiful estate should voluntarily abandon a happy certainty to roam after imaginary advantages in a New World * * * the chief design of all parties concerned was to fetch away * * * treasure." Virginia's first marriage (1608) was between Ann Burras, a lady's maid, and John Laydon, a laborer. Stephen Vincent Benet describes the scene with fine irony in his narrative, "Western Star":

"And the first white wedding held on Virginia ground will marry no courtly dame to a cavalier but Ann Burras, lady's maid, to John Laydon, a laborer.

"After some 6 weeks' courtship—a fall wedding when the leaves were turning and the wild air sweet, and we know no more than that but it sticks in the mind, for they were serving maid and laboring man.

"And yet, while they lived (and they had not long to live), they were half of the first families in Virginia."

In New England, the story was much the same. There was not an iota of blue blood aboard the old freighter *Mayflower*. Nor is this the only myth that needs exploding.

Because America is an English speaking country, most of us have the impression that English immigrants alone cleared the forest primeval, fought the Revolution, secured independence—and then the others—Irish, Germans, Jews—began to arrive. Actually, most of America was well on its way to becoming a "nation of nations" by the time the embattled farmers fired the first shot at Lexington.

As early as September 25, 1608, six sturdy laborers strode ashore at Jamestown and within 3 weeks had a roaring fire going under a glass furnace, the first factory in America. Their names were Michal Lowicki, Zbigniew Stefanski, Jur Mata, Jan Bogdan, Karol Zrenica and Stanislaw Sadowski.

In 1619, when Virginia convened America's first representative assembly, the Governor declared that only natives of England would be allowed to vote. The Poles immediately went on strike, and won an almost instant victory. The court book of the Virginia Company records: "Upon some dispute of the Polonians * * * it was now agreed that they shall be enfranchised and made as free as any inhabitant."

Over 6,000 Dutch settled in New York and the Hudson River Valley and invited people from every country in the world to join them. Twenty-three Jews, refugees from Portuguese persecution in Brazil, arrived in 1654. French protestants driven out of France followed, as did Italians from the Piedmont.

One of these young Jewish immigrants, Asser Levy, won the first clear-cut victory for religious freedom in the New World. When he applied for citizenship in Nieuw Amsterdam, the Governor, gruff Peter Stuyvesant, turned him down. For 3 years, Levy proceeded to perform all the duties of a citizen. He regularly mounted guard along with the Dutch. He paid his taxes. Finally he reapplied, and by this time the Dutch burgers backed him so firmly that Stuyvesant was forced to grant him citizenship—though he warned that this would mean men of all religions would now be able to demand the same rights. Which is exactly what happened. When the English took possession of the colony in 1664, they found citizens of 18 different nationalities, and almost as many religions.

Sweden and Finland, meanwhile, had sent 500 sturdy planters to Delaware, where they introduced that symbol of American pioneering, the log cabin. Refugees from religious wars in the Rhineland poured into Pennsylvania in such numbers that in 1766 Benjamin Franklin estimated that the colony was one-third German. Ten years later a and 150,000 strong. Irish, particularly the Protestants from the northern counties, streamed into American ports from Boston to Charleston at the rate of 2,000 a year from 1700, with the numbers soaring to 10,000 a year in the 1770's. Famed for their fighting prowess, they were sought by every colony to serve as buffers along the restless frontier. Thus, they founded Worcester, Mass., Londonderry, N.H., and some 500 other towns on the edge of the wildernsss. Thousands of doughty Scottish highlanders and lowlanders were welcomed for similar reasons, and moved into the back country of North and South Carolina.

"FOREIGN" CONTRIBUTIONS TO INDEPENDENCE

The colonists keenly appreciated the contributions of these non-English immigrants. British attempts to prevent their influx was one of the major grievances cited in the Declaration of Independence. "He (King George III) has endeavored to prevent the population of these States; for that reason obstructing the laws of naturalization of foreigners; refusing to pass others to encourage their migrations hither, and raising the conditions of new appropriations of lands."

In the struggle for independence, these foreigners played a vital role. Thomas Jefferson took the phrase, "All men are created equal" from the writings of Philip Mazzei, a brilliant Italian who lived for a number of years in Virginia. Charles Thomson, Secretary of the Continental Congress from 1774-89, the man who preserved the most precious moments of American history and who was called "the life of the cause of liberty" in Philadelphia, was born in County Derry, Ireland. Of the 56 signers of the Declaration of Independence, 18 were of non-English stock and eight were first-generation immigrants. Paul Revere, the man who sounded the historic alarm, was of French descent.

At times more than a third of the American Army was Irish. The Pennsylvania Continentals, one of Washington's toughest brigades, was often called "the line of Ireland." John Sullivan, son of a Limerick school teacher, was a major general; his brother, James, became Governor of Massachusetts. Commodore John Barry, the "father of the American Navy" was born in Tacumshane, Ireland. In the first months of the war, when the New England troops tried to celebrate Guy Fawkes day, a notoriously anti-Catholic celebration, Washington sternly rebuked them for planning such an insult to the Irish soldiers who fought beside them.

At Valley Forge, the New Englanders raised Irish tempers by parading a "stuffed Paddy"—a very uncomplimentary image of St. Patrick—around the camp. The Irish seized their guns and for a moment it looked like civil war. But Washington quickly appeared and asked the Irish to point out their tormentors and he would have them punished, This the Irish declined to do, so Washington said: "Well I, too, am a lover of St. Patrick's Day and, must settle the affair by making all the Army keep the day." Whereupon he ordered an extra ration of rum for every man in camp, and in the words of an aide, "All made merry and were good friends."

Thousands of Germans also volunteered. One of their leaders was the fiery Peter Muehlenberg, pastor of a Lutheran Church in Virginia. In January, 1776, he ascended the pulpit and preached a blazing sermon in which he declared: "There is a time for preaching and praying, but also a time for battle, and that time has now arrived." He then flung aside his ministerial robes to reveal the uniform of a Continental Colonel. Three hundred men enlisted at the church door. By 1777, Muehlenberg was a brigadier general, and as he led his men into the battle of Brandywine, the Hessian troops on the British side recognized him and cried out: "Hier Kommit Teufel Pete"—(here comes "Devil Pete")—a nickname he earned in his student days in Germany.

Another German hero was Nicholas Herkimer of upstate New York. When the war began he organized four battalions, all with German colonels and largely Germans in the ranks. In 1777, when the British master plan for ending the Revolution called for three armies to drive down New York State to cut the colonies in two, Herkimer was the first to meet the challenge. In a fierce guerrilla encounter at Oriskany, he fought his way out of an ambush and though mortally wounded, directed an all-day battle that eventually drove back the British and their Indian allies with heavy losses. It was a crucial victory, leading directly to the British surrender at Saratoga, the turning point of the war. Washington paid him tribute, commenting, "It was Herkimer who first reversed the gloomy scene * * * he served from love of country, not for reward."

"OUR LITTLE FRIEND ON FRONT STREET"

The chief financier of the Revolution was Robert Morris. Less well known but at least as devoted to the cause was his friend, Haym Salomon, a Polish Jew who spent 2 years spying for the Americans in British-held New York, and then moved to Philadelphia, where he consumed his personal fortune advancing cash to Congressmen, Army officers, and the bankrupt American Government. James Madison wrote home: "The kindness of our little friend on Front Street near the coffeehouse, is a fund that will preserve me from extremities, but I never resort to it without mortification, as he obstinately rejects all recompense."

Other Jews fought in the Revolutionary ranks. One of the bravest was Francis Salvador, who was born into a wealthy London family and became a pioneer in South Carolina's back country. Early one morning in July 1776, a bleeding fugitive staggered into Salvador's house to gasp out the news of a British-led Indian invasion. Salvador flung himself on his horse for a wild, Revere-like, 28-mile ride to rally the militia. Then he joined in the fierce fighting that followed, and fell mortally wounded. On his tomb his neighbors engraved the words:

> "Born an aristocrat, he became a democrat,
> An Englishman, he cast his lot with America;
> True to his ancient faith, he gave his life
> For new hopes of human liberty and understanding."

Another fighting frontiersman was the Italian, Giuseppe Maria Francesco Vigo, who played a crucial role in the 1779 capture of Fort Vincennes, key to what was then the Northwest. Not only did he guide the American expedition across 240 miles of unmapped winter wilderness, but he put up most of the money for the food, equipment, and ammunition. One historian of the victory (which eventually brought the States of Ohio, Indiana, Illinois, Michigan, Wisconsin, and part of Minnesota into the Union) declared: "The whole credit of this conquest belongs to two men, Gen. George Rogers Clark and Col. Francis Vigo."

By the time the Revolutionary War was over, keen observers such as Michele Guillaume St. Jean de Crèvecoeur, a Frenchman who lived on a farm in Orange County, N.Y., from 1769 to 1780, were already noting that "Here, individuals of all nations are melted into a new race of men * * *." To prove it Crèvecoeur cited a family in his vicinity whose four sons were married to women of four different nationalities.

The leaders of the Revolution were determined to keep this tradition alive. In December 1783, Washington wrote a reply to an address from a group of recent Irish immigrants: "The bosom of America is open to receive not only the opulent and respectable stranger, but the oppressed and persecuted of all nations and religions." A few years later, Thomas Jefferson asked, "Shall we refuse to the unhappy fugitives from distress that hospitality which the savages of the wilderness extended to our fathers arriving in this land? Shall oppressed humanity find no asylum on this globe?"

For about 35 years after the Revolution, however, there was a lag in immigration to America. The long series of wars between England and France was the primary reason. But Europe was aboil not only with war. Between 1750 to 1850, the population of the continent doubled. A sharp decline in the "death rate" explained it. But no one could explain how to cope with this stupendous increase in people. Farms could be subdivided no smaller; the beginnings of industry in the cities simply could not absorb the restless millions flocking from the countryside. Inevitably, the adventurous poor looked to the New World as the answer to their rising discontent. The era of "mass immigration" began.

THE NUMBER OF IRISH ROSE WITH EACH DECADE

The Irish came first, prodded by crop failures to escape the heavy hand of the British Government's "penal laws" which refused Catholics the right to own land. They came on timber ships from Canada, three-masted tubs. Ships that carried coolies from Madras to the West Indies were pressed into the trade. (Some even came on a *Mayflower*—from Ballyshannon.) From first to last they ran a gauntlet of fellow-Irish "mancatchers" who specialized in swindling them. But still they came, mounting with each decade: 50,724 in the years 1821–30; 207,381 from 1831–40.

Then came that fateful day in 1844 when early risers in Ireland noted a "peculiar smell" in the country air. Blight had struck the potato crop—the food of the poor. The great famine had begun. For 5 successive years the potatoes rotted in their beds, and over 1,500,000 Irish died of starvation or the diseases of malnutrition.

A TIDAL WAVE OF DESPERATE HUMANITY

A million others fled, and a tidal wave of desperate humanity burst on the shores of a startled America. By 1850, the Irish formed 44 percent of the foreign-born population of the United States. They were poor, desperately, unbelievably poor. The stench of some of them, as they emerged from 6 to 8 weeks in the foul steerages of the immigrant ships, caused proper Bostonians to vomit. In New York and other cities they crowded into America's first slums—"the oldest, most rickety wooden buildings, open to the wind and the storm and for less comfortable than the buildings used as barns or cattle stalls by the great body of farmers throughout the country." There were no toilets or sewers; even water had to be carted from outdoor pumps. Boston was worse—Lemuel Shattuck, a census statistician, estimated that the average life span of an Irish immigrant there was 14 years.

Thus the Irish bore the first bitter brunt of the mass immigration era. Inevitably, the grinding poverty of slum life broke the hearts and health of thousands. From 1849 to 1859, 85 percent of the foreign born admitted to Bellevue Hospital were Irish. Gangs of Irish hoodlums, such as the Kerryonians and the Dead Rabbits, terrorized the Five Points and Bowery sections of New York. But most crimes were the minor vices of the poor. A typical newspaper report of the day read:

"ARRESTS

"John McGorty and Michael Dowd were arrested for stealing a keg of white lead; John McKeeney on suspicion of having stolen $34; Jane Mullen for stealing a washtub; Mary Donahan stole 34½ yards of calico from the premises of Mr. Taylor, 31 Catherine Street."

THEY STARTED AS MAIDS AND DAY LABORERS

Thousands upon thousands of other Irish fought the evil undertow of slum life. They worked, men and women both, almost all as laborers and servants in the beginning. With no skills beyond native wit and strength, they built America's canals and railroads, laid its sewers, toiled as serving maids. A laborer's pay, when he got it, was seldom more than $1.25 a day, often less, and out of this pittance he had to buy his food and clothing at stores run by the contractors who hired him. He worked from sunrise until, as one laborer put it, "our sweat mixes with the nightly dew." Again and again, contractors (most of them fellow Irish) would abscond with the month's wages, which led to so-called "Irish riots." At various times the militia of Baltimore, Chicago, and New York State were called to stop enraged Irishmen from tearing up their own work.

Out of their pitifully small wages, the Irish saved incredible amounts of money which they sent home to bring friends and and families to America. Nicholas Waterhouse, at a meeting of English social scientists in 1858, declared: "If we look back through the pages of American history from the present to the day when the *Mayflower* first sighted that wild New England shore, we shall find no more magnificent spectacle than this—the work not of the great, the rich, or the mighty, but of those who were poor, and needy, and destitute of all things save true hearts and strong hands."

Unfortunately, people tend to see the worst in strangers—and the Irish with their brogues and quick tempers, their ragged clothes and Catholicism were very strange to Americans. Thus the Irish became the first immigrants to feel the cruel lash of prejudice. In newspapers throughout the Nation appeared advertisements such as the following: "Woman wanted to do general housework * * * English, Scotch, Welsh, German, or any country or color except Irish." Although the Irish had been fighting English tyranny before it ever occurred to Americans, they were accused of being hostile to democracy. Even liberal Ralph Waldo Emerson suspected "the wild Irish element * * * led by Romanish priests who sympathize, of course, with despotism."

Out of this native American hostility grew a political movement, the American party, nicknamed the "Know-Nothings" because each member took a solemn oath to answer "I know nothing" to any inquiry from an outsider. Feeding on ignorance and anti-Catholicism, they ran candidates for public office, pledged to rid the country of foreign influence. In 1855 they elected 6 State Governors and 75 Congressmen and in 1856 won 25 percent of the presidential vote. Know-Nothing agitators took to street corner pulpits to denounce the Irish. "The Negro is black outside," they would shout, "the Irishman is black inside."

ANTI-IRISH MOBS ATTACKED THE CHURCHES

Inflamed by such gutter attacks, ugly anti-Irish riots exploded in Philadelphia, and New York. Mobs attacked Catholic churches in Clinton and Southbridge, Mass., burned a church in Raritan, and shot an Irishman to death in Newark, N.J. In Ellsworth, Maine, a priest was tarred and feathered and left unconscious. Sisters of Charity were assaulted in Providence, R.I. A Know-Nothing mayor arrested the Irish Catholic Bishop of Pittsburgh on a trivial charge.

It is frightening to think of what the Know-Nothings might have done to the Irish and their fellow immigrants. But the movement collapsed because it could not agree on the great issue of the era—slavery. When the Nation went to war to decide whether it would remain half slave and half free, the vast majority of Irish saw it as their big opportunity to prove their questioned loyalty to the Republic.

Over 144,000 strong, they marched to Civil War battlefields, and soon became the favorite fighting men of more than one general. On July 4, 1862, the Union commander in chief, George McClellan, publicly thanked the Irish Brigade "for superb conduct in the field" and declared he wished he had "20,000 more of them." No fewer than 38 regiments in the Union army had the word "Irish" in their names. New York's "Fighting 69th" led the Union charge at Fredericksburg and lost 128 out of 238 men. "Are the green flags ready?" Boston-born Maj. Gen. Edwin V. Summer would ask as the Union battleline poised for attack.

The Irish were by no means the only immigrants who volunteered by the thousands for the Civil War. A startling half-million foreign-born soldiers fought in the northern ranks—1 in every 5 of the boys in blue. Even larger than the Irish contingent was the German contribution, no less than 176,817. Three German-born volunteers, Franz Sigel, Carl Schurz, and Peter Osterhaus, became major generals, nine others were brigadiers. German citizens of St. Louis saved that city—and the State of Missouri—for the Union, when southern sympathizers tried to seize it just after war was declared.

ONE IN SIX OF US COME FROM GERMAN FOREBEARS

With the end of the war, it was the Germans who now formed another cresting immigrant wave. Germans had come to the country in a steady stream since 1830. But their numbers did not approach the enormous influx of the post-Civil War decades. From 1861–70, it was 787,468; in the next two decades, 2,144,438 flocked to das Land der unbegrenzten Möglichkeiten—the land of unlimited possibilities—putting the Germans far ahead of all other non-English nationalities. Today, experts estimate one in six Americans can trace all or part of his ancestry to them.

Because they usually came in solid family groups, and often had substantial financial resources, the Germans escaped some of the suffering and prejudice the Irish endured. But they had another problem: the language barrier. Within their own communities the Germans were forced to thrash out one of the fundamental choices made by millions of immigrants who came after them: whether to accept the American culture—or to try to preserve their own traditions. Some of the more enthusiastic Germans even dreamed of setting up a "new Germany" where German language and culture would be perpetuated. Proof of the idea's appeal can be glimpsed in the several hundred German newspapers flourishing in 1884.

IRISH AND GERMANS AT LOGGERHEADS

Part of this crucial battle was fought within the Catholic Church. When the mass of Germans had arrived, Irish clergy controlled the machinery of the church. They resisted German inclinations to have parochial schools in their own language, and in general followed a policy of urging immigrants of all nationalities to learn English as soon as possible. A dispute developed, which came to a climax in a petition to the Pope, the so-called "Lucerne memorial" written by German philanthropist Peter Paul Cahensly.

Cahensly urged the Vatican to guarantee a kind of proportional representation of bishops based on ethnic ratios—which would have enabled the Germans to outvote the Irish. Cahensly also wanted parishes to be organized along national lines, each using its own language. Thanks to fierce lobbying by Irish-American churchmen, Rome rejected the proposal. Some ethnic parishes were established for first generation immigrants, but they were clearly designed to be "bridge experiences"—and English remained the official language of the parochial schools. This decision was one of the major turning points in the American immigrant experience.

But there were other reasons for the German inability to remain an isolated offshoot of Das Vaterland in America. For one thing, the other nationalities who poured into the German strongholds of the Midwest had no such inclination. First to come were the Swedes, in their own mounting wave—100,000 in the 1870's, 300,000 in the 1880's. Some Swedish villages lost half their inhabitants in a single year. By the mid-1960's 1,257,492 had made the long voyage. On their heels came the Norwegians, 846,012 by mid-1960—and 355,301 Danes and 28,853 Finns. Dutch came too, the first since the 1600's—some 340,761 in all, settling the rich farmlands of Michigan, Iowa and Illinois.

IN THE MID-19TH CENTURY—THE ENGLISH AGAIN

Last, by no means least, were the English, who began abandoning the mother country in uprecedented numbers during the 1850's, when 394,237 came over, and cresting in the 1880's when the figures swelled to 810,900. We tend to forget these English, but no less than 2,978,901 have arrived since 1820, and they have made tremendous contributions to America. It was an English immigrant named Samuel Slater who carried in his head the know-how to construct the intricate machinery which became the first American cotton spinning mill at Pawtucket, R.I. Over 45,508 English-born soldiers served in the Union Army, making them the third largest foreign group in the fight against slavery. English and Welsh technicians made vital contributions to creating the American steel industry.

The best and brightest among the immigrants plunged wholeheartedly into the American experience. London-born Samuel Gompers became founder and for decades leader of the American Federation of Labor. German-born Carl Schurz was one of the founders of the Republican Party, a confidante of Lincoln, Senator from Missouri, champion of Negro and Indian rights. Another famous German politician was Illinois' John Peter Altgeld, who in 1893 became the first foreign-born Governor of an American State. The Irish talent for politics enabled them to construct remarkable, if not always admirable, political machines in New York, Boston, Philadelphia and Chicago.

In business industry German influence was enormous. John A. Roebling, graduate of the Royal Polytechnicum of Berlin, invented wire rope and built the Brooklyn Bridge. Otto Mergenthaler—from Würtemburg—revolutionized printing with the invention of the Linotype. George Westinghouse invented the airbrake, and made countless contributions to the field of electricity. Even greater was General Electric's genius, Charles P. Steinmetz. The Rockefellers, in oil, the Schwabs and Fricks in steel, the Studebakers and Chryslers in automobiles—all came from German immigrant families.

Many of the great Jewish fortunes were founded by German-born immigrants of this era. Lazarus Straus, founder of R. H. Macy, began as a peddler, trudging from door to door with a pack on his back. Benjamin Bloomingdale, the Seligmans, Samuel Rosenwald, the Guggenheims, began the same way. Scores of communities, like Falk, Idaho, derived their names from Jewish peddlers who tired of life on the hoof, opened a little store at a promising crossroads and grew up with the town. Many times they repeated the experience of Joseph Jonas, the first Jew to arrive in Ohio. A Quaker woman prowled curiously around him several times, while a crowd stared from a distance. Finally, the Quakeress spoke. "Thou art no different from other people. Would thee care to sup with us?"

SCANDINAVIANS RAPIDLY BECAME CITIZENS

Few immigrants exceeded the Swedes in their enthusiasm for America. For them it was framtidslandet—the land of the future. With ax and saw—often called "the Swedish fiddle"—they cleared an estimated 15 million acres of American soil. Watching a gang of Swedish track layers pushing his Great Northern railroad westward, Robber Baron James Hill exulted: "Just give me Swedes, snuff, and whisky and I'll build a railroad through hell." No other immigrant group learned English as rapidly, or applied as eagerly for naturalization papers except perhaps their fellow Scandinavians from Norway and Denmark.

Scandinavians have made notable contributions to American science. The Stromberg carburetor in your car was invented by John Gullborg, its starter by Vincent Bendix, the disk clutch by George Borg. An earlier Swedish immigrant, John Ericsson, designed the ironclad *Monitor,* which saved Union control of the seas during the Civil War. Our radio and TV sets have at least 20 inventions by Ernst Alexanderson, ex-chief engineer of General Electric.

Most immigrants became neither millionaires nor inventor geniuses. It was the vastly expanding world of American sports that gave the newcomers their real heroes. For the Germans it may have been Honus Wagner, baseball's fabulous Flying Dutchman or one of Yale's first all-Americans, Bill Heffelfinger. The Irish could choose between "Ironman" McGinnity, who hurled two games on one day the most times, or Big Ed Delehanty, who won both the National and American League batting championships, or pint-sized John McGraw, star of Baltimore, hero manager of the New York Giants. But in those more primitive days, boxing was the sport—and immigrants of all nationalities found their superhero in heavyweight king John L. Sullivan.

The son of Ireland's shillelagh champion, the Boston strong boy acted out what all immigrants dreamt of doing—he put his fist in the face of life and knocked it down—"My name's John L. Sullivan and I can lick any man in the house."

John L.'s success lured Irishmen by the dozen into boxing. For 30 years they dominated the sport, and when men of other nationalities began to compete, they at first had to take Irish names, because the promoters were convinced that only an Irishman could draw the crowds. But compete they did, uneasily answering to their Gaelic monickers. A fiery little featherweight named Joe Carrora, winner of over 100 bouts as Johnny Dundee, was the first to signal that a new era was beginning in American immigration.

It had, of course, begun a decade before Johnny Dundee began to fight in 1910. Throughout the 1880's, the German and Scandinavian immigrant surge began to expire, and overlapping them, just as they had overlapped the Irish, came a new human tidal wave, from an entirely different part of Europe. Italians, Poles, Hungarians, Czechs, Slovaks, Slavs, Russian Jews, Greeks, they all began the now familiar story of discovering America. By the time the Statue of Liberty was dedicated in 1886, the new immigrants were already beginning to arrive in vast numbers. When Emma Lazarus, descendant of Spanish Jews who were among the first American pioneers, saw arriving in her native New York the wretchedly poor Jews driven from Russia by the Czar's vicious pogroms, she was inspired to write a famous sonnet to help raise funds to bring the Statue of Liberty from France.

Christening her "Mother of Exiles," she put stirring words in Liberty's silent lips.

"Give me your tired, your poor,
Your huddled masses yearning to breathe free,
The wretched refuse of your teeming shore.
Send these, the homeless, tempest-tost, to me,
I lift my lamp beside the golden door."

THEY SPOKE STRANGELY AND LOOKED DIFFERENT

Noble as those sentiments were, they contained some unfortunately apt descriptions of the new immigrants. Most of them were as poor as the Irish of 50 years before. Worse, they all spoke strange tongues and had the dark complexions and different profiles of the southern and eastern European. By 1903, when Miss Lazarus' poem was inscribed on a tablet and placed on the pedestal of the Statue of Liberty, the reaction against them was in full swing. The National Board of Trade, forerunner of the U.S. Chamber of Commerce, had come out for protection against the scourings of foreign disease, pauperism, and crime.

The affluent German Jews themselves recoiled with distaste from the sight of their fellows from Russia, with their long beards, strange (Yiddish) language, and abject poverty. "Kikes," the German Jews called them scornfully. "Yids."

Italians took an equally bad beating. "You don't call * * * an Italian a white man?" a west coast construction boss was asked. "No, sir," he answered. "An Italian is a Dago."

In 1897, Congress for the first time passed a bill requiring a literacy test for adult immigrants. President Grover Cleveland promptly vetoed it, declaring that literacy was a test only of a person's past education and not of his future ability or worth as a citizen. When the Immigration Restriction League lobbied to reintroduce the bill at the next session of Congress, the immigrants of earlier years swung into action. They created an Immigration Protective League and fought hard against the bill. Officers of 150 German societies, for instance, issued a furious blast against it as a revival of know-nothingism.

Another telling blow came from the great Irish-American humorist, Finley Peter Dunne, who had his immortal comic creation, Mr. Dooley, discuss immigration restriction with magnificent sarcasm in 1902. "As a pilgrim father that missed the first boat, I must raise me claryon voice again' the invasion iv this fair land be th' paupers an' arnychists in Europe. Ye bet I must—because I'm here first. * * * In thim days America was th' refuge iv th' oppressed in all th' wurruld. * * * But as I tell ye, 'tis different now. 'Tis time we put our back again th' open dure and keep out th' savage horde."

EVERY NEWCOMER FACED FIERCE HOSTILITY

Immigration restriction was temporarily dead but fierce hostility against the new immigrants persisted. Slavs and Hungarians had replaced the Irish in the Pennsylvania coal mines. When the United Mine Workers led the newcomers in a strike at Hazelton, a sheriff's posse of 102 men surrounded the immigrants. Someone punched the sheriff, and the deputies poured volley after volley into the defenseless men, killing 21 and wounding 40. In Colorado, six Italians implicated in the death of a saloonkeeper were massacred while awaiting trial. In New Orleans, when the superintendent of police was murdered, nine Italians were tried for the crime but a jury was unable to convict them. A mob proceeded to "remedy the failure of justice" by slaughtering 11 Italians. Five hundred workers in a New Jersey glass works went on a 3-day rampage when the management hired 14 young Russian Jews. In Omaha, Nebr., a 1909 riot against the city's 1,800 Greeks caused hundreds of thousands of dollars damage.

Fortunately, there were other Americans who stoutly defended the new immigrants. One of the most influential was Peter Roberts, who published a remarkable book about them in 1912. Roberts told of visiting a group of Poles who were working in a foundry in Rockland County. The employers treated them well, gave them good salaries, took an interest in their living conditions. They gave prizes to the families with the best gardens. Only a few miles away, there was a similar plant, where other Poles worked under dreadful pay and living conditions. This plant had all sorts of trouble with its workers. When Roberts compared the peaceful atmosphere of the first plant, an executive told him: "Yes, but that company has a better group of Poles than we have—these men are no good."

Roberts' answer was to insist that there was no such thing as bad Poles or good Poles, any more than Italians, Greeks, or Slavs were bad. All the new immigrants wanted was a decent life, and anyone who treated them fairly and honestly would find them first-class citizens. In fact, the country could not get along without them. Between 1880 and 1905 the capital investment in manufacturing had increased fivefold. Roberts told of asking a man who ran a tanning factory if he preferred to employ "foreigners."

"No," was the man's answer, "but the Irish and Germans are gone and if this plant's to run, Italians, Lithuanians, and Poles must do the work."

As a final rebuttal of the wretched refuse idea, Roberts quoted the extensive investigation of the U.S. Immigration Commission, which declared: "The present movement is not recruited in the main from the lowest * * * strata of the population * * * it represents the stronger and better element of the particular class from which it is drawn."

Meanwhile the new immigrants, heedless of the dispute, streamed past Liberty's upraised torch. Over 4,500,000 Italians came between 1890 and 1920, making them the second largest immigrant group in America. Most were very poor, and like the Irish before them, they toiled for backbreaking hours on railroads and public works.

THE ITALIAN PADRONES HAD A USEFUL PURPOSE

The Italians' lot was harshened by the padrone system, whereby one who could speak English hired the rest and deducted from their small salaries all their expenses. Often the padrone ran the immigrant's life, telling him where to live, banking his money, selling him steamship tickets to bring his wife or relatives from Italy. Some padrones were corrupt, but in the grim realities of immigrant life, the system had it merits.

Many padrones took their profits and turned contractors. Their success in business created new jobs for their countrymen, and new prestige for the Italian community. Other padrones turned to banking. Best known is A. P. Giannini, who boldly painted "Bank of Italy" on a small store in San Francisco and with the deposits of fellow Italians quickly prospered until he changed his firm's name to "Bank of America." Today it has more branches than any other bank in the country and ranks among the top half dozen in the Nation in deposits and business volume.

Steadily, with the same stubborn pride of those who came before them, the Italians found their place in American life. In 1928, Getto of Pittsburgh became the first Italian All-American followed in 1929–30 by Notre Dame's Carideo. Tony Lazzeri of the Yankees was one of baseball's All Stars in 1932. Today, after three decades of Italian sports stars such as DiMaggio, Guglielmo, Ameche, Marciano, Colavito, an Italian name draws no special attention. But because the memory is still close to them, Italians themselves remember the hard road they have traveled. Michael Angelo Musmanno, who was elected to the Pennsylvania State Supreme Court in 1952, tells how a proud father kissed the American flag and said something in a whisper at the swearing-in ceremony. The judge asked the old man what he had whispered. "I said: 'Thank God for a country where the son of an Italian immigrant coal miner and railroad section hand can rise to become a judge.' "

Poles, Slavs, Greeks, all the other so-called new immigrants have similar tales to tell. All have disappointed the prophets of doom who called them "steerage slime" and predicted they would never become Americans.

IN 1916 RACISM REARS ITS UGLY HEAD

But these negativists nevertheless had their day. The climax of agitation against the immigrant came in the 1916 publication of Madison Grant's "The Passing of the Great Race." Chairman of the New York Zoological Society, trustee of the American Museum of Natural History and councilor of the American Geographical Society, Grant's credentials were impressive. Henry Fairfield Osborn, research professor of zoology, Columbia University, wrote a preface. The message? Simple, blatant racism. The Anglo-Saxons or Nordics were the supermen of the universe. The races drawn from the "lowest stratum of the Mediterranean basin and the Balkans" were "human flotsam and the whole tone of American life, social, moral, and political has been lowered and vulgarized by them." Grant and Osborn anticipated Adolf Hitler's Nordic madness by more than a decade.

A year after the publication of this vicious book, America was at war. Over 400,000 Italians fought in the ranks, collecting 103 Distinguished Service Crosses, suffering a full 10 percent of the casualties. Poles, Greeks, all responded with equal fervor. But in the isolationist mood of the 1920's, Congress decided to clang shut the golden door.

There was some justification for restricting the numbers of immigrants. The depression of the early 1920's suggested to many that America's ability to absorb more millions of newcomers was nearing the limit. But the Immigration Acts of 1920 and 1924 used a "national origins" system that was shamelessly based on the racist doctrines of Grant and Osborn. Quotas for each country were established according to a percentage of persons from that country present in the United States in 1920. This meant the English and other Northern Europeans vastly outnumbered the newer immigrants—who were still eager to come. Great Britain, for instance, never filled its annual quota of 65,361. In other countries, huge backlogs soon built up; 61,293 in Poland, 132,435 in Italy. The Immigration and Nationality Act of 1952 perpetuated this racist system. Harry Truman vetoed it, because, he said, "The idea behind this discriminatory policy was, to put it boldly, that Americans with English or Irish names were better people and better citizens than Americans with Italian or Greek or Polish names * * * Such a concept is utterly unworthy of our traditions and our ideals." But Congress passed the act over the President's veto.

Meanwhile, another group of immigrants was winning perhaps the hardest fight to share equally in America's freedom. The Japanese Americans had met fierce legal and social discrimination on the west coast. Like their Chinese fellow Asians, who preceded them (the Chinese peak year was 1882) they had been driven into ghettos which tourist promoters called "little Tokyos." When World War II erupted with the Japanese assault on Pearl Harbor, panicky U.S. officials yielded to highly prejudiced advice, and evacuated the Japanese en masse. In dreary "relocation centers" it looked for a while like their hopes of an American future were ended.

But the younger generation soon convinced U.S. officials that they deserved a chance to prove their loyalty. They formed the 442d Regimental Combat team, and fought with incredible heroism throughout the war in Italy. The average American casualty rate in World War II was less than 25 percent. The 442d's rate was 308 percent. They garnered medals by the dozen, becoming in the words of Gen. Mark Clark, "the most decorated unit in the entire military history of the United States."

After the war, the Japanese found a drastically changed attitude. They were able to abandon their little Tokyos and enter professions and industries which had hitherto barred them. Only two-thirds of them returned to the west coast. The rest found homes in a dozen major cities. Chicago, which had only 300 Japanese before the war, now has 15,000 to 20,000. Today over 10,000 hold jobs in the Federal civil service. Nisei have graduated from West Point and Annapolis. San Francisco and Seattle have hired Nisei schoolteachers. No wonder many Japanese now look upon the humiliating evacuation of World War II as "the helpful catastrophe."

Surely, if immigrants from Asia can win such acceptance, the old pattern of struggle and prejudice must be disappearing from American life. It is true that the more than 5 million refugees who came to America from Europe before, during, and after World War II have won easier acceptance than earlier arrivals. But most of them came from countries which had already sent immigrants by the tens of thousands to our shores, and they welcomed and assisted them.

FOR PUERTO RICANS, THE SAME TRIAL BY FIRE

Two other new immigrant groups are in recent years undergoing the same trial by fire. In New York alone, over 2 million Puerto Ricans and Negroes have entered the city since World War II, an increase of 250 percent in less than a quarter of a century. As Oscar Handlin, one of the best-known historians of immigration has pointed out, "this is a migration comparable in scope to that of the Irish and the Germans between 1840 and 1860 and of the Jews and Italians of 1890 to 1915." Millions more Negroes have moved out of the Old South to other northern and eastern cities.

In terms of time, the Negro is, of course, not a new immigrant. The first Negroes arrived in Virginia in 1619. But the first almost 250 years of the Negro's American experience was spent in the limbo of slavery, and for almost another hundred years most Negroes were isolated in the rural South. There is no doubt that today's Negro is an immigrant to the world of American opportunity.

There is also no doubt that over the centuries, he has done his best to earn it. Free Negroes stood side by side with the men of New England at Bunker Hill. Over 180,000 Negroes fought for the Union in the Civil War, and have borne their share of blood and sweat in every war since. Like other immigrants, the Negro has welcomed the chance to use the football field and the baseball diamond to prove his equality in skill and courage with his fellow Americans. From Jackie Robinson and Willie Mays to Jimmy Brown, he has consistently made the grade.

OUT OF GHETTO AND INTO EQUALITY FOR MANY

Like those who came before them, Negroes are now making vast strides in other areas. So are the Puerto Ricans. In New York they recently elected their first prominent public official, Herman Badillo, as Borough President of the Bronx. In the southwest, Mexican Americans (1,291,922) are making progress, with the election of Congressman HENRY GONZALEZ. All are fighting their way out of the slummy ghettos to which their poverty and differences of color and language first confined them. Eventually, they, too, will win full equality beside the rest of us in this Nation of immigrants.

On October 3, 1965, the foot of the Statue of Liberty, the President of the United States signed into law a new immigration bill, which declared that the Government of the United States was determined to apply in practice our ideals of equality and freedom. Junked for good was the national origins system. Henceforth, the United States will admit 350,000 citizens each year from all nations on a first-come, first-served basis.

Since last December 1, they've been arriving. Just last month, 400 Italians landed, led by Salvatore Esposito, a 29-year-old Neapolitan who had been here from 1961–63 after illegally jumping ship in New York Harbor. He married the former Marie Anzalone before he was caught—he left the United States voluntarily, but now he's back for good.

The new bill is in most essentials the one requested by John F. Kennedy in his message to Congress on July 23, 1963. There would seem to be no better way to end this story than this, with the triumph of fairplay and justice, won through the work and sacrifice of the first Irish-American President. In his book "A Nation of Immigrants," he said, "Yesterday's immigrants * * * have supplied a continuous flow of creative abilities and ideas that have enriched our Nation * * * the immigrants we welcome today and tomorrow will carry on this tradition and help us to retain, reinvigorate, and strengthen the American spirit."

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. ASHBROOK (at the request of Mr. DON H. CLAUSEN), for 15 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. MCDOWELL (at the request of Mr. MATSUNAGA), for 30 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. ROONEY of New York (at the request of Mr. MATSUNAGA), for 30 minutes, today; to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. PHILBIN and to include extraneous matter.

(The following Members (at the request of DON H. CLAUSEN) and to include extraneous matter:)

Mr. YOUNGER.
Mr. DOLE.
Mr. COLLIER in two instances.
Mr. SKUBITZ.
Mr. ELLSWORTH.
Mr. FINO in two instances.

(The following Members (at the request of Mr. MATSUNAGA) and to include extraneous matter:)

Mr. VIVIAN.
Mr. POLANCO-ABREU.
Mr. MURPHY of Illinois.
Mr. FRASER.
Mr. PUCINSKI.
Mr. CAREY.
Mr. TENZER.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 5831. An act to provide for the free entry of certain stained glass and cement windows for Our Lady of the Angels Seminary of Glenmont, N.Y.;

H.R. 10185. An act amending certain estate tax provisions of the Internal Revenue Code of 1939;

H.R. 10625. An act relating to the tax treatment of certain amounts paid to certain members and former members of the uniformed services and to their survivors;

H.R. 11006. An act to extend the statutory burial allowance to certain veterans whose deaths occur as a result of a service-connected disability;

H.R. 11007. An act to provide statutory authority for the Deputy Administrator of Veterans' Affairs to assume the duties of Administrator during the absence or disability of the Administrator, or during a vacancy in that office, and for other purposes; and

H.R. 11747. An act to amend section 3203, title 38, United States Code, to restrict the conditions under which benefits are immediately reduced upon readmission of veterans for hospitalization or other institutional care.

ADJOURNMENT

Mr. MATSUNAGA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 55 minutes p.m.) the House adjourned until tomorrow, Wednesday, March 2, 1966, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2102. A letter from the Clerk, U.S. House of Representatives, transmitting a required report for the period July 1, 1965, to December 31, 1965, pursuant to section 105, Public Law 454, 88th Congress; to the Committee on House Administration.

2103. A letter from the Acting Comptroller General of the United States, transmitting a report of audit of Federal Deposit Insurance Corporation, for the year ended June 30, 1964, pursuant to the provisions of 12 U.S.C. 1827 (H. Doc. No. 397); to the Committee on Government Operations and ordered to be printed.

2104. A letter from the Secretary of the Treasury, transmitting the annual report on the financial condition and results of the operations of the highway trust fund, pursuant to the provisions of section 209(e)(1) of the Highway Revenue Act of 1956 (H. Doc. No. 396); to the Committee on Ways and Means and ordered to be printed.

2105. A letter from the Architect of the Capitol, transmitting a report of all expenditures from moneys appropriated to the Architect of the Capitol during the period July 1, 1965, to December 31, 1965, pursuant to Public Law 88–454; to the Committee on Appropriations.

2106. A letter from the Archivist of the United States, transmitting a report on records proposed for disposal, pursuant to the provisions of 63 Stat. 377; to the Committee on House Administration.

2107. A letter from the Under Secretary of the Air Force, transmitting a draft of proposed legislation to amend title 10, United States Code, to authorize the award of trophies for the recognition of special accomplishments related to the Armed Forces, and for other purposes; to the Committee on Armed Services.

2108. A letter from the Secretary, Department of the Air Force, transmitting a report on the progress of the Reserve Officer Training Corps flight training program for the calendar year 1965, pursuant to the provisions of section 2110(b) of title 10, United States Code; to the Committee on Armed Services.

2109. A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting a report of procurement from small and other business firms for July–December 1965, pursuant to the provisions of section 10(d) of the Small Business Act; to the Committee on Banking and Currency.

2110. A letter from the Chairman, Federal Communications Commission, transmitting a report on backlog of pending applications and hearing cases, as of November 30, 1965, pursuant to the provisions of Public Law 554; to the Committee on Interstate and Foreign Commerce.

2111. A letter from the president, Boys Clubs of America, transmitting the audited financial statement of Boys' Clubs of America for the year 1965, pursuant to the provisions of Public Law 988; to the Committee on the Judiciary.

2112. A letter from the Secretary, Department of Health, Education, and Welfare, transmitting a report on the advisory committees that assist the Secretary in carrying out any of his functions, during calendar year 1965, pursuant to the provisions of Public Law 87–543; to the Committee on Ways and Means.

2113. A letter from the Secretary, Department of Health, Education, and Welfare, transmitting a draft of proposed legislation to strengthen and improve public and private programs of assistance for institutions of higher education and students attending them; to the Committee on Education and Labor.

2114. A letter from the Secretary, Department of Health, Education, and Welfare, transmitting a draft of proposed legislation to extend and amend the Library Services and Construction Act; to the Committee on Education and Labor.

2115. A letter from the Secretary, Department of Health, Education, and Welfare, transmitting a draft of proposed legislation titled "Elementary and Secondary Education Amendments of 1966"; to the Committee on Education and Labor.

2116. A letter from the Secretary, Department of Health, Education, and Welfare, transmitting a draft of proposed legislation titled "Allied Health Professions Personnel Training Act of 1966"; to the Committee on Interstate and Foreign Commerce.

2117. A letter from the Acting Secretary, Department of Health, Education, and Welfare, transmitting a draft of proposed legislation titled "Clean Air Act Amendments of 1966"; to the Committee on Interstate and Foreign Commerce.

2118. A letter from the Secretary, Department of Health, Education, and Welfare, transmitting a draft of proposed legislation titled "Hospital and Medical Facilities Modernization Amendments of 1966"; to the Committee on Interstate and Foreign Commerce.

2119. A letter from the Secretary, Department of Health, Education, and Welfare, transmitting a draft of proposed legislation titled "Comprehensive Health Planning and Public Health Service Amendments of 1966"; to the Committee on Interstate and Foreign Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BARING: Committee on Interior and Insular Affairs. H.R. 10451. A bill to authorize the Secretary of the Interior to transfer certain lands in the State of Colorado to the Department of Agriculture for recreation development, and for other purposes; with amendments (Rept. No. 1301). Referred to the Committee of the Whole House on the State of the Union.

Mr. PEPPER: Committee on Rules. H. Res. 750. Resolution providing for the consideration of H.R. 12322, a bill to enable cottongrowers to establish, finance, and carry out a coordinated program of research and promotion to improve the competitive position of, and to expand markets for, cotton; without amendment (Rept. No. 1302). Referred to the House Calendar.

Mr. PRICE: Committee on Armed Services. H.R. 11509. A bill to amend and clarify the reemployment provisions of the Universal Military Training and Service Act, and for other purposes; without amendment (Rept. No. 1303). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DOLE:

H.R. 13143. A bill to provide a permanent special milk program for children; to the Committee on Agriculture.

By Mr. FINO:

H.R. 13144. A bill to amend the Internal Revenue Code of 1954 to permit a taxpayer who rents an apartment or other property for use as his home to deduct a portion of his rent payments; to the Committee on Ways and Means.

By Mr. GONZALEZ:

H.R. 13145. A bill to amend title 39, United States Code, with respect to mailing privileges of members of the U.S. Armed Forces and other Federal Government personnel overseas, to extend such mailing privileges to voice recordings of personal messages, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HERLONG:

H.R. 13146. A bill to amend the Internal Revenue Code of 1954 to encourage the construction of housing facilities for agricultural workers by permitting the amortization over a 60-month period of the cost, or a portion of the cost, of constructing such housing facilities; to the Committee on Ways and Means.

By Mr. HOWARD:

H.R. 13147. A bill to provide a program of pollution control and abatement in selected river basins of the United States through comprehensive planning and financial assistence, to amend the Federal Water Pollution Control Act, as amended, and for other purposes; to the Committee on Public Works.

By Mr. KEE:

H.R. 13148. A bill authorizing the planning, design, construction, furnishing, and maintenance of an official residence for the Vice President of the United States; to the Committee on Public Works.

By Mr. MATTHEWS:

H.R. 13149. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

By Mr. PATMAN:

H.R. 13150. A bill authorizing the sale of standard silver dollars held by the Treasury; to the Committee on Banking and Currency.

By Mr. PEPPER:

H.R. 13151. A bill to provide that disabled individuals entitled to monthly cash benefits under section 223 of the Social Security Act, and individuals retired for disability under the Railroad Retirement Act of 1937, shall be eligible for health insurance benefits under title XVIII of the Social Security Act without regard to their age; to the Committee on Ways and Means.

By Mr. POOL:

H.R. 13152. A bill to provide that the fee increases prescribed by Public Law 89–83 shall not be effective in any case wherein the application was filed prior to the effective date of that act; to the Committee on the Judiciary.

By Mr. RIVERS of Alaska:

H.R. 13153. A bill to extend and amend the Library Services and Construction Act; to the Committee on Education and Labor.

By Mr. SCHEUER:

H.R. 13154. A bill to amend Public Law 660, 86th Congress, to establish a National Traffic Safety Agency to provide national leadership to reduce traffic accident losses by means of intensive research and vigorous application of findings, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. SHRIVER:

H.R. 13155. A bill to amend the act of May 28, 1924, to revise existing law relating to the examination, licensure, registration, and regulation of optometrists and the practice of optometry in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

H.R. 13156. A bill to amend the Civil Service Retirement Act, as amended, to provide annuities for surviving spouses without deduction from original annuities, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ULLMAN:

H.R. 13157. A bill to amend title 12, United States Code (the Federal Reserve Act, as amended); to the Committee on Banking and Currency.

By Mr. WHALLEY:

H.R. 13158. A bill to extend the period within which certain requests may be filed under the Tariff Schedules Technical Amendment Act of 1965; to the Committee on Ways and Means.

By Mr. SCHEUER:

H.R. 13159. A bill to amend title I of the Economic Opportunity Act of 1964 to provide employment opportunities for unemployed, low-income persons in subprofessional service careers, and for other purposes; to the Committee on Education and Labor.

By Mr. POWELL:

H.R. 13160. A bill to strengthen and improve programs of assistance for our elementary and secondary schools; to the Committee on Education and Labor.

By Mr. PERKINS:

H.R. 13161. A bill to strengthen and improve programs of assistance for our elementary and secondary schools; to the Committee on Education and Labor.

By Mr. DINGELL:

H.R. 13162. A bill to amend the Federal Water Pollution Control Act in order to improve and make more effective certain programs pursuant to such act; to the Committee on Public Works.

By Mr. GROSS:

H.R. 13163. A bill to revise certain provisions of law governing contests of elections of Members of the House of Representatives, and for other purposes; to the Committee on House Administration.

By Mr. HARVEY of Michigan:

H.R. 13164. A bill to provide a permanent special milk program for children; to the Committee on Agriculture.

By Mr. McCARTHY:

H.R. 13165. A bill to provide a program of pollution control and abatement in selected river basins of the United States through comprehensive planning and financial assistance, to amend the Federal Water Pollution Control Act, as amended, and for other purposes; to the Committee on Public Works.

By Mr. McDADE:

H.R. 13166. A bill to amend title 39, United States Code, with respect to mailing privileges of members of the U.S. Armed Forces and other Federal Government personnel overseas, to extend such mailing privileges to voice recordings of personal messages, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MACKAY:

H.R. 13167. A bill to strengthen intergovernmental relations by improving cooperation and the coordination of federally aided activities between the Federal, State, and local levels of government; to provide for uniform and equitable relocation procedures under Federal and Federal grant-in-aid programs, and for other purposes; to the Committee on Government Operations.

By Mr. MARTIN of Nebraska:

H.R. 13168. A bill to provide for U.S. participation in the 1967 Nebraska Centennial; to the Committee on Public Works.

By Mr. MATHIAS:

H.R. 13169. A bill to amend title 39, United States Code, to provide that the rates of postage for parcel post mailings to and from members of the U.S. Armed Forces overseas shall be chargeable at the first parcel post zone rate, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MORGAN:

H.R. 13170. A bill to establish a pilot program making housing loans available to veterans of service in the Armed Forces of the United States who are residing abroad; to the Committee on Foreign Affairs.

By Mr. MORSE:

H.R. 13171. A bill providing for a study of serious interruptions of certain essential services; to the Committee on Interstate and Foreign Commerce.

By Mr. MOSS:

H.R. 13172. A bill to amend title 39, United States Code, to prohibit the mailing of unsolicited sample drug products and other potentially harmful items, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. POWELL:

H.R. 13173. A bill to amend and extend the Library Services and Construction Act; to the Committee on Education and Labor.

H.R. 13174. A bill to strengthen and improve public and private programs of assistance for institutions of higher education and students attending them; to the Committee on Education and Labor.

By Mr. ROSTENKOWSKI:

H.R. 13175. A bill to amend the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. SPRINGER:

H.R. 13176. A bill to amend the act of May 28, 1924, to revise existing law relating to the examination, licensure, registration, and regulation of optometrists and the practice of optometry in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. TALCOTT:

H.R. 13177. A bill to create the Freedom Academy and the Freedom Commission, to conduct research to develop an integrated body of operational knowledge in the political, psychological, economic, technological, and organizational areas to increase the nonmilitary capabilities of the United States and other nations in the global struggle between freedom and communism, to educate and train Government personnel and private citizens to understand and implement this body of knowledge; to the Committee on Un-American Activities.

By Mr. TUNNEY:

H.R. 13178. A bill to amend the Internal Revenue Code of 1954 to provide that construction workers shall be allowed the deduction for moving expenses without regard to the length of time they are employed at their new location; to the Committee on Ways and Means.

By Mr. WRIGHT:

H.R. 13179. A bill to amend the Federal Water Pollution Control Act in order to improve and make more effective certain programs pursuant to such act; to the Committee on Public Works.

By Mr. ASPINALL:

H.R. 13180. A bill to permit States or other duly constituted taxing authorities to subject persons to liability for payment of property taxes on property located in Federal areas within such State under specified conditions; to the Committee on Interior and Insular Affairs.

H.R. 13181. A bill to authorize the Secretary of the Interior to set aside certain land within the National Capital parks system in Washington, D.C., for construction of a building by the Bureau of Water Resources of the National Rivers and Harbors Congress and to accept the donation of the same to the United States, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SIKES:

H.R. 13182. A bill to authorize the Secretary of the Interior to set aside certain land within the National Capital parks system in Washington, D.C., for construction of a building by the Bureau of Water Resources of the National Rivers and Harbors Congress and to accept the donation of the same to the United States, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BATTIN:

H.R. 13183. A bill to grant minerals, including oil and gas, on certain lands in the Crow Indian Reservation, Mont., to certain Indians, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 13184. A bill to grant minerals, including gas, and other natural deposits, on certain lands in the northern Cheyenne Indian Reservation, Mont., to certain Indians, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. GROVER:

H.R. 13185. A bill to direct the Secretary of the Interior, with the assistance and advice of a Long Island Sound Advisory Commission, to study and formulate a comprehensive plan for the development and preservation of Long Island Sound and related shoreline areas in the States of New York, Connecticut, and Rhode Island, for the public use and benefit, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. PERKINS:

H.R. 13186. A bill to extend and amend the Library Services and Construction Act; to the Committee on Education and Labor.

By Mr. HALPERN:

H.R. 13187. A bill to amend title 38 of the United States Code to eliminate certain requirements for the furnishing of nursing home care in the case of veterans hospitalized by the Veterans' Administration in Alaska or Hawaii; to the Committee on Veterans' Affairs.

By Mrs. MINK:

H.R. 13188. A bill to amend title 38 of the United States Code to eliminate certain requirements for the furnishing of nursing home care in the case of veterans hospitalized by the Veterans' Administration in Alaska, Hawaii, or the Philippines; to the Committee on Veterans' Affairs.

By Mr. MATSUNAGA:

H.R. 13189. A bill to amend title 38 of the United States Code to eliminate certain requirements for the furnishing of nursing home care in the case of veterans hospitalized by the Veterans' Administration in Alaska, Hawaii, or the Philippines; to the Committee on Veterans' Affairs.

By Mr. ANDERSON of Illinois:

H.J. Res. 853. Joint resolution to establish an Atlantic Union delegation; to the Committee on Foreign Affairs.

By Mr. FULTON of Pennsylvania:

H.J. Res. 854. Joint resolution to authorize the District of Columbia Board of Education and Recreation to develop and carry out meaningful programs in the arts, to provide for use of the National Symphony Orchestra in such programs, and to provide for a Deputy Superintendent of the Arts under the District of Columbia Recreation Board, and for other purposes; to the Committee on the District of Columbia.

By Mr. LIPSCOMB:

H.J. Res. 855. Joint resolution to establish an Atlantic Union delegation; to the Committee on Foreign Affairs.

By Mr. MORSE:

H.J. Res. 856. Joint resolution to establish an Atlantic Union delegation; to the Committee on Foreign Affairs.

By Mr. RUMSFELD:

H.J. Res. 857. Joint resolution to establish an Atlantic Union delegation; to the Committee on Foreign Affairs.

By Mr. WHALLEY:

H.J. Res. 858. Joint resolution to authorize the President to proclaim April 9, 1967, as Bataan-Corregidor Day; to the Committee on the Judiciary.

By Mr. CELLER:

H. Con. Res. 597. Concurrent resolution relating to the Centennial Year of Prospect Park of the City of New York, Borough of Brooklyn; to the Committee on the Judiciary.

By Mr. PATMAN:

H. Con. Res. 598. Concurrent resolution authorizing the printing for the use of the Joint Economic Committee of additional copies of parts 1 and 2 of its hearings entitled "Recent Federal Reserve Actions and Economic Policy Coordination"; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CONTE:

H.R. 13190. A bill to provide for the free entry of a four-octave carillon for the use of the Northfield and Mount Hermon Schools, East Northfield, Mass.; to the Committee on Ways and Means.

By Mr. MACHEN:

H.R. 13191. A bill for the relief of Kun Pil Koh; to the Committee on the Judiciary.

By Mr. MOORE:

H.R. 13192. A bill for the relief of Nermin Demirbag Lavapies; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.R. 13193. A bill for the relief of Mrs. Beatrice Jaffe; to the Committee on the Judiciary.

H.R. 13194. A bill for the relief of Wing Wong; to the Committee on the Judiciary.

By Mr. SCHEUER:

H.R. 13195. A bill for the relief of Elihau Malik; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Permanent Special Milk Program for Children

EXTENSION OF REMARKS

OF

HON. ROBERT DOLE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 1, 1966

Mr. DOLE. Mr. Speaker, today I am introducing a resolution which, if enacted, would provide a permanent special milk program for children, and extend the special milk program for children as currently authorized, beyond next year. It is necessary that this action be taken at this time to express the will of Congress that funds for the special milk program not be reduced as indicated by the budget proposal for the fiscal year beginning July 1, 1966.

Certainly, we are all for economy in government. We are all against unnecessary deficits, and we are all against inflation. We should and must scrutinize the budget, but we must use our own good judgment as to where appropriations should be maintained or increased, and where appropriations should be reduced or new programs delayed until such time as we can afford to take a look at them.

There is no segment in our population more important to the country than our children. There is no program that can provide better nutrition than has been developed through the special milk program for children. This program has been in operation since 1954. It has been enthusiastically supported by the school system and the other participating outlets. A program of this type cannot be started and stopped without destroying the confidence of State and local institutions in the Federal Government, and in fact in the U.S. Congress as well.

If there is to be a special milk program for children, the schools, day camps, and child-care centers must make plans. It is, therefore, imperative that the Congress act now, as I am sure it will.

The special milk program for children, although vital to the interests of our children, is also of extreme importance to dairy farmers, and the dairy industry. The milk furnished to children is marketed through commercial outlets, thus utilizing the facilities of our milk plants and making jobs for their employees. At the same time, it provides a market for approximately 1.6 billion pounds of milk for U.S. dairy farmers.

In Kansas in 1965, 34.9 million half pints of milk were paid for, in part, by Federal funds. The total expenditure in 1965 in Kansas was $1,131,000, and there were 1,285 schools, day camps, and child-care centers in Kansas participating in the program. Summarized below is a record of the performances of the special milk program for children in my own State:

Kansas—Special milk program, number of ½ pints of milk reimbursed, number of outlets participating, and program operations, 1955–65

Year	Number of ½ pints reimbursed (millions)	Number of outlets participating	Program operations
1955	5. 2	512	$194, 526
1956	14. 5	907	505, 072
1957	19. 6	1, 096	677, 091
1958	21. 3	1, 128	719, 153
1959	23. 8	1, 226	811, 229
1960	25. 6	1, 244	891, 342
1961	29. 0	1, 297	968, 072
1962	30. 8	1, 303	1, 026, 728
1963	32. 9	1, 294	1, 081, 784
1964	34. 9	1, 260	1, 160, 000
1965	34. 9	1, 285	1, 131, 000

How To Cut the Budget

EXTENSION OF REMARKS

OF

HON. HAROLD R. COLLIER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 1, 1966

Mr. COLLIER. Mr. Speaker, in a speech on the floor of the Senate, May 1, 1957, the then majority leader of that body, Lyndon B. Johnson, said:

> I know of only one way to cut the President's $72 billion budget. That way is to cut the appropriations bills that come before Congress.

To echo the words of Mr. Johnson, who is now occupying the Presidency himself, I know of only one way to cut the President's $113 billion budget. That way is to cut the appropriations bills that come before Congress.

Economy was certainly important in 1957, but there is even more need to reduce the budget for fiscal 1967. While we were at peace 9 years ago, American young men are now fighting and dying in Vietnam.

The budget contemplated for the next fiscal year, which will start July 1, will be 57 percent greater than the one which President Eisenhower submitted for fiscal 1958, which our Democratic friends criticized so severely.

If we are to prosecute the war in Vietnam successfully, we will have to cut all unnecessary spending from the budget. Americans are willing to spend whatever can be spent effectively for fighting and defeating our enemies, but they want the money to be spent judiciously and not merely for the sake of spending. They are willing to pay whatever taxes are necessary, they are willing to make whatevery sacrifices are justifiable, and they are willing to undergo privation if need be to defeat communism.

My Republican colleagues and I are going to do all we can to eliminate unnecessary spending from the fiscal 1967 budget. We will take Lyndon Johnson's 1957 statement to heart and look at each and every appropriation bill with an eagle eye.

In 1957, when our Democratic colleagues cried out against excessive spending, there were 233 Democrats and 200 Republicans in the House of Representatives. Today there are 292 Democrats and 141 Republicans—59 more Democrats and 59 fewer Republicans than there were 9 years ago. If the members of the President's own party in this body will cooperate with us, we will be able to eliminate wasteful spending.

Estonian Independence Day

EXTENSION OF REMARKS

OF

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 1, 1966

Mr. PUCINSKI. Mr. Speaker, it is certainly in keeping with the American tradition to offer congratulations and best wishes when our friends celebrate a worthwhile achievement. Thus as our fellow Americans and the people of Estonia celebrated February 24 as that nation's independence anniversary, I extend to them my warmest congratulations.

The very fact that the Estonian nation ever came into existence is a clear example of determination and courage of the Estonian people. Their burdens under Russian domination date back as far as 1710, but they never lost sight of their goal of freedom and independence in their own country. Between 1721 and 1918 czarist Russia engaged in a severe program of Russification that met little success. Communist Russia today is having scant success in its own attempts to force a break in the Estonian people's ties to their own cultural heritage.

During its 22 years of independence Estonia was busily engaged in a program of industrial and agricultural progress and democratization. Under their own system of government as compared with that of the Communists Estonian domestic achievements were remarkable. But with the forced signing of the "Mutual Assistance Pact" of 1939 the days of Estonian freedom were dramatically lessened. The tragic end came in July 1940 when an Estonian Government handpicked by the Soviets declared Estonia a Soviet Socialist Republic.

Under Stalin mass deportations, executions, and intimidation were the order of the day. Hitler's Nazi regime provided no relief for the Estonians, and with Nazi expulsion in 1944 Russia resumed once more its illegal occupation.

It is perhaps a twist of irony that one of the states of Europe that was created after World War I as a direct result of the newly enunciated concept of self-determination should find itself a captive of one of the participants of the war—a war to save democracy.

The people of Estonia are unable to join us this week as we commemorate the 48th anniversary of their country's independence, but their example of tenacity, fortitude, and courage should serve to inspire us as we attempt to lead the way in man's constant struggle to better himself and his fellowman.

Resolution To Revise the American Military Commitment to NATO

EXTENSION OF REMARKS

OF

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 1, 1966

Mr. FINO. Mr. Speaker, I would like to refer to my recent resolution, House Resolution 728, which I introduced February 10. My resolution calls for the President to revise the American military commitment to NATO and to Europe in such a way as to permit the maximum withdrawal of American troops consonant with American security.

I believe my resolution includes in its preamble most of the reasons for which I urge its passage, and I would thus like to put it in the RECORD. I would also like to put in the RECORD an excerpt from a Republican coordinating committee task force report of last August 30. This report, approved by former President Eisenhower, and by Candidates Nixon, Dewey, and Goldwater, as well as our own colleagues FORD, LAIRD, and ARENDS, recommends the withdrawal of U.S. troops from Europe just as my resolution does.

It is also interesting to note that the Democratic majority of the Joint Economic Committee favored consideration of European troop withdrawals in their 1965 report to Congress. My resolution is not just Republican policy, it is bipartisan commonsense. I urge the Members of this House to support House Resolution 728.

The text of House Resolution 728, together with the text of the Republican policy statement, follows:

H. RES. 728

Whereas the United States is engaged in mounting combat in southeast Asia which poses an ever-increasing strain on our military capability;

Whereas the United States is confronted with a severe balance-of-payments problem, partially occasioned by the large outflow of dollars to support American military presence in other parts of the world;

Whereas the United States is confronted with a steady decline in United States gold reserves, now at a postwar low of $13,800,000,000, as a result of gold outflow predicated on the balance-of-payments problem;

Whereas the United States military presence in Europe allows reduced European defense budgets and lowered European tax rates subsidizing European industry and trade to the detriment of United States trade and the United States balance of payments;

Whereas the United States military presence in Europe is concentrated in nations which have reacted in the years since 1960 by directly, or indirectly through sale of dollar holdings, causing the withdrawal of almost $5,000,000,000 worth of gold from the United States;

Whereas the United States military presence in Europe is concentrated in nations which have from time to time traded with the Government of North Vietnam, with the forces of which the United States is engaged in hostile combat;

Whereas the United States military presence in Europe is withholding from the Vietnamese conflict troops that would furnish the additional manpower necessary for that conflict without further resort to the draft of students and other young Americans in unusual number;

Whereas the United States has nearly one-third of a million military personnel stationed in Europe at the cost of many billions of dollars a year;

Whereas the United States military presence in Europe is largely, but not to its full extent, predicated on the security of the United States rather than the security of the host nation; and

Whereas the United States might improve its military position in both the Western Hemisphere and southeast Asia and strengthen the United States balance of payments, gold reserve, and trade surplus if revision of our European military commitments was undertaken so as to reduce American military strength in Europe: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that the President shall undertake any possible revision of the American military commitment to the North Atlantic Treaty Organization and to the several nations of Europe in order to permit the withdrawal of such American military forces as may be withdrawn consonant with the security of the United States.

[From Republican Federal fiscal and monetary policy task force report, Aug. 30, 1965]

7. Redetermine the extent of need, under present conditions, for U.S. military forces in the European theater, with the objective of reducing our expenditures there.

The time has long since arrived when a substantial reduction of our military establishment in Western Europe would appear to be wise if not necessary. Approximately 700,000 military and associated personnel are still being maintained in Europe, at a net outflow in the balance of payments of about $1.5 billion (approximately half the recent annual balance-of-payments deficits). A force of this size was unquestionably desirable 15 years ago, as an emergency protective matter, when our European allies were weak and relatively defenseless. But with their economic recovery, the Western European countries should be able to marshal their own conventional forces against invasion, backed by our continuing firm commitment to assist in their defense.

A small detachment of our forces can serve as evidence of this commitment, backed by our newly demonstrated ability to airlift reinforcements swiftly to any place in the world from central bases in the United States, and by our strategic air and missile striking forces.

An immediate reappraisal of the extent and character of our European-based military forces and financial commitment in the light of these changes in conditions should be undertaken both in our country and with our friends abroad as a matter of urgency. The results should substantially reduce our expenditures there.

These observations are backed by military experts and have been enunciated by both Democratic and Republican leaders. They were expressed by the Democratic majority in a 1965 report of the Joint Economic Committee of the Congress:

"The committee urges that the review of Government expenditures abroad focus particularly on the possibility of reducing our troop commitments in Europe. * * * Our overseas manpower was not cut back to the extent which the massive increase in our airlift capability would have permitted. * * * We must reduce our military expenditures in these countries."

There is no reason why our European friends, given a full appreciation of our views, should continue to depend on us to carry such large forces on their soil. Our commitment to the preservation of freedom in Western Europe will not be reduced by a return of a considerable portion of these forces to our shores.

The SSBN "Simon Bolivar"

EXTENSION OF REMARKS

OF

HON. SANTIAGO POLANCO-ABREU

RESIDENT COMMISSIONER FROM PUERTO RICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 1, 1966

Mr. POLANCO-ABREU. Mr. Speaker, the U.S. Navy, on August 22, 1964, launched another fleet ballastic missile nuclear submarine, the *Simon Bolivar*, SSBN–641.

Thus, another nuclear polaris striking force joins the fleet—mobile, hidden, ready for instant action—contributing to the powerful deterrents of the United States to those who might otherwise be tempted to start a global war.

The launching of another nuclear underwater mobile base, as powerful and terrifying to the enemy as it might be, is not alone what I desire to call to the attention of my colleagues, since this is the 31st of the polaris submarines that we have put into the water. Rather, it is the name of the submarine to which I address myself. And I believe that it is fitting that we say a few words here today about Simón Bolívar, the George Washington of South America.

Much thought is given in selecting names for these powerful underwater units of the U.S. war fleet, and it was felt that the name of the illustrious South American statesman and liberator was eminently suitable for the category, since fleet ballistic missile submarines are named for distinguished Americans and others whose lives have paralleled and contributed to the growth of democracy.

Simon Bolivar is the incarnation of Spanish America's struggle for independence.

When the former provinces of Spain in the Americas embarked upon struggles for their independence following the French Revolution and the Napoleonic wars, Bolivar enlisted in the movement immediately, and with Francisco de Miranda he succeeded in having a local Congress proclaim the independence of the Captaincy General of Venezuela on June 5, 1811.

Tirelessly, Bolivar led the struggle for liberty from within the country and without. Despite initial successes, he was forced from the field in 1814, and the Spanish royal authority was restored.

Bolivar escaped to the West Indies but he returned again to the Island of Margarita to lead a guerrilla campaign for the reconquest of Venezuela. He assumed the presidency of the country and then conceived a plan for the liberation of northern South America. He crossed the Andes and defeated a superior royalist army at the Boyaca River in 1819. In 1821 he won victory at Carabobo and united Venezuela with Ecuador, Colombia, and Panama in the Republic of Gran Colombia, of which he became chief executive. Following this he proceeded to free Peru and what is now Bolivia from Spanish rule, and achieved the triumph of the movement for independence in South America.

Pursuing his vision of a union of Spanish America, Bolivar in 1826 called a conference in Panama of all the new republics. This meeting was the forerunner of the Pan American movement of today.

Bolivar planned a single, powerful Hispanic American nation but he was not to see it formed. The Republic of Gran Colombia was dissolved, with the secession of Ecuador and Venezuela. After resigning his presidency, Bolivar, poor and sick with tuberculosis, sought refuge in the little port of Santa Marta, where he died when only 46 years old, in 1834.

His political thought is well expressed in his words:

> To form a stable government, one must have as a national base a general spirit whose object is to incline everyone uniformly toward two points: moderation of the general will, and limitation of public authority.

It was entirely fitting, I think, that the name of this statesman and soldier of democracy be given to the *Simon Bolivar* SSBN-641 which, submerged and silently and invisibly patroling the dark, underwater depths, will guard the freedom of the world. We hope that not one of the *Simon Bolivar's* terrifying missiles need ever be released and thrust. But it is comforting to us and to all free peoples that this powerful ship and her sister craft are constantly on guard and continually detering any nuclear enemy from attacking.

A History of the Chicago Motor Club

EXTENSION OF REMARKS

OF

HON. WILLIAM T. MURPHY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 1, 1966

Mr. MURPHY of Illinois. Mr. Speaker, the Chicago Motor Club has been in the forefront serving its members and the general motoring public for 60 years.

This year, 1966, the Chicago Motor Club marks its 60th anniversary.

Like many other business and social groups which have formed associations and clubs to protect their interests, the motor club was founded in 1906 to protect the rights and interests of a new group on the American scene—motorists. The motor club, whose territory embraces the northern two-thirds of Illinois and the northern tier of counties in Indiana, is affiliated with the American Automobile Association.

Always interested in the safety of young people, the motor club has, since 1920, sponsored and actively supported the school safety patrol movement. A pioneer in patrol organization, the club has spent considerably more than $2 million in continued support of the patrol. To maintain the patrols, the club provides, free of charge, numerous items to patrol units in Illinois and Indiana.

It has been estimated that since the patrols were pioneered by the Chicago Motor Club in 1920, some 17,500 persons in Illinois and Indiana are alive today who otherwise would have become child traffic fatalities.

The motor club has been a leader in another major area concerning traffic safety for young people—high school driver education. During the early 1930's, the club quickly saw the merits of a new idea—to teach youngsters the proper methods of driving as part of their high school curriculum.

Since 1946 the club has helped to provide 4,700 dual-control driver training cars for use in Illinois and Indiana high schools. Also, since that year the club has helped to train more than 1,700 driver education instructors through intensive courses at Northwestern University, the University of Illinois, and Purdue University.

Statistics strongly point to the effectiveness of driver education. Evidence indicates that youths who complete the courses have only half as many accidents on the average as those who have never had such training.

In 1958 the Chicago Motor Club inaugurated its first Illinois Editors' Traffic Safety Seminar, a nonprofit organization devoted to helping newsmen reduce traffic accidents and fatalities throughout the State. The seminar is held annually, attracting each year some 200 newspaper editors and editors of industrial publications to its sessions.

The club has been an important factor in the promotion of neighborhood traffic safety for the past 30 years. The club since that time has sponsored several area councils which have brought together community and neighborhood civic and business leaders, educators, and others interested in traffic safety.

Through the tireless efforts of these groups, under the sponsorship and active support of the Chicago Motor Club, countless traffic safety projects, such as traffic signals, grade separations, traffic channelizations, and many other improvements to traffic safety and flow have been effected by these groups.

As a watchdog to motorists' pocketbooks, the club has been effective over the years in guarding against raids on motorists' tax money for nonhighway purposes. The club has been credited with a major role in many successful campaigns to prevent enactment of legislation designed to divert motorists' tax money; likewise the organization has been instrumental in preventing unjust and exorbitant taxes against motorists.

In the early days of the motor club, when cars were gradually becoming accepted in increasing numbers, the need for improved highways because a vital necessity. To pull the motorist "out of the mud" and to give him good, well-marked highways was a cause fervently championed by the club. The club continues today to fight for adequate highway facilities to meet the demands of the modern motorist.

The Chicago Motor Club, whose ever-growing membership now is approaching 300,000, is proud of its hard earned reputation as the strongest force in its territory for safeguarding the interests of the motorist in such matters as taxation, legislation, modern highway construction, traffic control, and safety. The club is pledged to remain in the frontlines battling for the safety and protection of its members and the motoring public.

Stanley Helzerman's 36 Years of Service to His Nation

EXTENSION OF REMARKS

OF

HON. WESTON E. VIVIAN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 1, 1966

Mr. VIVIAN. Mr. Speaker, it is with great pride and pleasure that I rise today to call to the attention of my distinguished colleagues the work of an unsung hero. Mr. Stanley Helzerman, of Willis, Mich., in the Second Congressional District, which I am privileged to represent in this body, has been a cooperative weather observer with the U.S. Weather Bureau since 1929. For 36 years, Mr. Helzerman has made accurate daily weather observations from his farm in Willis, and by so doing has added immeasurably to the Nation's composite weather knowledge.

I am pleased to submit, at this point in the CONGRESSIONAL RECORD, a description of, and tribute to, the work of our Nation's cooperative weather observers:

> The Weather Bureau's more than 12,000 cooperative weather observers perform a public service that is surely unequaled anywhere. Freely, these volunteers devote a total of about 1 million hours each year to observing and recording the weather, and their records form a history of the climate of the United States.
>
> Three decades ago, a group of outstanding scientists advised President Franklin D. Roosevelt that the work of the cooperative weather observers "is one of the most extraordinary services ever developed anywhere and probably nets the public more per dollar expended than any other Government service in the world."
>
> Business and industry, agriculture, and aviation, and the general public rely on knowledge of climate. We all owe a great

debt to the Weather Bureau's corps of observers whose unselfish efforts have built a national treasury of weather information.

JOHN T. CONNOR,
Secretary of Commerce.

The cooperative weather observers have a proud tradition of more than 100 years of voluntary public service. A number of families have kept weather records at the same place for several generations. Many individuals have observed the weather every day for 30, 40, or 50 years, and a dozen or so dedicated volunteers have served for more than 60 years.

A century ago, when Americans were settling western lands, they had little information on what to expect in the way of heat, cold, rain, or snow. In the act of 1890 establishing the Weather Bureau, Congress directed the Bureau to "record the climate of the United States."

Today, with the information gathered by cooperative weather observers throughout the years, we have a vast storehouse of records of our Nation's climates. The private citizen, traveling to a distant part of the United States, can check on average maximum and minimum temperatures there before packing his suitcase. A businessman considering expansion into new markets may seek information on climate before making his decision.

With all the advances of modern technology, including satellites and automatic stations for observing the weather, the services of the volunteer observers are more needed and more valuable than ever. It is private citizens who keep official records of the weather at more than 12,000 places throughout our Nation. These devoted men and women give us the detailed knowledge of United States climates that is essential to the solution of many problems of an increasingly complex society.

ROBERT M. WHITE,
Administrator, ESSA.

HOW COOPERATIVE OBSERVERS' RECORDS ARE PROCESSED AND STORED

The daily observations that a cooperative observer makes are recorded by him on a form with space for an entire month's record. At the end of the month the form is sent to the National Weather Records Center, Asheville, N.C., where each day's observation is placed on a punched card. The cards are then used to make listings and comparisons. Data which appear inconsistent or erroneous are subject to professional review by a meteorologist, and erroneous entries are corrected or deleted.

After the records are checked the cards are used to prepare copy for the publication Climatological Data, thus making the records available to the public.

After this, the cards are filed for about 2 years, during which time they may be used for special tabulations or searched for particular combinations of significance to a specialized user. Before they are discarded they are placed on microfilm so that they can be recalled as needed in the future.

As of the end of 1965 an estimated 338 million cards containing weather data will be stored in the National Weather Records Center Archives plus an additional 170 million weather data cards on microfilm. These records are an invaluable national asset and are carefully preserved, since, unlike many other items, weather records increase in value with age.

HOW COOPERATIVE OBSERVERS' WEATHER RECORDS ARE USED

Since life on earth is dependent on the food we eat, the water we drink, and the air we breathe, it follows that the weather is an important factor in everyone's life. This is borne out by the varied and numerous uses made of data accumulated by cooperative observers.

Following are some examples of uses of weather records:

Evaluating and comparing the prospects of commercial vegetable growing in Arizona and in Florida. This study included comparisons of the frequency and duration of droughts, and of periods of high and low temperatures, length of the freeze-free season, and the distribution of rainfall as related to the growing season of various truck crops.

Planning hospital design and construction.

Making an industrial survey for a New Jersey area.

Correlating new homebuilding starts with weather data.

Evaluating insurance liability risks, verifying and paying insurance claims.

Preparing a marketing booklet on Alaska.

Determining the climate of a town.

Studying the effect of weather on mortality in New York City.

Studying the relationship between rainfall and frost data and the growth characteristics of red pine trees.

Surveying community airport development.

Comparing and adapting existing types of school construction and building materials to extreme environmental and climatic conditions.

Studying climatic change; is the climate changing and if so, in what way?

Delivering fuel supplies.

Planting and harvesting crops; studying the growth of trees, studying the risks of freezing by specified dates, and studying the relationship between climate and altitude.

Selecting a retirement location, or a climate favorable to a particular health problem.

Computing snow-melt rates over a watershed for which dams are being planned.

Determining the need for company salesmen to have air conditioners in their cars.

Making drought studies and determining drought disaster areas.

The Weather Bureau is able to help requesters with these and other problems as well as to help researchers in their attempts to learn more about our climates because thousands of cooperative observers have faithfully recorded the weather at various locations for decades and decades.

Award of Certificate of Merit to Howard E. Haugerud

EXTENSION OF REMARKS

OF

HON. J. W. FULBRIGHT

OF ARKANSAS

IN THE SENATE OF THE UNITED STATES

Tuesday, March 1, 1966

Mr. FULBRIGHT. Mr. President, on February 4 in the John Quincy Adams Room of the State Department, a ceremony was held for the purpose of presenting to Howard E. Haugerud, Deputy Inspector General of Foreign Assistance, the American Red Cross Certificate of Merit for saving a life. I could not be present for the presentation of this award, and many of my colleagues were also unable to attend.

Howard Haugerud is a former Senate employee and well known among Members of both the Senate and the House of Representatives. He is to be commended for his presence of mind and calm judgment in saving the life of U.S. Park Policeman Gerald Grauel. The award of the certificate of merit by the Red Cross is certainly well deserved.

I ask unanimous consent that the certificate of merit citation be printed in the CONGRESSIONAL RECORD, together with an article from the Washington Daily News of Friday, February 4, describing the incident which led to the award, and also an article from the State Department newsletter of February 1966, and several letters from Members of the Congress commending Mr. Haugerud.

There being no objection, the certificate of merit, articles, and letters were ordered to be printed in the RECORD, as follows:

THE AMERICAN NATIONAL RED CROSS: CERTIFICATE OF MERIT

This certificate is issued by the American National Red Cross to Howard E. Haugerud, Arlington, Va., in recognition of services rendered on December 1, 1965, when he gave first aid to Pvt. Gerald Grauel for severe injuries sustained in an accident. Preventive measures were taken to prevent fire from gasoline. Quick thinking and immediate action saved the victim's life.

Issued at Washington, D.C., January 10, 1966.

LYNDON B. JOHNSON,
Honorary Chairman.
E. ROLAND HARRIMAN,
Chairman.

DRAMATIC MINUTES ON A BRIDGE: "I AM SURE THAT HE SAVED MY LIFE"

(By Julian Morrison)

Assistant Secretary of State Howard Haugerud left his house at 2609 South Hayes Street in Arlington last December 1 and swung into the morning rush hour traffic for Memorial Bridge, where he got trapped in a line of cars.

Up ahead, drivers were getting out, and Mr. Haugerud joined them. He saw a crowd staring at something. Then he did what nobody else on the bridge was doing. He ran.

SIGHT

He ran to the spot where U.S. Park Police Pvt. Gerald Grauel lay twisted on the pavement, his hip broken and his left leg nearly torn off below the knee.

Moments before, his motorcycle had been in a collision with a cab, and as he lay on the bridge, gasoline poured out on his uniform from the cycle's ruptured tank.

As he ran to the injured policeman, Mr. Haugerud said he began recalling a Red Cross first-aid course he had taken in 1943.

He took off his belt and made a tourniquet around the injured leg, stopping the blood flowing from the wound.

"What got me," he said yesterday, "was that nobody was doing anything to help him. They were just standing around looking.

"A couple of guys were even standing there smoking, with all that gasoline pouring out on him. I told them to get the hell away from there."

HELP

It was 10 minutes before an ambulance could get through the crowded streets to take Private Grauel to George Washington Hospital where the leg was amputated. Mr. Haugerud went on to his job as Deputy Inspector General for Foreign Assistance.

But he didn't forget Private Grauel. He has gone to see him three times in the hospital since the accident, and they've become good friends.

What he didn't bargain for was the Red Cross, which investigated the accident and has awarded him its certificate of merit for saving Private Grauel's life.

This morning, with Dean Rusk looking on, the Red Cross formally presented the award at the State Department.

Private Grauel, whose 32d birthday was last month, is still in the hospital.

"But," Mr. Haugerud said yesterday, "he's in very good spirits.

"He's going to be retired from the Park Police, but they've lined up a civilian job for him with the Interior Department."

"I am sure that Mr. Haugerud saved my life," Private Grauel said. "He knew what to do and did it.

"I remember I could feel the warm blood pumping out of me. I felt as if I was going to die."

Red Cross Cites Haugerud for Saving Policeman's Life

Howard E. Haugerud, Deputy Inspector General for Foreign Assistance, has been awarded the American Red Cross Certificate of Merit for Saving a Life.

The presentation was made by Edward Burling, president of the District of Columbia chapter of the Red Cross, at a ceremony in the Department's John Quincy Adams Room on February 4. The certificate was signed by President Lyndon B. Johnson as honorary chairman of the Red Cross and by E. Roland Harriman, chairman of the board of governors.

Mr. Haugerud also received letters of congratulations from Vice President Hubert H. Humphrey; Senator J. William Fulbright, chairman of the Senate Foreign Relations Committee; Representative Thomas E. Morgan, chairman of the House Foreign Affairs Committee, and other leaders.

The State Department official was cited for his quick thinking and prompt application of Red Cross first-aid techniques in helping to save the life of a U.S. Park Policeman, Pvt. Gerald Grauel. Officer Grauel was gravely injured when his motorcycle collided with a taxicab on Memorial Bridge on the morning of December 1.

When Mr. Haugerud, who was driving to work, reached the scene the officer was bleeding profusely from a leg injury. He took off his belt and applied a tourniquet.

Mr. Haugerud also kept people from smoking because the injured man and the area were saturated with gasoline. Officer Grauel was rushed to the hospital. Although the leg had to be amputated, Mr. Haugerud's swift action was credited with saving the policeman's life.

The Vice President,
Washington, February 3, 1966.

Dear Howard: My warmest congratulations on the well-deserved honor you are receiving from the American Red Cross. What wonderful presence of mind and first aid you demonstrated in saving the life of the park policeman. Even though he later lost his leg, you showed what an alert citizen can do—by quick thinking and solid training. Sorry I cannot be with you to shake your hand in person and tell you how proud I am of you.

I always knew you were a "life saver," but now I see that that is not only figuratively, but literally true.

My greetings to the many fine citizens who are gathered in your honor.

Warmest regards to Mary.

Sincerely,

Hubert H. Humphrey.

Committee on Foreign Affairs,
House of Representatives,
Washington, February 3, 1966.

Mr. Howard E. Haugerud,
Deputy Inspector General of Foreign Assistance, Department of State Building, Washington, D.C.

Dear Howard: I regret extremely that official business in Pennsylvania will prevent my being present tomorrow morning when the American Red Cross will present you with its life-saving certificate.

I know that all of your friends are proud of the presence of mind and heroism which you displayed in saving the life of Pvt. Gerald Grauel of the U.S. Park Police.

It is, indeed, good to realize that the American Red Cross has been alert to recognize the fine citizenship which you displayed on that occasion. As one who has had occasion to note your efficiency in the discharge of your usual duties for the Government, I am glad to take this opportunity to add my own praise and commendation to that of the American Red Cross.

With kindest personal regards and very best wishes, I am,

Sincerely yours,

Thomas E. Morgan,
Chairman.

U.S. Senate,
February 3, 1966.

Mr. Edward Burling, Jr.,
Director, District of Columbia Chapter, American Red Cross, Washington, D.C.

Dear Mr. Burling: I regret that my schedule in the Senate is such that I will not be able to be present for the presentation by the American Red Cross of the award to Howard Haugerud.

Mr. Haugerud, whom I have known for several years and with whom I have worked, is certainly to be commended for his quick thinking and prompt assistance to Pvt. Gerald Grauel. I am pleased that the American Red Cross is recognizing him in this way, and hope you will convey to him my personal regards and congratulations.

With best wishes, I am,

Sincerely yours,

J. W. Fulbright.

U.S. Senate,
Washington, D.C., February 3, 1966.

Mr. Edward Burling,
President, District of Columbia Red Cross, Washington, D.C.

Dear Mr. Burling: Please convey to my good friend and fellow Minnesotan, Howard Haugerud, my warmest congratulations and admiration for his extraordinary courage in saving the life of a park policeman last December.

His action was typical of his concern for his fellow man, and it is fitting and proper that he be recognized by the District of Columbia Red Cross and by all of us.

I deeply regret that I cannot be here personally to express my admiration, and I appreciate your relaying my message.

With kindest regards.

Sincerely,

Walter F. Mondale.

U.S. Senate,
February 3, 1966.

Mr. Edward Burling, Jr.,
President, District of Columbia Red Cross, Red Cross Building, Washington, D.C.

Dear Mr. Burling: I wish it could have been possible for me to attend the activities surrounding the ceremonies planned for my good friend Howard Haugerud. Unfortunately, the press of legislative duties will not permit my presence at that time.

I consider it a privilege to count Mr. Haugerud as a close friend, and as such, I have had ample opportunity to judge at close proximity his depth of character and empathy for others. Consequently, it comes as no great surprise to discover that he is being cited for heroic action. His exemplary action on behalf of Officer Grauel displays to me the highest measure of compassion for one's fellow man.

This special occasion is indeed a fitting tribute to a most deserving individual with a high sense of public service. I congratulate the State Department upon its good fortune in having such a man working on behalf of our great Nation.

Please extend to Howard my warmest regards, and I am,

Sincerely yours,

John L. McClellan.

House of Representatives,
Washington, D.C., February 2, 1966.

Mr. Howard Haugerud,
Deputy Inspector General of Foreign Assistance, Department of State, Washington, D.C.

Dear Howard: It is hard to express in words the feeling one has upon learning that a friend has saved another's life. Too often we read or hear about cruelty through individual unwillingness to help another human being. This letter is not to congratulate you, rather it is a thank you for two things: one, saving a life and secondly, standing as an example to all of man's humanity to man.

We are proud of you.

Sincerely,

Donald M. Fraser.

U.S. Senate,
Washington, D.C., February 3, 1966.

Mr. Howard Haugerud,
Deputy Inspector General of Foreign Assistance, Department of State, Washington, D.C.

Dear Howard: I am sorry it is not possible for me to be at the ceremony tomorrow when the Red Cross presents you with a lifesaving certificate.

I know I share the pride and respect of fellow Minnesotans in this tribute to you for your example of quick action by saving the life of Park Policeman Gerald Grauel.

With best wishes.

Sincerely yours,

Eugene McCarthy.

Fino Urges Federal Income Tax Deduction for Apartment Rent Payers as Well as Homeowners

EXTENSION OF REMARKS
OF

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 1, 1966

Mr. FINO. Mr. Speaker, today I introduced legislation to provide a Federal income tax break for those who rent apartments instead of owning their own homes.

This legislation calls for a Federal income tax deduction to be allowed to rent-paying taxpayers in the amount of 7 percent of their yearly rent payments. Homeowners can presently deduct their real estate taxes paid, while rent payers get no deduction for the part of their rental payments attributable to real estates taxes. This bill would give the rent payer a deduction for the real estate taxes he indirectly pays.

This legislation will put rent payers on an equal footing with homeowners as far as deducting the burden of real estate taxes which falls upon them. While homeowners can deduct—quite rightfully—the entire burden of local real estate taxes, rent payers get no deduction at all for the real estate taxes which eat up about 14 percent of gross rental income throughout the Nation.

Because the landlord can deduct his real estate taxes from his Federal income taxes, he only passes on about half the cost of the taxes to the tenant. I propose to let the rent payer deduct that real estate tax burden from his income tax just like his homeowning friend can. The deduction my legislation would allow is 7 percent of the rental paid during the year. For many a middle-income family, this would mean another $100–$200 worth of deduction during the year, and a tax savings of $30–$65. I think that middle-income taxpayers deserve this equal treatment with homeowners. The added deduction would particularly benefit older citizens who, because of medical expenses, itemize deductions.

I realize that this would put a double deduction into our tax laws. The landlord corporation would have one deduction, and the tenant would then have another, smaller percentage, deduction. I do not see what is wrong with a double deduction when I know that double taxation is perfectly legitimate by present law. Double taxation of corporate dividends, for example. First the corporations pays a tax, and then the man in the street pays a tax on the dividends he gets from the corporation after the corporation has paid taxes. Frankly, I think double deductions are a better idea than double taxation.

In my 24th Congressional District of New York there is a community called Parkchester. With 12,000 families, it is the world's biggest one-owner rental community. My bill would give the families of Parkchester a tax break of approximately $500,000. My district will soon have another, even bigger, rental community—Co-op City—which will have 50,000 people when completed. My bill would also provide a great tax break for the residents of Co-op City.

I hope that Congress will soon give the rent payer his due. Each year, more and more people are renting homes. They have many expenses in connection with their rentals which are not deductible, while homeowners can more easily get deductions for expenses and improvements. I think my bill is a sound step toward tax equity for rent payers.

Speech by Representative Bob Dole, of Kansas

EXTENSION OF REMARKS
OF
HON. JOE SKUBITZ
OF KANSAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 1, 1966

Mr. SKUBITZ. Mr. Speaker, recently Congressman Robert Dole of the 1st District of Kansas addressed the members of the Norton County Soil Conservation District at their 20th annual meeting. His remarks mirror the pride, concern, and significance which we Kansans attach to the various programs of soil conservation in our State.

Because of the wholehearted devotion our farmers and the State and local units of Kansas government have given to these programs, the Dust Bowl days of the thirties are a thing of the past. Nearly 24 million acres of our State are blanketed with basic soil conservation plans. Kansas has 23 small watershed projects in the works, 18 more on the drawing boards, and 72 applications for watershed development assistance are on file. In my district alone there are 72 rural water districts at latest count.

Bob Dole's remarks to the people from Norton County recount the past achievements in glowing terms. But this is not merely the satisfaction of a job well done and a time to stop and reflect on the merit of our laurels. As Congressman Dole points out, there is much more to be done, and in many ways we have just begun. Bob's speech is a significant and important one, and with permission granted I place it in the Record for the benefit of my colleagues and others who might be interested.

Speech by Representative Bob Dole, of Kansas

(Delivered before the 20th annual meeting of the Norton County Soil Conservation District, Norton, Kans., February 19, 1966)

I am happy to be here with you at this 20th annual meeting of the Norton County Soil Conservation District.

In 1946, the farmers and ranchers of Norton County began a new era of cooperative effort to control erosion and flooding on the land, and to develop the soil and water resources of the county.

Today, 626 Norton County landowners and operators are district cooperators. Of these, 596 have basic conservation plans on 236,000 acres of land. These cooperators, I understand, represent 58 percent of the farmers and ranchers in the county.

You have realized noteworthy accomplishments in the 20 years the Norton district has been in existence. I understand that 33 percent of the land in Norton County is adequately treated from a conservation standpoint. Your district ranks third highest in Kansas in the construction of terraces with 5,800 miles completed—70 percent of the conservation need.

Statewide, 105 organized soil conservation districts blanket Kansas. District cooperators number more than 87,000. Nearly 24 million acres of Kansas land is covered by basic soil conservation plans.

The State of Kansas has come a long way since the days of the Dust Bowl when the great need for soil and water conservation became dramatically evident across the Great Plains.

More than 2,100 Great Plains conservation program contracts have been completed in the State, embracing over 1,660,000 acres of land. I see that more than 67,000 acres of cropland will be converted to grass under Great Plains contracts, and that more than 140,000 acres of rangeland will be improved.

I note that soil surveys, basic to proper land-use planning and development, have been completed on more than 31 million acres in Kansas, over 60 percent of the State.

Local initiative and participation has been active in seeing to the completion of 5 projects under the pilot watershed program established in 1953, and in the many small watershed projects developed under Public Law 566, approved in 1954.

Kansas is one of the Nation's leading States in watershed project applications, planning, and construction. Kansas has 23 small watershed projects completed or under development, and four of these are multiple-purpose projects for municipal water supply and recreation, in addition to watershed protection and flood prevention. An additional 18 projects have been authorized for planning assistance.

Just as most of the soil conservation districts in Kansas have, admirably, broadened their conservation programs for better land-use planning and development to meet updated needs, so small watershed projects should be designed to take full advantage of their potential to serve a variety of needs in the watershed.

The small watershed project, I believe, offers the best opportunity for soil and water resource development within the soil conservation district. It is a basic program, designed to meet particular area needs. These projects are inspired and initiated by local people, and developed largely through local effort. The multiple purpose watershed project best serves the rural and urban demands upon the area's soil and water resources.

I think we Kansans can be proud of the interest in soil and water conservation thus far shown by the State and local governments.

A recent amendment to the State soil conservation district law makes State financial assistance available to districts, and the 1963 State Water Plan Act provides for further State participation in water conservation programs.

The Kansas Legislature has appropriated $120,000 for watershed planning in each of the past 4 fiscal years, an increase from $90,000 appropriated in fiscal years 1961 and 1962.

Total State appropriations for soil conservation work in fiscal year 1966 amounts to $345,071. The value of local government contributions to help carry out the program of the local soil conservation districts in the current fiscal year is approximately $187,500.

These highly encouraging developments at the State and district levels are benchmarks that establish the progress being made in meeting soil and water conservation needs. We know that there is much more to be done.

For example, 236 of 305 small watersheds in Kansas have been found to need works of improvement. Yet, only 72 applications for watershed development assistance have been approved by the State and forwarded to the U.S. Department of Agriculture. The 23 watershed projects under operations represent fewer than 10 percent of the needed projects in Kansas.

In Norton County, a total of 15 Great Plains contracts cover 6,700 acres of land. This represents only a beginning in a most important area of conservation here on the central plains.

While we may be proud of the 24 million acres covered by basic soil conservation plans in Kansas, this acreage represents less than half of the State's total area, and only 2,382,000 acres are covered by plans fully applied.

A shortage of technicians to assist landowners and operators develop and carry out conservation plans is partly responsible for this backlog. I believe more help can and should be provided by State and local agencies and organizations, in support of the substantial Federal effort.

The Federal commitment to soil and water conservation programs as a matter of deep national interest depends upon dynamic and farseeing State and local initiative and participation.

Congress, over the years, has displayed an admirable bipartisanship in supporting sound soil and water conservation development as a benefit to all the people.

I am proud to have supported much noteworthy legislation in this area of national concern. Last year, Congress passed, and the President signed into law:

The Water Resources Planning Act, which authorizes the President to establish river basin planning commissions and a Water Resources Council;

The Water Quality Act, which establishes a new water pollution control agency and authorizes additional funds for pollution control efforts;

The Rural Water Facilities Act, which makes possible the planning and building of community water supply and sanitation facilities in rural areas;

The Water Resources Recreation Act, which establishes a uniform policy for fish and wildlife enhancement and recreation in Federal water projects.

This, and other Federal legislation, has indicated the strong bipartisan support Congress is prepared to give sound resource conservation programs. But, I believe, and I think you will agree, that the soil and water conservation job will be done—in the Norton Soil Conservation District, in the State of Kansas, and in the Nation, only with wholehearted State and local cooperation.

This broad support is particularly necessary and justified because watershed protection and development serves the urban community as well as the rural countryside.

The watershed project that prevents a flood in the valley may provide a reservoir for municipal and industrial water storage; a site for swimming, boating and fishing; or a refuge for waterfowl.

Land under conservation plans that is not needed or suitable for growing crops may be converted to grass and trees and used for recreation or wildlife conservation, for the benefit of both the urban and rural resident.

I am told that 40,000 visitor-days of recreation have been provided by watershed projects in Kansas since the Food and Agriculture Act of 1962 made conversion of land to recreational purposes, as part of small watershed projects and on private land-holdings, more readily possible.

Also, 900 income-producing recreation enterprises established by nearly 300 landowners and operators benefit the rural economy and satisfy the growing urban need for more outdoor recreation opportunities.

Kansas is very much a town-and-country State, and we must strive to build a meaningful and mutually beneficial relationship between town and country living.

Kansas had only 107,000 people in 1860, and over 90 percent of these residents lived in rural areas. By 1960, the State's population had grown to more than 2 million, and rural residents accounted for only 39 percent of the people.

The total land area of Kansas still is 90 percent in farms and ranches, but the 15-percent increase in population between 1950 and 1960 represented urban growth. There has been a dramatic shift in numbers of people from the farm to the city in Kansas, as elsewhere in the Nation.

Soil and water conservation directly affects the growing urban development and the complex needs associated with it. Nearly 2,000 nonfarm landowners and operators in Kansas received technical assistance through soil conservation districts in fiscal year 1965.

There is a leading role to be played by soil conservation district leaders in this dual town-and-country responsibility. It is for you at the district level to promote sound conservation measures wherever possible.

The evidence is clear that the soil and water conservation message has spread in Norton County and throughout Kansas.

But you conservationists are evangelists, just as the late Hugh Bennett, the first administrator of the U.S. Soil Conservation Service, was an evangelist as he sought—with outstanding success, I may add—to impart to the Nation's landowners and operators, to Members of Congress and to State legislators, and to officials and leaders in both public and private life the urgent need to bring dynamic soil and water conservation measures to the land.

And as evangelists you will not be content with a message half told, with a job half done.

I am convinced that no group in the Nation deserves higher praise than you soil conservation district supervisors and cooperators—for your dedication, your determination, and your accomplishments.

And that is why I am sure you will not be satisfied until every farmer, rancher, and other rural landowner—in Norton County and in the State—becomes an active participant in soil and water conservation district programs; until every acre of Kansas land is under a conservation plan—for the benefit of the agricultural economy, for the wise and necessary marshaling of our precious soil and water resources, and to assure sound land use planning and development in the growing urban corners of the State.

Your continued dedicated efforts are needed by the people of Norton County and the State of Kansas. Your efforts deserve the support required to spread the message and the good works of soil and water resource conservation throughout the land. You are assured of my continued, unwavering support of this most worthy endeavor.

Congressman William S. Mailliard's Address to the Commonwealth Club of California

EXTENSION OF REMARKS

OF

HON. J. ARTHUR YOUNGER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 1, 1966

Mr. YOUNGER. Mr. Speaker, Congressman WILLIAM S. MAILLIARD, of California, on February 18, delivered an address to the Commonwealth Club of California entitled "We Now Have Rustbucket, Not National Defense Reserve Fleet—Are Scraping Bottom of Barrel."

The Commonwealth Club publishes a house organ known as the Commonwealth in which the addresses delivered to their weekly luncheons are summarized in what they call the Friday Flashes. These Flashes taken from the address by Congressman MAILLIARD are as follows:

[From the Commonwealth, Feb. 28, 1966]

"WE NOW HAVE RUSTBUCKET, NOT NATIONAL DEFENSE RESERVE FLEET—ARE SCRAPING BOTTOM OF BARREL"—REPRESENTATIVE MAILLIARD

(From address by Hon. WILLIAM S. MAILLIARD, Member of Congress)

The present complete lack of any national maritime policy has persisted now to the point of constituting a hazard to the national well-being and security.

Where are we going to get the ships? To meet the national needs—in peace and in war; today, tomorrow, and decades to come.

In World Wars I and II, we engaged in crash programs of building ships to the tune of $22 billion of the taxpayers' money. This figure does not include the enormous sums paid out for use of foreign shipping until our own efforts began to produce results.

In each instance we were left with a huge fleet of mass-produced austerity ships, obsolete as soon as the world's maritime nations were able to produce new vessels of peacetime design and construction.

Twenty years after World War I, the United States was no longer a significant maritime power.

VIETNAM SUPPLIED BY SEA

Here we are, two decades after World War II, with our aging merchant marine just barely adequate to meet our own commitments in a relatively small-scale military effort in southeast Asia, and only at the expense of turning commercial cargoes over to foreign competition, and even utilizing foreign ships under direct charter.

Information received by the House Committee on Merchant Marine and Fisheries indicates that the estimated loss in revenue to U.S.-flag ships was approximately $12 million during the last half of 1965—a direct loss in our international balance of payments.

TWENTY PERCENT OF PRIVATE FLEET "DRAFTED"

Economics compel this dependence on ships rather than aircraft. It would cost 57½ cents per pound to airlift cargo to Vietnam compared to 7 cents per pound by ship—8 to 1. Even the most optimistic estimates for the huge new C–5A could not reduce this ratio to less than 5 or 6 to 1.

The Navy's Military Sea Transportation Service has been augmented since last July by more than 200 general cargo commercial and reserve ships. This represents approximately 20 percent of our privately owned merchant fleet.

More than 50 vessels have been chartered from American-flag subsidized operators and many of these are the finest, most modern and fastest ships in the world. All were constructed with Federal assistance under the vessel replacement program of the Merchant Marine Act of 1936.

Unfortunately, we have too few ships of this caliber. The replacement program is proceeding at dead slow speed and is almost 100 vessels behind schedule.

NO HOPE OF MODERNIZING TRAMPS

As a result, about half of the 300-odd ships in our subsidized merchant fleet are rapidly approaching the end of their economic lives. In spite of this fact, the administration sent to Congress last month a ship construction budget calling for a maximum of only 13 ships to be built in fiscal year 1967.

Another segment of the Vietnamese sealift is made up of nonsubsidized American-flag tramps. These ships also are more than 20 years old—the aid available, by law, for their replacement has been denied by administrative decision.

RESERVE FLEET IN BAD SHAPE

Under present policies there appears no hope of modernizing this portion of the active fleet.

We have reactivated more than 100 ships of World War II vintage. This fleet responded very well to our needs during the Korean conflict—but Korea was 16 years ago.

These ships were constructed more than 20 years ago. Age and limited maintenance has severely diminished their utility. Parts and equipment are being cannibalized to reactivate these vessels with costs averaging $400,000 per ship.

The vast majority of them have had material failures in operation and have been put out of service from a few hours to as much as 45 days.

It might be more appropriate to call this our "rustbucket" fleet rather than our national defense reserve fleet.

CAN'T RELY ON FOREIGN SHIPS

To resort to foreign-flag vessels presupposes that they will carry your cargo when and where we wish. Several foreign-flag ships, chartered for Vietnam, have already refused.

Our request that free world shipping stop trading with North Vietnam and Cuba has fallen on deaf ears.

Recently the President authorized the shipment of 3 million additional tons of grain to India. What if other grain programs double? Where are we going to get the ships?

More than half the ships normally in this trade are now employed in the Vietnam sealift. Yet, according to the U.S. Embassy in India, 90 shiploads of wheat will be arriving at a rate of 2 and 3 ships a day.

Are we going to waive the preference requirement that 50 percent of such Government cargoes move in American bottoms? Is this a preconceived maneuver to insure waiver of the preference requirement?

If we are compelled to draw heavily on foreign shipping, we will soon be paying exorbitant rates for the services required.

BUILD IN FOREIGN YARDS?

Certain administration officials are proposing that there be established a fixed level of shipbuilding needed for national security. Federal funds would be made available up to this level. Beyond it, ship operators would be allowed to construct their ships in foreign shipyards. What we are being asked to remove is one of our most effective aids to American shipyards.

SHIPYARDS A DEFENSE INDUSTRY

We have seen examples of the folly of our misplaced overreliance on foreign-flag shipping. What greater folly than to accentuate this error by relying on foreign shipbuilding?

It is through shipyards that we produce the tools of seapower. Shipyards are a defense industry. We cannot afford to relinquish control of this essential mobilization asset.

The Soviet Union is not as apathetic as we to its merchant marine. Russia is rapidly becoming a major maritime power. Last October, the U.S.S.R. had on order an estimated 450 merchant ships while we had 40 under construction or on order.

Today, Russia's merchant fleet exceeds our own active fleet in size and is increasing at a rate of more than 10 times ours. In 5 years, she will have a superiority of two to one.

As a free-world shipping executive is reported to have remarked: "The possibilities for economic blackmail are incalculable."

FIVE TO TEN YEARS LEFT FOR RESERVE FLEET

This is the situation today: under present actions of our Government and with no policy for the future; within 5 years probably, and certainly within 10, we will have no useable reserve fleet. Our active fleet will still consist of at least two-thirds obsolete vessels, reaching the very end of their useful life, if not already consigned to the scrapyard.

Five to 10 years may sound ample to correct this situation—but decisions must be taken now—should have been taken 5 years ago if, in 1970 to 1975, we are to have the needed vessels in being. It does take time to plan, finance, and execute a shipbuilding program and time is rapidly running out.

If we do not resolve now to make the necessary effort, beginning immediately, we will not be able to avoid a period of some years during which our merchant shipping capability may be the limiting factor to our ability to project the military and economic power of our Nation in pursuit of national policy and goals.

Answers to written questions from floor

Question (John A. Rowe, Jr.). Does Secretary of Defense expect to use airlift in real emergency?

Answer. There's great reliance on anticipated capacity of new large cargo aircraft. But it's dangerous to get tied to one system of supply.

Question (J. R. Klawans). How long to build a modern ship? To acquire modern fleet?

Answer. Design, financing, to operation, about 3 years. Time to build fleet depends on yard capacity we've allowed to dwindle. If decided today—5 years.

Question (Caspar Zwierlein). How can companies like Matson operate without subsidy?

Answer. They're protected from foreign competition. Still operating with ships acquired at low cost. Some have gone into specialized transport fields.

Question. Will technological breakthrough obsolete proposed expansion program?

Answer. Obsolescence a continuing problem. Maritime Administration could well spend more for research and development. Still, our new ships are as good as any.

Question. (Edgar M. Kahn). Will Congress require greater safety on foreign-flag cruise ships?

Answer. Last year I stated *Yarmouth Castle* was unsafe—3 months later it burned to waterline. If international conferences do not improve standards, United States should act to protect citizens.

Question. (W. K. Potts). Until more restraint on maritime unions, isn't it premature to obtain more ships?

Answer. Unfortunate work stoppages sometimes due to interunion squabbles. Public has right to expect responsibility. I don't think seagoing wages are too high. We cannot expect Americans at sea to take less than those ashore.

Question. (Robert H. Fouke). Long-term policy for adequate merchant marine?

Answer. 1936 Merchant Marine Act still good. We've never used it. We talk of spending $2 billion for supersonic aircraft with 75 percent Government money—should do same with merchant marine.

Question. What effect on merchant marine of C–5A cargo aircraft?

Answer. Bulk movement must come by sea—98 percent of southeast Asia supplies go by sea. This might drop to 95 percent.

Question. Airfreight cost of 3 cents per ton per mile (anticipated for C–5A) undercut cost of sea transport?

Answer. Still only 5 to 1 ratio. Brings costs closer together. Time factor may make difference. Yet takes too much fuel to keep aircraft in air.

Summary of Efforts To Solve the Jet Noise Problem

EXTENSION OF REMARKS

OF

HON. HERBERT TENZER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 1, 1966

Mr. TENZER. Mr. Speaker, I have addressed my colleagues in the House on a number of occasions to sound the alarm that aircraft noise has become a national problem requiring Federal action. On May 13, 1965, I made a statement entitled "Jet Noise Opens the Floodgates of Litigation" in which I reviewed the pending lawsuits against municipalities which own or operate airfields. At that date there were more than 200 lawsuits seeking an aggregate of more than $20 million in damages on various grounds alleging the taking of private property without due process or alleging trespass.

On July 22, 1965, the Ohio Supreme Court ruled in a 4 to 3 decision—*State, ex rel. Royal* v. *City of Columbus*, 3 Ohio St. 2d 154—that homeowners are entitled to compensation if low-flying airplanes produce such an amount of noise so as to interfere with the proper use and enjoyment of their homes. The court based its decision in part on the case of *United States* v. *Causby*, 328 U.S. 256, 266, in which the U.S. Supreme Court stated:

> Flights over private land are not a taking unless they are so low and so frequent as to be a direct and immediate interference with the enjoyment and use of the land.

The Ohio court also quoted from the U.S. Supreme Court's decision in *Griggs* v. *Allegheny County*, 369 U.S. 84, where the Court stated:

> The use of the land presupposes the use of some of the airspace over it. * * * Otherwise, no home could be built, no tree planted, no fence constructed, no chimney erected.

Yesterday—February 28, 1966—the U.S. Supreme Court denied certiorari in the Columbus case, thereby leaving the opinion of the Ohio Supreme Court standing as a landmark decision in jet noise litigation. It should be emphasized that in the City of Columbus suit, the lower court found that—

> The glide angle height above the homes involved ranged from a minimum of 50 feet to 60 feet to a maximum of 90 feet.

There were 40 homeowners represented in the Ohio case.

By refusing to review the Ohio decision, the Supreme Court declined to establish a legal ceiling limit in jet noise litigation. We therefore have no guidelines as to whether future court decisions will extend the legal ceiling limit to 500 or even 1,000 feet.

With the constantly increasing number of airfields which will be servicing jet aircraft during the next 4 years and with the increasing air traffic, it is imperative that we in the Congress do something about jet noise—and that we do it now. I have urged congressional action since last May when I introduced H.R. 7981, to accelerate and coordinate noise abatement research, and H.R. 7982, to provide Federal reimbursement to local governments and to the airline industry for the implementation of techniques required to achieve a reduction in aircraft noise.

I commend the local officials and the many civic organizations in the Fifth Congressional District which have recognized and carried the fight for aircraft noise abatement since the first commercial jet plane landed at Kennedy International Airport in 1958. They have brought the issue to public attention but they need assistance—and I ask them to join with me to seek assistance from the highest level of government to find ways to reduce aircraft noise by an all-out research program and to reduce the impact which the Columbus case and other legal decisions will have on the private homeowners, the aircraft industry, and on local governments which own or operate airfields. I invite their comments on my bills so that we may be united in our efforts to achieve Federal attention.

In addition to Federal legislation, I have proposed that a Presidential commission be appointed to study and make positive recommendations for a crash program to alleviate the problem of aircraft noise.

During the period of adjournment, I visited Hong Kong and conferred with our air attachés and civil aviation officials. I saw a 10,000-foot runway which had been built directly out into the bay—not just an extension of an existing runway at the airport. Flights were brought in and takeoffs executed from this runway, avoiding a pattern of takeoffs and landings over existing homes. I am requesting the Federal Aviation Agency and other appropriate agencies to make a feasibility study, including the engineering and safety aspects, of the construction of such a runway at Kennedy Airport out into Jamaica Bay. Such a runway would avoid heavy populated areas such as Inwood, Lawrence, Cedarhurst, Woodmere, Hewlett, Valley Stream, Long Beach, Oceanside, Lynbrook, and other communities along the south shore of Long Island.

I urge my colleagues to review my bills H.R. 7981 and H.R. 7982, as well as some of the other proposals which I have suggested in this field. For the information of my colleagues, the following remarks have appeared in the CONGRESSIONAL RECORD:

	Page
May 6, 1965: "Aircraft Noise Abatement"	9363
May 13, 1965: "Jet Noise—Opens the Floodgates of Litigation"	A2377
May 20, 1965: "More on Jet Noise: NASA Conference"	A2533
May 27, 1965: "More on Jet Noise—Part IV—NASA Research Program"	A2718
June 10, 1965: "More on Jet Noise—Part V—FAA Aircraft Noise Symposium"	A3037
July 8, 1965: "Jet Noise—Part VI—Hazard To the Nation's Health"	A3630
Aug. 12, 1965: "More on Jet Noise—Part VII—Report on Noise Forum"	A4520
Aug. 30, 1965: "More on Jet Noise—Part VIII—Novel Test Over Long Island and Correspondence With the President"	A4888
Sept. 15, 1965: "The Latest on Jet Noise—Part IX"	A5205

Public Libraries, Libraries at State Institutions, and Special State Libraries Need Federal Funds

EXTENSION OF REMARKS

OF

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 1, 1966

Mr. **FRASER**. Mr. Speaker, this week I have introduced H.R. 13115, the Library Services and Construction Act Amendments of 1966.

In the past two decades there has grown a tremendous need for better libraries. The population has increased rapidly, especially among the young. A greater number of people are reading, and they read more often. The number of students and individuals doing research has grown. Finally, we have had an "information explosion". There has been a great increase in the number of books and other information materials.

The American Library Association estimates that public libraries are lacking over 100 million volumes to meet acceptable standards. We have only half of the 12,000 professional library personnel required.

The bill I have introduced is an attempt to help the States and local communities meet their library obligations. The bill has four titles.

The first two titles are an extension of the present Library Services and Construction Act, which is due to expire June 30 of this year. Title I provides funds to the States for library services. The new bill will authorize for library services $60 million in fiscal year 1967, $80 million in fiscal year 1968, $100 million in fiscal year 1969, $120 million in fiscal year 1970, and $150 million annually thereafter.

Title II authorizes funds to the States for the construction and initial equipment of public library buildings. The bill provides $75 million for this purpose in fiscal year 1967, $100 million in fiscal year 1968, $125 million in fiscal year 1969 and 1970, and $100 million in 1971.

Title III establishes a 5-year State-Federal matching fund program to encourage State library agencies to develop cooperative library services and joint use of facilities involving public, research, college and secondary school libraries. Five million dollars is authorized the first year, $7.5 the second, $10 million the third, $12.5 the fourth and $15 million in fiscal year 1971.

Title IV has two sections. The first is designed to alleviate the deplorable library deficiencies which exist in State institutions, including prisons, reformatories, mental hospitals, training schools and orphanages. The second section will expand library services to State governments in such specialized fields as law, history, archives and legislative reference. The funds authorized for title IV are the same as for title III.

This bill will cost $160 million the first year, and the total authorized under all parts of this bill aggregates $1.18 billion over the next 5 fiscal years. This is a great deal of money, but anything less will not enable us to reduce the deficit between what our libraries need and what they now have.

I urge all those who favor an improvement in our library facilities to join me in support of this bill. The text follows:

H.R. 13115

A bill to extend and amend the Library Services and Construction Act

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Library Services and Construction Act Amendments of 1966".

SEC. 2. Section 2(a) of the Library Services and Construction Act is amended by inserting before the period at the end thereof the following: ", to promote interlibrary cooperation, and to assist the States in providing certain specialized State library services".

SEC. 3. Section 101(a) of the Library Services and Construction Act is amended by striking out "June 30, 1957, and for each of the next six fiscal years the sum of $7,500,000, for the fiscal year ending June 30, 1964, the sum of $25,000,000, and for each of the next two fiscal years such sums as the Congress may determine," and inserting in lieu thereof the following: "June 30, 1967, $60,000,000; for the fiscal year ending June 30, 1968, $80,000,000; for the fiscal year ending June 30, 1969, $100,000,000; for the fiscal year ending June 30, 1970, $120,000,000; and for the fiscal year ending June 30, 1971, and each fiscal year thereafter $150,000,000,".

SEC. 4. Section 102 of the Library Services and Construction Act is amended by striking out the last sentence thereof.

SEC. 5. Section 103(a) of the Library Services and Construction Act is amended by striking out "and" at the end of paragraph (4), by redesignating paragraph (5) as paragraph (6), and by inserting after paragraph (4) the following new paragraph:

"(5) provide assurances satisfactory to the Commissioner that expenditures made for library services in the State in any fiscal year from funds derived from the State will not be less than such expenditures in the local library or library system under the plan preceding fiscal year, and that no funds will be provided for library services to any for any fiscal year if the State library administrative agency determines that the amount expended, or to be expended, for such library or library system during a fiscal year from funds derived from local sources is less than such expenditures in the preceding fiscal year; and".

SEC. 6. (a) Section 104(a) of the Library Services and Construction Act is amended by striking out "1963" both times it appears and inserting in lieu thereof "1965", and by striking out "section 203" and inserting in lieu thereof "section 103".

(b) Section 104(b) of such Act is amended to read as follows:

"(b) The Commissioner shall from time to time estimate the amount to which each State will be entitled under subsection (a) and the amount so estimated shall be paid in installments in advance or by way of reimbursement, after necessary adjustment on account of any previously made overpayment or underpayment."

(c) Section 104(d) of such Act is amended by striking out "(1)", by striking out "to be effective until July 1, 1957" and by striking out paragraph (2) of such subsection.

SEC. 7. Section 201 of the Library Services and Construction Act is amended by striking out "June 30, 1964, the sum of $20,000,000, and for each of the next two fiscal years such sums as the Congress may determine," and inserting in lieu thereof "June 30, 1967, $75,000,000; for the fiscal year ending June 30, 1968, $100,000,000; for each of the fiscal years ending June 30, 1969, and June 30, 1970, $125,000,000; and for the fiscal year ending June 30, 1971, $100,000,000,".

SEC. 8. Section 202 of the Library Services and Construction Act is amended by striking out "(but only in the case of a State allotment for the fiscal year ending June 30, 1964)".

SEC. 9. (a) Section 204(a) of the Library Services and Construction Act is amended by adding at the end thereof the following new sentence: "From such allotment, there shall also be paid to each State for each such period the Federal share of the total of the sums expended by the State and its political subdivisions during such period for administration of the plan of such State approved under section 203."

(b) Section 204(b) of such Act is amended by inserting after "in such installments" the following: "in advance or by way of reimbursement,".

Sec. 10. The Library Services and Construction Act is amended by inserting after title II the following new titles:

"TITLE III—INTERLIBRARY COOPERATION

"Authorization of Appropriations

"Sec. 301. There are authorized to be appropriated for the fiscal year ending June 30, 1967, the sum of $5,000,000; for the fiscal year ending June 30, 1968, $7,500,000; for the fiscal year ending June 30, 1969, $10,000,000; for the fiscal year ending June 30, 1970, $12,500,000; and for the fiscal year ending June 30, 1971, $15,000,000; which shall be used for making payments to States which have submitted and had approved by the Commissioner State plans for establishing and maintaining local, interlocal, regional, State, or interstate cooperative networks of libraries.

"Allotments

"Sec. 302. From the sums appropriated pursuant to section 301 for each fiscal year the Commissioner shall allot $10,000 each to Guam, American Samoa, and the Virgin Islands, and $40,000 to each of the other States, and shall allot to each State such part of the remainder of such sums as the population of the State bears to the population of the United States according to the most recent decennial census.

"Payments to States

"Sec. 303. (a) From the allotments available therefor under section 302, the Secretary of the Treasury shall from time to time pay to each State which has a plan approved under section 304 an amount, computed as provided in subsection (b) of this section, equal to the Federal share of the total sums expended by the State and its political subdivisions under such plan (including costs of administering such plan).

"(b) For the purposes of this section the Federal share for any State shall be 50 per centum of the sums expended under the plan, except that the Federal share for the fiscal year ending June 30, 1967, shall be 100 per centum.

"State Plans for Interlibrary Cooperation

"Sec. 304. (a) To be approved for purposes of this title a State plan must—

"(1) meet the requirements of paragraphs (1), (2), (4), (5), and (6) of section 103(a);

"(2) provide policies and objectives for the systematic and effective coordination of the resources of school, public, academic, and special libraries and special information centers for improved services of a supplementary nature to the special clienteles served by each type of library or center;

"(3) provide appropriate allocation by participating agencies of the total costs of the system;

"(4) provide assurance that every local or other public agency in the State is accorded an opportunity to participate in the system;

"(5) provide criteria which the State agency shall use in evaluating applications for funds under this title and in assigning priority to project proposals; and

"(6) establish a statewide council which is broadly representative of professional library interests and of library users which shall act in an advisory capacity to the State agency.

"(b) The Commissioner shall approve any State plan which meets the conditions specified in subsection (a) of this section.

"TITLE IV—SPECIALIZED STATE LIBRARY SERVICES

"Part A—State institutional library services

"Authorization of Appropriations

"Sec. 401. There are authorized to be appropriated for the fiscal year ending June 30, 1967, the sum of $5,000,000; for the fiscal year ending June 30, 1968, $7,500,000; for the fiscal year ending June 30, 1969, $10,000,000; for the fiscal year ending June 30, 1970, $12,500,000; and for the fiscal year ending June 30, 1971, $15,000,000; which shall be used for making payments to States which have submitted and had approved by the Commissioner State plans for establishing and improving State institutional library services. For the purposes of this part the term 'State institutional library services' means the providing of books, and other library materials, and of library services to inmates, patients, or residents of penal institutions, reformatories, general or special institutions or hospitals including those for the aged, the handicapped, and the mentally ill, residential training schools, and orphanages, operated by the State.

"Allotments

"Sec. 402. From the sums appropriated pursuant to section 401 for each fiscal year the Commissioner shall allot $10,000 each to Guam, American Samoa, and the Virgin Islands, and $40,000 to each of the other States, and shall allot to each State such part of the remainder of such sums as the population of the State bears to the population of the United States according to the most recent decennial census.

"Payments to States

"Sec. 403. (a) From the allotments available therefor under section 402, the Secretary of the Treasury shall from time to time pay to each State which has a plan approved under section 404 an amount, computed as provided in subsection (b) of this section, equal to the Federal share of the total sums expended by the State under such plan (including costs of administering such plan).

"(b) For the purposes of this section the Federal share for any State shall be 50 per centum of the sums expended under the plan, except that the Federal share for the fiscal year ending June 30, 1967, shall be 100 per centum.

"State Plans for State Institutional Library Services

"Sec. 404. (a) To be approved for purposes of this part a State plan must—

"(1) meet the requirements of paragraphs (1), (2), (4), and (6) of section 103(a);

"(2) provide policies and objectives for the establishment or improvement of State institutional library services;

"(3) provide assurance that all eligible State institutions will be accorded an opportunity to participate in the program pursuant to this part;

"(4) provide criteria which the State agency shall use in evaluating applications for funds under this part and in assigning priority to project proposals;

"(5) provide assurances satisfactory to the Commissioner that expenditures made by such State in any fiscal year for State institutional library services will not be less than such expenditures in the preceding fiscal year; and

"(6) establish a council which is broadly representative of State institutions eligible for assistance under this part which shall act in an advisory capacity to the State agency.

"(b) The Commissioner shall approve any State plan which meets the conditions specified in subsection (a) of this section.

"(c) No portion of any money paid to a State under this part shall be applied, directly or indirectly, to the purchase or erection of any building or buildings, or the purchase of any land.

"Part B—State government library services

"Authorization of Appropriations

"Sec. 411. There are authorized to be appropriated for the fiscal year ending June 30, 1967, the sum of $5,000,000; for the fiscal year ending June 30, 1968, $7,500,000; for the fiscal year ending June 30, 1969, $10,000,000; for the fiscal year ending June 30, 1970, $12,500,000; and for the fiscal year ending June 30, 1971, $15,000,000; which shall be used for making payments to States which have submitted and had approved by the Commissioner State plans for establishing and improving State government library services. For the purposes of this part the term 'State government library services' means the providing of books and other library materials and of library services to agencies and departments of the State government and to State government personnel requiring library services, including those agencies or individuals responsible for legislative reference and research history, law, or archival library services, and specialized professional or research library operations in the various departments and agencies of State government.

"Allotments

"Sec. 412. From the sums appropriated pursuant to section 411 for each fiscal year, the Commissioner shall allot $10,000 each to Guam, American Samoa, and the Virgin Islands, and $40,000 to each of the other States, and shall allot to each State such part of the remainder of such sums as the population of the State bears to the population of the United States according to the most recent decennial census.

"Payments to States

"Sec. 413. (a) From the allotments available therefor under section 412, the Secretary of the Treasury shall from time to time pay to each State which has a plan approved under section 414 an amount, computed as provided in subsection (b) of this section, equal to the Federal share of the total sums expended by the State under such plan (including costs of administering such plan).

"(b) For the purposes of this section the Federal share for any State shall be 50 per centum of the sums expended under the plan.

"State Plans for State Government Library Services

"Sec. 414. (a) To be approved for purposes of this part a State plan must—

"(1) meet the requirements of paragraphs (1), (2), and (4) of section 103(a);

"(2) provide policies and objectives for the establishment or improvement of State government library services;

"(3) provide assurance that all appropriate departments and agencies of the State government will be accorded an opportunity to participate in the program pursuant to this part;

"(4) provide criteria which the State agency shall use in evaluating applications for funds under this part and in assigning priority to project proposals;

"(5) provide assurance satisfactory to the Commissioner that expenditures made by such State in any fiscal year for State government library services will not be less than such expenditures in the preceding fiscal year; and

"(6) establish a council which is representative of the executive, legislative, and judicial branches of the State government which shall act in an advisory capacity to the State agency.

"(b) The Commissioner shall approve any State plan which meets the conditions specified in subsection (a) of this section.

"(c) No part of any money paid to a State under this part shall be applied, directly or indirectly, to the purchase or erection of any building, or the purchase of any land."

Sec. 11. (a) Title III of the Library Services and Construction Act is hereby designated as title V.

(b) Sections 301 through 304 of the Library Services and Construction Act are hereby designated as sections 501 through 504.

(c) Section 502(d)(2) of such Act (as so designated by subsection (b)) is amended by striking out "or title II" and inserting in lieu thereof "title II, title III, or part A or B of title IV".

(d) Section 503 of such Act (as so designated by subsection (b)) is amended by striking out "or 202" and inserting in lieu thereof ", 202, 302, 402, or 412"; by striking out "and section 203" and inserting in lieu thereof "203, 303, 403, and 413"; by striking out "or 202" and inserting in lieu thereof ", 202, 302, 402, or 412"; by striking out "or 203", and inserting in lieu thereof ", 203, 303, 403, or 413,"; by striking out "or 201" and inserting in lieu thereof ", 201, 301, 401, or 411"; and by striking out "and 202" and inserting in lieu thereof ", 202, 302, 402, and 412".

Escalation of the War on Disease—Representative Fogarty Speaks at New York Tropical Disease Center

EXTENSION OF REMARKS

OF

HON. HUGH L. CAREY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 1, 1966

Mr. CAREY. Mr. Speaker, February 17, 1966, was a significant day in the annals of our efforts to conquer killing and crippling disease.

At St. Clare's Hospital in New York City, his eminence, Francis Cardinal Spellman, archbishop of New York, gave his blessing to the Tropical Disease Research Center, established under his guidance and initiative. The center adds a new chapter to the long list of great and good works in New York and around the world which have been performed through the leadership and efforts of this great and good servant of God and man.

The center is truly fortunate to have as its director, an eminently qualified physician, Dr. Kevin Michael Cahill. One needs merely to cite Dr. Cahill's training and list his academic honors and experience to conclude that his selection is most fortunate.

Dr. Cahill graduated from Fordham University—egregia cum laude—and received his medical degree from Cornell. He interned at St. Vincent's Hospital in New York and received his residency training in Cairo, subsequently attending the London School of Hygiene and Tropical Medicine and the University of London.

Currently Dr. Cahill is associate clinical professor of medicine at New York Medical College, medical consultant—tropical medicine—at the United Nations; member of the medical attending staff of St. Clare's and a number of other hospitals in New York, as well as maintaining his private practice. In addition, Dr. Cahill is the author of a book on tropical diseases and many articles in this and other medical fields.

The conduct of treatment, care and research in tropical diseases under Dr. Cahill's direction will be carried on under the administration of Sister M. John Kevin of the Allegany Franciscan Sisters. These good women in every sense will be devoting their entire lives toward making the research of this great center and the care of its patients, the very best in the world.

An episode of human interest and near tragedy occurred recently which might even cause one to attribute near miraculous care to those who work in the hospital.

Some of my colleagues may recall an incident where a demented person exploded an incendiary device at the altar of St. Patrick's Cathedral causing a devoted woman worshiper to become badly burned as she knelt in prayer. This woman, near death from shock and severe burns, has been under treatment since that time at St. Clare's Hospital and may one day recover fully through the expert and devoted ministration of the doctors and staff at St. Clare's.

A brief description of the tropical disease program at the center would, I think, be of interest to my colleagues concerned with health programs:

TROPICAL DISEASE PROGRAM—ST. CLARE'S HOSPITAL, NEW YORK, N.Y.

Clinical tropical medicine centers are not common in the United States. When the U.S.A. was a contained isolationist nation, such a situation was understandable; today it is not. In New York—a city that annually receives over 3 million foreign visitors, that is home to a million Latin Americans, that is the base for the largest international business concerns and missionary organizations the world has known, that is (and for many years after the conflicts' resolution will continue to be) ever more involved in the chloroquine-resistant malarious jungles of Vietnam—is in urgent need of increased facilities in this specialty. There exists in New York a need for diagnostic and therapeutic service in this field; equally important, there is a magnificent opportunity to utilize such a proposed service as the base for sorely needed research in clinical tropical medicine.

A tropical disease service and research center has been established at St. Clare's Hospital on West 51st Street in New York City. This hospital offers the following advantages:

1. It is centrally located in Manhattan—halfway between the two existent New York City health department clinics in this specialty—and serves a large Latin American clinic population;

2. Its district includes all the major docks of the city from 34th Street to 52d Street, and the medical directors of a number of the international shipping companies and seamen's unions serve on the hospital attending staff;

3. There is already in existence at St. Clare's a research institute with animal quarters, laboratories, and others. More importantly, there is an appreciation of medical clinical research—evidenced in the 30 scientific publications that emanate from St. Clare's annually.

4. The hospital is willing to devote the necessary clinic and laboratory space for the development of a tropical disease unit. This is usually the greatest obstacle to initiating a new program since it constitutes the majority of the cost.

5. The Catholic missionary societies have, at present, no unified medical service for their personnel. The clinical and research value of studying controlled groups of Americans exposed to tropical infections has long been appreciated by experts—especially the military—as one of the most fruitful (and most difficult to secure) efforts in tropical medicine.

6. Dr. Cahill, a recognized authority in clinical tropical medicine (see curriculum vitae) is on the medical attending staff of the hospital and directs the tropical disease service and research facilities.

7. The house staff of the hospital comes largely from developing lands (the majority from the Philippines) and are vitally interested in tropical diseases. The establishment of a research unit in this specialty will not only fulfill an educational obligation to them, but have their interest and willing support.

The unit includes:

(a) a tropical disease clinic with facilities for both pediatric and adult patients. An attempt to have the NYC Health Department Tropical Laboratories refer cases, has already been discussed with them.

(b) an improved diagnostic laboratory in parasitology and parasitic serology. This will serve not only the needs of the hospital and clinic but also be the basis for clinical research projects.

(c) a carefully coded serum bank on all missionary personnel for retrospective immunologic studies. The Catholic Church has, at present, no unified medical program for advising, and, if necessary, diagnosing and treating missionaries. This population represents an unusual controlled group of Americans exposed to base levels of health in developing countries. One of the only other comparable groups, the combined Protestant missionaries seen though the interchurch center, now provide the basis for research studies of the Communicable Disease Center, Atlanta, and the Columbia-Presbyterian Medical School; such is our aim with the Catholic missionary group.

(d) a research program. This would initially include well-studied case reports, and serologic and stool surveys. Within a year, basic studies derived from clinical problems in tropical diseases will begin. This phase of the program is left purposely vague since it will depend on the type of clinical material presented. Dr. Cahill's bibliographic record, however, stands behind the statement that a productive research program will be in full motion within the year. As noted above, facilities for animal experimentation are already in existence.

Expenses

Research fellow	$5,200
Senior technician	5,200
Technician-secretary	4,800
Disposable equipment (syringes, antigens, containers, stains, slides, etc., paper)	2,500
Permanent equipment (freezer-refrigerator, microscopes (2), centrifuge, typewriter, proctoscope)	5,000
Travel (annual meeting of American Society of Tropical Medicine)	500

St. Clare's showed good judgment on the day of its dedication by extending an invitation to deliver the dedication address to our distinguished colleague, Representative JOHN E. FOGARTY of the Second District of Rhode Island, who, during his lifetime has done more than any other American to assist medical research.

Congressman FOGARTY's message, I believe, is both informative and important to all of us.

Mr. Speaker, I place the text of his address at this point so that all Members may have the benefit of his learned views:

DEDICATORY ADDRESS BY THE HONORABLE JOHN E. FOGARTY, MEMBER OF CONGRESS, TROPICAL DISEASE RESEARCH CENTER, ST. CLARE'S HOSPITAL, NEW YORK, N.Y., FEBRUARY 17, 1966

Your Eminence, Sister Mary John, reverend clergy, and friends, for deep personal reasons, I have been especially touched by what I have witnessed here today. And I am particularly grateful to you, Sister Mary

John, and to you, Dr. Cahill, for inviting me to the dedication of your new Tropical Disease Research Center. I have no doubts that under your administrative leadership and professional guidance, the center will flourish.

Since being elected to Congress 25 years ago, and especially since becoming chairman of the House of Representatives Subcommittee on Health Appropriations 16 years ago, I have been present at many similar events. Yet each new one is a source of fresh inspiration and admiration. What has been done here at St. Clare's is important. But the spirit of service in which it has been done is even more important and is what touches me deeply and lastingly. And it is to that spirit as well as to the physical act of creating a medical research center that I want to pay the profoundest tribute.

That spirit has deep roots in the history of church and missionary medicine. Many books have been written about the selfless work of the men and women—of many faiths—who brought and continue to bring healing and hope and faith to suffering human beings in the disease-ravaged tropics. I know from my own reading, for example, that medical care in the tropics would be much more deficient if it were not for the services of missionaries; that the modern medical profession in China is almost entirely the creation of the missionary; and that the rising standard of hygiene and improved care of the sick in many tropical countries owe much to the influence of missionary leaders and their organizations. And I also know that missionaries, though too busy giving direct medical care and comfort to do research, have still contributed significant information on the epidemiology, diagnosis, and treatment of tropical illnesses. Our debt to these people is great.

The establishment of a new Tropical Disease Research Center at St. Clare's comes at an appropriate moment. There is an emotional current running through Washington, a kind of charged atmosphere, from the White House to the Halls of Congress. It seems to originate in a renewed sense of urgency over the plight of the hundreds of millions of human beings who are suffering from tropical illness. It is as if almost everybody suddenly realized what some of us have been preaching for many, many years: that health—complete physical and mental well-being—is the keystone of economic and social and even political progress in the developing nations of the world. The people of those proud nations do not want handouts. They want to stand up on their own feet and help themselves with their own hands and minds. But how can they when so many of them are weighed down by disease and malnutrition and despair?

Not all of my knowledge about health affairs comes from reading. As chairman of the House Health Appropriations Subcommittee and as the congressional adviser to the U.S. delegation to six World Health Assemblies, I have had a unique opportunity to travel abroad and to observe tropical diseases with my own eyes. And I have talked with thousands of people who have had firsthand experience in the battle against tropical disease.

The story they tell is shocking, is saddening, is shaming. And the facts and figures tell only part of that story:

Ten million human beings are suffering from leprosy.

Four and one-half million human beings are suffering from yaws.

Four hundred million human beings are debilitated by the parasitic diseases schistosomiasis and filariasis.

Four hundred million human beings are blind or going blind from trachoma.

Three million human beings are dying each year from tuberculosis.

And 140 million human being are afflicted with malaria.

What these figures and many others that I have not listed mean is this: A serious infectious or parasitic disease afflicts most of the people who live in the tropics. And since two-thirds of mankind lives in tropical or semitropical areas, the majority of human beings are suffering, right now, from a serious infectious or parasitic disease that prevents them from leading a full life.

But the really appalling fact is this: The knowledge to control or prevent some of these diseases—malaria, yaws, smallpox, trachoma—is known but is not being applied widely or effectively enough. The principal material reason for this failure is a lack of trained people, a subject I will say more about later. But the material failure is linked, I believe, to a failure of will.

This is not to say that no efforts are being made to control tropical diseases or that all efforts have ended in failure. Much is being done, much has been accomplished, and the United States, along with many other countries and especially the World Health Organization, has played a big role in this campaign. Time does not permit me to describe all the U.S. Government's efforts in detail, so I shall touch only the high points.

The American people can be proud of the fact that the United States has year after year provided about one-third of the budget of the World Health Organization. This year that wise investment comes to $13½ million.

I regard the WHO as mankind's public health service. The WHO is blind to national boundaries and to racial, religious, and ethnic differences. It views the inhabitants of the earth as members of one family. Its major objective is to free men everywhere from the burden of disease and disability so that they may labor and enjoy the fruits of their labor in what could be a world of plenty and peace. The WHO has earned the respect and admiration of the American people. It deserves our continued support and encouragement.

I mentioned earlier the number of human beings—140 million—currently afflicted with malaria. In 1961, a group of world-renowned malaria experts said that malaria could be eradicated—everywhere in the world. Not just in countries like the United States, Italy, and the Soviet Union—but everywhere in the world. The goal has not been reached, but the work goes on. It must not be allowed to lag. This year the United States, through the Agency for International Development, is wisely supporting 15 malaria-eradication programs throughout the world. The total investment amounts to about $27 million. And almost all of it is being invested in fieldwork in Latin America, Africa, the Near East, the Far East, and south Asia.

Those of you who are close to international health affairs know all too well the recent history of cholera. Confined for many years to India, east Pakistan, and the Celebes, cholera in the past several years has spread to almost every country in the Far East and Western Pacific area. It was even reported 2 years ago, for the first time in two decades, in a modern developed country like Japan. U.S. quarantine officials are on constant alert against its importation into this country.

The major effort of the U.S. Government in the attack against cholera has centered in its support of the Southeast Asia Treaty Organization's Cholera Research Laboratory. Located in Dacca, east Pakistan, the Laboratory develops, evaluates, and demonstrates measures for preventing and eventually eradicating cholera. The experience gained by the Laboratory's staff has proved useful in the fight against cholera not only in east Pakistan but in many of the other areas in which cholera has broken out, such as Hong Kong and the Philippines.

Cholera, incidentally, is one of the six major diseases that are the targets of an intensive joint research attack recently launched by the United States and Japan. The others are tuberculosis, leprosy, parasitic diseases like schistosomiasis and filariasis, arthropod-borne virus diseases like the hemorrhagic fevers and encephalitis, and malnutrition. The American part of this joint research program is being directed by the National Institutes of Health of the U.S. Public Health Service.

The National Institutes of Health, of course, is no newcomer to the battle against tropical disease. Indeed, the NIH's roots go back to the Hygienic Laboratory that the Public Health Service set up in its Staten Island Hospital in 1887 to study cholera. Many of the other diseases seen in that hospital and studied in that laboratory were infectious and parasitic diseases that the merchant seamen patients had picked up in the tropics.

Today the NIH, through its National Institute of Allergy and Infectious Diseases and its Office of International Research, conducts and supports one of the largest tropical disease research programs in the world. In 1965, alone, the NIAID spent close to $9 million (or about 23 percent of its total extramural funds) to support 411 research studies in tropical medicine at many university medical centers. It spent more than another $1½ million to conduct research in its own Laboratories of Parasitic Diseases, Parasite Chemotherapy, and Tropical Virology, and at its Middle America Research Unit in the Canal Zone.

The Middle America Research Unit is a joint venture of the NIH and the Walter Reed Army Institute of Research. And scientists of the unit work closely with scientists at the nearby Gorgas Memorial Laboratory, which is supported by an annual contribution from the Congress. These scientists are all engaged in research on vital, parasitic, and fungal diseases of the American tropics.

Of all the medical research bills I have sponsored or supported, none has given me more gratification on its execution than the one which created the International Centers for Medical Research and Training.

Established in 1961 and administered by the NIH Office of International Research, the ICMRT program has joined in an international partnership for health five outstanding American universities and five leading foreign medical research institutes. The roster of their names and research interests is in itself stimulating and encouraging.

Louisiana State University is working with the University of Costa Rica on better treatment for leishmaniasis and diarrheal diseases.

The University of California has joined forces with the Institute for Medical Research, Kuala Lumpur, Malaysia, in research on infectious diseases transmitted from animals to man.

Johns Hopkins University and the Calcutta School of Tropical Medicine are conducting joint studies on cholera, leprosy, and smallpox.

Tulane University has teamed up with the Universidad del Valle Cali of Colombia to investigate tetanus, filariasis, and diarrheal diseases.

And the University of Maryland and the Institute of Hygiene, Lahore, Pakistan, are concentrating on arthropod-borne and rickettsial diseases.

Since 1961 the United States has wisely spent $11½ million to support the work of these five research teams. And so far 40 investigators have completed their studies and have published or are publishing their results.

Research is only one of the NIH's two big guns in the battle against tropical disease. Training is the other.

Since 1958, the National Institute of Allergy and Infectious Diseases has invested more than $9 million in training programs that have turned out more than 1,100 tropical medicine research scientists. These men are now in the forefront of the research attack against tropical disease in every corner of the earth.

This year the Institute is spending more than $1½ million to support the training of more than 200 research scientists in tropical medicine. They are studying and working under the direction of some of the finest tropical medicine experts in the world—men like Bang and Bueding at Johns Hopkins University, Biagi at the University of Mexico, Fox and Morales at the University of Puerto Rico, Lincicome at Howard University, Beaver at Tulane University, Weller at Harvard University, and Trager at the Rockefeller Institute.

And yet despite this large investment of men and money, the work has only begun. Much, much more will have to be done—in research, in training, and especially in the application of what is known to the control of tropical diseases.

I mentioned earlier that a shortage of trained people was the major obstacle to progress against the tropical diseases. There is a bill before Congress now that I believe would go a long way toward breaking down that obstacle.

That bill, H.R. 12453, which I hope goes down in the books as the International Health Act of 1966, would develop and strengthen the capability of the United States to help those countries that are struggling to cast off the burden of tropical disease. And that help would take the form of well-trained American public health workers for waging war against the tropical diseases—in the tropics. H.R. 12453 is a milestone in the struggle against tropical disease. And all of us who have an interest in tropical health should follow its course carefully and hopefully.

Some people may wonder why the United States, which has virtually freed itself of the tropical diseases, spends some of its treasure to help eradicate those diseases in other lands. The reasons have their roots in both self-interest and altruism.

First, disease anywhere in a world made small by the jet airliner is a threat to Americans, as it is a threat to people in other developed countries. Since 1950, the number of travelers entering the United States by air from abroad, including the tropics, has increased from 517,000 to 4,272,000—more than 700 percent. During that time smallpox has been imported into many Western countries, including the United Kingdom, Sweden, West Germany, Poland, and Canada.

Second, many Americans—250,000, according to the U.S. Department of State (and that figure does not include military personnel)—live in tropical or semitropical countries. And the Department's medical division has said that one out of five employees returning from abroad harbors intestinal parasites, and many others suffer from malaria and infectious hepatitis.

Third, the tropical areas, which in general can now barely feed their own people, could under appropriate conditions become the source of abundant food supplies so badly needed by the undernourished millions of the world. The tropics are already an important source of vital raw materials. They could with proper development also become an important market for the products of the industrialized nations of the world, including the United States—and to the benefit of all.

Fourth, there are in the tropics hundreds of millions of people who live in disease and poverty and despair with an average life expectancy of only 35 years. These are people who are less and less willing to spend their short lives dreaming about such luxuries as political freedom. They are desperate for a better life, and it is in our own interest to help them.

Fifth, no nation that has its spiritual roots deep in the Judeo-Christian ethic can view with anything but the deepest concern and sense of urgency the plight of the millions of human beings in the tropics who are ravaged by disease. To turn our backs on them would be the gravest hypocrisy.

Finally, my friends, we are all members of one family—the family of man. And the family of man lives in one world. As different as we all are in many ways, we all share a common humanity. And when one human being or one group of human beings suffers—anywhere in the world—we all suffer.

That is why man's noblest act is to extend his hand in loving care to a human being who is suffering the pain and torment of disease. And that act, my friends, is also the most personally self-fulfilling. Thank you.

My, How You Have Grown

EXTENSION OF REMARKS
OF
HON. HAROLD R. COLLIER
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 1, 1966

Mr. COLLIER. Mr. Speaker, there were 2,469,000 employees in the executive branch of the Federal Government during fiscal 1964. This figure increased to 2,496,000 during fiscal 1965 and is expected to rise to 2,639,000 during fiscal 1966, which will end June 30.

The upward trend in employment will continue during fiscal 1967, when there will be 2,700,000 people on the Federal payroll. This will be an increase of almost 9½ percent in 3 years.

Trimming of the executive payroll presents one of the greatest opportunities to reduce the cost of the Federal Government. If spending is to be cut substantially so that the deficit for fiscal 1967 may be reduced and possibly eliminated, the number of civilian employees will have to be reduced.

Much of the reduction can be accomplished by not hiring unnecessary personnel. Due to the huge turnover of civil service employees, a lot of reductions can be effected simply by not filling vacancies.

Curtailment of the bloated bureaucracy can be achieved by dismissing those who are not qualified, those who are not needed, and those who are not efficient. Further reductions are possible by consolidations of agencies and units, the introduction of more efficient methods of operation, by letting the States and local communities do the things which the Federal Government has been doing for them but which they could do just as well or better—and cheaper—themselves, and by letting private enterprise in like manner perform functions which are not properly governmental. Still further curtailment is possible through the ending of abuses in the use of sick leave.

Apologists for the bureaucracy often proclaim that the overwhelming majority of Government employees are competent, conscientious, and loyal. While this is certainly true, the fact that a worker is competent does not mean that he should be retained on the payroll if he is not needed. Neither should the fact that he is conscientious be a reason for not releasing him if the work that he is doing is properly the function of State and local governments or of private enterprise. The fact that he is loyal should not be a reason for keeping him if his agency is overstaffed.

Millions of competent, conscientious, and loyal Americans will never work for the Federal Government, simply because there is no need for their services or because there is a more pressing need for their abilities elsewhere. Why, then, should a Federal employee be kept because he possesses virtues that are also possessed by millions of other Americans?

A competent employee should want to work where his skills can be best utilized, even though it be outside the Federal service. A conscientious employee should not want to do useless work or do useful work in an inefficient manner. A loyal employee should be as much opposed to overstaffing, incompetency, and inefficiency as he is to acts of espionage, sabotage, and treason.

The 50th Anniversary, Leominster, Mass., Chamber of Commerce

EXTENSION OF REMARKS
OF
HON. PHILIP J. PHILBIN
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 1, 1966

Mr. PHILBIN. Mr. Speaker, under unanimous consent to revise and extend my remarks in the RECORD, I include therein my remarks in part at the 50th anniversary dinner of the Leominster, Mass., Chamber of Commerce, February 13, 1966, and news accounts of this outstanding event.

The material follows:

REMARKS IN PART OF CONGRESSMAN PHILIP J. PHILBIN, 50TH ANNIVERSARY BANQUET, LEOMINSTER CHAMBER OF COMMERCE, FEBRUARY 13, 1966

[At the 50th anniversary dinner of the Leominster Chamber of Commerce Sunday night, Congressman PHILIP J. PHILBIN, of Clinton, hailed the local chamber for outstanding service to community, State, and Nation and unsurpassed contribution to the industrial, mercantile, business, and public development and prosperity of this great city.

[Since this fine organization was born, said the Congressman, unbelievable changes have occurred in our economic system, our government, our communities and the entire American way of life.]

To your everlasting credit, it can be said that this group throughout the years has furnished the splendid leadership, the ideas, the support and the guiding genius required by the fast-moving, rapidly developing changes that have taken place in the city and the country and the end is not yet in sight.

At the present time, you are participating in the tremendous growth and development of our great productive system that is accommodating itself so efficiently to the so-called population explosion and the very speedy advance of science and technology, truly amazing in both its depth and the wide sweep of its impact.

To be sure, the country is growing at an astonishing rate and our economy is moving upward to unprecedented levels.

Not so very long ago we were concerned in our own areas as people were in other places, about depressed condtions, increasing unemployment, and what appeared to be an impending economic lag.

But this is all changed. Our problem now is not one of recession or unemployment, but of doing the best we can to contain the obvious inflationary forces that are appearing in our economic system and must be effectively checked one way or another.

With the exception of Vietnam and the grave international situation, on which I will touch a little later, the country is enjoying unprecedented prosperity and adequacy at almost every level.

Practically all the economic indicators are favorable.

Business is at the highest peak of activity.

Employment is at the highest level ever.

Wages, living conditions and standards, opportunities, general economic well-being, have never been so high, and the same is true generally of earnings and profits.

Our business, economic, and social advance would be most baffling and incredible, were it not an actual reality before our very eyes.

Admittedly, these things are all on the good side, and we can be thankful for them in more ways than one, because they have brought untold benefits across the board, not only to business, labor, and agriculture but to every class and group in the Nation.

Further, these prosperous conditions, unknown in any period of world history, constitute the greatest tribute that could be paid to the greatness, and grandeur, and efficiency of our wonderful, free enterprise system, led by men and women like you, that has given Americans the priceless privilege and opportunity of bringing their initiative, talents, industry, hard work, and spirit of venture and progress, to bear upon the general welfare and the general well-being of the American people.

While we have many great and grave tasks and challenges facing us in these days, one of the most important, I think, we can agree, is the preservation of our free enterprise system that has unquestionably made us and this Nation the greatest, the most prosperous, and strongest, and most powerful Nation in history.

I do not make this statement boastfully, or in any sense of vainglory, but because it is a plain fact, of which every American is entitled to be proud and grateful.

We must, at all costs, not allow the pressures for extreme social change, or the beguiling promises of unsound economic ideologies, to swerve us from our firm purpose to maintain, preserve, develop, and enrich these marvelous free institutions of ours that have brought this Nation and its people to such remarkable levels of achievement, sufficiency, and well-being.

We must have in mind at all times that our national experience proves beyond doubt it is not necessary to scrap, or dangerously distort and alter, this great system in order to achieve desirable social goals commensurate with the needs and demands of the time in which we live.

At the present time, with this economy running along at its fastest pace, pushing up toward a huge, gigantic gross national product figure of something like $750 billion, or three-quarters of a trillion dollars, for this year, it can be readily seen by all those, not blinded by affinity for radical doctrine, that a society capable of this kind of production can, by wise, sound, cooperative, private, and governmental arrangement of its affairs, easily meet the goals of a good, sufficient, adequate, and happy life for everyone living within the confines of this great land, if we but show the will, the courage, and the interest in humanity to do it.

Obviously time enjoins me here from going into many matters that I know are in the forefront of your minds, and the minds of the American people.

Unfortunately, the picture before us is not all favorable. We face grave problems abroad. Whatever the reasons—and we know most of them stem from the Communist conspiracy—much of the world, including a considerable part of our own hemisphere, is in the throes of deep disturbances, upset, and revolution.

Lighted mostly by communism and Communists and their sympathizers, the fires of discontent and rebellion, violence, strife, and warfare against existing institutions are raging in many parts of the world, and the perpetrators are seeking with vigor, ability, and every resource to overthrow freedom and substitute the totalitarian, police state of communism.

Only the great strength and power of this country, standing almost alone these days, is stopping this evil aggressive movement from sweeping over the world.

That is the issue in Latin America. That is the issue in Africa. That is the issue in East Berlin and that is the issue in Vietnam, where gallant American boys are fighting, yes, and dying, to hold back the hordes moving by infiltration and force to trample over small, helpless nations and press their conquest, not only of all of Asia, but ultimately of the rest of the world. To remain supine and unmoved by these events would be for this Nation to invite disaster.

Most Americans deplore and regret the necessity for our current involvement in bloody conflict. But most Americans know what the issues are, they know that freedom, security, safety, and survival is at stake. They know that, if hard-core Communists once learn as the result of our appeasement and lack of purpose that they could successfully conduct aggression against the weak and helpless without opposition, they will run madly throughout the world, just as other despots and tyrants have done in the past, scorching the earth, so to speak, bringing slavery, destruction, and desolation everywhere until they have achieved their aim of conquering and dominating all freedom-loving nations.

If there is a peaceful answer to this present conflict, Lord knows this Government has tried hard enough to find it, because our leaders have worked day and night to secure an honorable peace. They have pleaded with the aggressors to respond to our appeals for peace, but to date these pleas have gone unheeded.

They have ceased bombing and declared moratorium, with all that could mean to the military position of our troops, but this inducement, these fervent pleas from many nations, these acts of sincerity, and good faith have been met with stony silence.

None of us have any way of knowing what the future will bring. We pray it will be peace and understanding, at an early date, even as we contemplate the hard-core apparatus of organized world Communists as they join hands in devious ways, powerful aggression and strong support to test out the strength of our purpose to stand up against their aggressions, designs and moves toward our defeat, and conquest of the world.

For they know, as I think most Americans know, that if we do not stand up firmly, and if we appease and retreat and give way to ruthless violence and oppression of the weak and the lowly, we may well face the greatest dangers of all, and be confronted with escalated wars not only in Asia but in other parts of the world that would threaten and endanger our security and very existence as a free nation.

So I think, my friends, that we do not have much choice in this crucial hour. The way may be hard, but we must choose, if we are compelled to do so, the way this Nation has always chosen in the past, the way that will best protect our liberties, assure our freedoms, guard our security and defend our blessed land, the way of peace through strength and liberty, through our resolute will to protect the spiritual values of this unmatched democratic system and our way of life.

Even as we gather here tonight to honor this great organization, dedicated to free enterprise and the ideals of this free Nation, our Government is striving with spiritual leaders and many other nations for peace in Vietnam. Our objectives are clear and honest, and I hope the Communists will accept this latest offer to negotiate in the same spirit of good faith, sincerity, and conviction for peace in which it is made.

However, come what may, let it be clearly and definitely understood by all—that this Nation is firm in its determination to protect our heritage, in every way this may be required, with all our strength and power in behalf of the freedoms we love and the just peace we seek.

Let me congratulate you upon your 50th birthday and commend you for your lofty public spirit and your magnificent record of accomplishment and your inspiring devotion to the Nation. I wish for you many happy returns of this great day and I trust and pray that in the days ahead we will all stand, as our country has stood before, joined together in an unbreakable unity for freedom, justice, and peace in the Nation and the world.

[From the Leominster (Mass.,) Enterprise, Feb. 14, 1966]

Philbin Says Retreat Would Enlarge Wars

Leominster.—Appeasement and retreat in Vietnam could lead to "escalated wars, not only in Asia, but in other parts of the world that would threaten and endanger our security and very existence as a nation," Congressman Philip J. Philbin stated here Sunday night.

"Only the great strength and power of this country, standing almost alone these days," is stopping Communist aggression in Asia, Africa, East Berlin, and Latin America, Congressman Philbin said at the annual chamber of commerce meeting.

"Most Americans deplore and regret the necessity for our current involvement in bloody conflict," but the Communist aggressors have ignored our attempts to "secure an honorable peace."

The administration's efforts to end the Vietnam war, Philbin said, have been totally ignored.

The cease-fire and moratorium, "with all that could mean to the military position of our troops, combined with fervent pleas from many nations have been met with stony silence."

"If we do not stand up firmly, and if we appease and retreat * * * we may well face the greatest dangers of all, and be confronted with escalated wars not only in Asia but in other parts of the world that would threaten and endanger our security and very existence as a free nation."

Philbin also noted that with the exception of Vietnam and the "grave international situation, the country is enjoying unprecedented prosperity and adequacy at almost every level" with "practically all economic indicators favorable" for continued growth and prosperity."

Congressman Philbin's address marked the annual meeting of the chamber of commerce in the Holiday Inn.

[From the Worcester (Mass.) Telegram, Feb. 14, 1966]

Philbin Hails Leominster Chamber on Anniversary

Leominster.—At the 50th anniversary dinner of the Leominster Chamber of Commerce last night in the Holiday Inn, U.S. Representative Philip J. Philbin hailed the chamber for "outstanding service to the community, State, and Nation and unsurpassed contribution to the industrial, mercantile, business, and public development and prosperity of the city."

Speaking on the Vietnam situation and the U.S. Government's overtures of peace and settlement, he said, "If there is a peaceful answer to this conflict, Lord knows this Government has tried hard to find it, because our leaders have worked night and day to secure an honorable peace."

The outgoing president of the chamber told members that the chamber had been "successful in attaining most of the goals that it had set for itself." Alphonse Paramini *told members that* "Leominster *is not* only a good place to start a business but it is a good place to stay and maintain a business."

The incoming president, Frank Nash, outlined the program the chamber hopes to carry out during this 50th anniversary year. Some of the program includes such things as a drive for 150 new members, support for a city manager form of government, a renewal program for downtown Leominster. (He was quick to ask the crowd not to misinterpret him—he said a renewal program—a right one.)

Those nominated to serve for 3 years as directors are Robert C. Lasert, Edward Carlson, Augustine Fabiani, Donald Fleming, and Robert Doucette.

Thirty Republican Congressmen Call for Draft Investigation

EXTENSION OF REMARKS

OF

HON. ROBERT F. ELLSWORTH

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 1, 1966

Mr. ELLSWORTH. Mr. Speaker, most of us in Congress support American efforts to stem the tide of Communist aggression in a faraway land. Today we authorized $4.8 billion for additional military support in Vietnam. Yet, to me, the most important cost of this war is the human cost. When young men are drafted into the service, their private lives, their education, and their careers are seriously interrupted—at the least. Their lives are given at the most. There can be little doubt but what the draft is one of the greatest intrusions on individual freedom in America today. There can also be little doubt, in the words of George Washington, "that every citizen who enjoys the protection of a free government, owes not only a proportion of his property, but even his personal services in defense of it." Nevertheless, when the intrusion into private life is so great, this country cannot afford a selective service system that is inequitable and inefficient. I have long had my doubts about the equitability and efficiency of our system, and intensive research did not set aside those doubts. Twenty-nine Republican Members of Congress, listed below, joined me today in the following statement calling for an immediate investigation of the draft. I commend it to all my colleagues, in the House of Representatives and the Senate, for their serious consideration:

A Statement by 29 Republican Members of Congress

(By Robert F. Ellsworth of Kansas, Robert T. Stafford of Vermont, John B. Anderson of Illinois, Mark Andrews of North Dakota, James F. Battin of Montana, Alphonzo Bell of California, Laurence J. Burton of Utah, William T. Cahill of New Jersey, Barber B. Conable, Jr. of New York, Thomas B. Curtis of Missouri, Paul Findley of Illinois, Peter H. B. Frelinghuysen of New Jersey, Charles E. Goodell of New York, William H. Harsha of Ohio, Frank Horton of New York, Hastings Keith of Massachusetts, Theodore Kupferman of New York, Clark MacGregor of Minnesota, William S. Mailliard of California, Charles McC. Mathias, Jr. of Maryland, Joseph M. McDade of Pennsylvania, Chester L. Mize of Kansas, F. Bradford Morse of Massachusetts, Albert H. Quie of Minnesota, Ogden R. Reid of New York, Howard W. Robison of New York, Donald Rumsfeld of Illinois, Herman Schneebeli of Pennsylvania, Richard S. Schweiker of Pennsylvania, J. William Stanton of Ohio)

There should be an immediate congressional investigation of the draft and the methods used to persuade our allies to supply manpower to Vietnam and southeast Asia. The contemplated hearings before the House Armed Services Committee take on added significance every day.

The search to provide manpower to fight the war in Vietnam should be equitable and efficient. We are concerned that it is neither.

1. There is mounting evidence of gross inefficiency in the National Selective Service and Defense Department administration of the draft. According to figures supplied by General Hershey to a subcommittee of the House Committee on Education and Labor, there are 545,902 men between 19 and 26 now classified 1-A. Of these, 117,825 have not yet been examined and another 279,676 are "not available" for the draft because their papers are stalled in the bureaucratic pipeline between local draft boards and Army induction centers. The Congress should examine this redtape jungle immediately.

2. From among current 1-A classifications and those new 1-A classifications expected through present procedures, and after physical and mental examinations, Selective Service System estimates show that a pool of 444,793 men will exist to meet induction and enlistment quotas through June 30, 1966. A congressional inquiry should examine whether the contemplated reexamination of present deferments is necessary to supplement the 1-A pool to meet draft requirements.

3. While there are some prescribed limits on age and mental and physical capacity, there does not appear to be a clear order of priority in which the administration is considering calling the various manpower groups for service. It is imperative that the administration, through the Department of Defense and the Selective Service System, establish an equitable procedure by which the 1-A draft pool should be filled. A congressional inquiry could help establish that order of priority.

4. General Hershey testified before a subcommittee of the House Committee on Education and Labor that local draft boards will in the future determine the availability of college students for the draft after taking under advisement all pertinent information including class rank and results of an optional qualification test, similar to the one used during the Korean conflict. The first tests will be offered in May. General Hershey *agreed that this type of test* inevitably works to the advantage of science students and to the disadvantage of liberal arts students. The congressional inquiry should examine thoroughly the equitability of current and contemplated Selective Service regulations.

5. On April 18, 1964, the President directed the Secretary of Defense to undertake a study of the Selective Service System and to provide precise recommendations on how the service manpower needs of the Nation could best be met. According to the Defense Department *the study has been completed* and is in Secretary McNamara's office. But the report has not been made public and General Hershey has testified that he has never seen it.

6. A recent report of the Comptroller General of the United States concludes:

"The Army, Navy, and Air Force were using the services of about 9,000 enlisted personnel in nonmilitary activities, such as officers' and noncommissioned officers' clubs, hobby shops, bowling alleys, golf courses, and commissary sales stores, rather than employ civilians."

This report considered only the most flagrant inefficiencies in the use of existing manpower by the services. It is ridiculous for the Department of Defense to insist upon drafting young men to be hurried into combat when it is not making maximum efficient use of the trained personnel it already has.

7. At the present time Korea, Australia, and New Zealand are supplying combat personnel to the United States-South Vietnamese military effort in Vietnam. Other countries are providing some noncombat personnel. The congressional inquiry should examine carefully the efforts made by the administration to secure both combat and noncombat manpower contributions from our allies. It should consider and recommend new means of securing expanded allied contributions.

All of these are proper subjects for a broadranging congressional inquiry. The administration may soon seek to increase substantially the number of U.S. forces in southeast Asia. Therefore the congressional investigation must not be delayed. We can no longer afford a haphazard approach toward the supply of personnel in support of the objectives of the United States in Vietnam and southeast Asia.

HOUSE OF REPRESENTATIVES

WEDNESDAY, MARCH 2, 1966

The House met at 12 o'clock noon.

Rev. Elmo L. Romagosa, of New Orleans, La., offered the following prayer:

Almighty and everlasting God, source of human rights and framer of eternal laws, we beg Your blessing upon this House.

O Supreme Legislator, make these gentlemen ever distinguished by fidelity to Your word. Make seniority in Your love ever germane to their conduct. Make them consistently vote yea in the cloakroom of conscience that at the expiration of life's term they may feel no need to revise and extend. Make them attentive to the gavel of honor and respectful to the mace of Your law that they may always yield personal and party considerations when the welfare of this Nation and its citizens is threatened.

When the congress of life is adjourned and they answer the final quorum call, may the eternal committee report out a clean bill on their lives.

Finally, by unanimous consent of the heavenly house, may the Infinite Speaker recognize them on both sides of the aisle with this reward: "Well done, good and faithful servants of my people." Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Geisler, one of his secretaries, who also informed the House that on March 1, 1966, the President approved and signed a joint resolution of the House of the following title:

H.J. Res. 403. Joint resolution authorizing an appropriation to enable the United States to extend an invitation to the World Health Organization to hold the 22d World Health Assembly in Boston, Mass., in 1969.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed, with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 12889. An act to authorize appropriations during the fiscal year 1966 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, research, development, test, evaluation, and military construction for the Armed Forces, and for other purposes.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 12889) entitled "An act to authorize appropriations during the fiscal year 1966 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, research, development, test, evaluation, and military construction for the Armed Forces, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. RUSSELL of Georgia, Mr. STENNIS, Mr. SYMINGTON, Mr. SALTONSTALL, and Mrs. SMITH to be the conferees on the part of the Senate.

The message also announced that the Vice President, pursuant to title 10, United States Code, section 9355, appointed Mr. McGEE, Mr. MOSS, and Mr. ALLOTT to be members of the Board of Visitors to the Air Force Academy.

The message also announced that the Vice President, pursuant to Public Law 301, 78th Congress, appointed Mr. KENNEDY of New York to be a member of the Board of Visitors to the U.S. Merchant Marine Academy.

The message also announced that the Vice President, pursuant to Public Law 207, 81st Congress, appointed Mr. DODD to be a member of the Board of Visitors to the U.S. Coast Guard Academy.

The message also announced that the Vice President, pursuant to Public Law 1028, 84th Congress, appointed Mr. ELLENDER, Mr. ROBERTSON, and Mr. MURPHY to be members of the Board of Visitors to the U.S. Military Academy.

The message also announced that the Vice President, pursuant to Public Law 250, 77th Congress, appointed Mr. ANDERSON to be a member of the Joint Committee on Reduction of Nonessential Federal Expenditures to fill the vacancy created by the retirement of Mr. Byrd of Virginia.

The message also announced that the Vice President, pursuant to Public Law 170, 74th Congress, appointed Mr. TALMADGE, Mr. YARBOROUGH, Mr. LONG of Missouri, Mr. SCOTT, Mr. HRUSKA, and Mr. SIMPSON to be members on the part of the Senate to the Interparliamentary Union Conference to be held in Canberra, Australia, April 11 to 16, 1966.

The message also announced that the Vice President, pursuant to Public Law 1028, 84th Congress, appointed Mr. HOLLAND, Mr. BIBLE, and Mr. BOGGS to be members of the Board of Visitors to the U.S. Naval Academy.

SUBCOMMITTEE ON HOUSING OF THE COMMITTEE ON BANKING AND CURRENCY

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the Subcommittee on Housing of the House Committee on Banking and Currency may be permitted to sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

VIETNAM

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BOGGS. Mr. Speaker, the Congress of the United States responded magnificently yesterday in voting overwhelming approval of the President's request for additional funds to fight the war in South Vietnam.

The message the Congress bespoke to the aggressors in South Vietnam was very tersely put in the following editorial in the Baltimore Sun for today:

> SIGNALS
>
> If the Government officials of North Vietnam were listening, they could hear two distinct signals from Washington this week. One was the signal from Congress: President Johnson has the support of solid majorities in both the Senate and the House, and the debate during the past 2 weeks has reaffirmed the extent of his backing. In short, Congress will not weaken or nullify the authority under which the President is acting. The second signal was reiterated yesterday by the President: the door is open to peace negotiations from which North Vietnam could expect to benefit in the end, not only from the cessation of the war but from sharing in postwar reconstruction and development programs.
>
> On these two points, which are of major importance, the message should be clear enough as far away as Hanoi, Peiping, and Moscow. There is disagreement in this country on many aspects of the war in Vietnam, and it is reasonable to assume that there is disagreement also on the Communist side. But there is sufficient flexibility in the U.S. position, as the President has repeatedly outlined it, to allow for discussion of such questions as representation at the conference table, of elections, and of postwar governments.
>
> As Mr. Johnson said, the leaders of North Vietnam should realize by now that "total victory is beyond expectation for them." The President has long since made it plain that our own objectives are limited. Let us hope that the day is coming nearer when the officials in North Vietnam will begin to listen.

SUBCOMMITTEE ON MINES AND MINING OF THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

Mr. WHITE of Idaho. Mr. Speaker, I ask unanimous consent that the Subcommittee on Mines and Mining of the Committee on Interior and Insular Affairs may sit today during general debate to hear testimony on the stockpiling objectives of the Department of Commerce.

Mr. GERALD R. FORD. Mr. Speaker, as I understand it that was cleared with the ranking minority member of the committee.

Mr. WHITE of Idaho. Yes.

Mr. GERALD R. FORD. It was cleared with the gentleman from California [Mr. DON H. CLAUSEN].

Mr. DON H. CLAUSEN. Mr. Speaker, will the gentleman yield?

Mr. WHITE of Idaho. I yield to the gentleman from California.

Mr. DON H. CLAUSEN. This has been cleared, and the gentleman spoke to me about it. We have no objection.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

PERSONAL ANNOUNCEMENT

Mr. DYAL. Mr. Speaker, I was in California, absent on official business when H.R. 12169 was brought before the House. Had I been present I would have voted "no" on the motion to recommit, and "aye" on passage.

REAFFIRMATION OF OUR GOALS AND DETERMINATION IN SOUTHEAST ASIA

Mr. WELTNER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. WELTNER. Mr. Speaker, our Government maintains no continuing diplomatic communication with the regime in Hanoi. However, in the past few days, the House has sent it two messages. In the vote last week on the supplemental appropriation, we made plain that Americans are willing to invest some of our wealth in the social progress of southeast Asia. Yesterday, it should have been quite clear we were equally prepared to provide ample weaponry in support of military action.

But, Mr. Speaker, in case there is any doubt of American determination to persevere in our stated goals, that doubt should be removed once and for all. For this reason, I am today offering a joint resolution which would state, simply and clearly, that the Congress reaffirms the determination of the United States to protect and defend the security and independence of our allies in southeast Asia, and that the Congress supports the President, as Commander in Chief, in taking the steps necessary to achieve these goals.

CELEBRATION OF THE 130TH ANNIVERSARY OF DECLARATION OF TEXAS INDEPENDENCE

Mr. POOL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. POOL. Mr. Speaker, I should like to call to the attention of my colleagues that today, March 2, is the 130th anniversary of the declaration of Texas independence. Bloody battles ensued, but Texas patriots held to their convictions. The Republic of Texas was soon recognized by the United States, Belgium, Holland, and some of the German states.

In 1846, Texas became one of these United States. But the spirit of the republic lived on as our pioneer forefathers strove to develop the frontier. That spirit yet survives in Texas, and to it we owe our great heritage as a progressive and ever-developing State. Let every Texan, and even every American, acknowledge today the contribution that the fathers of the Republic of Texas bestowed upon our Nation.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce be permitted to sit during general debate this afternoon.

The **SPEAKER.** Is there objection to the gentleman from West Virginia?

There was no objection.

INTEREST ON EARLY TAX PAYMENTS

Mr. POFF. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER.** Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. POFF. Mr. Speaker, when a taxpayer is a little late paying his income tax bill, Uncle Sam exacts a pound of flesh. He not only requires the taxpayer to pay interest on the delinquent debt; he imposes a penalty for the delinquency. If necessary, Uncle Sam can obtain a lien—similar to a mortgage—against everything the taxpayer owns and sell it at public auction in satisfaction of the tax debt.

However, this is not a two-way street. When the taxpayer overestimates and overpays his tax obligation, he cannot require Uncle Sam to pay interest along with the refund. This is a problem of particular and continuing concern to the wage earner. Money is withheld from his check every payday. Uncle Sam has the use of this money before it is due, and the wage earner is deprived of its use for nearly 15 months before it is due. But Uncle Sam pays and the taxpayer receives not a red cent in interest for that privilege.

Why should this be so? It is because the Government is master and the taxpayer the servant. It should not be that way. It should be the other way around. For that reason, I have introduced a bill which will require the Federal Government to pay interest on the money it collects from taxpayers in advance of the due date. The taxpayer would collect his interest by claiming a tax credit when he files his form 1040 on April 15.

DO WE NEED RODEOS?

Mr. MONAGAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the body of the RECORD in three instances and in two instances include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MONAGAN. Mr. Speaker, the world press has carried the news that Britain will have a national election on March 31.

The Queen will make the official declaration bringing the present Parliament to an end prior to March 10 and the remaining 3 weeks will be given over to the campaign which will decide all the members of the House of Commons and the identity of the government.

Would it not be wonderful if we could conduct our national campaigns with this brevity and economy? Nor is this pattern unusual, since nearly every other civilized country from Israel to Canada conducts its campaigns in this moderate way.

Think of all the money that would be saved, of the frazzled nerves that would be prevented, the sheer boredom of the public that would be avoided.

And the issues could be presented to the public just as effectively in 30 days as in 120.

Surely the British and Canadians are no more intelligent than we and yet they go about the business of choosing their national leaders without the fuss, feathers, and general circus atmosphere that characterizes our campaigns.

It is high time we considered bringing these rodeos under control. Soon it will be necessary for a candidate to be an athletic champion in order to enter a campaign. I doubt that this is what the Founding Fathers had in mind.

My bill, H.R. 96, would require that our presidential campaigns be conducted within a period of 60 days. May I call it again to the attention of the House and renew my request for support?

CALL OF THE HOUSE

Mr. SPRINGER. Mr. Speaker, I make the point of order that a quorum is not present.

The **SPEAKER.** Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 27]

Annunzio
Baldwin
Berry
Blatnik
Colmer
Dague
Dawson
Dowdy
Edwards, Calif.
Fallon
Feighan
Fisher
Friedel
Fulton, Tenn.
Fuqua
Garmatz
Giaimo
Hagan, Ga.
Hansen, Wash.
Hays
Holland
Leggett
Long, Md.
McMillan
Macdonald
Machen
Martin, Ala.
Mathias
Matthews
Miller
Morton
O'Brien
Powell
Resnick
Rostenkowski
Scott
Sickles
Toll
Willis
Wilson, Charles H.

The **SPEAKER.** On this rollcall, 389 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

SUBCOMMITTEE ON BANK SUPERVISION AND INSURANCE, COMMITTEE ON BANKING AND CURRENCY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Bank Supervision and Insurance of the Committee on Banking and Currency may sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

TRANSPORTATION — MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 399)

The **SPEAKER** laid before the House the following message from the President of the United States; which was read and referred to the Committee of the Whole House on the State of the Union and ordered to be printed:

To the Congress of the United States:

Two centuries ago the American Nation came into being. Thirteen sparsely populated Colonies, strung out along the Atlantic seaboard for 1,300 miles, joined their separate wills in a common endeavor.

Three bonds united them.

There was the cultural bond of a single language.

There was the moral bond of a thirst for liberty and democratic government.

There was the physical bond of a few roads and rivers, by which the citizens of the Colonies engaged in peaceful commerce.

Two centuries later the language is the same. The thirst for liberty and democracy endures.

The physical bond—that tenuous skein of rough trails and primitive roads—has become a powerful network on which the prosperity and convenience of our society depend.

In a nation that spans a continent, transportation is the web of union.

THE GROWTH OF OUR TRANSPORTATION SYSTEM

It is not necessary to look back to the 1760's to chronicle the astonishing growth of American transportation.

Twenty years ago there were 31 million motor vehicles in the United States. Today there are 90 million. By 1975 there will be nearly 120 million.

Twenty years ago there were 1.5 million miles of paved roads and streets in the United States. Today this figure has almost doubled.

Twenty years ago there were 38,000 private and commercial aircraft. Today there are more than 97,000.

Twenty years ago commercial airlines flew 209 million miles. Last year they flew 1 billion miles.

Twenty-five years ago American transportation moved 619 billion ton-miles of cargo. In 1964, 1.5 trillion ton-miles were moved.

The manufacturing of transportation equipment has kept pace. It has tripled since 1947. Last year $4.5 billion was spent for new transportation plant and equipment.

Transportation is one of America's largest employers. There are: 737,000 railroad employees; 270,000 local and interurban workers; 230,000 in air transport; almost a million men and women in motor transport and storage.

Together with pipeline and water transportation employees, the total number of men and women who earn their livelihoods by moving people and goods is well over 2½ million.

The Federal Government supports or regulates almost every means of transportation. Last year alone, more than $5 billion in Federal funds were invested in transportation—in highway construction, in river and harbor development, in airway operation and airport construction, in maritime subsidies. The Government owns 1,500 of the Nation's 2,500 oceangoing cargo vessels.

Our transportation system—the descendant of the horse-drawn coaches and sailing ships of colonial times—accounts for one in every six dollars in the American economy. In 1965, that amounted to $120 billion—a sum greater than the gross national product of this Nation in 1940.

SHORTCOMINGS OF OUR SYSTEM

Vital as it is, mammoth and complex as it has become, the American transportation system is not good enough.

It is not good enough when it offers nearly a mile of street or road for every square mile of land—and yet provides no relief from time-consuming, frustrating, and wasteful congestion.

It is not good enough when it produces sleek and efficient jet aircraft—and yet cannot move passengers to and from airports in the time it takes those aircraft to fly hundreds of miles.

It is not good enough when it builds superhighways for supercharged automobiles—and yet cannot find a way to prevent 50,000 highway deaths this year.

It is not good enough when public and private investors pour $15 million into a large, high-speed ship—only to watch it remain idle in port for days before it is loaded.

It is not good enough when it lays out new freeways to serve new cities and suburbs—and carelessly scars the irreplaceable countryside.

It is not good enough when it adheres to custom for its own sake—and ignores opportunities to serve our people more economically and efficiently.

It is not good enough if it responds to the needs of an earlier America—and does not help us expand our trade and distribute the fruits of our land throughout the world.

WHY WE HAVE FALLEN SHORT

Our transportation system has not emerged from a single drawing board, on which the needs and capacities of our economy were all charted. It could not have done so, for it grew along with the country itself—now restlessly expanding, now consolidating, as opportunity grew bright or dim.

Thus investment and service innovations responded to special needs. Research and development were sporadic, sometimes inconsistent, and largely oriented toward the promotion of a particular means of transportation.

As a result, America today lacks a coordinated transportation system that permits travelers and goods to move conveniently and efficiently from one means of transportation to another, using the best characteristics of each.

Both people and goods are compelled to conform to the system as it is, despite the inconvenience and expense of—

Aging and often obsolete transportation plant and equipment.

Networks chiefly designed to serve a rural society.

Services long outstripped by our growing economy and population, by changes in land use, by new concepts in industrial plant location, warehousing, and distribution.

The failure to take full advantage of new technologies developed elsewhere in the economy.

Programs and policies which impede private initiative and dull incentives for innovation.

The result is waste—of human and economic resources—and of the taxpayers' dollar.

We have abided this waste too long.

We must not permit it to continue.

We have too much at stake in the quality and economy of our transportation system. If the growth of our transport industries merely keeps pace with our current national economic growth, the demand for transportation will more than double in the next 20 years.

But even that is too conservative an estimate. Passenger transportation is growing much faster than our gross national product—reflecting the desires of an affluent people with ever-increasing incomes.

PRIVATE AND PUBLIC RESPONSIBILITY

The United States is the only major nation in the world that relies primarily upon privately owned and operated transportation.

That national policy has served us well. It must be continued.

But private ownership has been made feasible only by the use of publicly granted authority and the investment of public resources—

By the construction of locks, dams, and channels on our rivers and inland waterways.

By the development of a vast highway network.

By the construction and operation of airports and airways.

By the development of ports and harbors.

By direct financial support to the merchant marine.

By grants of eminent domain authority.

By capital equipment grants and demonstration projects for mass transit.

In years past, by grants of public land to assist the railroads.

Enlightened government has served as a full partner with private enterprise in meeting America's urgent need for mobility.

That partnership must now be strengthened with all the means that creative federalism can provide. The costs of a transportation paralysis in the years ahead are too severe. The rewards of an efficient system are too great. We cannot afford the luxury of drift—or proceed with business as usual.

We must secure for all our travelers and shippers the full advantages of modern science and technology.

We must acquire the reliable information we need for intelligent decisions.

We must clear away the institutional and political barriers which impede adaptation and change.

We must promote the efforts of private industry to give the American consumer more and better service for his transportation dollar.

We must coordinate the executive functions of our transportation agencies in a single coherent instrument of Government. Thus, policy guidance and support for each means of transportation will strengthen the national economy as a whole.

A DEPARTMENT OF TRANSPORTATION

I urge the Congress to establish a Cabinet level Department of Transportation.

I recommend that this Department bring together almost 100,000 employees and almost $6 billion of Federal funds now devoted to transportation.

I urge the creation of such a Department to serve the growing demands of this great Nation, to satisfy the needs of our expanding industry and to fulfill the right of our taxpayers to maximum efficiency and frugality in Government operations.

In so doing, I follow the recommendations of many outstanding Americans.

In 1936, a Select Committee of the U.S. Senate recommended a Department of Transportation, or, in the alternative, the consolidation of all transportation programs in the Department of Commerce.

In 1949, the Hoover Commission Task Force on Transportation recommended a Department of Transportation.

In 1961, President Eisenhower recommended such a Department in his budget message.

In 1961, a special study group of the Senate Committee on Commerce recommended that all promotional and safety programs of the Federal Government be concentrated in a Department of Transportation.

Many distinguished Members of Congress have offered bills to create the Department. Private citizens, the Nation's leading experts in the field, have made the same recommendation to me.

It is time to act on these recommendations.

SCOPE OF THE DEPARTMENT

I propose that the following agencies and functions be consolidated in the Department of Transportation:

1. The Office of the Under Secretary of Commerce for Transportation, and its policy, program, emergency transportation and research staffs.

2. The Bureau of Public Roads and the Federal-aid highway program it administers.

3. The Federal Aviation Agency. This key agency, with its functions in aviation safety, promotion, and investment, will be transferred in its entirety to the new Department. It will continue to carry out these functions in the new Department.

4. The Coast Guard, whose principal peacetime activities relate to transportation and marine safety. The Coast Guard will be transferred as a unit from the Treasury Department. As in the past, the Coast Guard will operate as part of the Navy in time of war.

5. The Maritime Administration, with its construction and operating subsidy programs.

6. The safety functions of the Civil Aeronautics Board, the responsibility for investigating and determining the probable cause of aircraft accidents and its appellate functions related to safety.

7. The safety functions and car service functions of the Interstate Commerce Commission, principally the inspection and enforcement of safety regulations for railroads, motor carriers, and pipelines, and the distribution of rail car supply in times of shortage.

8. The Great Lakes Pilotage Administration, the St. Lawrence Seaway Development Corporation, the Alaska Railroad, and certain minor transportation-related activities of other agencies.

As this list indicates, I am recommending the consolidation into the Department of those Federal agencies whose primary functions are transportation promotion and safety.

NATIONAL TRANSPORTATION SAFETY BOARD

No function of the new Department—no responsibility of its Secretary—will be more important than safety. We must insure the safety of our citizens as they travel on our land, in our skies, and over our waters.

I recommend that there be created under the Secretary of Transportation a National Transportation Safety Board independent of the operating units of the Department.

The sole function of this Board will be the safety of our travelers. It will review investigations of accidents to seek their causes. It will determine compliance with safety standards. It will examine the adequacy of the safety standards themselves. It will assume safety functions transferred from the ICC and the CAB.

I consider the functions of this Board so important that I am requesting authority from the Congress to name five Presidential appointees as its members.

RELATION TO OTHER GOVERNMENT ACTIVITIES

The activities of several departments and agencies affect transportation promotion and safety. Sound management requires that an appropriate and intimate relationship be established between those activities and the new Department of Transportation.

1. The subsidy functions of the Civil Aeronautics Board.

Aviation subsidies—now provided only for local airline service—clearly promote our domestic transportation system. But subsidy awards are an integral part of the process of authorizing air carrier service. This is a regulatory function.

Therefore the airline subsidy program should remain in the Civil Aeronautics Board. The Secretary of Transportation, however, will develop principles and criteria which the Board will take into consideration in its proceedings. In this way the subsidy program will be coordinated with overall national transportation policy.

2. The navigation program of the Corps of Engineers.

The Corps of Engineers—through its construction of locks and harbor facilities and its channel deepening and river bank protection work—makes a major contribution to water transportation. The Department of Transportation should not assume the responsibility for that construction, but its Secretary should be involved in the planning of water transportation projects.

With the approval of the President, the Secretary of Transportation should also issue standards and criteria for the economic evaluation of Federal transportation investments generally. In the case of transportation features of multipurpose water projects, he should do so after consulting with the Water Resources Council.

3. International aviation.

The Secretary of Transportation should provide leadership within the executive branch in formulating long-range policy for international aviation. While foreign policy aspects of international aviation are the responsibility of the Secretary of State, the Secretary of Transportation should insure that our international aviation policies are consistent with overall national transportation policy.

Subject to policy determinations by the President, the Civil Aeronautics Board regulates international aviation routes and fares as they affect the United States. This function has far-reaching effects on our foreign policy, our balance of payments, and the vitality of American aviation. The Secretary of Transportation should participate in Civil Aeronautics Board proceedings that involve international aviation policy.

4. Urban transportation.

The Departments of Transportation and Housing and Urban Development must cooperate in decisions affecting urban transportation.

The future of urban transportation—the safety, convenience, and indeed the livelihood of its users—depends upon wide-scale, rational planning. If the Federal Government is to contribute to that planning, it must speak with a coherent voice.

The Department of Housing and Urban Development bears the principal responsibility for a unified Federal approach to urban problems. Yet it cannot perform this task without the counsel, support, and cooperation of the Department of Transportation.

I shall ask the two Secretaries to recommend to me, within a year after the creation of the new Department, the means and procedures by which this cooperation can best be achieved—not only in principle, but in practical effect.

ROLE OF THE DEPARTMENT

The Department of Transportation will—

Coordinate the principal existing programs that promote transportation in America.

Bring new technology to a total transportation system by promoting research and development in cooperation with private industry.

Improve safety in every means of transportation.

Encourage private enterprise to take full and prompt advantage of new technological opportunities.

Encourage high-quality, low-cost service to the public.

Conduct systems analyses and planning to strengthen the weakest parts of today's system.

Develop investment criteria and standards and analytical techniques to assist all levels of government and industry in their transportation investments.

THE INTERSTATE COMMERCE COMMISSION

The Cabinet-level Department I recommend will not alter the economic regulatory functions of the Interstate Commerce Commission, the Civil Aeronautics Board, or the Federal Maritime Commission.

I do recommend, however, a change in the manner of selecting the Chairman of the Interstate Commerce Commission.

Today, the Chairman of this vital Commission—alone among the Federal regulatory agencies—is selected, not by the President, but by annual rotation among the 11 Commissioners.

This is not sound management practice in an agency whose influence on our rail, highway, waterway, and pipeline industries is so far reaching.

The ICC bears the demanding and challenging responsibility to keep Federal regulation attuned to the needs and opportunities of a dynamic industry. Its jurisdiction extends to 18,000 transport companies. It handles 7,000 cases each year. No private corporation of such size and importance would change its chief executive officer once each year.

I shall shortly submit to the Congress a reorganization plan to give the President authority to designate the Chairman of the Interstate Commerce Commission from among its members and to strengthen his executive functions.

SAFETY

One hundred and five thousand Americans died in accidents last year.

More than half were killed in transportation or in recreation accidents related to transportation.

Forty-nine thousand deaths involved motor vehicles.

One thousand three hundred involved aircraft.

One thousand five hundred involved ships and boats.

Two thousand three hundred involved railroads.

Million of Americans were injured in transportation accidents—the overwhelming majority involving automobiles.

Each means of transportation has developed safety programs of varying effectiveness. Yet we lack a comprehensive program keyed to a total transportation system.

Proven safety techniques in one means have not always been adapted in others.

Last year the highway death toll set a new record. The prediction for this year is that more than 50,000 persons will die on our streets and highways—more than 50,000 useful and promising lives will be lost, and as many families stung by grief.

The toll of Americans killed in this way since the introduction of the automobile is truly unbelievable. It is 1.5 million—more than all the combat deaths suffered in all our wars.

No other necessity of modern life has brought more convenience to the American people—or more tragedy—than the automobile.

WHY WE ARE FAILING

The carnage on the highways must be arrested.

As I said some weeks ago, we must replace suicide with sanity and anarchy with safety.

The weaknesses of our present highway safety program must be corrected—

Our knowledge of causes is grossly inadequate. Expert opinion is frequently contradictory and confusing.

Existing safety programs are widely dispersed. Government and private efforts proceed separately, without effective coordination.

There is no clear assignment of responsibility of the Federal level.

The allocation of our resources to highway safety is inadequate.

Neither private industry nor Government officials concerned with automotive transportation have made safety first among their priorities. Yet we know that expensive freeways, powerful engines, and smooth exteriors will not stop the massacre on our roads.

WHAT CAN BE DONE

State and local resources are insufficient to bring about swift reductions in the highway death rate. The Federal Government must provide additional resources. Existing programs must be expanded. Pioneer work must begin in neglected areas.

Federal highway safety responsibilities should be incorporated into the Department of Transportation, in a total transportation safety program.

I have already set in motion a number of steps under existing law:

1. To strengthen the Federal role, I am assigning responsibility for coordinating Federal highway safety programs to the Secretary of Commerce. I am directing the Secretary to establish a major highway safety unit within his Department. This unit will ultimately be transferred to the Department of Transportation. The President's Committee on Traffic Safety will be reorganized, strengthened, and supported entirely by Federal funds. The Interdepartmental Highway Safety Board will be reconstituted and the Secretary's role strengthened.

2. To give greater support to our safety programs, I am requesting increased funds for research, accident data collection, improved emergency medical service, driver education and testing, and traffic control technology.

I have also asked the Secretary of Commerce to evaluate systematically the resources allocated to traffic safety, to insure that we are receiving the maximum benefits from our present efforts.

3. To improve driving conditions, I have ordered that high priority be given to our efforts to build safety features into the Federal-aid highway network.

4. To save those who are injured, I have directed the Secretary of Health, Education, and Welfare, in cooperation with the Secretary of Commerce, immediately to initiate projects to demonstrate techniques for more effective emergency care and transportation. He will work in full cooperation with State, local, and private officials.

5. To help us better understand the causes of highway accidents, I have asked the Secretary of Commerce to establish accident investigation teams, who will bring us new understanding of highway accidents and their causes.

6. To make Government vehicles safer, I have asked the Administrator of General Services, in cooperation with the Secretary of Commerce, to begin a detailed study of the additional vehicle safety features that should be added to the Federal fleet.

THE TRAFFIC SAFETY ACT OF 1966

More—much more—remains to be done. The people of America deserve an aggressive highway safety program.

I believe that the Congress—the same Congress which last year gave the Secretary of Commerce broad authority to set uniform standards for State highway safety programs—will join in our efforts to bring that program into being.

I urge the Congress to enact the Traffic Safety Act of 1966.

I urge greater support for State highway safety programs.

I urge the creation of a National Highway Research and Test Facility.

To begin, I recommend a $700 million, 6-year program.

The three components of this program are as critically important as the problems they address.

First, Federal grants to the States for highway safety will be increased. With these funds, a comprehensive highway safety program can be developed by each State under standards approved by the Secretary of Commerce. Included will be measures such as driver education and licensing—advanced traffic control techniques—regular vehicle safety inspections—police and emergency medical services.

Second, automobile safety performance will be improved. Proper design and engineering can make our cars safer. Vehicles sold in interstate commerce must be designed and equipped for maximum safety. Safe performance design standards must be met in tomorrow's cars.

I recommend that the Secretary of Commerce be given authority to determine the necessary safety performance criteria for all vehicles and their components.

If, after a 2-year period, the Secretary finds that adequate voluntary standards are not satisfactory, he would be authorized to prescribe nationwide mandatory safety standards. He would be also authorized to prohibit the sale in interstate commerce of new vehicles and their components which failed to meet those standards.

Third, the Federal Government's highway safety research efforts will be expanded.

I recommend construction of a national highway safety research and test center.

Funds are needed to support research and testing in many disciplines related to highway safety. The public interest demands a better understanding of the human, highway, and vehicle factors which cause death and injury. We must develop more effective countermeasures and objective standards to guide our national programs. Special accident teams should be organized—accurate data collection should be enlarged on a national basis—fellowship grants and research support should be made available to attract the best minds and talents of our Nation to this urgent work.

This new highway safety program would be transferred to the Secretary of Transportation upon the creation of the new Department.

Congress has not hesitated to establish rigorous safety standards for other means of transportation when circumstances demanded them.

Today's highway death toll calls for an equally vigorous and effective expression of concern for our millions of car-owning families. For unless we avert this slaughter, one out of every two Americans will one day be killed or seriously injured on our highways.

SAFETY STANDARDS FOR MOTOR VEHICLE TIRES

I urge the Congress to act speedily and favorably on S. 2669, a bill establishing safety standards for motor vehicle tires sold or shipped in interstate commerce.

Most tires sold to American drivers are produced and properly tested by reputable companies. Nevertheless, evidence has shown that increasing numbers of inferior tires are being sold to unwitting customers throughout the country. The dangers such tires hold for high-speed automobiles and their occupants is obvious.

S. 2669 provides that the Secretary of Commerce shall establish, and publish in the Federal Register, interim minimum safety standards for tires. The Secretary would be required to review these standards 2 years from the enactment of the bill, and to revise them where necessary. A research and development program under his direction would improve the minimum standards for new tires, and develop such standards for retreaded tires.

Our driving public deserves the prompt passage of S. 2669, and the protection it will afford them from accidents caused by tire failures.

SAFETY AT SEA

Last year 90 men and women lost their lives when the cruise ship *Yarmouth Castle* burned and sank in the calm waters of the Caribbean.

The *Yarmouth Castle* was exempt from U.S. safety standards—partially because of its "grandfather rights" under law. It was built before 1937.

We cannot allow the lives of our citizens to depend upon the year in which a ship was built.

The Coast Guard is presently completing its investigation of the *Yarmouth Castle* disaster. The Maritime Administration has already finished its investigation of financial responsibility.

Later in this session—when our inquiries are accomplished and our findings reported—we will submit to the Congress legislation to improve safety measures and guarantees of financial responsibility on the part of owners and operators of passenger-carrying vessels sailing from our ports.

AIR ACCIDENT COMPENSATION

The United States has declared its intention to withdraw from the Warsaw Convention. Under this pact, the financial liability of a member nation's airline is limited to $8,300 for a passenger's death.

Discussions are underway in the International Civil Aviation Organization to increase this liability for passengers flying anywhere in the world. We have expressed our opinion that the limit of liability should be raised to $100,000.

RESEARCH AND DEVELOPMENT

Today the United States ranks as the world's leader in technology.

Despite this—and despite the importance of transportation in the competition for international trade—exclusive of national security and space, the Federal Government spends less than 1 percent of its total research and development budget for transportation.

Under our system of government, private enterprise bears the primary responsibility for research and development in the transportation field.

But the Government can help. It can plan and fashion research and development for a total transportation system which is beyond the responsibility or capability of private industry.

Through Government-sponsored research and development we can—

Fully understand the complex relationships among the components of a total transportation system.

Provide comprehensive and reliable data for both private and public decisions.

Identify areas of transportation which can be exploited by private industry to provide safer and more efficient services to the public.

Build the basis for a more efficient use of public resources.

Provide the technological base needed to assure adequate domestic and international transportation in times of emergency.

Help make significant advances in every phase of transport—in aircraft, in oceangoing ships, in swifter rail service, in safer vehicles.

SUPERSONIC TRANSPORT AIRCRAFT

The United States is preeminent in the field of aircraft design and manufacture.

We intend to maintain that leadership.

As I said in my state of the Union message, I am proposing a program to construct and flight-test a new 2,000-mile-per-hour supersonic aircraft.

Our supersonic transport must be reliable and safe for the passenger.

It must be profitable for both the airlines and the manufacturers.

Its operating performance must be superior to any comparable aircraft.

It must be introduced into the market in a timely manner.

We have underway an intensive research and design program on the supersonic transport, supported by appropriations of $231 million.

The design competition for this aircraft and its engines is intense and resourceful.

I am requesting $200 million in fiscal year 1967 appropriations to initiate the prototype phase of the supersonic transport. My request includes funds for the completion of design competition, expanded economic and sonic boom studies, and the start of prototype construction.

We hope to conduct first flight tests of the supersonic transport by 1970, and to introduce it into commercial service by 1974.

AIRCRAFT NOISE

The jet age has brought progress and prosperity to our air transportation system. Modern jets can carry passengers and freight across a continent at speeds close to that of sound.

Yet this progress has created special problems of its own. Aircraft noise is a growing source of annoyance and concern to the thousands of citizens who live near many of our large airports. As more of our airports begin to accommodate jets and as the volume of air travel expands, the problem will take on added dimension.

There are no simple or swift solutions. But it is clear that we must embark now on a concerted effort to alleviate the problems of aircraft noise. To this end, I am today directing the President's Science Adviser to work with the Administrators of the Federal Aviation Agency and National Aeronautics and Space Administration, and the Secretaries of Commerce and of Housing and Urban Development, to frame an action program to attack this problem.

I am asking this group to—

Study the development of noise standards and the compatible uses of land near airports.

Consult with local communities and industry.

Recommend legislative or administrative actions needed to move ahead in this area.

ADVANCED OCEAN VESSEL CONCEPTS

After years of U.S. leadership, maritime technology in other countries has caught up with and, in some instances, surpassed our own.

The U.S. merchant marine suffers in world competition because it bears much higher costs than its competitors. This can be offset in some measure by technological improvements.

The Department of Defense recently launched the fast deployment logistics ship program. This concept introduces to the maritime field the same systems approach that has proven so successful in other Defense and aerospace programs.

To achieve comparable improvements throughout the maritime industry, I am directing the Secretary of Commerce, with the Secretary of Defense, the President's Scientific Adviser, and the Atomic Energy Commission, to conduct a study of advanced vessel concepts.

The work of this team will include:

Research, development, and planning of high-speed, large-capacity ships, devoted primarily to transporting preloaded containers of varying types between the major ports in the world.

Research on an oceangoing surface effects vessel capable of skimming over the water at speeds more than 100 knots.

Continued exploration of the application of nuclear propulsion to merchant marine ships.

Our private shipyards should continue to serve the needs of the country. They can become more productive and competitive through research and development and through standardization of ship construction. With a new Department of Transportation, we will increase our efforts to bring a modern, efficient merchant marine fleet to this Nation.

ADVANCED LAND TRANSPORT

Last year Congress took a long step toward advanced land transportation by enacting the high-speed ground transportation research and development program. This program will be continued at the most rapid pace consistent with sound management of the research effort.

Similar vision and imagination can be applied to highway transport.

Segments of the interstate highway network already in operation are the most efficient, productive roads ever built anywhere in the world. Motor vehicles move at higher rates of speed, more safely, and in greater number per lane than on conventional roads. Transportation costs are reduced, and less land area is needed for this volume of traffic.

With the network about half completed after 10 years, it is apparent that interstate highways, as well as other roads and streets, can become even more productive and safe.

Accordingly, I am directing the Secretary of Commerce to—

Investigate means for providing guidance and control mechanisms to increase the capacity and improve the safety of our highway network.

Conduct research into the means of improving traffic flow—particularly in our cities—so we can make better use of our existing roads and streets.

Investigate the potential of separate roadways for various classes of vehicles, with emphasis on improving mass transportation service.

SYSTEMS RESEARCH

Some of our brightest opportunities in research and development lie in the less obvious and often neglected parts of our transportation system.

We spend billions for constructing new highways, but comparatively little for traffic control devices.

We spend millions for fast jet aircraft—but little on the traveler's problem of getting to and from the airport.

We have mounted a sizable government-industry program to expand exports, yet we allow a mountain of redtape paperwork to negate our efforts. Worldwide, a total of 810 forms are required to cover all types of cargo imported and exported. In this country alone, as many as 43 separate forms are used in one export shipment. Eighty separate forms may be needed to process some imports. This is paperwork run wild.

I am directing the Secretaries of Treasury and Commerce and the Attorney General to attack these problems, through the use of effective systems research programs. And I have directed them to eliminate immediately every unnecessary element of redtape that inhibits our import and export programs.

TRANSPORTATION FOR AMERICA

The Founding Fathers rode by stage to Philadelphia to take part in the Constitutional Convention. They could not have anticipated the immense complexity—or the problems—of transportation in our day.

Yet they, too, recognized the vital national interest in commerce between the States. The early Congresses expressed that interest even more directly, by supporting the development of road and waterway systems.

Most important, the Founding Fathers gave us a flexible system of government. Cities, States, and the Federal Government can join together—and in many cases work with private enterprise—in partnerships of creative federalism to solve our most complex problems.

For the very size of our transportation requirements—rising step by step with the growth of our population and industry—demands that we respond with new institutions, new programs of research, new efforts to make our vehicles safe, as well as swift.

Modern transportation can be the rapid conduit of economic growth—or a bottleneck.

It can bring jobs and loved ones and recreation closer to every family—or it can bring instead sudden and purposeless death.

It can improve every man's standard of living—or multiple the cost of all he buys.

It can be a convenience, a pleasure, the passport to new horizons of the mind and spirit—or it can frustrate and impede and delay.

The choice is ours to make.

We build the cars, the trains, the planes, the ships, the roads, and the airports. We can, if we will, plan their safe and efficient use in the decades ahead to improve the quality of life for all Americans.

The program I have outlined in this message is the first step toward that goal.

I urge its prompt enactment by the Congress.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *March 2, 1966.*

PROPOSED CREATION OF DEPARTMENT OF TRANSPORTATION

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I am delighted that the President has sent up his message on transportation. In this message the President has constructively recommended the creation of a Department of Transportation for dealing with the many urgent problems in this area. Transportation affects and is affected by many economic, social, and institutional factors. What the President's decision reflects is an understanding that we must provide strong central leadership for those persons and organizations at the Federal level who are involved in the functioning of our transportation system.

The creation of a Department of Transportation will permit the Federal Government consciously to focus the leadership of our private industry, economists, scientists, engineers, labor, and others upon the broad problems of transportation which recognize no disciplinary barrier. In no other way can we give effective leadership in an area which reaches so deeply into the economic, social, and political structure of our daily lives.

As the President has indicated, there are today a host of Federal agencies concerned with transportation. They are often participating in the development and the utilization of transportation services under a disparate and uncoordinated set of policy guidelines.

Transportation incorporates the total movement of vehicles, including facilities and personnel required to assure that people and goods are efficiently and economically distributed to points of destination both within and across the borders of the Nation. It is estimated that this total effort represents an expenditure approaching $125 billion per year. Furthermore, transportation consumes as much as 45 percent of the total national expenditure of energy. It has puzzled me as to how this vital service, with such a pervasive influence on every major aspect of the Nation's economy, has functioned without more centralized leadership.

The creation of the Department of Transportation will undoubtedly improve the total efficiency of our transportation system, eliminate wasteful allocation of resources, and permit us to take advantage of technological innovations in assuring the future growth and development of transportation. Only a Federal department can deal effectively with this staggering and complex system. Such a department is long overdue.

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOLIFIELD. Mr. Speaker, at the request of the President and on behalf of myself, I introduce for appropriate reference, a bill to create a Cabinet-level Department of Transportation, H.R. 13200.

This is not a new idea which we are being asked to consider. It has been before the Congress in one form or another some 17 times in the past 92 years.

There is a new sense of urgency attached to the issue today, however.

The future growth and expansion of our economy and the continuing population explosion makes it necessary for us to insure that we will be able to meet the future challenge of mobility and keep this Nation strong and prosperous.

Our population will double by the end of this century. All the facilities needed to service that population also will have to double.

Since the turn of the century there has emerged on the scene four new systems of transportation—the automobile, the motor truck, the airplane, and the pipeline.

We cannot hope for four more new forms of transport to keep us moving in the days and years of growth and expansion that lie ahead.

We have to do a better job with what we have. We will have to find new ways of marshaling our knowledge, of applying and developing technology, of coordinating and integrating existing modes. We will have to reach new heights, too, in research and development of the ways and means of moving people and goods at the lowest cost, in the safest manner, and in response to the varied demands of our complex society.

We shall have to reach new peaks of leadership and administrative skill to attain these objectives under the same system of free enterprise that has marked our Nation's progress from its very beginning.

In order to meet our objectives and provide for our increasing needs, we must be sure that we have the most efficient Government organization possible. We must take every necessary step to see that we do not build in institutional barriers to progress and we must be equally sure that we have a mechanism which will guarantee efficient allocation of the economy's scarce resources among the many competing programs.

The President feels that these are compelling reasons for creating a new Department of Transportation. The creation of a new Department at Cabinet level is not an act to be taken lightly. Since 1913, there have been only three new departments created. The Department of Transportation will be the fourth.

The bill which we have before us is a recognition of the fact that transportation is a matter of vital importance to the national welfare and that there is a need for coordination of transportation programs and development of policies by an officer of Cabinet rank.

This is not a proposal for new programs. Nor is it a proposal to shake up and reshuffle the existing transportation programs in those bureaus and agencies which this legislation will effect.

In essence, it is a proposal that we bring the varied Federal transportation activities into focus; that we assign a clear-cut responsibility at the highest level of Government; that we provide the kind of administrative authority that will be required to help our private transportation industry meet the challenges of the future and remain free and competitive.

This legislation proposes to bring into the new Department of Transportation the Federal Aviation Agency, the Bureau of Public Roads, the Federal Maritime Administration, and the Coast Guard. These agencies represent a preponderance of governmental support and personnel in the field of transportation.

Also transferred would be the Office of the Under Secretary of Commerce for Transportation and its existing responsibilities.

The legislation seeks a total approach to transportation safety and would bring into the new Department responsibility for transportation safety in all modes, including rail, motor, and pipelines now under the Interstate Commerce Commission; aviation safety now under the Civil Aeronautics Board.

It also calls for creation of a National Transportation Safety Board which will have the responsibility for determining the probable cause of accidents and for handling appeals of individuals or companies from punitive actions affecting their rights.

Certain operational units and functions devoted largely to transportation also would come under the new Department. Those functions of the U.S. Army Corps of Engineers pertaining to anchorages, bridges, and tolls would be included. Those nonregulatory car service functions of the ICC also would be transferred. The Alaska Railroad and the St. Lawrence Seaway Development Corporation would be brought in under an Executive order.

The bill assigns the Secretary of Transportation the responsibility for developing economic standards and criteria for the investment of Federal funds in transportation facilities by agencies of the Federal Government. These would not apply, however, to Defense, foreign aid and matters affecting an interoceanic canal.

The bill provides that the Civil Aeronautics Board shall consider principles and criteria developed by the Secretary of Transportation for determining character and quality of service required for the commerce of the United States and the national defense in determining the subsidy payments to air carriers.

This legislation, Mr. Speaker, has been carefully drafted. It is not simply imposing another level of bureaucracy. It does not take over military or Government traffic management functions.

It does seek to establish clear-cut responsibility where it has been lacking. It replaces fragmentation with cohesion and continuity. It brings consistency and currency to our national transportation policy. It recognizes the concern with the public interest of the Congress, the President, the States, labor, management, shipper, and traveler.

In short, it will help get the Nation ready to meet the challenge of mobility that we face in the remaining days of this century.

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. BLATNIK] may extend his remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. BLATNIK. Mr. Speaker, the idea of a Cabinet-level Department of Transportation, which the President has proposed, is not a new and revolutionary development.

For the past 30 years, various commissions, committees, task forces, and other groups have looked at our responsibilities in the field of transport and have recommended some sort of centralized administration.

A select committee of the U.S. Senate recommended in 1936 the creation of a Department of Transportation, or the consolidation of all agencies involved within a Cabinet-level Department.

The Hoover Commission Task Force on Transportation recommended such a Department in 1949.

Former President Eisenhower suggested it in his final budget message in 1961.

A special study group of the Senate Committee on Commerce also recommended, in 1961, that all promotional and safety programs of the Federal Government be blended into a Department of Transportation.

And two of President Johnson's Task Forces on Transportation and Government Organization suggested creation of a new department as the most logical way to coordinate the interacting problems that result from today's scattered transportation authority.

This idea has been on the back burner long enough. I say it is high time the Congress acted. Our transportation load is expected to double in the 20-year period ending in 1980. And it may double again in the remainder of this century.

It is time we gave transportation some attention and some help—especially in the field of research and development, which is too vast and too complex for most of the small businesses and individuals who make up our transportation system.

A Cabinet-level Department of Transportation can do all of that, and more. It should be created.

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. MOSS] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MOSS. Mr. Speaker, I support the President's objective—a Cabinet-level Department of Transportation. This Nation guards zealously its privately owned transportation system. We are determined to keep it free and under the stimulus of competition and the drive for profits.

But we also have an obligation to protect the people's interest in this giant network. This unmatched transportation system of ours has been made possible in large measure by the investment of vast public resources and the use of publicly granted authority.

We have constructed locks, dams, and channels on rivers and inland waterways; we have developed a farflung system of highways, streets, and roads—3.6 million miles of them; we construct and operate airports and airways; we develop ports and harbors; we give direct financial aid to support our merchant marine; and we exercise the right of eminent domain to pave the way for many transportation improvements.

This represents a public investment almost impossible to estimate. And we have a responsibility to see that the transportation system created by the public's investment truly serves the public interest.

The transportation industry represents about one-fifth of our gross national product.

It seems only logical that it be represented in the highest councils of public policy. A Cabinet-level Department of Transportation will provide that kind of representation.

I urge my colleagues to give most careful attention to the President's proposal.

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Georgia [Mr. MACKAY] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MACKAY. Mr. Speaker, President Johnson's message today on transportation contains a discussion of traffic safety which is notable, timely, and worthy of the thoughtful consideration of every American citizen.

This message sets forth an accurate summary of the losses in life which are being sustained by our people as a result of traffic accidents. These losses are appalling.

The message contains a keen analysis of the reasons we are failing to achieve a safer traffic environment. He pointed out these weaknesses:

> Our knowledge of causes is grossly inadequate. Expert opinion is frequently contradictory and confusing;
>
> Existing safety programs are widely dispersed. Government and private efforts proceed separately, without effective coordination;
>
> There is no clear assignment of responsibility at the Federal level;
>
> The allocation of our resources to highway safety is inadequate;
>
> Neither private industry nor Government officials concerned with automotive transportation have made safety first among their priorities. Yet we know that expensive freeways, powerful engines, and smooth exteriors will not stop the massacre on our roads.

The President presents concrete suggestions as to what Congress can do to provide a safer traffic environment. I particularly compliment the President for announcing that he will take immediate executive action to mobilize existing Federal resources to attack the "enemy within" which is taking its daily toll of agony, suffering, and irretrievable lives of men, women, and children.

The President has provided executive leadership in the field of traffic safety worthy of his high office. It is now our task as Members of Congress to provide legislative leadership and response worthy of our constitutional obligation.

I hope that hearings will commence in the near future before our Committee on Interstate and Foreign Commerce which will examine the President's traffic safety proposals as well as the 25 bills already introduced this year which propose the establishment of a National Traffic Safety Agency. Such hearings will confirm a situation which will demand and which should receive a positive and adequate legislative response before this 89th Congress adjourns.

Traffic losses have become a national problem. There must be a truly national response if we are to achieve a safer traffic environment.

We must not fail.

Mr. HOWARD. Mr. Speaker, last year, approximately one-fifth of the gross national product of this Nation was attributable to transportation. There can be no question that transportation and its related activities affect the lives of our citizens as do few other industries. As President Johnson said last year:

> The life of every citizen is influenced by transportation service * * * it shapes the environment in which we live and work. Advances in our transportation system must constantly be made if we are to continue to enjoy growth and prosperity.

The technological advances in all modes of transportation have been steady and, in recent years, have come with almost incredible speed. But this great technological advancement is threatened by continued failure to coordinate the dozens of Government agencies under which our national transportation now operates.

It is common knowledge that many Federal agencies administer one or another transportation program; under the best of conditions duplication of effort and waste of resources is inevitable. It is only through the grouping of these activities in a Cabinet-level department that the centralization required for informed decisions about our transportation facilities can be achieved.

We should support the President's proposal.

Mr. MAILLIARD. Mr. Speaker, from a cursory reading of the President's message on transportation, I am genuinely disturbed. Apparently, the American merchant marine has received short shrift again. For, while specific mention is made concerning proposed Federal expenditures for the development of other modes of transport, such as the supersonic transport aircraft, no specific mention is made concerning support for the American merchant marine, which presently is laboring under the hardship of severe budgetary privation. I can only conclude, therefore, that the American maritime industry is to be relegated to the position of a stepchild, not a rightful heir, in the Great Society. This administration knows little and apparently cares less about ocean borne commerce.

I must say, however, that I am gratified by the President's recognition that—

> We cannot afford the luxury of drift—or proceed with business as usual.

As ranking minority member of the Committee on Merchant Marine and Fisheries, I have been expressing alarm for years now over the inexorable drift of the American merchant marine. I am thankful, therefore, that at least my terminology, if not my concern, has not fallen upon deaf ears.

I am equally gratified to see that the President has recognized the necessity for improving safety measures and guarantees of financial responsibility on the part of owners and operators of foreign-flag passenger vessels sailing from our ports. In view of the unanimity of opposition by all executive agencies which testified only last August on my proposed legislation, which would have effected such a remedy, I am happy to see that at long last the President himself now recognizes our responsibility to the American traveling public.

Because of my concern over the generally substandard condition of many foreign-flag passenger vessels, I introduced legislation which was considered during the last session of the 89th Congress. It did not require any extraordinary powers of perception to note, as I did on August 31, 1965, that, and I quote:

> The *Yarmouth Castle* is certainly a shining example of a ship that was not in proper condition to engage in cruise trade.

The tragic sinking of that foreign-flag cruise ship was unwanted vindication of my deep and personal concern over the safety of our citizens. Yet, how could we pass effective legislation? Without exception, five different agencies of the executive opposed my legislation. We had testimony from the honorable Nicholas Johnson, Maritime Administrator, which was not even germane to the issue. He went so far as to question the propriety of existing law authorizing the employment and payment of subsidy to safer American-flag passenger ships in the cruise trade. I hope that recognition of the problem by the President portends a more cooperative, constructive, and receptive attitude by the various executive agencies.

Now, while the President's message does not outline the mechanics of the proposed new Department of Transportation, I receive the distinct impression that we are simply establishing a ghetto of transportation agencies under a new department. If so, this is simply old wine in a new bottle. Too long has the American merchant marine, for example, wallowed in a sea of inconsistency and indecision as a result of its inferior status within the Department of Commerce. I can foresee no hope of improvement under the present proposal, if we are simply shifting responsibility for the well-being of this vital national asset to perhaps a more subordinate status under another department. I am particularly apprehensive if the fate of our shipping falls prey to the tender mercies of a Secretary of Transportation who has only an intuitive sense for the need of an American merchant marine.

Interestingly enough, the President proposes that we leave aviation subsidies with the Civil Aeronautics Board, which will maintain its independent status, while he proposes to remove the Maritime Administration, which is charged with marine subsidies, and place it under the new Department of Transportation. The rationale offered is that, while this is not a regulatory function, it should remain with the CAB inasmuch as it is an integral part of the process of authorizing air carrier service. In light of the manner in which the current Maritime Administrator has been utilizing marine subsidy contracts to either allow or deny membership by American subsidized steamship lines in steamship conferences, I fail to see the distinction drawn on behalf of the CAB. It would appear that an equally meritorious case could be made out for permitting the Maritime Administration to regain its former independent status so as to enable it to discharge its statutory duties to promote the American merchant marine.

In essence, we appear to be perpetuating the same mistakes of earlier years by denying the American maritime industry an independent voice it rightfully and justly deserves. Let us at least get the industry back on the right track before subjecting it to further apparent bureaucratic morass.

I hope that my fears will be assuaged by further clarification of the mechanics of the newly proposed Department of Transportation. The mere statement that, "we will increase our efforts to bring a modern, efficient merchant marine fleet to this Nation," does not allay my apprehension. I am haunted by the vision of the past years of study, vacillation and indecision. What we need now more than ever is constructive, dedicated Federal leadership, if we are to rehabilitate the ailing American merchant marine. We have not had it in the recent past. I cannot be overly optimistic that we will get it under the President's proposal. I also hope that the President's interest in our transportation system will not wane before submitting to the Congress the new policy for our merchant marine promised to us 14 months ago in his state of the Union message of 1965. Time is fast running out if we are to avoid a tragic "ship gap" in the early and mid-1970's.

GENERAL LEAVE TO EXTEND

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the subject matter of the transportation message of the President of the United States which has just been read.

The **SPEAKER.** Without objection, it is so ordered.

There was no objection.

TRAFFIC SAFETY ACT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from West Virginia [Mr. STAGGERS] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. STAGGERS. Mr. Speaker, by request of the President and on behalf of myself, I introduce, for appropriate reference, a bill entitled "The Traffic Safety Act of 1966." This legislation would provide for a coordinated national safety program and establishment of safety standards for motor vehicles in interstate commerce to reduce traffic accidents and the deaths, injuries, and property damage which occur in such accidents. Accompanying this landmark measure which provides needed and long-awaited reforms is the President's transportation message.

Mr. Speaker, the future of transportation, the welfare of our Nation, our humanity, and our national conscience demand that we halt the wasteful slaughter which is occurring across our land. The Nation cannot continue to tolerate the human, social, and economic losses resulting from traffic accidents. Our Nation has the economic and technological resources to improve highway and traffic safety. The proposal which has been made by the President would marshal these resources into a unified national program to make highway traffic safe as well as efficient, economical, and enjoyable. We know how to build safer vehicles which will minimize the possibility and the consequences of accidents. We know how to train safer drivers and how to build safer highways. We shall now be able to put this knowledge to work in a unified safety program with the Federal Government cooperating and spearheading State, local, and private safety efforts.

While there is much that can be done there is also much that needs to be learned about the methods required to reverse the mounting toll of traffic accidents. We must, therefore, organize a national highway and traffic safety research program. This increased effort will provide us with the tools for us to meet more effectively this problem. It will become more serious as highway travel increases to more than a trillion miles a year, with 125 million drivers and 120 million vehicles in the next decade.

The President's transportation message emphasizes the seriousness of this problem by suggesting other proposals which will be undertaken immediately under authority that is already provided. In his message, he has indicated that the statutory authority is not enough. The Congress should act with urgency and dispatch to provide the necessary tools with which the Federal Government may mount a bold war against this accident problem. I strongly believe that we cannot fail to act with the same dispatch and resolute spirit as reflected in the President's action. The steps which he is now taking and the program which he has proposed are directed toward the immediate reduction of accidents and the ultimate development of a safe highway transportation system.

The President has assigned responsibility to a single agency for coordinating Federal safety programs which are now widely dispersed. Through his budget proposals he is expanding the scope and upgrading the quality of existing Federal safety efforts. There is now underway a significant effort to create uniform national standards and provide technical assistance which will provide long-needed direction for State, local, and private safety programs.

The program proposed by the President in the Traffic Safety Act of 1966 is a followup expansion of efforts now underway. The President has proposed a significant program of grants to aid State and local safety programs within the context of the broader authority established under the provisions of Public Law 89-139. In the last session, the Congress acted wisely by its enactment of this program of long-range continued Federal-State cooperation and for the creation of coordinated national highway safety efforts. The Traffic Safety Act of 1966 will augment this broad charter by providing needed resources to support its implementation.

The President proposes a 6-year program ranging upward of $700 million to enhance safety programs in the States and provide supporting Federal programs covering vehicle safety standards and inspection, driver education, driver licensing, advanced traffic control technology for specialized accident investigation teams, expansion of data collection efforts, and improvement in the quality and availability of police and emergency medical services.

Funds made available to the Secretary of Transportation will enable him to establish needed uniform standards to guide State efforts and will permit him to support training, fellowship grants, and research among institutions and individuals for work in all areas of traffic safety. The Secretary will be enabled to augment programs now underway in the Department of Health, Education, and Welfare to cover human factor problems involved in the highway accidents.

One of the major weaknesses in our present traffic safety effort is the lack of clear understanding of the fundamental causes of accidents. The Secretary of Transportation will be authorized to plan for facilities required to support the interdisciplinary research and testing needed by the Federal traffic safety program. This will include a national accident data information center to provide a strong basis for carrying forward needed research and operation programs. This research capability will be coordinated with programs outside the Federal Government which will be supplemented by Federal grants.

It is now clear that the Federal Government can no longer avoid responsibility for assuring that vehicles sold and used in interstate commerce are designed, manufactured, and equipped to provide optimum safety. We cannot expect the purchaser to evaluate the design and equipment of a modern automotive vehicle and determine how safe it might be.

To assure that all vehicles in the future are designed, built and equipped to minimize both the possibility and the severity of accidents, the President has proposed that authority be granted to the Secretary of Transportation to investigate and to develop safety performance criteria for automotive vehicles and their components. The creation of test facilities within the Federal Government would provide a capability for sound and methodical measuring of highway safety factors in the interest of the general public.

The Secretary's authority to establish vehicle safety standards would not become effective for a period of 2 years, thus giving industry an opportunity to establish improved automotive safety standards voluntarily. In other modes of transportation, the Federal Government has never hesitated to assure that safety standards are provided to protect the traveling public. The industry has had notable success in its past efforts to improve the safety of the automobile. Our growing reliance upon this mode of transportation now makes it essential that all doubts be dispelled as to the safety of the automobile.

We spend nearly $100 billion a year for highway transportation. The economic benefits of this system are measurably higher, but yearly the use of this system costs us 3 million personal injuries, nearly 50,000 lives and over $8 billion in economic loss. Surely we can devote some small fraction of this expenditure to a program that will eliminate this economic waste and reduce this human suffering and loss.

Mr. Speaker, I include a summary of the legislation which proposes this highway safety program in the RECORD at this point:

TRAFFIC SAFETY ACT OF 1966—OUTLINE OF PROPOSED LEGISLATION

This bill is designed to produce a coordinated national program to reduce traffic accidents and the resulting deaths, injuries and property damage. The principal provisions of the bill are summarized as follows:

1. Unified policy responsibility for promoting national traffic safety: assigned to Secretary of Transportation.

2. Motor vehicle safety performance standards:

A. Secretary would conduct research on motor vehicle performance to (1) reduce occurrence of highway accidents, and (2) reduce death and injury when accidents do occur. He would also give grants and contract for such research;

B. Secretary would cooperate with States, industry and others in developing standards;

C. Secretary would offer training programs in testing and inspection for motor vehicle safety;

D. Secretary could issue Federal safety standards for motor vehicles and equipment after 2 years if he finds (a) no vehicle safety standard exists, or (b) existing standards provide inadequate safety protection, or (c) existing standards are not based on all necessary measurements, or (d) there is insufficient compliance with existing standards to achieve adequate safety;

E. A standard would preempt a similar State standard;

F. Standards would be mandatory on manufacturers and new car dealers not less than 180 days and not more than 2 years after issuance;

G. Standards would be enforced against manufacturers and dealers by injunction, seizure, and civil penalties.

3. Federal financial support for State highway safety programs:

A. Secretary to publish recommended uniform standards, including standards for accident records systems and traffic control;

B. Federal funds available, on 50–50 matching basis, to assist States with safety programs which meet uniform standards; however, Federal Government would not attempt to match all funds spent by the States.

C. Funds apportioned—75 percent on population basis—25 percent in Secretary's discretion (for especially promising projects or to meet critical needs of States).

NOTE.—Provision is similar to "Baldwin" amendment—but backed with Federal funds.

D. National driver register service (1) Secretary would maintain a register of drivers whose names are submitted by States as individuals whose licenses have been denied, terminated, or withdrawn (except a withdrawal for less than 6 months based on habitual violation) (2) Register would be available to States and Federal agencies.

NOTE.—This provision is similar to existing law—but made applicable to denials of licenses and to withdrawals of licenses for any reason (except for withdrawals for less than 6 months based on habitual violations).

4. Increased research in highway safety:

A. Preaccident, accident, and postaccident research and investigation to establish relationships of driver, vehicle, and environment to cause and severity of highway accidents;

B. Research would include training and demonstrations;

C. Research would be conducted within Federal Government and, with Federal grants, by State and local authorities, institutions, and individuals.

5. Research and testing facilities:

Secretary would be authorized to construct and operate appropriate facilities in which to conduct research and testing on such items as vehicles and equipment.

6. Financing—from the highway trust fund.

A. Vehicle standards (1) Total of $42 million for fiscal year 1968–72 (2) $3 million in fiscal year 1967.

B. Federal-State highway safety programs (1) Total of $380 million for fiscal years 1968–72 (2) $40 million in 1967.

C. Research (1) Total of $150 million for fiscal years 1968–72 (2) $10 million in 1967.

D. Research and testing (1) $3 million for planning in fiscal year 1967.

E. Present expenditure (1) Fiscal year 1966 appropriations for present highway safety activity (exclusive of spot improvement program of over $100 million) is $8.8 million. (2) During fiscal year 1967 $19 million will be requested for all current safety activities not in this bill exclusive of spot improvement program. (3) The bill would authorize: $160 million new funds for highway safety research, $420 million new funds for Federal-State highway safety programs, $45 million new funds for vehicle standards, $3 million new funds for planning of research and testing facilities.

ADDITIONAL FEDERAL JUDGES AND DISTRICTS

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution (H. Res. 734) providing for consideration of S. 1666, a bill to provide for the appointment of additional circuit and district judges, and for other purposes, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 734

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 1666) to provide for the appointment of additional circuit and district judges, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The Chair recognizes the gentleman from California [Mr. SISK] for 1 hour.

Mr. SISK. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ANDERSON] and pending that yield myself such time as I may consume.

Mr. Speaker, House Resolution 734 provides an open rule with 1 hour of general debate for consideration of S. 1666, a bill to provide for the appointment of additional circuit and district judges, and for other purposes.

The purpose of S. 1666 is to provide for the creation of additional circuit and district judges throughout the United States, and creates two new additional judicial districts in the State of California.

The Judicial Conference of the United States, at its session in March of last year, recommended the creation of 42 judgeships in the U.S. Courts of Appeals and in the U.S. district courts. Subsequently, in September, the Judicial Conference recommended two additional judges for the courts of appeals.

S. 1666, as reported by the House Judiciary Committee would create 45 new judgeships—6 circuit judges, 4 temporary circuit judgeships, 30 district judges, and 5 temporary district judges. The effective date under the Senate version for section 3 was 120 days from date of enactment. The House version would raise that to 6 months from date of enactment.

Mr. Speaker, I urge the adoption of House Resolution 734 in order that S. 1666 may be considered.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SISK. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. I would like to commend the gentleman from California and through him the members of the Committee on Rules for bringing out a rule that does not waive points of order or otherwise circumscribe and circumvent the will of the House. I simply want the RECORD to show that I am complimenting the gentleman on this occasion and hope this will continue.

Mr. SISK. Mr. Speaker, I acknowledge the commendation of my good friend, the gentleman from Iowa, and I can assure him as I did his colleague, the gentleman from Missouri, yesterday that our committee will look with a great deal of concern at requests for waiving points of order and we will not waive points of order when it is not necessary to do so.

Mr. HALL. Mr. Speaker, if the gentleman will yield, I should like to associate myself with the remarks of the gentleman from Iowa [Mr. Gross], and the gentleman from California [Mr. Sisk].

Mr. SISK. I thank the gentleman from Missouri for his comments.

Mr. ANDERSON of Illinois. Mr. Speaker, I yield myself as much time as I may consume.

This is an important bill which the House is about to consider. It is important because it involves one of the three coordinate and coequal branches of our Federal Government.

I think the last time that this House had occasion to consider an omnibus judgeship bill was back in 1961, in the 87th Congress, at which time provision was made for 73 additional Federal and circuit judges.

As the gentleman from California has stated, this bill would provide for 45 additional judges—35 district judges, and 10 circuit judges, all but 9 of whom would be permanent members of the Federal judiciary.

The Rules Committee has just been complimented because of the type of rule that it adopted with respect to this bill. I think the Judiciary Committee deserves some commendation for its handling of this bill. I noted something like 8 days, 8 separate days, I believe, were devoted to hearings on this matter. The report seems to be detailed and complete, and I shall not take the time of the House this afternoon to explain this legislation in detail or judicial district by judicial district because I am sure the members of the committee will undertake to do that.

I do want to point out one fact. There is some disagreement over the matter of the creation of two new districts in the State of California. As I read the report, and as we heard the testimony before the Rules Committee, there was some strong language, I believe, from the Department of Justice about the lack of desirability of creating new districts. Not only would it necessitate the appointment of new marshals and new U.S. attorneys, but the very fact that the size of the present two districts would be altered caused the Attorney General's Office to feel that efficiency and economy would not thereby be promoted. In other words larger rather than smaller judicial districts are more efficiently organized.

I wish to say one more word. I am personally happy that under the provisions of this bill my own northern district of Illinois will receive an additional Federal judge. Since the passage of the bill in 1961 the report shows that case filings have increased 10 percent in the northern district of Illinois, and many of those cases are complicated, time-consuming cases that require additional judicial personnel.

So I am happy that provision has been made in this bill for the State of Illinois.

In conclusion, I suppose that any advice which we offer from the Congress, particularly from this body, with respect to the character and the qualifications of judicial appointees is in the nature of gratuitous advice. Yet it is probably not improper to express the hope that this bill will not be merely considered as a political grab bag, another case of dipping into the patronage pork barrel to reward the party faithful.

I can recall at least two instances recently where what I would regard as unfortunate judicial appointments were made. Fortunately they were not confirmed by the other body. But I hope that this administration would use the opportunity, if this bill is passed and becomes law, to appoint men of outstanding temperament, character, and ability, so that we may see a real enhancement in the prestige of the Federal judiciary.

I include in the Record an editorial from the Rockford Register Republic entitled "Northern Illinois Needs One More Federal Judge."

Northern Illinois Needs One More Federal Judge

Legislation creating 45 new Federal judgeships should be enacted promptly. The Northern District of Illinois is in urgent need of the new judge it would get under the bill which passed the Senate last year and is now before the House.

The measure will not accomplish its purpose of expediting and bulwarking the administration of justice, however, if President Johnson uses the legislation to pass out political plums. Justice suffers when political considerations figure heavily in the appointment of judges.

It is to be hoped that there will be no repetition of the mistakes made by the Democratic administration in the nominations of David Rabinovitz of Wisconsin and Francis X. Morrissey of Massachusetts, to the Federal judiciary. The Senate refused to confirm either of these nominations because of the unfitness of the nominees for service on the Federal bench. These were among the worst cases of misuse of the judiciary as a patronage vehicle.

Mr. ANDERSON of Illinois. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa [Mr. Gross].

Mr. GROSS. Mr. Speaker, I had not intended to speak on the rule, but with only 1 hour of general debate, it is sometimes difficult to get time, and I do want to ask a few questions, as well as to set forth my position on this bill.

I am opposed to the bill, and for several reasons. In the first place, I am not at all convinced from reading the hearings, as best I have been able to read them, that there is justification for an additional 45 Federal judges.

And I am opposed to increasing the numbers until action is taken to clean up the Federal judiciary—and it needs to be cleaned up.

I would say to my friend, the gentleman from New York [Mr. Celler] the chairman of the House Judiciary Committee, that this bill ought to be put over until next year. The gentleman has appointed a special subcommittee to go into the mess in the Federal judiciary in Oklahoma, and the gentleman's committee ought to have an opportunity to look into that situation and others.

Moreover, in reading the hearings, I find that the gentleman from New York, on page 29, speaking on the boundaries of the circuit courts said:

> There was one amendment in 1929 when we carved the 80th circuit into the 10th. There has been no change since then. It is like the application of a horse and buggy standard to a jet propulsion age.

It seems to me that before approving additional judges, Congress ought to pay attention to what appears to be a serious defect in the makeup of the circuit courts today.

The gentleman from New York [Mr. Celler] goes on in the hearings to say:

> It is ridiculous, for example, to have in the 9th circuit the States of Washington, Oregon, Idaho, California, Nevada, Arizona, and Hawaii, Alaska, and Guam as well.

I agree with him that this is an unwieldy district. He says:

> That is a tremendous stretch of territory. It is unfair to the public, unfair to litigants, unfair to the lawyers and unfair to the judges, too, to continue to have that anachronism. I want the record to show this statement, and I hope word will go back to members of the Judicial Conference in that regard.

I reiterate that the investigation ought to be conducted and we ought to have the benefit of the findings in that investigation, and the changes ought to be made in the boundaries of the circuit courts before proceeding to the business of adding 45 additional judges to the 75 that were approved only a couple of years ago.

Incidentally, we were told that increase would be sufficient for a long time, but here is another bill.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I am pleased to yield to the gentleman from New York.

Mr. CELLER. I want to say that the Judicial Conference is now wrestling with that very problem to which you have made reference. It is a very vexatious problem. It is going to take a considerable length of time.

Meanwhile, we are in need of these judges and it would not be proper to hold up a bill for the provision of new judges until that very comprehensive study shall have been completed.

Mr. GROSS. I wonder, since the gentleman is on his feet, just how necessary these judges are. I read the hearings and got mixed answers as to the necessity. Let me cite the gentleman one example.

The gentleman has said many times in his discussion on judgeship bills and the operation of the Federal courts that justice delayed is justice denied. Last year, a Federal judge was nominated, confirmed by the Senate, and his commission signed by the President in August, to fill a new vacancy in Arkansas. What happened?

This particular nominee did not take his office until 6 or 8 months later. What kind of business is this? If Arkansas needed a fourth Federal district judge—and I do not think it did, he was needed last August, rather than in February of this year.

So, if what the gentleman says is true, that justice delayed is justice denied, it was delayed in Arkansas. Will the gentleman agree with me?

Mr. CELLER. Of course, that judgeship was filled by one of our former distinguished Members, Oren Harris, and it was felt that temporarily his services were required here as Chairman of the

Interstate and Foreign Commerce Committee, and therefore there was that delay.

Mr. GROSS. That procrastination is what I am trying to point out, and you recognized it in your hearings. The gentleman from Ohio [Mr. McCULLOCH], said that one of the difficulties in moving the caseload is the slowness with which judges are appointed and take office. I could take the time of the House to read his statement, but it is not necessary. It is in the hearing record.

Are you saying to us here today that the people seeking justice over the country are going to get any better deal than they got last year in Arkansas if we appoint 45 more judges?

Mr. CELLER. I think Oren Harris is going to make a most exemplary judge, and that will be your answer.

Mr. GROSS. Just a minute. I am not questioning his qualifications. I am not questioning whether he is going to be a good judge or a mediocre judge. The question is why, if another Federal judge was needed he did not take his place on the bench promptly. I do question the qualifications of some of the judges that have been appointed. I have in mind a judge who was appointed to the district court who was delinquent for 6 or 7 years in his State and Federal income taxes. I say that your committee needs to find out what is going on in the appointment of judges as well as to clean up the rotten mess in Oklahoma about which I have previously spoken on the House floor. And I say you need to do this before approving 45 more judges. No other course is fair to the citizens of this country.

Let me ask another question: How much does this bill cost? What is the average cost of establishing an additional judgeship in this country?

Mr. CELLER. A district judge costs roughly about $63,000 a year to establish.

Mr. GROSS. This is for an office and all of the expenses that go with the operation—the salary and everything—of a new Federal judge?

Mr. CELLER. The judge's salary plus his aids for the first year runs to about $92,000. That includes furnishing an office. Thereafter it is a little less than $92,000.

Mr. GROSS. So, we are incurring a pretty fair-sized bill of expense here in the creation of 45 more judgeships throughout the land, and I wish there was some way by which this bill could be withdrawn until we could take a look at what is going on. I urge that this bill be put over until next year; until the gentleman's committee has had an opportunity to look thoroughly into the entire matter of feuding between judges, the qualifications of appointees, and the ancient boundaries of some of the circuit courts.

Mr. SISK. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, I wish to commend the Committee on the Judiciary for the work that they have done in the many hearings that were held and the consideration given to this piece of legislation. Some of us—I for one—have for a great number of years been interested and concerned particularly with reference to the establishment of certain new districts in California going back as far as 8 years ago. I am most appreciative of the work of the distinguished chairman of the Committee on the Judiciary [Mr. CELLER], and the distinguished ranking minority member of that committee [Mr. McCULLOCH], and for their concerted attention to this matter.

I would like simply to make this comment in conclusion, Mr. Speaker, I well appreciate the statements made by my good friend from Iowa [Mr. GROSS], but at the same time the problems that exist in the judiciary, as they have existed from time to time in the past and I am sure will from time to time in the future should not cause individuals to keep on waiting for months and in some cases for years for decisions of the court.

These new judges are needed, and I think we should proceed to enact this legislation. As the distinguished chairman of the Committee on the Judiciary has already indicated, that committee is proceeding to make studies and look into some of the problems. I am sure my colleague from Iowa will agree with me that this is not the first time in the 180-year history of our country that we have had a few delinquent judges. We have had things that have not been exactly right, and they have from time to time been cured. Of course, they will recur, because I suppose in the judicial system of this country from time to time we have a rotten apple just like once in awhile we even get a rotten apple here in the Congress, I understand, over the course of the last 180 years. So these are not things that should delay justice to individuals who have been waiting for it. I hope my good friend from Iowa will go along with us on this, which I believe is very needed legislation.

Mr. GROSS. Mr. Speaker, I wonder if the gentleman will yield to me?

Mr. SISK. Yes. I will be glad to yield, Mr. Speaker.

Mr. GROSS. I suggest that the gentleman read the morning newspaper where he will find a statement by a judge in the District of Columbia that cases could be moved forward and justice dispensed much more rapidly if the judges in the courts in the District of Columbia would work after 3 o'clock in the afternoon. I would say to the gentleman that I am afraid in many places there is not too much enthusiasm for work.

The SPEAKER pro tempore. The time of the gentleman from California has again expired.

Mr. SISK. Mr. Speaker, I yield myself 2 additional minutes.

Mr. GROSS. Mr. Speaker, will the gentleman yield further?

Mr. SISK. I yield further to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, if we could get these judges to spend a few more hours in the courtroom each day—2 or 3 more hours—I am sure the case loads could be moved and reduced without the addition of more judges.

Mr. SISK. I agree with my good friend, the gentleman from Iowa [Mr. GROSS]. However, I am sure that from time to time all of us look at the newspapers and see articles of this nature.

I too realize that we have some problems right here in the District of Columbia. In fact, we have had a rather lengthy series of articles about the administration of justice in the District of Columbia. Here, again, I might say that this matter is also under investigation and I am sure that there are judges who perhaps are not so enthusiastic about delivering a full day's work for a full day's pay as they should be. And, from time to time, we have probably had this situation to exist in the past, and we probably will have this in the future.

Mr. Speaker, I will recognize that it is our responsibility to look into these things and investigate them and to do what we can to be of assistance.

But, Mr. Speaker, I assure my good friend, the gentleman from Iowa [Mr. GROSS], that we cannot let everything wait until everything is perfect, because I am afraid that day of perfection may be a long way off.

Mr. GROSS. Mr. Speaker, if the gentleman will yield further, Arkansas waited for a long time to get a Federal judge. Incidentally, I have never been able to understand why Arkansas had to have a fourth judge. The State of Arkansas has a population of less than 2 million, and 4 Federal judges.

The State of Iowa has a population of about 2.5 million, and that State has only 3 judges. There is no clamor on the part of anyone in the State of Iowa for a fourth Federal judge although the State has considerably more population than Arkansas.

Mr. Speaker, I have never heard that the State of Arkansas was a "Delaware," with a large amount of corporate litigation. I wonder why four Federal judges were authorized for Arkansas?

The SPEAKER pro tempore. The time of the gentleman from California has again expired.

Mr. SISK. Mr. Speaker, I yield myself 1 additional minute.

Mr. Speaker, of course the people in Iowa, I am sure, are very law-abiding, and everything goes along smoothly and they never have any difficulties. In areas where they have people like that we do not need so many judges, as I am sure my friend from Iowa will agree, with reference to the number of judges authorized in this bill, and in line with the number authorized in the last few years.

Mr. Speaker, we have about 200 million people today; whereas a few years ago we had only 100 million people, and it takes changes and additions to our personnel force in order for us to exist. We see the increase in the number of people who are working in the various departments downtown, and in other areas of government.

Mr. Speaker, I would hope that the House sees fit to adopt this resolution and to permit the Committee on the Judiciary to proceed to discuss the merits of this bill.

Mr. ANDERSON of Illinois. Mr. Speaker, I have no further requests for time.

Mr. SISK. Mr. Speaker, I move the previous question.

The previous question was ordered.

The **SPEAKER** pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. CELLER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 1666) to provide for the appointment of additional circuit and district judges, and for other purposes.

The **SPEAKER** pro tempore. The question is on the motion offered by the gentleman from New York.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill S. 1666, with Mr. PURCELL in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from New York [Mr. CELLER] will be recognized for 30 minutes, and the gentleman from Ohio [Mr. McCULLOCH] will be recognized for 30 minutes.

The Chair recognizes the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman and members of the Committee, it is said that justice is truth in action, because if there is no action there is no truth. If there is no truth there is no justice. If there are no judges, there is no justice.

Mr. Chairman, numerous of our circuits are insufficiently manned. The circuit courts and numerous of our district courts are insufficiently manned. We need the passage of this bill so that—to repeat the phrase used by the distinguished gentleman from Iowa—justice will not only not be delayed, but justice will not be impaired.

Mr. Chairman, I want to say also that heavy restrictions have been placed upon our judiciary. I believe those restrictions are utterly unjustified. We have as fine a judiciary system in the United States as can be found anywhere on the face of the earth.

I say that, Mr. Chairman, with every emphasis within my power. We are proud of our judiciary. We have been proud of our judiciary throughout our existence as a Nation. We have become great in part because of the exemplary character and way in which all Federal justices and judges have conducted themselves.

Of course, there are some problems. But there is no need to visit upon the entire judiciary the failings of a few.

Something has been said about the boundary lines of the circuit courts. Yet, I have protested and indicated to the Judicial Conference the need to change these boundaries of our circuit courts and the Judicial Conference is now working on that very problem. It is a difficult proposition and it will take some time before the Judicial Conference can come up with a solution. It requires time, effort, and finances. I am informed that the American Bar Association is considering this matter also.

Reference has been made to the situation in the 10th Circuit and the action of the Judicial Council there against Judge Chandler. The Committee on the Judiciary have properly, I think, sought to handle that situation. A special subcommittee was appointed a few days ago to go into all the facts and to probe into that matter. That committee is now organizing. But to delay this bill until we can have all the answers to all problems, to my mind would be an act of futility and would be idle indeed. Therefore, Mr. Chairman, we bring this bill to the floor of the House for your consideration at this time. Justice is for the man in court, there should be no brook of delay for him.

There are many factors indeed that make necessary the passage of this bill to provide additional Federal judges and districts. There is the explosion of population, the shifting of population. There is the passage of so many new laws and statutes. There are the laws and statutes that we have passed under the so-called umbrella of the Great Society. All of these factors give rise to all manner and kinds of litigation.

All these bills that we pass to meet new problems in a great many cases come before the courts in an effort to find a solution to the problem under the laws that we passed. We have passed the civil rights acts. Those acts have generated all manner and kinds of controversies, both civil and criminal. The pleas of the litigants under these acts must be answered and they must be answered promptly.

We have developed in this country a gross national product that is now approaching over $700 billion. We are indeed a great society. We have great unions. We have large and ever larger growing corporations. These are all sources of litigation now and in the future. That which formerly was a mere rivulet of litigation has now become a torrential flow. We must be and are answerable to provide the necessary legal channels to handle this enormous flood of litigation. We cannot sit idly by and say we are not going to pass any new bills for new judges.

The need is present and demanding. There has been ample proof developed and made manifest in the lengthy hearings we have had for the need of these judges. We have taken infinite pains in our report to outline the need for these additional judges in these various circuits and in the various districts.

Mr. Chairman, this bill has been approached by the Committee on the Judiciary in a purely nonpartisan way. It has the support of every Republican and every Democrat on the committee. There was no dissenting voice. The bill was reported out of your Committee on the Judiciary unanimously and we hope that it will merit the fullest possible support in the Committee of the Whole House on the State of the Union.

Mr. Chairman, the bill we have reported to you is almost exactly as it was passed by the other body with a few minor exceptions. One additional judge was added over the number as provided by the other body and that is for one of the districts in California, the central district, raising the number of new judges from two to three.

The other change is as to the effective date of section 3 of the bill which was changed from "after a period of 120 days" to 6 months. That was made necessary because of changes we are making in the districts in the State of California.

So this bill, Mr. Chairman, has been screened and approved first by the Judicial Conference of the United States, by the Senate Judiciary Committee, by the House Judiciary Committee and now we hope it will be approved by this Committee of the Whole.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman.

Mr. JONAS. In how many of the districts that will get new judges would additional court facilities be required to be constructed?

Mr. CELLER. Not in any at the present time.

Mr. JONAS. In how many of them—if the information is available?

Mr. CELLER. In California where two new districts are created there would be no need for any additional facilities at this time. I cannot answer exactly whether additional facilities would be needed if the judicial may require them in the future.

In many of these places there are Federal buildings which can be readily and easily changed to provide for court facilities, if the Judicial Council of the Circuit, the Administration of the U.S. Courts and the General Services Administration find the need for same.

Mr. JONAS. I have asked the question because, while the amount of money involved is perhaps not the most important consideration when we are dealing with the administration of justice—and I recognize that it is not the most important consideration—at the same time I sat on the subcommittee which approved and recommended the money for the construction of new court facilities the last time we increased the roll of judges, and I can assure the gentleman that members of that committee were considerably disturbed at the amount of money involved.

In many cases the construction of new courtrooms and all the facilities that go along with them was involved. We are considering that the cost of the bill in salaries, and so forth, would be $91,000 per year per judge. I merely wondered whether any estimates had been made as to what the cost would be to provide court facilities for these judges in which to transact their business.

Mr. CELLER. I think the figures that we have received for court facilities are set forth on page 13 of House Report No. 1277.

Cost to the judiciary of establishing a new judgeship (exclusive of the cost of providing space, furniture, and furnishings)

	Circuit judgeship	District judgeship
Appropriation: Salaries of judges:		
Salary of the judge	$33,000	$30,000
Related contributions from the appropriation for life insurance, health benefits, and the judicial survivors annuity fund	1,100	1,000
Total	34,100	31,000
Appropriation: Salaries of supporting personnel, the judiciary:		
Salary of the—		
Law clerk, grade JSP-10	8,184	8,184
Secretary, grade JSP-9	7,479	7,479
Crier, grade JSP-5		5,181
Court reporter, ungraded		9,267
Courtroom deputy, grade JSP-9		7,479
Related contributions from the appropriation for retirement, life insurance, and health benefits	1,237	3,010
Total	16,900	40,000
Appropriation: Travel and miscellaneous expenses, U.S. courts:		
Travel, judge and staff	2,000	3,200
Library:		
Initial cost	14,000	10,000
Annual cost (2d and succeeding years)	(2,100)	(1,500)
Equipment (nonrecurring)	1,600	2,000
Communications, printing, supplies, etc	4,400	2,800
Total (initial year)	22,000	18,000
Total (annual recurring)	8,500	7,500
Appropriation: Salaries and expenses, Administrative Office, U.S. Courts:		
Salaries and expenses of clerical staff (unit cost based on a ratio of 1 clerical position to every 3 new judgeships	2,500	2,500
Grand total:		
Initial year	75,500	92,100
Annual recurring	62,000	81,600

NOTE.—The General Services Administration will have to include provision in its budget for furniture and furnishings required by the new judges. The sum of approximately $7,000 will be required for each circuit judge and $14,000 for each district judge.

In a location where no quarters are available for the new judge there would be an additional cost of approximately $20,000 per annum to lease space for agencies displaced. It is estimated that this space acquisition cost would be involved in establishing about 60 percent of the new judges. Apart from this the GSA would encounter construction or alteration costs in an undetermined amount.

Also, it should be recognized that the creation of additional district judgeships will result, after a time, in an increase in the overall jury costs.

Mr. JONAS. The total cost?

Mr. CELLER. I am certain that the figures cover most of the added costs.

Mr. JONAS. I am surprised to hear that, because I am sure that in many of the cases previously considered the cost ran almost to that amount in single instances. I know that you cannot build a new courtroom in a Federal building, with judges' chambers, libraries, rooms for a marshal, a bailiff, witnesses, a grand jury, a petit jury, and all the other necessary facilities, for $125,000, according to our past experience.

Mr. CELLER. As I said to the gentleman, in many instances Federal buildings that are located at sites and places where these courts would be located could be used and changed for the purposes of holding court. The figures we have on that have been given to us by the Administrative Office. Nothing in this bill calls for new courthouses, facilities for courtrooms, judges' chambers and similar necessities, yet I believe those figures are set forth in the report.

Mr. JONAS. Since I have interrupted the distinguished chairman of the House Committee on the Judiciary, I should like to ask another question on another aspect of this problem. Has your committee ever considered the advisability of creating a separate court to handle minor criminal cases without tying up the whole machinery of the Federal Judiciary in a district?

Mr. CELLER. We are giving consideration to developing jurisdiction in the Commissioners to hear petty offenses and to enlarge their jurisdiction.

Mr. JONAS. My experience in the Federal court goes back a good many years. I have not practiced in the Federal court or in any other court since I have been in Congress.

But at one time I did, and I was impressed by the tremendously large number of cases that the district judge had to handle that, if it involved a comparable crime in a State court, a magistrate could have disposed of it.

It struck me then, and it has since, that this is a field that it would be profitable to go into and at least consider. If the situation today is similar to what it was when I was practicing, I think we could attack this problem of the accumulation of criminal cases and dispose of those cases expeditiously.

Mr. CELLER. I will say to the gentleman that even at the present time there are some petty offenses that can be tried before a Commissioner.

Mr. JONAS. I understand that. I just raise the question whether that matter is receiving any consideration at the hands of the committee.

Mr. CELLER. We have not on the civil side. We have given consideration to it only on the criminal side. The Federal criminal dockets have not been the primary problems of court congestion on a national basis.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Chairman, I wonder if the gentleman can tell me whether the message has gotten through to the present members of the judiciary who constitute judicial councils, that they have no authority to impeach a Federal judge, as they did for all practical purposes, in the case of Judge Chandler?

Will the gentleman say that in the interim, between now and the time that his committee can act and look into this particular situation, as well as perhaps others, the present judicial councils will keep their hands out of the business of impeaching Federal judges, a proceeding that is vested in Congress, and only in Congress, by the Constitution of the United States?

Mr. CELLER. I will repeat to the gentleman that we have appointed a subcommittee, presided over by the distinguished gentleman from Texas [Mr. BROOKS], to go into this very matter and examine in breadth and width this very question that you asked. We hope to have some sort of answer from them by way of recommendation to the Judiciary Committee as to what the powers of the judicial councils are.

I will say this to the gentleman: At the next meeting of the Judicial Conference, to which I have now been invited, I am going to ask the members of the Judicial Conference likewise to consider what powers the judicial councils of the circuit courts should have over the conduct of the district judges. We are giving fullest attention to this very matter.

Mr. GROSS. Mr. Chairman, will the gentleman yield further?

Mr. CELLER. I yield to the gentleman.

Mr. GROSS. I cannot quite agree. I do not want to take issue with the gentleman in a matter of semantics, but I cannot agree that the judicial council should tell the Congress anything. We tell the judicial councils through the Federal judges and through the laws of this country, through the Constitution of this country, what they should do.

Mr. CELLER. As to the judicial council, we did not with real precision or exactitude, say where their jurisdiction began or their jurisdiction ended. Therefore, we are endeavoring to find out, first from the consideration of the Judicial Conference, and then from the committee I appointed, what is best to do. We will base our decision on that, as well as our independent judgment as to what the jurisdiction is, what the powers of the judicial council may be. I do not know what more the gentleman can ask.

Mr. GROSS. I will say to the gentleman that I know where our authority begins and ends, because it is stated in the Constitution of the United States. But I was in hopes that the gentleman could tell me that in the interim, between now and the time his committee is able to act, the Federal judiciary would keep hands off the impeachment of any more judges.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. The gentleman from Iowa brings up a very interesting situation as we know it exists in the 10th Circuit in Oklahoma, but a few moments ago he contributed the thought that it was impossible to get many of these judges to work. It was the objective, as I understood it at the time created the Judicial Councils, to ensure their independence and permit them to supervise their own administration so to expedite the work of their courts.

I concur with the gentleman that the only way one can remove a Federal judge is by impeachment. But if the 10th Circuit Court of Appeals, in their wisdom, tried some action here, in order to improve the work of the courts under its jurisdiction without the necessity of having to take such drastic action as impeaching a judge, I agree it should be studied.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman.

Mr. GROSS. I am glad to hear the gentleman corroborate what I said a while ago, that some of the judges could put out more effort and move these cases along. I am glad to hear him say that they should be prodded into doing a little more work, perhaps more than a little more work.

Mr. ROGERS of Colorado. That was the objective when they created the councils, and they have worked, I am sure, in many instances. As to whether they went too far in this instance, is a question that remains to be answered.

Mr. GROSS. They have already admitted they went too far.

Mr. ROGERS of Colorado. How?

Mr. GROSS. By practically impeaching Judge Chandler, stripping him of his cases and then restoring them.

Mr. CELLER. We have a limited time with only 1 hour for debate. I hope the gentleman will forgive me.

Mr. GROSS. I am sorry the gentleman did not ask for 2 or 3 hours.

Mr. CELLER. The bill would create 45 judges. There would be six permanent circuit judges and four temporary circuit court judges. Of the 35 district judges, 5 will be temporary and 30 will be permanent.

It will create two new California districts, one called the eastern, with the main location at Fresno, and the other the central, with the main location in Los Angeles.

Mr. Chairman, I do hope this bill will pass.

Mr. CELLER. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida [Mr. FASCELL].

Mr. FASCELL. Mr. Chairman, I rise in support of S. 1666. I want to commend the distinguished chairman of the full committee, the gentleman from New York [Mr. CELLER], and the members of the Judiciary Committee for bringing this bill to the floor of the House for final action. The committee is to be likewise commended for its continuing interest in the improvement of our Federal judiciary and making it possible for expeditious consideration of litigation.

The previous bill which this committee brought out had significant beneficial effects in Florida. We were years behind in the handling of litigation. Witnesses died, evidence disappeared, and justice both in criminal and civil cases was many times thwarted. I am pleased to state here today that because of the previous action of this committee that situation is much improved in Florida. Nevertheless, in the southern district which encompasses my own constituency, because of population growth and litigation expansion, it still takes much too long to get to trial.

This bill I am hopeful will make it possible for all trial dates to be reached in several months. This is a very substantial step forward in the administration of justice.

Rather belatedly the legal world has become aware that something will have to be done about court congestion. Because of the greatly increased court congestion and the urgent need for a solution, I strongly support passage of S. 1666 which provides for the appointment of a number of additional circuit and district court judges.

This bill will provide in my own State of Florida for four badly needed judges—one additional district judge for the northern district of Florida, one additional district judge for the middle district of Florida, and two additional district judges for the southern district of Florida. The need for additional judges is just as great in other districts of the United States covered by S. 1666.

Prof. James William Moore, an eminent professor of law at the Yale Law School and author of "Moore's Federal Practice" and "Moore's Commentary on the U.S. Judicial Code" recently wrote:

> As to judicial personnel, I venture to suggest that the number of Federal judges should be promptly increased whenever and wherever warranted. I respectfully submit * * * that the judicial plant must be enlarged to keep pace with an expanding nation; and that the solution of the problem lies in a wise and discriminating enlargement.
>
> And so I say the judicial plant should be enlarged from time to time. In the process of enlargement let us remember that there should be enough judges to handle all the proper judicial business before them with expedition, but each with such leisured time that he may bring to the case at hand the art of judging. He should not be reduced to a factory robot clearing a certain number of statistics daily from his docket. (35 F.R.D. 305.)

Lawyers, judges, and legal writers have talked at great length about the "law explosion." This term "the law explosion" means the proliferation of controversies and legal problems, or range and number quite beyond anything with which an earlier legal order has ever had to deal. A contributing factor to the law explosion has been the great increase of our population—more people, more lawsuits, more crimes, increase in divorce, family disruption, juvenile delinquency, and mental illness—all included in the duties of our already overburdened judicial system. The automobile alone has caused a staggering volume of automobile accident cases which the courts must hear.

The Federal judicial machine is like any other machine—it needs repairs and sometimes replacement of worn or obsolete parts. S. 1666 will be a needed repair to our judicial machinery which will relieve the frustrating docket congestion of our courts. In the southern district of Florida, the area which I represent, is contained about a fourth of the total population of Florida; there are presently three full-time judges and one roving judge—shared with the other two Florida districts—who hold court at Miami, Key West, Fort Pierce, and West Palm Beach. On a weighted caseload-per-judgeship basis, this district ranked 10th nationally in 1964 with 378 cases commenced per judge. The national average in the same year was 264 cases commenced per judgeship. This means that in the southern district of Florida each judge must commence more than one case each day of the year—often involved and lengthy cases. The caseload will not decrease—it will only increase, especially in Florida's very desirable retirement area.

Florida's population in 1960 was 4,951,560 and the estimated population for 1970 is 7,974,000—an increase which will be 61 percent over the 1960 population.

Statistics speak for themselves. In fiscal year 1965, 1,020 civil cases were commenced in the southern district of Florida, 913 were terminated which left 692 pending. Also, 520 criminal cases were commenced in fiscal year 1965 with 507 being terminated leaving 176 pending.

Civil cases in the southern district of Florida have increased irregularly in the last 4 years, but filings in each of them were greater than they were in the years just prior to the passage of the last omnibus judgeship bill. Other judicial districts can cite similar statistics to illustrate increased cases in their courts. The Judicial Conference has recommended an increase of two judges in the southern district of Florida and S. 1666 would carry out this recommendation as well as the Conference's recommendations in other districts.

The courts today are so absorbed in daily demands that they find themselves unable to find time for administrative planning and streamlining which would lead to an improved Federal judicial system. Overloaded dockets can mean that the quality of the court's decision or opinion will be sacrificed. Our citizens are entitled to court dockets on a current basis and at the same time the best quality of judicial decision. I hope that we do not deny this right to our citizens and I therefore strongly urge passage of S. 1666.

Mr. McCULLOCH. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am happy to join the chairman of the Judiciary Committee, the gentleman from New York, in support of S. 1666. He has correctly said the bill will create 6 permanent and 4 temporary circuit judgeships, together with 30 permanent and 5 temporary district judgeships.

The bill received full and careful hearings during the last session of this Congress. Subcommittee No. 5 heard testimony or received statements of a large number of witnesses, including representatives of the Judicial Conference, judges, Members of this body, and representatives of the American Bar Association.

My support of the bill has two bases. The recommendations of the Judicial Conference reflect a new approach to the needs of the Federal judiciary, which is salutary. The impartially marshaled facts show that most if not all, these judgeships are clearly required, if the Federal courts are to do their work efficiently and with dispatch, and if the quality of process is to continue to be the hallmark of the Federal judicial system. I also believe we can act on the measure before us in greater confidence, in view of the promising prospect that before we are again called upon to create a large number of additional judgeships, we will have acted on proposals to solve the problems of our escalating caseloads and burgeoning dockets by means other than merely pyramiding new numbers of judgeships every few years.

First, with regard to the judgeships provided in S. 1666, the report on the bill reflects new developments in the processes available for assessing the needs of judicial districts. In years past, Judicial Conference recommendations were initiated by requests which had been made for particular additional judgeships. Prior to 1960, there was only a slight attempt by the Conference to deal with judge power problems from an overall view of the needs of the judicial system as a whole.

A broadly based approach was initiated in 1960 by the committees of the Judicial Conference. The committee on statistics sat down and reviewed the docket and caseload figures of each and every judicial district in the Federal system. Each situation was compared and analyzed by means of five statistical yardsticks which you will find set out in the committee's report. Districts where a present, pressing need was manifest were singled out for recommendation for new judgeships.

The committee on court administration then reviewed and adjusted the recommendations, based on their knowledge of other characteristics of the districts, such as population growth, illness among the judges, or peculiar personal situations. Thus, while some recommendations that are before us today are more easily justified than others, I believe none are included that are not demonstrably required by a mounting caseload—usually reflecting burgeoning population growth—by pending judicial business and by knowledge of the Conference of the day-to-day operations of the courts. As a matter of fact, there are some districts for which a case might be made for a new judge, but they have been ruled marginal by the Conference and therefore excluded from the present proposal.

As I have indicated, simply to provide more and more judges to meet the needs of our judicial system is to take a narrow, short-range view of the problem. We are experiencing rapid increases in population of many of our judicial districts. Quickened public awareness, and an increasing number of Federal laws have produced an ever-broadening scope of individual rights which may be and are being vindicated in the courts. Extensions of Government regulatory power have added to the caseload of many of our courts.

Now, as never before, is the time when we must consider other means to improve the quality of Federal process and increase the efficiency of its administration. In this regard, for instance, an experimental program has been initiated to determine the utility of pretrial examiners to assist in the pretrial phases of civil litigation. Studies have been undertaken by the American Bar Association and by the Judicial Conference on various other possibilities, such as curtailment of Federal court jurisdiction; creations of special courts to entertain appeals from specified administrative agencies; and modification and streamlining of our present appellate jurisdictional rules and procedures.

Means must be developed—within the framework of constitutional strictures—more effectively to harness the talents and energies of the judges we have and to assure that they carry their full weight of responsibility for the caseload in their districts. Possibilities which are entitled to thoughtful study include means for more flexible assignment of visiting judges from less active districts to those districts where additional help in time can nip in the bud a temporary increase in the workload which, if unattended, will trigger a logjam of backlogged cases.

Another problem—which has been dramatized by the recent unfortunate situation in Oklahoma referred to by the distinguished chairman—is the infrequent but severely debilitating circumstance of a judge who is unable or unwilling—by reason of illness, age, or infirmity—to carry a full judicial caseload. I am sure every Member of this body is aware of these instances where the work of a court slows to a standstill because of a judge, who, disabled as a practical matter though not to the extent required for retirement under the disability statute, refuses to retire; or whose behavior or demeanor renders him ineffective in judicial service, though it is not the egregious misbehavior required for impeachment. Several approaches to this problem—as involuntary retirement, removal and disciplinary measures have been undertaken for study by the American Bar Association.

I am in full accord with the view expressed in the report that before we again expand the Federal judiciary, we give some attention to these other solutions to increasing the productivity of the judicial branch.

Mr. Chairman, it is worthy of notice in considering this measure, which will increase the Federal judiciary by 10 percent, that Congress alone does not complete the important duty of answering the judge power needs of the Nation. Unless the Chief Executive gives prompt attention to the appointment of the most highly qualified candidates, justice will continue to be delayed and thus denied, in many instances.

Some judgeships created by the omnibus judgeship bill of 1961 went unfilled for periods of more than a year. As a matter of fact, the last of these posts was filled by our able colleague from Arkansas, Oren Harris, who resigned from this body to fill a vacancy that had remained unfilled for 4½ years. Unquestionably the situation in that district was not as urgent as it had been represented at that time. In view of the greater precision of the recommendations for S. 1666, I must caution that such a delay in filling these judgeships will effectively thwart the intent of this legislation.

Finally, Mr. Chairman, I must strenuously urge that appointment to the Federal judiciary be removed from the category of pure party politics. Appointment to the Federal bench should be recognition of merit and achievement, of legal scholarship and ability, not merely a prize for party loyalty, or a political plum.

I recognize that in the past many able Presidents of both parties have been extremely partisan in their appointments. To some extent, appointments limited to the party of the President reflect the desire to correct an imbalance in the political background of its membership. This was President Eisenhower's expressed desire. You will recall that in 1959, when he asked the Congress for 35 additional judges he stated his intention to fill them in a bipartisan manner, to maintain a substantial balance between Republicans and Democrats.

It is to his credit that the late, great President Kennedy made at least a small start in this direction: 11 out of the 91 district judges he appointed were Republicans. Undoubtedly the percentage would have been higher had he enjoyed the full cooperation of all Members of the other body. While I note that President Johnson has appointed but 1 Republican in 35 such judgeships as of the end of the last session of Congress, I most strongly urge him to take the opportunity afforded by passage of this bill, to make an effort that a real advance may be made toward a balanced, truly nonpolitical judiciary. Not only will the numbers and quality of candidates considered be increased and enriched, but more able and prominent lawyers will be attracted to accept the posts. Thus the image of the Federal courts and the public confidence in them will be accordingly enhanced, to the greater effectiveness of government by rule of law.

In my judgment, to create an unnecessary judgeship is as harmful to the effective dispatch of Federal justice as to withhold a judgeship where a need for one exists. I have confidence that in S. 1666, in large part we avoid both pitfalls to an unprecedented extent, and that, given prompt, considered executive action the best interest of the judiciary and of justice will have been well served.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. McCULLOCH. I yield to the gentleman from Iowa.

Mr. GROSS. I thank the gentleman for yielding.

The gentleman from Ohio, I assume, is aware of the fact that the chairman of the Committee on the Judiciary has created a special committee to investigate the situation with respect to the Federal courts in Oklahoma.

Can the gentleman tell me whether the committee has been staffed; whether he has been consulted with respect to the staffing of that special committee, a most important committee, I would say, and whether that includes a staff member or counsel for the minority on that committee?

Mr. McCULLOCH. I am very pleased to say to the gentleman from Iowa that the chairman of the Committee on the Judiciary conferred with me at length about the creation of this subcommittee. The subcommittee has been created. The very able gentleman from Virginia [Mr. POFF], a member of the Committee on the Judiciary, is the member of the minority. I am assured—and I have every reason to believe—that that subcommittee will have an adequate staff and adequate travel allowances with which to make the investigation and submit its report thereon.

Mr. GROSS. I thank the gentleman from Ohio.

Mr. CELLER. Mr. Chairman, I yield to the gentleman from California [Mr. COHELAN].

Mr. COHELAN. Mr. Chairman, I strongly support this bill to provide additional circuit and district court judges. I cannot speak specifically to the needs of the other 14 States where additional district judgeships would be created, although the report and hearings of the committee indicate its recommendations are most reasonable.

I can, however, state that the increase of five district judges for California—along with the creation of two additional judicial districts and three new places of holding court—are thoroughly warranted and urgently needed.

Before proceeding further, Mr. Chairman, I would like to commend my distinguished colleague from California [Mr. EDWARDS], who is a member of the Judiciary Committee, for the outstanding job he has done on this bill. His testimony to the committee and to the House has been reasoned and perceptive and I commend his sound analysis to our colleagues' attention.

Mr. Chairman, I will make my own remarks brief, but I would like to stress several important points in support of this bill as far as California and my own district are concerned.

When California became a State 106 years ago, two Federal judicial districts were established to serve a population of less than 100,000. Today that population has grown to more than 19 million, but still there are only two judicial districts.

But the necessity for additional districts and judges in California is not a factor of population alone. In 1860 California was largely an agricultural and mining State. Today it is a great center of commerce and industry. Together with population this change has resulted in vastly increased caseloads and care complexities, coupled with traffic problems and congestion which commonly make access to existing court facilities difficult, costly, and frustrating.

The Judicial Conference of the United States has taken cognizance of this marked change and has recommended two additional judicial districts for California. So too has the Honorable Richard H. Chambers, chief judge of the Ninth Circuit of the U.S. Court of Appeals. I urge the House to accept their expert and qualified judgment.

Mr. Chairman, I also call attention to the recommendation of the Judicial Conference, which is included in this bill, to authorize three new places for holding court in California; namely, at Oakland, San Jose, and Redding.

As the Representative of northern Alameda County, which includes large sections of Oakland, I am particularly interested in this provision. As a matter of fact, along with my senior colleague from Alameda County [Mr. GEORGE P. MILLER] I have been urging for a number of years that there be a Federal district court in Oakland to serve the large and rapidly growing populations of Alameda and Contra Costa Counties.

Just what are the equities for having court held at three new sites in California, and particularly at Oakland?

In the first place, California is presently limited to holding court in only six cities, the smallest number of any of this country's six most popular States. Yet California, in population, is the largest State in the Union, it is the third largest in area, and its population is expected to increase by fully 40 percent in the present decade.

Secondly, Alameda and Contra Costa Counties, which would be served by a court meeting at Oakland, presently have a population of over 1.5 million. They constitute a distinct geographic area of 1,467 square miles, known as the East Bay. Their residents—plaintiffs, defendants, attorneys, witnesses, and jurymen—must now commute to San Francisco, a trip which in the rush-hour traffic of morning and late afternoon averages between 45 minutes and an hour and a half each way.

When we further contrast this East Bay community of over 1.5 million persons with the present California ratio of 1 judge for approximately every 860,000 residents, then clearly a strong and reasonable case for court being held in Oakland is made.

Mr. Chairman, I commend the committee for the extensive and thoughtful work they have put into their bill. I believe their recommendations are warranted by the facts, and I believe they should be approved so that the access of citizens to their Federal courts will not be diluted by a burgeoning population.

Mr. CELLER. Mr. Chairman, I yield 8 minutes to the gentleman from California [Mr. CORMAN].

Mr. CORMAN. Mr. Chairman, passage of the omnibus judge bill is essential to the proper administration of justice, particularly in the State of California. First, California will get two additional districts. When the State was admitted to the Union, it was divided into two districts. That situation has not changed until this time. This bill provides that the State be divided into four districts, doubling the number of U.S. attorneys and making it possible for litigants and their counsel to travel lesser distances to attain justice in Federal courts. Secondly, the State will be given five new judges, two in the northern district and three in what will be the central district. The new central district, comprising Los Angeles and its environs, is one of the most rapidly growing areas in the United States. For instance, during the past 5 years, Philadelphia has grown by 1.8 percent; Chicago by 5.6 percent; New York City by 7.7 percent; and the Los Angeles area by 23.08 percent. Presently, there is 1 judge for every 974,319 people. The caseload in that district has jumped dramatically. In 1959, 1,214 civil cases were commenced, and 855 criminal cases were commenced. By 1964, that figure had jumped to 1,739 for civil cases and 1,434 for criminal cases. The most accurate test of work performed by Federal judges is submitted by the Judicial Conference under their criteria of weighted caseload. The national average per judge is 274. The load on the judges in the new central district is 365. The people in California need and are entitled to the new districts and judges provided for them in this bill. I might say to the gentleman from Iowa, who has been critical about the delay in the appointment of judges, and I am qualified to comment only on the appointment of the judges in the central district in the State of California, that I have been most pleased with the care exercised by the Justice Department and the President in seeking out highly qualified men to serve on the bench. As the gentleman from Ohio [Mr. McCULLOCH] pointed out, the President sometimes has a problem with the other body since Federal judges must be confirmed by the Senate, but if the President follows the same procedure in every district which he follows in the central district of California, then we will continue to have a high quality of justice administered. We will have fewer problems, such as those commented upon by the gentleman earlier today.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. CORMAN. I yield to the gentleman.

Mr. GROSS. Now the gentleman would not think that it would take a year or a year and one-half to fill a vacancy; would he?

Mr. CORMAN. The President never has taken that long in California, I will say.

Mr. GROSS. I give President Johnson more credit for astuteness than that.

The gentleman speaks of caseloads of the judges. What do you suppose happened in Oklahoma when the Judicial Council stripped Judge Chandler of all his cases, some 180, and those cases apparently remained in a state of limbo until enough pressure was brought upon the Judicial Council, mostly here in Congress, to hand him back 160 of them. But he was denied any new cases. What do you suppose happened to justice in Oklahoma in that period when this judge was for all practical purposes impeached by the Judicial Council?

Mr. CORMAN. Without having any personal knowledge of the facts, I would say that justice was badly disrupted in that instance.

Mr. GROSS. And not for want of additional judges—new judges.

Mr. CORMAN. So far as the five new judges in California are concerned, they are badly needed. The workload has been heavy. We need the two new districts, and I am sure the gentleman from Iowa will support us on that part of this bill, at least.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. CORMAN. I yield.

Mr. GROSS. I wish the law enforcement officials in California and other governmental agencies in the State of California would do what I believe they ought to do, and that is to get to the business of putting down some of the lawlessness which the hearings talk about. There seems to be quite a record in California for that sort of thing, according to the hearing record, and I suggest that perhaps the State could be of some assistance to the Federal judiciary in slowing down the increasing rate of lawlessness.

Mr. CORMAN. I am sure the gentleman would agree with me that most of the folks who have come to California from Iowa obey the law. A few do not, and therefore we have to have prosecuting attorneys to prosecute those cases and courts to hear them, and sometimes even prisons to lock them up.

Mr. CELLER. I yield to the gentleman from California [Mr. EDWARDS] such time as he may require.

Mr. EDWARDS of California. Mr. Chairman, I should like to take this opportunity to commend the distinguished chairman of my committee, the gentleman from New York [Mr. CELLER] for the thorough and effective handling of this important bill. We all recognize, though, that this is a habit with him. Mr. CELLER's excellent stewardship of complex legislation has been demonstrated many times. The 89th Congress has already passed landmark legislation in civil rights, immigration, and presidential succession which came from the Committee on the Judiciary so ably chaired by the gentleman from New York.

This is an important day for me and for my esteemed colleagues from the State of California. There is overwhelming support among our delegation and it is bipartisan. We have long recognized the serious need in California for additional Federal judges and for the creation of two additional Federal court districts. I am particularly happy that the Judicial Conference of the United States took cognizance of the bill which I introduced in the beginning of this Congress, H.R. 4534. The official report of the Judicial Conference accepted the new districts set out in my bill and recommended the appointment of additional Federal district judges. My own bill called for eight new judgeships, and I firmly believe a good case can be made for that number. Nevertheless, I am pleased that the Judiciary Committee has concluded that five new judgeships are clearly warranted for California. With these additional judges and the more convenient places of holding court included in the bill, I believe the citizens of California will be served far more efficiently by the Federal court system than they have in past years.

Mr. Chairman, the establishment of a Federal court in San Jose and another in Oakland is, of course, of particular concern to me. The recognition of the need for such facilities by the Judicial Conference and the Judiciary Committee is due in large part to the reasoned and patient support of my good friends, the gentlemen from California, GEORGE MILLER and JEFFERY COHELAN, who share with me the honor of representing citizens of the area.

The redistricting of the Federal courts in California is long overdue. When California entered the Union in 1860, two Federal districts were established. At that time the population was 92,597. Today, over 100 years later and 19 million people richer, we still have only 2 districts. Too long have our people been burdened by the inconvenient location of the Federal courts. Our citizens should not be forced to travel unconscionable distances.

Of our six most populous States, only California and Ohio have but two districts and California is approximately four times the size of Ohio and has roughly twice its population.

In addition to having 4 judicial districts, New York's Federal judges hold court in 13 cities; and California's Federal judges presently hold court in only 6 cities.

The four districts as provided in S. 1666 reflect the careful weighing of the many factors involved. The lines of the four districts were drawn after many years of study and after much consultation and research on the part of members of the bar and judiciary as well as members of the California delegation.

The new northern district, with a population of approximately 5 million, would encompass the counties in the northwest section of the State, including the major cities of San Francisco, Oakland, and San Jose. The eastern district, with a population of 3½ million, is separated from the northern by mountains and includes the major cities of Sacramento, Stockton, Fresno, and Bakersfield. The central district, with a population of approximately 8 million, includes the great city of Los Angeles. The southern district, with a population of 1½ million, is a natural area in terms of its geography, economic factors, the burgeoning population around San Diego, and the peculiar problems connected with the Mexican-American border.

The sheer size of the State of California warrants the creation of the two additional districts when viewed together with the incredible increase in population and the rapid industrialization of the State. California, with a population of 19 million, is the most populous State and the fastest growing of the larger States. It is the third State in area, exceeded only by Alaska and Texas, and has the longest coastline of any State. Each year our population increases by 800,000 persons. The fact is that California has a projected percentage increase for 1970 over the population of 1960 of 40.5 percent. That percentage figure equals 7½ million people.

The counties that account for the major portion of this fantastic increase in population, are Alameda, Santa Clara, Los Angeles, Orange, and San Diego, where the rate of increase is far more substantial than 40.5 percent. The county of Santa Clara, for example, whose principal city is San Jose, grew from 1950 to 1963 from a population of 290,000 to 810,000. It is expected that Santa Clara County by 1970 will have a population of 1,100,000. I was born in San Jose and I remember when the country was dotted with fruit trees. Now the industrial giants of the Nation have huge plants in Santa Clara such as General Electric, Ford, General Motors, IBM, Lockheed, and many others—all engaged in interstate commerce. In 1963 alone, 62 new industries located in Santa Clara County.

Alameda County, directly to the north of Santa Clara, whose principal city is Oakland, already has a population of more than 1 million. Alameda County contains a major seaport as well as vast commercial, industrial, and agricultural enterprises. I am, of course, most pleased that the bill before us today provides for a resident Federal judge in San Jose and in Oakland.

I would like to close my remarks today with one more statistic. As of now, there are 22 U.S. district judges serving 19 million people in the State of California—approximately 860,000 persons for each district judge. The national average for metropolitan districts is about half a million per district judge and in some areas where the problems are intense the ratio is lower. The acceptance of the bill before us today would give California a total of 27 judges, one Federal judge for each 730,000 inhabitants.

I respectfully recommend acceptance by the House of S. 1666 as amended.

Mr. CELLER. Mr. Chairman, I yield to the gentleman from California [Mr. BURTON], such time as he may require.

Mr. BURTON of California. Mr. Chairman, I have a series of questions to pose in order that the intent of the Congress may be clarified:

Mr. Chairman, am I correct in the assumption that by the passage of this bill Congress does not intend to in any way change the law as to the power of the U.S. District Court for the Northern District of California to set up the venue, rules, and regulations governing the conduct of the court's business?

Mr. CELLER. Yes.

Mr. BURTON of California. Is it not the intent and assumption of your committee that any administrative action taken by the Judicial Council of the Ninth Circuit to compel the judges of the proposed northern district, now headquartered in San Francisco, to reside and hold their official stations at Oakland and San Jose will be taken only upon independent investigation and findings that the public interest and the business of that court so requires, as specifically provided by 28 U.S.C. 134(c)?

Mr. CELLER. Yes.

Mr. BURTON of California. Am I correct in my understanding that the mere authorization of the Northern District Court of California to sit in Oakland and San Jose does not carry with it a requirement that the court sit in those places?

Mr. CELLER. Yes.

Mr. BURTON of California. As I understand, the determination of whether the court will or will not be held in Oakland or San Jose is to be made by the district court itself or by the district council to be considered subsequent to the enactment of this legislation?

Mr. CELLER. Yes.

Mr. BURTON of California. Does not the committee intend and assume that before undertaking an expenditure of well over $2 million to man and equip courthouses in Oakland and San Jose, both the Judicial Conference of the United States and the Judicial Council of the Ninth Circuit should independently—subsequent to the passage of this legislation—find that such expenditure is justified?

Mr. CELLER. Yes.

Mr. BURTON of California. Under the provisions of this bill, court for the northern district of California is authorized to sit at Oakland and San Jose as new additional places of holding court for the northern district of California.

Under section 140, title 28, the District Court of the Northern District may by order made anywhere within its district, adjourn, or with the consent of the Judicial Council of the Ninth Circuit, in this instance, pretermit any term of the court for insufficient business or other good cause.

As I understand the meaning of section 140, section 140 is inserted to obviate the expense and inconvenience of convening and adjourning a term for which no need exists, is that correct?

Mr. CELLER. Yes.

Mr. Chairman, how much time do I have remaining?

The **CHAIRMAN.** The gentleman from New York has 3 minutes remaining.

Mr. CELLER. I yield 3 minutes to the gentleman from New York [Mr. RYAN].

Mr. RYAN. Mr. Chairman, it has been said that the creation of additional judgeships will insure that justice is done more quickly, while giving individual judges more time to reflect on each decision.

In addition, it creates an opportunity that gives us a cause for optimism. The bill will give the President an opportunity to appoint men of high caliber and integrity.

The need for such men is particularly acute in the South, where men of merit—like Judge Tuttle—have too often been the exception, and men like Judge Cox the rule.

This bill would create four new positions on the Fifth Circuit Court of Appeals, 1 district judge for Alabama, 2 for Mississippi, 4 for Louisiana, 4 for Florida, 3 for Texas—18 new judgeships in all in the Fifth Circuit.

I hope and trust that President Johnson will use this opportunity to appoint men who respect the Constitution and recognize the supremacy of Federal law.

The Fifth Circuit Court of Appeals is possibly the second most important judicial body in the country. Except for the U.S. Supreme Court, no other court has such an important role in any area as this court's increasing responsibilities in the area of civil rights. Through its decisions, its powers of supervision over lower courts, and the participation of its members on three-judge courts, the Fifth Circuit Court of Appeals carries the major burden of applying legislation to assure equal rights to all Americans—the most important mandate in our history.

It is imperative that judicial appointments to the circuit and district courts be made in harmony with the mandate of Congress and the Supreme Court.

Unfortunately, there have been too many segregationist-minded judges appointed.

In all of the six States encompassed by the U.S. Court of Appeals for the Fifth Circuit, Negroes are a major population group. Tragically, they are also the most distinct group with the most urgent common interest under the laws of the United States. Yet, there is not a single Federal judge in the Deep South today who is a member of the Negro race.

Last year, when I testified in opposition to the appointment of James P. Coleman to the Fifth Circuit Court of Appeals, I urged the selection of a Negro for that seat.

Now, under this bill, the President will have the opportunity to find competent and qualified lawyers for the Fifth Circuit Court of Appeals and the district courts. I am positive that there are many competent and qualified Negro lawyers in the South who will make excellent judges and render conspicuous judicial service.

Certainly they will not bear the responsibility for having been architects or defenders of the southern pattern of segregation.

In addition, in other parts of the country the President will have the opportunity to increase the number of Negro judges on the Federal bench. As far as I know, among 384 judges there are only 5 Negroes presently serving in the circuit and district courts.

Recently the President named Manhattan Borough President Constance Baker Motley to the District Court for the Southern District of New York, which was a commendable appointment. There should be more.

Mr. Chairman, this bill, which would create 45 additional Federal judgeships, will also create an opportunity, which I sincerely hope the President will seize, to reshape the Federal judiciary in the South. Judges who understand and respect the law of the land and who are creative in applying the law can do much to advance the cause of civil rights. The Civil Rights Acts of 1964 and 1965 which we passed provide the legal framework for the achievement of full equality.

How these laws are interpreted and applied is crucial.

Mr. McCULLOCH. Mr. Chairman, I yield to the gentleman from Maryland [Mr. MATHIAS] such time as he may desire.

Mr. MATHIAS. Mr. Chairman, I support the committee bill for additional judges, because I feel that additional Federal judges are very badly needed in this country. We hear a lot these days about the population explosion, but it is not often recognized that there is in addition and concomitant to the population explosion another explosion, which is the litigation explosion. As the population increases and as the cycle of business becomes more rapid, there is simply more business than the courts can handle with the bench at its present level of staff.

Therefore, I feel there is a demonstrated need for the passage of this bill. Nothing is more harmful to the cause of the administration of justice than long delays in obtaining a trial. Nothing is more frustrating or disappointing to litigants than the fact that they literally cannot get their day in court.

One way that we in Congress can help maintain their respect for law and order, one way that we in Congress can help to create a stronger sense throughout the country that the Federal courts are truly the refuge of all those who seek justice, is to pass a bill which will make the number of judges more nearly comparable to the number of cases that need to be decided.

As we pass this legislation, I think that the administration, particularly the President and the Attorney General, should be aware that we are placing a heavy responsibility on them to nominate the kinds of judges who will do the job that needs to be done. Certainly judges who are appointed purely for partisan reasons or purely for personal reasons are not going to be the kinds of judges who are needed. I sincerely hope that the President and the Attorney General will seek those men who are leaders in the profession, who are qualified, who have had experience, and who will deal to the American people the kind of well-tempered justice which these times demand.

Mr. Chairman, I think the testimony before the Judiciary Committee, which is available in the printed hearings, and the evidence which is summarized in the committee report, demand that we support this bill today.

Mr. McCULLOCH. Mr. Chairman, I yield to the gentleman from Florida such time as he may consume.

Mr. CRAMER. Mr. Chairman, I rise in support of this legislation. We held hearings on this bill for many days and went over the needs of the respective States quite carefully.

As it relates to the State of Florida, I know what our problem is there. It is a serious problem. I went into it rather deeply, particularly the question as to whether or not existing, seated judges are spending adequate time on the bench doing their job. I came away fully satisfied not only that they were doing the job but also that most of them were working overtime, that it is impossible to keep up to date with the docket which exists, that the people have to wait 2 or 3 or 4 years to dispose of a Federal case. This is not necessarily the fault of the judges in this instance.

I personally feel that the price being paid for expeditious justice in this instance—the cost of judges, particularly as it relates to the State of Florida and the four additional district judges and the new circuit judges involved—is an expenditure that is fully justified.

I for one support the legislation, particularly as it relates to the needs that I am fully familiar with in the State of Florida.

I do recognize that there may be problems that have been referred to during debate in some areas. I do not think we can close our eyes to those problems. I think the Judiciary Committee should retain its consideration of problems relating to judges and to the caseload in existence, and to other problems that might be in existence.

I think the bill as voted out by the committee for us today is a good bill and should be supported.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Iowa.

Mr. GROSS. I note in the report, on page 12, that one of the reasons for an increase of 45 judges is this:

> Bankruptcy cases again increased substantially to a record 180,323 cases filed, a 5-percent increase over the 171,719 filed during 1964.

Is it possible, I ask the gentleman from Florida, that there was a record number of bankruptcies in this country in 1965, necessitating the appointment of more Federal judges, when, according to the advocates and supporters of the Great Society, we are wallowing in prosperity?

Mr. CRAMER. The gentleman's observation is well founded, based not only on these figures, but also the fact that there have been more small business failures in the last few years than at any time in the history of this Nation. But I think the figures speak for themselves.

Mr. GROSS. The Government continues to spend billions on handouts abroad, and more billions for extravagant programs at home, and then employs more Federal judges to take care of more bankruptcy cases. How contradictory can we get?

Mr. CRAMER. When bankruptcy cases are filed, there have to be adequate Federal authorities to handle them. There is no question but there has been a substantial increase in the number of bankruptcy cases in the last few years.

This obviously, as cited in the report, is one of the justifications. The gentleman is eminently correct.

Mr. VAN DEERLIN. Mr. Chairman, the four-district proposal for California contained in this legislation is right geographically, right historically, and right politically. As a Representative from San Diego County, I have naturally involved myself most closely with the campaign to achieve independent court status for the southernmost counties of California. But I believe the full California congressional delegation stands together as never before in support of the four-district plan—one for northern California, one for the great central California area of the San Joaquin Valley, one for metropolitan Los Angeles, and one for the southern tier of counties adjoining to border with Mexico.

California, with a population of more than 18 million, is the largest State in the United States, and is the fastest growing of the larger States; it is the third State in geographical area, exceeded only by Alaska and Texas, and has the longest coastline of all. The substantial length of the State places great distance between its Federal courts.

Astonishingly, California has only two court districts, whereas New York and Texas each has four districts; Florida, Georgia, Alabama, Tennessee, Illinois, North Carolina, Oklahoma, and Pennsylvania each has three districts. Of the States also having two districts—Arkansas, Iowa, South Carolina, Mississippi, Louisiana, and Indiana—each has more divisions than California.

It would be quite understandable, I think, if Members were to wonder how San Diego and Imperial Counties, with only one-sixth the population of southern California, could generate enough court business to justify independent status. Let them be advised that we need not speak, here, of potential caseloads. In its criminal calendar, the San Diego division, serving an international border and an intensely impacted military center, has already passed Los Angeles.

The San Diego division, with just two judges and the assistance part time of a senior retired judge, has for many years handled a criminal calendar almost as large as that of Los Angeles. In 1963 there were 1,465 criminal cases filed in Los Angeles, and 1,131 filed in San Diego. In 1964 for the first time, San Diego exceeded Los Angeles in this regard with 1,402 criminal cases filed, compared with 1,034.

Despite defense setbacks in San Diego, in 1960 and 1963, the Federal court business continued to increase. Total cases filed increased from 957 in 1960 to 1,631 in 1964—a rise of more than 70 percent in 4 years. Total cases tried were 158 in 1964, up nearly 80 percent over the 88 trials in 1960.

While civil cases pending increased by roughly 20 percent from 1962 to 1964, criminal cases almost doubled. The requirements of due process make it essential that criminal cases be disposed of as expeditiously as possible—if necessary, at the expense of the civil calendar. The magnitude of this problem is further pointed up by the fact that at the end of February 1965, the San Diego court's backlog rose to the staggering total of 416 criminal cases pending.

I should be surprised if the constitutional guarantee of equal protection under the law is being put to such strain today, anywhere else in the free world. It lies within the power of this Congress to provide a framework for correction. Prompt enactment of S. 1666 will enable our Federal courts to do their jobs in California as they are doing in New York, Texas, and the other great States. Delay of another 2 years would cause the scales of justice to rock precariously.

Mr. GIBBONS. Mr. Chairman, the passage of the omnibus Federal judgeship bill is very important to the people of the United States. It will help insure that justice will be administered fairly and swiftly.

As far as the State of Florida is concerned, the passage of the omnibus Federal judgeship bill will mean an additional four Federal district court judges to help in the mounting caseload of our State.

If this bill becomes law, the State of Florida will gain an additional four U.S. district court judges which we need desperately, because with great growth such as our State has been experiencing over the past 25 years, goes an accompanying amount of litigation involving the Federal courts.

In the period from 1950 to 1960, the population of the State of Florida skyrocketed some 78 percent. And from 1960 to the present time, we have expanded by an additional nearly 1 million persons.

The 10th Congressional District of Florida, which I have the great honor of representing in this body, includes the city of Tampa and Hillsborough County. We are fast approaching the half-million mark. Our population has increased by some 68.5 percent in the same period of time Florida's has grown so rapidly.

Florida today is the ninth largest State in the Union as far as population. Tampa is the industrial hub of the State, with the largest and fastest growing metropolitan area in the State. We are building new roads, new schools, and new shopping centers to take care of this fantastic growth which we welcome.

But with all this progress, with all this growth, and with all this improvement in our overall economic state, we also have a great deal more legal business to handle, and it needs to be handled expeditiously. The bill before us today will help insure that the Federal courts on the district level in our State will continue to be able to do this, for it will provide for the creation of four new Federal district court judgeships. The President would be empowered to appoint one judge for the northern district of Florida, with headquarters in Tallahassee; one additional judge for the middle district of Florida, with headquarters in Tampa, and two additional Federal district judges for the southern district of the State.

I am not as familiar with the conditions existing in other parts of the State of Florida, so I will confine my remarks today to the area around our great city of Tampa, which is the middle district of Florida. This district came into being in October of 1962 under the Federal omnibus judgeship legislation of that year.

At the time of the creation of this middle district for Florida, there were three judges assigned to it. One was to be stationed in Tampa and two at Jacksonville. We need another one in Tampa on a permanent basis.

Under provisions of the bill before us today, one of those four new Federal district judges will be based in Tampa. When the middle district came into being in October of 1962, there was a pending caseload on the civil docket of 698 cases. The pending civil caseload at the end of fiscal 1965, 2 years and 8 months later, was 1,239, a numerical increase of 541 and a percentage increase of 77 percent.

The chief district judge for the State of Florida, who presides in the middle district at Jacksonville, points out that this increase has been constant. The figure was 827 at the end of 1963 and 952 at the end of 1964.

Despite the great help of a retired Federal district court judge in the middle district, the pending caseload has nearly doubled in this period. Chief Judge Bryan Simpson tells me that only seven Federal court districts in the whole of the United States conducted more trials in fiscal 1964 than the 242 completed in the middle district of Florida.

The Judicial Conference of the United States has endorsed the additional judge for the middle district of Florida. Under provisions of the omnibus Federal judgeship bill before us today, the Fifth Circuit Court of Appeals—which serves the States of Georgia, Florida, Alabama, Louisiana, Mississippi, Texas, and the Panama Canal Zone—would gain four temporary court of appeals judges to handle the increasingly heavy caseload from this area of the country.

There is an old saying to the effect that "justice delayed is justice denied." If we do not provide these needed new Federal court judges for the State of Florida and the Fifth Judicial Circuit Court of Appeals, this will not only be an old saying, it will be the fact.

Simple justice requires this action now.

Mr. BENNETT. Mr. Chairman, I strongly support the measure before us; for it is important to the expeditious and judicious handling of matters before our Federal judiciary. The tremendous growth of our country, particularly in certain areas such as Florida, makes it necessary to give this added strength and personnel to our judicial processes. This bill would provide for 45 new judgeships, some of them temporarily. All of the four additional judgeships for the Court of Appeals for the Fifth Circuit would be provided in a manner so that the first four vacancies occurring thereafter would not be filled. This circuit handles the heavy caseload from Florida as well as from Alabama, Georgia, Louisiana, Mississippi, Texas, and the Canal Zone. The appeals filed in this court exceeded 1,000 cases for the second consecutive year. There has been a big increase in the backlog of pending cases. For the last decade the increase has been from 258 to 933.

As to the district judges for Florida, the measure provides for four new judgeships. One of these would be for the district serving Jacksonville, my hometown. That district ranked 21st nationally on a weighted caseload per judgeship basis, with both its civil and criminal caseloads above the national averages. Its overall weighted caseload per judgeship was 324 whereas the national average was only 264. The local bar associations have been vigorously requesting the additional judgeships in order to increase the opportunity for citizens to have their cases heard promptly. Otherwise they will continue to experience the truth of the adage that justice delayed is justice denied.

Mr. Chairman, I urge the prompt enactment of this bill.

Mr. BELL. Mr. Chairman, I rise in support of S. 1666, as amended by the House Committee on the Judiciary. I support it because it recognizes a reality of American life today.

It affirms that burgeoning population increased industrialization, and even the laws we pass to better men's lives—all these have increased the amount of litigation before the courts. Backlogs in Federal dockets attest to this.

We are gratified that people seek to resolve their disputes in the most equitable manner. But we must provide ample means by which they may do so.

Homes mushroom to keep pace with population. Throughout the country, more schools are built to accommodate increasing numbers of children. Surely, other facts of life must be recognized.

The need exists to expedite court action in a number of areas of the country that have experienced the phenomena of population growth and rapid industrialization. It is especially acute in my own State of California, which would be aided immeasurably by passage of the bill now before us.

In California, the rate of population growth has been astounding. As the report of the Judiciary Committee indicates, in 1960 there were 15,717,204 people in California. The estimated population for 1970 is 22,075,000. In a period of only 10 years, the number of people in California will have grown by 40.5 percent.

Litigation has, as expected, increased along with the influx of new residents. The Judicial Conference of the United States, at its two 1965 sessions, recommended to the Congress creation of additional Federal judgeships throughout the country. It also emphasized the need for two more districts in California. In my opinion, we would do well to adopt the suggestions of this esteemed body.

According to the provisions of S. 1666, California, which has only two Federal judicial districts, will be divide into four districts: the northern, eastern, central, and southern. The new delineation will enhance efficiency with which litigation is handled.

With House amendments, there will be a total of 27 judges, apportioned to the new districts in relation to the requirements of each area. This will give California five more members of the judiciary than present law allows. Additional judges in my State will expedite the number of cases that may be heard before, and decided by, the court.

A wise and necessary amendment of the House Judiciary Committee would allow 6 months from the date of enactment for California to redistrict and to add Federal court personnel. This, in my judgment, is far more desirable than the 120 days allowed by our distinguished brethren in the other House of Congress.

However much new judges may be needed, extension of the time before they, and attendant personnel, assume office will help assure appointment of men of high caliber. It will avoid the confusion that accompanies haste.

S. 1666 is a progressive and realistic measure. I urge my colleagues to support it.

Mr. LOVE. Mr. Chairman, I wish to support S. 1666 and commend the Judiciary Committee in bringing this bill to the floor of the House.

The bulwark of our democracy is a sound, independent, hardworking, and responsive judiciary. The report of the committee, as well as the testimony taken at the hearing, more than supports the need for more judges throughout the Nation. It is the people who need the judges.

Since I was president of the Dayton Bar Association—1962–63—I have kept tab on the judicial needs of the Court of Appeals for the Sixth Circuit and the southern district of Ohio.

There is great need for two judges in the sixth circuit and the facts substantiate this conclusion of the committee.

Like other large metropolitan areas, the southern district of Ohio has seen an enormous growth in the last decade. The business of its courts has multiplied until the dockets are dangerously overloaded. In civil cases, there are 315 pending cases per judge compared to the national average of 231.

There is as much criminal work for the three southern district judges as there is for the six judges in the northern district. The national average is 98 and this district's figure is 153.

The solution to this problem seems to lie in a permanent appointment of an additional Federal judge in the southern district of Ohio, which is what S. 1666 proposes to do.

Mr. STALBAUM. Mr. Chairman, I rise to voice my support of S. 1666, and particularly that portion of it which establishes a temporary third judgeship for the U.S. District Court for the Eastern District of Wisconsin.

It is my view that a third judgeship is most necessary, and as the committee report indicates, the Federal court's caseload in that district has increased greatly in recent years. This fact has also been borne out by observations expressed to me by a number of observers. The State bar of Wisconsin and the Racine and Kenosha Bar Associations in the first district have registered full support of the measure.

I state, however, that I join with these organizations in expressing regret that the judgeship is only a temporary one since the post would be eliminated automatically after an appointee has served for his lifetime, or when he or one of the current judges retired.

My regret is based on the following:

First. The nature of the district and the workload merits the establishment of a third court for eastern Wisconsin on a permanent basis.

Second. A temporary judgeship of this type does not lend itself to a sound long-range judicial policy. Under this arrangement, the continued existence of a third court is not decided on actual caseload. Rather its tenure is determined by human frailty.

Mr. RUMSFELD. Mr. Chairman, the bill, S. 1666, to provide for additional Federal circuit and district judges, is before the House as others in the past have been because of the crowded dockets of the Federal courts, where in many instances litigants must wait for more than 3 years before their cases go to trial. The Congress has been repeatedly asked to provide more judges for the Federal districts and circuits. However, the problems of crowded dockets and delayed justice will not be solved by simply adding judges. New, streamlined administrative procedures must be found. New jurisdictional limits may be required. But no such steps will completely correct the situation if unfit or incompetent judges are appointed, in the first instance, or allowed to remain in office once their incapacities have become manifest.

It is essential that the Federal judiciary be above question and above reproach. Any lack of respect for or loss of confidence in our courts will undermine the entire judicial system. On the whole, our Federal judiciary is marked by integrity and capability. However, even a small number of unfit judges can seriously impair the efficient administration of justice and, at the same time, weaken the confidence of the public in the Federal courts. Recent reports of charges and countercharges among the Federal judges in Oklahoma City is a case in point. Further, I understand that application for similar action has been brought in another circuit.

Such a situation must not be allowed to continue. A mechanism must be found so that the problems within the judiciary system can be handled expeditiously and equitably. The establishment or delineation of such a mechanism may be a matter that the Congress should deal with. I am pleased that the Senate Judiciary Subcommittee on Improvements in Judiciary Machinery is holding hearings on "Procedures for the Removal, Retirement, and Disciplining of Unfit Federal Judges." I am hopeful that these hearings will result in providing effective means to cope with such problems. Clearly, the only constitutional method of removing a Federal judge is by impeachment, not by Judicial Council action. Also, I am pleased to learn that the House Judiciary Committee has established a special ad hoc subcommittee to investigate the case of Judge Chandler and the controversy in the 10th Circuit Court of Appeals, over which there has been a cloud for too long.

In this connection, I wish to insert in the Record an editorial which appeared in a recent issue of the Chicago American, as follows:

> A Senate judiciary subcommittee this week opened hearings on what its chairman, Senator Joseph Tydings, Democrat of Maryland, called the "rare but damaging cases" of unfit judges on the Federal bench. The problem is delicate and should not be blown up out of proportion, but we believe it does deserve attention.
>
> As Tydings observed, a Federal judge serves for life once his appointment is confirmed, and there is now no effective way to remove a judge who shows himself incompetent or unfit for one reason or another. Impeachment by Congress, the only procedure recognized by the Constitution, can be resorted to only in cases of high crimes and misdemeanors such as treason or bribery; the problem of a judge who simply proves unable to handle his job has no satisfactory solution.
>
> The problem of fitness is the more acute because there are no recognized standards for the Federal bench. As the case of Judge Francis X. Morrissey showed, a judge may be appointed to the bench for no better reason than his friendship with a powerful politician.
>
> On the other hand, the independence of the judiciary has to be protected; a Federal judge should not have to fear removal for any reason other than provable unfitness for his job. The Tydings subcommittee has undertaken a ticklish question, and we wish it luck.

Mr. BOB WILSON. Mr. Chairman, it is a pleasure to state my views in favor of S. 1666, legislation providing for the appointment of additional circuit and district judges and for other purposes. For over 13 years I have been interested in realining the judicial districts in my own State of California. Our State bar association and particularly our alert San Diego County Bar Association have been championing the need for more districts in California principally because of our explosive population growth within the State. California is the most populous State in the Nation and is the fastest growing of the larger States, being third in geographical area, exceeded only by Alaska and Texas. The need for district revision is further required by the unique fact that we have the longest coastline of any State. The San Diego division with two judges has for many years handled a criminal calendar almost as large as that of Los Angeles and in 1964, for the first time, San Diego exceeded Los Angeles with 1,402 criminal cases filed compared to 1,034. The extraordinary caseload per judge in the present southern division is occasioned by its geographic location on the Mexican border and the incident immigration and narcotic problems, the tremendous concentration of military and defense personnel and facilities, the presence of the port of San Diego, and its explosive population and economic expansion. There are literally pages of other valid documentation for the need to implement S. 1666 and every area of the Nation similarly involved in this legislation has qualified their need well with the House and Senate Judiciary Committees. I ask that my colleagues first reflect on these words and then cast their votes favorably, in support of S. 1666.

Mr. FEIGHAN. Mr. Chairman, I support the bill, S. 1666, out of a firm conviction that there is need to strengthen the Federal judiciary and to improve judicial machinery. If there is to be respect for law, that law must be humane and just to all. No matter how minor a case may be, to the man involved it is an important case. Respect for law by all of our citizens is one of the bulwarks of our Government.

In order to strengthen the Federal judiciary, there is a need for adequate financing and good appointments. I do not mean that we should be profligate in appropriating moneys, nor do I mean that we should be miserly in expending funds for judicial functions. I am convinced that under this bill there is a need for these additional judges. The volume of litigation on our Federal courts has been increasing annually. Our economy has expanded, as has our population. The Congress has enacted many laws which add to the litigation arising in these courts.

The additional judges provided by this bill has been scrutinized by the judicial councils of the various circuits, analyzed by two committees of the Judicial Conference of the United States, and most of them approved by the Judicial Conference of the United States. In my own circuit, the sixth, consisting of the States of Kentucky, Tennessee, Ohio, and Michigan, we now have six judges. Under the provisions of this proposal, this circuit would receive two additional judges. In the last judgeship bill, while Ohio received additional judges, there was no increase in the number of circuit judges. The number of appeals, therefore, has increased, the backlog has increased, and even though the number of cases terminated has increased, the backlog continues to mount. The Judicial Conference of the United States has recognized the need to dispose of this backlog by its recommendation for two additional judges.

The judicial district for the northern district of Ohio was originally provided with two judges back in 1911. A third temporary judge was provided in 1922 which became permanent in 1935. An additional temporary judge was created in 1941 and made permanent in 1949. In 1954 this court was granted a fifth judgeship. Then, in 1961, an additional judgeship was granted, as well as a temporary one. However, the death of a judge in May of that year eliminated that temporary judgeship. Thus, under this bill an additional judge is provided, increasing the judicial manpower to seven. This court sits in Cleveland, Youngstown, Akron, Toledo, and Lima.

At the close of fiscal year 1965, approximately 1,000 civil cases were instituted and 964 were terminated, but the backlog remained as of June 30 of that year at 1,451.

I am sure that even the help rendered by the two very fine senior judges is not sufficient to overcome the problem of this backlog and, therefore, there is a need for this additional manpower.

Mr. REUSS. Mr. Chairman, I strongly support S. 1666, to provide additional district and circuit judges.

In the eastern district of Wisconsin—which encompasses territory with about two-thirds of the State's population, its highest growth rates, and its chief centers of industry and commerce—there has long been a need for additional judicial manpower.

As of June 30, 1963, 11.6 percent of the pending cases ready for trial in the eastern district of Wisconsin were more than 3 years old. For the Nation the figure was only 8.4 percent.

At that time, the median period from filing to disposition of cases was 29 months in the eastern district of Wisconsin and only 16 months on the average across the Nation.

Litigation was being seriously delayed and this was of great concern to all who recognize the validity of the maxim that justice delayed is frequently justice denied.

In October 1963, I introduced legislation to provide a third Federal judge in the eastern district of Wisconsin. The bill was referred to the Judicial Conference which in March 1965, recommended an additional judge for the eastern district of Wisconsin, on a temporary basis.

The Judicial Conference's recommendation is included in the excellent legislation before us today.

The passage of this bill and the appointment of an additional judge of the eastern district of Wisconsin will provide for the elimination of the large backlog of pending cases and will substantially improve the administration of justice in that district. It will alleviate the very heavy burden on our present judges, Robert E. Tehan and John Reynolds.

My only regret is that the judgeship for Wisconsin will be temporary.

With the bar of the eastern district of Wisconsin, I believe that Wisconsin's eastern district already needs three permanent judgeships. If this need is not yet clear—as the Judicial Conference and the Judiciary Committee appear to believe—surely the eastern district of Wisconsin is on the brink of having a continuing workload that would fully justify three permanent judgeships.

As the judicial business of the district continues to grow, I hope that Congress will make the third judgeship permanent.

Mr. **DON H. CLAUSEN**. Mr. Chairman, today I would like to note with my approval the imminent passage of a much needed and long awaited bill, S. 1666.

As a direct result of this bill the law's delay will be alleviated to a great extent, especially in my home State of California. At the present time, my State is divided into two judicial districts, northern and southern. Upon enactment of this bill two new districts will be created, an eastern district and a central district. The two districts presently in existence have been called upon to service the Nation's fastest growing State. It has been estimated that the population of California will increase by almost 50 percent between the 1960 census and 1970, from 15,717,204 to 22,075,000. It would be belaboring the obvious to say any more than that these two new districts are heartily welcomed by the people of my State.

All of us are familiar, at least to some extent, with the burgeoning caseload with which judges throughout this country are faced, and justice cannot be served where delay, or the threat of delay, can cause unfair settlement of honest claims.

We have only to consider the ordinary tort action to see in which manner delay can work injustice. A man is seriously injured in an accident and he is the sole supporter of his family. He cannot afford to wait a month for a settlement, much less a year or more. Consequently, in order to provide for his family, in at least some degree, he will settle with the defendant in the action for a sum far below that which he would be able to obtain from a jury trial.

The law's delay can also work for the defendant and against the plaintiff. Often the debtor will rely on the long delay between the filing of a complaint and the trial to force the creditor to settle for a smaller sum than that to which he is rightfully entitled. Examples such as this are too numerous to enumerate but they all revolve about one basic need—the need for more judges and more facilities.

We have today taken a giant step forward in providing truly equal justice and in making our courts accessible to the citizens of this Nation. Our Nation is a nation founded on laws and governed by laws and if the law forums become unavailable to the average citizen, then the concept upon which this Nation was founded becomes meaningless and words, not deeds, form our substance.

In these times of national and international unrest and uncertainty it is one of our primary duties to provide this country with a judiciary that is second to none and one that stands as an ideal toward which others may strive. Quantity certainly does not assure quality, and this is especially true in the administration of justice. We may, though, assert with certainty that whenever the number of judges is unequal to the task of administering, then quality must be compromised and any talk of justice must be as sounding brass or a tinkling cymbal.

Today we are giving substance to our ideal of justice for all. Let us not neglect this ideal again.

The **CHAIRMAN**. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

S. 1666

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the President shall appoint, by and with the advice and consent of the Senate, two additional circuit judges for the fourth circuit, two additional circuit judges for the sixth circuit, one additional circuit judge for the seventh circuit, and one additional circuit judge for the eighth circuit.

(b) In order that the table contained in section 44(a) of title 28 of the United States Code will reflect the changes made by subsection (a) of this section in the number of circuit judges for said circuits, such table is amended to read as follows with respect to said circuits:

"Circuits	*Number of judges*
* * * *	*
Fourth	7
* * * *	*
Sixth	8
Seventh	8
Eighth	8"
* * * *	*

(c) The President shall appoint, by and with the advice and consent of the Senate, four additional circuit judges for the fifth circuit. The first four vacancies occurring in the office of circuit judge in said circuit shall not be filled.

SEC. 2. (a) The President shall appoint, by and with the advice and consent of the Senate, one district judge for the middle and southern districts of Alabama, one additional district judge for the district of Arizona, one additional district judge for the northern district of Florida, one additional district judge for the middle district of Florida, two additional district judges for the southern district of Florida, one additional district judge for the northern district of Illinois, one additional district judge for the southern district of Indiana, four additional district judges for the eastern district of Louisiana, one additional district judge for the district of Maryland, one additional district judge for the northern district of Mississippi, one additional district judge for the southern district of Mississippi, one additional district judge for the western district of New York, one additional district judge for the northern district of Ohio, one additional district judge for the southern district of Ohio, one additional district judge for the district of Rhode Island, two additional district judges for the southern district of Texas, one additional district judge for the western district of Texas, two additional district judges for the eastern district of Virgina, and one additional district judge for the district of Vermont.

(b) The existing district judgeship for the northern, middle and southern districts of Florida heretofore provided for by section 133 of title 28, United States Code, shall hereafter be a district judgeship for the middle district of Florida only, and the present incumbent of such judgeship shall henceforth hold his office under section 133, as amended by this Act.

SEC. 3. (a) Section 84 of title 28, United States Code, is amended to read as follows:

"§ 84. CALIFORNIA

"California is divided into four judicial districts to be known as the Northern, Eastern, Central, and Southern Districts of California.

"Northern District

"(a) The Northern District comprises the counties of Alameda, Contra Costa, Del Norte, Humboldt, Lake, Marin, Mendocino, Monterey, Napa, San Benito, Santa Clara, Santa Cruz, San Francisco, San Mateo, and Sonoma.

"Court for the Northern District shall be held at Eureka, Oakland, San Francisco, and San Jose.

"Eastern District

"(b) The Eastern District comprises the counties of Alpine, Amador, Butte, Calaveras, Colusa, El Dorado, Fresno, Glenn, Inyo, Kern, Kings, Lassen Madera, Mariposa, Merced, Modoc, Mono, Nevada, Placer, Plumas, Sacramento, San Joaquin, Shasta, Sierra, Siskiyou, Solano, Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne, Yolo, and Yuba.

"Court for the Eastern District shall be held at Fresno, Redding, and Sacramento.

"Central District

"(c) The Central District comprises the counties of Los Angeles, Orange, Riverside, San Bernardino, San Luis Obispo, Santa Barbara, and Ventura.

"Court for the Central District shall be held at Los Angeles.

"Southern District

"(d) The Southern District comprises the counties of Imperial and San Diego.

"Court for the southern district shall be held at San Diego."

(b) The two district judges for the northern district of California holding office on the day before the effective date of this section and whose official station is Sacramento shall, on and after such date, be district judges for the eastern district of California. All other district judges for the northern district of California holding office on the day before the effective date of this section shall, on and after such date, be district judges for the northern district of California.

(c) The district judge for the southern district of California, residing in the northern division thereof and holding office on the day before the effective date of this section, shall, on and after such date, be a district judge for the eastern district of California. The two district judges for the southern district of California holding office on the day before the effective date of this section and whose official station is San Diego shall, on and after such date, be the district judges for the southern district of California. All other district judges for the southern district of California holding office on the day before the effective date of this section shall, on and after such date, be district judges for the central district of California.

(d) Nothing in this Act shall in any manner affect the tenure of office of the United States attorney and the United States marshal for the northern district of California who are in office on the effective date of this section, and who shall be during the remainder of their present terms of office the United States attorney and marshal for such district as constituted by this Act.

(e) Nothing in this Act shall in any manner affect the tenure of office of the United States attorney and the United States marshal for the southern district of California who are in office on the effective date of this section, and who shall be during the remainder of their present terms of office the United States attorney and marshal for the central district of California.

(f) The President shall appoint, by and with the advice and consent of the Senate, a United States attorney and a United States marshal for the southern district of California.

(g) The President shall appoint, by and with the advice and consent of the Senate, a United States attorney and a United States marshal for the eastern district of California.

(h) The President shall appoint, by and with the advice and consent of the Senate, two additional district judges for the central district of California, and two additional district judges for the northern district of California.

(i) The provisions of this section shall become effective one hundred and twenty days after the date of enactment of this Act.

SEC. 4. In order that the table contained in section 133 of title 28, of the United States Code will reflect the changes made by sections 2 and 3 of this Act in the number of permanent judgeships for certain districts, such table is amended to read as follows with respect to said districts:

“Districts	*Judges*
Alabama:	
Middle and Southern	1
* * * * *	
Arizona	4
* * * * *	
California:	
Northern	9
Eastern	3
Central	12
Southern	2
* * * * *	
Florida:	
Northern	2
Middle	5
Southern	5
* * * * *	
Illinois:	
Northern	11
* * * * *	
Indiana:	
Southern	4
* * * * *	
Louisiana:	
Eastern	8
* * * * *	
Maryland	5
* * * * *	
Mississippi:	
Northern	2
Southern	3
* * * * *	
New York:	
Western	4
* * * * *	
Ohio:	
Northern	7
Southern	4
* * * * *	
Rhode Island	2
* * * * *	
Texas:	
Southern	7
Western	4
* * * * *	
Vermont	2
* * * * *	
Virginia:	
Eastern	5.”

SEC. 5. (a) The President shall appoint, by and with the advice and consent of the Senate, one additional district judge for the district of Kansas. The first vacancy occurring in the office of district judge in said district shall not be filled.

(b) The President shall appoint, by and with the advice and consent of the Senate, three additional district judges for the eastern district of Pennsylvania. The first three vacancies occurring in the office of district judge in said district shall not be filled.

(c) The President shall appoint, by and with the advice and consent of the Senate, one additional district judge for the eastern district of Wisconsin. The first vacancy occurring in the office of district judge in said district shall not be filled.

With the following committee amendments:

No. 1. On page 6, line 21, strike out “two” and insert “three”.

No. 2. On page 7, line 1, strike out “one hundred and twenty days” and insert “six months”.

No. 3. In the table on page 7, at the end of the matter relating to California, Central, strike out “12” and insert “13”.

No. 4. In the table on page 8, at the end of the matter relating to New York, Western, strike out “4” and insert “3”.

The committee amendments were agreed to.

Mr. McCULLOCH. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I should like to say a word or two about the proposal to create an additional judgeship for the U.S. Court of Appeals for the Eighth Circuit.

Perhaps it is too much to expect that an omnibus judgeship bill could get to the floor of this Chamber without inclusion of one or two provisions which are unrecommended by the Judicial Conference and appear to be unnecessary. I would like to note for the record the apparent lack of justification for an additional judgeship for the Court of Appeals for the Eighth Circuit. Perhaps there are those among us who, more familiar with the situation there, can justify the need for this new position.

The Judicial Conference did not recommend this addition to the eighth circuit, in two opportunities they had to review the situation there. Judge Johnson, the extremely able Chairman of the Judicial Conference Committee on Statistics is also the chief judge of the eighth circuit. He was asked during the hearings about the need for this judge. His answer was as follows:

> All you need to do is look at the statistics, and comparatively, they do not warrant a judgeship in comparison to the other circuits.
>
> * * * * *
>
> My answer to the question is that this was gone over by both the Statistics Committee and the Court Administration Committee, and if you will look at the book from the standpoint of statistics, I think you will see the answer as a matter of relativeness to the other circuits.

Indeed, the statistics are as discouraging as he described them. For the year ending June 30, 1965, new appeals numbered 333, or 45 cases per judge, the lowest such figure for any circuit court. The average of national figures was 87 cases per judge.

The court terminated 309 cases during that year, which, at 44 cases per judge was again the lowest figure among circuits. The national average of terminations was 74 per judgeship. This left a pending caseload of 216 cases at that year's end, 31 cases per judge as compared with the national average of 55 cases. In this category, it was tied with the first circuit for the distinction of having the lowest pending caseload per judgeship. The basis for these figures appear in the report at page 15.

This judgeship was added to the bill on the floor of the other body. There had been no hearings. The reasons given included the number of cases pending and the fact that, despite the fact the chief judge of the circuit headed the Judicial Conference on Statistics, the Conference had not considered statistics relating to habeas corpus and section 2255 cases which were taken to the Eighth Circuit Court of Appeals.

Following passage in the other body, the Judicial Conference again reviewed the situation. They ratified the addition of additional judges to other circuits—the fourth and sixth—but even in face of the record made in the other body did not change their view as to the eighth circuit.

I am aware from the report that there have been illnesses among the judges.

Furthermore, there is presently a vacancy on the court. The figures suggest that if the vacancy is filled, and the judges will dispose of only half the cases that is the national average, the disposition rate will more than promptly dispose of the new appeals filed, and allow further reduction of the commendably low backlog figure.

This bill, S. 1666, calls for one additional judgeship for the northern district of Ohio, one additional judgeship for the U.S. Court of Appeals for the Sixth Circuit.

In the southern district, where I live, the weighted caseload carried per judge as of June 1965, was 351 cases, as compared with the national average of 264. This placed the district 13th out of 88 districts with which comparisons have been made. In the number of civil cases commenced, the southern district of Ohio ranked 11th with 303 cases; in the unweighted number of cases pending per judgeship, it ranked 14th in the country with 335. For those cases that went to trial, the issue-to-trial time was 18 months, compared with the national average of 11 months.

Bear in mind, if you will, that this is a district which has not had its judgepower augmented in 28 years. Need for assistance was recognized in 1961 by provision of a temporary judgeship. But with the retirement of a judge before the temporary position was even filled, any benefit of the 1961 legislation was lost.

The 1961 law created an additional permanent judgeship and a temporary judgeship in the northern district of Ohio, which—it was felt at the time—would remedy a severe congestion and backlog problem. I might point out that the problem existed despite the excellent record of one of the most able and hard working judges who has served on any district court bench in recent years. I am referring to Judge Frank L. Kloeb, my predecessor, here, once removed, who performed so ably in the western division of the northern district of Ohio. If the new judgeship on the court could be filled by a man of his stature, we would not soon need another judge, though I am sure I would then have to recommend—as I did with Judge Kloeb himself—that he be advanced to the Sixth Circuit Court of Appeals. The temporary judgeship in the northern district lapsed in May 1965.

The backlog of pending cases has continued to rise, from 936 in 1960 to 1,451 in 1965. It now takes 22 months to bring a case to trial after the issues are joined, or double the national average. A main contributor to the perpetuation of the backlog has been prolonged illness or other inability of one or two of the judges of the court, as the caseload and other figures reflect.

The effect of this new judgeship is to make the temporary judgeship just recently lapsed into a permanent post, that the district may thus continue with seven judges. I hope the situation will be cured thereby.

The U.S. Court of Appeals for the Sixth Circuit has proceeded for 25 years without addition of a single judge. During that time, the population of the area included in the sixth circuit—Michigan, Ohio, Kentucky, and Tennessee—has increased from 18 million to 25½ million, an increase of 42 percent. The omnibus judgeship bill of 1961 added 24 percent to the number of district judges in the circuit.

The figures speak for themselves. The number of appeals commenced in the court rose 101 percent between 1961 and 1965, from 340 to 685. In this category, the sixth circuit currently leads all others; at the rate of 114 cases filed per judge per year.

Furthermore, as of June 30, 1965, there were 563 cases pending or 94 cases per judge. This figure is only comparable to that of the fifth circuit with 104 pending cases per judge and which we are asked to help with 4 temporary judges. The timelags in hearing and disposing of an appeal in the sixth circuit suffer accordingly; a median time of 11.2 months was required from filing of the record to disposition of the case, as compared with the national average of 7.4 months.

I hasten to point out that this situation has developed despite the commendable productivity of the sixth circuit judges who in 1965 disposed of an average of 90 cases a year apiece, a figure only exceeded by one other circuit.

I have, until this time, mentioned the facts as they presently exist in Ohio and the sixth circuit. But in the decade ahead looms a promise of as great an increase as the last decade has produced, in population growth, in industrial and agricultural development and in maritime litigation, due to the St. Lawrence Seaway. To provide these judgeships is to provide the means whereby Federal judicial services may better keep apace of this challenging and dynamic growth of the country's heartland.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. PURCELL, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (S. 1666) to provide for the appointment of additional circuit and district judges, and for other purposes, pursuant to House Resolution 734, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered. Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the *roll.*

The question was taken; and there were—yeas 371, nays 23, not voting 39, as follows:

[Roll No. 28]

YEAS—371

Abbitt
Abernethy
Adair
Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, N. Dak.
Arends
Ashley
Ashmore
Aspinall
Bandstra
Baring
Bates
Battin
Beckworth
Belcher
Bell
Bennett
Betts
Bingham
Boggs
Boland
Bolling
Bolton
Bow
Brademas
Bray
Brock
Brooks
Broomfield
Brown, Calif.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Burke
Burleson
Burton, Calif.
Burton, Utah
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Callan
Cameron
Carey
Carter
Casey
Celler
Chamberlain
Chelf
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Clevenger
Cohelan
Collier
Conable
Conyers
Cooley
Corbett
Corman
Craley
Cramer
Culver
Cunningham
Curtis
Daddario
Daniels
Davis, Ga.
Davis, Wis.
de la Garza
Delaney
Dent
Denton
Derwinski
Devine
Dickinson
Diggs
Dingell
Dole
Donohue
Dorn
Dow
Downing
Dulski
Dwyer
Dyal
Edmondson
Edwards, Ala.
Ellsworth
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Farbstein
Farnsley
Farnum
Fascell
Fino
Flood
Flynt
Fogarty
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Gallagher
Garmatz
Gathings
Gettys
Gibbons
Gilbert
Gilligan
Gonzalez
Goodell
Grabowski
Gray
Green, Oreg.
Green, Pa.
Greigg
Grider
Griffin
Griffiths
Grover
Gurney
Hagen, Calif.
Haley
Halleck
Halpern
Hamilton
Hanley
Hanna
Hansen, Idaho
Hansen, Iowa
Hansen, Wash.
Hardy
Harsha
Harvey, Ind.
Harvey, Mich.
Hathaway
Hawkins
Hébert
Hechler
Helstoski
Henderson
Herlong
Hicks
Holifield
Holland
Horton
Hosmer
Howard
Hull
Hungate
Hutchinson
Ichord
Irwin
Jacobs
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Okla.
Johnson, Pa.
Jonas
Karsten
Karth
Kastenmeier
Kee
Keith
Kelly
Keogh
King, Calif.
King, N.Y.
King, Utah
Kirwan
Kluczynski
Kornegay
Krebs
Kunkel
Kupferman
Landrum
Langen
Latta
Leggett
Lennon
Lipscomb
Long, La.
Long, Md.
Love
McCarthy
McClory
McCulloch
McDade
McDowell
McEwen
McFall
McGrath
McVicker
MacGregor
Machen
Mackay
Mackie
Madden
Mahon
Marsh
Martin, Nebr.
Mathias
Matsunaga
May
Meeds
Michel
Mills
Minish
Mink
Minshall
Mize
Moeller
Monagan
Moore
Moorhead
Morgan
Morris
Morrison
Morse
Morton
Mosher
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nedzi
Nelsen
Nix
O'Hara, Ill.
O'Hara, Mich.
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Passman
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Poff
Pool
Powell
Price
Pucinski
Purcell
Quie
Race
Randall
Redlin
Rees
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Resnick
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rivers, S.C.
Rivers, Alaska
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Ronan
Roncalio
Rooney, Pa.
Rosenthal
Roudebush
Roush
Roybal
Rumsfeld
Ryan
Satterfield
St Germain
St. Onge
Saylor
Scheuer
Schisler
Schmidhauser
Schneebeli
Schweiker
Secrest
Senner
Shipley
Shriver
Sickles
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Va.
Springer
Stafford
Staggers
Stalbaum
Stanton
Steed
Stephens
Stratton
Stubblefield
Sullivan
Sweeney
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Tenzer
Thompson, N.J.
Thompson, Tex.
Thomson, Wis.

Trimble
Tuck
Tunney
Tupper
Tuten
Udall
Ullman
Utt
Van Deerlin
Vanik
Vigorito
Vivian
Waggonner
Walker, N. Mex.
Watkins
Watson
Watts
Weltner
Whalley
White, Idaho
White, Tex.
Whitener
Whitten
Widnall
Williams
Wilson, Bob
Wolff
Wright
Wyatt
Yates
Young
Younger
Zablocki

NAYS—23

Andrews, George W.
Andrews, Glenn
Ashbrook
Buchanan
Callaway
Cederberg
Conte
Curtin
Duncan, Tenn.
Findley
Gross
Hall
Jones, N.C.
Laird
Mailliard
Martin, Ala.
Martin, Mass.
O'Konski
O'Neal, Ga.
Poage
Quillen
Selden
Wydler

NOT VOTING—39

Annunzio
Ayres
Baldwin
Barrett
Berry
Blatnik
Colmer
Dague
Dawson
Dowdy
Duncan, Oreg.
Edwards, Calif.
Edwards, La.
Feighan
Fisher
Fulton, Tenn.
Fuqua
Giaimo
Gubser
Hagan, Ga.
Hays
Huot
Jones, Ala.
Jones, Mo.
McMillan
Macdonald
Matthews
Miller
O'Brien
Ottinger
Rooney, N.Y.
Rostenkowski
Scott
Todd
Toll
Walker, Miss.
Willis
Wilson, Charles H.

So the bill was passed.

The Clerk announced the following pairs:

Mr. Feighan with Mr. Ayres.
Mr. Fisher with Mr. Walker of Mississippi.
Mr. Rostenkowski with Mr. Berry.
Mr. Miller with Mr. Baldwin.
Mr. Toll with Mr. Gubser.
Mr. Hays with Mr. Colmer.
Mr. Annunzio with Mr. Edwards of Louisiana.
Mr. Dowdy with Mr. Todd.
Mr. Jones of Alabama with Mr. Barrett.
Mr. Matthews with Mr. Huot.
Mr. Fuqua with Mr. Giaimo.
Mr. Blatnik with Mr. Dawson.
Mr. Macdonald with Mr. Ottinger.
Mr. Charles H. Wilson with Mr. Scott.
Mr. Edwards of California with Mr. Duncan of Oregon.
Mr. Fulton of Tennessee with Mr. O'Brien.
Mr. Willis with Mr. Hagan of Georgia.
Mr. Rooney with Mr. McMillan.

Messrs. FULTON of Pennsylvania, COLLIER, and ROUDEBUSH changed their votes from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. CELLER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

SUBCOMMITTEE ON SCIENCE, RESEARCH, AND TECHNOLOGY OF THE COMMITTEE ON SCIENCE AND ASTRONAUTICS

Mr. HECHLER. Mr. Speaker, I ask unanimous consent that the Subcommittee on Science, Research, and Technology of the House Committee on Science and Astronautics be permitted to sit during general debate tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

ALASKA CENTENNIAL OF 1967

Mr. YOUNG. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 741, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 741

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 9963) to promote the economic development of the State of Alaska by providing for United States participation in the statewide exposition to be held in Alaska during 1967. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the substitute amendment recommended by the Committee on Public Works now in the bill and such substitute for the purpose of amendment shall be considered under the five-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. After the passage of the bill H.R. 9963, it shall be in order in the House to take from the Speaker's table the bill S. 2614 and to move to strike out all after the enacting clause of said Senate bill and to insert in lieu thereof the provisions contained in H.R. 9963 as passed by the House.

Mr. YOUNG. Mr. Speaker, I yield 30 minutes to the distinguished gentleman from Illinois [Mr. ANDERSON], and pending that I yield myself such time as I may consume.

Mr. Speaker, House Resolution 741 provides for consideration of H.R. 9963, a bill to promote the economic development of the State of Alaska by providing for U.S. participation in the statewide exposition to be held in Alaska during 1967. The resolution provides an open rule with 2 hours of general debate, making it in order to consider the committee substitute as an original bill for the purpose of amendment. The resolution further provides that after passage of H.R. 9963 it shall be in order to take S. 2614 from the Speaker's table, move to strike out all after the enacting clause, and insert in lieu thereof the House-passed language of H.R. 9963.

In 1967 the United States will observe the 100th anniversary of its purchase of Alaska from Russia. The purchase of Alaska was the largest acquisition of land since the Louisiana Purchase, and the last great land area the United States was to acquire.

H.R. 9963 provides for U.S. participation in the statewide 1967 centennial celebration, jointly with the State of Alaska, through industrial, agricultural, educational, research, or commercial projects, or facilities which contribute to the celebration and result in an enduring symbol of the significance of the purchase of Alaska in 1867, and a permanent contribution to the economy of Alaska.

Toward its goal of commemorating the Alaskan Purchase so that it will be of maximum enduring impact, the Alaska Centennial Commission, and the centennial committees, and dozens of voluntary organizations in 22 communities, are planning for projects that will contribute permanently to Alaska's economy by enhancing Alaska as a tourist destination. State, local, and private spending to date exceeds $1.5 million; projected spending is set at $8 million, exclusive of land costs and of Federal participation.

Permanent projects include restoration of historic Russian buildings, reconstruction of early Eskimo and Indian structures, preservation of gold rush relics, construction of convention centers and museums, and erection of historical markers throughout the State. A major exhibition center is planned at Fairbanks.

H.R. 9963 authorizes an appropriation of not to exceed $5 million for grants for centennial projects that will make permanent contributions to the Alaskan economy, subject to being matched on a dollar-for-dollar basis by non-Federal funds. There is also authorized to be appropriated not to exceed $600,000 for Federal exhibits.

Mr. Speaker, I urge the adoption of House Resolution 741.

Mr. ANDERSON of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this bill as the gentleman from Texas has said would authorize appropriations of $5 million for grants for centennial projects to celebrate the 100th anniversary of the admission of Alaska not as a State but the purchase of Alaska by this country back in 1867. In addition to the $5 million in grants which are to be matched by the State government, there is a provision for $600,000 for Federal exhibits.

Mr. Speaker, let me make it perfectly clear at the outset, I have no objection whatever to the purpose of this bill insofar as it is to recognize this very historical occasion. I certainly yield to no one in my affection and regard for the gentleman from Alaska [Mr. RIVERS], the sponsor of this bill.

Very frankly, what disturbs me and I would just take a brief minute or two to call the attention of the Members of the House to the language which appears in the report on the bill by Phillip S. Hughes, Assistant Director for Legislative Reference.

He says on page 5 of the report:

> The provisions of section 2 of the bill appear to authorize a $7.2 million economic development program for Alaska—

Since that time the bill has been rewritten to provide for $5 million rather than $7.2 million. But he goes on to say—

> which may not necessarily be related to the centennial celebration. While we have no objection to assisting in projects connected with the celebration which will also be of use in the longrun development of Alaska, we have serious reservations about using the occasion simply to create a separate development program for Alaska.

He goes on to point out what I think every Member of this House knows that in 1965 we did pass a public works and economic development act which has an economic development department now functioning within the Department of Commerce for the purpose of assisting State governments to develop their economy.

Now I realize since Mr. Hughes wrote that report, an effort has been made to rewrite this bill to cure those objections. But I will point out, the bill still will authorize according to page 2 of the report such projects as the construction of convention centers and museums—the construction of a major exhibition center and things that seem to me clearly related not just to the observance of the centennial, but rather to the economic development per se of the State. I am not suggesting that this is bad, but I am suggesting that it ought to be done under the provisions of the economic development program rather than singling out any State, be it Alaska or any of the other of the 49 States, for this kind of special treatment. What disturbs me, frankly, is that by passing this bill we will be establishing some kind of precedent of this very nature sc that whenever a State or a county or a municipality wants an extra grant of Federal money for economic development, they can tie it in with a centennial celebration of some kind. I know of plenty of county fairs—in my own State of Illinois, for example, that are in dire straits and I am sure they would appreciate a grant of some Federal funds and might even be able to rationalize the obtaining of those funds by saying it was going to promote economic development.

But I think again the Members of this House ought to consider very carefully when they come to vote on this bill as to what the total import of this legislation will be from the standpoint of the precedent that it may create.

Mr. RIVERS of Alaska. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman.

Mr. RIVERS of Alaska. Every one of the projects involved here are connected with the centennial celebration. From the standpoint of the acreage, the State of Alaska is owned 98 percent by the Federal Government. It is underdeveloped as far as the economy is concerned. This 100-year celebration under the American flag actually is a highlight in our history and should be adequately shown especially as to the Federal role which has been very great in Alaska.

I can understand the gentleman's qualms about setting a precedent, but I believe that Alaska is rather unique in this situation. If we are going to get permanent value out of every one of these installations as well as having them to serve for the centennial year, then you will be stimulating the economy.

Mr. ANDERSON of Illinois. Mr. Speaker, I can appreciate the gentleman feeling the way he does and why he thinks his State is unique in this regard. I suppose there may be 434 other Members of this body who might make a similar argument if the project involved concerned their State or particular area of the country.

Let me ask the gentleman from Alaska this question. I heard after our hearing was adjourned in the Committee on Rules that among the projects to be considered under this legislation would be the construction of a $1,500,000 convention hall in a city where the population is only 6,600. The city, I believe, was Sitka, Alaska. Can the gentleman enlighten me as to whether or not there is any substance to that report which came to me after the hearings?

Mr. RIVERS of Alaska. The city of Sitka will build a visitor center that can be used for conventions and other purposes after the centennial year is over. All these installations will be of permanent usefulness.

Sitka is a city of about 6,600 people. It will bond itself to match dollar-for-dollar the Federal grant. The Federal amount will be half the figure which the gentleman has mentioned—if Sitka succeeds in selling its bonds—because this is a ceiling we are talking about. We are asking for help to help ourselves.

Mr. ANDERSON of Illinois. So to that extent it is true that it would be a $3 million auditorium that would be constructed. A $1.5 million would be a grant of Federal funds and $1.5 million would be the local contribution.

Mr. RIVERS of Alaska. They have listed the total amount. The $1.5 million is the total Federal amount. Sitka would match with an equal amount.

Mr. O'KONSKI. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Wisconsin.

Mr. O'KONSKI. I thank the gentleman from Illinois, my neighbor, for yielding to me. I think it should be borne in mind that only 100 years ago we paid $7.2 million for the entire State of Alaska. Now we are being asked to appropriate almost $7 million to help celebrate the 100th anniversary of the purchase of Alaska.

Mr. ANDERSON of Illinois. I think the point which the gentleman has made is well taken.

Mr. CLEVELAND. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from New Hampshire.

Mr. CLEVELAND. I thank the gentleman for yielding to me. I might say to the gentleman from Wisconsin that the actual amount included in the first draft of the authorization bill was $7,200,000. Perhaps a public relations man helped to draw the bill and thought that was good public relations. However, some reason has prevailed in this matter. The bill is now down to $5 million. Who knows? If reason and restraint continue to prevail, it may go down still further.

The reason I asked the gentleman from Illinois to yield is this. When the gentleman from Illinois yielded to the gentleman from Alaska, the gentleman from Alaska pointed out that there were certain economic problems in Alaska. We are well aware of those problems, and I think the gentleman from Illinois would be interested to know—and he can ask the gentleman from Alaska if this is not correct—that 18 counties out of the 19 counties where this bill will take effect are already covered by the provisions of the Economic Development Act, the Public Works Economic Development Act of 1965 for which I voted. Thus the U.S. Congress, in its wisdom, by the provisions of the Public Works Economic Development Act of 1965, has already provided funds to take care of almost all of the type of help envisioned by this bill.

There is only one district that I understand is not covered by the Public Works Economic Development Act.

Mr. ANDERSON of Illinois. I thank the gentleman for his contribution. I think his statement bears out the point that I was seeking to make. There is legislation already on the books in the form of the Economic Development Act to carry out the purposes of this proposed legislation.

Mr. RIVERS of Alaska. Mr. Speaker, will the gentleman yield to me so that I may respond to the gentleman from New Hampshire?

Mr. ANDERSON of Illinois. I yield to the gentleman from Alaska.

Mr. RIVERS of Alaska. The bill as it relates to public works in Alaska was designed and formulated as a 50–50 matching project before the Economic Development Act was in the works. We have made lots of progress along this line. The EDA covers distressed areas. The gentleman has said that all of our areas are distressed but one; therefore, the EDA would cover us. The EDA would pay up to 80 percent of Federal money.

In many of these instances we see projects which would qualify under the EDA, but we are seeking them by matching dollar for dollar the Federal money, in order to have them to coincide with our centennial, and not get bogged down with applications made through the EDA. I thank the gentleman for yielding.

Mr. YOUNG. Mr. Speaker, I have no further requests for time.

I move the previous question.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. CLARK. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 9963) to promote the economic development of the State of Alaska by providing for U.S. participation in the statewide exposition to be held in Alaska during 1967.

The SPEAKER. The question is on the motion offered by the gentleman from Pennsylvania.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 9963, with Mr. VANIK in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Pennsylvania [Mr. CLARK] will be recognized for 1 hour and the gentleman from Florida [Mr. CRAMER] will be recognized for 1 hour.

The Chair recognizes the gentleman from Pennsylvania [Mr. CLARK].

Mr. CLARK. Mr. Chairman, I yield such time as he may consume to the chairman of the committee, the gentleman from Maryland [Mr. FALLON].

Mr. FALLON. Mr. Chairman, in taking this opportunity to speak in behalf of H.R. 9963 I will outline its contents and good purposes. Introduced by our colleague, the gentleman from Alaska [Mr. RIVERS], this legislation has a dual meaning or thrust. The immediate reason for this bill is to authorize the Federal Government to participate with the State of Alaska and its local governments and citizens in a statewide observance, during 1967, of the centennial of the purchase of Alaska from Russia. The long-range purpose is to enhance economic development of Alaska. In turn the proposed Federal participation has two phases, which I will discuss in a few minutes after further preliminary remarks.

At the outset, 3 years ago, the basic question was whether the Alaska purchase would rate as a historic event of substantial national significance and, if so, to what extent should the Federal Government participate. Thus it was that in 1963 our colleague from Alaska introduced legislation to authorize the Department of Commerce to make a study as to what extent, if any, the Federal Government should participate in the Alaska Purchase Centennial Celebration and render a report of its findings. This measure became Public Law 88–610, and the Department of Commerce made the study.

During May of 1965 the Department of Commerce rendered its report, which was in the affirmative. The report cited the historic significance of the purchase of "Russian America" from Russia, and found that this proposed centennial celebration was indeed a matter for national recognition, and recommended that the Federal Government participate.

As to the extent of Federal participation the report suggested not only Federal participation in various ceremonials and exhibits, but sharing the cost of community buildings usable for centennial purposes as well as valuable for continuing year-to-year promotion of Alaska's economic development. As might be expected, the bill before us embodies both such phases of Federal participation and stays within the scope and outline suggested in the report of the Department of Commerce.

The maximum amount denoted for expenditure for Federal activity in regard to ceremonials and exhibits in approximately 23 communities of Alaska is $600,000. The ceiling for Federal sharing in the erection of appropriate structures is set at $5 million. Only such portion of this $5 million as is matched by the State or local governments on a dollar-for-dollar basis would be disbursed. The Secretary of Interior would establish the procedure and criteria under which the State or local governments would qualify for grants, and also administer the Federal part of this shared undertaking.

The planning and executing of these projects would be up to the State in cooperation with local authorities.

Funds appropriated for these projects would remain available for expenditure until June 30, 1968.

The buildings constructed with shared funds would be well built on publicly owned sites for long-term usability in stimulating Alaska's economy.

Before concluding I would like to take up the matter of amendments. As first introduced, the amount shown for sharing in the building of appropriate structures was $7,200,000. Before reporting this bill, the full Committee on Public Works reduced that amount to $5 million. Incidentally, during passage of like legislation by the other body last October the amount to be available for building projects was reduced to $3 million. I understand that another speaker will enlarge upon this phase of the matter.

As first introduced, the title and text of H.R. 9963 referred to Federal participation in a statewide exposition. To avoid any complications with the Bureau of International Expositions in Paris, the committee struck the word "exposition" wherever it appeared in the bill and substituted the word "celebration" and amended the title. Other committee amendments, mostly for clarification, will be brought to your attention in due course.

These amendments have met all legislative suggestions contained in the reports of the following departments and agencies: The Executive Office of the President and the Bureau of the Budget, the Department of Commerce, the Department of Agriculture, the Department of the Army, and the Department of Labor, all of which have submitted favorable reports.

Registering "no objection" to this legislation are the Department of State and the Department of Health, Education, and Welfare.

Underlying all of these endorsements is the fact that the Committee of Public Works, of which I have the honor to be chairman, reported this bill almost unanimously, and I urge its passage.

Mr. CLARK. Mr. Chairman, I rise in support of H.R. 9963 and ask endorsement of it by the full House. I had the privilege of serving as chairman of the ad hoc subcommittee which considered this proposal. I was deeply impressed with the numerous presentations made by officials and others from the State of Alaska in support of this bill. I could not help but thinking what a different situation we have in the northwest section of North America today because of the drive and pioneer spirit of the American. Many people today say the pioneer spirit is dead—this spirit which created the greatest nation in the world. This can be refuted if anyone takes the time and trouble to study the history of the last 100 years of this great territory and State.

The struggle is continuing to this day to raise the economic and social levels of those citizens so dedicated to showing the world the American dream is not dead; that a former colony of Russia which failed, will not under American development and leadership. And remember this has been and is the most challenging frontier we have ever faced. Also I shudder to think of what the international situation would be today if Russia still owned and occupied this vast land mass resting on our northwestern flank. The whole Pacific area would no longer be pacific.

Additionally, while I support the development of emerging nations, I would remind this House the proposal before it will materially assist in the economic development of this part of the United States. To those who question precedence, I would answer that traditionally the Federal Government does accept invitations to participate in similar celebrations. Also, this celebration is somewhat different in that funds authorized will be used for permanent buildings and halls, to remain in being for use through the decades to promote the economic welfare of Alaska.

Too, I would remind the Members that one significant result from enactment of this legislation will be the creation of a showcase to tell America's story to the world. The international airport at Anchorage serves many foreign travelers who never see any other part of the United States. With polar air traffic at an alltime high, and still increasing, many thousands of first and only impressions of the United States of America will be acquired in Alaska.

This bill, in my view, is a practical and necessary one. I ask it be passed. Not to do so would be an affront to the people of Alaska.

Mr. CLEVELAND. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, last fall, when the Committee on Public Works favorably reported the bill being considered here, some of the minority members of the committee were extremely reluctant to support the legislation. However, some of us did support it.

Mr. Chairman, times have changed and conditions have changed since then. Because of the war in Vietnam and because of certain domestic programs having a higher priority of need, some of the minority Members, and I am one of them, now feel that it is essential to oppose the enactment of this legislation unless it is substantially amended.

Mr. Chairman, the minority will offer amendments to this legislation. We will offer amendments that will reduce the amount to an amount at least equal to that in the Senate-approved bill.

PROJECTS, NOT CENTENNIAL, THE PURPOSE

This bill, to promote the economic development of the State of Alaska, by providing for the U.S. participation in the statewide exposition to be held in Alaska next year, provides for an authorization for appropriations from the Federal Treasury of $5,600,000. It is disturbing to me that the bill is being sponsored to provide for a centennial celebration of Alaska, when even in the purposes of the bill it is clearly stated that the money is for projects that will contribute to the economy of Alaska.

It is quite obvious that the money will be expended on industrial, agricultural, educational, research, or commercial projects or facilities which will endure in their use far beyond the life of the centennial celebration.

PREFERENTIAL TREATMENT

This bill, if enacted, will give preferential treatment to Alaska in its economic development over and above the other 49 States of the Union. I suggest that an authorization of $5.6 million for an appropriation is too great an expenditure during this time when events make the expenditure for the war effort in Vietnam of far higher priority than the celebration of a centennial in Alaska. With expenditures for the war effort in Vietnam steadily mounting and with such needed domestic programs as, for example, the school milk program, aid to land-grant education, housing facilities for soldiers and other such programs being drastically cut, it makes little sense to appropriate this type of money at this time for this purpose. It seems untimely and unwise to do so.

ALASKA PURCHASE HAILED

The significance of the Alaska purchase by the United States in 1867 is certainly recognized by everyone. There are few indeed who are unaware of the importance of the State of Alaska to our Nation. But this importance does not necessarily have to be recognized by an authorization for appropriation of $5.6 million at this time under the guise of a centennial celebration.

Our opposition to this legislation today does not come as a rejection of the U.S. participation in this centennial celebration but as a rejection of an expenditure of $5.6 million for the economic development of one State which is seeking special treatment over and above 49 other States in this Union.

Last fall, when this legislation was reported, many of us in the minority were unaware of the fact that the Committee on the Judiciary, which committee has jurisdiction over holidays and celebrations, had before it some 250 bills relative to holidays, celebrations, centennials, and the like. These bills encompass over five score separate proposals. Many of them provide for the expenditure of Federal funds. The Committee on Public Works, which handled this legislation, does not have jurisdiction of holidays and celebrations. However, the bill was referred to the committee when it was introduced last summer.

PUBLICITY GIMMICK

Mr. Chairman, a matter which has also given us concern is the manner in which the amount to be authorized for appropriation was handled. When this bill was first introduced in July of 1965 by our distinguished colleague from Alaska [Mr. RIVERS]—and I may say I am a great admirer of this distinguished Representative who has done so much for his State and his Nation—it contained a provision for the authorization of $7.2 million to carry out the authority of section 2 of the bill. Section 2 of the bill as introduced provided that—

> Upon application approved and submitted by the department of the State of Alaska designated by the Governor of Alaska on behalf of the State of Alaska or any political subdivision of the State or its exposition committee, the chairman of the Federal Field Committee for Development Planning in Alaska, under the Department of Commerce, would be authorized to make grants on approval by the Department to the State, or political subdivision for which a grant is requested.

It was brought out in our brief public hearings the figure of $7.2 million was used because that was the original purchase price of Alaska in 1867 and such an authorization for appropriation for the centennial celebration would have substantial publicity value.

Witnesses indicated, however, that an authorization of $5 million for section 2 would be entirely adequate. I submit that this is poor legislation and poor drafting, although I am heartened by the fact that we have reduced the figure in section 2 of the legislation, as I said before, from $7.2 million to $5 million.

Even if all of the funds authorized are not utilized, it seems odd to me still that this Congress is asked to authorize an excess of the amount of Federal funds needed just to make it the same figure as the original Alaska purchase price. A figure of $5.6 million to carry out the provisions of revised section 2 is still high in our opinion, and I hope the Members of this body will support our amendments to reduce this figure today.

CONSIDERED IN HASTE

To show you the inconsistency in this legislation, the Senate-passed bill, which is now at the Speaker's desk awaiting referral to a committee, only provides for an authorization of $3.6 million. I have been led to believe that usually the Senate is more generous in these matters than the House.

Mr. Chairman, this legislation was considered in some haste last fall by an ad hoc subcommittee of the Committee on Public Works. Unfortunately, rushing legislation through committees has been somewhat typical of the legislative hearings during the last couple of years. This bill was considered by the ad hoc subcommittee even before most of the departmental reports on this proposal were received by the committee in time for us to consider them at the hearings.

NOTHING AGAINST ALASKA

Now, Mr. Chairman, I think we should also point out, in all fairness, that Alaska has been the recipient of substantially large sums of Federal funds during the past several years. I want to make it clear that I certainly do not have anything against the State of Alaska, I do not believe anyone in this House of Representatives does. There is nothing in my remarks which should be construed as my being opposed to Alaska. It is one of our great States, and I hope that I will some time have the opportunity to visit it.

NATION'S GENEROSITY TO ALASKA

However, I believe the RECORD should show that we have been generous to the State of Alaska. In addition to the substantially large sums of Federal funds of which the State of Alaska has been the recipient in the past several years, we have Federal assistance for health programs, educational activities, welfare programs, public work projects, and other varied assistance programs.

Mr. Chairman, as all of us are familiar, the State of Alaska, under the provisions of Public Law 88-311, has received an additional $23.5 million for grants to assist that State to assume burdens which were borne by the Federal Government while it was a territory. Public Law 88-451 provided additional authority for executive agencies of the Federal Government to assist the State of Alaska and its citizens in recovering from the earthquake and seismic wave disasters of March 27, 1964.

Mr. Chairman, it seems to me that the State of Alaska, which does receive large sums of Federal money from practically every conceivable Federal program, could have undertaken the expenses required for the centennial celebration, as most other States have done.

ECONOMIC DEVELOPMENT ACT COULD DO JOB

Mr. Chairman, as I have already pointed out here, and I repeat, a study of the list of districts in the State of Alaska which are areas eligible for Federal assistance under the provisions of the Economic Development Act, will, I am sure, clarify the point of contention that these State and local entities in Alaska should not receive any money under the provisions of the legislation before us today, because 18 of the 19 districts in Alaska are eligible for assistance under the Economic Development Act.

Mr. Chairman, we should not provide preferential treatment to any State for economic development programs, even in the name of a centennial celebration.

Mr. Chairman, it is also my strong hope that the Congress will realistically appraise this bill in the context of our programs at home and abroad which might better contribute to the security and well-being of this Nation.

Mr. Chairman, this bill, as I have indicated, should either be voted down, or the amount authorized and appropriated should be drastically reduced.

ALASKA PURCHASE UNDER GOP

Mr. Chairman, when Secretary of State William H. Seward negotiated the treaty which resulted in the purchase of Alaska from the Russian czarist government in 1867 for only 2 cents per acre, he became the subject of much public ridicule. Alaska was referred to for years as "Seward's folly" and "Seward's icebox." But the significance of this purchase of the territory from the Russian Government, for it was their only possession in the New World, and the recognition of the claims of the Russian settlers there against the Russian Government by the United States, have turned out to be two of the greatest long-range moves ever made in American diplomatic history. No one in this Nation, as I have said earlier today, discounts the importance of the State, but now is not the time to recognize that importance with a costly and unessential public works program in the name of a centennial.

Mr. Chairman, the Republicans were exhibiting careful foresight in 1867 when the purchase of Alaska was negotiated, under a Republican administration. I am confident that the position of some of the minority members, like myself, today on this bill will also be a demonstration of such foresight, at a time when the threat of inflation here at home and the rising cost of battle in Vietnam certainly suggest fiscal restraint.

Mr. Chairman, this is not the time and the place to spend this type of money for this type of purpose.

Mr. Chairman, in conclusion I would like to make it clear once again that as a member of the minority party I oppose this bill as now drafted but in doing so I have nothing against the State of Alaska and I have nothing but esteem and respect for our distinguished colleague from Alaska. I remind my colleagues it was a Republican administration which kept longstanding pledges for its statehood.

Mr. Chairman, we hope that the members of the majority will accede to at least those amendments which are designed to bring this bill into line with the amount authorized by the other body. We feel that this is the least that this House should do today.

Mr. CLARK. Mr. Chairman, I yield 10 minutes to the distinguished gentleman from Alaska [Mr. RIVERS], the author of this bill.

Mr. RIVERS of Alaska. Mr. Chairman and my distinguished colleagues, 3 years ago the people of Alaska started organizing to foster a great observance in the form of a statewide celebration—the pending event: Alaska's 100th year under the American flag—the scope: adequate for Alaskans to impress visitors from all parts of our Nation and other parts of the world with their pride in being Americans, with the drama and richness of Alaska's history, her strategic importance in terms of national security, the grandeur of her scenery, the hardiness of her citizens, and the warm friendliness and hospitality within her borders, and the great promise of her future. It became apparent at the outset that some Federal participation would be necessary to adequately portray the Federal role and help construct facilities to carry out a statewide centennial program.

Thus it was that nearly 3 years ago I introduced a bill to authorize the Department of Commerce to make a study as to whether the Federal Government should participate in the Alaska purchase commemorative centennial and render a report of its findings. In September of 1964 that legislation became law—Public Law 88-610—and the Department of Commerce proceeded with the desired study.

During May of 1965 the Department rendered its report, which was in the affirmative. The report cited the historic significance of the purchase of "Russian America" from Russia, and found that Alaska's proposed centennial celebration was indeed a matter for national recognition and that the Federal Government should participate not only along ceremonial and exhibit lines, but share the cost of certain facilities useful for centennial celebration purposes, as well as for long-range promotion of Alaska's economy.

Let me note here that subsequent to the purchase of Russian America from Russia in 1867—comprising an area of over one-half million square miles, for a price of $7,200,000, and constituting the largest geographical purchase in history next to the Louisiana Purchase—it became more apparent as time went on that this was a very important event in the history of the United States. With the advent of World War II, the strategic value of Alaska's global location became wholly recognized—a strategic value highlighted by enemy landings on Kiska and Attu and the bombing of Dutch Harbor during that conflict. Now, as the situs of U.S. fortifications and early warning systems, and only 50 miles across the Bering Strait from Siberia, and easily within my vision on a clear day while I was flying from Nome to the Eskimo village of Gambell—Alaska continues to be an indispensable buffer between Asia and North America.

It was upon this sound foundation that I introduced the bill now under consideration, H.R. 9963, and Senator BARTLETT, for himself and Senator GRUENING, introduced a like bill in the other body. The bills reflect the conditions and guidelines spelled out in the Department of Commerce report, to the effect that in addition to taking part in ceremonial and exhibit events, the Federal Government make 50-50 matching grants for appropriate structures usable not only for centennial purposes but well built so as to be of permanent value in the development of Alaska's economy, with emphasis upon tourism, which has promise of becoming one of Alaska's greatest industries.

The planning and handling and coordinating of these projects would be by the State in cooperation with local authorities, but the Secretary of Commerce would establish the procedure for seeking the desired Federal grant in each case and prescribe the minimum criteria upon which the eligibility for grants would be based.

As amended by the committee, the bill before us calls for $5 million for matching with the State and local governments in carrying out the construction projects involved, plus $600,000 for Federal activity along ceremonial and exhibit lines. As amended and passed by the Senate, the Senate bill carries a ceiling of $3 million for the construction phase, plus $600,000 for participation in ceremonial events and exhibits. I do not consider that the $3 million is sufficient to carry out the construction projects, besides which, the $5 million specified in the House bill is only a ceiling. The amount to be disbursed by the Federal Government will depend upon the amount matched, dollar for dollar, by the State and local governments.

As shown by the Public Works Committee report submitted by Chairman FALLON, this legislation has been favorably recommended by the Department of Commerce, the Executive Office of the President, the Department of Agriculture, the Department of the Army, and the Department of Labor. All of the reports have cleared the Bureau of the Budget. The State Department and the Department of Health, Education, and Welfare write that they have no objection to the passage of this legislation.

Concurrently with these actions taken at the Federal level, the State created the Alaska Centennial Commission, which has been vigorously planning for the celebration of the centennial of the Alaska Purchase, in cooperation with local centennial committees in 23 communities and dozens of voluntary organizations, at an estimated cost of $1½ million.

The purpose and dream of the Alaska Centennial Commission, as expressed in a recent brochure, is "to fashion a statewide centennial for Alaskans and others which will appropriately commemorate the purchase of Alaska from Russia, celebrate Alaska's rich historical heritage, and demonstrate to the people of the world Alaska's promise of the future."

The following items show the scope and character of Alaska centennial permanent projects for which State and local planning is nearly complete, or is in an advanced stage:

First. International House and related buildings—Fairbanks.

Second. Multipurpose building for conventions, and so forth—Anchorage.

Third. Convention and exhibit center—Sitka.

Fourth. State Museum—Juneau.

Fifth. Amphitheater for presentation of historic drama—Kodiak.

Sixth. Alaska Prehistory Museum—Homer.

Seventh. Fort Kenai reconstruction—Kenai.

Eighth. Reconstruction of a barrabora—Soldotna-Kasilof.

Ninth. Memorial to William H. Seward—Seward.

Tenth. Restoration of Russian-American Co. school—Ninilchik.

Eleventh. Alaska Railbelt Historical Museum—Talkeetna.

Twelfth. Library addition for historical display—Kotzebue.

Thirteenth. Reconstruction of authentic Tlingit community house—Yakutat.

Fourteenth. Auditorium for "Boys of '98 Show"—Skagway.

Fifteenth. Tourist information and community center—Valdez.

Sixteenth. Vitus Bering Memorial—Cordova.

All of these and other projects constitute a substantial program, and the amount of money called for in the bill as a maximum for Federal matching is fair and reasonable.

At this point I should reemphasize that the Federal money so applied will help Alaska over the top, so to speak, by making many Alaskan communities more attractive to your constituents and our fellow Americans from all our States, who will constitute the bulk of Alaska's visitors during its centennial year of 1967 and in the years to come. In other words, when we make Alaska more attractive to visitors by virtue of the passage of this bill, the resulting stimulation of traffic and trade will prove to be a good investment taxwise as well as otherwise.

I urge passage of this bill—and a visit by as many of you as possible to Alaska in 1967.

Mr. DON H. CLAUSEN. Mr. Chairman, will the gentleman yield?

Mr. RIVERS of Alaska. It is my pleasure to yield to the gentleman from California.

Mr. DON H. CLAUSEN. I rise to associate myself with the remarks of the gentleman from Alaska and to propound a couple of questions.

The State of Alaska was hit very hard by the earthquake, from which I understand you are still recovering. Therefore, while you are having the centennial celebration next year, would it not be possible, with the passage of this legislation, to attract some attention to your particular area, inasmuch as there will be some curiosity seekers going out to see the extent of the damage?

Mr. RIVERS of Alaska. That is true, but the earthquake episode which occurred in March 1964, almost ruined tourist traffic to Alaska that year, because people were afraid to go up there. They have started coming back. I know that various reconstructions in some of the damaged areas will still make good tourist attractions.

This bill will help Alaska overcome that tourist setback which was occasioned by the earthquake.

Mr. DON H. CLAUSEN. As I understand the resources of Alaska, some 98 percent of the land is owned by the Federal Government. Is this correct?

Mr. RIVERS of Alaska. Yes; that is approximately correct, I will say to the gentleman from California.

Mr. DON H. CLAUSEN. So one of the principal opportunities for economic development is going to be the resource development of that area and hopefully the centennial celebration will attract people there so that Alaska can expand economic development in addition to whatever other attractions you have.

Mr. RIVERS of Alaska. I think that is correct. Some of the people who come up to visit will stay. I hope more outside capital will result. We have a storehouse of riches, so far as natural resources are concerned, but a little far away from a central market and not economically feasible as yet.

Tourism will be a big help in tiding us over, now that golddigging is about completed, until the natural resources do materialize to economic advantage.

Mr. DON H. CLAUSEN. I do want the RECORD to show that I intend to support the gentleman's effort here.

Mr. RIVERS of Alaska. I thank the gentleman. All of these and other projects constitute a substantial program, and the amount of money called for in the bill as a maximum for Federal matching is fair and reasonable.

At this point I should emphasize that the Federal money so applied will help Alaska over the top, so to speak, by making many Alaskan communities more attractive to your constituents and other Americans during the Alaska Centennial year, 1966, and in the years to come, because this will be a centennial for all our constituents from all the 48 contiguous States.

Mr. MOORE. Mr. Chairman, will the gentleman yield?

Mr. RIVERS of Alaska. I yield to the gentleman from West Virginia.

Mr. MOORE. Mr. Chairman, I think the gentleman is aware of the interest I had at an earlier date in his resolution to study the question of the Alaska Centennial.

Mr. RIVERS of Alaska. The gentleman from Alaska will forever be grateful for your assistance in having that study bill processed.

Mr. MOORE. Mr. Chairman, it would seem to me that what we are doing here in appropriating money of this sort and of this size is setting a precedent which means that every centennial for every State could very well come here to the Congress and request like sums of money for economic development of any one of the blighted areas of a State or a contribution also to the Federal participation in the centennial.

The gentleman will recall that I came to his defense on the floor on the original resolution, because it involved generally the content and form of the resolution which acknowledged the centennial of my State, for which there was not a dime's worth of Federal contribution.

It would seem to me that this sets a dangerous precedent. It is an outright contribution.

I want to ask the gentleman, with respect to the 50-50 funds he talks about, is this a dollar equivalent by the citizens of the State of Alaska or can this be in contribution of land and buildings or any resource?

Mr. RIVERS of Alaska. It will not be in terms of contributions of land, because all of these structures are going to be built on publicly owned lands.

Mr. MOORE. That is not the point I made.

Mr. RIVERS of Alaska. The dollar for dollar matching is going to be for construction of these buildings.

The CHAIRMAN. The time of the gentleman from Alaska has expired.

Mr. RIVERS of Alaska. Mr. Chairman, may I have 5 additional minutes to answer questions?

Mr. CLEVELAND. Mr. Chairman, I will be glad to yield 5 minutes to the gentleman from Alaska out of respect for his distinguished contribution to the deliberations here. Our opposition to phases of the bill certainly is not opposition to his State or to the distinguished gentleman, so I will yield him 5 minutes of my time.

Mr. MOORE. Mr. Chairman, does the bill provide for a dollar contribution by the citizens of the State of Alaska in order for them to qualify for this $5 million, which I understand the bill provides?

Mr. RIVERS of Alaska. I do not think the bill provides that in so many words. It leaves the criteria up to the Secretary of Commerce to decide. The problem of the people in Alaska is not land. Their problem is dollars to build improvements. So I am convinced that this money is mostly going to go for improvements.

Mr. MOORE. You are speaking of Federal money?

Mr. RIVERS of Alaska. Yes.

Mr. MOORE. But I am talking about that portion which represents the dollar equivalent that will be put up by the citizens of Alaska. Will that be in dollars, or will it be contributed in some other form?

Mr. RIVERS of Alaska. Mostly dollars. Sitka is going to bond itself in order to do its matching. I cannot give you a categorical answer that not a single one will be.

Mr. MOORE. May I express my concern on this particular point. If the Federal Government owns 98 percent of the land area of Alaska and if land is used as a basis in order to obtain participation and to meet the requirements of 50 percent of value on the part of the State of Alaska, then we are using Federal land to match Federal money in order for you to participate in this program.

Mr. RIVERS of Alaska. May I interject a correction there? The land to be used for these buildings is in the cities and the municipalities and the immediate environs and are either city or privately owned. This land will come in the 2-percent category instead of in the 98 percent.

Mr. MOORE. May I ask the gentleman if he would not respond with respect to the observation that I made that this is substantially a $6 million contribution to the well-being of the State of Alaska; that it is incidental to and necessarily a part of this observance, but beyond that it is recognized as a Federal contribution to the economic development of this State? What is the gentleman's position going to be when the rest of our States come in here for a like contribution which is as notably supported as this is?

Mr. RIVERS of Alaska. I will say that I voted for the Federal Government's participation in the World's Fair in New York in the last few years in order to put up a building costing millions of dollars that was torn down at the end of the fair. Therefore, I would vote for a legitimate centennial, where they are going to have a dividend on the side in terms of permanent and long-range development value. I think this development factor is an asset rather than a detriment to my bill.

Mr. CLEVELAND. Mr. Chairman, will the gentleman yield?

Mr. RIVERS of Alaska. Of course I yield to the gentleman from New Hampshire.

Mr. CLEVELAND. In the eastern part of the United States some of us have lost the opportunity to get in on the centennial business although many of us might be having bicentennials. Will we get twice as much in that case, and will you vote for it?

Mr. RIVERS of Alaska. I cannot bind future Congresses, but if your State is having a bicentennial and you want a celebration, I will vote for it.

Mr. CLARK. Mr. Chairman, will the gentleman yield?

Mr. RIVERS of Alaska. I will be glad to yield to the gentleman.

Mr. CLARK. After the first 100 years I am sure that we can consider a bill such as this one.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. RIVERS of Alaska. I will be glad to yield to the gentleman from Florida.

Mr. CRAMER. We have a big centennial going on in Florida and they have gotten a pretty good contribution. In fairness to the gentleman and to the question asked by the gentleman from West Virginia, the bill speaks for itself in that it does not spell out contributions on the local level have to be in cash. They could be in land. The bill says that the Secretary of Commerce is authorized to make grants to the State of Alaska for use by the State and its political subdivisions and may defray no more than one-half of the cost of the project planned. So the local contribution could be land or other than moneys.

Mr. RIVERS of Alaska. My people have postulated this on getting 50 percent of the amount of dollars from the Federal Government and putting up the other 50 percent of the cost of the structures.

Mr. MOORE. So, in that regard, who is going to determine the value of the land contribution? Will that be left up to the Department of Commerce of the United States?

Mr. RIVERS of Alaska. It will.

Mr. MOORE. Or a private set of appraisers?

Mr. RIVERS of Alaska. All of the criteria for eligibility as to the terms of the grants are in the hands of the Department of Commerce. We are not trying to get a free ride but dollar for dollar for use on this centennial celebration.

Mr. MOORE. Do I understand the gentleman's defense of this particular type of bill is it is something that Alaska would be eligible for and would participate in at some future time in its economic development program and that you are asking for an acceleration of participation at this time, and that perhaps at some time in the future the contribution by the Federal Government will be greater than the 50 percent called for here?

Mr. RIVERS of Alaska. The gentleman said it better than I could. This timing is in line with orderly procedure and enables us to make these projects available in a timely manner for our centennial in 1967. If we sought EDA grants, we could get up to 80 percent in distressed areas. Alaska is offering to pay dollar for dollar here, which is a better bargain for Uncle Sam than EDA.

Mr. CLEVELAND. Mr. Chairman, I yield 5 minutes to the gentleman from Florida [Mr. CRAMER].

Mr. CRAMER. Mr. Chairman, very briefly, I too believe that a celebration of a centennial in Alaska is justified. I believe too that a reasonable Federal expenditure to commemorate that centennial is justified. However, the manner in which this bill is drafted makes it very clear that that is not its principal purpose. As the bill was drafted and as the title states, it is to provide for the economic development of the State of Alaska, and not for centennial purposes. That is the only way this bill could come before the Committee on Public Works.

Mr. RIVERS of Alaska. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Alaska.

Mr. RIVERS of Alaska. The title of the bill has been amended.

Mr. CRAMER. I know this, but that is how it got to the Committee on Public Works in the first place. It gave the Parliamentarian the power then to refer it to the Committee on Public Works.

Mr. Chairman, I agree with the gentleman from Alaska [Mr. RIVERS] that the title has been amended. The new title states that it is to provide for U.S. participation in the 1967 statewide celebration of the centennial of Alaska.

Mr. Chairman, if that title had been used in the bill at the outset it would have gone to the Committee on the Judiciary, on which I also serve. However, I am also privileged to serve on the Committee on Public Works, and I raised this issue on that committee at the time the bill was pending before it, for the very reason that it appeared to me this was an obvious subterfuge to get the bill before the Committee on Public Works, knowing full well that it could not get out of the Judiciary Committee with substantial funds carried in it. I know this, because I have been trying to get bills out of that committee along this line. I tried to get a $25,000 bill out of that committee for the quadricentennial, the 400-year anniversary, of the founding of St. Augustine, Fla. We could not even get $25,000 for that purpose.

Mr. Chairman, I do not believe that we should kid ourselves as to why this bill was worded as it was as a public-works bill. It was worded that way purposely in order to get it before the Committee on Public Works, knowing full well that the distinguished gentleman from Alaska [Mr. RIVERS] was well respected, and unquestionably would be able to get it out of that committee.

Mr. Chairman, the point I am making is that this is principally a public-works bill. It is principally an economic development bill. It is not a centennial bill. You have to take it one way or the other.

Mr. Chairman, I object to this bill now being considered as a centennial bill. I have no objection to the holding of a centennial celebration on the part of the State of Alaska. They are entitled to it. They are entitled to nationwide and worldwide recognition. But I do not believe they are entitled to this third layer on the cake, as it relates to economic development solely, just because it is a 100-year anniversary celebration. That is the difference of opinion relating to this bill, as I see it.

Mr. Chairman, the second question is with respect to the amount of money carried in the bill. The gentleman from New Hampshire [Mr. CLEVELAND] clearly stated what I believe to be the critical issue here, and that is that at this time with billions being added to the taxpayers' responsibility for the support of our troops in South Vietnam, knowing we are going to have this year a $6.8 billion deficit, knowing that in the last 5 years we have had $38 billion in deficits, knowing full well that now we should start somewhere in this session to set priorities and saying no to things that can wait and which we do not have to do.

Mr. Chairman, this is a specific and a very clear example as to where we do not have to spend this kind of money to celebrate a centennial in the State of Alaska.

The problem as I see it is that we are being asked to reduce the amount of milk that goes to our children in the school lunch program as contained in the President's proposal along that line, we are being asked to reduce the amount of money that has gone for years to land-grant colleges with which to educate our people, we are being asked to cut out the direct loan programs for scholarships to the students of America. We are being asked also to reduce, insofar as my district is concerned, to completely emasculate and to do away with $365,000 that would go to the school districts in my congressional district alone for the purpose of paying some of the cost of federally impacted students that our local school district has to support.

Mr. Chairman, these things must be done away with in order to support the war in Vietnam and certain other Great Society programs which we do not need and which we cannot justify if we are going to accomplish our responsibility in this House of Representatives and not authorize this $5.6 million to go for the celebration of a centennial in Alaska.

Mr. Chairman, I am all for a celebration, but I am not for spending this amount of money.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. CLEVELAND. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. CRAMER. Mr. Chairman, I have reviewed the centennial celebration resolutions that have come out of the Judiciary Committee in the past, and there has not been a celebration resolution that has gone out of it that has carried the price tag of $5.6 million. As a matter of fact, the nationwide Civil War Centennial, participated in throughout the entire Nation, received $50,000 for the first year, and $100,000 per year thereafter, for a total price tag for a nationwide celebration for a period of 9 years of $850,000. That is the biggest one about which I know. However, we could not get $25,000 for a quadricentennial celebration for the city of St. Augustine, Fla.

Mr. MOORE. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from West Virginia.

Mr. MOORE. Will the gentleman point out to me where in this bill it makes it an absolute requirement that in order to get these funds they have to abide by the criteria of the Economic Development Act?

I cannot find it any place other than this observation which is in the report that certain items would nominally be thought to qualify as they would qualify for consideration under the Economic Development Act. I make the point that an auditorium could be built under this particular program and it can under the Economic Development Act—and a number of different things.

Mr. CRAMER. There is no required qualification, and the type of project qualifying under this also should qualify under the EDA. There is no question about it. The point was made by the sponsor of the bill that EDA funds would otherwise be expended if they were not expended under this act.

Mr. MOORE. That is the point I make.

Mr. CRAMER. But they are not entitled in Alaska to the third layer of the economic development cake solely because of the centennial. That is the point I am making. The list of projects is in answer to the gentleman, on page 3 of the report which lists the type of projects they are considering, such things as a library addition for historical display, an auditorium, and so forth.

Mr. MOORE. That is the point I make.

Mr. CRAMER. Yes.

Mr. MOORE. This is beyond that which a State might be entitled to if it qualified for program assistance under the Economic Development Act.

Mr. CRAMER. In reply to the gentleman, I want to say that the other body has reduced section 2 of the bill to $3 million and that is the least the House should do in this instance—$3,600,000 for the whole bill.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. CLARK. Mr. Chairman, I have no further requests for time.

Mr. CLEVELAND. Mr. Chairman, I yield 1 minute to the gentleman from Ohio [Mr. DEVINE].

Mr. DEVINE. Mr. Chairman, this legislation although it may have some merit to the people in the great State of Alaska, it seems to me with the President suggesting budget cuts in such areas as the NDEA and impacted areas legislation and the school milk program and the school lunch program and these emotional areas involving youth and education, we in the Congress should give some real serious thought as to whether or not this is the time, with the Vietnam crisis, to be pouring money into a centennial celebration which is certainly not a necessity at this time.

The CHAIRMAN. There being no further requests for time, pursuant to the rule the Clerk will read the substitute committee amendment printed in the reported bill as an original bill for the purpose of amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in recognition of the national and international significance of the purchase of Alaska by the United States from Russia in 1867, the Congress hereby declares that it is the purpose of this Act to provide for appropriate United States participation in the statewide 1967 centennial celebration, jointly with the State of Alaska, through industrial, agricultural, educational, research, or commercial projects, or facilities which contribute to the celebration and result in an enduring symbol of the significance to the United States of its purchase of Alaska in 1867 and a permanent contribution to the economy of Alaska.

SEC. 2. (a) The Secretary of Commerce (hereinafter in this Act referred to as the "Secretary") is authorized to make grants to the State of Alaska, for use by the State, its political subdivisions, municipalities, or public or private nonprofit corporations to defray no more than one-half of the costs of projects planned to support initially the 1967 Alaska Centennial as an event of national interest. Such projects shall be eligible for grants only after they are approved by such department of the State of Alaska as shall be designated for such purpose by the Governor of the State of Alaska. In accord with the purposes of this Act, the Secretary shall establish additional criteria to be met by such projects and shall promulgate regulations governing the submission and approval of applications.

(b) It shall be a condition of the receipt of any grant for a project that recipient of such grant furnish adequate assurance to the Secretary of Labor that all laborers and mechanics employed by contractors or subcontractors on projects financed under this section shall be paid wages at not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a–5). The Secretary of Labor shall have, with respect to the labor standards specified in this provision, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267; 5 U.S.C. 133z–15), and section 2 of the Act of June 13, 1934, as amended (48 Stat. 948, as amended; 40 U.S.C. 276(c)).

(c) There is hereby authorized to be appropriated for the purposes of this section not to exceed $5,000,000. Funds appropriated under this subsection shall remain available for expenditure until June 30, 1968.

SEC. 3. (a) The Secretary may provide for appropriate participation by the United States in ceremonies and exhibits which are a part of the centennial celebration, whenever the national or international significance of any event of the centennial celebration will be enhanced by such United States participation.

(b) In carrying out the purposes of this section, the Secretary may—

(1) provide for the display of Federal exhibits at one or more sites in the State of Alaska in buildings or structures furnished to the United States, during the period of the centennial celebration, except that the Secretary may utilize United States-owned mobile geodesicdomed exhibition buildings or structures erected on land owned by the State of Alaska or any political subivision thereof and furnished to the United States, without cost, during the period of the centennial celebration;

(2) incur such expenses as may be necessary to carry out the purposes of this section, including but not limited to expenditures involved in the selection, purchase, rental, construction, and other acquisition of exhibits and materials and equipment therefor and the actual display thereof, and including but not limited to related expenditures for costs of landscaping, transportation, insurance, installation, safekeeping, maintenance and operation, and dismantling;

(3) enter into such contracts as may be necessary to provide for United States participation in appropriate ceremonies and exhibits which are a part of the centennial celebration;

(4) appoint such persons as he deems to be necessary to carry out the provisions of this section, except that no person appointed under this paragraph shall receive compensation from the United States at a rate in excess of that received by persons under the Classification Act of 1949 for performing comparable duties;

(5) procure services as authorized by section 15 of the Administrative Expenses Act of 1946, as amended (5 U.S.C. 55a), but at rates for individuals not to exceed $75 per diem when actually employed; and

(6) accept any gifts, donations, or devises, or loans other than of money, to be used in carrying out the purposes of this section.

(c) In determining the exhibits to be installed by the United States during the centennial celebration and in selecting the site or sites in the State of Alaska for such exhibits, the Secretary shall consult with the Alaska State Centennial Commission.

(d) The head of each department, agency, or instrumentality of the Federal Government is authorized—

(1) to cooperate with the Secretary with respect to United States participation in the ceremonial aspects of the centennial celebration; and

(2) to make available to the Secretary from time to time, such personnel as may be necessary to assist the Secretary in carrying out his functions under this section.

(e) There are hereby authorized to be appropriated for the purposes of this section not to exceed $600,000.

SEC. 4. The Secretary shall report to the Congress within six months after the date of the official close of the centennial celebration concerning the activities of the Federal Government pursuant to this Act, including a detailed statement of expenditures. Upon transmission of such report to the Congress, all appointments made under this Act shall terminate.

Mr. CLARK (during the reading of the substitute committee amendment). Mr. Chairman, I ask unanimous consent that the substitute committee amendment be considered as read and be open for amendment at any point.

Mr. CHAIRMAN. Without objection, it is so ordered.

There was no objection.

AMENDMENT OFFERED BY MR. CRAMER

Mr. CRAMER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CRAMER: On page 8, line 11, strike out "$5,000,000" and insert in lieu thereof "$3,000,000".

Mr. CRAMER. Mr. Chairman, if I thought there were a chance of doing it, I would strike out the entire section relating to the construction of facilities and have only $600,000 in it for a Federal exhibit and have a provision for a centennial celebration. This would bring the bill into line with other centennial and commemorative type celebrations similar to those voted out by the Committee on the Judiciary.

I recognize there may be some merit in the fact that Alaska is 98 percent federally owned and that this is a little different type situation with the Federal Government having purchased Alaska some 100 years ago when it became a territory. Landwise, it is the largest State in the Union. There may be some justification for a reasonable expenditure of funds to commemorate this centennial celebration. But I do not think it is justified to put enough money into the bill to end up with an overall Alaska statewide economic development program. I believe $3 million is adequate. Incidentally, this is the principal basis for my offering this figure—this is the figure that substantiates the judgment of the other body after lengthy debate. If this figure is adopted and if this bill is adopted with that amendment, the other body can go ahead and pass the bill as we amend it and get it out of the way and get it to the President. If this figure is not adopted, it would have to go to conference automatically. So I am recommending the figure that the other body finally acted upon—$3 million. That that be inserted in lieu of the $5 million figure that is presently in the bill. That will give the centennial $3 million for the construction of facilities matched 50 percent by the State and $600,000 more for the building of a Federal exhibit for the centennial celebration.

I would hope that the gentleman from Alaska, for whom I have great respect—and I know he has worked hard on this bill and I am trying to be helpful—would accept this amendment so that the bill can go to the other body and so that the other body may act on it and so that we can get it to the President and adequate funds that can be justified will be spent, but that we will not be spending more, at least, than the other body authorized relating to this project.

So I hope that my amendment providing for $3 million will be adopted.

On page 27189 of the proceedings of the other body it is substantiated that an amendment for $3 million offered by the gentleman from Delaware [Mr. WILLIAMS] was adopted by the Senate as the final figure in connection with this legislation.

I hope that the gentleman from Alaska will accept the amendment.

AMENDMENT OFFERED BY MR. RIVERS OF ALASKA

Mr. RIVERS of Alaska. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. RIVERS of Alaska to the amendment offered by Mr. CRAMER: Strike the figure "$3 million" and substitute therefor the figure "$4 million".

Mr. RIVERS of Alaska. Mr. Chairman, I have the highest respect for the gentleman from Florida. I do reciprocate his regard for me. I am offering to have the $3 million stated in his amendment made into $4 million. My amendment would substitute $4 million for the figure $3 million in his proposed amendment.

My latest information from Alaska is that the State and local people may be able to match up to $4.5 million. This is just a ceiling, my friends. Maybe the State and local people will be able to match only half of that amount. But I do not want a halfway deal that will not quite succeed in accomplishing the purpose. Therefore, I am offering to split it 50–50, and come out at $4 million. I believe that would be acceptable to the Senate because the $3 million was not a deliberative figure. That was an unexpected surprise that came at the tail end of the proceeding on the last day of the first half of this Congress. The Senator could not do anything except to let it go through with that figure at that stage of the game; otherwise, the bill would be tabled for further consideration this year.

Let us say, then, that the $4 million is a suitable figure. I hope that the gentleman will accept my amendment to his amendment.

AMENDMENT OFFERED BY MR. CLEVELAND

Mr. CLEVELAND. Mr. Chairman, I offer a substitute amendment to the amendment offered by the gentleman from Alaska [Mr. RIVERS].

The Clerk read as follows:

Amendment offered by Mr. CLEVELAND as a substitute for the amendment offered by Mr. RIVERS of Alaska: On page 8, line 11, substitute "$1 million" for "$4 million".

Mr. CLEVELAND. Mr. Chairman, I am not sure that I could expect our distinguished colleague from Alaska to accept this amendment, but I hope that the point I am trying to make with the substitute will be considered carefully.

Actually, what we appear to be arguing about here—and, indeed, I suppose this is what we often argue about here—is money. We on our side of the aisle do not want to be construed, as I repeatedly have said, as having any disrespect for our colleague or for the State that he represents. I remind our colleague that not only was it a Republican administration that had the foresight to purchase Alaska in the first instance, but also it was the Republican administration under General Eisenhower that kept the pledge of many years standing, I might add, by arranging for Alaska to come into the Union, and we are all very proud of that State.

WAR COSTS COME FIRST

But we come back again and again to the simple fact that we are fighting a war in Vietnam. We have had to raise taxes on people, and we did it here in the House but a few days ago. We raised taxes, which are paid by everyone—by the citizens of Alaska and by the citizens of New Hampshire—a sales tax on every person who uses a telephone and every person who uses a car, and that is almost everyone.

As the gentleman from Alaska knows, the ravages of inflation are eroding the dollar at an alarming rate—2 to 3 percent a year—the cost of inflation falls on everyone in this country.

So when we talk about money, it is a matter of importance to many people. This does not have to be construed as being anti-Alaska or anticelebrating their glorious centennial. But the fact is that we owe it to the people in this country, and we owe it to the boys in Vietnam, to show that we are capable of restraint, and that money is not just being poured out as if it came from some bottomless pit and bottomless well. We found out the other day that the pit is not bottomless and the well is not bottomless. Then we voted—and I was one of the people who did vote—to reimpose the excise tax, or as I have said a sales tax on the car owner and telephone user.

Mr. PEPPER. Mr. Chairman, will the gentleman yield?

Mr. CLEVELAND. I yield to the distinguished gentleman from Florida.

Mr. PEPPER. I am sure that my distinguished friend does not wish to accord to the Communists in Vietnam not only the power to kill and maim our men and waste our substance, but also to strangle all deserved progress here at home?

Mr. CLEVELAND. That remark is a remark which ill fits the discussion we are trying to have. It is not a constructive remark.

The gentleman knows, as I know, that the protection of the value of the dollar still permits necessary programs at home. It permits aid to education and many, many things.

I might also say to the gentleman from Florida that it permits school milk for schoolchildren. And I say also to the distinguished gentleman from Florida that it permits providing decent housing for our soldiers. It provides for many things.

We do not have to cut out all of those things; but, in all fairness, we must exercise decent restraint out of a decent respect for those men who are in Vietnam and for the value of the dollar, which is so important to all of us and to all those programs, and above all to the poor themselves and to those on fixed incomes and the borderlines of poverty.

Mr. CLARK. Mr. Chairman, I rise in opposition to the Cleveland amendment, and I ask for an immediate vote.

Mr. McCULLOCH. Mr. Chairman, I move to strike the last word.

I regret that I feel it necessary to take the floor in opposition to the bill as it came from the committee and in support of the amendment; and I do support the amendment of the gentleman from New Hampshire [Mr. CLEVELAND].

These basic resolutions, in large percentage if not on every occasion, have gone to the Judiciary Committee. It has been a longstanding rule in that committee, because of the character of these resolutions, that little or no money has been provided for the celebrations.

My colleagues have covered the need for money, which is greater at this time for purposes other than celebrations than at any time within my experience in the Congress of the United States.

This amendment will not cripple the proposal. In accord with the frugality of most of the people in Ohio, the amount would be more than adequate to carry on the project.

Mr. Chairman, I hope that the amendment of the gentleman from New Hampshire [Mr. CLEVELAND] will be agreed to.

The CHAIRMAN. The question is on the amendment of the gentleman from Alaska [Mr. RIVERS] to the amendment of the gentleman from Florida [Mr. CRAMER].

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. CRAMER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CRAMER. As I understand the vote propounded, it was on the amendment to the amendment?

The CHAIRMAN. The gentleman is correct.

Mr. CRAMER. The $4 million as compared to the $3 million. What happened to the substitute amendment?

The CHAIRMAN. The substitute amendment will be voted on next.

Mr. CRAMER. The substitute amendment will be the next amendment in order for a vote?

The CHAIRMAN. The gentleman is correct.

Mr. CRAMER. Mr. Chairman, I demand a division on the $4 million amendment to the $3 million amendment, now pending.

The question was taken; and on a division (demanded by Mr. Cramer) there were—ayes 32, noes 20.

So the amendment was agreed to.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from New Hampshire.

The question was taken; and on a division (demanded by Mr. Cramer) there were—ayes 19, noes 28.

So the substitute amendment was rejected.

The CHAIRMAN. The question is on the Cramer amendment, as amended by the amendment of the gentleman from Alaska [Mr. Rivers].

The amendment was agreed to.

The CHAIRMAN. The question now occurs on the committee substitute for the bill.

Mr. CRAMER. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Fifty-three Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 29]

Annunzio
Baldwin
Baring
Belcher
Berry
Blatnik
Cederberg
Colmer
Dague
Dawson
Dowdy
Duncan, Oreg.
Edwards, Calif.
Edwards, La.
Evans, Colo.
Feighan
Fisher
Fuqua
Giaimo
Griffin
Gubser
Hawkins
Hays
Jones, Ala.
Jones, Mo.
Kluczynski
McMillan
McVicker
Macdonald
Matthews
Miller
Moorhead
Nix
O'Brien
Powell
Rostenkowski
Scott
Toll
Walker, Miss.
Willis
Wilson, Charles H.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. Vanik, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 9963, and finding itself without a quorum, he had directed the roll to be called, when 387 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. CLEVELAND. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I have taken this time in order to acquaint the membership of the Committee with the state of the debate on this legislation at this time. This bill has been amended and the total authorization is now $4.6 million rather than $5.6 million. Attempts to reduce the amount of authorization to $1.6 million failed by a narrow vote. Attempts to reduce it to $3.6 million failed by a narrow vote.

Now, Mr. Chairman, I think a membership that is going to have a rollcall vote on this legislation in the course of the next 5 or 10 minutes should at least consider the issues that were debated here this afternoon. Some of the debate focused on the fact this legislation for a centennial celebration for the State of Alaska, under the rules of the House, should probably have been considered by the Committee on the Judiciary. That committee has at the present time more than 250 similar legislative items. If you give this $4 million or $5 million to Alaska for a centennial then how are you going to say no to Florida, Arizona, Saratoga, or any of the other countless areas that have centennial or bicentennial or similar celebrations or observances coming up? There is a precedent here that you cannot turn your back on. The fact that there is this precedent was an important point made during the debate.

Remember too that just last week here on the floor of the House of Representatives we recognized the fact that inflationary fires have been lit in this country. We reimposed on the people of this country a tax on their cars and a tax on their telephones because of it. Now, is this the time or the place to spend $4.6 million which is not strictly necessary? It is not necessary because there is not a single thing in this bill that cannot be constructed with Economic Development Aid funds.

So, my colleagues, you are faced here with a situation where you are creating a bad precedent and you have legislation which is not necessary. It is not only not necessary, but it is expensive at a time when we have a problem of inflation facing us and we have a problem facing us of the drain and commitment because of the war in Vietnam. These are some of the things that were developed in the debate here. I have taken this time, Mr. Chairman, to inform my colleagues of these points which were raised by the minority. I want to make the record very clear that the State of Alaska was purchased by a Republican administration at a very good price back 100 years ago. I also want to point out to you that it was a Republican administration that kept the commitment after many years to bring Alaska into the Union as a State. Nothing in my remarks or those of the minority should be construed as being either against Alaska or the distinguished Representative that they have sent here. However, in the name of commonsense, it just makes no sense to open up the door for this type of expense at a time when the fires of inflation are threatening us at home as well as the enemy who is threatening us abroad. This is a time for selective restraint.

Mr. HALL. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I hope I shall not take the 5 minutes, but I would like to associate myself with the remarks of the gentleman from New Hampshire, who has just left the well of the House [Mr. Cleveland], and emphasize the jurisdictional question in this hocus-pocus and hanky-panky in order to bring this bill up here for a celebration of a centennial.

Second, I would like to emphasize the fact that there are Economic Development Actions herein, to the extent of new and permanent construction in Sitka, Anchorage, Fairbanks, and Kotzebue and many other places, as stated by the distinguished Representative of the State of Alaska.

Third, taxes are up and we have recently reimposed them in this Chamber. However, Mr. Chairman, there has been much said here about the original request of $7.2 million for the centennial celebration of Alaska simply because it would be a good public relations gimmick, inasmuch as that is as much as the United States paid for the Territory of Alaska 100 years ago when it purchased it from Russia.

Mr. Chairman, Senator Sam Houston said here in Congress about 30 years before Alaska was purchased by Secretary of State Seward, that there should be no charity engaged in with the taxpayers' money, not even in the most deserving cases.

I would like to paraphrase this and say that insofar as the sanctity of the taxpayers' money is concerned, we should not let sentimental celebrations or public relations interfere with that sanctity.

Mr. Chairman, I am perfectly amazed that the leadership of the House of Representatives would program a bill of this type, albeit it was passed in the other body in a reduced form, at a time when we are at war overseas, cold war or otherwise, and only yesterday voted firm support of the action of our men in South Vietnam, when the Secretary of Defense and when the Commander in Chief of the Army is today limiting construction for the dependents of military personnel all over the world, including Alaska. We have now progressively supported Interama, HemisFair, and many others.

Mr. Chairman, I believe it is time that we recognized that this new State in the Union has in the past been tried as far as economic development is concerned, in the Matanuska Valley, the dairies have failed, the tundra and the deep freeze is far too deep there, and that it is by all means time that we recognized that discerning personnel are not going to migrate there in great numbers, because of the extreme frozen situation in the cold north.

Mr. Chairman, it is a fine place for defense. It is a place of great scenic grandeur. It is an interesting place for outdoor sports such as big game hunting and fishing. It has been interesting insofar as mining, oil, and gas reserves are concerned. But, Mr. Chairman, I firmly ask this Committee and this House, when we go back into the whole House, to remember that we should have billions for defense, but not one dime for celebration of our good fortune in acquiring Alaska.

Mr. McCORMACK. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, in view of the remarks made by the gentleman from New Hampshire [Mr. Cleveland] about the reference of this bill, and overhearing them and confining myself to that aspect of his remarks, I simply want to advise the Members of the House that in my judgment as the Speaker, this bill was properly referred to the Committee on Public Works.

In the original bill, the bill calls for the participation in the 1967 exposition, jointly with the State of Alaska through economic development projects such as industrial, agricultural, educational, research, or commercial facilities, and so forth.

Mr. Chairman, I thoroughly respect the views of my friend, the gentleman from New Hampshire [Mr. CLEVELAND], but I cannot be on the floor and listen to one challenge the reference of a bill that I made. I realize that I might make mistakes occasionally, but I will always make the reference of a bill that the rules call for. In my clear judgment this bill was properly referred to the Committee on Public Works.

Mr. CRAMER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, no one has greater respect for the Speaker than I, and he knows that. As I understood the debate there was no challenge of the reference of the bill as it was drafted. It is my recollection of the debate—and I was the one who raised the question—that the bill was drafted as its title reads:

> To promote the economic development of the State of Alaska by providing for U.S. participation in the statewide exposition to be hold in Alaska during 1967.

The bill as reported out, and the point that was made, was that the title in effect originally as introduced was not a celebration title, but as has been amended, is a centennial bill, and standing as it is properly in that amended form within the jurisdiction of the Committee on the Judiciary. The amended title says "A bill to provide for U.S. participation in the 1967 statewide celebration of the centennial of the Alaska purchase," being a centennial bill.

However, the point that has been made is that the Committee on the Judiciary does not vote money generally to celebrate centennials and this is the obvious reason for drafting the bill so it would go to Public Works instead of Judiciary. This is, in my opinion, a subterfuge to get money for a centennial that could not be obtained through the Judiciary Committee. It gives preference to Alaska over all other centennial or commemorative bills.

Therefore I request that the bill be voted down, because the amount of money requested is too great, and it in effect is a public works bill, and as such went to the Committee on Public Works for Alaska rather than its being a true centennial bill and going to the Judiciary.

The CHAIRMAN. The question is on the committee substitute amendment, as amended.

The committee substitute amendment, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. VANIK, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 9963) to promote the economic development of the State of Alaska by providing for U.S. participation in the statewide exposition to be held in Alaska during 1967, pursuant to House Resolution 741, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. GERALD R. FORD. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 202, nays 173, not voting 58, as follows:

[Roll No. 30]

YEAS—202

Adams
Addabbo
Albert
Anderson, Tenn.
Aspinall
Bandstra
Beckworth
Bennett
Bingham
Boggs
Boland
Bolling
Brademas
Brooks
Brown, Calif.
Burke
Burleson
Burton, Calif.
Byrne, Pa.
Cabell
Callan
Carey
Casey
Celler
Clark
Clausen, Don H.
Clevenger
Cohelan
Conyers
Corman
Culver
Daddario
Daniels
de la Garza
Delaney
Denton
Diggs
Donohue
Dorn
Dow
Dulski
Edmondson
Everett
Evins, Tenn.
Fallon
Farbstein
Farnsley
Farnum
Fascell
Flood
Fogarty
Foley
Ford, William D.
Fraser
Friedel
Fulton, Tenn.
Gallagher
Garmatz
Gibbons
Gilbert
Gilligan
Gonzalez
Gray
Green, Pa.
Greigg
Grider
Griffiths
Hagan, Ga.
Hagen, Calif.
Hamilton
Hanley
Hansen, Iowa
Hansen, Wash.
Hathaway
Hébert
Hechler
Helstoski
Henderson
Holifield
Holland
Hungate
Ichord
Jacobs
Jennings
Johnson, Calif.
Johnson, Okla.
Karsten
Karth
Kastenmeier
Kee
Kelly
Keogh
King, Calif.
King, Utah
Kirwan
Kluczynski
Krebs
Kupferman
Landrum
Leggett
Long, Md.
McCarthy
McDowell
McFall
McGrath
McVicker
Machen
Mackay
Madden
Mahon
Martin, Nebr.
Matsunaga
Meeds
Mills
Mink
Morgan
Morris
Morrison
Morton
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Murray
Nedzi
O'Hara, Ill.
O'Hara, Mich.
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Ottinger
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Pool
Powell
Price
Purcell
Race
Randall
Redlin
Rees
Resnick
Reuss
Rhodes, Pa.
Rivers, Alaska
Rivers, S.C.
Roberts
Rodino
Rogers, Colo.
Rogers, Tex.
Ronan
Roncalio
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Roush
Roybal
Ryan
St Germain
St. Onge
Saylor
Scheuer
Schisler
Schmidhauser
Secrest
Senner
Shipley
Sickles
Sikes
Sisk
Slack
Smith, Iowa
Staggers
Stalbaum
Steed
Stephens
Stratton
Stubblefield
Sullivan
Tenzer
Thompson, Tex.
Todd
Trimble
Tupper
Tuten
Udall
Ullman
Van Deerlin
Vanik
Watts
Weltner
White, Idaho
White, Tex.
Wright
Wyatt
Yates
Young
Zablocki

NAYS—173

Abbitt
Abernethy
Adair
Anderson, Ill.
Andrews, George W.
Andrews, Glenn
Andrews, N. Dak.
Arends
Ashmore
Ayres
Bates
Belcher
Bell
Betts
Bolton
Bow
Bray
Brock
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burton, Utah
Byrnes, Wis.
Cahill
Callaway
Carter
Cederberg
Chamberlain
Chelf
Clancy
Clawson, Del
Cleveland
Collier
Conable
Conte
Cooley
Corbett
Craley
Cramer
Cunningham
Curtin
Curtis
Davis, Ga.
Davis, Wis.
Derwinski
Devine
Dickinson
Dingell
Dole
Downing
Duncan, Tenn.
Dwyer
Edwards, Ala.
Ellsworth
Erlenborn
Findley
Fino
Flynt
Ford, Gerald R.
Fountain
Frelinghuysen
Fulton, Pa.
Gathings
Gettys
Goodell
Grabowski
Gross
Grover
Gurney
Haley
Hall
Halleck
Halpern
Hansen, Idaho
Hardy
Harsha
Harvey, Ind.
Harvey, Mich.
Herlong
Hicks
Horton
Hosmer
Hull
Huot
Hutchinson
Irwin
Jarman
Joelson
Johnson, Pa.
Jonas
Jones, N.C.
Keith
King, N.Y.
Kornegay
Kunkel
Laird
Langen
Latta
Lennon
Lipscomb
Long, La.
Love
McClory
McCulloch
McDade
MacGregor
Mackie
Mailliard
Marsh
Martin, Ala.
Mathias
May
Michel
Minish
Minshall
Mize
Moeller
Monagan
Moore
Morse
Mosher
Natcher
Nelsen
O'Konski
O'Neal, Ga.
Passman
Pike
Pirnie
Poage
Poff
Quie
Quillen
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Rhodes, Ariz.
Robison
Rogers, Fla.
Roudebush
Rumsfeld
Satterfield
Schneebeli
Schweiker
Selden
Shriver
Smith, Calif.
Smith, N.Y.
Smith, Va.
Springer
Stafford
Stanton
Sweeney
Talcott
Teague, Calif.
Thomson, Wis.
Tuck
Utt
Vigorito
Vivian
Waggonner
Walker, N. Mex.
Watkins
Watson
Whalley
Whitener
Widnall
Williams
Wilson, Bob
Wolff
Wydler
Younger

NOT VOTING—58

Annunzio
Ashbrook
Ashley
Baldwin
Baring
Barrett
Battin
Berry
Blatnik
Broomfield
Cameron
Colmer
Dague
Dawson
Dent
Dowdy
Duncan, Oreg.
Dyal
Edwards, Calif.
Edwards, La.
Evans, Colo.
Feighan
Fisher
Fuqua
Giaimo
Green, Oreg.
Griffin
Gubser
Hanna
Hawkins
Hays
Howard
Jones, Ala.
Jones, Mo.
McEwen
McMillan
Macdonald
Martin, Mass.
Matthews
Miller
Moorhead
Nix
O'Brien
Patman
Pucinski
Rostenkowski
Scott
Skubitz
Taylor
Teague, Tex.
Thompson, N.J.
Toll
Tunney
Walker, Miss.
Whitten
Willis
Wilson, Charles H.

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Feighan for, with Mr. Scott against.

Mr. Fisher for, with Mr. Martin of Massachusetts against.

Mr. Annunzio for, with Mr. Ashley against.

Mr. Patman for, with Mr. Berry against.

Mr. Rostenkowski for, with Mr. Battin against.

Mr. Dent for, with Mr. Walker of Mississippi against.

Mr. Miller for, with Mr. Whitten against.

Mr. Toll for, with Mr. Broomfield against.

Mr. Thompson of New Jersey for, with Mr. McEwen against.

Mr. Charles H. Wilson for, with Mr. Skubitz against.

Mr. O'Brien for, with Mr. Baring against.

Mr. Barrett for, with Mr. Dowdy against.

Until further notice:

Mr. Moorhead with Mr. Matthews.

Mr. Giaimo with Mr. Fuqua.

Mr. Macdonald with Mr. Edwards of Louisiana.

Mr. Cameron with Mr. Teague of Texas.

Mr. Blatnik with Mr. Colmer.

Mr. Nix with Mr. Tunney.

Mr. Hanna with Mr. McMillan.

Mr. Dawson with Mr. Duncan of Oregon.

Mr. Pucinski with Mr. Jones of Alabama.

Mr. Hays with Mr. Taylor.

Mr. Dyal with Mrs. Green of Oregon.

Mr. Willis with Mr. Edwards of California.

Mr. Evans of Colorado with Mr. Hawkins.

Mr. **GALLAGHER** changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. **CLARK**. Mr. Speaker, pursuant to House Resolution 741, I call up from the Speaker's table for immediate consideration the bill S. 2614.

The Clerk read the title of the Senate bill.

The Clerk read the Senate bill, as follows:

S. 2614

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in recognition of the national and international significance of the purchase of Alaska by the United States from Russia in 1867, the Congress hereby declares that it is the purpose of this Act to provide for appropriate United States participation in the statewide 1967 centennial celebration jointly with the State of Alaska, through industrial, agricultural, educational, research, or commercial projects, or facilities which contribute to the purpose of the celebration and result in an enduring symbol of the significance to the United States of its purchase of Alaska in 1867 and a permanent contribution to the economy of Alaska.

Sec. 2. (a) The Secretary of Commerce (hereinafter in this Act referred to as the "Secretary") is authorized to make grants to the State of Alaska for use by the State, its political subdivisions, municipalities, or public or private nonprofit corporations to defray no more than one-half the costs of projects planned to support initially the 1967 Alaska Centennial as an event of national interest. Such projects shall be eligible for grants only after they are approved by such department of the State of Alaska as shall be designated for such purpose by the Governor of the State of Alaska. In accord with the purposes of this Act, the Secretary shall establish additional criteria to be met by such projects and shall promulgate regulations governing the submission and approval of applications.

(b) It shall be a condition of the receipt of any grant for a project that any recipient of such grant furnish adequate assurance to the Secretary of Labor that all laborers and mechanics employed by contractors or subcontractors on all construction projects financed under this section shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a–5). The Secretary of Labor shall have, with respect to the labor standards specified in this provision, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267; 5 U.S.C. 133z–15), and section 2 of the Act of June 13, 1934, as amended (48 Stat. 948, as amended; 40 U.S.C. 276(c)).

(c) There is hereby authorized to be appropriated for the purposes of this section not to exceed $3,000,000. Funds appropriated under this subsection shall remain available for expenditure until June 30, 1968.

Sec. 3. (a) The Secretary may provide for appropriate participation by the United States in ceremonies and exhibits which are a part of the centennial celebration, whenever he finds that such participation will be in the national interest.

(b) In carrying out the purposes of this section, the Secretary may—

(1) provide for the display of Federal exhibits at one or more sites in the State of Alaska in buildings or structures furnished to the United States, during the period of the centennial celebration, except that the Secretary may utilize United States owned mobile geodesic domed exhibition buildings or structures erected on land owned by the State of Alaska or any political subdivision thereof and furnished to the United States, without cost, during the period of the centennial celebration;

(2) incur such expenses as may be necessary to carry out the purposes of this section, including but not limited to expenditures involved in the selection, purchase, rental, construction, and other acquisition of exhibits and materials and equipment therefor and the actual display thereof, and including but not limited to related expenditures for costs of landscaping, transportation, insurance, installation, safekeeping, maintenance and operation, and dismantling;

(3) enter into such contracts as may be necessary to provide for United States participation in appropriate ceremonies and exhibits which are a part of the centennial celebration;

(4) appoint such persons as he deems to be necessary to carry out the provisions of this section, except that no person appointed under this paragraph shall receive compensation from the United States at a rate in excess of that received by persons under the Classification Act of 1949 for performing comparable duties;

(5) procure services as authorized by section 15 of the Administrative Expenses Act of 1946, as amended (5 U.S.C. 55a) but at rates for individuals not to exceed $75 per diem when actually employed; and

(6) accept any gifts, donations, or devices, or loans other than of money, to be used in carrying out the purposes of this section.

(c) In determining the exhibits to be installed by the United States during the centennial celebration and in selecting the site or sites in the State of Alaska for such exhibits, the Secretary shall consult with the Alaska State Centennial Commission.

(d) The head of each department, agency, or instrumentality of the Federal Government is authorized—

(1) to cooperate with the Secretary with respect to United States participation in the ceremonial aspects of the centennial celebration; and

(2) to make available to the Secretary from time to time, such personnel as may be necessary to assist the Secretary in carrying out his functions under this section.

(e) There are hereby authorized to be appropriated for the purposes of this section not to exceed $600,000.

Sec. 4. The Secretary shall report to the Congress within six months after the date of the official close of the centennial celebration concerning the activities of the Federal Government pursuant to this Act, including a detailed statement of expenditures. Upon transmission of such report to the Congress, all appointments made under this Act shall terminate and all authority conferred by the provisions of this Act shall expire.

Mr. **CLARK**. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Clark: Strike out all after the enacting clause of S. 2614 and insert in lieu thereof the provisions contained in H.R. 9963, as passed by the House:

"That, in recognition of the national and international significance of the purchase of Alaska by the United States from Russia in 1867, the Congress hereby declares that it is the purpose of this Act to provide for appropriate United States participation in the statewide 1967 centennial celebration, jointly with the State of Alaska, through industrial, agricultural, educational, research, or commercial projects, or facilities which contribute to the celebration and result in an enduring symbol of the significance to the United States of its purchase of Alaska in 1867 and a permanent contribution to the economy of Alaska.

"Sec. 2. (a) The Secretary of Commerce (hereinafter in this Act referred to as the "Secretary") is authorized to make grants to the State of Alaska, for use by the State, its political subdivisions, municipalities, or public or private nonprofit corporations to defray no more than one-half of the costs of projects planned to support initially the 1967 Alaska Centennial as an event of national interest. Such projects shall be eligible for grants only after they are approved by such department of the State of Alaska as shall be designated for such purpose by the Governor of the State of Alaska. In accord with the purposes of this Act, the Secretary shall establish additional criteria to be met by such projects and shall promulgate regulations governing the submission and approval of applications.

"(b) It shall be a condition of the receipt of any grant for a project that recipient of such grant furnish adequate assurance to the Secretary of Labor that all laborers and mechanics employed by contractors or subcontractors on projects financed under this section shall be paid wages at not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a–5). The Secretary of Labor shall have, with respect to the labor standards specified in this provision the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267; 5 U.S.C. 133z–15), and section 2 of the Act of June 13, 1934, as amended (48 Stat. 948, as amended; 40 U.S.C. 276(c)).

"(c) There is hereby authorized to be appropriated for the purposes of this section not to exceed $4,000,000. Funds appropriated under this subsection shall remain available for expenditure until June 30, 1968.

"Sec. 3. (a) The Secretary may provide for appropriate participation by the United States in ceremonies and exhibits which are a part of the centennial celebration, whenever the national or international significance of any event of the centennial celebration will be enhanced by such United States participation.

"(b) In carrying out the purposes of this section, the Secretary may—

"(1) provide for the display of Federal exhibits at one or more sites in the State of Alaska in buildings or structures furnished to the United States, during the period of the centennial celebration, except that the Secretary may utilize United States-owned mobile geodesic-domed exhibition buildings or structures erected on land owned by the State of Alaska or any political subdivision thereof and furnished to the United States, without cost, during the period of the centennial celebration;

"(2) incur such expenses as may be necessary to carry out the purposes of this section, including but not limited to expenditures involved in the selection, purchase, rental, construction, and other acquisition of exhibits and materials and equipment therefor and the actual display thereof, and including but not limited to related expenditures for costs of landscaping, transportation, insurance, installation, safekeeping, maintenance and operation, and dismantling;

"(3) enter into such contracts as may be necessary to provide for United States participation in appropriate ceremonies and exhibits which are a part of the centennial celebration;

"(4) appoint such persons as he deems to be necessary to carry out the provisions of this section, except that no person appointed under this paragraph shall receive compensation from the United States at a rate in excess of that received by persons under the Classification Act of 1949 for performing comparable duties;

"(5) procure services as authorized by section 15 of the Administrative Expenses Act of 1946, as amended (5 U.S.C. 55a), but at rates for individuals not to exceed $75 per diem when actually employed; and

"(6) accept any gifts, donations, or devises, or loans other than of money to be used in carrying out the purposes of this section.

"(c) In determining the exhibits to be installed by the United States during the centennial celebration and in selecting the site or sites in the State of Alaska for such exhibits, the Secretary shall consult with the Alaska State Centennial Commission.

"(d) The head of each department, agency, or instrumentality of the Federal Government is authorized—

"(1) to cooperate with the Secretary with respect to United States participation in the ceremonial aspects of the centennial celebration; and

"(2) to make available to the Secretary from time to time, such personnel as may be necessary to assist the Secretary in carrying out his functions under this section.

"(e) There are hereby authorized to be appropriated for the purposes of this section not to exceed $600,000.

"Sec. 4. The Secretary shall report to the Congress within six months after the date of the official close of the centennial celebration concerning the activities of the Federal Government pursuant to this Act, including a detailed statement of expenditures. Upon transmission of such report to the Congress, all appointments made under this Act shall terminate."

Mr. CRAMER. Mr. Speaker, I move to strike the requisite number of words.

The SPEAKER. The gentleman from Florida is recognized.

Mr. CRAMER. Mr. Speaker, I would like to ask for a clarification of the motion. Could the gentleman from Pennsylvania indicate what the effect of his motion is?

Mr. CLARK. What this motion proposes to do is to substitute the Senate bill for the House bill, as passed.

Mr. CRAMER. That is, with the House amendments?

Mr. CLARK. The gentleman is correct.

Mr. CRAMER. The Senate amendment was for $3 million, and this amendment is for $4 million.

Mr. CLARK. That is what I said.

Mr. CRAMER. And there are a number of other amendments to which the House agreed in the committee, as compared to the Senate bill which this action would approve?

Mr. CLARK. That is correct.

Mr. CRAMER. I thank the gentleman from Pennsylvania.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

A similar House bill, H.R. 9963, was laid on the table.

TRIBUTE TO THE HONORABLE PATRICK V. McNAMARA, SENIOR SENATOR FROM MICHIGAN

Mr. CLEVENGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CLEVENGER. Mr. Speaker, last week the senior Senator of Michigan, Patrick V. McNamara, and one of the greatest Senators that Michigan has ever had, announced that he would not seek election for a third term.

No one can say how the course of history might have been altered had he chosen to remain in the Senate, but we do know what history will record because he has been in the other body for almost 12 years.

Because Pat McNamara has been in the Senate, more children will be better educated; more of our elderly citizens will have health care and dignity as senior citizens; more Americans will enjoy full civil rights; more will be able to have full employment; and fewer will be underemployed.

Senator McNamara would be the first to point out that his has been only one voice and vote among many who helped bring about these great achievements. But few who were listening when the debates were going on and the votes were taken could fail to hear the solid, gravel voice of our Senator McNamara urging us to do better and more.

But, Mr. Speaker, I know Pat McNamara as more than a great legislative leader. His gracious wife, Mary, comes from my district. And both she and Senator Pat have contributed to my being the Representative of the 11th District of Michigan. In October of 1964, when many calls for their time were at hand, they spent a week crossing upper Michigan from Alpena to Calumet to help our people understand what that election was all about. In fact, from the first time I met him in 1954, this sometime pipefitter has constantly encouraged me and others up north to work in politics so that more of our problems could be solved as was being done in other parts of the State and the United States.

There is more to be said about the Senator but one of the things he has taught some of us is that a few words can say a lot. And as I said, Pat McNamara is a great Senator. He will be missed.

THE FOOD-FOR-PEACE PROGRAM

Mr. O'NEAL of Georgia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. O'NEAL of Georgia. Mr. Speaker, regardless of the merits or demerits of the food-for-peace program (H.R. 12152) now being considered by the House Agriculture Committee, the time has come to destroy a myth that is spreading like wildfire throughout the agricultural community from coast to coast. I am, of course, referring to the myth that this bill will result in immediate unlimited production and the removal of acreage allotment controls.

In the interest of objectivity and fairness to our Nation's farmers, it is high time for someone to publicly explode the rumors that have led farmers to believe that if this bill is adopted they can plant from fence row to fence row in order to supply enough food and fiber for the food-for-peace program.

I am not blaming any person or any organized group for spreading such a myth. Nevertheless, those engaged in farming have come to believe that the program will result in the removal of Federal controls on agriculture. Perhaps this myth has spread so rapidly because our farmers have seen their acreage and profits greatly reduced in recent years under Federal farm programs. Perhaps they grasp for any promise of relief.

Whatever the reason, the time has come to set the record straight.

The House Committee on Agriculture is currently holding hearings on H.R. 12152. At every opportunity I have attempted to include in the Record any testimony that will aid in dispelling the myth that has unfortunately captivated the thinking of our farmers. I should point out that several of my colleagues on the Agriculture Committee apparently share my deep concern over this matter.

In recent testimony before the full Committee on Agriculture, Secretary Freeman made it abundantly clear that he does not foresee anything in the immediate future that would justify increasing or removing acreage allotments. He merely held out long-range hope for a possible increase in demand for agricultural commodities, but he would not attempt to name a time or an amount.

Such testimony certainly does not support the erroneous impression held by all too many that if you vote for the bill you will be voting for immediate, unlimited production, and that if you do not, you must be against the farmers.

I know that such thinking prevails in my district, and I have been interested in finding out if such a false impression has spread to other sections of the country. This question was answered by a gentleman from Missouri who testified before my committee on the food-for-peace program.

Mr. L. C. Carpenter, vice president of the Midcontinent Farmers Association, stated:

> The impression is rapidly being spread from coast to coast that all agricultural programs of supply management can and should be abolished and that production should be speeded up to the highest level attainable.

A representative of the Farmers Union, Mr. Reuben Johnson, went so far as to say:

> There is a deliberate campaign in many areas now along these lines to encourage the farmers not to participate in the wheat and feed grain programs, and this is a deliberate effort in many areas.

In closing let me say that I agree wholeheartedly with a colleague who stated in committee that we all have a responsibility in a situation like this as Members of Congress, as well as the Department of Agriculture, to send out reasonable cautions and not draw too many conclusions as to what this program will do.

TEXAS INDEPENDENCE DAY

Mr. PICKLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PICKLE. Mr. Speaker, a dream can be a long and lasting thing. It can direct a man's destiny, and it can become part of the experience of many men; and sometimes of a nation.

It is fitting that we in the Nation's Capital pause to commemorate the dreams of a group of patriotic Texans.

Today, March 2, is Texas Independence Day. It is a very historic day for those who come from Texas and for men everywhere who seek liberty.

If it had not been for the visions and beliefs of the band of heroic men who gathered at Washington-on-the-Brazos, a tiny Texas village, some 130 years ago, the principles of liberty and freedom might have been compromised.

It was in a dilapidated blacksmith shop in that village, which is in the district that I have the honor to represent, that men whose names spell out a legacy of leadership declared their beliefs in the same freedoms we today hold so dear.

And, as we meet today, members of the Washington-on-the-Brazos Association are in Brenham, Tex., to commemorate the convention that proclaimed Texas' independence.

Their observance of this decisive moment in history is a rededication to the concept of liberty. These honorable citizens harbor within their breasts the same burning desire for democracy that prompted their forebears to proclaim independence.

The association, as inheritors of the fruits of independence, are sponsors of a project to restore the village that nurtured Texas independence. Such an undertaking, when completed, would be enriching to the history of Texas and the Nation.

The brave men who met on the frontier of Texas nearly a century and a half ago, like the founders of our country, risked their lives to speak out in behalf of democracy and declare the independence of Texas.

As these delegates—who came from many States—were holding this momentous meeting, Santa Ana and his army were across the Rio Grande, heading for San Antonio to put down the Texas revolt.

With the same fervor that sparked the State's independence, honorable men of the area took arms to fight for their dreams of liberty.

Less than a week after the historic declaration, the siege of the Alamo had begun.

The picturesque mission-fort was to fall at the hands of the enemy, but the Texas dream of liberty remained unshaken.

The men who died at the Alamo were defending the rights and basic principles of liberty, such things as common-law tradition, religious liberty, and the basic principles of the Magna Carta.

Texans spoke for their beliefs in independence, fought and died for them, and were eventually victorious.

As we mark this day, which is an official State holiday in Texas, it would be appropriate to dwell for a moment on the words of William Barret Travis, who commanded Texas troops in their fight for independence.

Travis had written in 1835:

> Let us be firm and united in defending Texas to the last extremity and within our own limits. In offensive wars we can do nothing; in defense, everything.

Within the limits of Travis and his companions at the Alamo, the defensive war had been fought. All the men, Travis included, had perished, but their spirits had only begun to live and to inspire.

THE PRESIDENT'S HEALTH PROGRAM

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include an editorial from the New York Times.

The **SPEAKER.** Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. STAGGERS. Mr. Speaker, today's—March 2—issue of the New York Times carries an editorial approving the enlarged health program proposed by the President. For some years my State of West Virginia has been acutely aware of the need for more and better health facilities. Several members of our State delegation in Congress, including myself, have from time to time urged the provision of more hospitals, and particularly a greatly expanded program to train physicians, nurses, and other health personnel.

I am therefore happy to see the President, in the midst of so many problems that may seem to many more pressing, take the time to campaign actively for more attention to the Nation's health. And the Times' contribution to the cause should be brought to the attention of the Congress with the hope that the Members may be disposed to give serious thought to the various health proposals as they may be brought before us. I insert the editorial in the RECORD:

[From the New York Times, Mar. 2, 1966]

PROGRAM FOR HEALTH

President Johnson has set forth a program for further expansion of Federal Government activities to protect the public's health. The underlying premise is the conviction that the traditional combination of individual self-reliance, private philanthropy, and local government is no longer adequate.

Radical innovations in medical science and technology, the rapid growth in population, the upsurge in costs, and an affluent society's insistence on more and better care have overwhelmed the old way of doing things. Federal financial intervention on a large scale is imperative.

Congress and the public have come slowly to this conviction. Except for the basic work of the Public Health Service, the Federal programs—the research done by the National Institutes of Health, grants and loans to medical schools for construction, and the Hill-Burton hospital construction law—are less than 30 years old and most are postwar. Medicare, which extends the social security principle to the health field, became law just last year after a generation of controversy.

Only now is it widely realized that the health of an individual or a family is not simply a private affair, that preventable illnesses and deaths due to ignorance and neglect are a waste of the Nation's most precious resource—its people—and that those due to poverty are a grave social injustice as well. Only now is the public prepared to respond to Mr. Johnson's goal: "Good health for every citizen to the limits of our country's capacity to provide it."

In terms of this new conviction, the President's health proposals, as well as his more routine recommendations in the field of education, are logical. A major spending program is urgently needed to overhaul obsolete hospital facilities; an editorial below examines in detail the critical needs in this city. Since the shortages of nurses and hospital employees are alarming, a program of grants to train new people in these professions ought to be noncontroversial. Mortgage insurance and, where necessary, direct loans to help doctors build clinics for group practice would be helpful.

Under the able direction of Secretary of Health, Education, and Welfare John Gardner, a major reorganization of Federal health agencies is now going on. Once it is completed and Congress approves these latest program recommendations, the world "Health" in the Department's name will acquire a significance it has not had up to now. Thirteen years after Congress created it, this Department is beginning to be more than a paper facade for old-line, independent agencies.

KING THREATENS THE CONGRESS

Mr. WAGGONNER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, as a Member of this body, I will listen with respect to any man's criticisms of how we conduct our affairs in the Congress, but I will not stand idly by while threats are made against us.

I have heard no one take the floor to denounce the recent threat that was implicit in a statement made recently by Martin Luther King, so I will do it myself. King recently threatened the House Committee on Un-American Activities with extinction if it dared to investigate the so-called civil rights movement. Knowing, as every honest Member of this body does, that Communists infiltrate every nook and cranny of the organization he heads, none of us should take this threat lying down. I recently introduced House Resolution 738 which calls for an investigation of a number of leftwing agitation groups, particularly those who are attempting to subvert our policy in Vietnam. Inasmuch as King has appointed himself some sort of expert in our foreign affairs, an investigation that includes him might well be in order as well. King's threat is spelled out in this clipping from the February 22 issue of National Review which I think is worthy of everyone's attention:

> "Nobody here but us Nobel laureates," says the revved-up Dr. Martin Luther King, Jr., in re the investigation of the Ku Klux Klan and the "civil rights movement" by the House Committee on Un-American Activities. "I've been strongly opposed," says R. Dr. M.L.K., Jr., "to using the machinery of the Federal Government to perpetuate the false notion that Communists have infiltrated the civil rights movement." King warned that HUAC might be committing suicide if it tries to investigate the civil rights movement. Such an investigation "can mobilize the kind of opposition to the committee which can well mean the end of it."

OAHE UNIT, JAMES DIVISION, MISSOURI RIVER BASIN PROJECT, S. DAK.

Mr. REIFEL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. REIFEL. Mr. Speaker, it is a pleasure to join my distinguished colleagues of the South Dakota congressional delegation in introducing today, for appropriate reference, a bill to authorize the Secretary of the Interior to construct, operate, and maintain the first stage of the Oahe Unit, James Division, Missouri River Basin project, in South Dakota.

Use of Missouri River waters for irrigation in South Dakota was first envisioned in House Document No. 191 of the 78th Congress. A coordinated plan, which has led to construction of four major dams and reservoirs on the main stem of the Missouri River within South Dakota borders, was authorized in the Flood Control Act of 1944.

The Missouri River now walks instead of runs through my State and the devastating floods of years past are no more. Huge transmission lines carry power to distant portions of the basin. Beautiful clear-water lakes provide some of the finest water recreation in the Nation for hundreds of thousands of visitors each year.

Yet, Mr. Speaker, the Missouri River project is only partially completed and the major benefits for South Dakota await construction of the Oahe irrigation unit and other reclamation projects envisioned in the comprehensive plan.

Construction of this unit will mean for my State the first positive economic benefits arising out of the Missouri River comprehensive development program that originated in the drought years of the 1930's.

As a matter of fact, the distinguished chairman of the House Irrigation and Reclamation Subcommittee, the gentleman from Texas [Mr. ROGERS], correctly observed in a recent address at Aberdeen, S. Dak., that the overall impact of the Missouri River Basin project on South Dakota probably has been negative up to now. To a great extent, the benefits derived from the project at present accrue to downstream interests at the expense of upstream States.

South Dakota gave up several hundred thousand acres of prime agricultural and wildlife land along the Missouri River in order to permit its control and development. Whole towns and villages were uprooted. Thousands of Indian Americans had to be relocated once, and in some cases twice, due to changes in the plans.

All this resulted in vast reductions in income and tax base in a State that depends heavily on property taxes to finance our schools and local governments.

The developers of this project have tried to adhere closely to the historic precedents and procedures laid down by the Congress and the executive branch for development of irrigation projects. We have tried to do the job right.

It is by means of the piecemeal, stage-by-stage approach used in other projects, such as the Garrison diversion unit authorized last year, that we come before Congress for authorization.

We have made the necessary adjustments to place the overall Missouri River Basin project on a sound financial basis. Power rate increases already have gone into effect and it is expected that all the project's reimbursable costs for both water and power can be repaid within 50 years.

There is overwhelming support in South Dakota for construction of the Oahe irrigation unit in stages beginning with a 190,000-acre first stage in Brown and Spink Counties. Necessary conservancy subdistrict and irrigation district organization has taken place with huge votes of support from the people most affected, the landowners themselves.

Our South Dakota Legislature, under the leadership of Gov. Nils A. Boe, has passed a resolution urging authorization and construction of the unit at the earliest possible date. Numerous civic and governmental units at the local level have expressed firm support.

A feasibility report approved by the Department of the Interior last October recommended development of the Oahe unit as the first major Federal irrigation project in South Dakota. It will be built by the Bureau of Reclamation as an integral part of the overall Missouri River basin project which provides multiple-purpose benefits for 10 basin States.

In its report, the Department describes a plan for diverting water from the Oahe Reservoir north of Pierre, S. Dak., to irrigate 190,000 acres, to furnish municipal and industrial water for 17 towns and cities and to provide for recreation uses, flood control, and fish and wildlife development at 18 locations.

Ultimately, with the consent of Congress for future development, nearly half a million acres would be irrigated, 23 communities would receive municipal and industrial water supplies, and increased fish and wildlife and recreational benefits would be realized.

Principal facilities of the proposed project include the Oahe pumping plant on the Oahe Reservoir, a system of main canals, three regulating reservoirs, formed by the Blunt, Cresbard, and Bryant Dams, and the existing James diversion dam and James pumping plant on the James River.

Canals and laterals would distribute water to the land, numerious smaller pumping plants, and a drainage system.

Evaluated annual benefits for the Oahe unit exceed estimated annual costs in a ratio of 2.5 to 1.

The measures being introduced by the South Dakota congressional delegation today authorize a Federal expenditure of $200,684,000 for construction of the first stage. In so doing, the Congress will be carrying out a solemn commitment made to the people of South Dakota over 20 years ago, just as it is carrying out a similar pledge to the people of North Dakota through beginning construction of the Garrison diversion unit.

We know the distinguished chairman of the House Committee on Interior and Insular Affairs, the gentleman from Colorado [Mr. ASPINALL] and Chairman WALTER ROGERS of the Irrigation and Reclamation Subcommittee are well acquainted with the history of this project through the reports that have been made and the organization for irrigation development that has taken place.

We respectfully request the earliest possible consideration and approval by that committee and both Houses of Congress.

By this Federal investment we shall be leveling out the peaks and valleys in the agricultural economy of an area almost utterly dependent upon adequate rainfall, which all too often fails to materialize.

It will make possible smaller farms, population growth, industrial development, crop diversification—all the things that are needed to help our rural State share more equally in the national prosperity.

We will be making good on the promises inherent in the **Flood Control Act** of 1944 and the positive economic benefits of irrigation that have taken so long to approach realization.

UNCONSTITUTIONAL INTERVENTION

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include an article from the Washington Sunday Star.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, following is an excellent column by James J. Kilpatrick with respect to the U.S. Government's unconstitutional intervention in the affairs of Rhodesia which appeared in the February 27 Washington Sunday Star:

The Desperately Determined Rhodesians

(By James J. Kilpatrick)

Three and a half months have now elapsed since Ian Smith set his pen to an awkward paraphrase of Jefferson's Declaration of Independence and thus asserted Rhodesia's status as a free and independent nation. Since then the ironies, the inconsistencies, the illegalities, and the hardships have mounted—but Rhodesia goes on. And if his besieged Government can make it past this spring and summer, Mr. Smith may have survived his own Valley Forge.

The Rhodesians one interviews here in Washington are an attractive group of men, as men of well-born British background generally are. They exude the same tweed and leather charm, the same civilized urbanity that one finds at the British Embassy, but there is a subtle difference. The Rhodesians somehow bespeak a certain hardness of the hands and of the spirit. They have embarked upon a desperate struggle to preserve a way of life that seems to them right and wise and realistic; and they are desperately determined to succeed.

In their private conversations, they go as far in confessing resentment at America's policies—or more precisely, at Lyndon Johnson's policies—as the courtesies of the situation permit. How ironic it is, they remark, that the President willingly joins Britain in sanctions against Rhodesia, while Britain coolly refuses to join the United States in sanctions against Cuba. How remarkable that the United States continues to dwell in such amity with Communist Russia and her satellites, where free elections are a travesty, and yet insists upon "one man, one vote" for Rhodesia.

They have read the U.S. Constitution, and they understand that the President has broad powers in foreign affairs. But they raise the same valid question that Iowa's Representative Gross raised in the House a few days ago: Does not the Constitution vest in the Congress alone the regulation of commerce with foreign nations? And if this is so, by what authority may the President, on his own, impose sweeping restrictions upon private contracts for import-export trade in lawful goods? In the language of the Export Control Act of 1949, Rhodesia assuredly is a country "friendly to the United States." Why, then, is it singled out for boycott and sanction?

The Rhodesian guests have other grievances that rankle. If one is to talk of racial policies (and the issue scarcely can be avoided), is not the position of the United States wholly inconsistent with past history and present reality? A century ago, they observe, the newly freed American slaves were by no means ready for intelligent exercise of the franchise, and this truth was plainly understood even by the framers of the 15th amendment. A hundred years have passed, and countless Negroes remain illiterate and apathetic, even though the civilizing benefits of a democratic society have existed all around them. By what stroke of the imagination is it conceived that the African tribes of Rhodesia are now equipped for the sovereignty it is proposed to thrust upon them?

In plain point of fact, our visitors insist, Rhodesia has gone much farther and much faster than the United States, at comparable periods, in the assimilation of the blacks into a political and economic structure created by the capital and know-how of the whites. Fifteen seats in the Rhodesian Parliament are held by African voters. Easy communication prevails between black and white. Educational levels edge steadily upward. So do income levels. And race relations are tranquil. Can Harlem say the same? Or Birmingham? Or Los Angeles?

What of the double standards applied by the United States? A month ago, the Nigerian Government fell to a military coup, and for the time being at least, civil liberties have been extinguished in Nigeria. Similarly, in Uganda, Prime Minister Milton Obote has seized apparently dictatorial powers and arrested five members of his Cabinet. It is a reasonable assumption that civil liberties have gone down the drain in Uganda also. Yet the liberal commentators and politicians who have wailed so loudly over press censorship in Rhodesia will have little or nothing to say of much grosser abuses of Western ideals elsewhere in Africa.

Are the sanctions hurting? Yes, our visitors admit. The time is almost at hand for Rhodesia's tobacco markets to open, and no one wants to predict how much of the immensely valuable crop will be sold—to whom, or at what price. If the Government is compelled to buy up most of the crop at a fixed minimum, both black man and white man will suffer grave hardship. Meanwhile, reserves of gasoline and oil are dwindling, and unemployment is increasing in businesses dependent upon export or import trade.

Yet the tough Rhodesians are accustomed to hardship, and they are remarkably united. George III had some loyal supporters in Boston 190 years ago, and Harold Wilson has some loyal supporters in Salisbury today. But they are relatively much fewer now than then.

"You made it with your revolution," says a Rhodesian spokesman, "and we'll make it with ours."

SINCERE THANKS TO MY COLLEAGUE

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, I have asked this time to extend to the distinguished gentleman from Iowa [Mr. Gross], expression of warm appreciation springing from a grateful heart. The gentleman from Iowa and the gentleman from Illinois came as freshmen to the 81st Congress and I am indebted to him for many courtesies and many gentle manifestations of a personal friendship that has transcended any political and philosophical differences that may have given a touch of variety to our association. I have learned during the years that although the distinguished gentleman talks well and on many subjects, it always is with a purpose, and often the purpose is more kindly than would appear from its blunt wrappings. I trust that no one was misled into believing that the gentleman from Iowa wished anything but heaven's blessings to fall upon the gentleman from Illinois when yesterday he lectured me on the folly of my old-fashioned faith in the moralities and the virtues. I do think that the position of our country in the matter of Rhodesia is one of virtue and morality and it is difficult for me to understand what defense can be made in our country for the economic, social, and political enslavement of the vast majority of Africans in that unhappy country by a high-riding European minority.

But yesterday my good friend, with whom as with me words are precious flowers in the garden of soul expression, gently quarreled with me on my use of the words, the moralities and the virtues. Fearful, Mr. Speaker, that indeed I had made some unpardonable transgression in the sacred realm of semantics, I hurried to the dictionary—Webster's Third New International Dictionary. Then came, Mr. Speaker, as the rising of the sun on a tropic morn, or the unloading of a stocking on Christmas Day, the treasured but hidden purpose of the remarks of my beloved but disagreeing, but never disagreeable friend from Iowa. There on page 1469 of Webster's Third New International Dictionary was something I might never have seen, might never have known was there, something to me more precious than gold, had it not been for the magnificent thoughtfulness of my friend from Iowa, and from a grateful heart I sing to him my thanks.

In the definition of morality, in one of its uses, my brother, Frank Hurburt O'Hara, who died last October, is mentioned as an authority with Marqueritte Bro, coauthor with Frank of a work on the drama. Frank first met Congressman Gross that January in 1949 when the 81st Congress was sworn in and admired and was fond of him. From the bottom of my heart go my thanks to a colleague who perhaps unwittingly made yesterday for me a day of sunshine.

POLITICAL BIGOTRY IS STILL FLOURISHING

Mr. MONAGAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MONAGAN. Mr. Speaker, I am always eager to encourage and applaud those who strike a blow against bigotry. Particularly noteworthy is a column by Bob MacGregor, political writer for the Hartford Times, which appeared in that newspaper on February 26, 1966.

I am including this article "Political Bigotry Is Still Flourishing." I congratulate my friend, Bob MacGregor, on selecting this target and on the literary skill with which he has made this point.

POLITICAL BIGOTRY IS STILL FLOURISHING

(By Bob MacGregor)

This is going to be short and to the point. The point is I'm sick and tired of the talk of the importance of ethnic groups in the make-up of a political ticket.

Over the years both political parties in Connecticut have been putting increased emphasis on the appeal that a candidate might have because of his race or religion.

Granted there is merit in having all ethnic and minority groups represented in Government, the way some political opportunists exploit this approach is downright disgusting.

For example: In discussing the need for a Negro candidate one party whispers, "We got to come up with a candidate blacker than theirs."

There was a year when the Republicans came up with a nominee whose name sounded somewhat Chinese. Since there are not many Chinese voters in the State, the candidate's Irish middle name was underscored throughout the campaign.

In at least two instances in recent years, people came to the Democratic State convention as observers and went home with the nomination for Congressman at large because each had a good Polish name.

It seems to me that the voters of this State in recent years have proven that they are not bigots. They elected ABRAHAM A. RIBICOFF as the State's first Jewish Governor. They helped elect John F. Kennedy as the Nation's first Roman Catholic President. They elected Treasurer Gerald A. Lamb as the State's first Negro State official.

One would hope that these examples might have proved that now we are all Americans.

With this year's election approaching, John Dempsey should be reelected or defeated on the basis of his record—and not because he was born in Ireland.

State Senator Peter P. Mariani of Groton should be granted or denied the Republican gubernatorial nomination on his qualifications—and not because he is of Italian-American background.

Former State Senator Wallace Barnes of Bristol should be granted or denied the Republican nomination for Governor on his qualifications—and not because he is a Yankee.

The same goes for any other candidate the Republicans may consider for the gubernatorial nomination.

But if the usual ethnic nonsense continues, it's logical that some day one of the parties will come up with a candidate whose great-great-great-great-grandfather came to this country with the early settlers.

The ancestor married an Indian. Their son married an Irish girl and her daughter was wed to a Pole. As things progressed from generation to generation, there finally emerged the most ethnic candidate of them all.

Step up, folks, and meet John Hooker O'Leary Sitting Bull Petraski Goldberg Riccio Ramos George Washington.

PFC. GERRY LEVY

Mr. MONAGAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MONAGAN. Mr. Speaker, it is never an easy duty to announce the death of a young man and when his death has occurred in action this duty is more than usually onerous. At the same time there are deaths in action which contain elements of the heroic and are worthy of notice because of the valor demonstrated.

Such a death brought to an end the short but heroic life of Pfc. Gerry Levy, of Meriden, Conn. What he did for his fellow soldiers and the esteem in which they held him appear in the dispatch from Vietnam which follows and which appeared in the Hartford Times of February 24, 1966.

I proudly join in the accolade which Tom Tiede has conferred upon Gerry Levy.

We are proud of his courage and eternally indebted for the sacrifice which he has made for us.

MERIDEN MEDIC ETCHED EPIC OF VALOR TO VERY END

(By Tom Tiede)

MEKONG DELTA, VIETNAM.—There is a courage displayed in time of war that is so unique in human experience that it defies the prescribed language and is definable only outside the dictionaries.

We call it "guts."

Everyone serving on this rotting finger of land has a portion of the asset, but a marvelous few have more than their share.

Gerry Levy, 21, for example.

He was a medic, from Meriden, Conn. The Army gave him 8 weeks of first aid training before shuffling him off to this place * * * to save lives, not to take them.

They issued him a 40-pound sack of medicine, a steel helmet and a unit in the 2d Battalion, 503d Infantry. He supplied the guts himself.

Nonetheless, he was ill-equipped at first. At school he had learned things like artificial respiration on classmates who giggled and said the whole procedure tickled.

He had wrapped up wounds of colored plastic.

He put tourniquets on the sound legs of the healthy.

His work area was dry. His materials clean. His problems had answers at the back of the text. And when class was over, all the patients would get up and go out for lunch.

Gerry Levy found it different here.

The patients seldom got up.

They stayed down to die, often with parts of their body ripped apart.

It took courage to try to help them at all. But it took guts to succeed.

Jerry Levy had both. On dozens of major and scores of minor combat actions, he worked miracles. His skill and abandonment both encouraged and frightened his peers and pals.

"Medic, medic!" they would scream.

And Levy would come.

"Somebody please help me," they would plead.

And Levy did.

In 7 months of combat he had become "the man who was always there." During the heaviest fire, he'd dash back and forth between the front and rear areas, lugging battered and bloodied companions to sanctuary.

When they could walk, he'd lead three or four back at a time. When they couldn't, he'd carry them one by one. Once, after hauling a man 200 yards, he dropped what turned out to be a corpse into the lap of another soldier.

"He's dead!" the man shrieked.

"So what?" Levy answered.

"So why'd you bother with him?"

"Why not?" Levy gasped. "He's a GI, isn't he?"

This compassion was the medic's driving force and it stayed with him up to the end. A short while ago, Jerry Levy was killed when artillery shells fell on his position.

After an initial explosion, he had rushed to the aid of a wounded sergeant. He had taken blood plasma and an injection needle from his bag and begun to work his magic.

But then another shell fell. This one hit Levy.

Yet the medic did not immediately react. For an incredible few moments he continued to administer to his stricken sergeant.

Then Jerry Levy looked down at his own body and fell over, mortally wounded.

Those who saw it will never forget. They tell his story in the tents and trenches of this land. And, during the course of the telling, somebody always shakes his head and says of the man:

"God, he really had guts."

Levy was the son of Dr. and Mrs. Irving Levy, 203 Bradley Avenue, Meriden.

A memorial fund drive is underway in Meriden for a facility at the Veterans Memorial Hospital in Meriden. The money will be used to help equip an operating room in the veterans hospital building program. So far, about $2,600 is in.

A group from B'nai Abraham Temple is conducting the drive.

INTRODUCTION OF BILLS TO REPEAL THE REPEAL OF THE DIVIDEND CREDIT AND TO REINSTATE THE "THIRD CATEGORY" OF LONG-TERM CAPITAL ASSETS

Mr. KEOGH. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KEOGH. Mr. Speaker, equity is a climax—a beginning, too. All that is fair in the field of producing revenue must, under the Constitution, originate in the House of Representatives and, under that body's organization, in its Committee on Ways and Means. In the serious consideration during 1963 and 1964, in what became an epochal and constructive legislative act—the Revenue Act of 1964—the committee and the House did two things, among many others, that were fully justifiable. First was the provision that would have been a major source of revenue. That provision would have created a new class of capital asset; that is, an asset held for 2 years or more and would have imposed on such assets a lower alternative rate of taxation—21 percent. Its immediate effect would have been to induce the liquidation—and subsequent reinvestment—of billions of dollars in securities locked in portfolios by reason of the existing higher rates. With such provision the need for the holders of many securities to continue to enjoy the benefit of the dividend-credit provision in existing law was reduced, if not removed entirely. The repeal of the dividend credit was accomplished, in the committee, with my vote, along with 12 others. The security holders of the country should not have the dual privilege of a third category of capital asset—taxed at a lower alternative rate—and the retention of the dividend credit—as constructive a step in the elimination of doubly taxing corporate distributions as that provision might be. But, when the bill that passed the House became law, it did not provide for the third category but did phase out the dividend credit—an equally inequitable treatment of the investment income of millions of wives, widows, orphans, infants, and many others who look for no more, but no less, consideration than equity demands.

Accordingly, Mr. Speaker, I have today introduced two bills. One repeals the repeal of the dividend credit and, therefore, returns us to the sound road of eliminating the double taxation of the distributed earnings of corporations. The other reinstates the House-passed provision of the Revenue Act of 1964 and re-creates the third category of long-term capital asset. I do not expect that both should be enacted into law—but one, or the other, certainly should.

If the Congress wants to provide additional revenue at this time—revenue urgently needed for laudable purposes, I know which of the two is to be preferred. I await inquiry—but I also hope for action.

A more detailed exposition of the present law with respect to the treatment of capital assets and the objective of the proposed bill follows:

(a) Present law: Under present law, capital gains and losses are divided into two general classifications: short-term capital gains and losses and long-term capital gains and losses. The former are gains and losses on assets held for not more than 6 months and the latter are gains or losses on assets held for longer periods of time.

Gains and losses in each category are first offset against other gains or losses in the same category. Thus, there is determined net short-term gains or losses and net long-term gains or losses. Next, any net short-term gains are offset by net long-term losses, or vice versa.

Net short-term gains in excess of net long-term losses are taxed to individuals as ordinary income. Net long-term gains in excess of net short-term losses are included in the individual taxpayer's ordinary income and then reduced by a 50-percent deduction, or alternatively, the entire gain may be omitted from the taxpayer's ordinary income and a flat 25 percent tax paid with respect to this gain.

Under present law, capital losses are allowed as deductions, in the case of taxpayers other than corporations, to the extent of capital gains plus the lesser of $1,000 or taxable income. Losses in excess of the amounts allowed as deductions may be carried over to the subsequent taxable year and treated as capital losses sustained in that year. This provides in effect an unlimited carryover of excess capital losses. In carrying these losses to the succeeding year, present law requires that their characterization as short term or long term be maintained. To accomplish this, the carryover is, in effect, divided into two carryovers: first, a short-term capital loss carryover and, second, a long-term capital loss carryover. For this purpose, a short-term capital loss carryover is, in general, the excess of the net short-term capital losses for the year over net long-term capital gains, and a long-term capital loss carryover is the excess of net long-term capital losses over net short-term capital gains. Thus, in the succeeding year, a taxpayer (other than a corporation) treats a short-term capital loss carryover as a short-term capital loss sustained in that year and a long-term capital loss carryover as a long-term capital loss sustained in that year.

This capital gain treatment applies in the case of sales or exchanges of capital assets. Capital assets generally are defined by the code as any property held by the taxpayer except: (1) Inventory or property held primarily for sale to customers; (2) depreciable property; (3) copyrights, literary, artistic compositions and similar property held by the creator of the property; (4) accounts or notes receivable acquired in the ordinary course of trade or business or from the sale of services or inventory; or (5) a governmental obligation issued on a discount basis and payable without interest.

In addition, certain other income items are taxed in the same manner as capital gains. The principal category of income treated in this manner is gain from sales (and certain other dispositions) of depreciable assets. These gains, if they exceed losses from such sales, are treated as capital gains. However, if the losses are in excess of the gains, they are treated as ordinary losses. Included with gains on depreciable property for this purpose are gains or losses from: (1) the sale of timber; (2) coal and iron ore royalties; (3) livestock held by the taxpayer for draft, breeding, or dairy purposes if held by him for 12 months or more; and (4) the sale of an unharvested crop sold in connection with the sale of the land.

Other types of items which are eligible for capital gain treatment are patent royalties received by the creator of the patent, certain lump-sum pension payments, and certain termination payments received by employees with more than 20 years' employment.

(b) Explanation of the bill: My bill makes two basic changes in the tax treatment outlined above. First, it decreases from 50 to 40 percent, in the case of individuals, the proportion of the capital gain included in the tax base where the asset involved has been held for more than 2 years, and provides in such cases a maximum tax rate of 21 percent in lieu of 25 percent; and second, it limits this more favorable capital gain treatment so that it will not be available with respect to transactions where the capital gains treatment under present law is made applicable to certain types of assets which are not capital assets.

One of the more important effects of my bill is to "unlock" capital investments. Under the present tax treatment of capital gains, an investor who is willing to undertake new investments needed by the economy finds it unprofitable to do so because of the substantial tax liability he incurs at the time of the sale of his present holdings. It was estimated in 1963 that for calendar year 1964 these provisions would, because of this unlocking effect, result in an increase in revenues of $210 million, and $80 million in 1965. In addition, this larger turnover of capital assets should result in increased investments and will be particularly helpful in tapping new sources of risk capital.

In many of the cases in which present law extends capital gains treatment to situations not involving sales or exchanges of capital assets, that treatment was provided, not because the transactions were essentially capital in nature, but rather because hardships existed under the tax treatment which would otherwise be accorded. It does not seem appropriate to extend the proposed favorable tax treatment to gains of this type. Under my bill, in the case of individuals, what are presently classified as long-term capital gains and losses are divided into two groups: the first refers to assets held for more than 6 months but not more than 2 years. This category is known as class B capital gains or losses. In the second category are assets held for more than 2 years. Gains and losses as to these assets are referred to as class A capital gains and losses.

Class B capital gains would be treated in the same manner as are long-term capital gains under existing law. That is, any class B capital gain (after having been properly offset by any class A or short-term capital losses) is includable in income but a deduction may be taken against such income for 50 percent of this gain. Thus, in effect, 50 percent of these gains are included in income. The alternative rate of tax, which applies to such gains in those cases where it results in a lower tax than the inclusion of 50 percent of the gains in ordinary income, remains at the present flat rate of 25 percent.

Class A capital gains are given more favorable treatment under my bill than are long-term capital gains under existing law. Such gains (after being properly offset by class B and short-term capital losses) are includable in ordinary income; but, in this case, a deduction of 60 percent of this gain is allowed against ordinary income. Thus, in effect, only 40 percent of the gain is included in ordinary income. The alternative rate of tax which is applicable in the case of these gains, where it results in a lower tax than the inclusion in ordinary income of 40 percent of such gains, would be 21 percent.

The alternative tax under my bill is computed by adding the taxes on the adjusted class A and adjusted class B capital gains after having applied the appropriate tax rate in each case. Thus, the alternative tax computation in this case for both types of these gains is made as one computation and not as separate computations for each class of gain.

My bill provides specifically the order in which capital losses of any particular category are to be applied in reducing other categories of net capital gain. It provides that net class A losses are to be taken into account first and that such losses are first to reduce net class B capital gain and then to the extent of any remaining loss to reduce any net short-term capital gain. Next, net class B losses are to be taken into account and they are to be applied first against net class A gain and then against any net short-term capital gain. Finally, net short-term capital losses are to be taken into account and they are to be applied first against any net class B capital gain and then against any net class A capital gain. This provides an orderly manner for taking into account various types of losses and gives assurance that they will not be applied in a manner which provides any special benefits.

Previously, it was pointed out that under existing law sales or exchanges of depreciable property used in a trade or business when resulting in a net loss are treated as ordinary gains and losses; but when a net gain resulted, capital gain-and-loss treatment is provided. This treatment is continued by my bill. Where there is a net gain, these assets will be treated in the same manner as capital assets. That is, in the case of an individual, gains and losses from those held more than 6 months but not more than 2 years will be treated as class B capital gains and losses; and gains and losses from those held for more than 2 years will be treated as class A capital gains and losses.

My bill amends present law with respect to capital loss carryovers to reflect the adoption of the new class of capital gains. As pointed out above, existing law provides that capital losses which are carried over are to retain their character as short-term or long-term in the year to which carried. Under my bill, this will continue to be true and a class A capital loss carryover will be treated as a class A capital loss sustained in the succeeding year. For purposes of determining a class A capital loss carryover (and a short-term or class B capital loss carryover), the bill provides rules which prescribe the order in which net gains of any particular class offset net losses from the other classes.

In the cases described below, my bill provides that the present tax treatment of the gains or losses will continue to apply even though the property involved is held for more than 2 years. Thus, gains from these properties will always be classified as class B capital gains if the properties had been held for more than 6 months. These cases are as follows:

1. Timber cut by the taxpayer who owns the timber or has a contract right to cut it (including what are, in effect, "Christmas trees" if more than 6 years old) and also timber where the disposal occurs under a contract in which the owner retains an economic interest in the timber. The types of timber contracts referred to here are those which were for the first time accorded capital gains treatment in the Revenue Act of 1943. The sale of timber in other contracts which before that time gave rise to capital gains will be eligible for class A treatment where the timber has been held for more than 2 years. This would be true, for example, in the case of timber sold with land and also timber sold outright without any retained economic interest by the seller of the timber.

2. Coal and iron ore royalties (not otherwise eligible for capital gains treatment).

3. Livestock held by the taxpayer for draft, breeding, or dairy purposes if held by him for more than 12 months.

4. An unharvested crop on land used in the trade or business for more than 6 months where the crop and land are sold at the same time to the same person.

5. The sale of all of the substantial rights to a patent or an interest in a patent held for more than 6 months by the individuals whose efforts created the property. This includes payments which are payable over the period of the use of the patent and also those which are contingent on the productivity, use, or disposition of the patent. This does not, however, prevent anyone from receiving class A capital gains treatment for patents held more than 2 years if apart from section 1235 of the code capital gains treatment is already available to them.

6. Certain employee termination payments. The payments referred to here are amounts an individual receives on the assignment or release of all of his rights to receive, after the termination of his employment, for a period of not less than 5 years, a percentage of future profits or receipts of the employer. Also, in order to qualify for this treatment, the employees involved must have been in this employment for more than 20 years. In addition, the rights to receive these payments after employment must have been included in the employment terms of the individual involved for not less than 12 years and must have been in existence before August 16, 1954, and the amount received for the assignment or release of this amount must be received in 1 taxable year.

7. Lump-sum payments received under qualified pension, profit sharing, or stock bonus plan. These payments, to qualify for capital gains treatment under present law, must be payable within 1 taxable year to the distributee as a result of his death or other separation from employment.

Under present law, where the lump-sum pension, profit sharing, or stock bonus payments are made in the form of a distribution of the employer's stock, the capital gains treatment at the time of the distribution applies only to the contributions of the employer plus any earnings accrued on the employer's (or the employee's) contribution. No capital gain is considered to be realized at the time of the distribution of the employer's stock, however, with respect to the portion of the distribution representing the unrealized appreciation in the value of this stock. Such appreciation becomes taxable to the individual only upon his subsequent sale of the stock.

My bill continues this present treatment, providing that the amount taxed as capital gain at the time of the distribution of the stock (namely, the employer's contribution plus the earnings on his and the employee's contributions) is to be a class B capital gain without regard to how long the property distributed had been held. Subsequently, if the employee sells the stock, the appreciation in this stock to the extent attributable to the period prior to the time of the distribution to the employee will also be treated as class B capital gain. However, any appreciation in value of the stock attributable to the period of time after the distribution will be eligible for class A capital gains treatment where the stock has been held for more than 2 years. Where the amount realized by the employee upon the sale of the stock is less than his basis for the stock plus the appreciation of the stock before distribution to him, the amount of the capital gain will be only the amount in excess of his basis for the stock, even though this is less than the amount of the unrealized appreciation at the time of the distribution of the stock to him.

(c) Effective date: Generally, the capital gains (and losses) provisions in this bill are applicable to taxable years beginning after December 31, 1966. The lump-sum distribution amendment applies to amounts paid to the employees in their taxable years beginning after December 31, 1966. However, the rule concerning appreciation of employer stock before the time of distribution (which is taxable at the time of the sale of the stock by the former employee) applies with respect to securities sold or otherwise disposed of in taxable years beginning after December 31, 1966, without regard to when such securities were distributed.

THE NEW ENGLAND ECONOMIC DEVELOPMENT REGION

Mr. BOLAND. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BOLAND. Mr. Speaker, I have just come from the Department of Commerce where I had the honor of witnessing Secretary of Commerce John T. Connor designate the New England economic development region and invite the New England States and Governors to form the New England Regional Commission under title V, Public Works and Economic Development Act of 1965.

Last year I was one of the sponsors of this legislation with Senator Edward M. Kennedy, of Massachusetts. My bill was H.R. 7093. It was indeed a pleasure to see this proposal come to fruition today with the signing by the representatives of the New England States of the New England Regional Commission. The Honorable John A. Volpe, our Governor, signed for the Commonwealth of Massachusetts. Joining with me in witnessing this ceremony were Senators Kennedy and Leverett Saltonstall, and Congressmen Thomas P. O'Neill, James A. Burke, Silvio O. Conte, and Hastings Keith.

The Honorable LeRoy Collins, Under Secretary of Commerce, addressed the group in the Secretary's conference room in the absence of Secretary Connor who was at the White House. Secretary Connor returned in time for the signing ceremony. Also speaking to the New England group was the Honorable Eugene P. Foley, Assistant Secretary of Commerce for Economic Development.

Mr. Speaker, I ask permission to have included with my remarks at this point in the Record the addresses by Under Secretary Collins, and Assistant Secretary Foley, a copy of the designation of the New England economic development region and the counties in New England designated by Secretary Connor, and a fact sheet concerning title V, the Public Works and Economic Development Act of 1965:

Text of Remarks by LeRoy Collins, Under Secretary of Commerce, at the Ceremony Designating the New England Economic Development Region, Wednesday, March 2, 1966

I regret as much as you do the inability of Secretary Connor to be with us here this morning. It became necessary, however, for him to participate in a critical conference now underway in the White House dealing with new legislation for which our Department is responsible, and he hopes that you will understand and forgive his absence.

Of course, it is a great privilege for me to be here in his stead.

We are gathered to participate in the formal designation of the New England economic development region, as authorized under the Economic Development Act of 1965.

This new program which the Congress placed here in the Department of Commerce is one that has excited me ever since I became a member of Secretary Connor's team. Since I was privileged to serve as Governor of my own State, I have always been a strong believer in cooperative regional effort as an effective means for keeping government as close as possible to the people it serves.

Also I believe strongly that the Federal Government has an essential role to play in helping maintain a stable national economy.

Not many years ago—in the middle 1950's—many believed that inflation was inevitable, that the economy was doomed to fluctuate continually between recession and prosperity and that structural defects in the system, such as the pressures of automation and wage increases and depressed areas, would lead to continued and rising unemployment. But during the past 55 months this has not happened.

Over this period we have witnessed the unprecedented and unabated expansion of our national economy. Contrary to most predictions, the economy has continued on its upward trend in defiance of what many had come to believe to be the natural economic law of bad times following good times in rotation.

What has happened has not come about completely by accident; rather, the steady and unrelenting expansion is the result of careful and prudent involvement of the National Government along with very cooperative and enlightened efforts of individuals and private businesses.

Monetary and fiscal controls have been employed, government spending has been carefully controlled, tax cuts have been used to provide stimulation at the right time, consumer prices generally have been held in check, and inflation has been prevented partially through the effectiveness of voluntary wage-price guideposts.

I think the country is largely convinced now that we can no longer let the economy careen down the street like a driverless bus. It is axiomatic that it must—somehow, and by someone—be guided; not controlled, but guided—democratically and responsibly.

Guiding the economy does not mean the same thing as controlling the economy. As freedom-loving people we have always been convinced of the value of personal decision and the desirability of individual initiative. But we have learned that by placing our emphasis on the total economy, by encouraging businessmen to recognize their own self-interest in a growing, prospering, general economy, we can encourage the economy to expand at predetermined and carefully calculated rates, and promise the common good of all our citizens.

This means more constructive planning activity by the Federal Government in voluntary association with the States and in harmony with efforts in the private sector.

But in a democratic society such as ours, planning does not mean the control of resource input, or regulating the kind and type of production, or Government decisions dealing with consumer choice. Planning in a democracy means providing incentives to local citizens to come together to chart their future, and incentives to business and commercial interests to stimulate activity where such activity will serve the common good.

This regional economic development program has been regarded by some as an administration accomplishment. In a very real sense, however, it is also the product of the Congress and the States. In fact, this particular feature of the law was initiated in the Congress and passed with bipartisan support. If it works as well as we all think it will, the Congress and the States will deserve major credit.

It will provide the means for individual regions which have common problems to obtain needed economic assistance through their own planning and the cooperation of the Federal Government.

The people of New England share a unique history and a culture of thier own, as they share also in the history and the culture of the Nation as a whole.

They share unique problems, also, and they share hopes and aspirations.

The same can be said of the people of the Ozarks, and the people of the Upper Great Lakes, and the people of other historic and cultural regions within our country.

The prosperity of every region of our Nation is tied to that of every other region—and the economic health of the entire Nation is tied to that of its every part.

Underutilized resources and manpower in any region adversely affect every other region.

Therefore, we know that wisely developed assistance which the Federal Government can give to a region in this work of planned development will be returned manifold both to the region itself and to the Nation.

Many weeks of work in which the Department of Commerce, Members of Congress and the States have all participated, have brought us now to a point of real beginning. Following yesterday's launching of the Ozarks, today we launch New England.

You who will guide this work have a great challenge but, of course, it is within your range of competence and spirit.

Therefore, in keeping with section 501 of the Public Works and Economic Development Act, the Secretary of Commerce has this day designated the New England economic development region, consisting of the States of Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont. This is formalized in a document which I shall presently present in his behalf and invite the appropriate officials of the States to sign, as evidence of their concurrence in this action.

STATEMENT BY EUGENE P. FOLEY, ASSISTANT SECRETARY OF COMMERCE FOR ECONOMIC DEVELOPMENT, AT CEREMONIES DESIGNATING ECONOMIC DEVELOPMENT REGIONS

In inviting you to this meeting, Secretary Connor said: "We now have the means of combining the efforts of the States and the Federal Government to assist a region in achieving its own highest development and making its full contribution to the well-being of the Nation."

In title V of the Public Works and Economic Development Act, it was the intention of Congress to bring this kind of partnership into being. The act says that the Secretary, upon designation of development regions, shall "invite and encourage the States wholly or partially located within such regions to establish appropriate multistate regional commissions."

A regional commission will have one Federal member, referred to as the Federal cochairman. It will also have one member from each of the participating States—the Governor, or his designee, or such other person as may be provided by State law. The State members will elect a cochairman from among their own number. Each member, whether Federal or State, shall have an alternate.

The Federal cochairman, and also his alternate, shall be nominated by the President and confirmed by the Senate.

Once the commission members have been named and the Federal cochairman has been confirmed, the first meeting of the commission can be held. It can then assemble its staff and begin its work. Its administrative expenses for the first 2 fiscal years will be paid by the Federal Government.

You are, I am sure, familiar with the statement of functions of a regional commission set forth in title V of the legislation. I will comment on only a few of these.

The very first function listed in the statute is to "advise and assist the Secretary in the identification of optimum boundaries for multistate economic development regions." This emphasizes the fact that the boundaries used here today are initial boundaries only, and are not intended to be more than that.

A great deal of staff work and consultation has gone into the drawing of these lines, and they serve to bring into focus at this time the problems and opportunities of the region. But they are subject to change as knowledge of the region and its potentialities grows through the work of the commission.

Certainly, it is well understood that the commission will be prepared to advise the Secretary of any boundary changes that it considers desirable.

The statute also makes it a responsibility of the commission to develop long-range overall economic development programs for the region.

Toward this end, it can foster surveys and studies and sponsor demonstration projects. It can examine Federal, State, and local programs, both public and private, and recommend modifications or additions which would increase their effectiveness in the region.

The statute assures that recommendations by the commission will be given careful consideration. Plans and proposals by the commission to the Secretary of Commerce will be referred by him for review by the Federal agencies primarily interested and to the President for such action as he may deem desirable.

Also, it is provided that the regional commission will make a comprehensive and detailed annual report to the Congress on its activities and recommendations for programs.

To these directions, the legislation adds a further suggestion as to the role the commissions are expected to play. The statute refers to them variously as "regional commissions," "regional development commissions," and "regional action planning commissions."

"Development" and "action" are key words here. These are found in a context in which planning is stressed again and again. Obviously the commissions are expected to engage in planning that deals realistically and in depth with regional problems and opportunities, and leads to action.

The question then is, "What kind of action is to be expected to result from the commission's work?"

At one extreme, the commission might devote itself largely to planning for planning's sake and produce little of practical value in meeting present and future needs. There are already thousands of impractical and visionary plans gathering dust in files throughout the country.

At the other extreme, it might operate primarily as a pressure group to obtain the maximum amount of assistance for individual and isolated projects within the region.

Neither of these courses will make a real or lasting contribution to economic development.

Again, the commission might put main reliance on new legislation providing special benefits to the region, and this, too, would leave much undone that should be done.

The best future development of a region requires a balanced program of planning and action, effective use of presently available tools, and the creation of new tools as the need arises.

Basic to a good regional program is the kind of planning and action that—

1. Brings understanding of the lines of development that the regional economy can pursue with the greatest promise of improvement of the quality of life for all its people.
2. Sets goals for progress along the lines thus established.
3. Identifies the resources within the region that can be used in achieving those goals.
4. Identifies the sources of assistance to the region from surrounding areas, the States, the Federal Government, and private interests and organizations.
5. Uses its influence in all proper ways to see that the resources at hand are employed to the best advantage and that the assistance available is brought to bear on a sound development program.
6. Prepares and supports legislation authorizing new aids by the States and the Federal Government where it is found they are needed to carry out soundly based development programs.

Perhaps the most effective means a commission can use for implementing its plans for the region will prove to be its influence in assuring that the region obtains the maximum amount of assistance from existing Federal and other programs. It can establish standards and priorities for developmental activities in the region that should in themselves be most persuasive to those responsible for review of applications under these aid programs.

Beyond that, the commission and the Commerce Department personnel concerned with regional development should be able to present a convincing case that the Federal Government can get the best results from its aid dollars by allocating them to programs that have been shown to conform to the carefully constructed plans of a regional development commission.

We in the Department of Commerce, other departments and agencies of the Federal Government, and the Congress will all be awaiting with keenest interest the formation of your commission and the generation of your plans and programs.

Your recommendation will receive the most serious attention. We will be prepared to support you in all your constructive activities to the extent of our capacities.

As President Johnson has said: "The distress or underdevelopment of any part of the country holds back the progress of the entire Nation * * *. A growing nation cannot afford to waste those resources, human and natural, which are now too often neglected and unused in distressed areas. We cannot afford the loss of buying power and of national growth which flow from widespread poverty. Above all, we cannot afford to shut out large numbers of our fellow citizens from the fulfillment of hope which is shared by the rest. For that would be the denial of the promise of America itself."

The partnership we are forming here today is a big step toward realization of the President's goal of opening that promise of opportunity to every American.

Designation of the New England Economic Development Region

Whereas the Secretary of Commerce is authorized by title V of the Public Works and Economic Development Act of 1965 to designate appropriate "economic development regions" within the United States with the concurrence of the States in which such regions will be wholly or partially located; and

Whereas the Secretary of Commerce has found that New England comprises a region, hereinafter specifically defined, (a) whose areas are related geographically, culturally, historically, and economically, (b) which is contained within contiguous States of the United States, and (c) which has lagged behind the whole Nation in economic development; and

Whereas the States of Connecticut, Massachusetts, New Hampshire, Rhode Island, Vermont, and Maine have accepted the invitation of the Secretary of Commerce to establish a multistate regional economic development commission to be known as the New England regional commission: Now, therefore,

First, the Secretary of Commerce hereby designates the New England economic development region, to include initially those counties enumerated in the attachment hereto; and

Second, the undersigned hereby concur in such designation on behalf of their respective States, and agree that an authorized representative of each State will meet at the call of the Federal cochairman, following his appointment by the President by and with the advice and consent of the Senate, for the purpose of establishing the New England regional commission in accordance with the provisions of title V of the Public Works and Economic Development Act of 1965.

In witness whereof, the undersigned, duly authorized, do sign this designation on this ---- day of March 1966.

——— ———
Secretary of Commerce.

——— ———
Rhode Island.

——— ———
Vermont.

——— ———
Maine.

——— ———
Connecticut.

——— ———
Massachusetts.

——— ———
New Hampshire.

Counties in New England Economic Development Region

The following counties comprise the New England economic development region as designated by the Secretary of Commerce:

In Connecticut: Fairfield, Hartford, Litchfield, Middlesex, New Haven, New London, Tolland, Windham.

In Massachusetts: Barnstable, Berkshire, Bristol, Dukes, Essex, Franklin, Hampden, Hampshire, Middlesex, Nantucket, Norfolk, Plymouth, Suffolk, Worcester.

In New Hampshire: Belknap, Carroll, Cheshire, Coos, Grafton, Hillsborough, Merrimack, Rockingham, Strafford, Sullivan.

In Rhode Island: Bristol, Kent, Newport, Providence, Washington.

In Vermont: Addison, Bennington, Caledonia, Chittenden, Essex, Franklin, Grand Isle, Lamoille, Orange, Orleans, Rutland, Washington, Windham, Windsor.

In Maine: Androscoggin, Aroostook, Cumberland, Franklin, Hancock, Kennebec, Knox, Lincoln, Oxford, Penobscot, Piscataquis, Sagadahoc, Somerset, Waldo, Washington, York.

Regional Economic Development Commissions: Facts About Title V of the Public Works and Economic Development Act of 1965 (Public Law 89–136)

Question. What is the purpose of title V of the Public Works and Economic Development Act of 1965?

Answer. The purpose is to provide a coordinated regional approach to economic development problems which spill beyond State boundaries.

Question. What is an "economic development region" under the terms of title V?

Answer: It is comprised of contiguous States, or parts of States which have close geographical, cultural, historical, economic relationships and which have lagged behind the Nation in economic development.

Question. How does a region become officially designated under title V and how is the regional economic development commission established?

Answer. The steps for designation and for the establishment of a commission are as follows:

1. The Secretary of Commerce must designate an economic development region with the concurrence of the States in which such regions will be wholly or partially located.
2. The States are then invited to participate in the establishment of the regional commission.
3. Each State must then appoint a member and alternate to the commission. The State member may be the Governor, his designee, or such other person as may be prescribed by the law. The State members will elect a State cochairman from among their number.
4. The Federal Government must also appoint a Federal cochairman and alternate to the commission. These appointments are made by the President with the advice and consent of the Senate.

Question. How many regions have been designated?

Answer. Three are in the process of designation—New England, the Ozarks, and the Upper Great Lakes. Of course, the Appalachian Regional Commission was created by a separate act of Congress.

Question. What benefits become available to the regions under the act upon designation?

Answer. The Secretary of Commerce is authorized to provide the commissions with financial assistance for hiring a supporting staff. The Secretary can also provide research and technical assistance to the commissions for special studies on the problems of economic development.

Question. What will the commissions do? What is meant by regional planning?

Answer. The commissions are expected to:

1. Recommend economic development goals for the region based upon the resources of the region and its potential for growth.
2. Develop programs and measures to carry out these goals. This will include (a) making recommendations on the priorities of specific projects for accelerating the economic development of the region; and (b) developing proposals to modify and improve existing Federal, State, and local programs to maximize their impact on regional economic growth.
3. Stimulate development through promoting increased private investment, and taking such other steps as are indicated through conducting hearings, forums, and idea interchanges in the region.

Question. To whom do the regional commissions make their program recommendations?

Answer. The commissions may present plans and proposals to the Secretary of Commerce who will have them reviewed by the Federal agencies before submitting them to the President for such action as he may deem desirable. The commissions may also make additional program or legislative recommendations to the Secretary and to the State Governors and local officials.

Question. Does the Department of Commerce supply staff assistance to regional commissions?

Answer. Yes. The Office of Regional Economic Development has been established to provide information, planning assistance, and supporting services to the regional economic development commissions.

BOSTON-WASHINGTON JET PASSENGER SERVICE

Mr. BOLAND. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BOLAND. Mr. Speaker, I know that the thousands of Boston residents who have occasion to fly to Washington are pleased with the news that Washington National Airport will be opened to jets on April 24.

Bringing the benefits of the jet age to this convenient airport will cut the flight time between the two cities by over 25 percent—a significant time savings.

The Federal Aviation Agency is to be congratulated for taking this important step in improving service between Washington and Boston. I know that it will encourage more Bostonians to visit Washington and I am sure that it will encourage as many Washingtonians to fly north and do some sightseeing in historic Boston.

Charles H. Ball, the aviation editor of the Boston Traveler, wrote an excellent column on January 19 spelling out some of the advantages which will accrue to Boston from this air service improvement.

Mr. Speaker, under unanimous consent I submit this article to be reprinted with my remarks at this point in the Record:

[From the Boston (Mass.) Traveler, Jan. 19, 1966]

Hub-District of Columbia Battle Shaping

(By Charles H. Ball)

Boston has a huge stake in the decision to open Washington's National Airport to smaller jetliners starting in April.

Among the obvious and immediate advantages will be faster trips. Nonstop jet flights between the two cities will take just 1 hour, cutting 22 minutes off today's fastest flights on Lockheed prop-jet Electras.

But there are other important ramifications.

OLD-FASHIONED HORSE RACE

For one thing, industry sources are looking for an old-fashioned horse race, to mix a metaphor, among the three airlines now providing nonstop, commuter-type service on the route—Northeast, Eastern, and American.

In fact, some believe the struggle will compare to the rivalry on the west coast, where several airlines have been battling for supremacy in a similar market, between Los Angeles and San Francisco.

Between Boston and New York, the dominance of the Eastern Airlines shuttle thus far has discouraged any eyeball-to-eyeball, or is it cockpit-to-cockpit, confrontation. Eastern carries about 80 percent of the 2 million persons flying between the two cities annually.

On the Boston-Washington run, however, it is a far different story.

With less than 500,000 persons now traveling by air between the cities each year, the market is particularly ripe for development. This is especially true with jets being permitted into National for the first time, and with National and Logan airports standing side by side as the two most conveniently located metropolitan airports in the Nation.

The dominant airline on this route, however, is Northeast.

In the year ending September 1965, it carried close to 50 percent of all Boston-Washington passengers, or almost 215,000.

Eastern flew about 150,000 persons, while American carried nearly 70,000, and both have been coming on strong.

About 20 flights are flown each way on weekdays, Northeast accounting for 11 with DC6B's, Eastern 5 with Electras and American 4, also with Electras.

This lineup is certainly going to change, as some of these flights are switched to jets. And with Northeast considered somewhat vulnerable in this respect, perhaps, at least until more of its new jets arrive, the rival airlines could decide to mount an all-out drive.

However, Northeast's board chairman, George B. Storer, Jr., said yesterday in another context that his airline will be fighting "tooth and toenail" in the months ahead against all comers in all areas—and the airline undoubtedly is developing the punch to do so.

Only two-engine and three-engine jets will be allowed into National Airport, but all three carriers already have some of this equipment, with more on order.

Basically, the pure-jets using the field initially will be the three-engine Boeing 727 and three twin-jet planes, the Douglas DC-9, the British Aircraft Corp. BAC-111 and France's Sud Aviation Caravelle.

Whatever the outcome for the airlines, the Boston-Washington competition bodes well for the traveling public. It will have faster, probably more frequent and eventually, perhaps, lower-cost service, where one-way fares now range from $24 to $31.71.

It will be good, too, for Logan Airport, and for New England, which always stand to benefit from improved service to an expanding, major market.

ATLANTIC UNION DELEGATION

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Findley] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. FINDLEY. Mr. Speaker, at a news conference today Republican presidential-level support was announced for the Atlantic Union delegation resolution. Present and participating in the news conference were Representatives Ellsworth, of Kansas; Quie, of Minnesota; Morton, of Maryland; F. Bradford Morse, of Massachusetts; and myself.

The resolution is the most specific proposal ever introduced in Congress in regard to a federation of free nations.

It is known as the resolution to establish an Atlantic Union delegation. It would authorize an 18-member delegation of eminent U.S. citizens to convene with similar groups from other interested NATO nations for these specific purposes:

To explore the possibility of agreement on—

First. A declaration that the eventual goal of the Atlantic alliance is a federal union government;

Second. A timetable for reaching the goal; and

Third. Ways and means to keep the project in motion.

Eight of the delegation are to be named by the Congress and eight by the President. Not more than half are to be from one political party.

The resolution places great stress on the need for high competence in the delegation and requests that former Presidents Eisenhower and Truman serve as cochairman. It specifies that each shall be as free to speak and vote as were the drafters of the U.S. Constitution.

A word about why the resolution was drafted and introduced.

Those of us who have introduced it believe it helpful—indeed highly important—to define clearly the goals we seek. In our space program the United States took as a goal to put a man on the moon and set a timetable to guide and spur our progress toward it.

So it should be in our efforts to build the Atlantic community. We feel we should define our eventual goal and establish a timetable to guide and spur our progress toward it.

The future of the alliance is a matter of pressing concern. In several respects, it is presently suffering the "infractions and interruptions" which George Washington said are typical of all alliances. The United States is distressed because our allies provide so little help in Vietnam, and several of our allies voice criticism of the internal arrangement of the alliance. France—or any of the member nations—may withdraw from NATO in 1969. Nuclear sharing, monetary, and trade problems cause stresses and strains.

Just as Washington saw the need for a "government for the whole" of the Thirteen Original States, so we see the need eventually to have one for the whole of the Atlantic community.

The resolution is realistic. It recognizes that Atlantic Union is not just around the corner. Neither is the resolution a blank check. It simply authorizes an exploration of possibilities and commits no one.

But although it is strictly limited in scope, it is being watched with keen interest throughout NATO. One of the world's most respected newspapers, LeMonde of Paris, has commented editorially:

> Should Congress approve this resolution it [the 89th Cong.] will then definitely be remembered as the boldest in all American political history.

The main reason for the news conference was to draw attention to letters endorsing the Atlantic Union delegation resolution which I have received very recently from former Vice President Nixon, Governor Romney, of Michigan; Governor Scranton, of Pennsylvania; Governor Hatfield, of Oregon; Governor Rockefeller, of New York; and former Senator Goldwater.

From them you will see that this "most specific proposal ever introduced in Congress in regard to a federation of free nations" is endosed by the Republican candidates for President in 1960 and 1964, by the leading contenders for the Republican nomination in 1964 and by the Republicans most often mentioned as presidential possibilities in 1968.

Based on these endorsements, I predict that the next Republican president will work to achieve Atlantic Union.

These letters put a significant group of Republican leaders on record for a foreign-policy proposal that is both peaceful and powerful.

Virtually all the presidential-level leadership of the Republican Party thus supports the most promising proposal for uniting free people since the American revolutionary period, 1776–89.

Our news conference dealt only with Republican support. However, it is being supported on a bipartisan basis in both the House and the Senate.

The resolution has been introduced by these Republican Representatives: John B. Anderson, of Illinois; Edward J. Derwinski, of Illinois; Robert F. Ellsworth, of Kansas; Paul Findley, of Illinois; Seymour Halpern, of New York; Glenard P. Lipscomb, of California; Robert H. Michel, of Illinois; Rogers C. B. Morton, of Maryland; Bradford Morse, of Massachusetts; Albert H. Quie, of Minnesota; and Donald Rumsfeld, of Illinois.

It has been introduced by these Senators: Frank Carlson, of Kansas; Paul Fannin, of Arizona; Hiram Fong, of Hawaii; Jacob Javits, of New York; and Winston L. Prouty, of Vermont.

Here is the text of the resolution:

H.J. Res. —

Joint resolution to establish an Atlantic Union delegation

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (1) the Congress hereby creates an Atlantic Union delegation, composed of eighteen eminent citizens, and authorized to organize and participate in a convention made up of similar delegations from such North Atlantic Treaty Organization allies as desire to join in this enterprise, to explore the possibility of agreement on:

(a) A declaration that the eventual goal of their peoples is to transform their present alliance into a federal union;

(b) A tentative timetable for the transition to this goal; and

(c) Democratic institutions to develop the ways and means for achieving the goal in time to save their citizens from another war, depression, or other manmade catastrophe, and let them enjoy, as soon as possible, the greater freedom and higher moral and material blessings which federation has brought to free people in the past.

(2) The convention's recommendations shall be submitted to the Congress for action by constitutional procedure;

(3) Not more than half of the delegation's members shall be from one political party, and all shall be citizens of high stature and wide influence, representing together a broad range of experience in the various major challenges facing this undertaking, and so conscious of its importance and urgency as to

be willing to give it personally the necessary priority and time, in the spirit of 1787 which one member of that Convention thus expressed: "Inconvenient" as it was "to remain absent from his private affairs * * * he would bury his bones" in Philadelphia, if need be, to bring about the union;

(4) Eight of the delegation shall be named by the Congress and eight by the President of the United States, and all shall be as free to speak and vote as were the drafters of the United States Constitution;

(5) The Congress hereby requests former Presidents Dwight D. Eisenhower and Harry S. Truman to serve as cochairmen of the delegation.

Here are the texts of letters supporting the resolution:

NEW YORK, N.Y.,
January 21, 1966.

DEAR PAUL: I was pleased to note from your letter of January 19 that FRANK CARLSON and you are working together in behalf of the Atlantic Union resolution.

As Clarence Streit probably told you I have supported this resolution for many years and I wish you every success in your efforts.

Sincerely,

RICHARD M. NIXON.

STATE OF MICHIGAN,
Lansing, February 22, 1966.

Hon. PAUL FINDLEY,
Congress of the United States,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN FINDLEY: Please forgive my belated acknowledgment of your letter of January 29. However, I am happy to indicate my support for the establishment of an Atlantic Union delegation.

I believe it is urgently important to develop a greater sense of unity and direction on the part of the Atlantic nations.

Success to you in your efforts.

Sincerely,

GEORGE ROMNEY.

COMMONWEALTH OF PENNSYLVANIA,
Harrisburg, February 7, 1966.

Hon. PAUL FINDLEY,
Member of Congress,
House of Representatives,
House Office Building,
Washington, D.C.

DEAR PAUL: Your tireless efforts in behalf of the Atlantic Union delegation resolution merit the endorsement of every citizen.

I have been long concerned about our Nation's failure in these times of global crisis to explore fully ways to promote freedom and progress within a framework of international unity.

Such a search demands creativity and courage. You have demonstrated both, and I support and applaud your enterprise.

Most sincerely,

WILLIAM W. SCRANTON.

OFFICE OF THE GOVERNOR,
Salem, Oreg., October 25, 1966.

Hon. PAUL FINDLEY,
House of Representatives,
House Office Building,
Washington, D.C.

DEAR REPRESENTATIVE FINDLEY: I am delighted by the word from Clarence Streit that you have introduced House Joint Resolution 769 proposing establishment of an Atlantic Union delegation.

With you, I have long felt the inexorable logic of Atlantic Union as the inevitable result of the growing interdependence of the nations. If I can be of service in this cause, please let me know.

Sincerely,

MARK O. HATFIELD.

SCOTTSDALE, ARIZ.,
February 11, 1966.

Hon. PAUL FINDLEY,
Congress of the United States,
House of Representatives,
Washington, D.C.

DEAR PAUL: The resolution that you introduced relative to the establishment of an Atlantic Union delegation is a good idea in my opinion. While I don't believe the North Atlantic unity is just around the corner, I do believe it is coming, in fact, I believe it will be a must before we can present a solid front to our Communist enemies. I have been very disturbed with the lack of attention given NATO by the President and by the unfortunate remarks made about that organization by high officials in the administration.

I wish you the very best of luck in your efforts; I think you are doing a great job.

With best wishes,

BARRY GOLDWATER.

ALBANY, N.Y.,
February 11, 1966.

Hon. PAUL FINDLEY,
Congress of the United States,
House of Representatives,
Washington, D.C.

DEAR PAUL: Thank you for your letter about the joint resolutions before the Congress to create an Atlantic Union delegation which would explore with like-minded NATO allies the potential of transforming the present NATO alliance into an eventual Federal Union.

I am wholeheartedly in favor of the purposes set forth in these resolutions and look upon favorable action by the Congress as a practical first step toward forging a union of the free.

I have, in fact, advocated these purposes repeatedly and in detail for years, most explicitly in the 1962 Godkin Lectures at Harvard and in my remarks on the 25th anniversary of Federal Union, Inc., in November of 1964 at Philadelphia.

As I stated on the latter occasion: "Our forefathers pioneered a political framework within which this nation conquered a continental wilderness. Our generation is called on for no less a pioneering act of political creativity and economic construction—on an intercontinental scale."

I have followed with sympathy and interest the development of the joint resolution, and deeply believe that its enactment would be a historic milestone in the annals of human freedom and world peace.

With every good wish,

Sincerely,

NELSON ROCKEFELLER.

THE LATE ALBERT THOMAS

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent that the gentleman from South Dakota [Mr. REIFEL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. REIFEL. Mr. Speaker, it was with deepest sorrow that I heard of the passing of the Honorable Albert Thomas of Texas. This distinguished American was one of the first to introduce himself to me when I joined this body in 1961. At that time he offered his help and advice to me as a freshman Congressman, a gesture which I have since learned was repeated countless times with other beginning Members. This was typical of his spirit of friendliness and helpfulness to all.

Many were the times when I was privileged to draw upon his vast store of knowledge and wisdom for guidance in everyday problems. Albert Thomas always was as helpful and sincere as any friend could be despite the fact that, as a senior Member with important responsibilities, he had far more crucial matters to occupy his time and attention.

But in addition to these personal qualities, Albert Thomas was a great legislator. He had few peers in his ability to steer a piece of legislation through the committee processes and pass the legislative roadblocks of House debate. He was one of the most skilled orators in this body. He was a man of utmost integrity and intellectual honesty who demonstrated unusual capacities of reason and perception before reaching informed decisions.

Mr. Thomas was particularly helpful to me and my constituents of the First District of South Dakota on a number of occasions in connection with his duties as chairman of the House Appropriation Subcommittee on Independent Offices. Although he was a member of the other party, this in no way influenced his spirit of fairness in dealing with all matters within his jurisdiction.

In our associations on the full House Appropriations Committee I marveled at his tremendous store of wisdom and perception, his eloquent persuasiveness, and his consideration for opposing points of view.

Albert Thomas earned the reputation as the type of astute lawmaker to which all of us aspire. This Congress and this country have suffered a great loss in his passing.

A BILL TO AID EDUCATION WITHOUT FEDERAL CONTROLS

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent that the gentleman from Washington [Mr. PELLY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. PELLY. Mr. Speaker, a few years after first coming to Congress, I introduced legislation which would return a given percentage of revenue collected by the Federal Government to the various States, for the support of their public school systems.

Having been one of the original sponsors of the proposal of tax sharing with the States, I, along with other members of the Republican Task Force on Education, have explored ways to assist educators, without Federal controls. In this connection, in discussing the matter with educators, I have learned that they favor including a distribution factor to the States which would give an incentive to individual States to increase their support of their school systems.

Therefore, I am introducing today a bill which carries out this plan, by requiring that 1 percent of the Federal revenue, under the Internal Revenue Code, together with 1 percent of all custom duties, be returned to the States during the first year, 2 percent the second year, and up to 5 percent the next year and thereafter. This money would be deposited in a trust fund administered by the Secretary of the Treasury, who would be responsible for the return of the money to the States, to provide additional financial assistance to improve their elementary and secondary educational systems.

Half of the money would be returned on a straight per student basis; the remaining half of the formula would be based on the amount of effort each State is putting into public elementary and secondary education.

Effort is defined as the percent of gross personal income spent on public elementary and secondary education. The mathematics of the formula would work as follows: The percent of gross personal income spent on public elementary and secondary schools. This figure I call a "State product." To determine the actual number of dollars each State receives under the "effort section," each State's percent of the sum total of "State products" is multiplied by the amount of money available in the effort section.

To assure that the money being shared with the States is spent for educational purposes, each Governor must submit an outline of how his State plans to spend the money, to the Comptroller General of the United States. The Comptroller General must determine within 60 days whether or not the plan fits within the intent of Congress. If the plan is not disapproved within 60 days, it will be considered approved. If disapproved, the Governor will have the right to appeal the decision to the U.S. Court of Appeals in his district.

Additionally, each State must submit an audit each year to the Comptroller General, detailing how the tax rebate was actually spent.

Mr. Speaker, I should point out that under a provision of this new proposed bill, the Congress declares that responsibility for and control over education is one of the powers not delegated by the Constitution to the Federal Government, but reserved to the States or to the people, under the 10th amendment.

I should like to emphasize that my bill could fill the gap which would result from the current proposal of President Johnson to phase out Federal aid to areas impacted on account of military and other defense and Government installations, which do not contribute taxes to support local government.

The phasing out of this Federal aid makes it doubly important to strengthen State and local educational systems by a new program, such as I have just described.

Mr. Speaker, my own bill would provide my State of Washington with approximately $20 million in tax refund the first year, which would increase until the fifth year when it would level off at approximately $100 million per annum. The total refund to the 50 States would be approximately $1 billion the first year and accelerate accordingly until the fifth year.

A BILL TO EXCLUDE FROM INCOME CERTAIN REIMBURSED MOVING EXPENSES

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CURTIS. Mr. Speaker, I am introducing today an identical bill to H.R. 13070, introduced by my distinguished colleague, the gentleman from Massachusetts [JAMES A. BURKE], on February 24. This bill will cure an unrealistic and inequitable application of the income tax law through arbitrary interpretation by the Internal Revenue Service.

American industry has long followed the practice of transferring employees to new work locations for a variety of reasons such as training, staffing new facilities, and retaining valuable skills of employees where an industry activity is closed down. When these transfers occur, the employer has generally reimbursed the employee for expense caused by the employer in moving the employee, members of his family, and his personal possessions to the new work location.

The Internal Revenue Service has ruled that the expense of transporting the employee, his family, and household effects to the new work location is actually the employer's expense and therefore excludable from the employee's income. This is clearly a correct interpretation. However, the Internal Revenue Service contends that all other expense created by the move and for which the employee is reimbursed by his employer is income to the employee and subject to income tax. On August 9, 1965, the Service issued T.I.R. 754 calling on employers to withhold tax on reimbursements of these latter expenses.

The latter contention by the IRS is applicable to members of the uniformed services according to a letter about December 1964 from Bertram M. Harding as Acting Commissioner of the IRS to Assistant Secretary of Defense Norman S. Paul.

Just last year the U.S. Civil Service Commission requested the Congress to modernize the law governing reimbursement of civilian employees of the Federal Government who are transferred from one place to another for the Government's purposes. This bill, H.R. 10607, provides for payment of much of the expense for which private employers reimburse their employees. Furthermore, the provisions of this bill are based on an extensive study of the costs incurred by Government employees when transferred. The Civil Service Commission published this study in March 1963.

The following excerpt from the statement of purpose and justification of the draft bill submitted by the Civil Service Commission is an excellent explanation of the need and purpose of reimbursement of employees:

> When a Federal agency had decided that it is necessary or desirable to transfer an employee to another official station, the agency should pay the expenses of the move. The employee should not have to contribute, sometimes substantially, to cover the cost of a move primarily for the benefit of the Government.
>
> Agencies move employees for two basic reasons. On the one hand changes in the amount of work, or shifts in program emphasis or organizational structure may require the transfer of people and functions. The current Department of Defense program for closing unnecessary installations is one case in point. Automation of processes in such agencies as the Internal Revenue Service is another, and there are many more. On the other hand, periodic moves of personnel are a requirement of certain kinds of occupations and agency career programs. Regular changes of duty stations are a feature of particular occupations such as bank examining, in which it is important to maintain objectively. Certain career systems such as that of the Forest Service are built around progressive shifts of personnel to locations which have positions of greater responsibility.
>
> When employees are unable or unwilling to transfer, Government's efficiency drops and its costs go up. Besides losing the services of experienced employees, agencies may have to promote less well-qualified people or spend extra time and money to find, hire, and train new people to do the work. Agencies say that the certain prospect of financial losses which the employee can ill afford frequently tips the scale against the experienced employee's making the move his agency needs to have him make.

Mr. Speaker, the bill I have introduced today provides that certain moving expenses paid by an employer shall be excluded from the income of the employee taxpayer. These expenses are substantially the same expenses that the Federal Government would pay for its employees under H.R. 10607. To be specific, my bill would exclude from the employee's income the following:

The reasonable cost of moving household goods and personal effects and of traveling from the old to the new residence. These expenses are presently excludable from income under existing IRS rulings as I previously stated.

The reasonable cost of traveling by the employee and his spouse for the purpose of searching for a new residence. The Civil Service bill provides for reimbursement of this same expense.

The reasonable cost of meals and lodging of the taxpayer and members of his family while occupying temporary quarters, but not to exceed 30 days in the United States or 60 days in territories or foreign countries. The Civil Service bill provides for payment of this same expense under regulations to be prescribed.

The expenses incident to the sale or exchange of a residence or the settlement of an unexpired lease and the expenses incident to the purchase of a new residence. The Civil Service bill provides for reimbursement of these expenses.

Neither bill would permit compensation for any loss suffered by the employee in the sale of a residence.

Miscellaneous expenses to the extent they are directly attributable to the move and are substantiated by the taxpayer. However, these expenses are limited to not more than 2 weeks' wages or $1,000 whichever is less and, in the case of a single employee without dependents, only one-half of this amount. The Civil Service bill provides for reimbursement of similar amounts under regulations to be prescribed.

Mobility of labor is increasingly necessary to meet the requirements of government and industry. When either government or industry requires an employee to transfer his work location and move his family to a new place of residence, it is only simple equity that the employer pay the expense of the move and that the employee not be forced to dip into his own pocket. And when the employer bears the expense which the employee incurred because of the move, it is highly unfair to levy a tax on reimbursed expense on the strained interpretation that the employee has received income. In fact, such a tax defeats the purpose of reimbursement which is to keep the employee financially whole.

EXCLUDING MOVING EXPENSES FROM INCOME OF TRANSFERRED EMPLOYEES

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. SCHNEEBELI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SCHNEEBELI. Mr. Speaker, I have today introduced a bill that, with appropriate limitations, would exclude from the income of transferred employees including members of the armed services certain reimbursed moving expenses which the Internal Revenue Service is presently trying to tax.

For many years the Internal Revenue Service has recognized that employer payment or reimbursement of certain categories of employee moving expenses—travel expenses of the employee and his immediate family, and transportation of his household goods, from the old to the new place of employment—does not constitute taxable income to the old employee, where the transfer is made in the interest of the employer. In taking this position the Service acknowledged that the payment of such expenses is not a fringe benefit to the employee, but a necessary business expense of the employer—see Revenue Ruling 54-429, 1954-2 C.B. 53. In 1964 Congress expressed its agreement in principle by providing that similar expenses if reimbursed for a new employee, or if paid by the employee and not reimbursed by the employer, could be deducted by the employee—see section 217, Internal Revenue Code, enacted by section 213, Revenue Act of 1964.

Actually, employee transfers usually involve other categories of expenses, as for a preliminary house hunting trip to the new location, temporary living expenses at the new location pending availability of a permanent home, and selling expenses in disposing of the old home. These expenses are necessary and proper in the ordinary transfer of an existing employee, and are reimbursed by a great many employers—see Wall Street Journal, December 9, 1965, page 1. The present administration has recently recognized such expenses of moving to be appropriately the responsibility of the employer when the move involves a transfer from one permanent duty station to another at the request of the employer. A bill H.R. 10607 has been recommended by the President and was favorably reported by the Government Operations Committee of the House under which the Federal Government would reimburse such expenses to its employees.

The Internal Revenue Service has recently announced that reimbursements in these latter categories must be treated as taxable compensation; that is, the employer must withhold, and the employee must include the reimbursement in his income and not deduct the expense—see Revenue Ruling 65-158, published June 14, 1965, and TIR-754 published August 9, 1965. While the Service had taken a similar position in earlier rulings and cases, its previous attempts to enforce its position had been spotty, and the pre-1965 court decisions had been inconclusive—see statement on section 213 of the 1964 act, in Senate Report No. 830, 88th Congress, 2d session, page 71. The Service's recent announcements were precipitated by a court of appeals decision in its favor last April, on which the taxpayer sought—but the Justice Department opposed—review in the Supreme Court—see *U.S.* v. *Kenneth D. England*, 345 F. 2d 414 (CA-7), certiorari denied, January 1966, 34 U.S. Law Week 3242.

The latter categories of moving expenses—such as expenses of selling the employee's home at the old duty station and expenses while occupying temporary quarters at the new post for a limited period—are genuinely employer business expenses and not employee expenses. To treat them as taxable is grossly unfair to the thousands of employees involved, most of whom earn less than $10,000 a year. It is also bad social policy, since it constitutes a drag on the mobility of labor and of industry.

Notwithstanding the large number of transfers that take place—an estimated 340,000 military personnel, more than 150,000 private industry employees, and 35,000 Federal civilian employees—the revenue impact of corrective legislation would not be too substantial. Thus, appropriate limitations can be placed on those eligible and the amounts to be excluded in each case. Furthermore, the entire issue is still being litigated and most affected employees probably have not been treating these items as taxable anyway, so the revenue loss should probably be viewed in any case as potential rather than actual.

A legislative solution is highly desirable. Without a prompt and definitive solution, employers are in a difficult position in not knowing whether they actually are required to withhold; employees, in not knowing whether they should report, and if they do report, in perhaps being forced to litigate; and the Service in attempting to achieve consistent enforcement.

A short summary of my bill, which is identical to H.R. 13070 introduced on February 24 by our colleague, the distinguished gentleman from Massachusetts [Mr. BURKE], is set forth herewith.

In addition to the cost of moving the employee, his family, and household goods to the new place of work, which are clearly nontaxable under present law, the bill would exclude from the income of an employee who has worked for the same or a related employer for at least a year at the time of the transfer, reimbursements for reasonable expenses incurred by reason of the move in the following areas:

First. Travel for the employee and his wife to seek permanent quarters at the new location;

Second. Expenses while occupying temporary quarters at the new location for a period generally not to exceed 30 days;

Third. Expenses incident to the employee selling his home at the old duty station and purchasing a residence at the new location;

Fourth. Miscellaneous expenses directly connected with the move, but not to exceed the lesser of 2 weeks' pay or $1,000 in the case of a family man, with the maximum exclusion being reduced by one-half for an employee having no family.

Mr. Speaker, employees who are directed to move by their employers should not have to pay tax on expenditures which primarily benefit their employers. Passage of the bill would simply recognize this fundamental principle.

DEMOCRACY—WHAT IT MEANS TO ME

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent that the gentleman from North Dakota [Mr. ANDREWS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ANDREWS of North Dakota. Mr. Speaker, this year more than 300,000 young Americans participated in the Voice of Democracy contest sponsored by the Veterans of Foreign Wars of the United States and its ladies auxiliary. The theme this year was "Democracy—What It Means to Me."

The winning speech in North Dakota was presented by 17-year-old Charles Alan Collins, of Fargo, who calls upon his fellow students to concentrate on "what is right with America" rather than "what is wrong with America."

Mr. Speaker, I include the text of Charles Alan Collins' speech at this point in the RECORD:

DEMOCRACY—WHAT IT MEANS TO ME

What does democracy mean to me? I could write a book, and still not give the full answer, for the true meaning of democracy could never be confined to a printed page. It is a concept in the minds of men that defies limitations. It is a dream that has lived in the hearts of men for over 1965 years. It is that intangible "something" that gradually becomes a living part of each one of us.

It is that "something inside" that made the soldier in Vietnam hoist a small American flag just minutes before he went down under enemy fire. It is that "something inside" that made "Joe Smith, American" decide to be beaten to death rather than reveal a vital defense secret to the enemy. It is that "something inside" that made our boys who recently returned home on furlough from Vietnam say: "We want to go back and finish this job."

What is that "something inside"? Maybe it is the remembrance of the little things in life back home that have suddenly become terribly important—the smell of mom's homemade rolls, the pungent odor of dad's pipe, the arguments with sis over the car, the crowd at the pizza shop after the show, the many arguments over political issues—and suddenly they know that these represent a way of life that must be preserved.

Maybe this is why I, a 17-year-old who may soon be standing in their shoes, am taking a more appreciative look at these very same freedoms which I, too, am wearing too easily like comfortable old shoes. What can I, a lone high school student do about it? Much. I know I am only one, but I am one—and since a nation is no stronger than its weakest link, I must try to make my link as strong as possible. I can try to strengthen my own personal character and integrity.

I can support the rules of my school and town. I may not agree with all of them, but I will obey them as I know they represent the Democratic majority. I can learn more about my rights under the Constitution, but I must also remember that with these rights come certain responsibilities. I cannot complain about my constitutional rights if, in so doing, I would be denying these same constitutional rights to those about me. Knowing that the real war of the present is being fought for the control of men's minds, I must try to sharpen my mind by wide reading of current problems, by knowing well the political candidates, by more critical listening, and more careful evaluations. To these ends I am active in the high school debate program, the student congress legislative program, school government and local junior politics.

Along with my classmates I can encourage the use of justice and fair play in school affairs. We can vote to keep the Pledge of Allegiance in the school and encourage more respect for our flag. We can strengthen our school Americanism program. We can encourage our fellow students to think along the lines of "what's right with America," rather than "what's wrong with America." We can create interest in politics by setting up student polls at election time. We can emphasize the importance of maintaining the institutions of our Government which protect our life, liberty, and property—for governments do not preserve themselves—they are preserved only by the vigilance of those to whose guardianship they have been committed—and the price of freedom is eternal vigilance.

And when the defense of these freedoms calls for our draft numbers to be called, we can answer in the words of Daniel Webster: "I was born an American; I live an American; I shall die an American, no man can suffer too much and no man can fall too soon if it be in defense of the liberties and the constitution of his country."

NEW LAW NEEDED

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, I was one who opposed the new coinage law because I felt that, despite the pronouncements of the liberal economist, Gresham's law would apply. It is rather obvious that it has. One of the side effects of this situation has been the improper trafficking in American currency by some unscrupulous individuals. I have a record which is rather clearly pitted against improper governmental interference in the free enterprise system and opposed to unnecessary bureaucratic regulation. However, when I see a need for a new law it is promoted with equal vigor.

During the Christmas recess, several of my banking friends sent me a copy of a letter they had received from some New York promoter in which he offered to furnish them U.S. currency at a premium. This means he has been hoarding it and now endeavors to sell it to banks at a profit. I feel a law should be enacted which would prevent this while at the same time protecting the right of the legitimate collector. The letter was sent to the Johnstown Bank, Johnstown, Ohio, and follows:

PORT CHESTER COIN EXCHANGE,
INC., COIN WRAPPING AND DELIVERY SERVICE,
346 North Main Street,
Port Chester, N.Y.

DEAR SIR: Your bank is facing a severe coin shortage at this time which will soon be compounded by the Christmas season demand. As you well know, the Federal Reserve is unable to meet your coin requirements now, and this problem will hamper you severely in servicing your customers' coin needs.

We are currently helping many banks and financial institutions around the country to solve their coin shortage. We can supply your bank with all the coins you need, shipped to your nearest commercial airport, air express collect. Shipments are made continuously from Monday through Saturday.

Rates, including delivery to Kennedy International Airport, are as follows:

	Costs you
$1,000 in nickels	$1, 020. 00
$1,000 in dimes	1, 020. 00
$1,000 in quarters	1, 015. 00
$1,000 in halves	1, 047. 50
$1,000 in silver dollars	1, 300. 00

Please call me at 914–939–9839 for prompt and courteous service and any further information.

Very truly yours,
PORT CHESTER COIN EXCHANGE, INC.,
MILTON SCULKY.

JAMES MICHAEL SILVERTHORN SPEAKS ON DEMOCRACY

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, each year the Veterans of Foreign Wars of the United States and its ladies auxiliary conducts a Voice of Democracy contest. This year over 300,000 school students participated in the contest, competing for the 5 scholarships which are awarded as the top prizes. The contest theme was "Democracy—What It Means to Me." The winner for the State of Ohio was James Michael Silverthorn, of 320 North Third Street, Coshocton, Ohio, and he will be competing for national honors.

Coshocton is very proud of Jim and I am very honored that he is from the district I am privileged to represent. He will be visiting Washington on March 8, 1966, and attend the annual congressional dinner of the VFW. I certainly wish him luck in the final competition and, win or lose, he has brought great honor to his school, his family, his State.

His prize-winning theme is excellent and I am including it with these remarks.

DEMOCRACY: WHAT IT MEANS TO ME

(By James Michael Silverthorn)

Democracy—a fine sounding word. Like motherhood, and baseball. And like most fine sounding words, it is so often used and misused it has lost virtually all meaning.

The standard, stock definition of democracy is "government or rule by the people." We give this pat definition when one is required, yet it means precisely nothing.

What good is democracy? How can it possibly work? Philosophers since Plato have asked those questions. Hitler said, "We spit in the face of democracy." How can we answer such challenges?

Well, it is really quite simple: democracy as defined, does not work. No large group of people, certainly no nation could possibly have a stable, well-run society under a government by the people. Indeed, the only governments today which claim to be the people's are those which make a mockery of the very concept of democracy—the People's Republic of China, the People's Republic of Poland.

No, pure democracy with all the people, with all their differing ideas and interests, having a continual voice, can never result in anything but chaos. But we in America have found a way, a method of having an established governmental authority, yet allowing the collective will of the people to remain supreme.

Our republican democracy does not lessen the responsibilities of the individual, it magnifies them to a sometimes terrifying extent. Suddenly it is not one's own wishes or will that matters, for decisions must be made for the common good, representatives chosen for all the people.

Still the basic democratic spirit behind it all remains. Democracy is not so much an exact means of government but a way of life, eyeglasses through which to see the importance of the individual.

Just before World War II, an American missionary was speaking to a Japanese police captain. The captain, scoffing at the missionary, looked out the window. Below was an aged peasant plodding along with a heavy burden on his back.

"You see him?" the captain asked. "He doesn't mean that to us," he spat out snapping his finger. "But give us a million like him, and he is important. The individual means nothing." *So you see, is it so strange* to say respecting individual importance is revolutionary?

Yet it works the other way, too. As individuals have formed the government, so they owe it their loyalty and respect.

Recently, a young man was stopped by a police officer on suspicion of drunken driving. When word reached the young man's mother, she went to challenge the officer. Publicly, she and her son attacked him.

News of this police brutality spread. Five days later, 34 people were dead and millions of dollars of damage had been done. The Watts district should always be a monument to the danger of public disrespect for proper authority.

It is easy to list the duties of citizens: voting, paying taxes, keeping informed. For us, students approaching adulthood, the duties are even more awesome. We must prepare ourselves for future participation in our society. The preparation includes learning about our government, and more importantly gaining an acquaintance with the basic philosophy of Americanism.

But despite these facts, the basic requirements can be summed up in a few phrases. We as citizens are individuals with undeniable rights and must see others as individuals with the same rights. We as establishers and maintainers of the government owe it our constant attention and participation. Mutual give-and-take is the only fairplay in the relationship between the government and the people.

REPUBLICAN POLICY COMMITTEE STATEMENT ON VIETNAM

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent that the gentleman from Arizona [Mr. RHODES] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. RHODES of Arizona. Mr. Speaker, as chairman of the House Republican policy committee, I would like to place in the RECORD an important policy committee statement on Vietnam which was adopted at our Tuesday, March 1, meeting:

REPUBLICAN POLICY COMMITTEE STATEMENT ON VIETNAM

The deep division within the Democratic Party over American policy in Vietnam is prolonging the war, undermining the morale of our fighting men and encouraging the Communist aggressor. It has confused the people in other nations about the American purpose and has led North Vietnam to believe that in time we may falter, that we do not have the necessary will or determination to win. As a result, the peace that this Nation and the free world seeks has been delayed, the fighting intensified, and the threat of a major war deepened.

In an effort to please the conflicting elements in the Democratic Party, the administration has had to dodge and shift. Its policy and position on Vietnam continues to be marred by indecision, sudden change and frequent reinterpretation. Under the circumstances, it is little wonder that the enemy has been encouraged, our friends dismayed, and the "national unity that can do more to bring about peace negotiations than almost any other thing" has been delayed.

We, therefore, call upon the President to disavow those within his party who would divide this country as they have divided the Democratic Party. Certainly, as the President has stated, "there is much more that unites us than divides us." However, as long as the party in power cannot agree on such basic issues as whether Americans should be in Vietnam at all, what our Nation is trying to achieve there and whether the right means are being used, there will continue to be uncertainties, misunderstandings, and fears about the war in Vietnam. America, indeed the world, is waiting for the President to take command of his party. Until this is done, the divisive debate will continue, the confusion will grow, and a peaceful solution will elude us.

Republicans are united in their support of the fighting men in Vietnam. We also support a policy that will prevent the success of aggression and the forceful conquest of South Vietnam by North Vietnam.

In addition, we believe that the people of South Vietnam should have an opportunity to live their lives in peace under a government of their own choice, free of Communist aggression.

Certainly, these objectives cannot be realized by admitting the Communists to a share of power in a coalition government. For this is "arsenic in the medicine," the "fox in the chicken coop." It would pave the way for a Communist takeover as surely as did the coalition governments in Poland, Czechoslovakia, Rumania, and Hungary. Moreover, it would make a cruel and indefensible mockery of the sacrifices of the fighting men in Vietnam.

COST OF LIVING INCREASE FOR SOCIAL SECURITY

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. GURNEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GURNEY. Mr. Speaker, I am introducing legislation today to provide an increase in social security benefits whenever the cost of living increases by 3 percent.

All of us can see what inflation has done to our dollar over the past few years, but none see it so clearly as those who must live on the fixed incomes of retirement pensions, personal savings, and social security. Their paychecks do not expand to cover the cost of the things they must buy. When food costs more they must substitute cheaper foods or eat a little less.

These are people who have worked for a living all their lives and now are entitled to live their remaining years without the nagging worry that all their provisions for their old age will be worthless in the face of inflation.

Last year Congress voted a 7-percent increase in social security benefits to cover the 7 percent that the cost of living had risen since 1958. Already that increase has become outdated as the cost of living soars to new heights each month.

Of course, the best solution to this would be for the President to abandon his planned inflation policy of deficit spending and learn to live within his means. But there appears to be little hope of that happening, so the least we can do is assure these retired Americans that their social security will be increased to cover the inflation.

Under the terms of the bill I propose today, whenever the Consumer Price Index advances 3 percent, social security benefits would also rise by 3 percent.

Cost studies made by the Department of Health, Education, and Welfare indicate that the growth of the economy during such inflationary periods would provide the necessary revenues for this increase without having to raise the social security taxes.

A similar plan has already been written into the language of the Civil Service Retirement Act, and there is no reason why we should not provide the same assurance to those on social security.

Older Americans are growing weary of the administration's mock concern for their welfare. Actions speak louder than the words that flow from the White House. But until such time as the President sees fit to curb his compulsive spending habits which are pauperizing our aged, and end this inflationary spiral he has built, the Congress can at least assure the senior citizens that their social security will keep pace with the President's inflation.

A NATIONAL EYE INSTITUTE TO COMBAT BLINDNESS

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. HORTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HORTON. Mr. Speaker, I recently introduced H.R. 12387, a bill to amend the Public Health Service Act to provide for the establishment of a National Eye Institute in the National Institutes of Health. I am pleased to join with all of my colleagues who are sponsoring similar legislation to combat one of mankind's most dreaded afflictions—blindness.

In reviewing the history of legislation in this area, I learned that the Federal Government's first official act on behalf of the blind was the appropriation of $10,000 for the printing of embossed books for the State schools in 1879. Since that time a great many bills have been enacted to provide financial aid, tax exemptions, talking books, and vocational rehabilitation programs for the blind. These measures no doubt have been vitally important to thousands of blind Americans. Nevertheless, it seems to me that we are making a serious error in concentrating all our efforts on attempting to compensate these individuals for their terrible loss while failing to make a corresponding effort in the field of vision research for both the prevention and cure of blindness. I am not suggesting, of course, that existing programs for the blind be in any way curtailed. What I am suggesting is that we make a much greater medical research effort than we are doing at present, with the hope that many of our fellow citizens may have their sight restored and that countless thousands more may be spared from the calamity of blindness.

Mr. Speaker, 3½ million Americans suffer from serious, chronic, noncorrectable visual defects. For 1 million of these people the impairment is so severe that they cannot read ordinary newsprint, even with glasses. More than 300,000 are unable to work, keep house, or go to school, and an additional 265,000 must limit their activities because of their visual handicap. For these unfortunate individuals the performance of simple, everyday tasks can be a hazardous, frustrating ordeal. The ability of the blind to look after themselves and their families is greatly reduced, and their hopes and aspirations are often thwarted by their cruel handicap. When we stop to think what being blind really means, we are not surprised that most Americans fear blindness more than any other thing which could happen to them.

It is very disturbing to realize that more than 30,000 men, women, and children lose their sight every year. Contrary to popular belief, very few of these cases are due to accidents. Actually, the great majority—nearly 80 percent—results from glaucoma, cataracts, diabetic retinopathy, hypertension, and other diseases whose exact causes are unknown. The need for intensified research in these areas and in eye surgery and in diagnostic and preventive measures is evident. There is also a need for a larger number of trained specialists in this field. The purpose of my bill is to focus greater attention upon this major health problem by establishing a separate Institute within the National Institutes of Health and to provide for both research and training programs to combat blindness.

Mr. Speaker, if anyone here is inclined to question the value of dollars spent for medical research, he should look at what has been accomplished in the last 10 years under our rather limited program for vision research. Through one cooperative study supported by the National Institute of Neurological Diseases and Blindness during the 1950's, the cause of retrolental fibroplasia, the prime cause of blindness among infants at that time, was identified and preventive measures developed. For an investment of $50,000 we were able to prevent at least 2,000 new cases of blindness a year. It is estimated that the lifetime care of the cases from a single year would amount to approximately $121 million. In other words, from a one-time expenditure of $50,000 we have been able to save $121 million every year, not to mention the suffering and anguish which have been prevented.

This is just one example. I could give many more to show the importance of new drugs and surgical techniques in the prevention and cure of blindness and to show that medical research has indeed paid off. I am sure that is not necessary, however, for this Congress has already shown itself committed to improving the Nation's health through new programs for heart, cancer, and stroke research, and similar measures. In fact, a great deal has been said and written about the record of the 89th Congress in the field of health legislation. I do not think I am overstating the case when I say that passage of this legislation to combat blindness might well prove to be one of the most significant acts of all. I therefore hope that the Committee on Interstate and Foreign Commerce and the Congress itself will give prompt and favorable attention to this vitally important legislation.

CLEVELAND INTRODUCES CONNECTICUT RIVER NATIONAL PARKWAY BILL

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, today I am joining a number of my colleagues in the introduction of legislation to create the Connecticut River National Parkway and Recreation Area in the States of New Hampshire, Vermont, Massachusetts, and Connecticut.

The Connecticut River, some 400 miles long, is the longest river in all New England; it is longer than the Jordan, the Tiber, the Thames, the Hudson, the Suwanee, and the Potomac Rivers. It flows through one of the most scenic valleys in the country, rising in the Connecticut Lakes of New Hampshire, forming the border between New Hampshire and Vermont, on through Massachusetts and Connecticut to Long Island Sound at Old Saybrook, Conn.

Today, it also flows through some of the most unsightly wastelands in America. The purpose of this legislation is to provide an effective means by which substantial and appropriate portions of this river, throughout its length, may be recaptured and preserved in their natural beauty for the enjoyment of future generations.

Every economic and population forecast available today shows that the economy and population of New England is going to continue growing. This means that we must move now to salvage and preserve sufficient public recreation lands while they are still available. Once these priceless resources are lost, they are lost forever.

This bill is designed to be flexible so that the public benefit may be measured and met most effectively as the parkway is developed. The area designated by the Secretary of the Interior, as authorized by the bill, is to be administered for the preservation of natural beauty and for such forms of outdoor recreation and objectives such as driving for pleasure, walking and hiking, picnicking, fish and wildlife management, scenic and historic site preservation, fishing, hunting, boating, camping, riding, bicycling, winter sports, and other forms of outdoor recreation.

This proposal, carefully carried out, will give New England space and protected land along one of the finest waterways in the country; a place of immense natural beauty where people will be able to get away from the crowded city streets.

If this is to be done, there is no time to be lost, and I earnestly hope that action will be taken at this session of Congress.

THE EGG AND THE POST OFFICE

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. MATHIAS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MATHIAS. Mr. Speaker, we have often asked the Post Office Department to try to handle letters and packages "as though they were handling eggs."

I was therefore intrigued by an article in the Hagerstown Morning Herald of March 1 which suggests that, while the Post Office may not have learned how to handle packages, it is able to cope with eggs. According to this story, a young lady in Hagerstown wrote her fiance's name and address on a hard-boiled egg, put a 5-cent stamp on the egg, and mailed it first class to the gentleman in Valparaiso, Ind. Not only did the egg arrive in Indiana with only a tiny crack—it actually arrived in less than 48 hours, about the average speed for first-class mail between Washington and Silver Spring.

If the Post Office has indeed mastered the egg, perhaps it is appropriate to ask—again—what happens to our packages.

The article follows:

HARD-BOILED TRAVELER MAKES IT—EGG IN HIS BEER?—NOPE, JUST ONE IN HIS MAILBOX

(By Dave Litzenburg)

Boy, the Post Office isn't kidding with that bit about about "neither rain, nor snow, nor gloom of night" and all that jazz stopping the U.S. mail.

Because if Hagerstown's now-famous egg can make it, man, anything can.

And make it the egg did—all the way to Valparaiso, Ind., with hardly a crack in its hard-boiled exterior.

The egg, mailed here Saturday morning by 18-year-old JoEllen Powers, a resident of Dagmar Hall, to her fiance, 19-year-old George Zimmerman, a first-year student at Valparaiso University, was delivered there at 8 a.m. Monday.

"I really didn't think it would get there," JoEllen said late Tuesday. "I dreamed up the idea from breakfast," she added. "They give you hard-boiled eggs every morning, and someone said they were mailable, so I wanted to see if one would get out there."

JoEllen carefully addressed the egg with pencil, then covered the address with scotch tape, affixed a 5-cent stamp, and delivered the egg to Hagerstown postman Ralph Higgs as he made his rounds Saturday morning.

"We were going to lower it into the mailbox with a piece of yarn so it wouldn't crack, but we gave it to Mr. Higgs instead," JoEllen said.

Higgs, amused by the stunt, brought the egg to the Herald-Mail, had his picture taken with the egg, and dutifully continued his rounds.

Robert Evans, Hagerstown postmaster, said the egg left the Hub City at 5:15 p.m. Saturday, boarded a Chicago-bound train in Washington, D.C., and was delivered promptly Monday morning.

Evans noted that a check with the Valparaiso Post Office revealed that the egg traveled the full distance as first-class mail, suffering only slight damage in the form of a small crack.

The recipient, George Zimmerman, contacted late Tuesday, said he didn't "have the faintest idea," as to what was behind the egg he had pulled from his mailbox Monday morning.

He did remark, though, that JoEllen "has pulled these stunts before," but declined to go into any detail.

George and JoEllen were schoolmates in York, Pa., prior to their graduation there last June. George is currently studying prelaw, while JoEllen is a student at the Hagerstown Legal Secretarial School.

The two became engaged at Christmas, JoEllen said, and plan to be married in the summer of 1967.

JoEllen, unaware of the publicity that had been given to the egg mailing since it was discovered Saturday, said, "I don't believe this * * * it's like a nightmare."

Asked what her next stunt would be, she replied, "That's it, boy * * * I didn't know this would happen."

DEMOCRACY—WHAT IT MEANS TO ME

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. GOODELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GOODELL. Mr. Speaker, each year the Veterans of Foreign Wars of the United States and its ladies auxiliary conducts a voice of democracy contest.

More than 300,000 students participated in the contest, competing for the five scholarships which are awarded as top prizes.

The contest theme was "Democracy—What It Means to Me."

I am privileged to tell the House that the winning speech for the State of New York was delivered by a young man from the 38th Congressional District of New York, Mr. David M. Yerkes, of Lakewood, N.Y.

A senior at Southwestern High School, David is the son of Mr. and Mrs. D. M. Yerkes, 7 Glenwood Avenue, Lakewood, N.Y.

It is a pleasure to include David's speech at this point in the CONGRESSIONAL RECORD:

DEMOCRACY

(By David M. Yerkes, representing Post 53, Jamestown, N.Y.)

Of all the traditional names for forms of government, "democracy" has the widest implications today. Yet, like most of the others, it has a long history. Democracy flourished as long ago as the 5th century B.C. in the Greek city-states, and is flourishing today in the United States of America in the 20th century.

In our minds, democracy is inseparably connected with constitutional government and also with what we think our country stands for—for peace, for prosperity, for comfort, and above all, for freedom.

But, as a form of government, democracy is criticized for having many faults. For example, some say it is slow in making decisions, and others that the people really can never intelligently govern themselves. But surely, in the end, we must concur with Sir Winston Churchill when he says:

"Democracy is the worst form of government with the exception of all the others."

Now Mr. Churchill must be correct, for it is democracy, not socialism or certainly not communism or anarchy, that has formed the greatest country ever to appear on the face of the earth. No, it is democracy that has made and has sustained this Nation of ours.

Now the burden of preservation of this country falls to us, the students, the youth of the land. Our immediate role is obviously to learn. For if we know not what democracy is, then we know not what we are preserving, and we certainly will not know how to go about this job of preservation. But with knowledge, there is hope and with hope, there is all.

Beyond learning and even beyond knowing, we must also act. It is said that the United States is under peril from abroad and apathy from within. This is certainly true, for as President John F. Kennedy, in June of 1963, said:

"Seventeen years ago, man unleashed the power of the atom. He thereby took into his mortal hands the power of self-extinction. Since that time, there have grown up two worlds. One dedicated to this doom, or an end equally bad, and the other dedicated to freedom and the individual. To which do you want to belong?"

Today we are fighting in Vietnam—or tomorrow in Cuba, or Berlin, or anywhere where East meets West, where democracy meets its antithesis—totalitarianism, and tyranny. Any student, any American, particularly my generation of youth can strengthen our fight by first strengthening his conviction in what is right and what is democracy, and second, by being willing to meet the challenge of the danger and to fight.

This leads to the apathy from within. This too is the case, for all one has to do is look around and see draft cards being burned, a chart being published in a national magazine on how "to avoid the draft," or demonstrations in the streets protesting Vietnam, to see the total unconcern for the defense of democracy, of America as we know it.

This apathy can be met in the same way as the external peril. First, of course, by a conviction in democracy, and secondly, by a knowing willingness to fight. If we, the youth, fulfill these, then no longer can it be said that, "Youth is wasted on the young." But, instead, it may be said that, "Ah, youth—what can you not do?"

However, we still must keep in mind that "democracy undefended and untended is democracy ended."

VIETNAM

The SPEAKER pro tempore (Mr. PATTEN). Under previous order of the House, the gentleman from New York [Mr. BINGHAM] is recognized for 30 minutes.

Mr. BINGHAM. Mr. Speaker, I rise at this time to submit to the House certain observations with regard to the situation in Vietnam, to discuss some of the implications of the ideas suggested in recent days by the distinguished junior Senator from New York, and to make a proposal which I believe logically follows from Senator KENNEDY's contribution.

To start with, let me emphasize once again that, agonizing as the conflict is in Vietnam, I am in agreement with President Johnson that we cannot withdraw from Vietnam and let the Communists take over. I also salute the President for continuing to resist the pressure of those who would expand and escalate the war. I believe that, in pursuing a middle course between these two extremes, the President has the support, as the polls continue to show, of the great majority of the people of this country. The differences that exist among us are concerned for the most part with the question of what course to follow between withdrawal and an all-out effort to achieve a military solution, come what may. The President has repeatedly stated that he will continue to seek a peaceful settlement, and I am convinced of his profound desire to achieve that end. Nevertheless, I respectfully submit that, in spite of all the much publicized "peace offensive" of last December and January, the administration has not yet been sufficiently resourceful or flexible in its efforts to get negotiations started. In fact, recent developments create the impression that the administration is no longer giving much thought to the question of how to achieve a negotiated settlement.

In considering this matter, it seems pertinent first of all to examine the following crucial question: Why, in spite of all the efforts that have been made since last April to get discussions started, has Hanoi steadfastly refused to respond?

The question is the more puzzling because Hanoi has been under some pressure from nonalined states, and presumably also from some Communist states, to agree to talks, and because the toll of the conflict on North Vietnam, as well as on the Vietcong, must be considerable. Peiping has every reason to prefer the continuance of the conflict, but the same cannot be said of Hanoi.

Why then the intransigence?

The first answer, which is obvious but nevertheless needs explicit recognition in these days of sloganeering, is that the Hanoi government has concluded that its interest would not be served by agreeing to talks, or, to put it another way, that the disadvantages of agreeing to talks outweigh the advantages.

Such an answer of course leads directly to the next question, why has the Hanoi regime arrived at that conclusion?

Here what evidence we have is scanty and unreliable—for even what leaders in Hanoi have told reporters and foreign diplomats may well not be the truth. But what does an analysis of the objective facts suggest?

One theory is that Hanoi chooses to continue the conflict because that is what Peiping wants and Hanoi is afraid of Peiping. While granting the truth of both premises, I cannot credit the theory. There is nothing Peiping could reasonably do to Hanoi other than public castigation, if Hanoi were to agree to negotiations. Indeed, Hanoi would have far more to fear from Peiping if Hanoi were devastated by a protracted and perhaps intensified war and thereby rendered hopelessly dependent on Peiping.

Another theory is that Hanoi is afraid it could not control the Vietcong if it were to agree to a cease-fire, especially since the Vietcong and its supporters would be afraid of being cut to bits by a vengeful Saigon government. Two comments are pertinent here: first, without support from Hanoi the Vietcong could not effectively keep fighting for long; second, Hanoi could agree to talk and at the same time refuse to stop fighting until effective arrangements had been made, presumably under international control, for protection of the Communists in the south from violent retribution.

The principal theory that administration spokesmen advance for Hanoi's intransigence is that Hanoi feels eventually the United States will get tired and quit just as France did, and that therefore time is on Hanoi's side. The administration says Hanoi is encouraged in this view by the antiwar demonstrations in the United States and by the criticism of U.S. policies expressed by prominent members of the legislative branch and others. It is hard to see how Hanoi could be so misled, in the face of the repeated commitments of the administration, the massive and continued buildup of our forces in South Vietnam, the lack of support for withdrawal shown in the U.S. public opinion polls, and the overwhelming support in Congress for money bills, such as the one passed by the House yesterday.

Nevertheless, there may be something to the theory. Being a totalitarian state, Hanoi may overestimate the importance of expressed dissent in the United States. Moreover, Hanoi may not distinguish between those who favor abandoning the struggle—a tiny minority—and those who believe we have not done enough to get peace talks started—still probably a minority, but a much larger one. Parenthetically, I must say that some writers and some administration officials have contributed to this confusion by their tendency to lump all the critics together and by careless use of terms such as "the appeasers."

In any event, whatever the significance of this factor, it seems clear that debate and dissent cannot be shut off. If we were to have a formal declaration of war, the situation might be different, but I know of no responsible person who wants such a declaration. I do believe the situation could be ameliorated if those groups and individuals who are most critical of the administration's policies should make it clear in public statements that they do not approve Hanoi's refusal to agree to peace talks. As matters stand, these organizations, having totally refrained from any criticism of Hanoi, have allowed that regime to believe that they approve of its intransigence. A welcome contrast has been provided by the World Council of Churches, which addressed its criticism and its pleas to both sides.

Perhaps in this situation we do pay a price for our freedoms, especially for the intensely public airing of the issues which took place in the nationally televised Senate hearings. But it is a price we must pay or lose the essence of the very ideas we are fighting to preserve and protect. The Senate hearings were themselves a stunning example of democracy in action, and served to underline the fact that the differences are more on matters of tactics than of principle or national purpose.

I have no doubt that the administration is doing what it can to convey to Hanoi through all available communication channels the evidence that the United States is not going to get tired and quit. The evidence is there, in terms of historical examples of our staying power, and in terms of U.S. public opinion, as reflected in the Congress and otherwise. And Hanoi should get the message too—not in terms of a threat but in terms of a cool appraisal of the likely trend of American thinking—that, if there is to be a change in the present policy of limited military action, it is more likely to be in the direction of more drastic action than in the direction of withdrawal.

The pressures on the President today are probably stronger from the "hawks" than from the "doves." I would myself be strongly opposed to any expansion of the bombing of North Vietnam, especially of the cities, and I do not believe it would achieve our objectives, but in the process North Vietnam would suffer incalculable damage.

In our efforts, public and private, to convince Hanoi that we will not withdraw, that we will stay for years if necessary, we may be aided by the fact that so far Hanoi's "hawks" have been proved wrong, just as our "hawks" have been. Perhaps it is in the nature of hawks to overestimate the effectiveness of their own military strategy, and to underestimate the determination of the people on the other side.

So much for what Hanoi may see as the disadvantages of entering into negotiations.

Now, let us look at the other side of the coin, that is, the possible advantages, from Hanoi's point of view, of starting negotiations. The question Ho Chi Minh and his advisers must ask themselves is: What would it be reasonable for them to expect they might be able to achieve through negotiations?

The quick answer is: Not much. On the public record, what we have offered them, in essence, is economic aid for North Vietnam and the opportunity to contest elections in the south. So far as the offer of economic aid is concerned—though I believe it is a sophisticated and indeed statesmanlike thing to do—it cannot be much of an inducement. It could be distorted to look very much like a kind of bribe, the acceptance of which would be virtually a humiliation, especially for a state which has been consistently trumpeting the superiority of communism. Moreover, Hanoi could not know how much such aid would amount to or how long it would last.

As to the attractiveness of elections in the south, even assuming international supervision would be provided, we need ask ourselves just one question: Would we be willing to accept the result of elections held in the north by the government of Hanoi, even under international supervision? Of course not. Then why should we expect Hanoi to see the problem differently, if elections were to be held in the south by the Saigon government, even under international supervision?

It is in this area—the need for providing Hanoi with a good reason for coming to the negotiating table—that I feel the administration's policy has tended to be sterile and unimaginative. And it is in precisely this area that I believe Senator ROBERT F. KENNEDY, in his statement of February 19 and subsequent comments, has performed a real service.

His statement has been violently—and predictably—attacked in some quarters. In others, it has been dismissed with hasty and glib cliches that compare most unfavorably with the calm and well-reasoned quality of the statement itself. I would not have expected the administration to indorse the statement. That might well have been construed as giving away too much before the bargaining has even started. But I should have thought the administration might well have said, as Ambassador Goldberg and Mr. Moyers reportedly did, that these are all matters which would be subjects for discussion at the negotiating table. In still other quarters, Senator KENNEDY's statement has been misconstrued, deliberately or otherwise, and there has been confusion about what he actually said. Many commentators, I feel sure, never read the full text of his original statement.

In essence, Senator KENNEDY's basic position is threefold:

First. U.S. withdrawal from Vietnam is unthinkable;

Second. A military victory in Vietnam is not out of the question but presents staggering difficulties and dangers;

Third. If we mean what we say about wanting to get negotiations started, we must be prepared to give up something: We must be willing to accept the possibility that negotiations might result in some form of governmental arrangement in South Vietnam in which the dissident elements there would have a share of power and responsibility. This result might come about through a single conference or many meetings, or by a slow undramatic process of gradual accommodation.

Senator KENNEDY fully recognized that there are risks involved in any system of shared power but he suggested that the risks could be made acceptable if we bring to bear sufficient skill and political wisdom to find the point at which participation—by the dissident elements in South Vietnam—does not bring domination or internal conquest and if the agreement arrived at is backed up by international guarantees.

He did not propose any specific or detailed arrangements. He never mentioned the word "coalition." He certainly did not speak of any attempt by us to impose a solution on the government or the people of South Vietnam. He stated:

> We must be willing to face the uncertainties of election, and the possibility of an eventual vote on reunification.

And again:

> We must insist that the political process go forward under the rigorous supervision of a trusted international body.

Thus it seems clear that the kind of system of shared power and responsibility he was talking about would be an interim arrangement, pending elections and the further development of the political process.

He fully recognized that the United States cannot proclaim in advance the precise terms of an acceptable political settlement and that we could not start the bargaining process by revealing all the concessions we might be prepared to make.

The key to Senator KENNEDY's whole statement, it seems to me, is his recognition of the fact that, if we are to persuade Hanoi to start discussions looking toward a peaceful settlement, we must be prepared to eliminate any reasonable fear that we ask them to talk only to demand their surrender.

Who can contest that thesis?

If others have ideas of how to make our proposal of unconditional talks appear more attractive to Hanoi, let them come forward and state them.

In the meantime, let us look carefully at what Senator KENNEDY has had to say on the merits, and not in terms of invective or cliches.

Shared power is not a new concept in our dealing with the Communist world. On a geographical or partition basis, we agreed to it for Germany and Korea. We shared authority with the Soviets in Austria and in Berlin; one arrangement was ended by a peace treaty, the other broke down and was followed by the Berlin wall, but neither arrangement ended with a Communist takeover. The same inconclusive result occurred in Laos; while the tripartite government there did not work; it did not end in disaster. In fact, the net result has been that the neutralist faction which started out pro-Communist has ended up pro-Western.

True, no government cabinet which included Communists has proved stable. Czechoslovakia is the classic case, to which all point, of a total Communist takeover, but that takeover had the Red army behind it. In other cases, the collapse of coalition governments has not always favored the Communists. France, Italy, and Finland have all survived such periods. And recently in Indonesia, where Communists were playing a major role and apparently attempted a coup, the result has been a violent reaction against them.

I know—and I am sure Senator KENNEDY knows—that the Communists in Peiping and Hanoi would look upon any system of shared power as a device to enable them ultimately to seize total power. But does anyone think Hanoi and Peiping will give up their hopes of taking over South Vietnam if they are successfully driven out by force of arms?

Any course that we take involves risks, as Senator KENNEDY pointed out. And nothing that we could do—literally nothing, not even a nuclear flattening of every Chinese and North Vietnamese city—could guarantee for the long run the elimination of the Communist threat in the Far East and southeast Asia. So let us soberly and calmly analyze the alternatives that lie before us, and see whether the risks involved in the most promising feasible course can be made manageable.

It seems to me important—and I specifically propose—that the best brains in this country and elsewhere in the free world be mobilized to seek answers to the following questions:

First. What kind of governmental structure could be devised for South Vietnam that would permit the various dissident elements to play an appropriate role in the government and political life of the country, under a system of safeguards and checks and balances that would prevent one side or the other from seizing total control?

Second. What form of international supervision and guarantees would be most effective? Since the U.N. does not include either North or South Vietnam in its membership, a beefed-up International Control Commission might serve the purpose.

Third. What form of interim governernment could be established for the conduct of elections with sufficient impartiality to command the confidence and cooperation of all elements?

Fourth. What should be the nature of the elections and of the government to follow so as to provide the best chance of political stability in the future? My own guess is that only some kind of parliamentary government, with provision for proportional representation, would have a chance of being viable in a country such as South Vietnam which has never known democracy. The kind of winner-take-all, two-sided contest which is characteristic of our own presidential elections would be likely, it seems to me, to represent an impossibly explosive setup. It takes a rare strength of tradition for the losers in such a situation to accept the result peacefully. To my knowledge no new nation has yet succeeded in achieving this level of political maturity. Like dangers would arise in any proposed referendum or other voting procedure in which the people would be expected to abide by the results—which might be close—of a once-for-all vote on whether or not to have a Communist government.

Such a study, it seems to me, should be carried out now, so that its results would be available in the event negotiations do get underway. The very fact that the study was in process might well be a factor to help induce Hanoi to start talking.

I am not suggesting that the U.S. Government should itself undertake the study, or even sponsor it. This might be construed as a commitment in advance to accept the recommendations.

Instead, I believe a private organization, such as the Ford Foundation, should undertake the work, either directly or through some other agency.

The participants in the study should include experts from other countries, such as Finland, India, and Italy, where Communists have played an active part in the political life of the country, and experts of southeast Asia and on the postwar history of Czechoslovakia. Quite possibly, actual responsibility for convening the experts and conducting the study should be left to an international institute or a university of international renown.

In proposing this study, I am well aware that the whole idea may be repugnant to the Government of South Vietnam. That Government, whether led by Premier Ky or another, will no doubt continue to press for total control of South Vietnam for itself, and will bitterly oppose settling for less. That the Saigon leaders clearly do not have the power to obtain this for themselves, even with unlimited aid from us in the form of equipment, materiel, supplies, and so forth, will not deter them. Saigon will hope, and indeed demand, that the United States assign whatever forces are needed to the task of accomplishing this objective.

While this desire on the part of Saigon is certainly understandable, that we should feel obligated to give effect to it seems to me fantastic. By no stretch of the imagination could our past commitments be so construed.

Essentially, our position vis-a-vis Saigon is an unassailably strong one. At any point that they do not want to agree to what we believe it necessary and desirable to do, we can always return to the system of aid which we followed for so long with Saigon, and which was sufficient in the case of Greece and Turkey in the crucial days after World War II, aid limited to supplies, materiel, and military advisers.

It is encouraging that we apparently have succeeded in persuading the Ky government of the importance of the nonmilitary side of our joint efforts. Recent press stories from South Vietnam indicate the depth of the problems, especially the persistence of systems of special privilege which the existing Government has been reluctant to abandon. We have given far too little attention to these matters before now, and the various statements comprising the Honolulu Declaration are a good augury. The more successful these efforts are, the easier we will find it to hold fast the areas under Saigon's control and to expand those areas, and the stronger our position will be when negotiations start.

I know, also, that many Americans who are directly engaged in the bitter struggle in South Vietnam have developed such a profound hatred for the Vietcong, because of their cruelty and terrorist tactics, that they cannot conceive of negotiating with them or of according them any role in the future political processes of the country. But existing U.S. policy is one of desire to deal with Hanoi, and even to grant Hanoi economic aid after the conflict is over. Is Hanoi any less responsible for the horrors of the Communist tactics in the south than the officers and men of the Vietcong?

This is a case, it seems to me, where those who bear the brunt of the conflict cannot be expected to view in perspective the question of how best to achieve the totality of American objectives in southeast Asia. They may well, under the stress of hardship, danger, and ever-present tragedy, lose sight of what is in fact our goal.

I know that President Johnson wants to end the conflict, wants it deeply and fervently. I believe he would be eager to follow a new approach to achieve that end through a settlement that might be less than perfect for either side, but would achieve our essential objects: to bring the conflict to an end, provide stability in the area, and preserve the right of self-determination for the South Vietnamese people.

Mr. Speaker, I ask unanimous consent that the gentleman from Arizona [Mr. Udall] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. UDALL. Mr. Speaker, our colleague from New York [Mr. Bingham] has, I believe, done us a great service by redirecting our attention to some of the more elusive yet vitally important realities which have thus far thwarted our efforts to move the Vietnam conflict to the conference table. He has suggested a creative line of thinking and a practical approach which deserves our consideration.

I would hope that the action of the Congress yesterday in authorizing supplemental defense funds for the maintenance of United States and allied forces now in Vietnam might relieve the air of crisis which has affected the tenor of discussion these past few days, and permit a more dispassionate examination of the question of where we go from here in Vietnam.

It is not necessary and, in fact, it is a disservice to the spirit of healthy public debate, to have every statement and every query on Vietnam judged in terms of whether it is critical of the President's policy. Our vote yesterday is indicative of the broad general confidence which an overwhelming majority of the Congress have in our administration. Among those voting for the authorization yesterday were many who still believe that one of democracy's strengths is the freedom and desirability of questioning and examining alternatives.

I wholeheartedly agree with my President, and the overwhelming majority of the Members of this House in rejecting any thought of immediate withdrawal from Vietnam. Equally unthinkable to me are actions on our part which might precipitate a massive land war in Asia or the use of nuclear weapons.

Like my college from New York, I see the moment propitious for a fresh and more creative examination of how a negotiated settlement might be arrived at. The point of departure of any such study should be the recognition that Hanoi has steadfastly refused to talk with us. This is often explained that the Communists believe sooner or later we will get tired of fighting and will quit. It is equally plausible that the other side may not be able to see how, on the basis of our position and that of the Ky government, they can reasonably expect to achieve anything through negotiation.

There is, I fear, a tendency on our part to let the matter rest there—the other side will not talk, so we have no choice but to leave open the existing offer and apply greater military pressure.

I am not suggesting that we sweeten the pot for the Communists. I reject the idea that a desire to examine our position implies any lack of determination to defend our democratic principles or unwillingness to support our President, or our troops in the field. A desire to negotiate is not an indication of weakness; it is an expression of self-confidence. I believe the American people would rather reason than fight, would rather build than destroy.

While examining our position, we must continue to apply sufficient power to protect our forces in the field, to contain the Communist hold within its present limits and make credible our determination to meet force with force so long as that may be necessary. By our action yesterday, we assured the maintenance of our position of strength. This being the case, I wish to endorse my colleague's call for a more imaginative examination of the specifics of how Vietnamese elections might be arranged; who would conduct these elections; how they would be supervised; how the many—and I do not mean only the NLF—disparate political elements of South Vietnam could participate in the elections and what form of government might be devised to reflect the results of such an election—a government offering a promise of stability while satisfying the legitimate social and economic aspiration of the country. We, in this country, have a reputation for political ingenuity and I do not think we have yet done our best with this problem.

I am not suggesting any answers to the questions which I have raised, or to those raised by my colleague from New York. I simply mean to point out that within a more broadly based and creative study of the practical politics of the Vietnamese situation may lie an approach which could draw our adversaries to the conference table.

My colleague from New York is probably right in suggesting that this be done outside the official governmental context. Official and public examination of most of the proposals for future elections or governmental arrangements would immediately embarrass our relations with South Vietnam and might prejudice our future negotiating position.

May I then commend the gentleman from New York for his proposal, and urge its study by the Members of this House.

Mr. BINGHAM. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Rosenthal] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROSENTHAL. Mr. Speaker, I want to commend the gentleman from New York [Mr. Bingham], for what I believe can be one of the most important contributions to a debate which has all too often descended to the level of generalization and subsequent distortion. The important thing about his remarks, I think, is that they are addressed to a real problem—to a problem and to a debate which is currently going on among responsible people anxious to see the war in Vietnam settled.

I have thought for some time that the principle unresolved question in our diplomatic policy has been, very simply: What kind of government are we really prepared to see emerge in South Vietnam, and what kind of initiatives are we willing to take in order to help set the stage for such a government? Implicit in this are certain fundamentally procedural questions. But these questions, particularly regarding the nature of a provisional political authority following a cease-fire, represent absolutely basic issues for a settlement.

They are all the more problematic because they have not been the center of attention. For example, we seem to have been very concerned about the role of the Vietcong in negotiations. Less attention, however, has been given to the role of the NLF in any provisional government prior to elections. Much has been said about the need for elections in South Vietnam. Little has been said of the auspices under which such elections would be held.

To matters like these, as I understand the gentleman from New York, responsible scholars must begin to address themselves in order to supplement and aid efforts by the Government. Very little thought has ever really been given to the issues of shared-power in provisional governments. We have no safe and secure models from which we can project problems. The closest possible analogy to Vietnam is the Government of Laos. But there are obvious and problematic contrasts which limit the utility of such an analogy. Our experiences with shared power and provisional government in postwar Europe cannot be too instructive. And of course arrangements in Germany and Korea will not teach us too much about settling civil disputes within a single country. There may well be useful precedents here for a partition of Vietnam and concomitant diplomatic arrangements. But the problem of establishing shared power between previously hostile forces in South Vietnam still remains relatively unique.

All the more problematic, as Mr. Bingham rightly pointed out, is the position of the present South Vietnamese Government. I have been convinced that we must not allow ourselves to be overly committed to that Government. Political institutions presently being established and consolidated by the Ky government will ultimately have to play a role in settlement and the establishment of provisional authority in the south. If these institutions become calcified in opposition to compromise and conciliation, we may be left with very few existing structures and modalities in which to work. Flexibility, in other words, is the keystone for any activity now which looks forward to a shared-power program in the future.

In a conference held in Washington at the end of January, sponsored by myself and seven other Members of Congress, particular attention was given to the problem of provisional government and the structure of elections. Two interesting suggestions were raised regarding the first issue. At the national level, it was proposed, an all South Vietnamese Government could be composed of representatives drawn from controlled geographical areas. Supervision of this division of power could be insured by a strengthened International Control Commission. On the local level, the Saigon government would continue to exercise authority of areas controlled by it, as would be true for the National Liberation Front and such largely autonomous groups as the Cao Dai, Hoa Hao, and some of the Montagnard factions. Temporary ICC control could be exercised in contested areas. Another proposal was that the parties in conflict decide upon a cabinet in which portfolios of government could be divided among these parties. Within this context, the ICC could again be given supervisory powers, with perhaps a veto power over the activities of the most critical ministries.

I mention these proposals not because I am convinced that they are the most promising. I only want to point out that these are the questions that we ought to be talking about now. Part of the trouble of the Vietnam debate is that the very broad problems of policy have received attention often to the exclusion of those smaller considerations which actually constitute the most immediate policy questions facing the Government. In one sense this has been healthy. The country has been in need of a systematic foreign policy debate for many years. And Vietnam has given us the occasion for such a debate. On the other hand we cannot afford to lose sight of individual trees in our preoccupation with the forest.

This, I think, is the important contribution of Mr. Bingham's remarks to the House today. His suggestion that private foreign policy study groups begin to explore the tacky problems involved with structuring a settlement for Vietnam is of considerable importance—to the Congress and the country. And I hope the discussion we have been having today will set a new tone for debate in the Congress. I hope we can begin to discuss the nature of the settlement that must ultimately come to Vietnam rather than the policies which have occasioned the need for such a settlement. Such speculation by Congress can be the healthiest possible contribution to the foreign policy of this country. The report which eight of us sponsored in January sought to move in this direction. The remarks of Senator Kennedy have sought to move in this direction. And my colleague's contribution today has made such action all the more important and promising by having been so provocative and enlightening.

Mr. BINGHAM. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Edwards] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. EDWARDS of California. Mr. Speaker, I wish to extend my appreciation to the gentleman from New York [Mr. Bingham], for the thoughtful and perceptive remarks he has made today.

He has taken an important step that we in this House have failed to take. He is seeking and demanding a definition of the situation in Vietnam—a definition of our objectives and the means which we are using and will use to carry out these objectives.

I would like to stress two aspects of Mr. Bingham's presentation. First, he rightly emphasizes the need to take positive steps to guide the Vietnam conflict to the conference table. But in pressing for negotiations, the United States must not forget that it faces a problem of credibility: friend and foe alike are apprehensive. Our reinterpretation of both the 1954 Geneva agreement and the SEATO agreement has made even our friends skeptical of our word. We all know the history of Vietnam after 1954; we know that the 1956 elections scheduled for Vietnam were scuttled with our support when the Eisenhower administration decided that a non-Communist government could not win a majority. So how can we gain credibility for our present proposals for free elections? We must realize that the problem of credibility is a major one in bringing this conflict to the conference table. This calls for even greater care in defining and pursuing clear and consistent objectives.

This ties into a second aspect of Mr. Bingham's speech. He stressed "the need for providing Hanoi with a good reason for coming to the negotiating table." But we must also stress the need for providing both Saigon and the Vietcong with good reason for coming to the negotiating table. Here again we face a credibility problem. We must make our objectives clear to all parties to a possible agreement in Vietnam. Since negotiations must inevitably include Hanoi, Saigon, and the Vietcong, we must clarify our relations with all three of them.

I have stressed the need for a definition of our objectives and the means which we are using and will use to carry out these objectives. I have done so because the administration has persistently refused to provide an adequate and consistent definition of our posture in Vietnam. As a result, we are faced with an array of paradoxes which have damaged our commitment to the freedom and independence of peoples throughout the world. We have been presented with a set of paradoxes which makes it very difficult to succeed in Vietnam; a set of paradoxes which has stimulated opposition to administration policy in Vietnam, and foretells a serious and bitter reaction to the commitments which many of our own people cannot understand.

We have the paradox of a democratic nation debating its most important political issue as hawks and doves—as if the how and why of Vietnam can be answered solely by supporting more or less guns, planes, and missiles.

We have the paradox of destruction outpacing development. Contrast the Declaration of Honolulu with administration requests of this Congress. First we hear of the importance of social and economic development in Vietnam. The supplemental foreign economic aid request passed last week designated $275 million for Vietnam. But yesterday's supplemental military appropriation request designated $736.6 million for military facilities within Vietnam alone. Thus 250 percent more American dollars will be used to remake the Vietnamese landscape for military purposes—for a war which will destroy the resources which we spend millions to develop.

We have the paradox of a new colonialism emerging from our goal of independence for Vietnam. We have proposed extensive economic aid for southeast Asia. But if we continue to rely solely on our own administration of these funds, and do not utilize international bodies such as the World Bank, we will have imposed a new form of pseudo-colonial domination upon millions of Asian people.

We have the paradox of our relationship to Communist China. We have refused to recognize Communist China and we have opposed her admittance to the United Nations. Yet in a recent speech, William Bundy of the State Department argued that we have had more contact with Communist China through intermediary channels in Eastern Europe than other countries have had through direct diplomatic recognition. Thus our national policy of not recognizing governments we oppose has given rise to the irony of diplomacy without diplomatic relations.

Mr. Speaker, I feel that we can make a far better contribution to the world of ideas and the cause of American strength and unity if we recognize the need for clear thinking on the situation in Vietnam. Furthermore, our Government's speech and action must cohere in such a way that our own people and people abroad understand our position. We must dissolve the paradoxes of diplomacy without diplomatic relations, of destruction outpacing development, of a new colonialism amid the desire for independence.

In a quest for definitions of our objectives and the means to achieve our objectives, the administration and the Congress each have important tasks. The administration cannot simply make public statements of its goals. It must explain facts which are too often hidden: Are our actions achieving these goals? Are the means we wish to follow the same as the means we have in fact followed? When we know the facts of our objectives in Vietnam today—when we know what in fact is being achieved under our present policy—we can and must engage in free and reasoned debate. The House itself must enter this debate, and not abdicate to the other body. The gentlemen from New York has realized this. He deserves the commendation of all those concerned with the strength of this House and this Nation.

Mr. BINGHAM. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Fraser] may extend his remarks at this point in the Record.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. **FRASER**. Mr. Speaker, I want to commend the gentleman from New York [Mr. BINGHAM] for a carefully reasoned statement on a problem of the greatest importance. His statement is characteristic of the thoughtful approach he takes to the spectrum of problems facing the United States.

I would like to add a comment to the excellent analysis of the factors which may affect Hanoi's judgment on the desirability of negotiations.

The relationship between Hanoi and the National Liberation Front has been much discussed. Many officials of the U.S. Government have repeatedly stressed the role of Hanoi in stimulating, organizing, supplying, and directing the Vietcong and the National Liberation Front. But this does not give a complete picture of the relationship between Hanoi and the forces in the south. The strong political motivation of the Communist forces must be studied carefully.

If a political movement in one country decides to extend its influence into another country, the usual procedure is to send in people to proselytize and to organize on behalf of the ideas which the political movement seeks to promote. If the organizational effort is successful, a group in the second country comes into being. Its ideology, perhaps some of its leadership, and its tactics may continue to be guided by the forces in the first country. But the group in the second country still has an independent, viable existence. The relationship between the two groups is relatively stable so long as the tactics are agreed upon. But if the first group takes a new course, then the viable nature of the group in the second country suddenly becomes clear.

According to the figures of the Defense Department, approximately 200,000 of the Vietcong are from South Vietnam. These Vietcong and the National Liberation Front believe they are fighting for certain ideas. It would seem doubtful that they regard themselves simply as soldiers whose command loyalties run to Hanoi. Their persistence and their sacrifices could not be explained on this basis.

Thus there is the strong probability that as Hanoi has sought to organize in the South, it has at the same time created forces which, if not independent today, are potentially independent if Hanoi shifts to courses which are incompatible with the primary thrust of those fighting in the South.

Thus, if Hanoi were to pursue a course of action which would seem to the National Liberation Front to thwart and make useless the years of sacrifice, there is doubt that Hanoi could compel acceptance of this course. But even more devastating, Hanoi would be regarded as abandoning an ally in the South to which it not only owed an ideological allegiance but which it had spawned.

The United States looks at its commitment to South Vietnam as binding. Then consider how much more deeply Hanoi must feel bound to the fortunes of those whom it sponsored in the South. Because this has been my rough analysis of this relationship, I have always believed that the hope that bombing in the North would drive Hanoi out of this conflict was doomed to failure. I believe furthermore that the bombing would force Hanoi into an even more active role in the belief that events in the South would have to be speeded up as the only way for Hanoi to obtain an end to the bombing.

On the other hand, pressure against the National Liberation Front and the Vietcong forces could bring about a settlement some day. It may be that regardless of what the United States does, the fabric of the South Vietnamese society is so torn and weakened that a successful effort against the Communist forces cannot be sustained. Whatever the settlement possibilities, however, communication directly with the National Liberation Front would seem to make more sense than to force Hanoi to act as broker with its interests not necessarily paralleling those of the Liberation Front.

In any event, these matters must be looked at with care and objectivity. The great stress which the United States places on the role of the North Vietnamese must not obscure the fact that our national interests require that we make our understanding conform to reality.

Mr. **BINGHAM**. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. TODD] may extend his remarks at this point in the RECORD.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. **TODD**. Mr. Speaker, I commend my colleague, Congressman JONATHAN BINGHAM, for submitting a constructive proposal for bringing new thought to bear on possible basis of negotiation in Vietnam. Although the responsible officials of this Government are doing everything in their power to arrive at a cessation of the hostilities and a just peace, it may well be that our own deep concerns have prevented us from recognizing and exploring negotiating positions or avenues of approach which could lead to an acceptable termination of the fighting. Although there is no guarantee that his proposal would lead to such an avenue, the alternative of prolonged conflict, and uncertain result, makes this suggestion worthy of consideration and implementation.

I have come to know Congressman BINGHAM as a deeply thoughtful and responsible Member of the House, as a great patriot, and as one who thinks well into the future as far as the security of the United States and the free world is concerned. His expressions today merit thoughtful consideration by all of us, and by responsible policymakers in the administration and elsewhere.

Mr. **DOW**. Mr. Speaker, will the gentleman yield?

Mr. **BINGHAM**. I am happy to yield to my colleague from New York [Mr. DOW].

Mr. **DOW**. Mr. Speaker, allow me to commend the gentleman from New York for his earnest and sincere effort to suggest a better way out of this dilemma in Vietnam, and a solution to it that does not involve a catastrophic war that may destroy all of us. I must salute every effort of this kind to arrive at a sane solution.

Mr. **BINGHAM**. I thank the gentleman.

Mr. **RYAN**. Mr. Speaker, will the gentleman yield?

Mr. **BINGHAM**. I am happy to yield to my colleague from New York [Mr. RYAN].

Mr. **RYAN**. Mr. Speaker, I commend my distinguished colleague from New York [Mr. BINGHAM] both for taking this special order for a constructive discussion of Vietnam and for the farsighted proposal which he has made. The kind of study which he suggests will have to be made sooner or later—either now or while the parties are at the bargaining table. In the interest of peace in Vietnam I think it is far preferable that the study be commenced at once.

I also agree that there may be advantages to having this study made by sources outside the Government. They can bring objectivity and an open mind to the questions, and their conclusions will not appear to commit the United States to a particular policy. However, we also should note that this kind of study should constantly be going on within the State Department. If the Defense Department can sponsor studies of "war games," I do not see why the State Department should not sponsor studies of "peace games."

I also believe that both the House Foreign Affairs Committee and the Senate Foreign Relations Committee should sponsor in depth studies of vital foreign policy questions by outside task forces.

As I explained in my speech during yesterday's debate, there is an important policy debate going on within the Government. Senator ROBERT F. KENNEDY did the Nation a great service when he focused attention on one of the key questions. Are we willing to engage in negotiations which may lead to a coalition regime—either before or after the elections—in Vietnam? If the concept of shared power is rejected out of hand, Hanoi may remain intransigent about negotiating. If we have any real interest in negotiations, then we must be prepared to look ahead and to consider what those negotiations may produce.

Mr. Speaker, I have a further reason for supporting my colleague's proposal. It points the direction in which our thinking about foreign policy should be leading us. We should, as he suggests, call upon scholars, and on diplomats from other countries, in trying to formulate foreign policy. Moreover, we should be looking to the future.

Too often this Nation's foreign policy has been responsive rather than comprehensive. We formulate policies to match crises. But we do not look to the future, or plan for the future.

In no area of the world has our thinking been more myopic than in the Far East.

Because of a lack of comprehensive understanding and planning we are involved in difficult dilemmas in the Far East which often adversely affect the achievement of our goals elsewhere in the world.

The study proposed today should help lead to a reappraisal of our Far Eastern policy and our approach to China which is the key to peace in Asia. In the long term a settlement in Vietnam will depend upon a viable, creative Far Eastern policy.

Senator FULBRIGHT suggested yesterday that we think in terms of a neutralized southeast Asia. President Johnson reiterated yesterday proposals for huge projects of economic development such as the Mekong Delta project.

Two years ago, on June 10, 1964, I suggested in a speech on the floor of the House that the administration consider a regional plan for southeast Asia. On that occasion I said:

> A proposal to include North and South Vietnam, Laos, Cambodia, and possibly Thailand in a regional agreement should be explored. Such an agreement would prohibit the signatory countries from joining any military alliances or attempting to overthrow the governments of the other parties to the agreement by subversion or direct aggression. A provision for resumption of trade might accompany such an agreement.

Mr. Speaker, now, more than ever before, there is an urgent need for fresh thinking and new initiatives. Scholars, foreign diplomats, businessmen, and economists should be called upon to help formulate them. The influence of their studies should stimulate a release of creative energy within the bowels of the Department of State.

Once again, I commend our colleague from New York for his important contribution to the dialog on Vietnam.

Mr. BINGHAM. Mr. Speaker, I thank my colleague from New York [Mr. RYAN] for his comments and for his contribution to the dialog and to the debate.

VIETNAMESE NEGOTIATIONS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Wyoming [Mr. RONCALIO], is recognized for 15 minutes.

Mr. RONCALIO. Mr. Speaker, there is a great deal of discussion presently concerning negotiations over the Vietnamese war. Several proposals, including one made by the Soviet Union, have suggested that the Geneva Agreements of 1954 serve as a starting point for any future negotiations. In light of these proposals and in view of the need for determining the position of the United States toward producing a political settlement in Vietnam, it is essential that we review what actually happened at Geneva and what effects these decisions had, in order that we may learn from the mistakes and triumphs of the past.

THE GENEVA AGREEMENTS

On May 8, 1954, the day after the collapse of the French garrison at Dienbienphu, delegates from the United States, Great Britain, France, the Soviet Union, Communist China, North Vietnam, South Vietnam, Cambodia, and Laos, met at Geneva. The Geneva agreements can be broken into four parts:

First. The Vietnamese armistice was signed by the commander in chief of the French Union forces in Indochina and the North Vietnamese delegates. Vietnam was partitioned at the 17th parallel. To assemble their forces for evacuation, the Vietminh were allocated southern areas which they controlled in the Plaine des Joncs, the swamps around Point Ca Mau, and the central Provinces of Quang Ngai and Binh Dinh. Both parties agreed not to bring in reinforcements or war materials. Maintenance of military bases by a foreign power and participation in military alliances were prohibited.

Second. The Cambodian armistice was signed by a representative of Prince Sihanouk of Cambodia, the commander in chief of the Cambodian national forces, and the Vietminh Vice Minister of Defense. Troops which had entered Cambodia from the outside, and all foreign elements in military formations or holding supervisory functions in political, military, administrative, economic, financial, and social bodies in liaison with the Vietminh military units, were to leave the country within 90 days. Local resistance forces were to be demobilized on the spot and integrated into the national community.

Third. The agreement in Laos was signed by a representative of the commander in chief of French Union forces and by the Vietminh Vice Minister of National Defense. Pathet Lao units were to move into the Provinces of Phong Saly and Sam Neua. The Laotian Government was to provide for special representation of these Provinces in the royal administration.

Supervision of these three agreements was entrusted to three International Supervisory Commissions (ISC) composed of representatives from India, Canada, and Poland. Among other duties, they were to prevent the entry of reinforcements and war materials.

Fourth. The Geneva Conference issued a final declaration calling for elections under international supervision throughout Vietnam in July 1956.

THE UNITED STATES AND SOUTH VIETNAM

Neither the United States nor South Vietnam signed any of these four agreements. Secretary of State John Foster Dulles had advised against the negotiations, feeling it would be disastrous for the French to negotiate while they were in a very weak military position. Secretary Dulles believed that partitioning Vietnam would provide only a respite and would not lead the Communists to abandon their plans to dominate southeast Asia.

Before the Geneva Conference began, officials of the Saigon government warned that they would not accept agreements negotiated for them by the French. Nevertheless, the French completely bypassed the Vietnamese delegation to deal alone with the Communists.

EFFECTS OF THE GENEVA AGREEMENTS

The Geneva agreements never established the situation in South Vietnam. Many Vietminh soldiers never were evacuated from the south. The four Vietminh assembly areas are the main regions of Vietcong control today. At the end of February 1955, it was estimated that, with the exception of territory managed by religious sects, the Vietminh controlled 60 to 90 percent of the villages in South Vietnam. The Saigon government was to be responsible for the execution of some of the cease-fire provisions but it felt no obligation to comply, since it had dissociated itself from the agreements.

In North Vietnam, the ISC was unable to prevent the illegal entry of war material from China. Deliveries between July 20 and November 1, 1954, allegedly enabled the Vietminh to treble the number of their heavy units.

The agreements worked hardships upon North Vietnam, as well. Under the armistice terms the north was deprived of its traditional rice supply from the southern surplus. By January 1955, the food situation was so critical that rice had to be rationed. The previous year, President Ho Chi Minh had declared that the North Vietnamese foreign policy would be devoted to bridging the gap between China and the West. But the inability of France to provide assistance, the refusal of South Vietnam to trade, and the U.S. strategic embargo forced the abandonment of this policy. Instead, the Hanoi government became dependent upon economic aid from the Communist bloc.

In Laos, the Pathet Lao established control over their regroupment areas, demanding autonomy for these Provinces. In early 1955, fighting broke out again between Royal and Pathet Lao troops, despite efforts of the ISC to settle the arguments. The failure of the Geneva agreements to produce a settlement in Laos is best shown by the fact that it became necessary to convene a Geneva Conference on Laos in 1962.

Only in Cambodia were the Geneva agreements significant in producing a political settlement. The Cambodians had been allowed to negotiate their own armistice, rather than having it done by the French, as in Laos and South Vietnam. Foreign troops were not regrouped within Cambodia, as they had been within Vietnam and Laos. As a result, the armed bands were rapidly dispersed and the Cambodian Government has remained relatively stable to this day.

IMPLICATIONS FOR FUTURE NEGOTIATIONS

The lessons of Geneva have important implications for any future negotiations on Indochina. One of the reasons why the Geneva agreements failed was that they were negotiated primarily by France and China. The viewpoints of the Vietnamese and Laotians were disregarded and the final agreements did not reflect their best interests.

As a consequence, they felt no obligation to adhere to the provisions. In any future negotiations, the Indochinese delegates must be allowed to play a major role, without the terms being dictated to them by the great powers. The Cambodian experience shows that a satisfactory settlement can be reached only if priority is given to the interests of the indigenous states.

The success in Cambodia also demonstrates that the Vietcong must not be allocated regroupment areas within South Vietnam, but regular units must be evacuated forthwith to North Vietnam; irregulars should be disarmed immediately and integrated into the national community.

THE NLF QUESTION

This procedure will be facilitated if the National Liberation Front is not accorded recognition as an autonomous group, although President Johnson has indicated that they may attend the conference as guests of the North Vietnamese. Disarmament and reintegration were simplified in Cambodia since the Cambodians refused to accord recognition to the Khmer resistance forces. This prevents the resistance groups from claiming that they are entitled to a particular part of the national territory or to special representation within the government.

Provisions designed to prohibit the introduction of war materials are unrealistic because of the geographical proximity of North Vietnam to China and the difficult terrain in this region, which make it impossible to enforce such provisions. The successful partitioning of Korea demonstrates that it is not necessary for the two sections to be disarmed in order to achieve a political settlement. As Prof. Hans Morgenthau stated in Politics Among Nations:

> Men do not fight because they have arms. They have arms because they deem it necessary to fight. Take away their arms, and they will either fight with their bare fists or get themselves new arms with which to fight. What makes for war are the conditions in the minds of men which make war appear the lesser of two evils. In those conditions must be sought the disease of which the desire for, and possession of, arms is but a symptom.

Any realistic settlement must concentrate on these fundamental causes of war, not on its symptoms.

One of the fundamental causes of the present Vietnamese conflict is that North Vietnam is not a viable economic unit; thus, it has been forced into a position of economic dependence upon its traditional enemy, China. The North Vietnamese fear of Chinese domination provides a powerful motivation to their drive to gain independent strength by conquering the south. Any lasting settlement will have to take account of the North Vietnamese economy by allowing for trade between the agrarian south and the industrial north. At Geneva, the North Vietnamese pleaded for the establishment of two economically self-sufficient units, but its wishes were rejected by the French and Chinese delegates who did the actual bargaining. This mistake must not be made again, for North Vietnam would rather fight than become a Chinese vassal.

Any future negotiations cannot be limited to the problems of Vietnam. It is essential that the following parties, at the least, be represented: The United States, China, North Vietnam, South Vietnam, Laos, Cambodia, and Thailand. Thailand was not present at Geneva. Yet the bulk of the Lao people live in Thailand. Prof. D. E. Kennedy believes that Thailand fears a Viet-Lao combination more than she fears China. As the Laotian problem cannot be solved without Thailand's participation, so there will never be peace in Laos until the Vietnamese conflict is resolved. Ho Chi Minh Trail, the main Vietcong supply line from the north, runs through Laos. The problems of these five Indochinese states are interrelated and must be considered together.

The participants at future negotiations must provide ways of handling any refugee problems which result from boundary changes. The Geneva partition of Vietnam caused the flight of nearly 1 million refugees from the north to the south, whereas only about 30,000 had been expected. The north was deprived of a substantial part of its labor supply. The results in the south were haphazardly constructed villages and friction between the traditional population and the refugees. The refugee problem continues to be a source of instability.

The United States must not relinquish the right to continue economic and technical assistance for the South Vietnamese Government. The Geneva agreements failed to make any attempt at solving the disruptive social and economic problems of Vietnam. Before stability can be achieved in South Vietnam, steps will have to be taken toward integrating highlanders, religious sects, and overseas Chinese into the national community. The United States must be allowed to continue assisting the South Vietnamese in this task, as we have aided the South Koreans.

Finally, the parties to future negotiations must have every intention of enforcing their agreements.

In retrospect, it appears that the Western powers were not really serious about conducting the Vietnamese national elections in 1956 but agreed to this provision merely to placate the Communists. It is doubtful that elections would have stabilized the situation, given the cultural differences and traditional discord between North and South Vietnam, and the enmity between the Vietnamese and their neighbors, which would only be aggravated by a united Vietnam.

But, by agreeing to hold national elections without ensuring effective action toward this end, the Geneva signatories may have undermined whatever faith the Chinese and North Vietnamese had in peaceful bargaining, thus making it more difficult to achieve a settlement today.

The Geneva agreements were more significant in producing a victor's peace than a political settlement. Thus, they are valuable, not as a basis for future negotiations, but as a remainder, along with the Versailles Treaty, that peace conferences can do more harm than good unless they deal with the fundamental conflicts of interest.

TRADE WINDS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from West Virginia [Mr. STAGGERS] is recognized for 10 minutes.

Mr. STAGGERS. Mr. Speaker, not many references are made to trade winds in the public press these days. Many of us have forgotten what they are. Yet if they were nonexistent, the Western World of the Americas might not have been discovered for hundreds of years. In which case the farms and factories and cities of the United States might still be a wilderness waste, and the military might and the productive capacity and the vast philanthropy of this Nation would still be a dream of mankind. Not that the United States invented any of these things, in a literal sense. But she has been a foremost exponent of them, and without her existence, the world would be a different place.

The trade winds, of course, are those air currents which move consistently from the Old World toward the New in the general latitudes of the Tropics of Capricorn and Cancer, respectively. Day after day they blow in a fixed direction and at constant speed. The voyager in his sailing ship could depend on them with as much confidence as he depended on the movement of the sun. Columbus knew about them and used them for his westward quest.

It is doubtful that he would ever have bucked the prevailing westerlies. And if he had, success would have been even more doubtful. The latitudes in which the trade winds were prevalent also account for the head start of the Spaniards and Portuguese in the exploration and settlement of the New World. To the sailing vessels of four or five centuries ago, the trade winds spelled the difference between a reasonable gamble and a foolhardy enterprise.

Today's mariner on the sea of politics, or the sea of business, or the sea of social change, longs in vain for some trade winds on which he could rely. If only there were some trends which were dependably constant, he could set his course upon his guiding star and lie down to sleep in peace upon the deep. Instead he finds his bark caught in the grip of the prevailing westerlies which dip and swirl and change with every passing second. He must adjust and readjust both his rudder and his sail to meet a new set of conditions which will only give way immediately to a still newer set of conditions. Assurance there is none.

The public, too, wants to be assured. Never in all history have so many been so anxiously concerned over what tomorrow may bring forth. They want to know if the weather will be favorable, if their business ventures will prove successful, if inflation has at last set in, if taxes are going up or down, if the war in Vietnam is going to be escalated, if we are on the verge of conflict with China—everything. They have been deluged with so much conflicting opinion on every subject that they are no longer able to sift out the true from the false, the reasonable from the unreasonable, the probable from the possible. So they turn to authority—with a capital A—for the answers. The will to believe is overwhelming; but the capacity to believe may be something else.

In the midst of confusion, the idea seems to have gained credence that if only the right people would take a positive stand on important issues and hold firmly to that position, events would adjust themselves to desires. Public officials, in particular, are importuned to state clearly and categorically precisely what they will do under given conditions.

The general trend of public policy must undoubtedly be reasonably clear to those who are responsible for that policy. But a general trend is not sufficient to determine detailed action in the swirling rush of actual events. Only a part of the total outcome of what is done in a specific situation is under the control of any one official. Other factors enter the picture and have their effect on the final result. So in practice the skilled and intelligent navigator may find it expedient to sail south when he wants to go east. But just how this conforms to set policy may not be easy to demonstrate.

Admitting, then, the occasional—perhaps even the frequent—necessity to approach one's objective obliquely rather than directly, it is possible to set up constants in intention and in conduct on which the observer may rely. These constants are necessarily confirmed by experience. The electorate soon learns whether or not the elected official's actions conform to his words. Until he deludes them with specious promises, they are justified in believing that he holds true to the constants which he has asserted.

It seems desirable that the official should from time to time put into words the constants to which he pledges himself, not only for the purpose of assuring those from whom he asks votes, but for his own guidance in times of stress. For the winds of change are indeed tricky, and that which is foul easily takes on the semblance of the fair. The official may lose his course if he does not keep the chart constantly before him.

The conscientious legislator may be expected to commit himself to his constitutional duty of promoting the legitimate interests of all the people of his district to the best of his ability. The commitment loses its value as a guide to conduct when personal interest becomes involved in public interest. The public has a right to deplore such involvement, and to look with some distrust on the official whose involvement becomes evident.

No cause is of more importance to this Nation—and to all the nations of the world—than the reestablishment of the reign of peace, external and internal. Violence, organized and unorganized, is the generating phase of a vicious cycle. Violence stops the production of economic goods on which well-being depends. Scarcity of goods produces privation and suffering, and these lead to tension and disorder, which in turn ends in more violence. A cessation of wars and tumults would permit men to devote their energies to constructive pursuits. The value to the United States of worldwide peace would have to be measured in billions of dollars, not to count the anxieties and human casualties exacted by war. No other enterprise that we have ever contemplated would cost as much as wars are now costing.

And yet it is an axiom derived from experience that peace is never the lot of the weak and submissive. The meek may eventually inherit the earth, but not in the age of the aggressor. We have never accepted the role of the aggressor. Much less have we been inclined to bow before him. While we search for practical routes to peace, the arts and sciences of this so humane and gracious a civilization, this way of life that has brought so much good to the world, must be kept secure under the protection of overwhelming military security.

In all times and places, organized society has consistently acknowledged its dependence on religion. A recent writer traces the slow development of democratic forms of government. A description of this development may be found in the writings of political thinkers. It is noted that: "The ancient writers may often have been uncertain about the gods, but they were not disposed to deny the divine authority over human society." As sophisticated reasoning was applied to political organization, the concept emerged that government was a compact between the rulers and the ruled, which compact could demand consistent obedience only when it was recognized as a sacred covenant of ruler and people involving a covenant of both with God. As fully democratic governments became the usual order in Western Europe, only a few attempts to dissociate religion from government are to be found, and the effort has never been completely successful, even in a Russia which professes atheism. Our own democracy was founded in an atmosphere of religion. Throughout its history our conspicuous leaders have "asserted in different accents a religious motivation in political ethics."

It does not seem to me inappropriate, therefore, for a modern-day Congressman to make a "new affirmation of moral and religious values in politics." This is not a time to reject the experience of the ages and assume that the Maker and Ruler of the universe is no longer interested in the affairs of men. There is still a distinction between right and wrong, and "righteousness exalteth a nation." Our ability to see the right is proportioned to our will to see it, and those that seek God diligently shall find Him.

Two related constants remain for verbal expression.

Instant preparations of all kind flood the commodity market. We have instant coffee and instant potatoes, and so on indefinitely. It may not be inconsistent for the public to demand instant decisions also. Perhaps we might make better decisions if we waited for all the evidence that is available. Says Shakespeare:

> This sweaty haste doth make the night joint labourer with the day.

Weighty matters lie before this session of the Congress, as indeed they do before most sessions. They need calm consideration in the clear light of day.

Finally, there is need to combat the prevailing tendency to sink individual personal responsibility in corporate responsibility. The modern world is accused of a frightening attitude of impersonality. The individual is lost in the mass. It is the problem of the huge metropolis, of the business corporation, even of the institution of learning. Congress, too, is a vast corporation, and must be operated in much the same way as a big business establishment.

It would be highly unfortunate if the individual Congressman should fail to assume personal responsibility for the vote he casts on any matter. One vote may decide an issue, and one issue may affect the fate of millions of people through years of time. What a reassuring situation it would be if every decision and every vote would be made with the feeling that the decision and the vote would be the final factor in fixing the future of the Nation.

Raw manmade power has superseded the forces of nature as a moving force. The sailing ship is mainly a plaything, and the sailor is largely indifferent to the trade winds or the westerlies. In the world of business, the huge machines of modern industry find a way to make and distribute the products which are in demand, whatever they may be. If Nature does not provide that product through its normal processes, industry turns out a synthetic. Government, probably most of all, turns to power to achieve its ends. We have on the scene two or three, possibly a half dozen, powerful political entities. Together, or separately, they dictate the general movements of society. But Nature has not abdicated. Her forces, ordinarily mild and beneficent, as in the trade winds, sometimes break out into uncontrollable violence, and manmade contrivances, whether they are material or social, are dashed to pieces. Can military control, no matter how wisely used, hold in subjection the passions of untold millions of human beings who are outside the regnant societies?

The United States enjoys a position of primacy—in military strength, in productivity, in scientific know-how, in general capability. It is important that we be right as well as strong. Those of us who share responsibility need to set up for ourselves guidelines on which the world can depend.

THE KU KLUX KLAN

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Texas [Mr. POOL] is recognized for 20 minutes.

Mr. POOL. Mr. Speaker, on October 19 of last year the House Committee on Un-American Activities commenced public hearings in its investigation of the Ku Klux Klan, and has continued in that investigation over a period of months to the present time. I am happy to have participated in the decision that brought this investigation to fruition. I say that because here, it seems to me, was an opportunity to accomplish a necessary work toward advancing the well-being and progress of our country and to act, indeed, in the cause of human decency. This decision of the committee, as I expected it to be, was fully supported by its members, North and South, East and West, Republican and Democrat.

As you know, the House Committee on Un-American Activities, in which I hold membership, is concerned with legislative problems in an area involving the internal security of this country, a matter of paramount interest to all of us. I would wish that every Member of this House and every citizen of the United States would at some time have the benefit of serving upon it, but I would warn that the experience can, in a sense, be frightening or, at least, disturbing.

For here, from this vantage point, you see what is seldom visible to those who engage in other pursuits; that is to say, the devilish and frantic activity which moves in the shadows of our society, underneath the apparently placid surface and regularity of American life. In this underworld, fires are being set which, unless extinguished, may, like the dormant volcano on the Pacific isle, one day erupt and submerge this beloved land of ours.

Mr. Speaker, there are those who would tear this country apart. Some would do it from design, and others from ignorance and prejudice. In the former category are the Communist parties and affiliated groups who would betray us as a nation. In the latter are the Ku Klux Klan and others who would betray the principles and laws upon which we are united as a nation. Indeed, there are organized activities of notable strength in both categories, which, in varying degrees, constitute a challenge to the happiness of our people and the security of our society.

While such challenges are not new and have appeared in various forms in the course of our history, our continued survival as a free and independent people has depended upon our vigilance and energy in disposing of these evils before they would dispose of us. I would like to talk today briefly about the committee's investigation of the Ku Klux Klan with a view toward bringing this matter into perspective and to express some thoughts on the legislative problems with which we are concerned and as I conceive them to be.

The first Ku Klux Klan organization was formed in Tennessee in December of 1865. It grew rapidly and spread into other States. At a conference of Klan groups held in 1867, at Nashville, Tenn., Confederate General Nathan Forrest was chosen the Grand Wizard, or top leader, of the Ku Klux Klan. Under his leadership, it has been estimated that the post-Civil War Klan attained a peak membership of about a half-million members. However, the organization got out of hand. Responsibility for acts of violence were laid at its door, and, to General Forrest's credit, he officially disbanded his organization in January 1869.

Nevertheless, in the post-Civil War period Klan groups continued to operate. Their acts of lawlessness grew to such proportions that on March 23, 1871, President Grant sent a message to Congress in which he advised that a condition was then existing in some of the States of the Union by which life and property were rendered insecure. He observed that power to correct these evils was beyond the control of State authorities, and questioned whether, within the limitation of existing laws, the power of the Executive of the United States was sufficient for the emergencies. He recommended that legislation be enacted. Accordingly, a joint congressional committee was formed in 1871 to inquire into the Ku Klux conspiracy. The report of this committee, filed February 19, 1872, included 13 volumes of testimony.

The principal statutes growing out of the early Federal interest in the Klan conspiracy were adopted in the immediate post-Civil War period and, as later revised are now found in title 18, sections 241, 242, and 243, United States Code. These statutes, respectively, make punishable certain conspiracies to injure citizens in the exercise of rights secured by the Constitution and laws of the United States, the deprivation under color of law of rights protected by the Constitution and laws of the United States, and the exclusion of jurors from any State or Federal court on account of race or color.

The Klan was revived in 1915 by William Joseph Simmons, of Atlanta, Ga., and in the mid-1920's achieved its all-time membership peak variously estimated at between 3 and 5 million. The House Committee on Rules in 1921, in the 1st session of the 67th Congress, held hearings on the Klan. Likewise, Klan activities were widely exposed by the press in this period. In 1924, following highly publicized murder cases in which Klansmen were involved, the membership again rapidly declined.

Public reaction to such shocking disclosures appears to have been a material cause for the rapid deterioration in Klan membership during the 1920's. This reaction was duly reflected within the political branches of government. The 1920's witnessed a period of unprecedented State legislative action which gave further impetus to the process of decline. Several States adopted legislation aimed directly at the Klan. A few of the States even acted with a sense of urgency expressly recognized in the statutes. For example, New Mexico, in an act approved February 2, 1923, declared:

> SEC. 6. That it is necessary for the preservation of the public peace and safety of the inhabitants of the State of New Mexico that the provisions of this act shall become effective at the earliest possible time, and, therefore, an emergency is hereby declared to exist, and this act shall take effect and be in full force and effect from and after its passage and approval.

This act made unlawful the appearance of any person on a public thoroughfare, or on private property without the consent of the occupant, while masked or robed so as to conceal his identity; punished any communication in writing, or otherwise, threatening injury to another in his person or property, or requiring such person to do or not to do anything "in derogation of his or her lawful or constitutional rights or privileges"; and increased the penalty for assault, or threats of bodily injury, while thus masked or robed.

My own State of Texas, adopting somewhat similar provisions, declared in the act approved March 9, 1925:

> SEC. 8. Whereas there are no laws now existing in Texas preventing such offenses as are defined in this act; and whereas the public should be protected against such acts as are in this act made offenses, therefore, there is an emergency and an imperative public necessity for the immediate passage of this bill, and the constitutional rule requiring bills to be read on three several days is hereby suspended and this Act shall be in force and effect from and after its passage, and it is so enacted.

Most of these statutes, however, appear to have lacked sophistication. With a few exceptions, of which I shall later take note, these statutes were confined principally to antimasking provisions. Such provisions are easily circumvented. What effect they may have had in curbing Klan growth or activities, as weighed against the effect of a mobilized public reaction resulting from press disclosures, is a matter for speculation.

In this connection, we should recall that, prior to the appearance of the Klan, all States had in effect certain criminal statutes of general application, such as those relating to assault, malicious mischief, kidnaping, conspiracy, and murder, which would have made punishable most acts of violence and intimidation in which the Klan had engaged.

Hence, the view may well be taken that the issue whether there was a need for new State legislation was less pressing that an inquiry into whether existing common law and statutory offenses were being effectively enforced, or whether they were enforceable at all against the Klan and, if not, why. The statutes, adopted in the 1920's and thereafter, nevertheless reflected a growing public interest and concern.

In 1940, Klansmen took part in a rally of the German-American Bund at Camp Nordland in New Jersey, which led to an investigation by the House Special Committee on Un-American Activities. Hearings embracing this subject were held in 1940 and 1942. Cooperative activity between the Klan and Fascists pointed up what was becoming increasingly clear; namely, that there was a close affinity between the thinking and tactics of these groups. Following America's entry into World War II, the Klan became dormant.

It was formally dissolved in 1944, after prosecution by the Treasury Department which sued the Knights of the Ku Klux Klan for $685,000 in back taxes. Immediately following World War II, there was a limited revival of the Klan, led by Dr. Samuel Green who formed the Association of Georgia Klans, in 1946. Klan organizations in other States, as well, sprang up in this period and in the early 1950's. The Committee on Civil Rights, appointed by President Truman in December 1946, issued a report in 1947 which concluded:

> At the present time, in our opinion, the most immediate threat to the right to freedom of opinion and expression is indirect. It comes from efforts to deal with those few people in our midst who would destroy democracy. There are two groups whose refusal to accept and abide by the democratic

> process is all too clear. The first are the Communists whose counterparts in many countries have proved, by their treatment of those with whom they disagree, that their ideology does not include a belief in universal civil rights. The second are the native Fascists. Their statements and their actions—as well as those of their foreign counterparts—prove them to be equally hostile to the American heritage of freedom and equality.
>
> It is natural and proper for good citizens to worry about the activities of these groups. Every member of this committee shares that concern. Communists and Fascists may assert different objectives. This does not obscure the identity of the means which both are willing to use to further themselves. Both often use the words and symbols of democracy to mask their totalitarian tactics. But their concern for civil rights is always limited to themselves. Both are willing to lie about their political views when it is convenient. They feel no obligation to come before the public openly and say who they are and what they really want.

Within the last few years there occurred a notable resurgence of the Klan. Some evidence of Klan organizational activity on a nationwide scale prompted the present investigation conducted by the Committee on Un-American Activities.

Mr. Speaker, I do not think that I need at this time to review the detailed and extensive record of the investigation conducted by the House committee. The investigation has been fully reported from day to day in the public press. I want to commend the press for fulfilling its responsibilities to the American public. The record of testimony is extensive and will be printed in due course. Never in the history of the Klan has there been brought to the attention of the Congress or the American public a more complete and detailed exposition of Klan structure, leadership, and organization, its tactics, activities, and scope, than has been accomplished by the committee of this House.

When the investigation began, it was then believed that the total Klan membership was about 10,000. It is the committee's present estimate that the actual figure is four to five times that number. The Klan is well organized, operating not only in the South, but to some degree in the Midwest and North. At the time our investigation commenced, Klan tentacles were rapidly reaching out into many areas. There are at least a dozen different Klan groups operating today, some locally and others organizing on a national or expanded scale.

One cannot escape the conclusion that much of the responsibility for many serious and familiar disorders which have afflicted the inhabitants of a number of our communities may be laid at the door of the Klan. Indeed, the record amply demonstrates that secret units—not disclosed to the membership at large—have been organized and trained by those in Klan leadership to pursue objectives of violence and intimidation. It is also evident that many apparently naive but basically well-meaning people have been enlisted in the ranks of the Klan. They have been attracted by its propaganda and generally deceptive utterances without either the thought or the desire to participate in such unlawful action. It appears that the many have been victimized by the few.

Mr. Speaker, there is no doubt that the information developed by our Klan investigation has served, and will serve, a useful purpose. Through our hearings not only the Congress and the general public, but the rank-and-file Klan members as well, have learned many things about the Klan operation they did not know before.

We have now reached the point to which we must turn our attention. Is Federal legislation necessary or desirable? If so, to what extent? What form should it take?

We must bear in mind, Mr. Speaker, that the police power is generally reserved to the States by our constitutional system. There seems to be no doubt that the primary, if not sole, responsibility for the protection of life and property—and for securing at least those rights to which the inhabitants of the States are guaranteed by their own laws and constitutions—rests with the State power. This is not to say that the Federal power has no responsibilities.

There are several Federal interests to be protected, and there are Federal duties to be exercised under appropriate circumstances. Moreover, the Congress has seen fit to give a great deal of support to the States in the exercise of their reserve powers, as in the repression of the liquor traffic, of traffic in game taken in violation of State laws, of commerce in convict-made goods, of the white slave traffic, of traffic in stolen motor vehicles, of kidnaping, of traffic in stolen property, of racketeering, of prizefight films, of gambling, and in other respects. The concept of our federal system does not bar the Federal Government from concern with problems that affect the morals, security, or welfare of our people. As was said by the Court in *Hoke* v. *United States*, 227 U.S. 308, 322 (1913), which sustained the White Slave Act:

> Our dual form of government has its perplexities, States and Nation having different spheres of jurisdiction, as we have said, but it must be kept in mind that we are one people; and the powers reserved to the States and those conferred upon the Nation are adapted to be exercised, whether independently or concurrently, to promote the general welfare, material and moral.

Mr. Speaker, I do not at this time endeavor to elucidate the perplexities of which the Court spoke in resolving the proper sphere of Federal and State action. I suggest, however, that it is important that certain primary responsibilities of the States be respected. It would not be desirable to impose undue burdens upon our Federal Bureau of Investigation or to expand its responsibilities to a point where we would clearly be on the way toward creating, in effect, a national police force. To do so would not be consistent with the design our federal system or the tenor of our institutions. Judgment should be exercised so that the States are encouraged to assume and fulfill their responsibilities.

Apart from the host of familiar common-law offenses of general application which have been enacted into law in all of the jurisdictions, at least 24 States have adopted legislation, now in effect, undoubtedly specifically enacted to cope with problems generated by the Klan. Most of this legislation was adopted in the 1920's although there has been some legislative activity both prior to and since that time.

I append hereto a reference to those statutes which, I believe, will be helpful toward an understanding of the legislative problems:

Alabama: Code, recompiled 1958 (Michie), title 14, secs. 35, 358 (1). Arizona: Rev. Stat. Ann. (West, 1956) secs. 13–981 to 13–983, 13–1645. Arkansas: Stat. Ann. 1964 replacement vol. 4. (Bobbs-Merrill), secs. 41–2601 to 41–2604. California: Penal Code (West, 1955), secs. 185, 650a. Florida: Stat. Ann. (West, 1944) secs. 876.11–876–21. Georgia: Code Ann. (Harrison Co., 1953 revision, book 10) secs. 26–5301a to 26–5311a. Indiana: Stat. Ann. (Burns) 1956 replacement vol. 4, sec. 10–1506. Iowa: Code Ann. (West, 1950) secs. 694.3, 694.4. Kentucky: Rev. Stat. Ann. (Baldwins') sec. 437.110. Louisiana: Rev. Stat. Ann. (West, 1951) sec. 14.313. Minnesota: Stat. Ann. (West) sec. 609.735. Montana: Rev. Code Ann. (Allen Smith) sec. 94–35–254. New Mexico: Stat. Ann. (Allen Smith) secs. 40–28–1 through 40–29–6. New York: Penal Law (McKinney's) sec. 710–713; Civil Rights Law (McKinney's) secs. 53–57. North Carolina: Gen. Stat. (Michie) secs. 14–12.2 to 14–12.15. North Dakota: Century Code Ann. (Allen Smith) sec. 12–42–02. Ohio: Rev. Code (Page's) sec. 3761.12. Oklahoma: Stat. Ann. (West, 1958) title 21, secs. 1301–1306. South Carolina: Code Ann. (Michie, 1962) secs. 16–114 to 16–117. Tennessee: Code Ann. (Bobbs-Merrill, 1956) secs. 39–2801 to 39–2808. Texas: Penal Code (Vernon's art.) 439, 450, 454a–454g. Virginia: Code Ann. (Michie, 1960) secs. 18.1–364 to 18.1–367. Washington: Rev. Code, secs. 9.27.020, 9.27.040 to 9.27.100. West Virginia: Code Ann. (Michie, 1961) sec. 6033.

Generally speaking, the States have adopted statutes principally concerned with antimasking provisions or the punishment of certain acts of assault, intimidation, and conspiracy. While these statutes are varied, interesting, and useful, they are uneven and of limited utility. Moreover, an examination of State laws reveals that most States, particularly those which have a major Klan problem, have yet to adopt a body of comprehensive or effective legislation on this subject. To speak metaphorically, the States appear to skirmish with the Klan but not to engage with it in total war. The statutes do not effectively inhibit the organizing of Klan groups or aid materially in the dissipation of organizations once formed. The States have not generally adopted legislation which would give to law enforcement the variety of weapons which are necessary to outflank, envelop, or destroy such groups.

A few of the States, indeed, have touched on the organizational problem. Arizona, for example, makes it a felony for any person to organize, assist in organizing, or to become or remain a member of any association, the members of which wears masks, or personal disguises, whether complete or partial, with the intent or for the purpose of intimidating any person or for the purpose of escaping detection in the commission of a public offense or for the purpose of evading arrest. Arkansas includes within its statute a provision punishing as a felony the banding together of two or more persons for the purpose of doing any unlawful act while wearing any mask, white caps, or robes. However, such statutes, in effect, merely increase the penalty for the common law offense of conspiracy and generally prohibit little or nothing which could not be dealt with under existing law.

Of greater interest, and perhaps of greater effectiveness, are such provisions as are contained in the Oklahoma statute, which prohibit the existence or organization of any society, association, or corporation which, as a part of its constitution, bylaws, or ritual requires its members to take an oath or obligation in conflict with or repugnant to the provisions of the constitution of the State of Oklahoma or the Constitution of the United States, or requires its members to hold their allegiance to some other government, power, person, or influence; disqualifies any person from holding public office within the State of Oklahoma who belongs to any such society, association, or corporation, and who owes allegiance as aforesaid. The significance of this statute is revealed in the recent hearings conducted by our committee which explored the nature and consequences of the Klan oath as an organizational technique.

The oath administered by major Klan units pledges absolute loyalty to and steadfast support of the "Imperial Authority" and an unremitting obligation to keep secure all Klan secrets, "treason against the United States of America, rape, and malicious murder alone excepted."

It amounts to a pledge of superior allegiance to a nongovernmental body and a promise to commit the offense of misprision of felony—to conceal knowledge of the actual commission of a felony is a crime at common law, constituting the offense known as misprision of felony. Misprision of felony is also a Federal crime by act of 1948, 18 United States Code 4, when one conceals knowledge of the actual commission of a felony cognizable by a court of the United States—to permit the administering or taking of such an oath seems obviously contrary to public policy. Such oaths or pledges should be prohibited.

Moreover, any person binding himself to such an oath or pledge should be disqualified from holding any public office, particularly an office which involves law-enforcement responsibilities.

The North Carolina statute contains disclosure provisions of some interest. It establishes categories of secret societies and makes unlawful the joining, organizing, or the aiding or assisting of any such society having for its purpose the violation or circumvention of laws of the State. As to those secret societies which are not prohibited by the statute, certain disclosure provisions are established. For example, the society is required to provide for each unit a regular meeting place in some building, and to maintain a sign or placard on the exterior of the building or on the immediate exterior of the meeting room, setting forth the name of the secret society, the name of the particular unit, the name of the secretary, officer, organizer, or member who knows the purpose of the society and who knows or has a list of the names and addresses of the members thereof.

Of special interest are the provisions of a New York statute adopted in 1923, and since amended, which fully adopts the disclosure principle in dealing with such organizations as the Klan. The statute was challenged and sustained by the U.S. Supreme Court in the case of *New York ex rel Bryant* v. *Zimmerman*, 278 U.S. 63 (1928), and appears to have been the inspiration for the Subversive Activities Control Act of 1950, which the Congress adopted for the purpose of coping with conspiratorial activities of Communist organizations.

The New York statute requires every membership corporation, and every existing unincorporated association having membership of 20 or more persons, then existing or thereafter organized, and which requires an oath as a prerequisite or condition of membership—other than a labor union, fraternity or sorority, or a benevolent order—to file with the secretary of state a sworn copy of its constitution, bylaws, rules, regulations, and oath of membership, together with a roster of its membership and a list of its officers for the current year. Moreover, such societies are required to file likewise in the office of the secretary of state the minutes of any action proposed for concerted activity in the promotion or defeat of legislation—Federal, State, or municipal—or the support or defeat of any candidate for political office. Anonymous communications by any such society are prohibited. It is unlawful to become a member of any such society, or to attend a meeting thereof with knowledge that it has failed to comply with any of the above provisions. Any corporation or association violating any provision of the article, as well as any officer or member of its board of directors or similar body who violates or acquiesces in the violation of any provision of the article, is guilty of a misdemeanor.

I must state, Mr. Speaker, that my experience on the Committee on Un-American Activities has led me to regard disclosure-type statutes, such as adopted by New York, with particular favor as a principal means of dealing with such organizations as those which concern us. I concur with the conclusion of the President's Committee on Civil Rights, to which I have earlier referred, when it reported:

> As we have said, one of the things which totalitarians of both left and right have in common is a reluctance to come before the people honestly and say who they are, what they work for and who supports them. Those persons in our own country who try to stir up religious and racial hatreds are no exception. They understand that the vicious doctrines which they advocate have been morally outlawed in America for more than a century and a half. This Committee is as eager to guarantee their civil rights as those of the people they attack. But we do not believe in a definition of civil rights which includes freedom to avoid all responsibility for one's opinions. This would be an unwise and disastrous weakening of the democratic process. If these people wish to influence the public in our national forum of opinion they should be free to do so, regardless of how distasteful their views are to us. But the public must be able to evaluate these views.
>
> * * * * *
>
> Congress has already made use of the principle of disclosure in both the economic and political spheres. The Securities and Exchange Commission, the Federal Trade Commission and the Pure Food and Drug Administration make available to the public information about sponsors of economic wares. In the political realm, the Federal Communications Commission, the Post Office Department, the Clerk of the House of Representatives, and the Secretary of the Senate—all of these under various statutes—are required to collect information about those who attempt to influence public opinion.
>
> Thousands of statements disclosing the ownership and control of newspapers using the second-class mailing privilege are filed annually with the Post Office Department. Hundreds of statements disclosing the ownership and control of radio stations are filed with the Federal Communications Commission. Hundreds of lobbyists are now required to disclose their efforts to influence Congress under the Congressional Reorganization Act.
>
> In 1938, Congress found it necessary to pass the Foreign Agents Registration Act which forced certain citizens and aliens alike to register with the Department of Justice the facts about their sponsorship and activities. The effectiveness of these efforts has varied. We believe, however, that they have been sufficiently successful to warrant their further extension to all of those who attempt to influence public opinion.
>
> The ultimate responsibility for countering totalitarians of all kinds rests, as always, with the mass of good, democratic Americans, their organizations, and their leaders. The Federal Government must set an example of careful adherence to the highest standards in guaranteeing freedom of opinion and expression to its employees. Beyond that it ought to provide a source of reference where private citizens and groups may find accurate information about the activities, sponsorship, and background of those who are active in the marketplace of public opinion.

Mr. Speaker, before concluding my brief analysis, I would like to note another statute of interest. Although it was not in fact adopted to curb Klan activities, the statute was nevertheless the product of an analogous situation. It is a fact of no little surprise to me that many States troubled by the Klan have paid so little attention to "group libel." I refer to a statute dealing with it enacted by the State of Illinois in 1949, and sustained by the Supreme Court in *Beauharnais* v. *Illinois*, 343 U.S. 250 (1952). This statute, the outgrowth of a long and bitter history of race rioting in Chicago, prohibits the exhibition in any public place of any publication which "portrays depravity, criminality, unchastity, or lack of virtue of a class of citizens, of any race, color, creed, or religion" which "exposes the citizens of any race, color, creed, or religion to contempt, derision, or obloquy."

There is no doubt in my mind that the organizational efforts of the Klan, and similar groups, can be materially impeded by the adoption and enforcement of such statutes. For it is on the perpetuation or exacerbation of racial and religious prejudice that Klan recruitment must basically depend. I do not, of course, suggest that age-old prejudice can be forthwith dispelled by law. I most favor the educational process as an antidote to the venom of prejudice. But I do believe, as the evidence indicates, that the process can be considerably hastened by appropriate legislation duly enforced.

Mr. Speaker, we now have the facts. I believe that the investigation of the Committee on Un-American Activities will be of great value, both to the States and to the Federal Government. It is apparent that much can be done by the States toward fulfilling their responsibility. Much remains to be done also by the Federal Government. The opportunities for State action do not, it seems to me, relieve the Federal Government of the necessity to consider appropriate Federal remedies. The problems created by the Klan as it functions in interstate commerce poses a situation similar to that which has prompted the Congress to act in many instances to which I have already briefly adverted. The Congress has complemented State action where Federal interests are intermingled. Fundamental constitutional rights cry out for vindication. I am certain that both the Congress and State governments can review our record of investigation with profit for it will point the way both to the need and the means.

THE TODD STORY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. Rooney], is recognized for 15 minutes.

Mr. ROONEY of New York. Mr. Speaker, on February 17, 1966, at the Hotel Pierre in New York City, the famous Newcomen Society of North America honored Todd Shipyards Corp., on the occasion of its 50th anniversary and upon its expanding role in the U.S. industrial and defense community.

At these ceremonies, Mr. John T. Gilbride, president of Todd Shipyards Corp., delivered an interesting address on the Todd story and dwelled not only upon the accomplishments of his company, but also on the various maritime problems with which their industry and others like it are currently faced. Because of the current widespread interest in our maritime problems, I bring to the attention of the Members of the House Mr. Gilbride's relevant remarks as follows:

Address Delivered by Mr. John T. Gilbride, President, Todd Shipyards Corp.

My fellow members of Newcomen, the time I spent preparing this paper would have been considerably less were it not for this first paragraph. I was determined that my opening remarks and acknowledgment of my introduction would be exciting and different, thus getting me off to a good start. But after spoiling reams of paper I decided that after all I just wanted to say thank you for the honor bestowed upon Todd Shipyards, Mr. Reilly, and me tonight and to thank you Admiral "McNeill" for your generous introduction. Your presence here and the presence of those other ship operators who are gracing our function tonight, underscores the mutually dependent kinship which exists between ship operators and shipyards, a relationship which is the cornerstone of our existence.

This is an occasion which will long be remembered by the employees, officers, and suppliers of the Todd Shipyards Corp. For this single event will, in a way not otherwise possible, memorialize the 50th anniversary of our corporation and its expanding role in the U.S. industrial and defense community. Let me express our lasting appreciation for this very unusual distinction.

I want to pause to say a well-deserved word of appreciation to our stockholders. It is indeed true that we have paid consecutive dividends throughout our 50 years of operation, but we know that the sentiment of loyalty which exists among most of our stockholders transcends market quotations and the ups and downs of the industry. You may be sure this spirit of loyalty extends from us to these owners of our business and motivates us daily.

The Todd story has been written by men of vision and courage. These have included William H. Todd, our founder and first president. John D. Reilly, chairman of our board of directors, who shares the spotlight with me tonight, and Joseph Haag, Jr., our president from 1953 until his untimely death in 1958.

Our progress has paralleled the growth of our great country—and the growth of the American competitive enterprise system for nearly a century. In concert with the balance of the U.S. shipbuilding and ship repairing industry, Todd Shipyards has shouldered unprecedented responsibilities in times of national crises. The Todd story truly reflects the fine traditions of our Nation and of our people as we know them to be. Although 1966 formally marks the 50th anniversary of our company, it all began more than 100 years ago with the construction of the ironclad *Monitor* during the Civil War days. The duel between the *Monitor* and the *Merrimac* at Hampton Roads in 1862 was, of course, a crucial and historic sea battle, but this combination of steel with iron for ships also introduced an entirely new era of shipbuilding in the United States. And, our shipyards have played an important part in this evolution, making significant contributions to the state of the art through the years.

We trace our history back to 1835 when a small plant came into being called Phoenix Foundry. William DeLamater, who joined this firm as a prime investor, had a close friend in the brilliant Swedish naval engineer John Ericsson and together they helped create the aforementioned *Monitor*.

Some time later DeLamater brought his son-in-law, John N. Robins, into his ship-repair activities and it was Robins who moved the business, in 1889, from Manhattan to Erie Basin in Brooklyn. The Clyde Steamship Co., a prosperous coastal line of the late 19th century, and a good customer of Robins, invested heavily in the firm at this time to promote its expansion. With this financial backing, Robins equipped his yard with five drydocks and a modern machine shop.

To help him with his expanding organization, John Robins hired an aggressive young man who was just completing a vital steel working assignment in the construction of the battleship *Maine* at the Brooklyn Navy Yard. His name was William H. Todd, and his employment started a business relationship was has profoundly affected our company's destiny.

Mr. Todd's progress was spectacular. In 1904 he became vice president. Five years later, on the retirement of John Robins, he was elected president of the firm, at the age of 45.

Showing a genius for organization—for assembling men who were experts in their respective fields, Mr. Todd established the Robins yard as one of the foremost ship repair installations in the United States.

When, in 1915, the Clydes sought to withdraw from the business, they readily agreed to sell the yard to its 51-year-old president. Mr. Todd was given 6 years to pay the note. However, within a year, in a series of financial moves, he chose to liquidate the Clyde obligation and, at the same time, to expand the organization. Thus, on June 14, 1916, Todd Shipyards Corp. was born—it consisted of the Robins yard in Brooklyn, the Tietjen and Lang Co. in Hoboken, and the Seattle yard on the west coast.

War was raging in Europe and in less than a year the United States would be a combatant. The new Todd organization found itself faced with tremendous pressures—shipping became more scarce by the day, and orders streamed in to rehabilitate almost anything that could float and go to sea. Even in those days our country depended too largely on foreign ships to carry its international trade—and foreign ships were more concerned in hauling the necessities of war for their own armies. American products piled up on the piers, and the call went out for the construction of new tonnage. Talented hands were needed to set up new yards where such ships could be built—and Todd possessed such talent.

In September 1916, Todd Shipyards took over the Tebo Yacht Basin in Brooklyn, and this yard performed notably in constructing small navy craft for minesweeping and convoy duty. A few months later, we acquired the Clinton Drydocks in Brooklyn for ship repairs.

The cry for a "bridge of ships," became more incessant. Todd built from scratch a new yard at Tacoma, Wash., which in layout and equipment was well in advance of its time. By the end of 1918 the Tacoma facility had launched 67,500 tons of merchant shipping.

Todd was later to sell its original Seattle yard and develop another at a nearby site for ship repair work. This plant, now our Seattle division, has prospered and, with the addition of building ways, has given full range to our activities on the west coast.

Todd Shipyards' greatest contribution to the Allies' victory in World War I was in repairing ships and returning them promptly for sea duty. Some vessels appeared ready for scrapping when they entered our yards, and many records were made and near miracles performed in restoring them as military supply carriers. We take special pride in the fact that 90 percent of the first convoy to Europe consisted of ships converted in our yards.

The turmoil of war has always sparked industrial changes. Before our country had entered World War I, Mr. Todd recognized that events would hasten the transition of marine engines from coal to oil as primary fuel. He also accurately foresaw the same transition in the heating plants of office buildings, homes, and industrial plants. In September 1916, he added to our corporate structure the White Fuel Oil Engineering Co., which manufactured oil burning equipment. It was the beginning of what is now our products division.

When the war ended, our company was operating five plants on the Atlantic coast and two on the Pacific. The entire industry made efforts to convince the Nation's policymakers and the American public that the rebuilt merchant marine should be kept in a healthy state for peacetime trade and future emergencies. But this proved a hopeless task. "The war to end all wars," had been won, it was said, "Why should we stay in readiness for another."

Doesn't this sound familiar?

Thus, shipyard activity generally declined sharply, and there was little the company could do other than cut back and reorganize. The Tacoma yard was closed, and our overall work force of 17,000 dropped to a low of about 2,000 during the depression period.

In gearing itself to the changing times, however, Todd saw the necessity for extending its services into the Gulf area; yards were purchased in Mobile and New Orleans.

Todd also became an international organization through the establishment of Todd Oil Burners, Ltd., in London, now Todd Combustion, Ltd. This expanded company continues to service commercial and marine combustion accounts in Europe.

In the death of William H. Todd, on May 15, 1932, Todd Shipyards Corp. suffered a great loss. Fortunately his legacy consisted of more than the strong, well-equipped ship repair plants on the Atlantic, Gulf, and Pacific coasts. He also left behind a well-qualified group of men to carry on the company's enterprises and traditions.

Among them was John D. Reilly whose remarkable energy, ability and understanding had been key factors in the firm's growth. A capable administrator and executive, Mr. Reilly had been a director of the corporation for 12 years. As the logical man to guide Todd Shipyards through the difficult years ahead, he was unanimously elected president on May 25, 1932.

In the depression years of the 1930's, austerity and new thinking were the order of the day. The yard in Mobile, while successful, was beginning to feel the pinch—there was not enough work for two shipyards in that port. In what proved to be a profitable business venture, we leased our yard to our competitor there and subsequently in 1951 sold the yard to him.

At New Orleans, the same situation existed with respect to two competitors. In this case, however, the depression caused the closing of Jahncke Dry Docks, and we merged with Johnson Iron Works. This yard is now our New Orleans division and is a vital link in our three-coast chain of complete shipyard services.

Of Mr. Reilly's many individual contributions to our success, the one that stands out to this day was his decision to locate a plant in Galveston, Tex. Through his close association with the oil companies, many of whose vessels frequented our Brooklyn and Mobile yards, he knew that the "garden spot" for tanker repairs was the west gulf area. And in this area was a port, on the open gulf, past which sailed just about every tanker flying the American flag. This port was Galveston. On September 1, 1934, Todd opened a shipyard on the Pelican Island site of the old Galveston Dry Dock & Construction Co. The facilities left much to be desired, but the land area and water frontage were ideal. Thus was born our highly successful Galveston division.

Todd's most rapid expansion began with the passage of the Merchant Marine Act of 1936 which created an atmosphere conducive to the rehabilitation of the Nation's merchant fleet. We made a successful bid for construction of a fleet of five twin-engined cargo motorships, enabling us to reopen in 1939 the Seattle-Tacoma Shipbuilding Corp.'s yard on the same Puget Sound site where the company had pioneered mass production methods during World War I. We launched the first of these five ships barely 11 months from the time ground was broken. Then a year later, at the Navy's request, we instituted a crash destroyer program at a new plant in Seattle where we were to build 45 in all before the cessation of hostilities.

When World War II struck, Todd Shipyards was among the first to be drafted to help counter the heavy toll of shipping as German U-boats strove to starve out England. In answer to the allied call for "ships and still more ships," Britain dispatched a shipbuilding mission to our country to contract for the construction of 60 "ugly duckling" cargo vessels, the forerunners of the vast liberty ship program to which the firm of Gibbs & Cox contributed so much.

Significantly, this shipbuilding mission came to Todd to get the program started. Acting jointly with the Henry J. Kaiser interests and with Bath Iron Works in Maine, two shipyards were created out of mudflats for the task—one in Maine and one in California. This same combination expanded its efforts as the clouds of war came nearer to the United States. By the time Japanese planes bombed Pearl Harbor it had created a total of eight shipyards in Maine, California, Oregon, and Texas.

Todd was asked by the Navy in 1943 to build a plant in Barber, N.J., for construction of landing craft by our mass production methods. I am very proud to say that my late father, who was a vice president of our company, inaugurated and saw this program through to successful completion. In the same year the Navy asked us to take over a plant in San Pedro, Calif., which the Government had seized for nonperformance. After the war we acquired this yard and it now is our Los Angeles division, about which more will be said later.

The combination with the Kaiser interests was terminated in 1942 through an agreement which provided for Todd to release its equity in four yards on the west coast while Kaiser released its equity in four yards in Maine, Washington, and Texas.

Time does not permit a thorough detailing of Todd's accomplishments in World War II. In sum, however, we built 999 ocean ships and repaired and/or converted another 22,457—representing a total of over 117 million tons of shipping. At the peak of our efforts we employed 157,000 workers, many of whom had to be trained on the job.

While ship construction was the more glamorous phase of Todd's war operations, drydocking and repairs provided much of the sinew for the Nation's war efforts. During the year 1944 alone we repaired or converted 6,645 vessels. Each ship returned to service was equivalent to a new ship built at a time when tonnage for carrying supplies was a paramount necessity to the Nation.

A typical ship-repair incident highlights the wonder of some of these accomplishments. A tanker master, viewing his ship as it was elevated in a drydock at Galveston, exclaimed: "If I had known she was that bad, we would have left her."

She had been torpedoed off Aruba and had limped to port held together by the deck and four strakes of plating on the sides of her hull. When we cut the ship in half for rebuilding, the final cut made a report that was heard all over the city of Galveston, such was the stress in this twisted mass of steel that sailed into our yard from the Caribbean. This vessel went back to sea within a few weeks, as good as new. Multiply this by several hundred similar jobs and you have the story of wartime battle damage repairs at Todd.

Today Todd is busy with repair work, new construction, industrial and marine fabrication, extensive conversions, reactivations, and manufacture of products.

Our seven shipyards border the United States from Brooklyn on the east coast; to Galveston, Houston, and New Orleans in the gulf and to Los Angeles, San Francisco, and Seattle on the Pacific coast. Each is fully equipped, specializing in all work of a marine and industrial nature, with a total of 21 drydocks and 6 building ways.

In addition to all types of ships and floating craft, our divisions have turned out such large projects as bridge sections; a subsonic wind tunnel for an aircraft plant; an underwater rocket launcher tube assembly for testing Polaris missiles, huge dam gates and gigantic butterfly valves that weigh 160,000 pounds.

Because of the Vietnam situation, our yards are busy with reactivation work on vessels the Government has taken from the lay-up fleets. To date, of the 88 vessels assigned for reactivation, Todd has in its areas of operation, secured 44 jobs—a pretty good average.

In recent years we have reentered shipbuilding operations on the west coast and delivered five of the world's most modern merchant ships. Additionally, we have built for the Navy four guided missile destroyers, one guided missile frigate and are now completing a second frigate.

Ship conversion—the taking of a particular unit and transforming it into something else—offers our greatest creative challenge. I could tell you of countless Todd conversions that are filled with interest and with imagination.

One is presently underway at our San Francisco yard. The Western Offshore Drilling Co. needed a particularly wide offshore oil drilling platform to begin service at Cook Inlet, Alaska, in June of this year. The solution to the problem was found in two surplus T-2 tanker midbodies, the byproducts of earlier jumboizing jobs, and required a high order of skilled surgery in steel. Each of these hulls was drydocked, cut lengthwise off center into a fat half and a thin half. The two larger segments were repositioned and welded together, thus forming a new hull 357 feet long and 82 feet wide. The new craft was then removed from drydock so that the remaining work of installing machinery, living quarters, and drilling equipment could be accomplished. This ambitious and interesting feat is a first in the records of the classification society involved. The completed drill rig results in a wider but more shallow vessel which is capable of drilling in iced-up areas. And—when we get through we expect to have enough salvageable steel left—from the two leftover thin sections—to create a barge with a 52-foot beam.

We have recently completed the upgrading of our Brooklyn division at a cost of $3½ million making it the largest and most completely equipped ship repair facility in the port of New York.

Our New Orleans yard is still working on ships damaged by the severe hurricane Betsy last year. Indeed the yard itself suffered the loss of one of its drydocks during Betsy and it has been necessary to transfer the Houston division drydock to New Orleans to cope with a large backlog of drydock bookings.

As mentioned earlier, Galveston is the ideal yard for tanker repairs, being in the heart of the refinery center of our country. This, in addition to work on a substantial volume of gulf-domiciled dry cargo fleets makes for a relatively large and steady production force easily augmented for conversion work which has become a hallmark of that yard. About 6 years ago, we expanded our nuclear activities into a fully operational nuclear division at Galveston, we have the contract for servicing and maintaining the nuclear vessel *Savannah*, and are subject to call for such servicing anywhere in the world. We have also participated with the Government in studies on the feasibility of nuclear power for the propulsion of merchant vessels.

Our San Francisco division, which we acquired in 1948, is extremely busy in the reactivation program. Of the first 12 vessels rehabilitated for the Vietnam emergency, 7 went to Todd San Francisco.

Our Los Angeles and Seattle yards are preparing for construction of 14 destroyer escort vessels, 7 at each, as part of the Navy's antisubmarine warfare program.

Recently Todd Los Angeles had no fewer than five vessels simultaneously on one drydock—an extraordinary maneuver, but one necessitated by the dictates of a heavy workload.

Our Los Angeles yard has a somewhat theatrical distinction. Several years ago it entered the realm of make believe with the construction of the Disneyland fleet—the *Mark Twain*, a replica of a Mississippi steamboat; the *Columbia*, which is a facsimile of an oldtime square rigger and the eight 52-foot submarines which carry passengers on underwater tours of the Disneyland seas.

Todd's Houston division, acquired in 1949, has become one of the Nation's foremost builders of every type of small craft including barges of every description, drill rigs, derrick barges, tugs, piledrivers, ferries, personnel boats, and missile carriers. It is also the manufacturing center of our products division.

Our newest subsidiary, acquired in 1964, the Lester Engineering Co., is located at Cleveland, Ohio. Several years ago, our management decided to diversify its interests to balance some of the vicissitudes of the peacetime marine industry. Founded in 1935, for the manufacture of die-casting machines, Lester steadily evolved its talents to the field of plastic injection molding machines and is now a leading producer in both of these fields.

Lester's position is a commanding one, both nationally and internationally, and holds a prominent place in our present and future planning.

Our products division, at Brooklyn, handles the selling and servicing of our products in the oil and gas burner and insecticidal equipment fields. It also coordinates the activities of our subsidiary in London, Todd Combustion Ltd., which manufactures and markets a similar line of products in Western Europe.

During World War II, this same products division devised a smoke generating machine for laying down screens to shield naval vessels from enemy eyes. This machine has subsequently been employed commercially to create insecticidal fogs. We call it the Todd insecticidal fog applicator—TIFA for short—and it is marketed throughout the world to combat destructive, disease-spreading insects.

In the disastrous earthquakes in Iran a few years ago, more than 10,000 persons and thousands of animals were killed by the fierce shock waves. During the dreadful days that followed, clouds of disease-spreading flies descended on the area until it appeared an epidemic of cholera was inevitable. Two TIFA units were rushed to the scene and began fogging applications day and night. Thankfully, the epidemic was averted, and we are understandably proud of TIFA's part in preventing it.

Last year we reluctantly found it necessary to close down our Hoboken division, shifting its two larger drydocks to Brooklyn. The low volume of repair work available in this port made it impractical to keep two yards in operation. Todd Hoboken was the old Tietjen & Lang Co., one of the original members of our family—and, the decision to close it was not an easy one to make.

One of the major problems we and the shipyard industry face is a shortage of skilled manpower. During normal times (between national crises) we can only offer cyclical employment. There has not been enough work made available to the private shipyard industry to maintain a sufficient nucleus of skilled manpower on which to build for emergencies which means crash programs at the time of the emergency. Let's hope we always have the time as Government officials don't seem to grasp the fact that shipyard skills are a national asset. The harsh lessons of our wars and police actions in terms of lives sacrificed needlessly and money wasted are forgotten almost immediately after peace is restored.

For instance, at this very moment, our shipyards, particularly on the west coast, are hard pressed to obtain the necessary manpower to handle the work resultant from Vietnam. This shipyard work, of course, will be accomplished well and timely, by dedication, by longer hours, by stepped up training and by ingenuity, and the ships will sail. But, I say to you, the stewards of our national maritime policy in Washington, please don't drop us 8 or 9 months from now or whenever the emergency is over, as was done after World War I, World War II, Korea, and Suez.

I am reminded of Rudyard Kipling's verse in tribute to the British soldier—

"It's Tommy this, it's Tommy that and chuck
him out, the brute,
But it's savior of 'is Country, when the
guns begin to shoot."

How apt this thought is with respect to our merchant marine. How meaningless are the lessons of history in terms of our merchant seapower. This sort of philosophy has plagued our merchant marine since the turn of the century and still persists.

Some 4 years ago, Mr. James Farrell, Jr., president of Farrell Lines, and a member of our society, who is here tonight, made these observations at a Newcomen meeting;

"It takes a crisis, perhaps, to focus attention on the value of an American-flag merchant marine owned by American citizens and subject to the immediate call of our Nation. This is no hypothetical, academic benefit of the 1936 Merchant Marine Act.

These periodic crises should tell us something else—that ships are indispensable. And we have learned that even our best friends and NATO partners do not always agree with our own objectives and national interests. We certainly cannot assume that their ships will always come to our aid."

How accurate Mr. Farrell's conclusions are in terms of Vietnam. That trouble is a perfect illustration of the roller coaster of indecision on which our merchant marine and our shipyards have been riding throughout most of this century. In this, as in all the emergencies of the recent past, we have found ourselves with a merchant fleet that is frail when it ought to be mighty—small when it ought to be large—old when it ought to be young. The political and military necessities of Vietnam command our attention now—and ancient ships 20 to 25 years in age, the veterans of other wars, are dragged from the lay-up fleets and expected to perform like new and modern vessels.

Of the shipbuilding nations of the world the United States ranks a sorry 12th. I wonder if another list of notable accomplishments exists on which our great country would rank so low and about which our Government could seem to care less. Japan and West Germany lead all other nations, indicating that they have made good use of the $1 billion in American aid which was made available to rehabilitate their shipyards destroyed in World War II. Ranked also ahead of our Nation are numerous Iron Curtain countries—and we know for whom they are building many of these ships.

The countries placed ahead of our own, indicate that they build to keep pace with their nations' "needs" for shipping—which would seem to indicate that our country feels no such "need".

Today foreign vessels carry about 90 percent of our commerce—more than 80 percent of our peacetime maritime fleets consists of ships of World War II vintage, in various stages of obsolescence by any set of standards—23 private American yards have been forced to close their doors. Yet, as just mentioned, the shipyards of Japan and West Germany are bursting at the seams—and they lost the war.

In Washington we hear voices clamoring for the scrapping of laws that require American ships be built in American shipyards—this in total opposition to our Nation's balance-of-payments difficulties—this despite the devastating blow it would deal to America's shipyards which would stand to lose annual revenues of $500 million, with employment and associated industries suffering as well—this in spite of the fact that every other nation which aspires to greatness supports and encourages its ship operators and shipyards. It is both penny and pound foolish. Other prophetic voices in Washington predict that air transport will dominate the movement of men and materials in all future emergencies—yet as of today, over 95 percent of the troops and supplies are moving to Vietnam in ships.

We are the world's richest nation—its greatest importer and exporter, yet our maritime fleet is permitted to linger in strength far behind the fleets of numerous other nations. Though we strive to excel and exceed in all else that we do, America seems content to drift toward the day when we will find ourselves a second rate maritime power—if we aren't that already. There continues to be no true evaluation of this sorry situation—no purposeful actions that are intended to correct or remedy—no clear-cut planning that will insure Americans the security and prestige of a strong fourth arm of defense. If I had to characterize the efforts by Washington with respect to solving the problems of our merchant marine over the last decade, I would say the industry is being studied to death.

We see constant reminders that the Soviet Union moves rapidly in the construction of a mighty merchant fleet. Indeed, this program—the building of ships for the U.S.S.R.—has become the leading industry of Poland and East Germany. Though in all other areas the Russians must contend with a strongly competitive America—here, in the construction and maintenance of a merchant marine, they find themselves unrivaled and seemingly the only contender in the race. These are facts that sicken.

It is well and fitting that our country should compete zealously with the Russians in space explorations and in the race to the moon. But certainly it is a paradox that with our desire to lead the world in this respect, we seem to care so little about dominance of the seas. The American philosophy is steadfastly dedicated to preserving freedom and maintaining peace throughout the world. In planning for this American dream of a peaceful and progressive world, we must recognize that there will always be a need for ships—ships to protect and police—ships to carry our products to all corners of the world—ships to trade with the great family of nations and thereby enrich, develop and enlighten each port that they touch.

Despite all these rather elementary and very obvious facts, the latest shock from Washington is that the Congress has been asked by the Department of Commerce to appropriate enough funds for the replacement this year of something like 13 ships. We greet this news with disbelief. As the list of ships that carry our flag on the trade routes of the world grows pathetically smaller—and as the Russians resolutely move to build hundreds of ships—we are only making token replacements. I hope you can understand and share our utter despair.

The function of government is to support all means that will contribute to a country's progress, protection, affluence, and prestige. We do this now in many areas of our society. Yet, of all the billions that comprise our annual budget, only a fraction of 1 percent is applied in any manner or form to our merchant marine. The seriousness of our shipping plight does not arouse a Government that seems indifferent nor a public that seems unaware. The days when our packets and clippers controlled the sealanes of the world are now far behind us—and our shipping arm continues to wither to the delight of all our adversaries.

Let us hope that America will experience a reawakening to this vital consideration. American shipping, shipbuilding and repair are still strong enough and resourceful enough to rectify these omissions if given the opportunity, but time is fleeting. It would be a splendid accomplishment to solve and conquer the mysteries of outer space—but might it not seem a rather hollow victory if, at the same time, our Nation surrenders the seas of this world to others?

Our company observes its 50th birthday this year with a minimum of confetti but with a great deal of pride. We feel the problem of recognition and support of the maritime industry, of which we are a part, will someday be accepted and implemented because it is in the national interest. We will continue to speak out on this issue, work diligently, persevere, exercise ingenuity and grow. We look forward eagerly to the opportunities of the future. We subscribe to the American dream of a contented and prosperous family of nations—and you may be sure that Todd will be ready, as always, to serve the ships of that community.

NINTH MISSION—THE DELAWARE AIR NATIONAL GUARD COMPLETES FLIGHT TO VIETNAM WITH VITAL CARGO FOR THE DEFENSE OF FREEDOM

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Delaware [Mr. McDowell], is recognized for 10 minutes.

Mr. McDOWELL. Mr. Speaker, the Delaware Air National Guard has just completed its ninth mission to southeast Asia; this flight, too, was to Vietnam.

The mission was to transport cargo vital for the defense of freedom. Taking part in this flight were men from Delaware and Pennsylvania.

I am advised by Col. Clarence E. Atkinson, aircraft commander, Delaware Air National Guard that—

> This flight is the ninth mission to southeast Asia for the Delaware Air Guard since December 1, 1965, in which our civilian airmen have done their part in support of the military effort.
>
> The men listed below have given voluntarily of their time and effort, taking leave from their civilian jobs and families to support the regular military Air Force in transporting material to the Far East.

I commend the members of the Delaware Air National Guard who participated in this mission on a voluntary basis, and who took time from their civilian jobs and their families to support the regular military Air Force in transporting vital material to Vietnam.

I include as part of my remarks the following letter which I have received from Col. Clarence E. Atkinson:

142d Military Airlift Squadron,
Delaware Air National Guard,
New Castle, Del.

Representative Harris B. McDowell, Jr.,
House of Representatives,
Washington, D.C.

Dear Congressman McDowell: Again the Delaware Air National Guard has completed a flight to Vietnam with vital cargo for the defense of freedom.

This flight is in ninth mission to southeast Asia for the Delaware Air Guard since December 1, 1965, in which our civilian airmen have done their part in support of the military effort.

The men listed below have given voluntarily of their time and effort, taking leave from their civilian jobs and families to support the regular military Air Force in transporting material to the Far East.

We will continue to inform you each time Delaware is represented on the fighting fronts of the world.

Best regards,

Col. Clarence E. Atkinson, Aircraft Commander, Delaware Air National Guard; Capt. Richard Simon, New Castle, Del., Pilot; Lt. Donald Eyre, Claymont, Del., 2d Pilot; Lt. Col. John Caulfield, Dover, Del., Air Force adviser; Maj. Harold Morrison, Wilmington, Del., Air Force Adviser-Navigator; Lt. James Sisson, Media, Pa., Navigator; Sgt. John Quigley, Wilmington, Del., Flight Engineer; Sgt. Richard Harada, Newark, Del., Flight Engineer; Sgt. Ben Phillips, Wilmington, Del., Loadmaster; Sgt. Paul Lane, New Castle, Del., Crew Chief.

VIETNAM

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. Resnick] is recognized for 15 minutes.

Mr. RESNICK. Mr. Speaker, the American people are deeply troubled—and deeply divided—about events in Vietnam. Our growing involvement in that war has also been of great concern to me. Although I had read everything I could about the struggle and its history, I felt that my understanding was only two-dimensional without a personal visit to Vietnam. I made such a visit in mid-December, and this constitutes my report of that trip to Congress, the Nation at large, and my constituents in the 28th Congressional District of New York.

There are two parts to this report. First, my observations of what is happening. And second, my analysis of why they are happening.

At the outset, let me stress that I went over with an open mind and a completely objective attitude. I was not trying to reinforce any predetermined opinions about the political and military situation there.

My main reason for going to Vietnam was to visit the servicemen from the 28th Congressional District, to bring to them holiday greetings, and to assure them that while everyone back home did not agree with the administration's policy in Vietnam, we nevertheless appreciated what they were doing there and intended to give them all the support we possibly could.

I also wanted to learn everything I could from my personal observations and conversations with the people there, not only the generals but also the fighting men, the Vietnamese civilians, refugees as well as peasants in the villages, and the American civilians. I arrived in Vietnam late on Sunday, the 19th of December, and left on the 27th.

During that time I traveled some 3,200 miles visiting most American installations, including Da Nang, Chu Lai, Bien Hoa, Pleiku, and Lai Khe. I spent 1 day aboard the aircraft carrier, *U.S.S. Hancock,* and 1 day visiting a city and two villages in the Mekong Delta to observe the operations of the civilian AID missions there. One of my special reasons for wanting to be in Vietnam at this particular time was to attend Chanukah and Christmas services in these outposts. I had Christmas dinner at the special forces camp at Tanh Linh. I was briefed at the Military Assistance Command Headquarters in Saigon by General Westmoreland and Major General Sternberger. And I visited our sick and wounded at a field hospital in Da Nang, the naval hospital in Saigon, and the 3d Evacuation Hospital in Tan Son Nhut. I had many opportunities to talk to men of all ranks from all over the United States.

There is no question that the GI's know the reason and the purpose behind their presence there. They have a sense of dedication and their morale is high. They lead a tough life. For many troops it is a hardship tour with workdays of from 14 to 16 hours and the constant threat of death nearby. For others the greatest enemy was boredom and complete isolation. Many officers told me that these men are far better equipped than the men they had commanded in World War II and Korea—from the standpoint of training, physical ability, arms, and willingness to do the job.

Most of my traveling was done by airplane and helicopter. I learned very quickly that we do not control the roads in South Vietnam either by day or by night.

Other than rides to and from Tan Son Nhut airport, the only time I drove any distance at all was from Phu Bai to Hue. A distance of about 9 miles. The only railroad running in South Vietnam is between these two points.

This lack of ground transportation routes is a unique aspect of this war. There are no frontlines. In a conventional war, once a position is captured you know you can bring your supplies up from the rear. But in South Vietnam, like in the days of Indian fighting in this country, each of our bases is like an isolated fortress, and the war is fought by expanding the perimeters of these fortresses. Even though our military strength is superior and our bases are secure within their expanding perimeters, the jungle roads between them are controlled by the Vietcong. Two battalions—1,500 men plus tanks and armored personnel carriers—were required to push a convoy of supplies from Bien Hoa to Phuoc Vinh, a distance of 25 miles.

This condition exists throughout South Vietnam. While we have sufficient supplies flowing from the United States to Vietnam, a bottleneck starts at the ship unloading facilities and continues to get worse as we try to move our supplies to our bases inland. The bases can only be supplied by air. Roads, where they exist, are generally miserable. They are mere trails that turn into mud 2 feet deep during the rainy season.

One unique aspect of this fortress-fought war is that, as our perimeters expand, we find that we are providing sanctuary for the civilians. Wherever I went in Vietnam there were refugees coming into the areas controlled by the Government. Refugees are created by many circumstances. True, some people became refugees because their homes were destroyed by bombardment. But most of them are escaping from the terrorism, forced conscription, extortion, heavy taxation, and food confiscation of the Vietcong. I spoke directly with the refugees, through an interpreter working for our AID Mission. Over and over again I heard the same story.

Living conditions were such under Vietcong control as to make life virtually unbearable. I have pictures which I took of two men who look like they just came out of Dachau. They were from the village of Tanh Linh. About 5 months ago they were riding with 14 other people, men and women, in a bus to Saigon. The bus was stopped and the passengers were taken from the bus. After working at forced labor for the Vietcong, with very little to eat, they were turned loose in the jungle when they would no longer work. Only three made their way out of the jungle. One died immediately upon arrival. When I visited the hospital on Christmas Day the other man had died and the last of the three was on the verge of dying. As a matter of fact, his condition was so critical that we flew him to Saigon in my helicopter.

During my stay in Vietnam I invariably met the chaplains of the Army, Air Force, and Marines—and to a man they felt wholeheartedly that we should be in Vietnam. Many of them confided to me that they had questions and doubts before coming there, but, after being there and seeing how the Vietcong operated, seeing the determination and the ambition of the South Vietnamese to live a decent, free life, they were enthusiastic in their support of our Vietnam policy.

Our soldiers and officers also have developed a dual role in Vietnam, helping the civilian population to rebuild. The GI's and Vietnamese civilians seem to have a mutual respect and liking for each other. You can walk down any village street and immediately find yourself surrounded by what seem to be thousands of children, all yelling "O K O K" which is Vietnamese for "hello".

GI's, in whatever spare time they have, can usually be found washing children, building schools, building orphanages, running parties for Vietnamese children, distributing clothing to civilians, or helping a Vietnamese farmer build a pigpen or a chicken coop. In Kon Tun, which is up in the central highlands and the scene of much of the bitter fighting in Vietnam, the boys from one of our infantry battalions have raised $5,000 to buy materials for an orphanage. When the materials come in they are going to help these people build the orphanage and I am sure they are going to continue to support it after it is built.

I did not find any hatred of the Vietnamese people by the Americans or resentment of Americans by the Vietnamese people.

Not once did I hear the Vietnamese referred to as "gooks" or "krauts" or "limeys" or any of the other disparaging names that soldiers in the past have adopted for foreigners.

Our people there know that our job is not only to establish peace but to leave a country that will be equipped for peace—a country in which the lifespan of the average person will go up from its present 36 years.

I was never completely aware of the fact that the Vietcong controlled various areas of the country from the time the Japanese left. There are many areas like the Mekong Delta, the outskirts of Saigon, and up through the central highlands where there was never any government other than the French Government and the Vietcong. Even the Japanese did not control many of these areas during their occupation years.

This control should not be confused with popular support. It is very interesting to note that the Vietcong was never effective in the big cities such as Saigon, Hui, Da Nang, and other cities where there were groups of people together who could defend themselves from the Vietcong. But out in the countryside it was a different story.

They could control the countryside, but again, I believe the vast majority of these people were controlled by Vietcong terrorism rather than out of a philosophical commitment to communism.

As we and the Government of South Vietnam have succeeded in establishing beachheads in what used to be completely Vietcong controlled country, we are now seeing a very interesting phenomenon. Now that they have a choice, the people are voting—with their feet. They are leaving the areas under Vietcong control and are coming into areas under Government control.

I saw this demonstrated very graphically in the Mekong Delta. Mekong is probably one of the richest and most fertile farming areas in the world. This area has been under the complete domination of the Vietcong as far back as 1940. Recently, however, the Government has been able to win the people over to its side because of the terroristic and repressive nature of the Vietcong regime.

The refugee problem we read about is just that. People are becoming refugees from Vietcong control. Very often when we think of refugees we think of people leaving their homes and traveling great distances. In Vietnam, a refugee may have come only 2 or 3 miles—but the difference in those 2 or 3 miles is that they are safe from Vietcong taxation, repression, and terrorism.

American civilians, working for the State Department in our foreign AID program, are doing an outstanding job in helping these refugees build new lives outside the totalitarian regime of the Vietcong.

I will long remember the day I visited the provincial capital of Answan and the village of Ca Mau. I was greeted at the airport by the province chief and all the local officials. Contrary to what many people believe, all of the local officials—the mayors, the province town councils, and so forth—are elected popularly. They live in constant fear of assassination by Vietcong terrorists, along with school teachers and other leaders.

I do not know of anywhere in the world I could have received a warmer greeting. They had banners out for me. The AID mission, which is called U.S. Operation Mission, is concentrating on helping the Vietnamese people to help themselves. We are providing the tools and commodities. The Vietnamese are providing the ambition and the work. We are bringing in agricultural experts from all over the world to show the farmer how to get the best yielding crops and the most out of his land. We are introducing a new breed of pig that will increase the farmers' income and help to diversify their diet.

We are providing concrete so they can build schools. We are drilling wells because fresh water is one of the problems in the Mekong Delta. We are doing everything possible to raise the standard of living in those areas—and the people are responding.

They are responding by building homes, and businesses. By building schools. By providing teachers. The Saigon government is responding by instituting needed social and political reforms.

There is a great demand for education for the children because where the Vietcong were in control there were no schools. There was military training but no schools. When the Vietcong gain control of an area, the first thing they do is shoot the teacher and blow up the school. I saw one of these destroyed schools in Ca Mau.

I met with local Vietnamese officials. Of course, some were good, some not so good. I met some that were truly dedicated. I was particularly impressed with the provision chief of An Xuyn. He walked among his people, he was interested in his people. His only request of me was to tell the people of America what conditions really were and what the Vietnamese really wanted—schools, hospitals—a better life. I think it would be presumptuous of any American to think that a Vietnamese is any less sensitive to the values of human life than we are. They have tasted freedom and they like it—and they are willing to fight and die for it.

I do not know all of the answers about Vietnam. I am not sure that I even know all of the questions. But I do believe that our Nation is mature enough to find the answer to the "why's" which are searing our consciences.

If we are to honestly address ourselves to the "why's," then we must go back to World War II when the Japanese left. France made Indochina—later called Vietnam—a member of the so-called French Commonwealth, a political entity which entailed some self-government. But then France reneged and reduced Vietnam to the status of a colony. It was this attempt to convert the Vietnamese back into a completely dominated colony which gave Ho Chi Minh his first foothold in a popular movement.

Starting back in 1939 in the Yung Ning Forest, Ho Chi Minh initiated the first Communist movement in southeast Asia. During World War II his followers joined with others in forming the Viet Minh, which was a coalition of Vietnamese troops working and fighting for independence. When France eliminated all vestiges of self-rule, the Viet Minh once again became active. It is important to remember at this point that the Viet Minh, while led by Ho Chi Minh, was a coalition representing a broad spectrum of Vietnamese, whose common goal was independence.

As we all know, the war against France culminated in her defeat at Dienbienphu. At this point Ho Chi Minh was the victor and he wrapped himself in the cloak of an agrarian reformer; the leader of a peasant revolution. His Communist sympathies were not apparent to the casual observer.

Now we come to the heart of the problem—the Geneva accords of 1954.

Those who disagree with the course of action pursued by three American Presidents—Eisenhower, Kennedy, and Johnson—come back to these accords and ask, "Why were not free elections held as provided in the accords?"

But I would first like to ask another question: "Why did the accords call for free elections in the first place?"

Ho Chi Minh was at the high watermark of Communist domination of Vietnam in 1954. At that time the Vietminh, under his leadership, controlled all of Vietnam except Saigon, Danang, and Hue.

A complete power vacuum existed. The French were beaten. The English had their hands full in Malaya and indicated they wanted no part of the fight in Vietnam. And the Americans had already declined to aid the French defense of Dienbienphu. For all practical purposes, Vietnam belonged to Ho Chi Minh.

The question now is why did Ho Chi Minh agree to the partition, which meant withdrawal of his forces to the northern part of the country and giving up his hard-won gains, and to the free elections?

I think we all realize that totalitarian regimes avoid free elections at whatever cost. Why then should Ho Chi Minh all of a sudden agree to free elections, since he already had what he wanted?

It is my belief Ho set the stage for one of the most cynical acts since Hitler signed the Munich agreement. He was planning a rigged election to pull off a major political and psychological coup.

Keep two facts in mind. One, that Ho Chi Minh was in control of the entire country and most significantly of the Mekong Delta—a rice exporting area, in a part of the world where millions of people go to bed hungry.

And, two, that he was a totalitarian leader agreeing to free elections. Let us remember that the war Ho Chi Minh had just won was not a war of communism versus capitalism. It was a war of colonialism versus nationalism. The postwar world had seen many such confrontations: Indonesia, Algeria, Ghana—and so Ho Chi Minh decided to go one step further.

Suppose, if you will, that he had decided to prove what the Communists were preaching throughout southeast Asia and throughout the rest of the world—that communism was the wave of the future and that the people freely preferred communism—and that Ho wanted to have elections to show the world once and for all that he could establish a Communist regime not by force of arms, not by midnight coups, but by democracy's most cherished weapon—the free election.

If Ho had this in mind, he would have done exactly what he subsequently did do.

He agreed that all Vietnamese who wanted to leave communism could go south with the understanding that his followers would go north. Many Vietnamese did indeed go south, leaving farms and homes their families had owned for countless generations.

But Ho never moved his people north. Sure, the young boys went north for military training. But his many Communist followers whose homes were in the south, remained in the south where they conducted terroristic guerrilla warfare against the non-Communist Vietnamese. They received support and assistance and direction from Ho, who, from Hanoi, continued to maintain ironfisted control over most of the country's land area and population, in violation of the Geneva accords. His bases and military hospitals stayed right where they always were in South Vietnam. After agreeing to the establishment of an independent Saigon-based Government, he subverted his own agreement by doing everything he could to destroy that Government.

So let us remember that it was Ho Chi Minh, not the United States, who violated the Geneva accords.

Many people in this country are under the impression that the Vietcong are villagers and peasants in the rural areas who revolted against the oppression of the Diem regime. This is not true, for the simple reason that the Diem regime was never established outside of Saigon, Danang, and Hue. Even to this day there are large areas of South Vietnam that have never been controlled by the Central Government in Saigon.

The Eisenhower administration realized that to hold these elections would be to fall into the trap so cleverly set by Ho—that free elections could not possibly be held under existing conditions, and that the Vietcong would be the victors in a rigged contest. Furthermore, I am convinced that Ho firmly expected that the Diem regime could not survive, and that he would win the country after its collapse.

The Diem regime, however, did survive for a number of years, and during this time—until Diem himself became corrupted by power—actually extended the perimeter of freedom in Vietnam, and won growing support among the South Vietnamese people.

One of the reasons Ho is now so intransigent is that his scheme backfired and he no longer has any hope of regaining the dominant political position he enjoyed in 1954.

Fighting between the Vietcong and South Vietnam has been going on continuously since the French withdrew. This has been bloody fighting between the Vietcong and South Vietnamese—not American or other foreigners—who have been trying to get the Vietcong yoke off their necks. This is something we often tend to forget—that the South Vietnamese have been engaged in this war for many years. It is not only Americans fighting against the Vietcong today. Hundreds of thousands of South Vietnamese were fighting first, and are still fighting for their country's freedom. And nobody has ever forced them to fight.

Our involvement in Vietnam began with our desire to see the South Vietnamese people have an opportunity to live in a free society, and our wish to contain Communist expansion down from China and North Vietnam. Three Presidents—Eisenhower, Kennedy, and Johnson—and statesmen like Adlai Stevenson, have defended our commitment there on the basis that, while it is not the ground we would have selected for ourselves, it is the ground where events have decided that the line against Communist expansion in Asia must be drawn. We have drawn such lines against communism before, in Greece, Turkey, and Germany. I genuinely believe if we allowed Vietnam to be swallowed up, the next battlefields would have been in Thailand and Laos.

I heartily support President Johnson's policies in Vietnam because he has tried to walk the middle ground between two dangerous and equally unacceptable alternatives. A withdrawal of U.S. forces would abandon the country to the Vietcong and set the stage for further Communist aggression. At the other extreme, he has properly refused to follow the advice of hawks who would bomb Hanoi and other northern population centers. Our military buildup has had one purpose: To demonstrate the strength of our determination to Ho Chi Minh in the hope of bringing him to the conference table and discussing ways to establish peace and freedom for Vietnam.

True, we have escalated the war in Vietnam. But let us not forget that the North Vietnamese have done the same. The difference is a matter of degree, not of principle. And the reason we have escalated was not to pound the other side into submission, but to force them to the conference table, where our differences could be discussed and reconciled.

Furthermore, the administration recognizes the importance of bringing real social and economic reforms to the people of South Vietnam. We are not going to win the war by bombing, but by winning the people's allegiance with educational opportunities, homes, jobs, more productive farms, better health, and more democratic government. This administration realizes that this is more than a war of arms. It is also a war between systems of living. If we can open the door of opportunity for the Vietnamese and help him to a better life, we will have taken the high road to winning the war of arms.

President Johnson's peace offensive, combined with suspension of the bombings of North Vietnam targets, was recognized by most of the world as a sincere effort to begin the walk to the peace table. But it takes two to make this walk, and no response came from Hanoi. The shooting and killing could end tomorrow if Ho Chi Minh decided to sit down and talk with us.

The Vietcong may have the capability of terrorist attacks and banditry for many years to come, but it is becoming increasingly difficult for them to operate with the freedom and on the scale that they operated on in the past.

As our military superiority increases, I am proud to say our soldiers have accepted their unique dual role, and are helping the people of Vietnam stand on their own two feet. Daily more refugees move into the refuge of the government villages, going back into the fields by day, and returning to the village at night. While it is true that many of them have been forced to become refugees by bombings and military action, the majority arrive because they hate and fear the Vietcong, and for the first time have an opportunity to escape. We have fanned the spark to be free, and our soldiers have taken steps to see that the spark stays alive and spreads.

We here at home can do no less than support them enthusiastically, with faith in the ultimate victory of freedom for the Vietnamese people.

A BILL TO AMEND THE BUCK ACT—TITLE 4 OF THE UNITED STATES CODE

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. FOUNTAIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. FOUNTAIN. Mr. Speaker, I have today introduced, for appropriate reference, a bill to amend the Buck Act—title 4 of the United States Code—to grant congressional consent to State and local taxation of privately owned properties in Federal "enclaves" under specified conditions. I am pleased that the distinguished chairman of the Interior and Insular Affairs Committee, the gentleman from Colorado [Mr. ASPINALL], is also sponsoring this legislation.

This legislation is recommended by the Advisory Commission on Intergovernmental Relations to remove the tax immunity of the properties of private persons and businesses which results only because they happen to be located within Government installations over which the Federal Government has exclusive legislative jurisdiction and the States therefore have no jurisdiction. This condition prevails only in a small percentage of Federal installations. In the vast majority of them, the Federal Government does not exercise exclusive legislative jurisdiction and private persons within them are therefore subject to generally applicable State and local laws.

Properties owned by the Government will not be affected by this bill.

The proposed legislation would carry forward a congressional policy first established in 1936 with the passage of the Hayden-Cartwright Act and subsequently extended in 1940 by the Buck Act and further extended in 1947 by the Military Leasing Act. In this series of acts, Congress consented to the application of gasoline, sales and use, income, and several other categories of State and local tax laws within Federal "enclaves" in the interest of both the equal tax treatment of private persons within and without these Federal areas and of State and local revenues.

Legislation to grant congressional consent to the taxation of privately owned properties in Federal enclaves has been introduced in Congress in past years but has failed to gain support, apparently, because of the absence of any assurance to the Congress that the States would parallel the exercise of taxing rights with the provision of services and privileges to the residents of these enclaves and to their families. In some areas these residents are denied health, welfare, and educational facilities and other privileges of citizenship provided to other residents of the State. The bill I have introduced would solve this problem by making the consent of Congress to the imposition of property taxes conditioned upon certification "that persons living and working in areas under the exclusive Federal legislative jurisdiction within the State are afforded substantially the same rights and privileges and tax supported services as those available to other residents of the State."

The revenue impact of this legislation on local finances will be relatively small, but its contribution to the improvement of Federal-local relations will be large.

The unequal tax treatment of property owners in substantially identical situations, differing only in the respect that the location of their properties is inside or outside Federal enclaves by accident of the form of government ownership of property, has long been a source of intergovernmental friction. The legislation will be very beneficial to some individual jurisdictions, particularly in the Western States where 50 percent of the acreage under exclusive Federal legislative jurisdiction is located, and should speed the extension of full privileges to the residents in these Federal areas.

DEMOCRACY—WHAT IT MEANS TO ME

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. NATCHER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. NATCHER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include herewith an excellent essay entitled "Democracy—What It Means to Me" which was the winning speech of Mr. Mike Byrne, of Henderson, Ky., in the Voice of Democracy Contest conducted annually in each State by the Veterans of Foreign Wars. Mike Byrne is a high school senior and I believe that the depth of his views will impress each Member of Congress.

The essay is as follows:

DEMOCRACY: WHAT IT MEANS TO ME

(By Mike Byrne, senior class, Holy Name High School, Henderson, Ky.)

Often I have sat on the banks of the Ohio and inhaled the life-giving breath of freedom. Freedom is the essence of democracy in America. The rabbit scurrying away to find a haven in the undergrowth; the massive oaks that seem to climb to the apex of our world but always with the infinite freedom to climb higher and higher; the stag on the opposite bank that rubs noses placidly with its mate; the endless blue of the sky that is our history and our destiny—all are free as I am to enjoy them.

Thus a question arises in my mind. What can I do to preserve the Government of the country that makes all these wonders my dutiful servants? I, as a student, have a somewhat limited role in the Government of my country. Yet each role that is played in America is fundamental, for democracy is the government of the people, for the people, and by the people.

When, in 1 year, I am granted the right to vote, I will enthusiastically take advantage of the opportunity to choose the men who will speak for me and my countrymen. I desire to actively work for the betterment of my country, for betterment will always be in place. Perfect governments are nonexistent, even for dreamers like Karl Marx.

Another important factor in my preparation for adulthood is my academician interest in democracy. Behind the history of the United States lies the secret combination to patriotism through participation. Since I have learned the Constitution, I am striving to fashion my life to correspond with the ideals of this document, which is, indeed, the "supreme law of the land." Little things that most people don't even notice should be the things I correct. American citizens cannot, for one moment, allow a careless act to impede, no matter how slightly, the most perfect government in the world.

At all times I should remember that the laws constitute one-third of the Constitution. Without them no civilization can exist. I, as an American citizen, have no right to ignore the format of democracy.

I should also be prepared to fulfill my privilege to America. Yes, I said privilege; not, as some have it, obligation. And I should look upon it as such, as such it is, the privilege to actively defend the United States of America from any tyrannical force that threatens its livelihood.

The youth of America, in general, have a very important part to play in our Government. When our democratic Government shall pass into the hands of my generation, there should be some capable young men ready to carry on the motivation of the great machine—government by the mass.

Several thousand years ago the youth of Athens took an oath when they became citizens. In that oath they pledged that when they transmitted their city to the next generation, it would be greater, better, and more beautiful than it was when it was transmitted to them. America today will not be safe from oppression until the youth of today realize that her plight lies solely in their hands.

I am tremendously proud of America, as every American certainly has the right to be. Through the perseverance and patriotism of its citizens, the democratic government has survived numerous wars, financial disasters, and racial difficulties. In every instance it has come through with colors. The red, white, and blue of Old Glory has waved through the centuries, battle scarred, yet always intact.

What does democracy mean to me? It means the right to vote; the right to speak as I think; the right to worship God as I see fit; the right to have these rights whether I am black, or white, or yellow. It means the stars and stripes gently lifted to meet the soft azure sky. It means America, the spirit of George Washington, Thomas Jefferson, Paul Revere, Theodore Roosevelt, and John Fitzgerald Kennedy. It is my way of life, my very existence. In short, democracy is me; my eyes, my ears, my strength, and my beliefs.

THE CUTBACK ON FEDERAL AID TO FEDERALLY IMPACTED SCHOOL DISTRICTS

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. HOWARD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. HOWARD. Mr. Speaker, the plan to cut back Federal aid to federally impacted school districts is, in my opinion, unsound.

I have repeatedly argued that a cutback in this program would pass the financial burden on to our local citizens through an increase in school budgets. The only other alternative would be for schools to reduce the number of teachers or cut back on other services. Neither plan is feasible.

I urge all of my colleagues in this House to oppose this measure and prevent the proposed cutback.

In New Jersey the plan would have the adverse effect of cutting $4.7 million from the State's present allocation. In the Third District, which I represent, some $1.3 million would be cut.

The Federal Government has the responsibility of sharing in the costs of educating the children of Federal employees.

I have a breakdown of the changes which would result in New Jersey if this proposed cutback were approved. At this point I place in the RECORD this breakdown:

New Jersey

Name of school district	Congressional district	1967 estimated entitlements under Public Law 874	Estimated entitlements under proposed amendments to Public Law 874 in fiscal year 1967 budget
Lower Township Board of Education, Cape May	1	$25,040	$12,511
Gloucester Township Board of Education, Camden	1	53,533	2,901
Clementon Board of Education, Camden	1	3,885	0
Somerdale Board of Education, Camden	1	8,850	0
Brooklawn Board of Education, Camden	1	10,145	2,720
Black Horse Pike Regional School District, Camden	1	36,325	0
National Park Board of Education, Gloucester	1	6,908	1,451
Deptford Township Board of Education, Gloucester	1	59,577	0
West Deptford Township Board of Education, Gloucester	1	46,194	3,263
Oldmans Township School District, Salem	1	7,339	725
Berlin Township Board of Education, Camden	1	6,260	0
Westville Borough School District, Gloucester	1	3,238	0
Woodbury Heights School District, Gloucester	1	7,771	2,357
Borough of Pine Hill Board of Education, Camden	1	8,419	0
Clayton Public School District, Gloucester	1	11,656	0
Clearview Regional High School District, Gloucester	1	11,352	0
Mantua Township Board of Education, Gloucester	1	20,075	0
Washington Township School District, Gloucester	1	20,507	0
Lower Camden County Regional High School District No. 1, Camden	1	29,262	0
Borough of Barrington Board of Education, Camden	1	17,701	0
Waterford Township Public Schools, Camden	1	2,806	0
Woodbury Board of Education, Gloucester	1	19,643	0
Pennsauken Board of Education, Camden	1	40,366	0
Central Camden County Regional School District, Camden	1	19,424	2,331
Cherry Hill School District, Camden	1	100,375	0
Haddon Heights Board of Education, Camden	1	14,247	0
Runnemede Public Schools, Camden	1	14,894	0
Berlin Borough Board of Education, Camden	1	8,203	0
Bellmawr Board of Education, Camden	1	17,916	0
Stratford School District, Camden	1	22,018	3,808
Oaklyn Board of Education, Camden	1	3,885	1,088
Winslow Township Board of Education, Camden	1	7,555	0
Gloucester City Board of Education, Camden	1	22,881	0
Merchantville Public Schools, Camden	1	5,181	0
Collingswood Board of Education, Camden	1	17,485	0
Magnolia Board of Education, Camden	1	9,066	0
Voorhees Township Board of Education, Camden	1	10,577	0
Southern Gloucester County Regional High School District, Gloucester	1	6,811	0
Haddon Township Board of Education, Camden	1	13,167	0
Monroe Township Board of Education, Gloucester	1	20,723	0
Lawnside Board of Education, Camden	1	6,692	544
Gibbsboro Board of Education, Camden	1	12,736	3,445
Gateway Regional High School District, Gloucester	1	17,154	0
Congressional district total		807,842	37,144
Pleasantville Board of Education, Atlantic	2	28,062	0
Somers Point Board of Education, Atlantic	2	16,211	4,745
Cape May City Board of Education, Cape May	2	26,766	15,412
Board of Education, City of Northfield, Atlantic	2	60,423	33,630
Brigantine Board of Education, Atlantic	2	14,246	825
Egg Harbor Township Board of Education, Atlantic	2	19,859	2,357
Linwood Board of Education, Atlantic	2	52,317	32,186
Hamilton Township Board of Education, Atlantic	2	15,974	1,814
Upper Township Board of Education, Cape May	2	10,577	1,088
Egg Harbor City Board of Education, Atlantic	2	9,579	207
Galloway Township Board of Education, Atlantic	2	12,304	0
Board of Education of the City of Margate, Atlantic	2	17,439	0
Lower Cape May Regional School District, Cape May	2	24,721	8,052
Absecon Board of Education, Atlantic	2	25,790	7,427
Greater Egg Harbor Regional School District, Atlantic	2	25,983	848
Mainland Regional Harbor School District, Atlantic	2	47,677	25,428
West Cape May Elementary School, Cape May	2	3,238	1,451
Middle Township Board of Education, Cape May	2	8,203	0
Cape May Point Board of Education, Cape May	2	0	0
Congressional district total		419,369	135,470
Toms River Schools, Ocean	3	262,702	126,289
Borough of Lakehurst Board of Education, Ocean	2	132,752	97,187
Board of Education, Tinton Falls School, Monmouth	3	73,912	40,473
Red Bank Board of Education, Monmouth	3	48,353	17,407
Borough of Eatontown Board of Education, Monmouth	3	522,803	405,066
Township of Wall Board of Education, Monmouth	3	$59,146	$16,682
Board of Education, Borough of Oceanport, Monmouth	3	42,956	28,830
The Board of Education, City of Long Branch, Monmouth	3	204,847	113,476
Manchester Township School District, Ocean	3	69,075	49,138
Board of Education, Borough of Shrewsbury, Monmouth	3	29,573	15,957
Little Silver Board of Education, Monmouth	3	33,674	12,874
Fair Haven Board of Education, Monmouth	3	25,687	8,160
Township of Ocean Board of Education, Monmouth	3	134,265	72,348
Township of Neptune School District, Monmouth	3	189,093	86,129
Lakewood Township School District, Ocean	3	47,921	0
Brick Township Board of Education, Ocean	3	55,476	0
Asbury Park School District, Monmouth	3	41,019	0
West Long Branch Public Schools, Monmouth	3	53,749	34,814
Plumsted Township Board of Education, Ocean	3	58,066	38,803
Township of Jackson Board of Education, Ocean	3	40,582	0
Board of Education, Borough of Rumson, Monmouth	3	9,930	0
Spring Lake Heights Board of Education, Monmouth	3	13,599	4,896
Borough of Neptune City Board of Education, Monmouth	3	22,234	8,160
Howell Township Board of Education, Monmouth	3	38,207	0
Atlantic Highland School District, Monmouth	3	6,908	363
Island Heights Board of Education, Ocean	3	3,885	1,451
Bradley Beach Board of Education, Monmouth	3	15,326	3,445
Highlands Board of Education, Monmouth	3	10,577	5,258
Borough of Avon by the Sea, Monmouth	3	2,806	0
Lacey Township Board of Education, Ocean	3	4,533	0
Belmar Board of Education, Monmouth	3	14,031	3,083
Brielle Board of Education, Monmouth	3	5,397	0
Upper Freehold Regional Board of Education, Monmouth	3	17,406	1,272
Raritan Township Board of Education, Monmouth	3	35,833	0
Central Regional High School District of Ocean County, Ocean	3	23,213	5,087
Rumson Fair Haven Regional High School Board of Education, Monmouth	3	20,938	4,662
Board of Education, Borough of Monmouth Beach, Monmouth	3	7,771	3,626
Board of Education of the Borough of Keansburg, Monmouth	3	13,383	0
Borough of Point Pleasant School District, Ocean	3	30,220	0
Berkeley Township Board of Education, Ocean	3	14,678	3,083
Holmdel Township Board of Education, Monmouth	3	10,793	0
Colts Neck Township Board of Education, Monmouth	3	30,867	12,330
Monmouth Regional High School District, Monmouth	3	174,816	116,332
Shore Regional Board of Education, Monmouth	3	54,488	35,599
Henry Hudson Regional School District, Monmouth	3	18,920	6,780
Eagleswood Township Board of Education ,Ocean	3	2,590	544
Congressional district total		2,729,000	1,380,604
Pemberton Borough Board of Education, Burlington	4	21,802	15,594
Board of Education of Pemberton Township, Burlington.	4	1,642,018	1,247,113
Board of Education, North Hanover Township, Burlington	4	1,007,181	786,015
Board of Education of Township of Mount Holly, Burlington	4	156,283	106,799
Southampton Township Board of Education, Burlington	4	30,220	15,594
Burlington City Board of Education, Burlington	4	47,650	7,221
Rancocas Valley Regional High School District, Burlington	4	107,463	69,291
Lumberton Township Board of Education, Burlington	4	35,185	22,666
Burlington Township Board of Education, Burlington	4	49,861	18,775
Board of Education, Township of Bordentown, Burlington	4	51,089	26,615
The Board of Education of the City of Beverly, Burlington	4	9,334	5,777
Riverside Township Board of Education, Burlington	4	10,577	0
Board of Education, Cinnaminson Township, Burlington	4	31,947	0
Westhampton Township Board of Education, Burlington	4	49,000	34,995
Mansfield Township Board of Education, Burlington	4	4,533	363
Palmyra Board of Education, Burlington	4	11,872	0

New Jersey—Continued

Name of school district	Congressional district	1967 estimated entitlements under Public Law 874	Estimated entitlements under proposed amendments to Public Law 874 in fiscal year 1967 budget
Board of Education, Township of Maple Shade, Burlington	4	$20,507	$11,060
Bordertown City Board of Education, Burlington	4	22,843	8,665
Moorestown Township Board of Education, Burlington	4	22,881	0
Tabernacle Township Board of Education, Burlington	4	3,670	0
Edgewater Park Township Board of Education, Burlington	4	29,966	8,872
Easthampton Township Board of Education, Burlington	4	17,053	11,242
Hainesport Township Board of Education, Burlington	4	14,894	6,165
Willingboro Township Board of Education, Burlington	4	245,649	125,656
Mount Laurel Township School District, Burlington	4	31,084	9,972
Lenape Regional High School District, Burlington	4	37,839	5,085
Medford Township School District, Burlington	4	10,361	0
Springfield Township Board of Education, Burlington	4	11,656	6,346
Evesham Township Board of Education, Burlington	4	20,075	0
Northern Burlington County Regional School District, Burlington	4	447,509	331,621
Florence Township Board of Education, Burlington	4	14,894	0
Delran Township Board of Education, Burlington	4	8,419	0
New Hanover Township Board of Education, Burlington	4	9,498	6,528
Borough of Fieldsboro School District, Burlington	4	2,806	1,269
Woodland Township School District, Burlington	4	4,965	2,176
Congressional district total	------	4,242,584	2,891,475
Randolph Township Board of Education, Morris	5	60,009	22,666
Rockaway Township Board of Education, Morris	5	84,185	39,528
Middletown Township Board of Education, Monmouth	5	237,877	53,672
Hillsborough Township School District, Somerset	5	19,211	0
Bernards Township School District, Somerset	5	14,247	0
Board of Education, Township of Denville, Morris	5	15,758	0
Mount Arlington Borough School District, Morris	5	14,031	7,253
Mine Hill Township Board of Education, Morris	5	39,934	24,297
Dover Board of Education, Morris	5	94,547	50,770
Roxbury Township School District, Morris	5	109,873	55,303
Netcong Borough School District, Morris	5	18,564	8,885
Jefferson Township Public Schools, Morris	5	54,613	17,951
Board of Education of the Borough of Wharton, Morris	5	$67,779	$39,528
Victory Gardens Board of Education, Morris	5	7,123	3,445
Mount Olive Township Board of Education, Morris	5	15,542	3,263
Board of Education, Township of East Hanover, Morris	5	20,938	4,352
Board of Education of the Borough of Rockaway, Morris	5	20,075	5,621
Morris Hills Regional High School District, Morris	5	89,552	41,744
Chester Township School District, Morris	5	8,419	0
West Morris Regional High School District, Morris	5	15,640	0
Manville Borough Board of Education, Somerset	5	18,564	0
Congressional district total	------	1,026,451	378,278
Stanhope Board of Education, Sussex	7	15,758	6,346
Sparta Public Schools, Sussex	7	53,749	22,121
Byram Township Board of Education, Sussex	7	8,419	544
Hopatcong Board of Education, Sussex	7	18,564	2,357
Franklin Borough School District, Sussex	7	14,463	3,083
Andover Regional Board of Education, Sussex	7	13,370	424
Hardyston Township School District, Sussex	7	7,987	0
Hamburg Borough Board of Education, Sussex	7	9,282	3,083
Hackettstown Public School District, Warren	7	22,234	3,445
Mansfield Township Board of Education, Warren	7	4,749	0
Ogdensburg Board of Education, Sussex	7	13,383	5,440
Green Township Schools, Sussex	7	3,454	0
Congressional district total	------	185,412	46,843
Bayonne School District, Hudson	13	125,511	0
Congressional district total	------	125,511	0
Board of Education of the city of New Brunswick, Middlesex	15	18,913	0
Board of Education, Borough of Metuchen, Middlesex	15	0	0
Congressional district total	------	18,913	0
Total, New Jersey	------	9,555,112	4,869,814

SALUTE TO REPRESENTATIVE ETHERIDGE

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from Georgia [Mr. WELTNER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. WELTNER. Mr. Speaker, after 4 years of exceptional service, my friend Jack Etheridge is leaving the Georgia State House of Representatives. His absence will be keenly felt, for he has stood for good government and progress. The Atlanta Constitution has expressed his contribution succinctly, and I would like to have its editorial printed at this point in the RECORD:

[From the Atlanta Constitution]

SALUTE TO REPRESENTATIVE ETHERIDGE

Throughout his 4 years in the Georgia House, young Jack Etheridge has been a strong and constant voice on the side of reason and sound judgment.

In the just-ended session, he served as leader of the Fulton delegation. Now he is leaving the house to return to full-time law practice.

In his farewell address to the house, Representative Etheridge commended the State "for the restraint with which it has met moments of tensions, for the genuine courage and good will with which it has accepted change, and for the spirit with which it has turned to the future without rancor or recrimination."

Representative Etheridge has himself been a part of that spirit, courage, and good will. His presence on the State political scene will be greatly missed.

We wish him well and hope the time soon will come when he can return to an active political role.

STEEL PROFITEERING

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. FEIGHAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. FEIGHAN. Mr. Speaker, shocking evidence has been brought to public light concerning the profiteering engaged in by Asian steel mills supplying galvanized steel for defense construction in free Vietnam. The junior Senator from Indiana has presented documentary evidence that steel mills at Seoul, Korea and Taiwan, Nationalist China, were charging $259.60 a ton for galvanized steel bought by the United States for defense construction projects in South Vietnam.

At the same time the able Senator pointed out these mills are selling identical steel to other buyers for $162.70 a ton. The difference of $96.90 a ton is obviously an unfair overcharge. This unfair overcharge could amount to as much as $15 million.

The Agency for International Development formerly insisted that most steel products purchased for use in South Vietnam be manufactured in the United States. This policy was abandoned recently on the theory that purchasing steel in Asia would reduce costs and speed delivery. The junior Senator from Indiana contends that American mills could match the price now being charged by the Korean and Formosan steel companies.

While American servicemen are shedding their blood in Vietnam, foreign profiteers are apparently waxing fat by overcharging for steel used in construction projects in that strife-torn country. This cheating is costing the American taxpayers vast sums and also taking work away from American steel mills.

The steelworkers in my hometown of Cleveland are losing work because of this strange situation and are also—through their income taxes—being forced to contribute to the loot being acquired by the greedy Asian steel masters.

It is high time that the Agency for International Development make public the full facts on the charges made by the junior Senator from Indiana.

I am in favor of doing everything possible and practical to enhance the war effort in South Vietnam, but I must raise my voice in protest when foreign profiteers reap a golden harvest while American boys are fighting and dying for democracy in the jungles and swamps of southeast Asia.

FIFTIETH ANNIVERSARY MARKED BY THE WOMEN'S CITY CLUB OF CLEVELAND

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. FEIGHAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. FEIGHAN. Mr. Speaker, 50 years ago today, the Women's City Club of Cleveland signed its articles of incorporation, rolled up its sleeves, and went to work to improve the civic, cultural, and educational climate of Greater Cleveland.

Since that time, it has been responsible for many improvements in the area—from insuring supervised playgrounds for children to the regulation of billboards on limited access highways. It began the subscription practice for the great Cleveland Orchestra, which now plays to standing room audiences. It caused the formation of a police women's bureau; it supported a new juvenile court.

Now it annually gives awards to Clevelanders who excel in the creative fine arts and just this week urged the county commissioners to buy voting machines immediately. In other words, the Women's City Club of Cleveland, after 50 years, is taking an active role in community affairs by going into many facets of community life.

It would be almost impossible to enumerate the many social benefits and improvements that have resulted to Cleveland from the interest in civic life which these alert, intelligent, energetic ladies have stimulated and accomplished.

The men of Greater Cleveland—and of Ohio—are proud of the role these women have played in community development during the past 50 years and wish them at least another 50 years of continued efforts and enthusiasm.

FEDERAL PROPERTY MADE MORE ACCESSIBLE TO THE PUBLIC

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. McCARTHY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. McCARTHY. Mr. Speaker, I introduce today a bill to amend section 201(c) of the Federal Property and Administrative Services Act of 1949 to permit further use and donation of exchange sale property.

Senator GRUENING's Subcommittee on Foreign Aid Expenditures of the Committee on Government Operations held extensive hearings last year. All witnesses who testified agreed that the donation of property which is surplus to the needs of the Federal Government, to public schools and public health institutions, is one of the most effective uses and greatest benefits that could be made of such property.

It was brought to the subcommittee's attention, however, that in many cases property is sold by Federal agencies before it is classified as surplus. This necessitates public institutions bidding against surplus dealers in order to obtain the property for public use.

This situation should not exist, Mr. Speaker. I believe, as does the distinguished Senator [Mr. GRUENING], that this property belongs to all of the taxpayers of this country and therefore should be made available for public use rather than sold. Certainly greater benefits will accrue to more people through a donation program than by selling such property to speculators or surplus dealers.

Even though this amendment will cause a slight reduction in the Treasury, I sincerely believe that the overall benefits to millions of students, patients, and research projects will render the loss negligible in comparison.

For these, and many other reasons, I have introduced this bill.

I want to stress, however, that this amendment is in no way intended to curtail or jeopardize Federal utilization of excess property. Rather, it is intended to clarify the present law and establish a uniform procedure for disposing of surplus Federal property.

WASTE AND SPOILAGE OF OUR NATION'S WATER

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. McCARTHY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. McCARTHY. Mr. Speaker, I am today introducing a bill which will carry forth one of the most important programs that this Congress has ever enacted—the cleaning up of our Nation's lakes, streams, rivers, and harbors. This is the greatest single domestic problem that our Nation is facing today. The time is now for a national concerted attack on this problem. The bill which has just been placed in the hopper of this House will carry forth this attack on a wide scale and will continue a program that I have been consistently advocating since I arrived in Congress. The Committee on Public Works has made several forward-looking changes in the initial legislation and the proposal that I am presenting to the Congress today carries forth the spirit of that program. An identical bill was introduced yesterday by the distinguished chairman of the Public Works Committee, the gentleman from Maryland [Mr. FALLON].

It is a tragedy in this day and age to see the waste and spoilage of our Nation's waters. We are all guilty whether we be private or public entities or whether we be a part of the Federal, State, or local governments.

Last year the Water Quality Act of 1965, of which I was a cosponsor and upon which hearings were held before the Committee on Public Works and which is now on the statute books of our Nation, brought into the program the further development of the cooperation we hope to create between Federal, State, and local governments, industry, and private citizens to solve this problem. This bill will guide us down that road.

For the information of the Members, there is included a rather brief summary of the four major titles of the bill:

> Title I provides a new approach to the water pollution problem. It is aimed at cleaning up entire river basins through the development of comprehensive pollution control and abatement plans for selected river basins, and through grants to assist in financing the development costs of waste treatment works in accordance with the plan. The plan itself will include water-quality standards established under the criteria of the Water Quality Act of 1965, adequate provisions for enforcing those standards, a permanent local or interstate organization to carry out the plan, and adequate local financial programs to assure the maintenance of water quality and future expansion of treatment works.
>
> Title II provides for an attack on the pollution problem on a statewide basis. It authorizes the Secretary to waive the dollar ceilings under the present grant program for waste treatment works, and makes more of the funds available under that program for matching grants. The State, in turn, must agree to match the Federal grants and adopt statewide water-quality standards. The grantee must adopt an adequate financial program to assure maintenance of water quality and a financial program to cover future expansion of treatment works.
>
> Title III amends the Federal Water Pollution Control Act, as amended, in three principal ways, as recommended by the President: (a) it doubles the appropriation authorization for grants to State and interstate agencies to formulate, carry out, and enforce water-quality standards meeting the criteria of the Water Quality Act of 1965; (b) it removes the present dollar limitation on pollution control research; and (c) it strengthens the enforcement provisions of the act.
>
> Title IV of the bill enables private citizens to bring suits in Federal courts to obtain relief from pollution in interstate or navigable waters, requires the Secretary of the Interior to consider whether the deposit of refuse matter in navigable waters of the United States is, in each case, consistent with the purposes of the Federal Water Pollution Control Act, as amended, and transfers from the Secretary of the Army to this Department the authority to administer the Oil Pollution Act, 1924.

OUR HUNGER FOR SOCIAL JUSTICE MUST BE INSATIABLE

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, on the weekend of Lincoln's Birthday, the American Veterans Committee held a special convention here in Washington, D.C. From its very inception, the American Veterans Committee has been in the forefront to advance the cause of civil rights, sometimes with great sacrifice. For example, one of the members of its national board, Medgar Evers, was cruelly assassinated 3 years ago at his home in Jackson, Miss., while in the front lines of the civil rights struggle AVC's special fund is still helping to maintain his family and educate his children.

The special convention met to assess AVC's role as a veteran's organization, and to chart its future course. It enlarged its membership to include those who served in our Armed Forces during the present Vietnam hostilities. It reaffirmed its creed, unique among veterans organizations, of "citizens first, veterans second." It honored Senator Ralph Yarborough for his early and consistent leadership and persistence in obtaining enactment of the cold war GI bill. Mr. John Stillman, an outstanding Washington attorney, was reelected chairman of the organization.

One of he highlights at the AVC convention was the address delivered by Hon. Ramsey Clark, the Deputy Attorney General of the United States. Mr. Clark, a Texan and an alumnus of the University of Texas and the University of Chicago Law School, has already compiled an impressive record as a lawyer, and as a champion for civil rights. His address pointed out that "Our hunger for social justice must be insatiable," and he called for an expansion of "prosperity throughout America" as the great and formidable task now facing our Nation.

I believe that Deputy Attorney General Ramsey Clark's thoughtful address at the AVC convention on Lincoln's birthday will be of interest to the Congress and to the public, and I therefore insert his address at this point in the Record, as follows:

Remarks of Ramsey Clark, American Veterans Committee, February 12, 1966

It is altogether fitting that on Abraham Lincoln's birthday we consider the present estate and the future of the Negro in America.

We can apply the very test that Lincoln prescribed for the study of slavery at Springfield in 1858 in charting our consideration.

He said, "If we could first know where we are, and whither we are tending, we could better judge what to do and how to do it."

History will place the progress of the American Negro in our times among its greatest chapters in man's eternal quest for freedom and justice. We are fortunate to live it.

If you would doubt our progress you might recall the Great Emancipator's words at Charleston, Ill., on September 18, 1858. Lincoln felt at home in Charleston. It was old Whig country. He passed through there when first entering Illinois. And it is important that we remember such unhappy words because they restore to solid angularity the truth which time dissipates to shining ether. Lincoln said:

"I will say then that I am not, nor ever have been, in favor of bringing about in any way the social and political equality of the white and black races—that I am not, nor ever have been, in favor of making voters or jurors of Negroes, nor of qualifying them to hold office, nor to intermarry with white people, and I will say in addition to this that there is a physical difference between the white and black races which I believe will forever forbid the two races living together on terms of social and political equality."

Today, we have a great opportunity and an equally great responsibility. At a time when millions of people starve to death each year and whole nations live under tyranny, we have the chance to free an entire people from poverty which has plagued mankind at all times in all places—and to establish justice—the great concern of man on earth—equal justice for all.

To succeed we must be strong, courageous, and relentless. If a little success contents us, then little success will be our lot. Perhaps more so than in 1862 when Lincoln so said, the burden and the opportunity is ours. "We shall nobly save or meanly lose the last, best hope on earth."

A few years ago, Joe Louis, the immortal Brown Bomber, was asked why the heavyweights of today are not the fighters they were in his time. His answer contains a great truth about human nature. He said: "These boys have never been hungry." Our hunger for social justice must be insatiable. The UPI quote from Joe Louis in this morning's Post reminds us again that he is a champion. He is considering helping Cassius Clay train for his fight against Ernie Terrell and was asked whether he has become a Black Muslim. He said he would never be a Muslim, "because I've always believed that every man is my brother."

If, in America, black and white cannot live together with dignity, respect, and love, then where is it possible? It is for us to show the world, and in time, that in America it is not only possible, it is true.

For the Federal Government, the immediate tasks are many. President Johnson has directed the Department of Justice to prepare legislation:

To protect civil rights workers wherever they are.

To assure fair juries to every citizen.

To prevent discrimination in the sale and rental of housing.

These things we will do. They are but simple justice. The first duty of government is to protect the lives and property of its citizens. This must be done. There can be no greater wrong than prejudice in the administration of justice and no more hopeless condition for the individual than denial of a fair trial.

And clearly we must live together. Segregated housing denies equal opportunity in every aspect of our lives. It deprives us of the opportunity to live together with dignity, respect, and love. Separate but equal is self-contradictory. In segregation both equality and the fullest development of the individual are impossible for all races.

Lincoln, in 1858, said: "A house divided against itself cannot stand. I believe this Government cannot endure permanently half slave and half free."

Today it is clear that the American city cannot endure permanently segregated part black and part white.

More important than where we are, "whither we are tending?" There are miles to go before we sleep. Two incredible events of 1965 showed us much of the future. In the spring, the ennobling march from Selma to Montgomery told us that in the South, political justice for the Negro will soon be the fact. The last bonds have been broken. The main concern will become social and economic. One had only to see the pure joy on the faces of a thousand schoolchildren in Montgomery racing to greet the triumphant column and the faith in the faces of 5,000 freedom marchers to know that in the South progress is with us.

In August, from the far side of the continent, south-central Los Angeles—Watts, if you will—came a grim warning that America has a cancer eating the heart of central city. The voice from Watts cried out: "The Negro ghetto is just a colony—a dumping ground for the poverty and misery of an entire city—all power and wealth and voice is absent—we aren't treated like humans—we have lost our self-respect—our lives are brutalized. We need jobs and education—we want the independence only jobs can give—we want beauty in our lives."

Whatever the truth about their condition, this is their judgment of it. Seventy percent of the Negroes of Watts were born in the South. They left seeking a better life. Many are bitter, disillusioned, and angry. Their cries must be answered. America has no task more formidable.

The problems are basically economic. Political rights are usually equal for the Negro outside the South. But in the last 5 years of unequaled prosperity, Negro family income outside the South has dipped when compared to all family income. In the South, Negro income has improved comparatively. The median income of the Negro families of the Nation is barely one-half the median income of all families.

We must expand prosperity throughout America, for nothing offers greater hope for the Negro. Today 39 percent of our Negro families and 11.3 percent of our white live in poverty. We must provide:

More jobs—26 percent of the unemployed are Negro.

Better jobs with equal opportunity to advance.

Better job training for future development.

More education—the past generation could succeed with marginal education—for our children this is impossible.

Better education—our schools must meet the rapidly changing needs of tomorrow.

Greatly improved health conditions for all.

Better housing and physical environment for all—eliminate slums.

Full participation in all activities of an area by all segments of the population living there.

Open, clear communications among all parts of each community—to know is to understand.

A public administration—Federal, State, and local that truly serves the needs of all the people. That brings Government service in employment and welfare and social security to every area—not just police.

Finally, a sense of the importance of human relations that treats all people equally with concern, good will and humaneness.

While these problems are associated chiefly with the great cities, they exist throughout the Nation as well. They are the problems of tomorrow. They are immense.

So we live in a time of unprecedented challenge. We can be grateful we live in America today, for as President Johnson said at Howard University: "It is the glorious opportunity of this generation to end the one huge wrong of the American Nation and, in so doing, to find America for ourselves, with the same immense thrill of discovery which gripped those who first began to realize that here, at last, was a home for freedom."

THE MISSIONS OF SAN ANTONIO

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Gonzalez] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, in the Sunday, February 27, 1966, edition of the New York Times, a feature article was carried on the missions of San Antonio.

Beginning with the construction of the mission San Antonio de Valero, now known as the Alamo, in 1718, a number of missions were built along the San Antonio River. They are all located in the city of San Antonio and may be admired and enjoyed today. In fact, except for the Alamo, which is a national shrine and museum, the four other missions are still in use for religious services and for mission classes. These four missions are San Jose y San Miguel, built in 1720, and Mission Concepcion, San Francisco de la Espada, and San Juan Capistrano, all built in 1731.

These beautiful missions should be visited by as many persons as possible, for they are a valuable part of our heritage. Each one is important historically and esthetically.

I wish I could insert along with my remarks the photographs from the New York Times showing just how lovely the San Antonio missions and their settings are. Unfortunately pictures are not allowed in the RECORD. I therefore insert the feature article, "Texas Treasures," by Marguerite Johnson:

[From the New York Times, Feb. 27, 1966]

TEXAS TREASURES—MISSIONS ALONG SAN ANTONIO RIVER ARE A PAGE OUT OF COLORFUL PAST

(By Marguerite Johnson)

SAN ANTONIO.—Crusty and revered, the Alamo stands as a symbol of Texas the State and Texas the state of mind. But it began its days as a Spanish mission, San Antonio de Valéro, and it was the forerunner of four other missions that still exist along an 8-mile stretch of the San Antonio River.

The Alamo was more than 100 years old, and many years secularized, when the 1836 siege and massacre by Santa Anna, the Mexican general, made it a rallying cry in Texas' struggle for independence. Today, it is a national shrine and museum, but, at the four other missions, the bells still ring for services and for the mission classes.

BUILT IN 1718

San Antonio de Valéro was built in 1718 by monks and artisans led by a Spanish priest, Father Antonio de San Buenaventura Olivares, of the Order of St. Francis. He and his comrades entered Texas from Mexico, then a Spanish possession.

Then came the four other missions. The first, in 1720, was San José y San Miguel de Aguayo. The others were put up in 1731—Mission Concepción, San Francisco de la Espada and San Juan Capistrano. Indians friendly to the settlers found refuge behind the mission walls from their enemies—other Indians.

The largest of the five missions was San José, and the gardens of the four newer ones were watered by a 5-mile aqueduct that, even today, diverts the river waters into many a San Antonio field and orchard.

QUEEN OF MISSIONS

San Jose, with a belfry tower 75 feet high, was described by a Franciscan father in 1778 as "Queen of the missions of New Spain, in point of beauty, plan, and strength." He wrote further:

"The mission has 84 apartments built of stone all in line according to plan, with flat roofs, parapets and loopholes (for guns). Each apartment consists of a room and kitchen with a metate (for grinding corn), a pot, a comal (a ceramic plate for grilling tortillas), water jar, closet, bed, and dresser."

The visitor today can see the restored apartments furnished exactly as they were described, and built into the protecting wall that surrounds the mission.

Another Franciscan, Father Jose de Solis, gave this glimpse of mission life:

"The Indians have their carpenter shop, forge, and tailor shop, their lime and brick kilns, and a well from which comes as large a flow of water as from a small river. There are 350 persons, 110 of whom are warriors.

"Of the latter, 45 are armed with guns and 65 with bows and arrows, spears and other weapons. All of them sleep in beds raised off the ground and are provided with fine large blankets. All these articles are manufactured in the mission shops."

The structure that was, and is, the Alamo was built in 1744 as a chapel for the mission of San Antonio de Valéro. In 1835, a revolution freed Mexico of Spanish rule, and San Antonio became a Mexican town. Twelve years later, the Texans rebelled against Mexico and a band of revolutionaries took over the Alamo.

THE SIEGE BEGINS

The President of Mexico, Gen. Antonio Lopez de Santa Anna, organized an army and placed himself in command. In February 1836, he besieged San Antonio with 1,000 men. The defenders of the Alamo numbered about 150; in command was Col. William Barrett Travis, and among his fighting men were James Bowie and Davy Crockett.

Travis, appealing for help from other Texas outposts, sent a message considered among the most heroic in American history. The message, dated February 24, 1836, and addressed "To the people of Texas and all Americans in the world," is preserved in the State capitol at Austin. Travis wrote:

"FELLOW CITIZENS AND COMPATRIOTS: I am besieged by a thousand or more of the Mexicans under Santa Anna. I have sustained a continual bombardment and cannonade for 24 hours and have not lost a man. The enemy has demanded a surrender at discretion; otherwise, the garrison are to be put to the sword, if the fort is taken. I have answered the demand with a cannon shot, and our flag still waves proudly from the walls. I shall never surrender or retreat.

"Then, I call on you in the name of liberty, of patriotism and everything dear to the American character to come to our aid with all dispatch. The enemy is receiving reinforcements daily and will no doubt increase to 3 or 4 thousand in 4 or 5 days. If this call is neglected, I am determined to sustain myself as long as possible and die like a soldier who never forgets what is due to his honor and that of his country.

"Victory or death."

But only one force come to Travis' aid—32 men from the outpost of Gonzales. Santa Anna's army closed in on March 6, 2 days after Texas had declared its independence. The Mexicans hoisted a red flag to indicate no quarter, and by the end of the day the fort was theirs.

Every defender died, and Santa Anna lost more than 500 men. The bodies of the Texans were piled on brush and lumber, and burned. Santa Anna then headed east to the town of Goliad, and there staged another massacre.

HOUSTON TAKES OVER

But Sam Houston rallied a force of 800 citizen-soldiers at Gonzales, kept it out of reach of the Mexicans and waited for the moment to repay Santa Anna. That moment came 6 weeks later at the San Jacinto River, near the present city of Houston.

On the afternoon of April 21, the encamped Mexicans were preparing for dinner and Santa Anna was enjoying a siesta. From the hills, Houston and his men swooped down, shouting, "Remember the Alamo. Remember the Goliad." They killed 600 men and took the others prisoner, including Santa Anna.

The Republic of Texas at last was free.

ALBERT THOMAS—A TALL TEXAN

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, those of us who have had the great privilege of knowing and being associated with the great Texan and Congressman, Albert Thomas, feel a deep sense of loss.

Whether it was in the House gymnasium, or in committee meeting, or on the floor of the House, Congressman Thomas was the perfect gentleman, and truly a man's man. He has left an imperishable memory with us and numerous monuments to his effectiveness and efficiency with his constituency.

No amount of words or phrases that I might offer here and now could possibly add to what has already been said and what will continue to be said for many years.

But, as the great American poet has said:

So when a great man dies,
For years beyond our ken,
The light he leaves behind him lies
Upon the paths of men.

LINWOOD CHILDREN'S CENTER

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. O'HARA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. O'HARA of Michigan. Mr. Speaker, last night in Baltimore, an outstanding citizen of our Nation's Capital City, Milton S. Kronheim, Sr., was honored. One of the leading attributes of Mr. Kronheim is his foresight.

It was he who, 11 years ago, helped make possible the establishment of Linwood Children's Center, a research and treatment facility and school for children suffering serious emotional disturbances.

The large gathering—an overflow crowd of 300—was led in the tribute to Mr. Kronheim by Associate Justice William J. Brennan, Jr.

Mr. Kronheim had the foresight 11 years ago to see that Miss Jeanne Simons, the director of Linwood, could successfully tackle the massive task of treating emotionally disturbed children. He helped raise the funds, recruited other interested citizens from the Baltimore and Washington areas to the board of directors and aided in the purchase of a decaying mansion high on a hill above Ellicott City, Md.

Linwood Children's Center has survived near-bankruptcy, lack of heat and water and electricity because of worn-out systems, a leaking roof and many other tribulations. The old mansion now is in good repair.

Last year, Linwood was singled out—only because of its high degree of success in helping emotionally disturbed children—for an intensive 3-year study of the Linwood method. The Office of Education has authorized the Institute of Behavioral Research to make the study, to cost $221,000, so as to pass on the techniques to other treatment centers. Linwood is not benefiting directly from the study grant.

Linwood is a community mental health center, of the type envisioned by the Congress in legislative actions in 1963 and 1965. It is pointing the way for other centers. Linwood already has given many emotionally disturbed children a chance to reach the world of reality. The Linwood children all come from the Washington and Baltimore areas. Children from Washington are transported by the Linwood schoolbus.

Mr. Speaker, under unanimous consent I insert Justice Brennan's remarks of last night at this point in the RECORD:

REMARKS OF ASSOCIATE JUSTICE WILLIAM J. BRENNAN, JR., AT LINWOOD CHILDREN'S CENTER DINNER HONORING MILTON S. KRONHEIM, SR., MARCH 1, 1966, AT THE BLUE CREST FORDLEIGH, BALTIMORE, MD.

It's a pleasure to join with you tonight on behalf of the Linwood Children's Center to honor my dear friend Milton Kronheim. I know of no work more wonderful than Miss Jeanne Simons' remarkable effort to break through the blur that is the world to *an autistic child. I know something personally* of the tragedy and heartache for child and the child's family that this affliction means. I have a cousin Philip living in Dublin, Ireland. He's now 11 years of age. His mother, my mother's niece, is a distinguished professor of medicine at the Medical School of University College in Dublin. Philip has a brother and sister, both in their twenties who will also soon be doctors. Philip was about 2½ or 3 when this tragic affliction struck him. He seemed almost blind, deaf and dumb. But he was not, in fact he could see but with the glazed stare of a doll. He could hear but show no sign. He could make sounds but not speak. His wild movements seemed purposeless. And in Ireland there seemed to be no one to help. A desperate father and mother consulted such centers as there are in England and Continental Europe, but met only the discouragement that almost brought them to the brink of despair. Finally, last summer, they came to the United States. They learned, and I wish them, that indeed such children can be helped, indeed even cured.

They visited centers in New York, Boston, Philadelphia, the National Institutes of Health—and they visited Linwood. And there their courage was rewarded, and their hope restored. For Jeanne Simons has indeed proved that there are ways to penetrate the confused frightening blur. She has proved that these children can be taught to see, hear, and speak—some in defiance of all medical prediction. I don't know how she does it and she herself has said that it's been difficult for her to say. But she and we are on the road to finding out. That's the reason the Federal Government is supporting the great work of Drs. Ferster, Cameron, and their knowledgeable staff in an analysis which should make it possible to train others to apply what Jeanne Simons does. I have the honor to be a member of the advisory group which is working with that project. I can not describe the excitement one feels to be part of something with such bright promise of helping these children, not only those at Linwood but the autistic child everywhere.

My cousins had come here with the thought that they should establish a Linwood in Ireland where Philip and other afflicted Irish children might be treated. What they saw at Linwood made up their minds. They returned to Ireland and in the short 6 months since their visit, the center in Dublin has become a reality. They have had unstinted support not only of Ireland's Ministry of Health but of people in all walks of life in Ireland—and as they suspected the process has revealed that, in numbers of children, the problem in Ireland is a formidable one indeed. That's but a small vignette of what Linwood means and will mean—and why the support of every one of us for this magnificent project has such significance.

Linwood, too, you know, has had its rough spots since it precarious start in 1955. Tonight we honor one who has been a tower of strength to Linwood from those beginnings. I have the testimony of Dr. Dann that Milton Kronheim's encouragement, vision, and unswerving support have been the prime ingredients in the promise that Linwood now holds for these seriously mentally ill children everywhere. Only recently Dr. Dann wrote Milton this:

"Thirty months ago Linwood was on the ropes financially. At a meeting then, you and I with Mr. James Kunen, Meyer Foundation; Dr. Francis Rice, Notre Dame; Mr. John Kind, General Accounting Office; and Miss Jeanne Simons, director of Linwood, agreed (and we were supported by the whole board, which, in part, you helped to recruit) that we should (1) make all the personal sacrifices necessary to keep Linwood going, and (2) have the Linwood treatment methods analyzed and made known.

The last was most important, because outstanding scientific discoveries, once made, can otherwise be subsequently lost for generations.

Milton wants no credit for any of this, I *expect even the recitation of the bare facts* embarrasses him. All his life he has been the kind of human being too few human beings are. Because, for him, it is other human beings who are the most important feature of the universe which confronts our senses. It is other human beings who are important and whose essential needs present not merely a challenge for them but also a challenge for him. I don't think any man in Washington is more beloved for his magnificent philanthropic and social welfare activities. He has been named man-of-the-year for so many reasons and by so many organizations as to fill a whole page. He has been cited by officials of Government up to and including the President of the United States. But he has accepted these honors not because he wants them or will even admit that he deserves them, but only because they serve to further the causes to which he has given so much time, treasure, and heart. I expect, however, that none touches him more deeply than the honor you do him tonight. For no service tugs harder at him than this service for these emotionally disturbed children.

Milton, it is an honor for me to present, on behalf of all of us here, this small appreciation of our heartfelt thanks for what you have done to make possible the magnificent work that Miss Simons and Linwood are doing. Linwood is one of the, as yet, too few schools in the country for these severely disorganized children—and with your help it is the best.

THE NEED TO CREATE A SELECT COMMITTEE ON AGING IN THE HOUSE

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PEPPER. Mr. Speaker, early in the last session I introduced a bill to create a nonlegislative Select Committee in the House to study the problems of the aging. I think the time has come for the House to consider seriously the necessity for the establishment of such a committee.

Each year the proportion of elderly citizens to the rest of the population increases. And though this increase is due in great measure to the advances of medical science, other advances have not materialized rapidly enough to offset the social, economic, and cultural problems that arise for the elderly member of our society.

The number of older Americans is increasing rapidly, at a rate second only to the increase of the population between the ages of 5 and 14. And today the very old age group—those 85 and over—exceeds 900,000, an increase of close to 1,000 percent since 1920.

Congress has recognized this new demographic preponderance of older citizens and its accompanying growth in problems by devoting increasing legislative *attention to this group. In the last session* alone, the historic medicare proposal *came to life. And last session also* saw the birth of the Older Americans Act, certainly not as far reaching as medicare, but definitely significant in *terms of its commitment to our older citizens.*

In fact, Congress has been actively and prolifically legislating in the interests of our elderly Americans for the past several sessions—in the fields of health, welfare, research, and expanding opportunities for productive activity by the elderly. It would seem that the various standing committees in the House are gaining through this increased experience a broad acquaintance with the problems and troubles which confront the elderly.

Why, then, just at the time when more knowledge is being gained by the committees which handle legislation affecting the elderly, is it desirable to create a Select Committee on Aging?

I can see the reasons clearly. As matters stand now, legislation for the aged is handled piecemeal and is created individually. A select committee with the duty of conducting research and studies, with the duty of holding hearings and collecting information, can contribute an overview and a perspective on the general condition of the aging in the United States. It can channel our legislative energies, show where coordination will be useful, and educate all interested congressional parties to the priorities for action.

It can serve as a center for specialization—providing experts with general knowledge about the problems of the elderly in relation to the specific areas of health, welfare, social, and cultural needs.

Especially now that the framework of legislation has been laid to assist the older American meet his needs, we must turn to the more subtle problems facing an elderly citizen. "Man cannot live by bread alone," neither can an elderly person find joy and satisfaction in his later years merely by knowing that his heaviest health needs will be partially shouldered for him, or by knowing that his meager pension will keep him fed and clothed and warmed.

Secretary of Labor Wirtz stated the problem of the older American accurately when he said:

> It doesn't make sense that the doctors and scientists can do so much better about removing the physical aches and pains of old age than the rest of us are doing about ending the bitter bruises of discrimination against older people.

One subtle problem facing the growing group of our population that is over age 65, is how to use their more robust health and the long years of life that they can expect to enjoy to some useful end, when the trend of our society is to retire people out of the labor force at an early age.

Another problem is whether to permit the elderly to be grouped together in enclaves within existing communities or within special communities of their own when they are still quite capable of contributing their full measure to the mainstream of our society.

These are areas where much research must be done before we can reach valid conclusions. These are areas where there are very few experts and very little in the way of history. These are areas where we must seek out, collect, and coordinate opinion.

In short, these are areas where a special select committee could function very effectively—serving the Congress, its senior committees, and above all the elderly citizens of the United States by gathering the knowledge and experience from which we can plot our future courses of action.

The Senate instituted its Special Committee on Aging 5 years ago. It was prompted to this course of action by the realization that the problems of aging cut across all legislative fields of interest, yet that there was no mechanism for insuring that coordination of action could take place. Such coordination could work for an interrelationship of action and for a minimum of duplication and waste.

The committee in the Senate has accomplished a great deal in its first few years and it has greatly enlarged the knowledge of the Congress on what the problems of aging are.

The House is no less in need of the assistance of experts and research in conducting its legislative duties. Indeed, the proliferation of programs for the elderly virtually obligate us to educate ourselves as fully as possible in order to legislate more wisely and effectively.

I hope that my fellow Members of Congress will see the need as clearly as I do and support the creation of a Select Committee on Aging in the House and my Resolution 191 which is as follows:

H. Res. 191

Whereas there are now more than seventeen million persons in the United States age sixty-five and over—a group representing more than 9 per centum of our total population and more than 15 per centum of our adult population; and

Whereas this group of senior American citizens is expected to exceed twenty million by 1970—thus continuing it as the most rapidly growing segment of our entire adult population; and

Whereas this group is faced with serious and continuing problems, including employment, housing, medical care, education, pensions, and meaningful use of retirement years; and

Whereas these problems have produced and will continue to produce serious strains on the fabric of our national life making it incumbent upon us to discover what social and economic conditions will enable our senior citizens both to contribute to our national productivity and to lead satisfying, independent, and productive lives; and

Whereas the problems of our senior citizens, while calling for action by various legislative committees, are themselves highly interrelated, requiring coordinated review and recommendations based on studies in depth of the total field—studies which of necessity must range beyond the jurisdictional boundaries of any existing committee; and

Whereas the problems confronting our senior citizens are of such vital national concern as to require the full-time attention of a select committee of the House of Representatives: Now, therefore, be it

Resolved, That there is hereby created a nonlegislative select committee to be composed of fifteen Members of the House of Representatives to be appointed by the Speaker, one of whom he shall designate as chairman. Any vacancy occurring in the membership of the committee shall be filled in the same manner in which the original appointment was made.

The committee is authorized and directed to conduct a full and complete investigation and study of any and all matters pertaining to problems of older people, including, but not limited to, problems of maintaining health, of assuring adequate income, of finding employment, of engaging in productive and rewarding retirement activity, of securing proper housing, and, when necessary, of assuring adequate care or assistance.

No proposed legislation shall be referred to the committee, and the committee shall not have power to report by bill, or otherwise have legislative jurisdiction.

For the purpose of carrying out this resolution the committee, or any subcommittee thereof authorized by the committee to hold hearings, is authorized to sit and act during the present Congress at such times and places within the United States, including any Commonwealth or possession thereof, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as it deems necessary; except that neither the committee nor any subcommittee thereof may sit while the House is meeting unless special leave to sit shall have been obtained from the House. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

The committee shall report to the House as soon as practicable during the present Congress the results of its investigation and study, together with such recommendations as it deems advisable. Any such report which is made when the House is not in session shall be filed with the Clerk of the House.

ADDITIONAL FEDERAL JUDGES AND DISTRICTS

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Ottinger] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. OTTINGER. Mr. Speaker, I regret that I was unavoidably detained on official business outside the Capital this afternoon and was not able to cast my vote on S. 1666, to provide for additional circuit and district judges. Had I been here I would have voted for this bill.

ADMINISTRATION'S REQUEST FOR EXPANDED AND NEW PROGRAMS IN HIGHER EDUCATION

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentlewoman from Oregon [Mrs. Green] may extend her remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mrs. GREEN of Oregon. Mr. Speaker, at a time when widespread concern is being expressed over the question of whether this Nation can afford "guns and butter," it is equally important that attention be focused on whether we have, and will have, an adequate supply of qualified manpower to staff and implement our expanding domestic programs and military commitments. The Nation's ability to meet our manpower needs will depend largely on the availability of quality educational opportunities in higher education—on the ability of our colleges and universities to house and educate our youth—and on the resources, private and public, that can be mustered to guarantee that no student of ability is denied an educational opportunity because of financial reasons. The President yesterday called attention to this matter and urged the Congress to strengthen our national endeavor in the area of higher education. His message on education demonstrates the continued interest and unyielding determination of the administration to work toward "a national goal of full educational opportunity" set last year by the President.

The successful legislative response to the administration's requests for expanded and new Federal programs in higher education is indicative of the growing awareness in Congress and across the country of the value of education to the individual and to the Nation. The President's education message emphasizing that "our education programs must be administered wisely and well" and his legislative program in higher education stressing examination and extension of existing programs rather than the implementation and establishment of new ones, mirrors, I believe, the mood and feeling of so many in the educational community—that it is time to stop, look, and listen—to study, evaluate, and perfect before we venture into new areas.

In accordance with the President's requests, the Congress will be asked to reexamine two of the most successful Federal education programs. The Higher Education Facilities Act under which our colleges and universities are receiving grants and loans for the construction of academic facilities will be considered for extension and funding at a level which is consistent with the demands being placed upon our schools to provide the instructional space needed for the predicted increase of nearly a million and a half students in 1967 and the even larger number expected in future years.

Testimony before the Special Subcommittee on Education, letters received from college presidents and administrators, and discussions with members of the educational community demonstrate clearly not only the value but the necessity of providing Federal assistance for construction purposes. Fortunately Congress will have an opportunity to reevaluate and study with the knowledge that strong administration support will be given to a continuation of the program.

Attention and consideration will also be given to the provisions of both new and the long-established student loan programs. Concerned college presidents, administrators, students, and parents were, I am sure, reassured with the President's message to the effect that he is proposing an orderly transition of the national defense education student loan program to the guaranteed program so that no eligible student will be deprived of the needed financial assistance. The administration's bill which I have introduced today contains a number of provisions designed to effectuate this orderly transition. Certainly these provisions must receive very careful scrutiny by the Congress and to this end the Special Subcommittee on Education will begin public hearings in the very near future. Prompt attention to this matter is necessary in order to insure that our colleges and universities and our students will be advised of the exact and final provisions just as soon as possible.

May I take this opportunity to comment on another part of the President's message. We are all aware of the hospital crisis in almost every major American city. As the urban population continues to grow, ever greater strain will be placed on already inadequate resources. The "Father of Medicine," Hippocrates, observed several centuries ago that "Healing is a matter of time, but it sometimes is also a matter of opportunity." In his health message, the President recognizes the need to provide those opportunities for healing and I wish to offer special congratulations on the program he has recommended to construct and refurbish urban hospital systems badly in disrepair. Advances in knowledge are always welcome. But to have the know-how and not the means to apply it can have little practical value. I am, therefore, very pleased by this evidence of the President's leadership in what should be our joint determination to transfer the learning of the laboratory to the world of people by help in updating of hospitals, equipment, and the training of personnel.

VIETNAM

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from Arizona [Mr. SENNER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. SENNER. Mr. Speaker, history alone can ultimately determine whether or not America has chosen the right path in South Vietnam. Its decision will be inexorable.

We, here and now, must move in the direction that the needs of the present and the lessons of the past dictate. We cannot vacilate. We dare not hesitate.

Whatever the justice of our original involvement in South Vietnam may have been—and men may debate the ethics of that initial involvement until little green apples turn into big red grapes—the inescapable fact in that we are involved.

Yesterday, by a vote of 392 to 4, this body authorized $4.8 billion for military procurement to make certain our men in uniform have the means with which to carry out this Nation's obligations in South Vietnam and other areas of the world where similar obligations exist.

There have been, and will continue to be, efforts to explain what yesterday's vote meant and what it did not mean. I wish to state that my vote in favor of the authorization clearly and emphatically expressed my support of President Johnson's determination to halt Communist terrorism and aggression in South Vietnam.

Recently, a major Arizona daily newspaper, the Phoenix Gazette, carried a significant editorial concerning America's role in Vietnam. There is not an abundance of occasions on which the Gazette and I agree editorially. I include the editorial and a newsletter distributed to my constituents last month for the study and comment of the Members of the House.

[From the Phoenix Gazette, Feb. 17, 1966]

NO EASY WAY IN VIETNAM

As any soldier knows, the only way to win a battle is to attack the enemy and destroy him. So, too, is that the only way to win a war, a fact that President Johnson quite obviously realizes, for all of the unsolicited advice to the contrary.

The President has indicated that he stands ready to commit still more men, more equipment and more arms—whatever is necessary—to enable the allied forces to search for the enemy, find him and destroy him in Vietnam.

Surprisingly, there has been some sentiment, notably that expressed by George F. Kennan, former U.S. Ambassador to Russia and to Yugoslavia, and by retired Lt. Gen. James M. Gavin, for the United States to adopt a Maginot Line concept in Vietnam.

Kennan said the U.S. forces should simply "dig in and wait" for a Communist peace bid. Although Gavin endorsed "search and destroy" operations against the Vietcong, he opposed the additional commitments of troops that may be necessary to conduct them effectively.

Kennan's tactical formula, which he disclosed in testimony to the Senate Foreign Relations Committee, would lead to unmitigated disaster for the United States. Granted the initiative, the Vietcong could consolidate control in vast areas of Vietnam and seize still other territory. Ultimately, the whole countryside would fall to them, except those small areas where the waiting Americans were dug in, and even those might well become untenable.

The Communists are not likely ever to bid for peace under such circumstances. The American forces ultimately would have to come out of their holes and fight, under even more adverse circumstances than they face now, or, worse yet, retreat from the Indochina peninsula.

General Gavin is worried about the dangers of overcommitment in Vietnam, and his concern is valid, to a point. The demands of the Vietnam conflict have reduced the American strategic reserve—forces that could be deployed in a new or intensified emergency—to a distressingly low point. Still, the answer is to reconstitute the strategic reserve, not to commit fewer troops than needed to destroy the enemy in Vietnam.

Of course, there is unpleasantness involved in mounting a destructive attack on the Vietcong. It may require a substantially larger Military Establishment, which means higher draft calls and possibly a mobilization of citizen-soldiers. Too, offensives always produce casualties.

However unpleasant the task, though, the fact remains, as it has through history, that there simply is no other to win. That is the way it must be in Vietnam.

THE SENNER VIEW—REPORTS FROM WASHINGTON

(By GEORGE F. SENNER, JR.)

(NOTE.—During recent weeks, I have received an increasing amount of mail concerning South Vietnam. This complicated and frustrating problem involves every one of us. So that the people of my Third Congressional District may know my position on our involvement in South Vietnam, I am reproducing here a letter I recently sent one constituent.)

DEAR TRAVIS: Thank you for your recent correspondence sharing with me some of your thoughts relative to Vietnam.

I have been briefed by President Johnson, Secretary of Defense Robert S. McNamara, Secretary of State Dean Rusk, Ambassador to the United Nations Arthur J. Goldberg, and other administrative officials. It is my conclusion that these public servants are doing everything possible to secure for the South Vietnamese people the right of self-determination in choosing the type of government they want to represent them. Further, that they are exploring every reasonable avenue to stop Communist aggression in South Vietnam, and to preserve peace throughout all of southeast Asia.

I thought that you would be interested in a tally of the war survey taken of Congress by the U.S. News & World Report (Jan. 31, 1966) which gives the compilation of the replies of 237 Members of the House of Representatives and 35 Senators. A copy of the same is enclosed, together with my comments thereon.

Of late, there seem to be five types of letters addressed to me by individuals: (1) total withdrawal of U.S. troops from South Vietnam; (2) the use of thermonuclear weapons, regardless of the consequences; (3) when do we win the war in Vietnam? If not—why not? (4) continue the lull in the bombing of North Vietnam and seek a negotiated peace; and (5) turn the war in Vietnam over to the United Nations peacekeeping teams.

I am sure that all of us are for peace; and that all of us are against the ugly and terrible menace of Communist aggression, forcing its will upon people. However, as President Johnson said, three Presidents—President Eisenhower, President Kennedy, and President Johnson—have expressed their intention to live up to our commitment as indicated by this country's expressions to the Geneva accord of 1954, the first U.S. military assistance being furnished in 1954 by President Eisenhower. President Johnson has told the American people that we did not choose to be the keeper at the gate, but there is no one else; that our word and our commitment, given to the South Vietnamese, will be kept and whatever our men need in guns and moneys will be provided.

I have faith in President Johnson and his advisers in attempting to bring this matter to a quick and just solution with a minimum loss of life to mankind. I can only hope, with you, that this war will be brought to a successful conclusion, with honor and the freedom that we are seeking for the people of South Vietnam. I hope, too, that this can be accomplished as quickly as possible and that our boys will be able to return to their homes.

With warmest personal regards to you, I remain,

As always,

GEORGE F. SENNER, Jr.

TALLY ON THE WAR SURVEY OF CONGRESS

A questionnaire was sent to all Members of Congress.

Total number of replies: 272. This is more than half the membership of Congress.

Included in the 272 replying were 35 Senators, 237 Representatives.

Each Member of Congress was told: "This survey is completely anonymous and you need not sign the questionnaire unless you wish to do so." Some Members signed their replies. Most did not.

Each question called for a "yes" or "no" reply. Additional comment also was invited. Some of those responding did not answer every question.

Counting only direct "yes" or "no" responses, the column at the left shows how the Members of Congress replied to each of the nine questions.

HOUSE AND SENATE POSITION	SENNER POSITION
1. In your opinion, is it vital to the United States to save South Vietnam from a Communist takeover? House: 206 yes, 20 no. Senate: 28 yes, 6 no.	Yes.
2. Does the United States have a vital interest in the future of southeast Asia? House: 219 yes, 10 no. Senate: 28 yes, 6 no.	Yes.
3. If the Communists will not talk truce, should North Vietnam be hit harder? House: 190 yes, 23 no. Senate: 25 yes, 6 no.	Yes. Insofar as hitting "harder" applies to military strategic targets and a complete and effective blockade of strategic war materials and personnel in North Vietnam.
4. Do you think North Vietnam should be bombed into submission, if necessary to win? House: 155 yes, 45 no. Senate: 16 yes, 13 no.	If by "submission" is meant total annihilation of the North Vietnam population, my answer is "No." If, on the other hand, submission means rendering the military ineffective to continue its policy of aggression in South Vietnam, then my answer is an unequivocal "Yes."
5. Is the use of tactical atomic weapons unthinkable? House: 87 yes, 118 no. Senate: 22 yes, 10 no.	The word "unthinkable" is misleading here, for military, political and economic demands of the war in Vietnam require a thorough evaluation of every possible action and reaction. Therefore, to think of tactical atomic weapons is proper. As to their actual use, I would be strongly opposed except as a last resort in defense against nuclear aggression.
6. Should war be confined to ground operations, rather than ground war plus bombing of the North? House: 17 yes, 203 no. Senate: 5 yes, 27 no.	No.
7. Is this actually a good time to cut losses and to get out? House: 12 yes, 205 no. Senate: 3 yes, 30 no.	No.
8. Should we withdraw to coastal enclaves to avoid a bigger war? House: 19 yes, 192 no. Senate: 4 yes, 25 no.	No.
9. Should the war be allowed to return to its purely guerrilla phase? House: 10 yes, 195 no. Senate: 1 yes, 22 no.	No. As long as the terrorists and aggressors remain in South Vietnam they must be searched out and rendered ineffective. The South Vietnamese people should have the right of self-determination of their government by free elections.

PERSONAL ANNOUNCEMENT

Mr. PURCELL. Mr. Speaker, I regret very much that official business back in the district prevented me from participating in the vote yesterday on the defense authorization bill.

If I had been here I would have voted in support of the legislation.

The President has my full and complete support in his actions in the Vietnam crisis, and I am only sorry that I was not able to be here yesterday to affirmatively express my support by voting for H.R. 12889.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. DAGUE (at the request of Mr. ARENDS), for today and tomorrow, on account of death in family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. PATMAN, for 60 minutes, March 3, 1966; and to revise and extend his remarks and include extraneous material.

Mr. VANIK (at the request of Mr. PATMAN), for 60 minutes, March 3, 1966, immediately following Mr. PATMAN; and to revise and extend his remarks and include extraneous matter.

Mr. RONCALIO, for 15 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. STAGGERS, for 10 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. POOL, for 20 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. ROONEY of New York (at the request of Mr. KREBS), for 15 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. McDOWELL (at the request of Mr. KREBS), for 10 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. RESNICK (at the request of Mr. KREBS), for 15 minutes, today; to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. CELLER and to include an article, notwithstanding the fact that it exceeds two pages of the RECORD and is estimated by the Public Printer to cost $572.

Mr. CELLER and to include an article, notwithstanding the fact that it exceeds two pages of the RECORD and is estimated by the Public Printer to cost $286.

Mr. RIVERS of Alaska and to include extraneous matter.

Mr. TENZER.

(The following Member (at the request of Mr. DON H. CLAUSEN) and to include extraneous matter:)

Mr. FINO.

(The following Member (at the request of Mr. KREBS) and to include extraneous matter:)

Mr. HUNGATE.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 251. An act to provide for the establishment of the Cape Lookout National Seashore in the State of North Carolina, and for other purposes.

ADJOURNMENT

Mr. KREBS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 12 minutes p.m.) the House adjourned until tomorrow, Thursday, March 3, 1966, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2120. A letter from the Acting Comptroller General of the United States, transmitting a report of examination of financial statements, fiscal year 1965, Virgin Islands Corporation, Department of the Interior, pursuant to the provisions of 31 U.S.C. 851 (H. Doc. No. 398); to the Committee on Government Operations and ordered to be printed.

2121. A letter from the Secretary of Defense, transmitting a report that authority vested in the Secretary of Defense to pay special pay, in addition to other pay prescribed by law, to certain officers, was not exercised during calendar year 1965, pursuant to the provisions of section 306 and section 310, title 37, United States Code; to the Committee on Armed Services.

2122. A letter from the Director, U.S. Information Agency, transmitting the 25th Semiannual Report of the U.S. Information Agency, for the period from July 1 to December 31, 1965, pursuant to the provisions of Public Law 80-402; to the Committee on Foreign Affairs.

2123. A letter from the Assistant Director for Legislative Reference, Bureau of the Budget, Executive Office of the President, transmitting a draft of proposed legislation to establish the Department of Transportation, and for other purposes; to the Committee on Government Operations.

2124. A letter from the Acting Comptroller General of the United States, transmitting a report of examination of financial statements of Public Housing Administration, fiscal years 1965 and 1964, Department of Housing and Urban Development; to the Committee on Government Operations.

2125. A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to repeal section 6 of the Southern Nevada Project Act (act of October 22, 1965 (79 Stat. 1068)); to the Committee on Interior and Insular Affairs.

2126. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to provide for a coordinated national safety program and establishment of safety standards for motor vehicles in interstate commerce to reduce traffic accidents and the deaths, injuries, and property damage which occur in such accidents; to the Committee on Interstate and Foreign Commerce.

2127. A letter from the Administrator, Federal Aviation Agency, transmitting a draft of proposed legislation to amend the Federal Airport Act to extend the time for making grants thereunder, and for other purposes; to the Committee on Interstate and Foreign Commerce.

2128. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a report of orders entered in certain cases, pursuant to the provisions of section 212(d)(6) of the Immigration and Nationality Act; to the Committee on the Judiciary.

2129. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a report of visa petitions approved according certain beneficiaries of such petitions third preference and sixth preference classification, pursuant to the provisions of section 204(d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

2130. A letter from the Acting Chairman, National Mediation Board, transmitting the 31st Annual Report of the National Mediation Board, including the report of the National Railroad Adjustment Board, pursuant to the provisions of section 4, second, Public Law 442, approved June 21, 1934; to the Committee on Interstate and Foreign Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. POWELL: Committee on Education and Labor. H.R. 10721. A bill to amend the Federal Employees' Compensation Act to improve its benefits, and for other purposes; with an amendment (Rept. No. 1304). Referred to the Committee of the Whole House on the State of the Union.

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. H.R. 12762. A bill to authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard; with amendments (Rept. No. 1305). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. STAGGERS:

H.R. 13196. A bill to amend the Public Health Service Act to increase the opportunities for training of medical technologists and personnel in other allied health professions, to improve the educational quality of the schools training such allied health professions personnel, and to strengthen and improve the existing student loan programs for medical, osteopathic, dental, podiatry, pharmacy, optometric, and nursing students, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 13197. A bill to amend the Public Health Service Act to promote and assist in the extension and improvement of comprehensive health planning and public health services, to provide for a more effective use of available Federal funds for such planning and services, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 13198. A bill to amend the Public Health Service Act to further promote and assist in modernization of hospitals and other medical facilities through grants for amortization of indebtedness incurred for that purpose, direct loans, and guarantees of loans, and through grants for the planning of such modernization, and to authorize grants for development of new technology systems and concepts in the provision of health services; to the Committee on Interstate and Foreign Commerce.

H.R. 13199. A bill to amend the Clean Air Act so as to authorize grants to air pollution control agencies for maintenance of air pollution control programs in addition to present authority for grants to develop, establish, or improve such programs; make the use of appropriations under the act more flexible by consolidating the appropriation authorizations under that act and deleting the provision limiting the total of grants for support of air pollution control programs to 20 percent of the total appropriation for any year; extend the duration of the programs authorized by the act; and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HOLIFIELD:

H.R. 13200. A bill to establish a Department of Transportation, and for other purposes; to the Committee on Government Operations.

By Mr. CLEVELAND:

H.R. 13201. A bill to authorize the establishment of the Connecticut River National Parkway and Recreation Area, in the States of Connecticut, Massachusetts, Vermont, and New Hampshire, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. DUNCAN of Tennessee:

H.R. 13202. A bill to amend title 38 of the United States Code to provide that in determining the eligibility for pension of a veteran who is 70 years of age or older the income of a veteran's spouse shall not be considered; to the Committee on Veterans' Affairs.

By Mrs. HANSEN of Washington:

H.R. 13203. A bill to provide for the humane treatment of vertebrate animals used in experiments and tests by recipients of grants from the United States and by agencies and instrumentalities of the U.S. Government and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HARVEY of Indiana:

H.R. 13204. A bill to provide a permanent special milk program for children; to the Committee on Agriculture.

By Mr. HELSTOSKI:

H.R. 13205. A bill to provide financial assistance to the States to assist them in the construction of facilities for the treatment and rehabilitation of drug abusers; to the Committee on Interstate and Foreign Commerce.

H.R. 13206. A bill to provide financial assistance to the States to assist them in establishing treatment and rehabilitation services for drug abusers; to the Committee on Interstate and Foreign Commerce.

H.R. 13207. A bill to authorize civil commitment in lieu of criminal punishment in certain cases involving narcotic addicts; to the Committee on the Judiciary.

H.R. 13208. A bill to amend section 5(1) of the Railroad Retirement Act of 1937 to provide benefits for children of deceased railroad employees who are over the age of 18 and below the age of 22 and are attending an educational institution as full-time students; to the Committee on Interstate and Foreign Commerce.

By Mr. HOWARD:

H.R. 13209. A bill to provide a permanent special milk program for children; to the Committee on Agriculture.

By Mr. MULTER:

H.R. 13210. A bill to provide all citizens of the District of Columbia, particularly its low- and moderate-income families, equal access to and participation in the arts by establishing neighborhood art centers and supporting neighborhood advisory and working art groups, and by providing greater support for the National Symphony Orchestra, the Corcoran Gallery of Art, the Children's Theater, and other nonprofit art programs of the District of Columbia; to the Committee on the District of Columbia.

H.R. 13211. A bill relating to the establishment of parking facilities in the District of Columbia; to the Committee on the District of Columbia.

By Mr. PELLY:

H.R. 13212. A bill to strengthen State and local governments, to provide the States with additional financial resources to improve elementary and secondary education by returning a portion of the Federal revenue to the States; to the Committee on Ways and Means.

By Mr. SCHNEEBELI:

H.R. 13213. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. SWEENEY:

H.R. 13214. A bill to provide a special milk program for children; to the Committee on Agriculture.

By Mr. TEAGUE of Texas (by request):

H.R. 13215. A bill to amend title 38 of the United States Code, to increase the rate of pension to certain veterans of World War I, World War II, and Korean conflict, their widows and children, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 13216. A bill to increase the rate of dependence and indemnity compensation payable to widows, children, and parents and for other purposes; to the Committee on Veterans' Affairs.

H.R. 13217. A bill to increase the rate of pension payable to certain veterans of World War I, World War II, the Korean conflict, their widows, and certain other dependents, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BERRY:

H.R. 13218. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the first stage of the Oahe unit, James division, Missouri River Basin project, South Dakota, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BYRNE of Pennsylvania:

H.R. 13219. A bill to provide compensation to survivors of local law enforcement officers killed while apprehending persons for committing Federal crimes; to the Committee on the Judiciary.

By Mr. DENT:

H.R. 13220. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mr. FARBSTEIN:

H.R. 13221. A bill to establish a U.S. Committee on Human Rights to prepare for participation by the United States in the observance of the year 1968 as International Human Rights Year, and for other purposes; to the Committee on Foreign Affairs.

By Mr. FOUNTAIN:

H.R. 13222. A bill to permit States or other duly constituted taxing authorities to subject persons to liability for payment of property taxes on property located in Federal areas within such State under specified conditions; to the Committee on Interior and Insular Affairs.

By Mr. GURNEY:

H.R. 13223. A bill to amend title II of the Social Security Act to provide cost-of-living increases in the insurance benefits payable thereunder; to the Committee on Ways and Means.

By Mr. KEOGH:

H.R. 13224. A bill to amend the Internal Revenue Code of 1954 to provide a credit against income tax for dividends received by individuals; to the Committee on Ways and Means.

H.R. 13225. A bill to amend the Internal Revenue Code of 1954 with respect to the tax treatment of gains and losses from sales or exchanges of capital assets; to the Committee on Ways and Means.

By Mr. McCARTHY:

H.R. 13226. A bill to amend section 201(c) of the Federal Property and Administrative Services Act of 1949 to permit further Federal use and donation of exchange sale property; to the Committee on Government Operations.

By Mr. REIFEL:

H.R. 13227. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the first stage of the Oahe unit, James Division, Missouri River Basin project, South Dakota, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. STAGGERS:

H.R. 13228. A bill to provide for a coordinated national safety program and establishment of safety standards for motor vehicles in interstate commerce to reduce traffic accidents and the deaths, injuries, and property damage which occur in such accidents; to the Committee on Interstate and Foreign Commerce.

By Mr. CURTIS:

H.R. 13229. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. KEOGH:

H.R. 13230. A bill to amend the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. O'NEILL of Massachusetts:

H.R. 13231. A bill to provide a special milk program for children; to the Committee on Agriculture.

H.R. 13232. A bill to amend the Public Health Service Act to provide for the establishment of a National Eye Institute in the National Institutes of Health; to the Committee on Interstate and Foreign Commerce.

By Mr. RESNICK:

H.R. 13233. A bill to provide needed additional means for the residents of rural America to achieve equality of opportunity by authorizing the making of grants for comprehensive planning for public services and development in community development districts designated by the Secretary of Agriculture; to the Committee on Agriculture.

H.R. 13234. A bill to provide a special milk program for children; to the Committee on Agriculture.

H.R. 13235. A bill to expand and improve existing law and to provide for the establishment of regulations for the purposes of controlling pollution from vessels and certain other sources in the Great Lakes and other navigable waters of the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. FARBSTEIN:

H.R. 13236. A bill to authorize the issuance of cost-of-living savings bonds; to the Committee on Ways and Means.

By Mrs. GREEN of Oregon:

H.R. 13237. A bill to strengthen and improve public and private programs of assistance for institutions of higher education and students attending them; to the Committee on Education and Labor.

By Mr. ROSENTHAL:

H.R. 13238. A bill to establish a Department of Transportation, and for other purposes; to the Committee on Government Operations.

By Mr. WHALLEY:

H.R. 13239. A bill to amend the House Employees Position Classification Act to revise and improve the classification system for certain positions under the House of Representatives, and for other purposes; to the Committee on House Administration.

By Mr. FOLEY:

H.R. 13240. A bill to authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs and cats intended to be used for purposes of research or experimentation, and for other purposes; to the Committee on Agriculture.

By Mr. MADDEN:

H.R. 13241. A bill to assist city demonstration programs for rebuilding slum and blighted areas and for providing the public facilities and services necessary to improve the general welfare of the people who live in these areas; to the Committee on Banking and Currency.

By Mr. OLSON of Minnesota:

H.R. 13242. A bill to provide needed additional means for the residents of rural America to achieve equality of opportunity by authorizing the making of grants for comprehensive planning for public services and development in community development districts designated by the Secretary of Agriculture; to the Committee on Agriculture.

By Mr. DERWINSKI:

H.J. Res. 859. Joint resolution to establish an Atlantic Union delegation; to the Committee on Foreign Affairs.

By Mr. HALPERN:

H.J. Res. 860. Joint resolution to establish an Atlantic Union delegation; to the Committee on Foreign Affairs.

By Mr. FEIGHAN:

H.J. Res. 861. A joint resolution proposing an amendment to the Constitution of the United States relating to qualifications of electors in Federal elections; to the Committee on the Judiciary.

By Mr. WELTNER:

H.J. Res. 862. Joint resolution to reaffirm the determination of the United States to protect and defend the security and independence of its allies in southeast Asia; to the Committee on Foregn Affairs.

By Mr. CELLER:

H. Con. Res. 599. Concurrent resolution to authorise the printing of the Constitution as a House document; to the Committee on House Administration.

By Mr. FULTON of Tennessee:

H. Con. Res. 600. Concurrent resolution to authorize the printing as House document the pamphlet entitled "Our Flag" to the Committee on House Administration.

By Mr. MATSUNAGA:

H. Con. Res. 601. Concurrent resolution to establish an Atlantic Union delegation; to the Committee on Foreign Affairs.

By Mr. FINO:

H. Res. 751. Resolution creating a select committee of the House to study the problems of urban areas; to the Committee on Rules.

By Mr. HELSTOSKI:

H. Res. 752. Resolution relating to nonproliferation of nuclear weapons; to the Committee on Foreign Affairs.

By Mr. TEAGUE of Texas:

H. Res. 753. Resolution authorizing the Committee on Veterans' Affairs or any subcommittee thereof to travel to the Republic of the Philippines and South Vietnam; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

405. By the SPEAKER: Memorial of the Legislature of the State of Alaska, relative to urging the continuation of the Federal aid to airports program; to the Committee on Interstate and Foreign Commerce.

406. Also, memorial of the Legislature of the State of Alaska transmitting a copy of Senate Joint Resolution 70 passed February 18, 1966, relative to ratification of a proposed amendment to the Constitution of the United States relating to Presidential succession; to the Committee on the Judiciary.

407. Also, a memorial of the Senate of the Commonwealth of Puerto Rico, relative to Puerto Ricans fulfilling their civic and military obligations as citizens; to the Committee on Armed Services.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURTON of Utah:

H.R. 13243. A bill to provide for the free entry of one mass spectrometer for the use of Utah State University; to the Committee on Ways and Means.

By Mr. CAREY:

H.R. 13244. A bill for the relief of Giuseppe Taormina, his wife, Vincenza Taormina (nee Bozzetta), and their minor child, Matteo Taormina; to the Committee on the Judiciary.

By Mr. HICKS:

H.R. 13245. A bill for the relief of Joaquin U. Villagomez; to the Committee on the Judiciary.

By Mr. MADDEN:

H.R. 13246. A bill for the relief of Stjepan Jakubin; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 13247. A bill for the relief of Maria Odete Silva; to the Committee on the Judiciary.

By Mr. OTTINGER:

H.R. 13248. A bill for the relief of Rocco Croce; to the Committee on the Judiciary.

H.R. 13249. A bill for the relief of Giuseppe Croce; to the Committee on the Judiciary.

By Mr. RONAN:

H.R. 13250. A bill for the relief of Polixene Vaitsas; to the Committee on the Judiciary.

By Mr. ST. ONGE:

H.R. 13251. A bill for the relief of Leonardo Ferrara; to the Committee on the Judiciary.

By Mr. STEED:

H.R. 13252. A bill for the relief of Dr. Alfredo F. Mendez, M.D.; to the Committee on the Judiciary.

By Mr. WOLFF:

H.R. 13253. A bill for the relief of Antonio Carollo; to the Committee on the Judiciary.

◆

SENATE

Wednesday, March 2, 1966

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

Bishop W. Earl Ledden, Wesley Theological Seminary, Washington, D.C., offered the following prayer:

Blessed be Thou, O Lord our God, ruler of the world, by whose law the shadows of evening fall and the gates of morning are opened. In wisdom Thou hast established the changes of times and seasons, and ordered the ways of the stars in their heavenly courses. Creator of Heaven and Earth, O living God, rule Thou over us forever.

Rule Thou over us, then, this day, for this is our brief day to do Thy will. The day will soon be past, gone forever beyond our mortal reach. But the deeds and decisions of this hour will live on—for evil or for good—in the on-going life of our Nation and our world.

Grant us, O Lord, wisdom and perspective as we choose our words and discharge our duties, that all our works—begun, continued and ended in Thee—may glorify Thy holy name and benefit Thy human family in this dear land and across the world.

In the name of Christ. Amen.

THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, March 1, 1966, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries, and he announced that on March 1, 1966, the President had approved and signed the act (S. 1407) for the relief of Frank E. Lipp.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed a bill (H.R. 9302) for the relief of Lt. Charles W. Pittman, Jr., U.S. Navy, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (S. 251) to provide for the establishment of the Cape Lookout National Seashore in the State of North Carolina, and for other purposes, and it was signed by the Vice President.

HOUSE BILL REFERRED

The bill (H.R. 9302) for the relief of Lt. Charles W. Pittman, Jr., U.S. Navy, was read twice by its title and referred to the Committee on the Judiciary.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. Mansfield, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. Mansfield, and by unanimous consent, the following committees and subcommittees were authorized to meet during the session of the Senate today:

The Committee on Aeronautical and Space Sciences.

The Subcommittee on Constitutional Amendments of the Committee on the Judiciary.

The Subcommittee on Constitutional Rights of the Committee on the Judiciary.

The Subcommittee on Foreign Aid Expenditures of the Government Operations Committee.

The Subcommittee on Improvements in the Judicial Machinery of the Committee on the Judiciary.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Traffic Safety Act of 1966

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to provide for a coordinated national safety program and establishment of safety standards for motor vehicles in interstate commerce to reduce traffic accidents and the deaths, injuries, and property damage which occur in such accidents (with accompanying papers); to the Committee on Commerce.

Department of Transportation Act

A letter from the Assistant Director for Legislative Reference, Bureau of the Budget, Executive Office of the President, transmitting a draft of proposed legislation to establish the Department of Transportation, and for other purposes (with accompanying papers); to the Committee on Government Operations.

RESOLUTION OF RHODE ISLAND GENERAL ASSEMBLY

Mr. PELL. Mr. President, I present for appropriate reference a resolution of the Rhode Island General Assembly memorializing Congress to act favorably on the Employment Security Amendments of 1965, H.R. 8282. I ask unanimous consent that the resolution be printed in the Record at this point.

There being no objection, the resolution was referred to the Committee on Finance, as follows:

Rhode Island Resolution

(Resolution memorializing the Congress of the United States to act favorably upon the Employment Security Amendments of 1965 bill (H.R. 8282) now before it)

Whereas the Federal-State unemployment insurance system, established in 1935, has stood the test of time remarkably well; and

Whereas it has kept millions of men and women and their children from what could have been bankruptcy, personal as well as financial, in assisting by payments received as a matter of right in overcoming the hardships of involuntary unemployment; and

Whereas with the passage of years changes in the economic pattern require adjustments; and

Whereas recognizing the need for economic adjustment, the basic objectives of H.R. 8282 are to provide benefits for longer periods, under justifiable circumstances, to additional workers in presently uncovered occupations, in more adequate amounts, while insuring that only those entitled to benefits receive them, and that the balance of Federal and State responsibility be readjusted to reflect the economic developments and the administrative experience of the past 30 years; and

Whereas the passage of H.R. 8282 will strengthen the Federal-State unemployment insurance system with its recognition of the Federal and State responsibilities and relationship; and

Whereas although many improvements in the Federal-State system have been made by action of the States, the fear that the costs of an adequate program might cause employers to transfer their operations to other States which do not meet their responsibilities, has been an impediment to additional improvements in State laws; and

Whereas measures are necessary to provide that employees in a few States are not handicapped with a disproportionate share of the costs of developments benefiting the whole Nation; and

Whereas Federal action was required to bring the system into being, it is now required to stimulate necessary adjustments and improvements nationwide: Now, therefore, be it

Resolved, That the general assembly does hereby memorialize the Congress of the United States to take favorable action upon H.R. 8282, the Employment Security Amendments of 1965 bill now before it; and be it further

Resolved, That the secretary of state be and he is hereby authorized and directed to transmit duly certified copies of this resolution to the Senators and Representatives from Rhode Island in the Congress of the United States in the hope that they will exert every effort to assure passage of this legislation.

TRANSPORTATION AND TRAFFIC SAFETY—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 399)

The **PRESIDING OFFICER** (Mr. CANNON) in the chair). The Chair lays before the Senate a message from the President of the United States on transportation and traffic safety. Without objection, the message will be printed in the RECORD without being read, and appropriately referred.

Mr. **MAGNUSON**. Mr. President, I ask unanimous consent that this message be jointly referred to the Committee on Government Operations and the Committee on Commerce.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

The President's message was referred to the Committees on Government Operations, and Commerce, as follows:

To the Congress of the United States:

Two centuries ago the American Nation came into being. Thirteen sparsely populated Colonies, strung out along the Atlantic seaboard for 1,300 miles, joined their separate wills in a common endeavor.

Three bonds united them.

There was the cultural bond of a single language.

There was the moral bond of a thirst for liberty and democratic government.

There was the physical bond of a few roads and rivers, by which the citizens of the Colonies engaged in peaceful commerce.

Two centuries later the language is the same. The thirst for liberty and democracy endures.

The physical bond—that tenuous skein of rough trails and primitive roads—has become a powerful network on which the prosperity and convenience of our society depend.

In a nation that spans a continent, transportation is the web of union.

THE GROWTH OF OUR TRANSPORTATION SYSTEM

It is not necessary to look back to the 1760's to chronicle the astonishing growth of American transportation.

Twenty years ago there were 31 million motor vehicles in the United States. Today there are 90 million. By 1975 there will be nearly 120 million.

Twenty years ago there were 1.5 million miles of paved roads and streets in the United States. Today this figure has almost doubled.

Twenty years ago there were 38,000 private and commercial aircraft. Today there are more than 97,000.

Twenty years ago commercial airlines flew 209 million miles. Last year they flew 1 billion miles.

Twenty-five years ago American transportation moved 619 billion ton-miles of cargo. In 1964, 1.5 trillion ton-miles were moved.

The manufacturing of transportation equipment has kept pace. It has tripled since 1947. Last year $4.5 billion was spent for new transportation plant and equipment.

Transportation is one of America's largest employers. There are: 737,000 railroad employees, 270,000 local and interurban workers, 230,000 in air transport, almost a million men and women in motor transport and storage.

Together with pipeline and water transportation employees, the total number of men and women who earn their livelihoods by moving people and goods is well over 2½ million.

The Federal Government supports or regulates almost every means of transportation. Last year alone, more than $5 billion in Federal funds were invested in transportation—in highway construction, in river and harbor development, in airway operation and airport construction, in maritime subsidies. The Government owns 1,500 of the Nation's 2,500 oceangoing cargo vessels.

Our transportation system—the descendant of the horse-drawn coaches and sailing ships of colonial times—accounts for one in every six dollars in the American economy. In 1965, that amounted to $120 billion—a sum greater than the gross national product of this Nation in 1940.

SHORTCOMINGS OF OUR SYSTEM

Vital as it is, mammoth and complex as it has become, the American transportation system is not good enough.

It is not good enough when it offers nearly a mile of street or road for every square mile of land—and yet provides no relief from time-consuming, frustrating, and wasteful congestion.

It is not good enough when it produces sleek and efficient jet aircraft—and yet cannot move passengers to and from airports in the time it takes those aircraft to fly hundreds of miles.

It is not good enough when it builds superhighways for supercharged automobiles—and yet cannot find a way to prevent 50,000 highway deaths this year.

It is not good enough when public and private investors pour $15 million into a large, high-speed ship—only to watch it remain idle in port for days before it is loaded.

It is not good enough when it lays out new freeways to serve new cities and suburbs—and carelessly scars the irreplaceable countryside.

It is not good enough when it adheres to custom for its own sake—and ignores opportunities to serve our people more economically and efficiently.

It is not good enough if it responds to the needs of an earlier America—and does not help us expand our trade and distribute the fruits of our land throughout the world.

WHY WE HAVE FALLEN SHORT

Our transportation system has not emerged from a single drawing board, on which the needs and capacities of our economy were all charted. It could not have done so, for it grew along with the country itself—now restlessly expanding, now consolidating, as opportunity grew bright or dim.

Thus investment and service innovations responded to special needs. Research and development were sporadic, sometimes inconsistent, and largely oriented toward the promotion of a particular means of transportation.

As a result, America today lacks a coordinated transportation system that permits travelers and goods to move conveniently and efficiently from one means of transportation to another, using the best characteristics of each.

Both people and goods are compelled to conform to the system as it is, despite the inconvenience and expense of—

Aging and often obsolete transportation plant and equipment.

Networks chiefly designed to serve a rural society.

Services long outstripped by our growing economy and population, by changes in land use, by new concepts in industrial plant location, warehousing, and distribution.

The failure to take full advantage of new technologies developed elsewhere in the economy.

Programs and policies which impede private initiative and dull incentives for innovation.

The result is waste—of human and economic resources—and of the taxpayers' dollar.

We have abided this waste too long.

We must not permit it to continue.

We have too much at stake in the quality and economy of our transportation system. If the growth of our transport industries merely keeps pace with our current national economic growth, the demand for transportation will more than double in the next 20 years.

But even that is too conservative an estimate. Passenger transportation is growing much faster than our gross national product—reflecting the desires of an affluent people with ever-increasing incomes.

PRIVATE AND PUBLIC RESPONSIBILITY

The United States is the only major Nation in the world that relies primarily upon privately owned and operated transportation.

That national policy has served us well. It must be continued.

But private ownership has been made feasible only by the use of publicly granted authority and the investment of public resources—by the construction of locks, dams, and channels on our rivers and inland waterways; by the development of a vast highway network; by the construction and operation of airports and airways; by the development of ports and harbors; by direct financial support to the merchant marine; by grants of eminent domain authority; by capital equipment grants and demonstration projects for mass transit—in years past, by grants of public land to assist the railroads.

Enlightened government has served as a full partner with private enterprise in meeting America's urgent need for mobility.

That partnership must now be strengthened with all the means that creative federalism can provide. The costs of a transportation paralysis in the years ahead are too severe. The rewards of an efficient system are too great. We cannot afford the luxury of drift—or proceed with business as usual.

We must secure for all our travelers and shippers the full advantages of modern science and technology.

We must acquire the reliable information we need for intelligent decisions.

We must clear away the institutional and political barriers which impede adaptation and change.

We must promote the efforts of private industry to give the American consumer more and better service for his transportation dollar.

We must coordinate the executive functions of our transportation agencies in a single coherent instrument of government. Thus policy guidance and support for each means of transportation will strengthen the national economy as a whole.

A DEPARTMENT OF TRANSPORTATION

I urge the Congress to establish a Cabinet level Department of Transportation.

I recommend that this Department bring together almost 100,000 employees and almost $6 billion of Federal funds now devoted to transportation.

I urge the creation of such a Department to serve the growing demands of this great Nation, to satisfy the needs of our expanding industry and to fulfill the right of our taxpayers to maximum efficiency and frugality in Government operations.

In so doing, I follow the recommendations of many outstanding Americans.

In 1936, a Select Committee of the U.S. Senate recommended a Department of Transportation, or, in the alternative, the consolidation of all transportation programs in the Department of Commerce.

In 1949, the Hoover Commission Task Force on Transportation recommended a Department of Transportation.

In 1961 President Eisenhower recommended such a Department in his budget message.

In 1961 a Special Study Group of the Senate Committee on Commerce recommended that all promotional and safety programs of the Federal Government be concentrated in a Department of Transportation.

Many distinguished Members of Congress have offered bills to create the Department. Private citizens, the Nation's leading experts in the field, have made the same recommendation to me.

It is time to act on these recommendations.

SCOPE OF THE DEPARTMENT

I propose that the following agencies and functions be consolidated in the Department of Transportation:

1. The Office of the Under Secretary of Commerce for Transportation, and its policy, program, emergency transportation, and research staffs.

2. The Bureau of Public Roads and the Federal-aid highway program it administers.

3. The Federal Aviation Agency. This key agency, with its functions in aviation safety, promotion, and investment, will be transferred in its entirety to the new Department. It will continue to carry out these functions in the new Department.

4. The Coast Guard, whose principal peacetime activities relate to transportation and marine safety. The Coast Guard will be transferred as a unit from the Treasury Department. As in the past, the Coast Guard will operate as part of the Navy in time of war.

5. The Maritime Administration, with its construction and operating subsidy programs.

6. The safety functions of the Civil Aeronautics Board, the responsibility for investigating and determining the probable cause of aircraft accidents and its appellate functions related to safety.

7. The safety functions and car service functions of the Interstate Commerce Commission, principally the inspection and enforcement of safety regulations for railroads, motor carriers, and pipelines, and the distribution of rail car supply in times of shortage.

8. The Great Lakes Pilotage Administration, the St. Lawrence Seaway Development Corporation, the Alaska Railroad, and certain minor transportation-related activities of other agencies.

As this list indicates, I am recommending the consolidation into the Department of those Federal agencies whose primary functions are transportation promotion and safety.

NATIONAL TRANSPORTATION SAFETY BOARD

No function of the new Department—no responsibility of its Secretary—will be more important than safety. We must insure the safety of our citizens as they travel on our land, in our skies, and over our waters.

I recommend that there be created under the Secretary of Transportation a National Transportation Safety Board independent of the operating units of the Department.

The sole function of this Board will be the safety of our travelers. It will review investigations of accidents to seek their causes. It will determine compliance with safety standards. It will examine the adequacy of the safety standards themselves. It will assume safety functions transferred from the ICC and the CAB.

I consider the functions of this Board so important that I am requesting authority from the Congress to name five Presidential appointees as its members.

RELATION TO OTHER GOVERNMENT ACTIVITIES

The activities of several departments and agencies affect transportation promotion and safety. Sound management requires that an appropriate and intimate relationship be established between those activities and the new Department of Transportation.

1. The subsidy functions of the Civil Aeronautics Board.

Aviation subsidies—now provided only for local airline service—clearly promote our domestic transportation system. But subsidy awards are an integral part of the process of authorizing air carrier service. This is a regulatory function.

Therefore the airline subsidy program should remain in the Civil Aeronautics Board. The Secretary of Transportation, however, will develop principles and criteria which the Board will take into consideration in its proceedings. In this way the subsidy program will be coordinated with overall national transportation policy.

2. The navigation program of the Corps of Engineers.

The Corps of Engineers—through its construction of locks and harbor facilities and its channel deepening and river bank protection work—makes a major contribution to water transportation The Department of Transportation should not assume the responsibility for that construction, but its Secretary should be involved in the planning of water transportation projects.

With the approval of the President the Secretary of Transportation should also issue standards and criteria for the economic evaluation of Federal transportation investments generally. In the case of transportation features of multipurpose water projects, he should do so after consulting with the Water Resources Council.

3. International Aviation.

The Secretary of Transportation should provide leadership within the executive branch in formulating long-range policy for international aviation While foreign policy aspects of international aviation are the responsibility of the Secretary of State, the Secretary of Transportation should insure that our international aviation policies are consistent with overall national transportation policy.

Subject to policy determinations by the President, the Civil Aeronautics Board regulates international aviation routes and fares as they affect the United States. This function has far-reaching effects on our foreign policy, our balance of payments, and the vitality of American aviation. The Secretary of Transportation should participate in Civil Aeronautics Board proceedings that involve international aviation policy.

4. Urban Transportation.

The Departments of Transportation and Housing Urban Development must cooperate in decisions affecting urban transportation.

The future of urban transportation—the safety, convenience, and indeed the livelihood of its users—depends upon wide-scale, rational planning. If the Federal Government is to contribute to that planning, it must speak with a coherent voice.

The Department of Housing and Urban Development bears the principal responsibility for a unified Federal approach to urban problems. Yet it cannot perform this task without the counsel, support, and cooperation of the Department of Transportation.

I shall ask the two Secretaries to recommend to me, within a year after the creation of the new Department, the means and procedures by which this cooperation can best be achieved—not only in principle, but in practical effect.

ROLE OF THE DEPARTMENT

The Department of Transportation will—

Coordinate the principal existing programs that promote transportation in America.

Bring new technology to a total transportation system, by promoting research and development in cooperation with private industry.

Improve safety in every means of transportation.

Encourage private enterprise to take full and prompt advantage of new technological opportunities.

Encourage high quality, low-cost service to the public.

Conduct systems analyses and planning, to strengthen the weakest parts of today's system.

Develop investment criteria and standards, and analytical techniques to assist all levels of government and industry in their transportation investment.

THE INTERSTATE COMMERCE COMMISSION

The Cabinet-level Department I recommend will not alter the economic regulatory functions of the Interstate Commerce Commission, the Civil Aeronautics Board, or the Federal Maritime Commission.

I do recommend, however, a change in the manner of selecting the Chairman of the Interstate Commerce Commission.

Today, the Chairman of this vital Commission—alone among the Federal regulatory agencies—is selected, not by the President, but by annual rotation among the 11 Commissioners.

This is not sound management practice in an agency whose influence on our rail, highway, waterway, and pipeline industries is so far reaching.

The ICC bears the demanding and challenging responsibility to keep Federal regulation attuned to the needs and opportunities of a dynamic industry. Its jurisdiction extends to 18,000 transport companies. It handles 7,000 cases each year. No private corporation of such size and importance would change its chief executive officer once each year.

I shall shortly submit to the Congress a reorganization plan to give the President authority to designate the Chairman of the Interstate Commerce Commission from among its members, and to strengthen his executive functions.

SAFETY

One hundred and five thousand Americans died in accidents last year.

More than half were killed in transportation, or in recreation accidents related to transportation.

Forty-nine thousand deaths involved motor vehicles.

One thousand three hundred involved aircraft.

One thousand five hundred involved ships and boats.

Two thousand three hundred involved railroads.

Millions of Americans were injured in transportation accidents—the overwhelming majority involving automobiles.

Each means of transportation has developed safety programs of varying effectiveness. Yet we lack a comprehensive program keyed to a total transportation system.

Proven safety techniques in one means have not always been adapted in others.

Last year the highway death toll set a new record. The prediction for this year is that more than 50,000 persons will die on our streets and highways—more than 50,000 useful and promising lives will be lost, and as many families stung by grief.

The toll of Americans killed in this way since the introduction of the automobile is truly unbelievable. It is 1.5 million—more than all the combat deaths suffered in all our wars.

No other necessity of modern life has brought more convenience to the American people—or more tragedy—than the automobile.

WHY WE ARE FAILING

The carnage on the highways must be arrested.

As I said some weeks ago, we must replace suicide with sanity and anarchy with safety.

The weaknesses of our present highway safety program must be corrected—

Our knowledge of causes is grossly inadequate. Expert opinion is frequently contradictory and confusing.

Existing safety programs are widely dispersed. Government and private efforts proceed separately, without effective coordination.

There is no clear assignment of responsibility of the Federal level.

The allocation of our resources to highway safety is inadequate.

Neither private industry nor Government officials concerned with automotive transportation have made safety first among their priorities. Yet we know that expensive freeways, powerful engines, and smooth exteriors will not stop the massacre on our roads.

WHAT CAN BE DONE

State and local resources are insufficient to bring about swift reductions in the highway death rate. The Federal Government must provide additional resources. Existing programs must be expanded. Pioneer work must begin in neglected areas.

Federal highway safety responsibilities should be incorporated into the Department of Transportation, in a total transportation safety program.

I have already set in motion a number of steps under existing law:

1. To strengthen the Federal role, I am assigning responsibility for coordinating Federal highway safety programs to the Secretary of Commerce. I am directing the Secretary to establish a major highway safety unit within his Department. This unit will ultimately be transferred to the Department of Transportation. The President's Committee on Traffic Safety will be reorganized, strengthened, and supported entirely by Federal funds. The Interdepartmental Highway Safety Board will be reconstituted and the Secretary's role strengthened.

2. To give greater support to our safety programs, I am requesting increased funds for research, accident data collection, improved emergency medical service, driver education, and testing and traffic control technology.

I have also asked the Secretary of Commerce to evaluate systematically the resources allocated to traffic safety, to insure that we are receiving the maximum benefits from our present efforts.

3. To improve driving conditions, I have ordered that high priority be given to our efforts to build safety features into the Federal-aid highway network.

4. To save those who are injured, I have directed the Secretary of Health, Education, and Welfare, in cooperation with the Secretary of Commerce, immediately to initiate projects to demonstrate techniques for more effective emergency care and transportation. He will work in full cooperation with State, local, and private officials.

5. To help us better understand the causes of highway accidents, I have asked the Secretary of Commerce to establish accident investigation teams, who will bring us new understanding of highway accidents and their causes.

6. To make Government vehicles safer, I have asked the Administrator of General Services, in cooperation with the Secretary of Commerce, to begin a detailed study of the additional vehicle safety features that should be added to the Federal fleet.

THE TRAFFIC SAFETY ACT OF 1966

More, much more, remains to be done. The people of America deserve an aggressive highway safety program.

I believe that the Congress—the same Congress which last year gave the Secretary of Commerce broad authority to set uniform standards for State highway safety programs—will join in our efforts to bring that program into being.

I urge Congress to enact the Traffic Safety Act of 1966.

I urge greater support for State highway safety programs.

I urge the creation of a National Highway Research and Test Facility.

To begin, I recommend a $700 million, 6-year program.

The three components of this program are as critically important as the problems they address.

First, Federal grants to the States for highway safety will be increased. With these funds, a comprehensive highway safety program can be developed by each State under standards approved by the Secretary of Commerce. Included will be measures such as driver education and licensing, advanced traffic control techniques, regular vehicle safety inspections, police and emergency medical services.

Second, automobile safety performance will be improved. Proper design and engineering can make our cars safer. Vehicles sold in interstate commerce must be designed and equipped for maximum safety. Safe performance design standards must be met in tomorrow's cars.

I recommend that the Secretary of Commerce be given authority to determine the necessary safety performance criteria for all vehicles and their components.

If, after a 2-year period, the Secretary finds that adequate voluntary standards are not satisfactory, he would be authorized to prescribe nationwide mandatory safety standards. He would be also authorized to prohibit the sale in interstate commerce of new vehicles and their components which failed to meet those standards.

Third, the Federal Government's highway safety research efforts will be expanded.

I recommend construction of a national highway safety research and test center.

Funds are needed to support research and testing in many disciplines related to highway safety. The public interest demands a better understanding of the human, highway, and vehicle factors which cause death and injury. We must develop more effective countermeasures and objective standards to guide our national programs. Special accident teams should be organized—accurate data collection should be enlarged on a national basis—fellowship grants and research support should be made available to attract the best minds and talents of our Nation to this urgent work.

This new highway safety program would be transferred to the Secretary of Transportation upon the creation of the new department.

Congress has not hesitated to establish rigorous safety standards for other means of transportation when circumstances demanded them.

Today's highway death toll calls for an equally vigorous and effective expression of concern for our millions of car-owning families. For unless we avert this slaughter, one out of every two Americans will one day be killed or seriously injured on our highways.

SAFETY STANDARDS FOR MOTOR VEHICLE TIRES

I urge the Congress to act speedily and favorably on S. 2669, a bill establishing safety standards for motor vehicle tires sold or shipped in interstate commerce.

Most tires sold to American drivers are produced and properly tested by reputable companies. Nevertheless, evidence has shown that increasing numbers of inferior tires are being sold to unwitting customers throughout the country. The dangers such tires hold for high-speed automobiles and their occupants is obvious.

S. 2669 provides that the Secretary of Commerce shall establish, and publish in the Federal Register, interim minimum safety standards for tires. The Secretary would be required to review these standards 2 years from the enactment of the bill, and to revise them where necessary. A research and development program under his direction would improve the minimum standards for new tires, and develop such standards for retreaded tires.

Our driving public deserves the prompt passage of S. 2669, and the protection it will afford them from accidents caused by tire failures.

SAFETY AT SEA

Last year 90 men and women lost their lives when the cruise ship *Yarmouth Castle* burned and sank in the calm waters of the Caribbean.

The *Yarmouth Castle* was exempt from U.S. safety standards—partially because of its "grandfather rights" under law. It was built before 1937.

We cannot allow the lives of our citizens to depend upon the year in which a ship was built.

The Coast Guard is presently completing its investigation of the *Yarmouth Castle* disaster. The Maritime Administration has already finished its investigation of financial responsibility.

Later in this session—when our inquiries are accomplished and our findings reported—we will submit to the Congress legislation to improve safety measures and guarantees of financial responsibility on the part of owners and operators of passenger-carrying vessels sailing from our ports.

AIR ACCIDENT COMPENSATION

The United States has declared its intention to withdraw from the Warsaw Convention. Under this pact, the financial liability of a member nation's airline is limited to $8,300 for a passenger's death.

Discussions are underway in the International Civil Aviation Organization to increase this liability for passengers flying anywhere in the world. We have expressed our opinion that the limit of liability should be raised to $100,000.

RESEARCH AND DEVELOPMENT

Today the United States ranks as the world's leader in technology.

Despite this—and despite the importance of transportation in the competition for international trade—exclusive of national security and space, the Federal Government spends less than 1 percent of its total research and development budget for transportation.

Under our system of Government, private enterprise bears the primary responsibility for research and development in the transportation field.

But the Government can help. It can plan and fashion research and development for a total transportation system which is beyond the responsibility or capability of private industry.

Through Government-sponsored research and development we can—

Fully understand the complex relationships among the components of a total transportation system.

Provide comprehensive and reliable data for both private and public decisions.

Identify areas of transportation which can be exploited by private industry to provide safer and more efficient services to the public.

Build the basis for a more efficient use of public resources.

Provide the technological base needed to assure adequate domestic and international transportation in times of emergency.

Help make significant advances in every phase of transport—in aircraft, in oceangoing ships, in swifter rail service, in safer vehicles.

SUPERSONIC TRANSPORT AIRCRAFT

The United States is preeminent in the field of aircraft design and manufacture.

We intend to maintain that leadership.

As I said in my state of the Union message, I am proposing a program to construct and flight test a new 2,000-mile-per-hour supersonic aircraft.

Our supersonic transport must be reliable and safe for the passenger.

It must be profitable for both the airlines and the manufacturers.

Its operating performance must be superior to any comparable aircraft.

It must be introduced into the market in a timely manner.

We have underway an intensive research and design program on the supersonic transport, supported by appropriations of $231 million.

The design competition for this aircraft and its engines is intense and resourceful.

I am requesting $200 million in fiscal year 1967 appropriations to initiate the prototype phase of the supersonic transport. My request includes funds for the completion of design competition, expanded economic and sonic boom studies, and the start of prototype construction.

We hope to conduct first flight tests of the supersonic transport by 1970, and to introduce it into commercial service by 1974.

AIRCRAFT NOISE

The jet age has brought progress and prosperity to our air transportation system. Modern jets can carry passengers and freight across a continent at speeds close to that of sound.

Yet this progress has created special problems of its own. Aircraft noise is a growing source of annoyance and concern to the thousands of citizens who live near many of our large airports. As more of our airports begin to accommodate jets and as the volume of air travel expands, the problem will take on added dimension.

There are no simple or swift solutions. But it is clear that we must embark now on a concerted effort to alleviate the problems of aircraft noise. To this end, I am today directing the President's Science Adviser to work with the Administrators of the Federal Aviation Agency and National Aeronautics and Space Administration, and the Secretaries of Commerce, and of Housing and Urban Development, to frame an action program to attack this problem.

I am asking this group to:

Study the development of noise standards and the compatible uses of land near airports.

Consult with local communities and industry.

Recommend legislative or administrative actions needed to move ahead in this area.

ADVANCED OCEAN VESSEL CONCEPTS

After years of U.S. leadership, maritime technology in other countries has caught up with and, in some instances, surpassed our own.

The U.S. merchant marine suffers in world competition because it bears much higher costs than its competitors. This can be offset in some measure by technological improvements.

The Department of Defense recently launched the fast deployment logistics ship program. This concept introduces to the maritime field the same systems approach that has proven so successful in other defense and aerospace programs.

To achieve comparable improvements throughout the maritime industry, I am directing the Secretary of Commerce, with the Secretary of Defense, the President's Scientific Adviser, and the Atomic Energy Commission, to conduct a study of advanced vessel concepts.

The work of this team will include:

Research, development and planning of high speed, large capacity ships, devoted primarily to transporting preloaded containers of varying types between the major ports in the world.

Research on an oceangoing surface effects vessel capable of skimming over the water at speeds more than 100 knots.

Continued exploration of the application of nuclear propulsion to merchant marine ships.

Our private shipyards should continue to serve the needs of the country. They can become more productive and competitive through research and development and through standardization of ship construction. With a new Department of Transportation, we will increase our efforts to bring a modern, efficient merchant marine fleet to this Nation.

ADVANCED LAND TRANSPORT

Last year Congress took a long step toward advanced land transportation by enacting the high-speed ground transportation research and development program. This program will be continued at the most rapid pace consistent with sound management of the research effort.

Similar vision and imagination can be applied to highway transport.

Segments of the interstate highway network already in operation are the most efficient, productive roads ever built anywhere in the world. Motor vehicles move at higher rates of speed, more safely and in greater number per lane than on conventional roads. Transportation costs are reduced, and less land area is needed for this volume of traffic.

With the network about half completed after 10 years, it is apparent that interstate highways, as well as other roads and streets can become even more productive and safe.

Accordingly, I am directing the Secretary of Commerce to:

Investigate means for providing guidance and control mechanisms to increase the capacity and improve the safety of our highway network.

Conduct research into the means of improving traffic flow—particularly in our cities—so we can make better use of our existing roads and streets.

Investigate the potential of separate roadways for various classes of vehicles, with emphasis on improving mass transportation service.

SYSTEMS RESEARCH

Some of our brightest opportunities in research and development lie in the less obvious and often neglected parts of our transportation system.

We spend billions for constructing new highways, but comparatively little for traffic control devices.

We spend millions for fast jet aircraft—but little on the traveler's problem of getting to and from the airport.

We have mounted a sizable Government-industry program to expand exports, yet we allow a mountain of redtape paperwork negate our efforts. Worldwide, a total of 810 forms are required to cover all types of cargo imported and exported. In this country alone, as many as 43 separate forms are used in one export shipment. Eighty separate forms may be needed to process some imports. This is paperwork run wild.

I am directing the Secretaries of Treasury and Commerce and the Attorney General to attack these problems, through the use of effective systems research programs. And I have directed them to eliminate immediately every unnecessary element of redtape that inhibits our import and export programs.

TRANSPORTATION FOR AMERICA

The Founding Fathers rode by stage to Philadelphia to take part in the Constitutional Convention. They could not have anticipated the immense complexity—or the problems—of transportation in our day.

Yet they, too, recognized the vital national interest in commerce between the States. The early Congresses expressed that interest even more directly, by supporting the development of road and waterway systems.

Most important, the Founding Fathers gave us a flexible system of government. Cities, States, and the Federal Government can join together—and in many cases work with private enterprise—in partnerships of creative federalism to solve our most complex problems.

For the very size of our transportation requirements—rising step by step with the growth of our population and industry—demands that we respond with new institutions, new programs of research, new efforts to make our vehicles safe, as well as swift.

Modern transportation can be the rapid conduit of economic growth—or a bottleneck.

It can bring jobs and loved ones and recreation closer to every family—or it can bring instead sudden and purposeless death.

It can improve every man's standard of living—or multiply the cost of all he buys.

It can be a convenience, a pleasure, the passport to new horizons of the mind and spirit—or it can frustrate and impede and delay.

The choice is ours to make.

We build the cars, the trains, the planes, the ships, the roads, and the airports. We can, if we will, plan their safe and efficient use in the decades ahead to improve the quality of life for all Americans.

The program I have outlined in this message is the first step toward that goal.

I urge its prompt enactment by the Congress.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *March 2, 1966*.

Mr. MAGNUSON. Mr. President, the administration's bill will be introduced later to supplement the message.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LONG of Louisiana, from the Committee on Finance, with amendments:

H.R. 12752. An act to provide for graduated withholding of income tax from wages, to require declarations of estimated tax with respect of self-employment income, to accelerate current payments of estimated income tax by corporations, to postpone certain excise tax rate reductions, and for other purposes (Rept. No. 1010).

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 1213. A bill for the relief of Richard K. Jones (Rept. No. 1024);

S. 2265. A bill for the relief of Konstadyna Byni Deliroglou and her minor child, Alexandros Deliroglou (Rept. No. 1025);

S. 2307. A bill for the relief of certain civilian employees and former civilian employees of the Bureau of Reclamation at the Columbia Basin project, Washington (Rept. No. 1026);

S. 2696. A bill for the relief of Abraham Ezekiel Cohen (Rept. No. 1027);

H.R. 1484. An act for the relief of Mrs. Loneta Hackney (Rept. No. 1028);

H.R. 1918. An act for the relief of Eligio Ciardiello (Rept. No. 1029);

H.R. 2627. An act for the relief of certain classes of civilian employees of naval installations erroneously in receipt of certain wages due to misinterpretation of certain personnel instructions (Rept. No. 1030);

H.R. 3236. An act for the relief of Louis Shchuchinski (Rept. No. 1031);

H.R. 4928. An act for the relief of Chizuyo Hoshizaki (Rept. No. 1032);

H.R. 4995. An act for the relief of Muhammad Sarwar (Rept. No. 1033);

H.R. 5231. An act for the relief of Jack Ralph Walker (Rept. No. 1034); and

H.R. 6112. An act for the relief of David Glenn Barker (Jai Yul Sung) and Richard Paul Barker (Phil Su Park) (Rept. No. 1042).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 146. A bill for the relief of Delma S. Pozas (Rept. No. 1035);

S. 926. A bill for the relief of Laura Hui-Wei Wong and her children, Janet Wong and Simon Wong (Rept. No. 1036);

H.R. 2752. An act for the relief of Kock Kong Fong (Rept. No. 1037);

H.R. 2938. An act for the relief of Przemyslaw Nowakowski (Rept. No. 1038);

H.R. 2939. An act for the relief of Manojlo Verzich (Rept. No. 1039);

H.R. 3875. An act for the relief of Mrs. Panagiota Vastakis and Soteres Vastakis (Rept. No. 1040);

H.R. 4743. An act for the relief of Ralph Tigno Edquid (Rept. No. 1041); and

H.R. 9442. An act for the relief of Ki Sook Jun (Rept. No. 1043).

By Mr. EASTLAND, from the Committee on the Judiciary, with amendments:

S. 1375. A bill conferring jurisdiction on the Court of Claims to make findings with respect to the amount of compensation to which certain individuals are entitled as reimbursement for damages sustained by them as a result of the cancellation of their grazing permits by the U.S. Air Force, and to provide for payments of amounts so determined to such individuals (Rept. No. 1045); and

H.R. 10403. An act for the relief of Edward F. Murzyn and Edward J. O'Brien (Rept. No. 1044).

By Mr. DIRKSEN, from the Committee on the Judiciary, without amendment:

S.J. Res. 18. Joint resolution to provide for the designation of the fourth week in April of each year as "Youth Temperance Education Week" (Rept. No. 1011); and

S.J. Res. 133. Joint resolution designating February of each year as American History Month (Rept. No. 1012).

By Mr. DIRKSEN, from the Committee on the Judiciary, without amendment, without recommendation:

S.J. Res. 103. Joint resolution proposing an amendment to the Constitution of the United States to preserve to the people of each State power to determine the composition of its legislature and the apportionment of the membership thereof in accordance with law and the provisions of the Constitution of the United States (Rept. No. 1047).

By Mr. TYDINGS, from the Committee on the Judiciary, without amendment:

S. 1923. A bill to amend chapter XI of the Bankruptcy Act to give the court supervisory power overall fees paid from whatever source (Rept. No. 1013).

By Mr. BURDICK, from the Committee on the Judiciary, without amendment:

S. 153. A bill for the relief of Matsusuke Tengan (Rept. No. 1015);

S. 1960. A bill for the relief of Capt. Rey D. Baldwin (Rept. No. 1016);

H.R. 3076. An act for the relief of the estate of Bart Briscoe Edgar, deceased (Rept. No. 1017);

H.R. 5530. An act for the relief of the estate of Robert A. Ethridge (Rept. No. 1018);

H.R. 5973. An act for the relief of Edwin F. Hower (Rept. No. 1019);

H.R. 7667. An act for the relief of Donald F. Farrell (Rept. No. 1020); and

H.R. 10338. An act for the relief of Joseph B. Stevens (Rept. No. 1021).

By Mr. BURDICK, from the Committee on the Judiciary, with an amendment:

S. 1661. A bill for the relief of Samuel C. Neiburg (Rept. No. 1022).

By Mr. ERVIN, from the Committee on the Judiciary, with amendments:

S. 2177. A bill for the relief of Donald I. Abbott (Rept. No. 1014).

By Mr. BURDICK, from the Committee on the Judiciary, with amendments:

S. 2356. A bill for the relief of Raymond J. Grachek (Rept. No. 1023).

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, without amendment:

S. 2153. A bill to authorize the Secretary of the Interior to use appropriated funds for the payment of medical care of temporary and seasonal employees and employees located in isolated areas who become disabled because of injury or illness not attributable to official work, and for other purposes (Rept. No. 1046).

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. ROBERTSON, from the Committee on Banking and Currency:

Andrew F. Brimmer, of Pennsylvania, to be a member of the Board of Governors of the Federal Reserve System.

By Mr. TOWER, from the Committee on Banking and Currency:

William W. Sherrill, of Texas, to be a member of the Board of Directors of the Federal Deposit Insurance Corporation.

By Mr. McCLELLAN, from the Committee on Government Operations:

Elmer Boyd Staats, of Kansas, to be Comptroller General of the United States.

By Mr. EASTLAND, from the Committee on the Judiciary:

Theodore Jaffe, of Rhode Island, to be a member of the Foreign Claims Settlement Commission;

Archie Craft, of Kentucky, to be U.S. marshal for the eastern district of Kentucky;

William K. Thomas, of Ohio, to be U.S. district judge for the northern district of Ohio; and

Gilbert S. Merritt, Jr., of Tennessee, to be U.S. attorney for the middle district of Tennessee.

By Mr. SCOTT, from the Committee on the Judiciary:

Anthony J. Furka, of Pennsylvania, to be U.S. marshal for the western district of Pennsylvania.

By Mr. JAVITS, from the Committee on the Judiciary:

Wilfred Feinberg, of New York, to be U.S. circuit judge, second circuit; and

James L. Watson, of New York, to be judge of the U.S. Customs Court.

By Mr. DIRKSEN, from the Committee on the Judiciary:

William J. Lynch, of Illinois, to be U.S. district judge for the northern district of Illinois; and

James J. Moos, of Illinois, to be U.S. marshal for the southern district of Illinois.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McGOVERN:

S. 3001. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the first stage of the Oahe unit, James division, Missouri River Basin project, South Dakota, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. McGovern when he introduced the above bill, which appear under a separate heading.)

By Mr. MUNDT:

S. 3002. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the first stage of the Oahe unit, James division, Missouri River Basin project, South Dakota, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Mundt when he introduced the above bill, which appear under a separate heading.)

By Mr. SCOTT:

S. 3003. A bill for the relief of Sai Ok Oh; to the Committee on the Judiciary.

By Mr. JAVITS:

S. 3004. A bill to require certain buildings to be equipped with emergency lighting systems; to the Committee on Commerce.

(See the remarks of Mr. Javits when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON:

S. 3005. A bill to provide for a coordinated national safety program and establishment of safety standards for motor vehicles in interstate commerce to reduce traffic accidents and the deaths, injuries, and property damage which occur in such accidents; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bill, which appear under a separate heading.)

By Mr. DOMINICK:

S. 3006. A bill to amend the Labor-Management Reporting and Disclosure Act of 1959, so as to prohibit the use for political purposes of certain funds collected by labor organizations from their members, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Dominick when he introduced the above bill, which appear under a separate heading.)

By Mr. YARBOROUGH:

S. 3007. A bill to provide for the establishment of the Chamizal National Memorial, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Yarborough when he introduced the above bill, which appear under a separate heading.)

By Mr. HILL:

S. 3008. A bill to amend the Public Health Service Act, to promote and assist in the extension and improvement of comprehensive health planning and public health services, to provide for a more effective use of available Federal funds for such planning and services, and for other purposes; and

S. 3009. A bill to amend the Public Health Service Act, to further promote and assist in modernization of hospitals and other medical facilities through grants for amortization of indebtedness incurred for that purpose, direct loans, and guarantees of loans, and through grants for the planning of such modernization, and to authorize grants for development of new technology systems and concepts in the provision of health services; to the Committee on Labor and Public Welfare.

By Mr. MAGNUSON (by request):

S. 3010. A bill to establish a Department of Transportation, and for other purposes; to the Committee on Government Operations.

(See the remarks of Mr. Magnuson when he introduced the above bill, which appear under a separate heading.)

By Mr. JACKSON:

S. 3011. A bill to require that certain offices in the Department of the Interior and the Department of Agriculture be filled by appointment by the President by and with the advice and consent of the Senate; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Jackson when he introduced the above bill, which appear under a separate heading.)

By Mr. HARTKE (for himself, Mr. Randolph, Mr. Bayh, Mrs. Neuberger, Mr. McGee, Mr. Yarborough, Mr. Moss, Mr. Metcalf, Mr. Inouye, Mr. Fong, and Mr. Montoya):

S. 3012. A bill to provide grants to the States for the strengthening of adult educational programs; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Hartke when he introduced the above bill, which appear under a separate heading.)

RESOLUTION

DISTRIBUTION AMONG THE STATES OF RESEARCH AND DEVELOPMENT FUNDS

Mr. CURTIS (for himself, Mr. Hruska, Mr. Mundt, Mr. Dominick, and Mr. Thurmond), submitted a resolution (S. Res. 231) relating to the distribution among the States of research and development funds made available by Government agencies, which was referred to the Committee on Government Operations.

(See the remarks of Mr. Curtis when he submitted the above resolution, which appear under a separate heading.)

THE OAHE IRRIGATION ACT OF 1966

Mr. McGOVERN. Mr. President, I introduce for appropriate reference a bill to authorize construction of the initial stage of the Oahe unit, an irrigation project in South Dakota and a part of the overall Missouri River Basin project. My colleague [Mr. Mundt] will introduce a similar bill.

In its entirety the Oahe unit comprises 495,000 acres of farmland in the north-central portion of South Dakota. This bill provides for development of its first stage—190,000 acres in the Lake Plain area of the James River Basin of Brown and Spink Counties. Under its provisions, Missouri River waters would be brought to South Dakota farmlands for the first time. The hopes and dreams of those who long visualized the vast local and national benefits which would accrue from greater utilization of this precious water resource would finally be realized.

South Dakota became the 40th State of this great Nation on November 2, 1889. Even prior to statehood, however, pioneer settlers in the James River Basin had developed artesian wells to irrigate lands in the area known as the Lake Plains. The wells seemed inexhaustible. Unfortunately, salts were heavily concentrated in the ground water. This seriously affected the productivity of the soil after only a few years. Irrigation from wells quickly ceased. The meager and erratic flows of the James River were not adequate to sustain irrigation activities.

Irrigation-minded farmers began turning hopeful eyes toward the Missouri River, nearly 100 miles to the west, as the only possible source of plentiful water supply. But it took only preliminary study to discover that at that time, the huge pump lifts required to lift Missouri River waters over the divide to the James River Basin would seriously affect the feasibility of such a plan.

In the late 1930's, the Bureau of Reclamation entered the Missouri River Basin to conduct comprehensive investigations. These were designed to establish a plan for harnessing the water and land resources in seven States of the basin. Concurrently, the Corps of Engineers studied potential measures to effect essential flood control and improve navigation. Findings of the Bureau of Reclamation were presented to the Congress in 1944 and are contained in Senate Document No. 191 of the 78th Congress. Plans of the Corps of Engineers are contained in House Document No. 475 of the same Congress. The plans of the two agencies were merged in the Missouri River Basin project and authorized for construction in the Flood Control Act of 1944. The Oahe project was thus authorized over 20 years ago.

The Oahe unit plan of development envisioned diversion of water from Oahe Reservoir on the Missouri River to irrigate some 750,000 acres in the James River Basin. More detailed studies over the years have reduced the area capable of sustained irrigated productivity to 495,000 acres, of which 445,000 acres are in the Lake Plain area and 50,000 acres in the Missouri slopes nearer to Oahe Reservoir.

The initial stage has been carefully formulated as the beginning of a development that can eventually lead to the irrigation of the full 495,000 acres without duplication or redundancy of facilities to be constructed. There is vigorous local support for this undertaking. Over a year ago two irrigation districts were formed, which along with the already established Oahe Conservancy Subdistrict, are prepared to accept the responsibility for repayment of reimbursable project costs. Formation of both districts was overwhelmingly supported by an 85 percent favorable vote.

Among the units authorized for construction in the Flood Control Act of 1944 were Gavins Point, Fort Randall, Big Bend, and Oahe Reservoirs, all in South Dakota, to be built by the Corps of Engineers. Today these dams are in place, and they have changed the entire 547 mile length of the Missouri River in our State into a series of reservoirs.

Thus far we have given up a total of 509,000 acres of prime bottomland to inundation under the four main-stem reservoirs. We have given up more land to lakebed than will ultimately be irrigated when the entire 495,000 project envisioned now is completed. It is estimated that the loss of these lands to productive use represents a loss of potential income or business volume of more than $20 million annually.

The people of South Dakota were willing to make this permanent sacrifice for two central reasons. First, they believed that the multipurpose development of the Missouri Basin was in the national interest. These main-stem facilities have assured the navigability of the lower Missouri River. They permit the generation of billions of kilowatt-hours of electric power. They have averted millions of dollars in flood damage in downstream States. These benefits have been realized primarily by people outside of South Dakota but we have not taken a parochial view. We have heartily endorsed them because they are of great value to the Nation as a whole.

Second, my State was willing to make the sacrifice of lands and potential income because we had the assurance of the Congress that the loss would ultimately be repaid with the economic thrust of a half-million-acre irrigation project. We believed that our claim to Missouri River water would be recognized, and we have long looked forward to new irrigation replacing and justifying the loss of bottomlands.

We are pleased that 90 percent of the facilities for navigation, flood control, and hydroelectric power generation of the multipurpose Missouri Basin plan have been completed to date. We are now looking forward to parallel progress on our irrigation potential, of which only 10 percent has been attained.

Of the 17 reclamation States of the West, South Dakota ranks 14th in terms of numbers of acres of land under irrigation through Federal reclamation projects. North Dakota ranks last, but is beginning to move up by virtue of authorization of a first stage of the magnificent Garrison Diversion Unit last year.

More than 9 million acres of land in the West is being irrigated under the Federal reclamation program. Of this a little over 78,000 acres are in South Dakota, and just slightly more than 30,000 acres are receiving project water in North Dakota. Kansas, with 63,000 acres, and Oklahoma, with 47,000, rank 15th and 16th. I ask unanimous consent, Mr. President, to place in the RECORD a table of federally irrigated lands in the 17 Western States.

The reclamation program is a great program. Its role in the economic and social development of the West is unmatched. My purpose in pointing out these figures is to demonstrate that we in the Missouri Basin have not shared in the reclamation program as much as elsewhere. We have been most happy to support the projects of other States, because we believe that the development of resources anywhere in the Nation strengthens the national economy of which we are a part. We will continue to support the projects of other States, whether they be irrigation or other essential economic development works. We ask that you support us in our endeavors.

Public Law 442, enacted in the 2d session of the 88th Congress, requires that construction of further units of the Missouri River Basin project be reauthorized. This makes it necessary to bring the Oahe unit before the Congress again. I am sure that Congress will find it to be a splendid project.

In that connection, Mr. President, I ask unanimous consent that there be printed in the RECORD following my remarks a table setting forth irrigable acreages by States during the period 1902 to 1964.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. McGOVERN. Mr. President, the initial-stage, 190,000-acre unit will require an investment of $200,684,000. Ten percent of this figure represents nonreimbursable costs allocated to flood control, recreation, and fish and wildlife enhancement in accordance with existing law and policies. All of the investment but this 10 percent will be directly returned to the Federal Treasury by water and power users.

Moreover, the Federal investment will be repaid in other ways. The increased farm income generated by large-scale irrigation in South Dakota will beget an estimated increase of $3,306,000 in Federal income tax revenues from farmers. Over the 50-year payout period, this will total about $175 million over and above the contract repayment, and will equal another 85 percent of the project costs allocated to irrigation.

But the economic impact will not stop at the farmers' fencelines. It will course through the towns and cities—not only in South Dakota but throughout the Nation—where the capital inputs of agriculture are manufactured, distributed, and sold. It will be noticed in the cash registers of any and all kinds of business, as the rural demand for consumer goods grows. At each point, more new income and, consequently, more new tax revenues will be promulgated, further adding to the financial wisdom of the investment.

The foundation of the South Dakota economy is agriculture. It is our largest industry. But the greatest share of our production has been devoted to those crops commonly referred to as surplus commodities. Our farmers are confined by the climate to a limited range of alternatives. When prices are low, they endeavor to increase their efficiency—to produce more of the same thing. They have no choice.

Irrigation water is the key to breaking this cycle. Construction of the initial stage of the Oahe Unit will expand the scope of agriculture in South Dakota—both in the immediate area and statewide. New flexibility will stabilize and increase farm income.

The logical shift will be away from crops in surplus supply, toward feed and forage to support an expanded livestock economy. The 190,000 acres of the first stage are interspersed throughout a 328,000-acre project area. About 75,500 of those acres are presently devoted to wheat. Under irrigation, that figure would drop by nearly 50,000 acres, and no wheat is expected to be grown on acres receiving project water. Wheat production in my State would thus drop by about 850,000 bushels as a result of construction of the first stage. The total project would reduce wheat production by more than 2 million bushels.

The Oahe Unit is a good project from every standpoint. The ratio of direct benefits to costs is 1.6 to 1. When secondary benefits are considered it is 2.5 to 1. This means that for every dollar invested, $2½ in measurable benefits will be returned.

Translated from tables into tangibles, the first stage would support an increased project area population of 14,000 people, through substantial progress in overcoming the outmigration problem that has plagued all of rural America. Annual farm receipts would be boosted by more than $30 million. As this new income is spent and invested, business volume in South Dakota would receive a $71 million thrust. State and local tax revenues, as well as those of the Federal Government, would be increased, and would be returned in the form of improved public services such as schools, roads, and other community facilities.

Development of the Oahe unit would mean a fuller and more abundant life for both rural and urban areas in the James River Basin. Associated public outdoor recreation and fish and wildlife enhancement would help to meet the growing needs of America's population, and would add to the economic impact through stimulation of tourism and sales of sporting goods, boating, fishing, and recreational equipment.

The first stage of the Oahe irrigation unit in South Dakota is soundly conceived, eminently justified, and represents a great progressive step in the orderly development and use of the resources of the Missouri Basin.

EXHIBIT 1

Irrigable acreage for service by States, 1902–64

State	Through 1915	Irrigable acreage for service by time period					Complete total
		1916-25	1926-35	1936-45	1946-55	1956-64	
California	26, 840	11, 141	16, 540	693, 717	833, 205	726, 724	2, 308, 167
Idaho	350, 000	722, 040	145, 827	150, 245	131, 409	119, 012	1, 618, 533
Colorado	69, 500	76, 030	−34, 996	77, 105	632, 890	147, 035	967, 564
Washington	126, 856	181, 244	71, 718	56, 875	264, 571	241, 820	943, 084
Arizona	285, 611	96, 238	8, 924	10, 836	68, 903	22, 385	492, 897
Oregon	55, 000	45, 580	46, 216	189, 786	94, 707	53, 617	484, 906
Nebraska	137, 764	182, 477	−26, 337	−14, 277	54, 961	91, 426	426, 014
Utah	50, 000	23, 390	72, 091	146, 774	44, 944	33, 696	370, 895
Montana	97, 699	110, 842	71, 480	52, 032	19, 176	−10, 822	340, 407
Wyoming	42, 816	64, 433	67, 443	20, 784	53, 718	61, 094	310, 288
New Mexico	53, 776	53, 769	2, 510	0	70, 219	125, 377	308, 651
Nevada	65, 000	385	4, 139	64, 367	3, 780	3, 655	141, 326
Texas	19, 350	91, 150	33, 500	−59, 207	20, 035	236	105, 064
South Dakota	78, 591	3, 229	−8, 959	−430	2, 840	2, 921	78, 192
Kansas					9, 785	53, 228	63, 013
Oklahoma					47, 809	−549	47, 260
North Dakota	13, 969	5, 250	1, 029	10, 426	1, 655	−2, 027	30, 302
Undistributed in 1945				17, 208	−17, 208		
Total	1, 472, 772	1, 670, 198	471, 125	1, 416, 241	2, 337, 399	1, 668, 828	9, 036, 563

The **PRESIDING OFFICER**. The bill will be received and appropriately referred.

The bill (S. 3001) to authorize the Secretary of the Interior to construct, operate, and maintain the first stage of the Oahe unit, James division, Missouri River Basin project, South Dakota, and for other purposes, introduced by Mr. McGovern, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

OAHE IRRIGATION PROJECT, SOUTH DAKOTA

Mr. **MUNDT**. Mr. President, I send to the desk an identical bill with that introduced by my colleague [Mr. McGovern] in connection with the Oahe irrigation project.

Our colleagues in the House of Representatives, Mr. Berry and Mr. Reifel, today are also introducing bills identical to the ones which Senator McGovern and I are introducing here.

The introduction of this bill and the companion bills in the House represents a joint effort on the part of the South Dakota congressional delegation, in cooperation with our officials of State government in South Dakota, to achieve congressional authorization of the first stage development of the Oahe irrigation unit.

The first stage comprises some 190,000 acres in South Dakota of what eventually will be an irrigation unit of 495,000 acres in our State.

Our bill is the product of many hands working together to achieve enactment of the last major development of the Missouri River Basin program in South Dakota. We have worked with officials in our State government, we have consulted with landowners and farmers and their representatives in various conservation and reclamation organizations, we have met with officials of the Bureau of Reclamation and the Department of the Interior in drafting the proposal which is presented today.

Six sections constitute this authorization bill. The first outlines the principal purposes as "furnishing a surface irrigation water supply for approximately 190,000 acres of land, furnishing water for municipal and industrial uses, controlling floods, enhancing the generation of power, conserving and developing fish and wildlife resources, and enhancing outdoor recreation opportunities and other purposes."

Also included in the first section is a brief description of the principal features of the first stage of the Oahe unit. These are:

> The Oahe pumping plant to pump water from the Oahe Reservoir, a system of main canals, regulating reservoirs, and the James diversion dam and the James pumping plant on the James River. The remaining works include appurtenant pumping plants, canals, and laterals for distributing water to the land, and a drainage system.

Section 2 of the bill authorizes construction, operation, and maintenance of public outdoor recreation, and fish and wildlife enhancement facilities.

The third section coordinates the Oahe unit with other Federal works constructed or authorized under the Food Control Act of 1944.

Section 4 is a prohibition against production of any agricultural commodity which is in surplus according to Federal law.

Section 5 provides for determination by the Secretary of the Treasury of the interest rate on the interest-bearing features.

Section 6 authorizes the Federal appropriation of $200,684,000 plus such additional amounts as may be required for operation and maintenance. It should be noted that the reimbursement features of the Oahe irrigation unit will provide for a return to the Federal Treasury of most of these funds.

Of this amount of $200,684,000, some $11,500,000 would be earmarked for facilities designed to serve the entire 495,000 acres. These include such items as foundations for pumps and main canals of a size sufficient to carry water for the total project.

The Oahe unit project plan provides that water would be diverted from the existing Oahe Reservoir near Pierre, our State capital, on the Missouri River.

The area proposed for initial stage development is comprised of irrigable land in the Lake Plain area in Brown and Spink Counties. The entire 495,000-acre unit, in addition to Brown and Spink Counties, includes Marshall and Day Counties at the northern end of the James River Basin within South Dakota, the Missouri Slope area in northwestern Sully County, and southwestern Potter County just east of the Oahe Reservoir.

In addition to irrigation, 17 towns and cities in the project area would be furnished municipal and industrial water. In the ultimate stage of Oahe unit development, 23 communities would receive municipal and industrial water supplies.

The regulating reservoirs included among the principal features would be formed by Blunt, Cresbard, and Byron Dams. Blunt Reservoir, on the north branch of Medicine Knoll Creek, would have an active capacity of 381,000 acre-feet; Cresbard Reservoir on Cresbard Creek, an active capacity of 30,400 acre-feet; and Byron Reservoir, 62,100 acre-feet.

Mr. President, the proposal we introduce today is the outgrowth of an effort which started more than two decades ago and which was officially recognized as a Federal project when the Missouri River Basin project was authorized by the Flood Control Act of 1944 and which was subsequently supplemented and extended by the Flood Control Act of 1946.

Under these acts, the Army Corps of Engineers and the Bureau of Reclamation of the Department of Interior were authorized to construct facilities in accordance with the coordinated plan for the comprehensive development of the water and land resources of the Missouri River Basin.

At the time the Flood Control Acts were adopted, I was serving in the House of Representatives, along with a distinguished member who later served here in the Senate until his untimely death in 1962—Francis Case. In the Senate then, were Harlan Bushfield and Chan Gurney.

So as one who has had the opportunity to work for, and vote for this comprehensive program since its inception and passage by Congress, the introduction of the Oahe irrigation authorization bill has special significance for me.

While a substantial amount of the Missouri River Basin program—at least in our State—has been completed, and even though one feels a sense of satisfaction over that part of the development which is now in operation, it still is an exciting and rewarding experience for me to continue working in behalf of that which is unfinished, even though that which has been accomplished is probably more dramatic and awesome, such as the construction involved in building the huge rolled-earth Oahe Dam on the Missouri.

To my mind, the events preceding the enactment of the flood control laws of 1944 and 1946 remain most fresh, because it was then that full demonstration was given of what can be accomplished when the people join together in a worthy cause. And the basin project is truly an effort by the people as they planned and worked cooperatively in the vast undertaking that stands today as the Missouri River development program.

In the early 1940's, an extensive series of public meetings were held, up and down the river, to discuss the plans for flood control, plans which eventually would also lead to irrigation which we are now ready to start as part of the basin program of operation.

Virtually all of our congressional recess periods in those days were used by the delegation to meet with the Governor, other State officials, and various groups and organizations to lay the groundwork for this multipurpose development, so much of which is now a reality.

South Dakota Governors during this period were Harlan Bushfield, from 1939 to 1943 when he came to the Senate to continue his efforts in behalf of the program, and M. Q. Sharpe, who served until 1947. All of our succeeding Governors also gave the basin program maximum support.

Among the hardest drivers in the effort were two men whose names became household words in South Dakota—and no doubt in the other Missouri River States—and for whom the program was originally named, the Pick-Sloan plan.

Gen. Lewis A. Pick, then the Army Corps of Engineers division engineer, and W. G. Sloan, Bureau of Reclamation regional director, accomplished a tremendous job, and if ever two men dedicated themselves to a program with all their hearts and energies, Glen Sloan and Lewis Pick did as they met and talked with our people in South Dakota and with officials here in Washington in their advocacy of Missouri River development.

In fact, I recall on one occasion, over a 2-week period one summer, Governor Sharpe, General Pick, Glen Sloan, and I visited all nine States in the Missouri River watershed and held public meetings from St. Joseph and Kansas City to Fort Peck, Mont., drumming up support for what became the Pick-Sloan plan.

In any summation of the great work involved in this program and the contributions which have been made, it perhaps is not appropriate to try to single out individual citizens for credit because there are so many involved and no doubt important contributors would be overlooked. But it would likewise be inappropriate, to my way of thinking, in discussion of this program if no mention were made at all of the two men I have cited, General Pick and Glen Sloan.

And what of this great Missouri Basin project, which we once knew as the Pick-Sloan plan?

It was the intention of this plan to prosper and stabilize the agriculture of the seven-State Missouri Basin, provide effective flood control and navigation benefiting the downstream States along the Mississippi River, establish new recreational areas, and provide low cost hydroelectric power and irrigation.

My great State of South Dakota gave up more than 500,000 acres of good river bottomland to the great dams constructed on the Missouri River, and as the Missouri River courses through South Dakota today, it passes from one reservoir to another for its full length of about 550 miles.

These dams and reservoirs now effectively provide in large measures all of the benefits claimed for them, except the promised irrigation.

We gave up that good river bottomland unselfishly, with confidence that the plan to irrigate some hundreds of thousands of acres from the Oahe Reservoir in our State would compensate us for this sacrifice. The legislation we introduce today would make a small start on that pledge of more than 20 years' standing.

The economy of South Dakota is founded firmly on agriculture. But because of the vagaries of nature, we have never been blessed with dependable and adequate moisture during the critical growing season to realize fully the great potential of our wonderful soil. We have never been able to remove the ever-present threat of drought and crop failure. We have never been able to stabilize and expand our agricultural economy, and we have been continually faced with the emigration of our youth to those States which have been more bountifully blessed.

But South Dakota's faith has not wavered over these 20-odd years as we waited and watched while over 90 percent of the works planned for flood control, navigation, recreation, and power production in the Missouri River Basin project have been constructed.

In the 2d session of the 88th Congress, we passed Public Law 442, which requires that all further construction on the Missouri River Basin project be separately authorized. For many years prior to that, no authorized irrigation development of major size in the basin has been able to secure the funding essential for construction.

Last year, however, North Dakota was benefited by the passage of legislation authorizing construction of the initial stage of the Garrison diversion unit. That legislation also included authorization of accounting and financial concepts and procedures that assure that the Missouri River Basin project will continue on a sound financial basis.

It assures that all of the reimbursable Federal expenditures associated with the project will be returned to the Treasury. In the case of the Oahe unit, I am pleased to report, the reimbursable costs amount to 90 percent of the proposed Federal expenditures. The remaining 10 percent that is nonreimbursable represents costs associated with flood control, recreation, and fish and wildlife enhancement.

For every dollar of Federal expenditure for the initial stage of the Oahe unit, Mr. President, benefits totaling $2.50 will flow back into the economy.

The annual volume of farm receipts and associated business volume created will total more than $100 million annually.

This development will generate local, State, and Federal taxes of more than $6 million each and every year.

Over the 50-year period during which the Federal costs of the unit would be returned to the Treasury, Federal income taxes in excess of those that would be collected from the area if dryland farming were to continue will amount to more than $175 million.

For the more than 76 years that South Dakota has been one of these great United States, we have been unable to contribute our full share to growth of the national economy. The legislation which we are introducing today would authorize the Secretary of Interior to make an investment in America that would permit us to do so, and to return handsome dividends on that investment.

And, Mr. President, the time has now arrived for achieving the return on South Dakota's own investment of our rich river bottomlands to this program by setting in motion this irrigation project which also makes the Federal Government's contribution a national investment in yielding to the Nation economic dividends far surpassing the cost.

Mr. President, in closing, I ask unanimous consent to have printed in the RECORD, at the end of my remarks a resolution adopted by the Oahe Conservancy Subdistrict board of directors at their meeting on January 12, 1966.

The PRESIDING OFFICER. (Mr. MCCARTHY in the chair). Without objection, it is so ordered.

(See exhibit 1.)

Mr. MUNDT. Mr. President, since this organization has been in the forefront of the irrigation planning for our State, I think it is most appropriate that some recognition be given for their valued service and outstanding contributions and by way of doing so wish to include the board's resolution which endorses the authorization bill introduced today.

EXHIBIT 1

A RESOLUTION

Whereas the board of directors of the Oahe Conservancy Subdistrict on December 19, 1964, adopted a motion requesting the Bureau of Reclamation to revise the report for the Oahe irrigation unit so as to redefine the unit as a whole; and

Whereas the board also requested the Bureau of Reclamation to prepare a feasibility report on a proposed 190,000-acre first stage of the Oahe irrigation unit; and

Whereas the Bureau of Reclamation has prepared such reports as requested: Now, therefore, be it

Resolved, That the board does request the Congress to enact legislation to redefine the Oahe unit as originally defined in Senate Document 191 of the 78th Congress and authorized by the Flood Control Act of 1944 so as to conform to the definition provided in the report of the Bureau of Reclamation on the Oahe unit of May 1965 and that the Congress also authorize construction of the 190,000-acre first stage of the Oahe unit as designated in the supplemental report of the Bureau of Reclamation of June 1965; be it further

Resolved, That the subdistrict pledges its best efforts to seek authorization to additional acreages in the Oahe project as soon as local support is indicated by formation of irrigation districts.

JAMES L. LEWIS,
Manager-Treasurer.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3002) to authorize the Secretary of the Interior to construct, operate, and maintain the first stage of the Oahe unit, James division, Missouri River Basin project, South Dakota, and for other purposes, introduced by Mr. MUNDT, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

ANTIBLACKOUT EMERGENCY POWER BILL

Mr. JAVITS. Mr. President, I introduce, for appropriate reference, a bill to require the installation of emergency electric power equipment in hotels, theaters, restaurants, office buildings, retail establishments, and transportation terminals engaged in interstate commerce.

Designed to forestall wholesale public inconvenience and possible panic in power blackouts such as the one in the Northeast last November, and the more recent occurrence in El Paso, Tex., the bill requires installation of power equipment capable of providing emergency lighting. The measure contemplates the use of inexpensive, battery-operated facilities to provide adequate power. Emergency power to light a theater could be made available for under $100 by using these battery-powered facilities, which are presently in widespread use in Pennsylvania.

November 9, 1965, will long be remembered in New York State—indeed in the entire Northeast—as the night of the great blackout. In the midst of the homebound rush hour, millions were plunged into total darkness and deprived of all electric power. In the city of New York, this meant that thousands were trapped in elevators, hundreds of thousands were in subways and trains under the ground, and countless others moved homeward either on foot or in automobiles through dark and congested streets—or were stranded as were thousands that night. Tens of thousands of apartment dwellers were also without water due to the failure of electric pumps.

To the surprise of many, and to the great credit of urban man's endurance, there was no panic during the blackout and, except for the extreme inconvenience, New Yorkers appear to have muddled through virtually unscathed. The same could be said of El Paso, Tex., which experienced a blackout even more recently. In the next blackout for whatever cause—if there ever is a next blackout—we may not be as fortunate.

The Federal Power Commission and the American Public Power Association have both prepared extensive reports on the causes of the Northeast blackout, and have made suggestions to prevent a recurrence. These include a more extensive power grid, new authority for the Federal Power Commission, tighter technical regulation of power distribution systems and a complete reevaluation of our resources and equipment.

One relatively simple precaution although recommended, has not been acted upon. That is to require that all public buildings be equipped with emergency power facilities sufficient to provide electric light in the event of a power failure. Pennsylvania has such a law. New York has one which applies to hospitals, theaters, and it will be noted that emergency lights were available in these institutions during the blackout.

Certainly, there are other forms of emergency electric power which would be desirable in the event of a blackout, but to require that all public buildings be equipped with entire auxiliary power systems would be both enormously expensive and impractical. Manual devices operating without electric power can be provided in elevators, for example, which would permit their being lowered to the nearest floor.

But lights are essential, both to eliminate the possibility of panic, and to permit orderly exit. And power for lights can be provided by single unit, battery powered facilities at very little cost. Power to light a theater, for example, could be assured by the installation of such a device costing well under $100.

My bill would require the installation of such a device in all hotels, theaters, restaurants, office buildings, retail establishments, and transportation terminals engaged in interstate commerce. The Secretary of Commerce is given primary enforcement powers, but both inspection and enforcement functions would be delegated to appropriate State agencies where effective State laws exist.

This proposal is simple, inexpensive, and practical. It would greatly alleviate inconvenience and would protect the public safety should power failures occur in the future. It is regrettable that such a law was not on the books last November 9, but I urge that it be considered at the forthcoming Commerce Committee hearings.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3004) to require certain buildings to be equipped with emergency lighting systems, introduced by Mr. JAVITS, was received, read twice by its title, and referred to the Committee on Commerce.

Mr. JAVITS. Mr. President, I ask unanimous consent that the bill may lie on the desk for 1 week for additional cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRAFFIC SAFETY ACT OF 1966

Mr. MAGNUSON. Mr. President, at the request of the administration and on behalf of myself, I introduce for appropriate reference a bill entitled "Traffic Safety Act of 1966." The proposed legislation will provide for a coordinated national safety program and the establishment of safety standards for motor vehicles in interstate commerce to reduce traffic accidents and the deaths, injuries, and property damage resulting from such accidents. This proposed measure has been recommended in the President's transportation message to the Congress.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3005) to provide for a coordinated national safety program and establishment of safety standards for motor vehicles in interstate commerce to reduce traffic accidents and the deaths, injuries, and property damage which occur in such accidents, introduced by Mr. MAGNUSON, was received, read twice by its title, and referred to the Committee on Commerce.

Mr. MAGNUSON. Mr. President, no domestic public issue has so captured the interest and concern of the American public as automobile safety. We have now come face to face with the realization that the deaths of tens of thousands of Americans on the highways each year are not inevitable.

We have come to understand that no dramatic safety program is possible which does not act upon the entire complex of factors which create hazard on the highways.

Driver education alone is not enough. The design of highways alone is not enough. Encouragement of vigorous State automobile inspection is not enough.

No meaningful safety program can ignore any of these elements. And no meaningful program can shortchange the basic role of the automobile itself and its principal component—the automobile tire. The events of the last several months have made us realize that safer cars and safer tires can be engineered and economically produced. And the awful toll of highway deaths has brought us to the realization that safer automobiles and safer tires must be produced.

The Highway Safety Act which the President has sent us today represents a comprehensive, many-faceted program for promoting automobile safety. It is a program which should receive the wholehearted, vigorous attention of the Senate.

I am particularly pleased to note that the President has endorsed the Magnuson-Nelson Tire Safety Act of 1966, S. 2669, as an integral part of the Nation's safety programs.

Several bills relating to automobile safety have been introduced by various Senators in particular the Senator from Wisconsin [Mr. NELSON]. Vigorous hearings have been held by the Senator from Connecticut [Mr. RIBICOFF]. The Committee on Commerce has held hearings on several bills relating to automobile safety. The committee is about ready to report an automobile tire safety bill, which is, of course, included in this many-facet program.

The bill just introduced is, of course, in the nature of an overall bill which, it is hoped, will reach generally all the facets and will add up to a good national safety program.

Mr. President, I ask unanimous consent, in this connection, to have printed at the conclusion of my remarks letters from the General Counsel of the Department of Commerce and the Chairman of the Federal Trade Commission, which contain the administration's endorsement of S. 2669, and also a section-by-section summary of the proposed Traffic Safety Act of 1966.

There being no objection, the letters and summary were ordered to be printed in the RECORD.

(See exhibit 1.)

Mr. **MAGNUSON**. Mr. President, necessary and immediate Federal action to halt the tragedy that occurs daily on the highways of our Nation is clearly indicated by the alarming growth in motor vehicle accidents. These mishaps claim each day over 134 lives or nearly 50,000 lives annually. They cause more than 3 million injuries in a year and result in economic losses of nearly $9 billion.

Over the years 1.5 million American citizens have died as a result of highway accidents. The President recently stated that, "the gravest problem before this Nation—next to the war in Vietnam—is the death and destruction, the shocking and senseless carnage that strikes daily on our highways and takes a higher and more terrible toll every year." We can no longer be indifferent to or accept as inevitable the economic loss and the untold tragedy that results from the mounting toll of traffic accidents.

We know how to build safer vehicles and safer highways, and we know how to train safer drivers and enforce safety regulations. But, for too long our traffic efforts have been diversified under many, many programs of varying levels of government and civic activity. The Nation's resources must be organized into a national traffic safety program which provides the financing needed for research and for establishing effective countermeasures to reverse the accident trend.

Our transportation system must be made the safest in the world. This means increased attention to automotive traffic safety, since this mode will involve travel reaching over a trillion vehicle miles a year within the next decade with 125 million drivers and 120 million vehicles involved. So the need for the proposed legislation is obvious.

The President's transportation message also set forth certain immediate corrective action steps which he is taking under existing authority. He will assign to a single agency responsibility for coordinating widely dispersed Federal safety programs. He has proposed in his budget for 1967 an expansion in the scope and upgrading in the quality of existing safety efforts.

The President has stated that the authority available to him must be broadened if the Federal Government is to promote a unified and vigorous national safety effort. The Traffic Safety Act of 1966 has been proposed by the President to accomplish this goal. It is a 6-year program directed toward the immediate reduction of accidents and the ultimate development of a safe highway transportation system. The legislation would authorize Federal financing support of $700 million over the 6-year period—a little more than $100 million a year.

Congress acted wisely in the last session by its enactment of a broad charter, under provisions of Public Law 89–139, which urges creation of State traffic safety programs and assigns responsibility for a long-range program of continued Federal-State cooperation.

The President has proposed a program of grants to support the States' highway safety programs which will operate under national uniform standards covering such areas as vehicle safety standards and inspection, driver education, driver licensing, advanced traffic control technology, support for specialized accident investigation teams, expansion of data collection efforts and improvement in the quality and availability of police and emergency medical service.

Funds also will be authorized to permit the Secretary of Transportation to carry forward necessary program support at the Federal level. He would be enabled to support training, fellowship grants, and research to institutions and individuals in all safety areas. Funds also would be used to augment on-going programs of other agencies with highway safety activities such as the Department of Health, Education, and Welfare. In this way Federal funds could be properly allocated to areas where greatest benefit could be derived under policy guidelines established by the Secretary of Transportation. Creation of effective countermeasures also requires adequate research capability so that we may establish a better understanding of the fundamental causes of traffic accidents and support creation of effective standards to guide formulation of future corrective actions. To accomplish this the President has requested authority to plan and construct needed Federal research facilities and the creation of an accident data information system.

The almost universal usage of the automobile makes it a vital component of our economy in supporting the mobility and livelihood of every individual American. This critical role requires that we no longer avoid the responsibility for assuring that vehicles sold and used in interstate commerce are designed, manufactured, and equipped to provide optimum safety. The public interest requires that safety be a primary consideration of vehicle design.

The President has requested that the Secretary of Transportation be given authority to assure that in the future all vehicles sold in interstate commerce be designed, built, and equipped to minimize both the possibility and the severity of accidents. To accomplish this objective the Secretary of Transportation would be given authority to investigate and to develop safety performance criteria for highway vehicles and their components. It is important that the Federal role in traffic safety focus upon all elements of the accident phenomena which include the vehicle as well as the driver and the highway. Authority is also proposed to allow the Secretary of Transportation to prescribe mandatory standards if by 1970, adequate voluntary standards have not been adopted by the industry. The timing of this authority will provide ample time for the Federal Government to devise constructive performance design criteria as guidelines for future actions.

In other modes of transportation, the Federal Government has never hesitated to assure that safety standards are provided when necessary to protect the public. Defining the Federal role in this area is needed to respond to the Nation's growing concern for the mounting toll of highway accidents.

We spend nearly $100 billion a year for automotive transportation and the benefits to our Nation from this investment are immeasurable. But we also must avoid the unnecessary cost in economic loss and untold human tragedy which grows out of these traffic accidents.

The number and severity of accidents without question exceed tolerable limits and surely we can devote some small fraction of this expenditure to a program to reduce this human suffering and loss. In my view, the President's program as proposed is justified by this need. We must go forward with this effort until we have substantially reduced the hazards of highway accidents and made it possible for those Americans who depend upon the automobile to drive in safety and comfort upon our highways.

We have the most efficient and economic transportation system in the world. The President's proposed program as contained in the Traffic Safety Act of 1966 can bring it within our power to provide the safest—and that is our goal.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. JAVITS. I am a member of the subcommittee of the Committee on Government Operations, of which the Senator from Connecticut [Mr. RIBICOFF] is chairman, which has handled this subject. Do I understand that this bill is to be referred to both the Committee on Commerce and the Committee on Government Operations?

Mr. MAGNUSON. No. This is an automobile safety bill and will be referred to the Committee on Commerce. The other bill is an executive department reorganization bill to create a Department of Transportation. The President has just sent to Congress a message on that subject, and it will be referred jointly to the Committee on Government Operations and the Committee on Commerce.

It is expected that the Committee on Government Operations, of which the Senator from Arkansas [Mr. MCCLELLAN] is the chairman, will hold hearings on the technical reorganization features with respect to executive departments.

If substantive legislation is required—and it will be, in some instances, because the proposal involves, for instance, the Coast Guard, the Federal Aviation Agency, and certain segments of the Interstate Commerce Commission—such proposed legislation would naturally be considered by the Committee on Commerce. If the Committee on Government Operations and the Committee on Commerce approve the establishment of a new Department of Transportation, that Department's functions would be under the jurisdiction of the Committee on Commerce.

Certain features of the traffic safety bill affecting public roads may involve the jurisdiction of the Committee on Public Works, with which the other committees will work.

This proposal is a comprehensive approach to the regulation of the whole transportation system of the United States.

The administration's bill to establish a Department of Transportation will, I hope, be received today, and I shall introduce it with the same request.

Mr. JAVITS. I thank the Senator from Washington.

Mr. MAGNUSON. It was necessary to move in this broad way. I mentioned that the Senator from Connecticut [Mr. RIBICOFF], the Senator from Wisconsin [Mr. NELSON], and other Senators have sponsored specific bills. The Committee on Commerce has before it eight or nine bills relating to different facets of traffic safety. We are trying to combine them. I am sure that no one feels any particular pride of authorship of legislation that will ultimately be designed to make our highways safe and to provide a better transportation system.

Mr. JAVITS. I certainly agree with the Senator from Washington as to that.

EXHIBIT 1

GENERAL COUNSEL OF THE
DEPARTMENT OF COMMERCE,
Washington, D.C., February 4, 1966.

Hon. WARREN G. MAGNUSON,
Chairman, Committee on Commerce,
U.S. Senate,
Washington, D.C.

DEAR MR. CHAIRMAN: This letter is in further reply to your request for the views of this Department with respect to S. 2669, a bill to establish safety standards for motor vehicle tires sold or shipped in interstate commerce, and for other purposes.

This bill would require the Secretary of Commerce to establish the tire safety standards of the Vehicle Equipment Safety Commission as interim mandatory standards, and to issue revised standards, if necessary, after 2 years based upon the research and development authorized by the bill. The Secretary would be authorized to conduct testing and inspection necessary for the enforcement of the act. The act authorizes enforcement either by seizure and condemnation of substandard tires or by injunction. The Secretary also would be directed to develop a uniform grading system for tires and to make recommendations to the Congress by January 31, 1971, for its implementation.

The Department of Commerce believes there is a need for appropriate legislation relating to tire standards. Subject to the comments below, we strongly favor enactment of S. 2669.

In the hearings on an earlier bill (S. 1643) on the subject of tire standards held by your committee on May 25, 1965, Assistant Secretary of Commerce J. Herbert Hollomon, in testifying for the Department, emphasized the need for research, as well as civil enforcement procedures, in an effective tire safety program. He also stated that the Department normally preferred the voluntary approach to standardization, but in this case would have no objection to discretionary authority in the Secretary of Commerce to issue mandatory standards, if the voluntary approach did not offer sufficient protection to the public.

S. 2669 includes provisions for research and civil enforcement, as the Department suggested. In addition, section 3 requires interim mandatory standards and provides that the Secretary shall review and revise them to the extent necessary in light of the results of the research and testing program. We believe it would be preferable simply to provide discretionary authority to issue mandatory safety standards. However, we would defer to your committee as to the necessity for promulgating interim mandatory standards as provided in S. 2669.

In any event we recommend that amendments along the following lines be made in the bill.

Section 2(b) defines motor vehicle in a manner which excludes not only vehicles subject to regulation by the Interstate Commerce Commission, but also many other vehicles used on the highways, such as light trucks and trailers. Accordingly, we suggest that section 2(b) be rewritten to read as follows:

"(b) The term 'motor vehicle' means any motor vehicle or drawn vehicle, primarily for use on the public roads and highways, other than a vehicle subject to safety regulations under part II of the Interstate Commerce Act."

The above suggested language is similar to that used in Public Law 88–201, establishing seat belt safety standards and would exclude vehicles occasionally used on the highways, but primarily adapted for other uses, such as, for example, farm tractors or construction equipment.

Among the activities authorized by section 4(c) in support of improved safety standards is research and development on standards for retreaded tires. Developing a safety standard for retreaded tires is extremely difficult. There are unpredictable variations in carcasses used for retreading, and tests of small samples for data gathering purposes would be almost meaningless. We have estimated that a minimum of 4 years would be required to develop suitable tests. Assuming that a satisfactory test can be developed, the nature of tire remanufacturing could pose problems of enforcement under the provisions of the bill, and additional authority may well be needed to permit adequate enforcement.

Another suggestion we have relates to load standards for tires. Section 4(c)(4), which mentions factors to be considered in developing safety standards, could be construed together with section 4(b) to mean that load standards should be established for each type of expected use for tires. This would be a formidable task from both the technical and enforcement point of view. The Department believes that there should be a minimum safety requirement for load, considering all uses. Separate standards should not be required or permitted for a car traveling a few miles to and from work with only the driver, since such a car may at any time be used for severe service. A passenger car, for example, frequently has a full load of passengers and luggage and travels at maximum legal speed on interstate highways for prolonged periods. Furthermore, it is not practical to develop methods and to test tires for every possible road hazard as suggested by this section. Even safe tires may be cut or damaged accidentally or through abuse in ways that a standard cannot prevent. We recommend that section 4(b) be rewritten as follows:

"(b) In such revised minimum standards, the Secretary shall prescribe such maximum permissible loads for each motor vehicle tire, and the application of such maximum permissible load standards, as he determines to be necessary to achieve the purpose of section 3."

We further recommend that section 4(c)(4) be rewritten as follows:

"(4) Shall take into consideration such factors as size, load carrying ability under the conditions likely to be encountered in regular highway travel, resistance to impact and fatigue, resistance to cornering and skidding, resistance to detachment from rim, and such other factors as he deems relevant."

As rewritten, section 4(c)(4) would permit the consideration of factors such as the characteristics of tires in their interaction with road surfaces.

We note that while S. 1643 refers to labeling standards as well as safety and grading standards, S. 2669 does not expressly require labeling. We assume that there is no intent in S. 2669 to restrict authority to require reasonable labeling as part of establishing safety standards, since the Vehicle Equipment Safety Commission regulation V–1 on tire safety includes certain labeling requirements. We feel that reasonable labeling requirements would include information such as the name of the manufacturer or distributor, tire size, load rating, and inflation pressure.

Finally, the enforcement provisions of the bill are not entirely clear. It appears that condemnation proceedings could be brought by private parties, and that substandard tires could be condemned while in the hands of the ultimate user. We question whether either of these would be desirable or practical.

In summary, we feel that enactment of S. 2669, subject to our comments above, would contribute importantly to the traffic safety program which President Johnson called for in this year's state of the Union message.

We have been advised by the Bureau of the Budget that there would be no objection to the submission of this report to your committee and further that the enactment of legislation along the lines of S. 2669 would be consistent with the administration's objectives.

Sincerely,

ROBERT E. GILES,
General Counsel.

FEDERAL TRADE COMMISSION,
Washington, D.C., January 28, 1966.
Hon. WARREN G. MAGNUSON,
Chairman, Committee on Commerce,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your letter of October 20, 1965, requesting the Commission's views on S. 2669, 89th Congress, 1st session, a bill to establish safety standards for motor vehicle tires sold or shipped in interstate commerce, and for other purposes.

The bill provides that it may be cited as the "Tire Safety Act of 1966." As we interpret the bill, it would delegate to the Secretary of Commerce the authority to promulgate minimum safety standards for tires used on motor vehicles, which is defined in the bill as meaning passenger cars and station wagons used on the highways, except those regulated under certain specific provisions of the Interstate Commerce Act. The bill further authorizes and directs the Secretary of Commerce to develop a uniform grading system for motor vehicle tires.

It specifically provides that the Secretary shall establish and publish as interim minimum safety standards in the Federal Register the tire safety standards substantially as prescribed by the Vehicle Equipment Safety Commission, an interstate agency which was established pursuant to a joint resolution of Congress.

Two years after the effective date of the bill and thereafter as he deems necessary the Secretary is required to review and revise to the extent necessary the aforementioned interim minimum safety standards. In such revised minimum standards, the Secretary is required to prescribe the maximum permissible loads for each motor vehicle tire and the application of such standards. The bill then sets out what the Secretary shall do in carrying out this requirement. Among the activities that the Secretary is directed to undertake in carrying out the safety standard provisions of the bill is the conducting of a research and development program to (1) improve minimum safety standards for new tires, and (2) develop minimum safety standards for retreaded tires.

He is also directed to take into consideraton such factors as size, load-carrying ability and its relation to the type of expected uses, skid resistance, blowout resistance, resistance to curb-striking and pothole or bump damage, cornering ability and rim resistance. He is further required to consult with interested industries, technical organizations, Federal, State, and local agencies.

The bill requires the Secretary to make recommendations to Congress by January 31, 1971, with respect to the implementation of the grading system of motor vehicle tires he is directed to establish.

The Secretary is authorized to conduct such testing and inspection as he deems necessary for the enforcement of the provisions of the bill.

The bill prohibits the manufacture for sale, the sale, or the offering for sale, in interstate commerce, or the importation to the United States as well as the introduction, delivery for introduction, or transportation, in interstate commerce, or for the purpose of sale, or delivery after sale, in interstate commerce of any tire which does not comply with the safety standards prescribed by the Secretary.

Any tire manufactured or introduced into commerce in violation of the prohibited acts is liable to seizure in any district court of the United States within the jurisdiction in which the tire is found. Such seizure is to be in conformity as nearly as may be to that followed in cases in admiralty, except that a jury trial may be accorded when demanded.

The bill provides for the issuing of injunctions and restraining orders and contains provisions concerning criminal contempt for violations thereof.

Tire manufacturers are required by the bill to maintain such records and make such reports as requested by the Secretary to insure compliance.

The Federal Trade Commission wholeheartedly supports the objectives and purpose of S. 2669.

As your committee is aware, the Commission in January of 1965 held 3 days of public hearings on various aspects of tire marketing. Among the subjects considered was the need for minimum safety standards, the adequacy of existing standards and the need for a system of tire grading. Since the hearings, the Commission's staff has continued to study the problems to encompass current developments including the recent revisions in the existing standards of the Vehicle Safety Equipment Commission effective October 10, 1965, and of the Rubber Manufacturers Association, effective January 1, 1966.

In our opinion, the need for minimum safety standards for automotive tires is now beyond question. The industry, by its adoption of such standards has recognized their necessity. The activity of the Vehicle Equipment Safety Commission in adopting tire standards only serves to buttress our conclusion, based on our hearings and our study of all the authorities, that minimum safety standards are necessary and that the present industry standards are inadequate for that purpose.

The Commission has received substantial evidence that, even with their recent revisions, the Vehicle Equipment Safety Commission and Rubber Manufacturers Association's standards fail to provide realistic and adequate safeguards against unsafe tires. Both sets of existing standards fail to make any provision for the problem of overload. It is our understanding that overload is a situation which exists when the curb weight of a vehicle plus the designed load capacity in terms of passengers and luggage exceed the load-carrying capacity of tires mounted on the vehicle. Much evidence was presented at the Commission hearing, including a statement by a tire manufacturer, that many original equipment tires mounted on new cars may be inadequate to safely carry the passenger and baggage load the vehicle is intended to carry.

Our study has also raised grave doubts whether the performance requirements and the allowable tolerances in the existing standards, as revised, are sufficiently stringent in light of current high-speed turnpike and other highway use. The specific levels of desirable performance and tolerance are technical matters which we are not equipped to evaluate adequately. Although our staff has discussed this problem with the National Bureau of Standards and has been advised that the requirements and tolerances of the current standards are too slow, we shall leave specific comments to the Secretary of Commerce, who we understand will present his views to this committee.

A further defect in the existing minimum safety standards, which we feel is of utmost significance, is their enforcement provisions. The Rubber Manufacturers Association's standards are described as "voluntary." Manufacturers whose tires fail to meet the standards suffer only the withdrawal of its name from the association's certified tire directory and the right to advertise that its tires meet the standards. The manufacturer may still offer these tires for sale without restriction. In our opinion reliance only on voluntary standards for a product involving the life and safety of the purchaser is not a sufficient safeguard of the public interest.

Enforcement of the Vehicle Equipment Safety Commission's standards is also voluntary at the present time and their implementation will be left to the individual member States and the statutory authority available to each. There is no assurance that all of the member States will adopt the proposed standards and even if they do, this will still leave the six States which are not members and which accordingly are not parties to these standards. Moreover, even adoption of these standards by all members will provide no assurance that the standards will be enforced equally in each State. In our opinion, the motoring public of the entire United States is entitled to uniform protection of mandatory minimum safety standards.

With respect to the grading system which is provided for in the bill under consideration, the testimony received during our proceeding indicated that a great deal of consumer confusion and deception exists as a result of grade representations and claims currently used in the marketing of tires.

We believe confusion and deception are the results inherent in the existing situation where approximately 950 different tire names currently marketed represent the products of approximately 120 private-label marketers and 14 tire manufacturers; where tires may be designated as to grade; i.e., "premium," "first line," "second line," etc., regardless of the tire's performance or safety; where the price of the tire has no discernible relation to its grade or safety level; and where many of the descriptive terms employed, such as "ply rating," "100 level," and other grade designations, have no fixed meaning or definitive value under existing industry practices.

Testimony adduced at the hearing reflects that one manufacturer's "first-line" tire may be inferior to another manufacturer's "third-line" tire; and a manufacturer may supply a tire represented by him as a "third-line" tire to a private-label marketer who is free to designate it as his "premium" tire.

We feel that S. 2669 goes a long way in providing a solution to both the safety and the grade problems which hearings and our study demonstrated exist in the marketing of automobile tires. Section 3 eliminates the voluntary nature of existing standards by adopting the Vehicle Equipment Safety Commission's standards as an interim measure. Although, as we have indicated, we are not satisfied as to the adequacy of these standards, we feel that their interim adoption immediately under this bill will be at least an initial step toward the establishment of minimum safety standards.

Section 4 of the bill directs the Secretary of Commerce to review and revise the Vehicle Equipment Safety Commission's standards prescribed in section 3 and specifically provides for the establishment of maximum load capacities for tires. These actions are of absolute necessity and will eliminate ultimately the defects and inadequacies of the requirements and tolerances which are now present in the existing standards.

Section 5 of the bill authorizes and directs the Secretary to develop a uniform grading system for motor vehicle tires. In our opinion, this is a most saluatory provision in that there are no adequate industrywide standards for grading tires.

The Commission reiterates its support of the objectives and purpose of S. 2669 and unequivocally supports its enactment.

By direction of the Commission.

PAUL RAND DIXON,
Chairman.

Pursuant to regulations, this report was submitted to the Bureau of the Budget on January 20, 1966, and on January 28, 1966, the Bureau of the Budget advised that there is no objection to the submission of this report and that enactment of legislation along the lines of S. 2669 would be consistent with the administration's objectives.

Joseph W. Shea,
Secretary.

Section-by-Section Summary: Traffic Safety Act of 1966

Section 1. Short title.

Section 2. Declaration of purpose: This is a succinct statement of purposes, designed to summarize the major concepts of the bill, and to emphasize that it proposes a comprehensive program directed at all aspects of motor vehicle accidents.

TITLE I—MOTOR VEHICLE SAFETY STANDARDS

Section 101. This section contains definitions of terms used in the title, including "motor vehicle," "motor vehicle equipment," "motor vehicle safety" and "motor vehicle safety standard." The term "motor vehicle safety" is defined as the performance of motor vehicles or motor vehicle equipment in such a manner that the public is protected against unreasonable risk of (1) highway accidents occurring as a result of the design of motor vehicles and (2) death, injury, or property damage occurring when highway accidents do occur. The term "State" is defined as the States, the Commonwealth of Puerto Rico, and any territory or possession of the United States. The term "Secretary" is defined as the Secretary of Transportation.

Section 102. This section states the conditions under which the Secretary may by order issue a Federal motor vehicle safety standard, or amend or withdraw any such standard. A standard may be issued if the Secretary finds that no safety standard exists, or if an existing safety standard is inadequate to protect the public, is not based upon all necessary standards of performance, or is not sufficiently complied with to achieve adequate motor vehicle safety. Federal standards must be issued in accordance with the Administrative Procedure Act and when in effect will preempt State and local law issuing a standard on the subject matter covered by the Federal standard. For adequate leadtime, any standard issued shall take effect no sooner than 180 days nor later than 2 years from the date of issuance.

Section 103. This section provides that orders issuing standards are subject to judicial review by U.S. courts of appeals. The procedure of review follows that in effect for orders issued under the Federal Food, Drug, and Cosmetic Act.

Section 104. This section authorizes research, testing, and development for motor vehicle safety and safety standards, in cooperation with other Federal departments and agencies as required by section 113. For example, this provision would provide for the use of the expertise and the facilities of the National Bureau of Standards under existing authority of the Secretary of Commerce (15 U.S.C. 272). More specifically, it authorizes data collection, contract for fabrication of motor vehicles, and grants to States, interstate agencies, and nonprofit institutions. It also authorizes acquisition of equipment and facilities, and fabrication of motor vehicle equipment, for research and development for the purposes of this title, and further authorizes purchasing, disposal, and destructive testing of motor vehicles used for research and testing purposes notwithstanding other laws, including laws limiting purchase and use of motor vehicles for passenger carrying purposes.

Section 105. This section authorizes advice or cooperative agreements to assist in the planning or development of motor vehicle safety standards, safety standards inspection and testing methods and test equipment.

Section 106. This section authorizes training programs for the purpose of achieving motor vehicle safety. This training may include testing, inspection, use of test methods and test equipment, and interpretation of motor vehicle safety standards. Also, an administrative provision authorizes acquisition, use, and disposal of motor vehicles in such training programs in the manner authorized for research and testing in section 104.

Section 107. This section prohibits various acts and transactions, other than exports, related to commerce with respect to new motor vehicles or new motor vehicle equipment subject to, but not complying with, a Federal motor vehicle safety standard. It also prohibits failure or refusal to allow entry, inspection, or access to and copying of records, or to provide reports and information, as required by section 110. Noncomplying vehicles or vehicle equipment may not be imported, except under regulations (1) allowing importation under bond to insure compliance, export or abandonment to the United States, or (2) allowing temporary importation of certain vehicles, such as vehicles of tourists visiting the United States.

Section 108. This section sets a civil penalty of not to exceed $1,000 for each violation of section 107, or regulations issued thereunder. The penalty would be enforced by civil action in any State, as defined in section 101, under section 2461 of title 28 of the United States Code.

Section 109. This section authorizes U.S. courts to restrain violations of this title. Trial for criminal contempt or violation may be by jury. Subpenas may run to witnesses residing outside the district in which proceedings to enforce this title are held.

Section 110. This section authorizes seizure, prior to sale to the ultimate purchaser, while in interstate commerce of motor vehicles or motor vehicle equipment manufactured or introduced into interstate commerce in violation of section 107. The procedures follow those applicable to seizure under the Federal Food, Drug, and Cosmetic Act.

Section 111. This section authorizes testing and inspection to aid in the enforcement of Federal vehicle safety standards. Information obtained indicating noncompliance is to be forwarded to the Attorney General and the Secretary of the Treasury. The Secretary is also authorized to require the keeping of records and the provision of reports and information to determine compliance with this title. Section 1905 of title 18 of the United States Code would apply to disclosure of trade secrets and proprietary information, except when relevant to proceedings under this act.

Section 112. This section repeals laws authorizing the Secretary to issue brake fluid and seat belt standards, but preserves the standards issued under the repealed laws, and makes them enforceable and subject to amendment as if issued as Federal vehicle safety standards under this title.

Section 113. This section calls for cooperation with other departments and agencies in carrying out the provisions of the act. The Secretary is directed to utilize the services of other departments and agencies to the maximum to avoid duplication.

Section 114. This section authorizes the issuance of regulations to carry out the provisions of this act.

Section 115. This section authorizes appropriations for carrying out the provisions of this title.

TITLE II—TRAFFIC ACCIDENT AND INJURY RESEARCH AND TEST FACILITY

Section 201. This section provides the authorization for the Secretary of Transportation to plan, build, and operate appropriate research facilities in which the Federal agencies participating in the traffic safety program may conduct research.

Section 202. The Secretary is authorized to expend $3 million from the highway trust fund for feasibility studies and for planning the organization and construction of the facility or facilities authorized by section 201.

Section 203. The Secretary is authorized to spend an as yet to be determined amount from the highway trust fund to build the facility or facilities authorized by section 201.

TITLE III—HIGHWAY SAFETY

Section 301. This section would add a new chapter (Chapter 4—Highway Safety) to title 23, United States Code, and provide the necessary codifying and repealing language. The Secretary of Commerce is now charged with the administration of the provisions of title 23. This responsibility will be transferred to the Secretary of Transportation if the Congress approves the creation of that Department.

The new chapter would contain the following sections:

Section 401. This section authorizes the Secretary to carry out the highway safety program envisioned in the act, and in doing so, to assist and cooperate with other Federal agencies, State and local governments, private industry, and others. This section is a revision and enlargement of title 23, United States Code, section 313, which is repealed in its entirety elsewhere in the bill. New section 401 would give the Secretary a broader directive than now contained in title 23, United States Code, section 313, to provide unified Federal leadership in highway safety by cooperation with all public and private groups involved in highway safety activities. By repealing title 23, United States Code, section 313, the limitation of $150,000 from the highway trust fund to support the President's Committee on Traffic Safety (which is to be replaced by an advisory committee in an executive order planned for early issuance) would be removed. Highway safety activities would be made eligible for highway trust fund support generally by other legislation but this section provides the basis for continuing Federal financial support to the advisory committee. Present plans call for the financing of the advisory committee solely from the administrative portion of the highway trust fund, without private financial support and the executive order will provide this. The President's Committee has been supported by a combination of trust fund and private financing.

Section 402(a). This is a restatement of the Baldwin amendment (23 U.S.C. 135) which is repealed elsewhere in the draft bill. It has been reworded slightly to eliminate the December 31, 1967, target date (to allow the Secretary whatever time is necessary to develop meaningful standards) and to spell out the idea of Federal assistance in developing uniform State programs on all highways and roads. The Baldwin amendment and the standards which will be developed by the Secretary pursuant thereto form the foundation for a cooperative system involving State projects which under existing law, cannot now be financially supported by the Federal Government, e.g., driver licensing, vehicle inspection, police enforcement and driver-teacher training. This subsection preserves most of the language of the Baldwin amendment which is broad enough to cover all areas in which State participation through comprehensive programs is desired.

Section 402(b). This subsection provides the mechanism by which Federal financial support for State highway safety programs can be accomplished. Specifically, it provides that 75 percent of the funds authorized to be appropriated to carry out section 402(a) will be apportioned among the several States on the basis of population, and 25 percent as the Secretary deems appropriate. In this fashion, it provides the Secretary with flexibility to provide additional moneys to States which have particularly promising innovative projects or to any State with a pressing need to improve one or another aspect of its total program. This section also would provide for a deduction from the authorized appropriations for the cost of administering the State aid programs in the amount necessary to provide adequate Federal administrative support. To the extent applicable, provisions of chapter 1 of title 23 (relating to highway construction) are to be followed in the financial administration of the program, it being expressly intended that the same statutory procedures for authorization, approval, obligation, Federal share payable, period of availability and the like, of the Federal-aid primary highway program will apply to the Federal-aid highway safety program. This section provides, however, that any funds authorized to be appropriated for fiscal year 1967 will be apportioned when authorized since the ordinary operation of chapter 1 of title 23 would have required apportionment on January 1, 1966. By section 303 of the bill, the funds for the States under proposed section 402(b) of title 23 would be appropriated from the highway trust fund. By incorporation the formula for cost sharing of the Federal-aid primary highway program, a Federal-State matching program, with each partner sharing equally, is created.

Section 402(c). This subsection would permit the Secretary to obtain the assistance of any Federal agency having special expertise, for example, the Public Health Service or the National Bureau of Standards, in developing standards for elements of State programs, for example, emergency medical services. He could also arrange to have another agency administer the expenditure of funds for certain State program areas which are particularly within that agency's competence. This will aid him in a unified handling of needed project funding and permit the investment of funds in the areas which will provide the greatest returns. Thus, the Secretary could make money available from appropriations under this act to augment programs being carried on in other agencies, under existing law and appropriations, which programs relate to the State efforts under this section, e.g., the activities of the Public Health Service in accident invesitgation and emergency medical services and the methods of driver and traffic safety education carried on by the Office of Education.

Section 403. This section authorizes an expanded highway safety research effort to augment the research now done pursuant to 23 United States Code 307(a) and specifies that all areas of highway safety and their interactions will be included in this research, thus permitting augmentation of on-going activities of other agencies. The Secretary may, as provided in 23 United States Code 307(a), act cooperatively with other agencies and he could make these funds available to such agencies as HEW to carry out the programs for which they have existing related research authority as an intensification of programs in which they are already involved. This section also authorizes the Secretary to use the funds appropriated for expanded research for grants to States, institutions and individuals for research, training and education grants, demonstrations, and other necessary activities. Thus, he can augment Federal research and development activities now performed outside of Federal facilities.

Section 404. This section is a restatement of the driver register legislation and includes an amendment which would expand the reportable information to cover license denials (as well as terminations and withdrawals). The amendments which are included are identical to last session's Department-sponsored bills, S. 1350 and H.R. 5866 (D-15 in the Department program). This section codifies the driver register legislation; the public laws now constituting this legislation are repealed in section 302(a) of the draft bill.

Section 302. These subsections constitute the necessary repealer and conforming language associated with the proposed chapter 4, title 23.

Section 303. This section authorizes a total of $420 million for fiscal years 1967 through 1972 from the Highway Trust Fund to aid the States in carrying out the activities envisioned in proposed section 402, title 23, and the standards approved thereunder by the Secretary.

Section 304. This section authorizes a total of $160 million for fiscal years 1967 through 1972 from the Highway Trust Fund for the expanded highway safety research and development referred to in proposed 23 United States Code 403 in addition to the funds otherwise available under 23 United States Code 104(a), 307(a) for safety research activities now conducted by the Bureau of Public Roads. This section provides for the costs of administration and allows funds to remain available until expended.

Section 305. This section adds to 23 United States Code 101 a definition of "State highway safety agency" to simplify the Federal-State relationships in the administration of the State highway safety programs of proposed section 402, title 23, and to clarify the applicability of pertinent sections of chapter 1, title 23.

Section 306. This section adds to 23 United States Code 105 a subsection which directs the Secretary to give priority in approving Federal-aid highway programs to projects which incorporate improved safety standards and features.

Section 307. This section would provide that any highway accident report of a Federal agency or official made as a part of the work of any Federal-State-local accident investigating team would not be available for use in any civil or criminal action arising out of the accident nor would the investigator be required to testify in such a proceeding. The reports would be available only to persons having a bona fide research interest, as approved by the Secretary and any published compilation could not identify individuals or an individual accident. However, the language of this section would not prevent the use of these records in enforcement proceedings under title I of the act. This provision is designed to induce a high degree of candor on the part of persons involved in accidents and to promote maximum cooperation with the investigators.

Section 308. This section provides that the act shall not be interpreted as superseding the existing authority of any department or agency. It is designed to make clear that there is no intention that the statutory authority for programs relating to the medical aspects of driver licensure, injury producing accidents, emergency medical care and transportation of the injured, now carried out by HEW, or the activities of the National Bureau of Standards, for example, are to be nullified in any way.

AMENDMENT TO THE LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959

Mr. DOMINICK. Mr. President, I introduce for appropriate reference, a bill to amend the Labor-Management Reporting and Disclosure Act of 1959, so as to prohibit the use for political purposes of certain funds collected by labor organizations from their members, and for other purposes.

Direct use of union dues money for supporting presidential, senatorial, or congressional candidates in campaigns is now illegal under title 18, section 610, of the United States Code. However, labor leaders can and do use dues money in State and local elections; and, as we all know, it is quite simple to get around this law by setting up a separate committee to support political candidates. This is frequently accomplished with only the thinnest veil of disguise.

When this happens, the individual union member from whom these funds are obtained has no choice of how the moneys are to be used. The choice of financially supporting particular candidates is that of the union leader, not of the individual union member. The individual member is often put in the position of contributing to the support of a candidate with whom he does not agree.

The only remedy available to a union member is to bring a law suit to get back part of his dues if he does not agree with the union leader's choice of candidates. This remedy is expensive, inadequate, and, in reality, impractical. The cost of such a law suit, even in the nature of a class action, would be many times that of the dues paid. The remedy is fine in theory; in reality, it is nonexistent.

Mr. President, ours is an increasingly sophisticated nation. An ever-improving communications network has been increasingly able to develop the pros and cons of the various political issues for our citizens. The 1960 televised debates between the two major presidential candidates is an excellent example of this. Newspapers are widely read. Books, periodicals, pamphlets are more available now than ever before. Education opportunities for our citizens are increasing; the educational level of our people is the highest it has ever been.

If there ever was a time when we could justifiably restrict the right of individuals to effectively use their money, time, and votes to support the candidate and party of their choice, this is not the time. Here in 1966, I think we must finally recognize that our people are capable of choosing for themselves.

We must restore to our working men and women the right to choose which candidate they will support. Doing so is both fair and democratic; it is certainly in keeping with the times.

My bill would do exactly this. It would preclude a labor organization's directly or indirectly using any part of dues, collected from a person covered by an agreement requiring membership in such labor organization as a condition of employment, for political purposes—in other words, a union shop system.

I might add that it would not harm the legitimate goals of the labor movement. It would not affect expenditures authorized for lobbying or other activities directly related to legitimate labor purposes. Nor would it preclude the establishment of a separate contributory fund for political purposes, if contributions were collected separately from dues and paid voluntarily.

I think this bill is fair and equitable; I think it is in keeping with the times. I would hope that my colleagues in the Senate would give it their full support.

Mr. President, to enable others to join with me in sponsoring this legislation, I ask unanimous consent that the bill may lie on the table for additional cosponsors until the close of business on March 10, 1966.

The **PRESIDING OFFICER.** The bill will be received and appropriately referred; and, without objection, the bill will lie on the table as requested.

The bill (S. 3006) to amend the Labor-Management Reporting and Disclosure Act of 1959, so as to prohibit the use for political purposes of certain funds collected by labor organizations from their members, and for other purposes, introduced by Mr. DOMINICK, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

A BILL FOR A CHAMIZAL NATIONAL MEMORIAL

Mr. YARBOROUGH. Mr. President, I introduce for appropriate reference, a bill to further carry out the objectives of the Chamizal Treaty between the United States and Mexico by authorizing the creation of a National Memorial in El Paso, Tex. The Chamizal Treaty National Memorial would stand in commemoration of the historic treaty of 1964 which ended 100 years of disagreement with our neighbor to the south.

Under the Chamizal Treaty, 630 acres of land in El Paso, Tex., were returned to Mexico and 193 acres of Mexican land north of the Rio Grande were returned to the United States. Under this bill, it is proposed to set aside 55 acres of this returned 193 acres for the erection of a suitable monument and a museum-information center. The remainder of the 193 acres will be transferred to the city of El Paso; it is expected to be developed in a manner harmonious with the National Memorial.

Extensive changes have been required in El Paso as a result of the January 17, 1964 Chamizal Treaty. The bed of the Rio Grande is to be relocated northward to reflect the new boundary; many families and businesses are having to relocate to accomplish the change.

Basic legislation authorizing the compensation of those relocating was passed in 1964 and that program is proceeding. Another feature of the overall Chamizal Treaty plan is the authorization of a border highway along the new riverbank. That proposal is now pending before the Senate as S. 2630, a bill I introduced last October.

The bill I introduce today has the endorsement of the Interior Department. The Advisory Board on National Parks, Historic Sites, Buildings, and Monuments has heartily endorsed the proposal as a symbol of international good will and friendship with Mexico. My bill will be a companion to H.R. 7402, sponsored by Representative RICHARD WHITE, of El Paso.

The Chamizal Treaty has been a signal accomplishment in proving the ability of nations to solve their differences by peaceful negotiation, no matter how long standing the dispute or how easy to maintain an unyielding position if in defense of a historic claim. The Chamizal Treaty is a noble example of the fine relations we enjoy with the Republic of Mexico. A Chamizal Treaty National Memorial should stand as a lasting monument to that friendship, and a constant reminder to preserve it.

The **PRESIDING OFFICER.** The bill will be received and appropriately referred.

The bill (S. 3007) to provide for the establishment of the Chamizal National Memorial, and for other purposes, introduced by Mr. YARBOROUGH, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

CONFIRMATION BY THE SENATE OF CERTAIN OFFICERS OF THE EXECUTIVE BRANCH

Mr. JACKSON. Mr. President, I introduce, for appropriate reference, a bill providing for confirmation by the Senate of certain officers of the executive branch who exercise policymaking authority and jurisdiction over vast publicly owned resources of the United States.

These officers, all of whom except the Chief Forester serve in the Department of Interior, have power and responsibility for the care and administration of untold billions of dollars' worth of property belonging to all the people of all of the States—lands, minerals, forests, grasses for livestock feeding, dams producing millions of kilowatts of electricity, industrial sites, and many other natural resources. The authority exercised extends from the Virgin Islands far out in the Atlantic to the trust territory in the Pacific Basin on the edge of the Asiatic Continent and to Samoa in the distant South Seas.

In the Department of the Interior, for example, the appointment of certain of the officers who have direct responsibility and policymaking power over vast areas, economically and politically, of publicly owned property and our offshore dependent areas is subject to the provision in article II, section 2 of the Constitution for the advice and consent of this body, but a number of other officers who wield as great or even greater power are not subject to our scrutiny in any way.

I ask unanimous consent that a brief statement of the officers of the Interior Department whose appointments are subject to confirmation and those who are not subject to confirmation be set forth at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

POLICYMAKING OFFICERS IN THE DEPARTMENT OF THE INTERIOR WHOSE APPOINTMENT IS SUBJECT TO CONFIRMATION BY THE SENATE

1. Secretary.
2. Under Secretary.
3. Assistant Secretaries (four) other than Assistant Secretary for Administration.
4. Solicitor.
5. Director, Bureau of Mines.
6. Director, Geological Survey.
7. Commissioner, Fish and Wildlife Service.
8. Commissioner, Bureau of Indian Affairs.
9. Governor of the Virgin Islands.
10. Governor of Guam.

POLICYMAKING OFFICERS OF THE DEPARTMENT OF THE INTERIOR WHOSE APPOINTMENT IS NOT SUBJECTIVE TO SENATE CONFIRMATION

1. Assistant Secretary for Administration.
2. Director of the Bureau of Land Management.
3. Director of the National Park Service.
4. Director of the Bureau of Outdoor Recreation.
5. Commissioner of Reclamation.
6. Director of the Office of Territories.
7. Governor of American Samoa.
8. Hight Commissioner of the Trust Territory of the Pacific Islands.

Mr. JACKSON. Mr. President, the bill I am introducing today would make the appointment of the policymaking officers in the latter category subject to the provisions of the Constitution.

Plainly, an assistant secretary for administration of a department which spends as much money and has responsibility for as vast amounts of public property as does the Interior Department is a man of considerable power with respect to policy. So too with the Director of the Bureau of Land Management. This Bureau has administrative responsibilities for over 400 million acres of land, many of them possessing incalculable mineral wealth, as well as tremendous surface resources.

The Bureau will produce this coming year, it is estimated, some $600 million in revenues from this property. Again, the Chief Forester, who is head of the Forest Service, has responsibility for administration of nearly 187 million acres of Federal forest lands in 44 States and Puerto Rico. These areas and their known resources are valued at some $7.6 billion.

The position of Director of Outdoor, to return to the Interior Department, is relatively new, but the Bureau last year spent nearly $125 million and has authority to acquire substantial amounts of land from private property owners.

The Bureau of Reclamation is charged with the administration of vast irrigation and reclamation projects on which the prosperity of whole regions of our country depend. The Director is called upon to make a number of policy decisions that affect directly the life and well-being of many citizens. Also this Bureau has a budget of approximately $300 million a year. The National Park Service spends some $120 million a year and controls over 25 million acres of our land.

The Office of Territories is responsible for the administration of offshore areas stretching from the mid-Atlantic to the far Pacific and the South Seas. Subordinate officers of the Office deal directly with representatives of foreign governments. I refer particularly to the High Commissioner of the Trust Territory of the Pacific Islands which we administer as trustee, with certain responsibilities to the United Nations. Also, it seems desirable that the principal administrative officer of the area, who is in some respects a representative and spokesman of the Government of the United States, should have the status of a Governor. Such an official designation would more accurately describe his functions, and would help solve problems of protocol that now occasionally arise.

In American Samoa, with the advent of the jet age, these islands have become a key link between the United States and the southwest Pacific. The governorship of American Samoa is surely as important as those of the Virgin Islands and Guam both of which are now subject to confirmation.

The measure I am introducing, Mr. President, will give consistency to the appointment of policymaking officers of the Department of the Interior and the Chief of the Forest Service.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3011) to require that certain offices in the Department of the Interior and the Department of Agriculture be filled by appointment by the President by and with the advice and consent of the Senate, introduced by Mr. JACKSON, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

LOWER COLORADO RIVER BASIN PROJECT—AMENDMENT

AMENDMENT NO. 491

Mr. TOWER. Mr. President, I submit for appropriate reference, an amendment to the bill, S. 1019, authorizing the construction, operation, and maintenance of the Lower Colorado River Basin, so as to provide for the inclusion of the west Texas area as part of the Colorado River Basin.

The bill to which I am adding this amendment provides a "program for the further comprehensive development of water resources of the Lower Colorado River Basin and for the provision of additional and adequate water supplies for use in the Upper as well as in the Lower Colorado River Basin."

The term "west Texas," as used herein, encompasses the high plains area and the irrigable areas in the upper portions of the Red, Brazos, and Colorado River Basins which lack adequate local water resources. Due to the heavy irrigation needs of this area, water in large amounts must be imported from out-of-State sources—if Texas agriculture is to continue its vital contribution to the State of Texas.

Potential sources of water for such irrigation, which must be imported, may be determined by the study provisions of the bill.

Also, Mr. President, I would like to point out that Texas alone could not obviously finance this importation of water. Any feasible water importation plan must be a part of some larger, more comprehensive plan for conservation and distribution of water resources.

At the hearings of this act last year, the Secretary of the Interior stated that the needs of all of the 11 Western States should be considered in this regional plan, adding that the Columbia River below Bonneville Dam is one of the principal sources of surplus water for importation that would be studied.

It appears quite logical, Mr. President, that the west Texas area should thus be included in the study. At least a part of the answer to the needs of west Texas for additional surplus water may be forthcoming from this study.

In conclusion, Mr. President, I would hope that Senators would agree that it is necessary, feasible, and logical that west Texas should be included in any western regional water development planning studies undertaken by the Federal Government, and thus I propose this amendment insuring the same.

The PRESIDING OFFICER. The amendment will be received, printed, and appropriately referred.

The amendment (No. 491) was referred to the Committee on Interior and Insular Affairs.

AMENDMENT OF SECTIONS 1, 17a, 64a(5), 67(b), 67c, AND 70c OF THE BANKRUPTCY ACT—AMENDMENTS

AMENDMENT NO. 492

Mr. LONG of Louisiana submitted amendments, intended to be proposed by him, to the bill (H.R. 136) to amend sections 1, 17a, 64a(5), 67(b), 67c, and 70c of the Bankruptcy Act, and for other purposes, which were ordered to lie on the table and to be printed.

AMENDMENT OF BANKRUPTCY ACT RELATING TO LIMITING THE PRIORITY AND NONDISCHARGEABILITY OF TAXES IN BANKRUPTCY—AMENDMENTS

AMENDMENT NO. 493

Mr. LONG of Louisiana submitted amendments, intended to be proposed by him, to the bill (H.R. 3438) to amend the Bankruptcy Act with respect to limiting the priority and nondischargeability of taxes in bankruptcy, which were ordered to lie on the table and to be printed.

TAX ADJUSTMENT ACT OF 1966—AMENDMENTS

AMENDMENT NO. 494

Mr. TOWER (for himself, Mr. KUCHEL, Mr. BIBLE, Mr. DOMINICK, Mr. FANNIN, Mr. FONG, Mr. MURPHY, Mr. PROUTY, and Mr. RUSSELL of South Carolina) submitted an amendment, intended to be proposed by them, jointly, to the bill (H.R. 12752) to provide for graduated withholding of income tax from wages, to require declarations of estimated tax with respect to self-employment income, to accelerate current payments of estimated income tax by corporations, to postpone certain excise tax rate reductions, and for other purposes, which was ordered to lie on the table and to be printed.

AMENDMENT NO. 495

Mr. PROUTY (for himself, Mr. FONG, Mr. JORDAN of Idaho, Mr. SCOTT, Mr. COTTON, Mr. COOPER, Mr. SPARKMAN, Mr. ALLOTT, Mr. MORSE, Mr. RANDOLPH, Mr. YOUNG of North Dakota, and Mr. GRUENING) submitted an amendment, intended to be proposed by them, jointly, to House bill 12752, supra, which was ordered to lie on the table and to be printed.

SPECIAL MILK PROGRAM FOR NEEDY SCHOOLCHILDREN—ADDITIONAL COSPONSOR OF BILL

Mr. TOWER. Mr. President, I wish to express my support of S. 2921, a bill to provide a special milk program for needy schoolchildren and make it permanent. I ask that my name be added as a cosponsor to this measure.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TOWER. The needy children who should be covered by this program would benefit greatly from it, and at minimum cost to the Government. Many of these children who are now receiving the surplus milk under the program which expires on July 1, 1967, do not receive any other milk at all. This milk which they receive from the school program is their entire daily consumption. Certainly, Mr. President, it is not too much for the Government to continue to make available to the school districts our surplus milk from the CCC, most of which is now stored in Government warehouses at taxpayer expense. It certainly makes more sense for the Nation's needy schoolchildren to have the milk.

The administration contends that the cut in this program is needed in order to support other measures. Mr. President, this statement when first observed seems commendable. However, this statement is hardly believable when we review the many proposals for new funds that continually come before us in the Congress. Some of the administration's proposals are of questionable value, others are simply not required. The school milk program, however, is a valuable and a valid one. The health of many children depend on it.

Mr. President, the funds asked for this program are quite justified; at most the appropriation will be $120 million annually. When compared to many expenditures, this program is a vital one.

I therefore urge that the Senate swiftly enact this bill so that our Nation's needy schoolchildren may be assured of the continuance of their milk program. We cannot afford to risk its curtailment.

ADDITIONAL COSPONSORS OF BILLS

Mr. MAGNUSON. Mr. President, I ask unanimous consent that the name of the junior Senator from Oregon [Mrs. NEUBERGER] be added as a cosponsor at the next printing of S. 2928, a bill to provide Federal assistance to correct problems of racial imbalance in the public schools.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Wisconsin [Mr. PROXMIRE] be added as a cosponsor of the bill (S. 2943) to amend the Public Works and Economic Development Act of 1965 to extend for an additional year the eligibility of certain areas of substantial unemployment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARTKE. Mr. President, last May I introduced a bill, S. 1976, calling for the repeal of provisions in the Highway Revenue Act of 1956 commonly known as the Byrd admendment, which prevent the Highway Trust Fund from proceeding with construction of the Interstate System unless and until funds are in hand for distribution. This prohibition on deficit financing is holding us back from adding to these safer highways as rapidly as we could otherwise, and the result is more deaths on the older and less safe highways because these are not fully available.

I am pleased that Senator Mondale has expressed his desire to join as a cosponsor in this bill. I ask unanimous consent that his name may be added at the next printing.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF AMENDMENT

Under authority of the order of the Senate of February 25, 1966, the names of Mr. Gruening, Mr. Metcalf, and Mr. Tydings were added as additional cosponsors of Amendment No. 488, intended to be proposed by Mr. Yarborough, to the bill (S. 2933) to promote international trade in agricultural commodities, to combat hunger and malnutrition, to further economic development, and for other purposes, submitted by Mr. Yarborough on February 25, 1966.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, March 2, 1966, he presented to the President of the United States the enrolled bill (S. 251) to provide for the establishment of the Cape Lookout National Seashore in the State of North Carolina, and for other purposes.

PAYMENT OF AN ALLOWANCE TO EMPLOYEES ASSIGNED TO NEVADA TEST SITE OF THE ATOMIC ENERGY COMMISSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 795, S. 2271.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The Legislative Clerk. A bill (S. 2271) to authorize the payment of an allowance of not to exceed $10 per day to employees assigned to duty at the Nevada Test Site of the U.S. Atomic Energy Commission.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Government Operations with amendments on page 1, line 8, after the word "the", where it appears the first time, to strike out "words" and insert "word"; and, in line 9, after the word "Energy", to strike out "Commission," and insert "Commission"; so as to make the bill read:

S. 2271

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the Act entitled "An Act to provide authority for the payment of certain amounts to offset certain expenses of Federal employees assigned to duty on the California offshore islands, and for other purposes", approved August 31, 1964 (78 Stat. 745; 5 U.S.C. 70c), is amended by inserting after the word "islands" the words "or at the United States Atomic Energy Commission Nevada Test Site, including the Nuclear Rocket Development Station,".

Sec. 2. The amendment made by this Act shall become effective on the first day of the first pay period which begins on or after the date of enactment of this Act.

The committee amendments were agreed to.

Mr. CANNON. Mr. President, my bill, S. 2271, is a bill aimed at correcting a longstanding inequity which has impeded recruitment and retention of U.S. employees at the Nevada Test Site of the U.S. Atomic Energy Commission. A similar bill, authored by Congressman Holifield, passed the House of Representatives late last year. My proposal has the support of the Atomic Energy Commission, the U.S. Civil Service Commission, and other interested agencies.

The purpose of S. 2271 is to amend the act of August 31, 1964 (78 Stat. 745; 5 USC 70c), to provide authority for the payment, in accordance with regulations prescribed, of an allowance not to exceed $10 per day to certain Federal employees assigned to duty at the AEC's Nevada Test Site, including the Nuclear Rocket Development Station.

When Public Law 88-538 was enacted to correct a similar situation at the California offshore islands. the hardship consideration at the Nevada Test Site became increasingly pressing. There are approximately 100 Federal employees who are assigned to the Nevada Test Site who must commute for distances as much as 184 miles per day requiring as much as 4 hours of driving time to and from the site.

It is apparent that this hardship situation is further aggravated for these U.S. employees by the fact that employees of private contractors are paid a travel allowance of approximately $7.50 per day.

As has been pointed out by the Civil Service Commission, the unusual commuting time and distance associated with working at the site and the fact that employees are not given the option of living closer to their jobs because of the remoteness of the site, have created a particularly severe recruitment and retention problem.

The remedy sought by S. 2271 would merely place a few Government employees on an equal footing with their fellow civilian workers having approximately the same duties.

I would point out, Mr. President, that the number of employees who would be affected now or in the future would be not less than 50 nor more than 150, according to the best estimates of the various Federal agencies with employees at the site.

Mr. President, at this time I am offering an amendment which is designed to rectify a situation which did not come to light until this bill was placed on the calendar.

It appears that the General Accounting Office undertook on its own initiative an investigation at the test site which very recently disclosed that payments were made to Federal employees stationed at the Nevada Test Site by the Weather Bureau, the Coast and Geodetic Survey, and the Geological Survey. These employees were paid per diem in lieu of subsistence under section 3 of the Travel and Expense Act of 1949, as amended, for periods during which they performed all or a major part of their duties at the Nevada Test Site. According to the Comptroller General in a letter to the chairman of the Government Operations Committee, it was pointed out that these payments were incorrectly made since it was erroneously believed by the three agencies that the duty station or principal place of duty was a place other than the Nevada Test Site where a majority of the work performed was located.

It was further pointed out by the Comptroller General that the act of August 31, 1964, which provided for relief for the employees of the California Off-Shore Islands, also provided for relief of those employees who received erroneous payments.

For this reason, I ask consideration of my amendment to S. 2271 which would relieve the employees concerned of their obligation to refund the erroneous payments. The amendment makes no provisions for a general or mandatory retroactive payment of the allowances proposed by the bill; however, it does authorize the President to provide by regulation for retroactive payment of the proposed allowance to employees who have been receiving erroneous payments of per diem in lieu of subsistence. I am informed that this sum will amount to somewhere between $110,000 and $175,000.

Mr. President, I ask unanimous consent that a letter from the Comptroller General of the United States, dated February 9, 1966, be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Comptroller General
of the United States,
Washington, D.C., February 9, 1966.

Hon. John L. McClellan,
Chairman, Committee on Government Operations, U.S. Senate.

Dear Mr. Chairman: On January 27, 1966, Mr. Glenn Shriver of the committee staff requested that we furnish your committee a report on the bill, S. 2271, to authorize the payment of an allowance of not to exceed $10 per day to employees assigned to duty at the Nevada test site of the U.S. Atomic Energy Commission.

The bill is designed to provide for the payment of a special allowance to Government employees who are assigned to duty at the Nevada test site in recognition of the fact employees so assigned are required to work in a remote desert area and to maintain their homes at a considerable distance from their work stations. There are approximately 130 employees of the Atomic Energy Commission, the National Aeronautics and Space Administration, the Public Health Service, the Weather Bureau, the Coast and Geodetic Survey, and the Geological Survey assigned to duty at the Nevada test site. We understand that the nearest community affording family living accommodations is Las Vegas, Nev., which is from 66 to 92 miles away from the employees' work sites. Employees assigned to the Nevada test site must, therefore, spend as much as 4 hours each day in traveling to and from work.

The proposed allowance would be paid under an amendment to the authority contained in section 1 of the act of August 31, 1964, Public Law 88–538 (78 Stat. 745, 5 U.S.C. 70c), which provides that an allowance of not to exceed $10 per day may be paid to Federal employees stationed on the California offshore islands in accordance with regulations prescribed by the President.

In the audit of payments made to employees stationed at the Nevada test site by the Weather Bureau, the Coast and Geodetic Survey, and the Geological Survey we found that those agencies were paying their employees per diem in lieu of subsistence under section 3 of the Travel Expense Act of 1949, as amended (5 U.S.C. 836), for periods during which they performed all or the major part of their duties at the Nevada test site. Since such per diem may not be paid to an employee while he is at his official duty station or principal place of duty those payments were erroneous and in the absence of a relief provision we would be required to issue exceptions against the amounts so paid.

The act of August 31, 1964, provided relief for employees who had received similar erroneous payment of per diem from the Department of the Navy while stationed on the California offshore islands and the committee may wish to consider amending S. 2271 to provide relief for employees stationed at the Nevada Test Site who have received erroneous payments.

We enclose the draft of an amendment to S. 2271 including an amendment to the title thereof which would relieve the employees concerned of their obligation to refund the erroneous payments which they have received and provides for the return to such employees of any amounts they have paid in refund to the United States of such erroneous payments. The enclosed draft amendment to S. 2271 makes no provision for a general or mandatory retroactive payment of the allowance proposed by the bill; however, the President would be authorized to provide by regulation for a retroactive payment of the proposed allowance to employees who have been receiving erroneous payments of per diem in lieu of subsistence. Such retroactive payments could be made only from the date erroneous payments of per diem were discontinued as a result of the decisions of our Office. Also enclosed is an explanation of the amendment which includes statements of the number of employees involved and the total amount of erroneous payments which we identified on the basis of the facts which were available to us at the time our audit was performed.

Sincerely yours,

FRANK H. WEITZEL,
Acting Comptroller General of the United States.

Mr. CANNON. Mr. President, I send an amendment to the desk and ask to have it stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. Beginning with line 3, page 2, strike out all to and including line 5, page 2, and insert in lieu thereof the following:

SEC. 2. Sections 2 and 3 of such Act are amended to read as follows:

"SEC. 2. (a) Each employee or former employee of the United States who was erroneously paid per diem in lieu of subsistence under section 3 of the Travel Expense Act of 1949 (5 U.S.C. 836) for the period he was assigned to one of the California offshore islands or the United States Atomic Energy Commission Nevada Test Site, including the Nuclear Rocket Development Station, as his principal place of duty is relieved of all liability to refund to the United States the amounts of per diem in lieu of subsistence so paid.

"(b) The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the employee, former employee, or other appropriate party concerned, in accordance with law, all amounts paid by, or withheld from amounts otherwise due, an employee or former employee of the United States in complete or partial satisfaction of his liability to the United States for which relief has been granted by section 2 of this Act.

"SEC. 3. In accordance with regulations issued under the first section of this Act, the allowance authorized by such section may be made retroactively effective from the date erroneous payments of per diem in lieu of subsistence were discontinued as a result of the decision of the Comptroller General of the United States dated May 4, 1964 (B–153571), or as the result of administrative action taken by reason of that and similar decisions of the Comptroller General of the United States."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Nevada.

The amendment was agreed to.

Mr. CANNON. Mr. President, I ask unanimous consent that the Committee on Government Operations be discharged from the further consideration of the companion House bill, H.R. 10722, and that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill (H.R. 10722), to authorize the payment of an allowance of not to exceed $10 per day to employees assigned to duty at the Nevada Test Site of the U.S. Atomic Energy Commission.

Mr. CANNON. Mr. President, I move to strike out all after the enacting clause of House bill 10722 and insert in lieu thereof the text of Senate bill 2271, as amended.

The motion was agreed to.

Mr. BIBLE. Mr. President, I wish to join my colleagues in urging approval of H.R. 10722.

The bill is designed to correct an inequity and will permit an allowance not to exceed $10 per day to certain Federal employees assigned to duty at the Nevada Test Site and the Nuclear Rocket Development Station. The employees who will be included are primarily those of the Atomic Energy Commission, the National Aeronautics and Space Administration, and the Public Health Service, who are assigned to remote sites from established communities and are required to travel 2 to 4 hours daily to commute distances up to 100 miles to their duty station.

Employees of private contractors at the Nevada Test Site have long enjoyed travel subsistence and it is only just that Federal employees receive the same consideration.

Passage of the bill will assist in solving some of the problems now faced by the governmental agencies in recruiting of, and retention of, capable personnel.

The Bureau of the Budget, the Civil Service Commission, and the Atomic Energy Commission have issued favorable reports.

I am advised that approximately 100 employees would be affected under the terms of the bill. Similar legislation passed the Congress previously when favorable action was taken to correct a similar inequity and permit payment of certain amounts to offset expenses of Federal employees assigned to duty on the California offshore islands. This legislation was approved in August of 1964.

There are no residence quarters on or near the work stations suitable for family living quarters. At one time the Joint Committee on Atomic Energy gave serious consideration to the erection of a townsite. Congressional action for the proposed townsite did not develop.

As a result, Federal employees travel from 66.5 to 92.3 miles from their homes to the Nuclear Rocket Development Station and to Camp Mercury.

The bill merely provides extra compensation for the unusual circumstances of employment at the Nevada Test Site.

Present law does not permit compensation and the Bureau of the Budget has estimated costs will range from $5 to $7.50 per day per employee at a total cost not to exceed $170,000 annually to the Government.

The Bureau of the Budget also has stated they know of no other comparable situation in the United States where such allowances are needed.

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MORSE. What bill are we considering?

The PRESIDING OFFICER. It is a companion bill, H.R. 10722, from the consideration of which the committee has been discharged, and the text of the Senate bill substituted for H.R. 10722. The Senate has just considered Calendar No. 795.

Without objection, the amendment is agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

There being no objection, the title was amended so as to read: "A bill to authorize the payment of an allowance of not to exceed $10 per day to employees assigned to duty at the Nevada Test Site of the United States Atomic Energy Commission, and for other purposes."

The PRESIDING OFFICER. Without objection, Senate bill 2271 is indefinitely postponed.

ECONOMY IN WRONG PLACE

Mr. YOUNG of Ohio. Mr. President, the administration's recommendation to slash appropriations for the school milk program by 80 percent is false economy. Congress voted $103 million for the school milk program for the current fiscal year. The Bureau of the Budget ordered the actual spending reduced to $100 million. Now in the proposed budget for the fiscal year commencing next July administration leaders announced plans to cut the milk program to $21 million.

Ninety-three thousand schools in our Nation are participating in the present program. Children in many schools pay 3 cents a half-pint for milk while the Government contributes 3 to 4 cents.

The cost of our huge war effort in Vietnam should not be paid by depriving thousands of American schoolchildren of what is now one of the most important elements in their daily diet. Taking milk from a needy school child should be just about the last program to be eliminated.

If the administration's recommendation is accepted, the morning and afternoon milk breaks which are so common in many schools throughout the Nation will largely be a thing of the past. For many youngsters this is the only milk they drink during the day. I doubt that there is another Federal program in which there has been as sharp a cut as that proposed by the administration for the school milk program.

Probably no other program has resulted in greater dividends in health and in the strength of children for so little cost as has this special milk program. At a time when we are spending millions—indeed, billions—of dollars to feed hungry people throughout the world in our foreign aid programs, we should not be cutting down on the diets of our own American children.

Mr. President, free school lunches for needy children in poor schools without regular lunchroom services and low-cost milk in other schools are worthwhile programs for the future of America. Here is a program where Congress is right if we insist on maintaining the school milk program and the bureaucrats in the executive branch are wrong in cutting it so drastically.

I fervently hope that the Congress will not reduce this program by one cent for the coming fiscal year.

Mr. President, Editor Dwight C. Wetherholt of the Gallipolis Daily Tribune, an important daily newspaper in Ohio, published a very fine editorial under the caption "Economy in Wrong Place," and I ask unanimous consent that his very fine editorial be printed in the RECORD at this point as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ECONOMY IN WRONG PLACE

(By Dwight C. Wetherholt)

This is an election year, and it is rather interesting to read the comments of our elected representatives in Congress as they hand out comments for the homefront consumption, and at the same time vote overwhelmingly for the very things that they complain about. Just yesterday there was a vote that overwhelmingly passed in one Chamber the restoration of telephone and automobile taxes that have only been in effect as cuts for a period of months. The House passed the measure with only 4 hours of debate, and now we will see what the Senate does to the bill, which is designed to help pay for the war in Vietnam.

Senator STEPHEN YOUNG, our junior Senator, speaks out boldly against the raising of taxes so soon after they were cut. Among his criticisms is that present income taxes, in spite of a cut about 2 years ago, are already too burdensome on those in the lower brackets, and he suggests an increase in corporate taxes from 48 up to 52 percent. His suggestion to stop a possible tax squeeze would be a cease-fire and armistice negotiations in Vietnam. He foresees that if the Johnson administration goes for "guns and butter," taxes will go up. The platitude spoken by Johnson in the state of the Union message, which expressed the view that we could wager war and still build the Great Society, without additional taxes has now gone by the board.

The cutback in nonmilitary expenditures is going to put the pinch on many programs. One of the most unfortunate moves, and one that strikes home in our community is the announcement of a drastic cut in the milk program. This program which allows children in Gallipolis schools, and many others in the area, enables the purchase of milk at reduced prices.

YOUNG characterizes this move as unsound as the commitment of our Armed Forces in Vietnam. Congress gave the program $103 million for school milk programs last fiscal year. The administration now plans to cut the amount allotted to $23 million, and if children are to get the milk the extra cost will come from those less able to pay.

Children in the 93,000 schools that now have the program have been paying 3 cents, but with the cut they will have to make up most of the 3 to 4 cents now paid for by the Government. The bureaucrat that dreamed up that cut was rather heartless.

A look at some of the billions that are now being allotted, we are sure that even a humble person like ourself could cut in other quarters, rather than handicap a program designed to improve the diet of the young children.

We are sure Mr. YOUNG could give them some good ideas for cuts, as he has often outlined the expensive junkets that have taken high officials to events that have no connection with the military establishments and in no way help in the war on poverty. One could lop off a few dozen high salaried bureaucrats that accomplish nothing and easily make up the difference.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. YOUNG of Ohio. I yield.

Mr. MORSE. Mr. President, I want to associate myself with the remarks of the Senator from Ohio. As Chairman of the Public Health, Education, Welfare, and Safety Subcommittee of the Committee on the District of Columbia, I am shocked by the President's support of the proposal that would deny milk to schoolchildren. I do not know what has happened to the Great Society program, unless it has become an empty, semantic preaching.

FAILURE OF FEDERALLY INSURED BANKS

Mr. McCLELLAN. Mr. President, the Senate Permanent Subcommittee on Investigations, of which I am chairman, during 1965 held hearings upon the failure of several federally insured banks. Testimony disclosed that a small number of banks had been infiltrated by corrupt and dishonest persons for the purpose of obtaining control of banks in order to loot them of their assets.

The subcommittee also inquired into inefficiency and lack of cooperation upon the part of the agencies of Government which have supervisory and administrative responsibilities in the banking field.

One of the banks we studied, the San Francisco National Bank, is the subject of a newspaper article in the San Francisco Sunday Examiner & Chronicle for February 20, 1966. The author of this article suggests that the bank was permitted to operate "somewhat in the manner of a second-rate pool hall." I am inclined to agree with that assessment of the situation. The bank was placed in receivership on January 22, 1965.

Following the subcommittee's investigation, the president and board chairman of the bank, Don C. Silverthorne, was indicted. He was recently tried, and on February 18, 1966, he was convicted on 11 counts of misapplication of bank funds, on 1 count of falsification of banking records, and on 1 count of aiding and abetting in larceny of bank funds.

Indicted and tried with him was William S. Bennett, a real estate operator who was Silverthorne's associate in numerous banking transactions. Bennett was convicted on one count of larceny of bank funds. Both of these men were principal witnesses in the subcommittee's hearings, although William S. Bennett refused to testify on the grounds that he might incriminate himself.

The timely newspaper article, written by Yancey Smith, correctly states that certain important issues remain unresolved in the wake of Silverthorne's conviction. These matters were of much concern to the subcommittee during its hearings.

The evidence clearly showed that the Comptroller of the Currency, James J. Saxon, had available in June of 1964 information from one of his national bank examiners that he had found many violations of the banking statutes in the operations of the San Francisco National Bank. The bank examiner wrote a letter on June 22, 1964, to the U.S. attorney reporting these violations of law, but the Comptroller of the Currency took no action. He did not even forward the letter to the Department of Justice until February 26, 1965—8 months later—and about a month after the bank had been closed, and not until more than a month after the subcommittee had started its investigation.

The Federal Deposit Insurance Corporation, which was compelled by law to insure the deposits in the San Francisco National Bank, was never informed by the Comptroller of the Currency prior to the bank's closing that, in Mr. Saxon's words, the bank was "so murked down in rot and corruption that there was no hope." As a result, the FDIC has filed a civil suit for as much as $32 million, including $2 million in punitive damages, against Don C. Silverthorne and other parties of interest in the bank's operations. It is pretty obvious at this time that the loss and the FDIC's ultimate liability will be at least $25 million.

Mr. President, I point this out because it establishes the fact that had there been proper supervision and proper action from the Comptroller of the Currency's Office, this great loss could certainly have been prevented, or at least a substantial part of it could have been, because the Federal Reserve bank continued to loan money to tide the bank over without knowing of its condition.

The information about the bank's condition was in the hands of the Comptroller for more than 8 months before the bank closed, and it was not passed on to the agencies of Government that were interested and that were responsible in connection with the bank's operations.

Additionally, there are almost 100 other civil law suits already filed or in preparation as a consequence of the bank's failure. The subcommittee is informed that many of these suits contend that at least one Federal agency, the Office of the Comptroller of the Currency, knew long before the bank was closed that it was insolvent and in danger of failing. The claimants allege that, notwithstanding its insolvency, certain Federal officials took most unusual steps to keep the bank open and to avoid disclosure of its true condition.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. McCLELLAN. Mr. President, I ask unanimous consent that I may proceed for 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCLELLAN. Mr. President, the newspaper article to which I have referred points up some of the important issues that have not been resolved by the convictions of Silverthorne and Bennett by posing four questions for its readers:

1. Whatever possessed Comptroller of Currency James J. Saxon to grant Silverthorne a bank charter in the first place? A routine check on his application would have disclosed what the Government now alleges: that Silverthorne listed $112,000 in assets he didn't possess.

2. Why didn't Saxon's bank examiners find that Silverthorne was diverting loan fees into his personal accounts sooner?

3. When the examiners finally did discover them—a plain violation of law—why wasn't something done about it sooner? A bank examiner set forth the implications in a letter to U.S. Attorney Poole in June 1964.

4. Why didn't the letter reach Poole until nearly 8 months later, after the bank was closed in January 1965? The letter was forwarded through channels and Saxon obviously sat on it. Why?

These issues and many others will be discussed in the forthcoming interim report of the subcommittee covering its investigation into federally insured banks. The report will provide additional information and will no doubt make certain recommendations regarding unresolved issues in the banking field.

The conditions disclosed in our hearings call for remedial legislative action. During the past session of Congress, on September 28, 1965, I introduced a bill, S. 2575, cosponsored by a majority of the members of the subcommittee, which is intended to improve administrative practices and procedures in the Federal agencies concerned with banking, and to stop the abuses and improper activities to which I have referred today. It is to be hoped, Mr. President, that the Committee on Banking and Currency, to which it was referred, will hold hearings soon and will promptly report the bill favorably for action in this session of Congress.

Mr. President, I ask unanimous consent that the article from the San Francisco Sunday Examiner & Chronicle be printed in the RECORD at this point, and that a copy of the bank examiner's letter of June 22, 1964, to U.S. Attorney Poole, together with its attachment, be printed in the RECORD at this point as a part of my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the San Francisco (Calif.) Sunday Examiner & Chronicle, Feb. 20, 1966]

THE WHY'S OF DON'S CASE—ISSUES ON DON REMAIN—BANKER COULD GET 70 YEARS

The trial of Don C. Silverthorne today left a number of issues bouncing around like bad checks on his collapsed San Francisco National Bank.

The 7-week-long trial disposed of Silverthorne.

A Federal court jury found him guilty of plundering his own bank of some $190,000, and he could get up to 70 years and $65,000 in fines.

But the trial did not dispose of the question of how a national bank was permitted to operate, judging by the testimony, somewhat in the manner of a second-rate pool hall.

The questions, lingering on like the bad taste after a late night, include these:

Whatever possessed Comptroller of Currency James J. Saxon to grant Silverthorne a bank charter in the first place? A routine check on his application would of disclosed what the Government now alleges: that Silverthorne listed $112,500 in assets he didn't possess.

Why didn't Saxon's bank examiners find that Silverthorne was diverting loan fees into his personal accounts sooner? The bank opened in June 1962, and the misapplications weren't found until late May and early June 1964.

When the examiners finally did discover them—a plain violation of law—why wasn't something done about it sooner? A bank examiner set forth the implications in a letter to U.S. Attorney Cecil Poole in June 1964.

Why didn't the letter reach Poole until nearly 8 months later, after the bank was closed in January 1965. The letter was forwarded through channels and Saxon obviously sat on it. Why?

But these are only a few of the questions. There's the whole broad field of banking reform and regulation in matters such as usury, commissions to money brokers for certificates of deposit, points charged borrowers, and fees to money finders or loan scouts.

These free-wheeling practices all figured in Silverthorne's operations and the collapse of the San Francisco National.

Silverthorne, a sort of Falstaff on banking, took the crushing verdict with apparent calm, in contrast to his earlier outbursts on the witness stand.

He said afterward that he was "fine, fine."

His codefendant, William S. Bennett, a Peninsula developer, flinched and covered his face with his hands when he heard the jury find him guilty of larceny.

The jury cleared him of 10 other counts, but the larceny carries a maximum sentence of 10 years and a $5,000 fine.

They were acquitted of conspiracy, but the pudgy ex-banker was convicted of all 14 other counts, including aiding in Bennett's larceny, making a false entry, and 11 charges of misapplication.

Best guess was that it was a compromise verdict.

Presumably, the jurors agreed early in the 24 hours they were out that Silverthorne was guilty. But then they failed to agree on the extent to which Bennett aided and abetted the principal defendant.

The Government charged that Bennett was a full-fledged partner in the misapplications.

The testimony showed Bennett obtained heavy fees from borrowers and then returned part of these to Silverthorne in the form of checks made out to San Francisco National Bank.

Silverthorne then diverted these to his personal use.

The verdict disclosed that the jury bought Bennett's contention that he earned his fees by arranging the loans, going as guarantor on them and performing other services for borrowers.

But Silverthorne's two-point defense obviously fell on deaf ears.

He vociferously claimed that a bank examiner told him to put the fees in his personal account. The Government shot this down by producing the examiner, Victor Del Tredici.

The latter testified that he not only did not tell Silverthorne to put the money into his personal account, but warned him that such a practice would be illegal.

Banker Don's other defense was that he spent the some $700,000 to $750,000 he got in loan fees for banking purposes and not on himself.

The Government shot this down even quicker.

Prosecuting Assistant U.S. Attorney James J. Brosnahan produced evidence that many of these "banking expense" checks went to his clubs, his daughter, to buy stock, and for a luxury apartment for himself.

The Government also produced evidence that Silverthorne, a man with an obvious zest for life, lived it up in the Nevada gambling resort of Las Vegas.

The puffy-cheeked former banker didn't do himself any good when he claimed he hadn't lost a cent gambling, and then the Government produced a statement he had given the FBI.

Silverthorne had told the FBI he lost about $200,000.

When Silverthorne left the stand after 9 days of argumentative and frequently angry testimony marked by contradiction after contradiction, it was obvious that he'd had it.

His attorney, George Martinez, was ashen faced.

Martinez, however, had both an in-the-court and out-of-the-court defense.

The latter consisted of frequent appeals in chambers to Federal Judge Charles L. Powell for a mistrial on the basis of all the publicity accorded his colorful client.

This ploy, presumably designed to lay the foundation for an appeal, was ironic in view of the fact that there have been few figures in San Francisco who have courted publicity so ardently as Don Carlos Silverthorne.

He embarked on a highly personalized public relations campaign as soon as he launched his bank.

He issued brochures on how to be successful, gave lavish gifts to customers and employees, and took officers and friends to Las Vegas on a junket.

Another side of Silverthorne that came out during the trial was the sometimes carnival-like atmosphere at the bank.

Silverthorne was pictured in the testimony as a man not above lightening the normally stuffy atmosphere with a prank or two.

He had a pen with vanishing ink, and took delight in squirting it on someone's white shirt. It was always good for a belly laugh when the ink gradually disappeared, much to the relief of the victim.

Then there was the time he scissored off the necktie of a visiting banker, and promptly gave him his own. "He didn't have very good ties," Silverthorne explained.

Once he seized the hat of a bank examiner and put it on a chair just as a visitor was sitting down.

Silverthorne then extracted the flattened hat, threw it on the floor and jumped on it. Of course, he had a new hat to give the examiner, but the latter apparently didn't think it funny.

"He didn't have much sense of humor," Don remarked.

Nor was there much humor when the jury came in Friday evening.

Judge Powell, who came here from Spokane to hear the trial, indicated he will lose no time passing sentence. He asked for probation reports on the pair by Wednesday.

He will hear motions for a new trial and acquittal, preliminaries to an appeal, that day.

The verdict probably will solve one problem for Silverthorne. The Government undoubtedly now will drop numerous other charges pending against the ex-banker.

He and Bennett, however, still face a civil suit for $32 million brought by the Federal Deposit Insurance Corporation, now engaged in liquidating the San Francisco National.

But the chances of getting any money out of Silverthorne at this point seem more remote than those of putting a man on Mars next year.

FEBRUARY 26, 1965.

Hon. NICHOLAS DEB. KATZENBACH,
The Attorney General,
Washington, D.C.

DEAR MR. KATZENBACH: We are enclosing two copies of a letter addressed to the U.S. attorney at San Francisco under date of June 22, 1964, by National Bank Examiner Victor E. Del Tredici in further reference to transactions at the San Francisco National Bank, San Francisco, Calif., which was placed in receivership on January 22, 1965.

Most of the information contained in this enclosure was covered in our communications with you under dates of January 27, 1965, and February 1, 1965.

Sincerely,

JAMES J. SAXON,
Comptroller of the Currency.

JUNE 22, 1964.

Mr. CECIL F. POOLE,
U.S. Attorney,
Post Office Building,
San Francisco, Calif.

DEAR MR. POOLE: During the course of an examination of the San Francisco National Bank, 260 California Street, San Francisco, Calif., commenced May 6, 1964, the transactions, set forth in detail hereinbelow, initiated by President Don C. Silverthorne, which may be in contravention of Section 18, paragraph 215 of the United States Code, were disclosed.

It appears that fees collected by the San Francisco National Bank from its borrowers in the form of checks payable to the San Francisco National Bank and fees collected by William S. Bennett, a bank customer, from borrowers who obtained loans from San Francisco National Bank have been deposited to the account of Don C. Silverthorne during the period January 2, 1964, through May 13, 1964.

Fees collected by William S. Bennett were deposited to the account of Suisun Properties, a sole ownership of William S. Bennett, carried with the San Francisco National Bank and portions of these funds were disbursed by checks drawn by Suisun Properties on its account with the San Francisco National Bank made payable to the San Francisco National Bank.

Date of deposit to account of Don C. Silverthorne	Amount of deposit	Description and comments
Jan. 10, 1964	$2,500	A check drawn on San Francisco National Bank by Suisun Properties dated Jan. 9, 1964, in the amount of $2,500 payable to the San Francisco National Bank. On Jan. 7, 1964, the San Francisco National Bank granted a loan to William S. Manning in the amount of $100,000. A check drawn on San Francisco National Bank by Manning Enterprises (William S. Manning) dated Jan. 7, 1964, in the amount of $10,000 payable to and endorsed by W. S. Bennett was deposited to the commercial account of Suisun Properties carried with the San Francisco National Bank on Jan. 7, 1964.
Jan. 16, 1964	5,000	A check drawn on San Francisco National Bank by Joseph L. Giraudo dated Jan. 14, 1964 in the amount of $5,000 payable to the San Francisco National Bank. On Jan. 15, 1964, the San Francisco National Bank granted a loan to Joseph L. Giraudo in the amount of $155,000 to be used for a partial downpayment on some real estate.
Do	10,000	A check drawn on San Francisco National Bank by Pacific Western Contractors, Inc. (John and Harry Riskas) dated Jan. 16, 1964, in the amount of $10,000, payable to the San Francisco National Bank. On Jan. 16, 1964, the San Francisco National Bank granted a loan to Pacific Western Contractors, Inc., in the amount of $75,000, to be used to purchase some land.
Jan. 28, 1964	18,000	A check drawn on San Francisco National Bank by Suisun Properties dated Jan. 22, 1964, in the amount of $4,000 payable to the San Francisco National Bank. A check drawn on San Francisco National Bank by Suisun Properties dated Jan. 24, 1964, in the amount of $4,000 payable to the San Francisco National Bank. A check drawn on the San Francisco National Bank by Suisun Properties dated Jan. 27, 1964, in the amount of $10,000 payable to the San Francisco National Bank. Check was rejected on Jan. 28, 1964, and charged against the account of Suisun Properties on Jan. 29, 1964. On Jan. 23, 1964, the bank granted a loan to William R. Atkinson in the amount of $58,000 to be used to pay off a 2d deed of trust and current expenses. A check drawn on San Francisco National Bank by William R. Atkinson dated January 22, 1964, in the amount of $8,000 payable to the San Francisco National Bank was exchanged for cashier's check No. 8690 dated January 23, 1964, payable to and endorsed by W. S. Bennett and was deposited to the commercial account of Suisun Properties carried with the San Francisco National Bank on January 28, 1964. On January 28, 1964, the San Francisco National Bank granted a loan to Consolidated Holdings, Inc. (John S. Hoffmire) in the amount of $120,000 to be used for working capital. A check drawn on the San Francisco National Bank by Consolidated Holdings, Inc., dated January 27, 1964, in the amount of $20,000 payable to and endorsed by W. S. Bennett was credited to the commercial account of Suisun Properties carried with the San Francisco National Bank on January 29, 1964.
Jan. 30, 1964	$7,500	A check drawn on San Francisco National Bank by Suisun Properties dated January 29, 1964, in the amount of $7,500 payable to the San Francisco National Bank. On January 30, 1964, the San Francisco National Bank granted a loan to Ide & Scott Mortgage Service, Inc., in the amount of $110,000. A check drawn on the San Francisco National Bank by Ide & Scott Mortgage Service, Inc., dated Jan. 30, 1964, in the amount of $13,000, payable to and endorsed by W. S. Bennett, was credited to the commercial account of Suisun Properties, carried with the San Francisco National Bank on Feb. 3, 1964.
Feb. 5, 1964	5,000	A check drawn on San Francisco National Bank by Peter Pappas dated Feb. 4, 1964, in the amount of $5,000, payable to the San Francisco National Bank. On Feb. 5, 1964, the San Francisco National Bank granted a loan to Peter Pappas in the amount of $90,000 for working capital, to pay off land on 23 unit lots, and Federal withholding taxes.
Feb. 17, 1964	20,000	A check drawn on the San Francisco National Bank by Suisun Properties dated Feb. 10, 1964, in the amount of $20,000, payable to San Francisco National Bank. On Feb. 17, 1964, the San Francisco National Bank granted a loan to James D. Claitor in the amount of $240,000 to pay off various loans and for working capital. A check drawn on the San Francisco National Bank by James D. Claitor dated Feb. 10, 1964, in the amount of $40,000 payable to and endorsed by W. S. Bennett was credited to the commercial account of Suisun Properties carried with the San Francisco National Bank on Feb. 17, 1964.
Feb. 18, 1964	10,000	A check drawn on San Francisco National Bank by Greystone Building account (Mryon Feigenberg & David Rosenberg) dated Feb. 18, 1964, in the amount of $10,000 payable to the San Francisco National Bank. On Feb. 18, 1964, the San Francisco National Bank granted a loan to Myron Feigenberg and David Rosenberg in the amount of $150,000 for the purchase and remodeling of the Greystone Building.
Mar. 2, 1964	20,000	A check drawn on San Francisco National Bank by Suisun Properties dated Feb. 28, 1964, in the amount of $20,000 payable to the San Francisco National Bank. On Mar. 2, 1964, the San Francisco National Bank granted a loan to Pacific Western Contractors, Inc., in the amount of $190,000. No CR-115B on file; however, there is one for $100,000 for the same date, which says funds are to be used to assist in the construction of 40-unit apartment at 17th and Market Sts. A check drawn on San Francisco National Bank by Pacific Western Contractors, Inc., dated Mar. 2, 1964, in the amount of $30,000 payable to and endorsed by W. S. Bennett was deposited to the commercial account of Suisun Properties carried with the San Francisco National Bank on Mar. 2. 1964.

Date of deposit to account of Don C. Silverthorne	Amount of deposit	Description and comments
Mar. 3, 1964	$19,500	A check drawn on San Francisco National Bank by Paul D. Apfelbaum dated Mar. 2, 1964, in the amount of $10,000 payable to the San Francisco National Bank. Check was rejected on Mar. 3, 1964, and posted to Paul D. Apfelbaum's account on Mar. 4, 1964. A check drawn on San Francisco National Bank by Phillips Realty (Charles Mosser) dated Mar. 2, 1964, in the amount of $2,000 payable to San Francisco National Bank. A check drawn on San Francisco National Bank by Dunn Construction Co. (Morden Dunn) dated Mar. 2, 1964, in the amount of $7,500 payable to San Francisco National Bank. On Mar. 2, 1964, the San Francisco National Bank granted a loan to Paul D. Apfelbaum in the amount of $100,000 to purchase a 60-unit apartment house. On Mar. 2, 1964, the San Francisco National Bank granted a loan to Charles Mosser in the amount of $45,000 to purchase a 62-unit apartment house on 10th Ave. On Mar. 3, 1964, the San Francisco National Bank granted a loan to Morden Dunn in the amount of $75,000 to pay off a $70,000 loan on some property at 27 August St.
Mar. 6, 1964	$25,000	A check drawn on the San Francisco National Bank by Suisun Properties dated Mar. 5, 1964, in the amount of $25,000 payable to the San Francisco National Bank. On Mar. 5, 1964, the San Francisco National Bank granted a loan to Inglis Associates in the amount of $250,000 to close a sale on 24.2 acres in Novato. A check drawn on San Francisco National Bank by Inglis Associates dated Mar. 5, 1964, in the amount of $50,000 payable to and endorsed by W. S. Bennett was credited to the commercial account of Suisun Properties carried with the San Francisco National Bank on Mar. 6, 1964.
May 1, 1964	15,000	A check drawn on the San Francisco National Bank by Paul D. Apfelbaum dated April 30, 1964 in the amount of $15,000 payable to the San Francisco National Bank. On May 1, 1964 the San Francisco National Bank granted a loan to Paul D. Apfelbaum in the amount of $122,000 to complete purchase of the Paisley Hotel, San Francisco, Calif.
Total	157,500	

The bank's records also disclosed the following checks drawn on and payable to the San Francisco National Bank which were cash paid without endorsements.

Date account charged	Amount	Drawn by	Comments
Feb. 20, 1964	$5,000	Suisun Properties' check dated Feb. 20, 1964.	On Feb. 20, 1964, the San Francisco National Bank granted a loan in the amount of $80,000 to John S. Hoffmire. A check drawn on San Francisco National Bank by Consolidated Holdings, Inc. (John S. Hoffmire) dated Feb. 19, 1964, in the amount of $10,000 payable to and endorsed by W. S. Bennett was credited to the account of Suisun Properties on Feb. 20, 1964. Consolidated's check was rejected on Feb. 20, 1964, and subsequently paid on Feb. 21, 1964.
Apr. 10, 1964	$5,000	Suisun Properties' check dated Apr. 10, 1964.	On Apr. 9, 1964, the San Francisco National Bank granted a loan in the amount of $132,000 to Matthew L. Biscotti. A check drawn on Bank of America NT & SA, Millbrae branch, by Matthew L. Biscotti dated Apr 9, 1964, in the amount of $17,000 payable to and endorsed by W. S. Bennett was credited to the account of Suisun Properties on Apr. 10, 1964.
Total	10,000		

Also deposited to the account of Don C. Silverthorne were funds aggregating $650,471.01. These funds represent proceeds of loans granted by the San Francisco National Bank to numerous customers for the purchase of San Francisco National Bank stock at various prices, in many instances substantially in excess of local market quotations. Generally, securities were subsequently purchased by Don C. Silverthorne for delivery to said customers. It would appear that Don C. Silverthorne personally received commissions through the aforementioned transactions for loans granted, represented by the difference between his cost and the price he received for the bank stock delivered to customers of the bank.

Very truly yours,

VICTOR E. DEL TREDICI,
National Bank Examiner.

ONE HUNDRED AND THIRTIETH ANNIVERSARY OF DECLARATION OF INDEPENDENCE OF THE REPUBLIC OF TEXAS

Mr. TOWER. Mr. President, on this date 130 years ago the Declaration of Independence of the Republic of Texas was adopted by the delegates of the people of Texas meeting at Washington-on-the-Brazos, thereby severing Texas ties with Mexico whose flag had flown over Texas since 1821. For almost 10 years thereafter Texas was to remain an independent republic until its admission to the Union.

In addition to being Independence Day, March 2 is observed in Texas as Texas Flag Day and as Sam Houston Day.

I hope that in today's times of international crisis all Texans and all other Americans, and indeed all free people, can be inspired by the example of courage shown by the men who signed the Texas Declaration of Independence, determined to go forth with renewed spirit to fight oppression and tyranny, knowing that peace is best sustained by strength and will.

I hope also that all nations will come to live together in the spirit of brotherhood and cooperation which now exists and continually grows between Texas and the Republic of Mexico.

Mr. President, I ask unanimous consent that a copy of the Texas Declaration of Independence be inserted in the RECORD at this point.

There being no objection, the document was ordered to be printed in the RECORD, as follows:

TEXAS DECLARATION OF INDEPENDENCE

The Declaration of Independence of the Republic of Texas was adopted by the delegates of the people of Texas in general convention in the town of Washington-on-the-Brazos, March 2, 1836. Richard Ellis, president of the convention, appointed a committee of five to write a declaration of independence for submission to the convention. However, there is much evidence that George C. Childress, one of the members, wrote the document with little or no help from the other members. Childress is therefore generally accepted as the author of the Texas Declaration of Independence.

Following is the text of the Texas Declaration of Independence, copied word for word from the original text and punctuated exactly as in the orginal text. Following the text of the declaration are the names of the signers with their surnames and given names written, abbreviated, and punctuated, exactly as on the original copy of the declaration:

When a government has ceased to protect the lives, liberty and property of the people from whom its legitimate powers are derived, and for the advancement of whose happiness it was instituted; and so far from being a guarantee for the enjoyment of those inestimable and inalienable rights, becomes an instrument in the hands of evil rulers for their oppression, when the Federal Republican Constitution of their country, which they have sworn to support, no longer has a substantial existence, and the whole nature of their government has been forcibly changed without their consent, from a restricted federative republic, composed of sovereign states, to a consolidated central military despotism, in which every interest is disregarded but that of the army and the priesthood—both the eternal enemies of civil liberty, and the ever-ready minions of power, and the usual instruments of tyrants; When, long after the spirit of the constitution has departed, moderation is at length, so far lost, by those in power that even the semblance of freedom is removed, and the forms, themselves, of the constitution discontinued; and so far from their petitions and remonstrances being regarded, the agents who bear them are thrown into dungeons; and mercenary armies sent forth to force a new government upon them at the point of the bayonet; When in consequence of such acts of malfeasance and abdication, on the part of the government, anarchy prevails, and civil society is dissolved into its original elements: In such a crisis, the first law of nature, the right of self-preservation—the inherent and inalienable right of the people to appeal to first principles and take their political affairs into their own hands in extreme cases—enjoins it as a right towards themselves and a sacred obligation to their posterity, to abolish such government and create another in its stead, calculated to rescue them from impending dangers, and to secure their future welfare and happiness.

Nations, as well as individuals, are amenable for their acts to the public opinion of mankind. A statement of a part of our grievances is, therefore, submitted to an impartial world, in justification of the hazardous but unavoidable step now taken of severing our political connection with the Mexican people, and assuming an independent attitude among the nations of the earth.

The Mexican government, by its colonization laws, invited and induced the Anglo-American population of Texas to colonize its wilderness under the pledged faith of a written constitution, that they should continue to enjoy that constitutional liberty and republican government to which they had been habituated in the land of their birth, the United States of America. In this expectation they have been cruelly disappointed, inasmuch as the Mexican nation has acquiesced in the late changes made in the government by General Antonio Lopez de Santa Anna, who, having overturned the constitution of his country, now offers us the cruel alternative either to abandon our homes, acquired by so many privations, or submit to the most intolerable of all tyranny, the combined despotism of the sword and the priesthood.

It has sacrificed our welfare to the state of Coahuila, by which our interests have been continually depressed, through a jealous and partial course of legislation carried on at a far distant seat of government, by a hostile majority, in an unknown tongue; and this too, notwithstanding we have petitioned in the humblest terms, for the establishment of a separate state government, and have, in accordance with the provisions of the national constitution, presented to the general Congress, a republican constitution which was without just cause contemptuously rejected.

It incarcerated in a dungeon, for a long time, one of our citizens, for no other cause but a zealous endeavor to procure the acceptance of our constitution and the establishment of a state government.

It has failed and refused to secure on a firm basis, the right of trial by jury, that palladium of civil liberty, and only safe guarantee for the life, liberty, and property of the citizen.

It has failed to establish any public system of education, although possessed of almost boundless resources (the public domain) and, although, it is an axiom, in political science, that unless a people are educated and enlightened it is idle to expect the continuance of civil liberty, or the capacity for self-government.

It has suffered the military commandants stationed among us to exercise arbitrary acts of oppression and tyranny; thus trampling upon the most sacred rights of the citizen and rendering the military superior to the civil power.

It has dissolved by force of arms, the State Congress of Coahuila and Texas, and obliged our representatives to fly for their lives from the seat of government; thus depriving us of the fundamental political right of representation.

It has demanded the surrender of a number of our citizens, and ordered military detachments to seize and carry them into the Interior for trial; in contempt of the civil authorities, and in defiance of the laws and the constitution.

It has made piratical attacks upon our commerce; by commissioning foreign desperadoes, and authorizing them to seize our vessels, and convey the property of our citizens to far distant ports of confiscation.

It denies us the right of worshipping the Almighty according to the dictates of our own conscience, by the support of a national religion calculated to promote the temporal interests of its human functionaries rather than the glory of the true and living God.

It has demanded us to deliver up our arms; which are essential to our defense, the rightful property of freemen, and formidable only to tyrannical governments.

It has invaded our country, both by sea and by land, with intent to lay waste our territory and drive us from our homes; and has now a large mercenary army advancing to carry on against us a war of extermination.

It has, through its emissaries, incited the merciless savage, with the tomahawk and scalping knife, to massacre the inhabitants of our defenseless frontiers.

It hath been, during the whole time of our connection with it, the contemptible sport and victim of successive military revolutions and hath continually exhibited every characteristic of a weak, corrupt, and tyrannical government.

These, and other grievances, were patiently borne by the people of Texas until they reached that point at which forbearance ceases to be a virtue. We then took up arms in defense of the national constitution. We appealed to our Mexican brethren for assistance. Our appeal has been made in vain. Though months have elapsed, no sympathetic response has yet been heard from the Interior. We are, therefore, forced to the melancholy conclusion that the Mexican people have acquiesced in the destruction of their liberty, and the substitution therefor of a military government—that they are unfit to be free and incapable of self-government.

The necessity of self-preservation, therefore, now decrees our eternal political separation.

We, therefore, the delegates, with plenary powers, of the people of Texas, in solemn convention assembled, appealing to a candid world for the necessities of our condition, do hereby resolve and declare that our political connection with the Mexican nation has forever ended; and that the people of Texas do now constitute a free, sovereign and independent republic, and are fully invested with all the rights and attributes which properly belong to the independent nations; and, conscious of the rectitude of our intentions, we fearlessly and confidently commit the issue to the decision of the Supreme Arbiter of the destinies of nations.

Richard Ellis, president of the convention and Delegate from Red River. Charles B. Stewart, Thos. Barnet, John S. D. Byrom, Franco. Ruiz, J. Antonio Navarro, Jesse B. Badgett, Wm. D. Lacey, William Menefee, Jno. Fisher, Mathew Caldwell, William Mottley, Lorenzo de Zavala, Stephen H. Everitt, Geo W Smyth, Elijah Stapp, Claiborne West, Wm B Scates, M. B. Menard, A. B. Hardin, J. W. Bunton, Thos. J. Gazley, R M Coleman, Sterling C. Robertson, Jas Collinsworth, Edwin Waller, Asa Brigham, Geo. C. Childress, Bailey Hardeman, Rob. Potter, Thomas Jefferson Rusk.

Chas. S. Taylor, John S. Roberts, Robert Hamilton, Collin McKinney, Albert H Latimer, James Power, Sam Houston, David Thomas, Edwd. Conrad, Martin Parmer, Edwin O. LeGrand, Stephen W. Blount, Jas. Gaines, Wm. Clark, Jr., Sydney O. Penington, Wm. Carrol Crawford, Jno Turner, Benj. Briggs Goodrich, G. M. Barnett, James G. Swisher, Jesse Grimes, S. Rhoads. Fisher, John W. Moore, John W. Bower, Saml. A Maverick (from Bejar), Sam P Carson, A. Briscoe, JB Woods.

Test: H. S. Kemble, Secretary.

Mr. TOWER. Only 4 days after the signing of the Texas Declaration of Independence, the Alamo, which had been under siege for many days fell in San Antonio. The vastly superior forces of Santa Anna's troops overwhelmed that fort after three assaults.

The battle of the Alamo remains a symbol to Americans to make the ultimate in sacrifice and in defense of liberty. Although vastly outnumbered, these men determined to stay, fight, and die.

I wish to read into the RECORD a letter sent out by the young commandant of the Alamo, William Barret Travis, dated February 24, 1836:

COMMANDER OF THE ALAMO,
Bejar, February 24, 1836.

To the People of Texas and All Americans in the World.

FELLOW CITIZENS AND COMPATRIOTS: I am besieged by a thousand or more of the Mexicans under Santa Anna—I have sustained continual bombardment and cannonade for 24 hours and have not lost a man.

The enemy has demanded a surrender at discretion, otherwise, the garrison are to be put to the sword, if the fort is taken—I have answered the demand with a cannon shot, and our flag still waves proudly from the walls.

I shall never surrender or retreat. Then, I call on you in the name of liberty of patriotism and everything dear to the American character, to come to our aid, with all dispatch.

The enemy is receiving reinforcements daily and will no doubt increase to 3,000 or 4,000 in 4 or 5 days. If this call is neglected, I am determined to sustain myself as long as possible and die like a soldier who never forgets what is due to his own honor and that of his country—victory or death.

WILLIAM BARRET TRAVIS.

P.S.—The Lord is on our side. When the enemy appeared in sight we had not 3 bushels of corn. We have since found in deserted houses 80 or 90 bushels and got into the walls 20 or 30 head of Beeves. TRAVIS.

UNIVERSITY OF CALIFORNIA REPORT ON ECONOMIC CHANGES IN THE MAJOR HIGH LABOR-USE CROPS IN CALIFORNIA, 1964–65

Mr. KUCHEL. Mr. President, several months ago I asked the Agricultural Sciences Division of the University of California to prepare a study of the effects of recent changes in labor supply on the production of high labor-use crops in California. I am referring, of course, to those crops which have been, until very recently, harvested largely with the aid of foreign labor coming to this country from the Republic of Mexico.

I ask unanimous consent that a summary introduction of the report as sent to me by Maurice L. Peterson, the distinguished dean of agriculture of the University of California, be printed in the RECORD at this point.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

ECONOMIC CHANGES IN THE MAJOR HIGH LABOR-USE CROPS IN CALIFORNIA, 1964–65[1]

Many factors affect the production of crops and income to farmers. For crops, such as fruits, grapes and nuts, production from one year to the next depends primarily on weather and the ability of farmers to perform the cultural tasks and harvest. For annual crops, such as tomatoes, production depends first upon whether or not farmers plant. Farmers' decisions to plant are affected by expected price, availability of capital, cost of production, availability of labor, and equipment to perform the cultural and harvest tasks. Prices received by farmers in the market for such crops as fruits, vegetables and nuts are primarily determined by supply of and demand for the particular crop and its competing crops.

---

[1] This report was prepared for the California State Board of Agriculture. Presented in Sacramento, Jan. 24, 1966, by Dr. John W. Mamer, extension economist, University of California, Berkeley. The report was prepared by Dr. Trimble R. Hedges, agricultural economist, University of California, Davis, and Dr. Eric Thor, extension economist, Berkeley.

The factors affecting production and prices of individual crops are so many and so varied that it is impracticable to measure the specific effect of any one factor. Therefore, this report has not attempted to measure the effect individual factors had on production and the income to California agriculture in 1965. The report describes general changes in California farm income, production, and employment and records significant developments in six crops: asparagus, strawberries, processing tomatoes, lettuce, lemons, and valencia oranges.

FARM VALUE

Data were obtained from the California Crop and Livestock Reporting Service on 1964 and 1965 gross farm value and farm production.

The preliminary estimated total farm value of California's agricultural production indicates that the 1965 gross farm income exceeded that for 1964—$3.70 billion compared with $3.65 billion. These totals, however, do not reflect changes that occurred in individual crops and livestock groups.

The total value of fruit and nut crops decreased approximately $87 million ($691 million in 1964 to $604 million in 1965). Total value of vegetable crops increased $21 million ($537 million in 1964 to $558 million in 1965). Total value of field crops increased approximately $10 million ($970 million in 1964 to $980 million in 1965). The total value of all crops decreased roughly $56 million, while the value of livestock increased approximately $80 million ($1.32 billion in 1964 to $1.4 billion in 1965). Gains in the market price increased the value of livestock and livestock product production enough to offset the net decrease in the value of all crops. Cattle and lamb prices ran sharply above 1964 during 1965, and hogs and turkey prices also were higher. Egg prices were down, and broilers stayed at steady levels.

FARM PRODUCTION

The level of production of the State's vegetable, melon, and strawberry crops dropped 8 percent from 1964's level. Total tonnage in 1965 was 6.6 million tons, compared with 7.2 million tons in 1964. The total number of acres, 641,600, was 42,400 acres below 1964. The largest decrease in acreage was in processing tomatoes—27,000 acres. Large acreage decreases were also noted in asparagus and cantaloupes.[2]

A record high production in fruit and nut crops was reported, 8,135,000 tons. This was 1 percent higher than for the previous year. The increase was largely attributed to the 26-percent increase in the production of grapes; this was offset by large declines in production in other tree fruit and tree nut crops.

The combined harvested acreage of California field crops in 1965 was about 1 percent greater than in 1964. The increase in acreage of California field crops was partly caused by a shift from crops which require considerable seasonal labor to field crops which require relatively little seasonal labor.

The California Department of Agriculture also reported that growers experienced difficulties in recruiting an adequate supply of labor. There were periods when labor shortages caused harvest losses in asparagus, strawberries, Brussels sprouts, and early tomatoes. Local labor shortages for the 1965 deciduous and citrus fruit harvests caused harvest to lag behind the usual harvest pattern, resulting in some individual grower losses. Poor market conditions resulted in excessive cullage and some economic abandonment in the apricot and plum harvest. The largest losses caused by weather occurred in the Clingstone peach industry from brown rot development following the August rains.[3]

LABOR

Data were obtained from the California Department of Employment regarding wage rates and changes in employment of farmworkers.

Wage rates for seasonal farmworkers, based on the Secretary of Labor's criteria, increased approximately 35 percent during the 1965 season. The prevailing wage was $1.05 per hour in most areas in 1964. In January 1965 the prevailing wage was increased to $1.25 per hour. In March, the wage rate was increased to $1.40 per hour. Hourly wage rates for seasonal workers tended to follow this pattern in most of the farm areas in the State. Changes in piece rates generally equaled and, in some cases, exceeded the percentage increase in the hourly rate.

The peak farm labor month in California is September. In September 1964, the total number employed in agriculture, as reported by the California State Department of Employment, was 414,100 for the week that includes the 12th day of the month. In September 1965, the employment figure was 364,400—a reduction of 49,700. The total domestic labor force, including hired regular and seasonal domestics, farmers and unpaid families numbered 350,200 in September 1964. This same force numbered 353,000 in 1965, an increase in the domestic force of 2,800 persons. For this same week contract foreign labor decreased from 63,900 persons in 1964 to 11,400 in 1965.

The greatest increase in the domestic farm labor force was in June 1965, when the number of domestic workers exceeded the number in 1964 by 26,100—350,900 compared with 324,800. A large proportion of this increase was composed of youth, both high school and college students.

The change in farm employment can also be seen by comparing the annual monthly averages. The annual average number of farmworkers in 1965, was 305,100, compared with 318,400 in 1964, a decrease of 13,300. The monthly average number of foreign contract workers decreased from 28,000 in 1964 to 2,800 in 1965. The total monthly average of the domestic work force increased from 290,400 in 1964 to 302,300. This is an increase of 11,900, compared with a decrease of 25,200 contract foreign workers.

PRODUCTION COSTS

Changes in the total farm value of production do not measure changes in net farm earnings. Statewide averages in production costs for individual crops have not been developed for analysis.

However, the University of California Agricultural Extension Service has developed sample cost data based on the management practices of the more efficient producers in specific counties of the State. These have not been assembled and evaluated to measure the change in total farm production costs.

These have, however, been included in discussion of each of the six crops with high labor requirements that are discussed in detail in this report. The sample cost data do not represent industry averages and are not used to calulate total net income. They do, however, reflect changes in cost of the more efficient commercial farm operations and are used in this report to evaluate the change in farm costs.

SUMMARY OF SIX CROPS

Asparagus

Total harvested production was 152,700,000 pounds in 1965, compared with 183,100,000 pounds in 1964, a decrease of 30,400,000 pounds. Prices were higher in 1965 than in 1964. Gross farm value of the 1965 crop was $23.6 million, compared with $22.4 million, an increase of $1.2 million.

Total production increased 17.2 percent in 1965, compared with 1964. Growers' total cost of production and harvest was $3.6 million greater in 1965 than if 1964 conditions had existed. Growers' net in 1965 was roughly $2.4 million less than in 1964.

Strawberries

Farm value of strawberries was down $8 million from $26.8 million in 1964; net income dropped $16.5 million between 1964 and 1965. An estimated $8.5 million rise in production and harvesting costs partly accounted for the net income decline, and offset the improved prices growers received in both the fresh and processing markets. Harvested production was down 52.5 million pounds from 1964.

Tomatoes for processing

The farm value of tomatoes for processing in 1965 was $86.4 million, an increase of $10.5 million from 1964 and the second highest in history. The average price received per ton, $35.30, was an all-time record. Harvesting costs increased, however, some $8.8 million, so that the net return to growers was about $1.6 million more in 1965 than it was in 1964. Yields per acre reached a record 21.1 tons, but production was down approximately 500,000 tons because acreage was cut back from 1964's 143,000 acres to 116,000 acres.

Lettuce

Total farm value of lettuce increased $3.6 million, up from $92.8 in 1964. This increase was offset by an estimated $11.1 million increase in production and harvesting costs. Net income, therefore, was $7.5 million less than it was in 1964. There was a slight increase in total harvested acreage (500 acres) and an 800,000-pound increase in total production. Increases in winter acreage were offset by decreases in acreage of spring, summer, and fall lettuce.

Lemons

Lemon production during the 1964–65 season was 13,500,000 boxes, a decrease of 3.8 million boxes from the previous season. One result was a decrease in gross income of $4.8 million from $46.4 million in 1964. This was accompanied by a $3.1 million increase in the costs of harvesting and hauling lemons to the packinghouses so that net income to growers was approximately $7.9 million less than in the 1963–64 season.

Valencia oranges

The greatest change in farm income in the six crops discussed here occurred in valencia orange production. The 1964–65 farm value declined $27.7 million from $72.6 million for the 1963–64 season. Cost of harvesting increased $1.9 million. The result was a decrease in net income of $29.6 million.

Mr. KUCHEL. The report notes that, although there was a slight increase in gross farm income, a number of high-labor-use crops did not share in this bounty. Wage rates for seasonal farmworkers rose 35 percent in California in the last year. There were substantial reductions in earnings from the production of asparagus, strawberries, lettuce, oranges, and lemons. Of the six high-labor-use crops surveyed there was a total decline in net income of $59.9 million. This loss occurred despite growing conditions that were ideal in nearly every respect. The loss is directly attributable, in my opinion, to the decline in availability of labor. The number of laborers brought into California under contract decreased from 63,900 persons in 1964 to 11,400 in 1965.

---

[2] California Crop and Livestock Reporting Service, Annual Summary (Sacramento, Dec. 20, 1965).

[3] California Fruits, 1965 annual summary, USDA, Statistical Reporting Service (Sacramento, Dec. 20, 1965).

I would like to point out that the growers of the State of California have made remarkable efforts, indeed, ingenious efforts to provide machinery to take the place of farmworkers and to find labor on the domestic labor market. On a monthly average basis nearly half of the short-fall resulting from the loss of foreign labor was made up by domestic hiring. At the same time, particularly in the harvesting of tomatoes for canneries, substantial advances were made in mechanization. But, we still do not have all the answers.

Areas remain where the present labor import policies are wholly inadequate. Last year where there was a 16-percent decrease in asparagus production accompanied by a substantial increase in prices, and, for all this, growers lost money. The same pattern was true in the production of strawberries. I would like also to point out a 37-percent decrease in farm income in the production of valencia oranges, long a major product associated with the State of California. There was a decline in net income in this product of $29.6 million.

I think the growers of the State of California have cooperated well in the Secretary of Labor's agricultural labor program. They have done their part. There are still crops that need special attention. Currently there is a severe problem in harvesting asparagus. I urgently call upon the Secretary to provide adequate standby machinery which would permit immediate importation of foreign workers into areas where they are needed when domestic labor is not available and efforts at mechanization are unavailing. My State has a total agricultural production valued annually at nearly $3.7 billion. In several of the crops discussed the State produces nearly half of the total U.S. needs. Californians are proud of the fine products that California puts on the tables of America.

Mr. President, my record is clear. I oppose the exploitation of labor of any kind in any way. For my own part, I have supported appropriations for better housing and educational opportunities for farmworkers and their families, and I have supported other measures to assure a full livelihood to farm labor not just in California but in the Nation as a whole. Critics of the agricultural situation in California should note that average hourly earnings in agriculture in my State are now $1.40 per hour, considerably above, even double, the prevailing rates in other parts of the Nation. California has produced bountifully. We want to continue that productive life, which is important to the well-being and enrichment of the Nation.

JEWISH ORGANIZATIONS IN THE POVERTY WAR

Mr. JAVITS. Mr. President, the great Jewish philosopher, Moses Mainmonides, wrote some 800 years ago:

> The eighth and most meritorious degree of charity is to anticipate charity by preventing poverty; namely, to assist the reduced fellow man, either by a considerable gift, or a loan of money, or by teaching him a trade, or by putting him in the way of business, so that he may earn an honest livelihood and not be forced to the dreadful alternative of holding out his hand for charity. To this Scripture alludes when it says: "And if thy brother be waxen poor, and fallen in decay with thee, then thou shalt relieve him; yea, though he be a stranger or a sojourner; that he may live with thee." This is the highest step and the summit of charity's golden ladder.

This philosophy remains as strong today in the hearts of many as when first uttered in the 12th century. Jewish organizations are participating in the war against poverty with the same concern and fervor as are their Protestant and Catholic brethren. The Council of Jewish Federations and Welfare Funds has provided me a detailed report of Jewish activities in the war against poverty.

I ask unanimous consent to have the report printed in the Record.

There being no objection, the report was ordered to be printed in the Record, as follows:

Council of Jewish Federations
and Welfare Funds, Inc.,
New York, N.Y., February 24, 1966.

The Honorable Jacob K. Javits,
Senate Office Building,
Washington, D.C.

Dear Senator Javits: It is a pleasure to respond to your request for further information regarding Jewish activities in the war against poverty.

The Council of Jewish Federations and Welfare Funds, as the association of 220 central Jewish planning and financing health and welfare bodies serving almost 800 communities, serves as a national clearinghouse and aid in these programs.

The actions of Jewish agencies and their officers and staffs to help prevent and eradicate poverty take many forms. They include programs directly initiated and conducted by Jewish organizations, with voluntary financing as well as with government assistance. They stress citizen leadership and involvement by the officers and staffs of the Jewish agencies to help strengthen the entire antipoverty program, in its many forms and under its varied auspices.

This commitment stresses the importance of leadership to help assure that the communitywide programs will be under the most representative and responsible auspices, that they will concentrate on priority needs, with programs that will make the greatest impact, will be carried out by agencies with the necessary competence, and will avoid harmful diversion and fragmentation. This commitment recognizes too that in programs as new as these, and in some cases as experimental, all will not fully succeed; and rather than be deterred by such experience, the lessons should be applied to strengthen future programs.

The following are examples of the actions by Jewish agencies and their leaders:

In a number of cities, the leaders of our Jewish federations and agencies serve as chairmen or as members of the community antipoverty boards, as in Pittsburgh, Buffalo, Trenton, central Missouri (nine counties), Miami, Utica, New Orleans, Cincinnati, and other cities. The professional staffs of our Jewish-sponsored agencies similarly are chairing or serving as members of technical advisory committees in their communities.

Among the Jewish agencies that have taken responsibility for administering projects are:

In New York City, some 37 Jewish agencies including community centers, the Federation Employment and Guidance Service, hospitals, homes for the aged, family and child care agencies are actively involved in such projects as the neighborhood youth corps by providing work training opportunities, college work study programs, vocational rehabilitation for older persons, manpower training and development programs, Headstart programs—and are participating in other special community action projects. Some are working cooperatively with Mobilization for Youth and Haryou in providing work training.

The Albert Einstein College of Medicine of Yeshiva University has developed a network of community mental health services. These neighborhood storefront centers utilize the services of nonprofessional mental health aids recruited from the areas themselves, working under professional supervision. The university's graduate school of education is researching the educational needs of poor children.

In Boston, the Beth Israel Hospital provides comprehensive medical services to prekindergarten children in the Operation Headstart as part of the community's antipoverty program. This project is of such outstanding quality in the entire country that it received our 1965 William J. Shroder Memorial Award for the innovation and all-encompassing nature of its medical care program for children who have no access to pediatricians.

Also in Boston, the Associated Jewish Community Centers administer a program providing for the training of unskilled and semiskilled unemployed persons in artisan skills—building a summer day campsite for the benefit of children and families in the Greater Boston area. The aim here is to enable people to leave the relief rolls and to prevent others from needing public assistance.

In Chicago, the College of Jewish Studies has established a training corps for volunteers to work with culturally deprived children and parents.

In Cleveland, the Jewish Vocational Service, Jewish Family Service Association, and Mount Sinai Hospital are now involved respectively in developing a job training program, community homemaker services, and a health maintenance program.

In Los Angeles, six of the Jewish health and welfare agencies have formulated a comprehensive project for a self-help action program to serve the needs of the aging who are living at or below poverty standards including employment of older people in the cooperating agencies, loans for small businesses, protective service for older people, "Meals on Wheels," the organization of volunteers to serve older persons in various institutions and the involvement of older persons on committees guiding various health and welfare projects.

In Miami, the Jewish Vocational Service is administering a cooperative demonstration project to provide job training and retraining to in- and out-patients of the South Florida State Hospital.

In New Jersey, the Jewish Vocational Service of Essex County is now developing a project to provide job training opportunities and experience for 500 disadvantaged youths between the ages of 16 and 21.

In Philadelphia, the Jewish Employment and Vocational Service is working with the Pennsylvania State Employment Service to establish three Youth Opportunity Centers for evaluating and training out-of-school unemployed youths. The most difficult of these young people will be referred to JEVS for intensive psychological and vocational evaluation leading to recommendations for particular kinds of training for employment.

In Pittsburgh, the Jewish Family and Children's Service is administering a community action program in a "poverty pocket" area of 15,000 persons. It provides counseling services and directs individuals and families to other agencies for the specialized services they require.

In St. Louis, the Jewish Employment and Vocational Service is providing work adjustment training and job placement for 16- to 18-year-old youngsters of educationally deprived backgrounds for the purpose of making them employable, and is also arranging for job placement.

In Washington, the Jewish Community Center is sponsoring a teenage social service corps for Jewish boys and girls who have completed the 10th grade. These young people will have the opportunity to put into practice Jewish values learned at home and in religious schools. They will work with 30 other youths recruited by ministers or civic organizations in the areas where poor people live.

Synagogues are recruiting volunteers from the members of their congregations to help teach in the schools of deprived areas, assist in libraries, open employment opportunities in their businesses for the graduates of training programs, assist with vocational guidance, tutor children, and conduct preschool classes.

National Jewish agencies likewise conduct a variety of antipoverty programs. Among them are:

American Jewish Committee, American Jewish Congress, B'nai B'rith, Hadassah, Jewish Occupational Council, National Community Relations Advisory Council, National Council of Jewish Women, National Jewish Welfare Board.

The National Council of Jewish Women is one of the organizations cooperating with the Women's Job Corps through "WICS—Women in Community Service." Together with the National Council of Catholic Women, the National Council of Negro Women, and the United Church Women, they are screening 16- to 21-year-old girls for the Job Corps and recruiting volunteers to seek out the girls who might best profit from this opportunity. The National Council of Jewish Women also has projects in more than 30 cities, providing classes for underprivileged children at the preschool age and is assisting in Operation Headstart programs.

The American Jewish Congress joined with the Urban League of New York in creating the Interracial Council for Business Opportunity—an effort to help Negro small businessmen. More than 125 businessmen have served as volunteer consultants, with the cooperation of 14 major banks. The project received a grant from the Ford Foundation to extend the program to other cities.

Nationally our Council of Jewish Federations and Welfare Funds, together with the Synagogue Council of America and other Jewish bodies, shared in establishing the Inter-Religious Committee Against Poverty, with the National Catholic Welfare Conference and the National Council of Churches of Christ. Jewish organizations and their leaders are likewise active in the citizens' crusade against poverty, a broad coalition of various groups including religious, labor, civic, health, and welfare organizations.

We issue a periodic bulletin, "Progress Versus Poverty," reporting on governmental programs and on the antipoverty projects under way in Jewish health, welfare, and educational agencies.

These illustrations of the antipoverty efforts of Jewish agencies and their leaders are in addition to the programs which have always been part of their work to help overcome poverty, and which continue in full force with the support of voluntary contributions. Many of the Jewish agencies have long served people of all races and creeds—the Jewish hospitals, vocational service, and others.

This commitment has its roots in the Biblical teachings that "there shall be no poor among you," and the religious doctrine that the highest form of assistance is to prevent poverty and to help people achieve self-support.

Sincerely yours,

Philip Bernstein,
Executive Director.

THE APPRENTICE SCHOOL OF THE AMALGAMATED MEAT CUTTERS & RETAIL FOOD STORE EMPLOYEES UNION OF GREATER NEW YORK

Mr. JAVITS. Mr. President, there was published in a recent issue of the Reader's Digest an article describing the success of the apprentice school of the Amalgamated Meat Cutters & Retail Food Store Employees Union of Greater New York. The story concerns Jim Robinson who, after 30 years of poverty, attended this apprentice school, receiving a subsistence allowance from the Government under the Manpower Development and Training Act, and graduated into a well-paid job where he could look forward to steady employment earning upward to $7,000 per year.

When Robinson received his graduation certificate from the Meatcutters Union, he said it was "the first piece of writing I ever received that said something good about me."

Mr. President, I ask unanimous consent to have this article printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

A Job for Jim

(By James Nathan Miller, condensed from the Christian Herald)

Jim Robinson's story holds profound significance for the economic well-being of our country. A year ago, Robinson was little more than a sorry national statistic. ("Jim Robinson" is a composite of three people whose basic stories are almost identical. Only the details of their lives differ.) A 30-year-old Negro, unemployed, father of four children, he was separated from his wife, who was living on welfare payments. In 1951 when Jim was 16 and possessed the reading ability of an eighth-grader, he dropped out of high school. Since then he has held more jobs than he can remember. "Maybe a hundred," he says. They were all bottom-of-the-barrel jobs that led nowhere: horse-handler, chicken-plucker, car-wash man, sanitary maintenance helper. Thus his statistical significance: when I met Jim Robinson he was a "hard-core unemployable."

Today this semiliterate Negro dropout has successfully taken the first difficult steps toward a decent life, a decent job, and a decent place as head of his family. What changed Jim was a blue mimeographed sheet handed him by a job counselor in the office of the New York State Employment Service. The heading read: Notice of Training Recruitment under Manpower Development and Training Act—New York City. This act, passed by Congress in 1962, offers people like Jim the chance to learn a skill leading to steady work and to self-respect as responsible citizens.

I met Robinson a year ago at the New York State Employment Service, where he had come looking for a job. His clothes were filthy; his face was hidden behind a 2-day beard. As we talked, his eyes shifted constantly, not once meeting mine. How had he got into such shape? A social worker would say that Jim had had a "disadvantaged youth" in a "culturally deprived environment." Three stories Jim told me of his early life give insight into those phrases.

JIM REMEMBERS

First, he recalled his introduction to New York City. Jim, who never knew who his father was, had been born on a North Carolina farm. When he was 5, his grandfather sold the farm for $200 and headed north in an old truck with Jim, his mother, and his four little sisters. Jim remembers gaping at New York's skyline as the truck crossed the Hudson River on a ferry. But it's not the skyline that stands out in his memory. It is the taxi driver of whom his grandfather asked directions. Jim vividly remembers the driver's smiling face—and his answer as he pointed up the avenue: "Just follow your black nose, nigger boy."

Then Jim remembers the time his Aunt Alice briefly held the job in the dress shop. Alice was the educated member of the family. She had finished high school and was a fast typist; she was beautiful and gay and "a kind of dignified dresser." But, like Jim's mother, she worked as a maid. One day, though, she announced that she was starting "a new life." She had been promised a job as salesgirl in a Madison Avenue dress shop that was about to open.

For the next 2 weeks Alice helped scrub the floors and stock the racks of the dress shop, borrowed money to buy three dresses for her new career, then turned up for work on opening day. But the man had changed his mind. "I'd be out of business in a week," he apologized. "There isn't another colored salesgirl on Madison Avenue."

Finally, Jim remembers the day he quit school. His mother had died when he was 11, and he and his sisters had moved into a tiny Harlem flat with Aunt Alice, her husband and their four children. It was impossible for him to do homework; the grownups sat and talked around the kitchen table evenings, and the corner of the room with the bed that he shared with his sister was too dark for reading. Besides, Aunt Alice's husband, who couldn't read or write, used to point to Alice's unused typewriter and tell him it was a waste of time for a black man to study. So Jim was in constant trouble with teachers, truant officers, and the police.

One day, Jim had a talk with his friend Artie. A good student and ambitious, Artie had intended to become a plumber after he graduated. But the school guidance counselor had just advised him to try something else: "You won't get into the plumbers' union; they take only white apprentices." Jim and Artie both quit school that day.

GETTING SCARED

A few weeks later Jim got a job as a sweeper in a Coney Island penny arcade and married a girl who lived in his building. When I met him in 1965, he had left his wife and was "holed up in a basement in Brooklyn," as he put it, with three friends. And he was getting scared. The unskilled jobs he had always found were growing scarcer. In the past he had managed to stay out of serious trouble with the law, but now he had his doubts. "You got to eat, man, you know?" he said.

There are, of course, hundreds of thousands of white Americans among the hard-core unemployed in this country, but there are proportionately more Negroes. The reason is obvious: we have (as Jim's Aunt Alice and Artie, the would-be plumber, demonstrated) made it far harder for Negroes than for whites to escape from the poverty and ignorance of the slums. And thus, in President Johnson's words, "the children of the poor grow up and become the parents of the poor." Which is precisely what happened to Jim Robinson—and could have happened to his children. But, thanks to a new national awareness of Jim Robinson's problem, changes are taking place.

A WAY OUT

In New York, as in every other State, economists and job analysts of the State labor department are constantly asking employers and unions what skills they need that they find lacking in job applicants. To provide people with these skills, the Government is sponsoring courses to pull the unemployed into the job market and move the underemployed higher within it. In New York, for instance, training is available for such jobs as hospital orderlies, stenographers, office machine servicemen, auto body repairmen, offset pressmen, electronics mechanics, practical nurses, social worker aids.

The blue sheet handed Jim Robinson by the New York State Employment Service counselor described a course in meatcutting. Some of the big supermarket chains on Long Island were shorthanded at the behind-the-scenes butcher blocks, where the carcasses from the packinghouses are cut up and packaged.

Requirements for the course were simple: mainly, "the ability to read and write English sufficiently well to absorb instruction," and for this Jim, luckily, could qualify. Some of those wishing to take the course, however, failed even this requirement. Incredibly, even some graduates of our slum high schools cannot read or write well enough to qualify for these job training courses. The so-called functionally illiterate compose somewhere between 20 and 30 percent of the Nation's unemployed. We are only now beginning to mobilize our educational resources in an attempt to reeducate them.

Jim's meatcutting course was to take 17 weeks, during which the Government would pay students subsistence allowances; the Amalgamated Meatcutters would help place graduates in jobs, and the union's starting salary of $79 weekly would increase over a 3-year period to a base weekly pay of $129.50. Thus, in a little more than 3 years, Jim Robinson could expect to have a steady job that would pay, with overtime and fringe benefits, approximately $7,000 a year.

You would think he would have snapped at the offer. But it was an excruciatingly difficult decision for Jim; in fact, he almost turned the course down. In all his life Jim had never succeeded at a single thing he had tried. Through the distorted filter of his past, he saw any kind of effort as adding up to only one thing—failure. Moreover, his worst failure had been in school. Now, at the age of 30, he was being asked to go to school again. As he told me, "I came here for a job, man, not some crazy course."

His reaction was typical, and here is the heart of the problem of our hard-core unemployment today. In the beatup towns of Appalachia, in the city slums, where young and old slouch on street corners staring at you with expressionless eyes, you see it: defeat, hopelessness, lack of motivation. It's not that men want to stay unemployed or on relief. Offer most of them a job, and they'll take it. But tell them that they must work hard and study to develop a skill before they can get the job, and you've lost them.

OPENING DOORS

Jim Robinson, it turned out, was an exception. On the opening day of the class, he was still scared and hesitant—but he was there, in the big refrigerated warehouse in Queens, N.Y. It was the toughest 17 weeks of Jim's life. Five days a week, from 8:30 a.m. to 2:30 p.m. with a half-hour lunch break, he and the 39 other trainees of every race and color stood at the long butcher tables in the 40-degree icebox of a classroom, each with a knife in hand and a hunk of meat in front of him, while two experienced butchers drilled them in the skills for which an employer was willing to pay: how to break down a 150-pound hindquarter of beef, for example, into its steak and roast sections. The men learned the New York cuts that the supermarkets wanted, the kosher-style cuts for Waldbaum's, the Western style for whoever might ask for it—until they could carve out more than 100 different cuts of meat and poultry. And at night there was homework, memorizing the bewildering anatomical charts so they could identify every bone and hunk of meat in the carcass.

Gradually, the men began to change. Says one of the instructors: "As they acquired a skill, they also gained self-confidence. You could actually see them change from week to week—the way they dressed, the way their hair was cut, the way they held themselves straight. They became different people."

That is precisely what happened to Jim Robinson. When I last saw him, he was a different person. The symbol of his transformation was the graduation certificate given him by the meatcutters' union. It was, he told me, "the first piece of writing I ever received that said something good about me."

By then Jim was working in a supermarket, earning $80 a week. He had moved in with his wife and children, taken them off relief and was trying to patch together his broken marriage. The new self-respect showed in many ways. "A few days ago," Jim told me, "I went to the bank to look into the possibility of a personal loan. When I handed the guy my application I could see from the way he looked at me that I wasn't going to get it. Then he read the form, and he seemed kind of surprised. 'Oh, you're a butcher,' he said, and I got the dough."

Finally, Jim was going to school three nights a week to take courses in basic education, the three R's mainly, that he flunked as a boy. He now has hope for the future. "Someday maybe I could get to be meat manager of a supermarket at $10,000 a year," he told me. "Or maybe even a supervisor—they make maybe $15,000–$20,000. Who knows? It's not impossible." And as we talked, Jim looked right at me, not around me.

Jim Robinson's experience contains an enormously hopeful message for the millions of hard-core unemployed who still have not broken away from slum-bred defeatism: your country is trying to help you help yourself. Look ahead—to the doors that are opening for you today, that will open wider tomorrow—and realize that if you try, you can make your future very different from your past.

THE CHILD NUTRITION ACT OF 1966 CUTS THE HEART OUT OF THE SCHOOL MILK PROGRAM

Mr. PROXMIRE. Mr. President, yesterday, a message on domestic health and education was sent to Congress from the White House. In some ways it was an encouraging promise of things to come. But as far as the popular efficient, accepted school milk program is concerned it may have sounded a death knell.

In commenting on the program the message states:

> Too much of our subsidy, particularly in the special milk program, goes to children who already get a federally supported school lunch, including milk, and whose parents can afford to pay for additional milk.

How does the administration propose to correct this supposed inequity? By increasing funds to provide free milk for the needy? No indeed. The administration proposes to cut the school milk program by 80 percent, to give the milk only to children who either do not receive school lunches or who qualify as needy under some sort of a means test.

How is this means test to be applied? According to the Secretary of Agriculture when he testified yesterday before the Agricultural Appropriations Subcommittee it is a very simple procedure. The homeroom teacher or the school nurse decides that the child needs free milk or free lunches. Now the Secretary is a fine Secretary and an intelligent man. But he is no expert on schools. According to representatives of the American School Food Service Association no school administrator in his right mind would leave the choice of which child is to receive free food and milk to a homeroom teacher.

Now this association is composed of administrators responsible for conducting the school lunch and milk programs at the State and local level. These administrators, who certainly should know how the lunch and milk programs are run, say the child must qualify under some kind of an objective means test. In some jurisdictions the child automatically qualifies if his parents are on welfare. In others the parents must submit written evidence or testify in a public hearing that they cannot afford to feed their child during school hours. In the cities of St. Louis, Kansas City, and Milwaukee social workers actually visit the parents to see if the child needs free school lunches.

Let there be no mistake, Mr. President, this so-called Child Nutrition Act of 1966, with its odious means test criterion is nothing more nor less than the administration's way of anesthetizing the patient before it cuts the heart out of the school milk program. This is simply an impressive title for a proposal that would cut the milk program by 80 percent and lead to its virtual elimination.

No nutrition program has been as successful over the years as the special milk program for schoolchildren. It has grown and prospered together with the schoolchildren who have benefitted from the cheaper milk the program has made possible.

Parents, teachers, students all attest to the program's unqualified success. To reduce the milk program to welfare status by imposing a means test will kill it and bury it. The Child Nutrition Act will simply be a beautiful but empty epitaph on the tombstone of the school milk program.

TRAFFIC SAFETY ACT OF 1966

Mr. RIBICOFF. Mr. President, President Johnson's proposed Traffic Safety Act of 1966 marks an historic milestone in the steady struggle to halt the senseless and tragic toll of highway accidents.

The President has more than fulfilled his pledge in the state of the Union message to make a frontal assault on the problem of traffic safety. His proposals constitute a major victory for the American people and the cause of safe highway travel.

I also regard the President's initiatives in this area as a significant tribute to the effectiveness of efforts by the Senate Subcommittee on Executive Reorganization to focus attention on what was clearly becoming an important social problem in America. The subcommittee's initial hearings a year ago clearly revealed that Federal efforts in the traffic safety field were disorganized, uncoordinated and woefully inadequate.

The Federal Government was spending only $5 million a year in largely ineffective attempts to combat a problem that was costing the Nation annually nearly 50,000 deaths, 4 million injuries, and $8.5 billion in economic losses.

The President has now proposed a broad program which includes $700 million for the support of State highway safety programs and the creation of a National Highway Research and Test Facility. Last year I introduced legislation which would have done substantially the same and I wholeheartedly endorse the President's proposal.

Authorizing the Secretary of Commerce to prescribe nationwide mandatory safety standards for new cars is a solid first step. When we began our traffic safety hearings last year we learned that only the private automobile was exempt from Federal safety regulations in the transportation field.

I would want to examine the details of the President's bill, of course, but in outline the legislative proposals appear strong and purposeful. In one area, the language of the legislation will be particularly important. The President's message to Congress suggested that the Secretary of Commerce be "authorized to prohibit the sale in interstate commerce of new vehicles and their components" which fail to meet certain safety performance criteria. While I would hope to see complete voluntary compliance with these criteria by auto manufacturers, in my view the Secretary of Commerce should be required to halt the sale in interstate commerce of unsafe cars.

I am also somewhat troubled by the suggestion that 2 years be allowed to pass before the Secretary could move to set safety standards. It may take at least a year to pass any traffic safety legislation. If there is a timelag before action by the Secretary, and an additional period in which the auto industry can comply, as much as 5 years could pass before truly safe cars reached the public. In this time, with an annual production of 10 million automobiles, some 50 million cars would roll off the assembly lines without satisfying safety standards.

I strongly urge that as an interim first step that current safety standards set by the General Services Administration for Government-purchased cars be applied to all automobiles sold to the public and that these existing standards be reviewed, revised, and strengthened.

There is a clear and present need for intensified research in many areas relating to highway safety. In this respect, there is no more promising undertaking than the development and testing of prototype safety cars. I would hope that such undertakings would receive priority consideration in the assignment of support funds for research, along the lines suggested by the Senator from Wisconsin [Mr. NELSON] in his bill S. 2162. In addition, States should be encouraged to contribute their talents and know-how in this all-important phase of vehicle safety.

YOUTH, CRIME, AND THE GREAT SOCIETY

Mr. CHURCH. Mr. President, James Symington, Executive Secretary of the President's Committee on Juvenile Delinquency and Youth Crime, is not likely to underestimate the seriousness of juvenile crime, but his article in the February 24 issue of the Reporter illustrates that he also has ideas about how to deal with it.

His emphasis falls on the need for better corrective institutions, and more concern about these institutions from those sentenced young men and women to them; on the need to expand experimental programs, including one at the National Training School for Boys in the District of Columbia, which have proven successful; and on the need for a certain toughness in juvenile court procedures in return for constitutional protection not usually accorded the juvenile offender.

I commend to my colleagues "Youth, Crime, and the Great Society," by James Symington, son of the distinguished senior Senator from Missouri, and ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

YOUTH, CRIME, AND THE GREAT SOCIETY

(By James Symington)

Those of us working for the President's Committee on Juvenile Delinquency and Youth Crime daily confront the following facts and figures: The largest group of today's unemployed is between 16 and 19 years old. Their unemployment rate is more than 3 times that for the labor force as a whole. One in three of these new young workers—an estimated 26 million of whom are entering the labor force during the 1960's—is a high-school dropout, the last to be hired and the first to be fired. The FBI calculates that in 1964 juveniles were responsible for 37 percent of the Nation's "serious" criminal offenses. All together, some 686,000 of the 1.4 million juvenile arrests were referred to juvenile courts that year, with repeaters accounting for about a third of the cases. Although these referrals represent less than 3 percent of American youngsters between 10 and 17, it is estimated that 17 percent of today's 10-year-old boys will be brought before a juvenile court by their 18th year. That estimate reaches 40 percent in some urban ghetto areas. Add to this the current annual estimate of 200,000 cases of venereal disease among teenagers and 100,000 illegitimate births to adolescent mothers, and the problem looms larger.

The relationship between unemployment and delinquency has not been precisely calibrated, but, like the predicted consequences of racial discrimination, it rests on more than a hunch. Recognition of widespread delinquency and the probability of its increase brought about the establishment in 1961 of the President's Committee consisting of the Attorney General of the United States (chairman) and the Secretaries of Labor and of Health, Education, and Welfare. President Johnson has reaffirmed its mandate in the strongest terms. A major Federal legislative instrument in this field is the Juvenile Delinquency and Youth Offenses Control Act of September, 1961, which provides the HEW Secretary with authority to make grants to State, local, or nonprofit agencies for the purpose of testing new ways to prevent, treat, and control delinquency, as well as of training social workers, correction officers, police, court officials, and others in the field. The funds available for making these grants have totaled less than $10 million annually.

Initially, under the 1961 act, 16 major prevention projects were developed in urban areas involving new techniques of job development, job training, education, and neighborhood organization. When it became clear that their objectives could best be fulfilled within the larger framework of the poverty program, most of these projects were brought under the aegis of the Office of Economic Opportunity.

These early efforts had served to show that programs designed to involve large numbers of young people were not necessarily the best means of reaching those who most need help. Thus, in 1965 a special demonstration program was established to support small projects focused on this hard-core group.

Some of these special demonstrations are aimed at the relatively unexplored areas of middle-class and suburban delinquency, including increasing rates of illegitimacy, venereal disease, and the use of drugs. To date 26 grantees—juvenile courts, universities, foundations, and other organizations—have been given roughly $2 million to deal with the delinquent at various stages of society's encounter with him: as a behavior problem in school, a first or second police contact, a juvenile-court probationer, a correctional-school resident, and a parolee.

Most of these special demonstration projects affect urban youth. The community intervention team in Detroit works with juveniles from 14 to 16 who have been law violators; the YWCA project in Miami tests new methods of dealing with potentially delinquent girls from 13 to 16; the University of California at Berkeley conducts a program for parolees aged 13 to 17; and the Friends Neighborhood Guild runs a foster-family project for Philadelphia boys released from correctional institutions who have no approved home to go to. Programs to reach and involve gangs and gang leaders are under way in El Paso, Brooklyn, Detroit, and San Francisco. In Arizona a center for young Pima Indians is operated on the premise that those who understand and appreciate their tribal heritage do better in school and on the job than those who do not.

Strong family ties seem to offer one of the best assurances against delinquency in the young. I have spoken with directors of training schools who attribute the rarity of Jewish delinquents to the fact that "they take care of it in the home." This ancient culture, wherein the father is the undisputed head of the family and boys of 13 are reminded in solemn ceremony that they have become men, appears to produce proportionately fewer young lawbreakers than less closely knit family groups. Neither do the sons of oriental families in America which have retained their ancestral traditions—chiefly respect for the father—seem to feel a need to slug a cop in order to prove their manhood.

Since the patrolman is usually the first contact that youngsters in the streets have with the law, the value of any program that attempts to reach them is enhanced by police understanding and, if possible, participation. Police officials maintain that changes in requirements and available manpower limit the opportunity to engage in the kind of day-to-day relationships that characterized some neighborhoods in the "old days." Some question the value of such "nonarrest" contact, claiming it is not a "traditional" police function. I have ridden in squad cars with dedicated young policemen; and if the hostility of their reception in some slum areas is the normal response to this "traditional" function, something "untraditional" may well be warranted in the interest of public safety.

Unsatisfactory relations between some police and their communities and lack of communication between police and welfare officials are prominent obstacles to the effort to reduce delinquency. Even when distrust is broken down, problems of understanding remain. Nor are they confined to relations between the delinquent and those trying to help him. Judges, police, and welfare officials alike could hardly be blamed for failing to get the gist of the following random sampling from a recent treatise on delinquent gangs:

"Osgood, however, has come to the conclusion after years of experience that semantic differential responses have an affective character, apparently coinciding in dimensionality with universal dimensions of affective meaning applicable to all sensory modalities."

The problem of communication between the social scientist and his colleagues in law and law enforcement is very real. But communicate they must, if they are to carry out in a meaningful way the Presidential mandate to identify and combat the causes of crime and delinquency. Of course, the dialog is one that also quite properly engages the spirited participation of parents, teachers, ministers, policemen, editors, scoutmasters, and enthusiasts of all kinds. It should be encouraging, I suppose, to find that many such citizens know exactly what to do about crime, particularly proponents of the "crackdown," "young punk," "jail the parent," and "teach them what it means to be an American" theories. Regrettably, the problem never seems as simple as the solution advanced.

In any event, the overlay of a trained, if not overtrained, social worker's analysis of a given case on top of the simplistic outlines of the precinct-blotter profile adds up to a composite blur of doubtful value to the court. A more coherent total picture might require adjustments in training emphasis, whereby the police rookie loses an hour of traffic training and the budding welfare worker does a little reading on the practical problems of a patrolman.

But policemen, judges, bureaucrats, social workers, and ordinarily reticent professors can find themselves engaged in the liveliest, friendliest exchange in history without making a dent in delinquency if the juvenile himself is not given an active and responsible role to play. We are a young country and getting younger. Within a few years half of all American citizens will be under 25. The median age is already down to 15 in Latin America. There, teenagers in urban and rural ghettos carry their smaller brothers or sisters on their backs for miles to the doctor or for safe drinking water. The challenge of living to help others and the effort it requires keep many such youngsters on a straight if rocky road. Our own children, rich and poor alike, want to feel involved in causes that transcend themselves, their community, and their time. For many, the chance to help develop and carry out neighborhood programs of education or recreation would provide such a cause.

If it is true that in some American slums up to 60 percent of the children are raised in fatherless homes, who is to play the "acceptable male model" in their lives? Is it wiser to look for such a man from among professional caseworkers who live outside the neighborhood, or from among subprofessionals who could be found within the community itself?

THE HARD CORE

And what happens to those adolescents whom programs, however well conceived and executed, fail to sway? What of the "institutions" that receive them and the courts that send them there? James Bennett, former Director of the Federal Bureau of Prisons, recalls that less than 5 percent of the Federal judges in his time ever visited a Federal prison. How many juvenile court judges have made a thorough investigation of the institutions to which they entrust their charges? But why stop with judges? How many mayors, aldermen, councilmen, or State legislators have really investigated the institutions to which juveniles are committed? And if they are found wanting, what higher priority could there be for the expenditure of public funds?

It is not a question of comforts. One director proudly claimed that his boys could watch television every night and see two movies a week. Undoubtedly they were doing that at home when they should have been working, studying, or listening to music that was written from the head and heart and not the midsection. We must ask what demands are being made of these kids, demands that will stretch their minds and lift their spirits. Rather than pap to dull them into sullen acceptance of their lot, they need classrooms, good teachers, and workshops. And they need protection from the disturbed in their midst, who must be more carefully supervised and, if necessary, separated.

We have some institutions that provide such services, but not nearly enough. Those I have seen which successfully receive, handle, train, and educate delinquent boys include the State Correctional Institution at Camp Hill, Pa., and the annex to the Boys' Training School in New Hampton, N.Y. (here there are 110 staff members for about a hundred boys, a ratio that is clearly relevant to the success of this operation); the National Training School for Boys, located in the District of Columbia, which is embarked on a new education-research program involving flexible rewards (one young man went from a 5th-grade level to 10th in 8 months of schooling); and the Ozanam Home for Boys in Kansas City, where 60 boys attend school in the outside community and enjoy recreation, art, shop, and farm experiences at the home.

Many rewarding techniques for guidance within institutional limits have been developed. But returning the boy to his home community and enabling him to resist the old influences are more difficult challenges. The Labor Department has taken a lead in meeting them. Under the Manpower Development and Training Act of 1962 and its recent amendments, the Department is engaged in experimental programs dealing with the training needs of youthful inmates of correctional institutions and their employment problems when released. In one such project at the New York City institution on Rikers Island, 100 boys learned to operate data-processing equipment while acquiring basic literacy and self-sufficiency. After release, the boys were provided placement, counseling, and family referral services, with a high ratio of success.

A 1965 amendment to the MDTA enables the Department to launch an experimental program to help young ex-prisoners meet the bonding requirements of jobs normally closed to boys with a record. There is hope that the success of these experimental Federal programs will commend them to State and local authorities responsible for the disposition of the vast majority of young offenders, and encourage the passage of enabling laws where necessary.

A reexamination of juvenile court procedures may also be warranted. Some maintain that these courts have become inappropriately soft on the sophisticated young offender and want stiffer procedures for the 16-year-old and up. They would argue that, if juveniles are to have greater opportunities to act responsibly, they can expect less sympathy if they fail to do so. This approach is not inconsistent with the growing realization in legal circles that certain protections not ordinarily provided in juvenile courts may now be due. The admission of hearsay evidence and rejection of the "legalisms" that would block adult prosecution are permitted on the theory that a juvenile hearing is a civil, not a criminal or adversary, proceeding, and that its purpose is treatment, not punishment. As a result, justice may occasionally be sacrificed in the name of a somewhat illusory "mercy" where by youngsters, possibly not even guilty as charged, are hustled off to a detention facility, the "facility" of which is simply to detain. We may be moving toward a more solemn and judicial approach to the older juvenile, whereby his treatment in court would be less avuncular, his sentence more "deterring," and his constitutional safeguards more complete.

OUR BIGHEARTED APATHY

Last December 23, with Solicitor General Thurgood Marshall and Federal Bureau of Prisons Director Myrl Alexander, I stood in the dining hall of the National Training School for Boys. We were being shown the school's kitchen and dining facilities. The boys—about 200 of them—ate quietly, some glancing in our direction. One motioned us over.

"We just wanted to wish you a merry Christmas," he said, "and to ask who the heck you were."

We wonder who the teenager in trouble is. He wonders who we are and what hypocrisies we conceal.

What crimes do we permit to be perpetrated on some families so as to undermine their faith in society and law? They are the quiet crimes of con men who victimize the poor, the new breed of medicare parasites, the contractor who says he represents urban development and must improve the home to save it from condemnation, the bank that takes the note on such transactions. Delinquents take radios. Loan sharks take houses. Some landlords take all the rent a home-starved market will bear and provide as little as possible in return. This is what makes a job a tough one for the policeman who is seen by the poor more often as the enforcer of laws that take rather than protect.

The journey of a conscience through the world of government can be tortuous. It may seem at times like a tightrope walk between evangelism and bureaucracy. Looking at the problems brings out the evangelist;

doing something about them, the bureaucrat. The balancing pole is patience. What escapes headline attention is the fact that the great majority of government men walk the line without losing their balance.

The headlines on delinquency itself bring many a fist down on many a breakfast table. They stimulate letters to Congressmen and other acts of futile indignation. In fairness, second section reports of slum conditions and recommended community action also stimulate our big-hearted apathy—not only with respect to those elements of society which prey on the less fortunate but also with respect to our own homes and the examples and standards we set for our own children. We talk about excellence and the pursuit of excellence. But how many adult Americans are growing breathless in the pursuit of excellence? Consider the shameful dross that the average adult community accepts as commonplace and be grateful, if incredulous, that the proportion of the young who lose sight of our highest standards to the extent of violating our lowest is under 5 percent.

We permit our children to be spectators of vice and hate every day. To forbid it would be attacked as deprivation of some constitutional right on the part of the purveyors of vice and hate. Worse than that, it would require self-discipline on our part. But in permitting it, we do give our children some hard choices, and ourselves too. For we have the choice of whether or not to ignore the consequences of the double standard we so calmly observe. As long as this is the case, the teenager of our time is tempted to inquire what is "like so great" about our society.

A REPORT ON THE JOHN BIRCH SOCIETY

Mr. McGEE. Mr. President, in keeping with my previously announced intention to have printed in the RECORD, from time to time, sections of the very excellent recent report on the John Birch Society which was done by the Anti-Defamation League of B'nai B'rith, I would today ask for inclusion of the portion entitled "The Birch Line."

In this section of the report, we find excellent documentation of the paranoic preoccupation of Birch Founder Robert Welch and many of his followers with the preposterous theory that our Government, our State Department and the United Nations are actually controlled by the Communists.

I ask unanimous consent, Mr. President, that this report be printed in the RECORD.

There being no objection, the report was orderd to be printed in the RECORD, as follows:

THE BIRCH "LINE"

The society's extreme view of the civil rights struggle—that it is directed by an "international Communist conspiracy" or, more mysteriously, by an "international conspiracy of evil"—represents only a portion of the standard Birch line on the origin and nature of the Nation's problems.

Behind this theme stands a whole philosophy—the conspiracy theory of history—based on the belief that there exists an historic, unbroken, secret, and thoroughly committed succession of interrelated human beings dedicated with perverse monomania to evil purposes. "It is clear," to the Birch Society's Revilo P. Oliver (in American Opinion, December 1964), "that there is in the human species some biological strain of either atavism or degeneracy that manifests itself in a hatred of mankind and a lust for evil for its own sake." The proponents of this hatred and lust are the conspirators.

In the Birch view, the conspiracy involves the very leadership of the U.S. Government for three decades and the present-day thrust of American policy at home and abroad.

A COMMUNIST AMERICA?

The Birch Society's latest evaluation of the United States (in the July–August "Scoreboard" issue of Welch's magazine) is that it is 60 to 80 percent under Communist influence and control. And the term "influence" must not be interpreted too softly, for the magazine's explanatory notes are more explicit:

"Americans can expect only defeat so long as they are commanded by their enemies.

In explaining their reasons for announcing an increase in the percentage of Communist control in the United States over 1964, the editors wrote:

"Although some believe that the bracket of 50 to 70 percent could be retained, there is substantial agreement that the percentage of control is now more than 60 percent, and no analysis supported a lower estimate."

And they added a built-in defense:

"It is not too much to say that the conspiracy's greatest single asset in the world today is the fact that our score will seem utterly unbelievable and preposterous to so large a part of the American people.

And yet, from the same article: "Communist domination of many of the departments of the Federal Government is too obvious to require much comment."

TARGET: STATE DEPARTMENT

One particular government department was singled out for especially violent attack—the State Department. It was branded as "Communist headquarters in Washington." And the policies of that department were seen as clear signs of conspiracy. The editors recalled "a vigorous action against the Communists in Korea, which traitors in Washington quickly transformed into a very successful device for getting Americans killed, squandering American money, subjecting the United States to a humiliating defeat."

And they apply the conspiracy theory to more recent events, such as those in the Dominican Republic, where "the State Department is now busily installing another Communist base," or in Vietnam where the extent of Vietcong penetration led correspondent Eric Butler (American Opinion, June 1965) to write that "the only reasonable conclusion" was "that the situation was deliberately produced through treachery in Washington. There has been no indication that American policymakers have any other intention."

THE ENEMIES IN WASHINGTON

We are, in the eyes of the Birch Society, commanded by our enemies. Hence, say the editors of American Opinion:

"As for Vietnam, one thing is certain: No action really detrimental to the Communists is conceivable, or even possible, so long as Rusk, McNamara, and Katzenbach remain in power."

Robert Welch leveled the same accusation of treason at the top in an interview at Boston in August 1964. "The Communists have absolutely no worry about bombs," he said, because "they control the men on both sides who would give the order to march—not the generals, but the politicians here and abroad."

The hunt for what Welch's magazine has referred to as "these secret forces" can lead, at worst, to the acceptance of awful imaginings as views of reality. Revilo P. Oliver, writing in the December 1964, issue of American Opinion, said:

"In the mid-1930's * * * there were reports that experimental stations in Asiatic Russia had pens of human women whom the research workers were trying to breed with male apes in the hope of producing a species better adapted to life under socialism than human beings."

The same obsession with conspiracy leads, at best, to a divisive propaganda, creating fear and suspicion that belie claims of patriotism.

The Birch Society's charges of treason levied against America's national leadership, undiminished since Welch's accusation that President Eisenhower was a Communist agent, expanded into a litany of wild indictments against President Johnson after the most recent presidential election. In a melodramatic throwaway headlined "If you are one of the 27 million then read this * * *" the society found not 1, but rather 42 million traitors, brainwashed by the Communist conspiracy:

"In November 1964, 42 million supporters of Lyndon Johnson voted for repeal of our Declaration of Independence.

"Voted for scrapping the U.S. Constitution entirely.

"Voted for encouragement and support by the Federal Government of racial agitators to instigate more riots.

"Voted for governmental steps and policies which will gradually wipe out the value of all of their savings.

"Our 42 million Johnson camp followers voted to condone and accept the gradual destruction of all moral principles.

"Forty-two million Americans voted for communizing our Nation."

The Birch line on such institutions as the United Nations and the Supreme Court of the United States provides ample explanation of why "Get the United States out of the U.N." and "impeach Earl Warren" have been made important national programs of the society. The 1965 scoreboard in American Opinion spoke of the international organization's peacekeeping machinery as the "Soviet-United Nations forces" and warned of "ruin wrought by the Bolsheviks * * * through their 'United Nations' front."

And it leveled at the Supreme Court an astounding charge:

"The efforts of the Warren gang to produce a tidal wave of violence and crime are accomplishing their purpose."

The editors traced the efforts of the Chief Justice's "gang" throughout our juridical system, speaking of "the criminals whom the conspiracy has slipped into lower courts, wherever they had an opportunity."

AND THOSE ELSEWHERE

The Birchers see the hand of the "conspiracy" in areas other than civil rights ("to instigate riots") and foreign policy ("getting Americans killed"). They view local police review boards as part of the secret plot; the income tax as a Marxist means of national suicide; the fluoridation of water as a means to produce a generation of "Mongolian idiots" (Oliver).

"Liberal intellectuals" are, in the view of Jim Lucier, in Welch's magazine, "inherently subversive."

Foreign aid, said the 1965 Scoreboard issue, "was naturally used to finance the Communist takeover of nation after nation [although] the ultimate purpose was to destroy our currency."

Birch Council member, Tom Anderson, one of the most popular speakers before Birch audiences, speaks in the vernacular:

"We've got to take a stand against becoming a dictatorship. It's not the comrade I'm worried about, it's the liberal rat he is nesting with.

"If we have morality and courage we can destroy the diabolical conspiracy of communism. Every Communist and every pro-Communist ought to be arrested, deported, and hung."

Robert Welch, taking a broad look at the national picture in a recent speech, declared:

"The United States is an insane asylum run by its worst patients."

And yet, the Birchers offer no hope for the "insane," for they view mental health programs as another Communist plot.

SANITY AND REVILO P. OLIVER

"The Communists," according to the Scoreboard editors, "in a very considerable number of States * * * have induced the legislatures to enact 'mental health' laws to facilitate the incarceration of troublesome Americans." Americans first became aware of this, they added, on October 1, 1962, "when, in obedience to the specific demands of the Communist Party, a gang under the direction of Nicholas Katzenbach (now Attorney General of the United States) kidnaped Gen. Edwin A. Walker in Oxford, Miss."

Oliver took this line in an American Opinion article published in November 1964, claiming that "'mental health' prisons are being increasingly used for the kidnaping and mental, if not physical, murder of patriotic Americans."

It is Revilo Oliver of the society's national council who rides at the epogee of the Birch flight of mind. A classics professor at the University of Illinois, Oliver magnifies the terrors seen by the right in triphammer prose, evoking from the members of the Birch Society greater acclaim than any other single spokesman. A tireless speaker on the Birch circuit, Oliver is also an official book reviewer for Welch's magazine—and as such, he recently gave a laudatory review to a blatantly anti-Semitic book, "World Revolution."

The conspiracy becomes satanic in Revilo P. Oliver's eyes. It is he who claimed to see a strain of degeneracy in human beings which prompts them to form conspiracies of hate. And now, he writes, "the power of government is being used, with a consistency and efficiency that must be intentional, to accelerate our deterioration and hasten our disappearance as a people by every means short of mass massacre * * *."

Oliver declared in a 1959 speech that Cuba is "an island largely populated by mongrels," and, in a January 1965 American Opinion article, that Washington, D.C., is populated by "hordes of thieves, perverts, and traitors." He maintained, in November 1964, that it is a lie that the races are equal, and a month later declared that "the United States is now engaged in an insane, but terribly effective, effort to destroy the American people and Western civilization by subsidizing, both at home and abroad, the breeding of the intellectually, physically, and morally unfit * * *."

In the November 1964 American Opinion, Oliver contended that it is a lie that the Nazies killed 6 million Jews. (This, too, was an aspect of the secret plots for which Oliver has a practiced eye.)

In January 1965, he wrote: "More than once, the directors of what calls itself the National Council of Churches have been caught in the very act of importing into the United States and escorting about the country identified agents of the Soviet Secret Police * * *." And in May, he accused the churches of spreading "confusion, fanaticism, and immorality."

OLIVER ON KENNEDY

In discussing the work of the old Dies committee (former Congressman Martin Dies, in American Opinion, has pointed with pride to his investigations of Fascists), Oliver wrote in April 1965, that the Dies committee "also investigated a number of small American groups that the Communists called 'Fascist' because they were opposing in various ways Franklin D. Roosevelt's stealthy efforts to squander the lives and the money of the American people on a great crusade to save the Soviet."

It was Revilo P. Oliver who wrote the notorious "Marxmanship in Dallas," an American Opinion article charging that President Kennedy had been assassinated by Communist plotters because he was about to turn American.

The man who pours out these fantasies is no mere Birch ally or hanger-on; he is a member of the John Birch Society's National Council and an associate editor of its magazine. Robert Welch has referred to him as "an authentic genius of the first water, and quite possibly the world's greatest living scholar."

And 1965's unsigned notes on the Scoreboard, in assessing the United States to be 60 to 80 percent in Communist control, drew this preliminary comment from Editor Scott Stanley:

"We are especially grateful to Associate Editor Revilo P. Oliver for his hundreds of hours of examination, compilation, and microanalysis, which help to make the central editorial section of this issue one of the finest ever."

The Birch ideology holds that the United States today suffers from a cancerous disease called collectivism which stems in large measure from a huge plot. "Where there is no poverty," says Birch council member, Tom Anderson, "there is no freedom."

Human social progress is found to be degenerate, as well as conspiratorial, in the "microanalysis" of the 1965 American Opinion Scoreboard:

"Only when one looks closely does one see that the progress in every field * * * is progress toward barbarism, designed to weaken and destroy our moral instincts and our capacity for self-respect—designed, in short, to kill loyalty to the United States, respect for the white race, comprehension of Western civilization, and veneration of God. That simultaneous movement in a hundred supposedly unrelated segments of our national life cannot be mere coincidence."

THE CONSERVATIVE AWAKENING

After the appearance of the American Opinion 1965 Scoreboard issue, some American conservatives, including William F. Buckley, Jr., editor of National Review—blind for so long, and doggedly so—began to catch glimpses of the fact that many Birchers live in the same fantasy world as does Mr. Welch. Buckley and the others in his circle apparently realized—finally—that there is, indeed, a Radical Right in America, that Birch members agree with the Birch leader, and that they are not merely misled conservatives, following a misguided leader.

Three of Buckley's syndicated columns in August 1965 dealt with the Birch Society. In the first, on August 5, he enumerated the enormities contained in the Scoreboard issue of American Opinion. In the second, on August 17, he reprinted some of the indignant mail he had received from Birch members about his first column. In the third, on August 22, he finally reached the conclusion that there was no great ideological gap between Welch and those who march behind him in the Birch Society and who believe what Buckley called the society's "paranoid and unpatriotic drivel."

Welch himself had already supplied the best answer about his followers years ago, in "The Blue Book," when he declared:

"The men and women who join the John Birch Society during the next few months or few years are going to do so primarily because they believe in me and what I am doing and are willing to accept my leadership anyway."

More recently, Welch declared in a televised interview that "loyalty to an individual leader is harder to break down and tear to pieces than are a set of policy rules or principles * * *."

A MAJOR ATTACK

Nevertheless, toward the end of 1965, the extremism of the Birch movement produced the beginnings of a significant split between the Birch radicals and the ultraconservatives for whom Buckley is the most articulate spokesman.

The split, first signaled by Buckley's three syndicated columns, was then marked by a major attack in the form of a special six-part section in the October 19, 1965, issue of Buckley's National Review, and titled "The John Birch Society and the Conservative Movement."

The essential thrust of the expose by the editors of National Review—Buckley, James Burnham and Frank S. Meyer—was that the Welchian concept of a United States in the grip of an internal Communist conspiracy holding 60 to 80 percent control over U.S. affairs and permeating the Government itself, was a threat to the conservative movement; the more so because most, if not all, Birch members believe the Welchian mythology.

National Review last October quoted at length from Buckley's now-famous 1962 editorial in which he had criticized Welch, but not the society members who follow Welch's leadership. National Review then pointed out:

"In the ensuing 3 years," three things had become clear: First, that Welch's views had not changed but on the contrary, had become "more virulent." Second, that there was no effective movement from within the society "to contain Mr. Welch's utterances, or to remove him as the society's leader." Third, that "Mr. Welch succeeds in influencing his membership to believe those surrealisms which he first ventilated in "The Politician"; and that as the membership comes to believe the Welch analysis, it ceases to be effectively anti-Communist."

Meyer's article, entitled "Principles and Heresies—The Birch Malady," concluded:

"The false analysis and conspiratorial mania of the John Birch Society has moved beyond diversion and waste of the devotion of its members to the mobilization of that devotion in ways directly anticonservative and dangerous to the interests of the United States. It is no longer possible to consider the society merely as moving toward legitimate objectives in a misguided way. However worthy the original motivations of those who have joined it and who apologize for it, it is time for them to recognize that the John Birch Society is rapidly losing whatever it had in common with patriotism or conservatism—and to do so before their own minds become warped by adherence to its unrolling psychosis of conspiracy."

BIRCHERS AND VIETNAM

The article by James Burnham emphasized that on Vietnam, the Birch Society was "lined up with its supposedly diametric opposite, the left, in support of getting out, not standing firm." Burnham said that the Birch stand on Vietnam, which found it on the same side as the radical left, stemmed from the Birch belief that for all intents and purposes today, the United States is a Communist nation and has a Communist government. Burnham concluded:

"Responsible conservatives have long tried to believe that the John Birch Society, though 'misguided,' was 'going in the same direction' and therefore an 'ally.' Certainly this is the case with many, perhaps even most, individual John Birch Society members. But unfortunately, under the years of brainwashing and organizational control by Robert Welch, the Society as a collective body has taken off in directions where no conservative can prudently venture, and has become a suitable ally only for confusion and sterility. Its stand on Vietnam confirms, not for the first time, that any American who seriously wants to contribute to his country's security and well-being and to oppose communism will have to stay clear of the John Birch Society."

In demolishing the oversimplifications of the Welchian and Birchite "conspiratorial" view of history and events, and noting that "human reality is ignored * * * in the outlook of the John Birch Society," Meyer paused to deal with the Birch line that the civil rights movement in America is part of a Communist plot. He wrote:

"The sources of the civil rights movement are manifold. Certain just, if limited, grievances of the Negro people have been magnified, and have been extended to a challenge of our whole constitutional structure, primarily as a result of the operation of liberal ideology. It is true that here (as everywhere it profits them) Communist groups are active, seeking to take advantage of the turmoil, and are sometimes successful in penetrating sections of the leadership of the movement. But the movement is not a Communist movement, as the John Birch Society implies with every device of rhetoric, with pictures, with innuendo, and often with straight forward statement. There is, of course, much in the civil rights movement which conservatives should oppose; but when it is attacked in the Birch manner, on the basis of an obsessed insistence on conspiracy ('it's all a Communist plot'), sober opposition is discredited and great positive harm done the conservative cause."

MAUD HASTINGS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 984, Senate Resolution 229.

The **PRESIDING OFFICER.** The resolution will be stated.

The LEGISLATIVE CLERK. A resolution (S. Res. 229) to pay a gratuity to Maud Hastings.

The **PRESIDING OFFICER.** Is there objection to the present consideration of the resolution?

There being no objection, the resolution (S. Res. 229) was considered and agreed to, as follows:

S. RES. 229

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Maud Hastings, mother of Howard H. Hastings, an employee of the Senate at the time of his death, a sum equal to 4 months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

DELAWARE AIR NATIONAL GUARD COMPLETES NINTH MISSION TO VIETNAM

Mr. BOGGS. Mr. President, men of the Delaware Air National Guard have again flown a cargo of vital supplies to Vietnam.

The mission recently completed was the ninth by the Delaware Air National Guard. A crew volunteered for the flight. This meant taking leave from their civilian jobs and their families to support the regular Air Force in transporting military cargoes to the Far East.

The effort such men are making is sometimes overlooked, and at this time I would like to call attention to their valuable contribution. I congratulate them and I know their families and friends in Delaware are justifiably proud of them.

On this last flight the crew was made up of: Col. Clarence E. Atkinson, aircraft commander; Capt. Richard Simon, pilot; Lt. Donald Eyre, 2d pilot; Lt. Col. John Caulfield, Air Force adviser; Maj. Harold Morrison, Air Force adviser, navigator; Lt. James Sisson, navigator; Sgt. John Quigley, flight engineer; Sgt. Richard Harada, flight engineer; Sgt. Ben Phillips, loadmaster; and Sgt. Paul Lane, crew chief.

Delaware's Air National Guard will be continuing to make flights to the Far East, Mr. President, and its contribution is one of many being made by similar units in the United States.

I think this valuable assist to the Nation's effort in Vietnam deserves recognition.

OMBUDSMAN

Mr. LONG of Missouri. Mr. President, on Monday, March 7, 1966, the Subcommittee on Administrative Practice and Procedure will begin its hearings on a very fascinating concept—the institution of ombudsman. On that date, we will be honored to hear from the distinguished ombudsman of Sweden, Mr. Alfred Bexelius. I urge my colleagues to attend this public hearing if their schedules permit. It will be held in Room 3110, New Senate Office Building, at 10 a.m.

Prior to this hearing, however, I would like to share with my colleagues a very interesting article which appeared in New Yorker magazine on February 13, 1965. The article, entitled "Our Far-flung Correspondents," was written from Stockholm by New Yorker Correspondent John Bainbridge. I ask unanimous consent to insert this article in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A CIVILIZED THING

(By John Bainbridge)

STOCKHOLM.—In Sweden, if a citizen feels that he has been treated unfairly—or, for that matter, just rudely—by a policeman, a tax collector, a zoning board, a welfare office, or any other civil servant or government agency, he can do something more than simply grouse about the cussedness of bureaucrats. He can take his complaint to a unique public servant called the justitieombudsman, whose sole job is to protect the people from any infringement of their civil rights. If the justitieombudsman—generally abbreviated to "ombudsman" or, more often, to the initials "JO"—finds upon investigation that a complaint was justified, he acts on it, his action ranging from the dispatch of a reprimand to the offender to prosecution in the courts. What the JO decides to do is entirely up to him. He is elected by a special committee of Parliament, but he takes orders neither from that body nor from anybody else. He can, it is true, be relieved of his post if he loses the confidence of Parliament, but that has never happened—and there has been an ombudsman in Sweden, where the institution was created, for more than a century and a half. (Since 1915, there has also been a militieombudsman, or MO, who serves the same purpose for all members of the armed forces.) Until well over 100 years after making his appearance on the scene, Sweden's one-man complaint bureau went about his singular business without attracting much attention from abroad. Recently, however, he has been discovered. Within the last decade, an ombudsman has started to function in Finland, Norway, Denmark, and New Zealand. Last year, a military ombudsman was established in West Germany, and a civil ombudsman was urged upon the British Parliament by a group of jurists led by Lord Shawcross, a former attorney general. (The proposal was rejected, but its sponsors are optimistic about its ultimate adoption, since the Labor Party has also shown interest in the plan.) Popular support for setting up an independent guardian of civil rights based on the Swedish model is growing in a number of other countries, too—notably Canada and India—and the subject has also been discussed in our Congress. All this latter-day interest in the ombudsman rather pleases the Swedes, particularly the present JO, Mr. Alfred Bexelius, with whom I had a talk not long ago. "Oh, yes, it is quite flattering, especially the attention in the United States," he said, smiling. "Just now, I have been reading the 'Federalist Papers,' and I found so many thoughts in there that I supposed America had nothing to learn from any other country. Seriously, I am glad to see the idea spread, because I believe that every country needs the office of ombudsman. It is a useful thing, a civilized thing."

The JO's office occupies half the third floor of a five-story gray stone building that has the aspect of a private mansion and is situated in downtown Stockholm, a few steps from the King's Garden. The building also houses the headquarters of the military ombudsman and of several commercial concerns, each of which is identified by a highly polished brass plaque on its door. In large letters at the bottom of the JO's plaque are the words "Öpen för Allmänheten," which at first sight struck me as saying more than just "open to the public." I had arrived at the JO's office a few minutes early for an appointment I had made by phone, but the attendant who answered the door and took my coat informed Mr. Bexelius at once of my arrival, and he immediately came out to the entrance hall to greet me. He is a tall man, slender, ramrod-straight, and fit-looking, with steady blue eyes and silver-colored hair. He was conservatively turned out in a double-breasted gray suit, a white shirt with starched collar, a gray silk tie, and a handkerchief in his breast pocket. He speaks English easily and talks with animation, and, as I soon discovered, he laughs out loud when something amuses him, which is quite often. When listening to or discussing a serious matter, however, he can transform his expression from amiable to glacial in an instant. Though I found his manner attractive, it came as no surprise; Stockholm lawyers of my acquaintance had told me that whereas the ombudsman has traditionally had a rather cold and distant temperament, Mr. Bexelius, who is one of the most highly regarded men to hold the office in recent times, is also the most personable.

The private office of the ombudsman, to which Mr. Bexelius led the way, is a large, high-ceilinged room copiously furnished with chair, tables, and sofas. At one end of the room, behind Mr. Bexelius' desk, is a solid wall of books, mostly of a legal nature; on the other walls hang portraits of many of his predecessors, as well as an imposing plaster relief of Baron Lars August Mannerheim, a member of a distinguished Swedish and Finnish family who on March 1, 1810, became the first ombudsman. The post had been created the year before as part of a new Constitution adopted by the Parliament. "Nobody knows exactly how the institution of ombudsman was conceived," Mr. Bexelius said, "but its purpose, plainly enough, was to give Parliament a means of balancing the wide powers exercised by the King. According to article 96 of the Constitution of 1809—which, by the way, is still in effect—it is the responsibility of the ombudsman to 'institute proceedings before the competent courts against those who, in the execution of their official duties, have, through partiality, favoritism, or other cause, committed any unlawful act or neglected to perform their official duties properly.' That is still the ombudsman's job."

The powers given the JO to do the job, Mr. Bexelius continued, have also remained unchanged. In themselves, they are not impressive. The JO has the authority to require all civil servants to furnish whatever information he needs to carry out his investigations; he is entitled to attend all deliberations and decisions of the courts and public agencies, and to have access to their files and minutes; and he may prosecute civil servants who have committed errors or been negligent in their work. He is not allowed to interfere in a case while it is being decided, nor can he change a decision once it has been delivered by a court or public agency; however, if he feels that a decision is wrong he may write to the proper authorities and present his arguments for changing it. Such petitions are not lightly dismissed. The JO's importance, it became clear as Mr. Bexelius described the office, is derived not from his specific powers but from the fact that he is the trustee of Parliament, and from the enormous prestige that his office has accumulated over the years.

"The ombudsman has another thing on his side—his annual report," Mr. Bexelius said, handing me a thick paper-covered book, which I noted, ran to 591 pages. "Each year the ombudsman has to prepare a report for Parliament that covers the activities of his office and provides details of the year's important cases. About 4,000 copies of his report are printed and distributed to all courts and all Government agencies. That is the ombudsman's real weapon, because, you see, nobody wants to have his name in that book. It is a kind of 'Who's Who' in reverse of public officials and civil servants. To keep their names out of it, the people in the courts and agencies are likely to be a little more careful about the way they do their work. There you see an important thing—perhaps the important thing—about the ombudsman's office. Its very existence prevents any number of faults and abuses of power."

Today, as in the beginning, the JO is elected by a committee of 48 members of Parliament—24 from each house—to a 4-year term; he can be reelected, but an unwritten law prevents him from serving more than three terms altogether. To help keep the office free of partisan pressure, the political parties make a point of uniting in their selection of an ombudsman. Almost without exception, the post has been filled by a prominent and widely respected jurist. Mr. Bexelius, who is Sweden's 31st ombudsman, is in the tradition. After passing his bar examination, he went on to complete the extensive additional training given in Swedish university law schools to lawyers who aspire to a career on the bench. Starting as an assistant judge in a district court, Mr. Bexelius rose to become, in 1948, president of a court of appeal. Six years later, he was named chairman of a nine-man committee appointed by the King to investigate trusts and monopolies. In 1956, he was elected ombudsman, and was reelected in 1960. He is now 61 years old. "For a long time, the person who was appointed ombudsman was a rather young lawyer, and very often he was later appointed to the supreme court," he said. "The ombudsman, by the way receives the same salary as a member of the supreme court—the equivalent of slightly more than $14,000 a year. Of course, this office should not be filled by a young man. An ombudsman should not be interested in getting a new job, because that might make him careful about criticizing people. So nowadays the Parliament picks an older man to be ombudsman, and after leaving here he is not appointed to a new office."

I asked Mr. Bexelius if he expected to be reelected to a third term.

"Oh, I don't know," he said, and laughed. "It is part of the ombudsman's job to be criticized, and you can never tell if you have the confidence of Parliament. For instance, there is one member of Parliament who was involved in a case that I had to take action on a few months ago. He was wrong, and I had to tell him very plainly that he was wrong. I was compelled to criticize him very hard, and of course, he's very angry with me. What he will be able to do I don't know. You see, one must do the job, and that may mean that one will fail to be reelected. But I would like to serve again. You can't have a more interesting job. Here you see the whole of life."

If a JO's opportunity to see the whole of life depends on the number of complaints that he is obliged to handle, no ombudsman has had a wider vista than Mr. Bexelius. Until the turn of the century, the ombudsman received an average of 70 complaints a year; during the present decade the annual total has been about a 1,000, and this year it will probably exceed 1,200. (Normally, the JO's office, which is opposed in principle to bureaucratic ways, operates with a staff of six lawyers and three secretaries, and keeps well within its annual budget, which is the equivalent of $120,000. Because of the recent increase in the volume of work, Mr. Bexelius has had to hire three more lawyers; however, by dipping into a $20,000 discretionary fund that is part of the annual appropriation but that he had previously left almost untouched, he is still managing to stay within the budget.) The major reasons for the mounting number of complaints. Mr. Bexelius believes, are the enormous proliferation of government activities regulating people's lives and a wider public awareness of the JO institution. In recent years, the ombudsman has become a kind of celebrity, whose official doings receive a great deal of attention in the Swedish newspapers. They take advantage of the fact that all the documents that pass through the JO's office—letters of complaint, correspondence relating to investigations, the JO's decisions—are available to the public. Late in the afternoon of every weekday, a reporter from the Swedish news agency that corresponds to the Associated Press visits the ombudsman's office, where a desk is set aside for his use, and goes through all the papers relating to that day's activities, gathering material for stories that will be sent out to all the daily newspapers in the country. In addition to this run-of-the-mill coverage, the newspapers often print stories about conditions that they believe deserve action by the JO; if it isn't forthcoming, they often rap him by publishing subsequent stories on the subject with exasperating headlines like "Is the JO asleep?"

Approximately 9 out of every 10 complaints that come into his office prove to be unfounded or without evidence, Mr. Bexelius said, but each one (unless anonymous, in which case it is disregarded) is investigated, no matter how absurd or trivial it may seem.

I told Mr. Bexelius that I was surprised at the small percentage of legitimate complaints.

"Yes, that often surprises foreigners," he replied, "but it becomes quite understandable when you look at the actual complaints." He opened a folder on his desk. "These are the complaints that arrived yesterday," he said. "There are five of them. Before they come to me, my secretary, Miss Danius—she has worked in the JO's office for 30 years—makes a record of each one on a separate page of a looseleaf notebook. This shows the number of the complaint, the date it was received, the same of the complainant, the department against which the complaint is made, and the nature of the complaint. Later an entry is made of each step in the handling of the case up to its final disposition. Then the page is stamped, in red, 'avslutat,' meaning 'finished.' "

Mr. Bexelius put on a pair of horn-rimmed glasses and picked up the top letter in the folder. It was written on a sheet of ruled tablet paper. "This is from a man in a mental hospital," he said. "He complains that his letters are being opened by one of the doctors, and asks if the doctor is allowed to do that. The answer is 'Yes,' so there is nothing to do about this except to reply with that information."

The largest single category of complaints comes from patients in mental hospitals, Mr. Bexelius continued, and the second largest from inmates of penal institutions; together, these two groups account for about a fifth of the total. Generally, their complaint is either that they were wrongly committed or are being improperly treated. In such cases, the JO requires the institute where the complainant is being detained to submit a copy of his case history. "We study the record, but usually there's nothing for us to do," Mr. Bexelius said. "Sometimes, of course, there is. For instance, just 2 weeks ago a woman wrote to me that her husband was in a mental hospital, and that when she went to see him, she found him sleeping very deeply. She said that he had been given a tremendous dose of drugs because he had been a little rude to one of the attendants. I wrote for the patient's record, and I saw that an attendant had complained about the patient to the doctor, and that the doctor had given the man so much sedation that he slept for 4 days. So I wrote to the board of health, explained the case, and asked if there is really any medical reason for such treatment. I am now awaiting their reply."

"What will you do if the board of health says there is no medical reason?" I asked.

"Then I will write the doctor who administered the drugs and demand that he explain his action in writing." Mr. Bexelius replied. "There may have been some special circumstances that made him think it necessary. However, if I find his explanation inadequate, I will send him another letter; this time I will criticize him for administering the treatment, give the reasons it was wrong, and instruct him to avoid such practices in the future. If the patient had been harmed in some way by the treatment, I would undoubtedly order that the doctor be prosecuted, and if the court found him guilty, he would be fined. Furthermore, if the patient had been seriously injured, I might petition the government to award him compensation from public funds. Petitions like that are rare, but otherwise that is the general procedure we follow in handling complaints. We never decide a case without allowing the person complained about to explain his action, and we never prosecute a person just because he has acted stupidly. In former times, the JO almost always ordered prosecutions for negligence, even if no real harm had been done to private citizens. Gradually, the practice was changed so that in minor cases prosecution was replaced by a letter from the JO admonishing the official at fault. Nowadays, the great majority of cases are concluded with such a letter. This disposition of a case is more effective than might first appear. The letter is written in such a way it serves as information, not only to the person directly involved, but to other officials. They will learn about it, because it will be in the newspapers and also in the annual report. Most officials read that—especially the parts relating to their administration. If they want to stay out of the book, they will avoid making the same mistake."

Turning to the second letter, Mr. Bexelius said that it came from a man in a rural area who complained that the roads in his part of the country were not being maintained properly and asked the JO to get after the local authorities. That complaint was so general, Mr. Bexelius remarked, that all he could do would be to have one of his staff send a reply asking for particulars. "As you see, there is little high drama in these complaints," he said. "A great many of them are about very small matters, but the size of the complaint isn't important. The important thing is that everybody is allowed to come here and complain. The fact that there is such a right—that is what counts."

The writer of the third letter said that the government censor had been negligent in failing to cut certain scenes that the complainant described as pornographic from the movie called "The Silence," written and directed by Ingmar Bergman, which had recently opened in Stockholm. Mr. Bexelius said that he hadn't planned to see the picture but now he would have to.

After scanning the next complaint, Mr. Bexelius shook his head. "Here is a letter from a barrister who is not satisfied with the laws governing the awards for damages made by insurance companies," he said. "He asks that I undertake an investigation of those laws. Well, I shall not be doing that. In my opinion, the present laws in that field are satisfactory, and it is the ombudsman's right to reject any complaint that he feels is unwarranted. I will write this barrister and tell him why I am not acting on his request, though I am not obliged to give an explanation. My predecessors never did. When they refused to act on a complaint, they just wrote on it, 'No action.' But I think that in a democracy people ought to be given the reasons for any decision that goes against them. As a matter of fact, 2 years ago I submitted a rather long report to the government recommending that all administrative agencies be compelled to state the reason for every adverse decision they made. The government sent the report to all the agencies to ask their opinion of the recommendation. Of course, they said it would be impossible to do such a thing. But I think the government will pass such a law eventually."

About how soon? I inquired.

"Probably a few years," he replied. "In these matters, one must not expect action at once. However, several of the agencies have come around to accepting the idea and are already giving reasons. In time, it will become general practice, though someone else will probably be sitting in this chair by then. An ombudsman, you see, must take the long view."

Picking up the last letter, Mr. Bexelius said it was from a young woman in jail in Göteborg, who complained that she was not allowed to have a radio in her cell. "As a matter of fact, when I inspected that prison 2 years ago I noticed that there were no radios in the cells," Mr. Bexelius said. "I asked why, and they told me that that prison held only people whose cases were to come to trial soon, and also that the building was so constructed that if one prisoner had a radio, it could be heard by all the others. They said that could cause trouble. But this girl, I see, is to be sent to a doctor for mental tests, and that means she could wait in that prison for 3 or 4 months. She says, 'It can't be right that I should be sitting here without a radio for such a long time.' I agree with her. I will first write to the prison and ask why she is denied a radio; they will no doubt repeat the reasons they gave before. Then I will reply and say, 'Yes, but this girl will be staying for a longer time than most. Can't you make an exception for her?' If they say no, then I will write to the Central Board for Prisons and ask, 'Can't you do something for her?' "

"By that time, the girl may very well be out of prison," I said.

"Yes, that is true," Mr. Bexelius said. "But it is not for her alone that I am acting. I am acting for all the prisoners in the country. Prison authorities have a good deal of discretionary power. What we must do is keep watch to see that they do not use that power arbitrarily."

The JO also keeps on the alert for creeping infringements on citizens' rights arising from arbitrary actions by local officials, such as the police chief of a small city who thought that he had the answer to the noise problem created by leather-jacketed youths tearing around town on motorcycles with their exhausts wide open at all hours of the night. The chief simply decreed that motorcycles were not allowed on the streets between 9 in the evening and 6 in the morning except for traveling to and from work and for making other essential trips. The prohibition was hailed by the townspeople, the newspapers praised the chief for his imaginative handling of the situation, and other local chiefs made haste to issue similar regulations. Then the JO spoke up and pointed out that the law already provided a special penalty for excessive traffic noise, and that it was therefore not within the province of police chiefs to regulate the matter by means of a local ordinance. At that, the officials of several municipalities formed a national committee to propose an amendment to the statutes that would give such powers to local chiefs of police. The JO took on the committee and strongly urged the lawmakers not to enact the proposed legislation, on the ground that the noise problem could be dealt with by existing means and that it militated against the protection of citizens' rights to give local administrators the power to restrict the movements of the general public unless such restrictions were absolutely necessary. The danger, the JO pointed out, was the familiar one—that the power thus granted might well be used to introduce other prohibitions for which there was no real cause. This stand did nothing to increase the JO's popularity, and many newspapers criticized him severely, but his view was at length accepted by the Parliament.

Besides investigating the complaints submitted by citizens, the JO initiates some 200 cases a year on his own. Most of these result from an annual inspection trip that he makes of provincial courts and government offices; if there are prisons in the community visited, he also looks them over. In his inspection of the courts, he selects at random the files of 25 civil and 25 criminal cases and examines them in detail for violations of either the spirit or the letter of the laws. He uses a similar method in checking on the administrative agencies. Though the increasing number of citizens' complaints now prevents him from devoting more than about 3 weeks a year to inspection tours, he generally finds about 175 instances of improper procedures and other faults, including arrogant behavior on the part of officials.

"In Sweden, all officials must be polite and helpful," Mr. Bexelius said. "If they aren't, they have committed a fault and can be prosecuted. As a matter of fact, there were lots of such prosecutions in the 19th century, and I think there is no question that they contributed to the generally correct treatment of the public that is characteristic of Swedish officials today. In Sweden, of course, we have a state church, and when you look back through the old records you see many cases of clergymen being prosecuted by the ombudsman for treating their parishioners badly. That seldom happens any longer, though I did have such a case 2 years ago. Some children called on the rector of their parish and asked him to conduct a funeral service for their father. The arrangements were made, but unfortunately there was a misunderstanding about the time the service was to be held. When the rector arrived at the church, he found neither the children nor any other relatives or friends. This made him angry, and he started the service anyway. Of course, he had no right to do such a thing, so he was prosecuted and fined. I don't remember how much, but the amount is unimportant. Other clergymen all over the country learned about that prosecution, and the effect was to encourage them to be courteous to everyone, regardless of age or position. Nowadays, it is more likely to be judges than churchmen who are guilty of arrogance. Twice in the past 5 years I have had to prosecute judges who I discovered during my inspection tours had been impolite to witnesses appearing before them in court. Each had to pay a fine of 1,500 crowns, or about $300, which is quite a lot. At least, it is enough to make other judges think twice before losing their tempers in court."

The other cases that the JO undertakes on his own initiative—about 25 a year— are the result of reports he has read in the newspapers. A few months ago, Mr. Bexelius recalled, he happened to see a short newspaper story about a new private dwelling of rather unusual construction that had been designed by an architect employed by a town-planning agency. Since architects on the agency's payroll are not permitted to do outside work, the JO started an investigation, and he found that about 50 of the architects regularly employed by the agency had accepted private commissions. "I had intended to prosecute the chief of the agency, but after I started the investigation, he became sick with ulcers," Mr. Bexelius said. "He told me it was my fault, so I stopped with a reprimand. I was satisfied with that, because I had already brought everything out into the open—how many outside jobs the architects in the agency had had, how much they had earned from those jobs—everything. The people got the whole story."

Of all the cases handled by the JO's office in the course of a year, only five, on the average, are prosecuted in the courts. Last year, there were four. All were actions against administrative officials, including the chairman of a housing council for being generally negligent in the running of his office, the chairman of a child-welfare council for improperly committing a father who had been lax in contributing to the support of his children, and a public prosecutor for failing to inform the court during a criminal trial that a state's witness had committed perjury. The fourth case grew out of an item that Mr. Bexelius saw in a newspaper about a one-day excursion to Paris that a Swedish charter-airline company had staged for promotion purposes. The article said that many prominent people had been aboard but mentioned very few names. His interest piqued, Mr. Bexelius secured a passenger list and found that among the freeloaders was a high official of the National Board of Civil Aviation. Looking further into the matter, he discovered that the airline's application for a renewal of its license was pending before the board at the time of the trip. He also learned that the official who went on the junket had received permission to do so from the chief of the board. "So I prosecuted both the chief and the official who made the trip, and they were both fined," Mr. Bexelius said. "I know both these men. They are very honorable, of course. Certainly they would not be influenced by a one-day trip to Paris. But they are just not allowed to do such things. They shall not be in a position to be grateful to any person or any company. They shall be independent. Otherwise, people cannot have confidence in them or their agency, or even, to a certain extent, in any authority."

I asked Mr. Bexelius whether, in view of the number of times he is obliged to take action against people of his acquaintance, he finds that being the JO has a limiting effect on his social life.

He laughed. "No, I wouldn't say so," he replied. "Of course, many of my friends have been angry with me. Often, when I have to criticize a judge, he is a man with whom I have worked in court and know very, very well. Naturally, I don't like to criticize him, but I must. The ombudsman cannot be concerned about his popularity. It is no secret that high officals in Sweden—all of them—dislike the ombudsman. They say that he is always interfering in things he doesn't know anything about, and that they could do their jobs better if he would stop meddling, and so on. But all their grumbling doesn't mean a thing. Everybody knows that it is necessary to have an ombudsman."

RETIREMENT OF JOHN O'ROURKE, EDITOR OF THE WASHINGTON DAILY NEWS

Mr. MONRONEY. Mr. President, John O'Rourke, longtime editor of the Washington News, has decided to face the hazards which retirement holds for a man still bursting with young ideas.

For 30 years, Washington has had the benefits of his reports and comments. He produced an excellent newspaper. He set a pattern of brevity. He insisted on copy that was lively and interesting. He mirrored the exciting times he lived through and felt with the rest of us. He uncovered the shoddy and dramatized the positive. He made rare contributions to good government and to the newspaper business.

The Washington Post, one of his longtime competitors, paid him tribute in an editorial and I ask unanimous consent for insertion of the editorial into the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Washington Post, Mar. 2, 1966]

An Editor Retires

John T. O'Rourke was editor of the Washington Daily News for nearly 30 years and his retirement ends an era in Washington journalism. The three decades in which he served at the top of his profession were exciting decades for Washington, for the country, and for the world. John O'Rourke enjoyed the excitement and participated in the life of his times with zest and enthusiasm.

He was in the best tradition of his craft. He was a good writer. He had a sharp nose for news. He had a heart easily stirred by misfortune and a temper easily roused by injustice or wrongdoing. His mind was alert to developments in many fields—aviation, art, and music were within the range of his most intense interest.

For many years he has been a leading figure in the Inter-American Press Association. He is known and admired by editors throughout Central America and South America. He has labored to lift up the standards of his profession. He has struggled to increase understanding among Americans North and South. He has fought for a free press throughout the hemisphere. His colleagues in Washington cherish him as a friend and respect him as a keen newspaper competitor.

VIEWS OF FCC COMMISSIONER LOEVINGER

Mr. HARTKE. Mr. President, Commissioner Lee Loevinger, of the Federal Communications Commission, has recently on separate occasions spoken out in two areas of the Commission's concern. One statement was with regard to the role of the Common Carrier Bureau in the rate inquiry proceedings dealing with the American Telephone & Telegraph Co. The Washington Evening Star commented on his views in an editorial of January 29 entitled "An Odd Kind of Court."

The other area of Mr. Loevinger's public concern, voiced in an interview on "The Government Role in Broadcasting," dealt with television programing. The Chicago Tribune of February 1 reported:

> Mr. Loevinger finds far more danger in my trying to impose my ideas of quality than in letting people and purveyors of television choose on their own.

In both of these approaches Commissioner Loevinger is showing an approach which tries to preserve rights which can be exercised by industry with a minimum of FCC intervention. I ask unanimous consent that the two items to which I have referred be printed in the Congressional Record.

There being no objection, the editorial and article were ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Evening Star, Jan. 29, 1966]

An Odd Kind of Court

A private citizen haled into court might properly feel some uneasiness if he found the prosecutor privately meeting with the judge to suggest how the trial might be run, even to ruling on objections and tinkering with the way evidence could be submitted.

Yet that is roughly the position in which the American Telephone & Telegraph Co. finds itself in the current rate proceedings before the Federal Communications Commission. True enough, a regulatory agency isn't a court, and the affair is being billed as an investigation, not a trial. But the whole business apparently is a close enough parallel to have brought a stinging objection from one of the FCC Commissioners, Lee Loevinger, to the way the agency plans to run the hearings.

What disturbs both Mr. Loevinger and A.T. & T. is the role of the Common Carrier Bureau, an arm of the FCC. The bureau not only has the rights of an investigator and prosecutor but also participates in some commission decisions.

As Mr. Loevinger put it, the FCC in effect "has authorized one of the adversary parties to this proceeding to rule upon objections filed by the other party, to suggest procedure to be followed, and to specify the issues and the order of consideration of evidence, all without notice or opportunity for comment from the other party."

Mr. Loevinger has described all this with such adjectives as unfair, inefficient, unreasonable and impractical. And while he has drawn the fire of one colleague who doesn't think a rate hearing should be run precisely like a court trial, it seems to us the Commissioner has a point.

There can be no quarrel with the FCC's investigation of the telephone company's rates. The agency is well within its rights in ordering such a study. And although A.T. & T. stockholders have been displaying nervousness since the probe began, no damage to the company's reputation is likely to eventuate.

However, it is a matter of legitimate concern that the company should receive fairplay during the hearings to come. The way ground rules are set up now, the match looks pretty one sided.

[From the Chicago Tribune, Feb. 1, 1966]

FCC Member Defends TV's Programing: but He Agrees Quality Is Not Consistent

Lee Loevinger, Federal Communications Commissioner, said here yesterday he sees more danger in a commissioner trying to impose ideas of programing quality upon television stations than in letting TV viewers and program purveyors work out for themselves what will be on the air.

Loevinger, an assistant attorney general before he became one of the seven members of the FCC, gave his views in WGN–TV studios while being interviewed on "The Government Role In Broadcasting." The interview, one of WGN–TV's Your Right To Say It series, will be televised at 1:30 p.m., Sunday on channel 9.

TELLS OF QUANTITY

"Sure, I'm concerned that a lot of programs I think are good are not being shown, and a lot I don't thing are so good are on the air," Loevinger said. "But I see far more danger in my trying to impose my ideas of quality than in letting people and purveyors of television choose on their own."

Loevinger expressed a belief that one reason for poor quality in some television is that the average station now offers 6,000 hours of programing a year, "and you just can't produce 6,000 hours of masterpieces—if you could, no one could stand to look at them."

WILL RELY ON NEWS

Asked what he thought American TV may be like in 10 years, Loevinger said: "I'll be surprised if it is radically different from today, really.

"Inevitably, TV will come to rely more and more on news and public affairs programs, for one reason because of the growing public conscience of broadcasters, and for another because we are running out of movies."

VIETNAM

Mr. BOGGS. Mr. President, 2 days ago I inserted in the Record four articles on Vietnam written by William P. Frank, of the Wilmington, Del., News-Journal papers.

He has completed his series of perceptive articles with two additional installments, and again I would hope to make his comments available to a larger audience. Therefore I ask unanimous consent that they be inserted at this point in the Record.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Wilmington (Del.) Morning News, Feb. 28, 1966]

Three Governments Rule South Vietnam

(NOTE.—This is the fifth of a series in which William P. Frank, who returned earlier this month from Vietnam, reports his impressions of that nation and its people.)

(By William P. Frank)

South Vietnam has an area slightly larger than the State of Washington yet it has, in effect, three governments.

Its population of about 15 million is outwardly governed by the Republic of Vietnam.

But both its economy and its daily life are influenced by the United States. And the National Liberation Front or Vietcong, which claims still to have influence over great sections of the country, is a factor constantly to be reckoned with.

U.S. officials in Washington insist this is a Vietnamese war with American forces helping the South Vietnamese Government. It doesn't take long for an observer to reach the conclusion that, in actuality, the South Vietnamese strip along the South China Sea is being influenced, changed, and affected by the American forces, backed by millions of American dollars and American resources.

The accepted capital of the Republic of Vietnam, with its military congress and military rulers, is Saigon.

The American capital is Washington with the U.S. Embassy and the command post of Gen. William C. Westmoreland in Vietnam as subsdiary capitals.

There is no question that headquarters of the Vietcong forces is Hanoi.

To complicate matters in this complex situation, there are a number of minority groups in South Vietnam which have been problems in the past and may still present problems in the future. Notable among these are the high-spirited individualistic Montagnards of the hill country north of Saigon.

They represent an important group with their own customs, tribal ways, and racial identity. They speak their own language, have their own traditions, and live in an area vulnerable to guerrilla infiltration.

Dealing with the Montagnards has posed a thorny problem. Various methods have been tried. Perhaps the most unusual is the technique of Dr. James Turpin, who operates his own hospital near the city of Dalat. He frequently negotiates with the Montagnards and has found the best approach to them is through cigars.

So, Turpin gathers cigars from friends and hands them out to Montagnard chieftains to gain their attention and friendship.

The extent of the American influence in the South Vietnamese Government is wide and extremely varied. In addition to the armed forces, there are a number of important civilian projects under the umbrella of what was once known as U.S. Operations Mission, now the U.S. Agency for International Development.

This includes a number of social welfare projects and a large corps of advisers. It was interesting to note that while the Americans are supposed to be the "advisers," they quite often "run the show" with the Vietnamese officials playing either a secondary or supporting role.

During an interview with a high-ranking officer in the Vietnam National Police, I asked to interview William Benson, of Montana, the top U.S. adviser for the national police.

We drove to the AID building.

It was a little difficult getting past the guards and when we arrived in the lobby, we were not permitted to walk to Benson's office. He had to come out to greet us.

After a long discussion with Benson, I got the definite idea that he and his staff actually were directing the organization of the National Police of Vietnam.

The effect of the millions of dollars being spent by the United States in Vietnam is apparent to the visitor from the moment he arrives in the Tan Son Nhut Airport. The civilian section of the airport is attractive and small but beyond the gates sprawls one of the largest military air bases in the world, inhabited chiefly by Americans, guarded by Americans, and used mostly by Americans.

Millions of American dollars have been and are being spent not only in military installations but in constructing harbors and harbor buildings—all directed by Americans with Vietnamese employees. Vietnamese now consider it a status symbol to be employed by the American Government or by American contractors.

The United States began its advisory system with the South Vietnamese Government on a small scale in 1955, with the U.S. Military Assistance Advisory Group. It is now one of three dozen alphabetized agencies in the country. Notable is MACV—Military Assistance Command Vietnam.

The entire economy of Vietnam today depends on American support—from the construction of harbors and facilities to the importation of rice into a country that once ranked the grain among its chief products.

American money, engineering, and construction people are the mainstays of the nation. Without them it would collapse overnight.

There is practically no unemployment in South Vietnam, as there was in 1964. In fact, as the United States steps up its construction program, there may be a manpower shortage.

One of the curious features of the country is the role of the Vietcong forces. They not only harass, terrorize, and fight the Americans and South Vietnamese forces but also exact "taxes" or tribute from American and native civilians.

It is common knowledge that U.S. civilian convoys of construction materials are halted at checkpoints by the Vietcong, who get paid for permitting the convoys to move on undamaged. The Vietcongs also intercept food convoys of natives and either exact "taxes" or take food for themselves.

At present, the major differences between U.S. policy and the present government of South Vietnam revolves around the role the Vietcong or Communist National Liberation Front would play at a peace conference.

Prime Minister Nguyen Cao Ky insists he will have no parts of the Communists. Americans are saying that, if necessary, the NLF should be represented.

Observers in Saigon believe that if the Ky government lasts that long, Washington will have its way in the end since Washington is footing practically the entire bill.

[From the Wilmington (Del.) Morning News, Mar. 1, 1966]

Neither Hawks Nor Doves; South Vietnam Newsmen Tread Middle Path

(NOTE.—This is the last of a series in which William P. Frank, who returned recently from Vietnam, reports his impressions of that nation and its people.)

(By William P. Frank)

Despite their first-hand knowledge of the war, few members of the 350-member press corps in South Vietnam can be classified as either hawks or doves.

Most of the newsmen, representing newspapers, television, and radio in many countries of the free world, would more accurately be described as "railbirds."

Favorable expressions for the Vietcong, Hanoi, or North Vietnam are rare, but the newsmen—most of them Americans—are often critical of the United States and South Vietnam war efforts. The newsmen also take verbal potshots at the social welfare programs undertaken by the United States and its allies in this war.

Because they have been exposed to the vast American installations representing millions of dollars and to the immense array of men and battle equipment, the newsmen are convinced that the Vietnamese economy is completely dependent on the United States.

Occasionally, a newsman can be heard expressing his opinion that the war should be expanded, but we didn't hear any comments from reporters regarding the United States getting out of Vietnam.

Many newsmen, some of them 2-year veterans of the war, are not impressed with the U.S. effort as it now exists. Some believe the enclave idea will work.

The newsmen have this in common: They are depressed by the number of Americans killed or wounded and they are fearful that these numbers will continue on the increase. They know the ugly side of the war is getting worse.

Newsmen who attend the daily briefings in the small, air-conditioned theater in the Joint U.S. Public Affairs Office (JUSPAO) in the heart of Saigon are constantly pestering U.S. officials who persist in giving scanty and sometimes obscurely worded reports.

It is not uncommon at these briefings to hear reporters, just in from the battlefield, tell more about what went on during a specific action than the briefers.

While the reporters appreciate the spot the briefers are in, nonetheless, some newsmen ask them questions like these: "How light are light casualtities?" "What's the difference between a Vietcong atrocity and a Vietcong outrage?" or "When is a hut that's been burned not a home for someone but a Vietcong installation?"

When pushed into a corner, the briefers often agree to release more information provided it is regarded as "background data" and should be used only without attribution.

All in all, the news corps has a friendly relationship with the American military officials, principally because the military authorities have not clamped down any broad censorship, and appear to be trying to do their best to accommodate the press in getting stories.

In the field, the newsmen wear fatigues, boots, and always carry canteens. I only saw one carry a revolver—a television man responsible for a lot of camera equipment.

As in all other areas of news reporting, journalists who have been in Vietnam for a long time have established mutual trust with military authorities. This pays off.

However, service to the press varies with the branches of the service.

For example, with the 1st Infantry Division, the "darlings" of the press section, were newsmen from Birmingham, Ala., because Birmingham had recently "adopted" the 1st Infantry Division and the newspaper there were giving the division depth coverage.

With the 1st Cavalry Division, the press section was cooperative all right, but priority went to a battery of writers and photographers from the big television networks.

On the other hand, because Bill Snead and I were to be in Vietnam for only 3 weeks and were always on the go, we didn't have time to develop news contacts with any one group.

This, however, did not count with the U.S. Marines at Da Nang. They treated us as if we were in a position to give them just as much coverage as the Associated Press or the United Press International.

The same went for the press section of the 7th Fleet stationed in Saigon. They put at the disposal of Snead, a German newspaperman, and myself a two-engine plane that landed atop the aircraft carrier, *Ticonderoga.*

Had we been able to stay in Vietnam longer, we could have gotten out to the other vessels of the fleet on the same basis.

A few American newsmen express some admiration for the Vietnamese but chiefly when a Vietnamese news source will give them valuable tips.

Every newsman in Saigon has two identification cards. One is the yellow, with red stripes, a Vietnamese press card which he never uses.

The other is the valuable blue press card, issued by the U.S. Defense Department. It is the magic key to many doors. Without his blue card, a newsman might as well be in limbo.

The blue press card gets him into the PX's, the officers' open messes, and past some of the tightest security guards.

It is also his ticket for military planes when they are available. A newsman can go into practically any U.S. air terminal in South Vietnam, show his blue press card, and get a ride, if there is room. He can make reservations for planes in advance and not be bumped, regardless of the military waiting list.

The American newsman will be flown into a combat zone—if he wants to and if a plane or helicopter is available—but getting out is something else. There are priorities, particularly for the wounded, of course.

With very few exceptions, an American news photographer can take pictures anywhere in South Vietnam, except inside the U.S. Embassy and around certain types of planes and in the vicinity of certain kinds of artillery bunkers.

No one censors reporters' stories nor the work of photographers. However, there is security on information that is given on a hold for release basis. A reporter who violates this agreement will get into trouble, but this is true almost anywhere.

Two briefings for the press are held each day. One is at the Vietnam press headquarters in downtown Saigon, usually well attended but not always profitable as far as news is concerned.

Half an hour later, the U.S. briefings are held in the Joint U.S. Public Affairs Office Building, always well attended.

It is also in that building where the newsmen make their contacts for going out into the field to contact the various divisions. The building also has a press lounge where some newsmen pick up their mail, and can meet friends and news contacts.

The Americans who run JUSPAO have such trust in the press that the building is never closed. Newsmen can wander in and out any time of the day.

I have seen Vietnamese civilians seeking to enter the building, present their identification cards but they are still searched.

Some of them who carry packages have to open them for scrutiny. I have never seen an American frisked.

Because of the problem of communications, not too many American newsmen associate with Vietnamese officials although the Vietnam press officials are extremely helpful to newsmen who want to meet Vietnamese personalities in government.

Neither the Vietnamese general police nor military police interfere with the goings and comings of the American newsmen.

While a newsman has to stop to identify himself before an American MP, at a security checkpoint, I have seen American newsmen whiz past Vietnamese police and yell, "Press."

On the night, however, when the top-ranking Vietnamese officials left the Saigon airport for Honolulu to meet President Johnson, I saw a Vietnamese MP try to push an American photographer back.

The photographer struggled with the soldier and continued taking pictures. This would not have happened had the military policeman been an American.

OPERATION HELPING HAND

Mr. FONG. Mr. President, as residents of the American State closest to Vietnam, Hawaii's people react sensitively—like many Americans elsewhere—to the hardships being endured by the distressed people of Vietnam. They are concerned that they are not doing all that they might to ease the suffering of destitute civilians in Vietnam villages.

Recently, a project called Operation Helping Hand was started in Hawaii. It is being administered by the 25th Infantry Division, whose "Tropic Lightning" soldiers are stationed at Schofield Barracks in Hawaii. The Division's 2d Brigade, recently assigned to Vietnam and already engaged in combat, is distributing truckloads of needed articles collected in Hawaii to Vietnamese families.

The response on the part of Hawaii's people to Operation Helping Hand has been truly gratifying. Government officials, National Guardsmen, Boy Scouts, war veterans, schoolchildren, business firms, and thousands of private citizens joined in the massive drive and donated tons of materials. They included soap, toothbrushes, books, pencils, working tools, children's clothing, health and sanitation goods, foodstuffs, and training aids for vocational schools.

The donated items were assembled at schools, fire stations, supermarkets and other points, then transported to several warehouses. Soon they will be shipped to southeast Asia, to augment smaller collections sent earlier.

In addition, substantial cash contributions were collected.

The close cooperation between the military and the civilian communities in Hawaii made this joint undertaking a splendid success. I am pleased to report that Operation Helping Hand is already bringing aid and comfort to the hard-pressed Vietnamese people. At the same time the project is helping to build closer bonds of understanding with the Vietnamese people.

An informative article on the impact of Operation Helping Hand in Vietnam has been published in the Honolulu Star-Bulletin of February 25, 1966, under the headline "25th Delivers Gifts."

I also wish to call attention to an editorial in the Honolulu Advertiser which appeared on February 15, 1966, shortly before the drive began. These articles reflect the enthusiasm and support which the newspapers and all other groups and individuals in the community gave Operation Helping Hand.

I ask unanimous consent that the articles be printed at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Honolulu Advertiser,
Feb. 15, 1966]

HELPING HAND IN VIETNAM

Hawaii gets a chance in a few days to put its help where it will do immediate and potentially far-reaching good in Vietnam.

The 25th Infantry Division's Operation Helping Hand is getting underway next week, and the people of Hawaii are offered a full partnership.

The State and county governments are supporting the drive.

The idea is to collect in Hawaii the many hundreds of daily household goods we take for granted—but which are badly needed in Vietnam—and ship them to the 25th in Vietnam.

The soldiers will use the goods to help the Vietnamese people and to win friends in the villages.

This friendship is a vital weapon for our troops and the South Vietnamese Government in combating the Communists.

Items to be collected February 25, 26, and 27 include such things as soap, saws, nails, hammers, shovels, sewing material, sporting equipment, toothbrushes, and other health-related aids, coloring books and crayons and other toy items.

A list was published in the Sunday paper and will be repeated. Cash donations are also needed.

The recent Honolulu summit talks with President Johnson and the South Vietnamese leaders put a great deal of stress on the "other war," the political war to win the loyalty of the people.

It is just this that Operation Helping Hand is concerned with, and it offers Hawaii a chance to participate in some shirt sleeve diplomacy.

The 25th Division, which began moving from Schofield Barracks the first of the year, calls the items "ammunition for peace" to win the villagers over.

Brig. Gen. Glenn D. Walker, of the 25th, makes the point that while the villagers aren't hostile, they aren't always friendly.

Since getting cooperation is vital to the kind of war we're fighting in Vietnam, Operation Helping Hand is no small matter. It could mean a real difference in the security of many men there.

Hawaii feels especially close to what's going on in Vietnam, as the response to earlier drives of this kind has shown. The 25th is composed of "our boys," as are the Kaneohe Marines who went to Vietnam earlier.

Collection points for the drive will be at fire stations, public schools, and most supermarkets.

Start saving some of the needed items now, and be ready next week to help both our fighting forces and the Vietnamese people caught in a long and bitter war.

[From the Honolulu Star-Bulletin,
Feb. 25, 1966]

FROM THE ISLANDS TO VIETNAM: 25TH DELIVERS GIFTS

(By Dale Kenery)

CUCHI, VIETNAM.—The hostility of villagers in Haunghia Province, 20 miles northwest of Saigon, melted into smiles today when trucks from the 2d Brigade, 25th Infantry Division, poured into the hamlet of Bacha laden with clothing, reading material, and other supplies from the people of Hawaii.

The shipment is the first in a massive effort throughout the entire Aloha State to help the Vietnamese people in the 25th Infantry Division's Operation Helping Hand.

The soap, school supplies, sewing materials, and clothing were delivered to the children of Minh-tan School, which is in Bacha, a small relocation village for refugees who have fled from North Vietnam.

In accepting the materials for his men from A Troop, 3d squadron, 4th Cavalry, Col. Lynwood M. Johnson, Jr., 2d Brigade commander, said, "With these items and our medical aid program, we will be able to really convince the people of our sincere desire to assist them.

"The members of the 2d Brigade send sincere thanks and aloha to the residents of Hawaii for furnishing supplies that will greatly benefit the Vietnamese families."

Helping Hand was launched over a month ago under a program conceived by Tropic Lightning Commander Maj. Gen. Fred C. Weyand, who recently informed Hawaii residents that their contributions will be carried along with ammunition and rations and will be personally given to the South Vietnamese people.

To date, the 25th has received the active support of all communities, Gov. John A. Burns, of Hawaii, Honolulu Mayor Neal S. Blaisdell, and the city council, the Hawaii Metropolitan Jaycees, and a number of commercial concerns anxious to give Hawaii's own division support in helping the Vietnamese people.

An estimated 18,000 pounds of materials were shipped from Hawaii last week as a result of the Jaycees' efforts throughout the State.

Weyand recently emphasized, "In our assistance program in Vietnam we have already learned that medical supplies which heal the peasant and his family can be as valuable as artillery shells and a cake of soap for a Vietnamese family more effective than a bullet expended against the enemy.

"In short, Helping Hand will be an extension of our aloha to the people of Vietnam.

"Charity is not our goal. Instead, man lending a helping hand to his fellow man is what the Tropic Lightning soldier will use to secure the friendship so necessary in a country where suspicion and distrust are commonplace."

THE NEW ENGLAND REGIONAL COMMISSION

Mr. KENNEDY of Massachusetts. Mr. President, today the Secretary of Commerce designated the six New England States as an economic development region under title V of the Public Works and Economic Development Act of 1965. By so doing the Secretary has formally extended an invitation to these six States to form a New England regional commission. This commission will study both the assets and the deficiencies of the region and determine the steps necessary to insure the future economic growth and stability of the entire area.

What was begun today has been the hope of the New England congressional delegation and interested citizens for a dozen years or more. It also marks a change in our thinking as to how best to bring the reality of national economic growth to every area of the country.

The New England States comprise the oldest regional civilization and economy in the United States. They have been bound together historically and identified as one in their contributions to our Nation's history and development. Unfortunately, they have also been bound together in suffering the problems of economic decline. At one time New England was the center of our Nation's shipping and fishing industry; at one time this region provided the technology to clothe the Nation; at one time the people of this area were looked upon as the most efficient, productive, and energetic producers in our Nation. They still are. But events have occurred, in most instances totally beyond their control, that lessened the opportunities to use their skills and energies. As a result we have suffered the loss of many talented people—especially the potential of our youth.

No member of the New England congressional delegation has ever made the case that our region was fully debilitated, nor has it ever been suggested that our economic life was in need of a massive Federal program. But it has been recognized that down through the years we have suffered obstacles to growth that have left us with persistent economic weak spots that constantly hamper efforts at revitalization.

The first major recognition of New England's need for Federal assistance in meeting its own problems was stated by Senator Kennedy in the spring of 1953. In 3 days of discussion before the U.S. Senate he detailed those subtle weaknesses in New England's economic structure that constantly held us down, regardless of overall national economic growth. He stressed then as we stress now, that the strengths of New England surpass our weaknesses, and that our people need only to coordinate their economic energies as a region to overcome years of decline.

After more than 3 years of experience with the area redevelopment approach it became apparent that, helpful as ARA was in promoting economic growth in specific communities, long-term growth of the community demanded a broader approach. A change in emphasis was needed from that of complete reliance on programs designed to rescue single areas fully depleted to accelerating entire regions to meet their potential. There was a recognition that only when every region of our country is progressing at a rate similar to our national advance would the benefits of prosperity reach each individual.

I had the opportunity to express the need for a coordinated economic growth program among States in a Senate speech last February. I announced then that in discussions with the President, and members of his administration, I had received assurances that this new approach to regional development was being prepared for presentation to the Congress—and that the New England region would be included in any program eventually developed.

When the Economic Development Act was introduced in March, I was proud to cosponsor the measure and to begin work with my New England senatorial colleagues in preparing the case for our six States.

As a result of a thorough study of the New England economy, in terms of the guidelines proposed in the administration's bill, by regional experts at Boston University, the New England Senators were fully prepared to present the case for a development commission to the Secretary of Commerce on the date of the bill's passage.

This cooperation at the congressional level is today fully reflected in the actions of the New England Governors in accepting the Secretary's invitation to form a commission.

We now look to the future and the promise of coordination and agreement among several States for the economic benefit of all, regardless of boundaries within the region. For the first time we will be charting a course of economic action from a New England point of view. We will look to our basic resources, find those areas in which we have the advantage, and then move to maximize that advantage. This can be done by integrating the separate plans and programs of State and Federal agencies, and where development gaps remain we can seek new legislative solutions.

Long-range plans can be made to free our rivers from pollution and relieve our cities from the burden of urban blight. We can guarantee the preservation of those things that are considered unique to New England—our beautiful open spaces, our forests, lakes, and coastal areas.

The revitalization of our region will call back the many who have left and attract new manpower. The people of New England, their technical skills and the institutions and enterprises they have created will continue to be considered an enviable resource. Their presence will attract increased private investment and productive capacity to our area so that a broad-based stability will be created.

The problems of New England power, susceptible as we have seen to failure, can be reexamined to determine better ways in which to bring cheaper and more efficient power into our region.

Transportation networks can flourish, especially in rail freight and air travel. Rapid transit systems can be developed to insure the efficient and safe transit of people in and out of major urban areas.

These and other basic resource problems are in desperate need of study and coordination. And the people of New England who have long waited for their use of the opportunities that our region could offer are now assured by today's activities of an economic future that will parallel our Nation's progress.

THE BIG PICTURE IN VIETNAM

Mr. BYRD of West Virginia. Mr. President, a series of articles in recent issues of the Review, the bimonthly publication of the Defense Supply Association, deals with the existing situation in Vietnam, and, I believe, casts a revealing light on the urgency to complete conference action on legislation, passed yesterday by the Senate, to provide fiscal 1966 supplemental authorizations for military procurement.

The author of these articles, Lt. Gen. Andrew T. McNamara, U.S. Army, retired, is presently editor of the Review and executive vice president of the Defense Supply Association, an organization headquartered in Washington, D.C., which is composed of officers of the Armed Forces, key civilians in the Federal Government, and leaders of industry. This association disseminates professional information concerning supply and related activities of the Department of Defense.

General McNamara is one of our Nation's foremost experts in the field of logistics, having formerly served as the Quartermaster General, U.S. Army, and as the first Director of the Defense Supply Agency, a combined procurement and supply agency of the armed services. This Agency was created under the directorship of the present Secretary of Defense in the early days of the Kennedy administration as part of the streamlining of the functions of the Department of Defense.

Because of the authoritative background from which General McNamara speaks, I feel his remarks merit the attention of the membership of the Senate.

I ask unanimous consent that these articles be printed in the RECORD at this point.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Review, January-February, 1966]

Many Americans have a mistaken view of how our policy was shaped in Vietnam. "Why force this on us?" they ask.

It is true that a percentage of American people want to know why we are involved in Vietnam. This feeling exists in spite of a wealth of reasons from responsible leaders of our country.

It's visible in many walks of life. The latest and probably most publicized is the youth effort coupled with demonstrations of questionable allegiance. The fact that Vietnam is remote from our shores adds to the fuzziness in their minds.

Contrariwise they cannot reason that failure to stop infringement of rights in other countries will inevitably lead to the challenge of these same democratic ideals but this time is will be in our country.

In addition they reason that we have troubles at home that are not yet solved. Thus they conclude hastily and erroneously that we are wrongfully in Vietnam, and on and on and on.

They run to words. Surely it must be apparent if they are students that the United States of America as a country is now international both in stature as well as commitment. It should be equally clear that communism is not confined to the borders of the Soviet Union.

If they are not students but merely malcontents, then there are several areas of action for them. They can continue their actions and perhaps gain sufficient voice so that law may be passed which would satisfy them. They could join peaceful efforts in other countries where their sensitive natures might fit better perhaps than here. (But they should realize that they could lose their right to express themselves in countries other than this if they prefer to leave us.)

But surely student or malcontent must realize that the United States was founded on the basis of freedom and justice. Since this is so, it is right and also just that of all nations, the United States should defend the principles of democracy, if not advance them.

Who would object to this? Certainly the proponents of communism would. Therefore, where the rights of freemen are being usurped it is proper that our Nation be present to align ourselves with those that seek the same ideals which created this Nation.

This great Nation of ours is not attempting to exploit Vietnam. It seeks to contribute to the stability of Vietnam.

It does not seek to do this by military means. It does seek to help the Vietnamese keep their independence. The presence of our troops and the loss of our men together with their Vietnamese comrades who are also suffering will accomplish this and in addition will serve warning that we want peace and freedom for all men. We Americans want it everywhere.

The three Presidents who have supported our policy have merely called the hand of communism which is steadily attempting to spill into areas not yet under their control. Our Congress has not involved us in an international scene, and this Nation is not being forced to consume such a policy.

We Americans want freedom in Vietnam just as surely as we want our own independence—and we want it for others wherever they live.

A. T. MCNAMARA.

VIETNAM

(By Lt. Gen. A. T McNamara, USA, retired, executive vice president, Defense Supply Association)

One of the comments frequently heard relative to South Vietnam and its problems with guerrillas for us pertains to its borders.

Various statements are made that means must exist of closing the international borders of a country. This would simplify the problem and localize the guerrillas to those who are within the troubled country.

But a quick look at the map of Vietnam shows that the suggested action isn't quite as simple a job as the statement. In fact it's a real problem when you look at the length of the border and the type of border which exists in South Vietnam. It's roughly the distance between Washington and Los Angeles and better than half faces the sea. This border is perforated by rivers throughout and with large swampy areas in addition in the south or delta region. The border adjoining the neighboring countries is not well defined and is very woody.

To treat the question we sought an expression from a young captain of infantry, an obvious graduate of the Infantry School at Fort Benning and who had recent exposure to the teachings from the John F. Kennedy Center at Fort Bragg. Incidentally, more expressions from other levels will be developed in future issues.

His answer was short and incisive. There are means to accomplish just such a thing and, of course, it simplifies the problem greatly if borders can be sealed. But it's a tough job, he said.

It seemed almost like attending a school to have him list assumptions, such as when:

(a) neighboring countries are sympathetic to the insurgents;

(b) the bordering nations are capable of supplying mainly by land;

(c) the boundaries are heavily vegetated, mountainous and not clearly defined;

(d) the majority of citizens are loyal to the government body in power;

(e) money, troops and resources are available to the existing government;

(f) the nations supporting and supplying the country do not desire to provoke international incidents with bordering nations;

(g) nuclear weapons won't be employed.

On the top of these assumptions he outlined some facts which bore directly on the problem as he saw it, such as when:

(a) the terrain is difficult and vegetation is dense. This would favor guerrilla movements and the ease of their resupply;

(b) the amount of assistance and resources obtained from any sympathetic bordering nation is substantial.

His discussion on terrain was fascinating. In difficult terrain and dense vegetation two measures popped readily to his tongue; i.e., saturate the difficult terrain wtih troops and defoliate the heavily vegetated areas. To defoliate would enable friendly forces to check more readily for hiding areas and escape routes. Our Nation, since it's covered with crab grass and broad-leafed weeds, should have a means to defoliate areas with some assurance of success.

A search was made and some pictures were found that show that our modern chemistry had indeed the capability of defoliating dense vegetation.

As a matter of fact about 8,000 acres of mangrove forest which paralleled about 50 miles of rivers, canals and roads were sprayed. The thought was to clear the vegetation from the sides of these arteries and thus give better visibility to our pilots.

About a month after spraying, the areas were checked and it was perfectly obvious that practically all the vegetation in the sprayed areas was dead or dying and almost complete defoliation had resulted.

Our captain was by now thoroughly warmed up to his subject. Terrain, he explained, helps insurgent forces. This is so because it can be rugged and difficult, it can be mountainous or swampy or it can be because of vegetation and therefore the effort must be expended to defoliate.

He talked of the hills of Kiangsi, the mountains of Greece, the Sierra Maestra, the swamps of the Plain of Reeds in Cochin-China, the paddy fields of Tonkin, the jungle of Malaya—all of which give strong advantages to the insurgents.

Turning to another problem, we must understand that to occupy areas such as these requires large forces of men. It is realized, of course, that a country cannot at one time be entirely saturated. It has to be by areas. When this happens the insurgents or guerrillas merely fade elsewhere. It's like squeezing a soft balloon. The air merely pops into the ends. This was true in the Peloponnese which had been a guerrilla stronghold. When the area was saturated with loyal troops, the guerrillas merely moved to the Grammos area. It was simple for the guerrillas but hard for the loyal troops since it required a ratio of 7 to 1 loyal troops to guerrillas.

The picture became really clear as the captain said things can be accomplished but it's hard and costly in effort.

To be able to seal borders would help greatly because it would limit the enemy's freedom of action beyond the borders. This freedom has been one of the main factors which determined the duration of conflict in previous guerrilla wars. Greece was unable to crush their Communist insurgents until Yugoslavia no longer served as a support base to these armed bands who were fighting on Greek soil. It was equally true when the French were fighting the Vietminh who were able to make use of bases in China. To seal international borders they must be clearly definable. Many obstacles have to be erected. No gaps can be permitted insofar as surveillance is concerned. All means must be utilized to prevent penetration of the border. This of course includes diplomatic intervention.

In conclusion one can reason that dense vegetation can be stripped of its foliage enabling a satisfactory amount of observation, but apparently the only satisfactory way to deny difficult terrain from unwanted encroachment is to physically occupy that terrain. In addition, in order for a nation to survive strong internal insurgency movement, it must seal itself off from outside intervention sympathetic to the insurgents.

As the captain said: "In Vietnam, that's a tough job. Remember the length of that border.

It might be appropriate now to take a closer look at the land in Vietnam.

VIETNAM—ITS LAND

Vietnam is an old country, one of several located on the peninsula known as southeast Asia. It was conquered by the Chinese in the year A.D. 200 and dominated by them roughly 800 years before the Vietnamese broke away to rule themselves for some 400 years.

About 100 years ago, several European nations established colonial possessions in that area. Only Thailand remained independent throughout this period of colonial development. The other seven nations have achieved their independence since World War II. During that war, the Japanese Army invaded and occupied the whole area. The allied victory did not bring peace to that part of the world. One by one the colonial powers surrendered their claims either voluntarily or in response to the nationalists' movements.

When the French moved into this area in the late 1800's, the Vietnamese were called Annamites and their kingdom encompassed the area that is now North and South Vietnam, a part of Laos and a part of Cambodia. These were three of the postwar nations that had emerged from the former French Indochina. French rule ended in 1954 and the area was divided by the Geneva accords. Let me write about the Geneva agreements for the moment.

Present at the conference were the United States, the Soviet Union, Great Britain, France, Communist China, Laos, Cambodia, South Vietnam, and the Communist Vietminh regime of North Vietnam.

The U.S. delegation did not take part in drafting the Geneva agreements and did not sign them. The United States was present to show its concern for the future of southeast Asia. In addition, the United States issued a separate declaration that we would abide by the agreements just as if we had signed them and would regard any violation by other parties as a serious threat to international peace and security.

Under these agreements, Vietnam was divided near the 17th parallel into two roughly equal zones. The agreements provided that at a suitable time general elections to establish a united government would be held throughout Vietnam. They have never been held.

The Geneva agreements further provided that everyone in Vietnam would be free to decide in which of the two zones he wished to live. More than 900,000 quickly left their homes in the north and moved to the south below the 17th parallel and the figure has grown to well over a million.

South Vietnam today consists of 44 Provinces roughly comparable to our States and 242 districts which are similar to our counties.

South Vietnam's 66,000 square miles is about 12 percent larger than Georgia's 59,000 square miles. It is a long narrow country shaped somewhat like a banana. It has a land and sea border some 2,200 miles long. Its sea border contains a myriad of inlets and coves and its land border runs through hundreds of miles of dense jungle and mountainous country. The length and nature of this border constitute the more arduous problems we face in our endeavors to choke off the infiltration of enemy forces and supplies.

The country is itself a land of curious mixtures. It has three distinct types of terrain. The coastal plain bordered on the west by high hills and mountains extends approximately 900 miles south from the 17th parallel along the east coast of South Vietnam. This plain contains small cities and populated areas; there are beautiful sandy beaches backed by rolling dunes, small winding rivers and wastelands of marsh and swamp; and, of course, the rice paddies.

An inland mountainous area, the Annamite Mountain chain, extends from northern Laos, southward along the northwestern border of Vietnam and through South Vietnam to within 100 miles of Saigon. These mountains are steep-sloped and sharp-crested; an occasional narrow pass cuts a reluctant door to desolate, dense jungle. Very few people live in this mountainous area, and roads and trails are few.

Extending north and south between the South Vietnam, Laos, and Cambodian borders and the Annamite chain is a high plateau. The northern and northeastern parts of the plateau contain high mountains and dense jungle forests. In the central and southern parts the mountains level to large open plains covered with tropical grasses, the jungle forest becomes less dense and roads and trails are more numerous.

The Mekong Delta area extends south and southwest of Saigon and consists of extensive flatlands. The delta is interlocked with broad, meandering rivers and streams which are connected by a network of canals and ditches. In these marshes and swamps are the rice paddies, for this is the true rice bowl of southeast Asia. Approximately half this area is continuously covered by water during the rainy season. The people generally live along the streams and canals.

Vietnam is tropical. The humidity averages above 80. There are two seasons: a wet season (monsoon) and a dry season—each about 6 months long. These seasons are reversed in the north and south—when it's wet in Saigon, it's dry in Hue.

In the southern delta region, the rains usually begin in late May and continue through September. April and early May are the hottest and most humid months of the year.

Along the central coast, the rainy season begins in October, causes periodic floods through December and continues with drizzles from January to March. July and August are the months when heat and humidity reach their peak. In pleasant contrast the highlands are usually cool at night regardless of the season.

Now let's take a look at the people of Vietnam.

VIETNAM—ITS PEOPLE

The people of Vietnam are an old people with a long and proud tradition of civilization. Until 1946 they were known as Annamites and fought fiercely for their national freedom. They were first conquered by China in the early second century and for 900 years considered a Province of China. But around the year 1000 a nationwide rebellion drove the Chinese out and the reestablished kingdom stayed independent for the next four centuries. Again China conquered Annam but this time was driven out after only 20 years and from this time, 1428, Annam managed to maintain a status of independence from China. A short period of colonization by the French, which started in 1863, changed Annam's status to a protectorate of France in 1884. The Japanese conquered the entire area in 1940 and this ended with the end of World War II. The Geneva Agreements divided the country in 1954 and thus established North and South Vietnam.

Vietnam's population is estimated at roughly 32 million with about 15 million in South Vietnam.

There are a great many ethnic groups in Vietnam. While the majority of the population are Vietnamese, there are enough dissident groups to create problems for a central government. Many of the small businessmen of the country are Chinese, most of whom were not citizens until 1954 when the Government authorized those Chinese born in Vietnam to take out citizenship papers.

Approximately 80 percent of the population live on farms—not farms as we know them but small parcels of land designed to maintain a family with just a little bit left over. Until just this past year, South Vietnam has continued to be an exporter of rice, one of its basic commodities.

South Vietnam possesses the material and human resources for a good society and the prerequisites for a normal, even prosperous life. So the U.S. assistance program was designed and in 5 years South Vietnam made substantial progress, such as:

One hundred and forty thousand peasants received tracts of farmlands.

Production of rice and rubber rose.

School enrollment tripled, matched by a similar increase in schoolteachers.

Three thousand medical aid stations and maternity clinics were established.

A National Institute of Administration was established to train Vietnamese for public careers.

Several hundred manufacturing plants were built.

Although the partition at the 17th parallel had left the north with a much greater share of Vietnam's industrial facilities, it was the south that achieved the greater economic advances. For example, in 1960 the gross national product of South Vietnam was about $110 per person compared to about $70 in North Vietnam. In the same year food production in the north dropped 10 percent; in the south it rose 20 percent.

The Vietnamese are generally considered to be friendly. Like Americans they speak if spoken to in the streets. They appear to be an intelligent people, anxious and quick to learn. They are a brave, courageous people and their soldiers are good fighting men.

They are a proud people. They are Vietnamese and proud of it. They don't want to be Chinese and they have proven they don't want to be French, that they don't want to be Japanese and they certainly don't want to be American. They have their own culture of which they are justifiably proud. It is part of their makeup. This great pride will enable them to win their battle.

[From the Review, March–April 1965]

VIETNAM

(By Lt. Gen. A. T. McNamara, U.S. Army, retired, executive vice president, Defense Supply Association)

In our January–February issue we touched on the logistics problems at Cam Ranh Bay, a fine natural harbor. Since that writing I've read a very descriptive article in the Military Engineer written by a Capt. Lindbergh Jones which furthers my comments and is, of course, a professional viewpoint. In order to stress the logistics headaches of over-the-beach logistics operations, I have reprinted (with permission) several of the magazine's excellent photos.

Sand is trouble. It is trouble to equipment. It is trouble to road crews. It is trouble to storage efforts. It is trouble to maintenance. It gets in your teeth, in your hair, and in your dreams. It is trouble in many forms.

Sandy areas provide, however, an acceptable alternative to ports and provide a means to empty vessels which, must of course, be unloaded as quickly as possible.

I'm constantly startled to see the lessons of World War II featured as new problems in Vietnam. One would think we had learned little from previous wars.

People who should know better comment bitterly about the backup of ships at ports in Vietnam as though it is something new. It isn't new. We had 200-plus vessels off Antwerp at one time in World War II. They could not be unloaded for months. They faced damage from enemy aircraft, submarines, and the then-new V–2 rockets. There was a reason for their arriving in numbers since they had to cross the Atlantic in the face of killer pack submarine attacks. Therefore they traveled in convoys which were protected as best the Allies could. Consequently many vessels arrived at one time. I might add we were very happy to see these vessels.

Today we have no submarines presently worrying our shipping, nor airplanes, nor rockets. Yet we had a backup. The reason is a simple one. We had off loading problems.

I mentioned to you in earlier articles that port capabilities were limited especially in Cam Ranh Bay and the other smaller ports.

I'm sure you looked at the front cover of our January–February issue, and noted the narrow pier with the two vessels alongside. Their booms can touch. The trucks have to be backed into loading position. Therefore off loading was slow.

At least it was several months ago when this lovely natural deepwater harbor was a quiet port with one pier. Now it bustles with activities. There are four piers of different capacities, one of which was towed from the east coast of the United States. Our engineers are justly proud of their accomplishments and Can Ranh Bay is one of the outstanding examples for it is now in full support of our troops. There is no backlog of ships at this port as of this writing. Before there were as many as 40 anchored in this 15-mile-long harbor. The timely phasing of logistic troops to far shore military efforts is most important. Military supplies can be moved in great quantity but until means are available to receive these goods problems mount up to great heights. Can Ranh Bay is over its hump. Qui Nhon is next and will be another chapter similar to the spectacular logistics efforts of Cam Ranh—thanks to our professional logistic troops.

People who comment on military efforts assume many things. For instance the assumption that the vessel has been loaded properly and under good supervision is a common one.

Modern vessels frequently load and discharge at several ports. This causes considerable damage to cargo if carelessness in stowing has occurred. While a staff of carpenters is usually available in the general cargo trade to shore up cargo, sometimes their work is curtailed. Usually the excuse is that the sailing time of the ship will be changed or that overtime would have to be paid.

I don't say that cargoes are in fact improperly stowed, but I do say the assumption we make that all is well is a broad one and could be wrong.

It's the off loading that the military have to worry about. If something has been stowed wrong or heavy weather has shifted the cargo then the off loading operation really encounters additional problems.

Perhaps a flush type pallet has been used because this is the type that is commonly used in normal business operations within the States. Normal business is automating the palletizing efforts which they use. They dislike the wing-type pallet that the military use. As far as I can see the difference to them between the two types of pallets is miniscule.

But it is not so from the point of view of the stevedores or the crews that handle the bridles used in loading or off loading through the ships' hatches. The difficulties of hooking and unhooking the bridles on flush pallets at our ports and in ships' holds is a far more important consideration to DOD than the perhaps doubtful advantages of the flush pallet.

Think with concern, if you will, of unloading flush pallets into a DUKW or an LCT in choppy water. The boat crews would have to have to manually unscrew the ends of the bridles to release them each time the small craft received a pallet load. The same condition prevailed at the inadequate pier at Cam Ranh Bay where the ships discharged directly into Army trucks. Again the truck crews would have to unscrew each bridle to release the flush type pallet.

Our readers must be constantly aware of the tonnage that comes via airplanes in addition to that of vessels.

The Air Force has a great variety of services to render in a theater such as Vietnam. A cross section of photos will create an image of areas that, when physically covered by actual items and tonnage, reach fantastic figures. The demands on crews and their imaginative response to requests placed on them is an example one should consider.

There are many other areas such as maps, fuel and ammunition. All take skilled personnel to handle. Aircraft are hungry for fuel and when operating aircraft are great distances from home they must be refueled in the modern technique that is now normal.

To an old five-gallon drum man or a simple tank truck supplier such as myself there is a great fascination watching a refueling operation in the air. The contrast between the old and the new methods certainly is marked. It's really breathtaking. Yet part of the old steady pipeline of effort still occurs today as sea tankers plow through the Pacific swells in a steady column to the transfer points where the air tanker can load and perform its part in this great logistic effort.

Ammunition for bombing is a tonnage and distribution problem constantly facing the supply forces. A bomber requires a heavy load to cover its target.

Fighter aircraft carry a variety of weapons for their types of targets. Precision plays a great part of the teamwork of pilot, aircraft and supply man.

Steady effort is the price our Armed Forces must pay to keep up the pressure on an enemy.

MAINTENANCE

While I have mentioned problem areas of mud and sand, I haven't really touched on the subject of maintenance.

It's constantly with the company commander in Vietnam. Take a QM direct support company, for example. This is typical of what a commander has to face. One has his shower and bath elements spotted along a road for 60 miles from his base camp. His ration breakdown personnel and laundry personnel are also scattered. He faces a levy for 18 maintenance men and equipment. His Graves Registration personnel are constantly out on search and recovery missions for downed helicopters and their passengers.

In spite of this distribution of his strength, this commander is responsible for class I support of some 26,000 troops in the base area—a problem further enhanced by the fact this strength is composed of joint troops with different eating habits. He must supply class III supplies for the above force plus three hospitals.

He must handle his normal company functions. His day starts early and ends late. Actually were one to go by the book he should have another direct support company plus their equipment.

This stretching of men and equipment quickly brings him into the field of maintenance. He feels the need for new laundry and bakery equipment. Spare parts and repair parts are a real problem to him.

He knows however that he would never trade this experience or job. Maturity has suddenly been thrust upon him. He feels that the basic logistics schools must get to new blood in young officers. The ones he looks at just don't seem to give a damn. His staff sergeants who seemed so good in garrison life where all equipment is installed and maintained for them seem much less than good under field conditions. They should be the ones furnishing the knowledge and experience which a commander could accept and support. He cannot do this and in fact doesn't dare accept, much less support, their acts. The commander is thrown into unexpected details of maintenance.

For instance every washer and dryer he has is deadlined. They are powered by an M38 jeep engine. This is the type that had been sold to Korea and several other countries to include the repair parts. His resupply of parts fortunately is close by since a Korean division is a neighbor. Consequently, when four Korean jeeps were wrecked, by agreement needed parts were furnished to help his supply.

For power he is using two 30-kilowatt generators found in the command to power his washers and dryers because the 10 kilowatts mounted on the trailers simply won't carry the 18- to 20-hour workday and have long ago been burned out.

Maintenance is constantly with him. He can't stay out of it. He wishes he had spent more time when he was a student learning more about it.

He really knows that his officers and sergeants can produce. However, his team is new and he must get results. The responsibility is his. He is the company commander.

[From the Review, January–February 1966]

VIETNAM

(By Lt. Gen. A. T. McNamara, U.S. Army, retired, executive vice president, Defense Supply Association)

In our previous issue I gave as simply as I could a description of some of the problems associated with the insurgents or guerrillas. Then I wrote of the land itself and also something of the people of Vietnam. I have been, of course, establishing the foundation and background on which and against which I propose to describe the logistic effort which our troops have presently established in Vietnam and must increase in order to support our military effort. I will add other items of interest to the younger officer.

We have a major logistic effort which faces our U.S. troops in a distant foreign country. Add to this the ingredients of well-trained enemy guerrillas, terrain which limits the use of modern weaponry, and people who have participated in war for 20 years, and you have a military dish that is difficult to consume.

A great curiosity is inbred in a good logistics officer. Where are we going, what does the area look like, can we use the type of equipment we were trained in, is there an ability to use local facilities, if any?

All are good and sound questions.

Let's assume we seek general knowledge first and then proceed to the specific. Also we will treat airfields later since in this distant country they play such a great role in our logistic support.

Because of limited seaports and severed roads, the U.S. logistic effort is a combination of several methods. Some ships go directly to a port and are completely unloaded. Some go to a port and are partially unloaded and are then diverted to another port. Some cargoes are off-loaded into smaller vessels. All shipments, because of proper marking and sound requisitioning, reach the proper units. The question of course—are they received on time? We will talk of this later.

A brief look at a recent map shows Saigon presently is our main port. Cam Ranh Bay, a magnificent harbor, is a second, and Nha Trang, Quinhon, Da Nang, Hue, and Quang Tri follow.

Quang Tri, Hue, and Da Nang are all deltas of small rivers and have limited elevation above sea level—perhaps 20 feet.

Saigon, the largest port, handles over 3 million tons of cargo per year. Nha Trang, Qui Nhon, and Da Nang handle one-half million tons together.

Extensive roadbuilding programs are in process of linking Qui Nhon to Pleiku, Nmh Hoa to Ban Me Thuot, and Pleiku to Ban Me Thuot.

Thirty-two kilometers of four-lane, paved highway link Saigon and Bien Hoa.

The majority of the country's highway bridges are of temporary, wooden structure and accommodate only single-lane, one-way traffic.

There are some 20,000 buses and trucks, plus 50,000 cars in South Vietnam.

All of South Vietnam's large cities have airports capable of handling jet aircraft and most villages have landing strips for short landing-take off type aircraft.

The shoreline of most of South Vietnam is hazardous to navigation because of the many scattered islands, rocks, shoals, and bars that lie off shore especially fringing the headlands except for Cam Ranh Bay.

Hue has the country's highest rainfall average of 116 inches annually. Saigon temperatures stays in the eighties. Dalat has the lowest recorded temperature of 13° F. and the highest is 108° F. at Qui Nhon.

The country's main internal transportation system consists of 1,400 miles of primary and 700 miles of secondary canals where canal barges, small motor junks, and sampans carry freight and passengers.

Two-thirds of South Vietnam's 15,000 miles of roadway are paved and the remainder is in poor condition. The system is bottlenecked by its narrowness, many ferry crossings, fords, sharp curves, steep grades, and low bridge clearances.

The physical conditions of the countries as evidenced above, added to the types of growth of plants, trees, and shrubs have created the necessity for enclaves or base areas from which our military forces can work.

Supplies which must be offloaded into small landing craft for movement into the beach move steadily ashore. They resemble a column of ants carrying small amounts of food to store for harsher times. In this Far East country the supply man has a problem of storage. To offset the rainfall he must store on dunnage, in a well-drained area and cover to protect from torrential rains or burning sun.

He must have roads through his dump in order to quickly reach his items and his location plan must be accurate.

Local labor creates identification headaches. Security for 360 degrees is needed around each point and you must accurately check your firing lanes so your colleagues are safe from your fire. Ask for and tie in with their fire plan also.

The logistic problems paramount in the mind of officers or logisticians are many and varied.

First let's acknowledge that there are some basic problems that seem to be present in all military areas regardless of countries. Ports present offloading problems especially if a narrow river connects it to the sea. This is the problem at Saigon, the largest port which presently handles the heavy percentage of our cargo. The port itself is part of the city with the piers parallel to the river bank. The river poses some problems. It is narrow and winding. Many ships put their bows into the mudbank and let the tide swing the vessel around.

Saigon has an airport and warfare brings storage problems to airports. Rainfall creates storage problems as the Saigon airport evidences. Some items must be protected from mortar fire.

Cam Ranh Bay is one of the finest natural harbors in the world. Presently it has but one long narrow pier in use. Ships unload on both sides. Trucks have to back up to the pier to get their loads. This creates a bottleneck. Another long pier has been recently constructed. The bay has lovely sand beaches on which LST's disgorge their loads. Vehicles can be quickly offloaded and assembled in defined areas and beach headquarters can be rapidly established.

Sand creates storage problems. It is difficult to move tons. But items must be collected and moved to storage points. Winds move sand rather rapidly and sometimes erode it from under stacks and they tumble. Sometimes the wind piles sand around and in items and they must be dug out. Ferries, homemade type, are of great assistance in quiet water.

While we are laying in this heavy logistics effort, there are other American officers assigned as training teams to various Vietnamese units who must not be forgotten. They have a unique assignment which presents difficult and challenging features to our young officers.

Let's consider a Vietnamese Ranger Battalion. Normally the Americans assign one captain, one first lieutenant, two noncoms who are light weapons infantrymen and one private first class or specialist fourth class radio telephone operator. Generally they carry two radios such as the PRC 25, a member of the new family of radios.

The captain's job consists of offering tactical advice and staff advice. The team generally tries to help in any area where their assistance is needed. Sometimes they dig for these trouble areas since people tend to ignore problem areas in the hope that time, et cetera, will straighten them out. In garrison, as we all know, they make out strength reports, after action reports and monthly summaries plus a unit evaluation. These have to do with materiel, men and overall combat effectiveness.

These reports serve to alert American channels of troubled areas or expected trouble areas. Then the advisers in these areas can confront their counterparts with the facts in an attempt to help them solve the problems.

Operations are normally conducted during daylight because during the night the unit must return to secure the compounds assigned to them to protect.

The American team's job is to accompany the battalion on the march. Usually the lieutenant with one sergeant is placed with one of the leading companies. This gives him a good vantage point where he can observe movement, etc. He checks in with the captain who is accompanied by a sergeant and his radio telephone operator. They stay with the Vietnamese battalion commander. The captain, through his communication media, has contact with the tactical operations center and observer aircraft, usually L–19's. This enables him to call in for medical evacuation, air strikes both direct and indirect, and for armed helicopters for support in ground operations.

In addition to the above, the captain must effect any specific instructions he has received from higher headquarters. His job, therefore, is to advise, communicate with the air, and pass on all timely information to higher headquarters.

Most of the young company commanders like this type of assignment. As one put it: "It's interesting, challenging, tiring, sometimes boring, and damned frustrating. But I'm glad I'm here and not with an American unit. I have full freedom, am trusted and seeing things from their point of view—a view all too often overlooked."

Practically all officers with Vietnamese Ranger Battalions emphasize the fact that different terrain features, vegetation, etc., create unique problems for each area and that there are few common problems. One officer said "* * * so I wouldn't know about area problems or their tricks of the trade unless I was there. It's funny, isn't it?"

All officers spoke of the mortars as their worst problem. One said: "My worst fear is mortars. I never realized what a weapon that was until they chased us all around one day. The next fear is booby traps and mines. These guys are pros."

THE ROLE OF THE LAWYER IN THE LEGISLATIVE PROCESS

Mr. BYRD of West Virginia. Mr. President, William Allen, president of the Boeing Airplane Co., has observed that:

> No movement in history for the improvement of man's condition and for the establishment of justice has ever succeeded without the presence, the influence, and the leadership of great and courageous lawyers. No such movement, once established, has been maintained against opposing forces without the aid of great and courageous lawyers. (47 A.B.A.J. 981) (1961).

This observation by Mr. Allen, a lawyer turned businessman, finds ample confirmation in the lawyer's dominant and brilliant role in the political history of our country. In the beginning it was lawyers like Thomas Jefferson, Patrick Henry, James Madison, and John Adams whose eloquence against "the history of repeated injuries and usurpations, all having in direct object the establishment of an absolute tyranny over these States," sparked the drive for independence.

More than half the delegates to the First Continental Congress which met in 1775 were lawyers. Three members of the famous Committee of Five which drafted the Declaration of Independence were lawyers: Thomas Jefferson, John Adams, and Roger Sherman. Thirty-two of the fifty-five signatories of that document were lawyers. Thirty-five of the fifty-five members of the Constitutional Convention in 1787 were lawyers.

Independence secured, it was lawyers the likes of the great Clay, Calhoun, and Webster who debated in Congress the meaning of the Federal Constitution and the character of the National Government.

At the moment of greatest peril to the Nation, it was the down-to-earth prairie lawyer, Abraham Lincoln, who emerged from the Springfield circuit to save the Union.

It was two other lawyers, Woodrow Wilson and Franklin D. Roosevelt, who led the mighty Allied forces to victory in the gigantic upheavals that have convulsed the 20th century. Both men were outstanding champions in the cause for a great and free society not only for our own people but also for all people. Both, as lawyers, foresaw that the eventual survival of this plant depended upon the establishment of law and order, and both sponsored the development of world legal and political institutions for the pacific settlement of disputes.

In time of peace and in time of war, in the legislature and in the executive branch, as well as the judiciary, our Nation has drawn its leadership from the ranks of the legal profession. It is not surprising, then, that 24 of our 36 Presidents have been lawyers. The profession can boast among that number: John Adams, Thomas Jefferson, James Madison, James Monroe, John Quincy Adams, Andrew Jackson, Abraham Lincoln, Woodrow Wilson, and Franklin D. Roosevelt.

So, also, in the 89th Congress, as with most of its predecessors, lawyers—305 in number—make up a majority of the membership. Congressional Quarterly, January 1, 1965, page 25.

The attraction of public service for members of the legal profession has been the subject of comment, usually generous comment, over the years. As one might expect, the reasons advanced to explain this truly American phenomenon are many and diverse. John J. McCloy, lawyer, banker, and public servant extraordinary, has put it this way:

> In our society, with a Federal Congress and 48 State legislatures, it is natural that there should be a great demand for lawyers, and I am sure that this aspect of our national life accounts in substantial part for the large number of lawyers who become public figures. We are, moreover, a legalistic country. We have a much wider field of application of statutes and regulations than is the case elsewhere. Our inheritance of governmental traditions and customs is relatively small.
>
> In England, France, and Germany, for example, neither public nor business life requires such a familiarity with the multiplicity of legislation and regulations which we encounter. The ever-increasing volume of this material is a further reason why lawyers in this country are more apt to become interested in public affairs and more conscious of public needs. (2 Washington and Lee Law Review 171, 173–174 (1958).)

Others have said that lawyers are attracted to public life because of the challenge which such service presents and the satisfaction of having made a meaningful contribution to one's country and time.

Some commentators have explained the lawyer's call to public service in terms of his traditional roles of advocate and counselor. It is not unusual for those using this approach to begin with Woodrow Wilson's statement that "Politics is the struggle for law, for an institutional expression of the changing life of society."

From this basis, they proceed to draw a number of conclusions, such as, since the lawyer is constantly engaged in the interpretation of the law in the courts and the application of the law in his practice, it is only natural that he should have an interest in the execution of the law as a public executive, or in the change or development of the law to meet "the changing life of society," as a legislator; or, since the lawyer is constantly articulate in the courts in controversies, many of which are of great public interest, he is at home in the public forum pleading public causes which he deems to be of interest to his larger client, the public interest.

Thus, we are told:

> When great occasions arise when a community wishes to express its thought and feeling, or when events are to be fashioned, the lawyer * * * is the most natural spokesman on such significant occasions." (Pepper, The Lawyer Call to Public Service, 34 Penn. Bar Assoc. Quart. 125, 126 (1962–63).)

While these observations serve to explain in substantial part the demand for lawyers in government and "the lawyers' call to public service," they do not fully explain why men with the training and background peculiar to the legal profession have played and are playing so predominant and successful a role in government. That this training when properly used and developed is most effective in government comes to us on high authority. Thomas Jefferson remarked that:

> The study of the law is useful in a variety of points of view. It qualifies a man to be useful to himself, to his neighbors, and to the public. It is the most certain stepping-stone to preferment in the political line.

The attributes which legally trained men can bring to public service were perhaps best described by the late Justice Frankfurter. He put it this way:

> The kind of faculties that are needed [for public affairs] are more likely to be trained in men brought up in the law than in any other calling—the ability to see the many sidedness of what appears to be simple problems, the ability to give to those problems the points of view of the interests of all relevant factors, factors with which, though you are not sympathetic or which, on the whole you do not think should prevail, nevertheless have to be taken into account in the final accommodation * * * that is the very special claim of the lawyer; that he is by the nature of his calling, relatively heedful of intellectual disinterestedness in seeing a problem whole, analyzing a problem, taking it apart into its components. (18 Fed. Bar. Journal 24, 25 (1958).)

In Justice Frankfurter these attributes—industry, articulation, detachedness and objectivity—reached a zenith.

It would be nonsense to think that the characteristics the Justice enumerated are exclusively the possession of the lawyer, or that they are substitutes for breadth of mind, ability, and courage. The attributes of the trained lawyer to which he referred are, for the most part, tools which all wise and capable men employ or strive to employ.

The most that can be said is that, through constant use, these tools are apt to be kept better sharpened by the lawyer, and that when he enters government, or any other endeavor, they are likely to produce more effective results in his hands than in the hands of even very able men whose pursuits have not so continuously demanded their sharpness.

Having examined the extent of lawyers' influence and representation in the history of our country, and the reasons for their preeminent role in government, I would now like to discuss the variety of legal assistance available to Members of Congress. This will bring us into contact with a little known but extremely valuable Government lawyer—the legislative attorney. There are, of course, two avenues of internal legal assistance to Congress; namely, the Office of the Legislative Counsel and the legal staff of congressional committees. In addition to these familiar sources, Members may seek advice and assistance from lawyers on their own immediate staffs and from the lawyers of the American Law Division, Legislative Reference Service, in the Library of Congress.

Although the ready availability of such legal assistance to Members comes as little surprise to anyone, the role of the legislative attorney is not as well-known as that of his counterpart in the executive branch. The reasons for this relative obscurity are explained partly by the anonymity that cloaks his work, and partly because relatively few lawyers have the same personal contact with Congress as an institution as they do with other branches of Government.

Despite this relative obscurity, the legislative attorney plays an important role in shaping the body of law which affects everyone of us. Both in terms of influence and numbers, lawyers predominate off as well as on the floor of Congress. The predominance of lawyers in the Capitol will, if anything, continue to grow with the increased size and complexity of the congressional workload and the demand for persons with legal training.

The makeup and activities of the modern Congress are a far cry from those of the First Congress in 1789. The 26 Senators and 65 Representatives who met in 1789 had only a very tiny staff to assist them with their legislative activities. These activities consisted chiefly of action on little more than 100 pieces of legislation involving a total expenditure of $4.5 million for the entire Federal establishment.

The present Congress, composed of 535 Members, will have before it some 18,000 bills and will pass on two annual budgets exceeding $100 billion each. In contrast to the First Congress which had only a handful of committees and conducted no investigations whatsoever, contemporary Congresses devote a great deal of time to legislative oversight and investigation. Unlike their 18th century predecessors, today Members have a full-time, year-round occupation the scope and breadth of which requires the help of more than 2,500 nonclerical staff aids, including more than 500 persons with legal training.

Of the four kinds of legislative attorneys who assist Members in the performance of their legislative duties, doubtless those on the Member's personal staff have the broadest range of activities. Commonly referred to as legislative assistant, the staff lawyer is responsible for such things as analyzing legislation before the Member's committee or before the entire House, briefing the Member on all the relevant factors involved, and sometimes recommending a position for the Member to take. Some portion of his time will also be taken up by the preparation of bills and amendments for the Member himself to introduce, and assisting the Member in working toward favorable action.

In addition, the legislative assistant, as a member of the staff, is frequently called upon to shoulder many of the other activities of the office. Thus, it is not unusual for him to draft answers to constituent correspondence and assist visiting constituents in their business dealings with the Federal Government. On occasions he may be called upon to stand in for the Member at a speaking engagement or to testify on his behalf.

Because of the farflung nature of his responsibilities, the legally trained staffman learns early the importance of cultivating contacts with various sources of "expertise" which will save him a great deal of time and effort. These contracts number among them his brother attorneys on the committee staffs, the Legislative Counsel, the Library of Congress, and in the executive branch of the Federal Government. Frequently, he will call on, and seek advice on specific matters from, nongovernmental sources, such as bar and trade associations, colleges and universities, and lobbyists.

Hence, the legislative assistant frequently is, in a very real sense, the Member's alter ego. The price paid for this close association with the Member is a high degree of anonymity outside the confines of the congressional office.

Whether the Member himself is a lawyer and/or has a lawyer on his staff, both eventually call upon the legal experts employed by the 16 Senate and 20 House standing committees that handle legislation, and some 15 or more special, select, and joint committees which are primarily concerned with conducting investigations. As might be expected, the narrow range of subjects over which each committee has jurisdiction, virtually assures that the lawyer on the staff is a qualified expert.

Although appointments of committee staff personnel are generally made by the chairman alone or in consultation with the ranking minority Member, committee aids have a responsibility to all the members of the committee. They are expected to furnish factual information about matters of committee business to any Member who requests it, including those not on his committee.

In addition to assisting Members, committee counsel are responsible for virtually all aspects of the functional operations of the committee. He prepares for hearings by calling for and arranging the appearance of witnesses, establishing lines of inquiry, and getting all the relevant legal and factual source materials. He briefs Members on all matters which arise in connection with the hearings, and upon their conclusion, assists in the committee's final deliberations, including the markup of the bill and the preparation of committee reports.

The submission of a report does not signal the end of committee counsel's involvement with a particular bill. When a bill is being considered by the entire body, he may be asked to assist in the preparation of statements or otherwise familiarize noncommittee members with the salient details of the legislation. Finally, he must be available to assist conference members who are appointed to reconcile any differences in the Senate- and House-passed versions.

Perhaps the most specialized work in the legislative branch is performed in the Office of the Legislative Counsel. Both the Senate and the House have their own office to which members and committees turn for bill drafting services. These services are available at every stage of the legislative process—from initial preparation of a bill, to drafting amendments, to harmonizing the compromised version with the original text. The personnel of the office may also be consulted with respect to a draft prepared from any of the innumerable and diverse sources of legislation.

The art of drafting legislation is a highly specialized skill. It is an art which calls for competence of as careful an order as that required for other legal documents of the highest importance. Not only the words to be used, but also the organization and framework of the draft, as well as the sanctions, if any, by which it is to be carried into effect, must be considered and chosen with care. It requires, above all, a thorough knowledge of the subject matter of a particular measure—statutory and decisional law, administrative interpretation, as well as the entire frame of reference in which it is to operate. This formidable task is the responsibility of the legislative counsel and the 20 or so men that staff each of the offices.

Somewhere within the structure of Government there is, of necessity, a place to which legislators turn in some numbers for information. This is the function of the Legislative Reference Service in the Library of Congress. Both Members and committees are continually confronted with complex problems upon which they are supplied with reports, opinions, and recommendations of departmental experts. To assist Members, the Legislative Reference Service will report on those problems by its own team of trained specialists. In this way, Members will obtain an impartial presentation of the facts by experts who have no axe to grind. The result is that Members of Congress and congressional committees, have available on the one hand, reports of the executive departments, and on the other hand, the reports of impartial experts.

In particular, the American Law Division of the Legislative Reference Service, consisting of some 18 lawyers, services members, and committees with a broad range of legal reports. These include such things as surveys of Federal and State legislation on a subject, legislative histories of a given measure, arguments on the constitutionality of a bill, and analysis of court decisions.

In addition, on particular request of a Member, statements will be prepared for specific use in connection with remarks on the floor or elsewhere.

Finally, the lawyers on the Legislative Reference Service staff are available for consultation on any subject within their special competence.

Lawyers in the legislative branch perform a variety of important roles in the effective operation of the Congress. By virtue of their legal training, they provide analytical skills indispensable to intelligent and judicious lawmaking. In these varied undertakings they perform what Justice Frankfurter described as "work of the greatest possible value to an ordered society."

> In all the diversity of our great functions—

He went on to say—

> I deem them great who belong to the great symphony that makes the legal music of the world and particularly our world, our country. (18 Fed. Bar Journal 24, 32 (1958).)

REGIONAL DEVELOPMENT IN THE APPALACHIAN STATES

Mr. COOPER. Mr. President, in the past few months, there have been a number of comments on the dispatch and efficiency with which the Appalachian Regional Commission has gone to work. I was proud to sponsor and help manage this legislation in the Senate and I have been pleased with the far-reaching action which has been undertaken and is going forward under the act.

During the adjournment of the Congress, an article in the Washington Post of Sunday, December 5, 1965, called attention to the effective work of the Commission, and particularly its Federal Cochairman, Mr. John L. Sweeney. I ask unanimous consent that this article be printed in the Record today.

I would like to note also that the January 1966 issue of Fortune magazine has given a very thorough appraisal of the creative Federal concept which the Congress embodied in the Appalachian Regional Development Act. In particular, Fortune says that:

> The new criterion of public spending leads the men in the Appalachian program to talk in businesslike terms about market analysis and plant-location strategy rather than in terms of social work.

The article gives credit to Mr. Sweeney for his direction of the program, and it notes that he regularly calls attention to the fact that the Appalachian region, lying between the two great markets of the United States—the eastern seaboard and the Great Lakes complex—can have a glittering economic future. It says:

> The key power center is not Sweeney's office but a commission made up of the Governors of the 12 Appalachian States.

In keeping with the desire of the Congress, Fortune notes that:

> States, counties, towns, colleges, and private businesses have already been stimulated to compete in presenting to the Commission proposals based upon the test of greatest potential.

The closing remarks of the Appalachian section of this article give the key to the program, both in terms of the Federal programs and the local response:

> If this local initiative continues to wax, Federal coordinating functions will be a small part of the total activity. If the local initiative subsides, there won't be anything worth coordinating * * *. In neither case

will Washington have increased its control of Appalachia.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

APPALACHIA HELPED

(By Julius Duscha)

When President Johnson signed the bill setting up the Appalachia Regional Commission last March, he declared: "The dole is dead. The pork barrel is gone."

Nine months later relief checks and surplus food are still helping to hold Appalachia together, but the unique Appalachian Commission appears to have convinced Members of Congress as well as Governors that it is not in the business of dispensing pork.

The Commission's real test will come in another 9 months, however, when the Nation is in the midst of the 1966 congressional campaign and the Johnson administration will be searching throughout the Government, as all administrations do at election time, for goodies for deserving Senators and Representatives.

From quiet offices staffed by only 60 persons the 14-man Commission is overseeing the spending of $350 million in Federal funds this year in the mountainous areas of 12 States stretching from New York to Alabama.

The Commission's offices at Connecticut and R Streets NW., are a world removed from eastern Kentucky or southern West Virginia where poverty is still a depressing and degrading way of life.

But the Commission may offer the best hope, the much-studied and surveyed-to-death people of the Appalachian Mountains have yet had.

PREVIOUS EFFORTS

Previous efforts to help the mountain people, whose land and coal mines are no longer competitive, have concentrated most State and Federal aid in the hills and hollows where the poorest people exist.

"We're not trying to alleviate the need where it is the greatest," John L. Sweeney, Federal Cochairman of the Commission said in an interview, "but rather we're trying to get money where there is the greatest growth potential."

An assistant to G. Mennen Williams when he was Governor of Michigan during the 1950's and former aid to Senator PATRICK V. MCNAMARA, Democrat, of Michigan, Sweeney has been intimately involved in Federal studies of Appalachia for the last 2 years.

As Federal cochairman of the Appalachian Commission, Sweeney can veto any project even though it is approved by all 12 of the Governors on the Commission. Republican Gov. William W. Scranton of Pennsylvania is State cochairman of the Commission. Also representing the States is Harry A. Boswell, a former aid to Gov. J. Millard Tawes of Maryland.

PROJECTS REJECTED

Under the unique Commission setup, projects must originate with the States but must have the approval of a majority of the Governors on the Commission and Sweeney.

Sweeney and other members of the Commission staff have sent back to States projects seeking money for three airports where one would do, for sewage-treatment plants unrelated to industrial development, and for roads ostensibly opening up areas for timber development but actually doing favors for county political leaders.

Nearly $200 million—or almost two-thirds—of the $350 million at the Commission's disposal this year is for construction of modern highways, the key to the industrial development of Appalachia.

The other $150 million is being used for such projects as sewage plants, health facilities, vocational education, reclaiming land all but destroyed by strip mining, and developing Appalachia's abundant hardwood timber resources.

The Federal funds, all of which must be supplemented with State money, are being channeled into cities and towns that have been growing or where growth is expected.

With good roads leading to towns and cities having adequate public facilities, the Commission hopes to move people out of the countryside to jobs no more than a half-hour's drive away.

The Commission's staff works closely with officials of the antipoverty program and the new economic development program—a combination of the old depressed areas and accelerated public works programs—to coordinate all Federal efforts in the Appalachia area—West Virginia and parts of New York, Pennsylvania, Maryland, Virginia, Kentucky, Tennessee, North Carolina, South Carolina, Georgia, Alabama, and Ohio.

THE DIRECT LOAN PROGRAM OF THE SMALL BUSINESS ADMINISTRATION

Mr. PELL. Mr. President, on two occasions, specifically, the 27th of January and the 18th of February of this year, I have addressed the Senate concerning the small business crisis which stems from the lack of financial assistance under the direct loan program of the Small Business Administration. Since that time, my office has received many telephone calls and letters from small businessmen, whose backs are virtually to the wall. Most of these have come from Rhode Island, but I have received pleas from small businessmen from as far away as Florida and Minnesota. In order to demonstrate the seriousness of this problem, I should like to read excerpts from some of the letters that I have received. I do not wish to identify these businesses, as I do not want to jeopardize their financial condition any further by advertising the precarious circumstances with which they are confronted.

One Rhode Island businessman states that although he presently has an SBA loan, he now needs additional financing. The reason for this is that his firm has been approached by a major aircraft company which needs their services on a high priority military aircraft. This Rhode Island firm is one of the few in the country that performs the type of critical services that are needed. However, in order to perform this contract he needs additional capital. His communication to me of February 24, 1966, states, as follows:

> We required an addition to our building and additional new equipment, but we are in a bind because the SBA has no funds to increase our loan and the majority of banks won't touch the SBA loan, or their terms are short payment periods that could not be met by us. We are talking about vital military equipment that we can supply and the order could total as much as $150,000. Quite a sum for a three-man operation. Again, we hope your efforts generate enough interest to quickly allow the SBA to continue the small loan program.

Mr. President, this is an example of the type of communications that I have been receiving from small business firms who are desirous of doing subcontract, priority, defense work but find themselves in a position where they are unable to do so because of the complete lack of direct loan assistance from SBA.

Mr. President, Senator J. Joseph Garrahy, of Providence, R.I., a distinguished member of the Rhode Island State Senate, who is associated with a small business firm in Providence, also wrote to me concerning the effect of the lack of SBA financial assistance on Rhode Island industry. I should like to ask at this time unanimous consent to insert his communication to me of February 22 into the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

STATE OF RHODE ISLAND AND
PROVIDENCE PLANTATIONS,
February 22, 1966.

HON. CLAIBORNE PELL,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PELL: I just want to let you know how pleased I was with your statement in the Senate regarding the refunding of the SBA.

As you know, I am involved with a new company in Rhode Island started with the assistance of SBA. We have employed as many as 70 people within the last 10 months when we started here in Providence. We have the business (some of which is defense) to hire additional people if we could secure additional direct financing from SBA. It is indeed unfortunate that the very program which has encouraged new business and provided employment opportunities now forces many of these companies to curtail their business. This, of course, means reducing payrolls and less productivity.

At a time when our country is enjoying record prosperity and our defense commitments are urgent, we should be pumping new life and energy into SBA.

I am certainly happy that you have placed yourself in the forefront of this problem.

Best regards,

J. JOSEPH GARRAHY.

Mr. PELL. Mr. President, I could go on and on and recite to you case after case of small businesses who are literally hanging on the ropes or who have had to seriously curtail any possible thought of expansion because there is no avenue open to them to receive loan assistance at reasonable interest rates. The average small businessman has no place to turn, because SBA has been traditionally the lender of last resort. This is why the Small Business Administration was set up—to be of substantial assistance to them. It is becoming extremely difficult to tell a small businessman who has to meet a weekly payroll, who has to go out and sell his product or services, who has to work day and night to scrape along, that "assistance will be forthcoming in the near future." The Small Business Administration, when queried, indicates that their direct loan assistance program will resume some time in the near future, but to a small businessman, this is like trying to reach the horizon—we see it—we know it is there, but one could never quite put his finger on it.

Since my last statement on the floor of the Senate, on February 18, I received two communications from national organizations which represent literally hundreds of thousands of small businesses throughout the United States.

Mr. President, at this time I should like to ask unanimous consent to insert into the RECORD a telegram I received from Ernest H. Osgood, Jr., president of the Small Business Association of New England, in which he states, and I quote:

> Our members from all corners of New England are frankly very worried and alarmed at the obvious lack of attention that this vital agency has received from the administration.

I also received a communication from C. Wilson Harder, president of the National Federation of Independent Business, and ask that it, too, be included in the RECORD.

There being no objection, the telegram and letter were ordered to be printed in the RECORD, as follows:

BOSTON, MASS.,
February 24, 1966.

Senator CLAIBORNE PELL,
Senate Office Building,
Washington, D.C.:

On behalf of the Smaller Business Association of New England, I would like to express our appreciation and support for the excellent address you presented on the floor of the Senate last Friday, February 18. I cannot overemphasize how much we agree with your statement concerning the serious conditions existing within the Small Business Administration that have drained it of its abilities to meet crucial problems faced by smaller businesses everywhere. Our members from all corners of New England are frankly very worried and alarmed at the obvious lack of attention that this vital agency has received from the administration. There is no question that an agency the size of the SBA with no appointed administrator since August is not functioning as intended by Congress. You will agree the sudden stoppage of the direct loan program every time there is a natural disaster only results in economic hardship for businessmen throughout the country. Our members also believe that any move to place this vital agency within the Department of Commerce will result in the eventual demise of the SBA's ability to meet the problems of small business. We believe that a mistaken impression has developed from the highly publicized fact that corporate earnings after taxes increased by 20 percent during 1965. These figures represent big business profits and small business has unfortunately not had such pleasant returns. The annual rate of business failures of 14,000 will be greatly increased unless something is done soon to assist small business to compete effectively in the American marketplace.

Thank you again, and we strongly urge your continued support.

ERNEST H. OSGOOD, Jr.,
President of the Smaller Business Association of New England.

NATIONAL FEDERATION OF INDEPENDENT BUSINESS,
San Mateo, Calif., February 23, 1966.

Hon. CLAIBORNE PELL,
Senate Office Building,
Washington, D.C.

DEAR SENATOR PELL: We know the Nation's entire small business community is deeply grateful for your consistent support of their cause. The speeches delivered by you on the Senate floor on January 27 and February 18 protesting the current curtailment of the Small Business Administration's most important function—loans to small businesses, are shining examples. We also know of your great concern and opposition to the transfer of the Small Business Administration to the Department of Commerce.

As you are well aware, the National Federation of Independent Business, like you, is greatly disturbed over the virtual halt in the SBA business loan programs and over well founded rumors that this independent agency may be subordinated to the Department of Commerce.

In addition to policysetting polls, we conduct yearly factfinding surveys and, at the request of Members of Congress or committees, special surveys. In one section of our recent year-long factfinding survey ("Small Business—The Nation's Largest Employer") our members were asked if they expanded during the previous 12 months, and how many (if any) new job openings resulted. Over 70,000 responses were received. We all know small business is an essential vibrant part of our economy and that one of our prime national goals is the production of new job openings for our growing population and to reduce unemployment. In this connection, studies of our survey show that during the past year, projecting our representative expansion rates to the entire American small business community, as many as 1.5 million smaller businesses expanded creating in the process over 3 million new job openings. Obviously, small business expansion and increased employment are dependent upon availability of capital. With the present general tightening of the availability of capital, it is incomprehensible that the Small Business Administration should further hinder job creativity by being forced to curtail its loan functions.

Speaking for our more than 206,000 individual members, we emphatically oppose any effort to merge the Small Business Administration into any Government department. Members of the National Federation of Independent Business took a strong position in support of an independent agency when it was created. Since the problems affecting small businesses are even greater today, the importance of the independency of the Agency is proportionately greater.

Small Business is no small interest group, it is the largest segment of our economy, numbering 4.7 million units and employing more than 30 million of our people. It requires and deserves services and recognition on the same basis as other important segments of the economy. Congress recognized this need in establishing an independent agency in 1953 and making it permanent in 1958. When the President was senior Senator from his State he stood up for an independent agency. He gave further recognition to this principle only last year in his Executive order freeing SBA from loan policy controls by the Treasury and Commerce Departments.

We are convinced that the Small Business Administration must remain independent and not be subordinated to a Department which is considered to be "big business" oriented. We strongly recommend that you and your colleagues, who have long championed the small business cause, insist that the intent of the Congress, as written into the Small Business Act, shall not be aborted. The act reads in part:

"Small Business Administration * * * shall be under the general direction and supervision of the President and shall not be affiliated with or be within any other agency or department of the Federal Government."

Sincerely yours,

C. WILSON HARDER,
President.

Mr. PELL. Mr. President, the national federation speaks for more than 208,000 individual members, and states:

> With the present general tightening of the availability of capital, it is incomprehensible that the Small Business Administration should further hinder job creativity by being forced to curtail its loan functions.

I think it is high time that the administration and particularly the Bureau of the Budget, took a hard look at this situation in order that these abuses can be corrected and so that SBA can resume doing a job that the Congress set it up to do. It seems to me that SBA is foundering and stumbling. Since August of last year there has been no appointed Administrator. And now there have been many indications that the administration is exploring the possibility of a merger of SBA into the Department of Commerce. I think that first things should come first and that SBA should be put back on its feet financially before any premature moves are made in the direction of a possible disastrous merger.

There has been one delay after another in the establishment of a small business development center in the city of Providence. And in the past few days I received a communication from Anthony J. Agostinelli, economic opportunity director of the State of Rhode Island, which emphasizes the situation that I have been discussing here in the Senate. I should like to ask unanimous consent to insert this letter into the RECORD, along with several articles which have appeared in the press on this SBA funding problem.

There being no objection, the letter and articles were ordered to be printed in the RECORD, as follows:

STATE OF RHODE ISLAND & PROVIDENCE PLANTATIONS,
Providence, R.I., February 23, 1966.

Hon. CLAIBORNE PELL,
New Senate Office Building,
Washington, D.C.

DEAR SENATOR PELL: On behalf of the community action program chairmen and directors who recently signed a telegram to you about the extension of small business development center services, thank you for your prompt reply. A majority of those chairmen and directors decided to postpone the meeting based on words received from you and Senator JOHN O. PASTORE promising action on their concerns.

Congressman JOHN E. FOGARTY has responded to us similiarly.

I have followed the discussions about the small business revolving fund in Congress and am aware of your published remarks, those of Senator WILLIAM PROXMIRE, Representatives JAMES C. CORMAN, and RODNEY M. LOVE, and others. I understand that the Senate and House Committees on Banking and Currency are discussing these issues in the form of bills—among them, S. 2729 and H.R. 12037, which pertain to our interests.

We look forward to a lifting of the moratorium which is in effect on disbursement of SBA loans because of the many demands on the revolving fund.

We hope that soon the Providence Small Business Development Center or other centers will be able to extend to all Rhode Islanders the services of the Small Business Administration.

We appreciate your efforts on our behalf.

Sincerely,

ANTHONY J. AGOSTINELLI,
Economic Opportunity Director.

[From the Washington (D.C.) Daily News, Feb. 3, 1966]

DEMANDS FOR SMALL LOANS IS HEAVY

(By Rice Odell)

District of Columbia firms have recently been receiving financial sustenance from the Small Business Administration at the rate of some $232,000 a month.

That was the average figure for business and Economic Opportunity Act loans approved in the District for last July, August and September. Then in October, the total jumped to $275,700, reflecting a demand for such loans which has grown steadily greater in the last few months.

Speaking nationally, an SBA spokesman said that "last fall, the demand got much heavier than anticipated, and heavier than ever before."

A major factor, he said, is the tightening of credit, and the tendency of banks to turn down small firms' applications in preference for their more solid customers. The small firms then turn to the SBA for help.

TIGHT

The trouble is, the SBA, although it isn't out of money, has run up against its authorized ceiling, and has asked Congress to raise it. In fact, last October 11 a moratorium on direct loans (but not Economic Opportunity loans) was established.

At that time there was still $100 million in loan applications in the pipeline, and these are being processed. So the monthly totals will not decline too much until about the end of February, when the spokesman says SBA will be in tight straits.

With such a demand for loans, SBA will probably have to work out an order of preference since it won't be able to approve all the applications it normally would.

Last July thru September, for instance, there were 51 applications in the District for $1.9 million in loans. Of these, 18 applications for $434,000 were declined, and 21 for $696,000 were approved.

EXAMPLES

A listing of October loans in the District of Columbia shows the type of firms which are getting approval. The largest dollar share went to restaurants.

Business loans were to Dotnic, Inc., restaurant firm, for $75,000; Dupont Specialty Shop, a retail notion and novelty store, $2,500; Fashion Mart, $2,000; Office Cleaners, Inc., $15,000; and Paul Coopers, Inc., restaurant, $42,500.

Economic Opportunity loans were to Aero Maintenance & Renovation Co., $10,000; After Hours Delicatessen, $15,000; AMP Dental Lab, $25,000; Electrical Appliance Repair Shop, $6,000; Gene Charles Hairstylist, $8,000; Govans Printing & Duplicating, $8,000; Lindsey & Sons, landscaping services, $6,700; McCall's Furniture & Carpet Center, $16,000; North Capitol Barber Shop, $15,000; Olde Brookland Carry Out, $9,000; Peoples Surplus, $6,000; Professional Carpentry Service, $4,000; and Young's Radio & TV Lab, $10,000.

In October, another $152,700 in loans were approved for firms in the suburbs:

In Virginia: Aquinas School, Alexandria, Montessori school, $15,000; Halem Studios, Alexandria, ceramic workshop and gallery, $3,500; Typhoon Fence Co., Arlington, $12,000; Victor's Hair Fashion, Arlington, $11,000; Old Coach Inn, Fairfax, $1,700; Juvenile Fashions, McLean, $15,000; Paul D. Scanlon, Reston, attorney, $7,500; and New Light Laundry, Alexandria, $25,000.

In Maryland: Princess Shoes, Inc., Hyattsville, $4,000; RCA Plumbing Inc., $15,000; Adrian Gerard Van Leen, Silver Spring, jewelry manufacturing, $5,000; De Carlo Jewelers, Inc., Silver Spring, $20,000; Globe Associates, Inc., Silver Spring, wholesale electronic tubes, Inc., $12,000; and Capitol Contract Carpet Co., Upper Marlboro, $6,000.

[From the Providence (R.I.) Journal, Feb. 22, 1966]

To Be Effective, the SBA Needs Realistic Financing

Senator Pell deplored the fact the other day that the Government's Small Business Administration has cut back operations with some painful results. It is time that other Senators speak out against the completely unsatisfactory situation into which the agency has been allowed to slip.

Since last fall, the agency has refused applications for direct loans to small business. The agency also has withdrawn partially from its commitment to make small loans under title 4 of the Antipoverty Act. The reason for both cutbacks is a lack of funds, a fact which explains the action, but doesn't settle some of the basic ironies in it.

One irony was underscored by a Rhode Island businessman who complained to Senator Pell that he couldn't get the capital he needed from the SBA to fill orders from corporations working on high priority defense contracts. When the agency was set up in 1953, Congress said that the Government should help as much as possible to see that a fair share of the total purchases and contracts for supplies and services for the Government would be placed with small business firms. This policy is basic to the strength of the economy, and for that reason, it is puzzling that the policy hasn't been applied more realistically in organizing the agency's budget.

The present shortage of funds for conventional loans springs from the impact of Hurricane Betsy which tore through Louisiana and Mississippi last September, and which placed a heavy drain on agency funds to get many storm-damaged businesses back in operation. But in so doing, the agency created a virtual crisis, as Senator Pell says, in small business financing elsewhere.

Coping with hurricane damage should not be a new task for the agency. Its resources were heavily tapped after the hurricanes that swept up the Eastern coast in 1955. It was clear then—and the law makers should have grasped the lesson and acted—that SBA funds for emergencies must be something apart from those funds for conventional loans. If these conventional funds are kept separate, then the basic function of the agency, and its great importance to the economic community, could be preserved in spite of emergencies. Reforms to the agency's funding operations have been put off long enough.

[From the New Republic, Jan. 1, 1966]

Small Business in Search of Loans

(By David Sanford)

The Small Business Administration, which used to give loans to small businesses, has run out of money for the sixth time in its 10-year history, is accepting no new business loan applications, and has cut back other programs. The reasons given for the moratorium are unprecedented demand for business loans, and Hurricane Betsy. The hurricane has cost $90 million in disaster loans, but a $160 million supplemental appropriation by Congress was still not enough to avert stoppage of SBA programs. When Senator John Sparkman, Democrat, of Alabama, called Ross D. Davis, the Executive Administrator of the SBA, before his Senate Select Committee on Small Business to find why the agency is having so many problems, he learned very little. Didn't you get the appropriation you asked for from Congress last year? asked Sparkman. Yes, thank you, we got everything we wanted, replied Davis. Did you come to Congress to request a supplemental appropriation to enable you to continue your loan programs? No. Are you going to ask for a larger appropriation next year so this doesn't happen again? I don't know.

SBA's poverty will also have its effect on Negro businessmen. It has always been difficult for a Negro to get a loan to improve or expand an existing business. For a Negro to get money to start a new business in most cases has been completely out of the question. "Minority-group people are just not bankable," said a Small Business Administration official. "They have nothing to talk to a bank about. They greet questions about collateral with 'What's collateral?' and the banker immediately loses interest."

When Eugene Foley was appointed Administrator of the SBA in 1963, the agency discovered the Negro. Foley inaugurated the so-called 6x6 program, a scheme to make loans of up to $6,000 available for periods of up to 6 years. Character rather than collateral became the principal criterion in evaluating loan applications. Prospects of repayment replaced traditional hard banking judgments. Small business development centers were set up, first in Philadelphia, and later in New York, Washington and Camden, N.J., to help applicants fill out necessary forms and give them management training and counseling. The centers weeded out the frivolous and gave tips on advertising, display of merchandise and bookkeeping which in some cases obviated the need for a loan. Under 6x6 SBA approved 286 loans totaling more than $1.2 million in 1964. The program was considered so successful that it was incorporated in the poverty war (in title IV of the Economic Opportunity Act) with provision for still larger loans and longer pay-back periods. The Office of Economic Opportunity earmarked $3 million to set up small business development centers and SBA set aside $25 million from its revolving loan fund for the first year's operations.

Hundreds of proposals have been submitted for small business development centers but officials have had to discourage most of them for lack of funds. For example, Senator Sparkman mentioned at the recent Small Business Committee hearing that at least six communities in his own State had requested small business development centers but had been turned down. (By last week only 35 of the centers had been set up in 19 States and the District of Columbia.) Since there is a policy of "no small business development center, no loan," potential applicants in the remaining States are out in the cold.

The Washington, D.C., center set up two branch offices when it discovered that those who came to inquire about loans and other services all lived within a mile radius of the development center. This either shows a lack in publicizing and soliciting for the program or the need for a vastly expanded network of centers. Ghetto small business development centers are not equipped to reach out to an entire city and not permitted to extend services to outlying rural areas and small towns, where nearly all business is small business and where poverty is prevalent. Rural areas, Senator Sparkman noted, have been neglected by the program.

More alarming still is evidence that in the South, however many poor people are benefiting from the program, not many of them are Negroes. The national rate of participation by Negroes is about 40 percent. In Corinth, Miss., the only small business development center in the State has dispensed 33 loans amounting to $645,000, and not one of them has gone to a Negro.

Negro business has never been terribly prosperous. A preponderance of Negro business is ghetto business established originally to provide services (haircuts, restaurant meals, funerals, real estate) which were not available to Negroes from the white community. (Last summer Howard University made a count of Negro-owned and operated businesses in the Washington, D.C., metropolitan area. Of approximately 12,300 businesses 1,534 were owned by Negroes. Of these a large majority were service operations—beauty salons, barbershops, service stations, restaurants, cleaners, real estate and funeral homes. Service businesses also cost less to start and less to operate on a day-to-day basis since they do not depend on expensive inventories of merchandise. Now many Negroes shop outside the ghetto and marginal ghetto operations have a hard time competing with more prosperous white merchants. Some businesses were established simply to provide employment for their owners. But few have made a killing in business. Yet for many Negroes business continues to be the only alternative to unemployment or the underground. And without help it will probably never become a truly viable alternative.

Eugene Foley, who has left the SBA to become an Assistant Secretary of Commerce and director of economic development, predicts that if anything, there are likely to be *fewer Negro businesses in 10 years than* there are now, but not because the ghetto and the distinction between white and Negro enterprise will disappear. Rather, he feels that as the walls of segregation are lowered and the incomes of Negroes improves, there will be great business opportunities awaiting exploitation that will be snapped up by profit-smelling white businessmen.

The poverty of the SBA is having an unfortunate effect on the poverty loan program. Title IV of the Economic Opportunity Act, approved in August 1964, provides for long-term, low-interest business loans for poor people or for persons who agree to hire the poor. In November, SBA quietly decided to curtail the program by restricting loans solely to the poor and by reducing the amounts of the loans. The change in policy will have the effect of eliminating from eligibility for any Federal or private loan program a class of very small businessmen, many of them Negroes, who cannot meet SBA's strict income definition of poverty but who are, like virtually all Negro businessmen, in some sense impoverished. Take the case of Reginald Hart.

VERY SMALL BUSINESSMEN

Reginald Hart was a salesman and ultimately the manager of a chain shoe store in Cleveland. After 5 years with the firm the 26-year-old Negro decided to go into business for himself in Washington, D.C. He tried to interest investors or get a partner who could put up the necessary initial capital but found no takers. He tried to get a bank loan but was told that he had to be worth $45,000 to borrow $15,000, and he had only about a thousand dollars in the bank. So he went to the Small Business Administration, which grants loans only to persons who have been unable to secure loans from other sources. Hart had very little collateral and therefore could not qualify for SBA's regular business loan program. And he was not, at least by SBA definition, poor. But he said he would hire two bona fide poor people to work in his store if SBA would give him the $20,000 he needed to get the business started. Hart had to wait nearly a year for the bureaucratic wheels to turn (the first Economic Opportunity loans were approved last April), but he got his money. And he got his shoe store. If Hart were to apply today for the same loan he would be turned down, because SBA will no longer approve a loan unless the applicant (in the case of a single man) makes less than $2,310 a year. Even if Hart were to qualify he could not get so large a loan; the maximum loan now is $15,000.

SBA officials say that under the new policy the agency will be able to give out more loans with the modest $25 million allocated for the poverty loan program for this fiscal year, and it will be able to give them directly to the people who need the help. But this is not the only interpretation that can be given to the action. Critics contend that very few applicants for the Title IV assistance will now be able to qualify at all. (Seventy percent of the loans approved by SBA prior to the policy change went to persons agreeing to hire the poor, not to the poor themselves.) *Add to this the fact that* the program has never been more than a token effort (744 loans approved by December 14 totaling $9 million) and there doesn't seem to be much of a program left.

SBA was created a decade ago for the purpose of closing what was referred to as the credit gap—the difficulty small businessmen had in securing long-term loans from banks. But, according to Berkeley Burrell, president of the (Negro) National Business League, prior to 1963 "we were hard pressed to find the names of five Negroes who had gotten SBA loans in the entire history of the agency."

To SBA a small business is one grossing less than a million dollars a year. There are about 4.7 million such businesses in the *United States. SBA pretty much ignored the* "small small business," the one whose only contribution to the national economy is the support it gives to its owner and his family. SBA's primary interest before 1963, and in some of its programs now, was in loans to companies which show promise of growing to serve a regional market, which produce a new product or process. Most Negro businesses are not in this category. There are relatively few Negro businesses and the majority of the shops, even in ghetto areas, are owned by whites. (The Harlem and Watts riots have been attributed in part to Negroes' feeling that nothing belongs to them. Some of the businesses that escaped looting and burning in Watts had signs in their windows identifying them as "soul brothers" or "Negro owned.") Those Negro businesses that there are, traditionally have barely supported their owners. The change in SBA policy to exclude those who don't meet rigid income criteria means that there will continue to be a credit gap.

[From the Wall Street Journal, Jan. 4, 1966]

NEGRO AID MUDDLE—FEDERAL PROGRAMS TO HELP BUSINESSMEN AT CROSS PURPOSES

(By Monroe W. Karmin)

WASHINGTON.—It's all so embarrassing.

Just as upper-echelon Johnson administration thinkers are beginning to talk up new ideas to help the Negro businessman, lower level bureaucrats have come up with a stunning innovation of their own. They have cut off the Negro businessman's main supply of existing aid from Uncle Sam.

This turn of events will shock Eugene P. Foley, now an Assistant Secretary of Commerce and previously top man at the Small Business Administration (SBA). Mr. Foley has been, and still is, the driving force behind the Federal effort to get more Negroes into a broader range of businesses. Right now he's pushing a variety of new Government programs to meet the complaints of Negroes that most ghetto businesses are owned by whites.

But before Mr. Foley proceeds much further with his new thoughts, he'd better talk to Benjamin Goldstein about what has happened to an old Foley idea. Mr. Goldstein is in charge of the SBA program that lends money to Negro entrepreneurs—or used to, anyway. He has just returned from a painful gall bladder operation to the discomfiture of a spreading political controversy.

"We've had a tremendous amount of complaints, from small business development centers, from Negro businessmen, from Congressmen, from everybody," Mr. Goldstein sighs.

THE CAUSE OF DISTRESS

The cause of Mr. Goldstein's distress is a bureaucratic equation worthy of the most adept mathematical mind.

It begins with an experimental program, launched by Mr. Foley a year ago, to funnel SBA loans, at easy rates and under relaxed credit standards, to Negroes with business ambitions. *Terms:* Up to $6,000 repayable over 6 years, or "6 x 6." The experiment worked so well, so quickly, that the President's war on poverty not only incorporated the Foley idea but substituted an expanded version. Current terms: Up to $15,000 repayable over 15 years, or "15x15."

The antipoverty program is supposed to benefit the poor in general, not just the Negro. So, "15x15" managers initially established two categories of those eligible for loans: One, the poor themselves, as defined by the poverty-fighting Office of Economic Opportunity; two, expansion-minded entrepreneurs—mostly Negro businessmen as it turned out—who pledged to hire the poor in *return for easy credit. But because the demand for "15x15" came largely from those* already in business, policymakers decided they had missed their mark—financing the entry of poor people into the business world—so they eliminated the second category of eligibility.

Thus, as far as the Negro businessman who might seek SBA money via category 2 is concerned, the result of bureaucratic calculations becomes: "6x6" plus "15x15" equals 0.

Berkeley G. Burrell, president of an organization of Negro businessmen called the National Business League, has figured out the answer. "The effect of the change is that the Negro businessman who has had some experience is cut out altogether." Alfred Stites, director of the District of Columbia Small Business Development Center (a poverty-fighting creation that's supposed to help poor folks get into business by giving them counsel along with money), agrees: "The result is to eliminate the Negro businessman."

But that is not the worst of the matter.

In order to qualify for an antipoverty SBA loan, a businessman had to be ineligible, as too great a risk, for SBA's regular loan program, which requires that an applicant first be turned down by local banks. Thus, the experienced Negro businessman, by being removed from the antipoverty program, is left with no place to go for financing.

Instead, SBA's antipoverty loan program now seeks the really poor person who has had little or no business experience and can prove his impoverishment under OEO standards. This means a single man must show income of no more than $2,310 a year; a man and wife, no more than $2,985; and on up to a family of seven which must show income of no more than $6,590.

To Mr. Burrell, this is an impossible quest. "You really have to beat the bushes for these people," he declares. "They are totally unsophisticated; they cannot even read the newspapers. You will have to go down to the unemployment compensation boards to find entrepreneurs standing in line. These people are the least likely to have business experience and the most likely to fail."

Which is precisely the predicament that faces Mr. Stites in his search for District of Columbia loan applicants. Now he is supposed to send SBA candidates who are poor by OEO standards, which means they have failed to earn more than minimal incomes for several years, yet who can offer SBA sufficient assurance of success in their new business propositions to satisfy the agency's requirement that loans be repaid.

"You cannot do both," Mr. Stites declares, throwing up his hands. Since SBA eliminated category 2 eligibility on November 15, the District of Columbia Small Business Development Center has been unable to develop a single new loan application. "Nobody has met the screening test yet," Mr.

Stites reports. There are 35 SBDC's throughout the country facing the same dilemma.

SBA headquarters claims to have no national statistics available yet on the program's experience since the November 15 change. Until then, $7.4 million of a $25 million kitty had been put out in loans. Messrs. Burrell and Stites still hope to lend the entire amount by the end of the fiscal year next June 30, but are sure the program has come to a complete halt, unless revisions are made.

Eric Beshers, an assistant to Mr. Goldstein, defends the crisis-causing November 15 change as being designed "to refocus the program more sharply toward creating opportunity for the disadvantaged, especially in the light of the not large amount of money we have available."

The second category of applicants, businessmen promising to hire the poor, tends to stimulate employment, not business opportunity, he contends. And, he notes, "the administration as a whole has a great many more programs to stimulate employment."

Mr. Goldstein, himself, is more concerned with reexamination than defense. "There's no question about it," he admits, "the whole program has been slowed tremendously." Prescribing a remedy is not easy, however. While SBA lends the money, OEO seems to control policy. "This position of focusing on the poor was taken mainly by OEO," Mr. Goldstein says. Right now he's trying to convince the poverty fighters otherwise.

While Mr. Goldstein tells Sargent Shriver's aids of the crisis at SBA, Mr. Foley over at the Commerce Department is promoting the promise held by SBA and other Federal programs to improve the lot of the Negro businessman and life in the Negro ghetto.

One of these is SBA's local development company program, which lends up to 80 percent of the funds, repayable at 5.5 percent over 25 years, needed by a nonprofit croporation that finances businesses considered promising to the economic development of a community. Mr. Foley says the program has been "virtually unused" and holds "great promise" of uplifting life in the ghetto if worked in with broader urban renewal efforts.

GUARANTEEING LEASES

Another is SBA's new authority to guarantee the leases of small businessmen up to 10 years. "The great significance in this authority," says Mr. Foley, "lies in the fact that private mortgage money which has heretofore not invested in slum areas can be fully protected."

But Howard Rogerson, who now is devising standards for the lease guarantees, is having problems like Mr. Goldstein's. Mr. Rogerson's present inclination is to shy away from the OEO-classified poor who want lease guarantees so they can go into business. He leans instead toward aid for already operating businessmen who are displaced by urban renewal. And his reasoning can only add to Mr. Goldstein's distress: "We feel," Mr. Rogerson says, "that there is more potential under the relocation programs, because in most cases these are sound businesses."

Mr. Foley sees potential aid to the Negro in a variety of other Federal activities, but the program closest to his heart is SBA's antipoverty lending. Discussing it, he waxes enthusiastic. "The management training and individual management counseling should make it possible for enterprising Negroes to begin in business, modernize, and expand. This has to be done if any start is to be made in creating a respectable Negro business tradition."

What's been accomplished up to now is a "promising beginning" but "still not enough," he declares. "Its most important aspects are that the successes will be more immediate and more visible than successes to be achieved under the other programs of the antipoverty campaign. * * *"

Mr. Foley, talk to Mr. Goldstein.

Mr. PELL. Mr. President, this report of a merger or, as it has sometimes been referred to, a shuffle of the Small Business Administration to the Department of Commerce, is somewhat appalling. To my mind, the real shuffle is the one that the small businessmen are receiving. If our country is to remain strong in these days of national crisis, then we must look to our people for strength. The strength of America has been the small businessman, the corner drugstore, the small manufacturer, the local clothing outlet. If these are to survive and flourish, then we in the Federal Government must assist them in this direction and not attempt to pull the rug on them.

CONCLUSION OF MORNING BUSINESS

Mr. MANSFIELD. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

U.S. PARTICIPATION IN THE ASIAN DEVELOPMENT BANK

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate and made the pending business.

The PRESIDING OFFICER. Without objection, the Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H.R. 12563) to provide for the participation of the United States in the Asian Development Bank.

Mr. FULBRIGHT. Mr. President, I rise to explain and support the provisions of H.R. 12563, the Asian Development Bank Act.

The bill before us today authorizes the President to accept membership on behalf of the United States in the Bank, authorizes the appropriation of the full amount of the U.S. subscription of $200 million and contains several provisions of law necessary to make the membership of the United States effective. The bill requires the approval of the Congress for certain future actions which the United States might take with respect to the Bank.

Members have available to them the favorable report of the Committee on Foreign Relations on H.R. 12563, and the hearing conducted by the Committee on February 16 to which is appended the charter of the Bank and a U.S. Treasury Department special report on the Bank. I shall not take the time of Members to review the provisions of the Bank's charter in detail, but I should like to stress a few points before a vote is taken.

The Bank is the result of an initiative on the part of Asian countries in the United Nations Commission for Asia and the Far East, or ECAFE as it is popularly known. The Bank will be located in Asia, 19 of the 31 countries that have signed the Bank's charter are Asian countries, the President will be Asian, and Asian countries are contributing 65 percent of the $1 billion capitalization.

The purpose of the Bank is stated succinctly in article I of the Bank's charter. It is:

> To foster economic growth and cooperation in the region of Asia and the Far East * * * and to contribute to the acceleration of the process of economic development of the developing member countries in the region, collectively and individually.

Membership in the Bank is open to the members or associate members of ECAFE and to other regional countries and non-regional developed countries which are members of the United Nations or any of its specialized agencies. There are two methods by which countries eligible for membership can join the Bank. Those that have signed the agreement and deposit instruments of ratification by September 30, 1966, become charter members. Other countries which are eligible to join the Bank but do not do so as charter members may be admitted by a vote of two-thirds of the Governors representing three-fourths of the total voting power.

Communist China, North Vietnam, and North Korea are, therefore, not now eligible to join the Bank because they are not members of the United Nations or any of its specialized agencies. The Soviet Union, and the other European Communist countries which belong to the United Nations or any of its specialized agencies, are eligible to join if they are developed countries. The Soviet Union was the only Communist country represented in Bangkok last October when the draft charter was negotiated. However, the Soviet Union did not subsequently express an interest in joining the Bank and did not sign the charter. Therefore, neither the Soviet Union nor the other developed European Communist countries which are members of the United Nations may join the Bank as charter members. They may be admitted, after the Bank comes into operation, by a vote of two-thirds of the Governors of the Bank.

I have already remarked that Asian countries are contributing 65 percent of the capitalization of this Bank. Of the remaining 35 percent being contributed by non-Asian countries, the United States is contributing 20 percent or $200 million. Our subscription is, therefore, smaller in amount and in terms of the percentage of the total capitalization, than is the case in any of the other mutlilateral international financial institutions to which the United States belongs.

Of the U.S. subscription of $200 million, $100 million must be paid in; the remaining $100 million is callable. The first installment of the $100 million to be paid in is $20 million and it is due 30 days after the charter enters into force. Four future installments of $20 million each will be due in each of the 4 succeeding years. Of these $20 million installments, $10 million is to be paid in cash and the remainder in demand obligations. The subscription, without payment, of the entire $100 million of callable capital is due at the same time as the first installment of paid-in capital.

Hence, the only portion of the U.S. subscription which enters the balance-of-payments accounts at the time of payment is $10 million in the first year and $10 million each of the 4 succeeding years. According to the Treasury Department, there is reason to believe that some, or even all, of the minimal short-term balance-of-payments effects will be offset. Under Secretary of the Treasury Barr told the Committee on Foreign Relations on February 16 that, over a somewhat longer term, there would be no net balance-of-payments cost resulting from our participation in the Bank. He noted that procurement by the Bank will be limited to member countries and that the Bank will finance mainly the purchase of capital goods of which the United States is a major international supplier. Furthermore, the group of countries in which the bulk of the Bank financing is likely to take place includes many in which the United States enjoys a strong competitive position.

In the hearing held by the committee there was considerable discussion of the special funds for which the Bank's charter provides. By a vote of the Board of Governors, the Bank may set aside not more than 10 percent of the paid-in capital to establish one or more special funds. These special funds may be used to guarantee or make loans with longer maturities, a longer deferred commencement of repayment, and lower interest rates than those that apply in the Bank's ordinary operations. The Bank may also accept special funds from contributing countries providing they serve the Bank's purposes and come within the Bank's functions. Any contribution by the United States to such a special fund which the Bank may agree to administer, as distinguished from the special funds the Bank may itself establish, would require prior congressional authorization.

I know that several Members are concerned about the role of the private sector. I hope that they will be reassured by the statement made to the committee on February 16 by David E. Bell, Administrator of the Agency for International Development. He said:

> The Bank will also play a major role in carrying forward another basic policy of our own assistance program—strengthening the role of the private section. The Bank will do this in several ways—by identifying particular projects which can attract private capital; by helping to draw up development plans and stimulate policies which will encourage private initiative; by insisting, as have similar institutions, on strict economic and banking standards which will encourage initiative and efficiency on the part of borrowers; and by drawing private capital to the region through its regular operations and by helping to tap other sources and put them to work in the region.

Eugene Black, the eminent former President of the World Bank who has been instrumental in the formulation of the Bank's charter, told the committee during its hearing on the bill before us that the Bank "can become not simply a product of cooperation but one of the important generators of cooperation." In this sense, I regard the Bank as a particularly hopeful and welcome development. If it can succeed not only in helping Asian countries to help themselves in promoting investment and expanding the economic growth of the region but also in stimulating cooperative spirit among Asian countries, its contribution will be significant indeed. The fact that the charter of the Asian Development Bank has been modeled closely after the charters of the World Bank and the Inter-American Development Bank and the further fact that the Bank has the strong endorsement of Eugene Black are promising signs that the Bank will prove to be a successful institution.

While the Asian Development Bank will not replace the bilateral economic assistance programs of the United States in Asia, it should provide an effective complement to these programs in many ways. And as the Bank prospers and its capital is increased, it may be possible for the United States to reduce some of its bilateral assistance programs. Furthermore, the Bank will spread the burden of economic assistance to the developing countries of Asia by bringing funds into the region from developed countries which have not contributed before and by increasing the assistance being provided by other developed countries outside the region.

The Bank will come into existence when 15 countries, 10 of which must be regional countries, ratify the agreement establishing the Bank. It is obviously important for the United States to be represented when the Bank is organized and the initial decisions are made regarding its future operations.

I, therefore, urge the Senate to vote favorably and promptly on this bill. There was no opposition at all to the measure in committee. The measure was unanimously reported.

Mr. JAVITS. Mr. President, I speak today in lieu of offering an amendment which I had intended to offer to the bill. The amendment I had intended to offer deals with the matter of private enterprise process in the develoment of Asia.

Mr. President, my credentials in this matter are sound. I believe that every private enterprise amendment to foreign aid bills of the United States—certainly since I have been a Senator, and going back to my service in the other body—has in some way been related to the work that I have done.

I have been instrumental in bringing about the organization of an international private investment company which is multilaterally designed by the private enterprise of Europe, North America—that is, Canada and the United States—and Japan to aid the flourishing of the private enterprise system in Latin America.

We have very carefully analyzed the charter of the Asian Development Bank and the hearings on H.R. 12563. I state at the inception that I support the measure. I do not want to do anything to impede the passage of the measure. I have decided against the introduction of an amendment because I think that what I have in mind can be accomplished without an amendment.

I am always aware of the fact that if one seeks to amend a measure on which there is approval, he runs the danger of encountering opposition to the bill and some possibility of delay.

The amendment which I had in mind to offer, Mr. President, would have been to insert on page 2, after line 15, a new subsection to read as follows:

> (b) It is the sense of the Congress that the resources of the Bank should be utilized to the maximum extent possible to support development by private enterprise, and that the Director of the Bank who is appointed by the President should, in the exercise of his functions, work for the implementation of this policy.

Mr. President, the reason why I do not believe that sufficient emphasis on the development of private enterprise is indicated—and I emphasize that word "indicated"—in the operations of the Bank, is attributable to the testimony of the witnesses who appeared before the Senate Foreign Relations Committee and to some of the answers to questions which I posed to the administration witnesses through the very kind offices of the Senator from New Jersey [Mr. CASE], a member of the Foreign Relations Committee. Those answers, Mr. President, are contained in the record of the hearings, pages 44 through 47, and I ask unanimous consent that I may include in my remarks such questions and parts of the answers as may be pertinent.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

RESPONSE TO QUESTIONS POSED BY SENATOR JAVITS

1. How much of the Asian Development Bank's funds would be devoted to public infrastructure projects and how much to develop private enterprise directly?

The articles of agreement of the Asian Development Bank, in specifying the Bank's functions, state that it shall "promote investment in the region of public and private capital for development purposes." The articles do not prescribe that any minimum proportion of its financing must be devoted either to public or private projects. The relative emphasis given to private sector as against public sector projects will be a matter of policy to be worked out by the Bank's Board of Directors once it is established.

In view of the realities of the Asian situation, however, including the fact that many of the Asian economies have only a minimum infrastructure in being, it is possible that a large portion of the Bank's early lending will be for such basic projects as roads, ports, irrigation, transportation, power, and the like.

Nevertheless, the Bank's articles give it ample authority to take full advantage of what are expected to be substantial opportunities for private sector lending. The fact that the Bank's Asian sponsors took care, in negotiating the articles, to include broad authority for private lending is good assurance that the Bank will be properly oriented to the desirability of such lending.

2. How does the Bank propose to promote the inflow of private capital into Asia?

Among the ways the Bank may promote the inflow of private capital into Asia are the following:

By making loans to enterprises along with funds from private sources, where it is not feasible to finance the project entirely from private sources.

By offering guarantees to private investors on their loans for projects in the region.

By selling its own securities in world capital markets and channeling the proceeds into development projects in the region.

By selling to private investors portions of loans it has made, thereby replenishing its lendable funds.

By contributing, through the effects of its financing operations as well as through its technical assistance activities, to a healthy private investment climate in its member countries.

3. What authority is given to the Bank under the articles of agreement setting up the Bank to make loans or equity investments in private enterprise projects?

The Bank's general authority to make loan financing available includes full authority to lend to private enterprise projects. There are no provisions of the articles specially applicable to private enterprise projects, except the provision that the Bank may, when it deems it advisable, require a government guarantee of a loan for a private project. Regarding equity investment, the Bank is authorized (after a majority vote of its Governors determining that the Bank is in a position to commence such operations) to invest in the equity capital of an institution or enterprise. The articles limit such investment at any one time to a maximum of 10 percent of its paid-in capital, reserves, and surplus.

4. How do the provisions of the Bank's articles differ from, or are similar to the articles of the World Bank and the Inter-American Development Bank regarding financing of private enterprise projects? (Please cite from both articles; indicate operations of the two Banks in this field.)

As indicated above, the only distinction drawn in the Asian Bank's articles between financing of a private enterprise project and other projects is with regard to the possibility of a guarantee being required for the former. The same is true with respect to the Articles of Agreement of the World Bank and the Inter-American Bank. For both of these institutions, loans to private enterprise projects are subject to the same terms and conditions as loans to other projects, with the exception of the guarantee provisions.

The World Bank's provision on guarantees for private enterprise loans is a mandatory one, as follows (art. III, sec. 4, IBRD Articles of Agreement):

"The Bank may guarantee, participate in, or make loans to any member or any political subdivision thereof and any business, industrial, and agricultural enterprise in the territories of a member, subject to the following conditions:

"(i) When the member in whose territories the project is located is not itself the borrower, the member or the central bank, or some comparable agency of the member which is acceptable to the Bank, fully guarantees the repayment of the principal and the payment of interest and other charges on the loan * * *."

On the other hand, the Inter-American Bank, like the Asian Development Bank, has an optional provision regarding guarantees (art. III, sec. 8, IDB Articles of Agreement):

"In the case of loans or guarantees of loans to nongovernmental entities, the Bank may, when it deems it advisable, require that the member in whose territory the project is to be carried out, or a public institution or a similar agency of the member acceptable to the Bank, guarantee the repayment of the principal and the payment of interest and other charges on the loan * * *."

Differing from the Asian Bank, neither the World Bank nor the Inter-American Bank are authorized by their respective articles to engage in equity financing.

The World Bank provided through fiscal year 1965 a total of $1.4 billion of financing for private industrial projects. Through the end of calendar 1965 IDB provided a total of $396 million for such projects.

5. Would you supply for the record a table indicating the amount and country of origin of private capital invested in the area to be serviced by the Asian Development Bank and the annual net flow of private capital in the past 5 years?

No systematic data are available showing private capital flows into the Asian regional countries by country of origin. Such figures as are available on capital flows to the region are not up to date. The attached table is a compilation from individual country balance-of-payments tables, of estimated private capital inflows during the 5 years 1959–63.

Private investment flows to Asian Development Bank recipient countries, 1959–63

[In millions of U.S. dollars]

	1959	1960	1961	1962	1963
Cambodia	16	−13	−6	10	−4
Ceylon	−1	−1	−1	------	1
China	5	17	16	9	18
India	−17	58	−10	−3	21
Iran	3	21	6	−76	−50
Korea	1	3	------	9	42
Malaysia	18	82	92	108	124
Pakistan	8	29	28	24	74
Philippines	63	56	13	−3	−30
Thailand	20	18	32	72	79
Vietnam	1	3	1	12	2

Source: International Monetary Fund balance-of-payments yearbooks.

6(a). What is the U.S. Government doing at the present to promote the flow of U.S. private capital to developing countries in Asia through AID, etc.?

The U.S. Government stimulates the flow of U.S. private capital to the less-developed countries of Asia by (1) working with the governments of these countries to create conditions which facilitate private economic activity, and (2) by promoting American private investment in these countries.

AID's efforts to improve the climate and conditions for private sector development take several forms. Through its country assistance programs AID is helping to identify and provide the resources to carry out needed reforms in governmental policies, regulations, and plans affecting the private sector. The needed reforms range from improved tax structures and new investment laws to exchange rate changes. For example, an AID loan to Pakistan in 1964 was a key element in that country's successful import liberalization program. AID is working closely with the Indian Government and with American firms to remove roadblocks to private investment in India, particularly in the fertilizer industry. In Thailand and Korea, AID is conducting detailed studies of the climate for both local and foreign investment. These studies were stimulated by the President's Advisory Committee on Private Enterprise in Foreign Aid (the Watson Committee).

AID is continuing its program of assistance to institutions, such as the Industrial Development Corporation in Nepal and India's Industrial Finance Corporation, to open more sources of credit for private borrowers. AID is assisting the Philippines Economic Development Foundation, the Board of Investment in Thailand, the Investment Advisory Center of Pakistan, and similar institutions in other Asian countries which play an important investment promotion role. Through its assistance to technical and vocational training schools, AID is also continuing its efforts to develop the skilled manpower essential to private sector development.

The U.S. Government has a broad spectrum of information, risk sharing, and financial programs specifically designed to encourage U.S. private investment in the developing countries of Asia and elsewhere. AID, the Department of Commerce, and the Export-Import Bank work closely together to make these programs effective. The U.S. Government emphasizes the importance of U.S. private investment and publicizes its incentive programs through sustained liaison with business organizations, publications, speeches, and personal contacts. AID's Catalog of Investment Information and Opportunities provides a single reference source for basic data and specific feasibility studies. A special southeast Asia supplement to the catalog will be published shortly and will include a large amount of new material on specific investment situations.

During 1965 AID and the Department of Commerce helped to arrange a visit of American businessmen to Vietnam to explore investment opportunities and brought a group of Korean businessmen to the United States to discuss possible joint ventures with American firms.

Through its investment survey program, AID shares 50 percent of the cost of examining new investment opportunities, should the businessmen decide not to invest. To date, 72 investment surveys have been completed or are underway in Asian countries.

Potential investors in the developing countries of Asia can obtain insurance against inconvertibility, expropriation and war, revolution, and insurrection through AID's specific risk guarantee program. In fiscal year 1965, contracts for specific risk guarantees totaling $150 million were issued for an estimated $50 million of U.S. investment in the Near East, south Asia, and the Far East. Extended risk coverage is also available to U.S. investors. One of the four extended risk contracts authorized to date is for a U.S. investment in a private fertilizer plant in Korea. During the past year, the coverages available under the investment guarantee program was extended in Korea, Singapore, and Thailand. The United States now has investment guarantee agreements with 17 Asian countries.

The U.S. Government provides both local currency and dollar financing for U.S. private investors. AID and the Export-Import Bank make dollar loans to private borrowers. In fiscal year 1965, AID authorized three dollar loans for private projects in Korea and Pakistan totaling $51.5 million. AID administers the local currency "Cooley" loan program. Cooley loans are now available in the Republic of China, Korea, Ceylon, Cyprus, Greece, India, Iran, Israel, Pakistan, Turkey, and the United Arab Republic. In fiscal year 1965, AID authorized in these countries Cooley loans totaling $51 million.

New U.S. investment in the developing countries such as those in Asia is also encourage by a preferred position in the program of voluntary restraints on investment undertaken to strengthen the U.S. balance of payments.

6(b). Are we doing anything through DAC to encourage industrialized countries to do the same?

The U.S. Government sponsored and is actively supporting DAC's ad hoc working party on private enterprise. The working party held its first meeting in October 1965, and is preparing a work program for DAC consideration. Primary stress will be placed on (1) improvement of statistics on the nature and extent of private capital flows to the developing countries, (2) pilot surveys of training programs and technical assistance sponsored by private sectors of developed countries in the developing countries, (3) private investment conferences in selected developing countries, (4) exchange of information and experience on investment incentives.

The availability of AID's Catalog of Investment Information and Opportunities has been publicized in DAC. Other industrialized countries have been encouraged to provide studies for inclusion in the catalog.

Mr. JAVITS. Mr. President, there are two questions involved here. One is the adequacy of the paid-in capital of a bank, and the other is the likelihood that a real effort will be made on the part of a bank to assist in a substantial way the broadening of the flow of private funds which are so urgently required in Asia.

I base my conclusions on the following facts:

The Bank's resources are limited—during the first 5 years paid-in capital will total $100 million per year, only 20 percent in nonconvertible currencies. Eugene Black, to whom we are all very deeply indebted, has been instrumental in bringing about the organization of this Bank, with which, I repeat, I thoroughly agree. He and the Treasury Department admit readily in their testimony that during the initial years at least the Bank's loans will be directed largely toward infrastructure projects. This would require such enormous funds as to take up all the Bank's capital, without much question.

Even though the articles of the Bank authorize it to make loans to private enterprise, to guarantee loans to private enterprise, invest in development banks and eventually to make equity investments, funds for such purpose will therefore be limited, if nonexistent, in the first few years.

Indeed, the articles of agreement do not prescribe that any minimum proportion of its financing must be devoted either to public or private projects. This will be left to the discretion of the Bank's Board of Directors.

I wish to point out, in this respect, that though the record of the other international lending agencies is a better one than is now indicated by what we are going to find here, it is a fact that even the World Bank and the Inter-American Development Bank are not doing enough with respect to backing private enterprise, in order to accelerate and broaden the flow of private funds into the areas with which they are concerned. For example, of World Bank's total financing through fiscal year 1965, 16 percent was set aside for financing private industrial projects—$1.4 billion out of total of $8.78 billion; of Inter-American Bank's total financing through calendar year 1965, 26 percent was provided for such projects—$396 million out of total $1.5 billion. If Asian Bank follows similar pattern, its loans and investments to private sector will be insignificant indeed.

Now, it is to be said at once that the International Finance Corporation, which is an affiliate of the International Bank for Reconstruction and Development, has provided already $1.5 billion in loans and investments to the private sector since its inception, but the Asian Bank, that is, the Asian Development Bank we are authorizing United States membership in now, has no such counterpart.

The Inter-American Development Bank also does not have an investment affiliate, but I think it is fair to say that the Adela Investment Co., to which I referred awhile ago, somewhat stands in a similar relationship to the Inter-American Development Bank, as does the International Finance Corporation to the World Bank.

Mr. President, I hope very much that the U.S. Director to the Bank will direct his attention to the organization either of a private enterprise company like Adela, or to the development of an investment affiliate like the International Finance Corporation for the Asian Development Bank.

Mr. President, it should also be pointed out that there are no provisions in the articles especially applicable to private enterprise projects, except the provision that the Bank may, when it deems it advisable, require a Government guarantee of a loan for a private project.

The articles in fact limit equity investment by the Bank at any one time to a maximum of 10 percent of its paid in capital, reserves, and surplus. The Bank is authorized to make equity investment in a private institution or enterprise only after a majority of its Governors determine that the Bank is in a position to commence such operations.

Mr. President, there is a great deficiency of private capital flow into Asia. Neither the Bank nor other U.S. Government programs in existence have generated adequate private investment flows to the developing countries of Asia. This is also true of the efforts of other industrialized countries. With the population of developing countries in the area totaling 718 million in 1963, the total flows of private investment—from all countries, including the United States—totaled less than $200 million annually in 1959, 1961, 1962 and less than $300 million annually in 1960 and 1963.

Mr. President, I respectfully submit that the private enterprise system of the Western industrialized nations, as is shown by its great interest in the Adela Investment Co., which is a fabulous success, shows every indication of being ready to undertake a much greater role in what will contribute to the objective of foreign aid than ever before in the whole history of foreign aid since the end of World War II.

The Asian Development Bank does not have nearly the size which is required for its job. We all know the manifold troubles of Asia; we went through them in agonizing detail in the last couple of weeks in the Vietnam debate.

Mr. President, the Asian Development Bank has no investment affiliate; therefore, as opportunities are opened for private investment in many parts of Asia, which will be under the concern of the Asian Development Bank, there is a possibility that the industrialized entities which are operating in Asia now, notably Japan, in partnership with the countries of Western Europe, the United States and Canada, establish perhaps ultimately another Adela investment company or prototype of it in Asia.

I now ask the chairman of the Foreign Relations Committee, who I know has very considered views on this subject, if he would be good enough to express his general views on directing the attention of the Director of the Bank, who will represent the United States, on the Bank on a day-to-day basis to the urgent need for exploring in every way possible the capabilities of the Bank to stimulate private enterprise investment in Asia, so as it were, to give our Director the feeling that this should be one of his big cares and concerns in respect of his representing the United States in the affairs of the Asian Development Bank.

I should be deeply indebted to the distinguished chairman of the Foreign Relations Committee if he would give us some comfort on that score.

Mr. FULBRIGHT. Let me say, first, before I reply directly on the question of private enterprise, that I agree with the Senator about the size of the Bank, that this was the largest amount of capital they could muster at this time and it was thought wise to proceed, even though this is not a large bank. I agree with the Senator that the amount is not large enough for Asia, but it is a beginning. We have to do what we can. With regard to private enterprise, questions were submitted by the Senator from New York and I would be glad to read the official answers of Mr. Bell, or does the Senator wish only my own?

Mr. JAVITS. If I may be frank, I would appreciate the Senator's answers more than anything. I have read the answers supplied by the Treasury and AID. I believe that what we ought to do is to give some coloration to Senate approval which would give an inducement to our representative on the Bank to keep his eyes peeled and his efforts active for this kind of additional development in this totally new foundation of the Asian Development Bank.

Mr. FULBRIGHT. I am sure that he will. We inquired of Mr. Black, Mr. Bell, and Mr. Barr, and they have all commented on the subject. The provisions in the charter on this subject are the same, I believe, as in the Charter of the World Bank. We know that the World Bank has given great assistance to private enterprise. These men are private enterprisers. They are not Socialists and never have been. It is fair to say that the same interest would be shown here, although not as a matter of policy because the needs of the particular country must be considered. Most of the Asian countries have a greater need for what is called infrastructure, things which are normally within public responsibility or governmental responsibility, such as roads and transportation. So infrastructure projects will have priority in many countries. There is no point in building a factory if there are no roads.

Mr. Bell made this point. In most other areas of the world—for example, in Africa—there would be the same problem; but, as a matter of policy, I am sure that our representative is fully in accord with the Senator's views as to the importance of private enterprise, just as I am.

Once we complete the infrastructure, which would enable private enterprise to operate, private enterprise should be encouraged. This is the most efficient way to carry on business, and I know that it will be the policy of our representative and, I believe, of the Bank itself.

Most bankers, even those in other countries not noted for being private enterprise countries, tend to favor private enterprise in their outlook. I have no doubt that this will be true in this Bank. I know it has been the case in the operations of other international banks.

The formal answers to the Senator's questions which I have before me confirm this point, and I would be glad to read the answers into the RECORD if the Senator so wishes.

Mr. JAVITS. I have already done that. Let me now appeal to the Senator on a little bit more businesslike basis; I have no doctrinal feelings. The Senator knows me and my philosophy well enough to know that I am not trying to get an assurance that these fellows are not going to be Socialists or are going to be favorable to a private enterprise system, but as a practical matter, there are many ways in which the bank, even while it is devoted to its own main resources on infrastructure problems—and I understand that perfectly—may be encouraging private enterprise efforts which would not materially involve its capital but it will make sure that it will be the dominating entity in the area.

What I would hope the Senator might say—and, of course, I am not trying to dictate to him, unless he feels that that is his view—is that certainly we would expect our Director on the Bank to be alert and on the ball when he comes to finding ways and means, and looking for ways and means, to expand the usefulness of the Bank through what it can stimulate and develop in the private enterprise system.

Mr. FULBRIGHT. I am sure that will be the attitude of our representative on the Bank. I believe that this is the attitude of our AID people. They have a planning operation in which they seek out operations for private investment, and they have been of great assistance to the private sector. The Senator knows that this is the general policy of all branches of our Government in this field. There is no doubt in my mind that our representative, who will come from the Treasury Department—as he usually does, as the Senator knows—will be alert to any opportunity for private enterprise.

I believe that there is not as much opportunity here as in many parts of the developed world, because of the need for such basic things as roads. Roads are normally built by the government, just as they are in the United States, and they will have to come first. There is so little money available, at least initially, that the activities of the Bank will necessarily be limited. But as a matter of attitude, I am quite sure that the representative of this country will be alert to any possibilities for private enterprise.

Mr. JAVITS. I hope the Senator will forgive me for pressing the point, but it is one thing to say that we are sure the representative of this country will do it, and it is another thing to say that the Senator feels that he would like to have the U.S. representative to do it.

Mr. FULBRIGHT. I cannot give the Senator any guarantee. I do not know who is going to be the representative but I have not yet found that any Socialist has come out of the Treasury Department to represent us in any of these other international organizations. So I am quite sure that our representative will be alert. I believe that all of us consider that this is the most efficient way to carry on, as far as industrial enterprises are concerned.

It is the policy of the World Bank that it will not make loans for industrial operations owned by the state. This is a long-established policy. It is not required by the charter. The World Bank makes loans, guaranteed by a government, for all kinds of purposes, but it does not make loans as a matter of policy to an industrial enterprise that is publicly owned.

I believe that Mr. Black said that while this policy is not required under the Asian Bank charter, he is quite confident that the same policy will be followed.

Mr. JAVITS. One other question. Would the Senator be receptive to any presentation of facts in pursuance of the general authority of the committee for legislative oversight, which may bear on this question?

Mr. FULBRIGHT. Most certainly. We would welcome it.

Mr. JAVITS. I thank the Senator.

Mr. FULBRIGHT. Any time we can give advice to the Bank, in order to influence it in this direction, we will be glad to do so.

Mr. JAVITS. That is very satisfactory to me and I am grateful to the Senator from Arkansas for his comments.

Mr. MORSE. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I am glad to yield to the Senator from Oregon.

Mr. MORSE. I wish to thank the Senator from New York for raising the question of encouraging investment in the private sector of our economy and the private sectors of other economies in the areas which will be served by the Bank. Let me assure him that this point was discussed during the hearings. The legislative record of the hearings is good, but I believe it is important that it be equally good on the floor of the Senate as we adopt this measure today.

With the permission of the Senator from New York, I invite his attention to page 19 of the hearings, wherein I raised the matter of investments, as follows:

> Senator MORSE. Mr. Black, will the Bank's expenditures result in an increase or decrease in the flow of private capital from the United States and other developed countries to the developing countries of Asia?
>
> Mr. BLACK. If you are talking about a balance-of-payments effect, I don't think it would be serious at all, because as I said before, all the United States puts up in the first year is $10 million, and certainly when the Bank starts, through procurement we certainly ought to get business of more than the equivalent to this $10 million that we put up. It may have a favorable balance-of-payments effect.
>
> Senator MORSE. The purpose of my question is to elicit from you what the value of a successful bank, if we have to gamble on its success, but I think it is a good gamble, what the effect of a successful bank would be from the standpoint of bringing back to the United States a considerable amount of trade that will be to our benefit.

Mr. President, I was pressing for this investment so that we could build up these trade relationships. The Senator from New York and I have worked closely on this problem in connection with Latin America, and we must do so also in connection with Asia, or anywhere else in the world where we are trying to develop the underdeveloped countries.

There is no question of the fact that Mr. Black has made a legislative record in the hearings in support of the idea that the Bank should give encouragement to private investment, and to the private sector of the economy concerned.

I invite the attention of the Senate to page 33 of the hearings, wherein there is a discussion of policy toward loans to State enterprises, in contrast to loans in connection with private enterprise. The matter was raised by the Senator from Ohio [Mr. LAUSCHE].

As shown toward the bottom of the page, Mr. Black said:

> The policy—I don't work there any more but when I was there—

Speaking of the World Bank—

> the policy was against lending money to any government-owned, government-managed industrial enterprise. This is different from a power company or railroad, but for any industrial plants, such as a fertilizer plant, it was against the policy of the World Bank to make a loan to any government-owned industrial enterprise. This is not in the charter of the World Bank, it is not in the charter of this Bank.

The Senator from Ohio [Mr. LAUSCHE] said that he subscribed to that statement.

We sought in this part of the hearing to make it clear that what we are trying to do is to encourage the Bank to help strengthen the private sector of the economy.

After all, this Bank, as I see it, is but one manner of exporting economic freedom to Asia, and our whole concept of economic freedom is based upon the notion of the part that the private economy plays.

The Senator from New York [Mr. JAVITS], in the hearings, made a most significant contribution, which we find on page 44, when the Senator from New Jersey [Mr. CASE] filed in the hearings a series of questions that the Senator from New York [Mr. JAVITS] had proposed, dealing with the whole problem of investment in the private sector.

I am satisfied from the hearings that it is well understood that the Bank is to sponsor and encourage investments in the private sector of the economy, and the American representative on the Bank will go to his job with this understanding clearly in mind. If that is not the case, we would not have reacted in committee as enthusiastically as we have with respect to this Bank. I am a supporter of the Bank, as I said in the hearings, as I am of the Inter-American Bank and as I am of the World Bank. These are the vehicles for strengthening the participation of our private-enterprise system in exporting and developing economic freedom in those areas of the world where this is going to be necessary if there is to be any hope of developing political freedom.

I commend the Senator from New York [Mr. Javits] for the contribution he has made these past years in regard to the very point he is raising today.

I do not think that the amendment of the Senator from New York is needed. I think that the Senator's reasons for not offering it are sound. I think that it might result in confusion.

I think that the legislative history being made on the floor will be helpful, for future reference, to the United States representative in the Bank.

Mr. JAVITS. Mr. President, I am grateful to my colleague, the Senator from Oregon, for his statement and for his expertise and for his pointing out the thesis which I have sought to bring before the Senate today. I am grateful for his understanding and support.

One of the reasons that gave rise to my presenting the matter to the Senate in the way I have is the testimony which was given by the principal officials of the Government, Mr. Barr, Mr. Black, and Mr. Bell, and also the very answers to the questions, which did not seem to me to be as clear and effective and unequivocal as they could have been, to this approach of activity in the area of encouraging investment and development on the part of the private sector in Asia.

I am satisfied the point has been made very effectively by the chairman of the committee [Mr. Fulbright] and the Senator from Oregon [Mr. Morse], both of whom are leading members of the committee on the majority side, and I have made clear on the record how I feel about it.

I am very grateful to my colleagues and for the assurance by the chairman of the committee that any actual complaint will be followed through carefully, in line with the responsibility of the committee which has legislative oversight over the Bank and its U.S. Governor and Director, and that there will be called to our attention any instances where we are "losing any bets" on the subject.

Mr. SALTONSTALL. I read with interest the report of the Committee on the Asian Development Bank. One question that came to mind was with respect to the voting rights of the Bank. That has always been important in these international banks, like the World Bank, the International Monetary Fund, and so on. If I understand correctly, we did not get what we really wanted to get in the way of voting rights.

We wanted to get between 90 and 95 percent. That figure was knocked down to 80 percent. When we compare that to the amount we will have in the bank, the voting right amounts to a little under 17 percent. Therefore, if, for example, it took three-quarters of the votes on the question of voting to amend the charter or suspending a member, and so forth, we would have to have the support of Japan, principally, or a number of other countries, to prevent what we felt was detrimental to our interests.

Am I correct?

Mr. FULBRIGHT. The Senator is correct, though this is not too different from the situation in the World Bank. Alone, we do not have a veto power in that Bank. We do not even have one-third of the total voting power. As a matter of fact, our voting strength is a little less than 30 percent. I think that it is about 28 percent. So it is not too different. In this case, it is 16.69 percent. There were negotiations on this question. We originally asked for 90 percent, but I am informed that in the final negotiations we were not able to obtain that. We finally compromised. As the Senator has suggested, in order to have a veto on enlargement, for example, we would have to be in combination with other members.

Mr. SALTONSTALL. And this situation is not much different than occurs in other international banks?

Mr. FULBRIGHT. It is not. Alone, we do not have what we might call a veto power in international banks.

Mr. SALTONSTALL. I realize that.

Mr. FULBRIGHT. I might point out that any additional subscription beyond what is authorized in this bill would have to come back to Congress for approval. In other words, the bill does not automatically impose a legal obligation on us to contribute more until authorized by the Congress.

Does the Senator understand the point I am making?

Mr. SALTONSTALL. I think I do.

Mr. FULBRIGHT. The Bank cannot unilaterally impose upon us the obligation to contribute more capital without the approval of Congress.

Mr. SALTONSTALL. I did not realize that.

Mr. FULBRIGHT. I refer the Senator to section 5 of the bill, which reads:

> Unless the Congress by law authorizes such action, neither the President nor any person or agency shall, on behalf of the United States, (a) subscribe to additional shares of stock of the Bank; (b) vote for or agree to any amendment of the agreement which increases the obligations of the United States, or which would change the purpose or functions of the Bank; (c) make a loan or provide other financing to the Bank, except that funds for technical assistance not to exceed $1,000,000 in any one year may be provided to the Bank by a United States agency created pursuant to an Act of Congress which is authorized by law to provide funds to international organizations.

In other words, even though the Bank may admit a new member by a two-thirds vote, the Bank cannot by a two-thirds vote, or by any vote, make us contribute more money.

Mr. SALTONSTALL. Without coming back to Congress.

Mr. FULBRIGHT. The Senator is correct. Without our approval.

Mr. COOPER. Mr. President, I had the honor and the opportunity to attend the meeting in Manila as an observer and adviser at the time the charter of the Asian Development Bank was considered and signed.

As has been said, the leaders of the American delegation were the Honorable Eugene R. Black, former president of the World Bank, and Under Secretary of the Treasury Joseph W. Barr.

I think that it was a notable occasion. At that meeting there were views given and decisions made in accord with many positions taken in the Senate and in the Congress in past years. It was an enthusiastic meeting attended by representatives of 27 of the charter nations, and this enthusiasm was obvious among the Asian members who were embarking, with the help of nonregional members, upon the establishment of a Development Bank to serve their own mutual needs.

Yet, I think there was an appreciation, shown through their actions that this was a businesslike proposal that was not being undertaken only for reasons of regional sentiment. In fact, in an address to the delegates, Mr. Black stated that he was happy to note that an Asian representative had said it was his firm conviction that the establishment of a regional bank should be accomplished on its merits rather than dictated by sentimental reasons.

I believe it is important to note that 3 years were spent in the preparation of the charter. I know that our distinguished colleague, Senator Fulbright, the chairman of the Foreign Relations Committee, has given the background of the planning for the Bank, but I would call attention to the initiative, in 1963, of ECAFE, an institution of the United Nations that has been concerned with economic problems in Asia since 1947.

As a result of the 1963 meeting, a working group of experts made a report in 1964 to the Ministers of the Asian governments which are represented on ECAFE, the United Nations Economic Commission on Asia and Far East. In 1965, these Asian nations unanimously agreed to work toward establishment of a bank, and a Consultative Committee, made up of nine Asian nations, was appointed to meet to consider the preparation of a charter.

The Honorable Eugene Black brought to this Consultative Committee the wealth of his experience and inspired the trust of the interested Asian nations. Then after President Johnson said that the United States was prepared to consider membership in such a bank, a charter was negotiated by representatives of the nations who have now promised to subscribe funds and to participate in the organization of the Bank.

Finally, the charter was presented at the meeting of delegates in Manila. After careful consideration it was adopted and signed by the delegates there. It is now being submitted to those who signed, to be ratified in accordance with their constitutional processes.

I believe it is quite interesting to note that the regional members, some 19 of them, have subscribed almost $650 million of the $1 billion capital stock, and they have already oversubscribed the original quota set for the Asian members. So far, also, 12 nonregional members have subscribed funds as charter members, resulting in the full capital of $1 billion being pledged.

It is also notable that this is one institution being formed where the United States is not bearing the usual large burden. Two hundred million dollars is a large item to subscribe, but representing 20 percent of the capital stock thus far established in the charter, it is not as large a share as we have undertaken to provide in other institutions of this type.

I have listened to the valuable questions of the distinguished Senator from New York [Mr. Javits] and the distinguished Senator from Oregon [Mr. Morse] who have been concerned with the development of institutions of this type, and I think it would be helpful to quote from a section of the House report which is directed more specifically to the points about attention to private enterprise that they have raised:

> In its lending activities out of ordinary capital, the Bank will make loans and guarantees to developing member countries of Asia, individually or collectively, or to agencies of political subdivisions thereof. The Bank may make loans for special projects in any developing member country or for joint projects in which two or more countries are involved.
>
> The Bank also gives substantial promise of assisting private enterprise development in Asia as well as development of public facilities. Its charter enables it to lend directly or to guarantee loans by others to private enterprises, agricultural, marketing and urban cooperatives, and other similar organizations, in developing member countries, lend to development banks in member countries for relending to smaller enterprises, invest in equity capital of private enterprises, and underwrite issues in local capital markets and thereby mobilize local capital in support of development.

That is a statement made by the House committee. It probably could be optimistic, but it reflects the statements made at the Manila meeting about the provisions of the charter, and it attests to the basic purposes of this Bank.

At this point, I believe I should say that the interest and intention of our Government were fully and clearly expressed in the sessions at Manila. Under Secretary Barr brought to the meeting the support of the Department of the Treasury and the Secretary, the Honorable Henry H. Fowler. He also brought his own experience and ability in meeting specific points and issues.

The Honorable Eugene Black, held in the highest respect by the delegates of every country, gave to the conference the leadership and wisdom which he had provided in developing the charter itself. It is difficult to describe adequately the contribution which Eugene Black has made to similar development programs throughout the world, and thus to peaceful relations among the nations. These contributions have been numerous, and I am sure they will continue, following this most recent effort that was concluded at Manila.

Because of this leadership and because of the esteem in which he is held, I ask unanimous consent to insert in the Record, at the close of my remarks, Mr. Black's address to the delegates at the Manila Conference. It is a very fine speech, and one in which he draws attention to some of the problems this Bank must face.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. COOPER. In one section Mr. Black calls the Bank the beginning of opportunity. Then he goes on to point out that the hard decision will have to be made by the Board of Directors, and he cautions them in a very correct way with regard to what he thinks their duties will be. I believe that it is an accurate appraisal of the Bank at this time.

I believe this is the first institution which has been established in Asia in which the Asian countries themselves have initiated this kind of movement in economic cooperation, in which they promise to provide over 60 percent of the capital. In a larger sense it is a beginning of the kind of economic cooperation which could have its effects in political and peaceful ways.

The enthusiasm of the meeting in Manila was accompanied by a recognition that the member countries are embarking on a movement of cooperation which they hope, and which our country hopes, will lead to other, larger types of cooperation in economic growth and for the peaceful development of Asia. I believe approval of this Bank, and our membership in it, can help speed this development and fulfill the objectives we have set.

EXHIBIT 1

ADDRESS OF HON. EUGENE R. BLACK, CHIEF OF THE U.S. DELEGATION TO THE MANILA CONFERENCE ON THE ASIAN DEVELOPMENT BANK

It is a great privilege to be asked to sign, on behalf of the United States, the charter of the Asian Development Bank.

I want to congratulate the Asian delegations represented here for the initiative they have taken—for the way in which they have translated their common resolve of just 2 years ago this week into a common decision to act.

I want to honor U Nyun and the staff of ECAFE, who for years have toiled tirelessly for this new day in Asian cooperation. I want to salute the members of the experts group who first laid the plans and of the Consultative Committee of Experts who fashioned out of those plans the pioneering charter before us.

And let me express my sincere appreciation to the Government of the Philippines for extending their gracious hospitality on this historic occasion. I also wish to congratulate the Philippines for having been selected as the site of the Bank.

It was just 2 years ago in this very city that U Nyun sounded the note which has moved us all to join our energies with his. On that occasion he said:

> "By slowly and steadily building up habits and institutions of regional economic cooperation, and by reaping the benefits of much cooperation, countries of the ECAFE region may be assisted to reduce and resolve their political difficulties."

That quiet hope, expressed 2 years ago, is now embodied in the charter before us.

And on that occasion 2 years ago, another distinguished Asian delegate sounded another note, which is also reflected in the spirit of this charter, when he said that it was his "firm conviction that the establishment of (a regional bank) should be based on its own merit rather than dictated by any sentimental reason."

But this charter is even more than these things. It is a bold and challenging document. It challenges Asia to make common cause in economic cooperation—whatever the heritage, whatever the legacy of history which divides one nation from its neighbor. Article II of the charter commends the Bank to use its resources, giving priority to those regional, subregional and national projects and programs which will contribute most effectively to the harmonious economic growth of the region as a whole. This charter dares to envision Asia as a community of nations, working together.

This is a charter in league with the future. It looks at Asia, not as it is today, but as it can be tomorrow. It makes a virtue out of the vast diversity of this region, and in this spirit embodies a broad membership policy—inviting Asian nations and others to sign up in a new adventure in partnership.

As an interested—or rather fascinated—witness at the birth of this charter, let me offer again my respect and congratulations to all of those whose work and wisdom brought it into being—and with such dispatch.

Asia is here today in force, ready to sign, ready to begin, ready to invest in the cause of regional cooperation. Your subscriptions, combined with many millions more from non-Asian subscribers, including, subject to the approval of our Congress, $200 million from my government, guarantee that the Asian Development Bank will begin with a wealth of confidence already expressed in it. In a very brief period you have reached almost 100 percent of the billion dollar goal you set for yourselves. The oversubscription by the Asian countries of the 600 million goal was a spectacular and magnificent achievement. This is clear evidence of the deep commitment by the countries of this region to the idea of regional cooperation for development.

Speaking personally, I have to say that I am a little disappointed that the non-regional members of the Bank are still some millions short of their allotment. But I am sure it is clear that in this case the books aren't closed—that more subscriptions will be coming in. For I know that you have aroused the interest of other countries around the world, not all of which have yet expressed their support.

You have made the charter. You have gathered the subscriptions. You have begun. But I do not have to tell you that charters and subscriptions do not make a bank. The men who decide how the subscriptions will be invested and how the charter will be interpreted will make the reputation of this Bank. And the number of people who benefit from the work which this Bank sets in motion will measure its worth.

As you might guess, I am an enthusiast when the subject for discussion is development finance. I do not think there is any more important business in which nations can invest and with which men can occupy themselves in these times. When U Nuyn speaks of "reducing and resolving" political difficulties through economic development, he strikes a sympathetic chord in me.

Development finance is concerned simply with getting people together around the problems of their economic growth. Its relation to political difficulties stems from the fact that you can't get on with the job until all the interested parties have been heard from and until some measure of agreement has been reached. And if there is any ground for agreement among nations, in this ideologically torn world of ours, surely that ground is our common desire to improve the lot of people who no longer believe that their poverty and suffering is a punishment or that they were predetermined by forces beyond human control.

Yours, I say, is an exciting adventure because its object is to communicate with those people—to show them that they do have some say over their own destiny.

But development finance is a complicated business. It is forever in danger of succumbing to unrealistic expectations—of yielding to the temptation to plant gold in the ground in the vain hope that it will yield a harvest. So far as development finance is concerned, all we can honestly say about the Asian Development Bank today is that the nations of Asia, with help from other regions, are establishing a fund of opportunity. What happens from here on depends on the ideas and plans which Asians fashion to employ that fund effectively.

Here again U Nyun struck a responsive chord within me when he talked of "slowly and steadily building up habits and institutions of regional economic cooperation." Development is too often a slow—a maddeningly slow business. What we all must try to do is to make it a steady preoccupation—an alternative occupation to the strife and suffering which have plagued Asia for far too long.

Because development finance can be a maddeningly slow business, I strongly urge that you let the management of this new Bank get on with the job. During the negotiations which led to this charter, I was impressed with the resolve, expressed on all sides, that the Asian Development Bank should be known for its professional competence—for its hardhead, if you will, insofar as that expression means letting the weight of economic evidence be decisive. This is a difficult standard to stick to, as I know from my own experience as President of the World Bank. It is not always easy to gather the economic evidence necessary to provide the basis for investment decisions.

For this reason I hope you will call on all the help you need in establishing the operational procedures of this new Bank. In this connection I have been pleased to learn that my good friend, George Woods, who is so imaginatively charting the course of the World Bank, has said that he is fully ready to work as closely with you as possible in these early days. It is not that I think that the Asian Development Bank should necessarily follow my particular precedent in setting up its operations. It is simply to save precious time and talent that I urge you to borrow from the experience of others. I make this suggestion because you want the Asian Development Bank to arrive, as quickly as possible, at the point where it will make its voice heard and will be in a position to interpret for others the special problems of Asia in ways that will permit them to increase their contribution as you increase yours.

If regional cooperation in Asia becomes a habit, as we all hope and pray it will, the Asian Development Bank has, built into its charter, provisions for quickly increasing its resources. In particular, the charter permits the Bank to administer various kinds of special funds. In doing so it recognizes that much of development today cannot be financed any longer with conventional loan instruments.

This in keeping with the practice in other development banks—the World Bank and the Inter-American Development Bank for two. There is, in fact, a whole orchestra of financial instruments employed in the development finance business these days. These new instruments are needed, of course, because some countries simply do not have foreign exchange resources with which to service any additional appreciable amount of debt on conventional terms.

I think these provisions of the charter are eminently prudent. As a banker, I have been concerned for some time with the effect in some countries of the steady increase in conventional loans which each year syphon off greater amounts of scarce foreign exchange to service outstanding debt. I have been concerned because in other countries there are worthwhile projects which need finance but for which finance may be denied simply for lack of a capacity to earn foreign exchange. I have been concerned because the structure of international credit is not infinitely strong; it may not be a perfect structure, but it does represent one island of order in this world which it would be folly not to protect.

As most of you know, President Johnson entertains a particular hope that one of the first special funds set up under the Asian Development Bank will be a fund to help with the special development problems of southeast Asia. He authorized me to say in Bangkok last summer that if other members of the Bank agree and will contribute to such a fund, the United States, subject to the approval of Congress, will advance $100 million of its own. It is his hope that through the special funds of the Asian Development Bank it will be possible to direct more aid to southeast Asia through a multilateral channel; which will pool the resources of many nations.

This is just one example of the form such special funds might take, although as you will appreciate, it is an example to which my Government attaches great importance. No doubt there will be other funds. As such proposals are made, my Government will wish to consider them carefully. It is our purpose to help you in every way we can to make a reality out of the promise of regional cooperation.

Before I left Washington, President Johnson handed me a personal message for you which expresses more eloquently than I can how our hopes ride with you in this new adventure. Let me, in closing, read that message to you.

"Mr. Chairman," the message says, "please convey to every delegation in Manila my respect and admiration for the decision they have made. Please express to all, my profound hope that this cooperative undertaking you are now to begin will signal a new turn in Asia's fortunes.

"Throughout my lifetime the peoples of Asia have been asked again and again to make heroic sacrifices, only to have their freedoms threatened anew. Again and again foolish men have attempted to deny the rich diversity of your continent and to impose rigid conformity instead. And as each one in turn fails, as he inevitably must, he leaves behind a new wave of suffering and pain. The plight of the people of Asia lies heavily on the conscience of the world.

"You know that peace in Asia can only be preserved by championing diversity, not fighting it. As you know that to preserve the vigor and distinction of your nationalities, there must be some forms of regional cooperation. As you set out to make a reality out of the promise of such cooperation, we Americans are eager to extend you every assistance we can. Your initiative has captured the imagination of us all."

Mr. MONDALE. Mr. President, in this hour of strife, the Asian Development Bank is a symbol of hope. It emerges as a constructive Asian response to the troubled economic and political situation on that massive continent. It looks to the future, offering hope and opportunities for economic advancement and cooperation in an area riven by turmoil and conquest for countless centuries. And its charter is soundly based upon the experience of other successful international financial institutions, principally the World Bank.

The agreement to establish the Asian Development Bank is an example of the best in creative cooperation between advanced and developing nations. It is the product of hard work by experts from more than a score of nations. It is a solid, imaginative response to President Johnson's call, in his great Johns Hopkins statement, for affirmative multilateral efforts to assist economic development in Asia.

Following that statement, the President asked his trusted adviser, and former President of the World Bank, Eugene R. Black, to contribute his great wisdom and long experience to the task of founding a development bank of and for Asia. By early November of last year, after months of unremitting effort, the draft agreement was hammered out by representatives of interested countries in Bangkok. A month later, in Manila, representatives of governments signed the agreement and readied them for ratification by their legislatures. By the end of January 1966, more than 99 percent of the authorized capital had been pledged for subscription to the new Bank, almost $650 million by Asian countries and $350 million by countries outside the Asian region.

Thus, less than a year after the President's Baltimore address there is an agreement before legislative bodies all over the world which will authorize membership in an Asian Development Bank—and no less than 31 countries have indicated their interest in becoming charter members. A more heartening sequence of events could not be imagined.

These rapid strides in the formation of the Asian Bank are a great tribute to Asian initiative. They are also clear evidence of the willingness of many nations—Asian and non-Asian—to join in any cooperative venture which gives promise of peaceful progress in the world's most populous area. They are a measure of the widespread confidence in the soundness of the financial arrangements underlying the Bank. We will do honor to our country, and serve its interests well, by our adoption of H.R. 12563 to authorize U.S. membership in the Asian Development Bank.

I wish to give unqualified support for H.R. 12563, which authorizes American participation in the Asian Development Bank. It is an act of opportunity, which will enable the United States, together with 30 other nations, to join as charter members in a new venture of cooperation to promote economic growth in the poor countries of Asia. It is an act of promise, offering economic and political cooperation between countries which share a determination to raise the living standards of the impoverished peoples of Asia.

While offering opportunity and promise, the agreement to establish the Asian

Development Bank, to which H.R. 12563 relates, will provide the foundation for a sound financial institution. It is clearly the product of careful and able work of representatives of different countries joined by a high common purpose, and the United States can be justly proud of its participation.

The Asian Development Bank is modeled in many important respects on the highly successful World Bank. Its constitution reflects also the devoted attention and wise counsel provided by Eugene Black, an eminent international economic statesman whose stewardship of the World Bank for a decade and a half contributed so much to its success.

Those who formulated this agreement can take pride in a well-wrought charter for an effective financial institution which will serve great purposes. They can also find pride in the remarkable response by subscribing countries to the authorized capital of $1 billion. The countries of Asia have pledged very nearly $650 million and 12 countries outside the Asian region are contributing $350 million including the $200 million pledged by the United States.

Under the leadership of the President, and following his great speech in Baltimore, the United States has played a distinguished role in helping to build this new institution. It is our task here today to follow through.

Mr. INOUYE. Mr. President, at this moment the nations of Asia stand at a turning point in the course of their affairs. They are about to embark on a new enterprise that may, over time, mean the difference between starvation and plenty; between misery and well-being for many millions in that vast region.

This new enterprise is the Asian Development Bank, to which the United States and other advanced countries have been asked to give support. H.R. 12563 responds to this appeal by authorizing U.S. membership in the Asian Development Bank with a subscription of $200 million. I rise to give my full support to this legislation.

We will not be alone in our response. Of total authorized Bank capital of $1 billion, $650 million will come from 19 Asian nations themselves, including $200 million from Japan, and more than $100 million from Australia and New Zealand. The remaining $350 million is being subscribed by 12 countries outside Asia, $150 million of which will come from countries other than the United States. Germany, for example, is subscribing $34 million, the United Kingdom $30 million, Canada $25 million, and Italy $20 million. Overall, our contribution represents only 25 percent of the Bank's hard-currency subscriptions. Our role is essential to the Bank's success, but we are not being called on to bear the major burden.

The facts of war and economic backwardness in Asia today speak plainly of the need for a regional institution to further economic development. I am deeply impressed with the extent to which these facts have been taken to heart in this country and by the degree and depth of support for H.R. 12563. This bill was reported unanimously by committees in both houses, and passed the other body by a margin of 3 to 1. Public expressions of support have reflected a broad range of opinion, and include the U.S. Chamber of Commerce, the National Association of Manufacturers, the American Federation of Labor, the National Foreign Trade Council, the American Bankers Association, the Investment Bankers Association, the Cooperative League, and the League of Women Voters.

I particularly wish to point out that the articles of agreement of the Asian Bank by no means confine its operations to support of projects in the public sector. This new Bank will have full powers to make loans, or guarantee loans by others, to productive private enterprises in member countries, and, after it has been determined that the Bank is in a position to do so, to make equity investments in private enterprises. The Bank will also be able to assist in underwriting security issues of private firms in member countries, thereby contributing to the development of local capital markets and the mobilization of domestic capital. And, since it will in future years float bond issues and make portfolio sales in private capital markets, the Bank will further facilitate the international flow of private funds.

Very careful consideration has been given to the possible effect of the subscription obligations authorized in H.R. 12563 upon our balance of payments. The Secretary of the Treasury has stated that the balance-of-payments effect of our subscription will be minimal, amounting to not more than $10 million in the first year. Over a longer period, procurement in the United States financed by Bank loans can be expected very largely to offset our subscription payments. Nor need we be fearful of large drains on our capital market by the Bank. The Bank's articles specify that no securities may be issued except with the consent of the country where the issue is to take place, and that the Bank must follow the principle of diversifying its borrowing sources. The assurances of the administration and the safeguards built into the articles provide an ample basis on which to give this legislation a clean bill of health on balance-of-payments grounds.

Mr. President, much has been said in this Chamber about the role of the United States in Asia, and the importance of our making it known that we seek neither territorial gain nor military domination of the nations of that area. If we are serious about associating ourselves with the works of peace in Asia; if we are truly committed to efforts to grapple with the economic and human problems that beset that area; if we wish to help Asians to find their way through their current trials; then H.R. 12563 provides us with the vehicle to achieve these ends.

I intend to heed the President's call in his great speech at Baltimore. I will vote for this bill and for the cause of peace it represents. I urge each of you to join me.

Mr. THURMOND. Mr. President, I would like the Record to show my opposition to Senate approval of this proposal. The Asian Development Bank is but one additional method by which the United States funnels foreign aid to virtually all the countries of the world. As is the case with banks of this type, the United States cannot exercise control over which countries are eligible to receive loans and other forms of financial and technical assistance. Eligible countries, such as Mongolia, have forms of government and political philosophies completely alien to those of our own people, and I consider it inconsistent with the best interest of our country to support, financially or otherwise, governments of this type.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H.R. 12563) was ordered to a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. MORSE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

REPORT BY SENATOR TYDINGS ON VISIT TO VIETNAM

Mr. MANSFIELD. Mr. President, in his news bulletin to his constituents of February 1966, the distinguished Senator from Maryland [Mr. Tydings] reports on his visit to Vietnam during the last congressional adjournment. The Senator supplies a most informative personal account of his experiences and observations. One does not have to agree with every detail in order to recognize this report to be a very useful contribution to public understanding of the Vietnamese problem.

I would address the Senate's attention particularly to the final section of the report, which is entitled "The Uncertain Future." It is a well-reasoned and temperate appraisal of the situation and the Senator's position with respect thereto. In setting it forth, Senator Tydings makes a significant contribution to public and Senate understanding of the Vietnamese problem.

I ask unanimous consent that the text of the bulletin "On the Record," for February 1966, be printed at this point in the Record.

There being no objection, the text of the bulletin was ordered to be printed in the Record, as follows:

On the Record

(By U.S. Senator Joseph D. Tydings)

(Note.—During the past congressional recess, I spent a week in South Vietnam as a member of a four-man delegation. Traveling almost constantly from 6 in the morning until late at night, we met with our frontline troops in every major area—the 3d Marine Division in Da Nang, the 1st Cavalry in Ankhe, a special forces A team in Cai Cai. We crisscrossed the country several times, visiting refugee camps, Vietnamese villages, and a variety of installations. In addition to meetings in Saigon with General Westmoreland, Ambassador Lodge, and AID Administrator Mann, we talked with Premier Ky and other South Vietnamese officials, students, and villagers.

(Our soldiers are fighting in a land whose terrain, people, and traditions were almost unknown to us 10 years ago. Even today Vietnam is strange and little understood. The diplomatic terrain is equally uncertain. We must guess the intentions of Peiping; we are unsure of the policy of those in control in Hanoi; we do not know what influence Moscow exerts, nor how independent the Vietcong is from Hanoi. The political and military situations change so rapidly that we must continually reexamine our assumptions and refine our views.—JOE TYDINGS.)

THE TROUBLED PAST

South Vietnam is about the size of California with a population of approximately 14 million. For centuries these sturdy, handsome people have fought off Chinese efforts to conquer them. They still regard the Chinese as traditional enemies. In the 19th century, the French colonized Indochina and began nearly 100 years of unenlightened rule. In 1942, Japan invaded and occupied the country.

After World War II, the French wished to return to Vietnam, but Ho Chi Minh, a popular resistance fighter against the Japanese, was in control. Orderly transition from colonial rule to self-government was unsuccessful, and war broke out between the French and Ho's Vietminh forces. The war dragged on for 8 years, until the French were decisively defeated at Dienbienphu.

At the conference table in Geneva in 1954, an accord was reached whereby firing ceased and a line was drawn between the Communist north and the non-Communist south. Free elections under international supervision were to be held throughout Vietnam in 1956 to select a government for a unified Vietnam. The United States did not sign the Geneva accords, but endorsed it in principle. After the country was partitioned, almost 1 million citizens fled from the north to the south. Only 100,000 chose to move north.

A relatively free election was held in the South in 1955. Ngo Dinh Diem overwhelmingly defeated Bao Dai, the former French puppet Emperor. Diem refused to permit the unification elections unless Ho Chi Minh agreed to effective international supervision in North Vietnam. The elections were not held. Diem soon terminated the practice of electing local officials and appointed his own men. He persecuted the Buddhists, the Cao Dai, and other religious sects. He permitted corruption to flourish, jailed his political opponents, and failed to make even token economic and social reforms.

Considerable opposition to Diem had developed by the late 1950's. Guerrilla fighters set up shadow governments in the provinces and began to kill village officials. These guerrillas were aided by North Vietnam. At the Third Lao Dong Party Conference in Hanoi in December 1960, the National Liberation Front was proclaimed, and Communist assistance became official.

Since Diem's demise in 1963, there have been five governments. The present Premier, Nguyen Cao Ky, inherited a difficult situation, but during his few months in office, he has displayed greater understanding of the political, economic and social problems of his country than his predecessors. He has permitted free elections in the Provinces and has devoted increasing attention to desperately needed programs of education and rural development. While our officials believe Ky to be personally honest, corruption and graft exist at lower echelons of government.

We began to aid South Vietnam in 1954. Predicated on the assumption that "needed reforms" would be undertaken, this aid was to be entirely economic. When the situation deteriorated, however, President Eisenhower sent military assistance. President Kennedy continued this assistance and gradually increased the number of advisers.

In February 1965, the Vietcong threatened to cut South Vietnam in half, roughly along Highway 19 from Pleiku to the coast. Our military force in Vietnam then numbered about 20,000—mostly advisers and technical personnel. President Johnson was confronted by the alternatives of complete collapse or dramatic increase in our military commitment. He chose the latter.

THE PRESENT SITUATION

To secure the entire nation will be a long and difficult task and will require a massive military commitment. Two-thirds of the highways are controlled by the Vietcong. Passage of troops and supplies is difficult by day and impossible at night. Saigon and many of our military bases are vulnerable to sabotage and harassment.

The Vietcong infrastructure is effective in approximately two-thirds of the villages. Although the Vietcong do not always occupy the villages, a few sympathizers maintain close communication with jungle fighting units and are able to bring down an attack on a village that refuses to pay taxes to the Vietcong or which cooperates with the Saigon government. Thousands of village schoolteachers and officials have been kidnaped and assassinated. In this fashion, the Vietcong exercises control over two-thirds of the land area of South Vietnam, though less than one-third of the people.

In addition to guerrillas, at least seven hard-core regiments have come down from North Vietnam. Almost all heavy fighting in recent months has been against these North Vietnamese regulars. The struggle is no longer a revolt or an insurgency; troops are trained, equipped, and shipped from the north.

War has left thousands of Vietnamese homeless. I visited six refugee camps and met with the minister of social welfare and our AID officials to discuss the staggering problems of feeding, clothing, educating, employing, and ultimately relocating these refugees. Though some progress has been made in this area, more often than not it has been a case of too little, too late. We must help these people not only for humanitarian reasons, but also because their political support is essential. I am encouraged by the President's recent clear commitment to the welfare of the Vietnamese refugees. The need is great and the problem grave.

The morale of our troops is extremely high. I spoke with many Maryland boys in every unit I visited. Despite some inevitable bottlenecks, our men are better trained and equipped than any soldiers in history. They have displayed incredible bravery and resourcefulness under extreme conditions.

Special Forces units have set up camps throughout the toughest Vietcong territory in South Vietnam. These isolated camps, built much like stockades of our frontier days, are manned by 2 U.S. officers and 10 enlisted men. Together with local villagers, they have repeatedly defended these small forts against powerful Vietcong sieges.

While the war goes on, our troops and AID officials are rebuilding this war-ravaged country. Our civic action program has been one of the most important—though least reported—activities in South Vietnam. It was a great inspiration to see our troops helping the villagers to build schools and sanitation facilities, dispensing medicine to sick children, and instructing families in the use of soap. Medical companies attached to our line units are providing badly needed medical assistance to thousands of Vietnamese villagers and farmers. These activities are almost unprecedented in the history of modern warfare.

THE UNCERTAIN FUTURE

Politics is the art of choosing among available alternatives. We are confronted by three basic possibilities: escalation, withdrawal, or continuing to defend the territory we now occupy. War is hell, but the alternative of unilateral withdrawal is less acceptable. My visit convinced me that our fundamental commitment to help defend South Vietnam is a necessary one. I found that our help is generally wanted. A precipitous withdrawal now would mean the end of an independent South Vietnamese Government and the ultimate murder of tens of thousands who have fought Communist aggression. Withdrawal would bring incalculable pressure upon Thailand and the other small countries of southeast Asia. Eventually, India could lose her independence and thus her strength as a great democratic counterweight to China.

Our objectives are limited. We do not want territory or a military garrison in southeast Asia. We are not there to wage an aggressive war. We do not want to destroy North Vietnam, merely persuade it to stop making war against its neighbor. Our aim is simply to give the people of South Vietnam an opportunity freely to choose their own form of government.

I had hoped that we could achieve our objectives by negotiation. The response to President Johnson's peace offensive has been disappointing, but we must intensify the search for an acceptable solution. I support turning this matter over to the United Nations and would welcome a renewal of the Geneva Conference. I think we should be willing to negotiate with the National Liberation Front as well as the government of North Vietnam, and to accept free elections in South Vietnam as an ultimate political solution.

While the search for peace continues, we must devise an appropriate military and political strategy. I was doubtful that our bombings of North Vietnam were sufficiently useful from a military standpoint to justify the political risk of their resumption. I had hoped that the President would have been able to continue the bombing pause. But now that he has made his decision, we must support him insofar as conscience permits. He has far greater access to the relevant information. I hope and pray that this decision is correct.

We can best achieve our goals by continuing to help the South Vietnamese build their nation with some degree of peace and security. We must place greater emphasis upon economic development and social reform. Seventy percent of the people of South Vietnam live in territory defended by United States and South Vietnamese troops. If we can protect the people in these areas from harassment and terror, and, at the same time, help them to rebuild their economy, institute governmental reforms, and embark on a program of social justice, we will have achieved many of our objectives. Even this will not be easy. Barring the unexpected, American soldiers will be in South Vietnam for many years to come. Our AID mission faces untold problems in trying to build a modern nation in a backward, war-torn country.

But whatever the difficulties, I am gratified that we finally appear to be recognizing the importance of civic reform. In the long run, the most important phase of this struggle will be fought in the schools, the hospitals, the rice fields of South Vietnam, rather than on the battlefields.

TAX ADJUSTMENT ACT OF 1966

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when H.R. 12752, the Tax Adjustment Act of 1966, is reported by the Committee on Finance, it be made the pending business.

The **PRESIDING OFFICER** (Mr. CANNON in the chair). Without objection, it is so ordered.

ORDER FOR ADJOURNMENT UNTIL FRIDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it stand in adjournment until 12 o'clock noon on Friday next.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. CURTIS. Mr. President, I wish to speak on a subject of considerable interest to a number of Senators. I ask unanimous consent that I may suggest the absence of a quorum without losing my right to the floor, and that I may be recognized to continue my remarks following the quorum call.

The **PRESIDING OFFICER.** Is there objection? The Chair hears none, and it is so ordered.

Mr. CURTIS. I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CURTIS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

DISTRIBUTION AMONG THE STATES OF RESEARCH AND DEVELOPMENT FUNDS

Mr. CURTIS. Mr. President, I am today introducing a resolution, the object of which is a better geographical distribution of the research and development funds that are granted, loaned, or otherwise made available by the agencies of the Federal Government to our institutions of higher learning.

This is a sizable program. So far these funds have been overly concentrated in two or three areas. Many fine colleges and universities have been left out. Many States have been left out.

For many years, various groups and individuals have urged a decentralization of these Government expenditures. No one has come up with a sound formula to accomplish that objective. The resolution which I am introducing proposes that such a formula be developed and fixes the responsibility for writing such a formula.

The pace of change is the constant factor in our changing lives, and the days ahead will each be filled with new wonderment. The technological explosion of World War II started this pace which accelerates each year. The mind of the man of science seems to know no bounds as we add today's achievements to tomorrow's routine. With all these blessings of great material progress, we in the Congress must assume the stewardship of its burdens.

Today we must work to keep this pace of progress. Today we must work diligently to give a better direction to this pace of progress lest our population explosion be coupled with a population erosion. We can erode away the academic excellence of many areas of this great Nation. We can erode away a balance in our national productivity which is now dwindling. We can concentrate in a few centers those talents which are basic to education, to continuing development, and to future productivity.

For 20 years the Congress has given sincere expression, but unfortunately a general expression, to the need for a balanced development of our basic sciences. For years we have wrestled with this burden, and we have found it a tough one to pin down. I hope today to set in motion a pursuit of the specifics which can begin to bring equity into an imbalance which worsens each year.

The imbalance which must be righted is not only the increasing maldistribution of $15 to $20 billions of Federal research and development funds but the reversal of trends which this maldistribution has set in motion. Mind you, were we to delay this reversal for another decade, the Members of this body might be faced, in a score of years, with the fact that wide areas of this great Nation may then fail to possess the skills and the talents to perform useful research in the basic sciences. Our great institutions of higher learning, in vast areas, may be reduced in scope to schools of narrower pursuits. Our laboratories and kindred facilities will move away, and will not then our industries follow that pattern?

The power of the Federal Government to generate scientific and technological achievement must be harnessed in the absolute of feasibility to render a balanced achievement.

An expression of my concern is well exemplified by the recent formation of the Midwest Resources Association, a 12-State effort seeking fair and equitable distribution of our resources and our skills. Twenty-four Members of this body form a bipartisan committee to aid its work. My distinguished senior colleague from Nebraska serves on its executive committee.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. CURTIS. I yield.

Mr. HRUSKA. Mr. President, I commend my colleague for his sponsorship of this resolution.

His reference to the Midwest Resources Association is most appropriate. This young organization represents the heartland of America—Nebraska, the Dakotas, Minnesota, Illinois, Iowa, Ohio, Kansas, Missouri, Indiana, Wisconsin, and Michigan.

A completely bipartisan group, its whole dedication is to the economic welfare of our region. It is directed by a steering committee made up of 12 Governors, 6 Senators, and 6 Members of the House of Representatives. Together with the senior Senator from Ohio, it has been my privilege to serve as a member of the association's executive committee and to participate in the organization's development.

This association was conceived out of a realization that only by uniting the Midwest would we be able to compete with the more populous and better financed States. Recently, the association employed a full-time executive secretary and opened an office in Washington.

As a member of the Appropriations Committee, I have long been concerned about our ability to manage the research and development activities of the Federal Government. These programs have grown in the past two decades out of all proportion to any other segment of the national budget.

Just before World War II, the Government spent a mere $75 million on science and technology annually. Today the figure is between $15 and $20 billion.

No one argues with the need for intensive programs of science, research, and technology. We still have vast frontiers to conquer. No one wants to put a price tag on the cure for cancer, the common cold, or heart disease. No one fails to recognize the literal life-and-death seriousness of maintaining our military strength.

That is not the point. The point is whether the Congress is intelligently providing ample funds for all these efforts and whether the Nation's scientific and technological resources are being properly utilized.

Many of these programs—and the justification for their funding—have not been based on any particular logic or rationale. They have, like Topsy, "just growed."

We had a striking example of this last year in the Agricultural Appropriations Subcommittee. Our distinguished chairman, Senator HOLLAND, insisted on a thoroughgoing analysis of research carried on by the Department of Agriculture.

While some progress was made and we have a better view of the Department's research effort than before, much remains to be done. What is indicated is a thorough overhaul which will provide the tools, the background, and the know-how to treat the entire research field and not just a narrow segment.

I commend the Senator for his concern with this problem and for his effort to bring something concrete out of the often expressed desire to make progress in this field.

May I say, Mr. President, that I think it would be difficult to find anyone more qualified and experienced to pursue this resolution than the Senator from Nebraska, because of his long tenure in Congress, his membership on the Joint Committee on Atomic Energy and on the Senate Committee on Aeronautical and Space Sciences, and his activity, through the years, on the Government Operations Committee. It is with pleasure that I join him in this resolution as one of its cosponsors, and it is my hope that many other Senators will see fit to do the same.

Mr. CURTIS. I thank the distinguished Senator. I am fully aware that a proper distribution of these funds is a difficult task.

I have a very high regard for the National Science Foundation. It is Government oriented. I believe it is qualified to make a study, take a little time, and bring in a formula that will do justice to the programs undertaken and will, at the same time, help decentralize those activities from a geographical standpoint.

The industries of tomorrow will be located where the scientific complexes are now being located, and Congress has an obligation to do equity and justice in determining where this money is being spent, loaned, or given.

Mr. HRUSKA. Mr. President, will the Senator yield further?

Mr. CURTIS. I am happy to yield.

Mr. HRUSKA. Is not the situation sometimes aggravated by this type of occurrence: The necessity for some crash program will make its appearance. In the area of that project, there are certain well-known, outstanding institutions for example, educational institutions, which exist and have been active in the field. Without an organization like the National Science Foundation to make a complete appraisal of the available talent and facilities the nation over, there is always a tendency to say, "Well, college X or university X having done this in the past, let us give them this project, too."

Mr. CURTIS. Yes.

Mr. HRUSKA. Not being aware of many facilities which would be equally good and perhaps even better, because of not having an overall schedule and for other reasons: and yet the National Science Foundation would have knowledge that would enable a decision to be made, which would take into consideration not only decentralization, but also other factors which would attach to other potential places for location.

Mr. CURTIS. I thoroughly agree with the Senator.

In additional, I should like to point out that when they pass over a well-qualified institution of higher learning, oftentimes that institution is unable to hold its scientific talent; it loses some of its talent to the areas that do get the grants, and the cycle picks up more and more, with the result of having Government funds injure one area to the advantage of another.

Mr. HRUSKA. The trend feeds on itself and keeps going.

Mr. CURTIS. Exactly. I thank the distinguished Senator.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. CURTIS. I am happy to yield.

Mr. DOMINICK. I thank the distinguished Senator from Nebraska, not only for yielding, but also for bringing up this very important resolution he has before us now.

I remember some years ago talking to the National Cryogenics Association in Boulder, Colo., about some of the problems involved in Government support of research.

I believe at that time approximately 80 to 85 percent of the total funds being spent on scientific research were being generated out of the Federal Government, and I pointed out to them that in the process of continuing on this type of emphasis, unless something were done, it was bound to feed into certain well-defined areas, which would then deplete the scientific knowledge and brains of other areas as they flowed into the areas where the money was going.

I gather from what the Senator is saying that he thinks this is one of the problems we are now facing; in other words, that a university has received a grant because they are supposed to be particularly capable in a certain field, and then, when a new program comes along and more money is to be spent, because this university has had a large program, that the second one is liable to flow into it automatically; because they have demonstrated capacity in the first one, they are assumed to have capacity in the second.

Mr. CURTIS. I think the Senator has stated the problem correctly.

I am not critical of the Government administrators who make the grants. I believe they need the guidance of a formula that might be developed by the National Science Foundation, in order that they might have an appraisal of the competence of a university, the competence of its instructor personnel and the heads of the departments. I think such a formula would be of great help to the Government administrators who are charged with distributing these billions of dollars.

Mr. DOMINICK. I wonder if the Senator could answer this for me, because I unfortunately have not had the opportunity to read his bill: In the resolution, are we referring to all types of research, or are we referring only to scientific research dealing with scientific subjects?

Mr. CURTIS. The resolution refers to the laws under which research and development funds are granted, loaned, or otherwise made available by industry or agencies of the Government to institutions of higher learning for scientific or educational purposes.

Mr. DOMINICK. That could, then, take in research, for example, under the Disarmament Agency. As the Senator knows, the Disarmament Agency has in the past given out a research program to some professor somewhere, on the thesis that he is to come back with a new method of overcoming problems of a disarmament nature. It could, I presume, take in educational research as well; is that correct?

Mr. CURTIS. The Senator is correct.

Mr. DOMINICK. It seems to me this becomes even more important as the scope of research is developed, because obviously brains in all these different fields, by the sheer nature of it, cannot be concentrated in any two or three or half dozen universities; they must be spread throughout the country; otherwise, we would not have the good universities that we do.

I know that we have a very large series of programs in Colorado, but I have often wondered why some of the others do not go there as well, in view of the capacity that we have. It is possible that the formula that the Senator is suggesting the National Science Foundation develop would at least show the need for redistributing certain types of research which are now going into the southern area or the western area or the northern area; they might be focused in there deliberately under this type of formula, is that correct?

Mr. CURTIS. Yes. At least, we would have the guidance of a qualified scientific group which could appraise all the talent in the country. Without a doubt, many of these grants and loans are well placed. On the other hand, there is no doubt that many of them could have been successfully handled elsewhere. There should be some guidance on it, some equity and justice injected into the disbursement of these funds.

Mr. DOMINICK. I believe that the Senator has brought up a subject which is, really, of great significance. I would be happy if the Senator would allow me to join him as a cosponsor of his resolution.

Mr. CURTIS. I would be very glad to have the Senator as a cosponsor, and I thank him.

Mr. DOMINICK. Even though eventually none of us may agree with the formula proposed, and I would wish to reserve my final decision.

Mr. CURTIS. I agree with the Senator. The National Science Foundation might disappoint all of us, but, as of now, I believe it is the proper agency to which to turn to start this project.

Mr. DOMINICK. I thank the Senator from Nebraska.

Mr. MUNDT. Mr. President, will the Senator from Nebraska yield?

Mr. CURTIS. I am happy to yield to the Senator from South Dakota.

Mr. MUNDT. I should like to join the Senator from Colorado [Mr. DOMINICK], and the Senator from Nebraska, in expressing approval of the approach which he has made to this very sizable problem. I am happy to serve as a cosponsor of the bill. It comes at a most timely occasion, because the Government Operations Committee, of which the Senator from Nebraska is a member, has recently created a new subcommittee to conduct what I would not like to call an investigation, but it is a study in depth of the whole research program of Government headed by the distinguished Senator from Oklahoma [Mr. HARRIS]. I serve on the committee as a regular Republican member. Just this morning, we met and agreed on a well qualified step with the Government scientific background, to proceed in an orderly fashion to put the whole problem before Congress, first of all, by identifying all research grants which have been made.

As members of the Finance Committee and of the Committee on Appropriations, we have difficulty, sometimes, in this whole field, because of the problem of overlapping and duplicating research projects, in not being able to find where they are.

Thus, we are going to create an inventory and find out just how far the Government has gone into the research contract and grant business, find out where the contracts have been made, where contracts have been granted, or where the work is being done and then move into the direction of trying to get a more equitable distribution of projects into the educational areas where we have talent.

I therefore congratulate the Senator from Nebraska on the fact that while this has been discussed a great many times, and while it has grown into a seriousness which has caused us to create the special subcommittee to study the problem in depth, the Senator from Nebraska has come up with the one practical suggestion which can serve as a guideline by providing that the National Science Foundation assume the responsibility of working up some formula to propose to Congress. I believe that this is a step in the right direction and with the background of information which will come out of the study being made by this newly created subcommittee of the Government Operations Committee, the testimony in the hearings, and the field investigations, I am sure that Representatives and Senators will be able better to evaluate this formula which will, I hope, eventuate from the very constructive suggestion which the Senator from Nebraska has made.

Mr. CURTIS. I thank the Senator from South Dakota.

Mr. MAGNUSON. Mr. President, will the Senator from Nebraska yield?

The PRESIDING OFFICER (Mr. TYDINGS in the chair). Does the Senator from Nebraska yield to the Senator from Washington?

Mr. CURTIS. I am happy to yield to the Senator from Washington.

Mr. MAGNUSON. I should like to suggest to the Senator from Nebraska that he has selected an agency with some experience in this matter. As the Senator from Nebraska will remember, the Senator from South Dakota and I were the authors of a bill to create the National Science Foundation, followed with a request on handling appropriations after it was created. The Senator from South Dakota and I found, in the early days of the National Science Foundation, that they did not have quite as much money as they have now, but we found that about 70 percent of all their grants was going to one area of the country—I need not mention the area.

Mr. MUNDT. Near the growing of beautiful ivy.

Mr. MAGNUSON. Yes, the ivy area. We did not do this deliberately.

Mr. CURTIS. No.

Mr. MUNDT. Right.

Mr. MAGNUSON. We felt that we should keep it from spreading. They did. They went about it. Mr. Waterman finally went about creating a broader spread. He has not created it, or done as well as we would probably have liked, but they have done pretty well.

Mr. MUNDT. The Senator suggested that what they have done was to create a "low-priced spread," and we are over in the "high-priced spread."

Mr. MAGNUSON. They created the "low-priced spread," that is true, but there is a spin-off to this thing that we are always talking about; namely, the shortage of personnel in the field who, when they are trained, whether it be by Government grants, privately, or both, go off in another direction, and we consequently suffer from a severe lack of teachers who stay.

We have found from experience, and so has the National Science Foundation, that where we give some of these grants to the smaller colleges—we have them in our State, but in the Middle West there are great numbers of them—there is something about the smaller college atmosphere when they receive this grant—rather than the hustle-bustle of a large technical school in which students are given interviews for jobs by big corporations, and so forth—that the smaller college student is more inclined to wish to go into the teaching field. But it proves something, too, in these grants. So that I suggest that the National Science Foundation has learned, through hard experience, to try at least to do what the Senator is suggesting. The Senator has picked an agency which has had a great deal of background in this field.

Mr. CURTIS. I am well aware of that, and I wish to commend the distinguished Senator from Washington for having pioneered in this field in the creation of the National Science Foundation. I am sure that it enjoys a fine reputation throughout the academic world. They are qualified, if any agency is, to reduce to a formula some way to distribute these funds so that it will not just be happenstance, or rest entirely upon the competence of particular individuals who happen to be making the decision at the time.

Mr. THURMOND. Mr. President, will the Senator from Nebraska yield?

Mr. CURTIS. I am happy to yield to the Senator from South Carolina.

Mr. THURMOND. I wish to commend the able and distinguished Senator from Nebraska for offering this resolution. If he has no objection, I should be pleased to join as a cosponsor.

Mr. CURTIS. I would be most happy to have the Senator from South Carolina added as a cosponsor.

Mr. THURMOND. Mr. President, I ask unanimous consent that I be allowed to join as a cosponsor to the resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THURMOND. Mr. President, a great many people have felt for a long time that something along this line needed to be done. It is my hope that the resolution will be passed and that action will be taken on it soon.

There is no question, as was mentioned by the Senator from Washington [Mr. MAGNUSON] a few moments ago, that a large percentage of contracts for research have gone to a very small geographical area of the United States.

It seems to me that funds for these research projects come from all the people in all the States of the Nation. Therefore, as much as possible, there should be a more equitable distribution of these projects. I am convinced that we have able scientists, that we have many able educators, and many able people in the various States of the Nation. Practically every State in this Nation has one or more outstanding educational institutions. It seems to me they might be considered for some kind of project under this program, rather than concentrating the projects in one area of the Nation.

Again I wish to commend the able Senator from Nebraska for his work on this problem. It is my hope that it will bear fruit.

Mr. CURTIS. I thank the distinguished Senator from South Carolina very much for his comments.

Mr. President, in a recent presentation illustrating the desirability of locating an important Federal structure in the Middle West the association noted:

Fourteen percent of Health, Education, and Welfare research and development expenditures at universities in 1964 were committed to universities located in New York, nearly 12 percent to universities located in California, and nearly 8 percent to universities located in Massachusetts.

Thirty-nine percent of Atomic Energy Commission research and development expenditures at universities in 1964 were committed to universities in California and nearly 20.5 percent to universities in New Mexico.

Sixty-nine percent of National Aeronautics and Space Administration research and development expenditures at universities in 1964 were committed to universities in California. This is the impact of the Jet Propulsion Laboratory.

Fifteen percent of all National Science Foundation grants to universities in 1964 went to universities in California, nearly 12 percent to universities in New York and nearly 10 percent to universities in Massachusetts.

The total expenditures for research and development at universities by these five major groupings of Federal agencies—Defense, HEW, AEC, NASA, and NSF—amounted to $1.6 of the $1.7 billion of Federal expenditures for research and development activities at universities in 1964.

At the conclusion of this notation these three questions are asked:

First. Is the current geographical distribution of Federal research and development grants and contracts at American universities meeting the major program objectives of Federal agencies, especially as these program objectives may involve a strengthening and diffusion of higher education capacity for research activity over the long run?

Second. Is the current general support of American universities enabling additional universities to advance their capacity for research activity?

Third. What are the social and economic effects of this concentration of research and development programs?

These are questions of the greatest importance to the Nation—to generations ahead. They are by no means limited to those people who now reside in these 12 States. They are by no means limited to an area of 12 States which today produces 35 percent of the Nation's manufactured goods with 28.6 percent of its population.

They are by no means limited to an area of 12 States which today produces 34.4 percent of the Nation's doctoral degrees from 28.6 percent of the Nation's population.

These questions must be answered to give shape, and form, and balance to this Nation's future for all the years ahead.

I am sending to the desk a resolution asking that an agency of Government given the responsibility for appraising our scientific resources make a study and report to the Congress a feasible plan for equitable direction of Federal research and development funds. This agency, the National Science Foundation, was charged from inception to "appraise the impact of research upon industrial development and upon the general welfare." It was further charged to "strengthen basic research and education in the sciences and to avoid undue concentration of such research and education."

The 15th annual report of the National Science Foundation gives further and full recognition to this original mandate in accepting the burden of science resources planning and in the commendable statement prefacing that report by its director, Leland J. Haworth.

I know so well, as a Member of this body during all the postwar years of the explosion of science, as a member of this body's Committee on Space, and as a member of the Joint Committee on Atomic Energy, that the solution does not rest in simple arithmetic nor in per capita distribution of research dollars. Yet I know that, unless we find a formula for a feasible and responsible distribution of a significant portion of those 15 to 20 billions spent annually in research, we are victims of a trend which soon will escape reversal.

We will accept a population erosion which will concentrate our talents, our industries, and our people in narrow and hopelessly confined areas of this broad and beautiful land.

I ask that the resolution which I now send to the desk remain there for 10 calendar days for cosponsorship.

The **PRESIDING OFFICER.** The resolution will be received and appropriately referred; and, without objection, will remain at the desk as requested.

The resolution (S. Res. 231) was referred to the Committee on Government Operations, as follows:

S. RES. 231

Resolved, That the National Science Foundation is requested to formulate and transmit to the Congress at the earliest practicable date its recommendations for such changes in—

(1) the laws under which research and development funds are granted, loaned, or otherwise made available by departments or agencies of the Government to institutions of higher learning for scientific or educational purposes; or

(2) the administration of such laws;

as may be necessary and desirable to provide for a more equitable distribution of such funds to all qualified institutions of higher learning to avoid the concentration of such activities in any geographical area and to ensure a continuing reservoir of scientific and teaching skills and capacities throughout the several States.

VIETNAM AND RHODESIA

Mr. EASTLAND. Mr. President, Vietnam and Rhodesia are half a world apart. But there is a reason why we should think of them together, in one particular connection.

This is what I want to discuss for a short time today.

In South Vietnam we are fighting a war to preserve the independence of that little country.

Britain is waging an economic war against Rhodesia to force that little country, which only recently declared its independence, to come back under British domination.

We are helping Britain in her Rhodesian struggle; but Britain is not helping us in South Vietnam. This epitomizes our relationships, today, with many of our allies. But since time is limited, I shall confine my discussion today to the United States and Vietnam, and Britain and Rhodesia.

It has been said, and rightly said, that this country has a commitment in South Vietnam. But so does Britain have a commitment.

The United Kingdom is one of the eight signatories to the SEATO pact, and has exactly the same obligations under that pact that the United States has. England's interest in preserving South Vietnam from engulfment by the Communists should be as great as our own.

We should be able to count upon substantial help from England, in our efforts to preserve the independence of South Vietnam, but we have not been getting it and there is no prospect that we will get it.

Yet Britain is getting our help in her efforts to destroy the independence of Rhodesia.

Just for background, let me portray the Rhodesian situation briefly.

Rhodesia declared its independence from Great Britain on November 11, 1965. Prime Minister Harold Wilson immediately characterized the action as "illegal" and "treasonable."

The declaration followed by slightly more than a month the rejection by Prime Minister Wilson of a demand by Rhodesian Prime Minister Ian D. Smith—in London discussions October 4 to 8, 1965—for immediate independence for the self-governing British possession.

Rhodesia's area is 153,330 square miles. Her population is slightly over 4 million, of which about 250,000 are white; about 1 white to each 15 blacks. The whites presently control the Rhodesian Government. Prime Minister Wilson declared independence would not be granted unless Rhodesia expanded African representation—now limited to 15 in the 65-member legislature—to pave the way for what he called true majority rule.

Economic sanctions by Britain promptly followed the Rhodesian declaration of independence. Rhodesian Prime Minister Smith was suspended November 12 by Sir Humphrey Gibbs, the Queen's representative. Then on November 17, Smith announced he had suspended Gibbs.

Britain also announced it would suspend all aid to Rhodesia, ban exports to Rhodesia, expel Rhodesia from the Sterling area, ban purchases of tobacco and sugar, and deny Rhodesia access to the London money market.

On November 12, 1965, the Security Council of the United Nations by a vote of 10 to 0, with France abstaining, called on all nations to refrain from rendering aid or recognition to what was termed "this illegal racist minority regime in Southern Rhodesia."

The United States thereupon declared an arms embargo on Rhodesia, announced it would discourage investment or travel in the country, and canceled Rhodesia's sugar quota.

On December 18, 1965, the U.S. Government advised all its citizens to comply with the British embargo on oil shipments to Rhodesia.

On December 28 the U.S. Department of Commerce prohibited the export of gasoline, kerosene, and other petroleum products to Rhodesia, without a validated export license, and announced that its general policy would be to deny such licenses.

The U.S. Government put pressure on American manufacturers who purchase raw materials from Rhodesia, and as a result various imports from Rhodesia have been discontinued. Imports of asbestos and lithium were discontinued on January 10. The State Department has been attempting to persuade American users of chrome to stop buying Rhodesian chrome or chrome ore, and it was recently reported that such purchases had been suspended. This seems a particularly shortsighted move, because in recent years nearly one-third of all chrome used in the United States has come from Rhodesia. Chromium is a material in short supply here, as well as being a strategic material; and the State Department's position in seeking a voluntary cutoff of Rhodesian chrome imports into this country seems hard to justify in the light of our own national interest.

The United States has not been a completely innocent bystander during the development, in recent years, of increased racial tensions in Rhodesia. Lest it be forgotten, let me recall an incident of about 4 years ago.

John K. Emmerson, U.S. consul general at Salisbury, Rhodesia, was recalled in March 1962, after 17 months in that post, as a result of charges by Roy Welensky, then Rhodesian Prime Minister, that after appointment of G. Mennen Williams as the U.S. State Department's African expert, U.S. representatives in Rhodesia had abandoned their "traditional line of noninvolvement in Rhodesian internal affairs" and had "pursued a line of not oversubtle alinement with African Nationalists."

Specific charges included these:

First. That the U.S. Information Agency had issued films and literature which "appeared to incite Africans to greater efforts to combat or boycott the federal and Southern Rhodesian systems of government."

Second. That certain films offered by USIA contained "scenes and episodes from past wars of liberation" coupled with "reminders that Africans, too, are struggling for their independence."

Third. That in Nyasaland, "American consular cars frequently have gotten mixed up in car processions of the Malawi Congress Party, making it appear as if U.S. officials and Malawi partisans are riding toward independence together."

Fourth. That in Southern Rhodesia, American consular men "have also been in close touch with Mr. Joshua Nkomo's Zambia movement." This liaison with Nkomo, it was charged, had been carried on "by both Americans and locally recruited African consular staff of U.S. diplomatic missions."

Sir Roy Welensky in June of 1962 ascribed what he called the present truculence of African leaders partly at least to American and United Nations encouragement.

Dissatisfaction was also expressed by the Rhodesians over the size of the U.S. diplomatic mission, which had a staff of nearly 200 persons, most of them locally employed Africans, and which was larger than any other diplomatic mission in the Federation, and even larger than the British High Commission in Rhodesia. These figures covered the two U.S. consulates in Lusaka and Zamba, as well as the Consulate General in Salisbury.

Throughout Africa, new countries have proliferated as the rising tide of black nationalism has spread across that continent. Every time a group of partially educated, half-savage tribes has constituted an alleged government and declared its country free and independent, we have been pressured by an unreasoning fear of world opinion into immediate recognition of that government. These new, unstable, little so-called countries are immediately admitted to the United Nations where each is given a voting strength the same as our own in that international body. We are told that under no circumstances must force be used to retain or recapture any of these newly declared independencies as territories or dominions of one of the civilized nations of the world.

But when Rhodesia declared its independence, there was a vast cry that force must be used to restore British control; and representatives of the United Kingdom at the United Nations were snubbed and insulted because Britain had not used immediate force to destroy Rhodesian independence.

Does that sound like a double standard? In reality it is not. It is a single standard. The basic principle is increased power for the blacks; but no increased power for the whites.

The first white settlements in central Africa were made only 75 years ago. If we want to understand how the white Rhodesians feel, it may help to imagine how the early settlers in any State of our Union would have felt at being told, 75 years after settlement of the State began, that they should turn over their government to the Indian because they were the true majority.

As I have pointed out, the United States is aiding the British embargo on shipments to Rhodesia, and our State Department has even gone so far as to put pressure upon American users of chrome to halt purchases from Rhodesia, in spite of the fact that chrome is a critical metal in short supply in this country. But in agreeing to do all this, the United States has not obtained any agreement from Britain to assist us in an embargo or blockade against North Vietnam.

In fact, it does not even appear that our State Department sought such an agreement from Britain when we agreed to help Britain against Rhodesia.

This country has the necessary naval and air strength to enforce a sea blockade against North Vietnam. Those who argue against such a blockade make it a main point of their argument that Britain would not recognize the blockade, and, therefore, that we would be in trouble with our greatest ally if we should attempt to set up such a blockade. Sometimes, more euphemistically, those who argue along this line say that our allies would not recognize the blockade.

It is not at all certain that this is true. Perhaps the announcement of a blockade would give Britain a basis for cutting off trade which she now feels she must maintain in order to avoid offense to the Red Chinese, by whose sufferance alone Hong Hong is permitted to remain British territory.

Only 2 days ago the Commerce Department clamped controls on all exports from this country to Rhodesia. Perhaps there would be resistance by certain interests in the United Kingdom to similar action by that nation with respect to North Vietnam.

But since the United States is cutting off our shipments to and purchases from Rhodesia, in order to help Britain bring that turbulent dominion back under its control, why should we not ask Britain to help us cut off shipments of goods and supplies into North Vietnam, in aid of a defense against Communist aggression which is important to the whole free world?

One thing seems perfectly clear: we should not be asked to hold off on blockading North Vietnam because of any consideration for the British or their feelings about the matter.

If a blockade will help us in our struggle against Communist forces in South Vietnam, if it will help us to shorten the months and the years during which American fighting men must be kept in South Vietnam, if it will reduce in any degree the grisly total which eventually will represent our total casualties in South Vietnam, then a blockade must be undertaken, and the sooner the better.

The weight of the evidence so far adduced supports the conclusion that a blockade will help accomplish these objectives.

The conclusion seems inescapable that, unless there are important facts concealed from us, this country is not doing all it can to win in South Vietnam, and will not be doing so until a blockade of North Vietnam has been set up and made effective.

Mr. President, I ask unanimous consent to have printed in the RECORD a very able editorial entitled "On the U.S. Policy Toward Rhodesia," which appeared in the Vicksburg Evening Post, of Vicksburg, Miss., on Monday, February 28, 1966.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ON THE U.S. POLICY TOWARD RHODESIA

The Commerce Department announced Saturday it is putting controls on all U.S. exports to Southern Rhodesia, and said this action would have the effect of cutting off virtually all exports of importance to the economy of that African country. Previously the United States had put an embargo on arms, military equipment and all petroleum into Rhodesia. Exports to Rhodesia in 1964 were reported at about $21 million, with the principal export items being construction machinery, transport equipment, textiles, paper and wheat. Now, practically everything we exported into Rhodesia comes under the controls.

It just doesn't follow correct reasoning to adopt such a course against Rhodesia. First of all, it injects our country into the internal affairs of another nation; second, the quarrel between Britain and Rhodesia is none of our business, and we should not take sides in what should be a family affair; third, we, too, broke away from Britain, and proclaimed our independence, and we might, at least, have some sympathy with Rhodesia; fourth, this is the modern day, when all ties with colonialism must be broken, and so Rhodesia should be as entirely free and independent, and should have the same right to freedom and independence as the other African nations which have blossomed out in recent years; but finally, and most important, there is absolutely no basis for us to accede to Britain's wishes for economic sanctions against Rhodesia, when that same Britain insists on doing business with Cuba and North Vietnam and Red China, all of which are our mortal enemies. If, indeed, Britain had any claim whatever on our friendship, then she should be an ally in fact, by refraining from helping out those who are arrayed against our Nation.

If the Members of the Senate of the United States want something to really argue about, they should turn their attention away from Vietnam, and turn their oratorical guns against our administration policy in Rhodesia. There is fertile ground for sound and serious protest, whereas no such ground now exists in Vietnam. We are being played for the proverbial sucker in Rhodesia, while we do nothing to make our supposed allies desist from trade with our enemies. There is justification for an all-out protest against our Rhodesian policy.

ESTABLISHMENT OF DEPARTMENT OF TRANSPORTATION

Mr. MAGNUSON. Mr. President, I introduce, by request, for appropriate reference, a bill to establish a Department of Transportation. Introduction of the bill is at the request of the President and the executive department of the Government.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

Mr. MAGNUSON. The bill would establish a 12th Cabinet Department. This is not a new proposal. The Commerce Committee of the Senate considered a similar proposal for a Department of Transportation in hearings held as far back as 1948. The matter of a Department of Transportation had been before many Congresses prior to that time. I have personal knowledge of the hearings in 1948.

Since 1948, the proposal to establish a Transportation Cabinet Department has been brought up on many occasions, and many study groups have been appointed by the executive department, and by Congress itself, which have recommended such an establishment.

The Commerce Committee's Special Study Group on Transportation Policies in 1961 suggested that a Transportation Department be established.

As I recall, the opening part of the so-called Hoover Commission proposals on reorganization of the Government suggested a Department of Transportation.

Over 5 years ago President Eisenhower recommended to the Congress that such a Department be created. Of course, the need for such a Department has been growing since that time.

President Johnson in his state of the Union message pointed out that such a Department of Transportation is needed to bring together our transportation activities. He stated that the present structure—35 Government agencies, spending $5 billion yearly—makes it impossible to serve either the growing demands of the Nation, the needs of the industry, or the right of the taxpayer to full efficiency and frugality.

The Congress in the exercise of its power to regulate commerce is vitally interested in insuring that the needs of commerce—communities, shippers, users, and carriers—for a safe, efficient, equitable, and balanced transportation network are served.

The geography of this country makes transportation more important to the economic scheme of this country than to any other country in the world, because of the land mass of the United States and the nature of our economy.

Expeditious and effective decision on this bill would be facilitated if the administration would transmit to Congress the factual studies and underlying data on which this recommendation is based.

That, I understand, will be done quickly.

It has been a perennial problem in the field of transportation legislation to subject value judgments and opinions to factual analysis because the facts have not been readily available. Prompt receipt of this information will enable Congress not only to make a prompter decision, but also a better one.

Today the President has sent to Congress a message on transportation. Accompanying this organizational reform of one of the most vital aspects of governmental activities is the President's Transportation Message.

We have, of course, the best transportation system in the world. It has its flaws. But it is the only completely private enterprise transportation system in the world. Most countries have either government-owned transportation, or the government completely controls transportation and finances it wholly or in major part.

Although we have many flaws, we have a good system. Sometimes it is a marvel to me that it survives as a private enterprise. But it has flourished as a result of private initiative and endeavor. It has also grown with the encouragement and support of various governmental programs. I do not think that we should forget these aspects.

These programs of the government are widely dispersed and uncoordinated. Lately we have begun to aid our transportation system by research.

The bill which I have just introduced on automotive safety carries out that trend in order that we might have greater safety on our highways.

The President has alluded to 35 different departments and agencies involved in transportation, and stated that these programs involve vast sums of Federal money.

Transportation is so much an integral part of our economy, and so important to our economy, that few people realize that transportation activities comprise about one-fourth of the gross national product of this country. It is big business.

We hope that by this bill, the Federal role in transportation will be given a truly national and meaningful effect. If we are ever to achieve a coordinated national transportation system we must reorient and redirect these many programs. The exploding population and economic growth of the Nation demand that we bring some order to the structure of the Federal Government as it is presently organized to deal with transportation.

If we fail to do so now it is obvious the task will become immeasurably more difficult in the future, for transportation needs and problems were multiply.

The importance of transportation as an element of the complex interrelationships of our economic system is increasing daily. Yet there is no one in the present Government organization, other than the President himself, who has authority to coordinate many aspects of Federal transportation policies and programs. The independent regulatory agencies, such as the CAB, the Interstate Commerce Commission, and others, are not able under present law to take such action efficiently and effectively. For our part, we can legislate, but we do not administer.

It is a fact of governmental life that transportation functions have not kept abreast of current or future requirements. Any projection into the future will confirm that conclusion.

If congressional transportation mandates are to meet the needs of the public, we must exercise foresight. This Nation must be assured of strong leadership in promoting advances in transportation technology for fast, efficient, economical service.

The bill attempts, and its objective is, to resolve these matters.

Departmental status would be conferred on those activities which represent the preponderance of government money and personnel concerned with transportation.

The key modes are the Bureau of Public Roads, which today is next to the Department of Defense as the second largest business in the world.

The Federal Aviation Agency which deals with the sensitive problem of airlane safety is another. It now costs us almost three-quarters of a billion dollars to operate this agency in order to keep the safety features of our airlanes intact and up to date. The FAA would be included in the proposed Department of Transportation.

The Maritime Administration—that is, the Maritime Administrator in the Department of Commerce which now has a single head as distinguished from the Maritime Commission, which has other functions—will also be transferred. There are provisions for integrating our merchant marine into this new department. It will bring the merchant marine into proper relationship with other forms of transportation, rather than operating by itself.

My friend from Oregon and I are interested in the proposed transfer of the Coast Guard into the new department.

Mr. GRUENING. Mr. President, would the Senator yield?

Mr. MAGNUSON. I yield.

Mr. GRUENING. The Coast Guard renders invaluable service in Alaska, as it does in other parts of the Union. But there is no State in which the service of the Coast Guard is more valued and highly regarded than it is in Alaska. Our people are so glad to see them going out saving lives. It is one of the most cherished things that we have.

Mr. MAGNUSON. As an aid to water operations.

Mr. GRUENING. And I hope that nothing is done to impair its usefulness.

Mr. MAGNUSON. Also transferred is the Office of the Under Secretary of Commerce for Transportation and its existing responsibilities.

This is a complex and major piece of legislation. It is probably the most important in many years in this field. Because of all of the activities that it covers no one will suggest, not even the chairman, that the bill should not be modified. There will be some portions that need to be corrected and some that may be opposed by Members of Congress. The administration has no particular pride of authorship. They are sending it up to make a start toward a Department of Transportation.

The bill would transfer to the new department Federal safety functions pertaining to all modes of transportation. From the Interstate Commerce Commission, would come rail, motor, and pipeline safety functions.

The Interstate Commerce Commission has a Locomotive Inspection Section in the Bureau of Railroad Safety and Service which is supposed to be responsible for the safety of trains. We give them a niggardly amount every year to inspect locomotives and cars. I believe there have been too many railroad accidents lately. Much of it goes back to the fact that locomotives and cars have not been inspected as they should be. That function would be transferred.

Then there is the motor carrier safety functions. I do not know how we are going to reach what some of us in the transportation field call the "gypsy" operator. Mainly, they are vehicles in agricultural hauling. They are never inspected. Few farmers today use trucks to haul goods except for short distances. The bulk is carried by "gypsy" operators. Fifty States have 50 different varieties of motor carrier inspection, and the result is that some of these trucks are not in very good condition. There are many accidents occurring in this field. Federal motor carrier safety functions would be transferred to this new department and consolidated with other features of transportation.

Pipeline safety might sound unimportant, but there are extensive pipeline systems in this country.

The bill would transfer Federal safety functions pertaining to all modes of transportation—rail, motor, and pipeline—from the Interstate Commerce Commission; aviation from the Civil Aeronautics Board; and water from the Coast Guard.

Pipelines are constantly blowing up and causing trouble and stoppages because the lines extend for hundreds of miles. Pipelines now under the ICC would be included. Every sensitive field of transporation safety would be included in the new department.

The safety provisions and safety responsibilities with respect to aviation now in the Civil Aeronautics Board would be transferred to the new department, as would those of the Federal Aviation Agency, and the Coast Guard.

The bill also requires that accident causation be determined by an independent National Transportation Safety Board. A five-member board is proposed in the bill. They would be appointed by the President, and their nominations confirmed by the Senate. They would have independent responsibility to examine causes of accidents in all fields. No one is suggesting that the safety board would be an organization whose personnel would go out to investigate each individual automobile accident. Its purpose would be to consider patterns of accident causation.

The President's message endorses the tire safety bill, which I sponsored and which the Committee on Commerce, at its next meeting, is ready to report to the Senate. The Transportation Safety Board might consider all phases of tire safety, from the manufacture of new tires to tire retreading. Such a board would be an independent safety board. I hope it will be possible to secure members that will be as objective as possible, because such a board would correlate safety in all fields.

The bill which I have just introduced will be followed by another bill dealing with safety at sea. The regulations for safety at sea need to be revised. However, we are waiting until the Coast Guard finishes its inquiry into the *Yarmouth Castle* tragedy, to ascertain what should be done in that respect, and what might be done to improve the safety of foreign ships coming into this country. Such ships obviously do not have the same minimum safety standards that are required for U.S.-flag ships.

Also, operational units and functions of certain agencies relating to other aspects of transportation would be transferred to the new department.

One feature of the bill will have to be considered very carefully. I do not know whether it would be helpful, but we shall explore it and listen to everyone who has ideas. Certain functions of the Corps of Engineers pertaining to anchorages, bridges, and tolls would be transferred. The Alaska Railroad and the St. Lawrence Waterway Development Corporation would be transferred. This can be done by executive order, to fit those agencies into the proposed new Department. It will be necessary to define precisely where the dividing line will be with respect to the functions of the Corps of Engineers as they pertain to many operations that might have some transportation benefits, but as to which the main purpose of the project or the program would not be transportation.

The transfers I have mentioned contemplate an essential nucleus around which sound national transportation policy can be developed, implemented, and coordinated.

The bill also provides that the Secretary of Transportation shall develop economic criteria and data for use by departments and agencies of the Federal Government in the investment of Federal funds in transportation of facilities and equipment. Defense, foreign assistance, and interoceanic canal matters would be exempted from this feature. Perhaps, high speed transit systems also would be excepted, at least for the time being.

In a somewhat similar vein, in connection with the subsidy element of ratemaking for the transportation of mail, the bill provides for the Civil Aeronautics Board to take into consideration principles and criteria prescribed by the Secretary of Transportation for determining the character and quality of transportation required for the commerce of the United States and the national defense.

Another subject is of interest to about 80 percent of the membership of the Senate. At one time it was of interest only to Senators west of the Mississippi River. Now, however, about 80 to 85 percent of the Members of the Senate are interested. We out West are highly conscious of this matter, but other areas of the country are also becoming quite conscious of it. It is a serious obstacle to the achievement of a decent transportation system in this country. I refer to a condition that has plagued us out West for many years—the boxcar shortages. Our lumber mills and plywood mills cannot obtain cars to move cargo even a few miles to the docks at a time when we are trying to encourage export trade.

At one time a bill would be reported at every session of Congress from the Committee on Commerce, and we would count noses. Every Senator from east of the Mississippi would vote against the bill, and every Senator from west of the Mississippi would vote for the bill. At that time more Senators opposed such a bill than favored it, so it was not possible to have such a bill passed. Now the boxcar shortage is national; it affects every area; and it is growing worse. Last year the peak car shortages, on the average, ran about 7,000 cars a day. Now, the Interstate Commerce Commission reports, the shortage is more than 15,000 cars a day.

The Senate has passed a bill to end freight car shortages. It has not yet been reported from the House Committee on Rules. I am hoping that the Members of the House will find it possible to expedite action on the bill. The provisions of that bill to end these shortages, I hope will be transferred to the Department of Transportation, because the new Department could correlate the problem of boxcar shortages with the problems of other modes of transportation to the end of expeditiously moving our products.

The bill does not assume military or government traffic management functions; rather, its purpose is to confer needed responsibility where none has existed; to bring coordination into areas lacking it; to bring consistency of policy in place of fragmentation; and to recognize the concern with the public interest by Congress, the President, the States, labor, management, shippers, and travelers. All in all, this bill is a great step in the right direction.

Lastly, the message calls for—and this has long been an idea of many members of the Committee on Commerce—a permanent Chairman of the Interstate Commerce Commission. That Commission is the only independent agency that does not have what is called a permanent Chairman; all the other agencies do. By that statement, I do not mean that his service would be permanent, but that he would serve his term as Chairman by the appointment of the President. The Interstate Commerce Commission has had what is called a revolving chairmanship. Every year it has a new Chairman. Some times that causes problems. I think the bill will be helpful in that field.

The bill is broad. It ties in with the proposed automobile safety legislation, which was introduced today, and with other fields, including tire safety, which is a necessary requirement in the field of automobile safety.

There is one more problem. I am sure the Committee on Government Operations will hold hearings on this bill as it affects the executive department. In the field of automobile research, the suggestion was first made that trust fund moneys be used for such research. A contrary suggestion was then made that perhaps that should not be done because, primarily, it was trust fund income. It was pointed out that such research should stand on its own feet. It may be that a percentage of the revived automobile excise tax could be used for research in the field of automobile safety.

This bill is all-encompassing in its field. It is probably the most important bill introduced with respect to transportation since the origin of the Interstate Commerce Act.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. GRUENING. Mr. President, I express my gratitude that the senior Senator from Washington, chairman of the Committee on Commerce, will be in charge of the far-reaching proposed legislation on transportation. No one knows better than he how dependent Alaska is on transportation. For Alaska, though physiographically part of the continent, is economically an island. Its very life is dependent upon transportation. No Senator has contributed more usefully, effectively, and devotedly to this activity than has the senior Senator from Washington who is now in charge of the bill.

The Senator from Washington knows that the greatest part of American transportation to Alaska originates in his home city of Seattle, whether by sea, air, or highway.

It was none other than the senior Senator from Washington who embraced the idea, and carried it to execution, of the Alaska Highway. He was the Chairman of the Alaska International Highway Commission, the legislation to create which he sponsored, and I was a member. The Senator will recall that in consequence he and I together made a trip by air over the then nonexistent and proposed routes of the highway in 1939.

The Senator will recall that he was so eager to get going that he neglected to change to heavier clothing and wore his palm beach suit and straw hat. He was willing to travel into those northern latitudes without changing his garments. He wanted action and we got it. Alaska owes a great deal to Senator Warren Magnuson. I am very happy that this new, comprehensive approach will be considered under his guidance.

Mr. MAGNUSON. Mr. President, I am a little pressed for time. I do not have time to reminisce with my good friend, the senior Senator from Alaska, who was then the Governor of Alaska. That was quite a trip. I do not believe that I could make that trip now in a lightweight suit. However, we did it then, and the result is that we do have an Alaska Highway today. It should be paved.

Mr. GRUENING. Certainly.

Mr. MAGNUSON. The highway is serving a great purpose. I think that this new Department should take a look at this whole matter as it relates to sea and highway transportation, highway paving, and the Alaskan Railroad.

I expect that the new Department will do this and that such problems can be correlated. There is a problem as to the role of common carriage to Alaska as against chartered trucks. There is remarkable progress in some fields. Copper ore is now being hauled along that highway from the Kennecott mine for refining in Vancouver and Tacoma. That is one use to which the highway can be put.

I think that water transportation is improving because there is a little competition.

Mr. GRUENING. Mr. President, will the Senator yield further?

Mr. MAGNUSON. I yield.

Mr. GRUENING. Mr. President, I hope that the committee plans to hold hearings at various communities in Alaska, all of which points are so vitally concerned—along the steamship route, such as Ketchikan, Wrangell, Petersburg, Sitka, Juneau, Haines, and Skagway; and points along the Alaska Railroad such as Seward, Anchorage, and Fairbanks, and also at Kodiak and Nome. These cities are all vitally concerned.

It is very important that representatives of these cities be afforded a chance to be heard before any legislation is enacted.

Mr. MAGNUSON. Lengthy hearings will be held. The Committee on Government Operations is responsible for executive reorganization. The distinguished chairman of that committee, the Senator from Arkansas [Mr. McClellan] told me that the committee would immediately start to work on this matter.

We would like to pass this bill in this session. Whatever version of the bill Congress decides to pass should be placed on the books as soon as possible because transportation is a very explosive thing in our country. Transportation is vitally needed to keep our economy alive and strong, not that it has not been doing a good job. However, we can better meet the problems of the future if we have more adequate transportation.

I do not know how many people realize it, but many matters which appear to be urgent at this time will be very urgent 10 years from now.

Thirty-five years from now, in terms of population and facilities, America will be placed on top of the America which presently exists. There will have to be two schools rather than one, two or more hospitals beds rather than one, and perhaps six or more highways rather than the one highway of today. There will be 140 million automobiles on the highways.

Many things must be done to lay the foundation and establish guidelines, such as has been done by the fine work of the senior Senator from Oregon in establishing guidelines in the field of education.

We will thank the Lord 10 years from now that something was done about this matter. Perhaps we are late in acting even at this date.

There will be a completely new America 35 years from now. It took over 175 years to develop the America that exists today. Thirty-five years from now there will be an additional 162 million people.

We hope that we can establish some guidelines, not only for now, but also for the future, so as to create efficient, safe, and economical transportation in the field of transportation which is so important to our economy.

Mr. President, I understand that the President's message on transportation was printed in the Record earlier.

I ask unanimous consent that a section-by-section summary, together with a technical addendum thereto, be printed in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the summary and addendum will be printed in the Record.

The bill (S. 3010) to establish a Department of Transportation, and for other purposes, introduced by Mr. Magnuson, by request, was received, read twice by its title, and referred to the Committee on Government Operations.

The section-by-section summary and the technical addendum thereto, presented by Mr. Magnuson, are as follows:

SECTION-BY-SECTION SUMMARY, DEPARTMENT OF TRANSPORTATION

Section 1 provides that the act would be cited as the Department of Transportation Act.

DECLARATION OF PURPOSE

Section 2 sets forth the basic purposes for the establishment of the Department. Congress would declare that the Nation requires development and implementation of national transportation policies and programs conducive to the provision of fast safe, efficient, and convenient transportation at the lowest cost consistent therewith and with other national objectives, including the efficient utilization and conservation of the Nation's resources.

Congress would find that a Department of Transportation is necessary in the public interest and to assure the coordinated, effective administration of the transportation programs of the Federal Government; to facilitate the development and improvement of coordinated transportation service to be provided by private enterprise to the maximum extent feasible; to encourage the cooperation of government, industry, labor, and other interested parties toward the achievement of national transportation objectives; to stimulate technological advances in transportation, to provide leadership in the identification and solution of transportation problems and to develop and recommend national transportation policies and programs with full consideration of the needs of the public, users, carriers, labor, and the national defense.

ESTABLISHMENT OF DEPARTMENT

Section 3(a) would establish a Department of Transportation and provide for a Secretary of Transportation to be appointed by the President, by and with the advice and consent of the Senate.

Sections 3(b) and (c) provide for an Under Secretary of Transportation, four Assistant Secretaries, and a General Counsel. These officials would be appointed by the President, by and with the advice and consent of the Senate.

Section 3(d) provides for an Assistant Secretary for Administration to be appointed by the Secretary under the classified civil service, with the approval of the President.

GENERAL PROVISIONS

Section 4(a) provides that the Secretary shall exercise leadership under the direction of the President in transportation matters and develop national transportation policies and programs. The Secretary would carry them out or make recommendations for their implementation to the President, the Congress, or the transportation regulatory agencies, as appropriate. This would include participation by the Secretary as a party in proceedings before the regulatory agencies. The subsection also provides for the Secretary to promote and develop transportation information and research and development in transportation. Transportation would, of course, include all modes of transportation, as well as all types of transportation facilities (e.g., airports) and services (e.g., freight forwarding).

Section 4(b) provides that the Secretary shall give full consideration to the need for operational continuity of the functions transferred by the act, to the need for effectiveness and safety in transportation systems and to the needs of the national defense. This section is intended to prevent undue disruption within the new Department of the functions now being performed by the various operating units which would be the foundation of the Department in order to help assure that the Department will accomplish the stated purposes of the bill.

Section 4(c) would permit the Secretary to provide for emergency medical services, food, quarters, and other specified services generally on a reimbursable basis, to employees and dependents stationed at remote localities, when such services are not otherwise available. The section is not intended to detract from existing authority in agencies transferred.

Sections 4 (d), (e), and (f) would authorize the Secretary to accept gifts and bequests of property to aid the work of the Department. Money gifts and bequests would be deposited in the Treasury in a separate fund to be disbursed on order of the Secretary of Transportation. Such gifts and bequests would be considered as gifts to the United States for tax purposes. The Secretary of the Treasury, upon request of the Secretary of Transportation, would be authorized to invest money gifts in U.S. or U.S.-guaranteed, securities.

Sections 4 (g) and (h) would authorize the Secretary to make special statistical studies in transportation, upon request of any person, firm, or corporation, on a cost reimbursable basis.

Section 4(i) would authorize the Secretary to appoint advisory committees. Members would be authorized per diem and travel expense in accordance with existing law.

Section 4(j) would make orders and actions of the Secretary in the exercise of the functions transferred to him under the act, subject to judicial review to the same extent and in the same manner as if such orders and actions were issued and taken by the agency from which the function was transferred.

Section 4(k) provides that the Secretary, in the exercise of the functions transferred to him under this act, shall have the same powers that are vested in the agency originally exercising such functions. These powers include the authority to hold hearings, issue subpenas, administer oaths, examine witnesses, take depositions, and compel testimony. The section would, for example, provide the Secretary the same authority as the Civil Aeronautics Board has in section 1004 of the Federal Aviation Act of 1958 for use in the exercise of the functions transferred to him from the CAB.

Section 4(l) provides that officers and enlisted men on active duty in the Coast Guard are not precluded from appointment to any position in the Department other than Secretary, Under Secretary, and Assistant Secretary for Administration. Retired officers and enlisted men of the Coast Guard could be appointed to any position in the Department. The military status of persons appointed under this section would not be affected by the appointment. This section is included so that the military status of personnel of one of the major components of the new Department will not preclude their their use in positions within the Department requiring expertise and experience in the fields of transportation, management and administration gained through service in the Coast Guard. The section would not otherwise change the general law applicable to service in a department by members of the armed services.

NATIONAL TRANSPORTATION SAFETY BOARD

Section 5(a) would establish within the Department a National Transportation Safety Board which would exercise the functions transferred to the Secretary by this act with regard to the determination of cause or probable cause of transportation accidents, and with regard to the review on appeal of the suspension, alteration, modification, revocation, or denial of any certificate or license issued by the Secretary. It is anticipated that the Board would establish criteria specifying the type of cases it will consider or review so as to exclude cases of limited impact on the transportation industry, personnel employed therein, and the public.

The Board would be independent of the Secretary and of the operating units of the Department.

Sections 5 (b), (c), (d), and (e) generally provide that members of the Board would be appointed with regard to their fitness to perform the functions of the Board, by the President, by and with the advice and consent of the Senate; that Board members would serve 5-year terms and be removable only for cause; and that the President would appoint a Chairman whose duties are prescribed. The Chairman would be compensated at level V of the Federal Executive Salary Act of 1964 and members would be compensated at grade 18 level. Other details are set forth in the bill.

Sections 5 (f), (g), (h), (i), (j), and (k) generally provide that the Board could issue appropriate rules and regulations to carry out its functions; that the Board, its members, and hearing examiners could issue subpenas, and perform other acts necessary to carry out the functions of the Board; that the Board could delegate its functions subject to the proviso in section 701(g) of the Federal Aviation Act of 1958 which would prohibit the Secretary from participating in determinations of probable cause in air accidents; that the Board could make recommendations concerning transportation safety and rules and procedures for the conduct of accident investigations to the Secretary; that the Board could employ persons under the civil service; and that the Secretary shall provide financial and administrative services to the Board, on a reimbursable basis. Other details are set forth in the bill.

TRANSFERS TO DEPARTMENT

Section 6(a) would transfer to the Secretary of Transportation all of the functions, powers, and duties of the Secretary of Commerce and other officers and offices of the Department of Commerce under various specified statutes. These transfers are the functions of the Secretary administered by the Under Secretary of Commerce for Transportation, including the high-speed ground transportation program, the aviation loan guarantee program, the aviation war risk insurance program, the Great Lakes Pilotage Administration, the Maritime Administration and the Bureau of Public Roads. The Maritime Administration, among many other maritime activties, has responsibility for operating-differential subsidy and construction-differential subsidy for the U.S. merchant marine and shipping industry. The Bureau of Public Roads, among its many highway activities, is responsible for the apportioning and expending of moneys from the highway trust fund for the Federal-aid highway systems.

Section 6(b) would transfer the Coast Guard to the Secretary of Transportation, as well as functions of the Secretary of the Treasury which relate to the Coast Guard. The Coast Guard would be transferred and would operate in the new department as a complete organizational unit. In time of war or when the President directs, the Coast Guard, together with its functions, would be transferred to the Secretary of the Navy, as provided in existing law. Section 6(b)(3) would transfer the functions of the General Counsel of the Department of the Treasury under the Uniform Code of Military Justice to the General Counsel of the new department. This would preserve the plan embodied in existing law wherein the Judge Advocates General of the Armed Forces exercise judicial functions with respect to review and final action concerning courts martial under the code and the Secretaries of the various departments exercise final approval authority together with such clemency action as they deem appropriate.

Section 6(c) would transfer to the Secretary of Transportation all of the functions, powers, and duties of the Federal Aviation Agency and of the other officers and offices thereof. The Federal Aviation Agency, among its many responsibilities in the field of air commerce, promulgates and enforces safety regulations concerning airmen and aircraft, certifies airmen, aircraft, and aviation schools, and conducts other air safety activities; develops, establishes, maintains, and operates a common system of air navigation and traffic control for civil and military aircraft; provides leadership and direction through the national Government industry program for the design and development of a commercial supersonic transport aircraft; and administers the Federal airport program.

Section 6(d) would transfer to the Secretary certain functions of the Civil Aeronautics Board which relate to safety. In general, these functions are to provide for independent review of actions denying or adversely affecting licenses issued under regulations governing air safety and to investigate the facts and circumstances relating to accidents involving civil aircraft and to determine the probable cause of such accidents; and to make recommendations to prevent such accidents in the future.

Section 6(e) would transfer to the Secretary the functions of the Interstate Commerce Commission (ICC) relating to the administration and enforcement of the various railroad, motor carrier, and pipeline safety laws, and those parts of part 1 of the Interstate Commerce Act which relate to car service. The car service functions transferred by this act would permit the Secretary to allocate, for optimum utilization and distribution, railroad freight equipment. Also transferred would be ICC functions with regard to safe transportation of explosives and other dangerous articles. In addition, the Secretary would be given the ICC's functions of setting geographical limits of standard time zones in the United States.

Section 6(f) would transfer to the Secretary certain specific functions of the Secretary of the Army. These are the authority to prescribe drawbridge regulations, to regulate rates on toll bridges, to control the location and clearances of bridges over navigable waters, to detect and enforce measures to prevent oil pollution, and to regulate the location for ships to anchor.

TRANSPORTATION INVESTMENT STANDARDS

Section 7(a) requires the Secretary of Transportation to develop standards and criteria, subject to Presidential approval, for the formulation and economic evaluation of all proposals for the investment of Federal funds in transportation facilities or equipment, with certain listed exceptions. Provision is made for consultation by the Secretary with the Water Resources Council in preparing compatible economic standards applicable to transportation features of multipurpose water resource projects. Examples of investment excluded from coverage in the section are those of the Military Sea Transport Service (MSTS), the Military Airlift Command (MAC), the Panama Canal, and AID. Civil transportation investment proposals by the Department of Transportation itself, by the Army Corps of Engineers, and by other Federal agencies would be included.

Section 7(b) requires every survey, plan, or report formulated by a Federal agency which includes a proposal as to which the Secretary has issued standards and criteria pursuant to subsection (a) to be prepared in accord with those standards and criteria and on the basis of transportation data furnished by the Secretary of Transportation and coordinated by the proposing agency with the Secretary and other Government agencies before transmission to the President for appropriate disposition.

AMENDMENTS TO OTHER LAWS

Section 8(a) amends the Federal Aviation Act of 1958 (section 406(b)) by providing that, with respect to subsidy for air carriers, the Civil Aeronautics Board shall take into consideration standards and criteria prescribed by the Secretary of Transportation for determining the character and quality of transportation required for commerce of the United States and the national defense.

Section 8(b) would amend section 201 of the Appalachian Regional Development Act so as to provide that the Secretary of Transportation, rather than the Secretary of Commerce, would be authorized to assist in the construction of an Appalachian development highway system, and make the determination as to which provisions, if any, of the Federal highways laws are inconsistent with the Appalachian Act. The Appalachian Regional Development Commission would continue to submit for approval its recommendations to one Federal official, the Secretary of Commerce, who would transmit such recommendations as he approves to the Secretary of Transportation for approval. The Secretary of Transportation would be authorized to require participating States to use coal derivatives in the construction of roads. Federal assistance to any construction project could not exceed 50 percent of the cost, unless both the Secretary of Commerce and the Secretary of Transportation determine that additional Federal funds are required. Appropriations would be made to the Secretary of Commerce who would transfer funds to the Secretary of Transportation for administration of approved projects.

Section 8(c) would include the Secretary of Transportation in the list of those with whom the Appalachian Regional Development Commission shall consult.

Sections 8 (d), (e), (f), (g), and (h) would amend various sections of the Interstate Commerce Act and the Fair Labor Standards Act of 1938, and the Federal Explosives Act to make the necessary changes to implement the transfers in section 6(e). The Secretary would receive the same authority as the ICC to administer, execute, and enforce the functions transferred to him.

ADMINISTRATIVE PROVISIONS

Sections 9 (a), (b), and (c) would authorize the Secretary to appoint personnel under the civil service laws and to hire experts and consultants. The number of GS–16, GS–17, and GS–18 positions available within the Federal Government would be increased from 2,400 to 2,445. It is noted that the additional 45 would be in the addition to the increases proposed in S. 2393 and H.R. 10498.

Sections 9 (d) and (e) would authorize the Secretary to arrange for participation of military personnel in carrying out his functions. Members of the Armed Forces could be assigned to the Secretary pursuant to cooperative agreements between the Secretary of Transportation and the military departments. These provisions are similar to existing provisions applicable to the Federal Aviation Agency. Members of the Armed Forces so detailed would not be charged against statutory limitations on grades or strengths applicable to the military departments, and appointment would in no way affect the status of the military personnel so assigned. Persons so assigned would not be subject to the direction or control of the Armed Forces with respect to the responsibilities exercised by such persons in the Department of Transportation. The Secretary would be required to report annually to the Congress on personnel appointed under subsection (d).

Section 9(f) would authorize the Secretary to delegate his functions and to issue appropriate rules and regulations.

Sections 9 (g), (h), and (i) would transfer to the Secretary all personnel, assets, liabilities, and appropriations which relate to the functions transfered by the act. The Director of the Bureau of the Budget would have the authority to implement these transfers. Personnel transferred would be protected against reduction in classification and compensation for a period of 1 year. It is expected that most of the personnel would be assigned responsibilities in the new department comparable to those they presently perform, thus minimizing the likelihood of grade reduction. Personnel transferred, of course, would retain whatever rights and benefits to which they are presently entitled under applicable laws.

Section 9(j) would lapse the Office of the Under Secretary of Commerce for Transportation, the Maritime Administration, the Bureau of Public Roads, the Great Lakes Pilotage Administration, and the Federal Aviation Agency. The Coast Guard would not be lapsed. Any person holding a position in any such agency compensated under the Federal Executive Salary Schedule who, without a break in service, is appointed to a position having duties comparable to those he presently performs, would continue to be compensated at not less than the rate of his present position for the duration of his service in such position.

Section 9(k) would authorize the Secretary to establish a working capital fund, similar to those in other departments, for operating various common administrative services in the Department such as supply, messenger, mail, telephone, space, library, and reproduction services. Details are set forth in the bill.

Section 9(l) directs the Secretary to adopt a Department seal and provides for judicial notice of the seal.

CONFORMING AMENDMENTS TO OTHER LAWS

Section 10(a) would place the Secretary of Transportation in the line of succession to the Office of the President of the United States.

Sections 10 (b) and (c) are technical provisions which would extend to the new department the provisions of title IV of the Revised Statutes, except to the extent inconsistent with the bill. These provisions deal with such matters as departmental vacancies, regulations, duties of clerks, details, and employment of personnel, oaths, subpenas, and witness fees.

Section 10(d) amends section 303 of the Federal Executive Salary Act of 1964 by placing the Secretary of Housing and Urban Development and the Secretary of Transportation in level I of the Federal Executive Salary Schedule; by deleting the Under Secretary of Commerce for Transportation and inserting the Under Secretary of Transportation at level III; by adding four Assistant Secretaries of the Department of Transportation and a General Counsel of the Department of Transportation at level IV; and by adding an Assistant Secretary for Administration of the Department of Transportation and the chairman of the National Transportation Safety Board at level V. The section also authorizes the President to place one position in level III and a total of nine additional positions in level IV and level V of the executive salary schedule.

Section 10(e) removes from the Federal executive salary schedule, subject to the provisions of section 9 of the Department of Transportation Act, reference to the Administrator of the Federal Aviation Agency; Deputy Administrator, FAA; the Associate Administrator for Administration, FAA; the Associate Administrator for Development, FAA; the Associate Administrator for Programs, FAA; the General Counsel, FAA; the Federal Highway Administrator; and the Maritime Administrator.

Section 10(f) amends the act which makes the vessel operation revolving fund available to pay activation and deactivation cost of ships chartered out by the Secretary of Commerce so as to make it applicable to ships chartered out by the Secretary of Transportation.

Section 10(g) amends the act which prescribes a criminal penalty for false representations relating to highway projects submitted to the Secretary of Commerce so as to make it applicable to such projects submitted to the Secretary of Transportation.

Section 10(h) implements the provision of section 6(b) (3) of this act.

ANNUAL REPORT

Section 11 provides for an annual report.

SAVINGS PROVISIONS

Sections 12 (a), (b), (c) and (d) provide that orders, regulations and the like, issued and in effect on the effective date of this section, by any department or agency, functions of which are transferred by this act, shall continue in effect until modified or changed by the Secretary or other legal authority; that proceedings before agencies at the effective date of the section shall continue before the new department; that court proceedings shall not be affected by this and including provision for appropriate substitution of successor parties; and that references in Federal laws, with respect to functions transferred by this act, would be deemed to mean the Secretary of Transportation.

SEPARABILITY

Section 13 provides a standard separability clause.

CODIFICATION

Section 14 would direct the Secretary to submit to the Congress within 2 years from the effective date of the act, a codification of all laws transferred to the Secretary by this act.

EFFECTIVE DATE

Section 15 would authorize the President to nominate and appoint the presidentially appointed officers provided for in sections 3 and 5 of the bill, as provided in those sections, at any time after the date of enactment of this bill. All other provisions of the bill would take effect 90 days after the Secretary first takes office, or on such prior date after enactment as the President prescribes in the Federal Register. Provision is made for compensation of appointed officers and related expenses of their offices, from funds available for the functions to be transferred to the Department under the bill.

Technical Addendum to Section-by-Section Summary—Department of Transportation

1. All citations in the bill, of course, are intended to refer to the most recent version of the law cited, including all amendments.

2. Language identifying the subject matter being transferred is included in section 6 of the bill. Such language is intended merely for identification and, unless otherwise clear in the bill, is not intended to limit the transfer of the entire act or section of an act which is the subject of the transfer.

3. All citations in the bill are to the original Statutes at Large citation, except where the United States Code is positive law. The following cross reference to citations in the United States Code is supplied for convenience:

Section 4(i):

The Administrative Expense Act of 1946 (60 Stat. 808) (5 U.S.C. 73b–2).

Section 5(e):

The Federal Executive Salary Act of 1964 (78 Stat. 416) (5 U.S.C. 2211);

The Classification Act of 1949 (63 Stat. 954) (5 U.S.C. 1071).

Section 5(h):

Section 701(g) of the Federal Aviation Act of 1958 (72 Stat. 782) (49 U.S.C. 1441(g)).

Section 6(a):

The Federal-Aid Highway Act of 1962 (76 Stat. 1145) (no applicable code citation).

The act of July 14, 1960 (74 Stat. 526) as amended by the act of October 4, 1961 (75 Stat. 779) (no applicable code citation).

The Federal-Air Highway Act of 1954 (68 Stat. 70) as amended by the Act of October 13, 1964 (78 Stat. 1092) (no applicable code citation).

The Highway Revenue Act of 1956 (70 Stat. 387) as amended by the Act of September 3, 1964 (78 Stat. 897) (no applicable code citation).

The Highway Beautification Act of 1965 (79 Stat. 1028) (no code citation as to sections 302–305 and 401–403 of the act).

The Alaska Omnibus Act (73 Stat. 141) (no applicable code citation).

Senate Joint Resolution 81 (79 Stat. 578) (no applicable code citation).

Section 525(c) of the General Bridge Act of 1946 (60 Stat. 847) (33 U.S.C. 525(c)).

The act of July 26, 1956 (70 Stat. 669) (no applicable code citation).

The act of December 21, 1944 (58 Stat. 846) (no applicable code citation).

The act of April 12, 1941 (55 Stat. 140) (no applicable code citation).

The act of April 27, 1962 (76 Stat. 59) (no applicable code citation).

The act of September 30, 1965 (79 Stat. 893) (49 U.S.C. 1631 et seq.).

The Urban Mass Transportation Act of 1964 (78 Stat. 302) (49 U.S.C. 1601 et seq.).

The act of September 7, 1957 (71 Stat. 629) (49 U.S.C. 1429 note).

Section 410 of the Federal Aviation Act of 1958 (72 Stat. 769) (49 U.S.C. 1380).

Title XIII, War Risk Insurance, of the Federal Aviation Act of 1958 (72 Stat. 800) (49 U.S.C. 1531 et seq.).

The Great Lakes Pilotage Act of 1960 (74 Stat. 259) (46 U.S.C. 216 et seq.)

The Merchant Marine Act, 1920 (41 Stat. 988), (46 U.S.C. 861 et seq.).

The Merchant Marine Act, 1928 (45 Stat. 689), (46 U.S.C. 891 et seq.).

The Merchant Marine Act, 1936 (49 Stat. 1985), (46 U.S.C. 1101 et seq.).

The Shipping Act, 1916 (39 Stat. 728) (46 U.S.C. 801 et. seq.).

The Merchant Ship Sales Act of 1946 (60 Stat. 41) (50 App. U.S.C. 1735 et seq.).

The Maritime Academy Act of 1958 (72 Stat. 622) (46 U.S.C. 1381 et seq.).

The act of June 12, 1940 (54 Stat. 346) (46 U.S.C. 1331 et seq.).

The act of August 30, 1964 (78 Stat. 614) (46 U.S.C. 1401 et seq.).

The act of September 14, 1961 (75 Stat. 514) (46 U.S.C. 1126b–1).

The act of June 13, 1957 (71 Stat. 73) (46 U.S.C. 1177a).

The act of June 12, 1951 (65 Stat. 59) (46 U.S.C. 1241a).

The act of July 24, 1956 (70 Stat. 605) (46 U.S.C. 249 et seq.).

The act of August 9, 1954 (68 Stat. 675) (50 U.S.C. 196, et seq.).

Reorganization Plan No. 21 of 1950 (64 Stat. 1273) (5 U.S.C. 133z–15 nt and 46 U.S.C. 1111 nt).

Reorganization Plan No. 7 of 1949 (63 Stat. 1070) (5 U.S.C. 133z–15 nt).

The act of August 1, 1947 (61 Stat. 715) (5 U.S.C. 1161).

Section 6(d): Titles VI (72 Stat. 776) (49 U.S.C. 602(b)) and VII (72 Stat. 781) (49 U.S.C. 1441, et. seq.) of the Federal Aviation Act of 1958.

Section 6(e):

The act of March 2, 1893 (27 Stat. 531) (45 U.S.C. 1, et. seq.) as amended by the act of August 14, 1957 (71 Stat. 352) (45 U.S.C. 6, 13).

The act of March 2, 1903 (32 Stat. 943) (45 U.S.C. 8–10) as amended by the act of April 11, 1958 (72 Stat. 86) (45 U.S.C. 9), and the act of April 14, 1910 (36 Stat. 298) (45 U.S.C. 11–16), as amended by the act of August 14, 1957 (71 Stat. 352) (45 U.S.C. 6, 13).

The act of May 30, 1908 (35 Stat. 476) (45 U.S.C. 17–21).

The act of February 17, 1911 (36 Stat. 913) (45 U.S.C. 22–29).

The act of March 4, 1915 (38 Stat. 1192) (45 U.S.C. 30).

The act of June 26, 1918 (40 Stat. 616) (45 U.S.C. 24–26).

The act of June 7, 1924 (43 Stat. 659) (45 U.S.C. 22–27).

The act of June 27, 1930 (46 Stat. 822) (45 U.S.C. 24).

The act of April 22, 1940 (54 Stat. 148) (45 U.S.C. 24–34).

The act of May 27, 1947 (61 Stat. 120) (45 U.S.C. 24 nt, 26).

The act of June 25, 1948 (62 Stat. 909) (45 U.S.C. 34).

The act of October 28, 1949 (63 Stat. 972) (45 U.S.C. 24).

The act of August 14, 1957 (71 Stat. 352) (45 U.S.C. 34).

Reorganization Plan No. 3 of 1965 (79 Stat. 1320) (5 U.S.C. 133z–15 nt and 45 U.S.C. 22 nt).

The resolution of June 30, 1906 (34 Stat. 838) (45 U.S.C. 35).

The act of May 27, 1908 (35 Stat. 325) (45 U.S.C. 36–37).

The act of March 4, 1909 (35 Stat. 965) (45 U.S.C. 37).

The act of May 6, 1910 (36 Stat. 350) (45 U.S.C. 38–43).

The act of September 13, 1960 (74 Stat. 903) (45 U.S.C. 38).

The act of March 4, 1907 (34 Stat. 1415) (45 U.S.C. 61–64).

The act of May 4, 1916 (39 Stat. 61) (45 U.S.C. 63).

The act of June 25, 1948 (62 Stat. 909) (45 U.S.C. 34).

The act of August 14, 1957 (71 Stat. 352) (45 U.S.C. 63).

The act of February 23, 1905 (33 Stat. 743) (49 U.S.C. 1201–1203).

The act of June 13, 1957 (71 Stat. 69) (49 U.S.C. 1201–1203).

The act of March 19, 1918 (40 Stat. 450) (15 U.S.C. 261–265).

The act of March 4, 1921 (41 Stat. 1446) (15 U.S.C. 265).

The act of March 3, 1923 (42 Stat. 1434) (15 U.S.C. 264).

The act of June 24, 7948 (62 Stat. 646) (15 U.S.C. 264).

The following sections of the Interstate Commerce Act: 1(10) (49 U.S.C. 1(10)), 1 (11) (49 U.S.C. 1(11)), 1(12) (49 U.S.C. 1 (12)), 1(13) (49 U.S.C. 1(13)), 1(14)(a) (49 U.S.C. 1(14)(a)), 1(15) (49 U.S.C. 1(15)), 1(16) (49 U.S.C. 1(16)), 1(17) (49 U.S.C. 1(17)), 6(8) (49 U.S.C. 6(8)), 15(4) (49 U.S.C. 15(4)), 15(10) (49 U.S.C. 15(10)), 420 (49 U.S.C. 1020), 25 (49 U.S.C. 26), 222 (49 U.S.C. 325), 1(21) (49 U.S.C. 1(21)), 204(a)(1) and (2) (49 U.S.C. 304(a)(1) and (2)), 204(a)(3), (3a), and (5) (49 U.S.C. 304a)(3), (3a), and (5)), 1(6) (49 U.S.C. 1(6)), 206 (49 U.S.C. 306), 207 (49 U.S.C. 307), 209 (49 U.S.C. 309), 210a (49 U.S.C. 310a), 212 (49 U.S.C. 312), and 216 (49 U.S.C. 316).

Section 6(f):

Section 7 of the River and Harbor Act of March 4, 1915 (38 Stat. 1053) (33 U.S.C. 471).

The act of April 22, 1940 (54 Stat. 150) (33 U.S.C. 180, 258).

Section 5 of the act of August 18, 1894 (28 Stat. 362) (33 U.S.C. 499).

The act of June 21, 1940 (54 Stat. 497) (33 U.S.C. 511–524).

Section 4 of the act of March 23, 1906 (34 Stat. 85) (33 U.S.C. 494).

Section 503 of the General Bridge Act (60 Stat. 847) (33 U.S.C. 526).

Section 17 of the act of June 10, 1930 (46 Stat. 552) (33 U.S.C. 498a).

The act of June 27, 1930 (46 Stat. 821) (33 U.S.C. 498b).

The act of August 21, 1935 (49 Stat. 670) (33 U.S.C. 503–507).

The Oil Pollution Act, 1961 (75 Stat. 402) (33 U.S.C. 1001, et seq.).

Section 9 of the act of March 3, 1899 (30 Stat. 1151) (33 U.S.C. 401).

The act of March 23, 1906 (34 Stat. 84) (33 U.S.C. 491–498).

The General Bridge Act (60 Stat. 847) (33 U.S.C. 525–539).

Section 8(a): Section 406(b) of the Federal Aviation Act of 1958 (72 Stat. 763) (49 U.S.C. 1376(b)).

Section 8(b): Section 201 of the Appalachian Regional Development Act (79 Stat. 10) (40 App. U.S.C. 201).

Section 8(c): Section 206(c) of the Appalachian Regional Development Act (79 Stat. 15) (40 App. U.S.C. 206(c)).

Section 8(d): Sections 12 (49 U.S.C. 12), 13(1) (49 U.S.C. 13(1)), 13(2) (49 U.S.C. 13(2)), 20 (49 U.S.C. 20), 204(a) (49 U.S.C. 304(a)), 204(c) (49 U.S.C. 304(c)), 205(d) (49 U.S.C. 305(d)), 205(f) (49 U.S.C. 305(f)), 220 (49 U.S.C. 320), 222 (49 U.S.C. 322) of the Interstate Commerce Act.

Section 8(e): Section 212(a) of the Interstate Commerce Act (49 Stat. 555) (49 U.S.C. 312(a)).

Section 8(f): Section 13(b) of the Fair Labor Standards Act of 1938 (52 Stat. 1067) (29 U.S.C. 213(b)).

Section 8(g): Section 18(1) of the Interstate Commerce Act (27 Stat. 386) (49 U.S.C. 18(1)).

Section 8(h): Section 3 of the Federal Explosives Act (40 Stat. 385) (50 U.S.C. 123).

Section 9(b): Section 505 of the Classification Act of 1949 (63 Stat. 959) (5 U.S.C. 1105(b)).

Section 9(c): Section 15 of the Act of August 2, 1946 (60 Stat. 810) (5 U.S.C. 55a).

Section 10(c): Section 303 of the Federal Executive Salary Act of 1964 (78 Stat. 416) (5 U.S.C. 2211).

Section 10(e): Subsections (b)(7), (d)(2), and (e) (12), (13), (14), (76), (82), and (89) of section 303 of the Federal Executive Salary Act of 1964 (78 Stat. 416) (5 U.S.C. 2211).

Section 10(f): The Act of August 1, 1956 (70 Stat. 897) (46 U.S.C. 1241c).

Mr. McGEE. Mr. President, Americans are justly proud of the fact that we have the greatest transportation system in the world. But this happy situation results more from good luck than from careful and deliberate planning. It may not be so in the years ahead.

Railroads, canals, roads, river systems, ocean shipping, and aviation were developed to meet the needs of a growing country.

During this process each form of transportation has received help and encouragement from the Government in one form or another. And each has experienced governmental regulation to restrain monopoly, on one hand, and to avoid destructive competition on the other.

Naturally, this evolutionary process has not resulted in a real system, in the real sense of the word. I think it would be more accurate to say that we have today a conglomeration of transport networks which, fortunately, have so far served us well.

However, it would indeed be foolhardy to assume that our transportation resources will automatically keep pace with the requirements of our burgeoning economy in the decades just ahead. The world has become far too complicated to allow us that luxury.

And so I welcome the initiative of President Johnson in sending to the Congress his proposals to create a Department of Transportation. These proposals indicate a knowledge of the fact that action will be necessary soon to provide for a vital and versatile transportation network to serve a rapidly growing economy and the national defense.

I am sure there will be no easy answers in this search for rational, coordinated, and clearly defined national policies, but the President's plan provides us with a concrete starting point. Just as the problems are complex so will the solutions be complex and will require a great deal of study and investigation before this concept can be put in final form. I am in complete support of the President's determination to begin this process at once.

Mr. PELL. Mr. President, I congratulate President Johnson on his call for a new Department of Transportation. It is a bold and much needed step and one in which I strongly support him.

We are a nation on the move. Indeed, we have become great largely because of a great transportation system.

There are, however, as the Washington Star noted recently, "too many cooks" in the system.

Transportation regulation and policy formulation is divided among 35 Government agencies, and as President Johnson has said, this makes it difficult to serve the Nation, the needs of the industry, or the right of the taxpayer.

I have been made acutely aware of the problems which this diversity of Federal responsibility can create, through my own concern with transportation matters in the Northeast States, particularly with regard to the New Haven Railroad.

The New Haven is, in fact, a classic example of the frustrations and confusion which can result from uncoordinated public policies. The railroad is, in the first place, under the general supervision of a Federal court because it is in receivership. Next, because of its precarious position, it has petitioned an independent Federal agency, the Interstate Commerce Commission, to allow discontinuance of all its passenger service, on the one hand, and to require inclusion of the line in the Penn-Central merger, on the other.

Concurrently, however, two other Federal agencies are participating in programs of either temporary assistance or experimentation which could lead to future rejuvenation. The Housing and Home Finance Agency has made a substantial demonstration grant to assist the New York commuter service, and more recently the Commerce Department has launched an experimental program, with which I am happy to be associated, to test new high-speed equipment on the northern end of the line to determine if the railroad can recapture some of its intercity passenger traffic.

Meanwhile, the parallel competing transportation services—by highway, air, and water—which contributed so notably to the New Haven's decline, continue to be heavily supported by the programs of the Bureau of Public Roads, the Federal Aviation Agency, and the Maritime Administration.

It is high time, I believe, that these diverse and often competing agencies be brought together under one roof and under one coherent and unified framework of responsible policy formulation which will have as its paramount objective the provision of a rational and balanced transportation system to serve the public interest.

We have an excellent example, I believe, of the kind of coherent policy formulation we need in the High Speed Ground Transportation Act of 1965, with which I am proud to claim a paternal relationship. Under this program we are attempting to determine first if the public will respond to rejuvenated rail service and thus relieve overburdened air and highway facilities and, secondly, to determine over the long range if even more efficient modes of ground transportation can be devised for short and intermediate distances and thereby alleviate the almost inevitable congestion which will occur without such developments.

It will take coordinated policy formulation to make effective use of the findings of this excellent program, however, and such coordination can only come from the structural amalgamation of Federal agencies along the lines the President proposes.

Finally, Mr. President, I think it is noteworthy that the press has responded favorably to the President's proposal as first set forth in his state of the Union message. I ask unanimous consent to insert in the Record at this time editorials from the Providence Evening Bulletin, Christian Science Monitor, Washington Evening Star, and the Washington Post.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Providence (R.I.) Evening Bulletin, Jan. 16, 1966]

MR. JOHNSON HAS A SOUND IDEA

There is merit in President Johnson's proposal to establish a Department of Transportation at the Cabinet level.

As the President pointed out in his state of the Union message, transportation activities of the Federal Government presently are scattered among 35 separate agencies. This scattering, the President declared, "makes it impossible to serve either the demands of the Nation, the needs of industry, or the right of the taxpayer to full efficiency and frugality."

Senator Pell warmly endorsing the President's suggestion, has cited a specific example of the existing confusion in which various Federal agencies appear to be tripping over one another's feet.

"While the (New Haven) railroad is petitioning the ICC to drop all passenger service," Senator Pell observed, "two other Federal agencies, the Department of Commerce and the Department of Housing and Urban Affairs, are trying to devise ways through two separate experiments to keep the service alive. Meanwhile, highway development and air service, which weigh so strongly in any plans for railroad rejuvenation continue their separate courses under the Bureau of Public Roads and the Federal Aviation Agency."

The example cited by Senator Pell is not at all unusual. Innumerable similar examples could be cited in which the lack of coordination among the various Federal agencies often makes for confusion and wasted effort. It simply doesn't make sense any more to have one agency establishing policy for the airlines, another for the railroads, still another for the merchant marine, and yet another for the road network that is used by buses and trucks.

The only sensible approach is to consider our transportation network as an integrated whole. Our railroads, airlines, buses, trucks, ships and private cars all fit into our national transportation picture. Each element has a role to play, but each of the elements must be integrated smoothly with all the others.

One way to achieve that integration would be by placing all the Federal agencies that deal with transportation into a single department.

[From the Christian Science Monitor, Jan. 18, 1966]

TO UNCLOG THE JAMS

Even before the New York transit strike, we had seen a piquantly amusing and prophetic short cartoon at the movies. It was either British or Canadian. But that is not the point. It showed what might eventually happen to our cities if automobiles continued to pile up in our streets just as the lava and the pumice piled up nearly two millennia ago in the streets of Pompeii and Herculaneum. The fact is that just such a throttling and choking threaten already all the industrialized societies of the Western world.

We may not like centralized planning, but there seems little alternative to a coordinated handling of all transport facilities and services, if our modern societies are not to be brought to a standstill by a surfeit of cars and a dearth of nearly everything else. When Nikita Khrushchev was in Washington several years ago, he saw from a helicopter some of that city's rush-hour traffic jams. Reportedly he said he would never allow that kind of nonsense in the Soviet Union. He simply would not let everybody buy a car. But amusingly now, it seems that all the doctrinaire direction of the Soviet system has not been able to prevent parking becoming a major problem in Moscow.

In a word, transportation has become one of the social problems of our time.

President Johnson referred to it in his state of the Union message. "A new Department of Transportation is needed," he said, "to bring together our transportation activities. The present structure—35 Government agencies spending $5 billion yearly—makes it impossible to serve either the demands of the Nation—the needs of industry—or the right of the taxpayer to full efficiency and frugality."

Britain, where transport problems are less gigantic but more concentrated than in the industrialized parts of the United States, has long had a Ministry of Transport. The British public have tended to identify it with roads—and Prime Minister Harold Wilson's recent appointment as Minister of Transport of a woman who does not have a driving license has produced snorts and guffaws from some Britons (particularly male drivers). But the putting of Mrs. Barbara Castle—for she is the lady in question—in the top job at the Ministry of Transport bespeaks recognition of the need for drive and reorganization and, above all, the British Government's determination to draw up an integrated transport plan for the United Kingdom.

Mrs. Castle was an undoubted success in the apparently not very glamorous or exciting Ministry of Overseas Development where Prime Minister Wilson appointed her after the 1964 general election. His decision to put her in charge of transport is—as the Economist said—imaginative. It stems from the same basic need as prompted President Johnson's announcement of a new Department of Transportation in the United States. All of us have a vested interest in the success of both moves, for all of us have a greater urge and opportunity than ever to get about—whether it be simply getting to work from the suburbs or more ambitiously getting away on vacation.

[From the Washington (D.C.) Evening Star, Jan. 26, 1966]

Too Many Cooks

President Johnson in his state of the Union message put his finger on one of the major flaws in American transportation policy. Regulation is now divided among no less than 35 Government agencies, spending a total of $5 billion yearly.

Such a fragmented approach, in the President's words, "makes it almost impossible to serve either the growing demands of this great Nation, or the needs of the industry, or the right of the taxpayer to full efficiency and real frugality."

Mr. Johnson's remedy would be to centralize all this supervision of airlines, railroads, trucking, and shipping in a new Department of Transportation. While Congress must await details of how this would be accomplished, the basic idea seems so logical and simple that the puzzle is why it was not done long ago.

Actually, the notion of such a Cabinet-level department has been kicking around Washington for years, but mutual suspicion and hostility among the powerful lobbies representing the various carriers and the struggles by bureaucrats to keep control over their little fiefdoms have successfully stalled action.

The result is a patchwork approach to the industry. Some modes of transportation must build their own depots while others use buildings erected at taxpayers' expense. Some carriers pay tax on fuel, others do not. Uncle Sam contributes to the cost of safety devices for one industry, while another receives no such benefit. And so it goes.

Putting all the regulators in one department will not automatically produce a rational, fair, and harmonious policy toward each segment of the industry. But it is the first step that must be taken to achieve such a reform. The public interest requires no less.

[From the Washington (D.C.) Post, Jan. 19, 1966]

Transportation and More

The President's proposal to establish a Department of Transportation, a single agency that would coordinate the diverse programs and functions of the Federal Government, deserves the widest support. In fact, a good case can be made for broadening the scope of the new department to include communications and power.

There are obvious and compelling reasons for placing the Federal transportation agencies under one roof. The Federal Government is now spending some $6 billion a year for motor highway construction, the subsidization of the merchant marine, inland waterway and harbor improvement and the regulation of railroads, airlines, and common motor carriers. But those dollars cannot be spent effectively, they cannot confer maximum benefits upon the taxpayers unless national goals are clearly specified and pursued through coordinated efforts. Neither logic nor necessity has decreed that the Federal highway and waterways programs must work to the detriment of the Nation's railroads as they do now.

But a perfunctory coordination of transporation activities, one that merely results in shifting autonomous agencies under one big, bureaucratic tent will accomplish nothing more than an increase in Federal employment. To cite a specific example, the new department is not going to be effective so long as the Interstate Commerce Commission, that sclerotic archetype of the independent regulatory agency, continues to establish minimum, not maximum rates and approve rail mergers without sufficient attention to the balance and efficiency of the total transportation system. The effective coordination of Federal transportation programs, to say the very least, will involve a political struggle.

But that struggle, which will be centered largely around the conflicting interest of different modes of transportation, is not likely to be protracted if the new department were to encompass communications and the transmission of power. The inclusion of the Federal Communications and Federal Power Commissions in a new Department of Transportation, Communications, and Power would make it possible for the Government to regulate virtually all the interstate public utilities in a uniform and equitable manner.

The inability of both the Kennedy and Johnson administrations to make headway in the effort to alter railroad rate regulation is but a foretaste of the opposition to the formation of a new department.

TAX ADJUSTMENT ACT OF 1966

The **PRESIDING OFFICER**. Pursuant to the previous unanimous-consent agreement, the Chair lays before the Senate H.R. 12752, which will be stated by title.

The **Legislative Clerk**. A bill (H.R. 12752) to provide for graduated withholding of income tax from wages, to require declarations of estimated tax with respect to self-employment income, to accelerate current payments of estimated income tax by corporations, to postpone certain excise tax rate reductions, and for other purposes.

THE VICE PRESIDENT'S INFORMAL MEETING WITH THE COMMITTEE ON FOREIGN RELATIONS

Mr. MORSE. Mr. President, I have before me a most interesting article that appeared in this morning's Washington Post. The headline is "HUMPHREY Agrees To See FULBRIGHT Panel Privately."

The article states:

> Vice President HUMPHREY agreed yesterday to a compromise plan to meet with the Senate Foreign Relations Committee in private, informal session.
>
> For the past 2 weeks HUMPHREY has rejected Chairman J. WILLIAM FULBRIGHT's request that he meet with the committee in a more formal public session.
>
> Under the compromise plan, HUMPHREY will meet with the committee this afternoon on the neutral ground of Majority Leader MIKE MANSFIELD's Capitol office.
>
> FULBRIGHT's disagreement with another high administration official—President Johnson—continued to simmer yesterday.
>
> The President refused to make public the testimony he gave to the Senate Foreign Relations Committee on May 25, 1961, after he returned from an Asian tour which he made as Vice President. On Monday FULBRIGHT suggested that the President make the testimony public.
>
> At a press conference yesterday, Presidential Press Secretary Bill Moyers said that Mr. Johnson had appeared before the 1961 committee meeting with the understanding that it "would be informal and private." Moyers said that the President "doesn't regard it as appropriate to change the rules 5 years later" by making public his testimony.
>
> In another development, FULBRIGHT disclosed that the committee would resume public hearings on U.S. Asian policy next Tuesday.
>
> The new hearings will center on Communist China. The first witnesses will be two university experts on China—A. Doak Barnett of Columbia University on Tuesday and Harvard's John K. Fairbank on Thursday.

My reaction to the story is: How absurd can we be?

I am a member of the Committee on Foreign Relations, and this morning I protested any informal meeting with the Vice President on neutral grounds in the majority leader's office this afternoon.

I do not care how many Senators, be they members of the Committee on Foreign Relations or not, want to meet with the Vice President any time they want to meet with him. However, as a member of the Committee on Foreign Relations, I do object and said so this morning, to this kind of fol-de-rol, to this kind of nonsense.

Mr. President, no one has defended more than I have—and I shall continue to do so—the matter of separation of powers and the right of executive privilege.

The Vice President of the United States does not have to come to any committee meeting that he does not wish to attend. He is completely protected by executive privilege. He can volunteer to come. It has happened in the past.

But, Mr. President, I am at a loss to understand this parliamentary nonsense. I should have thought that the Vice President, on his own initiative, would have asked for the opportunity to appear before the Foreign Relations Committee in open session, to discuss with the committee the trip into Asia that he took at the request of the President of the United States. That would have been a most appropriate forum in which to discuss it.

There are other forums, and the Vice President is using them, as he has a perfect right to do, and I am glad he is using them. He used the forum of the East Room of the White House the other morning. In fact, I think he used it on a couple of mornings, to meet with various Members of Congress. That is fine; I heartily approve of it.

He has announced that he is going to use forums across the country to discuss his trip with the American people. I highly approve of that. He has used the forum of nationwide television and I approve of that.

The Foreign Relations Committee has certain special responsibilities in the field of foreign policy. It has certain special prerogatives in that field, and has a responsibility to officially seek to take testimony from those who, in the opinion of the committee, are particularly qualified and competent to be of assistance to the committee by giving them their testimony.

The committee chairman, the Senator from Arkansas [Mr. Fulbright] was seeking to carry out that responsibility when he most respectfully suggested, the other day, that the Vice President meet with the Foreign Relations Committee in open, public session and discuss with the committee the trip that he had taken, and the many foreign relations problems that were raised by that trip.

When it became clear that the Vice President would not wish to meet with the Foreign Relations Committee in open session, the chairman of the committee most respectfully and properly suggested that he meet in executive session with the committee. When that was first suggested in our committee, I made it clear that it should be at the voluntary discretion of the Vice President, that we could not insist that he meet with us, but that we had the right to invite him to an executive meeting.

When the Vice President indicated, as I understand he did, that he did not care to meet the committee in public session or executive session, the matter should have been dropped. I do not think that it is fair, either to the committee or to the Vice President, to become involved in this hybrid arrangement, which is neither fish nor fowl.

Therefore, Mr. President, I made clear at the meeting this morning that I would not attend the session this afternoon, because I do not think that that session is in keeping with the separation of powers doctrine as far as a Senate committee is concerned, unless they were simply meeting as individual Senators, without any representation that it is a committee meeting. As far as I am concerned, there is no official Foreign Relations Committee meeting with the Vice President, and there cannot be, under the terms set forth in this press report.

There are some questions that the American people are entitled to have answered by the Vice President, but they are entitled to have them answered, in open session, where he can be asked on the record questions about problems that are raised, for example, by a story that appeared in the Washington Daily News of February 25, by Walt Friedenberg, entitled "South Korea Drove a Bargain With H.H.H."—meaning the Vice President.

The article reads:

> Seoul, February 24.—Vice President Humphrey ended his 2-week, 9-nation tour here with a bargaining session on terms for sending more South Korean troops to help fight in Vietnam.
>
> The terms were not made public. It is agreed, however, that this country will send one more regiment to South Vietnam by the end of April and a full infantry division by mid-July.
>
> The present ROK troop total of 23,000 would thus rise to about 40,000.
>
> Seoul argued that its present contingent in Vietnam was a reasonable contribution. But if more troops were to be sent, South Korea must look to its national interests, that is, be compensated.
>
> So far as can be learned now, South Korea has been promised:
>
> The gradual, selected reequipping (chiefly in heavy weapons) of its 500,000-man army.
>
> Assurance that $150 million in earmarked economic aid promptly will be forthcoming.
>
> A stipend of about $2 a day paid for each Korean soldier in Vietnam for better living conditions.
>
> The continued flow of Korean civilian technicians to good-paying construction jobs in South Vietnam.
>
> A greater share for Korea in the procurement of cement, of military uniforms, and other goods needed by South Vietnam.

An interesting story. I do not know what the facts are. But I do know, Mr. President, the American people are entitled to know what the facts are.

I ask unanimous consent that the two articles from which I have quoted, the one from today's issue of the Washington Post entitled "Humphrey Agrees To See Fulbright Panel Privately," and the one from yesterday's Washington Daily News entitled "South Korea Drove a Bargain with H.H.H.," be printed in the Record at this point.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Post, Mar. 1, 1966]

Humphrey Agrees To See Fulbright Panel Privately

Vice President Humphrey agreed yesterday to a compromise plan to meet with the Senate Foreign Relations Committee in private, informal session.

For the past 2 weeks Humphrey has rejected Chairman J. William Fulbright's request that he meet with the committee in a more formal public session.

Under the comprise plan, Humphrey will meet with the committee this afternoon on the neutral ground of Majority Leader Mike Mansfield's Capitol office.

Fulbright's disagreement with another high administration official—President Johnson—continued to simmer yesterday.

The President refused to make public the testimony he gave to the Senate Foreign Relations Committee on May 25, 1961, after he returned from an Asian tour which he made as Vice President. On Monday Fulbright suggested that the President make the testimony public.

At a press conference yesterday, Presidential Press Secretary Bill Moyers said that Mr. Johnson had appeared before the 1961 committee meeting with the understanding that it "would be informal and private." Moyers said that the President "doesn't regard it as appropriate to change the rules 5 years later" by making public his testimony.

In another development, Fulbright disclosed that the committee would resume public hearings on U.S. Asian policy next Tuesday.

The new hearings will center on Communist China. The first witnesses will be two university experts on China—A. Doak Barnett of Columbia University on Tuesday and Harvard's John K. Fairbank on Thursday.

[From the Washington (D.C.) Daily News, Feb. 24, 1966]

More Aid in Vietnam for More Aid: South Korea Drove a Bargain With H.H.H.

(By Walt Friedenberg)

Seoul, February 24.—Vice President Humphrey ended his 2-week, nine-nation tour here with a bargaining session on terms for sending more South Korean troops to help fight in Vietnam.

The terms were not made public. It is agreed, however, that this country will send one more regiment to South Vietnam by the end of April and a full infantry division by mid-July.

The present ROK troop total of 23,000 would thus rise to about 40,000.

Seoul argued that its present contingent in Vietnam was a reasonable contribution. But if more troops were to be sent, South Korea must look to its "national interests," that is, be compensated.

So far as can be learned now, South Korea has been promised:

The gradual, selected reequipping (chiefly in heavy weapons) of its 500,000-man army.

Assurance that $150 million in earmarked economic aid promptly will be forthcoming.

A stipend of about $2 a day paid for each Korean soldier in Vietnam for "better living conditions."

The continued flow of Korean civilian technicians to good-paying construction jobs in South Vietnam.

A greater share for Korea in the procurement of cement, of military uniforms, and other goods needed by South Vietnam.

Mr. MORSE. I do know, Mr. President, that in a democracy, if it is to be preserved, the executive branch of Government must be stopped, whether it involves the President or the Vice President or both, from engaging in government by executive supremacy. If the Daily News story I have read is true, this is dangerous stuff.

If it is true, it is important that we proceed without delay to check the increasing exercise of arbitrary, capricious power on the part of the President and the Vice President of the United States in the field of foreign policy.

By our failure to demand a public accounting, we will entrench government not by law but by a man. I know of no man, including the President of the United States, who should be given such unchecked arbitrary power.

Thus, Mr. President, I do not intend to participate in any conference—which is going on as I speak now—in the name of the Committee on Foreign Relations. In my judgment, if members of the Committee on Foreign Relations, as individual Senators, wish to meet with the Vice President of the United States, then they should do it in their individual capacities as Senators. They should not go into any such off-the-record informal meeting in the name of the Foreign Relations Committee, because when a Foreign Relations Committee meeting is held, it should be held as an official meeting, in accordance with the rules and policies of the committee.

Mr. President, it saddens me to make these comments about the Vice President, but I mean every word.

In my judgment, anyone who advocates, as the Vice President is advocating, the bombing of people to a so-called peace table, has lost his right to claim to be a liberal. Anyone who is advocating the kind of an escalating war, which the Vice President is advocating in his public statements, has lost the right to claim to be a liberal.

Mr. President, I have said before on the floor of the Senate, and repeat today, that the issue is now before the American people.

I say to the American people that they and they alone have the authority to check this escalating war in Vietnam, that they will have to do it at the ballot box, beginning in the primaries just ahead, and then voting in the November elections in 1966, continuing in the primaries in 1968 and voting in the general election in 1968. Unless the American people are willing to defeat those who are seeking to lead this country—by its present foreign policy—into a major war in Asia, which will be the inevitable end result, then the American people have only themselves to blame as increasing thousands and thousands of Americans, both military and civilian, will be slaughtered in that holocaust.

Mr. President, that is the issue.

I am going to urge—short of a formal declaration of war, which this President should have recommended before he sent a single boy into Asia to be slaughtered—that the American people defeat the policy which now characterizes the warmaking policy of the administration.

I am perfectly willing to face the ballot box. I am perfectly willing to be judged by my people. I have served for 20 years in the Senate, always on the basis of the principle that each term is my last, for that is the only basis upon which anyone, in my judgment, has any right to serve in the Senate. For if we are not willing to serve in this body on the assumption that we are going to be either reelected or defeated on the basis of the record we make, as we utilize our independence of judgment on the facts as we find them, then we have no right to serve here at all.

I am perfectly willing to be judged on the record that I make, and to be judged on my record for peace—a peace on terms which honors my country and carries out the long-held professings of my country that we believe in following the rule of law in the settlement of international disputes, and not in the rule of the jungle by the use of military force which we are following today in southeast Asia.

COMMUNICATIONS ON VIETNAM WAR

Mr. MORSE. Mr. President, I also ask unanimous consent that certain communications, editorials, and articles dealing with my views on foreign policy be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Des Moines (Iowa) Register, Feb. 8, 1966]

MORSE ON THE VIETNAM WAR

Secretary of State Dean Rusk told the Senate Foreign Relations Committee on January 28 that the administration had tried to "expose fully to the public" the elements of the Vietnam problem but that it was hard to get the people to listen.

Critics of the administration's policy do not agree that an effort has been made to expose the public to all elements of the problem. They think the administration has withheld information and deceived the public in statements and speeches. The critics might agree that it has been hard to get the people to listen.

But this situation has changed, we believe, as a result of the big buildup of U.S. forces in Vietnam, the bombing pause and its resumption and the hearings of the Senate Foreign Relations Committee. People are in a mood to listen. They want to obtain a better understanding of the problem.

Des Moines had evidence of this new mood Sunday when about a thousand persons turned out to hear Senator WAYNE MORSE, Democrat, of Oregon, talk at a meeting sponsored by Iowans for Peace in Vietnam. Judging by the applause and the questioning of Senator MORSE, the audience was largely sympathetic to the views of the Oregon Senator, a harsh critic of administration policies.

Senator MORSE made a strong, reasonable and unemotional presentation of his case. He made clear that he respects and admires President Johnson and that he believes the President wants peace. MORSE has no sympathy for communism. He does not favor an immediate pullout of troops from Vietnam and he does not support those who violate laws in peace demonstrations.

Senator MORSE challenged the legal basis for the actions the United States has taken in Vietnam, without a declaration of war. He sees a drift to government by Executive decisions. He believes secrecy policies and deceptive propaganda make it difficult for people to get the facts on Vietnam—and to generate a change in our foreign policy.

MORSE listed what he believes are the failures of the United States to live up to provisions of the Geneva treaty of 1954 and the United Nations Charter. He told of the lack of support for U.S. views among other countries. He praised the belated decision to ask the United Nations to consider the problem. He expressed his fears about the dangers of escalation that could lead to war with Red China and the Soviet Union.

We hope the great debate goes on, not only through speeches throughout the country by men like Senator MORSE and those who disagree with him, but also in the Senate Foreign Relations Committee and on the floor of the Senate.

The search for an alternative policy to one of indefinite expansion and intensification of the war must continue—and that search will be helped by bringing everything, except security matters, into the open. Democratic and constitutional processes must be preserved in handling even such a difficult problem as the war in Vietnam.

[From the Oregon Journal, Feb. 18, 1966]

WORLD WAR I VETERAN VOICES DOUBTS ON VIETNAM

To the EDITOR:

May I in the name of Christianity and democracy express my deep concern in regard to the road of destruction along which our President and the hawks of the Pentagon are leading us?

I volunteered 11 days after war was declared in 1917. I furnished three boys and a girl in World War II and one boy in the Korean war.

While they were gone I ran a 250-acre farm alone to make sure they had the food with which to fight. I gave a gallon of blood that they and their comrades might have blood to meet their needs. I sold Government bonds and never once did I miss my quota, even if I had to buy enough myself to fill it.

Now, some of those "super patriots" insist that I send my grandsons to fight and die in that hellhole of Vietnam in order to force a people to accept our brand of democracy merely because it has proved a success here where conditions are in no way the same except that each deals with human beings. What is wrong with America's faith in democracy when we will say that we must send these boys to fight and die 7,000 miles away because this big deal of communism is liable to take us over?

Nowhere in the world can you show me where communism has ever been able to give its people the things that we have accomplished for ourselves. Nowhere can you show me a country that has accepted communism but what was driven there by economic and social breakdown in its ability to serve its people. Communism cannot gain a foothold unless there is poverty, injustice, and economic chaos. This is the ground in which it survives. Can napalm bombs and destruction kill communism or solve these problems? It cannot.

I will admit that America with all of the destructive weapons can scorch the whole of North and South Vietnam, but you will never kill the cause for which they fight regardless of what we choose to call it, and you will leave behind a hatred all over Asia that will live on forever. Why doesn't our Government tell the people that 87,000 Vietnamese regulars deserted in 1964 and 90,000 in the first 10 months of 1965? These are men whom we have equipped and trained, and yet Mr. Johnson leads us to believe that they have come from the North. Most of the arms that we capture are not Chinese made, but Russian and United States made.

If we would have spent just a fraction of our cost of war today in medical, educational, social, and economic advancements, we would not be called on 20 years after our real commitment was made by Vinegar Joe Stillwell, who was head of the Chinese Nationalist Forces during World War II. We would not be called on to make this staggering decision facing us.

I helped to elect Mr. Johnson because of my faith in him to resolve this crucial problem. But now I am thinking that perhaps I have made a terrible mistake for he seems completely under the spell of the hawks of the Pentagon.

General Eisenhower warned us of this military-industrial complex lest they would take over; so did Gen. Matthew B. Ridgeway in his book "Soldier." "I challenge any thesis that destroying the military might of China would be in our long-range interest." We could create there a great vacuum which would compel us to drain our own resources of men and money to fill, and it would bring us face to face with Russia along a 7,000-mile frontier. This is not my appraisal, but the appraisal by a man whom I cannot bring myself to call a "pinkie" or dove.

If such an emergency exists in Asia, why are we to be called on to solve it alone? Is our stake so much greater than the members of SEATO and NATO? I know no better way of sucking us dry than the way we are going.

I say what I have said because I fear it needs to be said. I have spent my 71 years in full support of my country's ideals, but I'm sure this is not one of them. My eyesight is good and I can still handle a gun. Let me go if there is no other way, even if I do not believe or agree with it. But for God and country's sake exhaust every avenue before we commit these boys against their will to fight and die in Vietnam for what may be a lost cause. But if this be necessary then let every laborer, every farmer, every industrialist operate on a nonprofit basis. In closing let me remind us all—"What profit a man if he gaineth the whole world and yet loseth his own soul."

SIDNEY M. LOVRIEN.

WASHINGTON, D.C.,
February 6, 1966.

DEAR SENATOR MORSE: Your strong, dissenting voice on our Vietnam policy is a major contribution to the restoration of sanity in our foreign policy. We are grateful for your courage and lucid portrayal of the ominous, mistaken course we are following.

We hope your committee will continue its valiant effort to get the facts before the American people, define our goals and turn our policy toward realistic peace efforts.

Sincerely yours,

JACQUELINE KIENZLE.

STATE COLLEGE, PA.,
February 7, 1966.

DEAR SENATOR MORSE: You should know, directly, that your position and your intentions in the questions of the war in Vietnam have our full support and are very much appreciated.

We have joined the protests and we have written to President Johnson. We are unable to understand his objectives except in terms of economical and political expansion and domination, which probably, is what "imperialism" means.

Yours truly,

HUGO RIBEIRO.

OREGON TRUCKING ASSOCIATION, INC.,
Portland, Oreg., February 1, 1966.

Hon. WAYNE L. MORSE,
U.S. Senator,
Old Senate Office Building,
Washington, D.C.

DEAR WAYNE: I can't help but believe that you had a great influence on the President when he referred the Vietnam situation to the United Nations. I had the privilege of viewing last Sunday's TV program and felt at the time that you were right, that from this time on the American public would demand United Nations consideration.

I appreciate your forthright and positive position, though I am sure that at times it has been difficult, but then I also believe that you are happier when you have a tough job to do.

My best wishes to you and Mrs. Morse for this session of Congress.

Best personal regards.

ROBERT R. KNIPE,
Managing Director.

LAKE OSWEGO, OREG.,
February 6, 1966.

Senator WAYNE MORSE,
Washington, D.C.

DEAR SIR: Please continue your efforts in pressing for stronger investigation of the facts in our administration's policy and participation in the Vietnam war.

I feel very strongly that the majority of the American people do not favor further involvement in this war.

We must seek negotiation and help from the United Nations if we are to survive as a world leader.

Sincerely,

VICTORIA F. JENSEN.

PORTLAND, OREG.,
February 7, 1966.

Hon. WAYNE L. MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR: Let me be one of the first to congratulate you on your sincere remarks at Des Moines last night.

I am writing many letters to various parties relative to the Vietnam war and many of us are so grateful to you for your effort in getting the President to not be so stubborn and listen to someone besides the two Secretaries.

I only hope you can get these two men into the Senate for questioning.

Many of us are attempting to try and help to stop this horrible carnage.

We are behind you in your efforts.

Sincerely,

ROY A. GAGE.

PORTLAND, OREG.,
February 8, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: When the record shows how shamefully most great nations and the United States have treated China, no wonder that country resents us.

McNamara's declaration that we can defeat both Russia and China only provokes war.

There is a paperback on "China" by Felix Green (95 cents). Perhaps Mr. Berg can procure a copy. I recommend you read pages 264 to 293 wherein many strong points are presented why our present policy regarding China is unjust.

A wise acquaintance said to me, "I think all the wise men are dead and I am feeling bad myself."

With great respect and best wishes.

Sincerely,

WALLACE A. PRATT.

ONTARIO, OREG.,
February 7, 1966.

DEAR SENATOR MORSE: Sorry you have to suffer all this, trying to help us the people, trying to save our loved ones. People everywhere are with you but are afraid of causing trouble for their loved ones. I can't understand why mothers and fathers of this country can't put a stop to sending our men to protect everyone else in the world. All we want is to have our men to protect our own country right here.

We all know you are right and always have been. We have sent many letters protesting this war but we are just the people not the Great Society. The servicemen are hooked. This is not a free country, we are full of fear of our own President. That is the way they want it. We would all feel different if it was a declared war. We all know how rotten all this is. This is the worst.

Many of the other people in the Congress are against the President but are also afraid of him. I am afraid to sign my name.

Keep well and keep trying to help us. It makes us feel good to know someone like you is still allowed in the Senate. We keep hoping they won't shut you up, but expect it any time. They shut up everyone else. We are sorry you are the only one having to fight all this. The people are with you so keep it up.

Everything you have said a year ago is turning out exactly like you said it would. The Big Three still hasn't been able to tell us a true answer. Our dear loved ones getting killed for someone else. Oh dear God. How can three men have such power?

——— ———.

PORTLAND, OREG.,
February 4, 1966.

DEAR SIR: I agree with you on the concern of saving young American lives over in Vietnam. We should save the "flower of our youth" from getting killed over in Vietnam. Those orientals should fight for themselves. I speak as a Korean war veteran.

Sincerely,

Mr. THOMAS DOWD.

LAKE OSWEGO, OREG.,
January 31, 1966.

DEAR SENATOR MORSE: Congratulations on your stand on the Vietnam war. My support is with you and I feel that you are gaining more support all the time.

Let us hope that this move of the President's today to take the issue to. the United Nations succeeds.

Keep up the good work.

Very truly yours,

KATHERINE CORTRIGHT.

CORVALLIS, OREG.,
January 27, 1966.

Senator WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: I wish to say that I agree with you about Vietnam. I told you so last April, but I would like to remind you.

My Dad and I voted for you when you were a Republican even though we were Democrats.

Would you tell Senators HARTKE, MCCARTHY, MOSS, BURDICK, METCALF, MCGOVERN, MANSFIELD, GRUENING, and FULBRIGHT that they have support for their opposition. Thank you.

Yours truly,

BARBARA J. LUCAS.

MINNEAPOLIS, MINN.,
January 29, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I wish to applaud your public stand against the Administration's Vietnam foreign policy. As a graduate student in political science at the University of Minnesota in Minneapolis, but an absentee voter in the State of Oregon, I am much concerned about the fearsome implications of the present war in terms of escalation, the potential involvement of the Chinese, and the impact the war atmosphere has upon the democratic process within our country. I wish to encourage your effort in seeking to alter our Nation's foreign policy generally, and specifically in terms of seeking our withdrawal from Vietnam. As far as the techniques of withdrawal are concerned your expertise in this matter goes beyond my knowledge. However, I can see that our involvement in Vietnam will solve no problems confronting that nation, nor add to our Nation's statute throughout the world, nor be of any material "self interest" to the United States. Morally and from a "realist" point of view, I see no rational reason why we must continue our policy in Vietnam.

As an aside, I have noticed a shift of attitude within the academic circles of students, teaching assistants, and professors within the last year which increasingly questions and has doubts about our present policy in Vietnam. At home in Roseburg during Christmas I also talked with friends, admittedly from a select socioeconomic level and high educational level, who were in support of your position and very concerned about the Vietnam policy of our Government and its implications upon our Nation's general foreign policy.

Sincerely,

RUSSELL A. DONDERO.

PORTLAND, OREG.,
January 26, 1966.

Hon. WAYNE MORSE,
Washington, D.C.

DEAR SENATOR MORSE: I and my family should like to commend you for voicing your opinions regarding the so-called peaceful expedition in Vietnam. Yours is as "a voice crying in the wilderness" and you deserve praise for taking the right, but unpopular stand, on this controversial situation.

I have followed your stand on this matter for the past several years and have used material as expressed by you in the CONGRESSIONAL RECORD on the whole sorry record of this situation.

Respectfully,

HOWARD WATERBURY, Jr.

ASHLAND, OREG.,
January 25, 1966.

Senator WAYNE MORSE,
Senate Chambers,
Washington, D.C.

DEAR SIR: Your efforts are sincere to familiarize the American people of the facts of Vietnam. It is hoped that you will continue to demand that the Vietnam situation come to a halt, and be referred to the United Nations for settlement in accord with the Geneva agreement.

Respectfully,

CLAUDE J. MILLER.

OREGON CITY, OREG.,
January 27, 1966.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Realizing that you, no doubt, have had much criticism regarding your stand on the Vietnam situation and that those of us who are in agreement with you are often lax at letting you know that we are 100 percent for you I feel that I have, thus far, been remiss by not writing you in commendation. I want you to know that many rather quiet people are behind you in the stand you have taken. Despite all the people with whom I talk daily I have yet to hear one person express support of what we are doing in Vietnam.

While many people, thinking it unpatriotic not to support policies of the President, have rather begrudgingly given assent to his escalation of the war because they feel he ought to know what he is doing, they do not support our role in Vietnam, and they are hoping and praying for peace. Republicans and Democrats alike, however, support you in your role of opposition and I'm glad to see that now some others are joining you vocally in the Senate and House.

Again, congratulations on your faithfulness to conscience and to the upholding of the constitutional freedoms of our democracy.

Respectfully yours,

Rev. HORACE L. BACHELDER.

PORTLAND, OREG.,
January 27, 1966.

DEAR SENATOR MORSE: * * * We would like to know, why we are in Vietnam. To whom are we committed? There are so many questions that have no answers in this regard. We parents have sons that are going to be involved in this mess, should certainly have the right to know why our boys are being sent there.

Many people in Oregon appreciate your stand on the Vietnam situation, and hope you will continue your work to end this war.

Sincerely,

Mrs. JOHN D. BOONE.

PORTLAND, OREG.,
January 26, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington 25, D.C.

DEAR SENATOR MORSE: Tonight's Oregon Journal carries a short note that you oppose the sending of draftees to Vietnam against their will without congressional approval.

I earnestly concur and I applaud your stand. I detest the administration's bypassing of Congress with the Vietnam mess; such action is usurpation of power.

I very sincerely pray your legislation is fruitful.

Yours,

MACLYN GEROLD.

PORTLAND, OREG.,
January 26, 1966.

DEAR SENATOR MORSE: I would like to express my support for the views you have so courageously expounded concerning Vietnam and the draft.

I suspect you will go down in history—if certain people in the Pentagon do not prevent us from having a history—as the most sane and thoughtful person in the U.S. Senate at present.

Sincerely,

ARLENE BLUM.

PORTLAND, OREG.,
February 15, 1966.

DEAR SENATOR MORSE: I am proud to be a resident of a State which is represented by a man whose political vision is as fearless, sane, and farsighted as yours. May your sanity prevail.

Please: Vote "no" in more U.N. war funds.

Sincerely,

RUTH HAN.

WOODBURN, OREG.,
February 25, 1966.

Hon. WAYNE MORSE,
U.S. Senate,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Our warm and sincere congratulations go forth to you today for the brilliant courage you have demonstrated, particularly during the recent TV Vietnam hearings. We are proud of you, Senator MORSE, and of Chairman FULBRIGHT, that you are taking this stand and fighting for what you believe in. In these days many are too chickenhearted even though they may talk big in some circles.

We have thought of you so often; if we had written every time we thought of you; and when we had opinions and suggestions on some of these present-day affairs that are so critical, your office staff would be swamped with letters.

There is great interest shown in our community, as all over the Nation, but it seems there are so many who are talking and surely do not have full information. Some do not understand your motives and have taken your remark about the rise of Hitlerism as a shocking condemnation of our administration and not as we feel, a warning as to what could happen here if we don't all take an interest and some action at the polls.

Because we have supported you openly in our small area we have received some criticism too, and one day a party called me on the telephone following the General Taylor inquiry, very much alarmed about our friend, Senator MORSE, and that communism was everywhere (possibly under every bush) and she was afraid.

In February, to learn more about the Vietnam affair, we attended several great decisions meetings. The group was very, very small, an ex-colonel as discussion leader, apparently with the view that fight was necessary and war should be escalated. We were not inclined to go along, and our representation from Oregon in the matter of the Tayor-Gavin-Rusk was relegated to the lowest depths following a complimentary remark we had made about our Senator on the Foreign Relations Committee, and the Chairman FULBRIGHT.

If you should have any occasion to consider the groups interested in great decisions it would seem proper that the discussion leader refrain from attempted influence of decisions in these matters and that discussions be given to the public attending, rather than to listen to lengthy arguments in favor of the military as in this case here.

Thank you, and keep up the good work.

Sincerely,

Mr. and Mrs. HARRY G. THORN.

SALEM, OREG.,
February 26, 1966.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: My husband and I admire your stand on Vietnam and wait with great interest each progressive step you make toward your goal.

Sincerely,

MARY EDITH GILKERTSON.

PORTLAND, OREG.,
February 24, 1966.

Senator WAYNE MORSE,
Washington, D.C.:

Please continue to voice your opposition to President Johnson's war in Vietnam since I agree with most of your policies and ideas in this regard.

From my listening and reading, I feel we are aiding an evil government against the only people who seem to care for the Vietnam country and majority.

At any rate our being there is intervention and wrong. It has none of my moral support.

Sincerely,

Mrs. RICHARD E. TRACY.

SALEM, OREG.,
February 21, 1966.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: Last night we held a surprisingly well-attended meeting on Vietnam in my legislative district. Of those present I was surprised by what I feel is a change of mood following the public hearings of the Senate Foreign Relations Committee hearings.

I feel it is most important that further hearings be held to solidify the changing mood.

I was surprised when the audience was involved in expressing their opinions. I asked for a show of hands and approximately 70 percent favored deescalation; 20 percent favored continuance of present policy; 10 percent increase war effort; 90 percent favored calling for internationally conducted elections and for abiding by such election even though this meant the election of a Communist South Vietnam Government.

I remain your loyal supporter.

Sincerely,

WALLY PRIESTLEY,
State Representative.

PORTLAND, OREG.,
February 24, 1966.

President L. B. JOHNSON,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: What price commitment if your country is ravaged, your people dead, or any who survive reduced to a caveman era.

Financial cost in the black market, misused funds, and aid to the world, plus plans for a better life here at home are too expensive for your tax weary people to pay.

There can be honor in retreat—in the realization that we have made a mistake and admitting it. France still lives with dignity.

Allies? Who are they? Where are they except on paper? Their numbers do not support us by financial or military aid to any great degree. I beg you, Mr. President, to listen to your learned educators, your fellow

Senators, who have made a life study of these problems, and to your religious leaders. Seek a peaceful settlement—not a peaceful talk of settlement—while on the other hand you prepare for a larger war. Another Korea may not be the best answer, but it is a better solution than land or nuclear warfare.

You, as President of the United States, have a debt to the world. It is far greater than any committment in Asia—it is life and the right to live. Please, Mr. President, give us peace.

Sincerely yours,

Mary A. Galvin.

Portland, Oreg.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator: This family again cannot find the proper words to commend you enough on your stand against the President's Vietnam policy. It is our constant prayer that you can continue to find the strength to do so.

The Senate hearings were watched with great interest and much was learned. It is our belief that without you to lead the way many other Members of the Senate would have remained silent and just blindly followed the President's wishes.

Sincerely yours,

Mary A. Galvin.

Tillamook, Oreg.,
February 18, 1966.

Hon. Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator: I think you are on the right track with your "no draftees to Vietnam" bill—or any other undeclared war. If those countries cannot furnish their own manpower to win then they cannot preserve their freedom, and we certainly cannot police the whole world.

The American people are not willing to make this terrible human sacrifice to "save face" for some few policymakers. Ridiculous, if it weren't so tragic.

Yours truly,

Verna Rosenberg.

Portland, Oreg.,
February 22, 1966.

Hon. Wayne Morse,
U.S. Congress,
Washington, D.C.

Dear Senator Morse: Again I want to take this opportunity to support you in your stand on the Vietnam question. It must be a source of some satisfaction to you to have such a broad swing over to what has been the rational point of view on this matter, and to be able to move out of an almost completely isolated position into one of rather broad support.

I have just finished reading David Halberstam's Pulitzer Prize winning book "The Making of a Quagmire," which I thought the most impressive documentation of the history of our involvement in that area, and the best presentation of the persistent misinformation and misadvice and misestimates of the situation, which came first from our military people, secondly to our Embassy people, and finally to Washington. I think the question might be raised as to legally treasonable activity on the part of some of our people in the past 6 or 8 years. These are strong words, but since that kind of activity has now gotten us into a situation in which we may ask a great many young Americans to give their lives for the wrong cause—at the wrong place and the wrong time—I think it is a question fair to raise and I think you are the man to raise it.

The description of events from the military headquarters and from the Embassy in Saigon sounded so much to me like the thing I previously described to you from Taipei that I think it is worth again noting that our people are largely talking to themselves in our foreign offices.

For perspective I am sending you a copy of a small bit by Arnold Toynbee which I think might interest you, which first appeared in the London Observer, and then was reprinted by the Witness—an Episcopalian weekly—in 1965.

With kindest regards I am,

Very sincerely,

Joseph B. Trainer, M.D.

Portland, Oreg.,
February 24, 1966.

Senator Wayne Morse,
Washington, D.C.

Dear Senator: Thank you for your continuing efforts to stop the escalation of the war in Vietnam. Please keep up the good work.

This Oregonian is very proud to have you representing her in Congress.

Sincerely,

Sophia Loving.

Portland, Oreg.,
February 24, 1966.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: Thank you for speaking so clearly about Vietnam. I am willing to stop this destruction on any terms and get on with the reconstruction. Why, after all of our years of foreign aid, don't we have less costly, more effective aid? I can't afford to spend so much for so little.

Sincerely yours,

Margret B. Bailey.

Eugene, Oreg.,
February 24, 1966.

Hon. Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: Thank you for your continued efforts to bring the Vietnam question to national focus. As a registered voter in Oregon I am proud to know that at least one of Oregon's representatives to Congress is willing to challenge the administration's present policy in Vietnam.

Your continued efforts to clarify the alternatives available in the present "executive war" are deeply appreciated, as are your efforts to stop U.S. unilateral offensives in Vietnam. I also am in favor of the recent bill initiated by you and Senator Gruening of Alaska which asks that recent draftees not be sent to Vietnam unless they volunteer to do so. I think this is definitely a step in the right direction.

My personal feeling is that the war in Vietnam is a very unfortunate mistake on the part of U.S. foreign policy. I do not believe we can "win" militarily in Vietnam without the commitment of 2½ million troops which would be unthinkable. Our best recourse is to cease the bombing of North Vietnam (the bombing only results in solidifying the opposition and determination of the North Vietnamese people), recognize the NLF at the negotiation table, encourage and support the direct involvement of the United Nations and then abide by its decisions, and most of all be willing to accept a compromise settlement rather than push for a military victory which would mean the annihilation of the Vietnamese people and a very likely chance of involving the Red Chinese directly in a land war.

Best wishes for the success of your continued efforts with regard to the Vietnam question.

Sincerely,

Mrs. Jean H. Ehrhorn.

Eugene, Oreg.,
February 24, 1966.

Hon. Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: This is just a note to indicate again my 200 percent support of your stand in regard to the war in Vietnam. I shall be everlastingly grateful for your courage and perseverance.

The recent unanimous statement by the American Bar Association alleging the legality of our involvement in Vietnam is to me absolutely incomprehensible. As a result, I am enclosing a few quotations that I have run across in the judgment of the military tribunal of the Nuremberg war crimes trial, which you might find useful if you have not already noted them. Since the U.S. representatives were on the tribunal, we stand condemned in Vietnam by the same words we used in condemning the Nazis.

Sincerely,

Carl J. Nelson.

Klamath Falls, Oreg.,
February 22, 1966.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: We have watched at least a part of the proceedings of the Senate inquiry concerning Vietnam. We appreciate something of the complexity of the situation, but which for most of us must be at some distance from the more intimate facts of the situation. In your position you must be in possession of facts not available to us here. We have appreciated your sincerity in trying to impress all and sundry with the hazards being faced and of the deep desire of our people for honorable peace, seeking a peaceful solution reflecting a people of honor.

I have been rather increasing disturbed at the assurances we have been receiving that our Government is ready to sit down unconditionally at any time or place to negotiate this matter, then to discover that we seem to have established certain adamant preconditions. Among these is the matter that we will not sit with any representative of the Vietcong, but only those from North Vietnam. Other preconditions also seem to lie in the background.

It is to be hoped that here, too, we may be honorable and do as we say we are ready to do—talk peace with anyone anywhere and at any time. The situation being such as it is, it would be difficult to summarily withdraw from this business, and such would possibly leave a disastrous aftermath. But ways must be found. If negotiations must be carried on deviously and at arms length to avoid the Chinese pressures upon Hanoi, requiring a slow-paced patience, then let us do so. This might require processes not open to public view, and the public could only ask for reassurances of some kind that every avenue is being pursued and no doors being shut.

Whatever you can do to further such a cause will be in the interest of all people. It will require the kind of courage you have shown in the past as you have sought to serve the cause of what is best for America. Our prayers and best wishes attend you in these difficult areas of service.

Sincerely,

W. H. Monroe.

Klamath Falls, Oreg.,
February 22, 1966.

Senator Wayne Morse,
Washington, D.C.

Dear Senator Morse: There is always the time to write a letter to your elected representative and this is mine. I want to congratulate you on your courage in questioning our actions in this Vietnam affair. I'm proud you are Oregon's Senator, too. History is going to prove you correct but I'm not sure you are going to have much influence. It is discouraging to see how readily we are putting so much power in the hands of the executive branch. If this continues what is going to happen to the power of the Senate and House of Representatives? Even the best of Presidents can be misinformed or influenced by the wrong advisers. The article in this weeks National Observor, which reported the Senate hearing, is priceless. I didn't see the TV report. Anyway, I'm proud of you.

I don't think many of the Government officials realize how unhappy most of us are about this "engagement" in southeast Asia. I belong to a "great decision" group and all of them agreed it was foolish and senseless. Of course, we couldn't solve the problem of how to get out there. I hope you can. Someone needs to solve this huge problem.

Good luck.

Mrs. Glenn Stewart.

Langlois, Oreg.,
February 10, 1966,

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: Many of my friends, no doubt, will not take the time to write to you, but I can assure you that they will have the same views as I do on your stand on the war in Vietnam, I agree as you do, that investigation should not stop at the Senate level, and not behind closed doors, only unless for security reasons.

In all, Senator, I think that you are doing a good job where you are. I like you because you have guts to stand up and let the world know what you think.

Sincerely yours,

Al and Louise Brown.

Portland, Oreg.,
February 11, 1966.

Hon. Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Mr. Morse: God bless you for your fearless approach to all problems concerning the welfare of the Nation and our freedom heritage. We watched with interest and appreciation the Senate hearings as televised across the country yesterday, with renewed confidence that we have many able minds and courageous hearts devoted to our country's best interests. May your voices continue to be heard on this problem of Vietnam as well as on every occasion where you are the champion of our individual rights and the national security.

Yours very truly,

Mr. and Mrs. Kenneth C. Smith.

Eddyville, Oreg.,
February 10, 1966.

Hon. Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: I write to praise the work of the Senate Foreign Relations Committee in holding such effective hearings on U.S. foreign policy.

I hope that a full transcript of the hearings will be made easily available to the public since coverage by the communications media is inadequate with a few honorable exceptions. Voters should know the truth.

I write also to thank you for trying to block the appointment of Jack H. Vaughn as new head of the Peace Corps.

It is high time that we completely overhauled our thinking in foreign policy to make it conform wtih the realities of the atomic age. The time lag has been dangerously great.

Yours respectfully,

H. R. Glascock, Sr.

Grants Pass, Oreg.,
February 8, 1966.

Dear Senator Morse: While visiting in Grants Pass I listened to many of your broadcasts which I enjoyed very much. I agree heartily with all that you believe in. I certainly admire your courage and your stand in defense of the people's rights and the United States' position in Vietnam.

If there are ways we citizens might help in support of your program please let us know. We are behind you 100 percent.

Very sincerely yours,

Helen E. Elliott.
Ruth E. Mayers.
Gladys Clegg.

Florence, Oreg.,
February 11, 1966.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: The televised hearings on Vietnam are very informative. I think it is getting through to a lot of people the futility of escalating the war.

Very truly yours,

Marian Hunt.

Portland, Oreg.

Senator Wayne Morse: I got to watch a good deal of the Foreign Relations Committee hearings, plus the evening news regarding these hearings, plus special programs on these hearings. I have also read many newspaper articles in this regard. I still do not feel well informed on the subject, but I do have some thoughts.

None of the witnesses seemed in favor of escalating the war, all seemed excruciatingly sincere in their testimony and all seemed in favor of getting to the conference table with the enemy. Mostly in trying to get them to come to the conference table. One of the main problems seemed to be in predicting the future—perhaps you should call a fortune teller with a crystal ball in as a witness; pose hypothetical solutions and ask her to peer into the future to see what the result would be if such a course should be taken.

Based on the hearings, whether or not to contain the spread of communism by aggression seems to be the issue, with China's immediate intent the big question mark.

I do not believe we can or should be the policemen of the world. Aggression should be halted and our mutual protection treaties should be honored.

It does seem that the U.N. should be the instrument through which peace is manipulated. If that doesn't work no avenue toward peace should be unexplored. This also seems to be being done, or tried.

These hearings have been the best thing to happen in this country in a long time. The public should know what is going on as well as just how difficult it is to wrestle with this problem.

Sincerely,

Mrs. Walter Stahlek.

Portland, Oreg.,
February 24, 1966.

Dear Senator Morse: Please continue to fight, in every way possible, the escalation of the Vietnam "situation." I am in Portland with my husband who attends Reed College, and am unfamiliar with politics and procedures in this area. I would appreciate any advice regarding my efforts to help in any way I can to bring about a peaceful settlement of this nightmare.

Most sincerely,

Marlena Langston.

Portland, Oreg.,
February 18, 1966.

Senator Wayne Morse,
Washington, D.C.

Dear Senator Morse: I have owed you this letter since your brave, and almost solitary stand against the Presidential takeover of congressional duties, in regard to Vietnam.

For a while, I thought that the constitutional point you were making was of lesser importance than the moral and humanitarian issues, but I have come to see that for this country, at any rate, the two are one. An undeclared war is a wrong that was guarded against by our basic law. An infringement there may lead to further infringements on issues more immediate to our personal rights. You were right, and I was wrong. Thank you.

Thank you for your courage, intrepidity, your continuing stand for the right as you see it.

Most sincerely,

Fannie Scarl.

Medford, Oreg.,
February 17, 1966.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I will not take your time by writing a long, involved letter concerning our policy in Vietnam.

I do, however, want to say that I applaud your stand on this important issue and am confident that you have contributed in large measure to a gradual change in public opinion concerning the administration's conduct of this war.

You are, as usual, performing a great public service and it is encouraging to see more and more of our responsible congressional leaders joining you in public criticism of this immoral war.

Thank you for saying what so badly needs to be said.

Yours very sincerely,

Mrs. Marjory E. Madden.

Corvallis, Oreg.,
February 16, 1966.

Senator Wayne Morse,
Senate Building,
Washington, D.C.

Dear Senator Morse: I am writing you to commend you on your academic and brilliant performance at the Senate Foreign Relations Committee hearings on February 10.

You have much support, more perhaps than you realize. I fear people are afraid of being anti-Vietnam because they will be labeled as Communists. We must stop this war in southeast Asia. We will become so weak, spreading ourselves so thin, our image throughout the world will be nil. Perhaps this is the very strategy of the Communists.

Please continue your fight for nonescalation of the war and for approaching this whole thing from a different viewpoint.

Yours sincerely,

Mrs. W. A. Slabaugh.

Springfield, Oreg.,
February 22, 1966.

Dear Senator: Please count me as one of the 17 to 1 against the war in Vietnam.

Fortunately, Americans are not quite as they were a few short years ago. Not all of them will give up reason and commonsense because it might be labeled communistic.

I am at a loss to understand the people who maintain that what we are doing throughout the world has anything to do with democracy, peace, or even anticommunism.

The countries we have helped most have developed the strongest communistic leanings and small wonder has a way of reverting to American interest.

One wonders how long Americans will continue to tax themselves to support their own destruction.

God bless you for having the courage of your convictions.

Sincerely,

H. M. Cummins.

Portland, Oreg.,
February 18, 1966.

Dear Senator Morse: These televised hearings have certainly been enlightening to those of us who are so deeply concerned. Believe me, I am praying that wisdom will be given to you who are forming our policy in this mess.

Few Americans would object to the giving of our resources, money, and knowledge as a contribution toward a solution. But I can't see drafting youngsters in their teens and shipping them off to Vietnam after just 6 months training.

It isn't always easy to do what you think is right, is it? Let me commend you for having moral courage, a most admirable attribute.

Sincerely,
Dorothy M. Waterbury.

Brooks, Oreg.,
February 23, 1966.

Dear Senator Morse: We agree with your position on Vietnam and admire your courage in stating your views.

We wish you continued success in the future.

Respectfully yours,
Lilli and Frank Henry.

P.S.—Thank you for the excerpt of Congressional Record containing your speech.

Eugene, Oreg.,
February 25, 1966.

Senator Wayne L. Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: Please permit me to suggest that you advocate that the United States and other nations (optional) designate specific periods for peace prayer vigils. Prayer is the omnipotent force in the universe.

You have my 100 percent support of your steadfast position on the entire Vietnam issue.

May God bless you abundantly for your most excellent achievements for Oregon and the world.

A loyal and stanch Oregon friend,
Mrs. Virginia F. Smith.

New York, N.Y.,
February 23, 1966.

Dear Senator Morse: I am in agreement on your stand on the Vietnam issue, and have been following the televised hearings of the Foreign Relations Committee. I am so thankful for your outspoken concern, and that of Senator Fulbright, over our dangerous and hypocritical policies in Vietnam.

Yours truly,
Margaret S. Spoerri.

Portland, Oreg.,
February 22, 1966.

Hon. Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator: After considerable reading and listening, and a fair understanding now of the history of the Indochina area leading up to the 1954 Geneva agreements, and after a reading of these latter agreements, and factual accounts of what has happened since that time (aided very little by the statements made by our administration), I must conclude that I concur with you in your courageous and determined opposition to our Government's present policy toward Vietnam.

May I say that I am very proud to have you as the senior Senator from Oregon. In retrospect, I believe that most of my disagreements with your stated views in the past—and this has not been too many times—have centered around my own incomplete grasp of pertinent facts. At any rate, I feel quite sure that time and history, perhaps most particularly in reference to our conduct in southeast Asia, will honor your record in the U.S. Senate as that of a genuine patriot.

Would you please add my name to your mailing list and also that of my brother. His name and address are: Stanley O. Stewart, 2312 SE. 156th Avenue, Portland, Oreg., 97233.

Thank you, and my best wishes to you and your family.

Sincerely,
Elton L. Stewart.

P.S.—If not too late, we would both appreciate copies of your January 1966 newsletter with your speech of January 19, 1966, as entered in the Congressional Record. Thanks again.
E.L.S.

Salem, Oreg.,
February 25, 1966.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: For several years we have followed your work concerning the problem of Vietnam, and have appreciated your consistent, understanding, and unhypocritical approach to it. We have been even more proud, as your constituents, and grateful for your recent efforts. It is good at this time to see men such as yourself and Senator Fullbright doing what needs to be done, and doing it so well.

If we could be of assistance to you in this work, we would appreciate your suggestions as to what we might do. We will, of course, consider these issues in voting this November.

Sincerely yours,
Phyllis Berger, Ph. D.

The Dalles, Oreg.,
February 24, 1966.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: Though this is written on a church letterhead, it is strictly personal.

We received and read in its entirety your very interesting newsletter and Congressional Record of January 19, 1966. Mrs. Morrow and I are more than ever impressed by your courageous and competent handling of the case in re Vietnam. We simply want you to be assured of the enthusiastic support of this family. You stand in this matter with some of the keenest and most honored of the country's advisors.

Even the Oregonian had to print Governor Hatfield's stand and the rather surprising result of "Great Decisions" discussions in which Oregon participants were divided 50–50 on Vietnam. We are not sanguine about the outcome at this time, but we are grateful for your efforts on behalf of sanity and what is right.

Very sincerely yours,
Fred R. Morrow.

Newberg, Oreg.,
February 20, 1966.

Senator Wayne Morse: Please use all your power as a Senator against this undeclared war in Vietnam. It is not legal to draft men under the age of 21 without parents' consent. These men must pay taxes when they are employed, but yet they have no say as to how this country should be governed as they do not have the right to vote.

The war in Vietnam should be put to a vote for or against.

Are the American people unable to stop sending troops to Vietnam?

Use your vote to stop this. More power to you; you are correct in your fight against wars undeclared.

Robert R. Kamph,
Veteran, World War II,
91st Infantry Division.

Eugene, Oreg.,
February 20, 1966.

Dear Hon. Senator Morse: I would like to thank you for your courageous stand on Vietnam, and your faith in democracy.

I believe that ʻhe U.S. policy in Vietnam is illegal and immoral, and that our foreign policy is too narrowminded to deal with the complex problems of the world today. Our Government is acting on a cold-war foreign policy of containment, and it sees internal revolutions and nationalist movements as Communist aggression. We cannot bully or blackmail countries into a democratic form of government. I urge our immediate withdrawal from Vietnam, and I suggest that the United States reconsider its foreign policy.

Please place me on your mailing list, for I would like to follow your actions in the Senate.

Respectfully yours,
Martin I. Durst.
Mary Joyce Durst.

Eugene, Oreg.,
February 22, 1966.

Dear Senator: I have been watching the hearings on the Vietnam question, and I wish to compliment you and Senator Fulbright on the courage you have shown on these issues. I know most of the people are behind you. I, in my business of serving the public, go into many homes and in asking about the Vietnam war find that the majority of people feel as you do on the issues. We are very fortunate in having men such as you in our Government. God bless you, and keep up the good work.

Yours truly,
Samuel Marrone.

Winston, Oreg.,
February 24, 1966.

Hon. Wayne Morse,
Washington, D.C.

Dear Senator Morse: Thank you for the information you sent me in relation to South Vietnam, and let me say I am very proud of you for your stand opposite to that of the present administration, but Senator Morse, I do not see how a formal declaration of war by the Congress changes the situation in relation to the danger of a war with China, and in the end a nuclear war from which no nation can emerge victor.

It seems to me our great military power was created not to attack but to repel an attack.

Are the American people to furnish the men and arms to police the world?

If we follow the advice of Mr. Rusk, Mr. McNamara, and President Johnson we are sure to end up in a war with China, and a declaration of war would be the go sign they now lack.

Thank you for your efforts in behalf of peace and justice but I am very much afraid the future looks very black.

Sincerely yours,
Joseph B. Huke.

Portland, Oreg.,
February 24, 1966.

Dear Senator Morse: As a resident of Oregon, and the mother of a son who could be called into the service at any time, it is a consolation to know we have a man representing us, with the courage of his own convictions.

I only hope and pray this terrible slaughter of our boys may soon end.

After listening to the hearings—I felt like you and your committee—there is so much more we could have done, and still could do, to improve this horrible situation without all of this heartbreak for everyone involved.

It is indeed a sad and empty feeling to realize we raise our beloved sons only to be snatched away in the prime of their young lives, to fight a war that seems so unnecessary.

I pray that God will give our leaders the proper guidance to end this brutal war.

Keep up the good work. That is what America is all about. The freedom to speak out and be heard and the wisdom to make the right decisions by free and open discussions.

Sincerely,

MRS. W. G. ROVANG.

ALEXANDRIA, VA.,
February 27, 1966.

Senator WAYNE MORSE,
Washington, D.C.

DEAR SENATOR MORSE: Thanks greatly, sir, for your stand on the Vietnam war and current proposals.

Your stand on this issue is as great to witness as your display of skill in riding your horse seen some years ago at a horse show.

May God give you added strength to bring proposals of war to the stage of negotiation and debate, that peace may reign in our land.

Sincerely,

DONALD COLLIER.

SWEET HOME, OREG.,
February 22, 1966.

DEAR SENATOR MORSE: You are doing splendid job. We want to thank you very deeply.

Have wanted to write you many times because we feel you are taking the right course on the war situation.

I find it hard to express all the "graditude" in writting you.

You and the men such as MANSFIELD and FULBRIGHT are giving us new hope, good luck.

Yours truly,

RAYMOND EWING.

February 22, 1966.

DEAR SENATOR MORSE: Hurray for you. I'm with you all the way—and have been since I've been in Oregon.

I hope you keep up the good work, I'm so sick of secrecy—and some of the lies that come out of this administration. I'm tired of being treated as though I'm not good enough, or wise enough to have a voice in the policy of this great land.

I'm an Independent—but a registered Democrat since 1932—because I believed in the Democratic Party principles, more than I've been able to believe in the Republicans.

We receive your congressional report and do appreciate getting it, for it gives us a chance to at least know what is going on in Washington.

Thank you again for the TV Senate hearings. I listened to every one—and appreciate what all of you are trying to do.

Sincerely,

MRS. LEO A. KILGES.

LEBANON, OREG.,
February 23, 1966.

Senator WAYNE MORSE,
Washington, D.C.

DEAR SENATOR MORSE: You must get many letters scolding you for your stand on Vietnam. Critics always write the most letters. I hope those who agree with you also let you know that they do. I am one of them.

I listened attentively to all the Senate Foreign Relations Committee broadcasts with special attention to the opinions of Mr. Rusk and General Taylor. I wanted to find through them an area of agreement with my President. I could not.

Early in January 1964, Slim and I stopped awhile in Tuxtla Gutierrez on our way north from Panama. A compatriot staying at our hotel, a Californian, showed us a newspaper published in Mexico City and asked us to read a certain editorial and give him our opinion. With some difficulty and his help, I translated. This is the gist of it:

"Tourists from Estados Unidos mean much to our economy. Treat them well. Be courteous. Above all do not make argument politico. Because they are obsessed with the fear of Communists. It is a national sickness and they cannot help it. It has been their foreign policy for over 40 years and one day it will lead them into bad trouble. But they cannot help it. We will ignore it. We are thankful for their friendship and the prosperity their tourists bring to us. But we will not make argument politico."

My reaction was anger and humiliation. The Californian laughed and said, "Think about it."

Senator MORSE, I have thought about it. Thought about it a great deal since the Vietnam situation assumed such a frightening aspect. I am not now angry but I do feel humiliated. Have we indeed carried fear and hatred and national arrogance to the predicted "bad trouble"?

I am grateful for the mailings that come to us from your office. I am deeply thankful that you sit in the Senate and on its Foreign Relations Committee. Your fearless stand on our foreign policy gives me some measure of hope.

Most sincerely,

MRS. KATHERINE HARRIS.

MILWAUKIE, OREG.

DEAR MR. MORSE: Thank you for the way you are fighting for the common man. The people of Oregon are lucky to have someone like you to fight for us; the majority of people are with you.

Keep up the good work. We are doing all we can to help.

Thank you again.

Yours truly,

Mr. and Mrs. JOHN PHILLIPS.

PORTLAND, OREG.,
February 23, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I have just heard President Johnson's speech to the Freedom House Award, in which he implores us to support the war. With just as much zeal and emotion, I implore you as my Senator, not to desist in your efforts to find another way.

We have three young daughters, not sons, but my point of view in no way reflects anything but the utmost respect for our servicemen in Vietnam. Somewhere in all the avenues open to us and all the intelligence of our diplomats there must be someway, some idea that can point toward a new solution to our world strife.

I will not go on at length as to why we support your position but wish to indicate our support.

Sincerely,

CORINNE and DUANE PAULSON.

OAK PARK, MICH.,
February 21, 1966.

Senator WAYNE MORSE,
Senate Foreign Relations Committee,
Washington, D.C.

MOST HONORABLE SENATOR MORSE: I am writing to tell you that me, my family and very many of my friends want to say thank God for you.

We are all American citizens and are very much concerned and upset with our President's policy, and the whole war in Vietnam.

We do not feel that we should be responsible for the unjust slaughter of our boys, and the Vietnamese people, but so far there seems very little that we can do to stop it. Please continue to do your part and the investigations into the whole affair. Let more people know what the true situation is, and we hope and pray that we can come to some settlement in a hurry.

Please tell me if there is anything that I can do to help stop this war, before it is too late.

Sincerely,

THELMA MILLER.

PORTLAND, OREG.

Hon. WAYNE MORSE,
Senator from Oregon,
Washington, D.C.

DEAR SIR: This letter is to inform you that our entire family is deeply concerned over the situation in Vietnam.

We strongly urge you to continue to pursue activities that would bring this matter to a peaceful solution. We are very much opposed to the present policies of President Johnson and his advisers.

We are thankful that there are still brave men at home who are not afraid to voice their opinions.

Respectfully,

MRS. N. RASSEKH.

SACRAMENTO, CALIF.,
February 18, 1966.

Senator WAYNE MORSE,
Washington, D.C.

DEAR SENATOR: Your efforts to save humanity from a nuclear war are greatly appreciated. History will have to record your good works.

Sincerely yours,

JOHN E. SUMMERS, M.D.

TACOMA, WASH.,
February 19, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Oregon State can be proud of their Senator. God bless you on your stand on Vietnam. We pray the American people will get behind you and support you all the way on this important matter. There has to be a better way than wars and its bloody killings.

Sincerely yours,

MYRTLE ROBISON.
BERT ROBISON.
SHELLEY ROBISON.

PACIFIC GROVE, CALIF.,
February 19, 1966.

DEAR SENATOR MORSE: You are certainly a man Americans can be proud to claim as their own. Throughout the hearings you have conducted yourself in a cool, intelligent manner as befitting your position.

Thank you so very much for striving to bring peace to the world and an end to the killings. I'm certain you will be long remembered and honored when the militarists are long forgotten.

"Blessed are the peacemakers." You are among them.

Sincerely yours,

STEVE A. POLKABLA.

LOS ALTOS, CALIF.,
February 19, 1966.

DEAR SENATOR MORSE: It is difficult to find a way to express our gratitude to you for your courageous and lonely fight on the Vietnam issue. If we get out of this thing alive you above anyone in public life deserve the credit. You and Senator FULBRIGHT were very effective at the hearings. Perhaps it will prove to be the beginning of the end.

Very sincerely,

Dr. and Mrs. JOHN FRYMIRE.

SAN RAFAEL, CALIF.,
February 20, 1966.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Grateful thanks must be expressed by my wife and myself to you for your marvelous display of intelligence and integrity—your unswerving devotion to truth, to peace, to humanity—in which lie all mankind's hopes for an end to the foul conflict in Vietnam and for an end to all wars.

Your voice is America singing.

Sincerely,

EDMUND STONE.

STUYVESANT, N.Y.,
February 22, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Thank you for your criticism of our war in Vietnam, and for your efforts at clarifying our policy there.

Although this engagement is confusing and confused, it does seem that where there is fighting there is a war. If it is war does it not have to be declared by Congress? It seems to be Presidential wars that are not controlled.

I hope that you will continue to criticize everything with which you disagree. If citizens cannot disagree with any policy involving our Armed Forces and have no say in where our forces shall be sent what voice do we have?

Very truly yours,

MURIEL T. ASBORNSEN.

SAN FRANCISCO, CALIF.,
July 19, 1966.

Senator MORSE,
U.S. Senate,
Washington, D.C.

DEAR SIR: More power to you. I'm behind you in your efforts to get Vietnam war negotiated—put in U.N. hands—and stop U.S. aggression.

Sincerely,

FLORENCE JUVINALL.

CARMEL, N.Y.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SIR: Our thanks and admiration to you Senator MORSE for your courage to stand up, almost alone, for what you consider right, moral, and the good of your country.

Very truly yours,

IDA RUTH BERRY.
NICHOLAS BERRY.

BUFFALO, N.Y.,
February 22, 1966.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

SIR: Thank you for your wonderful and brave stand you are taking to try to bring about an end to the terrible undeclared war in Vietnam.

May I respectfully request that you support the realistic proposal of Senator ROBERT KENNEDY to admit the Vietcong to peace negotiations and to the formation of a new government for South Vietnam, as they represent more than 75 percent of the population of South Vietnam?

Please continue your brave fight to bring an early end to the terrible sufferings and enormous waste of our country's money in a war we should have not entered into.

Our country is being condemned all over the world for our intrusion into the civil war of an oriental country. Thank God we have a man like you who will fight for justice no matter how the warmongers try to smear you. God bless you.

Yours truly,

CLARA SHOECRAFT.

STUDIO CITY, CALIF.,
February 22, 1966.

Hon. Senator WAYNE MORSE,
Senate Building,
Washington, D.C.

DEAR SIR: I was so deeply impressed with your statements and position during the hearings which were on television that it has taken me these number of days to collect my thoughts in order to write to you.

Your statesmanship in the midst of confusion and darkness is a beacon of light and we are proud of you and wish you Godspeed and good health in order to remain the voice of sanity and reason.

I know dozens and dozens of people who share my views about your great patriotism but as you well know human nature is such that people are quick to criticize and rarely exert effort when they agree * * * so please be assured that you have tremendous support all over the country.

It is appropriate that I should have written this letter on George Washington's birthday—a day of reflection.

Sincerely,

LILLIAN SHADRON.

PITTSBURGH, PA.,
February 22, 1966.

DEAR SENATOR MORSE: For years my parents have been telling me what a dreadful man you are, but after thinking it over, I think you're great. My husband and I appreciate your determined questioning of Rusk, Taylor, etc.; and hope you can prevent President Johnson's abuse of the Tonkin Gulf resolution. We are concerned by the administration's confusion and apparent willingness to escalate indefinitely at the behest of Hanoi.

We'll be back in Oregon in a couple of years and hope to be able to vote for you then.

Sincerely,

JUDITH W. ALLEN.

SAN FRANCISCO, CALIF.,
February 22, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I must apologize for not writing to you long before this to say how much I appreciate your persistent and welcome voice of sanity all these months. At last it seems that some other Members of Congress are joining with you, thank goodness. But your courage and patience in advocating a course of reason with respect to the Vietnam policy will long be remembered.

Sincerely yours,

ELIZABETH REED, M.D.

WEST COPAKE, N.Y.,
February 23, 1966.

Hon. WAYNE L. MORSE,
Senator From the State of Oregon,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: It is with respect, admiration, and gratitude that we write to you to offer our unqualified support for your honest and courageous stand on the Vietnam policy of the United States.

We have followed your outstanding career for many years and are very pleased to have this opportunity to extend our respects and appreciation to you for being a voice of conscience to the American people and the world. You have moved us to join you in fighting for the redemption of our foreign policy. We have written to everyone we can think of to either thank them for supporting you or ask them to join you. We hope it will, in some small way, help.

As the parents of three small children, we look toward the future with many uncertainties, as have all parents for all time, but our outlook includes the fear that no matter what sacrifices we may make to insure our childrens' health, a good education and the rest, a nuclear war may make all our efforts meaningless.

We thank you for your efforts to make the world a safer place for all children to find fulfillment and the joys of life.

With respect and deep affection, we remain,

Very truly yours,

Mr. and Mrs. ROBERT D. TASSLER.

ISLAND CITY, OREG.,
February 10, 1966.

Senator WAYNE MORSE,
Washington, D.C.

DEAR MR. MORSE: I wish to thank you for your stand on the Vietnam situation. It is nice to know that there are people like you that have the courage to speak up. We as ordinary citizens cannot speak up against the war without being classed as being unfair to our soldiers in Vietnam or being Communist appeasers.

I am a member of the Masonic Order as I know you are, and I have never known any Mason to be a Communist appeaser or sympathizer.

This war is a nasty mess and I am glad to know that through your efforts it is being brought before the United Nations for possible settlement. Also I like your stand on withdrawal of the broad authorization of the President to conduct the war in Vietnam.

Sincerely,

AXEL DAHLSTROM.

BAKER, OREG.,
February 11, 1966.

Hon. WAYNE L. MORSE,
U.S. Senator,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: For many years I have been more or less opposed to this business of writing letters to elected representatives on the theory that you people probably have more important things to do than to read and answer them. Your appearance on a recent Sunday television program, however, prompts me to write this to let you know that my wife and I, while we have not been your most ardent supporters in the past, do feel that your opposition to our so-called foreign policy is justified, particularly as it pertains to Vietnam. Our position there is untenable to say the least, but it appears that we are caught between the devil and the deep blue sea.

It is our thinking that it is high time that this Nation takes a long, hard look at its foreign policy. It doesn't quite make sense to me that the United States should take it upon itself to make a utopia out of the entire world without some help from our so-called allies. It is inconceivable that we can justify helping with our hard-earned dollars those foreign countries, including Great Britain and France, if you please, and many others, only to have them use this aid to help the other side, perhaps not directly but most certainly indirectly.

Perhaps with advancing age we become more selfish, but with a son approaching military age (now 16), it is going to be particularly difficult for me to see the reason for sacrificing him in an Asian conflict, perhaps, to force democracy on a bunch of people, 99 percent of whom don't know or care of the difference between democracy and communism.

We feel that it is about time for Congress to start acting like a Congress and stop rubber stamping everything that the present occupant of the White House requests or demands. For all the good it did, the last Congress could have stayed home and the buildings could have been rented to the labor unions. At least this would have saved the salaries and netted a tidy sum for the Treasury.

We know that it is not easy for you to take your present stand, and we are not sure in our own minds that you are entirely right. To pull out of Vietnam now, I am afraid, would be disastrous, but maybe it is time for us to admit that we cannot save the entire world all by ourselves and return to some kind of sanity in this foreign policy field.

Keep up the good work. If we can be of any assistance, let us know.

Yours very truly,

W. L. JACKSON.

North Powder, Oreg.

Dear Mr. Senator: I have watched with great interest the hearings on television concerning Vietnam. I can say the information the public has been given in this situation has been, until this time, completely inadequate. I feel that not only this issue, but others equally important, should be made public to the population.

I understand from what I read that you were responsible, along with a few other men on the committee, in making this possible to our TV industry. You are to be commended.

I would also like to say I agree in most part with you on Vietnam. However, I look on it in a slightly different manner. I feel, as many other people who have discussed this, feel that this war is kept going not in Hanoi, but in Washington. Don't misunderstand me. I am not pink or Red. I am deadly opposed to communism. I feel it has little, if any, merit. But I do feel we have thwarted almost every effort to reach a peaceful settlement so far. I am of the opinion that our President, in order to save his neck at home on the economic field, is sending our young men to give their necks on the battlefield. From what little information I can glean from the press, I have reached the conclusion that our economy is strong, not because of our national product, but because of the millions and billions of dollars pouring into our defense spending and the circulation of money for the Great Society programs which have been started.

I think the bombing lull served two purposes. It gave Hanoi time to rebuild installations, thus giving her the capability to continue the war at a heavier tempo. It also served our purposes in the worldwide flight of doves on a so-called peace mission, which I feel was never meant to accomplish peace. It was a neat job any con artist would admire.

Then our President made his big play at the United Nations and while that body was still deliberating, took off for Hawaii and stated his intent of giving all it took to defeat the enemy. I cannot possibly imagine how the world could seriously think we have really exhausted every avenue of peace when we have yet to make a sincere step in this direction.

I am opposed to this war which some have said (including the Secretary of Defense) could last 10 years. I have four sons who could be spilling their blood over there, and what a tragic waste it would be.

I don't want communism anymore than the next but I feel we have set ourselves up as the protector of all mankind. It is impossible.

Maybe this isn't from scripture, but as a child I heard it many times: "The Lord helps those who help themselves." I do not feel, that aside from economic aid to these weak countries, we owe them the lifeblood of our young men. Teach them how to help themselves and give then aid. Let them choose their own paths. We cannot.

I want to say that anything I can do in my small way to see you back as our senior Senator from Oregon, I will do. Maybe this doesn't agree with your politics, but on the other hand, I'm going to do everything I can to convince everyone I know that Lyndon B. Johnson should not be our next President. I am sickened by many of the Members of our Congress who mouth everything he says as if it were the gospel and I do admire your courage in speaking out against some of his policies. More than your ideas, I admire your integrity and courage.

I am a housewife. I have seven children and perhaps I have little business even saying anything. But I feel so strongly that we are on the wrong road that I had to write you and say I just wish there were a few more who see things as you do.

Most sincerely,

Janice Metz.

Corvallis, Oreg.,
January 3, 1966.

Hon. Wayne Morse,
Senator for Oregon,
Senate Office Building,
Washington, D.C.

My Dear Senator: We send our best wishes for a healthy, happy, and prosperous New Year.

We receive your reports regularly and appreciate having them.

Again we wish to commend you for your stand on foreign aid to countries that do not deserve it. How can we be so stupid to send aid to people like Nasser and many others that we know are our enemies.

We are enclosing a clipping cut from the Albany paper. We go along with this and hope that you will also.

We assure you of our continued support in your efforts.

Very truly yours,

Charles E. Williams.

Portland, Oreg.,
January 31. 1966.

Hon. Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: When we moved to Portland 11 years ago from New Orleans, I brought along my French drip coffee pot and we ordered our coffee from Baton Rouge. As usual, I was up at 6:30 dripping coffee and saw the early TV report.

It must be highly gratifying to you to know that your aim in part (U.N. Security Council) has been accomplished. Congratulations. We are very proud and I believe you'll go down in history as the greatest statesman and Senator who ever served his country. The brilliance of your thinking has again been demonstrated. We'll all keep praying for peace, for you and for our President's strength. He certainly has my sincere sympathy. The times ahead will be trying. So lets keep trying!

Sincerely,

Mrs. Paul F. Mielly.

P.S.—I just looked up the words "statesman." "A man versed in the principles and art of government; especially, one who shows wisdom in treating or directing public matters; also a man occupied with the affairs of government and influential in shaping its policy." You surely have been a tremendous influence in shaping our policy so it fits and I can put the letter back in the envelope.

Baker, Oreg.

Hon. Wayne Morse,
U.S. Senate, Washington, D.C.

Sir: My faith in the democratic process has been invigorated anew by the hearings of the Senate Foreign Relations Committee, so recently televised. As one of your Oregon constituents, I owe a special debt of gratitude to you, Senator Morse, for your persistent and courageous efforts to put your convictions first, and to keep our Vietnam policy in perspective. At times you, Sentor Fulbright and Senator Church seemed to have been waging a lone battle against heavy odds. It now seems you have been rewarded, at least in the efforts of all the committee members to make a thorough and searching inquiry into our policy in Vietnam. I hope nothing will stop or hinder the committee from further challenging the premises on which our present policy is based, and then recommending a more sane and realistic approach to our future there. General Gavin has contributed much in that direction. "Profiles in Courage" would now have you, Senator Morse, to add to its pages.

Very truly yours,

Virginia Coen.

Ontario, Oreg.

Dear Sir: We are all very happy we still have someone left like you that doesn't want our loved ones getting killed for every other country.

Mothers and fathers of this country want to know how to stop sending our boys to death. We are full of fear wondering why this country thinks it's so powerful it can lick the world. Our loved ones are so afraid and sick of going to Vietnam just to die.

How can mothers and fathers put a stop to this? Our boys are getting killed. How can I be a member of the "Women Strike for Peace"? Ask the people what they think about this—not the President.

Mrs. Harris.

Wilderville, Oreg.

Senator Morse.

Dear Sir: We want to congratulate you for the stand you are taking. Every American should know and understand that Congress can only declare war. It seems as though the American people should be awakened. Seems though the American people are just in a trance; they have to be told, and you are the man that can do it. A few more letters like you had in the Courier and also in the Oregonian should wake most of them. Hope to hear more of you.

Your truly.

Anna Rumbolzomy,
E. C. Rumbolz.

Medford, Oreg.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator: Am writing you today commending you on your stand on the Vietnam controversy. From visits around my territory which includes northern California, Oregon, Washington, and Idaho, I find most of my contacts are entirely in agreement with your reasoning and firm stand. You have taken a most courageous stand against forces who are in my opinion acting quite contrary to the wishes of the people, especially those in this area.

I, personally, am a firm believer in the Monroe Doctrine and would gladly do anything possible to look after our interests and protection in this hemisphere. Beyond that and those boundaries, we are delving too much into affairs and responsibilities of Europe and the Far East.

Our resources are limited and the mounting Government debt is awesome, contrary to the claims of our so-called leaders. I and others believe and agree with you that our (the public) interests should be protected and that the public should have the facts about our involvements around the world and our fabulous giveaways.

Our Vice President traveling through the Far East is demonstrating his generosity which has been true to his past record. With that you are no doubt quite familiar. If we have danger from the extreme right, then we have the same from the extreme left of which he has been a member for some time.

Many of your constituents are highly pleased with your bold and forthright position. We are proud of you and our Governor for the sensible stand you have taken.

Ours is a free country and we want to keep it that way. This cannot be done by constantly piddling away our resources in men and money. We are depending upon you to look after our welfare in your honorable capacity.

Sincerely yours,

Les W. Bailey.

Forest Grove, Oreg.,
January 30, 1966.

Dear Senator Morse: May I congratulate you on your clear, concise, and very pertinent remarks made on the CBS "Congress and the War" program, Sunday.

Like Most Americans, I have been very disturbed by the get-out-of-Vietnam demonstrations around the country, but even more disturbed by the fact that the average citizen of this Republic literally cannot get any information upon which to make any kind of sensible judgment about the war. The equivocal statements of the President and his defenders do nothing but increase my anxiety and, if conversations with friends are any indication, the uneasiness of Americans is general.

As though gross national product has anything to do with ethics or international law. I was especially pleased that you pointed out the moral and practical issues involved. We have already been judged (and found wanting) by our fellow nations, and we must face our penalty from an international court. And we must realize that this war is not likely to stop with Vietnam.

I don't think I'm alone in feeling this way. My husband, a history professor at Pacific University, doesn't seem to have any inside information I don't have. The politicians and political scientists or whatever we talk to seem as much in the dark as we average citizens about President Johnson's intentions. If this is a democracy, I think we have a right to know—at least more than we know now.

Pain in the neck you may be to your colleagues in the Senate, but I'm awfully glad I voted for you.

Very sincerely,
Mrs. Frank Chipps.

P.S.—Is it possible to get a copy of the Mansfield report?

Salem, Oreg.

Hon. Wayne Morse.

Dear Mr. Morse: As an Oregonian and a constituent of yours I wish to take this opportunity to express my affirmation of your stand on the Vietnam issues, now being debated before the Armed Services Committee of the Congress.

Your intelligent and courageous effort to end this futile conflict should be applauded by all who are really interested in peace.

Please keep up your efforts. I am sure that eventually the American people will get behind you and others like you to bring pressure on those determining our course of action, to stop this undeclared war.

Sincerely,
W. J. Gentzhow.

Portland, Oreg.

Hon. Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: I have been so thankful for your attitude toward the war in Vietnam. Whenever I have heard you speak or have read your views in print they have always cheered my heart. I'm surely very glad that our Oregon Senator is against this war.

Very sincerely,
Clara Irwin.

Astoria, Oreg.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: I have been more than sympathetic to your stand on the Vietnam issue, and this final stand which you and Senator Gruening assume on the relationship of the draft to the situation is inspirational. You have been willing to stand and be counted for a long time and you are beginning to rally solid support from others such as Senator Gruening.

With the change in attitude as evidenced by the Catholic ecumenical announcement which intimated that it would be possible to live in the same world with Communists and that it is not necessary to eliminate them—I see some crack in the superpatriotic front which I view somewhat like that of an alcoholic personality—it survives on the euphoria supplied by opportunities of patriotic demonstration which make it feel greater and more secure than it really is.

I pledge myself to work in your behalf as hard as I am able.

Sincerely yours,
William H. Fryback, Ph. D.

Portland, Oreg.,
February 18, 1966.

Dear Senator: I know how busy you must be these days but as a citizen and a Korean veteran I hope that you will have the time to read my short letter to you. I'm not a very good letterwriter but I felt that I wanted to write this one.

All these months I've been reading about your views and watching you on television concerning the war in Vietnam and I wanted you to know that I agree with you 100 percent. I want you to know I am very proud to have a person such as yourself to represent my thoughts in the Senate. Without people like you the average citizens such as myself would never be heard of.

In closing may I say that I hope you will continue to stick to whatever your beliefs may be for the good of our country, and may God give you the strength and energy to continue your views concerning Vietnam. Someday perhaps I will have the good fortune of being able to meet you personally and to shake the hand of a real man and an American. Whatever I may be able to do for you please do not hesitate to ask.

Respectfully yours,
Bing L. Chinn.

Florence, Oreg.,
February 14, 1966.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: The televised hearings on Vietnam are very enlightening. They bolster my opinion on the subject, which is:

The United States should admit Vietnam was and is a mistake, and we should get out now.

Very truly yours,
Thomas M. Hunt, D.M.D.

Portland, Oreg.

Dear Senator: Be assured that many more than those who write you support your courageous attempt to save this country from its disastrous and immoral course.

I am proud to be an Oregonian at this time.

Sincerely yours,
Rudi H. Nussbaum.

Salem, Oreg.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Sir: Our family urges immediate and open debate on the Vietnam war as you have suggested.

Yours truly,
L. P. Mitchell.

Salem, Oreg.

Dear Honorable Senator Morse: Thank you very much for the letters I am receiving from you. I agree with everything you do in regards to the war in Vietnam. I hope our officials will come to know too that they are in a very critical war and should withdraw, the sooner the better. Thank you again for the letters you sent me. Please note my address has changed from 285 McNary Avenue NW., to 1375 Ruge Street NW., Salem, Oreg.

Yours respectfully,
Gerhard Girsbrecht.

Phoenix, Oreg.

Dear Senator Morse: We support your views and we wish there were more like you and Senator Fulbright.

It disturbed us to hear Secretary of State Rusk's answers to why we didn't fight communism in Cuba in 1960 just 90 miles from us. Yet we are asked to make the supreme sacrifice now in Vietnam.

Sincerely,
Mr. and Mrs. Otto McGinley.

Portland, Oreg.

Senator Wayne Morse: You are doing good work there in Washington and we hope that we can have peace with honor in the near future so the boys can come marching home once again.

Your great efforts are much appreciated in this great State of Oregon, I feel.

Yours truly,
Mrs. Linnis Wentworth.

Eugene, Oreg.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

Sir: The continuing hearings of the Foreign Relations Committee of which you, Senator, are a member and which is so ably chaired by Senator Fulbright, are of deep and abiding interest to me.

In no other way can the people of the Nation learn the aims and objectives of the lawmakers of their country as well as possible by listening to discussions of this nature. I heartily endorse these hearings and consider them to be extremely important in helping the citizen to an informed and more enlightened state of mind.

We regularly receive the newsletter and the excerpt from the Congressional Record from your office, both of which we appreciate and read with interest. We commend your able presentation of the facts regarding our entry into the Vietnam situation and hope for a speedy settlement of this war which is so tremendously costly in money and in blood spilled.

Very truly yours,
Dorothy E. Feltus.

[From the Eugene (Oreg.) Register Guard, Feb. 13, 1966]

Why Not Withdraw From Vietnam?

(By Robert M. Hutchins)

The picture we get from Washington portrays our Government earnestly, even frantically pursuing all avenues to peace and finding them blocked by sullen and derisive Orientals.

How can we make peace, we say, if we can find nobody to make it with? Since we can't make peace, we must make war.

The first question is, how much war do we have to make? A leading diplomatic expert, George Kennan, has joined a military authority, Gen. James Gavin, in suggesting that we stay where we are and "simmer down." Their theory is that if we hang on without doing anybody very much damage somebody will eventually come forward from the other side and offer to settle.

This proposal is better than burning up Vietnam, North and South, in the name of the freedom and independence of the south. But it leads to the second question: Why hang on?

"Surrender" is a dreadful word. Both Gavin and Gen. Maxwell Taylor are revolted by it. What is the matter with "withdrawal"?

If we have made a mistake, if we have no right to be where we are, if we are doing enormous harm to ourselves as well as others, why should we not admit the mistake and correct it? This is something we could do all by ourselves.

It is now officially admitted that we have made a mistake. No other interpretation can be placed on the peace campaign of the administration. To put the matter on no higher ground, we have decided we can't win.

Nobody has ever succeeded in discovering any basis for our presence in Vietnam except our own decision to go there. No treaty or international convention of any sort authorizes the United States to blow up some of the South Vietnamese in order to maintain in power those who could not have achieved power without us. In attacking North Vietnam, we violated our solemn obligations under the Charter of the United Nations.

The Geneva accords of 1954 did not contemplate two independent countries, South and North Vietnam. On the contrary, they explicitly stated that the whole territory would be united after elections to be held in 1956. We prevented those elections. We created the fiction that South Vietnam is an independent state that has called on us to protect it against aggression.

So why not withdraw? The North Vietnamese know as well as we do that we can't win. They are equally aware that there is no moral or legal excuse for our presence. Why should they talk to us?

The reason we do not withdraw from a hopeless and guilt-ridden adventure is that we have been persuaded by almost half a century of propaganda that wherever communism raises its ugly head it is our duty to chop it off. We cannot allow Ho Chi Minh to triumph because he is a Communist. We cannot leave southeast Asia open to Communist China.

The example of Yugoslavia suggests that we should be building up Ho Chi Minh against China. "Pacem in Terris," the last encyclical of Pope John XXIII, warns us not to let our hatred of an ideology lead us into a mistaken estimate of the intentions of those who profess it. The hypothetical possibility of a distant danger does not justify a present crime.

February 15, 1966.

Dear Senator Morse: As one of your constituents temporarily residing in the South, I am pleased to be able to tell you that many of the students here have expressed to me their admiration for your stand on Vietnam. Many of us believe that conscription of students (or anyone else) to fight in an undeclared war which they regard as immoral and contrary to the national interest, is a usurpation of their basic political rights and their right to oppose the administration's insane policies. We hope that you will push your proposal to allow draftees to defer service in Vietnam and will continue to vigorously and vocally oppose this war.

Sincerely,

Jim Driscoll.

Portland, Oreg.,
February 20, 1966.

Senator Morse: Thanks for sticking by your guns. The American people need you Senator, more than they will ever know.

Thank you.

W. J. Palmer.

Lyons, Oreg.,
February 10, 1966.

Senator Wayne Morse,
Washington, D.C.

Dear Senator Morse: I have been most interested in the public hearings of the Senate Foreign Relations Committee and the comments of the witnesses. In fact, I stayed home from work yesterday to hear them.

I am sure there has never been a more informative series of programs ever presented.

I must admit, Senator Morse, that I have never voted for you but it seems that the questions that came to my mind as the witnesses gave their opening statements are the very questions that you asked when your turn of questioning began. So I guess your thinking must be more agreeable than I had realized.

I felt that the testimony of Mr. Bell was interesting in regard to the economical phases of the Vietnamese front. Although this information may be available to all of us—how many private citizens know where or how to ask for tariff and import costs in Vietnam or how government projects are handled?

Many, many other pieces of information in regard to our problems in the world have been brought to mind and gives me much food for thought.

I would like to see the line of questioning pursued in regard to Ky's statement in Honolulu in the livid statement about refusal to sit down at the conference table or anywhere else with the enemy leaders. What chance is there for settlement when the primary participants refuse to sit down to talk? I was shocked to hear this news broadcast and until it was mentioned in today's hearing have heard nothing more of it. It seems most important to me.

I am very sorry that more people cannot view these hearings in their entirety—working people, professional people, and students find it impossible to see it all and much is lost in the concise comments of the 11 p.m. newscaster.

Am looking forward to the testimony of General Taylor next week. Would like to see Mr. McNamara there too, so keep trying. I am sure that he could give the people a testimony that would not harm our Nation's position, although am not so sure about this.

I felt it was a privilege indeed, to hear Mr. Kennan's testimony. His ideas on the effects of our foreign policies on the common people of these lands was most interesting and realistic. It is hard for the American people to comprehend the thinking and problems of such people. We have to be jarred up once in a while.

Again let me say that I feel these televised hearings are most informative and I hope they continue, not only on the Vietnam crisis but on many other subjects on which we stand to gain or lose much.

Sincerely,

Nadine Duggan.

Portland, Oreg.,
February 10, 1966.

Senator Wayne Morse,
The Senate,
Washington, D.C.

Dear Mr. Morse: Keep up the good work on Vietnam and everything else. I only hope your unusually forthright language will not jeopardize your Senate seat in your next election.

Keep it up.

Sincerely,

Peter Lomhoff.

Eugene, Oreg.,
February 12, 1966.

Dear Senator Morse: Need I reiterate that you "scored" again when Ambassador Kennan was questioned by the Senate Foreign Relations Committee on Thursday.

When you read the President's Honolulu statement, it put all the careful pussyfooting in proper perspective. I'm sure the thoughtful people in the country appreciate this. Thank you for having the courage.

Thank you again.

Sincerely,

Dorothy Leeper.

P.S.—I'm sure these hearings will offer President Johnson some constructive alternatives to our present collision course.

Imbler, Oreg.,
February 23, 1966.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: Knowing that you are fearless and uncompromising when a principle is at stake we are sending you this newspaper clipping for your attention. If its thesis is true what hope is there in the United States trying to influence world affairs anywhere, anyplace? Are the American people too far gone on the road to personal gain without regard to the rights of others? Can the administration claim that they are activated by altruistic and noble purposes in Vietnam when they can do nothing to stop such grafting? And as a leading member of the Senate Foreign Relations Committee we are hopeful that you—if no one else—might be able to do something about it.

We take both the Oregon Journal and the Oregonian and try to read all sides and all the commentators have to say about Vietnam. Never before in history it seems to us has such an issue been so cloudy and mixed up and yet of so vital importance to us and the world at large. We do not see how people can attack you so bitterly over your courageous stand in what you think to be right unless they have studied only one side of the issue. There is no doubt that you are sincere. However the same seems to be true of Johnson, Rusk and McNamara. They are no less sincere than you although taking a very opposite stand to you. If the top statesmen and political leaders of the day differ so what right has the ordinary person not nearly so well versed on the subject to take such violent positions either pro or con. But whichever side is right this grafting should be handled and it appears to us that it is up to Johnson and the administration to see that something is done about it and we are hoping that you can be the "gadfly" (the term meant in no disparaging way, believe us) to sting them into action.

Hoping to hear from you as soon as it is possible for you to do so in your busy life for we really get anxious about such things as mentioned above, we are,

Sincerely,

A. K. Larsen.
Mrs. A. K. Larsen.

P.S.—Since writing this letter we have read your speech given before the Senate and printed in the Congressional Record dated January 19, 1966, which we received this morning. It is very illuminating and instructive as to the historical background of the present dispute. Your arguments seem to be irrefutable.

Coos Bay, Oreg.,
February 22, 1966.

Hon. Wayne Morse,
U.S. Senate
Washington, D.C.

Dear Mr. Morse: I think it most appropriate my first letter to a Congressman be on Washington's Birthday. The role you are playing in Congress is equally as important as that of our First President.

I had the extreme pleasure of attending your lecture on the campus of Southwestern Oregon Community College a couple weeks ago, and while it has been impossible for me to watch the Senate hearings on television during the daytime, I have certainly heard many favorable repercussions from them.

The position you have taken on our involvement in the Vietnamese war is most commendable, and the fact that you are standing almost entirely alone, in my estimation, warrants all the moral support we in Oregon can give you. I am most proud to be a citizen of Oregon, and to be represented in Washington, D.C., by a man of your caliber.

Please accept my congratulations on your courage in the face of such powerful opposition.

Very truly yours,

RHEA M. GRAY.

SCAPPOOSE, OREG.,
February 24, 1966.

Hon. WAYNE MORSE,
Senate Office Building
Washington, D.C.

DEAR SENATOR: I admire the courage with which you state your position on the Vietnam situation. Our Nation needs men who will stand for what is right, even though it means standing alone.

May God grant you many more years of honorable service to our country.

Sincerely,

EUGENE A. OSTER.

MCMINNVILLE, OREG.,
February 24, 1966.

Hon. Senator WAYNE MORSE,
U.S. Senate,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I should like to support you in your untiring efforts to oppose the present policy of the administration in Vietnam.

It is sad indeed that so many persons in high positions are so insensitive to the worldwide distrust and hatred of the United States which is being generated by this country's unilateral policy in Vietnam.

Hopefully the voices of reason such as yours will soon be heeded.

Sincerely,

ELLYN J. PAULUS.

BANDON, OREG.,
February 21, 1966.

Hon. Senator WAYNE L. MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR: Your stand on our position in Vietnam is well taken in my book.

It is by the courage and wisdom of men of your thinking that our Nation will survive the peril we face.

Keep up your good work. You have, I'm sure more solid support than you know.

Sincerely,

R. W. STRONG.

CORNELIUS, OREG.,
February 24, 1966.

Hon. Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: We are in full accord with the stand you have taken in regard to the Vietnam situation.

Very truly yours,

JOHN H. DIETRICH.
Mrs. JOHN H. DIETRICH.
Mrs. P. J. DIETRICH.

TROUTDALE, OREG.,
February 13, 1966.

Senator WAYNE MORSE,
U.S. Courthouse,
Portland, Oreg.

DEAR SENATOR MORSE: This letter is written to inform you that we admire your courage in speaking out against the U.S. involvement in Vietnam. We heard your statements over a recent TV broadcast. We believe you and hope you are successful in any attempts you undertake to correct this confusing war.

Thank you.

Mr. and Mrs. ARTHUR GUDGE.

EUGENE, OREG.

SENATE FOREIGN RELATIONS COMMITTEE,
Washington, D.C.:

I want to say congratulations on the *"seminars" on television. I heard both* General Gavin and George Kennan the full 10 hours and I am glad to know that millions of people had a lesson in history and sanity.

Sincerely,

ANN KLEINSASSER.

FEBRUARY 21, 1966.

Hon. WAYNE L. MORSE,
U. S. Senate,
Washington, D.C.

DEAR SIR: This is to indicate my strong support of your fight for peace, and particularly your emphasis on the need for placing responsibility on the United Nations or some other international body.

I also would favor a bill to prevent sending draftees to Vietnam for actions which would run counter to their own consciences.

Thank you for your vigorous and steadfast interest in the cause of peace and of government by the people.

Respectfully,

VIRGINIA CORNING.

CORVALLIS, OREG.,
February 24, 1966.

Hon. WAYNE MORSE,
U. S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: Words cannot express how grateful I am for your clear and sensible stand against the President's Vietnam policy. In my travels to eastern Oregon, I find more and more people talking about the war. They wouldn't talk about it a few months ago. Usually they say something fairly neutral until they find how the other person feels about it. Many people over there feel unsure about our involvement in that country. As you know, eastern Oregonians tend to be more conservative than in the cities of the western area. There is a group of professional workers in Medford who oppose the war. They are too cautious to come out openly in the papers because of the reactionary opinions of the "wheels" in that town. Antiadministration policy feeling here in Corvallis seems to be spreading. We had no trouble in getting 50 persons, mostly professors, to participate in a peace vigil at Christmastime. Still more have joined our ranks since then. There is going to be a large international protest of the war on March 25 and 26. Rumor has it that there will be more than 10 nations participating in some form of protest on those days.

Some of us have written Mr. Howard Morgan to ask him to run for the Senate. We don't want to have to choose between Robert Duncan and Mark Hatfield.

I know you will keep up the good work. I will support you at every opportunity.

Sincerely,

ROBERT L. STEBBINS.

THE DALLES, OREG.,
February 25, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Thank you very much for your speech in the CONGRESSIONAL RECORD. Our family agrees with you 100 percent about everything you say concerning our operations in Vietnam.

I am enclosing some pages from the Oregonian in which I thought you might be interested. It would seem that the mass communications media in this country, even on the news pages, are being used as giant propaganda weapons by this administration. Letters are beginning to appear in our local paper pro and con the Vietnam war, but the writers' names are omitted by request to the editor. They are afraid. *For families with draft-age sons, freedom of* speech is no longer a reality.

The U.S. Senate seems to be our last hope between the American people and a real dictatorship. The House of Representatives has apparently given up doing its own thinking.

God bless you and keep up the good work.

Respectfully yours,

Mrs. WILLIAM E. MAY.

FEBRUARY 25, 1966.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Thank you for your January "Senator MORSE Reports" and especially for the copy of your speech in the U.S. Senate on January 16 concerning Vietnam.

You brought out numerous points that needed airing and you helped set the record straight. In taking to task the White House, the State Department, and the Defense Department you used straight-from-the-shoulder language; not a lot of double talk.

I do not know the answers to the many complex situations of today but I do know it is frustrating to feel the integrity of our own Government is subject to question even while human life is at stake. I love my country, as I am certain you also do, and I can only hope that our other political leaders do too.

Many thanks for coming out as you did and for making your position so very clear.

Sincerely,

VICTOR G. GRUETZNER.

SALEM, OREG.,
February 27, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: How grateful we are for your courageous leadership on this whole issue of Vietnam. We follow closely day by day the contribution you make to clarify the issue. I sat for almost as many hours as you, viewing the Senate Foreign Relations Committee hearings. Many of our friends did likewise. More power to you.

We do hope you are successful in getting Congress to rescind the resolution the Congress passed in 1964, which the President has used as a mandate for his action. We trust the Congress will not appropriate the $4.8 billion for further conduct of the war.

I'm enclosing an ad we ran in the Statesman and the Capitol-Journal dailies. It would be interesting to know what effect it had in your mail, if any, the week following.

We feel a tremendous urgency to do everything in our power to support you and others. Do you have any suggestions? I've spent the whole day, Sunday, just writing to you Senators. Also wrote CBS, both commending them for running the Senate Foreign Relations Committee hearings and condemning them for subsequent censorship and coloring of news following Friendly's resignation.

Here is a quotable quote:

"Rarely in the history of world affairs has any country indulged in such a colossal act of self-righteous arrogance as did our United States when we decided for the strife-torn people of South Vietnam that they are better off dead than Red."—Rabbi Israel Margolies, Beth Am, the People's temple, New York City, December 11, 1965.

Thanks too, for the reprints from the CONGRESSIONAL RECORD and other material which you sent to keep us informed. I would like to have some of the valuable reprints from the Senate Foreign Relations Committee hearing. Senator Fulbright's summary statement following Dean Rusk's testimony was classic.

Sincerely,

Marvin and Violet Nettleton.

P.S.—It is not necessary to take up your secretary's time in answering our letters. Just know we are with you 99 percent of the time.

Violet Nettleton.

Stayton, Oreg.,
February 28, 1966.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Hon. Senator Morse: We are behind you 100 percent in the stand you are taking in Vietnam. Would that more Congressmen were like you.

Sincerely yours,

Mrs. Edw. J. Bell.

Eugene, Oreg.,
February 15, 1966.

Dear Senator Morse: Hats off to you and the Senate Foreign Relations Committee.

We, and many of our neighbors congratulate you for your fine effort in helping to get the facts before the American people.

Apparently, a large segment of the Johnson administration have failed to take a lesson from their defeat in the Korean war. It seems we have failed to champion peace—because it bothers people like Mr. McNamara and Mr. (Gen.) Maxwell Taylor, who apparently act purely for the interest of the war industries—perhaps you will accomplish what our lukewarm or sold-out politicians have failed to do.

For the present, therefore, we are watching the hearings with keen interest.

Sincerely,

The J. W. Walkers.

(If it were possible to re-do our votes of last election—we'd surely make some changes. But then, there's another in 1968.)

Ann Arbor, Mich.,
February 18, 1966.

Hon. Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator: First I would like to tell you that my wife and I both Oregon residents, support fully your criticism of present foreign policy in Vietnam and Latin America.

Recently you sent us "The State of the War in Vietnam," a speech you made on January 19, 1966, in the Senate. If you could send us additional copies we would like to send them to various people with whom we are debating the topic. We could very easily make very good use of 5 to 10 copies.

It seems that your arguments have been basically legal ones. Other good points could be made on the moral level of course. But, perhaps unfortunately, the debate seems to hinge in most people's minds on the issue of the seemingly pragmatic question of how to stop communism, morality, and legal questions being peripheral.

The argument as I hear it says that if we don't do what we are doing we will encourage national wars of liberation. It seems to me that the following argument could be made to refute that position. Given that our objective is to inhibit such wars in the future, our efforts in Vietnam should be evaluated in terms of that objective. Such wars seem first to involve a political stage in which forces are gathered for the second stage, the actual military effort. Since the political stage seems to come first, and is in that sense the crucial stage, what effects do our policies have at this political level. It might be suggested that our present efforts would in fact fertilize anti-American, and pro anti-American organizational, feelings and activities. I imagine this would be easier to show in the case of the Santa Domingo "effort to stop communism," but it would seem likely to be a valid point in Vietnam as well. Also, the illegality and immorality of our position could be seen in this context as working to our practical disadvantage to the extent that it helped generate the political atmosphere in countries that could later be the targets of national wars of liberation.

We wish we could do more in correcting our current policies. We appreciate your efforts.

Sincerely,

Gary R. Hamilton.

College Park, Md.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: May I extend my deep appreciation for your courageous effort in enlightening the people of the United States to the horrible situation which presently confronts us all. Needless to say there will be those who will say that you are a member of some Communist conspiracy dedicated to the overthrow of our governmental structure. This sir, as you know, is the price one must pay in order to generate and convince people of a higher principle.

Sir, I am behind you 100 percent.

Respectfully,

Ronald J. Pedone.

Cambridge, Mass.,
February 21, 1966.

Dear Senator Morse: My wife and I, residents of Oregon, strongly support your courageous stand on Vietnam. The United States is indeed in deep waters there, and strong voices are very much needed at this time to make sure that the people are presented with articulate and thoughtful alternatives to the administration's policies. We hope you will continue to oppose courses of action which seem to you unwise.

Very sincerely yours,

John T. McClellan.

Bethesda, Md.,
February 26, 1966.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: Please know that during the entire course of the Vietnam affair you have been speaking for me. I know too little of practical politics to understand why an honest stand on an issue gets a man discounted (or blackwashed) as a crank, and why "statesmanship" must involve shiftiness. I prefer your method.

So if you read a nasty column by one of our latter-day 'Clausewitz' which accuses you of woolly thinking it might be of minute comfort to remember that one citizen thinks that you are one of the only two Senators who have been on this issue both right and courageous.

Sincerely,

C. W. McCutchen.

Detroit, Mich.,
February 22, 1966.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Mr. Morse: Just a few words of heartfelt thanks for your intelligent and courageous position on Vietnam, and particularly for your being able to bring these discussions to the public.

It is ironic that those in position of power and control do not accept the fact that unless there is public discussion (and freedom of all kinds of expression of opinions) they are jeopardizing the very rights and freedoms on the domestic front that they claim to be trying to preserve internationally.

Again, thank you and with all good wishes.

Sincerely,

Mr. and Mrs. Herbert T. Riebling.

Ann Arbor, Mich.,
February 20, 1966.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I hope that you will find continued energy to keep up your persistent criticism of the Vietnam policy of the administration.

It is without doubt in error; and only by continuing to keep its follies and promises before the public can changes be effected.

Sincerely,

Nicolaus C. Mills.

Bloomfield, N.J.,
February 21, 1966.

Hon. Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: Your honest, wise, and fearless stand that what we are doing in Vietnam is wrong, futile, and dangerous, gives me and many, many others like me a little heart and hope. I fought, bled, and nearly died in the First World War. Now I consider war a complete negation of rational behavior.

Keep on standing out against our tragic waste of money and lives in the undeclared war in Vietnam.

Sincerely,

Ray Freeman Jenney.

St. Petersburg, Fla.,
February 21, 1966.

Hon. Wayne Morse,
Senate Building,
Washington, D.C.

Dear Senator: No answer is requested but pass this letter on to your colleagues.

This is an expression of appreciation of the writer and his friends for your forthright and just stand on our dilemma in Asia. We believe that you and Senator Fulbright can prevent the fruition of the impending holocaust in Asia with a direct television appeal to the American people. The very form and substance of this Government is at stake in this matter and if you fail * * * there appears little hope for the Nation itself.

If you fail, it is too probable that the Chinese Army will march when spring trips north again. You just don't start a ruckus in a man's backyard without a retort from him. Example: The Cuban crisis at our own back stoop * * * we acted and so will China.

Since the Premier of North Vietnam organized and helped to direct the rebellion of Indochina against France, it is a certainty that a great majority of its people remember and respect him. Therefore, to deny the Vietcong representation at the peace table is to invite a never-ending war of attrition * * * one in which the American people will ultimately rebel against forced tyranny at home.

As if our Nation isn't already in deep trouble, it is entering a storm cycle unprecedented in weather history which, in itself will compound the confusion of our leadership. This, together with a major conflict in Asia may well destroy your Nation and mine.

Respectfully,

Claude Strickland.

Brookline, Mass.,
February 20, 1966.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I am writing to express my appreciation for the persistent and courageous manner in which you have exposed the folly of our position in Vietnam.

I hope that you have continued to maintain close contact with the people of Oregon during this trying period, for the American Nation would be much the poorer without your presence in the Senate.

With all good wishes.

Very truly yours,

Allan Sidd.

Paris, France,
February 20, 1966.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: We are young New Yorkers who have been traveling in Europe since the beginning of the year, and it is with ever-increasing dismay that we read and hear of our country's mounting involvement in the Vietnamese war.

Both of us have been active in opposing the war during the last year, and have been uneasy ever since the United States entered into the conflict. Aside from our feeling that political reality makes the involvement of our Armed Forces an absurd and tragic mistake. We are both deeply against war, and the senseless brutality and slaughter, terror and destruction that characterize this war in particular.

Our motivation to write you stems from a troubled feeling we have about what seems to us to be going on in the United States. We looked forward to the open hearings in the Senate, and even though they were not planned as satisfactorily as could be wished, they appeared to us as the greatest existing hope that the Chief Executive's blind misuse of power could begin to be arrested, or at least curbed.

After hearing you speak in New York last summer we were glad to know that there are some clearsighted, energetic champions of our cause representing us in the Senate. Both you and Senator Gruening have shown great courage and intelligence in dealing with the stubborn egotism of the administration.

But we still remain troubled, not only by the threat of flag-waving "superpatriots"—modern day jingoists who seek to discredit us by defamation, but by the large numbers of Americans who seem to be permitting themselves to be led like sheep into the belief that, out of some supreme loyalty, they must support whatever unwise decision made by the administration.

We feel that all Americans are entitled, and should be able to know all the facts, and should judge for themselves. If this would truly happen, we believe that the "great consensus" supposedly supporting the Chief Executive would be exposed as a hollow slogan, and true public opinion would dictate a sane policy.

In our experiences abroad we have found that most Europeans with whom we have come in contact, consider the U.S. role in the war both dangerous and foolish. The French especially, after years of Indochinese bloodshed, are particularly adept at not being fooled by the rosy picture of the war emanating from the information services of the U.S. Government. The newspaper, Le Monde, has exposed so many of Rusk's and McNamara's deceptions that it now merely takes them for granted as deceptions and leaves it at that, at least so it seems.

We wish to encourage you in your campaign to enlighten the American people, and to prevent the terrible outcome to which the present policy of the Government must inevitably lead.

We are keenly interested in what we can do to aid the cause of peace.

Sincerely and respectfully yours,

Arthur Bergen.
Roberta Bergen.

Larchmont, N.Y.
February 20, 1966.

Senator Wayne Morse: God bless you, Senator. How wonderful to be a man of conscience long before anyone had the courage to be labeled a "dove."

Our family and many of my friends are your devoted admirers and applaud your stand to oppose this shameful war in Vietnam

We feel the hope of the world lies with you and other men of courage like you.

Please know there are many, many like us throughout the country and the world.

Yours truly,

June Harris.

Grosse Pointe Park, Mich.,
February 20, 1966.

Hon. Wayne Morse,
Senate Foreign Relations Committee,
U.S. Senate Office Building,
Washington, D.C.

Dear Senator Morse: Thank you sincerely for bringing before the American people the issues and truths on the war in Vietnam. You are to be congratulated for your statesmanship; there is so little left in our country.

We urge continued "live" TV coverage of public testimony, particularly by McNamara and Humphrey. It would be excellent if more of the coverage could be seen during the evening, when the men as well as the women of our country could hear firsthand the opinions and views they need and want to hear. We who "pay the bill" in lives and tax money have the right to hear the issues discussed. It is our men and our money the President and his henchmen are committing to Vietnam. Never has a President had so much power and been so unconcerned about what the people want. President Johnson appears concerned only about his power and political dictatorship, which does exist.

You Senators are our hope—please continue the investigations and make this man (the President) and his advisers account for the commitments they have made in our name but with no authority from us. We have no voice in the choice of the fancy "advisers" when we vote for an official, yet these men are blueprinting our policies—let's put a stop to that.

We do not belong in the Vietnam civil war—let's get out—keep our men and money at home.

Mr. Rusk testified that we are "willing to go along and accept" the result of a free election in South Vietnam, even though they vote for a Communist government. Our men would then be giving their lives for one free election since if the people of South Vietnam choose a Communist government, there will never be another free election. That's too great a sacrifice to ask of an American boy, to say nothing of the American dollars.

With great respect, we remain,

Very truly yours,

Richard R. Ripka,
Nancy H. Ripka.

P.S.—We strongly urge the recision of the 1964 resolution.

Encino, Calif.,
February 19, 1966.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: Your public utterances on the war in Vietnam and your probing questions in the recent Foreign Relations Committee hearings concerning U.S. policy in that unfortunate country deserve the gratitude and commendation of every American citizen.

You are performing a truly great public service in attempting to reveal to the people of this country the very dangerous course our Government is now pursuing and how, if this course is not changed in the direction of a more rational policy, we may be headed for a nuclear holocaust.

Please keep on calling for a sane and moderating policy in this destructive and immoral war we are carrying on against the people of both North and South Vietnam. You and your colleagues of like mind on the Foreign Relations Committee will be able to reach the good sense and conscience of the American people over the heads of the President and his misguided advisers. Then perhaps you will have achieved the "consensus" for peace the President will find hard to ignore.

All of us who are interested in peace owe you and men like Senator Fulbright a huge debt of gratitude. I wish to express my own feeling of admiration and appreciation to you for trying to return U.S. policy to the course of rationality, morality, and legality.

Sincerely,

Herbert Herritt.

New York, N.Y.,
February 20, 1966.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: This is an assurance of my continuing support for your continued stanch and courageous advocacy of rationality in Vietnam, in southeast Asia, and in foreign policy in general.

Sincerely,

Carol F. Drisko.

Brighton, Mass.,
February 20, 1966.

Hon. Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

My Dear Senator Morse: I am fully in accord with your position regarding the Vietnam conflict. I urge you strongly to introduce the measure which Secretary Rusk has challenged you to do. The President has continued in his little war unchecked and in violation of the Constitution for too long. We are a democratic nation and contrary to a marked trend in the opposite direction will continue to be so.

I sincerely hope that it passes—and by a wide margin.

Very truly yours,

Michel Potheau.

Royal Oak, Mich.,
February 18, 1966.

Senator Wayne Morse,
Senator Foreign Relations Committee,
Washington, D.C.

Dear Senator Morse: I have been reading about and listening to your committee hearings, and the impression I draw from all of the proceedings is that to all except you and Senator Fulbright those of us who disagree with the Johnson decisions are not much better than Benedict Arnold. This is not so. I've had relatives in the armed services since the Revolutionary War. They served their country during times of war, and I have been proud of them, but I am not proud of what we are doing in Vietnam.

This is not a war. President Johnson was given a blank check to do as he pleased in Vietnam. The Congress gave away the stops put into our Constitution. Is there nothing we can do to rescind this action? Let us get back to the three branches of government.

I have an 18-year-old son in college at the present time, and I cannot conceive of his being sent to Vietnam. This is not what I have raised my son for, and I am heartsick for all of our boys who are fighting over there simply because our President has envisioned himself as the father of the world.

We cannot and must not enter into every civil war in the world. I think we are terribly wrong, and have always thought it took more courage to say you're wrong than to stubbornly insist you are always right. I think we should bring our troops home from Vietnam. We are a big enough nation to admit we were wrong, but the head of this country doesn't seen to be. I hope he will someday realize what he has done to the young men and their families that he has involved in this action.

I applaud your courage in not being "yes men," and I hope you can overpower your opponents.

Sincerely,

THERESA A. COLVIN.

LOMBARD, ILL.,
February 21, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Thank God for people like you who have put integrity and decency above politics. You have earned the respect and gratitude of the entire Nation, Democrats and Republicans alike.

As you know, many mothers wrote and telegraphed President Johnson and their various Senators when they saw the impending danger of commitment, but the President chose to disregard the pleas.

Many of us begged to have the problem placed in the U.N. When we were stunned by the President's war address we sent more letters and telegrams trying to stay his hand.

We have been ill, to say the least. Ours are the war babies and we can't forget past tears. We see no necessity for more war.

You are not unaware, of course, that in a sincere effort to make our views known, we have been lumped with Communist sympathizers. Our only interest is in loving our sons and in trying to save their lives. If love is a crime, we are indeed guilty.

It has always been my belief that a President's first duty is to preserve and protect families at home, not desecrate them. I am not alone in this assumption. You will find that any place women meet, President Johnson has become the household word for enemy.

We see him swinging at a mirage and crying wolf in an effort to cover up a bad decision and salvage his image both at home and abroad. He erred in putting the cart before the horse when he chose blood first and economics second. We clearly recognize economic aid as a duty, but in our minds it represented our first and only duty or commitment.

Like many others I voted for President Johnson in the belief that he would keep America out of war. I feel betrayed.

I send you my gratitude and pray that you will keep pressing home the point that war will never end if we refuse to consult with those we blithely term aggressors. It is their home and their country and their right to help solve its problems.

Sincerely,

MRS. ROBERT L. BARTA.

WAUKESHA, WIS.,
February 19, 1966.

Senator WAYNE MORSE,
United States Senate,
Washington, D.C.

DEAR SENATOR MORSE: We congratulate you for the investigation which the Senate is conducting into the Administration's war policies. At this point in history, the U.S. President holds such awesome powers that he can, almost singlehanded, commit the whole country to war against any party he names. It is therefore all the more important in this American democracy to reveal his operations and those of his numerous departments, in particular, the military, State, and the CIA. What is good for the President is not necessarily good for the rest of us, and we favor the restoration of the balance of powers which was and still is prescribed by the magnificent American Constitution.

It is so easy for big war hawks to condemn and smear those who object to wars with charges of cowardice, subversion, stupidity, blindness, willful disobedience, etc., ad nauseam. But we contend that it takes as much courage and bravery to stand up and question the warpower structure, as to face the fire of a foreign opponent. As for stupidity and blindness, how many of the big war hawks of recent history drove their followers not to glorious victory, but to ignominious defeat and disaster? Hitler, Mussolini, Tojo, Napoleon, Kaiser Wilhelm—to name but a few. Even Stalin tried to liquidate a small nation in a brief campaign (Finland). The list is endless with names of those whose errors of prophecy were colossal.

It seems that since 1941 the United States has been constantly at war, and in our present state, being entangled everywhere in the world with governments—democratic, dictatorial, feudalistic, and whatnot, it looks as though there can be no end to our armed conflicts. This is sickening, and makes a mockery of national policy that pretends to be the "Great Society." Too much of our national substance, manpower, blood and productive genius is being squandered recklessly in the bottomless pits of war and its consequences. This monstrous folly can only bring us to disastrous ends. Even now, the swelling of hatred and contempt for the United States from many quarters overseas, where we expected to enjoy some respect and affection, is one of the most alarming developments of this decade. The American people are not a gang of international cannonaders in the world, but present military preparations and actions make us look that way.

We strongly oppose this U.S. war on Vietnam, and hope that you will continue to expose its follies and corruptions. In particular, we dread the possibility that U.S. military action in Vietnam will provoke the Chinese to war against us—with cooperation of the Russians, of course. We strongly back you in your efforts to bring this war to a halt, and hope that you will vote strongly against any congressional bills that demand expenditures or authorization for it.

Yours most sincerely,

RAY T. WENDLAND.
CHARLOTTE S. WENDLAND.

GALLIPOLIS, OHIO,
February 18, 1966.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: This is to thank you for your stubborn and most rational efforts in behalf of a sane policy on southeast Asia. Be assured that there are many of us outside of Oregon who support you and agree with you. The cynicism of Dean Rusk's clever ploy today, challenging the Senate to vote yes or no on the appropriations bill, does not escape notice. Any knowledgeable person, of course, knows the bill will pass (they always do) but those of you who vote against it have already been branded. Naturally this will not in the least discourage you in your efforts.

One need not have the gift of prophecy to see the disaster ahead. Maybe it can be prevented—maybe not. But at least some of us can feel and say, no matter what comes, that we tried. For now we will keep on hoping and working in the cause of sanity and justice.

The courage and tenacity exhibited constantly by you will continue to be an inspiration and source of strength to us.

Sincerely,

CHARLES E. HOLZER, Jr., M.D.

ST. LOUIS, MO.,
February 17, 1966.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: I approve your stand on Vietnam and your courage in maintaining it in the face of much ugly opposition. I am sending letters expressing approval of your views to the White House, our United Nations representative, and other Members of Congress. I hope that future developments relating to Vietnam will soon begin to reflect the triumph of your commonsense attitudes.

Very truly yours,

LILLIAN L. HUBBELL.

NATIONAL CITY, CALIF.,
February 17, 1966.

DEAR SENATOR MORSE: I would like to let you know that my wife and I are very, very glad that we have men like you serving in the Senate. Most of all, we are 100 percent behind you in ending the Vietnam war.

It is men like you with your courage that make us feel patriotic. L.B.J. and his men have really twisted the truth about the war in Vietnam. It has gotten so bad that rather than burning my draft card, my wife and I registered as Republicans as a protest. Lucky for me I served in the Army before L.B.J. "took over" the Nation.

Best of luck to you and God bless America because we need help.

Yours truly,

OSCAR I. COUEDO.

COLUMBUS, OHIO,
February 19, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I would just like to write a few lines telling you that I have been following your position on Vietnam for the past few months and that I fully concur with your stand. It is unfortunate that the United States has been blindly led into the war and that at the present it is extremely difficult to find a solution which the administration will listen to. The President's "peace offensive" in December and January was offensive to everything that I have ever believed about diplomacy.

It is my hope that your position and the Senate Committee's hearings will force the administration to examine its position and the entire foreign policy. It is about time that we find something to replace containment.

I am writing the President to express my dissatisfaction with the present stand that he is taking.

Yours truly,

GARY S. HOROWITZ.

ST. LOUIS, MO.,
February 20, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

HONORED SIR: I want to thank you and your colleagues for bringing to the American people a televised account of the Senate Foreign Relation Committee's inquiry into the administration's Vietnam policies.

I, like many of my business acquaintances and friends have tried in the past to find out why we are in Vietnam in the first place. All the people who speak for the administration repeatedly say that we have commitments, we must keep our word, etc. However under our late President, John F. Kennedy, we were told that we would never get into a shooting war in Vietnam, and our support would be merely advisory as far as military matters were concerned and, of course economic aid. Mr. Johnson was elected on this premise too, but he has completely changed the course. Has Mr. Johnson made other commitments? I haven't been able to find out through the administration's Mr. Rusk or General Taylor. The only conclusion I have reached is that the administration has a long record of misjudgment and that we, the American people have been fooled by election promises.

Article I, section 8, paragraph 11 of the U.S. Constitution clearly states that Congress shall have the power to declare war. Why and by what right did Congress give up the powers? I think this was a grave mistake. If we had reason to be at war in Vietnam and we had a declaration of war by the Congress, I would be behind this action 100 percent. The way it stands, I'm against the administration's policy and I believe we should get out of there fast. Pick the most honorable way and get out and stay out. Because we don't like the Communist way of life, does this give us the right to force our ways on an alien people?

Well I've had my little say. I feel better and I share your views in every respect.

Sincerely yours,

William J. Bagley.

Grosse Point, Mich.,
February 16, 1966.

Senator Wayne Morse,
The Capitol,
Washington, D.C.

Dear Senator Morse: It is quite impossible to find words with which to thank you for the efforts you are making to bring peace to Vietnam and by thus doing avert a world holocaust.

I am one of the innumerable people in the country who believes that we have no right to interfere with the internal affairs of Vietnam.

We are regarded as cruel transgressors by most of the peoples of the world and certainly by our friends in the Far East.

In spite of the money we are spending to help people and win friends throughout the world, our image grows steadily uglier.

We are praying for your continued health and strength.

Gratefully yours,

Iva K. Willmore.

Santa Cruz, Calif.,
February 15, 1966.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Sir: Our sister State of Oregon may well be proud to have a man of your caliber and far-seeing vision as a Senator. I have, for a long time, admired and applauded your courage in taking the stand that you have taken in the matter of the war in Vietnam, and at this time I am writing to express my sentiments. I am wholly in agreement with your views in this matter, and I am sure that millions of other Americans are likewise in agreement with you. Unfortunately, we were never consulted, yet the lives of all of us, and the preservation of our country and this entire civilization may well be in danger unless this action is stopped before it goes too far.

I cannot see any justifiable reason why this country ever intruded into another country's internal affairs in the first place. We had not been attacked. This was a civil war in a country thousands of miles away. It was then stated that we would act only in an "advisory" capacity, with some economic aid, as needed. Then came the first bombing of Vietnam, which led to an ever-increasing aerial warfare—more troops sent—and every time this belligerent involvement is intensified still further the danger to all of us is intensified in the same ratio. I have written two letters of protest to the President in the past year. Both were acknowledged by someone in the State Department, and brochures were enclosed which simply justified the action in Vietnam. So, obviously, writing letters of protest does not change one thing. The President offered "unconditional negotiations" in a speech last year, but even while making that speech the bombing of North Vietnam continued, and more troops were sent over—a direct contradiction to any offer of "unconditional negotiations." It is quite understandable why, in the face of such actions, North Vietnam rejected the offer as being "insincere." How could they think otherwise? If that offer had been backed up by a cessation of hostilities, showing that we really meant it—it might have been believed. One cannot offer peace, while continuing to build a war machine, and expect to be believed. The recent "peace offensive" was almost certain to fail for that same reason. "Actions speak louder than words." We cannot, in all fairness, expect North Vietnam to make all the concessions while we make none at all. There has to be a spirit of "give and take" in any negotiations if they are to succeed.

This country has brought criticism upon itself from all over the world because of these actions in Vietnam. If other countries were to send their armies over here to interfere in an internal civil war in our country, we would certainly resent their actions as being acts of aggression, and that is exactly what we are doing in Vietnam. The United Nations has pleaded for a cessation of hostilities, but, again, statements have been made that we are seeking peace, while we continue to enlarge our war effort. We are certainly not adding to our prestige in the world by these actions. Mere words, without appropriate action to back up those words, are not enough.

I am a Democrat. I voted for President Johnson because I firmly believed that he would keep us out of war. I am sure that millions of other Americans who voted for him, did so with the same belief. All of us have been shocked. We hoped that he would follow in the footsteps of F.D.R., and I am sure that if F.D.R. were with us today we would not be in this precarious situation. Under his masterful leadership the beginning of friendly relationship with Russia was made, and if this had been carried on, with tact and diplomacy, our two countries might be working together in a combined venture in the exploration of outer space—a venture bringing tremendous contributions to the world of science, and to mankind. Instead, that friendship has been allowed to suffer because our actions have aroused suspicion of what our real intentions may be.

This is too dangerous a time to take risks that could involve the total destruction of the world. Surely Vietnam is not worth that. If this war is enlarged and expanded enough to eventually bring Communist China into it, then our entire civilization is doomed to annihilation in an all-out nuclear war. Is Vietnam worth that?

Unfortunately, the matter has already been allowed to go so far that a withdrawal now would be taken as a "loss of face," but certainly a "loss of face" is far preferable to the risk of all-out war that would cost millions of innocent lives, and destroy all of us. Other countries did not rush into Vietnam with armies and aircraft, so why did this country alone choose to do so? It was not our business, at any time—and it is not our business now.

I congratulate you on your courageous stand, Senator Morse, and it is my fervent hope and prayer that the present debates in the Senate will result in finding a way to halt this dreadful thing before it goes any further. Surely peace can only be achieved by honestly working toward peace, not by armies or bombs while talking about wanting peace. May God direct you to find the answer—before it is too late. This country needs men like you, and never more keenly than at a time such as this.

Very truly yours,

Rosalie C. Tempest.

Iuka, Miss.,
February 20, 1966.

Hon. Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: Thank God you are still in Washington to speak out against the war in Vietnam. I sincerely hope that you and the other men who are against it can do something in time to save us from world war III.

For years I have admired the way you spoke out for what you believed, and I have been grateful for your presence in our lawmaking department. If only there were more like you there, maybe we could live in a more relaxed manner and without that constant fear of an atomic war.

Usually I am among those well-meaning people who sit back and hope that somebody else will speak out for the right things—but this time I just had to let you know how much both my husband and I appreciate you.

Sincerely yours,

Mary B. Davis.

Pittsfield, Mass.,
February 20, 1966.

Dear Senator Morse: The American people owe you immeasurable gratitude for the stand and courage you have taken against the Johnson policy, in this unpopular war in Vietnam, I wish there were more men of your caliber in Washington.

Best wishes to you and Senator Fulbright.

Very truly yours,

Peter Francese.

London, England,
February 18, 1966.

Senator Wayne Morse,
The Senate,
Washington, D.C.

My Dear Sir: I am an American living abroad who ceased to suffer from the oppressive anti-Communist atmosphere that is poisoning America in 1954, but I have never ceased protesting, for the sake of the whole world, against American foreign policy.

On Sunday, my family and I, supporters of the Campaign for Nuclear Disarmament, are joining others in a silent vigil outside 10 Downing Street in an attempt to impress upon Mr. Wilson our shame and disgust over his Vietnam policy.

We watched on TV the other night Kennan's statements to the Foreign Relations Committee and after you had asked Kennan if any country voted democratically for a Communist government, would we have the right to interfere, my two sons got up and cheered you and the older said to me: "Mom, don't ever allow yourself to be bitter about America, not while it has men like Senator Morse." We were also pleased with Fulbright and considered Senator Lausche a McCarthyite figure who seemed to be intimidating Kennan to some degree.

I have seen a propaganda booklet issued by the Hanoi government with the men and women who compose the National Liberation Force and in my opinion, they are truly representative of the people of all of Vietnam, and they deserve the status of recognition as any of the resistance groups held during the war against the Nazis.

The crux of the whole tragedy is the failure of the United States to accept the legality of the Peiping government and to permit China's entry into the U.N. It may be too late where Peiping is concerned, but we here never give up hope for the U.N. Let there be two Chinas, but let us have peace.

Please accept the sincerest thanks from our family for your persistent efforts to give us a better world and to restore America's name to the reputation it had before F.D.R.'s death.

With warm and affectionate good wishes,

Yours,

Roslyn Balcombe.

Wheeling, Ill.,
February 19, 1966.

Hon. Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Mr. Morse: As an Ex-Frenchman, now an American citizen, who lived through part of the Indochina war fiasco, I wish to congratulate you on your wise and courageous stand on the South Vietnam issue.

Keep up the good work, Mr. Morse, you are on the right track.

Yours very truly,

F. F. Vandermeersch.

Anaheim, Calif.,
February 18, 1966.

Senator Wayne B. Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: It occurs to me that you might at present be getting a little mail of the uncomplimentary sort. Having been an admirer of yours for many, many years, and not having apprised you of that fact, I feel that this would probably be a good time to do so.

I greatly respect your honesty, your intelligence and your courage. I feel that you stand firmly for the people and on the side of history. I know that when the scores are totaled, you will be one of the great leaders of all time. I hope that Oregon respects you—you are an honor to that State.

Your stand on Vietnam allows this Nation to retain at least a little of its honor.

Stand firm and guard your health, God bless you. We need you badly.

Very warmly yours,

Bob Cohen.

Ausable Forks, N.Y.,
February 21, 1966.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: Permit me to assure you, on the basis of what I know of the American people and the widespread interest that the televising of the Senate Foreign Relations Committee hearings has aroused that the applause over a certain remark of yours—though promptly and quite properly suppressed—was echoed by perhaps countless millions of Americans, as it was by those of my own household.

If a few hundred million dollars of the billions we are spending killing people could be devoted by the Government to the televising of all important congressional proceedings, it would be a great step toward making ours a Government in fact of, by, and for the people.

I am, sir,

Respectfully yours,

Rockwell Kent.

Lutseh, Minn.,
February 17, 1966.

Senator Wayne Morse.

Dear Senator Morse: Thank you, and those others in our Congress for speaking up with all your strength and courage against the policy our President and those whose advice he is following in regard to the immoral and utterly unjustified war being waged in southeast Asia.

To me, a disabled veteran of the Rainbow Division of World War I, it borders on an almost unbelievable policy for our country and makes me fearful that the Armed Forces-industrial complex has taken over the foreign policy of our Nation.

May I urge you, and those who stand with you to stand fast and be not discouraged when criticized and called disloyal or near traitors.

I remember how that over 1,900 years ago, someone who we profess to follow and use as our ideal, had to remind those working with Him, that they would have said to them and about them all manner of evil.

May your strength not weaken nor your courage fail.

Sincerely,

Jay Whitson.

New York, N.Y.,
February 16, 1966.

Dear Senator Morse: This is my first letter to a Senator, and it is to express my great admiration for you, and my sympathy with your views on our Government's war in Vietnam. Please add me to your statistics. I am 24 years old, a professional cellist.

I hope many more people will speak out, and if they don't very quickly, that you will not give up.

Yours sincerely,

Helen Harbison.

Los Angeles, Calif.,
February 18, 1966.

Hon. Wayne Morse,
U.S. Senator,
Washington, D.C.

Dear Senator Morse: I take this opportunity of writing you and extending my appreciation for your gallant stand on the Vietnam war. I trust that you will continue your fight, and I want you to know that there are millions of Americans hoping you will continue to do so.

This may not be a war to some people, but it is a big war for the boys who have to fight it. I see no victory in sight when the same policy is being used as in Korea. We do not fight wars to bring people to the conference table. That's nonsense. We fight wars to win. We cannot win in southeast Asia for many reasons. How can you feed 700 million people if you subdue them militarily? What kind of a stable government could you establish? What would you do if something happened to Ky? How can you make the oriental ever like the white man and vice versa? Nationalism is too strong.

War only decides who lives and who dies. You do not fight a war on the enemies' terms. You go all out to win with the best weapons and equipment possible which our Government to date has not given our men.

My 19-year-old boy says that if he is drafted he will only be gun fodder, and he does not want any part of Vietnam. He would defend this country to the hilt if it was in jeopardy, but he does not believe in what is taking place now in Asia. What would you advise him, Mr. Morse, to do? I would appreciate hearing from you on this. It's too bad young men have to pay for the mistakes of old men.

Again thanking you for your good efforts and trusting I shall hear from you.

Sincerely,

K. F. Schade.

Freeport, Tex.,
February 18, 1966.

Hon. Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: Count me as an American who repudiates the administration's policy on Vietnam.

Yours truly,

Robert Bing.

Delaware, Ohio.

Senator Wayne Morse,

Dear Sir: I am writing to express my support of your position regarding the administration's policy in Vietnam. Although the attitude you have maintained be criticized and attacked by more vocal elements of the citizenry, rest assured that there are many conscientious citizens who support your effort to investigate the problem in a democratic and open manner.

Sincerely,

Charlene Dwyer.

Rochester, N.Y.,
February 17, 1966.

Senator Wayne Morse,
Washington, D.C.

Dear Senator Morse: Your comments and those of Senator Fulbright at the hearings of the Foreign Relations Committee have impressed me a great deal. I think you have all of America thinking.

Sincerely,

Amelia Nugent.

Teaneck, N.J.,
February 17, 1966.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I want you to know that I support your efforts to secure peace in Vietnam. Everything that you have said about the war there makes sense to me.

Sincerely yours,

Amy Hausner.

Wilmington, Del.,
February 19, 1966.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: We applaud your courage and bravery in speaking out on the war in Vietnam. We urge you to continue to press for a peaceful settlement as soon as possible.

Sincerely yours,

Edward R. Kearns.
Ruth S. Kearns.

Ames, Iowa,
February 18, 1966.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: This is to tell you how much I, and my family, appreciate your efforts to end the war in Vietnam. You are a true patriot, and I think I reflect the feelings of most informed Americans when I say that we are proud of you and grateful to you. Keep up the good work.

Sincerely,

David E. Metzler.

San Francisco, Calif.,
February 15, 1966.

Hon. Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: Please know that my wife and I applaud your courageous stand on the Vietnam policy. Please keep up the good work, sir.

We hope the immorality of U.S. actions in this area are not signs of the general decay of morals and ethics in our society. It is not always easy for a man to take an unpopular stand on issues as you do many times. However, we believe in the honesty and integrity of your convictions and stand behind you.

Sincerely,

Lewis Litzky.

Descanso, Calif.,
February 19, 1966.

Hon. Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator: As a pioneer Westerner (I am one of seven generations who has lived in San Diego County, and at present am the oldest of four generations still living here); with this introduction to the writer I must heartily commend you for your most proper stand regards to this Vietnam war silly business.

Senator Stephen Young, a World War veteran as I happen to be, expressed the true situation in Vietnam.

We are surely in the wrong war at the wrong place and the wrong time. I happened to see your committee recently at Berkeley via Westinghouse TV and then again yesterday at my home here via XER TV, Tijuana, Mexico. It was necessary for me to travel as far as Eureka, Calif., and back (1,800 miles). I encountered quite a few folks in the 12 days I was away and did not encounter a single person who was in favor of us being in Vietnam.

You, therefore, believe me, are not taking the minority view and unless our Constitution is to be thrown overboard we should have Congress declare war just as that fine document provides.

With such deep roots in my beloved country it includes Baker City, Oreg., in 1885 where my Uncle Elmer Holt was admitted to the bar at the ripe age of 18.

Keep up your strength and don't let them get away with it.

Sincerely and with kind regards.

Roy Arthur Silva.

Proctor, Minn.,
February 17, 1966.

Hon. Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Hon. Senator Morse: I wish to express once again my gratitude for your appearances and your stand on Vietnam. Your unruffled countenance during the hearings are very confident to watch, besides the clarity of your position you have outlined.

I applaud you.

Sincerely,

Phyllis Lahli.

Lakewood, Ohio,
February 17, 1966.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: You have been wonderful on the TV hearings this past few days. Our entire family thinks so.

This quotation from Isiah which President Johnson quotes so often has me concerned.

Isaiah 1: 18–19: "Come now, and let us reason together. * * * If ye be willing and obedient, ye shall eat the good of the land. But if ye refuse and rebel, ye shall be devoured with the sword."

I wish we had many more men like you in the Senate.

Sincerely yours,

Bernice Oliphant.

San Francisco, Calif.,
February 18, 1966.

Senator Wayne L. Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: How we rejoice that we have such a great man living in our country today. Your courageous stand in this time of national crisis gives us hope indeed for the future of our country and the world.

With deepest appreciation, I am,

Sincerely,

Mrs. Norma Grossenbacher.

Auburndale, Mass.,
February 17, 1966.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: I agree completely with your statements on the Vietnam war. You and some of your fellow Senators who share your view, seem to be the only sane force in Washington these days.

The committee hearings are a wonderful public service. I believe the American public is not fully aware of where this dangerous policy of President Johnson can lead and what disastrous events might take place unless caution is exercised.

Thank you for being such a concerned and dedicated public servant.

Mrs. T. R. Merritt.

New York, N.Y.

Dear Senator Morse: I would like to convey my support of the investigations which you are conducting. And also to let you know that I am in agreement with your plan to resolve this conflict in the United Nations.

Very truly yours,

Joan Bruck.

Cleveland, Ohio,
February 18, 1966.

Hon. Senator Wayne Morse: You are a great man. I can't find the proper words to express myself, how I feel and how I honor you for your wonderful work and words for us people—our men, husbands, and sons.

I will always honor you.

Mrs. Millie Kokal.

Chicago, Ill.,
February 19, 1966.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: Just a note to urge you to redouble your courageous efforts to terminate the conflict in South Vietnam and bring our fine young American men back home.

Sincerely,

George E. LeMire.

Plymouth, Mich.,
February 15, 1966.

Senator Wayne Morse,
Washington, D.C.

Dear Senator Morse: I wish to express my appreciation for your courageous and tireless work for a more reasonable policy by our Government in the Vietnam problem.

If you have any recommendations as to what an individual can do to help promote a less aggressive attitude by our Government, please let me know. I am willing to devote time and energy in the interest of stopping the senseless killing, but I don't know what to do.

Thank you for devoting your time and energy in behalf of peace.

Very truly yours,

Bruce B. Spratling.

Inglewood, Calif.,
February 12, 1966.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: We are writing to encourage you in your attempt to enlighten the public on the true state of affairs in Vietnam and to bring an end to the hostilities there. The majority opinion in the United States today seems to be that our presence in Vietnam is justified because there has been Communist aggression from the north. We feel, however, that the United States especially in support of the Diem regime, has also committed aggression. We realize that our Government finds itself in a touchy situation, that it has a "tiger by the tail," so to speak, but we are convinced that no further good can come from prolonging the present tragic state of affairs. We urge our Representatives in Washington to demand that negotiations with the Vietcong and the North Vietnamese be commenced immediately, before the United States is irreversibly committed to further atrocities.

Sincerely yours,

Richard Harold Johnson.
Anna van Roapharst Johnson.

Normal, Ill.,
February 14, 1966.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Sir: Please be advised that I support you wholeheartedly in your stand against our present Vietnam policies. They are immoral, impractical, and shortsighted. A country such as ours is capable of solving these problems in a more intelligent manner.

Sincerely yours,

Dale E. Birkenholz.

Pacific Palisades, Calif.,
February 10, 1966.

Dear Senator Morse: We feel that the so-called confusion of the American public may be due to lack of a responsible spokesman of views which many have privately come to. May we offer the committee and yourself congratulations for your courageous efforts to bring notice to the American people of the dangers of our present position in Vietnam.

We urge immediate steps to liquidate our commitments in Vietnam.

Sincerely,

Frances T. Williams.
Byron D. Williams.
Judith J. Williams.

Sebastopol, Calif.,
February 12, 1966.

Dear Senator Morse: We commend you for your forthright criticism of the foreign policy of the Johnson administration including Vietnam and the Dominican Republic.

We urge you and the Foreign Relations Committee to continue investigations and public hearings into every area of foreign affairs of the executive branch including that latest sideshow, the Honolulu conference.

We hope for a new foreign policy in which military force is not an instrument.

Give 'em hell.

Best regards,

John and Alma Durr.

Santa Rosa, Calif.,
February 13, 1966.

Mr. Wayne Morse,
Senate Building,
Washington, D.C.

Dear Senator Morse: Count me as being in full agreement with your views on Vietnam made before the Senate Foreign Relations Committee. Views, substantiated by experts as former Ambassador George F. Kennan and General Gavin.

Thank you for being one of few Senators unafraid to speak out on behalf of logic in a misguided America.

This country was founded out of revolution. History refers to it as the shot heard around the world. For 190 years we have been the envy and aspiration of every backward nation. Instead of holding out our hand in help to others trying to achieve our way of life, we find ourselves denying them our very heritage, the right of free people to form governments of their own choosing. This country is following an asinine foreign policy in Vietnam and especially in the Dominican Republic and the tragedy of it is that young American boys are dying in its futile support.

Sincerely yours,

Dino J. Grossi.

Norwalk, Conn.,
February 17, 1966.

Hon. Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: In closely following the deliberations of the Senate Foreign Relations Committee, I am extremely pleased with the stand you continue to take.

Please do not let up. For, if we continue our present course in Vietnam—both in the south, to try and bolster what appears to me to be an unpopular Government, and in the north, bombing daily a nation with whom we are not at war—it will mean eventual full-scale war with the Chinese, and a possible nuclear war with the Russians.

I have four boys, the oldest of whom is 12; I don't want to send them to Asia to get their legs blown off. Nor do I want my family to be destroyed—either instantaneously in a nuclear blast, or after a week of radiation sickness.

Sincerely,

Stewart H. Ross.

Elmhurst, N.Y.,
February 17, 1966.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Sir: Let me be another to congratulate and commend you on your courageous and patriotic position re Vietnam. As an Air Force veteran of both World War II and Korea, I am eager to lend concurrence and encouragement to you since I have no ax to grind, having served my country.

I certainly would not suggest to you any arguments or courses to follow since I feel you are much more than competent to pursue these than I could ever be. However, I must heartily commend you on the statements made by you to General Gavin on the above date.

You, as a U.S. Senator, permit me to maintain confidence in the U.S. Congress. Please continue to represent the people of this country and do not fall prey to pressures and plays for power.

I have remitted a copy of this letter to President Johnson.

Sincerely,

Vincent J. Del Greco.

Jackson Heights, N.Y.,
February 19, 1966.

Dear Senator Morse: Thank you, indeed, for putting General Taylor in his place. It is a pleasure to hear, in these times, one clear American voice.

Thank you, Senator.

Very sincerely,

Dorothy Hanley.

Thief River Falls, Minn.,
February 19, 1966.

U.S. Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator: I have been listening to the hearings before the Senate Foreign Relations Committee during the last day or two as they came in over TV, and I want to commend you for your efforts, and to thank you for the stand you are taking.

Congress only has the real power to declare war, but in spite of this we are now engaged in a full-scale war in Vietnam. I read the newspapers quite carefully, and I want to say that in my opinion the resolution of August 1964 was never intended to authorize a war. The people, in general, did not understand it, and it was slipped through Congress, without any full understanding of how it could be used. The President and his advisers are using this resolution for a purpose for which it was never intended.

I hope you can get a few Members of Congress to back you up so that we can find out just where the Senators stand. You may not win, but it is interesting to know just where our Senators stand. As Dean Rusk said, "Let the people know where the Senate stands." Let's have a vote on your resolution to rescind.

The President may be Commander in Chief of the Army, but Congress holds the purse strings. But if you do not appropriate the money, he will have to limit the war.

It seems to me that we have no business in Vietnam, 10,000 miles away from home. Instead of sending our boys to the fighting front to fight and die, let us get them back home. That is the only way to back them up and protect them. There is no reason why we should play the role of world policeman.

Supposing we do blast and bomb Vietnam to pieces, then what have we accomplished. How long are we going to stay there—5 years, 10 years, 25 years, etc.? China is still there right alongside. Are we going to stay there indefinitely and spend the American taxpayers' money? This is our third world war away from home.

I listened to General Taylor and Dean Rusk. Their testimony was highly evasive. They did not want to tell anything to hurt the administration in any way.

It is my opinion that President Johnson and his advisers are leading our country and our people on the road to ruin and destruction. We have adopted Goldwater's policies, and the Republicans are laughing up their sleeves. You will hear a lot about this in the 1966 campaign, and much more in 1968.

You may use this letter in any way you think helpful.

Yours very truly,

H. O. Berve.

Hellam, Pa.,
February 18, 1966.

Senator Wayne Morse.

Dear Senator: I am not a man of words so I will not be able to express myself and my feelings as I would like to. I am just one of the millions of American workingmen and taxpayers.

This week I lost time from work to listen to the debate from Washington and I wish I would have lost more so I could have heard it all.

This week I think you have proven yourself one of the greatest men of our time. I wish I could have been there to applaud your every word.

It will take many more Senators like you to keep our country from falling into the hands of the military, which road it is on for the past several years.

The American people are as easily lead as the Germans, which I find hard to believe. Your road to peace is not an easy one. You will have to fight with no letup but I believe you will win. Clear-thinking people are behind you tooth and nail.

I only wish that Premier Ky would have been at the hearings so you could have shown the American people the stupid ass that our Government is forcing on the people of South Vietnam.

My wife and I have always regarded you with great respect and our finest wish and prayer for you is a long, healthy, and happy life.

Sincerely,

Alvin N. Irwin and Vera.

Dobbs Ferry, N.Y.,
February 22, 1966.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

My Dear Senator Morse: Bravo and God bless you for the good fight you are waging to air this bad stew in Vietnam. We who supported the Johnson administration for its peace platform are appalled by the escalation of this terrible civil war into an international tragedy.

Please know that you have the profound gratitude and support from citizens in every part of the United States.

Sincerely,

Florence Ziner.

Sudbury, Mass.,
February 18, 1966.

Dear Senator Morse: It is most heartening to hear reported on television what your views are concerning the war in Vietnam. I have been so completely disillusioned—by the man for whom I voted in the last election, our President.

Let's hope that the Senate Foreign Relations Committee may continue to question our policies in Vietnam before the general public.

The thing that fascinates me is the fact that the news media's choice in reporting, points up your questioning of those who appear before the committee.

I have been your greatest admirer for many years and only wish that there were many more like you.

Sincerely,

Mrs. F. P. Morrison.

Las Cruces, N. Mex.,
February 16, 1966.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I am writing to inform you that I am in accord with the position you have taken as concerns Vietnam. I believe it is imperative that a cease-fire commence immediately so that we might negotiate with Hanoi, and more importantly, with the N.L.F. I also believe we must uphold the Geneva accords if we are to achieve peace in Vietnam. In the name of humanity and "practical politics," I urge you to continue the fight for peace.

Sincerely yours,

Thomas D. R. MacNair.

New York, N.Y.,
February 18, 1966.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

My Dear Senator Morse: I'm a Negro, 65 years old. I'm a veteran of military service with the 10th U.S. Cavalry on the Mexican border in 1920 and 1921. I also served with a quartermaster battalion of the 2d Army during World War II. I'm proud to say I was honorably discharged after these periods of military service.

After constantly watching television programs, listening to the radio, and reading newspaper reports, I'm offering you my heartiest congratulations and pledging to support you during you most worthy effort to prevent our beloved country from becoming involved in an unnecessary world war.

This country never has been more in need of men and women with your courage, foresight, and ability. You are one of the few Members of Congress who seem to really know how to recognize and talk to warmongering statesmen and militarists. More power to you while so doing. Loyal and peace-loving Americans are desperately depending on you, Senator Morse, to carry on your campaign for good will among nations and a permanently peaceful world. May you continue to serve your constituents well, and may almighty God forever guide and bless you.

Sincerely yours,

Eugene D. Johnson.

La Jolla, Calif.,
February 16, 1966.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I want to express my whole-hearted approval of your committee's hearings on the U.S. policy in southeast Asia.

I beg you to do everything possible to stop this senseless war in which our standardbearer has publicly expressed his admiration for Adolf Hitler.

Sincerely,

EDWARD A. MARSHALL.

SPARTA, N.J.,
February 19, 1966.

DEAR SENATOR MORSE: Congratulations on your fine job of opening the public's eye. You are so right. At all the gatherings that I attend, the conversation is "Why are we in Vietnam, or why is the Government playing politics instead of winning the war? Please continue your good work. You have my full support.

As a father of two sons of draft age and a veteran of World War II, 28th Infantry Division, the only thing that keeps our sanity, my wife and I, is that some one like you thinks of America first.

Yours truly,

RALPH ROBERTS.

MEMPHIS, TENN.,
February 21, 1966.

Senator WAYNE MORSE,
Congress, Washington, D.C.

DEAR SIR: I support your opposition to the illegal, undeclared war against the Vietnamese people.

Acting as we have outside the procedures of the United Nations has weakened both that organization and our own position.

I look forward to your speech in the Senate and hope it will bring some action from the American people, a voice of protest expression that our Government will accept meaningfully.

Sincerely,

LEONARD ENGEL.

SIOUX FALLS, S. DAK.,
February 18, 1966.

Hon. WAYNE MORSE,
U.S. Senate, Old Senate Office Building,
Washington, D.C.

SIR: I have closely followed the hearings which have been taking place regarding our Vietnam policy. I firmly believe that these hearings are extremely essential in bringing before the American people the realities of this senseless, brutal and illegal conflict.

I heartily support your courageous and resolute stand. May others be similarly enlightened before a nuclear holocaust destroys mankind.

Very truly yours,

WILLIAM P. ERICKSON.

NEWARK, DEL.,
February 18, 1966.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

MY DEAR SENATOR MORSE: I would like to express my support for your position on the Foreign Relations Committee and thank you for your most intelligent questioning of the witnesses.

Yours truly,

DONNA M. ORGONEST.

PALM DESERT, CALIF.,
February 21, 1966.

Senator WAYNE MORSE,
Senate Building,
Washington, D.C.

DEAR SENATOR MORSE: I wish to express my heartfelt thanks for what you are doing. Those of us who must look particularly to the Senate for the courage, dedication, and wisdom to keep our country's liberties, freedom of speech and traditional honor unimpaired are fortunate to have men like you to guard them.

Courageous, forthright men are all too rare. May you have a long and distinguished career in that small band. History proves that it is always those few who must protect the many.

Most sincerely,

CYRIA HENDERSON.

BIRMINGHAM, ALA.,
February 18, 1966.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: May I take this opportunity to thank you for the service you are rendering your country participating in the debate on the Vietnam war as a member of the Foreign Relations Committee.

I, like most Americans I know, stand behind our Armed Forces in Vietnam who I feel should have full moral, economic, and arms support. I do not, however, support the present and past foreign policy which has so tragically involved our country in this war.

With best wishes.

Gratefully yours,

DAVID ROBERTS III.

MENOMONEE FALLS, WIS.,
February 19, 1966.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: We strongly support your stand on the Vietnam war. We hope you will continue to struggle to make your viewpoint heard even though we realize that you have been put in the position of receiving very unpleasant opposition.

Very truly yours,

ROBERT P. OVERS.
MARCELLA M. OVERS.

CHICAGO, ILL.,
February 23, 1966.

DEAR SENATOR: Thank the Almighty for Senators such as you and J. WILLIAM FULBRIGHT; real Americans who are not afraid to stand up and be counted. What can we do to help? Keep up the good work.

HOWARD E. SEVERE.

CHEVY CHASE, MD.,
February 27, 1966.

DEAR SENATOR MORSE: We want to tell you how grateful we are to you for all the work you are doing to oppose the war in Vietnam, and in fighting the large war budget demanded for this destructive purpose, with all the sadness and grief it can cause.

Are we not, actually, intruders in Vietnam? Are we properly protecting our own citizens when we allow them to be drafted into the jungles of Vietnam? We hope your influence will be widespread.

With gratitude to you,

NAYAN and STANWOOD COBB.

EGLIN AFB, FLA.,
February 28, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SIR: I wanted to take this opportunity to applaud you for your stand on U.S. involvement in an unconstitutional and futile war. Your courage as a public servant in expressing dissent has been very heartening to me and I urge you to continue in the future as you have in the past.

In addition, your stand against "government by secrecy" is a view which should be pursued vigorously. Too long have decisions affecting all Americans been made by some public officials without their taking into consideration what many of us really do think and without the American people knowing what was happening until after some action had already been taken; i.e., Vietnam.

I will eagerly be reading your comments and following debates in which you are involved. With a person such as you, I feel sanity can yet prevail.

Thank you for reading my comments.

Respectfully yours,

HARRIS G. KRAHAM,
Lieutenant, USAF.

MUNCIE, IND.,
February 22, 1966.

DEAR SENATOR MORSE: I am entirely in sympathy with the stand you took at the hearings.

To surrender foreign policy decisions to Johnson, Rusk, and McNamara would be a big mistake.

Sincerely yours,

ROYAL J. MORSEY.

CHULA VISTA, CALIF.,
February 22, 1966.

Hon. Senator WAYNE MORSE,
Senate Building,
Washington, D.C.

SIR: You are to be commended in advocating to rescind the joint resolution of August 1964 and your stand on debate of our Vietnam policy. We rely on you as our representative of the people to bring out the true facts, at least as much as possible, and in this way perhaps control the power of the few.

Many of us understand how the consensus of a nation is obtained through a control of information and disguising of facts so that the majority of the people are in no position to judge or recommend action (granted that this is supposedly done for our best interests), so we do and must count on the representatives of the people to act for us and to obtain these facts and truths as was intended. (Or is Congress swayed in the same way by distorted facts, censured information, lack of interest, and fear?)

Perhaps the better policy would be to take into consideration that negotiations should take place with all political elements represented. In disagreement with Mr. Rusk, why not the Buddhists and the Catholics, as well as the Vietcong? Vietnam should be treated as a whole, not as a North and a South. Where did we lose sight of this?

I am sure you have the support of many, and our hope must be that this hearing will lead to a change in our policy in Vietnam, making it more realistic, more universal, more humane.

Very truly yours,

MARTA H. PORTER.

WINNFIELD, LA.,
February 23, 1966.

Senator WAYNE MORSE,
Senate Building,
Washington, D.C.

DEAR SIR: My personal thanks for your stand on the war in Vietnam.

This part of the "grass roots of America" seems to be generally in favor of an escalated war up to and including the bombing of Peiping with nuclear weapons, if necessary.

I am not a native of Louisiana. However, I am now a registered voter here. I shall do my best to keep informed, so as to vote as intelligently as possible, and wherever I can, I shall speak out against this war in Vietnam.

In the meantime my thanks to you for doing your thankless task and my commendations to you for your courageous stand in this matter.

Yours truly,

MRS. WILLO L. CURRIER.

LOS ANGELES, CALIF.,
February 23, 1966.

DEAR SENATOR MORSE: Please keep up your good and vital fight against the administration's war policy in Vietnam.

Your excellent stand is winning more and more support and will force a change for peace.

Your gallant devotion to truth and justice is a rare example nowadays, and much admired.

Sincerely yours,

NINA and MORRIS INDMAN.

DENVER, COLO.,
February 22, 1966.

Hon. WAYNE MORSE: My wife and I are definitely opposed to the administration's policy in Vietnam. We are in full accord with your stand.

It is about time we quit murdering our boys in Vietnam, and if it is a war why doesn't the United States declare war on Vietnam?

Hoping you will give your full support and consideration in stopping to send our boys to Vietnam.

With warm and kindest regards, I remain.

Sincerely yours,

ROGER HAHN.

PROVIDENCE, R.I.,
February 22, 1966.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SIR: I want to express my sincere appreciation for the conscientious and articulate stand you have taken in challenging the administration's handling of the Vietnam situation. Although I can claim no expert knowledge in southeast Asia, I know from research and active participation in Latin America that the current stand of the United States is objectionable and untenable. Furthermore, I resent the wholesale use of deception on the American people, and the unwarranted assertion that we must police the world, even without a congressional mandate.

It seems of the utmost importance that (1) the public be made aware of the duplicity of the administration in this instance; (2) the Congress engage in a rational debate to clarify legal and moral issues at stake; (3) every possible avenue to negotiation be explored by the United States, without the imposition of unrealistic prerequisites or the exclusion of any interested parties; (4) the United Nations, a Geneva convention, or any other international group which is willing to collaborate in promoting meaningful mediation be given every encouragement to do so, with the expectation that the United States would take advantage of any opportunity so offered.

Please accept my thanks for the key role which you have played in dramatizing the fact that we are now engaged in an illegal war, that we can never hope for victory in the traditional sense, that the democratic process is being seriously eroded at home, and that our posture before the world is inconsistent and dangerous in many respects.

Sincerely yours,

DWIGHT B. HEATH.

SAN FRANCISCO, CALIF.,
February 20, 1966.

Hon. Senator WAYNE MORSE.

SIR: I support your attitude toward Vietnam.

Sincerely,

CLAUDE E. EMERY, M.D.

SEATTLE, WASH.,
February 20, 1966.

Senator WAYNE MORSE,
Senate Foreign Relations Committee,
Washington, D.C.

DEAR SIR: I have just listened to your committee TV broadcasts, and thank God or the Divine Force for allowing such a man as you, who is not afraid to stick by his convictions—his love for the lives of his fellow man. Senator FULBRIGHT too is to be congratulated and CHURCH of Idaho. It takes the wideopen spaces to widen men's minds.

I happen to be an older woman and the longer I live, I'm shocked and grieved at the present happenings in this world of ours. I certainly wish you continued success.

Sincerely,

A. ELLA RILEY.

FEBRUARY 21, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I want to thank you for the courage and integrity you have displayed in bringing before the American people an open discussion on the problem of Vietnam.

I believe as you do, that when they know the facts they will refuse to support present policy there.

I beg you continue these hearings, bringing in other witnesses, from the academic sphere among others, who can add the weight of their opinion to those already expressed.

Sincerely,

SEYMOUR C. POST, M.D.

WHITTIER, CALIF.,
February 19, 1966.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: I deeply admire your courage and your devotion to truth. History books of the future will have to report that at least one voice in the Senate of the United States of America kept insisting that the policy of shooting first and asking questions later was not appropriate in international affairs.

I felt, as you did, that Secretary of Defense McNamara ought to appear before the Senate Foreign Relations Committee prepared to answer questions. Government by secrecy is not representative government. Government of the people, by the people, for the people, can survive many a storm so long as dissent can be distinguished from disloyalty. If a majority of us favor a dangerous policy, the minority must, at least, have the privilege of saying what they think.

All who believe in truly representative government owe you a debt of gratitude.

Sincerely,

ROBERT L. MONTGOMERY.

FLUSHING, N.Y.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: We wish to express our thanks to you for your unflinching devotion to the cause of peace.

Please keep up your good work.

Very truly yours,

Mr. and Mrs. M. ALTSCHULER.

SAN DIEGO, CALIF.,
February 19, 1966.

DEAR SENATOR MORSE: I wish to express my admiration for you regarding your views on the U.S. involvement in Vietnam. During the Senate Foreign Relations Committee hearings you have expressed your feelings and criticisms on the administration's policy on Vietnam. I share your views on our involvement with this war, and I applaud your firm and forthright statements made during the hearings. I also applaud Senator FULBRIGHT and Senator GORE.

It disturbs me to hear the testimony of many of the Nation's top military experts and other Government officials stating that they feel we should escalate the war and press on to victory. I do not feel that there is any victory to be obtained. The victory and further escalation of the war appear to me to be a waste of our country's money, resources, and individual lives. It also appears to me that the United States has no right to intrude in another country's civil war.

I only wish that more people in this country shared your views, and that the United States would disengage itself from this terrible war while it is still within our power to do so.

Sincerely,

JOAN PAVLU.

DULUTH, MINN.,
February 22, 1966.

Hon. Senator WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SIR: I wish to thank you for the sensible stand you have taken in respect to the involvement of our country in this Vietnam war.

I am sure that most of our citizens, who are loyal to our country, feel that our Government has no business in sending our boys over there to be butchered. It is absurd to think that we as one nation, are going to be able to put an end to aggression all over the world. No country in history ever did it. As far as communism, we have plenty in this hemisphere to combat and how about Cuba off our shores? Let's look after United States first.

Sincerely,

WILLIAM E. WAKEFIELD.

NEW YORK, N.Y.

DEAR SENATOR MORSE: All Americans will be the winners if your positions and those of Senator FULBRIGHT, as voiced late this afternoon, become the one that are implemented shortly.

Keep public hearings going as long as possible for the sake of world peace.

Most sincerely,

MAXINE R. ARONS.

NEW YORK, N.Y.,
February 22, 1966.

Senator W. MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: In writing to you I am speaking for myself, my family, and for almost all of my friends. We heartily endorse your efforts to make the Vietnam war an issue for public debate. Public policy and war are too important to be left in the hands of the military. Our people have been misinformed on the Vietnam situation and the administration has been misadvised by professionl soldiers and lobbyists. I am writing to let you know that your support is far greater than the press and the polls would have the Nation believe.

Very truly yours,

JACOB A. ARLOW, M.D.

DUBUQUE, IOWA,
February 22, 1966.

DEAR SENATOR MORSE: You are doing a tremendous job of restoring dignity and responsibility to the Senatorial office and calling the Executive to account for the disaster we are heading for in Asia.

Needless to say, I agree that we must extricate ourselves from Vietnam as soon as possible and try to establish communications with China.

Yours truly,

EDMUND DEMERS.

YONKERS, N.Y.,
February 16, 1966.

DEAR SENATOR MORSE: I want to take this time to again tell you that there are hundreds of people that I have talked to in complete accord with yours and many of the other Senators views on the Vietnam fiasco caused against the will of the people of this country. I have seen and heard all of your hearings on television and have yet to see how it is possible for this country of ours to be spending billions of dollars on this very untasteful foreign policy supported by our President, the killing of the young men of this country in a battle with absolutely no purpose is inhuman, unjust, and should not be permitted since it is definitely illegal from its origin.

Since we have bases located so strategically around China and Russia why is it so necessary to kill ourselves for a people who are near uncivilized than I can think of? In closing I would like to say that the people I have talked to are in full support of your stand against this fiasco we are being forced into by the Government officials who will be paid in full at the next election. Thank God there are Senators like yourself elected to office of this country who would really have us in dire straits.

Sincerely,

George Chiavetta,
Ex-GI.

Kansas City, Mo.,
February 14, 1966.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator: Even though you and some of your dissenting associates have been described as being "blind to experience and deaf to hope" (whatever that means) be mindful of the fact that there are millions of Americans who are privately, and some of them publicly, cheering for all of you.

Jack Kennedy said, "The United Nations is our last best hope in a world where the instruments of war far exceed the instruments of peace" but, in view of the fact that we have violated and repudiated all of the peacekeeping provisions of the charter, many of us have come to the conclusion that our "last best hope" is that small group of dissenters (statesmen) in the Senate who are willing to stand alone for decency and sanity.

We are more than grateful and hope and pray that none of you will be cowed by the inane political blusterings being broadcast by a President who has lost all perspective (if he ever had any) and who is now living in an era, created within his own distorted imagination, entirely outside of history.

Yours truly,

Arch R. Maulsby.

Berkeley, Calif.,
February 15, 1966.

Dear Senator Morse: I admire your courage and integrity in continually opposing Johnson's war in Vietnam. I strongly support you in urging the halting the bombing of North Vietnam, the recognition of the NLF, the reconvening of the Geneva conference, and most recently your commitment to lead a filibuster to stall the approval of appropriations for the war. I also urge you to work for the defeat of the appropriations, which would just be another blank check for Johnson to continue this bloody and senseless war.

I'm with you all the way.

Sincerely yours,

Jerry A. Peterson.

Tuckahoe, N.Y.,
February 15, 1966.

Dear Senator Morse: Hitherto I confided in President Johnson's abilities in the Vietnam situation, but since the Hawaii meetings I have lost hope in his competence. It is my sad conclusion that his authority in Vietnam should henceforth be rescinded.

Lives are sacrificed, a nation is destroyed, and now truth is so distorted that words have lost all meaning. In my conviction faulty commitments have been devised to force us into provoked hostilities with China.

The 1950 crossing of the 38th Korean parallel and forced votes have voided the United Nations of credibly respectable authority in Asia. It is impossible to expect a sovereign country to come to negotiations—unconditional at that—upon the sole unilateral authority of the United States. Still, until the Hawaii meetings one could hope that President Johnson's true desires for peace and a better world might break that paradox.

That hope is dashed. Resumed bombing, needless embarrassment of the United Nations, and now the handshakes with the desperado Saigon generals and the Vice President's preposterous trip make it improbable that President Johnson can still extricate himself from the tangle. Those are gestures aimed at internal idiosyncrasies in our country. Internationally they are worse than irrelevant. India is starving. We are on the threshold of inexhaustible human tragedy.

We need at least the wordless truce attainable by cessation of bombing and retreat into defensible enclaves to protect politically endangered Vietnamese minorities. Ultimately the perverted Korea affair must be wound up to restore internation organization to its authorized impartial functions.

Evidence is abundant, the situation most severe, and we pray for our dear President. But it is urgent that his incompetent Vietnam power be now rescinded.

Yours very respectfully,

John V. Grauman.

Whittier, Calif.,
February 12, 1966.

Senator Wayne Morse,
Senior Senator From Oregon,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I have postponed much too long to thank you for your stand on Vietnam and for your constant, and often solitary, fight for the preservation of our constitutional rights. I do so humbly thank you now.

I have written to our President today (as well as to Senator Fulbright and to the two Senators from California) urging that they follow your leadership in bringing the Vietnam situation to full debate on the floor of the Senate.

Sincerely,

Francis N. Everett.

Bronx, N.Y.,
February 15, 1966.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: I wish to take this opportunity to thank and praise you on your forthright stand on Vietnam. Your and Senator Gruening's long and lonely stand from among the whole governmental establishment has been an act of heroism, particularly in the light of administration pressure and its manufactured "public opinion." Of the wide section of people I come in contact with, many of whom are complete strangers, I find concern and fright over our involvement there.

If President Johnson really believes in the Geneva accords, peace and can very easily be achieved, although a final settlement over the long run would take time. To accept the accords would mean to withdraw all troops immediately and concurrently dismantle our bases there. At the same time we should partake in negotiations with the National Liberation Front, the people we are fighting. This may be considered by some as loss of face, but it is better to lose face for a short time than to lose our national honor for all time, much of which is already gone.

I heard you on CBS TV and radio in the last 2 weeks. You were excellent. I would be greatly appreciative if you could send me a copy of the document "Why Vietnam" mentioned by Senator Gruening, and the following: the State Department policy information paper written in 1949, presented to the Senate Committees on Armed Services and Foreign Relations in June 1951; the Rand Corp., study commissioned by the U.S. Air Force examining the reasons why China entered the Korean war; the Mansfield report; the latest economic report of the President.

Thank you very much, for everything. Keep up the good work.

Very truly yours,

Alan Respler.

Corvallis, Oreg.,
February 13, 1966.

Dear Senator Morse: I am very unhappy over my country's foreign policy in Vietnam and Santo Domingo. I am glad your eloquence is speaking for me so bravely.

Thank you most sincerely.

Hilda Marie Schroeder.

Corvallis, Oreg.,
February 13, 1966.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: Your position on our Vietnam policy is to be commended. Congratulations to you and to the other members of the Foreign Relations Committee for presenting the issues to the public. The testimony of General Gavin and particularly that of Ambassador Kennan elicited by you and the other members of the committee only confirm the view that our military involvement in Vietnam is a monstrous error, and that to increase that involvement will be to compound the error.

Although you will, I am sure, persevére in your course regardless of what your detractors will say, it may nevertheless be heartening to receive expressions of support.

Sincerely yours,

E. A. Schroeder.

Jewell, Oreg.,
February 19, 1966.

Senator Wayne Morse,
Washington, D.C.

Dear Senator Morse: I wish to commend you for your stand on Vietnam. You and Senator Fulbright are true Americans.

I have followed this war in Vietnam for a long time. Things that you predicted, as well as Walter Lippmann, have come true. We need to be alert so that communism doesn't take hold here.

Have talked with several of my friends, who have the same feeling. I again commend you for your stand.

Very truly,

Mrs. H. E. Carlson.

Portland, Oreg.

Dear Senator Morse: My wife and I are extremely proud of your courageous stand with respect to the Vietnamese crisis. If ever the American people needed a tribune to protect them from those who enrich themselves at the expense of the weak, it is today. Our fervent hope is that you and your congressional companions do not weaken under the pressure.

Sincerely,

Peter J. Donahue,
Catherine A. Donahue.

Carmel, Calif.,
February 14, 1966.

Dear Senator Morse: As native Oregonians and graduates of the University in Eugene, we want to tell you of our pride in you the past week. You were wonderful as you said just what so many of us wanted you to say.

You may see by the clippings from today's Chronicle that folks out here are behind you of the Senate Foreign Relations Committee.

Sincerely yours,

Pauline Ford.

Milton-Freewater, Oreg.,
February 26, 1966.

Senator Morse: It is quite evident that you have pertinent evidence that we should never have taken the stand we did in Vietnam. It is another painful illustration in human history of giving any group enough rope and they will hang themselves.

We have been too preoccupied with foreign communism and looking over the fence at other people's faults and problems that we took too little cognizance of our own.

The handwriting was on the wall when our own Government aid to our own backward groups failed to achieve their purposes. To compound the trouble with foreign borders was deplorable and now we reach a wretched end. We still hate to reach the obvious conclusion that money cannot and will not buy morality.

Arden Gawith.

Jersey City, N.J.,
February 21, 1966.

Hon. Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator: I wish to assure you of my support—and that of many thinking people I know—in your opposition to the Government's handling of the South Vietnam debacle.

We feel that no American President has a right to carry on an undeclared full-fledged war against any people or any nation in the world, sacrificing needlessly American lives and reducing this country's economy and resources.

Any money allotted to the pursuit of this war should instead be used to improve education, eliminate poverty and slums, improve health standards and reduce unemployment in this country. Nations, such as India, where famine is threatening, should be supported and food supplies should be shipped to them by this country. This is a better way to combat communism because people will favor a nation that feeds them but will hate the one that tries to impose an ideology upon them by killing them.

Sincerely yours,

Fred Wetmore.

Cincinnati, Ohio,
February 19, 1966.

Senator Wayne Morse.

Dear Sir: You and your chairman, Mr. William Fulbright, have expressed my every thought concerning the Vietnam war. I was beginning to think all of Congress along with our President had let the people of this country down, but after hearing all your speeches my faith in the men of our Government was renewed.

I firmly believe you should do everything in your power to enforce your ideas concerning this situation. If we have broken the Constitution and this war is illegal, then you should go over the President's head and stop it.

I voted for President Johnson but if he doesn't take constructive steps to bring this Vietnam situation before the United Nations and sincerely strive for a free election in this area, I for one will not vote for him again.

Every night on the newscasts I hear how many men we have killed in Vietnam. I'm not proud of this figure, because I love life—whether it's our side or the enemy. This bragging reminds me of little children playing with toy soldiers.

If our President would only stand up and say he cares more about America than any other country in the world and that because of this great love for us he was going to take immediate action to meet with our allies for a solution, I'm sure he would be running our country for some time. I just don't know how Mr. McNamara could advise anyone when he didn't even vote in this last election. Anyone who could conveniently forget such an important responsibility couldn't in my view, remember to do anything constructive.

All of you received a standing ovation in my home. My entire family agrees with you and we would all like to know what we can do to force the President to get out of Vietnam as graciously as the Russians left Cuba.

Sincerely,

Mrs. J. Wright.

San Francisco, Calif.,
February 18, 1966.

Hon. Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: Your position as an independent American has always been a source of immense gratification to me, and I wish there were more, like you, in the Senate.

Your opposition to the present Vietnam procedure impels me to give you my views in the matter.

Our country suffers under two beliefs that ruin our chances of taking part in the establishment of a peaceful world. The first of these is the delusion that the Communists are a single-minded, well-organized, worldwide, and united group of supermen.

This delusion is strengthened by our practice of classifying anyone as a Communist, who disagrees with us, and of tossing aside any disagreeable movement, as "Communist inspired."

Yet the communism of each Communist country is different from that of all the others, and they are all, and always will be dictatorships.

This is easy to realize when we try to imagine what the picture of Karl Marx is, in the mind of an Albanian shepherd or a Cuban plantation hand. Marx, of course, was utterly impractical, though somewhat justified by the conditions in his time.

There was virtually no capitalism in czarist Russia or imperial China, and most of what is called communism is caused by, and is a revolt against our second delusion.

This second American delusion is really the greatest one, having the approval of most of us, being time-honored, and being so familiar as to be taken for granted as perfectly proper and respectable. But it is to it that we can turn account for most of the misery of this world.

This delusion is: That a small group of individuals can "own" the land of a country and can collect the land rental from its inhabitants. There is no shred of evidence or trace of supporting argument that will justify this firmly established practice.

Yet we are in Vietnam, causing hideous torture and deaths, and swilling out money so direly needed here, helping to destroy the world value of the American dollar, to support a small, landowning class (among whom is a large wealthy alien church) the military, and a "government" of which we are totally ignorant.

These little oriental people have lived along the Chinese border for centuries. They do not think as we do. They do not act like us. And we will never remould them.

The United States of America could, with honor and dignity, request the United Nations, the Geneva Conference, or any disinterested body, to conduct an election there, in which the NFL or Vietcong would participate.

There is no question but that North and South Vietnam would reunite and elect Ho Chi Minh as their type of dictator, and go on with their type of communism until they tired of it. And you can be sure that Karl Marx would not be able to recognize one side of it.

Our alternative is to send a lot of young Wayne Morses and Joe Thompsons down there, from now on, to police the country, keep the landowners in their privileged ascendency, and act as the "secular arm" of one church in its squabbles with another.

A third delusion is: That trouble can be ended or corrected by force of arms.

Respectfully submitted.

Joseph S. Thompson.

Miami, Fla., *February 21, 1966.*

Dear Senator Morse: I applaud your courage to speak out against our involvement in Vietnam.

It is men like you who make our Constitution a living truth.

Continue your questioning and probing. We need men like you to "check and balance" executive powers.

Very sincerely,

Mrs. Herbert M. Rose.

East Northport, N.Y.,
February 20, 1966.

Hon. Wayne Morse,
U.S. Senate,
Senate Office Building,
Washington, D.C.

Dear Sir: We would like, once more, to commend your position as expressed in the Senate Foreign Relations Committee hearings on the war in Vietnam.

It is gratifying that the opposition-at-large to this war, which has been slandered in various ways, has been heard in the Senate hearings through your articulate and documented statements and questions.

Respectfully yours,

Norman Thurau.
Liliane Thurau.

Rexford, N.Y.,
February 22, 1966.

Dear Senator Morse: I would just like to take the time to thank you for bringing the facts to light with regard to our unfortunate situation in Vietnam. You can be assured of my backing as well as thousands of other Americans who feel the same as you do. I believe we should get out and take care of our own business first or surrender or make some sort of a peace instead of wasting valuable human lives and money. The added fact of a war with Red China should add to this but some say this is an impossibility. I just can't understand why your views aren't 100 percent imposed on them, meaning of course, the President and Congress.

All I can say is that I am behind you 100 percent and please continue your excellent work.

Yours truly,

Gerald M. Oswitt.

WHAT THE WAR IN VIETNAM IS DOING TO EDUCATION IN ALASKA (AS EVERYWHERE ELSE IN THE UNITED STATES)

Mr. GRUENING. Mr. President, in the last decade, public school enrollment in Alaska has increased by 108 percent, which ranks Alaska second in the Nation. This means that public school enrollment in Alaska is 68 percent greater than the national median, which is a healthy 40 percent.

In the last 15 years, the Anchorage Borough School District, which is the largest school district in Alaska, has grown by 700 percent. By 1970, it will almost double itself again.

On a per capita basis, Alaska is spending more for education than any other State—spending almost double the amount spent by Hawaii, the next ranked State. On a per capita basis, we are making a greater revenue effort on the State level than any other State—a third more than New Mexico which ranks second in the Nation, and one-third of our State budget for the next fiscal year is going for education. We are proud of our public schools, and have good reason to be, for they are among the best in the Nation. But they will not long remain so, if the proposed administrative budget cuts in aid to schools in federally impacted areas is carried out.

This is truer in Alaska than in any other State. Why? Because 49 percent—nearly half—of the students attending public schools in Alaska are federally connected. No other State even approaches this figure—Hawaii is next, with slightly less than 30 percent, and all other States fall below 25 percent.

Admittedly, there are disparities in the payments some school districts now receive under the impacted aid program, and I agree that the Federal payments to the school districts should more clearly reflect the actual burdens imposed by the federally connected child. But, in this regard, payments cannot be adjusted by across-the-board cuts, as proposed by the administration, for it is the most heavily impacted areas that are growing the fastest.

Alaska is making a diligent tax effort to provide good schools. For instance, the two largest school districts, Anchorage and Fairbanks, have a per pupil bonded indebtedness of $1,251 and $1,657, respectively. The Office of Education compared these figures to those of four west coast cities, chosen purely at random. Seattle per-pupil bonded indebtedness is only $604; Tacoma, $552; Spokane, $705; San Diego, $630—thus, in each case, Alaska's burden is double or more. As I have mentioned before, one-third of the State budget goes for education—we are building schools at an unprecedented rate, and will continue to do so with all the resources within our means, but the proposed cutbacks in impacted aid funds will severely damage our efforts. Alaska will lose about $4 million in payments to school districts and another half a million in construction funds. In terms of teachers, at an average salary of $8,000—it would mean that we would have to make do with 500 fewer teachers—this we cannot afford—this money must be restored to the 1967 budget.

Yesterday, Congress approved a $4.8 billion money bill to prosecute a wholly unnecessary war in southeast Asia—is it not obvious that our Federal school aid payments are going to be spent for guns? This is but another of the bitter fruits borne by the malignant weed of war.

Alaska has long been considered to be a potential giant among the States in the richness of its undeveloped natural resources—and the richest of all of these resources is our youth—the youth that will become tomorrow's leaders. We have both a duty and a responsibility to equip them with the best that is obtainable to insure competence in that future leadership—competence that will enable them to avoid the tragic follies in which we have become involved.

Is it not enough that we ask our youth to bear the burden of fighting a wholly unjustifiable war in Vietnam? Must we also insist that their most uniquely valuable asset—a good education—be shortchanged?

Mr. MORSE. I wish to thank the Senator from Alaska. As he will see as I proceed with my speech on the budget and educational needs, the administration has made cuts not only in impacted area money, but in a good many vital areas in the field of education. In my judgment, this action is tarnishing the whole image of the Great Society and turning it into an empty, meaningless, preachment.

As far as the Senator from Oregon is concerned, this administration is going to have to advance proof that it has not advanced in the President's budget message to justify the program of cutbacks in this field. These cutbacks are, in effect, stabs in the back of the educational forces of this country. I say to the educators, you had better be on your guard, because if the administration succeeds in getting its budget cuts sustained in the Congress, the great progress we have been accomplishing with the great leap forward under President Kennedy will be lost.

Mr. GRUENING. Does the Senator not feel that it is one of the most tragic ironies in our history that, after the magnificent legislative record of this administration and this Congress in the 1st session of the 89th Congress, we are now going to have all that undone?

Mr. MORSE. The fact is that the whole program has rapidly become a tragic irony.

THE BUDGET AND EDUCATIONAL NEEDS

Mr. MORSE. Mr. President, I have hesitated for some time in commenting upon the budget for fiscal year 1967 with respect to the provisions made therein to fund the wealth of legislation which has been added in recent years to our statute books. Adequate funding of our existing laws aiding education is a problem which deeply concerns me as the chairman of the Education Subcommittee of the Senate Committee on Labor and Public Welfare. My subcommittee as it considered each of the proposals had the responsibility of recommending to the Senate and to the Congress what, in our judgment, was the best support we could give at that time to every facet of the American educational system from kindergarten through graduate school.

The dominant philosophy which has underlain our efforts in this area has been to provide, either directly or indirectly, for the needs, not of an administrative hierarchy, but rather for the educational needs of our young citizens. It was our hope that we could, through each of our measures, help to erect an interlocking and interdependent system of financial aids through which the Federal Government could supplement, but not supplant, the funding of activities of our public and private educational systems in the realm of higher education and our public systems at the elementary and secondary levels.

Thus, for example, we built upon the foundation of previous legislation such as the National Defense Education Act of 1958, Public Laws 815 and 874 of 1950, the Smith-Hughes Act and other vocational education aid measures going back to 1917, as well as the great foundation act for higher education in America which was signed by President Lincoln, in 1862, the Morrill Act. What we strove to do in each instance was to build upon the foundation of experience under older statutes, new programs which were the outgrowth of the old, and which, in our judgment, complemented but did not supplant the older laws. That this was our intention, I think, was made abundantly and explicitly clear in one instance, which took place on September 2, 1965, when in the course of making legislative history on the title IV insured loan program of the Higher Education Act of 1965, I was asked by the distinguished senior Senator from Texas [Mr. YARBOROUGH], whether by the new authority it was our intention that the guaranteed loans by banks under title IV would in any degree slow down or lessen our commitment to the National Defense Education Act title II direct loan program. As set forth in volume 111, part 17, page 22692 of the RECORD of that debate, my reply was as follows:

> My answer to the question is (that) the insured loan program set forth in the bill does not in any way signal either an elimination of the National Defense Education Act loan program under title II or amend it by weakening it in any respect.

I then went on to point out how the direct loan program with its cancellation features for teacher recruitment incentive purposes distinguished it clearly from other programs, and I concluded by saying in the course of making this legislative history:

> The Senator has nothing to worry about so far as continuation of the National Defense Education Act loan program is concerned.

The statement I made at that time was my best understanding of the intent of the committee and my thought as to the intent of the administration.

I wish to say that that was the intent of the administration at that time. We worked closely with the administration and with its educational officials in the Department of Health, Education, and Welfare on that measure.

As will be seen shortly in my speech, I am utterly surprised, filled with amazement, and aghast that this administration, in my opinion, is walking out on the commitment that I had the perfect right to make as the spokesman for this administration, as its manager on the floor of the Senate, when the insured loan program under title IV of the Higher Educational Act of 1965 was passed in this body.

I am therefore somewhat shocked to learn from page 428 of the appendix to the budget for fiscal 1967 that the private credit market is expected to supply loan capital through guarantee programs, authorized in the Higher Education Act of 1965, subsidized by the Federal Government, to replace the $190 million authorized in the title II student loan provision in the National Defense Education Act of 1958.

Such a suggestion will, of course, have to be reviewed by the legislative committee. It would be my hope that the Senate Appropriations Committee in funding the Labor-HEW programs for fiscal 1967 will provide full funds under the authorization for title II direct loans, if prior to the time the Appropriations Committee acts no new substantive legislation emanating from our committee has been signed into law.

The direct loan program of National Defense Education Act title II was designed to meet financial problems of low income students of ability; the guaranteed loan program was designed to meet the needs of youngsters coming from families in the middle income brackets. To replace the direct loan program by an insured loan program, if this is the intent of the Bureau of the Budget for reasons unconnected with education, demands, I think, that our legislative committee seriously reconsider the authorities we have given already in the insured loan program. It would be far better, if the desire is to make more efficient the operations of the Federal Government in financing undergraduate and graduate education, to make all student loans direct loans, thus insuring that all students regardless of family income have access to adequate sources of credit.

This actually would cost less in the long run than our present system whereby the Federal Government is subsidizing private lenders, since I am convinced that a direct loan of this type to the student category of citizen is one which will ultimately be fully repaid by the borrower. But in approving title IV of the Higher Education Act the committee recognized the problem faced by the Treasury with respect to revenue, and for the middle income student it included the title IV insured loan program authorities. In so doing, I again repeat what I said on September 2, 1965, that this would not mean in any way that we were abandoning the direct loan approach which has been so helpful to so many young people.

As I recall our discussions in committee, in our report, on the floor and in conference, our theory was that we were providing what might be termed a "cafeteria" approach to student financial aid. The direct loan program was complemented by the insured loan program; the work-study program and the scholarship program as well, contributed to the packet of financial aids which could best meet the needs of the youngster as determined by the youngster and the school he attended.

I recognize that there must be compelling reasons on the part of the administration for the course it has proposed in the budget for fiscal 1967 but I wish to serve notice that I, as one Senator, will be pressing in our hearings for full explanation and justification of the proposed action. I will want to have ironclad guarantees from administration witnesses, banking witnesses, and witnesses from higher education that this is a program upon which all are jointly agreed as being in the best interests of all students before I can in good conscience sanction it, and then only if I receive full assurances that every low-income youngster who now qualifies for a title II, National Defense Education Act loan will qualify and obtain one of the newer insured loans.

In order that we may have full information prior to our hearings upon the potential effect of the budget proposals upon student financial needs, I have asked the commissioner of education in a letter dated February 9, 1966, to furnish the subcommittee with certain data which I feel will be helpful to us. In my letter I said:

> I shall appreciate your furnishing the subcommittee at an early date with a list of the institutions of higher education, arrayed by State, which in fiscal year 1966 made initial advances to students and the amount of money so initially advanced for each institution. This table should also contain the number of students at each institution to whom initial loans under title II were made in fiscal year 1966, and the number and amount of supplemental loans made to students during fiscal year 1966 at that institution.

Mr. President, when this material is received by us we will have the basis upon which we can ask our questions of witnesses as to the assurance which can be given with respect to the students of the institutions in question that their education will not be adversely affected by lack of financial resources.

Mr. President, I ask unanimous consent to have printed at the conclusion of my speech, as an appendix to it, a compilation prepared by the Office of Education, setting forth on a State-by-State basis title II, National Defense Education Act, student loan estimates for fiscal year 1966. It will enable Senators to gage the dimensions of the program as it is now operative in their States.

There being no objection, the compilation was ordered to be printed in the RECORD.

(See exhibit 1.)

Mr. MORSE. Mr. President, I ask unanimous consent to have printed at this point in my remarks a letter and a resolution, dated March 1, 1966, from the Association of State Colleges and Universities regarding title II loans.

There being no objection, the letter and resolution were ordered to be printed in the RECORD, as follows:

ASSOCIATION OF STATE
COLLEGES AND UNIVERSITIES,
Washington, D.C., March 1, 1966.

Senator WAYNE MORSE,
New Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: The Association of State Colleges and Universities, at its annual meeting in Chicago on February 16, 1966, adopted a resolution calling for the extension and adequate funding of the National Defense Education Act student loan program. (The Association of State Colleges and Universities is comprised of 194 institutions enrolling approximately 1 million students.)

Presidents of member institutions attending the meeting expressed grave concern over the proposed termination of the National Defense Education Act student loan program and the substitution for it of a new guaranteed loan program. They felt the existing program should be continued pending an adequate trial of the guaranteed program to see if it, in effect, is capable of meeting the need of students who must borrow money in order to attend college.

In any event, early action by Congress is imperative because the colleges need to know what kinds of program or programs will be in effect so they can properly advise students and their parents without further delay.

I know that both the colleges and the students will be most appreciative of your efforts to resolve this situation at the earliest possible date. Please let me know if our association can be of assistance to you.

Cordially,

PATRICIA BLEDSOE
(For Allan W. Ostar),
Executive Director.

RESOLUTION, ASSOCIATION OF STATE COLLEGES AND UNIVERSITIES

(Recommendations of the committee on legislation, President James Cornette, chairman, February 16, 1966)

The Association of State Colleges and Universities' Committee on Legislation moves that the association take the following actions:

1. Endorse the current NASULGC position statement, "National Action Affecting Higher Education," with the provision that the following words be included at the conclusion of the first sentence of II, 3., (2), (3): "including degrees in education which qualify recipients to teach in the above fields."
2. Recommend to the directors of the Association of State Colleges and Universities that they work toward the issuance by ASCU and NASULGC of a joint position statement on National Action Affecting Higher Education.
3. Endorse the recommendations presented to the 89th Congress by the President of the United States for the strengthening of international education programs, and recommend to the Congress that the legislation implementing these programs make provisions for the participation of the ASCU member institutions.
4. Recommend to the 89th Congress of the United States the extension and adequate funding of the National Defense Education Act loan program.
5. Recommend to the 89th Congress of the United States the full funding of the college housing loan program.

TITLE III NATIONAL DEFENSE EDUCATION ACT CUTS

Mr. MORSE. Mr. President, while speaking on this point, I wish to digress for a moment to bring to the attention of Senators one additional area of budget recommendations for the financing of the National Defense Education Act which causes me concern. I refer to the recommendation that there be a $25 million cut in appropriations to finance the matching grant provisions of title III of the National Defense Education Act. These are the grants which are made to States on a matching basis for the aquisition of equipment in order to strengthen instruction in science, mathematics, foreign languages, history, civics, geography, English, reading, and economics.

Senators will recall that in the National Defense Education Act Amendments of 1964 and in the Higher Education Act of 1965, the title III National Defense Education Act instructional categorical areas were greatly broadened. It seems to me somewhat anomalous, at a time when demand is being expanded for services, for the Bureau of the Budget to recommend a curtailment in the funding provided to furnish those very services.

What is our national aim in providing financial assistance for educational purposes?

It has been my impression that we all agreed upon part, at least, or our national aims in education. It is that the Federal Government as a junior partner should use its resources to supplement but never supplant, State and local effort in all of our public schools. Unless I am mistaken the title III National Defense Education Act programs since their inception have steadily grown in acceptance by State and local school systems. My hunch is that we will find, when the testimony is presented to us, that all money appropriated in 1966 for this purpose has been asked for and is being used for the purposes of the title—and none of it is being wasted. I repeat: none of it is being wasted.

Given the new fields which have been added I would hazard the prediction that a full appropriation of the authorized amount could be used with profit to our children by the schools which they attend. A check made on February 28, 1966, with the Office of Education disclosed that some 26 States had requested a total of some $10 million additional money to meet their needs. Only one State indicated that it was able to release funds, and that only in the amount of $600,000.

In 1964, $44 million was appropriated by the Congress for this purpose. In 1965, $61.6 million was originally appropriated and a supplemental request of $8.8 million was provided for a total of $88 million, of which $79 million was appropriated. The authorization for fiscal year 1967 of $88 million remains, but in the President's budget it is indicated that only $54.2 million is requested—a 39-percent cut under the authorized amount. This in the face of a demand of more than $87 million.

Open the window and let the Great Society fly out. That is exactly what this administration, what this President, is proposing to do. I intend to put the responsibility right where it belongs: squarely on the doorstep of the White House and in the lap of the President.

I say to this administration: "I am the last Senator you ought to try doubletalk on. I am the last Senator you ought to ask to sit in that managerial seat at the center aisle to put through education legislation on your representations, if in the short period of time since it was put through, you recommend in your budget report, this kind of money cut for this educational purpose and the other kinds of educational fund cuts that I shall discuss this afternoon."

The President can let down the schoolchildren of America, but the senior Senator from Oregon will not. Let that be clearly understood this afternoon at the White House and in the Department of Health, Education, and Welfare. Let it be understood by the new Secretary of Health, Education, and Welfare, Mr. Gardner.

Under the great leadership of that incomparable President, John F. Kennedy, we started a breakthrough in the educational crisis. We cannot justify failing to give to the boys and girls of America every single dollar that we have authorized, because the Senate has heard me say so many times, as I have taken pieces of education legislation through the Senate, that, in my judgment, the educational crisis is one of the five most important issues that face this Republic in the field of foreign policy.

The greatest security weapon we have is the intellectual potential of our youth. We have got to see to it that the brainpower of our youth stays ahead of the brainpower of Russia and China. That is why I am talking about the greatest security weapon this Republic has. I am aghast and amazed that the President would let this budget come to the Senate with these cutbacks of money that is so sorely needed to meet the educational needs of the youth of this country.

What is the alleged justification for this course of action?

We are told in the budget nothing that I can find precisely on this point. I can only surmise that some budgeteer arbitrarily and perhaps capriciously reduced the title III amounts in order to make provision for other expenditure. I anticipate, however, that when justification is provided it may run along the lines of the rather threadbare argument that tremendous funds are being made available to schools under the provisions of Public Law 89–10, title I. Let us examine that line of reasoning.

First, to accept the argument would be, in effect, to admit that Public Law 89–10 is not to be used for its primary purpose of supplementing programs in schools having a high concentration of educationally deprived children. Rather, it is simply a supplanting of funds from one Federal program by another program in those schools.

Second, as in Public Law 874, we must remember that there are a great many schools in this country which do not qualify under Public Law 89–10 but whose children can with profit use the tools of instruction which can be purchased on a matching basis with title III National Defense Education Act funds. To reduce expenditures under title III of the National Defense Education Act would seem, therefore, a program whereby a middle-class school district is being called upon to take a reduced educational opportunity which does not even benefit the "poor Paul" school district.

I know there are many school districts which have not participated in title III National Defense Education Act programs because of economic pressures upon them which prevented their raising the matching funds. Surely the answer to this, however, is not to deprive those schools which have made the effort, but rather to ameliorate the terms of title III to provide for a larger Federal share in matching for the poorer districts.

I have expressed my concern to the Office of Education over this proposed cut in title III funds and, although it is properly an appropriations item, during the course of our hearings before the Education Subcommittee, I feel it only fair to say to the Office of Education, that I shall keep pressing the point to determine what professional factors, if any, are at the root of this reduced estimate.

Mr. President, I ask unanimous consent that there be printed at this point in the RECORD a State-by-State compilation of the grants to the States for acquisition of equipment under title III of the National Defense Education Act. The material was obtained from the Office of Education and shows the effect upon State allotments of the proposals in the budget to fund this important title at only $54,200,000, instead of the $88 million that is needed.

There being no objection, the compilation was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—OFFICE OF EDUCATION

National Defense Education Act—Title III—Grants to States for acquisition of equipment and minor remodeling

State or outlying area	1965 total obligations	1966 total estimated obligations ¹	Estimated 1967 allotment	Decrease
Total	$69,992,539	$79,200,000	$54,200,000	$25,000,000
Alabama	1,106,953	2,030,242	1,389,383	640,859
Alaska	135,000	96,882	66,300	30,582
Arizona	783,374	225,000	542,534	+317,534
Arkansas	774,901	1,077,890	737,647	340,243
California	4,749,714	6,247,648	3,540,459	2,707,189
Colorado	876,883	816,970	559,088	257,882
Connecticut	628,646	710,910	486,507	224,403
Delaware	135,574	137,073	93,805	43,268
Florida	2,005,855	2,315,638	1,584,692	730,946
Georgia	2,544,133	2,451,052	1,677,362	773,690
Hawaii	485,610	326,009	223,102	102,907
Idaho	307,914	399,254	273,227	126,027
Illinois	2,871,234	3,541,125	2,081,174	1,459,951
Indiana	1,677,895	2,080,004	1,423,437	656,567
Iowa	1,209,954	1,233,936	844,436	389,500
Kansas	911,408	970,548	664,188	306,360
Kentucky	$1,267,975	$1,500,000	$1,212,799	$287,201
Louisiana	1,903,377	1,500,000	1,430,856	69,144
Maine	339,186	240,182	328,734	+88,552
Maryland	1,322,373	1,287,627	881,179	406,448
Massachusetts	1,546,958	1,531,545	1,048,103	483,442
Michigan	3,321,154	3,871,254	2,478,181	1,393,073
Minnesota	1,643,409	1,648,202	1,127,936	520,266
Mississippi	600,000	1,200,000	982,047	217,953
Missouri	1,359,973	1,599,030	1,094,286	504,744
Montana	264,181	300,000	246,546	53,454
Nebraska	611,147	623,534	426,712	196,822
Nevada	92,120	102,797	70,348	32,449
New Hampshire	240,965	272,342	186,375	85,967
New Jersey	1,494,421	1,793,579	1,227,424	566,155
New Mexico	543,418	500,000	429,600	70,400
New York	4,496,945	4,868,259	2,989,389	1,878,870
North Carolina	2,591,662	2,813,997	1,925,740	888,257
North Dakota	353,223	362,964	248,392	114,572

See footnote at end of table.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—OFFICE OF EDUCATION—Continued

National Defense Education Act—Title III—Grants to States for acquisition of equipment and minor remodeling—Continued

State or outlying area	1965 total obligations	1966 total estimated obligations [1]	Estimated 1967 allotment	Decrease	State or outlying area	1965 total obligations	1966 total estimated obligations [1]	Estimated 1967 allotment	Decrease
Ohio	$3,801,315	$4,693,630	$2,869,883	$1,823,747	Virginia	$1,660,907	$2,000,000	$1,461,482	$538,518
Oklahoma	1,143,641	1,153,472	789,371	364,101	Washington	1,250,289	1,209,747	827,882	381,865
Oregon	809,193	787,606	538,993	248,612	West Virginia	1,119,235	1,031,462	705,874	325,588
Pennsylvania	4,237,149	4,491,895	2,902,913	1,588,982	Wisconsin	1,874,855	1,816,272	1,242,954	573,318
Rhode Island	282,713	314,007	214,889	99,118	Wyoming	146,864	159,552	109,188	50,364
South Carolina	1,441,158	1,577,873	1,079,807	498,066	District of Columbia	65,406	100,000	119,962	+19,962
South Dakota	362,883	388,225	265,679	122,546	American Samoa	0	0	985,455	454,545
Tennessee	1,600,000	2,075,005	1,420,016	654,989	Canal Zone	0	0		
Texas	3,577,171	4,500,000	3,605,934	894,066	Guam	12,500	50,000		
Utah	624,006	587,336	401,939	185,397	Puerto Rico	575,166	1,340,000		
Vermont	180,553	198,426	135,791	62,635	Virgin Islands	30,000	50,000		

---

[1] Amounts reflect anticipated reallotment of funds.

PUBLIC LAW 874

Mr. MORSE. Mr. President, a third item of concern to me, and I am sure to many Senators, relates to proposed changes in Public Law 874, the Impacted Areas Operation and Maintenance Act. A committee print is available in the Senate Committee on Labor and Public Welfare office which details the effect of the proposed amendments in terms of the decreases in funds affecting each of the participating school districts.

At a time when there is a great concern on the part of many over the effect of various Senate hearings upon the morale of our fighting men in Vietnam, I find it quite difficult to accept with equanimity, a proposal which would have the effect of cutting the funds available for the education of the children of these troops. Yet, this is precisely what will follow if my mail on this subject is to be given credence.

The alternatives faced by school districts throughout the country which are charged with the responsibility of educating federally connected boys and girls, according to my correspondents, will in far too many instances be a curtailment of the services provided, or an increase in local taxes to a burdensome degree, if, indeed, that alternative is available.

Why? First, because the legal remedies open to such school districts in terms of raising funds to replace those reduced, in many instances cannot be invoked in sufficient time to meet the needs of the school year starting next September. Budgets for next September in my own State have been prepared in a great many instances in the expectation that funds from Public Law 874 sources would be available. Some of our school budget elections are being held in April. Most of them will be held in May.

I can foresee that should this cut be sustained in the Appropriations Committee, in State after State it may become necessary to convene, in special session, legislatures to provide the additional replacement funds, or, failing that, school superintendents will be left with no alternative but to reduce expenditures by any means possible.

Thus, in such schools one can only expect a deterioration of the quality of education provided. One of the school superintendents in my State has advised me as follows:

> Your recent communication revealing the administration's recommended changes in Public Law 874 came as one of the most discouraging announcements we've received in the 12 years the people of this district have earnestly tried to provide educational opportunity to the children of workers on Federal projects. Nearly one-fourth of this district's 1,200 youngsters are federally connected, and to reduce the Public Law 874 contribution of $56,000 to only $36,000 would be something of a slap in the face, as well as a blow to the already burdened local taxpayer.
>
> Why in the name of commonsense would an education-oriented administration scuttle a Federal aid program that was founded on the belief that the U.S. Government should assist local school districts meet the educational needs of migrant children whose fathers build our Nation's great Federal projects? Why would an administration that sincerely (and successfully) engineered the greatest educational achievement of all time suddenly turn its back on the thousands of local school districts that reel under the burden of providing migrant children of Federal workers with the quality of education they so richly deserve? Please remind those who look upon the modification of Public Law 874 as a savings plan that a tragically high price will be paid by children for the $163.6 million decrease in our national budget.
>
> In the event that this district were denied its full allocation under Public Law 874 after June 1, the impact of such a loss would be that of reducing services or eliminating existing programs. There would be no way of collecting funds from any other source.
>
> Funds lost in the event our Federal Government decided against sharing the cost of educating children of Federal construction workers would be compensated for through an increase in the ad valorem property tax at the district level if they were to be replaced at all. In other words, the local taxpayer would be required to pay an even greater share of the cost of educating impact children, and you should be aware of the fact that the present formula does not begin to compensate local districts for the full cost of educating these migrant youngsters. At best, our district receives approximately one-third of the cost of educating these youngsters at the present rate of reimbursement. Reducing the Government's share seems unthinkable.
>
> Twice during the past 12 years this district has shouldered the load of educating a massive impact of federally connected youngsters while, at the same time, trying to do justice to resident youth. The board and the Oregonians it represents have been given some help, but, as you will recall from our previous communications, the unfortunate "lettering" of the statutes made it impossible for us to receive Federal aid under Public Law 815 and pushed upon us the responsibility of building new schools to house John Day Dam workers' children without 1 penny of Federal aid. Now, 874 is being scuttled in the name of economy. Please don't let this happen, Senator MORSE.

Another superintendent has told me:

> I am very happy to respond to your inquiry concerning Public Law 874 funds which are now a part of our school district operating budget.
>
> My estimate of 1966–67 funds which might accrue from the present Public Law 874 distribution formula is $10,450. This is almost identical with the estimate which you received from the U.S. Office of Education.
>
> The new proposed formula would to all practical purposes wipe out the entire resource and so we would face a loss of $10,000 in revenue. What might be done to replace it?
>
> Let me itemize our present dilemma. In the 1947–48 school year the basic school fund of the State of Oregon contributed 36 percent of the operating funds of Oregon's schools. In the year just closed the basic school fund of the State contributed only 27 percent. To fill this void our local property taxes have increased on both county and local levels.
>
> For the coming year our budget committee is already faced with a county loss of income of some $20,000. The reasons for this loss are complex, but the loss is due to equalization on offset formulas. In addition we are faced with bringing the bachelors salary base up to $5,100. We are therefore facing a budget increase of some $31,500 or an increase of 12.8 mills to cover the increase and the budget plus present projected losses.
>
> Warrenton taxes are already in the top 5 percent compared to State averages. We have six local tax codes. For example, tax code 30–3 for the present year is 135.2 mills. This combined with a 4.3 State relief millage nets 130.9 mills. Of this amount the combined county and local millage for school purposes is 75.9 mills.
>
> For this tax code, then, for the ensuing year would mean an increase of 12.8 mills to provide for the present budget with its estimated losses in income, this then would be further increased by 4.25 mills to provide for the loss of 874 revenue. Total tax millage for the ensuing year then for code 30–3 would be 147.95 mills. It is most apparent that property will not absorb these losses of income. I can state without equivocation that should we lose Public Law 874 support it will not be made up by any source now known to us at the local level. Our budget is approved in its entirety at school election the first Monday in May. Estimated revenue for Public Law 874 will be included. If it is removed at a later date we will of necessity have to do without it.
>
> Our children will suffer now, let alone without Public Law 874 loss. We cannot help this state of affairs. State commitment is subjected to heavy political pressure and each succeeding legislature attempts to alter existing distribution formulas to favor the rich and starve the poor.
>
> On the county level political pressure is intense, and as a result in Clatsop County a good portion of our taxable wealth is scheduled to support the Columbia County Inter-

mediate Education District levy rather than that of Clatsop County. This represents a gross miscarriage of justice. There is some possibility that future years will rectify this error.

On the Federal level I am sure the same starvation diet would be forced upon the poor. Our board has previously forwarded to your office a resolution supporting the present philosophy of Public Law 874. This letter will provide information on grassroots impact.

In all seriousness, Senator Morse, there is no sin in using a Federal dollar to support the bread-and-butter diet of our Nation's schools. The philosophy that all Federal funds must be designated for special projects beyond current local commitment is a shortsighted philosophy.

We appreciate your firm stand in support of education, and we are aware of the responsibility you have in dealing with the new proposals for Public Law 874.

With best wishes for your success in preserving intact the one small Federal commitment that has been made to the regular operating budget of Oregon schools.

These two letters are representative of the replies I am receiving from the 69 school districts in my State which are adversely affected by the proposed amendments. The questions raised in these letters and problems posed to local school boards which they illustrate, render it imperative that the most careful scrutiny be given to any amendment which would have the effect of reducing this program which enjoys such solid popular support.

LAND-GRANT COLLEGE CUT

I earlier brought to the attention of Senators the concern expressed to me by the great land-grant university of my State over the item appearing on page 426 of the appendix to the budget eliminating for fiscal 1967 an $11,950,000 item to fund the act of June 29, 1935, for further endowment of colleges of agriculture and mechanic arts.

Here, again, I can find no justification in the budget document for the proposed slash in funds which will remove over $200,000 in the operating budget of Oregon State University at Corvallis. Since there is no concomitant cut affecting only the private segment of higher education, I can only infer that for some reason the Bureau of the Budget has decided to penalize our great public system of colleges and universities through elimination of this relatively small item in the budget.

Since this is a general program support item, albeit categorical in nature, other programs under other legislation cannot effectively be utilized in its place. There is nothing that I can recall in the legislative history of the Higher Education Act which would give any sustenance to the thought that this was part of our intent in passing either the Higher Education Facilities Act of 1963 or the Higher Education Act of 1965. Because a program has been successfully operated since 1935 with no problems connected with it is no warrant, in my judgment, to eliminate it now.

Mr. President, I ask unanimous consent that certain excerpts from correspondence with presidents and officers of land-grant colleges relative to the budget proposals eliminating funds for further endowment of those institutions and for cutbacks on agricultural research funds be printed in the Record at this point. These excerpts, to my mind, portray most vividly the great and continuing concern of the academic community over these proposals.

The PRESIDING OFFICER (Mr. Pell in the chair). Is there objection?

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

The gigantic shift from formula grants to a project-type aid has not worked out very well. The larger institutions with more specialized faculty and equipment have received the lion's share of the project grants. Then too, universities the size of those in Rhode Island and the University of Delaware have a much more difficult time in attracting and holding quality faculty when funds to support them—and their concern is for security—come on a project-by-project basis. Please do what you can to continue the Morrill-Nelson funds on the same basis as in previous years.

President John A. Perkins,
University of Delaware.

The proposed reduction in teaching funds is the equivalent of at least 22 faculty members and 375 or more students.

The reduction in research funds will make it necessary to curtail, and possibly discontinue, work on problems of importance to agriculture in the State. One solution would to be to discontinue certain areas of work, another would be to reduce by 40 percent the number of graduate and research assistants currently employed to assist the research faculty.

The transfer of part of the extension funds to a project allocation basis places the Federal Extension Service in a position of greater control of State programs. This transfer of control is not in keeping with the cooperative relationships that have existed for many years. The shift in funds could result in a reduction of about 10 positions on our Extension staff.

No advance notification of the reduction in teaching and research funds or the shift in extension funds was received.

The 1966–67 legislative budget requests for the University of Maryland was submitted to the State some months ago based upon the funds received for the 1965–66 year. Orderly planning in cooperative programs is not possible when sudden changes are made at the Federal level without notifying the States.

President Wilson H. Elkins,
University of Maryland.

None of these funds, as you know, come to support any programs at Indiana University, but they do support programs at Purdue. These are the original grassroots programs which generated an agricultural revolution that now enables 8 percent of our population to feed the rest of us. Cutting back the teaching funds and the agricultural research funds and reallocation of the cooperative extension funds is to knock all three legs off the old milk stool.

As you may also know, this university and I, personally, have had a particular concern for the underdeveloped opportunities for Negro students in the South and are engaged in a continuing search for ways to strengthen the institutions of the South including the Negro land-grant institutions. The impact of the proposed budget cuts and shifts upon these institutions can be well-nigh disastrous.

Even with the great land-grant institutions, like Purdue, the budget impact will be unrecoverable, and budget cuts in education simply means cuts in teachers and programs and opportunities and quality.

Indiana University is concerned for her sister institution and, more broadly for the continued confidence of the people and their government for these "people's" universities and the job they perform along with us in taking educational opportunity to the grassroots. We are concerned with actions which weaken their efforts or render them unable to continue their leadership.

President Elvis J. Stahr,
Indiana University.

To Utah State University the above actions would reduce Federal support to educational programs from $221,169 to $50,000, or a total of $171,169. Utah Agricultural Experiment Station Hatch funds would be reduced by 20 percent, or $84,471. Cooperative extension formula funds would be cut by $64,900.

These cuts would be extremely serious because these Federal funds have been assured in continuity by historical events and numerous public statements in congressional hearings and the language of the laws of authorization. These cuts have been announced without warning, and have come in the middle of our State biennium when it is not possible to secure supplemental emergency assistance.

We firmly believe program needs for teaching, research, and extension can be better determined at the State level than in Washington. The procedures and practices used in allocating and administering Federal funds in the several land-grant university programs have been heralded as a practical model for Federal support of education and research activities. Repudiation of these historic relationships is a damaging blow to an important part of Federal-State relationships.

President Daryl Chase,
Utah State University.

In Connecticut the reduction proposed for the Storrs Station totals $45,994 of $295,186 in Hatch funds available for this fiscal year, and a total Storrs Station budget of $787,186.

Impact of the proposed cut of $45,994 would be felt by 41 research projects involving 75 research workers (a considerable number on tenure) and other personnel. If the cut you propose materializes, we will have no alternative to releasing some staff members, and cutting expenditures for needed supplies and equipment; these would be the effects on an overall research program which, in our judgment, does represent investigations of high priority.

President Homer D. Babbidge, Jr.,
The University of Connecticut.

This is in reply to your letter of January 28 concerning proposed changes in the budget of the cooperative extension service for 1967. You mention your desire to maintain the same high degree of freedom for local program determination concerning the needs of the people of each State. You mention also the necessity to help people develop their own communities through the resource development program and the need to fortify work with the lower income people. With both objectives we agree.

Nebraska, however, like many other States has already been doing a great deal of self-analysis and revision of its extension programs. We have already shifted staff emphasis to a considerable degree toward area specialization, community development, and leadership training. It is our feeling that the people of the State who are interested in extension work will resent the further shifting of resources away from agricultural production, management, family living, and marketing in order to meet some of the new challenges. Furthermore I should like to emphasize that State and county governments have increased their support for extension programs at a faster rate than has the Federal Government during the past several years.

Chancellor Clifford M. Hardin,
The University of Nebraska.

There are several other aspects to this proposed change which should also be noted. For cooperative extension programs to be effective, program plans extending over a period of several years must be made. When Federal funds are allocated on a formula basis there is an assurance of continued funding, even though the level may vary from year to year. If funds are to be distributed yearly on a project basis, however, there is no way long-range plans can be made on such a short-term funding basis.

From the time cooperative extension work was started it has been a cooperative effort involving Federal, State and local interests. Programs are planned locally and are directed towards the solution of problems identified by local people in cooperation with State and Federal personnel. This involvement of local people has been one of the greater strengths of cooperative extension and we are strongly opposed to weakening this system by having funds allocated on the basis of program determination made in Washington.

Formula funds require 50-50 matching by State or local funds. It is my understanding that $10 million proposed to be distributed on a project basis would not have to be matched. Consequently, there is a very real possibility that this proposal could result in the total funds available for cooperative extension work being reduced through the loss of matching State and local funds.

President Elmer Ellis,
University of Missouri.

Iowa State University's share of these funds amounts to approximately $265,000 per year. These funds are earmarked for institutional purposes and are used in helping to pay the salaries of many of our teachers in the basic academic fields. If these funds are lost to us, our institutional program will be seriously jeopardized. Since the Iowa State Legislature does not meet until 1967, there is no way for the State to make up this serious deficit in our teaching funds for next year.

President W. Robert Parks,
Iowa State University.

It would appear to us that this proposal is premature in the light of the recent cooperative effort of the Department and the State agricultural experiment stations' long-range planning effort. While this study is underway, it is not operational. It would, therefore, seem unwise to impose a serious financial restriction which jeopardizes the very basis of a successful operational system at a time when a procedure for evaluating direction and priorities is underway. The principles embodied in the Morrill, Hatch, and Smith-Lever Acts provides for joint planning by the U.S. Department of Agriculture and the States.

W. Robert Parks,
President, Iowa State University.

Translating these proposed cuts to university budgets:

1. Land-grant teaching funds allocated to Arkansas would be reduced from $242,455 to $50,000, a total reduction of $192,455, representing a reduction of $140,333 in support of the current university budget and $52,222 of the budget of Arkansas A.M. & N. College.

2. Agricultural research funds allocated to us for many years on a formal basis and used in the present budget for our experiment station would be reduced by approximately $150,000. The failure to find the authorized program of construction of agricultural research facilities in Arkansas by $42,000.

3. Approximately $200,000 now incorporated in our current budget will be cut from the formula based allocation to the agricultural extension program in Arkansas, and will be awarded competitively on a nationwide basis. Therefore, there would be no assurance that any of these funds would come to Arkansas.

In summary, these proposed cuts could reduce the Federal support of ongoing programs of education and agricultural research and extension in Arkansas by approximately $600,000. As opposed to such a reduction, we believe that the crucial importance of our program for Arkansas and the Nation, and the imperative need to raise salaries to a level which will enable us to retain and to recruit faculty, strongly support an increase in the previous level of Federal support.

Apart from their impact on the operating budget of the university, these drastic cuts could signal the demise of a historic relationship between the land-grant colleges and universities and the Federal Government which has proved to be so fruitful to the Nation, to the States, and land-grant universities. The continuity and the degree of institutional responsibility that have characterized these appropriations over the years are in real jeopardy. The proudest example the Nation has of Federal-educational partnership is endangered—a partnership which is serving as a model in many countries of the world.

David W. Mullins,
President, University of Arkansas.

Teaching funds would be cut $11,950,000; $165,032 for North Dakota State University.

Agricultural experiment station funds woud be cut $8,500,000; $92,784 for NDSU. Additionally funding of Agricultural Research Service projects underway on our campus are slated for a cut of $124,600, involving five projects conducted cooperatively with our agricultural experiment station.

Cooperative Extension Service funds are to be held to their 1966 level in total, but $10 million of formula allocations are to be made available to the States on a project grant basis. This means a reduction of formula funds of $120,700 for our Cooperative Extension Service.

It is true that both the Extension Service and the experiment station could—and will—submit proposals for project grants from the $10 million of one-time form funds in extension or from the increased ($2,910,000) funds funded for project grants in experimental stations. It should be pointed out, however, that, there is no assurance that schools such as ours would recoup all funds lost by means of additional project grants. We find little solace in Washington's suggestion that its many other new, admittedly valuable, forms of aid to educational institutions are a compensation; we note that research grants particularly go in largest measure to a limited number of universities. Furthermore, the sudden removal of funds will require that we abandon or deemphasize many important and essential lines of work in addition to the low-priority projects the USDA thinks it will help us eliminate through this painful process.

All in all, NDSU stands to lose next July 1, 1966, about $378,500 of funds which have become traditional in its financial structure. In terms of personnel, all ranks considered, this is about 40 people engaged in teaching, research, and extension. It is the equivalent of about one-tenth of the operational budget of the agricultural experiment station plus one-third that of universitywide resident instruction, plus over one-fourth of Cooperative Extension. We are at a loss to understand how, after so drastic a paring of our resources, we could respond to the Federal Government's call for increased attention to programs of high priority including those emphasizing the war on poverty. Applying for and succeeding in obtaining project grants is an answer, but not a very helpful one if the usual delays in setting up procedures and gaining approvals are encountered here.

There remains one other problem. We do not know whether the North Dakota Legislature would provide us with sufficient funds to cancel out the funds lost if the Federal budget is approved as presented. Any such help would come too late since the legislature does not meet until January of 1967 and our problem begins this summer and fall when we must decide on whether our research program should be curtailed, and whether we should admit the increased number of students who will want to enroll at NDSU. Coming in the middle of a biennium, a worse time could not have been picked for a downward adjustment in Federal appropriations to the land-grant institutions.

H. R. Albrecht,
President, North Dakota State University.

Included in the budget now before the legislature are increases in salaries for faculty to encourage retention of faculty and to recruit additional needed to teach additional students. These figures of course assume that Federal funds will be received for teaching and research in undiminished amounts. To diminish the salary fund for next year will compound already very difficult problems of retention and recruitment of faculty and competent graduate students who assist in laboratories for both research and instructional purposes. For example, today we have 35 graduate assistants on Hatch funds alone. We have a number of teaching assistants which would have to be curtailed drastically if our salaries budget is reduced. We can ill afford to reduce the number of qualified graduate students because not fewer but a greater number of scientists are needed for future research.

The record of success in education, both teaching and research, in land-grant institutions is one of the great achievements of mankind during the past 100 years. The pattern has been established, and continued support in substantially increased amounts is well justified by the accelerated increase in population in this country and by our commitments, both at home and abroad. The Federal Government is certainly ill advised to practice economy in this area at this critical time. It is my earnest hope that the Congress will find it possible to restore these unfortunate cuts that are recommended by the President.

President Richard A. Harvill,
The University of Arizona.

These moneys have been an integral part of our funding of the university budgets since the original act—Morrill (1862), Hatch (1887), and Smith-Lever (1914)—were enacted. The proposed reductions were made without prior notice and after our budget had been defended before both appropriation committees of the State legislature.

Dean Harold E. Myers,
College of Agriculture,
the University of Arizona.

However, your proposal for the 1967 budget, in which Cooperative Extension Service proposes to earmark $10 million of existing program funds for specified purposes, leaves no recourse but for us to view this as an unwarranted exertion of Federal control over programs of work which are agreed as being developed, established and led by the cooperating States.

President CHARLES J. ARMSTRONG,
University of Nevada.

This proposed reduction would mean that the University of Nevada would have $50,000 in fiscal 1967 instead of the $206,781 it has been receiving and has already budgeted for next year. The President's proposal to reduce resident teaching funds is the first such recommendation sent to Congress since passage of the Second Morrill Act in 1890 and, is, therefore, entirely unprecedented and we are completely at a loss to understand any justification for it.

The University of Nevada's 1966–67 budget is only 5 percent more than for the current year because of a reduction made by the legislature in 1965 in our State appropriated moneys. As you may know the university has requested a supplemental appropriation by a special session of the State legislature this year but the prospects for a special session appear very dim. This proposed $156,781 reduction in the university's operating budget assumes, therefore, the magnitude of a disaster. This reduction represents the equivalent of approximately 19 assistant professors at the current average salary. Consequently, therefore, if the cutback proposed in the President's budget holds up, we will be forced to eliminate all proposed new faculty positions on both campuses of the university for next year and, in addition, we will have to make drastic reductions in teaching and in scientific equipment and library books on both campuses. This will have to be done in the face of an anticipated enrollment increase in the fall, 1966, of about 14 percent for the university as a whole.

President CHARLES J. ARMSTRONG,
University of Nevada.

Two letters from Secretary of Agriculture Orville Freeman, which are carefully worded double talk. He talks of supporting both agricultural research and extension and how he wants them to be efficient and effective, but for a considerable part of the work, his office in Washington will make the decisions as to what is efficient and effective. In 100 years of land-grant educational experience based on solving the problems of agriculture and based on the farmers' problems themselves, no such move has ever previously been suggested. In a sense it is a move in the direction of the failing program of centralized agriculture in Russia and away from the successful program of decentralized and farmer-oriented research and extension in America.

President R. B. CORBETT,
New Mexico State University.

This action comes at a time when our institutions are attempting to make faculty arrangements for the coming academic year. As I reported to this board in September, some adjustment in student fees effective with the 1966–67 academic year is almost inevitable. It has been my hope to keep that increase as modest as possible and in concert with what I believe to be the role of the State university. It would take no less than $10 per year per student just to cover the anticipated loss from land-grant funds exclusive of the other problems that must be met by such fee increases.

Finally, in States that have biennial sessions of their legislatures, this anticipated action on the part of the Federal Government comes at a time when the States, except through special session, cannot very well come to the rescue of the land-grant institutions.

President NOVICE G. FAWCETT,
Ohio State University.

These funds, available under previous appropriations in accordance with the intent of the Congress, have provided firm support for our teaching, research, and cooperative extension efforts. The loss of the funds indicated will force us to curtail our efforts, to cut personnel from our employment, and to become less effective in our service to Virginia. Today, with Virginia surging ahead on all fronts it is a severe setback that its land-grant university, VPI, should be forced to reduce its efforts in support of the Commonwealth.

Today, as never before, Virginia needs expanding services from its land-grant university in teaching, research, and extension educational programs to assist it in making adjustments to meet the challenges and opportunities that face the State.

President T. MARSHALL HAHN, Jr.,
Virginia Polytechnic Institute.

The proposed cut in Federal support of the land-grant colleges can be interpreted as a departure from the historical relationship between the Federal Government and institutions of higher learning.

We believe that just the opposite should be the case and that larger amounts of Federal funds should be made available on a continuous and predictable basis, whereby these institutions can plan their operations.

President R. C. GOODWIN,
Texas Technological College.

In addition to the reduction in teaching funds, the reduction in experiment station funds will be most serious and in our agricultural States it strikes me that it is a move in the wrong direction. These two blows in themselves are bad enough, but then there is the reduction in extension funds. Certainly, this is going to call for considerable cutting back in the program. I understand that there will be grants made to the States; but it is most difficult for a director to plan worthwhile programs if he must go hat in hand and ask for grants to maintain staff. Worse than that, you lose staff and then the grant comes along and you must go into the market and hire new staff. This seems like a very backward approach and one that is diametrically opposed to the well-established working relationship that we have had between the Federal Government and our land-grant universities.

President H. M. BRIGGS,
South Dakota State University.

Policy changes indicated in the budget would produce these immediate effects, the regents said:

1. Reduction (practically elimination) of land-grant instructional support at a time when enrollments are increasing at their greatest rate;

2. Singling out of agriculture for the major reductions though agricultural progress remains one of the world's primary problems;

3. Substitution of project support for general research support—to some extent substituting Washington judgments for Wisconsin judgments;

4. Loss of university flexibility in instruction, research, and extension programs; and reduction of the university's ability to originate programs of special importance to its State;

5. Virtual abandoning of the Nation's most successful and traditional (dating from Abraham Lincoln) system of Federal support for higher education.

The board also adopted these basic principles in regard to Federal support of the university:

1. We seek balanced support for instruction, research, and extension; for the humanities, the social sciences, the natural sciences; for basic work as well as applications, both the practical and the theoretical; for all campuses and all fields of human endeavor;

2. We seek shared programs with Federal, State, and (where applicable) local contributions and control;

3. We seek major institutional support, along with project grants, to enable the university to build and to continue programs best suited to this university and most useful to this State.

BOARD OF REGENTS,
University of Wisconsin.

The three recommendations which cause me concern are:

1. Land-grant teaching funds have been recommended for a cut of $11,950,000. In Alabama, Auburn University has received $182,477 from last year's appropriation of $14,500,000, while Alabama Agricultural and Mechanical College received $95,170, or a total allocation of $277,647. Under the new recommendation this State would receive a total of $50,000 for both institutions. This would mean the loss of about 30 positions or more in our institutions.

2. Agricultural research funds have been recommended for a cut of $8,500,000. It is my understanding that a portion of this cut would be transferred to research programs at predominantly Negro institutions. I am firmly in favor of developing research programs in these institutions but cannot see the economic reasoning behind stopping projects now underway in other institutions in order to obtain funds to start projects somewhere else. Auburn University stands to lose $154,803 if this recommendation prevails. Our only recourse would be to curtail our agricultural research program and release some of the scientific personnel on our staff.

3. Ten million dollars would be shifted from the Cooperative Extension Service funds now allocated to the States and would be allocated "competitively" by the Agriculture Department in Washington. In other words, the historic determination of extension needs which now resides at the State level would be breached, in that a portion of extension funds would be released only as grants from the Department of Agriculture. The implications of this change from cooperative consultation to Federal direction are disturbing, to say the least. The State of Alabama through the Cooperative Extension Service of Auburn University would lose $248,700 of their present funds. How much of this would be returned by the Department of Agriculture in the form of grants is, of course, unknown.

While we are, naturally, concerned with the loss of these funds we feel also that the failure to restore them could be the beginning of the end in the historic relationship we have had with the Federal Government. Since the beginning of the land-grant college program the continuity of funds and the degree of institutional responsibility for their allocation characterized this relationship. The land-grant college relationship has been used as a model for other Federal programs of aid to education. The across-the-board modification of our institutionally related programs, at a time when Federal support of higher education is being increased in federally selected categories, can only open the way for less institutional autonomy in meeting local needs.

President HARRY M. PHILPOTT,
Auburn University.

We strongly believe that the decision for specific extension program determination—within the broad purposes of the law—should rest with the State extension service. We are convinced that the success enjoyed by the extension service programs have been accomplished with a maximum of institutional independence through a decentralized decisionmaking process. The proposed transfer of funds would materially modify this time-tested philosophy.

President W. ROBERT PARKS,
Iowa State University.

The following immediate effects of the Budget proposals are evident:

1. Virtual elimination of land-grant instructional support at a time when enrollments are increasing and when many other Federal programs in education are being initiated or enlarged.
2. Singling out agricultural research for major reductions at a time when agricultural progress is one of the world's primary problems.
3. Substitution of project support for formula grants, which means substituting Washington judgments for institutional autonomy. This means also loss of flexibility in originating programs, in research and extension, of special importance to the States.

Together these changes constitute a fundamental alteration in, if not a complete abandonment of, the Nation's most successful system of Federal support for higher education.

President DAVID D. HENRY,
University of Illinois.

We are further distressed by declines in Federal assistance for research at State institutions (Hatch funds). A decline of 18 percent in this assistance, totaling $190,000 for the Minnesota Experiment Station, is outlined in the new budget. The effect on tenured personnel and their research could create chaotic situations. We feel dutybound to impress upon you the adverse effect the proposed reductions would have on research work that is critical to the State and the Nation. A reduction in agricultural research funds at this time, when world attention is being increasingly directed to a world food crisis, seems particularly incongruous to us.

My conversations aimed at discovering motives behind this change in policy from formula support of research to grant support of research have troubled me. The implications seems to have been that the grant research in space science or under the National Science Foundation has been more successful than agricultural research. I am a great admirer of what has been done by these Federal agencies and what has been done by the National Institutes of Health. But as a historian I think the record is clear: American achievements in agriculture are our most impressive achievements and perhaps our strongest weapon against propaganda of Communist countries. Our agricultural progress has been based upon agricultural research that has been supported through the Hatch Act formula. I find it hard to understand why Federal policy would want to abandon a clearly successful policy which has given us unquestioned leadership for other policies where our leadership is still in dispute.

Proposed changes in the administering of cooperative extension funds worry us as well. Suggested changes call for a shift in $10 million in support from institutional allocation by the Federal Government. We feel this suggested shift does an injustice to men administering our agricultural extension programs. We are particularly proud of the ability of our Minnesota Extension Service to gage correctly the needs of the people of the State and devise programs to serve these needs. We do not favor the change. We want you to know, however, that our position is based upon the nature of funding and not upon the direction of proposed program adjustments. As you know, the University of Minnesota has been a leader in the development of community and resource development programs.

President O. MEREDITH WILSON,
University of Minnesota.

It is my purpose to express to you grave concern over proposed cuts in Federal appropriations for instructional programs in the land-grant institutions as revealed in President Johnson's 1967 budget. Cuts proposed would deal a crippling blow to the instructional programs of the University of Minnesota.

It seems incongruous that this proposed reduction of Federal support should come at a time when the Federal Government seems to be seeking acceptable ways to help meet demands for expansion of instruction on university campuses. Our own institution, for example, has experienced a doubling of enrollment in the past 11 years. Undergraduate enrollment has increased sharply from over 20,000 in 1954 to more than 42,000 in 1965. Our concern becomes even more pronounced when we recognize that the total number of college-aged youth in the State of Minnesota has risen from nearly 167,000 in 1954 to over 232,000 in 1965. During the same period persons attending colleges in Minnesota have risen from over 38,000 to over 90,000 with projections calling for further increases in the years ahead. In light of projections of continued increases in Minnesotans desiring college training, and in light of the significant proportions of these people served by the University of Minnesota, we are alarmed by the suggestion that Federal instruction funds be curtailed. Clearly such a curtailment would markedly impair the ability of this land-grant institution to serve the educational needs of the State and the Nation.

President O. MEREDITH WILSON,
University of Minnesota.

We at Purdue University were deeply disturbed by the proposal to reduce the Hatch Act funds by $8.5 million, even if the supporting funds for the Cooperative State Research Service for project grants are increased by $4.9 million. This substantial impairment in experiment station research funds will seriously impair the Purdue station's ability to continue its total research program—particularly in view of the increasing costs of performing fundamental, basic agricultural research—at a time when successful agricultural research is the only way we know to attack the rapidly approaching world food crisis. We have more high priority research problems and needs for Midwest agriculture than we can staff and support now.

Speaking very frankly, this is one of the most penny wise and pound foolish proposed budget reductions that we have seen in a long time.

The specific earmarking of Cooperative Extension funds is likewise of deep interest to us. For your information, one-third of our current contacts in agriculture, home economics, and youth programs are with people who would be classified as low income. Our county extension administrators commit 40 to 80 percent of their time on an organized basis to community development and 15 percent of our total staff effort is specifically committed to these people and related problems.

In recent years we have intensified our efforts to the point that more than 10 percent of our total extension staff effort is specifically with lower-income people. One-fourth of our cooperative extension effort is committed to community development and lower-income projects. Therefore, we are currently directing twice as much effort to these programs as you suggest on a matching basis (we are currently spending $1,200,000 per year). If earmarking of funds for agriculture had been an earlier established policy, for example, it would have prevented Indiana from concentrating on these problems in the significant fashion that it has for a number of years. We are pleased to note that the U.S. Department of Agriculture now feels this would be an important problem.

While we are seriously concerned with the reduction in Hatch funds, we are even more concerned that converting Smith-Lever and Hatch funds to a project-grant basis will put the management of this portion of the funds and the decisionmaking for research and extension programs entirely in the hands of the administrators in the Department of Agriculture and take these functions away from the people on the operating front in the land-grant universities.

Your letter (Secretary of Agriculture) indicates that new money has been specifically earmarked for soybean research because it is a high priority item. I respectfully call your attention to the fact that several years ago the Purdue station recognized the high priority of this crop, submitted a project to CSRS for grant support, and was advised that work on this crop was not on the CSRS priority list (tobacco was).

President FREDERICK L. HOVDE,
Purdue University.

This proposal would reduce the University of Tennessee's annual allocation for resident instruction from $233,187 to approximately $30,000 and would take away funds to pay 20 or more faculty members who are badly needed to meet rapidly rising enrollments. The university has no hope of replacing the $200,000 with State funds since our 1965–66 and 1966–67 State appropriations are fixed. Also, the proposed change in land-grant appropriations comes as a complete surprise since no reduction has been recommended to Congress since 1890.

President A. D. HOLT,
University of Tennessee.

Of our operations, the first major function to be hit is the very heart of our instructional effort, namely, the undergraduate teaching program. It is here that the action proposed in the executive budget is inexplicable to us. Since the year 1890 these so-called land-grant endowment funds have been available on a continuing appropriation in an amount which, as late as the year 1960, was adjusted by unanimous action of Congress to allow for the long time upward trend in the price level. To quote the language of the original legislation, these funds were for the continued endowment of the instructional program at these institutions for the purpose of placing them on a firm instructional foundation for as long as this Nation shall live.

For all these years the Colorado General Assembly has, when making its appropriations to CSU, taken into account the fact that we are to receive these funds. Currently our land-grant allotment is $241,689. This would be cut to $50,000. The cut of $191,000, plus, made at the 11th hour after the General Assembly has already acted on our money bill would simply murder us, to speak plainly on this subject.

In testimony that will be presented by the National Association of State Universities and land-grant colleges, this proposed reduction in research and extension funds, will, I believe, be referred to as the spigot theory. Under this theory one simply turns on the spigot when research results are needed and results are expected to flow forth. Then the spigot is turned off until more results are needed. The theory assumes that standby ability to serve can be maintained as easily in the form of faculty members, research workers and graduate students as it is in a fire extinguisher hanging on a wall. Were it not for the unfolding world food crisis and the prospect for telling leverage that American calories can give to American foreign policy, these proposed budget cuts might be understood.

President W. E. Morgan,
Colorado State University.

According to information received, if the proposed budget reductions are approved by the Congress, the Agricultural Research Service would be forced to close out or cut back significant projects at a number of experiment stations. In Washington these would include:

1. Elimination of the U.S. Department of Agriculture's Western Wheat Quality Laboratory with headquarters here, amount involved, $81,000.
2. Cereal disease work at Pullman, cut back by $15,000.
3. Plant physiology, genetics, and breeding program at Pullman, cut back by $14,300.
4. Elimination of sugarbeet-disease-insect-vector research at Yakima, amount involved, $30,000.
5. Substantial reduction in barberry eradication, amount still in question.

This is a total reduction in excess of $141,300 for Department of Agriculture research at the university's agricultural research center and at Yakima.

If these proposed reductions in research funds and the shift of extension funds are approved by Congress, they might well become permanent. Thus, the total impact on the 1967–69 biennial budget for Washington State University could well be in excess of a million dollars.

President C. Clement French,
Washington State University.

If we lose these Federal funds we shall be faced with only two courses of action:

1. Reducing the quality and/or extent of our instruction, research, and extension programs.
2. Or, increasing our tuition, already one of the highest in the Nation for land-grant institutions, and thus possibly pricing a college education out of the reach of many Maine young people.

Since the Maine Legislature will not convene in regular session until January 1967, and probably will not adjourn until about June 1967, it is impossible for us to turn now to this source as a way of replacing the funds we are in danger of losing.

President Edwin Young,
University of Maine.

Why the land-grant universities were singled out for such devastating treatment when education generally is receiving enormous increases in Federal aid is incomprehensible. The land-grant schools have been in part a Federal system of higher education, research, and extension. They have for years been the first institutions enlisted in behalf of the national service in time of emergency or to serve special needs. Our ROTC units were indispensable to the staffing of the Armed Forces in the two World Wars. The food-for-victory programs conducted by our agricultural research and extension divisions made major contributions to national strength in World War II. Our universities have for many years been the Nation's major source of scientists, engineers, and agricultural specialists not only at the B.S. but at Ph. D. level as well.

At present, the land-grant universities are deeply involved, at considerable sacrifice, in conducting technical assistance programs in developing nations.

Many other examples can be cited of the unique role of our universities in the national service.

It should be obvious to anyone familiar with higher education that the proposed reductions would do irreparable damage. In the case of resident instruction, it is the height of irony that at a time when new Federal loans and scholarships are encouraging more students to attend college, these cuts in instructional funds will make it necessary for our universities to reduce salaries or eliminate faculty positions or dispense with equipment, or, more likely, resort to all three types of cutbacks.

The loss in experiment station funds will not only reduce project support for research but eliminate positions for scientists as well. The cut in Agricultural Research Service funds in Kansas will eliminate important investigations in the area of wheat, sorghums, and other grains generally at the very time that these crops are expected to play a major role in the program our Nation is mounting to provide food to the starving peoples of the developing countries. Closer to home, these reductions could easily reduce farm income in Kansas by $25 to $50 million annually.

President James A. McCain,
Kansas State University.

Such a program as this heralds a dark day particularly for an institution like Langston which must operate on such a narrow margin and is therefore extremely sensitive to the slightest change in the economic picture. Any reduction in teaching funds with no possible means of securing replacement funds will be immediately reflected in the quality of our program we are working so hard to improve with an already grossly insufficient budget.

President William H. Hale,
Langston University.

The loss to Oklahoma State University under the administration's estimate to the Congress for fiscal 1967 would add up to $600,000 with respect to the three named authorizations. Our gain under the association proposal over the 1966 level would come to $390,000. The difference between the administration estimate and the association proposal would amount to $990,000 for Oklahoma State University, under the Morrill-Nelson, Hatch, and Smith-Lever authorizations.

The other funds than these three basic ones, as shown in the tables, are important; however, it is these three which provide the solid base of support, and they determine the sound relationship between the land-grant universities and the Federal Government with respect to agriculture, a relationship in which for more than a century desirable national objectives have been accomplished with a maximum of institutional independence and decentralized decisionmaking, and which have long been hailed as a model of Federal-State relationships in education.

President Oliver S. Willham,
Oklahoma State University.

I will certainly agree with Secretary Freeman that we need to be working on high priority research rather than low priority research. I completely disagree with him that persons sitting in Washington are better able to determine what is of high priority than our own directors of research at our respective land-grant institutions. These are men of ability and integrity with a keen awareness of the seriousness of the problems that they attack.

President Hilton M. Briggs,
South Dakota State University.

In Idaho, which operates on a biennial legislative system, there would be absolutely no chance for us to find State augmentation to cover Federal cuts for fiscal 1967, since our next regular legislative session will not convene until January 1967 to consider budgets becoming operative on July 1 of that year. We and all States like us, therefore, would face the coming fiscal year's operation at a tremendous handicap.

President Ernest W. Hartung,
University of Idaho.

Virginia's funds of $196,193 for Virginia Polytechnic Institute and $98,097 for Virginia State College will be cut to a total of $50,000, which will be divided between the two institutions on the same ration. As you so well know, both VPI and Virginia State have very tight operating budgets. The vital work that both institutions do for Virginia will be severely crippled by these drastic and wholly unanticipated cuts.

Virginia will lose $165,377 needed for its agricultural experiment station funds plus additional losses in its share of a reduction of $2,380,000 in regional research funds.

VPI and Virginia State will be deprived of needed funds for specific continuing extension programs long planned by the two institutions, and will be required to "compete" for funds, with the programs and funds to be determined by the Department of Agriculture. I hope that you can take time to read the enclosed release (especially its marked passages) issued by our Executive Committee of the NASULGC on February 4.

I hope, too, that you will then share my indignation over these drastic cuts and the abrupt alteration in a historic relationship of the land-grant colleges with the Federal Government.

President Edgar F. Shannon, Jr.,
University of Virginia.

The teaching funds (proposed to be eliminated in the amount of $389,000) * * * have long been an integral part of the University's regular operating budget. Their loss would be a serious blow in financing the University's work in 1966–67 and in succeeding years. Other Federal assistance for higher education is earmarked for other purposes and cannot be considered as as offset to the commitments made by the University of Illinois in the planned use of teaching funds.

President David D. Henry,
University of Illinois.

A crippling blow to instructional programs of the University of Minnesota would accompany the proposed decline of Morrill-Nelson and Bankhead-Jones funds available to the university. Proposed is a decline from $281,144 available currently to $50,000 in the coming fiscal year. This, in the face of growing enrollment pressures, is catastrophic.

President O. Meredith Wilson,
University of Minnesota.

OTHER AREAS OF UNDERFUNDING

Mr. MORSE. Mr. President, I am disappointed to find that programs which were hailed by the President as recently as last July now are treated in the budget as poor relations. Title V of the Higher Education Act with its Teacher Corps and fellowship provisions are funded at less than half the authorized amounts. Title VI of the Higher Education Act, which was fought for so vigorously by the distinguished senior Senator from Texas received but 15 percent of its authorization for TV equipment, 26 percent of its authorization for other equipment, nothing for the State committees to draw up the State plans and but half of the institute training funds which we authorized. Even our college work-study program with its $165 million authorization is cut to $134,100,000. This $31 million reduction for this purpose at the rate of $500 per student eliminates about 62,000 youngsters from a chance to work their way through school. To my view this is inexcusably short-sighted economy.

Mr. President, we will do more to defend freedom here and in the world by restoring to the educational system of this country the cuts that the President of the United States has apparently authorized in his Bureau of the Budget report than we will by slaughtering unjustifiably and inexcusably hundreds of American boys in a war in South Vietnam where we have no place to be.

This kind of an economy move, this kind of a funds slashing, is what we can expect in increasing amounts, if we permit the President to continue unchecked in his career of escalation of that slaughter in South Vietnam.

I warn the American people today, as we deal only with this one phase of what this President is assuredly going to do, that if we proceed to give him the unchecked power we have been giving him in connection with the fighting of that war, the Great Society programs are going to be scuttled.

I would yield to no one in urging the most stringent cutbacks at all levels of American expenditure, if we were involved in a war which had been officially declared and approved by the American people. I will not go along with this kind of cut under these circumstances. I am going to continue to urge a cutback in that war. As I stated on the floor of the Senate yesterday, I shall continue to urge adoption of the General Gavin program which will give to our boys in South Vietnam the protection which they must have. If it were to be adopted we would not be plunged deeper and deeper into the jungle in an escalating war. Our present course if continued will take increasing thousands of lives. I cannot support the waving of the flag into tatters as justification—and we will hear that—from the administration for its proposals to cut back and cut back on sorely needed domestic aid programs in the United States.

CONCLUSION

This has been an unpleasant cataloging of the facts as I see them. Happily, I can hail with pleasure other areas in which significant increases are forecast. I wholeheartedly approve of the increase in economic opportunity grants to $118.5 million from the $58 million appropriated this year. I shall certainly do my best to gain approval for this $50 million authorization increase.

I also approve and applaud the increases in title I, II, and III of the Elementary and Secondary Education Act. I only hope that the amounts requested are appropriated in full and that they will prove to be adequate to meet the full entitlement of whatever formula or dollar amount changes are made in the authorization bill.

I shall give full and careful attention to the many other proposals for changes in the basic acts which I am sure will be offered during the legislative course in the months ahead. But I stress again, as I have so often before, that our expenditures for the education of our citizens at every level and every age are, and ought to be, considered as investments which will be repaid to our country and its people many times over.

I shall give support to any of my colleagues on this matter to see what we can do to restore the proposed cuts. I pledge myself to work with them in the best interests of our country's students.

Mr. President, I have spoken, so far, on the basis of the budget forecast of educational activity in terms of administration plans for funding and the announced plans for recommendations for changes in basic statute authority upon which the funding estimates are based. The education message and the draft bills which accompany it have been delayed by the administration for many weeks as they sought to write the language which would accomplish the aims of the Bureau of the Budget as set forth in the appendix to the budget on pages 421 through 424.

The message has just been sent to the Congress on March 1, 1966. I have not as yet had an opportunity to review it or the accompanying legislation in detail. This I shall do in the next few days, to determine the degree to which it bears out the budget forecast in those areas I have stressed in the course of my speech.

It is more in sorrow than in anger that I have spoken this afternoon. I am disappointed in the administration in its overly cautious approach to funding the splendid programs for education it has advanced in the past 3 years. But the proof of the pudding is in the eating thereof. If the programs which Congress has approved are good programs in the best interests of the country, as I, for one, firmly believe, then they are deserving of stronger presidential support through the budget process than our President has given to them.

The cuts I have discussed, which seem in certain instances to hamstring the programs, ought not to be sustained. Riding with the budget hounds, while running with the educational hares, may be a diverting pastime, but it raises serious questions, either as to the belief on the part of the responsible Cabinet officers and their professional advisers in the validity of their own past proposals, or of their ability, in the arcane jungles of the Bureau of the Budget, effectively to fight for them.

This is a matter, however, which can be explored further in our hearings. To deserve the name of an education administration requires a commitment of treasure as well as words.

Mr. President, I ask unanimous consent to have printed in the RECORD excerpts from the appendix to the budget for fiscal year 1967 pages 421 to 435 inclusive with reference to this subject.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

OFFICE OF EDUCATION

GENERAL AND SPECIAL FUNDS

Expansion and improvement of vocational education

For carrying out the provisions of titles I, II, and III of the Vocational Education Act of 1946, as amended (20 U.S.C. 15i–15m, 15o–15q, 15aa–15jj, 15aaa–15ggg) section 1 of the Act of March 3, 1931 (20 U.S.C. 30), the Act of March 18, 1950 (20 U.S.C. 31–33), section 9 of the Act of August 1, 1956 (20 U.S.C. 34), section 2 of the Act of September 25, 1962 (48 U.S.C. 1677), *sections 3 and 9 of the National Vocational Student Loan Insurance Act of 1965 (74 Stat. 1037, 1041)*, and the Vocational Education Act of 1963 (20 U.S.C. 35–35n); [$252,491,000] *$250,791,000,* of which $5,000,000 shall be for practical nurse training under title II of the Vocational Education Act of 1946, $375,000 shall be for vocational education in the fishery trades and industry including distributive occupations therein under title I of the Vocational Education Act of 1946, $15,000,000 shall be for area vocational education programs under title III of the Vocational Education Act of 1946, [$25,000,000] *$10,000,000* shall be for work-study programs under section 13 of the Vocational Education Act of 1963, *$3,500,000 for residential vocational education schools under section 14 of the Vocational Education Act of 1963,* [and] $177,500,000 shall be for vocational education programs under section 4 of the Vocational Education Act of 1963, *$8,000,000 shall be for area vocational school construction under section 211 of the Appalachian Regional Development Act of 1965, and $1,800,000 for advances for reserve funds and interest payments on insured loans under the National Vocational Student Loan Insurance Act of 1965 of which $775,000 for interest payments shall remain available until expended and $1,025,000 for advances shall remain available until June 30, 1968. (Department of Health, Education, and Welfare Appropriation Act, 1966.)*

Program and financing

[In thousands of dollars]

	1965 actual	1966 estimate	1967 estimate
PROGRAM BY ACTIVITIES			
1 Grants to States under Vocational Education Act of 1963 and George-Barden and Supplemental Acts	156, 270	209, 741	209, 741
2 Grants to States under Appalachian Regional Development Act of 1965	--------	8, 000	8, 000
3 Research and special project activities	10, 258	17, 750	17, 750
4 Work-study program	4, 759	25, 000	10, 000
5 Residential vocational schools	--------	--------	3, 500
6 Vocational loan interest payments and advances	--------	--------	1, 800
10 Total program costs, funded—obligations (object class 41.0)	171, 287	260, 491	250, 791

THE UNIVERSITY OF MICHIGAN LIBRARIES

Program and financing—Continued

[In thousands of dollars]

	1965 actual	1966 estimate	1967 estimate
FINANCING			
16 Comparative transfers from other accounts	−15,000		
21 Unobligated balance available, start of year		−8,000	
24 Unobligated balance available, end of year	8,000		
25 Unobligated balance lapsing	2,009		
40 New obligational authority (appropriation)	166,296	252,491	250,791
RELATION OF OBLIGATIONS TO EXPENDITURES			
10 Total obligations	171,287	260,491	250,791
70 Receipts and other offsets (items 11–17)	−15,000		
71 Obligations affecting expenditures	156,287	260,491	250,791
72 Obligated balance, start of year		31,531	110,222
74 Obligated balance, end of year	−31,531	−110,222	−146,353
77 Adjustments in expired accounts	−369		
90 Expenditures	124,388	181,800	214,660

Under the Vocational Education Act of 1963 and the George-Barden Act, matching grants are made to the States, Puerto Rico, the Virgin Islands, Guam, American Samoa, and the District of Columbia for support and improvement of vocational education programs. Training for gainful employment as semiskilled or skilled workers and for business and office occupations is emphasized, and construction of area vocational schools is included.

Grants are made for research and special project activities designed to meet special vocational education needs of youths, particularly those in economically depressed communities that have academic, socioeconomic, or other handicaps that prevent them from succeeding in the regular vocational education programs. A work-study program provides employment for students enrolled in vocational classes who are in need of financial assistance in order to continue their education. Funds will be provided for planning experimental residential vocational schools designed to meet special needs of youths in urban slums where high dropout rates and youth unemployment prevail.

Under the Appalachian Regional Development Act of 1965, grants are made to States in the Appalachian region for construction of vocational education facilities.

Under the National Vocational Student Loan Insurance Act of 1965 advances are made for State and nonprofit private loan insurance funds for students in postsecondary business, trade, technical, and vocational schools. Payments are made for interest costs on behalf of students whose family income falls below $15,000.

Proposed for separate transmittal:

Expansion and improvement of vocational education

PROGRAM AND FINANCING

[In thousands of dollars]

	1965 actual	1966 estimate	1967 estimate
PROGRAM BY ACTIVITIES			
1 Vocational loan interest payments and advances		950	
2 Vocational loans purchased upon default by student borrowers		10	
10 Total program costs, funded—obligations		960	

Expansion and improvement of vocational education—Continued

[In thousands of dollars]

	1965 actual	1966 estimate	1967 estimate
FINANCING			
21 Unobligated balance available, start of year			40
24 Unobligated balance available, end of year, U.S. securities (par)		40	40
40 New obligational authority (proposed supplemental appropriation)		1,000	
RELATION OF OBLIGATIONS TO EXPENDITURES			
71 Total obligations (affecting expenditures)		960	
72 Obligated balance, start of year			390
74 Obligated balance, end of year		−390	
90 Expenditures		570	390

Under existing legislation, 1966: A supplemental appropriation of $1 million is anticipated in order to permit initiation of activities under the National Vocational Student Loan Insurance Act of 1965. It is expected that $950,000 will be used for grants for interest subsidies and advances to State and nonprofit private student loan insurance programs and $50,000 will be used for the Federal insurance program. Of the latter $10,000 is estimated for obligation on defaulted loans and $40,000 will be carried as an insurance reserve.

ELEMENTARY AND SECONDARY EDUCATIONAL ACTIVITIES

For grants and payments under title II of the Act of September 30, 1950, as amended by title I of the Elementary and Secondary Education Act of 1965, and under titles II, III, and V of said 1965 Act, [$967,000,000] *$1,342,410,000* of which [$775,000,000] *$1,070,410,000* shall be for meeting the special educational needs of educationally deprived children under title II of the Act of September 30, 1950, as amended: *Provided,* That determinations and payments under such title shall be on the basis of the amount [authorized to be] appropriated for such title, [$100,000,000] *$105,000,000* shall be for school library resources, textbooks, and other instructional materials under title II of said Elementary and Secondary Education Act of 1965, [$75,000,000] *$145,000,000* shall be for supplementary educational centers and services under title III of said Act, and [$17,000,000] *$22,000,000* shall be for strengthening State departments of education under title V of said Act. (*Additional authorizing legislation to be proposed.*) (*Supplemental Appropriation Act, 1966.*)

Program and financing

[In thousands of dollars]

	1965 actual	1966 estimate	1967 estimate
PROGRAM BY ACTIVITIES			
1 Assistance for educationally deprived children		775,000	1,070,410
2 School library materials		100,000	105,000
3 Supplementary educational centers and services		75,000	145,000
4 Strengthening State departments of education		17,000	22,000
10 Total program costs, funded — obligations (object class 41.0)		967,000	1,342,410

Program and financing—Continued

[In thousands of dollars]

	1965 actual	1966 estimate	1967 estimate
FINANCING			
40 New obligational authority (appropriation)		967,000	1,342,410
RELATION OF OBLIGATIONS TO EXPENDITURES			
71 Total obligations (affecting expenditure)		967,000	1,342,410
72 Obligated balance, start of year			672,000
74 Obligated balance, end of year		−672,000	−998,410
90 Expenditures		295,000	1,016,000

The 1967 estimate is based on the extension of the existing act.

1. *Assistance for educationally deprived children:* Payments are made to assist local school districts in expanding and improving their educational programs in order to meet the special educational needs of children from low-income families; and to assist State educational agencies in administering the program. It is estimated that approximately 7.5 million disadvantaged children will receive benefits in 1967, compared to 6.5 million in 1966.

2. *School library materials:* Grants are made to States for procurement of library resources, textbooks, and other printed and published instructional materials for use by students and teachers in public and private elementary and secondary schools. Each State may use up to 3 percent of its grant to assist in administering the program.

3. *Supplementary educational centers and services:* Grants are made to local public schools, working jointly with other local agencies, to stimulate and assist in establishing educational services not available in sufficient quantity or quality in the ongoing curriculum. Development of programs to serve as models for regular school programs is emphasized.

4. *Strengthening State departments of education:* Grants are made to State educational agencies to stimulate and support planning, research, and technical assistance capabilities so that such agencies can more effectively meet their educational leadership responsibilities.

Proposed for separate transmittal:

Elementary and secondary educational activities

PROGRAM AND FINANCING

[In thousands of dollars]

	1965 actual	1966 estimate	1967 estimate
PROGRAM BY ACTIVITIES			
10 Assistance for educationally deprived children (costs—obligations)		184,000	
FINANCING			
40 New obligational authority (proposed supplemental appropriation)		184,000	
RELATION OF OBLIGATIONS TO EXPENDITURES			
71 Total obligations (affecting expenditures)		184,000	
72 Obligated balance, start of year			184,000
74 Obligated balance, end of year		−184,000	
90 Expenditures			184,000

THE UNIVERSITY OF MICHIGAN LIBRARIES

Under existing legislation, 1966: A 1966 supplemental request of $184 million is anticipated for assistance for educationally deprived children in order to provide the full amounts required by States and local educational agencies.

HIGHER EDUCATIONAL ACTIVITIES

For grants, contracts, payments, and advances under titles I, II, III, IV (except payments under parts C and D), V and VI of the Higher Education Act of 1965, and for grants under part C of title I of the Economic Opportunity Act of 1964, as amended, [$160,000,000] *$475,272,000,* of which [$10,000,000] *$20,000,000* shall be for grants [and contracts] for college and university extension education under title I of the Higher Education Act of 1965, *$3,000,000 shall be for transfer to the Librarian of Congress for the acquisition and cataloging of library materials under part C of title II of that Act,* [$5,000,000] *$30,000,000* shall be for the purposes of title III, [$60,000,000] *$122,000,000* shall be for programs under part A of title IV of that Act, [$10,000,000] *$43,000,000* shall be for loan insurance programs under part B of title IV of that Act of which [$2,500,000] *$33,000,000* for [the student loan insurance fund and] interest payments shall remain available until expended and [$7,500,000] *$10,000,000* for advances shall remain available until June 30, 1968, [$15,000,000] *$17,000,000* shall be for the purposes of title VI of the Act, and [$40,000,000] *$134,100,000* shall be for grants for college work-study programs under part C of title I of the Economic Opportunity Act of 1964 [: *Provided,* That this paragraph shall be effective only upon enactment into law of H.R. 9567, Eighty-ninth Congress, or similar legislation: *Provided,* That in administering the appropriation included in the Departments of Labor, and Health, Education, and Welfare Supplemental Appropriation Act, 1966, related to elementary and secondary educational activities, the amount authorized to be appropriated by title II of the authorizing Act shall be deemed to include amending provisions contained in section 6 of H.R. 9022, Eighty-ninth Congress]. (*Additional authorizing legislation to be proposed for $30,000,000. Supplemental Appropriation Act, 1966.*)

Program and financing

[In thousands of dollars]

	1965 actual	1966 estimate	1967 estimate
PROGRAM BY ACTIVITIES			
1 Grants to States for community service and continuing education programs		10,000	20,000
2 College library, training and research assistance			35,300
3 Strengthening developing institutions		5,000	30,000
4 Educational opportunity grants		60,000	122,000
5 Insured loans		9,500	43,000
6 Work-study programs	54,938	99,968	134,100
7 Teacher training and services programs		20,000	73,872
8 Undergraduate instructional equipment		15,000	17,000
10 Total program costs, funded—obligations	54,938	219,468	475,272
FINANCING			
16 Comparative transfers from other accounts	−54,938		
22 Unobligated balance transferred from "Economic opportunity program" (79 Stat. 1251)		−845	
New obligational authority		218,623	475,272

Program and financing—Continued

[In thousands of dollars]

	1965 actual	1966 estimate	1967 estimate
NEW OBLIGATIONAL AUTHORITY			
40 Appropriation		160,000	475,272
41 Transferred to "Student loan insurance fund" (appropriation act—proposed)		−500	
42 Transferred from "Economic opportunity program" (79 Stat. 1251)		59,123	
43 Appropriation (adjusted)		218,623	475,272
RELATION OF OBLIGATIONS TO EXPENDITURES			
10 Total obligations	54,938	219,468	475,272
70 Receipts and other offsets (items 11–17)	−54,938		
71 Obligations affecting expenditures		219,468	475,272
72 Obligated balance, start of year			142,061
74 Obligated balance, end of year		−142,061	−128,783
90 Expenditures		77,407	288,550

Grants and payments are made to States, educational institutions, and individuals under the Higher Education Act of 1965.

1. *Grants to States for community service and continuing education programs:* Grants are made to States on a matching basis for strengthening community service programs of institutions of higher education in order to assist in solution of community problems:

	1966 estimate	1967 estimate
Number of institutions participating	200	250

2. *College library training and research assistance:* Grants are made to higher educational institutions for acquisition of library books and materials and for training in the information sciences. Research and demonstrations, financed by grants and contracts, are conducted in the improvement of libraries and training. In addition, funds are transferred to the Librarian of Congress for acquisition of materials and for providing catalog and bibliographic information:

	1966 estimate	1967 estimate
Number of grants supported for higher education library resources	---	2,675
Number of individuals trained in information sciences	---	800
Number of research and demonstration projects supported	---	70

3. *Strengthening developing institutions:* Grants are made for cooperative projects to upgrade faculty and curriculums, and to support exchange of faculty, teaching fellowships, and other programs to raise the academic quality of developing colleges:

	1966 estimate	1967 estimate
Number of cooperative programs supported	110	660
Number of individuals receiving national teaching fellowships	30	180

4. *Educational opportunity grants:* Funds are allotted among the States for payments to institutions to provide educational opportunity grants for financially needy undergraduate students. Contracts are supported to identify such youths and school dropouts and to encourage them to complete their education:

	1966 estimate	1967 estimate
Number of students receiving educational opportunity grants	115,000	220,000

5. *Insured loans:* Advances are made for State and nonprofit private loan insurance funds for students in higher education institutions, and payments are made for interest costs for students whose adjusted family incomes fall below $15,000:

	1966 estimate	1967 estimate
Number of students for whom interest subsidy is paid	300,000	775,000

6. *Work-study programs:* Funds are allotted among the States for payments to colleges and universities to provide part-time jobs during the school year and full-time summer jobs for needy youths particularly from low-income families. Funds cover the costs of employment on campus or in public or nonprofit organizations, and must be matched at the rate of $1 from institutional or local sources for each $9 of Federal support.

Number of students participating in work-study programs:	1966 estimate	1967 estimate
Spring semester	110,000	150,000
Summer	60,000	90,000
Fall semester	150,000	210,000

7. *Teacher training and services programs:* Payments are made for salaries and training and other expenses for experienced teachers and teacher interns under the National Teacher Corps to serve in low-income areas. Grants are made to higher education institutions for developing and strengthening teacher education programs and for fellowships for elementary and secondary teachers, including stipends for individuals and cost-of-education allowances for participating institutions:

	1966 estimate	1967 estimate
Number of National Teacher Corps members in service	-----	3,750
Number of teacher education programs supported	50	50
Number of teachers receiving fellowships	2,354	5,800

8. *Undergraduate instructional equipment:* Grants are made on a matching basis to higher education institutions for acquisition of television and other equipment and minor remodeling of space in order to improve undergraduate instruction:

	1966 estimate	1967 estimate
Number of institutions receiving equipment grants	300	315

Object classification

[In thousands of dollars]

	1965 actual	1966 estimate	1967 estimate
25.1 Other services		2,000	3,200
25.2 Services of other agencies			3,000
33.0 Investments and loans		7,500	10,000
41.0 Grants, subsidies, and contributions	54,938	209,968	459,072
99.0 Total obligations	54,938	219,468	475,272

Proposed for separate transmittal:

Higher educational activities

PROGRAM AND FINANCING

[In thousands of dollars]

	1965 actual	1966 estimate	1967 estimate
PROGRAM BY ACTIVITIES			
1 College library, training and research assistance	--------	11,000	--------
2 Teacher training and services programs	--------	13,200	--------
10 Total program costs, funded—obligations	--------	24,200	--------
FINANCING			
40 New obligational authority (proposed supplemental appropriation)	--------	24,200	--------
RELATION OF OBLIGATIONS TO EXPENDITURES			
71 Total obligations (affecting expenditures)	--------	24,200	--------
72 Obligated balance, start of year	--------	--------	20,200
74 Obligated balance, end of year	--------	−20,200	−200
90 Expenditures	--------	4,000	20,000

Under existing legislation, 1966: A supplemental request of $24,200,000 for 1966 is anticipated for separate transmittal in order to initiate the programs of library assistance and the National Teacher Corps under the Higher Education Act of 1965.

HIGHER EDUCATION FACILITIES CONSTRUCTION

For grants, loans, and payments under the Higher Education Facilities Act of 1963, [$632,700,000] *$722,744,000*, of which not to exceed [$460,000,000] *$458,000,000* shall be for grants for construction of academic facilities under title I [including not to exceed $2,000,000 for the purpose authorized in section 105]; $60,000,000 shall be for grants for construction of graduate academic facilities under title II; and [$110,000,000] *$200,000,000* shall be for loans for construction of academic facilities under title III. (*Department of Health, Education, and Welfare Appropriation Act, 1966.*)

Program and financing

[In thousands of dollars]

	1965 actual	1966 estimate	1967 estimate
PROGRAM BY ACTIVITIES			
1 Grants for construction of facilities:			
(a) Public community colleges and technical institutes	47,362	103,998	100,760
(b) Other higher education facilities	177,001	359,639	357,240
2 Grants for construction of graduate facilities	60,000	60,000	60,000
3 Construction loans	1,710	60,000	135,000
4 Grants for State administrative expenses	1,768	2,000	2,000
5 Technical services	600	2,700	2,744
Total program costs, funded	288,441	588,337	657,744
Change in selected resources [1]	105,727	50,000	65,000
10 Total obligations	393,668	638,337	722,744
FINANCING			
21 Unobligated balance available, start of year	--------	−5,637	--------
24 Unobligated balance available, end of year	5,637	--------	--------
25 Unobligated balance lapsing	63,845	--------	--------
40 New obligational authority (appropriation)	463,150	632,700	722,744
71 Total obligations (affecting expenditures)	393,668	638,337	722,744
72 Obligated balance, start of year	--------	390,080	881,417
74 Obligated balance, end of year	−390,080	−881,417	−1,208,161
90 Expenditures	3,588	147,000	396,000

[1] Selected resources as of June 30 are as follows: Unpaid undelivered orders, 1964, $0; 1965, $105,227,000; 1966, $155,227,000; 1967, $220,227,000.

Under the Higher Education Facilities Act of 1963, loans are made for academic facilities, and grants are awarded on a matching basis for undergraduate and graduate academic facilities and for public junior colleges and technical institutes. Technical engineering and other review services are rendered by the Department of Housing and Urban Development for construction projects. Proposed legislation would specify the 1967 authorizations for construction, extend the authorization for grants for expenses incurred by States in administration of the undergraduate and public junior college and technical institute grants and provide for enlargement of the loan program through use of the private credit market in sale of loan participations.

Numbers of construction project approvals

	1965 actual	1966 estimate	1967 estimate
Grants for public community colleges and technical institutes and other higher education facilities	516	1,137	1,137
Grants for graduate facilities	85	85	85
Loans	133	135	250

Object classification

[In thousands of dollars]

Identification code	1965 actual	1966 estimate	1967 estimate
25.2 Services of other agencies	600	2,700	2,744
33.0 Investments and loans	1,710	60,000	135,000
41.0 Grants, subsidies, and contributions	286,131	525,637	520,000
Total costs, funded	288,441	588,337	657,744
94.0 Change in selected resources	105,227	50,000	65,000
90.0 Total obligations	393,668	638,337	722,744

Proposed for separate transmittal:

Higher education facilities construction

PROGRAM AND FINANCING

[In thousands of dollars]

	1965 actual	1966 estimate	1967 estimate
PROGRAM BY ACTIVITIES			
10 Construction loans (costs—obligations)	--------	--------	100,000
FINANCING			
14 Receipts and reimbursements from: Non-Federal sources (sale of participation certificates)	--------	--------	−100,000
40 New obligational authority (proposed supplemental appropriation)	--------	--------	--------
RELATION OF OBLIGATIONS TO EXPENDITURES			
10 Total obligations	--------	--------	100,000
70 Receipts and other offsets (items 11–17)	--------	--------	−100,000
71 Obligations affecting expenditures	--------	--------	--------
74 Obligated balance, end of year	--------	--------	−85,000
90 Expenditures	--------	--------	−85,000

Under proposed legislation, 1967: Legislation will be proposed to authorize the sale of certificates of participation in pools of college academic facilities loans. It is proposed that proceeds from the sale (estimated at $100 million for 1967) be placed in a revolving fund, through which the program would be funded hereafter, and that such receipts (up to $100 million) be made available for new loan commitments. The Federal National Mortgage Association will be authorized to serve as trustee for these sales.

[FURTHER ENDOWMENT OF COLLEGES OF AGRICULTURE AND THE MECHANIC ARTS]

[For carrying out the provisions of section 22 of the Act of June 29, 1935, as amended (7 U.S.C. 329), $11,950,000.] (*Department of Health, Education, and Welfare Appropriation Act, 1966.*)

Program and financing

[In thousands of dollars]

	1965 actual	1966 estimate	1967 estimate
PROGRAM BY ACTIVITIES			
10 Grants to States (costs—obligations) (object class 41.0)	11,950	11,950	--------
FINANCING			
40 New obligational authority (appropriation)	11,950	11,950	--------
RELATION OF OBLIGATIONS TO EXPENDITURES			
71 Total obligations (affecting expenditures)	11,950	11,950	--------
90 Expenditures	11,950	11,950	--------

This appropriation has supported college instruction in agriculture, the mechanic arts, and related fields, in the 68 land-grant colleges. No funds are being requested for this activity for 1967.

GRANTS FOR PUBLIC LIBRARIES

For grants to the States, pursuant to the Act of June 19, 1956, as amended (20 U.S.C. 351–358; Public Law 88–269), [$55,000,000] *$57,500,000*, of which [$25,000,000] *$27,500,000* shall be for grants for public library services under title I of such Act, and $30,000,000 shall be for grants for public library construction under title II of such Act. (*Additional authorizing legislation to be proposed; Department of Health, Education, and Welfare Appropriation Act, 1966.*)

Program and financing

[In thousands of dollars]

	1965 actual	1966 estimate	1967 estimate
PROGRAM BY ACTIVITIES			
1 Grants for library services	25,000	25,000	27,500
2 Grants for library construction	29,864	30,000	30,000
10 Total program costs, funded—obligations (object class 41.0)	54,864	55,000	57,500
FINANCING			
25 Unobligated balance lapsing	136		
40 New obligational authority (appropriation)	55,000	55,000	57,500
RELATION OF OBLIGATIONS TO EXPENDITURES			
71 Total obligations (affecting expenditures)	54,864	55,000	57,500
72 Obligated balance, start of year		28,716	48,716
74 Obligated balance, end of year	−28,716	−48,716	−55,116
77 Adjustments in expired accounts	−37		
90 Expenditures	26,111	35,000	51,100

Grants are made to the States, Puerto Rico, Guam, American Samoa, and the Virgin Islands on a matching basis for the promotion and further development of public library service and for construction of public library buildings.

Services will be extended to approximately 2.5 million additional people in 1967 and service will be improved for approximately 25 million people presently receiving inadequate service. About 400 building projects will be under construction in 1966 and an additional 400 in 1967.

The 1967 estimate is based on the extension of the existing act.

PAYMENTS TO SCHOOL DISTRICTS

For payments to local educational agencies for the maintenance and operation of schools as authorized by the Act of September 30, 1950, as amended (20 U.S.C., ch. 13), [347,000,000] *$183,400,000: Provided,* That this appropriation shall also be available for carrying out the provisions of section 6 of such act. (*Department of Health, Education, and Welfare Appropriation Act, 1966.*)

Program and financing

[In thousands of dollars]

	1965 actual	1966 estimate	1967 estimate
PROGRAM BY ACTIVITIES			
1 Payment to local educational agencies	312,897	325,000	158,900
2 Payments to other Federal agencies	17,671	22,000	24,500
10 Total program costs funded—obligations	330,568	347,000	183,400
FINANCING			
21 Unobligated balance available, start of year	−25		
25 Unobligated balance lapsing	1,457		
40 New obligational authority (appropriation)	332,000	347,000	183,400

***Program and financing*—Continued**

[In thousands of dollars]

	1965 actual	1966 estimate	1967 estimate
RELATION OF OBLIGATIONS TO EXPENDITURES			
71 Total obligations (affecting expenditures)	330,568	347,000	183,400
72 Obligated balance, start of year	83,039	94,193	126,266
74 Obligated balance, end of year	−94,193	−126,266	−79,666
77 Adjustments in expired accounts	−7,995	−8,000	−8,000
81 Balance not available, start of year	67	73	
82 Balance not available, end of year	−73		
90 Expenditures	311,413	307,000	222,000

Payments are made to assist in operation of schools in areas where enrollments are affected by Federal activities. The eligible districts are located in all States, Puerto Rico, various territories, and, since July 1964, the District of Columbia. Under certain circumstances, payments are made to other Federal agencies to make arrangements for education of children where local school districts do not assume responsibility for such children. Arrangements may be made for free public education of children of members of the Armed Forces on active duty not residing on Federal property.

Amendments to the law decreasing total 1967 requirements by $233 million will be proposed. The amendments will base grants on per pupil costs in comparable school districts in the same State, and require school districts to absorb the costs of education for a number of Federal children representing a minimal portion of total enrollment.

	1964	1965	1966	1967
Number of districts receiving grants	4,000	4,100	4,200	3,150
Number of federally connected children (thousands)	1,900	2,100	2,222	1,551

Object classification

[In thousands of dollars]

	1965 actual	1966 estimate	1967 estimate
25.2 Services of other agencies	17,671	22,000	24,500
41.0 Grants, subsidies, and contributions	312,897	325,000	158,900
99.0 Total obligations	330,568	347,000	183,400

ASSISTANCE FOR SCHOOL CONSTRUCTION

For an additional amount for providing school facilities and for grants to local educational agencies in federally affected areas, as authorized by the Act of September 23, 1950, as amended (20 U.S.C., ch. 19), including not to exceed [$708,000] *$620,000* for necessary expenses during the current fiscal year of technical services rendered by other agencies, [$50,078,000] *$22,937,000,* to remain available until expended: *Provided,* That no part of this appropriation shall be available for salaries or other direct expenses of the Department of Health, Education, and Welfare: *Provided further,* That applications filed on or before [June 30, 1965] *June 30, 1966,* shall receive priority over applications filed after such date. (*Department of Health, Education, and Welfare Appropriation Act, 1966.*)

Program and financing

[In thousands of dollars]

	1965 actual	1966 estimate	1967 estimate
PROGRAM BY ACTIVITIES			
1 Assistance to local educational agencies	66,605	45,883	14,552
2 Assistance for school construction on Federal properties	8,851	17,309	9,940
3 Payments for technical services	704	708	620
Total program costs, funded	76,250	63,900	25,112
Change in selected resources [1]	750		
10 Total obligations	77,000	63,900	25,112
FINANCING			
21 Unobligated balance available, start of year	−46,619	−28,019	−14,197
24 Unobligated balance available, end of year	28,019	14,197	12,022
40 New obligational authority (appropriation)	58,400	50,078	22,937
RELATION OF OBLIGATIONS TO EXPENDITURES			
71 Total obligations (affecting expenditures)	77,000	63,900	25,112
72 Obligated balance, start of year	35,794	74,536	91,436
74 Obligated balance, end of year	−74,536	−91,436	−71,548
90 Expenditures	38,258	47,000	45,000

[1] Selected resources as of June 30 are as follows: Unpaid undelivered orders, 1964, $4,269,000; 1965, $5,019,000; 1966, $5,019,000; 1967, $5,019,000.

Payments are made to assist in construction of schools in areas where enrollments are affected by Federal activities. From 1951 through 1966, $1,283 million has been appropriated for this program, aiding in the construction of an estimated 65,000 classrooms to house about 1.9 million pupils in the 50 States, Puerto Rico, Guam, and Wake Island.

The estimate for 1967 will allow funds to pay all approvable construction projects of local educational and other Federal agencies under the permanent sections of the law which provide assistance primarily for children whose parents reside and work on Federal property. About 1,000 classrooms for approximately 29,000 pupils will be provided. The temporary sections of the law, which provide assistance for children whose parents either work or reside on Federal property, expire June 30, 1966.

The authorized program for 1967 will support the following activities:

1. *Assistance to local educational agencies:* Grants are made to local districts for school construction, principally on behalf of increased numbers of children residing on Federal property with a parent employed on Federal property.

2. *Assistance for school construction on Federal properties:* Where the local educational agency is unable to provide school facilities for increased numbers of children living on Federal property, the Commissioner of Education is authorized to arrange for the construction of schools. Under certain circumstances, the Commissioner may also arrange to provide school facilities on a temporary basis for children of members of the Armed Forces on active duty who do not reside on Federal property.

3. *Payments for technical services:* Technical services are rendered by the Department of Housing and Urban Development in connection with the construction of school facilities.

Object classification

[In thousands of dollars]

	1965 actual	1966 estimate	1967 estimate
OFFICE OF EDUCATION			
41.0 Grants, subsidies, and contributions	66,605	45,883	14,552
ALLOCATION TO DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT			
PERSONNEL COMPENSATION			
11.3 Positions other than permanent	39	46	46
12.0 Personnel benefits	3	4	4
21.0 Travel and transportation of persons	9	10	10
25.2 Services of other agencies	794	708	620
32.0 Lands and structures	8,800	17,249	9,880
Total costs, Department of Housing and Urban Development	9,645	18,017	10,560
Total costs, funded	76,250	63,900	25,112
94.0 Change in selected resources	750		
99.0 Total obligations	77,000	63,900	25,112

Personal summary

	1965 actual	1966 estimate	1967 estimate
ALLOCATION TO DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT			
Average number of employees	5	6	6

DEFENSE EDUCATIONAL ACTIVITIES

For grants, loans, and payments under the National Defense Education Act of 1958, as amended (20 U.S.C. ch. 17; Public Law 83-665), [$412,608,000] *$273,544,000,* of which [$180,900,000] *$34,187,000* shall be for capital contributions to student loan funds and [loans for non-Federal capital contributions to student loan funds under title II, of which not to exceed $1,600,000 shall be for such loans for non-Federal contributions, $88,200,000] *$63,200,000* shall be for grants to States and loans to nonprofit private schools for equipment and minor remodeling under title III and for grants to States for supervisory and other services under title III: *Provided,* That allotments under sections 302(a) and 305 for equipment and minor remodeling shall be made on the basis of [$79,200,000] *$54,200,000* for grants to States and on the basis of [$10,800,000] *$7,390,909* for loans to private nonprofit schools, and allotments under section 302(b) for supervisory and other services shall be made on the basis of $9,000,000; and $24,500,000 of the amount appropriated herein shall be for grants to States for testing, guidance, and counseling under title V: *Provided,* That no part of this appropriation shall be available for the purchase of science, mathematics, and modern language teaching equipment, or equipment suitable for use for teaching in such fields of education, which can be identified as originating in or having been exported from a Communist country, unless such equipment is unavailable from any other source: *Provided further,* That no part of this appropriation shall be available for graduate fellowships awarded initially under the provisions of the Act after the date of enactment of the Department of Health, Education, and Welfare Appropriation Act, 1962, which are not found by the Commissioner of Education to be consistent with the purpose of the Act as stated in section 101 thereof.

[Loans and payments under the National Defense Education Act, next succeeding fiscal year: For making, after March 31 of the current fiscal year, loans and payments under title II of the National Defense Education Act, for the first quarter of the next succeeding fiscal year such sums as may be necessary, the obligations incurred and the expenditures made thereunder to be charged to the appropriation for the same purpose for that fiscal year: *Provided,* That the payments made pursuant to this paragraph shall not exceed the amount paid for the same purposes for the first quarter of the current fiscal year.] (Department of Health, Education, and Welfare Appropriation Act, 1966.)

Program and financing

[In thousands of dollars]

	1965 actual	1966 estimate	1967 estimate
PROGRAM BY ACTIVITIES			
1 Student loans:			
(a) Contribution to loan funds	120,737	170,300	
(b) Loans to educational institutions	1,089	1,600	
(c) Cancellation of student loans	516	650	
2 Instructional assistance:			
(a) Acquisition of equipment and minor remodeling:			
(1) Grants to States	69,993	79,200	54,200
(2) Loans to nonprofit private schools	400	1,500	1,500
(b) Grants to States for supervision and administration	4,531	7,500	7,500
3 Graduate fellowships	31,359	55,961	81,957
4 Guidance counseling and testing:			
(a) Grants to States	20,485	24,494	24,500
(b) Institutes for counseling personnel	6,864	7,250	7,250
5 Advanced training:			
(a) Language and area centers	7,984	11,064	11,950
(b) Research	1,924	2,589	2,851
6 Educational media research	6,594	4,531	4,258
7 Grants to States for statistical services	1,996	2,260	2,250
8 Institutes	19,293	32,638	37,856
Total program costs, funded	293,765	410,527	236,072
Change in selected resources [1]	11,965	2,081	3,285
10 Total obligations	305,730	412,608	239,357
FINANCING			
16 Comparative transfers to other accounts	15,000		
25 Unobligated balance lapsing	18,222		
28 Appropriation available from subsequent year	−34,187	−34,187	
29 Appropriation available in prior year	43,836	34,187	34,187
40 New obligational authority (appropriation)	348,603	412,608	273,544

Program and financing—Continued

[In thousands of dollars]

	1965 actual	1966 estimate	1967 estimate
RELATION OF OBLIGATIONS TO EXPENDITURES			
10 Total obligations	305,730	412,608	239,357
70 Receipts and other offsets (items 11–17)	15,000		
71 Obligations affecting expenditures	320,730	412,608	239,357
72 Obligated balance, start of year	117,528	146,312	238,920
74 Obligated balance, end of year	−146,312	−238,920	−223,277
77 Adjustments in expired accounts	−21,663		
90 Expenditures	270,283	320,000	255,000

[1] Selected resources as of June 30 are as follows: Unpaid undelivered orders, 1964, $15,983,000 (1965 adjustments, −$977,000; 1965, $26,921,000; 1966, $29,002,000; 1967, $32,287,000.

Grants and payments are made to States, educational institutions, and individuals.

1. *Student loans:* Funds are allotted among the States for payments to institutions of higher education, including postsecondary business schools and technical institutes, to provide capital contributions to student loan funds. Under proposed legislation, the special teacher cancellation and other benefits available to needy students will be continued, but the private credit market will supply loan capital through guarantee programs, authorized in the Higher Education Act of 1965, subsidized by the Federal Government.

	1964 actual	1965 actual	1966 estimate	1967 estimate
Number of participating institutions	1,574	1,616	1,704	1,754
Number of students receiving loans	247,000	317,000	400,000	375,000

2. *Instructional assistance:* Grants are made to States on a matching basis for acquisition of equipment and minor remodeling of laboratory or other space in order to strengthen instruction in science, mathematics, foreign languages, history, civics, geography, English, reading, and economics. Loans are made to nonprofit private schools for similar uses, and matching grants are also made to States for supervision and administration of the program.

3. *Graduate fellowships:* Grants are made to institutions of higher education for expansion of graduate programs, and include both fellowship stipends for individuals and cost-of-education allowances for participating institutions. A primary objective is to promote better geographic distribution of graduate facilities throughout the Nation. In selection of fellows, preference is given to persons interested in college teaching.

	1964 actual	1965 actual	1966 estimate	1967 estimate
Number of fellowships supported	4,255	5,883	10,494	15,000
Number of participating institutions	161	167	171	175

4. *Guidance, counseling, and testing:* Grants are made to States on a matching

THE UNIVERSITY OF MICHIGAN LIBRARIES

basis to assist in establishing and maintaining programs of testing, guidance, and counseling in public elementary and secondary schools and public junior colleges and technical institutes. Contracts are made with institutions of higher education for operation of institutes for improved training of counseling personnel, including provision for stipends to personnel in attendance.

	1964 actual	1965 actual	1966 estimate	1967 estimate
Number of students in schools with guidance and counseling programs (thousands)	11, 130	14, 000	17, 000	18, 000
Number of tests administered (thousands)	8, 452	15, 000	20, 000	21, 000
Number of institute participants	1, 902	1, 733	1, 560	1, 530

5. *Advanced training:* Contracts are made with institutions of higher education for Federal payment of up to one-half the cost of operation of language and area study centers, and stipends are granted to individuals for advanced training in modern foreign languages. Contracts are made for research and studies relevant to foreign language instruction.

	1964 actual	1965 actual	1966 estimate	1967 estimate
Number of language and area study centers	55	98	98	106
Number of individuals receiving stipends for language and area studies	1, 074	1, 727	1, 915	2, 175
Number of research projects initiated	47	66	80	92

6. *Educational media research:* Research and demonstrations, financed by grants and contracts, are conducted in the use of new media for educational purposes.

	1964 actual	1965 actual	1966 estimate	1967 estimate
Number of projects initiated	72	82	58	72

7. *Grants to States for statistical services:* Grants are made on a matching basis to assist the States in improving educational statistics. Total payments to any State may not exceed $50,000 annually.

8. *Institutes:* Contracts are made with institutions of higher education for full costs of institutes for teachers or supervisors (or student teachers or supervisors) of modern foreign languages, reading, history, geography, English, economics, civics, industrial arts, disadvantaged youth, school library personnel, and educational media specialists. Stipends are paid to persons in attendance.

	1964 actual	1965 actual	1966 estimate	1967 estimate
Number of institute participants	4, 468	20, 427	23, 985	28, 000

Object classification

[In thousands of dollars]

		1965 actual	1966 estimate	1967 estimate
25.1	Other services	35, 699	50, 511	55, 723
33.0	Investments and loans	122, 226	182, 400	1, 500
41.0	Grants, subsidies, and contributions	135, 840	177, 616	178, 849
	Total costs, funded	293, 765	410, 527	236, 072
94.0	Change in selected resources	11, 965	2, 081	3, 285
99.0	Total obligations	305, 730	412, 608	239, 357

Proposed for separate transmittal:

Defense educational activities

PROGRAM AND FINANCING

[In thousands of dollars]

		1965 actual	1966 estimate	1967 estimate
	FINANCING			
17	Recovery of prior year obligations			−34, 187
40	New obligational authority (proposed supplemental appropriation)			−34, 187
	RELATION OF OBLIGATIONS TO EXPENDITURES			
70	Receipts and other offsets (items 11–17)			−34, 187
71	Obligations affecting expenditures			−34, 187
74	Obligated balances, end of year			34, 187
77	Adjustments in expired accounts			−34, 187
90	Expenditures			−34, 187

Under proposed legislation, 1967: Legislation will be proposed to terminate the direct loan program under the National Defense Education Act. The legislation will facilitate the substitution of loan insurance (under programs authorized by the Higher Education Act of 1965) for direct loans.

It will also provide financial arrangements to continue teacher cancellation and other benefits now authorized for students aided under the NDEA program. It is anticipated that insured loans can be substituted for obligations incurred for direct loans during a transitional period at the start of 1967.

EDUCATIONAL IMPROVEMENT FOR THE HANDICAPPED

For grants for training and research and demonstrations with respect to handicapped children pursuant to the Act of September 6, 1958, as amended (20 U.S.C. 611–617), and section 302 of the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 (Public Law 88–164), [$21,500,000] *as amended (79 Stat. 429), $32,600,000.*

[For an additional amount for "Educational improvement for the handicapped", $4,000,000.] *(Department of Health, Education, and Welfare Appropriation Act, 1966; Supplemental Appropriation Act, 1966.)*

Program and financing

[In thousands of dollars]

		1965 actual	1966 estimate	1967 estimate
	PROGRAM BY ACTIVITIES			
1	Training grants	14, 499	19, 500	24, 500
2	Research and demonstrations	2, 000	6, 000	8, 100
10	Total program costs, funded—obligations (object class 41.0)	16, 499	25, 500	32, 600
	FINANCING			
25	Unobligated balance lapsing	1		
40	New obligational authority (appropriation)	16, 500	25, 500	32, 600
	RELATION OF OBLIGATIONS TO EXPENDITURES			
71	Total obligations (affecting expenditures)	16, 499	25, 500	32, 600
72	Obligated balance, start of year	13, 904	16, 479	25, 979
74	Obligated balance, end of year	−16, 479	−25, 979	−34, 579
77	Adjustments in expired accounts	−75		
90	Expenditures	13, 849	16, 000	24, 000

1. *Training grants:* Grants are made to support training of teachers, supervisors, speech correctionists, research and other professional personnel in fields related to the education of handicapped children.

	1965 actual	1966 estimate	1967 estimate
Number of individuals supported for full academic year	2, 355	3, 153	3, 870
Number of individuals supported in summer programs	2, 660	3, 424	5, 262
Number of grants to strengthen institutional training programs	59	40	20

2. *Research and demonstrations:* To make education of the handicapped more effective, grants are awarded for the development of new curricular materials, teaching techniques, other research and demonstration projects, and for the construction of a research facility.

	1965 actual	1966 estimate	1967 estimate
Number of projects supported	66	150	155

[COOPERATIVE RESEARCH]

[For cooperative research, surveys, and demonstrations in education as authorized by the Act of July 26, 1954 (20 U.S.C. 331–332), $25,000,000.]

RESEARCH AND TRAINING

For research, surveys, training, dissemination of information, and demonstrations in education as authorized by the Act of July 26, 1954 (20 U.S.C. 331–332), as amended by title IV of the Elementary and Secondary Education Act of 1965, [$45,000,000] *$80,000,000,* of which not to exceed [$20,000,000] *$12,400,000* shall remain available until expended for construction of regional facilities for research and related purposes under section 4 of such Act [: *Provided*, That funds appropriated in the Department of Health, Education, and Welfare Appropriation Act, 1966, under the heading "Cooperative research", shall be transferred to and merged with this appropriation.] (*Department of Health, Education, and Welfare Appropriation Act, 1966; Supplemental Appropriation Act, 1966.*)

Program and financing

[In thousands of dollars]

	1965 actual	1966 estimate	1967 estimate
PROGRAM BY ACTIVITIES			
1 Research, surveys, and demonstrations	13,248	43,385	64,801
Construction and equipment grants for research facilities		20,000	12,400
Total program costs, funded	13,248	63,385	77,201
Change in selected resources [1]	2,592	6,615	2,799
10 Total obligations	15,840	70,000	80,000
FINANCING			
40 New obligational authority (appropriation)	15,840	70,000	80,000
RELATION OF OBLIGATIONS TO EXPENDITURES			
71 Total obligations (affecting expenditures)	15,840	70,000	80,000
72 Obligated balance, start of year	8,229	10,796	59,396
74 Obligated balance, end of year	−10,796	−59,396	−81,396
77 Adjustments in expired accounts	−25		
90 Expenditures	13,248	21,400	58,000

[1] Selected resources as of June 30 are as follows: Unpaid undelivered orders 1964, $8,229,000 (1965 adjustments, −$25,000); 1965, $10,796,000; 1966, $17,411,000; 1967, $20,210,000.

Title IV of Public Law 89–10 amended the Cooperative Research Act (Public Law 85–531) by adding authority for support of construction and operation of regional laboratories. In these laboratories institutions of higher education, States, private enterprise and other agencies will pool their strengths to bring the results of educational research and new curriculum design to the Nation's classrooms. The 1965 amendments also extended financial flexibility by permitting award of grants in addition to contracts and authorized special attention to increasing the supply of manpower equipped to undertake research in educational problems.

In 1967 research centers will concentrate on such questions as education of the disadvantaged, individualized instruction, early childhood learning, teacher education, and development of institutions of higher education. Support will be given to preparation of new curricular materials in such fields as English, history, economics, government, and the arts at the elementary and secondary level and literature and the social sciences at the college undergraduate level.

	1964 actual	1965 actual	1966 estimate	1967 estimate
Number of regional laboratories			8	12
Number of educational research centers	2	4	9	11
Number of curriculum improvement projects	73	90	144	160
Number of research projects	378	518	656	750

Object classification

[In thousands of dollars]

	1965 actual	1966 estimate	1967 estimate
25.1 Other services	13,248	18,385	29,801
41.0 Grants, subsidies, and contributions		45,000	47,400
Total costs, funded	13,248	63,385	77,201
94.0 Change in selected resources	2,592	6,615	2,799
99.0 Total obligations	15,840	70,000	80,000

EDUCATIONAL RESEARCH (SPECIAL FOREIGN CURRENCY PROGRAM)

For payments in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States, for necessary expenses of the Office of Education, as authorized by law, [$1,000,000] *$1,800,000*, to remain available until expended: *Provided*, That this appropriation shall be available in addition to other appropriations to such agency, for payments in the foregoing currencies. (Department of Health, Education, and Welfare Appropriation Act, 1966.)

Program and financing

[In thousands of dollars]

	1965 actual	1966 estimate	1967 estimate
PROGRAM BY ACTIVITIES			
1 Research in foreign education	248	558	1,449
2 Training, research, and study grants		500	1,035
10 Total program costs, funded—obligations (dollar equivalent)	248	1,058	2,484
FINANCING			
21 Unobligated balance available, start of year	−490	−742	−684
24 Unobligated balance available, end of year	742	684	
40 New obligational 40 authority (appropriation)	500	1,000	1,800
RELATION OF OBLIGATIONS TO EXPENDITURES			
71 Total obligations (affecting expenditures)	248	1,058	2,484
72 Obligated balance, start of year	276	395	753
74 Obligated balance, end of year	−395	−753	−2,137
90 Expenditures	129	700	1,100

Foreign currencies which are in excess of the normal requirements of the United States are used to support research and grant projects which will add to educational and scientific knowledge in the United States. The funds are used for the promotion of foreign language training and area studies by assisting in the support of oversea activities of American institutions of education for purposes of improving the knowledge and abilities of U.S. educators and by research and study of foreign educational systems, experiences, and developments that will be of value to American educational systems.

Object classification

[In thousands of dollars]

	1965 actual	1966 estimate	1967 estimate
OFFICE OF EDUCATION			
21.0 Travel and transportation of things	33	30	75
25.1 Other services	183	1,000	2,381
Total obligations, Office of Education	216	1,030	2,456
ALLOCATION TO NATIONAL SCIENCE FOUNDATION			
25.1 Other services (total obligations, National Science Foundation)	32	28	28
99.0 Total obligations	248	1,058	2,484

FOREIGN LANGUAGE TRAINING AND AREA STUDIES

For payments to carry out the provisions of section 102(b)(6) of the Mutual Educational and Cultural Exchange Act of 1961 (75 Stat. 529), [$2,000,000] *$3,500,000*. (*Department of Health, Education, and Welfare Appropriation Act, 1966.*)

Program and financing

[In thousands of dollars]

	1965 actual	1966 estimate	1967 estimate
PROGRAM BY ACTIVITIES			
10 Research, training, and studies (costs—obligations) (object class 41.0)	1,500	2,000	3,500
FINANCING			
40 New obligational authority (appropriation)	1,500	2,000	3,500
RELATION OF OBLIGATIONS TO EXPENDITURES			
71 Total obligations (affecting expenditures)	1,500	2,000	3,500
72 Obligated balance, start of year	1,352	1,496	2,296
74 Obligated balance, end of year	−1,496	−2,296	−3,596
90 Expenditures	1,356	1,200	2,200

Study and research grants are made and seminars are held for teachers and prospective teachers to improve teaching of modern foreign languages and area studies in schools, colleges, and universities in the United States. These grants are concerned with the studies of modern languages and cultures of all areas of the world.

	1965 actual	*1966 estimate*	*1967 estimate*
Number of individuals receiving grants for foreign language training and area studies	306	381	645

SALARIES AND EXPENSES

For expenses necessary for the Office of Education, including surveys, studies, investigations, and reports regarding libraries; coordination of library service on the national level with other forms of adult education; development of library service throughout the country; purchase, distribution, and exchange of education documents, motion-picture films, and lantern slides; [$22,562,000] *$41,563,000*.

THE UNIVERSITY OF MICHIGAN LIBRARIES

[For an additional amount for "Salaries and expenses," $2,935,000, of which not to exceed $100,000 shall be for the National Advisory Committee on Education of the Deaf, and not to exceed $100,000 shall be for the National Conference on Education of the Deaf: *Provided*, That this paragraph shall be effective only upon enactment into law of H.R. 9567, Eighty-ninth Congress, or similar legislation.] (*Department of Health, Education, and Welfare Appropriation Act, 1966; Supplemental Appropriation Act, 1966.*)

NOTE.—Excludes $32,000 for activities transferred in the estimates to "Salaries and expenses, Office of General Counsel." The amounts obligated in 1966 are shown in the schedules as comparative transfers.

Program and financing

[In thousands of dollars]

	1965 actual	1966 estimate	1967 estimate
PROGRAM BY ACTIVITIES			
1 Office of the Commissioner	2,412	4,141	4,982
2 National center for educational statistics	2,048	3,482	7,627
3 Administration and contract service	1,113	1,613	2,265
4 Elementary and secondary education	4,782	7,566	9,985
5 Adult and vocational education	1,504	2,472	3,320
6 Higher education	3,005	4,488	6,190
7 Research	3,517	5,756	7,194
Total program costs, funded	18,381	29,518	41,563
Change in selected resources [1]	1,010	600	
10 Total obligations	19,391	30,118	41,563
FINANCING			
16 Comparative transfers to/from other accounts	−170	18	
25 Unobligated balance lapsing	907		
New obligational authority	20,128	30,136	41,563
NEW OBLIGATIONAL AUTHORITY			
40 Appropriation	20,008	29,547	41,563
41 Transferred to "Operating expenses, Public Buildings Services," General Services Administration (79 Stat. 531)		−77	
42 Transferred from—"Assistance to refugees in the United States"	120		
"Economic opportunity program" (79 Stat. 1251)		666	
43 Appropriation (adjusted)	20,128	30,136	41,563
RELATION OF OBLIGATIONS TO EXPENDITURES			
10 Total obligations	19,391	30,118	41,563
70 Receipts and other offsets (items 11–17)	−170	18	
71 Obligations affecting expenditures	19,221	30,136	41,563
72 Obligated balance, start of year	2,410	3,865	5,001
74 Obligated balance, end of year	−3,865	−5,001	−7,264
77 Adjustments in expired accounts	−33		
90 Expenditures	17,732	29,000	39,300

[1] Selected resources as of June 30 are as follows: Unpaid undelivered orders, 1964, $1,796,000 (1965 adjustments—$33,000); 1965, $2,773,000; 1966, $3,373,000; 1967, $3,373,000.

The Office of Education administers programs of educational research, captioning and distributing motion picture films for the deaf, elementary and secondary education, higher education, adult and vocational education, a National Center for Educational Statistics, central management and other staff services required in accomplishing the mission of the Office. In 1967 there will be a considerable expansion of technical assistance and other field services, consistent with the considerable expansion in program responsibility recently assigned to the Office of Education by new legislation.

Object classification

[In thousands of dollars]

	1965 actual	1966 estimate	1967 estimate
PERSONNEL COMPENSATION			
11.1 Permanent positions	11,726	16,301	23,166
11.3 Positions other than permanent	747	1,018	971
11.5 Other personnel compensation	79	91	91
Total personnel compensation	12,552	17,410	24,228
12.0 Personnel benefits	869	1,218	1,761
21.0 Travel and transportation of persons	1,083	2,117	2,212
22.0 Transportation of things	2	19	19
23.0 Rent, communications, and utilities	377	1,076	1,228
24.0 Printing and reproduction	554	874	1,038
25.1 Other services	2,423	6,142	10,449
26.0 Supplies and materials	179	252	268
31.0 Equipment	340	409	358
42.0 Insurance claims and indemnities	2	1	2
Total costs, funded	18,381	29,518	41,563
94.0 Change in selected resources	1,010	600	
99.0 Total obligations	19,391	30,118	41,563

Personnel summary

	1965 actual	1966 estimate	1967 estimate
Total number of permanent positions	1,539	2,192	2,740
Full-time equivalent of other positions	88	90	85
Average number of all employees	1,293	1,765	2,453
Average GS grade	9.3	9.2	9.2
Average GS salary	$9,566	$9,674	$9,583

CIVIL RIGHTS EDUCATIONAL ACTIVITIES

For carrying out the provisions of title IV of the Civil Rights Act of 1964 relating to functions of the Commissioner of Education, [$5,000,000] *$11,115,000*, of which not to exceed [$1,500,000] *$1,465,000* shall be for salaries and expenses, including services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a). (*Department of Health, Education, and Welfare Appropriation Act, 1966.*)

Program and financing

[In thousands of dollars]

	1965 actual	1966 estimate	1967 estimate
PROGRAM BY ACTIVITIES			
1 Institutes for school personnel and grants to school boards	3,909	5,246	7,673
2 Administration	467	1,500	1,465
Total program costs, funded	4,376	6,746	9,138
Change in selected resources [1]	3,405	−1,746	1,977
10 Total obligations	7,781	5,000	11,115
FINANCING			
25 Unobligated balance lapsing	219		
40 New obligational authority (appropriation)	8,000	5,000	11,115
RELATION OF OBLIGATIONS TO EXPENDITURES			
71 Total obligations (affecting expenditures)	7,781	5,000	11,115
72 Obligated balance, start of year		6,490	6,990
74 Obligated balance, end of year	−6,490	−6,990	−10,855
90 Expenditures	1,292	4,500	7,250

[1] Selected resources as of June 30 are as follows: Unpaid undelivered orders, 1964, $0, 1965, $3,405,000, 1966, $1,659,000, 1967, $3,636,000.

Institutes for school personnel: Contracts are made with institutions of higher education for institutes for special training of school personnel to deal effectively with specific educational problems occasioned by desegregation.

Grants to school boards: Grants are made to school boards and to State departments of education to pay in whole or in part for the inservice training of school personnel and for professional services in dealing with problems incident to desegregation.

Administration: Technical assistance is given in the desegregation of public schools.

Object classification

[In thousands of dollars]

	1965 actual	1966 estimate	1967 estimate
PERSONNEL COMPENSATION			
11.1 Permanent positions	182	512	791
11.3 Positions other than permanent	64	188	188
Total personnel compensation	246	700	979
12.0 Personnel benefits	13	43	63
21.0 Travel and transportation of persons	75	128	151
22.0 Transportation of things	2		
23.0 Rent, communications, and utilities	17	72	56
24.0 Printing and reproduction	10	31	35
25.1 Other services	984	3,865	2,693
26.0 Supplies and materials	8	6	9
31.0 Equipment	21	1	2
41.0 Grants, subsidies, and contributions	3,000	1,900	5,150
Total costs, funded	4,376	6,746	9,138
94.0 Change in selected resources	3,405	−1,746	1,977
99.0 Total obligations	7,781	5,000	11,115

Personnel Summary

	1965 actual	1966 estimate	1967 estimate
Total number of permanent positions	68	60	92
Full-time equivalent of other positions	3	10	10
Average number of all employees	27	66	98
Average GS grade	9.3	9.2	9.2
Average GS salary	$9,566	$9,674	$9,583

Proposed for separate transmittal:

Civil rights educational activities

PROGRAM AND FINANCING

[In thousands of dollars]

	1965 actual	1966 estimate	1967 estimate
PROGRAM BY ACTIVITIES			
1. Institutes for school personnel and grants to school boards	--------	3,000	--------
2. Administration	--------	250	--------
10 Total program costs, funded—obligations	--------	3,250	--------
FINANCING			
40 New obligational authority (proposed supplemental appropriation)	--------	3,250	--------
RELATION OF OBLIGATIONS TO EXPENDITURES			
71 Total obligations (affecting expenditures)	--------	3,250	--------
72 Obligated balance, start of year	--------	--------	1,750
74 Obligated balance, end of year	--------	−1,750	--------
90 Expenditures	--------	1,500	1,750

Under existing legislation, 1966: A supplemental appropriation will be requested for 1966 to finance additional training and technical assistance activities for alleviation of problems occasioned by desegregation of schools.

ARTS AND HUMANITIES EDUCATIONAL ACTIVITIES

For carrying out sections 12 and 13 of the National Foundation on the Arts and the Humanities Act of 1965, $1 million. (Supplemental Appropriation Act, 1966.)

Program and financing

[In thousands of dollars]

	1965 actual	1966 estimate	1967 estimate
PROGRAM BY ACTIVITIES			
1 Instructional assistance to schools	--------	500	500
2 Teacher training institutes	--------	500	500
10 Total program costs, funded—obligations	--------	1,000	1,000
FINANCING			
40 New obligational authority (appropriation)	--------	1,000	1,000
RELATION OF OBLIGATIONS TO EXPENDITURES			
71 Total obligations (affecting expenditures)	--------	1,000	1,000
72 Obligated balance, start of year	--------	--------	800
74 Obligated balance, end of year	--------	−800	−800
90 Expenditures	--------	200	1,000

1. Instructional assistance: Grants are made to States on a matching basis and loans are made to nonprofit private schools for acquisition of equipment and minor remodeling of space in order to strengthen instruction in the arts and humanities.

2. Teacher training institutes: Contracts are made with institutions of higher education for full costs of institutes for teachers or supervisors (or student teachers or supervisors) of arts and the humanities. Stipends are paid to persons in attendance.

	1966 estimate	*1967 estimate*
Number of institute participants	300	300

Object classification

[In thousands of dollars]

	1965 actual	1966 estimate	1967 estimate
25.1 Other services	--------	500	500
33.0 Investments and loans	--------	60	60
41.0 Grants, subsidies, and contributions	--------	440	440
99.0 Total obligations	--------	1,000	1,000

Colleges for agriculture and the mechanic arts (permanent)

PROGRAM AND FINANCING

[In thousands of dollars]

	1965 actual	1966 estimate	1967 estimate
PROGRAM BY ACTIVITIES			
10 Grants to States (costs—obligations) (object class 41.0)	2,550	2,550	2,550
FINANCING			
60 New obligational authority (permanent appropriations)	2,550	2,550	2,550
RELATION OF OBLIGATIONS TO EXPENDITURES			
71 Total obligations (affecting expenditures)	2,550	2,550	2,550
90 Expenditures	2,550	2,550	2,550

Each State and Puerto Rico receives $50,000 for college instruction, including facilities, in agriculture, the mechanic arts, and related fields, and for the training of teachers in these fields (7 U.S.C. 301–308; 321–328).

Promotion of Vocational Education Act, Feb. 23, 1917 (permanent, indefinite)

PROGRAM AND FINANCING

[In thousands of dollars]

	1965 actual	1966 estimate	1967 estimate
PROGRAM BY ACTIVITIES			
10 Grants to States (costs—obligations) (object class 41.0)	7,161	7,161	7,161
FINANCING			
60 New obligational authority (appropriation)	7,161	7,161	7,161
RELATION OF OBLIGATIONS TO EXPENDITURES			
71 Total obligations (affecting expenditures)	7,161	7,161	7,161
77 Adjustments in expired accounts	−24	--------	--------
90 Expenditures	7,137	7,161	7,161

Grants are made to the States on a dollar-for-dollar matching basis for the purpose of cooperating with the States in paying the salaries of teachers of agriculture, trade, home economics, and industrial subjects, and for the training of teachers of these subjects (20 U.S.C. 11–18) (74 Stat. 412).

Public enterprise funds:

STUDENT LOAN INSURANCE FUND

For the Student Loan Insurance Fund created by section 431 of the Higher Education Act of 1965 (79 Stat. 1245) and the Vocational Student Loan Insurance Fund created by section 138 of the National Vocational Student Loan Insurance Act of 1965 (79 Stat. 1046), $3,200,000, to remain available until expended: Provided, That said funds shall be merged into one account.

Program and financing

[In thousands of dollars]

	1965 actual	1966 estimate	1967 estimate
PROGRAM BY ACTIVITIES			
Operating costs, funded:			
2 Vocational student loan: (a) Interest to Treasury	--------	--------	1
Total operating costs	--------	--------	1
Capital outlay, funded:			
1 Higher education student loan: (a) Loans purchased upon default by student borrowers	--------	30	180
2 Vocational student loan: (a) Loans purchased upon default by student borrowers	--------	--------	120
Total capital outlay	--------	30	300
10 Total obligations	--------	30	301
FINANCING			
Receipts and reimbursements from:			
11 Administrative budget accounts: Interest on U.S. securities	--------	−3	−87
14 Non-Federal sources: Insurance fees: Revenue	--------	−4	−14
21.98 Unobligated balance available, start of year:			
Cash	--------	--------	−77
U.S. securities	--------	--------	−400
24.98 Unobligated balance available, end of year:			
Cash	--------	77	577
U.S. securities	--------	400	2,900
New obligational authority	--------	500	3,200
NEW OBLIGATIONAL AUTHORITY			
40 Appropriation	--------	--------	3,200
42 Transferred from "Higher Educational Activities"	--------	500	--------
Appropriation (adjusted)	--------	500	3,200
RELATION OF OBLIGATION TO EXPENDITURES			
10 Total obligations	--------	30	301
70 Receipts and other offsets (items 11–17)	--------	−7	−101
71 Obligations affecting expenditures	--------	23	200
90 Expenditures	--------	23	200

Program and financing—Continued

[In thousands of dollars]

	1965 actual	1966 estimate	1967 estimate
CASH TRANSACTIONS			
93 Gross expenditures		30	301
94 Applicable receipts		−7	−101

Under the Higher Education Act of 1965, and the National Vocational Student Loan Insurance Act of 1965, the Office of Education received authority to insure loans of students in eligible institutions which do not have reasonable access to a State or private nonprofit program of student loan insurance.

It is anticipated that 1,000 loans of $500 each and 5,000 of $200 each will be insured in 1966, and 6,000 loans of $500 each and 5,000 of $400 each in 1967. Of these, it is estimated that 1 percent of the total value will default due to death or total and permanent disablement, and 5 percent of the total value will default due to dropout and other causes.

The balance of outstanding loans at the end of 1966 will be $1,360,000, and $6,160,000 at the end of 1967. All insurance premiums earned, computed at one-fourth of 1 percent per annum of the unpaid principal amount of the loan (excluding interest added to principal), as well as interest received, will be retained in the fund to meet possible additional requirements for payments of defaulted loans. The fund may borrow from the Treasury if at any time the moneys available are insufficient to make payments on defaults of insured loans. It is estimated that the appropriation requested will make it unnecessary to utilize the authority in 1967. The fund will take over loans on which it pays insurance claims and seek to collect on them, but the schedules contemplate a full reserve for losses on such loans.

The business-type schedules for this fund reflect an estimated $50,000 to be provided in 1966 through a supplemental appropriation for expansion and improvement of vocational education.

Revenue, expense, and retained earnings

[In thousands of dollars]

	1965 actual	1966 estimate	1967 estimate
Higher education student loans:			
Revenue		4	96
Expense (writeoff of defaulted loans)		−30	−180
Net operating loss, higher education student loans		−26	−84
Vocational student loans:			
Revenue		3	5
Expense (writeoff of defaulted loans)		−10	−121
Net operating loss, vocational student loans		−7	−116
Net loss for the year		−33	−200
Deficit, start of year			−33
Deficit, end of year		−33	−233

Financial condition

[In thousands of dollars]

	1964 actual	1965 actual	1966 estimate	1967 estimate
Assets:				
Treasury balance			117	617
Investment in U.S. securities (par)			400	2,900
Total assets			517	3,517
Government equity:				
Interest-bearing capital:				
Start of year				550
Appropriations			550	3,200
End of year			550	3,750
Deficit			−33	−233
Total Government equity			517	3,517

Analysis of Government equity

[In thousands of dollars]

	1964 actual	1965 actual	1966 estimate	1967 estimate
Unobligated balance			117	617
Invested capital and earnings			400	2,900
Total Government equity			517	3,517

Object classification

[In thousands of dollars]

	1965 actual	1966 estimate	1967 estimate
42.0 Insurance claims and indemnities		30	300
43.0 Interest and dividends			1
99.0 Total obligations		30	301

Intragovernmental funds—Advances and reimbursements

PROGRAM AND FINANCING

[In thousands of dollars]

	1965 actual	1966 estimate	1967 estimate
PROGRAM BY ACTIVITIES			
1 College housing loan program (Department of Housing and Urban Development)	30	30	31
2 Survey of research activities: National Science Foundation	27	30	
3 Civil defense adult education activities (Defense)	3,754	4,200	4,204
4 Ryukyuan national project (Department of Army)	15	15	
5 Consultative services to non-Federal agencies (5 U.S.C. 623f; 71 Stat. 224)	42	50	50
6 Miscellaneous services to other agencies	21	134	134
10 Total program costs, funded—obligations	3,889	4,450	4,419

Intragovernmental funds—Advances and reimbursements—Continued

[In thousands of dollars]

	1965 actual	1966 estimate	1967 estimate
FINANCING			
Receipts and reimbursements from:			
11 Administrative budget accounts	−4,076	−4,379	−4,369
14 Non-Federal sources [1]	−42	−50	−50
21 Unobligated balance available, start of year	−1	−30	
24 Unobligated balance available, end of year	30		
25 Unobligated balance lapsing	200		
New obligational authority			
RELATION OF OBLIGATIONS TO EXPENDITURES			
10 Total obligations	3,889	4,450	4,419
70 Receipts and other offsets (items 11–17)	−4,118	−4,429	−4,419
71 Obligations affecting expenditures	−229	30	
72 Obligated balance, start of year	1,096	1,911	1,998
74 Obligated balance, end of year	−1,911	−1,998	−1,985
77 Adjustments in expired accounts	−365		
90 Expenditures	−1,409	−57	13

[1] Reimbursements from non-Federal sources are for consultative services rendered at the request of States, institutions of higher education, and other agencies and organizations (40 U.S.C. 481(c); 68 Stat. 439).

Object classification

[In thousands of dollars]

	1965 actual	1966 estimate	1967 estimate
PERSONNEL COMPENSATION			
11.1 Permanent positions	129	249	264
11.3 Positions other than permanent	27	29	24
11.5 Other personnel compensation	1		
Total personnel compensation	157	278	288
12.0 Personnel benefits	12	20	21
21.0 Travel and transportation of persons	58	78	77
23.0 Rent, communications, and utilities	4	12	12
24.0 Printing and reproduction	5	7	7
25.1 Other services	3,632	4,042	4,008
26.0 Supplies and materials	3	3	3
31.0 Equipment	5	4	3
41.0 Grants, subsidies, and contributions	13	15	
99.0 Total obligations	3,889	4,459	4,419

Personnel summary

	1965 actual	1966 estimate	1967 estimate
Total number of permanent positions	20	29	29
Full-time equivalent of other positions	0	1	0
Average number of all employees	15	26	27
Average GS grade	9.3	9.2	9.2
Average GS salary	$9,566	$9,674	$9,683

EXHIBIT 1

NDSL estimated level of student lending, fiscal year 1966

State and institution	Federal contribution (from OE records) (1)	Institutional contribution (1/9 of col. 1) (2)	Collections to be reloaned (from institutions) (3)	Carryover [1] funds (from institutions) (4)	Total loan funds available (sum of cols. 1 to 4) (5)	Number of students estimated to receive loans (from institutions) (6)
ALABAMA						
Alabama A. & M. College	$242, 100	$26, 900	$1, 000		$270, 000	450
Alabama College	88, 200	9, 800	15, 000	$8, 500	121, 500	245
Auburn University	216, 000	24, 000	30, 000	5, 000	275, 000	500
Alabama State College	128, 922	14, 325	16, 503		159, 750	360
Athens College				1, 655	1, 655	
Birmingham Southern College	46, 951	5, 217	9, 000	3, 832	65, 000	130
Daniel Payne College	83, 200	9, 255	500	45	93, 000	305
Florence State College	157, 477	17, 496	16, 313	30, 264	221, 550	411
Howard College				8, 394	8, 394	
Huntingdon College	69, 048	7, 672	5, 000	80	81, 800	140
Jacksonville State College	250, 632	27, 848	11, 174	696	290, 350	435
Judson College	29, 340	3, 260	1, 900	500	35, 000	70
Livingston State College	87, 750	9, 750	2, 500		100, 000	200
Marion Institution	3, 870	430	260	1, 440	6, 000	12
Miles College	137, 982	15, 331	5, 762	1, 500	160, 575	340
Oakwood College	43, 155	4, 795	1, 850		49, 800	94
Sacred Heart College	22, 545	2, 505		950	26, 000	45
St. Bernard College	48, 083	5, 342	2, 500	1, 750	57, 675	75
Snead Junior College	15, 120	1, 680	1, 200		18, 000	60
Southeastern Bible College				2, 314	2, 314	
Southern Union College	11, 120	1, 235	1, 500	2, 345	16, 200	50
Spring Hill College	91, 485	10, 165	3, 750	2, 100	107, 500	165
Stillman College	64, 822	7, 203	5, 000		77, 025	147
Talladega College	34, 418	3, 824	532	226	39, 000	130
Troy State College	158, 400	17, 600	14, 880	1, 500	192, 380	257
Tuskegee Institute	314, 433	34, 937	40, 000	950	390, 320	680
University of Alabama	697, 712	77, 524	45, 014		820, 250	1, 655
University of South Alabama	36, 000	4, 000			40, 000	150
Walker College				3, 515	3, 515	
Alabama Christian College	26, 820	2, 980	150	50	30, 000	500
Northeast Alabama State Junior College	60, 030	6, 670			66, 700	110
Mobile College				500	500	
Total, 32 institutions	3, 165, 615	351, 744	231, 288	78, 106	3, 826, 753	7, 716
ALASKA						
Alaska Methodist University	16, 647	1, 850	3, 000	7, 753	29, 250	50
Sheldon Jackson Junior College	1, 660	184		156	2, 000	7
University of Alaska	42, 173	4, 686	2, 000	1, 141	50, 000	110
Total, 3 institutions	60, 480	6, 720	5, 000	9, 050	81, 250	167
ARIZONA						
American Institute of Foreign Trade	67, 876	7, 542	15, 382	2, 000	92, 800	131
Arizona State College	86, 850	9, 650	4, 000	2, 000	102, 500	400
Arizona State University	721, 080	80, 120	23, 000	20, 000	844, 200	1, 563
Arizona Western College	10, 053	1, 117		1, 330	12, 500	16
Grand Canyon College	45, 900	5, 100	3, 500	500	55, 000	110
Phoenix College	7, 020	780	1, 200	1, 000	10, 000	40
University of Arizona	396, 036	44, 004	45, 750	15, 254	501, 044	740
Total, 7 institutions	1, 334, 815	148, 313	92, 832	42, 084	1, 618, 044	3, 000
ARKANSAS						
Agricultural, Mechanical, & Normal College	359, 622	39, 958	6, 000	900	406, 480	1, 080
Arkansas A. & M. College	103, 860	11, 540	14, 000	3, 100	132, 500	270
Arkansas College	30, 600	3, 400	3, 500	7, 500	45, 000	75
Arkansas Polytechnic College	95, 357	10, 595	4, 448		110, 400	276
Arkansas State College	193, 500	21, 500	25, 000		240, 000	425
Arkansas State Teachers College	111, 127	12, 348	10, 025		133, 500	300
College of the Ozarks	17, 100	1, 900	500		19, 500	65
Fort Smith Junior College	16, 380	1, 820	900	400	19, 500	65
Harding College	141, 232	15, 693	10, 500	1, 000	168, 425	455
Henderson State Teachers College	135, 000	15, 000	4, 000	4, 000	158, 000	329
Hendrix College	23, 850	2, 650	1, 500		28, 000	70
John Brown University	14, 400	1, 600	2, 000	250	18, 250	35
Little Rock University	22, 795	2, 532	3, 238	1, 435	30, 000	100
Ouachita Baptist College	122, 561	13, 618	4, 250	50	140, 479	235
Philander Smith College	70, 002	7, 778	6, 500	500	84, 780	263
Shorter College	17, 897	1, 989	114		20, 000	90
Southern Baptist College	51, 300	5, 700	2, 500	500	60, 000	190
Southern State College	213, 273	23, 697	27, 000	500	264, 470	596
University of Arkansas	326, 803	36, 311	10, 500	13, 450	387, 064	711
Arkansas Baptist College	8, 024	892	284	800	10, 000	30
University of Arkansas Medical School	52, 419	5, 824		1, 757	60, 000	60
Total, 21 institutions	2, 127, 102	236, 345	136, 759	36, 142	2, 536, 348	5, 780
CALIFORNIA						
California State College at Hayward	222, 870	24, 763	2, 367		250, 000	420
Art Center School	67, 815	7, 535	13, 100		88, 450	145
Azusa College	62, 000	6, 890	4, 000	2, 500	75, 390	122
Bakersfield College	18, 270	2, 030	2, 200		22, 500	62
Bethany Bible College	56, 160	6, 240	3, 500	100	66, 000	150
Bible Institute of Los Angeles	83, 880	9, 320	5, 600	1, 200	100, 000	175
California Baptist College	65, 556	7, 284	3, 793	2, 717	79, 350	113
California College of Arts & Crafts	28, 665	3, 185	5, 500	5, 500	42, 850	72
California Podiatry College	74, 430	8, 270	8, 300		91, 000	70
California Institute of Technology	139, 567	15, 507	11, 990	13, 530	180, 594	205
California Lutheran College	131, 620	14, 624	1, 000	1, 200	148, 444	260

See footnote at end of table.

NDSL estimated level of student lending, fiscal year 1966—Continued

State and institution	Federal contribution (from OE records) (1)	Institutional contribution (1/9 of col. 1) (2)	Collections to be reloaned (from institutions) (3)	Carryover [1] funds (from institutions) (4)	Total loan funds available (sum of cols. 1 to 4) (5)	Number of students estimated to receive loans (from institutions) (6)
CALIFORNIA—continued						
San Francisco Art Institute	$3,825	$425	$550	$200	$5,000	10
California State Polytechnic College	378,227	42,025	37,398	950	458,600	699
California Western University	186,372	20,708	22,120	5,800	235,000	300
Chaffey College	7,108	790	1,000	102	9,000	20
Chapman College	117,000	13,000	10,000	10,000	150,000	250
Chico State College	238,707	26,523	22,000	770	288,000	460
Chouinard Art Institute				4,000	4,000	5
City College of San Francisco	11,457	1,273	924	846	14,500	39
Clarement University College	42,255	4,695	3,000	450	50,400	85
Coalinga College	4,059	450	357	134	5,000	20
College of the Desert				500	500	
College of the Holy Names	22,500	2,500	3,000	2,000	30,000	38
College of Marin	13,410	1,490	100		15,000	36
Loma Linda University	45,630	5,070	9,000	5,800	65,500	105
College of Notre Dame	48,870	5,430	200	500	55,000	80
California College of Medicine				3,554	3,554	
University of the Pacific	314,550	34,950	8,000		357,500	415
College of San Mateo	6,994	777	450	1,279	9,500	20
College of the Sequoias	2,171	241	200	388	3,000	12
College of the Siskiyous	9,360	1,040		3,600	14,000	22
Contra Costa College	8,220	913	668	99	9,900	12
Diablo Valley College	4,342	483	500	175	5,500	20
Dominican College of San Rafael	21,694	2,410	3,690	56	27,850	42
El Camino College	7,969	886	240	4,905	14,000	30
Electronic Technical Institute	10,800	1,200			12,000	24
Foothill College	9,080	1,009	500	61	10,650	34
Fresno State College	245,790	27,310	22,400	4,500	300,000	623
Pepperdine College	108,219	12,024	8,000	12,000	140,243	222
Golden Gate College	5,310	590	1,300	1,600	8,800	28
Humboldt State College	149,310	16,590	9,000	1,600	176,500	445
Humphreys College	7,099	789	5,591	4,070	17,549	39
Immaculate Heart College	90,076	10,009	6,674	10,241	117,000	152
La Sierra College	126,045	14,005	7,450		147,500	250
Lassen Junior College	4,500	500			5,000	10
La Verne College	45,900	5,100	14,500	7,000	72,500	135
California State College at Long Beach	360,000	40,000	20,000		420,000	720
Los Angeles Baptist College	28,107	3,123	756	14	32,000	57
Los Angeles College of Optometry				3,080	3,080	
California State College at Los Angeles	424,589	47,177	17,123		488,889	700
Loyola University of Los Angeles	119,700	13,300	12,000	9,000	154,000	215
Marymount College	48,330	5,370	800	500	55,000	60
Menlo College			2,500	9,500	12,000	12
Merritt College	17,640	1,960	700	500	20,800	26
Mills College	44,227	4,914	153	706	50,000	75
Modesto Junior College	26,955	2,995	1,625	2,575	34,150	50
Monterey Institute of Foreign Studies	35,960	3,995	45		40,000	66
Monterey Peninsula College				1,748	1,748	4
Mount St. Marys College	10,800	1,200	500	2,500	15,000	20
Mount San Antonio College	12,055	1,339	2,113	493	16,000	60
Napa College	5,220	580	200		6,000	15
Northrop Institute of Technology	125,581	13,953	42,000	33,466	215,000	220
Occidental College	75,150	8,350	14,000	1,500	99,000	185
Orange Coast College	12,195	1,355	2,050	400	16,000	40
California State College at Fullerton	130,950	14,550	4,500		150,000	500
Pacific College	55,800	6,200	500	500	63,000	160
Pacific Oaks College	2,107	234		484	2,825	7
Pacific Union College	147,600	16,400	12,000	4,000	180,000	260
Palomar College	2,430	270	600	700	4,000	14
Palo Verde Junior College	1,327	147	50	36	1,560	18
Pasadena City College	2,756	306	1,600	1,838	6,500	22
Pasadena College	159,866	17,763	20,400		198,029	450
Pasadena Playhouse College	25,650	2,850	1,000	500	30,000	30
Pomona College	13,500	1,500			15,000	75
Reedley College				239	239	
Sacramento City College	13,040	1,449		1,054	15,543	25
Sacramento State College	225,000	25,000	15,000	5,000	270,000	604
St. Marys College of California	110,000	12,222	3,000	500	125,722	251
St. Patricks Seminary	6,750	750	2,000	3,500	13,000	25
Gavilan College	3,086	343	317	654	4,400	6
San Bernardino Valley College	12,071	1,341	750	138	14,300	37
San Diego Junior College	18,000	2,000	5,100	2,500	27,600	45
San Diego State College	247,500	27,500	50,000	10,000	335,000	500
San Fernando Valley State College	263,250	29,250	5,500	2,000	300,000	630
San Francisco College for Women	24,967	2,774	3,000	1,884	32,625	60
Academy of Art	9,517	1,058			10,575	15
California State College (Palos Verdes)	9,000	1,000			10,000	13
San Francisco Conservatory of Music	19,886	2,210	376	1,478	23,950	38
San Francisco State College	385,775	42,864	30,402		459,041	591
San Jose City College	21,600	2,400	1,100	900	26,000	48
San Jose State College	565,383	62,820	184,019		812,222	1,490
Santa Barbara City College	5,400	600			6,000	20
Santa Rosa Junior College	20,925	2,325	750		24,000	30
Scripps College	12,960	1,440		600	15,000	30
Shasta College				9,696	9,696	
Sierra College	5,400	600	130	210	6,340	17
Simpson Bible College	10,337	1,149	2,000	500	13,986	42
Sonoma State College	79,200	8,800	500		88,500	240
Southern California College	63,810	7,090	7,600	500	79,000	140
Stanford University	735,000	81,667	89,700		906,367	1,300
Stanislaus State College	67,230	7,470	850	2,450	78,000	135
San Joaquin Delta College	3,915	435	50	200	4,600	10
Taft College	2,353	262	500	185	3,300	13
University of California at Berkeley	1,149,200	127,689	100,000	20,000	1,396,889	3,200
University of California at Davis	291,600	32,400	20,000	6,000	350,000	630
University of California at San Diego	102,898	11,433	597		114,928	65

See footnote at end of table.

NDSL estimated level of student lending, fiscal year 1966—Continued

State and institution	Federal contribution (from OE records) (1)	Institutional contribution (1/9 of col. 1) (2)	Collections to be reloaned (from institutions) (3)	Carryover [1] funds (from institutions) (4)	Total loan funds available (sum of cols. 1 to 4) (5)	Number of students estimated to receive loans (from institutions) (6)
CALIFORNIA—continued						
University of California at Los Angeles	$708,400	$78,711	$38,000		$825,111	1,720
University of California at Riverside	118,590	13,177	11,758		143,525	295
University of California at San Francisco Medical School	147,548	16,394	34,058	$15,000	213,000	134
University of California at Santa Barbara	459,000	51,000	39,500		549,500	1,114
University of Redlands	99,000	11,000	2,000		112,000	148
University of San Diego College (Men)	45,090	5,010	600	800	51,500	65
California State School at San Bernardino	18,000	2,000			20,000	30
University of California at Irvine	50,000	5,555			55,555	122
University of California at Santa Cruz	27,000	3,000			30,000	60
San Francisco College of Mortuary Science	2,700	300			3,000	10
Zweegman School for Medical Secretaries	6,300	700			7,000	10
University of San Francisco	232,704	25,856	37,661	29,279	325,500	495
University of Santa Clara	361,796	40,200	889	15,115	418,000	490
University of Southern California	464,858	51,651	100,000	71,824	688,333	850
Ventura College	7,200	800		400	8,400	30
Victor Valley College	1,863	207		430	2,500	5
Westmont College	67,500	7,500	10,000	5,000	90,000	200
Whittier College	162,900	18,100	13,500	6,500	201,000	400
Yuba College	7,200	800	1,700	300	10,000	14
Total, 125 institutions	12,608,879	1,400,986	1,230,284	402,803	15,642,952	26,979
COLORADO						
Adams State College	121,500	13,500	4,200		139,200	298
Colorado College	122,879	13,653	20,870	18,550	175,952	250
Colorado School of Mines	36,900	4,100	9,000		50,000	125
Colorado State College	473,662	52,629	26,000	5,000	557,291	1,025
Colorado State University	331,932	36,881	35,000	10,000	413,813	871
Colorado Womans College	83,385	9,265	5,000	3,100	100,750	121
Fort Lewis A. & M. College	52,200	5,800	1,500		59,500	100
Iliff School of Theology	13,815	1,535	750	100	16,200	36
Lamar Junior College	5,407	601	691	401	7,100	18
Loretto Heights College	38,295	4,255		16,350	58,900	87
Mesa County Junior College	31,500	3,500	2,000		37,000	75
Northeastern Junior College	15,074	1,675	350	151	17,250	40
Otero Junior College	11,520	1,280	1,000	1,000	14,800	39
Southern Colorado State College	89,190	9,910	900		100,000	175
Regis College	102,074	11,342	9,664	2,370	125,450	185
Trinidad State Junior College	24,615	2,735	5,150	500	33,000	77
University of Colorado	450,000	50,000	63,000	7,000	570,000	1,100
University of Denver	431,000	47,889	20,000	10,000	508,889	650
Western State College of Colorado	65,592	7,288	3,400	1,000	77,280	168
Rangely Junior College	17,126	1,903	300	1,071	20,400	42
Total, 20 institutions	2,517,666	279,741	208,775	76,593	3,082,775	5,482
CONNECTICUT						
Albertus Magnus College	54,146	6,016	3,473	1,365	65,000	120
Annhurst College	15,515	1,724	957	304	18,500	29
Central Connecticut State College	108,000	12,000	18,000		138,000	340
Connecticut College	81,000	9,000			90,000	210
Danbury State College	27,450	3,050	5,500		36,000	100
Fairfield University	111,193	12,355	6,100	1,602	131,250	250
Manchester Community College	2,700	300		180	3,180	11
Mitchell College	2,146	238	1,033	1,743	5,160	20
New Haven College	29,674	3,297	2,354	300	35,625	95
Norwalk Community College				4,000	4,000	8
Quinnipiac College	75,587	8,399	8,338	1,926	94,250	195
St. Joseph College	27,360	3,040	4,000	10,600	45,000	75
Southern Connecticut State College	108,900	12,100	15,500	10,000	146,500	298
Trinity College	28,935	3,215	3,300		35,450	56
University of Bridgeport	160,094	17,788	18,721	13,397	210,000	360
University of Connecticut	512,500	56,944	65,000	10,000	644,444	1,075
University of Hartford	222,300	24,700	8,000	20,000	275,000	425
Wesleyan University	116,100	12,900	300	2,700	132,000	235
Willimantic State College	77,040	8,560	1,900	500	88,000	185
Yale University	761,400	84,600	16,500		862,500	1,150
Sacred Heart University	28,800	3,200			32,000	75
Total, 21 institutions	2,550,840	283,426	178,976	78,617	3,091,859	5,322
DELAWARE						
Delaware State College	60,255	6,695	1,800		68,750	210
Wesley College	28,800	3,200			32,000	65
University of Delaware	109,231	12,137	2,700	14,732	138,800	466
Total, 3 institutions	198,286	22,032	4,500	14,732	239,550	741
DISTRICT OF COLUMBIA						
American University	316,800	35,200	35,000	15,000	402,000	460
Capitol Institute of Technology	63,000	7,000			70,000	100
Catholic University of America	432,459	48,051	88,565	64,814	633,889	650
District of Columbia Teachers College	9,009	1,001	990	3,000	14,000	40
Dunbarton College of the Holy Cross	5,427	603	1,420	500	7,950	16
Gallaudet College	11,340	1,260	2,600	200	15,400	52
Georgetown University	458,500	50,944	20,000	5,000	534,444	835
George Washington University	381,564	42,396	25,000	15,025	463,985	855
Howard University	316,215	35,135	12,000		363,350	650
Trinity College	58,950	6,550	6,000	3,500	75,000	110
Wesley Theological Seminary			755	928	1,683	
Total, 11 institutions	2,053,264	228,140	192,330	107,967	2,581,701	3,768

See footnote at end of table.

NDSL estimated level of student lending, fiscal year 1966—Continued

State and institution	Federal contribution (from OE records) (1)	Institutional contribution (1/9 of col. 1) (2)	Collections to be reloaned (from institutions) (3)	Carryover [1] funds (from institutions) (4)	Total loan funds available (sum of cols. 1 to 4) (5)	Number of students estimated to receive loans (from institutions) (6)
FLORIDA						
Barry College	$27,297	$3,033	$2,000	$200	$32,530	60
Bethune Cookman College	110,310	12,257	800	1,633	125,000	300
Brevard Engineering College	25,650	2,850		1,000	29,500	62
Brevard Junior College	11,496	1,277	1,500	1,727	16,000	40
Central Florida Junior College	8,627	959	1,485	1,929	13,000	25
Miami-Dade Junior College	78,173	8,686	396		87,255	243
Daytona Beach Junior College	12,819	1,424	450	307	15,000	30
Edwards Waters College	78,646	8,738	2,091	525	90,000	250
Florida A. & M. University	76,500	8,500	5,000	10,000	100,000	374
Florida Atlantic University	90,000	10,000			100,000	120
Florida College	17,460	1,940	1,500	100	21,000	45
Florida Memorial College	111,180	12,353	3,500		127,033	200
Florida Presbyterian College	288,900	32,100	4,000		325,000	432
Florida Southern College	115,047	12,783	20,000	2,000	149,830	220
Florida State University	500,000	55,555	70,000	5,000	630,555	1,050
Gibbs Junior College				1,485	1,485	
Hampton Junior College	8,370	930	1,200		10,500	35
Indian River Junior College	18,256	2,029	212	713	21,210	102
Jacksonville University	121,500	13,500	9,500	1,500	146,000	225
Lake Sumter Junior College				665	665	
North Florida Junior College	3,510	390	150	300	4,350	17
Rollins College	115,200	12,800	1,700	300	130,000	185
Rosenwald Junior College	720	80	100	2,100	3,000	15
St. Johns River Junior College	37,350	4,150	1,000		42,500	95
St. Leo College	12,874	1,430	78	618	15,000	26
Southeastern Bible College	52,380	5,820	9,000		67,200	171
Stetson University	201,600	22,400	20,000		244,000	495
Suwannee River Junior College	3,872	430		198	4,500	15
University of Florida	740,700	82,300	102,000	75,000	1,000,000	1,330
University of Miami	341,378	37,931	30,691	10,000	420,000	525
University of South Florida	439,345	48,818	4,837	7,000	500,000	800
University of Tampa	180,000	20,000			200,000	440
Marymount College	4,500	500			5,000	5
Cape Kennedy College of Business	104,400	11,600			116,000	450
New College	31,000	3,444			34,444	100
Total, 35 institutions	3,969,060	441,007	293,190	124,300	4,827,557	8,482
GEORGIA						
Abraham Baldwin Agricultural College	36,000	4,000	0	0	40,000	80
Albany State College	42,300	4,700	5,000	1,000	53,000	152
Andrew College	0	0	2,500	0	2,500	10
Atlanta University	4,465	496	450	50	5,461	19
Berry College	234,810	26,090	9,100		270,000	435
Brewton-Parker College	14,314	1,591	500	845	17,250	44
Clark College	23,004	2,556	1,200	240	27,000	80
Columbus College	10,374	1,153	618	55	12,200	32
Dekalb College	28,350	3,150			31,500	120
Emmanuel College	8,666	963	250	21	9,900	27
Emory University	278,100	30,900	35,000	7,000	351,000	543
Fort Valley State College	69,930	7,770	2,300		80,000	266
Georgia Institute of Technology	221,116	24,569	28,575		274,260	358
Georgia Military College				2,500	2,500	5
Georgia Southwestern College	14,670	1,630	1,200	500	18,000	45
Georgia State College	44,100	4,900	468	657	50,125	125
Womens College of Georgia	48,870	5,430	15,000	5,000	74,300	143
Georgia Southern College	225,000	25,000	10,000		260,000	350
La Grange College	41,287	4,588	625		46,500	90
Medical College of Georgia	5,946	661	893		7,500	15
Mercer University	91,769	10,197	2,014	500	104,480	149
Middle Georgia College	28,710	3,190	2,600	1,500	36,000	74
Morehouse College	93,330	10,370	3,500	6,400	113,600	230
Morris Brown College	128,700	14,300	5,000	2,000	150,000	415
Norman College	3,600	400			4,000	0
North Georgia College	57,201	6,356	3,000	4,943	71,500	130
Oglethorpe University	12,150	1,350	1,000	500	15,000	55
Paine College	20,385	2,265	4,000	1,350	28,000	70
Piedmont College	28,215	3,135	1,300		32,650	75
Reinhardt College	12,150	1,350	500	2,250	16,250	50
Savannah State College	54,000	6,000	560	3,000	63,560	145
Shorter College	81,000	9,000	10,500		100,500	305
South Georgia College	12,747	1,416	837		15,000	50
Spelman College	62,100	6,900	5,500	1,500	76,000	190
Tift College	31,950	3,550	3,500	1,000	40,000	85
Toccoa Falls Institute, Inc	6,210	690	125	1,975	9,000	25
University of Georgia	394,200	43,800	64,500	500	503,000	920
Valdosta State College	20,700	2,300			23,000	46
West Georgia College	90,000	10,000	4,500		104,500	220
Young Harris College	17,460	1,940	1,600		21,000	60
Total, 40 institutions	2,597,879	288,656	228,215	45,286	3,160,036	6,233
HAWAII						
Chaminade College of Honolulu	8,010	890	1,000	2,400	12,300	39
Jackson College				14	14	
University of Hawaii	189,000	21,000	37,000	500	247,500	440
Total, 3 institutions	197,010	21,890	38,000	2,914	259,814	479
IDAHO						
Boise Junior College	40,892	4,543	3,793	2,572	51,800	74
College of Idaho	77,220	8,580	8,000	8,400	102,200	261
Idaho State University	135,000	15,000	5,000	1,500	156,500	250
Lewis Clark Normal School	16,213	1,802	215	4,270	22,500	50
North Idaho Junior College	16,740	1,860	1,600	800	21,000	60

See footnote at end of table.

NDSL estimated level of student lending, fiscal year 1966—Continued

State and institution	Federal contribution (from OE records) (1)	Institutional contribution (1/9 of col. 1) (2)	Collections to be re-loaned (from institutions) (3)	Carryover[1] funds (from institutions) (4)	Total loan funds available (sum of cols. 1 to 4) (5)	Number of students estimated to receive loans (from institutions) (6)
IDAHO—continued						
Northwest Nazarene College	$49, 500	$5, 500	$2, 000	$2, 000	$59, 000	120
University of Idaho	184, 072	20, 453	20, 000		224, 525	431
College of Southern Idaho	14, 850	1, 650			16, 500	35
Magic Valley Christian College				1, 746	1, 746	0
Total, 9 institutions	534, 487	59, 388	40, 608	21, 288	655, 771	1, 281
ILLINOIS						
American Conservatory of Music	7, 670	852	708	70	9, 300	22
Augustana College	265, 415	29, 491	4, 000	6, 500	305, 406	517
Aurora College	27, 447	3, 050	2, 500	88	33, 085	66
Barat College of Sacred Heart	22, 284	2, 476	238	2	25, 000	50
Blackburn College	9, 000	1, 000			10, 000	30
Bloom Community College	1, 585	176		1, 239	3, 000	12
Bradley University	169, 200	18, 800	15, 000	1, 000	204, 000	340
Canton Community College	4, 936	549	50	65	5, 600	17
Chicago City Junior College			501	999	1, 500	5
Chicago College of Chiropody				165	165	15
Chicago College of Osteopathy				338	338	0
Chicago Kent College of Law	3, 420	380	150	50	4, 000	15
Chicago Medical School				749	749	
Illinois Teachers College, Chicago South	66, 487	7, 387	5, 220	906	80, 000	200
Illinois Teachers College, Chicago North	67, 095	7, 455	350	100	75, 000	75
Columbia College	7, 705	856	605	334	9, 500	10
Concordia Teachers College	27, 405	3, 045	700	8, 850	40, 000	100
Danville Junior College	10, 800	1, 200			12, 000	40
Depaul University	366, 979	40, 775	55, 000	14, 196	476, 950	628
Eastern Illinois University	124, 200	13, 800	10, 000		148, 000	375
Elmhurst College	76, 500	8, 500	5, 000	15, 000	105, 000	180
Eureka College	38, 250	4, 250	1, 500		44, 000	80
Freeport Community College	11, 790	1, 310		1, 900	15, 000	49
Garrett Biblical Institute	7, 380	820	300	1, 500	10, 000	20
George Williams College	50, 175	5, 575	5, 000	750	61, 500	105
Greenville College	97, 200	10, 800	12, 000	5, 000	125, 000	258
Illinois College	89, 100	9, 900	5, 500	500	105, 000	210
Illinois College of Podiatry	35, 100	3, 900	600	400	40, 000	50
Illinois College of Optometry				4, 768	4, 768	0
Illinois Institute of Technology	126, 450	14, 050	30, 000	28, 000	198, 500	250
Illinois State University	192, 600	21, 400	10, 000	16, 000	240, 000	650
Illinois Wesleyan University	133, 200	14, 800	12, 000	5, 000	165, 000	330
Kendall College	3, 060	340	300	1, 100	4, 800	17
Knox College	189, 000	21, 000	9, 000	1, 000	220, 000	350
Lake Forest College	77, 400	8, 600	4, 500	1, 500	92, 000	265
Lewis College	43, 020	4, 780	2, 200		50, 000	70
Lincoln College	8, 509	946	200	245	9, 900	18
Loyola University	311, 850	34, 650	35, 000	8, 500	390, 000	530
MacMurray College	173, 700	19, 300	8, 000	7, 000	208, 000	465
McCormick Theological Seminary	7, 197	800	990	4, 513	13, 500	25
McKendree College	29, 983	3, 331	1, 560	1, 840	36, 714	63
Millikin University	110, 852	12, 317	12, 533	5, 298	141, 000	340
Monmouth College	140, 400	15, 600	12, 000	7, 000	175, 000	275
Monticello College	10, 500	1, 167	863	2, 345	14, 875	17
Mundelein College	51, 233	5, 692	3, 000	7, 200	67, 125	128
National College of Education	72, 450	8, 050	3, 500	2, 000	86, 000	112
North Central College	135, 450	15, 050	6, 000	12, 500	169, 000	235
Northern Illinois University	210, 819	23, 424	48, 000	20, 757	303, 000	606
North Park College and Theological Seminary	82, 350	9, 150	4, 500	10, 000	106, 000	165
Northwestern University	478, 800	53, 200	78, 000	45, 050	655, 050	900
Olivet Nazarene College	232, 276	25, 809	3, 000	1, 000	262, 085	335
Principia College	82, 768	9, 196	13, 649	6, 887	122, 500	150
Quincy College	149, 400	16, 600	23, 000		189, 000	260
Rockford College	25, 447	2, 828	4, 125	2, 100	34, 500	75
Roosevelt University	217, 350	24, 150	21, 500		263, 000	600
Rosary College	45, 900	5, 100	3, 200	1, 200	55, 400	117
St. Procopius College	51, 948	5, 772	2, 300	1, 000	61, 020	113
St. Xavier College	88, 191	9, 799	1, 000	1, 010	100, 000	200
Schools of Art Institute of Chicago	36, 000	4, 000			40, 000	175
Seabury Western Theological Seminary	15, 930	1, 770	2, 800	2, 000	22, 500	15
Shimer College	55, 080	6, 120	4, 000	5, 000	70, 200	108
Southern Illinois University	454, 500	50, 500	48, 000	7, 000	560, 000	1, 200
Trinity Christian College	9, 000	1, 000			10, 000	20
Trinity Theological Seminary and Trinity College	90, 900	10, 100	1, 700	100	102, 800	147
University of Chicago	1, 110, 700	123, 411	42, 000	5, 000	1, 281, 111	1, 450
University of Illinois	568, 500	63, 167	65, 000		696, 667	1, 150
Western Illinois University	264, 510	29, 390	7, 640	3, 290	304, 830	603
Wheaton College	189, 000	21, 000	15, 000		225, 000	600
Judson College	15, 840	1, 760			17, 600	51
University of Illinois Medical Center at Chicago	72, 000	8, 000			80, 000	100
Hebrew Theological College	13, 050	1, 450			14, 500	20
University of Illinois, Chicago Undergraduate Division	81, 000	9, 000			90, 000	190
Total, 72 institutions	8, 045, 236	893, 916	664, 982	287, 904	9, 892, 038	16, 959
INDIANA						
Anderson College and Theological Seminary	226, 440	25, 160	27, 200	200	279, 000	550
Ball State University	404, 500	44, 944	43, 000	1, 200	493, 644	995
Bethel College, Inc	49, 734	5, 526	5, 240		60, 500	190
Butler University				33, 849	33, 849	
Christian Theological Seminary	12, 757	1, 418	1, 200	375	15, 750	40
Earlham College	73, 670	8, 185	3, 145		85, 000	245
Evansville College	160, 200	17, 800	25, 000		203, 000	460
Fort Wayne Bible College	23, 845	2, 650	2, 500	525	29, 520	72
Franklin College of Indiana	43, 200	4, 800			48, 000	104
Goshen College	108, 576	12, 064	11, 500		132, 140	207
Grace Theological Seminary and College	43, 200	4, 800	5, 500	500	54, 000	90

See footnote at end of table.

NDSL estimated level of student lending, fiscal year 1966—Continued

State and institution	Federal contribution (from OE records) (1)	Institutional contribution (1/9 of col. 1) (2)	Collections to be reloaned (from institutions) (3)	Carryover [1] funds (from institutions) (4)	Total loan funds available (sum of cols. 1 to 4) (5)	Number of students estimated to receive loans (from institutions) (6)
INDIANA—continued						
Huntington College	$40,230	$4,470	$300	----	$45,000	95
Indiana Central College	71,437	7,938	2,600	$2,400	84,375	135
Indiana State University	319,275	35,475	21,750	1,000	377,500	565
Indiana Institute of Technology	89,865	9,985	25,000	4,000	128,850	140
Indiana University	1,750,200	194,467	100,000	30,000	2,074,667	1,620
Manchester College	72,000	8,000	4,000	6,000	90,000	160
Marian College, Indianapolis	16,200	1,800	4,200	3,800	26,000	52
Marion College, Marion	48,712	5,412	4,299	50	58,473	117
Oakland City College	44,824	4,980	1,737	59	51,600	115
Purdue University	760,000	84,444	150,000	----	994,444	1,800
Rose Polytechnic Institute	92,700	10,300	4,000	1,000	108,000	145
St. Benedict College	13,076	1,453	55	416	15,000	20
St. Francis College	72,000	8,000	500	----	80,500	90
St. Josephs College	83,700	9,300	13,500	1,500	108,000	190
St. Marys College	83,124	9,236	5,000	3,040	100,400	138
St. Mary of the Woods College	8,685	965	200	2,150	12,000	12
Taylor University	88,200	9,800	4,000	7,000	109,000	160
University of Notre Dame	357,597	39,733	20,000	18,670	436,000	545
Valparaiso University	459,990	51,110	25,900	13,000	550,000	916
Vincennes University	42,129	4,681	7,500	3,690	58,000	140
Frankfort Pilgrim College	15,300	1,700	200	----	17,200	25
Total, 32 institutions	5,675,366	630,596	519,026	134,424	6,959,412	10,133
IOWA						
Boone Junior College	1,854	206	100	240	2,400	6
Briar Cliff College	21,600	2,400	400	4,600	29,000	55
Buena Vista College	91,800	10,200	5,300	2,700	110,000	194
Centerville Community College	22,927	2,548	500	25	26,000	60
Central College	95,535	10,615	6,500	2,500	115,150	218
Vennard College	12,240	1,360	2,500	2,500	18,600	48
Clarinda Community College	2,447	271	400	32	3,150	12
Clarke College	26,550	2,950	----	9,900	39,400	75
Clinton Community College	----	----	----	854	854	----
Coe College	95,400	10,600	10,500	----	116,500	205
College of Osteopathic Medicine and Surgery	----	----	----	433	433	0
Cornell College	70,200	7,800	8,000	16,000	102,000	255
Creston Community College	810	90	165	935	2,000	6
Dordt College	53,550	5,950	400	100	60,000	100
Drake University	184,500	20,500	25,000	500	230,500	415
Eagle Grove Junior College	2,121	236	200	1,043	3,600	12
Ellsworth Junior College	10,566	1,174	1,260	----	13,000	50
Emmetsburg Community College	1,409	157	----	134	1,700	6
Estherville Junior College	7,020	780	800	400	9,000	30
Graceland College	156,778	17,420	2,800	1,778	178,776	288
Grand View College	15,300	1,700	500	----	17,500	45
Grinnell College	122,130	13,570	250	150	136,100	277
State College of Iowa	346,050	38,450	10,000	----	394,500	900
Iowa State University of Science and Technology	600,000	66,667	72,500	24,000	763,167	1,690
Iowa Wesleyan College	107,949	11,994	4,500	1,000	125,443	225
Luther College	336,643	37,405	20,000	10,000	404,048	717
Marshalltown Junior College	540	60	500	400	1,500	5
Marycrest College	71,550	7,950	300	4,200	84,000	145
Mason City Junior College	16,000	1,800	2,000	----	20,000	70
Morningside College	232,456	25,829	16,200	9,000	283,485	503
Mount Mercy College	54,000	6,000	330	670	61,000	85
Mount St. Clare College	1,215	135	300	150	1,800	6
Northwestern College	72,000	8,000	1,500	2,500	84,000	210
Ottumwa Heights College	----	----	----	865	865	----
Parsons College	193,500	21,500	5,000	----	220,000	300
St. Ambrose College	88,859	9,873	8,000	3,768	110,500	160
Simpson College	156,856	17,429	12,590	2,000	188,875	385
University of Iowa	905,250	100,583	77,500	----	1,083,333	1,500
University of Dubuque	162,990	18,110	6,150	----	187,250	353
Upper Iowa University	148,500	16,500	6,000	1,600	172,600	250
Waldorf College	38,930	4,326	644	2,500	46,400	118
Wartburg College	187,200	20,800	5,500	1,500	215,000	360
Webster City Junior College	2,474	275	----	1,251	4,000	20
Westmar College	132,448	14,717	9,000	15,835	172,000	365
American Institute of Business	45,000	5,000	----	----	50,000	110
William Penn College	85,500	9,500	5,000	----	100,000	170
Total, 46 institutions	4,980,847	553,430	329,089	126,063	5,989,429	11,004
KANSAS						
Crowley County Community Junior College	2,877	320	----	803	4,000	10
Baker University	51,300	5,700	2,000	1,000	60,000	85
Bethany College	31,860	3,540	2,570	2,030	40,000	82
Bethel College	74,250	8,250	5,500	----	88,000	114
Central College	21,600	2,400	1,000	1,000	26,000	69
Coffeyville College	2,700	300	60	340	3,400	17
Colby Community College	13,500	1,500	----	----	15,000	33
College of Emporia	19,800	2,200	1,500	500	24,000	60
Dodge City College	2,160	240	1,000	3,600	7,000	20
Fort Hays Kansas State College	192,292	21,366	18,635	19,033	251,326	382
Friends University	37,080	4,120	1,700	2,100	45,000	125
Garden City Junior College	----	----	----	3,500	3,500	10
Hesston College	29,769	3,308	173	2,750	36,000	60
Doniphan County Community Junior College	3,770	419	111	1,700	6,000	20
Hutchinson Junior College	7,020	780	700	1,500	10,000	20
Allen County Community Junior College	2,700	300	----	----	3,000	25
Kansas State College of Pittsburg	360,000	40,000	20,000	22,000	442,000	892
Kansas State Teachers College, Emporia	588,600	65,400	63,600	----	717,600	1,475
Kansas State University of Agriculture and Applied Science	642,150	71,350	98,700	12,000	824,200	1,268
Kansas Wesleyan University	68,400	7,600	900	5,100	82,000	178
Manhattan Bible College	----	----	----	30	30	----

See footnote at end of table.

NDSL estimated level of student lending, fiscal year 1966—Continued

State and institution	Federal contribution (from OE records) (1)	Institutional contribution (1/9 of col. 1) (2)	Collections to be reloaned (from institutions) (3)	Carryover[1] funds (from institutions) (4)	Total loan funds available (sum of cols. 1 to 4) (5)	Number of students estimated to receive loans (from institutions) (6)
KANSAS—continued						
Marymount College	$54,000	$6,000	$4,000	$2,000	$66,000	100
McPherson College	68,093	7,566	5,500	3,216	84,375	167
Miltonvale Wesleyan College	19,350	2,150	1,500	100	23,100	45
Mount St. Scholastica College	70,008	7,779	3,000	4,000	84,787	111
Ottawa University	81,000	9,000	2,700	300	93,000	186
Pratt Junior College	6,660	740	400	600	8,400	23
Sacred Heart College	20,880	2,320	600	400	24,200	62
St. Benedicts College	124,166	13,796	3,449	1,189	142,600	195
St. John's College	8,604	956	500	740	10,800	28
St. Mary College	36,855	4,095	2,000	2,050	45,000	75
St. Mary of the Plains College	22,500	2,500	1,500	1,500	28,000	70
Southwestern College	64,305	7,145	6,000	5,500	82,950	196
Sterling College	59,872	6,653	1,500	5,050	73,075	129
Tabor College	72,000	8,000	1,500	1,000	82,500	135
University of Kansas	837,000	93,000	45,000	25,000	1,000,000	1,350
Wichita State University	265,500	29,500	20,000	40,000	355,000	550
Washington University of Topeka	59,161	6,574	11,265	10,000	87,000	200
Total, 38 institutions	4,021,782	446,867	328,563	181,631	4,978,843	8,567
KENTUCKY						
Asbury College	17,055	1,895	7,300		26,250	75
Asbury Theological Seminary	13,500	1,500	729	114	15,843	42
Bellarmine College	76,500	8,500	4,000	1,000	90,000	23
Berea College	104,400	11,600	3,000	1,000	120,000	300
Brescia College	27,000	3,000	2,500	2,500	35,000	65
Campbellsville College	66,490	7,388	9,000	2,122	85,000	200
Alice Lloyd College	23,165	2,574		1,261	27,000	100
Centre College of Kentucky	60,030	6,670	1,800	1,500	70,000	210
College of the Bible, The	5,500	610	2,248	3,157	11,515	35
Cumberland College	165,600	18,400	6,000	2,000	192,000	320
Eastern Kentucky State College	432,450	48,050	14,000	2,000	496,500	1,110
Georgetown College	70,981	7,887	8,532	1,000	88,400	162
Kentucky State College	212,227	23,581	7,942		243,750	425
Kentucky Wesleyan College	51,538	5,727	455	2,280	60,000	110
Lees Junior College	27,900	3,100	1,500	2,500	35,000	100
Lindsey Wilson College	19,800	2,200	700	300	23,000	75
Louisville Presbyterian Theological Seminary	4,005	445	50		4,500	11
Morehead State College	328,442	36,494	3,500	572	369,008	650
Murray State College	346,832	38,537	16,000	24,000	425,369	709
Catherine Spalding College	52,669	5,852	5,160	10,681	74,362	98
Nazareth College of Kentucky	17,325	1,925		750	20,000	35
Pikeville College	94,814	10,535	4,000	651	110,000	265
St. Catharine Junior College	5,915	657	634	794	8,000	20
Southeastern Christian College	12,845	1,427		478	14,750	35
Sue Bennett College	4,860	540	300	1,800	7,500	25
Transylvania College	63,000	7,000			70,000	115
Union College	130,500	14,500	8,000	9,000	162,000	280
University of Kentucky	419,800	46,644	22,000	6,000	494,444	1,100
University of Louisville	337,500	37,500	30,000	10,000	415,000	700
Ursuline College	9,396	1,044	680	380	11,500	18
Villa Maddonna College	21,563	2,396	5,175	4,300	33,434	76
Western Kentucky State College	245,700	27,300	14,000	12,000	299,000	705
Kentucky Southern College	78,120	8,680	200	3,000	90,000	170
Total, 33 institutions	3,547,422	394,158	179,405	107,140	4,228,125	8,364
LOUISIANA						
Centenary College	34,200	3,800	3,000	2,000	43,000	90
Dillard University	95,200	10,580	2,700	9,000	117,500	320
Francis T. Nicholls State College	89,820	9,980	200		100,000	150
Grambling College	180,000	20,000	30,000	900	230,900	275
Louisiana College			7,000	7,706	14,706	165
Louisiana Polytechnic Institute	173,250	19,250	24,000	9,000	225,500	515
Louisiana State University and Agricultural and Mechanical College	451,350	50,150	59,500	5,000	566,000	870
Louisiana State University in New Orleans	27,000	3,000			30,000	50
Loyola University	112,516	12,502	43,185	31,797	200,000	200
McNeese State College	62,370	6,930	2,700		72,000	180
Northeast Louisiana State College	108,450	12,050	4,500		125,000	250
Northwestern State College of Louisiana	176,175	19,575	13,500	4,500	213,750	450
St. Marys Dominican College	20,070	2,230	1,700	2,000	26,000	32
Southeastern Louisiana College	99,622	11,069	10,000	3,221	123,912	200
Southern University and Agricultural and Mechanical College	281,250	31,250	7,500	5,000	325,000	650
University of Southwestern Louisiana	165,020	18,336	16,918	13,372	213,646	412
Tulane University of Louisiana	530,725	58,969	44,000	6,000	639,694	820
Xavier University	58,500	6,500	5,000		70,000	200
Total, 18 institutions	2,665,538	296,171	275,403	99,496	3,336,608	5,829
MAINE						
Aroostook State Teachers College	16,141	1,794	390	1,675	20,000	45
Bates College	100,083	11,120	6,000	1,797	119,000	184
Bowdoin College	129,016	14,335	12,000	4,649	160,000	275
Colby College	118,532	13,170	6,000	12,298	150,000	265
Farmington State Teachers College	8,986	998		16	10,000	40
Fort Kent State Teachers College	6,777	753	320	150	8,000	35
Husson College	18,000	2,000			20,000	50
Gorham State Teachers College	36,450	4,050	3,500		44,000	144
Maine Maritime Academy	9,000	1,000	1,098		11,098	70
Nasson College	28,381	3,154	720	2,745	35,000	64
Ricker College	53,023	5,891	1,086		60,000	75
St. Francis College	76,950	8,550	500		86,000	102
St. Josephs College	34,335	3,815	1,800	50	40,000	50
University of Maine	416,700	46,300	29,616	7,384	500,000	1,175
Washington State Teachers College	12,150	1,350	500	2,000	16,000	40
Total, 15 institutions	1,064,524	118,280	63,530	32,764	1,279,098	2,614

See footnote at end of table.

NDSL estimated level of student lending, fiscal year 1966—Continued

State and institution	Federal contribution (from OE records) (1)	Institutional contribution (1/9 of col. 1) (2)	Collections to be reloaned (from institutions) (3)	Carryover [1] funds (from institutions) (4)	Total loan funds available (sum of cols. 1 to 4) (5)	Number of students estimated to receive loans (from institutions) (6)
MARYLAND						
Allegany Community College	$4, 698	$522			$5, 220	15
Catonsville Community College	9, 000	1, 000			10, 000	20
College of Notre Dame of Maryland	20, 646	2, 294	$1, 275	$385	24, 600	70
Coppin State Teachers College	19, 850	2, 205	200	900	23, 155	110
Eastern College	7, 371	819	352	224	8, 766	18
Goucher College	39, 782	4, 420	2, 000	3, 798	50, 000	75
Hood College	33, 682	3, 743	2, 570	5	40, 000	70
Johns Hopkins University	261, 000	29, 000	30, 000	5, 000	325, 000	500
Loyola College	67, 500	7, 500	10, 000	10, 000	95, 000	225
Montgomery Junior College	9, 720	1, 080	600		11, 400	30
Morgan State College	457, 600	52, 844	36, 000	5, 000	569, 444	1, 050
Mount St. Agnes College	62, 215	6, 913	5, 471	3, 186	77, 785	90
Mount St. Marys College	49, 500	5, 500	2, 000	850	57, 850	89
Ner Israel Rabbinical College	51, 795	5, 755	1, 000	1, 450	60, 000	80
Peabody Institute of Baltimore	10, 476	1, 164		360	12, 000	20
St. Johns College	23, 562	2, 618		820	27, 000	80
St. Joseph College	30, 840	3, 427		1, 733	36, 000	50
St. Marys College of Maryland	6, 300	700		650	7, 650	17
Bowie State College	18, 805	2, 090	700	405	22, 000	75
Frostburg State College	17, 280	1, 920	800		20, 000	50
Salisbury State College	24, 840	2, 760	700	250	28, 550	55
Towson State College	39, 870	4, 430	3, 000	700	48, 000	185
University of Maryland	450, 000	50, 000	60, 000	15, 000	575, 000	1, 175
University of Maryland State College	47, 250	5, 250	3, 000	6, 000	61, 500	214
Villa Julie College, Inc	3, 594	399	2, 145	262	6, 400	8
Washington College	12, 673	1, 408	1, 780	2, 139	18, 000	40
Columbia Union College	37, 638	4, 182	5, 180	1, 000	48, 000	90
Xaverian College	13, 500	1, 500			15, 000	30
Western Maryland College	36, 675	4, 075	2, 650	1, 600	45, 000	100
Total, 29 institutions	1, 885, 662	209, 518	171, 423	61, 717	2, 328, 320	4, 601
MASSACHUSETTS						
American International College	67, 426	7, 492	2, 932	2, 300	80, 150	142
Amherst College	64, 800	7, 200			72, 000	163
Anna Maria College for Women	24, 376	2, 708	483	2, 433	30, 000	50
Assumption College	51, 390	5, 710	1, 500	3, 400	62, 000	105
Atlantic Union College	115, 020	12, 780	3, 000	1, 200	132, 000	180
Babson Institute	23, 085	2, 565	5, 500	1, 850	33, 000	54
Becker Junior College	17, 703	1, 967	2, 200	130	22, 000	45
Bentley College	78, 840	8, 760	2, 200	200	90, 000	225
Berkshire Christian College	4, 027	447	786	40	5, 300	18
Berkshire Community College	17, 865	1, 985	150		20, 000	70
Boston College	671, 193	74, 577	45, 000	9, 230	800, 000	1, 100
Boston Conservatory of Music				436	436	
Boston University	644, 542	71, 615	50, 000	22, 730	788, 887	1, 400
Brandeis University	270, 000	30, 000	8, 500	1, 500	310, 000	460
Cambridge Junior College				3, 000	3, 000	5
Cape Cod Community College	19, 552	2, 172	250	1, 026	23, 000	65
Cardinal Cushing College	13, 935	1, 548	142	375	16, 000	35
Clark University	191, 880	21, 320	7, 000		220. 200	390
College of the Holy Cross	312, 300	34, 700	4, 600	6, 400	358, 000	470
College of Our Lady of Elms	6, 130	681	2, 157	1, 032	10, 000	50
Dean Junior College	43, 650	4, 850	1, 500		50, 000	80
Eastern Nazarene College	98, 730	10, 970	5, 000	2, 550	117, 250	245
Emerson College	28, 980	3, 220	800	2, 000	35, 000	100
Emmanuel College	203, 149	22, 576	8, 502	10, 777	245, 004	291
Fisher Junior College	12, 924	1, 436	5, 040	5, 600	25, 000	60
Forsyth School of Dental Hygiene	13, 500	1, 500			15, 000	30
Franklin Institute of Boston	2, 544	283	1, 000	2, 173	6, 000	30
Garland Junior College	4, 500	500			5, 000	12
Gordon College	124, 650	13, 850	6, 000	3, 000	147, 500	200
Harvard University	1, 310, 399	145, 599	7, 000		1, 462, 998	2, 119
Holyoke Junior College	2, 430	270	700	1, 850	5, 250	20
Lasell Junior College	1, 328	148	23	501	2, 000	7
Lesley College	17, 208	1, 912	880		20, 000	36
Lowell Technological Institute	35, 193	3, 910	6, 897	4, 000	50, 000	200
Massachusetts Bay Community College	12, 627	1, 403		3, 470	17, 500	50
Massachusetts College of Art	6, 795	755	800	650	9, 000	30
Massachusetts Institute of Technology	850, 000	94, 444			944, 444	1, 200
Merrimack College	95, 850	10, 650	3, 000	5, 500	115, 000	210
Mount Holyoke College	94, 750	10, 528	722	4, 000	110, 000	200
New England Conservatory of Music	16, 110	1, 790	2, 100	2, 000	22, 000	60
Newton Junior College	3, 600	400	300	700	5, 000	18
Nichols College of Business	25, 354	2, 817		809	28, 980	35
Northeastern University	489, 000	54, 333	38, 000	2, 000	583, 333	1, 650
Northern Essex Community College	8, 100	900			9, 000	50
Quincy Junior College	1, 170	130		800	2, 100	10
Quinsigamond Community College	19, 520	2, 169		131	21, 820	68
Radcliffe College	70, 664	7, 852	728	2, 006	81, 250	250
Greenfield Community College	6, 120	680		2, 200	9, 000	25
Regis College	67, 500	7, 500		5, 000	80, 000	200
Simmons College	57, 946	6, 439	10, 000	5, 615	80, 000	175
Smith College	81, 900	9, 100	5, 500		96, 500	135
Southeastern Massachusetts Technological Institute	37, 299	4, 144	10, 207	2, 350	54, 000	150
Springfield College	159, 750	17, 750	15, 000	7, 500	200, 000	410
State College at Bridgewater	132, 036	14, 671	2, 000	1, 293	150, 000	300
State College at Fitchburg	40, 623	4, 514	5, 242	5, 095	55, 474	170
State College at Framingham	22, 365	2, 485	400	250	25, 500	85
State College at Lowell	19, 098	2, 122	1, 780		23, 000	100
State College at North Adams	21, 469	2, 386	120	25	24, 000	80
State College at Salem	35, 325	3, 925	750		40, 000	200
State College at Westfield	45, 450	5, 050	1, 200		51, 700	210
State College at Worcester	33, 300	3, 700	3, 000	2, 000	42, 000	124
State College at Boston	71, 723	7, 969	1, 600	308	81, 600	240
Stonehill College	52, 650	5, 850	1, 500	2, 500	62, 500	150

See footnote at end of table.

NDSL estimated level of student lending, fiscal year 1966—Continued

State and institution	Federal contribution (from OE records) (1)	Institutional contribution (1/9 of col. 1) (2)	Collections to be reloaned (from institutions) (3)	Carryover [1] funds (from institutions) (4)	Total loan funds available (sum of cols. 1 to 4) (5)	Number of students estimated to receive loans (from institutions) (6)
MASSACHUSETTS—continued						
Suffolk University	$58,675	$6,520	$4,000	$805	$70,000	280
Tufts University	378,000	42,000	25,000		445,000	700
University of Massachusetts	434,700	48,300	12,000	5,000	500,000	836
Wellesley College	45,000	5,000			50,000	60
Wentworth Institute	84,091	9,344	13,000	1,565	108,000	180
Bay State School of Business	9,450	1,050			10,500	15
Holy Cross Greek Orthodox Theological School	81,000	9,000			90,000	90
North Shore Community College	3,622	403			4,025	35
Mount Wachusett Community College	9,000	1,000			10,000	50
Western New England College	32,692	3,632	1,476	500	38,300	65
Wheaton College	91,350	10,150	300	8,200	110,000	160
Wheelock College	28,700	3,189	1,827	1,534	35,250	47
Williams College	42,147	4,683			46,830	150
Worcester Junior College	47,250	5,250	3,500	2,000	58,000	170
Worcester Polytechnic Institute	250,076	27,786	12,000	1,588	291,450	335
Total, 78 institutions	8,667,096	963,014	356,794	167,127	10,154,031	18,206
MICHIGAN						
Adrian College	33,300	3,700	3,000	2,000	42,000	55
Albion College	87,480	9,720	2,000	800	100,000	200
Alma College	90,000	10,000			100,000	130
Alpena Community College	18,672	2,074	773	981	22,500	58
Aquinas College	28,710	3,190	7,000	1,600	40,500	70
Calvin College	109,440	12,160	14,000		135,600	218
Calvin Theological Seminary	6,480	720	1,200	100	8,500	17
Central Michigan University	388,575	43,175	8,000	38,000	477,750	803
Lake Michigan College	4,500	500			5,000	10
Cleary College				1,395	1,395	2
Davenport College of Business	49,500	5,500			55,000	99
Delta College	21,420	2,380	1,700		25,500	85
Detroit Bible College	4,856	540		604	6,000	16
Detroit College of Law	13,725	1,525	450	200	15,900	22
Detroit Institute of Technology	22,690	2,522	2,288		27,500	50
Eastern Michigan University	426,219	47,358	14,000	39,000	526,577	922
Andrews University	36,900	4,100	11,000	5,000	57,000	100
Ferris Institute	138,600	15,400	31,000	2,200	187,200	473
Flint Community College	28,935	3,215	3,000	1,000	36,150	90
Grand Rapids Baptist Theological Seminary				336	336	
Grand Rapids Junior College	18,225	2,025	4,000	750	25,000	65
Grand Valley State College	45,000	5,000			50,000	128
Henry Ford Community College	13,990	1,555	1,500	870	17,915	39
Hillsdale College	127,350	14,150	1,500		143,000	210
Hope College	81,000	9,000	10,000		100,000	250
Jackson Community College			1,000	16,000	17,000	40
Kalamazoo College	62,235	6,915	4,950	1,000	75,100	447
Kellogg Community College	3,196	355	74	275	3,900	10
Lansing Community College	28,682	3,187	810	321	33,000	75
Madonna College	12,091	1,343	865	701	15,000	43
Marygrove College	57,870	6,430	6,000	2,000	72,300	103
Mercy College	89,959	9,995	4,000	846	104,800	144
Merrill Palmer Institute	3,015	355	100	350	3,820	16
Michigan Christian Junior College	58,132	6,459	2,500	501	67,592	110
Michigan Technological University	191,995	21,335	11,958	15,824	241,112	342
Michigan State University of Agriculture	1,130,917	125,658	93,425	10,000	1,360,000	3,050
Nazareth College	9,000	1,000			10,000	20
North Central Michigan College	4,269	474	230	27	5,000	20
Northern Michigan College	222,300	24,700	2,940		249,940	485
Northwestern Michigan College	18,000	2,000	500	250	20,750	40
Olivet College	48,177	5,353	3,000	2,970	59,500	85
Owosso College	15,435	1,715	500	650	18,300	42
Port Huron Junior College	4,743	527	325	1,301	6,896	36
Spring Arbor College	83,329	9,259	1,500		94,088	202
Suomi College	34,020	3,780	2,000	200	40,000	80
University of Detroit	222,300	24,700	59,000	39,000	345,000	480
University of Michigan	1,082,500	120,278	75,000		1,277,778	1,900
Oakland Community College	144,000	16,000			160,000	800
Saginaw Valley College	9,000	1,000			10,000	20
Lewis Business College	10,859	1,206			12,065	
Wayne State University	492,300	54,700	40,000	10,000	597,000	996
Western Michigan University	440,000	48,889	39,722	1,000	529,611	1,061
Western Theological Seminary	4,500	500			5,000	20
Concordia Lutheran Junior College	7,853	872		1,275	10,000	20
Oakland University	294,930	32,770	10,000	2,800	340,500	690
Total, 55 institutions	6,581,174	731,264	476,810	202,127	7,991,375	15,489
MINNESOTA						
Augsburg College and Theological Seminary	263,905	29,323	10,000	6,872	310,100	550
Austin Junior College	2,898	322	350	1,430	5,000	16
Bemidji State College	482,100	53,567	6,000	5,000	546,667	1,050
Bethany Lutheran College	13,113	1,458	320	109	15,000	108
Bethel College and Seminary	51,840	5,760	2,000		59,600	80
Brainerd Junior College	2,700	300			3,000	25
Carleton College	83,340	9,260	400	2,000	95,000	150
College of St. Benedict	66,330	7,370	3,200	100	77,000	220
College of St. Catherine	81,387	9,043	7,500	6,500	104,430	155
College of St. Scholastica	66,600	7,400	18,800	6,500	99,300	125
College of St. Theresa	56,700	6,300	3,000	2,000	68,000	170
College of St. Thomas	220,548	24,505	4,800	147	250,000	430
Concordia College at Moorhead	338,940	37,660	26,000		402,600	671
Concordia College at St. Paul	38,911	4,323	500	1,466	45,200	76
Crosier Seminary	2,720	302	200	908	4,130	7
Fergus Falls State Junior College	5,400	600			6,000	24
Gustavus Adolphus College	180,774	20,086	15,000	4,140	220,000	430

See footnote at end of table.

NDSL estimated level of student lending, fiscal year 1966—Continued

State and institution	Federal contribution (from OE records) (1)	Institutional contribution (1/9 of col. 1) (2)	Collections to be re-loaned (from institutions) (3)	Carryover[1] funds (from institutions) (4)	Total loan funds available (sum of cols. 1 to 4) (5)	Number of students estimated to receive loans (from institutions) (6)
MINNESOTA—continued						
Hamline University	$157,500	$17,500	$5,500	$1,500	$182,000	300
Hibbing Junior College				1,000	1,000	3
Itasca Junior College	6,003	667	408	922	8,000	29
Macalester College	126,900	14,100	8,000	1,000	150,000	250
MacPhail College of Music	8,428	937	360	25	9,750	29
Mankato State College	339,300	37,700	30,000	37,552	444,552	516
Minneapolis School of Art	9,000	1,000	156	2,144	12,300	35
Minnesota Bible College				125	125	
Moorhead State College	369,000	41,000	15,000	8,000	433,000	802
North Central Bible College	26,073	2,897	3,125	9,655	41,750	125
Northwestern College	18,000	2,000			20,000	40
St. Cloud State College	416,025	46,225	24,000		486,250	885
Rochester Junior College	18,000	2,000			20,000	66
St. John's University	139,590	15,510	1,500	5,000	161,600	282
St. Mary's College	113,165	12,574	3,100	1,161	130,000	200
St. Olaf College	270,000	30,000	6,000	39,000	345,000	610
St. Paul Bible College	21,307	2,368	6,000	6,000	35,675	115
University of Minnesota at Minneapolis	1,019,500	113,278	165,000	50,000	1,347,778	2,900
University of Minnesota at Duluth	154,173	17,130	14,400	14,297	200,000	380
Virginia Junior College	10,800	1,200			12,000	40
Winona State College	219,708	24,412	20,000	4,880	269,000	465
Willmar Community College	9,450	1,050			10,500	22
Worthington Junior College	32,400	3,600	1,500	500	38,000	90
Total, 40 institutions	5,442,528	604,727	402,119	219,933	6,669,307	12,402
MISSISSIPPI						
Alcorn Agricultural and Mechanical College	302,883	33,654	20,041	11,502	368,080	726
Belhaven College				1,628	1,628	
Blue Mountain College				370	370	
J. P. Campbell College				2,355	2,355	
Clarke Memorial College				240	240	
Coahoma Junior College	51,489	5,721	2,500	290	60,000	200
Copiah Lincoln Junior College			910	3,340	4,250	10
Delta State College	103,221	11,469	6,380	11,930	133,000	335
East Central Junior College	24,750	2,750	2,500		30,000	75
East Mississippi Junior College	4,740	527	291	1,492	7,050	30
Holmes Junior College	10,440	1,160	300	5,500	17,400	60
Itawamba Junior College				250	250	
Jackson State College	334,080	37,120	3,800		375,000	950
Jones County Junior College	7,682	854	1,826	5,638	16,000	55
Mary Holmes Junior College	25,650	2,850	1,000	500	30,000	100
Millsaps College	94,500	10,500	8,000		113,000	195
Mississippi College	165,780	18,420	11,800		196,000	370
Mississippi Industrial College	20,597	2,289	4,000	3,114	30,000	110
University of Southern Mississippi	280,800	31,200	18,000	20,000	350,000	575
Mississippi State College for Women	260,100	28,900	6,000	1,890	296,890	414
Mississippi State University	561,873	62,430	35,141		659,444	1,100
Mississippi Valley State College	203,130	22,570	1,800	37,500	265,000	1,200
Natchez Junior College	31,222	3,469		309	35,000	85
Northeast Mississippi Junior College	5,671	631	1,200	298	7,800	30
Northwest Mississippi Junior College	4,320	480	200	2,500	7,500	30
Okolona College				237	237	
Pearl River Junior College	6,613	735	1,000	1,252	9,600	24
Prentiss Normal and Industrial Institute	122,254	13,584	1,137	250	137,225	255
Rust College	61,650	6,850	2,000		70,500	145
Southwest Mississippi Junior College				1,739	1,739	
Mississippi Delta Junior College	5,032	559	300	3,109	9,000	30
T. J. Harris Junior College	13,740	1,520	700	700	16,660	105
Tougaloo Southern Christian College	113,422	12,603	2,000	10,000	138,025	325
University of Mississippi	450,000	50,000	50,000	25,000	575,000	710
William Carey College	95,325	10,592	6,034		111,951	309
Total, 35 institutions	3,360,964	373,437	188,860	152,933	4,076,194	8,553
MISSOURI						
Central Bible Institute	68,756	7,640	13,604	5,000	95,000	325
Central Methodist College	40,750	4,528	6,905	6,517	58,700	140
Central Missouri State College	642,280	71,364	41,500	300	755,444	1,545
Christian College	8,095	900	91	914	10,000	15
Avila College	41,419	4,602	325	0	46,346	71
Concordia Seminary	18,000	2,000	0	0	20,000	40
Culver Stockton College	78,300	8,700	4,500	500	92,000	143
Crowder College	3,168	352	0	0	3,520	24
Drury College	38,475	4,275	2,000	500	45,250	75
Evangel College	123,750	13,750	6,000	0	143,500	300
Fontbonne College	63,680	7,076	1,430	2,814	75,000	113
Hannibal-La Grange College	67,950	7,550	1,500	1,500	78,500	125
Harris Teachers College	26,235	2,915	800	50	30,000	300
Missouri Southern College	2,725	303	83	9	3,120	25
Junior College District of Jefferson City	3,150	350		0	3,500	40
Junior College District of St. Louis	57,965	6,441	594	0	65,000	3,500
Junior College of Flat River	7,470	830	800	0	9,100	30
Metropolitan Junior College	7,785	865	350	25	9,025	50
Kansas City Art Institute	18,093	2,010	2,097	1,800	24,000	40
Kansas City College Osteopathy	0	0	0	1,859	1,859	0
Kirksville College Osteopathy	0	0	0	14,028	14,028	0
Lincoln University	71,766	7,974	2,260	500	82,500	275
Lindenwood College for Women	21,510	2,390	1,850	1,250	27,000	40
Maryville College Sacred Heart	12,486	1,387	27	1,100	15,000	30
Midwestern Baptist Theological Seminary	0	0	0	5,443	5,443	0
Missouri Valley College	122,355	13,595	5,091	0	141,041	232
Moberly Junior College	0	0	14	586	600	9
Northwest Missouri State Teachers College	347,737	38,638	25,000	3,625	415,000	800
Northwest Missouri State College	304,437	33,826	59,782	10,000	408,045	770

See footnote at end of table.

NDSL estimated level of student lending, fiscal year 1966—Continued

State and institution	Federal contribution (from OE records) (1)	Institutional contribution (1/9 of col. 1) (2)	Collections to be reloaned (from institutions) (3)	Carryover[1] funds (from institutions) (4)	Total loan funds available (sum of cols. 1 to 4) (5)	Number of students estimated to receive loans (from institutions) (6)
MISSOURI—continued						
Park College	$87,300	$9,700	$500	$2,500	$100,000	125
Rockhurst College	58,050	6,450	3,000	2,500	70,000	140
St. Louis College of Pharmacy	18,540	2,060	2,200	1,200	24,000	41
St. Louis Institute of Music	19,988	2,221	3,000	1,791	27,000	30
St. Louis University	666,000	74,000	80,000	30,000	850,000	1,300
St. Paul's College	3,323	369	31	277	4,000	10
Southeast Missouri State College	136,800	15,200	18,000	5,000	175,000	500
Southwest Baptist College	76,970	8,552	478	0	86,000	320
Southwest Missouri State College	150,000	16,667	6,000	2,000	174,667	308
Stephens College	55,576	6,175	3,000	249	65,000	125
Tarkio College	106,650	11,850	500	1,000	120,000	544
University of Missouri at Kansas City	146,610	16,290	28,600	11,500	203,000	625
University of Missouri at Columbia	504,000	56,000	80,000	10,000	650,000	1,377
University of Missouri at Rolla	110,700	12,300	7,000	25,000	155,000	220
University of Missouri at St. Louis	13,500	1,500	0	0	15,000	40
Washington University	348,750	38,750	50,000	30,000	467,500	700
Webster College	108,900	12,100	7,000	2,000	130,000	190
Westminster College	25,200	2,800	1,700	300	30,000	80
William Jewell College	85,500	9,500	6,000	2,000	103,000	210
William Woods College	13,308	1,479	569	4,644	20,000	25
Total, 49 institutions	4,934,002	548,224	474,181	190,281	6,146,688	15,935
MONTANA						
Carroll College	122,085	13,565	8,000	----------	143,650	245
College of Great Falls	74,822	8,314	3,321	2,543	89,000	150
Eastern Montana College of Education	81,000	9,000	4,000	400	94,400	173
Montana College of Mines, Science, and Technology	18,000	2,000	2,800	200	23,000	55
Montana State University	188,550	20,950	20,000	20,500	250,000	435
University of Montana	199,800	22,200	5,000	3,000	230,000	380
Northern Montana College	32,805	3,645	1,050	----------	37,500	75
Rocky Mountain College	63,900	7,100	5,300	700	77,000	20
West Montana College of Education	29,047	3,227	5,200	746	38,220	91
Total, 9 institutions	810,009	90,001	54,671	28,089	982,770	1,624
NEBRASKA						
College of St. Mary	20,569	2,285	892	254	24,000	60
Concordia Teachers College	35,010	3,890	1,100	10,000	50,000	100
Creighton University	130,500	14,500	17,000	13,000	175,000	315
Dana College	47,070	5,230	4,025	11,475	67,800	120
Doand College	42,547	4,728	7,100	4,500	58,875	90
Duchesne College of the Sacred Heart	47,096	5,344	5,260	3,300	62,000	80
Hastings College	81,900	9,100	4,500	2,000	97,500	160
McCook Junior College	----------	----------	----------	339	339	----------
Midland Lutheran College	63,000	7,000	2,600	400	73,000	182
Municipal University of Omaha	109,800	12,200	6,000	2,000	130,000	130
Chadron State College	108,000	12,000	5,000	----------	125,000	350
Kearney State College	81,000	9,000	15,000	12,000	117,000	304
Peru State College	27,562	3,063	3,500	3,000	37,125	105
Wayne State College	54,000	6,000	35,000	10,000	70,000	140
Nebraska Wesleyan University	64,575	7,175	2,000	1,500	75,250	180
Scottsbluff College	7,335	815	250	----------	8,400	27
The Hiram Scott College	40,500	4,500	----------	----------	45,000	150
Union College	42,930	4,770	8,735	2,565	59,000	130
University of Nebraska	324,000	36,000	35,000	10,000	405,000	815
York College	45,252	5,028	2,100	975	53,355	120
Total, 20 institutions	1,373,646	152,628	120,062	87,308	1,733,644	3,558
NEVADA						
University of Nevada	145,125	16,125	6,000	1,000	168,250	250
NEW HAMPSHIRE						
Dartmouth College	280,800	31,200	60,000	8,000	380,000	750
Keene Teachers College	82,713	9,190	2,400	697	95,000	216
New England College	52,290	5,810	2,000	200	60,300	90
Plymouth Teachers College	74,489	8,277	1,500	234	84,500	195
Rivier College	45,747	5,083	2,500	2,170	55,500	95
St. Anselms College	131,580	14,620	9,100	1,900	157,200	244
Franconia College	32,400	3,600	----------	----------	36,000	60
University of New Hampshire	266,850	29,650	30,000	----------	326,500	550
Franklin Pierce College	18,000	2,000	----------	----------	20,000	20
Nathaniel Hawthorne College	35,037	3,893	----------	1,670	40,600	52
Total, 10 institutions	1,019,906	113,323	107,500	14,871	1,255,600	2,272
NEW JERSEY						
Bloomfield College	38,700	4,300	1,500	4,000	48,500	150
Caldwell College for Women	39,505	4,390	10,040	----------	53,935	67
College of St. Elizabeth	75,150	8,350	2,000	4,500	90,000	115
Drew University	163,080	18,120	1,950	12,850	196,000	241
Fairleigh Dickinson University	279,000	31,000	40,000	----------	350,000	600
Georgian Court College	14,025	1,558	1,175	242	17,000	58
Glassboro State College	99,000	11,000	9,000	1,000	120,000	500
Jersey City State College	77,130	8,570	4,800	----------	90,500	205
Monmouth College	186,400	20,713	8,359	7,019	222,500	375
Montclair State College	193,500	21,500	2,000	3,000	220,000	550
Newark College of Engineering	36,000	4,000	4,500	7,500	52,000	150
Newark State College	94,500	10,500	5,000	----------	110,000	250
Paterson State College	46,350	5,150	----------	3,500	55,000	110
Princeton Theological Seminary	18,000	2,000	----------	----------	20,000	30
Princeton University	402,196	44,689	2,185	930	450,000	900
Rider College	74,790	8,310	7,200	5,700	96,000	265
Rutgers, the State University	434,745	48,305	15,000	3,000	501,050	1,002
St. Peters College	78,300	8,700	7,600	5,400	100,000	280

See footnote at end of table.

NDSL estimated level of student lending, fiscal year 1966—Continued

State and institution	Federal contribution (from OE records) (1)	Institutional contribution (1/9 of col. 1) (2)	Collections to be re-loaned (from institutions) (3)	Carryover [1] funds (from institutions) (4)	Total loan funds available (sum of cols. 1 to 4) (5)	Number of students estimated to receive loans (from institutions) (6)
NEW JERSEY—continued						
Seton Hall University	$337,500	$37,500	$9,500	$20,000	$404,500	430
Shelton College				1,944	1,944	10
Stevens Institute of Technology	144,000	16,000	10,000	5,000	175,000	275
Trenton Junior College	4,383	487	1,283	1,647	7,800	30
Trenton State College	175,282	19,476	3,000	2,242	200,000	500
Union Junior College	8,550	950	1,210	7,290	18,000	50
Upsala College	74,250	8,250	9,000	9,600	101,100	144
Westminster Choir College	30,375	3,375	7,000	3,000	43,750	65
Total, 26 institutions	3,124,720	347,193	163,302	109,364	3,744,579	7,422
NEW MEXICO						
College of St. Joseph on the Rio Grande	79,857	8,873	5,220	300	94,250	105
Eastern New Mexico University	58,500	6,500	5,500	8,500	79,000	280
New Mexico Highlands University	109,215	12,135	10,000	2,000	133,350	330
New Mexico Institute of Mining and Technology	14,490	1,610	3,200	300	19,600	59
New Mexico Military Institute	3,461	385	880	274	5,000	10
New Mexico State University	144,934	16,104	17,105	18,787	196,930	452
Western New Mexico University	58,860	6,540	3,600		69,000	115
St. Michaels College	58,725	6,525	2,500	1,250	69,000	120
St. John College	23,400	2,600			26,000	35
University of New Mexico	301,950	33,550	17,000	30,000	382,500	850
Total, 10 institutions	853,392	94,822	65,005	61,411	1,074,630	2,356
NEW YORK						
Academy of Aeronautics	9,000	1,000	0	0	10,000	30
Adelphi University	44,100	4,900	20,000	1,000	70,000	125
Alfred University	53,577	5,953	3,000	4,000	66,530	78
Bank Street College of Education	6,390	710	1,450	1,450	10,000	22
Bard College	7,920	880	2,000	0	10,800	27
Bronx Community College	1,737	193	350	720	3,000	20
Brooklyn College	24,300	2,700	500	500	28,000	40
Broome Technical Community College	28,112	3,124	1,900	4,364	37,500	75
Canisius College	175,193	19,466	18,000	12,341	225,000	385
Cazenovia College	900	100	0	0	1,000	2
City College of City of New York	207,000	23,000	14,000	6,000	250,000	400
Borough of Manhattan Community College	45,000	5,000	0	0	50,000	50
Clarkson College of Technology	119,790	13,310	500	16,400	150,000	275
Kingsborough Community College	7,425	825	0	0	8,250	45
Colgate University	139,500	15,500	5,000	0	160,000	250
College of Mount St. Vincent	28,905	3,211	300	3,584	36,000	37
College of New Rochelle	65,331	7,259	20,000	6,200	98,790	111
College of St. Rose	23,040	2,560	0	3,000	28,600	51
Columbia University	522,980	58,109	85,000	30,000	696,089	1,585
Cooper Union	0	0	0	10,400	10,400	14
Cornell University	454,950	50,550	55,000	71,000	631,500	945
Corning Community College	5,825	647	428	200	7,100	24
D'Youville College	28,800	3,200	4,000	3,000	39,000	60
Elmira College	97,200	10,800	5,000	12,000	125,000	177
Fashion Institute of Technology	43,200	4,800	3,000	6,000	57,000	140
Fordham University	270,180	30,020	12,000	3,300	315,500	460
Fulton Montgomery Community College	18,000	2,000	0	0	20,000	50
Hamilton College	47,700	5,300	2,500	5,509	61,000	105
Hartwick College	27,000	3,000	2,000	1,000	33,000	100
Hobart and William Smith College	55,975	6,219	5,793	2,338	70,325	108
Hofstra College	448,200	49,800	15,000	0	513,000	610
Holy Trinity Orthodox Seminary	2,133	237	130	2,000	4,500	8
Houghton College	62,352	6,928	10,629	8,323	88,232	150
Hudson Valley Community College	0	0	0	2,330	2,330	875
Hunter College of City of New York	134,550	14,950	3,000	0	152,500	195
Iona College	93,713	10,412	24,000	15,000	144,125	165
Ithaca College	618,250	68,694	25,000	70,000	781,944	1,025
Jamestown Community College	18,000	2,000	1,000	0	21,000	45
Jewish Theological Seminary of America	8,100	900	1,200	9,600	19,800	22
Juilliard School of Music	13,500	1,500	0	0	15,000	33
Keuka College	37,890	4,210	2,000	2,000	46,100	74
Kings College	82,816	9,202	434	7,548	100,000	157
Ladycliff College	0	0	1,200	200	1,400	2
Le Moyne College	66,600	7,400	8,000	3,000	85,000	170
Long Island University	268,011	29,779	75,254	20,706	393,750	530
Manhattan College	117,900	13,100	16,000	23,000	170,000	425
Manhattan School of Music	19,800	2,200	3,000	1,000	26,000	59
Manhattanville College of Sacred Heart	97,552	10,839	0	6,609	115,000	180
Mannes College of Music	18,000	2,000	0	0	20,000	30
Marist College	91,350	10,150	1,500	2,000	105,000	150
Marymount College	62,429	6,936	2,500	1,135	73,000	73
Marymount Manhattan College	13,500	1,500	1,900	100	17,000	35
Mercy College	8,419	935	0	246	9,600	12
Mills College of Education	20,992	2,333	750	2,100	26,175	51
Mohawk Valley Technical Institute	21,567	2,397	6,900	6,636	37,500	250
Mount St. Joseph College	43,200	4,800	0	0	48,000	70
Mount St. Mary College	33,439	3,715	0	896	38,050	55
Nazareth College	20,790	2,310	650	1,250	25,000	40
New School for Social Research	0	0	0	11	11	0
New York City Community College	1,660	184	3,388	4,918	10,150	38
New York College of Music	22,050	2,450	0	0	24,500	35
New York Institute of Technology	33,761	3,751	3,000	2,488	43,000	80
New York Medical College	0	0	0	4,568	4,568	10
New York University	580,400	64,489	50,000	50,000	744,889	835
Niagara University	140,850	15,650	31,500	12,000	200,000	250
Notre Dame College of Staten Island	13,550	1,505	95	850	16,000	40
Nyack Missionary College	55,710	6,190	4,000	100	66,000	170
Orange County Community College	3,600	400	2,000	0	6,000	20
Pace College	55,800	6,200	3,000	5,000	70,000	95

See footnote at end of table.

NDSL estimated level of student lending, fiscal year 1966—Continued

State and institution	Federal contribution (from OE records) (1)	Institutional contribution (1/9 of col. 1) (2)	Collections to be reloaned (from institutions) (3)	Carryover [1] funds (from institutions) (4)	Total loan funds available (sum of cols. 1 to 4) (5)	Number of students estimated to receive loans (from institutions) (6)
NEW YORK—continued						
Parsons School of Design	$31,950	$3,550	$500	$7,500	$43,500	75
Polytechnic Institute of Brooklyn	38,700	4,300	7,000	0	50,000	50
Pratt Institute	564,300	62,700	30,000	23,000	680,000	900
Queensborough Community College	225	25	300	1,200	1,750	8
Queens College of City of New York	131,215	14,580	2,000	5,330	153,125	210
Rensselaer Polytechnic Institute	606,300	67,367	13,000	20,000	706,667	1,050
Roberts Wesleyan College	167,300	18,588	4,000	400	190,288	293
Rochester Institute of Technology	7,587	843	6,570	21,000	36,000	65
Rosary Hill College	56,430	6,270	5,000	4,300	72,000	120
Russell Sage College	62,100	6,900	2,000	0	71,000	85
St. Bernardine of Siena College	61,272	6,808	4,500	420	73,000	135
St. Bonaventure University	70,200	7,800	3,000	1,000	82,000	250
St. Francis College	26,465	2,941	2,850	994	33,250	50
St. John Fisher College, Inc	51,688	5,743	1,250	439	59,120	80
St. John's University	254,253	28,250	22,100	4,286	308,889	550
St. Joseph's College for Women	20,763	2,307	3,000	3,300	29,370	48
St. Lawrence University	56,565	6,285	30,000	20,000	112,850	160
St. Thomas Aquinas College	10,000	1,111	0	0	11,111	45
St. Vladimir's Orthodox Theological Seminary	6,210	690	0	0	6,900	16
Sarah Lawrence College	17,100	1,900	0	1,000	20,000	40
Skidmore College	41,535	4,615	1,000	500	47,650	78
Staten Island Community College	3,150	350	1,000	1,000	5,500	38
State University of New York at Binghamton	193,500	21,500	8,600	51,400	275,000	425
State University of New York at Albany	457,200	50,800	17,000	20,000	545,000	850
State University of New York College at Brockport	401,543	44,616	7,500	0	453,659	737
State University of New York College at Buffalo	444,510	49,390	12,000	1,000	506,900	886
State University of New York College at Cortland	331,200	36,800	12,000	0	380,000	670
State University of New York College at Fredonia	401,224	44,581	16,250	0	462,055	774
State University of New York College at Geneseo	253,134	28,126	4,200	15,370	300,830	450
State University of New York College at New Paltz	284,400	31,600	5,000	4,000	325,000	545
State University of New York College at Oneonta	258,072	28,675	8,151	3,492	298,390	530
State University of New York College at Oswego	411,300	45,700	18,000	0	475,000	863
State University of New York College at Plattsburgh	298,350	33,150	6,000	0	337,500	750
State University of New York College at Potsdam	372,150	41,350	4,000	0	417,500	560
State University of New York Graduate School of Public Affairs	24,074	2,675	125	126	27,000	70
State University of New York at Stony Brook	152,550	16,950	2,000	3,500	175,000	500
State University of New York Maritime College	65,700	7,300	2,000	0	75,000	150
State University of New York College of Forestry	73,170	8,130	12,000	4,700	98,000	140
State University of New York Downstate Medical Center	3,241	360	1,800	599	6,000	6
State University of New York Upstate Medical Center	5,850	650	3,500	0	10,000	13
State University of New York Agricultural and Technical Institute at Morrisville	66,802	7,423	6,000	2,000	82,225	115
State University of New York Agricultural and Technical Institute at Alfred	123,615	13,735	16,250	14,400	168,000	280
State University of New York Agricultural and Technical Institute at Canton	134,874	14,986	12,000	8,883	170,743	275
State University of New York Agricultural and Technical Institute at Cobleskill	78,300	8,700	9,000	0	96,000	160
State University of New York Agricultural and Technical Institute at Delhi	123,300	13,700	4,000	0	141,000	200
State University of New York Agricultural and Technical Institute at Farmingdale	83,700	9,300	17,000	0	110,000	183
Syracuse University	418,500	46,500	20,000	5,000	490,000	725
Union College and University	143,384	15,932	30,000	15,000	204,316	288
Union Theological Seminary	9,000	1,000	0	0	10,000	50
State University of New York at Buffalo	946,716	105,191	12,000	1,000	1,064,907	2,541
University of Rochester	246,600	27,400	64,000	2,000	340,000	490
Vassar College	33,300	3,700	0	3,000	40,000	80
Wagner College	128,250	14,250	7,500	0	150,000	255
Yeshiva University	331,550	36,839	8,000	0	376,389	1,000
Catan-Rose Institute of Art	0	0	0	18	18	0
Union College and University, Albany College of Pharmacy	0	0	0	838	838	0
Union College and University, Albany Law School	4,566	507	4,835	92	10,000	20
Columbia University Barnard College	36,000	4,000	0	0	40,000	133
Columbia University Teachers College	335,800	37,311	1,500	1,500	376,111	538
Columbia University College of Pharmacy	9,000	1,000	500	5,051	15,551	25
Utica College of Syracuse University	126,065	14,007	9,428	0	149,500	290
Rabbinical Academy	21,240	2,360	0	0	23,600	31
Total, 131 institutions	16,006,502	1,778,499	1,059,960	749,549	19,594,510	33,808
NORTH CAROLINA						
Agricultural and Technical College	209,250	23,250	10,000	15,000	257,500	550
Appalachian State Teachers College	220,140	24,460	7,000	2,000	253,600	512
Asheville Biltmore College	14,400	1,600			16,000	50
Atlantic Christian College	68,688	7,632	11,680	3,000	91,000	184
Barber Scotia College	8,190	910	1,100	800	11,000	44
Belmont Abbey College	14,642	1,627	1,476	32	17,777	42
Bennett College	107,204	11,911	3,285		122,400	206
Brevard College	16,180	1,798	1,668	129	19,775	35
Campbell College	171,180	19,020	4,300		194,500	354
Central Piedmont Community College	8,822	980	100	1,198	11,100	40
Catawba College	48,550	5,394	4,872	5,634	64,450	105
Charlotte College	16,961	1,885	644	1,310	20,800	65
Chowan College	57,330	6,370	3,800	4,000	71,500	110
College of the Albemarle	15,300	1,700			17,000	17
Davidson College	42,354	4,706	2,600	2,000	51,660	126
Duke University	463,818	51,535	32,847	15,000	563,200	704
East Carolina College	251,100	27,900	6,000	15,000	300,000	750
Elizabeth City State Teachers College	97,789	10,886	1,850	995	111,500	500
Elon College	84,015	9,335	7,300		100,650	122
Fayetteville State College	87,300	9,700	1,000	2,000	100,000	333
St. Andrews Presbyterian College	52,110	5,790	2,000	100	60,000	165
Gardner Webb Junior College, Inc	21,600	2,400	2,000		26,000	65
Greensboro College	17,141	1,905	1,864	3,090	24,000	80
Guilford College	48,055	5,339	5,000	2,855	61,249	155
High Point College	39,600	4,400	6,000	20,000	70,000	190
Johnson C. Smith University	78,262	8,696	14,422	620	102,000	260
Lees McRae College	22,500	2,500	3,500	100	28,600	60
Lenoir Rhyne College	62,914	6,990	3,000	2,096	75,000	150
Livingstone College	65,700	7,300	3,000		76,000	255

See footnote at end of table.

NDSL estimated level of student lending, fiscal year 1966—Continued

State and institution	Federal contribution (from OE records) (1)	Institutional contribution (1/9 of col. 1) (2)	Collections to be re-loaned (from institutions) (3)	Carryover[1] funds (from institutions) (4)	Total loan funds available (sum of cols. 1 to 4) (5)	Number of students estimated to receive loans (from institutions) (6)
NORTH CAROLINA—continued						
Louisburg College	$14,040	$1,560	$500	$400	$16,500	50
Mars Hill College	15,603	1,734	735	1,929	20,001	50
Meredith College	17,280	1,920	2,000	800	22,000	55
Methodist College	20,357	2,269	250	2,131	25,007	84
Mitchell College	22,883	2,543	2,200	374	28,000	40
Montreat-Anderson College, Inc	11,430	1,270	2,000	500	15,200	38
Mount Olive Junior College	6,750	750	1,300	1,200	10,000	25
North Carolina College at Durham	405,000	45,000	5,165	5,400	460,565	1,400
North Carolina Wesleyan College, Inc	41,898	4,656	1,741	252	48,547	143
Peace College				91	91	
Pembroke State College	20,070	2,230	700	500	23,500	170
Pfeiffer College	94,050	10,450	6,500	5,000	116,000	250
Piedmont Bible College, Inc			913	2	915	10
Queens College	39,150	4,350	3,000	3,500	50,000	70
Sacred Heart Junior College	2,761	307	700	232	4,000	8
St. Augustines College	285,750	31,750	2,500		320,000	530
Salem College	19,800	2,200		2,500	24,500	38
Shaw University	220,232	24,470	5,298		250,000	380
University of North Carolina (Chap. H.)	597,600	66,400	40,000	40,000	744,000	940
University of North Carolina State College (Raleigh)	411,750	45,750	35,000	175,000	667,500	1,020
University of North Carolina at Greensboro	109,350	12,150	4,500	1,500	127,500	320
Wake Forest College	46,800	5,200	8,000		60,000	130
Western Carolina College	140,400	15,600	4,000		160,000	400
Wilmington College	14,849	1,650	500	1	17,000	50
Wingate College	10,602	1,178	820		12,600	28
Winston Salem State College	90,000	10,000	1,500		101,500	310
Kittrell College	17,109	1,901	700	290	20,000	80
Southern Pilgrim College	1,730	192	578		2,500	3
Total, 57 institutions	5,088,339	565,379	273,408	338,561	6,265,687	12,851
NORTH DAKOTA						
Bismarck Junior College	18,000	2,000	200	200	20,400	35
Lake Region Junior College	43,681	4,854	3,965		52,500	20
Jamestown College	10,513	1,168	50	269	12,000	75
Mary College	12,802	1,423	300	475	15,000	29
North Dakota State University	398,083	44,232	25,000		467,315	853
North Dakota School of Forestry	5,625	625	100	2,650	9,000	15
North Dakota State School of Science	35,565	3,951	484		40,000	110
Ellendale State Teachers College	13,500	1,500	430	50	15,480	36
Dickinson State College	126,450	14,050	2,500	1,000	144,000	220
Mayville State College	40,950	4,550	7,500	2,000	55,000	110
Minot State College	55,125	6,125	3,000		64,250	120
Valley City State College	51,570	5,730	1,200	1,500	60,000	140
University of North Dakota	647,100	71,900	15,000		734,000	1,032
Total, 13 institutions	1,458,964	162,108	59,729	8,144	1,688,945	2,795
OHIO						
Antioch College	107,100	11,900			119,000	189
Ashland College	104,518	11,613	7,082	987	124,200	285
Baldwin Wallace College	360,900	40,100	20,500		421,500	575
Bluffton College	105,660	11,740	7,000	2,000	126,400	160
Bowling Green State University	386,100	42,900	46,000	15,000	490,000	1,000
Capital Univeristy	174,348	19,372	17,280	2,750	213,750	487
Case Institute of Technology	233,100	25,900	25,000	6,000	290,000	402
Central State College	299,350	33,261	15,000	13,500	361,111	833
Cleveland Institute of Music	3,981	442	500	1,017	5,940	15
Cleveland Marshall Law School	9,600	1,067	3,125		13,792	35
College of Mount St. Joseph on Ohio	59,496	6,611	6,066	2,427	74,600	130
College of St. Mary of the Springs	45,000	5,000	250	950	51,200	57
College of Steubenville	115,020	12,780	3,200	1,000	132,000	200
College of Wooster	48,438	5,382	2,000		55,820	95
Cuyahoga Community College	28,800	3,200			32,000	100
Defiance College	112,185	12,465	7,000	1,550	133,200	229
Denison University	55,891	6,210	2,500	399	65,000	100
Dyke College	15,128	1,681	1,373	2,818	21,000	30
Cleveland State University	87,750	9,750	3,000		100,500	425
Findlay College	101,781	11,309	17,550		130,640	192
Franklin University	1,800	200	600	400	3,000	10
Heidelberg College	103,648	11,517	4,235	600	120,000	246
Hiram College	84,150	9,350	4,000	2,500	100,000	180
John Carroll University	194,707	21,634	15,200	10,509	242,050	527
Kent State University	300,754	33,417	21,600	22,859	378,630	630
Kenyon College	22,905	2,545	300	3,250	29,000	95
Lake Erie College	17,193	1,910	1,500	8,772	29,375	47
Ursuline College	13,593	1,510		897	16,000	40
Walsh College	35,431	3,938	550	81	40,000	55
Western College for Women	22,036	2,449	3,225	1,290	29,000	66
Western Reserve University	362,357	40,260	12,000	11,825	426,442	683
Wilberforce University	61,200	6,800	1,500	500	70,000	200
Wilmington College	27,900	3,100	200	200	31,400	82
Wittenberg University	211,500	23,500	23,000	12,000	270,000	450
Xavier University	140,107	15,568	11,275	3,050	170,000	325
Youngstown University	108,900	12,100	15,000		136,000	295
Cleveland Institute of Art	7,331	815	275	679	9,100	28
Columbus College of Art and Design	9,900	1,100	1,000		12,000	40
Total, 65 institutions	7,566,471	840,718	534,792	266,965	9,208,946	17,424
OKLAHOMA						
Bacone College	21,510	2,390	500	600	25,000	50
Benedictine College				921	921	
Bethany Nazarene College	123,750	13,750	7,375	125	145,000	400
Cameron State Agricultural College	12,786	1,521	400	1,373	15,980	40
Central Pilgrim College	7,085	788	2,027	100	10,000	27

See footnote at end of table.

NDSL estimated level of student lending, fiscal year 1966—Continued

State and institution	Federal contribution (from OE records) (1)	Institutional contribution (1/9 of col. 1) (2)	Collections to be reloaned (from institutions) (3)	Carryover [1] funds (from institutions) (4)	Total loan funds available (sum of cols. 1 to 4) (5)	Number of students estimated to receive loans (from institutions) (6)
OKLAHOMA—continued						
Central State College	$189,000	$21,000	$10,000	$15,000	$235,000	600
Connors State Agricultural College	54,000	6,000	7,500	3,000	70,500	210
East Central State College	350,000	38,888	20,000		408,888	807
Eastern Oklahoma A & M College	112,849	12,539	5,374	3,738	134,500	420
El Reno Junior College	1,890	210			2,100	8
Langston University	115,920	12,880	1,200		130,000	460
Murray State Agricultural College	54,600	6,000	4,000	4,400	68,400	180
Northeastern Oklahoma A & M College	50,512	5,614	6,840	34	63,000	220
Northeastern State College	315,000	35,000	20,000	50,000	420,000	900
Northern Oklahoma Junior College	10,552	1,173	200	75	12,000	35
Northwestern State College	138,253	15,362	7,260		160,875	375
Oklahoma Baptist University	60,975	6,775	20,000	1,500	89,250	205
Oklahoma Christian College	34,718	3,857	2,200	475	41,250	100
Oklahoma City University	138,713	15,413	12,474		166,600	227
Oklahoma College for Women	37,287	4,143	6,979	341	48,750	115
Oral Roberts University	135,000	15,000			150,000	150
Oklahoma Military Academy	11,905	1,323	784	288	14,300	20
Oklahoma State University	559,800	62,200	65,000	8,000	695,000	1,340
Panhandle A. & M. College	43,650	4,850	5,000	1,500	55,000	150
Phillips University	124,200	13,800	6,000		144,000	240
Poteau Community College	5,670	630	1,000	1,200	8,500	40
St. Gregorys College	8,586	954	125	335	10,000	20
Sayre Junior College			1,000	10,000	11,000	30
Southeastern State College	212,670	23,630	6,000	3,300	245,600	600
Southwestern College	17,010	1,890			18,900	23
Southwestern State College	202,950	22,550	4,500		230,000	460
University of Oklahoma	523,017	58,113	104,208	64,187	749,525	1,040
University of Tulsa	63,900	7,100	18,500	10,500	100,000	210
Total, 33 institutions	3,737,158	415,243	346,446	180,992	4,679,839	9,702
OREGON						
Blue Mountain Community College	4,500	500			5,000	13
Cascade College	113,400	12,600	4,000		130,000	170
Central Oregon College	4,437	493	70		5,000	15
Clatsop College	6,543	727		230	7,500	14
Eastern Oregon College	115,650	12,850	6,000	500	135,000	230
George Fox College	44,550	4,950		500	50,000	83
Lewis and Clark College	153,450	17,050	13,500	500	184,500	359
Linfield College	78,975	8,775	5,500		93,250	210
Marylhurst College	13,815	1,535	850	1,800	18,000	38
Mount Angel College	26,550	2,950	1,500	500	31,500	70
Multnomah College				1,152	1,152	
Oregon College of Education	217,800	24,200	3,000		245,000	350
Oregon State University	448,043	49,782	52,000	50,000	599,825	858
Oregon Technological Institute	99,200	11,022	22,218	3,000	135,440	200
Pacific University	83,700	9,300	3,000		96,000	240
Portland State College	151,200	16,800	5,525	1,475	175,000	465
Southern Oregon College	188,275	20,919	3,806		213,000	465
Southwestern Oregon College	9,000	1,000		1,500	11,500	28
Treasure Valley Community College	27,180	3,020		300	30,500	70
Umpqua College	6,750	750			7,500	25
University of Oregon	448,200	49,800	35,000	10,000	543,000	965
University of Portland	77,400	8,600	20,000	2,000	108,000	165
Warner Pacific College	34,947	3,883	3,095		41,925	87
Willamette University	101,997	11,333	3,300	2,000	118,630	205
Columbia Christian College	20,380	2,265	180		22,825	50
Total, 25 institutions	2,475,942	275,104	182,544	75,457	3,009,047	5,375
PENNSYLVANIA						
Albright College	127,994	14,222	12,659		154,875	194
Allegheny College	175,230	19,470	8,300		203,000	321
Alliance College	27,000	3,000			30,000	30
Alvernia College	3,600	400			4,000	5
Beaver College	49,500	5,500	5,000		60,000	120
Bryn Mawr College	52,335	5,815		1,850	60,000	105
Bucknell University	90,000	10,000	20,000	11,000	131,000	260
Point Park Junior College	31,417	3,491	12,500	3,592	51,000	100
Carnegie Institute of Technology	273,508	30,389	75,000	17,603	396,500	505
Cedar Crest College	42,704	4,745	2,051	100	49,600	80
Chatham College	82,890	9,210	5,000		97,100	185
Chestnut Hill College	18,090	2,010	3,725	175	24,000	47
Christ the Savior Seminary	1,800	200	700	100	2,800	7
College Misericordia	57,270	6,364	4,000	2,366	70,000	105
Dickinson College	99,720	11,080	7,200	8,000	126,000	210
Drexel Institute of Technology	432,000	48,000	20,000		500,000	840
Duquesne University	519,199	57,689	15,000		591,888	1,094
Eastern Baptist College	42,480	4,720	2,300	500	50,000	110
Eastern Pilgrim College	16,595	1,844	1,054	7	19,500	35
Elizabethtown College	109,233	12,137	3,496	2,334	127,200	190
Franklin & Marshall College	149,351	16,595	21,120	8,120	195,186	331
Gannon College	68,400	7,600	8,000	2,000	86,000	196
Geneva College	68,715	7,635	4,000	3,600	83,950	170
Gettysburg College	156,691	17,410	4,663	2,736	181,500	250
Gwynedd-Mercy College	13,500	1,500			15,000	20
Hahnemann Medical College & Hospital				2,000	2,000	3
Harcum Junior College	16,285	1,810	1,767	1,388	21,250	25
Harrisburg Area Community College	10,062	1,118			11,180	35
Holy Family College	35,278	3,920	400	402	40,000	50
Immaculata College	29,250	3,250	3,000	3,000	38,500	55
Jefferson Medical College of Philadelphia				16,140	16,140	
Juniata College	74,700	8,300	5,000	7,500	95,500	220
Keystone Junior College	26,100	2,900	700	1,500	31,200	85
Kings College	124,200	13,800	5,000		143,000	290

See footnote at end of table.

NDSL estimated level of student lending, fiscal year 1966—Continued

State and institution	Federal contribution (from OE records) (1)	Institutional contribution (1/9 of col. 1) (2)	Collections to be reloaned (from institutions) (3)	Carryover [1] funds (from institutions) (4)	Total loan funds available (sum of cols. 1 to 4) (5)	Number of students estimated to receive loans (from institutions) (6)
PENNSYLVANIA—continued						
Lafayette College	$102,600	$11,400	$17,000	$14,000	$145,000	320
La Salle College	321,368	35,708	34,936	20,988	413,000	535
Lebanon Valley College	100,008	11,112	7,925	71	119,116	180
Lehigh University	148,500	16,500	35,347	3,653	204,000	270
Lincoln University	18,445	2,049	3,121	760	24,375	65
Lycoming College	173,025	19,225	14,300	1,200	207,750	385
Marywood College	115,600	12,845	1,500	55	130,000	160
Mercyhurst College	27,900	3,100	2,000	3,000	36,000	60
Messiah College	32,850	3,650	500	500	37,500	80
Moore College of Art	8,787	976	152	85	10,000	20
Moravian College	60,730	6,748	5,722	3,300	76,500	160
Mount Aloysius Junior College				3,357	3,357	
Mount Mercy College	146,021	16,224	13,812	13,943	190,000	210
Muhlenberg College	125,570	13,952	450	10,028	150,000	275
Delaware Valley College of Science and Agriculture	111,870	12,430	11,800	7,900	144,000	180
Peirce Junior College	10,800	1,200			12,000	30
Pennsylvania Military College	108,440	12,049	13,011	1,500	135,000	270
Pennsylvania College of Optometry				2,317	2,317	0
Pennsylvania State University	800,000	88,889	71,111	10,000	970,000	1,480
Philadelphia College of Osteopathy			5,466	4,534	10,000	10
Philadelphia College of Pharmacy and Science	73,080	8,120	5,000	2,000	88,200	105
Philadelphia College of Art	47,023	5,225	1,400	4,352	58,000	115
Philadelphia Musical Academy	9,454	1,050	1,515	331	12,350	19
Philadelphia College of Textiles and Science	20,250	2,250	5,000	2,500	30,000	80
Robert Morris Junior College	27,000	3,000			30,000	60
Rosemont College	10,800	1,200			12,000	17
St. Francis College	94,095	10,455	1,416	4,034	110,000	158
St. Joseph College	238,500	26,500	20,000	2,000	287,000	480
St. Vincent College	157,950	17,550	5,500	1,000	182,000	252
Seton Hill College	38,643	4,294	3,333	4,830	51,100	112
Bloomsburg State College	96,795	10,755	5,000		112,550	300
California State College	24,742	2,749	2,734		30,225	195
Cheyney State College	29,430	3,270	300	2,000	35,000	190
Clarion State College	175,950	19,550	4,500		200,000	415
East Stroudsburg State College	81,360	9,040	4,600		95,000	200
Edinboro State College	126,540	14,060	4,200	1,200	146,000	365
Indiana State College	200,000	22,222	11,000		233,222	555
Kutztown State College			1,750	7,000	8,750	75
Lock Haven State College	54,544	6,061	6,895	2,500	70,000	219
Mansfield State College	54,000	6,000	2,000		62,000	177
Millersville State College	53,550	5,950	5,000	500	65,000	225
Shippensburg State College	63,000	7,000	5,000		75,000	280
Slippery Rock State College	81,000	9,000	4,000		94,000	225
West Chester State College	97,650	10,850	3,000	4,500	116,000	380
Susquehanna University	55,584	6,176	1,000	7,000	69,760	188
Swarthmore College	40,365	4,485	150		45,000	110
Temple University	604,120	67,124	50,000	23,200	744,444	1,310
Thiel College	126,000	14,000	10,000		150,000	300
University of Pennsylvania	591,934	65,770	130,521	33,441	821,666	1,970
University of Pittsburgh	944,329	104,925	90,000	60,190	1,199,444	1,950
University of Scranton	168,300	18,700	15,000	8,000	210,000	360
Villa Maria College	52,250	5,806	1,800	144	60,000	80
Villanova University	150,000	16,667	7,655	7,100	181,422	242
Washington Jefferson College	63,900	7,100	1,000	1,000	73,000	200
Waynesburg College	49,444	5,494	3,562		58,500	140
Westminster College	88,200	9,800	7,500	3,960	109,460	245
Westminster Theological Seminary	6,300	700		1,000	8,000	13
Wilkes College	202,500	22,500	15,000	3,000	243,000	540
Wilson College	76,365	8,485	2,900		87,750	117
Womans Medical College of Pennsylvania				7,877	7,877	
York Junior College	20,144	2,238	1,414	204	24,000	40
Northeastern Institute of Christian Education	33,014	3,669	2,000	67	38,750	80
Pennsylvania College of Podiatry	37,787	4,198		15	42,000	28
Total, 97 institutions	10,603,503	1,178,169	932,433	392,149	13,106,254	23,915
RHODE ISLAND						
Brown University	364,500	40,500	50,000	25,000	480,000	940
Bryant College	68,361	7,596	11,622	11,421	99,000	260
Barrington College	59,006	6,556	4,600	1,938	72,100	146
Johnson and Wales Junior College	22,500	2,500			25,000	50
Providence College	281,925	31,325	15,000	13,000	341,250	525
Rhode Island College	176,400	19,600	3,000	1,000	200,000	400
Rhode Island Junior College	13,500	1,500			15,000	50
Rhode Island School of Design	43,312	4,813	6,614	5,661	60,400	80
Roger Williams Junior College	18,000	2,000	525	25	20,550	54
Salve Regina College	23,365	2,596	2,174	1,865	30,000	60
Our Lady of Providence Seminary	14,220	1,580			15,800	24
University of Rhode Island	300,000	33,333	20,667		354,000	790
Total, 12 institutions	1,385,089	153,899	114,202	59,910	1,713,100	3,379
SOUTH CAROLINA						
Allen University	86,400	9,600	20,000		116,000	335
Anderson College	7,650	850	4,500	500	13,500	45
Benedict College	167,850	18,650	6,000	1,500	194,000	450
Bob Jones University	135,900	15,100	45,000		196,000	460
Central Wesleyan College	18,959	2,107	1,331	120	22,517	66
Citadel	29,700	3,300	1,500	500	35,000	75
Claflin College	60,120	6,680	3,000	200	70,000	200
Clemson University	83,771	9,308	4,000	2,921	100,000	158
Coker College				2,210	2,210	
College of Charleston	41,535	4,615	500		46,650	71
Columbia College	52,380	5,820	1,200	600	60,000	75
Converse College				3,543	3,543	0
Erskine College	39,150	4,350	1,175	325	45,000	90

See footnote at end of table.

NDSL estimated level of student lending, fiscal year 1966—Continued

State and institution	Federal contribution (from OE records) (1)	Institutional contribution (1/9 of col. 1) (2)	Collections to be re-loaned (from institutions) (3)	Carryover[1] funds (from institutions) (4)	Total loan funds available (sum of cols. 1 to 4) (5)	Number of students estimated to receive loans (from institutions) (6)
SOUTH CAROLINA—continued						
Friendship Junior College	$26,910	$2,990	$900	$200	$31,000	80
Furman University	135,000	15,000	9,300	5,700	165,000	210
Lander College	24,647	2,739	682	9,662	37,730	80
Limestone College	-----	-----	3,000	2,000	5,000	10
Medical College of South Carolina	-----	-----	-----	7,476	7,476	0
Morris College	104,047	11,561	9,392	-----	125,000	250
Newberry College	42,952	4,773	2,100	175	50,000	105
North Greenville Junior College	18,273	2,030	450	1,247	22,000	40
Presbyterian College	84,513	9,390	2,450	1,147	97,500	130
South Carolina State College	44,550	4,950	500	-----	50,000	166
University of South Carolina	327,071	36,341	46,588	10,000	420,000	700
Voorhees College	19,800	2,200	1,200	1,800	25,000	65
Winthrop College	137,250	15,250	15,000	-----	167,500	350
Wofford College	101,678	11,297	3,500	5,000	121,475	200
Total, 27 institutions	1,790,106	198,901	183,268	56,826	2,229,101	4,411
SOUTH DAKOTA						
Augustana College	178,852	19,873	4,000	6,000	208,725	451
Black Hills State College	87,389	9,710	1,000	1,901	100,000	200
Dakota Wesleyan University	114,853	12,762	8,000	9,455	145,070	260
Freeman Junior College	7,011	779	200	10	8,000	16
General Beadle State College	64,800	7,200	3,000	-----	75,000	160
Huron College	95,355	10,595	3,500	350	109,800	250
Mount Marty College	20,178	2,242	580	700	23,700	55
Northern State College	207,000	23,000	35,000	20,000	285,000	460
Presentation Junior College	13,500	1,500	-----	-----	15,000	25
Sioux Falls College	60,750	6,750	3,000	1,500	72,000	190
South Dakota School of Mines and Technology	63,685	7,076	7,386	4,978	83,125	175
South Dakota State University	253,035	28,115	28,500	15,550	325,200	564
University of South Dakota	273,087	30,343	6,000	2,000	311,430	729
Yankton College	89,010	9,890	4,600	1,800	105,300	195
Southern State College	51,500	5,722	4,000	2,774	63,996	200
Total, 15 institutions	1,580,005	175,557	108,766	67,018	1,931,346	3,930
TENNESSEE						
Austin Peay State College	152,100	16,900	8,000	2,000	179,000	330
Belmont College	53,550	5,950	3,000	1,500	64,000	160
Bethel College	81,000	9,000	10,000	-----	100,000	175
Carson Newman College	64,732	7,193	4,500	-----	76,425	140
Christian Brothers College	34,110	3,790	400	5,200	43,500	90
Cumberland College of Tennessee	21,330	2,370	100	200	24,000	40
David Lipscomb College	135,000	15,000	5,000	-----	155,000	220
East Tennessee State University	134,595	14,955	8,500	3,200	161,250	215
Fisk University	128,816	14,313	7,500	2,000	152,629	225
Freed Hardeman College	58,050	6,450	5,500	5,000	75,000	140
Free Will Baptist Bible College	10,746	1,194	3,000	1,700	16,640	44
George Peabody College for Teachers	256,950	28,550	7,000	-----	292,500	350
Hiwassee College	57,487	6,388	5,000	4,595	73,470	120
Johnson Bible College	-----	-----	141	317	458	-----
Knoxville College	53,550	5,950	4,500	-----	64,000	210
Lambuth College	74,250	8,250	6,000	2,000	90,500	170
Lane College	48,933	5,437	580	250	55,200	95
Lee College	44,100	4,900	800	700	50,500	120
Le Moyne College	80,000	8,889	3,001	110	92,000	365
Lincoln Memorial University	47,700	5,300	10,000	4,500	67,500	150
Martin College	17,865	1,985	1,000	150	21,000	55
Maryville College	36,900	4,100	1,000	3,000	45,000	75
Meharry Medical College	-----	-----	-----	5,670	5,670	-----
Memphis State University	181,593	20,177	22,610	620	225,000	400
Middle Tennessee State College	188,550	20,950	1,000	2,000	212,500	500
Milligan College	-----	-----	-----	15,000	15,000	30
Morristown College	38,250	4,250	1,500	1,000	45,000	100
Owen College	37,530	4,170	4,000	300	46,000	90
Siena College	8,788	975	190	57	10,000	15
Southern Missionary College	53,499	5,944	3,000	57	62,500	120
Southwestern at Memphis	36,961	4,107	1,000	3,249	45,317	116
Tennessee Agricultural and Industrial State University	126,000	14,000	15,000	3,000	158,000	494
Tennessee Technological University	123,300	13,700	23,000	1,000	161,000	330
Tennessee Temple College	29,726	3,303	1,943	300	35,272	121
Tennessee Wesleyan College	70,380	7,820	2,800	3,000	84,000	175
Trevecca Nazarene College	63,000	7,000	2,600	100	72,700	150
Tusculum College	27,504	3,056	1,200	1,100	32,860	70
Union University	129,150	14,350	3,500	1,000	148,000	295
University of Chattanooga	61,425	6,825	10,000	1,000	79,250	155
University of the South	126,000	14,000	10,000	-----	150,000	265
University of Tennessee	335,853	37,317	70,000	6,830	450,000	920
Vanderbilt University	415,916	46,213	30,967	16,904	510,000	600
William J. Bryan College	9,000	1,000	3,225	1,775	15,000	40
Henderson Business College, Inc	1,397	155	2,106	442	4,100	15
McKenzie College	90,000	10,000	-----	-----	100,000	200
Griggs Business College	11,304	1,256	-----	400	12,960	24
Steed College of Technology	6,365	707	928	-----	8,000	20
Total, 47 institutions	3,763,245	418,130	305,091	101,226	4,587,701	8,734
TEXAS						
Abilene Christian College	304,731	33,859	24,742	9,208	372,540	646
Texas A. & M. College	42,160	4,685	24,750	18,405	90,000	300
Arlington State College	-----	-----	-----	2,500	2,500	3
Austin College	62,311	6,924	6,082	4,733	80,000	200
Baylor University	473,400	52,600	24,000	-----	550,000	775
Bishop College	279,900	31,100	4,000	-----	315,000	815
Blinn College	43,695	4,855	10,000	10,000	68,550	154

See footnote at end of table.

NDSL estimated level of student lending, fiscal year 1966—Continued

State and institution	Federal contribution (from OE records) (1)	Institutional contribution (1/9 of col. 1) (2)	Collections to be reloaned (from institutions) (3)	Carryover[1] funds (from institutions) (4)	Total loan funds available (sum of cols. 1 to 4) (5)	Number of students estimated to receive loans (from institutions) (6)
TEXAS—continued						
Butler College	$26,100	$2,900	$1,000		$30,000	86
Cisco Junior College	20,790	2,310	900	$4,000	28,000	40
Clarendon Junior College				284	284	
Dallas Baptist College	36,000	4,000			40,000	150
Del Mar College	30,240	3,360	500	600	34,700	66
East Texas Baptist College	94,230	10,470	8,000	3,500	116,200	295
East Texas State University	87,252	9,695	1,051		97,998	230
Hardin Simmons University	225,000	25,000	30,000	5,000	285,000	540
Henderson County Junior College	38,198	4,244	6,000		48,442	157
Hill Junior College	8,048	894	319	139	9,400	45
Howard County Junior College	4,680	520	850	6,300	12,350	26
Howard Payne College	139,500	15,500	15,000	5,000	175,000	290
Huston Tillotson College	80,820	8,980	5,200	5,000	100,000	255
Incarnate Word College	60,202	6,689	12,334	10,775	90,000	110
Jacksonville College	13,932	1,548	800	700	16,980	34
Jarvis Christian College	238,675	26,519	18,000		283,194	450
Lamar State College	90,000	10,000	39,038	962	140,000	219
Lee College	13,336	1,482	2,500	932	18,250	35
Letourneau College	76,050	8,450	500		85,000	200
Lon Morris College	17,955	1,995	3,000	3,300	26,250	50
Lubbock Christian College	52,470	5,830	3,500	9,200	71,000	120
Mary Allen College				11	11	
Mary Hardin Baylor College	55,575	6,175	5,000	9,500	76,250	200
McMurry College	99,000	11,000	3,500	8,500	122,000	288
Midwestern University	35,100	3,900	4,400	2,600	46,000	100
Navarro Junior College	20,913	2,324	1,200	233	24,670	55
North Texas State University	44,493	4,944	17,800	13,175	80,412	120
Our Lady of the Lake College	85,500	9,500	25,000	10,000	130,000	220
Pan American College	88,067	9,785	2,148		100,000	251
Paris Junior College	12,600	1,400	1,000		15,000	11
Paul Quinn College	38,337	4,260	2,802		45,399	140
Prairie View Agricultural and Mechanical College	61,414	6,824	11,762		80,000	200
Ranger Junior College	34,177	3,798	1,200	25	39,200	95
Rice University	162,000	18,000	2,000	13,000	195,000	300
Sacred Heart Dominican College	5,179	576	2,200	3,105	11,060	14
St. Edward's University	46,800	5,200	4,300	2,700	59,000	102
St. Mary's University	200,700	22,300	10,000	2,000	235,000	310
Sam Houston State Teachers College	130,986	14,554	9,000	13,460	168,000	420
San Angelo College	21,285	2,365	3,225	2,000	28,875	45
San Antonio Junior College District	31,331	3,481	2,854	5,459	43,125	125
San Jacinto College	20,466	2,274	750		23,490	87
Southern Methodist University	198,000	22,000	37,000	100	257,100	373
South Plains College	55,125	6,125	3,500	1,000	65,750	90
Southwestern Assemblies of God	21,960	2,440	1,500	300	26,200	70
Southwestern Union College	45,000	5,000			50,000	78
Southwest Texas State College	78,525	8,725	1,200	800	89,250	210
Stephen F. Austin State College	57,625	6,403	5,045	3,127	72,200	112
Sul Ross State College	67,788	7,532	4,800	400	80,520	198
Tarleton State College	78,637	8,738	3,000	1,125	91,500	320
Texarkana College	8,512	946	2,500	6,042	18,000	80
Texas Christian University	155,700	17,300	15,000	15,000	203,000	342
Texas College	168,300	18,700	8,000		195,000	340
Texas College of Arts and Industries	50,137	5,571	12,395	12,837	80,940	182
Texas Lutheran College	36,000	4,000	4,000	2,000	46,000	100
Texas Southern University	92,250	10,250	2,500		105,000	220
Texas Southmost University	4,320	480	700	500	6,000	30
Texas Technological College	227,129	25,237	10,919	15,600	278,885	466
Texas Wesleyan College	33,097	3,677	13,700	11,726	26,200	77
Texas Western College	90,000	10,000	22,000		122,000	220
Texas Woman's University	114,762	12,751	32,487		160,000	479
Trinity University	163,012	18,113	7,000	7,500	195,625	425
Tyler Junior College				1,447	1,447	
University of Corpus Christi	60,840	6,760	5,500	4,900	78,000	120
University of Dallas	123,248	13,694	3,000	158	140,100	184
University of Houston	277,000	30,778	51,720	2,,402	380,900	586
University of St. Thomas	30,997	3,444	2,151	408	37,000	95
University of Texas	256,500	28,500	65,000	25,000	375,000	580
Wayland University	71,550	7,950	500		80,000	175
West Texas State University	178,200	19,800			198,000	360
Wharton County Junior College	11,399	1,267	122	372	13,160	10
Wiley College	222,300	24,700	15,000	3,000	265,000	305
Fort Worth Christian College	30,240	3,360	500	900	35,000	65
Houston Baptist College	67,500	7,500			75,000	75
University of Texas Dental Branch				4,147	4,147	26
University of Texas Medical Branch				7,403	7,403	5
University of Texas Southwestern Medical School				5,838	5,838	
Total, 83 institutions	6,829,251	758,810	682,896	339,338	8,610,295	16,651
UTAH						
Dixie College	12,600	1,400	4,000	200	8,200	34
University of Utah	337,500	37,500	34,000	2,000	1,000	540
Utah State University	291,398	32,378	23,400	7,199	34,375	675
Weber State College	54,900	6,100	4,600		45,600	160
Westminster College	41,957	4,662	4,933	5,848	57,400	98
College of Southern Utah	80,739	8,971	15,140	5,650	110,500	182
Snow College	17,010	1,890	2,100		21,000	35
College of Eastern Utah	11,340	1,260	650	750	14,000	40
Total, 8 institutions	847,444	94,161	88,823	21,047	1,052,075	1,764
VERMONT						
Goddard College	18,720	2,080	400	1,300	22,500	75
Green Mountain College	4,365	485	3,112	2,838	10,800	18
Marlboro College	3,132	348	30	490	4,000	15
Middlebury College	81,112	9,012	15,000	4,876	110,000	100

See footnote at end of table.

NDSL estimated level of student lending, fiscal year 1966—Continued

State and institution	Federal contribution (from OE records) (1)	Institutional contribution (1/9 of col. 1) (2)	Collections to be re-loaned (from institutions) (3)	Carryover [1] funds (from institutions) (4)	Total loan funds available (sum of cols. 1 to 4) (5)	Number of students estimated to receive loans (from institutions) (6)
VERMONT—continued						
Norwich University	$60,480	$6,720	$5,800	$7,000	$80,000	120
St. Michael's College	127,800	14,200	1,600	8,000	151,600	204
Castleton State College	62,109	6,901	4,646	11,344	85,000	170
Johnson State College	45,225	5,025	4,000	750	55,000	124
Lyndon State College	56,064	6,229	2,500	5,207	70,000	100
Trinity College	7,277	809	----------	2,314	10,400	38
University of Vermont and State Agricultural College	369,000	41,000	30,000	10,000	450,000	750
Windham College	11,056	1,229	1,955	760	15,000	30
Total, 12 institutions	846,340	94,038	69,043	54,879	1,064,300	1,834
VIRGINIA						
Bridgewater College	66,150	7,350	----------	5,000	78,500	145
College of William and Mary	129,668	14,408	15,000	7,324	166,400	320
Old Dominion College	54,000	6,000	4,000	1,000	65,000	216
Richmond Professional Institute	80,032	8,893	5,000	5,600	99,525	215
Eastern Mennonite College	54,900	6,100	2,325	----------	63,325	115
Emory and Henry College	13,975	1,553	3,000	1,472	20,000	57
Ferrum Junior College	75,150	8,350	2,000	----------	85,500	190
Hampton Institute	100,800	11,200	10,000	3,000	125,000	320
Hollins College	34,200	3,800	----------	----------	38,000	48
Longwood College	25,200	2,800	1,000	5,000	34,000	125
Lynchburg College	77,363	8,596	4,800	3,866	94,625	155
Madison College	83,997	9,333	4,670	----------	98,000	205
Mary Baldwin College	28,800	3,200	5,000	3,000	40,000	100
Marymount College	8,059	896	500	545	10,000	12
Medical College of Virginia	4,320	480	6,700	6,000	17,500	36
Radford College	104,580	11,620	3,800	----------	120,000	320
Randolph and Macon College	18,000	2,000	----------	----------	20,000	40
Randolph Macon Womans College	40,252	4,473	1,475	1,200	47,400	154
Roanoke College	26,100	2,900	5,000	2,000	36,000	60
St. Paul's College	164,673	18,297	3,155	----------	186,125	250
Shenandoah College and Conservatory of Music	14,220	1,580	900	3,300	20,000	30
Sweet Briar College	14,331	1,592	3,922	4,155	24,000	60
University of Virginia	288,900	32,100	55,800	1,200	378,000	590
Mary Washington College, University of Virginia	43,200	4,800	2,000	3,000	53,000	160
Virginia Military Institute	28,620	3,180	500	700	33,000	70
Virginia Polytechnic Institute	230,580	25,620	30,475	6,575	293,250	565
Virginia State College	229,500	25,500	10,000	----------	265,000	600
Virginia Union University	243,000	27,000	6,288	4,000	280,288	527
Virginia State College	225,000	25,000	10,200	100	260,300	700
Total, 29 institutions	2,507,570	278,621	197,510	68,037	3,051,738	6,385
WASHINGTON						
Centralia College	----------	----------	----------	7,080	7,080	----------
Central Washington State College	285,750	31,750	15,000	5,000	337,500	450
Clark College	4,740	527	470	263	6,000	20
University of Puget Sound	250,000	27,777	9,800	7,423	295,000	470
Columbia Basin College	7,271	808	1,508	413	10,000	15
Eastern Washington State College	338,220	37,580	10,000	5,000	390,800	604
Gonzaga University	159,300	17,700	9,000	4,000	190,000	425
Fort Wright College of Holy Names	22,860	2,540	1,620	980	28,000	36
Northwest Bible College	25,287	2,810	1,096	2,607	31,800	116
Pacific Lutheran University	177,300	19,700	18,000	----------	215,000	363
Peninsula College	----------	----------	----------	4,600	4,600	10
St. Martin's College	36,045	4,005	1,250	800	42,100	82
Seattle Pacific College	124,200	13,800	21,000	1,000	160,000	270
Seattle University	291,600	32,400	33,000	2,000	359,000	607
Skagit Valley College	1,500	167	20	80	1,767	12
Tacoma Community College	3,600	400	----------	----------	4,000	15
University of Washington	819,000	91,000	125,000	40,000	1,075,000	1,950
Walla Walla College	87,602	9,734	12,000	6,664	116,000	240
Washington State University	436,500	48,500	25,000	40,000	550,000	1,000
Western Washington State College	180,000	20,000	5,000	2,000	207,000	414
Whitman College	130,500	14,500	7,500	----------	152,500	310
Whitworth College	182,700	20,300	3,200	----------	206,200	304
Yakima Valley College	2,520	280	----------	----------	2,800	10
Total, 23 institutions	3,566,495	396,278	299,464	129,910	4,392,147	7,813
WEST VIRGINIA						
Alderson Broaddus College	53,550	5,950	6,000	2,000	67,500	128
Bethany College	147,468	16,385	9,000	2,147	175,000	240
Bluefield State College	33,840	3,760	1,800	600	40,000	126
Concord College	72,900	8,100	6,000	5,000	92,000	310
Davis and Elkins College	48,960	5,440	1,500	600	56,500	115
Fairmont State College	101,200	11,245	7,555	----------	120,000	275
Glenville State College	86,000	9,556	3,500	944	100,000	290
Marshall University	170,756	18,972	7,200	6,822	203,750	450
Morris Harvey College	142,705	15,856	12,500	1,439	172,500	370
Ohio Valley College	36,000	4,000	1,100	1,400	42,500	95
Potomac State College	46,800	5,200	700	300	53,000	100
Salem College	93,938	10,437	2,000	5,000	111,375	205
Shepherd College	91,125	10,125	5,000	----------	106,250	225
West Liberty State College	87,525	9,725	1,500	500	99,250	295
West Virginia Institute of Technology	119,250	13,250	7,500	----------	140,000	280
West Virginia State College	34,425	3,825	3,500	3,250	45,000	124
West Virginia University	386,100	42,900	54,000	----------	483,000	1,040
West Virginia Wesleyan College	41,189	4,576	8,693	5,542	60,000	150
Wheeling College	75,408	8,379	5,713	500	90,000	127
Total, 19 institutions	1,869,139	207,681	144,761	36,044	2,257,625	4,951

[1] See footnote at end of table.

NDSL estimated level of student lending, fiscal year 1966—Continued

State and institution	Federal contribution (from OE records) (1)	Institutional contribution (1/9 of col. 1) (2)	Collections to be re-loaned (from institutions) (3)	Carryover [1] funds (from institutions) (4)	Total loan funds available (sum of cols. 1 to 4) (5)	Number of students estimated to receive loans (from institutions) (6)
WISCONSIN						
Alverno College	$32,133	$3,570	$1,320	$2,257	$39,280	82
Beloit College	152,100	16,900	1,000		170,000	289
Cardinal Stritch College	19,357	2,151	2,467	1,025	25,000	40
Carroll College	109,683	12,187	9,230	7,800	138,900	218
Carthage College	117,531	13,059	4,220	4,990	139,800	235
Columbia County Teachers College	2,520	280			2,800	4
Dodge County Teachers College	2,952	328		1,220	4,500	5
Dominican College	23,631	2,626	1,643	800	28,700	55
Edgewood College of Sacred Heart	5,400	600	2,800	2,100	10,900	16
Lakeland College	29,250	3,250	1,500	1,000	35,000	58
Lawrence University	136,822	15,203	7,975	2,000	162,000	360
Layton School of Art	23,992	2,666	1,317	2,025	30,000	60
Marian College of Fond du Lac	12,204	1,356		190	513,750	19
Marquette University	408,420	45,380	12,000	53,000	18,800	710
Milton College	16,335	1,815	1,800	1,200	21,150	45
Milwaukee Institute of Technology	4,410	490	600	3,700	9,200	26
Milwaukee School of Engineering	50,400	5,600	11,000		67,000	100
Mount Mary College	5,557	618	6,500	8,500	21,175	26
Mount Senario College	22,500	2,500			25,000	33
Northland College	61,956	6,884	2,273	6,487	77,600	160
Ripon College	124,740	13,861	4,000	879	143,480	211
St. Norbert College	92,700	10,300	12,000		115,000	175
Stout State University	106,200	11,800	7,000		125,000	345
University of Wisconsin, Madison	994,500	110,500	50,000	65,000	1,220,000	1,600
University of Wisconsin, Milwaukee	180,000	20,000	10,000		210,000	390
Viterbo College	23,054	2,562	1,500	1,204	28,320	41
Wisconsin State University, Eau Claire	118,346	13,150	6,000	3,504	141,000	360
Wisconsin State University, La Crosse	63,450	7,050	5,500	4,000	80,000	157
Wisconsin State University, Oshkosh	146,746	16,305	5,600	11,349	180,000	310
Wisconsin State University, River Falls	126,000	14,000	3,000		143,000	286
Wisconsin State University, Stevens Point	166,500	18,500	6,000	4,000	195,000	442
Wisconsin State University, Superior	78,327	8,704	2,300	5,389	94,720	185
Wisconsin State University, Whitewater	181,800	20,200	15,000	8,000	225,000	477
Wisconsin State University, Platteville	84,870	9,430	11,700	6,000	112,000	255
Wood County Teachers College				162	162	0
Total, 35 institutions	8,724,386	413,825	207,245	207,871	4,553,237	7,775
WYOMING						
Casper College	19,500	2,166	1,372	1,962	25,000	50
Northwest Community College				564	564	
University of Wyoming	227,700	25,300	20,000	2,000	275,000	510
Total, 3 institutions	247,200	27,466	21,372	4,526	300,564	560
GUAM						
College of Guam				2,035	2,035	4
PUERTO RICO						
Catholic University of Puerto Rico	253,350	28,150	10,000	21,000	312,500	700
College of the Sacred Heart	10,584	1,176		740	12,500	25
Inter American University of Puerto Rico	216,000	24,000	10,000		250,000	525
Puerto Rico Junior College	44,066	4,896	982	56	50,000	150
University of Puerto Rico	360,000	40,000	80,000		480,000	1,700
Total, 5 institutions	884,000	98,222	100,982	21,796	1,105,000	3,100
VIRGIN ISLANDS						
College of the Virgin Islands	9,000	1,000			10,000	20
Total, 1,687 institutions	178,900,471	19,877,900	13,740,217	6,488,255	219,006,843	408,809

[1] Retained funds for loans from previous allocations and collections.

NOTE.—Estimated average loan, $536.

Source: Program Studies and Services Branch, Division of Student Financial Aid, Bureau of Higher Education, Office of Education.

Mr. JAVITS and Mr. YARBOROUGH addressed the Chair.

Mr. MORSE. Mr. President, I have two commitments, one to the Senator from New York and one to the Senator from Texas. I made the first to the Senator from New York that I would yield to him, although I am willing to yield the floor. I yield to the Senator from New York and then, afterwards, to the Senator from Texas; but the Senator from Texas may wish me to yield to him, or take the floor in his own right—I do not know whether he wishes to ask me questions on my statement. Of course, that is up to his discretion, but as of now, let me say to the Senator from Texas that I am morally and ethically bound to yield at this moment to the Senator from New York.

Mr. JAVITS. Mr. President, I will take only a few minutes. As I am the ranking Republican member on the committee, what I have to say would perhaps fit in at this point.

Mr. MORSE. That is why I wish to yield to the Senator from New York. Before he says a word, let me say that it is not agreement for which I ask, on the views which I have expressed this afternoon. I am asking only that committee members proceed to study the subject in light of the criticisms I have made of some of the cuts.

Once again, let me thank the Senator from New York, who is the ranking Republican member of the full committee. I also wish to thank the Senator from Vermont [Mr. PROUTY], the ranking member of the Education Subcommittee who is in the Chamber, for his unfailing cooperation with me, even though we find ourselves in some disagreement on some issues, but never on the objectives that we mutually have in mind.

Mr. JAVITS. Mr. President, first, I wish to thank the Senator from Oregon and say to him that he is rendering a valuable service to the Senate in what he is doing for the Nation in the field of education. To me, it is extraordinary—and I have stated this before—how, in this particular area, the education field, he bespeaks the broad consensus of the Nation and the highest interests of our people. It involves not merely the controversy which he sometimes gets into on other subjects—more power to him that he is willing to take them on—but in the field of education, it is extraordinary the degree of concurrence and unanimity which the Senator from Oregon has created. To me, it is one of the finest services he renders to us in the Senate.

Mr. President, I should like to make clear that although we are in a grave situation internationally, we are also a very powerful Nation. I consider that what the Senator from Oregon is asking us to do, in which I join him—is as essential to the national security as any appropriation for any war of defense in which we are engaged anywhere in the world.

We are able to do it. The National Planning Association, the CED, and other objective organizations have made that clear.

However the Senator from Oregon and I may differ, whether it be on Vietnam or any other subject, one thing we are together. That is that in this field of education we can do what needs to be done and we dare not do otherwise.

First and foremost, I join with my colleague [Mr. MORSE] and the other colleagues who have or will speak on the subject.

Second, I wish to say, as the ranking minority member on the committee, I shall do everything I can to see that we accomplish these objectives.

As a Senator from the largest taxpaying State in the Nation, let me say that I shall lend my voice and my vote to footing the bill.

Last year, in enacting the Elementary and Secondary Education Act, the Higher Education Act, and other legislation expanding educational opportunities, this Congress rightfully earned the sobriquet of the "education Congress." This year, unless we successfully repel the assaults on this carefully erected structure of education laws by the administration's budget and legislative proposals, that crown will become very much tarnished. And the Nation's children will be the losers.

The administration, for example, is advocating extensive reductions in the amounts authorized in the Higher Education Act of 1965—cuts, for instance, of more than half in grants to States for community service and continuing education—title I; library assistance—title II; fellowships for teachers—title V; and financial assistance for the improvement of undergraduate instruction—title VI.

In a shortsighted effort to shift the National Defense Education Act student loan program to the newly authorized loan guarantee program, the administration—as I detailed in my remarks in this Chamber on February 23—has met the opposition of both college educators and the bankers. Yet, opposed by the two major groups who would be responsible for the program's success, the administration persists in its proposals to shift from the colleges to the banks some $200 million in loans for needy college students.

RESTRICTIONS IN PROGRAMS OF DIRECT BENEFIT TO NEGROES

Publicity and White House public relations to the contrary, a close examination of the administration budget reveals cuts and retreats in education programs of direct benefit to Negroes. Citation of some specifics are in order:

First. The budget cuts by $12 million—nearly 80 percent—the funds for further endowment of the instructional programs of land-grant colleges. The land-grant law—the Morrill Act—was first enacted more than a century ago during the administration of Abraham Lincoln and has been expanded in the ensuing years; its worth has been clearly established.

The National Association of State Universities and Land-Grant Colleges, in a February 4 statement, underlined the effect of these contemplated administration reductions on the education of Negroes:

> We note particularly the impact of the proposed cut on the 16 land-grant institutions predominantly attended by Negro students, which involves a reduction in instructional support of more than $1 million, representing more than 100 staff members at current rates and, through them, some 1,500 students. This is the equivalent to a 15- to 20-percent reduction in next fall's freshman class at these institutions, unless the funds are replaced from other sources—emergency appropriations from State legislatures, many of which are not in session and some of which meet only biennially, or increase in student fees and tuition. In several institutions, the Federal support proposed to be withdrawn represents the total amount of Federal funds going to the institutions. In one case, it represents one-fourth of the instructional budget.

The threat of a 15- to 20-percent cut in the freshman class at these 16 predominantly Negro colleges is an unfortunate prospect, especially in the light of the hopes and expectations raised for so many Negro young people by the promises of yesteryear.

Second. Last year when Congress enacted the Higher Education Act of 1965, title III of that measure authorized $55 million for the current fiscal year for developing institutions. It was generally accepted that the term "developing institutions" was meant to include the many poorer, but accredited, colleges attended prinicipally by Negroes. Title III, unlike other titles in the bill, was only for 1 year. The appropriation was $5 million, just one-eleventh of the authorization. However, in its report on the funding bill, the Senate Appropriations Committee specifically chided the administration for its lateness in submitting the budget request and the justifications for it which gave the committee "inadequate time to study and analyze the request."

For fiscal year 1967, $30 million is budgeted for these developing institutions; that is, 45 percent of the amount originally authorized. While the administration rationalizes this $30 million budget request as a $25 million increase from fiscal year 1966, the fact is plain that the second year of the program is to be cut from the starting year's authorization. The Education Subcommittee envisioned progress, not retrogression, when title III was approved last year. This is indeed another unfortunate blow to the colleges which serve Negroes.

Third. President Johnson, in his address to the Atlantic City, N.J., convention of the National Education Association, proposed the National Teachers Corps to serve in city slums and areas of rural poverty, a program inspired by proposals made earlier by Senators GAYLORD NELSON and EDWARD KENNEDY. Testimony on the Teachers Corps before the Education Subcommittee emphasized the positive effect it would have in the many schools attended by Negro children coming from families of modest income.

Now that the banners of this antipoverty education program have been furled, an examination of the budget reveals a cut of slightly more than half from the authorization; that is, a budget request of $31.372 million against an authorization of $64.715 million.

Fellowships for teachers and the strengthening of teacher education programs, also a part of the same proposal by President Johnson, are budgeted at 26.6 percent of the authorization.

Fourth. The Elementary and Secondary Education Act is directed principally at poverty-related children. A major thrust of the bill is the upgrading of the schooling of Negro youngsters.

When this measure was originally submitted by the administration, the Commissioner of Education was empowered at his discretion to increase the $2,000 family income limit which determined which children might benefit from the provisions of the bill. The Congress changed this provision and fixed for the current fiscal year an income limitation of $2,000 plus AFDC children. However, the Congress did not delete from the bill the provision for special incentive grants for fiscal year 1967 and fiscal year 1968 which would give additional funds to school districts which increase their per pupil expenditures.

What has the administration budget proposed? It not only would eliminate the incentive grant provision but it has deferred until fiscal year 1968 any increase in the so-called poverty level to $3,000. This is despite the fact that in antipoverty legislation, generally, the poverty level is considered at $3,000 per annum earnings.

Thus, the promise of title I of the Elementary and Secondary Education Act has been frustrated to the detriment of the many Negro children—especially those in the ghettoes of the large cities—from poor families whose incomes are above $2,000 and below $3,000, a modest enough level.

Fourth. Vocational education is of especial importance to young Negroes who seek to take advantage of the still unfilled demands for trained technicians in an economy which is progressively becoming more complex. Grants to States under the Vocational Education Act of 1963 are budgeted at 78.9 percent of authorization; residential vocational schools and their work-study programs are only 38.6 percent of authorization and the $1 million fund authorized last year for direct loans to post-secondary vocational students will never get off the ground—it is not included in the budget at all.

IMPACTED AREA AID

The Subcommittee on Education of the Senate Committee on Labor and Public Welfare has performed a singular service by publishing a committee print of statistical tables showing the effects of the proposed administration amendments to Public Law 874 upon school districts presently participating in the program. For fiscal year 1967, if the administration proposal is adopted, 2,846 school districts would receive $158,439,000 instead of 4,077 school districts receiving $375,196,000, as would be the case without amendment to the law. My own State of New York is cut some two-thirds by this proposal; some States—for example, Alabama—receive even greater slashes.

But what the subcommittee print did not reveal is the losses to big city school districts expected to be eligible for Public Law 874 funds by viture of the amendment to the impacted aid law in Public Law 89-313, enacted last year. These losses run to some $19,078,717, ranging from an estimated $7,587,500 for the New York City schools to an estimated $215,101 for the Richmond, Va., schools.

I ask unanimous consent to have printed at this point in the RECORD a table showing the relation of the budget cut to the big cities.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Large school districts expected to be eligible for Federal assistance under Public Law 874 under the "big city" amendment reducing their eligibility requirements from 3 to 6 percent and estimated entitlement of each district for fiscal year 1966

BIG CITIES

	Estimated entitlement
California: Los Angeles City unified schools	$3,069,233
Florida: Dade County schools (Miami)	873,506
Georgia: Atlanta City schools	860,585
Indiana: Indianapolis schools	448,875
Kentucky: Louisville City schools	209,955
Louisiana: (New) Orleans Parish schools	602,871
Louisiana: Jefferson Parish schools	219,184
Maryland: Baltimore City schools	1,077,323
Massachusetts: Boston schools	720,000
Missouri: Kansas City No. 33 schools	466,020
Missouri: St. Louis City schools	559,224
New Jersey: Newark schools	453,234
New York: New York City schools	7,587,500
Oregon: Portland unified schools	388,312
Tennessee: Memphis City schools	553,728
Texas: Dallas schools	472,976
Utah: Salt Lake City schools	301,090
Virginia: Richmond City schools	215,101
Total	19,078,717

Mr. JAVITS. Let it be remembered that this has been a long continuing campaign in New York, and we feel strongly about it. In this case we are dealing with major cities in large industrial States of the Nation, which are particularly hard hit by the cuts. I do not think we can in good conscience not protest against it.

CONCLUSION

I close as follows: It is very evident to me that there has been no line drawn here as between conservatives and liberals, but that both have joined in supporting aids to education which are essential. This is not an area in which Government is preempting private enterprise. We have had a great bipartisan partnership in the field of education, which the Senator from Oregon has been so active in forging.

As this colloquy discloses, we have not stopped having a bipartisan partnership, but it appears as if the administration is withdrawing from the partnership. This I deprecate.

I hope very much that the resounding voices from both parties will be sounding in the ears of the President. I do not think there is any personal indisposition on his part in this matter. He is looking at it as one problem among the enormous problems of war and peace. But we must emphasize that there is a unity among forces in the country and that we are united in emphasizing the priority which education deserves and our willingness to foot the bill.

We are going to have a chance to do that next Friday and Monday, in the very moderate tax revision bill which will be before us. We must pledge ourselves to be responsible in action on tax increases which are needed in the interest of the Nation, by showing our willingness to foot the bill. I pledge myself to it.

I hope the President will rejoin the bipartisan partnership, in view of what I have said and in view of what other Senators have said, so we may drive forward and that the progress that we have made in the past in the field of education may not be irretrievably lost.

The national consensus is the same this year as it was in the 1st session of the 89th Congress in 1965. It was a landmark Congress for education. So let us keep the country moving forward once again in the field of education.

Mr. YARBOROUGH. Mr. President——

Mr. PROUTY. Mr. President, will the Senator yield?

Mr. YARBOROUGH. I yield to the Senator from Vermont without losing the floor.

Mr. PROUTY. Mr. President, I wish to join the distinguished Senator from New York in commending the distinguished senior Senator from Oregon for a vastly important statement which he has made this afternoon. No Member of the Congress has contributed more, or perhaps as much, to the cause of education in this country than has the distinguished senior Senator from Oregon, and I pay tribute to him most sincerely.

The Johnson administration is waging an undeclared war against the University of Vermont and the other 67 land-grant institutions.

The administration proposal would completely eliminate $11,940,000 out of a total $14,500,000 in annual appropriations for resident instruction in land-grant institutions. This would mean a cut of $209,267 for the University of Vermont.

Agricultural research grants are being slashed by $8.5 million, which amounts to a cut of $50,502 for the University of Vermont. This is a 20-percent reduction in its previous appropriations, and furthermore, to compound this grave injustice, the budget proposes a transfer of $67,500 from the University of Vermont Extension Service and putting it under Federal jurisdiction.

I do not feel that it should be necessary, at this stage of affairs, to battle for recognition of a tried and proven fundamental approach to educational objectives. It is inconsistent with the recent effort of Congress to expand educational opportunities.

I intend to defend education against the contradictions and inconsistencies in the administration approach and would oppose the cutting back of any funds which could well mark the beginning of the end for a program that is one of the most worthy ever to be adopted in this country.

I am also dismayed over President Johnson's proposed cutback of $70,920 in Public Law 874 funds to 10 of our Vermont school districts. The reason for this aid program is to provide financial assistance for educational services in school districts which must accommodate the children of Federal employees.

The cutback in these funds, together with the $10 million cut this year and $82 million cut next year in the school milk program is a serious attack on the welfare and safe-being of our schoolchildren and is so shortsighted in its approach as to put in jeopardy the health and education opportunities of our young citizens.

Mr. YARBOROUGH. Mr. President, I congratulate the Senator from Vermont on his statement. Our work on the Education Subcommittee is conducted in a bipartisan spirit, and I consider myself fortunate to be associated there with such an able advocate of better education for all Americans. It is likewise inspiring to work on these education measures with the distinguished Senator from New York [Mr. JAVITS].

I commend the distinguished senior Senator from Oregon for his leadership in the field of education. I agree basically with all that he said today about the danger of these cuts. He has long been both a great thinker and a great doer for the cause of education. He is a great leader and deserves a major share of the credit for congressional approval of the education enactments of the past few years.

Our votes were dissimilar in the matter of commitments in southeast Asia. I have voted for every administration request for funds for southeast Asia, but I do not see that as an excuse for crippling our educational effort at home.

I do not believe that the $10 billion a year that we are spending in southeast Asia is any excuse for denying educational opportunities for the boys and girls of America at home.

A PROPHECY UNFORTUNATELY COMES TRUE

Last year while the Senate was considering a higher education bill and a new provision for insured reduced interest-rate loans, the so-called middle class income loan in addition to National Defense Act Government loans which had been in existence since 1958, I called attention to the danger that the bill posed for the National Defense Education Act student loan program.

I was assured in committee last year by officials of the Department of Health, Education, and Welfare that my fears were groundless; that this private bank loan plan for middle income families was to help students in higher income brackets and this posed no danger to the existence of the National Defense Education Act student loan program.

After this assurance from the executive department of the Government I was surprised to read in the 1967 budget the following statement:

> Legislation will be proposed to shift the National Defense Education Act student loan program to the newly authorized subsidized loan guarantee program, retaining the special assistance for students who subsequently teach. As a result, National Defense Education Act student loan expenditures will decline by $149 million to a level of $30 million in 1967.

They say "will decline." They do not say "we recommend it decline." They say that it will decline as though we were a rubberstamp to act on their orders. I say that Congress should stay here for 365 days of the year before that comes to pass.

I was astounded that this proposal was advanced. The National Defense Education Act is one of the most successful educational programs that this country has ever had. It was bipartisan, passed in 1958, when it took a bipartisan effort on both sides to get this legislation.

In October of 1957 the Russians had launched their Sputnik I and we were wondering if we were keeping up with them in scientific education. Out of that concern, came the National Defense Education Act of 1958.

Up until September of 1965, approximately 800,000 students had gone to college in America with student loans down $619 million.

Now, the Office of Education proposes to kill this great program and replace it with an untried program that lacks many of the desirable features of the National Defense Education Act.

This is a historic day. The people of Texas 130 years ago today declared their independence as a republic. In their declaration of independence, they wrote into that declaration as a cause for revolution that the government failed to maintain a system of public education. They were the first people on earth to revolt and state as a grounds for the revolution the failure of the government to establish and maintain a system of public education.

I think it is time to have a redeclaration today that we are going to maintain what this Congress has brought out in the last 8 years in the field of public education.

Point after point has been mentioned by the senior Senator from Oregon, the Senator from New York, and the Senator from Vermont. The administration has recommended a retreat in education. They have recommended a retreat from the support of the land-grant colleges of this country comprising a few colleges—far less than 100; yet having within their halls 20 percent of our students. It is a retreat from the student loan program and from help for impacted areas.

Does the Great Society mean that we talk about education but falter when it comes time to pay the bills?

I commend the distinguished Senator from Oregon for opening that matter. I think this is a bipartisan matter that should call for the support of every Member of Congress who is interested in education.

Mr. RANDOLPH. Mr. President, it is a privilege and a responsibility to join with the senior Senator from Oregon [Mr. MORSE], the senior Senator from New York [Mr. JAVITS], the Senator from Vermont [Mr. PROUTY], and the Senator from Texas [Mr. YARBOROUGH], in a discussion this afternoon which concerns the entire membership of this body, as we consider the commitments already made—commitments which must be continued and not diminished.

It is a privilege to work energetically for those thousands of boys and girls and young men and women, who are preparing for vital and constructive roles in the complex and challenging society in which they will very soon have their careers fashioned and forged.

After I have spoken briefly, by an arrangement made several days ago, I will engage the Senator from Texas in a colloquy which will include questions and answers which will produce factual information which has been brought to the Chamber in part by the formal presentation of the effective chairman of the Subcommittee on Education in the Senate, the senior Senator from Oregon [Mr. MORSE].

Mr. President, I, too, am distressed, and I am disappointed, at the proposed transfer of funds in the National Defense Education Act loan program which appeared in the budget proposal of the President and in his message on education.

I remind Senators that on February 23 the President sent to Congress an eloquent plea for the preservation of natural resources. In his message he stressed the "consequences for every child born on our continent from this day forward" of our actions in the area of conservation. That statement is absolutely correct. But we must also recognize that in the equally important area of education our decisions now will affect our children and our children's children for years to come—and we cannot afford, as Senators, to make mistakes.

Not only do we agree that our youth is our most highly treasured natural resource; we must also insist, as thinking men and women that your youth be given the one most necessary tool, the really vital weapon it needs, as it faces a world made complex by vast technological and social changes.

Each of the programs enacted by Congress which strengthens our educational system, which assists our children to prepare for a fuller, more contributory role in our society, is a program of conservation. Education is conservation in the truest sense.

The National Defense Education Act loan program is in the vanguard of the vital measures to prepare our youth to meet the challenges now, and even more importantly the challenges of tomorrow.

Consider the number of students who are participating in this program as of 1965: 319,075. This is not merely a statistic. These are the young men and the young women of America who are becoming better educated and, I believe, more fully equipped to cope with the multiplicity of problems to be faced in these grave and perilous times.

I know these promising youngsters. I talk with them in the schoolrooms and on the campuses, in the elementary and secondary schools, the junior colleges, the colleges, and the universities of the State of West Virginia. I shall do so again this weekend in the southwest section of West Virginia, in the hill country.

Mr. MORSE. Mr. President, will the Senator from West Virginia yield? I do not wish to interrupt him unnecessarily, but when the Senator speaks about the students to whom he has talked on the campuses of our colleges, I want the RECORD to show, once again, as I have said before, that I have come to know the Senator from West Virginia as probably the best informed Member of the entire Senate on the problems of the small college.

The Senator from West Virginia has been a trustee of a small college; in fact, he was a trustee of a small college when he was still a student at that college. That is a remarkable record.

Mr. RANDOLPH. May I interrupt the Senator from Oregon at this point?

Mr. MORSE. Surely.

Mr. RANDOLPH. This is true. Perhaps I am the only person whoever became a member of a college board of trustees while still a student at the institution.

Mr. MORSE. I think that is remarkable.

Mr. RANDOLPH. I have often thought that someone, perhaps my father, wanted to be certain that I would be graduated. He therefore arranged for me to be in a position to pass on my own qualifications. Perhaps that was the reason. [Laughter.]

But speaking seriously, I remember how my grandfather saddled his horse and rode over the mountains through rain and snow. He had only three winters of schooling in his life. But he wanted to found a college. Others came to accept that responsibility with him. The college was founded, and he became president of the board of trustees and held that position for 12 years.

My father went to that institution there in the hills. He became the first holder of a bachelor of arts degree from that college. When, for understandable reasons, it became necessary for him to resign from the board, I became a member. That was in 1923.

My son has been graduated from that college. Perhaps I am becoming nostalgic, but I believe in roots going deep in this country if we are really to have something that moves forward. The institution I refer to is Salem College. I am gratified that the Senator from Oregon [Mr. MORSE] has received an honorary degree from Salem. I assure my friend that our student body was inspired and challenged by his address at that time.

Forgive me for making this personal reference.

Mr. MORSE. I think it is important for the record. I am proud to have the Senator from West Virginia on my subcommittee, because of his wealth of information so that he can be our source of check and reference as we consider the problems of the small college. When he comments about his being on that board of trustees as a student, he was many years ahead of his time, because I know he has been reading recently of the great movement taking place in higher education in this country—the increasing consideration by boards of trustees of various institutions of the possibility or desirability of placing a student or two on the board of trustees.

Mr. RANDOLPH. Yes; that is true.

Mr. MORSE. This shows one aspect of the great evolutionary changes that are taking place in our educational administrative policies in this country.

This is the only time I shall interrupt the Senator during his speech. I shall continue this year, as in the past, to rely upon the Senator from West Virginia [Mr. RANDOLPH], the Senator from Texas [Mr. YARBOROUGH], whose devotion to meeting the financial needs of all our young students has been a mainstay to me, and upon the other members of my subcommittee to reason through the policies that are being raised by the President's budget message, to the end that we may come to a decision on the merits, in accordance with the facts. But I am sure that if the facts support the fears we have expressed here this afternoon, we shall put the schoolchildren and the young people of this country first, and any partisan consideration far down on the ladder.

Mr. RANDOLPH. I thank the Senator from Oregon. The young men and young women of whom and for whom I speak are promising people. They build for themselves, through study and in the quest for truth, the preparation for careers which will bring them not only monetary rewards but also a sense of service. They enrich the American heritage. We must not forget that this is as important now as it was 50 or 100 years ago.

On February 18, I spoke in support of the Library Services and Construction Act Amendments of 1966. That was only a few days ago. I cosponsored that measure, as did other Senators, with the senior Senator from New York [Mr. JAVITS]. I indicated then that it was not too long ago that the masters in the Kremlin boasted that they would win the cold war by beating us in the classrooms. I stated: "We have long recognized that our classrooms, producing as they do, future generations of Americans, are our first line of defense,"—not our second, not our third. I referred to the students who are in colleges and other institutions of learning in this country as our "academic troops."

I think this is a correct characterization.

Mr. President, we must not lessen and we must not endanger funds needed for these "troops." I truly fear that the transfer of this loan program to the banking community—which I indicated earlier that we would discuss—will impair its effectiveness.

I am very grateful that I have the opportunity to engage in this colloquy with the Senator from Texas.

I should like to ask the Senator if it is not true that some difficulties have already been faced by those persons who desire loans. What is the problem that faces these young people when they apply to banks for student loans in accordance with the regulations of other loan programs?

Mr. YARBOROUGH. Mr. President, the distinguished Senator from West Virginia and I have been on the Subcommittee on Education for a good many years. We have worked closely on these matters. Our interests and our votes coincide, I believe, between 90 and 99 percent of the time.

We represent States which have great rural populations. There are large numbers of people in our States without means of their own with which to attend college.

Texas ranks 33d in the country in average annual per capita income. It is necessary that these funds be available if each young person is to have an opportunity to get a college education.

I have heard of difficulties that students have been having at different places in the country when they try to get loans under various private loan programs.

I have a letter written by a student in Washington who states that when he applied for a loan at a local bank in Washington, the bank indirectly, but unmistakably, let him know that he would get a loan only if he opened an account with the bank. This loan would have been under a plan operated under the united student aid program.

USAP is expected to play a major role in the guaranteed reduced-interest loan program created by Congress last year, with which the Office of Education now recommends that we replace the National Defense Education Act student loans.

It appears to me that the Commissioner of Education probably has the power to withhold Federal guarantees from banks that are engaged in such practices. However, I can foresee great difficulties in attempting to guard against them. They would be most difficult to prove. Furthermore, so much bureaucratic machinery would have to be moved before anything could be done. Indeed, the Commissioner, for these and other reasons, might decide not to take action in such instances.

In the meantime, the student would be without a loan and would have to drop out of school, thus missing his change for a college education.

I wish to make it clear that I believe most banks would not engage in these practices. Perhaps only a very few banks would. However, this is sufficient reason for treating very warily any proposal to replace the National Defense Education Act loan program with one which is subject to this kind of abuse.

Mr. President, I now read the letter which I received from a student in Washington. The student stated that he wanted to have his name withheld.

Mr. RANDOLPH. We are not making any attack on banks.

Mr. YARBOROUGH. The Senator is correct. The bank has a legitimate interest in trying to increase its accounts.

Mr. RANDOLPH. The primary purpose of the banks is quite properly to make a profit.

Mr. YARBOROUGH. The Senator is correct. That is the reason that people buy stock in banks. If the officers and directors of bank did not operate the bank in such a manner as to produce a profit, they would be looking for jobs elsewhere.

The letter reads:

> DEAR SENATOR YARBOROUGH: I am writing to call to your attention an abuse arising from the operation of the united student aid program in the Washington area.
>
> A short time ago, I was advised by the loan committee at George Washington University that I was authorized to obtain a student loan under the united student aid program for the spring semester of this year. I was told that, if an area resident, I should contact either the Union Trust Co., or Suburban Trust for approval of a note after further processing. When I called Union Trust, the united student aid plan was explained to me as a customer service plan. It was made clear that the only way in which I would be given favorable consideration as to residency requirements would be to establish an "account relationship" with the bank. I was told that this would be the only way the bank felt it could justify the risk of possible collection of funds in case of default. It seems clear to me that the bank was attempting to use the control of funds as a coercive device to stimulate investment there. I might add that at no time was I asked to identify myself.

> Union Trust apparently feels no need to disguise its conduct.

This is just customary banking practice. I am not indicting the banks. However, it shows the great difference between this so-called guaranteed loan plan and the National Defense Education Act loan program, which is an education plan.

I continue to read the letter:

> The Suburban Trust Co., the only other area bank participating in the plan, has made no such demand of me. It seems likely that I will be able to secure the necessary funds through them.
>
> The process, however, is long and involved. After having filled out numerous forms for the university, I must now repeat the process for the bank. This is very different from the procedure under the National Defense Education Act program under which I have borrowed money at another school. Moreover, at least a month shall have passed before I receive confirmation of the loan note. Therefore, I am now attending classes on the strength of the loan committee's authorization. If funds do not become available, I shall have a very difficult time setting things aright.
>
> Under the National Defense Education Act, only one authorization was required—that of the school. Rates were lower than the united student aid's 6 percent, disbursement predictable, and economic coercion such as above mentioned impossible. Unfortunately, since there is no provision for students of economically poorer universities, and I am a student at such a school, I have little choice but to make use of the united student aid fund.
>
> I hope you will give full consideration to possibilities for changing this unhealthy situation.
>
> I must ask that my name not be used in connection with this correspondence.
>
> ——— ———.

Mr. President, I have been contacted by schools, universities, and colleges, both public and private, and by students in my State who view with dismay this plan to phase out the best loan program that the American people have ever had for college education, at a time when the impossibility of an adequate substitute by private loans is already apparent.

Mr. RANDOLPH. Mr. President, the Senator from Texas has covered this point very well. The compelling comments contained in the letter which the Senator read are proof positive of the concern which we have in this situation which confronts us now.

This leads us to a second question which is involved here.

I have received from Mrs. Betty Hornbeck a brief but revealing letter. It gives an insight into the situation and it will take but a few moments to read this letter. The letter reads:

> I wish to vigorously oppose any proposal to drop the National Defense Education Act which has provided ways and means for students to attend colleges and universities.
>
> In my case, a divorcee who provides the entire support of three children on an income of less than $5,000, the National Defense Education Act loan is the only means by which one son is now attending West Virginia Wesleyan College.

I interpolate to say that college is at Buckhannon, W. Va., the community from which the letter comes—

> and another son hopes to enroll next fall in the School of Engineering at West Virginia University.
>
> Without collateral in the form of property (which I do not own), no local bank or lending institution is going to loan me money for college costs. Your programs seem to be aimed at either the dirt poor or the very wealthy; surely, there is someplace in this world for the low middle class.

Would the Senator not agree that when education is at stake, the administration of a loan program should be placed under the guidance of the educator—whose interest is education and its service to the community and the Nation—rather than the banker—whose interest is, properly, the financial return for his institution and for the stockholders within it. And would my colleague not agree that a banker's approach to a loan will naturally and understandably be colored by long years in the banking community, by his concern over the stability of interest rates, and by the regulations established within his own bank as to proper procedure for screening applicants?

Mr. YARBOROUGH. Mr. President, in answer to the inquiry by the distinguished senior Senator from West Virginia, I wish to point out that, as the Senator knows from his vast experience with this act, the National Defense Education Act program is administered by the colleges. The Government now pays for one-half of the administrative cost. Many colleges appoint a person specially trained for this task. His primary aim is to work with the student, to determine how he can arrange his finances so that he can go to college. His interest is in seeing that the student gets through college.

The guaranteed loan program will be run by lending institutions, and their chief obligation is to their stockholders. They must make a profit. I do not quarrel with that; it is the American system of free enterprise. But the difference in primary emphasis is important.

I am not saying we should coddle students; but one of the reasons why the National Defense Education Act has been so successful is that it has been tailored to the needs of the student, and the student has received sympathetic guidance and assistance from counselors who are interested in his welfare. The guaranteed, reduced interest loan program is tailored to the needs of the bank.

This difference can have quite an impact on how valuable this program turns out to be to the individual student. The whole attitude of students is likely to be much different and less enthusiastic toward bank loans than toward the National Defense Education Act. This type of loan is not treated as a part of education; it is treated as a part of a private business venture.

Just one more word about free enterprise: At the heart of the free enterprise system is the notion of profit as a return for taking a risk. With these Government guaranteed loans, there is no risk; the banks are guaranteed a full return for their investment. Yet under their practices, they have not been able to disassociate that fact from their usual banking practices, and they tend to treat one of these loans as any other loan from the bank. Thus, while the student is waiting 30 days to see if his collateral is sufficient, while the bank is waiting for him to open up an account—while all this is going on, the student is losing his chance for an education.

With the wide experience the distinguished Senator from West Virginia has had with small colleges—I believe he was on the governing boards of two of the small colleges of West Virginia at one time; is that not correct? As the distinguished senior Senator from Oregon has said, he is the most knowledgeable man in the Senate as to the problems of small colleges and students in small colleges. With that background of experience, I wish to ask the distinguished senior Senator from West Virginia whether he has had any expressions of distress from those fine small colleges which depend upon this program to assist their needy students, to whom these loans are so important, because many of them are not able to go to distant points to attend the so-called prestige schools.

Mr. RANDOLPH. The Senator is correct. Of course, the reason for many of these institutions being brought into being on the broad plains of Texas or in the hills of West Virginia, was to provide educational facilities near at home, instead of forcing the students to go to the Yales and the Harvards, the Columbias, the Northwesterns, the Ohio States. These are fine institutions; I assure the Senator of my very sincere appreciation of the educational excellence of those universities.

But there is a special excellence, also, which can develop at a smaller institution, where we have not only the capable instructor, but also the inspired instructor. I have seen that often, as, I am sure, has my colleague from Texas.

Yes; I have heard from colleges in West Virginia. I have two letters from Bethany College. This is a splendid institution in the northern section of our State, at Bethany, W. Va. I read from a letter from the dean of students, Robert A. Sandercox.

He said:

> It has come to my attention that there is some effort in Congress to "phase out" the national defense student loan program. This letter is to express my objections to this proposal.
>
> The national defense student loan program has worked beautifully at this college. Hundreds of needy students have been able to complete their education because of the availability of these funds.
>
> This college is proud of its collection record and low rate of default. We do not find the administration of the program cumbersome.
>
> During recent years—largely in accordance with Government guidelines—we have reorganized and centralized our financial aid program to such an extent that one application, one evaluation of need, and one "packaged offer" (including scholarship, loan, and employment) does the job. To "phase

out" the institutionally controlled loan program is to regress and to promote inefficient use of available funds.

Furthermore, if our past experience with State and private loan programs is any guide, we do not expect that the "phasing out" of the NDSL program will in any way save the institution from endless paperwork. All such programs in the past have required much support in terms of applications and reports from the colleges.

I do hope that the national defense student loan program is continued and expanded.

The second letter is from Mr. John A. Graham, director of admissions at the same college, who said:

> It has come to our attention recently that President Johnson plans to "phase out" the national defense student loan program. This note is to express my objections to this move.
>
> The national defense student loan program has provided necessary funds for needy youngsters to attend college, and has proved to be a satisfactory program with the exception of a few schools.
>
> I would personally appreciate anything that you could do to save the national defense student loan program.

I call to the attention of my colleagues, also, the fact that on February 17, the Southern Association of Student Financial Aid Administrators adopted a resolution, urging the Congress to continue this loan program. This resolution reads, in part:

> Whereas Congress encouraged educational institutions to search out and bring to campus many students who would not be able to attend college without financial aid, failure to continue the loan programs would appear to be a breach of trust between Congress and the students and their families.

Now I return with a question to the Senator from Texas: Is the 6-percent rate of interest which has been mentioned enough to attract the banks to full participation?

Mr. YARBOROUGH. First, before I answer the Senator's question, I wish to say that I agree with him thoroughly on the need for National Defense Education Act loans now and in the future; and I agree with that message from that small college that they wish to see the program expanded.

I do not agree with the statement made a few minutes ago by the senior Senator from New York [Mr. JAVITS] that the phaseout of the National Defense Education Act is too rapid, and that there should be a more orderly transition—I do not believe there should be any transition. I am opposed to the liquidation of the national defense student loan program, period.

The other program was meant to be a guaranteed loan program for middle-income families who had so much income they could not qualify under the National Defense Education Act. The whole record and purpose shows that this guaranteed private loan program was not to cover the same group of students who have an opportunity to go to school under the National Defense Education Act.

To return to the question asked by the distinguished Senator from West Virginia, from what I have been hearing, I should say that the 6 percent interest limitation on the guaranteed loan program will probably keep many banks from participating. I have here a clipping from the Sunday, February 20, 1966, issue of the Houston Chronicle, a major Texas newspaper, presenting a survey on that question in the Houston area. It is under the heading, "Loans for College Students More Difficult To Get Today."

It is implied in that story that with the recent rise in the Federal Reserve rediscount rate from 4 to 4½ percent, additional banks will not find it worthwhile to participate in the program. The story mentions that the Bank of the Southwest, a large Houston bank, does not intend to add any additional student loans to its portfolio, and that the Pinemont State Bank had considered getting into the federally supported student loan business, but decided against it, that it was not worthwhile. This story in the Houston Chronicle says that "spokesmen at both banks said the reason was the low-interest rate on the loans, and the fact that students are not required to begin repaying until a year after they graduate."

Mr. President, I ask unanimous consent to have printed in the RECORD the entire article published in the Houston Chronicle concerning the difficult situation being faced by college students today in trying to obtain a loan from private institutions.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LOANS FOR COLLEGE STUDENTS MORE DIFFICULT TO GET TODAY

(By Dave McNeely)

Two recent developments will tend to make it more difficult for college students to obtain governmentally guaranteed loans to finance their education, this year.

One is the decrease in the total Federal funds available for such loans. The other is the recent increase in the rediscount rate, imposed by Federal Reserve.

Student loans, by Federal regulation, may not be charged more than 6-percent interest, a fact which, coupled with their long-term nature, makes them no longer attractive to bankers.

The Johnson administration has dropped its budget request for National Defense Education Act loan funds from $190 million for this school year to $30 million for the next.

Students at University of Houston, for example, have borrowed more than $2 million under the National Defense Education Act during the last 7 years.

For 1965–66, the University of Houston had $370,000 to lend under the National Defense Education Act, of which $267,000 came from the Government. The rest came from repayment of previous loans and from university funds.

The $30 million in National Defense Education Act loan funds is appropriated for next year, the University of Houston will have about $85,000 available for such loans. Of this, $45,000 will come from the Government.

Meanwhile, as the Higher Education Act of 1965 replaces the National Defense Education Act, Houston area banks apparently aren't interested in participating in the program.

The Higher Education Act was signed into law, November 8, by President Johnson with a great deal of fanfare. Loan administrators, however, had not been told how the act would be applied, even though it took effect immediately.

They still don't know.

The law supposedly makes available long-term, low-interest federally subsidized and guaranteed loans to students whose adjusted family income is less than $15,000 annually.

Mrs. Georgia Robinson, director of loans and scholarships at the University of Houston, figures about 95 percent of the University of Houston students could qualify for such loans.

Besides, she says, the other 5 percent could qualify for federally guaranteed deferred-payment loans on which they must pay all the interest.

Under the program, students may borrow up to $1,000 a year ($1,500 for graduate and professional students) for up to 5 years while they are in college.

The Federal Government pays the 6 percent simple interest for students (whose family income is less than $15,000 annually) while they are in school.

No later than a year after the student gets out of school, he begins paying off the note. After he starts payment, he pays the principal and 3 percent of the interest. The Government pays the other 3 percent interest.

The student has a minimum of 5 years to pay, but must pay a minimum of $360 yearly once he begins payment.

The Higher Education Act guaranteed loan program must be arranged through individual States.

"We're not sure how it's going to be handled," Mrs. Robinson said. "That has to come out of Austin. The State's working on it, but they haven't come to any conclusions that we know of."

The rediscount rate—the interest banks pay to borrow money—was raised in December from 4 to 4.5 percent. The Higher Education Act, however, requires that loans to students under the act have a 6-percent interest ceiling.

This means that banks cannot raise interest rates on student loans to compensate for the rediscount rate hike as they are doing on other loans.

The Bank of the Southwest has some loans out under the United Student Aid Fund, a private loan organization that will be eligible for Federal support under the Higher Education Act. Southwest spokesmen say, however, that they don't intend to add to their student loans.

The Pinemont State Bank had considered getting into the federally supported loan business but decided against it.

Spokesmen at both banks said the reason was the low interest of the loans and the fact that students are not required to begin repaying until a year after they graduate.

Borrowers of money on shorter terms begin repayment almost immediately, the spokesman said. This makes money available for other loans and the banks get more turnover for their money.

Mrs. Robinson said she can understand the banks' reluctance, and adds that student loans offer banks no tangible security, as do loans on cars, homes or land.

John Gray, chairman of the coordinating board of university and college systems and president of the City National Bank of Beaumont, says a committee of representatives of the Texas Bankers Association and college loan officials is being set up to study the best means of arranging loans to students.

Gray said he would prefer that the Higher Education Act loans be made through banks if possible, but adds that it is "highly probable" that colleges themselves would have to act as lending agencies.

They would get the necessary funds from the State, he said.

The State loan program—the Texas opportunity plan—is to be financed by $85 million in bonds approved by constitutional amendment by Texas voters November 2. Gray reports that the first block of bonds should be sold by September.

Suggested amount for the first bond sale is $25 million. This would finance direct loans from the State to college students, and wouldn't require bank participation.

The State program, however, is different from the Federal program in that students must show economic need. Other conditions:

Recipients must be Texas residents accepted for enrollment at accredited colleges or universities in Texas.

Students must meet the minimum scholastic requirements of the institution they wish to attend. Outstanding scholarship is not necessary.

The student must meet any other conditions which might be set up by the coordinating board.

Loans must be repaid within 5 years after getting out of college, and amount of loans must be low enough that they can be repaid in 5 years. (These figures have yet to be defined by the coordinating board.)

Ray Fowler, acting assistant commissioner of the coordinating board, believes the Texas opportunity plan will qualify as an "eligible lender" under the Higher Education Act. This will allow interest subsidies to students borrowing under the State plan.

If the State program is set up by fall, needy students will have some loan funds available despite possible bank disinterest in the Higher Education Act program and despite the National Defense Education Act cutback.

The publicity surrounding the signing of the Higher Education Act spurred student interest almost immediately, Mrs. Robinson has more than 1,000 address envelopes stacked in her office, waiting to be stuffed with answers to inquiries about the loans program.

She reports students asking about loans have increased 60 percent over last year, while the University of Houston enrollment went up only 9 percent.

"I'm just at a loss as to what to do," she said. "We have all these questions and we don't know the answers."

MANY BANKS WILL NOT PARTICIPATE

Mr. YARBOROUGH. Mr. President, I have received a letter from the controller, Mr. E. W. Bailey, of Hardin-Simmons University at Abilene, Tex., which has a student body approaching now approximately 2,000 students, but it is still a small college. The letter sheds further light on the problem from the standpoint of the small college.

It points out that two major banks, the First National Bank of Fort Worth and the Southwest Bank of Houston, dropped the united student aid fund program due to low interest.

Mr. Bailey writes in part:

> I understand that such a move is contemplated by other major banks. Apparently, the 6-percent rate of interest is inadequate in the present market, and therefore any guaranteed loan program faces the probability of being forced back upon State and Federal funds.
>
> The guaranteed loan program will not be as acceptable to students as is the NDSL program since it does not provide such equal subsidy and convenient repayment provisions. I am personally not a strong advocate of the teacher cancellation and similar subsidy provisions, but have accepted them as Government policy to attain chosen ends. If the Government is changing its policy, I suggest that this be clearly stated in the legislation, subsequent regulations, and public information releases.
>
> We are sympathetic with the Presidential administration at the point of balancing the budget. I am, however, of the opinion that the availability of a college education for every qualified youth is a basic need of our Nation, and the Federal Government should not disrupt the present program of aiding needy students without making other adequate provisions for meeting such needs.
>
> At this time I have the impression that the U.S. Office of Education finds itself in a difficult situation not of its own making. I am finding no fault with them; but on the other hand, I believe they have the interest of the schools at heart and are doing all they can for us. My purpose in writing is to acquaint you with our fears and concerns, and to request the use of your influence to the end that an adequate financial aid program for needy students shall continue to be made available. Early action by the Congress could be most helpful to our colleges for now is the time we are committing student aid to next fall's students.

This is a fine letter, and I ask unanimous consent to have it printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

HARDIN-SIMMONS UNIVERSITY,
Abilene, Tex., February 14, 1966.

Senator RALPH YARBOROUGH,
U.S. Senate,
Washington, D.C.

DEAR SENATOR YARBOROUGH: Last week at the annual regional meeting of the College Scholarship Service Association of the College Entrance Examination Board I learned that the President's budget included a request for only $34 million national defense student loan funds, whereas the Congress has authorized $194 million for the next fiscal year. It was the consensus and fear of the college financial aid officers present that this indicated a phasing out of the national defense student loan program.

Informal mention was made in the discussion by a representative of the U.S. Office of Education that national defense student loan applications from colleges were exceeding the $194 million authorized. Therefore the appropriation of the full amount authorized would apparently result in a proration below the amount requested to meet our needs. If only $34 million was appropriated, the effect upon college student aid programs of the Nation's colleges would be tragic.

National defense student loan borrowing seemingly has become a way of life for a large portion of our students. In view of the ever increasing number of needy students attending college, any reduction in the program would be traumatic. Tuition at Hardin-Simmons is being increased from $18.50 to $23 per semester hour, and we have already advised our student body that application has been made for increased Federal student aid funds to enable needy students to continue to attend here. Consultation among my colabormen in other private colleges reveals that financial aid officers throughout this area are most disturbed and concerned. We may not be aware of provisions "in the mill" to meet the situation, but there appears to be a feeling of being "let down" without even having been advised of how "they" planned to meet the needs of our students.

It would appear that greater reliance be placed upon the guaranteed loan program. Unfortunately to date we have received little information about the program, but assume reliance will be placed upon State loan programs, the U.S. loans and similar programs. Such programs provide "hunting licenses" for students to seek loans, and are quite burdensome for student aid offices to administer and to coordinate into a unified "packaged" student aid program. Last week two major Texas banks, the First National Bank of Fort Worth and the Southwest Bank of Houston, have dropped the U.S. program due to low interest rates, and I understand that such a move is contemplated by other major banks. Apparently the 6-percent rate of interest is inadequate in the present market, and therefore any guaranteed loan program faces the probability of being forced back upon State and Federal funds.

The guaranteed loan program will not be as acceptable to students as is the national defense student loan program since it does not provide such equal subsidy and convenient repayment provisions. I am personally not a strong advocate of the teacher cancellation and similar subsidy provisions, but have accepted them as government policy to attain chosen ends. If the Government is changing its policy, I suggest that this be clearly stated in the legislation, subsequent regulations and public informational releases.

We are sympathetic with the Presidential administration at the point of balancing the budget. I am, however, of the opinion that the availability of a college education for every qualified youth is a basic need of our Nation, and the Federal Government should not disrupt the present program of aiding needy students without making other adequate provisions for meeting such needs.

At this time I have the impression that the U.S. Office of Education finds itself in a difficult situation not of its own making. I am finding no fault with them; but on the other hand, I believe they have the interest of the schools at heart and are doing all they can for us. My purpose in writing is to acquaint you with our fears and concerns, and to request the use of your influences to the end that an adequate financial aid program for needy students shall continue to be made available. Early action by the Congress would be most helpful to our colleges for now is the time we are committing student aid to next fall's students.

Respectfully yours,

E. W. BAILEY,
Controller.

Mr. RANDOLPH. Mr. President, I am gratified that the distinguished majority leader, the Senator from Montana [Mr. MANSFIELD] has been in the Chamber during discussion of this important problem. The Senator from Montana studied at the Montana State School of Mines and also from the University of Montana. He later taught at the Montana School of Mines. I feel that the problems in West Virginia, the problems in Texas, and the problems in any of the other States of the Union are somewhat comparable. I am wondering whether the Senator from Texas will not find that if we transfer from the present system to this suggested system, actually it will cost more money.

Mr. YARBOROUGH. The Senator is correct. Yes, I believe it would cost more money. Any saving in Government expenditures under the proposed shift would be purely illusory. Under the National Defense Education Act the student pays a 3-percent interest rate, which goes into the National Defense Education Act loan fund.

A study which the Office of Education conducted last year showed that the 2-year student loans cost less than 1 percent of the amount of the loan to administer and that 4-year loans cost less than one-half of 1 percent to administer.

Let me make that clear, because claims have been made that the cost was so excessive it would cost more than the interest rate. Actual experience shows that even though a 4-year loan is made, it cost less than one-half of 1 percent to administer, and a 2-year loan costs 1 percent of the amount of the loan to administer.

On page 296 of the Senate hearings on the Higher Education Act of 1965, this information will be found.

At present, the Government under the National Defense Education Act program, pays up to one-half of the administrative costs of the loan program which, by this analysis, comes to one-fourth or one-half percent of the amount of the loan.

With the insured reduced interest loan program, the Government pays the bank on behalf of the student at the rate of 3 percent. The Government pays half, and the student pay half. Therefore, assuming other costs of the two programs to be equal, there is a difference between the two programs of 5 to 5½ percent.

The Government will be losing 5 to 5½ percent. This is a rather unusual way to save money, it seems to me.

While we are on this point, let me state another disastrous effect of the proposed shift in phasing out the National Defense Education Act program. I hold in my hand a letter from the office of the University of Houston, which has over 20,000 students—one of the two largest universities in the State and in the Southwest. It is signed by the financial aid officer of the loans.

She writes:

> My Dear Senator Yarborough: Attached you will find a resolution worked out by a group of financial aid administrators which covers the reasons why we feel that the Congress has erred in cutting the volume of National Defense Education Act loans so abruptly.
>
> Please do everything you can to restore this program before we are all mobbed by irate parents and students.
>
> Sincerely yours,
>
> Georgia A. Robinson,
> *Financial Aid Officer, Loans and Scholarships.*

Mr. President, she is mistaken, of course. This message from the Bureau of the Budget that, "It will be cut," is one of those dictatorial things which come from the Bureau of the Budget which I hope Congress will slap down hard by a tremendous majority. Congress votes the money. Congress votes the taxes. Congress votes the appropriations.

The Bureau of the Budget has become so arrogant it says, "It will be cut."

Let me read what the administrators of the program say. Here is a resolution from the Southwest:

> Whereas the national defense student loan program and the health professions loan program have proved to be both an inspiration and an invaluable source of aid for needy students aspiring to receive college training; and
>
> Whereas students currently borrowing have expectations of being able to continue to borrow as needed until their degree programs are completed; and
>
> Whereas the college work-study program and the educational opportunity grant program were predicated upon the continuation of the loan programs; and
>
> Whereas it seems clear that no comparable program providing long-term, low-interest loans to college students can be implemented in every State by the 1966–67 academic year; and
>
> Whereas many institutions have, in good faith, already made National Defense Education Act loan commitments to freshman and other new student candidates for the 1966–67 academic year; and
>
> Whereas Congress encouraged educational institutions to search out and bring to campus many students who would not be able to attend college without financial aid, failure to continue the loan programs would appear to be a breach of trust between Congress and the financial aid administrators and the students and their families: Be it therefore
>
> *Resolved,* That as a member of the Southwest Association of Student Financial Aid Administrators, I respectfully urge the Congress to continue the above-mentioned loan programs.
>
> University of Houston.
> Georgia A. Robinson.
>
> February 25, 1966.

Mr. President, I ask unanimous consent that the letter be printed in full in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

> University of Houston,
> *Houston, Tex., February 25, 1966.*
> Hon. Ralph Webster Yarborough,
> *U.S. Courthouse,*
> *Austin, Tex.*
>
> My Dear Senator Yarborough: Attached you will find a resolution worked out by a group of financial aid administrators which covers the reasons why we feel that the Congress has erred in cutting the volume of National Defense Education Act loans so abruptly.
>
> Please do everything you can to restore this program before we are all mobbed by irate parents and students.
>
> Sincerely yours,
>
> Georgia A. Robinson,
> *Financial Aid Officer, Loans and Scholarships.*

Mr. CLARK. Mr. President, will the Senator from West Virginia yield?

Mr. RANDOLPH. Mr. President, I have the floor and we will conclude our colloquy in just a moment. I wish to be cooperative with the Senator from Pennsylvania.

I have listened to the letters and to the comments of the Senator from Texas, and I am sure that Senators who have been present in the Chamber today recall that on February 23 the Senator from New York [Mr. Javits] read a communication from the American Bankers Association indicating that the transfer proposal was not a valid way to handle this matter of student loans.

This is my plea. I believe we would be derelict in our duty to our Nation's bankers as well as our students should we proceed with the proposed transfer.

I am wondering if the Senator has any comment on this matter.

Mr. YARBOROUGH. I think the Senator from West Virginia is correct. The letter to which the Senator refers was placed in the Record by the distinguished Senator from New York at page 3861 of the Record for February 23, 1966. I refer to the part of the letter in which it is stated that:

> It would seem that the better course would be for the private sector to concentrate its energies and attention on a successful launching of the guaranteed loan program, and to withhold a decision on the proposed change in the National Defense Education Act loan program until the guaranteed private loan program has gained some experience and maturity.

I agree with this position up to a point. I have seen nothing about the guaranteed loan program which makes me believe that even after it has gained some experience and maturity that it would be a desirable substitute for the National Defense Education Act. I feel this way for all the reasons I have been stating here this afternoon. However, it seems certain that if the bankers themselves are opposed to the move, then without question the whole idea should be abandoned, and I hope that the Office of Education will realize this and drop this proposal.

I hope the administration will drop this proposal for the student loan proposal program.

My colleague from West Virginia has referred to our students as this Nation's "academic troops." May I ask him whether he does not agree that a nation which may be sending 200,000 troops to far-off Asia to defend freedom there, is certainly under an obligation, to itself, to prepare its academic troops for their responsibility in maintaining our freedom here?

Mr. RANDOLPH. I thank the Senator for that question. It demonstrates my colleague's insight into the meaning of my remarks. I most certainly agree that the defense of freedom at home—through responsible citizen participation at every level of our society—is as necessary to our security as is our defense program abroad. And we have long recognized that those who have served this Nation in uniform should be encouraged to serve further as educated citizens. We have recently passed, under the able direction of the Senator, the cold war GI bill. The senior Senator from Texas labored on behalf of the thousands of fine citizens who will benefit. Surely, this action is a testament to our desire for educated citizens; and surely we can agree that the Americans being educated today will, tomorrow, be the leaders in our battle for freedom and justice for all peoples—at home and abroad.

I am grateful for the interchange and the viewpoints which have been expressed with respect to this matter.

There is another question which requires attention. I am particularly concerned about the proposed cut in the land-grant colleges program. West Virginia University has calculated its budget schedule for the school year on the basis of receiving, among other revenues, Bankhead-Jones and Morrill-Nelson funds. The withdrawal of these funds, without sufficient prior notification, will result in the loss of 34 of the present faculty positions in the areas of biology, chemistry, mathematics, and English.

The West Virginia Legislature has already adjourned, so there would be no recourse to State funds in an emergency. The university would have no alternative other than the curtailment of class schedules. And further, the loss of these faculty members and these classes is only a part of the entire picture, since the current agricultural research and extension programs would also be adversely affected. Instead of the $244,220 West Virginia University is now receiving, it would receive only $50,000—and this in an era when we are emphasizing the gains we are making in strengthening our educational institutions.

I ask my colleagues to listen to this proposed cut—from $244,220 to $50,000. We can understand why President Paul A. Miller is concerned, why members of the faculty are concerned, why members of the board of governors are concerned, why the Senator from West Virginia is concerned, and why others of us are concerned, over the prospective loss of an adequate teaching staff. This is not merely a superficial reduction. It is an undercutting of the educational program in West Virginia.

Mr. YARBOROUGH. It is an undercutting. I am glad the Senator from West Virginia has brought out that point.

Mr. President, when the National Education Act was passed in 1958, we had 1,600 institutions of higher learning in this country. Now we have 2,100. But at that time only 100 institutions of higher education out of the 1,600 had student loan funds. Today there are 2,100 institutions of higher learning, and more than 1,600 of them have student loans. More colleges and universities have student loan funds now than there were colleges and universities in existence at the time the act was passed.

Mr. President, I wish to refer briefly to a prophetic colloquy in which the chairman of the subcommittee, the Senator from Oregon [Mr. MORSE] and I engaged when the higher education bill was being considered on the floor. I read from the CONGRESSIONAL RECORD, volume 111, part 17, page 22692. We were talking about the student loan program. I asked the Senator from Oregon:

> Is it intended that these guaranteed loans by banks will in any degree slow down or lessen the National Defense Education Act program?

The Senator from Oregon [Mr. MORSE] answered:

> My answer to the question is the insured loan program set forth in the bill does not in any way signal either an elimination of the National Defense Education Act loan program under title II or amend it by weakening it in any respect.

Mr. President, I ask unanimous consent that the entire colloquy be printed in the RECORD at this point.

There being no objection, the colloquy was ordered to be printed in the RECORD, as follows:

> Mr. YARBOROUGH. My question to the distinguished chairman of the subcommittee is this: Is it intended that these guaranteed loans by banks will in any degree slow down or lessen the National Defense Education Act program?
>
> Mr. MORSE. No one on my committee has been a more able advocate of the strengthening of the national defense education program than the Senator from Texas [Mr. YARBOROUGH].
>
> My answer to the question is the insured loan program set forth in the bill does not in any way signal either an elimination of the National Defense Education Act loan program under title II or amend it by weakening it in any respect.
>
> For the legislative history, let me say this.
>
> Since its establishment in 1958, the National Defense Education Act student loan program has become an integral part of the institutional student aid program in more than 1,000 colleges and universities across the Nation. The cancellation provisions for teaching service continue to be a significant factor in recruiting teachers not only for elementary and secondary schools, but now for our colleges and universities as well. Other aspects, including loans to part-time students, deferment of repayment for students who serve in the Armed Forces and the Peace Corps, suspension of payments for students continuing in graduate study—distinguish this from all other student loan programs, both State and private.
>
> As we have stated in the committee report, the requirement for student assistance is so vast and is mounting so rapidly, that measures must be taken to stimulate and broaden the State efforts which in turn involve the private sector, that is, guaranteed loans from commercial sources. To this end, we propose in part B, title IV of the bill, a program of interest reduction in State and private guaranteed loan programs as a companion to the National Defense Education Act student loan program. Efforts of the institutions through the National Defense Education Act, efforts of the States through guaranteed programs, and efforts in the private sector through such organizations as united student aid funds must all be continued and assisted if we are to make good on the promise that no student will be denied the opportunity for postsecondary education.
>
> The Senator has nothing to worry about so far as continuation of the National Defense Education Act loan program is concerned.

Mr. RANDOLPH. Mr. President, I wish to say, not only for myself, but for other members of the Subcommittee on Education who have engaged in this discussion in some depth that we are grateful for the understanding of the majority leader this afternoon. We have had sufficient time to discuss important aspects of this subject. I want to thank him for his patience and cooperation and for the interest with which he has listened to the debate.

Mr. MANSFIELD. Mr. President, I wish to thank the Senator from West Virginia. It was an informative discussion.

TITLE VI—HIGHER EDUCATION ACT

Mr. YARBOROUGH. Mr. President, I wish to refer briefly to certain other items in the education budget. I was honored to be the sponsor, along with several other Senators, of title VI of the Higher Education Act of 1965. This title authorizes matching grants to colleges for purchasing equipment to improve the quality of education at the institution.

Only 15 percent of the authorization for television equipment, 26 percent of the authorization for other equipment and 50 percent of the authorization for institutes was requested.

Most important, no funds were requested for administrative expenses of State commissions. This is the first thing that should be requested, because before the program can go into operation in any State the State commission must draw up an acceptable State plan. This is a cute trick to try to sabotage this at the beginning so that the program will not even get into operation, thus cutting down on expenditures. This kind of underhanded gutting of a program should not go on in the U.S. Government.

There are other programs in this act for which requests are well below authorizations:

Community service and continuing education programs—40 percent of authorization.

Library assistance—less than 50 percent of authorization.

National Teachers Corps—48.5 percent.

Fellowships for teachers—26.6 percent.

The total request for the Higher Education Act is $475,272,000 out of an authorization of $647,030,000, which is 73.5 percent. This is commendable, but the above programs are seriously underfinanced.

LAND-GRANT INSTITUTIONS

The budget proposes a reduction of $11,950,000 in Federal appropriations for the further endowment of the instructional programs of the land-grant institutions. In Texas the reduction would be $106,924 for Prairie View A. & M. and $320,774 for Texas A. & M.

No funds, not a dime, are being asked for this program. The apparent reason is the contention that other Federal programs have supplanted this program, which was originally authorized by Congress in 1890. This line of argument will not stand up. None of the new Federal programs do what this one does—directly support instruction. These funds are for instruction or instructional materials in the natural sciences, mathematics, engineering, agriculture, and related subjects. No other Federal program does this. It seems to me that this proposed phaseout is not only unfounded, but irresponsible. The Office of Education proposes to abruptly terminate a program which has enriched this country for 76 years.

Where are the colleges to get money to replace that which would be lost? The proposed reduction is the equivalent of 1,200 faculty members. How do you go out and raise that much money at the drop of a hat?

Public Law 874 payments would be reduced from $375,196,000 to $158,439,000. The Texas entitlement would fall from $33,359,000 to $8,444,000. Education in my State would suffer greatly from this proposal.

LET US BE WILLING TO PAY THE BILL FOR SOCIAL PROGRESS

Finally, if the economy seems to be showing signs of strain, and if inflation seems to be a potential problem, which it seems to be at the present time, then let us face that fact squarely and raise taxes to meet it. But let us not sacrifice these Great Society programs. Merely having these programs on the books does not solve problems. Only when these programs actually begin working will we be making progress.

Mr. President, I wish to join the Senator from West Virginia in thanking the majority leader for his interest and patience. We are grateful to him.

Mr. MANSFIELD. I thank the Senator for his kind remarks. Let me say that the discussion we had this afternoon was worthwhile.

Mr. NELSON. Mr. President, I am deeply disturbed about several of the proposed cuts in the 1967 education budget. Prudent reductions in the Federal budget are perhaps necessary if we are to meet current military commitments in Vietnam. Yet it would be most unwise to meet these commitments by undercutting sorely needed education programs which are vital to our long-range strength as a nation.

The proposed budget would bring about cuts in aid to impacted schools under Public Law 874, aid to school districts under title III of the National Defense Education Act, and aid to land-grant colleges and universities.

The recommended reduction in aid to impacted school districts amounts to approximately $233 million. This seriously affects thousands of school districts throughout the country. In Wisconsin alone, the present entitlement of $1,127,957 would be reduced to $377,462. Moreover, since no supplemental appropriation has been requested for this year's program, impacted school districts will have to face the prospect of prorated reductions of 10 to 15 percent in their current entitlements.

If these cuts are allowed to stand, participating school districts will face severe financial crises. Already overwhelmed by growing demands, they will either have to find other funds to continue their current programs or curtail some of the services they now offer. Their situation will not necessarily be eased by the growing availability of funds under title I of the new Elementary and Secondary Education Act. For not all of the schools eligible for Public Law 874 aid also qualify for title I assistance, which is directed toward schools with high concentrations of low-income children.

I am opposed to cuts in this program. I will therefore support a supplemental appropriation for fiscal year 1966 and efforts to maintain the 1967 budget at current levels of support. The impacted aid program was designed to provide financial support to those school districts which must accommodate children of Federal employees who live and work on Federal property, and children residing with a parent who is employed on Federal property. The communities which must absorb substantial numbers of Federal employees need and deserve help to provide educational services to them.

The budget further proposes a reduction in the appropriation for title III of the National Defense Education Act, from the present $79.2 million to $54.2 million. This includes about a 30-percent cutback in funds for equipment acquisition.

Reduction of effort in the title III program will seriously jeopardize efforts to upgrade education in the critical subject areas covered by the act. During the present fiscal year, Wisconsin's equipment acquisition allotment amounted to $1.8 million. I am advised that, as of February 1, 1966, requested projects from local school districts exceeded this allotment by $400,000. This oversubscription of more than 20 percent indicates the urgent need for the equipment and materials provided under title III. I understand that many other States are faced with similar demands. It would be a real disservice to public education to reduce appropriations for this program at a time when it is obviously meeting a real need.

A reduction of more than $20 million in instructional and research funds for the 1968 land-grant colleges and universities is also proposed in the budget. This recommendation comes at a time when college enrollments are at an alltime high and increasing rapidly. Between 1960 and 1965 enrollments in the land-grant institutions alone increased 67 percent, a rate of growth surpassed only by our junior colleges. In the face of this growth, there is recommended a reduction equivalent to more than 2,000 faculty members or, if put in terms of endowment, equal to a capital investment of $400 million. The University of Wisconsin will lose $293,929 in instructional funds—enough to pay nearly 30 professors—if this cut is not restored.

In my opinion, this is another example of a shortsighted economy.

A sizable portion of the proposed cut of $20 million—$8.5 million—is in research funds for the agricultural research stations of the land-grant institutions. This is a surprising economy at a time when we are trying to tool up our agricultural manpower and technology to face the world hunger crisis. Wisconsin alone would lose $176,452 under the Hatch Act formula for agricultural experiment station funds if this reduction is accepted.

Up to this point, I have been critical of the proposed education budget, but I fully support many of the President's proposals in that budget. For example, I am pleased that the President recommends an increase in the supplementary educational center authorization of title III of the Elementary and Secondary Education Act, from the present $100 million to $145 million. I am also pleased to learn that the title I program of the Elementary and Secondary Education Act will be expanded. I fully support as well the proposal to grant educational opportunity grants to 220,000 talented but needy young people in the next fiscal year, as compared with the 115,000 now being supported. And, of course, I am gratified to learn that the President has requested funds for the Teacher Corps.

I have received a number of letters and telegrams from both educators and laymen in Wisconsin expressing their concern about the proposed cuts in the impact aid, National Defense Education Act, and land-grant programs. Mr. President, I ask unanimous consent to have some of these messages printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MADISON, WIS.,
February 25, 1966.

Senator GAYLORD NELSON,
Washington, D.C.:

Strongly urge restoration of drastic cuts by the administration in budget for teaching agricultural research and cooperative extension work. Elimination of Morrill Nelson funds seriously handicaps teaching programs in agriculture and mechanic arts. Cuts in funds under the Hatch Act and Public Law 88–74 will damage research work performed by agricultural experiment stations. Shift in cooperative extentions funds from institutional support to individual projects will destroy effective continuity of program. Problem is immediate and urgent since faculty and program plans for the coming fiscal year are in final stages of development with no alternate funding sources available. Your strong support of position of national association State universities and land-grant colleges earnestly solicited.

FRED HARVEY HARRINGTON,
President, University of Wisconsin.

JOINT SCHOOL DISTRICT NO. 1,
Winter, Wis., February 17, 1966.

Hon. GAYLORD NELSON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR NELSON: Communications are coming to me with regard to the possibility of cutting off a good percentage of the funds for Public Law 874, for National Defense Education Act, and for the school milk program. All these programs are of great concern to us here in northern Wisconsin—as I suspect they are in other communities where the income per family is very low.

Our school district for which we are directly concerned is made up largely from low-income families. We have 30 or more children from families living on nontaxable lands. These families contribute nothing in helping to finance the cost of schools or their municipal governments. Yet their children need and deserve an education—and they need food. Some of these families have insufficient income to provide family necessities.

Much is being done in this, our country, to combat poverty, but on the other hand, the young people in our area have been denied work programs. To take away the aid from Public Law 874 means that others in our area will have to provide school lunches for the children of needy parents and they will also have to furnish them with teachers.

The programs I have mentioned above have helped us a great deal but to take them away will hurt not only the children in the area—it will hurt all of us. Our school taxes are up to the limit now but cutting down on the three programs, National Defense Education Act, Public Law 874, and the school milk program, will mean a definite problem for us.

If there is a desire to help people who have low incomes, or are impoverished, the programs as they now stand, have helped. The other antipoverty programs have not helped us in any way.

Our board of education met last evening and each member was much concerned about the possible legislation to cut the aids mentioned above.

I am sure that you, as Senator, will realize that these losses will affect your areas, too.

I hope you can find it in your heart to move against any bill to cut these funds.

My best regards to you,

B. T. Smith,
Administrator.

Madison Public Schools,
Madison, Wis., February 11, 1966.
Hon. Gaylord Nelson,
U.S. Senate,
Washington, D.C.

My Dear Senator Nelson: It is with considerable concern that we have become aware of the possibility that Impact Aid under Public Law 874 is in jeopardy. This concern is not brought on by the planned phase-out of Truax Field although that in turn is a serious problem.

Impact aid for 1965–66 school year is part of our adopted budget. It is an important income item amounting to approximately $235,000. If we are required to absorb 10- to 15-percent loss or proration, this $23,500 to $35,250 reduction would further cut back our school district budget. The Madison Common Council previously forced a $350,000 reduction in local school tax levy for 1966 which leaves us in a position where we can ill afford any additional loss. It seems very unreasonable to complete over half a school year depending upon the stated commitments of the Federal Government under Public Law 874 and then be advised that you may only receive 85 to 90 percent of what you were entitled.

Impact aid for the 1966–67 school year apparently faces even a more severe curtailment of up to 50 percent with further restriction of 3b (work on, live off) type pupils. This does not square with the intention of the law which aims at a more gradual phaseout such as is expected at Truax Field preventing a harsh impact on local school tax levy requirements.

Your assistance is urgently sought in supporting a supplemental appropriation to pay 1965–66 entitlements in full. School programs suffer from budgets unbalanced by the apparent inability of the U.S. Office of Education to meet its financial commitments. Furthermore in the changing situation which may develop at Truax Field our school system needs the protection of an extended Public Law 874 into 1966–67 in its same essential form.

Any help you can give us will be appreciated by me in behalf of the Madison Public Schools and the 1,500 pupils who come under Public Law 874.

Very truly yours,

R. D. Gilberts,
Superintendent.

New Lisbon Community Schools,
New Lisbon, Wis., February 8, 1966.
Hon. Gaylord Nelson,
Senate Office Building,
Washington, D.C.

Dear Mr. Nelson: We note with dismay and alarm that Congress is considering a reduction of funds available to public school districts through Public Law 874. Unless my information is incorrect it appears that a reduction from $416 million to the Bureau of the Budget's recommendation of $183,400,000 is quite possible.

As a school administrator of a district affected adversely by such contemplated action may I urge you to contact the Appropriation Committee members asking them to take whatever action is necessary to make additional appropriations to avoid this loss.

As you so well know our greatest source of revenue is the local property tax. The people of the New Lisbon School District have shown their good will and desire to provide the finest education for their children by taxing themselves to the extent of $22.70 per $1,000 equalized valuation. There never has been any effort or inkling to exclude children whose parents are employed on Federal property from attending our schools. The electors have welcomed them. We feel, however, that the tax burden cannot become greater and loss of Federal aid will have this effect.

May we urge you to support any legislation which will insure that funds will be appropriated for continuing Federal support under Public Law 874.

Very truly yours,

Herbert A. Juneau,
Superintendent.

School District Joint No. 2,
Black River Falls, Wis., February 9, 1966.
Senator Gaylord Nelson,
Washington, D.C.

Dear Senator Nelson: It has come to our attention that appropriations to schools located in federally impacted areas and affected by Public Law 874 are not sufficient to pay the entitlements and that an approximate 20-percent reduction will result this year.

We are also being informed that the program may be seriously curtailed next year.

This program has been a great help to our school district and it is an aid that definitely assists the local property taxpayer. We also use it in lieu of the Johnson-O'Malley Indian Act, and, of course, this is of essential concern to our school district.

We respectfully request that you consider the value of Public Law 874 and use your influence to maintain its effectiveness.

Sincerely yours,

M. C. Schmallenberg,
Superintendent.

Board of Education,
Eau Claire, Wis., February 14, 1966.
Hon. Gaylord Nelson,
U.S. Senate,
Washington, D.C.

My Dear Senator Nelson: This is to inform you of my stand on the President's proposal to drastically reduce the appropriation for title III of the National Defense Education Act, from $88.2 million to $63.2 million. In my judgment, it would be doing a disservice to public education in this country to make such a reduction at this time. All youth benefit from the materials and equipment which can be secured under the National Defense Education Act, title III, not only selected segments of the population. The job which needs to be done is only partially completed. I believe that title III funds have been judiciously used, on the whole, and a real need is being met by their availability.

Your efforts in behalf of maintaining the National Defense Education Act, the title III funds at their present level will be sincerely appreciated, and will constitute a real service to education in Wisconsin and all the States.

Very sincerely yours,

John Vodacek, Ph. D.,
Assistant Superintendent.

Madison, Wis.,
February 15, 1966.
Hon. Gaylord Nelson,
U.S. Senate,
Washington, D.C.

Dear Senator Nelson: As you know, the administration's budget as submitted to the Congress January 24, 1966, proposes a reduction in the appropriation for title III, National Defense Education Act, from the present $88.2 million to $63.2 million. This includes about a 30-percent cutback in the funds for equipment acquisition.

During the present fiscal year, the State of Wisconsin's acquisition allotment amounts to $1.8 million. Projects from local school districts as of February 1, 1966, exceed this allotment by $400,000. This represents an amount of more than 20 percent over our allotment.

The school districts of Wisconsin urgently need the equipment and materials they are requesting. They also urgently need the support of the National Defense Education Act program.

It should be pointed out that these increased requests have come even though the Elementary and Secondary Education Act is also progressing very well in Wisconsin. However, this is not unexpected because:

1. The objectives of the National Defense Educational Act are clearly different than the objectives of the Elementary and Secondary Education Act.

2. The National Defense Education Act program in Wisconsin continues to grow at a constant and healthy rate.

The specific information in this letter can be documented and expanded if you desire. At this point, I urge you to give strong support to maintaining at least the present level of support to the National Defense Education Act program and hopefully increasing the level of support as new critical subject areas are added to the list of subject areas now covered by the National Defense Education Act, title III program.

Sincerely yours,

Arnold M. Chandler.

Mr. MURPHY. Mr. President, education leaders, parents, responsible civic groups and concerned citizens of California have written to me protesting the administration's proposals regarding Public Law 874 and Public Law 815. If the Congress accepts these proposals, California school districts would lose over $35 million under Public Law 874 and approximately $4 million under Public Law 815.

According to the Office of Education's estimated entitlements for the States under Public Law 874 for fiscal year 1967, 515 eligible school districts in California under present law would receive $64,704,000. Under the administration's proposal, entitlement for 374 school districts in California would be reduced to $29,265,000.

Mr. President, the Senate Labor and Public Welfare Committee has prepared a committee print showing the impact of the proposed amendments to Public Law 874 on the school districts throughout the country. I ask unanimous consent that a table from this study showing the estimated entitlement for the States under Public Law 874 appear at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Estimated entitlement under title I of Public Law 874 for fiscal year 1967 and estimated number of districts eligible for assistance with and without proposed amendments to reduce the cost of the program, by State

[Data are rounded to the nearest $1,000] [1]

State and territories	Amount of entitlement		Number of eligible districts	
	Without amendments	With amendments	Without amendments	With amendments
Total	$357,196,000	$158,439,000	4,077	2,846
Alabama	7,327,000	985,000	53	38
Alaska	11,923,000	8,112,000	27	27
Arizona	7,842,000	3,752,000	122	104
Arkansas	2,073,000	531,000	52	26
California	64,704,000	29,265,000	515	374
Colorado	11,534,000	4,830,000	62	49
Connecticut	3,043,000	1,159,000	47	17
Delaware	421,000	87,000	9	9
District of Columbia	5,241,000	3,405,000	1	1
Florida	11,089,000	3,764,000	16	13
Georgia	9,729,000	1,958,000	68	45
Hawaii	7,829,000	4,609,000	1	1
Idaho	2,785,000	1,114,000	51	40
Illinois	7,276,000	3,573,000	138	94
Indiana	2,020,000	672,000	86	41
Iowa	1,657,000	594,000	39	23
Kansas	9,085,000	5,426,000	146	106
Kentucky	1,884,000	306,000	51	25
Louisiana	1,638,000	459,000	7	5
Maine	3,230,000	1,337,000	69	56
Maryland	17,180,000	10,212,000	14	11
Massachusetts	11,062,000	2,986,000	183	68
Michigan	3,475,000	1,797,000	58	33
Minnesota	885,000	319,000	30	19
Mississippi	2,043,000	402,000	19	14
Missouri	4,580,000	2,113,000	100	72
Montana	$3,695,000	$2,310,000	83	78
Nebraska	4,456,000	2,123,000	44	32
Nevada	2,787,000	950,000	13	11
New Hampshire	2,148,000	1,105,000	50	29
New Jersey	9,555,000	4,870,000	177	109
New Mexico	8,652,000	1,346,000	44	36
New York	9,848,000	3,254,000	174	86
North Carolina	4,794,000	1,021,000	26	21
North Dakota	2,388,000	1,537,000	56	45
Ohio	8,994,000	3,485,000	145	80
Oklahoma	10,950,000	4,988,000	361	298
Oregon	2,021,000	834,000	68	55
Pennsylvania	7,875,000	1,650,000	132	88
Rhode Island	3,052,000	1,547,000	23	14
South Carolina	5,561,000	974,000	35	27
South Dakota	3,137,000	2,104,000	57	52
Tennessee	4,310,000	812,000	54	39
Texas	22,359,000	8,444,000	246	197
Utah	4,761,000	1,670,000	19	17
Vermont	71,000	9,000	10	33
Virginia	24,959,000	14,119,000	46	148
Washington	12,878,000	3,371,000	197	0
West Virginia	231,000	29,000	6	13
Wisconsin	1,128,000	377,000	26	16
Wyoming	1,633,000	822,000	19	9
Guam	1,282,000	881,000	1	1
Virgin Islands	116,000	40,000	1	1

[1] Estimates for 1967 are based on projections from data reported by applicants for 1965. Only entitlements under subsec. 3(c)(1) are included. This subsection accounts for about 99 percent of all entitlements of school districts under the act.

Mr. MURPHY. Mr. President, these laws enacted in 1950, and better known as the aid-to-impacted-areas laws, provide Federal assistance for the operating and construction of schools in areas affected by Federal activity.

The administration's proposals, Mr. President, for fiscal year 1967 would reduce the Public Law 874 program by $233 million and would not extend expiring provisions of Public Law 815. These laws were enacted in recognition of the fact that the Government has a responsibility to assist local communities and those school districts where Federal activities have resulted in a great influx of children into the schools. Not only does the Federal activity hand the school districts many children, but it also removes from the local tax rolls the property on which the Federal activity is located. Thus the school district has additional children and less of a tax base to support the schools. Public Law 874 and Public Law 815 were enacted and have helped tremendously to ease this burden.

The impacted-area laws have been very well received in my State of California, and since the inception of the program, California schools have placed great reliance on these funds and many of the programs in the schools are based on the continuance of the program.

Mr. President, that a great hardship would result to California schools has been made very clear to me by California educators. At the conclusion of my remarks, I would ask unanimous consent that a small sample of letters that I have received on this subject be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MURPHY. Mr. President, the impacted area laws have been very popular in Congress and since 1950 the Congress, in its wisdom, has seen fit to expand the program. Only last year, the Senate Labor and Public Welfare Committee, of which I am a member, again voiced its support and confidence in the program by accepting an amendment to the law reducing the eligibility for large school districts under Public Law 874 from 6 to 3 percent. This was accepted by the Congress and is now Public Law 89-313. Under the 1965 law, Los Angeles Unified School Districts will receive over $3 million in needed funds.

Mr. President, if Congress concurs in the recommendations of the administration on the impacted area legislation, I am convinced that one of two things will happen. The school districts will be forced to reduce or eliminate important and needed educational programs and services or find additional sources of revenue.

Certainly the intent of Congress in passing the Elementary and Secondary Education Act of 1965 was not to reduce the educational programs in areas benefiting from impacted-aid laws, but rather to assist in upgrading the programs in those school districts serving children from families of low income. Yet, as pointed out, that is what will be done, because I am convinced that the school districts will be adversely affected and not be able to find—particularly when no opportunity was given to the districts to adjust to such a change—additional sources of revenue. I intend to oppose the administration's recommendations and support full implementation of Public Law 874.

Mr. President, at this point in the RECORD, I ask unanimous consent that there be printed a breakdown of the effect of the administration's proposal on the school districts in my State of California.

There being no objection, the table was ordered to be printed in the RECORD.

School districts affected by proposed amendments to Public Law 874 by State, and by congressional district, within State

CALIFORNIA

Name of school district	Congressional district	1967 estimated entitlements under Public Law 874	Estimated entitlements under proposed amendments to Public Law 874 in fiscal year 1967 budget
Shurtleff School District, Napa	1	$14,003	$6,832
Sausalito School District, Marin	1	44,277	20,577
Mount George Union School District, Napa	1	24,221	11,359
Napa Union High School District, Napa	1	254,883	163,604
Napa City School District, Napa	1	115,049	52,350
Mill Valley School District, Marin	1	30,402	906
Salvador Union School District, Napa	1	84,899	42,391
Tamalpais Union High School District, Marin	1	88,066	1,118
San Rafael School District, Marin	1	27,122	0
San Rafael High School District, Marin	1	221,605	96,521
San Jose School District, Marin	1	474,811	278,857
American Canyon School District, Napa	1	55,632	31,361
Petaluma City School District, Sonoma	1	42,386	11,442
Fairfax School District, Marin	1	6,686	0
Larkspur School District, Marin	1	16,021	906
Carneros Los Amigos Union School District, Napa	1	5,677	2,470
Soda Canyon School District, Napa	1	1,766	659
San Anselmo Elementary School District, Marin	1	8,452	0
Two Rock Union School District, Sonoma	1	20,057	11,523
Petaluma City High School District, Sonoma	1	47,693	11,367
St. Helena Unified School District, Napa	1	16,814	3,464
Novato Unified School District, Marin	1	121,027	53,430
Dixie School District, Marin	1	52,352	13,416
Reed Union School District, Marin	1	6,181	0
Old Adobe Union School District, Sonoma	1	16,778	6,749
Browns Valley School District, Napa	1	10,975	4,938
Arena Union School District, Mendocino	1	18,670	8,560
Klamath Trinity Unified School District, Humboldt	1	121,503	77,013
Reservation School District, Sonoma	1	2,901	1,811
Cotati School District, Sonoma	1	19,553	3,869
Ferndale School District, Humboldt	1	4,037	329
Liberty School District, Sonoma	1	1,892	165
Cinnabar School District, Sonoma	1	2,271	247
Klamath Union School, Del Norte	1	20,436	8,067
Sonoma Valley Unified School District, Sonoma	1	72,331	17,721
Wilmar Union School District, Sonoma	1	5,677	1,317
Marin Junior College District, Marin	1	82,155	26,066
Round Valley Unified School District, Mendocino	1	27,441	16,122
Napa Junior College District, Napa	1	107,081	57,687
Howell Mountain School District, Napa	1	1,766	576
Congressional district total	------	2,295,549	1,045,790
Herlong School District, Lassen	2	79,851	47,492
Lassen Union High School District, Lassen	2	100,710	51,801
Shasta Union High School District, Shasta	2	29,503	0
Mariposa County United School District, Mariposa	2	79,786	49,832
Penryn School District, Placer	2	4,415	1,482
Auburn Union School District, Placer	2	12,489	0
Loomis Union School District, Placer	2	24,473	9,548
Lincoln Union School District, Placer	2	19,553	6,749
Tulelake Joint School District, Siskiyou	2	11,227	3,457
Eureka Union School District, Placer	2	12,741	5,185
Roseville City School District, Placer	2	44,026	12,183
Lincoln Union High School District, Placer	2	13,975	5,404
Roseville Joint Union High School District, Placer	2	119,565	57,018
Rocklin School District, Placer	2	10,470	3,293
Trinity County Joint High School District, Trinity	2	16,637	2,609
Placer Joint Union High School District, Placer	2	48,359	9,689
Janesville Union School District, Lassen	2	6,434	3,457
Long Valley School District, Lassen	2	3,911	2,223
Newell Union School District, Modoc	2	6,434	2,305
Grass Valley School District, Nevada	2	9,461	0
Nevada Union High School District, Nevada	2	16,859	0
Union Hill Elementary School District, Nevada	2	1,640	165
Dry Creek Joint School District, Placer	2	30,028	1,070
Newcastle Elementary School District, Placer	2	1,640	0
Placer Hills Union School District, Placer	2	9,840	1,646
Shasta Lake Union School District, Shasta	2	10,975	0
Round Valley School District, Inyo	2	14,759	7,984
Lo Inyo Union School District, Inyo	2	9,966	2,305
Bishop Union School District, Inyo	2	40,998	11,688
Bishop Union High School District, Inyo	2	34,162	12,485
Coffee Creek School District, Trinity	2	1,514	906
Lewiston School District, Trinity	2	12,741	7,573
Alturas School District, Modoc	2	7,947	247
Mount Bidwell School District, Modoc	2	4,541	2,634
Sierra Junior College District, Placer	2	54,685	20,724
Antelope Union School District, Mono	2	6,055	2,963
Mother Lode Union School District, El Dorado	2	8,578	823
Placerville Union School District, El Dorado	2	7,191	0
Rescue Union School District, El Dorado	2	4,668	2,058
Gold Oak Union School District, El Dorado	2	4,415	741
Shasta Union School District, Shasta	2	3,028	741
Buckeye Elementary School District, Shasta	2	3,406	0
Pleasant Ridge Union School District, Nevada	2	1,766	0
Nevada City School District, Nevada	2	4,668	0
Ready Springs Union School District, Nevada	2	1,514	0
Ophir Elementary School District, Placer	2	2,271	659
Death Valley Unified School District, Inyo	2	15,212	10,116
Tulelake Joint Union High School District, Siskiyou	2	10,870	4,845
Camino Union School District, El Dorado	2	1,640	0
Gold Trail Union School District, El Dorado	2	2,145	0
Buckeye Union School District, El Dorado	2	11,858	4,938
Valley View Elementary School District, Placer	2	1,892	906
Ackerman Elementary School District, Placer	2	2,018	0
Susanville School District, Lassen	2	18,292	4,774
Grant School District, Shasta	2	$2,649	$1,317
Twain Harte Long Barn Union School District, Tuolumne	2	1,892	0
Mineral School District, Tehama	2	2,397	1,235
Buck Meadows Elementary School District, Tuolumne	2	0	0
Jamestown School District, Tuolumne	2	4,163	1,152
Summerville Union High School District, Tuolumne	2	4,658	0
Alpine County Unified School District, Alpine	2	11,262	7,728
Canyon Union School District, Shasta	2	2,271	906
MacDoel Elementary School District, Siskiyou	2	3,532	1,482
Fall River Joint Unified School District, Shasta	2	33,945	12,658
Shaffer Union School District, Lassen	2	1,640	329
Johnstonville School District, Lassen	2	1,766	659
Belleview School District, Tuolumne	2	1,892	1,070
Congressional district total	------	1,062,869	405,254
Folsom Joint Unified School District, Sacramento	3	945,375	624,100
Elverta Joint School District, Sacramento	3	14,003	6,091
North Sacramento School District, Sacramento	3	160,967	66,426
Robla School District, Sacramento	3	35,448	15,228
Rio Linda Union School District, Sacramento	3	570,323	301,919
Del Paso Heights School District, Sacramento	3	42,260	16,709
Grant Joint Union High School District, Sacramento	3	507,769	332,239
Sacramento City Unified School District, Sacramento	3	941,410	269,413
American River Junior College District, Sacramento	3	253,586	131,611
Center Joint School District, Sacramento	3	232,612	140,499
Elk Grove Unified School District, Sacramento	3	119,758	44,636
San Juan Unified School District, Sacramento	3	1,527,828	841,415
Galt Joint Union School District, Sacramento	3	7,317	0
Congressional district total	------	5,358,656	2,790,286
Vallejo Unified School District, Solano	4	1,300,843	793,715
Fairfield School District, Solano	4	448,842	265,044
Benicia Unified School District, Solano	4	72,807	46,368
Crystal Union School District, Solano	4	64,337	37,204
Vaca Valley Union School District, Solano	4	236,279	132,686
Vacaville Union High School District, Solano	4	95,609	65,777
Armijo Joint Union High School District, Solano	4	193,214	138,076
Brophy School District, Yuba	4	1,766	741
Wheatland School District, Yuba	4	461,439	280,174
Wheatland Union High School District, Yuba	4	194,097	152,421
Ella School District, Yuba	4	36,331	14,981
Marysville School District, Yuba	4	13,120	0
Marysville Union High School District, Yuba	4	24,179	0
Linda School District, Yuba	4	32,547	12,923
Winters School District, Yolo	4	11,101	3,622
Winters Joint Union High School District, Yolo	4	5,324	932
Green Valley Union School District, Solano	4	5,551	2,387
Suisun Valley Joint Unified School District, Solano	4	4,163	1,811
Falls Elementary School District, Solano	4	3,911	1,729
Rio Vista School District, Solano	4	3,406	0
Middletown Unified School District, Lake	4	4,917	1,466
West Sacramento Elementary School District, Yolo	4	3,154	0
East Lake School District, Lake	4	2,901	823
Washington Unified School District, Yolo	4	60,593	2,932
Dixon Unified School District, Solano	4	29,662	6,796
Elmira School District, Solano	4	1,766	741
Rio Vista Joint Union High School District, Solano	4	3,549	0
Lincoln School District, Sutter	4	3,658	0
Yuba City School District, Sutter	4	14,381	0
Yuba City Union High School District, Sutter	4	14,197	0
Yuba County Junior College, Yuba	4	56,465	10,041
Travis Unified School District, Solano	4	1,057,520	854,607
Lakeport Unified School District, Lake	4	12,214	266
East Nicolaus Joint Union High School District, Sutter	4	3,549	373
Congressional district total	------	4,477,392	2,828,636
San Francisco Unified School District, San Francisco	5	1,575,097	257,821
Congressional district total	------	1,575,097	257,821
Albany Unified School District, Alameda	7	28,076	1,732
Berkeley Unified School District, Alameda	7	338,019	125,513
Oakland Unified School District, Alameda	7	1,230,098	451,953
Congressional district total	------	1,596,193	579,198
Alameda Unified School District, Alameda	8	796,272	484,063
San Leandro Unified School District, Alameda	8	173,689	47,167
Castro Valley School District, Alameda	8	70,770	11,112
Independent School District, Alameda	8	5,929	2,058
S County Joint Junior College District, Alameda	8	47,818	8,333
Canyon Valley Union High School District, Alameda	8	65,440	16,211
Hayward Unified School District, Alameda	8	440,329	118,984
San Lorenzo Unified School District, Alameda	8	312,481	104,861
Peralta Junior College District of Alameda County, Alameda	8	94,364	0
Fremont Unified School District, Alameda	8	373,550	91,003
Congressional district total		2,380,642	883,792
Livermore Joint Union High School District, Alameda	9	232,700	171,616
Livermore School District, Alameda	9	430,045	250,145
Pleasanton Joint School District, Alameda	9	93,477	49,469

***School districts affected by proposed amendments to Public Law 874 by State, and by congressional district, within State*—Continued**

CALIFORNIA—Continued

Name of school district	Congressional district	1967 estimated entitlements under Public Law 874	Estimated entitlements under proposed amendments to Public Law 874 in fiscal year 1967 budget
Amador Valley Joint Union High School District, Alameda	9	$51,021	$28,510
Decoto School District, Alameda	9	33,304	2,964
Washington Union High School District, Alameda	9	24,623	5,963
Sunol Glen School District, Alameda	9	3,406	1,482
Milpitas School District, Santa Clara	9	80,736	28,973
East Side Union High School District, Santa Clara	9	58,785	0
Independent School District, Alameda	9	0	0
Murray School District, Alameda	9	31,411	8,231
Green Joint School District, Alameda	9	6,560	3,457
Alum Rock Union Elementary School District, Santa Clara	9	69,635	0
Mount Pleasant Elementary School District, Santa Clara	9	6,560	0
Canyon Valley Union High School District, Alameda	9	0	0
Hayward Unified School District, Alameda	9	0	0
Berryessa Union School District, Santa Clara	9	18,670	0
Newark Unified School District, Alameda	9	92,317	21,186
Congressional district total		1,233,250	571,996
Mount View Los Altos Union High School District, Santa Clara	10	77,197	5,590
Sunnyvale School District, Santa Clara	10	141,919	39,180
Los Altos School District, Santa Clara	10	40,999	0
Whisman School District, Santa Clara	10	51,720	6,009
Fremont Union High School District, Santa Clara	10	248,671	94,473
Jefferson Union School District, Santa Clara	10	130,187	19,426
Palo Alto Unified School District, Santa Clara	10	140,855	0
Mountain View School District, Santa Clara	10	41,125	5,926
Moreland School District, Santa Clara	10	70,013	0
Cupertino Union School District, Santa Clara	10	214,329	31,854
Santa Clara City School District, Santa Clara	10	23,085	0
Santa Clara Union High School District, Santa Clara	10	80,968	3,168
Loma Prieta Joint Union School District, Santa Clara	10	7,064	2,140
Campbell Union High School District, Santa Clara	10	102,707	0
Campbell Union School District, Santa Clara	10	56,641	0
Saratoga Union School District, Santa Clara	10	14,633	0
Los Gatos Joint Union High School District, Santa Clara	10	20,630	0
Berryessa Union School District, Santa Clara	10	0	0
Franklin McKinley School District, Santa Clara	10	22,707	0
Congressional district total		1,485,450	207,766
Brisbane School District, San Mateo	11	4,037	0
South San Francisco Unified School District, San Mateo	11	114,206	0
Bayshore School District, San Mateo	11	30,781	17,203
Millbrae School District, San Mateo	11	17,661	0
Laguna Salada Union School District, San Mateo	11	75,438	6,832
San Bruno Park School District, San Mateo	11	32,294	0
Jefferson School District, San Mateo	11	75,816	0
Ravenswood City School District, San Mateo	11	83,511	23,129
Jefferson Union High School District, San Mateo	11	98,049	8,571
San Mateo City School District, San Mateo	11	59,164	0
San Mateo Union High School District, San Mateo	11	113,577	0
Belmont School District, San Mateo	11	17,156	0
San Mateo Junior College District, San Mateo	11	67,657	0
Montara School District, San Mateo	11	4,037	412
Congressional district total		793,384	56,147
Monterey City School District, Monterey	12	1,325,672	746,126
Monterey Union High School District, Monterey	12	563,663	379,751
Paso Robles Union School District, San Luis Obispo	12	31,664	11,853
Paso Robles Joint Union High School District, San Luis Obispo	12	16,415	4,099
Pacific Grove Unified School District, Monterey	12	135,303	81,277
Marina Elementary School District, Monterey	12	379,450	216,885
Carmel Unified School District, Monterey	12	71,062	31,978
San Miguel Joint Union Elementary School District, San Luis Obispo	12	13,119	6,338
Atascadero Union High School District, San Luis Obispo	12	6,433	0
Pismo School District, San Luis Obispo	12	17,409	3,869
Atascadero School District, San Luis Obispo	12	9,209	0
Arroyo Grande Union School District, San Luis Obispo	12	27,501	9,301
Oceano School District, San Luis Obispo	12	9,461	2,387
Washington Union School District, Monterey	12	2,775	329
Santa Margarita Union School District, San Luis Obispo	12	1,892	0
Cayucos Elementary School District, San Luis Obispo	12	2,649	906
Cambria Union Elementary School District, San Luis Obispo	12	10,849	4,444
Arroyo Grande Union High School District, San Luis Obispo	12	31,500	5,963
San Antonio Union School District, Monterey	12	4,920	2,552
Salinas City School District, Monterey	12	53,992	0
Alisal School District, Monterey	12	15,012	0
Nipomo Union School District, San Luis Obispo	12	20,941	8,560
Salinas Union High School District, Monterey	12	67,658	1,863
North Monterey Unified School District, Monterey	12	39,107	4,609
Monterey Peninsula Junior College District, Monterey	12	123,613	64,310
San Luis Obispo County Junior College District, San Luis Obispo	12	3,815	2,564
Congressional district total		2,985,084	1,589,964
Hueneme School District, Ventura	13	434,581	216,065
Santa Maria School District, Santa Barbara	13	230,728	117,047
Oxnard School District, Ventura	13	$239,054	$114,742
Oxnard Union High School District, Ventura	13	525,734	282,300
Orcutt Union School District, Santa Barbara	13	240,947	136,308
Santa Paula School District, Ventura	13	19,553	0
Ocean View School District, Ventura	13	186,821	110,127
Nordhoff Union School District, Ventura	13	15,769	0
Rio School District, Ventura	13	62,949	27,986
Moorpark Memorial Union High School District, Ventura	13	13,753	7,267
Timber School District, Ventura	13	16,652	0
Pleasant Valley School District, Ventura	13	183,166	82,721
Moorpark Union School District, Ventura	13	22,202	8,725
Fillmore Union School District, Ventura	13	4,920	0
Mesa Union School District, Ventura	13	4,037	1,152
San Buenaventura School District, Ventura	13	75,816	11,359
College School District, Santa Barbara	13	17,409	7,902
Santa Ynez Valley Union High School, Santa Barbara	13	26,398	12,671
Solvang Elementary School District, Santa Barbara	13	6,181	2,058
Ventura Unified High School District, Ventura	13	74,979	10,904
Santa Paula Union High School District, Ventura	13	16,194	0
Casmalia School District, Santa Barbara	13	1,766	988
Somis Union School District, Ventura	13	6,181	2,387
Simi Valley Unified School District, Ventura	13	339,764	180,275
Mound School District, Ventura	13	10,470	823
Avenue School District, Ventura	13	3,532	0
Mill Union School District, Ventura	13	3,532	0
Nordhoff Union High School District, Ventura	13	9,761	0
Los Alamos School District, Santa Barbara	13	6,686	3,622
Santa Maria Joint Union High School District, Santa Barbara	13	275,735	185,779
Buellton Union School District, Santa Barbara	13	11,858	5,597
Guadalupe Joint Union School District, Santa Barbara	13	16,778	6,255
Valley Oaks Union School District, Ventura	13	46,549	6,914
Lompoc Unified School District, Santa Barbara	13	2,456,707	1,833,527
Allan Hancock Joint Junior College District, Santa Barbara	13	83,426	41,021
Blochman Union School District, Santa Barbara	13	4,037	1,317
Ventura County Junior College District, Ventura	13	108,862	45,081
Congressional district total		5,803,487	3,463,010
Pittsburg Unified School District, Contra Costa	14	63,289	0
Mount Diablo Unified School District, Contra Costa	14	649,866	160,955
Richmond School District, Contra Costa	14	230,602	60,499
Richmond Union High School District, Contra Costa	14	235,583	54,225
San Pablo School District, Contra Costa	14	69,130	7,161
Rodeo School District, Contra Costa	14	6,686	0
Lafayette School District, Contra Costa	14	30,276	0
John Swett Union High School District, Contra Costa	14	11,535	1,677
Danville Union School District, Contra Costa	14	37,719	13,005
Walnut Creek School District, Contra Costa	14	40,368	2,149
San Ramon Valley Unified High School District, Contra Costa	14	34,605	9,131
Sheldon School District, Contra Costa	14	8,957	0
Pinole Hercules Union School District, Contra Costa	14	39,737	0
Alamo School District, Contra Costa	14	18,166	4,938
Orinda Union School District, Contra Costa	14	20,941	0
Acalanes Union High School District, Contra Costa	14	86,736	0
Martinez Unified School District, Contra Costa	14	34,108	0
Byron Union School District, Contra Costa	14	2,271	320
Congressional district total		1,620,570	314,060
Manteca Union High School, San Joaquin	15	64,109	30,373
Lathrop School District, San Joaquin	15	7,821	1,317
Tracy School District, San Joaquin	15	56,137	21,236
Tracy Joint Union High School District, San Joaquin	15	52,352	26,274
Stockton Unified School District, San Joaquin	15	317,240	0
Manteca School District, San Joaquin	15	53,614	20,002
French Camp School District, San Joaquin	15	4,541	0
Jefferson School District, San Joaquin	15	1,388	0
Lincoln Unified School District, San Joaquin	15	38,862	0
Nile Garden Union School District, San Joaquin	15	2,018	0
Newman School District, Stanislaus	15	14,003	5,185
Calla School District, San Joaquin	15	2,649	659
Congressional district total		614,734	105,046
Merced City School District, Merced	16	136,747	55,231
Atwater School District, Merced	16	435,587	245,693
Merced Union High School District, Merced	16	223,381	106,026
Friant Union School District, Fresno	16	2,271	906
Winton School District, Merced	16	49,829	27,904
Livingston Union School District, Merced	16	14,760	4,034
McSwain Union School District, Merced	16	8,452	3,293
Weaver Union School District, Merced	16	6,560	0
Cressey School District, Merced	16	1,514	412
Riverdale Joint Union School District, Fresno	16	15,643	5,432
Volta School District, Merced	16	2,397	1,070
Gustine Union School District, Merced	16	18,418	8,560
Gustine Union High School District, Merced	16	13,574	7,127
Romero School District, Merced	16	13,372	7,737
Los Banos Union School District, Merced	16	70,392	34,909
Los Banos Union High School District, Merced	16	48,359	28,883
Merced Junior College District, Merced	16	73,761	42,731
Dos Palos Joint Union School District, Merced	16	12,237	0
Hilmar Unified School District, Merced	16	12,214	0
Congressional district total		1,159,468	579,939

***School districts affected by proposed amendments to Public Law 874 by State, and by congressional district, within State*—Continued**

CALIFORNIA—Continued

Name of school district	Congressional district	1967 estimated entitlements under Public Law 874	Estimated entitlements under proposed amendments to Public Law 874 in fiscal year 1967 budget
Torrance Unified School District, Los Angeles	17	$260,137	0
Lawndale School District, Los Angeles	17	22,707	0
Enterprise City School District, Los Angeles	17	26,492	0
El Camino Junior College District, Los Angeles	17	51,633	0
Congressional district total	-----	360,969	0
China Lake Joint Elementary School District, Kern	18	704,142	$438,204
Indian Wells Valley Joint Union School District, Kern	18	90,576	51,116
Kern County Joint Union High School District, Kern	18	452,746	103,601
Mojave Unified School District, Kern	18	31,248	16,522
Muroc Unified School District, Kern	18	1,001,051	774,395
Three Rivers Union School District, Tulare	18	13,876	7,161
Woodlake Union High School District, Tulare	18	13,975	1,863
Central Union School District, Kings	18	402,277	250,379
Lemoore Union High School District, Kings	18	141,969	89,440
Lemoore Union School District, Kings	18	59,038	32,348
Hanford Elementary School District, Kings	18	50,334	17,039
Island Union School District, Kings	18	4,415	1,317
Reef Sunset Union School District, Kings	18	3,658	0
Hanford Joint Union High School District, Kings	18	26,398	0
Armona Union Elementary School District, Kings	18	11,858	4,609
Kern Joint Junior College District, Kern	18	70,454	0
Southern Kern Unified School District, Kern	18	74,076	53,563
Congressional district total	-----	3,152,091	1,841,557
Excelsior Union High School District, Los Angeles	19	61,447	0
Norwalk La Mirada City School District, Los Angeles	19	103,191	0
Bloomfield School District, Los Angeles	19	37,340	0
Artesia School District, Los Angeles	19	28,888	0
La Canada Unified School District, Los Angeles	19	84,862	26,382
Congressionl district total	-----	315,728	26,382
La Canada Unified School District, Los Angeles	20	0	0
Congressional district total	-----	0	0
Willowbrook School District, Los Angeles	21	18,796	0
Enterprise City School District, Los Angeles	21	0	0
Congressional district total	-----	18,796	0
Compton City School District, Los Angeles	23	151,758	0
Compton Union High School District, Los Angeles	23	89,176	0
Enterprise City School District, Los Angeles	23	0	0
Paramount Unified School District, Los Angeles	23	68,365	0
Bellflower Unified School District, Los Angeles	23	118,806	0
Downey Unified School District, Los Angeles	23	124,358	0
Congressional district total	-----	552,463	0
Claremont Unified School District, Los Angeles	24	105,958	34,909
Pomona Unified School District, Los Angeles	24	295,350	82,876
Bonita Unified School District, Los Angeles	24	35,214	0
Congressional district total	-----	436,522	117,785
Covina Valley Unified School District, Los Angeles	25	86,607	0
Glendora Unified School District, Los Angeles	25	55,041	0
Congressional district total	-----	141,648	0
Palmdale School District, Los Angeles	27	231,738	129,064
Lancaster School District, Los Angeles	27	468,647	267,266
Antelope Valley Union High School District, Los Angeles	27	484,033	342,860
Keppel Union School District, Los Angeles	27	25,861	11,771
Westside Union School District, Los Angeles	27	56,263	25,599
Eastside Union School District, Los Angeles	27	31,538	16,627
Hughes Elizabeth Lakes Union School District, Los Angeles	27	2,018	576
Soledad Agua Dulce Union School District, Los Angeles	27	3,911	823
Wilsona School District, Los Angeles	27	3,154	1,645
Sulphur Springs Union School District, Los Angeles	27	13,498	0
Antelope Valley Joint Junior College District, Los Angeles	27	115,983	77,556
Congressional district total	-----	1,436,644	873,788
Manhattan Beach City School District, Los Angeles	28	26,996	0
Torrance Unified School District, Los Angeles	28	0	0
El Segundo Unified School District, Los Angeles	28	26,014	0
South Bay Union High School District, Los Angeles	28	41,704	0
Redondo Beach City School District, Los Angeles	28	40,746	0
Hermosa Beach City School District, Los Angeles	28	7,947	0
Palos Verdes Peninsula Unified School District, Los Angeles	28	121,027	0
Congressional district total	-----	264,434	0
Lennox School District, Los Angeles	31	6,181	0
Inglewood Unified School District, Los Angeles	31	49,172	0
Congressional district total	-----	55,353	0
Long Beach Unified School District, Los Angeles	32	$1,581,124	$498,987
Congressiona. district total	-----	1,581,124	498,987
Barstow Union School District, San Bernardino	33	343,377	171,042
Barstow Union High School District, San Bernardino	33	273,071	175,902
Victor School District, San Bernardino	33	120,852	63,215
Yermo School District, San Bernardino	33	26,743	13,170
Adelanto School District, San Bernardino	33	274,998	165,357
Daggett School District, San Bernardino	33	176,351	106,259
Hinkley Union School District, San Bernardino	33	41,377	18,767
Victor Valley Union High School District, San Bernardino	33	156,610	78,820
Redlands Union High School District, San Bernardino	33	7,320	1,863
Needles School District, San Bernardino	33	20,057	1,564
Terrace Union School District, San Bernardino	33	29,393	13,993
Mission School District, San Bernardino	33	15,390	5,103
Wrightwood School District, San Bernardino	33	6,434	2,881
Bloomington School District, San Bernardino	33	20,941	0
Newberry School District, San Bernardino	33	2,018	823
Upland School District, San Bernardino	33	53,992	10,207
Colton Joint Union High School District, San Bernardino	33	61,447	15,280
Ontario School District, San Bernardino	33	153,398	14,487
Colton Joint School District, San Bernardino	33	56,011	13,828
Chino Unified School District, San Bernardino	33	42,193	0
Chaffey Union High School District, San Bernardino	33	142,415	17,329
Central School District, San Bernardino	33	6,560	0
Apple Valley School District, San Bernardino	33	36,331	17,532
Fontana Unified School District, San Bernardino	33	91,682	0
Morongo Unified School District, San Bernardino	33	442,550	311,384
Hesperia School District, San Bernardino	33	24,473	10,783
Ora Grande School District, San Bernardino	33	2,271	329
Alta Loma School District, San Bernardino	33	5,172	0
Barstow Junior College District, San Bernardino	33	24,672	13,888
Cucamonga School District, San Bernardino	33	4,163	0
Victor Valley Joint Junior College District, San Bernardino	33	33,065	17,520
Chaffey Union Junior College District, San Bernardino	33	39,424	0
San Bernardino Junior College District, San Bernardino	33	137,858	51,277
Redlands Unified School District, San Bernardino	33	333,578	196,263
Yucaipa Joint Unified School District, San Bernardino	33	43,145	7,994
San Bernardino Unified School District, San Bernardino	33	1,142,540	642,620
Rialto Unified School District, San Bernardino	33	247,130	120,583
Congressional district total	-----	4,639,002	2,280,063
Seal Beach School District, Orange	34	18,670	4,691
Alamitos School District, Orange	34	120,095	21,483
Board of Trustees, Garden Grove Union High School District, Orange	34	142,637	0
Los Alamitos School District, Orange	34	72,158	22,224
Westminster School District, Orange	34	171,438	44,778
Garden Grove School District, Orange	34	249,525	26,258
Buena Park School District, Orange	34	23,842	0
Magnolia School District, Orange	34	41,756	0
Centralia School District, Orange	34	55,001	0
Ocean View School District, Orange	34	106,344	25,681
Cypress School District, Orange	34	53,740	6,009
Huntington Beach Union High School District, Orange	34	159,274	38,758
San Juan School District, Orange	34	3,280	0
Huntington Beach City School District, Orange	34	19,301	0
Savanna School District, Orange	34	25,104	0
Fountain Valley School District, Orange	34	37,719	6,749
Congressional district total	-----	1,299,884	196,631
Carlsbad Union School District, San Diego	35	76,447	38,769
Vista Unified School District, San Diego	35	485,853	347,358
Fallbrook Union High School District, San Diego	35	114,019	72,111
Oceanside Carlsbad Union High School District, San Diego	35	272,628	161,182
San Dieguito Union High School District, San Diego	35	32,609	7,267
Encinitas Union School District, San Diego	35	22,076	12,676
Alpine Union School District, San Diego	35	15,769	6,173
Cardiff School District, San Diego	35	14,886	4,362
Grossmont Union High School District, San Diego	35	410,164	150,374
Escondido Union School District, San Diego	35	122,366	49,799
Escondido Union High School District, San Diego	35	83,852	31,864
Solana Beach School District, San Diego	35	5,298	0
Rich Mar Union School District, San Diego	35	42,008	20,002
Costa Mesa Union School District, Orange	35	48,063	0
San Clemente School District, Orange	35	32,168	13,416
Vallecitos School District, San Diego	35	3,532	1,564
Valley Center Union School District, San Diego	35	7,064	1,811
Del Mar Union School District, San Diego	35	6,686	1,399
Tustin School District, Orange	35	118,455	36,382
San Joaquin School District, Orange	35	277,646	167,331
Santa Ana Junior College, Orange	35	38,152	0
Capistrano Beach School District, Orange	35	12,489	2,881
Bonsall Union School District, San Diego	35	9,713	3,951
Tustin Union High School District, Orange	35	124,889	26,832
Anaheim City School District, Orange	35	89,440	0
Ramona Unified School District, San Diego	35	20,462	5,596
Orange Coast Junior College District, Orange	35	47,818	0

School districts affected by proposed amendments to Public Law 874 by State, and by congressional district, within State—Continued

CALIFORNIA—Continued

Name of school district	Congressional district	1967 estimated entitlements under Public Law 874	Estimated entitlements under proposed amendments to Public Law 874 in fiscal year 1967 budget
Mountain Empire Unified School District, San Diego	35	$29,503	$13,058
Orange Glen School District, San Diego	35	14,633	5,021
Palomar Junior College District, San Diego	35	31,285	18,161
Capistrano Union High School District, Orange	35	12,422	0
Orange Unified School District, Orange	35	193,675	0
Jamul Las Flores Union School District, San Diego	35	5,424	2,140
Pauma School District, San Diego	35	2,775	329
Julian Union High School District, San Diego	35	8,873	3,168
Anaheim Union High School District, Orange	35	181,235	0
Warner Union School District, San Diego	35	6,181	3,046
Santa Ana Unified School District, Orange	35	435,729	154,293
Oceanside Carlsbad Junior College District, San Diego	35	39,424	25,852
Grossmont Junior College District, San Diego	35	49,853	11,110
Julian Union School District, San Diego	35	2,523	247
Poway Unified School District, San Diego	35	164,648	110,057
Congressional district total		3,712,735	1,509,582
Coronado Unified School District, San Diego	36	548,191	390,129
Fallbrook Union School District, San Diego	36	186,446	99,594
Oceanside Union School District, San Diego	36	601,222	326,360
Santee School District, San Diego	36	97,262	41,732
Cajon Valley Union School District, San Diego	36	172,826	55,231
Lakeside Union School District, San Diego	36	50,586	15,557
Board of Education of San Diego Unified School District, San Diego	36	5,987,112	2,837,629
Congressional district total		7,643,645	3,766,232
Chula Vista City School District, San Diego	37	672,380	365,793
National School District, San Diego	37	299,606	161,660
South Bay Union School District, San Diego	37	503,843	297,392
Sweetwater Union High School District, San Diego	37	$681,684	$508,701
Lemon Grove School District, San Diego	37	96,505	40,580
La Mesa Spring Valley School District, San Diego	37	262,644	96,798
San Ysidro School District, San Diego	37	9,335	494
Sweetwater Junior College District, San Diego	37	81,646	44,868
Congressional district total		2,607,643	1,516,286
Seeley Union School District, Imperial	38	44,656	24,775
Perris School District, Riverside	38	11,858	2,223
Perris Union High School District, Riverside	38	9,761	0
Val Verde Elementary School District, Riverside	38	4,163	741
Elsinore Union School District, Riverside	38	9,335	412
Corona Unified School District, Riverside	38	90,413	0
Riverside Junior College District, Riverside	38	91,311	23,075
Palm Springs Unified School District, Riverside	38	115,793	47,167
Alvord Unified School District, Riverside	38	103,262	22,384
Elsinore Union High School District, Riverside	38	3,771	0
El Centro School District, Imperial	38	37,971	3,128
Beaumont Unified School District, Riverside	38	12,214	0
San Jacinto Unified School District, Riverside	38	20,462	0
Temecula Union School District, Riverside	38	3,406	1,564
Central Union High School District, Imperial	38	32,387	2,795
San Pasqual Valley Unified School District, Imperial	38	95,172	68,619
Moreno Valley Unified School District, Riverside	38	664,935	480,866
Banning Unified School District, Riverside	38	21,096	0
Jarupa Unified School District, Riverside	38	74,234	0
Riverside Unified School District, Riverside	38	598,315	281,404
Congressional district total		2,044,515	959,153
Total, California		64,705,021	29,265,151

Mr. MURPHY. Mr. President, California's educational leaders and citizens have also vigorously protested the administration's proposal to reduce title III of the National Defense Education Act by $25 million. Again, as was the case with the impacted-area proposal, the administration attempted to justify its recommendation on the premise that equipment could be purchased under the Elementary and Secondary Education Act of 1965.

Dr. Max Rafferty, superintendent of public instruction and director of education in my State, has written to me and has stated that a cut in title III of the National Defense Education Act "would be a grave mistake not only for California schools but for the Nation as well." Refuting the administration's justification for the reduction, Dr. Rafferty states:

> Even though some instructional items do qualify under certain conditions, there is still a tremendous vacuum of need for equipment and materials for California's children and schools, who do not qualify for assistance under the Elementary and Secondary Education Act. Many of these needs are now being met through the efforts of the National Defense Education Act.

He goes on to say:

> Elementary and Secondary Education Act funds are basically designed for underprivileged areas, tied to the family income. While this fills a definite need, there are still many school districts in California with average or better family incomes, that are basically poor districts because of a large student population and little or no industry or business for taxable funds. In order for this type of district to conduct a quality type of educational program, it must often turn to the National Defense Education Act as a source for assistance in acquiring equipment and materials necessary to keep up with changing educational demands.

Mr. President, as my colleagues well know, the National Defense Education Act was enacted in 1958 in response to sputnik. When former President Eisenhower signed the measure into law, he stated the bill "would do much to strengthen our American system of education so it can meet the broad and increasing demands imposed upon it by consideration of basic national security."

Only this week, Mr. Webb, Administrator of the National Aeronautics and Space Administration, spoke of a space gap and the Russian spaceship plunging into Venus should make us realize that this is not the time to curtail the National Defense Education Act.

Mr. President, the National Defense Education Act has been a very popular program in California and across the country. In addition to providing much needed equipment the National Defense Education Act spurred innovation has helped to upgrade our educational system. The need for funds has not diminished, but, in fact, has increased. The California State Department of Education, while having a budget of less than $5 million for this purpose, received requests in excess of $13 million. Thus, the funds previously granted were inadequate and now the administration proposes further reductions. Mr. President, the National Defense Education Act has been not only successful and popular in California, but it also has achieved this outstanding record with the minimum of Federal control.

Mr. President, at this point in the RECORD, I ask unanimous consent that a letter I have received from Dr. Rafferty be printed in full.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

STATE OF CALIFORNIA,
DEPARTMENT OF EDUCATION,
Sacramento, Calif., February 15, 1966.
Hon. GEORGE MURPHY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MURPHY: It has recently been brought to my attention that the administration's Federal budget, as submitted to the Congress, January 24, 1966, proposes a reduction in the appropriation for title III of the National Defense Education Act from the present $88.2 million to $63.2 million. This represents a 31.5 percent cutback in the funds for equipment acquisition.

The justification for such a drastic cut was based primarily on the erroneous premise that specialized equipment is now eligible for purchase under the Elementary and Secondary Education Act of 1965. Even though some instructional items do qualify under certain conditions, there is still a tremendous vacuum of need for equipment and materials for California's children and schools, who do not qualify for assistance under the Elementary and Secondary Education Act of 1965. Many of these needs are now being met through the efforts of NDEA.

The California State Department of Education feels that such a drastic decrease would be a grave mistake, not only for California schools, but the Nation as well. We urge you to consider the following facts and vigorously oppose any attempt to dilute the quality type of educational program for which the National Defense Education Act was designed:

1. The National Defense Education Act has been one of the most popular and successful federally financed programs in the history of California education. This was dramatically pointed out in 1964 by the independent management organization of Arthur D. Little, Inc., in a report entitled "The Emerging Requirements for Effective Leadership for California Education." In their publication they state:

"As measured by dramatic changeover a relatively short period of time, the National Defense Education Act has had an enormously significant effect upon educational programs in California schools. In California, the Department placed emphasis upon curriculum development as a basic objective of the program so that grants for equipment and materials were made in support of specific instructional improvements. Administrators tell us that this has lessened the tendency for National Defense Education Act funds to be used simply as a convenient way of acquiring 'hardware' which may or may not have instructional significance. Moreover, a number of district administrators indicated strong approval of provisions in the administration of the National Defense Education Act which permitted districts to obtain consulting services from sources other than the State Department of Education.

"In summary, the National Defense Education Act experience in California suggests that it is possible to have Federal money and a minimum of control, while stimulating dramatic change in the directions desired by the authors of the Federal program."

2. One of the major advantages of the National Defense Education Act is that of encouraging innovation and experimentation on the part of the local school district. This factor was clearly revealed in a study conducted in 1963, entitled "The Dynamics of Educational Change." It stated that the expenditure of the National Defense Education Act funds for instructional equipment and materials has resulted in significant improvement of the instructional facilities made available to teachers. It has resulted in improved instructional practices, better morale on the part of teachers, and the provision of a rich learning environment for the students.

Nine out of ten administrators reported that the teachers in their schools were more effective as directors of classroom learning after entering the National Defense Education Act program than they were before.

3. Elementary and Secondary Education Act funds are basically designed for underprivileged areas, tied to the family income. While this fills a definite need, there are still many school districts in California with average or better family incomes, that are basically poor districts because of a large student population and little or no industry or business for taxable funds. In order for this type of district to conduct a quality type of educational program, it must often turn to the National Defense Education Act as a source for assistance in acquiring equipment and materials necessary to keep up with changing educational demands.

4. The philosophy of matching funds for educational programs is a healthy one. It contains the concept of incentive aid which has strong appeal to the public and educators. It leaves the local district as an active participant in the program, as well as in the control of funds, while at the same time includes the State as a partner for the improvement of instruction by means of Federal funds.

In a current survey being conducted in California, many school administrators stated that, if given their choice, they would prefer categorical aid similar to National Defense Education Act as opposed to lump sum grants. The reason for this is that the lump sum grants often become an expansion of a basic type program with little or no thought for experimentation or innovation, whereas categorical aid designed to improve definite subject areas often results in the creation of new ideas in education.

5. There is tremendous demand by school districts for existing National Defense Education Act funds. During the first 4 years of the administration of National Defense Education Act funds in California, the State Department of Education reported that approximately $10.9 million in Federal funds were granted to 887 school districts enrolling over 80 percent of the State's total average daily attendance. The demand for National Defense Education Act funds during the next 4 years increased at an even more appalling rate. The 1965–66 school year was an excellent example of this increased demand. While operating on a budget of less than $5 million, the California State Department of Education received approvable requests exceeding $13 million. It was impossible to even begin to meet these needs. This necessitated participants cutting back their original plans, thus suppressing some of the educational creativity and innovative ideas developed by local districts.

I urge that you actively resist any attempt to reduce the National Defense Education Act appropriation under title III for the 1966–67 fiscal year; and, if possible, take immediate steps to further increase National Defense Education Act funds.

Sincerely,

MAX RAFFERTY.

Mr. MURPHY. Mr. President, I have received protests from Californians on the proposed reductions for land-grant institutions. The administration's proposals are drastic indeed. For example, presently the University of California receives $573,580 for resident teaching funds. If the proposed recommendations are adopted, each State would receive only $50,000 and where more than one institution is involved, as in the case of California, this meager amount would be allocated in the same ratio as the present funds are allocated in the State. In addition, the administration proposes to cut the Hatch funds for agricultural research, which will result in a $170,852 loss for the State.

Mr. President, Dr. Clark Kerr, president of the University of California, has pointed out in a letter the effect of the administration's budget recommendations on land-grant institutions. I ask unanimous consent that Dr. Kerr's letter, which he addressed to President Johnson, be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNIVERSITY OF CALIFORNIA,
Berkeley, Calif., February 28, 1966.

President LYNDON B. JOHNSON,
The White House,
Washington, D.C.

DEAR PRESIDENT JOHNSON: The regents of the University of California requested me to advise you of their opposition to the drastic reductions recommended in your budget for support of the land-grant institutions. The minutes of the regents' meeting on February 18, 1966, are quoted:

"That the president of the university be requested to inform the President of the United States, the Secretary of Agriculture, and California's legislative Representatives to the U.S. Congress, of the regents' opposition to the drastic reductions recommended in the President's budget for the support of resident instruction at the land-grant institutions, to reductions in Federal support of research at the State agricultural experiment stations, and to the move toward Federal control of research and agricultural extension at the land-grant institutions."

The regents are concerned because the proposed cuts in Morrill teaching funds will seriously impair the training of scientists in the colleges of agriculture at Berkeley, Davis, and Riverside; the colleges of engineering at Berkeley and Santa Barbara; the college of chemistry at Berkeley; the school of forestry at Berkeley, and the school of veterinary medicine at Davis. This occurs at a time when our need for highly trained professionals, teachers, and scientists is greatly expanding. In agriculture, forestry, and veterinary medicine alone, the salaries of 180 instructors will be affected. This cut comes at the very time when the university is anticipating an overall enrollment of 86,391 in 1966–67; 120,520 in 1970–71; and 146,332 in 1975–76.

The regents also believe your proposed reduction of Hatch funds for agricultural research is not desirable at a time when all reports indicate that the food supply of the world is one of the greatest problems facing mankind and food produced in the United States has prevented mass starvation in friendly countries and promoted the political aims of the United States. It has been our experience that there are always urgently needed research problems waiting to be resolved.

We oppose the transfer of $10 million for cooperative agricultural extension from formula distribution to special projects for rural resource development. We now spend far more than our proportionate share of the proposed transfer for work with low income groups. These expenditures are augmented by funds from local governments to support important community projects. The proposed transfer may not only jeopardize our local funds but will place control in the hands of the Federal Government instead of local communities.

We believe the spirit of what has become known as the land-grant system of a coordinated program of research, resident teaching, and extension within the colleges of agriculture, the agricultural experiment station, and the Agricultural Extension Service, in the United States is seriously violated by these budget changes.

Consequently, we will rigorously oppose any action that appears to turn away from one of the most successful cooperative research and educational programs in the history of mankind.

Sincerely yours,

CLARK KERR.

Mr. MURPHY. Mr. President, because I am convinced that any benefits that might accrue to the taxpayers and the Federal Treasury due to these administration proposals would be clearly offset by the great financial hardship that will result in the many school districts in my

State and elsewhere, I find the administration's recommendations very disturbing.

Mr. President, I hope that the educators and the American public across the country will not be fooled by this and other administration budget maneuvers. The administration knew full well that the Congress would not accept these recommendations, but they proposed them in an effort to produce the low and possible unrealistic deficit of $1.8 billion.

Surely, Mr. President, if the administration feels that our resources are sufficient to embark on a global great society, then the funds are available to permit us to continue with these proven programs for the American people.

Exhibit I

Los Angeles, Calif.,
February 18, 1966.

Subject: Emergency supplemental appropriation bill for Public Law 874.

Hon. George Murphy,
Senate Office Building,
Washington, D.C.:

I urge your favorable consideration of the emergency supplemental bill for Public Law 874 to be considered on Wednesday, February 23. The added $40 million will insure the 100 percent payment to school districts impacted by Federal activity for all 1966 entitlements. The Los Angeles City School District has been notified that unless this appropriation is provided, its entitlement will be reduced approximately 12 percent. Large urban school districts qualifying for the first time under Public Law 89–313 urge now that full funding be provided by Congress.

I shall be glad to send additional information, if desired, and will appreciate your keeping me apprised of developments.

Jack P. Crowther,
Superintendent, Los Angeles City School Districts.

February 8, 1966.

Hon. George Murphy,
Senate Office Building,
Washington, D.C.

My Dear Senator Murphy: Your advice and guidance is requested for representatives of the San Diego Unified School District in the preparation of its annual budget for 1966–67. Considerable uncertainty exists from Federal sources about the status of Public Law 874 funds. Here is a brief background for your reference:

Since 1950, the Federal Government through Public Laws 815 (construction) and 874 (operating) has provided $22,828,946 for construction purposes and $41,968,133 for maintenance and operation purposes. These funds are loosely described as in-lieu-of-tax payments for tax-exempt real property but really are payments for educational services rendered to children whose parents live or work on Federal tax-exempt real property. The Congress recognized such conditions as a Federal impact on the local school districts. These millions of dollars have been received by the San Diego Unified School District, without undue Federal control, to assist in providing proper educational opportunity to thousands of federally connected pupils. The current count substantiates the estimated A.D.A. of 28,668 (K–14) or approximately 22 percent of a total estimated enrollment of 127,440 (K–14).

A significant point of interest is that although 22 percent of the total pupils are federally connected, only about 7 to 8 percent of the costs for educating these pupils is borne by the Federal Government. A loss in such revenue automatically increases the local tax rate or eliminates needed educational services.

San Diego city schools cannot absorb a loss of this Federal revenue totaling over $5 million. Recent announcements from the Bureau of the Budget indicate possible drastic reductions.

Your support is urged of continued full appropriations under Public Law 874 without crippling amendments. Please advise me in this matter. I will gladly furnish whatever information you may desire.

Sincerely,

Ralph Dailard,
Superintendent.

Claremont Unified School District,
Claremont, Calif., February 10, 1966.

Senator George Murphy,
Senate Office Building,
Washington, D.C.

Dear Senator Murphy: It is my understanding that the Bureau of the Budget has recommended a major reduction in Public Law 874 funds for federally impacted areas. This is most distressing news. Any reduction in these allocated funds would cause serious stress in many areas and the Claremont school district is among them.

Claremont currently receives approximately $90,000 under Public Law 874. It would require an increased tax rate of $0.16 in order to match this amount. Claremont taxes are already among the highest in the State.

It has been suggested that the moneys available through the Elementary and Secondary Education Act will supplement the depleted Public Law 874 funds. This is simply not so. All of the Public Law 89–10 funds must be identified with programs and projects that are over and above current district effort. Also, there are many districts not equally covered by Public Law 89–10 and Public Law 874. The reduction of one in no way guarantees appropriation from the other.

Claremont, for example, qualifies for $69,989 under title I of Public Law 89–10, but it is quite likely that Claremont will never qualify again because of the poverty aspect of the legislation. Tax yield for school support does not come from upper-middle class families. The correlation between average income and assessed valuation is not necessarily high. Poor school districts do not always serve poor people.

Title II of Public Law 89–10 is distributed on a workable and reasonable formula modified by the ability of the district to support its program. However, the amount is not sufficient to replace Public Law 874, and the funds are earmarked exclusively for library books. These funds are appreciated but in no way do they relieve any budget category, as it is incumbent upon the district to maintain current expenses for library materials in order to qualify.

In short, any reduction in Public Law 874 funds will be reflected in the general fund, and will be replaced only through a higher tax burden, or by less spending. To Claremont less spending is equivalent to nearly 11 less teachers, which is 4.9 percent of the total teaching staff. It is quite unlikely that the Claremont staff would be reduced by such an amount, but this gives you some idea of the impact of Public Law 874.

Let me urge you to contact the Appropriations Committee members with this information. Supplemental appropriation to pay full entitlements for the current year is essential. Any information you could provide me regarding the progress of the financing of Public Law 874 will be greatly appreciated.

Sincerely,

John B. Brinegar,
Superintendent.

Department of Education,
San Diego County,
February 17, 1966.

Hon. George Murphy,
Senate Office Building,
Washington, D.C.

Dear Senator Murphy: I appreciate opportunity to furnish you information from school districts in San Diego County indicating the need for a supplementary appropriation for Public Law 874, impact aid for federally affected school districts, and for legislation enacting Public Law 874 on a continuing basis.

You are aware of the history of the legislation. For the past 15 or 16 years the Congress has provided Federal funds through Public Law 874 to assure an adequate educational program for children who are federally connected through residence on Federal property and/or because their parents are in the Armed Forces or are employed on Federal property.

San Diego County is one of the areas carrying the heaviest load in the education of children whose parents' residence in the county is dictated by military service or the employment in defense industry. Forty-five out of the fifty school districts qualify for Federal aid under Public Law 874 and 95 percent of the pupils of the county attend school in these districts. Attached is a simplified analysis of the problem for our school districts showing the tax rate increase that would be required to offset the effect of the withdrawal of Public Law 874 funds. In the six unified districts shown this is a total for the property owner. In the rest of the county it is necessary to add the elementary and the high school increases in order to get the total effect.

I would emphasize that the need is the same this year, will be the same next year, and so far as we can tell, in the succeeding years as it has been in the past 15 years that the legislation has been in effect. Further, I would stress that the Elementary and Secondary Education Act, Public Law 89–10, is aimed at an entirely different problem. Funds must be spent on programs not now in operation, and the federally impacted districts will be in the same relationship to others in their ability to finance education with or without Public Law 89–10. Many of the school districts have a total property tax rate for school purposes in excess of $4 per $100 of assessed valuation. The school tax rate and school bond elections represent virtually the only opportunity that the taxpayer has to express his resistance to taxes in a yes or no vote. We can only estimate, therefore, that disapproval of tax rate increases would result in substantial reduction in financial support of the schools in the county, and thereby serious impairment of educational programs, if Public Law 874 were withdrawn.

In addition, it should be remembered that more than 35 percent of the land in San Diego County is nontaxable because it is either federally owned or in the (U.S.A.) public domain. This presents a very real problem in financing education since the school districts have a substantially reduced tax base due to such Federal ownership. Public Law 874 aid has helped to overcome the resulting loss of such tax revenue.

Very truly yours,

Cecil D. Hardesty,
Superintendent of Schools.

Public Law 874 receipts in 1964–65 converted to estimated tax rate

	Public Law 874 receipts	90 percent secured assessed valuation	Tax rate
Elementary districts:			
Alpine Union	$10, 080	$4, 731, 534	$0. 213
Bonsall Union	7, 739	6, 407, 460	. 121
Cajon Valley Union	138, 420,	78, 345, 873	. 177
Cardiff	11, 949	7, 203, 915	. 166
Carlsbad Union	60, 344	38, 826, 675	. 155
Chula Vista City	901, 766	109, 189, 089	. 826
Del Mar Union	6, 011	14, 574, 177	. 041
De Luz	7, 205	404, 568	1. 781
Encinitas Union	17, 876	21, 769, 956	. 082
Escondido Union	95, 703	53, 137, 593	. 180
Fallbrook Union	221, 760	19, 404, 180	1. 143
Jamul-Las Flores Union	4, 393	2, 936, 601	. 150
Julian Union	2, 199	5, 264, 604	. 042
Lakeside Union	40, 360	15, 777, 099	. 256
La Mesa-Spring Valley	215, 675	95, 503, 473	. 225
Lemon Grove	76, 982	28, 563, 489	. 270
National	245, 461	37, 179, 738	. 660
Oceanside Union	479, 059	49, 238, 712	. 972
Orange Glen	8, 181	6, 460, 947	. 127
Pauma	4, 162	4, 659, 147	. 089
Rich-Mar Union	29, 612	16, 652, 727	. 178
Santee	82, 081	15, 820, 758	. 519
San Ysidro	7, 866	5, 557, 059	. 142
Solana Beach	4, 203	14, 086, 377	. 030
Elementary districts—Continued			
South Bay Union	$370, 121	$23, 901, 624	$1. 549
Vallecitos	3, 865	1, 677, 654	. 230
Valley Center Union	6, 404	7, 474, 779	. 086
Warner Union	5, 568	2, 350, 665	. 237
Unified districts:			
Coronado	384, 056	23, 871, 456	1. 608
Mountain Empire	18, 214	6, 972, 372	. 261
Poway	116, 704	24, 950, 169	. 468
Ramona	30, 802	9, 053, 766	. 340
San Diego	4, 795, 607	818, 658, 846	. 586
Vista	375, 805	41, 781, 285	. 899
High school districts:			
Escondido Union	82, 193	85, 638, 150	. 096
Fallbrook Union	207, 097	32, 544, 666	. 636
Grossmont Union	567, 738	243, 919, 467	. 233
Julian Union	8, 436	8, 168, 940	. 103
Oceanside-Carlsbad Union	205, 205	87, 970, 599	. 233
San Dieguito Union	31, 925	71, 064, 234	. 045
Sweetwater Union	395, 973	175, 827, 510	. 225
Junior college districts:			
Grossmont	29, 121	243, 919, 467	. 012
Oceanside-Carlsbad	36, 784	87, 970, 599	. 042
Palomar	32, 079	184, 014, 234	. 017
Sweetwater	72, 372	175, 827, 510	. 041

STOCKTON UNIFIED SCHOOL DISTRICT,
Stockton, Calif., February 11, 1966.
Hon. GEORGE MURPHY,
U.S. Senate Building,
Washington, D.C.

SIR: Information received by this office indicates that there will be a 10-percent deficit in the funding of Public Law 874 for the current year, and that substantial changes in Public Law 874 will be proposed to Congress during the current session to take effect in the 1966–67 fiscal year. These changes would have a very serious effect upon the Stockton Unified School District.

Our school district educates approximately 32,000 students, of which 2,000 are federally connected within the meaning of the provisions of Public Law 874. For many years, the cost of educating federally connected students has been borne, in part, by the Federal Government through Public Law 874.

Our Public Law 874 entitlement for the current year has been estimated at $300,000, and this should increase to $320,000 in 1966–67. If our entitlement for next year were to be eliminated, as would be the case under the changes proposed in the President's budget for 1966–67, our district would be severely handicapped and cutbacks in the educational program would be necessary.

Stockton is a low-wealth, urban area, with large numbers of minority-group and low-income families. Our assessed valuation is low and our property taxes are high (approximately $11 per $100 of assessed valuation). The school district is presently levying all taxes available to it, and there are no untapped sources of revenue to make up for a loss of $320,000 per year. If it were possible to raise local taxes to offset this loss, it would necessitate an increase of approximately 18 cents in the property tax rate.

The original intent of Public Law 874 was to lessen the financial burden placed upon local school districts by the attendance of large numbers of federally connected students. It was recognized at that time that Federal activities, which produced large numbers of new students but no new taxable wealth, created severe financial problems for all school districts except the wealthiest—and this condition has not changed.

It has been said by some critics of Public Law 874 that the passage of Public Law 89–10 has eliminated the need for special measures such as Public Law 874. This just is not the case, since the money received by our district under Public Law 89–10 will be used in a limited number of schools for the benefit of children whose parents are unemployed or underemployed, and very few, if any, of our federally connected pupils fall into this category.

The Board of Education of the Stockton Unified School District, being aware of the serious nature of the proposed changes in Public Law 874, has adopted a resolution requesting your assistance in this matter. A copy of the resolution is attached. This resolution includes an appeal for your support of legislation to provide a supplemental appropriation for Public Law 874 for the current fiscal year to cover an anticipated 10-percent deficit.

If there is further information which our district can provide, or if we can be of assistance in appearing before committees when this matter is being heard, please do not hesitate to contact this office.

Very truly yours,

CARL E. WILSEY,
Acting Superintendent.

RESOLUTION 691

Resolution financing of Public Law 874

Whereas the Stockton United School District presently has enrolled more than 2,000 students whose parents are federally connected within the meaning of the provisions of Public Law 874; and

Whereas these students place a financial burden upon the taxpayers of the district which is currently being offset by Federal reimbursement under Public Law 874; and

Whereas there is presently anticipated a 10-percent deficit in the funding of Public Law 874 for the 1965–66 fiscal year, which would result in a loss of approximately $30,000 in anticipated revenue to the Stockton Unified School District; and

Whereas the President's budget for the 1966–67 fiscal year proposes a change in the provisions of Public Law 874 which would result in a loss of Federal revenue of approximately $320,000 per year to the Stockton Unified School District; and

Whereas the Stockton Unified School District is currently levying all available local taxes to support the operation of its schools and does not have access to any additional sources of revenue to offset the possible loss of Federal revenue; and

Whereas the Stockton Unified School District is a low-wealth district that would be severely affected by a revenue loss of this magnitude: Now, therefore, be it

Resolved, That the Board of Education of the Stockton Unified School District does hereby request its representatives in Congress to approve a supplementary appropriation of funds to cover the anticipated 10-percent deficit in the funding of Public Law 874 for the current year, and to give all possible support to the continuation of Public Law 874, without change, during the 1966–67 fiscal year.

PETER C. GAINES,
President of the Board of Education of the Stockton Unified School District of San Joaquin County.

Attest:

CARL E. WILSON,
Acting Secretary of the Board of Education.

PALOS VERDES PENINSULA
UNIFIED SCHOOL DISTRICT,
Rolling Hills, Calif., February 9, 1966.
Hon. GEORGE MURPHY,
U.S. Senate,
Senate Office Building,
Washington, D.C.

DEAR SIR: We have been unofficially informed that there are not sufficient funds appropriated to meet full entitlements under the provisions of Public Law 874 (Federal impact legislation) for the current year 1965–66. We strongly urge your support of a deficiency appropriation to meet the admitted obligations under the existing law.

Also, it has been noted that the President's budget request for fiscal 1966 for this program is considerably less than funds appropriated for current year and that legislation is proposed to modify the existing Federal impact legislation, resulting in a drastic curtailment of this program.

Conclusions and recommendations submitted by the Stanford Research Institute and passed on to Congress by the Commissioner of Education are based on inaccurate information in an attempt to divert funds away from the Federal impact program to the latest programs of Federal assistance to local school districts. However, the purposes are not the same, and many school districts experiencing financial hardship because of impact of federally connected pupils receive little or no funds under the economic opportunity program or the Elementary and Secondary Education Act of 1965. (To benefit from the latter programs recipient districts must have families whose annual income is less than $2,000. Federal employees, or others employed on Federal property, earn more than this amount.)

This district has had an entitlement under Public Law 874 of approximately $125,000 to help relieve the property taxpayers of a burden increased by federally connected pupils. Under provisions of the so-called poverty legislation the school district will receive less than $20,000. Also, Public Law 874 funds may be used to aid all of the pupils of the district whereas the poverty funds must be used for specific purposes, and, in most cases, for the benefit of specific pupils.

In absence of these properties being on local tax rolls, we urge your support in continuing, and even strengthening, the present Federal impact legislation to the end that the previously admitted obligation of the Federal Government in aiding those school districts financially distressed because of Federal activity will be continued on a permanent basis.

Very truly yours,
Wayne L. Butterbaugh, Ed. D.,
Superintendent and Secretary of the Board of Education.

San Bernardino Teachers Association,
San Bernardino, Calif., February 9, 1966.
Hon. George Murphy,
Senate Office Building,
Washington, D.C.

Dear Senator Murphy: The San Bernardino Teachers Association, 1,150 members, understand that Public Law 874—Impacted Areas Act—is in jeopardy. We urgently ask your support to keep this bill in force. A million dollar loss of school funds in San Bernardino would be catastrophic.

I expect to be in Washington Friday and Saturday, February 11 and 12, and I will call your office.

Yours very truly,
Robert E. Stahl,
Executive Secretary.

Fremont Union High School District,
Sunnyvale, Calif., February 8, 1966.
Hon. George Murphy,
New Senate Office Building,
Washington, D.C.

Dear Senator Murphy: Since 1959 the Fremont Union High School District in the Sunnyvale-Cupertino area has received more than $600,000 under Public Law 874, and more than $1,800,000 under Public Law 815 (received or pending) as a federally impacted area. For this we have been very grateful, and we hope that you will do everything possible to continue this very fair and equitable Federal assistance.

Last year we had some 900 students eligible for Public Law 874 aid because their parents worked for nontaxable Federal installations such as Moffett Field and Ames Research Center (NASA). We received about $200 of the $638 educational cost per student from Public Law 874 grants. We had 1,875 of our 1964–65 enrollment of 8,963 eligible for U.S. aid to build added classrooms under Public Law 815. So you can see that we are very much federally impacted.

These students' parents—highly educated and skilled themselves—demand top-level curriculums for their offspring, and we have been able to supply this, despite heavy tax burdens. We have been able to keep pace with school construction needs despite yearly increases of 900 to 1,100 students through a bonding program which is now depleted. In 1955, we had 1 high school with about 1,800 students; and in 1965–66 we have an enrollment of 10,000 in 5 high schools with a sixth school planned for a 1968 opening. All this has been done despite the fact that our "assessed valuation behind each student" has dropped to $6,000 below the State average.

As a result of our already burdensome property taxes, and depletion of our bonding capacity, we are extremely sensitive to curtailment of Federal support. The new U.S. educational aid programs tied to poverty and equal education projects will not greatly affect these highly skilled technical, research, and Federal service families.

Thus, please do everything you can to help us retain Public Law 874 and Public Law 815 grants, which are so vital toward educating nearly 3,000 of our students.

Sincerely yours,
Charles D. Pond,
Vice President, Board of Trustees.

Lompoc Unified School District,
Lompoc, Calif., February 15, 1966.
Hon. George Murphy,
U.S. Senator,
Washington, D.C.

Sir: I would like to bring to your attention the 10-percent deficit in this year's allocation of Public Law 874 moneys which amounts to $220,000 for our district, and ask if you can help restore the full entitlement. In addition, I have now learned that consideration is being given to reduce Public Law 874 funds by 25 percent. This will lower our entitlement by approximately $500,000 because 10,000 of the 13,600 students in our district are federally connected, as our district serves the Vandenberg Air Force Base.

Besides the aforementioned, we are going to lose a million dollars of our assessed valuation this coming year due to the acquisition of the Sudden property for the Titan III program. When this program develops, we will have an even greater number of federally connected students in our district.

Any reduction of the approximately $2 million of Public Law 874 moneys that we receive will have a drastic effect upon the operation of our district because our salary schedules, which affect 800 employees, and the fixed charges of operation would be impossible to meet with a reduced income. Being a low assessed valuation district, it would take $1 per $100 assessed valuation to raise the deficit.

If you think it would be advantageous, I could arrange my schedule to come back to Washington and make a personal plea for Public Law 874 moneys. Again, I sincerely solicit your help in restoring and keeping our vitally needed Public Law 874 moneys.

Sincerely,
Glen F. Wegner,
Superintendent of Schools.

Oakland Public Schools,
Oakland, Calif., February 14, 1966.
Senator George Murphy,
Senate Office Building,
Washington, D.C.

Dear Senator: Enclosed is a copy of the resolution passed by our board of education concerning the subject of Public Law 874, both in regard to the status in the current fiscal year, and the status in the next fiscal year.

This law, as we have informed you before, has been an important piece of legislation enabling us to offer equal educational opportunity to all children whether their parents are employed in Federal activities or in private activities. The funds last year amounted to approximately $1 billion, and in the current year the entitlement which is accumulating appears now to approximate a value of $1,150,000.

The survey we have just completed indicates a slight increase over last year in the number of children in our schools whose parents are in the Armed Forces or in other Federal activities, such as the Atomic Energy Commission, veterans' hospitals, Naval Supply Center, and so on. There are three kinds of problems looming in the future as follows:

1. In the current fiscal year, we have been told, there are insufficient funds to pay off entitlements at the 100-percent level. It has been rumored that only something over 90 percent might be paid unless a deficiency appropriation is authorized in Congress. We ask your support in getting this supplemental appropriation.

2. In the President's budget message of last week, the item for continuing Public Law 874 into next year is carried at $158 million for the Nation, compared to the current expenditure of some $380 million, and compared to the U.S. Office of Education's estimate for next year of $405 million. Thus, if the funds were to be as small as those carried in the President's budget, all schools receiving aid from Public Law 874 would suffer a major 60- to 70-percent cut. We ask your support in continuing Public Law 874 at its present level of operation.

3. The Senate Subcommittee on Education had the Stanford Research Institute make a rather extensive study of both Public Law 874 and 815. The study has several aspects to it, some of which are favorable to the continuance of some type of Federal assistance to impacted areas, and sometimes quite critical to certain provisions in these laws as currently being operated. They did say, however, that as they found the situation in California, they would not recommend any major changes. Some of the most damaging statements in the Stanford Research Institute study concern the reestablishment of the absorption feature which was in the original bill in 1952, but which was taken out very soon thereafter.

As suggested by the SRI, this absorption factor would cause many school districts to lose a major portion of their aid. In Oakland's case this loss would be something over $300,000. Such a loss would require us to reduce our teaching force by 40 to 50 teachers, inasmuch as we are already at our tax ceiling with no additional financial income source available to us. We hope you will work toward the prevention of this type of crippling amendment to Public Law 874.

We would be eager to appear before the appropriate committees that will be hearing this bill this spring and would appreciate information from you concerning the best time and method of achieving this. Other school districts within your jurisdiction will also be equally hurt by the proposed changes. They, too, are at tax ceilings or at the new override tax ceilings which most of us have had to vote, and thus they have no additional source to which they can turn.

Yours very truly,
Forrest C. Michell,
Assistant Superintendent.

Resolution 21217

Whereas in 1952 the Federal Government recognized its obligation to local school districts where the location of Federal activities created a heavy impact of enrollment without the usual financial resources to support an adequate educational program; and

Whereas the resulting legislation in Public Law 874 has been in operation for the past 13 years assisting those school districts carrying heavy enrollment impacts;

Whereas this aid currently totals approximately $1 million which, if eliminated or reduced, would cause a major cutback in educational services, as Oakland like many urban school districts is levying the maximum tax rate; and

Whereas in the current fiscal year funds have not yet been appropriated to pay fully the entitlements being accumulated; and

Whereas in the proposed budget for the coming fiscal year funds for the support of Public Law 874 have been drastically reduced from the $400 million estimated need to $158 million; and

Whereas the Stanford Research Institute study makes certain recommendations that would greatly reduce our income from Public Law 874 through the changes recommended under the sections greatly increasing the entitlement to be absorbed by the local school district, and in other sections aimed at reducing the Public Law 874 expenditures by $125 million or more; and

Whereas Federal activities continue at high and increasing levels in this vicinity, with more and more students in our schools whose parents are connected with these activities: Now, therefore, be it

Resolved, That the board of education urge the Members of Congress to appropriate sufficient funds in the current fiscal year to fully pay the entitlements now being earned; further, that the board of education of the Oakland Unified School District urge our Members of Congress to continue Public Law 874 in operation as in effect at the present time; and that the superintendent or his representative, be authorized to work for the goals presented herein.

Attest:

STUART S. PHILLIPS,
Secretary of the Board of Education of the City of Oakland and of Oakland Unified School District of Alameda County, State of California.

LA CAÑADA UNIFIED SCHOOL DISTRICT,
La Cañada, Calif., February 17, 1966.
Hon. GEORGE MURPHY,
U.S. Senator,
Washington, D.C.

DEAR MR. MURPHY: May I convey briefly some of the concerns the La Cañada Unified School District administration has concerning the proposed cuts in Public Law 874 funds. You are perhaps aware that our local school district does not use Federal funds other than Public Law 874 and further that the location of a Jet Propulsion Laboratory in our school district has a very direct effect upon student population and assessed valuation. This past fiscal year, $80,000 was anticipated from Public Law 874 funds. Any cut in this amount would severely affect our school district's operation.

We have begun building the 1966–67 school-year budget and are anticipating $80,000 in income from Public Law 874. At this particular time, school funds in La Cañada are critical. A significant increase in student population (much attributed to families of employees at the Jet Propulsion Laboratory—a nontaxable institution) is anticipated. To further complicate the fiscal concerns of this district, an interstate freeway is planned for this summer. It will remove 6 percent of taxable property from our school district.

I would encourage you and other Members of Congress to carefully consider the impact reduction of Public Law 874 funds would have on California's school districts and particularly on La Cañada Unified School District.

Sincerely,

DONALD C. ZIEHL,
District Superintendent.

CENTER JOINT SCHOOL DISTRICT,
North Highlands, Calif, February 8, 1966.
Hon. GEORGE MURPHY,
Beverly Hills, Calif.

DEAR SENATOR MURPHY: Because of the recommended changes in Public Law 874 funds for federally impacted school districts made by Stanford Research, Inc., and because some legislatures may feel that Public Law 89–10 money will take the place of Public Law 874 funds we fear for the financial future of the Center Joint School District.

More than 85 percent of our pupils are federally connected. I believe that none of this 85 percent could qualify for aid under a poverty program.

Should there be any reduction in Federal funds for these federally connected children our education programs would be seriously handicapped. If the funds for children whose parents work on but live off Federal property are further restricted we would still be in trouble.

Please consider our problem when you study any legislation which would eliminate or limit Public Law 874 money.

Sincerely yours,

AUSTIN G. HUNT.

Mr. FANNIN. Mr. President, the drastic cuts proposed in the budget to finance Public Law 874 represent an unconscionable case of misplaced emphasis and unwise judgment.

The reduction would hit particularly hard in my State of Arizona because of the Federal Government's long-standing position as the dominant landlord in the State.

Arizona has been one of the fastest growing States in the Union for more than a decade. This growth is partly explained by an increase in Federal activity—both directly by the expansion of defense installations near our population centers, and indirectly by increased employment in defense-oriented industries.

State tax resources to support public education have been strained to the breaking point by Federal preemption. Why make the schoolchildren of our country the innocent victims when so many other more legitimate targets are available if the administration is really concerned about economy?

I, like many of my colleagues, am firmly opposed to this unjustified budget reduction, and to illustrate the effect it would have in Arizona, I ask permission to have the following table appear at this point. This table printed for the Committee on Labor and Public Welfare, of which I am a member, shows the effects of the proposed amendments to Public Law 874 upon participating school districts in the State of Arizona.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

School districts affected by proposed amendments to Public Law 874 by State, and by congressional district, within State

ARIZONA

Name of school district	Congressional district	1967 estimated entitlements under Public Law 874	Estimated entitlements under proposed amendments to Public Law 874 in fiscal year 1967 budget
Isaac School District No. 5, Maricopa	1	$25, 277	0
Williams Air Force Base Accommodation School District, Maricopa	1	195, 823	$135, 754
Litchfield School District No. 79, Maricopa	1	16, 085	5, 018
Mesa High School District No. 207, Maricopa	1	92, 750	17, 005
Mesa Elementary School District No. 4, Maricopa	1	147, 573	21, 349
Glendale Elementary School District No. 40, Maricopa	1	62, 936	13, 776
Agua Fria Union High School District, Maricopa	1	28, 300	16, 137
Gila Bend School District No. 24, Maricopa	1	20, 170	8, 849
Chandler High School District, Maricopa	1	59, 056	25, 469
Chandler Elementary School District No. 80, Maricopa	1	46, 468	16, 696
Avondale School District No. 44, Maricopa	1	60, 256	32, 388
Cartwright School District No. 83, Maricopa	1	126, 894	40, 142
Glendale Union High School District No. 205, Maricopa	1	71, 267	0
Maricopa County Accommodation Schools, Maricopa	1	5, 617	3, 832
Union School District No. 62, Maricopa	1	12, 383	7, 846
Gila Bend High School District, Maricopa	1	8, 263	3, 991
Leveen Elementary School District No. 59, Maricopa	1	9, 829	0
Pendergast School District No. 92, Maricopa	1	4, 979	2, 281
Fowler Elementary School District No. 45, Maricopa	1	2, 809	92
Dysart School District No. 89 of Maricopa County, Maricopa	1	221, 226	141, 411
Alhambra School District No. 68, Maricopa	1	53, 873	0
Dysart High School District No. 218 of Maricopa County, Maricopa	1	61, 764	44, 768
Littleton School District No. 65, Maricopa	1	4, 085	0
Gilbert Elementary School District No. 41, Maricopa	1	7, 277	548
Congressional district total	------	1, 344, 850	537, 352
Sunnyside Elementary School District No. 12, Pima	2	81, 191	32, 570
Antelope Union High School District, Yuma	2	2, 272	174
Yuma County School District No. 27, Yuma	2	154, 974	100, 082
Indian Oasis School District No. 40, Pima	2	77, 231	26, 389
School District No. 1, Pima	2	1, 006, 535	449, 508
Tucson High School District, Pima	2	396, 078	148, 847
Amphitheater High School District No. 4, Pima	2	20, 864	0
Northern Yuma High School District, Yuma	2	$63, 004	$45, 289
Amphitheater Elementary School District No. 10, Pima	2	20, 681	0
Fort Huachuca Accommodation Schools, Cochise	2	449, 601	311, 650
Wellton Elementary School District No. 24, Yuma	2	10, 340	4, 014
Yuma School District No. 1, Yuma	2	225, 828	94, 973
Yuma Union High School District, Yuma	2	108, 449	47, 197
Crane School District No. 13, Yuma	2	25, 787	11, 952
Buena Elementary School District No. 68, Cochise	2	120, 383	78, 551
Palominas School District No. 49, Cochise	2	3, 957	1, 916
Tombstone School District No. 1, Cochise	2	32, 043	19, 797
Bisbee School District No. 2, Cochise	2	14, 681	0
Bisbee High School District, Cochise	2	13, 014	2. 776
Douglas School District No. 27, Cochise	2	25, 149	1, 278
Benson Elementary School District No. 9, Cochise	2	10, 468	3, 558
Sonoita School District No. 25, Santa Cruz	2	1, 660	912
Patagonia Union High School District, Santa Cruz	2	4, 751	1, 562
Sunnyside High School District No. 12, Pima	2	40, 488	16, 311
Nogales School District No. 1, Santa Cruz	2	12, 638	0
Nogales High School District No. 1, Santa Cruz	2	9, 296	1. 218
Benson Union High School District No. 9, Cochise	2	8, 883	4, 335
Naco School District No. 23, Cochise	2	3, 319	821
Florence Elementary School District No. 1, Pinal	2	4, 213	0
Flowing Wells School District No. 8, Pima	2	21, 958	1, 916
Flowing Wells High School District No. 8, Pima	2	11, 774	868
Douglas High School District, Cochise	2	7, 437	0
Stanfield Elementary School District No. 24, Pinal	2	6, 893	0
Casa Grande Union High School District, Pinal	2	39, 455	18, 393
Maricopa Elementary School District No. 20, Pinal	2	14, 170	7, 663
Buena High School District, Cochise	2	183, 228	137, 947
Coolidge Elementary School District No. 21, Pinal	2	48, 637	15, 692
Sacaton Elementary School District No. 18, Pinal	2	45, 318	30, 198
Coolidge High School District No. 84, Pinal	2	34, 084	15, 270
Tombstone High School District, Cochise	2	16, 939	12, 319
Apache Junction Elementary School District, Pinal	2	3, 702	912
Florence Union High School District, Pinal	2	4, 751	0
Somerton School District No. 11, Yuma	2	8, 553	1, 186

School districts affected by proposed amendments to Public Law 874 by State, and by congressional district, within State—Continued

ARIZONA

Name of school district	Congressional district	1967 estimated entitlements under Public Law 874	Estimated entitlements under proposed amendments to Public Law 874 in fiscal year 1967 budget
Eleven Mile Corner Accommodation School, Pinal	2	$12,000	$7,481
Ajo School District No. 15, Pima	2	8,553	0
Mount Lemmon Accommodation School District, Pima	2	8,042	5,100
Congressional district total		3,423,272	1,660,634
Bullhead City Elementary School District No. 15, Mohave	3	9,447	5,657
Window Rock School District No. 8, Apache	3	432,751	150,130
Mohave County Union High School District, Mohave	3	14,873	2,082
Roosevelt School District No. 3, Gila	3	5,745	3,741
Flagstaff School District No. 1, Coconino	3	94,977	13,138
Grand Canyon School District No. 4, Coconino	3	49,786	33,026
Tuba City Elementary School District No. 15, Coconino	3	230,545	154,183
Whiteriver School District No. 20, Navajo	3	196,206	134,659
Holbrook Elementary School District No. 3, Navajo	3	13,404	1,642
Holbrook High School District No. 3, Navajo	3	7,643	1,389
Keams Canyon Elementary School District No. 25, Navajo	3	40,084	27,187
Williams School District No. 2, Coconino	3	4,851	92
Winslow High School District, Navajo	3	7,230	0
Williams High School District, Coconino	3	4,958	2,082
Winslow Elementary School District No. 1, Navajo	3	15,447	0
McNary School District No. 23, Apache	3	91,629	61,126
Fredonia Public Elementary School District, Coconino	3	18,128	10,674
Fredonia High School District, Coconino	3	10,742	6,941
Page Accommodation School, Coconino	3	139,528	46,718
Alchesay High School District, Navajo	3	65,276	52,403
Prescott High School District No. 1, Yavapai	3	29,540	10,932
Yavapai County School District No. 1, Yavapai	3	35,362	7,481
Ganado School District No. 19, Apache	3	236,928	82,711
Kayenta Elementary School District No. 27, Navajo	3	126,634	86,124
Tanque Verde School District No. 13, Pima	3	$3,191	$280
Chinle Elementary School District No. 24, Apache	3	356,668	122,994
Tuba City High School District, Coconino	3	109,689	86,066
Puerco School District No. 18, Apache	3	76,083	49,995
Payson School District No. 10, Gila	3	20,936	12,316
Young Elementary School District No. 5, Gila	3	41,360	14,547
Rice School District No. 20, Gila	3	180,887	121,248
Camp Verde School District No. 28, Yavapai	3	14,170	6,843
Camp Verde High School District No. 28, Yavapai	3	6,197	2,429
Show Low Elementary School District No. 10, Navajo	3	8,553	3,193
Apache County High School District, Apache	3	77,464	52,749
Fort Thomas Common School District No. 7, Graham	3	65,998	44,701
Fort Thomas High School District No. 7, Graham	3	26,234	20,475
Safford School District No. 1, Graham	3	12,766	0
Overgaard School District No. 31, Navajo	3	8,043	4,927
Alpine School District No. 7, Apache	3	2,808	1,642
Peach Springs School District No. 8, Mohave	3	29,871	19,880
Moccasin School District No. 10, Mohave	3	3,702	2,281
Payson High School District, Gila	3	12,601	8,156
Monument Valley High School District No. 27, Navajo	3	59,286	48,238
Springerville School District No. 2, Apache	3	7,404	4,014
Snowflake Union High School District, Navajo	3	9,296	1,908
St. Johns School District No. 1, Apache	3	2,447	0
Chevelon Butte School District No. 5, Coconino	3	9,064	6,112
Safford High School District, Graham	3	8,883	347
Pinetop Lakeside Elementary School District No. 32, Navajo	3	21,702	12,772
Pinetop Lakeside High School District No. 32, Navajo	3	14,047	10,064
Klondyke School District No. 9, Graham	3	2,043	1,278
Congressional district total		3,074,007	1,553,586
Total, Arizona		7,842,129	3,751,572

Mr. CLARK. Mr. President, because of a meeting of the Foreign Relations Committee at which the Vice President appeared to report in some detail on his recent trip to the Far East, I was unable to participate with Senators on the Subcommittee on Education in the most interesting discussion which I understand they had on the floor of the Senate this afternoon.

However, I would like to comment briefly on the educational proposals of the President, as incorporated in his message of March 1 on domestic health and education.

First, I regret the cutbacks in what we had hoped would be the request for authorization and appropriation for education from grade school through graduate school made by the President, the cuts being due to the economic situation in connection with our budget and the war in Vietnam.

Nevertheless, I certainly support the recommendations of the President in principle, if not in amount, dealing with the subject of expanding the Headstart program for preschool children, a program which has been conspicuously successful and I hope would grow and grow in years to come if we go ahead with the program.

I am in accord with his suggestion of strengthening the Secondary and Elementary Education Act of 1965 in the ways which he suggests in his message, with some qualification with respect to the necessity for raising from $2,000 to $3,000 the family income formula for allocating aid to education for the disadvantaged commencing in fiscal 1968.

On this subject I have a perfectly open mind but I would like to consider the matter further before stating in public my concurrence with the President's view.

Similarly, the President's concern with higher education is shared by me. I am a little worried about the recommended loan fund provision on the ground that if it is adopted, while we will save the Government some money we may have interest rates on loans to disadvantaged young people, who need to borrow money to go to college, being run up far beyond necessary since they will be financed by private banks, although guaranteed by the Government, and not made by the Government itself.

I am also of the view that we should be expanding our scholarship program.

I see in the Chamber the able Senator from Indiana [Mr. HARTKE] who was really responsible for the great assistance given to higher education which was finally incorporated in the education acts we passed last year.

Similarly, I strongly support the President's recommendations to improve the Nation's libraries.

Again, I regret that the vicissitudes of the budget and the war in Vietnam have resulted in some cutbacks in these programs, which I think we, in a more perfect world, should be moving ahead with far more rapidity.

There are, however, two areas in the education field where I would like to make comment. With respect to Public Law 874, the aid to impacted areas, under existing law, Pennsylvania would receive $7.9 million under this provision; with the proposed amendments, Pennsylvania's entitlement would drop to $1.6 million, or a loss of $6.3 million. Philadelphia would go from $3.3 million to $50,000, and Harrisburg from $250,000 to $80,000.

To me this is a gross inequity which no formula can justify. I shall do what I can to restore to the cities of my Commonwealth the authorization and appropriation that they received under the 1965 act.

Secondly, with respect to National Defense Education Act loans to students, the proposal would shift the National Defense Education Act student loan program to a subsidized loan guarantee program administered through banks.

I adverted to that a moment ago. It would cut new obligational authority $180 million.

In spite of loan guarantees, banks will probably have difficulty assuring loans to all worthy students at present because of the tight money market. A tight money market means higher interest.

This may have been recognized by the President, who in his message said:

> I am proposing an orderly transition to the new student loan program so that no eligible student will be deprived of the needed financial assistance, and I will ask for the necessary funds to accomplish this purpose.

This proposal means there will be a medium-sized cut. Pennsylvania was allocated $10.6 million in the current fiscal year. In recent years it spent all of its allocation.

I shall do my best to see that that allocation is not cut.

In this connection, I ask unanimous consent that there may be printed at this point in the RECORD the form letter which I have been sending to constituents who are concerned about the cuts in Public Law 874; also a form letter, in this instance directed to the Very Reverend William F. Maloney, S.J., president, St. Joseph's College, Philadelphia, Pa., concerning the President's plan to shift the program into a new program of federally guaranteed private loans, about which I spoke a moment ago; and finally, a letter that I received from Eric A. Walker, president of the Pennsylvania State University, which is our Pennsylvania land-grant college, protesting some cuts proposed in the budget to the land-grant colleges, which again I will do my best to oppose.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

DEAR ———: Thank you for your communication regarding Public Law 874.

The cuts in Public Law 874 recommended in the President's Budget are causing great concern among many members of Congress. As a member of the Subcommittee on Education of the Senate Committee on Labor and Public Welfare, my colleagues and I will give very careful scrutiny to the administration's justification for its actions. The initial response that the money saved is being channeled into title I of the Elementary and Secondary Education Act seems weak since there is no necessary correlation between the school districts receiving funds under these acts.

Until such time as we have developed general aid to education which will assist all school districts, there is need to give careful attention to see that no districts are severely handicapped by sudden and specific legislative changes.

Sincerely yours,

——— ———.

FEBRUARY 9, 1966.

The Very Reverend WILLIAM F. MALONEY, S.J.,
President, St. Joseph's College,
Philadelphia, Pa.

DEAR FATHER MALONEY: Thank you for your telegram of February 2.

The President's plan to shift the National Defense Education Act loan programs into a new program of federally guaranteed private loans is also causing great concern among many Members of Congress. As a member of the Subcommittee on Education of the Senate Committee on Labor and Public Welfare, I will be giving careful consideration to the administration's proposals in this area. I am sure that a new program will not be adopted by Congress unless we have assurance from both the administration and the private banking community that they are willing and able to provide the needed funds to assure loans to low-income students.

Sincerely yours,

JOSEPH S. CLARK.

THE PENNSYLVANIA STATE UNIVERSITY,
University Park, Pa., February 11, 1966.

Hon. JOSEPH S. CLARK,
Senate Office Building,
Washington, D.C.

DEAR JOE: The Federal Government does some stupid things at times but I have one that takes real genius to perform. Do you know that the new budget as submitted by the administration cuts the funds available to the land-grant colleges by some $20 million?

Actually, the proposed legislation will cut the land-grant teaching funds by about $12 million, the agricultural research funds by $8½ million, and $10 million of the extension service funds will be changed from the present basis to a new and more uncomfortable one. If the legislation goes through, it will cost Penn State about one-half million dollars. It will mean that we will cut back on the teaching of students, probably have to fire some faculty, and reduce the salaries of others. Obviously, I cannot go to the State and ask them to make up the deficiency at this late date, and I doubt if the State would do it anyway.

The irony of all this is that the administration seems to be pumping funds into education in many directions and is determined to put through a new Great Society program. Yet it chops the foundation from under one of the elements that the Federal Government has been supporting for almost a century.

I don't think that the administration can be this stupid. I must believe that it is an oversight or an error which the Congress will hasten to correct. I hope I can count on your support in getting the matter corrected.

Sincerely yours,

ERIC A. WALKER.

UNITED STATES SHOULD CLOSE "MLF" LOOPHOLE IN TREATY TO STOP SPREAD OF NUCLEAR WEAPONS

Mr. CLARK. Mr. President, in an item in yesterday morning's Washington Post it is reported that United Nations Ambassador Arthur Goldberg is to fly to London today for 3 or 4 days of talks, and that he may then possibly proceed to Geneva where the 17-nation disarmament talks are in progress.

No indication of the purpose of this trip to Geneva is given, but one may hope that it is to add his strength to the skillful and effective negotiating team headed by Mr. William Foster, Director of Arms Control and Disarmament, in an effort to break the deadlock which is attempting to block progress toward a treaty to halt the proliferation of nuclear weapons.

If there is anyone who can help break that deadlock and help Mr. Foster, I am confident it is he. But we would be deluding ourselves to think that even Ambassador Goldberg, with all his skill and persuasiveness, could induce the Soviets to sign a treaty which leaves a gaping loophole for an "MLF" or some other nuclear sharing device which would permit the West Germans to get their finger nearer the nuclear trigger.

Until we sit down and rewrite our draft treaty to close this loophole, we will not have a prayer of getting an agreement with Russia.

As I said on the floor of the Senate during the debate on the Pastore resolution, this is the real issue. It is not just a matter of being against the spread of nuclear weapons. That is about as controversial as being against sin and in favor of motherhood.

I find it hard to understand why the zealots in the middle levels of the State Department, who have continually blocked a nonproliferation treaty by their persistent advocacy of an "MLF," cling to this half-baked plan. I think there is fairly general agreement in the Senate that this is a "nutty idea"—to borrow the words used by Senator PASTORE. No one seriously believes that any "MLF" will ever come into being. Why not kill it once and for all by rewriting our draft nonproliferation treaty to close this loophole, and then, hopefully, getting the Soviets to sign on the dotted line?

I have information from Geneva which convinces me that the Soviets are seriously interested in a nonproliferation treaty, and that the major obstacle to the consummation of such a treaty is the insistence by the Department of State on "MLF."

If Ambassador Goldberg's mission is to try to break the nonproliferation treaty deadlock, as I hope it is, the administration should give him the authority to resolve the key issue—the issue of "MLF"—in a way which would at least give us some ground to hope for a successful negotiation. I hope the Ambassador will be given the power to close the "MLF" loophole, so that we can move ahead on what, to my way of thinking, is one of the most important issues concerning the world today: How can we stop the further spread of nuclear weapons?

Mr. President, I suggest the absence of a quorum, only because it is my understanding that the Senator from Indiana desires to speak before the Senate adjourns.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HARTKE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE PRESIDENT'S MESSAGE ON EDUCATION

Mr. HARTKE. Mr. President, I should like to comment briefly on the education message sent to Congress by the President. I intend to comment on it at length at a later time.

I should like to say in the presence of the Senator from Pennsylvania [Mr. CLARK] that no Member of the Senate has contributed more than he to the education of young people and has consistently over the years supported efforts to make education not alone available to everyone but available in quantity and quality of the type necessary for the development of an educated United States of America.

Mr. CLARK. I thank the Senator from Indiana for his kind words, but he has done much more than I have.

ADULT EDUCATION ACT OF 1966

Mr. HARTKE. Mr. President, I wish to speak for a few minutes about the Adult Education Act of 1966.

On May 10, 1965, I addressed the New York Association of Public School Adult

Educators, and in the course of my remarks I said:

> We must, and we can, mount an increasing attack upon the lack of educational background among adults as well as our youth. The need is there, the response is waiting to be encouraged, and the tools are available for improving adult education. Therefore, I believe, as a step forward to supplement the lift we are giving by Federal action in both the elementary and the higher education fields, we must plan now to attack with equal vigor the task as soon as possible to offer a bill spelling out the means whereby the Federal Government can aid in developing such a pattern generally throughout the Nation.

Today I am happy to introduce, on behalf of myself, Senator RANDOLPH, Senator BAYH, Senator NEUBERGER, Senator McGEE, Senator YARBOROUGH, Senator MOSS, Senator METCALF, Senator INOUYE, Senator FONG, and Senator MONTOYA, the bill that I promised then, the Adult Education Act of 1966.

Mr. President, I deeply regret that the President's message did not include such a program, but most of the provisions of this bill have been worked out in conjunction with the Office of Education of the Department of Health, Education, and Welfare.

We are all aware of the increased necessity for adequate education today. We are making forward strides in education through a variety of Federal efforts, combined with the improvement of education by States, communities, and private institutions. Increasingly we are seeing those who formerly would have been grade-school dropouts go on to high school, high school dropouts finishing their course, and many added thousands eagerly seeking college.

But while we have the Elementary and Secondary Education Act and the Higher Education Act, of which I was the original sponsor, and the enthusiastic support for which I see, at this time, at least, somewhat dampened, I hope we shall have an authorization of funds, followed by appropriations, because I think the difficulties can be worked out; and while we have Headstart for the toddler, and new graduate programs for the doctoral candidate, there is one area of need which remains a challenging frontier of education for our next attention. That is the field of adult education, and it is to that field that I direct my bill and invite your attention.

In the years 1953–63, jobs filled by high school graduates rose 30 percent, while jobs for those with only elementary education decreased by 25 percent. Other figures based on a 1963 report of the Office of Education show that persons 18 years and older who have not completed high school make up 46 percent of the labor force, but a disproportionate 64 percent of the unemployed. At the same time, 93 percent of professional and technical workers, have at least high school graduation, and 27 percent have more than a college degree. The unemployment rate of 1.7 percent can hardly be improved.

When the 1960 census was taken, 23 million adults over 25 had not completed 8 years of school, and 55 million had not completed high school. As the age level increases, so do the proportionate number of those who are undereducated.

I need not belabor the point, since we are all quite conscious of the situation. But we are not so conscious of the challenge and opportunity for expanding our educational system to the Nation's adults as we have been of the need for upgrading our youth before they reach life as adults.

Actually, elementary, secondary, and adult education are interdependent. The growing extent of adult education through the public school system is not generally comprehended. But neither is the scope and magnitude of the adult education task generally recognized as yet, either.

I quote from the report of the Senate Subcommittee on Employment and Manpower, of which the distinguished Senator from Pennsylvania [Mr. CLARK] is the chairman, issued in April 1964.

> Yet, of 15,200 school systems studied by the Office of Education, only 4,840 reported any type of adult education programs. Only 160, or 3.3 percent, offered any instruction whatsoever in adult basic education. Of 23 million educationally deprived adults, only 47,500 were being taught basic literacy skills and only 1.1 percent of the limited number of adult education courses offered such training. For the older worker who was deprived of educational opportunity in his youth, the Nation as a whole simply has no educational system.

It is the purpose of this bill to help develop and improve what should be a great national effort to provide through the public schools an educational supplement for all persons over the age of 18 years.

It can be done. Some school systems are doing it. The report to which I have referred cites as an example the fact that the city of Los Angeles operates 27 adult schools with 100 branches, and 66,000 enrolled students in 1964. These schools in 1963 issued 2,130 high school diplomas, nearly a thousand of them to persons who had previously been dropouts of the Los Angeles public school system.

To look on the extent of such activity, put the statistics cited in the subcommittee report in another light and we can see that the 4,840 schools with some type of adult education program comprise nearly a third of the 15,200 studied. In communities of more than 2,500 population there are adult education programs in 63.5 percent of the schools. Altogether, some 3,500,000 adults attend some sort of classes or program activities offered by public schools, so that 1 in 12 students attending public school is an adult.

What kind of work are these adults taking?

Nearly half a million—449,000—are finishing elementary or high school in public school adult classes.

Nearly twice as many—932,000—attend public school business, trade, industrial and technical courses; 171,000 are in Americanization classes, which have a long history going back to the genesis of adult education, preparing for the rights and responsibilities of citizenship.

Another 73,400 adults are joining in civic and public affairs activities organized by the public schools—hearing talks on local, national, and international problems; reading about and discussing history, economics, and politics.

Parent education classes enroll about 132,000 men and women.

Attendance at homemaking and consumer education classes is 459,000.

Classes in personal development and group relationships reach 71,000.

These are obviously not always the same kinds of curriculums with which we teach the young in these same schools. Nor is it desirable that they should be, for adult education is not necessarily the same as education for children and youth.

The bill I am offering makes room for, and indeed invites, the educational upgrading of adults, the enrichment of their lives for the facing of life's problems, on both of the levels which are discernible in the figures I have given. There is provision for meeting the accepted standards of formal education which they have missed, and part of the support provided for public school adult education is directed toward the large group. But there is also specific opportunity afforded for other adults, as well as these, regardless of the level of formal educational attainment, to participate in "supplemental adult education" which is defined as: "a program of instruction and services for adults designed to enable them to overcome English language limitations, to improve their basic education in preparation for occupational training and more profitable employment, or to become more productive and responsible citizens, and such programs may include citizenship training, parent education, and consumer education."

In addition to "supplemental adult education" the bill is also designed: "to encourage and expand educational programs for adults who have not completed secondary school or otherwise achieved an equivalent level of education."

This goes beyond the current concept of basic adult education as confined to the elementary school level. There is no reason why, in today's world, we should not consider high school completion or its equivalent as the norm and, therefore, as properly included in adult basic education. For this reason, the bill makes such a definition, including within the term: "a program of instruction and services for adults who do not have a certificate of graduation from a school providing secondary education or who have not achieved an equivalent level of education."

Under the concept of this bill, these two—adult basic education and supplemental adult education—are not mutually exclusive. There is no requirement that in order to take a course in consumer education for instance, the adult who thus participates in the supplemental program must have first completed the basic education leading to a high school diploma or equivalency.

Neither does the bill specify more than broad authority for any specific curriculums. Authority for operating the programs which the bill encourages remains with the local school systems, operating under State agencies which now furnish their coordination and guidelines.

In short, here we are retaining the same successful structure that we work through in the Federal relationship to elementary and secondary education, using the public schools to provide the mechanism—already largely in existence in many respects—for a great expansion of adult education.

I might add that to strengthen public school adult education in the way my bill will do does not in any sense take away from other agencies of adult education, or from broader or more specialized programs which they provide. After all, the comprehensive study of adult education of all kinds in the United States, reported in 1963 after a year's work and more by the National Opinion Research Center of the University of Chicago, showed that public school adult education is only a fraction of the total. That study said:

> Twenty-five million adult Americans (better than 1 in 5) were active within some educational category between June 1961 and June 1962, and over 23 million were active other than as full time students. These numbers are roughly equivalent to the total number of paid attendances at major league baseball games during a season * * * and constitute considerably more Americans than have their teeth cleaned by a dentist over a period of a year.

While the total number securing adult education through elementary and secondary schools was 1,920,000, other institutions outranking the public school system in numbers of adults served across the broad spectrum of adult education were: churches and synagogues, 3,460,000; colleges and universities, 3,440,000; community organizations, 2,450,000; business and industry, 2,040,000. Private schools furnished some adult education to another 1,220,000; government to 1,180,000; and the Armed Forces to 580,000.

I am not talking about these other agencies, but only about the greater use of our vast public school system, which perhaps should be close to the head of the list if not leading it. I say this because one showing of the NORC study is that the vast preponderance of those engaged in much adult education are those who are already among the better educated. I believe that a strengthened program through the public schools offers the best possibility of reaching those who are undereducated, where they are attracted by the opportunity to take supplemental adult education courses which will help them meet better the problems facing the adult in the adult world of home and community.

We need other agencies and programs in adult education. But for a first Federal effort to strengthen the Nation's resources here, the most promising and appropriate tool is the public school system.

One of the problems often facing public adult education is that of sufficient space. This is not so much a problem with an evening program, when the schools are available without conflict with the boys and girls who study there in school hours. But experience shows that as many as 20 percent of those who would like to take adult education courses are faced with the need to do so in the daytime. These are housewives, whose children's absence leaves them free, as they are not in the evening; and great numbers of night shift workers. Consequently, there is a need for more space within the public school system for adult education daytime use.

My bill meets this chronic problem not by offering funds for new construction but by allowing the use of funds for leasing space. This might be in the educational buildings of churches, which are often idle during the week and yet are frequently well equipped for such work; or in union halls, or whatever other facilities may be available and suitable. As public school adult education expands, more buildings will doubtless occur, but the bill meets the immediate need here.

Funds authorized by the bill for a 3-year program would be available for any State, contingent upon approval of its proffered plan by the Commissioner of Education. The Commissioner would be assisted by the Advisory Council, but actual operational responsibility, of course, would be that of each local community through its own system.

The State plan, in order to be approved, must set out a program to assure "substantial progress with respect to all segments of the adult population and all areas of the State," under administration by the State educational agency. This bill is not intended to provide help for the big cities alone, but to create an integrated adult program throughout the entire public school system as equitably as possible, without regard to geography, economic, or other individual characteristics. The aim is to encourage extension of free public education for our children; to free continuing education for their parents; and to meet more adequately the basic educational deficiencies they hold as well.

In conclusion, I call attention to two other provisions of the bill which might escape notice. One changes the definition of "adult" for educational purposes from the 25 years used by the Census Bureau to the realistic figure of 18 years. The other change, through the provision of section 16, takes away from the Office of Economic Opportunity responsibility for its present basic adult education program and puts it under the Office of Education through this bill, a measure which is desirable and which I understand is quite agreeable to those agencies.

I emphasize that this bill is the result of a long-term effort and of a great deal of consultation. Those consulted in considerable detail include the National Education Association and especially one of its constituents, the National Association for Public School Adult Education; the Adult Education Association; and individual experts in the field of adult education both in and out of government. The National Education Association has made the following statement on this bill:

STATEMENT ON THE ADULT EDUCATION ACT OF 1966 BY THE NATIONAL EDUCATION ASSOCIATION

The purpose of the Adult Education Act of 1966 is to encourage and expand educational programs for adults who have not completed secondary school or otherwise achieved an equivalent level of education and to expand supplemental educational programs for adults to enable them to overcome English language limitations, to improve their basic education in preparation for occupational training and more profitable employment and to become more productive and responsible citizens.

The platform of the National Education Association sets forth the principles of the association. The platform then states:

"In order to give effect to these principles, the National Education Association seeks the following policies and goals:

"1. Educational opportunity for all:

"(f) Provision for adults to participate in organized instructional programs."

The association is committed to the provision of Federal funds for education through the educational agencies of the States and for State determination of its programs. This proposal maintains this principle in its provisions.

The proposal also provides for the training of teachers for adult teaching with appropriate stipends and allowances, which is consistent with the policy of the association.

The prohibition of Federal control in the proposal is also in accord with the policy of the National Education Association.

Since the proposal in its purpose and provisions is in accord and consistent with the principles, policies and goals of the association, our wholehearted support of the measure is assured, and we will hope for its early enactment.

I would like further to point out that section 11, which I have not previously alluded to, is a very important section headed "Teacher Training Projects." Separate authorization is made for this purpose, in order that the Commissioner may provide training for persons engaged in, or preparing to engage in, teaching in adult educational programs provided for under the bill. There is a great need for such specialized training within the field of adult education.

The authorizations called for have been fixed in the bill, not capriciously, but after making the best judgment possible on the basis of the view of experts in the field. The basic adult education program will take more than triple the amount provided for the supplemental adult education program, as it properly should. Ideally, the basic program should make it possible for every adult with the desire to do so to meet the requirements of a high school diploma or its equivalency.

This, it should be noted, will depend on the procedures which the individual States determine. It allows them, as all but four States now do, to use such means as the general educational development test as a basis for awarding certificates of high school equivalency, and to continue the practice of some States of making no distinction between the two.

I ask unanimous consent that the text of the bill may appear in the CONGRESSIONAL RECORD, and that it may be held at the desk for cosponsors until the close of business Friday, March 11.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD, and held at the desk, as requested by the Senator from Indiana.

The bill (S. 3012) to provide grants to the States for the strengthening of adult

educational programs, introduced by Mr. HARTKE (for himself and other Senators), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 3012

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Adult Education Act of 1966".

STATEMENT OF PURPOSE

SEC. 2. It is the purpose of this Act to encourage and expand educational programs for adults who have not completed secondary school or otherwise achieved an equivalent level of education, and to encourage and expand supplemental educational programs for adults to enable them to overcome English language limitations, to improve their basic education in preparation for occupational training and more profitable employment and to become more productive and responsible citizens.

DEFINITIONS

SEC. 3. As used in this Act—

(a) The term "adult" means any individual who has attained the age of eighteen.

(b) The term "adult basic education" means a program of instruction and services for adults who do not have a certificate of graduation from a school providing secondary education or who have not achieved an equivalent level of education.

(c) The term "supplemental adult education" means a program of instruction and services for adults designed to enable them to overcome English language limitations, to improve their basic education in preparation for occupational training and more profitable employment, or to become more productive and responsible citizens, and such program may include citizenship training, parent education, and consumer education.

(d) The term "Commissioner" means the Commissioner of Education.

(e) The term "local educational agency" means a public board of education or other public authority legally constituted within a State for either administrative control or direction of public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a State, or such combination of school districts or counties as are recognized in a State as an administrative agency for its public elementary or secondary schools; except that if there is a separate board or other legally constituted local authority having administrative control and direction of adult basic education in public schools therein, such term means such other board or authority.

(f) The term "State" includes in addition to the several States of the Union the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, and the Virgin Islands.

(g) The term "State educational agency" means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary and secondary schools, or if there is a separate State agency or officer primarily responsible for supervision of adult basic education in public schools then such agency or officer may be designated for the purposes of this Act by the Governor or by State law. If no agency or officer qualifies under the preceding sentence, such term shall mean an appropriate agency or officer designated for the purposes of this Act by the Governor.

GRANTS TO THE STATE FOR ADULT BASIC EDUCATION

SEC. 4. From sums appropriated pursuant to section 15(a) the Commissioner is authorized to make grants to States, which have State plans approved by him under section 8 for the purposes of this section, to pay the Federal share of the cost of—

(1) the establishment or expansion of adult basic education programs to be carried out in public schools or other facilities by local educational agencies;

(2) leasing facilities where necessary for such programs; and

(3) the development or improvement of technical or supervisory services by the State educational agency relating to such programs.

GRANTS TO STATES FOR SUPPLEMENTAL ADULT EDUCATION

SEC. 5. From sums appropriated pursuant to section 15(b) the Commissioner is authorized to make grants to States, which have State plans approved by him under section 8 for the purposes of this section, to pay the Federal share of the cost of the establishment or expansion of supplemental adult educational programs to be carried out by local educational agencies.

ALLOTMENTS FOR ADULT BASIC EDUCATION

SEC. 6. (a) From sums appropriated pursuant to section 15(a) for any fiscal year, the Commissioner shall reserve such amount, but not in excess of 2 per centum thereof, as he may determine, and shall allot such amount among Puerto Rico, Guam, American Samoa, and the Virgin Islands according to their respective needs for assistance under such section. From the remainder of such sums he shall allot to each State an amount which bears the same ratio to such remainder as the number of adults in the State who do not have a certificate of graduation from a school providing secondary education or its equivalent bears to the number of such adults in all States, as determined by the Commissioner on the basis of the best and most recent information available to him, including any relevant data furnished to him by the Department of Commerce.

(b) The portion of any State's allotment under subsection (a) for a fiscal year which the Commissioner determines will not be required, for the period such allotment is available, for carrying out the portion of the State plan relating to adult basic education (if any) approved under this Act shall be available for reallotment from time to time, on such dates during such period as the Commissioner may fix, to other States in proportion to the original allotments to such States under subsection (a) for such year, but with such proportionate amount for any of such other States being reduced to the extent it exceeds the sum which the Commissioner estimates such State needs and will be able to use for such period for carrying out such portion of its State plan approved under this Act; and the total of such reductions shall be similarly reallocated among the States whose proportionate amounts are not so reduced. Any amount reallotted to a State under this subsection during a year shall be deemed part of its allotment under subsection (a) for such year.

ALLOTMENTS FOR SUPPLEMENTAL ADULT EDUCATION

SEC. 7. (a) From sums appropriated for grants to States pursuant to section 15(b) for any fiscal year, the Commissioner shall reserve such amount, but not in excess of 2 per centum thereof, as he may determine, and shall allot such amount among Puerto Rico, Guam, American Samoa, and the Virgin Islands according to their respective needs for assistance under such section. From the remainder of such sums he shall allot to each State an amount which bears the same ratio to such remainder as the adult population of the State bears to the adult population of all States.

(b) The portion of any State's allotment under subsection (a) for a fiscal year which the Commissioner determines will not be required, for the period such allotment is available, for carrying out the portion of the State plan relating to supplemental adult education (if any) approved under this Act shall be available for reallotment from time to time, on such dates during such period as the Commissioner may fix, to other States in proportion to the original allotments to such States under subsection (a) for such year, but with such proportionate amount for any of such other States being reduced to the extent it exceeds the sum which the Commissioner estimates such State needs and will be able to use for such period for carrying out such portion of its State plan approved under this Act; and the total of such reductions shall be similarly reallocated among the States whose proportionate amounts are not so reduced. Any amount reallotted to a State under this subsection during a year shall be deemed part of its allotment under subsection (a) for such year.

STATE PLANS

SEC. 8. (a) Any State desiring to receive its allotment of Federal funds for any grant under this Act shall submit through its State educational agency a State plan. A State plan shall be in such detail as the Commissioner deems necessary, and shall—

(1) set forth a program for the use of grants, in accordance with section 4 or section 5, or both, which affords assurance of substantial progress, with respect to all segments of the adult population and all areas of the State, toward carrying out the purposes of such section 4 or 5 or both;

(2) provides for the administration of such plan by the State educational agency;

(3) provides for cooperative arrangements between the State educational agency and the State health authority authorizing the use of such health information and services for adults as may be available from such agencies and as may reasonably be necessary to enable them to benefit from the instruction provided pursuant to this Act;

(4) provides that such agency will make such reports to the Commissioner, in such form and containing such information, as may reasonably be necessary to enable the Commissioner to perform his duties under this Act and will keep such records and afford such access thereto as the Commissioner finds necessary to assure the correctness and verification of such reports;

(5) provides such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the State under this act (including such funds paid by the State to local educational agencies); and

(6) provides such further information and assurances as the Commissioner may by regulation require.

(b) The Commissioner shall not finally disapprove any State plan submitted under this act, or any modification thereof, without first affording the State educational agency reasonable notice and opportunity for a hearing.

PAYMENTS

SEC. 9. (a) Except as provided in subsection (b), the Federal share of expenditures to carry out a State plan shall be paid from a State's allotment available for grants to such State. For the fiscal year ending June 30, 1967, and for the two succeeding fiscal years the Federal share for each State shall be 50 per centum.

(b) No payments shall be made to any State from its allotment for any fiscal year unless the Commissioner finds that—

(1) in the case of grants under section 4 the amount available for expenditures by such State for adult basic education, and

(2) in the case of grants under section 5 the amount available for expenditure by such State for supplemental adult education,

from non-Federal sources for such year will be not less than the amount expended for such purposes from such sources during the preceding fiscal year.

(c) Payments to a State under this Act may be made in installments and in advance or by way of reimbursement with necessary adjustments on account of overpayments or underpayments.

OPERATION OF STATE PLANS; HEARINGS AND JUDICIAL REVIEW

Sec. 10. (a) Whenever the Commissioner after reasonable notice and opportunity for hearing to the State educational agency administering a State plan approved under this Act, finds that—

(1) the State plan has been so changed that it no longer complies with the provisions of section 8, or

(2) in the administration of the plan there is a failure to comply substantially with any such provision,

the Commissioner shall notify such State agency that no further payments will be made to the State under this Act (or in his discretion, that further payments to the State will be limited to programs under or portions of the State plan not affected by such failure), until he is satisfied that there will no longer be any failure to comply. Until he is so satisfied, no further payments may be made to such State under this Act (or payments shall be limited to programs under or portions of the State plan not affected by such failure).

(b) A State educational agency dissatisfied with a final action of the Commissioner under section 8 or subsection (a) of this section may appeal to the United States court of appeals for the circuit in which the State is located, by filing a petition with such court within sixty days after such final action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commission or any officer designated by him for that purpose. The Commissioner thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition, the court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part, temporarily or permanently, but until the filing of the record, the Commissioner may modify or set aside his order. The findings of the Commissioner as to the facts, if supported by substantial evidence, shall be conclusive, but the court, for good cause shown, may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action, and shall file in the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence. The judgment of the court affirming or setting aside, in whole or in part, any action of the Commissioner shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code. The commencement of proceedings under this subsection shall not, unless so specifically ordered by the court operate as a stay of the Commissioner's action.

TEACHER TRAINING PROJECTS

Sec. 11. From sums appropriated pursuant to section 15(c) for any fiscal year, the Commissioner is authorized to provide, or to make grants to colleges and universities, State educational agencies, local educational agencies, or other appropriate public or private nonprofit agencies or organizations to provide, training to persons engaged or preparing to engage as instructors in adult educational programs designed to carry out the purposes of this Act, with such stipends and allowances, if any (including travel and subsistence expenses), for persons undergoing such training and their dependents as the Commissioner may by regulation determine.

ADMINISTRATION

Sec. 12. (a) The Commissioner is authorized to delegate any of his functions under this Act, except the making of regulations, to any officer or employee of the Office of Education.

(b) In administering the provisions of this Act, the Commissioner is authorized to utilize the services and facilities of any agency of the Federal Government and of any other public or nonprofit agency or institution, in accordance with agreements between the Secretary and the head thereof.

FEDERAL CONTROL PROHIBITED

Sec. 13. Nothing contained in this Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution or school system, or over the selection of library resources, textbooks, or other printed or published instructional materials by any educational institution or school system.

LIMITATION

Sec. 14. Nothing contained in this Act shall be construed to authorize the making of any payment under this Act for religious worship or instruction.

APPROPRIATIONS AUTHORIZED

Sec. 15. (a) There is authorized to be appropriated $——— for the fiscal year ending June 30, 1967, $——— for the fiscal year ending June 30, 1968, and $——— for the fiscal year ending June 30, 1969 to make grants to States for adult basic educational programs under section 4.

(b) There is authorized to be appropriated $——— for the fiscal year ending June 30, 1967, $——— for the fiscal year ending June 30, 1968, and $——— for the fiscal year ending June 30, 1969 to make grants to States for supplemental adult educational programs under section 5.

(c) There is authorized to be appropriated $——— for the fiscal year ending June 30, 1967, $——— for the fiscal year ending June 30, 1968, and $——— for the fiscal year ending June 30, 1969 to provide for training projects under section 11.

THE ADVISORY COUNCIL ON ADULT EDUCATION

Sec. 16. (a) The Commissioner shall establish in the Office of Education an Advisory Council on Adult Education consisting of the Commissioner, who shall be Chairman, and ten members appointed without regard to the civil service laws, by the Commissioner with the approval of the Secretary, from among persons knowledgeable in the field of adult education and representatives of the general public.

(b) The Council shall advise the Commissioner with respect to policy matters arising in the administration of this Act and the effectiveness of the programs carried out pursuant to this Act. The Commissioner may appoint such advisory and technical experts and consultants as may be useful in carrying out the functions of the Council.

(c) Members of the Council who are not otherwise full-time employees of the United States shall, while serving on business of the Council, receive compensation at a rate to be fixed by the Secretary, but not exceeding $100 per day, including travel time; and, while so serving away from their homes or regular places of business, members may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

REPEALER

Sec. 17. Part B of title II of the Economic Opportunity Act of 1964 is repealed.

AMENDMENT OF SUBCHAPTERS S AND R OF CHAPTER I OF THE INTERNAL REVENUE CODE OF 1954

Mr. MANSFIELD. Mr. President, these matters have been cleared with both sides. I am going to ask to call up two bills and ask that they appear at an appropriate place in the Record so as not to interfere with the debate on the subject of education.

I ask unanimous consent that the Senate turn to the consideration of Calendar No. 981, H.R. 9883.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (H.R. 9883) to amend subchapter S of chapter I of the Internal Revenue Code of 1954, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Finance with amendments on page 7, line 24, after the word "corporation", to strike out "to which this subsection applies"; on page 11, after line 10, to insert:

(5) Section 46(a)(3) of such Code (relating to liability for tax for purposes of the credit for investment in certain depreciable property) is amended by striking out "or by section 541 (relating to personal holding company tax)" and inserting in lieu thereof ", section 541 (relating to personal holding company tax), or section 1378 (relating to tax on certain capital gains of subchapter S corporations)".

And, on page 13, after line 21, to insert a new section, as follows:

Sec. 4. (a) Section 1361 of the Internal Revenue Code of 1954 (relating to unincorporated business enterprises electing to be taxed as domestic corporations) is amended—

(1) by adding at the end of subsection (a) the following new sentence: "No election (other than an election referred to in subsection (f)) may be made under this subsection after the date of the enactment of this sentence.";

(2) by striking out in subsection (c) ", except as provided in subsection (m),";

(3) by striking out "subsection (f)" in subsection (e) and inserting in lieu thereof "subsections (f) and (n)";

(4) by striking out subsection (m); and

(5) by adding at the end of such section the following new subsection:

"(n) Revocation and Termination of Elections.—

"(1) Revocation.—An election under subsection (a) with respect to an unincorporated business enterprise may be revoked after the date of the enactment of this subsection by the proprietor of such enterprise or by all the partners owning an interest in such enterprise on the date on which the revocation is made. Such enterprise shall not be considered a domestic corporation for any period on or after the effective date of such revocation. A revocation under this paragraph shall be made in such manner as the Secretary or his delegate may prescribe by regulations.

"(2) Termination.—If a revocation under paragraph (1) of an election under subsection (a) with respect to any unincorporated business enterprise is not effective on or before December 31, 1968, such election shall terminate on January 1, 1969, and such enterprise shall not be considered a domestic corporation for any period on or after January 1, 1969."

(b) Effective on January 1, 1969—

(1) subchapter R of chapter 1 of such Code (relating to election of certain partnerships and proprietorships as to taxable status) is repealed;

(2) the table of subchapters for chapter 1 of such Code is amended by striking out the item relating to subchapter R; and

(3) section 1504(b) of such Code (relating to definition of includible corporation) is amended by striking out paragraph (7).

(c) The amendments made by subsections (a) (2) and (4) shall apply with respect to transactions occurring after the date of the enactment of this Act.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the committee amendments be considered en bloc.

There being no objection, the committee amendments were considered and agreed to en bloc.

Mr. MANSFIELD. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Montana will be stated.

The Legislative Clerk. It is proposed, on page 11, line 21, to strike out "Act" and insert "Act, but such amendments shall not apply with respect to sales or exchanges occurring before February 24, 1966".

Mr. MANSFIELD. Mr. President, the bill as passed by the House and as agreed to by the Finance Committee imposed a capital gains tax at the corporate level in certain instances where a subchapter S corporation realizes the gain from the sale of a capital asset in its first 3 years of operation. This tax was supposed to apply prospectively. It has come to the committee's attention that there may be instances in which this tax would have a retroactive effect. This amendment would make certain that the intent of the committee, that this provision apply prospectively only, is carried out. Under the amendment, the tax would not apply to a capital gain where the transaction involved was entered into before February 24, 1966. This is the date on which the bill was reported by the committee.

I ask that the amendment be approved and that the bill as amended be passed.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Montana.

The amendment was agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that an explanation of the bill from the report be inserted in the Record at this point.

There being no objection, the extracts (Rept. No. 1007) were ordered to be printed in the Record, as follows:

GENERAL EXPLANATION

A. Distributions after the end of the year (sec. 1 of the bill)

While the tax treatment accorded the small business corporations and their shareholders is similar to the Federal income tax treatment accorded partnerships and their partners, certain differences continue as a result of the corporate form of these organizations. For example, one of these small business corporations may have previously been taxed as a regular corporation with the result that when these earnings and profits previously earned are treated as distributed, they represent an ordinary dividend from a corporation.

The present small business corporation provision treats distributions of money made during the corporation's year as being made first out of the corporation's earnings and profits of that year. If the corporation's income for the year exceeds these actual distributions made during the year, then this remaining income is treated as if it were distributed to the shareholders on the last day of the corporation's year and taxed to the shareholders as if received by them at that time. On the other hand, if the small business corporation actually distributes more money than its income for the year, this excess amount would generally be considered as the income of the prior year or years. If the corporation had elected this "passthrough" option in the prior year, this excess amount would not be taxable to the shareholders but only if this amount had already been taken into the shareholders' income in a year prior to that in which they received the distribution.

While in most respects the rules described above as to the order of distributions have worked well, nevertheless, they have presented problems where distributions have been made shortly after the end of a year. As a practical matter, corporate officers frequently do not know the amount of the corporation's income until after its year has ended. Consequently, it is difficult to distribute the entire amount of the corporation's income within the year. (This problem has been met elsewhere in the internal revenue laws by allowing amounts distributed for a limited period after the end of a year to be treated as a distribution made during a year.) In addition, taxpayers who think of small business corporations as being taxed like partnerships fail to recognize the significance of the timing of a distribution by the corporation. In the case of a partnership, the income of the partnership is taxed to the partners, whether or not distributed, and the timing of the distribution of the partnership earnings as such makes little or no difference for tax purposes.

The effect of postponing a distribution until after the end of the year in the case of a small business corporation in some cases has little tax consequences, while in other cases it can work substantial hardships on the shareholders.

One type of situation where hardship may exist in the case of such a distribution made shortly after the end of a year arises where the shareholder is on a taxable year ending 1 month or more after that of the corporation. This can be illustrated by a corporation with the taxable year ending on November 30 and a shareholder with a taxable year ending on December 31. In such a case, if the corporation has made no distribution by November 30, each shareholdr is taxed on his proportionate share of the taxable income of the corporation for that year. If the corporation then distributes this income to the shareholders during December, the shareholder will be faced with a double inclusion of the corporation's earnings in 1 year since such a shareholder first is taxed on his share of the undistributed earnings as of November 30; then, when the actual distribution is made in the following December, it is treated as a distribution out of the earnings and profits of the corporation for that following year. Thus, this distribution, too, is taxable to the shareholder.

It is, of course, true that in the shareholder's next year he will not be taxed on the corporate earnings for that year (assuming the profits for the year do not exceed the distribution). However, because of the progressive structure of the individual income tax rates, such a shareholder may suffer a substantial detriment by having two inclusions made in 1 year with respect to what was intended to be the same corporate earnings even though he is not taxed on these corporate earnings in the following year.

Another problem has arisen because a distribution is treated as being paid out of the prior year's undistributed taxable income only when this income already has been taxed to the shareholders at the time of the actual distribution. The problem arises when the year of a shareholder, to which the undistributed taxable income is attributed for tax purposes, extends beyond that of the corporation and has not closed prior to the time of the actual distribution. (See regulations, secs. 1.1375–4(d) and 1.1375–4(g), example No. 2.) In such cases if there is no undistributed taxable income in prior years, the distribution may be treated as being paid out of earnings and profits of the corporation for years before it elected the "passthrough" treatment and therefore be treated as an ordinary dividend to the shareholder.

Problems have also arisen, whether or not the corporation and shareholders are on different years, where for one reason or another the "passthrough" election is terminated in the year in which the actual distribution is made. The problems become particularly severe where the corporation does not intend to distribute its profits of this second year. In such a case, despite this intent, the actual distribution made (which the corporation intended to be out of the earnings of the prior year) nevertheless, is treated as a dividend in the actual year of distribution. As a result, the shareholder is taxed on these amounts at this time and also is taxed on the earnings of the prior year which were undistributed at the end of that year. A number of problems of this type have occurred since 1958 in the operation of these provisions, working unintended hardships on shareholders.

Section 1 of this bill deals with this problem for the future and also provides a mechanism for the relief of those taxpayers who were misled in their understanding of the "passthrough" election in the past.

The bill provides, in the case of an electing small business corporation, that distributions of money to shareholders within 2½ months after the close of a taxable year are to be treated as distributions of the corporation's undistributed taxable income for the year just ended, to the extent that these distributions do not exceed this undistributed taxable income. This treatment is similar to that provided in the case of the accumulated earnings tax and in the case of personal holding companies. This rule is expected to afford corporations a reasonable time after the end of a year to determine how much their profit was and to distribute it to their shareholders. Yet, the period within which these distributions must be made is sufficiently short so that the shareholders can, in effect, elect to treat distributions (by waiting 2½ months) as having been made out of the current year's income without unduly delaying the distribution in order to achieve that result.

Present law (sec. 1375(e)) already permits distributions of the proceeds of a sale of capital assets to be treated as having been made on the last day of the taxable year within which the sale occurred, if the distributions are made within 2½ months after the end of that taxable year and were made pursuant to a resolution of the board of directors adopted before the end of the year in question. This treatment is available only if each shareholder owns the same proportion of the corporation's stock on the distribution date as he did on the last days of the corporation's last taxable year.

In view of the significant overlap between this existing subsection and the new subsection added by this bill, your committee agrees with the House that the retention of the existing subsection (sec. 1375(e)) is unnecessary and therefore this bill repeals this subsection. However, because corporations already may have entered into transactions intending to use this subsection, the repeal is to affect only distributions made after the close of taxable years beginning after the date of enactment of this bill. Thereafter, corporations should be able to qualify such transactions to a substantial degree under the new provision.

As has been indicated, it appears that numerous persons have misunderstood the distribution rules under existing law, assuming that the profits of an electing small business corporation could be distributed after the end of the year without tax effect in the same way as the profits of a partnership. Because of this apparently widely held misunderstanding, the bill applies the new provision described above, on an elective basis, to distributions made under similar circumstances before the enactment of this bill. Because any such application of this provision might affect adversely the tax liabilities of some shareholders, and (depending upon the circumstances of the individual case) might affect the corporation's accumulated earnings and profits, the bill requires this election to be consented to by all persons who were shareholders at any time on or after the date of the first applicable distribution, unless the Treasury Department determines that the nonconsenting shareholder's potential, and actual, tax liabilities could not be affected by the election.

Your committee also agrees with the House that it was appropriate in these cases to allow up to the ordinary time for filing individual income tax returns after the end of the year in these cases—namely, 3½, rather than 2½, months after the end of the year for these past distributions—since some such distributions apparently were not made until needed to make income tax payments for shareholders.

Elections regarding these past distributions must be made within 1 year after final regulations are published in the Federal Register.

Interest on deficiencies or overpayments resulting from elections regarding past distributions is not to be required or allowed for any period prior to 2 years after the publication of final regulations.

The bill provides that an election regarding past distributions may normally be made only as to a year that is still open. However, a credit or refund may be made for a closed year where the qualifying distributions (or the first few qualifying distributions) substantially equaled the undistributed taxable income of the corporation for its prior year. In addition a closed year may be opened for refunds if the taxpayer can show to the satisfaction of the Secretary of the Treasury or his delegate that the distributions were intended to be made out of the undistributed taxable income. Pertinent information might, for example, include a showing that the shareholders treated the distributions on their personal income tax returns as having been made out of the electing small business corporation's prior year's undistributed taxable income, a showing that the distributions approximated the shareholders' taxes on the prior year's income from the corporation, or a showing that on the corporation's tax return (as a part of the information required on the return by sec. 6037 of the code) it had treated such distributions as being made out of the prior year's undistributed taxable income.

Although it is expected that an election will not be made to apply the new provision to past distributions unless a refund will be available for the year designated in the election, other changes caused by the election might result in deficiencies for some stockholders for some of the intervening years which also may have been "closed." In order to avoid manipulation of open overpayment years against closed deficiency years, the bill provides that the statute of limitations for deficiencies for any years involved is not to expire for 1 year after the late date for filing an election under this provision.[1]

If the deficiency year would otherwise have been closed, then the deficiency may not exceed the amount attributable to an election under this provision.

If a claim for refund would not have been barred on the date of enactment of this bill but the statute of limitations would normally expire before 2 years after the final regulations on this point are published, then the years would remain open for the refund until the end of the 2 years. In this situation, the refund may not exceed the overpayment attributable to an election under the proposed new provision.

B. Avoidance of capital gains tax at corporate level (sec. 2 of the bill)

It has come to your committee's attention that the "passthrough" election has on occasion been used by corporations as a device for the avoidance of capital gains tax: A corporation in such a case arranges to have a large amount of capital gains realized in 1 year, elects the "passthrough" treatment for that year, distributes these realized capital gains, and then deliberately causes its "passthrough" status to be terminated. This avoids a capital gains tax at the corporate level and substitutes capital gains tax for an ordinary (dividend) income tax at the shareholder level. Normally, this could be done where a corporation sold its assets and completely liquidated within a 12-month period (under the provisions of sec. 337). However, by using the "passthrough" treatment the shareholders can obtain the same results without liquidating the business.

Such use of the "passthrough" treatment is contrary to the intent of Congress when it enacted this provision. It was basically intended for an operating business which for business reasons desired the corporate structure yet preferred tax treatment similar to that accorded a partnership. It was intended for an organization desiring this tax treatment at least for a number of years and certainly not for a single year as a device to avoid capital gains tax to the corporation.

This bill provides for the problem described above by adding a new provision (sec. 1378) to the tax laws imposing a tax upon the capital gains of a corporation which has elected the "passthrough" treatment under certain limited conditions. This tax is imposed only when the electing corporation has an excess of net long-term capital gain over any net short-term capital loss which exceeds its other taxable income and also exceeds $25,000.[2] In addition, where the corporation would have a loss for the year but for the excess of capital gain referred to above, the tax will apply only if the taxable income (taking into account this capital gain) is over $25,000.

Since this provision is intended to apply only in those situations where the "passthrough" treatment was elected to avoid taxes on capital gains, the tax is not to be applied in the case of corporations which have been under a "passthrough" election for at least the 3 immediate prior years. Alternatively the tax will not apply in the case of new corporations which have been in existence for less than the 3 prior years but have made the "passthrough" election for the entire period of their existence.

Where the conditions set forth above exist, a tax is to be imposed upon the electing corporation, equal to 25 percent of the excess of the net long-term capital gain over net short-term capital loss, but only to the extent this exceeds $25,000. However, the tax in no event is to exceed the tax which would have been imposed if the corporation had not elected the "passthrough."[3]

The tax imposed on an electing corporation by this provision will reduce the undistributed taxable income of the corporation and will therefore reduce the amount of income taxable to the shareholders by a like amount. As a result, the shareholders will not be required to pay a tax upon an amount which the corporation in fact paid out as its own tax. The income taxable to the shareholders, however, retains its character as capital gain.

The new provision (in sec. 1378(b)) which sets forth the tax rates, provides that credits generally are not to be allowed against the new capital gains tax imposed at the corporate level. This rule as to credits is designed to insure that the new provision will not extend to these "passthrough" corporations credits for which they would not be eligible in the absence of the special capital gains tax. This is consistent with the rule under present law, that if a corporation which has elected "passthrough" treatment would otherwise be entitled to an investment credit carryback or carryover from a year when the corporation was not subject to this "passthrough" treatment, then neither the corporation or the stockholders are permitted to receive this credit in a year when the corporation is subject to such treatment. The amount of the carryback or carryover available to be used in the next year would not be changed under present law. However, since a carryback or carryforward generally is reduced by a portion of the corporation's tax liability, and since the new provision added here would impose such a liability upon a

---

[1] A deficiency assessment is not to be barred by the statute of limitations under these circumstances even if the statute has already run by the time the election is made and even if an assessment would normally be barred on account of a court decision as to the taxpayers' income tax liability for that year or because a binding closing agreement had been entered into for that year between the taxpayer and the Internal Revenue Service. Of course, the usual limitations in sec. 6213(a) on the Government's right to assess a deficiency will continue to apply and the running of the extended period of limitation will be suspended where sec. 6503 applies.

[2] Taxable income for this purpose is computed in the same manner as for corporations generally except that no deduction is allowed for a net operating loss carryover for dividends received or for other deductions specified in secs. 241 to 247 of the code, inclusive.

[3] For this purpose the tax is computed on taxable income as defined in footnote No. 2.

"passthrough" corporation for the first time, it may be that the investment credit carryback or carryover would be reduced (in the absence of a provision to the contrary) by a portion of the special capital gains tax even though neither the corporation nor the shareholders are permitted to use the credit. To avoid this result, your committee has added a technical amendment to provide that this tax is not to be treated as a tax for purposes of determining the amount by which the investment credit carryover or carryback is reduced.

The requirement previously described, to the effect that a corporation will be subject to this special 25-percent capital gains tax unless it has elected the "passthrough" treatment for the 3 prior years, could be avoided (were no limitation to be imposed) by having an existing corporation participate in a reorganization and having a new corporation which comes out of the reorganization elect the "passthrough" treatment immediately upon its creation, or by transferring property in a tax-free transaction to a corporation which previously has made this election. In order to prevent these results, the bill provides that the tax is to apply to gains and losses from the disposition of property by an electing corporation if (1) the property was acquired in the year in question or within the 3 prior years; (2) the property was acquired from a corporation which was not itself an electing corporation during any of this period up to the time of the acquisition; and (3) the property has a substituted basis in the hands of the electing corporation. Thus, the special 25-percent tax will apply in those cases where the property in question was acquired in a tax-free transaction (such as the various types of corporate reorganizations) and the corporation from which the property was acquired had not used the "passthrough" election during any of this period up to the time of the acquisition. Where that corporation had itself acquired the property in a tax-free transaction, then this test would apply to the corporation from which that corporation had acquired the property.

This provision would apply to corporate taxable years beginning after the date of enactment of the bill.

C. Passive investment test in the case of new businesses (sec. 3 of the bill)

When the "passthrough" type of tax treatment was provided for corporations, Congress decided to limit the availability of this treatment to small businesses actively engaged in trades or businesses. Therefore, it denied this treatment to corporations with large amounts of passive income. Accordingly, present law (sec. 1372(e)(5)) provides that a "passthrough" election is to terminate automatically where more than 20 percent of a corporation's gross receipts are derived from royalties, rents, dividends, interest, annuities, and sales or exchanges of stock or securities. To prevent a corporation from electing in and out of the "passthrough" status, present law (sec. 1372(f)) also provides that generally where a corporation terminates its "passthrough" election, it may not again elect this status until after the lapse of a 5-year period.

Attention has been called to a type of instance, which may well occur with some frequency, where the provisions described above work unintended hardships. New corporations, electing the "passthrough" treatment and intending to commence the operation of businesses, frequently have to improve real property and acquire tangible personal property before they can actually begin operations. Because of construction delays, or delays in obtaining the tangible personal property, the corporations may not produce the anticipated operating receipts in their first or second year of operation. Meanwhile, funds accumulated to pay the costs of construction (or the purchase price for the tangible personal assets) normally remain in interest-bearing accounts awaiting the subsequently required payments. The interest thus produced may well amount to more than 20 percent of a corporation's gross receipts particularly since its operating income may not yet have really begun to come in. Where this happens a corporation's "passthrough" status may automatically terminate. This status then cannot generally be renewed for 5 years.[4]

To meet this type of problem, the bill provides that a corporation is not to lose its "passthrough" status merely because its passive investment income exceeds 20 perent of its gross receipts during the first 2 taxable years in which it carried on the active conduct of a trade or business if its passive investment income for the year in question is less than $3,000.

This provision is to apply to corporate taxable years ending after the date of the bill's enactment. It is also to apply to earlier years beginning after December 31, 1962, at the election of the corporation if all persons who were shareholders at any time during those years consent to the application of this provision.

D. Repeal of provisions permitting unincorporated businesses to be taxed as corporations; tax-free incorporations of such businesses (sec. 4 of the bill)

1. Repeal of Provision

In 1954 the Congress enacted a provision (sec. 1361) to permit proprietorships and partnerships to elect to be taxed basically like corporations.

The latest available Internal Revenue Service statistics indicate that there are probably fewer than 1,000 business entities which have elected this corporate tax option. Your committee has concluded that a provision of this complexity which has proved to be of such limited usefulness should not be continued.

Accordingly your committee's amendment repeals this provision. However, to permit businesses subject to this provision to plan their affairs in light of this repeal, your committee's amendment makes this repeal effective January 1, 1969. In the meanwhile, no new elections under this provision are to be permitted, but (as further explained below) entities presently subject to this provision will be permitted to incorporate in a tax-free reorganization. They may also liquidate in this period without incorporation.

Under present law (sec. 1361(f)) where there is a change of 20 percent or more in profits or capital interests of a business which has made this election, a new election must be made. Under your committee's amendment, such an election to continue the corporate tax treatment will be permitted until December 31, 1968, despite the general prohibition referred to above with respect to new elections.

2. Tax-Free Reorganizations

One of the major problems with this election for corporate tax treatment has been that where this election has been made and then subsequently the owners want to actually incorporate the business, this cannot be done in many cases without payment of substantial taxes. This occurs because it has been held that the incorporation of such a business must be treated first as a taxable liquidation of the business subject to the election and only then as the incorporation of the business. Two Tax Court decisions have agreed with the regulations (Regulations, sec. 1.1361–5(b)) in this respect.[5] This has proved to be a trap for the unwary and may well account for a substantial proportion of the less than 1,000 businesses under this option. They may not have been aware of this treatment initially and now cannot change their status without payment of heavy taxes. Action on situations of this type becomes especially important because repeal of this option would otherwise result in taxable liquidations, for Federal income tax purposes, of all of these businesses.

In view of the considerations set forth above your committee's amendment repeals the portions of this option resulting in this "liquidation-incorporation" concept in the regulations effective with the enactment of this act. Thus an incorporation of the business is to be treated under the provisions of present law relating to corporate organizations, reorganizations, etc. (pts. III and IV of subch. C. of ch. 1 of the code). This in such cases generally will result in the tax-free incorporation of one of these businesses. However, to the extent that money or other property is withdrawn from the business and does not go over to the corporation, tax will apply in the same way as in the case of "boot" in any other corporate reorganization which otherwise is tax free.

3. Revocation of Elections

In view of your committee's amendment repealing this provision effective January 1, 1969, your committee sees no reason why an unincorporated business which has made an election to be taxed like a corporation should be required to remain in that status until that date, whether or not the owners of the business desire to form an actual corporation to continue the business. Accordingly, your committee has included an amendment to permit an election to be revoked on or before December 31, 1968. If an election is not revoked on or before this date, it will terminate on January 1, 1969. The revocation or termination of an election (without any transfer to an actual corporation) under your committee's amendment will be treated, for Federal income tax purposes, as a complete liquidation of a corporation.

TECHNICAL EXPLANATION

Section 1. Distributions of subchapter S corporations after close of taxable year

(a) Distributions within 2½-month period after close of taxable year: Under existing law, distributions of money by an electing small business corporation to its shareholders (other than distributions with respect to which an election is made under sec. 1375(e) of the code) are dividends out of earnings and profits of the taxable year in which the distributions are made to the extent of such earnings and profits. Further, under section 1375(d), such distributions in excess of earnings and profits of the year of distribution may be nondividend distributions of previously taxed income to a shareholder of such corporation only to the extent of amounts which have been included in his gross income under section 1373(b) for his taxable years ending before such distributions. Also, under existing law if an election under section 1372(a) is terminated under section 1372(e), the corporation may not, during the first taxable year to which the termination applies or during any subsequent taxable year, make nondividend distributions of previously taxed income of taxable years prior to the termination.

---

[4] Under present law (sec. 1372(f)) a new election may be made in the 5-year period if the Commissioner of Internal Revenue gives his consent. However, in cases of this type the shareholders may not be aware of the fact that their election has been terminated until a revenue agent audits the corporation's return, some years later. Since a new election can have almost no retroactive effect (sec. 1372 (e)(1) and (d)), the shareholders in such cases usually cannot undo much of the effects of the termination.

[5] One decision was affirmed per curiam by the Court of Appeals for the Third Circuit and the other has been on appeal to the Court of Appeals for the Fifth Circuit for 17 months.

Distributions of undistributed taxable income

Subsection (a)(1) of the first section of the bill amends subchapter S of chapter 1 of the code by adding a subsection (f) to section 1375. Paragraph (1) of new section 1375(f) provides that any distribution of money made by a corporation which was an electing small business corporation for the taxable year immediately preceding the year of distribution (including a corporation with respect to which an election was terminated under sec. 1372(e) for the year in which the distribution is made) shall be treated as a distribution of the corporation's undistributed taxable income for such immediately preceding year—

(1) if it is made after the close of such immediately preceding year and on or before the 15th day of the 3d month following the close of such year;

(2) if it is made to a person who was a shareholder of such corporation at the close of such year; but

(3) only to the extent that such distribution (when added to the sum of all prior distributions of money made to such person by such corporation following the close of such year) does not exceed such person's share of the corporation's undistributed taxable income for such year.

Any distribution so treated shall, for purposes of chapter 1 of the code, be considered a distribution which is not a dividend, and the earnings and profits of the corporation are not to be reduced by reason of such distribution.

Share of undistributed taxable income

Paragraph (2) of new section 1375(f) provides that, for purposes of paragraph (1), a person's share of a corporation's undistributed taxable income for a taxable year is the amount required to be included in his gross income under section 1373(b) as a shareholder of such corporation for his taxable year in which or with which the taxable year of the corporation ends.

Thus, the treatment of distributions provided in new section 1375(f) is applicable only to distributions of money made to persons who were shareholders of the corporation on the last day of the corporation's taxable year immediately preceding the corporation's taxable year in which the distributions are made. Such treatment is applicable to the amount each such shareholder receives only to the extent of the amount required to be included in his gross income under section 1373(b) as a shareholder of the corporation on the last day of such immediately preceding year.

Election under section 1375(e)

Paragraph (3) of new section 1375(f) provides that paragraph (1) shall not apply to any distribution with respect to which an election under section 1375(e) applies. Thus, if a corporation makes an election under section 1375(e) with respect to a distribution of money, the treatment provided by new section 1375(f) does not apply to such distribution.

Repeal of section 1375(e): Subsection (a)(2) of the first section of the bill repeals section 1375(e) of the code effective with respect to distributions made after the close of any taxable year beginning after the date of enactment of the bill. Thus, an election under section 1375(e) may be made only with respect to proceeds of sales which are made by an electing small business corporation before the close of its first taxable year ending after the date of enactment of the bill.

(b) Technical amendment: Subsection (b) of the first section of the bill amends section 1375(d)(2)(B)(ii) of the code to provide that a shareholder's net share of undistributed taxable income for purposes of section 1375(d) (relating to distributions of undistributed taxable income previously taxed to shareholders) is reduced by distributions treated under new section 1375(f) as nondividend distributions.

The provisions of new section 1375(f) of the code are illustrated by the following examples:

Example (1): X corporation, an electing small business corporation which uses the fiscal year ending March 31 as its taxable year, has two shareholders, A and B, calendar year taxpayers each owning 50 percent of its outstanding stock. For its year ending March 31, 1967, X has made no distributions to its shareholders and has undistributed taxable income (as defined in sec. 1373(c)) of $50,000. On May 1, 1967, X distributes $25,000 in money to A and $25,000 in money to B. X makes no further distributions to A and B during the calendar year 1967, even though it has earnings and profits of $60,000 for its taxable year ending on March 31, 1968.

Under existing law, A and B would each include $50,000 in gross income for the calendar year 1967; $25,000 of this would be includible under section 1373(b) and the other $25,000 would be includible by reason of the May 1, 1967, distribution. Pursuant to new section 1375(f), however, the May 1, 1967 distribution is treated as a distribution of X's undistributed taxable income for its year ending March 31, 1967, and will not increase A's and B's gross incomes.

Example (2): Y corporation, an electing small business corporation which uses the calendar year as its taxable year, has two shareholders, C and D, calendar year taxpayers each owning 50 percent of its outstanding stock. For its taxable year 1966, Y has $20,000 of undistributed taxable income (as defined in sec. 1373(c)). At the beginning of 1967, C and D each have $25,000 as their respective net shares of previously taxed income, including the $10,000 which was required to be included in the gross income of C and D for 1966 as their respective shares of Y's undistributed taxable income for 1966. On February 1, 1967, Y distributed $15,000 in money to C and $15,000 in money to D. Y makes no other distributions during 1967 and has $40,000 of taxable income for such year. Of the $15,000 distributions made to C and D on February 1, 1967, $10,000 of each such distribution is treated as a distribution of Y's undistributed taxable income for 1966, pursuant to new section 1375(f), and is not a dividend to each shareholder. Pursuant to section 1375(d)(2)(B)(ii) of the code, as amended by subsection (b) of the first section of the bill, however, C's and D's net shares of previously taxed income are reduced by the amounts so treated to $15,000 each. The balance of each $15,000 distribution, $5,000, is a dividend to C and D out of Y's earnings and profits for 1967. At the end of 1967, Y has $30,000 of undistributed taxable income, allocated one-half to C and one-half to D as their respective shares to be included in their gross incomes for 1967.

Example (3): Z corporation, which uses the calendar year as its taxable year, has two shareholders, E and F, calendar year taxpayers each owning 50 percent of its outstanding stock. Z has $10,000 of undistributed taxable income for 1966, a year for which it was an electing small business corporation. On February 15, 1967, F sells all of his stock in Z to G, who does not consent to the election of Z to be an electing small business corporation. Thus, the election is terminated effective for 1967 and all succeeding taxable years of Z. On March 1, 1967, Z distributes $5,000 in money to E and $5,000 in money to G. Under new section 1375(f), the distribution to E is treated as a distribution of Z's undistributed taxable income for 1966 because E was a shareholder of Z on the last day of 1966 and his share of such undistributed taxable income was $5,000. However, the distribution to G, who was not a shareholder of Z on the last day of 1966, is a distribution under section 301 of the code, and thus a dividend to the extent provided in section 316 of the code.

(c) Effective date: Subsection (c) of the first section of the bill provides that the amendments made by subsections (a)(1) and (b) shall apply only with respect to distributions made after the date of enactment of the bill, except as provided in subsections (d) of the first section of the bill which is discussed below.

(d) Distributions made before date of enactment: Subsection (d) of the first section of the bill provides rules for the application of new section 1375(f) (and the amendment of sec. 1375(d)(2)(B)(ii)) of the code to distributions of money made on or before the date of enactment of the bill. However, new section 1375(f) is not to apply to any such distribution with respect to which an election under section 1375(e) of the code applies.

Election and consents

Subsection (d)(1) of the first section of the bill provides that new section 1375(f) will apply to distributions of money made during any taxable year designated by a corporation, if it elects to have new section 1375(f) apply to all such distributions during such year and to all such distributions during subsequent years. Thus, when a corporation makes an election to have new section 1375(f) apply to distributions of money made on or before the date of enactment of the bill, it must designate a taxable year. New section 1375(f) will then apply to all such distributions made during the prescribed periods following the close of the taxable year immediately preceding the year designated, and each subsequent taxable year. For example, if a corporation designates the taxable year 1959, and it makes an effective election, new section 1375(f) will apply to all distributions of money made by the corporation during the prescribed periods following the taxable year 1958 and all subsequent years of the corporation.

In order for such an election by a corporation to be effective, except as otherwise provided by subsection (d) of the first section of the bill, all persons (or their personal representatives) who were shareholders of the corporation at any time on or after the date of the first distribution with respect to which the election applies, and before the date on which the corporation files the election with the Secretary of the Treasury or his delegate must consent to such election and to the application of the provisions of subsection (d) of the first section of the bill. The persons who must consent under these provisions include persons who are not shareholders of the corporation at the time of the election but who were shareholders at any time during the period described above. For example, if the taxable year 1959 is the year designated by a calendar year corporation in its election filed on February 15, 1967, and the corporation made its first distribution in 1959 on January 15, 1959, all persons who were shareholders of the corporation at any time on or after January 15, 1959, and before February 15, 1967, including those who were no longer shareholders on February 15, 1967, must consent in order to have an effective election.

Subsection (d)(2) of the first section of the bill provides that an election by a corporation under such subsection, and the consent thereto by persons who are or were shareholders of such corporation, shall be made in such manner and within such time as the Secretary of the Treasury or his delegate prescribes by regulations. However, the period for making such election is not to expire before 1 year after the date on which the regulations prescribed under subsection (d) are published in the Federal Register.

Consents not required

Subsection (d) (3) provides that the consent of a person to an election by a corporation under subsection (d) (1) and (2) of section 1 of the bill shall not be required if, under subsection (d), it is shown to the satisfaction of the Secretary of the Treasury or his delegate that the liability for Federal income tax of such person cannot be affected by the election of the corporation of which he is or was a shareholder. It is possible that a person's liability for Federal income tax may be affected even though he was not a shareholder on the date of the distribution with respect to which new section 1375(f) applies. For example, a reduction in the corporation's earnings and profits made under existing law may be restored under the last sentence of section 1375(f) (1). This restoration could affect the amount of subsequent distributions to a shareholder which are considered dividends out of earnings and profits. In any such case, the consent of such shareholder would therefore be required.

Three and one-half month period

Subsection (d) (4) provides that if a corporation elects to have new section 1375(f) apply with respect to distributions made on or before the date of enactment of the bill, such distributions made on or before the 15th day of the 4th month following the close of taxable year are treated as distributions of the corporation's undistributed taxable income for such year to the extent otherwise provided in new section 1375(f).

Deficiency assessment

Subsection (d) (5) provides that the statutory period for the assessment of any deficiency for any taxable year, to the extent it is attributable to an election under subsection (d), against the corporation filing the election or any person consenting thereto, shall not expire before the last day of the 2-year period beginning on the date on which the regulations prescribed under subsection (d) are published in the Federal Register. Thus, even though such assessment may otherwise be prevented by any law or rule of law, it may nevertheless be assessed against an electing corporation and the persons consenting thereto until the last day of such 2-year period.

Credit or refund of overpayment

Subsection (d) (6) extends the period within which credit or refund may be allowed or made of certain amounts with respect to which credit or refund is not prevented on the date of the enactment of the bill. If—

(A) credit or refund of the amount of any overpayment for any taxable year attributable to an election under subsection (d) is not prevented, on the date of enactment, by the operation of any law or rule of law, and

(B) credit or refund of the amount of such overpayment is prevented, by the operation of any law or rule of law (other than ch. 74 of the Internal Revenue Code of 1954, relating to closing agreements and compromises), at any time on or before the expiration of the 2-year period beginning on the date on which the regulations prescribed under subsection (d) are published in the Federal Register,

credit or refund of such overpayment may, nevertheless, be made, to the extent such overpayment is attributable to such election, if claim therefor is filed before the expiration of such 2-year period. Thus, subsection (d) (6) applies only to the extent of the amount with respect to which credit or refund is not prevented on the date of enactment of the bill, even though such amount may be less than the amount of any overpayment attributable to the election.

Subsection (d) (7) provides for the allowance of credit or refund of the amount of any overpayment attributable to an election under subsection (d) for any taxable year in which certain distributions were received, even though credit or refund of such overpayment is otherwise prevented on the date of enactment of the bill by the operation of any law or rule of law (other than ch. 74 of the code, relating to closing agreements and compromises). In such case, credit or refund may be allowed or made if claim therefor is filed before the expiration of the 2-year period beginning on the date on which the regulations prescribed under subsection (d) are published in the Federal Register.

These provisions apply to distributions of money which were, or were part of, one or more consecutive distributions made by a corporation after the close of a taxable year for which it was an electing small business corporation and on or before the 15th day of the 4th month following the close of such taxable year, if the total amount of such distributions was substantially the same in amount as the undistributed taxable income (as defined in sec. 1373(c) of the code) of such corporation for such year. In determining the consecutive distributions, the first distribution of money made after the close of such year must be included.

These provisions also apply to distributions of money made by a corporation after the close of a taxable year for which it was an electing small business corporation and on or before the 15th day of the 4th month following the close of such year, if it is established to the satisfaction of the Secretary of the Treasury or his delegate that such distributions were intended to be distributions of the undistributed taxable income of such corporation for such year.

No interest on deficiencies or overpayments

Subsection (d) (8) of the first section of the bill provides that no interest shall be assessed or collected on any deficiency, or allowed or paid on any overpayment, attributable to an election under subsection (d), for any period before the expiration of the 2-year period beginning on the date on which the regulations prescribed under subsection (d) are published in the Federal Register. These provisions do not prevent the assessment, collection, payment, or allowance of interest which would otherwise be lawful in respect of adjustments which are not attributable to an election under subsection (d), even though such adjustments are for the same taxable year with respect to which there is a deficiency or overpayment attributable to an election under subsection (d). For example, if for a taxable year for which the statutory period for the assessment of a deficiency has not expired, a taxpayer has a deficiency which is attributable in part, to an election under subsection (d), and if he also has an additional amount of deficiency for such period attributable to an unrelated item, interest may be assessed and collected on the portion of the deficiency attributable to such unrelated item for the period prior to the expiration of such 2-year period.

SECTION 2. TAX IMPOSED ON CERTAIN CAPITAL GAINS OF SUBCHAPTER S CORPORATIONS

(a) General rule.—Under existing law, corporations which make an election under section 1372(a) of the code are not subject to the taxes imposed by chapter 1 of the code with respect to the taxable years of the corporation for which such election is in effect. Subsection (a) of section 2 of the bill amends subchapter S of chapter 1 of the code by adding a section 1378, which imposes a tax on such corporations under certain circumstances.

Income requirements

A tax is imposed on an electing small business corporation for a taxable year for which subsection (a) of new section 1378 applies if—

(1) the excess of the net long-term capital gain over the net short-term capital loss of such corporation exceeds $25,000, and exceeds 50 percent of its taxable income (computed as provided in sec. 1373(d) of the code) for such year, and

(2) such taxable income for such year exceeds $25,000.

Amount of tax

Subsection (b) of new section 1378 provides that the amount of the tax imposed by subsection (a) shall be the lower of (1) an amount equal to 25 percent of the amount by which the excess of the net long-term capital gain over the net short-term capital loss of the corporation for the taxable year exceeds $25,000, or (2) an amount equal to the tax which would be imposed by section 11 of the code on the taxable income (computed as provided in sec. 1373(d) of the code) of the corporation for the taxable year if the corporation was not an electing small business corporation.

No credit shall be allowable under part IV of subchapter A of chapter 1 of the code (other than under sec. 39, relating to certain uses of gasoline and lubricating oil) against the tax imposed by new section 1378(a).

The provisions of subsections (a) and (b) of new section 1378 of the code are illustrated by the following examples:

Example (1): X corporation, is an electing small business corporation with respect to which section 1378(a) applies for its taxable year 1967. X has an excess of net long-term capital gain over net short-term capital loss in the amount of $30,000 for 1967. However, due to an excess of deductions over other income, X's taxable income (computed as provided in sec. 1373(d) of the code) is only $15,000. Thus, although such excess of the net long-term capital gain over the net short-term capital loss ($30,000) exceeds $25,000, and exceeds 50 percent of X's taxable income ($7,500), a tax is not imposed by new section 1378(a) because X's taxable income does not exceed $25,000.

Example (2): Assume that X in example (1) has taxable income of $40,000. (This amount includes the excess of net long-term capital gain over net short-term capital loss because such gains and losses are included in the computation of taxable income under sec. 1373(d) of the code.) In such case there is a tax imposed by new section 1378(a) of the code. The excess of the net long-term capital gain over the net short-term capital loss ($30,000) exceeds $25,000, and exceeds 50 percent of the taxable income ($20,000); and taxable income exceeds $25,000. The amount of the tax, computed under new section 1378(b) (1) of the code, is 25 percent of $5,000 or $1,250. This is lower than the amount computed under new section 1378(b) (2) of the code which is 22 percent of $40,000 plus 26 percent of $15,000, or $12,700.

Example (3): Assume that X in example (1) has an excess of net long-term capital gain over the net short-term capital loss of $125,000 and taxable income of $60,000. In such case there is a tax imposed by new section 1378(a) of the code. The amount of the tax, computed under new section 1378 (b) (2) of the code, is 22 percent of $60,000 plus 26 percent of $35,000, or $22,300. This is lower than the amount computed under new section 1378(b) (1) of the code which is 25 percent of $100,000 or $25,000.

Exceptions

Subsection (c) of new section 1378 of the code provides that new section 1378(a), and thus the tax imposed by such section, shall not apply to certain electing small business corporations.

Paragraph (1) of new section 1378(c) provides that new section 1378(a) shall not apply to an electing small business corporation for any taxable year if it was an electing small business corporation for the three immediately preceding taxable years. Thus, if an election under section 1372(a) was in effect with respect to a corporation for its taxable years 1964, 1965, 1966, and 1967, new section 1378(a) does not apply to such corporation for its taxable year 1967 (except to the extent new sec. 1378(c)(3) may apply).

Paragraph (2) of new section 1378(c) provides that new section 1378(a) shall not apply to an electing small business corporation for a taxable year if, at the end of such year (A) it has been in existence for less than 4 taxable years, and (B) it has been an electing small business corporation for each of its taxable years. Thus, new section 1378(a) does not apply to such corporation (except to the extent new sec. 1378(c)(3) may apply) even though it does not meet the tests of new section 1378(c)(1).

Paragraph (3) of new section 1378(c) provides that if the provisions of paragraph (1) or (2) would preclude the application of new section 1378(a) for a taxable year, new section 1378(a) will nevertheless apply for such year under certain circumstances. Under the provisions of paragraph (3), new section 1378(c) will apply for a taxable year if—

(A) there is any long-term capital gain of the electing small business corporation for such year which is attributable to property acquired by it during the period beginning 36 months before the first day of such year and ending on the last day of such year;

(B) such property has a basis in the hands of such corporation determined in whole or in part by reference to the basis of any property in the hands of another corporation; and

(C) such other corporation was not an electing small business corporation throughout that part of the period beginning 36 months before the first day of the taxable year and ending on the day of the transfer during which such other corporation was in existence.

"Transfer," as used in the preceding sentence, means a transfer by such other corporation of the property the basis of which is referred to for purposes of determining the basis of the property to which such long-term capital gain is attributable. The basis of property in the hands of an electing small business corporation may, for purposes of these provisions, be determined by reference to the basis of property in the hands of another corporation whether or not such other corporation transferred such property directly to the electing small business corporation. For example, if corporation X merges into corporation Y, an electing small business corporation, pursuant to a transaction in which the basis of an asset in the hands of Y after the merger is determined by reference to the basis of such asset in the hands of X before the merger, then the basis of such asset, or any other asset for which it may be exchanged in a transaction in which gain or loss is not recognized, would be determined, for purposes of paragraph (3) of the new section 1378(c), by reference to the basis of property in the hands of X.

If new section 1378(a) would not be applicable to an electing small business corporation for a taxable year but for the provisions of paragraph (3) of new section 1378(c), then the amount of the tax imposed by new section 1378(a), shall be the lower of—

(1) the amount determined under new section 1378(b), or

(2) 25 percent of the excess of the net long-term capital gain over the net short-term capital loss attributable to property acquired as provided in subparagraph (B) and having a basis described in subparagraph (C) of new section 1378(c)(3).

The provisions of subsection (c) of new section 1378 of the code are illustrated by the following example:

Example: Corporation X, which uses the calendar year for its taxable year, has been an electing small business corporation continuously since its taxable year 1958. For 1967, X has an excess of $100,000 of net long-term capital gain over its net short-term capital loss, and its taxable income is $150,000. During 1967 X recognized $10,000 of long-term capital gain from the sale of property which it acquired from corporation Y on March 31, 1964, pursuant to a statutory merger of corporation Y into X on that date. Such property had a basis in the hands of X determined by reference to its basis in the hands of Y. Thus, although X meets the requirements of paragraph (1) of new section 1378(c), the tax imposed by new section 1378(a) will apply to X for 1967 unless Y was an electing small business corporation throughout the period January 1, 1964, through March 31, 1964, during which Y was in existence. If Y was not an electing small business corporation throughout such period, and if X had no capital losses for 1967 attributable to property acquired as provided in subparagraph (B) and having a basis described in subparagraph (C) of new section 1378(c)(3), the amount of tax imposed on the income of X for 1967 by new section 1378(a) is equal to 25 percent of $10,000, or $2,500, because such amount is lower than the amount determined under new section 1378(b).

(b) Related amendments: Paragraph (1) of section 2(b) of the bill amends the table of sections for subchapter S of chapter 1 of the code.

Paragraph (2) of section 2(b) of the bill amends section 1372(b)(1) of the code to provide an exception, for purposes of new section 1378(a), to the rule that electing small business corporations shall not be subject to the taxes imposed by chapter 1 of the code.

Paragraph (3) of section 2(b) of the bill amends section 1373(c) of the code to provide for the subtraction of the amount of the tax imposed by section 1378(a) from taxable income in determining the corporation's undistributed taxable income for a taxable year.

Paragraph (4) of section 2(b) of the bill amends section 1375(a) of the code by adding a new paragraph (3) which provides for the reduction, for purposes of such section, of the amount of the excess of an electing small business corporation's net long-term capital gain over its net short-term capital loss for a taxable year by the amount of the tax imposed by section 1378(a) for such year.

Paragraph (5) of section 2(b) of the bill amends section 46(a)(3) of the code to provide that the tax imposed by section 1378(a) for a taxable year shall not be considered in determining the liability for tax for purposes of the credit for investment in certain depreciable property.

(c) Effective date: Subsection (c) of section 2 of the bill provides that the amendments made by section 2 of the bill shall apply with respect to taxable years of electing small business corporations beginning after the date of enactment of the bill.

SECTION 3. EXCEPTIONS TO TERMINATION OF SUBCHAPTER S ELECTION FOR CERTAIN PASSIVE INVESTMENT INCOME

(a) General rule: Under section 1372(e)(5) of existing law, an election under section 1372(a) of the code is terminated if, for any taxable year of the corporation for which the election is in effect, such corporation has gross receipts more than 20 percent of which is derived from royalties, rents, dividends, interest, annuities, and sales or exchanges of stock or securities (gross receipts from such sales or exchanges being taken into account for purposes of par. (5) only to the extent of gains therefrom).

Subsection (a) of section 3 of the bill amends section 1372(e)(5) of the code by changing the heading of paragraph (5) to "passive investment income" and by dividing the paragraph into new subparagraphs (A), (B), and (C).

New subparagraphs (A) and (C) of section 1372(e)(5) contain the same general rule as existing law. However, new subparagraph (B) contains an exception to the application of such general rule. Subparagraph (C) defines the term "passive investment income" to mean the same gross receipts as are taken into account under existing law.

New subparagraph (B) of section 1372(e)(5) provides that new subparagraph (A) shall not apply to a taxable year, and thus an election under section 1372(a) of the code shall not terminate for such year by reason of section 1372(e)(5)(A) if (i) such year is the first taxable year in which the corporation commenced the active conduct of any trade or business or the next succeeding taxable year, and (ii) the amount of passive investment income for such year is less than $3,000. The taxable year in which a corporation commences the active conduct of a new trade or business is not necessarily the first year in which a corporation commences the active conduct of any trade or business. Thus, if a corporation was engaged in the active conduct of one trade or business in any prior taxable year, the taxable year in which such corporation commences the active conduct of a second or new trade or business is not the first taxable year in which such corporation commences the active conduct of any trade or business. Further, the first taxable year in which a corporation commences the active conduct of any trade or business is not necessarily the same year in which a corporation comes into existence.

(b) Effective dates: Subsection (b) of section 3 of the bill provides that the amendment made by subsection (a) shall apply to taxable years of electing small business corporations ending after the date of enactment of the bill. Further, such amendment shall also apply with respect to taxable years beginning after December 31, 1962, and ending on or before such date of enactment, if (1) the corporation elects to have such amendment so apply, and (2) all persons (or their personal representatives) who were shareholders of such corporation at any time during any taxable year beginning after December 31, 1962, and ending on or before the date of enactment of the bill consent to such election and to the application of the amendment made by subsection (a) of section 3 of the bill. Such persons who must consent include persons who are not shareholders on the date of enactment of the bill if they were shareholders during the prescribed period. The effect of an election under these provisions is that a corporation may be an electing small business corporation whose election would, but for these provisions, have terminated under section 1372(e)(5) of the code. If such a corporation has shareholders or former shareholders whose consent is necessary to prevent a termination under section 1372(e)(1), such shareholders may consent to such election under section 1372(a) of the code at such time as the Secretary of the Treasury or his delegate shall prescribe by regulations. Further, the election by the corporation under subsection (b) of section 3 of the bill and the consents thereto shall be made at such time and in such manner as the Secretary of the Treasury or his delegate prescribes by regulations.

SECTION 4. REPEAL OF SUBCHAPTER R

This is a new section added to the bill by your committee. Under existing law (sec. 1361 of the code) unincorporated business enterprises may elect to be taxed as domestic corporations. Once an election has been made, it may not be revoked and the unincorporated business enterprise is thereafter subject to tax as a domestic corporation and the owners are treated as its shareholders, unless the election is terminated under section 1361(f) of the code by reason of a change of ownership. However, under existing law, parts III and IV of subchapter C of chapter 1 of the code are generally not applicable to unincorporated business enterprises which have made an election.

(a) Status pending repeal, new elections: Paragraph (1) of section 4(a) of the bill amends section 1361(a) of the code to provide that no new elections under section 1361(a) may be made after the date of enactment of the bill. However, elections may be made after such date of enactment by unincorporated business enterprises which have a valid election in effect on the date of enactment but which, because of the subsequent application of the provisions of section 1361(f) (relating to change of ownership), would no longer be considered a domestic corporation but for another election under section 1361(a).

Transfer to an actual corporation

Paragraph (2) of section 4(a) of the bill amends section 1361(c) of the code by deleting a reference to section 1361(m); and paragraph (4) of section (4)(a) of the bill deletes the provisions of section 1361(m). Section 4(c) of the bill provides that these amendments shall apply with respect to transactions occurring after the date of the enactment of the bill.

The effect of these amendments is to make all of the provisions of parts III and IV of subchapter C of chapter 1 of the code (relating to corporate organizations, and reorganizations, and insolvency reorganizations) applicable to a "section 1361 corporation" and its owners, in the same manner as these provisions are applicable to any true corporation and its shareholders. Thus, for example, if after the date of enactment and before January 1, 1969, the partners of an enterprise, which has a valid election, in effect under section 1361(a) transfer all of the assets of such enterprise to an actual corporation and receive stock in proportion to their interests there will be no tax on the transfer of property and on the issuance of stock, under sections 368(a)(1) and 354 of the code. On the other hand, if the partners retain money or property of the enterprise, this may be treated as "boot" for purposes of section 356 of the code.

Revocation and termination of elections

Paragraph (3) of section 4(a) of the bill amends section 1361(e) of the code (relating to irrevocability of elections under section 1361(a)) to provide a reference to new section 1361(n) of the code; paragraph (5) of section 4(a) of the bill adds section 1361(n).

Paragraph (1) of new section 1361(n) provides that an election under section 1361(a) with respect to an unincorporated business enterprise may be revoked after the date of the enactment of the bill by the proprietor of such enterprise or by all of the partners owning an interest in such enterprise on the date on which the revocation is made. The revocation shall be made in such manner as the Secretary of the Treasury or his delegate may prescribe by regulations. The revocation will be effective on the date on which it is made unless the revocation specifies a later effective date and such enterprise shall not be considered a domestic corporation for any period on or after the effective date of the revocation. The section 1361 corporation and its owners shall be treated as if the corporation had distributed its assets in a complete liquidation on the effective date of the revocation, unless such treatment is inappropriate because of the applicability of provisions of the code relating to corporate organizations and reorganizations. Such applicability can result, for example, from a subsequent transfer of assets to an actual corporation.

Paragraph (2) of new section 1361(n) provides that if a revocation under paragraph (1) of an election under section 1361(a) with respect to any unincorporated business enterprise is not effective on or before December 31, 1968, such election shall terminate on January 1, 1969, and such enterprise shall not be considered a domestic corporation for any period on or after January 1, 1969. Of course, if an election with respect to an enterprise terminates on or before December 31, 1968, as a result of the provisions of section 1361(f), and another election under section 1361(a) with respect to such enterprise is not made on or before such date, section 1361(n) is not applicable to such enterprise. If an election is terminated under the provisions of paragraph (2) of new section 1361(n), the section 1361 corporation and its owners shall be treated in the same manner as if a revocation had been made under paragraph (1) of section 1361(n), effective on January 1, 1969.

(b) Repeal of subchapter R: Section 4 (b) of the bill repeals subchapter R of chapter 1 of the code, and all references thereto contained in the code, effective January 1, 1969.

TARIFF TREATMENT OF COPRA, PALM NUTS, AND PALM-NUT KERNELS, AND THE OILS CRUSHED THEREFROM

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 983, H.R. 6568.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (H.R. 6568) to amend the Tariff Act of 1930 to make permanent the existing temporary suspension of duty on copra, palm nuts, and palm-nut kernels, and the oils crushed therefrom, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Finance, with an amendment, on page 5, after line 2, to strike out:

Sec. 2. (a) The headnotes for schedule 1, part 14, subpart B of such Schedules are amended—

(1) by redesignating subparagraphs (c) and (d) of headnote 2 as subparagraphs (d) and (e), respectively;

(2) by striking out subparagraph (b) of headnote 2 and inserting in lieu thereof the following:

"(b) 160,000 tons during calendar year 1965,

"(c) during calendar years 1966 through 1967—

"(i) if a proclamation has been issued pursuant to headnote 3 of this subpart, 160,000 tons, or

"(ii) if such a proclamation has not been issued, 120,000 tons,"; and

(3) by adding at the end thereof the following new headnote:

"3. If, before May 1, 1966, the President determines that for the calendar years 1966 through 1967 the Republic of the Philippines has waived its rights with respect to copra under paragraph 5 of article IV of the revised trade agreement between the United States and the Republic of the Philippines, he shall so proclaim."

(b) The appendix to such Schedules is amended by inserting after item 903.21 the following new item:

["	903.25	Copra provided for in item 175.10, if a proclamation has been issued pursuant to headnote 3 of part 14B of schedule 1.........	Free	1.25¢ per lb.	On or before 12/31/67 "]

Sec. 3. (a) The amendments and repeals made by the first section of this Act shall apply with respect to articles entered, or withdrawn from warehouse, for consumption on or after the date of the enactment of this Act.

(b)(1) The amendments made by paragraphs (1) and (2) of section 2(a) shall apply with respect to articles entered, or withdrawn from warehouse, for consumption on or after January 1, 1965. Upon request therefor filed with the collector of customs concerned on or before the 120th day after the date of the enactment of this Act, the entry or withdrawal of any such article—

(A) which was made after December 31, 1964, and on or before the date of the enactment of this Act, and

(B) the liquidation of which has been made without regard to such amendments,

shall, if necessary to give effect to such amendments and notwithstanding section 514 of the Tariff Act of 1930 or any other provision of law, be reliquidated and appropriate refund of duty shall be made.

The amendment made by section 2(b) shall apply with respect to articles entered, or withdrawn from warehouse, for consumption after December 31, 1965.

And, in lieu thereof, to insert:

Sec. 2. The amendments and repeals made by the first section of this Act shall apply with respect to articles entered, or withdrawn from warehouse, for consumption on or after the date of the enactment of this Act.

Sec. 3. (a) The limitation for the calendar year 1965 contained in headnote 2(b) for schedule 1, part 14, subpart B of the Tariff Schedules of the United States is hereby increased by 28,308,955 pounds.

(b) Notwithstanding the provisions of section 514 of the Tariff Act of 1930 or any other provision of law, entries during 1965 of coconut oil, which is a Philippine article (within the meaning of the Tariff Schedules of the United States), shall be liquidated or reliquidated in accordance with the provisions of subsection (a), and appropriate refunds of duty shall be made, if request therefor is filed with the appropriate customs officer on or before the 120th day after the date of the enactment of this Act.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

Mr. MANSFIELD. Mr. President, I send to the desk an amendment, and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The Legislative Clerk. It is proposed at the end of the bill to add the following new section 4:

Sec. 4. For purposes of applying paragraphs (4) and (5) of section 256 (19 U.S.C. 1886) and section 351(b) (19 U.S.C. 1981(b)) of the Trade Expansion Act of 1962 and section 350(c)(2)(A) of the Tariff Act of 1930 (19 U.S.C 1351(c)(2)(A)—

(1) The rates of duty in rate column numbered 1 of the Tariff Schedules of the United States as changed by this Act shall be treated as the rates of duty existing on July 1, 1962.

(2) The rates of duty in rate column numbered 2 of such Schedules as changed by this Act shall be treated as the rates of duty existing on July 1, 1934.

Mr. MANSFIELD. Mr. President, this is a very technical amendment, but one which has little impact. Under existing law, the President is authorized to reduce tariffs to 50 percent of the amount which existed on July 1, 1962. In certain instances, he may increase tariffs by 50 percent of the duty which applied on July 1, 1934.

This bill, as passed by the House and approved by the committee, permanently reduces the tariff on copra, coconut oil, and related products. This amendment will make certain that the rates of duty provided by this act are the rates to be taken into account by the President in cutting or raising tariffs on these products.

I urge that the amendment be agreed to and that the bill as amended be passed.

The **PRESIDING OFFICER.** The question is on agreeing to the amendment of the Senator from Montana.

The amendment was agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that an explanation of the bill from the report be printed in the RECORD at this point.

There being no objection, the extract (Rept. No. 1009) was ordered to be printed in the RECORD, as follows:

PURPOSE OF BILL AS AMENDED

This bill would make permanent the duty-free treatment or lower rates of duty temporarily applicable to copra, palm nuts, and palm-nut kernels, their oils, and specified fatty acids, salts, and other chemical products derived from the oils. The temporary duty-free treatment or lower rates applicable to these products (presently scheduled to expire June 30, 1966) reflect the suspension of the 3-cent-per-pound processing tax formerly applicable to such commodities under section 4511 of the Internal Revenue Code. This tax was converted to an import duty in 1963, but its suspension, first provided in 1957, was continued.

In addition to repealing the duty equivalent of the former 3-cent-per-pound processing tax, H.R. 6568 would also provide relief with respect to certain coconut oil imported on or before June 11, 1965. This oil was released from customs custody as being within the duty-free quota provided for pursuant to the Philippine trade agreement. By increasing the quota for 1965, the House bill would have assured relief from the 1-cent-per-pound duty with respect to this oil. The Finance Committee bill similarly insures that this oil will not be considered overquota.

PROVISIONS OF HOUSE BILL DELETED

Except to the limited extent described in the preceding paragraph, the Committee on Finance deleted those provisions of the House bill which would have—

(a) Increased the 1965 duty-free quota for Philippine coconut oil from 120,000 tons to 160,000 tons, and

(b) Permitted a similar increase in the quota for 1966 and 1967 if the President determined that for these 2 years the Philippines had waived its right to preferential treatment on Philippine copra as provided for under the Philippine trade agreement. In such an event copra from all non-Communist countries (presently dutiable at 1.25 cents per pound) could have entered the United States free of duty during 1966 and 1967.

GENERAL STATEMENT

History of processing taxes and duties

The Revenue Act of 1934 imposed a tax of 3 cents per pound on the first domestic processing of coconut oil and combinations or mixtures containing a substantial quantity of coconut oil, if the product of or produced from materials the product of the Philippines or any U.S. possession; otherwise, the tax was 5 cents per pound. A tax of 3 cents per pound was also imposed on the first domestic processing of palm-kernel oil and palm oil (except palm oil used in the manufacture of iron or steel products, tinplate or terne plate, or any subsequent use of palm oil residue resulting from the manufacture of iron or steel products, tinplate or terne plate), and on derivatives (fatty acids, salts, etc.) of palm oil and palm-kernel oil. The Philippine Trade Act of 1946 provided that the 3-cent-per-pound rate, rather than the 5-cent-per-pound rate, was to apply to non-Philippine coconut oil during any period as to which the President finds that adequate supplies of neither copra nor coconut oil, the product of the Philippines, are readily available for processing in the United States.

The processing tax provisions were carried over into the Internal Revenue Code of 1954 as section 4511.

In the 1955 revised trade agreement with the Philippines, the United States undertook an obligation to maintain the 2-cent-per-pound preferential duty differential in the "internal" (processing) tax between Philippine coconut oil and non-Philippine oil. The proportionate differential on copra is 1.25 cents per pound.

Aside from the processing taxes, which were technically "internal" taxes, paragraph 54 of the original tariff schedules of the Tariff Act of 1930 imposed a duty of 2 cents per pound on coconut oil and a duty of 1 cent per pound on palm-kernel oil fit for human consumption. No duty was imposed on copra or on palm oil. Pursuant to the General Agreement on Tariffs and Trade, effective January 1, 1948, the 2 cent per-pound tariff on coconut oil was reduced to 1 cent and the 1-cent-per-pound duty on palm-kernel oil was reduced to 0.5 cent.

Because the processing taxes above referred to operated economically as import duties (none of the raw materials, i.e., copra, palm nuts, or palm kernels, are produced in the United States), they were assimilated into the TSUS and consolidated with regular duties, where applicable. IRC section 4511 was repealed. However, though for all other purposes the processing taxes were converted into regular import duties, the U.S. obligation to the Philippines to maintain a 2-cent preferential differential in the "internal" tax on these products necessitated the continued treatment of those portions of the duties that were derived from the processing taxes as "internal taxes" for the purposes of the Philippine trade agreement (TSUS schedule 1, pt. 14, headnote 3).

The processing taxes were imposed in 1934 principally to protect domestically produced vegetable oils in their use in the production of edible products such as margarine. Because the major use in the United States of coconut oil (the principal oil involved) shifted to the indelible industrial sector (soaps, detergents, etc.) and because of the consequent decline in competition between coconut oil and domestic vegetable oils, the 3-cent-per-pound processing tax on coconut oil and its derivatives was suspended in 1957 until July 1, 1960 (Public Law 85–235, sec. 3). That legislation was followed by the suspension in 1959, also until July 1, 1960, of the processing taxes on palm oil and palm-kernel oil and their derivatives (Public Law 86–37). The suspension of all these taxes was continued until July 1, 1963 (Public Law 86–432), and further continued until July 1, 1966 (Public Law 87–859). The current suspension of the taxes is reflected in part 1 of the appendix to the TSUS (items 903.30–903.32, relating to copra; item 903.40, relating to palm-nut kernels and palm nuts; items 903.43–903.49, relating to coconut oil; items 903.60–903.61, relating to palm-kernel oil; item 903.65, relating to palm oil; and items 907.70–907.75, item 907.77, and items 907.85–907.88, relating to various derivatives of coconut, palm-kernel, or palm oil).

The regular duty on coconut oil (1 cent per pound since 1948) has remained in effect throughout the period of the suspension of the processing taxes, except with respect to imports of Philippine coconut oil within specified quotas. Under the 1955 revision of the trade agreement with the Philippines, Philippine coconut oil has been subject to progressively declining duty-free quotas, overquota imports being subject to the 1-cent-per-pound duty. The basic quota was 200,000 long tons, which by 1962 had declined to 160,000 long tons. Until 1962 the 1-cent-per-pound duty on overquota imports was inoperative because the quotas on Philippine coconut oil exceeded the imports in each quota year. A sharp rise in U.S. consumption in 1963 caused the quota (160,000 long tons) to be filled by November 1, 1963. The 1964 quota (same quantity as 1963) was filled by August of that year. For the years 1965 through 1967 the quota is reduced to 120,000 long tons per annum. The 1965 quota was filled in May. In 1968 the duty-free quota will decline to 80,000 long tons and will remain at that quantity through 1970; for the years 1971–73 the annual quota will be 40,000 long tons; and on January 1, 1974, all preferential tariff treatment of Philippine coconut oil is scheduled to terminate. Thereafter coconut oil from any non-Communist source may be imported on a nondiscriminatory basis upon payment of the 1-cent-per-pound duty.

Background of bill

Coconut oil, palm oil, and palm-kernel oil is produced from copra, palm nuts, and palm-nut kernels, respectively. There is no domestic production of the materials from which the oil is produced. The entire domestic supply of palm and palm-kernel oil is obtained from imports. The U.S. supply of coconut oil comes almost in equal shares from imported coconut oil or from oil crushed in the United States from imported copra. Virtually all of the imports (whether copra or oil) come from the Philippines. The virtual Philippine monopoly of the U.S. market for coconut oil and copra is attributed to the 2-cent-per-pound preferential duty differential between Philippine and non-Philippine coconut oil and the proportionate differential for copra of 1.25 cents per pound.

While there has been unanimous agreement among domestic consumers of coconut oil on the one hand and U.S. copra crushers on the other hand as to the desirability of repealing the duty equivalent of the original 3-cent-per-pound tax, there has been no similar consensus as to the merits of any other change in the tariff treatment of this oil or of the copra from which it is crushed.

The House bill attempted to resolve the differences between these two important segments of our economy. By providing an increased duty-free quota for Philippine coconut oil for 1965, and by providing for contingent increases in 1966 and 1967, the House bill accepted the argument that the 1-cent-per-pound tariff might cause a shift in the United States to synthetic oils for industrial purposes which could lead in time to increased shipments of Philippine coconut oil to Europe where it would compete directly with U.S.-produced soybean (and other) oil in the edible oil markets.

On the other hand, by linking the increased quota to suspension of the Philippine duty preference on copra (1.25 cents per pound) the House bill tried to provide a benefit for domestic crushers who seek additional sources of supply for their raw product, copra. Because of their preference under the trade agreement the Philippines is virtually our sole supplying country.

But these provisions were considered to be of little benefit by domestic copra crushers. The committee was advised that at least 7 years are needed to bring new coconut palms to producing age and the 2-year period provided by the Houes bill would be inadequate to enable them to develop new sources of supply for copra. Moreover, the House provisions, in effect, would have extended tariff concessions (in the form of higher duty-free quotas) to the Philippines without our receiving any comparable concession in return.

Domestic consumers similarly found little assurance in the contingent features of the House bill. The increased quota for 1966 and 1967 would have depended upon action of a foreign government which was at best uncertain, and which it might have found to be contrary to its own best long-term interests.

The committee was also advised that enlarging the duty-free quota for the Philippines would be inconsistent with the policy of the United States of stimulating world trade on a nondiscriminatory basis. The Office of the Special Representative for Trade Negotiations reported:

"This Government has consistently supported nondiscrimination in international trade and the progressive dismantling of residual discrminatory measures. Accordingly, the trade agreement between the United States and the Republic of the Philippines provides for the progressive reduction and eventual elimination of the duty-free quota on imports of Philippine coconut oil, as well as of the preferential tariff rates on imports of all Philippine products.

"The provision of H.R. 6568 for a 3-year expansion of the duty-free quota on imports of Philippine coconut oil would not only halt but would reverse this movement toward the elimination of discrimination and would expand the trade coverage subject to preferential tariff treatment. In addition, it could precipitate pressure for a further extension of broadening of the preferential treatment for Philippine coconut oil subsequent to 1967, when under the provisions of the trade agreement the duty-free quota for Philippine coconut oil would drop sharply from 160,000 to 80,000 tons."

The Commerce Department reported similar views to the committee, and it understands they are shared also by the Department of Agriculture.

For these reasons, the committee concluded that in the interest of assuring enactment of legislation to repeal that portion of the tariff attributable to the 3-cent-per-pound processing tax, it would be advisable to limit the House bill to that objective. Accordingly, the committee bill deletes those features of the House bill which would have (1) increased the duty-free quota for 1965 and (2) provide for increased duty-free quotas for 1966 and 1967 along with suspension for those years of the 1.25-cent-per-pound preferential tariff on non-Philippine copra.

The 1965 quota

As already indicated, under the Philippine trade agreement, provision is made for duty-free entry for a progressively diminishing quantity of Philippine coconut oil. In 1963 and 1964 the duty-free quota amounted to 160,000 tons. Under present law for 1965 through 1967, the duty-free quota is 120,000 tons. Importers were advised that the quota for 1965 would be filled on or about June 11, and ports of entry were notified not to release Philippine coconut oil duty free after that date. Subsequently, in the fall, it was found that the 1965 quota actually had been filled on May 17, 1965. The Commissioner of Customs advised the committee by letter dated January 28, 1966, that—

"Between May 17 and June 11, there was a total of 28,308,955 pounds of coconut oil that had been released duty free on which duty at the rate of 1 cent per pound would have to be collected for a total of $283,089.55. This involves shipments covered by 13 separate entries filed at various ports of entry and covering shipments consigned to 7 importing firms, which are subject to the payment of duty averaging from a low of $6,550.90 to a high of $141,574.12.

"In view of the financial burden that would be placed on these individual importers through no fault of their own, and in view of the pending legislation, H.R. 6568, the collection of these duties has been deferred administratively until June 30, 1966."

The House of Representatives, without knowing of this quota problem, and for completely different reason, would have provided an increased quota for 1965 sufficiently large to assure that oil imported in this period would be within-quota oil.

Generally, an importer of articles subject to a quota acts at his peril when he clears the article through customs. If it is an absolute quota the article may not be imported under any circumstances if the quota is filled. On the other hand, if a tariff quota is involved, higher duties may apply if the imported article should come in after the quota is filled.

The committee recognizes that no one can unfailingly foretell the day or the hour upon which a quantitative quota will fill. That event depends upon the individual actions of numerous independent importers at many ports of entry. While the committee feels that the importers should act at their risk when operating against a quota, it also feels that the unusual circumstances involved in this coconut oil situation during the limited period referred to warrant relief.

Accordingly, the committee bill contains provisions which would increase the quota for 1965 by 28,308,955 pounds. In addition, the committe expects that the Bureau of Customs will continue to advise all inquirers of the status of a quota, based upon the latest available data. It also admonishes the Bureau to continue to point out that it is not possible to predict accurately when a quota will fill and there can be no guarantee that any future entry will come under the quota. Importers should be strongly cautioned that when they import against a quota they do so at their peril.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

ADJOURNMENT UNTIL FRIDAY

Mr. HARTKE. Mr. President, in accordance with the previous order, I move that the Senate stand in adjournment until Friday, March 4, 1966, at 12 o'clock noon.

The motion was agreed to; and (at 5 o'clock and 59 minutes p.m.) the Senate adjourned, under the previous order, until Friday, March 4, 1966, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate March 2, 1966:

ASSISTANT ATTORNEY GENERAL

Frank M. Wozencraft, of Texas, to be an Assistant Attorney General vice Norbert A. Schlei, resigned.

Mitchell Rogovin, of Virginia, to be an Assistant Attorney General vice Louis Oberdorfer, resigned.

TREASURY DEPARTMENT

Lester R. Uretz, of Virginia, to be an Assistant General Counsel in the Department of the Treasury (Chief Counsel for the Internal Revenue Service), vice Mitchell Rogovin.

EXTENSIONS OF REMARKS

Corncob Pipe Capitol

EXTENSION OF REMARKS

OF

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 2, 1966

Mr. HUNGATE. Mr. Speaker, I am very proud that the corncob pipe capitol of the world is located in my district. The home of Buescher's Cob Pipes is in Washington, Mo., on the banks of the Missouri River where the corncob pipe had its beginning in 1869. From modest beginnings, Buescher's has expanded to a daily production of 12,000 pipes which are distributed to some 7,000 sales outlets across the globe.

Buescher's recently donated 1,800 pipes to the Army for distribution in Vietnam. Arrangements for shipment of the pipes were handled through Lt. Col. John C. "Corncob" Hughes, a much-decorated Army officer who has smoked Washington corncob pipes for over 15 years. Colonel Hughes was recently made an honorary member of the Corncob Pipe Club of Washington while on a speaking engagement there shortly before he returned to Vietnam.

I am happy that many of our soldiers will now have the equipment to carry on the great pipe-smoking tradition established by such varied personalities as France's military hero, Marshal Foch, former mayor of New York, Fiorello La Guardia, Mark Twain, and Mrs. Andrew Jackson who has been styled "The First Lady of the Corncob Pipe."

I know that many of my colleagues can also attest to the unique pleasure afforded by Missouri's fine cob meerschaums.

The Third Partner in Education

EXTENSION OF REMARKS

OF

HON. RALPH J. RIVERS

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 2, 1966

Mr. RIVERS of Alaska. Mr. Speaker, we in the 89th Congress have demonstrated, through numerous enactments, our firm commitment to education. We realize that today all Americans must obtain as much of the best education as we can provide. Therefore we have made great efforts to strengthen our elementary and secondary schools, to improve the quality of instruction in our colleges and universities, and to increase educational opportunity at all levels. As we strengthen our institutions of education, however, we are becoming increasingly aware of the important role which another institution plays in the educational and cultural life of the country.

The public library is truly becoming the partner of the school and college in the field of education. President Kennedy recognized this relationship when he said:

> For the individual, the doors to the schoolhouse, to the library, and to the college lead to the richest treasures of our open society.

The public library does, indeed, lead to the richest treasures of our society. It is not just a place where students and scholars come to do research, where many children first enter the exciting world of books, or where adults are spending a greater portion of their leisure time. For many Americans the public library is the means whereby they continue their education, and in a world which changes as rapidly as ours does, education must be a lifelong process. No one must ever say that he has completed his education.

Originally the Library Services Act was designed to "promote the development of public library service to rural areas lacking such service or having greatly inadequate services." But soon it became apparent that library service in many urban areas was just as critical. In 1964, therefore, Congress amended the Library Services Act. We extended assistance for library development to include urban as well as rural areas, and added a new provision. Federal funds are now available to assist in the construction of public library buildings in areas lacking the facilities necessary for the development of library services. In this way we hoped that both urban and rural communities would be able to construct and improve their library facilities enabling them to reach out to all their citizens.

We in Alaska have long dedicated our energy and resources to developing library services. Many of our Alaskan communities are small and miles away from their nearest neighbors. For these communities the public library is the major source of recreation as well as instruction. In spite of our great efforts, however, even with the assistance of the Library Service Act, it was estimated in 1963 that about 130,000 Alaskans were still without local library service. But with the increased assistance of the 1964 amendments we are making great strides.

Federal funds are enabling the city-public libraries of Anchorage, Fairbanks, Juneau, and Ketchikan to extend library service to their rural boroughs. In 1964 such funds enabled the city of Anchorage to offer bookmobile and book deposit service to all the unserved rural areas of the borough.

Present plans to strengthen the public library extension include increasing book loans and reference resources, compiling statistical information, providing increased consultant service, and helping in the establishment of new libraries. All of these plans depend upon the assistance we can obtain to supplement our own efforts. Until 1964 Alaska was able to match only the minimum basic allotment under the Library Services Act. In 1965, however, after the act had been amended to include urban areas we were able to earn $109,480.

Mr. Speaker, other States have made similar progress and like Alaska will continue to do so if they continue to receive Federal support. Therefore we must not allow the Library Services Act to expire this June 30. Furthermore, if we are to bridge the widening gap between our population growth, our library needs, and our present library resources, we must develop new means of utilizing these resources to their fullest.

That is why, Mr. Speaker, I strongly support H.R. 12133, introduced by the gentleman from Kentucky [Mr. PERKINS], and I have emphasized that support by introducing a like bill, H.R. 13153. Not only would this legislation continue the programs of library services and construction, but it would also expand them to better meet our urgent needs.

This bill would authorize grants to the States for library services under title I: $60 million for fiscal year 1967; $80 million for fiscal year 1968; $100 million for fiscal year 1969; $120 million for fiscal year 1970; and $150 million for each fiscal year thereafter.

I hope to see this legislation expedited and enacted by an overwhelming majority.

Federal Maritime Commission Reports to House Antitrust Subcommittee

EXTENSION OF REMARKS

OF

HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 2, 1966

Mr. CELLER. Mr. Speaker, during the 87th Congress, in House Report No. 1419, the Antitrust Subcommittee of the Committee on the Judiciary filed its report on an intensive investigation into antitrust and monopoly problems in the U.S. shipping industry. The subcommittee's report examined in detail a number of practices in the shipping industry that were the source of problems under the shipping statutes, and in addition involved problems in their relationship to policies of our antitrust laws. The subcommittee's report contained recommendations to the Maritime authorities for implementing action that would serve to resolve some of these problems.

On July 10, 1964, the Federal Maritime Commission, through its Chairman, John Harllee, submitted a status report, as of June 16, 1964, of the actions that had been taken to implement the subcommittee's recommendations. On January 7, 1966, Chairman Harllee forwarded a supplemental report, as of December 22, 1965, of additional actions that had been taken by the FMC. These reports, and Admiral Harllee's letter, reflect efforts by the FMC to administer the Shipping Act of 1916 in a fair and effective manner with particular regard for the protection of the public interest.

In order that all the Members of the House may be acquainted with the actions taken by the FMC to implement the recommendations of the House Antitrust Subcommittee, I submit for incorporation in the RECORD, Chairman Harllee's January 7, 1966, letter, together with the status report of June 16, 1964, and the supplemental report as of December 22, 1965.

FEDERAL MARITIME COMMISSION,
Washington, D.C., January 7, 1966.

Hon. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives,
Washington, D.C.

DEAR MR. CHAIRMAN: In furtherance of our responsibility to keep your committee fully informed of those activities of the Commission which affect the functions and interests of the committee, I am forwarding herewith an advance copy of the Annual Report of the Federal Maritime Commission for the fiscal year which ended June 30, 1965.

I am also enclosing a supplemental report showing the Commission's further implementation of the recommendations made by the Antitrust Subcommittee on the Judiciary contained in House Report No. 1419, 87th Congress, 2d session, dated March 9, 1962. This report brings up to date the prior report sent you with my letter of July 10, 1964, copy attached for your ready reference.

You can be assured of the Commission's continuing interest in administering the Shipping Act, 1916, in a fair and effective manner, but with particular regard to the protection of the public interest.

Sincerely yours,

JOHN HARLLEE,
Rear Admiral, U.S. Navy (Retired),
Chairman.

FEDERAL MARITIME COMMISSION,
Washington, D.C., July 10, 1964.

Hon. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives,
Washington, D.C.

DEAR MR. CHAIRMAN: The Federal Maritime Commission feels it appropriate to report at this time on the recommendations of the Antitrust Subcommittee of the Committee on the Judiciary. Accordingly, the enclosed report reflects the status of all of the recommendations of the subcommittee made in House Report No. 1419, 87th Congress, 2d session, dated March 9, 1962.

The Commission's progress in carrying out the subcommittee's recommendations is reflected in the promulgation of rules, institution of formal proceedings and factfinding investigations, and otherwise conducting activities to achieve the objectives of the recommendations. Some of these proceedings and actions have been completed, while others have been initiated and are in active processing at this time.

The Commission is fully appreciative of the significance of the subcommittee's recommendations to the effective and efficient administration of the regulatory statutes and is resolved to pursue these recommendations to their conclusion.

To this end, I have made them an integral part of the program of the agency instituted on March 9, 1964, a copy of which has been furnished to you. Accordingly, in submitting the enclosed report, I have included in column three, by page reference number to our program plan, those recommendations whose status reflected in column two requires continued attention or implementing action.

In addition to the foregoing, the Commission also desires at this time to advise you as to the disposition of the specific matters involving possible violations of the shipping statutes, which were uncovered by the hearings and activities of the subcommittee during the period 1959 through 1961. These matters, principally covering the activities and practices of common carriers by water in the foreign commerce of the United States and conferences of such carriers, totaled 247 of which 178 were referred by the subcommittee and 69 were selected for action by the Commission on its own initiative after review of the subcommittee's testimony, reports, and files.

The disposition of these matters has received the continuous attention of the Commission, within the capabilities of its limited staff and the enlarged responsibilities placed upon the agency through enactment of Public Law 87–254 and Public Law 87–346 in the fall of 1961. The action taken to date is reported herewith:

(a) Twenty-six matters have been referred to the Department of Justice for prosecution as violations of the shipping statutes.

(b) One hundred and eighty-two matters have been closed by administrative action of the Commission on the basis that they were (1) satisfied by rulemaking proceedings or by agreement of the party or parties to comply with the statutory requirements; (2) not subject to prosecution by the Department of Justice for the recovery of penalties since action was barred by provisions of Federal statutes and no regulatory purpose would be served by further administrative action of the Commission; and (3) determined, after investigation of initial and subsequently developed facts, not to be violations of the statutes or to be insignificant individual problems which have long since been resolved.

(c) Ten matters are the subject of formal proceedings which are now in process.

(d) The remaining 29 matters, upon which substantially all staff work has been completed, are pending the preparation of appropriate memorandums, of disposition which are scheduled for completion by August 1, 1964.

In conclusion you are advised that a number of these matters represented the basis for, and furnished the specific violations necessary for the Commission to conduct formal investigations and hearings and rulemaking proceedings, which resulted in the promulgation of decisions and rules providing not only remedial action with respect to specific violations, but also assuring a more effective administration of the shipping statutes in the future.

In this connection, for example, the Commission (a) instituted an investigation and hearing in the matter of an agreement between the Lykes Bros. Steamship Co., Robin Line, and others covering the fixing of rates in the South African trade; the decision in this case, decided on April 9, 1962, held that the parties had operated under an unfiled agreement subject to Commission approval under section 15, Shipping Act, 1916, and referred the matter to the Department of Justice for prosecution; (b) instituted an investigation and hearing in the matter of Hohenberg Bros., a shipper, and States Marine Steamship Co.; the decision in this case, decided on October 6, 1961, held that Hohenberg knowingly and willfully by unjust means obtained transportation at less than the applicable tariff rates, and referred the matter to the Department of Justice for prosecution; (c) as a result of a number of matters developed by the subcommittee's activities and newly enacted provisions of law, instituted rulemaking proceedings in a number of areas; e.g., (1) rules governing the admission, withdrawal, and expulsion provisions of steamship conference agreements; (2) rules governing self-policing systems; (3) rules governing the right of independent action in agreements.

I shall be very glad to furnish such supplemental information that may be desired and the Committee can be assured that I will keep them advised of our future progress.

Sincerely yours,

JOHN HARLLEE,
Rear Admiral, U.S. Navy (Retired), Chairman.

Status report as of June 16, 1964—Recommendations of the Antitrust Subcommittee of the Committee on the Judiciary, House of Representatives, 87th Cong., H.R. 1419

Recommendations	Status
B. THE CONFERENCE SYSTEM	
(Recommendations appear on pp. 386–388 of the report.)	
RECOMMENDATION 1	
(a) Both the MA and the FMC should make studies and take appropriate steps to resolve problems posed by foreign domination of U.S. waterborne foreign commerce, particularly of conferences engaged in such commerce. (b) Consideration should be given to changes in conference voting procedures.	The Commission instituted on Oct. 22, 1963, Factfinding Investigation No. 6: Investigation Into the Effects of Steamship Conference Organization, Procedure, Rules, Regulations, and Practices. The initial phases of this investigation are well advanced and hearings are scheduled to begin within the next 60 days. These initial phases have included the (a) contacting by correspondence of some 1,300 shppers and exporters and analyzing some 150 responses to determine shippers' problems with, and effect of, conference rates and practices; (b) interviewing some 20 representative shippers (planned interview of some 30 to 40 more shippers was curtailed due to lack of available travel funds); (c) conducting negotiations with Department of Commerce officials relative to the preparation of that agency's appearance and exhibits at the proceeding; (d) finalizing FMC plans as to its rate studies to be introduced at the hearings; and (e) determining methods, techniques and scope of the investigation including the procedure to be followed, areas of investigation to be exhausted and evidence to be introduced.
(c) Consideration should be given to encouragement of a greater number of U.S.-flag lines to operate on essential trade routes so that the American voting bloc would be increased.	Action directed to the Maritime Administration.
(d) Every conference be required to maintain a resident headquarters in the United States with authority to deal with shippers' complaints and information and rate adjustment requests.	This matter will be covered in a proposed rule on "Shippers' Requests and Complaints."
RECOMMENDATION 2	
There should be instituted studies of the overall structure of steamship conferences with a view toward consolidating or separating them so as to insure that services and voting structure will benefit the general public and the steamship industry.	The objective of this recommendation was a consideration in docket 1092. This proceeding involved the approval of a new conference in the Pacific Coast-Latin American trade, replacing 10 existing conferences. The new agreement is divided into 5 trade areas (3 outbound and 2 inbound), and only those carriers who provide service in the particular trade area may vote on rates and practices in that area. Thus, while the new agreement takes place of 10 existing agreements, it creates what amounts to 5 new conferences under a single administrative office. Factfinding investigation No. 6.
RECOMMENDATION 3	
(a) Studies should be directed to determine whether interconference agreements should be prohibited. If permitted should only be sanctioned when not detrimental to the foreign commerce of the United States. (b) The practice of having a single individual act as a chairman of a group of conferences should be prohibited.	The objectives of this recommendation will be considered in Docket 872: Joint Agreement Between the Member Lines of the Far East Conference and the Pacific Westbound Conference, a formal proceeding before the Commission. Factfinding investigation No. 6.
RECOMMENDATION 4	
A thoroughgoing, intensive study of the structure and level of conference rates should be conducted which should: (a) Establish principles concerning elements to be considered in setting rates and judging their fairness. (b) Establish principles for determining impact of rates on domestic economy and export programs. (c) Adjust unfair discrepancies between inbound and outbound rates. (d) Give attention to relationship between rates from United States and rates from other countries to some world markets. (e) Inquire into manner in which ratemaking agreements and other practices discriminate against United States in connection with the transportation of Government-financed commodities.	Docket 1114: Investigation of Iron and Steel Rates Between United States, Europe, Japan, the Philippines, and Australia, instituted on June 3, 1963. Hearings have been held in New York, at which time 14 witnesses were called and San Francisco, where another 14 witnesses were called. Hearings in Washington are planned in early June 1964 at which time we anticipate calling 40 to 50 more witnesses. Orders pursuant to sec. 21, Shipping Act, 1916, served in November 1963 and January 1964 upon 8 outbound and 8 inbound conferences and 30 independent common carriers. In addition, letters requested the outbound conferences and independents adjust rate disparities between inbound and outbound rates on same or similar commodities. On Feb. 20, 1964, the times for response to all orders, except those served on 8 outbound conferences were postponed pending further order of the Commission. The 8 outbound conferences who were required to respond by Mar. 2, 1964, filed suits with the District of

Status report as of June 16, 1964—Recommendations of the Antitrust Subcommittee of the Committee on the Judiciary, House of Representatives, 87th Cong., H.R. 1419—Continued

Recommendations	Status
(f) Effect of OCP rates upon geographic distribution of American industry and on American carriers in those trades.	Columbia Circuit Court and the 9th circuit court for review of the Commission orders and for injunctive relief. The courts denied the applications for injunctive relief. One case was dismissed on the Commission's motion and the remaining cases are pending briefs. (Two additional rate disparity cases have been filed for which injunctive relief has not been sought since they relate to the inbound trade.)
NOTE.—This recommendation has a direct relationship to recommendation 4 under the heading of "G. Federal Maritime Board" (see p. 398 of the Celler report). The latter recommendation provides that— The Commission should commence and pursue a general investigation of ocean freight rates for the carriage of principal commodities along the most important foreign trade routes of the United States. The Commission should establish standards and principles and determine, for example, whether any important freight rates are: (a) Unjustly discriminatory between shippers or ports in violation of sec. 17 of 1916 act; (b) Unjustly prejudicial to exporters of the United States vis-a-vis their foreign competitors in violation of sec. 17 of the act; (c) Operating to the detriment of the commerce of the United States in violation of sec. 15 of the act; (d) Unreasonably prejudicial or disadvantageous from the standpoint of any community or locality or class of commodity in violation of sec. 16 first of the act; (e) Discriminatory against American exporters to the extent that they are higher for outbound cargo than for inbound between the same ports in violation of sec. 212(e) of the Merchant Marine Act of 1936; or (f) Discriminatory as between federally improved ports in the United States and nearby ports in violation of sec. 205 of the 1936 act.	Factfinding investigation No. 6: Insofar as conference rates are concerned. Factfinding Investigation No. 7: Investigation of Possible Violations of the Shipping Act, 1916, Resulting From Rates on Plywood, instituted on Mar. 24, 1964. Docket 1171: Investigation of Outbound Rates Affecting the Exportation of High-Pressure Boilers (Utility Type), Parts and Related Structural Components, instituted on Mar. 12, 1964. Docket 1155: Investigation of Imposition of Surcharge on Cargo to Manila, Republic of Philippines, instituted on Oct. 23, 1963. Docket 1174: Investigation of Freight Rates on Liquor and Distilled Spirits, North Atlantic-United Kingdom and Baltic Trade, instituted on Mar. 17, 1964. Docket 1083: Investigation To Determine Whether Rates in Hong Kong, U. S. Atlantic, and Gulf Trade Are So Unreasonably Low as To Be Detrimental to the Commerce of the United States, instituted on Dec. 10, 1962. Hearing held in New York on Apr. 21, 1964.
RECOMMENDATION 5	
(a) The FMC should effectively use its powers to prevent and punish conference abuses in their ratemaking power. (b) The FMC should issue regulations and appropriate sanctions spelling out its power to disapprove agreements because of the establishment of rates detrimental to the foreign commerce of the United States.	The objectives of these recommendations will be carried out by the Commission in the conduct of, and decisions rendered in, the formal proceedings, investigations and factfinding investigations covered in this report under recommendation 4 above.
(c) The Commission should closely police the rate filing provisions of law to assure scrupulous adherance to tariffs by conference lines and that tariffs are made available to the public upon request.	Tariff filing rules have been published as proposed rules.
(d) The Commission should prohibit the delegation, without agreement authority, of ratemaking authority to chairman or committees. (e) Study should be made of "emergency rates" to insure that they are not used as a pretext to discriminate.	It is expected that this recommendation will be fully covered in factfinding investigation No. 6. Factfinding Investigation No. 8; Project Rates and Practices Related Thereto, instituted on June 16, 1964, will substantially cover the problem raised in this recommendation insofar as project rates are concerned. However, additional study is being given by the staff to other limited areas of "emergency rates."
RECOMMENDATION 6	
The FMC should clearly and without ambiguity require that all rules, regulations, memorandums, correspondence and minutes that each conference distributes to its members should also be sent to the Commission.	This recommendation is generally followed by the staff in the processing of agreements submitted for Commission approval, insofar as the submission of minutes concerned. In addition proposed rules are being developed and should be published in the Federal Register in the next 30 to 60 days. These rules will cover, essentially, each of the points of this recommendation.
(a) Minutes should be maintained fully and accurately, and promptly furnished to the Commission. (b) Minutes should show not only final actions but also matters discussed but not acted upon. (c) Above should also apply to principal's meetings. (d) Minutes should be certified by Chairman as to their accuracy and completeness.	
RECOMMENDATION 7	
The FMC should establish general standards for all conference agreements and devise and publish a form containing all minimum requirements for those agreements.	The Commission in the approval of agreements process applies a set of criteria which must be met for particular types of agreements to be approved. Although these criteria and the minimum requirements contained therein have not been published, they have been furnished to specific conferences, as appropriate. In the category of dual rate contracts, the Commission followed the objectives of this recommendation by approving substantially uniform contract provisions with respect to those expressly required by statute; in addition some uniform clauses were approved for optional use by the parties to the contract.
RECOMMENDATION 8	
(a) The FMC should require prompt filing of reports of denials of membership in conference. (b) The Commission should study the extent to which membership fees and security deposits discourage outside lines from participating in conferences. If necessary these should be reduced by order of the Commission.	The Commission on Apr. 21, 1964, approved final rules on the "Admission, Withdrawal and Expulsion Provisions of Steamship Conference Agreements." These rules provide, among other things, for notice to the FMC of admission to, denial of, withdrawal from, and expulsion from conference membership. The rules also, require that "payment of an admission fee, payment of any outstanding financial obligations arising from prior membership, or the posting of a security bond or deposit—be made [in] expressed terms of the conference agreement, filed with and approved by the Commission * * *."
RECOMMENDATION 9	
The FMC should prohibit conferences from regulating the business activities of agents.	Docket 873: Investigation of Steamship Conferences Regarding Travel Agents—Commission held that conferences cannot prevent passenger agents from accepting bookings for nonconference lines. Also, pending docket 1150, in the matter of agreement 14-19 and clause 11 of agreement 14-1, Trans-Pacific Freight Conference (covering restriction on representation of nonconference vessels by member lines or their agents). This recommendation should also be a matter of consideration in factfinding investigation No. 6.
C. DUAL RATE AGREEMENTS (Recommendations appear on pp. 390 and 391 of the report.)	
RECOMMENDATION 1	
Additional protection should be given to nonconference operators either by administrative practice or, if need be, by legislation. If steps are not taken administratively to protect independent operators from obliteration, further legislative action should be undertaken to do so.	Recommendations 1 through 4 were considered by the Commission, in its deliberations of, and approval of, dual rate contracts, approved Mar. 30, 1964, pursuant to the provisions of Public Law 87-346, enacted on Oct. 3, 1961. Under the Commission's approved contracts, shippers affiliated with signatory shippers are given greater freedom of choice as to whether or not they will themselves be bound by a dual rate contract or will remain free to ship via independent carriers (they would have had less freedom under the more restrictive form of contract offered by the conferences). This is because the Commission required that certain tests of control be met before affiliates were automatically bound to dual-rate contracts signed by parent or affiliated shippers. Continued evaluation of the dual-rate system will be made by the Commission, based upon experience of carriers, conferences, and shippers under the provisions of the new contracts. If required, the recommendations will be further implemented by issuance of Commission orders or by additional recommendations to the Congress. The Commission on May 7, 1964, reported to you on recommendation 2. This report advised that the Commission in its recent decisions on dual-rate contracts expressly required
RECOMMENDATION 2	
The FMC should study and report to Congress on the desirability of permitting contract shippers to cancel their contracts on 30 days' notice.	
RECOMMENDATION 3	
The FMC should establish minimal standards for dual-rate contracts beyond those set forth in Public Law 87-346 and should devise and publish a basic form contract to be used by all conferences.	

***Status report as of June 16, 1964—Recommendations of the Antitrust Subcommittee of the Committee on the Judiciary, House of Representatives, 87th Cong., H.R. 1419*—Continued**

Recommendations	Status
RECOMMENDATION 4 The FMC should make a study of the dual rates established by each conference to insure their reasonableness and nondiscriminatory nature. Special attention should be given to the discriminatory impact of the "spread" and of project and emergency rates.	that all contracts provide for termination by shippers upon 90-day notice; permit cancellation by shippers effective on the date of any rate increase; and that conferences give 90 days' notice of rate increases, except in case of war or other extraordinary conditions. The report further advised that prudence dictates that we gather additional experience from a fair trial of these provisions before recommending to the Congress the amendment of Public Law 87-346 to require that contracts permit cancellation by shippers on 30 days' notice. With reference to recommendation 4, you are advised that factfinding investigation No. 8: Project Rates and Practices Related Thereto instituted on June 16, 1964, will substantially cover the problem raised in this recommendation insofar as project rules are concerned. However, additional study is being given by the staff to other limited areas of "emergency rates."
D. SEC. 15 AND GENTLEMEN'S AGREEMENTS (Recommendations appear on pp. 390 and 391 of the report.)	
RECOMMENDATION 1 (a) Sec. 15 of the 1916 act should be vigorously enforced. (b) The Commission should make every effort to ferret out gentlemen's agreements.	The FMC follows, as a matter of policy, these recommendations with respect to approval and administration of sec. 15 agreements. Further, these recommendations are adhered to in its compliance and enforcement activities, within the limits of available staff, through the review of conference minutes, analysis of tariff filings, resolving of informal complaints, conduct of field investigations and maintenance of surveillance over the practices and activities of conferences and independent carriers.
RECOMMENDATION 2 (a) The FMC should use sec. 15 power broadly. (b) The Commission should consider the history of compliance of steamship lines and conferences with respect to the shipping laws in connection with granting or withholding approval of sec. 15 agreements. Further, this power should be exercised to insure agreement benefits go to the American public and not merely to the maritime industry alone.	The Commission's experience with respect to compliance by steamship lines and conferences with the shipping laws as gained from the formal proceedings, factfinding investigations and other actions enumerated heretofore should be of material assistance in carrying out the objectives of this recommendation and recommendation 1 above.
RECOMMENDATION 3 Department of Justice should prosecute sec. 15 violations irrespective of Commission action.	Recommendation directed to the Department of Justice.
RECOMMENDATION 4 The Department of Justice, the maritime agencies and the appropriate committees of Congress should study if sec. 15 should be broadened to include: (a) Agreements with persons not now subject to the act, viz: railroads, other common carriers, and certain categories of noncommon carriers. (b) Agreements with shippers' associations. (c) Agreements which cover or affect the foreign commerce of the United States generally but do not cover trade emanating from or destined for a port of the United States.	Answers with respect to recommendation 4(a) should be forthcoming from Factfinding Investigations No. 4 and No. 5: Terminal Practices in the North Atlantic Ports and Terminal Practices in South Atlantic Ports as well as a proposed factfinding investigation on OCP rates. No action to date.
E. MALPRACTICES AND SELF-REGULATION (Recommendations appear on pp. 392 and 393 of the report.)	
RECOMMENDATION 1 The FMC should take immediate steps to insure that effective procedural machinery is established by each conference to police violations of conference agreements. "Neutral body" system should be favored.	Rules issued on "self-policing systems" in form of General Order No. 7, dated Aug. 22, 1963, should meet the purpose of this recommendation. The rules provided that conference and other rate-fixing agreements contain a provision describing the method or system used by the parties in policing the obligations under the agreement, including the procedure for handling complaints and the functions and authority of every person having responsibility for administering the system.
RECOMMENDATION 2 Each conference system of self-regulation should require every member make available to the self-regulating agency its files and records.	No action to date. Rules would require modification to accommodate this recommendation.
RECOMMENDATION 3 Each conference self-regulating agency should be required by the FMC to report to it on each formal complaint. The report should include a description of the complaint, the finding of the agency or conference, the penalty imposed, and the state of compliance with the agency's decision.	Rules contain a reporting requirement that does not go as far as this recommendation. The rule provides for (1) reporting to FMC twice a year; and (2) a list of complaints and description of action taken thereon, excluding names of parties.
RECOMMENDATION 4 The FMC should retain the right to review the record of any adjudication by a conference self-regulating agency.	Rules do not set forth this as a requirement. However, the absence of rule does not preclude Commission from exercising jurisdiction and reviewing actions. The Commission will exercise its right of review of records in conducting its compliance checks and investigations of conference activities.
RECOMMENDATION 5 The Commission should make unrelenting independent efforts to uncover malpractices and violations of the shipping statutes—here and abroad.	The Commission, within the limits of available staff, devotes constant efforts to achieve the objective of this recommendation, through the review of conference meetings, analysis of tariff filings, resolving of informal complaints, conduct of field investigations and maintenance of surveillance and practices and activities, conferences, and independent carriers.
RECOMMENDATION 6 The Department of Justice should maintain scrutiny of malpractices and prosecute without delay.	Action directed to the Department of Justice.
F. PRESERVATION OF NONCONFERENCE COMPETITION (Recommendations appear on pp. 395 and 396 of the report.)	
RECOMMENDATION 1 The Commission should maintain extreme vigilance in its enforcement of secs. 14, 15, 16, 17, and 20 of the 1916 act, so as to insure that conferences by unlawful and predatory devices eliminate independent competition.	Within available staff, the FMC has increased its efforts to effectuate this recommendation through its increased surveillance activities, institution of formal investigations and hearings, factfinding investigations, and issuance of sec. 21 orders.
RECOMMENDATION 2 The Maritime Administration should administer the operating subsidy provisions of law so as to avoid discriminating against American-flag independent competition.	Action directed to the Maritime Administration.

Status report as of June 16, 1964—Recommendations of the Antitrust Subcommittee of the Committee on the Judiciary, House of Representatives, 87th Cong., H.R. 1419—Continued

Recommendations	Status
RECOMMENDATION 3 The Commission should guard against efforts to make dual-rate systems so predatory in their operations that they eliminate all independent competition.	The Commission will in factfinding investigation No. 6 determine the effect of rate-fixing authority and practices of conferences upon independent competition and the foreign commerce of the United States. In docket No. 1109, the Commission for the first time approved a dual-rate contract for a single independent carrier, the Turkish Cargo Line. The approval of such contract for an independent carrier was not possible prior to enactment of Public Law 87-346. Also, recommendation was considered in the approval of dual-rate contracts pursuant to Public Law 87-346.
RECOMMENDATION 4 Maritime agencies should use their powers of regulation to encourage independent U.S.-flag and American-owned independents, and where their powers prove inadequate to do so, they should recommend appropriate legislation to protect the independents and to safeguard the interests of the American public.	The Commission follows this objective in its administration of the regulatory statutes. At such time as additional legislation is required appropriate recommendations will be made to the Congress. Also, the matter of independent operators will be of vital consideration in the pending factfinding investigation No. 6 and docket No. 1083.
G. THE FEDERAL MARITIME BOARD (Recommendations appear on pp. 397–399 of the report.)	
RECOMMENDATION 1 The Commission should establish both administrative procedures and internal regulations to underscore the need for devotion to the general public interest, objectivity, independence, efficiency, and sympathetic attention toward shippers' complaints on the part of all Commission personnel.	Docket No. 1156: Proposed Rule on Shippers' Requests and Complaints, published on Nov. 1, 1963, provides that the Commission shall disapprove any agreement after notice and hearing on a finding of failure or refusal to adopt and maintain reasonable procedures for prompt and fairly hearing and considering shippers' requests and complaints. The proposed rules further provide that each conference and other body with rate-fixing authority shall (1) file a statement with the Commission, outlining in detail, its procedure for handling shippers' requests and complaints; (2) submit reports of requests and complaints received, identity of request, disposition and if denied, reason for denial; (3) designate a resident agent (applicable to conferences and other bodies under approved agreements domiciled outside the United States) in the United States with whom shippers may lodge their requests and complaints; such agent shall maintain records of requests and complaints and disposition thereof filed with him; (4) include in their tariffs a provision where and by what method shippers may file their requests and complaints. On Dec. 15, 1963, Commission directed requests to conferences for the voluntary submission of comprehensive reports of requests and complaints received by them during period July 1, 1963, through Dec. 15, 1963. The Commission also issued sec. 21 orders on Jan. 2, 1964. Four actions were filed with the courts by conferences upon whom orders were served; injunctive relief has not been granted by the courts and the cases are now pending briefs.
RECOMMENDATION 2 Appointment of members to the new Commission should be made with care. The staff of the Commission should be augmented by fully qualified personnel.	The Commission follows this recommendation.
RECOMMENDATION 3 The Commission should simplify the procedure for entertaining informal complaints. This should permit the Commission to informally correct misunderstandings and minor infractions without delay or prohibitive cost.	Informal complaint procedure has been streamlined. Delegation of additional responsibilities to district manager for the handling of informal complaints has been approved, which will resolve misunderstanding and minor infractions quickly and at a minimum of cost.
RECOMMENDATION 4 The Commission should commence and pursue a general investigation of ocean freight rates.	Covered in this report under recommendations B1, B2, and B3.
RECOMMENDATION 5 The Commission should exercise detailed and continuing supervision of steamship conferences.	The report indicates that specifics in this regard are covered in other recommendations of this report. The only additional point made was that the Commission should insure that its regulatory activities do not discriminatorily fall more heavily on American-flag lines than upon foreign lines. This point is recognized by the Commission in the day-to-day carrying out of its mission.
RECOMMENDATION 6 (a) The Commission should review all pooling agreements and other sec. 15 agreements to determine if they are active. Inactive agreements should be formally terminated. (b) Participants to all active agreements other than conference agreements should be required to file periodic reports showing tonnages pooled or otherwise affected, revenues earned and distributed, sailing schedules adapted, etc. The Commission should not permit such agreements to be employed by foreign lines to coerce American lines.	Action will be taken as to the review of agreements to determine if they are active and to terminate inactive agreements within the next 60 days. The undertaking of this project has been delayed because our limited staff has been required to devote its efforts to the processing of the increased number of agreements filed for Commission approval under Public Law 87-346. No rulemaking action instituted to date requiring periodic reports. However, the Commission requires that new pooling agreements, as a condition of approval, have a provision for the filing of annual reports.
RECOMMENDATION 7 To aid shippers and carriers to understand the Commission's policies and rulings, the Commission should publish in bound form all past decisions of the Commission and its predecessor agencies.	Vols. 3, 4, 5, and 6 have been delivered to the Government Printing Office; vol. 3 was printed and bound on June 26, 1963, vol. 4 was printed and bound on Oct. 25, 1963, and vol. 5 was printed and bound on Apr. 16, 1964. Vol. 6 has been forwarded to the GPO and should be printed and bound by June 15, 1964. Vols. 3 through 6 will cover decisions from 1948 through Aug. 11, 1961, at which time the Federal Maritime Board was abolished. The completion of this project would have been realized by the printing and binding of vol. 7 of the decisions of the FMC covering the period Aug. 12, 1961 to Jan. 1, 1964. This printing which was scheduled for early in fiscal year 1965, will have to be indefinitely delayed, unless the Senate Appropriations Committee and the Senate/House conferees restored the House Appropriations Committee reduction in our budget request for the fiscal year.
RECOMMENDATION 8 Consideration should be given to amend the Shipping Act as to— (a) Secs. 14, 15, and 16 should be amended to provide for penalties against conferences, conference chairmen, and officers and agents of conferences and carriers. (b) The Commission's power to obtain books and records and other information should be clarified so that the Commission has the right to obtain such records and information wherever located for preliminary investigation as well as for formal proceedings. (c) The Commission should be given power to suspend rates in the foreign commerce wherever there is substantial reason to believe that the rates are so unreasonably high or low as to be detrimental to the commerce of the United States.	This recommendation will be carefully considered by the Commission and the need for additional legislation and/or authority will be determined by the experience acquired through the formal proceedings, factfinding investigations, and other actions instituted, as covered heretofore in this report.

Supplemental report as of Dec. 22, 1965—Recommendations of the Antitrust Subcommittee of the Committee on the Judiciary, House of Representatives, 87th Cong., H.R. 1419

Recommendations	Status
B. THE CONFERENCE SYSTEM (Recommendations appear on pp. 386–388 of the report.)	
RECOMMENDATION 1	
(a) Both the MA and the FMC should make studies and take appropriate steps to resolve problems posed by foreign domination of U.S. waterborne foreign commerce, particularly of conferences engaged in such commerce. (b) Consideration should be given to changes in conference voting procedures.	The Commission instituted factfinding investigation No. 6 into the effects of steamship conference organization, procedure, rules, regulations, and practices upon the foreign commerce of the United States as shown in our previous report dated June 16, 1964. Hearings to receive shipper testimony regarding the desirability of the conference system have been held in New York, New Orleans, Chicago, San Francisco, Seattle, and Washington, D.C. An interim report was issued under date of May 25, 1965, which is primarily concerned with steps the Commission can now take to assist shippers, carriers, and conferences to deal with freight rate problems. Additional hearings have been and will be held dealing with conference voting procedures and the extent of any foreign domination of U.S. waterborne commerce.
(d) Every conference be required to maintain a resident headquarters in the United States with authority to deal with shippers' complaints and information and rate adjustment requests.	All ratemaking groups are now required by the Commission's General Order No. 14, which became effective July 9, 1965, to appoint resident representatives with whom shippers located in the United States may lodge their requests and complaints.
RECOMMENDATION 3	
(a) Studies should be directed to determine whether interconference agreements should be prohibited. If permitted should only be sanctioned when not detrimental to the foreign commerce of the United States.	The objectives of this recommendation were considered in Docket 872: Joint Agreement Between the Member Lines of the Far East Conference and the Pacific Westbound Conference. A report of the Commission was issued July 28, 1965. Petitions for reopening and clarification were denied by the Commission on Nov. 1, 1965. The Commission found that supplementary agreements between the members of these conferences affecting rates, concurrence procedures, and other matters were held to constitute unapproved agreements which are required to be filed with the Commission for approval pursuant to sec. 15 of the Shipping Act, 1916, and ordered the parties to cease and desist from carrying out such agreements until filed with and approved by the Commission. The Commission concluded that it could not guarantee reapproval of the joint agreement if the various supplementary agreements are filed for approval, as the scope, contents, and procedures carried out under these agreements are uncertain. At the same time the Commission concluded that there is insufficient evidence in the record on which to base disapproval of the joint agreement.
RECOMMENDATION 4	
A thoroughgoing, intensive study of the structure and level of conference rates should be conducted which should: (a) Establish principles concerning elements to be considered in setting rates and judging their fairness. (b) Establish principles for determining impact of rates on domestic economy and export. (c) Adjust unfair discrepancies between inbound and outbound rates (d) Give attention to relationship between rates from United States and rates from other countries to some world markets. (e) Inquire into manner in which ratemaking agreements and other practices discriminate against United States in connection with the transportation of Government-financed commodities. (f) Effect of OCP rates upon geographic distribution of American industry and on American carriers in those trades. NOTE.—This recommendation has a direct relationship to recommendation 4 under the heading of "G. Federal Maritime Board" (see p. 398 of the Celler report). The latter recommendation provides that: The Commission should commence and pursue a general investigation of ocean freight rates for the carriage of principal commodities along the most important foreign trade routes of the United States. The Commission should establish standards and principles and determine, for example, whether any important freight rates are: (a) Unjustly discriminatory between shippers or ports in violation of sec. 17 of 1916 act; (b) Unjustly prejudicial to exporters of the United States vis a vis their foreign competitors in violation of sec. 17 of the act; (c) Operating to the detriment of the commerce of the United States in violation of sec. 15 of the act; (d) Unreasonably prejudicial or disadvantageous from the standpoint of any community or locality or class of commodity in violation of sec. 16 first of the act; (e) Discriminatory against American exporters to the extent that they are higher for outbound cargo than for inbound between the same ports in violation of sec. 212(e) of the Merchant Marine Act of 1936; or (f) Discriminatory as between federally improved ports in the United States and nearby ports in violation of sec. 205 of the 1936 act.	The Commission's investigation of iron and steel rates between the United States and Europe, Japan, the Philippines, and Australia in docket 1114, referred to in our previous report, has been concluded and the report therein served Dec. 6, 1965. While the rates in question were found not to be unlawful, the Commission held that "under sec. 18(b)(5) [of the Shipping Act, 1916,] when a rate disparity in reciprocal trades, in similar commodities appears, and when movement of goods under the higher rates has been impaired the carrier quoting the rates must demonstrate that the disparate rates are reasonable." Other steps taken by the Commission in connection with this recommendation are indicated below: Docket 65–45: Investigation of Ocean Rate Structures in the Trade Between United States North Atlantic Ports and Ports in the United Kingdom and Eire, North Atlantic United Kingdom Freight Conference, Agreement 7100, and North Atlantic Westbound Freight Association, Agreement 5850, was undertaken Dec. 9, 1965, on the basis of studies and analysis of information that the rate structure in the outbound U.S. trades were higher than the inbound rate structure in the same trade as contained in tariffs filed by the aforesaid ratemaking groups. Among other things, the Commission will determine whether any of the rates covered should be disapproved and whether any recommendation should be made to Congress to correct any discriminatory rates, charges, classifications, and practices pursuant to sec. 212(e) of the Merchant Marine Act, 1936. Similar studies are in progress to determine whether formal investigation in other worldwide trades is warranted. Factfinding investigation No. 6 insofar as conference rates are concerned. Factfinding Investigation No. 7: Investigation of Possible Violations of the Shipping Act, 1916, Resulting from Rates on Plywood was instituted on Mar. 24, 1964, to develop information regarding these rates and their impact on the commerce of the United States. Following the institution of this investigation the plywood interests informed the Commission that they were negotiating directly with the steamship conferences for lower rates and requested the Commission to hold its investigation in abeyance. In view of this request the Commission has withheld its investigation pending the outcome of the industry rate negotiations. Docket 1171: Investigation of Outbound Rates Affecting the Exportation of High Pressure Boilers (Utility Type), Parts and Related Structural Components, instituted on Mar. 12, 1964. This investigation was instituted to determine whether the rates of the Far East Conference, the River Plate and Brazil Conference and the India, Pakistan, Ceylon and Burma Conference, on high pressure boilders, parts and related structural components should be disapproved or altered by the Commission. Hearings were held before a hearing examiner of the Commission, and the examiner's decision in the matter was served on June 29, 1965. Oral argument before the Commission was concluded on Oct. 7, 1965, and the matter is now pending decision by the Commission. Docket 1155: Investigation of Imposition of Surcharge on Cargo to Manila, Republic of Philippines, instituted on Oct. 23, 1963. The Commission instituted this investigation on its own motion to determine the lawfulness of surcharges on cargo moving from ports in the United States to Manila, Republic of the Philippines, under secs. 15, 16, 17, and 18(b)(5) of the Shipping Act, 1916. Respondents were Pacific Westbound Conference, Far East Conference, Hawaii Orient Rate Agreement, Pacific Star Line, Compagnie Maritime des Chargeurs Reunis, and Pacific Navigation System, Inc. The Commission found that with the exception of newsprint out of Searsport, Maine, surcharges imposed by the respondents on cargo from the United States to Manila were found not be be in violation of the Shipping Act, 1916. It was also found that respondents Maersk Line and Pacific Star Line, by imposing a surcharge on newsprint at Searsport, Maine, while they did not apply a surcharge at St. John, New Brunswick, Canada, have demanded, charged and collected a charge which was unjustly discriminatory between shippers and ports and unjustly prejudicial to exporters of the United States as compared with their foreign competitors contrary to sec. 17 of the Shipping Act, 1916. On Feb. 3, 1965, the Commission ordered elimination of this prejudice and discrimination. Pacific Star had canceled the objectionable surcharge prior to the issuance of the Commission's order. Maersk Line, a member of the Far East Conference, could not obtain exemption from the conference requirement to assess the surcharge. The Commission moved to have its order enforced by the court, but the court declined. The Commission again pursued the matter by issuing order to the Far East Conference under its docket 65–29, served Aug. 11, 1965, to show cause why Searsport should not be removed from the trading range of the conference agreement. But, the court has acted to stay the order pending hearing of the matter on its merits. The matter is now pending such hearing. Docket 1174: Investigation of Freight Rates on Liquor and Distilled Spirits, North Atlantic-United Kindom and Baltic Trade, instituted on Mar. 17, 1964. Prior to hearings in the matter, the North Atlantic-United Kingdom Freight Conference and the North Atlantic Westbound Freight Association so adjusted their rates as to remove any basis for investigating said rates. By order of the Commission dated Apr. 9, 1964, the proceeding was dismissed as to said conferences and carriers.

Supplemental report as of Dec. 22, 1965—Recommendations of the Antitrust Subcommittee of the Committee on the Judiciary, House of Representatives, 87th Cong., H.R. 1419—Continued

Recommendations	Status
	Respondent independent carriers (States Marine Lines, Inc., Global Bulk Transport, Inc., and Isthmian Lines, Inc.) also adjusted their rates so as to remove any basis for continuing the investigation with respect to them. By order of the Commission dated May 26, 1964, the proceeding was dismissed as to said carriers. Later, the North Atlantic Baltic Freight Conference and the Scandinavian Baltic/U.S. North Atlantic Westbound Freight Conference so adjusted their rates as to remove any basis for continuing the investigation. Since all other respondents to this proceeding had been previously dismissed, this proceeding was discontinued pursuant to notice served July 17, 1964. Docket 1083: Investigation to Determine Whether Rates in Hong Kong/U.S. Atlantic and Gulf Trade are so Unreasonably Low as To Be Detrimental to the Commerce of the United States, instituted on Dec. 10, 1962. Hearings before an examiner of the Commission were held to determine whether any rate in this trade is so unreasonably low as to be detrimental to the commerce of the United States in violation of sec. 18(b)(5) of the Shipping Act, 1916. The subpena authority of the Commission was challenged by respondents and the matter is now pending the outcome of an appeal in the Circuit Court of Appeals for the District of Columbia.
RECOMMENDATION 5 (c) The Commission should closely police the rate filing provisions of law to assure scrupulous adherence to tariffs by conference lines and that tariffs are made available to the public upon request.	On May 27, 1965, the Commission published in the Federal Register General Order No. 13 setting forth final rules governing the filing of tariffs by common carriers by water and by conferences of such carriers in the foreign commerce of the United States. These rules became effective July 1, 1965. On or after Jan. 1, 1966, all tariffs and amendments thereto must in all respect conform with the requirements of General Order No. 13.
(e) Study should be made of "emergency rates" to insure that they are not used as pretext to discriminate.	Factfinding Investigation No. 8: Project Rates and Practices Related Thereto was instituted on June 16, 1964. The report of the investigating officer was made on May 24, 1965. This report does not conclude that the use of project rates is detrimental to the commerce of the United States or contrary to the provisions of the Shipping Act. However, the report concluded that additional study by the Commission's staff may be desirable to consider the adoption of proposed standard rules governing the establishment of such rates in order to maintain surveillance over the present practices related to project rates and to resolve the possibility of any discrimination and preference between shippers.
RECOMMENDATION 6 The FMC should clearly and without ambiguity require that all rules, regulations, memoranda, correspondence and minutes that each conference distributes to its members should also be sent to the Commission. (a) Minutes should be maintained fully and accurately, and promptly furnished to the Commission. (b) Minutes should show not only final actions but also matters discussed but not acted upon. (c) Above should also apply to principal's meetings. (d) Minutes should be certified by Chairman as to their accuracy and completeness.	This recommendation is fully covered by a pending rulemaking proceeding in docket 1194. Proposed rules published in the Federal Register Aug. 6, 1964, elicited comments from more than 100 parties. Oral argument on the proposed rules was had on Oct. 20, 1965. On the basis of the filed comments and the oral argument, final rules are now being prepared for publication in early 1966.
RECOMMENDATION 7 The FMC should establish general standards for all conference agreements and devise and publish a form containing all minimum requirements for those agreements.	This recommendation is now being implemented by the preparation of a proposed rulemaking proceeding. The proposed rules will set guidelines and standards for the filing, format, and control of all agreements, including conference agreements. It will also contain various forms of agreements which will assure as much uniformity as possible and will permit speedy consideration by the Commission and its staff.
RECOMMENDATION 9 The FMC should prohibit conferences from regulating the business activities of agents.	In docket 873, decided Feb. 19, 1964, the Commission found that conferences cannot prevent passenger agents from acting as agents for nonconference lines when they are also agents for conference lines. On appeal to the U.S. Court of Appeals for the District of Columbia Circuit, the court, in *Swedish-American Line, et al.* v. *Federal Maritime Commission*, 351 F. 2d 756, remanded the case to the Commission with directions "that either an adequately supported ultimate finding be made which warrants disapproval under the statute, or if no such finding can be made on the record, that the tying rule be approved as directed by 46 U.S.C. 814." Further action by the Commission is now being studied.
C. DUAL RATE AGREEMENTS (Recommendations appear on pp. 390 and 311 of the report.)	
RECOMMENDATION 1 Additional protection should be given to nonconference operators either by administrative practice or, if need be, by legislation. If steps are not taken administratively to protect independent operators from obliteration, further legislative action should be undertaken to do so.	In considering new dual-rate systems and in reviewing approved systems, the Commission gives serious consideration to the impact of such systems on the independent carriers in the trade. We have already approved a dual-rate system for one independent and are presently considering the application of another.
RECOMMENDATION 3 The FMC should establish minimal standards for dual-rate contracts beyond those set forth in Public Law 87-346 and should devise and publish a basic form contract to be used by all conferences.	Also, it is anticipated that a final rule, setting forth guidelines, standards, and criteria for dual-rate contracts, with approved forms of contracts, will be published early in 1966. This project is being handled as a priority item.
G. THE FEDERAL MARITIME BOARD (Recommendations appear on pp. 397–399 of the report.)	
RECOMMENDATION 1 The Commission should establish both administrative procedures and internal regulations to underscore the need for devotion to the general public interest, objectivity, independence, efficiency and sympathetic attention toward shippers' complaints on the part of all Commission personnel.	On June 18, 1965, the Commission issued its General Order No. 14 covering the rules on shippers' requests and complaints. The rules provide that each conference and other body with rate-fixing authority shall (1) file a statement with the Commission, outlining in detail, its procedure for handling shippers, requests and complaints; (2) submit reports of requests and complaints received, identify or request disposition, and if denied, reason for denial; (3) designate a resident agent (applicable to conferences and other bodies under approved agreements domiciled outside the United States) in the United States with whom shippers may lodge their requests and complaints; such agent shall maintain records of requests and complaints and disposition thereof filed with him; (4) included in their tariffs a provision where and by what method shippers may file their requests and complaints. The rules have not been in effect long enough for the Commission to evaluate their efficacy.
RECOMMENDATION 3 (a) The Commission should review all pooling agreements and other sec. 15 agreements to determine if they are active. Inactive agreements should be formally terminated.	A thorough review of all agreements, beginning with No. 1 has been completed. It has been determined that all inactive agreements, other than a few, have been terminated. The few remaining are under study to determine whether or not they may also be terminated. Our current records can now account for every approved agreement.
RECOMMENDATION 7 To aid shippers and carriers to understand the Commission's policies and rulings, the Commission should publish in bound form all past decisions of the Commission and its predecessor agencies.	In addition to the information previously reported regarding publication of the Commission's decisions, vol. 7 covering the period September 1961 to February 1964 was published in November 1965. Additional volumes will be published as the need arises.

Intergovernmental Committee for European Migration

EXTENSION OF REMARKS
OF
HON. EMANUEL CELLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 2, 1966

Mr. CELLER. Mr. Speaker, members of the Committee on the Judiciary have represented the Congress at every semiannual meeting of the Intergovernmental Committee for European Migration since its birth in Brussels in 1951. In fact, it was through the initiative of members of this committee that ICEM was conceived.

The 24th session of the Council of ICEM, which met in Geneva, Switzerland, on December 1, 1965, was attended by the Honorable William M. McCulloch, the Honorable Frank Chelf, the Honorable Peter W. Rodino, Jr., the Honorable Byron G. Rogers, the Honorable Harold Donohue, and the Honorable Clark MacGregor. The Honorable Edward M. Kennedy, representing the Senate Committee on the Judiciary, also attended.

It was indeed fitting that members of this delegation were afforded the opportunity to address the Council on December 1, 1965, the date that the new immigration law became effective. I should therefore, like to enclose statements of our distinguished representatives as well as a statement by the Honorable Abba P. Schwartz, Administrator, Bureau of Security and Consular Affairs, Department of State, who was the U.S. delegate to ICEM.

The statements follow:

Intergovernmental Committee for European Migration—24th Session of the Council, December 1, 1965, Geneva

(Statements by Hon. Abba P. Schwartz, Senator Edward M. Kennedy, Congressman Peter W. Rodino, and Congressman W. M. McCulloch, U.S. delegation)

Mr. Schwartz, U.S. delegation. Mr. Chairman, members of the Council, it is a pleasure to be present at this 24th session of the Council. First let me make some general observations on the activities of the Migration Committee.

As we all know, the Migration Committee is approaching its 15th year. Since it was founded in 1951, it has transported over 1,400,000 persons to oversea countries of resettlement, including more than 600,000 refugees. This record of accomplishment speaks for itself. It is one of which this Council should be proud.

We all recognize that economic developments in Europe since 1951 have necessitated certain adjustments in the program of the committee. However, ICEM's traditional role of providing assistance to refugees continues, in our opinion, to be the fundamental and certainly one of the most important elements in the operations. And, in this connection, I would like to emphasize my country's concern in the importance of maintaining liberal asylum policies for refugees, and for ICEM's essential role in facilitating the resettlement of refugees out of asylum areas.

For some time the U.S. Government, which historically has followed a liberal policy of asylum to refugees, has been deeply concerned about the deterioration of asylum policies in certain areas. We found it particularly significant that the Consultative Assembly of the Council of Europe at a recent meeting passed a resolution urging governments to adopt a more liberal asylum policy. It is equally significant that the International Council of Voluntary Agencies at a recent conference here in Geneva deemed it necessary to pass a similar resolution.

I would emphasize that if the doors of asylum are tightened or closed there will be no need for IEM to seek resettlement opportunities for refugees, nor will there be any need to seek material assistance for such refugees because, without a place of asylum, the future of the refugee is not in the country of asylum but in the country to which he is thrown back.

As Dr. Haveman pointed out in his opening statement to the Council, ICEM is the only international organization which has the responsibility for moving European refugees. It is vital that this mechanism be firmly maintained.

In connection with ICEM's traditional program on behalf of refugees, I know that this Council will be interested to learn that the new U.S. immigration law which becomes effective today makes permanent provision for the admission of 10,200 refugees annually under a broad definition of refugee. This refugee provision in our basic law is over and above the action which my Government is now taking in granting asylum to many thousands of Cuban refugees.

I was very interested in the discussion which took place in this Council on Monday on refugee problems, and particularly gratified to hear the statement of the representative of the Holy See and his announcement of a special contribution to ICEM for the benefit of refugees and family reunion cases.

The statement of the representative of Luxembourg regarding fundraising efforts in his country for the benefit of refugees is a further source of encouragement.

My delegation would also like to pay special tribute to the program which is being initiated by Her Majesty the Queen of the Netherlands, to raise funds to finance the transportation of refugees by ICEM through the issuance of a special stamp bearing the Queen's signature. As Mr. Warren informed the Executive Committee last week, we recognize that this action by the Queen of the Netherlands is in the finest tradition of the Netherlands Government, and is just another expression of the concern of the people of the Netherlands for the fate of refugees. My delegation feels that it would be most appropriate if the moneys received from various fundraising efforts in the private sector were to be established in a special fund known as the Queen Juliana Fund, provided, of course, that this suggestion meets with the approval of the Queen of the Netherlands.

The extensive discussion which has taken place during this session dealing with the Director's efforts to improve and expand ICEM's program for providing semiskilled workers for Latin America is also a matter of vital concern to my Government. It is my hope that all governments will agree in principle to the efforts which are now underway, and will also find it possible to provide the essential financial assistance which is required so that this program to benefit Latin America will be carried forward successfully.

Mr. Chairman, I know that many members of this Council are aware that, since the initial meeting of ICEM in Brussels in 1951, the United States has always included in its delegation distinguished Members of the Congress of the United States. Neither Mr. Warren nor I, who were both present at Brussels, recall that the U.S. delegation has ever included a more distinguished group of Members of our Congress than are present here today.

They are Congressman William McCulloch, of Ohio, Congressman Peter W. Rodino, of New Jersey, Congressman Arch A. Moore, Jr., of West Virginia, Congressman Clark MacGregor, of Minnesota, Congressman Byron Rogers, of Colorado, and Congressman Harold D. Donohue, of Massachusetts, and Senator Edward M. Kennedy, of Massachusetts.

The Department of State which bears the principal responsibility for the U.S. participation in ICEM attaches great significance to the presence of Members of Congress in our delegation, because they give added representation of the American people, and by their presence express the concern of the American people for the basic objectives of ICEM which are resettlement of refugees, reuniting of families, assistance to our sister Latin American Republics in selective migration, and the movement of national migrants to new homes overseas where they can enjoy a good and productive life.

It is especially gratifying to us that the Members of Congress in our delegation are with us today because this is a very important day, affecting not only the lives of many American families but of many nationals of other countries represented at this council session. This day, December 1, 1965, is important because our new nondiscriminatory immigration law becomes effective today. The Members of Congress who are present here are in great measure responsible for the enactment of that legislation.

Congressman Emanuel Celler, chairman of the Judiciary Committee of the House of Representatives, had expected to be able to be present today. Unfortunately, he has been unavoidably detained in the United States and has asked that I convey to the Council his very best wishes for the success of this meeting. Together with members of our delegation who are present, Congressman Celler worked energetically to bring about the enactment of our new immigration reform bill. In his absence, Congressman William McCulloch, of Ohio, is the ranking member of the Judiciary Committee of the House of Representatives. He will address the Council later in the session.

Mr. Chairman, you may recall that in October of 1963 at a session of this Council I had the personal privilege of conveying to the Council a special message from the President of the United States. In that message President Kennedy asked that I bring, and I quote "to the attention of the Council the new immigration legislation which I recommended to the Congress. This would perpetuate our policy of effecting the reuniting of families and admitting refugees and immigrants without discrimination: matters which I know are of deep interest to the members of the Migration Committee."

President Kennedy in that message also said, "On previous occasions I have referred to ICEM's potential for assisting Latin American countries in selecting, recruiting and receiving the skilled and semiskilled immigrants who can contribute so much to the growth and development of the economy of these countries. I am confident that you will urge your colleagues in the Council to continue to develop and expand ICEM's efforts in this area which hold such promise for Latin America."

Mr. Chairman, it is not a coincidence that on this date, December 1, 1965, when our new immigration law is taking effect, Senator Edward M. Kennedy, a member of the Senate Judiciary Committee and chairman of the Subcommittee on Refugees and Escapees, is here with us. It is not a coincidence because Senator Kennedy, like our late President Kennedy, has a deep and abiding concern for the fate of refugees and indeed for all disadvantaged people. Like the other congressional members of our delegation, Senator Kennedy played a key role in bringing to reality the immigration legislation which President Kennedy referred to in his message of October 1963. It is now my very personal pleasure to introduce to the Council Senator Edward M. Kennedy, of Massachusetts.

Mr. Kennedy (U.S. delegation). Mr. Chairman, members of the Council, my colleagues in the Congress of the United States, members of delegations, members of the public, this is the first time that I have attended a session of this Council. But I come here well acquainted with your work, a friend of your purposes, and an admirer of your achievements.

I am, as Mr. Schwartz has mentioned, chairman of the U.S. Senate Subcommittee on Refugees and Escapees. Since your founding in 1951, that subcommittee has supported the work of ICEM. We know the role you have played in helping almost 640,000 refugees begin their lives again in new countries. We are aware of your great contribution in facilitating the immense waves of national migration. My colleagues join me in saluting these achievements.

Presdent Kennedy had high regard for this Council. He appreciated the unique and creative role ICEM has in assisting the developing partnership between Europe and the Western Hemisphere. Some of you may recall his speech in July 1962, calling for a declaration of interdependence among the nations of the Atlantic Community. He felt that all of our countries were on the threshold of their greatest growth—economically, socially, politically, spiritually. President Kennedy invited us to cross the threshold, to strengthen our partnership, and to build a prosperous community of independent nations.

ICEM is a child of this ideal—and an effective instrument to help in its achievement. I come from a country whose greatest treasure has been the courage, dreams and ambitions of millions of people who have left their native lands to find new opportunity for themselves and their children. ICEM is the modern symbol of that continuing migration. It is a beacon for the homeless. It is an affirmation by its member governments that freedom of movement is an indispensable part of human liberty and national progress.

I listened yesterday with great interest to the discussions in this Council of its programs to provide assistance for the economic development of Latin America through migration. Anyone who reads the Director's report on "the first 50 cases of selective migration in 1965" has to be impressed by the potential of this program. The human resources you make available are the foundation of the pyramid of development.

We can build schools but they will be useless without the teachers to instruct the children who need them. We can plan highways but they will not be built without the engineers who can create them. We can talk about land reform but it will not work unless we can find the technicians to teach the new methods of agriculture and irrigation. The Alliance for Progress and all of the other programs of assistance supported by the United States, the United Nations, and the other international agencies are given a better chance to succeed because of your interest.

I would make a modest suggestion. In both Montevideo and Madrid, you confronted the need for coordination of effort with agencies already in the field. You might benefit greatly by adding the Peace Corps—both the American and the International Peace Corps—to that list of consultants. They can give you the benefit of their invaluable experience in recruitment and personnel evaluation—and no other group has closer contact with the needs and possibilities of the people they serve.

My Government has contributed generously to the ICEM program for specialized migration. I am confident that it will continue to do so. I hope the expanded program outlined by your Director will find the necessary support not only from the nations who are its direct beneficiaries but also from your other members who believe in its purposes and are encouraged by its results.

Mr. Chairman, today—December 1—marks a new chapter in the history of American immigration. This is the day that the new immigration law of the United States goes into effect. It abolishes the national origins system for selecting immigrants. Applicants will be chosen because of their individual merits and for reasons of equity—not because they happened to be born in a favored nation. This basic change was especially important to President Kennedy and President Johnson because they saw it as a test of America's democratic purposes. I am confident that a new era is well begun.

Significantly, the new law emphasizes the reunion of families. It also includes for the first time in a basic statute, permanent provisions for the annual admission of a specified number of refugees. I know these provisions are of special interest to ICEM—not only because refugees are an important part of your work but also because this act reaffirms America's concern that the doors of sanctuary be kept open.

When historians characterize this century they will certainly give the refugee a special place of honor. How can we measure the courage of a family that leaves its country, braves every kind of physical peril, that reaches out for a new home among new people whose language they may not speak and whose culture they probably do not share. Whether for the cause of individual freedom or for humanitarian concern, it is our duty to keep the paths of sanctuary open and to accept the responsibilities of resettlement. Thinking of those already among us and knowing that countless thousands are yet to come, I believe it is appropriate for all of us to maintain the best traditions of our countries by repeating our pledge of sanctuary and resettlement.

Many of your members have been countries of first sanctuary for refugees. With the exodus of Cubans, the United States becomes again a major country of first asylum. We have already welcomed almost 300,000 Cuban refugees. We have undertaken in partnership with the voluntary agencies a resettlement program costing millions of dollars. As you know, a new arrangement begins today which will probably bring many more thousands of refugees into our country. This is not alone a problem of the Western Hemisphere.

More than 20,000 Cubans have gone to Spain. Some 3,000 have then continued their journey to reunion with their families in America—and that has been possible through your administrative help and the good offices of the High Commissioner.

I take this opportunity today to urge your member Governments to reconsider their relationship to the Cuban refugee problem, to seek out and offer new possibilities of resettlement, to relate this overwhelming exodus of refugees to the humanitarian partnership we have built together in the postwar years.

And I might add here for the Cubans what has also been the universal lesson of all refugee movements in our countries—that their main objective is to become productive, self-sufficient, contributing members of the society which has given them sanctuary. When the final costs of refugee resettlement are added up, my guess is that the host country—not the refugee—will be the debtor. What a fine gesture it would be if your Governments and your national voluntary agencies took advantage of this Christmas season to give help and recognition to the Cubans, especially those in Spain.

Christmas 1965 will not be a season of hope for millions of our fellow human beings. Refugee problems frequently reflect political conflict and upheaval—and turmoil in Asia, Africa, Eastern Europe, and the Western Hemisphere only promises greater burdens for the months and years ahead.

ICEM has had a heroic and historical role in helping men and countries adjust to the new world of the postwar era. No one knows better than you that the job is not done, that new challenges will continue to come. Some new answers are needed for old problems—and some new problems can be helped by old answers. We have shown the strength and effectiveness of our partnership—and I am confident that our partnership will continue effectively and creatively in the years ahead.

Mr. Schwartz (U.S. delegation). Mr. Chairman, I should like now to introduce another member of our delegation who is also a member of the Judiciary Committee of the House of Representatives, Congressman Peter W. Rodino, who has attended many sessions of this Council and who also participated actively in the enactment of our new immigration law.

Mr. Peter W. Rodino (U.S. delegation). Mr. Chairman, I join with you and the committee today, together with the members of our congressional delegation who I am sure feel as I do—a deep sense of personal satisfaction as well as a sense of modest pride—for, but a few hours ago as the clock tolled the first hour of December 1, 1965, in my country a new immigration policy became effective. And as a member of that subcommittee in which this new policy was conceived and as a dedicated proponent of immigration reform, which is in keeping with the tradition of my country, I am particularly proud to appear before this Council and stress the intent of this historic piece of legislation.

Although the measure is but a few hours old it has been developing, as programs must, over many years. And though casting the old national origins theory out of the window was long overdue, nonetheless, I offer no apology, for none is needed, for what the United States has done over the years in the field of immigration and refugees. For each new Congress since the closing days of World War II has enthusiastically enacted legislation to further the traditional policy of the United States in coming to the aid of the unsettled and the victims of world turmoil.

Congress progressively enacted special legislation to permit the reuniting of families and to help the refugees. These special laws supplemented the basic immigration law and provided for the admission, generally on a nonquota basis, of immigrants of different races and circumstances as well as the unfortunate who have been uprooted and displaced by political upheavals.

This performance in the field of immigration in the postwar period has been generous and sympathetic—a true expression of the human spirit that moves America. But today, at long last, the statute books proudly reflect in definite and concrete terms what has been long done in practice. Our new immigration policy is based now upon a system of selection designed to be fair, rational and humane, treating all humans alike, regardless of the accident of birth. Reunification of families is emphasized as the foremost consideration in our policy.

Under this system selection from among those desiring to immigrate to the United States will be based upon the existence of family relationship rather than upon the old basis of birthplace or ancestry. I would like to emphasize this change for it is a substantial departure from the old law where greater priority was given to those immigrants who possessed exceptional skills.

The Congress in adopting this legislation expressed its intent that it is not the desire nor the objective of the United States to entice or to lure those skilled persons who are so desperately needed to make the economies of other countries flourish. Our approach is not based upon selfish motivation. However, I do not intend to convey the impression that such skilled persons will not be welcome to the United States, but I wish to state again and to emphasize that the Congress is hopeful that each member of the family of nations will have every opportunity for self-development and we in the Congress will lend our support in that direction.

I am sure, Mr. Chairman, that you and the member governments represented here can appreciate why we of the U.S. delegation feel today in this moment the sense of satisfaction and particular pride.

Mr. Chairman, I was first privileged as a member of the congressional delegation to attend the 19th session of the Council in May 1963. I need not remind the Council of the continued interest of the U.S. Congress in the activities and the continuation of ICEM.

Every session of ICEM has been attended by a congressional delegation and with each session after our trip home, we have been impressed by the great efforts of ICEM and its great accomplishments and it is the considered thought of the Congress that the machinery of ICEM must be maintained in a ready condition to meet not only the ever-present plight of refugees and the ever-present desire of the people to migrate but be prepared to meet any eventuality which the world may be faced with.

ICEM is an extremely important instrumentality in any farsighted plan to stimulate economic development in Latin America. This organization must be prepared to initiate programs or lend its activities to supplement other programs in this direction. I presented such thoughts on programing during previous sessions of the Committee and I cannot let this opportunity pass without reemphasizing the need for cooperation and stimulation of effort to assist our friends in Latin America in fully realizing and taking advantage of their vast natural resources. Given the opportunity, I submit, vast areas in Latin America can be resettled by those skilled persons who hold the key to agricultural production and the modernization of methods of production. This task has been emphasized during this meeting and its importance cannot be viewed without the greatest of interest.

I appreciate, Mr. Chairman, the opportunity afforded me to share my observations and to present, although briefly, the new immigration policy of the U.S. Government to the member governments of ICEM. Thank you very much.

Mr. Schwartz (U.S. delegation). It is now my pleasure to introduce to the Council Congressman William McCulloch of Ohio. Without his statesmanlike support, and that of Congressman Arch A. Moore, of West Virginia, and Congressman Clark MacGregor, of Minnesota, I doubt that the U.S. delegation could refer today with such pride to that enlightened immigration legislation. Congressman McCulloch is a friend and stanch supporter of ICEM who attended the Brussels meeting in 1951 at which this organization was established.

Mr. McCulloch (U.S. delegation). Mr. Chairman, members of the Council and friends of this great movement everywhere, at the very outset I should like to thank the chairman of our delegation for the very gracious remarks that he has made of me and of Arch Moore and of Congressman MacGregor. Without the work of all members of that subcommittee, who spent countless hours on this legislation, I certainly agree with the statement that there probably would not have been the right to make the new law which has become effective today.

Mr. Chairman, as the senior member of the Judiciary Committee of the House of Representatives of the United States, I am particularly pleased to join in support of a tribute to this great organization. I have long been interested in its activities and in its magnificent results. Historically, my country, the United States of America, has ever responded to the needs of refugees from all lands with compassion, with understanding, and with sympathy. In the early years of our country, as a matter of fact in the earliest years of our country, and before even we were an independent country, we welcomed without condition lovers of liberty who so eagerly sought equality of opportunity in a great new land.

The needs of some of the people of the world for resettlement have materially changed in recent years but our Government and our citizens have continued to play a leading role in providing both material assistance and resettlement opportunities to refugees: in large part through special legislation well over a million refugees have been admitted to the United States of America since the end of World War II.

I am proud, Mr. Chairman, of the leadership my country has provided for ICEM. I know that it is repetitious, but repetition sometimes serves a useful purpose, to recall the well-known fact that we have since 1951 done so much, and also to recall the part that the late great Tab Walter and the late great Chancey Reed played in writing the constitution for this organization. I know that they would both be pleased to see here, and have reviewed, that which you have done in these years.

The U.S. Congress, and now I speak only as an individual and for the Congress, in taking this initiative was prompted, among others, by the following principal considerations. First, to provide, outside of the United Nations, for the continuation of the humanitarian work in behalf of the refugees then conducted by the expiring IRO.

Second, to provide modern professionally organized methods under which orderly migration, professionally operated, would replace the antiquated, often inhumane, ways in which immigrants, after traveling in steerage from far away lands were dumped on the docks of the port cities of the world. Three, to serve the interests of our sister republics in the Western Hemisphere by enhancing their economic development through a supply of selected European manpower. It is our considered opinion that ICEM has been, and is continuing to discharge its responsibilities in accordance with its constitution. However, in our changing times the problem of European refugees is vastly different from that which confronted us at the end of World War II. The unsettled conditions of the world, the existence of governmental systems based upon the denial of the free exercise of human rights, the denial of equal opportunity and the refusal to respect the dignity of the individual, all of these bear eloquent testimony to the continuing need for our united effort.

Mr. Chairman, may I properly paraphrase the words of one of only two honorary citizens of our great country, the late great Churchill, and say "We are not coming to Geneva, we had not come to Geneva and we are not working in behalf of ICEM in the U.S. Congress to preside over its decline and its dissolution. We want ICEM to live and to discharge fully the task that we have imposed upon it." It is with much pride too that we of the United States today, as has been so eloquently said by the Senator and by the Representative from the House, that we inaugurate a new immigration law, and it is my opinion that it will be administered in strict accordance not only with the letter but of the spirit in which it became law. It demonstrates once again, if further demonstration be needed among friends, the unselfish nature of our immigration policy.

As my good friend Peter said, "We no longer need so desperately, nor do we want to take those skilled people who wish to leave the land of their nativity, to go to lands where there is freedom and opportunity." No, it is not in our own self-interest that we have supported this great organization through the years, or that we finally and at long last enacted an immigration law, but it was a manifestation of that noble purpose which was ours for so long.

Finally, I should like to give a departing thought to the members of this council, again as an individual. It is my studied judgment that it is the purpose of at least the majority of the Members of Congress to see that you carry on this noble work in which you have been so successfully engaged.

President Recognizes Jet Noise Problem

EXTENSION OF REMARKS
OF

HON. HERBERT TENZER

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 2, 1966

Mr. TENZER. Mr. Speaker, yesterday I outlined my efforts during the past year to alert my colleagues in the House to the increasing urgency of the aircraft noise problem. On August 19, 1965, I wrote to the President urging the appointment of a Presidential Commission to examine into the question in depth. During October a White House Conference on Aircraft Noise was called to review the problem.

Today, the President, in his transportation message to Congress, gave White House recognition to jet noise as a national problem and directed his Special Assistant on Science and Technology to work with the Administrators of FAA and NASA and the Secretaries of Commerce and Housing and Urban Development "to frame an action program to attack this problem."

In my 10 previous statements in the House of Representatives on aircraft noise abatement—in my two bills, H.R. 7981 and H.R. 7982—and in my correspondence and meetings with the President and officials of Federal departments and agencies, I have called for Federal action—both administrative and legislative—to reduce the effect of jet noise. These are the steps which the residents of my congressional district and districts throughout the United States located near airfields have requested to assist local communities meet this problem.

For the first time, a President of the United States has recognized jet noise as a national problem and has taken steps to place the resources of the Federal Government squarely behind the needs of the people by calling for action. I thank the President on behalf of my constituents in the Fifth Congressional District and I commend him for taking the necessary steps to frame an action program.

I am pleased that the aircraft noise problem has been placed in a national spotlight and I will continue my efforts in Congress to provide Federal assistance to reduce the effects of jet noise.

Urban Affairs

EXTENSION OF REMARKS
OF

HON. PAUL A. FINO

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 2, 1966

Mr. FINO. Mr. Speaker, today I introduced a resolution calling for the establishment of a select House committee to investigate urban problems and the policy and administration of Federal urban aid programs. A further aim of the select committee would be consideration of the worth, structure, and jurisdiction of a proposed House standing committee on urban affairs.

This is the hour for the establishment of a select committee to investigate urban problems and aid programs and the optimum congressional committee means of dealing therewith. Only last fall, the Congress helped create the new Department of Housing and Urban Affairs. Now, we must look into needed change in the congressional committee structure.

This new Department of Housing and Urban Affairs presently enjoys a jurisdiction approximately paralleled in the House of Representatives by the jurisdiction of the Housing Subcommittee. I think we can safely say, however, that the Department of Housing and Urban Affairs will be absorbing new urban-related functions in the near future.

The Housing Subcommittee has certainly been up to the challenge of dealing with a jurisdiction increased to include mass transportation, but the strain of extending this jurisdiction to include air pollution, highways or the like would be excessive. The Housing and Urban Affairs Department may soon be expanding its jurisdictional scope in these or similar directions.

A select committee on urban problems would be able to look into the optimum jurisdiction and structure of a committee to deal with the same scope of problems as the Housing and Urban Affairs Department. A second advantage of such a select committee is that it could provide the wherewithal for a continual investigation of the initial operations of the Department of Housing and Urban Affairs, which Department is presently undertaking the administration of ambitious new programs as yet ambiguous in scope and thrust.

I believe that the select committee should include members from the following four committees—Banking and Currency—Housing Subcommittee—Public Works, Government Operations, and Interstate and Foreign Commerce. Approximately half the 13-member select committee should be drawn from the Housing Subcommittee.

HOUSE OF REPRESENTATIVES

THURSDAY, MARCH 3, 1966

The House met at 12 o'clock noon.

Rev. Oree Broomfield, pastor, St. John C.M.E. Church, Washington, D.C., offered the following prayer:

Hear the words of Holy Scripture as recorded in Ecclesiastes 3: 1: *To every thing there is a season, and a time to every purpose under the heaven.*

O God, who art the hope of all nations, remember us in love, and guide us by Thy mercy to infinite wisdom. We pray for Thy blessing upon Thy servant, the President of the United States, and most heartily we pray for this lawmaking body, and others in authority. Bless them with the spirit of wisdom, goodness, and truth, and so rule their hearts and bless all of their endeavors for the welfare of humanity that law and order, justice and peace may prevail everywhere for all the peoples of the earth. In Thy holy name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Geisler, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 12563. An act to provide for the participation of the United States in the Asian Development Bank.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 6568. An act to amend the Tariff Act of 1930 to make permanent the existing temporary suspension of duty on copra, palm nuts, and palm-nut kernels, and the oils crushed therefrom, and for other purposes;

H.R. 9883. An act to amend subchapter S of chapter 1 of the Internal Revenue Code of 1954, and for other purposes; and

H.R. 10722. An act to authorize the payment of an allowance of not to exceed $10 per day to employees assigned to duty at the Nevada Test Site of the U.S. Atomic Energy Commission.

SUBCOMMITTEE ON MINES AND MINING OF THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the Subcommittee on Mines and Mining of the Committee on Interior and Insular Affairs be permitted to sit during general debate this afternoon.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

SUBCOMMITTEE ON COMPENSATION OF THE COMMITTEE ON POST OFFICE AND CIVIL SERVICE

Mr. UDALL. Mr. Speaker, I ask unanimous consent that the Subcommittee on Compensation of the Committee on Post Office and Civil Service be permitted to sit during general debate on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

Mr. GERALD R. FORD. Mr. Speaker, reserving the right to object, has the gentleman from Arizona cleared this request with the ranking Republican member of the subcommittee?

Mr. UDALL. Mr. Speaker, if the gentleman will yield, it has been cleared with the gentleman from Pennsylvania [Mr. CORBETT] and the gentleman from North Carolina [Mr. BROYHILL] who are the two ranking minority members of this subcommittee.

Mr. GERALD R. FORD. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

BACON—AMERICA'S MOST EXPENSIVE FOOD

Mr. VANIK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. VANIK. Mr. Speaker, several weeks ago, while engaging in some home cooking activity, I was astounded by the quantity of waste involved in cooking bacon and reducing it to an edible form. After cooking several pounds of several different brands, I found that almost 75 percent of the bacon by weight was unusable fat and water.

Thereafter, I wrote to the Secretary of the Department of Agriculture to determine whether there existed any Federal standards for bacon quality.

In reply, I was advised by the Department of Agriculture that my observations with respect to cooking loss approximated research studies.

I was shocked to learn that there are no Government regulations of the fat-to-lean ratio in cured bacon. The only standards which exist apply to Government purchases which provide that the fat content in bacon shall not exceed 68 percent, the salt content shall not exceed 2.5 percent, while the moisture content shall not exceed 24.2 percent. Thus, Federal purchase standards provide for no less than 5.3 percent lean meat in bacon. The consumer is generally provided with bacon far below these Federal purchase standards.

With bacon currently priced at approximately 85 cents per pound, the consumer is paying about $14 per pound for the lean meat values in bacon, America's most expensive food.

I urge the Department of Agriculture to consider the consumer and enact regulations insuring decent minimum food values in bacon as well as other agricultural products.

CHILD DEVELOPMENT SPECIALIST BILL

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that the Committee on Education and Labor may have until midnight tonight to file a report on the bill H.R. 11322, the child development specialist bill.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

RESTORATION OF PENSIONS REDUCED OR ELIMINATED BECAUSE OF INCREASED SOCIAL SECURITY BENEFITS

Mr. HARSHA. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HARSHA. Mr. Speaker, I have today introduced a bill to restore non-service-connected veterans' pensions which have been reduced or canceled because of receipt of increased social security benefits.

Last year, when the badly needed increase in cash social security benefits was enacted, many of our veterans or their widows were moved into a higher income bracket. Since non-service-connected pensions are based on income limitations, some of our ex-servicemen or their widows had their pensions reduced or terminated entirely. For instance, one widow in my district received a $4 increase in her monthly social security payments. This caused her outside income for purposes of computing her veterans' pension to be over $600. As a result, her veterans' pension, which had been $64 a month, was reduced to $48 a month, resulting in a net loss of $12 per month in her total income.

This is not an isolated case, but it has unfortunately occurred in a great number of instances, resulting in undue hardship to those required to live on meager fixed incomes. Most of the group whose pensions have been cut are disabled, on limited incomes, and in their advanced years. A reduction in their pension is a real hardship and the situation should be corrected.

Since social security payments are based on the individual's working years and veteran pensions are based on the individual's sacrifices I feel that social security payments should have no effect on the veteran or his pension. The pension veteran has merited this consideration.

Mr. Speaker, I strongly urge the Committee on Veterans' Affairs to take prompt action in this matter and enact my bill.

TRANSPORTATION AND SALE OF ANIMALS IN INTERSTATE COMMERCE

Mr. PIRNIE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. PIRNIE. Mr. Speaker, I am pleased to introduce a measure designed to bring to an end the deplorable situation that presently exists relative to the transportation and sale of animals in interstate commerce.

I am certain that the majority of my colleagues, like me, have received a great number of letters in which the writers have expressed their contempt and indignation for those individuals who have made a profitable business out of cruelty to animals.

Many of us, I am sure, read the article in the February 4 issue of Life magazine in which was told the disturbing truth about the existence of animal concentration camps in the United States. There is no doubt in my mind that this is a problem national in scope and one that warrants our immediate attention. Too long have these practices been permitted to continue; now is the time for action.

My measure provides adequate machinery, including injunctive power, to prevent "animal dealers" from continuing inhumane practices. In this connection, I wish to emphasize my belief that the vast majority of people who deal with animals in their business will not notice any great change; it will be those few who mistreat animals that will be affected.

In addition, this bill calls upon the Secretary of Agriculture to promulgate standards to govern the sale and handling of animals and requires that dealers in this traffic be licensed. This provision is basic if we are to achieve our goal of eliminating the illicit traffic in animals stolen from their rightful owners.

To me, this represents a sound approach to the problem because it is designed to accomplish the task efficiently and completely. I urge my colleagues to join in support of this legislation in order that the animals that are so much a part of American family life will be given the protection they deserve.

AMERICAN LEGION HONORS CONGRESSMAN OLIN TEAGUE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, last night the national commander of the American Legion, on behalf of that great veterans' organization, presented the highest honor of the Legion to our able and distinguished colleague, the gentleman from Texas, the Honorable OLIN TEAGUE.

Recognition by the Legion of the outstanding legislative achievements of Congressman TEAGUE is indeed in order, for the leadership displayed by this great Texan as chairman of the House Committee on Veterans' Affairs, and as ranking Democratic member of the Committee on Science and Astronautics, has indeed been outstanding. His recent handling to a successful conclusion of a new GI bill of rights is just another milestone in his great career of service to our former servicemen.

It was typical of OLIN TEAGUE, in accepting this award, to share the honor bestowed by the Legion with all of his colleagues in the Congress.

The qualifications of courage and leadership exemplified by OLIN TEAGUE as a Member of Congress are the same qualifications which won for him numerous decorations as a leader of combat troops in World War II.

Within the past 3 months this great American has twice visited frontline positions of the troops in Vietnam, and on his most recent trip he delivered to officers of the Government of South Vietnam the first shipment of equipment being made available for wounded South Vietnamese soldiers.

The State of Texas is justly proud of OLIN TEAGUE. So is the State of Oklahoma, where he was born. So are all of us who sit in this body. The congratulations of all of us go out to him over his well-deserved new honor from the American Legion.

THE COMMUNICATION SATELLITE CORP.—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 400)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Interstate and Foreign Commerce and ordered to be printed:

To the Congress of the United States:

A new communications era has begun.

The first commercial satellite is in orbit over the Atlantic Ocean, in an unchanging location linking millions of people, thousands of miles apart, in reliable telecommunications between North America and Europe.

The flights of our astronauts, the Olympic games, international policy discussions, and other occasions of broad interest and major importance have been transmitted throughout the world by way of communications satellites. Today information is made available for improving health, warning against major storms, and increasing agricultural output.

This historic space bridge will be enlarged. Satellites scheduled to be launched later this year are to span the Pacific and expand coverage over the Atlantic.

The commercial satellite service will advance to provide this new and unique telecommunications capability to other areas of the world.

In the foreseeable future, entire newspapers and service from the world's greatest libraries will be able to enter the homes of all those eager for knowledge.

This dramatic effort follows from the Communications Satellite Act of 1962, which called for the establishment of a worldwide commercial communications system as soon as practicable.

With the Communications Satellite Corp. as the U.S. representative designated by the act, an international consortium of participants in this global venture continues to grow. Forty-eight countries are now engaged in this joint venture, with the corporation acting as manager on behalf of all participants under the international agreements.

In the forward movement of the communications satellite program, all agencies of the Government and the committees of the Congress have assisted in carrying out the objectives and purposes of the act.

Under section 404(a) of the act, I am transmitting to the Congress a report on this national program, which is successfully advancing communications satellite technology to the benefit of the people of the United States and the world.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *March 3, 1966*.

MARKETING ORDER FOR COTTON RESEARCH AND PROMOTION

Mr. PEPPER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 750 and ask for its immedate consideration.

The Clerk read the resolution, as follows:

H. RES. 750

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 12322) to enable cottongrowers to establish, finance, and carry out a coordinated program of research and promotion to improve the competitive position of, and to expand markets for, cotton. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Florida is recognized for 1 hour.

Mr. PEPPER. Mr. Speaker, I yield 30 minutes to the able gentleman from Ohio [Mr. LATTA], and to myself such time as I may consume.

Mr. Speaker, House Resolution 750 provides an open rule with 2 hours of general debate for consideration of H.R. 12322, a bill to enable cottongrowers to establish, finance, and carry out a coordinated program of research and promotion to improve the competitive position of, and to expand markets for, cotton.

Producers of synthetic fibers are now spending vast sums for research and promotion. The more expensive of these fibers, which are priced much higher than cotton, have—with expensive promotion—taken over a substantial part of the markets formerly held by cotton. These fibers taken as a group now enjoy almost one-fourth of the entire textile market of this country.

Greatly expanded research into the development of superior cotton products and promotion of these products in order to inform consumers of their superior qualities is necessary to meet the competition of synthetic fibers, if there is to continue to be a cotton industry in the United States.

Research to improve cotton products and funds to explain cotton's advantages to consumers through advertising and sales promotion are badly needed if we are to maintain cotton production at the levels which have been traditional for the past several years.

The purpose of H.R. 12322 is to authorize the establishment of a nationwide marketing order for cotton for the purpose of administering and financing augmented cotton product research and promotion. The legislation would provide a uniform method for all cotton producers, at their own election, to contribute $1 a bale to be used in urgently needed research and promotion work. Funds collected could not be used to influence Government cotton price or production policies.

Mr. Speaker, I urge the adoption of House Resolution 750 in order that H.R. 12322 may be considered.

Mr. Speaker, I yield now to the gentleman from Ohio [Mr. LATTA].

Mr. LATTA. Mr. Speaker, I support this rule. I think it is a proper rule for this type of bill. It provides for 2 hours of debate and is an open rule. It will permit any amendment under the 5-minute rule.

After studying this bill and hearing it in the Committee on Rules, I can say that I support the purpose and intent of the legislation. In fact, I think the purpose is quite meritorious. We have a tremendous surplus of cotton and, as I understand it, on August 1 this surplus will be the highest on record. So there is a problem with regard to cotton, and we are hopeful that should this legislation pass, it will help to remove some of this surplus.

As the very able gentleman from Florida indicated, this provides for a cotton board that will promote cotton and cotton products throughout the world. I do, however, believe that it needs some examination and perhaps some amendments by the House. I would now like to turn to some of the features of this bill that I think the House should consider for amendment.

First of all, Mr. Speaker, I would like to point out this bill provides for a nongovernmental board, but over this board is superimposed the tremendous powers of the Secretary of Agriculture. I would briefly like to go through this bill in order to point out some of the powers provided the Secretary of Agriculture as they appear on practically every page.

Beginning on page 4 of the bill, line 12, it says, "the Secretary shall, subject to the provisions of this Act, issue" and so forth, and on line 19, of page 4, it says, "whenever the Secretary has reason to believe", and so forth. Then at the top of page 5 it says, "including the Secretary." On page 5, on line 10, it says, "the Secretary shall issue an order if he finds," and so forth, and on page 6, it says, "if the Secretary determines", and at the bottom of page 6 it reads, "to the Secretary which is appropriate or necessary to the effectuation, administration, or enforcement of the Act", and so forth. On page 7 it says, "upon the request, of the Secretary of Agriculture," and on line 13, page 7, it says, "the publication by direction of the Secretary." On page 8 it says, "selection by the Secretary of a cotton board," and on line 21 on page 8 it says, "if the Secretary determines." On page 9, line 10, it says, "and submit to the Secretary for his approval any advertising or sales promotion or research and development plans or projects."

I would just like to pause and stress the powers given to the Secretary over this nongovernmental board by this very section I have just read. The Secretary will in effect be set up as a censor over anything and everything that this board attempts to publish. I do not think such authority is necessary.

Mr. Speaker, on line 15, page 9, the board must submit "to the Secretary," et cetera, for his approval.

On line 7, page 10, there is the language, "as the Secretary finds."

On page 10, line 22, there appears the language, "except by further order duly approved by the Secretary."

On line 25 of the same page there is the language:

> The Secretary may maintain a suit against any person subject to the order for the collection of such assessment.

On page 11, line 8, there is the language:

> The Cotton Board shall maintain such books and records and prepare and submit such reports from time to time as the Secretary may prescribe.

Mr. Speaker, let me say that this requested authority calls to my mind one of the most bitterly opposed bills ever to come before the Committee on Agriculture during my service here. I refer to the dairy bill of a few years ago wherein there appeared a provision in the administration bill providing that the Secretary could prescribe how dairy farmers should keep their books, and if they did not keep their books as he so prescribed there would be monetary penalties as well as jail penalties.

The Congress in its wisdom struck out that administration request. But here we find the power being granted to the Secretary of Agriculture to prescribe the reports, the records, et cetera, to be kept by handlers. The penalty provisions appear on page 16. The language does not provide for any jail sentences, but it does provide as follows:

> Any handler who willfully violates any provision of any order issued by the Secretary

under this Act, or who willfully fails or refuses to collect or remit any assessment or fee duly required of him thereunder, shall be liable to a penalty of not more than $1,000 for each such offense which shall accrue to the United States, and may be recovered in a civil suit brought by the United States.

Mr. TEAGUE of California. Mr. Speaker, will the gentleman yield?

Mr. LATTA. Yes, I yield to the gentleman from California.

Mr. TEAGUE of California. I am sure the gentleman in the well realizes that it is possible that there might be some misunderstanding among the Members of the House who are not so familiar with the bill as the gentleman is on the point which he just made.

The gentleman is referring to the handlers. Of course, these are the people who buy the cotton. These are the merchants who will handle the money. We simply propose a safeguard against embezzlement.

I have some sympathy with respect to the gentleman's point, against placing additional authority in the Secretary of Agriculture, but it should be pointed out that if only 10 percent of the cotton farmers become unhappy with this program they can call for a special election and a new referendum. If, then, 50 percent are dissatisfied, the Secretary must terminate the order.

So, it seems to me there is reasonably good control by the cotton producer upon excessive power reposed in the Secretary of Agriculture.

Mr. LATTA. I quite agree with the gentleman from California. As I read section (b) of section 13, page 16, it states, "any handler who"—which might be any man who only handles one bale of cotton in some little, faraway place down in Arkansas or Mississippi. This bill, as the gentleman agreed, puts a tremendous amount of power in the Secretary of Agriculture over a nongovernmental board.

Mr. Speaker, I believe during the debate some of these points will be expanded. As was brought out when this bill was before the Committee on Rules by the very able gentleman from Mississippi [Mr. ABERNETHY], there is a provision contained in this bill which provides for a referendum based on production rather than by producers, meaning that the person who has 100,000 bales of cotton has 100,000 times more voting power than the individual who has 1 bale of cotton.

Now, Mr. Speaker, where the one-man, one-vote rule, as laid down by the Supreme Court comes into play in this particular bill, I do not know. But it seems to me that this referendum is something which the House of Representatives should look at. It was pointed out before the Rules Committee that under this provision 13.8 percent of the producers could put this program into effect. Now, 13.8 percent, is a very, very low percentage and plays havoc with the voting rights of the small producer.

We also should consider the fact that two large farm organizations are opposed to this legislation. These two farm organizations hardly ever get together on any farm legislation but they have gotten together in their opposition to this bill. I refer to the Farm Bureau and the Farmers Union. Their opposition is set forth in the report of the committee on the bottom of page 3:

> Only the American Farm Bureau Federation and the Farmers Union appeared in opposition to the bill.

I would say that that is a lot of "only" when you have the two largest farm organizations in the Nation appearing in opposition to legislation.

As I said at the outset, I think this bill has a meritorious purpose and it should pass, but I think it should be amended by this House before it does.

I urge the adoption of the rule but I request my colleagues to take a good hard look at some of the provisions of this proposed legislation before casting their votes.

The SPEAKER. The time of the gentleman has expired.

BOXING

Mr. LATTA. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois [Mr. SPRINGER].

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to proceed out of the regular order.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SPRINGER. Mr. Speaker, last year the American public was subjected to a sorry spectacle in the great sport of boxing. A match which could not qualify in one State shopped around for a last-minute site. It ended up in a small town in Maine which had no gate potential but which served its purpose as a launching pad for the lucrative closed-circuit coverage. The result was a sports disaster which should not have happened. Most of all it should not have been allowed to use communications systems across the country.

The Boxing Commission bill which I introduced and which this body so wisely considered and passed would have required registration by all persons connected with a match and those persons or companies which hoped to disseminate it live. The Commission could stop the communication of a bout which smelled peculiar.

Here we are, less than a year later, with a perfect example of a situation which the legislation was intended to control. The "Peck's Bad Boy" of the boxing game is throwing his weight around, completely discrediting the entire sport of boxing and casting shadows on other sports and other people. Since the State of Illinois has found the bout both illegal and undesirable, Mr. Ali has shopped around many other States to find a haven for the venture. With several million dollars worth of closed-circuit and other rights riding on it, his efforts are understandable. Based upon his personal performance and attitude it is also understandable that no State wants him.

Now he seems to be set by moving the bout across the border to Canada. If our Boxing Commission were in business, the media in the country would have to submit its contracts for showing the bout for prior approval. I, for one, wish that Commission existed today.

Let us hope that the other body is moved by this development to complete the legislative action on our bill so that still another such debacle may be avoided.

PUERTO RICO SUPPORTS VIETNAM POLICY

Mr. PEPPER. Mr. Speaker, I yield 1 minute to the distinguished and able Resident Commissioner from Puerto Rico.

Mr. POLANCO-ABREU. Mr. Speaker, the right to dissent is a cherished right of the American people and it is a right which is protected by democratic governments all over the world. This is essential to the true concept of democracy. However, I agree with the Vice President in what he told the American Legion last night at their banquet at the Sheraton Park Hotel when he said that he and other Americans also have the right to dissent with the dissenters.

The Vice President also expressed the view that entirely too much publicity had been given to the dissenters and the demonstrations of some of them.

As a Puerto Rican, I should like to help to emphasize the position of those who support our efforts in Vietnam and in this respect, I should like to call to the attention of all my colleagues a concurrent resolution adopted by the Legislature of the Commonwealth of Puerto Rico on February 23, 1966, which condemns all actions tending to weaken the efforts of the United States in its struggle to preserve peace and democratic justice in the world, as now in Vietnam, and to check Communist aggression.

The adoption of this resolution by the Legislature of the Commonwealth of Puerto Rico leaves no doubt as to the position of Puerto Ricans in this matter. I am proud, therefore, to present the resolution to the attention of all my colleagues:

CONCURRENT RESOLUTION 14

Concurrent resolution to reassert that it is the irrevocable will of Puerto Ricans to fulfill the duties lawfully and morally imposed on us as citizens within our permanent union with the United States of America.

Whereas the moral and political bonds that link the Puerto Ricans with the United States were established through their manifest will and express consent and are based on common loyalty to our American citizenship; and

Whereas the Puerto Ricans have always answered the call of their civic duty, ever ready to fulfill same to their utmost effort and up to the supreme sacrifice; and

Whereas service in the Armed Forces of the United States is not only an imperative of law but a high civic and moral duty fully and equally binding all citizens; and

Whereas any action that obstructs the fulfillment of the civic duty to render military service is not only illegal but also antidemocratic and antipatriotic and repugnant to the moral sense of our people: Therefore be it

Resolved by the Legislative Assembly of Puerto Rico—

1. To reassert in behalf of the Puerto Ricans their irrevocable will to fulfill their obligations as citizens, both civic and military anywhere, and at any time.

2. To condemn every action that may obstruct or tend to weaken the armed efforts of the United States of America as circum-

stances at any time or place shall demand, for the preservation of peace and democratic justice in the world or, as now in Vietnam, to check Communist aggression; or that may tend to weaken the will of the citizens to fulfill the military duties which the law and morality impose on them;

3. That copy of this resolution be transmitted to the President of the United States, the President of the Senate, and the Speaker of the House of Representatives of the United States, the Governor of Puerto Rico, and the Resident Commissioner for Puerto Rico in Washington.

Mr. **PEPPER**. Mr. Speaker, I have no further requests for time.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

FRANKLIN DELANO ROOSEVELT MEMORIAL COMMISSION—APPOINTMENT OF MEMBER

The **SPEAKER**. Pursuant to the provisions of section 1, Public Law 372, 84th Congress, as amended, the Chair appoints as a member of the Franklin Delano Roosevelt Memorial Commission the gentleman from New York [Mr. Kupferman] to fill an existing vacancy thereon.

CALL OF THE HOUSE

Mr. **HALL**. Mr. Speaker, I make the point of order that a quorum is not present.

The **SPEAKER**. Evidently a quorum is not present.

Mr. **ALBERT**. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 31]

Annunzio
Aspinall
Baldwin
Blatnik
Brown, Calif.
Cameron
Colmer
Corman
Dague
Dawson
Devine
Diggs
Dingell
Dowdy
Edwards, Calif.
Feighan
Fisher
Fuqua
Giaimo
Gubser
Hanna
Hawkins
Hays
Holland
Jones, Ala.
Jones, Mo.
Love
McEwen
Macdonald
Matthews
Miller
Murray
Nix
O'Brien
O'Hara, Mich.
Powell
Robison
Rostenkowski
Roudebush
Scott
Shipley
Teague, Tex.
Toll
Tunney
Willis
Wilson, Charles H.
Wright

The **SPEAKER**. On this rollcall, 381 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

MARKETING ORDER FOR COTTON RESEARCH AND PROMOTION

Mr. **COOLEY**. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 12322) to enable cotton-growers to establish, finance, and carry out a coordinated program of research and promotion to improve the competitive position of, and to expand markets for, cotton.

The **SPEAKER**. The question is on the motion offered by the gentleman from North Carolina.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of bill H.R. 12322, with Mr. McFall in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The **CHAIRMAN**. Under the rule, the gentleman from North Carolina [Mr. Cooley] will be recognized for 1 hour and the gentleman from Oklahoma [Mr. Belcher] will be recognized for 1 hour.

The Chair recognizes the gentleman from North Carolina [Mr. Cooley].

Mr. **COOLEY**. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, this bill, H.R. 12322, has been very carefully considered by all persons in the cotton-growing areas of this country.

We had extended hearings. I think that we had witnesses from every cotton-growing section in America to appear in our committee room in support of this legislation. Just about every cotton organization in America had a representative appear before our committee in behalf of this bill.

The American Farm Bureau, speaking through its president, opposed the bill and frankly stated in committee that he would not approve the bill unless we struck out the enacting clause and everything thereafter. That did not come as a surprise to any of us because if he has stood for anything in behalf of farmers since 1949, or since he has been in office, I am not aware of it.

One other farm organization came in and asked for a continuance in order that the matter might be studied further.

The Cotton Council of America supports this bill.

Now the purpose of this bill is obvious. Its purpose is to raise some money to promote cotton and cotton research.

The bill provides for a voluntary program under which farmers will pay $1 a bale on each bale of cotton that they produce and sell.

It provides for the creation of a Cotton Board composed of farmers selected by the Secretary of Agriculture from a list of nominees provided by the farmers themselves.

I say that it is a voluntary program because under the terms of the bill any farmer who pays $1 a bale into the Cotton Board for these purposes would have a legal right to ask for a refund of that money. Of course, the program applies to small farmers and large farmers. In my State of North Carolina the average cotton farmer has about 5 acres, producing probably less than five bales per farmer.

People flew in to Washington from the west coast to testify. One of them produces around 30,000 to 35,000 bales; another one produces over 80,000 bales. They came here to urge the passage of this bill. One of them urged us to strike out the referendum provision and to strike out the refund provision. He did so to show his sincerity and his belief in the program contemplated by the legislation.

The bill was fashioned after many other orders which have been issued. More than 70 milk marketing orders have been put into operation, and I believe almost all of them are now operating.

In addition to the 70 milk marketing orders we have 48 other orders. All of those require that the voting by referendum be by either two-thirds of the producers or producers representing two-thirds of the volume of the commodity involved.

I have in my hand a letter from the Deputy Administrator, which I will put into the Record in my remarks, indicating that we are here following a precedent.

The letter is as follows:

U.S. Department of Agriculture,
Consumer and Marketing Service,
Washington, D.C., March 2, 1966.
Mr. John J. Heimburger,
General Counsel,
House Committee on Agriculture,
Washington, D.C.

Dear Mr. Heimburger: The following has been the policy of the Department with respect to referendums on marketing agreements and orders and the wool program.

The statutes under which these programs are issued require that they be approved by either two-thirds of the producers or two-thirds of the volume represented in the referendum.

Milk: In all cases approval has been by two-thirds of the number of producers.

Fruits and vegetables: With one exception, approval has been by two-thirds of the number of producers. In these cases, however, the Secretary also considers volume. In no case has a program been made effective where the production of the producers approving the program was less than 50 percent of the volume represented in the referendum. The one exception where a program was made effective although the referendum carried by volume and not by numbers was the Florida tomato marketing agreement and order. In that instance, the volume approval was 82 percent and the number approval was only 58 percent.

Wool: Because deductions from wool payments for financing the program are based upon the volume of wool and unshorn lambs sold by each producer, producer approval is based primarily on volume of production. Thus, the program is not put into effect unless producers owning two-thirds of the sheep and lambs represented by votes in the referendum approve. However, in determining whether the referendum results adequately reflect producer approval on a representative basis, consideration is also given to the number of votes cast for and against the program by individual producers. In all instances, however, this program has been approved by numbers as well as volume.

With respect to milk and fruit and vegetable marketing agreements and orders, no announcement is made whether the Secretary will predicate his decision on numbers or volume, the decision being made after the referendum results are in. With respect to the wool program, however, the Secretary announces prior to referendum that his decision will be based primarily on volume, although numbers will be considered.

If I can furnish any additional information, please do not hesitate to call me.

Sincerely yours,

Clarence H. Girard,
Deputy Administrator.

We hear much talk about the little farmer. I think I represent about as many little farmers as anyone on the committee, and I have not heard one word in my district in opposition to this bill.

I believe everyone generally approves the principle of the bill because, after all, it is a self-help program. Farmers put up their own money. They elect or recommend their own board members. They provide the programs which would be approved. Of course, the Secretary is charged with the general administration of the program, but the money that is collected from the farmers does not go into the Treasury of the United States.

The Treasury of the United States has nothing to do with it.

As I have said, we are following precedent. We believe that the program is badly needed for the reason that cotton has been losing its markets while synthetic fibers have been making great headway.

There is a reason for all of this. No one criticizes the manufacturers of synthetic goods. In fact, I congratulate them upon the marvelous progress that they have made. But in a moment I shall yield to the chairman of our Cotton Subcommittee, our beloved colleague from Arkansas [Mr. GATHINGS], who will discuss further details and will explain to the House just what has happened in the field of the promotion of textiles.

Mr. Chairman, the program is not only important to farmers but also to the consuming public. It is vitally important to all of those who are now working in our textile plants. We have about 248,000 in North Carolina, I believe, employed in our cotton industry. This is one of the most important industries in America. It employs more people than any other industry in the country, and yet we are in foul shape because we have now in storage 14 million or 15 million bales of cotton which we cannot sell or dispose of.

Mr. GATHINGS. Mr. Chairman, will the gentleman yield at that point?

Mr. COOLEY. I am happy to yield to the distinguished gentleman from Arkansas.

Mr. GATHINGS. The gentleman from North Carolina has just referred to the large number of employees engaged in the manufacture of cotton. I should like to point out that I hold in my hand a bulletin entitled "Supplement 1, Measurements of the U.S. Cotton Industry," from the National Cotton Council of America. That bulletin shows that the textile mill products industry employs a total of 522,000 people and the apparel and related products industry employs a total of 736,000 people. There are various others listed on this sheet, but I wanted to point out that those two items—522,000 and 736,000—comprise well over a million, some 1,200,000, workers who are now engaged in the manufacture of cotton goods.

Mr. COOLEY. Mr. Chairman, I will put in the RECORD for the benefit of the House a budget from the National Cotton Council, showing how its money was expended, and one from the Cotton Producers Institute.

If you put them both together, there is only about $5½ million being spent in the promotion and research in cotton, whereas more than $200 million a year is being spent for the research and promotion of synthetics. That shows why we need more money for promotion and research. We want to reduce the cost of producing this fiber. We want to make it more attractive and more durable so that the consumer can profit.

We will probably have a 12-million-bale crop. We need this money because we believe that if the farmers put up about $12 million that would come to the Cotton Board to be spent for these purposes.

Mr. Chairman, for the information of the House, here is a brief history of the Cotton Producers Institute and figures on collections and expenditures of the CPI and the cotton council.

The Cotton Producers Institute was organized at the 1960 annual meeting of the National Cotton Council. At that time the cotton council was collecting approximately $3 million per year which was about the maximum that could be collected under the council's finance plan. See attached statement on amount paid by each of the groups embracing the council.

The producers recognized that the $3 million was not adequate to do the kind of research and promotion program which cotton needs. Accordingly they developed the plan under which Cotton Producers Institute would collect $1 a bale on each bale produced by farmers. See attached statement on amount collected by CPI.

The Cotton Producers Institute funds were used exclusively for research and promotion. The staff of the cotton council serviced the research and promotion work for the institute at no charge to the institute. The promotion funds were spent for advertising cotton products in national consumer magazines, major network TV programs and cooperative advertising campaigns with fabric and garment manufacturers and retailers. Approximately two-thirds of the fund was used for promotion and one-third for research. In research the principal emphasis was placed on product development and improvement.

Finance plan of the National Cotton Council

Interest	*Amount paid*
Producer-ginner	20 cents per bale of cotton ginned.
Merchant	3 cents per bale merchandised.
Cotton oil mills	7½ cents per ton of seed crushed.
Cotton spinning mills	10 cents per bale consumed.
Warehouse	1 cent per bale shipped.

Collections by Cotton Producers Institute

Crop year:	*Amount*
1961	$1,337,817
1962	2,480,784
1963	2,419,353
1964	3,004,038
1965 (estimated)	2,500,000

1965 budget expenditures, Cotton Producers Institute

	Amount	*Percent*
Research	$834,166.60	33⅓
Sales promotion	1,668,333.20	66⅔
Total	2,502,499.80	100

In the fall of each year the Cotton Producers Institute trustees decide upon a division of the funds available for program work between the major fields of research and sales promotion. These amounts are then budgeted for these purposes for the next calendar year. The board of trustees then approves individual research and promotion projects aggregating the total amount budgeted for these purposes.

Budget expenditures, 1965, National Cotton Council[1]

	Amount	*Percent*
General administration and policy development	$254,244.45	8.3
Domestic and foreign sales promotion and public relations	1,427,035.20	46.8
Research, research development, and education	923,721.45	30.3
Washington operations	151,785.50	5.0
Finance and accounting	291,535.40	9.6
Total	3,048,322.00	100

[1] As shown in annual audit report by Touche, Ross, Bailey & Smart, certified public accountants.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I am glad to yield to the gentleman.

Mr. MAHON. Mr. Chairman, the gentleman from North Carolina is familiar with the fact that Congress is annually appropriating money for research in cotton. The program which is being proposed in this bill would provide that the producer of cotton would put up money. As I understand it, this is not to duplicate the work being done by the Government.

Mr. COOLEY. No.

Mr. MAHON. But this is in another area of promotion of cotton: the sales of cotton, the advertising of cotton, the marketing of cotton and cotton products. Is that correct?

Mr. COOLEY. That is right. I might say that the amount being spent by the Federal Government cannot be compared with the amount that is now being spent by industry in the field of promotion for the manmade fibers.

Mr. Chairman, I yield 10 minutes to the gentleman from Arkansas [Mr. GATHINGS], chairman of the Cotton Subcommittee.

Mr. GATHINGS. Mr. Chairman, the Committee on Agriculture held extensive hearings on this legislation. There were 22 witnesses who appeared before the committee and were heard. In addition to those 2 days of morning hearings, which lasted many hours—on one day testimony went into the afternoon. The committee subsequently went into executive session and gave most careful and thought-provoking consideration to amendments. Some amendments were agreed to.

The legislation that we bring to you today is needed badly on the part of the cotton industry and more particularly the cotton farmer. The cotton farmer is asking the privilege of paying $1 a bale, if he is permitted to do so by this Congress, to carry on his own research program and promotion program to further his best interests.

Let us look for a moment and see just what the legislation would do.

In the first place, the producers themselves, the actual cotton farmers, will propose an order with respect to cotton research and promotion.

The Secretary of Agriculture will decide if that order meets the objectives that this Congress has set, in the legislation that we are now considering. If it does meet those objectives, set out in the legislation, the Secretary will issue a notice to hold public hearings.

After these hearings are held, if it is decided that the order does carry out the principles of this bill, that we hope will be passed and enacted into law, the Secretary will issue that order as submitted by these growers.

The next step will be that the order itself will be submitted to a referendum. The farmers themselves will have an opportunity to vote on that order. If it is approved by two-thirds of the farmers voting on it, or two-thirds of the volume represented by those who do vote in that referendum, it will become effective.

The next step is the naming of a Cotton Board. That Cotton Board is chosen by the Secretary of Agriculture from lists that are furnished by eligible producer groups, various producer organizations across the belt, whose membership is composed of cotton farmers. It was stated by my good friend, the gentleman from Ohio [Mr. LATTA] that there is entirely too much authority placed in the Secretary of Agriculture by this legislation. I hope the gentleman from Ohio [Mr. LATTA] is here. Now, there is not any extensive power placed in the hands of the Secretary of Agriculture here. As stated by Mr. LATTA, the Secretary is mentioned throughout the bill, yes, but there is a proper function for him to perform all throughout this legislation. If you start with the farmer who came up with the order, then they have the hearing with everybody given an opportunity to be heard. The Secretary calls this hearing. He calls for a referendum. Now, is that too much power in the hands of the Secretary of Agriculture, to let him ask for a referendum where the farmers themselves will be given an opportunity to vote on that order that they themselves have presented for approval? You have to have someone carry on that referendum. The Secretary of Agriculture can work through the various county offices of the Department. They are all set up now to do that very thing of conductive referendums of farmers.

The Cotton Board is to be named from lists furnished by eligible producer organizations. So the farmer speaks and his voice is heard again in the naming of a Cotton Board, although the Secretary of Agriculture, chooses from lists that will be furnished by organizations of producers who grow cotton. This Cotton Board, which is the overall policy board would contract with a grower organization whose governing body represents all of the States according to the volume marketed in cotton. This group would develop and submit to the Cotton Board a research and promotion plan and after review by the Cotton Board it would be sent to the Secretary of Agriculture with recommendations. If the plan is made effective, the research and promotion operation would go forward by the cotton group itself. They would put it into effect.

Now, the cost of the program is to be paid from grower assessments collected from handlers that are selected by the Cotton Board itself in accordance with the customs of the particular area.

Now I would like to call your attention to another feature of this legislation. If a farmer does not want to participate and pay his $1 a bale assessment to the handlers of the cotton, all he has to do is sign his name on a little form that is provided for him. Not later than 60 days, as this bill provides, he shall get his money back. So the legislation really amounts to a voluntary assessment plan. He can get his money back if he does not want to participate, and nothing is said about it at all. He can get that refund.

Another safeguard is written into this legislation, as was brought out by the gentleman from California [Mr. TEAGUE] during the debate on the rule. Ten percent of the farmers who did vote in that referendum can make a determination as to whether or not to suspend the order by calling for an additional vote, an additional referendum, and if the majority that voted in the original referendum represented as much as 50 percent of the volume of cotton, if they were to determine that they did not approve of the order, why, then, in that event, the order would be eliminated or suspended.

Now I want to call your attention, Mr. Chairman, to the money that was spent for research and promotion by manmade fiber groups. In 1965, $135 million was spent by manmade fiber groups for research and development, in that year alone. In addition to the $135 million for research these people spent $70 million in promotion efforts, eight of the manmade fiber groups or companies manufactured 90 percent of the total of these manmade fibers that are on the market.

Now, Mr. Chairman, in addition to that they spent $60 million in 1965, or a total of a little more than $200 million which was spent through these organizations.

They have a perfect right to do that.

Now, let us compare these funds with the amount of money that is available for cotton research. Of that amount of money only one-seventh as much was made available for research and for promotion on cotton.

Now, in 1952, we will use as the base year—between 1952 and 1965, or a 13-year period——

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. COOLEY. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. GATHINGS. During this 13-year period of time there was a 7-million-bale increase in domestic consumption of all types of fiber in the United States. Of that 7-million-bale increase over that 13-year period of time, cotton did not realize any increase whatsoever. All of it went to these other fibers which include nylon, which sells for 88 cents a pound; polyester, which sells for 84 cents a pound; and acrylic, which sells for 80 cents a pound.

Here is Middling Inch cotton in this sample. This is what the consuming public wants.

Mr. Chairman, why do they want this type of product? This is Middling Inch cotton. Look at all of that marvelous fiber. This is the best.

Mr. Chairman, I have on a 100-percent cotton shirt. That cotton shirt starches well. It wears well. It is absorbent. It is white. It is hard to wear out. The American people want an opportunity——

Mr. ABERNETHY. Mr. Chairman, will the gentleman yield at that particular point?

The shirt which the gentleman is wearing is not white.

Mr. GATHINGS. The American people want an opportunity to use more of this type product rather than to pay 80 or more cents a pound for some of these other fibers which I have shown you.

Now, Mr. Chairman, I yield to the gentleman from Mississippi [Mr. ABERNETHY].

Mr. ABERNETHY. That particular shirt which the gentleman is wearing is blue, I believe the gentleman will find at this point.

Mr. GATHINGS. It has some white stripes in it.

The CHAIRMAN. The time of the gentleman from Arkansas has again expired.

Mr. COOLEY. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. GATHINGS. I thank the gentleman.

Mr. ST GERMAIN. Mr. Chairman, will the gentleman yield for a couple of brief questions?

Mr. GATHINGS. I shall be glad to yield to the gentleman from Rhode Island.

Mr. ST GERMAIN. This might have been better directed to the chairman of the full committee, but as I am sure the gentleman probably has the answer to this himself because of his knowledge in this field, the figure of $200 million per year for research programs was used as far as the producers of synthetic fibers are concerned. I am wondering from where this money comes, and how it is raised.

Mr. GATHINGS. I assume that that money is raised by the various firms which are interested in the manufacture of this particular synthetic fiber about which we speak.

Mr. ST GERMAIN. Mr. Chairman, if the gentleman will yield further—specifically the gentleman said that all that is being asked for here is that the cotton farmers be permitted to contribute to this fund?

Mr. GATHINGS. Yes.

Mr. ST GERMAIN. Is there anything which prevents them today from contributing to a voluntary fund?

Mr. GATHINGS. That is a good question. We have had a very fine organization. The CPI—the Cotton Producers' Institute—which has been functioning since about 1960. At the outset a small amount of money was contributed by these farmers. There was an increase for a few years. In 1964 it stabilized and did not move forward. In 1965 it was a little bit more than it was in 1964 by virtue of some $700,000 which was made available by the co-ops in west Texas.

So, it did move up over the 1964 amount. But now the program has not worked out as well as it was hoped because there are so few producers participating.

The reason for that is there is competition among the gins. Here is a gin in this part of town that has been collecting the $1 a bale set for a voluntary program for research and promotion. But here is another gin close by which says, "Now you come and gin with me and we will not hold the $1 out."

So then the sum and substance is that gin A will say, "Well now we will not participate either." So that is what has caused the voluntary program to fail.

Mr. ST GERMAIN. The gentleman stated the voting was going to be by volume. In other words, you would not count heads which would in a way be counting the number of bales to see how many votes each individual producer would have in making a decision under this referendum?

Mr. GATHINGS. In making a determination we depend on either two-thirds of those cotton farmers who participated or two-thirds of the volume represented by those who cast a vote.

Mr. ST GERMAIN. I thank the gentleman. And the gentleman feels though that these people who have gone to a gin that is not charging the $1 under this present arrangement, if given an opportunity on a referendum would all agree, or at least a majority would agree, that it might be wise that they all go to a gin where they are going to have to throw in $1 per bale for promotion and research and development.

Mr. GATHINGS. What they could do is either to vote to have the order—either voted up or voted down in a referendum—that is No. 1.

Then, second, that they could get their money back if they did not want to participate. They could do this very easily under the terms of this legislation.

Mr. ST GERMAIN. I thank the gentleman for his clarification.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. GATHINGS. I yield to the distinguished chairman of the Committee on Agriculture.

Mr. COOLEY. And if two-thirds voted in the referendum either by numbers or by volume and a year from now it turns out that it is an unhappy situation and they do not want it, all they have to do is to stop paying and the Secretary could suspend it; is that not right?

Mr. GATHINGS. There are two ways to do it.

Mr. COOLEY. And 10 percent of them could petition to do that; is that not right?

Mr. GATHINGS. There are two ways you could do that. Only 10 percent of those who participated in the voting a year earlier could ask for another referendum.

Mr. COOLEY. That is right.

Mr. GATHINGS. Then the referendum would be called and only 50 percent of the volume of cotton represented could eliminate the order completely or change it.

Mrs. MAY. Mr. Chairman, will the gentleman yield?

Mr. GATHINGS. I yield to the gentlewoman from Washington.

Mrs. MAY. I wonder if the gentleman from Arkansas would answer some questions for me that have concerned me about this bill. The gentleman from Ohio [Mr. LATTA] brought up the charge of giving the Secretary of Agriculture unprecedented authority under this bill. The gentleman from Arkansas has in his comments said that this is not an unprecedented authority. But is it not true that the Secretary himself without even calling a hearing could decide to issue an order or not to issue an order?

Then, as I understand the bill, the Secretary could require that any class of handlers keep and produce to the Cotton Board or the Secretary himself books, records, and reports that he himself decided he may want.

Mr. GATHINGS. If the gentlewoman will permit me to answer one of her questions. The gentlewoman asks the question whether or not the Secretary would issue an order that has been submitted by this growers group. The bill provides this—that the Secretary would in furtherance of the act of Congress, if the Secretary makes the determination that the particular order is in keeping with the express provisions of this legislation or the act when passed as well as the history made here on the floor of the House and in the Senate, then he would put the order into effect.

Mrs. MAY. But really the correct answer to my question is that the Secretary himself could decide to issue an order or not to issue an order without calling a hearing; is that not true?

Mr. GATHINGS. Yes, he could. But at the same time, he would carry out the mandate of the Congress in doing so because it is expressly provided in this legislation that he could do that.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. GATHINGS. I yield to the gentleman.

Mr. COOLEY. I think the gentleman is under the wrong impression with reference to that. I do not think the Secretary could do that without a hearing. He cannot act arbitrarily or capriciously.

Mr. GATHINGS. The gentlewoman meant after a hearing. The gentleman's comment is absolutely right. The gentlewoman meant, as I understand her, after a hearing was held. That cannot be done until after a hearing.

Mrs. MAY. But after a hearing the Secretary could issue an order or not issue an order; is that not correct?

Mr. COOLEY. He certainly could not make that decision without a hearing.

Mrs. MAY. I do have some further questions on this. As I understand the bill, the Secretary would have, as I said, full discretion of approval or disapproval of any plans for promotion or research. He would have full discretion whether to approve or disapprove a budget on a projected basis and he would have the full discretion as to whether to approve or disapprove a contract under which the Cotton Board itself would propose to enter into with the producer organization. Is this true?

Mr. GATHINGS. I merely wish to say to the gentlewoman that this legislation does provide for the Secretary to approve the various matters that we have discussed here step by step earlier in my remarks. I am in agreement with the gentlewoman that excessive powers in the Secretary, is not a good thing, but I do not believe that that situation exists here.

The Secretary is to be given authority to call for a referendum, for example. The Secretary has that authority under this legislation, but he is the only one who should do that. He has the machinery ready to put it into effect.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. COOLEY. I yield 1 additional minute to the gentleman from Arkansas.

Mr. BELCHER. Mr. Chairman, I yield 2 additional minutes to the gentleman from Arkansas so that he can continue to answer the questions of the gentlewoman from Washington.

Mrs. MAY. I asked the gentleman if he would yield so I could ask my second question and the gentleman from Arkansas would still have time to answer the question which the gentlewoman from New York desires to ask.

My second question goes to the authority in the hands of the Secretary. As I understand, under the bill the Secretary himself would be authorized to sue for assessments. In other words, a producer could obtain a refund of his assessment if he makes such a demand personally in accordance with the regulations prescribed and in 30 days of the collection of the assessment?

Mr. GATHINGS. Yes.

Mrs. MAY. And then a just demand is made a matter of public record, and the producer would not be permitted after that to vote in any subsequent referendum?

Mr. GATHINGS. That provision was eliminated. It was in the bill originally, but the Committee on Agriculture eliminated that provision.

Mrs. MAY. I see.

Mr. GATHINGS. No publicity whatever would be given those who received refunds. If he wants to get his money back, he signs the form and he gets his money back no later than 60 days from the time he signs the form.

Mrs. MAY. The Secretary would appoint the members of the Cotton Board and he need not make his appointments from the nominations of organizations certified by the Secretary to make the nominations, and the Secretary could terminate the order or any provision in it without referendum. Is that not true?

Mr. GATHINGS. After a hearing on the original order shall have been had he could do that, but he would have to take into account and into consideration the mandate of the provisions of the bill as well as the history of the legislation made here on the floors of the two Houses.

Mrs. KELLY. Mr. Chairman, will the gentleman yield?

Mr. GATHINGS. I am glad to yield to the gentlewoman from New York.

Mrs. KELLY. I thank the gentleman for yielding. I should like to know whether the bill would establish a precedent whereby the Secretary of Agriculture would promote a product for the first time and, if so, what would that do to our free enterprise system?

Mr. GATHINGS. To promote a product?

Mrs. KELLY. I refer to the cotton products. Is not that what the bill would do by this $1-a-bale contribution?

Mr. GATHINGS. I will tell you what it would mean. It would mean that the legislation would be written by the gentlewoman from New York. You, as well as 534 other people on both sides of the Capitol, have in your hands the power to pass upon just what you mean and just what you want written into that legislation.

Mr. SISK. Mr. Chairman, will the gentleman from Arkansas yield in connection with the gentlewoman's question?

Mr. GATHINGS. I yield to the gentleman from California.

Mr. SISK. It is my understanding that the question asked was whether or not any precedents would be established.

Mrs. KELLY. Yes.

Mr. SISK. No, there are no precedents whatever in this piece of legislation. We have had for 30 years marketing orders by the numbers. There are today in total something like 50 marketing orders operating in my own district, and for the past 25 years we have had national marketing orders which operate under exactly the same terms of law, the same provisions, and the same requirements as are provided here for cotton.

The CHAIRMAN. The time of the gentleman from Arkansas has again expired.

Mr. COOLEY. Mr. Chairman, I yield myself 1 minute, and yield further to the gentlewoman from New York.

Mrs. KELLY. I do not feel that my question was properly answered. I understand the marketing problem. But do I correctly understand that the Secretary of Agriculture could promote the products on TV and everywhere else?

Mr. COOLEY. The producers will spend their own money and will determine in detail how it is spent. They would not spend taxpayers' money. The $1 a bale coming into the Board would provide the funds.

Mrs. KELLY. It comes in to the Board?

Mr. COOLEY. The Board would provide its own advertising, promotion, and research.

Mrs. KELLY. Under the direction of the Secretary of Agriculture?

Mr. COOLEY. The Secretary could veto it, but all marketing orders work in the same way.

Mrs. KELLY. Would you call being on television a proper function of a marketing order?

Mr. COOLEY. Yes, if they are spending their own money, not the taxpayers' money——

Mrs. KELLY. Indirectly is it not our money?

Mr. COOLEY. No, it is not. See, the money would be contributed by producers and transmitted to the Board and the Board has control.

Mrs. KELLY. Then you do not think it would hurt our private enterprise system?

Mr. COOLEY. Of course not.

Mrs. KELLY. I thank the gentleman from North Carolina.

Mr. BELCHER. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. TEAGUE].

Mr. TEAGUE of California. Mr. Chairman, let me say that there is not a bale of cotton grown in my congressional district in California. Nevertheless, I am going to make a few remarks here in enthusiastic support of this bill.

It is not very often that I find myself in disagreement with the American Farm Bureau, but this time I am. I would like to suggest that a great many members of the Farm Bureau, who are cottongrowers themselves, are in disagreement with the official Farm Bureau policy.

This, as I see it, is a voluntary self-help program. I think we should understand that this is not another costly Government subsidy operation, most of which I have opposed. This is something entirely different. It is merely giving the cottongrowers of this country an opportunity to promote their own product.

They have tried to do this on a voluntary basis, but cotton is grown in so many States and in so many different areas, and there are so many different types of cotton, that they have not been able to collect enough money to carry on a proper research and promotion program in conjunction with or in addition to that operated by the Government.

I should like to remind the House again that this will not go into operation unless it is approved by two-thirds of the cotton producers.

Something very important should be repeated once more, I believe: If at any time the cotton producers get unhappy with this program and feel that it is being improperly carried on, just 10 percent of them can petition to have it discontinued and another referendum must be held.

If a majority of those who vote in the referendum are in favor of calling the whole thing off, the Secretary will have no choice except to terminate the program.

To me this is not an unconscionable or an improper further intrusion by the Federal Government into private industry. It is a good practical plan for self-help for an industry which is experiencing a great deal of trouble, and I urge the Members of this body to vote in favor of this proposal.

Mr. BELCHER. Mr. Chairman, I yield 5 minutes to the gentlewoman from Washington [Mrs. MAY].

Mrs. MAY. Mr. Chairman, it is with great regret that I rise to oppose this bill, because I have such high respect for the many colleagues, both majority and minority, on this committee who are favoring it, and also because I come from a district, of course, that has no cotton at all. I am injecting my reasoning against this on the basis of one principle alone: that is that the principle of a mandatory checkoff program is included.

This bill, as it finally came out of our committee by voice vote, really has few minor changes in it. These changes in no way affect, as far as I am concerned, the basic things that are wrong with a Federal Government checkoff of any commodity: the principle itself.

We have many voluntary checkoffs that work without Government supervision, as in the case of the National Livestock and Meat Board, which has been doing an excellent job. Many of the dairy checkoffs have been on a voluntary basis and have operated in a very satisfactory manner. They have to justify themselves or the farmers just will not participate.

In this case, we have a compulsory program, where the collection of money from the farmers—in this case cotton, at $1 a bale—could mean up to $15 million annually added to the cost of the cotton producers.

If a program for soybeans were submitted on a similar basis, obviously the producer would be forced to pay a checkoff on cotton and soybeans to help compete with himself. It is my belief that if the cotton checkoff program were a good program, it would operate on its merits, on a strictly voluntary basis. I think the real reason it has not worked out voluntarily is that farmers have felt in the past, in many instances, that they were not getting their money's worth. It is realized, of course, that in this bill the farmer does have the right to ask for his money back. But I ask you: What farmer ever wants to get himself into that position?

I just think he should not be forced through the Federal Government by law to do anything like this.

I do not like the precedent it sets for other commodities, either.

Now I will be delighted to yield to the gentleman from California [Mr. HAGEN].

Mr. HAGEN of California. Well, Mrs. MAY, do they not have marketing orders in the State of Washington?

Mrs. MAY. They have voluntary marketing orders. Yes. They do have a mandatory checkoff, but this is paid from assessments against the handler, which may not necessarily be paid by growers.

Mr. HAGEN of California. Under the Federal statute, are there not marketing orders in effect in the State of Washington?

Mrs. MAY. Yes. And highly controversial, I might say, in many areas. There are no orders presently active for checkoffs for paid advertising.

Mr. HAGEN of California. Nonetheless, they do provide the same voting procedures which are present in this bill, and the possibility of a checkoff proposal is always present.

Mrs. MAY. I point out to the gentleman that I was not a Member of this august body at the time when Federal marketing order checkoffs for research were made mandatory.

Mr. HAGEN of California. You are not suggesting that those be repealed, are you?

Mrs. MAY. No, sir; I am not suggesting that, but I have been made aware of the hardships that they have brought on producers under mandatory conditions.

Mr. HAGEN of California. One other question. Do you support the Wool Act?

Mrs. MAY. Yes. And I welcome this question, because I do see a difference here. In the first place, let me say that I was not in at the inception of that act, but the producers have overwhelmingly, within this area, as you know, voted the full majority for it. The wool checkoff is made from Government payments and not collected by wool handlers as in the case of cotton. They do not have to pay for their research out of their market price. This is paid for out of Government funds. I think there is a great difference here on what the wool producers have worked out for themselves and supported, while I understand the same it not true among your own cotton producers at all in the way they are divided on this issue.

Mr. HAGEN of California. Is it not a fact that the issue of this deduction has to be submitted to the wool producers under the same formula presented in this bill?

Mrs. MAY. That is right. And there has never been any quarrel on that—87 percent of the producers and 91 percent of the volume, represented in the last referendum, approved the checkoff.

Mr. HAGEN of California. And a dollar is a dollar, and whether it comes from the sale of a bale of cotton or a payment, it means that the farmer has $1 less. The wool producers endorse it and you support the Wool Act, so in consistency you should support this.

Mrs. MAY. I see no inconsistency in opposing the principle of mandatory checkoffs on a nationally produced product which is in surplus—as against a commodity where checkoff is made from Government funds to stimulate demand for a deficit commodity.

Mr. BELCHER. Mr. Chairman, I yield 5 minutes to the gentleman from Arizona [Mr. RHODES].

Mr. RHODES of Arizona. Mr. Chairman, I find myself regretting the position I am in, also. I have very seldom opposed the American Farm Bureau Federation and almost never opposed the gentlewoman from Washington who preceded me on the floor of the House. However, I am compelled to do so in this instance. In my own district there is difference of opinion as to the merits of this bill. I think the majority of my cottongrowers are in favor of it. Some are against it. However, I am speaking today out of conviction which is born of experience. The experience comes mainly from my having been rather closely associated with the growers of long staple cotton ever since I have been in the Congress of the United States. The long staple cottongrowers many years ago organized the Supima Association and voluntarily allowed deductions of $3 per bale for the purpose of promoting the use of long staple cotton and for research in its uses. This effort was eminently successful. I might say to my good friend from Arkansas [Mr. GATHINGS], that I do not take off my hat to his shirt at all. I am wearing today a Supima cotton shirt made from long staple cotton. It is white, and it is beautiful.

Mr. GATHINGS. That is a good shirt, too. No doubt about it.

Mr. RHODES of Arizona. I thank the gentleman from Arkansas. However, I do not see any reason why, if one group of cottongrowers can find it advantageous to spend their own money to develop their own product that another group of cottongrowers should be denied this privilege. The legislation which we have before us today is permissive legislation. It would allow the short staple cotton farmer, to tax himself $1 a bale. This program can go into effect only after a referendum is held and two-thirds of those voting or two-thirds of the bales of production represented by those voting are in the affirmative. If the plan is adopted, then the Secretary of Agriculture is authorized to appoint from the eligible cotton organizations, a Cotton Board. This Cotton Board is responsible for planning and prosecuting a program aimed at developing markets for cotton and cotton products, and for research in cotton production and processing.

In other words, not only do these growers use their own money, but they are mainly responsible for the manner in which the money is expended.

Mr. Chairman, the bill provides also that there would be a veto power vested in the Secretary of the Department of Agriculture concerning the programs which the cottongrowers may promulgate. But I submit, Mr. Chairman, that this is not any different from the situation which exists in other marketing orders. There is nothing unique about it. It provides only for the Federal Government to protect itself from a Board which might conceivably turn out to be irresponsible. It provides a safety valve which I believe is necessary, and which certainly should be contained in any legislation of this type.

Now, Mr. Chairman, suppose the cotton farmer does not want his money put into this particular program. There is also provision that if he wants to get the money out—if this dollar per bale has not been expended in accordance with his wishes—or if he does not want it spent for this purpose at all, he can get the money back. It is voluntary. It is different from the present situation in that initially the farmer's dollar is put into the fund. But he can get it out. Under the present situation if he wants to put the money in the CPI he can do so. I suppose the only difference is that this bill provides that he must make an overt act to get his money back; whereas, under the present situation he can remain idle and keep his money. I suppose many farmers like it this way. But if they really need their money they certainly can expend the energy which is necessary to have the money returned. Suffice it to say, most of the farmers that I know of, the ones who are contributing the most to CPI now, are in favor of this bill. I believe the fact that many growers who will put in from $35,000 to $45,000 to $60,000 for the purposes of the bill certainly is evidence that those who are most involved, those who are most concerned with the cotton industry, are in favor of the provisions of this bill.

The CHAIRMAN. The time of the gentleman from Arizona has expired.

Mr. BELCHER. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. RHODES of Arizona. Then, Mr. Chairman, to complete the story, if the farmers growing cotton do not like this program, it is entirely possible for them to terminate it. The program may be terminated in two ways. In the first place, the Secretary of the Department of Agriculture himself can terminate the program. The second way in which the program can be terminated is for 10 percent of the growers to decide that they want it terminated and demand an election to be held for that purpose. If only 50 percent of the growers who had voted in the first referendum representing 50 percent of the production vote in favor of termination, termination will be a fact.

So, Mr. Chairman, to me it adds up something like this: These are people who want to use their own money to promote their own product. But they will take care beautifully of the minority of the members who might not be impressed with this effort at all, by returning their money.

Mr. Chairman, I believe this is in the best traditions of American free enterprise, and I see nothing whatsoever wrong with it.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. Mr. Chairman, I thank the gentleman from Arizona for yielding. The gentleman is making a splendid statement explaining this legislation and I agree with his point of view. I usually do.

The gentleman comes from a State of the West which produces a great deal of cotton. The gentleman says his cottongrowers favor this legislation. I believe, without any reluctance whatsoever, the cottongrowers in Louisiana have taken exactly the same position. They believe this is an overdue opportunity that has been provided to help them promote a sick industry. Certainly the cotton industry needs some help. I believe we would be doing these people in the cotton business a great favor in letting them try this promotion and research program which they want to try with their own money. Certainly no one can deny them that right. I support and Louisiana cottongrowers support this legislation.

Mr. RHODES of Arizona. I thank the gentleman from Louisiana, and I agree with the gentleman.

Mr. SENNER. Mr. Chairman, will the the gentleman yield?

Mr. RHODES of Arizona. I yield to the gentleman from Arizona.

Mr. SENNER. I thank my distinguished colleague for yielding, and I wish to commend him for a fine, concise statement of facts with reference to H.R. 12322.

Mr. Chairman, I wish to associate myself with the remarks which have been made by the gentleman from Arizona, and to state that I am going to support this legislation. It is good and sound legislation, and should be passed.

The CHAIRMAN. The time of the gentleman from Arizona has again expired.

Mr. BELCHER. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. HAGEN of California. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I yield to the distinguished gentleman from California.

Mr. HAGEN of California. Mr. Chairman, I merely wish to commend the gentleman from Arizona on his very excellent presentation, which again demonstrates his great ability and knowledge of this subject.

Mr. RHODES of Arizona. I thank the gentleman from California, and assure the gentleman that those feelings are reciprocated.

Mr. BELCHER. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. FINDLEY].

Mr. FINDLEY. Mr. Chairman, lest there be any misapprehension on the point, the Federal Government has been deeply involved in cotton research for a good long time. If this bill is enacted and becomes law and some of the checkoff money is used to finance cotton research, the money is not likely to be plowing new fields.

At the present time the taxpayers are chipping in about $18 million a year to finance research into cotton. I just checked with the agriculture subcommittee on appropriations to verify that point.

Now this would authorize a program under which perhaps $12 to $14 or $15 million a year might be collected for the purpose of research among other activities. Considerable stress has been placed on the possibility that this money would be spent for research. Perhaps there is a glimmer of hope and encouragement for taxpayers, and I would like to ask some of those who are advocating this bill for a little colloquy on this point perhaps to make a little legislative history that might further encourage the taxpayers.

I would like to address this question to the majority side on the committee. Can the taxpayers expect that the amount appropriated for research into cotton will be reduced proportionately by the amount that is spent for research out of the funds collected from this checkoff program?

Mr. POAGE. No, you cannot, because the Government is not spending that kind of money for promotion. The Government is not spending that kind of money.

Mr. FINDLEY. The Subcommittee on Appropriations just informed me and, of course, they may be in error, that the spending amounts to $18 million a year by the Federal Government for research into cotton. As I say, they may be in error, but that is the best information I have.

Mr. POAGE. Well, the gentleman realizes, of course, that most of that is for production research and not for promotion.

Mr. FINDLEY. Then may I assume from that the research activities financed by this checkoff money would not involve any production research whatever?

Mr. POAGE. Certainly, you can assume that. That is what I would assume although, of course, the bill as written allows both research and promotion.

Mr. FINDLEY. And the research would be entirely research on promotion?

Mr. POAGE. This is promotion, yes—to try to sell the product.

Mr. FINDLEY. I see—well then, the taxpayers cannot hope that as a result of this bill the amount they are spending on cotton research will be decreased by even $1? Could I be correct in that assumption?

Mr. HAGEN of California. Mr. Chairman, will the gentleman yield?

Mr. FINDLEY. I am glad to yield to the gentleman from California.

Mr. HAGEN of California. No. 1, even if there were not any reduction, this additional increment would not even bring research on cotton close to the amount of money spent on research on synthetics. There is need for additional inputs and this bill will tend to establish the fact that these inputs should not come entirely from the Federal Government. Now there is provision in this bill for expenditure on research. It is true the Government has many research projects but you know the difficulty of dealing with Government bureaus. This organization would be much more flexible and could respond more rapidly, shall we say, to the needs for certain types of cotton research than the existing Government program.

Mr. FINDLEY. The comments of the gentleman from California seem to be at odds with the comments made by the gentleman from Texas. I assumed from the comments made by the gentleman from Texas that the research spending arising from these checkoff dollars would not be devoted to production research whatever but entirely to research on public relations techniques and promotion.

Mr. POAGE. Mr. Chairman, if the gentleman will yield, I must point out to him that those words are his own words when he uses such words as "entirely" and "exclusively" and that sort of thing. The gentleman asked me if we could assume certain things. I told the gentleman that I would assume this, and I do assume this. I assume that this Board would devote the bulk of its energy and of its funds to promoting the sale of cotton products. I still assume it and I think that is a safe assumption.

Mr. FINDLEY. Then I assume from what the gentleman says that it is not likely that the checkoff money will be spent for that type of research.

Mr. POAGE. That is right. I think it is quite unlikely.

Mr. FINDLEY. I thank the gentleman. That helps to clarify the question. Spending on research by the taxpayers will probably continue at least at the present level and if history is any guide, that level will increase in the future rather than decrease.

I might say that judging from comments I hear from the taxpayers, they are getting a little bit tired of pouring money into costly ineffective cotton programs. The annual cost of the present program is close to a billion dollars a year. I cannot give the exact figure but some of the estimates were over $750 million as given by administration witnesses last year. The Secretary of Agriculture recently made a statement in which he said straight out that he was wrong about the effectiveness of the cotton program authorized in 1964. It did not work and he admits it.

To a great extent the Secretary of Agriculture is the architect of the cotton program which was enacted in 1965. I wonder if next year he will announce that he was wrong on that, too. The bill before us today is a product of the same people who have been advocating costly and ineffective cotton programs in the past. This is not really very comforting news for American taxpayers. This bill would put another half million dollars into this big hole into which we have been pouring hundreds of millions and even billions of dollars into under the label of "cotton legislation."

I feel that what cotton really needs is less Government involvement and not more Government involvement. Almost all of the problems that are faced by the land of cotton today can be traced right to the door of the Federal Government, caused by these unwise, ineffectual programs that have been scattered over a period of 30 years.

Is this a Government program? I think in all fairness to the English language we should acknowledge that it is a Government program. The checkoff would be imposed by the authority of the Federal Government. The Secretary of Agriculture would sit on top of the program from one end to the other. Of course, there are guidelines for the Secretary of Agriculture, but he is the one who would make the final decisions every step of the way. He would select the men to serve on the Cotton Board. He might select them from names submitted to him in accordance with the language of the legislation, but he need not.

If you will look on the bottom of page 8 of the bill you will find language there that is general enough to let the Secretary put on the Cotton Board just about anybody he wants to. He can make a determination that will let him do that.

The money that is collected is Government money, not private money, because this is, indeed, a Government directed program.

Is it compulsory? There is no question but what the checkoff is compulsory. The cotton farmer must pay the $1. Of course, there is a refund possibility here, but it is not clear just how the mechanism would work.

There is language on the last page of the bill which suggests to me that the offices of the U.S. Department of Agriculture could not legally be used in any way in regard to the refund procedure. I draw your attention to the last sentence of section 19 on page 22 of the bill. This language clearly seems to prohibit the use of any appropriated money for the operation of this marketing order program as it is called.

The farmers, of course, would have some way that they could apply for a refund. Someone in jest suggested that they might go through the Red Cross to get the refund back. But certainly whatever route is used, it is intended to be cumbersome to discourage farmers from getting a refund.

Mr. RESNICK. Mr. Chairman, will the gentleman yield?

Mr. FINDLEY. I am glad to yield to the gentleman from New York.

Mr. RESNICK. Is it not true that this is basically enabling legislation, that all we are doing here is permitting the cotton farmers, the people involved, to vote whether they want a program like this?

Mr. FINDLEY. I am glad the gentleman has raised that point and I will deal with it right now.

The legislation would give the Secretary the authority, of course, either to use the unit or volume approach in the referendum. A two-thirds vote would be required, but he could make the choice whether it would be unit or volume.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BELCHER. Mr. Chairman, I yield 5 additional minutes to the gentleman from Illinois.

Mr. FINDLEY. I thank the gentleman.

Much has been said about the opportunity of just 10 percent of the cotton farmers to bring about another referendum—as if this were a protection of minority rights. It is not even a protection of majority rights, because in this new referendum the Secretary could once more determine whether it is to be on a volume basis or on a unit basis.

No one disputes the fact that under volume vote procedure, about 14 percent of the cotton farmers in the United States could control the referendum and impose this mandatory $1-a-bale checkoff on the rest of the cotton farmers of the United States. So the 10 percent initiative opportunity really does not amount to very much, because it places right back in the hands of the Secretary the right to have a volume basis for the second referendum.

I will ask the gentleman, or anyone who wants to comment on it, if there is any way that this 10-percent initiative could be so constructed as to require the Secretary to use the unit basis—rather than volume basis—for the second referendum? If so, I think this would be an excellent time to clarify the point.

Mr. DOLE. Mr. Chairman, will the gentleman yield?

Mr. FINDLEY. I am glad to yield to the gentleman from Kansas.

Mr. DOLE. I should like at this point to ask a question which perhaps the gentleman has already answered. Is it not possible, in the event this bill passes and in a referendum two-thirds of the cotton farmers approve, for someone to sell their cotton without paying $1 a bale?

Mr. FINDLEY. I know of no way that cotton could be sold legally without paying the $1 a bale.

Mr. DOLE. In other words, a handler might say, "I will buy your cotton." If he did that, as I understand it, he would be subject to prosecution or something.

Mr. FINDLEY. The gentleman is correct. Perhaps the gentleman could be more specific as to the fine he might encounter as a result of that action.

Mr. POAGE. Mr. Chairman, will the gentleman yield?

Mr. FINDLEY. I yield to the gentleman from Texas.

Mr. POAGE. Will the gentleman explain what there is in the bill to keep any man from selling his cotton? What provision of this bill relates to that?

Mr. DOLE. That is what I am trying to find out. Can a person sell cotton without paying $1 a bale?

Mr. POAGE. He can if he can get someone to gin it.

Mr. FINDLEY. The gentleman will agree, as a practical matter, that no ginner wants to pay a fine merely to accommodate a friend who wants to sell a bale of cotton.

Mr. POAGE. I agree that a man cannot sell unless he has a buyer.

Mr. FINDLEY. So there is no market without the $1 a bale checkoff.

Mr. POAGE. As the question has been presented, it was that a man could not sell. There is not a word here which relates to selling.

Mr. FINDLEY. I am certain the gentleman intended to put "as a practical matter" into the question.

Mr. DOLE. Mr. Chairman, if the gentleman will yield further, section 13(b) says:

> (b) Any person who willfully violates any provision of any order issued by the Secretary under this Act, or who willfully fails or refuses to pay or remit any assessment or fee duly required of him thereunder, shall be liable to a penalty of not more than $1,000 for each such offense—

I am not sure whether that would be for each bale, or for what. If a person bought 50 bales from a producer, without collecting $50, would he be subject to a fine of $50,000, or $5,000?

Mr. FINDLEY. I suppose that could go up to a $50,000 fine, but I imagine a $1,000 fine might be a sufficient incentive to get the man to "fly right."

Mr. TEAGUE of California. Mr. Chairman, will the gentleman yield?

Mr. FINDLEY. I am glad to yield to the gentleman from California.

Mr. TEAGUE of California. I would not believe that either the gentleman from Illinois or my good friend the gentleman from Kansas would approve of any situation in which handlers would be allowed to accumulate hundreds or even thousands of dollars, keeping no records, which would make possible an embezzling of the money without the man being subjected to a fine.

That is all the language proposes.

Mr. FINDLEY. I say to the gentleman from California that we have passed a lot of legislation in the last couple of years dealing with the problems of poverty-stricken people, and a great many cotton farmers are small farmers who may have incomes below the $3,000 net income level now defined as the poverty level. There is no provision in this bill to set aside a mandatory checkoff of $1 a bale even for those who are in the poverty class.

Mr. DOLE. Mr. Chairman, will the gentleman yield?

Mr. FINDLEY. I am glad to yield to the gentleman from Kansas.

Mr. DOLE. I am certainly sympathetic to the aims of the people who sponsor this bill, and to the bill itself, and to what it proposes to do. The question I have relates to whether there is some way we can make it voluntary, so that the producer who does not want to pay $1 a bale and wants to sell his cotton without paying $1 a bale will be able to do so. I recognize that this is difficult.

Mr. FINDLEY. If it were a purely voluntary program we would not need a bill, any more than hog and cattle producers have needed legislation in order to have a purely voluntary and effective promotion program over the past 45 years. They have a voluntary checkoff at the markets, not only for the producers but also for the processors and the middlemen. They all "chip into the pot," and this has made possible a successful promotion arrangement. There is no reason why the same type of arrangement would not work for the land of cotton.

Mr. HAGEN of California. Mr. Chairman, will the gentleman yield?

Mr. FINDLEY. I yield to the gentleman from California.

Mr. HAGEN of California. In response to one of the questions raised earlier, this program conceivably could result in a reduction of the cost of expensive Government research, or at least foreclose the possibility of an acceleration of it. In addition, it is designed to increase the sale of cotton.

I can see that potentially this involves great savings in support of the program itself.

I should like to ask a question. Does the gentleman support the milk marketing order program of the Federal Government?

Mr. FINDLEY. I believe the whole marketing order system ought to be reexamined. I have grave doubts about all marketing orders.

In response to the statement in regard to savings that can be anticipated by taxpayers of the future, I recall that in 1964 the leaders of the Committee on Agriculture and administration spokesmen told us of $500 million a year in benefits to the consumers, and additional reduced tax costs which they definitely said would result from the 1964 cotton program. Instead, consumer prices of cotton goods are up, and the cost of the cotton program increased about $250 million a year.

Therefore, I do not have too much confidence in predictions of future savings for the American people resulting from new Government programs.

Mr. HAGEN of California. It has not really been established that such a cost came about as a result of that program, or that it would not have been larger without the program, but this proposal does hold out a hope for farmers to improve the sale of cotton through their own efforts, through paying for it themselves rather than going to Uncle Sam for an increase in income.

Mr. FINDLEY. Since the enactment of the so-called one-price cotton program the cost of cotton to the mills has gone down and stayed down. The cost of cotton products to the consumer has gone up and kept climbing.

The mill margin—that is, the difference between the cost of raw materials and the cost of finished products—has kept climbing steadily, almost every month, since that legislation was enacted. It has been a bonanza for the mills and no help to consumers.

I do not understand how anybody could contend that the American people are better off as a result of the cotton programs enacted in recent years.

I remind the Members that the same people who cooked up these earlier programs are now advocating the bill that is before the House today.

Mr. RESNICK. Mr. Chairman, will the gentleman yield?

Mr. FINDLEY. I am glad to yield to the gentleman from New York.

Mr. RESNICK. The gentleman was commenting on the research aspects of this particular bill. I believe the gentleman knows that there are various areas of research. Research covers a broad range of purposes.

As I understand the bill, the research will go toward finding new ways to utilize our cotton.

Now, is this the gentleman's understanding of research? Not research in better ways to grow cotton but research in better ways to utilize it.

Mr. FINDLEY. I will have to admit to the gentleman that the research planned under this bill are certainly not clear to me. I came here assuming that it would be production research, in order to find ways to reduce the cost of growing cotton, but I think it is more likely to be spent on Madison Avenue in order to try to find better techniques for television, for radio, and for newspaper advertising promotion.

Mr. RESNICK. If the gentleman will yield further, I think the gentleman is aware of the fact that Madison Avenue does its own research itself.

Mr. FINDLEY. Then, we do not need this bill.

Mr. RESNICK. But as I understand this bill, this research is strictly to find better ways to utilize cotton, which the gentleman will agree with me we have lots of. If we could find new ways to utilize it, the American consumer will certainly benefit.

Mr. FINDLEY. I will just repeat my earlier comment. I feel what we need is less Government action in the field of cotton and not more. This bill proposes new field of Government action in the land of cotton.

Mr. RESNICK. I assume that the gentleman, then, is simply against Government action in this field no matter what it is.

Mr. FINDLEY. Based on a review of 30 years of sad experience with the Federal cotton legislation I have a very dubious and skeptical attitude of any benefits flowing from new Federal cotton programs.

Mr. Chairman, this bill is in essence a proposal to establish a sales tax on the transfer of cotton from producers to handlers. This sales tax or assessment would be paid for by the farmer and would be collected by the handler who would forward it to a Cotton Board created under the auspices of the Secretary of Agriculture. The receipts would be used to promote the consumption of cotton and to conduct further research on this important fiber.

The method of collection and refund is not altogether dissimilar to that presently in effect on gasoline used by farmers. When a farmer buys gasoline for his farm trucks and machinery, he pays the Federal tax which is included in the price of the gasoline. The gasoline tax is remitted by handlers of gasoline to the U.S. Government. Later, a farmer desiring a refund applies to the Internal Revenue Service and in due course receives his refund.

I do not contend, of course, that this bill is a tax in the technical sense. Only that it has the same effect and is collected and refunded in a similar manner. I draw this analogy only to illustrate that it is the farmer who pays it.

If cotton farmers want to pay these assessments or sales taxes or whatever one may choose to call them, that is one thing. But this bill should not be considered as one which will stand as a precedent for other commodities. Each commodity is different and each has its own particular problems and conditions.

Obviously, if a great number of commodities were subject to a checkoff procedure similar to that proposed by H.R. 12322, farmers would be overwhelmed by dozens of checkoffs and refunds.

Why? Because nearly all farmers grow more than one crop, and sometimes they grow crops which compete against each other. So let us not let this bill stand as a blueprint for everyone else in agriculture. Let us consider it as a singular provision applying to one crop that is experiencing severe marketing problems and one of which the Government owns an alltime high inventory.

This bill is unique. It is opposed by two of the largest farm organizations. The Farm Bureau and the Farmers Union agree on this one. They both say "No," recognizing that this proposal is no solution to the vexing problems in the land of cotton.

It would sanction a referendum to compel cotton farmers to pay assessments amounting to $1 a bale—perhaps more later—to finance cotton promotion and research. A few big farmers could force the assessment on all farmers—even those in the poverty class. Theoretically, farmers could get refunds, but the refund route is admittedly so circuitous it would discourage all but the most persevering.

It would authorize a special Cotton Board to receive and disburse the checkoff money. Whether the Board would be fish or fowl is not clear. Proponents of the legislation insist that the Board and the money it handles would be nongovernmental, but curiously the U.S. Secretary of Agriculture would sit on top of the whole heap, appoint all members of the Board and approve—or reject—each and every activity, even to an item veto over spending plans and expenditures.

The best guess is that the U.S. Department of Agriculture field offices and personnel would be utilized—at taxpayer expense—at least to the extent of handling refund paperwork. In any case the departmental report which accompanied the legislation estimated the taxpayers will need to provide about $50,000 a year for administrative expense, in addition to $400,000 for the initial referendum.

It thus appears likely that this will be one of the most governmental nongovernmental activities on record.

The central question—Should the Federal Government sanction a scheme to force cotton farmers to pay assessments for cotton promotion?—resembles closely the question of compulsory union membership considered last year by the House of Representatives. Those who voted against repeal of section 14(b) of the Taft-Hartley law, it would seem, will find this proposal unacceptable for the same reasons. But will they? The countdown may be interesting. When the vote is recorded, I look forward to a long evening trying to reconcile, last year's vote tally on 14(b) repeal and this year's upcoming tally on the "14(b)" style cotton program.

Another question which deserves attention: Is it in the public interest to establish the precedent of placing the Secretary of Agriculture in charge of a program under which millions of dollars are passed out, on a selective basis, to buy TV and radio time, newspaper and magazine space, and—who knows—perhaps even a few discreetly located billboards?

This responsibility could lead to tribulations without end, as, for example, the Secretary is forced to choose between a spot on the Johnny Carson show or a choice location near Drew Pearson's column. Think of the panic ahead in the

White House if the Secretary finds it impossible to stretch the checkoff dollars far enough to cover simultaneously a saturation sales pitch on men's sweatshirts and one of the virtues of 100-percent cotton underwear for milady. To choose? Aye, there's the rub—and I speak not of Cannon towels—will it be Time, Newsweek, or U.S. News? Issues of smaller movement have caused governments to topple. Remember, for want of a nail a kingdom was lost. And who can foretell? A misdirected checkoff dollar might have a Texas-sized impact on a popularity poll?

The dangers ahead are incalculable. Cotton is but one of more than 200 farm commodities, each competing with the others for the consumer's dollar. Will the Secretary of Agriculture one day be directing national sales promotions for 200 different commodities; or will he bear down in behalf of just 1—cotton—to the exclusion of others?

And what will be the effect on privately financed sales promotions? Is this the first step in the ever-increasing role for Government in direct advertising?

Someone suggests that the industry-controlled Cotton Council could be the unseen guiding spirit giving professional direction to this program. The thought is not entirely comforting. The Cotton Council was one of the sponsors of the ill-fated, costly, and ineffective "one price" cotton program of 1964. It might be hard for the council to keep separate its legislative and product promotions.

Advertising is a great thing, provided it's handled privately and financed on a voluntary basis.

One of the best examples is the voluntary checkoff which helps to finance meat promotion carried on by the National Livestock and Meat Board. It's entirely nongovernmental and noncompulsory. More than 60 percent of farmers cooperate. Handlers and processors chip in, too.

I see no reason why a similar arrangement cannot work for cotton. On the other hand, I can see many reasons why a Government-directed promotion scheme financed by compulsory checkoffs, as provided in H.R. 12322, should be rejected.

Mr. MORTON. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. MORTON. Mr. Chairman, any substantial increase that may be enjoyed by cotton in its share of the textile market will primarily come about because of advances in technology in the processing of this fiber. It will come from better marketing of finished goods. It will come from new utilization of specialty cotton products.

Certainly, from the industry point of view, research directed toward the development of this new technology would be worthwhile and, in fact, necessary for the survival of the industry. This is a basic problem to the growth and development of the processors of nearly all raw materials. The increased research programs of the food processors, mineral processors, and fiber processors, indicates their recognition of the value of research and the necessity for it.

But to assess the individual grower is completely out of line and against the very tradition of American competitive commerce. The grower pays for research when he buys a ton of fertilizer, when he buys a new plow, when he buys the clothes for his family. If the application of H.R. 12322 to the cottongrower should become the law of the land, then why not apply the same technique to potatoes, to corn, to all the other commodities. The setting up of a coordinated, centralized Government research program which, once launched, will be free from congressional oversight, at the expense of the individual producer, will only dampen the keenness of competition within the industry and will create a false sense of security among producers. This is not the way to bring cotton into its rightful place in the market, and is not the way to manage industrial research in this country.

I rise in strong opposition to this measure and ask my colleagues to look beyond the facade which this bill presents. If they study it in depth, I am sure they will see that to put the Department of Agriculture and the Secretary into this kind of research and sales promotion will be uneconomical and very questionable as to its productivity.

Mr. POAGE. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. RESNICK].

Mr. RESNICK. Mr. Chairman, I rise in support of H.R. 12322 and wish to commend to the distinguished chairman of the Committee on Agriculture for his authorship and leadership of this progressive and farsighted legislation now before this House. I have spoken in the past regarding problems existent in the cotton industry and the regions where it it located. I am now sincerely and genuinely delighted to be able to commend this industry and the chairman for coming before this House with a measure that is progressive and in the best American tradition of self-help. This legislation will, under democratic safeguards, allow cotton farmers to participate directly in a meaingful self-help program vital to their survival. It will enable all segments of this great industry to unite in meaningful promotion and research programs so sorely needed. The approach embodied in this farsighted legislation—that of allowing the producer to make a direct and voluntary contribution to the marketing, advertising, and utilization research effort of the industry—normally, areas far removed from producer influence, is truly remarkable and progressive.

In short, I believe that this bill will permit farmers at least to have a halfway chance in competing with manmade fibers which are rapidly stealing the cotton markets. I think that in years to come, unless something is done, cotton might very well go the way of the dodo bird.

Mr. BELCHER. Mr. Chairman, I yield 5 minutes to the gentleman from Maryland [Mr. MATHIAS].

Mr. MATHIAS. Mr. Chairman, I come before the committee in the spirit of one who is seeking greater light. I am neither a cotton farmer nor a member of the Committee on Agriculture. I must confess that there is a great deal about this subject that I do not understand, but I think we have to consider it not only as it bears upon the immediate problems of cotton farmers but the problems of the whole country and problems with which we all have to deal. As I understand it, we have before the House a proposal to use the taxing power of Government to force farmers to contribute to an advertising and research program for cotton. It may be—certainly from what I know of agriculture in my own State of Maryland, it may be—that the cotton industry, not only just the farmers but the entire industry, needs additional programs of research and promotion. If so, I would support the efforts of that industry to raise the necessary funds from the producers and the handlers and the manufacturers on a voluntary basis. I can see no reasons why these contributions would not be treated as ordinary business expense. I cannot, however, support the use of the power of the Federal Government to extract funds from farmers for support of programs of this type.

Mr. Chairman, the President recently sent to the Congress a message in which he pointed out that poverty is relatively more widespread in rural areas than in urban areas, and that much of this rural poverty is concentrated in the Cotton Belt.

It is a fact that I do not think can be disputed, that among the rural poor are thousands of families, many of them members of minority groups, who eke out an existence on small cotton farms, producing only a few bales of cotton each per year. These are Negro and Mexican-American families. They are industrious, they are hard-working people. But in many cases they are the victims of modern agricultural technology. Like many Maryland farmers, their operations are too small to permit them to buy a lot of expensive modern machinery. Their costs of production are relatively high, as compared with the large corporate farmers. Their profits are small.

Now, Mr. Chairman, the bill, as I understand it, would extract from the meager incomes of these families even the relatively small amount represented by the $1 per bale assessment.

Mr. RHODES of Arizona. Mr. Chairman, will the gentleman yield?

Mr. MATHIAS. Yes, I yield to the gentleman from Arizona.

Mr. RHODES of Arizona. Is the gentleman from Maryland aware of the fact that a farmer can, upon application, without giving any reason whatsoever, receive his $1 per bale back?

Mr. MATHIAS. I am well aware of that, but it does appear to me—and I have had a little experience with this—that the average farmer with, perhaps, a low educational level would find it difficult to collect this money, even under the procedures which to the corporate accountant would seem very simple.

Mr. RHODES of Arizona. Mr. Chairman, will the gentleman yield further?

Mr. MATHIAS. I would be happy to yield further to the gentleman from Arizona.

Mr. RHODES of Arizona. I believe that the farmers for which the gentleman is expressing concern—and there is some reason for concern, certainly—if that farmer needed this $1 a bale back as badly as the gentleman from Maryland portrays, he would find the ways and means to go through the necessary procedures to get the money back.

I believe the program we have here is the very antithesis of taxation because it is in effect, voluntary. If it were not voluntary I believe the gentleman's analogy would be proper.

Mr. MATHIAS. Mr. Chairman, I would like to address myself to the question of whether it is really voluntary and in this connection I am thinking of the small farmer, not the big, rich, corporate farmer, but the small farmer.

Is it voluntary from his point of view? I believe we should consider whether the small farmer would be afforded the full requisites of a voluntary program.

The **CHAIRMAN.** The time of the gentleman from Maryland has expired.

Mr. BELCHER. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. MATHIAS. Mr. Chairman, I know it is argued that these people are going to be afforded an opportunity to vote on a compulsory checkoff before it is instituted. But I think that this is a fallacious argument, because under the terms of the legislation, if the gentleman will consider carefully it can be adopted by farmers who produce two-thirds of the cotton grown in the country at the present time. I further believe that this would mean that an affirmative vote of only about 15 percent of the cottongrowers could put this program into effect. This means, in effect, the rich could tax the poor. I believe, Mr. Chairman, that this could represent a very travesty upon democracy.

Mr. RHODES of Arizona. Mr. Chairman, will the gentleman yield further?

Mr. MATHIAS. Just one moment, and I shall be glad to yield to the gentleman from Arizona.

I do not see how any friend of the family farmer, the small farmer, in the povery-stricken rural areas about which we hear a great deal from our President, or the friends of the Negro or the Mexican-American citizens, could be in favor of this legislation.

Mr. Chairman, I believe the Congress should seek the means of solving these problems and the problems of these people without adding to their already existing tax problems.

Mr. RHODES of Arizona. Mr. Chairman, will the gentleman yield?

Mr. MATHIAS. Yes, I yield to the gentleman from Arizona.

Mr. RHODES of Arizona. As the gentleman knows, even if the referendum succeeds, the farmer can still get his money back, and the gentleman also knows that if the program is not popular with the farmers, 10 percent of the farmers who voted at the referendum can have the program reconsidered by another referendum.

Mr. MATHIAS. Let me say to the gentleman from Arizona that many constitutents of mine pay income taxes in varying amounts, and when they seek refunds they sometimes wait a year or more before they get the money back, and this is supposed to be a very simple process in theory, but in practice it does not work that way.

Mr. COOLEY. Mr. Chairman, I yield 4 minutes to the gentleman from California [Mr. HAGEN].

Mr. HAGEN of California. Mr. Chairman, I want to say I represent many Mexican-American and Negro cottongrowers. This is not a minority issue. These people support this program. I read a publication of the Department of Agriculture the other day which stated, and I do not know the exact figure, but approximately 40 percent of the independently owned farms in the South are owned by Negroes. Presumably, many of them grow cotton. Since most of our southern delegation here are supporting this legislation, I assume they have the support of these Negro farmers in this effort.

Now as the gentleman from Arizona [Mr. RHODES], so very ably pointed out, this is a self-help program. This is an effort of the cotton industry to help itself without going to the Federal Treasury. Contrary to most marketing order programs which some Members of this body support, although there is only one distinction, these earlier programs and this program, here there is an escape hatch or a method of refunding. This was deliberately put in there to take care of the cases the gentleman from Maryland [Mr. MATHIAS], referred to. Incidentally, that one or two dollars that that fellow makes from growing cotton which would be deducted from his return is not the difference between greatly improving his situation or subtracting from it. If you want to help him, you should support some of these other programs that have been proposed to help this poverty stricken farmer.

Again I say the thrust of this bill is to give the cotton farmers and the cottongrowers a tool whereby they can tax themselves to improve the acceptability of their product and to advertise their product in competition with the giant corporations that spend many millions of dollars more than the Department of Agriculture does on cotton research and promotion.

I do not see why any free enterpriser in the building could not support this kind of program.

Now the method of voting is in there to provide a double test of affirmation. It can be either two-thirds of those voting or the voters who represent two-thirds of the volume of production voting. This is to prevent a frustration of the needs of legitimate cottongrowers by people who are only part-time farmers and only are incidentally interested in the health of the cotton industry.

Mr. GATHINGS. Mr. Chairman, will the gentleman yield?

Mr. HAGEN of California. I yield to the gentleman.

Mr. GATHINGS. The gentleman from Illinois was referring to the amount of money that was made available for research by the Government of the United States on cotton which I believe he said amounts to some $18½ million. The purpose of this legislation is to see if we cannot in a little measure try to fill in that big gap between the $18½ million and the $200 million total that is now being used by manmade fibers for both research and promotion. So this is the real purpose of this legislation.

Mr. HAGEN of California. I want to say in that connection also, we all know the tortuous process of getting a research program approved in the Department of Agriculture and then getting it funded for up here. It is not a very flexible thing. There are many aspects of research which do not deal directly with marketing or production. For example, methods of cotton ginning and the use of artificial heat to dry cotton. This all affects the quality of the cotton. This organization of this Board with this money could engage in that type of research to improve the quality of the fiber itself so that it can compete with nylon and dacron and all these synthetic fibers.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. HAGEN of California. I yield to the gentleman.

Mr. FINDLEY. With reference to the $200 million figure given by the gentleman from Arkansas, I am sure the gentleman in the well will agree that the $200 million is provided voluntarily and not as the result of any Government compulsion whatever. Would not the gentleman agree with that?

Mr. HAGEN of California. Which $200 million?

Mr. FINDLEY. The gentleman referred to the money spent for promotion in behalf of synthetic fabrics—$200 million, was the figure he mentioned.

Mr. HAGEN of California. Well, it is spent by Du Pont and a handful of large corporations.

Mr. FINDLEY. But it is a voluntary action and not the result of any Government compulsion.

Mr. HAGEN of California. They do not exactly consult with their stockholders, and their stockholders in any event vote according to the shares held.

Mr. FLYNT. Mr. Chairman, I make the point of order that a quorum is not present.

The **CHAIRMAN.** The Chair will count. [After counting.] Fifty-five Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 32]

Annunzio
Aspinall
Baldwin
Cameron
Colmer
Corman
Dague
Dawson
Devine
Diggs
Dowdy
Dwyer
Edwards, Calif.
Edwards, La.
Evins, Tenn.
Feighan
Fisher
Fuqua
Giaimo
Griffin
Gubser
Hanna
Harsha
Hawkins
Hays
Herlong
Jones, Ala.
Jones, Mo.
Macdonald
Matthews
Miller
Murray
Nix

O'Brien
O'Hara, Mich.
Powell
Robison
Rostenkowski
Scott
Steed
Teague, Tex.
Toll
Tunney
Willis
Wilson,
Charles H.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. McFall, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 12322, and finding itself without a quorum, he had directed the roll to be called, when 385 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. COOLEY. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. Sisk].

Mr. SISK. Mr. Chairman, the legislation that we have before us today is not new in the field of agriculture. It does not represent any precedents whatsoever.

I would hope the membership in consideration of this legislation would recognize that for 30 years the Agricultural Adjustment Act has provided for programs such as would be involved here with reference to cotton.

My own particular district and particularly the State of California has for 30 years had a series of operating and functioning marketing orders of various types and kind. As a part of a great many of these orders, we have had provision for promotion, the so-called checkoff system or whatever you want to call it, where the grower himself has an opportunity to set aside a fund to provide for research for investigation into new usages for promoting the sale and in every way possible to draw as much favorable attention to his product as possible.

The national marketing order on raisins has for many years, of course, had the right to use funds where the grower put up so much money per ton on the raisins that he processes for the purpose of advertising or sales promotion or investigation of new usages.

Today in this piece of legislation we are simply providing so far as the cotton industry is concerned exactly the same type and kind of program.

Many of us I am sure are concerned about the involvement of Government in agriculture and our desire to see subsidies as such reduced as rapidly as possible to the point where the American taxpayer would no longer be required to subsidize in the area of American agriculture.

For many years it has been my considered belief that the best method of eliminating the so-called subsidy programs for American agriculture is through the self-help type program, including marketing orders and other proposals, under which the Government would be involved only in one area, and that would be to set up the mechanism or provide the vehicle for the farmer himself to organize and to develop his own programs, to make a determination through his own elected boards as to the type and kind of marketing that they desire to indulge in, and to provide funds for promotion, research, and the development of new uses for the commodities.

Mr. Chairman, I respect the views of my good friend from Illinois [Mr. Findley]. But I am rather amazed to find him in a position where, it seems to me, he is opposing basically what I call self-help programs. It is my understanding from the statements which the gentleman has made many times in the past that he is desirous of doing the very thing that I have indicated, that is, getting the Government out of subsidizing agriculture programs.

It seems to me that unless we provide the mechanics so that the farmer can go ahead on his own and set up programs which he, himself, will control and which he, himself, will put up the money for promotion and sales, we will simply continue to be confronted with this need for subsidization.

I should like to make one further comment. In my own area we market over 200 different kinds of agricultural commodities. The only supported commodity that my area grows at the present time happens to be cotton. It is one of the few crops in which we are not operating under a marketing order.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SISK. Mr. Chairman, will the gentleman from North Carolina yield me an additional minute?

Mr. COOLEY. Mr. Chairman, I yield only 1 additional minute to the gentleman from California.

Mr. SISK. I will simply conclude by saying that I appreciate the attention of my good friend from Illinois, and I hope that he will give consideration to the use of marketing orders and to the use of programs by which the farmer can go ahead and develop funds and develop committees to control and operate his program as the best possible means of getting out from under these subsidized and tightly controlled programs such as those with which we have been confronted in the past.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. SISK. I yield to the gentleman from Illinois.

Mr. FINDLEY. Is the gentleman suggesting that we need legislation to authorize self-help? We have self-help in the livestock industry without legislation and have had it for 45 years.

Mr. SISK. I am suggesting that it is necessary, and the only place that I think the Government should fit in at all is to furnish the necessary mechanics to provide the farmers an opportunity to develop and control their own program.

Mr. TEAGUE of California. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. The time of the gentleman from California [Mr. Sisk] has expired.

Mr. BELCHER. Mr. Chairman, I yield the gentleman from California [Mr. Sisk] 2 additional minutes.

Mr. SISK. I thank the gentleman. I yield to my colleague.

Mr. TEAGUE of California. Mr. Chairman, I would like to take this opportunity, inasmuch as there are more Members on the floor than there have been at some previous times during this debate, to express my full agreement with the sentiments expressed by the gentleman from California and to make it entirely clear that this is not another costly cotton subsidy program. It is a self-help program which will only go into effect if the farmers, themselves, approve of it.

It will be operated with their own money, other than the cost of holding the election the first year in a small amount, and to administer the program thereafter.

In my view, it is truly a voluntary self-help program. If the farmers do not like it, they can get out from under it and call the whole thing off, and the individuals who had supported it would get their money back. I think it is highly important that we all understand that. I commend the gentleman from California for having pointed it out.

Mr. SISK. I wish to express my appreciation to my colleague from California and also my colleague, the gentleman from Oklahoma [Mr. Belcher] for yielding me the time. I think it is important that we recognize that this measure is only enabling legislation, and unless two-thirds of the farmers who would be affected in this commodity vote to support the program and to put it in effect, there would be no program. Certainly to me there is nothing more democratic.

In the final analysis, the farmers would put up the money. They, themselves, would provide the money to do the job that they would be enabled to do under this enabling act. I hope that we recognize that this is a bill which represents a step in the direction of freeing agriculture and permitting those engaged in this field to operate in an open, free marketplace.

If we are ever to get back into that area, this will be the way in which that end will be accomplished.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. SISK. I yield to the gentleman from Missouri.

Mr. HALL. I should like to ask about the two-thirds majority provision referred to on page 13, lines 3 through 8. Would not that language give the Secretary of Agriculture the option of either counting heads, or if he does not then have a two-thirds majority, could he not as an alternative count the bales produced in order to get the two-thirds majority? To me this seems a new deviation from the two-thirds referendum rule contained in all marketing orders which the United States now has.

Mr. SISK. If I correctly understand the language of the bill, I believe it is on all fours exactly with all other legislation providing for the requirement of a two-thirds vote, either by individuals or by production. I think it is important to be consistent in this act.

Mr. HALL. I think it is not consistent because it says he may count bales if he does not have the two-thirds of heads.

Mr. BELCHER. Mr. Chairman, I have no further requests for time, and I reserve the balance of my time.

Mr. COOLEY. Mr. Chairman, I yield 1 minute to the gentleman from Arkansas.

Mr. GATHINGS. Mr. Chairman, if I may have the gentleman's attention, I have the Agricultural Marketing Agreement Act of 1937, having to do with 33 commodities that have the very same provision the gentlemen are now complaining of. That is the volume provision which has been written into this act.

On page 302, under the title "Producer Referendum," it says this:

> For the purpose of ascertaining whether the issuance of an order is approved or favored by producers or processors, as required under the applicable provisions of this title—

And so on.

> The requirements of approval or favor under any such provision shall be held to be complied with if, of the total number of producers or processors, or the total volume of production, as the case may be, represented in such referendum—

That is in the law today.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. GATHINGS. That is in the law today, but these commodities have that same provision.

I yield to the gentleman from Missouri.

Mr. HALL. I appreciate my good neighbor from the South yielding, and I appreciate his enthusiasm for this bill. My question is not an objection. It is simply a request for technical information.

Reading the bill itself, on page 13, lines 3 to 8, it says very plainly, if I understand the language—and I am certain I do—that it must be favored by not less than two-thirds of the cotton producers voting in such a referendum, or by cotton producers who have produced at least two-thirds of the cotton volume.

Mr. GATHINGS. That is what I just read to you out of the law on the statute books on the 33 commodities.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. BELCHER. Mr. Chairman, I yield 1 additional minute to the gentleman from Arkansas.

Mr. GATHINGS. I thank the gentleman. I appreciate it.

Mr. HALL. Mr. Chairman, if the gentleman will continue to yield—and I appreciate that, as well as the action of the ranking minority member of the Committee on Agriculture—this provides for counting cotton bales instead of heads. We went through this less than 2 years ago on the major farm bill, wherein we developed the question of whether or not cooperatives would vote for their people or not, or whether it was going to be an individual referendum of farmers on the land. This is not a referendum of farmers on the land on cotton. It is a matter of principle that is involved, not a question of existing or past laws.

Mr. GATHINGS. There are 33 commodities now on the statute books. Counting tokay grapes, winter pears, cranberries, Bartlett pears, olives, Oregon or California potatoes, there are 33 of them.

I want to say to the gentleman, also, a bill came on this floor a few months ago that had to do with 14 commodities. The purpose of it was to have paid advertising included in the original act, to include paid advertising. It passed this House by unanimous consent. It provided for that same two-thirds by volume.

Mr. HALL. I appreciate the gentleman's response. But it is a principle, not the number of items, that is involved. There should be far less legislating by unanimous consent, in my opinion, regardless of the age of the cited law.

Mr. FOGARTY. Mr. Chairman, my opposition to the bill now before us is unqualified.

This is a barefaced attempt to use the power of the Government of the United States to create a $15 million slush fund that would be collected from the cotton producers of this Nation.

If this kind of legislation is allowed to proliferate, we soon will be faced with similar requests from peanut men, from corn men, from yam men—you name them—from all kinds of men interested in using the power of Government to put together slush funds.

The proponents of this legislation claim that the cotton producers need this legislation because the industry is in such sad shape. Now, I agree that the cotton industry is not in good condition, but I think I can say, along with some other Members of this Chamber, that many of us saw it coming over the last several years when we opposed legislation that was destined to harm the cotton industry. Notwithstanding, the Congress enacted the legislation, and, as predicted, the cotton industry's troubles have mounted.

For many years, the cotton industry has been promoted by the National Cotton Council which has raised money from the voluntary contributions of cotton producers and others. I emphasize the word voluntary. Certainly, the amount of money raised has not been inconsiderable.

But, as the cotton industry's troubles have multiplied, men interested in the business have searched, out of desperation, for other ways. One of these so-called solutions now is before us—it invokes the great power of the Federal Government to collect money for a single commodity; a cotton tax.

Proponents of this legislation say glibly that this bill is not compulsory upon cotton producers because, apparently under some involved scheme, a producer could get his money back after the checkoff if he made a request in writing.

If, as the proponents claim, this bill is indeed voluntary, why is there need to invoke the power of the Federal Government to collect promotion money for cotton?

My position is that I am wholeheartedly for any self-help steps any industry wants to take. In fact, I applaud such measures and I will encourage them in any way I can.

But, I refuse categorically to be part of a slush fund created under the dark cloud of the possibility of Government coercion.

Mr. Chairman, I represent a northern constituency. I note with great interest an editorial which appeared only yesterday in a large newspaper that is widely regarded as the most authoritative voice of cotton interests in the South. I am pleased to read that this great newspaper of the cotton-producing areas agrees with me wholeheartedly. It makes its point loudly and clearly.

I offer for the benefit of my fellow Members an editorial published on Wednesday, March 2, 1966, by the Memphis Commercial-Appeal:

Dollars for Cotton

The proposed dollar-a-bale cotton promotion fund has run into opposition from the American Farm Bureau Federation, the National Farmers Union and from at least one Member of Congress.

The opposition of the Farm Bureau and of Representative PAUL FINDLEY, Republican of Illinois, centers around the involvement of the Secretary of Agriculture in the proposed program and the method of collection of the funds.

Mr. FINDLEY has charged that it would be a compulsory checkoff system similar to the union dues checkoff system in labor circles. He also questions whether it is in the public interest to have the Secretary of Agriculture in charge of a program under which millions of dollars would be doled out for advertising and promoting cotton.

Proponents of the plan in turn charge that it is being grossly misrepresented by the critics. They say it will not be compulsory because any producer who objects to contributing to the fund can claim a refund of the deduction. And, they say, the role of the Secretary would be limited to appointment of the committee to supervise collections from lists provided by growers in the cotton States. Spending, they explain, would be supervised by a separate group of producers over whom the Secretary would exercise no control.

The proposal is due to come to the floor of the House tomorrow for a decision.

The charges of the Farm Bureau and Representative FINDLEY are serious and the proponents had better offer fuller explanations of their stand than they have given publicly thus far.

Any proposal that requires payment into a fund is incompatible with American concepts of business. Other groups have voluntary contribution plans to promote sale of their products. Those funds are firmly controlled by those who make the contributions. The individual does not have to ask for refunds of his own money after it has been arbitrarily taken from him.

Such funds represent millions of dollars a year. They are a temptation to some to use them for purposes far removed from what they were originally intended. And when the door is opened for any measure of influence over them by appointed officials of Government they always are in danger of becoming slush funds for such officials.

The plan that Chairman HAROLD COOLEY, Democrat, of North Carolina, of the Agriculture Committee is bringing to the floor does not appear to have the safeguards that individual producers should expect. It should be shelved in the interests of the individual producers who can decide how they want their cotton dollars spent without intervention in any form by the Federal Government.

From my own constituency, I also have received a request to oppose this legislation.

Expressing an attitude common in the noncotton-producing areas of the Nation, Mrs. Corinne Ramos, secretary of the Rhode Island Farm Bureau, wired me today as follows:

> While we are not directly affected by cotton legislation, we feel if bill becomes law, a precedent may be set for many commodity groups to use the power of the Federal Government to collect funds from producers. We feel that any funds raised for the purpose of promoting any farm commodity should be on a voluntary basis, administered by nongovernmental organization of producers. We do not believe in compulsory checkoffs on any products.

Mr. PURCELL. Mr. Chairman, it is a pleasure to be able to rise today to speak in support of this legislation.

I support H.R. 12322 because I am convinced that a program of expanding research and promotion of cotton is absolutely necessary.

This bill is merely enabling legislation which would authorize a self-help voluntary program to facilitate a farmer-financed and farmer-operated research promotion program for cotton.

Under this bill no action can be taken until there is a public hearing and the program has been approved by not less than two-thirds of the producers voting in the referendum, or two-thirds of the cotton production of those voting. The bill provides for a uniform method by which producers may contribute $1 per bale. Any farmer who does not wish to participate may, by a timely request, get his money back. If the program is not working to the satisfaction of the producers, it can be rescinded easily. If only 10 percent of the producers who voted in the original referendum ask for a new referendum to determine if the program should continue, and if 50 percent of those voting oppose continuation, then it must be discontinued.

The bill is entirely voluntary. It is nothing more than a vehicle to permit people to help themselves if they choose to do so. The bill is written in the finest tradition of a government working for and through its people on their own terms and in their behalf. The Congress would be remiss in its responsibility if we failed to give the cotton producer this opportunity to help himself.

There is an additional consideration which we must not overlook in our thinking on the bill today. By July 1 it is estimated that Government stocks of cotton in storage will be 16 million bales which is more than 1 year's full production. It is in the national interest, as well as in the interest of cotton producers, that steps be taken to develop uses and markets for cotton. Because the producers are willing to do so at their own expense we should be particularly willing to support them by passing this bill today.

Manmade fibers competing with the cotton industry are made by some of the largest corporations in the country, and have almost unlimited research and advertising funds. They long ago recognized the value of research and promotion in developing uses, markets, and demand for their products. Some of these fibers cost much more than cotton and have little or nothing to offer in the way of additional advantages. Still, with the intensified marketing programs on these synthetic fibers, they continue to take over more and more of the American textile market.

It is estimated that these synthetic fiber manufacturers will spend $200 million this year, with $130 million going for research and $70 million for advertising.

This bill will only partially counteract their huge expenditures but it is a step in the right direction, and we must not stand in the way.

Mr. HANNA. Mr. Chairman, today Congress is considering legislation that is of utmost importance to the cotton industry of the Nation, and particularly of California. The Cotton Research and Promotion Act is a milestone in the industry's history. It is essential that cotton once again regain its competitive position on the world market. This can only be accomplished by a comprehensive and in-depth research and promotion program.

Such a program will need the united effort of the Nation's cotton producers. The Cotton and Promotion Act of 1966 will provide the vehicle and necessary machinery to produce that essential united effort.

Mr. Chairman, at the 47th annual meeting of the Agricultural Council of California, the importance of cotton to California's economy was made abundantly clear. Cotton is one of California's leading cash crops, and it accounts for more than $300 million of fresh income annually from the sale of its seed and fiber. Needless to say, cotton provides thousands of jobs for Californians when you consider the number of people involved in the harvesting, processing, and production phases of the industry.

As many Members realize that despite research efforts sponsored by the Cotton Producers Institute, the national carryover has been increasing even though the national cotton acreage allotment quota has been steadily more restrictive. This has seriously affected the U.S. cotton worldwide marketing position.

In addition, American technology's invention of a wide range of manmade fibers has seriously affected the cotton market. Increasingly higher shares of the textile market dollar have been diverted into manmade fiber. Unless cotton becomes competitive, manmade fibers will continue to take an ever-increasing share of the textile market.

Unless the cotton industry at once begins an all-out program of research and promotion, it may face an impossible marketing situation in the very near future. We cannot afford to allow the cotton industry to go under. Such an event would have a most serious effect upon our economy as well as the lives of thousands of Americans.

The Cotton Research and Promotion Act is a step in the right direction; it is a step that will allow the cotton industry to help itself. Nothing less is acceptable.

Mr. COOLEY. Mr. Chairman, I have a number of other speakers, but they have all agreed to relinquish their time.

The CHAIRMAN. If there are no further requests for time, the Clerk will read.

The Clerk read as follows:

H.R. 12322

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act shall be known as the Cotton Research and Promotion Act.

LEGISLATIVE FINDINGS AND DECLARATION OF POLICY

SEC. 2. Cotton is the basic natural fiber of the Nation. It is produced by many individual cottongrowers throughout the various cotton-producing States of the Nation. Cotton moves in large part in the channels of interstate and foreign commerce and such cotton which does not move in such channels directly burdens or affects interstate commerce in cotton and cotton products. All cotton produced in the United States is in the current of interstate or foreign commerce or directly burdens, obstructs, or affects interstate or foreign commerce in cotton and cotton products. The efficient production of cotton and the maintenance and expansion of existing markets and the development of new or improved markets and uses is vital to the welfare of cottongrowers and those concerned with marketing, using, and processing cotton as well as the general economy of the Nation. In the years since World War II, United States cotton and the products thereof have been confronted with intensive competition, both at home and abroad, from foreign-grown cotton and from other fibers, primarily manmade fibers. The great inroads on the market and uses for United States cotton which have been made by manmade fibers have been largely the result of extensive research and promotion which have not been effectively matched by cotton research and promotion. The production and marketing of cotton by numerous individual farmers have prevented the development and carrying out of adequate and coordinated programs of research and promotion necessary to the maintenance and improvement of the competitive position of, and markets for, cotton. Without an effective and coordinated method for assuring cooperative and collective action in providing for, and financing such programs, individual cotton farmers are unable adequately to provide or obtain the research and promotion necessary to maintain and improve markets for cotton.

It has long been found to be in the public interest to have, or endeavor to have, a reasonable balance between the supply of and demand for cotton grown in this country. To serve this public interest the Congress has provided for the comprehensive exercise of regulatory authority in regulating the handling of such cotton supplemented by price-support programs with the objective of adjusting supply to demand in the interest of benefiting producers and all others concerned with the production and handling of cotton as well as the general economy of the country. In order for the objective of such programs to be effectuated to the fullest degree, it is necessary that the existing regulation of marketing be supplemented by providing as part of the overall governmental program for effectuating this objective, means of increasing the demand for cotton with the view of eventually reducing or eliminating the need for limiting marketings and supporting the price of cotton.

It is therefore declared to be the policy of the Congress and the purpose of this Act that it is essential in the public interest through the exercise of the powers provided herein, to authorize and enable the establishment of an orderly procedure for the development, financing through adequate assessments on all cotton harvested in the United States, and carrying out an effective and continuous coordinated program of research and promotion designed to strengthen cotton's competitive position and to maintain and expand domestic and foreign markets and uses for United States cotton.

COTTON RESEARCH AND PROMOTION ORDERS

SEC. 3. To effectuate the declared policy of this Act, the Secretary shall, subject to the provisions of this Act, issue and from time to time amend, orders applicable to persons engaged in the harvesting, marketing, ginning, or other handling of cotton, hereinafter referred to as handlers. Such orders shall be applicable to all production or marketing areas, or both, in the United States.

NOTICE AND HEARING

SEC. 4. Whenever the Secretary has reason to believe that the issuance of an order will tend to effectuate the declared policy of this Act, he shall give due notice and opportunity for a hearing upon a proposed order. Such hearing may be requested and a proposal for an order submitted by any cotton producer organization certified pursuant to section 14 of this Act or by any other interested person or persons, including the Secretary. The consideration and formulation of the terms of any such proposed order for submittal to the Secretary or the carrying out or compliance with any provision of this Act or any order or regulation issued pursuant thereto shall not be held to be in violation of any of the antitrust laws of the United States and shall be deemed to be lawful.

FINDING AND ISSUANCE OF AN ORDER

SEC. 5. After notice and opportunity for hearing as provided in section 4, the Secretary shall issue an order if he finds, and sets forth in such order, upon the evidence introduced at such hearing, that the issuance of such order and all the terms and conditions thereof will tend to effectuate the declared policy of this Act.

PERMISSIVE TERMS IN ORDERS

SEC. 6. Orders issued pursuant to this Act shall contain one or more of the following terms and conditions, and except as provided in section 7, no others.

(a) Providing for the establishment, issuance, effectuation, and administration of appropriate plans for projects for the advertising and sales promotion of cotton and its products and for the disbursement of necessary funds for such purposes: *Provided, however,* That any such plan or project shall be directed toward increasing the general demand for cotton or its products but no reference to a private brand or trade name shall be made if the Secretary determines that such reference will result in undue discrimination against the cotton products of other persons: *And provided further,* That no such advertising or sales promotion programs shall make use of false or unwarranted claims in behalf of cotton or its products or false or unwarranted statements with respect to the quality, value, or use of any competing product.

(b) Providing for establishing and carrying on research and development projects and studies with respect to the production, ginning, processing, distribution, or utilization of cotton and its products, to the end that the marketing and utilization of cotton may be encouraged, expanded, improved, or made more efficient, and for the disbursement of necessary funds for such purposes.

(c) Providing that handlers or any class of handlers maintain and make available for inspection such books and records as may be required by the order and for the filing of reports by such handlers at the times, in the manner, and having the content prescribed by the order, to the end that information and data shall be made available to the Cotton Board and to the Secretary which is appropriate or necessary to the effectuation, administration, or enforcement of the Act or of any order or regulation issued pursuant to this Act: *Provided, however,* That all information so obtained shall be kept confidential by all officers and employees of the Department of Agriculture and of the Cotton Board, and only such information so furnished or acquired as the Secretary deems relevant shall be disclosed by them, and then only in a suit or administrative hearing brought at the direction, or upon the request, of the Secretary of Agriculture, or to which he or any officer of the United States is a party, and involving the order with reference to which the information so to be disclosed was furnished or acquired. Nothing in this section shall be deemed to prohibit (1) the issuance of general statements based upon the reports of a number of handlers subject to an order, which statements do not identify the information furnished by any person, or (2) the publication by direction of the Secretary, of the name of any person violating any order, together with a statement of the particular provisions of the order violated by such person. Any such officer or employee violating the provisions of this section shall upon conviction be subject to a fine of not more than $1,000 or to imprisonment for not more than one year, or to both, and shall be removed from office.

(d) Terms and conditions incidental to and not inconsistent with the terms and conditions specified in this Act and necessary to effectuate the other provisions of such order.

REQUIRED TERMS IN ORDERS

SEC. 7. Orders issued pursuant to this Act shall contain the following terms and conditions:

(a) Providing for the establishment and selection by the Secretary, of a Cotton Board, and defining its powers and duties, which shall include only the powers:

(1) To administer such order in accordance with its terms and provisions;

(2) To make rules and regulations to effectuate the terms and provisions of such order;

(3) To receive, investigate, and report to the Secretary complaints of violations of such order; and

(4) To recommend to the Secretary amendments to such order.

(b) Providing that the Cotton Board shall be composed of representatives of cotton producers selected by the Secretary from nominations submitted by eligible producer organizations within a State, as certified pursuant to section 14 of this Act, or, if the Secretary determines that a substantial number of producers are not members of or their interests are not represented by any such eligible producer organizations, from nominations made by producers in the manner authorized by the Secretary, so that the representation of cotton producers on the Board for each cotton-producing State shall reflect, to the extent practicable, the proportion which that State's marketing of cotton bears to the total marketings of cotton in the United States: *Provided, however,* That each cotton-producing State shall be entitled to at least one representative on the Cotton Board.

(c) Providing that the Cotton Board shall, subject to the provisions of subsection (g) of this section, develop and submit to the Secretary for his approval any advertising or sales promotion or research and development plans or projects, and that any such plan or project must be approved by the Secretary before becoming effective.

(d) Providing that the Cotton Board shall, subject to the provisions of subsection (g) of this section, submit to the Secretary for his approval, budgets on a fiscal period basis of its anticipated expenses and disbursements in the administration of the order, including probable costs of advertising and promotion and research and development projects.

(e) Providing that each handler of cotton, as prescribed by the order, shall collect from the producer or other person for whom the cotton, including cotton owned by the handler, is being handled, and shall pay to the Cotton Board, an assessment prescribed by the order, on the basis of bales of cotton handled, for such expenses and expenditures, including provision for a reasonable reserve, as the Secretary finds are reasonable and likely to be incurred by the Cotton Board under the order, during any period specified by him. The initial rate of assessment prescribed by the order shall be $1 per bale of cotton handled, and such rate may not be changed except by amendment of the order, recommended by the Cotton Board, approved by the Secretary, and adopted by cotton producers in a referendum pursuant to section 8. The Secretary may maintain a suit against any person subject to the order for the collection of such assessment, and the several district courts of the United States are hereby vested with jurisdiction to entertain such suits regardless of the amount in controversy: *Provided,* That the remedies provided in this section shall be in addition to, and not exclusive of, the remedies provided for elsewhere in this Act or now or hereafter existing at law or in equity.

(f) Providing that the Cotton Board shall maintain such books and records and prepare and submit such reports from time to time, to the Secretary as he may prescribe, and for appropriate accounting by the Cotton Board with respect to the receipt and disbursement of all funds entrusted to it.

(g) Providing that the Cotton Board, with the approval of the Secretary, shall enter into contracts or agreements for the development and carrying out of the activities authorized under the order pursuant to sections 6 (a) and (b), and for the payment of the costs thereof with funds collected pursuant to the order, with an organization or association whose governing body consists of cotton producers selected by the cotton producer organizations certified by the Secretary under section 14, in such manner that the producers of each cotton-producing State will, to the extent practicable, have representation on the governing body of such organization in the proportion that the cotton marketed by the producers of such State bears to the total cotton marketed by the producers of all States, subject to adjustments to reflect lack of participation in the program by reason of refunds under section 11. Any such contract or agreement shall provide that such contracting organization or association shall develop and submit annually to the Cotton Board, for the purpose of review and making recommendations to the Secretary, a program of research, advertising, and sales promotion projects, together with a budget, or budgets, which shall show the estimated cost to be incurred for such projects, and that any such projects shall become effective upon approval by the Secretary. Any such contract or agreement shall also provide that the contracting organization shall keep accurate records of all its transactions and make an annual report to the Cotton Board of activities carried out and an accounting for funds received and expended, and such other reports as the Secretary may require.

(h) Providing that no funds collected by the Cotton Board under the order shall in any manner be used for the purpose of influencing governmental policy or action, except as provided by subsection (a) (4) of this section.

REQUIREMENT OF REFERENDUM AND COTTON PRODUCER APPROVAL

SEC. 8. The Secretary shall conduct a referendum among cotton producers for the purpose of ascertaining whether the issuance of an order is approved or favored by producers. No order issued pursuant to this Act shall be effective unless the Secretary determines that the issuance of such order is approved or favored by not less than two-thirds of the cotton producers voting in such referendum who, during a representative period determined by the Secretary, have been engaged in the production of cotton, or by cotton producers voting in the referendum who, during such representative period, have produced at least two-thirds of the volume of the cotton produced.

SUSPENSION AND TERMINATION OF ORDERS

SEC. 9. (a) The Secretary shall, whenever he finds that any order issued under this Act, or any provision thereof, obstructs or does not tend to effectuate the declared policy of this Act, terminate or suspend the operation of such order or such provision thereof.

(b) The Secretary may conduct a referendum at any time, and shall hold a referendum on request of 10 per centum or more of the number of cotton producers voting in the referendum approving the order, to determine whether cotton producers favor the termination or suspension of the order, and he shall suspend or terminate such order at the end of the marketing year, as defined in the order, whenever he determines that suspension or termination of the order is approved or favored by a majority of the producers of cotton voting in such referendum who, during a representative period determined by the Secretary, have been engaged in the production of cotton, and who produced more than 50 per centum of the volume of the cotton produced by the cotton producers voting in the referendum.

(c) The termination or suspension of any order, or any provision thereof, shall not be considered an order within the meaning of this Act.

PROVISIONS APPLICABLE TO AMENDMENTS

SEC. 10. The provisions of this Act applicable to orders shall be applicable to amendments to orders.

PRODUCER REFUNDS

SEC. 11. Notwithstanding any other provision of this Act, any cotton producer against whose cotton any assessment is made and collected from him under the authority of this Act and who is not in favor of supporting the research and promotion program as provided for herein shall have the right to demand and receive from the Cotton Board a refund of such assessment: *Provided*, That such demand shall be made personally by such producer in accordance with regulations and on a form prescribed by the Board and approved by the Secretary within thirty days from the date on which such assessment was collected, stating the name and address of the handler making the collection, the date of the collection, and the quantity of cotton involved, supported by statements in writing from the handlers in the manner and form prescribed by the Board and approved by the Secretary that the sum for which refund is sought was collected from such producer. A record of each demand for a refund shall be made and such record shall be a matter of public record. No producer requesting a refund shall be eligible to vote in any subsequent referendum until all amounts refunded to him have been repaid to the Cotton Board unless the Cotton Board in accordance with regulations issued under the order waives such repayment.

PETITION AND REVIEW

SEC. 12. (a) Any person subject to any order may file a written petition with the Secretary, stating that any such order or any obligation imposed in connection therewith is not in accordance with law and praying for a modification thereof or to be exempted therefrom. He shall thereupon be given an opportunity for a hearing upon such petition, in accordance with regulations made by the Secretary. After such hearing, the Secretary shall make a ruling upon the prayer of such petition which shall be final, if in accordance with law.

(b) The district courts of the United States in any district in which such person is an inhabitant, or has his principal place of business, are hereby vested with jurisdiction to review such ruling, provided a complaint for that purpose is filed within twenty days from the date of the entry of such ruling. Service of process in such proceedings may be had upon the Secretary by delivering to him a copy of the complaint. If the court determines that such ruling is not in accordance with law, it shall remand such proceedings to the Secretary with directions either (1) to make such ruling as the court shall determine to be in accordance with law, or (2) to take such further proceedings as, in its opinion, the law requires. The pendency of proceedings instituted pursuant to subsection (a) of this section shall not impede, hinder, or delay the United States or the Secretary from obtaining relief pursuant to section 13(a) of this Act.

ENFORCEMENT

SEC. 13. (a) The several district courts of the United States are vested with jurisdiction specifically to enforce, and to prevent and restrain any person from violating any order or regulation made or issued pursuant to this Act.

(b) Any person who willfully violates any provision of any order issued by the Secretary under this Act, or who willfully fails or refuses to pay or remit any assessment or fee duly required of him thereunder, shall be liable to a penalty of not more than $1,000 for each such offense which shall accrue to the United States and may be recovered in a civil suit brought by the United States.

CERTIFICATION OF COTTON PRODUCER ORGANIZATION

SEC. 14. The eligibility of each cotton producer organization to represent cotton producers of a cotton producing State to request the issuance of an order under section 4, and to participate in the making of nominations under section 7(b) shall be certified by the Secretary and shall be based upon a factual report submitted by the organization which shall contain information deemed relevant and specified by the Secretary for the making of such determination, including the following:

(a) Geographic territory within the State covered by the organization's active membership;

(b) Nature and size of the organization's active membership in the State, proportion of total of such active membership accounted for by farmers, a map showing the cotton-producing counties in such State in which the organization has members, the volume of cotton produced in each such county, the number of cotton producers in each such county, and the size of the organization's active cotton producer membership in each such county;

(c) The extent to which the cotton producer membership of such organization is represented in setting the organization's policies;

(d) Evidence of stability and permanency of the organization;

(e) Sources from which the organization's operating funds are derived;

(f) Functions of the organization; and

(g) The organization's ability and willingness to further the aims and objectives of this Act:

Provided, however, That the primary consideration in determining the eligibility of an organization shall be whether its cotton farmer membership consists of a sufficiently large number of the cotton producers who produce a relatively significant volume of cotton to reasonably warrant its participation in the nomination of members for the Cotton Board. The Secretary shall certify any cotton producer organization which he finds to be eligible under this section, and his determination as to eligibility shall be final.

REGULATIONS

SEC. 15. The Secretary is authorized to make such regulations with the force and effect of law, as may be necessary to carry out the provisions of this Act and the powers vested in him by this Act.

INVESTIGATIONS; POWER TO SUBPENA AND TAKE OATHS AND AFFIRMATIONS; AID OF COURTS; SELF-INCRIMINATION

SEC. 16. (a) The Secretary may make such investigations as he deems necessary for the effective carrying out of his responsibilities under this Act or to determine whether a handler or any other person has engaged or is about to engage in any acts or practices which constitute or will constitute a violation of any provision of this Act, or of any order, or rule or regulation issued under this Act. For the purpose of any such investigation, the Secretary is empowered to administer oaths and affirmations, subpena witnesses, compel their attendance, take evidence, and require the production of any books, papers, and documents which are relevant to the inquiry. Such attendance of witnesses and the production of any such records may be required from any place in the United States. In case of contumacy by, or refusal to obey a subpena issued to, any person, including a handler, the Secretary may invoke the aid of any court of the United States within the jurisdiction of which such investigation or proceeding is carried on, or where such person resides or carries on business, in requiring the attendance and testimony of witnesses and the production of books, papers, and documents; and such court may issue an order requiring such person to appear before the Secretary, there to produce records, if so ordered, or to give testimony touching the matter under investigation. Any failure to obey such order of the court may be punished by such court as a contempt thereof. All process in any such case may be served in the judicial district whereof such person is an inhabitant or wherever he may be found.

(b) No person shall be excused from attending and testifying or from producing books, papers, and documents before the Secretary, or in obedience to the subpena of the Secretary, or in any cause or proceeding, criminal or otherwise, based upon or growing out of any alleged violation of this Act, or of any order, or rule or regulation issued thereunder on the ground or for the reason that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, documentary or otherwise, except that any individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

DEFINITIONS

SEC. 17. As used in this Act:

(a) The term "Secretary" means the Secretary of Agriculture.

(b) The term "person" means any individual, partnership, corporation, association, or any other entity.

(c) The term "cotton" means all upland cotton harvested in the United States, and, except as used in section 7(e), includes cottonseed of such cotton and the products derived from such cotton and its seed.

(d) The term "handler" means any person who handles cotton or cottonseed in the manner specified in the order or in the rules and regulations issued thereunder.

(e) The term "United States" means the continental United States.

SEPARABILITY

Sec. 18. If any provision of this Act or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the Act and of the application of such provision to other persons and circumstances shall not be affected thereby.

AUTHORIZATION

Sec. 19. There is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated such funds as are necessary to carry out the provisions of this Act. The funds so appropriated shall not be available for the payment of the expenses or expenditures of the Cotton Board in administering any provisions of any order issued pursuant to the terms of this Act.

EFFECTIVE DATE

Sec. 20. This Act shall take effect upon enactment.

Mr. COOLEY (interrupting the reading). Mr. Chairman, I ask unanimous consent that further reading of the bill be dispensed with, that it be printed in the Record, and open to amendment at any point.

The **CHAIRMAN**. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The **CHAIRMAN**. The Clerk will state the first committee amendment.

Mr. COOLEY. Mr. Chairman, I do not know of any objection to any of these committee amendments. I ask unanimous consent that the committee amendments be considered en bloc.

The **CHAIRMAN**. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read the committee amendments, as follows:

Page 7, line 16, strike out "section" and insert "subsection".

Page 8, line 6, strike out "order;" and insert "order, including the designation of the handler responsible for collecting the producer assessment;".

Page 8, line 14, following the words "within a" insert "cotton-producing".

Page 9, beginning on line 14, strike out "Providing that each handler of cotton, as prescribed by the order," and insert in lieu thereof the following: "Providing that the producer or other person for whom the cotton is being handled shall pay to the handler of cotton designated by the Cotton Board pursuant to regulations issued under the order and that such handler of cotton".

Page 9, beginning on line 23, strike out the sentence beginning with the words "The initial rate * * *" and ending on page 10, line 4, with the words "section 8." and insert in lieu thereof the following:

"To facilitate the collection and payment of such assessments, the Cotton Board may designate different handlers or classes of handlers to recognize differences in marketing practices or procedures utilized in any State or area, except that no more than one such assessment shall be made on any bale of cotton. The rate of assessment prescribed by the initial order shall be $1 per bale of cotton handled, and such rate may not be changed except by further order duly approved by the Secretary on the basis of a hearing and subject to approval by cotton producers in a referendum pursuant to section 8."

Page 11, line 4, strike out "each" and insert "such".

Page 11, line 5, after the words "of all" insert "cotton-producing".

Page 12, line 14, strike out "the cotton produced." and insert "cotton produced by such producers."

Page 14, line 1, following the words "a form" insert "and within a time period".

Page 14, beginning on line 2, strike out the words "within thirty days" and the balance of the section, through line 15 on page 14, and insert ", but in no event less than ninety days, and upon submission of proof satisfactory to the Board that the producer paid the assessment for which refund is sought, and any such refund shall be made within sixty days after demand therefor."

Page 14, line 19, following the word "order" insert "or any provision of such order".

Page 16, line 1, strike out "person" and insert "handler".

Page 16, line 3, strike out "pay" and insert "collect".

Page 16, line 14, following the word "based" insert "in addition to other available information".

Page 20, beginning on line 14, strike out "continental United States." and insert "50 States of the United States of America."

Page 20, following line 15, insert two new subsections as follows:

"(f) The term 'cotton-producing State' means any State in which the average annual production of cotton during the five years 1960–1964 was twenty thousand bales or more, except that any State producing cotton whose production during such period was less than such amount shall under regulations prescribed by the Secretary be combined with another State or States producing cotton in such manner that such average annual production of such combination of States totaled twenty thousand bales or more, and the term 'cotton-producing State' shall include any such combination of States.

"(g) The term 'marketing' includes the sale of cotton or the pledging of cotton to the Commodity Credit Corporation as collateral for a price support loan."

The amendments were agreed to.

AMENDMENT OFFERED BY MR. COOLEY

Mr. COOLEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Cooley: On page 5, strike out the sentence beginning on line 1 with the words "The consideration" and ending on line 7 with the words "to be lawful."

The amendment was agreed to.

Mr. THOMPSON of New Jersey. Mr. Chairman, I move to strike out the last word.

Mr. Chairman and Members of the Committee, I find myself in a rather unique position today, and since I might amble a bit, I ask unanimous consent that I may revise and extend my remarks.

The **CHAIRMAN**. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. THOMPSON of New Jersey. Mr. Chairman, as you know, I have been a strong advocate of the repeal of section 14(b) of the Taft-Hartley Act which outlaws union shops. A lot of my friends here today from those great States involved in cotton agriculture have not agreed with that position. As a matter of fact, the record would show almost unanimous opposition on their part. I have great respect for them and for their actions. They are representative and they are conscientious. I am a little bit torn here because there is a bit of inconsistency in their arguments today vis-a-vis their arguments on 14(b).

Now, under the Taft-Hartley law, a closed shop is outlawed. I do not think any of the experts here would disagree on that. But only as related to section 8(b)(4)(a) is the union shop left up to the discretion of the States. As one who advocates the right of industrial workers to have a union shop, in order to be consistent, I suppose we should, those who share that point of view, support this legislation because it is a union shop within the cotton-producing industry. Our cotton growing friends are most democratic today—at least some are. I note with some interest that it requires a two-thirds vote, whereas in a union shop the employees of the union under the Taft-Hartley Act, if they have a mere one-vote majority, have a right to ask for union organization. They are denied that in most of the cotton-producing States. That is where I am a bit torn, Mr. Chairman. It seems hardly fair for me to say to the cotton producers, "You must, 66⅔ percent of you, vote to have this closed shop which you want to set up," when in most of these States 75 percent of the employees of an industrial shop, if they want a union, could not have it. Now, to be consistent, I suppose, I should end up voting for this thing. I just do have a couple of reservations about it.

Mr. RHODES of Arizona. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of New Jersey. Yes. I yield to the gentleman.

Mr. RHODES of Arizona. I hope the gentleman will support the legislation but not necessarily for the reasons he has given.

Mr. THOMPSON of New Jersey. I decline to yield any further, Mr. Chairman. I will revise and extend remarks with my friend later.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of New Jersey. Yes. I yield to the gentleman.

Mr. FINDLEY. His comments raise an intriguing possibility. I notice there has been some difficulty in repealing the right-to-work provision of the Taft-Hartley law.

Mr. THOMPSON of New Jersey. Yes, there has been difficulty. Let that be a matter of record.

Mr. FINDLEY. There was difficulty, and this legislation may provide the answer. It provides for a level of the checkoff fee.

Mr. THOMPSON of New Jersey. May I interrupt the gentleman on my own time?

Mr. FINDLEY. I am merely trying to be helpful.

Mr. THOMPSON of New Jersey. If the union member does not want his dues used for political purposes, he has the right for them not to be used. That is a matter of law. I assume that this right built in for the cotton producer is in recognition of the fairness of that principle.

Mr. FINDLEY. May I continue my constructive suggestion?

Mr. THOMPSON of New Jersey. The only thing about which I am really worried is whether ultimately the producer passes the thing along to the poor little city boy who is the consumer? Generous though they be, I doubt that the cotton producers will donate their dollars to the consumers. I just believe that it is a rather generous act on the part of our distinguished colleagues from the cotton States, to recognize that if people work together and organize together and vote together in a democratic fashion they can have mutual benefits. I believe that this is a splendid approach.

Mr. HAGEN of California. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of New Jersey. I cannot yield to the gentleman, because I do not have enough time. I shall yield in a minute if I obtain more time.

Mr. Chairman, I believe this is a very splendid principle. I wonder, however, if there should not be some modification, however modest, in the required voting principle, and why should a simple majority be enough?

Mr. ABERNETHY. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman from Mississippi.

Mr. ABERNETHY. I intend to offer an amendment to that effect as soon as the gentleman has concluded.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. THOMPSON of New Jersey. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

Mr. RHODES of Arizona. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. RESNICK. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am sorry that I have to disagree with my distinguished friend and colleague, the gentleman from New Jersey [Mr. Thompson]. However, I would like to point out to the gentleman that I too voted for the repeal of section 14(b). However, I believe in this case we are comparing the proverbial oranges and apples.

Also I would like to remind the distinguished gentleman from New Jersey that I was very grateful and happy for the support, and as a matter of fact the gentleman introduced a bill similar to the one that I introduced, which would call for an egg marketing order.

Basically, these bills simply represent American democracy in its finest form.

Mr. Chairman, let us permit the people involved to vote. This cannot be compared to a closed shop or a union shop or anything else.

Mr. JOELSON. Mr. Chairman, will the gentleman yield to me at that point?

Mr. RESNICK. I am glad to yield to my colleague, the gentleman from New Jersey.

Mr. JOELSON. Mr. Chairman, what is democratic about having a vote based upon production rather than upon the number of people voting? That seems to me like having a vote based upon the amount of income a person has.

Mr. RESNICK. I am glad that the gentleman from New Jersey has asked that question. There appears to be two different ways of voting, one based upon the number of farmers involved, and the other based upon the volume. This is a fact of life in the farming business with which we have to reckon. But, basically, it still calls for enabling legislation.

Mr. Chairman, if we pass this bill all we are saying to the cotton farmers of America is that they have the right to vote. That is all. If we defeat this bill we are saying that we are denying them the right to vote. Again, my distinguished colleague, the gentleman from New Jersey [Mr. Thompson] joined me in the bill with reference to the egg marketing order calling for this right to vote. My proposed egg marketing order had the same provision.

Mr. THOMPSON of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. RESNICK. I yield to the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. Because I ran out of time, and because my friend, the gentleman from Arizona [Mr. Rhodes], objected, and I never reached a conclusion, I am going to ask for more time on another amendment if my friend from Arizona will not again object.

Mr. RESNICK. Will my distinguished colleague, the gentleman from New Jersey [Mr. Thompson] please forgive me for jumping to conclusions? However, if we are going to liken this to a union situation, other than the initial vote that we are talking about, there is no demonstrative purpose to be served. Anyone who is in the cotton business can vote on this, and you certainly will not preclude anyone from going into the cotton business or selling cotton, or anything else. This is simply a bill which will permit the cotton growers to decide whether or not they want the tool to help them compete with the largest chemical companies in the United States.

Now, Mr. Chairman, when the very fine companies like Du Pont or Allied Chemical or Eastman Kodak, or many, many others decide they want to spend money on research and new methods to utilize their products, they have the money with which to do it. Unfortunately, the cotton farmer cannot do that.

Mr. Chairman, I honestly believe that there is a basic principle involved here, and the basic principle is to permit our farmers to vote in order to determine their own future.

Mr. GATHINGS. Mr. Chairman, will the gentleman yield?

Mr. RESNICK. I am very happy to yield to the gentleman from Arkansas.

Mr. GATHINGS. The gentleman mentioned the fact that the corporations could make a determination; that their board members could vote up to the amount of stock that they have in that corporation, could they not?

Mr. RESNICK. That is right.

Mr. HAGEN of California. Mr. Chairman, will the gentleman yield?

Mr. RESNICK. I yield to the gentleman from California.

Mr. HAGEN of California. Mr. Chairman, I would like to point out to the gentleman that the South is not the only place where cotton is grown. There is cotton grown in other areas. Cotton is grown in the district represented by the gentleman from Arizona [Mr. Rhodes], it is grown in New Mexico, and there is a lot of cotton grown in California in the district represented by the gentleman from California [Mr. Tunney] and myself, and in the district represented by the gentleman from California [Mr. Sisk]. Therefore we have an interest in this program, and we supported the repeal of section 14(b). We would hope that we would have some help from others on this situation.

Mr. RESNICK. I thank the gentleman for correcting me, and for my oversight. Again I say that this is something for all cotton farmers.

AMENDMENT OFFERED BY MR. ABERNETHY

Mr. ABERNETHY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. Abernethy: On page 13, line 6, change the comma to a period and strike out the remainder of section 8.

Mr. ABERNETHY. Mr. Chairman and Members of the Committee, I represent 20,830 cotton farmers. Regrettably, I find myself in disagreement with my colleagues on the committee who are sponsoring the bill.

I am glad that the gentleman from New Jersey [Mr. Thompson] made his speech. He is as right as he can be. The southern Members of this House—a lot of them here who voted against repeal of 14(b) last year, also know he is right.

Cotton does have some troubles now. There is no question about that. It is most distressing. But we are not going to solve the problems through the media of panic. We are not going to solve them through the media of ill-considered—and I say that in all respect to everyone sponsoring this legislation—I repeat we are not going to solve this through the media of ill-considered legislation.

The gentleman from Missouri, Dr. Hall, who raised the question a moment ago about the manner of submitting the referendum is also right. When it is represented to this House that this is identical with the marketing orders of 33 citrus and vegetable marketing orders, they are just simply, and I will say, honestly, mistaken.

I called the Solicitor's office of the Department of Agriculture and asked how many marketing orders have been put into effect by a two-thirds vote by volume. They told me that not in one instance were any of these marketing orders—and I hold the list of them here in my hand that have been exhibited to this House—not one of these orders has been put into effect on the basis of a two-thirds vote by volume.

Mr. GATHINGS. Mr. Chairman, will the gentleman yield?

Mr. ABERNETHY. I yield to the gentleman.

Mr. GATHINGS. Well, the gentleman is speaking the truth.

Mr. ABERNETHY. Well, thank you.

Mr. GATHINGS. That is the absolute truth. But he did not say that it was not written into the law—that two-thirds volume was required by law—two-thirds of the volume of the commodity.

Mr. ABERNETHY. I just want the Members of the Committee to know that with reference to this volume business, there is not an instance where the Federal Government has invoked a marketing order by volume.

Furthermore, this is not a marketing order bill. They are simply using the marketing order machinery to establish a means of exacting from these farmers a dollar a bale. That is all. This will not be a marketing program.

The farmer has no voice in it after it goes into the hands of the Cotton Board. When they get his dollar, it is all over so far as the farmer is concerned—except that he can take his hat in hand and walk around to the county ASC office—be labeled as a noncooperator—apologize—bear the ignominy and the humiliation that goes with it—and say, "Will you please give me my dollar back?" That is the situation. This is wrong.

This is a hard speech for me to make. I have friends here today from my district who feel that they favor this bill. I repeat, this is a hard speech for me to make. This bill, as I stated in the Committee on Rules, has caused me to lay awake at night. It has worried me. I want to help clean it up just a little bit. And I think we are going to make some progress. If we adopt this it will help the bill and leave us where we can go along and subordinate our personal feeling about a checkoff to a two-thirds approval of our farmers.

This amendment I have offered does just this, ladies and gentlemen, it just says if we are going to have a referendum let us have a referendum by the farmers and not by the bales of cotton.

You know, we have been pushed a good deal around Mississippi in regard to this voting business. We are getting awfully anxious to vote down there. I am trying to cooperate here today by providing for a vote by the farmers. That is all. I am merely saying, "Let us vote," and if two-thirds of the farmers vote for the program, then all right. If you leave the bill as it is written, then only 13.8 percent of the cotton producers can invoke the program.

The **CHAIRMAN.** The time of the gentleman has expired.

Mr. ABBITT. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for an additional 5 minutes.

Mr. ABERNETHY. I should like to have only an additional 2 minutes.

The **CHAIRMAN.** Is there objection to the request of the gentleman from Virginia?

There was no objection.

The **CHAIRMAN.** The Chair recognizes the gentleman from Mississippi for an additional 5 minutes.

Mr. ABERNETHY. Let us see how consistent we will be if we adopt my amendment. We have had referendums across the farm belt for a long time. There are five basic commodities: wheat, rice, peanuts, tobacco, and cotton.

The wheat referendum requires a two-thirds vote by head count, not by bushels of wheat. I hold in my hand the law, though I do not have time to read it. They vote on a rice referendum every year, and that referendum requires a two-thirds head count, not bushels of rice.

The peanut referendum requires a two-thirds vote by head count, not tons of peanuts. Here is the law on the tobacco; it requires a two-thirds vote by head count.

The annual referendums are voted upon in my community and in all communities from the Carolinas to California every year for the invocation of marketing quotas and acreage allotments, and they require a two-thirds vote by head count for approval.

If I had a 10-acre allotment and my friend across the road has a 100-acre allotment, our votes count identically the same. They do not weigh our pocketbooks.

Mr. Chairman, I am not against people being big. That is what has made my country great. I have told my son many times that I am so happy and so proud that he was born in a country where he can become just as big and just as strong, so long as he remains within the law, as his talent and will commands. I am not fighting big people. I have some in my district and they are friends of mine. But I just do not want to depart from the customary manner in which elections are conducted. Help us keep them, please. Vote for my amendment.

Mr. POAGE. Mr. Chairman, I move to strike out the last 10 words.

The **CHAIRMAN.** The gentleman from Texas is recognized for 5 minutes.

Mr. POAGE. Mr. Chairman, I believe that we have drifted too far astray from the issue before us. We are not considering the adoption of a marketing quota. We are not considering compelling anyone to do anything. We are considering whether we shall have a voluntary program that will enable our farmers to effectively carry out the cotton promotion program that they are now trying to carry out.

Let me explain briefly what faces cotton farmers. Many farmers are now contributing $1 a bale on cotton that is ginned for the purpose of promotion. Many of the gins are making the collections. In the cotton industry the gins are the reasonable places to make the collection. Every bale of cotton must come through a gin. You can't use a bale of unginned cotton. You can't wear it; you can't eat it; you can't use it in any way unless it is ginned. You have to take it through a gin.

Over most of the cotton-growing areas—not merely in the South—there are more gins than are necessary because we have reduced the cotton acreage. We used to grow 43 million acres of cotton, and it is down this year to the point at which we will be growing less than 12 million. You can understand why competition is so severe among those gins.

Suppose we have a gin over here——

Mr. THOMPSON of New Jersey. I resent that indication.

Mr. POAGE. You can be one of the ginners. You and the gentleman from Arkansas [Mr. Gathings] will operate gins. The gentleman from South Carolina [Mr. Rivers] is growing cotton. Suppose his farm is about the same distance from each of you. He can take his cotton to either gin.

Finally, when the competition gets severe, you announce that you are not going to make the collection of $1. In effect, it allows the gentleman from South Carolina to gin at your gin for $1 less than it would cost him to gin at the other gin. The result is that he brings you his cotton, but immediately the gentleman from Arkansas cuts his price $1, and the thing spreads all over the Cotton Belt. That is what has happened.

In order to avoid that, we have said in this bill that we will set up this Board, which will be a board of cotton producers named by the Secretary of Agriculture, that this Board will receive the funds, and that the gins will have to make the deduction of $1 a bale. Each one of you will have to make the deduction.

So the gentleman from South Carolina will take his bales to whomever he wants. Then, if he does not want to contribute anything—unlike section 14(b), under which he cannot get a refund, where the money remains out of his pocket—he can go or write the board and say, "I want my money back." This bill specifically provides that he has to be given his money back. His money is given back.

This avoids, however, the competitive situation which has been destroying the ability of the gins to be the collecting agencies. This bill provides for an effective collection agency. It provides that if the man does not want to contribute, all he has to do is ask for his money back, and it will be given back to him regardless of to which gin he goes. No one gin has a monopoly. Any gin will will give him back his money.

This is a voluntary proposition. The result under this provision is utterly different from the one referred to by the gentleman from Mississippi. There is no more relationship to mandatory marketing quotas on cotton than there was to the 14(b) proposal of the gentleman from New Jersey [Mr. Thompson].

This is utterly different from either proposal, because the man can get his money back. I do not know why it should require a majority of either growers or of production. Each man votes for himself and he is a 100-percent majority as far as his money is concerned.

The farmer does not need a referendum of any kind. He does not need a referendum, because all he has to do is to write his own referendum, by coming in and writing out his request for a refund. He will get his refund.

To me, it does not seem to make much difference what the provisions of the referendum are.

Mr. ABERNETHY. Mr. Chairman, will the gentleman yield?

Mr. POAGE. Let me go through with this. We let you go through with the discussion of something that had no relationship to this bill. I would like to go through with this explanation of the bill which is before us.

The **CHAIRMAN.** The time of the gentleman from Texas has expired.

Mr. POAGE. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. POAGE. Mr. Chairman, I want to talk about this bill because this bill does not require anyone to part with his money over any period of time. Everybody on our committee knows this. This bill provides for a refund on demand. Everybody knows it. You do not need a referendum when you can get your money back. A referendum is needed when something is imposed on people when they have to do something they do not want to do, and when there is no way they can avoid it.

This can be avoided simply by one action. One does not have to cooperate with anybody to avoid this. You do not have to get a third, you do not have to get a fifth, you do not have to get anything but your own consent and you can get your money back.

Here is what the amendment which was proposed by the gentleman from Mississippi would do. His amendment, which would require a two-thirds vote by numbers of producers, would make it possible that if 34 percent of the producers on farms with the smallest cotton allotments voted against the order, and all of the other producers voted for it, the order would be defeated by those whose normal production is less than 5 percent of the total U.S. production.

Let me call attention to one fact which the gentleman so carefully avoided. The gentleman wants a provision to allow 5 percent of the production of the United States to prevent the other 95 percent of production of the United States from providing their own self-help program and at their own expense, with no Government money. He would let 5 percent of the cotton produced in the United States keep the other 95 percent from having its own right to contribute its own money, without any of the money of these 5 percenters.

These people do not have to contribute a penny. They do not have to contribute a thing. I would suggest that if a man does not have to contribute anything, he is not very much hurt by the program.

Mr. WHITTEN. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I rise in support of the amendment of my colleague from Mississippi. It has been said that the farmers are not really opposed to payment of a dollar a bale, it is just that the gins competing with each other know that the farmer will gin with the ginner who does not take out his dollar. Does that not show how the farmer feels about his dollar? It is because many farmers do not want to pay this dollar per bale that they want us to enact a law requiring those opposed to pay.

For some years I have been chairman of the Appropriations Subcommittee which has to get research funds through the Congress.

Needless to say, I am deeply interested in the welfare and future of cotton; and, at present, I am sorely troubled at the outlook.

I have checked, to be sure of my figures, and we are spending in excess of $18 million this year on 262 research projects for cotton. These funds were provided by my subcommittee. In addition, in the last 8 years approximately $29 million has been spent on promotion, about one-fourth of these funds coming from nongovernmental sources. Much of this money has been used outside the United States.

Also, as you know, we have provided funds for the Boll Weevil Laboratory and the Ginning, Pest Control, and Weed Laboratories at Stoneville and numerous others. We are now having our hearings on the overall research programs of the Department.

I think we all are in favor of the objective that the proponents have in mind. However, I have been disturbed to learn that the farm bill, which so many supported last year, has not had the effect of increasing consumption in any substantial way. If allowances are made for the holdback of purchase orders waiting for the lower prices, it is to be doubted there is any increase.

With regard to foreign sales, though the law requires the retention of our fair share of world markets by selling competitively abroad, under the act of 1956, witnesses testified before our committee this year that they had not carried out that law because any loss taken by the Commodity Credit Corporation in keeping competitive prices on exports would result in twice that much loss on the domestic markets, since present law requires them to sell at the same price here. As a result, our exports have been far below our fair share of world markets. The present outlook is that exports probably will not exceed 3.6 million bales for 1965–66.

I have read the bill—H.R. 12322—and report. Having made a study of the 262 cotton projects our committee is financing, there remains a real question in my mind as to what is planned in the way of further research and promotion. Testimony before our committee has been that our research funds have been ample to make use of such trained scientists as are available. Promotional funds have been more beneficial to foreign growths than to our own, since our Government has not kept our cotton competitive in world trade. The situation has been worse under the new law.

The bill provides that handlers—of cotton—or any class of handlers, maintain and provide for inspection of such books and records as may be required by the order. It does not provide for a proper audit for the board's handling of funds, but merely for such reports as the Secretary may require. This bill would enable the big producer to vote baleage against an equivalent amount of cotton, regardless of how many farmers were involved. This would really create problems in many sections. The few who produce two-thirds of the cotton could require collection from the many small farmers who may be strongly opposed to such collection.

It has been suggested that, if two-thirds of the producers, or producers of two-thirds of the cotton who are said to be pressing for the passage of this legislation, would put up $1.50 a bale instead of $1, this would keep the Congress from having to pass a law requiring the collection of money from those opposed to having a dollar a bale taken out of their cotton receipts against their wishes.

I have never voted to require workers to join a labor union and have some hesitancy about passing a law to collect money from people against their wishes, even though they might be permitted to get it back. From reading the report, I have been unable to find out what the benefits of this program have been in the past; nor is there any listing of such projects as might be set up, but projects would have to be approved by the Secretary of Agriculture. This would be an invitation to eliminate some of the present research we worked so hard to get the Department to do with Federal money.

It seems to me these provisions would turn eventual control over to the Secretary of Agriculture. If so, we must not overlook the fact that since 1960–61 the Department has reduced the estimate of our fair share of world markets from 6.5 to 5 million bales this year. And though the law—Eastland Act—requires the Department to export our fair share, actual exports in the same period have dropped from 6.7 million bales in 1960–61 to an estimate of 3.6 million bales this year.

Now let us come back to this amendment. It provides one vote for each cotton farmer. Unless this amendment is adopted it means that the Congress would be voting a law to take $1 a bale from every hill county in my area. I could name one or two planters in the Mississippi delta—I have worked with them and worked for them—they are great Americans and great citizens and, like me, are interested in cotton—but is it fair for you to vote for a bill where the owner of one plantation can cast more votes than all of the farmers in a whole county? I know they say those opposed can get their money back, so could the big operators. If the sponsors did not think they would hold some of the money, they would not be sponsoring this bill.

My colleague is going to offer another amendment, I understand, that when a man gins his cotton, he may file a statement that he wants a refund of his money. If that is adopted, we might vote for this bill, but this should be a voluntary payment as it always has been.

Now, since many farmers do not want to give their dollars voluntarily, does it not make you wonder whether they have been satisfied with performance? As my colleague says, 13½ percent of the farmers, who produce two-thirds of the cotton, under this bill we could require the other 86½ percent to put in their dollar and I suppose half of them will not get it back.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. WHITTEN. Mr. Chairman, I ask unanimous consent to proceed for 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WHITTEN. I assure you I shall continue to work for funds for cotton research and promotion. With this bill I am afraid we will get less results than without it.

I hope you will adopt this amendment giving each farmer an equal right so far as his money is concerned.

Mr. TEAGUE of California. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I do not disagree with my friend the gentleman from Mississippi [Mr. ABERNETHY], very often, but I do in this instance. I think I have a tendency, perhaps, to oversimplify problems and how they appear to me. I would like to suggest that we consider this concept: There are about 1 million growers or a little over that who are cotton farmers in this country. They are trying to compete with some very splendid large chemical companies like Dow and other fine companies. I am told that these chemical companies are spending something like $200 million a year in promoting their products which are competing with cotton.

Now, how are the directors of those companies elected? They are not elected on the basis of one man, one vote. They are elected on the basis of the number of shares which the shareholders have, and then they, the directors, decide how they are going to spend the money.

Mr. Chairman, all we are trying to do is to give the cottongrowers of this country an opportunity to compete with these corporations, with which I certainly have no quarrel at all. In my opinion it is the same principle of a man growing 1,000 bales of cotton who ought to have 1,000 votes instead of just 1 vote in accordance with his neighbor who may be only growing 1 bale of cotton just as if it were 1,000 shares of stock and 1 share.

Mr. ABERNETHY. Mr. Chairman, will the gentleman yield?

Mr. TEAGUE of California. I yield to the gentleman from Mississippi.

Mr. ABERNETHY. But the fact remains that everyone producing chemicals is not forced to join that particular company and participate under the company's rules.

Mr. TEAGUE of California. He is not forced to, and he does so voluntarily.

Mr. Chairman, I still contend, of course, that this is a voluntary program. If the man does not want to participate he gets his money back.

Mr. ABERNETHY. Mr. Chairman, if the gentleman will yield further, I believe our distinguished chairman of the full committee described it as "voluntary compulsion."

Mr. TEAGUE of California. Yes; this is to be voluntary, and a self-help program.

Mr. Chairman, I urge the defeat of the amendment.

Mr. RHODES of Arizona. Mr. Chairman, will the gentleman yield?

Mr. TEAGUE of California. I yield to the gentleman from Arizona.

Mr. RHODES of Arizona. Will the gentleman agree with me that the amendment of the gentleman from Mississippi might well cut both ways? The gentleman from Mississippi is concerned about his small farmers being forced to participate in this program through the vote of the large producers.

I suggest that there is a possibility, because there are so many more small producers than there are large producers, that a large producer can also be forced to put in his money by the vote of many of Mr. ABERNETHY's small producers.

Mr. TEAGUE of California. Exactly; that is right.

Mr. RHODES of Arizona. And actually a man who has 10 bales and who puts in $10 can by his vote make it necessary for a man who has 35,000 bales to put in $35,000.

I suggest that the tail is wagging the dog.

Mr. TEAGUE of California. Exactly; that is a good point.

Mr. COOLEY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. COOLEY. Mr. Chairman, I know that these distinguished colleagues of ours from the great State of Mississippi know and understand the situation just about as well as I do, or perhaps better than I do. They know that there is no relationship between this proposed program and the acreage allotments and marketing quota programs on the basic commodities about which they have had so much to say. You know when you vote in one of those quota programs that you do not get out of it. You know when you go into a union and pay your dues you do not get your dues back.

Here, Mr. Chairman, you can put your money into this program, which is designed to go out and promote the sale of cotton in competition with manmade fabrics, and simply by requesting your money back you can have it refunded.

Mr. Chairman, I do not like the remarks which have been made about how these voluntary organizations have functioned. We have in existence now two such organizations, the Cotton Producers' Institute, which is a completely voluntary organization depending completely upon voluntary contributions, and it is collecting a little over $2.5 million which is spent on research, sales, and promotion; and the other is the National Cotton Council. I have a budget statement here in my hand, and it reflects that they collected a little over $3 million. They have spent it for research and promotion.

But, Mr. Chairman, here is the competition to cotton, the synthetic fibers. This one magazine contains 52 pages of these advertisements. I would like for you to take a look at it so you can see how extensively these garments are being advertised, a total expenditure of $200 million.

Now, Mr. Chairman, this is just one magazine.

How in the world can we keep cotton going with this competition?

Mr. Chairman, as I said this morning, I do not complain that they are spending this money. That is their money, and they pay for these advertisements. But, Mr. Chairman, I was surprised that the gentleman from Mississippi [Mr. WHITTEN] said we needed no more money for cotton. My Lord have mercy. Congress authorized you to give us $10 million last year, and you did not give it to us. Now we are trying to let the farmers spend $12 million of it, their money, and you do not want them to spend their own money for this purpose.

Mr. Chairman, for the life of me it is difficult to understand how, coming from the great State of Mississippi, dependent upon cotton as the gentlemen from Mississippi are, they can say to this House and to this country at large that cotton as a commodity needs no more help in research and promotion.

I am surprised at you coming here and trying to lead this House to believe you do not understand what is in this bill. You do know what is in it. You introduced your amendments in the committee and got beat. I hope they will be beaten here. I think they will be defeated here because obviously you all want to defeat the bill.

Mrs. MAY. Mr. Chairman, I move to strike out the last word and rise in support of the amendment offered by the gentleman from Mississippi. I would remind my colleagues that on June 15, 1964, the Supreme Court made a decision. Many of our colleagues have made arguments and speeches in favor of that decision following the rule of one man, one vote. I would suggest that the amendment offered by our distinguished colleague, the gentleman from Mississippi, will see that we follow the one-man, one-vote procedure rather than one man, one bale.

Mr. RHODES of Arizona. Mr. Chairman, will the gentlewoman yield?

Mrs. MAY. I yield to the gentleman.

Mr. RHODES of Arizona. Of course, I could not agree with the gentlewoman more. When men are voting there should be one man and there should be one vote. If it were rabbits voting, then there should be one vote for one rabbit. But when you are talking about a dollar a bale, should there not be a vote for each dollar, or bale? That is really what this is all about. This is not about men, this is about dollars per bale. That is the reason I put forth for being against the amendment offered by the gentleman from Mississippi.

Mrs. MAY. There seems to be a difference in philosophy here, but I would suggest to my very distinguished and respected colleague that this is the individual freedom of one man over another and not rabbits or bales.

Mr. ABERNETHY. Mr. Chairman, will the gentlewoman yield?

Mrs. MAY. I yield to the gentleman.

Mr. ABERNETHY. I wonder if my chairman intended to say that I did not know what was in this bill. I know what is in the bill and I think he knows I know. With all due deference, and I hesitate to say this, this referendum in this bill is nothing but a pure unadulterated fraud. That is all it is.

Mrs. MAY. Would not the gentleman agree with me with reference to the remarks of our colleague, the gentleman from Arizona, that a bale cannot vote?

Mr. HAGEN of California. Mr. Chairman, I move to strike out the last word.

Mr. Chairman and members of the Committee, I merely wish to point out again that there are States outside the South that grow cotton. California is one of them. There are representatives of cotton-growing areas in States outside of the South who voted to repeal 14(b) and I hope my friends who were favoring the repeal of 14(b) do not vote against this bill because someone who supports it opposed the repeal of 14(b).

There are some newly found advocates also here of the one-man, one-vote principle which I feel has validity in certain respects with respect to some but not all elections. But in this particular instance, these farmers will be voting a particular program on a particular economic issue.

This is no new precedent in farm legislation. We have Federal marketing orders laws on the books which provide for exactly the method of voting that the gentleman from Mississippi [Mr. ABERNETHY], would change by his amendment. We have the Wool Act which provides for exactly the same alternate manner of determining whether there is an affirmative decision on the part of the producers. This is no new departure and no new precedent.

I would like to invite your attention to the situation in the cotton business. One of the problems in the cotton business, and a great source of the expense in the Federal cotton program has been the fact that there are literally thousands of part-time cottongrowers. They are not really cottongrowers.

Somehow they acquired, let us say, a 5-acre allotment or a 10-acre allotment. But obviously nobody can make a living off of that small an allotment. Under this proposal, as changed by the gentleman from Mississippi [Mr. ABERNETHY], these people would completely control the efforts of the large numbers of cotton producers who produce cotton that our country needs because they with only one test—counting of heads—these people who do not produce more than 5 percent of the cotton grown in the United States, yet they would control the destiny, in effect, of any effort at self-help by our cotton producers who have contributed so much to our national welfare.

Mr. WHITTEN. Mr. Chairman, will the gentleman yield?

Mr. HAGEN of California. I yield to the gentleman from Mississippi.

Mr. WHITTEN. The point that I should like to make to the gentleman is that if two-thirds of the big producers would contribute $1.50 voluntarily, then we would not have to make the one-third of the small producers contribute. Then does the gentleman think that it would be better for this two-thirds who want this job done and feel like it would be worth while to pay $1.50 instead of $1, and thereby not require the small producers to pay the $1?

Mr. HAGEN of California. The motivation of this legislation is the same motivation that applies to union shops. There are too many free riders in the cotton business. They are not necessarily small farmers, either, believe me. This is an effort to get some discipline in seeking fairness for cotton producers.

The rationale back of it is the same as that behind the union shop. True, there is an escape clause which would permit the grower to get a refund if he wants it. That was dictated, I am sure, by considerations that apply to your State.

Mr. WHITTEN. Does not the gentleman feel that the reason the farmers are not paying the $1 now is that they are opposed to doing so?

Mr. HAGEN of California. No. I think the gentleman from Texas [Mr. POAGE] gave you a very good explanation. He said that traditionally the money has been collected through the gins, and in order to get leverage over another gin, some gins have stopped making the collection.

Mr. WHITTEN. Some gins are not collecting the $1.

Mr. HAGEN of California. That is right, exactly. As a consequence, the so-called voluntary program will fall apart. That is the reason that the National Cotton Council and the Cotton Producers Association are supporting this legislation. They see that the good experience in the past cannot continue because their contributions will be lessened all the time.

Mr. GATHINGS. Mr. Chairman, will the gentleman yield?

Mr. HAGEN of California. I yield to the gentleman from Arkansas.

Mr. GATHINGS. The gentleman has put his finger right on the significant point. Also the gentleman from Texas [Mr. POAGE] did so. Five percent of the volume of cotton grown could control the referendum and the farmers who grow 95 percent of the cotton would not be privileged to have the program that we seek here.

Mr. HAGEN of California. So we have given the 5 percent the opportunity to get their money back if they do not want to participate.

Mr. BELCHER. Mr. Chairman, I ask unanimous consent that the gentleman from California may proceed for 1 additional minute so that I may address a question to him.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. BELCHER. Mr. Chairman, will the gentleman yield?

Mr. HAGEN of California. I yield to the gentleman from Oklahoma.

Mr. BELCHER. In view of the fact that there has been so much discussion about section 14(b) of the Taft-Hartley law, and whether Members voted for the union bill, I might call attention to page 17 of the present bill. At line 19 appears section 14(b). The membership can do whatever they care to on this bill. I think either way you vote you could justify the vote, either for or against section 14(b).

Mr. CEDERBERG. Mr. Chairman, will the gentleman yield to me at that point?

Mr. HAGEN of California. I yield.

Mr. CEDERBERG. Would it be possible under the bill as written to have a producer of 50,000 bales vote his 50,000 bales in the election and then come back later and get his money back?

Mr. HAGEN of California. I think that would be possible under the bill, yes.

Mr. CEDERBERG. That seems rather strange.

Mr. HAGEN of California. The ones wanting to keep this refund provision in the bill are the ones insisting on the amendment offered by the gentleman from Mississippi [Mr. ABERNETHY].

Mr. THOMPSON of New Jersey. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN. The gentleman from New Jersey is recognized for 5 minutes.

Mr. THOMPSON of New Jersey. Mr. Chairman, I am utterly confused now. I merely raised the question as an agricultural issue. I was really trying to get to the point of agreement that I have with my great and distinguished friend from Mississippi, and others who take his point of view. He is admittedly a recent convert to the one-man, one-vote principle. I have to applaud that.

I am a city boy and I am confused. I recognize a lot of the nomenclature. For instance, gin. I have been known to be a moderate consumer of it. Gin mills—we have a great many of them in my district. We all put our cotton clothes on and go to the gin mills and drink gin. We put our dollar down and very seldom get it back.

But it seems to me that, in my years here, the extent of disagreement within this great Committee on Agriculture on this bill I find to be a most unusual situation. One man says that the other fellow does not know what is in the bill. The other fellow responds, "Well, you don't know what is in my amendments," and the rest of us don't know anything.

It seems to me that this is a very democratic thing you have going here—to allow a majority to do anything. The question is, You either vote for a bale or have a bale for a vote or an individual for a bale or what?

Mr. UDALL. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman from Arizona.

Mr. UDALL. I wonder if we might reword the old song, "Lift that barge, vote that bale."

Mr. THOMPSON of New Jersey. The gentleman is correct.

Mr. UDALL. Will the gentleman from New Jersey permit me simply to say that I favor this bill and that I strongly oppose the amendment. I had undertaken to say that earlier, but I did not have the opportunity to do so.

Mr. THOMPSON of New Jersey. I understand. May I ask the gentleman from Arizona a question? For the most part, the cottongrowers whom the gentleman has the honor to represent, are rather large growers. Are they not?

They are honored by having him represent them.

Mr. UDALL. In my area we are fortunate to be able to raise large quantities of that fine long-staple cotton, yes.

Mr. THOMPSON of New Jersey. I thank the gentleman. And you will vote accordingly?

Mr. RESNICK. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I rise in opposition to this amendment because, very frankly, this amendment guts this bill.

As the Members of this Committee realize, I do not have any cottongrowers in my district. I do, however, have a great number of farmers, and in particular I have a great number of apple farmers.

We have been operating in New York State under the same basic type of legislation for many years, and I am very happy to report that my applegrowers are very happy and earning more money today than they ever did in the past. So much per box is collected. It is used for advertising and promotion of New York State apples. It works.

This is the road to progress in farm legislation. Let the farmers help themselves. We always hear about the problems we have with farmers. Here is a piece of legislation that very simply will help the farmer to help himself. Nothing more. Nothing less.

We want to feel that 14(b) involves the one-man, one-vote principle. But let us get back down to basics. The basic is that it is a piece of legislation that will enable the cotton farmer to compete in today's market. Forty years ago he did not need this legislation. Twenty years ago he did not need this legislation.

Mr. GATHINGS. Mr. Chairman, will the gentleman yield?

Mr. RESNICK. I yield to the gentleman.

Mr. GATHINGS. The gentleman has said the very thing that ought to be said at this moment. If the farmers help themselves under this legislation, more cotton will be sold and more of the surplus will be removed. It will save quite a lot of money that the taxpayers have to pay for storage at this time on that CCC cotton.

Mr. RESNICK. It is not very often that I agree with the gentleman from Arkansas, but I could not agree with him more. This is basically what we are here to vote on.

Mr. RUMSFELD. Mr. Chairman, will the gentleman yield?

Mr. RESNICK. I am happy to yield to the gentleman.

Mr. RUMSFELD. Mr. Chairman, what Federal statute provides the basis for the New York State applegrower's system?

Mr. RESNICK. It is not a Federal statute; it is a New York State statute.

Mr. RUMSFELD. Why do we need a Federal statute on this situation?

Mr. RESNICK. I believe the Federal Government is not involved in apples but it is involved in cotton. I believe the Federal Government has a bigger stake in cotton than in any other agricultural commodity. We must do something about reducing this stake. I know of no better way.

Mr. RUMSFELD. The gentleman feels there is no need for Federal statutes in respect to apples, but because the Federal Government is subsidizing cotton, we have to have this additional Federal basis to help the cottongrowers to do what the applegrowers of New York have done through State statutes voluntarily?

Mr. RESNICK. That is correct. But we advertise New York State apples. We do not advertise Washington State apples.

I think the gentleman understands that cotton is cotton and one does not advertise Arkansas cotton or California cotton or Arizona cotton, when it goes into that mill.

Mr. RUMSFELD. Apples are apples.

Mr. RESNICK. The New York State apples are the finest. I make that statement without hesitation.

Mr. RUMSFELD. There is no reason in the world why North Carolina could not advertise North Carolina cotton, just as New York advertises New York apples. You can call them special apples, but apples are apples.

Mr. RESNICK. I think the gentleman must realize that a good portion of this money is spent not only for advertising, but one thing that has been lost sight of here is that a good portion of the money is to find new uses for cotton. North Carolina cotton is going to be used just as California cotton is going to be used. You cannot expect 15 or 20 States to combine and get a utilization program going.

Mr. RUMSFELD. In industry after industry they have combined.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. RESNICK. I yield to the distinguished majority leader.

Mr. ALBERT. Mr. Chairman, the difference is this. It seems to me that cotton is a fiber. We are trying to find a means by which the cotton producer can compete with other types of fibers. One type of apple can compete with another type of apple. This situation is entirely different. This is the only way you can make advertising in the field of cotton somewhat comparable to that in respect to other fibers.

Mr. RESNICK. I agree with the majority leader.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi [Mr. ABERNETHY].

The question was taken; and on a division (demanded by Mr. POAGE) there were—ayes 51, noes 65.

Mr. ABERNETHY. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. ABERNETHY and Mr. TEAGUE of California.

The Committee again divided, and the tellers reported that there were—ayes 65, noes 76.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. DOLE

Mr. DOLE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DOLE: On page 15, line 14, insert the following:

"*Provided, further,* That notwithstanding any other provision of this Act, at the time of delivery of cotton to any handler, any producer shall have the option to decline to pay any assessment on a form prescribed by the Cotton Board and furnished to all handlers and such declination shall be deemed to be a refund approved by the Cotton Board. All such producer declinations shall be forwarded to the Board by handlers".

Mr. DOLE. Mr. Chairman, I think the heart of the entire issue is focused upon whether or not this is a voluntary program. The amendment which I have offered on page 15, following line 14, would, in effect, make it a voluntary program, and moves the burden from the producer to go through rather complicated channels to obtain his refund; it relieves the USDA and the Cotton Board of a lot of paper work and a lot of detail work by simply providing that at the time the producer delivers his cotton to the handler, if he issues a statement at that time that he does not wish to pay $1 a bale, he does not have to make this $1 per bale contribution.

In effect, it does take care of the argument which has been made by the gentleman from New Jersey [Mr. THOMPSON] and the arguments which have been raised by everyone on the floor. The basic issue involved is this: Is it or is it not a voluntary program? Certainly it is not voluntary in its present form. It is mandatory. For all practical purposes, before you can dispose of one bale of cotton you must pay $1 per bale in order to do so.

Mr. Chairman, I say that in effect it amounts to compulsory cottonism, just as much as we had compulsory unionism under discussion not too long ago.

For that reason, Mr. Chairman, I believe the amendment should be adopted.

Mr. SISK. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I am sure my good friend from Kansas recognizes that this would, of course, completely gut the bill. All we are working on here is an enabling act which would provide that the farmer could have a vote, and if two-thirds of the farmers want the program they can have it.

The gentleman, I am sure, is aware that this would simply put us back exactly where we are. We have had this voluntary program for the last 5 years. At the present time we are able to raise about $3 million which we are putting into this promotional program. Everyone who has analyzed it realizes that this amount is totally inadequate, that we need a much larger sum of money. So this program which we have here today would provide a program which, if the farmer wanted to vote for it—and certainly they are free to vote whichever way they want—but if two-thirds wanted it they would be able to come out with a program to do the job needed to be done of promotional research and which the cotton industry needs so badly.

Mr. Chairman, I would hope that this amendment will be voted down.

Mr. TEAGUE of California. Mr. Chairman, will the gentleman yield?

Mr. SISK. I yield to the gentleman from California.

Mr. TEAGUE of California. I fully concur with the statement that the gentleman from California [Mr. SISK] has just made. Certainly the Dole amendment would gut the entire program.

If the Members are opposed to this proposal, they ought to vote for the Dole amendment. However, if they are for the general program, they certainly ought to vote against the Dole amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas [Mr. DOLE].

The amendment was rejected.

AMENDMENT OFFERED BY MR. ABERNETHY

Mr. ABERNETHY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ABERNETHY: On page 15, line 14, change the period to a colon and insert the following: *"Provided further,* That at the time of delivery of cotton to any handler designated to collect assessments, any producer shall also have the option to pay such assessments under protest on a form prescribed and furnished by the Cotton Board and such payment under protest shall be deemed to be and shall be processed by the Cotton Board as an application for a refund of such assessment and any such refund shall be made within 60 days thereafter."

Mr. ABERNETHY. I know it is getting late and you would like to adjourn, but I would appreciate it if you would hear me a moment on this very simple amendment.

Mr. Chairman, much has been said about the producers right to get his money back. One of the objectives—as a matter of fact, the objective of this bill is first to make him pay and then to make it a little difficult—as difficult as possible—for him to get it back, thus leaving a considerable sum in the fund.

The amendment offered by the gentleman from Kansas might have made it too easy in the eyes of those who sponsor this legislation. Here is all my amendment does—and if you understand it, I believe you will support it.

Very simply, if the ginner is designated as the person to exact the dollar from the farmer, the amendment will work this way. The farmer will take his cotton to the gin. He will pay the ginning fee, then dig a little deeper and lay down the dollar. Then he will be privileged to sign a slip which will be the equivalent of an application for a refund. He will not get the dollar then. My friends who sponsor this bill do not want him to get the dollar back then. They want the Board to hold it a while, and maybe get to keep it forever. My amendment does not disturb their plan, just the procedure which does not do harm to their bill.

The object of this bill is to allow the Board to hold on to that dollar just as long as they can. Under my amendment, they can still hold it exactly the same amount of time that they would have the privilege of holding it under the bill. My amendment does not change that at all.

My amendment just relieves the farmer of the responsibility of going to some other place to file the application. That is all my amendment does. I am just changing the place for the farmer to file the application. That is all I am doing—relieving the farmer of having to go over to the county agricultural office and filing the application. The farmer will just file the application at the time he gets his cotton ginned. That is all the amendment does. I am simply changing the place where the farmer files his application for a refund—that is all—and I am making it a little more convenient for him to simply file the application.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. ABERNETHY. I yield to the gentleman.

Mr. COOLEY. What is the difference between the gentleman's amendment and the amendment that was just defeated.

Mr. ABERNETHY. There is a lot of difference.

Mr. COOLEY. What is the difference.

Mr. ABERNETHY. The amendment that was just defeated provided that he would not pay it at all.

Mr. COOLEY. He would just ask for it to be returned. What you are proposing is asking for it to be returned and not sending him to the Board.

Mr. ABERNETHY. The farmer's dollar still goes to the same place and it is handled by the same people, the same number of times. This just saves the farmers the trip across the county to the courthouse or wherever he has to go—which may be 20 miles away.

Mr. COOLEY. The ginner can say to the farmer, "if you bring your cotton to my gin, I will pay you back your dollar."

Mr. ABERNETHY. No, the ginner cannot do that. With all due deference, Mr. Chairman, this amendment does not do a thing in the world but change the place where he files the application. That is all it does. I do not see a thing wrong with that. If you want to make him ride 20 miles, and that is what the bill might do in some instances, then you will oppose the amendment. I have farmers who will have to ride all the way across the county to get their dollar back. They would have to travel 20 miles, or more, and there are several counties in my district where they would have to go 10 or 20 miles or more. All I am doing is just changing the place where he files the application. That is all and I hope you will adopt the amendment.

Mr. SISK. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this in essence is just another way of putting the Dole amendment in the bill and again to gut the program. I would hope, if we are interested in trying to permit these farmers by a two-thirds vote to vote for a program and have a program, let us give them that opportunity. Then if you are against this whole bill, which in essence this is what this amendment would do—gut the bill—then vote against the whole bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi [Mr. ABERNETHY].

The question was taken; and on a division (demanded by Mr. ABERNETHY), there were—ayes 47, noes 66.

So the amendment was rejected.

AMENDMENTS OFFERED BY MR. RYAN

Mr. RYAN. Mr. Chairman, I offer two amendments and ask unanimous consent that they be considered en bloc.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The Clerk read as follows:

Amendments offered by Mr. RYAN: On page 6, after line 14, insert the following:

"(c) Providing for establishing and carrying on research and development projects and studies with respect to the training, retraining, and utilization of displaced farm labor engaged in the growing of cotton, including recommendations for appropriate policies and programs to be carried out by the departments and agencies of the Federal Government."

And redesignate the succeeding subsections accordingly.

On page 11, line 16, strike out "6(a) and (b)" and insert "6(a), (b), and (c)".

Mr. COOLEY. Mr. Chairman, I make a point of order against the pending amendments.

The CHAIRMAN. The gentleman will state it.

Mr. COOLEY. First, they are not germane. They provide for research and development projects and studies with respect to training or retraining and utilization of displaced farm labor engaged in the growing of cotton. That is absolutely foreign and alien to anything in the bill now under consideration.

The bill under consideration deals only with cotton and the promotion and research in the field of cotton. The bill has nothing whatever to do with farm labor. This is an attempt to drag a red herring over the track and divert the attention of the Members of Congress by having us go into a program to retrain displaced farm labor. I say that it is absolutely foreign to the purpose of the bill. It is not germane.

Therefore, the point of order should be sustained.

The CHAIRMAN. Does the gentleman from New York desire to be heard?

Mr. RYAN. Mr. Chairman, I know of nothing more germane or relevant to a bill which deals with the increased productivity of cotton, which deals with the question of competitive efficiency, than at the same time to deal with the question of what happens to individuals engaged in the farming of cotton who are affected by that increased productivity. That is the purpose of the amendments. The purpose of the amendments is to provide for research and studies to assist the very people who would be affected by the bill which is before the House—the workers, the employees, the sharecroppers, the tenant farmers.

Automation can be a great boon to mankind or it can be a curse. If we are to deal intelligently with automation, it will require the best efforts of both the private and public sector of the economy.

The adoption of my amendment will make it possible for the private sector to contribute to research projects and studies on the very problems which the bill before us will intensify.

Section 6(a) of H.R. 12322 provides for plans and projects for the advertising and sales promotion of cotton and cotton products, and that is what most of the discussion has been about.

However, there is another section—6(b)—which provides for research and development projects and studies with respect to production and distribution to make marketing more efficient and cotton generally more competitive.

My amendment is a companion to that section. It calls for research and development projects and studies with respect to training and retraining and the utilization of displaced farm labor engaged in the growing of cotton. Recommendations would be made to the appropriate Federal agencies and departments such as the Departments of Agriculture, Labor, Commerce, the Economic Development Administration, and the Office of Economic Opportunity.

The gentleman from Illinois [Mr. FINDLEY] said that he thought the principal purpose of the bill was to reduce the cost of production.

The cost of production is being reduced by eliminating hand farm labor, and this bill can be expected to accelerate that trend.

The cotton chopper and harvester is being displaced because of improved weedkillers and mechanization of harvesting.

If farm labor is displaced through the programs developed under this bill, there is an obligation to help the farmer, the tenant farmer, the sharecropper, readjust.

The poverty-stricken victims of advanced agricultural technology should be able to look to the producers who benefit from that technology for help.

This bill with my amendment would create the vehicle. Without my amendment, the producers will not bear any responsibility.

Let us look at what the mechanization of cotton farming has brought about in Mississippi.

From 1960 to 1964, the percentage of the cotton crop picked by machine increased from 42 percent to 62 percent.

The development of efficient weedkillers has made it more costly to eliminate weeds by hand chopping.

As the annual cost of maintaining farm families for cotton picking has increased, it has become more economical to mechanize.

In addition, the diversion payment program has reduced plantings.

The Mississippi State Employment Security Commission has projected a 50-percent decrease in jobs for cotton choppers from the 1965 crop year.

It has been estimated that this year between 20,000 and 70,000 of last year's cotton workers will not be able to get jobs.

It is obvious that increased efficiency encouraged by this bill will result in the loss of more jobs—particularly in the South.

All my amendment does is to give the Cotton Board the authority to conduct studies and make recommendations to assist the displaced cotton laborer.

If the producer's dollar is to be earmarked for programs which will cost the tenant-farmer and the sharecropper his job, then also it should be used for programs and studies to help them find new job opportunities.

That is only fair and equitable.

This has been called a self-help program. Certainly self-help programs should not leave out those at the bottom of the economic ladder.

Automation can help create an economy of abundance. But we must also plan for the victims of automation.

The CHAIRMAN. The Chair is of the opinion that the amendment deals with persons in farm labor, and the bill itself deals with commodities and the promotion of commodities, and that the amendment is not germane and sustains the point of order.

Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. McFALL, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 12322) to enable cottongrowers to establish, finance, and carry out a coordinated program of research and promotion to improve the competitive position of, and to expand markets for, cotton, pursuant to House Resolution 750, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mrs. MAY. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentlewoman opposed to the bill?

Mrs. MAY. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

> Mrs. MAY moves to recommit the bill H.R. 12322 to the Committee on Agriculture with instructions to report the same back forthwith with the following amendment: Page 13, line 6, change the comma to a period and strike out the words "or by cotton producers voting in the referendum who, during such representative period, have produced at least two-thirds of the volume of cotton produced by such producers."

The SPEAKER. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and the Speaker announced that the noes appeared to have it.

Mr. HALL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 185, nays 191, answered "present" 1, not voting 56, as follows:

[Roll No. 33]

YEAS—185

Abbitt
Abernethy
Adair
Addabbo
Anderson, Ill.
Andrews, George W.
Andrews, N. Dak.
Arends
Ashbrook
Ayres
Barrett
Bates
Battin
Beckworth
Bennett
Berry
Bolton
Bow
Brademas
Bray
Brock
Broomfield
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burton, Utah
Byrnes, Wis.
Cahill
Carey
Cederberg
Chamberlain
Clancy
Cleveland
Collier
Conable
Conte
Corbett
Craley
Cramer
Cunningham
Curtin
Curtis
Daniels
Davis, Ga.
Davis, Wis.
Denton
Derwinski
Dole
Donohue
Downing
Edwards, Ala.
Edwards, La.
Ellsworth
Erlenborn
Everett
Fallon
Farnum
Findley
Fino
Flynt
Fogarty
Frelinghuysen
Fulton, Pa.
Gallagher
Gilbert
Goodell
Griffin
Gross
Grover
Gurney
Hagan, Ga.
Haley
Hall
Halleck
Hamilton
Hansen, Idaho
Hardy
Harsha
Harvey, Mich.
Hébert
Hechler
Horton
Howard
Hull
Hungate
Hutchinson
Ichord
Jacobs
Joelson
Johnson, Pa.
Karsten
Karth
Keith
Kelly
King, N.Y.
King, Utah
Krebs
Kunkel
Kupferman
Laird
Langen
Latta
Long, La.
Love
McCulloch
McDade
McDowell
McEwen
McVicker
MacGregor
Mackay
Madden
Marsh
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Mathias
May
Michel
Mink
Minshall
Mize
Moeller
Moore
Morse
Mosher
Nelsen
O'Konski
O'Neal, Ga.
Passman
Patten
Philbin
Pirnie
Poff
Price
Quie
Quillen
Randall
Reid, Ill.
Reid, N.Y.
Reifel
Rodino
Rogers, Colo.
Rogers, Fla.
Roush
Rumsfeld
Satterfield
St Germain
Saylor
Schisler
Schmidhauser
Schneebeli
Schweiker
Secrest
Selden
Shipley
Shriver
Sickles
Sikes
Skubitz
Smith, N.Y.
Smith, Va.
Springer
Stafford
Stanton
Sweeney
Tenzer
Thomson, Wis.
Tuck
Tuten
Vanik
Vigorito
Vivian
Waggonner
Walker, Miss.
Watkins
Weltner
Whalley
Whitten
Widnall
Williams
Wolff
Wydler
Yates

NAYS—191

Adams
Albert
Anderson, Tenn.
Ashley
Ashmore
Bandstra
Belcher
Bell
Bingham
Blatnik
Boggs
Boland
Bolling
Brooks
Brown, Calif.
Burke
Burleson
Burton, Calif.
Byrne, Pa.
Cabell
Callan
Callaway
Carter
Casey
Celler
Chelf
Clark
Clausen, Don H.
Clawson, Del
Clevenger
Cohelan
Conyers
Cooley
Culver
Daddario
de la Garza
Delaney
Dent
Diggs
Dingell
Dorn
Dow
Duncan, Oreg.
Duncan, Tenn.
Dyal
Edmondson
Evans, Colo.
Farbstein
Fascell
Flood
Foley
Ford, William D.
Fountain
Fraser
Friedel
Fulton, Tenn.
Garmatz
Gathings
Gettys
Gibbons
Gilligan
Gonzalez
Grabowski
Gray
Green, Oreg.
Green, Pa.
Greigg
Grider
Griffiths
Hagen, Calif.
Hanley
Hansen, Iowa
Hansen, Wash.
Hathaway
Helstoski
Henderson
Hicks
Holland
Hosmer
Huot
Irwin
Jarman
Jennings
Johnson, Calif.
Johnson, Okla.
Jonas
Jones, N.C.
Kastenmeier
Kee
King, Calif.

Kirwan
Kornegay
Landrum
Leggett
Lennon
Lipscomb
Long, Md.
McCarthy
McFall
McGrath
McMillan
Machen
Mackie
Mahon
Mailliard
Matsunaga
Meeds
Mills
Monagan
Moorhead
Morgan
Morris
Morrison
Morton
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nedzi
O'Hara, Ill.
O'Hara, Mich.
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Ottinger
Patman
Pepper
Perkins
Pickle
Pike
Poage
Pool
Pucinski
Purcell
Race
Redlin
Rees
Resnick
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rivers, S.C.
Rivers, Alaska
Roberts
Rogers, Tex.
Ronan
Roncalio
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Roybal
Ryan
St. Onge
Scheuer
Senner
Sisk
Slack
Smith, Iowa
Staggers
Stalbaum
Steed
Stephens
Stubblefield
Sullivan
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thompson, N.J.
Thompson, Tex.
Todd
Trimble
Tupper
Udall
Ullman
Utt
Van Deerlin
Walker, N. Mex.
Watson
Watts
White, Idaho
White, Tex.
Whitener
Wilson, Bob
Wright
Wyatt
Young
Younger
Zablocki

ANSWERED "PRESENT"—1

Halpern

NOT VOTING—56

Andrews, Glenn
Annunzio
Aspinall
Baldwin
Baring
Betts
Cameron
Colmer
Corman
Dague
Dawson
Devine
Dickinson
Dowdy
Dulski
Dwyer
Edwards, Calif.
Evins, Tenn.
Farnsley
Feighan
Fisher
Ford, Gerald R.
Fuqua
Giaimo
Gubser
Hanna
Harvey, Ind.
Hawkins
Hays
Herlong
Holifield
Jones, Ala.
Jones, Mo.
Keogh
Kluczynski
McClory
Macdonald
Matthews
Miller
Minish
Nix
O'Brien
Pelly
Powell
Reinecke
Robison
Rostenkowski
Roudebush
Scott
Smith, Calif.
Stratton
Toll
Tunney
Willis
Wilson, Charles H.

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Halpern for, with Mr. Tunney against.

Mrs. Dwyer for, with Mr. Scott against.

Mr. Harvey of Indiana for, with Mr. Annunzio against.

Mr. Pelly for, with Mr. Holifield against.

Mr. Minish for, with Mr. Reinecke against.

Mr. Stratton for, with Mr. Smith of California against.

Mr. Betts for, with Mr. Charles H. Wilson against.

Mr. McClory for, with Mr. Toll against.

Mr. Glenn Andrews for, with Mr. Hanna against.

Mr. Dickinson for, with Mr. Gubser against.

Mr. Roudebush for, with Mr. Edwards of California against.

Until further notice:

Mr. Aspinall with Mr. Macdonald.

Mr. Giaimo with Mr. Nix.

Mr. Dowdy with Mr. Baring.

Mr. Fisher with Mr. Herlong.

Mr. Cameron with Mr. Powell.

Mr. Dawson with Mr. Miller.

Mr. Dulski with Mr. Rostenkowski.

Mr. Farnsley with Mr. Hawkins.

Mr. Feighan with Mr. Corman.

Mr. Keogh with Mr. Willis.

Mr. Colmer with Mr. Matthews.

Mr. O'Brien with Mr. Fuqua.

Mr. Hays with Mr. Kluczynski.

Mr. HAGAN of Georgia, Mr. McCULLOCH, and Mr. HUNGATE changed their votes from "nay" to "yea."

Mr. WATSON changed his vote from "yea" to "nay."

Mr. HALPERN. Mr. Speaker, I have a live pair with the gentleman from California [Mr. TUNNEY]. If he were present he would vote "nay." I voted "yea." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The question is on the passage of the bill.

Mr. FINDLEY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 189, nays 183, answered "present" 1, not voting 59, as follows:

[Roll No. 34]

YEAS—189

Adams
Albert
Anderson, Tenn.
Ashmore
Bandstra
Barrett
Belcher
Bell
Bingham
Blatnik
Boggs
Boland
Bolling
Brooks
Brown, Calif.
Broyhill, N.C.
Burke
Burleson
Byrne, Pa.
Cabell
Callan
Callaway
Carter
Casey
Celler
Chelf
Clark
Clausen, Don H.
Clawson, Del
Clevenger
Cohelan
Cooley
Culver
Daddario
Davis, Ga.
de la Garza
Donohue
Dorn
Dow
Duncan, Oreg.
Duncan, Tenn.
Dyal
Edmondson
Edwards, La.
Fallon
Farbstein
Fascell
Flood
Flynt
Foley
Ford, William D.
Fountain
Fraser
Friedel
Fulton, Tenn.
Garmatz
Gathings
Gettys
Gilligan
Gonzalez
Grabowski
Gray
Green, Pa.
Greigg
Grider
Hagan, Ga.
Hagen, Calif.
Hanley
Hansen, Iowa
Hansen, Wash.
Hathaway
Hébert
Henderson
Hicks
Holland
Hosmer
Huot
Irwin
Jacobs
Jarman
Jennings
Johnson, Calif.
Johnson, Okla.
Jonas
Jones, N.C.
Karsten
Kee
King, Calif.
Kirwan
Kornegay
Landrum
Leggett
Lennon
Lipscomb
Long, La.
McFall
McGrath
McMillan
Machen
Mackay
Mackie
Mahon
Mailliard
Matsunaga
Meeds
Mills
Mink
Monagan
Moorhead
Morgan
Morris
Morrison
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
O'Hara, Ill.
O'Hara, Mich.
Olsen, Mont.
Olson, Minn.
O'Neal, Ga.
O'Neill, Mass.
Passman
Patten
Pepper
Perkins
Philbin
Pickle
Poage
Pool
Price
Purcell
Quillen
Race
Redlin
Rees
Resnick
Rhodes, Ariz.
Rhodes, Pa.
Rivers, Alaska
Rivers, S.C.
Rogers, Colo.
Ronan
Roncalio
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Roybal
St. Onge
Senner
Sisk
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Staggers
Stalbaum
Steed
Stephens
Stubblefield
Sullivan
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thompson, Tex.
Todd
Trimble
Tupper
Udall
Ullman
Utt
Van Deerlin
Vivian
Waggonner
Walker, N. Mex.
Watson
Watts
Weltner
White, Idaho
White, Tex.
Whitener
Wilson, Bob
Wright
Young
Younger
Zablocki

NAYS—183

Abbitt
Abernethy
Adair
Addabbo
Anderson, Ill.
Andrews, George W.
Andrews, N. Dak.
Arends
Ashbrook
Ashley
Ayres
Bates
Battin
Beckworth
Bennett
Berry
Bolton
Bow
Brademas
Bray
Broomfield
Brown, Ohio
Broyhill, Va.
Buchanan
Burton, Utah
Byrnes, Wis.
Cahill
Carey
Cederberg
Chamberlain
Clancy
Cleveland
Collier
Conable
Conte
Conyers
Corbett
Craley
Cramer
Cunningham
Curtin
Curtis
Daniels
Davis, Wis.
Delaney
Dent
Denton
Derwinski
Diggs
Dingell
Dole
Downing
Edwards, Ala.
Ellsworth
Erlenborn
Evans, Colo.
Everett
Farnum
Findley
Fino
Fogarty
Frelinghuysen
Fulton, Pa.
Gallagher
Gibbons
Gilbert
Goodell
Green, Oreg.
Griffin
Gross
Grover
Gurney
Haley
Hall
Halleck
Hamilton
Hansen, Idaho
Hardy
Harsha
Harvey, Mich.
Hechler
Helstoski
Horton
Howard
Hull
Hungate
Hutchinson
Ichord
Joelson
Johnson, Pa.
Karth
Kastenmeier
Keith
Kelly
King, N.Y.
King, Utah
Krebs
Kunkel
Kupferman
Laird
Langen
Latta
Love
McCulloch
McDade
McDowell
McEwen
McVicker
MacGregor
Madden
Marsh
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Mathias
May
Michel
Minshall
Mizé
Moeller
Moore
Morse
Morton
Mosher
Nedzi
Nelsen
O'Konski
Ottinger
Patman
Pike
Pirnie
Poff
Powell
Pucinski
Quie
Randall
Reid, Ill.
Reifel
Reuss
Roberts
Rodino
Rogers, Fla.
Rogers, Tex.
Roush
Rumsfeld
Ryan
Satterfield
St Germain
Saylor
Scheuer
Schisler
Schmidhauser
Schneebeli
Schweiker
Secrest
Selden
Shipley
Shriver
Sickles
Sikes
Skubitz
Smith, Va.
Springer
Stafford
Stanton
Sweeney
Tenzer
Thompson, N.J.
Thomson, Wis.
Tuck
Tuten
Vanik
Vigorito
Walker, Miss.
Watkins
Whalley
Whitten
Widnall
Williams
Wolff
Wyatt
Wydler
Yates

ANSWERED "PRESENT"—1

Halpern

NOT VOTING—59

Andrews, Glenn
Annunzio
Aspinall
Baldwin
Baring
Betts
Brock
Burton, Calif.
Cameron
Colmer
Corman
Dague
Dawson
Devine
Dickinson
Dowdy
Dulski
Dwyer
Edwards, Calif.
Evins, Tenn.
Farnsley
Feighan
Fisher
Ford, Gerald R.
Fuqua
Giaimo
Griffiths
Gubser
Hanna
Harvey, Ind.
Hawkins
Hays
Herlong
Holifield
Jones, Ala.
Jones, Mo.
Keogh
Kluczynski
Long, Md.
McCarthy
McClory
Macdonald
Matthews
Miller
Minish
Nix
O'Brien
Pelly
Reid, N.Y.
Reinecke
Robison
Rostenkowski
Roudebush
Scott
Stratton
Toll
Tunney
Willis
Wilson, Charles H.

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Tunney for, with Mr. Halpern against.

Mr. Annunzio for, with Mr. Long of Maryland against.

Mr. Hanna for, with Mr. Betts against.

Mr. Scott for with Mr. McClory against.

Mr. Holifield for, with Mr. Pelly against.

Mr. McCarthy for, with Mrs. Dwyer against.

Mr. Reinecke for, with Mr. Stratton against.

Mr. Brock for, with Mr. Harvey of Indiana against.

Mr. Burton of California for, with Mr. Dickinson against.

Mr. Gubser for, with Mr. Glenn Andrews against.

Mr. Charles H. Wilson for, with Mr. Roudebush against.

Mr. Edwards of California for, with Mr. Minish against.

Until further notice:

Mr. Fisher with Mr. Fuqua.
Mr. Corman with Mr. Dawson.
Mr. Aspinall with Mr. Herlong.
Mr. Miller with Mr. Nix.
Mr. Dowdy with Mr. Macdonald.
Mr. Keogh with Mr. Feighan.
Mr. Toll with Mr. Hawkins.
Mr. Hays with Mr. Baring.
Mr. Cameron with Mrs. Griffiths.
Mr. Colmer with Mr. Matthews.
Mr. Willis with Mr. Giaimo.
Mr. Kluczynski with Mr. Evins.
Mr. O'Brien with Mr. Rostenkowski.

Mr. DOW, Mr. VIVIAN, Mr. ADAMS, Mr. JACOBS, and Mr. DONOHUE changed their votes from "nay" to "yea."

Mr. HALPERN. Mr. Speaker, I have a live pair with the gentleman from California [Mr. Tunney]. If he had been present he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. GATHINGS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

MOST SENSIBLE RECOMMENDATIONS ON VIETNAM MADE BY SENATOR STUART SYMINGTON

Mr. HULL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include an editorial.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HULL. Mr. Speaker, the most sensible recommendations on Vietnam made in recent weeks are those advanced by Senator Stuart Symington, of Missouri.

He believes that the United States should take those measures necessary to win in Vietnam and I am absolutely certain that a great majority of Americans agree with him.

Under leave to extend my remarks, I enclose a copy of an editorial in support of Senator Symington's position, written by Joseph R. Snyder in the Gallatin, Mo., Democrat:

SYMINGTON'S VIEWS

Of all the people in high Government places who have issued public statements on the war in southeast Asia, the words of Missouri's own Senator Stuart Symington come closest to matching the thoughts this newspaper has entertained. Of all the people in Government, outside our generals in the Military Establishment, we are more inclined to trust Symington's judgment on the situation than any other. Happily his views are largely shared by the military.

There is, of course, a realistic way to win the war in Vietnam. Senator Symington is persistently urging it upon President Johnson and his advisers. The Senator has an exceptionally fine background of Government service in areas of defense upon which to base his views. He has projected his opinions to the public only after completion of a several weeks visit in the Far East during which he was able to obtain vital information on the spot.

That war can be ended and many lives saved, the Senator asserts, by a blockade and mining of Haiphong waters, which is the principal North Viethamese port. This could cut off about 80 percent of the supplies reaching the Vietcong.

Symington also urges air attacks on important military targets such as powerplants, oil supply, docks, etc., to destroy the Vietcong's capacity to wage war. He further recommends fuller use of U.S. naval power to pound enemy troop concentrations and supply lines along the coastal areas.

As he so aptly puts it: "We should either move ahead or move out." It is our feeling that a majority of Americans feel the same way about this conflict. We commend him for hammering away at this theme.

History shows that limited war in southeast Asia is a failure. It is not the American way to give the enemy every advantage, permitting him to choose the time and place of battle and sanctuaries from which he can attack, fall back, gain strength, and then attack again.

It is our opinion that once America decides a situation has become so intolerable we must take action on the field of battle, Congress should authorize the conflict by a formal declaration of war. We do not like one man—the President, no matter who he is—having the power to commit this Nation to war without approval from the people through Congress. We also do not like a war being fought by a relatively few while the Government pretends "business as usual" and hopes the public won't notice the casualty lists.

It is our belief that once the United States is committed to battle, we should go on a war footing and end the fighting as quickly as possible. We further believe that military decisions should be left to military people. Had this been done in the past we would not now be fighting in Vietnam.

The question of whether we should be in Vietnam at all is not the point of this editorial. We recall with irony, however, that every top general we have had has warned against becoming involved in a land war in Asia.

We believe the American people will support the action called for by Senator Symington. We believe they are tired of the lack of decision and purpose displayed thus far. We believe they want a victory in Vietnam as quickly as possible and a halt to confusion and half answers. Ho Chi Minh will not be ready to talk peace until he's hurt. We must make the cost of aggression too high to endure.

APOLOGY AND CLARIFICATION REQUIRED ON RELEASE STATING THAT FBI WAS BEING ORDERED TO INVESTIGATE REGISTRATION PRACTICES IN "SAMPLE COUNTIES" IN TEXAS

Mr. CABELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. CABELL. Mr. Speaker, in view of an ill-conceived release from the Office of the Attorney General that implies an indictment of the people of my district and of my State of Texas, I consider a clarification and an apology to be in order.

This release stated that the FBI was being ordered to investigate registration practices in "sample counties" in Texas.

No such implied indictment can be allowed to go unchallenged. I, therefore, submit for the Record my reply to the Attorney General:

March 3, 1966.

Hon. Nicholas deB. Katzenbach,
The Attorney General,
The Department of Justice,
Washington, D.C.

Dear Mr. Attorney General: Never in my career as a citizen-businessman, a municipal official or more lately, as a Member of Congress, have I observed such a flagrant, and cheap, abuse of power as that recently demonstrated by your appointment of voter registration "monitors" in Texas, and particularly in my home district of Dallas County.

Not only is this a debasement of your hitherto respected office, it is also a debasement of many fine segments of our society and is a relegation of one of our most respected agencies (FBI) to the status of a cheap political tool.

The victims of the insult include:

1. The Negro citizens of Dallas County and Texas. They have consistently exercised their voting franchise, without any form of coercion. In 1964, the Negro citizen qualified by registration or by payment of poll tax, a higher percentage of their potential than did their white counterparts.

2. The white citizenship of Dallas County and the State of Texas, and all elected officials. They have consistently provided untold numbers of volunteers, both white and Negro, who were deputized to issue registrations and poll tax receipts, and who worked diligently in all communities from the period, October 1, 1965, through January 31, 1966. All of this was done without reference to race or color.

3. The Dallas County leadership of both political parties. All these leaders have encouraged voter participation of all races, and they have endorsed the candidacy of Negroes as nominees of both parties to the State legislature in the forthcoming elections.

4. The Federal Bureau of Investigation. Through the years they have enjoyed world renown as the most respected such organization in the world. If the duties of the Bureau are to be reduced to such muckraking, then the present high caliber personnel will neither be needed, nor be retained.

As a citizen, and as a public official, I welcome any legitimate investigation, but I definitely question the motives behind this one. When has it been the practice of the FBI to publicize and signal its intention to conduct an investigation on all subjects? Publication of such intent is an indictment, per se, in the eyes of the general public.

In closing, let me express the hope that this decision was the brainchild of an unqualified underling, and that clarification, and apology, will be forthcoming from your office.

Respectfully yours,
Earle Cabell,
Member of Congress.

FREEDOM'S BEACON

Mr. PRICE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include an editorial.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE. Mr. Speaker, the Chicago Daily News points out in a recent editorial:

> In one of his most eloquent speeches, President Johnson answered 10 questions still being asked about Vietnam, within the broad context of freedom and what freedom means.

It goes on to say:

> What emerged was not only a clearer definition of the self-imposed limits operative in southeast Asia, but a clearer vision of American aspirations and the guidelines for world leadership as the President sees them.

The paper believes that:

> Surely freedom is at the heart of the struggle in Vietnam and no less involved in the great issues of race, religion, and politics that suffuse both the domestic and the international scene. And freedom was and is the beacon that the United States has held aloft for the world.

The appraisal given by the Chicago Daily News will be of interest to others, and because many will want to read the editorial in its entirety I herewith offer it for publication in the RECORD:

FREEDOM'S BEACON

The critics of the administration's Vietnam policy—the hawks and the doves and the dawks—have all had their turns at pecking in recent days. Wednesday night came the turn of the man who alone bears the burden of final decision.

In one of his most eloquent speeches, President Johnson answered 10 questions still being asked about Vietnam, within the broad context of freedom and what freedom means. What emerged was not only a clearer definition of the self-imposed limits operative in southeast Asia, but a clearer vision of American aspirations and the guidelines for world leadership as the President sees them.

For the doves, Mr. Johnson had reassurance that the United States is not "caught in a blind escalation of force that is pulling us headlong toward a wider war." For the hawks, he had the promise that aggression will continue to be opposed by whatever force is required to stop it. For the government in Hanoi, he had a warning that free discussion in a free nation means neither weakness nor indecision:

"We are united in our commitment to free discussion. So also we are united in our determination that no foe anywhere should mistake our arguments for indecision—or our debates for weakness."

But in addressing Freedom House and accepting its award, the President also took the occasion to reevaluate and expand a vision of a quarter-century ago. Harking back to Franklin D. Roosevelt's "four freedoms," he noted the considerable progress America has made toward achieving the goals of freedom from want and fear, and preserving freedom of speech and worship.

Then, to the original four, he added three of his own: Freedom to learn, freedom to grow, freedom to hope.

Like his idol, President Roosevelt, Lyndon Johnson put his "freedoms" in a global setting, not as goals merely for Americans, but for all mankind. There is, in this declaration, an extension of a pattern that has been evolving in Mr. Johnson's recent messages on foreign policy and foreign aid, and especially in his emphasis on the civilian aspects of the struggle in Vietnam.

Some may see the emerging pattern as an attempt to export the Great Society before we have made adequate progress in building it here. Others may see it as unconscionable meddling or a meaningless mixture of corn and politics. Still others may view it as unbridled idealism—lovely to look at but without substance.

There may indeed be some or all of these elements in Mr. Johnson's vision of freedom in a world that has too little of it. Yet surely freedom is at the heart of the struggle in Vietnam and no less involved in the great issues of race, religion, and politics that suffuse both the domestic and the international scene. And freedom was and is the beacon that the United States has held aloft for the world.

Perhaps the world will understand us a little better because of what Mr. Johnson said Wednesday night and see us for what we are: a nation striving in an imperfect way to kindle the aspirations of mankind and lead—or at least point—the way toward a better life in a freer world.

LEGISLATION TO REGULATE COMMUNITY ANTENNA SYSTEMS

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include pertinent material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. STAGGERS. Mr. Speaker, I am introducing today a bill which has been submitted by the Federal Communications Commission which would authorize the Commission to issue rules and regulations with respect to community antenna systems. This bill has been submitted to the Congress in accordance with the Commission's earlier statement that it would recommend legislation in this area.

Mr. Speaker, in order to advise the Members of the House and the public in general of the reasons which moved the Commission to submit this particular bill, I am including in the RECORD at this point the text of the bill, an explanation of the bill submitted by the Commission, and a letter from Chairman Henry addressed to me in connection with this legislation:

H.R. 13286

A bill to amend the Communications Act of 1934 to authorize the Federal Communications Commission to issue rules and regulations with respect to community antenna systems, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Communications Act of 1934 (47 U.S.C. 153) is amended by adding at the end thereof the following new subsection:

"(gg) 'Community antenna system' means any facility which, in whole or in part, receives directly or indirectly over the air and amplifies or otherwise modifies the signals transmitting programs broadcast by one or more broadcast stations and distributes such signals by wire or cable to subscribing members of the public who pay for such service."

SEC. 2. Part I of title III of the Communications Act of 1934 is amended by adding at the end thereof the following new section:

"COMMUNITY ANTENNA SYSTEMS

"SEC. 331. (a) The Commission shall, as the public interest, convenience or necessity requires, have authority—

"(1) to issue orders, make rules and regulations, and prescribe such conditions or restrictions with respect to the construction, technical characteristics, and operation of community antenna systems, to the extent necessary to carry out the purposes of this Act, with due regard to both the establishment and maintenance of broadcast services and the provision of multiple reception services; and

"(2) to make general rules exempting from regulation, in whole or in part, community antenna systems where it is determined that such regulation is unnecessary because of the size or nature of the systems so exempted.

"(b) No community antenna system shall transmit over its system any program or other material other than that which it has received directly or indirectly over the air from a broadcast station, except that the Commission may, upon an express finding that it would serve the public interest, authorize by general rule limited exceptions to permit such transmissions without any additional charge to subscribers.

"(c) Nothing in this Act or any regulation promulgated hereunder shall preclude or supersede legislation relating to, or regulation of, community antenna systems by or under the authority of any State or Territory, the District of Columbia, the Commonwealth of Puerto Rico or any possession of the United States except to the extent of direct conflict with the provisions of this Act or regulations promulgated hereunder."

EXPLANATION OF PROPOSED AMENDMENTS TO THE COMMUNICATIONS ACT OF 1934, AS AMENDED, CONCERNING REGULATION OF COMMUNITY ANTENNA SYSTEMS

These proposals for amendments to the Communications Act are submitted pursuant to the Commission's determination, announced in its public notice of February 15, 1966, that it would make the following recommendations for legislation to the Congress:

(a) Clarification and confirmation of FCC jurisdiction over CATV systems generally, along with such specific provisions as are deemed appropriate.

(b) Prohibition of the origination of program or other material by a CATV system with such limitations or exceptions, if any, as are deemed appropriate.

(c) Consideration of whether, to what extent, and under what circumstances CATV systems should be required to obtain the consent of the originating broadcast station for the retransmission of the signal by the CATV system.

(d) Consideration of whether CATV systems should or should not be deemed public utilities. In this connection, Congress will be asked to consider the appropriate relationship of Federal to State-local jurisdiction in the CATV field, with particular reference to initial franchising, rate regulation, and extension of service.

The Commission has determined that it has jurisdiction over all CATV systems, and it has asserted that jurisdiction to the extent necessary to carry out the announced regulatory program. However, given the importance of CATV, we believe it highly desirable that Congress amend the Communications Act to confirm that jurisdiction and to establish such basic national policy as it deems appropriate.

The proposed new subsection 3(h) of the Communications Act broadly defines a "community antenna system" to include any facility which receives broadcast signals[1] over the air[2] and distributes them by means of wire or cable to subscribing members of the public. While the definition is all-inclusive, we believe it is unnecessary to impose regulations on all systems. Therefore, the proposed new section 331(a)(2) would empower the Commission to exempt from regulation, by general rule, systems, which, because of their size or nature, need not be encompassed within the regulatory scheme. For example, the Commission's present regulations exempt systems serving fewer than 50 subscribers or which serve only 1 or more apartment houses under common ownership, control or management. (See, e.g., 47 C.F.R. 21.710(a).)

---

[1] Both radio and television signals are included. While we are aware of no community antenna system which now distributes only radio signals, some systems do distribute signals from both radio and television broadcast stations.

[2] This would include signals received directly off the air from a broadcast station, as well as those broadcast and then relayed by means of a microwave relay system.

Of prime importance is the proposed new section 331(a)(1) of the act, which would expressly confer upon the Commission, in broad and comprehensive terms, authority to regulate community antenna systems in the public interest. This authority is to be exercised only to the extent necessary to carry out the purposes of the Communications Act, particularly the establishment and maintenance of broadcast services and the provision of multiple reception services. There is thus a congressional recognition of the public service rendered by the broadcast and CATV industries and a directive to promote the orderly growth of both industries.

We recommend the broad approach along the lines of proposed section 331(a)(1) because of the dynamic and relatively new nature of the CATV field. We believe that it would be difficult and indeed impracticable to attempt to delineate precisely in a statute all of the possible areas in which the public interest may in the future require Commission action. Had legislation been drawn to deal specifically with the problems posed by CATV in the fifties, it would have been inadequate as to such present problems as those raised by CATV entry into the major markets. Today, for example, because there is so little program origination or alternation or deletion of broadcast signals being carried, there would appear to be few, if any, problems concerning the carriage over CATV systems of political broadcasts or of appropriate identification announcements with respect to sponsored material, including programs involving controversial issues. But there could be future problems in these respects, requiring regulation along the lines of sections 315 or 317. The broad regulatory approach we urge is similar to that adopted by the Congress for regulation of radio, and the following quotation from the landmark Supreme Court case construing the Communications Act is equally pertinent to the dynamic and new field of CATV:

"Congress was acting in a field of regulation which was both new and dynamic. * * * While Congress did not give the Commission unfettered discretion to regulate all phases of the radio industry, it did not frustrate the purpose for which the Communications Act of 1934 was brought into being by attempting an itemized catalog of the specific manifestations of the general problems for the solution of which it was establishing a regulatory agency. That would have stereotyped the powers of the Commission to specific details in regulating a field of enterprise the dominant characteristic of which was the rapid pace of its unfolding. And so Congress did what experience had taught it in similar attempts at regulation, even in fields far less fluid and dynamic than radio. The essence of that experience was to define broad areas for regulation and to establish standards for judgment adequately related in their application to the problems to be solved." (*NBC* v. *U.S.*, 319 U.S. 190, 218–219).

There is one area which we believe that Congress may wish to consider specifically at this time, rather than leaving to subsequent regulatory decision under the proposed section 331(a)(1); namely, whether community antenna systems should be required to obtain the consent of the originating broadcast station before retransmitting the station's signal over the system. It has been urged that such a requirement would obviate the need for much, if not all, of the Commission's present regulations in this field. The Commission is not now in a position to state whether a so-called section 325(a) approach would be effective or fully consistent with the public interest. The matter is one of such a nature that we believe it should be more appropriately considered by the Congress. In this way, there could be congressional hearings on how such a retransmission consent provision would function as a practical matter, whether there should be special provisions for the CATV systems operating in a small community, and whether and to what extent there should be "grandfathering" of existing systems. The statute finally enacted could then reflect the congressional judgment on this important aspect.

The proposed new section 331(b) of the Communications Act deals with the question of possible program origination by community antenna systems. We believe it would be inequitable to allow unlimited program origination, since this would permit community antenna systems to use the distribution of free television broadcast signals as a base for engaging in pay-TV operations.[3] Moreover, the Commission, and indeed the Congress, has had a continuing concern with the possible impact of subscription television service on the free television broadcast service. The Commission currently has before it a petition requesting the institution of rulemaking proceedings to provide for subscription television service, on a permanent and carefully regulated basis throughout the country, utilizing the facilities of television broadcast stations. Because of the foregoing considerations, the proposed section 331(b) would bar any general pay-TV operation by a community antenna system.

While convinced that community antenna systems should not be permitted unlimited program origination, we are not recommending that Congress impose a complete ban on program origination. There would appear to be various possible exceptions (e.g., the fairly common time and weathercasting channels on CATV systems; see also paragraph 57 of our Notice of Inquiry and Notice of Proposed Rulemaking, Docket No. 15971, 1 FCC 2d 453, 474–75). The scope of such possible exceptions to the ban could only be determined after appropriate proceedings. Because of the importance of the matter, we would suggest that Congress, upon the basis of its hearings, resolve this question and enact specific statutory guidelines.

Absent such congressional guidelines, the Commission recommends that Congress follow the approach set out in the new section 331(b). The proposed section 331(b), in addition to barring program origination by community antenna systems, would permit the Commission to grant exceptions subject to several limitations. An express finding would have to be made, after appropriate proceedings, that an exception would serve the public interest; it could be granted only by general rule; and no additional charge to subscribers would be permitted under any exception granted.

Finally, the Commission believes that congressional consideration should also be given to the appropriate relationship of Federal to State-local jurisdiction over community antenna systems, particularly with regard to initial franchising, rate regulation, and related matters. The Commission generally has not proposed to exercise any jurisdiction with respect to these matters. (See par. 32, Notice of Inquiry and Notice of Proposed Rulemaking, Docket No. 15971, 1 FCC 2d 453, 466.) Rather, it has recognized that many local governmental bodies, usually in connection with the grant of franchises, have asserted some jurisdiction with respect to rates charged subscribers and similar matters. At least three States (Connecticut New Jersey, and Rhode Island) have held that CATV systems are public utilities.

In our opinion, the public interest will best be protected by permitting State and local regulation to continue with regard to those matters not regulated by the Commission. We are therefore recommending legislation along the lines of the proposed section 331(c). That section provides that there would be no Federal preemption except to the extent of direct conflict with the provisions of the Communications Act or regulations enacted by the Commission. This would permit State and local action, but would not foreclose Federal action to carry out the purposes of the act and to promote the "public interest in the larger and more effective use of radio" (sec. 303(g)), where such action becomes necessary.

Adopted: March 2, 1966.

DISSENTING STATEMENT OF COMMISSIONER ROBERT T. BARTLEY

I believe that telling the public it cannot receive broadcasts it wants and is willing to pay for via CATV is unsound public policy.

People willing to pay extra should be allowed to bring in broadcasts which they would not otherwise receive as well or not at all.

Conditions which the Commission would impose on CATV as to carriage, nonduplication and procedural impediments to development in the top 100 markets appear to be for the economic protection of television stations. Experience indicates that economic protection begets more regulation.

The heart of concern over CATV is its possible evolution into pay television. Fear has been expressed that the community antenna systems will be built and made viable by using free broadcasts from television stations; then, after the systems have acquired a sufficient number of subscribers, they could afford to originate their own programs, and pay television would result.

Consideration need be given to the existing types of systems, (1) community antenna systems which receive, and distribute to subscribers, transmissions of broadcast stations, and (2) closed-circuit systems which originate their own special progaming and distribute it by wire or cable to the theaters, business establishments or homes of subscribers.

I believe we should not discourage closed-circuit systems built and made viable by distributing their own programs.

It is the mixing of the two types of systems which would give rise to an unfair competitive advantage. It would be inequitable to allow programs origination since this would permit community antenna systems to use the distribution of free television broadcast signals as a base for engaging in pay television operations.

Accordingly, at the present time, I would recommend the following legislation, limited to prohibiting program origination by community antenna systems:

Section 3(h) (definition): Community antenna system means a facility which receives any programs transmitted by a broadcast station and distributes such programs by wire or cable to customers paying for the service.

Section 331: No community antenna system shall distribute programs other than those received from transmissions by broadcast stations.

---

[3] Specific charges to subscribers for programs originated by a community antenna system could, of course, be barred, but it might be difficult to insure that monthly rates charged to subscribers were not being set at a level which would take into account programs originated by the system, particularly in the case of a new system.

Separate Statement of Commissioner Lee Loevinger Regarding Proposed CATV Legislation

I believe it is necessary for Congress to legislate on the subject of community antenna television and that the draft of proposed legislation submitted herewith by the FCC is the best compromise that can now be agreed upon. It is my opinion that under present statutes the Commission does not have the jurisdiction which it claims over CATV's. See my separate opinion at 4 RR2d 1679, 1712. If the Commission is to act in this field legislative authorization is, therefore, necessary.

In general I agree with the views expressed by Commissioner Bartley in his dissenting statement. However, those views are more relevant to consideration of the regulations that may be promulgated by the Commission under the proposed legislation than to the bill now proposed. The legislation proposed is basically a broad authorization to the FCC to act in this field, with a specific declaration that congressional action shall not be construed as Federal preemption. It would be desirable for Congress to establish more specific standards for administrative action than are contained in the proposed bill. But it is appropriate for Congress to delegate broad authority for the Commission to act under whatever standards Congress may see fit to establish. Accordingly I join in recommending that Congress consider the proposed bill submitted herewith and enact legislation in such form as may best express the congressional view of the proper way to deal with the problems involving FCC jurisdiction to regulate CATV systems, the operation of CATV systems, the relations of CATV systems to conventional broadcasting stations, and the relation between Federal and State jurisdiction in this field.

Federal Communications
Commission,
Washington, D.C., March 3, 1966.

Hon. Harley O. Staggers,
Chairman, Committee on Interstate and Foreign Commerce, House of Representatives, Washington, D.C.

Dear Mr. Chairman: In accordance with your request that the Commission furnish your committee as soon as possible with our suggestions for legislation on CATV, I am enclosing proposed legislation which the Commission at its meeting yesterday agreed to recommend. The dissenting statement of Commissioner Bartley and the separate statement of Commissioner Loevinger are also attached.

Because of this urgent request, and the fact that the bill has just been drafted, it has not been presented to the Bureau of the Budget for advice as to its relationship to the program of the President. However, a copy is being sent to that Bureau forthwith.

Please call on me if I can be of any further assistance in this matter.

Yours sincerely,
E. William Henry,
Chairman.

SUPERSONIC TRANSPORT PLANE

Mr. BOW. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BOW. Mr. Speaker, I am introducing today a bill to provide for the prototype construction of a commercial supersonic transport airplane, to be financed with funds obtained from the general public rather than from the U.S. Treasury.

The President's transportation message yesterday contained a request for an additional $200 million to initiate the prototype of a supersonic aircraft. We have already appropriated $231 million to this project.

I have believed for a long time that this is a burden which could be carried by private rather than Federal funds, and I think the war effort makes it imperative that we develop a sound plan to do so.

The bill I introduce today provides such a plan. It incorporates suggestions made to the Appropriations Committee last September 8 by Col. W. S. Whitehead whose firm, Ives, Whitehead & Co., Inc., has been engaged in a 3-year study on financing an SST.

If we are to relieve the taxpayers of this burden, this is the critical time for decision and I hope the bill will receive widespread study and discussion.

The Bow proposal will permit the orderly and timely transition of responsibility for this development task from the Federal Aviation Agency to a proposed independent Government agency to be known as the Supersonic Transport Authority. The independent agency approach was recommended in the Black-Osborne report released by the White House in late 1963.

The Supersonic Transport Authority would be empowered to sell to the public, through normal investment channels, development bonds in the amount of $1.5 billion.

These securities will not be obligations of the United States, but in event of any default in the payment of principal and interest, the United States will guarantee the payment thereof.

The proposed legislation requires that industry share a reasonable proportion of the cost of development, but postpones fulfillment of this responsibility until the commercial production of the SST is realized.

The patents, patent rights, and so forth resulting from development, will remain the property of the United States until all of the bonds of the SST Development Authority are paid off. When this occurs, the rights to these inventions will pass to private industry.

The advantages of the bill may be summarized as follows:

First. It avoids the necessity of appropriating huge sums by Congress for this gigantic commercial research and development project.

Second. It permits a savings feature by using all residual usable assets acquired during development, in the commercial production of the SST.

Third. It assures more effective surveillance over development costs since each separate major stage of construction will be financed separately.

Fourth. It permits an outlet for excessive investment funds now held in private hands.

Fifth. It provides an equitable and sound basis for determining industry's share of the development cost, after the fact, and not before development of the SST.

Congress is now being called upon to authorize huge sums to finance the war in Vietnam, and for enlarged and expanded domestic programs. Appropriated funds required for our defense come first, especially since the President reports a long and hard war is ahead.

I strongly support the provisions of the bill I have introduced and sincerely hope all Members will recognize the wisdom of achieving the objective of developing the SST with private funds.

SERVICE FOR VIETNAM VETERANS

Mr. HALPERN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HALPERN. Mr. Speaker, some disquieting information has reached me which I believe should be of concern to the House. As a member of the Veterans' Affairs Committee, I would want to see that those who serve in Vietnam and return home, especially the wounded, are granted all the service to which they are entitled and which a grateful Nation can bestow.

I have learned with dismay that an inexcusable backlog, due to lack of administrative machinery to process discharges, has resulted in the virtual confinement of Purple Heart cases.

I understand that the situation prevailing at the Forest Glen facility at Walter Reed is characteristic of other medical separation centers. At Walter Reed, wounded veterans from Vietnam, who have already undergone thorough treatment, are made to wait for prolonged periods before they can be released to return home. In other words, despite the fact that they have received all possible treatment and are ready for discharge, they are kept from returning to civilian life, mainly because of bureaucratic redtape.

Military authorities state that the reason for this delay is that men must await due process of boards to adjudge disability ratings. Their treatment is completed; their medical case files are in order; but they must wait for a brief appearance before the disability board. I quite agree that this separation process is essential.

However, in some instances wounded veterans have been detained for as long as 2 months while awaiting their cases before the board. It seems to me outrageous that men who bore the brunt of battle in Vietnam and who suffered amputations and other injuries are prevented from rejoining their families because of the shortcomings of the separation system. In this age, it is unconscionable that we lack the personnel and the means to discharge these men without undue delay.

Anything short of an expeditious and efficient separation worthy of the courage of these wounded men fails to recognize their gallantry and sacrifices. It seems the least a grateful Nation can do.

The urgency of the situation is dramatized by the news that last week's total wounded in Vietnam action was 747, representing over 100 per day. Many of these wounded will soon arrive back in the States, increasing the number of those detained by the already jammed facilities.

I think we should do everything possible to expedite final clearance procedures for these men.

If it is any consolation to those who are now inexcusably bogged down in administrative redtape, I am certain that once their cases are passed on to the Veterans' Administration, they will receive the benefit of the efficient processes of the highly experienced VA.

THE SELECTIVE SERVICE SYSTEM

Mr. BRAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. BRAY. Mr. Speaker, for over 25 years Lt. Gen. Lewis B. Hershey, Director of the Selective Service System, has been sending "greetings" to draftees. His name has become synonymous with the Selective Service and all too frequently attacks at the System itself have been aimed directly at him. This is wrong and quite unfair to a man who has served his country so admirably for so many years and who at age 72 is still going strong.

There is much confusion and misunderstanding over just what the prime function of the Selective Service System is. It is primarily to select a man and deliver him to the Armed Forces. Selective Service does not prescribe nor administer the mental and physical examinations, for instance. It was the Army that refused to take Cassius Clay originally, and the blame cast upon Selective Service was in error. All Selective Service did was reclassify him after the Army had delivered its first opinion of him; that is, after Clay had failed the mental examination. Now that the Army has lowered its standards—mark that well, the Army has changed, not Selective Service—Clay has been reconsidered and reclassified, and it is incumbent upon all Selective Service boards to reshape their classifications, based upon the Army's changed requirements.

The deferment process is also misunderstood. The only deferment specified by law is I–S. This category applies to high school students who are of registration age—18—but not yet 20; they hold this classification until graduation or age 20 or until they cease to attend school. It also applies to college students until the end of the academic year. Deferments beyond the academic year are solely the result of Presidential direction. On the basis of the law itself, college deferments would only be for the completion of the academic year.

At this time plans are underway for a series of tests and examinations to be given to college students on behalf of the Selective Service System to determine their progress and academic ability. This was last done during the Korean war. It very well may lead to reclassification for many.

The real authority as far as the drafting of men into the armed services is concerned lies with the President. The Chief Executive is specifically given the power to select and induct as many men as are required. The Selective Service System merely follows policy set by the President and his advisers.

It is the same situation in the case of deferments. Save for the student deferments specified by law, the President has the authority and responsibility to provide, by rules and regulations, for deferments involving occupations, dependency and fitness. Recent cancellation of an order exempting men married before a certain date from induction is a good example of this.

As the U.S. Government Organization Manual states:

> The purpose of the Selective Service System is to assure the Armed Forces a supply of manpower adequate to insure the security of the United States, with concomitant regard for the maintenance of an effective national economy.

It is the President who decides the number desired and what their qualifications should be. The Selective Service merely processes the young men and establishes their priority under existing law and presidential directives.

The House Armed Services Committee will in the near future review the operation of the Selective Service System to determine whether additional legislation is needed.

NEWT GRAHAM LOCK AND DAM

Mr. BELCHER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. BELCHER. Mr. Speaker, today I have placed in the hopper a bill that I hope in some small way will pay proper tribute to a dear and personal friend of mine, the late Newt Graham, of Oklahoma. I have asked that lock and dam No. 18 on the Verdigris River in Oklahoma, and the lake created thereby, be named for this wonderful Oklahoman, and that they be called the Newt Graham lock and dam and the Newt Graham Lake.

This small honor is not one that I had to pull out of the thin air; for Newt Graham's fondest dream for many long years was the development of the Arkansas River Basin. Why, I can remember Newt talking enthusiastically about his ideas when in some places along this little stream it was so narrow you could step across it. And you can imagine what a good many of the home folk thought about such a "wild dream" at that early stage.

But my good friend did not falter. He kept right on working toward his goal. And I can remember the magnificent job he did in selling this project to one Governor after another who had never heard of such a thing—one of them being the late Senator Kerr when he was Governor. Newt Graham just was not fickle—he carried a torch for this dream to the end.

For as long as I can remember almost, my dear and personal friend kept at this post of duty, with great vision, and I feel did more than any other man to to get the Arkansas River development basin started. Year in and year out, season in and season out, Newt's work never ceased in this endeavor.

A few years ago, dear old Newt passed away without living long enough to see the completion of his finest dream; and perhaps without realizing the great gratitude that not only Oklahomans felt for him, but also the folk in Arkansas and Kansas—for the Arkansas River development basin has literally meant the life of a good many locations in these States.

I am happy and honored to try in some small way to perpetuate the memory of this fine Oklahoman by asking that this lock and dam and the lake be created in tribute to him. And I know this will meet with the great approval of the thousands of friends Newt has in Oklahoma, Kansas, and Arkansas, who knew him over those trying years.

Someone has wisely said that the good a man does lives after him. This is certainly proved true in the case of my dear friend, Newt Graham.

JOB CORPS DISCIPLINE

Mr. QUIE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. QUIE. Mr. Speaker, on January 7, 1966, my colleague, the gentleman from New York [Mr. GOODELL] and I took the floor to discuss a serious incident that occurred at a Job Corps Camp in Mountain Home, Idaho. We described an attack by a Job Corps enrollee on a fellow corpsman. The reason that we brought the attention of our colleagues to this unfortunate occurrence was to point out the lax enrollment and disciplinary procedure of OEO that is endangering the entire Job Corps concept.

I am gratified to learn that other persons, more intimately involved with Job Corps operations, are also concerned about present procedures and share our desire to see the potential of the Job Corps concept be fulfilled.

The Washington Evening Star carried a front-page article yesterday, March 2, which described a directive issued by Mr. Charles H. Stoddard, Director of the Bureau of Land Management which runs six Job Corps centers, including the one in Mountain Home, Idaho. According to the Star, the directive orders directors of Interior Department Job Corps centers to disregard procedures established by OEO that no enrollees may be dismissed without clearance by OEO. Mr.

Stoddard says that his camp directors, contrary to OEO policy, may refuse to accept enrollees whose advance records indicate the enrollee has a history of serious and repeated law offenses.

Serious disciplinary problems are said to be caused in the centers by present policies and, as an example of such problems, Mr. Stoddard described the same incident to which Congressman GOODELL and I referred about a month ago. In the words of Mr. Stoddard:

> On October 19, 1965, we were notified by the center director at Mountain Home that 18 enrollees of a group of 37 scheduled for input at his center had criminal records, several with serious and repeated offenses. In spite of appeals from the center director and from the departmental Job Corps staff, OEO proceeded with the scheduled input. One of these enrollees performed the stabbing which led to the recent notoriety at that center.

I might remind my colleagues that in answer to our remarks about this same incident in January, one of our colleagues stated that the Job Corps authorities at Mountain Home had no knowledge of the criminal record of Mr. Jones. The Office of Economic Opportunity did not give my colleagues the correct information. The welfare of Job Corps enrollees is being sacrificed to maintain a favorable public relations image for OEO.

I would like to commend Mr. Stoddard for his forthright stand in recognizing the problems in the operation of the Job Corps program and taking measures to correct them. It is regrettable that one Federal agency has to defy another agency, but I hope that OEO will soon adopt the wise and sound policy acceptable to Mr. Stoddard.

Mr. Speaker, I ask permission at this point to include the article from the Evening Star:

[From the Washington (D.C.) Evening Star, Mar. 2, 1966]

OUST UNSUITABLE BOYS, SIX JOB CORPS UNITS TOLD—BUREAU OF LAND MANAGEMENT ACTING ALSO TO BAR FURTHER PROBLEM RECRUITS

(By Orr Kelly)

The directors of the six Job Corps Conservation Centers operated by the Bureau of Land Management have been ordered to refuse to accept delivery of problem boys and to discharge unsuitable corpsmen.

Charles H. Stoddard, Director of the Bureau, said he had held up the effective date of the order during the negotiations with the Office of Economic Opportunity but that it would go into effect in a week.

His order, issued in a teletype message February 24, is the first open break between OEO and the head of one of the many Government agencies that operate the Job Corps camps. Many others, however, are reported to be as disturbed as Stoddard.

Stoddard's order, which was obtained by the Star from sources outside the Department of the Interior, said:

DISCHARGES URGED

"It is apparent from continuing incidents at your centers that poor screening of candidates for enrollment in the program has and is having a deleterious effect on the program. Additionally, your lack of authority to immediately discharge unsuitable corpsmen has led to serious troubles in maintaining discipline.

"For above reasons I direct you to review records you now have on your corpsmen and to discharge immediately any who show a history of serious and repeated offenses against persons or propery, extreme sexual deviation, or emotional disturbances.

"You will take this action without regard to procedures established by OEO when delay will cause overburdening of your staff, adverse community relations, escalation of discipline problems with other corpsmen, or serious morale problems at your center.

REJECTIONS ORDERED

"As you receive additional new enrollees and advance records indicate problems of the stature stated above, you will not accept delivery of corpsmen but will return them to their homes immediately.

"Should you be questioned from any source as to your authority to take the above actions, you will quote this communication from me."

Stoddard said the Bureau of Land Management, a part of the Interior Department, operates the six Job Corps centers with money appropriated for that purpose. The centers have an enrollment of about 1,000 youths, with a weekly turnover of about 5 percent, he said.

The OEO retains control over education and discipline, he said, and all cases involving major disciplinary action must be cleared with OEO in Washington. "It is days and sometimes weeks," he said "before a decision comes back from Washington."

SPECIFIC CASES SOUGHT

Directors of the centers have been asked to send Stoddard reports of specific cases to back up his order giving them disciplinary authority.

"I hope to have a good, tight case in a week or so," he said.

Stoddard said he had heard nothing directly from OEO since his order went out, but "we've been talking to them for a year and getting nowhere."

One of Stoddard's major complaints is that the OEO does not operate screening centers and the result has been that youths with criminal records and serious emotional disturbances have caused serious problems at the Job Corps centers.

In a memorandum to Secretary of the Interior Stewart L. Udall telling about his order, Stoddard said:

"Over many years the BLM has built favorable relations with communities in which our field operations are situated. Assurance was given the public that youths who show a history of serious and repeated offenses against persons or property would not be enrolled in the program. This has not been the case.

"To illustrate this point, I cite the difficulties experienced at our center at Mountain Home, Idaho, which was the subject of considerable discussion recently in the House of Representatives.

"On October 19, 1965, we were notified by the center director at Mountain Home that 18 enrollees of a group of 37 scheduled for input at his center had criminal records, several with serious and repeated offenses. In spite of appeals from the center director and from the departmental Job Corps staff, OEO proceeded with the scheduled input. One of these enrollees performed the stabbing which led to the recent notoriety at that center."

OTHER INCIDENTS CITED

In a separate statement of the underlying reasons for his order, Stoddard cited a number of other incidents and said:

"This series of events need not have occurred. From the beginning the record will show that I have asked for disciplinary authority on the part of center director who is in the final analysis as responsible for his camp as the captain of his ship.

"Furthermore, I have exhausted every channel of communication to urge OEO to establish reception centers as a means of screening misfits, outfitting, providing medical examinations and adequate orientation prior to arrival at camp * * *.

"Many people in the national conservation movement who worked strongly for the passage of the Antipoverty Act did so only because the Youth Conservation Corps program was an integral part of it. They are deeply concerned over the failure to date, and wish to see corrective action taken immediately.

POORER QUALITY DUE

"But in December the Federal conservation agency liaison people were told that the enrollee input would be of poorer quality than previously and that boys not capable of meeting urban center standards would go to conservation centers. If these moves were not calculated to ruin the program this could be their only result.

"If OEO will establish reception centers and delegate adequate disciplinary authority to Job Corps camp directors, these easily preventable situations will not occur. As soon as this is done, I will be glad to rescind my order of February 24. Furthermore, I will request a leave of absence from the Secretary of Interior to direct this program into a successful operation."

The Bureau operates Job Corps Centers at Kingman, Ariz., Mountain Home, Idaho, Antelope Mesa, Nev., Fort Vannoy and Tillamook, Oreg., and Castle Valley, Utah.

Other centers are operated by Interior's Bureau of Reclamation, Bureau of Sport Fisheries and Wildlife, National Park Service, and Bureau of Indian Affairs, the Department of Agriculture's Forest Service, and the California Resources Agency.

JOB CORPS

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. GIBBONS. Mr. Speaker, I do not have any prepared remarks, but I have done some on-the-spot investigation of the charge that has just been made here by my colleague, the gentleman from Minnesota [Mr. QUIE]. I talked to Mr. Stoddard last night as soon as the article to which the gentleman referred appeared in the newspaper, and he appeared at my request in my office this morning.

I said, "Mr. Stoddard, let me see the documentation you have for this charge. How many people do you know of? How many corpsmen have you asked to have discharged because of their character and record?" I said, "Has it been more than 100?" He did not know. I said, "Has it been less than 10?" He did not know.

I submit to my colleagues this man is the kind of man who, when he sees a fire, would throw gasoline on it rather than try to put it out.

The whole purpose of the Economic Opportunity Act and the Job Corps Centers is to take disadvantaged people from disadvantaged surroundings and try to uplift them, try to make productive citizens out of them. That is what we are trying to do.

When you deal with this segment of society, you are going to have a few problems. We cannot run away from those problems. These problems exist. We as Americans and Christians have a responsibility to do something about them.

I would suggest that my colleague pay a little more attention to how these camps are operated and not criticize so much. If he does criticize, I suggest that he get his facts straight.

CONGRESSIONAL AWARD OF THE VETERANS OF FOREIGN WARS TO SENATOR EVERETT McKINLEY DIRKSEN

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, the able and distinguished minority leader of the other body of this Legislature has been named the recipient of the Congressional Award of the Veterans of Foreign Wars of the United States for his outstanding work in Congress. I know that all of my colleagues in the House of Representatives join with me in congratulating Senator DIRKSEN. And this House will be overwhelmingly represented at the VFW's Congressional Award dinner on Tuesday, March 8, at the Sheraton-Park Hotel.

I want to say that all of us in the Congress of the United States share in this annual award by the VFW. There are 535 of us, to be sure, but when one Member of either House is singled out, it is still an honor bestowed upon all of us.

Mr. DIRKSEN has served his Nation and his State of Illinois with great distinction for 30 years. Prior to being elected to the Senate he sat in this body for many years and was an outstanding Member of the House.

I wish to point out that Senator DIRKSEN joins in the most distinguished of congressional company in receiving this Veterans of Foreign Wars Congressional Award. Last year the recipient was our distinguished and beloved Speaker himself, the Honorable JOHN MCCORMACK. The first recipient was the distinguished Senator CARL HAYDEN, of Arizona, President pro tempore of the U.S. Senate.

The Veterans of Foreign Wars of the United States should be congratulated for the outstanding leaders of our Nation they have chosen as recipients of their award. Upon the plaque the following words are inscribed:

> For outstanding service to the Nation.

It is the hope of the VFW, that by presenting this annual award, they will publicize, not only for their membership of 1,300,000, but also for the entire Nation, the importance of the role of a freely elected Legislature.

The VFW Congressional Award takes into account the attitude the recipient has toward his legislative duties and responsibilities, the degree of respect held toward him by his fellow legislators, his efforts to harmonize civil-military relations and the success of those efforts, the balance he has been able to achieve between the national interest and the interest of his own constituency and State, his diligence and hard work during his tenure in the Congress, the contributions he had made over the years to the effectiveness of the House of which he is a Member. And, above all, Mr. Speaker, the VFW recipient is chosen for his unswerving devotion to the principles of our great and mighty Nation.

I wish now to list the six criteria the Veterans of Foreign Wars uses in its guidelines in presenting this distinguished award:

First. Contribution to the preservation and perpetuation of the ideals upon which the American system of government is based.

Second. Recognition by his colleagues of his service, whether that service be one of quiet dedication and hard work or one achieving wide publicity, to the best and highest interest of the Nation.

Third. Exemplification of the principles of civic duty shared by the VFW, which emphasize the individual, the community, the State, and the Nation.

Fourth. Unswerving loyalty to, and active performance in, the defense and security of the Nation against its foes, whomever and wherever they may be.

Fifth. Compassionate, practical attention to the needs of those men and women who have selflessly given of themselves to the service of America, not only in its wars, but in peaceful pursuits as well.

Sixth. Dedication to his legislative responsibilities over a period of years and continuous growth in legislative responsibility and experience, not only in fields of special interest to any particular group in American life but in his overall stewardship.

These are lofty criteria, Mr. Speaker, and the Veterans of Foreign Wars have chosen the best men for their awards. I commend them, and I congratulate once again the man from Pekin, Ill., Senator EVERETT MCKINLEY DIRKSEN.

VOICE-OF-DEMOCRACY CONTEST

Mr. WALKER of New Mexico. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. WALKER of New Mexico. Mr. Speaker, each year the Veterans of Foreign Wars of the United States and its ladies' auxiliary conducts a voice-of-democracy contest. This year over 300,000 students participated in the contest, competing for the five scholarships which are awarded as the top prizes.

The winning contestant from my State of New Mexico is Tom Boyd, of Alamogordo, N. Mex. He will attend the Veterans of Foreign Wars annual congressional dinner at the Sheraton-Park Hotel here in Washington on March 8. His entry will be judged in the final national competition. Since I feel that this young man has prepared a very outstanding paper, I am calling it to your attention:

DEMOCRACY—THE RULE OF THE FUTURE

Over 7,000 years ago man first began to leave marks of his presence on our earth. His surroundings were lit by his own ingenuity, but his people were starving. They starved in Africa, Asia, Europe, and in the Western Hemisphere. For 60 known centuries mankind has starved. Man has worn the chains and shackles of slavery for these same 60 centuries. Now, whether these chains have led to a jeweled throne or to a witch doctor's grass hut, he has worn them just the same.

Periods of freedom for man have been but infrequent breaths of fresh air when contrasted with the stagnation of tyranny and of despotism. The masses of Asia have been under the thumb of oppression since the beginning of time. For literally thousands of years the Egyptians were under their despotic Pharaohs. The Greek democracies were something new on the scene, but they didn't last long enough to change human nature. They were subverted by men who were both greedy and power hungry. The Romans, in their republic after the seven kings, had a brief interlude of what we enjoy today; but, again, this lasted only as long as the people were able to keep a vital concern for their government. The great Roman Republic turned into the great Roman Empire, and just how did this empire fall? It fell from within. It fell because its people, the very foundation of the empire, decayed morally.

To me, this provides an insight into the meaning of democracy. Democracy is a battle going uphill. Democracy is a fight against the weak points in mankind. Man is greedy and man is unfair, but every now and then there comes a chance for man to become great, to treat his fellow man as an equal, and to give everyone a fair chance. The Socialists claim they have something new. So also do the Communists, the Nazis, the Anarchists. They have nothing new. Despotism, tyranny, dictatorship, greed, all going under the name of public welfare, are hoaxes that have been perpetrated before. These are not the marks of progress, because they are taking us back into the primeval forests of antiquity. Democracy is positive action against the faults of man, while tyranny is an exploitation of them.

Our democracy is a government of law, not men. The Communists claim that we are being oppressed by our "capitalistic lords." Our "capitalistic lords" symbolize America's achievement. We all endeavor to obtain what these men possess. They are protected by the same laws that we are. This must be so, because in America, as in no other nation, the poor man, such as John D. Rockefeller the first, may someday become what the fabulous Rockefeller fortune means to us today. Both the rich man and the poor man must be protected from themselves, and from each other. This is why we must respect our laws. The law is the glue that binds our individual differences together. When we lose our respect for the law, the glue is diluted, so to speak, and our democracy falls apart in disunity. It is this unity that presents one of the strongest points in our Nation today. We must remember that it was a united America that defeated the Kaiser of World War I, and that it was a united America that defeated the Axis powers of World War II.

A wise Scotsman stated in 1790 that eternal vigilance is the price of liberty. He was absolutely correct. Keeping the status quo is not enough. Democracy is an uphill battle. We must not stick our heads in the sand and wait for the mountain to right itself, so that we will not have to fight our way up the hill. We are fighting against our own weaknesses, and for our own ideals.

It is the duty of my generation to keep up the vigil of Curran; it is the duty of my generation to keep up the defense of our Nation against its enemies. It is the duty of my generation to become educated in the ways of the past. A famous historian once said that those who will not learn from the mistakes of the past are doomed to repeat them. And finally, it is the duty of my generation to become the educated, responsible, cooperative, and productive citizens of our democracy, so that, hopefully, we can make freedom the rule of the future, since it has been the exception of the past.

CONGRESSMAN HORTON SPONSORS LEGISLATION TO BLOCK THEFT OF FAMILY PETS

Mr. HORTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, I am introducing today a bill which would regulate the heartless traffic in dogs and cats that find their way into research laboratories.

For several sessions of Congress now, we have considered bills intended to secure the humane treatment of laboratory animals. It is, as many of you know, an issue which arouses very strong emotions among both supporters and opponents of the proposed legislation. This seems to me quite natural. A respect for life in all its forms and a desire to spare any feeling, living thing from pain and fear are hallmarks of our civilization. In its application to human beings this intellectual and emotional tradition reaches its highest expression. In one of its manifestations, it has led us to undertake a vast and breathtakingly productive program of medical research which necessarily involves the use of animals in the study of surgical techniques, diseases, drugs, and devices and, so, the inflicting of pain and, occasionally, of fear.

This is most regrettable—and, unquestionably, animals used for research should be spared any unnecessary degree of suffering. But my own experience, especially a tour of the University of Rochester's animal research facilities which I was invited to make, convinces me that most laboratory animals are receiving good care and humane treatment.

Current practices in the wholesaling of animals intended for use in research is another matter. Articles in major national periodicals and much of the testimony received in hearings on the matter have detailed the shocking and enormously lucrative operating procedures of the business—theft, brutality, deception. Surely we can preserve the health and lives of animals legally intended for research. Surely we must protect the thousands of household pets stolen each year and the children who love them.

My bill provides for the licensing of animal dealers and the inspection of their facilities and records, directs the Secretary of Agriculture to promulgate standards governing the handling and transportation of dogs and cats, and requires that research facilities obtain animals only from licensed dealers.

Such legislation would go far toward eliminating conditions which are an affront to both personal and business ethics and a disservice to the quality of scientific research in this country.

Mr. Speaker, I might point out that much of the motivation I received for my sponsorship of this legislation came from an example of journalistic enterprise in my home community of Rochester, N.Y. Democrat & Chronicle reporters John Van Buren and Phil Geyer wrote a four-part series earlier this year in which they disclosed the results of their investigation into the despicable practices of those who were carrying on commerce in the field my bill is intended to block. Called "The Dog Dealers," this series already has earned widespread public acclaim and attention. For its pertinence to my proposal and the information it offers, I am pleased to insert Mr. Van Buren's and Mr. Geyer's reports with my remarks at this point in the RECORD:

[From the Rochester (N.Y.) Democrat and Chronicle, Jan. 23, 1966]

WIDESPREAD VIOLATIONS OF LAW REPORTED—IMPOUNDED CANINES GO TO MIDDLEMEN, SOLD FOR RESEARCH

(NOTE.—More and more unlicensed dogs are being sold to research laboratories by dealers who get the animals free from wardens. In this the first of a series of articles, Democrat and Chronicle science writer Jack Van Buren and Phil Geyer, a special correspondent for the Democrat and Chronicle uncover some details of the growing trade in stray dogs in the Rochester area.)

(By Phil Geyer and John Van Buren)

There are widespread violations in Rochester area counties of State laws that regulate the disposal of stray and unlicensed dogs seized by wardens.

A month-long investigation by the Democrat and Chronicle disclosed that hundreds of impounded dogs are being handed over to dealers who sell the animals to research laboratories for as much as $25 apiece.

Informed by this newspaper of the practice, State officials said it was illegal on several counts. Among them:

Wardens have no authority to give away impounded dogs to anyone. State law requires wardens to hold the dogs for a specified time and then dispose of them by one of two ways: Either destroy the dogs or sell them for their "fair and reasonable value," the money to go into public coffers.

Dealers are not purchasing licenses for dogs they are given by wardens. State law makes it an offense for anyone to own or harbor an unlicensed dog.

The Hatch-Metcalf Law, enacted in 1952, specifies how research laboratories may obtain impounded dogs. Laboratories approved by the State health department must requisition the animals directly from pounds, and pay a reimbursement charge of $4.50 per dog.

The newspaper investigation uncovered slipshod recordkeeping by many wardens and a reluctance by some to discuss arrangements with dealers.

One warden, who was evasive about how he disposed of dogs, told a newsman: "If you print a word about me, watch out!"

A dealer warned another inquiring newsman: "I'd just as soon shoot a reporter as I would a dog."

Some wardens maintain no records at all. Others put out misleading, incomplete reports. Only a few—the most notable being Rochester's City Pound—keep adequate records and file a report, required every time a dog is destroyed.

It was found that dealers are operating in a vacuum of public control. There are no State laws requiring that dealers be licensed or approved and inspected.

Dealers themselves destroy many dogs that they can't sell to research institutions. State officials termed this destruction "questionable" since it appears the dealers are not obtaining clear ownership to impounded animals.

Although the traffic in dogs for research is apparently a growing business, its full extent in western New York is not known, chiefly due to the lack of adequate recordkeeping by wardens and the evasiveness of some in discussing the matter.

However, a few wardens who refuse to turn animals over to dealers say they are frequently approached by individuals who seek to make arrangements for obtaining impounded dogs and cats.

As Yates County Warden Warren Wilson explained it: "A couple of dozen of those fellows have come around in the last few years, and some of them from as far away as Pennsylvania * * *. I always tell them I don't want to get involved in that kind of business."

Wilson said some dealers had offered to pay him "a couple of dollars for every dog I gave them."

At least five counties, it was learned, are handing over impounded dogs to dealers.

Genesee, Livingston, and Wyoming Counties are giving about 2,000 dogs every year to a dealer, Donald Stumbo, of Lima, a onetime dog warden for Ontario County.

Cenesee County, where deputy sheriffs serve as dog wardens, gives Stumbo its unwanted, unlicensed dogs under a contract made between the board of supervisors and the dealer. The contract provides that Stumbo will take all dogs and cats from the Genesee County Dog Pound at no expense to the county. The county's records shows 911 dogs given to Stumbo last year, and about 800 annually during the years 1961–64.

Batavia City Dog Warden Edward Zack said his city has a similar unwritten agreement with Stumbo. Zack said unlicensed and stray animals picked up in Batavia are taken to the Genesee County Pound. He reported that between 1961 and 1965 Stumbo received 658 dogs and 86 cats from Batavia in this manner.

Article 7, section 114 of the State agriculture and markets law is quite specific as to the disposition of animals seized in a city or county. It reads:

"The owner of a dog seized may redeem the dog within 3 days, if the seizure be within a city, and within 5 days if elsewhere within the State, by producing to the person seizing the dog a license for the dog and by paying the clerk the sum of $5 as the cost of seizure. If not so redeemed, the owner shall forfeit all title to the dog and the dog shall be sold or killed by the peace officer or such representative (the dog warden). In the case of sale, the purchaser must pay the purchase price to the clerk and also obtain a license for the dog."

Mrs. Helen M. Kehrer, head of the State agriculture department's dog licensing bureau in Albany, said Genesee County's written contract with Stumbo, and Batavia's unwritten agreement, are "improper." She cited State laws that permit contracts for the impounding and destruction of dogs to be made only with other public pounds or with "any incorporated society for the prevention of cruelty to animals or similar incorporated dog protective association."

In Livingston County, the dog warden, Robert Dennison, turns over all dogs not claimed within the waiting period to Stumbo, and in some cases even delivers the dogs to the dealer. About 500 stray and unlicensed dogs are seized anually in Livingston County, and about 80 percent of these animals have been given to Stumbo in the last 5 years.

In Wyoming County, there is a middleman arrangement. The sheriff, who serves as dog warden, turns seized dogs over to Rollin Richert, a farmer in Varysburg. Richert, who receives no payment from the county, holds the dogs for the specified waiting period and, if he can't find the owners, sells them to Stumbo for between $3 and $10 each.

The county's records do not state how many animals were given to Stumbo. Last year's annual report simply says there were 254 complaints of dogs, and 114 were picked up.

"They have either been disposed of or homes found for them," the report says.

Richert himself estimated he sold 100 dogs to Stumbo last year.

In Orleans County, Dog Warden Lorne McMurray, Sr., when pressed for figures, reported that he picked up 572 dogs and cats during 1961–1963. He said he couldn't find his 1964 figures, and hadn't yet prepared a report for last year.

Asked for the disposition of the 572 animals picked up during the 3 preceding years, he said 172 were destroyed and homes were found for 100. What about the other 300?

McMurray denied he turned them over to a dealer, then admitted he gives them to someone in Barre, from where he says he understands "the bulk of them go to Roswell Park Memorial Institute in Buffalo," the State's cancer research center.

McMurray refused to name the person in Barre, saying "I would rather not have the guy's name publicized." The dog warden said he gives the animals to the dealer, "I don't sell them."

Asked if he was aware that under the law he cannot give impounded dogs away, McMurray said he was not.

In some counties to the east of Rochester, there is evidence that impounded dogs are being or have been turned over to dealers who sell them to research institutions in Syracuse. Mrs. Gladys Shultz, dog warden for the northern half of Seneca County, said she took over the job just 2 weeks ago and intends either to find homes for dogs or have them destroyed. She said she understood that some of the dogs impounded in that area used to be given to dealers who sold them for research.

Mrs. Shultz said her predecessor left her no records.

Like Mrs. Shultz, Yates County Warden Wilson, although refusing to take part in any arrangements with dealers, said he's heard of a lot of activity by dealers in that area to obtain dogs for research at Ithaca and Syracuse.

The situation in Steuben County is murky. Stumbo said he's obtaining dogs from there. However, Eldon Jamieson, Jr., who recently vacated the job as dog warden, was evasive about the disposition of dogs impounded in Steuben and maintained that most were destroyed. He could supply no records of the disposition of between 300 and 400 dogs he picked up annually.

Stumbo said he delivered approximately 2,000 dogs in 1964 to the University of Rochester Medical Center and about half that number last year. He also supplies dogs for Northside Division of Rochester General Hospital.

Jack Pontin, director of the UR animal house, said the university paid Stumbo between $12 and $25 for dogs, the price varying with the size of the animal. George Cederberg, assistant director of Rochester General, said the hospital paid Stumbo $20 for every dog; he said figures were not immediately available on how many dogs have been bought from Stumbo.

[From the Rochester (N.Y.) Democrat and Chronicle, Jan. 24, 1966]

LABS PAY UP TO $25 FOR DOG FOR RESEARCH—THE DOG DEALERS

(NOTE.—More and more unlicensed dogs are being sold to research laboratories by dealers who get the animals free from wardens. In this second of articles, Democrat and Chronicle Science Writer Jack Van Buren and Phil Geyer, a special correspondent for the Democrat and Chronicle, uncover some details of the growing trade in stray dogs in the Rochester area.)

(By John Van Buren and Phil Geyer)

"I'm an honest businessman who is doing nothing wrong by supplying dogs for research," a dealer said.

The dealer, Donald Stumbo, of Lima, a former dog warden for Ontario County, obtains about 2,000 impounded dogs a year from Genesee, Livingston, Steuben, and Wyoming Counties, and sells them for up to $25 apiece to research laboratories. He shoots those dogs he cannot sell.

Stumbo said he pays the counties nothing for the dogs. In Wyoming County, however, he does pay between $3 and $10 per dog to Rollin Richert, a farmer in Varysburg. Richert, who is not employed by the county, is given unlicensed or stray dogs picked up by sheriff's deputies, who serve as dog wardens in Wyoming.

State laws require wardens, after holding dogs for a specified period (5 days in counties, 3 days in cities), to either destroy the animals or sell them. If sold, the money is to go to the county or town clerk where bought, and the purchaser must buy a dog license. If destroyed, a written report of the killing must be filed with the clerk.

Stumbo said he does not buy licenses for the dogs he receives, nor does he file reports for the dogs he destroys. A check showed that wardens in Genesee, Livingston, Steuben, Wyoming, and most other rural counties are also not filing the reports on dogs that are destroyed.

In an interview, Stumbo stressed that he did not require a license to deal in dogs for research. (There are no laws requiring that a dealer be licensed or approved and inspected.)

Stumbo and officials in the counties he deals with maintain his operation is saving the counties thousands of dollars. He noted that Ontario County, where unclaimed, impounded dogs are destroyed, spends "$1,800 a year to put the dogs to sleep."

He argues that if all animals were destroyed by dog wardens, there would be no animals for research and the public would suffer. "Research with animals has added a great deal to the health of the American people," he said. "They used monkeys for the polio vaccine, pigs for skin grafting, and countless other findings have resulted from research with other animals."

The Hatch-Metcalf Act, a part of the State public health laws, specifies how impounded animals are to be acquired by research laboratories. The labs must obtain the animals directly from pounds, through a requisition issued by the State health commissioner, and pay a reimbursement charge of $4½ per dog.

Stumbo said he did not have such a requisition either from the State health commissioner or from laboratories he supplies, only agreements with the latter.

His records indicate the color, sex, and breed of dog, from where he obtained it, but they are not countersigned by dog wardens. He emphasizes that he does not buy dogs from individuals unless he knows they are the legitimate owners.

Stumbo said he's been dealing in dogs for research for about 16 years. "I used to supply pigs to laboratories which were doing research on radiation effects on skin," he said. After delivering pigs for awhile, he continued, "the labs asked me if I could deliver dogs, so I got into the dog business." He also supplies rabbits, goats, sheep, turkeys, and ducks.

DOG PRICES

The University of Rochester Medical Center is the largest purchaser of dogs from Stumbo. It bought about 2,000 dogs from him in 1964, about half that number last year. UR officials said Stumbo is paid between $12 and $25 a dog. Northside Division of Rochester General Hospital also purchases from Stumbo, paying $20 a dog.

Jack Pontin, director of the animal house at the UR Medical Center, maintained that the arrangement with Stumbo is economical and convenient. He indicated that the cost of procuring research dogs in rural counties would be substantially higher if the university had to transport them itself. Pontin and other officials of the UR Medical Center frequently visit Stumbo Farms to make sure animals there receive humane care. They said they have frequently made suggestions for the improvements and that Stumbo cooperates, being eager to improve his facilities.

The UR's second largest source of dogs is the Rochester city pound on Central Avenue. It obtains the pound dogs under the Hatch-Metcalf Act through requisitions from the State health commissioner.

THE ONLY WAY

"That's the only way I would give animals for research," said Anthony J. Marciano, the city's supervising dog warden. Marciano said the UR requisitioned 332 dogs in 1963, 603 in 1964, and 452 in 1965. He said the pound delivers the dogs to the UR, and the university pays a 50-cent transportation fee for each dog, in addition to the $4.50 charge per dog to reimburse the pound for the time it held the animal. He said Strasenburgh Laboratories at one time used to requisition animals.

Marciano, as well as Greece Dog Warden Robert J. Hearn, and Irondequoit Warden Charles Schicker, were aware of their legal responsibilities, in contrast to wardens in rural counties. All three said they knew it was illegal to hand over, free, impounded dogs to dealers or anyone else. They file complete reports on the disposition of dogs and see to it that individuals who purchase the animals obtain licenses.

Marciano said the pound charges $2 per dog when selling it to an individual as a pet. "We just can't give them away free," he stressed, citing the State law which requires that impounded dogs be sold.

The city pound destroys about 2,000 unclaimed dogs a year. Marciano said most of these animals did not meet requirements of research laboratories. While the requirements vary with needs, research institutions generally seek mature, healthy dogs weighing 30 pounds or more.

Marciano, Hearn, and Schicker all stated that they were aware that there is an extensive traffic in research animals. All have received overtures on occasion from dealers, but refuse to participate.

"I was recently approached by a dealer who said he was from the Penfield-Pittsford area," Schicker said. "I don't remember his name. I told him I would only give up animals for research upon requisition from the commissioner of health. That's what the law requires."

With the exception of Genesee County, records on the disposition of impounded dogs in rural counties are nonexistent or woefully incomplete. Mrs. Helen Kehrer, principal clerk of the dog-licensing bureau in the State Department of Agriculture and Markets in Albany, said the department makes record forms available to wardens.

"If records are not kept," she said, "how can the people who hire the dog warden know what he's doing?"

As it is, the records of most rural county wardens just indicate "dog picked up in the town of . . ." No description is given of the dog nor is a record kept on its disposition.

Officials and dog wardens in rural counties either don't know or don't seem to care what happens to impounded animals that are turned over to dealers. Robert Hart, chairman of the Livingston County Board of Supervisors, said he had no idea what the dog warden did with the dogs he seizes.

Genesee County Sheriff Frank Gavel, who serves as the dog warden, said he didn't know and didn't want to know what Stumbo did with the dogs he obtains from his county. Richert, the farmer who receives Wyoming County impounded dogs and sells them to Stumbo, said he didn't know what Stumbo did with the dogs, but he added: "I suspect they go for research."

The procurement by dealers of dogs for research has led to frequent and apparently unwarranted complaints of dognaping. Chief Deputy Douglas Welch of the Livingston County Sheriff's Office conducted a recent investigation into dognaping complaints in that area.

Livingston County District Attorney Scott Crane said: "We didn't find any violations of criminal law but there are certainly some things that need looking at from an administrative viewpoint, and we plan to continue to look into the matter."

As a result of the investigation, Assemblyman James L. Emery, Republican of Livingston, Genesee, has introduced a bill that would amend the penal law, making it a misdemeanor for persons dealing with supplying dogs for research, if they did not ascertain by reasonable inquiry that they had a legal right to the dog.

The bill also would require dealers to keep records of each purchase, a description of the dog, and the name of the person from whom purchased.

[From the Rochester (N.Y.) Democrat and Chronicle, Jan. 25, 1966]

LAX LEADERS LEAD TO DOG LAW ABUSE—THE DOG DEALERS

(NOTE.—More and more unlicensed dogs are being sold to research laboratories by dealers who get the animals free from county wardens. In the third article of their series, Democrat & Chronicle science writer Jack Van Buren and Phil Geyer, a special correspondent for the Democrat & Chronicle outline the State laws involved and the lack of enforcement.)

(By John Van Buren and Phil Geyer)

The failure of many rural county wardens to properly dispose of impounded dogs is largely due to a lack of supervision and enforcement on both local and State levels.

The State doesn't have one inspector in the field to advise wardens of their legal responsibilities and to see that seizure and licensing laws are being observed.

And many county officials either don't know or don't seem to care what wardens are doing with the dogs they seize.

The result is widespread violations of law.

As this newspaper's investigation has shown, there is a growing practice among rural wardens to hand over, free, impounded dogs to dealers who sell the animals to research laboratories for up to $25 each. Wardens cannot give seized dogs away, but must sell the animals or destroy them. What's more, wardens are not maintaining adequate records on the disposition of the dogs they pick up, and dealers are not buying licenses, as they should, for the dogs they get from the wardens.

The State department of agriculture and markets has the responsibility for administering the laws covering wardens, pounds, and dog licensing and seizure.

Questioned about whose responsibility it is to enforce the law, Dr. Grant S. Kaley, director of the department's division of animal industry, termed enforcement "a gray area."

Although his department has overall responsibility, he said, the job of enforcement is delegated by law to local jurisdictions.

"It would seem," he added, "that they would have to take action against any violations."

Dr. Kaley said the department doesn't have personnel to check up on wardens. All the department has are four women employees in the dog licensing bureau, and their main task is to administer the dog licensing program, he said.

Asked if he thought the department should have inspectors in the field, Dr. Kaley replied: "It would help." He pointed out that Pennsylvania has 31 State wardens who, among other things, supervise the operations of local dog wardens.

Several Rochester area county wardens attributed their confusion over State laws and regulations to "never seeing a State inspector," and to the "old laws."

Dr. Kaley said the department puts out a mimeograph sheet on responsibilities of dog wardens, and makes it available to communities upon request.

He agreed the law is antiquated and should be rewritten to specify the functions of wardens and to include, among other things, a provision for the licensing and inspection of dealers who sell dogs for research.

"The law," Dr. Kaley continued, "was written many years ago when there was not a great deal of need for research animals * * * and when there were not all these growing suburban areas with all their pets."

He noted that the dog population has increased many fold since the law was first written more than 40 years ago. Last year, the State canine population was counted at 898,451, an increase of 25,000 over the previous year.

Dr. Kaley expressed hope a legislative committee to study, revise, and modernize the laws relating to dogs, would be set up this year. "That would help the most," he said.

The general disinterest of rural county officials in what happens to seized dogs may stem largely from the fact that the job of dogcatcher is the lowest on the totem pole of political patronage. The job of dog warden changes hands frequently, rarely pays much more than $3,000 a year, and there is little or no exchange of information between an outgoing and incoming warden.

As Mrs. Gladys Schultz, the new dog warden for the northern half of Seneca County, put it: "My predecessor was a Democrat. I'm a Republican. I guess that's why he didn't leave me any records or give me any advice on how to do the job."

While there are no State laws to control the operations of dealers in dogs for research, there are laws governing the use of animals by laboratories. The Hatch-Metcalf law, enacted in 1952, gives the State health department this authority.

The department must approve and inspect laboratories to see that animals receive humane care and treatment. The department also issues requisitions to laboratories to enable the institutions to obtain impounded animals at a cost of $4.50 per dog.

Dr. George Snook, a State health department veterinarian who supervises the program, expressed surprise that research institutions are paying dealers up to $25 a dog when they could requisition them for much less under the Hatch-Metcalf law.

When told that labs claim the direct procurement of impounded dogs in rural counties would require costly transportation, Dr. Snook said: "Then the dealers ought to be licensed. That would put the business out in the open and above board."

[From the Rochester (N.Y.) Democrat and Chronicle, Jan. 26, 1966]

DOG IS MAN'S BEST FRIEND IN MEDICAL RESEARCH—THE DOG DEALERS

(NOTE.—More and more unlicensed dogs are being sold to research laboratories by dealers who get the animals free from county wardens. In previous articles, Democrat and Chronicle science writer Jack Van Buren and Phil Geyer, a special correspondent for the Democrat and Chronicle, covered the growing traffic in stray dogs, the State laws involved and the lack of enforcement. In this fourth and final article, Van Buren discusses the vital role dogs have in research.)

(By John Van Buren)

There is a mural in the Rochester Academy of Medicine that perhaps typifies the importance of the dog in medical research.

In the painting are portraits of many of the immortals of medicine—Banting, Jenner, Roentgen, Osler.

But in center position in the great mural is a female mongrel.

There probably isn't a physician alive who doesn't know her as "Margy."

Without this dog, which was diabetic, Dr. Frederick Banting never would have discovered insulin, a discovery that brought him the Nobel Prize and turned death into life for millions of human diabetics.

It was 45 years ago that Dr. Banting and "Margy" teamed up in Toronto to produce the miracle of insulin. Then, as now, the dog was as important to research as the scientist himself.

But the difference today is that the use of the dog in experimental medicine has grown manyfold, quadrupling in the last 10 years alone, directly paralleling the increased funds for research from Government and voluntary sources.

It is the tremendous growth in medical research that has increased the demand for dogs and led to the questionable procurement practices uncovered by this newspaper.

The investigation has shown that many rural county wardens are violating laws by turning over, free, thousands of impounded dogs to dealers who sell the animals to research laboratories for up to $25 apiece. It has shown that wardens are not keeping records on the disposition of dogs they seize, and that dealers are operating in a vacuum of public control.

While the newspaper series has not questioned the use of dogs in research, it would be incomplete if it did not discuss why dogs are needed for this work.

A classic paper on this subject was written 10 years ago by Dr. Sol M. Michaelson of the Department of Radiation Biology of the University of Rochester School of Medicine and Dentistry.

While other animals are used, the dog is the mainstay of medical research, Dr. Michaelson wrote, because its anatomy and physiology very closely resemble man's and because it suffers many of the diseases which afflict humans. Moreover, the dog is friendly, easy to maintain, relatively economical, and more is known about its body processes than any other animal.

"Dogs, in other words, have become more or less standardized animals," he continued. "Biologists can pretty well know what to expect from the various systems in a dog's body when they embark on any research project. By contrast, any other large animal which might be used * * * would need first to be standardized in the same way and, by a conservative estimate it would take about 25 years to accumulate this vast store of information for, let us say, goats or sheep."

Dr. Michaelson said dog surgery enables medical students and young surgeons to handle large tissue masses without endangering life. Besides their value for teaching purposes, dogs are used to amass more basic knowledge about body mechanics, to develop new preventives for disease, to test the effectiveness of new drugs before trying them on man, and to develop and test new diagnostic techniques.

"It would be little exaggeration," Dr. Michaelson said, "to say that more outstanding contributions to human welfare have been made through work on the dog than through work on any other creature. In fact a superficial scanning of the list of advances is more than enough to verify this statement."

In addition to citing Banting's discovery of insulin, Dr. Michaelson pointed to the following advances, all deriving from research dogs: the "blue baby" operation; the development of anesthetics; rabies vaccine; the bronchoscope; surgical procedures against cancer; knowledge of digestive processes; "open heart" surgery; the development of resuscitation techniques to save humans from drowning and electric shock; the effects of radiation.

The UR's Dr. George Hoyt Whipple, dean emeritus of the medical school, employed dogs in the now famed research that led to a cure for pernicious anemia. He received the Nobel Prize for his work, in which he learned that a diet rich in liver restored the blood of anemic dogs.

Dr. Michelson noted that "it is in the interest of the scientist to treat his animals well and obtain their confidence. A cooperative animal will greatly facilitate his work. A fearful, ill-tempered and uncooperative animal can be an expensive loss. It would be shortsighted and wasteful to attempt important research work if proper standards of animal care were not obtained."

By the same token, he said, it would be impractical for a scientist not to anesthetize and minimize pain in a research animal because it is virtually impossible to operate on a conscious, thrashing animal.

Officials at the UR and other laboratories are concerned that pets sometimes are received through dealers, and anxious that Federal proposals relating to dogs do not hamper research.

Dr. Harold C. Hodge, chairman of the UR Department of Pharmacology, has informed Congressmen, as a director of the New York State Society of Medical Research, that "humane care and treatment must be guaranteed for experimental animals during all stages of procurement, transport, and storage."

In letters to the New York State Congressmen, he also suggested that "extensive breeding and storage facilities should be established on farms especially devoted to experimental animals."

Mr. Speaker, I alluded previously to my tour of the animal research facilities at the University of Rochester's School of Medicine and Dentistry. Mr. Van Buren, science editor of the Democrat & Chronicle, accompanied me and reported the event to the newspaper's readers. The text of that article follows:

(By John Van Buren)

Representative Frank Horton yesterday received an odd collection of greetings, ranging from yaps to peeps as he turned his attention to 7,000 four-legged constituents who aid science at the University of Rochester Medical Center.

The Rochester Republican inspected the UR's animal research house and witnessed the use of animals in experimental projects. His impression was, he said, that they received "good care and humane treatment."

Horton decried the "emotionalism" of antivivisection protests, and told UR research officials, "I don't think you're getting your side of the story across."

The purpose of Horton's inspection was to obtain information on whether legislation is needed to tighten the regulation of the sale, care, and use of animals for research. Several proposals have been advanced in Congress that call for stringent Federal controls, which among other things would require prior approval virtually every time a scientist so much as touched an animal.

Although he has not taken a position on the proposals, Horton said he generally is opposed to any scheme that would arm Washington with "centralized control" over qualified research involving animals. He feels this would bring unnecessary redtape, which ultimately would destroy the scientific initiative that has produced many lifesaving "miracles."

However, Horton said he believes there is a need for legislation to control unscrupulous individuals who steal dogs, cats, and other pets and then offer them for sale to research facilities. Dr. Donald F. McDonald, professor and chairman of the UR division of urology, and Dr. Harold C. Hodge, professor and chairman of the department of pharmacology, and chairman of the medical center's animal research committee, both agreed.

Dr. McDonald informed Horton: "As a scientist with humanitarian goals, I regard the privilege of research on living animals as a sacred trust. No animal must suffer unnecessarily, no life must be sacrificed without purpose."

Horton inspected room after room of animals, from dogs to hamsters, and frequently complimented the UR officials on the cleanliness and care given the animals.

One experiment witnessed by Horton involved the transplantation of human bladder tumors to hamsters, and then subjecting the tumors to freezing temperatures. The hamsters are always anesthetized. Dr. McDonald told Horton that research indicates that the freezing liquifies the tumors while leaving adjacent normal tissue intact. The work promises a method for the successful control of human bladder tumors, which account for about 5 percent of all cancer deaths.

Mr. Speaker, beyond excellent newspaper coverage, my tour received newsfilm coverage by WROC-TV—Channel 8—in Rochester, N.Y. In fact, on the very evening of my visit WROC-TV News Director Tom Decker reported to his audience on it and included film footage. I am deeply indebted to Mr. Decker and to Reporter Bill Haley for the quality and thoroughness of their reporting responsibility. And, I insert Mr. Decker's script with my remarks at this point in the Record:

Horton Praises UR Medical School for Care of Animals Used in Research

Representative Frank Horton today praised the techniques used by the University of Rochester Medical Center in caring for animals used for scientific experiments. The animal center in the basement of the center contains 7,000 to 8,000 animals of all types, from rats and hamsters to monkeys and rabbits.

Horton conferred with Dr. Harold Hodge and Dr. Donald F. McDonald of the school faculty, and toured laboratory facilities in the urology research department. The Congressman is gathering information pertaining to legislation before Congress now to strengthen vivisection laws. Dr. McDonald told Horton that the laboratories require "ultimate cleanliness" because costly experimentation could be ruined with sick animals. Rooms full of animals will eventually be transferred to the new research center under construction.

Dr. Hodge told Horton that a requirement that research centers send reports on each animal to a Federal agency would be unnecessary, that the center is getting more control over animal sources. (Theft of pets is a concern in the new legislation * * * the University of Rochester keeps careful source records.) Jack Pontin is the man in charge of the animal center * * * and responsible for its cleanliness.

Horton appeared impressed with the faculty, and with the argument that without the use of animals, lifesaving experimentation in cancer and other ailments of mankind would be impossible.

When the next session of Congress convenes in Washington after the first of the year—one of the legislative matters which will be considered regards regulating the use of animals for medical research.

Congressman Frank Horton, in an effort to gain more knowledge on the subject, visited the Research Laboratory and Animal Center at the University of Rochester. He conferred with Dr. Harold Hodge and Dr. Donald McDonald of the school faculty. This animal section of the research center contains 7,000 to 8,000 animals of all types. Congressman Horton learned that the laboratories demand the ultimate in cleanliness for the simple reason that accurate research cannot be accomplished with sick animals.

Upon concluding his informational visit—Horton said he was favorably impressed with the facility, and better understands the thinking of scientists who say that without the use of animals lifesaving experimentation in cancer and other human ailments of mankind would be impossible.

CONGRESSMAN HORTON PRAISES "CONSCIENCE OF BUSINESS" SPEECH

Mr. HORTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, as many of my colleagues are aware, Xerox is my corporate constituent. I am proud to represent thousands of Xerox employees and prouder still of the economic expansion their work has meant for my home community of Rochester, N.Y.

Threading its way throughout the remarkable growth of Xerox is an ideal that business as much as the individual has a social responsibility. Xerox manifests this belief in a multitude of ways.

Sponsorship of public information television programs, the enrichment of culture and education, contributions to community welfare: These are roles played actively by Xerox.

I recently received from Robert L. D. Davidson, president of Westminster College in Fulton, Mo., a reprint of the John Findley Green lecture delivered last November 16 by my distinguished constituent, Joseph C. Wilson, president of Xerox Corp. It is entitled "The Conscience of Business."

Mr. Wilson's lecture embodies a practical philosophy for and a contemporary challenge to American industry and commerce. He points out that free enterprise not only needs to become involved in life but also can enjoy the experience. I take pleasure in sharing the text with my colleagues.

The Conscience of Business

(By Joseph C. Wilson, president, Xerox Corp., John Findley Green, lecturer, Westminster College, Fulton, Mo., Nov. 16, 1965)

Among many issues disturbing thoughtful people today is what responsibility business bears to society. Must businessmen be concerned about the "good," as in Utopia? Or should they, as Harvard's Theodore Levitt suggests, conduct business "as if it were a war * * * gallantly, daringly, and above all, not morally?"

The answer is not as easy as it would appear.

Like every issue with philosophical implications, the moral problem in business is linked to a universal human dilemma, and most businessmen find themselves uncomfortably on a spiked fence in the debate—caught between economic folklore and deeply personal human values.

Because businessmen's motives are traditionally suspect, many view them as bandits. Rarely, a few are accepted as benefactors.

If a businessman enters the dialog, he is marked by a large measure of suspicion. Those who yesterday said that the corporation was without soul, now seem in terror of the effects of corporate conscience. They advocate that business keep strictly to its economic knitting. They believe Levitt is right.

SOCIAL RESPONSIBILITIES

The polar opposite of Levitt's contention is that of Monroe Spaght, who recently became the first American to be chosen as managing director of Royal Dutch Shell. Here's what he says:

"However deeply a corporation is committed to finance, technology, or science, it cannot be purely financial or technological or scientific. For a corporation involves people, and it is therefore a social entity with definite and inherent social responsibilities."

Perhaps businessmen have never before been called upon more urgently to respond to that kind of thinking, or to Alfred North Whitehead's statement that: "a great society is a society in which its men of business think greatly of their functions."

The interests of business and the interests of society have never more closely joined. The hot and dangerous core of the challenge to the free world lies in the disparity between the material well-being of most Americans and the lacks of almost two-thirds of the rest of the human race.

It falls largely to business as the fundamental American institution of the 20th century to sustain a rate of economic growth sufficient to take care of the wants of our own population and, while doing so, to innovate rapidly enough to support government programs for defense and for essential foreign aid and development. We must invest heavily overseas to contribute to necessary agricultural and industrial development.

I sincerely believe that we can and will do these things, and by so doing we will have proved the validity of our free system and the concept that individual freedom, when tempered with self-imposed responsibility, is the essence of democratic life.

Ironically, it is in pursuit of these lofty, essentially economic goals that business crashes into walls of prejudices, deeply imbedded in history.

Clarence B. Randall pointed out that businessmen themselves are at fault if the public misunderstands the way of life they represent:

"Actually," he says, "the free enterprise method of production carried on within the political climate of democratic freedom, is the social system which has brought the highest degree of welfare to the most people."

"We know that," he says, "but can't say it."

In my view, businessmen must say it, and must say it proudly. For if we do not, how can we expect others to view what business does with respect? On the other hand, we must be prepared to recognize candidly the failures of the system whenever it falters.

The most influential early statement of a philosophy of capitalism was, of course, Adam Smith's. He gave the stamp to the stereotype which first confused men's understanding of the dynamics of economics. In "The Wealth of Nations," he said that the nature of the capitalist system rendered competition, conflict, and aggression inevitable, and even necessary and desirable, in order to bring society through trial and adversity to well-being. Hidden away in the injustice and brutality existed a design, Smith held, impenetrable to the eyes of man, but leading safely to betterment. This effect, he said, was caused through the activities of individuals seeking gain, the only motive that he considered.

HISTORICALLY UNPOPULAR

Gain has never been esteemed the noblest force. The history of its condemnation goes back to the most primitive social structure of the tribe, according to that sharp critic, Thorstein Veblen. To achieve status, men had to excel in the hunt and in warfare. All able-bodied men were expected to participate in these activities. Only the old, sick, and weak were excused; by default, these people were relegated to the tasks of production. Making things, by association with the kind of people engaged in this activity, came to have a negative connotation, just as hunting and warfare came to have honorific ones, because they were performed by the outstanding young men of the tribe.

Veblen's theory followed one of Plato's, who linked business activities with man's visceral pursuits. Money, trade, and the mercantile spirit were necessary, Plato conceded, but were base and demeaning. Productive activities were performed by slaves.

Condemnation of moneymaking or gain as motive persisted throughout medieval times. One of the central concerns of the church was to attack this facet of man's nature. The clergy urged repression of economic appetites. The difficulty its spokesmen found in reconciling business activity to the tenets of the church is illustrated by the language of Aquinas in the "Summa Theologica": "there is no reason," he said, "why gain may not be directed to some necessary or even honorable end."

His use of the negative construction in speaking of gain, before describing the "frequent sins of traders," reveals his grave doubt of its values.

Guild rules were strict in the Middle Ages. Advertising was forbidden, profit seeking prohibited and severe penalties exacted for cutting costs. Men's hands were lopped off for transgressing.

The tradesman of the period is described by Heilbroner as a "disturbing 'outsider' in the feudal hierarchy, the much despised merchants."

INSULTS TO BUSINESSMEN

Other occupations have had their share of imprecations—certain practices of lawyers and doctors have evoked such blistering names as "shyster" and "charlatan"—but seldom with the frequency and consistency that insults have been applied to men of business.

Thomas Nashe said in 1593:

"Is it not a common proverb among us when any man hath cozened or gone beyond us, to say, He hath played the merchant with us?"

Or, later, Goldsmith:

"It is well known what a middleman is: He is a man who bamboozles one party and plunders the other."

Or Nietzsche, in the 19th century, in "Zarasthustra":

"Merchant and pirate were for a long period one and the same person."

There are many examples to the contrary. But out of this ripe history of jibe and diatribe, business has survived and flourished.

VANISHING DISSENT

Today a man like Theodore Levitt may be characterized as one of a dissenting minority, in contrast to the chorus of voices urging management to reach out for more responsibility—men of the stature of Arnold J. Toynbee, men of the academic world and public service like John Gardner, and many businessmen themselves. Prominent schools of business administration now give courses dealing with problems of moral choice. The Committee for Economic Development has published studies on this complex problem, and its European counterpart, in its own words, "* * * conceives its duty to be the promotion of economic development based on respect for the human being and for social justice."

The happiest development, however, amid all these indications of maturing thought, is that gain is no longer thought to be the sole motivating force of businessmen. The man who selects business as a career is no longer, of necessity, assumed deficient in spiritual sensitivity nor atrophied in his development as a whole man. The kind of escape from responsibility prescribed by Adam Smith is now considered by many businessmen as unrealistic, a concept of utmost sterility.

The significance of this change cannot be overemphasized. When businessmen were believed bound to selfishness, they could not be entrusted with great power without great risk. As long as business activities were thought to be outside morality, businessmen inevitably were kept aloof from social involvement. The change in thinking about business's responsibilities clears the way for true understanding by both public and businessmen of the real problems confronting society, and, hopefully, for cooperative action to help solve them.

FACTORS BEHIND CHANGE

Why this change? And why does the question of moral approach to business arise in the first place? What do profits, promotions, recruitment, acquisitions, business expansion and research, have to do with morality?

First, the nature of business has changed. Small businessmen may follow their own separate interests without affecting society as a whole, and small businesses were once the only kind. A small enterprise may close its doors or move to another location without disrupting the community. Its employees could, for the most part, be absorbed elsewhere with relative ease. Now, a single subdivision of a large company may employ as many people as the population of a small city. Change may mean the death of a town. Or, on the other side, the coming of new enterprise may revitalize the inhabitants and institutions of an entire region.

With this power came inevitable abuse, and following the abuse there was public outcry. Because we are talking of capitalism within a politically democratic framework, the public was incensed. Laws were passed. Regulation enforced. Businessmen learned the necessity of a sense of social responsibility—and once accepting it, they are finding that it adds élan to their lives.

Corporations, more and more, are put into positions which require that they take stands on issues that once were judged of no concern to them.

Take the case of the large national corporation with a southern division. When it comes to hiring, does it deny certain jobs to Negroes regardless of their qualifications, or does it lead the way to open employment?

Either way, it will have taken a stand. Inevitably, the corporation is involved in economic, social and political dynamics whether it wills or not.

Thus, size and accompanying power became large factors in the acceptance of social responsibility by many business people.

A second reason for the change is a pragmatic one.

My friend and neighbor in Rochester, William Vaughn, president of Kodak, puts it this way:

"No one can prove it, but I venture to say that the intangible and incalculable rewards go a long way to offset the cost of the overall benefit program * * *. The sense of job and income security means that an employee can concentrate attention on his job."

Mr. Vaughn makes an important point when he asks:

"Is it better to wage a tactical retreat, not conceding any new or improved benefit until the pressure for it becomes irresistible; * * * or to exercise one's freedom of choice and planning, and treat responsibility more as an opportunity to be taken at the appropriate time, in the forward conduct of the business?"

Kodak's worldwide prestige for enlightened relations with its people is the answer.

The recognition that incentives other than gain may be at least equally powerful is a third factor in the evolution of the modern businessman.

ATTRACTING EMPLOYEES

Only the naive would suppose that salary and wages will ever move very far down the priority list, but salary is not often the first consideration when it comes to choice among positions. Opportunity is of great significance in the minds of people seeking jobs, but the values and reputation of the company are powerful forces, too. Identification with highminded pursuits has become a strong motive in the best of our society, and a company excels only if it attracts and holds the best.

The search for self-expression is yet another cause of change. While most people need to feel part of a group, they also must have a strong sense of themselves as individuals. All men, including businessmen, have needs that go beyond the requirements for food, shelter, and clothing. Much of a man's concept of self depends on what he does for a living and how he does it. Fulfillment must largely be found through one's occupation and, cynics to the contrary, self-fulfillment involves much more than the size of the paycheck. To the extent he truly can find himself in his work, man will be happy in it. To the extent that he finds outlets for expressing many facets of his makeup, he will feel enriched.

In a recent publication, "Managers for Tomorrow," Rohrer, Hibler & Replogle, psychological consultants, put it this way:

"Growth, finally, is the evolvement of personal goals and the sense of venture in pursuing them. This is the meaning of the dedicated man. His personal goals, his company goals, and his job goals have coincidence to a great extent; and his personal power is directed single mindedly toward being himself on his job."

The corporate leader who does not try to conduct his company so as to instill pride in his people is doomed, these days.

The considerations I have discussed—power, farseeing pragmatism, varied motives and self-expression—are a few among many that have affected the nature of large corporations as they are run today in America.

COMBINED FROM NEED

People organize institutions to deal with the recurring problems of a civilized life. The institution of business grew out of the basic needs of all people, from primitive societies to the present day, to make and distribute tools, weapons, clothing, or automobiles and television sets.

In much the same fashion, institutions arise in response to social needs.

In short, the only stability in society, either in business or outside it, is the certainty of change and the need for existing institutions to be prepared for change or become reconciled to extinction at worst and fossilization at best.

The situation is dynamic. Businessmen have not changed; people have not changed; but our environment and its possibilities and demands have. In this ebb and flow our perspective must be enlarged. Required programs must be developed and administered, never mind by whom. We should not oppose either Government intervention or big business expansion for the sake of opposing one or the other, but we should oppose each if it threatens the quality of life.

UNFAMILIAR INVOLVEMENT

Business has not failed in discharge of the duties conventionally assigned to it—the production and distribution of goods. The problem comes when business, in organizing for these necessary and socially significant objectives, finds itself in a realm where there are consequences outside the range of the businessman's training and experience, where criteria are fuzzy indeed.

Acceptance of a corporate commitment to socially responsible action raises fearsome specters in the eyes of both businessmen and the public.

There is the problem of adequate control to insure that power will not overrun the interests of the individual, a difficulty inherent in any large organization. As size and complexity increase, it becomes more and more difficult to administer policies equitably, even those adopted precisely and exclusively for the benefit of the individual.

There is the problem of paternalism, which implies return to a feudal structure of noblesse oblige basically insulting to individual dignity and destructive of individual initiative. Fringe benefits, for example, are sometimes criticized as making a kind of industrial feudalism which binds workers to a particular corporation by threatening losses of seniority, or retirement benefits, to those who change jobs.

Further, any act of responsibility is an exercise of power, and people fear the exercise of power greater than their own, especially when coupled with confusion about goals or means or both.

There is fear that the large corporation itself is a kind of welfare state which may reach into every aspect of life, and could become a leviathan and a threat to freedom. This would be anathema to a society dedicated to pluralism as ours is, and businessmen would deplore it as much as any were it to happen.

Here is the classic moral problem confronting each of us. No man has the right to order the lives of others, even for good, but inevitably, the decisions of the businessman do just this—and yet, act he must.

SEARCH FOR CRITERIA

The revolution in thinking about business' responsibility leads to a search for workable criteria upon which the businessman can base his actions. There appear to be two kinds of criteria: the external standards embodied in formal law, and the internal standards of an ethic based on philosophy and religion.

Although the first of these may take the form of positive, or enabling legislation, most laws governing business have been negative and restrictive. Legislation, both Federal and State, has permeated business activity to an extent that would amaze many people outside it. A vast multitude of statutory restrictions sets limits to the conduct of enterprise.

The truth is that most of the laws which so hedge in the operation of today's business were enacted because of early abuses of freedom by some businessmen and the consequent need to protect various segments of the community. The net result has been to force business into a mold of responsibility—and to keep it there—without providing really workable criteria for the businessman who seeks to reconcile his duties to society and his duties to his share owners.

For example, a highly motivated man would undoubtedly pay his employees a wage consistent with the level of the economy. Not to do so, in the absence of legislation, would be "morally" wrong. Today's laws convert the moral issue to a legal one and say that not to pay at least a specified wage is legally wrong. The businessman, however, continues to have a moral problem. He must determine whether the legal minimum wage is a moral minimum wage.

Beyond these laws, the structure of the corporation itself presents a paradox which restricts the kinds of moral actions a corportation can undertake. The corporation, legally, is organized to act as a person in the conduct of its affairs. Yet unlike a person, it is composed of individuals whose rights must be respected. This second consideration restrains the corporation in many ways. Legally, a corporation may, for example, donate a part of its profits to charitable organizations like United Funds. The corporation may also distribute literature to its employees advertising a blood drive. But it is not defensible on any ground for a corporation to order its employees to donate blood, or to exert pressure on them to contribute to a charity.

This points up the distinction which must be made between the kind of service it is right for an individual to offer, and the sort of service proper for an artificial person like a corporation. Progress made by community organizations depends to a large extent on the voluntary contribution of time and energy by members of corporations acting as private individuals. Participation in church activities, fund drives, elections, and service on school boards are matters which must be engaged in by individuals as individuals. Corporations can only foster an atmosphere in which participation of this sort is nurtured. Corporate responsibility must manifest itself in other ways.

LEGAL PROGRESS

Until recent years, there has been a dearth of legal expression on positive actions open to corporations. Now the law has so developed that it permits the exercise of responsibility to the community through the commitment of corporate resources to charitable purposes. More than 40 States have passed statutes authorizing corporations to make donations to philanthropic and educational institutions. In 1953, a unanimous decision of the Supreme Court of the State of New Jersey established the doctrine:

"When the wealth of the Nation was primarily in the hands of individuals, they discharged their responsibilities as citizens by donating freely for charitable purposes. With the transfer of most of the wealth to corporate hands and the imposition of heavy burdens of individual taxation, they have been unable to keep pace with increased philanthropic needs. They have, therefore, with justification, turned to corporations to assume the modern obligations of good citizenship in the same manner as humans do. Congress and State legislatures have enacted laws which encourage corporate contributions, and much has recently been written to indicate the crying need and adequate legal basis therefore."

A policy of making contributions to worthwhile efforts is the best way, it seems to me, for the corporation to contribute to the welfare of the community without infringing the rights of the individuals who compose it.

A CODE FOR BUSINESS

All of this leads to the notion that business ought to be a profession—in the sense of one which comprises a concept of service and a code for its practice.

Management has largely shifted from the owners of the means of production to a class of salaried managers ultimately responsible to an enormous, diffuse body of shareholders who do not run the business. The new justification for control of resources is knowledge and ability to use them, rather than possession. These facts facilitate understanding of the managerial function as a service, directly to the shareholders and indirectly to the general public. Although managers may own stock, most of them do not control the company through this holding; their services are purchased in the same way people purchase the services of doctors, lawyers, or teachers.

Donald K. David, dean of the Harvard Graduate School of Business Administration, put it this way:

"The goal of professional administration * * * is the achievement through our economic system of a full life beginning with but not ending with material plenty * * *. The direction in which we are moving compels me to say that administration will some day be recognized as the process of conducting affairs in the interest of a life worth living according to the values of our society and the capacity of each individual."

The concept of the businessman as a professional brings me back to my original historic view of business activity. It never has been and is not now outside the dictates of moral considerations. Business today is neither immoral nor amoral by nature; the consequences of its actions in pursuit of its objectives are subject to judgments as to their morality. The businessman, to be successful, to be honorable, must be a full man, developed both intellectually, spiritually, and in the special knowledge relevant to his affairs.

The idea of banditry may be hard to dispel. Distrust has been built upon very real experience. Some bandits are still with us. This does not change the need for acceptance of moral responsibility.

No matter what laws are enacted, no matter what changes transform our institutions, men will err. But through attitude, standards can be high. This goes for the man at the top; it goes for the man at the bottom and for all the ones midway. When business people learn and live this truth, business will have come to maturity.

This sounds idealistic. Statements of belief and faith always are. But it is action that is significant and action is difficult. Values must be made real by individuals acting on them, and even then, results are all too apt to be ambiguous. Throughout the corporation, management must find ways to articulate and support these values, as well as the company's objectives.

MORE THAN TECHNOLOGY

Therefore it takes more than technical competence for the successful, responsible conduct of business today. The developing concepts of administration as I have outlined them require an understanding of art, the social sciences, history, religion and literature. In the words of Montaigne:

"We need men and women who know what courage is, and temperance, and justice; what the difference is between ambition and cupidity, slavery and submission, license and liberty; by what signs genuine and solid contentment may be known; to what extent we should fear death, pain, and shame; what springs move us, and the occasion of so many stirrings within us."

In short, the nub is education. We must deeply ponder Judge Stein's opinion in the Supreme Court of New Jersey:

"Nothing that helps or promotes the growth and service of the American universities can possibly be anything short of direct benefit to every corporation in the land."

We of Xerox, for example, believe that the vitality of democracy depends on free and open discussion of the troubling issues, and that this is the only means to continuing education in the movement of events around us.

This is why we support higher education as fully as we can.

It is why we try to increase public understanding of controversial issues, through such television programs as those about the United Nations, or presentations of significance in man's search for freedom and purpose, such as the TV shows about "The Louvre," or "Let My People Go," which told of the Jews' establishment of a homeland in Israel.

But the first purpose of the businessman is the profitable conduct of his enterprise. This is the sole source of his power for good. There can be no controversy on this point.

Yet our experience demonstrates that innovative policies involving social responsibility bring very interesting reactions to the business as a business. Our sponsorship, without advertising, of the U.N. television series, brought an avalanche of favorable as well as unfavorable comment, and has been hailed as a revolutionary action. We knew it would provoke much comment. That is why we decided to do it.

An Elmo Roper survey has shown that thus far we gained much, much more goodwill than we lost.

Another example relates to the proposal by one of our shareholders that our corporate contributions for charity and education be restricted to those which could be proved to be directly beneficial to the company. The proposition, put to a vote at our annual meeting, was overwhelmingly defeated.

The effect upon business of this kind of action is extremely difficult to measure. The only thing we know with certainty is that Xerox has become identified, in the minds of people who know something about it, with progress, with education, and with the spirit of responsibility and that's enough for us.

THE MORAL CHOICE

Pioneering on a frontier inevitably causes deep reactions pro and con. It could not be otherwise. It is the result of the problem of moral choice which faces corporate heads who, like all other citizens, have the duty of every individual to work for good government and a health of society. It is a tightrope over a deep chasm that the manager walks with only his insight for a balance pole. The risks are great and missteps are inevitable, although we dare to hope inconsequential and temporary, if he is wise.

The businessman must now above all other times act bravely with convictions and courage to inspire him. And to insure the best of his service, society must allow, indeed, ask him to do so. As John Stuart Mill said:

"A state which dwarfs its men, in order that they may be more docile instruments in its hands even for beneficial purposes, will find that with small men no great thing can really be accomplished."

By the same standard, dignity, even greatness can come to those men, and only to those men, who accept fully the challenge of responsibility inherent in their work, whatever the risks. In the words of Theodore Roosevelt:

"Credit belongs to the man who is actually in the arena * * * who strives valiantly, who errs and comes up short again and again; who knows the great enthusiasms and the great devotions, and spends himself in a worthy cause; who at the best knows in the end the triumphs of high achievement; and who at the worst, if he fails, at least fails while daring greatly; so that his place shall never be with those cold and timid souls who know neither defeat nor victory."

LEGISLATIVE PROGRAM FOR THE WEEK OF MARCH 7, 1966

Mr. DEL CLAWSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DEL CLAWSON. Mr. Speaker, I take this time in order to ask the majority leader if he will announce the program for next week and the balance of this week.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. DEL CLAWSON. I yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, in response to the distinguished gentleman from California, we have completed the legislative program for this week.

We have no program for next week to announce at this time beyond Monday.

The program for Monday is the Consent Calendar, and three bills on suspensions:

H.R. 10721, the Federal Employees' Compensation Act Amendments of 1966.

H.R. 12762, authorization for funds for the U.S. Coast Guard.

H.R. 11509, amending reemployment provisions of the Universal Military Training and Service Act.

This announcement, of course, is made subject to the usual reservation that any further program may be announced later and that conference reports may be brought up at any time.

ADJOURNMENT OVER

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER pro tempore (Mr. EDMONDSON). Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that business in order under the Calendar Wednesday rule may be dispensed with on Wednesday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

VICE PRESIDENT HUMPHREY'S MESSAGE TO THE AMERICAN LEGION

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. MADDEN] may extend his remarks at this point in the RECORD and include an address by Vice President HUMPHREY.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MADDEN. Mr. Speaker, at the annual dinner given by the American Legion for Members of Congress last evening, Vice President HUMPHREY gave a review of his recent trip to southeast Asia. It was one of the Vice President's great messages for which he is famous. It was received with almost unanimous approval by the gathering of over 3,000 legionnaires and their guests.

The following are the highlights of his observations and facts concerning Vietnam problems:

ADDRESS BY VICE PRESIDENT HUBERT HUMPHREY AT THE ANNUAL AMERICAN LEGION LEGISLATIVE DINNER, WASHINGTON, D.C., MARCH 2, 1966

It is good to be back again with my friends of the Congress and the American Legion. I am particularly pleased to be in the company tonight of my good friend Representative OLIN TEAGUE. I can think of no one in the Congress, who more deserves the award you have bestowed on him.

There is no doubt what is on all our minds tonight. It is the war in Vietnam.

As you know, I returned a few days ago from 2 weeks in southeast Asia and the Pacific. *Tonight I would like to give you some* of the impressions I bring home from my mission.

First of all, may I say that the conflict we face in Vietnam is not an isolated conflict. It does not exist in a vacuum.

South Vietnam is the testing ground for *two struggles taking place in Asia:* The struggle of nations to maintain their independence while threatened by Communist subversion and aggression, and the struggle to bring about a social and economic revolution for the people of that part of the world.

In Vietnam, the tide in both those struggles has begun to turn in our favor. But make no mistake about it, we must be prepared to face a long and costly effort.

The military situation has improved over even a few months ago. South Vietnamese, American, and allied forces are holding their own with the Vietcong. They are today taking offensive initiatives in Vietcong sanctuaries which were previously immune to attack. Sections of road and railroad, previously unusable, are being used again. The Vietcong defection rate has increased in the past few months. Defectors report low morale, food shortages, and, above all, fear of bombing among Vietcong forces.

Allied firepower and mobility are increasing.

Tactical air support is excellent.

Our communication and supply situations have improved.

Coordination among allied forces has improved.

I think you should know that our American troops are conducting themselves in the best traditions of this country, not only in the field but in their work in building rural schools and hospitals, in helping the Vietnamese people to build, plan, and have hope for the future. Their performance is good, their morale is high, and we have every reason to be proud of them.

Special mention should be made of the excellent rescue and medical care available to our troops in Vietnam. Within 3 hours most wounded receive skilled medical treatment. And fewer than 1 percent of all wounded troops hospitalized fail to survive—this compared to a rate of 8.5 percent in World War I; 4.5 percent in World War II; and 2.2 percent in Korea.

There are no "Yankee go home" signs on the walls in Saigon and other cities. Indeed, the Vietcong themselves seem to have some trouble in getting their soldiers to believe their own anti-American propaganda. Questioning of prisoners and defectors shows that very few of the Vietcong feel the United States seeks conquest or domination in Vietnam.

One prisoner who was questioned said this: "I saw an American once, working with several Vietnamese to repair a bridge. He wore no shirt. I saw that he and the Vietnamese workers understood one another very well."

Another prisoner said that he had seen Americans nearly every day in his area and added:

"I've never seen an American doing something which showed that he wanted to rule the Vietnamese."

And he was right.

We are not in Vietnam to rule the Vietnamese. We are there to repel aggression, and to prove to the aggressors that the price of their aggression comes too high.

We are in Vietnam to maintain the rights of self-determination and national independence in face of calculated subversion, terrorism, and military force.

The other side calls itself the National Liberation Front.

I agree that it is a front—a front for Hanoi and for the expansionist drive of Asian communism.

I have had direct experience with the front tactic. I faced Communists first-hand as mayor of Minneapolis. I helped clean them *out of my State political party. And I helped* clean them out when they tried to infiltrate the American labor movement and a number of liberal organizations.

And, in case there is any doubt in anyone's mind, let me make it clear that the people who use the front tactic are not mild-*mannered social reformers. They are hard,* callous men filled with a drive for power and domination over others.

The so-called National Liberation Front in Vietnam is being used by Communists. It is led by Communists, and its direction comes from the north.

And I challenge tonight the idea that the Vietcong is anything but an instrument of the Asian Communist thrust for power.

There are no doubt honest nationalists swept up in the Vietcong movement. But their tragedy is great, for they are being deluded and used—just as others have been in the past.

I said earlier that there are two struggles in Vietnam and southeast Asia: the struggle against subversion and aggression; and the struggle for a better life for the ordinary people of that part of the world.

The first struggle is going better, although there will undoubtedly be disappointments and setbacks ahead.

What about the second struggle—the struggle which can build that area's long-term health and stability?

When I left Saigon, Premier Ky told me "We have begun 12 years late. But it is not too late."

The South Vietnamese Government has now undertaken—late in the day, it is true—programs which will give the people of the countryside a feeling of participation and a stake in their government.

The South Vietnamese Government is working hard to educate Vietnamese children; to feed, clothe, and house hundreds of thousands of Vietnamese refugees; to overcome a dangerous inflation in the Vietnamese economy; to defeat corruption and administrative inertia. It is working hard toward the day when truly free elections may be held.

And we are helping in this second struggle just as we are in the first.

At the same time we seek, as strongly as ever, to bring this conflict to negotiation. Our aim in that negotiation: The establishment of a just and honorable peace—and the chance for the long-suffering, valiant people of South Vietnam to decide their own futures.

We have chosen no easy course. We have not chosen the course of withdrawal. Nor have we chosen the course of massive escalation and violence.

We have chosen the course which faces with sober responsibility the whole complex situation there.

Have we the resolve, the staying power, and the courage to see it through?

If we do not, we may face tomorrow elsewhere the aggression we face today in South Vietnam.

I found, on my journey, that almost all the independent nations of southeast Asia fear the expansionist drive of Asian communism—an ideology which seeks to exploit every possible point of weakness in that part of the world.

The approach of Asian communism is not merely economic, although it capitalizes on the poverty and despair of the Asian peasant.

Its tactic is not merely political, although its hardcore followers are dedicated believers in Marxist doctrine, and although it wraps itself in the robes of nationalism to attract those who are not yet ready for the full gospel.

Its thrust for power is not simply military, although it has never won power except by ruthless use of force—and I believe it never will.

Here in the United States, many thousands of miles away, it is easy to debate and theo*rize about Asian communism. But, in Asia,* it is not a subject for debate. It is a harsh, dangerous reality. The peoples and governments of southeast Asia are facing this reality. And we—and an increasing number of our allies—are facing it with them.

The people of Asia want to decide their own futures. They want to be independent. But no free Asian nation is strong enough to stand alone in face of massive military force, subversion, and terrorism directed against it.

I believe that the time may come when Asian communism may lose its fervor, when it may lose some of its neuroses, when it may realize that its objectives cannot be gained by aggression.

But, until that time, I believe we have no choice but to help the nations of southeast Asia strengthen themselves for the long road ahead.

There truly is no alternative.

The continent of Asia may seem distant and remote to us here in this comfortable ballroom. But I would remind you that, in this nuclear age, no point on the globe is any longer remote from any other. In this time we would well heed the words of great Asian Thinker Confucius.

"If a man take no thought about what is distant, he will find sorrow near at hand."

And so it is that we must rededicate ourselves to the pledges made last month in the historic declaration of Honolulu—pledges to defend against aggression; to the work of social revolution; to the goal of free self-government; to the attack on hunger, ignorance, and disease; and to the unending quest for peace.

FARM INVESTMENT PROTECTION FOR CITIZEN-SOLDIERS

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. NELSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. NELSEN. Mr. Speaker, recognizing that many young farmers may be drafted or recalled to active duty from Reserves or the National Guard in the near future because of Vietnam, I am today proposing an amendment to current farm law designed to protect their farm investments in their absence.

My bill, the first of its kind to be introduced in Congress, would permit such farmers, on notice of induction or recall to active military duty, to receive first preference in retiring their cropland under provisions of the Cropland Adjustment Act passed by Congress last year. Additionally, participants could retire land only for the duration of their military obligation if they preferred this to the standard 5- or 10-year retirement program.

If the term of the land retirement agreement were to end after the normal planting season, the returning serviceman would have the option of extending the agreement to the end of the year.

Mr. Speaker, we need to realize that the young farmer just getting started often has indebted himself substantially for equipment and farm rental. When he is called up with as little as 7-day alert, he has inadequate time to make arrangements for the running of his farm in his absence. In the past, farmers faced with this situation have often been forced to sell out at a loss, and it is time to remedy this situation.

I might say further, Mr. Speaker, that this legislation was suggested by Capt. Kenneth L. Keil, a young farmer in Redwood County, Minn., who is a member of the Minnesota National Guard. His sound suggestion was passed on to me by Maj. Gen. Chester J. Moeglein, adjutant general of the Minnesota National Guard.

Captain Keil's sound suggestion would benefit young farmers in my district as well as many others around the Nation. I would like to commend Captain Keil for his initiative, and I hope Congress will give this proposal earliest possible consideration.

I request unanimous consent to include correspondence I received in connection with this new proposal at this point in my remarks.

STATE OF MINNESOTA,
DEPARTMENT OF MILITARY AFFAIRS,
St. Paul, February 23, 1966.
Hon. ANCHER NELSEN,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. NELSEN: The heavy participation by the 47th Infantry Division in the Selected Reserve Force program means that approximately 75 percent of the 10,000 members of the Minnesota Army National Guard are subject to being ordered into active Federal service with as little as 7 days' alert. While such a requirement places a burden on all of these guardsmen, it imposes a particular hardship on individuals who are in a business or profession for themselves. Among this latter group are the farmers, who quite obviously cannot sell their farms or refrain from planting their crops based on mere probabilities.

I am enclosing copy of a letter I received from Capt. Kenneth L. Keil, commander of our unit at Redwood Falls, Minn., which contains a proposal for farmers who are also members of a National Guard or other military unit. This proposal seems to me to have merit. The Congress has by law provided protection for individuals who are in the employ of others but has so far been able to do very little for the self-employed.

Since a GI bill for post-Korea veterans is now before the Congress for consideration, I should like to recommend that some action along the lines suggested by Captain Keil be taken to ease the situation for our many farmers who are performing their military service in the National Guard and other reserve units.

Sincerely yours,
CHESTER J. MOEGLEIN,
Major General Minnesota ARNG,
The Adjutant General.

COMPANY C, 3D BATTALION, 135TH INFANTRY, NATIONAL GUARD ARMORY,
Redwood Falls, Minn., December 27, 1965.
ADJUTANT GENERAL,
State Capitol Building,
St. Paul, Minn.

SIR: In the past years when our men in uniform returned to civilian life, many of them found their jobs taken and had to adjust to other means of providing for self-sustenance. Laws were passed giving these people the assurance of returning to their former employment. However, there is no provision for keeping the young men on the farm after their tour of military duty is completed. Many gave up months and years of their lives to make it possible for those on the homefront to capitalize on the misfortunes of war. When they returned, they found their land had been rented by someone else and that there was no more available. These people who stayed behind enjoyed the prosperity of good prices for their products and refused to yield to those who made it possible for their prosperity.

Many of us face this possibility again, therefore, I present to you the enclosed copy of a proposal to help these men and also aid the farm program in retiring acres from production.

Very truly yours,
KENNETH L. KEIL,
Captain, Minnesota National Guard.

DECEMBER 27, 1965.
REDWOOD COUNTY ASC,
Redwood Falls, Minn.

DEAR COMMITTEEMEN: As I and other young farmers face the possibility of entering military service in the near future, we are interested in a program of retiring our cropland. For those people that are wage earners and employed as carpenters, electricians, etc., there is provided for them by law that they will be entitled to their jobs upon returning from the military service. For the young farmer who is just beginning his life ambition as a farmer or those of us who have been in the business of farming for several years, it will be a burden and hardship for us to have our programs interrupted. I am referring now to the possibility of our National Guard unit being called to active duty sometime in the near future. There are several of us who have already been in the service for several years and we lost those years as far as competing for land and financial gains are concerned.

I realize there are obligations on the part of everyone to their country especially the young men of today. However, it is difficult for a man to begin a farming program and to take on a great debt which is required of him in these times and to leave it for a period of time. He has a financial loss because of the depreciation of his equipment and a risk to his own life. The monetary return from the Government for his service to protect the people at home does not cover the potential income he may have derived from his agrarian operations. Also, the possibility of losing the land he is renting is very strong, and in many cases he must seek other lines of work.

Using myself as an example, I am renting my land and I would like to retire my cropland (with the consent of the landowners) either for the duration of one military tour or for a specified time, preferably during the length of tour. I have no brothers and my father is unable to continue the operations because of his age. I do not consider it economically feasible to hire anyone to carry on for me as my machinery is too much of an investment and help is not dependable. Even if I owned my own land, I would consider this program and those who have brothers and fathers to carry on should be given the same privilege of retiring their land either all or in excess of the 50-percent corn base.

Therefore, I propose the following program concerning those who must enter or reenter the military service:

Upon receiving word of induction or mobilization to active duty, the obligee (military) be given the opportunity to retire either all of his cropland or that percentage of cropland (disregarding the maximum 50 percent corn base) which cannot be operated without his assistance. This refers only to the man, himself, who has contracts on land which he himself is operating and has a financial debt or a family farm which may be hindered financially (but must be reviewed by the county committee) by the loss of this individual. In the case of rented land there must be a signed certificate by the landowner and renter agreeing to enter this program.

To retire his land, he must comply with the county committee's policies as to weed control and seeding. Also, he may be given an option of retiring this land for a number of years (5 or 10) or only for the duration of his obligation. If his tour of duty should end during the growing or planting season so that it may create a hardship on his part to accurately plant a crop, he be given the option to remain in the program for the remainder of the growing season.

The foregoing proposal is for your study and consideration. This is mainly to help us to retain our operations and provide us a future when we return. I will be willing to discuss and answer any questions you may have.

Sincerely,
KENNETH L. KEIL,
Captain,
Minnesota Army National Guard.

THE FIRST STEP IN PROTECTING THE AMERICAN PEOPLE FROM CRIPPLING TRANSPORTATION STRIKES

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. GURNEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GURNEY. Mr. Speaker, I am today introducing a resolution to create a joint congressional committee to study and report on problems relating to collective bargaining, strikes and lockouts in the transportation industry.

It would be composed of eight Members of each House, and would be authorized to conduct hearings, investigations and studies of the entire area of transportation labor disputes and strikes.

The issue of paralyzing strikes has been with us for a long time, but it was brought vividly to our attention earlier this year when the transit workers unions in New York crippled the city in a strike felt across the Nation.

Direct costs of the strike to the city of New York have been estimated at $50 million. Loss of wages of those people not connected with transit, but who were unable to get to work has been guessed at near $300 million. Countless hours of productive time were lost to business and industry; retail sales dropped more than 50 percent. Hardest hit were the small businesses which were least able to recover, and the poorer workers who could least stand the financial strain. And a great percentage of the people hurt were not citizens of New York City or even the State of New York.

But this strike was only one of the series of recent walkouts that have had serious effects upon our economy. A shipping strike early in 1964 brought international shipping to a standstill, cutting off goods and services to the entire Nation. A rail crisis in 1963, only narrowly averted by special legislation, may erupt again when the contract expires.

It has become clear that something must be done.

There have been many suggestions; many bills have been introduced in an effort to remedy the situation. But the business of the Education and Labor Committee, through which the majority of this legislation must pass, has been taken up with every program from poverty tc the minimum wage, leaving little time for the detailed considerations necessary.

These strikes involve so many people, so many businesses, so big a part of the economy, and so many questions of Federal and State law, that an extraordinary amount of study and time is required to fully consider them. The Congress must have the benefit of the best advice available, and the machinery for a careful and thoughtful study.

The problem is so far-reaching that it must be dealt with through broad methods, fair to every dispute and, above all, to the American people. I am confident that the Congress can and will devise such a solution, but they must first have the benefit of the best advice and information available.

The joint committee which I propose will not be an investigating committee to hear recriminations on past strikes, but rather to consider ways of averting them in the future.

The principle and practice of collective bargaining have made great contributions to the development of the economy and industry of this Nation. They should be left intact as much as possible. But it has become apparent that new approaches must be found to cope with matters of national interest.

The power to strike is an ultimate weapon, like war, which should be treated seriously by both parties in an effort to avoid the necessity of using it. It is the threat of strike that gives added weight to union arguments at the collective-bargaining table. But it must not be used carelessly when the public interest is concerned.

This is a time for responsibility on the part of management, unions, and State and Federal Government. I feel that the committee established under the bill I am introducing today will do a good deal in pointing the way to the obligations of each of these. I feel that this is a far better approach than hastily passed laws with hearings crowded into the schedule of an already overworked committee.

After all interests and all ideas and all suggestions have been heard, not only the committee, but every Congressman and Senator will have a better idea of the problems we face and be better prepared for the task of solving them.

I am hopeful that this bill will receive prompt attention by the Congress, for it is the first big step in protecting the American people and economy from the crippling effects of transport strikes.

A STRANGE PLACE FOR ECONOMY

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. GURNEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GURNEY. Mr. Speaker, at times, the reasoning and the action of the Johnson administration's Great Society is beyond belief.

The latest proposal in the President's education bill is a good example.

This administration claims with great and loud fanfare that it is going to do more than any other for education. Then in the next breath it deals one of the most cruel blows to our educational system.

I refer to President Johnson's plan to cut way back on the amount of impact aid to public school education.

The grand concern prated in the state of the Union message for the education of our young people was shown up for just what it was: meaningless wordage. What great thing has the President proposed this time? That we cut by $260 million the amount set aside for schools in areas that bear the brunt of Government installations.

Every school district in the Nation that has received impacted aid will be cut below the level they had been promised for this year. Some school districts will be cut out entirely and must bear alone the burden of an increased number of students whose parents work and live on nontaxable Federal land.

This program, which began in 1950, has, since that time, raised the educational standards in thousands of school districts, in effect paying a tuition equivalent for those parents whose homes and jobs were not a source of tax to the communities where their children were educated.

More than 61,000 classrooms serving almost 2 million children were built. The Government recognized and lived up to its responsibility to localities whose tax bases were cut. The grants enabled them to meet the added requirements for more schools. This is not a charity grant, it is a matter of paying increased school costs the Federal Government has precipitated.

But now, we are told, all this will be changed. The money chopped out of this program will be spent where the administration thinks it will do it more good, politically that is.

The Federal Government is reneging on its obligations so that the President may have a freer hand to spread the money where he chooses.

Mr. Speaker, I represent one of the hardest hit counties in the Nation: Brevard County, Fla. After being led to expect $2,524,706 in aid, the school administrators are now told that they will be lucky if they get half of that next year. Orange County, which I also represent, has been cut down from $834,520 to $136,205.

I do not think any of us would like to have our salary cut in half suddenly and without warning, and after we had made plans to use the money. It is especially unfair in this instance when the money was to pay for an additional and extraordinary expense caused by a heavy influx of Government workers. But that is exactly where the President has left thousands of school districts throughout the Nation.

This is the same President who asked in the state of the Union message, "Whom shall they sacrifice?" Now we know who he intends to sacrifice—millions of elementary, secondary public school children all over this Nation, who are going to get secondhand education, if this impact aid to education is cut back.

I hope the Congress will show the President some other places to economize.

SOUTHWESTERN POWER ADMINISTRATION SHOULD INCREASE ITS POWER RATES

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. SAYLOR] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SAYLOR. Mr. Speaker, much has been said recently about the President's budget, taxes, budget deficits, and guns or butter approaches to the allocation of available Federal funds. The President has suggested tax increases, some of which may not be approved; and he has suggested reductions of Government spending, much of which probably will not be accomplished. These actions will have the effect of further increasing the projected budget deficit for fiscal 1967. Therefore I think the Congress has the responsibility to suggest different ways to reduce the budget deficit without affecting adversely any necessary domestic expenditures or the Vietnam effort.

Today, I will recommend one way the Congress can assist in achieving the desirable goal of reducing the Government deficit—namely, the various Federal power marketing agencies should be required to increase power rates sufficiently to reduce the annual multimillion-dollar losses which have been accruing from those agencies' power activities. There can be no economic justification for permitting this rathole to remain unclosed, through which millions of Federal revenue dollars are lost each year.

On several occasions in the past, I have suggested the Bonneville Power Administration should increase its power rates so as to reduce the annual loss from that operation. It has been somewhat gratifying to note recently that BPA has finally increased its power rates slightly and these increases have been approved by the Federal Power Commission.

Now, the Southwestern Power Administration is another power marketing agency that should be required to take similar action.

Recent statements of the Comptroller General and of the Federal Power Commission indicate that the SWPA has not been earning sufficient revenues from power operations to cover all necessary operating, maintenance, and administrative expenses; amortize the power facilities utilized in a reasonable period of time; and pay interest on its unamortized power investment. The most recent report of the Comptroller General of the United States on the Southwestern Power Administration, dated October 1965, indicates that SWPA incurred a net loss from the fiscal year 1964 of $8,951,907 and that its cumulative net loss from power operations through June 30, 1964, reached the unbelievable figure of $75,063,972.

Mr. Speaker, it must be very difficult for the Nation's taxpayers to appreciate the reasons why this power marketing agency or any power marketing agency would be allowed to continue deliberately losing money at a time when the Government needs all the financial resources it can get and the Congress is considering tax increases.

The fact that SWPA is losing money is not a new revelation. A year ago, the Federal Power Commission, in an order, pointed out that SWPA's revenues have fallen far short of even meeting repayment requirements. The order stated:

> SWPA's revenues have fallen far short of meeting repayment requirements. From its inception through fiscal year 1964, net revenues have failed by some $34 million of paying interest charges on the Federal investment in generating and transmission facilities. In fiscal year 1964 gross revenues totaled $17.7 million. Operating expenses totaled $15.6 million, so only $2.1 million of net revenues were available to pay interest charges on the investment and to amortize investment costs. Since interest charges amounted to about $6.8 million, the investment to be repaid actually increased $4.7 million during the year.

In the order from which this statement is quoted, the FPC also stated:

> Our review indicates that in general the level of rates in SWPA's rate schedules and power sales contracts is reasonable for SWPA's operation, but that SWPA has incurred excessive contractual costs in marketing the hydroelectric power.

If the Commission can say that SWPA's rates are "reasonable for SWPA's operation" while in the same order point out as I said a moment ago that "its revenues have fallen far short of meeting repayment requirements," then, there is something wrong with SWPA's operation or in FPC's concept of what is "reasonable." In my opinion, this is a deplorable condition. Why has this happened?

The FPC, as already indicated, stated that this is in part a consequence of the fact "that SWPA has incurred excessive contractual costs in marketing the hydroelectric power." The FPC stated that SWPA's contracts with Associated Electric Cooperative and the Western Farmers Electric Cooperative are contributing to SWPA's failure to earn revenues sufficient to cover all costs prescribed by existing law.

Associated Electric Cooperative, Inc., is composed of six generation and transmission cooperatives in Missouri. SWPA made a contract with this cooperative on August 1, 1962, that will extend through May 31, 2000. On June 18, 1965, the Comptroller General sent to the Speaker of the House of Representatives a special report on this contract. Some of the findings contained in the special report are nothing short of incredible. In the Comptroller General's transmittal letter he pointed out that the General Accounting Office's review of the power contract disclosed that the credits of about $171 million to be received by Associated for performing services for the Government "exceed the value of the services by at least $24.2 million and that the credits contain substantial inequities which could greatly increase the amount by which they are excessive." This statement is enough to make the contract incredible, but that is not all. The Comptroller General continues:

> Moreover, we believe that the contract does not contain appropriate language to prevent Associated from utilizing, without charge, a large block of Federal power, which would have a sales value of $41 million at present contract rates and terms, upon the termination of the contract covering the sale of this power.

Is it any wonder that one could and should question the soundness of SWPA's operation?

But, Mr. Speaker, there is more to come. According to the Federal Power Commission the other contractual arrangements with a cooperative that produce significant losses are with the Western Farmers Electric Cooperative. This is a large generation and transmission cooperative in Oklahoma with which the SWPA made several contracts that became effective in 1957 and that will terminate in 1995. The FPC found "SWPA netted minus $209,300 for transactions under this contract in fiscal year 1964. This is exclusive of 31,000 kilowatts of thermal capacity which SWPA purchases from Western at $1.60 per kilowatt per month plus 2 mills per kilowatt-hour."

It is easy to see why the FPC concluded that a "primary cause of SWPA's financial plight is the substantial payments it makes under its contract with Associated Electric Cooperative, Inc., and Western Farmers Electric Cooperative."

Mr. Speaker, in order to have the taxpayers' investment in the SWPA and its associated power projects repaid with interest from power revenues as is required by law, the Secretary of the Interior must increase SWPA's power revenues. He can do this in either of two ways—or a combination of them. He can renegotiate these contracts with the two cooperatives so that SWPA will not incur any losses through them and he can increase the rates charged by SWPA for power or he can increase SWPA's revenues entirely by raising SWPA's power rates.

Under section 5 of the Flood Control Act of 1944, the Secretary of the Interior is responsible for marketing the power from these projects covered by SWPA. It is his responsibility to market it so that all power costs will be recovered from power revenues. The choice is his. He must decide whether SWPA's rates alone should be increased or whether these contracts should be revised and SWPA's rates also should be increased. He must do one or the other if he is to discharge his statutory duty.

Mr. Speaker, last fall I introduced a bill (H.R. 10724) which would go a long way toward correcting the situation which exists in the SWPA and the other Federal power marketing agencies concerning rates and project repayment. My bill, which is in the Interior and Insular Affairs Committee, would require that all Federal hydroelectric projects be self-liquidating through amortization with interest within 50 years after the project is first used for power production. The FPC said in its order relative to the recent Bonneville rate increase that "it has long been established that 50 years is a reasonable period within which to repay the Government's investment." But, the same FPC said in the case of the Southwestern Power Administration in the order cited a few moments ago that there are still some uncertainties existing in regard to SWPA's ability to repay investment costs within a normal 50-year repayment period.

For these reasons, I think the Southwestern Power Administration must be required to take immediate action to increase its rates or renegotiate these coop contracts or both. Only in this way can SWPA contribute to a reduction in the magnitude of the Federal budget deficit.

INFLATION

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. SAYLOR] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SAYLOR. Mr. Speaker, although families in the middle- and low-income brackets—particularly those relying on pensions and other fixed income—knew it all the time, the existence of inflationary pressures is finally receiving official recognition.

The wholesale price index is ascending, Consumers Price Index shows a 2-percent rise in 1965, the Nation's purchasing agents are paying more for the goods they buy, and expert economists testify that a dangerous upward spiral of prices is underway. Economic guideposts are disclosing what housewives long ago found on pricetags at foodstores; that costs are putting necessary commodities out of reach of the average family.

Inflation is as dangerous as it is distressing. It has destroyed nations after first impoverishing their peoples. It discourages frugality among youth because it wipes away purchasing power for those who have saved and those who have earned pensions. The real value of an insurance policy worth $1,500 in 1949 is less than $1,150 today. The $100 monthly pension of 17 years ago is worth scarcely $75 today.

Despite this relentless erosion of the buying power of the dollar, administrations in power have preferred nurturing it to reasonable fiscal policies that would check and reverse it. Instead of destroying the roots—excessive Government spending—the Federal bureaucracy has wallowed in waste and ignored the ever-mounting national debt.

Now that the Nation is encumbered with the high costs of an expanding military campaign in Vietnam, the big spenders might be expected to subordinate their ambitions to the national need. Unfortunately, however, while at last conceding that the current inflationary spiral presents a grave threat to the national economy, the bureaucrats would choose higher taxes—beginning with the White House recommendation for cancellation of the excise tax reduction—to elimination of extravagances at the Federal level.

Mr. Speaker, I am hopeful that Congress is now prepared to meet the issue of inflation head on by stripping every appropriations bill of all fats and frills and by deferring all projects not absolutely necessary at this time. Never before has this obligation been so clearly defined.

JOB CORPS

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Bob Wilson] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BOB WILSON. Mr. Speaker, at the rate by which the Labor Department is finding jobs for so-called hard core unemployed workers, it will take over 30 years to retrain and find work for the 1 million Americans covered by the program.

Experience in an intensive 2-month drive against joblessness in Chicago, out of 1,951 jobless workers located in a house-to-house canvass, only 432 could be referred to urban opportunity centers, only 45 were eligible for training and only 9 got jobs. That works out at one-half of 1 percent of the sample for 2 months, or 3 percent a year.

YACHTS

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Bob Wilson] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BOB WILSON. Mr. Speaker, at a time when there is a critical shortage of shipping for our men in Vietnam and when the President is setting an example in austerity by turning off electric lights in the White House, it is shocking that the Defense Department is spending nearly half a million dollars to refit two pleasure yachts and a light two-engine pleasure plane for the Chief Executive. The White House press secretary described this expenditure as "routine" and denied that it was done with the knowledge of the President. I figure that they would have to cut off all White House electricity for the balance of the President's term to equal the $427,900 being "routinely" squandered on these irrelevant luxuries.

SLUSH FUND

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Bob Wilson] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BOB WILSON. Mr. Speaker, the administration has assembled a slush fund of a minimum of $8 billion for use in the congressional and State election period this fall.

I am confident the American people will show at the polls their opposition to the unprecedented use of their own tax money to buy their own votes.

The slush fund comes out of the regular, authorized expenditures on specific Government programs and from a unique backlog of $122 billion in unspent appropriations which the administration has been careful to have carried over into the next fiscal year for the first time in our history.

Spending will be concentrated before election day and shifted to specific districts and States under White House—administration—direction.

High on the list of these outlays is the war-on-poverty fund, with a proposed authorization of $1,750 million, of which 70 percent goes for salaries and organization—and this means political organization.

Payments under the farm stabilization program and food for peace will total over $4 billion. These payments will be made at the end of the crop season, shortly before election, and in traditionally Republican farm regions.

Other programs, such as area and regional development, urban renewal, and public housing, call for over $1.5 billion. Contracts will be let before the end of the building season and will go to the big city machines.

By contrast, the modest $156 million aid to Appalachia will be spent mainly for highways and must be utilized before the snow falls and prevents further work in this normally Republican region of the Eastern United States.

Aid to public schools calls for $1.5 billion and will make its impact on the school districts at the start of the academic year, 2 months before election. The new medicare system is designed to take effect in midsummer, with its benefits visible and its faults invisible in the final months before election.

It is a fact that as much as necessary of the actual cash to fill this political pork barrel will be obtained by the spendthrift sale of $8 billion worth of Government assets—mortgages, farm loans, veterans loans, small business loans, stockpiles of strategic defense metals, and commodities in storage.

Let me emphasize that this proposed multibillion-dollar slush fund is entirely within the letter of the law and does not contravene the Corrupt Practices Act. It is possible because, with a $122.3 billion carryover of appropriations into the next fiscal year, the administration can pick and choose, concentrate on doubtful States and critical districts, reward friends and punish critics.

Not since the days when the Caesars ruled Rome on the basis of bread and circuses has there been so great a threat to the integrity of the electoral process and the survival of representative government.

You cannot buy the American people. And it is an insult to attempt it with their own money.

FOREIGN AID PROGRAM

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Teague] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. TEAGUE of California. Mr. Speaker, when David E. Bell, Administrator of the Agency for International Development, appeared before the House Committee on Agriculture a few days ago, I was very favorably impressed with the statement he made. I commend it to my colleagues:

Statement by the Honorable David E. Bell, Administrator, Agency for International Development, Before the House Committee on Agriculture, February 24, 1966

Mr. Chairman, members of the committee, it is a pleasure and a privilege for me to appear before this committee again. I still have pleasant recollections of my last appearance before the committee, when you were kind enough to give me the opportunity to talk with you about the foreign aid program, its objectives, and how we go about our business.

I emphasized then the valuable contribution to development being made by American agricultural abundance, shared with others under Public Law 480. I also endeavored to make clear that food alone could not accomplish all that needed to be done.

Both conclusions are truer than ever today.

President Johnson has sent to the Congress a special food aid message, calling for new and improved arrangements for using our agricultural resources not simply to alleviate hunger in the world, but to help establish strong and growing economies in the developing nations—economies capable of producing the food they need or of purchasing it commercially. I am here to support strongly the President's recommendations.

You have received from earlier witnesses testimony concerning the seriousness of the world's food problem; the strongly rising trend of demand for food in the developing countries, resulting both from rising populations and from increasing incomes, and the inadequate rate of growth of food supplies in those countries. You are familiar with the reasoning which led the President to reject the costly and impractical alternative of trying to meet the entire gap over the coming years by more and more massive shipments of food aid, and led him to propose instead the more sensible course of helping other countries to develop their own food production, and through increased food aid shipments to fill the immediate gap until their production can be expanded.

In this task, the principal contribution of the Agency for International Development is to organize technical and capital assistance to help the developing countries raise their rates of increase in agricultural output, as part of the general task of economic development. As you know, there has been considerable improvement in agricultural output in these countries over the past 15 years, so the problem is not that of overcoming the total inertia of a motionless machine, but of sharply accelerating growth processes already underway. To this end, we must mobilize the best talent available in the United States, in the Department of Agriculture, in the land-grant universities, and in the farming and business communities of our country.

AID, in planning and implementing its programs to assist nations grow economically, has learned that it must look at development objectives on a countrywide/economywide basis. This country planning begins, of course, with the host country. The U.S. AID mission in the country is responsible for working with and advising host country officials on planning and implementing development programs that make the best overall contribution to economic growth. It is clear that agricultural development is an important element—often the most important element—in this picture. Our AID mission is also responsible for planning and implementing, following approval here in Washington, the U.S. assistance to complement host country development efforts.

I should like to stress the essential relationship between self-help measures by the aid-receiving countries, and our assistance. Only if we are convinced that countries are doing what they can for themselves are we prepared to give them full-scale assistance.

It is a complex task to analyze the various measures—some directly in the agricultural field, some outside—which are needed to achieve food output increases. They range from price, credit, and supply measures affecting farm output directly, to foreign exchange policies affecting, say, the importation of raw materials for fertilizer production, and policies encouraging (or discouraging) private ownership and initiative. The AID missions in each country, with help from experts from the Department of Agriculture, the universities, and other sources, must study all these matters, and lay out the combined pattern of self-help and outside assistance which will achieve the results that are necessary.

As we look ahead, we expect that our AID capital and technical assistance directly to enlarge agricultural output, in the next fiscal year, will rise by about 50 percent, to around $450 million. This will cover such items as the following:

Fertilizer plants and imports. AID financed about $65 million of U.S. fertilizer exports in fiscal year 1965 and that amount we expect will rise next year. We are also helping to build fertilizer plants abroad. We are encouraging these efforts directly through surveys, through the possibility of joint financing, and through investment guarantees. AID currently has before it applications for guarantees covering $250 million in planned American private investment in fertilizer production overseas. In 1965, AID guaranteed about $12 million in fertilizer plant investments in Korea, India, and Nicaragua, and lent $48.8 million to two new plants in Korea, in which the principal American private investors were Swift, Gulf, and Skelly.

Educational activities related to agriculture, including schools, extension services, research, and training. In India, for example, we have been working with the Universities of Illinois, Missouri, Tennessee, Ohio State, and Kansas State, to develop agricultural universities in seven Indian States. We shall increase our support in these projects for adaptive research in plant breeding, soil and water management, and in pest and disease control.

Technical advisory services to governments, farmers, and agricultural institutions. For example, in Uganda under a contract with the National Farmers Union, since 1962, over 8,000 cooperative leaders and managerial personnel have been trained. For another example, we have just signed a contract with the University of Minnesota to review with ourselves and the Government of Tunisia what steps are needed in order to establish a better base for planning agricultural policies and programs.

Wells, irrigation, and other activities related to water in support of agriculture, including specific attention to making the most effective utilization of water which is available. For example, we have helped Pakistan with the installation of tube wells (many of which are public and some 40,000 private), with engineering consultation to the West Pakistan Water and Power Authority, and in a 1.2-million-acre irrigated area assisting a demonstration program in modern farming techniques. We are helping irrigation projects in Korea, in Laos, in India, in Tunisia, in Ecuador, in Morocco, in Afghanistan, and other countries.

Transportation facilities. Greater improvement must be made in the capabilities of agricultural producers to transport commodities to markets on a timely and efficient basis. Road programs in southeast Asia, in Latin America, and in other areas will contribute to this effort.

Under these efforts, we are financing well over 1,000 agricultural technicians overseas, most on a contract or participating agency basis. We also finance the training of almost 2,000 participants in the United States. We anticipate increases in these numbers.

In all these ways, we shall be encouraging and supporting the expansion of agricultural output in the developing countries as part of their general economic growth. This work will go forward, under the President's recommendations, in close cooperation with the food aid programs.

As the President made clear, food aid is expected to be more closely tied together with our other economic assistance, and to be conditioned upon self-help cooperation by the recipient country. Thus, both may be better used to encourage increased agricultural production in recipient nations.

We strongly support the food-for-freedom program submitted to you by the President because we believe it will enable a far more effective job to be done in the future.

Elimination of the surplus disposal concept will end once and for all any idea that food aid is not a resource of real value, strengthening our bargaining position in obtaining self-help commitments by making clear we are sharing our actual productive capacity—not just something we want to get rid of.

We are also convinced that the proposed transition from local currency sales to sales for dollar credits, putting the valuable resources of food and fiber on the same loan term basis as we follow in making nonagricultural commodities available to aid-receiving countries, will help compel developing nations to face up to the fact that eventually they must be able to produce for themselves or to buy their food requirements.

Although it is our intention to move to sales for dollars within the 5-year period, there will be instances in selected countries where U.S. interests may be better served by our continuing to accept some local currency in lieu of dollars. The proposed bill envisages three kinds of situations where this might arise. The first is where foreign currency receipts can be used to meet our Government's financial obligations abroad. The second situation occurs when foreign currencies can be used for the common defense, as in Korea and Vietnam where currency generations from existing Public Law 480 programs make an important contribution to joint security related interests. The third situation we envisage is when foreign currencies can be usefully employed to support, through loans, American private investment abroad. When foreign currencies are needed for any of these uses, we are requesting authorization to permit the U.S. Government, at the time sales agreements are negotiated, to provide for payment in foreign currency rather than dollars.

In other words, while our objective is to move to dollar credit sales, we want to reserve the option to receive payment in local currency where it is in the U.S. interest to do so. We do not want to accumulate local currencies for which we have no requirement.

In addition to consolidating the former title I and title IV provisions of Public Law 480 into a single new title I concessional sales program, the legislation before you also consolidates the former title II and title III provisions of Public Law 480 into a new single donation section covering famine relief, economic development, food-for-work projects, school feeding programs, and people-to-people distribution programs of the American voluntary foreign aid agencies operating overseas.

At the present time, more than twice as much food is transferred abroad under concessional sales programs as is donated. We expect this ratio to be maintained in the years ahead. Nevertheless, title II of the new act covers activities that have become increasingly effective in recent years.

Under title II, section 202, of the present law, the number of economic development and community development programs has continued to increase. As experience has been gained, an increasing number of governments and voluntary agencies are discovering that food, when intelligently applied with the input of other resources, is a powerful resource to promote development.

During the past year, 53 new economic and community development projects were undertaken in 41 countries, and 126 projects were continued, for a total of 179 projects in 65 countries providing food to 12 million people.

Typical activities being carried on under these projects are:

In Bolivia, workers and campesinos are constructing schools, roads, irrigation canals, sewage systems, sanitary units, and water supply systems; in Korea, works projects are being expanded to employ more than 250,000 workers engaged in land reclamation and farm improvement, farmland rearrangement, reforestation, feeder road construction, and flood control.

A most significant change in the donation program has been occurring in the title III programs, in the response by the registered voluntary agencies and our AID missions to the challenge to use food rather than merely to dispense it. This is in accord with the congressional mandate in the 1964 extension of Public Law 480 which provided that title III food should be "* * * directed toward community and other self-help activities designed to alleviate the causes of the need for such assistance." The worldwide response has exceeded our most optimistic expectations. In areas large and small, urban and rural, in every part of the less developed world, many thousands of people have begun to use the energy the food provides, together with other resources, in activities designed to eliminate their need for food assistance.

This change in policy gave the "go" sign to the voluntary agencies to use the food given to hungry people to do more than satisfy the immediate pangs of hunger. The 800 non-Government American workers abroad with 6,700 privately employed foreign employees, many, many thousands of volunteers, and hundreds of State and Federal, village, and town officials cooperating with our AID missions, have combined to implement this new direction. Typical results include:

In India, Church World Service is distributing food to 17,837 men (representing families totaling 84,510 people) engaged in such activities as digging wells, building roads, and repairing school buildings.

About 13,000 workers received title III food from Lutheran World Relief during 1965 for their work on clearing land for new settlements in Brazil and Tanzania, building roads in Chile, constructing dikes and playgrounds in Taiwan, and reclaiming tidal land in Korea. In each case, the title III food was given to the workers and the needed cash was provided by Lutheran World Relief.

Catholic Relief Services is utilizing title III foods in many self-help projects around the world. For example, in Peru projects include laying pipe for water systems, school and road construction; in Chile, repairing roads, construction of small bridges, irrigation and drainage ditches; in India, building farm-to-market access roads and bridges.

It will also be under title II of the new act that we will respond to requests for emergency disaster requests. In the last year alone, $38 million worth of food was provided to meet 31 disasters occurring around the world.

Any discussion of the donation programs would be incomplete without mentioning the progress of stepped-up school feeding activities around the world. Each day some 70 million children receive supplemental food either through school, institutional, or family feeding programs. Perhaps the most dramatic example has been in the Operation Ninos program in Latin America, where the number of children fed increased from about 4 million to about 16 million over a span of 3 years. Most significantly, the effort has led to greater budget allocations by Latin American countries for expanding the school feeding programs, and resulted in better school attendance as well as better school performance.

During the past year we have started to shift our emphasis from just school feeding toward greater efforts to reach the preschool child in medical centers and maternity clinics, because of our growing concern over the serious effects of malnutrition on these youngsters before they reach school age. During the past year $1.9 million of AID funds were used to fortify nonfat dry milk with vitamins A and D for these feeding programs. We intend to step up other activities aimed at combatting malnutrition in infants, including technical assistance and health education, as well as use of our investment guarantee authority to encourage the American food processing industry to undertake manufacture abroad of formulated infant food meeting proper nutritional standards.

As you know, title II also authorizes making food available through international organizations. It is under this title that we have encouraged other food-producing nations to share to a greater extent in food aid through our participation in the world food program, sponsored jointly by the U.N. and the FAO. For the past 3 calendar years, 1963–65, the program has operated on an experimental basis. In this period the world food program budget totaled $94 million. The United States contributed $40 million in commodities and $10 million in ocean freight and cash. The program has demonstrated that economic development, child feeding, and emergency programs utilizing food as the primary resource can be conducted successfully by a multilateral organization.

In December 1965, the U.N. General Assembly and the FAO Conference reviewed the world food program's accomplishments and agreed to extend the program with a goal for the upcoming 3 years, 1966–68, of $275 million in commodities and the cash necessary to move them and to administer the program. Again, the United States offered to match the amount of commodities made available by other countries. The world food program projects are the same type we would normally carry out under our title II bilateral program. By participating in the world food program, however, we are able to encourage other donors to share in providing the needed food and also obtain a bigger breadbasket of more different commodities for such programs. Our cash contribution to the world food program comes out of regular AID appropriations, not Public Law 480. The same will be true under the new legislation.

Before concluding, I want to emphasize the crucial importance of the longer term authorization proposed in the legislation before you.

As we move from surplus disposal to sharing our agricultural productive ability whenever it best serves our national interest, it is going to be necessary to do longer term planning and longer term programing. We will need to look ahead as to requirements, so the Secretary of Agriculture can be properly guided in making production goal decisions. And we will need to have some assurance that the temporary food gaps can be supported while the developing nations carry through their longer range programs of agricultural development.

With the new concepts and authority of the food for freedom bill, and with the new emphasis on developing agriculture under our foreign assistance program, I am convinced that we can provide a balanced input of food aid with technical and other types of assistance that can, over a period of years, reduce to manageable proportions the very serious food gap confronting the world today.

A NATIONAL SHAME—THE NEED FOR HUMANE TREATMENT OF ANIMALS

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, the Christian Science Monitor, in its February 17 edition, issued one of the strongest calls yet in its continuing campaign for laws to provide for humane treatment of animals.

This particular editorial was written in reaction to the shocking article recently published by Life magazine exposing the horrors of the dog-stealing racket.

The Monitor's efforts are a bulwark of this campaign. It has endorsed my own bill, H.R. 5647, to provide for humane treatment of animals used in federally financed scientific research. It also endorses H.R. 12488 by the distinguished gentleman from Texas [Mr. POAGE], which would provide protection from thefts of animals.

The Monitor's persistent appeals to the conscience of the Nation deserve a strong, prompt, and affirmative response from the Congress. I am glad to call the attention of my colleagues to these eloquent words published by this outstanding newspaper.

A NATIONAL SHAME

The need for reform in all phases of animal experimentation is at last making its impact on the American conscience. A recent series of pictures in Life magazine, "Concentration Camps for Dogs," powerfully dramatized this need. Shown are dogs, cats, pigeons, skunks, and raccoons, crowded into filthy crates too small to permit standing; heavily chained and emaciated dogs too weak to crawl to the stale bread and frozen entrails that comprise the only food in sight; sick and hopeless-eyed puppies chained to boxes, with only a frozen pan of water nearby; a dog frozen to death in its box. A humane society raid rescued 28 of the worst cases. Some 75 dogs remained.

This is a sample of what goes on in many such compounds all over the United States. To cash in on the need of experimental laboratories for almost 2 million dogs a year, "dog dealers" buy dogs and other small animals wherever they can. These, most of them strayed or stolen pets, are eventually sold to laboratories, where they often fare no better than they did with the dealers.

Who are guilty? The thieves? The dealers? The laboratories that buy animals which are obviously lost or stolen pets? Wantonly cruel laboratory operators? Of course. But guilty also are people who avail themselves of benefits from medical research but close their eyes to its abuses and demand no reform; indifferent or reluctant legislators and executives; individuals who are too sensitive to read shocking exposés but too busy to write their legislators; individuals who are able to back their convictions with money and fail to do so.

There are already pending in Congress a number of bills that would do much toward correcting these abuses, notably the

Poage bill, H.R. 12488, and the Clark-Cleveland combination, S. 1071 and H.R. 5647. Passage depends on the people. No one knowing the grisly facts has the right to say "Disgraceful," who does not also have the gumption to write to his legislators in Washington.

"DESPOILERS OF DEMOCRACY"

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Hall] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HALL. Mr. Speaker, an excellent article appeared recently in the Des Moines Register, written by Vera Glaser of the North American Newspaper Alliance. The article concerns the book, "Despoilers of Democracy," written by crack investigative reporter, Clark R. Mollenhoff of the Des Moines Register and Tribune.

As the article points out, "Despoilers of Democracy" is a "whodunit peopled with real-life types."

I can understand a spokesman for the Democrat National Committee telling a reporter he had never heard of the book. I think I can assure him that he will hear a great deal more about the book before next November. To understand why, I commend the article to the attention of my colleagues:

GOP Eyes Mollenhoff Book as Campaign Document

(By Vera Glaser)

Washington, D.C.—Republicans are hugging a political atomic bomb, and trying to figure how to use it with the most devastating effect in the elections of 1966 and 1968.

A new book on corruption in Government written by crack investigative reporter Clark R. Mollenhoff, of the Des Moines Register and Tribune, has become "must" reading for the GOP and promises to become a campaign document.

"Despoilers of Democracy" is a whodunit peopled with real life types like President Johnson, Secretary of Defense Robert McNamara, Bobby Baker, and Walter Jenkins. The scandals and dishonesty it portrays with alarming detail touch the defense program, foreign aid, security procedures, and the White House.

IT'S CALLED STEMWINDER

"It's a stemwinder," said California Representative Bob Wilson, chairman of the GOP congressional committee. He said he is trying to get a group rate.

Wilson's committee also rushed into print with a widely distributed two-page blurb on the book, complete with a cartoon of Lyndon Johnson slamming the door on a closet full of grinning skeletons labeled "TFX Case," "Otepka Case," and "Billie Sol Estes."

Mollenhoff, a Pulitzer Prize winner, based the book largely on sworn testimony given to congressional probers. He lets the political chips fall where they may.

Some hit the Eisenhower administration, notably on stockpile profiteering, but the evidence of collusion, arrogance, and falsehood during the Kennedy and Johnson administrations is telling enough to turn Democratic hairs gray.

It is understood that Mollenhoff's publisher, Doubleday & Co., gave the manuscript a thorough legal check before releasing it.

Senator John J. Williams, Republican, of Delaware, who kept the Bobby Baker investigation alive long after the administration tried to quash it, calls the book "a masterpiece which should be required reading for every public official, regardless of party."

Representative John Ashbrook, Republican, of Ohio, devoured it on a plane returning from Rhodesia, called it "more eye-opening than the trip," then spoke out on the house floor: "Clark Mollenhoff has performed a great service for America. I doubt that he will get many prizes in Washington for what he has to say about people who take public service as a mandate for personal power."

DISTRIBUTE COPIES

Senator Milward Simpson (Republican, of Wyoming), dispatched copies to newspaper editors, radio, and television commentators throughout Wyoming. South Dakota's Karl Mundt praised it in his newsletter. Maine's Margaret Chase Smith, is distributing gift copies.

"The big lie is being used through massive public relations to deceive the public and Congress and to stifle dissent against this consensus," charged Iowa Representative H. R. Gross. He recommended the book to "every American concerned about many things going wrong in our Government."

Carl Shipley, GOP chairman for the District of Columbia, fired off a letter to all Members of Congress and Republican State chieftains, urging them to quote from the book in the 1966 campaign.

JUST BEING BROUGHT OUT

"Unfortunately, the assassination of President Kennedy in November 1963, occurred at a point in history when all of these matters were just being brought out in the press," Shipley wrote, "and they were all set aside or deferred.

"In addition, the Nation's press has apparently not wanted to get into matters embarrassing to the memory of the Kennedy administration or its successor, the Johnson administration, since it might imply some criticism of Kennedy at a time when he was being characterized as a martyr and converted into a myth bigger than life."

Of 43 reviews of the book in major news media, all were favorable except one which criticized Mollenhoff for not coming up with solutions for the corruption he exposed.

THE FINAL PARAGRAPH

In the last paragraph of his book Mollenhoff warns: "If the public doesn't care about its Congress—or doesn't show that it cares—and if it continues to shrug its shoulders over arrogant administration and shoddy favoritism, as well as outright corruption, then one day the house of democracy may fall. For, in the end, the responsibility for good government rests with the people. America will get as good a government as Americans demand."

A spokesman for the Democratic National Committee said he had never heard of the book.

APPOINTMENT OF WILLIAM S. RICHARDSON TO BE CHIEF JUSTICE OF THE HAWAII STATE SUPREME COURT

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. MATSUNAGA. Mr. Speaker, I am happy to announce that a former classmate of mine at the University of Hawaii, William S. Richardson, has been appointed chief justice of the Hawaii State Supreme Court. Mr. Richardson is presently Lieutenant Governor of Hawaii.

The appointment was made by Gov. John A. Burns, who, in describing the qualifications of the new chief justice, said:

> By temperament, by his professional and educational background and by his historical family ties, Bill Richardson is most admirably fitted to head up our court system.

Mr. Richardson was a practicing attorney in Honolulu from 1946 to 1962, when he was elected to the second highest post in the executive branch of our State government. He is a past president of the Hawaii Bar Association, and is also an active member of many community and civic organizations.

The new chief justice's lineage may be traced back to the alii—chiefs—of ancient Hawaii, and his family has been associated with the court system of the islands since the days of the Hawaiian monarchy in the mid-19th century.

Mr. Speaker, I wish to add my own hearty congratulations to those of the people of Hawaii as Bill Richardson dons his judicial robes. I know that he will meet the challenges of his new post with great credit and honor.

TENTH ANNIVERSARY OF THE INDEPENDENCE OF MOROCCO

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. MATSUNAGA. Mr. Speaker, today marks the 10th anniversary of the independence of Morocco. On this important day for the independent monarchy situated on the northwestern corner of Africa, I would like to extend my warmest felicitations to King Hassan II and the people of Morocco.

Independence day is of great significance to new as well as old members of the world's community of nations. It provides all with an opportunity to ponder the national events of the past while evaluating the national exigencies of the present. Although Morocco's independence as a constitutional monarchy dates back but a few years its history goes back to the time of the Phoenicians.

Morocco today is recognized as being a progressive country, a status it has achieved largely through the efforts of King Hassan II, who has implemented many of Morocco's economic and political programs.

Morocco has a House of Representatives which is elected directly by the people and an upper Chamber of Councilors which is elected by members of local civil and religious authorities and such groups as trade unions, chambers of commerce, and industry.

Mr. Speaker, on this anniversary of Morocco's independence, I join my colleagues in saluting the people of Morocco and their King and wishing them ever-increasing prosperity.

MORE HUNGARIANS JAILED

Mr. PATTEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PATTEN. Mr. Speaker, this year we will celebrate the 10th anniversary of the Hungarian Revolution which for the first time clearly and irrevocably exposed the myth that a free nation can accept communism as its permanent system of government and shook forever the monolith of communism.

During the past 3 years, the Communist Kadar government, still based on the presence of 85,000 Russian troops in Hungary rather than popular acceptance, has coined a new slogan: "Who is not against us is with us." This was to keep the Hungarian economy and to fight passive resistance; and certain concessions were made in the field of travel and even an agreement with the Vatican was signed in 1964. Many Americans believed that this relationship would result in a further expansion of the very limited rights Hungarians under Communist domination now enjoy.

However, despite these concessions the basis of Communist power and terror in Hungary did not abate. The onerous one-party system, the suppression of free criticism and the signs of any opposition, combined with the deteriorating economic system based on the exploitation of the individual, and intolerable restrictions on the freedom of religious instruction are renewed at an increasing rate of severity.

The Communist Party newspaper, Nepszabadsag, reported on February 18, 1966, what our correspondents and reliable informants have been telling us for the past 4 weeks: Stalinist methods are again used to break any possible nuclei of dissent in Hungary, and hundreds, if not thousands, of patriots are again filling the jails in an attempt by the regime to forestall a possible uprising by the discontented and disillusioned populace.

Mr. Speaker, the wrath of the Communist political policy is descending on very distinct groups in Hungary as a warning to the man in the street not to think any thoughts of freedom possibility or liberation. The first group is composed of those who in 1956 have averred actively their faith in the democratic system of government, in Hungarian independence from dominance of world communism, and in the rise of the individual over the collectivist society. That year people who played a role in the Hungarian revolution—perhaps not with a gun in their hand, for the fate of those was worse than a few years in jail—at least as members of the revolutionary councils and other organizations which sprang up during the few glorious days of the Hungarian fight for freedom, were tried by temporal courts of the Russian-controlled regime. They lingered in prison anywhere from 4 to 7 years and were finally released. Yet the regime could not long tolerate them. The free assistance of those who cannot be bribed or broken, the secret fear of the regime that the 10th anniversary might see a repetition of the 1956 events, led them to take precautionary measures of rounding up hundreds of these people in the past 2 months, putting them behind the bars in order to deprive the discontented masses of any leadership. The guilt of these people consists solely of the fact that they have to think freely, that they hold different concepts of state and society as their ideal, hardly new crimes, according to the Communist code of Hungary. We, as Americans who as early as our War of Independence fought against star chamber proceedings, ex post facto laws, cannot help but feel the strongest feelings of disgust and abomination when hearing of these contemptible procedures; and, as representatives of a free and democratic country, we are raising our voice of condemnation of such measures by the Communist Hungarian Government, being sure that politicians, educators, and all parts of democratic leadership in the world which care for human rights share our feelings and will want to join in expressing the same.

The second group arrested is a Catholic lay group, Regnum Marianum, which has been in existence in Hungary well over 150 years. This was never a political group but a group concerned with religious inspiration and salvation for the individual wanting to save his soul and for the society in which the individual has to survive. It shows clearly that the present masters cannot tolerate the free religious spirit, that they must break spiritual resistance to totalitarian plans in order to feel even halfway secure. It shows the futility of ideological coexistence with communism or even the impossibility of any ideological dialog as long as one side is treated to jail sentences for trying to answer the arguments of the other.

Mr. Speaker, this is supposed to be an era for human rights and national self-determination. Many new nations arose, and concern for human rights has become not only a problem for international and constitutional lawyers, but the world as well. Yet what do we see in Hungary? We see a thousand-year-old nation, with a rich history, occupied by foreign military troops which came as invaders to the country. We see a country ruled by a foreign-imposed elite which has ruined Hungarian agriculture and the efficiency of the Hungarian industrial establishment, and aroused the quiet contempt of its citizens. We see the Hungarian people being deprived of basic human rights, living in a police state of arbitrary imprisonment, of whimsical laws, suffering under economic deprivation and deprived of the God-given right of individual freedom in a totalitarian society.

I believe it would be our duty and obligation to protest this in no uncertain terms, and make our attempts to build bridges to these nations dependent upon their increased observations of human rights and individual freedoms.

HIGH INTEREST RATES AND THE FEDERAL RESERVE BOARD

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. Patman] is recognized for 60 minutes.

Mr. PATMAN. Mr. Speaker, this country is today in a grave period in its history.

As we meet here this afternoon, more than 200,000 American boys are in Vietnam. Thousands more are being drafted every month.

These fighting men, their parents, their wives, and members of their families are being called upon for tremendous sacrifices. Many will give their lives before this conflict is resolved.

On the homefront, labor is being asked to restrain its wage demands. Business is being requested to hold back price increases. Taxes are being reimposed on some areas of the economy. Other sacrifices will be necessary in coming months to meet the crisis in southeast Asia.

The great majority of the people, I am convinced, are willing to make the sacrifices necessary to meet our commitments to freedom.

But, Mr. Speaker, we must make certain that these burdens and these sacrifices be shared equitably through our economy. We must not be guilty of establishing policy which allows one group to profiteer from the war while other individuals and groups sacrifice heavily—even to the point of giving up their lives.

As the country has moved to a wartime footing in recent months, one element of the economy—that area tied up with banking and monetary policy—has gone about with a "business as usual" or more correctly a "profit as usual" attitude.

The demands of the Nation's financial community, as echoed through the Federal Reserve Board, have given no recognition to our serious war situation. The big banks have demanded their pound of flesh, and the war be damned.

Mr. Speaker, the Federal Reserve Board's action of December 6 in raising interest rates was nothing more than a coldblooded move to place Wall Street in a position to take the maximum profit from the Nation's wartime expenditures. This action, taken by a bare 4-to-3 majority of the Board, was a move toward war profiteering in its most naked and ugly form.

This excerpt from the respected Illinois Business Review published by the University of Illinois, states the case of the December 6 Federal Reserve action succinctly:

> As an issue of profiteering * * * the objections had just as much force as they do with respect to an increase in the price of aluminum or any other commodity. The prize of the lenders' victory is the extra increment of income which will be received from all the people who must borrow to do the things they want to do. The latter issue, by all reports, was never raised, either in the Fed's own deliberations or in the controversy with the administration. There seems to be a kind of gentlemen's agreement not to mention the mundane matters of dollar gains to the banking industry or of its

consistent lobbying efforts to attain this result.

To hide the profiteering motives, the Federal Reserve Board has attempted to cloak its moves behind the respectable mantle of fighting inflation. This excuse has fooled exactly no one.

Are we to believe that the Federal Reserve Board raised interest rates on time deposits by 37½ percent as anti-inflation action? We all know that this move enabled the big banks to hold on to $16.5 billion in certificates of deposit which they were afraid would not be renewed.

These are high powered dollars, creating reserves on which the banks can make loans on a ratio of 25 to 1. Can anyone claim that this is anti-inflationary? Of course, this has just the opposite effect. It pours gasoline on the fires of inflation.

Mr. Speaker, no serious economist or monetary expert accepts the "Alice in Wonderland" tale that the December 6 action of the Federal Reserve Board was for the purpose of stopping inflation. The Board's action in raising the discount rate—the wholesale cost of money—by 12½ percent and the time deposit rates by 22.2 percent and 37½ percent was simply the cold, calculated response to the big banks' desire for more profits.

Such an action would have been a sorry piece of public policy at any time. All of us in this body know full well that high interest rates hit hardest at low-income and middle-income families, the small businessman and the farmer—in short, the group that can least afford to pay more. But this time the Federal Reserve Board's move has some added implications. Frankly, the action has the smell of war profiteering. It is no coincidence that it comes while the country is being asked to spend billions of dollars to fight communism in southeast Asia.

The big banks' desire for higher profits has placed a heavy new burden on fighting the war in Vietnam. It has increased the cost of every item which will be used in that war. It has skyrocketed the cost of financing the billions of dollars which must be poured into this war. Already this year, the administration has asked for a special supplemental appropriation of $12.8 billion to finance Vietnam operations just for one year. Next year the cost may be double that figure.

Every single dollar that must go into this war will cost more because of the Federal Reserve Board's December 6 action and the desire of the banks for bigger and bigger profits.

Mr. Speaker, rising interest costs threaten to make the Vietnam war the most expensive military operation in the history of the country considering the number of men and the amount of material committed to that area. Unless we can reverse the trend of these interest costs, we will place a fantastically heavy burden of debt on the backs of the American people. These unnecessary interest costs will be paid for years and years by future generations.

Only 2 weeks ago, the House, without a dissenting vote, passed the cold war GI bill so that our veterans fighting in Vietnam might have some of the same benefits afforded our fighting men in earlier military actions. I supported that bill as I have all veterans legislation since the bonus for World War I veterans. But, Mr. Speaker, this GI bill may be an empty bag of benefits picked clean by the Wall Street bankers.

When these veterans return, they will find that the cost of everything has gone up, thanks to higher interest rates. They will find that the new house they planned to buy with a GI loan has increased in cost, if it is available at all. They will find that the cost of education has risen as schools struggle to pay the mounting interest costs on construction and other debts. The returning veteran, like all Americans, will share in paying the massive interest charges on the national debt. This year the total interest bill in the Federal budget is estimated at nearly $13 billion, and the cost is still rising.

Yes, Mr. Speaker, we are allowing the lenders to impose a heavy new debt on the backs of the very men who are fighting in Vietnam today. Unless our current policies are reversed, high interest rates will be a cruel welcome home gift to the thousands of American servicemen now in Vietnam.

I cannot overemphasize the serious situation which is facing our Federal Government's effort to finance its operation at this hour. Much of the story is going unreported in the press. But let me assure you that we are at a critical crossroads in the financial affairs of our country.

The December 6 action of the Federal Reserve Board is still reverberating throughout our economy. Its full effects are just beginning to be felt at all levels. These rising interest rates have put severe pressure on every item financed by the Federal Government from the war in Vietnam to the school lunch program. Already it has forced increases in the interest rates charged on Federal housing programs, including churches, hospitals, and school buildings.

Short-term financing through Treasury bills has gone to an alltime high, yielding over 5 percent. These rates have been steadily pushed upward by the Federal Reserve Board's actions which have extended over the past year.

Now there is serious talk of an onslaught against the statutory limit of 4¼-percent on long-term Government obligations. The American Bankers Association opened this new effort against the 4¼-percent ceiling in October when its delegates, meeting in Chicago, called for outright abolishment of this interest rate benchmark.

The loss of the statutory limit on long-term securities would be a tragic mistake. It would open the floodgates on never-ending rounds of interest rate increases in all areas of the economy. It would be a sledge-hammer blow from which the country would never recover. Remove the 4¼-percent ceiling and the United States will be forever a high interest rate nation. We would then find ourselves in an economic situation not unlike that of nations in South America and other sections of the world where 10, 20, and even 30 percent interest is everyday fare and economic stagnation is the order of the day.

Under such circumstances, we could never finance a Great Society program, much less a war in Vietnam, without wrecking the entire economy and throwing millions of people back to a welfare subsistence.

The 4¼-percent ceiling was set by Congress in 1918—in another wartime period—by an administration determined to fight a war without completely bankrupting the country. It has survived many onslaughts by the New York financial interests in its almost half a century on the statute books.

I remember that in 1959 and 1960 the Republican Secretary of the Treasury came to Congress pleading the bankers' case for an increase in the statutory ceiling. Congress turned down their demands and preserved the 4¼ percent and thereby saved the Nation's taxpayers billions of dollars. I remember that a great deal of the fight against the interest rate increase was carried by the then Senate Majority Leader Lyndon B. Johnson.

Congress must once again speak out against junking the 4¼-percent ceiling. We must let it be known that we will not abdicate our responsibility and abandon long-term Government financing to the high interest lobby.

Nothing could injure our efforts in Vietnam more or our efforts to maintain prosperity at home than to allow a runaway inflation in interest rates. And raising the 4¼-percent ceiling would be just that—runaway interest rate inflation.

But, Mr. Speaker, we must do more than just maintain the status quo. Already long-term Government bonds are selling below par and bringing the highest yields since the early 1920's. The situation is serious. This excerpt from the Wall Street Journal of a few days ago illustrates what is happening:

> Dealers noted that long-term Treasury bonds were at their lowest prices and highest yields in more than 40 years. The Treasury's key 4¼s of 1987–92 didn't have any counterpart issue outstanding during the high-interest period of late 1959 and early 1960. Specialists said one would have to go back to the 1920's to find a yield approximately 4.50 percent from a Treasury bond running for more than 25 years. Treasury bonds in the 1920's, they noted, were exempt from taxation.

Mr. Speaker, what is happening is obvious. The Federal Reserve Board, led by its Chairman, William McChesney Martin, is refusing to support the Government bond market. By this device, the Federal Reserve Board is thumbing its nose at the Congress decision to hold the long-term interest rate at 4½ percent and is thereby placing billions of dollars of added burden on the American taxpayers.

The Congress should not allow this to continue. We should require that the Federal Reserve Board support its own Government's securities. The Federal Reserve Board's present attitude and actions are nothing less than willful sabotage of the Nation's efforts to finance the

Vietnam war effort and a back-door veto over domestic programs.

Mr. Martin is a clever man who twists and turns whenever these facts are called to his attention. He has in recent months contended that rising interest rates are necessary in a wartime situation. This, even for Mr. Martin, has to be one of the most misleading statements of the year.

It is not necessary, as Mr. Martin argues, to raise interest rates during wartime. I call attention to the period from 1939 to 1951 when the Federal Reserve Board, cooperating with two Presidents, kept interest rates on long-term Government obligations at 2½ percent. This is a fact which Mr. Martin does not like to face.

Throughout World War II this 2½-percent rate was maintained. This was in a time when we were shooting away a quarter billion dollars a day on the battlefield. The country should be thankful that the long-term interest rate was kept at 2½ percent during this war which so heavily taxed the total resources of the Nation. If we had not had such enlightened monetary policies, we would today be facing a national debt of many billions of dollars larger.

I submit, Mr. Speaker, that what the country could accomplish in World War II in the field of monetary policy it can accomplish today for the war in Vietnam. There is no reason, outside of the greedy grasp for wartime profits, to raise interest rates at this time. We did not betray our fighting men in World War II with round after round of interest rate increases, and we should not betray our men in the Vietnam swamps and jungles.

I ask my colleagues, Republicans and Democrats alike, liberals and conservatives, and middle of the roaders to take a long, hard look at our monetary policy. I urge you not to take the word of William McChesney Martin as gospel; in my book he is a false prophet. The situation is too serious and too much is at stake to allow Mr. Martin to dictate policy in this area. The crisis is too serious to be left to the whims and wishes of Wall Street. We in Congress must face our constitutional responsibility in this vital area of fiscal and monetary policy.

If anyone doubts the seriousness of the monetary situation, I suggest they take a look at the President's new budget. On page 140 of the budget, you will find that already Mr. Martin's action of December 6 has added $750 million to the interest charges on the national debt for 1967. That is the estimate at the current money market rates and, as we all know, this market is going up daily. Mr. Martin's newest increase brings the total interest charge on the national debt to almost $13 billion for fiscal year 1967. And by coincidence this figure equals almost to the penny the money being sought by President Johnson to fight the war in Vietnam this year.

At such a time, it is tragic that $750 million extra must be taken out of the budget just to pay interest charges. Imagine what this sum could do if it could be channeled to more productive projects. What would it do for the school lunch program? What could it do for rent supplements, for the REA program, for the poverty program, for water resources, for slum clearances, and for a multitude of other projects? Yet the Federal Reserve Board dictates to the Congress and to the administration that this $750 million be added to the budget to pay new interest costs—to pay the bankers. I cannot help but feel that this money would be better spent on milk for schoolchildren than for the purpose of increasing bank profits.

But these new interest rate figures, while large, may be insignificant alongside the new increases which are now being planned secretly by the Federal Reserve Board. Already there have been published reports about a new scheme to once again increase the discount rate and for other manipulation to tighten the country's money supply.

There should be no question about the intentions of William McChesney Martin. Since 1951 when Mr. Martin joined the Federal Reserve Board, interest rates have gone in only one direction—up.

The following table showing the computed annual interest rate on the marketable public debt clearly illustrates the situation. When Mr. Martin came on the Federal Reserve Board in 1951, the computed annual interest rate on the marketable public debt was 1.981 percent; today, after 15 years of Martin policy, it stands at 3.890 percent, an increase of 96.5 percent.

Computed annual interest rate on the public debt, marketable issues, 1939–Dec. 1965

End of fiscal year or month:	*Total*
1939	2.525
1940	2.492
1941	2.413
1942	2.225
1943	1.822
1944	1.725
1945	1.718
1946	1.773
1947	1.871
1948	1.942
1949	2.001
1950	1.958
1951	1.981
1952	2.051
1953	2.207
1954	2.043
1955	2.079
1956	2.427
1957	2.707
1958	2.546
1959	2.891
1960	3.449
1961	3.063
1962	3.285
1963	3.425
1964	3.659
1965, June	3.800
December	3.890

Source: Annual Report of the Secretary of the Treasury, 1964, and Treasury Bulletin, November 1965.

Mr. Speaker, let me translate these percentage increases in interest rates into more meaningfull terms. Since 1952 the people of this great Nation have paid some $60 billion in excess interest costs. This figure is based on the level of interest rates existing in 1952. This amounts to almost 10 percent of the gross national product in 1965 and more than half—more than 50 percent—of the estimated Federal administrative budget for fiscal 1965. I need not dwell on the many vital programs these funds could be invested in if they did not have to be paid out in higher interest rates.

When the Martin regime took over in 1951, the Nation's taxpayers were paying $6 billion in interest on the national debt. Today, 15 years later, this figure has skyrocketed to $13 billion. In each of the past 3 years, Mr. Martin has raised the discount rate on the wholesale cost of money to the banks.

As a result, Mr. Speaker, there is absolutely no hope that Mr. Martin will exercise voluntary restraint. If we allow him, Mr. Martin will lead us to total monetary disaster. And the great long silence of the Congress leads Mr. Martin to believe that he is free to follow this reckless course.

Therefore, I am convinced that the Congress in this session must set the record straight. In the next few days, I plan to meet with our "unofficial steering committee to maintain the 4¼-percent interest rate." As you know, this committee is composed of 87 Democratic Members of the House. I plan to ask the committee to consider the introduction of a resolution which would include these points among others:

First. That the Federal Reserve Board rescind its order of December 6 and return the discount rate to 4 percent.

Second. That the House of Representatives go on record in support of the 4¼-percent maximum on long-term Government securities.

Mr. Speaker, it is no secret to anyone in this Chamber that I am strongly in favor of a complete overhaul of the Federal Reserve System so that it is more responsive to the people and to the elected representatives of the people. I have introduced legislation to accomplish this. I hope Congress will see fit to act on this legislation soon.

However, today I address myself to the need for an immediate and emergency resolution setting forth the sense of the Congress on the financial issues which cannot wait. All of us know we are facing the absolute necessity of providing funds for massive military expenditures in southeast Asia. This is a fact that cannot escape us. Therefore, I feel it is imperative that we take action now that will assure that we can finance and carry on this war without bankrupting the Nation through skyrocketing interest rates.

We should strongly consider steps which will allow the country to finance the Vietnam expenditures on a formula comparable to that used in World War II, when interest rates on long-term Government securities never did rise above 2½ percent.

Let us not deceive ourselves. We are at the crossroads. In one direction we can let the big banks and their willing ally, the Federal Reserve Board, stoke the fires of rising interest rates in wartime profiteering. Or we can take a more rational and sounder position which will hold interest rates down and give the Johnson administration the ability to finance the Vietnam conflict within reasonable monetary limits and without inflation.

We cannot dodge the issue. We cannot dodge our responsibility. The country is watching and waiting.

Mr. McGRATH. Mr. Speaker, I ask unanimous consent that the gentleman from Oregon [Mr. ULLMAN] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey.

There was no objection.

Mr. ULLMAN. Mr. Speaker, I wish to join today with my good friend and colleague, the gentleman from Texas, in emphasizing the danger of continued high interest rates. I commend the gentleman for his outstanding work in bringing to the attention of the American people the folly of high interest policies and in citing the terribly high cost that it imposes on our economy and on each of our citizens.

During the past 15 years, the national debt has increased by 20 percent, but during the same period the interest cost on the debt has gone up 100 percent. Comparable increases in the field of private credit cost the American consumer many billions of dollars each year.

Because of the imminent danger of further increases and because of the need for Congress to reassert its constitutional authority in monetary matters, I introduced a bill on March 1 which would require the Board of Governors of the Federal Reserve System to obtain congressional confirmation for changes in rates of discount. Under provisions of the bill, the Board would retain the flexibility to make changes, but without congressional confirmation, they would remain in effect for only 90 days. Congress would have the power to rescind the Board's action at any time during the 90-day period.

This degree of congressional control must be asserted to assure that the national monetary policies of the Federal Reserve Board do not conflict with the combined economic policies of the Congress and the national administration.

Again, I want to congratulate the distinguished chairman of the Committee on Banking and Currency and all of those who have joined in this most vital effort to maintain stability in the Nation's banking and credit systems.

SPIRALING COSTS OF CREDIT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio [Mr. VANIK] is recognized for 60 minutes.

Mr. VANIK. Mr. Speaker, I want to take this opportunity to commend the distinguished chairman of the House Banking and Currency Committee and chairman of the Joint Committee on Economic Report for directing the attention of the Congress to the spiraling costs of credit brought about by recent Federal Reserve policies.

I cannot join those who reason that an inflationary price spiral can be curbed by raising the price of money borrowed for enterprise or family life. Our pricing experience since the unwarranted rise in the discount rate last December has not reduced a single price. On the contrary, it has added considerably to every item of purchase. For the average American who must rely upon credit, the new house is drastically more expensive—and so is the automobile and the refrigerator. The added interest rate paid to those who lend money is like a new excise tax on every item of purchase—ordered to be paid by an agency of the Federal Government to private lending agencies. This exercise of the power of the Federal Reserve constitutes the worst form of "administered pricing," pricing upward for the lending industry.

During the past 60 days, the cost of living index continued more sharply in its upward trend. It is not coincidence that the acceleration of trend during the past 60 days over the previous 60-day period appears to be just about equal to the increase in the cost of credit—decreed by Federal Reserve policies.

The method of calculating the cost of living index fails to include the cost of credit as a family commodity—and yet in my district the cost of credit per family ranges from 10 percent of family income to as much as 35 percent of family income. The action of the Federal Reserve on December 6 raising the discount rate from 4 to 4.5 percent had the effect of precipitating at least a 12½ percent rise in the interest rate at all consumer levels—thereby driving low-income, high-borrowing families closer to the poverty levels.

Business and industry can simply tack on added interest rates as an additional business expense, added to the higher price. Through the multiplying effect of price increases at the production, wholesale, distribution, and retail levels, the economic domino pressure eventually crashes down on the family consumer—who buys what he must—regardless of price.

The cost of living index as currently contrived by the Bureau of Labor Statistics is faulty and misleading. It fails to include the high cost of family interest and increased contributions to retirement and health programs. Statistically, it leaves the individual family with disposable income which does not exist.

There are other ways to control credit expansion which seem completely overlooked by the Federal Reserve. The Comptroller of the Currency and the Federal insurance corporations have the authority to increase the liquidity of banks and savings and loans simply by ordering an increase in the reserves. Without raising interest rates one penny, the lending institutions would be stirred into the purchase of Government securities to bolster liquidity. This would contribute to the stability of public borrowing and reduce the rate at which the Government itself could borrow—reducing in this way the cost of servicing the public debt. Perhaps this would call for a higher degree of patriotism than we have a right to expect from our bankers. However, a reserve increase policy should be completely suitable to responsible lenders who should see the long-term advantage to national fiscal policies.

An increase in bank reserves would dry up excess credit and continue to make it available for priority purposes at no greater costs.

The Federal Reserve policies on collateral lending restrict credit to 30 percent on securities listed on the major exchanges. However, no such restriction applies on over-the-counter issues in which lending institutions can loan without reservation and participate in unregulated speculation.

Frankly, a full and continuous congressional hearing is long overdue on economic and fiscal policies. The war on inflation demands our daily vigilance.

America has been built upon enterprise, prudence, and a national distaste of usury.

FEDERAL RESERVE BOARD'S INTEREST INCREASE MAY HAVE TURNED PHANTOM INFLATION INTO AN ECONOMIC MONSTER

Mr. VANIK. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. ANNUNZIO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, I wish to wholeheartedly endorse the remarks made by the gentleman from Texas [Mr. PATMAN] and the gentleman from Ohio [Mr. VANIK].

The actions taken by the Federal Reserve Board to stem a "phantom inflation" may have actually produced an inflation where one did not exist. In the area of home building the increase in the discount rate which was followed by the rise in FHA mortgage interest charges have succeeded only in raising the cost of housing; and when the cost of housing goes up, the cost of building materials must go up, and so on around the circle until prices on virtually every service and product rise.

I sincerely hope that the Federal Reserve Board will not make the same mistake again, but I have an uneasy feeling that the Board is planning to adopt an even higher increase in the discount rate and bank savings account rates in the near future.

Mr. Speaker, I am not a lawyer, but I will use a practice adopted by many trial attorneys called arguing in the alternative. Under this practice, the lawyer contends that his client did not punch the plaintiff in the nose, but if his client did punch the plaintiff, then it was only because the plaintiff struck him first. By arguing in the alternative, I will state that there is no inflation in this country, but if there is an inflation, it was caused by the Federal Reserve Board's hastily concocted interest rate increase.

The United States, as we well know, is sailing along in its period of peacetime prosperity. For some unknown reason, the Federal Reserve Board through its economists, self-appointed prophets, and ouija board operations have determined that we are not in an era of prosperity, but rather are in the midst of an inflation and the only remedy they foresee to cancel this period of prosperity is to raise interest rates.

Recently, I was privileged to discuss interest rates and tightening of money with the Governor of the Italian Central Bank System, Gov. Guido Carli. In the past several years Italy was faced with what everyone, I am sure, will consider a bona fide inflationary period. The Italian Central Bank, following established Federal Reserve Board policy, sought to solve the inflation by tightening money. I want every Member of this Congress to know that Italy solved its problem of inflation by tightening money. No longer is there inflation in Italy. The country—as a result of the tight money policy—is now in the throes of one of its worst depressions and Governor Carli personally admitted to me that—

> We might have gone a little too far in our tight money policies.

Mr. Speaker, the Federal Reserve Board, by tightening credit, has taken the tiger out of the tank and injected it into the monetary system. It has jerked the tail of the monetary tiger and gained an instant response. But what happens when the Federal Reserve Board faces the task of stimulating the economy? No longer can they jerk the tiger's tail. They must now push that same tiger and, like the tiger, it is not easy to push a recessionary monetary state bank to a time of prosperity.

For several months the Small Business Administration has been under fire for its cutback lending policies, and I fail to see an end to SBA's problems unless the Federal Reserve Board withdraws its rate increase. At the present time the Small Business Administration cannot make loans with an interest rate of more than 5½ percent. In addition, it must make millions of dollars worth of 3-percent disaster loans and many other millions of dollars worth of loans that bear 4- or 5-percent interest rates. In order to make these loans, the agency must reimburse the Treasury for the money lent at an interest rate which is equal to the current Government money market. At the present time it costs the Government nearly 5 percent to obtain funds. If SBA is required to pay Treasury nearly 5 percent for its money and then turn around and relend the money to disaster victims and small business owners at rates as low as 3 percent, then it does not appear that the agency can go on indefinitely making loans. This same situation applies to every governmental agency or program which is engaged in the lending business. The only way to solve this situation is to reduce interest rates in general and thereby lower the cost which the Government has to pay to obtain funds. In short, the less money the Government has to pay in interest on its funds, the more money that SBA and other Government lending agencies will have available. I urge every small businessman to write and to protest to the Federal Reserve Board for increasing the discount rate and together let us lay the responsibility where it belongs—at the feet of the Federal Reserve Board. Mr. Speaker, I shall not go into the motives that were in the Federal Reserve Board's mind when it raised interest rates but only hope that these gentlemen can justify this increase to themselves when it turns a period of prolonged prosperity into a period of depression.

VIETNAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio [Mr. AYRES] is recognized for 60 minutes.

Mr. AYRES. Mr. Speaker, the voices of dissent have been heard throughout the land. Many of these have impugned our Armed Forces in Vietnam—inferring that they are oppressors or tools of imperialism.

While these voices have not been many in number, they have been broadcast loudly throughout the country. The story of their so-called dissent has been distributed to the press of the world and has undoubtedly given great hope to our enemy. I do not question that they have also encouraged him to fight on with renewed vigor despite the efforts of our Government to bring about a just settlement of the conflict.

Some might come to the conclusion that the morale of our fighting forces in Vietnam would be destroyed by these dissenting messages from their home base. Never in past wars has the American fighting man so lacked in support from the home citizenry. While we can but agree that the right of the dissenter to be heard is fair, we also believe that it is about time that the voice of the assenter has an equal opportunity to reach the ears of the people. I know of no segment of our populace who can better speak for the American people than the rank and file of the servicemen who are serving overseas.

Despite the terrors of guerrilla warfare, the penalties of tropical disease, the lack of adequate supplies, the bombing of his rest zones, the failure of total support from home—our servicemen have carried on in the tradition of heroism that has marked our fighting men in every conflict since we first took up arms in the Revolutionary War.

The American serviceman's morale has also remained high through the cessation of bombing of North Vietnam. He knew full well that this cessation would permit the enemy to bring larger forces to oppose him and that greater casualties would be forthcoming. In the renewal of that bombing, he has seen the failure of the cessation plan and the realization that the road ahead is one that could cost him his life.

Winston Churchill said:

> No one can guarantee success in war, but only deserve it.

Most certainly by our actions in the Vietnam situation, we are deserving of success. Our motives are clear and honest. At one time, we put trust in the words of the Communist nations and thus placed entire nations of people into bondage. The Berlin wall remains to this very day as a symbol of the imprisonment of millions.

I have not chosen the dove nor the hawk as my symbol in the great debate that exists in the Congress. I have instead remained firm in the support of that bird which has ever symbolized a just freedom for all—the American eagle.

I do not disagree with the principle of debate. I do say, however, that the national interests of our Nation should be ever paramount during such discussions.

I pledge my entire support to our Armed Forces in Vietnam and that, of course, includes the decisions of its Commander in Chief.

Just today, I attended the signing of the new GI bill. The House Veterans' Affairs Committee has always treated such matters in a nonpartisan manner. I worked very closely with its most able chairman, Representative OLIN TEAGUE, in the preparation and passage of this bill. As I stood in the White House and watched the President sign this measure, I could but feel that this was a further demonstration to our men in Vietnam that the overwhelming majority of this Congress supported them.

Before the Christmas holidays, the Akron Beacon Journal, with its usual concern for the welfare of our servicemen, asked the parents of those serving on foreign shores to send in their names and addresses so that the readers of that paper might be able to send them Christmas cards. I do know that the Akron populace responded en masse to this opportunity. My son, Frank, who is serving with the Navy in Asian waters has told me that he received a large volume of mail. I am certain that the other men also received many well wishes from the Akron Beacon Journal's readers.

I also wrote a letter to each one of these young men, from my district, who were serving overseas. I wish to assure them that I am appreciative of their actions and that the people of the United States of America, with but few exceptions, are standing firmly in their support.

I did not ask nor did I anticipate a reply but I was most pleased to receive a large volume of mail from them.

Mr. Speaker, earlier in my remarks, I stated that no one could better speak for the assenters than our servicemen overseas. I shall read a number of the letters that I have received from the men who are serving on foreign soil. I would have you note that without exception they not only know what they are fighting for but have no dissent with it.

Their letters have brought pride to my heart and tears to my eyes. I do not include the letter that I have received from my own son, Frank, who is serving among them, but I assure you that he agrees with every one of their statements.

I hope that every Member, not only of this House but of the other body, as well, read their words. We can have no greater authority than this, for our future actions.

They ask for our support and prayers. Can we deny them to them?

Some of the letters follow:

U.S.S. "Sacramento,"
December 26, 1965.

William H. Ayres,
14th District, Ohio,
House of Representatives,
Washington, D.C.

Dear Mr. Ayres: I wish to thank you very much for the letter that I have just received from you. It meant a lot to me and to all my shipmates.

Some of the men have received "anti-U.S. intervention in Vietnam" letters from people back home. They sound as if they don't know what is really happening. For this reason, your letter meant a lot to all of us.

I myself wish that all people everywhere could live together in friendship with no fear of each other. We, I know, are trying to make such a world by fighting communism here in the Vietnam area.

Sir, when you asked if there was anything that you could do for me, I thought of only one thing. I was wondering if you, yourself, would tell everyone in the United States the whole truth on why we are over here fighting; tell them we are here to help save the whole world from communism. I do not think that half the people of the United States really know that this is why we are here.

From the news we get, it seems that they are fighting among themselves over something that they do not really understand.

Thank you again for the letter. I want to wish you a very merry Christmas and wish you many more in the years to come.

Your friend,
Bob Walker.

Qui Nhon, Vietnam,
January 3, 1966.

Dear Mr. Ayres: I want to thank you for sending me that wonderful letter and taking out the time to write to me.

Everything is going along for me here in Vietnam fairly well. Sometimes it is a little rough, but it is an honor for me to be chosen from Ohio to serve in the Army.

The only thing that I could ask of you is to say some prayers so that we can win the war over here.

I am a little late in wishing you a merry Christmas and a happy New Year.

Sp.4c Thomas J. Szudlo,
151st Transportation Company.

December 24, 1965.

Dear Mr. Ayres: I would like to start this out by saying how much I appreciate your kind thoughts at Christmas.

Every man in America has to fulfill his obligation to his country.

Men like your son and myself fulfill this by doing our part.

The Armed Forces today are ready to meet any task the enemy or country calls for. We will continue to stay ready to defend until peace unites all countries and America calls us home for good.

Merry Christmas and the best of New Years to you and yours.

Sincerely,
Cpl. Carl E. Osburn II,
A Battery, 2/27th Artillery, 3d Armor Division.

December 12, 1965.

Dear Mr. Ayres: I don't know how to thank you enough for your letter.

It proves to me that there are people who will take time out from their daily schedules to care about us.

It was a truly kind gesture which I sincerely appreciate.

I have something for you. It speaks, I believe, for every man in uniform today and I would appreciate your reading it and passing it on to the other House Members if you believe it to be good enough.

Once again, thank you very sincerely for your letter and I hope you and yours have a very merry Christmas and happy New Year.

Pfc. Michael K. Johnson,
Company A, 2d Battalion, 37th Armor.

December 12, 1965.

Hon. William H. Ayres,
House of Representatives,
Washington, D.C.

Dear Mr. Ayres: Just a few lines to thank you for your letter to one of our men. Being a GI during these troubled times, letters such as yours does much for one's morale. Many people in the United States don't realize the situation we are faced with. Although we are stationed in Europe, many miles away from our counterparts in Vietnam, we realize the hardships and trouble they suffer. I'm sure we speak for the many men in uniform when we say thank you for your kind support.

It's hard for us to understand the reasoning behind these peace loving Americans who walked around supporting the very people who are killing their sons and neighbors. What must it take to bring these individuals around to their senses? Did our grandfathers and fathers go through the same when they were called up to defend their country?

Don't these people realize that basically what the young men of today are fighting is just the sons and grandsons of the past oppressors. Sure their color and features are different but their ideas are no different than those of the Kaiser, der Fuhrer, Il Duce and the Rising Sun. The young men of today are fighting more than an enemy, they are fighting for ideals and beliefs that have been taught to them from youth, yet their own teachers are now saying they are wrong, that they should give up and return home. What kind of home would they return to if they did this? What kind of home would they have now if their fathers and grandfathers had just given up? Today it's the Constitution—what's it going to be tomorrow—"The Communist manifesto?"

Each day here in Europe units lose from three to five men daily who have volunteered for service in a forgotten war. Are these youths warmongers or just men who believe in America's future? Some day these same young men hope to raise families and I'm sure they would much prefer to raise them as they remembered it; TV, local dances, stopping at the local hamburger shack for a snack. This brings a question to mind. What if the one hundred and some odd Red divisions rolled across the border that we are protecting into the heart of Europe. What would be America's reaction, that we were warmongers? Is there a difference? The hammer and sickle has many faces and colors (as was proven in Korea). We say there will never be another Pearl Harbor; will there be?

Sir, this letter all came about because you were considerate enough to express your appreciation in the form of a Christmas greeting to one of our men. Along with this soldier we, the men of this company, would like to extend sincerest gratitude and appreciation to you, along with our wishes for a very merry Christmas and a fruitful New Year. Our thanks, sincere thanks, to the men in Vietnam, to you, and the many Americans who have not forgotten their heritage.

Sincerely yours,
The Men of A Company,
2d Battalion, 37th Armor.

Fighting Squadron 24,
U.S.S. Hancock,
December 29, 1965.

Dear Sir: I want to thank you for sending me a Christmas greeting. I was really surprised. I just don't know what to say. I almost feel honored to have gotten a letter from you. It sure made me feel good to know that you found time out of all your work to send me a letter.

I know my Christmas wasn't the best a man could hope for in the way of being home and all, but as far as proudness goes, I don't think I could have been any more proud than I was Christmas Day. It really felt good to know that I was a part of a team working to conserve freedom and peace for all. I think that my being here is the best Christmas present I could give. I only hope and pray that this war is over soon, so that we all here and in Vietnam can come home to our loved ones safe and sound.

I am on the aircraft carrier U.S.S. *Hancock* somewhere close to Vietnam. It is hot and we have been working 12- to 18-hour days, 7 days a week. We have been here 2 weeks and we still have 4 to go.

It's not really bad. I guess it's just being out here in the middle of nowhere for days on end that bug you. But I guess it's better than what those poor guys are going through in Vietnam itself. Compared to them, I guess we have it pretty soft. I only pray that we do not lose many more men.

I will close here. Thanks again for everything and I pray that your son will come back safe and sound. As for things here, they are fine and if ever I need your help, I'll be sure to let you know. Thanks. May God bless and guide you in everything you do.

Sincerely yours,
Clyde C. Green, Jr.

Kon Tum,
January 8, 1966.

Dear Mr. William H. Ayres: I would like to thank you for sending me a very nice letter wishing me season's greetings. It means a lot to a soldier to know that he isn't forgotten when he is away from his family and loved ones.

It is wonderful to know what we servicemen in Vietnam are doing for our country. But we wonder if we have the backing of our fellow citizens who are sitting in their homes, relaxed and happy with their holiday, where they are free. We hear on the radio and read in the Stars and Stripes what a few of our fellow citizens think of what we are doing here.

It is the prerogative of every citizen to protect his rights, but when we receive word of demonstrations against our being here, and of donations to the north, we begin to wonder whose country we are really trying to protect. But there are few people who don't realize or appreciate what the American serviceman is trying to do over here to try and keep our country free.

I always remember what the late President Kennedy (God rest his soul) said, "Ask not what your country can do for you, but what you can do for your country."

I hope your son will come back home with his family and loved ones, safe and sound. I hope, too, that your family had a very nice and cheerful holiday. Well, I have taken up enough of your time, so I will close.

God be with you.

Respectfully yours,
Glenn E. Fishel.

January 4, 1966.

Dear Mr. Ayres: Thank you very much for your Christmas card. It came to me with over 25 other cards from people whom I do not know.

After reading about the demonstrations in the United States, I was very surprised and happy to receive all the cards that I did.

My faith in the American people has always been great, and this has made me feel even better to hear from so many fellow Americans.

Thank you again.

Sp4c. John R. Ayers,
19th Ord Det (ED).

Headquarters Battalion, 3d Marine Division, 1st Platoon Military Police Company,
December 23, 1965.

Dear Mr. Ayres: I want to thank you for taking time out of your busy schedule to write me. I really appreciate your thoughtfulness. I must say I certainly was surprised to hear from you, but it was a pleasant surprise for me.

I am proud to personally be able to serve my country in this way. There are so many over here fighting to keep freedom in our land and also to help those who want to have the same privileges that we do. These are people who give their lives each day to keep this freedom that we have been guaranteed by our Constitution.

We of the United States have so much to be thankful for during this Christmas season.

Once again I want to thank you for your letter and I want to wish you and your family a merry Christmas and a happy New Year.

Cpl. William F. Snyder,
A member of the Armed Forces in Vietnam.

Dear Sir: I received your wonderful letter today and I must say I was really surprised to hear from you. First of all, I wish to thank you for your great concern over me, as well as the many others from Ohio who are here. I know you are a very busy man and your time is limited, as well as mine, so I wish to take this spare moment I have to thank a very great man and a great leader of our Nation, as well as Ohio. Thank you.

I feel it's a pleasure serving the United States here in Vietnam so that others there might live in peace and enjoy their holiday seasons and worship our Lord as often as possible wherever they may be. I am proud serving my country and I will do all I can in the years to come for world peace.

I just hope and pray that my wife, Nancy and baby, yet to arrive, will always be safe and free from danger, as well as everyone else. I love my country, State, and family and will do anything for our freedom. Thank you once again. God bless you.

Sincerely,
A2c. Larry L. Carter,
6250 Air Police Squadron.

U.S.S. "Arnold J. Isbell."

Dear Mr. Ayres: I would, at this time, like to thank you for the season's greetings, which you so thoughtfully extended to myself and, I presume, to many other servicemen here in Vietnam.

Although I miss not being home for Christmas, I consider myself lucky to be having a turkey dinner on Christmas Day. It is something I'm sure many of the mariners won't get. It doesn't seem like Christmas here at all because of the absence of cold and snow. The only thing I really miss about Christmas is the people.

Once again thank you, best wishes for a merry Christmas for you and your family; and may the people of Ohio continue to support you in your effort to maintain freedom in our country and peace throughout the world.

Respectfully,
Raymond Michael Eckard, SA.

December 27, 1965.

Dear Sir: I would like to thank you for your wishes, and also for taking time to do so. I know that you are a very busy person and I thought it was wonderful to hear from you. I have never received such a nice letter, especially from someone who really understands what we go through and the reason why.

We have a wonderful country and it's worth giving up 2 years of my life. That's a small price when so many men have given their lives. I'm here in Germany now. This is my first time away from home. I've seen enough of this country and how the people live to really make me realize how lucky I am to be an American. We have a wonderful country.

I hope very much that your son returns home safely from Vietnam. If I ever need any help, I will let you know. I would like to wish you a very happy New Year. Thank you again for your kind thoughts.

Sincerely,
Pvt. Lawrence D. Gommell,
Headquarters, Battery, 4th Armored Division.

Dear Mr. Ayres: Thank you very much for your wonderful letter. I've shared it with others that they may appreciate it, also.

I can't tell you how proud we've all been at the wonderful cards and letters we've gotten.

I'm forwarding your letter, with some of the others to my wife and family so they may also share these warm greetings at this festive season.

What is heartwarming are some of the letters of children. If only all adults could share their wisdom and knowledge.

Thank you again. Wishing the merriest of Christmas seasons to you and yours and a very fine New Year.

Very sincerely yours,
Sgt. Richard E. Bair,
Mass—2, MWNG—1, 1st Maw, III MAF.

Company C, 1st SFG (ABN).

Dear Mr. Ayres: Just a note to express my deep appreciation for your thoughtfulness at this time of the year.

I am a member of the 1st Special Forces Group (ABN) and very proud to be wearing the coveted Green Beret. I have received over 100 cards and letters from loyal Ohio citizens expressing their encouragement and support. I've never once doubted the integrity our people are capable of demonstrating when the chips are down.

I have watched your career since your initial election and I am very proud to state that I have never missed voting for you. I met you once back in 1953 when I was a student of Akron University, and have always been grateful for the assistance you rendered to my father by speeding up the arrival of his new wife from Italy. I've always wanted to correspond with you, but have hesitated due to my military status. I believe it is "healthy" and beneficial to keep in touch with our elected officials. I hope some day I will be able to meet you again—I would consider it an honor.

I am proud of my career soldier status and enjoy the honor of helping to defend the American way of life.

Sincerely,
Jim Asente,
Major, Infantry.

Vietnam,
December 15, 1965.

Dear Congressman Ayres: I am Sp5c. Norman F. Goble. I received a very nice letter from you yesterday. I didn't think I was even known. But I see now at least my State is behind me, and I am very proud to be serving my country. My only thoughts now are returning home to my family in one piece. And I pray the good Lord for that.

And Congressman, I wish you and your family a very merry Xmas and a happy New Year and for the years to come, very prosperous years.

Thank you very much for your concern about me. I just hope my being here will help end this endless war.

And God bless you Congressman—you and your relations—for the years to come.

Yours truly,
Norman F. Goble,
——————.

January 7, 1966.

Dear Sir: May I take this opportunity to thank you for the letter that I received from you over the holidays. I hope that you forgive me for taking so long to send this note of thanks.

I cannot explain how glad I was to find out that you had taken time out of your busy schedule to send a cheering note to me over the holidays. It was especially good to find that the majority of the U.S. citizens are behind the American serviceman, as I received several other notes and cards.

Thanks again for the wonderful letter.

A1c. Kenneth W. Boley,
6910 Scty. Wing.

Dear Sir: I would like to take this opportunity to thank you for your most appreciative letter. I realize that you are a very busy man, so I won't keep you from your work any longer.

All I wanted to say is thanks for thinking of me during the Christmas holidays. As you said, you were in the service at one time and you know how lonely a man can get during this time of year, so again I thank you.

I will remember you at the polls and in my prayers.

Sp4c. David P. Becher,
Headquarters WSASAPAC.

Dear Mr. Ayres: I would like to thank you for your letter to me sending season's greetings.

Although my thoughts are of my family at this time, I still think of the people who have sent their greetings to me and other servicemen wishing us well in everything we do. I would like to say that they are not forgotten in our hearts and knowing they are behind us enables us to do an even better job.

Although you are my Congressman, you are people, and I would like to send my sincere thanks for your formal letter and greeting. You are helping me enough by knowing you are behind me.

Thank you,
Your serviceman.
Cpl. Michael M. Rowe,
1st Battalion, 7th Marines, B Co. No. 13.

P.S.—May I wish you and your family a very "Merry Christmas and New Year's holiday." May you have many, many more. May God bless and keep you.

San Francisco,
December 25, 1965.

Hon. William H. Ayres,
14th District, Ohio, Congress of the United States, House of Representatives, Washington, D.C.

Dear Sir: I would like to take this opportunity to express my profound appreciation and gratitude to you for your Christmas message of December 20, 1965. Such an acknowledgment of one's efforts has a tremendous reinforcing effect, especially at Christmas time.

I noted that the envelope was postmarked in Cuyahoga Falls, Ohio, which is where I was born and raised, so the letter seems to carry a special significance to me. With your permission, I am sending your letter on to my wife and children in Dayton, Ohio.

May I also extend belated season's greetings to you and yours, with the fervent wish that some day we may all enjoy the holidays in peace and prosperity.

Sincerely,
Paul T. Kemmerling, Jr.

December 22, 1965.

Hon. Mr. Ayres: I would like to take this time to thank you for the fine letter you sent me. It was welcomed with my deepest appreciation.

I am proud to be an American soldier for I know it is part of my duty to help maintain freedom for my country and all of my people.

May God bless you for your efforts to see that the American servicemen are being treated fairly.

To you, Mr. Ayres, I wish you a happy Christmas and also wish for your continued fine work in the coming year.

Sincerely,

Pfc. Thomas E. Crangle,
529th M.P. Company.

Dear Honorable and Mrs. Ayres: This is in regards to your letter I received on the 24th of December.

I would like to thank you and your family for the real nice letter and special thoughts and message you sent to me.

I am hoping and praying that your son arrives home safely from the Vietnam area. I know how much he was missed at your table on Christmas.

With persons like yourself and Mrs. Ayres and the wonderful country we have, it isn't much of a hardship for myself to be away. It is well worth it when you personally know what the outcome could mean if there wasn't anyone to defend and fight for what we love and believe in.

I would like to wish you and your family a wonderful and joyous New Year.

Again, thank you sincerely for your welcome letter. May God bring your son home safely. Best wishes, health, and happiness.

Sincerely,

Sgt. Robert F. McCracken,
Co. B, 76th Engineer Battalion (Construction).

December 26, 1965.

Dear Sir: I appreciated your sending me a letter of season's greetings. In a way over here, it sure isn't like Christmas, but we are trying to get the Christmas spirit.

Oh, yes, we all went down to see the Bob Hope show. It was really great. They had a lot of talent there and it was good to see real American girls. It built up morale a lot around here.

Oh, yes, before I forget, I am a little too late to wish you a merry Christmas, so I am wishing you a happy New Year. Well, I guess that's all for now.

See you in April.

Your friend,

Pfc. Lawrence B. Skibiski,
Co. C 2/503 Infantry 173d Airborne.

Dear Sir: I could never express in words, the warm feeling I got from your letter. Thank you for taking time out of your busy life to send a letter. You are truly a good man.

I would like to wish you the very best of the holiday season. We are all proud to serve when we have people such as you backing us up. We are proud of our Government and the United States.

Thanks for being so kind.

Your friend,

Pfc. Jack C. McCline,
69th M.P. Detachment, USAGOK.

December 27, 1965.

Dear Congressman Ayres: I appreciate your holiday greetings.

I, myself, never had any doubts concerning the American people backing us here in Vietnam. In fact, I feel the whole issue is blown up and quite ridiculous.

Sincerely,

Spc.4 Robert E. Preusse, Jr.,
Company B, Spt. Bn., 1st Brigade, 101st Airborne Division.

December 27, 1965.

Dear Congressman Ayres: Received your letter today, and would like to thank you for writing.

It is very encouraging and gratifying to hear from the people back home to let us know they are with us in thought and prayers.

This is my third overseas assignment and I, for one, am honored to have an active part in our fight for peace.

I really enjoy overseas duty and hope to go to Germany when I am reassigned in 1967. But it is too soon to think about that yet.

Thank you again for your letter.

Yours truly,

S. Sgt. Tom Moyer,
883d Medical Group, CMR Box 339.

U.S.S. "Belmont" AGTR-4,
December 25, 1965.

Mr. William H. Ayres,
Congress of the United States, House of Representatives, Washington, D.C.

Dear Mr. Ayres: Thank you very much for your holiday greetings. It may sound funny, but I am very proud to have received such a letter from you.

Yes, indeed, sir, my feelings are very much mixed up in many instances. This is my first Christmas away from home, and as you know, it is not the Christmas I formerly knew.

I consider myself a very lucky fellow, Mr. Ayres. As you told me, your son is serving in the Vietnam area. And doing such is a responsibility to which every serviceman of the United States is a part in one way or another. And I know you are very proud of him for his contribution as such.

And thank you for your willingness to help me, sir. But I think with the help of God and the situations and surroundings that I will encounter while in the Navy, I will be able to cope with any problem that might come up.

Again sir, thank you for your interest in myself and my situation.

Very sincerely yours,

Harold Victor Hoagland, SN.

1st Division, U.S.S. *Duncan* DDR 874,
December 28, 1965.

Dear Congressman Ayres: I received your letter today and must say, I was really surprised. It's not every day I get a letter from a Congressman.

I received seven other letters from people I didn't know personally and I must say, yours and their letters made my Christmas complete. Yours personally made me feel really proud of myself for being in the U.S. Navy.

I get out December 8, 1966, and will definitely be home for next Christmas. This was the third Christmas in a row I missed.

How is your son coming along? Fine, I hope. How long has he been in now?

We just came from Vietnam. We are now at Chow-Chong, and are leaving for the Philippines on January 1. We will be there a few days and we will be pulling out again. I can't tell you where. It's against regulations.

So, how was your Christmas and New Year's? Fine, I hope. I do wish I could have the pleasure of meeting you personally.

Well, Bill, or should I say Congressman Ayres? As I said before, I never got a letter from a Congressman before. Again, I thank you for your letter. May God be with you and your family in whatever you do.

Sincerely yours,

Frank Daniel DeLago.

P.S.—When I get out, I will vote for you.

Dear Congressman Ayres: Your Christmas greeting was appreciated very much and even more so to a soldier in war-torn Vietnam.

Mine was posted on the bulletin board and even drew a favorable comment from the base commander.

Thank you.

E. S. Hockney,
Airman, First Class, U.S. Air Force.

December 30, 1965.

Dear Mr. Ayres: I am a serviceman in Vietnam. I have been here for 6 months. I am 20 years old and I live in North Canton, Ohio.

I wish to express my deepest appreciation for the letter which I received from you bearing season's greetings. Thank you and all my fellow Americans who are in support of us over here.

I am sure you will continue to do the fine job you have done through the years.

Good luck.

Sincerely,

Sp4c. Larry Evans,
Company C, 1st Battalion (ABN), 327th Infantry, 1st Brigade, 101st Airborne Division.

December 23, 1965.

Hon. William H. Ayres,
Fourteenth District of Ohio,
Cuyahoga Falls, Ohio.

Dear Congressman Ayres: I am in receipt of your letter dated December 20, 1965, and am most proud and honored to receive a letter from one who understands the position of our American servicemen.

We of the U.S. Armed Forces in Europe, are privileged to serve in peaceful surroundings but still special thoughts and prayers go to individuals, as your son, who are doing more than their part for the defense of the free world.

I wish you and your family a merry Christmas, a happy holiday season, and the best of everything throughout the coming year.

Again, thank you so much for the most appreciated letter.

Sincerely yours,

Sp4c. Jimmy R. Moore,
51st Transportation Company.

U.S.S. *Austin* LPD-4.

Dear Sir: I would like to thank you for the wonderful letter that you sent. It makes me very proud to be in the service of our great country and have people who really know what we go through here and throughout the world backing us up. It really makes me feel good and proud to serve. I feel this way despite those people my age and older who make monkeys out of themselves in front of the world about something they know nothing about except from the papers.

I hope you and your fine family had a very merry Christmas and a happy New Year.

Thank you again for the letter.

Sincerely,

Paul L. Palmatier, FN.

December 24, 1965.

Dear Mr. Ayres: Many thanks for your letter. I can honestly say that it was the most surprising of all the letters I have received. Most people feel that the only time they would ever get a letter from their Congressman is if they write first. But I think I have the distinction of receiving one from my Representative first.

I only hope that you will excuse any mistakes which you may find, but I had a rather hectic day as my first day working alone as desk sergeant. Also, it is Christmas Eve and I am sitting here thinking of Akron and everyone back home.

I hope you had a very Merry Christmas and wish to again thank you for the time you took to write.

God bless you and keep you.

Sp4c. Paul D. McGlothlin,
Company C 504 MP Battalion (A).

December 24, 1965.

Dear Mr. Ayres: It was very thoughtful for one so busy as yourself to take time to write to me. I voted for you, sir, the first time I ever voted, and your kind gesture has assured you of that vote again if you need it in another election. I am pleased with my choice. I am the only man on my ship who received a personal letter from his Congressman.

I am very interested in the field of government as my vocation. I plan to return to college after my hitch in the Navy, and major in political science, with a position in the government as my goal. I have been watching with considerable interest the States (such as Oregon) that are planning educational subsidies for Vietnam veterans. I will be greatly interested in such a program in Ohio, or even on a national level.

I am sure you, as a member of the Veterans' Affairs Committee, are just as interested as I in these programs.

I first saw you when you spoke at our DeMolay chapter and I must say that I really respect your meet-the-people personal approach to politics. It is refreshing in this age of hard-sell politics.

Keep up your good work.

Your loyal supporter,
DONALD F. HALE II,
U.S.S. "Preston" (DD 795) OI Division.

VIETNAM,
December 17, 1965.

DEAR SIR: I have received your letter today and I surely appreciated the time you took from your work to write me.

I was very glad to hear from you and I thank you in more ways than one.

May you have a merry Christmas and a happy New Year.

I am proud that I'm here in the defense of my country, with the knowledge that by so doing, we will always remain free.

May God bless and keep you and your family through the coming year.

Yours truly,
Pfc. RICHARD L. WALTERS,
59th QM (FM) Company.

DECEMBER 16, 1965.

DEAR MR. AYRES: I just want to drop you a short note in appreciation of your letter. I was certainly surprised to receive it and am grateful for your interest in us here.

I am stationed at Camp Holloway, Pleiku, Vietnam, and have been here for 6 months already. Since I put in for a 6-month extension of my tour, I have another year to go. There is one advantage to the great amount of work here; that being, in addition to learning more about electronics, time goes by much faster. My job is aviation electronics equipment repair, which I consider a very interesting job. I plan on going into the electronics field when I get out of the service. As yet I'm not certain what field in electronics I would like the best. Maybe you could give me a suggestion.

Once again, I want to thank you for your letter and I also wish you and your family a merry Christmas and a happy New Year.

Respectfully yours,
ALVIN KELM,
2034d Signal Detachment.

KUNSAN AIRBASE, KOREA,
December 18, 1965.

DEAR MR. AYRES: It is with pleasure and pride that I pay my compliments to you and those in back of you. My mail has shown the same foresight as you, yourself, have expressed. To know that people just like myself (even though civilians who really will never understand war, etc.) keep the home fires burning is a heartening thing.

Having a son in the service keeps you informed of the events. I've no official complaint to date—just a little homesick like the rest, though I have a good outlook—only about 83 days before rotation of new assignment.

Yours truly,
TED H. MORRIS.

DECEMBER 28, 1965.

DEAR MR. AYRES: I just want to drop you a line to show my deep appreciation for the Christmas greetings you sent me.

I hope your boy is safe and happy if he didn't get home. I'd also like to thank the Beacon Journal for the time and trouble they went to, to make all these greetings possible for the servicemen away from home. I don't think enough thanks can be given to them.

Once again, thank you, and have a happy new year.

Yours truly,
EDWARD H. HUNTER,
U.S. Navy, R–4 Division,
U.S.S. "Amphion" AR–13.

DECEMBER 16, 1965.

Hon. WILLIAM H. AYRES,
Congress of the United States,
House of Representatives,
Washington, D.C.

SIR: Thank you very much for your recent letter and for your kind wishes at this time of the year, and I, in turn, would like to extend the season's best wishes to you and your family. I sincerely hope that your son will also have as nice a holiday as is possible under these circumstances.

My mother has often told me how very much you have assisted her as she tried to help disabled Air Force veterans and I would also like to thank you for this help. Don't be surprised if she enlists your help in the future since she is quite a determined woman but also quite a wonderful one.

May you and your family have a very happy Christmas and thank you again for your remembrance.

Sincerely,
W. D. MACMONAGLE,
Major, U.S. Air Force, Detachment 4,
619th Tactical Control Squadron.

DEAR MR. AYRES: I know you are a very busy man, so I'll make this as short as possible. I wish to thank you for taking the time to wish me a merry Christmas. I am very proud to be a member of the Armed Forces, serving here in Vietnam. I never realized how fortunate we Americans really are and I am sure all the other men feel the same way.

You asked if there is anything you could do that I should let you know. I would appreciate it greatly if you could send me material on the GI bill.

I know you are a busy man so I'll close my letter.

Thank you again.
Sp4c. GEORGE JUNDZILO.

AT SEA CS DIV.,
U.S.S. "HANCOCK" CVA 19,
December 23, 1965.

MY DEAR MR. AYRES: Having been familiar with you through the early part of your political career in the Akron area, I can say that I am very deeply honored to receive your greetings.

It is true you can not know my feelings at the present. But what you have overlooked is the fact that your lot is a heavier load to bear than mine, as I am here and can see what is to happen. But you are home and must wait for news of the unknown. For this reason I extend my sincerest regrets.

I would like to take this opportunity to thank you and all who are concerned for the benefits which have been extended to the men in combat. The benefits of which I speak are: income tax exemption, which I might add, for a touch of humor, we call legal tax evasion, and the free mailing service. Neither of these are of no great capital gain, it's true, but they tell us that there are people on top of the ladder, looking out for us, and this does a lot for morale.

As I close, once again thank you for the kind and timely greetings. May your holiday be happy and may the New Year treat you well.

Very respectfully,
J. W. BARE,
Signalman, 2.

P.S.—Forgive my poor handwriting, as at this moment we are launching aircraft and this causes much motion of the ship.

I have also received letters of a similar nature from the following oversea servicemen. Only space prevents me from including them in this speech. They echo the words that you have heard from their brothers in service:

Sp4c. Gilbert J. Horonetz, A Battery 2d MSL Battalion 61st Artillery.

James T. Walls, FTM3, Fox Division, U.S.S. *America* CVA–66.

Jasper L. Shreve, Jr., of 325 Wunderlick Avenue, Barberton, Ohio, now in Korea.

A1c. R. A. Johnson, 2167 Communications Squadron, Box 835.

Pfc. Larry L. Light, 557th Medical Company.

Cpl. Rick C. Hummel, Marine Barracks, 15th V.D., Rodman, Canal Zone, Panama.

Frank J. Banut, III, ETRSN, 696–94–05 OE Division, U.S.S. *Independence* CVA–62.

A/1c C. D. Craddock, 6250th Supply Squadron.

S. Sgt. D. L. Bradley, 4252d Strategic Wing (SAB), Kadena Air Base, Okinawa.

A2c. David L. Gipson.

Cpl. John G. Stuart, Headquarters, 464th Mar (Armory), 4th Marines, 3d Marine Division, FMF.

Philip C. Schnu, NMFA, U.S. Navy, U.S.S. *America* CVA–66.

Pfc. Daniel C. Starcher, 993d Quartermaster Detachment.

Pfc. Francis S. Bork, SIG SPT TM No. 2, care of HHB, 1st MSL BN, 67th ADA.

Lt. Gary F. DeBuritz, Company C, 519th MI Battalion.

A2c. Bob Takacs, U.S. Air Force, 439 Supply Squadron.

Sp4c. Earl T. Hanson, Headquarter Troop 2d Reconnaissance Squadron 3d ACR.

Dennis Rysole, 3d Division, U.S.S. *Great Sitkin* AE 17.

Michael L. Schmitt (SN), 2d Division, U.S.S. *Telfair* (APA 210).

A1c. Michael A. Martin, Detachment 2200, 7232 MMC, U.S. Air Force.

Mr. Speaker, these are the words of the men who are prepared to die for our principles. They have given us an example by which we might well conduct ourselves during this time of war.

Before closing, I wish to commend Publisher Ben Maidenburg of the Akron Beacon Journal for creating the vehicle by which the citizens of the 14th Ohio District might communicate their support of their soldier citizens who are serving abroad. The Akron Beacon Journal is also printing a very fine newsletter that they are sending bimonthly to all of these men. They have done this so that these men might have the news of their home community.

Mr. Speaker, the words that I have spoken here are insignificant compared to the words that you have heard from the patriots serving overseas. Let us make certain that they have not been spoken in vain.

SCHOOL MILK AND LUNCH PROGRAMS IN MINNESOTA

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from Minnesota [Mr. QUIE] is recognized for 10 minutes.

Mr. QUIE. Mr. Speaker, I have protested long and loud in recent weeks the President's request that we reduce the school lunch and special milk programs to much smaller proportions than they now enjoy. Hundreds of thousands of children would be adversely affected by this cut, as my colleagues in Congress have been quick to point out. Letters have literally poured into congressional offices, pleading for the continued support of two programs that have won popular approval at every level. We have letters from concerned parents who have never written their Congressman before. We have letters and telegrams from school district supervisors, principals, business managers, teachers, and concerned citizens. Almost without exception, they want to know why this program is being cut to help pay for a war on poverty that fills local newspapers with stories of scandal, mismanagement, and waste. They want to know why a program whose benefits are obvious, whose benefits are apparent and attainable by every citizen, should be cut to make way for a whole series of experimental programs over which they have almost no control.

In Minnesota, the school lunch and milk programs are so successful that they have had rapid growth rates in recent years. In 1965 alone, participation in the school lunch program increased by 6.1 percent, and school milk participation increased by 11.95 percent. Very few Federal programs—very few indeed—can boast this kind of popular acceptance.

Figures supplied to me by the Minnesota Farmers Union and the Department of Agriculture show the following:

About 455,000 school lunches are served daily in all Minnesota schools and about 800,000 half pints of milk consumed.

In 1965, schoolchildren consumed 77.3 million half pints of milk under the special milk program and 61.1 million half pints served with the noon school lunches.

The school milk program provides for Federal reimbursement of up to 4 cents per half pint of milk served.

Out of Minnesota's 2,850 schools, 2,644 elementary and secondary schools participate in the special milk program, and 1,673 participate in the school lunch program.

Of the 2,211 public schools participating in the school milk program, 1,013 schools supply the milk free of charge; 626 schools charge 1 cent per half pint to the student; 465 schools charge 2 cents per half pint to the student; and 107 schools charge 3 cents or more per half pint.

The 197 other outlets—camps, settlement houses and so on—dispense milk under the special milk program.

Application of a needs test or "means" test would mean that almost all students would have to pay the full cost of the milk, varying from 3 to 5 cents per half pint, which would be 3 or 4 cents more than they now pay.

Presently, only a very small number of students obtain the school lunches free because of low family income. About 4 percent of the schoolchildren participating in the lunch program are given the meals free, but most of these receive the meals in return for assisting with the kitchen or lunch-line work.

As can be seen from the figures, Mr. Speaker, nearly half of the children in participating schools are presently receiving school milk absolutely free. If they are suddenly required to bring from 3 to 5 cents for every half pint of milk they drink, even if only exclusive of lunch milk, their parents are in many cases going to tell them to wait until lunch to have milk, and are not going to give them the 15 or 25 cents per week they need to get their extra half pint per day. This to me represents a great loss. Who knows what percentage of the 64.1 million half pints will not be consumed in 1967? Who knows what this will mean to the nutrition of the children involved? Who knows what effect this will have on the dairy farmers? All these unknown quantities must be carefully weighed against the risk we take if we curtail these valuable programs as the President has suggested.

Mr. Speaker, one-half of a pint of milk contains one-fourth of every child's minimum daily requirement of vitamin D and one-eighth the minimum daily requirement of vitamin A. No one is willing to dispute, I am sure, that these vitamins are essential to growth and general health. Children who have come to depend in part for their daily requirements in these vitamins through the school milk program will inadvertently be cut off from this source; it is more than likely that in many cases these vitamins will not be replaced at other points in the child's diet.

Department of Agriculture officials admit that there will be a decrease in milk consumption if the proposed cuts are allowed to take place, and their conservative estimate is a 20-percent reduction. To me, that reduction is more than sufficient justification for the continuation of these programs. When the school milk and lunch programs were initially devised, it was the opinion of Congress that it was immoral for the Government to hoard surplus commodities at great expense when those commodities could be doing untold good for the schoolchildren of the Nation. That precept still holds true. If dairy product consumption goes down as a result of a budgetary cut to these programs, the CCC will have to become more involved in dairy supports, and the taxpayer will be paying to store dairy surpluses at the same time he is paying extra for his child's milk in school. This makes little sense morally or economically.

I AM A TIRED AMERICAN

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent that the gentleman from West Virginia [Mr. MOORE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MOORE. Mr. Speaker, I believe most of us will agree that this past winter has been a winter of discontent for many Americans. Perhaps it is best epitomized by an editorial entitled "I Am a Tired American." It was written by Alan McIntosh, publisher of the Rock County Herald, Luverne, Minn., and has been reprinted in numerous newspapers throughout the Nation. Perhaps it may some day come to be regarded on a par with William Allen White's famous "What's the Matter With Kansas?" which appeared 70 years ago.

So that my colleagues may share McIntosh's editorial, I include it with my remarks in the CONGRESSIONAL RECORD:

I AM A TIRED AMERICAN

(By Alan McIntosh)

I am a tired American.

I'm tired of being called the ugly American.

I'm tired of having the world panhandlers use my country as a whipping boy 365 days a year.

I am a tired American—weary of having American Embassies and information centers stoned, burned, and sacked by mobs operating under orders from dictators who preach peace and breed conflict.

I am a tired American—choked up to here on this business of trying to intimidate our Government by placard, picket line, and sit-ins by the hordes of dirty unwashed who rush to man the barricades against the forces of law, order, and decency.

I am a tired American—weary of the beatniks who say they should have the right to determine what laws of the land they are willing to obey.

I am a tired American—fed up with the mobs of scabby-faced, long-haired youths and short-haired girls who claim they represent the new wave of America and who sneer at the old-fashioned virtues of honesty, integrity, and morality on which America grew to greatness.

I am a tired American—weary unto death of having my tax dollars go to dictators who play both sides against the middle with threats of what will happen if we cut off the golden stream of dollars.

I am a tired American—nauseated by the lazy do-nothings who wouldn't take a job if you drove them to and from work in a Rolls Royce.

I am a tired American—who is getting madder by the minute at the filth peddlers who have launched Americans in an obscenity race, who try to foist on us the belief that filth is an integral part of culture.

I am a tired American—weary of the bearded bums who tramp the picket lines and the sit-ins—who prefer Chinese communism to capitalism—who see no evil in Castro, but sneer at President Johnson as a threat to peace.

I am a tired American—who has lost all patience with the civil rights group which is showing propaganda movies on college campuses from coast to coast—movies denouncing the United States, movies made in Communist China.

I am a tired American—who is angered by the self-righteous breastbeater critics of America, at home and abroad, who set impossible yardsticks for the United States, but who never apply the same standards to the French, the British, the Russians, the Chinese.

I am a tired American—who resents the pimply-faced beatniks who try to represent Americans as the "bad guys on the black horses."

I am a tired American—who is weary of some Negro leaders who, for shock purposes, scream four-letter words in church meetings.

I am a tired American—sickened by the slack-jawed bigots who wrap themselves in bedsheets in the dead of night and roam the countryside looking for innocent victims.

I am a tired American—who dislikes clergymen who have made a career out of integration causes, yet send their own children to private schools.

I am a tired American—who resents those who try to peddle the belief in schools and colleges that capitalism is a dirty word and that free enterprise and private initiative are only synonyms for greed. They say they hate capitalism, but they are always right at the head of the line demanding their share of the American way of life.

I am a tired American—who gets more than a little bit weary of the clique in our State Department which chooses to regard a policy of timidity as prudent—the same group which subscribes to a "no-win" policy in Vietnam.

I am a tired American—real tired of those who are trying to sell me the belief that America is not the greatest nation in all the world—a generous-hearted nation—a nation dedicated to the policy of trying to help the "have nots" achieve some of the good things that our system of free enterprise brought about.

I am an American—who gets a lump in his throat when he hears the "Star Spangled Banner" and who holds back tears when he hears those chilling high notes of the brassy trumpet when Old Glory reaches the top of the flag pole.

I am a tired American—who wants to start snapping at those phony "high priests" who want us to bow down and worship their false idols and who seek to destroy the belief that America is the land of the free and the home of the brave.

I am a tired American—who thanks a merciful Lord that he was lucky to be born an American citizen—a nation under God, with truly mercy and justice for all.

THE ROLE OF BUSINESS IN THE COLD WAR

Mr. McGRATH. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Fascell] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. FASCELL. Mr. Speaker, nearly 3 years ago—on May 8, 1963, to be exact—a very significant exchange was taking place in room H-227 of the U.S. Capitol.

Four distinguished representatives of the American business community were meeting that afternoon with the Subcommittee on International Organizations and Movements of the Committee on Foreign Affairs. The topic under discussion was the U.S. ideological offensive in the cold war.

More specifically, the subcommittee was trying to ascertain what American business was doing, and what more it could do abroad, to advance the cause of freedom and world peace: the twin goals of U.S. foreign policy.

The transcript of that meeting appears in part II of the hearings on "Winning the Cold War: The U.S. Ideological Offensive," issued by the Committee on Foreign Affairs. It constitutes a significant part of a study which is being conducted by the Subcommittee on International Organizations since 1962: a study of the fourth—the ideological and psychological—dimension of our foreign policy.

As chairman of the subcommittee, I have been responsible for the initiation of this study and for its conduct. And I have taken particular pride in one of its achievements: the focusing of public attention—and the attention of policymaking officials in the executive branch of our Government—on the important role which private American initiative continues to play in the global struggle which has engaged the energies and the resources of our Nation for the past two decades.

The role of our private sector was mentioned prominently in report No. 2 on "Ideological Operations and Foreign Policy," published by our subcommittee in April 1964.

It was further publicized and detailed in a 563-page report and directory, entitled "Overseas Programs of Private Nonprofit American Organizations," which our subcommittee issued in May 1965.

Because of our continuing concern with the overseas activities of private American citizens, firms, and nonprofit organizations which have a bearing on our foreign policy, I was interested to read the announcement of a competition being sponsored by the American Security Council to encourage fresh thinking on the role of business in the cold war.

The American Security Council is sponsoring a $100,000 business citizenship competition to encourage fresh thinking on the responsibility of business in the cold war. The purpose of the contest is to find effective ways to use the talents and resources of business in the worldwide battle for the minds of men.

This is a voluntary effort and is one in which we should all be interested and follow closely. There is no doubt that American business has the greatest array of sales, advertising, and public relations talents in the world. This competition is an effort to encourage effective mobilization of these skills to merchandise freedom.

I have been convinced that there is ample room for advertising genius, merchandising talent, and top business acumen which can be of significant assistance to U.S. international problems if it is motivated and focused on a problem.

Entries in this competition are to be in the form of essays with the winning papers to be published as an appendix of "The Business Gap in the Cold War," the second in the American Security Council's current series of studies on "Peace and Freedom Through Cold War Victory."

I join in the call on all Americans to make their thoughts count for freedom by advising the business community how it can best meet these citizenship responsibilities.

COAST GUARD REPORT ON SS "YARMOUTH CASTLE" DISASTER

Mr. McGRATH. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Fascell] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. FASCELL. Mr. Speaker, the Legal and Monetary Affairs Subcommittee of the House Committee on Government Operations, of which I am chairman, has been conducting a study of the policies and practices of the Coast Guard in examining foreign-flag passenger vessels.

The subcommittee's study is a review of such examination practices from the standpoints of their efficiency and economy. In other words, we want to find out the scope of the obligations under which the Coast Guard performs its safety examinations of vessels and how such responsibilities are being carried out.

The SS *Yarmouth Castle* tragedy has been discussed in subcommittee hearings. That vessel, it will be recalled, burned and sank last November with a loss of 90 lives. Reference has been made to it in the hearings because that vessel, flying a foreign flag over a period of many years was subject to Coast Guard examinations. The causes of the tragedy were *not the subject of the subcommittee's* study; in fact, the Coast Guard itself, at the request of the Republic of Panama, established a Marine Board of Investigation which lengthily probed into the fire and subsequent sinking of that vessel. The Coast Guard has just delivered to the subcommittee the report which was made by that Board, together with the statement of the Commandant's action on the recommendations which the Board had made.

I commend the Commandant and the Marine Board of Investigation for their thorough study and consideration of this vital case. Furthermore, the Coast Guard has moved promptly by taking the initiative and presenting their recommendations to the Maritime Safety Committee of the Intergovernmental Maritime Consultative Organization. There is no doubt in my mind that every effort must be made by the United States to obtain the necessary changes in the international convention so as to upgrade construction standards to minimize or eliminate construction with combustible material with reliance on sprinklers and detecting systems and to require the maximum use of incombustible material.

As this report points out in its conclusions:

> The vessel was equipped in accordance with the SOLAS 1960 requirements with a single exception of inflatable life rafts and the Board received no evidence of significant failure or deficiency.
>
> That the inspection performed by the Coast Guard for examination of foreign passenger vessel certificate was proper and adequate to verify that the vessel was in compliance with her passenger vessel safety certificate and that her lifesaving and firefighting equipment was satisfactory.

Nevertheless, this vessel burned and sank with a loss of 90 lives. And it is obvious that the safety and firefighting equipment could not deal with a fire of this magnitude with the amount of combustible material in the construction of this vessel. It is highly doubtful that any amount of firefighting equipment or safety precautions could have satisfactorily dealt with a fire of this type and magnitude so as to prevent loss of life.

It seems to me that the United States has no recourse except to continue its fight by whatever means to upgrade the construction standards of vessels, no matter when built, so that there is no combustible material. The Subcommittee on Legal and Monetary Affairs commends the initiative and the action of the Coast Guard in its efforts to bring this matter again to the attention of the maritime safety committee and the Intergovernmental Maritime Consultative Organization with the purpose of amending the international convention.

Because of the great public interest in this matter, I submit herewith the report of the Maritime Board of Investigation together with the Commandant's action hereon:

TREASURY DEPARTMENT,
U.S. COAST GUARD,
Washington, D.C., February 24, 1966.

COMMANDANT'S ACTION ON THE MARINE BOARD OF INVESTIGATION CONVENED TO INVESTIGATE THE FIRE ON BOARD THE PANAMANIAN SS "YARMOUTH CASTLE" ON NOVEMBER 13, 1965, AND SUBSEQUENT SINKING WITH LOSS OF LIFE

1. The record of the Marine Board of Investigation convened pursuant to the request of the Government of the Republic of Panama has been reviewed and the record including the findings of fact, conclusions, and recommendations is approved.

ACTION CONCERNING THE RECOMMENDATIONS

Recommendation 1 concerning the forwarding of a copy of the record of investigation to the Government of the Republic of Panama will be accomplished.

Recommendation 2 concerning a study looking to legislation to require all U.S.-flag passenger vessels built prior to May 27, 1936, to be built of incombustible material is undergoing interdepartmental study and review.

Recommendations 3 and 5 concern implementation of efforts to upgrade and amend the International Convention for Safety of Life at Sea, 1960, with respect to passenger vessels that contain large amounts of combustible material in their construction. Action has been instituted and arrangements have been made for these recommendations to be presented to the Maritime Safety Committee of the Intergovernmental Maritime Consultative Organization at a special meeting in May 1966.

Recommendation 4 concerning action looking toward execution of bilateral agreements with foreign governments whose vessels transport passengers from U.S. ports will be held in abeyance pending completion of the special meeting of the Maritime Safety Committee of the Intergovernmental Maritime Consultative Organization. The specific suggestions mentioned in recommendation 4 will be brought to the attention of the Maritime Safety Committee of the Intergovernmental Maritime Consultative Organization at the special meeting in May 1966.

Recommendation 6 concerning implementation of recognition of the exemplary rescue action of the SS *Bahama Star* and the MV *Finnpulp* will be given active consideration.

E. J. ROLAND,
Admiral, U.S. Coast Guard Commandant.

TREASURY DEPARTMENT,
U.S. COAST GUARD,
Miami, Fla., February 23, 1966.

From: Marine Board of Investigation.
To: Commandant (MVI).
Subject: Panamanian SS *Yarmouth Castle*, O.N. 4319–53; fire aboard on November 13, 1965, and subsequent sinking with loss of life

FINDINGS OF FACT

1. The commandant, pursuant to the request of the Government of the Republic of Panama, convened this board on November 19, 1965, for the purpose of inquiring into all the facts and circumstances surrounding the fire and sinking of the Panamanian flag SS *Yarmouth Castle*, with loss of life, while underway in the Atlantic Ocean, on November 13, 1965.

2. At or about 0045 (EST), November 13, 1963, the Panamian SS *Yarmouth Castle*, O.N. 4319–53, was en route Miami, Fla., to Nassau, Bahamas. A fire was discovered in the forward staircase area, which rapidly spread and enveloped the amidship passenger section and the bridge area. The vessel subsequently capsized and sank at 0603 the same morning in the Northwest Province Channel, Atlantic Ocean, in approximate position 25°55′ north, 78°06′ west, about 13 miles from Great Stirrup Cay. As a result 85 passengers and 2 crew are missing and 3 passengers are known dead.

3. Deceased are:

Name, address, and stateroom number

Nathan Barkin, 846 Michigan Avenue, Miami Beach, Fla., 820.

Anne M. Jackson, 2155 Cordova Avenue, Vero Beach, Fla., 842.

Nathan Lehr, 1621 South Treasure Drive, Miami Feach, Fla., 634.

Missing and presumed dead are:

Norma J. Barton, 25–31 30th Road, Astoria, N.Y., 811.

Frances M. Best, 1390 Southwest Fifth Avenue, Boca Raton, Fla., 806.

Andrew J. Best, 1390 Southwest Fifth Avenue, Boca Raton, Fla., 806.

William H. Burleigh, 1040 Northeast 23d Place, Pompano Beach, Fla., 844.

Elsie Burleigh, 1040 Northeast 23d Place, Pompano Beach, Fla., 844.

Anna E. Cirlincione, 17 Rose Street, Lincroft, N.J., 620.

Frank A. Cirlincione, 17 Rose Street, Lincroft, N.J., 620.

George R. Crawford, 3431 Northeast 14th Avenue, Pompano Beach, Fla., 808.

Sarah J. Crawford, 3431 Northeast 14th Avenue, Pompano Beach, Fla., 808.

Dena A. Duffy, 2851 Northeast 8th Terrace, Pompano Beach, Fla., 817.

Sylvia Ebner, 5919 Parsons Boulevard, Flushing, N.Y., 710.

Hal M. Eberle, 2342 Northeast 28th Street, Pompano Beach, Fla., 845.

Helen E. Eustice, 6066 Winfield Boulevard, Margate, Fla., 809.

Samuel Frankel, 4244 Chase Avenue, Miami Beach, Fla., G–1.

Rose Frankel, 4244 Chase Avenue, Miami Beach, Fla., G–1.

Estelle M. Franc, 24210 Church, Oak Park, Mich., 810.

Fred R. Franc, 24210 Church, Oak Park, Mich., 810.

Wanda B. Gang, 3720 Northeast 17th Avenue, Pompano Beach, Fla., 629.

Agnes Hill, 3711 Northeast 13th Terrace, Pompano Beach, Fla., 815.

William Hill, 3711 Northeast 13th Terrace, Pompano Beach, Fla., 815.

Jonathan A. Hamilton, 15307 Harbor Drive, Madeira Beach, Fla., 614.

Mary Hall, 2357 Southwest 16th Terrace, Miami, Fla., 718.

Helen M. Hier, 140 Southeast 13th Street, Pompano Beach, Fla., 823.

William Hier, 140 Southeast 13th Street, Pompano Beach, Fla., 823.

Henry A. Hughes, 8 Bayview Court, East Setauket, N.Y., 805.

Mary Hughes, 8 Bayview Court, East Setauket, N.Y., 805.

Louise Jackson, 2155 Cordova Avenue, Vero Beach, Fla., 842.

Robert W. Johnson, 89 Stoneleigh Road, Watertown, Mass., 828.

John A. Karnes, 1320 Ridgewood Avenue, Winter Park, Fla., 721.

Alice Karnes, 1320 Ridgewood Avenue, Winter Park, Fla., 721.

George D. Keen, 2940 Northeast Eighth Avenue, Pompano Beach, Fla., 715.

Catherine Keen, 2940 Northeast Eighth Avenue, Pompano Beach, Fla., 715.

Arthur E. Lehr, 3711 Lyme Avenue, Brooklyn, N.Y., 819.

Stella Lehr, 3711 Lyme Avenue, Brooklyn, N.Y., 819.

Clarice Lobel, 7525 East Treasure Drive, North Bay Village, Fla., P–1.

Myrtle P. Lowe, 1920 Tigertail Avenue, Miami, Fla., 0.

Morgan I. Lowe, 1920 Tigertail Avenue, Miami, Fla., 0.

Florence B. Lucchesi, 5415 Connecticut Avenue NW., Washington, D.C., 702.

Ann J. Marple, 3186 East First Street, Tulsa, Okla., F–1.

Edna Matias, 2123 South Harlem, Berwyn, Ill., 719.

John Mazzarisi, 36 Mulberry Street, New York, N.Y., 638.

Jessie Mazzarisi, 36 Mulberry Street, New York, N.Y., 638.

Gayle M. Musson, 2651 Northeast Sixth Street, Pompano Beach, Fla., 629.

Louis W. Neher, 700 Northeast Fifth Avenue, Pompano Beach, Fla., 830.

Margaret E. Neher, 700 Northeast Fifth Avenue, Pompano Beach, Fla., 830.

Elsie M. O'Connell, 2357 Southwest 16th Terrace, Miami, Fla., 718.

Charles E. Polm, Parker, Pa., 840.

Mary A. Polm, Parker, Pa., 840.

Herman Pollock, 4720 Northeast 14th Avenue, Pompano Beach, Fla., 841.

Minnie Pollock, 4720 Northeast 14th Avenue, Pompano Beach, Fla., 841.

Omar D. Quay, 3860 Northeast 21st Way, Pompano Beach, Fla., 836.

Della Quay, 3860 Northeast 21st Way, Pompano Beach, Fla., 836.

Charlotte M. Reich, 3420 Northeast 14th Avenue, Pompano Beach, Fla., 807.

Vivian St. Clair, 2631 Roberts Street, Largo, Fla., T–1.

Helen St. Clair, 2631 Roberts Street, Largo, Fla., T–1.

Bertha Salke, 704 Northeast 72d Street, Miami, Fla., L.

Edith R. Schneider, 151 Southeast 14th Street, Pompano Beach, Fla., 831.

Frank Silver, 6120 Avers Avenue, Chicago, Ill., 827.

Juan P. Stanley, 3606 Sheridan Road, Kenosha, Wis., 813.

Elmer E. Stanley, 3606 Sheridan Road, Kenosha, Wis., 813.

Mabel Straub, 8942 86th Street, Woodhaven, N.Y., 615.

Ralph D. Storrs, 2342 Northeast 28th Street, Pompano Beach, Fla., 843.

Winfield W. Thomas, 705 North C. Street, Lake Worth, Fla., 824.

Ethel L. Thomas, 705 North C. Street, Lake Worth, Fla., 824.

Flora G. Tiefenthaler, 3583 County Line Road, Chalfont, Pa., 816.

William C. Tiefenthaler, 3583 County Line Road, Chalfont, Pa., 816.

Pauline I. Tomasini, Route 2, Box 428, San Luis Obispo, Calif., 829.

Warren Tomasini, Route 2, Box 428, San Luis Obispo, Calif., 829.

Charles E. Vincent, 721 Southeast Fifth Terrace, Pompano Beach, Fla., 717.

Salle A. Vincent, 721 Southeast Fifth Terrace, Pompano Beach, Fla., 717.

Betty Wand, 7315 Byron Avenue, Miami Beach, Fla., P–1.

Stella M. Wiehe, 711 Northeast 72d Street Miami, Fla., L.

Alice Weible, 4668 Falcon, Long Beach, Calif., 523.

Steven W. Wright, 15833 Redington Drive, Redington Beach, Fla., 614.

Joseph T. Wright, 2748 Northeast 28th Avenue, Pompano Beach, Fla., 847.

Florence B. Wright, 2748 Northeast 28th Avenue, Pompano Beach, Fla., 847.

Aliens

Carlos Davis, Avenue Tacna, 890, Lima, Peru, 804.

Carmen Davis, Avenue Tacna, 890, Lima, Peru, 804.

Allen M. Gillian, Rural Route No. 1, Mount Hope, Hamilton, Ontario, 838.

Lynda Ann Gillan, Rural Route No. 1, Mount Hope, Hamilton, Ontario, 838.

Castillo F. Hurtarte, 4 Calle 4–36; Zona 1, Guatemala, Guatemala, N–1.

Leonie Pellowski, 447 12th Street, West Palm Beach, Fla., 832.

Eduardo Pinedo, Manco Capac 490 Mag. Nueva, Lima, Peru, 812.

Maria Pinedo, Manco Capac 490 Mag. Nueva, Lima, Peru, 812.

Mercedes Vila Sole, 4 Calle 4–36, Zona 1, Guatemala, Guatemala, N–1.

Crew members: Lisardo Diaz-Torrens, Cuban (PP A 13 345 991), doctor. Phyllis Hall, Jamaican (PP 349518), stewardess.

4. The weather at the time of the casualty was good, the sea smooth, the sky clear, visibility excellent and there was a light southeasterly breeze, Beaufort Scale 2 (4–7 m.p.h.). The barometer at 2400 was 30.06 and the air temperature was 80° F.

5. The SS *Yarmouth Castle* was 379 feet overall, 5,002 gross tons, 2,474 net tons, molded depth to main deck 29 feet 6 inches, with steam turbine propulsion (2) of 7,500 hp. Home port was Panama, Republic of Panama. Owner was Chadade Steamship Co., Inc., pier 3, Miami, Fla., and the operator was Yarmouth Cruise Lines, Inc., pier 3, Miami, Fla. Master at the time of the casualty was Byron Voutsinas, licensed by the Republic of Panama.

6. The SS *Yarmouth Castle* (ex-SS *Evangeline*) was a passenger vessel of riveted steel construction, built at Philadelphia, Pa., in 1927. She had eight watertight transverse bulkheads extending to the main deck, stepped where required to suit accommodations and freight spaces. The vessel had a lower deck (E), a deck (D), a main deck (C), a promenade deck (B), a boat deck (A) and a sun deck. The original plans refer to these decks as lower (E), main (D), upper (C), promenade (B), and boat deck (A).

The lower, D and main decks were fully steelplated. The main deck at the after end, the promenade deck outside of the house, and the boat deck outside the house had caulked wood decks over steel. The promenade deck and the boat deck inside the house were wood decks. The decks forming the top of the house on the boat deck, the bridge, top of wheel and chart house, and top of the wireless house were wood decks covered with canvas. The sides of the superstructure on the promenade and boat decks were steel.

All interior passenger staterooms, passageways, and stairways above the main deck were of wood construction. The boiler and engineroom casings and all public and private toilet space bulkheads and decks were of steel construction. Two uninsulated transverse steel fire zone bulkheads were fitted within the passenger area; one aft of the forward passenger stairway and one forward of the after main stairway. Sliding plate steel fire doors were fitted in way of these bulkheads at each deck level in the passageways.

The ship was originally fitted with mechanical ventilation for ventilating the living quarters, messrooms, storerooms, etc., on the D deck and on the main deck the inboard passenger staterooms, various offices, and service spaces, dining room, etc. A separate mechanical exhaust system was provided for the main galley and main pantry. Various light and air shafts were provided for natural ventilation for public toilets and washrooms, and inside staterooms on the superstructure decks.

A separate mechanical exhaust system was provided from all public and private toilet rooms. Vent ducts from these various toilet rooms connected into the fore-and-aft ducts in the overhead of the port-and-starboard passageways on the main deck, promenade deck, and boat deck. These port-and-starboard ducts connected into vertical risers in the boilerroom casing and terminated at the exhaust fans aft of the stack on the top of the house. Manual fire dampers were fitted in this system at the location of the fire zone bulkheads.

Subsequent to 1954, at various stages, the dining room, public rooms, and all staterooms were air conditioned. The dining room and the staterooms amidships and forward were air conditioned by a chilled water system piped to the various spaces. Individual air blowers were provided in each space. Staterooms at the after end of the ship were air conditioned by a separate freon system circulating cold air through air ducts. When the air conditioning was installed on the vessel, the original mechanical ventilation supply system to these spaces was blanked off and air shafts for staterooms in the superstructure were blanked off.

7. The vessel operated first in coastwise service and in international coastwise service under the U.S. flag and was delivered to the Government for war service in 1942. The vessel, as the S.S. *Evangeline*, was converted from wartime to peacetime service in 1946–47 by the War Shipping Administration. At that time the U.S. Coast Guard considered the conversion a "material alteration" of the vessel and pursuant to the provisions of 46 U.S.C. 369 the War Shipping Administration was advised that the vessel would have to meet all the requirements relative to fire retardant construction. In addition, detailed plans and arrangement of the vessel were required to be submitted to the Coast Guard for approval prior to conversion.

After further analysis by the War Shipping Administration it was found that compliance would bring about an estimated increase in weight of joiner work of 100 tons and cause a total loss in deadweight capacity of approximately 450 tons due to additional ballast necessary for stability. The War Shipping Administration advised that this increase in weight would be serious not only from an economic point of view but also because of draft limitations in her trade route. In view of these considerations, the Coast Guard, pursuant to the provisions of 46 U.S.C. 369d, considered the requirements could not be reasonably and practicably complied with and modified the requirements to permit the repair and restoration of the existing type of construction subject to the following requirements:

(1) The main stairwells to be trunked in with incombustible material behind the paneling; (2) the installation of hinged metal fire doors enclosing the stairways; and (3) staterooms, passageways, stairways and public spaces to be covered with a seven-zone automatic sprinkler system.

This was accomplished; however, original wood construction throughout the vessel was retained and the sprinkler system was not required to serve in the toilet spaces.

8. In 1947, after reconversion, she returned to service under the U.S. flag. The vessel was laid up from 1948 through 1953, except for 2½ months of service in 1950, and was sold in April 1954 to a wholly owned Liberian subsidiary of the Eastern Steamship Co. and placed under Liberian flag and registry. The request, for sale and transfer, to the Maritime Administration cited as reason "can operate under Liberian flag more economically." The vessel operated under Liberian flag and registry through several owners until 1958 when she was transferred to the McCormick Shipping Corp., a Panamanian corporation, with concurrent transfer of flag and registry from Liberia to Panama. In 1962 the vessel was sold to the Evangeline Steamship Co., S.A., a Panamanian corporation and in 1964 the vessel was sold to the Chadade Steamship Co., Inc., a Panamanian alien controlled corporation. The Panamanian flag and registry were retained, but the name was changed from *Evangeline* to *Yarmouth Castle*.

9. The vessel had a dry-pipe automatic sprinkler system which was installed to cover by several zones all staterooms, passageways, stairways and public spaces. Air pressure was maintained in the pipelines, counterbalancing water pressure in a pressure tank containing 260 gallons of fresh water. Opening of a sprinkler head would release air pressure in the system and water in the pressure tank would flow in the system. As the pressure dropped, a 300-gallon-per-minute sprinkler pump started automatically. At the same time an alarm bell would actuate on the bridge and in the engineroom. On the bridge an indicator light would show the zone in operation. A crossover connection was provided to the fire pump.

The vessel had manual fire alarm stations strategically located throughout. Actuation of one of these stations would ring an alarm bell on the bridge and in the engineroom, and an indicator would light on the bridge showing the fire zone affected.

The vessel's fire main system was provided with a fire pump with a capacity of approximately 400 gallons per minute and with 46 fire hydrants located through the vessel. Additional pumps, including the bilge-and-ballast pump with a capacity of about 250 gallons per minute, could be connected to the fire main system. A connection was fitted to the fireroom line with a valve on the promenade deck for use in filling the swimming pool. Fifty-foot hoses were provided for the fire hydrants.

The general alarm system provided for 29 alarm bells strategically located throughout the vessel in areas available to passengers and crew. All alarm bells were separately fused from the main circuit. The alarm control was located on the after bulkhead of the bridge. No separate emergency signal alarm system for alerting the emergency squad was provided on the vessel. The vessel was provided with a public address system with the main control station on the bridge.

The vessel carried 13 lifeboats including 1 radio-equipped motor lifeboat for a total capacity of 598 persons. Boats were fitted under mechanical davits with wire falls and lowering winches. Three of the boats were nested. Also provided were 8 approved-type buoyant apparatus capable of serving 160 people.

10. The vessel was classed as a passenger vessel by the American Bureau of Shipping. She had a Passenger Ship Safety Certificate issued by the American Bureau of Shipping as agent for the Republic of Panama, under the provisions of the International Convention for the Safety of Life at Sea, 1960 [hereinafter referred to as SOLAS '60], and

a Certificate of Examination for Foreign Passenger Vessels issued by the U.S. Coast Guard. The Passenger Ship Safety Certificate certified the vessel for carriage of 426 passengers and 172 in the crew.

11. In June 1965, the American Bureau of Shipping inspected the vessel at Miami, Fla., for compliance with the provisions of the International Convention for the Safety of Life at Sea, 1960, and on June 23, 1965, issued a 1960 SOLAS Passenger Vessel Safety Certificate to the vessel for a period of 3 months under the authority of the Government of Panama.

The Republic of Panama had not at this time deposited its acceptance of the International Convention for the Safety of Life at Sea, 1960, with the Inter-Governmental Maritime Consultative Organization; therefore the 1948 convention was in effect; however, that government had directed the American Bureau of Shipping to have Panamanian flag vessels comply with the requirements of the International Convention for the Safety of Life at Sea, 1960, as were applicable to an existing vessel.

The 1960 convention, as did the 1929 and 1948 conventions, exempted existing vessels from the construction and arrangements standards applicable to new vessels except as decided by the administration concerned. The additional standards applicable in this instance applied basically to equipment. Three inflatable liferafts required by the SOLAS 1960 regulations were not available and were noted as deficiencies.

This inspection by the American Bureau of Shipping included a complete evaluation of the interior structure of the hull, testing of watertight doors and side closures, testing of pumping arrangements, testing of fire detection and extinguishing systems, examination of lifesaving appliances and equipment, testing of portable radio apparatus, radio-telegraphy installation and various other appurtenances and equipment as applicable to an existing vessel. The vessel was in the Tampa Ship Repair and Drydock Corp. yard from the middle of September to October 15, 1965, at which time the passenger vessel safety certificate was extended by the American Bureau of Shipping for 3 additional months (Jan. 15, 1966). While the vessel was in the shipyard, the American Bureau of Shipping made a complete third special periodical survey of hull and machinery, and an annual load line survey.

12. The U.S. Coast Guard examines annually, with reexaminations quarterly, foreign passenger vessels carrying passengers from ports of the United States to check the vessels' documents, firefighting equipment, lifesaving equipment, and to verify that the vessels are in compliance with their SOLAS Convention Safety Certificates and issues as evidence of these examinations certificates of examination of a foreign passenger vessel. Reexaminations are made quarterly to verify continued compliance with the vessels' safety certificates.

The U.S. Coast Guard Marine Inspection Office, Miami, Fla., had cognizance of the *Yarmouth Castle* and conducted most of the annual examinations and the quarterly reexaminations. During the 12 months prior to the casualty, five examinations were conducted, one of which was conducted by the U.S. Coast Guard Marine Inspection Office, Tampa, Fla., where the vessel was undergoing drydock examination.

These tests and examinations included fire and boat drills, fire screen doors, fire hydrants and hoses, watchmen key stations, watertight doors, sprinkler pump, automatic alarms, emergency generator, and such other equipment as the Coast Guard inspector deemed necessary to establish the condition of the vessel's lifesaving and firefighting equipment.

The Coast Guard Marine Inspection Office, Tampa, Fla., completed an examination of the vessel on October 15, 1965, for issuance of a certificate for the period of her SOLAS safety certificate. Three deficiencies were noted and when the vessel returned to Miami, Fla., the Coast Guard Marine Inspection Office, Miami, Fla., witnessed the correction of these deficiencies on October 25, 1965, by conducting a fire and boat drill, testing the sprinkler system in zones 6 and 7, and testing the operation of watertight doors and the emergency generator.

13. The Board was unable to obtain a copy of the *Yarmouth Castle's* fire and emergency station bill but obtained a copy of the station bill from her sister ship, the SS *Yarmouth.* Testimony was received that the bills on both vessels were identical. The vessel's fire and emergency station bill listed the duties of the officers and crew at emergency stations. In addition each member of the crew was given a station bill duty card printed in English and Spanish upon reporting aboard.

The annual and quarterly drills conducted by the Coast Guard during the year preceding the casualty noted no discrepancies in knowledge of duties by members of the crew. Testimony received by the Board indicated weekly drills were held in Nassau, Bahamas.

14. The officers and crew were nationals of Austria, Bahamas, Canada, Colombia, Cuba, the Dominican Republic, Greece, Haiti, Honduras, Jamaica, Spain, and the United States.

15. The *Yarmouth Castle* departed at approximately 1700, November 12, 1965, on her biweekly trip from Miami, Fla., to Nassau, Bahamas. The sailing and subsequent passage was uneventful until about 0030, November 13, 1965. At the time the SS *Yarmouth Castle* was steady on course 101° T., speed 14 knots, steaming in Northwest Providence Channel, Atlantic Ocean between Great Isaac Light and Great Stirrup Cay.

On board were 376 passengers and 176 crew. West and behind the SS *Yarmouth Castle,* on course 101°, speed 14 knots, was the Panamanian SS *Bahama Star* at a distance of about 12 miles. Ahead and east of the SS *Yarmouth Castle,* on course 100° T., speed 13 knots, was the Finnish MV *Finnpulp* at a distance of about 8 miles. The master of the *Yarmouth Castle* had retired to his cabin.

The bridge watch on the *Yarmouth Castle* consisted of the second mate, Jose L. Rams de Leon, licensed by the Government of Cuba, the helmsman, and two watchmen. This distribution of personnel resulted from the fact that the watchman who had started his security patrol at 0030 hours had completed his rounds at 0050 and returned to the bridge to relieve the helm. The watchman in making his rounds did not follow the numerical sequence of the watch clock stations designed to cover all accessible passenger and crew areas of the vessel, and did not cover the port passageway, main deck, in which room 610 was located.

16. Although not known on the bridge, first indications of fire were noted by officers and crew of the vessel after midnight and before 0100. During that time a member of the engineroom crew advised the chief engineer by word of mouth that there was smoke coming into the engine spaces through the natural draft ventilation system.

Immediately the chief engineer started a search in the pantry-galley-bakeshop area with negative findings and without report to the bridge. He proceeded to the main entrance lobby (purser's square on the main deck) where he met the night cleaner, Whyley, who reported that he had found smoke in the men's toilet on the promenade deck. The night cleaner and the chief engineer ran up to the promenade deck and forward via the port passageway to the men's toilet opposite stateroom 702. The chief engineer opened the door, looked inside, closed the door and proceeded forward.

The night cleaner proceeded aft to awaken the crew in the crew's quarters aft. When he passed through the main entrance lobby on the main deck he told the gift shop operator, Charlie Agero, about the fire and its location. Mr. Agero testified that the time was 0045. At this time Mr. Agero proceeded to the men's toilet on the promenade deck. Meanwhile the radio operator who left the radio room at 0048 had smelled smoke at his station on the sun deck and started looking for the fire. A passenger, Mr. Lloyd Lamn, from cabin 634 on the main deck, the master, the chief mate, the first assistant engineer, the cruise director, the switchboard operator and other crewmen and passengers also were looking for the fire and all of the above ultimately arrived on the promenade deck and main deck at the forward staircase.

There was considerable confusion in this vicinity with these people arriving and leaving at different times; however, fire and smoke were found or observed by these individuals in room 610 on the main deck and in the men's toilet directly above on the promenade deck.

Several fire extinguishers were used to no avail and an attempt was made to activate the zone fire-alarm boxes in the vicinity. A firehose was run out and the first assistant engineer was sent by the chief engineer to notify the engineroom to start the fire pump. By this time the fire appeared to be extremely hot and well advanced in room 610 and when the door to this room was [sic] opened, pushed in or fell in, the fire, heat, and smoke broke out into the passageway. Fire and smoke quickly advanced into the forward staircase and aft in the passageway out of control. The master, leaving the chief engineer in charge, returned to the bridge. The chief engineer, after fighting the fire for a brief period, gave the hose to an unidentified crewman and went to the engineroom to close off the mechanical ventilating system and to see that all machinery was operating and then proceeded about the decks, closing scuppers.

The chief mate did not tarry at the scene of the fire but went forward on the outside of the house on the promenade deck and with other crewmembers began assisting passengers out of their stateroom windows and breaking out firehoses to fight the spreading fire. The radio operator made his way back to the bridge. All others went aft, pounding on stateroom doors to awaken passengers and crew and ultimately to the promenade and boat decks to the area of the after lifeboats.

The crew was not alerted to the fire emergency by the general-alarm system and the fire emergency organization of off-watch personnel did not come into play during the resulting debacle.

17. Action on the bridge: It was testified to by the mate on watch that the first indication of fire came to the bridge at about 0110 when the engineer of the watch, Haralampos Sotiriou, a Greek national, licensed by the Government of Panama, reported smoke coming through the engineroom natural draft ventilation system. Immediately the watch officer dispatched one watchman to the sun deck and one watchman to the promenade deck to locate the fire and report. He then reported by word of mouth through the voice tube to the master, who ordered, "Sound the alarm, I am coming up."

There was testimony by the master and several officers of the vessel that the general alarm was sounded and heard, but this was not corroborated by any passengers interviewed. Within a short time the master arrived on the bridge; directed the mate to stay in charge and departed to locate the fire. The master returned to the bridge in about 5 minutes, at which time there was smoke and flame in the chart room aft of the bridge. He ordered, "Stop the engines"

(0120), "close the watertight doors in the engineroom" (0121), and "turn to port." No attempt was made to use the public address system. At about this time the radio officer reported for orders and was directed by the master to transmit a distress message. Immediately thereafter he reported inability to comply because of flames and smoke at the radio room, and was directed to transmit a distress message by flashing light. Communications were not established by the radio officer with either the SS *Bahama Star* or the MV *Finnpulp*. During this time bridge personnel were forced by smoke and flame to the open forward deck of the wheelhouse.

The master ordered the abandon ship signal sounded at approximately 0125. The second mate broke the wheelhouse window and sounded the whistle by the electrical control but was unable to enter the bridge to sound the general alarm. The complete abandon ship signal of seven shorts and one long was not obtained. Within a few minutes the master, the second and third officers and the watchman abandoned the forward deck of the bridge and all, with the exception of the master, proceeded to assist in the evacuation of passengers.

The master proceeded to motor lifeboat No. 3 which contained the emergency radio. He, with the assistance of the second electrician, Emmanuel Sakaleros, a Greek national, was unable to clear the boat because of fire and smoke. At this time the second electrician and four passengers, Mr. and Mrs. James T. Heigel, from stateroom W-1, and Mr. and Mrs. Carl M. Apuzzo, from stateroom 835, released a buoyant apparatus and jumped from the sun (top) deck into the water. Mrs. Heigel testified that her watch stopped at 0130. The master proceeded to lifeboat No. 1, which contained several passengers and after considerable difficulty, due to the proximity of the fire, the boat was lowered to the water by the master and chief boatswain, Ines Gozan-Pinder, who had come to the boat deck from the forecastle. The boatswain descended in the boat and the master descended on the lifelines. At this time the staff captain, Panagiotis Menegatos, licensed by the Government of Greece, appeared and came down to the boat on the lifelines. The time by best estimate was 0145.

18. Action in the engineroom: The third assistant engineer with two oilers and two firemen was on the midwatch [0000 to 0400] in the engine and boiler rooms. Shortly after the completion of blowing of boiler tubes, about 0100, the smell of smoke was noted carrying into the boiler rooms from the topside ventilators. A fireman was sent up to find out what was wrong and an oiler was dispatched to notify the chief engineer and other engineroom officers. The bridge was notified by telephone about 0110. At approximately 0115 the first assistant engineer came down and the fire pump was started. About 0117 the sprinkler alarm located in the No. 2 fireroom sounded and the sprinkler pump started. The chief engineer came to the engineroom and shut down all power ventilation blowers.

About 0120 the engineroom received orders to stop the engines. At this time the firemen cut out three burners on each boiler leaving only one burner operating on each boiler. Boiler No. 1 was not in service. Soon after the engines were stopped, the three watertight doors in the fire and engine rooms were closed from the bridge; however, the alarm on the engineroom watertight door rang continuously.

The fire pump, sprinkler pump, and the generators were operating. About 0145 the steam pressure was dropping, so the third assistant went up from the engineroom and down into the fireroom and added a second burner to the four boilers in the No. 2 fireroom.

Everything continued to operate satisfactorily in the engineroom and around 0300 the third assistant was advised by word of mouth to add the bilge pump to the fire pump. He and the oiler stayed in the engineroom until about 0400 when they left and departed the vessel by the midship pilot side port on the D-deck. All of the above pumps operated continuously and were in operation when the engineroom was abandoned.

19. Action forward on the vessel: The chief mate, on leaving the scene of the fire, went aft on the main deck and proceeded up the port crew amidship stairway to the outside on the promenade deck. On going forward toward the bridge he was unable to go into the lobby of the forward stairway due to the heat and smoke in the area. He then continued forward on the promenade deck and began breaking the passenger stateroom windows to assist passengers to get out on deck from their rooms since smoke and heat had filled the passageways at that time. Meanwhile the deck crew in the forecastle had been aroused by a night watchman and had come on deck in that area.

Some of them assisted the chief mate in getting passengers out of their rooms and in breaking out firehoses forward to fight the fire that was advancing. No water could be obtained at the fire station on the forecastle head.

The firehose on the port side of the forward end of the promenade superstructure was damaged and was abandoned. The fire station on the starboard side of the promenade superstructure was activated by the chief mate and he left a crewmember there directing the hose into the lobby stairway area on the starboard side. Good pressure was obtained on this station.

The chief mate went aft on the starboard side and had a crewmember use a firehose at a location amidships to throw water into the interior of the vessel. He continued on to the after part of the vessel. In the meantime many passengers, several severely burned and cut, had congregated on the boat deck forward. At this time it was impossible to go aft on the boat deck as the fire had broken through the sun deck across the vessel. The crewmembers forward, including the second mate, third mate, and radio operator assisted the passengers down to the promenade deck in the bow area. Ladders and ropes were lowered over the side of the ship.

About 0150 the No. 1 lifeboat in which the master, staff captain, boatswain, several crew members, and several passengers were embarked went off the vessel about 50 yards and began sending up flares. The passengers and crew in the bow area hailed the boat to pick them up. The master testified that he had been unable to send off an SOS signal and wanted to go to a ship that was approaching from some distance away on the starboard bow to advise them to send an SOS and of the need for lifeboats for rescue purposes.

Seeing that the boat was not going to come back to the bow to pick up passengers, several passengers and crew went over the side and swam to the boat. The boat then rowed to meet the approaching vessel, MV *Finnpulp*, and arrived alongside between 0215 and 0225, about one-third mile from the *Yarmouth Castle*.

Back on the bow of the *Yarmouth Castle* the remaining crew and passengers waited to be rescued. Three crew members had gone below through the forward hold to the D deck where they opened the forward port cargo side port and went overboard in a small paint boat that was stowed in the hold. Later when the lifeboats from the two rescue vessels arrived, the passengers and crew forward were picked up and taken to those vessels. When evacuation of the vessel was completed by approximately 0400 the port cargo door forward on D deck, at frame 37, and the side pilot ports, port and starboard, at frame 103 on the same deck were open.

20. Action aft on the vessel: The first indication of fire came to the ballroom-bar area aft on the boat deck at 0105 when Miss Erna Groeger, a passenger from stateroom 832 on the same deck, burst in screaming "fire." Shortly thereafter a badly burned passenger came into the bar. There was no smoke in this area at the time and the lights were on.

Meanwhile, other passengers who had escaped from the amidship section and the passengers in the after staterooms were proceeding to the stern of the vessel. The members of the crew in the after crew's quarters came up and mingled with the passengers in this area. Some of these assisted the passengers in finding life jackets, others broke out fire hoses and directed water on the fire forward of the after staircase and others assisted in preparing the after lifeboats for lowering. Although shown on the plans there were no single boats Nos. 11 and 12, these boats being nested and identified as 9A and 10A, respectively.

The time and order of launching of the boats aft cannot be definitely established except that lifeboat No. 7, heavily loaded, appeared to be the first boat in the water. Difficulty was experienced in launching lifeboats 10 and 10A due to the brake seizing on the drum. Other than this delay, which was corrected, boats 7, 9, 9A, 10, and 10A were lowered.

All passengers and crew who were not accommodated on the boats left the vessel via lines, ladders, and by jumping into the water and were taken on board awaiting lifeboats from the rescue vessels. Some passengers in the staterooms on the main deck escaped the vessel by climbing through the portholes.

Various crew members left the vessel by the side pilot doors. During the above evacuation the swimming pool aft on the open deck was observed filling with water. The master testified that he returned to the vessel and assisted in the evacuation of passengers from the stern. This was corroborated by the chief engineer.

21. Action by rescue vessels: The MV *Finnpulp*, proceeding on a course 100° T., observed by radar, that the range to a following vessel about 7.8 miles aft on the port quarter was opening. A bright glow in that direction was noted and the master was called at 0130. Looking through his binoculars he saw what he believed to be a ship on fire. About 0132 the vessel was turned and headed back to the *Yarmouth Castle*.

The radio officer attempted to call VPN [Radio Nassau] three times on 500 kc's between 0140 and 0145 but was unable to establish contact. At 0154 he called Coast Guard Radio, Miami, and reported a vessel on fire. No distress signal was transmitted.

The vessel's speed was increased from about 13 knots to about 16 or 17 knots and the course changed to 280° T. At about 0215 the *Finnpulp* came within one-third mile of the *Yarmouth Castle*, made a starboard turn, and stopped. The *Yarmouth Castle* was broadside to the *Finnpulp* and at this time towering flames were seen on the *Yarmouth Castle* forward of the stack and engulfing the bridge area.

The *Finnpulp*'s port lifeboat had been cleared and was lowered into the water. The starboard gangway was lowered and a lifeboat from the *Yarmouth Castle* containing the *Yarmouth Castle*'s master came alongside.

The master of the *Finnpulp* was told by someone in the lifeboat that the *Yarmouth Castle* had about 600 persons on board and lifeboats were needed to rescue these people. The passengers and some of the crew in the lifeboat came aboard the *Finnpulp* and the rest of the crew in the lifeboat headed back to the *Yarmouth Castle*.

The *Finnpulp*'s starboard boat was then lowered and both boats proceeded to rescue passengers from the *Yarmouth Castle*. Two other lifeboats from the *Yarmouth Castle* were in the vicinity and the people from these boats later came on board the *Finnpulp*. The two Finnish lifeboats proceeded to take passengers and crew from the *Yarmouth Castle* and finally the vessel took on board 51 passengers and 41 crew. Two of the *Yarmouth Castle* lifeboats were later hoisted on board the *Finnpulp*. The *Finnpulp* remained in the vicinity until the *Yarmouth Castle* sank at 0603 and then proceeded to Nassau, Bahamas, where the survivors were placed ashore. One badly burned survivor was removed from the MV *Finnpulp* by Coast Guard helicopter.

SS *Bahama Star:* The SS *Bahama Star* was proceeding in the Northwest Providence Channel at a speed of 14 knots on course 101° T. At about 0205 hours the mate on watch on the *Bahama Star* advised the master that he could see Great Stirrup Light. In keeping with his routine, the master looked out of the porthole, observed the light and at the same time observed an orange glow on the horizon on the port bow.

The master came to the bridge, observed a vessel on fire and ordered the helmsman, "Come left and steer for that ship." The *Bahama Star* arrived alongside the starboard side of the *Yarmouth Castle* at about 0225. En route a blinker light from the *Yarmouth Castle* was observed; however, no actual message was read or understood.

Two or three lifeboats were at this time passed and hailed. These boats were from the *Yarmouth Castle*. The *Yarmouth Castle* was afire from her stack forward, including her bridge and radio shack, through all decks to the main deck. The forecastle head was not burning nor was there fire aft.

Fourteen boats were placed in the water from the *Bahama Star*. These lifeboats proceeded to take passengers and crew from the *Yarmouth Castle,* completing rescue efforts at approximately 0415 hours. The *Bahama Star* remained in the vicinity until the *Yarmouth Castle* sank at 0603 and upon release by the Coast Guard proceeded to Nassau, Bahamas, where survivors were placed ashore. The *Bahama Star* took on board 240 passengers and 133 crew. Twelve passengers, badly burned, were evacuated to Nassau from the SS *Bahama Star* by Coast Guard helicopter.

22. At 0154 the MV *Finnpulp* advised Coast Guard radio, Miami, of a vessel on fire. This information was relayed from the Coast Guard Rescue Coordination Center to the Coast Guard Air Station, Miami, Fla., by telephone at 0204. The first aircraft was airborne at 0236 and was followed by three others at 0300, 0302 and 0332, respectively. The first helicopter was airborne at 0322 hours, followed by another at 0412 and a third at 0657. Illumination of the scene was commenced at 0343. At 0513 the first of the twelve injured passengers transported to Nassau was hoisted from the SS *Bahama Star*. Search of the area was conducted throughout the day with the last helicopter departing the area at 1651 and the last aircraft departing at 1745.

23. There was no noticeable list to the vessel during the night prior to the casualty. After the fire broke out, the vessel heading was altered to place the prevailing wind on the starboard side and the vessel was stopped.

As time elapsed a gradual list developed to the port side and the vessel was down by the head. By about 0300 the list appeared to be approximately 4 to 5 degrees. When the vessel was completely abandoned about 0400 the list was estimated to have increased to about 7 or 8 degrees and the sea was observed entering the forward open cargo side port on the port side. The list continued to increase to port until the vessel quickly rolled over, bottom up, and sank at 0603.

24. The radio room, the motorboat fitted with radio-telegraph installation, and the lifeboat portable radio apparatus stowed in the chart room were all located within the same relative area on the vessel. Accordingly, when the fire broke out in this area, these three independent means of transmitting radio messages for assistance were, within a very short time of each other, unavailable for use.

25. The sprinkler system alarm sounded on the bridge and in the engineroom during the fire. The chief engineer testified that when he was on D deck he observed the sprinkler system gages and noted that the sprinkler system in zone 2 on the boat deck and zone 3 on the promenade deck was operating.

26. Room 610 was located on the main deck (referred as upper C deck on original construction plans) on the inboard side of the port passageway and immediately forward of the boilerroom uptake. The steel galley vent trunk on the forward side separates the room from the forward passenger stairwell.

On the starboard side of the room was a ladies toilet. The boilerroom was below and above was a men's toilet on the promenade deck and over that was another toilet on the boat deck. At the forward and after ends of this room were natural ventilation ducts which extend vertically from this room to the top of the superstructure. These ducts also served the two toilet rooms above and opened directly into those rooms.

Additionally, a mechanical exhaust duct, previously described, served these rooms. Room 610 had been built as a toilet room and was of steel construction, and when the sprinkler system was installed in 1947 no sprinkler head served this room. At some later date the room had been converted to a ship's hostess stateroom, but no sprinkler head was installed.

In October 1965 the room was dismantled and insulation, paneling, and equipment removed. Testimony by Roderick Smith, the second steward, and several other crew members indicated that on the night of the fire nothing was in the room with the possible exception of a vacuum cleaner and a mop. Testimony by the hostess, Ruth Wright, and Charles Agero, the gift shop operator, indicated that they entered the unlocked room the evening of the fire to look at some mattresses that were stored inside. Their testimony indicated that in the room were about five mattresses, a couple of damaged chairs, pieces of scrap paneling, a vacuum cleaner, and other miscellaneous items. A jury rigged electric cable stretched across the room from which hung a large naked light bulb and socket with bare wire connections and it was indicated that the light was on when they entered and left.

Further testimony indicated that arrangements had been made with the stewards to secure one of these mattresses from this room to be put on Mr. Agero's bunk that night. Mr. Agero stated that later that night when he visited his stateroom his bunk had been fitted with a mattress.

27. The greatest loss of life was determined to have occurred on the boat deck. Fifty-two of the passengers and crew missing and presumed dead were assigned staterooms on this deck; 22 were assigned staterooms on the promenade deck; and 13 were assigned staterooms on the main deck. Two of the passengers known dead were assigned staterooms on the boat deck and the third was assigned a stateroom on the main deck.

28. Testimony of several witnesses who occupied outside staterooms on the night of the fire indicated that they could not open the windows and shutters in their staterooms.

CONCLUSIONS

1. That the fire originated in room 610, on the main deck, originally a toilet space, containing a number of combustible items including mattresses, discarded bulkhead paneling and broken chairs. The fire smoldered and increased in intensity for an unknown period of time.

2. That the source of ignition of the fire could not be determined, but could be attributed to any one or a combination of the following:

(a) Malfunction of the lighting circuit in room 610 which had been jury rigged.

(b) Sparks entering room 610 through the natural ventilation ducts during blowing of boiler tubes.

(c) Unintentional or careless acts of persons entering room 610 during the evening of November 12, 1965, such as failure to extinguish a cigarette; placing of mattresses so that they came in contact with the jury rigged lighting circuit, etc.

3. That the proximate cause of the debacle was failure of early detection of the fire in a ship with combustible materials in her structure. When the fire escaped room 610, the wooden interior and inflammable paint together with the chimney effect of the forward stairway permitted a rapid, uncontrolled spread of fire and smoke to the overhead of the boat deck and forward passageways. Contributing to the rapid spread was the mechanical exhaust system connecting room 610 with the toilet spaces on the port side of the main deck.

4. That contributing to the failure of early detection was the inadequate control of the security patrol in not knowing that he was not following the prescribed route and thereby increasing the possibility of a fire going undetected. A further contributing factor was the absence of a sprinkler head in a room containing combustible materials.

5. That the magnitude of loss of life stemmed from failure of early use of the general alarm or the public address system and failure of windows and shutters on outside staterooms to be maintained in a condition so they could be easily opened.

6. That the general alarm did not ring during the casualty.

7. That an attempt to sound the general alarm was not made before the master returned from the scene of the fire to the bridge. Failure of the alarm on any subsequent attempt is ascribed to the fact that the general alarm was a one-circuit system and fire damage to any portion would place the complete circuit out of operation.

8. That the lack of pressure at fire hydrants forward on the vessel is ascribed to the fact that more valves were opened throughout the ship than the fire pumps could service. Contributing to this deficiency was the open valve from the fire main to the swimming pool.

9. That the installed sprinkler system was in operation, but was ineffective in reducing a fire of this magnitude.

10. That the sprinkler system is of value only in early detection and extinguishment of small fires in their early stages within the area of sprinkler heads. It is of little value in hidden spaces such as overhead ceiling spaces, behind paneling, etc., or where an advanced fire has developed before the sprinkler system comes into action.

11. That with the possible exception of the sliding fire screendoor in the port passageway aft of room 610 there is no evidence that any fire doors in the vessel were closed.

12. That the master and ship's officers who were searching for the fire and ultimately arrived at the scene failed to take firm and positive action to organize the crew to isolate and combat the fire or to awaken and evacuate passengers in the area.

13. That the decision of the master to leave his ship to allegedly go to the rescue

vessel to assure the sending of the distress signal demonstrates negligence, abandonment of command responsibility, and an overall failure to approach and cope with the difficulties attending the accomplishment of a task of this order of magnitude.

14. That the emergency squad was unable to obtain gear from the emergency squad locker outside the radio room on the sun deck due to the delayed alert and the rapid spread of fire in the area.

15. That the organization of the vessel for fighting a fire as evidenced by the station bill was adequate; however, the organization was not implemented upon first discovery of the fire or subsequently thereto and prior to its getting out of control. When the fire was out of control those members of the crew remaining on board and performing as individuals performed adequately.

16. That the organization of the vessel for abandon ship, as evidenced by the station bill, was adequate, and in view of the extent of the fire at the time the abandon ship signal was given, all accessible boats were utilized, and there was no loss of life as a result of abandon ship procedures.

17. That a progressive list developed to port as a result of the accumulation of water on the several decks from the sprinkler system, open fire hydrants, and probably sanitary lines damaged during progression of the fire. As this list progressed, the open side ports became awash, and, as the testimony indicated that no watertight doors other than three doors in the boiler and machinery spaces were closed, the sea flooded the vessel, amplifying the list, and the vessel rolled over and sank.

18. That the inspection performed by the American Bureau of Shipping for the passenger vessel safety certificate was proper and adequate. The vessel was equipped in accordance with the SOLAS, 1960, requirements with the single exception of inflatable life rafts, and the board received no evidence of significant failure or deficiency.

19. That the inspection performed by the Coast Guard for the examination of foreign passenger vessel certificate was proper and adequate to verify that the vessel was in compliance with her passenger vessel safety certificate and that her lifesaving and firefighting equipment was satisfactory.

20. That the rescue effort of the SS *Bahama Star* and the MV *Finnpulp* was performed in an exemplary manner and in keeping with the highest traditions of the sea.

21. That over half of the persons who are missing and presumed dead were assigned staterooms on the boat deck, and their loss is attributed to the rapid rise of smoke, heat, and fire in the forward staircase reaching the closed overhead of the staircase on the boat deck and rapidly spreading horizontally preventing passengers exiting through the passageways.

22. That the board had difficulty, and was unable to correlate fully the observed and estimated times of reported events into a chronological sequence.

RECOMMENDATIONS

1. That a copy of this record of investigation be forwarded to the Government of the Republic of Panama for information, study, and such action as deemed appropriate looking to preventing a reoccurrence of such a casualty and for improving the safety of life at sea.

2. That although the record indicates there are no U.S.-flag passenger vessels operating on the high seas with combustible material in their structure, it is recommended that the Commandant, U.S. Coast Guard, institute a study looking to Federal legislation to require that any other American-flag passenger vessels fitted with passenger berthing spaces and built prior to May 27, 1936, be made to conform to the requirements for use of incombustible material in their structure as applicable to passenger vessels built subsequent to that date.

3. That the Commandant, through the U.S. representatives to the Inter-Governmental Maritime Consultative Organization (IMCO), seek to amend the International Convention for Safety of Life at Sea, 1960, to require all signatory governments to upgrade passenger vessels which contain large amounts of combustible material in their construction to obtain an acceptable fire safety standard.

4. That in the interim period the Commandant give consideration to the following suggestions for improving safety of existing passenger vessels of type construction and service similar to the SS *Yarmouth Castle*, and that these be the basis of discussion looking to bilateral agreements with foreign governments whose flag vessels transport passengers from U.S. ports:

(a) During the nighttime, watchmen should make complete rounds of all accessible areas of the vessel every 20 minutes.

(b) An independent alarm system from the bridge should be provided serving the emergency squad berthing spaces for the purpose of alerting them at the first sign of an emergency.

(c) All fire screen doors, except normally closed doors, should be capable of release from a control station on the bridge and also at the doors themselves. The doors should be capable of automatically closing upon failure of the control system.

(d) Steel fire screen bulkheads should be provided with incombustible insulation to provide adequate fire barriers.

(e) All exposed paneling in passageway bulkheads that provide escape routes from passenger and crew staterooms should be of incombustible material.

(f) All stairwells should be trunked in with incombustible paneling and fitted with fire screen doors to enclose the area.

(g) All ventilation ducts that pass through fire zone bulkheads should be provided with automatic fused fire dampers.

(h) The sprinkler system should cover all interior combustible spaces accessible to passengers and crew including spaces where combustible material might be stowed.

(i) A loudspeaker communication system should be provided to all passenger and crew areas.

(j) All emergency means of escape available, such as stateroom windows and portholes, should be kept in good operable condition.

(k) Vital communications systems such as general alarm circuits, loudspeaker system, etc., should be installed clear of high fire hazard areas and/or insulated against early damage.

(l) Pressure should be maintained on the fire main system at all times.

(m) On all overnight voyages on vessels equipped with berthing areas a fire and boat drill, including muster of passengers, should be held at starting or shortly thereafter.

(n) Consideration be given to the adequacy of communication among officers, crew, and passengers concerning matters pertaining to safety of life at sea.

5. That the Commandant, through the U.S. representatives to IMCO, seek to revise the construction standards of new passenger vessels prescribed in the 1960 SOLAS to require the maximum use of incombustible material, as opposed to reliance on sprinklers and detecting systems in conjunction with partially combustible construction.

6. That the Commandant give consideration to implementing letters of commendation to those vessels and personnel who performed in the rescue operation in the highest tradition of the sea. This will be the subject of separate correspondence from the Board.

Louis M. Thayer,
Rear Admiral, U.S. Coast Guard, Chairman.
J. B. McCarty,
Captain, U.S. Coast Guard, Member.
William Kesler, Jr.,
Commander, U.S. Coast Guard, Member and Recorder.

VETERANS' READJUSTMENT ASSISTANCE ACT OF 1966

Mr. McGRATH. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Teague] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. TEAGUE of Texas. Mr. Speaker, today the President in an impressive ceremony in the East Room of the White House, signed the Veterans' Readjustment Assistance Act of 1966, and this has been designated as Public Law 89-358. Members will recall that this legislation passed the House on February 7, 1966, by the unanimous vote of 381 yeas to 0 nays.

Mr. Speaker, the President was particularly eloquent in his remarks on the occasion of the signing of this important measure, which I was privileged to witness, and I include as a part of my remarks the statement made by the President on this occasion:

Remarks of the President Upon Signing the Cold War GI Bill in the East Room

Members of the Cabinet, distinguished Members of the Congress, invited guests, ladies and gentlemen, during World War II when President Franklin D. Roosevelt signed the first Veterans Readjustment Act, he stated on the occasion of that signing, "This law gives emphatic notice to the men and women of our Armed Forces that the American people never intend to let them down."

That first GI bill, and later the Korean GI bill, brought, out of the hardship of war, hope for all of our American service people. They returned home to find not just gratitude but concrete help in getting a fresh start with educational assistance, with medical care, with guarantees that permitted them to buy homes to live in.

They found opportunity which they used to enrich themselves and to enrich the Nation.

As we meet here today in this historic East Room and look around and see our friends gathered, we see the results of that first legislation.

One hundred and sixteen Members of the House of Representatives, in our Congress, received training under the GI bills, as did 11 U.S. Senators, 12 of the Governors of our States, 3 members of the President's Cabinet, 1 Justice of the Supreme Court, 6 of our astronauts, and 5 of the President's special assistants here in the White House.

The first GI bills cost $21 billion. Our economists now estimate they resulted in a return of some $60 billion in Federal taxes for that $21 billion invested.

The educational level of World War II and Korean war veterans averages about 2 years above the level of nonveterans. This difference exists primarily because of what the GI bills were able to do.

We made the most promising investment that a nation can make, an investment in the talent and the ambition of our citizens.

The return on that investment has doubled and has redoubled ever since.

Today we come here in a time of new testing. Today, by signing a new Veterans Readjustment Act that was authored in the Senate by my colleague and friend of many years, Senator YARBOROUGH, and reported in the House by Chairman TEAGUE, with the unanimous support of his committee, we are reaffirming President Roosevelt's pledge of 22 years ago. We are saying to the brave Americans who serve us in uniform, in camps and bases, in villages and jungles, that your country is behind you; that we support you; that you serve us in time of danger.

To say this does not mean that all Americans agree on everything that is done or on every policy or on every commitment. But it does mean that once that policy is established, once that commitment is made, once that pledge is given, we support fully the young men who are the spearhead of that policy.

The Congress has passed this legislation. It passed it without a single dissenting vote. In doing so, it said we will support these men who are defending our freedom to debate, who are joining in a most historic protest for their country, a protest against tyranny, a protest against aggression, and a protest against misery.

The budget I sent to Congress this year resulted from a very careful study of the Nation's resources. My Cabinet officers brought to my home in Texas, where I was recuperating from an operation, budget requests that they had gone over very carefully that amounted to $130 billion. They felt that they could not reduce beyond this amount. It was my sad duty to bring those requests in line with what I thought our resources were and what I thought the Congress would approve. We reduced them down to a little under $113 billion.

Of that $113 billion, over $10 billion—$10.2 billion to be exact—will go this year to education and training. When I became President in fiscal year 1964, we were spending $4,750 million. Although I have been in the Presidency just a little over 2 years, we have more than doubled the amount that we are spending for education and training, from $4.75 to $10.2 billion, from fiscal 1964 to fiscal 1967.

Education gets more money in this budget than any other items except interest on the public debt, some $12 billion, and the Defense Department, which, as you know, exceeds $50 billion.

I must be frank. I had felt that we could start the new GI program, and that we should, by providing special funds for soldiers who served in combat areas. Others could be provided opportunity grants through the Higher Education Act. In that way, I was hopeful that we would not ask for more than we could get, or bite off more than we could chew in educational costs.

The Congress considered these measures, and in their judgment, as I say, passed this by a unanimous vote. They felt that we should go far in excess of what I asked for this year. The bill before me this morning exceeds my budget request by more than $245 million for fiscal year 1967, and by more than $1,800 million over the next 5 years.

Because it is for education, I am going to sign this bill, even though it provides hundreds of millions of dollars more than I thought it advisable to recommend or to ask for this year.

This is the first major measure enacted in this session of Congress, and a President just must not ignore the unanimous vote of both Houses of the Congress, the 2 Texas chairmen, YARBOROUGH and TEAGUE, and some 5 million men who will be the beneficiaries who have worn the uniform.

I want to call attention, however, and make a most solemn warning about future legislation. Unless we can balance our requests with prudence, and our concern with caution, then we are likely to get our figures back to that $130 billion which came over from the departments.

I am going to sign this measure this morning notwithstanding the fact that it goes further than I was willing to ask for this year, because, paraphrasing what Secretary Rusk said the other day in response to a question from Congress, he said, "Well, Senator, could it be that they could perhaps be wrong?" It just could be that the President was wrong when he made his original request.

I supported this legislation when I was a Member of the Senate, and sometimes you look at things a little differently from one end of the avenue than you do from the other end.

I have tried to take into consideration all of the factors that should be weighed. I have heard the Vice President, the Secretary of Defense, and every commander—General Walt this week, General Westmoreland a couple of weeks ago—tell me about the dedication of our fighting men. I am convinced that these brave Americans who serve us on many fronts today, particularly in Vietnam and the Dominican Republic, and others, are the very best men that our country has ever produced. They are great soldiers.

I am going to resolve this doubt in behalf of the Congress, which has spent more hours considering this than I have, and sign this legislation in the hope that when the peace is won, we can provide the means of making great civilians in time of peace out of these great soldiers who served us in time of need.

Thank you very much.

The Veterans' Administration has given me a list of distinguished individuals who have been trained under this law, and I include this list as a part of my remarks:

GOVERNORS WHO RECEIVED SCHOOLING UNDER THE PRIOR GI BILL

Edward T. Breathitt, Kentucky; University of Kentucky, 1948, B.S.; 1950, LL.B.

John Chafee, Rhode Island; Yale, 1947, B.A.; Harvard, 1950, LL.B.

Daniel J. Evans, Washington; University of Washington, 1949, M.A.

Philip H. Hoff, Vermont; Williams College, 1948, A.B.; Cornell University, 1951, LL.B.

William L. Guy, North Dakota; University of Minnesota, 1946, M.S.

Mark O. Hatfield, Oregon; Stanford University, 1948, A.M.

Samuel P. Goddard, Jr., Arizona; University of Arizona, 1948, LL.B.

Robert E. McNair, South Carolina; University of South Carolina, 1947, A.B.; 1948, LL.B.

Karl F. Rolvaag, Minnesota; University of Minnesota, 1945; Norway, 1949 (graduate study, political science); University of Minnesota, some additional graduate studies.

Carl Sanders, Georgia; University of Georgia, 1947, LL.B.

Grant Sawyer, Nevada; Georgetown University, 1948, LL.B.

William Scranton, Pennsylvania; Yale, 1946, LL.B.

Warren E. Hearnes, Missouri; University of Missouri, 1952, A.B., LL.B.

Otto Kerner, Illinois; Lawyer's Post Graduate Clinic, Chicago, 1946.

CABINET MEMBERS WHO RECEIVED SCHOOLING UNDER THE PRIOR GI BILL

Nicholas deB. Katzenbach, the Attorney General.

Stewart L. Udall, Secretary of the Interior.

Orville L. Freeman, Secretary of Agriculture.

SUPREME COURT MEMBER WHO RECEIVED SCHOOLING UNDER THE PRIOR GI BILL

Justice Byron Raymond White.

U.S. SENATORS

BIRCH BAYH, of Indiana.
DANIEL B. BREWSTER, of Maryland.
FRANK CHURCH, of Idaho.
JOSEPH S. CLARK, of Pennsylvania.
VANCE HARTKE, of Indiana.
DANIEL K. INOUYE, of Hawaii.
GEORGE S. MCGOVERN, of South Dakota.
JACK MILLER, of Iowa.
WALTER F. MONDALE, of Minnesota.
JAMES B. PEARSON, of Kansas.
JOSEPH D. TYDINGS, of Maryland.
HARRISON A. WILLIAMS, JR., of New Jersey.

UNITED STATES REPRESENTATIVES

BROCK ADAMS, of Washington.
JOHN B. ANDERSON, of Illinois.
MARK ANDREWS, of North Dakota.
JOHN M. ASHBROOK, of Ohio.
THOMAS L. ASHLEY, of Ohio.
BERT BANDSTRA, of Iowa.
JAMES F. BATTIN, of Montana.
JONATHAN B. BINGHAM, of New York.
JOHN BRADEMAS, of Indiana.
CLARENCE J. BROWN, JR., of Ohio.
JOHN H. BUCHANAN, JR., of Alabama.
LAURENCE J. BURTON, of Utah.
PHILLIP BURTON, of California.
CHARLES E. CHAMBERLAIN, of Michigan.
DONALD D. CLANCY, of Ohio.
FRANK M. CLARK, of Pennsylvania.
JAMES C. CLEVELAND, of New Hampshire.
RAYMOND F. CLEVENGER, of Michigan.
BARBER B. CONABLE, JR., of New York.
SILVIO O. CONTE, of Massachusetts.
JAMES C. CORMAN, of California.
ELIGIO DE LA GARZA, of Texas.
EDWARD J. DERWINSKI, of Illinois.
WILLIAM L. DICKINSON, of Alabama.
CHARLES C. DIGGS, JR., of Michigan.
JOHN D. DINGELL, of Michigan.
ROBERT DOLE, of Kansas.
THOMAS N. DOWNING, of Virginia.
JOHN J. DUNCAN, of Tennessee.
ROBERT B. DUNCAN, of Oregon.
ED EDMONDSON, of Oklahoma.
EDWIN W. EDWARDS, of Louisiana.
JACK EDWARDS, of Alabama.
ROBERT F. ELLSWORTH, of Kansas.
JOHN N. ERLENBORN, of Illinois.
FRANK E. EVANS, of Colorado.
WILLIAM D. FORD, of Michigan.
DONALD M. FRASER, of Minnesota.
PETER FRELINGHUYSEN, of New Jersey.
RICHARD H. FULTON, of Tennessee.
DON FUQUA, of Florida.
CORNELIUS E. GALLAGHER, of New Jersey.
SAM M. GIBBONS, of Florida.
JOHN J. GILLIGAN, of Ohio.
BERNARD F. GRABOWSKI, of Connecticut.
GEORGE W. GRIDER, of Tennessee.
ROBERT P. GRIFFIN, of Michigan.
JAMES R. GROVER, JR., of New York.
EDWARD J. GURNEY, of Florida.
G. ELLIOTT HAGAN, of Georgia.
RICHARD T. HANNA, of California.
GEORGE V. HANSEN, of Idaho.
WILLIAM H. HARSHA, of Ohio.
JAMES HARVEY, of Michigan.
WILLIAM D. HATHAWAY, of Maine.
DAVID N. HENDERSON, of North Carolina.
FLOYD V. HICKS, of Washington.
FRANK HORTON, of New York.
JAMES J. HOWARD, of New Jersey.
WILLIAM L. HUNGATE, of Missouri.
RICHARD ICHORD, of Missouri.
DONALD J. IRWIN, of Connecticut.
ANDREW JACOBS, JR., of Indiana.
JOHN JARMAN, of Oklahoma.
ROBERT W. KASTENMEIER, of Wisconsin.
HASTINGS KEITH, of Massachusetts. (Asked that his name not be used for any purpose in connection with this list.)
HORACE R. KORNEGAY, of North Carolina.
DELBERT L. LATTA, of Ohio.
ROBERT L. LEGGETT, of California.
SPEEDY O. LONG, of Louisiana.

Richard D. McCarthy, of New York.
Robert C. McEwen, of New York.
Thomas L. McGrath, Jr., of New Jersey.
Clark MacGregor, of Minnesota.
James A. Mackay, of Georgia.
John O. Marsh, Jr., of Virginia.
Charles McC. Mathias, Jr., of Maryland.
Spark M. Matsunaga, of Hawaii.
Lloyd Meeds, of Washington.
Robert H. Michel, of Illinois.
Arch A. Moore, Jr., of West Virginia.
William S. Moorhead, of Pennsylvania.
Thomas G. Morris, of New Mexico.
F. Bradford Morse, of Massachusetts.
Lucien N. Nedzi, of Michigan.
James G. O'Hara, of Michigan.
Otis G. Pike, of New York.
Richard H. Poff, of Virginia.
Graham Purcell, of Texas.
Albert H. Quie, of Minnesota.
Thomas M. Rees, of California.
Ben Reifel, of South Dakota.
Ed Reinecke, of California.
Paul G. Rogers, of Florida.
Daniel J. Ronan, of Illinois.
Benjamin S. Rosenthal, of New York.
J. Edward Roush, of Indiana.
Edward R. Roybal, of California.
Donald Rumsfeld, of Illinois.
William F. Ryan, of New York.
Fernand J. St Germain, of Rhode Island.
William L. St. Onge, of Connecticut.
David E. Satterfield, of Virginia.
James H. Scheuer, of New York.
Gale Schisler, of Illinois.
John R. Schmidhauser, of Iowa.
Richard S. Schweiker, of Pennsylvania.
Armistead I. Selden, Jr., of Alabama.
George F. Senner, Jr., of Arizona.
Carlton R. Sickles, of Maryland.
Neal Smith, of Iowa.
J. William Stanton, of Ohio.
Robert E. Sweeney, of Ohio.
Burt L. Talcott, of California.
Paul H. Todd, Jr., of Michigan.
Morris K. Udall, of Arizona.
Joseph P. Vigorito, of Pennsylvania.
Weston E. Vivian, of Michigan.
Albert W. Watson, of South Carolina.
Richard White, of Texas.
John W. Wydler, of New York.

The Louisville Courier Journal, in the issue dated June 22, 1964, the 20th anniversary of the World War II Act, summed up very well the accomplishments, in an editorial entitled "There Is a Solid Moral":

> Under the educational section 1,400,000 veterans were given on-the-job training, 70,000 got on-the-farm training, and 2,200,000 went to college. Classrooms bulged and groaned, GI villages sprang up amid acres of mud, and hundreds of thousands of young couples raised babies while seeking degrees, but when it was over America had been given 450,000 engineers, 180,000 doctors, dentists, and nurses, 360,000 teachers, 150,000 scientists, 107,000 lawyers, 243,000 accountants, 36,000 ministers, 288,000 metalworkers, 138,000 electricians, 83,000 policemen and firemen, 700,000 businessmen, 17,000 writers and journalists and goodness knows how many TV and appliance repairmen.

REFORMS HAILED

Mr. McGRATH. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. Hansen] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. HANSEN of Iowa. Mr. Speaker, President Johnson's plan to intensify political, social, and economic reforms, with particular stress on rural reconstruction in South Vietnam, is hailed in a recent article appearing in the Magazine of Wall Street.

The writer, John Scott, quite candidly points out that there is good reason for the President's insistence that major emphasis now be placed on this effort.

The informative and frank article concludes with the opinion:

> President Johnson is moving cautiously but firmly to apply more and more military pressure in Vietnam. Now he is moving to bring the reconstruction effort up to the level of the war effort. This is a balanced and sane approach to the problem which rejects the counsels of extremism at either end of the spectrum.

Knowing that many will want to read this frank and informative article from start to finish, I suggest that it be published in the Record:

THE ANSWER TO VICTORY IN VIETNAM

(By John Scott)

The most important result of the Honolulu Conference between President Johnson and the leaders of South Vietnam was the strong joint commitment to intensify political, social, and economic reforms, with particular stress on "rural reconstruction."

There was good reason for the President's insistence that major emphasis now be placed on this effort. The failure so far of United States and South Vietnamese officials to achieve any significant improvement in the lot of the peasants in most of the Government-held areas is the Achilles heel of the anti-Communist effort in Vietnam.

A year ago, when the South Vietnamese military effort appeared to be on the verge of collapse, the major emphasis had to be placed on increasing U.S. military strength. The first priority naturally was to avert military disaster. Economic, medical, and educational programs had to take second place.

SO FAR

Now American armed strength has been increased from 25,000 a year ago to more than 200,000 and more troops are going in all the time. North Vietnam has been brought under limited U.S. aerial attacks to show the Hanoi regime that it will not enjoy a privileged sanctuary while engaging in the effort to overthrow the Government in the south. In the words of Defense Secretary Robert McNamara, "we have stopped losing the war."

While we are a long way from "winning" the war—and the Communists spurn all bids to talk peace—we are in a position to devote vastly more time, men and money to the reconstruction programs necessary for any lasting success.

WHY HO CHI MINH HAS THE EDGE

The necessity to bring about a rather dramatic improvement in the social, economic, and political situation of the rural areas under control of the Saigon government is particularly acute because the background of the struggle in Vietnam since 1946.

President Ho Chi Minh of Communist North Vietnam has a far greater influence on the peasants in South Vietnam than many Americans realize. He was the "George Washington" who led them to independence in 1954 after a long and bitter struggle against the French. He still is revered by many millions of peasants in the south who haven't the vaguest idea what "communism" is and don't particularly care.

On their list of priorities, food and clothing, housing, and a bare education, are the top items. Ideological considerations are away down the list.

From their standpoint, there is little difference between the Saigon government and the Vietcong. When "Uncle Ho" tells them everything will be better if they support the Vietcong in its effort to run the Americans out and destroy the Saigon government, they are inclined to believe him.

THE COMMONSENSE ANSWER

The United States and the Saigon government can overcome this problem only by improving living conditions in Government-held areas and areas reclaimed by the Government dramatically enough to demonstrate the advantages of life in non-Communist territory. A successful program along this line not only will erode peasant support for the Vietcong but broaden support for the Saigon government and give it a stability it has not been able to achieve since the overthrow and murder of the late President Ngo Dinh Diem.

The task is not going to be easy. While the Saigon government has dominion over the majority of people in South Vietnam, because it holds the big cities, it is in control of only one-fourth of the territory.

The Vietcong and their North Vietnamese colleagues hold about one-fourth of the area.

The remaining one-half of the land in South Vietnam is a sort of "no-man's land," penetrated by military forces of both sides but held by neither.

It is in this vast "no-man's land" that the Saigon government, with U.S. military support, must hack out its gains and consolidate them by swift application of reconstruction measures which will enlist the wholehearted support of the local inhabitants.

CONSIDERATIONS THAT MOVED PRESIDENT JOHNSON

It is clear then why President Johnson felt it time to raise the reconstruction campaign to a level of equal importance with the military effort. The joint communique issued in Honolulu spelled out "three particular points" in the reconstruction program as being "essential for rapid progress":

"1. Continued emphasis by both Vietnamese and allied forces on the effort to build democracy in the rural areas—an effort as important as the military battle itself.

"2. Continued emphasis on the design of rural reconstruction work to meet the people's need for larger output, more efficient production, improved credit, handicrafts and light industry, and rural electrification.

"3. Concentration of resources—both Vietnamese and American—in selected priority areas which are properly related to military plans so that the work of rural reconstruction can be protected against disruption by the enemy."

President Johnson returned from Honolulu determined to see the reconstruction program pushed effectively and his peace efforts continued along with the military campaign. He believes, according to his aids, that:

Hanoi and Haiphong should not be bombed.

Communist China will not enter the war if the United States continues present policies.

His policies are correct and his critics, both on the left and right, offer no practical alternatives.

NOT YIELDING TO PRESSURES AND WHY

The President has been under considerable pressure from some military men and some Congressmen to bomb the industrial installations in the area of the North Vietnamese capital of Hanoi and the port city of Haiphong. However, he shows no sign of giving in to this pressure.

He may well feel that destruction of these cities would not end Communist resistance, that it might bring Red China into the conflict.

He also must recognize that the large civilian casualties would weaken the U.S. stand in the eyes of many of the nations now inclined to sympathize with Washington.

THE FRENCH HELD THE BIG CITIES, BUT LOST THE WAR

The French, who failed to hold Indochina with 500,000 men, frequently have pointed out that they held Hanoi, Haiphong, Saigon, and every other major city in North and South Vietnam and Ho's men still licked them.

IN SUM

Thus—while the French position in 1954 and that of the Americans today are not analogous, there are enough points of reference to make it doubtful that Ho and the Vietcong can be defeated by bombing the big cities in the north.

President Johnson is moving cautiously but firmly to apply more and more military pressure in Vietnam. Now he is moving to bring the reconstruction effort up to the level of the war effort. This is a balanced and sane approach to the problem which rejects the counsels of extremism at either end of the spectrum.

If the strong words on social, economic, and political reform in the Honolulu declaration are followed by strong action along those lines in Vietnam, the road ahead may become considerably brighter.

SCHOOL LUNCH AND SPECIAL MILK PROGRAMS

Mr. McGRATH. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. KORNEGAY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. KORNEGAY. Mr. Speaker, the President told the Congress in his message this week on domestic health and education that "a poor diet is a root cause of disease." I wholeheartedly agree.

I am also firmly of the opinion that the roots of a healthy nation are in the youth of America. President Johnson said that it is hard to teach a hungry child. I wholeheartedly agree.

We need to insure that the American youth be healthy, that he be vibrant, that he have the vitality he will need in the complex and challenging years ahead. We need to insure, as best we can, that he get the proper nourishment that his growing body and mind needs.

Yet, President Johnson's new budget calls for drastic reductions in the existing school lunch and special milk programs. He has submitted a proposed Child Nutrition Act of 1966, which would be a new effort directed at feeding the needy. There is no doubt in my mind that we must continue to help feed hungry children who lack a proper diet.

However, it does not seem wise or even logical to do away with a program which has worked well since 1954. In the special school milk program, we get more return for less expenditure than in any Federal subsidy program with which I am familiar.

Therefore, I am introducing a bill today which will continue this program which is now used in over 92,000 schools throughout the country.

The Child Nutrition Act of 1966 would be directed only toward the needy child. Who is to declare who the needy children are? In my judgment, all children need milk and it is fallacious to maintain that only the needy child would benefit from a milk supplement.

The school milk program has worked efficiently for a long time and at relatively small cost to the Government. I would like to see it continued.

SMALL BUSINESS ADMINISTRATION

Mr. McGRATH. Mr. Speaker, I ask unanimous consent that the gentleman from Oklahoma [Mr. ALBERT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. ALBERT. Mr. Speaker, at a press conference recently several colleagues on the other side of the aisle expressed concern about the status of the Small Business Administration, alleging that the agency had been neglecting the problems of small business. These allegations are inaccurate and I am most pleased to state the facts and set the record straight.

Under President Johnson's guidance and leadership the major programs of the agency are operating at record levels.

In terms of the agency's lending programs, which is a true measure of the effectiveness of the agency, I am pleased to report the following facts:

During fiscal year 1960, for all its financing programs the agency loaned a little more than $171 million. In this current fiscal year, the total lending level will be about $718 million. Next year, under President Johnson's budget, that total will be increased to $725 million, more than four times what the agency accomplished in 1960.

It is also interesting to compare these figures on a program basis. Concern has been expressed about the business loan program. In 1960, the agency put out a total of $144.3 million in regular business loans. Last year they established a new record of approximately $339 million. This year, despite curtailment they expect to exceed that record, raising the total amount to $354 million. Next year under President Johnson's budget, the program level for regular business loans will be $428 million. Again, this is almost four times what they were able to accomplish in 1960.

The comparisons carry through for every SBA loan activity. Loans to State and local development companies in 1960 totaled $4.6 million. This year their volume will be almost nine times that amount—$40 million. Next year under President Johnson's budget for SBA, they will increase that amount by 25 percent to $50 million.

In 1960, approximately $18.4 million was loaned to small business investment companies. This year, the amount will be about $75 million and next year you can expect a similar amount.

The amount of funds allocated for disaster lending depends, of course, on the need. In 1960, the amount was slightly in excess of $4 million. This year it will be $220 million. While a comparison of these amounts is not particularly useful as such, the disaster loan program being carried out in the agency today does throw some light on the present quality of leadership and efficiency of the agency. Put very simply, since Hurricane Betsy struck Florida, Mississippi, and Louisiana in September of last year, this agency in response to that and other needs, made more disaster loans than were made in the entire history of the agency. This was accomplished at a time when the agency's 68 field offices were operating the business loan program at record levels. In the Betsy disaster area alone, they will make approximately 3,000 loans.

In 1965, they added a new program of loans to improverished businessmen which was incorporated in the Economic Opportunity Act. That year they loaned $2 million. This year they will increase to approximately $25 million and next year, under the new budget the amount will double to $50 million.

If the size of SBA is any indication of importance, then we find that under President Johnson's budget, at a time when budgets are very tight, the agency will increase significantly to almost 5,000 employees. This can be compared with a little more than 2,000 in 1960. This growth does not suggest plans to downgrade or destroy the agency.

HIGHWAY SAFETY RESEARCH AND DEVELOPMENT

Mr. McGRATH. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. FALLON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. FALLON. Mr. Speaker, I have today introduced legislation which would amend title 23 of the United States Code to provide for even greater highway safety research and development on all of our Nation's roads than now exist. During the entire operation of the Federal-aid highway program from its inception in 1916 to the present date the question of safety has been one of the outstanding factors in the operation of the program. The Committee on Public Works which reported out the great Federal-Aid Highway Act of 1956 and which has handled the operation of this program during the ensuing years has been acutely aware of the need for writing into any legislation authorizing highway construction the proper controls for safety measures including needed research. In our legislation we have consistently sought to bring out highway design factors which would contribute the maximum possible safe operation of the roads for the users thereof. This includes such items as wide bridges, firm shoulders with gentle slope, elimination of roadside obstructions and few intersections.

The legislation that I have introduced today will further implement this course of highway safety we have followed in the committee through the entire operation of the Federal-aid highway program. There is need to cut back the appalling loss of life and injuries that are suffered day in and day out on the various roads of our Nation. The committee was acutely aware of this last year and last year it adopted the so-called Baldwin amendment which provides that after December 31, 1967, each State should have an adequate highway safety program as approved by the Secretary of Commerce.

We will continue in the Committee on Public Works in the future to pay the most careful attention to safety factors in highway construction and do all within our legislative power to see that the day will come when the drivers on our Nation's roads will be able to travel from one section of our Nation to the other in the safest and most practical manner.

I would like to include at this time a brief digest of the highway safety responsibilities of the Bureau of Public Roads of the Department of Commerce under the applicable Federal-aid highway laws reported by the Committee on Public Works:

COMMENTS CONCERNING HIGHWAY SAFETY RESPONSIBILITIES OF THE BUREAU OF PUBLIC ROADS UNDER APPLICABLE LAWS

Highway safety is a predominant and inherent factor throughout the whole Federal-aid highway program since its inception under the Federal Highway Act of 1916.

Some of the statutory references to safety appearing in title 23 of the United States Code (which has codified all of the Federal highway laws enacted throughout the years) are as follows:

Section 109(a), which provides that plans and specifications for projects shall only be approved if they will adequately meet the existing and probable future needs and conditions in a manner conducive to safety. This provision stems from section 8 of the 1921 act.

Section 109(d) relates to official traffic signs and signals which will promote the safe and efficient utilization of highways.

Section 307(a) expressly authorizes the Secretary to engage in research on all phases of safety.

Section 307(c) expressly provides that the States may use up to 1½ percent of their apportioned Federal-aid funds for various types of planning surveys and investigations, including safety studies.

Section 135 (Baldwin amendment), which was enacted on August 28, 1965, provides that after December 31, 1967, each State should have an adequate highway safety program as approved by the Secretary, and places the responsibility on the Secretary to establish uniform standards for such program.

Section 313 of title 23 directs the Secretary to assist in carrying out the action program of the President on highway safety.

The act approved on July 14, 1960, provides that the Secretary of Commerce shall establish and maintain a driver register service—in the interest of safety.

Pursuant to section 117 of the Federal-Aid Highway Act of 1956, the Secretary of Commerce was directed to make a comprehensive investigation and study on the whole subject of highway safety. This study reflects the magnitude and complexity of the highway safety program and the various responsibilities of the Secretary of Commerce and the Bureau of Public Roads in such regard. Copy of this report is enclosed.

The Bureau is now engaged in a highway safety improvement projects program. The status of this program is reflected in the enclosed statements.

On December 7, 1961, the Office of Highway Safety was established in the Bureau as a major unit, headed by a Director. At present, this office has a complement of 51 personnel on board, with an authorized complement of 68 in order to meet personnel requirements incident to developing standards under the Baldwin amendment. The current budget for this present fiscal year is $1.2 million.

The Bureau's budget for highway safety research for 1966 is $2.3 million, and for 1967 is $6.6 million.

It is estimated that upon completion of the interstate there will be a total savings of 8,000 lives annually due to highway accidents.

In conclusion, it should be said that highway safety is interwoven in all phases of the Federal-aid highway program.

SCHOOL MILK PROGRAM

Mr. McGRATH. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. KASTENMEIER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, I am introducing a bill today to establish a permanent special milk program for children.

Although milk and dairy products have been made available for school lunch programs since 1955, conditions arose recently which threaten to cut off this supply. The school milk program is scheduled to be terminated on June 30, 1967. Furthermore, the Department of Agriculture had notified all school districts that after February 1, 1966, allocations for the special milk program would be reduced by 10 percent. For fiscal 1967, beginning July 1, the administration plans to cut spending on school milk from $103 to $21 million.

Originally set up as only a school program, this special milk program was later expanded to include summer camps, nursery centers, and other child-care institutions. It is estimated that between 24 to 26 million children daily in 92,000 to 93,000 schools throughout our Nation received around 3 billion half pints of milk through this program in 1965. Although the program is not compulsory, it encourages children to drink more milk by making it available at a price that most children can afford, generally 3 to 4 cents on the average for a half pint, and at no cost to those children who are unable to pay for the milk.

Mr. Speaker, at a time when our Government is spending millions of dollars to rehabilitate school dropouts, is enlarging the food stamp program and carrying on a war against poverty, it is inconsistent to curtail a program that adds to the health, energy, and vitality of children who are in school. The school milk program is of vital importance for our youngsters because milk contains nutrients essential for good health. Milk is an important factor in building proper diet habits. Furthermore, we know that a well-nourished child learns better than an undernourished child.

The proposal to distribute milk on the basis of economic need is unreasonable in view of the way the program works within our schools. At present it is possible to take a milk break at midmorning. All students are able to stop for a moment in their studies and enjoy the wholesome benefits of milk. Not only does this provide them immediate nourishment and enhance their ability to continue their studies, it also establishes good health habits. Instead of running to the coke machine, they are finding that milk provides more of their needs and contributes more to the building of healthy and sound bodies.

If the proposal to limit the program to the needy is enforced, school administrators are going to be asked to segregate those students whose parents have a low level of income from those who can afford to buy the milk. Not only is this requesting something our schools are not geared to do, but it also is likely to create an artificial barrier between students.

As a result many students are likely to forgo accepting milk rather than accept the stigma of being labeled poor and unable to pay for a glass of milk. It would be in my judgment a grave mistake to replace the broad and vastly popular milk program with one geared to some poverty standard, unacceptable by education or other practical criteria.

Furthermore, the cutback in appropriations for this program does not produce any appreciable savings. Any reduction, at the expense of our schoolchildren, particularly those who are underprivileged and improperly nourished, can only be viewed as a penny-wise and pound-foolish program.

Many children, especially those from low-income families, the ones who need the milk most, will drop out of the program. I can think of no better investment of our national resources than in this milk program which strengthens the bodies and health habits of our young people. Since the Government is already buying milk, I question whether there are really alternate uses for this milk that are more economic and important than the milk school program.

Mr. Speaker, the school milk program has proven over the years to be most effective. I see no need to reduce this program which has cost relatively little and done so much.

INTEREST RATE INCREASE ON VOLUNTARY CIVIL SERVICE RETIREMENT CONTRIBUTIONS

Mr. McGRATH. Mr. Speaker, I ask unanimous consent that the gentleman from Montana [Mr. OLSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. OLSEN of Montana. Mr. Speaker, I have introduced a bill today to increase the interest rate paid by the civil service retirement fund on voluntary contributions of employees from 3 to 4¼ percent. The 3-percent rate was first fixed when the system of voluntary contributions by employees under the civil service retirement system was established by the act of August 4, 1939—Public Law 263, 76th Congress—and is continued today at the same old-fashioned, outdated rate.

We are continually being reminded that the annuities payable under the civil service retirement system are wholly inadequate and afford little more than a minimum standard of subsistence for our elder civil service retirees. Just last year our committee was instrumental in obtaining legislation, Public Law 89-205, to increase the annuities for the retirees, all at the expense of the Government.

The voluntary contribution system would permit Federal employees to contribute additional amounts to the retirement fund in order to provide a sufficient annuity which will meet their needs when they retire. It is these voluntary contributions on which the Government today is only paying 3 percent.

I believe the Government should provide an incentive to the employees and encourage the system of voluntary contributions to a much greater extent than can now be expected when the Government pays an outdated and fantastically low interest rate of 3 percent.

In addition to providing additional encouragement for the employee to plan an adequate annuity for his future requirements, an increase in the rates of interest on these contributions will become one of the Nation's additional weapons in averting inflation and thus coincide with the President's program just recently announced to increase the rate on savings bonds.

Savings bonds yielded 2.9 percent interest in 1941 at the time the voluntary contributions were earning 3 percent. The savings bond rate was increased to 3 percent in 1952, to 3.52 percent in 1957, to 3.75 percent in 1959, and now has been increased to 4.15 percent. Certainly, we should expect to pay at least this much on the voluntary contributions by our employees to the civil service retirement fund.

It is perfectly ridiculous when the 3-percent rate is compared to the minimum 4½-percent rate now being paid by savings and loan associations, or the 5¼ to 5½ percent that the Federal Housing Administration now permits to be charged on FHA mortgages.

Mr. Speaker, we certainly are not being fair to our employees by permitting the 3-percent rate to continue. I believe we should encourage the employees to contribute greater amounts as voluntary contributions and thus assist the President in his program to avert inflation under the current economic situation. I will urge for immediate consideration of this legislation before our Committee on Post Office and Civil Service.

VIETNAM—FACTS ARE NEEDED RATHER THAN FANCY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Delaware [Mr. McDOWELL] is recognized for 15 minutes.

Mr. McDOWELL. Mr. Speaker, in the current debate over national policy in Vietnam almost everybody claims to be an expert. The position of some of the self-styled experts only goes to prove how essential it is to have the facts before rushing into print, or onto the airwaves.

Some of those in a position to present their views to the public do have the facts, while others are in the main moved by fancy. It is for this reason that I call to the attention of my colleagues the following two articles by writers in possession of the facts.

[From the Washington (D.C.) Evening Star, Mar. 1, 1966]

WASHINGTON CLOSE-UP: VIET DESERTIONS: FIGURES AND FACTS

(By Richard Fryklund)

The Government of South Vietnam has added up the number of deserters from its armed forces during the last year. The total is more than 100,000.

In fact, South Vietnam has counted about 100,000 deserters annually for 3 years.

This is a huge number for a country that has only 675,000 men in all its forces, regular and home guard. In fact, any army that loses 100,000 men through desertions 3 years running simply cannot survive.

Clearly something here does not make sense. Either the Army of South Vietnam is collapsing or the figures are wrong or those men aren't really deserters.

Washington officials say it is easy to rule out a collapse of the South Vietnamese Army. It has never been in better shape. It is fighting at least as well as the enemy. It is growing. It is getting better equipment. Its morale is good.

A year or two ago a collapse would have been possible, but not today.

Could the figures be wrong? Certainly not that wrong.

The South Vietnamese Army keeps pretty good statistics now, using methods taught by American military advisers.

The men are fingerprinted and photographed as they are enlisted. The roll is called every morning and anyone who doesn't answer "here" is put on the deserter list.

This is where we find a departure from the practice of the American Forces. Here, a man is listed as "absent without leave" when he first fails to turn up and becomes a deserter only when it is clear that he does not intend to return.

But even if a missing South Vietnamese soldier returns the next day and apologizes for overstaying a pass, he still becomes a number on the desertion list. No one knows how many of the listed deserters are really AWOL, but there must be many of them.

Under the South Vietnamese system, a deserter can also be a man who transferred himself to another outfit without any legal formalities.

American advisers in South Vietnam say that it is common for a soldier, particularly a new recruit or a draftee, to leave his assigned base, return to his home village and reenlist as a home guardsman or even a regular.

He is listed as a deserter from his original outfit, but the South Vietnamese Government understands the deep feelings of a peasant for his home and for the graves of his ancestors and so it tolerates such transfers.

Some men, of course, are real deserters. They go over to the enemy or go home. What this true figure is, no one can say for sure. Pentagon estimates indicate it has been about 20,000 or 30,000 a year for several years.

This is a high desertion rate, too, but it also is misleading.

Men seem to desert without too many qualms and often without severe punishment from the armies on both sides in South Vietnam.

The Communist forces, regulars, irregulars, and organizers who can bear arms, number about 235,000 men now. About 1,600 of these men deserted in January and came over to the Government's side. How many went home is not known. Through February 15, another 1,167 deserted.

On an annual basis, the enemy probably has a desertion rate therefore, of something like 5 or 10 percent. The South Vietnamese rate cannot be any higher.

It is probable, however, that the Vietcong rate is going up while the Government rate is going down. For the last 3 years, the strength of the Government forces has increased from 400,000 at the end of 1963 to 575,000 at the end of 1964 to 675,000 at the end of 1965. But the official desertion rate has been rather steady.

The present high rates on the enemy side are setting wartime records and may indicate an important new trend.

Despite desertions, both sides are able to maintain their strength and even grow, mostly by volunteers.

Draft figures on the enemy side are not known but the South Vietnamese regular armed forces have only 13 percent draftees—a figure comparable with that of the American Army. All of the home guard forces, about 100,000 men, are volunteers.

The South Vietnamese people, then, must be roughly as willing to fight for their village or country as are Americans.

If, even after all the corrections, the desertion figures for South Vietnam cannot be easily reconciled with American experience, it may simply be because of differences in custom and outlook. The figures may always puzzle us, but they need not be cause for alarm.

[From the Washington (D.C.) Post, Mar. 2, 1966]

THE UNTOLD STORY: VICTORY?

(By Joseph Alsop)

Instead of gabbling interminably about escalation, this town would do well to begin talking about the possibility of winning the Vietnamese war.

The antiescalators are either ignorant or dishonest; for they never mention the key fact, that it is the enemy who has been doing the escalating. If the enemy is in the process of putting in another eight divisions, as explained in the last report in this space, the President has only two possible choices. He can retreat and surrender, or he can match the enemy's increase of force.

But this escalation by the enemy is like a medal with two sides. On one side, it demands a greater American effort. But on the other side, it gives a stronger promise of American success. For it is really like a last high raise in poker, which exhausts the raiser's resources, but by no means exhausts his opponent's resources.

To see why this is so, one must first turn to the Mao Tse-tung-Vo Nguyen Giap book of rules of guerrilla warfare. In phase I of such a war, says the book, the guerrilla movement is organized. In phase II, classical guerrilla war is carried on, with ever-increasing ferocity but always in small units, guerrilla-style combats, until the other side is hanging on the ropes. And when—but only when—this point is reached, phase III begins with the organization of larger units, of at least regimental strength, to finish off the other side in large conventional battles.

The rule book is particularly strict about continuing phase II until victory in phase III is absolutely certain. When General de Lattre de Tassigny took over the command in the French war, General Giap entered phase II prematurely. After only one really major setback, Giap at once returned to phase II, and he patiently remained in phase II until Dienbienphu, over 3 years later.

According to the rule book, a similar return to phase II should have been the enemy's response when he was taken by surprise by the large-scale American intervention last summer. There are good reasons to believe there was an argument about this, no doubt among the North Vietnamese leaders, and also between Hanoi and Peiping.

Lin Piao's famous, outwardly ferocious paper on "People's War" contains clear evidence of this argument; for it includes an interminable recitation of rules from the book, all of which are now being broken by the North Vietnamese and Vietcong. In Communist discourse, in circumstances of this sort, such things are not said accidentally.

Why, then, is phase III being obstinately continued? The answer almost certainly is that no other choice was open, because of the impairment of the Vietcong infrastructure by the effort to enter phase III.

This was a very big and very costly effort. In 1964–65, the Vietcong recruited, trained and put in the field no less than 18 main force regiments, bringing their own force of regulars up to the equivalent of 8 divisions. The northern divisions also came south. By the spring of 1965, therefore, the Vietcong infrastructure was carrying the heavy burden of a regular army of 10 divisions, additional to the local and guerrilla forces.

For this purpose, every promise to the village people had to be broken. Very heavy taxes were levied. Universal, press gang-style conscription was enforced. Thus expansion to enter phase III both alienated the villages, and diluted the Vietcong military units, at every level from guerrilla band up to main force regiment, with great numbers of raw, unwilling conscripts.

Apparently therefore, it was considered too dangerous to respond to the arrival of the Americans by contraction to phase II, with all its bitter overtone of hope long deferred and the struggle long continued. The course now being followed, however, is also acutely dangerous.

The main danger is the added strain on the Vietcong infrastructure. If the intelligence is correct, the infrastructure's 1965 burden of a regular army of 10 divisions will grow, by the end of 1966, to the burden of an army of 20 divisions.

This army's weapons and ammunition will of course come from the north. But everything else must be found in the south—countless recruits to fill gaps in the ranks; manpower for greatly expanded porter battalions; food and many other supplies, and so on and on.

This will be no light burden. In fact, it is so clearly excessive that Hanoi's current reinforcement of the Vietcong is just as clearly a one-shot proposition—a last high raise in the game, in fact. And those who make a last high raise can always be beaten by those with the resources and the guts to call and raise again.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. Pelly (at the request of Mr. Gerald R. Ford), for week of March 7, 1966, on account of official business in his congressional district.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Ayres, for 1 hour, today; to revise and extend his remarks and to include extraneous matter.

Mr. Quie (at the request of Mr. Don H. Clausen), for 10 minutes, today; and to revise and extend his remarks and include extraneous material.

Mr. McDowell (at the request of Mr. McGrath), for 15 minutes, today; and to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. Fino.

Mr. Polanco-Abreu to revise and extend his remarks in the body of the Record and to include a concurrent resolution.

Mr. Polanco-Abreu in one instance to revise and extend his remarks and include extraneous matter.

(The following Member (at the request of Mr. Don H. Clausen) and to include extraneous matter:)

Mr. Cederberg.

(The following Members (at the request of Mr. McGrath) and to include extraneous matter:)

Mr. Powell.

Mr. Dulski.

Mr. Burke.

Mrs. Sullivan in two instances.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 12563. An act to provide for the participation of the United States in the Asian Development Bank.

ADJOURNMENT

Mr. McGRATH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 55 minutes p.m.), under its previous order, the House adjourned until Monday, March 7, 1966, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2131. A letter from the Acting Comptroller General of the United States, transmitting a report of examination of financial statements, fiscal year 1964, Federal Housing Administration, Department of Housing and Urban Development, pursuant to the provisions of 31 U.S.C. 841 (H. Doc. No. 401); to the Committee on Government Operation and ordered to be printed.

2132. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to assure to our Nation's children access to this country's abundance of food, to improve the nutrition level for children and thus to serve their health and well-being and their incentive to learn through cooperative Federal-State efforts in a nationwide child nutrition program, and to provide for the conduct of this comprehensive effort by the U.S. Department of Agriculture as a part of its basic food and nutrition responsibilities; to the Committee on Agriculture.

2133. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report that the appropriation to the Civil Service Commission for salaries and expenses for the fiscal year 1966, has been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriation, pursuant to the provisions of 31 U.S.C. 665; to the Committee on Appropriations.

2134. A letter from the Acting Comptroller General of the United States, transmitting a report of potential savings to be realized by providing Government quarters in lieu of payment of quarters allowances to U.S. military personnel in Taiwan, Department of Defense; to the Committee on Government Operations.

2135. A letter from the Acting Comptroller General of the United States, transmitting a report of review of self-employment tax payment and collection practices, Internal Revenue Service, Treasury Department; to the Committee on Government Operations.

2136. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a report of orders entered in the cases of certain aliens who have been found admissible to the United States, pursuant to the provisions of section 212(e)(28)(I)(ii) of the Immigration and Nationality Act; to the Committee on the Judiciary.

2137. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a report of copies of orders suspending deportation, as well as a list of persons involved, pursuant to the provisions of section 244(a)(1) of the Immigration and Nationality Act of 1952, as amended; to the Committee on the Judiciary.

2138. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a report of copies of orders suspending deportation as well as a list of the persons involved, pursuant to the provisions of section 244(a)(2) of the Immigration and Nationality Act of 1952, as amended; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. POWELL: Committee on Education and Labor. H.R. 11322. A bill to provide a program of Federal assistance to elementary schools throughout the Nation to improve educational opportunities through provision for the services of child development specialists and to provide a program of Federal assistance for the training of such elementary school personnel in the institutions of higher education, and for other educational purposes; with an amendment (Rept. No. 1306). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BURLESON:

H.R. 13254. A bill to amend title 38, United States Code, to provide disability compensation; to the Committee on Veterans' Affairs.

By Mr. FARBSTEIN:

H.R. 13255. A bill to amend the Federal Firearms Act; to the Committee on Ways Means.

By Mr. WILLIAM D. FORD:

H.R. 13256. A bill to assist in the promotion of economic stabilization by requiring the disclosure of finance charges in connection with extensions of credit; to the Committee on Banking and Currency.

By Mr. HARSHA:

H.R. 13257. A bill to restore non-service-connected veterans' pensions which have been reduced or eliminated because of the receipt of increased social security benefits; to the Committee on Veterans' Affairs.

By Mr. HARVEY of Indiana:

H.R. 13258. A bill to amend title 39, United States Code, to provide that the rates of postage for parcel post mailings to and from members of the U.S. Armed Forces overseas shall be chargeable at the first parcel post zone rate, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MATTHEWS:

H.R. 13259. A bill to amend the Public Health Service Act to provide for the establishment of a National Eye Institute in the National Institutes of Health; to the Committee on Interstate and Foreign Commerce.

By Mr. OLSEN of Montana:

H.R. 13260. A bill to amend the Older Americans Act of 1965 in order to provide for a National Community Senior Service Corps; to the Committee on Education and Labor.

By Mr. PIRNIE:

H.R. 13261. A bill to authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs, cats, and other animals intended to be used for the purposes of research or experimentation, and for other purposes; to the Committee on Agriculture.

By Mr. RODINO:

H.R. 13262. A bill to provide a program of pollution control and abatement in selected river basins of the United States through comprehensive planning and financial assistance, to amend the Federal Water Pollution Control Act, as amended, and for other purposes; to the Committee on Public Works.

By Mr. TAYLOR:

H.R. 13263. A bill to provide a special milk program for children; to the Committee on Agriculture.

H.R. 13264. A bill to enable the Administrator of Veterans' Affairs to participate in programs to encourage qualified persons to follow health service careers; to the Committee on Veterans' Affairs.

By Mr. BELCHER:

H.R. 13265. A bill to name the authorized lock and dam No. 18 of the Verdigris River in Oklahoma and the lake created thereby for Newt Graham; to the Committee on Public Works.

By Mr. BOW:

H.R. 13266. A bill to provide for the prototype construction of a commercial supersonic transport airplane, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FARNSLEY:

H.R. 13267. A bill to amend Public Law 660, 86th Congress, to establish a National Traffic Safety Agency to provide national leadership to reduce traffic accident losses by means of intensive research and vigorous application of findings, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FINO:

H.R. 13268. A bill to amend the Public Health Service Act by adding a new title X thereto which will establish a program to protect adult health by providing assistance in the establishment and operation of regional and community health protection centers for the detection of disease, by providing assistance for the training of personnel to operate such centers, and by providing assistance in the conduct of certain research related to such centers and their operation; to the Committee on Interstate and Foreign Commerce.

By Mr. HELSTOSKI:

H.R. 13269. A bill to establish a Federal Commission on Alcoholism, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 13270. A bill to amend section 212(a) (14) of the Immigration and Nationality Act to waive the labor certification requirement with respect to nonpreference immigrant aliens from any Communist or Communist-dominated country or area; to the Committee on the Judiciary.

H.R. 13271. A bill to amend section 201(d) of the Immigration and Nationality Act to provide that quota numbers transferred to the immigration pool shall be available for issuance of visas to nonpreference immigrant aliens; to the Committee on the Judiciary.

H.R. 13272. A bill to amend section 8 of the Federal Water Pollution Control Act to provide for increased grants for construction of treatment works; to the Committee on Public Works.

By Mr. KASTENMEIER:

H.R. 13273. A bill to provide a special milk program for children; to the Committee on Agriculture.

By Mr. KEE:

H.R. 13274. A bill to provide needed additional means for the residents of rural America to achieve equality of opportunity by authorizing the making of grants for comprehensive planning for public services and development in rural community areas designated by the Secretary of Agriculture; to the Committee on Agriculture.

By Mr. KORNEGAY:

H.R. 13275. A bill to provide a permanent special milk program for children; to the Committee on Agriculture.

By Mr. NELSEN:

H.R. 13276. A bill to amend the cropland adjustment program established pursuant to the Food and Agriculture Act of 1965 to provide for priority participation by persons inducted or recalled into active duty with the Armed Forces by the United States; to the Committee on Agriculture.

By Mr. O'BRIEN:

H.R. 13277. A bill to amend the Revised Organic Act of the Virgin Islands to provide for the reapportionment of the Legislature of the Virgin Islands; to the Committee on Interior and Insular Affairs.

By Mr. PEPPER:

H.R. 13278. A bill to assist city demonstration programs for rebuilding slum and blighted areas and for providing the public facilities and services necessary to improve the general welfare of the people who live in these areas; to the Committee on Banking and Currency.

H.R. 13279. A bill to provide incentives to planned metropolitan development and to otherwise assist urban development; to the Committee on Banking and Currency.

H.R. 13280. A bill to amend the National Housing Act to provide mortgage insurance and authorize direct loans by the Housing and Home Finance Administrator, to help finance the cost of constructing and equipping facilities for the group practice of medicine or dentistry; to the Committee on Banking and Currency.

H.R. 13281. A bill to amend and extend laws relating to housing and urban development; to the Committee on Banking and Currency.

H.R. 13282. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mr. QUIE:

H.R. 13283. A bill to provide that the city of Hastings, Minn., shall be reimbursed for construction of a flood protection dike along the Vermilion River; to the Committee on Public Works.

By Mr. RODINO:

H.R. 13284. A bill to redefine eligibility for membership in AMVETS (American Veterans of World War II); to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 13285. A bill to amend the Housing and Urban Development Act of 1965 to include in the rent supplement program certain housing financed (directly or through loan insurance) by States and municipalities; to the Committee on Banking and Currency.

By Mr. STAGGERS:

H.R. 13286. A bill to amend the Communications Act of 1934 to authorize the Federal Communications Commission to issue rules and regulations with respect to community antenna systems, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. SWEENEY:

H.R. 13287. A bill to authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs, cats, and other animals intended to be used for purposes of research or experimentation, and for other purposes; to the Committee on Agriculture.

By Mr. WELTNER:

H.R. 13288. A bill to amend section 3 (relating to retroactive death gratuity benefits) of the act entitled "An act to amend title 38, United States Code, in order to provide special indemnity insurance for members of the Armed Forces serving in combat zones, and for other purposes," approved September 29, 1965; to the Committee on Veterans' Affairs.

By Mr. DON H. CLAUSEN:

H.R. 13289. A bill to amend title 38 of the United States Code to prevent loss of veteran pension benefits as a result of increases in social security benefit payments under the Social Security Amendments of 1965; to the Committee on Veterans' Affairs.

By Mr. FALLON:

H.R. 13290. A bill to amend title 23 of the United States Code to provide for highway safety research and development, certain highway safety programs, a national driver register, and a highway accident research and test facility; to the Committee on Public Works.

By Mr. HORTON:

H.R. 13291. A bill to authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs and cats intended to be used for purposes of research or experimentation, and for other purposes; to the Committee on Agriculture.

By Mr. McDOWELL:

H.R. 13292. A bill to assist city demonstration programs for restoring and rebuilding slum and blighted areas and for providing the public facilities and services necessary to improve the general welfare of the people who live in these areas; to the Committee on Banking and Currency.

By Mr. MINISH:

H.R. 13293. A bill to amend the Older Americans Act of 1965 in order to provide for a National Community Senior Service Corps; to the Committee on Education and Labor.

By Mr. O'BRIEN:

H.R. 13294. A bill to amend the Organic Act of Guam to provide for the election of the members of the Legislature of Guam by districts; to the Committee on Interior and Insular Affairs.

By Mr. SICKLES:

H.R. 13295. A bill to provide for a comprehensive program for the control of alcoholism; to the Committee on Interstate and Foreign Commerce.

By Mr. THOMPSON of New Jersey:

H.R. 13296. A bill to provide for the protection, conservation, and development of the natural coastal wetlands of Hempstead-South Oyster Bay, Long Island, for fish and wildlife and outdoor recreation purposes, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. ASHMORE:

H.R. 13297. A bill to amend subsection (b) of section 2 of the act of September 25, 1962, to protect the rights and interests of injured parties whose hospital, medical, surgical, or dental care or treatment give rise to an independent right of recovery on the part of the United States against tortiously liable third persons, and for other purposes; to the Committee on the Judiciary.

By Mr. CRALEY:

H.R. 13298. A bill to amend the Organic Act of Guam in order to authorize the legislature thereof to provide by law for the election of its members from election districts; to the Committee on Interior and Insular Affairs.

By Mr. MORSE:

H.R. 13299. A bill to amend title 39, United States Code, to provide that the rates of postage for parcel post mailings to and from members of the U.S. Armed Forces overseas shall be chargeable at the first parcel post zone rate, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. OLSEN of Montana:

H.R. 13300. A bill to amend the Civil Service Retirement Act to increase the interest rate applicable to the voluntary contribution accounts of employees for purposes of additional annuities under such act; to the Committee on Post Office and Civil Service.

By Mr. ERLENBORN:

H.J. Res. 863. Joint resolution to authorize the President to proclaim April 9, 1967, as Bataan-Corregidor Day; to the Committee on the Judiciary.

By Mr. GURNEY:

H.J. Res. 864. Joint resolution to create a joint congressional committee to study and report on problems relating to collective bargaining and strikes and lockouts in the transportation industry; to the Committee on Rules.

By Mr. MORSE:

H.J. Res. 865. Joint resolution to authorize the President to proclaim the 7-day period beginning April 17, 1966, as National Amateur Radio Week; to the Committee on the Judiciary.

By Mr. GERALD R. FORD:

H. Con. Res. 602. Concurrent resolution to provide for an investigation and study of the administration of the Economic Opportunity Act of 1964; to the Committee on Rules.

By Mr. ARENDS:

H. Con. Res. 603. Concurrent resolution to provide for an investigation and study of the administration of the Economic Opportunity Act of 1964; to the Committee on Rules.

By Mr. LAIRD:

H. Con. Res. 604. Concurrent resolution to provide for an investigation and study of the administration of the Economic Opportunity Act of 1964; to the Committee on Rules.

By Mr. RHODES of Arizona:

H. Con. Res. 605. Concurrent resolution to provide for an investigation and study of the administration of the Economic Opportunity Act of 1964; to the Committee on Rules.

By Mr. CRAMER:

H. Con. Res. 606. Concurrent resolution to provide for an investigation and study of the administration of the Economic Opportunity Act of 1964; to the Committee on Rules.

By Mr. GOODELL:

H. Con. Res. 607. Concurrent resolution to provide for an investigation and study of the administration of the Economic Opportunity Act of 1964; to the Committee on Rules.

Mr. BOB WILSON:

H. Con. Res. 608. Concurrent resolution to provide for an investigation and study of the administration of the Economic Opportunity Act of 1964; to the Committee on Rules.

By Mr. SMITH of California:

H. Con. Res. 609. Concurrent resolution to provide for an investigation and study of the administration of the Economic Opportunity Act of 1964; to the Committee on Rules.

By Mr. FRELINGHUYSEN:

H. Con. Res. 610. Concurrent resolution to provide for an investigation and study of the administration of the Economic Opportunity Act of 1964; to the Committee on Rules.

By Mr. POFF:

H. Con. Res. 611. Concurrent resolution to provide for an investigation and study of the administration of the Economic Opportunity Act of 1964; to the Committee on Rules.

By Mr. SELDEN:

H. Res. 754. Resolution designating Thursday, April 7, 1966, for the celebration of Pan American Day; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 13301. A bill for the relief of Antonio Liberti; to the Committee on the Judiciary.

By Mr. DON H. CLAUSEN:

H.R. 13302. A bill for the relief of Francisco Sousa Correia; to the Committee on the Judiciary.

By Mr. DICKINSON:

H.R. 13303. A bill for the relief of Yong Chin Sager; to the Committee on the Judiciary.

By Mr. DIGGS:

H.R. 13304. A bill for the relief of Mrs. Laila Atchoo Parker; to the Committee on the Judiciary.

By Mr. HALEY:

H.R. 13305. A bill to authorize the Secretary of the Interior to sell reserved phosphate interests of the United States in lands located in the State of Florida to the record owners of the surface thereof; to the Committee on Interior and Insular Affairs.

By Mr. KEOGH:

H.R. 13306. A bill for the relief of James J. McCulloch; to the Committee on the Judiciary.

By Mr. MARTIN of Massachusetts:

H.R. 13307. A bill for the relief of Joaquim Garcia Martinez; to the Committee on the Judiciary.

By Mr. PHILBIN:

H.R. 13308. A bill to provide for the free entry of one ship model for the use of the Lutheran Church of the Covenant, Maple Heights, Ohio; to the Committee on Ways and Means.

PETITIONS, ETC.

Under clause 1 of rule XXII,

336. The SPEAKER presented a petition of the Department of Health and Welfare, State of Baja California, Tijuana, Baja California, Mexico, relative to automobile safety, which was referred to the Committee on Interstate and Foreign Commerce.

EXTENSIONS OF REMARKS

Inauguration of Sea Trade Between Boston and Puerto Rico

EXTENSION OF REMARKS
OF
HON. SANTIAGO POLANCO-ABREU
RESIDENT COMMISSIONER FROM PUERTO RICO
IN THE HOUSE OF REPRESENTATIVES
Thursday, March 3, 1966

Mr. POLANCO-ABREU. Mr. Speaker, there is currently being conducted in Puerto Rico ceremonies celebrating the establishment of maritime service between the ports of Boston, Mass., and San Juan, P.R. A trade mission is visiting Puerto Rico to mark the establishment of this trade by Sea-Land Services, to enable Boston businessmen to become acquainted with the economics of Puerto Rico and to examine its industrial growth, tonnages handled, and to meet with government and business officials in San Juan and other cities of the Commonwealth.

Puerto Rico enjoys a tremendous trade with continental United States and purchases annually more than $1.25 billion of goods from the United States, more than $1 billion of which is shipped to Puerto Rico from east coast and gulf coast ports.

The port of Boston now will share in this trade and will serve shipments to and from Puerto Rico for New England.

Most of this two-way trade between the Boston and San Juan ports will consist of leather goods, jewelry, food, and electronic equipment. Other mainland ports serving Puerto Rico are: New York, Philadelphia, Baltimore, Charleston, Jacksonville, Tampa, Pensacola, Lake Charles, Mobile, New Orleans, Galveston, and Houston—not to mention ports on the west coast of the United States.

It is expected that the Boston port will initially handle more than $1 million worth of goods for the Puerto Rican trade and that this amount will increase rapidly.

A Salute to Morocco

EXTENSION OF REMARKS
OF
HON. ADAM C. POWELL
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, March 3, 1966

Mr. POWELL. Mr. Speaker, today marks the 10th anniversary of one of our close friends in north Africa, Morocco. Just as in the life of an individual, nations also look with pride on their birthdays and anniversaries. We wish to take this occasion, therefore, to extend warm felicitations to His Majesty King Hassan II, of Morocco; and to the Moroccan Ambassador to the United States, His Excellency Ahmed Laraki.

While some might look upon Morocco as being a relatively new nation of only 10-years existence, Morocco's friends are well aware of the fact that its history dates as far back as the 12th century B.C. when the Phoenicians established Melilla on the Mediterranean coast as a staging post en route to Cadiz. King Hassan II is a direct descendant of the Alawite dynasty which began in 1663.

Morocco's geographic position is such that it touches both the Atlantic Ocean and the Mediterranean Sea. This dual feature is also reflected in other matters. For example, while it is an Arab country, it is also an African one; while it is endowed with large modern cities, it also retains much of its rich cultural heritage of past Arab glory; while it has a rapidly expanding economy based on such items as phosphates and iron, it is still largely an agricultural country. These seemingly contradictory attributes have thus far not infringed on Morocco's economic growth. On the contrary, they have been utilized to an increasing degree to promote the welfare of Morocco's people.

Under the able and patient guidance of King Hassan II, Morocco has been striving to overcome the numerous complex problems which confront new states. Morocco's attempts to rely on self-help have earned the respect of much of the world, and her efforts should certainly result in rich rewards for her people.

This year marks the end of the first decade of a "new" Morocco. It has been filled with both promise and achievement; grief and joy; accomplishment and defeat. No one can predict what future years will bring, but there are definite indications that Morocco has laid a firm groundwork for whatever lies ahead.

I extend warm and hearty felicitations to His Majesty King Hassan II as he and his people close one chapter and eagerly begin another in what is to me the story of a most promising country.

Fino Introduces Preventicare Legislation

EXTENSION OF REMARKS

OF

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 3, 1966

Mr. FINO. Mr. Speaker, today I introduced legislation to establish a "preventicare" program in America to supplement the medicare program.

My bill, introduced in the Senate by Senator WILLIAMS of New Jersey, amends the Public Health Service Act by adding a new title calling for regional and community health protection centers to examine persons over 50 years of age for certain ailments and physical difficulties on a free and voluntary basis. The bill would also provide for assistance for training personnel and conducting appropriate research.

The types of ailments the centers would seek to conduct examinations for include heart conditions, cancer, diabetes, tuberculosis, anemia, respiratory and hearing impairment, gout, and the like. The test results would be passed on to private medical practitioners for any treatment. No treatment would be given at the centers. The Fino bill authorizes expenditures of $60 million over a 3-year period for the establishment of health protection centers under this "preventicare" program.

This bill is part of my legislative campaign to bring more of the benefits of America's riches to our senior citizens. Last week I introduced legislation to bring cost-of-living and gross national product factors into computations of social security benefits. The week before I introduced legislation to establish a National Senior Community Service Corps to make the talents of our senior citizens available to our communities. That same week, I announced my intention to introduce legislation (now being drawn up) which would switch the emphasis of the poverty program to concentrate on substandard income among Government pensioners. My program calls for an Office of Household Emergency Loans and Pension Supplements—HELPS—which would make loans and pension supplements available to pensioners with incomes below local poverty lines.

"Preventicare" is the next measure in my program. I think that detection centers like this will be a great boon to persons over 50. "Preventicare" is a perfect companion to medicare. An ounce of prevention is worth a pound of cure, and I think "preventicare" will ease the burden on medicare and be a general all-round benefit to the community.

Francis J. P. Cleary, Retired Employee of Department of Agriculture and Friend of Congressional Staffs, Dies at Age 90

EXTENSION OF REMARKS

OF

HON. ELFORD A. CEDERBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 3, 1966

Mr. CEDERBERG. Mr. Speaker, many Members of Congress and many veteran staff members will recall pleasant associations with Francis J. P. Cleary, who headed what later became the Congressional Inquiry Unit of the U.S. Department of Agriculture and who retired in 1946.

I have been asked to advise Mr. Cleary's friends that he passed away at the Susan B. Miller Nursing Home in Woodstock, Va., last Monday at the age of 90. Funeral services for him were conducted this morning.

I am told by a member of my staff who knew him intimately that Mr. Cleary had a Horatio Alger type of rise to prominence in the career ranks of the Government. I understand he started his Government service as a messenger at the age of 16 and in 54 years rose to a key position through which many congressional offices successfully channeled their inquiries and problems involving the Department of Agriculture.

Mr. Cleary was born in Nenagh, Tipperary, Ireland, on March 2, 1876, and was brought to the United States as an infant by his parents, Dr. Frank P. Cleary, U.S. Army, and Nora Egan Cleary. His earliest years were spent in Illinois, and the family moved to Washington, D.C., in 1881. Mr. Cleary attended public and parochial schools in Washington and was graduated from the School of Law of Georgetown University.

At the age of 16, Mr. Cleary entered Government service as a messenger in the Department of Agriculture. He served for 54 years in the Department, retiring in 1946 at the age of 70. He rose through the ranks as a career employee and was an administrative assistant to the Director of Information when he retired. For many years he was the employee-elected member of the Personnel Appeals Board of the Department of Agriculture.

Mr. Cleary's late wife was Frances Ann Whalley, sister of Mrs. F. Wilson Gearing of Woodstock, Va. Mrs. Cleary died in 1950, and since 1951 Mr. Cleary had resided in Woodstock.

An active participant in sports in his youth, Mr. Cleary was an avid sports fan. During his long career in Washington he also was active in amateur theatricals and in the Knights of Columbus.

Mr. Cleary is survived by his brother-in-law and sister-in-law, Dr. and Mrs. F. Wilson Gearing of Woodstock, Va., and by three nephews and two nieces, Dr. F. W. Gearing, Jr., of Harrisonburg, Va., and John K. Gearing, W. John White, Mrs. Clarence R. Gorman and Mrs. R. Earl Harron of the Washington area.

In behalf of a number of veteran staff members on Capitol Hill who were acquainted with Mr. Cleary, I want to extend condolences to the family.

Food, Drugs, Cosmetics, and Politics—Remarks by Congresswoman Sullivan at Conference of Maryland Consumers Council

EXTENSION OF REMARKS

OF

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 3, 1966

Mrs. SULLIVAN. Mr. Speaker, in 14 years in the House of Representatives, it has been most unusual for me to be absent from Capitol Hill when the House was convening, yet I felt that it was important for me to play "hookey" for an hour or so last month to attend the

"Calling All Consumers" conference of the Maryland Consumers Council, Inc., at the Adult Education Center of the University of Maryland.

The growing interest in consumer issues and in consumer legislation has been most encouraging to me. The Maryland group has been an effective organization in this field, so my visit to their conference on February 9 was both to encourage them in their efforts and to obtain their valuable help in my legislative efforts.

Under unanimous consent, Mr. Speaker, I submit for inclusion in the Congressional Record my remarks at the Maryland Consumers Council conference, as follows:

Food, Drugs, Cosmetics, and Politics

(Remarks by Congresswoman Leonor K. Sullivan, Democrat of Missouri at "Calling All Consumers" Conference sponsored by Maryland Consumers Council, Inc., Maryland State Home Demonstrations Department, and College of Home Economics, Adult Education Center, University of Maryland, Wednesday, February 9, 1966, at 1:45 p.m.)

In coming here today, I am breaking one of my cardinal rules as a Member of Congress, which is never to leave the Capitol when the House is in session. Of course, rules are meant for breaking, but this is a self-imposed rule which I break so seldom that—when I do—it is with almost superstitious dread. For, almost always, there are quorum calls and roll calls which I miss. And, to a Member of Congress who must run for reelection every 2 years—and who must win reelection every 2 years without fail if I am not to lose my seniority on committees where one's standing is crucial to effective representation of the people back home—missing quorum calls can be embarrassing, while missing rollcalls can be serious.

More than that, however, I find it personally important to listen to the debates on important issues so as to be able to vote intelligently. And, as many of you know, it is often the nonrecorded votes in Committee of the Whole House on the State of the Union—during the final shaping of legislation—which are most important. The fact that the record does not show you were absent on such a vote is not very much solace if your absence has contributed to the gutting of an important bill, or has made it impossible for those who feel as you do to push through a useful amendment.

Thus, I feel somewhat guilty in being here—in all fairness I must tell you that. Usually, I avoid this feeling just by turning down automatically any invitation, whatever its source, if it entails leaving Capitol Hill on a weekday when the House is meeting. The event must be, in my opinion, of great importance to legislative objectives close to my heart in order to tear me away from the House—and your meeting today does come within that important category. Thus, while I cannot in all honesty use the customary greeting of telling you how happy I am to be here—for I am a bit nervous about it—I want you at least to know that I feel it is worth the effort and the discomfort. For I think a group such as this one—interested in what the individual and the dedicated group can do to achieve consumer objectives—can do a great deal for the issues in which I am deeply involved as a legislator.

Besides, your program chairman, Carla Williams, is very persuasive. If you have heard stories about how effective a certain individual who lives and works at 1600 Pennsylvania Avenue in Washington can be in getting Members of Congress to do things he wants done, I can tell you that Carla Williams does the twist with great skill also. My presence here today is proof of that.

Actually, I wanted very much to come and the only pressure she had to apply was in convincing me back in December that there could not possibly be important legislation on the House floor today. If she consulted the Hagerstown Almanac for that prediction, I am afraid it was not quite accurate. Hence, I shall talk and run—go right back to the House immediately, instead of tarrying for questions or staying for what I know will be a very illuminating session on packaging abuses and their prevention and cure led by Senator Hart, whom I have always respected but have come to know and admire tremendously through our participation together on the National Commission on Food Marketing.

As a consumer-minded Congresswoman, I am, of course, interested in all of the subjects you are covering in this excellent all-day program today. There is hardly an aspect of your discussions on which I have not at some time introduced bills, offered amendments, participated in hearings or debates or otherwise become deeply involved. I am still involved in most of them. But I do not want, in these few minutes, to go back over ground you have already covered this morning or which you will cover in detail later this afternoon. Instead, I am going to concentrate on the one area in which a bill I have drafted and introduced is unique. I am referring, of course, to H.R. 1235, an omnibus bill to rewrite the Food, Drug, and Cosmetic Act of 1938.

By concentrating on that, I do not want you to think I am disinterested in tire safety—I am sponsoring in this Congress, as I cosponsored in the last, the tire safety bill originally drafted by former Congressman Kenneth Roberts of Alabama, long the leader in Congress in the broad field of automobile safety until the Goldwater sweep of Alabama in 1964 sacrificed one of the most effective battlers for consumer safety in Congress; I am the sponsor on the House side, also, of the Douglas truth-in-lending bill; I am still working for the extension of Federal meat inspection into intrastate commerce, where perhaps 20 percent of our meat sales take place without proper sanitation and wholesomeness inspection—I believe mine was the first bill introduced in the Congress on that subject. I had been working on this idea 4 years ago and was just about to introduce a bill to carry it out when President Kennedy's consumer message came up to the Congress on March 15 and, among many other things with which I am sure all of you are familiar, mentioned this particular problem without, however, suggesting an answer. So my bill went in that very day. It would set up major consuming areas, such as are now authorized for Federal poultry inspection; and, under my bill, all meat going into those areas, whether from within or without a particular State, would have to be federally inspected. If this technique is a worthwhile mechanism for poultry inspection—and the Agriculture Department assures me it is—then I think it could well be used in meat inspection, too. Unfortunately, however, although this unusual intrastate inspection provision has been in the poultry inspection law since 1957, it has never been used. I've been trying to get my people in St. Louis, and the Department of Agriculture here, to follow through on the idea of having St. Louis declared a major consuming area under Federal poultry inspection, and you people in Maryland might well look into the possibilities of having parts or all of your State so designated also—if uninspected poultry in intrastate commerce is a health hazard in your State.

There are so many areas of consumer protection which need improvement, expansion, reform, and understanding—but, as I said, I want to concentrate this afternoon on the one area in which the legislation I have introduced is unique and in which the needs are extremely urgent.

My omnibus bill on foods, drugs and cosmetics was first introduced on the first day of the 87th Congress, back in 1961. It grew out of 8 years of accumulated grievances over the piecemeal approach I had seen the Congress take year after year in closing gaping loopholes in the by-then decrepit 1938 act. As one loophole had been closed, another had opened up. Each of the major enactments in this field since 1953 has been an important contribution to consumer health and safety—but they have been spread over too long a span. And none—not one—went far enough. In passing them, we always knew we were merely putting what I call a blowout patch on the law, instead of replacing outmoded sections we knew were no longer adequate.

When I protested—and other Members of Congress also protested—the answer from those in charge of the legislation—and this goes back a long time, to 1953—was that if we tried to do too much at one time, we would "stir up the dogs"—get too many powerful interests united against us, and, by rousing so much corporate ire we would lose support in the political arena of Congress for any legislation at all—including those proposals which industry was perhaps ready to acknowledge should become law.

Hence, in 1953, we achieved only a blowout patch on the factory inspection provisions of the law, closing a loophole opened by a court decision which had held that Food and Drug inspectors could not inspect a plant unless the management invited them in at management's convenience. You can imagine how typical the plant sanitation and other operating conditions would be on the day management selected for a Federal inspector to visit. We overcame that problem, but did absolutely nothing that year about drug safety, or food additives, or cosmetic safety, or any of the other glaring gaps we knew at that time existed in the Food, Drug, and Cosmetic Act of 1938. A select committee of the House, under Congressman James J. Delaney, of New York, had thoroughly documented the need for such corrective legislation several years earlier; hence, no one could plead ignorance about the needs back in 1953. It was merely a case of political timing—having the votes, inspiring public interest, getting administration support.

It took until 1958—5 years later—to enact the Food Additives Act; and until 1960 to get into the law an anticancer clause—a Delaney clause—dealing with the coloring matter in cosmetics. But outside of the coloring matter, no ingredient of cosmetics—to this very day—must be pretested for safety.

Nor must therapeutic devices be pretested either for safety or efficacy.

We had known about about the vast bootlegging of the nonnarcotic, habit-forming dangerous drugs like the pep pills and barbiturates and the various mind-affecting drugs, but we couldn't nail down until just this past year—1965—legislation which gave the Government adequate powers for dealing with this frightful menace to health, highway safety, and youthful sanity.

The prescription drug efficacy and safety requirements we long knew we needed were not enacted until 1962, in the Kefauver-Harris Act. And we succeeded at that time only because of the thalidomide tragedy.

But each time we achieved one of these partial solutions to the problem of strengthening our Food, Drug, and Cosmetic Act, my satisfaction in the accomplishment was clouded by a realization of how much remained to be done—and was not being done.

Hence, on the first day of the 87th Congress, I submitted H.R. 1235, and I have been reintroducing it, under the same number, in each succeeding Congress. Out of it have already come the major provisions of the 1962 Kefauver-Harris Act and the 1965 Drug Abuses Control Act. But there are 12 or 13 other sections still left from the original bill on which no action has been taken, plus numerous new provisions written in since 1961, including one closing a loophole on cancer-causing coloring matter in animal feeds which got into the Kefauver-Harris Act for no logical reason whatsoever, and over my bitter objections at the time. It serves absolutely no purpose—none. Similarly, the prohibition in the current version *of H.R. 1235 against the sale in interstate* commerce of flavored aspirin for children—the greatest single cause of poisoning of children under 5 and the greatest cause of death among children under 5 from accidental ingestions—was not in the original 1961 version of the bill.

But practically everything else in this 45-page bill was placed in it originally 5 years ago and *still cries for enactment after all* of that time. And they are things which affect you—your families—your homes—in the foods you eat, in the proprietary medicines you are persuaded to buy, in the worthless or even dangerous medical devices of all kinds hawked as cure-alls by charlatans, or in the therapeutic materials and devices used in good faith by ethical practitioners who assume they have been proved safe and efficacious; and in the cosmetics which go on the market for testing by you as to their safety.

In a news article recently discussing the various consumer measures which might come up in this Congress, one writer was a bit confused by the multitude of subjects and items covered in my bill and, after referring to the section requiring pretesting for safety and efficacy of therapeutic and medical devices before they could be sold, then proceeded to use the same terminology in reference to cosmetics.

Believe me, ladies and gentlemen, much as I might—as a good consumer—like the idea of forcing cosmetic manufacturers to prove the efficacy—the effectiveness—of their products, as well as their safety, my feminine intuition tells me that this is sheer impracticality. And it would probably be a great disservice to women to try to accomplish such a thing. For if we had such a provision in the law, how dull our dressing tables would look; how forlorn our hopes to be beautiful. We buy the beauty preparations not out of conviction that they will make us beautiful, but rather out of fervent hope. The advertisements skirt the edge of credence, and take delightful advantage of the truth—but while knowing all that, we nevertheless have our dreams and indulge them somewhat extravagantly.

No, I do not think I would sponsor legislation to require proof, before a cosmetic is marketed, that it will positively do for us the things the manufacturer skillfully leads us to hope, or wish, it would. So, there is no proof of efficacy requirement in H.R. 1235 dealing with cosmetics.

But there is a requirement for advance proof of safety. There is a requirement that the ingredients be listed on the label—in a way we can see them and read them, so at least we can steer clear of those containing ingredients we know will cause us allergic pain or suffering; there is a requirement that hair dyes be proved safe to use (there is no such thing in the law now); there is a further requirement that the customer be fully warned on the label of the dangers inherent in the use or abuse or mishandling of any cosmetic item (and that also is not true today). Hair sprays which mention casually, in tiny type where it is hard to read, that the product should not be inhaled or used near burning cigarets, or be sprayed into the eyes, carry these admonitions either because one or more of the States may require it, or because the manufacturer feels some responsibility for user-safety, but the Federal law does not require it and many sprays do not carry such warnings. Furthermore, many women use them dangerously in utter ignorance of the danger. Have you ever been in a beauty shop where the air was one big cloud of hair spray while lighted cigarets burned in almost every right hand? Wow.

We have a law—the Hazardous Substances Labeling Act of 1960—which requires adequate warnings on all household products which are dangerous to children or adults—warnings and instructions for first aid or for antidotes. This law does not apply to any *food, drug, or cosmetic*—presumably because the Food, Drug, and Cosmetic Act provides sufficient protections. But that act does not do so. Hair sprays are only one illustration. All of the pressurized cans of foods, deodorants, and other push-button items covered by the Food, Drug, and Cosmetic Act are similarly exempted from effective regulation as to hazardous conditions of use, or *handling, yet they are all dangerous at certain* temperatures, or in misuse. But Uncle Sam cannot do anything about it to protect you if the manufacturer is lax about warning you. On other household items he can, but not on foods, drugs, and cosmetics. This is shameful.

I want to digress for a moment from the gaps in the Food, Drug, and Cosmetic Act to mention another area in which hazardous products are generally exempt from proper labeling and warnings—those used in industrial and commercial processes. I have a separate bill in on that; but I just wanted to mention that, while the breadwinner in the family may enjoy some protection at home under the Hazardous Substances Labeling Act from hazardous household products such as bleaches, paints, solvents, waxes, polishes, and so on, when he goes to work and perhaps uses the same types of products, there are no Federal standards for requiring safe handling of these materials or giving him necessary warnings about dangers or antidotes. I learned about this problem by accident, as we do about most problems in public health and safety, when—some years ago—I arranged to have the U.S. Public Health Service make one of their famous detective-story investigations into a plant situation in St. Louis where the workers were all suffering from mysterious skin diseases and even more serious complications. The formula for a chemical used in one of the plant's processes had been changed by the manufacturer without notification, and what had previously been a safe use of this chemical suddenly became a dangerous one. The Public Health Service pinpointed the problem after an exhaustive study. My bill (that one is H.R. 1179) would authorize the Secretary of Labor to specify the procedures for safe handling of dangerous industrial products and thus provide a means for preventing such accidents in the future. But I digress. To get back to H.R. 1235—I have cited enough examples, I hope, to impress upon you the need for a thoroughgoing redrafting of our basic consumer protection statute, and yet I have only covered a small portion of the things in H.R. 1235. I hope you will all ask your own Representatives in the Congress, or either or both of your Senators, to obtain a copy of the bill for you. I ask that for two reasons: first, it is one way of assuring your opportunity to know the details of the entire bill, without having to sit through hours of a discussion such as this; secondly, it is also a good way of bringing to the attention of your own Member of Congress, and your Senators, the existence of this measure. I am sure Congressman Sam Friedel knows about it—he serves on the House Committee on Interstate and Foreign Commerce which has had the bill before it now for 5 years; your other Members, however, may not have had a chance to look into it. With more than 12,000 bills introduced in the House, and thousands more in the Senate, so far in this Congress, it is impossible for any of us to be aware of more than a fraction of them. But if all of you ask for a copy of this particular bill, H.R. 1235, your members are going to wonder why—and perhaps will take the time to read it, too. That helps.

I sincerely believe that if you will study the measure, you will join me in urging action on it—in this Congress.

In talking to consumer groups about the need for corrective legislation in the field of foods, drugs and cosmetics, I always stress the need for political action. This does not mean that you all have to run for Congress; it does mean that you have to pin down your own Congressman or Senator on these issues—ask him his opinion about gaps in the law and whether he will support needed improvement. If he is courteous and reasonably responsive—as most Members try to be—do not feel you are imposing if you ask *him to be specific. We always try to be specific* when we feel we know enough about a subject. If we do not know enough about it, and if constituents keep insisting we should know, we make it our business to find out what the facts are.

I did not come here to ask you to browbeat the Maryland delegation in Congress. Most of the members of your congressional delegation are certain to support good consumer legislation if the opportunity presents itself. But, with so many other things to worry about and work on, they can't always be experts on every subject—unless you provide them some inspiration along certain lines.

If every delegation in the Congress were as forward looking as your own, I am sure this legislation would have been passed long before now.

Nevertheless, as I always point out in talking to consumer groups, and as I should explain to you, too—Congress is like the accelerator of your car—that is, very sensitive to pressure. You make it go by putting your foot down. In the field of food, drug and cosmetic reform, it is going to take a heavy jolt to get action, however, because the industries covered by the law like it pretty much as it is now—even though they fought hard against the enactment of most of the improvements which they now say make the law adequate. The law is not adequate—it is a sieve of deliberately written special exemptions, unanticipated shortcomings, and obsolete deficiencies. How hard will you put your foot down—you and like-minded consumer groups throughout the Nation—to insist that this law be updated to do the job the public requires? Will the consumer put his foot down hard enough? I hope so.

American Lithuanian Council of Boston

EXTENSION OF REMARKS

OF

HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 3, 1966

Mr. BURKE. Mr. Speaker, it was my great privilege to address the American Lithuanian Council of Boston, Mass., on Sunday, February 20, 1966. The ceremonies were held to commemorate the 48th anniversary of the independence of Lithuania, now only a bright memory in the heavy hearts of all Lithuanians.

I insert here my remarks on that occasion, as well as those of the Honorable Elliot L. Richardson, Lieutenant Governor of Massachusetts, who was in attendance representing the Honorable John A. Volpe, Governor. I include, too, a list of the principal officers and guests who were present, and a copy of the resolutions adopted by the council at that meeting:

Remarks of Congressman James A. Burke

More as a friend and neighbor of my fellow American-Lithuanians, than as a U.S. Representative in the Congress, I consider it a particular privilege to take part in this program commemorating the 48th anniversary of the declaration of Lithuania's independence.

This annual ceremony is dear to the hearts of all Lithuanians and their American friends because it is held to recollect the date of February 16, 1918, which marked the end of well over a century of suffering under a hostile, foreign rule. Back on that joyful day, Lithuania stood forth as an independent democratic republic. There was cause for celebration then and the future was faced with confidence. Your homeland people were happy and prosperous in their own sovereignty.

Unfortunately, in this year of 1966 our observance here must be shaded with sorrow. The bright star of Lithuania's freedom has been clouded over by the violent storms of tyranny. We gaze with sadness upon the continuing tragedy of sacrifice to ruthless imperialism that has enveloped Lithuania; she has ceased to be an independent nation.

The brutal tyranny now being forced upon Lithuania, and the other small nations, is a continuing challenge to the moral conscience of our Nation and the United Nations to reestablish the great, basic principles of freedom and liberty for all peoples. In simple justice, our Government must perseveringly insist that the Lithuanian people be permitted their inalienable right to govern their internal existence as they themselves see fit.

The major world powers, including the United States should not remain acquiescent parties to the disgraceful betrayal of the smaller nations like Lithuania—which betrayal defies every decent concept of self-determination and democracy.

On this occasion dedicated to the memory and future objective of Lithuanian independence, I again say that the United States and the United Nations must increasingly call upon Russia to give up her occupation and control over Lithuania and the other Baltic Nations.

The Soviet Union has repeatedly violated the political pledge made at Teheran, Yalta, and Potsdam. Unless restitution is made, the United States should not be held bound by such unratified agreements. We must continue to use our moral leadership in the United Nations to demand that the suppressed rights of Lithuania and other subjugated nations to govern themselves be restored.

Although we mourn over her present plight, there is no cause for despair. Repeatedly, through her history, Lithuania has proved that her people can eventually overcome the temporary triumphs of oppressors. The Christian faith, which in 1399, defeated the Tartar invasion and saved all Europe from barbarism, is still with her today. It gives her the spiritual vigor to outlive any dictatorship. From my own knowledge and experience with my fellow Americans of Lithuanian descent, I know that deep in the heart of every Lithuanian is that passion for liberty and freedom which never dies. There is no power that can forever enslave a people who are determined to be free.

As the keynote of this ceremony, may I suggest that we rededicate ourselves in the determination to perseveringly reveal and present to the Christian world the facts and the truth about the persecution of Lithuania, so that the United Nations and the United States will be inspired to accept the full moral and humanitarian responsibility of restoring Lithuanian independence.

In this rededication, I am sure you will have the complete support of all Christian, freedom-loving people throughout the world. I am confident you can rely upon them to join in your efforts and prayers that your homeland may once again be free. May God grant that such a joyous day will soon be realized.

Remarks by Lt. Gov. Elliot L. Richardson

We Americans are a blessed people living in a blessed land. Though there are imperfections in our system, these imperfections are constantly exposed to the light of truth, and as people of good will, we strive to right wrongs and injustices wherever they lie. This is the strength of our way of life, for it promises always the hope of better things.

It is this hope that sustains us, this surety that we can look forward to a succession of better days. It is hope that sustains freedom-loving people the world over, people who do not now share our freedom, but who live in hope that one day freedom will be theirs.

No people anywhere in the world today live under tyranny more rigid than the brave people of Lithuania; no people find their yearning to be free more driving than do these noble people.

And no people deserve freedom more than the people of Lithuania. Though their striving for freedom has been long, their history of freedom has been short.

The people of Lithuania have a long history of heroic resistance to foreign domination. In the Middle Ages, Lithuania was a major state in central and eastern Europe, stretching, by the 14th century, from the Baltic to the Black Sea. In 1386, through marriage of the thrones, Lithuania and Poland were joined together. The development of these two countries was far superior to that of other nations in eastern Europe. Lithuania was one of the first countries to accept Christianity.

Toward the close of the 18th century, the Lithuanian people were overcome and completely dominated by the Russian czars. Yet their yearning to be free was paramount, and during the more than 120 years of Russian rule, they never gave up their fight for freedom. The end of the First World War gave them their long-awaited independence. They established a government based upon the spirit of equality denied to them over the centuries, and earned the respect of the entire world.

Lithuanians proclaimed their independence on February 16, 1918, and thereafter for a little more than 20 years they lived in well-deserved peace in their liberated country. Having rebuilt their war-torn country, and having put their homes in order, they had created a new and truly democratic way of life in their homeland. But this happy period was a short-lived dream.

Soon after the outbreak of the war, Lithuania had to deal alone with its implacable foe in the east, the Soviet Union. Early in 1940, Soviet troops were stationed in certain strategic parts of the country, ostensibly to protect Lithuania from the Germans. In June they were occupied by the Red army, and a month later the country was incorporated into the Soviet Union. Since those fateful days Lithuanians have not known freedom in their homeland. Today some 3 million Lithuanians are suffering under the stern and unbending regime of Communist totalitarian tyranny. Brutally they are being forced into a Russian mold. Their customs are forbidden, their language is denied to them, their culture is being suppressed. Freedom for Lithuania has become, once again, a dream.

This week, then, we celebrate the 48th anniversary of Lithuanian Independence Day. But it is a celebration accompanied by mixed emotions—joy and happiness at the memory of the momentous events of 1918, but grief and sorrow at the recollection of the tragic fate of Lithuania since World War II.

Here in Massachusetts, where the persecuted found freedom more than 300 years ago, we share the hopes and aspirations of the brave people of Lithuania.

May the day come soon when this proud state will once again know freedom; when the old language will be heard again in its streets, the old dances danced in the village squares, and the daimos, the folk songs of the people, be sung loud and clear by a people who once more know the blessings of liberty.

Dignitaries Present on Sunday, February 20, 1966, at Exercises Commemorating 48th Anniversary of the Independence of Lithuania, February 16, South Boston *High School*

Congressman James A. Burke.

Lt. Gov. Elliott Richardson, representing Gov. John A. Volpe.

Henry Scagnoli, deputy mayor of the city of Boston, representing John T. Collins, mayor.

Hon. Anthony O. Shalina, honorary consul of Lithuania in Boston.

Dr. Algirdas Budreckis, professor at Rutgers University, New York.

Attorney John J. Grigalus, president, American Lithuanian Council in Boston.

Algis Lapsys, chairman of the exercises.

Algis Zaporackas, president, World Lithuanian Youth Congress.

Ludvigs Reiters, president, American National Latvian League at Boston.

Dr. John Gidiuk, Ukranian Congress committeeman.

Paul Luuk, president, Estonian and Baltic Society.

Dr. John Oleksyshyn, professor at Boston University, Ukranian Congress Committee at Boston.

At a mass meeting of Lithuanians of Greater Boston held under the auspices of the American Lithuanian Council of Boston in the auditorium of South Boston High School, South Boston, Mass., on February 20, 1966, to commemorate the 48th anniversary of the independence of Lithuania and in appreciation of our country's firm and steadfast policy on nonrecognition of the illegal seizure and military occupation of Lithuania by the Soviet Government, the following resolutions were adopted.

Whereas this year reminds us of the 26th sorrowful years of Soviet occupation and subjugation of Lithuania made on June 15, 1940, a day of infamy; and

Whereas the United States of America has been in the forefront of the United Nations activities ending foreign colonialism in numerous Asiatic, African, and European countries; and

Whereas the Soviet Union is striving by any and all means to win recognition of its illegal seizure and incorporation of the Baltic States into the Soviet Union; and

Whereas the United Nations and the United States have been instrumental in freeing many formerly foreign colonial lands and bringing them into the community of free nations; and

Whereas the Soviet Union, while speaking out strongly for the abolition of all colonialism, has in actuality made Lithuania, Latvia, and Estonia the newest colonies in the Soviet empire: Now, therefore, be it

Resolved—

1. That we again express our appreciation and gratitude to our Government for its firm stand in refusing to recognize the fruits of the brutal Soviet aggression and military occupancy of Lithuania, Latvia, and Estonia.

2. That we urge our Government not to ratify the consular convention under discussion with the U.S.S.R. inasmuch as this

would only serve to increase the number of Communist espionage and sabotage centers in our country.

3. That we ask our Government to continue, whenever and wherever possible, to demand that the Soviets end their colonialism, withdraw their administration and forces from Lithuania and the other two Baltic States and allow them to restore their freedom and independence and self-rule.

4. That these resolutions be sent to the Honorable Lyndon B. Johnson, President of the United States; to the Secretary of the United States; to the Secretary of the United Nations; to the Senators and Congressmen from Massachusetts; the Governor of the Commonwealth of Massachusetts; the mayor of Boston, and the press.

THE AMERICAN LITHUANIAN COUNCIL OF BOSTON,
JOHN J. GRIGALUS,
President.
ANTHONY J. YOUNG,
Resolutions Chairman.
POVILAS BRAZAITIS,
Secretary.

Taras Shevchenko Statue

EXTENSION OF REMARKS
OF
HON. THADDEUS J. DULSKI
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, March 3, 1966

Mr. DULSKI. Mr. Speaker, as a result of historic events of 1963–64, pertaining to the unveiling of the Taras Shevchenko statue in our Nation's Capital, we are all aware of the importance and significance of this poet laureate, not only for the freedom of Ukraine but also of all other captive nations in Eastern Europe. House Document No. 445, entitled "Europe's Freedom Fighter," further explains the enduring power of this historic figure for the genuine independence of all nations in Eastern Europe.

In numerous communities throughout our country, the month of March is observed as Shevchenko Month—the anniversaries of both his birth and death. Shevchenko was born in 1814 and died in 1861.

I deem this to be an appropriate time to underscore again my proposal (H.J. Res. 226), providing for the issuance of a Taras Shevchenko freedom stamp. Although our energies, thoughts, and prayers today are concentrated on Vietnam, we must not forget the captivity of numerous nations in Eastern Europe, the largest of them being Shevchenko's Ukraine. I shall again urge the Postmaster General to consider this resolution favorably, and also continue to seek the support of all Members of this important undertaking.

Mr. Speaker, I insert the 1964 statement by President Johnson in regard to Shevchenko in the RECORD, as justification enough for the issuance of this stamp. Also, I insert the full text of my resolution:

STATEMENT BY THE PRESIDENT

It is most fitting that those who love and admire Taras Shevchenko should meet to seal and place in the crypt of his statue certain documents which will be of interest to American citizens in years to come.

The love for the Ukrainian poet laureate is fully understandable and pride in his accomplishments wholly justifiable.

It is most appropriate that here in the Capital City of this great and free Republic a statue of Shevchenko should have been erected to serve as a reminder to all the living, and those who follow us, of his greatness.

Shevchenko well deserves the honors paid him. He was more than a Ukrainian—he was a statesman and citizen of the world. He was more than a poet—he was a valiant crusader for the rights and freedom of men. He used verse to carry on a determined fight for freedom. His poetry was of and for the people. It gave hope to those in despair and stirred to action those who might otherwise have been resigned to enslavement.

So widespread was his audience and so great his influence that his words were read and loved far beyond the frontiers of his own land. So valued were the copies of his poems that families struggled to own two books—the Bible and Shevchenko.

As a member of the U.S. Senate back in 1960, I sent a message to your organization saying, "I would like to congratulate you for reasserting the spirit of freedom and liberty held by Ukrainians everywhere. I am convinced that the Democratic Party best serves the cause of Ukrainians everywhere in the world."

This is also my message to you in 1964. As President of the United States I renew my congratulations for your accomplishments and assure you that this Nation and this Government earnestly desire the return of freedom to all peoples from whom it is even now denied. And Shevchenko's poetry will serve as a constant reminder of this most important task.

H.J. RES. 226

Whereas in his 1964 Captive Nations Week proclamation the President declared: "It is appropriate and proper to manifest to the people of the captive nations the support of the Government and the people of the United States of America for their just aspirations" and urged all Americans "to give renewed devotion to the just aspirations of all people for national independence and human liberty"; and

Whereas since 1959 both President Dwight D. Eisenhower and President John F. Kennedy expressed similar thoughts and sentiments in their successive annual proclamations; and

Whereas the Eighty-sixth Congress of the United States honored Taras Shevchenko, Ukraine's poet laureate, by authorizing the erection of a monument to him on public grounds in Washington, District of Columbia; and

Whereas the same Congress provided for a documentary biography of Shevchenko in tribute to the everlasting spirit and works of this freedom fighter of Europe; and

Whereas the unremitting condemnations and attacks by imperialist Moscow and its colonial puppets against these farseeing acts clearly prove the wisdom of the United States Government in properly claiming this contemporary of Lincoln as one of freedom's outstanding lights; and

Whereas in 1961 the President of the United States paid respects to the ideals and immortal teachings of this former serf, whose poetry, art, and philosophy have deeply inspired the forty-five million Ukrainian nation in its aspirations to freedom and independence; and

Whereas the profound humanism of this champion of liberty was courageously directed against the colonial subjugation of all the non-Russian nations in eastern Europe and central Asia, as well as against the suppression of the Jews and the slavery of Negroes; and

Whereas in consonance with the policy of the United States it is both proper and fitting to advance the aspirations for freedom and independence of all nations by honoring their historic advocates of human liberty, and thus forging indissoluble spiritual ties with the respective peoples; and

Whereas by all evidence a freedom stamp series can become an important and essential vehicle of expression in the formation and strengthening of such ties: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster General is requested and authorized to create and initiate a captive nations freedom series of postage stamps in honor of national heroes of freedom. The first of this series shall be designated as the Taras Shevchenko freedom stamp, symbolizing the determined struggle of his Ukraine, the largest captive non-Russian nation in eastern Europe, for national freedom and independence. Within the selected format of the series, such stamps shall be of such denomination and design and shall be issued for such period commencing in 1965 as the Postmaster General shall determine.

The Problems of America's Merchant Marine Are Important to All Americans, Not Just the Shipping Industry

EXTENSION OF REMARKS
OF
HON. LEONOR K. SULLIVAN
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Thursday, March 3, 1966

Mrs. SULLIVAN. Mr. Speaker, it was my great pleasure last month to attend a meeting of the Propeller Club of New Orleans and, in my capacity as ranking member of the House Committee on Merchant Marine and Fisheries, discuss some of the problems of the merchant marine. These problems are of vital concern to all of us, as events in Vietnam have demonstrated particularly.

Under unanimous consent, I submit for inclusion in the CONGRESSIONAL RECORD my remarks in New Orleans on a subject which is now before the Congress and will be of increasing interest and importance to the Members.

The address referred to is as follows:

ADDRESS BY CONGRESSWOMAN LEONOR K. SULLIVAN BEFORE THE PROPELLER CLUB OF THE PORT OF NEW ORLEANS AND THE U.S. MERCHANT MARINE ACADEMY ALUMNI ASSOCIATION AT A LUNCHEON ON FEBRUARY 16, 1966, AT ROOSEVELT HOTEL

I am delighted to be here this afternoon, both as a member of a propeller club myself, and as ranking member of the House Committee on Merchant Marine and Fisheries, a committee which has a great deal to do, I realize, with how happy you people are—or how unhappy, perhaps—about maritime conditions and issues.

As you know, I am a Democrat, but to give a bipartisan flavor to the occasion, I must thank a Republican for my being able to come here today. The Republican I refer to is Abraham Lincoln, in whose name the Republicans in Congress always insist on a congressional recess at this time of year in order to try to raise some money for the forthcoming campaign. Later on, we Democrats give them a few days off from congressional chores while we celebrate and do some money raising of our own in the names of Thomas Jefferson and the hero of New Orleans, Andy Jackson.

But thanks to the extended Lincoln's birthday recess, I was finally able this year to arrange my schedule so as to accept at long last the flattering and repeated invitations I have received from the Propeller Club over the years to come and meet with you. HALE BOGGS, our majority whip and one of the outstanding leaders of this Congress, has been urging me for a long time to come to New Orleans, and so has my closest neighbor in the Rayburn House Office Building, EDDIE HÉBERT, who has a huge photographic mural of your city forming an entire wall of one of the rooms in his office, and who never loses an opportunity to boost this city. Across the hall from the photographic mural of New Orleans he has a huge painting of American soldiers fighting in the jungle, with murderous fire streaming from machineguns and rifles—and I got the message—come to New Orleans or else.

HALE BOGGS and EDDIE HÉBERT were close friends of my husband when I first went to Washington in 1941 as a congressional bride and EDDIE, in fact, was a fraternity brother of the late Congressman Sullivan. Since my election to Congress in 1953, the family friendships have continued, and my admiration for their legislative skills has grown as they rose in stature and seniority and effectiveness in the House of Representatives. Another tie I have had with you was the late T. A. Thompson, who ranked next in seniority to me on the Merchant Marine Committee, and we spent many, many hours in adjoining chairs in hearings and in executive sessions working on bills of importance to this area as well as to the Nation.

I feel at home here, furthermore, because the mighty river which passes through New Orleans as a gateway to the sea, carrying vast cargoes from the fabulous heartland of America, flows past my city too, and for 200 years has been a bustling channel of two-way communication between us, linking not only our industries but our cultures. The Jefferson National Expansion Memorial, featuring the tallest manmade structure in the Nation and the second highest in the world—the magnificient stainless steel arch designed by the late Eero Saarinen—symbolizes on the St. Louis riverfront the path of civilization westward from New Orleans, whence our first St. Louis settlers came.

Yes, I am glad to be here. I hope all of you will return the visit in the near future, while we are celebrating our bicentennial in St. Louis, a city which, like yours, lived under several different flags and absorbed the best of many cultures in developing its own distinctive flavor and uniqueness.

But I did not come here in my ex-officio capacity as one of St. Louis Mayor Alphonso Cervante's ambassadors; I came primarily to talk about maritime issues which are of grave concern to you, and which should be of grave concern to all Americans, but are seldom recognized as such.

The Merchant Marine Committee, on which I have enjoyed serving for 14 years, is, as I am sure you are well aware, strongly oriented to the marine environment—to the oceans and freshwater lakes and inland waterways and to the things and people affected by them. In addition to waterborne commerce in all of its aspects, our legislative and oversight responsibilities extend to the operations and activities of the Coast Guard, the Coast and Geodetic Survey, the Panama Canal—which is of particular importance to me as chairman of that subcommittee for the past 11 years—also to our commercial and sport fisheries, and, within the past few years, to the exciting and vital new field of oceanography. These legislative responsibilities are all related to one another, and each is important to our welfare, for our progress as a great nation, and perhaps our survival as well, depend more and more upon our ability to project our power and influence in and under the world's oceans.

In looking over the scene at the beginning of this session of Congress, I believe the area of our greatest emphasis within the committee this year will undoubtedly be in the field of the merchant marine. For our merchant marine is in trouble—in deep trouble—or rather, we as a nation are in deep water because of the decline in our deep-water shipping.

The national maritime policy of the United States was set forth 30 years ago in the Merchant Marine Act of 1936. It laid the groundwork and the guidelines for overcoming the depression-day neglect of ocean commerce, and for providing for long-range programs for the future. It is a matter of history that this remarkable measure, conceived during peacetime in an era when we were still pulling ourselves up off the economic floor, served as a most timely and fortunate preparation for World War II.

In those early days of the New Deal, our domestic shipping and tanker fleets were reviving, but our liners were sick. We were then carrying, and I quote, "only about 35 percent of our waterborne commerce." (Today, I should add, we carry less than 9 percent.) Yet at a time when our gross national product was less than $90 billion, we embarked in 1936 on a program of building 50 modern cargo, passenger and combination liners each year for a period of 10 years—interrupted, of course, by World War II and the crash program that by 1945 had produced the miracle of an average construction of about 1,000 large merchant ships per year over a period of 6 years.

However, compared to the 1936 objective of 50 subsidized ships a year, we constructed only 17 new American-flag vessels last year, and the target for the coming fiscal year is only 13—none of them bulk carriers.

Meanwhile, the Soviet Union has been building ships at a fast pace, and now has a fleet of 7 million tons, which is already in excess of our active fleet, with the expectation that by 1971 Russia's superiority over the American merchant marine will be 2 to 1. Furthermore, two-thirds of their ships are less than 10 years old, with 58 percent of their tankers being less than 5 years old. Much of our shipping, on the other hand, according to the president of the Longshoremen's Association, Thomas W. Gleason, in reporting to us last Thursday on the Vietnam unloading bottlenecks, comes under the heading of what he contemptuously referred to as "old rustbuckets."

The President of Delta Lines here in New Orleans, Capt. J. W. Clark, in his capacity as chairman of the Committee of American Steamship Lines, put it very well, I thought, in a talk in Washington a week or so ago to the Mississippi Valley Association when he described the American merchant marine—American-flag shipping—as the "key to our national security" and then added that at this particular time it is only "a skeleton key," as we lag in a poor sixth place today far behind Great Britain, Norway, Japan, Russia, and Liberia.

These are some of the things the Merchant Marine Committee plans to investigate in depth this year. Our new chairman, Congressman EDWARD A. GARMATZ, of Baltimore, Md., is a conscientious legislator and a strong partisan of a strong merchant marine—as was the late Mr. Bonner, who devoted his legislative efforts with all of his heart to that subject. I can assure you that the committee is neither complacent nor defeatist about the future of American-flag shipping, but our first job is to dig down and dig out the facts—to dredge them out and look at them objectively, to try to determine the direction in which the facts guide us, and then act. This will take time—many, many hours of hearings and study which we often feel we cannot spare from our other duties in the Congress, but must. We will certainly need the help and will want the advise of all of you who make your living from the shipping industry and who have an economic stake in the outcome of our deliberations, but your biggest stake in this, of course, is your stake as an American citizen rather than as owner, operator, or customer of shipping. I think all of you realize that.

However, people in business sometimes tend to make the same mistake of the late Charles E. Wilson of General Motors when he was testifying before the Senate Armed Services Committee in 1953, on his nomination for Secretary of Defense, and gave the impression he felt that what was best for his particular business firm was best for the country. I don't believe he actually expressed it that way, but that was the impression, and it haunted him throughout his career in public life. We learn pretty quickly in the Congress, from repeated exposure to the problem, how to cut through the testimony to the fine line which separates a witness' self-interest from the national interest; although sometimes, the two do go together, of course, and when this happens we can recognize that, too, I believe. In any event, we welcome advice, suggestions, comments, criticisms, ideas, and cautions, when expressed to us by witnesses who are knowledgeable in the field we are covering. So if you feel—any of you—that you can contribute to our understanding of the problems of our merchant marine, and help us solve them, don't hesitate to come before us and tell us about it—even if you do have a personal or corporate axe to grind. Usually, it's a legitimate one. If it isn't, we'll spot it and react accordingly.

But when and if you do testify—have your facts; do your homework. Don't just come and express opinions; we've got enough opinions of our own.

I sat through many days of hearings last year on a bill of mine to do what some of you might oppose—that is, to require Coast Guard inspection and certification of the safety of diesel-powered towboats and tugs, and the licensing of those crew members responsible for the vessel's navigation and safety. I introduced the bill originally because some of my constituents in St. Louis who work on the barges and tows were getting killed or seriously injured in accidents they insisted were caused by unsafe vessels and untrained crews operating on the Mississippi. When I introduced the bill in 1962 as a vehicle on which hearings could be scheduled—to get at the facts—everyone in management told me I was being taken in by the unions—that the whole thing was a union plot to get members.

By the time the hearings finally took place 3 years later, a lot of circumstances had changed—including the completion by the Coast Guard of several comprehensive studies clearly showing the need for such legislation (which the Coast Guard and the Treasury then redrafted for me so I could introduce it as an administration measure), but many of the industry people were still taking the same position as in 1962—just "agin" it. When we probed for facts, we often got only arguments and opinions, but not facts.

I don't want to argue that issue here. Anyone interested can write to me in care of the committee for a copy of the hearings and you can make your own judgments. My point, however, is this: whether a witness is for or against a bill, or for or against the puny recommendations for merchant marine purposes in the new budget, or for or against proposals for modernizing or improving our American-flag merchant marine, or for or against constructing American-flag shipping in foreign shipyards, or for or against changes in subsidy policies, or for or against the giveaway of the Panama Canal and the prompt and immediate jacking of tolls by the Republic of Panama—if she could take over the canal—to provide further riches for the favored few families there—whatever side a witness takes on legislation, he owes us facts in testifying before us.

Sometimes the facts we want and ask for may be a bit embarrassing to the witness' own position; he may feel we are asking him to testify, in effect, against himself—in violation of the spirit, at least, of the fifth amendment. But, personally, as well as in my capacity as a legislator, I admire a person who will stand up and argue his point of view with all of his might, but still be forthright and honest in answering questions which can help the Congress make honest and informed decisions on legislation. We are not infallible; sometimes we may even sound somewhat stupid in the questions we ask. But we feel deeply an obligation to try to act responsibly, based on facts and not on hunches, so we need all of the truth, not just the part which serves a firm's own interest. It is in this spirit that we are going into these hearings on our merchant marine.

Most of us are rather partisan to American-flag shipping to begin with; for instance, we feel strongly that the 50–50 cargo preference law is basically a national defense policy, and the shipping crisis over Vietnam certainly bears us out. When we increase our dependence upon foreign shipping for Government cargoes in peacetime, we later find ourselves confronted with the unhappy fact that we don't have the ships we need, and some of our fair-weather foreign-flag carrier friends who were so glad to get Government cargoes suddenly pull the rug out from under us by saying thank you very much but we aren't interested in taking any of your cargoes to Saigon right now—as recently happened.

As a result, we have a lot of our best shipping tied up off Saigon—all the way to the Philippines, according to one witness—waiting to unload, and undergoing the most exasperating and maddening delays which I hope the Longshoremen's President and other experienced consultants we have sent over there can help unravel, if only their recommendations are given a chance to work. There are good, fast ships as well as the "old rustbuckets" tied up for many weeks over there, and I wonder—and we want to know—what is happening on the commercial routes they were taken away from. Are we losing that business by default, possibly for good and, if so, what do we do about it?

Along those lines, we are very curious about the repeated claim that cargoes sent by American ships are more expensive than using foreign ships. We all know that the rates are set by conference agreements, and they are supposed to be the same for all ships participating in the agreements. This raises the question: Is there widespread cheating on conference rates by some foreign-flag lines—perhaps in the form of kickbacks? We want to know about that, too.

Speaking of the Vietnam delays, I saw a report from Capt. H. G. Beck, master of the *SS Louise Lykes* out of this port, on the first 2 weeks of his attempts to unload his cargo at Damang, Vietnam. It sounds bad enough to make strong men cry, in trying to match barges with labor and both with the necessary clearance papers and anchorages. The payoff was an episode the day after Christmas—there they were, stuck out there—and finally when everything was lined up for them to unload some of their rice, with the barges in place and the necessary labor on hand, the unloading was abruptly called off after 15 minutes because one Vietnamese official had failed to obtain a permit from another Vietnamese official permitting discharge into lighters. The next day, after this formality was straightened out and some unloading began, the master protested bitterly about the silly and expensive delay, but a self-important local individual pulled himself up to his full 5 feet, and pompously explained that the previous day was a Sunday and "they" didn't work on Saturday or Sunday.

As I got the story, your neighbor replied—and good for him—that he not only worked Saturday and Sunday but day and night, every day, and so did everyone else—the crew, the AID people there, the people loading the ship at home, in fact everyone, and one sure thing, the Vietcong were working, too.

Well, he got some of his cargo off, but the next day he was still hung up there with six empty barges alongside and no labor on the barges to land and stow the rice, or to check it on to the barge and none of his military cargo had yet been touched and he was sadly reporting to the company that if only things could be straightened out there he could unload in a few days, but, he wrote:

"Either there is no labor, or no checkers, or no barges, or the tide is wrong or too strong or even the lack of a piece of paper which nullifies all efforts."

In our committee we are deeply concerned over the shipping tieup in Vietnam, because we don't have the ships to spare for this wasteful use, and if we did, we don't have the trained crews—which is another of my great complaints I'd be glad to talk about for hours some day, going back again to the hearings we held on towboats on our inland waters. But that's another story.

We are now at a critical point of decision on our ocean shipping policies for the future, as we were in 1936, and there is no certainty which way we will go this time. In 1936 we made the right turn. But for some years now, we have been drifting in a calm in ship construction and in American flag operation. Foreign ships have taken over not only most of our commercial cargo, but our passenger business too. Recently we learned once again from the *Yarmouth Castle* disaster that the American flag should have a most important significance to the tourist—in the most fundamental thing of all, safety at sea. So the same American shipping lines which used to protest bitterly over the added costs of conforming to Coast Guard safety requirements, now find it excellent public relations and promotion practice to advertise such conformance. I hope we can now recapture a good deal of the tourist business, and that we will resume the construction of fine new ships to make travel by American-flag passenger vessels even more attractive.

But as to cargo ships, those who may think that the American Flag should—or has to—gradually disappear from the shipping lanes of the world, because it is perhaps an expensive luxury we cannot afford, have either forgotten, or are much too young to know about the recurring crises in recent history when defense needs suddenly made us dependent upon our own ships. I do not feel we should place the main reliance for so much of our vital commerce—vital to our survival—on foreign ships which owe us nothing whatsoever and whose owners are glad to have our business when it is convenient or profitable, but not when it entails any sacrifice. For sacrifice, we know—we've always known—we can depend only on our own. Thank you.

SENATE

Friday, March 4, 1966

The Senate met at 12 o'clock meridian, and was called to order by the Acting President pro tempore (Mr. **Metcalf**).

Bishop W. Earl Ledden, Wesley Theological Seminary, Washington, D.C., offered the following prayer:

Almighty God, Father of us all, we stand in reverence before Thee to acknowledge our common need of Thee in this demanding hour.

Again we invoke Thy blessing upon the burdened Members of this honored body that they may be strengthened to do that which is right in Thy sight this day.

And we remember before Thee all those who are in the gallery, for they too have their duty to perform. In this land of liberty they too are among "those in authority." Grant them wisdom to distinguish what is right and courage to pursue it.

May they and the democratic society of which they are a part give strong support to every effort put forth on the floor of this Chamber for the establishment of that righteousness which exalts the Nation and makes straight a highway for our God.

So may we all acknowledge Thee this day and, together with men of good will throughout the earth, be privileged to establish in the world a habitation fit for Thy human family for whom Christ died.

In His name. Amen.

THE JOURNAL

On request of Mr. **Mansfield**, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, March 2, 1966, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries, and he announced that on March 3, 1966, the President had approved and signed the act (S. 9) to provide readjustment assistance to veterans who serve in the Armed Forces during the induction period.

REPORT ON ACTIVITIES UNDER COMMUNICATIONS SATELLITE ACT OF 1962—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 400)

The ACTING PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Commerce:

To the Congress of the United States:

A new communications era has begun.

The first commercial satellite is in orbit over the Atlantic Ocean, in an unchanging location linking millions of people, thousands of miles apart, in reliable telecommunications between North America and Europe.

The flights of our astronauts, the Olympic games, international policy discussions, and other occasions of broad interest and major importance have been transmitted throughout the world by way of communications satellites. Today information is made available for improving health, warning against major storms, and increasing agricultural output.

This historic space bridge will be enlarged. Satellites scheduled to be launched later this year are to span the Pacific and expand coverage over the Atlantic.

The commercial satellite service will advance to provide this new and unique telecommunications capability to other areas of the world.

In the foreseeable future, entire newspapers and service from the world's greatest libraries will be able to enter the homes of all those eager for knowledge.

This dramatic effort follows from the Communications Satellite Act of 1962, which called for the establishment of a worldwide commercial communications system as soon as practicable.

With the Communications Satellite Corp. as the U.S. representative designated by the act, an international consortium of participants in this global venture continues to grow. Forty-eight countries are now engaged in this joint venture, with the corporation acting as manager on behalf of all participants under the international agreements.

In the forward movement of the communications satellite program, all agencies of the Government and the committees of the Congress have assisted in carrying out the objectives and purposes of the act.

Under section 404(a) of the act, I am transmitting to the Congress a report on this national program, which is successfully advancing communications satellite technology to the benefit of the people of the United States and the world.

Lyndon B. Johnson.

The White House, *March 3, 1966.*

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, informed the Senate that, pursuant to the provisions of section 1, Public Law 372, 84th Congress, as amended, the Speaker had appointed Mr. Kupferman, of New York, as a member of the Franklin Delano Roosevelt Memorial Commission, to fill an existing vacancy thereon.

The message announced that the House had passed the bill (S. 2614) to provide for U.S. participation in the 1967 statewide celebration of the centennial of the Alaska Purchase, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the bill (S. 1666) to provide for the appointment of additional circuit and district judges, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had passed a bill (H.R. 12322) to enable cottongrowers to establish, finance, and carry out a coordinated program of research and promotion to improve the competitive position of, and to expand markets for, cotton, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H.R. 12563) to provide for the participation of the United States in the Asian Development Bank.

HOUSE BILL REFERRED

The bill (H.R. 12322) to enable cottongrowers to establish, finance, and carry out a coordinated program of research and promotion to improve the competitive position of, and to expand markets for, cotton, was read twice by its title and referred to the Committee on Agriculture and Forestry.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. Mansfield, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. Mansfield, and by unanimous consent, the Committee on Agriculture and Forestry was authorized to meet during the session of the Senate today.

On request of Mr. Long of Louisiana, and by unanimous consent, the Aviation Subcommittee of the Committee on Commerce was authorized to meet during the session of the Senate today.

VFW SELECTS SENATOR EVERETT M. DIRKSEN FOR ITS 1966 CONGRESSIONAL AWARD

Mr. MANSFIELD. Mr. President, for the past 3 years, the Veterans of Foreign Wars of the United States has nominated a Member of the Congress to be the recipient of a special award. The choice of a recipient is made with great care and on a nonpolitical basis. The VFW chooses the recipient for the leadership he has shown during his membership in the Congress—either in this Senate or in the House of Representatives.

The VFW Congressional Award is as high an honor as that organization confers. Upon the plaque, the following words are inscribed: "For outstanding service to the Nation." Simple words they are, but towering words.

As I understand it, the VFW hopes that by making this annual award they will dramatize for their membership of 1,300,000 and for the entire Nation, the importance of a freely elected legislature in serving the ends and needs of our great Republic. The VFW also hopes to emphasize for all Americans that the tasks of the Congress include the fostering of patriotism, of Americanism. Finally, the organization seeks to stress that the Congress is a defender of the Nation and of the institutions of American freedom for all citizens.

Mr. President, I list the six criteria the Veterans of Foreign Wars uses in its guidelines in presenting this distinguished award:

First. Dedication to the preservation and perpetuation of the ideas upon which the American system of Government is based;

Second. Recognition by his colleagues of his service, whether that service is one of quiet dedication and hard work or one which achieves wide publicity in the best and highest interest of the Nation;

Third. Exemplification of the principles of civic duty shared by the VFW, which emphasizes the individual, the community, the State, and the Nation;

Fourth. Unswerving loyalty to, and active performance in, the defense and security of the Nation against its foes, whoever and wherever they may be;

Fifth. Compassionate, practical attention to the needs of those men and women who have selflessly given of themselves to the service of America, not only in its wars, but in peaceful pursuits as well; and

Sixth. Dedication to his legislative responsibilities over a period of years, continuous growth in legislative responsibility and experience, not only in fields of special interest to any particular group in American life but in his overall stewardship.

The first of the VFW awards was made on March 10, 1964, and the recipient was the distinguished President pro tempore of the U.S. Senate, the Honorable Carl Hayden, of Arizona. The second recipient of the VFW Congressional Award was the distinguished Speaker of the other body, the House of Representatives, the Honorable John W. McCormack, of Massachusetts.

Mr. President, I know that my Senate colleagues and all Americans applaud the choice of the 1966 Congressional Award by the VFW. Many of you already know that choice. It is Everett McKinley Dirksen, of Illinois.

It could not have gone to a more deserving, more capable, more honorable legislator. I cannot think of a more qualified Member of this entire legislative body. For 30 years Senator Dirksen has served his constituents and his Nation with high idealism and dedication. He has served in both Houses of the Congress.

Everett McKinley Dirksen has carried the flag of this Nation in many ways. He fought in France during World War I. He has fought here in the Senate, time and again, for the principles upon which the Nation was founded. Everett McKinley Dirksen has been a champion of freedom for all men. He has carried the battle standard of his principles with courage and conviction.

Mr. President, I know that my colleagues join me in heartfelt congratulations to our colleague for the honor which has come to him. I wish, even more, to congratulate the Veterans of Foreign Wars which has had the wisdom to select him for this award. I know the

U.S. Senate will be overwhelmingly represented at the ceremonies when it is conferred, Tuesday, March 8, at the Sheraton-Park Hotel.

Mr. KUCHEL. Mr. President, this is a fitting and appropriate tribute by one great American to another. Surely every U.S. Senator shares in the honor that comes now to the leader of the minority for all the valor and courage which has marked his labors over the years for the benefit of the public, and the success they have achieved.

So I rise to associate myself with my able friend, the leader of the majority, as he pays tribute to a great American, the minority leader.

Mr. MANSFIELD. I am sure I spoke also for 97 other Senators.

Mr. YOUNG of North Dakota. I, too, wish to join in the tribute to this great American. He has distinguished himself in every field of endeavor he has undertaken, and has endeared himself, I think, to all Americans. This is an award well deserved. I salute my friend [Mr. Dirksen], on this well-deserved recognition.

Mr. DOMINICK. Mr. President, Everett McKinley Dirksen has become synonomous to all of us with the highest form of verbal felicity, the best in traditional eloquence which stirs the heart and soul of every American citizen, and, most importantly, with the viable, vital spirit of the Republican Party and our Nation's heritage. Our minority leader has earned every plaudit, every accolade, and every appellation he has received, and it is indeed a privilege to join with all the Members of this body in singing his praises.

Today's tributes should be accompanied with bouquets of marigolds. Our flowing words cannot match the flowering oratory of the distinguished junior Senator from Illinois. Our remarks cannot begin to catch the indomitable humor expressed so often by the "pulsating lover" of the play, "A Thousand Years Ago." We are unequal to the task of describing the good will, the loyalty to country, and the high statesmanship of "the man from Pekin" who has made his mark not just here in the Senate but throughout the Nation and the world.

Like so many of my colleagues, I have found the guidance and support of Senator Dirksen invaluable. Without his consummate skill in the use of the parliamentary tactics of this body, I am sure many of us would have long ago foundered in the complexities of the Senate rules. Through apt use of word and action, the minority leader of the Senate has demonstrated time and again his ability to pull together opposing forces, consolidate strength, and achieve victories where defeats were all but certain.

The "incandescent fulminations" of the man from Pekin will remain with us as guideposts for greatness. As long as there is a Republican Party, Everett McKinley Dirksen will stand with Abraham Lincoln, Teddy Roosevelt, Robert Taft, and Dwight David Eisenhower as a symbol of integrity, honesty, and capable leadership for our party, our Nation, and the world.

The tributes we pay today are repeated every day in the capitols of every nation of the world. The minority leader's name is praised by every man on the street, including those who belong to opposing organizations and political parties. His strength comes not from our words of commendation, but from his intimate knowledge of how we, the American people, think and respond to the issues of the day. His strength has buoyed up the Republican Party in its darkest days and will lead the Republican Party into brighter days of the future. His strength will, in the decades to come, abash those who aspire to evil manipulations of this democratic system and hearten those who patriotically serve the United States of America.

My hat is off to the junior Senator from Illinois and my hand, holding gold and burnished marigolds, is extended in sincere admiration for his skill in playwriting, acting, speaking, but most of all, for his statesmanship and courage.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to consider executive business, for action on nominations.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGE REFERRED

The ACTING PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. McINTYRE, from the Committee on Armed Services:

Charles F. Baird, of New York, to be an Assistant Secretary of the Navy.

By Mr. RUSSELL of Georgia, from the Committee on Armed Services:

Maj. Gen. Lewis W. Walt, U.S. Marine Corps, for commands and other duties determined by the President, for appointment to the grade of lieutenant general while so serving.

Mr. BYRD of Virginia. Mr. President, from the Committee on Armed Services I report favorably the nominations of four general officers in the Marine Corps Reserve and ask that these names be printed on the Executive Calendar.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The nominations, ordered to be printed on the Executive Calendar, are as follows:

Charles F. Duchein and Sidney S. McMath, officers of the Marine Corps Reserve, for temporary appointment to the grade of major general; and

Leland W. Smith and Arthur B. Hanson, officers of the Marine Corps Reserve, for temporary appointment to the grade of brigadier general.

Mr. BYRD of Virginia. Mr. President, in addition, I report favorably 1,134 nominations in the Army in the grade of captain and below; 15,763 nominations in the Navy in the grade of captain and below; and 2,728 nominations in the Marine Corps in the grade of lieutenant colonel and below.

Since these names have already been printed in the Congressional Record, in order to save the expense of printing on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The nominations, ordered to lie on the desk, are as follows:

Robert F. Comeau, and sundry other persons, for appointment in the Regular Army;

Wade V. Mallard, and sundry other distinguished military students, for appointment in the Regular Army of the United States;

Robert E. Bass, and sundry other officers, for promotion in the U.S. Navy; and

Elaine T. Carville, and sundry other officers, for promotion in the Marine Corps.

The ACTING PRESIDENT pro tempore. If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar.

FEDERAL RESERVE SYSTEM

The legislative clerk read the nomination of Andrew F. Brimmer, of Pennsylvania, to be a member of the Board of Governors of the Federal Reserve System for a term of 14 years.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

FEDERAL DEPOSIT INSURANCE CORPORATION

The legislative clerk read the nomination of William W. Sherrill, of Texas, to be a member of the Board of Directors of the Federal Deposit Insurance Corporation for a term of 6 years.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

COMPTROLLER GENERAL

The legislative clerk read the nomination of Elmer Boyd Staats, of Kansas, to be Comptroller General of the United States for a term of 15 years.

Mr. McCLELLAN. Mr. President, I would like the Record to show that the members of the Committee on Government Operations were unanimous in their endorsement of Mr. Elmer Boyd Staats for the position of Comptroller General of the United States.

This action takes on added significance in view of the particular interest the Congress has in this position because it was established as an office of the legislative branch of the Government.

The office was designed to function as a watchdog over all Federal expenditures, and in this day of burgeoning budgets, the American people have a continuing need for the services of highly capable and experienced men in that job. We have been particularly fortunate in that regard in the past and I know that Mr. Staats will carry forward this fine tradition. He is eminently qualified for the task.

Mr. Staats has had a long and distinguished career with the Bureau of the Budget—spanning more than 20 years. He has served as Deputy Director of the Bureau of the Budget under four Presidents, a tribute to his ability and ample evidence of his dedication to public service.

Over the years, the Committee on Government Operations has had a close and highly successful working relationship with the General Accounting Office and I am certain that this fruitful arrangement will be continued under the leadership of Mr. Staats.

I commend President Johnson for his selection of Mr. Staats for the position of Comptroller General of the United States.

I ask unanimous consent that a staff memorandum in connection with Mr. Staats' qualifications for this important and high office be printed at this point in the RECORD.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

STAFF MEMORANDUM NO. 89-2-6, SENATE COMMITTEE ON GOVERNMENT OPERATIONS, FEBRUARY 23, 1966

Subject: The nomination of Elmer Boyd Staats, of Kansas, to be Comptroller General of the United States for a term of 15 years.

I. BIOGRAPHY OF ELMER B. STAATS

Elmer B. Staats has been Deputy Director of the Bureau of the Budget under four Presidents. Prior to his appointment by President Kennedy in January 1961, he had held this position under President Eisenhower from March 1959 to January 1961, and under President Truman from April 1950 until January 1953.

Mr. Staats first joined the Bureau of the Budget in 1939, and served in various capacities until 1953, including the positions of Assistant Director for Legislative Reference, and Executive Assistant Director. During World War II he was in charge of the Bureau's budget estimates work covering the major war agencies.

He left Government service early in 1953 to serve for approximately a year as research director for Marshall Field & Co. in Chicago. He returned to Washington as Executive Officer of the newly established Operations Coordinating Board under the National Security Council. He held this post until September 1958 when he returned to the Bureau of the Budget as an Assistant Director, becoming Deputy Director in March 1959. Before coming to the Bureau in 1939, he was with the Kansas Legislative Council in Topeka, Kans., and the Public Administration Service in Chicago.

Mr. Staats has been a member of the National Council of the American Society for Public Administration since 1957 and was national president of the society in 1961–62. He was chairman of the Conference on the Public Service in 1959–60. He is also a member of the advisory committee of the University of Wisconsin's Center for Advanced Study in Government Administration, and a member of the advisory council of the Brookings Institution's Conference on Public Affairs.

He received an A.B. degree from McPherson College, McPherson, Kans.; an M.A. degree from the University of Kansas; and a Ph. D. degree from the University of Minnesota. He was a fellow of the Brookings Institution from 1938 to 1939. He is a member of Phi Beta Kappa and was a recipient of the Rockefeller Public Service Award in 1961.

He was born in Richfield, Kans., on June 6, 1914. He is married and has three children.

II. THE OFFICE OF COMPTROLLER GENERAL

The Comptroller General is the principal officer of the General Accounting Office, which was created as an arm or agent of the Congress. The Comptroller General is thus directly responsible to the Congress.

The Comptroller General and the Assistant Comptroller General are appointed by the President with the advice and consent of the Senate. The law provides that these officers shall hold office for 15 years, and shall be subject to removal only by joint resolution of the Congress for specified causes or by impeachment. The Comptroller General is not eligible for reappointment.

III. THE GENERAL ACCOUNTING OFFICE

The General Accounting Office is under the direction and control of the Comptroller General of the United States.

The GAO is a nonpolitical, nonpartisan agency in the legislative branch of the Government created by the Congress to act in its behalf in examining the manner in which Government agencies discharge their financial responsibilities with regard to public funds appropriated or otherwise made available to them by the Congress and to make recommendations looking to greater economy and efficiency in public expenditures.

The Office was created by the Budget and Accounting Act, 1921, and placed under the direction and control of the Comptroller General of the United States, which Office also was established by the 1921 act. The act transferred audit responsibility from the Treasury Department in the executive branch to the General Accounting Office, which was declared by the act to be independent of the executive departments. The General Accounting Office was vested with all the powers and duties formerly prescribed by the Dockery Act of July 31, 1894, for the six auditors and the Comptroller of the Treasury and by other statutes extending back to the creation of the Treasury Department by the act of September 2, 1789.

In addition, the 1921 act broadened the scope and objectives of the audit work. It requires the Comptroller General to investigate all matters relating to the receipt, disbursement, and application of public funds and to make recommendations looking to greater economy or efficiency in public expenditures; to make such investigations and reports as shall be ordered by either House of Congress or by a committee of either House having jurisdiction over revenue, appropriations, or expenditures; and, at the request of any such committee, to direct assistants from the General Accounting Office to furnish the committee such aid and information as it may request.

One of the purposes of the 1921 act was to provide for an independent audit of Government accounts. The need for an audit to be made by "an establishment of the Government independent of the executive departments," the term applied to the General Accounting Office in the 1921 act, is clearly expressed in the following excerpts from the legislative history of the act:

"The creation of an independent auditing department will produce a wonderful change. The officers and employees of this department will at all times be going into the separate departments in the examination of their accounts. They will discover the very facts that Congress ought to be in possession of and can fearlessly and without fear of removal present these facts to Congress and its committees. The independent audit will, therefore * * * serve to inform Congress at all times as to the actual conditions surrounding the expenditure of public funds in every department of the Government.

"It was the intention of the committee that the Comptroller General should be something more than a bookkeeper or accountant; that he should be a real critic, and at all times should come to Congress, no matter what the political complexion of Congress or the Executive might be, and point out inefficiency.

"The bill then provides for the appointment of an official termed the Comptroller General, whose duty it is to follow every appropriation made by Congress and see that the money is properly spent. This will be of invaluable service to Congress, as this official, being entirely independent of every other branch of the Government, is directly responsible to Congress."

The Comptroller General and the General Accounting Office were declared to be part of the legislative branch of the Government by the Reorganization Act of 1945, 59 Stat. 616, and the Reorganization Act of 1949, 5 U.S.C. 133–5. The Comptroller General was specifically designated an agent of the Congress by the Accounting and Auditing Act of 1950, 31 U.S.C. 65.

Authority and responsibility is also placed on the Office by many laws in addition to the 1921 act, such as the Government Corporation Control Act of 1945, the Legislative Reorganization Act of 1946, the Federal Property and Administrative Services Act of 1949, the Post Office Department Financial Control Act of 1950, and the Accounting and Auditing Act of 1950.

Liaison with the Congress

Members of the staff of the Office of Legislative Liaison of the General Accounting Office are in constant contact with the committees of Congress and their staffs and with the Members of the Congress to confer with them and to supply such information as they may require in connection with the several hundred audit, investigative, and legislative reports submitted by the Comptroller General each year to the Congress or to its committees, Members, and officers.

This staff also arranges for furnishing the various types of special assistance requested by the committees or Members of Congress. This includes arranging with the responsible operating divisions and offices for special audits, surveys, and investigations; for the assignment of personnel to assist congressional committees; and for the appearance of witnesses to testify before congressional committees on the subject matter of the audit and investigative reports, on legislative recommendations contained in the reports, or on bills before the committees for consideration.

Purpose

As an agency in the legislative branch, the General Accounting Office was created to assist the Congress in providing legislative control over the receipt, disbursement, and application of public funds. Its principal functions are in the fields of auditing, accounting, claims settlement, legal decisions, special assistance to the Congress, and records management and services.

Auditing

The General Accounting Office performs an independent audit of receipts, expenditures, and use of public funds by departments and agencies of the Federal Government, and audits the records of certain Government contractors and their subcontractors and of certain recipients of Federal financial assistance such as loans, advances, grants, or contributions.

The primary purpose of audits by the General Accounting Office is to make for the Congress independent examinations of the manner in which Government agencies are discharging their financial responsibilities. Financial responsibilities of Government agencies are construed as including the administration of funds and the utilization of property and personnel only for authorized programs, activities, or purposes, and the conduct of programs or activities in an effective, efficient, and economical manner.

To carry out these functions, the Comptroller General or his authorized representatives are authorized by law to have access to and examine any books, documents, papers, or records—except those pertaining to certain funds for purpose of intercourse or treaty with foreign nations—of any department or establishment.

Implicit in the audit responsibilities is a responsibility to report to the Congress information obtained in the audits. In addition, section 312(a) of the 1921 act requires the Comptroller General to submit to the Congress an annual report of the work of the General Accounting Office. In this report, or in special reports to the Congress, he is to make recommendations looking to greater economy or efficiency in public expenditures.

Accounting: The Comptroller General is responsible for prescribing principles, standards, and related requirements for accounting by the executive agencies. The agencies are responsible for establishing and maintaining the accounting systems, but these are to conform with the prescribed principles, standards, and related requirements.

The General Accounting Office cooperates with the agencies in the development of their accounting systems, reviews the systems from time to time, and approves them when deemed to be adequate and in conformity with the requirements of the Comptroller General.

Also, the Comptroller General, the Secretary of the Treasury, and the Director of the Bureau of the Budget conduct a continuous program for the improvement of accounting and financial reporting. The other Government agencies also participate in this joint financial management improvement program.

Settlement of accounts and claims: The General Accounting Office has responsibility for settling the accounts of disbursing and collecting officers who are accountable for public funds and for making settlements with certifying officers when there are improper certifications on vouchers. The Office also settles claims (1) against the United States as required by law or where doubt of legal entitlement exists, (2) by the United States where efforts by the responsible agencies have not been successful. GAO also reviews private cases where individuals may be dissatisfied with rulings or decisions of the executive departments or agencies. Such reviews may be obtained on the individual's own initial without the use of legal counsel.

The balances certified by the Comptroller General are final and conclusive upon the executive branch. However, the Comptroller General may review any settled account or claim either on his own motion or at the request of an interested party.

Debt collection: The responsibility for collecting debts stems from the provision in 31 U.S.C. 71 that all claims and demands by the Government of the United States shall be settled and adjusted in the General Accounting Office and from 31 U.S.C. 93 which provides that the General Accounting Office shall superintend the recovery of all debts finally certified by it to be due to the United States.

Decisions of the Comptroller General: The Comptroller General is required by law to render decisions as to the legality of expenditures of public funds to heads of executive departments or independent agencies, or disbursing or certifying officers, who are authorized to apply for a decision upon any question involving a payment to be made by or under them or pursuant to their certification. In addition, many legal questions arise in the audit and settlement work of the General Accounting Office which require determination.

Under certain circumstances, contracting officers may request advance decisions on questions involving the awarding of a contract. Also, any bidder may request a decision on the legality of a proposed or actual award of a contract adversely affecting him.

By law, the decisions of the Comptroller General are final and conclusive on the executive branch of the Government and establish the validity of the individual payments and, in some instances, the legality of entire programs.

Special assistance to the Congress: In addition to the work which it initiates, the General Accounting Office makes many special audits, surveys, and investigations at the specific request of congressional committees, as required by law. Special audits, surveys, and investigations are also made and information, often relating to the legality of specific transactions or to their conformance with existing regulations, is furnished at the request of Members of Congress.

General Accounting Office representatives may be assigned to assist specified committees at their request and are called upon frequently to testify before congressional committees on various matters. Another service to the Congress consists of furnishing comments on proposed legislation.

Rules, regulations, and decisions: The Comptroller General makes such rules and regulations as deemed necessary for carrying on the work of the General Accounting Office, including those for the admission of attorneys to practice before it. Under the seal of the Office, he furnishes copies of records from books and proceedings thereof, for use as evidence in accordance with the act of June 25, 1948 (62 Stat. 946; 28 U.S.C. 1733).

The General Accounting Office "Policy and Procedures Manual for Guidance of Federal Agencies" is the official medium through which the Comptroller General promulgates (1) principles, standards, and related requirements for accounting to be observed by the Federal departments and agencies, (2) uniform procedures for use by the Federal agencies, and (3) regulations governing the relationship of the General Accounting Office with other Federal agencies and with individuals and private concerns doing business with the Government.

IV

Following is a summary of the activities of the General Accounting Office which appears in its most recent annual report to the Congress (covering fiscal year ending June 30, 1964):

"During the year our staff carried out its work at 2,782 locations throughout the world, including 41 foreign countries in which we carried out assignments at some 340 various locations.

"Refunds, collections, measurable savings, and other financial benefits resulting from the work of the General Accounting Office amounted to $321,489,000. This amounted to a return of over $7 for every dollar spent by the General Accounting Office for the year. Actual refunds and collections made by or through our efforts during the year amounted to $27,166,000.

"We made 480 examinations and audits at 273 plants and offices of contractors and subcontractors holding contracts with the Armed Forces, and at 127 plants and offices of contractors and subcontractors holding contracts with civil departments and agencies of the Government.

"In the civil departments and agencies, we made 980 reviews of selected activities and programs at 1,460 locations within the United States, including 275 non-Federal locations, such as State and local governments, public works sites, and various other recipients of Federal grants, loans and funds.

"We made 856 reviews of selected defense activities and programs and 94 reviews of selected international activities and programs at 780 military installations and 142 nonmilitary locations, including 31 agencies of foreign governments and 108 other locations in foreign countries.

"During the year we audited 4.8 million bills of lading covering freight shipments and 2.5 million transportation requests for passenger travel, and issued 73,251 claims against the carriers for overcharges totaling $11.4 million. We also settled 22,673 claims from carriers against the Government totaling $19.1 million for $15 million, or $4.1 million less than claimed. In addition to these direct settlements, we furnished assistance to the Department of Justice in some 134 legal actions involving claims against the Government for $5.3 million which were settled for $4.1 million, or $1.2 million less than claimed.

"In our legal work, we handled 5,330 decisions and related legal matters. Included in the total were 788 legislative and legal reports submitted to committees and Members of the Congress on information of interest to them and 86 reports to the Director of the Bureau of the Budget on proposed, pending, or enrolled bills and on other legal matters.

"We settled and disposed of a total of 7,450 general claims against the United States, consisting of 615 claims involving Government contracts, 3,236 claims involving military personnel, and 3,599 claims involving civilian personnel and other public creditors of the United States. In the settlement and disposition of these claims we certified the sum of $33,879,969.13 for payment. We also adjusted and settled 43,267 claims by the United States and collected $6,410,067.98. At the end of the fiscal year 1964 we had 14,052 claims under collection representing accounts receivable in the total amount of $6,304,874.85. During the year we reported 3,842 claims to the Department of Justice for collection by suit, if appropriate, and at the end of the year the accounts receivable for claims pending with that Department totaled $3,422,258.35.

"During fiscal year 1964, we issued 1,010 audit reports, an increase of 192 over the previous fiscal year. We submitted 293 reports on audits or investigations to the Congress and 197 reports to congressional committees, officers of the Congress, or individual Members of Congress on audits or investigations made at their request. Of the 490 congressional reports, 229 related to activities of the civil departments and agencies of the Government, 225 pertained to activities in the Department of Defense and the three military departments, 34 related to international activities including military and economic assistance to foreign countries, and 2 related to Government-wide activities. In addition, we issued 520 reports to officials of the various departments and agencies and furnished copies in many cases to the congressional committees or interested Members of the Congress.

"As a consequence of our reports and other work, our representatives testified before congressional committees on 23 occasions and on a variety of subjects during the fiscal year. Ninety-eight General Accounting Office attorneys, accountants, auditors, and investigators were assigned to the staffs of 21 congressional committees or subcommittees during the 1964 fiscal year. Over 9,200 man-days of technical assistance were provided for work directly with and under the control of the congressional committees.

"Our operating expenses for the year amounted to $43,713,000, approximately $2 million less than appropriated. Our staff at the yearend totaled 4,350, as compared with 4,659 at June 30, 1963, a net decrease of 309. During the past 10 years, our staff has been reduced by 1,563, or approximately 26 percent."

JAMES R. CALLOWAY,
Chief Clerk and Staff Director.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield to the Senator from California.

Mr. KUCHEL. I am delighted to join my friend from Arkansas in the comments he has just made concerning the Comptroller General. I share his feelings. I have known Elmer Staats and have had occasion to work with him from time to time in his capacity in the Budget Bureau. I simply congratulate the American people for having this kind of public servant in this new field of responsibility.

Mr. COOPER. Mr. President, the nomination of Elmer B. Staats to be Comptroller General of the United States merits the highest praise. I have had the privilege of knowing and working with Mr. Staats over a period of many years, since I first came to the Senate in 1947.

As a public official, Mr. Staats has served as Deputy Director of the Bureau of the Budget under each of the last four Presidents. His Government career began in 1939, and although he did spend several years as an executive in private industry, he has given the greater part of his career to high public service.

I know that others have spoken of his achievements and accomplishments, but I would like to say that he also has shown himself to be a man of patience, thoughtfulness, and fairness in his consideration of problems that come before him. Each year, the Members of Congress from Kentucky have met with him and his staff as an official group—to present their views on budget items affecting Kentucky—and he always heard us with careful attention and acted objectively.

His qualities and his experience will stand the Congress in good stead, and I am pleased that the Senate will confirm his nomination today.

The ACTING PRESIDENT pro tempore. The question is, Will the Senate advise and consent to the nomination? The nomination is confirmed.

FOREIGN CLAIMS SETTLEMENT COMMISSION

The legislative clerk read the nomination of Theodore Jaffe, of Rhode Island, to be a member of the Foreign Claims Settlement Commission for a term of 3 years.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

DEPARTMENT OF JUSTICE

The legislative clerk proceeded to read sundry nominations in the Department of Justice.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The ACTING PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

REPORT OF U.S. ADVISORY COMMISSION ON INFORMATION

The ACTING PRESIDENT pro tempore laid before the Senate a letter from the Chairman, U.S. Advisory Commission on Information, Washington, D.C., transmitting, pursuant to law, a report of that Commission, dated February 1966, which, with the accompanying report, was referred to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations, without amendment:

S. 2540. A bill to authorize the conclusion of an agreement for the joint construction by the United States and Mexico of an international flood control project for the Tijuana River in accordance with the provisions of the treaty of February 3, 1944, with Mexico, and for other purposes (Rept. No. 1049); and

S. Con. Res. 71. Concurrent resolution to approve selecting of the U.S. Olympic Committee and to support its recommendations that the State of Utah be designated as the site for the 1972 winter Olympic games (Rept. No. 1059).

By Mr. SCOTT, from the Committee on the Judiciary, without amendment:

S. 2266. A bill to authorize the Attorney General to transfer to the Smithsonian Institution title to certain objects of art (Rept. No. 1048).

Mr. DIRKSEN subsequently said: Mr. President, I ask unanimous consent that the names of the Senator from New York [Mr. JAVITS] and the Senator from Pennsylvania [Mr. SCOTT] be added as cosponsors of S. 2266, to authorize the Attorney General to transfer to the Smithsonian Institution title to certain objects of art.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

By Mr. PROXMIRE, from the Committee on Banking and Currency, with amendments:

S. 2729. A bill to amend section 4(c) of the Small Business Act (Rept. No. 1057).

REPORT ENTITLED "THE FEDERAL JUDICIAL SYSTEM"—REPORT OF A COMMITTEE (S. REPT. NO. 1050)

Mr. DIRKSEN. Mr. President, on behalf of the Senator from Maryland [Mr. TYDINGS], from the Committee on the Judiciary, I ask unanimous consent to submit a report entitled "The Federal Judicial System," pursuant to Senate Resolution 45, 89th Congress, and ask that it be printed.

The ACTING PRESIDENT pro tempore. The report will be received and printed.

REPORT ENTITLED "TRADING WITH THE ENEMY ACT"—REPORT OF A COMMITTEE (S. REPT. NO. 1051)

Mr. DIRKSEN. Mr. President, on behalf of the Senator from Arkansas [Mr. McCLELLAN], from the Committee on the Judiciary, I ask unanimous consent to submit the annual report on the Trading With the Enemy Act and War Claims Act of 1948, pursuant to Senate Resolution 51, 89th Congress.

The ACTING PRESIDENT pro tempore. The report will be received and printed.

REPORT ENTITLED "IMMIGRATION AND NATURALIZATION"—REPORT OF A COMMITTEE (S. REPT. NO. 1052)

Mr. DIRKSEN. Mr. President, on behalf of the Senator from Mississippi [Mr. EASTLAND], from the Committee on the Judiciary, I submit a report entitled "Immigration and Naturalization," pursuant to Senate Resolution 44, 89th Congress, and ask that it be printed.

The ACTING PRESIDENT pro tempore. The report will be received and printed.

REPORT ENTITLED "ADMINISTRATIVE PRACTICE AND PROCEDURE"—REPORT OF A COMMITTEE (S. REPT. NO. 1053)

Mr. DIRKSEN. Mr. President, on behalf of the Senator from Missouri [Mr. LONG], from the Committee on the Judiciary, I submit the annual report on administrative practice and procedure, pursuant to Senate Resolution 39, 89th Congress, and ask that it be printed.

The ACTING PRESIDENT pro tempore. The report will be received and printed.

REPORT ENTITLED "REVISION AND CODIFICATION"—REPORT OF A COMMITTEE (S. REPT. NO. 1054)

Mr. DIRKSEN. Mr. President, on behalf of the Senator from North Carolina [Mr. ERVIN], from the Committee on the Judiciary, I submit the annual report on "Revision and Codification," pursuant to Senate Resolution 50, 89th Congress, and ask that it be printed.

The ACTING PRESIDENT pro tempore. The report will be received and printed.

AMENDMENT OF COAL MINE SAFETY ACT—REPORT OF A COMMITTEE—INDIVIDUAL VIEWS (S. REPT. NO. 1055)

Mr. McNAMARA. Mr. President, on behalf of the Senator from Oregon [Mr. MORSE], from the Committee on Labor and Public Welfare, I report favorably without amendment, the bill (H.R. 3584) to amend the Federal Coal Mine Safety Act so as to provide further for the prevention of accidents in coal mines, and I submit a report thereon, together with individual views. I ask that the report be printed, with individual views. I ask unanimous consent that the individual views may be filed any time before midnight tonight.

The ACTING PRESIDENT pro tempore. The report will be received, and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Michigan.

AMENDMENT OF SMALL BUSINESS ACT—REPORT OF A COMMITTEE—MINORITY VIEWS (S. REPT. NO. 1056)

Mr. PROXMIRE. Mr. President, from the Committee on Banking and Currency, I report favorably, with an amendment, the bill (S. 2499) to amend the Small Business Act to authorize issuance and sale of participation interests based on certain pools of loans held by the Small Business Administration, and for other purposes, and I submit a report thereon, together with the minority views of Senators BENNETT, TOWER, THURMOND, and HICKENLOOPER. I ask unanimous consent that the report, together with the minority views, be printed.

The ACTING PRESIDENT pro tempore. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Wisconsin.

REPORT ENTITLED "REFUGEE PROBLEMS IN SOUTH VIETNAM"—REPORT OF A COMMITTEE—INDIVIDUAL VIEWS (S. REPT. NO. 1058)

Mr. KENNEDY of Massachusetts. Mr. President, from the Committee on the Judiciary, I ask unanimous consent to submit a report entitled "Refugee Problems in South Vietnam," pursuant to Senate Resolution 49, 89th Congress, together with the individual views of the junior Senator from Massachusetts [Mr. KENNEDY].

I ask unanimous consent that the report together with the individual views be printed.

The ACTING PRESIDENT pro tempore. The report will be received and printed, as requested by the Senator from Massachusetts.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DIRKSEN (by request):

S. 3013. A bill for the relief of Lt. Col. Rollin F. Allyne, Army of the United States (retired); to the Committee on the Judiciary.

By Mr. SCOTT:

S. 3014. A bill to amend the Internal Revenue Code of 1954 to allow an income tax credit for contributions made by individuals to the National and State committees of political parties; to the Committee on Finance.

(See the remarks of Mr. SCOTT when he introduced the above bill, which appear under a separate heading.)

By Mr. RUSSELL of Georgia:

S. 3015. A bill to provide that the Crisp County Power Commission, Cordele, Ga., shall be eligible for financial assistance under the provisions of the Public Works and Economic Development Act of 1965; to the Committee on Public Works.

By Mr. HOLLAND:

S. 3016. A bill for the relief of Dr. Hector Jesus Sanchez-Hernandez; to the Committee on the Judiciary.

By Mr. MAGNUSON (by request):

S. 3017. A bill to amend the Communications Act of 1934 to authorize the Federal Communications Commission to issue rules and regulations with respect to community antenna systems, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bill, which appear under a separate heading.)

By Mr. MONTOYA:

S. 3018. A bill for the relief of Jose Luis Pombo Martinez; to the Committee on the Judiciary.

By Mr. SYMINGTON:

S. 3019. A bill to authorize the disposal of aluminum from the national stockpile;

S. 3020. A bill to authorize the disposal of fused crude aluminum oxide from the national stockpile and the supplemental stockpile;

S. 3021. A bill to authorize the disposal of bismuth from the national stockpile and the supplemental stockpile;

S. 3022. A bill to authorize the disposal of metallurgical grade chromite from the national stockpile and the supplemental stockpile;

S. 3023. A bill to authorize the disposal of industrial diamond stones from the national stockpile and the supplemental stockpile;

S. 3024. A bill to authorize the disposal of acid grade fluorspar from the national stockpile and the supplemental stockpile;

S. 3025. A bill to authorize the disposal of muscovite mica from the national stockpile and the supplemental stockpile;

S. 3026. A bill to authorize the disposal of phlogopite mica from the national stockpile and the supplemental stockpile;

S. 3027. A bill to authorize the disposal of molybdenum from the national stockpile; and

S. 3028. A bill to authorize the disposal of crude silicon carbide from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

(See the remarks of Mr. SYMINGTON when he introduced the above bills, which appear under a separate heading.)

By Mr. HILL:

S. 3029. A bill for the relief of Gustavo Eugenio Gomez; to the Committee on the Judiciary.

CONCURRENT RESOLUTION

ESTABLISHMENT OF A JOINT COMMITTEE ON THE ECONOMIC OPPORTUNITY ACT OF 1964

Mr. DIRKSEN submitted a concurrent resolution (S. Con. Res. 78) establishing a Joint Committee on the Economic Opportunity Act of 1964 to make a full and complete study and investigation of the administration of the Economic Opportunity Act of 1964 and to submit to the Senate and House a report of its study and investigation together with any recommendations for amendments on or before August 1, 1966, which was referred to the Committee on Labor and Public Welfare.

(See the above concurrent resolution printed in full when submitted by Mr. DIRKSEN, which appears under a separate heading.)

RESOLUTIONS

TO PRINT A REPORT ON "A STUDY OF POLLUTION—AIR"

Mr. McNAMARA submitted the following resolution (S. Res. 232); which, under the rule, was referred to the Committee on Rules and Administration:

Resolved, That there be printed for the use of the Committee on Public Works, three thousand additional copies of the staff report, "A Study of Pollution—Air", prepared by the Committee on Public Works, during the Eighty-eighth Congress, first session.

TO PRINT AS A SENATE DOCUMENT THE THIRD ANNUAL REPORT OF THE SECRETARY OF HEALTH, EDUCATION, AND WELFARE ON AIR POLLUTION

Mr. McNAMARA submitted the following resolution (S. Res. 233); which, under the rule, was referred to the Committee on Rules and Administration:

Resolved, That there be printed as a Senate Document for the use of the Committee on Public Works, two thousand five hundred copies of the third semiannual report of the Secretary of Health, Education, and Welfare, on the problem of air pollution caused by motor vehicles and measures taken toward its alleviation, dated December 17th, 1965, in compliance with Public Law 88–206, the Clean Air Act.

INCOME TAX CREDIT FOR POLITICAL CONTRIBUTIONS

Mr. SCOTT. Mr. President, I introduce, for appropriate reference, a bill to amend the Internal Revenue Code of 1954 to allow an income tax credit for political contributions. My bill would permit one-half of the total contribution as a credit, up to a maximum credit of $100 per year. Contributions could be made to the national committee or the State committee—as designated by the national committee—of a political party whose candidates for President and Vice President get on the ballot in at least 10 States.

Political parties in this era of modern electronic communications media and of high-speed travel require large sums of money to wage effective election campaigns. It is important, therefore, to tap all sources of potential support.

Unfortunately, with the exception of my own party in 1964, political parties have been unable to persuade large numbers of people to contribute small sums of money to their cause. As a consequence, they have been compelled to rely on large contributions from wealthy individuals. There certainly is nothing inherently wrong in this practice, but since widespread citizen participation is the keystone of the effective functioning of our democratic political system, it would be far more healthy if political parties could broaden the base of their financial support. In this way, they could more readily meet the high costs of campaigning without becoming unduly dependent upon wealthy contributors.

My bill meets only a part of the problem inherent in the growing financial burden experienced by our political parties. In this connection, I want to call attention to another bill which I introduced last year, S. 1287, and which is designed to encourage broadcasters to grant more free time to candidates, thereby reducing the staggering costs of securing time on the airwaves. I hope that both measures can receive serious consideration in this Congress.

The **PRESIDING OFFICER** (Mr. BYRD of Virginia in the chair). The bill will be received and appropriately referred.

The bill (S. 3014) to amend the Internal Revenue Code of 1954 to allow an income tax credit for contributions made by individuals to the National and State committees of political parties, introduced by Mr. SCOTT, was received, read twice by its title, and referred to the Committee on Finance.

REGULATION OF COMMUNITY ANTENNA TELEVISION SYSTEMS

Mr. MAGNUSON. Mr. President, in recent days a great deal has been said about the regulation of community antenna television systems.

On February 15, 1966, the Federal Communications Commission indicated that it would submit specific proposals to Congress designed to express basic national policies in the CATV field.

By request, I introduce for appropriate reference, a bill to amend the Communications Act of 1934, as amended, to give the FCC authority to issue rules and regulations with respect to CATV systems.

I ask unanimous consent that a letter from the Chairman of the FCC requesting the proposed legislation, together with the explanation of the proposed legislation, be printed in the RECORD.

The **PRESIDING OFFICER.** The bill will be received and appropriately referred; and, without objection, the letter and explanation will be printed in the RECORD.

The bill (S. 3017) to amend the Communications Act of 1934 to authorize the Federal Communications Commission to issue rules and regulations with respect to community antenna systems, and for other purposes, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter and explanation presented by Mr. MAGNUSON are as follows:

FEDERAL COMMUNICATIONS COMMISSION,
Washington, D.C., March 3, 1966.
Hon. WARREN G. MAGNUSON,
Chairman, Committee on Commerce, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: The Commission, at its meeting yesterday, reached agreement on suggested CATV legislation to recommend to the Congress. I am enclosing a copy of that proposal and explanation for your information. The dissenting statement of Commissioner Bartley and the separate statement of Commissioner Loevinger are attached.

Because of urgent time factors, the Commission's proposal has not been presented to the Bureau of the Budget for advice as to its relationship to the program of the President. However, a copy is being sent to that Bureau forthwith.

Yours sincerely,
E. WILLIAM HENRY, *Chairman.*

EXPLANATION OF PROPOSED AMENDMENTS TO THE COMMUNICATIONS ACT OF 1934, AS AMENDED, CONCERNING REGULATION OF COMMUNITY ANTENNA SYSTEMS

These proposals for amendments to the Communications Act are submitted pursuant to the Commission's determination, announced in its public notice of February 15, 1966, that it would make the following recommendations for legislation to the Congress:

(a) Clarification and confirmation of FCC jurisdiction over CATV systems generally, along with such specific provisions as are deemed appropriate.

(b) Prohibition of the origination of program or other material by a CATV system with such limitations or exceptions, if any, as are deemed appropriate.

(c) Consideration of whether, to what extent, and under what circumstances CATV systems should be required to obtain the consent of the originating broadcast station for the retransmission of the signal by the CATV system.

(d) Consideration of whether CATV systems should or should not be deemed public utilities. In this connection, Congress will be asked to consider the appropriate relationship of Federal to State-local jurisdiction in the CATV field, with particular reference to initial franchising, rate regulation, and extension of service.

The Commission has determined that it has jurisdiction over all CATV systems, and it has asserted that jurisdiction to the extent necessary to carry out the announced regulatory program. However, given the importance of CATV, we believe it highly desirable that Congress amend the Communications Act to confirm that jurisdiction and to establish such basic national policy as it deems appropriate.

The proposed new subsection 3(h) of the Communications Act broadly defines a "community antenna system" to include any facility which receives broadcast signals [1] over the air [2] and distributes them by means of wire or cable to subscribing members of the public. While the definition is all-inclusive, we believe it is unnecessary to impose regulations on all systems. Therefore, the proposed new section 331(a)(2) would empower the Commission to exempt from regulation, by general rule, systems, which, because of their size or nature, need not be encompassed within the regulatory scheme. For example, the Commission's present regulations exempt systems serving fewer than 50 subscribers or which serve only one or more apartment houses under common ownership, control or management. (See, for example, 47 CFR 21.710(a).)

Of prime importance is the proposed new section 331(a)(1) of the act, which would expressly confer upon the Commission, in broad and comprehensive terms, authority to regulate community antenna systems in the public interest. This authority is to be exercised only to the extent necessary to carry out the purposes of the Communications Act, particularly the establishment and maintenance of broadcast services and the provision of multiple reception services. There is thus a congressional recognition of the public service rendered by the broadcast and CATV industries and a directive to promote the orderly growth of both industries.

We recommend the broad approach along the lines of proposed section 331(a)(1) because of the dynamic and relatively new nature of the CATV field. We believe that it would be difficult and indeed impracticable to attempt to delineate precisely in a statute all of the possible areas in which the public interest may in the future require Commission action. Had legislation been drawn to deal specifically with the problems posed by CATV in the fifties, it would have been inadequate as to such present problems as those raised by CATV entry into the major markets.

Today, for example, because there is so little program origination or alteration or deletion of broadcast signals being carried, there would appear to be few, if any, problems concerning the carriage over CATV systems of political broadcasts or of appropriate identification announcements with respect to sponsored material, including programs involving controversial issues. But there could be future problems in these respects, requiring regulation along the lines of sections 315 or 317.

The broad regulatory approach we urge is similar to that adopted by the Congress for regulation of radio, and the following quotation from the landmark Supreme Court case construing the Communications Act is equally pertinent to the dynamic and new field of CATV:

"Congress was acting in a field of regulation which was both new and dynamic * * *. While Congress did not give the Commission unfettered discretion to regulate all phases of the radio industry, it did not frustrate the purpose for which the Communications Act of 1934 was brought into being by attempting an itemized catalog of the specific manifestations of the general problems for the solution of which it was establishing a regulatory agency. That would have stereotyped the powers of the Commission to specific details in regulating a field of enterprise the dominant characteristic of which was the rapid pace of its unfolding. And so Congress did what experience had taught it in similar attempts at regulation, even in fields far less fluid and dynamic than radio. The essence of that experience was to define broad areas for regulation and to establish standards for judgment adequately related in their application to the problems to be solved." (*NBC* v. *U.S.*, 319 U.S. 190, 218–219).

There is one area which we believe that Congress may wish to consider specifically at this time, rather than leaving to subsequent regulatory decision under the proposed section 331(a)(1)—namely, whether community antenna systems should be required to obtain the consent of the originating broadcast station before retransmitting the station's signal over the system. It has been urged that such a requirement would obviate the need for much, if not all, of the Commission's present regulations in this field.

The Commission is not now in a position to state whether a so-called section 325(a) approach would be effective or fully consistent with the public interest. The matter is one of such a nature that we believe it should be more appropriately considered by the Congress. In this way, there could be congressional hearings on how such a retransmission-consent provision would function as a practical matter, whether there should be special provisions for the CATV systems operating in a small community, and whether and to what extent there should be "grandfathering" of existing systems. The statute finally enacted could then reflect the congressional judgment on this important aspect.

---

[1] Both radio and television signals are included. While we are aware of no community antenna system which now distributes only radio signals, some systems do distribute signals from both radio and television broadcast stations.

[2] This would include signals received directly off the air from a broadcast station, as well as those broadcast and then relayed by means of a microwave relay system.

The proposed new section 331(b) of the Communications Act deals with the question of possible program origination by community antenna systems. We believe it would be inequitable to allow unlimited program origination, since this would permit community antenna systems to use the distribution of free television broadcast signals as a base for engaging in pay-TV operations.[3] Moreover, the Commission, and indeed the Congress, has had a continuing concern with the possible impact of subscription television service on the free television broadcast service.

The Commission currently has before it a petition requesting the institution of rulemaking proceedings to provide for subscription television service on a permanent and carefully regulated basis throughout the country utilizing the facilities of television broadcast stations. Because of the foregoing considerations, the proposed section 331(b) would bar any general pay-TV operation by a community antenna system.

While convinced that community antenna systems should not be permitted unlimited program origination, we are not recommending that Congress impose a complete ban on program origination. There would appear to be various possible exceptions (e.g., the fairly common time and weathercasting channels on CATV systems; see also par. 57 of our "Notice of Inquiry" and "Notice of Proposed Rulemaking," Docket No. 15971, 1 FCC 2d 453, 474–475). The scope of such possible exceptions to the ban could only be determined after appropriate proceedings. Because of the importance of the matter, we would suggest that Congress, upon the basis of its hearings, resolve this question and enact specific statutory guidelines.

Absent such congressional guidelines, the Commission recommends that Congress follow the approach set out in the new section 331(b). The proposed section 331(b) in addition to barring program origination by community antenna systems, would permit the Commission to grant exceptions subject to several limitations. An express finding would have to be made, after appropriate proceedings, that an exception would serve the public interest; it could be granted only by general rule; and no additional charge to subscribers would be permitted under any exception granted.

Finally, the Commission believes that congressional consideration should also be given to the appropriate relationship of Federal to State-local jurisdiction over community antenna systems, particularly with regard to initial franchising, rate regulation, and related matters. The Commission generally has not proposed to exercise any jurisdiction with respect to these matters. (See par. 32, "Notice of Inquiry" and "Notice of Proposed Rulemaking," Docket No. 15971, 1 FCC 2d 453, 466). Rather, it has recognized that many local governmental bodies, usually in connection with the grant of franchises, have asserted some jurisdiction with respect to rates charged subscribers and similar matters. At least three States (Connecticut, New Jersey, and Rhode Island) have held that CATV systems are public utilities.

In our opinion, the public interest will best be protected by permitting State and local regulation to continue with regard to those matters not regulated by the Commission. We are, therefore, recommending legislation along the lines of the proposed section 331(c). That section provides that there would be no Federal preemption except to the extent of direct conflict with the provisions of the Communications Act or regulations enacted by the Commission. This would permit State and local action, but would not foreclose Federal action to carry out the purposes of the act and to promote the "public interest in the larger and more effective use of radio" (sec. 303(g)), where such action becomes necessary.

Adopted: March 2, 1966.

Attachments: Dissenting statement of Commissioner Robert T. Bartley. Separate statement of Commissioner Lee Loevinger.

Dissenting Statement of Commissioner Robert T. Bartley

I believe that telling the public it cannot receive broadcasts it wants and is willing to pay for via CATV is unsound public policy.

People willing to pay extra should be allowed to bring in broadcasts which they would not otherwise receive as well or not at all.

Conditions which the Commission would impose on CATV as to carriage, nonduplication, and procedural impediments to development in the top 100 markets appear to be for the economic protection of television stations. Experience indicates that economic protection begets more regulation.

The heart of concern over CATV is its possible evolution into pay television. Fear has been expressed that the community antenna systems will be built and made viable by using free broadcasts from television stations; then, after the systems have acquired a sufficient number of subscribers, they could afford to originate their own programs, and pay television would result.

Consideration need be given to the existing types of systems, (1) community antenna systems which receive, and distribute to subscribers, transmissions of broadcast stations, and (2) closed-circuit systems which originate their own special programing and distribute it by wire or cable to theaters, business establishments, or homes of subscribers.

I believe we should not discourage closed-circuit systems built and made viable by distributing their own programs.

It is the mixing of the two types of systems which would give rise to an unfair competitive advantage. It would be inequitable to allow program origination since this would permit community antenna systems to use the distribution of free television broadcast signals as a base for engaging in pay television operations.

Accordingly, at the present time, I would recommend the following legislation, limited to prohibiting program origination by community antenna systems:

Section 3(hh) [Definition]: Community antenna system means a facility which receives any programs transmitted by a broadcast station and distributes such programs by wire or cable to customers paying for the service.

Section 331: No community antenna system shall distribute programs other than those received from transmissions by broadcast stations.

Separate Statement of Commissioner Lee Loevinger Regarding Proposed CATV Legislation

I believe it is necessary for Congress to legislate on the subject of community antenna television and that the draft of proposed legislation submitted herewith by the FCC is the best compromise that can now be agreed upon. It is my opinion that under present statutes the Commission does not have the jurisdiction which it claims over CATV's. See my separate opinion at 4 RR2d 1679, 1712. If the Commission is to act in this field, legislative authorization is, therefore, necessary.

In general I agree with the views expressed by Commissioner Bartley in his dissenting statement. However, those views are more relevant to consideration of the regulations that may be promulgated by the Commission under the proposed legislation than to the bill now proposed. The legislation proposed is basically a broad authorization to the FCC to act in this field, with a specific declaration that congressional action shall not be construed as Federal preemption.

It would be desirable for Congress to establish more specific standards for administrative action than are contained in the proposed bill. But it is appropriate for Congress to delegate broad authority for the Commission to act under whatever standards Congress may see fit to establish.

Accordingly I join in recommending that Congress consider the proposed bill submitted herewith and enact legislation in such form as may best express the congressional view of the proper way to deal with the problems involving FCC jurisdiction to regulate CATV systems, the operation of CATV systems, the relations of CATV systems to conventional broadcasting stations, and the relation between Federal and State jurisdiction in this field.

PROPOSED LEGISLATION TO AUTHORIZE CERTAIN DISPOSALS FROM THE NATIONAL STOCKPILE AND THE SUPPLEMENTAL STOCKPILE

Mr. SYMINGTON. Mr. President, I introduce, for appropriate reference, 10 bills to authorize disposals from the national stockpile and the supplemental stockpile.

I ask unanimous consent that the letters of transmittal requesting introduction of these legislative items and explaining their purposes be printed in the Record immediately following the listing of the bills.

The PRESIDING OFFICER. The bills will be received and appropriately referred; and, without objection, the letters of transmittal accompanying the bills will be printed in the Record.

The bills, introduced by Mr. Symington, were received, read twice by their titles, and referred to the Committee on Armed Services, as follows:

S. 3019. A bill to authorize the disposal of aluminum from the national stockpile.

The letter accompanying Senate bill 3019 is as follows:

General Services Administration,
Washington, D.C., January 22, 1966.

Hon. Hubert H. Humphrey,
President of the Senate,
Washington, D.C.

Dear Mr. President: There is forwarded herewith a draft bill to authorize the disposal of aluminum from the national stockpile.

This proposal is a part of the legislative program of the General Services Administration for 1966.

The proposed bill would authorize the disposal of approximately 820,000 short tons of aluminum from the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h). Approximately 679,000 short tons of this quantity are in excess of the present stockpile objective.

---

[3] Specific charges to subscribers for programs originated by a community antenna system could, of course, be barred, but it might be difficult to insure that monthly rates charged to subscribers were not being set at a level which would take into account programs originated by the system, particularly in the case of a new system.

Disposal of the remaining quantity covered by the bill, approximately 241,000 short tons, is proposed because, for reasons of quality and storage location, an equal quantity of aluminum in the inventory maintained under Defense Production Act of 1950, as amended (50 U.S.C. App. 2061–2166), is better suited for retention to meet stockpile requirements. In this connection the disposal authority in the bill is made subject specifically to the limitation that the aggregate quantity of aluminum in the national stockpile and the Defense Production Act inventory may not be reduced, through the exercise of such authority, below the present aluminum stockpile objective of 450,000 tons.

A copy of the disposal plan, which provides additional information concerning the proposed disposition, is enclosed. As of this date, individual sales contracts have been executed with six U.S. primary producers of aluminum in accordance with paragraph 2 of the disposal plan. The disposal of DPA aluminum has been commenced under the authority of the Defense Production Act; the disposal of aluminum from the national stockpile is, of course, contingent upon legislative authorization such as would be provided by the proposed bill.

GSA recommends prompt and favorable consideration of this draft bill.

The enactment of the bill would not require the expenditure of additional Federal funds.

The Bureau of the Budget has advised that there is no objection to the submission of this legislative proposal to the Congress and that its enactment would be in accord with the program of the President.

Sincerely yours,
Lawson B. Knott, Jr.,
Administrator.

S. 3020. A bill to authorize the disposal of fused crude aluminum oxide from the national stockpile and the supplemental stockpile.

The letter accompanying Senate bill 3020 is as follows:

General Services Administration,
Washington, D.C., January 19, 1966.
Hon. Hubert H. Humphrey,
President of the Senate,
Washington, D.C.

Dear Mr. President: There is forwarded herewith a draft bill "To authorize the disposal of fused crude aluminum oxide from the national stockpile and the supplemental stockpile."

This proposal is a part of the legislative program of the General Services Administration for 1966.

The proposed bill would authorize the disposal of approximately 130,000 short tons of fused, crude aluminum oxide from the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h) and the supplemental stockpile established pursuant to section 104(b) of the Agricultural Trade Development and Assistance Act of 1954 as amended (7 U.S.C. 1704(b)). The Director of the Office of Emergency Planning has determined that this quantity is excess to stockpile needs.

In addition to providing the approval by the Congress of the proposed disposition, the bill would waive the procedural requirements of section 3 of the Stock Piling Act, 50 U.S.C. 98b, with respect to publication and transmittal of notice and the 6-month waiting period. The bill would, however, preserve the substantive requirements of section 3 with respect to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

A copy of the disposal plan, which provides additional information concerning the proposed disposition, is enclosed.

GSA recommends prompt and favorable consideration of this draft bill.

The enactment of the bill would not require the expenditure of additional Federal funds.

The Bureau of the Budget has advised that there is no objection to the submission of the proposed legislation to the Congress and that its enactment would be in accord with the program of the President.

Sincerely yours,
Lawson B. Knott, Jr.,
Administrator.

S. 3021. A bill to authorize the disposal of bismuth from the national stockpile and the supplemental stockpile;

The letter accompanying Senate bill 3021 is as follows:

General Servces Administration,
Washington, D.C., January 19, 1966.
Hon. Hubert H. Humphrey,
President of the Senate,
Washington, D.C.

Dear Mr. President: There is forwarded herewith a draft bill to authorize the disposal of bismuth from the national stockpile and the supplemental stockpile.

This proposal is a part of the legislative program of the General Services Administration for 1966.

The proposed bill would authorize the disposal of approximately 212,300 pounds of bismuth from the national stockpile and the supplemental stockpile. The Director of the Office of Emergency Planning has determined that this quantity is excess to stockpile needs.

In addition to providing the approval by the Congress of the proposed disposition, the bill would waive the procedural requirements of section 3 of the Strategic and Critical Materials Stock Piling Act, 50 U.S.C. 98b, with respect to publication and transmittal of notice and the 6-month waiting period. The bill would, however, preserve the substantive requirements of section 3 with respect to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

A copy of the disposal plan, which provides additional information concerning the proposed disposition, is enclosed.

GSA recommends prompt and favorable consideration of this draft bill.

The enactment of the bill would not require the expenditure of additional Federal funds.

The Bureau of the Budget has advised that there is no objection to the submission of the proposed bill to the Congress and that its enactment would be in accord with the program of the President.

Sincerely yours,
Lawson B. Knott, Jr.,
Administrator.

S. 3022. A bill to authorize the disposal of metallurgical grade chromite from the national stockpile and the supplemental stockpile.

The letter accompanying Senate bill 3022 is as follows:

General Services Administration,
Washington, D.C., February 3, 1966.
Hon. Hubert H. Humphrey,
President of the Senate,
Washington, D.C.

Dear Mr. President: There is forwarded herewith a draft bill to authorize the disposal of metallurgical grade chromite from the national stockpile and the supplemental stockpile.

This proposal is a part of the legislative program of the General Services Administration for 1966.

The proposed bill would authorize the disposal of approximately 2.3 million short dry tons of metallurgical grade chromite (chromite ore equivalent) from the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h), and the supplemental stockpile established pursuant to section 104(b) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704(b)). The Director of the Office of Emergency Planning has determined that this quantity is excess to stockpile needs.

In addition to providing the approval by the Congress of the proposed disposition, the bill would waive the procedural requirements of section 3 of the Stock Piling Act, 50 U.S.C. 98b, with respect to publication and transmittal of notice and the 6-month waiting period. The bill would, however, preserve the substantive requirements of section 3 with respect to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

A copy of the disposal plan, which provides additional information concerning the proposed disposition, is enclosed.

GSA recommends prompt and favorable consideration of this draft bill.

The enactment of the bill would not require the expenditure of additional Federal funds.

The Bureau of the Budget has advised that there is no objection to the submission of the proposed legislation to the Congress and that its enactment would be in accord with the program of the President.

Sincerely yours,
Lawson B. Knott, Jr.,
Administrator.

S. 3023. A bill to authorize the disposal of industrial diamond stones from the national stockpile and the supplemental stockpile.

The letter accompanying Senate bill 3023 is as follows:

General Services Administration,
Washington, D.C., January 19, 1966.
Hon. Hubert H. Humphrey,
President of the Senate,
Washington, D.C.

Dear Mr. President: There is forwarded herewith a draft bill to authorize the disposal of industrial diamond stones from the national stockpile and the supplemental stockpile.

This proposal is a part of the legislative program of the General Services Administration for 1966.

The proposed bill would authorize the disposal of approximately 8.2 million carats of industrial diamond stones from the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h) and the supplemental stockpile established pursuant to section 104(b) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704(b)). The Director of the Office of Emergency Planning has determined that this quantity is excess to stockpile needs.

In addition to providing the approval by the Congress of the proposed disposition, the bill would waive the procedural requirements of section 3 of the Stock Piling Act, 50 U.S.C. 98b, with respect to publication and transmittal of notice and the 6-month waiting period. The bill would, however, preserve the substantive requirements of section 3 with respect to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

A copy of the disposal plan, which provides additional information concerning the proposed disposition, is enclosed.

GSA recommends prompt and favorable consideration of this draft bill.

The enactment of the bill would not require the expenditure of additional Federal funds.

The Bureau of the Budget has advised that there is no objection to the submission of the proposed legislation to the Congress and that its enactment would be in accord with the program of the President.

Sincerely yours,
LAWSON B. KNOTT, Jr.,
Administrator.

S. 3024. A bill to authorize the disposal of acid grade fluorspar from the national stockpile and the supplemental stockpile.

The letter accompanying Senate bill 3024 is as follows:

GENERAL SERVICES ADMINISTRATION,
Washington, D.C., January 19, 1966.
Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There is forwarded herewith a draft bill to authorize the disposal of acid grade fluorspar from the national stockpile and the supplemental stockpile.

This proposal is a part of the legislative program of the General Services Administration for 1966.

The proposed bill would authorize the disposal of approximately 236,773 short dry tons of acid grade fluorspar from the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h), and the supplemental stockpile established pursuant to section 104(b) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704(b)). The Director of the Office of Emergency Planning has determined that this quantity is excess to stockpile needs.

In addition to providing the approval by the Congress of the proposed disposition, the bill would waive the procedural requirements of section 3 of the Stock Piling Act, 50 U.S.C. 98b, with respect to publication and transmittal of notice and the 6-month waiting period. The bill would, however, preserve the substantive requirements of section 3 with respect to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

A copy of the disposal plan, which provides additional information concerning the proposed disposition, is enclosed.

GSA recommends prompt and favorable consideration of this draft bill.

The enactment of the bill would not require the expenditure of additional Federal funds.

The Bureau of the Budget has advised that there is no objection to the submission of the proposed legislation to the Congress and that its enactment would be in accord with the program of the President.

Sincerely yours,
LAWSON B. KNOTT, Jr.,
Administrator.

S. 3025. A bill to authorize the disposal of muscovite mica from the national stockpile and the supplemental stockpile.

The letter accompanying Senate bill 3025 is as follows:

GENERAL SERVICES ADMINISTRATION,
Washington, D.C., January 19, 1966.
Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There is forwarded herewith a draft bill to authorize the disposal of muscovite mica from the national stockpile and the supplemental stockpile.

This proposal is a part of the legislative program of the General Services Administration for 1966.

The proposed bill would authorize the disposal of approximately 6,772,000 pounds of muscovite block mica, approximately 528,000 pounds of muscovite film mica, and approximately 22,666,000 pounds of muscovite mica splittings from the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h), and the supplemental stockpile established pursuant to section 104(b) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704(b)). The Director of the Office of Emergency Planning has determined that these quantities are excess to stockpile needs.

In addition to providing the approval by the Congress of the proposed disposition, the bill would waive the procedural requirements of section 3 of the Stock Piling Act, 50 U.S.C. 98b, with respect to publication and transmittal of notice and the 6-month waiting period. The bill would, however, preserve the substantive requirements of section 3 with respect to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

A copy of the disposal plan, which provides additional information concerning the proposed disposition, is enclosed.

GSA recommends prompt and favorable consideration of this draft bill.

The enactment of the bill would not require the expenditure of additional Federal funds.

The Bureau of the Budget has advised that there is no objection to the submission of the proposed legislation to the Congress and that its enactment would be in accord with the program of the President.

Sincerely yours,
LAWSON B. KNOTT, Jr.,
Administrator.

S. 3026. A bill to authorize the disposal of phlogopite mica from the national stockpile and the supplemental stockpile.

The letter accompanying Senate bill 3026 is as follows:

GENERAL SERVICES ADMINISTRATION,
Washington, D.C., January 19, 1966.
Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There is forwarded herewith a draft bill to authorize the disposal of phlogopite mica from the national stockpile and the supplemental stockpile.

This proposal is a part of the legislative program of the General Services Administration for 1966.

The proposed bill would authorize the disposal of approximately 3,765,000 pounds of phlogopite mica splittings and approximately 205,640 pounds of phlogopite block mica now held in the national stockpile established pursuant to the Strategic and Critical Material Stock Piling Act (50 U.S.C. 98–98h) and the supplemental stockpile established pursuant to section 104(b) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704(b)). The Director of the Office of Emergency Planning has determined that these quantities are excess to stockpile needs.

In addition to providing the approval by the Congress of the proposed disposition, the bill would waive the procedural requirements of section 3 of the Stock Piling Act, 50 U.S.C. 98b, with respect to publication and transmittal of notice and the 6-month waiting period. The bill would, however, preserve the substantive requirements of section 3 with respect to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

A copy of the disposal plan, which provides additional information concerning the proposed disposition, is enclosed.

GSA recommends prompt and favorable consideration of this draft bill.

The enactment of the bill would not require the expenditure of additional Federal funds.

The Bureau of the Budget has advised that there is no objection to the submission of the proposed legislation to the Congress and that its enactment would be in accord with the program of the President.

Sincerely yours,
LAWSON B. KNOTT, Jr.
Administrator.

S. 3027. A bill to authorize the disposal of molybdenum from the national stockpile.

The letter accompanying Senate bill 3027 is as follows:

GENERAL SERVICES ADMINISTRATION,
Washington, D.C., January 19, 1966.
Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington. D.C.

DEAR MR. PRESIDENT: There is forwarded herewith a draft bill to authorize the disposal of molybdenum from the national stockpile.

This proposal is a part of the legislative program of the General Services Administration for 1966.

The proposed bill would authorize the disposal of approximately 1,034,300 pounds of molybdenum from the national stockpile. The Director of the Office of Emergency Planning has determined that this quantity is excess to stockpile needs.

In addition to providing the approval by the Congress of the proposed disposition, the bill would waive the procedural requirements of section 3 of the Strategic and Critical Materials Stock Piling Act, 50 U.S.C. 98b, with respect to publication and transmittal of notice and the 6-month waiting period. The bill would, however, preserve the substantive requirements of section 3 with respect to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

A copy of the disposal plan, which provides additional information concerning the proposed disposition, is enclosed.

GSA recommends prompt and favorable consideration of this draft bill.

The enactment of the bill would not require the expenditure of additional Federal funds.

The Bureau of the Budget has advised that there is no objection to the submission of the proposed bill to the Congress and that its enactment would be in accord with the program of the President.

Sincerely yours,
LAWSON B. KNOTT, Jr.,
Administrator.

S. 3028. A bill to authorize the disposal of crude silicon carbide from the national stockpile and the supplemental stockpile.

The letter accompanying Senate bill 3028 is as follows:

GENERAL SERVICES ADMINISTRATION,
Washington, D.C., January 19, 1966.
Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There is forwarded herewith a draft bill "To authorize the disposal of crude silicon carbide from the national stockpile and the supplemental stockpile."

This proposal is a part of the legislative program of the General Services Administration for 1966.

The proposed bill would authorize the disposal of approximately 166,500 short tons of crude silicon carbide from the national stockpile and the supplemental stockpile. The Director of the Office of Emergency Planning has determined that this quantity is excess to stockpile needs.

In addition to providing the approval by the Congress of the proposed disposition, the bill would waive the procedural requirements of section 3 of the Stock Piling Act, 50 U.S.C. 98b, with respect to publication and transmittal of notice and the 6-month waiting period. The bill would, however, preserve the substantive requirements of section 3 with respect to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

A copy of the disposal plan, which provides additional information concerning the proposed disposition, is enclosed.

GSA recommends prompt and favorable consideration of this draft bill.

The enactment of the bill would not require the expenditure of additional Federal funds.

The Bureau of the Budget has advised that there is no objection to the submission of the proposed legislation to the Congress and that its enactment would be in accord with the program of the President.

Sincerely yours,

LAWSON B. KNOTT, Jr.,
Administrator.

JOINT COMMITTEE TO INVESTIGATE THE OFFICE OF ECONOMIC OPPORTUNITY AND THE SO-CALLED ANTIPOVERTY PROGRAM

Mr. DIRKSEN. Mr. President, I submit, for appropriate reference, a concurrent resolution to create a joint committee for the investigation of the Office of Economic Opportunity and the so-called antipoverty program.

So much has been said, so much has been written, so many reports have been compiled that it was felt this step to be a desirable undertaking.

Therefore, to that end, it suggests the creating of such a joint committee. I ask unanimous consent that this be allowed to lie on the desk for the next 6 calendar days.

The **PRESIDING OFFICER.** The concurrent resolution will be received and appropriately referred; and, without objection, the concurrent resolution will lie on the desk, as requested by the Senator from Illinois.

The concurrent resolution (S. Con. Res. 78) was referred to the Committee on Labor and Public Welfare, as follows:

S. CON. RES. 78

Resolved by the Senate (the House of Representatives concurring, That there is hereby established a Joint Committee on the Economic Opportunity Act of 1964 (hereinafter referred to as the committee) to be composed of six Members of the Senate (not more than three of whom shall be members of the majority party) to be appointed by the President of the Senate, and six Members of the House of Representatives (not more than three of whom shall be members of the majority party) to be appointed by the Speaker of the House of Representatives. The committee shall select a chairman and a vice chairman from among its members. A majority of the members of the committee shall constitute a quorum thereof for the transaction of business, except that the committee may fix a lesser number as a quorum for the purpose of taking sworn testimony.

SEC. 2. (a) The committee shall make a full and complete study and investigation of the administration of the Economic Opportunity Act of 1964.

(b) On or before August 1, 1966, the committee shall submit to the Senate and the House a report of its study and investigation together with its recommendations for any amendments to the Economic Opportunity Act for 1964 or any other action which it considers to be necessary or desirable. Thirty days after making such report the committee shall cease to exist.

SEC. 3. (a) The committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times during the sessions, recesses, and adjourned periods of the Eighty-ninth Congress, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures, as it deems advisable.

(b) The committee is empowered to appoint and fix the compensation of such experts, consultants, technicians, and clerical and stenographic assistants as it deems necessary and advisable.

(c) With the prior consent of the department or agency concerned, the committee may (1) utilize the services, information, and facilities of the General Accounting Office or any department or agency in the executive branch of the Government, and (2) employ on a reimbursable basis or otherwise the services of such personnel of any such department or agency as it deems advisable. With the consent of any other committee of the Senate or the House, or any subcommittee thereof, the committee may utilize the facilities and the services of the staff of such other committee or subcommittee whenever the chairman of the committee provided for herein determines that such action is necessary and appropriate.

(d) Subpenas may be issued by the committee over the signature of the chairman or any other member designated by him, and may be served by any person designated by such chairman or member. The chairman of the committee or any member thereof may administer oaths to witnesses.

(e) The expenses of the committee, which shall not exceed $400,000.00 shall be paid from the contingent fund of the Senate upon vouchers signed by the chairman.

LEGISLATIVE REAPPORTIONMENT—AUTHORITY TO FILE INDIVIDUAL VIEWS

Mr. DIRKSEN. Mr. President, on September 8, last year, the Committee on the Judiciary ordered reported the joint resolution on legislative reapportionment. The intervening time was provided for preparation and filing of minority reports. They have all been filed.

On Wednesday of this week, the committee then took further action to send all of these reports to the Senate.

I ask unanimous consent that members of the Committee on the Judiciary be authorized to file individual views on Senate Joint Resolution 103, commonly referred to as the reapportionment amendment.

All this has been fully agreed to on both sides of the aisle.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

AMENDMENT TO FOREIGN ASSISTANCE ACT OF 1961, AS AMENDED—AMENDMENT

AMENDMENT NO. 497

Mr. KENNEDY of Massachusetts submitted an amendment, intended to be proposed by him, to the bill (H.R. 12169) to amend the Foreign Assistance Act of 1961, as amended, which was ordered to lie on the table and to be printed.

AMENDMENT TO THE VIETNAM SUPPLEMENTARY ASSISTANCE ACT

AMENDMENT NO. 498

Mr. McGOVERN. Mr. President, I ask unanimous consent that I may be permitted to proceed for an additional 3 minutes.

The **PRESIDING OFFICER.** Is there objection to the request of the Senator from South Dakota? The Chair hears none, and it is so ordered.

Mr. McGOVERN. Mr. President, on Tuesday, the Senate passed by an overwhelming margin a supplemental military authorization bill for Vietnam. A number of us in the Senate voted for that measure only after making it clear that we were opposed to many of the policies that our Government has followed in recent years which have involved us so deeply in the Vietnamese war. As I said on Tuesday before the vote on the military authorization bill:

> My vote reflects my conviction that we must protect men we have sent into battle no matter how we might question the policy that sent them to that battlefield.

I did consider joining with a number of like-minded Senators in offering an amendment that would make it clear that the vote for military equipment should not be interpreted as an endorsement of past policy or future policy in the Vietnamese hostilities but simply an effort to protect our soldiers. I was persuaded not to offer such a resolution when the chairman of the Armed Service Committee, the Senator from Georgia [Mr. RUSSELL], who presented the bill on the floor, stated unequivocally that the bill "could not properly be considered as determining foreign policy, as ratifying decisions made in the past, or as endorsing new commitments."

The Senator from Georgia [Mr. RUSSELL] further said:

> Under the division of legislative labor that Congress has prescribed for itself, the Senate Committee on Foreign Relations and the House Committee on Foreign Affairs are the instrumentalities specializing in foreign relations. Accordingly, I think it is important to emphasize that it would be inappropriate for this—Armed Services Committee—authorization to be used as a poll of congressional opinion on whether our foreign policy is sound.

Mr. President, because of these considerations, I decided that the appropriate place to offer an amendment to legislation affecting our Vietnam involvement would be on the assistance legislation now pending before the Senate Committee on Foreign Relations. I have drafted an amendment which I think makes clear that Members of the Senate who vote to sustain our men and our assistance programs in Vietnam do not necessarily indicate by such votes that they approve of the policies that have involved us in hostilities in southeast Asia. I believe that a considerable number of Senators have grave misgivings about past decisions with reference to Vietnam and that such Senators are deeply concerned less this limited war take on dangerously enlarged proportions.

I strongly believe that the most urgent task in the U.S. foreign policy field today is to find an honorable way for ending the war in Vietnam on terms and improving relations between our country and the people of Asia in general. I believe that is the goal of our President and that he is courageously resisting pressures from those who would push our forces into a major conflict.

Mr. President, toward that end, I offer an amendment to the bill authorizing additional economic assistance for Vietnam, H.R. 12169, and send the amendment to the desk and ask that it be printed and referred to the Committee on Foreign Relations.

The PRESIDING OFFICER. The amendment will be received, printed, and appropriately referred.

The amendment (No. 498) was referred to the Committee on Foreign Relations.

Mr. McGOVERN. Mr. President, I also ask unanimous consent to have the amendment printed in the RECORD.

There being no objection, the amendment was ordered to be printed in the RECORD, as follows:

At the end of the bill add the following new section:

"SEC. 4. (a) The Congress hereby declares that its action in authorizing the additional assistance for Vietnam provided by this Act—

"(1) shall not be construed as a ratification of any policy decision heretofore made with respect to hostilities in Vietnam, or as an endorsement of any future commitment with respect to such hostilities; and

"(2) is taken with the hope that such additional assistance will contribute to an early cessation, rather than a widening, of such hostilities.

"(b) Recognizing the desire of the President to limit the scope of hostilities and to reach an honorable settlement of the conflict and cognizant of the desirability of improved relations between the people of the United States and the people of Asia, it is the sense of the Congress that United States foreign policy in Asia should seek to minimize the risks of military involvement and to promote orderly economic and social development."

ADDITIONAL COSPONSORS OF BILLS, JOINT RESOLUTION, AND AMENDMENT

Mr. BREWSTER. Mr. President, at its next printing, I ask unanimous consent that the name of my colleague, the junior Senator from Maryland [Mr. TYDINGS] be added as a cosponsor of the bill (S. 2987) to provide a program of pollution control and abatement in selected river basins of the United States through comprehensive planning and financial assistance, to amend the Federal Water Pollution Control Act, as amended, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PROXMIRE. Mr. President, although yesterday was the last day set aside for cosponsors for the special school milk bill, S. 2921, I ask unanimous consent that the names of the Senator from Nevada [Mr. CANNON] and the Senator from Nebraska [Mr. HRUSKA] be added as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. METCALF. Mr. President, I ask unanimous consent that my name be added as a cosponsor of S. 2962, a bill relating to the Redwood National Park introduced by the distinguished Senator from California [Mr. KUCHEL].

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. METCALF. Mr. President, I am not completely in favor of this bill. I have submitted an amendment, No. 487, to enlarge the park, but I want to applaud and commend the distinguished Senator from California for introducing the administration's bill, a bill supported by President Johnson and the Secretary of the Interior.

I would rather have half a loaf than nothing at all. If my amendment fails, I intend to support the bill introduced by the Senator from California.

When the matter comes up for discussion in the committee, the Senator and I both being on the committee, we will try to work out some reasonable settlement, but I wanted to indicate my approval of the action of the Secretary of the Interior in sending the bill to Congress and the action of the Senator from California in introducing the bill. I would add my name as a cosponsor of it, reserving the right to call my amendment up.

On February 28, 1966, the Washington Post published an excellent editorial pertaining to the proposed Redwood National Park in northern California. The editorial questions the adequacy of S. 2962 and points out the park value of the Redwood Creek area which would be incorporated within the proposed Redwood National Park under amendment No. 487 to S. 2962. I introduced amendment No. 487 on February 23, along with 15 cosponsors. The cosponsors of the amendment are listed on page 3823 of the February 23, 1966, CONGRESSIONAL RECORD and now have been augmented by the Senator from Alaska [Mr. BARTLETT], the Senator from Texas [Mr. YARBOROUGH], and the Senator from New Jersey [Mr. WILLIAMS].

Mr. President, I ask unanimous consent to insert in the RECORD the Washington Post editorial and also the February 26 letter to Members of the Senate from William F. Ragan, counsel for the Stimson Lumber Co., which operates in the area which would be included in the Redwood National Park under the proposed S. 2962.

There being no objection, the editorial and letter were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, Feb. 28, 1966]

LOSING THE REDWOODS

The enthusiasm generated by President Johnson's forthright endorsement of a Redwood National Park in northern California is dampened by examination of the details of his proposal. Critics offer two major complaints. Many conservationists, including David Brewer, executive director of the Sierra Club, think that the proposed park is located in the wrong place. The other widespread complaint is that it would not be big enough to accomplish the purpose of saving a reasonable portion of the virgin redwoods endangered by the lumbermen's saws.

What the President has recommended is a linking together of the Jedediah Smith and Del Norte State Parks near Crescent City, with a substantial expansion of the area to include the Mill Creek watershed. The park would also take in an attractive coastal strip running as far south as the Klamath River. Its total area would be about 43,600 acres, including some 13,000 acres in the existing State parks. Much of the new land to be added is no longer covered with virgin redwoods.

Under the plan originally favored by the National Park Service and many conservation groups, part of this area would have been saved under a grants-in-aid system. The Redwood National Park would have been located about 25 miles farther south by linking the existing Prairie Creek State Park to a superb area of virgin growth on the Redwood Creek watershed. Within this 53,600-acre area are the tallest, second tallest, and sixth tallest trees in the world.

Acceptance of the original plan would give the country two magnificent redwood parks with the possibility of a scenic linkage along the ocean front. It would also have the advantage of saving a much larger number of the incomparable *sequoia sempervirens*, some of which are 2,200 years old. The administration plan makes one concession to the experts' preference for the Redwood Creek area. About 1,400 acres would be acquired so as to save the tallest trees, and this would become a separate unit of the national park.

Herein lies the chief disappointment. Under the original proposal the tall-trees section and the charming valley of Redwood Creek would be the center of a national park ranking with the finest in the world. If only 1,400 acres of this wonderland are preserved, it will be but a token of a heritage that has been lost.

Especially ironical is the fact that the very magnificence of this area may spell its doom. Land prices in the redwood country are reckoned on the basis of the board feet of standing timber per acre. The larger the trees, the larger the potential harvest. So some of this land has been selling for more than $5,000 per acre. Conservation of 40,000 acres at that price would mean an outlay of $200 million. Undoubtedly this is one reason why the administration turned to the Mill Creek watershed where the land is somewhat less expensive.

But can the country afford to let this unique and irreplaceable recreation area be mutilated because the cost is high? If the President's plan is to be carried out, the least that can be done, in our view, is to expand the proposed tall-tree enclave into a park of manageable size. Congress needs to consider not only the cost of this rescue operation but also the greater cost of not doing it.

Ragan & Mason,
Washington, D.C., February 26, 1966.

We are writing this letter to you as counsel for the Stimson Lumber Co., owners of the Miller Lumber Co. located in Del Norte County, Calif.

It is the purpose of this letter to request, for the reasons set forth below, that you withhold your support of S. 2962, a proposal for the establishment of a Redwood Park in northern California, until the matter has been fully aired.

The Redwood Park, as proposed by the administration, would be located in Del Norte County and would destroy the single industry in the county, namely the lumber industry. We ask you merely at this time to withhold your support of the administration's proposal until the facts have been fully considered. We sincerely feel that the hearings and other disclosures will indicate to you that the location of this park in Del Norte County would be a serious mistake. We feel this way for the following reasons:

1. Del Norte County is already a depressed area with a 4.6-percent unemployment ratio. It is accepted that the establishment of the park will increase this unemployment ratio to over 11 percent.

2. There are already two State parks in the county which are now indicating a decline in visitors.

3. The establishment of the park cannot displace the economic chaos that will be caused by the destruction of the sole industry in the area.

4. Until November 22, 1965, and for the previous 3 to 4 years the administration and the Department of Interior considered Del Norte County to be an undesirable location for the park and preferred the park to be in that area presently considered in the bill introduced by Senator Metcalf as amendment No. 487 to S. 2962, which area is within reasonable distance to the population centers of the State of California, an area incidentally which must be passed through in order to reach Del Norte County.

Without any logical reason disclosed to date, on November 22, 1965, the Department of Interior reversed itself and decided the park should be located in the Del Norte County area.

5. The administration's bill was introduced on February 23, 1966. Yet, the Department of Interior in December 1965 hired Arthur D. Little & Co. to do a study as to the economic plausibility and feasibility of establishing a park in Del Norte County. The study is not scheduled for completion until the end of March 1966. It is inconceivable that the administration would introduce the bill before they had the results of a study for which they are paying and which we fully expect to be negative.

6. As was noted by Senator Metcalf, virtually all interested groups, running from the Sierra Club to the lumbermen's industry groups do not favor the park in Del Norte County.

7. The administration has indicated the park in Del Norte County would cost approximately $45 to $55 million. An evaluation by outside objective sources for the privately owned land alone has been placed between $70 and $100 million.

8. It is beyond understanding why the administration would pick admittedly the most undesirable site for the park at a cost of what must exceed over $100 million when, in the very same budget, the funds for milk for schoolchildren have been cut by $79 million, the entire defense educational program has been deleted, and the assistance to impacted areas has been cut by 50 percent.

For these reasons we most respectfully request that until the matter is fully aired in hearings and otherwise, you withhold your final determination on the administration's proposal.

For your information, enclosed herewith is a copy of an editorial from the New York Times of February 24, 1966, which substantiates what has been stated above.

Very truly yours,

Ragan & Mason,
William F. Ragan.

Mr. KUCHEL. I thank the Senator for his comments.

Mr. RIBICOFF. Mr. President, I ask unanimous consent that the names of Senators Byrd, of Virginia, Hickenlooper, and Scott be added as cosponsors of the joint resolution (S.J. Res. 130) to establish May 8–14, 1966, as National School Safety Patrol Week.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. METCALF. Mr. President, I ask unanimous consent that at the next printing of amendment No. 487 to Senate bill 2962 the names of the Senator from Alaska [Mr. Bartlett], the Senator from Texas [Mr. Yarborough], and the Senator from New Jersey [Mr. Williams] be added as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF BILLS

Under authority of the orders of the Senate, as indicated below, the following names have been added as additional cosponsors for the following bills:

Authority of February 10, 1966:

S. 2921. A bill to provide a special milk program for children: Mr. Aiken, Mr. Allott, Mr. Bartlett, Mr. Bass, Mr. Bible, Mr. Boggs, Mr. Brewster, Mr. Burdick, Mr. Byrd of West Virginia, Mr. Carlson, Mr. Church, Mr. Clark, Mr. Cooper, Mr. Cotton, Mr. Curtis, Mr. Dominick, Mr. Douglas, Mr. Eastland, Mr. Fong, Mr. Gruening, Mr. Harris, Mr. Hart, Mr. Hruska, Mr. Inouye, Mr. Jackson, Mr. Javits, Mr. Jordan of Idaho, Mr. Kennedy of Massachusetts, Mr. Kennedy of New York, Mr. Long of Missouri, Mr. Magnuson, Mr. McCarthy, Mr. McGee, Mr. McIntyre, Mr. Metcalf, Mr. Miller, Mr. Mondale, Mr. Monroney, Mr. Montoya, Mr. Morse, Mr. Moss, Mr. Mundt, Mr. Murphy, Mr. Nelson, Mrs. Neuberger, Mr. Pearson, Mr. Prouty, Mr. Randolph, Mr. Russell of South Carolina, Mr. Scott, Mr. Simpson, Mr. Smathers, Mr. Sparkman, Mr. Symington, Mr. Talmadge, Mr. Thurmond, Mr. Tower, Mr. Young of North Dakota, and Mr. Young of Ohio.

Authority of February 23, 1966:

S. 2962. A bill to authorize the establishment of the Redwood National Park in the State of California, to provide economic assistance to local governmental bodies affected thereby, and for other purposes: Mr. Anderson, Mr. Church, Mr. Cooper, Mr. Javits, Mr. Kennedy of Massachusetts, Mr. Long of Missouri, Mr. McGovern, Mr. Moss, and Mr. Scott.

HEARINGS ON CHINA POLICY

Mr. FULBRIGHT. Mr. President, I wish to announce that the Committee on Foreign Relations will begin hearings on U.S. policy with respect to mainland China. The hearings will be open and are expected to continue for several weeks.

The first witness will be Prof. Doak Barnett, professor of government and member of the faculty of the East Asian Institute at Columbia University, New York City. The hearing will be held in room 4221, New Senate Office Building, at 10 a.m. on Tuesday, March 8.

The second hearing in this series will be with Prof. John K. Fairbank, professor of history and director of the East Asian Research Center at Harvard University. This hearing will be held at 10 a.m. on Thursday, March 10, in room 4221.

ANNOUNCEMENT OF HEARINGS ON ATLANTIC UNION RESOLUTIONS

Mr. CHURCH. Mr. President, as chairman of the Subcommittee on International Organization Affairs, I wish to announce that the subcommittee has scheduled hearings on March 23 and 24 on related Atlantic Union resolutions. I ask unanimous consent that a press release of this announcement be printed at this point in the Record.

There being no objection, the announcement was ordered to be printed in the Record, as follows:

U.S. Senate Committee on Foreign Relations

Senator Frank Church, Democrat, of Idaho, chairman of the Subcommittee on International Organization Affairs, today announced plans to hold public hearings on related Atlantic Union resolutions pending before the Committee on Foreign Relations, on March 23 and 24, 1966.

These resolutions are Senate Resolution 128, introduced by Senator Church (for himself and Senators Carlson, Case, Clark, Cooper, Dodd, and McCarthy), which would establish a Commission for a Stronger Atlantic Union; and Senate Concurrent Resolution 64, introduced by Senator McCarthy (for himself and Senators Carlson, Metcalf, Bartlett, Bass, Dodd, Fannin, Fong, Gruening, Hartke, Inouye, Javits, Lausche, Moss, Prouty, Pell, and Williams of New Jersey), which would establish an Atlantic Union delegation.

Members of the subcommittee in addition to Senator Church are Senators Clark, Carlson, Williams of Delaware, and Case.

All persons wishing to testify on these resolutions are requested to communicate with the chief clerk of the Committee on Foreign Relations, Mr. Arthur M. Kuhl, as soon as possible.

Mr. CHURCH. Mr. President, even while our attention of recent days has been focused very much on the situation across the Pacific, witnesses before the Committee on Foreign Relations have reminded us of the importance of Europe and of the need to reexamine our commitments there. With the approaching opportunity in 1966 for members to denounce the North Atlantic Treaty, it is important that the concept and organization of the Atlantic community be studied at the highest level.

It is my hope that the hearings which I have just announced will bring forth the best testimony possible on our relationship to the Atlantic community.

WAR ON HUNGER

Mr. McGOVERN. Mr. President, Mr. Herschel Newsom, master of the National Grange and president of the International Federation of Agricultural Producers, made a statement this morning before the Committee on Agriculture and

Forestry on the problems of world hunger and appropriate U.S. response.

Since Mr. Newsom is one of the Nation's most respected agricultural spokesmen, I ask unanimous consent to have the statement printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Food for Freedom

(By Herschel D. Newsom, master of the National Grange, president of the International Federation of Agricultural Producers, before the Committee on Agriculture and Forestry of the U.S. Senate, Mar. 4, 1966)

It is a privilege to appear before this distinguished committee as master of the National Grange and as president of the International Federation of Agricultural Producers.

Both of these important organizations have a record of concern for the developing programs in the field of world food needs, international trade, and agricultural development.

I will indicate at the proper time in my testimony where and how the program of the International Federation of Agricultural Producers relates to the legislation before this committee.

We live today in a world of strange and baffling paradoxes. We know more about how to produce and prepare high-quality food for maximum nutritional value than at any time in history; yet we have the bleak prospect that many people will starve to death this year, and the prospects for adequate diet for the rapidly expanding population will become increasingly dim.

In our Western civilization, we have developed the highest and best techniques of distribution of food products in all of history, yet a substantial part of the world is hungry simply because there exists no marketing and transportation organization adequate to move foodstuffs into the food-deficit areas.

We know more about nutrition for both humans and animals than ever before, yet two-thirds of the world suffers from malnutrition, and in some parts of the world, over half the babies born die before they reach school age because of inadequate and improper diet.

We know how to protect our growing crops by the use of herbicides for weed control, yet much of the productive land of the world is unusable because of the rank growth of vegetation choking our food crops.

We know much about protecting our growing and stored food from insects, yet the food productive capacity of the developing world is severely limited by plagues of food-destroying worms and insects.

We know how to protect our stored grain from damage due to weather and atmospheric conditions, yet the lack of storage capacity which can accomplish these same objectives in the food-deficit areas is a major factor in the lack of food where it is needed.

We know how to protect this stored food from rodents, and we have effective rodenticides, yet we read with dismay that in the hungriest nation of the world, namely, India, half of the food grown is either destroyed or made unfit for human consumption by losses due to rodents.

We have reduced infant mortality without reducing the population growth rate. We have reduced the death rate of the adult population and increased the lifespan without providing for the food that is required. In short, we have increased the potential of population growth without increasing the potential of the food supply.

Due to the technological advancement in the agricultural production of the United States, the British Commonwealth countries, Western Europe, and parts of South America, we are now able to produce food far beyond the ability of any normal market arrangement to absorb and distribute. Therefore, while the world suffers from a lack of available productive land in the food-deficit areas, the United States has some 50 million acres in land reserves. The developed world and some of the developing countries, including those in grave danger of mass starvation, are spending billions for military purposes, but they cannot afford the capital necessary to provide food and fiber for a needy world.

We know how to educate, but the world is illiterate.

We know how to control population, but population continues to expand at an explosive rate.

We know how to control disease, but disease is rampant.

In short, we know how to feed the world, and we probably have enough resources in the world, if properly harnessed, to provide an adequate diet for the present and projected population, but we have not demonstrated the willingness to provide the food necessary from our American productive capacity to prevent starvation and upgrade diets and to insist that the rest of the developed countries of the world share the burden with us.

Meanwhile the "Four Horsemen of the Apocalypse"—pestilence, war, famine, and death—continue to stalk the world. Although they may emerge at different times from different doors, the fact remains that they come from the same barn.

There was a time when the Western World and our Christian civilization thought about the conquest of these carriers of suffering and death as the desired result of a world evangelization program for Christianity. Today, the impending disaster threatening us has changed our attitude toward the "Four Horsemen" from one of a theologically desirable goal to one of social, moral, and political imperatives. The United States cannot forever exist in alliance with its friendly and affluent international neighbors as an island of abundance in a sea of despair. The very survival of our much heralded and highly valued Western civilization and the validity of the professions of our Christian culture are dependent upon our ability to successfully meet the challenge of world hunger.

We have seen two great nations, with civilizations and histories as old as recorded time, with a longtime history of surplus production in agricultural commodities, slip behind the Iron and Bamboo Curtains and for the foreseeable future become food-deficit areas. The block over which they stumbled was agriculture. Today, the great subcontinent of India is in political distress and threatens to be pushed into the Communist orbit along with all of southeast Asia because of the political problems that come from hungry people.

Thus, the truth of the statement of the prophet Isaiah is verified when he said: "And it shall come to pass that, when they shall be hungry, they shall fret themselves, and curse their king and their God."—Isaiah 8: 21.

The story of the food-for-peace program which has operated for the past decade does not need to be retold in this testimony. The program has been an expression of American good will and concern for the peoples of the world in the most practical terms imaginable and in quantities never before duplicated.

One hundred-forty million tons of foodstuffs under concessional and direct relief programs, distributed to hungry people of many nations, have been the difference between hunger and starvation, between peace and war, between stability and instability, between economic growth and economic disaster for these needy nations. America need not be ashamed of its contribution to international welfare during this time.

The period of agricultural adjustment creating the initial opportunity for these programs has drawn almost to a close. Our experience in the administration of these programs, with the inevitable mistakes that were the result of pioneering in entirely new areas, and with the substantial successes accumulated to our credit, place us in a more favorable position to develop and administer new programs to alleviate the hunger of the world.

The necessity of this kind of program, and the situation both in our American agricultural economy and that of the developing nations, is more complicated than a decade ago. For instance, what appears to be a very simple problem with a simple solution, upon examination becomes extremely complicated and presents the Congress and the people of the United States with some challenging and perplexing questions.

1. How can the limited productive capacity of North America, Western Europe, and Australia-New Zealand, the only surplus food producing areas in the world, comprising less than one-fourth of the world's population, expect to meet the food deficit of an exploding population in three-fourths of the world? Even if we took all 50 million acres out of the present U.S. land reserve, we would produce an additional 40 million tons of grain. This would allow us to triple our shipments overseas, but would still leave a food deficit in the early 1980's of an additional 50 to 60 million tons.

2. Obviously, if there is to be any solution to the problem of population versus production, much of the solution rests with the developing countries. Several of these countries do not have any physical frontier left to expand the acreage available for production. Therefore, how can we stimulate a takeoff in production per acre in the developing countries in the face of limits on available land and capital and in the face of unbelievable illiteracy, as well as institutional inertias, such as religious taboos, social customs, etc.?

3. In view of the slow movement toward a technological revolution in agriculture, can we expect, and if so how quickly, the less developed countries to make the transition from area-expanding methods of increasing food output to the yield-raising methods which will obviously be necessary?

4. How can we continually increase our production for nonmarket demands without destroying the integrity of the capital invested in Western Europe, North America, Australia, and New Zealand, in view of the fact that the existence of a surplus which is not marketable in its regular sense tends to destroy or depress the existing commercial markets?

We are pleased to note that the Council of Economic Advisers in its annual report to the Congress for 1966 has taken cognizance of the problems involved. They note the need for additional capital, even though the developing countries are financing more than three-fourths of their economic growth. I refer to the following statement made in the report:

"Private foreign investment also makes a crucial contribution to the less developed countries. It provides not only capital but associated technical and managerial skills."

"Food aid must not be allowed to impede the development of agriculture, since in many countries, agriculture may be the most rapid route to general economic growth. Moreover, such progress in agriculture is essential to the long-run solution to foreign food shortages. If the gap between the food needs and production in the less developed countries continues to widen at the rate of the past few years, even the United States with its vast food-producing capabilities will not be able to fill it."

In discussing human resources, the economic advisers note the problems of illiteracy, the necessity of improving health conditions, the imperatives of adequate child nutrition programs to erase the results of malnutrition, and population growth control and techniques.

In the section concerning improving trade prospects, they state that "both the advanced and emerging nations must give greater attention to policies to accelerate the growth of the export earnings of the less developed countries." By way of illustration, the report continues as follows:

"For individual primary commoditions, and primary exporters, the major source of instability has been the wide erratic movement of prices. The less developed countries need greater insurance that the development programs will not be vitiated by unpredictable declines in export earnings that are beyond their control. International agreements for some commodities, such as coffee, represent one technique for dealing with this program.

"Financial arrangements to help offset short falls is another technique.

"Liberal commercial policies by the developed countries will contribute to world economic development."

These brief statements from the report indicate the grasp that the council has on this situation and, because of the importance of this one particular document, we would like to refer you to chapter 6, page 140, of the report, dealing with "The International Economy."

To meet these problems and help solve these dilemmas, the Committee on the World Food Crisis was formed in early December. It has been actively engaged in soliciting the best brains and resources in America to suggest the kind of answers most promising to reach the desired objectives and least damaging to the various interest related thereto.

In general, the Food for Peace Program has been administered along the lines suggested by the National Grange and consequently has had our strong support and endorsement.

In this connection, the International Federation of Agricultural Producers at Rotorua, New Zealand, in the policies they adopted, stated that food aid should be "a joint responsibility, and one that must be increasingly fulfilled, of all countries, both exporting and importing." This policy was reaffirmed in the European meetings in Oslo last May, in Rome in November, and in the North American Regional Meeting concluded on March 2 in Mexico City.

Thus, we see that the producers of international agricultural commodities are becoming increasingly aware of the need for some kind of international coordination and participation in meeting the problems of world hunger.

Speaking as president of the IFAP, we believe that the time is at hand when it must be recognized that the piecemeal and uncoordinated application of the productive resources of the developed world is not sufficient to meet the commitments of resources which will be required for the solution of the problems we are considering here today. With all due respect for the pronouncements of the Secretary General of the United Nations, the appeals of Pope Paul, the statements of the World Council of Churches, and other international bodies, including the FAO and the world food program, the fact remains that we simply are not marshalling our forces in any unified way to solve these tremendous problems.

As we interpret the existing and proposed legislation, it appears to be an adequate vehicle to effect the widest possible combination of U.S. unilateral approaches to the food and nutrition needs of the world, and at the same time, stimulates the development of the agricultural economies of the developing countries.

The committee, in our judgment, should make it crystal clear that it is intended we shall open the way to the accomplishments of both these purposes by this legislation.

All of us are proud to be Americans. We are proud of the manner in which our Government and the private sectors have responded to the humanitarian needs of many peoples in many lands, as well as to the need for assistance to stimulate the industrial and agricultural development of impoverished and developing countries. We are proud of the ability of the United States to lead in the direction of peace and the improvement of opportunities for all people.

But if we are to take and maintain the lead in this important area, then we must be alert to every opportunity to inspire, motivate, and activate as great a participation by the other nations of the world as is needed in order that they might accept their proportionate responsibilities with equal eagerness and comparable dedication of their economic, technical, and material resources for this task. We believe that this should be clearly stated as the intent of this legislation, which we assume is going to be approved by the 89th Congress of the United States.

The legislation before this committee is a distinct improvement over that currently on the books. It gives wider latitude, increased resources, and greater administrative authority for the waging of a "war on hunger." We would like to consider this legislation and evaluate it on the basis of some guidelines which we are proposing now, with the hope that it may influence the thinking of the committee to the point where it may be written into the legislation or, at least, into the legislative history of the bill.

Food relief and production problems are so vast that the United States should not presume to meet these obligations alone. We could not meet them if we tried, and we should not if we could—although we might temporarily by the release of the present acreage reserves and by increased price levels through governmental purchasing for the products grown on these now idle acres. Such a course of action would be only to furnish an opiate to the developing countries and erroneously indicate that an inexhaustible supply of free food was available for them to be drawn upon at will.

The fact that they would become permanent objects of our charity is not so disturbing as the fact that their failure to develop their own agriculture and, consequently, their own economy during the few critical years ahead, before the food crisis strikes with its full impact, would involve the loss of invaluable time and would preclude the successful solution of these problems.

Furthermore, in this regard, it should be emphasized that all of the evidence points to the fact that the food demands of the world will become so great that even though we released all of our land to production of necessary foodstuffs, and gave it the necessary guidance to direct its production toward the foods needed, by the end of another two decades there probably would be a world food gap of 40 to 50 million tons. To imply that we would then be able to continue to feed the peoples of the world would be an act of political insanity. The organizations that this witness represents view with considerable alarm the irresponsible statements being made to the effect that it is the duty of the United States to feed the world and, as a result of some miracle yet undefined, that we will be able to bring increased prosperity to American agriculture by this method.

To this concept. we enter a vigorous dissent. The prosperity of American agriculture does not, and must not, depend on the expansion of relief markets, but rather on the development of commercial markets in the rest of the world. Programs to remove the restraints on our production and to transfer the costs of the agricultural programs to relief programs would serve only to reduce the income of American farmers, and to seriously impair the opportunities which may be developing in the emerging nations for their agriculture to become a viable part of a growing and prosperous economy—a development which is imperative, in our judgment.

A benevolent program of food distribution is becoming to us, as a nation whose heritage is based on Christian concepts, if this program is used to meet the imminent emergency relief needs of the world. But it is not to our credit to pursue such a policy if it places us in the position of being a permanent source of relief and most nations of the world in the position of beggars at our door.

The design and administration of these programs must be carried out in such a way that the hard-won increases in farm income in the United States are not destroyed. It should be noted that our rate of economic growth and the problems associated with the agricultural depression in the past years had a proportional relationship. Our present national prosperity has been stimulated during the last few years by rapidly increasing farm income and farm purchasing power. The economic demands upon America at the present time are such that we cannot risk the possibility of having our own economic growth and prosperity impaired.

The levels of farm income attained in the United States are in large part the result of the well-designed farm programs created and passed by this Congress. The heart of these programs is the base-surplus pricing concept, having its origin in the National Grange over 40 years ago. The marketing order concept in milk was designed to use this marketing principle, a program which, unfortunately, was barred by the development of blend pricing. The action of the Congress in permitting the use of a base-surplus pricing system for milk sold in Federal market orders, using a marketwide pool, we believe, will be the basis for a substantial improvement in the pricing situation as it relates to dairy.

Certainly, the program available to the U.S. wheat producers guarantees, to the farmer who participates, a parity price for that part of his production which enters into the domestic market for food. The ability to develop and expand our markets in competition with other agricultural producing countries—especially wheat-producing countries—within the limits of our responsibility under previously negotiated international agreements, is directly related to this concept of a base-surplus pricing system.

Indeed, without this concept, any dream of a substantial contribution by the American people to the agricultural and food needs of a hungry world would be economically impossible and politically unwise. Therefore, the National Grange has vigorously supported this program. We wish respectfully to point out to this distinguished committee, that the path you have chosen by the adoption of this program is proving to be wise and prudent; and that the future success of American agriculture depends not upon the abandonment of programs such as this, but upon the extension of them to commodities depending upon their foreign exports, if depressed world market prices make it impossible to earn a decent return for these products in the American marketplace.

In this connection, it should be noted that the return received by farmers for the wheat going into what we choose to term our secondary markets is a few cents above that they would receive if the price were determined by competition alone. Indeed, if we were to return to such a pricing mechanism at the present time, despite the temporary demands for relief wheat in India, the price would probably be even lower than at present, and might hover around the 90 cent figure, with the possibility of it dropping even to 80 cents.

The basic concept of the National Grange and of the Congress in adopting the present farm program is that the part of production consumed by the domestic market for food should receive a parity price; that part going into the world market should receive a price determined either by competition or international agreement with our competitive friends and the importing countries. As much as we desire a higher income for our wheat producers, we believe it is imprudent and unwise at the present time to tinker with this formula.

Although the temptation may be great to embark upon a competitive price-cutting war with the rest of the nations of the world, and although the destruction of opportunities for the profitable production of farm products in other areas might be economically enticing, the necessity of rapidly developing the agricultural productive capacity of the food-deficit areas, especially of the developing nations, makes these temptations fraught with too much danger, the stakes too high and the odds too great against us winning in the long pull, simply to make such a program unthinkable and unworthy of the high ideals of the American people and the Government of the United States.

If the foreign policy of the United States were the conquest of territory and the application of the mercantile theory, based upon a desire to accumulate and monopolize the purchasing power of the world, it could be justified on those political grounds. Since this is not the case, any kind of policy based upon concepts of economic aggression against helpless people of smaller nations by the greatest and most powerful country in the world certainly does not become us as a people or as a nation.

We propose instead, that the basic structure of the Agricultural Act of 1965 be retained and expanded, and that the market stabilizing features not be weakened, but strengthened wherever possible.

In this framework, therefore, let us wage war on hunger. In planning for this worthwhile campaign, we would point out that, just as in a military campaign, the desirable must be balanced against the obtainable, and the long-term political consequences must be balanced against the short-term economic goals. Our humanitarian instincts and goals must be measured against our productive economic capacity; our desires for the improvement of the welfare of other lands must be weighed against the necessity for improving health, nutrition, educational attainments and economic prosperity of those who live in some degree of poverty within the United States; and the amount of supplies to be produced necessary to wage this war on hunger must be determined to some extent by our ability to deliver the goods to the field of battle.

If we are really serious in our determination to successfully fight this war, then we must give it the kind of priority given to military campaigns. Not only must we establish the pre-eminent priority of the necessity for winning the war on hunger, by the use of food for freedom, but we must establish the priorities within the program in such a way that the chances of victory are enhanced instead of diminished.

Since our objective is a peaceful and prosperous world in which there is security for political systems and persons, where the differentiation between the hungry and the well-fed is eliminated, where the fear of pestilence and death is removed from the weak and strong alike, where famine stalks his prey with devastating effects no more, indeed, when the lion and the lamb shall lie down together and men shall beat their swords into plowshares and their spears into pruning hooks—then we must mobilize the total productive resources of the developing and food-deficit areas of the world simultaneously with an expansion of the productive capacity of the United States.

Experience has demonstrated that this is not only moral and good politics; it is also good economics. Where we have taken positive steps to upgrade the diets of food-deficit areas of the world, we have developed markets for American agricultural products. This includes the modernization of agricultural technology among some of our friendly allies, the most outstanding example being Japan; but also with Greece and Taiwan as other examples. We have literally cast our bread upon the waters, and it has returned to us a hundredfold.

Our first priority is to prevent as far as possible any mass starvation in any country of the world. We say this only after a great deal of thought, but it is unconscionable that we should permit starvation when it is within our power to prevent it. If food fought for freedom in the last war, and indeed it did; and if food fights for peace today, as indeed it does; then a policy of limiting food relief programs to help only our best friends is hardly based on a realistic appraisal of the political facts of life of a modern and complicated world. There are ways of doing this within the structure of the international organizations without the U.S. Government having to approve of political systems with which we disagree.

Though some may disagree with the view which we have just expressed, there should be no room for disagreement that we should not sit idly by and permit mass starvation among our friendly allies. Therefore, we must commit and deliver, as far as possible, our reserves and resources on an emergency basis to meet the minimum food demands in the hungry part of the free world, and we must be prepared to increase our production, if necessary, to accomplish these ends. We do not believe, however, that the time is at hand when the latter suggestion must be implemented to any significant degree by additional legislative or administrative action. The former, of course, is necessary, especially in the case of India, and no arguments can relieve us of the moral and political responsibility of doing everything we can to alleviate the distress among these unfortunate people.

Another priority must be in the development of commercial markets. In this connection, it is in our view imperative that no action be taken which would remove or weaken those provisions of the Agricultural Trade Development and Assistance Act which authorize foreign market development activities for U.S. agricultural products through commodity groups, in cooperation with the Department of Agriculture, or the sale of U.S. agricultural commodities for dollars on long-term credit through the private trade.

A third priority must be the development of the agricultural production in the less-developed countries, for use by such countries. The methods of doing this are covered in the statement of the Committee on the World Food Crisis. At this point in the testimony, we would only add that, in our judgment, a major opportunity for multilateral action is offered in the development and administration of programs to improve nutrition for children, reduce illiteracy, improve per-acre production of essential crops, provide for long-term credit and low-interest loans, finance and staff regional research facilities, develop transportation, storage and marketing facilities, etc.

The scientific and technical know-how of the developed countries must be fully utilized in these programs and, in the meantime, the necessary dietary supplements and additional food supplies should be made available. Highly accelerated programs to raise nutritional levels to those of the developed countries seem unrealistic, if we think that these may be accomplished in a very few years.

For the attainment of our ultimate objective, we must advance all of our forces for victory on a total front. Great salients of unresolved areas cannot be permitted to remain, if the overall goals of food production and nutrition are to be accomplished.

The problem causing the greatest concern, as we try to accomplish the objectives outlined in this testimony, is how to protect and improve farm income while expanding production for noncommercial market needs. The fact that U.S. farmers have achieved a technological breakthrough in production, and that we have attained the production miracle making us the envy of the world, is directly related to the other fact that we have had some kind of income incentives making it profitable, or desirable, for farmers to make the investment of capital, education and experience necessary for the attainment of the production breakthroughs creating this tremendous productivity of American farms.

The greatest threat to the productivity of the U.S. farmer is inadequate return. The technological advancements available for American farmers at the present time are even greater than those we have had in the past and depend, to a large extent, upon the ability of the farmer to increase his capital investment to take advantage of scientific know-how already developed. The same is true for the farmers in developing nations. If they are to increase their production on any substantial basis, the financial incentives must be present to permit them to do this. One of the discouraging factors about the difficulty of increasing production in some of these areas is that, once the producer has increased his production, there is no place for him to dispose of that surplus he has produced.

In regard to the legislation before this committee in the form of bills introduced by the chairman, Senator McGOVERN, and Senator MONDALE, the Grange would like to express its appreciation to these distinguished Senators for the great interest they have shown in this problem. It was particularly appropriate and meaningful that Senator McGOVERN, former director of the food-for-peace program, should have introduced the legislation and publicly led the fight to acquaint the Nation with the perils before us.

We believe, however, that S. 2933, introduced by Senator ELLENDER, comes nearest to meeting the needs of the programs, as we envision them. The National Grange, therefore, with all due respect to the other two distinguished Senators introducing legislation covering this subject, does prefer the approach of S. 2933.

The provisions of title II, covering famine and relief requirements and the food aid programs, would strengthen the programs already authorized and meet the policy objectives of the Grange.

Title III sets forth the terms and conditions by which the Secretary may acquire nonconvertible currencies and the uses to which they may be placed. We believe that as drafted this title does not give adequate priority to the use of the foreign currencies which accrue to help develop new markets and expand existing markets for U.S. agricultural commodities. We, therefore, urge that the bill be amended so as to retain the priority for foreign market development by the inclusion of a provision similar to that contained in subsection (a) of section 104 of the Agricultural Trade Development and Assistance Act. This is essential if we are to remain in a position to achieve what has been considered to be a basic objective of sales of our agricultural commodities for foreign currencies; namely, the development of future commercial markets for those commodities.

We also believe that it would be a serious mistake to retain section 310(a) in the bill, which would eliminate after the close of this year the availability to the private trade of the provisions of title IV of the Agricultural Trade Development and Assistance Act to assist them in developing foreign markets, through dollar sales on long-term credit. It should be made clear that it is the policy of our Government to authorize this assistance wherever commercial dollar sales can be made, and that the availability of such assistance does not depend upon the existence of an international agreement.

We would especially urge that maximum emphasis be given to the development and support of regional scientific centers on a multilateral basis. We would suggest to the Congress that their instructions should include that the highest priority for this research should be given to food production.

Research projects are one of the most critical elements of these porgrams, since the development and staffing of these facilities will require a long-term commitment by the Congress and the executive branch of the Government. Research projects cannot be turned on and off by whim, nor can qualified research personnel be recruited for short-term projects.

We hope that the approval of this section of the bill, one of the most important in this proposal, will carry with it a commitment of support which will permit the development of meaningful and productive research programs. The Grange, therefore, urges this committee and the Senate to approve S. 2933.

S. 2932 authorizes the Commodity Credit Corporation to establish and maintain reserves of agricultural commodities to protect consumers, and for other purposes. We believe this is an act of prudence and one which the Grange has endorsed for a number of years. This proposed legislation, however, covers a subject beset by many pitfalls which must be carefully considered. Otherwise, the evils we create would be greater than those we destroy.

There is a direct relationship between the level of reserves and the level of production. Therefore, this particular bill should be considered in the light of proposed planning programs for those commodities under Government programs.

Although the stocks of wheat have been reduced by about 50 percent since this program went into effect, we do not concur in the belief that we have to have a major expansion of production at the present time. Our 150-million-bushel reduction in wheat stocks per year has not yet brought us to the verge of grave concern about the level of our strategic reserve. Indeed, the desired level for these reserves has not yet been established.

We would point out for the record that the witnesses for the National Grange appearing before this committee in the past few years have repeatedly urged the establishment of a strategic reserve at levels determined by the broadest kind of consultation among the responsible heads of this Government, including those representing national defense, national welfare, the Department of State, the Department of Commerce, as well as the Department of Agriculture.

We would also point out that at the present time, the strategic reserve consists not only of stocks on hand, but of a surplus capacity readily available when needed to further the domestic and foreign programs of the United States. Until such time as it is demonstrated that this kind of surplus capacity should be transformed into surplus stocks, we believe it is prudent to continue the present program at almost the present levels, bearing in mind that there are two wheat planting seasons in the United States, and opportunities to recover from unusual drains on our reserves are presented both at the fall and spring planting time. We would also bring to your attention that there is another harvest season available for the markets of the world, that being in the Southern Hemisphere.

Therefore, although we believe strongly in the concept of the strategic reserve, we believe also that the interests of American agriculture, the interests of international agriculture, the interests of the food-deficit areas of the world, and the interests of the farm policy objectives of the United States are best served by strategic reserves being maintained at minimum levels, so that their price-depressing effects do not hinder the profitable production of needed agricultural products by either American farmers or the farmers of the developing food-deficit areas of the world.

If these strategic reserves are to be considered in the context of the old ever-normal-granary program, then the National Grange could not support this proposal. The acquisition of stocks has the possibility of operating as a continuing price depressant on the markets for those commodities under Government programs. If the "in" and "out" provisions are geared directly to price, we would be putting ourselves in a position again of accumulating stocks on an open-end basis, and the reinstituting of programs that previous experience has proven to be almost disastrous to the American taxpayer and the American farmer.

On the other hand, if the withdrawals were tied only to a price basis, or pricing formula, then it would be possible for speculators in time of impending national or international crisis to remove these necessary reserves from the public domain at the very time when they would be most needed.

Our concept of the strategic reserve is that this should be a modest amount of storable food commodities primarily for our domestic food and feed needs, and provide assurance that adequate seed would be available for the new crop, with some provision for our international commitments. That part carried for our international trade and relief commitments might, and probably should, be acquired and disposed of under a price-formula basis, but that which would become the strategic reserve for purposes of national defense and national welfare should not be permitted either to be purchased or withdrawn, except on the basis of the quantity available from the market.

In our opinion, the Congress should write some very specific and rigid guidelines for the acquisition and disposal of these reserves. As far as possible, these reserves should be isolated from the market and made available to the market only on the basis of real need, and not on the basis of increasing prices.

As we have stated before, the surplus capacity of the American farms is of and by itself an ever-normal granary of vast and adequate proportions. It is not a strategic reserve, and the concept of the ever-normal granary should be carefully separated in either the language of this legislation or the legislative history, which shall be a part of the report of the committees.

With these final observations concerning the legislation before you, the Grange is happy to add its endorsement to the peace programs, which have been designed to meet the critical food needs of the world of today, and the world of tomorrow.

We would caution in closing that we need continually to keep in mind that the world food crisis of today is relatively isolated in a very few countries. These problems should be considered on an individual basis, and action taken such as the needs dictate.

The world food crisis of tomorrow that shall, on the basis of available predictions, become a haunting reality within the next two decades, is one for which we should develop long-term plans and administer them with persistence, foresight, and with all the wisdom which our experience has been able to develop.

The National Grange is not adverse to using the American productive capacity to meet the food needs of today and tomorrow. We are opposed to using the present crisis as a basis for dismantling the farm programs which have been so carefully developed by this Congress, and which are making such a major contribution to the economic welfare not only of the American farmers, but also to the welfare of the American public and of the food-consuming peoples of the world.

We do not envy your responsibility for making decisions which are so vast in their implication that the lives of millions of people literally depend upon what you do and say here. We do offer you the best of our counsel, the best of our good wishes, and our earnest prayers that the labors which you undertake in this distinguished committee shall in the days to come have proven so beneficial that there will be those of many tribes and tongues who shall rise up and call you blessed.

NORTH DAKOTA STATE SCHOOL OF SCIENCE SUPPORTS OUR EFFORTS IN VIETNAM

Mr. YOUNG of North Dakota. Mr. President, North Dakotans have always taken a serious-minded view of the problems facing our Nation. The war in Vietnam is no exception.

I have just received a petition signed by almost 600 students of the State School of Science at Wahpeton, N. Dak., expressing their support for the efforts of the American forces fighting in Vietnam. The State School of Science is a relatively small institution known for the high caliber of its vocational training program.

The spirit in which these young people signed this petition is indicative of their patriotism and loyalty to the Government of the United States. I feel that the student body of the school is to be congratulated for the responsible view they have taken of this most pressing of American problems.

Since statehood, North Dakotans have willingly answered to their responsibilities as citizens whenever their country stood in need of their services. This expression reaffirms that willingness and that knowledge of the responsibility we each have for making the American dream a reality.

Mr. President, I ask unanimous consent to have the petition, and the names of those who signed it, printed in the RECORD.

There being no objection, the petition and names were ordered to be printed in the RECORD, as follows:

PETITION CIRCULATED AT NORTH DAKOTA STATE SCHOOL OF SCIENCE, WAHPETON, N. DAK.

We, the undersigned, join with thousands of other students on the campuses of the United States in support of the American forces in their efforts in Vietnam:

STUDENT CABINET

Dwight Paulson, President; James Gefroh, Vice President; Laura Utt, Treasurer; Greg Ruddy, Secretary; George Holt, Social Chairman; Rachel Henkenius, member; Mark Ruddy, member; Howard Vogel, member.

STUDENT CENTER ADVISORY BOARD

George Holt, Vice Chairman; Cheryl Lord, Secretary; Patricia Warrey, member; Michael Henkenius, member; Gary Krump, member.

Kenneth Manske, Bob Stein, John Dozak, Jerome Kruse, Clifford Wolf, Diane Severson, Cliff Gjellstad, Richard Sullivan, Kent Farley, Donna Sterna, Ardel Pelzl, Janet Lord, Marilyn Carlson, Sandy Kath, Gary Ottmar, Rodger Rieger, Margaret Thompson, Julie Zick, Danny Thompson, Doug Haberman, Gye Kallstrom, Matt Wellprecht, Doug Pederson, Karen Olson, Carolyn Jacobson, Harlow Pederson, Betty Jean Haugen, Kay Blouin, Linda Murray, Rosemary Elliott, Elouise Bragg, Donald Conely, Dwight Benson, John Otterson, Kent Carpenter, Frank Perleberg, Mark Lee, Ronald Ista, Larry Evenson, Peggy Oase, Bjorn B. Melsted, Douglas Snelling, Gloria J. Olson, Sheila Stillings, Melba Jordet, Jim Eberle, Philip Kubischta, Vernon Rorseim.

Dan Rasley, Julia Berg, Dennis Aasheim, Richard Veitch, Gary Vining, Rodger Matthews, Floyd Fischer, Steve Olson, Bart Capouch, Dean Nelsen, Michael Fredrickson, Ray Vutrzenke, Roger Finch, Ronald Dukand, David Gutsche, Donald Pesek, Rodney Halvorson, Gary Bimler, Bruce Hoefs, Ernie Gilbertson, Herbert H. Henninger, Ronald A. Wotzenrock, Beth A. Rider, Judy Hendrickson, Linda Mund, Chuck Abel, Lyn Bopp, Curtis Werre, Lyle A. Smith, Arnold Korynta, Gary Lepire, James Converse, Konley Wolla, Susanne Fust, Jean Nord, Delores Blazek, James Sahr, Bob Kjar, Doug Pearson, Kenneth Voltz, Bonnie Duncan, Margaret Burton, Patricia Reeck, William A. Merrill, Gail O. Zimmerman, Jerry L. Hatlestad, Roger J. Crowder, Neil Wusir.

Willis Schaible, Darrell Ringenberg, Glen Anseth, Joel Hansen, Wes Johnson, Ronald Thompson, Robert Bauer, Barry Moon, Larry Frigen, Curtis Vosberg, Gary L. Redlin, Larry Kensinger, Paul Althoff, Ray Carr, Mike Hahn, William Anderson, Glenn Halvorson, Richard Johnson, Kelly Olson, Delano Meyer, Sharon Hallis, Kermit G. Setterlund, Dennis Freitag, Gregory Morris, Sherry Lund, Bill Fust, Peter Nermoe, Darwin W. Schultz, Dean Muehlberg, Gerald Vander Beek, John Wettstein, Gordon W. Gunness, Warren Olson, Penny Landgrebe, Greg J. Eul, Joe Regon, Andrew Serr, Robert O. Halvorson, Raymond Berg, Gloria Young, Ann H. Engberg, Wayne Anderson, Rod Cole, Ellis Stewart, Connie Johnson, Joyce Rice, Bruce Johnson, Lonnie Huseby.

Mike Berg, Larry Fischer, Lavon Braaten, Bonnie Martin, James Edd, Curtis Erickson, David Demorais, Carroll Wentland, Carla Clark, Gary Craychee, Daryl Furry, Norman Brademeyer, Stanley Grev, Charles Hitchcock, Ardis Scherr, Myron Maas, Robert Jensen, Jerry Buchli, Franklin Krause, Dennis Kerrick, Lynn McDonnell, Ronald Volck, Jay Linnell, George Kauitscher, Jim Maxwell, Dennis Wiemann, Gary Fritz, Richard Verke, Linda Marsager, Richard W. Erb, Ralph Gast, Buel Sonderland, Jay Tegly, Frank Sopranski, Donald Ripplinger, Howard Blegen, Charles Paulson, Judie Axness, Charles Peterka, Murray Patterson, Kenneth Worthley, Harry D. Millard, Gary L. Skabo, D. J. Peden, Larry J. Lehrness, Gloria Ebertowski, Theodore V. Benstock.

Richard Haberman, Kenneth Haus, Dennis Schmidt, Thomas A. Leidy, David Fulske, Bill Mitchell, James A. Kirchen, Dale Bonebrake, Gary Korstad, John W. Blais, Dave Hohenstern, Lynn Strubbe, Edwin Okonen, Michael Sandaval, Ronald B. Nester, Roger Sorenson, Dean L. Hammer, Kathy Geritz, Marlys Henrikson, David F. Reisenweber, Anderson J. Warren, Arvin M. Bergstedt, James J. Goetz, Thomas F. Steen, Monte C. Grund, Franklin Hannesson, Eugene Boettger, Keith O. Axvig, Robert C. Raiter, Paul Sandbak, Virgil Greer, Gailand Hervicksen, Terry N. Thompson, Daryl Hochhalter, Larry Schoff, Gary Peterson, Muriel Connolly, Larry Taylor, Jennings Kooda, Bob Vandulinde, Rita Shahane, Joan Kuchera, Donald Woolford, Mary Morris, Linda Gordon, Paul Wieser, Al Dawkins, Dee Sholts, James Jonasson, Terry Daile, Timothy Paul, Dennis J. Sweep, Charles Miller.

Terry Ibach, Steve Vesledahl, John E. Gieutma, Steve Carlson, Fred Barrington, Irving Johnson, David Kuipers, Larry Windingland, Norval Gally, Ronnie Werner, Mike Anderson, Lyle Oelson, Ken Trana, Duane Hovland, Richard Henry Bond, Carroll Paulson, Jordell O. Brose, Kenneth Dickel, Virginia Carney, Tony D. Ackew, Russell Holte, Guy Sens, Stephen Colley, Jerry Rasmussen, Dianne Moore, Arden Espelien, Jo Ann Vedder, Beverly Berg, Jim Johnson, Gerald Hakanson, Bonnie David, Conrad Lossow, Dale Kelling, Mike Madsen, Linda Patterson, Kathy Worner, Kenneth Kussy, Dennis Mattson, Richard Heskin, William Jongbloed, Arvin Carlson, David Borchard, Charles Carbonneau, Keith Fleishchauer, Garry W. Kunz, Dennis L. Paulson, Richard Wakeford, Rod Goffrey, Howard Rude, Colleen Lesner, David Forness, Rolland Michaelson.

Dannie Houfeh, James Herman, Karen Paczkowski, Neil Wiltse, Vernon Waytassek, Glen R. Harris, Curtis Grenier, Vernon Mathiesen, Robert Carson, Diane Baker, Ronnie Folden, James Bakke, Wayne Olen, David C. Rogers, Gary Freund, David Toyske, Curtis Kjonaas, David M. Sletten, Richard Ralph, Roger Bourdean, Tom Licklides, Jr., John Knaus, Jerry Handran, Larry Deike, Wayne Kroetsch, Dennis A. Hawes, Roger A. Weinmann, Tom Schend, Bruce Jensen, Gary T. Rickow, Larry Collins, John Forslund, Roger Klemetsa, Donna Konkler, Cathy Hove, Robert Norbeck, James Kain, Dennis Hughes, Duane Arndt, Jeannette Griffith, Le Ann Erbes, Thomas Biby, Mary Fuka, Gaylen Salberg, Brooke Nesset, David Sundlie, Dave Hokenson, Jerry Luebke, Dave McLean.

Janet McLean, James Buchholz, Sondra Dahl, Wilbur Katz, Mike Bonell, Gordon J. Loraas, Jeff Jacobsen, Norman Gilfillan, Leonard Bishard, Tony Bulygo, Eugene W. Cross, Larry Anderson, Daniel Dockter, Kathlien Kimball, Jan Clapper, Lanny Eller, Bruce Speidel, Dennis Poppen, Terry Milas, Ron Merrigan, Joe Davidson, Dennis Dvorak, David Bird, Sheryl Hodgson, Linda Dahlen, Ronald Weinmann, Wayne Martinson, Herb Flakall, Gene M. Anderson, Bernadette Ann Welder, Susan Lenzen, Ken Biberdorf, Ina Hermunslie, Glen Evans, Kent C. Rukke, Paul S. Severin, Gary Russell, Ben Durger, Ordean Hanson, Jon Wilbur, Gayne Gaseel, Dennis Gaseel, Lee Hingst, Wayne Kolter, Mary Miller, Colleen Flados, Richard Alley, James Lysne, Roger Nelson, Jim P. Werner.

Richard Oksendahl, Michael O. Dobson, Myron Holthusen, Ronnie Jensen, Darrel Fagerland, Herbert Buchholtz, Leroy Kalis, Leroy Smelter, Larry N. Metzger, D.L. Shogren, Edna Hermes, Karen Chizek, Aldin Pritila, Clayton Brossnor, Shirley Kordovsky, Sharon Vanourny, Larry Ketterling, Dallas Neumiller, Lorenz K. Trittin, Donald L. Bill, N. Spears, Michael Gates, Dennis W. Saari, Lee Amundson, Ann Spickermeier, Juanita Schanandore, Dwight Hanson, Rosemarie Lewandowski, David Swartz, Betty Rickard, Mark C. Ackelson, Dave Maack, Don J. Anderson, Duane L. Solberg, Ralph Becking, Leon Hackburt, Tom Wieland, Richard Stevens, Larry Heick, D. D. Krueger, Wayne Hinrichs, Pat Larson, Richard Dolan, Myron Swanson, Linda Stark, John M. Senger, Ronald Hindt, Janet Zimbelman, Duane Formaneck, Mike McDonald.

Dennis Hilzendager, Marlys Heitkamp, Dennis Lochen, Rodney E. Paulsen, Ray E. Runay, Russell Hadler, Albert Wunder, Marc Benoit, David Hewitt, Leroy Johnson, Roy Slupe, Myron Dollison, Mary D. Rust, LaVonne Hultin, Blaine K. Wiltse, Geraldine Brosowske, Richard Ziemann, David Holen, Larry Hodgson, Stanley Strege, Marshall Bellin, Carl Blumhoff, Gregg Lebert, Floyd W. Estliek, William Liebig, Helga Adrian, Mark G. Nellum, Terry G. Brodehl, Douglas E. Johnson, Dennis B. Olson, Burt Quam, John Willman, Larry D. Larson, Gene Wichter, Frank L. Green, Jr., Juel N. Bautz, John Bittner, Richard Orsund, Larry Albright, Gordon Von Wald, Ronald Winter, Phyllis Nelson, Gordon H. Linnell, Jerry Waite, Tarry Jasmer, K. H. Tooking, Walter Paulson, Howard Hohmstron, Ross Schlabach, Gerald Clemens.

Steven R. Barbknecht, Dave Brenna, Ruth Paari, Bob Bowden, Linda Tisher, Lynnette Salgjeld, Judy Miller, Janice Nelson, Nita Tosa, Richard Koenig, Lloyd Rivers, Jim Aasness, Janet Oie, Reynold Amundson, Rosemary Sterm, Barbara Anderson, Donald R. Smith, Gary Theisen, John Roggerlich, Dallas I. Hanson, Jack S. Webster, Michael E. Pfister, Harold Tunge, Erroll Spelhaug, Arden Seisn, Gordon Parker, Thomas E. Belka, Roman J. Niedzielski, Deanna Delzer, Virginia Viestenz, Dick Raasch, Richard Behm, Dennis Wadeson, Jerald Liebig, Clark Adsem, Terry W. Stein, Linda Allan, Geraldine Baumann, Carolyn Jorissen, Gerald Pederson, Nancy Devick, Joyce Kadechka, Greg Thomte, Gary Christianson, Terry Urbach, D. J. Whitledge, Mike Giddings, Douglas Jensen, Perris Horner, Kathleen Althoff.

Gary Niekow, James Kangen, Donald Hillesland, Larry Forster, David McFarland, Larry Krenz, Randy Miller, Robert Schmidt, Connie Abrahamson, James Green, Duane Koep, Thomas Hall, Steve Graven, Leon Stensland, Jerry Willoughby, Curtis Graff, Charles E. Pelvit, Steve Youngquist, Bruce Solberg, Gerald Keller, Darrel Schrader, Jon Peterka, Ken Beauchamp, Ron Venjohse, Linda Roeder, Ron Fugere, William Galbreth, Kay Christensen, Jim Nelson, Bob Nysneen, Verna Kuehn, Jo Ann Pfeifle, Lloyd Adair, Jay Hannesson, Bernie Kring, Claude Cimbusa, Loren Fedorenko, Dale Johnson, Ellerd Boe, Mike Wangsness, Gary Schmidt, John Hoventen, Roxann Dalberg, Clifford Leegard, Gordon Meumiller, Robert E. Gerth, Vernon M. Hammer, Dan C. Hasslen, Elizabeth Canfield, Mrs. Kathy Braun.

David Braun, John Bakken, Wayne Bergeron, Kurt Ogden, Steve Mjolsness, Beverly Reynolds, Janice Loll, Ruth Peschel, Gary R. Carlson, June Nelson, Gail Erdmann, LeMoine Hartel, Robert B. Fay, Gary Kies, Dean Engen, Rollin D. Botts, John W. Westerberg, Marlowe Olson, Dewey Wallace, Bob Wykhoff, Delbert Kost, Darrel Kinsrud, Kenneth Zeller, Gary J. Hondrovec, Muriel Jensen, Susan Carlson, Marvin

Sbraham, Don Converse, Alvin Sick, George Lesmann, Jack Sveningson, Dennis Tang, Robert Hausken, Barry C. Fox, Dale Dustin, James Frerich, Douglas Berntson, Ellary Liebelt, Donald Gion, Steve Houge, Dianne Geisen, John Frankhousen, Bernice Enstad, Robert A. Koeller, Aaron S. Herzog, Mike Dudinsky, Donald Haugen, Richard Bergstad, Wes Allen, Norma J. Pederson, Roland Loney.

Kenny Fiskum, Jim Taylor, Jim Greutmon, William B. Flint, Eugene Klosterman, Jr., Lyle H. Bohn, James Poppen, David Oss, Hal Jordet, Paul Spilde, Gene Harne, Jim Theusch, Diana Hall, Rod Cole, Marcel Hoffmann, Jr., Michael J. Laney, Steven Olsen, Daryl Bertelsen, Ritchie Evanson, T. R. Wills, Galen Enerson, Tom Lundgren, Terry Manz, Donald Karpke, Dennis Wiemann, John W. Rausch, Tom Longe, Steven Koch, Paul Thompson, Donald Dethloff, Robert Bucholz, Ruth Ann Weber, Odo Longowski, Vernon R. Grant, Robert Satrom, Cletus Fruhwirth, Duane A. Gion, Jerome M. Johnson, Janice Mrozek, Paulette Haberman, Linda Olen, Carol Staltenow, Richard Martze, Walter Kackman, L. J. McMillan, Donald Trisby, LoAnn Vertin, Magnus Thorsteinson, Johnny W. Morrison, Kathleen L. Weber.

Jerry P. Jaeger, Rich Schumann, LaVerne Hoveskeland, William Aslakson, Gaylen Holmgren, Mary Kittle, David Speer, Pete Fredrickson, David Baumann, William Barg, Ronald Sveum, Gary Giffey, Elaine Kornelius, Frank L. Phillips, Albert S. Neidviecky, James E. Rauch, Jim Konkler, Delbert Henke, David McMohen, Neil Weight, Marshall Lindahl, Jim Manstrom, David Berg, Gary Gangle, Daniel Trapp, Wayne Stegman, Arnold Klein, Gary Mathurch, Tedd Steenback, Harold Zimmerman, Gary Larsen, Ernest Klepetka, Mike Stubstal, Terry Grotton, Tom Kohler, Bernell Renner, John Berger, Mark Christianson, Leon H. Gelinske, Tarry F. Anderson, W. A. Hermon, Gerald Larsen, Doug Travis, Nicholas Heger, David Thompson, Mark Jacobson, Don Schwartz, Joseph Schneider, Carl Melsness, Kent Kolden.

Larry Olson, Jerome Ahles, Dennis Browning, Paul Mahler, Doug Mahler, John Hauschild, John Klungtvedt, Wayne Jensen, Paul Koehler, Douglas Gourneau, Marlin Mathiason, Tom Bordeuyk, Duane Klein, Lonnie Fay, Gary Phelps, Tom Taylor, Brenda Schuster, Jim Brendel, Norman Bjornstad, William Rook, Robert O'Shaughnessy, Dennis Schiembeck, M. Edwardson, Floyd Halverson, Orlan Neumann, Don J. Starkey, Ron W. Lupivik, Harlan Strand, Philip Boyerslawski, Gary Gilbertson, Charles Horner, Patricia Jensvold, Gaye Storbakken, Ronald Drose, Noel Kjesbo, Mayo Bjornson, Gordon Lokken, Wayne Hinnichs, Lester Feland, Charles Leien, Robert Everson, Judy Anderson, Pat Muellenbach, Lorna Opp, Elmer Pederson, Arlene Rossow, Melanie Trapp, Thomas W. Achter, Ronald Ihmels.

Patricia Quiring, Paul Enders, Roger Steinent, Lynn Johnson, John Kartes, Bob Marshall, Jim Bohrer, Russell Overbye, Larry Robinson, Gary Knutson, Kenneth Trautman, Marlene Anderson, John Jacobson, Robert A. Joyce, Erwin Tschaekofske, Frank Einarson, Raymond J. Feist, Cheryl Roman, Duane Tietz, Wanda Mitbo, Judy Lehman, Sharon Jordheim, Amy Randall, Curtis Mahler, Linda Golliet, Alfred Prochnow, Neil L. Franks, Judi Trana, Nancy Zick, Ronald Osowski, Robert D. Koltes, Ronald Ehlert, Lewis Schaar, Gerald Schwartz, Robert Ulrich, Miles Chapman, David Cowell, Judy Woehrmann, Carol Mehlhoff, Odell Johnson, Ronald Albertson, Dawn Suckut, Harold L. McConnell, Gerald C. Lundquist, Harlow Hofer, Victor Brim, Tim Heinle, Charlene Cellmer, Sharon Farsdale, Darlene Ronholm.

Rod Cole, Ronald Stoltenow, Georgia Robideaux, Carol Bye, A. G. Lewis, Mike Bertsch, Vic Grad, Darlene Simonson, Richard Maddock, Rodney Sell, Pam Johanns, Patti Monson, Allen Klindt, Stephen Colby, Ronald Albertson, Larry L. Murie, Sister Mary Maurice, O.S.F., Sister Mary Lucy, O.S.F., Gordon Raymond Kruger, Yvonne Schildberger, Cheryl Qualley, Elaine Buffington, Sandi McLain, Judi Crain, Michael Biegelman, Nancy Lein, LaDonna Wick, Noreen Nohr, Tom Nichols, Denis Wanner, Les Nordnon, Richard Davis, Charles Haring, Mark Salseng, Mary Kay Chernak, David Kwete, Kathi Mozinski, Larry Johnson, Charley Reistad, T. Buck, Thomas Hardy, William N. Lynner, Phyllis Steffan, Margaret Stiles, Carol Kemper, Patricia Nelson, Rosemary L. Martin, Darlene LeNove, Leslie Welsh, Marilyn Brand.

Virginia Anderson, Audrey Bakken, Herbert Goldammer, Verlin Wirth, Robert Loken, John F. Ordal, Cheryl Kelm, Carol Rodne, Judi Ladendorf, Allen R. Jensen, Judy Lehman, Ann Klug, Larry Baumann, Kenney Backhaus, Ronald Sell, Jerome Wolff, Kenton W. Stanton, LeRoy W. Triese, Ralph W. Armstrong, Jr., Marvin Balbach, Dan Kramer, Wallace Skoglund, Jimmy Borgen, Ken Johnson, Gerald Argall, Ronald H. Dragen, Richard R. Schmidt, Lyle Springer, Roger Dibbert, Gerry Hedberg, Bruce Buckholtz, Cheryl Kinsterman, Bernie Trzsuc, James Brach, Jim Trana, Ralph Butterfield, Jerry Bick, Merle Meltlee, Greg Sorge, Eugene Belgarde, David Rossland, Larry N. Metzger, Philip Boll, Donald J. Sperling, Harry Holen, Dean Salzsieder, Rod Kirschman, Richard Kavli, Richard Elznic.

Noreen Olson, Edward J. Ride, Richard H. Cheatley, Galen Garrick, Frank Azure, Gaylyn Kjorsink, Galen Sile, Larry Cooven, Kenneth Krump, Allen Prochnow, Willie Rogness, Bob Silliman, Odin Stutrud, Jennifer Mueller, James Schuster, Lawrence N. Brunster, Roger E. Olson, Lyle Tschakert, Laurence Schagunn, Marlyn Gjestvang, Gary Schumacher, Wilton Ludwig, Jr., Wilbur Kutz, Gary Haug, Del Ray Landers, Reyburn Kautz, Randall Karstetter, Kenneth F. Suckert, John H. Miller, Pat Hagen, Dennis Quam, Darrell Michalenko, Norman Haagenstav, Sharon Lane, James A. Horton, James G. Aldrich, Lloyd A. Gilbertson, Gerald Schildberger, Roger Hartz, Eugene Miller, Bernard Nilles, Donna Weston, Jonathan Dietrich, Terry Kemmer, Myron Meyer, Thomas Eastley, Keith Mills, Clint Chamberlin.

Connie Millcer, Kareen Herman, Patty Lukes, Catherine Lee, Henry Nordby, Garnett Fraser, Leon Plantz, Gary Roseth, George Staigle, Jim Hogan, Roger Shoberg, Keith Flede, Alfred G. Byron, Jr., Curt Weiss, Clifford F. Schmidt, Roger W. Pearson, James A. Heupel, Dan Handron, Barney Hagerman, Terry Lucier, Vernon Melcher, Gary Dubuque, Larry Miller, Susanne Fust, Wanda Morlock, Jerry Knutson, Arden Holte, Wayne Erickson, Louise Houghton, Jim Ramstad, Joyce Rosenkranz, Rod Johnson, Darwin Lamb, Bill Tveit, Tony Brucker, Roger Gullickson, Jim O'Connor, Bob Nichols, William J. Mills, Amy Schmidt, Charles Warhawk, Myron Rovig, Cpl. Robert J. Schaefer, U.S. Marine Corps, Patricia Rath, Marlene Lingen, Richard Lugert, Harlan Hall, Ron Lewis, Diane Stein, Dennis Jelinek, Lester Schlepp.

Dennis Schlalesy, Kay Olson, Glenice Alderman, John S. Erickson, James Neany, Sandy Klundt, Larry Renner, Stephen Tompkins, Charles Califf, Torleif Haaland, Glen Hallard, Donald Biewer, Orlin Wick, John Meschke, Gary Gulsing, Raylene Suckut, Ron McKinley, Gene Pinkney, Orville C. Hoger, Mark Hughes, Gary Hultin, Allen Berg, Arvin Leabo, Pat Johnson, David Ness, Richard Englund, Glenn Lundgren, Robert Benke, Kathryn Benke, Kathryn Sullivan, Karen Graveen, William Nerhus, Wally Benharders, Derryl Moon, Loren A. Lehnhoff, Lonnie Schroeder, Jeff Lantis, Arnold Black, Denny Renville, Pam Broadland, Julie Brendefor, Robert Bailey, Dennis Johnson, John Klundt, Ernie Diede, David Miller, Dennis D. Brosz, Patricia McDonald.

Loyall Olson, Joel Lerlakken, Duane Barden, Larry Lien, Wayne Oberlander, Larry Carlson, Sylvia Jelinek, Milo Zimmerman, Marlin Hert, Jean Wiegand, Bonnie Lahren, Daird Bjelland, Del Hagen, Janice Jardisch, Linda Klaman, Mary Ellen Kleinsasser, Lynne P. Nasey, Art McFalden, Kathy Hilgers, Mike Himmer, Noran Olson, Donald Stoner, Don Roloff, John Weber, Jerry Grev, Ronnie Gigle, Harvey L. Gabbert, John Rosko, Nick Rainsberry, Tim Lenertz, Alvin Settje, Johannes Oddsen, David Llewellyn, Michael Sines.

Mr. PROXMIRE. Mr. President, will the Senator from North Dakota yield?

Mr. YOUNG of North Dakota. I am happy to yield to the Senator from Wisconsin.

Mr. PROXMIRE. Let me say to the Senator from North Dakota that I made a brief speech at the University of North Dakota last year on the subject of Vietnam, and I was very much impressed with the student body.

The Senator from North Dakota has stated so well the position of the student body at the North Dakota State School of Science on Vietnam. I found this same strong support for our forces in Vietnam at the University of North Dakota.

I was also impressed by the probing attitude of the students there, by their curiosity and their interest, by their openmindedness, but especially on the position which the University of North Dakota has taken on the subject of free speech, inviting every possible expression of all kinds of viewpoints on the campus.

I emphasize that this University of North Dakota view on Vietnam was not reached without consideration and extended discussion. I was most impressed with the excellence of the State university at North Dakota.

Mr. YOUNG of North Dakota. I am sure that the students of the State school of science and our university will be happy to read the kind comments of the Senator from Wisconsin. Thank you so much.

WHAT A SCHOOL MILK TEST MEANS IN KANSAS CITY

Mr. PROXMIRE. Mr. President, there has been a great deal of speculation about the administration's proposal to slash the special milk program for schoolchildren by 80 percent and provide milk under the program only to the needy or those children attending schools that do not have a school lunch program.

On Wednesday, the Secretary of Agriculture, in an appearance before the Agriculture Subcommittee of the Senate Appropriations Committee, implied that there had been much loose talk about how need would be determined. Secretary Freeman, during a hearing on the fiscal 1967 Agriculture budget, stated that it was a simple matter to pinpoint the needy. Generally, in his opinion, it was a decision made by a homeroom teacher or a school nurse based on a working knowledge of the children's needs and backgrounds.

Let us look at the facts, Mr. President. I have here in my hand an application for lunch assistance used by the Kansas City school system. It is typical of the sort of application required in many of our Nation's larger cities—where great concentrations of needy children tend to be the rule rather than the exception.

First, the application asks for the names of children for whom reduced lunch or milk rates are requested. Presumably, a family could choose to have some, but not all of the children receive free milk. Next, there are spaces for the parents' names and the names of others in the home with their relationship to the child. Then there is a listing for total family income including source of income and where employed. How many fathers, Mr. President, would want to give their employer's name? How would this employer feel if he knew his employee's children were asking for a handout? A footnote indicates that income is to include social security and aid to dependent children of unemployed parents.

The reverse side of the sheet asks for "Expenses as actually paid by month." These expenses include rent or house payment, utilities, including phone, groceries, insurance, car payments, furniture payments, payments on loans, other credit payments and doctors or drug bills. The form goes on to ask for a description of any special conditions, such as sickness, temporary unemployment, or other unusual problems. Finally the parents are asked if they want their child to be given a chance to work for lunch, get a reduced rate lunch or get a free lunch and free milk.

If the school principal is not satisfied with the general information contained in this form he refers the matter to the home-school coordinator for further checking. The form is sent on to the office of the director of school food service only after the home-school coordinator is satisfied that everything is OK.

Mr. President, I am not criticizing this form, because I feel that it is the only way you can realistically determine need. But where, oh where, is the kindly old home room teacher Secretary Freeman talks about? Are we really prepared to say that any child who wants to receive milk without paying the entire cost should ask his or her parents to qualify in this way? Because the unpleasant fact is that only by such an objective test can we determine the needy.

I hope in the days ahead to show that this is not an isolated example of the procedure parents must go through to qualify their children for free lunches and milk breaks. I know from talking to school administrators that many large cities must use this technique.

Mr. President, let me add, in this connection, that we have just heard further testimony from a representative of the Department of Agriculture this morning before the Committee on Appropriations, and they indicate that only a fraction of needy children are going to be covered by the program, that the vast majority of needy children of families whose incomes are less than $3,000 will not qualify under the program which the administration is proposing to provide milk for needy children.

EXHIBIT OF WORKS OF ART BY 15 CALIFORNIA HOUSEWIVES

Mr. KUCHEL. Mr. President, art is important in our American way of life and I am delighted to know that a large number of our citizens find relaxation, express themselves, and delight others by engaging in painting.

In my office there is impressive evidence that such an outlet and diversion can be mutually rewarding.

I am privileged to have on the walls of my reception room an exhibit encompassing the excellent works of 15 California housewives from all walks of life who have taken up the brush and palette as a hobby. Through the encouragement and assistance given them by Famous Artists Schools of Westport, Conn., these women are enjoying both material and spiritual reward.

This group of housewive-artist residents of California has depicted striking scenes from their environment or travels, translated reactions to still life settings, and personified individuals through their talents at the easel. Much of their inspiration and guidance came from San Francisco-born Dong Kingman, himself an internationally respected artist and a faculty member of the Famous Artist Schools.

I invite all of my colleagues and members of their staffs to visit the Kuchel suite—315—in the Old Senate Office Building and view these lovely and exquisite works. For the information of the Senate, I ask unanimous consent to have appended to these remarks a list of the paintings and of the talented women whose works I am proud to display.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

Mrs. Doris Akers, 9491 La Mar Street, Spring Valley, "Portrait of Oleida."

Mrs. Frances Barginski, 841 North Crescent Heights, Hollywood, "Evelyn."

Mrs. Iola Bayliss, 11638 Sunshine Terrace, Studio City, "Winter Scene."

Mrs. Dorothy Corbin, 615 East Olive, Oxnard, "Still Life With Lemons."

Mrs. Vina Cross, 2717 Chester Lane, Bakersfield, "Edge of the Woods."

Mrs. Carol Cunningham, 40 Castle Rock Drive, Mill Valley, "Still Life."

Mrs. Virginia Harding, 21740 Devonshire Street, Chatsworth, "Scotch Golfer."

Mrs. Frances Howe, 3646 De Sota Avenue, Santa Clara, "Backroad to Jolon."

Mrs. Vi Schultz, 401 Brookhaven Drive, Bakersfield, "Woman in a Flower Garden."

Miss Beth Stewart, Route 1, Box 187 (Seacrest), Fort Bragg, "Skillet and Vegetables."

Mrs. Virginia Wahlen, Post Office Box 781, Yucaipa, "Big Trees."

Mrs. Edith Weist, 2028 Howard Avenue, San Diego, "Woodland Stream."

Mrs. Mary Ann Willard, 208 Coral Street, Balboa Island, "Ghost Town."

Mrs. Cleo Wilsey, 1636 Lurline Street, Colusa, "Blue Plumbago."

Mrs. Virginia Zehm, Post Office Box 5026, Carmel, "Rocky Point."

CALL OF THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to consider measures on the calendar beginning with Calendar No. 986, Senate Joint Resolution 18, and the measures following, in sequence.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

YOUTH TEMPERANCE EDUCATION WEEK

The joint resolution (S.J. Res. 18) to provide for the designation of the fourth week in April of each year as Youth Temperance Education Week was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S.J. RES. 18

Whereas the National Youth Temperance Council was created to develop and promote programs and activities by our youth for our youth which will help them to achieve the best possible preparation for successful, useful living; and

Whereas these programs, which have been established throughout the United States, perform a vital service in the constructive development of our youth by offering them outstanding opportunities to acquire moral strength, physical fitness, and civil responsibility; and

Whereas many Governors and mayors have, over the past several years, issued proclamations giving official recognition to the annual observance of the fourth week in April as "Youth Temperance Week": Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and requested to issue annually a proclamation designating the fourth week in April of each year as "Youth Temperance Education Week", and inviting the people of the United States to cooperate during such weeks with programs of temperance education.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1011), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the joint resolution is to designate the fourth week in April of each year as "Youth Temperance Education Week." The National Youth Temperance Council was created to develop and promote programs and activities by our youth for our youth to help them in achieving the best possible preparation for successful and useful living. These programs have been established throughout the United States and perform vital service in the constructive development of our youth by offering them outstanding opportunities to acquire moral strength, physical fitness, and civic responsibility. The dedication of the fourth week in April of each year as "Youth Temperance Education Week" will call the attention of our citizens to these programs which have proven of tremendous benefit to the upbringing of our younger citizens, and will stimulate greater interest in aiding our young citizens.

The committee is of the opinion that this resolution has a meritorious purpose, and, accordingly, recommends favorable consideration of Senate Joint Resolution 18, without amendment.

AMERICAN HISTORY MONTH

The Senate proceeded to consider the joint resolution (S.J. Res. 133) designating February of each year as American History Month.

Mr. COOPER. Mr. President, I am very pleased that the senior Senator from Montana, the distinguished majority leader [Mr. Mansfield] has asked to be included as a sponsor of Senate Joint Resolution 133, to designate February as American History Month, which I introduced on February 1. After the resolution had been referred to the Senate Committee on the Judiciary, I had also received a similar request from the Senator from Alaska [Mr. Bartlett]. I ask unanimous consent that the Senator from Montana [Mr. Mansfield] and the Senator from Alaska [Mr. Bartlett] be included among the sponsors of Senate Joint Resolution 133.

I wish at this time to express my thanks and appreciation to the distinguished minority leader, the Senator from Illinois [Mr. Dirksen] who has taken a special interest in the resolution, and who, in his capacity as chairman of the Subcommittee on Federal Charters, Holidays, and Celebrations, called up the resolution for consideration at the first meeting of the Senate Committee on the Judiciary following its referral to the committee on Lincoln's Birthday, and who has submitted to the Senate the favorable report of the committee, Senate Report No. 1012, of March 2, 1966.

I am very glad that the resolution has attracted interest and approval, and has received wide support. As nearly as I can determine, the idea of designating February as American History Month originated in Kentucky, among the Daughters of the American Revolution, in 1952. Since that time, it has spread until the Governors of nearly every State issue such a proclamation annually, and my resolution would ask the President to issue a similar proclamation recognizing February as American History Month. I point out also that former Senator Kenneth Keating, of New York, had taken an interest in this subject, and in fact a somewhat similar resolution which he cosponsored passed the Senate in 1961, but was never adopted by the House.

Mr. President, I ask unanimous consent that the text of the resolution, with the names of the 45 Senators who have joined with me in sponsoring it, together with a letter from Mr. Paul Ward, executive secretary of the American Historical Association, be printed at this point in the Record. Also, I wish to thank Mr. Bailey Guard, my administrative assistant, and Miss Gertrude D. Musson, of my office staff, for their research on this measure.

I hope very much that there will be favorable consideration of Senate Joint Resolution 133 by the House of Representatives as well as the Senate, and that it will stimulate wider interest in the history of our country.

There being no objection, the resolution, including names of sponsors, and the letter were ordered to be printed in the Record, as follows:

S.J. Res. 133

(Mr. Cooper (for himself, Mr. Allott, Mr. Bartlett, Mr. Bayh, Mr. Bennett, Mr. Bible, Mr. Boggs, Mr. Byrd of West Virginia, Mr. Carlson, Mr. Case, Mr. Church, Mr. Curtis, Mr. Dominick, Mr. Douglas, Mr. Ervin, Mr. Fannin, Mr. Fong, Mr. Gruening, Mr. Harris, Mr. Hart, Mr. Hartke, Mr. Hruska, Mr. Inouye, Mr. Javits, Mr. Jordan of Idaho, Mr. Kennedy of Massachusetts, Mr. Kennedy of New York, Mr. Kuchel, Mr. Lausche, Mr. Magnuson, Mr. Mansfield, Mr. McCarthy, Mr. McGee, Mr. Metcalf, Mr. Mondale, Mr. Morton, Mr. Murphy, Mr. Pearson, Mr. Pell, Mr. Prouty, Mr. Randolph, Mr. Scott, Mr. Simpson, Mr. Thurmond, Mr. Tower, and Mr. Young of North Dakota) introduced the following joint resolution; which was read twice and referred to the Committee on the Judiciary:)

Joint resolution designating February of each year as American History Month

Whereas the study of history not only enlivens appreciation of the past but also illuminates the present and gives perspective to our hopes;

Whereas a knowledge of the growth and development of our free institutions and their human values strengthens our ability to utilize these institutions and apply these values to present needs and new problems;

Whereas Americans honor their debt to the creativity, wisdom, work, faith, and sacrifice of those who first secured our freedoms, and recognize their obligation to build upon this heritage so as to meet the challenge of the future; and

Whereas it is appropriate to encourage a deeper awareness of the great events which shaped America, and a renewed dedication to the ideals and principles we hold in trust: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That February of each year is hereby designated as American History Month, and the President of the United States is requested and authorized to issue annually a proclamation inviting the people of the United States to observe such month in schools and other suitable places with appropriate ceremonies and activities.

American Historical Association,
Washington, D.C., February 8, 1966.

Hon. John Sherman Cooper,
U.S. Senate,
Washington, D.C.

Dear Senator Cooper: Thank you for providing this office with a copy of Senate Joint Resolution 133. I hope you will find it drawing many cosponsors.

As I am sure you know, this association is an inclusive society of Americans interested in furthering the study of history, rather than a society specializing in American history, although American history receives at least half our energies and attention. So we particularly appreciate the wording of the preamble to the resolution, which proceeds from underlining the value of studying history generally to focusing particularly on the great events which have shaped our country.

Sincerely yours,

Paul L. Ward.

Mr. CARLSON. Mr. President, in connection with this matter would the Senator permit me to associate myself as a cosponsor of the resolution?

Mr. COOPER. Mr. President, I ask unanimous consent that the name of the distinguished Senator from Kansas [Mr. Carlson] be included as a cosponsor to the resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1012), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of the joint resolution is to designate February of each year as American History Month, and to authorize and request the President of the United States to issue annually a proclamation inviting the people of the United States to observe such month at schools and other suitable places with appropriate ceremonies and activities.

STATEMENT

The month of February is a time, particularly for schoolchildren, of keen awareness of the birthday of the Father of our Country and of Lincoln's Birthday, for special recognition of the traditional values that our Nation cherishes, and a time to remember our great leaders as well as the common people who broke new ground.

February can also be a time of rededication to the legacy our forebears gave us of noble character, hard work, and practical wisdom.

Americans today live in an age when many of the events which touch the lives of all of our citizens require as never before a knowledge of geography and may be illuminated by an understanding of history. These two subjects, included now in what is known as social studies, are receiving greater attention and new emphasis in many schools. By designating February of each year as American History Month we encourage, at least in a small way, this development and provide an opportunity to attract the attention of schoolchildren and all of our citizens to what can always be fascinating and rewarding study.

The committee is of the opinion that this resolution has a meritorious purpose, and accordingly recommends favorable consideration of Senate Joint Resolution 133, without amendment.

The PRESIDING OFFICER. The joint resolution is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the joint resolution.

The joint resolution (S.J. Res. 133) was ordered to be engrossed for a third reading, was read the third time, and passed.

The preamble was agreed to.

AMENDMENT OF THE BANKRUPTCY ACT

The bill (S. 1923) to amend chapter XI of the Bankruptcy Act to give the court supervisory power over all fees paid from whatever source was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1923

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 366 of the Bankruptcy Act (11 U.S.C. 766) is amended by adding a new clause to read as follows:

"(5) All payments made or promised by the debtor or by a corporation acquiring property under the arrangement, or by any other person, for services and for actual and necessary expenses in, or in connection with, the proceeding or in connection with the arrangement and incident thereto, have been fully disclosed to the court and are reasonable."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1013), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of the bill is to amend chapter XI of the Bankruptcy Act to give the court supervisory power over all fees paid from whatever source.

STATEMENT

The bill has been recommended by the Administrative Office of the U.S. Courts and endorsed by the Judicial Conference of the United States.

In recommending the enactment of the proposed legislation the Administrative Office of the U.S. Courts has said:

"EXPLANATION OF PROPOSED BILL TO AMEND CHAPTER XI OF THE BANKRUPTCY ACT TO GIVE THE COURT SUPERVISORY POWER OVER ALL FEES PAID FROM WHATEVER SOURCE

"Judge Edward Weinfeld pointed out to the Bankruptcy Committee of the Judicial Conference at its March 1964 meeting a practice becoming prevalent in chapter XI proceedings in which the compensation of attorneys, accountants and others is paid or promised by third parties.

"It has been held that such payments are beyond the control of the court (*In re Star Brands Products and Pickle Company,* 96 F. Sup. 406, and *In re A. L. Ratner, Inc.,* 95 F. Sup. 137). It was the view of the Bankruptcy Committee that all such payments should be subject to the approval of the court in the same manner as payments made in proceedings under chapter X of the Bankruptcy Act.

The Judicial Conference, upon the recommendation of its Bankruptcy Committee, authorized the Administrative Office to study the need for remedial legislation and further authorized the Committee to recommend remedial legislation if it be deemed necessary. As a result, the Bankruptcy Division of the Administrative Office submitted the proposed bill to the Bankruptcy Committee of the Judicial Conference at its September 1964 meeting. Whereupon the Committee recommended the bill to the Judicial Conference, and the Conference approved the bill at its September 1964 meeting.

"The language of this proposed amendment has been adopted with appropriate modifications from section 221(4) of chapter X of the Bankruptcy Act. Omitted is reference to payments by a corporation "issuing securities" under the plan, since this is peculiarly applicable to corporate reorganizations. Also omitted is the last phrase of section 221(4)—'or, if to be fixed after confirmation of the plan, will be subject to the approval of the judge.' This is deemed to be inapplicable to chapter XI where all fees are fixed before confirmation and must be included in the deposit which is prerequisite to filing an application for confirmation (secs. 337(2) and 362(2)).

"Citing section 221(4), the Supreme Court said in *Woods* v. *City National Bank and Trust Company of Chicago,* 312 U.S. 362, 61 S. Ct. 493, 44 Am. B.R. (N.S.) 655: 'Under chapter X of the Chandler Act the bankruptcy court has plenary power to review all fees and expenses in connection with the reorganization, from whatever source they may be payable.'

"Again, in *Leiman* v. *Guttman,* 336 U.S. 1, 69 S. Ct. 371, the Supreme Court construed section 221(4):

" 'The control of the judge is not limited to fees and allowances payable out of the estate—section 221(4) places under his control "all payments made or promised" (1) by "the debtor" or (2) "by a corporation issuing securities or acquiring property under the plan" or (3) "by any other person" for services rendered "in connection with" the proceeding or "in connection with" the plan and "incident to" the reorganization.

* * * * *

" 'The air of the expanded controls over reorganization fees and expenses is clear. The practice had been to fix them by private arrangement outside of court. * * * This gave rise to serious abuses. There was the spectacle of fiduciaries fixing the worth of their own services and exacting fees which often had no relation to the value of services rendered.

* * * * *

" 'And section 221(4) is written in pervasive terms—it applies to "all payments" for services "in connection with" the proceeding or "in connection" with "the plan" and "incident to" reorganization, whoever pays them.' "

"With this construction of the statutory language of section 221(4), it is believed that the proposed amendment to section 366 would curb the abuse at which it is directed.

"The committee believes that the proposed legislation is meritorious and recommends it favorably.

DONALD I. ABBOTT

The Senate proceeded to consider the bill (S. 2177) for the relief of Donald I. Abbott which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 5, after the word "of", to strike out "$6,867.25" and insert "$5,466.84", and in line 7, after the word "from", to strike out "January 14" and insert "May 5"; so as to make the bill read:

S. 2177

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Donald I. Abbott, Captain, United States Army, retired, is hereby relieved of all liability to repay to the United States the sum of $5,466.84, representing overpayments of civilian compensation received by him for the period from May 5, 1963, through February 22, 1964, while he was employed by the Army Map Service, Corps of Engineers, in violation of section 2 of the Act of July 31, 1894, as amended (5 U.S.C. 62), which prohibited the employment of certain retired military officers in a civilian position, the said Donald I. Abbott having advised Government authorities of his retired status prior to his employment with the Army Map Service and been assured that such Act was not applicable to him. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

Sec. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Donald I. Abbott, the sum of any amounts received or withheld from him on account of the overpayments referred to in the first section of this Act. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1014), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of the bill, as amended, is to relieve the claimant of liability to repay to the United States the sum of $5,466.84, representing overpayments of civilian compensation received by him for the period from May 5, 1963, through February 22, 1964, while he was employed by the Army Map Service, Corps of Engineers, in violation of section 2 of the act of July 31, 1894, as amended (5 U.S.C. 62), which prohibited the employment of certain retired military officers in a civilian position, the claimant having advised Government authorities of his retired status prior to his employment with the Army Map Service and being assured that such act was not applicable to him, and also to pay to the claimant the sum of any amounts received or withheld from him on account of the overpayment.

STATEMENT

The facts in the case are set forth in a report from the Department of the Army, dated January 4, 1966, as follows:

"Official records disclose that Donald I. Abbott retired as a Regular Army officer in the grade of captain on November 1, 1962, and began drawing retired pay for 20 years of active service. Effective January 14, 1963, he accepted a temporary appointment not to exceed 700 hours as a supply-commodity management assistant (GS-2010-05) with the Army Map Service, Corps of Engineers. On May 5, 1963, he received a promotion to supply-commodity management officer (GS-2010-07), following a conversion of his appointment from temporary to career-conditional. On February 28, 1964, the U.S. Army Finance Center advised him that his employment under the career-conditional appointment was illegal under the act of July 31, 1894 (28 Stat. 205), which prohibits Regular Army officers retired for length of service from holding two Federal offices if the compensation of either office amounted to $2,500 per annum. The restrictions of that act did not apply to Captain Abbott's temporary appointment. His Army retired pay and the salary from his career-conditional appointment were both in excess of the amount specified in the act and resulted in illegal salary payments of $5,466.84 from May 5, 1963, through February 22, 1964. The difference in this amount and the amount specified in the bill represents payments legally made while Captain Abbott held a temporary appointment. Captain Abbott did not receive compensation for the last 2 weeks of his employment from February 23, 1964, through March 6, 1964. The Dual Compensation Act of 1964 (78 Stat. 484 (1964)) repeals the act of July 31, 1894, supra, but there are no retroactive provisions which will validate an appointment made prior to December 1, 1964, the effective date of the new act.

"The Department of the Army does not oppose a bill of this nature when a civilian employee has received in good faith and for services performed an erroneous payment made through administrative error. The erroneous payment resulted from the failure of administrative personnel of the Department to recognize that Captain Abbott's civilian employment was in violation of the act of July 31, 1894, supra. Department of the Army Civilian Personnel Regulations (CPR p. 26), which restricted the employment by Government agencies of individuals in receipt of retired pay from military service, placed upon the appointing officer in these agencies the responsibility for determining whether employment in a given situation was prohibited by the dual office act or by other applicable law and regulation. In his application for Federal employment, dated December 4, 1962, and in his appointment affidavits, dated January 14, 1963, Captain Abbott listed his retirement from the Army for 20 years of service. He received assurance by the personnel section of the Army Map Service that his retired status as a Regular Army officer would not prohibit his civilian employment. His employment was accepted without dispute and he apparently had no reason to suspect any irregularity until notification by the Finance Center on February 28, 1964.

"Captain Abbott rendered valuable service to the United States from May 5, 1963, through February 22, 1964, and to require repayment of the salary received by him during this period of time would be inequitable. In a statement submitted to this office, he explained that he is supporting his wife and four young children on a total income of $8,340.10, representing retired pay and earnings as a civilian. His tangible assets are modest. In 1964 his wife gave birth to their fourth child. This child was an open spine birth and requires considerably more care and treatment than a normal baby. In view of these equitable considerations, the Department of the Army has no objection to the bill which should be amended to show an overpayment of $5,466.84.

"The cost of this bill, if enacted as introduced, will be $6,867.25. If enacted as suggested in this report, the cost will be $5,466.84."

The committee has in the past granted relief by private legislation in similar situations where compensation was received in good faith for services performed and erroneous payment made through administrative error, and the committee believes that this is an appropriate case for such legislative relief.

The committee believes that the bill, as amended, is meritorious and recommends it favorably.

MATSUSUKE TENGAN

The bill (S. 153) for the relief of Matsusuke Tengan was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Matsusuke Tengan the sum of $2,013 in full satisfaction of all his claims against the United States as beneficiary of a life insurance policy (Numbered 1,650,373) of the Sun Life Assurance Company of Canada on the life of his son, Yoshio Tengan, a United States citizen, the proceeds of which were received by the Attorney General pursuant to Vesting Order Numbered 14,815, dated June 26, 1950, under the provisions of the Trading With the Enemy Act: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1015), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the bill is to direct the Secretary of the Treasury to pay to Matsusuke Tengan the sum of $2,013 which was vested by the Office of Alien Property as the proceeds of a life insurance policy issued by the Sun Life Assurance Co. of Canada on the life of his son, Yoshio Tengan, a U.S. citizen, who was killed in infantry combat in France during World War II.

STATEMENT

Matsusuke Tengan is a citizen of Japan and throughout World War II was a resident of Okinawa, which had been occupied by Japan. He is not eligible for a return of vested property under the Trading With the Enemy Act (50 U.S.C. App. 9 (2) and 32).

However, inasmuch as the owner of this policy was killed in combat while serving as a member of the Armed Forces of the United States, it would appear that special consideration might be given to this matter. The Department of Justice feels that this involves a question of legislative policy which should rest with the Congress.

The committee agrees under the circumstances it is desirable to carry out the wishes of the deceased and consequently recommends favorable consideration.

CAPT. REY D. BALDWIN

The bill (S. 1960) for the relief of Capt. Rey D. Baldwin was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1960

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Captain Rey D. Baldwin, United States Air Force, is hereby relieved of all liability for repayment to the United States of the sum of $905.84, representing the amount of overpayments of basic pay received by the said Captain Rey D. Baldwin, for the period from March 19, 1960, through December 31, 1963, such overpayments having been made as a result of his having been erroneously credited for pay purposes with military service previously performed by him in an enlisted grade. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Captain Rey D. Baldwin, the sum of any amounts received or withheld from him on account of the overpayments referred to in the first section of this Act.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1016), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the bill is to relieve Capt. Rey D. Baldwin of liability to the United States for $905.84. This amount represents overpayments of basic pay received by Captain Baldwin during the period March 19, 1960, through December 31, 1963. The overpayments resulted from an erroneous credit for pay purposes for services performed as an enlisted member of the Air Force.

STATEMENT

The facts in the case are presented in the report from the Department of the Air Force, and are as follows:

"Air Force records show that Captain Baldwin (69051A) was enlisted in the Air Force on August 20, 1953. He was discharged on August 19, 1957, upon completing 4 years of active duty. He served as an enlisted member in the Air Force Reserve from August 20, 1957, until March 14, 1960. On March 15, 1960, he was commissioned a second lieutenant in the Air Force Reserve. He was ordered to extended active duty in the Air Force on March 19, 1960, in pay grade O–1. He has been on continuous active duty since that date.

"Section 203, title 37, United States Code, provides special pay rates for officers in pay grades O–1, O–2, and O–3 who have had over 4 years' active service as an enlisted member. These rates are greater than rates for officers who have had 4 years or less enlisted active service. When he was ordered to active duty, Captain Baldwin's pay was computed on the special rates referred to above. Early in 1964, Turner Air Force Base, where he was then stationed, reviewed Captain Baldwin's pay account. His records indicated he had exactly 4 years' active duty as an enlisted member. His entitlement to pay based on the rates authorized for officers with more than 4 years' enlisted active service was questioned. The Directorate of Administrative Services, Headquarters, USAF, advised that Captain Baldwin did not perform any active duty for training as an enlisted member of the Air Force Reserve from August 20, 1957, to March 14, 1960. This established he had exactly 4 years' active duty as an enlisted member. He was not entitled to the rates of pay authorized for 'commissioned officers credited with over 4 years of active service as an enlisted member.'

"A complete examination of Captain Baldwin's pay account was made. This showed that from March 19, 1960, until December 31, 1963, Captain Baldwin's pay had been erroneously computed. It had been based on the rates authorized for officers with more than 4 years' active service as an enlisted member. As a result, he received overpayments totaling $905.84. His pay was reduced effective January 1, 1964, to the proper rate. Collection from his active duty pay was initiated on April 1, 1964. The entire indebtedness has now been recouped.

"The Department of the Air Force does not have authority to waive Captain Baldwin's indebtedness. There is no evidence of lack of good faith on his part. The overpayments were the result of administrative error on the part of Air Force personnel. A study is currently in progress within the Department of Defense to reevaluate the criteria upon which we base recommendations to the Congress on private relief bills of this nature. The study is being conducted because we are particularly concerned that our position shall represent both due consideration for the interests of the taxpayers and prevention of undue hardship for the individual. Unfortunately, the study is not yet completed and we realize that to postpone reporting on this bill until after our study has been completed might unduly delay consideration of it."

The Department of the Air Force has no objection to the favorable consideration of the bill. The committee is in agreement with the position of the Department of the Air Force and recommends that the bill be considered favorably.

BILL PASSED OVER

The bill (H.R. 3076) for the relief of the estate of Bart Briscoe Edgar, deceased, was announced as next in order.

Mr. **MANSFIELD**. Mr. President, over.

The **PRESIDING OFFICER**. The bill will be passed over.

ESTATE OF ROBERT A. ETHRIDGE

The bill (H.R. 5530) for the relief of the estate of Robert A. Ethridge was considered, ordered to a third reading, read the third time, and passed.

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1018), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of the proposed legislation is to pay the estate of Robert A. Ethridge $2,064.07 in full settlement of its claims against the United States for postal money orders dated before 1944 and held by the decedent at the time of his death.

STATEMENT

The facts of the case are contained in House Report 800 and are as follows:

"The postal money orders which are referred to in the bill were found among the personal effects of Robert A. Ethridge who died on January 7, 1964. The evidence presented to the committee indicates that for several years prior to Mr. Ethridge's death he was secretive concerning his private affairs and appeared to be obsessed by concern over his son who has for many years been confined to a mental institution. The widow of Robert A. Ethridge, Sr., has stated to the committee in an affidavit that the condition of the son so preyed upon the mind of the father that he withdrew from any close contact with people and stayed at his optometry office from early morning until very late at night. The decedent hoarded money in a number of safety deposit boxes and also hoarded checks and postal money orders for many years under the mistaken impression that they were collectible at any time. The postal money orders, however, were not redeemed for the reason that the time limit in section 5103(d) of title 39 had expired when they were presented to the Post Office Department by the representative of the estate. These postal money orders remained in the possession of the executrix of the estate and the list of postal money orders are set out at the end of this report.

"The Post Office Department in reporting on this bill stated that payment of the postal money orders is now impossible due to the expiration of the 20-year period specified in section 5103(d) of title 39. Since the bill would authorize the payment, notwithstanding the expiration of that period, the Department has taken a position in opposition to legislative relief in this case. However, the committee feels that the facts of this case establish a firm basis for legislative relief. The committee has established the fact that these uncashed postal money orders are in the possession of the executrix of the estate. They were not cashed due to the confused state of mind of the decedent prior to his death and it is inequitable that the United States should refuse to pay the amounts evidenced by the postal money orders.

* * * * *

"An attorney has rendered services in connection with this matter and therefore the attorney's fee limitation is contained in this bill. The limitation is fixed at 20 percent and the committee feels that under the circumstances this limitation should be imposed. However, since this is an estate matter it is pertinent to note that the payment of any attorney's fee from funds of the estate will require court approval."

In accordance with the views of the House, the committee recommends that the bill be considered favorably.

EDWIN F. HOWER

The bill (H.R. 5973) for the relief of Edwin F. Hower was considered, ordered to a third reading, read the third time, and passed.

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1019), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of the bill is to relieve Edwin F. Hower, of College Park, Md., of liability to the United States in the amount of $1,221.44, based upon salary retention payments he was erroneously determined to have been entitled to receive as an employee of the Department of the Interior from May 10, 1961, to January 2, 1965. The bill would authorize refund of any amounts withheld because of the liability referred to in the bill.

STATEMENT

The Department of the Interior recommends enactment of the legislation. The facts of the case are contained in House Report 1068 of the 89th Congress, 1st session, and are as follows:

"Mr. Edwin F. Hower held the position of executive officer of the Missouri River Basin Field Committee of the Department of the Interior at Billings, Mont. This position was abolished in May of 1961, and Mr. Hower was transferred to the Bureau of Reclamation in Washington, D.C., as a civil engineer.

"After the Department of the Interior had decided to abolish the position at Billings, Mont., Mr. Hower was given until June 30, 1961, to locate other employment. At the time he was assured that if he required more time to locate another position, his employment at Billings would be extended. This assurance must be kept in mind in connection with this bill, for his entitlement to retained pay was determined to have been erroneous because he lacked 2 months' service in his former position. In order to retain his former salary, Mr. Hower would have to have completed 2 years' service in grade. The report of the Department of the Interior to the committee on the bill details the sequence of events which gave rise to the error in the following manner:

"'At the time of his transfer Mr. Hower was given until June 30, 1961, to locate other employment. He was also told that if he required additional time it would be allowed. He had earlier been told by the personnel office of the Bureau of Reclamation in Billings, Mont., that he would be entitled to retain his former salary as a GS–14 for 2 years. This advice proved to be incorrect since he had not had the necessary time in grade to retain his salary at GS–14. Had he known of this discrepancy he could easily have arranged to have stayed in Billings for the necessary time to complete his 2 years' service in grade. Because of an administrative error, in which he had no part, he was not so informed although the records of the Bureau showed that he was entitled to payment as a GS–14 until December 1964, when the discrepancy was discovered by audit.'

"The committee has carefully considered this matter to determine whether this case is a proper subject for legislative relief and has concluded that the equities existing in the case justify this relief. The Department of the Interior has noted that Mr. Hower was actually penalized for an error for which he was not responsible, with the further result that he is charged with liability which would not have been incurred had he known the actual facts concerning his entitlement to retained pay and timed his transfer so as to provide for the necessary period of service required for the payment of that pay. This committee recognizes that the dislocation and expense in connection with this transfer involved a degree of hardship and financial loss for this employee. However, this would be a necessary consequence of the Government action in abolishing his former position and the consequent requirement that he seek another position. However, superimposed upon this is the unnecessary liability referred to in this bill. Where the employee was misled by official action on the part of the Government and he relied upon the information supplied to him by the Government to his detriment, it is only just that he be relieved in the manner provided in this bill."

In agreement with the views expressed in the House report, the committee recommends favorable enactment.

DONALD F. FARRELL

The bill (H.R. 7667) for the relief of Donald F. Farrell was considered, ordered to a third reading, read the third time, and passed.

Mr. **MANSFIELD**. Mr. President, I asked unanimous consent to have printed in the Record an excerpt from the report (No. 1020), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of the proposed legislation is to pay $134.10 to Donald F. Farrell, of Stoughton, Mass., in settlement of his claim for reimbursement of the amount he paid to satisfy a judgment rendered against him on October 10, 1963, based upon an accident involving a Government car driven by him while performing his duties as an employee of the Department of the Interior.

STATEMENT

The facts in the case are set out in the report of the House committee, as follows:

"The Department of the Interior recommends the enactment of the bill.

"On January 30, 1961, Mr. Donald F. Farrell was operating a Government car in the course of his employment as an employee of the Geological Survey of the Department of the Interior when he was involved in an accident with a private vehicle. The report to the committee by the Department of the Interior on the bill certifies that he was engaged in the performance of his official duties at the time of the accident and further states that the vehicle he was driving was a General Services Administration motor pool vehicle. Since Mr. Farrell was acting within the scope of his duties and, therefore, was an agent of the United States, the private driver could have asserted his claim against the United States in accordance with the codified provisions of the Federal Tort Claims Act. However, he chose instead to institute an action in a State court against the Government employee. This action was subsequently removed to the U.S. District Court of Massachusetts. In that court, a judgment in the amount of $134.10 was entered against Mr. Farrell on October 10, 1963.

"The report of the Department of the Interior refers to Public Law 87–258 which was enacted after the accident occurred. This law was enacted to relieve employees of personal liability in situations similar to that of Mr. Farrell's by substituting the United States as the sole defendant in such a case. Had the accident occurred after the effective date of that law, Mr. Farrell would not have been required to seek legislative relief. The Department of the Interior states that it considers that Mr. Farrell should be placed in no less favorable a position, due to the fact that the accident occurred prior to the effective date of Public Law 87–258. For this reason, that Department recommends that the bill be enacted."

The committee is in agreement with the House committee, and accordingly it is recommended that the bill be considered favorably.

JOSEPH B. STEVENS

The bill (H.R. 10338) for the relief of Joseph B. Stevens was considered, ordered to a third reading, read the third time, and passed.

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1021), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the proposed legislation is to relieve Joseph B. Stevens, of Warner Robins, Ga., of liability to pay to the United States the sum of $1,256.78, representing the amount of salary overpayment received by him from the Department of the Air Force in the years 1958 through 1962, due to administrative error and without fault on his part. The bill would authorize the refund of any amounts repaid or withheld because of this liability.

STATEMENT

The facts in the case are set out in the report of the House committee, as follows:

"The Department of the Air Force in its report to the committee on a similar bill, H.R. 10725, of the 88th Congress, indicates that it would have no objection to the enactment of the bill.

"The overpayment which is the subject of this bill resulted from a subsequently questioned interpretation of the Salary Retention Act of 1958. In this case, there was no question but what Mr. Joseph B. Stevens was entitled to the benefits of this act, nor was there any error in the computation of compensation paid him on the basis of the provisions of that act. The issue concerns retroactive application of the act. The committee is familiar with this problem and has previously been called upon to consider similar problems which were encountered as a result of the initial interpretation of the act. Stated simply, it merely is an interpretation, which applied the benefits of the act from the date of Mr. Stevens' reduction in grade, rather than the effective date of the act.

"The precise facts concerning Mr. Stevens date back to August 1959 when it was discovered that Mr. Stevens had not been given the benefit of the provision of the Salary Retention Act of August 23, 1958 (Public Law 85–737, 72 Stat. 830) which provides a 2-year period of salary retention for employees who are demoted through no fault of their own, provided certain conditions are met. In this case, Mr. Stevens was entitled to the "full" retained rate, i.e., the rate of basic compensation which he was receiving immediately prior to his demotion (including each increase provided by law in the rate of basic compensation) for 2 years from August 23, 1958. Mr. Stevens' rate of pay was correctly adjusted, but, through an administrative error, was made retroactive to February 23, 1958, the date of his demotion, instead of to August 23, 1958, the date of the Salary Retention Act.

"A second error occurred when Mr. Stevens' retained rate of pay was not terminated at the expiration of the 2-year period of eligibility and he continued to receive the retained rate of the higher grade.

"The errors were discovered by administrative officials on October 21, 1962, during an audit in connection with the application of new salary schedules. Mr. Stevens was notified of the errors and advised of the overpayment and his indebtedness to the Government. He agreed to repay the amount owed at the rate of $10 per pay period and is now doing so.

"The Department of the Air Force stated that it had no legal authority to waive collection of the payments made as outlined above. However, that report expressly noted that there are extenuating circumstances in Mr. Stevens' case. Mr. Stevens has been a Federal employee for 24 years. He is 62 years of age and at his age and after his service to the Government it would be normal for him to look forward to retirement. However, the amount to be refunded is a relatively large amount and it obviously imposes an extreme personal hardship upon him and his family."

The committee is in agreement with the House committee on this matter and accordingly has recommended that the bill be considered favorably.

SAMUEL C. NEIBURG

The Senate proceeded to consider the bill (S. 1661) for the relief of Samuel C. Neiburg which had been reported from the Committee on the Judiciary with an amendment, on page 1, line 6, after the word "of," where it appears the first time, to strike out "$4,757.28" and insert "$4,150.96"; so as to make the bill read:

S. 1661

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Samuel C. Neiburg, of Saint Albans, Vermont, the sum of $4,150.96, in full settlement of all his claims against the United States for compensation for the overtime hours he performed as a member of the customs patrol of the Department of the Treasury, during the period from September 28, 1931, through August 31, 1938, while he was serving as a United States customs inspector at the Alburg, Vermont, office: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1022), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF AMENDMENT

The purpose of the amendment is to reduce the amount involved in accordance with the figures submitted by the Treasury Department.

PURPOSE

The purpose of this legislation, as amended, is to authorize and direct the Secretary of the Treasury to pay, out of any money in the Treasury not otherwise appropriated, to Samuel C. Neiburg, of St. Albans, Vt., the sum of $4,150.96, in full settlement of all his claims against the United States for compensation for the overtime hours he performed as a member of the customs patrol of the Department of the Treasury, during the period from September 28, 1931, through August 31, 1938, while he was serving as a U.S. customs inspector at the Alburg, Vt., office.

STATEMENT

This legislation is to pay the claimant moneys due him as a customs inspector of the United States for extra compensation for nighttime, Sunday, and holiday services performed by him from September 28, 1931, through August 31, 1938. The Comptroller General of the United States is opposed to the enactment of the legislation, as is the General Counsel of the Treasury, as shown by the reports, on S. 1158 of the 88th Congress, of those agencies attached hereto and made a part hereof.

There does not appear to be any question but that the claimant did perform the overtime services, but lapse of time in filing the claim has precluded him from a collection thereof.

As set forth in affidavit by Mr. Neiburg, which is contained in the files of the committee, it is stated that the claimant was never notified that he had a right to file a claim for overtime within a 10-year period after leaving his position. His affidavit further indicates that he was advised by one of his superiors when he found that he could file a claim that he not do so unless he wished to be transferred to some out-of-the-way port.

There is no question but what the Government received the benefit of the claimant's services for which the claimant has not been paid. The report of the Treasury Department states that during the 86th Congress the claim for overtime by an employee was the subject of H.R. 7263, for the relief of Edward Ketchum. That Department opposed the passage of the Ketchum claim. However, the Congress enacted the bill and it became Private Law 86–455. The facts in this case are similar to the facts in the present case.

Inasmuch as the claim of Mr. Neiburg is, to all intents and purposes, the same as that in the Ketchum claim, the committee is disposed to consider this claim favorably and recommends that the bill, S. 1661, as amended, be considered favorably.

RAYMOND J. GRACHEK

The Senate proceeded to consider the bill (S. 2356) for the relief of Raymond

J. Grachek which had been reported from the Committee on the Judiciary, with amendments, on page 2, line 2, after the word "enacted", to strike out "August 18, 1964" and insert "August 14, 1964", and in line 3, after the word "to", to strike out "the date of his promotion" and insert "July 1, 1964,"; so as to make the bill read:

S. 2356

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Raymon J. Grachek of Fremont, Ohio, is hereby relieved of all liability for repayment to the United States of the sum of $201.60, representing overpayments of civilian compensation which he received as an employee of the Department of the Army at the Erie Army Depot, Port Clinton, Ohio, incident to his promotion from WBX 12, step 3, to GS–9, step 2, effective July 20, 1964, the said Raymond J. Grachek having been demoted to GS–9, step 1, subsequent to such promotion when the Federal Employees Salary Act of 1964, enacted August 14, 1964, was applied retroactively to July 1, 1964, in establishing the pay rate to which he was entitled thereby. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to said Raymond J. Grachek, the sum of any amounts received or withheld from him on account of the overpayments referred to in the first section of this Act. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1023), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the bill, as amended, is to provide that Raymond J. Grachek, of Fremont, Ohio, is relieved of all liability for repayment to the United States of the sum of $201.60, representing overpayments of civilian compensation which he received as an employee of the Department of the Army at the Erie Army Depot, Port Clinton, Ohio, incident to his promotion from WBX 12, step 3, to GS–9, step 2.

STATEMENT

The Department of the Army and the Civil Service Commission are not opposed to the enactment of this bill.

The facts in the case are set out in the report of the Department of the Army and are as follows:

"On July 20, 1964, Raymond J. Grachek, a civilian employee of the Erie Army Depot, Port Clinton, Ohio, was promoted from step 3 of WB–12, $3.44 per hour, to step 2 of grade GS–9, $7,260 per year. This action was in accord with the established policy that upon transfer from a wage-board position an employee's salary is adjusted to the nearest rate in the Classification Act schedule which would not result in a salary decrease. The Federal Employees Salary Act of 1964 (78 Stat. 400), which became law on August 14, 1964, provided retroactive increases effective as of July 1, 1964. Under the increased rates Mr. Gracheck would have been placed in step 1 of GS–9 which was increased to $7,220 per year, instead of step 2, which was increased to $7,465 per year. In decision B–156058, dated February 26, 1965, the Comptroller General determined that in establishing pay rates for transfers from wage-board positions to Classification Act positions, which took place between July 1, 1964, and August 14, 1964, the new rates must be regarded as in effect on July 1, 1964, but that the employee had a vested right to receive the initially established rate during the retroactive period. Applying this decision the civilian personnel officer of the Erie Army Depot informed Mr. Grachek on June 11, 1965, that he had been overpaid $201.60, the difference between $7,220 and $7,465 per year from August 17, 1964, to June 6, 1965. On the same date Mr. Grachek authorized a payroll deduction of $10 per biweekly pay period to repay the indebtedness.

"The Department of the Army does not oppose a bill of this nature when a civilian employee receives in good faith an erroneous payment. As Mr. Grachek's indebtedness resulted from the retroactive application of an administrative determination without any fault on his part, the Department of the Army does not oppose the bill."

The committee is in agreement with the Department of the Army and recommends that the bill, as amended, be considered favorably.

RICHARD K. JONES

The bill (S. 1213) for the relief of Richard K. Jones was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1213

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Richard K. Jones, of Avendale Estates, Georgia, the sum of $15,000, in full satisfaction of all his claims against the United States for compensation for personal injuries sustained by the said Richard K. Jones as a result of an automobile accident occurring on January 23, 1957, while he was officially engaged in pursuing suspected violators of the Internal Revenue Code as an investigator of the United States Treasury Department: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1024), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the bill is to authorize and direct, the payment of $15,000 to Richard K. Jones in full satisfaction of all his claims against the United States for compensation for personal injuries sustained as a result of an automobile accident which occurred on January 23, 1957.

STATEMENT

The Department of the Treasury "is of the opinion that the question of whether relief should be granted in this case involves a matter of policy for congressional determination."

The facts of the case are contained in the report of the General Counsel of the Treasury to the chairman of the committee, dated September 2, 1965, and are as follows:

On the date of the accident Mr. Jones and two fellow employees were on official duty as criminal investigators, alcohol and tobacco tax, Internal Revenue Service, and while engaged in the pursuit of suspected violators of the liquor laws, the suspects' vehicle forced the investigators' automobile off the road whereupon it overturned and rolled down an embankment.

As a result of his injuries, which included a fractured femur, severe lacerations of the face and neck and damage to his vocal cords, Mr. Jones was hospitalized and was unable to return to work until March 4, 1957. Pursuant to the provisions of the Federal Employees' Compensation Act (5 U.S.C., ch. 15), the Bureau of Employees' Compensation, U.S. Department of Labor, disbursed a total of $3,105.45 in payment of medical expenses incurred by Mr. Jones.

We have also been advised by that Bureau that Mr. Jones' face and neck are scarred as a result of the lacerations suffered in the accident and that he has some speech difficulty as a consequence of the paralysis of one of his vocal cords. It is also indicated that after remaining in a standing position for a period of time, he is unable to walk without a limp.

Although there appears to be no dispute concerning either the nature and extent or the residual effects of Mr. Jones' injuries, none of these problems, in the judgment of the Bureau, had an adverse effect upon Mr. Jones' wage earning ability and, therefore, he had no "disability" within the meaning of the act. However, even if a finding of disability had been made, his speech impairment is not a loss such as would bring him within the schedule (5 U.S.C. 755) under which additional compensation is awarded for various periods of time for the loss of certain designated members and functions of the body. It is apparent, however, that his speech impairment represents a loss at least equal to, if not greater than, many of these specified in the schedule. Loss of the use of a toe, finger, and even part of a finger, are but a few examples of compensable disabilities under that schedule.

Mr. Jones assumed his present position as an investigator in the Inspector General's Office of the Department of Agriculture on or about January 4, 1960, after it became evident that he was no longer competent to meet the rigorous physical demands placed upon a criminal investigator. In his former employment, Mr. Jones would have qualified for retirement upon the completion of 20 years of satisfactory Government service and he stated that it was his intention, had he remained in that position, to retire at the end of 20 years to begin the practice of law. Mr. Jones believes that the additional length of time he must now serve in order to qualify for retirement has eliminated any possibility of a private law practice.

Insofar as the retirement benefits are concerned, the Civil Service Commission has advised that it does not believe that any monetary value can or should be assigned to the difference between the annuity Mr. Jones might have received had he qualified for special law-enforcement benefits and the annuity he may ultimately receive under the Retirement Act provisions applicable to employee generally, since entitlement to the special law-enforcement benefit cannot be presumed in advance; and that this special benefit exists only after the individual has met all of the statutory requirements. The matter of any income which may have been lost because of Mr. Jones' failure to qualify for the early retirement seems to be too speculative and hence does not warrant compensation. The Department would like to point out, however, that it is clear that as a result of the accident Mr. Jones has sustained a material loss of speech capacity for which he has received no compensation and for which there is no authority to award compensation administratively.

After consideration of the foregoing facts, the committee recommends enactment of this legislation.

KONSTADYNA BYNI DELIROGLOU AND MINOR CHILD

The bill (S. 2265) for the relief of Konstadyna Byni Deliroglou and her minor child, Alexandros Deliroglou was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2265

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Konstadyna Byni Deliroglou, the fiancée of Arthur B. Weaver, a citizen of the United States, and her minor child, Alexandros Deliroglou, shall be eligible for visas as nonimmigrant temporary visitors for a period of three months: *Provided,* That the administrative authorities find that the said Konstadyna Byni Deliroglou is coming to the United States with a bona fide intention of being married to the said Arthur B. Weaver and that she and her minor child, Alexandros Deliroglou are found to be otherwise admissible under the immigration laws. In the event the marriage between the above-named persons does not occur within three months after the entry of the said Konstadyna Byni Deliroglou, and her minor child, Alexandros Deliroglou, they shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within three months after the entry of the said Konstadyna Byni Deliroglou, and her minor child, Alexandros Deliroglou, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Konstadyna Byni Deliroglou and her minor child, Alexandros Deliroglou, as of date of the payment by them of the required visa fees.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1025), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The purpose of the bill is to enable the financée of a U.S. citizen, and her minor child, to enter the United States for a period of 3 months, so that the adult beneficiary may marry her fiance and thereafter reside in the United States with her child.

STATEMENT OF FACTS

The beneficiaries of the bill are a 37-year-old mother and her 9-year-old son, both natives and citizens of Greece who reside in that country. The adult beneficiary is engaged to marry Arthur B. Weaver, a U.S. citizen, who met the beneficiaries while he was stationed in Greece with our Armed Forces in 1963. The adult beneficiary's first husband deserted her and their child in 1959, and they were divorced on June 24, 1965. Mr. Weaver will make a home for the beneficiaries if they are permitted to enter the United States.

CERTAIN CIVILIAN EMPLOYEES AND FORMER CIVILIAN EMPLOYEES OF COLUMBIA BASIN PROJECT, WASHINGTON

The bill (S. 2307) for the relief of certain civilian employees and former civilian employees of the Bureau of Reclamation at the Columbia Basin project, Washington, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) each of the following employees, former employees, and estates of deceased employees of the Bureau of Reclamation at the Columbia Basin project, Washington, who received the overpayment of compensation listed opposite his name for the period from July 16, 1951, through April 24, 1965, inclusive, or any portion or portions of such period, which overpayment resulted from administrative error, is hereby relieved of all liability to refund to the United States the amount of such overpayment:

Name	*Overpayment*
Adams, Harley G	$35.84
Atlee, William E	2,090.46
Avey, Clifford W	19.20
Baumann, Florence I	4.00
Bean, Jerome H	112.53
Bishop, Fae C	3.27
Carpenter, Doris N	180.89
Carter, Helen L	508.72
Click, Oliver L	18.40
Cole, Charles B., Jr	28.00
Culp, Mary A	8.00
Dennis, William E	12.63
Deurbrouck, Robert L	7.20
Dixon, Lloyd E	1,518.56
Drittenbass, Florence A	4.00
Dull, Leah K	4.00
Eaton, Joseph L	690.10
Edyvean, Frances G	487.40
Ernest, John L	680.12
Farwell, Ruth	102.65
Fees, John N	125.01
Ferguson, Roy	19.73
Fretwell, Lloyd G	120.00
Gardner, Ray R	5.60
Gardner, Roy A	5.60
German, Gilbert A	705.60
Gilbert, Forrest J	41.60
Gimlin, Dorothy F	296.87
Greenwood, Walter P	1,201.29
Guffey, Clifford W	24.96
Hay, Bill N	67.20
Howe, Oran J	25.84
Indreland, Rasmus E	6.40
Kammeyer, Walter R	1,448.00
Kidston, George W	134.40
King, Everett L	41.60
Long, Cecil I	218.40
Mackey, Robert W	6.40
Mowery, Orville A	583.38
Myers, Esther G	129.80
Neilson, Vernal J	250.48
O'Brien, Harvey P	237.44
Oliver, Floyd E	19.20
Osborn, Betty F	8.00
Parker, Margie E	944.92
Paul, Edward T	284.80
Pearl, Dean D	20.00
Pontsler, Dean S	654.40
Pryor, Rick L	8.00
Robbins, Esther	330.27
Rohwein, Theodore P	6.40
Romary, Charles E	34.48
Rorvik, Joseph	481.91
Rose, Anthony	1,094.65
Roudebush, Charles D	$26.80
Schmidt, Alfred	4.00
Shay, Harold	798.19
Sheck, Ethel P	39.20
Smith, Russell D	11.20
Spencer, Jesse L	88.48
Stevens, Bob J	25.28
Straalsund, George H	908.80
Tellinghuisen, John W	610.38
White, Doris N	8.80
Williams, Glenn D	13.26
Winn, Charles L	5.60

Each such employee or former employee who has at any time made any repayment to the United States on account of any such overpayments made to him (or, in the event of his death, the person who would be entitled thereto under the first section of the Act of August 3, 1950 (5 U.S.C. 61f)), shall be entitled to have an amount equal to all such repayments made by him refunded if application is made to the project manager, Columbia Basin project, within two years after the date of enactment of this Act.

(b) For purposes of the Civil Service Retirement Act and the Federal Employees' Group Life Insurance Act of 1954, each overpayment for which liability is relieved by subsection (a) of this section shall be deemed to have been a valid payment.

SEC. 2. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States full credit shall be given for any amounts for which liability is relieved by the first section of this Act.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1026), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the bill is to provide that (a) each of the named employees of the Bureau of Reclamation at the Columbia Basin project, Washington, who received the overpayment of compensation listed opposite his name for the period from July 16, 1951, through April 24, 1965, inclusive, or any portion or portions of such period, which overpayment resulted from administrative error, is hereby relieved of all liability to refund to the United States the amount of such overpayment. Each such employee or former employee who has at any time made any repayment to the United States on account of any such overpayments made to him (or, in the event of his death, the person who would be entitled thereto under the first section of the act of August 3, 1950 (5 U.S.C. 61f)), shall be entitled to have an amount equal to all such repayments made by him refunded if application is made to the project manager, Columbia Basin project, within 2 years after the date of enactment of the act.

(b) For purposes of the Civil Service Retirement Act and the Federal Employees' Group Life Insurance Act of 1954, each overpayment for which liability is relieved by subsection (a) of this section shall be deemed to have been a valid payment.

Section 2: In the audit and settlement of the accounts of any certifying or disbursing officer of the United States full credit shall be given for any amounts for which liability is relieved by the first section of the act.

STATEMENT

Passage of the legislation is recommended by the Department of the Interior, Bureau of Reclamation. The facts of the case are contained in the departmental letter to the Honorable HENRY M. JACKSON, U.S. Senate, dated June 4, 1965, and are as follows:

"Of the 1,123 classified employees who are now serving or who have served on the Columbia Basin project since January 1960, 66 were found to have received salary overpayments. Eleven of these cases can be traced to a misinterpretation of personnel and pay regulations that developed during a routine audit conducted by the General Accounting Office in June 1960. The others were caused by further misinterpretations of applicable civil service regulations. These errors developed as a result of inadequate supervision at all levels of this Bureau.

"Of the 66 overpayments, 38 resulted from miscalculations of the time-in-grade requirements for periodic step increases; 18 from erroneous credit given toward time requirements for longevity step increases; 4 from incorrect selection of salary step upon promotion to a higher grade; 3 were from misinterpretation of instructions for salary adjustments under 1 of the Federal employee pay acts; 1 from a promotion in violation of the time-in-grade requirement; 1 from an erroneous lump-sum payment for leave not available because of less than 90 days' service; and 1 from granting an engineering technician a salary rate available only to professional engineers. These errors occurred between the period July 16, 1951, through April 24, 1965, inclusive.

"In recognition of the fact that the overpayments resulted from administrative errors and the employees were in no way responsible, we do not believe they should be required to make restitution. Although we have temporarily suspended action to collect the overpayments, we are without legal authority to relieve the employees of responsibility for repayment. Legislation will be necessary if this is to be done. In accordance with your request, a draft bill for that purpose will be sent to you by the Department's legislative counsel.

"A list of the employees involved showing the amount of overpayment made to each is enclosed. All but 15 are still employed on the project. Of those who are gone, six resigned; three transferred within the Bureau; four retired with one of these having since deceased; and two are employed by other agencies of the Federal Government.

"The above information is also being furnished to Senator Magnuson and Congresswoman May, who have written to us concerning this matter.

"Our audit also disclosed several instances of employees who have been underpaid. These will be corrected promptly by administrative actions which are within our authority.

"We view this entire situation with utmost gravity and are taking immediate steps to insure that there will be no recurrence of such errors in the future.

"We appreciate your interest in the Bureau of Reclamation and its employees. Please let us know if we can be of further assistance."

In accordance with the views of the Department, the bill is recommended favorably, without amendment.

ABRAHAM EZEKIEL COHEN

The bill (S. 2696) for the relief of Abraham Ezekiel Cohen was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2696

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of the Immigration and Nationality Act, the periods of time Abraham Ezekiel Cohen has resided and was physically present in the United States or any State since June 17, 1957, shall be held and considered as compliance with the residence and physical presence requirement of section 316 of said Act.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1027), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

STATEMENT OF FACTS

The beneficiary of the bill is a 29-year-old native of India and citizen of Great Britain. He is married to a native of India and they have two U.S. citizen children. The beneficiary was admitted to the United States as a permanent resident on January 17, 1957. He is presently stationed in Bombay, India, where he is employed as international regional director in charge of foreign subsidiaries for Merck & Co., Inc., a U.S. pharmaceutical corporation. His family resides with him in India. He has been employed by Merck & Co. since June 1957 and his absences abroad in connection with his employment have made it impossible to meet the physical presence requirements of section 316 of the Immigration and Nationality Act for naturalization purposes. He desires to become a U.S. citizen and U.S. citizenship is important to his employment by the U.S. corporation.

MRS. LONETA HACKNEY

The bill (H.R. 1484) for the relief of Mrs. Loneta Hackney was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1028), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of the proposed legislation is to provide that Mrs. Loneta Hackney, the widow of Charles B. Hackney, deceased, is to be granted recognition as the wife and widow of Charles B. Hackney for the purpose of the payment of a widow's annuity in accordance with the timely election of the deceased employee.

STATEMENT

Records of the Civil Service Commission disclose that Mr. Hackney elected to retire on April 30, 1957, from his position with the Veterans' Administration at age 63 with 32 years and 3 months of creditable service (military and civilian). At the time of his retirement, he appeared to be eligible under the law to elect, in lieu of a life annuity, a reduced annuity with benefit to widow. He affirmatively chose the reduced annuity and named "Loneta," date of birth "July 25, 1897," as his wife and showed the date and place of their marriage as "January 9, 1938, Dallas, Tex." Mr. Hackney died August 19, 1963.

As there was no reason in 1957 to question the validity of Mr. Hackney's election, a reduced annuity with benefit to widow was allowed at the monthly rate (to him) of $217. His monthly rate was increased to $228 effective January 1, 1963, under part III of Public Law 87–793, approved October 11, 1962. The potential survivor annuity for his named spouse was computed in 1957 at $100 a month, which rate was increased to $105 a month under part III of Public Law 87–793.

Mrs. Hackney applied for survivor annuity on August 22, 1963. On her application, she stated that she and the deceased were married on June 17, 1958, at Hillsboro, Tex. However, she subsequently filed another application (dated September 20, 1963) showing that she and the deceased were also married on January 9, 1938, at Dallas, Tex. Both of these applications showed that Mr. Hackney was not divorced from his former spouse, Ada Hackney, until June 12, 1958.

Mr. Hackney's election of a reduced annuity with benefit to widow was made under section 9(g) of the Retirement Act, approved July 31, 1956, which provided that a husband could elect a reduced annuity for his life with an annuity payable after his death to his surviving widow designated by him at the time of his retirement. As Mr. Hackney was not legally married to Loneta at the time of his retirement as required by law, his election of a reduced annuity with benefit to widow could not be considered as valid. Accordingly, the Commission notified Mrs. Hackney that no survivor annuity was payable to her under the cited invalid election.

H.R. 1484 proposes to legislate the result Mrs. Hackney was seeking and give her the widow's annuity. Specifically, the bill would require that Mrs. Hackney be considered Mr. Hackney's wife from and after the time of his retirement, thereby affording her survivor annuity title with monthly annuity payments of $105 commencing August 20, 1963, the day following Mr. Hackney's death.

The Civil Service Commission, in reporting on the merits of this proposal to the House Judiciary Committee, stated in part as follows:

"The Commission has consistently viewed as undesirable in principle private relief legislation which would afford one person benefits to which others similarly situated are not entitled. However, in exceptional instances, where a patent inequity exists, such legislation may be warranted. This case seems exceptional in the sense. It appears from the evidence that Mr. Hackney believed his 1938 marriage to Loneta was valid and that she was his legal wife at time of his retirement in 1957. Later, when he discovered this was not the case, he obtained the necessary divorce and promptly consummated a valid marriage with Loneta. In view of these circumstances, the Commission offers no objection to the enactment of H.R. 1484, if Congress decides the relief should be granted."

The Veterans' Administration advised the House Judiciary Committee that because Mr. Hackney was a former employee of the Veterans' Administration, that agency naturally has a sympathetic interest in this case and notes that an apparent precedent for the relief here proposed exists, in that Private Law 86–419, approved July 12, 1960, accorded title to a survivor annuity in a similar case to Icile H. Hinman.

The committee is in agreement with the views expressed by both the Civil Service Commission and the Veterans' Administration, that this is an exceptional situation which warrants legislative relief. The evidence discloses that Mr. Hackney believed his 1938 marriage to Loneta Hackney was valid and that she was his legal wife at the time of his retirement in 1957, and that she had a valid right to survivorship in his Government annuity.

In view of all the facts, the committee believes that this is a meritorious claim, and accordingly recommends favorable consideration of H.R. 1484, without amendment.

ELIGIO CIARDIELLO

The bill (H.R. 1918) for the relief of Eligio Ciardiello was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1029), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to waive the excluding provision of existing law relating to one who has procured a visa by fraud or misrepresentation in behalf of the son of a lawful resident alien and the brother of a U.S. citizen.

STATEMENT OF FACTS

The beneficiary of the bill is a 38-year-old native and citizen of Italy who resides in that country with his wife and 5 children. He was admitted to the United States on December 7, 1947, in possession of a nonquota visa as the unmarried son of a U.S. citizen. It was later determined that he had married prior to his entry into the United States. During the deportation proceedings, the beneficiary was drafted into the Army. After serving 5 months, the beneficiary was discharged because of his unlawful status. The beneficiary's father died in March 1965, thus invalidating the fourth preference visa petition filed January 10, 1956.

RELIEF OF CERTAIN CLASSES OF CIVILIAN EMPLOYEES OF NAVAL INSTALLATIONS

The bill (H.R. 2627) for the relief of certain classes of civilian employees of naval installations erroneously in receipt of certain wages due to misinterpretation of certain personnel instructions, was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1030), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the bill is to relieve 65 employees or former employees of the Navy for amounts received in the period from May 25, 1960, to July 1, 1962, held to have been erroneous because they were paid on the basis of a premature within-grade advancement due to a misinterpretation of naval civilian personnel instructions. The bill would extend to this group of employees the same relief granted to employees of the New York and San Francisco Naval Shipyards by Public Law 87-871, approved October 23, 1962.

STATEMENT

The Department of the Navy supports the enactment of the bill.

The Comptroller General in a report on a similar bill, H.R. 6680 of the 88th Congress, favored the enactment of the legislation.

In its favorable report on the legislation the Committee on the Judiciary of the House of Representatives said:

"Public Law 87-871 relieved civilian employees and former civilian employees of the New York Naval Shipyard and the San Francisco Naval Shipyard of amounts which were otherwise correct and which occurred without fault on their part, but were caused by a premature within-grade advancement based upon a misinterpretation of Naval Civilian Personnel Instruction 552. The present bill, H.R. 2627, would extend the same relief to employees of other naval activities who were paid on the same basis."

The Department of the Navy in its favorable report on the legislation set forth the facts in the case and circumstances of the overpayment as follows:

"The overpayments which are the subject of this legislation came about in the following manner. Prior to the issuance of Cover Sheet 852, an apprentice, upon assignment to a journeyman job after graduation, whether or not he received an increase in pay when assigned to journeyman work, began a new waiting period for increase to the next step within the pay level of the journeyman job. In May 1960, changes in what was then Naval Civilian Personnel Instruction 195 were promulgated by Cover Sheet 852. Under the change, an apprentice became eligible for a step increase on the same basis as other employees. This meant that the apprentice became eligible for a step increase after assignment to his journeyman position, if he had not had a single increase, during the period under consideration, which was equal to or larger than the smallest step increase in any rating in which he had served in that period. This determination was to be made as of the proposed effective date of the action and had to take into account the amount of the step increases in the ratings involved."

Applying these instructions to the overpayment at the Naval Air Station, Alameda, Calif., for example, an apprentice ($2.79 per hour) graduated and was assigned to a journeyman position in pay level 11, step 1, at $2.91 per hour at that activity (step 2 is $3.03 per hour). Therefore, he had received a 12-cent increase which was equal to the smallest step increase in the ratings involved (the journeyman rating in this instance). Properly, this apprentice should have served a waiting period of 26 weeks before becoming eligible for pay level 11, step 2.

Instead of the smallest step increase in a rating (the increase between step 1 and step 2 of pay level 11, journeyman rating), the instruction was misinterpreted so that the apprentice must have had an increase equivalent to the increase between apprenticeship years, 16 cents at that activity. Since the apprentice received $2.91 on assignment to pay level 11, step 1 which only amounted to a 12-cent increase, the air station at Alameda counted the 26-week waiting period from the date of the last 16-cent step increase (assignment from the third year of apprenticeship to the fourth year of apprenticeship). Therefore, he was given a step increase to pay level 11, step 2 ($3.03 per hour) starting the next pay period after assignment. In this way these employees at the air station at Alameda received the step increases prematurely. A similar situation prevailed at the Naval Air Engineering Center, Philadelphia, and the naval shipyards at New York, San Francisco, and Long Beach.

Upon discovery that this misinterpretation existed, corrective instructions were issued and reports obtained from all activities graduating apprentices to assure that pay rates were being set properly. The improper payments ceased in early 1962.

Specific data on the overpayments involved in this bill are as follows:

	Naval Air Station, Alameda	Long Beach Naval Shipyard	Naval Air Engineering Center, Philadelphia
Total employees affected	43	4	8
Number no longer employed	10	0	0
Maximum overpayment	$173.60	$28.32	$196.80
Minimum overpayment	$12.12	$16.32	$122.00
Total amount overpaid	$5,412.82	[1] $86.16	$1,066.80

[1] All repaid.

The Department of the Navy supports the enactment of H.R. 2627.

The Bureau of the Budget advises that, from the standpoint of the administration's program, there is no objection to the presentation of this report for the consideration of the committee.

The committee believes that the bill, as recommended by the Department of the Navy and the Comptroller General, and as approved by the House of Representatives, is meritorious and recommends it favorably.

LOUIS SHCHUCHINSKI

The bill (H.R. 3236) for the relief of Louis Shchuchinski was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1031), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

STATEMENT

The beneficiary of the bill is a 29-year-old native and citizen of Cuba who first entered the United States as a visitor on October 3, 1960. He later obtained an immigrant visa in Canada and was lawfully admitted to the United States for permanent residence on October 24, 1963. The beneficiary has passed the bar examination but cannot practice in New York until he has U.S. citizenship.

CHIZUYO HOSHIZAKI

The bill (H.R. 4928) for the relief of Chizuyo Hoshizaki was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1032), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to provide for the restoration of U.S. citizenship to Chizuyo Hoshizaki which was lost by voting in foreign elections.

STATEMENT OF FACTS

The beneficiary of the bill is a 46-year-old native of the United States who was taken to Japan by her parents as a child. She expatriated herself by voting in Japanese elections, the first one in 1953. The beneficiary and her two sons were admitted to the United States on May 10, 1959, as the wife and children of a treaty investor.

MUHAMMAD SARWAR

The bill (H.R. 4995) for the relief of Muhammad Sarwar was considered ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1033), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United

States to Muhammad Sarwar. The bill provides for an appropriate quota deduction and for the payment of the required visa fee.

STATEMENT OF FACTS

The beneficiary of the bill is a 28-year-old native and citizen of Pakistan who entered the United States on October 16, 1962, as a student. He did not attend school and was drafted into the U.S. Army on March 12, 1963. He thereafter served in Korea and was discharged on February 16, 1965. Since his Army service was 1 month short of 2 years, he cannot qualify for the suspension of deportation. His brother is in the United States and is the beneficiary of an approved third preference petition. Another brother is also the beneficiary of a third preference petition. A third brother served in the U.S. Army for 2½ years. The beneficiary is presently a student engineer with the Maryland State Roads Commission performing research work in the chemistry section.

JACK RALPH WALKER

The bill (H.R. 5231) for the relief of Jack Ralph Walker was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1034), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Jack Ralph Walker as of September 16, 1930. The bill does not provide for the deduction of a quota number inasmuch as the beneficiary's status has been previously adjusted to that of a lawful resident alien as a native of Canada.

STATEMENT OF FACTS

The beneficiary of the bill is a 35-year-old native of Canada who was brought to the United States on September 16, 1930, when he was 6 months of age. He resides in California with his wife and adopted son, who are citizens of the United States. It was during the adoption proceedings that the beneficiary learned he was not a citizen of the United States. Since his entry in 1930 with his U.S. citizen adoptive parents could not be verified, the beneficiary's status was adjusted to that of a lawful resident as of April 20, 1964.

DELMA S. POZAS

The Senate proceeded to consider the bill (S. 146) for the relief of Delma S. Pozas which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, in the administration of the Immigration and Nationality Act, Delma S. Pozas may be classified as a child within the meaning of section 101(b)(1)(F) of that Act, and a petition may be filed in behalf of the said Delma S. Pozas by Mr. and Mrs. Luis Guevarra, citizens of the United States, pursuant to section 204 of the Immigration and Nationality Act subject to all the conditions in that section relating to orphans.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1035), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable the beneficiary to be classified as an adopted child of U.S. citizens in order to qualify for special immigrant status upon approval of a petition filed in her behalf. The bill has been amended to conform with the changes made by enactment of Public Law 89–236.

STATEMENT OF FACTS

The beneficiary of the bill is a 24-year-old native and citizen of the Philippines who entered the United States on May 16, 1960, as a student. Her granduncle and grandaunt, citizens of the United States, have provided for her since birth and have considered her to be their own child. The foster parents reside in Hawaii and information is to the effect that they are financially able to care for the beneficiary.

LAURA HUI-WEI WONG AND CHILDREN

The Senate proceeded to consider the bill (S. 926) for the relief of Laura Hui-Wei Wong and her children, Janet Wong and Simon Wong, which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That, in the administration of the Immigration and Nationality Act, Laura Hui-Wei Wong and her children, Janet Wong and Simon Wong, shall be held and considered to be within the purview of section 203(a)(3) of that Act and the provisions of section 204 of the said Act shall not be applicable in these cases.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1036), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to preserve third preference status in behalf of the widow and children of a first preference beneficiary. The bill has been amended to conform with the changes made by enactment of Public Law 89–236 which designated the former first preference as third preference.

STATEMENT OF FACTS

The beneficiaries of the bill are a 41-year-old woman and her two children, aged 14 and 11, all natives and citizens of China. The adult beneficiary is the widow of the beneficiary of an approved first preference petition at the time of his death on January 24, 1964. The beneficiaries were paroled into the United States on September 16, 1961, as members of the family of a beneficiary of an approved first preference petition. The adult beneficiary is employed at the University of Oklahoma. The husband-father was a nuclear physicist on the faculty of the University of Oklahoma at the time of his death.

KOCK KONG FONG

The Senate proceeded to consider the bill (H.R. 2752) for the relief of Kock Kong Fong which had been reported from the Committee on the Judiciary with an amendment on page 1, line 6, after the word "of", to strike out "June 30, 1958," and insert "the date of the enactment of this Act,".

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1037), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to grant the status of permanent residence in the United States to Kock Kong Fong. The bill provides for an appropriate quota deduction and for the payment of the required visa fee. The bill has been amended to grant permanent residence as of the date of enactment, since the purpose of the bill is to reunite the family and immediate relatives of lawful permanent residents of the United States are entitled to a second preference in the issuance of visas and that portion of the quota for China is presently available.

STATEMENT OF FACTS

The beneficiary of the bill is a 31-year-old native and citizen of China who was issued a U.S. passport in 1958 as the son of a U.S. citizen, but was denied a certificate of citizenship upon discovery that his claim to citizenship was based upon an innocent misinterpretation of law applying to residents of Hawaii at the time of his grandfather's birth there in 1882. The beneficiary's father was born in China and never resided in Hawaii and did not take up residence in the United States until 1923. A certificate of citizenship was denied on the ground that the beneficiary's father was not a citizen, but he has since been naturalized, on April 21, 1961. The beneficiary's wife and children reside in Hong Kong and he desires to have them reunited with him.

PRZEMYSLAW NOWAKOWSKI

The Senate proceeded to consider the bill (H.R. 2938) for the relief of Przemyslaw Nowakowski which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, in the administration of the Immigration and Nationality Act, as amended, Przemyslaw Nowakowski may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in his behalf by Mr. and Mrs. Harry Nowakowski, a citizen and lawfully resident alien of the United States, respectively, pursuant to section 204 of the said Act, subject to all the conditions in that section relating to orphans.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. **MANSFIELD.** Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1038), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable the alien adopted son of a U.S. citizen to qualify for special immigrant status as an immediate relative upon approval of a petition filed in his behalf. The bill has been amended to conform with the changes made by enactment of Public Law 89-236.

STATEMENT OF FACTS

The beneficiary of the bill is a 22-year-old native and citizen of Poland who entered the United States as a visitor on September 7, 1963. He was adopted by his aunt and uncle on April 27, 1964. They have provided for his support and information is to the effect that they are financially able to care for him.

MANOJLO VERZICH

The Senate proceeded to consider the bill (H.R. 2939) for the relief of Manojlo Verzich which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, in the administration of the Immigration and Nationality Act, as amended, Manojlo Verzich may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in his behalf by Mr. and Mrs. Merko Verzich, citizens of the United States, pursuant to section 204 of the said Act, subject to all the conditions in that section relating to orphans.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. **MANSFIELD.** Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1039), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable the alien adopted son of citizens of the United States to qualify for special immigrant status as an immediate relative upon approval of a petition filed in his behalf. The bill has been amended to conform with the changes made by enactment of Public Law 89-236.

STATEMENT OF FACTS

The beneficiary of the bill is a 23-year-old native and citizen of Yugoslavia who entered the United States as a visitor on May 9, 1962. On August 28, 1963, the beneficiary was adopted by U.S. citizens. The adoptive father is a first cousin of the beneficiary's natural father who is deceased. The beneficiary attended vocational school and is now employed.

It should be pointed out that approval of the bill is not to be considered a predetermination of whether the beneficiary is excludable because of his membership in a Communist organization.

MRS. PANAGIOTA VASTAKIS AND SOTEROS VASTAKIS

The Senate proceeded to consider the bill (H.R. 3875) for the relief of Mrs. Panagiota Vastakis and Soteros Vastakis which had been reported from the Committee on the Judiciary, with an amendment, in line 7, after the word "of", where it appears the first time, to strike out "section 205" and insert "section 204."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. **MANSFIELD.** Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1040), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to retain special immigrant status for the widow and son of a citizen of the United States. The bill has been amended to conform with the changes made by enactment of Public Law 89-236.

STATEMENT OF FACTS

The beneficiaries of the bill are a 49-year-old widow and her 14-year-old son, both natives and citizens of Greece, who were admitted to the United States as visitors on October 10, 1962. The husband-father was naturalized on January 18, 1957, and petitioned for two other sons to enter the United States for permanent residence. Petitions were not filed in behalf of the beneficiaries of the bill and the husband-father died August 19, 1962.

RALPH TIGNO EDQUID

The Senate proceeded to consider the bill (H.R. 4743) for the relief of Ralph Tigno Edquid which had been reported from the Committee on the Judiciary, with an amendment to strike out all after the enacting clause and insert:

That, in the administration of the Immigration and Nationality Act, as amended, Ralph Tigno Edquid may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in his behalf by Lt. and Mrs. Arthur Edquid, a citizen and lawfully resident alien, respectively, of the United States, pursuant to section 204 of the Act, subject to all the conditions in that section relating to orphans.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. **MANSFIELD.** Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1041), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to facilitate the adjustment of status as an immediate relative of an alien adopted by a citizen of the United States and a lawfully resident alien. The bill has been amended to conform the language to the provisions of the Immigration and Nationality Act, as amended by Public Law 89-236.

STATEMENT OF FACTS

The beneficiary of the bill is a 23-year-old native and citizen of the Philippines who entered the United States as a visitor on July 4, 1960. On September 18, 1961, the beneficiary was adopted by his sister and brother-in-law. The adoptive father is a U.S. citizen and is a career officer with the U.S. Army. The beneficiary has received his bachelor's degree in psychology.

DAVID GLENN BARKER

The Senate proceeded to consider the bill (H.R. 6112) for the relief of David Glenn Barker (Jai Yul Sung), and Richard Paul Barker (Pil Su Park), which had been reported from the Committee on the Judiciary, with an amendment to strike out all after the enacting clause and insert:

That, in the administration of the Immigration and Nationality Act, as amended, David Glenn Barker (Jai Yul Sung) and Richard Paul Barker (Pil Su Park) may be classified as children within the meaning of section 101(b)(1)(F) of that Act, upon approval of a petition filed in their behalf by Sergeant First Class and Mrs. Allen N. Barker, citizens of the United States, pursuant to section 204 of the said Act, subject to all the conditions in that section relating to orphans. Section 204(c) of the Immigration and Nationality Act, as amended, relating to the number of petitions which may be approved, shall be inapplicable in these cases.

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. **MANSFIELD.** Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1042), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to facilitate the entry into the United States in an immediate relative status of the alien children adopted by citizens of the United States. The bill has been amended to conform the language to the new provisions of the Immigration and Nationality Act.

STATEMENT OF FACTS

The beneficiaries of the bill are 13- and 14-year-old natives and citizens of Korea, who reside in that country in an orphanage. They were adopted on June 15, 1964, and February 11, 1964, respectively, by citizens of the United States. There are six natural children in the family in addition to two other minor Korean children adopted in 1964 by the adoptive parents. The adoptive mother was previously employed in Korea in an orphanage and married her present husband in Seoul on December 6, 1963. Her first husband died. The beneficiaries lived with their adoptive parents in Korea. The adoptive father is a career member of the U.S. Army.

KI SOOK JUN

The Senate proceeded to consider the bill (H.R. 9442) for the relief of Ki Sook

Jun, which had been reported from the Committee on the Judiciary, with an amendment to strike out all after the enacting clause and insert:

That, in the administration of the Immigration and Nationality Act, as amended, a petition may be filed by Mr. and Mrs. Charles Hood in behalf of Ki Sook Jun, and the provisions of section 204(c) of that Act relating to the number of petitions which may be approved in behalf of children defined in section 101(b)(1)(F) of the said Act shall not be applicable in this case.

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1043), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable Mr. and Mrs. Charles Hood to file a petition to facilitate the admission as an immediate relative of the minor alien child they plan to adopt. The bill has been amended to waive only the limitation that no more than two alien children may be adopted by a petitioner and to conform that language to the provisions of Public Law 89-236.

STATEMENT OF FACTS

The beneficiary of the bill is a 6-month-old native and citizen of Korea who presently resides in that country in an orphanage. She is to be adopted by U.S. citizens who have one natural child and two other adopted Korean children who were admitted to the United States for permanent residence on May 1, 1964.

EDWARD F. MURZYN AND EDWARD J. O'BRIEN

The Senate proceeded to consider the bill (H.R. 10403) for the relief of Edward F. Murzyn and Edward J. O'Brien, which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 5, after the word "of", to strike out "$7,615" and insert "$6,500", and in line 6, after the word "of", to strike out "$6,903.41" and insert "$6,500".

The amendments were agreed to.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1044), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the proposed legislation, as amended, is to pay to Edward F. Murzyn the sum of $6,500, and to Edward J. O'Brien the sum of $6,500. The payment of these sums is to be in full settlement of all claims by them against the United States growing out of a fire on August 17, 1963, in a commercial warehouse located in Alexandria, Va., and operated by Columbia Van Lines and Meeks Transfer Co.

STATEMENT

The bill H.R. 10403 was introduced in accordance with the recommendation of an executive communication of the Federal Aviation Agency which recommends its enactment.

On August 17, 1963, the Meeks Transfer Co. warehouse, 727 South Pickett Street, Alexandria, Va., containing the household effects of Mr. Murzyn and Mr. O'Brien, was completely destroyed by a fire that raged through the block-long building

The contract which the General Services Administration entered into with the Meeks Transfer Co. on April 19, 1963, provided that all shipments made under the contract were to be released to a value which did not exceed 30 cents per pound per article. Mr. Murzyn and Mr. O'Brien apparently relied upon their right to proceed against the warehouseman, but, of course, that right was limited by the Government's agreement. As is noted in the executive communication, Federal Aviation employees have generally assumed that their rights against the warehouseman will be sufficient to cover the minor damage or loss to be expected in a move. Also, they probably assume that the Government will place their property in a safe warehouse. Obviously, neither assumption was borne out by the facts of this case.

Also, in this case, it was determined, on the basis of an investigation by the National Board of Underwriters and the Alexandria fire marshal, that this fire was of an undetermined origin and was in no way due to negligence on the part of the warehouse or carrier involved. Therefore, the claims submitted by Mr. Murzyn and Mr. O'Brien to the insurer, the Fireman's Fund, under the Government contract, have remained unpaid.

Meeks has since gone out of business and, therefore, further efforts of Mr. Murzyn and Mr. O'Brien to obtain compensation have been unsuccessful.

Public Law 88-558 would allow the Federal Aviation Agency to reimburse Mr. Murzyn and Mr. O'Brien for their losses had not their losses occurred prior to its enactment. A private bill is the only means of providing just compensation to Mr. Murzyn and Mr. O'Brien for their losses, and this committee notes that private relief in this instance is consistent with the policy now expressed in public law.

The Federal Aviation Agency has conducted a thorough investigation of the claimed losses of Mr. O'Brien and Mr. Murzyn. Complete lists of items lost were submitted with date of purchase and original cost for each item. Then, using the depreciation tables which are now applied under Public Law 88-558, the FAA gave each item a depreciated value. The amounts stated in the bill before the committee amendment have, therefore, been reduced to the proper depreciated value of the item lost.

The committee has reduced the awards to the statutory limitation of $6,500 contained in the Military Personnel and Civilian Employees' Claims Act of 1964. The committee is, of course, sympathetic to the losses suffered by the claimants through no fault of their own, but must limit the awards consistent with congressional policy expressed in the 1964 act.

Both Mr. Murzyn and Mr. O'Brien have suffered great hardships as a result of their losses. Their families lost the majority of their clothing and personal effects. Both Mr. Murzyn and Mr. O'Brien were making payments on some of the furniture that was destroyed in the fire, and continue to do so. Also, they have had to purchase new furniture on which they are also making payments. The loss of clothing, furniture, and other personal effects forced them to seek additional money from various loan companies and then at high interest rates. Mr. Murzyn has even had to refinance his car.

Accordingly, the committee recommends H.R. 10403 favorably as amended.

COMPENSATION FOR CANCELLATION OF GRAZING PERMITS

The Senate proceeded to consider the bill (S. 1375) conferring jurisdiction on the Court of Claims to make findings with respect to the amount of compensation to which certain individuals are entitled as reimbursement for damages sustained by them as a result of the cancellation of their grazing permits by the U.S. Air Force, and to provide for payments of amounts so determined to such individuals which had been reported from the Committee on the Judiciary with amendments on page 2, after line 6, to strike out:

SEC. 2. For the purpose of determining the amount of compensation to which the persons referred to in the first section of this Act are entitled, jurisdiction is hereby conferred upon the Court of Claims to hear the claims of such persons, filed within one year after the date of enactment of this Act, to determine the amount of compensation to which such persons are equitably entitled for damages sustained because of the cancellation of their grazing permits.

SEC. 3. The court shall cause such finding to be certified to the Secretary of the Treasury who is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to such persons the amount of compensation to which, under such finding, they are equitably entitled.

And, in lieu thereof, to insert:

SEC. 2. The Secretary of the Air Force is hereby authorized and directed to determine and pay the amount of compensation to which such persons are equitably entitled for damages because of the cancellation of their grazing permits. Such determination shall be made in accordance with criteria established in the usual cases where grazing permits are canceled as the result of withdrawals by a Federal department or agency.

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress hereby finds and declares that Claudius C. Toone, of Morgan, Utah; W. E. and David Dearden, of Henefer, Utah; Robert Byram and Sons, of Ogden, Utah; Joseph O. Fawcett, of Henefer, Utah; and Richins Brothers, of Henefer, Utah, are equitably entitled to compensation for damages sustained by them because of the cancellation of their grazing permits by the United States Air Force as a result of a need for additional land for the Wendover bombing range.

SEC. 2. The Secretary of the Air Force is hereby authorized and directed to determine and pay the amount of compensation to which such persons are equitably entitled for damages because of the cancellation of their grazing permits. Such determination shall be made in accordance with criteria established in the usual cases where grazing permits are canceled as the result of withdrawals by a Federal department or agency.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended, so as to read: "A bill providing a method for determining the amount of compensation to which certain individuals are entitled as reimbursements for damages sustained by them due to the cancellation of their grazing permits by the United States Air Force."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1045), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of the proposed legislation, as amended, is to compensate certain named individuals for the cancellation of their grazing permits by the U.S. Air Force and to permit the determination of the amounts of such claims by the Secretary of the Air Force consistent with procedures established pursuant to the act of July 9, 1949, as amended (43 U.S.C. 315q).

STATEMENT

The committee, in the 85th Congress, reported a similar bill, S. 1450, which subsequently passed the Senate and was not acted on by the House of Representatives. Again, in the 87th Congress, the committee reported favorably on S. 17. No action was taken in the Senate.

The facts surrounding this claim, as set forth in the previous report and which have not changed, are as follows:

The five named claimants are persons who have for many years, even before the enactment of the Taylor Grazing Act, engaged in the business of raising livestock for sale. In pursuance of their livelihood these claimants, prior to 1935, were permitted by the sufferance of the Federal Government to utilize lands within the public domain as grazing lands for their livestock. In 1935, following the enactment of the Taylor Grazing Act, the Department of the Interior issued grazing permits under the act covering extensive acreage in the Lakeside area in the State of Utah, including five grazing permits to these claimants or their predecessors. On October 29, 1940, by Executive Order No. 8579, the Federal lands covered by the five permits were withdrawn from the public domain and reserved for the use of the then War Department as an aerial bombing and gunnery range. Although the grazing permits which had theretofore been issued were canceled, the permittees (these claimants) were allowed to continue their grazing activities. Subsequently, in 1942, as a result of a conference between representatives of the Wendover Army Airbase, the Corps of Engineers, the Department of the Interior, and the claimants, the Department of the Interior was authorized by the commander of the Wendover Army Airbase, through the Corps of Engineers, to administer the lands for grazing purposes. The Department of the Air Force states that the administration of these lands for grazing purposes was to be in accordance with conditions contained in a letter from the commander, Wendover Army Airbase, dated October 20, 1942, and addressed to the district engineer. This letter, which is appended to this report, contains two conditions, one of which would have provided for the termination of the permits on 10 days' notice. The other condition actually amounted to a statement of intention. The statement of intention was that no interference or restrictions be placed upon these ranges that would in any way entitle the permittees to make claim against the U.S. Government for the deprivation of the use of the range.

In 1943 and 1945, 10-year grazing permits were issued to these permittees and these permits were extended on a yearly basis since their expiration until their cancellation in April 1956. Of the two conditions mentioned by the Department of the Air Force only one was actually incorporated in the permits. All of the permits, except the one issued in 1945, contained a provision for termination on 10 days' notice.

With the cancellation of these permits on April 30, 1956, the five claimants named in S. 1450 were confronted with the necessity of securing grazing land to replace the lands denied them by cancellation of their permits. The lands covered by the permits had been used as winter grazing land by the permittees. In some cases the lands represented the entire winter grazing land available to the claimants. In others it represented only a portion of the winter grazing land. In each case, however, the only alternative to securing additional winter grazing land was to dispose of their sheep.

Additional winter grazing land in this area is difficult to obtain. In transactions involving the transfer of such land, it is generally necessary to purchase not only the permit for winter grazing land, but also the land owned in fee by the seller. Such fee land is generally used as summer grazing area. The fee land and the permits for winter grazing are generally treated as an economic unit and salable as such. This was recognized by the Federal courts in *U.S.* v. *Cox* (190 F. 2d 293, 295 (1951)). The court in that case stated:

> "Unquestionably the grazing permits were of value to the ranchers. They were an integral part of the ranching unit—indeed, the fee lands are practically worthless without them."

The withdrawal of these permits, therefore, injured the claimants not only in the pursuance of their livelihood, but in the salability of land which they owned in fee.

A member of the committee took testimony on this legislation in Salt Lake City, Utah. At this hearing it was developed that certain of the claimants were unable to secure additional winter grazing land. Others were able, at a premium price, to rent lands of less accessibility and desirability. Each of the witnesses testified to the difficulty of acquiring additional grazing land and the unlikelihood that they could continue to pursue the livelihood in which they had been engaged all their lives. Each of them testified to the extensive damage which had been occasioned by the withdrawal of these lands for winter grazing.

The claimants, after cancellation of their permits, sought to avail themselves of the general provisions of law permitting compensation for the withdrawal of grazing permits, but were denied compensation by the Department of the Air Force. The general law, which is set forth in title 43, United States Code, section 315q, reads as follows:

> "Whenever use for war or national defense purposes of the public domain or other property owned by or under the control of the United States prevents its use for grazing, persons holding grazing permits or licenses and persons whose grazing permits or licenses have been or will be canceled because of such use shall be paid out of the funds appropriated or allocated for such project such amounts as the head of the department or agency so using the lands shall determine to be fair and reasonable for the losses suffered by such persons as a result of the use of such lands for war or national defense purposes. Such payments shall be deemed payment in full for such losses. Nothing herein contained shall be construed to create any liability not now existing against the United States."

The denial to their claims under this statute by the Department of the Air Force was apparently based upon a decision to the effect that these lands, having been withdrawn by Executive Order No. 8579, were not lands within the public domain, nor other property owned by or under control of the United States, within the meaning of the statute. The Department further took the position that the permits issued in these instances were not "grazing permits or licenses" as defined in that section of the law. They further contended that the permits were subject to the terms and conditions imposed by the commander of the Wendover Army Airbase, particularly that part of the understanding which denied the claimants the right to make claim against the U.S. Government for the deprivation of the use of the range. The legal opinion on which this rejection was based is appended to this report. That opinion contains a statement to the effect that the permits in issue were not Taylor Grazing Act permits.

The sponsor of this legislation secured from the American Law Division of the Library of Congress a memorandum which contains the legislative history concerning this section of the law. This memorandum also examines the meaning of the terminology of the statute which was cited by the Department of the Air Force in its denial of these claims. This memorandum is likewise appended to this report.

The legislative history shows that prior to the enactment of this section of the law no compensation was afforded for the cancellation of licenses issued by agencies of the U.S. Government permitting grazing upon lands owned by the U.S. Government. With the adoption of this section of the law, however, a compensable interest in the area affected by the grazing permit was recognized by the Federal Government, and the procedures outlined by the statute have been held by the courts to be the exclusive means by which permittees may recover for the cancellation of their permits. (*U.S.* v. *Cox*, cited above.)

The memorandum of the American Law Division points out that the statute is silent concerning a definition of the terms "grazing permits" and "licenses." The memorandum, therefore, states that it must be presumed that they refer to all such permits or licenses issued by the United States in connection with the public domain or other property owned or controlled by the United States. The memorandum further points out that the statute contains no definition of the term "other property owned by or under control by the United States," and concludes that such language would appear to mean such land as is not subject to sale or disposal under the general laws of the United States, that is, reserved land, acquired land, exchange land, etc., suitable for use for grazing purposes. That this teminology would include land within the national forests would seem confirmed by the decision in *Osborne* v. *United States* (145 F. 2d 892 (1944)).

The memorandum further concludes that the words "under control of the United States" would appear to cover lands leased by the United States from the States or private individuals.

The purpose of the statute involved is evident. It was intended to provide a measure of compensation to persons who were denied grazing privileges on lands under the control of the United States where no compensable intefest had theretofore existed. The considerations which moved the Congress to adopt this statute are similar to the considerations which exist in these cases. These individuals have been injured in the pursuit of their livelihood, and in some cases, have been denied the opportunity to pursue their livelihood, by the withdrawal of these winter grazing lands. Their losess are no less severe than losses otherwise compensable under the statute. The failure of the Congress to define the terminology in the statute has rendered possible the narrow construction of this terminology by the Department of the Air Force. Yet there is no specific indication that Congress intended to exclude claims where, as here, the facts so closely parallel other cases clearly compensable under the statute. This undoubtedly led to the recommendation of the Department of the Interior that this legislation be enacted with an amendment which would require the claimants to follow procedures substantially similar to that provided by the general law (43 U.S.C. 315q). The Department of the Air Force, on the other hand, opposes enactment of the bill apparently basing its opposition upon the same grounds as it originally urged in the denial of compensation to these claimants in administrative proceedings. They have, in addition, asserted that enactment of this proposal would afford preferential treatment to these persons over other claimants whose similar claims have been justifiably denied. This statement is made, however, without any attempt to particularize with respect to the persons who had heretofore been denied compensation in instances involving similar circumstances.

While there may be some basis for the administrative determination of the Department of the Air Force that the language of the general statute did not encompass the claims of these individuals, the committee believes that, if the basic purpose of the act is followed, compensation should be granted. The permits which were issued contained a statement on their face that they were being issued under the act of June 28, 1934 (48 Stat. 1269), which is the Taylor Grazing Act. In addition, the utilization of the Department of the Interior as the agency for the issuance of the permits would suggest that the then War Department, through its Wendover Base, was following the procedure outlined in the Taylor Grazing Act (43 U.S.C. 315b). It would appear somewhat anomalous to issue a permit under the authority of that act and to utilize that procedure for the issuance of permits while denying the claimants a remedy available to other permittees who acquired their permits under the provisions of that act. A further similarity between these permits and others issued under the Taylor Grazing Act is that the permittees in these cases, as in other cases under the act, were required to pay an annual fee for the grazing privilege. An exhibit filed with the committee shows that one of the claimants paid a fee of $95 for grazing privileges for a 5-month period in 1943–44. This exhibit, an annual grazing permit, also contains a notice on its face that it was issued under authority of the act of June 28, 1934, as amended (Taylor Grazing Act).

The understanding referred to by the Department of the Air Force to the effect that cancellation of the permits would not entitle the permittees to make any claim against the United States should not act as a bar to this claim since it was not incorporated within the terms of the permit. Nor should the provisions in the permits for their cancellation on 10 days' notice, present a bar to the payment of these claims, for the right to cancel permits issued under the Taylor Grazing Act prior to the expiration of their term is inherent in the section of the law which permits cancellation for such action.

The committee concludes, therefore, that these claims, being within the broad scope of the purpose of the general statute, should be paid. Section 1 of this legislation makes such a finding. However, the committee is not equipped with facilities sufficient to enable it to determine the measure of damages suffered by these claimants. Their measure of damages in these cases is not based upon considerations similar to that in other land transactions. Compensation in this type of case ordinarily is determined on the basis of the carrying capacity of the land involved, plus an item of damages known as severance, which is a recognition of the reduced value of the fee land resulting from the withdrawal of the grazing permits. The term "carrying capacity" means the maximum number of livestock permitted to graze on the lands by the permit. The measure of damages in this instance, therefore, involves the consideration of the number of livestock which these permittees would be allowed to graze on the land and the diminution of the value of the land which they hold in fee as the result of the cancellation of the grazing permits. The detailed considerations involved in such an undertaking would, in the judgment of the committee, be facilitated by the reference of the measure of damages to the agency which caused the permits to be issued under the general procedures established by law. This proposal, which was recommended by the Department of the Interior, is incorporated in the amended section 2 of S. 1450.

The committee, after a review of all of the foregoing, believes that the recommendations contained in S. 1450 of the 85th Congress and S. 17 of the 87th Congress, as amended, are meritorious. The committee, therefore, adheres to its former recommendations and recommends that the bill, S. 1375, as amended, be considered favorably.

PAYMENT OF MEDICAL EXPENSES OF TEMPORARY INTERIOR DEPARTMENT EMPLOYEES

The bill (S. 2153) to authorize the Secretary of the Interior to use appropriated funds for the payment of medical care of temporary and seasonal employees and employees located in isolated areas who become disabled because of injury or illness not attributable to official work, and for other purposes was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized to provide from any funds available for the work being performed, emergency medical attention for employees of the Department of the Interior located in isolated areas who become disabled because of illness or injury not attributable to official work, including the moving of such employees to hospitals or other places where medical assistance is available, and in case of death to remove the bodies of deceased employees to the nearest place where they can be prepared for shipment or for burial. When a transient without permanent residence, or any other person while away from his place of residence, is employed on a temporary or seasonal basis by the Department of the Interior and while so employed becomes disabled because of injury or illness not attributable to official work, he may be provided hospitalization and other necessary medical care, subsistence, and lodging for a period of not to exceed fifteen days during such disability, the cost thereof to be payable from any funds available for the work for which such person is employed.

SEC. 2. Appropriations of the Department of the Interior available for the work being performed may be utilized for payment to temporary or seasonal employees for loss of time due to injury in official work at rates not in excess of those provided by the Federal Employees' Compensation Act, as amended (5 U.S.C. 751), when the injured person is in need of immediate financial assistance to avoid hardship: *Provided,* That such payment shall not be made for a period in excess of fifteen days and the Secretary of Labor shall be notified promptly of the amount so paid, which amount shall be deducted from the amount, if any, otherwise payable from the Employees' Compensation Fund to the employee on account of the injury. When any person assisting in the suppression of range, forest, and tundra fires or in other emergency work under the direction of the Department of the Interior without compensation from the United States, pursuant to the terms of a contract, agreement, or permit, is injured in such work, the Department may furnish hospitalization and other medical care, subsistence, and lodging for a period of not to exceed fifteen days during such disability, the cost thereof to be payable from the appropriations applicable to the work out of which the injury occurred, except that this proviso shall not apply when such person is within the purview of a State or other compensation Act: *Provided further,* That determination by the Department of the Interior that payment is allowable under this section shall be final as to payments made hereunder, but such determination or payments with respect to employees shall not prevent the Secretary of Labor from denying further payments should he determine that compensation is not properly allowable under the provisions of the Employees' Compensation Act.

SEC. 3. No payment shall be made pursuant to this Act for any hospitalization or medical services for injury or illness not attributable to official work on behalf of a sick or injured person who is covered by an enrollment or who is not excluded from enrollment by virtue of his current employment in a plan under the Federal Employees' Health Benefits Act of 1959, as amended (5 U.S.C. 3001).

SEC. 4. This Act shall not apply to employees of the Federal or territorial governments in Guam, the Virgin Islands, American Samoa, or the Trust Territory of the Pacific Islands while serving in any such area.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1046), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF BILL

S. 2153, which was sponsored by the chairman of the committee at the request of the Department of the Interior, would authorize the Secretary of the Interior to pay, on a limited emergency basis, the costs of medical care for certain temporary employees of the Department in isolated areas. The illnesses and injuries covered are those arising from causes not directly attributable to the work of the employee.

The terms of the bill specifically provide that the care for which payment is made must be of an emergency nature and then is limited to not more than 15 days. In the case of the death of such an employee from nonofficial work causes, the Secretary is authorized to remove the body to the nearest place where it can be prepared for shipment or burial.

Thus, S. 2153 would give seasonal or temporary employees of the Department of the Interior the same protection and help as that available for like employees of the Department of Agriculture under the act of March 3, 1925 (found in 16 U.S.C. 557 and 580j).

The bill would not authorize the construction of medical facilities nor the employment, on a salaried basis, of medical or technical personnel.

NEED FOR LEGISLATION

As pointed out in the executive communication of the Secretary of the Interior transmitting the draft of the proposed legislation, the text of which is set forth in full below, like the Forest Service, the Bureau of Land Management and other bureaus of the Interior Department annually employ transients and other temporary personnel for fire suppression activities and other emergency programs. Such employees include trained, organized Indian, Spanish-American, or Eskimo crews from the Southwest, Montana, and Alaska. In the course of their employment, these crews are transported many miles from their place of residence very often for prolonged periods. During such periods of absence from their homes, these employees sometimes contract colds, flu, or other illnesses requiring medical attention not as a result of the performance of their official duties.

At present, the Department has no authority to pay to have a sick or injured employee who is located in an isolated area removed to a hospital when the sickness or injury occurs outside the scope of his employment. Similarly, the Department presently has no authority to bring medical help to such an employee.

Under existing law, medical care not covered by Bureau of Employees Compensation regulations and not provided by the Public Health Service has to be paid for by the employee, unless the employing agency has authority to meet the obligation. In most cases, transient personnel are unable to pay their own medical expenses. While local physicians have been very cooperative in providing emergency medical attention to transient employees when required, the committee believes that the moral obligation to provide for the welfare of these employees rests with the employing agency.

COMMITTEE RECOMMENDATIONS

While reporting favorably the Department's bill, the committee is aware that very little knowledge is available as to the extent and cost of the care authorized. Therefore, the committee requests that the Secretary of the Interior make a report to it at the conclusion of the first fiscal year during which expenditures authorized by the bill are made.

With that provision, the committee unanimously recommends favorable action on S. 2153.

Mr. MANSFIELD. Mr. President, that concludes the call of the calendar.

VIETNAM—CLOSED COMMITTEE MEETINGS

Mr. MORSE. Mr. President, I was unable to get here in time for the morning hour because I was attending a meeting.

The PRESIDING OFFICER. The Senate is in the morning hour.

Mr. MORSE. I have to rush to the airport.

I ask unanimous consent to read three pages and to insert a newspaper article in the RECORD.

Mr. LONG of Louisiana. Mr. President, reserving the right to object, and I do not plan to object, would the Senator make his request on a specific time basis. Would the Senator make his request for 10 minutes?

Mr. MORSE. I do not believe it would take me 10 minutes. I do not believe it would take me more than 10 minutes.

Mr. LONG of Louisiana. On that basis, I have no objection.

Mr. MORSE. Mr. President, although the Secretary of Defense declined to appear in public before the Senate Foreign Relations Committee, where the forum is not under his control, he does appear quite readily before press and television news conferences, where the forum is largely under his control.

I do not wonder that both the Secretary of Defense and the Vice President do not care to testify in public hearing before the committee. Committee members cannot be closed off with the same curt dismissals that can be directed at newsmen who ask penetrating or embarrassing questions. So we will find in the months ahead that the Vice President will speak from rostrums all over the country about the war in Vietnam, where he is carefully insulated from his peers, and where he says what he wants said and then ceremoniously departs. We will also hear many more television press conferences where the Secretary of Defense will refuse to recognize the newsmen he does not want to have to answer.

But in the forum of the Foreign Relations Committee they will come only if the doors are tightly closed to the public, so they can do as Secretary McNamara did yesterday and released to the public only what he wanted the public to know of what was said. I think the most devious and dishonest practice of this or any other administration is the practice of demanding a closed committee meeting and then releasing to the public a printed text of what the witness has come prepared to say.

That way, Secretary McNamara gains the virtue of a public hearing for himself while foreclosing to the public the questions and criticisms directed at him by committee members.

I believe the Foreign Relations Committee should not hear Cabinet members in executive sessions if those officials are going to release their own version of what went on. It was bad enough that McNamara was heard in closed session at all. But if his prepared statement was released, then I believe the entire transcript of the hearing should also be released, excluding only the purely security comments. In my opinion, when the Secretary of Defense released a printed statement he made in that closed hearing, he forfeited all right to have the committee questions and discussions kept secret.

I also want to call attention to the treatment the Secretary of Defense accorded to one of journalism's most vigilant public watchdogs, Mr. Clark Mollenhoff of the Des Moines Register. The Secretary's televised news conference wherein he cut off Mr. Mollenhoff's question, is an interesting contrast to his refusal to allow the public in on his appearance before our committee, where he could not cut off the questions.

The Secretary's displeasure with Mr. Mollenhoff is quite understandable. Mr. Mollenhoff is author of "Despoilers of Democracy" published last year by Doubleday & Co., Inc. It is a case by case study of the ways in which the personal freedom of individuals and the open decisionmaking of our public officials are being subverted in the Nation's Capital.

Various chapters in his book deal with the efforts of foreign aid administrators to cover up deficiencies in their program; with the increasing use of "executive privilege" as a means of evading congressional questions about foreign policy and foreign aid matters; with practices in the Defense Establishment whereby misuse of public funds is covered up; with the scandalous practices in the stockpiling of strategic materials that permit private fortunes to be made at public expense; with Billie Sol Estes; with the financial associations of contractor Matt McCloskey with the Democratic Party; with Walter Jenkins and Bobby Baker.

But several of his chapters also deal with the immensely tangled TFX affairs, and the means whereby the Defense Department chose to award the contract to the General Dynamics Corp.

Whether or not one agrees with Mr. Mollenhoff's conclusions about these varied issues, the threat that characterizes all of them is the effort of Federal officials to wrap the cloak of secrecy around them and their decisions and to do it by fair means or foul.

When the Secretary of Defense finds he cannot treat U.S. Senators the way he treats newspapermen like Mr. Mollenhoff, he retreats behind closed doors. I am sorry that the committee accommodated him, especially when he published his prepared statement.

I have boycotted Secretary McNamara, and I shall continue to boycott him when he appears in closed meetings of the committee. The American people are entitled as a matter of right to hear the Secretary of Defense discuss in public hearings questions of public policy. Of course, he has the right to decline to answer any question asked in such a public hearing that might involve the security of the country. But he knows and the President knows what happened the other day during the committee's examination of Secretary Rusk.

I commend Mr. Mollenhoff, and express the public hope that he will continue to ferret out the facts of executive practices and to publish them, so that the American people can know the extent to which self-government and public knowledge of the public's business is being undermined by Mr. McNamara.

Mr. President, I ask unanimous consent to have printed at the conclusion of my remarks the table of contents of Mr. Mollenhoff's book entitled "Despoilers of Democracy"; and also an article entitled "McNamara Adding 30,000 in Vietnam, Denies U.S. Strain; 10,000 More Troops Are in War Area, With 20,000 Additional on the Way."

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibits 1 and 2.)

Mr. MORSE. Mr. President, the article in the Times is the first evidence bearing proof of what the senior Senator from Oregon warned the Senate at the time the Senate debated the defense authorization bill last Tuesday. I said that that request was only the beginning of the escalation of the war. Under that bill, as many as 450,000 additional men can be sent to southeast Asia, depending again on the exercise of discretion by the President and the Secretary of Defense.

I repeat: No President and Secretary of Defense should be allowed to exercise such arbitrary and capricious power.

Exhibit 1

Despoilers of Democracy Contents

1. Capital Corrosion, page 1.
2. Foreign Aid or Foreign Charade, page 12.
3. Lying in State (and Defense), page 26.
4. The "Honor Code" in Practice, page 36.
5. Stockpile of Scandal, page 50.
6. Humphrey of Hanna, page 74.
7. A Texas Sunburst—Billie Sol Estes, page 92.
8. The Lies of Texas Are Upon Us, page 105.
9. The Setting Sun, page 117.
10. The Department of (Self-) Defense, part I: The X–22, page 132.
11. The Department of (Self-) Defense, part II: TFX—Billions for Texas, page 143.
12. The Department of (Self-) Defense, part III: IBM—"I. Bob McNamara," page 156.
13. The Department of (Self-) Defense, part IV: McNamara's "Rough Judgment," page 173.
14. A Generally Dynamic Lawyer—Roz Gilpatric, page 194.
15. Talent from Texas—Fred Korth, page 211.
16. "The Floating Edsel," page 228.
17. A Bug in the State Department, page 241.
18. "This Sordid Situation," page 255.
19. The Protege of L.B.J.—Bobby Baker, page 267.
20. "Whispering Will," page 282.
21. Testimony During Disaster—November 22, 1963, page 291.
22. The L.B.J. Co., page 301.
23. The "Gross Improprieties" of Bobby Baker, page 321.
24. Walter Jenkins, page 342.
25. Money-Man McCloskey, page 357.
26. How Much Decay? page 376.
Notes, page 387.
Appendixes, page 399.

Exhibit 2

McNamara Adding 30,000 in Vietnam, Denies U.S. Strain—10,000 More Troops Are in War Area, With 20,000 Additional on the Way—Force To Reach 235,000—Secretary Says Military Can Meet All Commitments—Disputes Shortage Charge

(By Jack Raymond)

Washington, March 2.—Secretary of Defense Robert S. McNamara insisted today that the Armed Forces were not overextended or suffering shortages but were fully capable of meeting their commitments anywhere.

At a news conference, he disclosed that the United States now had 215,000 military men in South Vietnam, an increase of 10,000 over the previous official estimate. He also said that 20,000 additional men were on the way to join the war against the Vietcong.

This would bring the total commitment in South Vietnam to 235,000, not counting the offshore forces with the 7th Fleet.

Mr. McNamara, apparently including forces in neighboring Thailand, estimated total U.S. military strength in southeast Asia at 300,000 men.

MORE REQUESTS EXPECTED

He said that the current reinforcements for South Vietnam had been requested by Gen. Wiliam C. Westmoreland, the American commander there. He said he expected more such requests but did not indicate what the planned total might be.

The Defense Secretary, however, did not dispute an observation by a questioner as to the premise underlying recent articles about requirements in Vietnam. This premise was that General Westmoreland had requested reinforcement to bring his troop strength to 400,000 by the end of the year.

Mr. McNamara said that he had no current requests from General Westmoreland beyond the 20,000 he noted today. His disclosure of the deployment of the additional troops came 5 days after President Johnson, also emphasizing that the general's requests were being met, said he had no "unfilled requests" on his desk at the moment.

TWENTY-ONE BATTALIONS AVAILABLE

It appeared that, while General Westmoreland's requests for troops in some undisclosed quantity were being fulfilled, these requests were not being announced immediately.

The Defense Secretary, who is known for his unemotional management of the Pentagon, seemed edgy and angry at times in the news conference.

In support of his rebuttal of allegations concerning troop readiness, Mr. McNamara said that 21 more trained battalions, estimated at a minimum total of 147,000 men, could be deployed to South Vietnam by July 1.

He emphasized, however, that this assertion should not be construed as a hint of their pending deployment. He said that he believed it would probably not be necessary to send that many additional forces for the fighting in Vietnam.

Mr. McNamara called the news conference at the Pentagon on 4 hours' notice. He explained he had been prompted by certain articles in the press recently that he said had given "the erroneous impression that we are dangerously overextended" because of the war in Vietnam.

If that were true, he said, it "would indeed represent a serious situation, but it is not true."

The Defense Secretary did not identify the articles he had in mind, but it is known that one was by Hanson W. Baldwin, military editor of the New York Times, which appeared February 1.

In addition to the articles, however, a speech by the chairman of the Senate Preparedness Subcommittee, John Stennis, Democrat, of Mississippi, has gained notice here. Mr. Stennis, addressing the Reserve Officers Association last Friday night, said:

"The heavy drain of Vietnam has brought on serious problems in personnel, equipment, repair parts and other materials."

Mr. Stennis' committee has also prepared a report on Army readiness, much of which has been labeled classified by the Pentagon. Asked about it, Mr. McNamara said he had not seen the final report but that he was not standing in the way of the committee's publishing any unclassified material in it.

FINDS POSTURE IMPROVED

In advance of the news conference, Mr. McNamara issued a 3,000-word statement, drawn mostly from his testimony on United States "military posture" last week before the Senate Armed Services Committee. In the statement he declared:

"Far from overextending ourselves, we have actually strengthened our military posture."

After the news conference, Mr. McNamara's aides issued a 4,000-word statement listing 23 charges of military deficiencies and giving his answers to them.

Mr. McNamara was accompanied to the press meeting by his deputy, Cyrus R. Vance, to whom he turned a few times for corroboration, and by his Assistant Secretary for Public Affairs, Arthur Sylvester.

At one point Mr. McNamara refused to answer additional questions from one correspondent. In an exchange between them, the correspondent accused Mr. McNamara of evading his questions.

On another occasion, the Secretary flared up when a newsman with a foreign accent asked a question about the readiness of troops in Europe in view of the requirements in South Vietnam.

CALLS U.S. EFFORT "UNIQUE"

The Secretary demanded to know where the questioner was from and when he heard the answer Germany, he pointed his finger and said that the reporter should especially realize that the United States forces were ready everywhere.

"I am sick and tired of hearing the implication that we've drawn down the readiness of forces in Europe." Mr. McNamara said angrily.

Throughout the news conference he insisted that the United States' current effort in southeast Asia was "unique in our military history."

"Never before has this Nation, or any other nation, been able to place so large a force in combat in so short a period of time and some 10,000 miles from its shore without calling up reserves, extending active duty tours on a widespread basis and involving the kinds of strict economic controls normally associated with military emergencies."

CLAIMS BACKING OF CHIEFS

Repeatedly Mr. McNamara said that his views on the readiness of the American forces were shared by the Joint Chiefs of Staff. He said that there would obviously be "difficulties" and that he was not contending there were no shortages of any kind anywhere. But he stressed that the total effort must be seen in perspective.

ADDITIONAL TARGET LICENSE OVER NORTH VIETNAM

Mr. SYMINGTON. Mr. President, I was very glad to learn this morning that additional target license to attack strictly military targets has now been granted to our Air Force and Naval Air pilots who are risking their lives daily over North Vietnam, in their effort to reduce the number of soldiers, and the amount of ammunition which the Government of North Vietnam is moving through Laos down the Ho Chi Minh trails for the use of the Communist troops; their own troops, as well as those of the guerrilla organization which they have set up in South Vietnam in order to further their determination to conquer the people of South Vietnam. This latter organization, organized in 1960, the Ho Chi Minh government named the National Liberation Front.

It is my conviction and, what is more important, the conviction of high military authority, especially in the Far East theater, that this decision will result in fewer American casualties during the weeks and months to come.

It bears out the position I took upon returning from South Vietnam several weeks ago; namely, that, if these hostilities are to continue, we should either move forward or move out.

TAX ADJUSTMENT ACT OF 1966

Mr. LONG of Louisiana. Mr. President, my task today is not a pleasant one, for I rise in support of a bill, H.R. 12752, which will increase the tax payments of most American taxpayers. The members of the Finance Committee recall with nostalgia the years 1962, 1964, and 1965, years in which they were able to recommend significant tax reductions—reductions which had so much to do with the attainment of the current high levels of employment and production. Although it was not a pleasant duty, there was general support for the bill when the committee voted to report it to the full Senate, for we realize that additional revenues must be raised to finance the expenditures required by the conflict in Vietnam.

The increase in expenditures attributable to our operations in Vietnam is responsible for this bill. When the Excise Tax Reduction Act of 1965 was before Congress last June, we could not anticipate that the situation in Vietnam would require the expenditure of an added $4.7 billion in the fiscal year 1966. Nor could we anticipate that the emergency requirements of the struggle would add $10.5 billion to Federal expenditures in the fiscal year 1967. These sharp increases have exceeded the significant increases in Federal revenues caused by the growth of the economy—increases in revenues which now approach $7.5 billion a year.

ALTERNATIVES TO H.R. 12752

Some Senators may ask why the increased expenditures needed for Vietnam must be paid for by increased tax collections. They may argue, for example, that these expenditures could be made by reducing expenditures for the civilian needs of the Government. I am as much in favor of reducing wasteful or unnecessary expenditures as any other Senator. But the President had already trimmed civilian budget expenditures to essential minimums before he submitted the budget.

This is indicated by the fact that the 1967 budget provides for an increase in expenditures in areas not related to Vietnam of only $600 million.

This is so despite increased interest costs for the Federal debt and the impact of pay raises for civilian employees and military personnel that the Congress approved last year, and also in spite of the fact that the Federal Reserve Board increased the cost of carrying that Federal debt by increasing interest rates.

He has achieved this result by offsetting increases in expenditures approved by Congress and normal expenditure increases under existing programs with dramatic savings in many areas. I do not believe that Congress will be able to trim expenditures under this tight budget to the extent necessary to finance the war in Vietnam. In fact, Congress has already approved a new GI bill which will increase budget expenditures.

I can only conclude that it is unrealistic to expect Congress to be able to match increased Vietnam expenditures with reductions in other areas of the Federal budget.

Of course, we could borrow to pay for expenditures in Vietnam. This approach, however, would encourage inflation. From 1961 to mid-1965, we could safely approve bills, such as the tax reduction bills, that would initially create the need for Government borrowing because there was slack in the economy. During those years some doubted whether the rate of unemployment in the civilian labor force would ever again be as low as 4 percent. Under those circumstances, the stimulus of tax reductions resulted in an increase in employment rather than an increase in prices.

The situation is different now. The policies of the past several years have achieved their objective. The slack in the economy has been taken up. In January the rate of unemployment in the civilian labor force dropped to 4 percent for the first time since 1957. Capacity utilization figures indicate that industry is now using almost as much of its available plant and equipment as it prefers to use. We have reached the point in which sharp increases in Government expenditiures must be met by increased revenues if we are to avoid the risk of inflationary price increases.

WHAT THE BILL WILL ACHIEVE

Let me now turn to the bill itself. It is designed to raise revenues for both the fiscal years 1966 and 1967. The provisions of the bill increase revenues in the current fiscal year by $1.1 billion. They will add $4.8 billion to receipts in fiscal year 1967 over and above the amount that would be generated under existing tax rates.

These amounts differ only slightly from the effect of the provisions recommended by the President, which would have increased administrative budget receipts by $1.2 billion in fiscal 1966 and $4.8 billion in fiscal 1967.

These revenues will be sufficient to reduce the anticipated administrative-budget deficit for the fiscal year 1966 from $7.6 to $6.5 billion. In the fiscal year 1967, the added revenues provided by this bill will reduce the administrative-budget deficit to $1.9 billion. In the absence of the bill, the 1967 deficit would be $6.7 billion, or only slightly less than the 1966 deficit.

When the revenues and expenditures of the trust funds are considered, the results of this bill will be even more significant. The consolidated cash budget deficit anticipated for the current fiscal year will be reduced from $8.1 to $7.0 billions. In the fiscal year 1967, the deficit will be eliminated entirely and a small surplus achieved as a result of a $5.0 billion increase in cash receipts under this bill.

The increase in tax payments required by this bill will moderate the expenditures of households and business firms. The most important provision affecting tax collections is one which accelerates the transition to full current payment of estimated corporate tax liabilities in excess of $100,000. Some 16,000 large corporations are affected.

Many of these corporations set aside funds to meet tax liabilities as those liabilities accrue, often by purchasing tax-anticipation notes. Some corporations, however, will have to postpone investment outlays or forgo dividends to provide the cash to meet their tax payments. Such postponements will not impair economic stability, since business expenditures for fixed investment are currently at very high levels. These levels are so high in fact that some economists are concerned about the possibility of a repeat of the experience in 1956 and 1957.

The postponement of some planned investment, therefore, may well be conducive to the maintenance of the proper balance between investment in expanded capacity and growth in the demand for the goods produced by that capacity.

The graduated withholding procedure contained in the bill will moderate consumer expenditures. After May 1, the amount of tax withheld from wages and salaries will be increased by about $100 million a month during the rest of 1966 and in the first few months of 1967. The additional amounts withheld will be offset as far as individual taxpayers are concerned by lower tax payments due in the spring of 1967 or through tax refunds. Some consumer spending, however, will have to be postponed during the rest of 1966 and in the early part of 1967.

The bill is also important to our balance of payments. It is essential to the success of our efforts to eliminate the persistent deficit in the U.S. balance of payments that inflation be prevented. Inflationary increases in the prices of the goods the United States exports would discourage export sales. This development would narrow or close our favorable trade balance. A serious outflow of gold would be the result.

EFFECT ON TAX LIABILITIES

The bill will accomplish the effects I have outlined without requiring significant increases in tax liabilities. The various changes in collection procedures proposed in the bill will speed up the collection of existing liabilities. In other words, the timing of tax collections will be changed so that some revenues will be collected in fiscal year 1966 that would not otherwise be collected until fiscal 1967. Even larger amounts will be collected in fiscal 1967 that would not otherwise be collected until fiscal 1968 and later years.

The changes in collection procedures include graduated withholding, quarterly payments of estimated social security taxes by the self-employed, tighter requirements regarding payments on declarations, and an earlier completion of the transition to full current payment of corporate tax liabilities in excess of $100,000.

The excise tax provisions of the bill will restore the tax rates on telephone service and passenger automobiles which were in effect at the end of 1965. The bill simply freezes these rates for 2 years, or until April 1, 1968. At that time the excise tax rates will fall to the levels that would have been reached at that time if the provisions of the Excise Tax Reduction Act of 1965 remained in effect.

The revenue impact of the bill is largely temporary in the sense that the changes in collection procedures will produce only a temporary increase in revenues rather than a continuing increase. Such an effect is appropriate at this time. While there has been much speculation about it, we do not know what the financial requirements of the war in Vietnam will be beyond the relatively near term. Therefore, it is appropriate that we should plan our taxes at this time on the basis of the figures in the President's budget.

As for fiscal 1968, it is important to remember that Federal revenues will increase as a result of the growth of the economy. At the near full employment levels at which we are now operating, this increase amounts to $7 or $8 billion a year, or an amount significantly greater than the addition to revenue provided by this bill in fiscal 1967. As the temporary revenues attributable to changes in the timing of tax collections taper off, they will be replaced by increased revenues due to economic expansion.

It may very well turn out that the growth in revenues due to growth will be sufficient to meet the future costs of the defense of Vietnam, even if our efforts there must be continued for several additional years.

THE BILL IS FAIR

The provisions of this bill spread the cost of defense expenditures over a broad cross section of the population in an equitable manner. The provisions which will raise the most revenue—those concerning corporate tax payments—will affect the Nation's largest corporations and their stockholders.

Graduated withholding will affect a majority of the over 60 million taxpaying wage earners who do not file declarations of estimated tax. Self-employed persons, who are not subject to wage withholding, will be affected by the revised requirement for payments of estimated tax and by the provision for the quarterly payment of estimated self-employment social security tax.

Restoring the December 1965 rates for the manufacturer's excise on passenger automobiles and for the tax on telephone service will affect a very broad group of American consumers. These consumers, furthermore, are ones who, by and large, have been accustomed to paying these tax rates ever since the Korean emergency.

PROVISIONS OF THE BILL

Let me now take up the individual provisions of the bill in more detail. As reported by your committee, H.R. 12752 incorporates the essential features of the bill approved by the House, which in turn reflected the President's proposals of January 13.

Your committee made four substantive amendments to the House bill and a number of technical amendments. Two of the substantive amendments, which I will describe shortly, amend provisions of the House bill. The others, which I will also describe, add new provisions to the bill.

The provisions of the bill may be divided into two categories. In the first category are those provisions which are intended solely to raise revenues. These provisions, which account for the bulk of the revenue in this bill, include the acceleration of corporate income tax payments and the excise tax proposals. The second category includes desirable changes in collection procedures, which, because they entail a temporary increase in tax collections, can only be introduced when an increase in revenue is appropriate. The measures in this category include graduated withholding, quarterly payments of estimated social security tax by the self-employed, and tighter regulations on payments of estimated tax.

GRADUATED WITHHOLDING

The first provision of the bill relates to graduated withholding. It replaces the present 14 percent, flat-rate withholding system with a more accurate system which will aline the amounts withheld from wages more closely to the final liability of most wage earners.

Under the present system, taxpayers rarely find that the amount of tax withheld from their wages comes close to the amount which they actually owe at the end of the year. This is important because more than 9 out of 10 wage earners depend on withholding alone to make current payments on their income tax.

When tax withheld falls short of the final liability, as it would on nearly 13 million returns this year if no change were made in the withholding system, the taxpayer has a bill to pay when he files his final return. If this balance-due amount is unexpected or large, as it was for many taxpayers in the spring of 1965, it can cause financial hardship.

When the amount withheld exceeds the tax liability, as it would on nearly 40 million returns filed this year if the present system were not changed, the taxpayer must wait until he files his final return to receive the appropriate refund.

The bill substitutes six graduated withholding rates, ranging from 14 to 30 percent, for the present single rate of 14 percent. The rates reflect the tax rates which apply to the first $12,000 of a single person's taxable income and the first $24,000 of a married couple's taxable income.

Two separate schedules and sets of withholding tables are provided, one for single persons and heads of households, and the other—with wider brackets to reflect the split-income provisions—for married persons and surviving spouses.

The graduated withholding system also incorporates the minimum standard deduction, a feature not now reflected in the withholding system. The graduated system does so by increasing the amount of a withholding exemption to $700 and by providing that the first $200 of annual wages is to be exempted from withholding. This treatment parallels the minimum standard deduction, which is equivalent to a basic $200 amount for married couples, heads of households, and single persons, plus an additional $100 for each exemption.

The graduated rates will apply to wages paid on or after May 1 of this year. Individuals will want to file new withholding exemption certificates with their employers at that time. This will especially be true of the many persons who now deliberately understate their eligible exemptions so that more will be withheld from their wages. If this bill is enacted, these voluntary adjustments to increase withholding will not be necessary in most cases.

Under the present withholding system, persons who itemize their deductions, and have deductions in excess of 10 percent of their income, are likely to be overwithheld in the sense that the amounts withheld from their wages exceed their final liability. This is the case because the present withholding system provides only a 10-percent allowance for deductions while many of those who itemize have deductions which are a larger proportion of their income.

Under the graduated withholding rates, which provide the same allowance for deductions, overwithholding due to itemized deductions would be increased, in some cases very substantially. Therefore, this bill contains a provision which will permit persons with relatively large itemized deductions to adjust their withholding by claiming special withholding allowances. These allowances, which can be claimed beginning in 1967, will be treated like additional exemptions for withholding purposes.

The committee has amended the House bill to modify the procedure for claiming withholding allowances. Under the House bill, withholding allowances would be based on the amount by which estimated itemized deductions exceeded a base level equivalent to 12 percent of estimated wage income of $7,500 or less and 17 percent of estimated wage income above this level. One withholding allowance would have been given under the House bill with respect to each full $700 of such excess with the exception that the first withholding allowance could have been claimed if excess itemized deductions exceeded $350.

As amended by your committee, the bill now provides that withholding allowances will be based on the excess of estimated itemized deductions over 10 percent of wages up to $7,500 and 17 percent of wages over this amount. Furthermore, no withholding allowance can be claimed unless such excess is equal to a full $700.

This amendment by your committee is supported by the Treasury. Under the House bill, some individuals could have corrected their overwithholding by filing for withholding allowances only to find that they owed money at the end of the year.

Your committee feels that this result would be undesirable. Thus, it has required that excess itemized deductions must equal a full $700 before a withholding allowance can be claimed. The purpose of the provision in the House bill was to make it easier for persons with incomes of less than $10,000 to claim withholding allowances.

Your committee's amendment achieves much of this purpose by reducing the limit above which excess itemized deductions are computed from 12 percent of income below $7,500 to 10 percent.

As a safeguard, estimated itemized deductions will not be permitted to exceed the deductions claimed on the last return filed, nor will estimated wage income be permitted to be less than that earned in the past year.

ESTIMATED SELF-EMPLOYMENT TAX

The second provision of this bill requires self-employed persons to pay their estimated self-employment social security tax quarterly in the manner in which they are now paying their estimated income tax. Under present law, wage and salary earners covered by the social security system pay their annual social security tax currently through withholding. Self-employed persons do not pay their tax currently, however, but are permitted instead to delay payment until the following year.

This bill places self-employed persons on the same current-payment basis with respect to their social security tax liability which employees are now on. It does so by requiring them to make quarterly payments of estimated self-employment tax beginning in 1967.

The quarterly payments of social security tax will be combined with quarterly payments of income tax. The rules presently applicable to the declaration and quarterly payment of estimated income tax will, beginning in 1967, apply to the total of estimated income tax and estimated self-employment social security tax.

UNDERPAYMENTS OF INSTALLMENTS OF ESTIMATED TAX

The third provision in the bill relates to the provisions for filing declarations of estimated tax. Prior to 1954, taxpayers who failed to pay at least 80 percent of their final liability currently, either through withholding, quarterly payments, or both, unless certain exceptions applied, were subject to a penalty equal to 6-percent interest calculated on the difference between the amount paid currently and 80 percent of the liability. In 1954, the percentage limit for defining underpayments of installments of estimated income tax was reduced from 80 to 70 percent.

Your committee's bill restores the percentage to 80 percent. It also makes a comparable increase in the percentage applying when a taxpayer, for one or more quarters, computes his estimated tax by annualizing his income received to date.

ACCELERATION OF CORPORATE TAX PAYMENTS

The fourth provision in the bill relates to the acceleration of corporate income tax payments. Corporations with an estimated tax liability in excess of $100,000 presently are required to pay a part of their estimated liability in excess of $100,000 during the current taxable year. The portion to be paid currently is being increased from year to year in accordance with a schedule set down in the Revenue Act of 1964.

Under this schedule, corporations will be fully current with respect to their estimated tax in excess of $100,000 by 1970. Your committee's bill simply accelerates the transition to full current payment so that it will be completed in 1967 rather than 3 years later.

Under the present schedule, corporations using a calendar year accounting period would file their initial declaration and pay 9 percent of their estimated 1966 liability in excess of $100,000 on April 15 of this year. On June 15 they would pay an additional 9 percent of the estimated liability and on September 15 and December 15 they would pay installments of 25 percent on each date.

Under the bill, the payments due in April and June 1966, will be increased to 12 percent of the estimated liability and the amounts due in April and June 1967 will be increased from 14 to 25 percent of the estimated liability.

THE EXCISE TAXES ON PASSENGER AUTOMOBILES AND TELEPHONE SERVICE

The fifth and sixth provisions of the bill concern the manufacturer's excise tax on passenger automobiles and the tax on telephone and teletypewriter service. The bill imposes a moratorium on some of the rate reductions provided for these two excises by the Excise Tax Reduction Act of 1965.

The moratorium, which will last from the time this bill is passed until April 1, 1968, will freeze these rates at the levels which existed in December 1965. That is, the tax on passenger automobiles will be restored to 7 percent on the day following the date this bill is enacted and will remain at 7 percent until April 1, 1968. On the latter date, it will fall to 2 percent and on January 1, 1969, it will drop to the permanent level of 1 percent.

The tax on telephone service will be restored to 10 percent with regard to bills rendered after the first day of the first month after the date of enactment. It will remain 10 percent until April 1, 1968, when it will fall to 1 percent. On January 1, 1969, the tax will be repealed.

The committee made one important amendment in the bill approved by the House. The amendment concerns the manufacturer's excise on passenger automobiles. Under the House bill, automobile dealers and distributors would have been liable for a tax equal to 1 percent of the manufacturer's price with respect to each car they held in inventory on the day the tax was restored to 7 percent.

It has come to the attention of your committee that dealers would have many problems with respect to this tax. It might be difficult for them to gain customer acceptance of the tax since this amount would not be reflected in the posting attached to new cars which indicates the intended retail price.

Dealers, moreover, might have to wait for a substantial period in some cases before collecting the tax through sale of the car to a customer.

Because of these problems your committee amended the bill to delete the floor stocks tax with respect to cars held in dealers' inventories on the day the tax is increased to 7 percent.

The proposals in the bill regarding the excises on automobiles and telephone service were made with reluctance. The members of the committee are well aware that it is desirable to repeal these taxes in the long run. Nevertheless, there are convincing reasons for imposing a moratorium on reductions on the rates of these excises at the present time.

In the first place, these two excises generate significant revenue. Revenue is, first and foremost, the reason for this bill. It would require a combination of many other excise taxes, all equally undesirable, to match the revenue that will be obtained from these two taxes. Moreover, payments of individual income tax and corporate income tax are already being temporily increased under other provisions of the bill.

In the second place, it is a much simpler matter from the administrative standpoint to increase the rates of an existing tax than it is to reimpose a tax that has been repealed. The machinery for collecting the tax is currently in existence and would not have to be reestablished.

Third, it is evident from the action taken last year that Congress considered that repeal of these two taxes was less urgent than the repeal of numerous other excise taxes.

Finally, these two excises affect a broad cross section of the population. Thus, the burden of these excises is more widely distributed than the burden of other excises.

COMMITTEE AMENDMENTS

The seventh and eighth provisions in this bill are amendments added by your committee. The first of these amendments relates to certain indirect contributions to political parties. It was brought to the attention of your committee that there are inconsistencies in the tax treatment of expenses for placing ads in the convention program of a political party or in another political publication. There is also some confusion over the status of payments for admissions for fundraising dinners or programs and for amounts paid for admission to an inaugural ball, gala, or similar event.

To clarify the tax treatment of such expenses, your committee has added an amendment providing that no deduction will be allowed for the cost of advertising in a convention program or other publication if any part of such expense inures to a political party or candidate. Similarly, payments for admission to any dinner or program are not deductible if part of the proceeds inures to a political party or candidate. Finally, no deduction is allowed for tickets to an inaugural ball, gala, or similar event.

The second committee amendment concerns payments made by the Department of Agriculture with respect to such programs as the soil bank. This provision will require the Department of Agriculture to supply farmers with copies of information returns sent to the Internal Revenue Service. Such returns are sent to the Service whenever all payments made in any one year to a single farmer total $600 or more. Your committee believes that farmers should receive the same information with respect to payments derived from Government that recipients of dividends and interest payments receive from private corporations and payors.

CONCLUSION

The need for the revenues that will be provided by this bill is clear. Senators must keep this need in mind when appraising the bill. No one derives satisfaction from the thought that many Americans will have increased taxpayments to make as a result of this bill. But when we are tempted to delete or postpone any of the provisions of this bill, we must remember that the situation in Vietnam requires some sacrifices on the part of us all—not just those who are doing the fighting. From this standpoint, the only responsible way to meet the expenses of Vietnam is through the approach adopted in this bill.

ORDER OF BUSINESS

Mr. WILLIAMS of Delaware. Mr. President——

The PRESIDING OFFICER. Does the Senator from Connecticut [Mr. RIBICOFF] desire to be recognized?

Mr. WILLIAMS of Delaware. Has the morning business closed?

The PRESIDING OFFICER. Morning business is still in order.

Mr. WILLIAMS of Delaware. Mr. President, has the tax measure been laid before the Senate?

The PRESIDING OFFICER. It has not.

Mr. WILLIAMS of Delaware. Mr. President, the chairman of the committee just made his speech and there was no bill pending before the Senate.

The PRESIDING OFFICER. The unfinished business has not been laid before the Senate.

Mr. WILLIAMS of Delaware. The acting majority leader, the chairman of the Committee on Finance, tells me that he will lay the measure before the Senate this afternoon.

Mr. LONG of Louisiana. Mr. President, the bill is the pending business as soon as the morning hour is completed. I have a commitment which requires that I be absent for the next hour. However, I shall be available to answer any questions that the Senator wishes to ask.

Mr. WILLIAMS of Delaware. Mr. President, I was wondering when we would get to the measure, and that is what confused me. This measure will be made the pending business this afternoon?

Mr. LONG of Louisiana. The bill is the unfinished business and will be the pending business as soon as the morning hour is completed.

Mr. WILLIAMS of Delaware. Is it the pending business before the Senate?

The PRESIDING OFFICER. It is the unfinished business. However, it has not been laid before the Senate.

Mr. WILLIAMS of Delaware. The bill has not been laid before the Senate at this time?

The PRESIDING OFFICER. The Senator is correct. We are still in the morning business.

Mr. WILLIAMS of Delaware. Mr. President, I shall not seek recognition now. After the morning business is over, I shall be seeking recognition. We are under the 3-minute rule now, are we not?

Mr. CARLSON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CARLSON. Has the tax bill, H.R. 12752, been laid down following the completion of morning business?

The PRESIDING OFFICER. It has not been laid down, and will not be until the close of the morning hour, which is at 2 o'clock.

REPORTS OF EXPENDITURES OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS

Mr. HAYDEN. Mr. President, in accordance with the Mutual Security Act of 1954, as amended, I ask unanimous consent to have printed in the RECORD the reports of the Committee on Aeronautical and Space Sciences, the Committee on Rules and Administration, the Joint Economic Committee, the Select Committee on Small Business and, in addition, the reports from the following interparliamentary groups:

Fifth Mexico-United States Interparliamentary meeting, La Paz, Mexico;

British-American Parliamentary Conference, Bermuda;

Spring meeting, Interparliamentary Union, Dublin, Ireland.

Interparliamentary Union Conference, Ottawa, Canada; and

Eighth meeting, Canada-United States Interparliamentary Group, Senate delegation, Ottawa and Montreal.

These reports reflect the foreign currencies and U.S. dollars utilized by the above in 1965 in connection with foreign travel.

There being no objection, the reports were ordered to be printed in the RECORD, as follows:

Report of expenditure of foreign currencies and appropriated funds by the Committee on Aeronautical and Space Sciences, U.S Senate, between Jan. 1 and Dec. 31, 1965

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Cannon, Howard: France	Franc	300	61.22	290	59.22	98	20.00	292	59.56	980	200.00
Young, Stephen: France	do	300	61.22	319	65.00	98	20.00	263	53.78	980	200.00
Galloway, Eilene:											
Japan	Yen	35,270	97.97	41,130	114.25	14,400	40.00	9,200	25.56	100,000	277.78
Do	Guilder [1]					5,714.08	1,589.01				1,589.01
Voorhees, Craig: France	Franc	300	61.22	315	64.29	20	4.08	20	4.08	655	133.67
Gehrig, James J.: France	do	300	61.22	315	64.29	20	4.08	80	16.33	715	145.92
Total			342.85		367.05		1,677.17		159.31		2,546.38

[1] Air transportation purchased by State Department with Dutch guilders.

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent) (total)	2,546.38

FEBRUARY 25, 1966.

CLINTON P. ANDERSON,
Chairman, Committee on Aeronautical and Space Sciences.

Report of expenditure of foreign currencies and appropriated funds by the Committee on Rules and Administration, U.S. Senate, between Jan. 1, and Dec. 31, 1965

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
John F. Haley:											
England	Pound	39-5-8	110.00	17-4-4	48.20	14-1-4	39.40	7	19.60	17-11-4	217.20
France	New franc	632.50	126.50	411	82.20	210.50	42.10	131	26.20	1,385	277.00
	Deutsche mark.[1]					3,177.60	794.40				794.40
Total			236.50		130.40		875.90		45.80		1,288.60

[1] Airline ticket, Washington, New York, Paris, London, Washington.

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	1,288.60

JANUARY 11, 1966.

B. EVERETT JORDAN,
Chairman, Committee on Rules and Administration.

Report of expenditure of foreign currencies and appropriated funds by the Joint Economic Committee, U.S. Senate, between Jan. 1 and Dec. 31, 1965

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hale Boggs:											
New Zealand	Pound	20-0-0	56.00	15-13-2	44.00					35-13-2	100.00
Australia	do	30-0-0	67.50	40-0-0	90.00			19-2-8	42.50	89-2-8	200.00
Hong Kong	HK$	859.15	150.00	459.20	80.00			114.80	20.00	1,433.15	250.00
Vietnam	Piaster	727	10.00	1,142	15.69					1,869	25.69
Subtotal			283.50		229.69				62.50		575.69
Argyll Campbell:											
New Zealand	Pound	13-16	38.64	11-11-4	31.12			10-16	30.24	35-13-2	100.00
Australia	do	30-0-0	67.50	45-0-0	101.25			13-8-8	31.25	89-2-8	200.00
Hong Kong	HK$	547.15	100.00	746.20	130.00	25.00	4.34	112.80	20.00	1,458.15	254.34
Vietnam	Piaster	639	8.77							639	8.77
Subtotal			214.91		262.37		4.34		81.49		563.11
Jacob K. Javits:											
England	Pound	33.6	90.00	23.0	60.00	6.0	20.00	9.0	30.00	71.60	200.00
France	Franc	396.9	81.00	294.0	60.00	24.5	5.00	19.6	4.00	735.00	150.00
Subtotal			171.00		120.00		25.00		24.00		350.00
Robert Ellsworth:											
England	Pound	15-10-0	43.68	14-9-4	40.51			30-0-0	84.00	59-21-4	168.19
Belgium	Franc	1,673	33.46	1,500	30.00			1,927	38.54	5,100	102.00
France	do	602	122.81	600	122.40			448	91.39	1,650	336.60
Italy	Lire	18,774	30.04	20,500	32.80			44,991	71.85	84,265	134.69
Subtotal			229.99		225.71				285.78		741.48
Henry S. Reuss:											
England	Pound	10-11-0	29.54	2-3-9	6.11	0-10-0	1.40	0-5-0	.70	13-9-9	37.75
Belgium	Franc	1,499	29.98	959	19.18			[1] 550	[1] 11.00	3,008	60.16
France	do	327	65.40	303	60.60	12	2.40	8	1.60	650	130.00
Subtotal			124.92		85.89		3.80		13.30		227.91
Herman E. Talmadge:											
Switzerland	Franc	431.40	100.00	324	75.00			108	25.00	863.40	200.00
West Germany	Deutschemark[2]					3,663.60	915.90			3,663.60	915.90
Subtotal			100.00		75.00		915.90		25.00		1,115.90
Donald A. Webster:											
England	Pound	17-2-6	47.65	9-18-0	27.72	2-0-0	5.60	4-6-0	12.01	33-6-4	93.28
Belgium	Franc	1,000	20.00	650	13.00			310	6.20	1,960	39.20
France	do	325	65.00	385	77.00	75	15.00	100	20.00	885	177.00
Italy	Lire	29,270	46.83	26,500	42.41	8,000	12.80	10,000	16.00	73,750	118.04
Germany	Deutschemark[2]					3,722.80	930.47			3,722.80	963.87
Subtotal			179.78		160.13		963.87		54.21		1,357.99
Total			1,304.10		1,158.79		1,912.91		556.28		4,932.08

[1] Check for $11 sent to U.S. Treasurer Nov. 24, 1965, because this currency was used for personal purpose.
[2] Round-trip transportation purchased by State Department.

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	4,932.08

March 1, 1966.

Wright Patman,
Chairman, Joint Economic Committee.

Report of expenditure of foreign currencies and appropriated funds by the Committee on Small Business, U.S. Senate, between Jan. 1 and Dec. 31, 1965

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Robert R. Locklin:											
Spain	Peseta	4,494.50	75.00	7,484.4	125.00			2,995	50.00	14,973.9	250.00
France	Franc	539	110.00	490	100.00			196	40.00	1,225	250.00
United Kingdom	Pound	42-16-4	120.00	35-13-8	100.00			10-14-1	30.00	89-4-1	250.00
Netherlands	Guilder					2,900.00	806.45				806.45
Daniel T. Coughlin:											
Spain	Peseta	4,494.50	75.00	5,900	100.00			1,497.50	25.00	11,982	200.00
France	Franc	431.20	88.00	392	80.00			156.80	32.00	980	200.00
United Kingdom	Pound	42-16-4	120.00	35-13-8	100.00			10-14-1	30.00	89-4-1	250.00
Netherlands	Guilder					2,900.00	806.45			2,900.00	806.45
Total			588.00		605.00		1,612.90		207.00		3,012.90

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	3,012.90

March 1, 1966.

John Sparkman,
Chairman, Committee on Small Business.

Report of expenditure of foreign currencies and appropriated funds by the delegation to the 5th Mexico-United States Interparliamentary Meeting, La Paz, Mexico, Feb. 11 to 18, 1965

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	**U.S. dollar equivalent or U.S. currency**	**Foreign currency**	**U.S. dollar equivalent or U.S. currency**	**Foreign currency**	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
George D. Aiken: Mexico	Dollar		46.28		34.78				5.00		86.0
Wallace F. Bennett: Mexico	do		67.66		50.79				15.40		133.85
Paul J. Fannin: Mexico	do		46.37		49.95				14.00		110.32
Albert Gore: Mexico	do		65.34		64.06		5.30		15.45		150.15
Ernest Gruening: Mexico	do		62.51		52.04				9.96		124.51
Mike Mansfield: Mexico	do		73.33		66.30		3.00		17.38		160.10
Joseph M. Montoya: Mexico	do		61.98		68.88		8.00		10.88		149.74
Wayne Morse: Mexico	do		65.39		49.59				21.01		135.99
Milward L. Simpson: Mexico	do		70.48		52.86				42.83		166.17
John Sparkman: Mexico	do		52.95		39.98		5.20		29.84		127.97
Joseph D. Tydings: Mexico	do		70.96		61.31		15.30		35.45		183.02
Pat M. Holt: Mexico	do		46.72		44.99		6.40		4.36		102.47
Milrae E. Jensen: Mexico	do		39.68		41.82				8.00		89.50
Harry Bergold: Mexico	do		33.20		23.98				5.24		62.42
David T. Paton: Mexico	do		45.91		39.49						85.40
Brian Bell: Mexico	do		19.98		13.32						33.30
Arthur M. Kuhl: Mexico	do		52.40		37.01				5.20		94.61
Delegation expenses:											
Meals	do				86.50						86.50
Transportation	do						219.26				219.26
Gratuities	do								49.70		49.70
Telephone	do								9.83		9.83
Hotel offices	do		28.16								28.16
Miscellaneous	do								69.04		69.04
Total			499.30		877.65		262.46		368.57		2,457.98

RECAPITULATION

	Amount
Appropriated funds: Other	$2,457.98

J. W. FULBRIGHT, *Chairman.*

Report of expenditure of foreign currencies and appropriated funds by the delegation to the British-American Parliamentary Conference, Bermuda, Feb. 23 to Mar. 1, 1965

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Bourke B. Hickenlooper: Bermuda	Pounds	85-9	240.00	4-14	13.31			10-19	30.59	101-2	283.90
Eugene McCarthy: Bermuda	do	85-9	240.00	28-11	77.25			13	34.00	127	351.25
Gaylord Nelson: Bermuda	do	47	132.00	6-16	19.15			7-9-10	20.70	61-5-10	171.85
Frank Carlson: Bermuda	do	85-9	240.00	7-14	21.69			10-8	29.28	103-11	290.97
Donald Henderson: Bermuda	do	85-9	240.00	12-8	32.17			8-2	22.90	105-19	295.07
Darrell St. Claire: Bermuda	do	85-9	240.00	12-11	32.55			13-16	35.80	111-16	308.35
Delegation costs: Bermuda	U.S. dollar and pound.				143.80	50-10	139.19	10	28.00	60-10	[1] 310.99
Total			1,332.00		339.92		139.19		201.27		2,012.38

[1] $14 of this amount reimbursed to the U.S. Treasury by Darrell St. Claire.

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	1,868.58
Appropriated funds: S. Res. 28 (89th Cong., 1st sess.)	143.80
Total	2,012.38

J. W. FULBRIGHT,
Chairman, Committee on Foreign Relations.

Report of expenditure of foreign currencies and appropriated funds by the Senate delegation, spring meeting, Interparliamentary Union, Dublin, Ireland, Apr. 18 to 25, 1965

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Ralph Yarborough: Ireland	Pound	56-5-3	157.63	32-15-7	91.89			9-15-1	27.32	98-15-11	276.84
Bourke B. Hickenlooper: Ireland	do	51-19-6	145.54	30-0-1	84.12			0-1-7	.21	82-1-2	229.87
Hugh Scott: Ireland	do	36-12	102.57	24-19-5	70.08			2-19-10	8.36	64-11-3	181.01
Darrell St. Claire: Ireland	do	56-5-3	157.64	33-8-8	93.66			9-3-4	25.68	98-17-3	276.98
Do	U.S. dollar								20.00		20.00
Total [1]			563.38		339.75				81.57		984.70

[1] $200.34 of total expenditures reimbursed to the U.S. Treasury by Darrell St. Claire for personal expenses.

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	964.70
Appropriated funds: Other	20.00
Total	984.70

J. W. FULBRIGHT,
Chairman, Committee on Foreign Relations.

Report of expenditure of foreign currencies and appropriated funds by the Senate delegation, Interparliamentary Union Conference, Ottawa, Canada, Sept. 7 to 17, 1965

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Stephen M. Young: Canada	Dollar	32.00	29.85	15.86	14.80					47.86	44.65
Strom Thurmond: Canada	do	45.00	41.98	16.49	15.38					61.49	57.36
Ellen Thurmond: Canada	do	72.00	67.17	5.50	5.13			3.66	3.41	81.16	75.71
Milrae E. Jensen:											
Canada	do	130.00	121.30	45.99	42.90			31.00	28.91	206.99	[1] 193.11
United States	U.S. dollar								10.00		10.00
Martha Price:											
Canada	Dollar	91.00	84.90	44.21	41.24	47.00	43.85	7.85	7.32	190.06	177.31
Do	U.S. dollar				27.00						27.00
Darrell St. Claire:											
Canada	Dollar	190.00	177.27	182.66	170.42			35.70	33.30	408.36	380.99
United States	U.S. dollar						8.85		6.00		14.85
Total			522.47		316.87		52.70		88.94		980.98

[1] $4 of this amount reimbursed to the U.S. Treasury.

RECAPITULATION

	Amount
Foreign currency (U.S.-dollar equivalent)	929.13
Appropriated funds: Other	51.85
Total	980.98

J. W. **Fulbright**,
Chairman, Committee on Foreign Relations.

Report of expenditure of foreign currencies and appropriated funds by the Senate delegation, 8th meeting, Canada-United States Interparliamentary Group, Ottawa and Montreal

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
George D. Aiken: Canada	Dollar	140.00	130.20					0.20	0.18	140.20	130.38
Mike Mansfield: Canada	do	70.00	65.10	16.15	15.01					86.15	80.11
Pat McNamara: Canada	do	57.00	53.01	10.05	9.34					67.05	62.35
B. Everett Jordan: Canada	do	59.00	54.87	14.75	13.71			1.50	1.39	75.25	69.97
Frank E. Moss: Canada	do	78.00	72.54	9.43	8.77			4.35	4.04	91.78	85.35
Eugene McCarthy: Canada	do	17.00	15.81	1.90	1.76			3.20	2.97	22.10	20.54
Bourke B. Hickenlooper: Canada	do	15.00	13.95	3.25	3.02					18.25	16.97
Leverett Saltonstall: Canada	do	38.00	35.34	10.51	9.77					48.51	45.11
John Sherman Cooper: Canada	do	61.00	56.73	4.36	4.05			2.10	1.95	67.46	62.73
Hiram L. Fong: Canada	do	59.00	54.87	3.63	3.37					62.63	58.24
James B. Pearson: Canada	do	61.00	56.73	4.33	4.02					65.23	60.75
Carl Marcy: Canada	do	43.00	39.99	2.40	2.23			.20	.18	45.60	42.40
Francis R. Valeo: Canada	do	55.00	51.15	8.11	7.54			6.60	6.13	69.71	64.82
Milrae E. Jensen: Canada	do	44.00	40.92	3.50	3.25			.20	.18	47.70	44.35
Varney Porter: Canada	do	45.00	41.85	3.91	3.63					48.91	45.48
Darrell St. Claire: Canada	do	78.00	72.54	2.32	2.15			4.00	3.72	84.32	78.41
Delegation expenses:											
Hotel, Montreal, Canada	do							45.31	42.13	45.31	32.13
Offices, Ottawa, Canada	do	125.80	116.62							125.80	116.62
Reception, meals, Canada	do			193.06	178.66					193.06	178.66
Overtime, Embassy employees, Canada.	do							35.42	32.83	35.42	32.83
Gratuities, Canada	do							50.45	46.95	50.45	46.95
Taxis, Canada	do					4.00	3.72			4.00	3.72
Taxis, United States	U.S. dollar						2.10				2.10
Meals, United States	do				5.75						5.75
Total			972.22		276.03		5.82		142.65		1,396.72

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	1,388.87
Appropriated funds: Other (Public Law 86-42)	7.85
Total	1,396.72

J. W. **Fulbright**,
Chairman, Committee on Foreign Relations.

DANIEL FERNANDEZ, VIETNAM HERO

Mr. MONTOYA. Mr. President, the heroic death in Vietnam of Sp.4c Daniel Fernandez has stirred the hearts of Americans everywhere.

Specialist Fernandez, who is from the little town of Los Lunas, N. Mex., saved the lives of several comrades last February 18 when he hurled himself upon a Vietcong grenade.

Before this brave act, which cost him his life, Specialist Fernandez had shown other signs of the kind of fighting man he was. Early last year, he flew more than 25 missions as a helicopter gunner in Vietnam before he was wounded and sent home to recuperate. He won both the Air Medal and the Purple Heart for that earlier duty.

After recovering from his injuries, Specialist Fernandez volunteered for new service in Vietnam, and returned to that unhappy land with the 25th Infantry Division.

It was while serving with the 2d Brigade of the 25th Division that he met his death on February 18.

Tributes to Specialist Fernandez have come from people in all walks of life throughout the country, and he has been nominated for the Congressional Medal of Honor, his Nation's highest award for military heroism.

But nothing that has been said about this brave youth has touched me as did the comments of his father, Jose Fernandez, when he talked to a reporter about the death of his son.

I should like to have those comments, reproduced from the Albuquerque Journal of February 21, printed in the Record.

The comments follow:

"I lived in fear all the time he was away that something like this would happen," his father said Sunday, the day of the funeral.

Mr. Fernandez said his son was very generous and always volunteering for something, but the last thing he would want is to be known as a hero.

"Daniel was no different than any other American boy. We have many of them here in Los Lunas, you have thousands in Albuquerque and there are millions in the United States.

"I feel that the circumstances made him do this thing because he was a generous boy. He liked to help others.

"From my viewpoint, Daniel's action was not an unusual thing for him to do", Mr. Fernandez said.

"I feel very humble. I don't measure up to those standards.

"I told Daniel, 'we want you home alive'; that's a parent's feeling, wanting your own safe."

On the possibility of his son being awarded the Congressional Medal of Honor, Mr. Fernandez said, "What can you say? It's overwhelming. Daniel had too much life and too much courage."

INDIANA'S EASTER SEAL CHILD FOR 1966

Mr. BAYH. Mr. President, this year for the second time, Mrs. Bayh and I have the privilege of serving as cochairmen of the Indiana Easter Seal Campaign. Through our work with the campaign in 1965 and during the past few weeks we have associated with and have come to know many inspiring handicapped children and adults. Among them none is more noteworthy than our Indiana Easter Seal Child for 1966, 13-year-old Kay Slickers, of Lafayette, Ind., who typifies thousands of persons throughout the Nation who are working bravely to overcome their handicaps.

Kay, who was selected for this position of honor by the Women's Civic Club of Indianapolis, is the daughter of Mr. and Mrs. Allen Slickers. Both her parents are active in their county Easter Seal Society and, along with her two older brothers and younger sister, have helped Kay to compensate for her handicaps, a congenital hip and curvature of the spine, which she has had since birth.

An extremely energetic young lady, Kay has learned to walk with the help of braces and crutches, and she exercises constantly to strengthen her leg muscles. Kay attends junior high school and receives treatment from the Tippecanoe County Easter Seal Society in Lafayette.

Under the firm guidance of her family, Kay has assumed the normal home responsibilities of any 13-year-old. A talented pianist, she often entertains her close-knit family and friends.

As Indiana Easter Seal Child of 1966, Kay has many duties. She came to Washington to help us tape radio and television appeals for Easter Seal contributions, and she has officiated at ceremonies in Indiana's treatment centers for the handicapped. With a ready smile and quick wit, Kay is a delightful coworker as well as an inspiration to others who must contend with physical handicaps.

Young Miss Slickers deserves much credit for her courage and determination to overcome her own handicaps, her work to aid others, and her ability to show us all what Easter Seals can accomplish. It has truly been a rewarding pleasure and an inspiration to be associated with this fine young Indiana girl to whom much credit belongs for the success of this important endeavor.

A DISSENTING VOICE FROM VIETNAM

Mr. CHURCH. Mr. President, among the many difficulties of intervening in the affairs of other nations—no matter how good the cause or the intentions for doing so—is the effect outsiders have on indigenous people. Particularly for a people wearied from decades of war, it is easy to "Let George do it" and take advantage of the plentiful supply of new money.

These are two of the reasons a young American soldier has written, "I've never been so disillusioned with our country as after my experiences over here in the past 5 months or so." In a notarized copy of a letter he wrote to a friend, which I hold in my hand, he also takes aim at the game of manufacturing statistics which satisfy Washington, but have no relation to reality. He talks about reports of officials claiming to have distributed 4 million pills and treated several thousand villagers, when in fact the officials had no pills or medicine at all.

Mr. President, this letter from the field presents a far different picture from that given in optimistic official reports. It deserves to be soberly considered.

I ask unanimous consent that a notarized copy of this letter be printed in the Record.

Appropriate deletions have been made to protect the soldier's identity.

There being no objection, the letter was ordered to be printed in the Record, as follows:

"Dear Chris: Hello from Vietnam. I'm presently about [deleted] miles south of the border between North and South Vietnam in a compound near [deleted]. I'm here for a few days to recon out some bridges that we'll have to strengthen before I can hope to get our tanks and other armor over. I am newly assigned to the [deleted] Cavalry (Vietnamese) and will take over advising a troop as soon as I get some of these recon and administrative problems out of the way. The cavalry over here uses tanks and armored fully tracked scout and support vehicles. They are fast moving and kill lots of Vietcongs. I went on a couple of operations with them last week. I went out with a troop that is about [deleted], because this is the one I will take over in about 4 weeks. They moved and shot very well and I doubt if our own cavalry could do much better than this. However this excellent state of morale and training of these particular troops is the exception rather than the rule in the Vietnamese Army.

"Chris, I've never been so disillusioned with our country as after my experiences over here for the past 5 months or so. For the first time I am on the scene where the news is being made and I realize that reporters for the most part do not strive to present an accurate picture of what is taking place—rather they write what will sell and make them the most as far as money and reputation. Most of the combat photos are either posed or else they are behind the lines training photos captioned as frontline combat photos. After having been in combat for the past few months I have a pretty good idea of what can and cannot be done. When you see a picture of a Vietcong coming out of a cave with hands held high—you can bet it is a posed picture. When you see a Vietnamese mother shielding its child's body from bullets, you can bet that photographer would have his [deleted] down too. What a bunch of baloney.

However most of my disillusionment comes from the sorry [deleted] attitude of the Vietnamese people. Especially the educated leaders of this country are rotten, dirty, no good thieves. They are Communist-haters but all have fat bank accounts in foreign banks. They deposit every month several times their salary in these bank accounts outside of country. In this one area—where I was adviser to the [deleted] and also adviser in psychological warfare—the U.S. Government (through Vietnamese channels) was paying salaries of 338 cadres.

The cadres were supposed to be pacifying an area five villages in size. However, there were only about 50–60 cadres working in the area. So this meant a group of about three minor government officials (Vietnamese) were stealing $4,000 per month. I reported this but nothing was done. I raised so much [deleted] about it that they transferred me out to a straight combat unit. At the same time this was going on, the Vietnamese reports were very rosy and you would believe the war was almost won. They said that we distributed some 4 million pills and treated several thousand villagers when we had no medicine at all—it had disappeared before it reached us—more than likely sold in the big cities. They said my battalion (250 men) killed or captured 175 Vietcong. However, I have seen only two bodies and about eight prisoners in all of our actions. Even accounting for the ones dragged away after they're dead by the Vietcong, I think we killed only 20. However, we lost 50 of our men killed and 35 wounded and 16 captured. I personally saw and helped carry out about 25 of our own dead—but they report we lost about 12. But these false paper reports satisfy Washington. The emphasis is not on what are we accomplishing and what actual progress is being made. Rather if you put down on paper that progress is being made it is sufficient. They are living in a dream world—but I'm afraid they are fooling only themselves—and the American public: both will suffer in the long run.

"I have been trying to analyze this corrupt and inefficient plan for winning the war and determine just what is the basic reason for our continuing failure here (we are failing no matter what the newspapers and the Johnson administration says). I think it boils down to this: We have committed ourselves here in Vietnam and have stated that we will stay as long as is necessary and will put into this country as much as it takes to win the war. However, the money is given to the Vietnamese Government officials to use as they see fit. Since they are spending our money and they know we will give them as much as is necessary they accept no responsibility whatsoever to insure that the money and supplies are used for its intended purpose and efficiently. They are on the gravy train and know it and intend to stay on it. It is a paradox—the longer the war lasts, the more money they can steal. The more money they steal, the longer the war will last; if the war is won and the United States pulls out—the salaries of these officials would drop 100 times of what it is now. So why should they try to end the war? They have nothing to gain by it and plenty to lose.

"The Vietnamese people themselves—the merchants, the farmers, etc.—do not appreciate what we are trying to do for them. The restaurants and shops have two prices, one for the Vietnamese and one for the American soldiers (who are dying for these people). It costs about 16 cents for a Vietnamese to buy a beer, 40 cents for a soldier. It costs 60 cents for a Vietnamese to buy a block of ice, $2.50 for a GI. A ride on a cycilo costs a Vietnamese 20 cents, the same ride for a GI $1. I could quote these prices forever. If you insist on paying the Vietnamese (lower) price they laugh at you and refuse. No matter how many shops you try the story is the same. They have you over a barrel. A GI who spends 60 days living in a foxhole full of mud like an animal cannot just refuse to pay. If he is to get any relaxation on the half day off in town his CO has given him he must pay the outrageous prices or do without. Most just grit their teeth and pay.

"Another thing the Vietnamese people do is steal from the GI. I've had cigarettes snatched out of the seat next to me while driving my jeep down the street at daylight in downtown Da Nang. I once caught the man who did it. The Vietnamese policeman I took him to spoke a few words in Vietnamese to the man and turned him loose. He smiled very sweetly at me and said, "Very sorry." Yes, they are very appreciative of what we are doing for them. The other day a friend of mine, Capt. [deleted] was killed in a Vietcong ambush. With him were about 10 Vietnamese soldiers. Though [deleted] was killed the Vietnamese soldiers who were with him managed to fight off the Vietcong. But when his body was returned to our command post, his watch, pistol, rifle, money, etc., was gone. Another friend of mine went to pay a visit on the company and found one of our Vietnamese allies with his pistol, another his rifle, and another with the watch. It was easy to tell since the rifle is only a type carried by U.S. personnel and the pistol was a personal 1917 model German Luger. When I heard this I wanted to go and kill some of them myself. It is so damn rotten and unbelievable. So far we've only been able to get them to give back the rifle. The [deleted] Vietnamese officers are balking in returning his things.

"Well, I was for 5 months with a Vietnamese infantry battalion and saw quite a bit of combat in our area [deleted] miles south of Da Nang. I came very close to death several times (earned Combat Infantryman's Badge and was put in for Bronze Star). I'm going to advise a cavalry troop just north of [deleted]. The past year they had three different advisers. Two were killed and this last one was wounded. Two were good friends of mine. It makes me very angry to see my friends killed and wounded here and to put my own life on the line daily when you see the Vietnamese themselves are not trying and don't give a damn for your efforts and sacrifices. I see Vietnamese guys and their wives laughing and having a good time together. I see many young men not in the Vietnamese military. And I ask myself why I must be on the other side of the world from my wife, and, I wonder why I must fight and risk death when many young Vietnamese men do not. There is no penalty for draft dodging and if a man deserts and is found by the authorities he is only scolded and returned to the army even if it has been years. They are not so much as fined. However, we are aware of the penalty for desertion in our own Army in time of war—death.

"I suppose it might seem that I am feeling sorry for myself and using your shoulder to cry on and I suppose to a certain extent this is the case. But mostly I feel like I need to tell at least one person back there what is really happening over here. Hope I didn't make you too angry.

"Right now I'm in bed with dingy fever. It is sort of like the flu, except you have amazing diarrhea and sharp pains in the muscles. I am usually sick about 2 or 3 days per month. This country is so filthy. More men are evacuated to the United States from disease than for wounds. At least it is a good way to keep slim. I've lost 45 pounds since I left [deleted] a year ago. Will have plenty of time for eating when I get back.

"I'm really jealous of you, you old son of a gun, those boys are really good-looking kids. Boy I'll bet you're proud. I know I sure would be if I were their father. As you know [deleted] and I don't have any yet but I plan on going into mass production soon as I get back. Next time you write be sure to send a picture of you and Betty.

"I certainly appreciate your invitation to spend a few days with you and your family. As you know my favorite sport is trout fishing. Also I like to hunt pheasant, etc. When I get back from here it will be about the end of September. Will there be anything in season then? [Deleted] likes to fish, too. Does Betty? Boy I sure am looking forward to it if I can make it. How long does it take by auto from [deleted]? I can already taste the trout rolled in cornmeal and cooked in butter. And pheasant cooked with wine and mushrooms. I can hardly wait. What other employment opportunities are there for a retired Army [deleted]?

"What is Brooks doing and where is he? And Don McCall and any of the others? Let me know what everyone is doing and addresses if possible. I dropped by the [deleted] house about 1 month before I came over here. Had a nice chat with Warren Morris and some cookies and milk. He had a 63 Caddy and was still playing the horses. Said Frog was getting his master's degree somewhere.

"Well, I sure enjoyed hearing from you and hope you write again soon. I'll write when I can. Take good care of the family and best of luck and happiness to you all.

"Your friend,

"[Deleted]."

State of Idaho,
County of ADA, ss:

This is to certify that I have seen the original of this document and that this is the true and exact copy of the original.

Fred Shipal,
Notary Public.

Date: February 28, 1966.

THE IMPACTED AREA SCHOOL PROGRAM

Mr. CANNON. Mr. President, I was very gratified to learn of the recent sharp reaction of members of the Senate Appropriations Committee against administration plans to curtail drastically funds for the impacted area school program.

This vital program provides funds for thousands of school districts which are burdened by the attendance of children of servicemen and other Federal employees. Since these programs were established in 1950 to provide for operation and maintenance, teacher's salaries, and school construction, they have been the very model of cooperation between the local school districts and the Federal Government to provide the best possible education for dependents of Federal workers.

At a meeting of the Appropriations Subcommittee on Health, Education, and Welfare earlier this week, many Senators expressed their determination to fight cuts in the impacted areas programs.

The distinguished Senator from Rhode Island [Mr. Pastore] articulated the position of those of us who oppose the reduction of the impacted areas programs when he challenged the administration's argument that funds for the Elementary and Secondary Education Act passed last year are a substitute for impacted area funds.

The Senator was absolutely correct in his statement. The philosophy behind the impacted area program is clear. Funds are paid to local school districts to remove inequities resulting from the concept of intergovernmental immunity. Since local and State governments cannot tax Federal property, and since the local property tax is the primary source of financing for the American schools, it is obvious that school districts in which the Federal Government has large holdings must operate on impaired tax basis. Further, the presence of Federal property within the school district usually leads to the imposition of a distinct Federal burden on the local schools which must provide education for the children of the Government employees who work on the Federal property.

There is no doubt, therefore, that the impacted area programs were initiated to require the Federal Government to meet its obligation to help provide for the education of the children of its employees. The Elementary and Secondary Education Act, on the other hand, is designed to meet totally different education problems—especially those in lower socioeconomic school districts.

During the recent questioning of Secretary Gardner by members of the Appropriation Subcommittee, the Senator from Colorado [Mr. Allott] said the impacted area funds "provide the bones, blood and muscle for those needy districts."

The Senator from Alaska [Mr. Bartlett] termed full impacted area aid "absolutely essential."

I associate myself fully with the remarks of my colleagues on this most important subject.

Opposition is being generated in every quarter to the proposed reduction of more than $200 million in impacted area aid. Educators in my State and throughout the Nation are virtually unanimous in opposition to the cutback, and more and more Members of Congress are speaking out on the need to retain this critical program.

The proposed reductions are not in the best interests of American education, and I am confident that the Congress will appropriate the funds needed to continue the impacted area programs at their same level as recent years. I am also confident that action will be taken to extend Public Law 815 which is set to expire on June 30 of this year, and that the Congress will soon add to the supplemental appropriation bill the funds needed to meet present entitlements under Public Laws 815 and 874.

To do less would be to turn our backs on our goal to provide the best possible education to every American.

I have received letters from the Washoe County School District and the Nevada Congress of Parents and Teachers which outline objections to the argument that the Elementary and Secondary Education Act justifies drastic reductions in the impacted areas program.

I ask unanimous consent that these letters be printed in the Record.

There being no objection, the letters were ordered to be printed in the Record, as follows:

NEVADA CONGRESS OF PARENTS AND TEACHERS,
February 4, 1966.
Hon. HOWARD CANNON,
Senator, State of Nevada,
Capitol Building,
Washington, D.C.

DEAR SENATOR CANNON: The Board of Managers of the Nevada PTA at their January board meeting went on record as opposing any reduction in the Federal impact program Public Laws 874 and 815.

We do not feel that categorical Federal aid through the Elementary, Secondary Education Act can in anyway substitute for the funds received by the several school districts in the State through the impact bills. We support your efforts for a supplemental appropriation to pay the full entitlement to the school district receiving this aid.

The PTA feels the proposed legislation to reduce the funds would discriminate against the children of our service men and women and other employees of the Federal Government.

We want you to know we support your positive stand to retain the impact legislation 874 and 815.

Please accept our thanks for your efforts on behalf of children and youth in the past.

Sincerely yours,

LAMAR LEFEVRE,
President, Nevada Parents and Teachers.

WASHOE COUNTY SCHOOL DISTRICT,
Reno, Nev., February 21, 1966.
Hon. HOWARD W. CANNON,
Senator from Nevada,
U.S. Senate,
Senate Office Building,
Washington, D.C.

DEAR SENATOR CANNON: Thank you for your letter advising me of the cuts in Public Law 874 and Public Law 815 which were proposed in the administration's fiscal budget for 1967 and also for your second letter dated February 14, 1966, notifying me that you have introduced a bill to extend the life of Public Law 815 until 1968.

For your information I would like to supply the following information to you concerning the number of students leaving and the number of teachers affected at the Stead Air Force Base. It appears that when the Stead Air Force Base is totally phased out, and we expect this to be in June of this year, we will lose 973 class "A" pupils (those whose parents live and work on Federal property) and 454 class "B" pupils (those whose parents work on but reside off Federal property), making a total of 1,427 students that we will lose from the Stead Air Force Base. This will leave us 890 federally connected students.

We have budgeted a total of $266,000 for Public Law 874 funds for this present year. Unless there is an appropriation to make the full payments it is our understanding that we may lose 10 percent of this which would be approximately $26,600.

Of the 890 students we would expect to have next year, 131 would be classed as "A" students and 759 as "B" students. If the reimbursement amount remained the same as it is now this would mean $123,672 for the district. However, I also understand that there is some intention of raising the percentage of eligibility from 3 percent to 6 percent and having the local school districts absorb the first 6 percent. If this change were made Washoe County would not become eligible for any funds.

If we lose 1,427 federally connected students this would also mean a loss of approximately 44 teachers if we use 30 pupils to a class. We are expecting the county to continue to increase in population and, therefore, we are not anticipating cutting 44 teachers although we are at the present time planning to cut quite a number.

We will, of course, have some problems in that we have a school (elementary) located at the Stead Air Force Base which will house close to 1,000 students. This school will go down considerably in population and we will be operating a school probably with a very small number in attendance. In the course of time as the growth in that area continues we will eventually have full use of the school again.

In addition to this information concerning our losses in Public Law 874 money, we have also received a letter from the State supervisor of school lunch programs stating that the reimbursement rate for the national school lunch program assigned to Washoe County will be cut one-half cent effective December 1, 1965, and a notice to the effect that we probably shall be allocated even less money next year. I would like to further add that in respect to the lunch program that we are providing between 130,000 and 150,000 free meals to needy children each year under this program which in my mind is considerably in line with the President's poverty program. If the school lunch program is cut further this may mean that the needy children may suffer further because we would be unable to make the lunches available to them.

It seems rather peculiar to me that so much in the way of Government funds is being made available under the Elementary and Secondary Education Act and the Educational Opportunity Act, and yet at the same time such programs as impacted area funds and national school lunch programs are being cut. Expression was made by the school board members at their last meeting, to which I thoroughly agree, that if we had a choice we would prefer receiving funds under the impacted program and the Federal lunch program.

Again let me say that we have always appreciated your stand.

Sincerely yours,

PROCTER R. HUG,
Superintendent.

NATIONAL RURAL ELECTRIC COOPERATIVE ASSOCIATION FOR TRUTH-IN-LENDING AND OTHER CONSUMER PROTECTION

Mr. DOUGLAS. Mr. President, I was encouraged to receive from the coordinator of the Women's Activities Committee of the National Rural Electric Cooperative Association official notice of the resolution passed by that organization at its annual meeting on February 17 in support of truth-in-lending.

This declaration of support for truth-in-lending and other consumer legislation represents the considered opinion of this association of 979 consumers owned and controlled electric systems, as voted by 8,949 representatives at the annual meeting. I ask unanimous consent that this resolution of the National Rural Electric Cooperative Association be printed in the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

CONSUMER PROTECTION RESOLUTION OF THE WOMEN'S ACTIVITIES COMMITTEE

Whereas National Rural Electric Cooperative Association is an association of 979 consumer-owned and controlled electric systems, vitally interested in all matters affecting consumers; and

Whereas we recognize consumers have a responsibility in the economic life of this country to support with their patronage the honest and efficient producers and distributors who offer the best value for the lowest price: Now, therefore, be it

Resolved, That we support legislation that helps consumers fulfill their role in an intelligent and responsible manner by giving them access to clear, unambiguous information about products and services available for sale; and be it further

Resolved, That we support legislation that helps consumers shop for the best buy in credit by requiring a clear statement of the cost of credit and the annual rate of interest; and be it further

Resolved, That we support legislation that assures the safety of food, drugs, and cosmetics before they are offered for sale; and be it further

Resolved, That we reaffirm our support for full representation of the consumer in the highest councils of government and commend the President for again appointing a Consumer Advisory Council to work with his Special Assistant for Consumer Affairs; and be it further

Resolved, That we urge rural electric systems and their State and national associations to make consumer information available to their members.

JACK HOOD VAUGHN

Mr. BAYH. Mr. President, let me add my word of commendation to those who have already spoken favorably on the appointment of Jack Hood Vaughn to be Director of the Peace Corps. His broad experience, keen intellect, excellent training and demonstrated ability suit him admirably for this important post.

Secretary Vaughn has long been associated with the administration of American foreign policy. After obtaining his A.B. degree from the University of Michigan in 1943, he entered the U.S. Marine Corps as a private. He was honorably discharged from the corps in 1946, having attained the rank of captain, and resumed his studies at Michigan, where in 1948 he received the M.A. degree with specialization in Latin American affairs.

After teaching at Michigan and the University of Pennsylvania, Vaughn joined the U.S. Information Agency and served in La Paz, Bolivia, and San Jose, Costa Rica. He likewise was assigned to Panama City as a program officer of the Foreign Operations Administration and to La Paz for the International Cooperation Administration mission. Service with the ICA later took him to the Federation of Mali and the Republic of Senegal.

From October 1960 to April 1961, Secretary Vaughn supervised the Latin American programs of the Peace Corps. During this period, the number of Peace Corps volunteers in Latin America grew from 123 to nearly 3,000. He played a significant role in this growth, and helped originate the community development programs in both rural and urban areas. In April 1964, he was appointed U.S. Ambassador to Panama, where he proved to be a popular and effective representative of our country. Since March 1965, he has been Assistant Secretary of State for Inter-American Affairs.

Mr. President, Jack Vaughn is well qualified to assume the leadership of the Peace Corps. His experience in Latin America and Africa, as well as his clear knowledge of the problems which afflict all the underdeveloped areas of the world, are essential assets. His personal qualities—the simpatico so loved by Latin Americans—are an unexpected bonus both in the Peace Corps and for the entire Nation. In selecting Mr. Vaughn to be Peace Corps Director, President Johnson has again demonstrated his unusual capacity for choosing able administrators to fill critical leadership posts in his administration.

THE RUSK DOCTRINE: DULLES REDOUBLED

Mr. CHURCH. Mr. President, the late, indefatigable John Foster Dulles gave us treaties the effectiveness of which many felt were more apparent than real. Small wonder, then, that many Americans were surprised when Secretary Rusk did him one better.

He not only said that the SEATO treaty was a sanction for U.S. intervention, as Mr. Dulles might have done, but that the treaty committed us to act. The St. Louis Post-Dispatch has entitled this "Mr. Rusk's Specious Case," and comments:

> The treaty was always a facade for unilateral intervention and no more. Of the eight signers, only Thailand and the Philippines are southeast Asian nations. India, Indonesia, and Burma refused to join it. One signer, France is an active opponent of our Vietnam policy. Great Britain has contributed just 12 personnel to the war effort, the Philippines 70, New Zealand 150, Australia 1,400, Pakistan none.

Mr. President, I ask unanimous consent to have the Post-Dispatch editorial printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MR. RUSK'S SPECIOUS CASE

Secretary of State Rusk is an able advocate, as he demonstrated again in his testimony before the Fulbright hearings on Friday. But his thesis that the Nation is solemnly committed by the southeast Asia treaty to an unlimited war in Vietnam will be persuasive only to persons who forget the origins and character of the treaty.

SEATO was, in fact, the device by which Secretary Dulles set out to undermine the Geneva agreements of 1954. These accords, which among other things forbade either South or North Vietnam to enter into a military alliance, were reached in July of that year. The treaty was signed in September, and the United States immediately began fashioning its military alliance with a Saigon government which the CIA helped establish.

The treaty was always a facade for unilateral intervention and no more. Of the eight signers, only Thailand and the Philippines are southeast Asian nations. India, Indonesia and Burma refused to join it. One signer, France, is an active opponent of our Vietnam policy. Great Britain has contributed just 12 personnel to the war effort; the Philippines, 70; New Zealand, 150; Australia, 1,400; Pakistan none.

Far from justifying American intervention in Vietnam, SEATO is but the instrument of it; and from the beginning that intervention has been a major cause of the guerrilla insurrection which Mr. Rusk so righteously denounces as aggression on the Hitler model.

Mr. Rusk is quite right in rejecting demands by Hanoi that would condition peace talks upon prior recognition of the Vietcong as sole representatives of the South Vietnamese people. There must be a compromise by which a broadly representative coalition government holds temporary power until the people make their own choice in free elections. Yet the administration has given no clear sign that it will accept a compromise itself.

While denouncing Hanoi for seeking total victory for the Communists, we seek total victory for the Saigon government. While declaring that we want no permanent bases, we seek to establish in all South Vietnam an anti-Communist government which could retain power only under the protection of permanent American bases.

Hanoi does indeed stand in the way of peace talks, but not all the obstacles are in Hanoi. Until the United States is ready to accept genuinely limited objectives, including the goal of a neutralized Vietnam instead of an American satellite, fruitful negotiations seem unlikely and the dangers of a steadily escalating war will steadily mount.

MINUTEMAN OF THE YEAR AWARD TO SENATOR STENNIS OF MISSISSIPPI

Mr. ROBERTSON. Mr. President, the Reserve Officers Association of the United States on February 25, 1966, awarded to Senator JOHN STENNIS, of Mississippi, its Minuteman of the Year Award, recognizing him as the man who has done the most for our national security the past year.

This was a most deserving award. Senator STENNIS is not only one of the ablest Members of the Senate, but one of the best posted on our military requirements.

The American people can rejoice in the fact that Senator Stennis is a patriot, dedicated to the best interests of our Nation, and is guided by fundamental principles in all of his legislative actions.

The Reserve Officers Association award was presented at the association's annual dinner in Washington. In the resolution making the award, the Reserve officers recognized the vast knowledge of military affairs possessed by the Senator from Mississippi, and the leadership he has given the Nation in this field. The resolution commends him for "his devotion to the highest concept of duty to country; his nobility of purpose; his steadfastness of dedication, and his clarity of judgment to insure strength, effectiveness, and high morale to the Nation's military force."

Mr. President, I ask unanimous consent to have printed in the body of the RECORD the address delivered by Senator STENNIS on the occasion of the presentation of the award.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

Mr. President, distinguished guests, officers of the military Reserve and the Regular Establishment, ladies, and gentlemen, I am honored and humbled to be with you tonight and to receive your award for my small efforts to keep this great country of ours strong, free, and secure. While no one could fully deserve the distinction which you so generously confer upon me, your award will be all the more cherished because it comes from a group of citizen-soldiers whose patriotism and dedication to duty I have long admired.

The Reserve Officers Association has great traditions and has rendered fine service to our Nation. The honor you give me tonight both strengthens and inspires me to greater effort.

I highly commend Gen. Donald Dawson and his associate officers for an outstanding administration in this truly great organization, and especially Col. John T. Carlton for the outstanding service your organization has rendered throughout the years. He is highly respected on Capitol Hill and also throughout the Nation.

I am a stanch believer in the citizen-soldier concept and have long admired all of our Reserves for their marvelous spirit, for their devotion to duty, and for their continued willingness to serve despite repeated discouragement and lack of full support. Winston Churchill described the Reserves officer accurately when he said they were "twice the citizen."

In many of our wars, you were the first to accept responsibility for military service. In the early days of conflict you have borne, and in future conflicts you will bear the great brunt of the enemy's offensive. For your assumption of this key responsibility you are entitled to and receive a special tribute from a grateful nation.

The war in Vietnam very properly has top priority and first call upon our military manpower, material, and other assets. Certainly, it has the topmost priority with me.

However, tonight I wish to discuss and emphasize certain additional problems brought about and made unmistakably clear by our fighting in southeast Asia.

The Vietnam war has placed a heavy drain upon our military equipment and resources—particularly the Army, but also the Navy, Air Force, Marine Corps, and Coast Guard. We have repeatedly been told that our Army is in the best condition in peacetime history—that we have 16 active Army divisions, fully equipped and ready for sustained combat. These statements ring hollow today, as the Army is forced to struggle and strain to support and maintain the equivalent of less than four actual combat divisions in the field in Vietnam.

The heavy drain of Vietnam has brought on serious problems in personnel, equipment, repair parts, and other materials. Our worldwide military capability has suffered, and this fact concerns me greatly. Requirements for Vietnam have almost exhausted our strategic reserve of trained and ready active military forces. General Westmoreland has stated a requirement for a substantial number of additional troops. We are confronted with the hard fact that we would be hard put to supply them without calling up Reserve Forces or drawing down our forces in Western Europe and Korea, perhaps both.

If Army contingency planning had been followed, specialized combat support and support service units in the Army Reserve and Army National Guard already would have been called to active duty.

Some action is now underway to replenish the manpower, equipment, and assets of our worldwide military forces depleted to support Vietnam, but it has been a long time coming and the new forces now being created will not be combat ready for many months.

However, in our rush to provide the needs of forces committed to Vietnam we must not altogether isolate and separate our problems there from the rest of our commitments. Secretary of State Rusk has stated that we have 40 unilateral worldwide commitments in addition to many major multilateral commitments. We are honor bound to meet them, just as we are honor bound to follow through in Vietnam.

The Communists are constantly probing and looking for a weakness. They will not hesitate to strike when they feel it advantageous to do so.

This difficult situation in which we find ourselves makes it mandatory, I think, that we make a new and sober evaluation of these worldwide military commitments and our capacity to fufill them. It is probable that we shall go through many decades of testing, outbreaks, infiltration, and subversive attacks by the Communist forces in every continent except our own. The facts of life are that we live in a time of peril, I think great peril, and shall continue to do so in varying degrees, for decades to come.

First, in our new evaluation, we must determine what diplomatic alliances and commitments are most necessary for our own national security.

Secondly, we should have our trained and skilled professional military leaders make an assessment of what will be required in military manpower, equipment, weapons, and other resources to meet these commitments. This evaluation should be based on the worst conceivable situation, not the best.

A word of caution is necessary. It is clear that we cannot supply all of the conventional military forces which would be necessary to meet all of our commitments if all the possible contingencies should occur simultaneously. Therefore, in assessing the situation, we must make a hardheaded and realistic distinction between what we are willing to do and what we are reasonably able to do with our manpower, resources, and assets.

The final decision of what level of military strength is to be provided is a decision to be made by the Congress after full study of all the facts and recommendations. Whatever level of strength is decided upon, it must be supported in all aspects, fully and quickly. Whatever else may be required, it is certain that strong, active, and well-prepared Reserve components are necessary. This includes Army, Navy, Air Force, Marines, and Army and Air National Guard. In sharp and sad contrast to these already evident needs, the Reserve is now being reduced and its equipment neglected.

Incidentally, the Regular military services and the civilian authorities have never backed the Reserves and the National Guard with real money and sufficient equipment nor given them a "place in the Sun." At the point where the dollar is divided, there are always clashes of interest and honest differences. The record shows that it is the Congress that has increased the money and has written the mandatory language to provide protection floors for both the Reserve and the National Guard. The record shows that for more than 10 years the Congress has increased the money for Reserves and the Guard and provided language demanding certain force floors. We expect to keep it up. In fact, with the modern cost of modern weapons and all other phases of a worldwide military program, the only way to hold the necessary military program within bearable cost is to further emphasize the Reserve and National Guard program. The military dollar buys more manpower in Reserves than in the Regular program; however, I will, of course, give our standing forces first place.

One of the major reasons why I opposed the merger plan advanced last year was that I did not believe it was wise to discard the great reservoirs of trained, skilled, and dedicated military manpower which the Army Reserves represent. The need for manpower is greater now than a year ago. As long as we have an Army, we will need an Army Reserve.

Further, in recent months we have seen substantial amounts of equipment taken from the Reserve Forces for the use of the Active Forces. Much transportation and communication equipment has been recalled from the Reserves. Shortages exist among the Reserve components, not only in major equipment items, but even in such things as clothing and other individual equipment and supplies. We have heard of the man who had his shirt taken off his back. These men didn't get the shirt in the first place. I was shocked to find that some of our reservists have had to attend drills in civilian clothes because of uniform shortages. This is a ridiculous situation.

I have also been very much impressed with the Air Force Reserve and Air National Guard units—particularly the air transport capability, but dismayed by the decision to phase out air transport units. This reduction cannot be harmonized with our critical and growing airlift requirements in support of Vietnam and for tactical airlift support to the Army. For example, during the past 7 months air reservists on a volunteer basis have flown 350 missions and logged more than 1 million passenger miles flying military personnel, and 5¼ million ton-miles flying cargo in support of our men in Vietnam. In the first 2 months of 1966 the Air National Guard will fly 150 cargo missions to Vietnam or to southeast Asia on a volunteer basis. These flights are already scheduled to continue several months in the future.

Nevertheless, the Department of Defense has announced that some of these units will be abolished by October 1966. It is not true military preparedness to disband a unit within days after it was named the most outstanding unit in the Reserve, as was done in the case of the Memphis Troop Carrier Group. Ironically, notice to this group that it was no longer needed came on the day of the ceremonies at which they received the award as the most outstanding unit, and at which the officers and men were commended for their service during the Dominican crisis when they flew some of the first missions into Santo Domingo. There is no justification for the decision to eliminate air transport units in this time of growing need.

In this new and revised determination of our overall needs, to which I have referred, the responsibility of the Congress is clear. Our Founding Fathers meant exactly what they said—and said exactly what they meant—when they provided in the Constitution that the Congress shall have the power to provide for the common defense; to raise and support armies; to provide and maintain a navy; and to provide for organizing, arming, and disciplining the militia.

Despite the trend in recent years to treat the Congress as something less than a full partner in military and defense matters, I, for one, will never be content to abdicate my responsibility in this field to any individual, department, or agency; nor will I ever be content to sit idly by and see the responsibility and obligation of the Congress in this area turned over to the executive department by default or eroded beyond repair or recall.

The major role of the Congress in the defense field must be boldly asserted. The legislative branch should play a greater, rather than a lesser role in our Government.

The responsibility of our skilled and professional military leaders in these fields is equally clear. On questions which are essentially military in nature, their advice and recommendations should be sought and seriously weighed. Freedom of expression and even dissent during this period should be both countenanced and encouraged.

In addition, once the policy has been determined by the President, the actual carrying out of the military actions and campaigns should be controlled and conducted only by professional military men.

Congress can discharge its major responsibility in the defense field intelligently and effectively only if it has access to all of the facts and to the professional opinions and views of skilled and high-ranking military officers. There must be no arbitrary restrictions or institutional constraints which prevent our high-ranking military officers, when testifying in closed committee meetings, upon matters affecting security and survival of this country, from presenting both the facts and their views to the Congress openly, candidly and freely. Without such a free and full presentation by the knowledgeable military people the Congress will be restricted to a one-sided presentation which merely parrots the policy or positions which have been officially approved at the highest echelon.

As a constitutional officer in the legislative branch, I am not and will not be bound by restrictions placed on congressional witnesses by executive officers. In a memorandum issued last January, Defense Department witnesses were given instructions as guidance in testifying before the Congress if pressed for their personal opinions which might not support the official decision. Among other things, they were told to give "the consideration or factors which support the decision"—meaning the official decision of higher authority. To me this is ridiculous. It attempts to compel the witness to argue for a viewpoint with which he disagrees.

Although I will, of course, give military witnesses the courtesy and protection to which they are entitled, I will also insist upon direct and responsive answers when I request their personal professional opinions in executive hearings. I will protect the witness, but as a Senator, I will ignore the restriction.

Picture Adm. Arleigh Burke, former Chief of Naval Operations, or Air Force Chief of Staff McConnell, or other Chiefs, testifying before us in secret on vital matters of security. These men, at the top in their profession, would be forced to keep in mind this order of restriction; they would have someone there representing the Department of Defense, peeping over their shoulder and giving surveillance to every expression on the face of the witness, with a runner standing by waiting for a written copy of the testimony to be rushed to the Pentagon for quick scrutiny and a possible complaint or confrontation by those in superior authority. This is a ridiculous situation and is more serious on those at the lower level than on the Chiefs.

One further word regarding Vietnam. Our flag has been committed there. Our men have been committed there. Both our men and our flag have been fired upon. More than 2,000 of our men have died in battle. Many more thousands have been wounded. So, the time has passed to debate how we got in Vietnam. It is too late to argue whether we should go. We are already there. We must begin where we are. We must support our fighting men 100 percent and make doubly sure that they do not lack for even one implement or one tool of war.

This is the first time in our history that we have stopped in the middle of a fighting war to debate how we got into the war, and why, and whether it was wise.

I am fully convinced that the Asian Communists have decided to make the war in Vietnam a test of our ability, determination and resolution, and a test of our will to win. They are not convinced that we have the will to win.

They will bleed us as much as they can and as long as they can, believing that a long, bitter, and grinding ground war, with its attendant blood and sacrifice, will sap our will and our capability to the point that we will either withdraw or consent to peace on their terms.

This must not happen. We do have the will to win. We shall soon express fully a national decision that it is our purpose to win. When we do this, and make it clear to friend and foe alike, we will have taken a giant step on the road to victory.

I cannot close this without paying a special tribute to our brave men who fight and sometimes die in this war. They have done a tremendous job under very difficult circumstances. They fight for the cause of freedom with the same high morale, courage, valor, and skill which have distinguished the American soldier, sailor, airman, and Marine and Coast Guard members in all past battles and wars. They prove once again that a properly motivated American is the finest fighting man the world has ever known.

They deserve the gratitude and the unstinting support of all Americans and freedom-loving people everywhere. We must also give the gratitude of our support to our fine members of the Reserve forces and the National Guard who keep their talents and their training up. And, who, when they are called on, if they are, will use that tremendous reservoir of trained strength and readiness to fulfill their mission.

After all the guns and planes and ships are counted and are in place; after all the supplies and materials in abundance are distributed, it is the will, the courage, and the dedication of the men and the women that maintains our security and brings the needed victory.

Without them and their sterling qualities, all the weapons and supplies are just piles of worthless things. These are the men and women who give us security, defend our country, and keep our flag flying. Let us match their spirit.

I like the spirit of that soldier who lay on the field of battle in no man's land in World War I with wounds that he knew would soon be fatal; as a medic hastily knelt by his side to give aid, the soldier motioned the medic forward and bravely said: "Move further toward the front of the battle and help those who still have a chance. It is too late for me, but I thank God that He matched me against the perils of my time."

With faith in God, with faith in ourselves and in each other, with faith in our form of government, let us carry forward this same spirit, and boldly meet whatever perils that may come in our time.

With our own determined strength and that which comes from a higher power, we shall find our way.

THE TACTICS OF COMMUNIST CHINA

Mr. MUNDT. Mr. President, the faces of war are many. Besides the actual conflict involving Armed Forces, there are often tactical, psychological, and political fronts which an area commander must cover.

One of the most interesting reports on the strategy of Communist China in trying to weaken the will and the resources of the South Vietnamese people and our own Armed Forces was recently made by Gerta Pugell, a correspondent for the Mutual Broadcasting System.

In this report, Miss Pugell recounts the many efforts at counterfeiting and forgery used by the Communists to undermine the governments in southeast Asia. I believe that this commentary is of interest to the people of our country. Certainly, it should awaken a realization in the minds of many that it takes more than men and materiel of war to win. Our defenses must extend further than the perimeter of the actual battleground.

I ask unanimous consent that this informative excerpt from Miss Pugell's report be printed at this point in the RECORD.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

EXCERPT FROM A BROADCAST OVER THE MUTUAL RADIO NETWORK, JANUARY 30, 1966, BY GERDA PUGELL, U.N. CORRESPONDENT FOR THE MUTUAL BROADCASTING SYSTEM

The subversive activities of Communist China are so vast and varied that they are not only hard to fight, but even hard to explain. One fact however becomes more and more evident and that is that counterfeiting and forgery play a large part in its attempts to undermine the strength of those governments which, in Peiping's eyes, are considered reactionary. In Ceylon, the Chinese Communists have put counterfeit money into circulation to undermine Ceylon's monetary system. These fake 10 rupee notes, Ceylonese sources report, are made on the Chinese mainland and are used to line the pockets of pro-Peiping Ceylonese Communists who use them as part of their comprehensive propaganda.

And last month, the Government of South Korea exhibited, for the benefit of all U.N. delegates and U.N. correspondents, counterfeit copies of newspapers, magazines, and books which had been received through the mail by South Koreans. All these publications carried innocent covers but contained North Korean propaganda in the inside pages. In many cases, the postage stamps and cancellation marks were also counterfeit, making it appear as though the publication came from England, Germany, the United States, or other countries. We saw fake copies of the New York Times, the Herald Tribune, Newsweek, all kinds of trade journals from all over the world and even forged copies of the Bible. We learned that during the past few years, more than 20,000 South Koreans reported to their Government that they had received such counterfeit publications and there's no telling, of course, how many people didn't report it. Mr. Kim, the Director of the Korean Information Service pointed out to us that the size of the counterfeit New York Times indicates that a sheet-fed offset press is being used and that the four-color magazines had been reproduced on rotogravure presses—of the type found only in the largest and most expensive printing plants.

"It is in the light of this," Mr. Kim said, "the Government of the Republic of Korea felt that this particular type of Communist propaganda may have used South Korea only as a testing ground and that the real counterfeit work on a worldwide scale is yet to come." Meanwhile, the South Korean Government has its hands full trying to counteract this type of Communist infiltration. How? Well, mainly by assuring its people via newspapers and broadcasts not to get alarmed when they receive such propaganda—telling them that they are not earmarked or chosen by the Communists for some future task—explaining to them that their names are simply being picked from old telephone books which the North Koreans still have, a fact which has been proven, because so many publications are addressed to people long deceased. At the same time, the South Korean Postal Administration does what it can to sift the incoming mail, to see which is legitimate and which is bogus—an extremely hard task considering the amount of the daily incoming mail. Another difficulty is that South Korea's law, being a democratic one, forbids the censuring of first-class mail.

Yes, while we hear a lot about our war against communism, very little is ever said about the terrific struggle those southeast Asian countries go through in order to combat the many subversive actions of the Peiping-ruled Communists in their territory.

The arms of that octopus (or shall we say centipus) called Red China, is trying to reach every branch of their administration and while it keeps us busy in Vietnam, its agents are straining every nerve to topple other national governments.

ECONOMIC AID GUIDELINES

Mr. MONTOYA. Mr. President, the guidelines which President Johnson has set for his new foreign aid program are splendid, according to the Albuquerque, N. Mex., Tribune.

It quotes the President's foreign economic aid message as follows:

> The United States can never do more than supplement the efforts of the developing countries themselves.
>
> They must supply the capital, the know-how—and the will to progress. If they do, we can and will help. If they do not, nothing we can supply will substitute.

The President will have little trouble getting congressional approval of a new foreign aid program keyed to this proposition, the Tribune believes.

> His problem, once such guidelines are approved, is to administer the foreign aid program within them—

The editorial concludes.

The New Mexico paper is perfectly correct in its notation that foreign aid administration is a thorny one. It requires astute judgment and wisdom—and I am certain that these qualities will be applied by the President to make sure that our foreign assistance is as effective as possible.

And because this program is one of much interest to me, and I am sure to my colleagues, I ask permission to have the Tribune editorial placed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

GOOD GUIDELINES, IF—

The guidelines President Johnson has set for his new foreign economic aid program are splendid, if followed:

"Although we recognize the shortsightedness of isolation," he said, "we do not embrace the equally futile prospect of total and endless dependence.

"The United States can never do more than supplement the efforts of the developing countries themselves. They must supply the capital, the know-how—and the will to progress. If they do, we can and will help. If they do not, nothing we can supply will substitute.

"For the essence of economic development," he went on, "is work—hard, unremitting, often thankless work. Most of it must be done by the people whose futures and whose children's futures are directly at stake.

"Only these people and their leaders can invest every possible resource in improved farming techniques, in school and hospital construction, and in critical industry; make the land reforms, tax changes, and other basic adjustments necessary to transform their societies; face the population problem squarely and realistically; create the climate which will attract foreign investment and keep local money at home.

"These are just a few steps on the road to modernization. But they are absolutely necessary. Without them, outside help is wasted. Neither we nor they can afford waste, and we will not continue any partnership in which only we recognize that fact."

The President, in our belief, wil have little trouble getting congressional approval of a new foreign aid program keyed to the proposition that we will help only those who help themselves.

His problem, once such guideliness are approved, is to administer the foreign aid program within them.

STEVENSON: A 20TH-CENTURY MAN

Mr. CHURCH. Mr. President, 1965 was a year in which the world watched the passing of several great men including Churchill, Schweitzer, and Stevenson. Of these figures, Adlai Stevenson will long be remembered whether as Governor, presidential candidate, party leader, or Ambassador.

In an article written by Clayton Fritchey in the February 4, Washington Post, Stevenson is remembered as a 20th-century man:

> In fact, in his maturity he sometimes—not always to his own advantage—was close to being a 21st-century man.

Mr. President, I ask unanimous consent to have Mr. Fritchey's article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

STEVENSON: A 20TH-CENTURY MAN

(By Clayton Fritchey)

If Adlai Stevenson had lived, he would have been 66 tomorrow. He was born on February 5, 1900, and so was the same age as the century; he liked that, for it made it easy for him to remember how old he was.

Unlike some of his contemporaries and political opponents, he did not kick and scream at being brought into the 20th century. He liked it at once. His family swears the first thing he did was to let loose not with a yell, but a smile.

It is quite believable, for he was always very much the 20th-century man. In fact, in his maturity he sometimes—not always to his own advantage—was close to being a 21st-century man. He discovered the hard way that in politics it often doesn't pay to be ahead of your time.

Perhaps the most painful example of that was his pioneer effort, during the 1956 presidential campaign, to promote the then radical idea of a nuclear test ban. It cost him many votes for he was premature, but, as his successor, Arthur Goldberg, said, that was only of passing moment to him.

"Much more important," Goldberg rightly added, "was that 7 years later the United States and the world caught up with him, and the air we all breathe is now cleaner and purer. If he achieved nothing else in life, this would have been enough."

In a Stevenson memorial service, Goldberg said, "We have come here today not to mourn the sadness of his death, but to remember the joy of his life." Unfortunately, others have cultivated the impression that he died disappointed and depressed. The best clue to his outlook, however, was a Christmas card he once sent his close friends after being defeated for President. It said:

"I asked for all things, that
I might enjoy life;
I was given life, that I might
enjoy all things * * *.
I got nothing that I asked for—but everything I had hoped for
Almost despite myself, my unspoken prayers were answered.
I am, among all men, most richly blessed."
—AUTHOR UNKNOWN.

And it is true, he was richly blessed, even in temporal ways. Few remember now that, like Eisenhower, he was a late bloomer. Both could have posed for ads on "Life Begins at 40," or even later. Stevenson at 48 suddenly emerged from anonymity as Governor of Illinois; Eisenhower at 50, hitherto an unknown lieutenant colonel, just as abruptly became a general. The war shot both of them out of a cannon.

Another singular thing that few remember is that when they ran against each other in 1952 for the Presidency, neither had any national political experience, either elective or appointive. Eisenhower won, but never (except in name) became the real head of his party. Stevenson lost, but in losing he did become the true leader of his party. Perhaps that was his greatest achievement.

Generally, there is no has-been like a defeated presidential candidate. Whatever became of Goldwater, for instance? And Nixon, even after the closest election in modern history, could not get the nomination again in 1964. Dewey is a forgotten man. Willkie wilted after his defeat, as did Landon. On the Democratic side, Al Smith, John Davis, and James M. Cox also were overshadowed by defeat.

It is necessary to go back 50 years or so to William Jennings Bryan to find another defeated candidate who, like Stevenson, not only continued to lead his own party, but also influenced all sectors of American society even though out of office.

Bryan's failure as Woodrow Wilson's first Secretary of State cost him his reputation and following, but Stevenson, as Ambassador to the United Nations, enjoyed some of the most fruitful years of his life. He became everybody's Ambassador, regardless of party.

While he was at the United Nations he was asked to run for the Senate both from Illinois and New York. He was not interested, but in the last year of his life he was filled with pride when his oldest son led the entire ticket in the statewide election for the legislature. The political pros in Illinois have a quiet hunch that, with a little luck, this attractive and intelligent young man might ultimately succeed where his father didn't.

Adlai, Sr., couldn't beat an Eisenhower, but Adlai, Jr., in his first race did. He ran far ahead of Eisenhower's younger brother, Earl, who, fortunately for young Adlai, had never won a war. But that's the kind of break you need in politics.

THE PRESIDENT'S HEALTH AND EDUCATION MESSAGE

Mr. CASE. Mr. President, I am happy to have the President, as he did in his health and education message, join with those of us who for some time have been calling for greater Federal aid for modernization of hospitals and nursing homes.

As I pointed out 6 months ago, the need for hospital beds and short-term convalescent care in nursing homes has been drastically increased by enactment of the historic medicare bill.

And officials of the New Jersey Department of Institutions and Agencies tell me that, even apart from the increased demand under medicare, we could use two to three times the $5.3 million in Hill-Burton funds allotted to New Jersey in fiscal 1966. It is not difficult to imagine how great our State's need for medical facilities will be when medicare becomes fully effective.

The President's draft bill has been submitted to Congress. It provides for a 10-year program with $975 million for each of the first 2 years and unspecified amounts after that. The program includes three avenues of Federal aid.

First, it would offer to private nonprofit hospitals and nursing homes, but not to public institutions, Federal guarantees for loans covering up to 90 percent of the cost of any qualified project designated by a State. Second, if a guaranteed loan could not be obtained under reasonable conditions, the Government would make a direct loan, again for 90 percent of the project cost, but this time to either public or private nonprofit hospitals and nursing homes.

To help repay these loans and cover the interest paid on them, the Government would make grants for up to 40 percent of the cost of the project. These grants would be paid in regular installments over a 10-year period after the loan was obtained and the modernization underway.

I am particularly pleased that the President's program includes funds for modernization of nursing homes and I would hope that in the future additional funds could be provided for new construction of more nursing home facilities.

I hope this program will be given speedy consideration by Congress because help along these lines is urgently needed.

VIETNAM

Mr. RIBICOFF. Mr. President, all of us in Congress are deeply concerned about Vietnam. The situation overrides our every thought and action.

I had the opportunity to speak on the subject at the Hartford College for Women in Hartford, Conn., on February 14. Later, it was my privilege to discuss at length the content of my speech with President Johnson.

Mr. President, I ask unanimous consent that this speech, the statement I issued following my conversation with the President, and some of the editorial comment about the speech, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

VIETNAM: THE HISTORY, THE PROBLEM, AND A PROPOSAL

(By Senator ABRAHAM RIBICOFF, Democrat, of Connecticut)

I want to talk to you today about the most pressing problem facing our Nation and the world. I want to talk to you about Vietnam.

And when I speak about Vietnam I do not really speak about a single nation—or an isolated event in the history of mankind. The situation in Vietnam is much broader. It has meaning and relevance for every citizen of our country—for every nation—indeed, for every person on this planet. We cannot yet know its impact on the future—but we can be sure it will be substantial. We cannot yet know the breadth and depth of the impression Vietnam will make on the history of the world—but we can be sure it will not be a mere footnote on the pages of time.

Never have we been so conscious of the dangers inherent in clashing national wills. Never has our world seemed so small.

There are lessons to be learned from experience—and Vietnam is no exception to that rule. So the first question we must ask is simple: How did we get into Vietnam? How did the United States become involved in a war more than 10,000 miles from her shores?

The U.S. involvement in Vietnam falls into four phases. The initial phase followed World War II, when America gave its help to France.

Vietnam, along with the Kingdoms of Laos and Cambodia, then comprised what was called Indochina. French colonial rule, which dated back to the 1800's, had been briefly replaced by Japanese occupation during the war. Soon after V–J Day in August 1945, Ho Chi Minh, the creator and leader of a revolutionary movement called the Vietminh, set up the provisional Vietnam Republic in the north. Hanoi was the capital, and there the movement directed a campaign to get independence for their country from the colonial rule of France. Soon the Vietminh, which contained both Communist and nationalist elements, established a committee of the south as well. And in September 1945 the committee managed to occupy the government buildings in Saigon. Their victory was short lived. In a few days French troops, recently returned to the scene, seized the government buildings and came back to power. The tricolor flew once again.

The French now tried to extend their control from the cities to the rural areas. But the Vietminh—whom we now know as the Vietcong—dominated the countryside, just as they do today. Peasants by day and warriors by night, they assassinated village leaders, burned and destroyed houses and schools under the cover of darkness. This brutal, primitive war, carried on by the people of the land throughout the countryside, is what we call a guerrilla war. It is the pattern of war in the so-called developing nations, the war that is suited to the jungles and the swamps, the war of national liberation.

Shortly after the French returned to Vietnam, the United States began to supply their troops with surplus war equipment. Thereafter, during the running 8-year battle, the United States furnished large sums of money and great quantities of materiel to the French—around $500 million worth a year.

This country's concern with the situation was closely connected with U.S. interests in Europe. Washington was determined to bring the French firmly into the structure of the European defense community.

Clearly, it was in the interest of a realistic American foreign policy that Washington help France end the Indochina war as quickly as possible. France could then share the weighty burden of defense in Europe.

But despite U.S. assistance, the Vietminh defeated the French at Dienbienphu in May 1954, and the resulting cease-fire provided for temporary partition of the country. This division was to become permanent, with Hanoi the capital of the Communist Peoples Republic of Vietnam in the north, and Saigon the capital of the non-Communist Republic of Vietnam in the south.

A conference was called at Geneva to arrange an armistice. This was the Geneva Conference of 1954 we're now hearing so much about—and I shall refer to it again later. The agreements finally signed at Geneva have a special importance in our current drive for negotiating a settlement of the Vietnam conflict.

The Geneva Conference was attended by France, Britain, Cambodia, Laos, Communist China, the Soviet Union, and delegations representing the Communist Vietminh and the non-Communist Vietnamese. Representatives of the United States came as observers. The agreements provided for the following:

1. An end to the fighting.
2. Communist forces to be confined to the area north of the 17th parallel, and French Union forces to the south.
3. A ban on the introduction of fresh troops and arms.
4. The independence of Cambodia and Laos.
5. General elections to be held in July 1956 for the purpose of establishing a unified government of Vietnam. An international commission composed of representatives of the member states of the International Commission was to conduct the elections.
6. An International Commission of Canada, Poland and India—to see that the agreement was carried out.

Neither the South Vietnamese nor the United States signed the agreement, because they felt too many concessions had been made to the Communists. In fact, the elections were never held.

The United States did issue a statement, however, saying that it would "refrain from the threat or the use of force to disturb" the agreements, in accordance with the charter of the United Nations. The statement also said the United States would "view any renewal of the aggression in violation of the aforesaid agreements with grave concern and as seriously threatening international peace and security."

The second phase of the U.S. commitment began in 1954, soon after Ngo Dinh Diem came to power in South Vietnam. Diem had an unfortunate personality for one in a position of leadership. A member of an old, aristocratic nationalist family, he had been a prominent nationalist in the thirties. But there was no verve or excitement about him—none of the spirit that characterized the Communists, or that inspired the student, nationalist, and religious groups. It is significant that he was an aloof personality—a man who remained apart from the people and trusted very few individuals. As time went on, he depended almost exclusively on the advice of his brother and sister-in-law. The Nhus enjoyed their influence and power. They insulated Diem further from the outside world, and he became thoroughly dependent on them.

Diem's personality complicated his position. But aside from that, his government was plagued from the beginning by the Vietcong's activities throughout the countryside.

The nationalist elements in the Vietcong ranks were being replaced more and more by Communists. At first their operations were isolated incidents—vandalism and banditry, kidnaping, and murder. But these incidents were strategically placed and cleverly designed to show that the South Vietnamese Government was not capable of protecting the people or maintaining order. Diem needed help.

In a letter from President Eisenhower to Diem, dated October 1, 1954, Eisenhower pledged American aid to assist in moving several hundred thousand Vietnamese out of areas passing under de facto Vietcong rule. He also informed Diem that the American Ambassador to Vietnam would examine with him new programs for strengthening the Vietnamese nation against the forces of aggression.

This letter is now a well-known document. It has been quoted often in recent years by both the Kennedy and Johnson administrations, to justify the American presence in Vietnam. This is why I have discussed it in some detail.

The letter marks the beginning of the second phase of the American commitment in Vietnam. In its wake, the United States and the South Vietnamese also reached an agreement for training and advising Vietnamese military forces. The first military assistance group numbered 600.

By late 1958, the problem of security in the countryside was so serious that the government, whose popularity had waned for some time, was in deep trouble. Armed guerrillas—originally southerners who had gone north in 1954—were returning to the south to reinforce the ranks of the Vietcong in the villages. The assassinations of village chiefs, teachers and government officials became more widespread.

Alongside the military aspect, the political aspect of the Vietcong movement was now developing rapidly. In the villages, the Vietcong set up their own administrations which indoctrinated the population and collected taxes. By threat and examples, methods of terror brought them much success. It was estimated in 1960 that the hardcore of guerrillas numbered some 10,000 or 12,000. They continued to work the rice paddies by day and attack government outposts by night. In 1961, the Vietcong political apparatus was named the National Liberation Front. Everywhere, Diem's government troops were on the defensive.

The Communist offensive of 1960–61 was the reason for increased U.S. assistance to Vietnam. President Kennedy, after commenting on the campaign of terror being "supported and directed * * * by Hanoi," wrote to Diem in December 1961: "We shall promptly increase our assistance to your defense effort." He added: "If the Communist authorities in North Vietnam will stop their campaign to destroy the Republic of Vietnam, the measures we are taking to assist your defense efforts will no longer be necessary."

By 1962, there were some 10,000 U.S. military advisers and service forces in South Vietnam. Dissatisfaction with Diem's government was rife on every front. Reforms failed to materialize. The press was shackled. Not even fiction or poetry could be published unless it was first submitted to censorship. There were some 30,000 political prisoners crowding the jails.

As the military situation grew worse, so did the position of the Buddhists—who were discriminated against as people were moved from place to place because of the war. There was talk of a Buddhist revolt. As the government grew more frightened, the air was filled with increased social and political, as well as religious dissension. Finally, in early May at Hue, on the northern coast, a Buddhist rebellion erupted and nine worshipers were shot.

Then, all over Vietnam, government forces raided Buddhist pagodas. Student demonstrations followed in Saigon and Hue. Countless numbers were jailed. Tension, dissatisfaction and suspense hung heavy throughout the country. The time was ripe for action. Several high military officers, who had been meeting secretly since mid-1962, decided to move against Diem and his brother Nhu. Both were murdered in cold blood.

Political life in Vietnam during the next months was marked by one crisis after the other. From November 1963, to June 1965, the Government changed nine times. The one fairly consistent personality during this period of chaos was General Khanh. Like Diem, his promised reforms never materialized. The air was filled with dissension. In June 1965, Marshal Ky, the present Premier, came to power.

During this crucial period, the political situation, kept in constant turmoil by mistrust and jealousy among almost all of the generals, politicians, and religious leaders, prevented any teamwork among those responsible for the war effort.

The U.S. military commitment was stepped up in the summer of 1964 and early in 1965. The immediate cause was the attacks by the North Vietnamese on American warships in the Gulf of Tonkin and by Vietcong attacks on American installations in the south.

The United States retaliated with bombs. U.S. planes have been bombing bases, supply lines, and communications in North Vietnam for over a year now. This intensive bombing—accompanied by a sizable increase in the number of military advisers—constitutes the third phase of the U.S. commitment in Vietnam.

The present phase of the commitment began last fall. During the early months of this past summer, there were large-scale military actions in South Vietnam—multibattalion attacks and ambushes by the Vietcong reinforced with troops from the North Vietnamese Army. Large numbers of American troops were sent during the fall and winter months to reinforce the South Vietnamese.

And now there are many over 200,000 American soldiers in Vietnam. Their role has changed. They are directly involved in combat. This is the fourth phase of the military commitment in Vietnam.

I now come back to my original question. How did we get in Vietnam?

It has been stated time and again that the United States is in South Vietnam to help the South Vietnamese people stay the forces of aggression, and to preserve their right to live under the form of government they choose. The United States wants neither territory nor bases in South Vietnam. Certainly we have no intention of becoming involved in a land war in South Vietnam. This is clear from the manner in which we slipped deeper and deeper into a larger commitment than we originally intended. Long established military doctrine tells us that we should not become involved in a land war on the Asian Continent. Our finest generals have pressed this point. General MacArthur, who fought the Korean land war, insisted that the time-honored American doctrine was sound. He termed the use of U.S. ground troops on the land mass of Asia "master folly." Gen. Omar Bradley concurred: "I do not believe we should get involved in a land war in Asia if we can possibly avoid it." Gen. Matthew Ridgway made the same point in his memoirs. Yet, there is no denying that we have troops in southeast Asia and they are fighting on the ground.

I ask again—how did we get there?

A brief survey of our progressively enlarging commitment has shown that, like slow-moving quicksand, the conflict in Vietnam sucked us in—deeper and deeper—until we now find ourselves deep in a war we didn't want to fight. With each successive step of the commitment, the American public was led to believe that that step would be the last. Just a bit more support was needed for the South Vietnamese to turn the tide.

These predictions have consistently proved too optimistic—or unrealistic—or based on faulty information.

We must understand the extent of our commitment, for the citizens of a democratic nation must be fully informed. It is the people of a nation who carry out the commitment that its government makes.

I see the conflict in Vietnam as a struggle on two levels. It is a struggle in which the people of a small nation are trying to win the right to live their lives free from the forces of aggression. This level of the struggle has the most basic and crucial implications for the whole developing world. But just as important—and I think too little has been said about this level—it is a struggle to maintain a balance of power between the great nations of the world. As you will see, both levels are tightly joined.

The outcome of the Vietnamese conflict, for the other nations of southeast Asia, may mean the difference between a future in which southeast Asians live within the political systems of their choosing—and a future in which they bow to the dictates of a system encouraged, if not imposed, from beyond their boundaries.

To a great extent, the future of these nations will depend on the success or failure of a constructive U.S. foreign policy in southeast Asia. It will depend on whether or not the United States has learned the lessons of more than a decade of observation and participation in the bitter experience of South Vietnam. The lesson should be clear by now: We can shore up governments; we can even support them for some time. But if governments are not responsive to the deepest needs of the people, all our help will be wasted. If the government does not provide a way for the people to realize their desires, our aid merely postpones the day of reckoning.

We cannot assume the burdens of whole sections of the world indefinitely. Instead, we must direct our energies and resources toward helping governments become responsive to the needs of their people, and thereby gain stability through the support of the people. We have learned from Vietnam that we must do what it takes to accomplish this. And I believe that we must use all the leverage at our disposal.

In Vietnam, as we have seen, the Government has never won the loyalty of its people. There are many reasons, and the United States must share the blame.

Political reform: The people must have a voice in the future course of their nation's development, if they are to identify with their government. In South Vietnam, for example, political reform has been talked about ever since Diem came to power in 1954. Yet, we are hard put to find advances in the situation. A constitution was promulgated in 1956, but the executive was given the power to rule by decree in an emergency. South Vietnam has been governed by decree during much of the time from then to now. Diem was forced to create a national assembly because of promises he made during an early political crisis. A rubberstamp body, it's referred to in Saigon as the government's garage. The provincial government became the creature of Saigon. Elections for village chiefs and municipal councils were abolished. And just as important, the personal rule of a family excluded the Buddhists, other religious and national groups—comprising almost half of the population—from any voice in national life. Now, personal rule has been replaced by military rule. There have been some provincial elections recently; yet, the situation has changed very little. Some outstanding Vietnamese citizens are now writing a constitution. We will see if it's put into effect.

Judicial reform: The Vietnamese people suffer from the lack of an equitable system of justice. Will a people feel kindly toward their government—much less give it strong support—if their government does not provide them with a fair trial?

Economic and social reform: People living in an agrarian culture must share the bounty of the land, if they are to defend the land.

It is no secret that the main Communist attraction in Vietnam is land distribution. Forty percent of the nation's riceland was owned by one-quarter of 1 percent of the rural population in 1954. Influential politicians held a big share—especially Diem's family. Since then, the South Vietnamese have launched several agrarian reform programs—but none has ever reached port.

Land reform is expensive—for landlords must be reimbursed for the land that is redistributed. Any program of assistance to Vietnam must have land reform as its central theme. Yet, though the United States has spent billions of dollars in Vietnam, our program invested only $4 million in land reform from 1954 to 1960, nothing from 1960 to 1965, and only $1 million is allocated for this present year in which we are supposedly emphasizing social and economic programs.

Nobody can deny that reforms in every phase of the national life of Vietnam have been imperative from the beginning. The United States has made efforts to get reforms—yet, the results have been negligible at best. For we have never held the Vietnamese to their word. We have never asserted that the United States would withdraw from the scene if promises for reforms were not kept. I think it is time to change our approach to aid, and—though in Vietnam the hour grows later—I hope we have learned this lesson. It is time we make clear that when we offer assistance to a nation—whether military or economic—we are striking a bargain. We will uphold our end of the deal; but we will insist that the aid recipient uphold his end of the deal.

I am not saying that the United States is a father who always knows best. There are objective standards on which reasonable men can agree—standards to which any democratic government must adhere if it is to be worthy of the name.

Our foreign aid will bring results only if the efforts it supports are efforts aimed at making the receiving nation more responsive to the needs and the desires of the people. The lives of American boys and money are far too dear to spend for any other purpose. We can only hope we have not squandered too much already.

This Nation has neither the means nor the desire to carry the burdens of the developing nations indefinitely. Nor do we wish to police the world. But our aid programs can do much to prepare developing nations—so that they will become strong enough and stable enough to share the responsibilities of the world.

Vietnam is but an example in the pattern of crisis among emerging nations. We think most often of Vietnam as a small nation fighting for its freedom. That is only half the story—for there is a world perspective to the Vietnam problem.

History shows us that the world knows peace when there is a balance of power among the great nations—or blocs of nations—and balance between nations within blocs. The key is equilibrium in international politics.

The United States and the Soviet Union have marched too often to the brink of war. And after a long and continuing series of threats and confrontations, they have—despite their conflicting philosophies—come to deal with each other—if only at arm's length.

The Soviets, advocates of violent revolution for over 3 decades, took peaceful coexistence as their watchword during the Khrushchev era. This policy became more firmly entrenched with the experience of the frightening Cuban missile crisis of 1962. The Soviets have been close enough to nuclear war to understand its horrors. As the second greatest industrial power in the world, they have much to lose. Their greater restraint during the last few years indicates that they fully realize the stakes involved.

China, on the other hand—an aggressive nation of some 600 million people—both overpopulated and underdeveloped—is plagued by grave agricultural and industrial problems. For Mao Tse-tung, life is cheap. He readily admits that his country could lose half of her population and still fight a war. China has the use of nuclear power within reach. World apprehension that Mao may become reckless is a real one, for he upholds the use of force to communize the world.

This is the basis for the ideological dispute raging between China and Russia now. China seeks to challenge the Soviet Union's leadership of the Communist world. The words that fly within the Communist bloc are sharp. We continue to follow their conflict with great care.

It is clear that our policy in Vietnam must be planned within this context.

China does not disguise her desire to communize southeast Asia, and she is even now supplying armaments to North Vietnam.

In South Vietnam, we are face to face with China. We are thwarting her ambitions to change the balance of power in Asia. This is a delicate situation, for we must take into account not only China's reactions, but also those of Russia—her sometimes reluctant ally. We must always be aware of the relationship between those two land giants of Europe and Asia—Russia and China—for that relationship will always be meaningful to our policy in southeast Asia.

First, we must be resolute in helping our southeast Asian friends remain free to choose the form of government they want. It is here that the two levels of the struggle are joined. Neither Vietnam—nor any other developing nation—will be able to maintain its freedom and independence if the Communists succeed in tipping the delicate balance of power existing today. Conversely, this balance will not be tipped if the developing nations have the support of their people and if they are developing in the direction that responds to the people's desires. For the support of their people will allow them to become strong enough to shoulder their share of responsibility in the world. And while nations are developing, we will use our power—not to impose on anyone a new brand of colonialism, but rather to protect their rights to develop as their people see fit.

Second, we will let the world know that we are always ready to negotiate—to talk out our differences, whatever they may be. And President Kennedy gave us an example of this wisdom in the Cuban missile crisis. He backed up his firm stand against the Russians with the threat of using America's great strength. Yet, at each step of the crisis he left enough elbow room for the Soviets to back down gracefully. Tactfulness and flexibility are essential pillars of diplomacy. President Kennedy's handling of the Cuban crisis is a poignant lesson our Government must take to heart today. As President Kennedy declared: "Let us never negotiate out of fear. But let us never fear to negotiate."

President Kennedy's phrase is still appropriate, and efforts to begin negotiations have been carried far and wide by the foremost citizens of the world. President Johnson's peace offensive reaches across the continents to some 115 countries. The President has taken the conflict to the Security Council of the United Nations. The President has offered time and again to sit down "anywhere, at any time" to hold "unconditional discussions" on Vietnam. There has been no clear answer.

We have seen reports of letters from Hanoi to other governments—including France and India and Algeria—asking that those nations use their good offices to bring about peace. We have seen an abortive attempt by Premier Fanfani of Italy to bring about an exchange of views between our Government and Hanoi. U Thant, the Secretary General of the U.N., has tried to foster communication between parties—and perhaps most actively of all—Pope Paul has searched consistently for a way to bring about peace. His moving appeal to the United Nations—"No more war—never again war"—still rings in our minds and hearts.

But all these efforts have foundered. And they have done so because we have received no clear response—or because we are so concerned about the so-called credibility gap that private diplomacy has been turned into propaganda exchanges.

It is time we faced the realities in Vietnam, and cut through the fog of rhetoric and slogans that billows around the subject. It is time to stop talking about escalation and deescalation. What we must do is defuse the explosive situation in Vietnam.

I believe we must be specific. Let the world and all the parties to the Vietnam conflict know exactly what we propose.

First, I urge the President to issue a call for a preliminary conference on Vietnam. I believe he should name the date—and name the place—Geneva. And he should make it crystal clear that no subject will be barred from the agenda, and that the whole situation in Vietnam—every issue—may be discussed. This is not a proposal for an ultimatum. No conditions should be expressed or implied.

Let all who are involved in Vietnam—the parties to the Geneva accords of 1954, and the parties now involved in the fighting—attend the preliminary conference. And if there is a refusal to attend, then it should truly be apparent to the world that the United States has gone to unprecedented lengths to bring about negotiations.

Some may say that for the President to call a conference with our adversaries—naming the date and the place—is unprecedented. It is—but so are the stakes in this conflict.

Some may say that the proposal is too simple. But experience proves that the best plans are those which are the least complicated. If, as the ancient proverb holds, a "journey of a thousand miles begins with a single step"—let us take that first step.

We must begin to talk directly with the parties involved in Vietnam. We must open up the channels of communication. Perhaps nothing will materialize—at first. It took 2 years of talk to bring about an armistice in Korea. But at least the way will have been opened.

Second, I propose that with our call for a preliminary conference we make clear our willingness—once the conference is convened—to defuse the situation further. To demonstrate our willingness to abide by the original Geneva accords, we should offer a token withdrawal of 10,000 troops, matched by a similar withdrawal by the forces of North Vietnam. This too would be a further step toward peace—and another turn toward removing the fuse.

Third, I propose that the U.S. representatives to such a preliminary conference be the very best negotiators our Nation has—Arthur Goldberg and Arthur Dean. Only the most experienced, wise, and deeply thoughtful men will be able to do the task justice.

And because of the abiding importance of the discussions, the American people should be represented by their leaders in the Congress—and I can think of no better men than the majority leader, Senator MIKE MANSFIELD, of Montana, and the minority leader, the Honorable EVERETT DIRKSEN, of Illinois, who have shown such loyalty and comprehension of the problems in Vietnam. Other Senators with deep experience in foreign affairs should also be called on for counsel—for there is a vast reservoir of wisdom in the Senate too often untapped in the making of policy in foreign affairs. After all, the Senate has a constitutional responsibility to advise and consent in the making of foreign policy.

Fourth, and as an immediate step, we must use every means at hand to prevail upon the governments involved in Vietnam to arrange an exchange of prisoners through the offices of the International Committee of the Red Cross.

That committee has already been instrumental in alleviating suffering on both sides. During the monsoons of this past year, for example, the Red Cross was able to provide thousands of refugee families in flooded parts of South Vietnam with blankets, food, and clothing. The committee has arranged through the Red Cross of North Vietnam for the shipment of mail and packages to American and South Vietnamese prisoners of war.

I urge, therefore, the United States to make every effort to bring about an exchange of prisoners through the International Committee of the Red Cross and the Red Cross organizations in North and South Vietnam. If Hanoi is sincere in its desire to reduce the toll of war—here is another place to begin.

There is a fever abroad in the world. And that fever has different names in different places: "Nationalism"; "Self-determination"; "Anticolonialism"; and, yes, even communism. It is a fever characterized by violence—and wars of liberation are the most obvious signs of the disease.

Men want to make up their own minds about their destinies and control their futures. We can understand and sympathize with their wishes. But ironically, that desire for self-determination is strongest where the institutions of self-government are weakest.

And when one of the newly emerging nations is struggling—as South Vietnam is struggling—against the piratical ambitions of its neighbor, or against the subversive force of a minority of its own people, we are forced into a dilemma. For the more we try to help, the less those men believe in their own power to control events.

In one way, this new world of ours is like two children struggling in the street. Down the street comes the compassionate father, who sees his son being beaten by the town bully. He wants to help—yet he knows that if he intervenes his son will lose his self-respect. But if he doesn't step in, his son will be beaten into the dust.

And so it is in Vietnam. South Vietnam is struggling with Hanoi and with the Vietcong. We want to help—but the more we do, the less the effort is South Vietnam's and the more it is our war. Yet if we step aside, South Vietnam will disappear under the tide of aggression.

If the world is not to be swept by an epidemic, we must learn to deal with this fever. If we do not learn from the mistakes of the past, we are doomed to fail and fail and fail again.

We must bring about an end to this dilemma. And we must begin pulling the fuse out of the bomb that is Vietnam. I say we must begin to talk—for weapons are no substitute for reason.

STATEMENT BY SENATOR ABRAHAM RIBICOFF FOLLOWING CONVERSATION WITH PRESIDENT JOHNSON, FEBRUARY 14, 1966

The President called me in Hartford today and said that he had received my letter and speech, which he had read carefully, word for word. We discussed all the points that I had raised, and we had a very constructive and lengthy exchange. The President indicated that as far as he is concerned—he is willing to go to Geneva at any time. However, he feels that under the Geneva accords, agreements, and protocol, the invitation should be issued by the cochairmen of the conference. He would certainly be willing to have the United States represented at such a meeting.

The President said that he would be ready to discuss the reduction of troops at a proper conference. He would be willing to discuss an equitable and fair reduction of troops by both sides.

Concerning representation by the Vietcong, the President stated—as he has before—that should Hanoi sit down at a conference, a way could be found for Vietcong representation. But the Vietcong could not be recognized as the sole representative of South Vietnam.

As far as the exchange of prisoners is concerned, the President said that, as a humanitarian, this is something he would always be willing to consider. He agrees with me that Arthur Goldberg and Arthur Dean would be fine U.S. representatives. They are outstanding, able men. He shares my admiration for them and for Mike Mansfield and Everett Dirksen.

Our discussion of the entire situation showed me again that the President is deeply concerned to bring about a just and honorable end to the conflict in Vietnam.

[From the Bristol (Conn.) Press, Feb. 25, 1966]

A Constructive Idea

A proposal by the distinguished junior Senator from Connecticut for a no-holds-barred conference at Geneva to be called by the United States has been espoused with enthusiasm by the national newspaper, the National Observer, Senator Ribicoff's proposal is called by the Observer "the most constructive idea on the subject in months."

The editorial comment on Ribicoff's proposal suggests that President Johnson should be interested in its implementation even if he doesn't go all the way with the Senator's proposal.

"Otherwise, the Ribicoff idea deserves more consideration than President Johnson and his advisers have given it up to now, indeed, the proposal calls for such a forthright, honest, and direct gesture by Washington that all arguments against the idea fall apart," the Observer says.

What Senator Ribicoff suggests is a series of preliminary talks, with no agenda, open to any nation or faction involved in Vietnam.

It has been taken for granted, but not based on anything except diplomatic protocol as far as we can see, that the Geneva Conference of 1954 cannot be reconvened unless the cochairman of that conference, Great Britain and the Soviet Union, agree to call it.

Senator Ribicoff would bypass the cochairmen if necessary and have the United States initiate the conference.

As the Observer correctly points out, the President could hardly object to this proposal as a breach of diplomatic courtesy in the light of his unconventional actions in the recent peace offensive during which he sent his top officials to the four corners of the earth in an effort to get support for the opening of negotiations and the cessation of hostilities.

Adoption of the Ribicoff proposal would surely weaken the anti-American propaganda constantly being sent around the globe by Peiping, Moscow, and Hanoi. How could the Communists counter any program which showed the United States willing and ready to talk to anyone concerned in Vietnam at any time without any agenda?

Senator Ribicoff says that the talks should not be accompanied by any conditions or ultimatums. The Observer adds that neither should they be accompanied by any slackening of the war effort until an agreement is reached to provide for negotiations.

The Ribicoff proposals may or may not receive acceptance at the White House. But, at least, the Connecticut lawmaker cannot be said to be derelict in his duty and desire to find some sort of approach to a solution of one of the most distressing problems of our times.

[From the National Observer, Feb. 21, 1966]

Oratory, pious proclamation, interrogation—all the week's clamor about Vietnam—have buried the most constructive idea on the subject in months, Senator Ribicoff's proposal for a no-holds-barred Geneva conference called by the United States.

SENATOR RIBICOFF'S PROPOSAL

The Connecticut Democrat's idea needn't be swallowed whole by President Johnson. For one thing, Mr. Ribicoff proposes that the American delegation arrive at the conference with an offer to withdraw 10,000 troops if Hanoi would agree to yank 10,000 North Vietnamese troops from the south. The Senator sees this as token deescalation. But the removal of 10,000 American troops, even out of a total of some 200,000, could result in more than a token weakening of the U.S. ground effort. Meanwhile, it would be impossible to tell whether Hanoi were matching the U.S. reduction; it's hard enough to determine how many troops North Vietnam is sending southward.

Otherwise, the Ribicoff idea deserves more consideration than Mr. Johnson and his advisers have given it up to now. Indeed, the proposal calls for such a forthright, honest, and direct gesture by Washington that all arguments against the idea fall apart.

RUSSIA NEEDS A NUDGE

Mr. Johnson himself protests that any call for talks in Geneva must come from the two cochairmen of the 1954 conference on Vietnam. True, any settlement probably would have to be wrapped up in a full-dress conference of the 1954 signatories. But Mr. Ribicoff is proposing preliminary talks, with no agenda, and open to any nation or faction involved in Vietnam. Besides, Russia, one of the 1954 chairmen, refuses to join the other, Britain, in reconvening that conference. Preliminary talks might be just the nudge the Kremlin needs. The necessity for a formal conference is an argument for, not against, the Ribicoff idea.

If the President is objecting to unconventional diplomacy, the objection is unconvincing in light of his recent "peace offensive." A preliminary meeting in Geneva, furthermore, would have much less the appearance of a circus than the hither-and-yon scurrying of diplomats in recent weeks. Any Red propaganda questioning U.S. sincerity would have a tinny ring with a U.S. delegation on hand ready to talk face to face with any and all comers.

Barry Goldwater complains that the post-Christmas peace effort gave the United States the appearance of "groveling" before our adversaries. Mr. Goldwater and others undoubtedly would object to Mr. Ribicoff's suggestion on the same grounds. They would argue that if the Reds decline the invitation—as well they might—the United States would be left sitting in Geneva with egg on its face and no one to talk to.

WHAT ROLE FOR THE VIETCONG?

On the contrary, the Government's prestige would be enhanced, not diminished, by the candid willingness to discuss those matters the Reds say now block formal talks. The meeting certainly should take up the question of how the Vietcong would be represented at formal talks; the administration already has said, many times, that the problem is not whether the guerrillas should be represented, but how. A Communist boycott of Geneva would be hard for Peiping, Hanoi, or anyone else, to justify. The egg would be on Red faces.

Finally, there need be no appearance of groveling if the United States continues to apply military pressure in Vietnam. Mr. Ribicoff says the call for talks should not be accompanied by conditions or ultimatums. Right. Nor should it be accompanied by any slackening of the American intention to fight it out until the Reds agree to formal negotiations.

This, of course, is why the Ribicoff idea makes good sense.

[From the Hartford (Conn.) Courant, Feb. 15, 1966]

The Debate Takes Shape

Thanks to the hearings before the Senate Foreign Relations Committee, we have at last begun the debate on Vietnam that has long been lacking. Last week the doves held the spotlight. This week the hawks are to have their turn. So complex are the intertwined values in our involvement in Vietnam that there is no cheap or easy solution. But the continued frank expression of views by both sides should at least make clear which direction we should head in, to avoid the twin dangers of defeat or major war.

Another contribution to the debate, from outside the hearings, has now come from Senator Ribicoff. In an interview in Washington and again in a speech at Hartford College yesterday he proposed cutting through the tangle with an action this country could take all by itself. His aim, said Senator Ribicoff, is to "cut through the fog of slogans and rhetoric" so as to "defuse the explosive situation in Vietnam."

Because both we and the North Vietnamese have expressed willingness to return to the principles of the Geneva accords of 1954, Mr. Ribicoff would have the President issue a call for a preliminary conference on a specified date in Geneva. Once such a conference met he would have us offer a token withdrawal of 10,000 troops, to be matched by North Vietnam. Arthur Goldberg and Arthur Dean, the experienced negotiator who represented us at Panmunjom and elsewhere would represent us, together with Senate Leaders Mansfield and Dirksen and others. A fourth suggestion, likewise designed to set the stage for subsequent negotiations, would be an exchange of prisoners through the Red Cross.

"Let the world and all the parties to the Vietnam conflict know exactly what we propose," says Senator Ribicoff. This is a sound idea. If the other side does not come, "then it should truly be apparent to the world that the United States has gone to unprecedented lengths to bring about negotiations."

Such an approach would give a clarity to American policy that it still lacks, despite President Johnson's multiplex peace efforts during the bombing lull. There can be little doubt that the President genuinely wants negotiations, just as there can be little doubt that this country overwhelmingly rejects the idea of just withdrawing. But the showy effort to get negotiations going, the appeal to the United States, and the Honolulu plan for economic and social reconstruction in South Vietnam do not stand alone. When coupled with the resumption of bombing in the north, talk of again doubling American forces in Vietnam, and Premier Ky's uncontradicted refusal of any compromise the whole leaves a fuzzy and confused picture.

Mr. Johnson says plaintively that he has tried everything: "I think I have taken every single suggestion that anyone has made that seemed to offer any possibility, and carried it out." What he has not done is to develop a single, consistent, overall policy and then to explain it in terms that convince this country, and the non-Communist world, that we are right.

Perhaps the reason can be seen in a capsule description of administration policy given in Saigon the other day by Vice President Humphrey. "Can the war be won?" he asked. "I will answer unequivocally: Yes. The war to defeat the aggressor can be won." It is this simple view that Vietcong is but a matter of resisting military aggression that many in this country, and most of our allies, cannot bring themselves to accept.

The reason is that there is more to Vietnam than simple military aggression. As former Ambassador Kennan put it before Senator Fulbright's committee: "I have * * * great misgivings about any deliberate expansion of hostilities on our part directed to the achievement of something called victory—if, by the use of that term, we envisage the complete disappearance of the recalcitrance with which we are now faced, the formal submission by the adversary to our will, and the complete realization of our present stated political aims."

To think only in military terms is to miss the essential point that, no matter what military force we bring to bear on North Vietnam, we are still not going to halt the predominant social and political changes in process in Vietnam. This is why many object to our simply applying ever more military pressure, despite the risk that Red China will come in exactly as it did under similar circumstances in Korea.

Senator Stennis and General Taylor may say we should disregard this risk, and if China comes in use "every weapon at our command." That means making nuclear war on China. But that in turn means that we would be putting heavy pressure on Soviet Russia to use nuclear weapons against us. Or, at the least, we would be inviting Russia to expand in Europe while we were too heavily committed in Asia to do much about it.

For what? Again as Mr. Kennan said, "Vietnam is not a region of major industrial-military importance." Is it not wiser, before being sucked into the major land war in Asia that until the Johnson administration it was always our policy to avoid, to remember our stake in Europe, in Latin America—and indeed in Asia itself? Countries like Japan and India and the Philippines may know the political realities of Asia as well as we do.

So let the debate go on. For only when all points of view have been fully aired, and discussed back and forth, can the debate end. Only then will our present doubts and confusions disappear in a decision that is genuinely American, because it is politically realistic and morally right.

[From the New Britain (Conn.) Herald, Feb. 14, 1966]

Senator Ribicoff's Peace Plan

Senator Abraham A. Ribicoff has built his reputation as a forthright, able, creative leader in domestic policies ranging from environmental pollution to urban transportation problems, from medical care needs to human rights concerns.

Over the weekend, he made what must be considered a rare foray into the realm of foreign policy. But in that venture, he managed to show the same kind of sènsible realism that has characterized his work over the years. He has proposed, in a letter to President Johnson, that the President ask the 1954 Geneva Conference members to reconvene in that city, along with the present war participants, to discuss the Vietnam situation. He repeated and enlarged on the idea in a major talk at Hartford College for Women today.

Further, Mr. Ribicoff has suggested a formula which could well spell the beginning of the end of the fighting in Vietnam. His suggestion: That there be a simultaneous token withdrawal of 10,000 men each by the United States and North Vietnam—said withdrawal to be carefully supervised. Also, he would like to see a prisoner exchange negotiated.

Now, nothing may ever come of Ribicoff's idea, but that is not to say that in an era when many in Government have been reduced to name-calling and/or generalization about Vietnam, we ought not to be afraid to recognize and praise a solid, substantive proposal.

The Ribicoff scheme is all of that. It has the basic appeal of action without obligation. It has the substance of a well-thought-out, calculated proposal which could have immense appeal throughout the world, yet would not jeopardize our own gains in the war with the Vietcong.

We eagerly await President Johnson's response to Mr. Ribicoff. The President, in his quest for peace, has vowed to leave no stone unturned. Here is an opportunity, particularly effective for its timing, which could well be initiated by our Government.

[From the Hartford (Conn.) Times, Feb. 16, 1966]

Road to Confidence

The democratic spirit of debate and enlightenment over crucial decisions on American foreign policy again is abroad in the land. It is a good development, led off by hearings before the Senate Foreign Relations Committee on issues affecting the United States presence in Vietnam.

The very resumption of the process of public consultation and participation is reassuring.

For we have faith in that process; it is our political heritage and really, we can muster no lasting confidence in any determinations made without it.

The Nation can go a certain distance in support of the Presidential initiative; it will to a point follow the counsel of those with posts of responsibility in whom it has trust.

Then the country wants the chance to have its own say and form its own opinions.

We have reached that latter stage, and it is a healthy thing that there is a growing insistence that the books be opened on our accomplishments and our aims in southeast Asia particularly and on our relationships with the Communist world in general.

Within the past few days the Hartford region has been fortunate to have had the debate and the consultation brought into local focus.

Senator Ribicoff opened with his initiative on Vietnam, outlined at Hartford College for Women. His, like others, was a voice not of dissent but of constructive proposal.

His suggestions of a unilateral American call to a Geneva Conference, of token withdrawal of troops if North Vietnam would match it, of an exchange of prisoners and of the formation of a peace team received prompt Presidential notice.

The measures proposed are worthy; of equal note is the fact that Senator Ribicoff is joining in the growing public voice and expression of the public will on the issues of peace and war.

Notable too was the appearence here at the University of Hartford of Norman Thomas, the grand old man of socialist idealism, who had a viewpoint to describe.

It was his claim that although the United States has strongly bid for peace it has not made its policy convincingly dependent on peace.

We have not gone as far as we should, in his opinion, to clinch the case for negotiations with Hanoi—and one inclines to lose Mr. Thomas there, where a rather vague appeal to reason is developed, assuming that Hanoi, of a certainty, will listen.

But Mr. Thomas reaches ahead with an interesting assumption that might influence our thinking. We cannot win in Vietnam on the current course, he asserts; in fact, between democracy and communism there will be no long-run winner.

Instead, he thinks, as was the experience after Europe's bitter and inconclusive religious wars, an accommodation will be reached.

Such views shape his approach to a Vietnam settlement.

What has occurred here, with Senator Ribicoff and Mr. Thomas as advocates, is taking place now not only in Washington but across the land.

A public examination of the course of the Nation is underway. It has reached a level beyond the surge of demonstration or of instinctive and automatic reaction.

We are putting the public intelligence to work, encouraging responsible thoughtfulness rather than blind acquiescence or prejudice.

It is good, for that is the very essence of our strength and being.

[From the Middletown (Conn.) Press, Feb. 15, 1966]

Senator Ribicoff's Proposal

Since being elected as the junior Senator from Connecticut, Abraham Ribicoff has shown increasingly how correct the voters were in their choice. His current position on Vietnam is a contribution to that debate, and the views he has now expressed took courage to state. The question is not so much whether he is right or wrong, although this is a matter of grave pertinency, but rather whether his constituents will benefit from the dialog which he has opened up. We would hope this is the case; we think it will be the case.

Senator Ribicoff made a number of points but one of the most salient was his view that any negotiations have to include the Vietcong. This is a precondition to peace, and it always will be one. The reluctance by President Johnson to negotiate with the Vietcong, despite an offer of "unconditional" discussions, has not prolonged the war by itself, but it has added to the thicket of qualifications.

Although there is considerable evidence that the Vietcong, North Vietnam, and Red China do not now wish to negotiate, the Ribicoff proposal to invite all involved to a conference at Geneva holds considerable merit. However difficult it is to prosecute both peace and war at the same time, as the rhetorical perambulations of the President have established in the last week, the position of the United States should be kept in focus. Our dedication to peace is not and should not be a bow to world opinion, it must be a constantly clear desire.

There is reason to doubt the real position of the United States—as the world sees us. In an effort to soothe Congress, the President has again contributed to the confusion by noting that "I gather from what General Gavin said in summary there is not a great deal of difference between what he and Kennan are saying and what the Government is doing."

Now, of course, there is considerable difference between the Kennan testimony and the Johnson action—a difference of almost 200,000 troops, perhaps, certainly a difference in strategy. Ambassador Kennan urged that we dig in and wait for a political solution to emerge. General Gavin although apparently modifying his enclave position slightly, was advocating a similar, if slightly different, policy. Many administration officials feel that either strategy would allow the Vietcong undisturbed political control of the country. There the argument now rests.

The President adheres to his view that no one has put forth a better suggestion on how to fight the war in Vietnam; an increasing number of Congressmen are asking what point there is in arriving at a stalemate at a higher level of engagement. It may be said that each retort begs the question; the question must still be asked.

Senator RIBICOFF has not been so much involved in the strategy of war as the tactics of peace. His suggestion cannot of itself end the war, but the spirit of his view tends to advance the possibilities of peaceful solutions. He has presented a fresh initiative and this is just as helpful, perhaps more so, than the declarations of Honolulu. If neither one can guarantee the objective of the United States, which is to prevent the seizure of South Vietnam by force, the country should not go further down the road to war without the kind of real debate we have at last come to.

[From the Manchester (Conn.) Herald, Feb. 14, 1966]

RIBICOFF TAKES HIS STAND

The entry of Senator RIBICOFF into the Vietnam debate is the more impressive because it has been so long delayed. For a long time Connecticut people have been wondering if they were ever to be represented in the great national discussion of the most controversial foreign policy commitment of our national history. Senator RIBICOFF himself explains his own silence hitherto by saying that he has had a general instinct to support the policies of the President, and that his own previous service in the Cabinet led him to appreciate the burdens the Presidency must carry in such a world crisis.

Now that he has felt it his own duty to formulate a position and make recommendations, Senator RIBICOFF can be given credit for taking a stand which does not equivocate in the least in the matter of direction.

Recognizing full well the twin stakes being contested in Vietnam—the one the right of the South Vietnamese people to have something to say about their own political destiny—the other the maintenance of that practical power politics style balance of power which the world is still trying to substitute for law—Senator RIBICOFF nevertheless formulates recommendations which would aim at defusing the situation rather than allow it to continue automatically into its quicksand of progressive and unlimited involvement for everybody.

We are not very sure—perhaps even the Senator himself is not very sure—that the specific recommendations he makes have a chance of being adopted by the White House, or of meeting with favorable response elsewhere if the White House should adopt them.

But Senator RIBICOFF judged, rightly we think, that it was important to offer something in specific terms rather than merely to reiterate generalities which have, so far, not lacked for distinguished endorsements.

The Ribicoff proposals, to be debated in the light of their propriety and feasibility, along with their prospective chances of success, are four in number. He would deal with the problem of how to get the old Geneva Conference going again by having the President himself issue a call to a preliminary conference on Vietnam, the call to name Geneva as the site, and the invitation to go to all the nations which did attend the 1954 Geneva Conference, together with any representatives of groups now fighting in the war.

Once such a preliminary conference—which would obviously itself have to decide whether it ever would become a formal reconvocation of the original Geneva Conference—had met, Senator RIBICOFF would have the United States offer to make a token withdrawal of troops from Vietnam, to be matched by a similar withdrawal of North Vietnamese forces.

Senator RIBICOFF's third point calls for the selection of Arthur Goldberg, the present Ambassador to the United Nations, and Arthur Dean, disarmament negotiator who has now served several administrations, as our delegates to such a preliminary conference, to be accompanied by the two party leaders in the Senate—Senators MANSFIELD and DIRKSEN.

Fourth, as a minor immediate move toward that defusing effort he considers so vitally necessary before the situation gets even more out of hand than it is, Senator RIBICOFF suggests a new effort to use Red Cross international mediaries to arrange exchange of prisoners in Vietnam.

These specific recommendations are open to discussion and debate, and one hopes they get them.

Meanwhile, the main stance taken by Senator RIBICOFF, after his long examination of the issues and his own inner guidances, can also be taken, we think, as something pretty close to the way the American people themselves are feeling these days, which would explain what seems to be the unusual response the Ribicoff proposals have already begun to receive.

The Senator put his main thought well enough in the closing portion of his speech on Vietnam, as follows:

"There is a fever abroad in the world. And that fever has different names in different places: 'Nationalism'; 'Self-determination'; 'Anticolonialism'; and yes, even communism. It is a fever characterized by violence—and 'wars of liberation' are the most obvious signs of the disease.

"Men want to make up their own minds about their destinies and control their futures. We can understand and sympathize with their wishes. But ironically, that desire for self-determination is strongest where the institutions of self-government are weakest.

"And when one of the newly emerging nations is struggling—as South Vietnam is struggling—against the piratical ambitions of its neighbor, or against the subversive force of a minority of its own people, we are forced into a dilemma. For the more we try to help, the less those men believe in their own power to control events.

"In one way, this new world of ours is like two children struggling in the street. Down the street comes the compassionate father, who sees his son being beaten by the town bully. He wants to help—yet he knows that if he intervenes his son will lose his self-respect. But if he doesn't step in, his son will be beaten into the dust.

"And so it is in Vietnam, South Vietnam is struggling with Hanoi and with the Vietcong. We want to help—but the more we do, the less the effort is South Vietnam's and the more it is our war. Yet if we step aside, South Vietnam will disappear under the tide of aggression.

"If the world is not to be swept away by an epidemic, we must learn to deal with this fever. If we do not learn from the mistakes of the past, we are doomed to fail and fail and fail again.

"We must bring about an end to this dilemma. And we must begin pulling the fuse out of the bomb that is Vietnam. I say we must begin to talk—for weapons are no substitute for reason."

The forces of restraint and reason have, this weekend, gained an important recruit.

[From the New Haven (Conn.) Register, Feb. 15, 1966]

SENATOR RIBICOFF OFFERS HIS PEACE TALK PLANS

ABRAHAM RIBICOFF, our junior Senator from Connecticut, has proposed that President Johnson invite the original participants, plus some others, to the 1954 Geneva Conference to convene again to seek a settlement of the war in Vietnam. The Vietcong, RIBICOFF said, should not be barred from the discussions.

As evidence of good faith, the Senator suggested that both the United States and North Vietnam agree to withdraw 10,000 troops from South Vietnam. Since Hanoi claims it has none of its troops in South Vietnam, it would be placed in an embarrassing position to meet these terms. Despite the denials the United States knows differently—from battlefield contact. The Ribicoff proposal is that no preconditions be set for the conference, that it be wide open.

President Johnson, in a telephone conversation Monday with Senator RIBICOFF, gave partial endorsement to the plan. The President said he was willing to go to Geneva but only if Great Britain and the Soviet Union called such a conference. These nations were cochairmen of the 1954 convention.

If the Communists boycotted such a meeting it would be proof to the world, RIBICOFF believes, that the United States went to an extreme for peace but its appeals were not heard by its military and political enemies.

Almost immediate disagreement with the Ribicoff plan came from some other Senators. JACOB JAVITS, Republican, of New York, said peace efforts cannot be unilateral. He also saw no hope for peace until our military position is better established in South Vietnam, at least with some heavily defended enclaves in key coastal areas.

Others believe that if the Ribicoff proposal is adopted by the administration and we go to Geneva, we would be left abandoned like a bride at the altar.

RIBICOFF at least has made an overture in the hope of ending the fighting and the bombing. His proposal is another suggestion in the right direction. His recommendation that we recognize the Vietcong, at least for purposes of deliberation, is another indication of a change among some in Washington toward dealing with the Communist National Liberation Front.

As we pursue the war, we must also pursue peace. This course goes hand in hand. Until the hand for peace gets stronger the war will go on.

[From the Stamford (Conn.) Advocate, Feb. 17, 1966]

RIBICOFF'S FOUR POINTS

Senator ABRAHAM RIBICOFF has advanced a four-point program designed to bring the Communists to the negotiating table at Geneva. He proposes that the Vietcong be admitted to the bargaining table; the matched withdrawal of 10,000 troops each by the North Vietnamese and by us; the conduct of negotiations without an agenda; and that prisoners be exchanged.

The Ribicoff proposals received a quick reaction from the White House. President Johnson, who has been trying in every way short of total surrender to the Communists to get negotiations, called the Senator and exchanged views with him for 40 minutes by telephone. The President told the Senator that he would go to Geneva at anytime but that he felt the invitation should be issued by the cochairmen of the conference, Russia and Britain. The President told Senator RIBICOFF that once such a call was issued the United States would certainly attend.

The President said that if the Hanoi Communists would agree to sit down at the conference table a way would be found to have the Vietcong subversives seated, but he refused to recognize the Vietcong, as the sole representatives of the South Vietnamese people.

The President said that as a humanitarian he favored the prisoner exchange at any time. As to the Senator's suggestion that our negotiating team be made up of Ambassador Goldberg, Arthur Dean, and Senators

MANSFIELD and DIRKSEN the President said that he admired these men greatly.

Senator RIBICOFF was convinced that the President is indeed devoted to ending this war which we never wanted to fight. The quick response to the Senator's proposals by the President should not be ignored by those in charge of protocol in Geneva. The invitation to negotiation should be made to all sides. The onus of continuing the war will then be on the side that does not answer. Under any circumstances, our Senator has made an interesting proposal. He joins distinguished company in making an effort to find some way to end this conflict with honor.

[From the West Hartford (Conn.) News, Feb. 17, 1966]

TIMELY SENATOR

The enterprising little Hartford College for women was the setting, and a pretty passel of eager-eyed girls was the backdrop on Monday for what could be a big paragraph in world history, and under any circumstances at least a small footnote.

The girls had invited Senator ABRAHAM A. RIBICOFF to speak to them while he was in Hartford. As occasionally happens among political leaders, the time had come when the Senator had something especially timely, and especially significant, to say. So it was at Hartford College that he made his most important foreign policy speech in which he called for reconvening of the Geneva Conference of 1954. Beyond that suggestion the Senator traced the course of America's enlarging commitment: "Like slow moving quicksand, the conflict in Vietnam sucked us in—deeper and deeper—until we now find ourselves deep in a war we didn't want to fight." And he concluded: "We must be resolute in helping our southeast Asian friends remain free to choose the form of government they want."

Between these two poles the Senator had a good deal to say that the President would just as soon wasn't said right now with quite the authority that a Senator has. But the President, who called the Senator from Washington and talked 45 minutes about the Ribicoff proposal for a preliminary conference on Vietnam and token withdrawals of troops (plus a Red Cross exchange of prisoners), knows that the Connecticut Senator has his ear about as close to the public heart as anybody around.

He touches a sensitive nerve when he raises the pointed question whether indeed South Vietnam's record of political, judicial, economic, and social reform justifies our hope. The hope is, of course, that given a free choice, the people would identify their military government as the image of democracy for which America risks its prestige in an Asian land war.

It is fair to ask, what social progress could be expected in a nation torn for 20 years by revolution and war? And before that mostly fiefdoms and religious hierarchies. But such realizations are not new. They are the same ones upon which "old China hands" both diplomatic and military have founded their belief that the United States was not going to make its point with a land war. Yet, as Senator RIBICOFF pointed out, the desire for self-determination is "strongest where the institutions of self-government are weakest."

His solution to the dilemma is a deliberate, immediate policy of open negotiation in which we attempt to bring the weight of the Russian people to bear for peace, rather than brinkmanship. In this week's proposal, and its rationale, the Senator ranges himself on the reflective side of the Vietnam argument. He would substitute new creative thinking for old shibboleths. For this he should find a grateful nation.

[From the New Britain (Conn.) Herald, Feb. 17, 1966]

IDEA AT AN IMPASSE

That Senator RIBICOFF's proposal for a conference at Geneva on the Vietnamese situation met with agreement, in principle, from President Johnson is a healthy development.

It is encouraging to note that the President's only immediate objection to the Senator's plan is the stipulation that the cochairmen of the 1954 Geneva Conference, Britain and the U.S.S.R., issue invitations to the talks. This is only a matter of protocol. A far more serious point could have been raised if the President had objected to the proposed representation of the Vietcong at the talks.

However, the President's conversation with Senator RIBICOFF on Sunday gives a pointed reminder that he is indeed ready to talk peace as a means toward ending the conflict. RIBICOFF's stipulation that no subjects be barred from discussion at the conference would insure that the talks were not an empty gesture, and his proposals that both sides implement a token withdrawal of troops and exchange of prisoners would help to smooth the way for such a discussion.

The road to the conference table is difficult, especially in view of the fact that proceedings would have to be initiated by both England and the U.S.S.R. A conference at Geneva is a possibility, however slim, and we can only hope that the chances for such a talk will increase with the passage of time.

[From the Willimantic (Conn.) Chronicle, Feb. 16, 1966]

CHRONICLE COMMENTARY: THE RIBICOFF PEACE PLAN

The speech Senator ABRAHAM RIBICOFF delivered before the student body of the Hartford College for Women Monday in which he proposed a four-point plan to defuse the explosive situation in Vietnam is the result of a great deal of study and thought on the Senator's part. It is understandable that the Senator should have waited until now to make an appraisal of the southeast Asian situation. As a former Cabinet officer in the Kennedy administration his remarks could have easily been misinterpreted.

While there is serious question about the propriety of the United States issuing a call for a conference to be held on Vietnam at Geneva, the basic thought put forward by the Senator is a valid one. If there is the need to pinpoint a cause for the crisis in Vietnam it most certainly can be traced to the Geneva accords and the failure to effectively implement and police them. Without question, there is something to be said for the White House suggestion that either Britain or the Soviet Union as cochairmen should initiate the call for the meeting. The response to such a call would again indicate clearly who is interested in a just peace in Vietnam and who is not.

The Ribicoff proposal to make a token removal of 10,000 troops once the conference is convened is the one that could be the toe stumper. This evidence of good faith is fine, but meaningless without corresponding action by the North Vietnamese forces.

The Senator acted wisely in suggesting that the majority and minority leaders of the U.S. Senate be included among the negotiators sent to the Conference. The Senate is, of course, the place from which the phrase "advise and consent" originates and it seems appropriate that they have a full and complete comprehension of a matter as important as possible settlement of the Vietnam war.

No one, we are sure, could think of faulting the Connecticut Senator for suggesting that the International Red Cross be employed to arrange for the exchange of prisoners. This is a humanitarian and sensible approach.

Taken as a whole, the Ribicoff peace plan was one which deserved the serious attention of the national administration and such attention was evidenced by the President's telephone conversation with the Senator while he was in Hartford. It truly was one of the most responsible reports on the Vietnam situation to be brought to public notice in recent days. The Senator is to be commended for his well done homework.

[From the Danbury (Conn.) News-Times, Feb. 15, 1966]

SENATOR RIBICOFF'S FOUR-POINT PLAN

Senator ABRAHAM RIBICOFF, former Governor of Connecticut and former Secretary of the Health, Education, and Welfare Department, has made a number of contributions in the field of domestic affairs since entering the Senate.

He has now made a significant contribution in the field of foreign relations.

He has proposed a four-point plan to, in his words, "defuse" the explosive situation in Vietnam. Highlights of these proposals are:

1. That the President issue a call for a preliminary conference on Vietnam, to take place at Geneva, at a date selected by the President, with all concerned with the Geneva accords of 1954 invited and with no subject barred.
2. That the United States offer, once the conference is convened, to make a token withdrawal of 10,000 troops, with a similar withdrawal to be made by the North Vietnamese.
3. That Senators MANSFIELD and DIRKSEN be named to attend the preliminary conference along with two of America's "very best negotiators," Arthur Goldberg and Arthur Dean.
4. That every means be used, as an immediate step, to arrange an exchange of prisoners through the Red Cross.

Senator RIBICOFF revealed his four-point proposal Sunday and elaborated upon it in a talk Monday at the Hartford College for Women.

"In South Vietnam," he pointed out, "we are face to face with China. We are thwarting her ambitions to change the balance of power in Asia. This is a delicate situation, for we must take into account not only China's reactions, but also those of Russia—her sometimes reluctant ally."

Asserting that we must continue resolute in helping the people of South Vietnam remain free to choose the government they want, Senator RIBICOFF reviewed the difficulties the United States has experienced in efforts, so far unsuccessful, to get North Vietnam to the negotiating table.

His call for an unconditional preliminary conference to "defuse" the situation again demonstrates the willingness of the United States to seek peace.

The imaginative steps he offers, if accepted all around, could well pave the way for a final and conclusive peace conference, restoring some semblance of peace to a disordered world.

[From the New London (Conn.) Day, Feb. 15, 1966]

OUR FUTURE IN VIETNAM

Clearly, the debate over our role in Vietnam is beginning to get down to cases. And that's a good sign. It is, in fact, the only encouraging factor in the assessment of where we stand and what might lie ahead.

Although President Johnson takes a dim view of Senate Foreign Relations Committee hearings, they are producing some positive ideas. One may question but cannot ignore the counsels of such men as retired Lt. Gen. James Gavin and of George Kennan, former head of the State Department's Policy Planning Board. Nor can one disregard the proposal of Senator Abraham Ribicoff, who calls for a Geneva Conference which would be based on withdrawal of 10,000 U.S. troops if Hanoi agrees to do likewise. Barry Goldwater states the traditional theory of warfare, to hit the enemy again and again, with air power, until he capitulates; here again this argument cannot be jettisoned, because, like it or not, we are at war to defend the long-accepted ideal of self-determination.

The weakness of the Kennan-Gavin point of view (dig in, hold our ground until Hanoi, recognizing it cannot win, agrees to negotiate) is that South Vietnam is a checkerboard, an area here held by us and an area of few miles distant controlled by the Vietcong. To effect a stalemate would not guarantee that the Vietcong would be driven to its knees; rather it likely would result in an intolerable standoff as in Korea, precipitating many long years of unrest and trouble for the South Vienamese, and little prospect of political stability.

The important thing is that the debate is becoming far more responsible, intelligent and clear. The vocal element which demanded immediate retreat has been all but silenced. The Foreign Relations Committee has more witnesses to hear and how Chairman Fulbright (an opponent of current U.S. policy) handles this testimony can have a profound effect on the course of debate and on future decisions.

ALASKA CONSERVATION SOCIETY URGES RESTORATION OF SNETTISHAM DAM PROJECT

Mr. GRUENING. Mr. President, I spoke at some length on the Senate floor regarding the proposed 1967 budget cutbacks in public works projects and specifically, of the Snettisham Dam which was programed for construction beginning this spring. These funds were eliminated in the President's budget and simply must be restored. Cutting it out is not an economy. Quite the contrary. The dam will be a great revenue producer.

It is interesting to note that this project was approved by many different groups which are in accord that the dam will perform a worthwhile function by supplying needed power in the vicinity of Juneau, Alaska, and will be even more needed than when first authorized because of the subsequent vast timber sale on the Tongass National Forest, and the prospective pulp and paper industries resulting therefrom. They will bring in increased tax revenues to the Nation and State and employ hundreds of taxpaying workers.

As an example of this accord, I ask unanimous consent to have printed in the Record a resolution passed by the Alaska Conservation Society recommending that the dam be constructed.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Resolution by the Alaska Conservation Society's Board of Directors

Resolved, That the Alaska Conservation Society supports the efforts of our State government officials and members of the Alaska congressional delegation to have Federal funds made available for the early construction of the Snettisham hydroelectric power project near Juneau, Alaska. Inasmuch as the need for this additional power has been clearly demonstrated, and the preliminary research indicates that damage to fish and wildlife resources will be negligible, the society feels this project is worthy of approval by all citizens of the State of Alaska.

Attest:

Celia M. Hunter,
Executive Secretary.

WHEAT EXPORT CERTIFICATE HELD CONSTITUTIONAL

Mr. McGOVERN. I ask unanimous consent, Mr. President, to have printed in the Record an article from the current, March 1, issue of the Southwestern Miller which reports that Federal District Judge Charles L. Powell has ruled in Spokane, Wash., that wheat export certificates authorized in the voluntary wheat certificate act in 1964, are constitutional.

The case contesting the legality of the wheat certificates was brought February 3, 1965, by the wheat export tax committee of the Washington State Farm Bureau. The ruling was handed down February 28, 1966.

Since wheat export certificates are authorized in the present farm law, although managed on a variable basis at the present time, this ruling has great significance in relation to the present wheat program. I need not say that I am gratified by the ruling and am sure that other Members of this body, interested in the economic welfare of our wheat and other agricultural producers, will be equally pleased.

There being no objection, the article was ordered to be printed in the Record, as follows:

Wheat Export Certificate Constitutional

Spokane, Wash., February 28.—In a decision announced last week, a U.S. Federal district court judge in Spokane ruled that the section of the wheat certificate program requiring the collection of the export certificate levy does not violate the Constitution. Previously, a three-judge Federal panel had denied a motion to grant an injunction to prohibit the enforcement of the export marketing certificate regulations on wheat.

Following announcement of the decision by Federal Judge Charles L. Powell, a group of Washington wheat farmers who had filed suit in Spokane district court last spring to test the constitutionality of the export marketing certificate indicated they are giving serious consideration to an appeal. The group, comprising the wheat export tax committee of the Washington State Farm Bureau, expressed keen disappointment with the judge's ruling. They have launched an immediate study of the feasibility of appealing the decision to a higher court. A decision may be reached by the committee at a meeting to be held March 12 in Yakima.

The suit, sponsored by the wheat export tax committee, was originally filed February 3, 1965, against Secretary of Agriculture Freeman. It was amended in the spring of 1965 to include the Commodity Credit Corporation. It contended that the export certificate collection of 25 cents a bushel in effect during the 1964–65 crop year and imposed by the Agricultural Act of 1964 was in direct violation of article I, section 9, clause 5, of the Constitution of the United States, which states, "No tax or duty shall be laid on articles exported from any State."

CONCERNED 2,872-BUSHEL EXPORT SALE

Named as plaintiff in the suit was Shirl Moon, dryland wheat farmer from the Horse Heaven area of Benton County, Wash., who did not participate in the 1964 wheat certificate program and thus received no certificate payments. The action concerned his sale of 1,872 bushels of wheat to a buyer in Rotterdam, The Netherlands, in January 1965. The plaintiff, in his original complaint, asked for a judgment for refund of $168.52 against the Secretary of Agriculture and an injunction against his further encroachment for a payment for export marketing certificates. The three-judge panel denied the injunction. The case was then referred to Judge Powell of Spokane to determine whether the wheat export marketing certificates constitute a tax or duty in contravention of the Constitution.

The refund of $168.52 sought by Mr. Moon in the suit represented the difference between his export certificate payment of $411.93 and a refund of $243.41 as an export subsidy payment.

WHETHER REVENUE OR REGULATORY

"The question for determination is whether the act is a revenue measure within the prescription of the Constitution or whether it is regulatory and thus permitted," Judge Powell said in his decision. "Under the commerce clause of the Constitution, article I, section 8, the Congress has the power to regulate commerce with the foreign nations and among the several states. That regulation may be effectuated by price control. Such regulation has been held to be within the legislative power of Congress."

Judge Powell also pointed out that the regulation of agriculture is recognized to be within the power of Congress under the commerce clause, and he said that "it includes the power to regulate prices of commodities in commerce and the practices which affect such price." He also noted that "the production and marketing of wheat has been the subject of repeated legislation."

DEPENDS ON OBJECTS OF STATUTE

Judge Powell's decision included the following:

"The test to determine whether a statute imposes a tax or whether it is regulatory is determined by consideration of the purposes and objects of the statute as a whole. If the revenue for the general support of Government is the primary purpose and regulation incidental, the imposition of a tax is controlled by the taxing provisions of the Federal Constitution. If regulation is the primary purpose of the statute then the statute is not controlled by the taxing power but by the power of Congress to regulate the particular commodity or subject matter of the statute.

NO MOTIVE EXCEPT REGULATION

"The purpose of the wheat marketing certificate program is not to raise revenue for meeting the general expenses or obligations of the government. There appears to be nothing in the context of the act or in the legislative history of the act to lead one to believe that Congress was prompted by any motive other than to regulate the price and production of wheat. The act provides:

"'In order to expand international trade in wheat and wheat flour and promote equitable and stable prices therefor the Commodity Credit Corporation shall, upon the exportation from the United States of any wheat or wheat flour, make a refund to the exporter or allow him a credit against the amount payable by him for marketing certificates, in such amount as the Secretary determines will make U.S. wheat and wheat flour generally competitive in the world market, avoid disruption of world market prices and fulfill the international obligations of the United States.'

"The legislative history of the act as set forth in appendix C to defendant's supplemental brief leaves little question but that the act was intended as a regulatory measure. The purpose is stated as follows:

"'Since the purpose of requiring certificates on wheat and wheat products exported is not to obtain revenue, but solely to regulate the price at which such products are exported and eliminate the possibility of windfall profits.'

TO FULFILL WORLD OBLIGATIONS

"In *Board of Trustees of the University of Illinois* v. *United States*, it is held that the United States of America may regulate or prohibit certain imports. The power to regulate commerce by prohibiting either importation or exportation of a commodity would include the lesser power of permitting exports only by compliance with certain regulatory controls. Such is the provision here in question. The use of export marketing certificates in conjunction with the refund provisions of the act or credits as provided by the act enables the exporter to meet world competition and also prevents him from selling below the world market and thus permits the United States to fulfill its obligations under the International Wheat Agreement.

"It is my opinion that the act is regulatory and not a revenue measure and that it is constitutional. The plaintiff's motion for summary judgment will be denied and the defendant's motion for summary judgment granted."

IMPACT ON OTHER COMMODITIES

Leon Willard, of Prosser, Wash., chairman of the wheat export tax committee, said he foresees the possibility of the court's decision reaching beyond wheat exports into the marketing of other commodities abroad. "The impact of this opinion could affect many other export markets and industries," he said. "What is there to prevent the control of all exported goods by similar regulatory measures?"

Max Benitz, president of the Washington State Farm Bureau and an ex officio member of the committee, commented that "at a time when great emphasis is being placed on the expansion of world trade, the control of export prices through such devices could make a shambles of our Constitution." He contended that "the issue of whether or not a regulatory device such as the export certificate is unconstitutional has not been met squarely by the court."

In addition to Mr. Willard and Mr. Benitz, members of the wheat export tax committee are Roy Eslick, of Dayton; Joe Fulton, of Fairfield; Richard Klicker, of Walla Walla; Richard McWhorter, of Prosser; Richard Perkins, of Palouse; and Oliver Dilling, of Connell.

EDUCATIONAL BENEFITS OUR VETERANS DESERVE

Mr. CHURCH. Mr. President, yesterday the President signed into law the Veterans' Readjustment Benefits Act of 1966, which was recently passed unanimously by both Houses of Congress. I was very pleased to support this measure in the Senate.

The men and women who have served our country deserve the educational experiences which may have otherwise been lost to them because of military service.

The February 28 newsletter of the National Education Association summarizes this act very well. I ask unanimous consent to have the summary printed in the Record.

There being no objection, the summary was ordered to be printed in the Record, as follows:

Permanent GI Education Bill Sent to President Johnson

President Johnson is expected momentarily to sign a permanent GI benefits measure with an estimated eventual price tag of $500 million a year. The measure, which will take effect no later than June 1 of this year, accents education and homebuying aid for all military personnel with more than 6 months of active duty since January 31, 1955, the date benefits ceased under the Korean GI Readjustment Act.

Passed last year by the Senate and February 7 of this year by the House in different forms, the compromise bill advanced through the Senate on February 10 by a vote of 99 to 0 and was whisked to the President without a dissent after a voice vote in the House later the same day.

The Johnson administration had recommended that benefits be limited to men who serve in combat situations, instead of covering all personnel regardless of where they served their military time. The estimated cost of the administration bill was $150 million a year. The cost of the program as passed is expected to level off at around $500 million annually after 5 years. Its first-year cost is estimated at $335 million.

VETERANS' READJUSTMENT BENEFITS ACT OF 1966

As sent to President Johnson, the measure contained the following major provisions:

Authorized payments to meet, in part, the expenses of the veterans' subsistence, tuition, fees, supplies, books, equipment, and other educational costs.

Provided 1 month of educational assistance for each month or fraction thereof spent on active duty after January 31, 1955.

Prohibited a veteran from receiving more than 36 months of training or educational assistance under the 1966 act or under a combination of benefits from the 1966 act and the World War II or Korean GI Readjustment Act, the war orphans' educational assistance program or the vocational rehabilitation program for disabled veterans.

Stipulated that a veteran pursuing a full-time course receive $100 a month in educational benefits, $125 if he had one dependent and $150 if he had two or more dependents. For a ¾-time course, stipulated that a single veteran receive $75 a month, that a veteran with one dependent receive $95 and that a veteran with two or more dependents receive $115. For a ½-time course, stipulated that a single veteran receive $50 a month, that a veteran with one dependent receive $65 and that a veteran with two or more dependents receive $75.

Required veteran to complete education within 8 years following his last discharge from active duty after January 31, 1955, or within 8 years after the educational section went into effect (June 1, 1966), whichever was later.

Defined an eligible veteran as one who served on active duty for more than 180 days, any part of which occurred after January 31, 1955, or who was released or discharged because of a service-connected disability after January 31, 1955.

Provided that a person who had served 2 years on active duty and was continuing on active duty could take advantage of the educational benefits by attending nearby institutions during off-duty hours, but stipulated that these persons would receive payments only for fees and tuition. Specified that the allowance would be computed at the rate of the established institutional charges for tuition and fees or at $100 a month, whichever was less.

Defined educational institution as any public or private secondary school, vocational school, correspondence school, business school, junior college, teachers' college, college, normal school, professional school, university, or scientific or technical institution, or any other institution if it furnishes education at the secondary school level or above.

Defined program of education as any curriculum or any combination of unit courses pursued in an educational institution which is generally accepted as necessary to fulfill the requirement for attainment of a predetermined educational, professional, or vocational objective.

Prohibited enrollment in courses of apprenticeship or on-the-job training, institutional on-the-farm training or a course to be pursued by open circuit television or radio, unless the latter was part of a regular course offered by an institution of higher learning.

Prohibited enrollment in an avocational or recreational course unless the veteran submitted evidence that such a course would be of bona fide use in the pursuit of his present or contemplated business or occupation. Specified other types of courses which would not qualify a veteran for benefits.

Other noneducational features of the measure also authorized Veterans' Administration home loans and home loan guarantees for Armed Forces veterans who were defined by the bill as eligible for educational benefits; extended medical care in Veterans' Administration hospitals, when there was room and the veteran demonstrated a financial need, to veterans with non-service-connected disabilities who served after January 31, 1955; extended job counseling and job placement assistance by the Department of Labor to persons serving after January 31, 1955; and extended preference in securing Federal jobs to persons serving after January 31, 1955.

WORLD HUNGER: ENEMY OF U.S. PROSPERITY

Mr. McGOVERN. Mr. President, the current issue of Forbes magazine, dated March 1, has an excellent "roundup" article and an editorial on the world food and population situation, from a business point of view.

Forbes is unabashed by the fact that America has an economic interest in ending hunger in the world. The magazine even lists major corporations that "will help feed the world," and can thereby benefit economically.

The magazine comments:

> Humanitarian motives aside, the President and his aids know full well that the U.S. economy cannot continue to grow without an expanding world market. Moreover, as the President has noted, quoting Seneca, "A hungry people listens not to reason, nor cares for justice, nor is bent by any prayers."

I am happy to see Forbes' analysis of the situation, for I have always regarded food for peace, which the President proposes to rename food for freedom, as a fine blending of humanitarianism and self-interest.

I ask unanimous consent that the Forbes article, and an editorial in the same issue concluding that we must "make a mighty effort," be printed in the Record.

There being no objection, the article and editorial were ordered to be printed in the Record, as follows:

World Hunger:- Enemy of U.S. Prosperity

Two-thirds of the people of the world are now face to face with famine. Humanitarian reasons aside, the United States cannot let them starve, because a starving nation is not a market.

One billion people, a third of the world's population, drag themselves through the day weak from hunger, an easy target for disease and frequently for death from starvation. Another billion are badly malnourished, almost on the borderline of starvation. What we call progress, civilization, prosperity is meaningless to two-thirds of the human race. These people are only half alive. They are half dead from hunger.

The average American consumes 3,100 calories a day in foods rich with proteins, vitamins, and minerals. In the underdeveloped nations, the average person must drag his body along on a mere 2,030 calories a day, and his food usually is deficient in those nutrients. While the United States, Western Europe, Japan, and a few other nations get richer, the hungry get hungrier, because, in the underdeveloped part of the world, human fecundity is outstripping agricultural fecundity. In Asia and Latin America in the past 5 years the population has risen by 12 and 17 percent, respectively. In contrast, production of food has risen by only 10 percent. The result is that per capita food production has fallen by 3 percent in Asia, by 7 percent in Latin America.

The deadly effects of the population explosion aren't for tomorrow. They are here and now. Today.

As Chairman Robert S. Stevenson of Allis-Chalmers puts it: "The United States, Canada, and Australia are going to have to feed the world, or we're going to have to help the world feed itself." Nobody realizes this more keenly than President Lyndon B. Johnson and his top aids. The more newsworthy problems of Vietnam and inflation have not, even for a day, crowded it out of their deliberations.

Humanitarian motives aside, the President and his aids know full well that the U.S. economy cannot continue to grow without an expanding world market. Moreover, as the President has noted, quoting Seneca, "A hungry people listens not to reason, nor cares for justice, nor is bent by any prayers."

The malnourished masses love their children as intensely as well-fed Americans love theirs. They are not about to starve peacefully and quietly, in patience, resignation, and fatalism, as their ancestors might have done. They know there is a world without hunger somewhere outside their dusty villages. They have transistor radios, and they have bumped in rickety buses into market towns. They have taken seriously the politicians' promises of a better life. They will riot and kill to achieve it. They are doing so right now.

ESCALATION

Almost in desperation, the United States plans to escalate its efforts to deal with the world hunger problem. In so doing it will create tremendous opportunities for businesses that have the know-how, the foresight, and the capital to help end hunger.

President Johnson fired an opening gun in the stepped-up war against hunger when he sent a message to Congress last month, asking for a new food program to replace the present food-for-peace program, Public Law 480, which expires this year. The President did not spell out all the details of his food-for-freedom program, but, even so, agricultural experts agree that it eventually will have an enormous impact on the entire U.S. economy. For one thing, it will change the whole direction of the foreign aid program. Until now, foreign aid has gone primarily toward industrial development; hereafter, it will be directed more toward agricultural development. The food-for-freedom program will have an even greater impact on U.S. agriculture. Since the first Agricultural Administration Act, the U.S. Government has attempted to keep food production down. Now, the administration plans to offer inducements to farmers to raise production of certain foodstuffs. Under the food-for-peace program, the United States sent abroad primarily those agricultural products it had in surplus in Government warehouses. Now, it will gear its production more directly to the needs of the hungry, using incentives to increase production of certain foodstuffs when necessary.

Out of this inevitably will come several other developments: Little by little, land which has been retired from production under the present farm program will be brought back into cultivation. The exodus of marginal farmers into the cities will be speeded up, since they will not have the capital to expand production as the Government requires. The big farmers will get bigger. Even if world prices of agricultural products don't rise, the big farmers will become so efficient and have such an enormous market they will be able to prosper with lower subsidies—or even without them.

One expert, Don Lerch, a Washington management consultant who specializes in agriculture, believes that by 1976 there will be only 500,000 farmers in the United States (as compared with 3.2 million today). But, he quickly adds, they will all be immensely prosperous.

The farmers of Canada and Australia also will benefit. Both countries, as a result, are likely to keep booming.

The United States plans to fight the war against hunger on two fronts. The first will be a crash program to supply the underdeveloped countries with food. The United States has been giving away $1.5 billion worth of food abroad every year under Public Law 480. If Congress approves the President's new program—as seems all but certain—food shipments could rise to $3.3 billion by 1967–68. This move is designed to cope with such emergencies as the recent drought in India, which already has led to Communist-organized riots in the state of Kerala.

In the long run, the second front will be the decisive one. This is the self-help part. Every nation receiving U.S. aid will have to promise to build up its own agriculture as swiftly as possible. Not only promise, but show results. The reason for this is simple. "We don't have enough capacity to feed all these people," says Secretary of Agriculture Orville L. Freeman. "Unless they learn to feed themselves, there will be world famine. The estimated increased needs between now and 1980 are in the neighborhood of 300 million tons. The potential reserve productive capacity of this country is 50 to 55 million tons more. There is a 250-million-ton gap here that only the underdeveloped nations themselves can fill."

Along with the food, therefore, the United States will send the underdeveloped nations fertilizer and farm equipment. It will also encourage U.S. companies to build fertilizer plants and farm-equipment factories abroad. It will teach farmers in Asia and Africa and Latin America how to make the most of the land they have. It will urge—and even arm-twist—governments to rerig archaic policies in the field of price incentives, farm credit and land reform. This will all be done under the Agency for International Development (AID).

Increasing food shipments abroad will mean increasing production at home, for, according to Freeman, the reserves in Government storage don't come anywhere near the world's requirements. "Our reserves are now in the land rather than in the storage bin," he says. Grain in storage has been dropping steadily since 1961—wheat, from 1.4 billion bushels to 800 million; feed grains, from 77 million metric tons to 50 million.

This means that millions of acres of land that have been retired under the present farm program eventually will be brought back into production as needed. It will be done gradually, Freeman says, first to prevent chaos in the marketplace, and second because there isn't enough shipping to handle all the food the U.S. farmer could produce if the wraps on him were taken off all at once.

All told, there are now nearly 57 million acres of U.S. farmland "in reserve." Freeman won't reveal just how many he intends to put back into production, but some Government officials believe it will be somewhere between 5 and 7 million acres. He already has taken a small step in that direction. "Just last month," he points out, "I discontinued the alternative of voluntary acreage reduction whereby a spring wheat producer could take 10 percent out of production and get paid for doing it. The producer no longer has that option. He has to plant his full allotment."

MORE TO COME

The acreage allotment for rice will be increased this year by 10 percent. Many experts believe it will eventually be necessary to increase the allotment for winter wheat. Says Claude W. Gifford, senior economist of Farm Journal: "A shortage in wheat is only a few years away."

Freeman's guideline will be the President's promise to Congress to "bring these acres back into production as needed—but not to produce unwanted surplus." In short, to change the very nature of U.S. agricultural policy but without causing chaos on the farm and in the marketplace.

In his message, Johnson called for increased production of soybeans. The Secretary of Agriculture believes this can be achieved by the judicious use of incentives—more acreage with guaranted prices. "In corn," he says, "we have too much. We still have a surplus. We'll do something which will make it possible for those farmers to plant soybeans on those acres and come out just as good. We need the soybeans. We don't need corn." Soybeans produce a high-protein, low-cost diet meal for animals. They also are one of the richest sources of protein in food mixes for humans.

Robert W. Engle, manager of marketing of Allis-Chalmers' farm equipment division, believes that increased production will have to come from improved farm equipment and improved farm techniques, as well as from greater acreage. "One area where output per man hour has been neglected is farm materials handling," he says. "There are going to be some giant strides made in coordinating a farmer's growing system with a pushbutton, automated method of handling and storing his crop.

"Another way of increasing farm production is by growing two stalks of corn where only one grew before. Instead of growing corn in the standard 38- or 40-inch rows, we've tried it in 30 or 20. Yield often increases 10 or 15 percent."

CHANGE IN POLICY

Under Public Law 480, the United States has either been giving the food away or else selling it for local currency. In simple fact, selling it for local currency almost invariably has meant giving it away, because so little of the currency can be used. According to Sam I. Nakagama, a senior economist of the First National City Bank of New York, the United States now holds an amount equivalent to two-thirds of the currency of India as a result of selling the Indians food. Most of this money obviously can't be used; spending it would create horrendous inflation. Under a tacit agreement with the Indian Government, therefore, the United States simply hoards it. The United States now holds $2.8 billion in counterpart funds.

Under the food-for-freedom program, food will no longer be sold for local currency and only a maximum $800 million worth will be given away. Only those nations which clearly can't subsist except on charity will receive free food. The United States will grant the others—nations like Taiwan, Spain, Greece, and the United Arab Republic—long-term credits at low interest, perhaps 2 percent, to buy the remaining $2.5 billion worth. They will have to pay the world market price. They will be required to repay the money in dollars.

Prices also should be bolstered by the fact that, at times, the United States will have to get the food on the open market.

There are those who fear that, by helping other nations increase their food production, the United States will destroy its own commercial food-export market, which now amounts to about $4.5 billion a year. According to Freeman, these fears are groundless. Experience proves, he says, that, as a country raises its production of food, what it does is switch to importing other U.S. agricultural products like animal feeds. The result is a net gain for the U.S. farmer. Freeman cites the case of Japan. That country used to get massive agricultural aid from the United States. It soon may be buying $1 billion worth of U.S. farm products annually on a straight cash basis. Western Europe, which also used to receive agricultural aid, is now this Nation's biggest customer of feed grains and poultry. In 1964, U.S. food exports to Western Europe totaled $2.3 billion.

As Freeman sees it, prosperity abroad, therefore, will mean prosperity at home. "Every 10-percent increase in per capita income abroad results in a 16-percent increase in the commercial imports of our products," he says.

In the fight to increase production of foodstuffs abroad, the United States will count particularly on the manufacturers of fertilizer. Says David E. Bell, Administrator of the Agency for International Development: "Fertilizer will be our biggest need." Dr. Lester R. Brown, staff economist of the Department of Agriculture, adds: "Ironically, the less-developed regions of Asia, Africa, and Latin America, which contain two-thirds of the world's people and where the food needs are greatest, use only 5 million tons of the 35-million-ton annual world total. In other words, only one-seventh of the world fertilizer supply is used in the regions containing two-thirds of the population. As the supply of new land that can be brought under cultivation diminishes, fertilizer becomes the principal substitute for land in the food production process."

FERTILIZER BOOM AHEAD

The United States is now shipping about $325 million worth of fertilizers abroad every year through foreign aid and commercial channels. By 1970, it will be shipping about $1 billion abroad each year. In addition, the United States will spend about $250 million to help build fertilizer plants in partnership with natives in the underdeveloped countries such as Gulf Oil's project in Korea.

Says an AID chemical engineer: "$1 million worth of food aid will feed 70,000 people for a year, but the same $1 million put into fertilizer would help feed 200,000 people for a year."

AID's Bell is also counting on farm equipment manufacturers and food processors to help beef up the agriculture of the underdeveloped countries. The farm machinery makers will have to develop equipment especially designed for their needs, he says, pointing out that in India, for example, "the land holdings are very small. Farming takes on the characteristics of gardening. You need small power units, hand equipment almost."

A great deal rides on the success of this new program—which partly explains why support for it seems to cut across party lines. President Johnson's proposals have the support of many Republicans, who in the past were leery about foreign aid. Much of the Republican leadership in Congress comes from farm States, where food-aid programs naturally have strong support. Moreover, as Senator MILTON R. YOUNG, of North Dakota, the ranking Republican member of the Senate Agricultural Appropriations Committee, points out, "Republicans originated the whole food-for-peace program back in the Eisenhower administration." He adds: "I think the President will get substantially what he wants. Giving people food and helping them produce more food is the best kind of foreign aid program."

Is the food-for-freedom program alone big enough to deal with the problem? No. The sad fact is that, no matter how generous it is, it can only supplement the efforts of the underdeveloped countries themselves.

Some pessimists think that the problem is hopeless; that the population explosion is now out of hand. But some very hardheaded experts think otherwise. To quote Bryson M. Filbert, vice president and director of Esso Chemical Co., a big factor in the world fertilizer business, "It is possible to double or even triple agricultural production in all of Asia, Africa, and Latin America through the use of more fertilizers, more irrigation, better seed varieties, more pesticides and other improved farm practices. I have been told by experts that four times the present world population could be supported by widespread use of improved farming methods."

But the key word is "could." To turn "could" into "will" is going to take some very drastic, very fast changes in the underdeveloped countries themselves. Almost without exception they misread the economic history of the prosperous nations. They only noticed that these countries built industries and turned farmers into workers. What they failed to note was that in most cases such countries did so only after developing a prosperous agriculture first. In part this misreading of history was due to an obsession with the Soviet experiment.

RUSSIA'S BAD EXAMPLE

The Soviets reversed the normal process of economic development. By starving agriculture of capital and by keeping food prices artificially low, they made the farmers bear the cost of building hydroelectric dams and plants and steel mills. The Soviet Union became a great industrial power, and this bedazzled the underdeveloped nations. What they failed to realize was a fact that has since become obvious to everyone: The Soviet Union produces more steel than it needs, but it can't feed its steelworkers without importing food.

India is the classic case of a country that was misled by the Soviet experiment. India concentrated all its capital and most of its foreign aid into building up industry. It used the free food it received from the United States to keep food prices low for industrial workers. The program has proved self-defeating. Low food prices have kept the Indian farmer too poor to provide a market for the goods the industrial workers are producing. At the same time, the low prices have discouraged the farmer from attempting to increase production.

Says Richard W. Reuter, Director of food for peace: "The Indians said they were putting priority on agriculture in every one of their 5-year programs, but agriculture was always the first place to get short-changed when they ran out of money. This year, according to the Indian Government's own minimum goals, there should be production of 1 million tons of nitrogenous fertilizer. In fact, production is less than 400,000 tons."

The United States, Bell says, is not without blame for this situation. "We didn't use our maximum leverage to get the Indians to put more emphasis on agriculture. We saw what was wrong, but we didn't do enough about it."

Under the food-for-freedom program, the United States plans to get tough with India and the other underdeveloped nations. They will have to put agriculture first or they won't get aid. As a Department of Agriculture official puts it: "The President is going to lean hard on them."

The job of educating the Indian farmer to farm more efficiently will be a staggering one. There are 60 million farmers in the country, spread over 300 million acres of cropland. They speak 14 different languages. The overwhelming majority of them is illiterate.

BREAD VERSUS BULLETS

And yet, to say that India is hopeless is almost the same as saying that one day Red China will dominate all of Asia; India is the only other potential world power on the continent. Neither President Johnson nor Congress is willing to concede Asia to Red China, and, while they realize the difficulties in raising food production in underdeveloped countries, they can point to several notable triumphs in the past. In Greece, for example, the United States persuaded the Government to give wheat farmers a better price and a guaranteed market, and the results, says Food-for-Peace Director Reuter, "were next to miraculous. They're now producing wheat till it comes out of their ears."

Undaunted by the difficulties, therefore, at least half a dozen Congressmen already have introduced bills to implement the President's program. One of the first was Representative HAROLD D. COOLEY, Democrat, of North Carolina, chairman of the House Agricultural Committee. "I am convinced that, in the end, bread will be more important than bullets in bringing peace to the world," he says.

To be perfectly blunt about it, bread will be more important than bullets in assuring that the economic growth of the United States itself will continue.

THE TERRIBLE PATTER

In 1850, there were 1 billion people in the world. There are now 3.3 billion—more, it happens, than all the people who ever lived throughout all of history. The way things are going, in 15 years there will be 4 billion, and in 30 years, 6 billion. Those simple figures underlie the menace of what a worried writer calls "the terrible patter of tiny feet." The horrible fact is that 85 percent of this population increase will come from the underdeveloped countries which can't even support their present populations.

"Population control will have to go along with these agricultural programs," says Dr. Albert H. Moseman, AID Assistant Administrator for Technical Cooperation and Research, but he adds a warning: "We can insist only up to a certain point. It's a delicate situation. We could be accused of using potential starvation as a threat to get these people to do something against their own social values."

Dr. Moseman cites the case of India, where he says, the infant mortality rate is so high, parents have to have six children to be able to have two or three survive to maturity. "As long as they still have to have all these children in order to have a few survive, you cannot convince them to cut down on the number of children they have," he says.

The answer: Some of the underdeveloped countries already have recognized the problem. Korea, Taiwan, Pakistan, India, Turkey, Colombia, and Chile (the latter two are overwhelmingly Catholic) have birth control programs in various stages of development. The method being used in those places, according to Dr. Moseman, "is the plastic loop, an intrauterine device."

The loop was invented by a U.S. doctor, Jack Lippes, and is made in this country by his own company, the Hohabe Co. of Buffalo. It costs Hohabe about 25 cents to manufacture, package, and distribute. Overseas, the Population Council, a Rockefeller-supported organization, distributes it free. Dr. Lippes also permits anyone to manufacture it abroad without restrictions and without paying royalties. In the underdeveloped countries, the cost of making the loop runs to about 2 cents.

Dr. Moseman believes the Lippes loop is the answer to "the terrible patter of tiny feet." Birth control pills, he says, are "far too expensive" for people living in the underdeveloped countries.

According to Herbert J. Waters, AID's Assistant Administrator for Material Resources. Thailand is a good example of how a birth control program can work. "In Thailand, they have a village midwife program," he says. "When a woman comes into the midwife station to get ready to have a baby, they set her up for the next time not to have a baby."

U.S. BUSINESS VERSUS MALTHUS

It will take all the Nation's economic resources to defeat the arithmetic of starvation. Obviously, the U.S. farmer will be the first to feel the impact of the food-for-freedom program. In a recent talk with midwestern grain dealers, Robert C. Liebenow, president of the Corn Industries Research Foundation, predicted that food exports under the program and through regular commercial sales would increase by 50 percent within the next few years. They now amount to $6 billion a year. A 50-percent increase would bring them close to $9 billion. Land values are going to rise. Smart farmers with capital will become rich.

Major segments of U.S. industry are going to benefit, too. The menace of starvation will mean steadily mounting sales for the producers of fertilizers, farm machinery, seed and feed. According to Liebenow, in order to increase exports by 50 percent, the farmer will have to spend $3 billion a year more for those products than the $13 billion he spends now. Little wonder that farm machinery companies are expanding as fast as they can, that almost every major oil company is striving to build a major stake in fertilizer.

James Devlin, director of domestic agricultural sales of American Metal Climax, which makes fertilizer, goes further. Increased food exports, he says, will affect the whole gross national product. The railroads will prosper, he points out, because the food must be shipped from farm to seaport by rail. The steel industry will profit because farm machinery is made of steel. Even the paper industry will profit, he says, noting: "We put our fertilizer in paper bags."

SHIPS AND SHIPPERS

"It will mean a lot more business for us," says Alvin Shapiro, executive vice president of the American Merchant Marine Institute, which represents the Nation's shipowners, who will have to carry the foodstuffs and fertilizer and farm machinery abroad. He doubts, however, that it will have an immediate effect on the Nation's shipbuilders because "there is still tremendous unused capacity around. The big tankers are excellent for shipping grain and are not being fully utilized." Increased exports also will mean a lot more business for such commercial grain shippers as Cargill and Continental Grain.

Claude W. Gifford, senior economist of Farm Journal, believes that, aside from the farmer, the makers of fertilizer will profit most from the food-for-freedom program. "You can get fertilizer on the land quickly," he says, "and it's easy to teach peasants how to use it even if they can't read. It's harder to teach the operation of machinery, and there's the problem of repairs."

This does not mean that manufacturers of farm machinery won't benefit, too, Gifford is quick to add, naming specifically Massey-Ferguson, Deere, and International Harvester. Others who will benefit are seed companies like DeKalb, Northrup King, and Pioneer, he says.

Demand for roads

Norman R. Urquhart, assistant vice president in charge of commodities of the economics department of the First National City Bank of New York, foresees a growing demand abroad for American earthmoving machinery. "When I was a boy growing up on an Illinois farm, one of the farmers' great cries was for good farm-to-market roads. We have them now, but the rest of the world needs them." This should help Caterpillar Tractor, he says. He also sees great opportunities for companies that build chemical plants, like Fluor, Foster Wheeler, and Pullman's M. W. Kellogg Division, "if they can get the contracts against foreign competition."

Some experts fear that increased production of foodstuffs in the United States and abroad actually may create a world shortage of fertilizers. Urquhart and one of First National's senior economists, Sam I. Nakagama, insist there is a world fertilizer cartel outside the United States. Asked why U.S. companies don't attempt to break it, Nakagama says: "Perhaps they don't find it advantageous to do so."

Whatever the facts about this may be, according to Devlin of American Metal Climax, the world potash industry is geared to expand only at the rate of 6 to 7 percent a year. If demand rose to a 10-percent increase a year, Devlin admits, the industry wouldn't have the facilities to keep up with it for more than a few years. "We couldn't, in that time, bring out new mines," he says. Devlin doesn't believe that such a rise in demand is likely, but this view is far from unanimous.

One company that is all but certain to benefit is International Harvester. Says Hugh A. Davies, general manager of Harvester's overseas division: "We do research all over the world, in places ranging from Argentina, which is a net exporter of foodstuffs, to Africa, where the people eat bananas. We have facilities in 20 nations outside the United States. We're in roadbuilding, trucks and farm equipment. Only where farming is done by hand and horse do we not supply the tools.

"We can fill any demands that come. We just hope that demand is created. Roadbuilding might be a big thing. You have to have a way to get the food to market. The hinterland of Brazil is an example. You need better roads, schools, dams, and irrigation channels."

Deere & Co., already the biggest farm machinery manufacturer in the United States, is spending heavily to expand abroad. These investments have yet to pay off, but Chairman William A. Hewitt is sure they will. Meanwhile, he believes, the new farm policy will mean a big sales increase for his company in the United States. White Motor, which got into farm machinery through a series of mergers, now gets 30 percent of its $638 million in sales from that business and is out for more. So are Allis-Chalmers and the revitalized J. I. Case.

Since the war against hunger can succeed only if the underdeveloped nations learn to produce more food, the U.S. Government is particularly anxious for U.S. manufacturers and food processors to expand abroad. Says AID Administrator David E. Bell: "There are lots of American companies beginning to invest abroad in fertilizer plants and there will be more in years to come. International Minerals & Chemical is putting up a big plant in India. We've recently made two loans for fertilizer plants in Korea; there the principal American investors are Gulf Oil and Swift. Now we are working with Standard of Indiana, Armour and others on fertilizer projects."

Bryson M. Filbert, vice president of Esso Chemical Co., says: "We have already invested about $90 million in facilities to produce ammonia, nitric acid and various other fertilizers and fertilizer compounds in Colombia, Aruba, Costa Rica, El Salvador, and Spain. In addition, we are building or planning plants in the Philippines, Greece, Jamaica, Malaysia, Lebanon, and Pakistan, as well as one in a very economically advanced nation, the Netherlands. In all, these plants will have more than 1 million tons of ammonia capacity and more than 1.8 million tons of fertilizer capacity. Their capital cost will exceed $200 million."

The company also is working on new techniques which, it hopes, will make the sand dunes of Tunisia and Libya bloom. These involve using oil to stabilize them.

The U.S. Government is putting a great deal of pressure on the underdeveloped nations to make it attractive for U.S. companies to build fertilizer plants abroad. For a long time, India insisted that it handle all the distribution of fertilizers produced in that country by U.S. companies and that it also set the price. Standard of Indiana understandably refused to accept these conditions. AID put food shipments to India on a month-to-month basis until the Indian Government let Standard of Indiana market the fertilizer itself at its own price.

Opportunity and problems

Bell believes "there is a real opportunity in food processing." However, the food processors themselves think it may be a long time before they make any great progress in the underdeveloped countries. Harry Meisel, technical coordinator for Corn Products International, points out his company has sold a product derived from corn called "Maizena" which has been known for 100 years in Latin America. Recently, it brought out a new product in Brazil, "Enriched Maizena." This is "Maizena" with proteins, vitamins and minerals added. "It solves the problem of getting nutrition into the diet in an innocuous way," says Meisel. But Corn Products is losing money on "Enriched Maizena" because the protein element, which is made of milk and soybeans, costs too much. One reason is that it's been difficult to shift Brazilian farmers to soybean production. U.S. farmers will shift from one crop to another at the drop of a dollar, but in Brazil, caution and suspicion prevail. It takes 15 years to get a Brazilian farmer to shift crops, Meisel says. Introducing a new product in underdeveloped countries, he concludes, is "a baptism of blood."

Quaker Oats has been having a similar experience with "Incaparina." This is a powdered cereal mix that contains cottonseed and soy flour. Quaker Oats is promoting the cereal with an advertising campaign. Particularly effective have been movies which show babies before and after drinking the cereal.

"But," admits Michael Hore, general manager of Latin American and Pacific operations for Quaker, "we have a long way to go. It's a matter of education, and the money for that has to come from us."

Dr. Harold L. Wilcke, director of research for Ralston Purina, suspects there may be greater opportunities in the underdeveloped countries in processing food for animals than in food for humans. "In many areas," he says, "animals cannot economically compete in food value with direct consumption of grain. But in some areas, the land can grow food fit only for animals. These are areas similar to our Rocky Mountains, where grass is the only crop, and they exist in India, Mexico, and Venezuela. In addition, animals can compete when they scavenge or when they eat spoiled grains."

This could mean business for Ralston Purina's supplementary feeds, which help the animals grow faster and bigger, Dr. Wilcke says.

Clearly, the outlook is this: In the United States, the economic impact of the food-for-freedom program will be swift. In the underdeveloped countries, however, the problems are as great as the need. For many of the companies that go overseas, these problems will make it difficult to show a profit for a long time. But for many the opportunity is simply too great to miss, whatever the risks.

The great 19th century clergyman-economist Thomas Malthus believed that popula-

tion growth inevitably would outstrip food supply; only massive starvation and misery could reright the balance, he said. It didn't happen that way in the countries of the West and in Japan, but it seems to be coming to that for the world as a whole. In the struggle to prove Malthus wrong, the know-how and enterprise of U.S. businessmen are going to prove mighty weapons.

Companies that will help feed the world

Company	Operating data			Stock data				
	Assets (millions)	1965 revenues (millions)	1965 net income (millions)	Latest 12 months [1] earnings per share	Recent price	5-year price range	1966 indicated dividend	Yield (percent)
FERTILIZER PRODUCERS								
American Cyanamid	$786	$863	$93.1	$4.21	92¼	96 -35½	$2.50	2.7
Armour	631	2,062	22.4	2.88	46⅝	53⅛-29	1.60	3.4
Borden Co.	677	1,353	49.1	1.94	40½	47¼-20⅝	1.20	3.0
Cities Service	1,586	[1] 1,185	104.1	3.86	47¼	50 -22⅛	1.50	3.2
Continental Oil	1,554	[1] [2] 1,552	96.2	4.25	66¾	81½-43½	2.40	3.6
Grace, W. R.	906	902	40.5	2.61	57½	62⅝-16⅞	1.20	2.1
Gulf Oil	4,667	[1] 3,879	427.0	4.12	53¼	60 -30¾	2.00	3.8
International Minerals & Chemical	324	279	21.7	3.40	84⅞	84⅞-17	1.20	1.4
Kerr-McGee	324	314	23.8	3.64	77⅜	77⅞-24	1.30	1.7
Lone Star Gas	421	183	17.8	1.22	24⅝	28¼-18⅝	1.12	4.5
Potash Co. of America	55	28	4.6	3.67	74¼	76¾-16	2.00	2.7
Socony Mobil	4,879	[1] [2] 4,755	320.0	6.30	89⅝	98½-38¾	3.20	3.6
Standard Oil of California	3,796	2,930	391.0	5.15	79	86 -40½	2.50	3.2
Standard Oil of Indiana	3,306	3,063	219.3	3.10	44⅞	50½-20	1.70	3.8
Standard Oil (New Jersey)	12,490	12,725	1,035.0	4.80	78¼	92⅞-40¾	3.30	4.2
U.S. Borax & Chemical	135	98	9.4	2.21	36¾	47½-19⅛	1.10	3.0
AGRICULTURAL EQUIPMENT								
Allis-Chalmers	552	714	22.1	2.33	35¼	36¼-12½	.75	2.1
Case, J. I.	218	289	13.5	2.93	30	32⅛- 4½	(3)	----------
Caterpillar Tractor	1,007	1,405	158.5	2.80	46½	53⅞-14¾	1.20	2.6
Deere & Co.	981	922	56.5	4.07	62¼	63¼-20¾	1.70	2.7
International Harvester	1,814	2,359	103.2	3.56	50¾	50⅞-21⅜	1.725	3.4
Massey-Ferguson	742	808	40.1	2.66	33⅞	37⅜- 8⅞	1.00	3.0
White Motor	286	635	22.0	3.80	43⅜	44¾-16⅞	1.40	3.2
FOOD PROCESSORS								
Archer-Daniels-Midland	183	339	3.7	2.32	41½	44½-30	1.60	3.9
Central Soya	126	469	10.5	3.44	60⅝	60⅝-23¾	1.40	2.3
Corn Products	584	979	54.7	2.45	50⅛	67⅜-37	1.60	3.2
National Dairy Products	825	2,017	69.9	4.83	84⅛	98½-46¼	2.80	3.3
Pfizer, Chas.	465	543	53.4	2.70	41⅜	76⅜-30⅝	1.45	2.0
Pillsbury Co.	237	450	10.4	2.35	39½	49 -20	1.00	2.5
Quaker Oats	228	480	16.3	3.89	74	96 -55	2.20	3.0
Ralston Purina	395	988	32.4	2.16	49½	50 -22	1.00	2.0
Swift	634	2,751	16.4	2.70	57¼	65 -31	2.00	3.5
Unilever N.V.[4]	2,932	[5] 5,050	[5] 188.0	[5] 2.83	31	43⅜-23	1.438	4.6
CONSTRUCTION								
Foster Wheeler	96	[1] 228	1.0	2.65	48½	51¾-22¼	[6] 1.40	2.9
Kaiser Industries	441	[7] 452	[8] 15.1	[8] .73	13⅞	15 - 5¼	(3)	----------
Morrison-Knudsen	135	314	5.3	2.57	29⅞	35¾-26⅜	1.60	5.4
Pullman	300	661	20.0	4.51	66¼	73⅞-20¼	2.40	3.6
GRAIN-CARRYING RAILROADS								
Atchison, Topeka & Santa Fe	1,857	677	91.0	3.45	41¼	42 -20½	1.60	3.9
Chicago, Milwaukee	682	241	7.3	2.16	61½	64 - 7	1.00	1.6
Chicago, Rock Island & Pacific	497	211	[8] 1.5	[8] .50	42¾	47 -14⅝	(3)	----------
Illinois Central Industries	743	283	19.8	6.66	78¼	81 -31⅛	2.40	3.1
Missouri Pacific	1,196	417	26.3	14.26	94½	96½-35¼	5.00	5.3
Union Pacific	1,765	549	93.8	4.03	47⅛	49½-27⅛	1.80	3.8

[1] 12 months ended Sept. 30.
[2] Excludes excise taxes.
[3] None.
[4] Stock data for Unilever N.V. shares.
[5] Estimate.
[6] Plus stock.
[7] 12 months ended June 30.
[8] Deficit.

TWICE AS MANY SUKARNOS?

Each generation faces its own crisis. In the thirties and forties it was the rise of fascism. In the fifties and sixties it has been communism. In the seventies and eighties it's likely to be an even more virulent threat: Hunger. Americans probably won't go hungry, but most of the rest of the world will, and we won't be able to escape the consequences.

On pages 19 through 26 of this issue, the editors of Forbes examine the economic implications of population growth pressing against an inflexible food supply. The work of a six-man Forbes team, the report takes a generally optimistic view about what U.S. business can do about the situation—and how it can even benefit from it.

But not everybody is optimistic, and we think it only fair to expose our readers to the views of an extremely well-informed businessman who thinks the prospects for feeding the world over the next few decades are dim.

He's Thomas M. Ware, 47-year-old chairman of International Minerals & Chemical. Under Tom Ware's brilliant direction IMC has been extremely aggressive in expanding in the fertilizer field. But that isn't Tom Ware's only credential. He is chairman of the Freedom From Hunger Foundation, a nonprofit organization that promotes support among businessmen for the food programs of the United Nations. Most important of all, Tom Ware is an enraged and aroused citizen.

"Hope always springs eternal," he told Forbes late last month. "But I don't see how on earth it's possible for the world to feed itself in the years ahead."

UNDERUSED TOOLS

It isn't a shortage of fertilizer, he emphasizes, of implements, of seeds or even of land. The trouble is even more basic: It lies in the human mind. "Intelligence," he says, "is capital. We've spent billions on education in this country to get the amount of intelligence we have today. The underdeveloped countries haven't, and they aren't going to be able to catch up overnight.

"We've got the tools," he goes on. "TV is a great tool for mass education. Computers and jet planes give seven-league boots to brilliant men. Satellite communications can spread ideas instantaneously.

"But, because of a lack of education, of intelligence, many of our tools are not being used properly. Atomic power cannot be used for digging irrigation projects because of politics. Population control cannot always be used effectively because of religious ethic. And remember that the sword we give someone to cut food can also be used to slay somebody else."

Ware believes that hunger itself breeds ignorance. "If half the people in the world are starving," he says, "then half the world's minds are permanently maimed. They just don't have the voltage between the ears to get any work done. How can a mental dwarf who has no energy grow more food?"

To the sky? In his own field of fertilizer, Ware says, proper use takes intelligence and education. "Every soil is different, and needs different treatment," he says. "An American farmer knows just what he needs, and has the capital to pay for it. But a man who can't read might put fertilizer on a plant a foot thick and expect it to grow to the sky. Instead the plant wouldn't grow at all."

Ware is concerned too that Americans aren't sufficiently aroused and may wait too long to take really effective action. He points out that it took 15 years to open up his company's big new potash mine in Saskatchewan. "For the first 5 years, we had to sit and assay the market. The next five were taken up with design and planning. The third five were spent actually digging the hole. In addition to all that time, there was the $60 million we spent. That experience has made me very respectful of the meaning of a doubled population in just 35 years."

SCORCHED EARTH

Finally, he speaks about the scarcity of arable soil in the world, and of the fact that world hunger will create turmoil that destroys soil. "The soil was destroyed by war in the Nile Valley and the Mediterranean Basin, and now it's being scorced in Viet-Basin, and now it's being scorched in Vietlation, you're going to double the number of Sukarnos, Cubas, Vietnams, library burnings, and the like. More accurately, you're probably going to get eight times as much trouble."

We hope Tom Ware is wrong in his pessimistic view. In fact, he hopes so, too. But unless the American people and American business make a mighty effort, and soon * * * well, Ware knows what he is talking about, if any man does.

LINCOLN GORDON

Mr. BAYH. Mr. President, it is a privilege for me to comment favorably on the nomination and confirmation of Ambassador Lincoln Gordon to be Assistant Secretary of State for Inter-American Affairs.

Secretary Gordon, in my opinion, embodies the finest qualities of the university teacher and scholar, the public servant, and the diplomat. A former Rhodes scholar who earned a Ph. D. at Oxford University, he became a member of the faculty at his undergraduate institution, Harvard University, when he was only 23 years of age. He has served that institution and occupied numerous government posts with high distinction and great devotion since 1936. In addition, he has written many studies and articles on economics and government. Among his published works are two highly respected books on Latin American affairs.

Secretary Gordon's experience in public service is equally diversified. As early as 1939 he was a consultant to the U.S. Natural Resources Planning Board, and during World War II held a number of Government positions in Washington. In 1946, he was an adviser to the U.S. representative on the U.N. Atomic Energy Commission. He served as a consultant to the Economic Cooperation Administration and the North Atlantic Council, and in 1951–52 was an Assistant Director for the Mutual Security Agency. From 1952 to 1955 he acted as Minister for Economic Affairs with the U.S. Embassy in London, but returned in 1955 to academic life at Harvard. As Ambassador to Brazil since October 1961, he made a distinguished and brilliant record. He was popular and respected among the Brazilian people, and enjoyed the confidence of the Government of that country.

Mr. President, Ambassador Gordon is especially well qualified for the tasks and challenges which he undoubtedly will face in his new position. This country is extremely fortunate that men of his ability, dedication, and foresight are involved in shaping and administering our foreign policy. I know the Senate joins with me in wishing him the success which is his due.

NEBRASKA STATEHOOD AND J. STERLING MORTON

Mr. HRUSKA. Mr. President, earlier this week, on March 1, I observed that date was the 99th anniversary of Nebraska's admission to the Union and referred to the plans our State has for observing its centennial next year.

I regret that at the time I spoke I had not yet read an absorbing article in the Nebraska City News-Press by its able editor, Arthur Sweet. Mr. Sweet has gone back to the files of the Nebraska City News, at that time edited by J. Sterling Morton who later was to become this Nation's third Secretary of Agriculture, serving in the Cabinet of Grover Cleveland.

The fight of J. Sterling Morton led against statehood, the charges of vote fraud and corruption, and the narrow victory of the statehood issue in the territorial election are recalled as vital parts of Nebraska history.

I ask unanimous consent to have printed in the RECORD Arthur Sweet's interesting account of the role of J. Sterling Morton in the battle against statehood.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NEBRASKA TO MARK BIRTHDAY—NEBRASKA WAS ADMITTED TO THE UNION JUST 99 YEARS AGO TUESDAY

(By Arthur Sweet)

Tuesday is the 99th birthday of the State of Nebraska, but if you had been a subscriber to the Nebraska City News on March 1, 1867, you wouldn't have known it.

J. Sterling Morton was the editor of the News at that time and in the weekly issue of March 9 was a small headline which read:

"The State of Nebraska has been admitted to the Union."

Under it, Morton, who had fought statehood because he did not want to give the vote to the Negroes, wrote:

"Taxes will be low. The price of labor will be high. Flush times will drive out lean times, wealth will be the rule, and poverty the exception among our people. And the total expense of this beneficent change will not exceed, remember according to the eloquent advocates of statehood who perambulated Nebraska and harangued her people during the pleasant months of May and June 1866, the inconsiderable sum of $12,000 each year."

Once, before Nebraska was finally admitted to the Union, Congress had voted for admission but the bill was killed by President Johnson by pocket veto.

The people of the territory of Nebraska adopted a constitution which provided there would be "no denial of suffrage for reasons of color."

During the legislative dispute over the constitution, anti-State men were able to pass a resolution directing the speaker to appoint a committee to investigate charges of bribery and corruption made in relation to the passage of the joint resolution submitting a State constitution to the people of Nebraska.

The committee's findings were not conclusive, but a minority report teed off on the editor of the News:

"One J. Sterling Morton, editor of Nebraska City News, a would-be leader of the democracy of the territory, and active anti-State man, before, during, and since the submission and passage of the joint resolution, has spent most of his time on the floor of this house caucusing with members, drafting buncombe political resolutions for members to introduce in the house, by which its time was occupied to the exclusion of more legitimate and profitable business."

The official vote of Nebraska for the new constitution and eventual statehood was 3,938 for to 3,838 against.

At the same time, J. Sterling Morton was defeated in his candidacy for Governor by David Butler. The official vote was 4,093 for Butler to 3,948 for Morton. The Democrats claimed the election was stolen when Union veterans were allowed to vote and the entire vote in Rock Bluff precinct of Cass County was thrown out on a technicality.

Before the official vote was announced, Mr. Morton had much to say in the editorial columns of the News.

"The political harpies rejoice that State has carried," he wrote. "We await an official count to determine the matter. Meantime, let us see what counties and towns are 'for' and 'against' State.

"Omaha City: The capital of the territory, the terminus of the Pacific Railroad, a city noted for the public spirit and intelligence of its citizens, votes 'against' State.

"Sarpy County: True to the best interests of the people, true to democracy, true to herself, sends greeting to democracy and a majority for the ticket of 179. But Sarpy votes against State. Her farmers and mechanics and merchants say 'no State in ours.'

"Cass County: Lewis Cass has lived to see that beautiful portion of Nebraska which bears his name redeemed from radicalism and taken into the conservative church of democracy. They have given about a 300 majority against State.

"Otoe County: The democracy of Otoe County came out of the late fight somewhat war torn and scarred but bearing the eagles of victory upon their banners.

"The czar of Russia once visited Napoleon the Great, and in passing from one place to another, observed a veteran soldier whose face was terribly mutilated by saber cuts. He was one of the old guard who had accompanied Napoleon to Moscow. The czar remarked that none but Russians would inflict such wounds, he was sure, but he would ask the veteran—and did so. And the reply was:

" 'How can I tell who gave the wounds. They are dead.'

"So the veteran democracy of Otoe County cannot tell whether the scars came from Russian, Hessian, or who, but they do know that they, whoever they were, who were met in open field the old guard of constitutional rights in Otoe are dead.

"Otoe County, paying a larger tax than any other in Nebraska, having more taxable property, doing more every year to furnish territorial and national revenue, sends up a majority against State of over 400.

"Nebraska City, polling a larger vote than any other town in the territory (1,046) gives 646 of them against State.

"Meantime if State carried, will somebody tell us when, how, and where it has been carried.

"Corruption and fraud may have hatched votes for it somewhere, and if so, exposure will follow."

But State did carry. Morton was defeated for Governor. The Republicans elected a majority in the legislature, Congress passed the bill admitting Nebraska as a State. President Johnson issued the proclamation on March 1, 1867.

There was no rejoicing in the columns of the Nebraska City News, but the editor, Mr. Morton, turned to other things, now that the matter of statehood was finally settled.

VIETNAM—REPORT FROM A MILITARY MAN

Mr. CANNON. Mr. President, we have heard a great deal in recent weeks from civilians concerned about our policies in Vietnam and the course we are following in southeast Asia.

The one group which has been heard from only infrequently is the U.S. military man himself. I was pleased to receive a letter recently from a member of the armed services from my home State, Albert H. Forget, a U.S. Navy veteran who spent 2 years in Vietnam. His remarks, I believe, will be of interest to all and I ask unanimous consent that the letter be printed at this point in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Las Vegas, Nev.,
February 21, 1966.

Dear Senator Cannon: In November 1965, I returned to the United States after having served for 2 years with the Military Assistance Command, Vietnam. I am under orders to report to the U.S. Naval Air Station, Moffett Field, Calif., for duty.

During the past week I have been watching the televised hearings being conducted on Vietnam, and have seen more harm to U.S. prestige done, in what seems to be a forum for the agrandizement of a few Senators, than has been accomplished by Communist propaganda in any year since the end of World War II.

What is of even more concern to me is the effect these hearings will have on the morale of the American fighting men in Vietnam. They will read in the papers, that "the distinguished Senator, from * * * today said * * * get out of Vietnam."

I recall getting very mad when I read or heard such comments in the past. I remember one question passing through my mind, "With support like that from home, what's the use of being here?" It is very discouraging to be actively supporting the policies of your Government and to have those policies blatantly attacked by persons who are, supposedly, the leaders in that Government.

None of us wants war. The military man exists, it is true, for the purpose of war; but he likes it and wants it even less than does Joe Citizen—the man for whom he is fighting. Someone has to do the job, and that someone is the second-class citizen, the underpaid but highly dedicated and loyal American soldier, sailor, airman, or marine.

Mr. Senator, I have seen much of Vietnam. I worked, for many months, in a job which brought me in contact with the overall plans and detailed intelligence on Vietnam. I came to believe, and do still believe, that there is no more important place in the world for a full U.S. mission to be than South Vietnam. I urge that the military components be indoctrinated more fully, though, on their part in the picture—something that the rapid buildups obviated.

Please, Mr. Senator, don't let the nation of South Vietnam be sold down the river. Please don't take away the helping hand of friendship that we have extended to the valiant people of that war-torn nation. And please, Mr. Senator, continue the strong support you have given to our Nation's policies over there. I'll be willing to go again, if need be, to help carry them out.

Sincerely,

Albert M. Forget.

DIVIDED THOUGHTS BUT NO WEAKNESS IN AMERICA

Mr. McGEE. Mr. President, the Washington Post, in its lead editorial for Thursday, March 3, made a point that needs to be pressed home; namely, that Congress has overwhelmingly approved legislation which makes it clear that dissent in Congress is no obstruction to the prosecution of American foreign policy.

In short, there is no weakness in America, even though there may be divided thoughts. This editorial, then, speaks eloquently and ought to be shared by all. I ask unanimous consent that it be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

The Hard Choice

Passage of the $4.8 billion supplemental appropriation for the Vietnam war, by overwhelming votes in both branches of Congress ought to make it clear, at home and abroad, that dissent in Congress is no obstruction to the prosecution of foreign policy.

The combination of a great deal of opposition talk and a very few opposition votes puts the situation in exactly the right dimension. It ought to help countries that do not follow democratic practices to understand our system. If North Vietnam was misled by the angry words in the Senate Foreign Relations Committee, on the Senate floor and in the House, it ought to see the situation more clearly now.

The five votes to rescind the Tonkin Gulf resolution give a fair measure of the importance of Senate opposition to the President's policy in the terms of practical action. Nothing could more clearly show North Vietnam that Washington in 1966 is not Paris in 1954. What the North Vietnamese confront in South Vietnam is not the foreign legion of a tottering parliamentary regime, on the edge of political chaos and in the midst of postwar reorganization. They face the armed forces of a strong American Government, in full political control, backed by immense financial and military resources and supported by a people who are not demoralized, disorganized or disaffected.

This is not to say that either Congress or the country likes this distant conflict over difficult issues. Many are unhappy and distressed, not only by the jeopardy in which Americans must act, but also by the hardship of war that they must inflict upon others. A people indifferent to these anguishing considerations would be devoid of heart or mercy or compassion. The anguish of the Nation was reflected in the speeches in Congress. And it is an anguish of which Senators and Congressmen have no monopoly. There is no delight of battle anywhere in this country.

Government that is capable of making an intelligent choice between a good course and a bad course is not unique in the world. There even have been many capable of choosing wisely between two good courses. The highest test of government is the capacity to choose wisely from available courses when every course presents its difficulties, dangers and hardships and sacrifices. And that is the kind of choice that the administration has had to make and that the Congress has had to make.

They have chosen a hard course—and with understandable anguish. They have chosen it because they recognized that the only alternative course might be even harder. They have embraced the known risks of today, because those risks, however formidable, seem smaller than the risks that would confront us tomorrow were we to seek an easy escape from present danger. This is not the kind of choice that is accompanied by cheers and shouting—but the courage and wisdom to make such a choice is the mark of a stable, mature, and resolute government that cannot be easily shaken from its appointed purpose.

WHAT IT COSTS TO SAY CHARGE IT—THE NEED FOR TRUTH IN LENDING

Mr. DOUGLAS. Mr. President, I recently had brought to my attention an article which appeared in the Kiplinger magazine, Changing Times, last June, which provides strong arguments in favor of the truth-in-lending bill, S. 2275. The burden of the article is to point out to consumers that unless they exercise caution and compare their credit alternatives they may be saddled with high and unexpected finance charges.

The article in particular deals with the difficulty of knowing how much you are paying in finance charges under revolving credit accounts, and it includes a very helpful table to explain the various plans employed under the revolving account system. Significantly, the article comments that, "as revolving plans spread, it becomes increasingly difficult for new customers to secure a regular account."

The truth-in-lending bill, without attempting to regulate acceptable rates of finance charges, would permit the customer to know what the finance charge is, expressed as an annual percentage rate on the outstanding unpaid balance of the obligation. This Kiplinger magazine article correctly suggests that for some kinds of debt the consumer will be much better off with the use of credit union or bank loans rather than installment sales credit. Unless the consumer can master the intricacies of the various revolving account plans described in this article, he can never make a judgment about what his best credit buy would be.

The truth-in-lending bill, through its simple requirement that all offers of credit state the charge for the financing in comparable fashion, will provide the consumer with the information he needs to make the best choice.

Mr. President, I ask unanimous consent that this article from the June 1965 issue of Changing Times, along with the table entitled "How They Figure Service Charges," be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

What It Costs To Say Charge It—The Trend Is to New Kinds of Accounts, Sometimes More Useful, Sometimes More Expensive

Aladdin could do without his magic lamp today. A few charge accounts at the local stores would do almost as well.

Modern-day Aladdins, though, labor under a disadvantage. They have to pay back what they receive, plus service charges. Look back through your monthly statements and you may be surprised at how much you've purchased with the help of store credit over the course of a year. You may be startled, too, at how quickly service charges mount up.

Charge accounts are a great convenience. But as many a shopper has learned, the service charges can often be reduced by choosing and managing the accounts with a little care.

THE OLD LOOK

There was a time—many, many monthly payments ago—when there were two primary ways of charging purchases at a store:

You bought the item "on time," made a downpayment, and pledged to work off the remainder and the interest charges in fixed weekly or monthly installments. This is the traditional installment contract.

You bought the item on a charge account and were billed at the end of the month. Technically, the bill had to be paid in 30 days. In practice, the merchant often let the account slide for 60 or even 90 days before he complained. The store gave you the credit free, though its prices may have been a shade higher than at "cash only" stores. That was the traditional charge account.

THE NEW LOOK

Today, any charging you do is probably on some sort of revolving account. This is neither the old-style installment contract or the old-style charge account. It is the merchant's way of giving customers quick, plentiful credit without running up his own costs.

Revolving accounts are fast becoming the predominant form of retail credit. The store may run the plan itself or use one operated by a bank or central charging service.

In these group charging systems, retailers "sell" their sales checks to the financing organization for cash at, say 3 to 6 percent less than the face value. The service collects the full amount plus credit charges from the customer.

On the surface, the revolving account is a fairly simple operation: You buy as you would with a regular charge account. However, only a specified part of the monthly bill, not the whole amount, has to be paid each month. The monthly installment may be calculated as a proportion of the balance—a fifth, sixth, etc.—or as a flat sum computed on a scale of balances. Under the latter system, for example, the monthly payment could be $15 for balances between $100 and $150, $20 between $150.01 and $200, and so on up the ladder.

Basically, the account functions like an open-end installment plan. The monthly payments constantly reduce the balance while new purchases build it up again.

Stores often limit the amount that can be outstanding at any one time, according to the customer's credit standing. If you run over the maximum, the store may require payment of both the regular monthly installment and the excess of the monthly balance over the limit.

The service charge—generally 1½ percent of each month's balance—is added to the bill at the end of the billing period.

THE OPTION ACCOUNT

Many stores combine the revolving account with a 30-day charge into an option account. There is no service charge if you pay the entire amount within a certain period, usually 30 days, after the billing date. But you can elect to use the revolving feature by sending in a part payment. In that case, the store imposes a service charge. And if you fail to make any payment, the store automatically adds a service charge.

Some stores—relatively few—use coupon or script plans. The customer is issued certificates that are only valid for buying goods in the particular store. And he pays the dollar value of the script and service charges in installments.

YOUR BEST PLAN

Obviously, the cheapest form of credit for the customer is the old charge account. If you can get one, take it. If you already have one, cherish it. Understandably, retailers like the revolving plans. When the store in which you have a regular charge account introduces a revolving plan, you may be asked to go along with the switch. The store might simply start billing you on the new system wtihout any notification. When that happens, ask the store to keep you on the old charge plan, which is all that you signed up for in the first place.

As revolving plans spread, it becomes increasingly difficult for new customers to secure a regular account. Your choice at any one store nowadays may be restricted to an option account or revolving accounts with different monthly payment schedules. Installment financing will also be available for special purchases.

By all means, take the option account. It gives you much more flexibility. With a no-option revolving plan there's a service charge even when the balance is paid in full within 30 days.

STILL MORE WAYS TO SAVE

Picking the right kind of account is important, but it is really only the first step toward reducing charge costs. Here are other key points that should be kept in mind:

The most common service charge seems to be 1½ percent. But as you can see from the examples in the table following, the actual service charge in dollars and cents depends on the way the 1½-percent rate is applied. Two stores charging the same rate can come up with different charges for the identical set of purchases.

Generally, you get the best break when the charge is calculated as a percentage of the unpaid balance; the previous month's balance minus the monthly payment and credits for returned merchandise (see plan II).

A monthly payment 2 days late is not better than one 2 weeks late. In both instances, the payment is not credited until the following month and the service charges won't be reduced until then. So try to pay punctually. If you can't, you might as well wait until the last minute—you're paying for the time anyway.

Remember that the payment period begins on the date your account closes, which should be marked on the bill. The deadline may not coincide with the end of the month.

Many stores employ a cycle billing system. Customers are classified alphabetically and accounts close on a continuous schedule—the A's and B's may be billed the third of the month, the C-D group the fourth, etc. On top of that, bills may be mailed weeks after the account closes. You may even receive a bill just a few days before it is due.

HOW THEY FIGURE SERVICE CHARGES

The way a service charge is applied can make a substantial difference in the cost of a charge account, as these three examples of revolving accounts illustrate. The same transactions are used in all three: The customer starts with no outstanding balance and buys $100 of merchandise the first month, $30 the next month and nothing the third. He makes two payments of $20 each.

In plan I, he has no option for paying the entire amount in 30 days without charges. The 1½-percent charge is calculated on the current balance, which is the previous month's balance minus the monthly payment, plus new purchases. Note that with this account you pay a service charge for an item that might have been bought the day before the bill was drawn up.

In plan II, there is a 30-day option, and the charge is computed on the unpaid balance—the previous month's balance minus the monthly payment.

In plan III, another option account, the charge is figured on the previous month's balance.

	Date	Previous balance	Payments	Charges	Balance	Service charge	Balance owed
Plan I, revolving account	July 1			$100	$100.00	$1.50	$101.50
No option	Aug. 1	$101.50	$20	30	111.50	1.67	113.17
Service charge, 1½ percent of current balance	Sept. 1	113.17	20		93.17	1.40	94.57
Total						4.57	
Plan II, revolving account	July 1			100	100.00		100.00
30-day option	Aug. 1	100.00	20	30	110.00	1.20	111.20
Service charge, 1½ percent of unpaid balance	Sept. 1	111.20	30		91.20	1.37	92.57
Total						2.57	
Plan III, revolving account	July 1			100	100.00		100.00
30-day option	Aug. 1	100.00	20	30	100.00	1.50	111.50
Service charge, 1½ percent of previous month's balance	Sept. 1	111.50	20		91.50	1.67	93.17
Total						3.17	

Some retailers have a minimum monthly service charge. If the charge figured at the regular rate is less than the minimum, you pay the minimum. This practice makes it unwise to leave small balances unpaid. For example: You have a $7 balance at a store with a 50-cent minimum and pay only the scheduled $5 installment. One and a half percent of the remaining $2 is 3 cents. But you are charged 50 cents—equivalent to 25 percent of $2.

Store credit is relatively expensive and should be used sparingly. A service charge rate of 1 percent works out to 12 percent simple annual interest. To see why this is so, start with a $100 balance and multiply it by 12 percent. The annual charge would be $12. However, with a charge account you borrow and pay charges on a month-to-month basis. For 1 month, then, the charge would be one-twelfth of $12, or $1. This is precisely the result produced by multiplying $100 by 1 percent. The prevalent 1½ percent charge comes to 18 percent simple annual interest.

Credit union loans usually cost 1 percent or less a month. Banks usually add the interest charge to the face amount of the loan or deduct it at the outset. The simple annual interest rate for these loans is about double the stated rate. A 6 percent discount is roughly 12 percent interest. The store charging 1 percent is giving you credit at or close to bank and credit union rates.

When you have to pay 1½ percent, you're better off with a credit union or bank loan—

if you intend to buy a sizable amount. Negotiating one loan after another to cover small balances is a cumbersome way to shop.

For the little stuff, you can't beat the convenience of a charge account. Like Aladdin's genie, it's always there, ready to serve. But unlike Aladdin's genie, it will start demanding wages if you don't treat it just right.

FORTHCOMING RETIREMENT OF FEDERAL JUDGE LUTHER W. YOUNGDAHL

Mr. MONDALE. Mr. President, I am proud to represent a State which has contributed to this country an unusual number of men of exceptional ability, serving in posts of the highest responsibility. Of these men, none is more deserving of our esteem and our gratitude than Federal District Judge Luther W. Youngdahl.

After 15 years of most distinguished service on the District of Columbia bench, Judge Youngdahl will be retiring this May upon reaching his 70th birthday. Before coming here, he served the State of Minnesota in a career that is already legendary there. He was an exceptionally able justice of the Minnesota Supreme Court. He was elected Governor of Minnesota three times; and although I am of another political party, I can testify that Luther Youngdahl has earned the abiding respect and affection of Minnesotans for his distinctive blend of integrity, intelligence, and compassion. He is justly and highly revered by the people of our State. Our warmest wishes for a long and rich retirement are with him as he approaches this milestone in a lustrous career.

I ask unanimous consent to have printed in the Record an editorial entitled "Senior Judge," which was published this morning in the Washington Post. The editorial pays tribute to Judge Youngdahl's outstanding contributions to the Federal bench in the District of Columbia.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

SENIOR JUDGE

The sense of public loss that is conveyed by Judge Luther Youngdahl's decision to retire from active service on the U.S. District Court when he reaches his 70th birthday in May is moderated by two considerations: he has richly earned some rest; and he has promised, in any event, to serve on the bench a substantial part of the time as a senior judge. Thus his retirement will open the way for appointment of a younger man to active service on the court, while continuing to keep available for use the ripened harvest of his experience—the very purposes which the retirement arrangements were designed to serve.

The son of immigrant parents, Luther Youngdahl was a justice of the Supreme Court of Minnesota and was elected to three terms as Governor of that State before he came to the most important trial court in the country, here in the District of Columbia, 15 years ago. He brought to the bench an extraordinary combination of toughness and sensitivity—toughness in conducting innumerable complicated civil and criminal trials to completion with stern fairness and dispatch, sensitivity always to human values and the essentials of justice.

We recall with particular satisfaction the vigor and indignation with which Judge Youngdahl dismissed the empty, vindictive charges of perjury brought against Owen Lattimore by a servile Department of Justice at the behest of the Senate's McCarran committee. The country owes him great gratitude for that judgment alone—and for the whole of his long and devoted public service.

A TRIBUTE TO THE HOUSE SUBCOMMITTEE ON FAR EASTERN AFFAIRS

Mr. CHURCH. Mr. President, while the Senate Foreign Relations Committee has been receiving national attention from its hearings on Vietnam, the House Subcommittee on Far Eastern Affairs, under the able chairmanship of Representative Clement Zablocki, has been conducting dispassionate, in-depth and much needed hearings into the question of the United States policy toward China.

A tribute which is rightly theirs was paid to the subcommittee by columnist Joseph Kraft in the February 26 Washington Post. Mr. Kraft concluded:

> No prescriptions for action in Vietnam nam flow from the Zablocki committee hearings. But the testimony suggests uncertainty and danger. It underlies the wisdom of trying to break up, rather than bringing on, a pattern of direct and total confrontation between the United States and Communist China.

As one means of recognizing the contribution made by the subcommittee so far, I ask unanimous consent to have the comments of Joseph Kraft printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

THE OTHER HEARINGS

(By Joseph Kraft)

The spectacular Senate hearings on Vietnam eclipsed a set of House hearings that were less dramatic but far more illuminating. For the House testimony, because it centered on Communist China, provided what the Senate sessions could not supply—a good perspective for measuring the likely consequences of the Vietnam war.

The forum was Representative Clement Zablocki's Far Eastern Subcommittee of the House Foreign Affairs Committee. The witnesses were outside experts, mainly from the academic world. Because of the ugly climate of suspicion building here, I find it necessary though odious, to add that all of them are respected anti-Communists, formerly associated with Republican as well as Democratic administrations. Their testimony turned on three main questions.

The first question turned on the strategic outlook in Peiping. Not a single witness supported the official administration view that the Chinese regarded the United States as a weak sister that could easily be pushed around. All the witnesses emphasized that Peiping's policy was rooted in anxiety over Chinese weakness relative to American power. For example, Samuel B. Griffith II, a retired Marine Corps general, testified:

"I think if we can put ourselves in Peiping and look around as the members of the Politburo do, we might see the picture they see. They see American power in Japan, South Korea, Okinawa, the Philippines, Taiwan, and growing in South Vietnam. They see us as an ally of India. I honestly believe we have to understand, or attempt to understand, that Peiping has reason for apprehension."

The second question turned on Peiping's designs on neighboring states. All witnesses concurred that a long-range aim of Chinese policy was to end the American presence in these countries. But none accepted the premise that, if that presence was ended, the Chinese would necessarily take over. For example, Prof. Howard Boorman of Columbia testified:

"I don't feel the Chinese have any intention of occupying and administering extensive areas of Asia under present conditions. Military occupation of limited areas on China's border might be a realistic thing. But they have never intended to take over India or Thailand. They are well aware (that) the international Communist movement has turned into a medley of contending political forces. If this has happened in the past, the Chinese assume that it could happen in the future. Let's assume, for example, that we had 94 Communist Parties around the world taking orders from Peiping; is there any reason to believe that these countries will always continue to take orders from Peiping and not turn against the Chinese, as the Chinese turned against the Soviet Communist Party leadership?"

The third question centered on the possibility of China's entering the Vietnamese war. All witnesses were agreed that China did not want to become engaged in the conflict. But all agreed also that under certain circumstances Peiping might feel that it had to enter the war to protect its strategic interests. For example, Prof. Doak Barnett of Columbia testified:

"I think there would be a point at which the Chinese would feel compelled to intervene. Certainly, if they thought the North Vietnamese regime was on the point of collapse, they would intervene. Probably escalated bombing, including bombing of Hanoi and Haiphong, would be a symbolic act raising the level of conflict sufficiently to force the Chinese to feel that for a variety of reasons they would have to escalate their own involvement."

No prescriptions for action in Vietnam flow from the Zablocki committee hearings. But the testimony suggests uncertainty and danger. It underlies the wisdom of trying to break up, rather than bringing on, a pattern of direct and total confrontation between the United States and Communist China.

Something quite close to the Zablocki hearings, moreover, stands in the background of the latest storm over Vietnam. Before suggesting that this country accept Vietcong participation in a South Vietnamese Government, Senator Robert Kennedy met at his home with a group of China experts. Not political calculations, as some imagine, but the hope of breaking up the hardening pattern of total confrontation between this country and China inspired him to make his statement. In these circumstances, the odd thing is not that he said what he said. The odd thing is that the administration reacted with such savage fury.

HIGHWAY SAFETY NEEDS ATTENTION

Mr. COOPER. Mr. President, last year I joined in sponsoring S. 2231, introduced by Senator Ribicoff, and designed to establish a Federal program of assistance to the States to assure greater safety in travel on our roads and highways. On Wednesday of this week, I read with interest the message of the President, and the remarks of our distinguished colleague, Senator Magnuson, the chairman of the Senate Commerce Committee, on the introduction of a bill also to assist traffic safety.

I am privileged to serve as the ranking Republican member of the Senate Public Works Committee, which has jurisdiction over legislation affecting the Federal highway programs, and with members of this committee, I am hopeful that full attention will be given to the imperative need for improved highway safety measures.

I do not serve on the Government Operations Committee, where Senator RIBICOFF has worked diligently in considering the Federal role in this field, nor on the Senate Commerce Committee, which will consider the legislation introduced this week. But I believe the Congress should take action to help meet this problem this year, and I hope that our Public Works Committee can be of help.

I have just looked at the March 1966 issue of Traffic Safety, published by the National Safety Council, and I note a number of articles on this subject. In particular, the article entitled "the Traffic Toll for 1965" provides a study of aspects of the problem that will be considered by the Congress, and I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE TRAFFIC TOLL FOR 1965

(By H. Gene Miller)

Traffic deaths rose again in 1965, finishing the year with an estimated 49,000. This was 3 percent above the indicated 1964 total of 47,700, but it was the smallest year-to-year increase in the last 4 years. In previous years, the increases were: 1964, plus 9 percent; 1963, plus 7 percent, and 1962 plus 7 percent.

In December alone, deaths increased to 4,940. This was 10 percent higher than last December's total and was the largest monthly total on record for any month. Deaths were also up in 7 other months in 1965, but here, again, the situation was more favorable than it had been in the 3 preceding years. In 1964, each month's total was higher than that of the corresponding month of the previous year, and in both 1963 and 1962, only 1 month's experience was lower than that of the corresponding month in the preceding year.

TRAVEL, VEHICLES, DRIVERS—ALL UP

Travel continued to increase sharply in 1965, and preliminary reports indicate the rise will almost match that of the 2 preceding years. In 1965 there were about 880 billion miles of travel, an increase of 4.5 percent over 1964. In both 1964 and 1963, travel was up about 5 percent, while in 1962, it was up about 4 percent.

The numbers of motor vehicles and drivers also rose to record levels in 1965, as they have in each year since the end of World War II. Vehicles totaled about 91 million, an increase of 4 million over 1964. This increase approximately equals the largest year-to-year increase on record which occurred in 1955. Between 1955 and 1964, the average yearly increase was 2.7 million vehicles, but during the first 6 years of this period, the yearly increase averaged 2.3 million, while during the last 3 years it averaged 3.7 million.

Drivers in 1965 increased to an estimated 98 million. Revisions in this series do not permit exact comparisons with totals for earlier years, but sharp increases in the number of persons reaching driving age indicate that the total number of drivers probably was up sharply during the year.

The mileage death rate in 1965 was 5.6 (deaths per 100 million vehicle miles of travel). This was down from the preliminary 1964 rate of 5.7, and marked the first yearly reduction in this rate since 1961. In that year, the rate was 5.2, the lowest on record. The 1965 rate was the same as the 1958 rate, but in 1958 the number of vehicles and the amount of travel were one-fourth less than in 1965.

Turnpike deaths were up 1 percent in 1965 over 1964, but travel was up 8 percent. The death rate on these facilities decreased to 2.4 from 2.5 in the previous year. Fatal accidents, though, were up slightly, while injury accidents were up 13 percent and property damage accidents were up 10 percent.

Injuries causing disability beyond the day of the accident are estimated at 1.8 million, with less serious injuries probably equaling this number. This total represents the best estimate of the year's experience, but, since it is not based on an actual tally of cases, it should not be compared with totals for earlier years for trend purposes.

FACTORS IN THE INCREASE

The factors that have been mentioned in previous annual reports as contributing principally to the increase in deaths still appear to be factors to reckon with. These include: (1) increase in travel, (2) increase in young drivers; (3) increase in average speed of vehicles, (4) more small cars, although these did not increase in numbers any faster in 1965 than did large vehicles, and (5) booming economy.

Further evidence of the pressure that increasing travel is placing on facilities comes from a Florida turnpike report that states that gross revenues in 1965 have already reached the amount predicted for 1981, and that revenues now forecast for 1966 were originally forecast for 1987. If revenue is a true measure of travel, then the impact of "1981 traffic volume" in 1965, not only on the turnpike but on feeder roads and possibly on other roads, cannot be dismissed.

The further rise in economic activity in 1965, occasioned by continuing demand for "butter" products amid the added demand for "bullet" products, extends the pressures from this factor. Higher employment and rising wages encourage more use, and possibly less conservative use, of motor vehicles.

At least one more factor has now entered the scene, and this is the sharp rise in motorcycles. These vehicles increased by one-third in 1965 over 1964; they have doubled since 1962. The exact number of deaths arising out of motorcycle accidents in 1965 is not yet known, but, based on recent trends, it could reach 1,500. Such a total would be nearly 400 more than the 1964 total—nearly one-third of the total increase in deaths from 1964 to 1965.

FAVORABLE FACTORS

The favorable factors cited in previous annual reports also are continuing to hold down accidents and save lives. These include: (1) vehicle design features, (2) limited-access highways, (3) engineering improvements in highways, (4) driver education, (5) commercial driver training and (6) seat belts.

More than 2,000 additional miles of the Interstate System were opened to traffic in 1965, raising the total miles of these highways to about 20,000. These highways carried nearly one-tenth of all travel in 1965 with a death rate only one-third that of other rural roads. Without these roads, the death total would have been at least 5,000 more in 1965.

More than 400 spot improvement projects in 42 States have been programed or completed since March 1964. The total for all of 1965 has not been reported, but 150 were scheduled in the first quarter of the 1965–66 fiscal year alone. Cost evaluation, in terms of accidents prevented, has proved the merit of such projects.

Seat belts are being used more, primarily because more vehicles have belts in them, and there is some evidence accumulating that indicates that belts might be saving more lives than estimated earlier.

Vehicle design features, including tires, are being given more attention, and the years ahead should see even more emphasis along this line.

A new factor on the plus side made its debut in 1965—the NSC driver improvement program. Officially "kicked off" at the 1964 Safety Congress, the program started slowly in 1965, yet 4,000 instructors in 42 States and the District of Columbia were trained during the year. The instructors in turn brought the course to a large number of drivers, and it is expected that the course will reach 1 million drivers in 1966.

REGIONAL CHANGES

Deaths were up 10 percent in the New England region in 1965 over 1964 and they were about unchanged in the central regions. Deaths were up a little more in the eastern regions than they were in the western regions, although the changes varied little from the national increase of 3 percent.

Compared with 1961, deaths for the entire United States were up 29 percent in 1965. For this longer period, the New England States had a 45-percent increase, while the Mountain States had only a 14-percent increase. For other regions, deaths were up more than the national average in the eastern regions, up a little less in the Pacific region, and about the same as the national average in the central regions.

Changes in motor vehicle deaths, by region of the country, 1961–65

[In percent]

Region	1964–65	1961–65
Total	+3	+29
New England	+10	+45
Middle Atlantic	+3	+35
South Atlantic	+4	+35
North Central	+1	+28
South Central	0	+27
Mountain	+2	+14
Pacific	+2	+25

DEATHS UP MORE IN URBAN AREAS

In urban areas, deaths in 1965 were up 4 percent over 1964, while in rural areas they were up 2 percent. In actual numbers, though, the rural increase was a little greater since nearly 70 percent of all deaths occur in rural places. Compared with 1961, urban deaths were up 44 percent, while the rural increase was a smaller 23 percent.

Urban deaths totaled more than 30 percent of all deaths in 1965. Less than 10 years ago they accounted for 25 percent of all deaths. The urban percentage of deaths has increased each year since 1955, reflecting both an increase in the proportion of travel in urban places and the multiplying consequences of this increase. The mileage death rate in urban places was 3.6 in 1965, up a little from 3.5 in 1955; the rural rate was 7.4 in 1965, down from 8.6 in 1955.

In the group of largest cities, deaths were about unchanged in 1965 compared with 1964, and they were up only 300 over 1961. For smaller cities, the increase from 1964 to

1965 was not great, but the change from 1961 to 1965 was sizable, especially for cities under 50,000. Within this latter group, nearly two-thirds of the increase was in cities under 10,000 population.

RURAL DEATHS BY TYPE OF ROAD

In rural areas, deaths on controlled access roads increased more percentagewise than deaths on other roads. In actual numbers, the increase in deaths was the same on controlled access roads as it was on State roads. At least part of the increase on the former type of road, though, is due to more miles of these facilities being placed in operation during the year. Deaths on county roads appear to have dipped slightly during the year, but compared with 1961, deaths on these roads show the largest numerical increase.

Motor vehicle deaths by urban and rural places, and changes, 1961–65

Place	1965 total	Percentage change		Numerical change	
		1964-65	1961-65	1964-65	1961-65
Total	49,000	+3	+29	+1,300	+10,900
Urban	15,100	+4	+44	+600	+4,600
Group 1 [1]	1,900	0	+19	0	+300
Group 2	3,100	+7	+41	+200	+900
Group 3	1,900	+6	+73	+100	+800
Group 4	1,700	0	+42	0	+500
Group 5	6,500	+6	+48	+300	+2,100
Rural	33,900	+2	+23	+700	+6,300
Controlled access roads	2,000	+25	+185	+400	+1,300
State roads	20,700	+2	+11	+400	+2,100
County roads	9,500	−2	+32	−200	+2,300
Other	1,700	+6	+55	+100	+600

[1] Group populations are as follows: (1) Over 1,000,000, (2) 250,000–1,000,000, (3) 100,000–250,000, (4) 50,000–100,000, (5) under 50,000.

DEATHS IN TWO-VEHICLE COLLISIONS UP MOST

Three-fourths of the 1,300 increase in deaths in 1965 over 1964 occurred in 2-vehicle collisions, according to the experience of reporting States. About one-fourth of the increase occurred in ran-off-roadway accidents. Also up were deaths in fixed object collisions and collisions with trains and animals. Pedestrian and bicycle deaths were a little lower.

In the period 1961–65, more than half of the numerical increase in deaths occurred in two-vehicle collisions, while one-fourth occurred in ran-off-roadway accidents. Pedestrian deaths were up the least, percentagewise, over this period.

Forty-two percent of all motor vehicle victims died in two-vehicle collisions in 1965. This was the highest percentage ever, and compares with 41 percent in 1964, 39 percent in 1961, 35 percent 10 years ago, and 30 percent before World War II. More than half of the occupants of motor vehicles who died in accidents in 1965, died in two-vehicle collisions.

Motor vehicle deaths by type of accident, and changes, 1961–65

Accident type	1965 total	Percentage change		Numerical change	
		1964-65	1961-65	1964-65	1961-65
Total	49,000	+3	+29	+1,300	+10,900
Pedestrian	8,800	−2	+15	−150	+1,150
2 vehicle	20,600	+5	+40	+1,000	+5,900
Ran off road	14,900	+2	+22	+300	+2,700
Railroad	1,690	+2	+33	+30	+425
Bicycle	675	−2	+38	−15	+185
Fixed object	2,200	+5	+29	+100	+500
Animal, other	135	+35	+59	+35	+50

DEATHS BY AGE OF VICTIMS

Nearly two-thirds of the 1,300 increase in deaths in 1965 over 1964 involved persons aged 15–24 years, although the percentage increase in deaths was not quite as high as it was for persons over 75 years. For the other age groups, the totals in 1965 were not importantly different from those of the previous year.

Deaths by age groups

Age group	1964	1965	Change	
			Percent	Number
0 to 4	2,100	2,100	0	0
5 to 14	3,400	3,500	+3	+100
15 to 24	12,400	13,200	+6	+800
25 to 44	12,500	12,700	+2	+200
45 to 64	10,200	10,300	+1	+100
65 to 74	4,200	4,100	−2	−100
75 and over	2,900	3,100	+7	+200
Total	47,700	49,000	+3	+1,300

STATE AND CITY EXPERIENCE

Among the 50 States reporting motor-vehicle death information for December, 15 had decreases, 1 showed no change, and 34 had increases. For the entire year, 17 States had decreases, and 31 had increases. Two States, Arkansas and Rhode Island, showed no change in deaths. For the year, the 17 States having decreases in deaths were:

	Decrease in percent
Nebraska	14
North Dakota	13
South Dakota	10
Nevada	9
Colorado	7
Arizona	7
New Hampshire	7
Oklahoma	6
Iowa	5
Utah	5
Delaware	5
New York	3
Wisconsin	2
Idaho	2
California	1
Washington	1
Kansas	1

Of the 648 cities reporting in December, 145 had decreases in deaths from the December 1964 figure, 333 showed no change, and 170 had increases. For 12 months, 241 cities had decreases, 103 showed no change, and 304 had increases.

The following cities of more than 200,000 population had fewer deaths for the 12-month period:

	Decrease in percent
Kansas City, Mo	23
Milwaukee, Wis	20
Louisville, Ky	20
Minneapolis, Minn	17
San Francisco, Calif	12
San Diego, Calif	11
Long Beach, Calif	6
Denver, Colo	5
Los Angeles, Calif	4
Detroit, Mich	3
Baltimore, Md	3
Houston, Tex	1

In December, 381 of the 648 cities reporting had perfect records. Of these, the three largest were: Rockford, Ill. (132,200); Lincoln, Nebr. (128,500); and Riverside, Calif. (126,600).

For the entire year, 74 of the cities had perfect records. Of these, the three largest were; Binghamton, N.Y. (75,900); Alameda, Calif. (71,000); and Cuyahoga Falls, Ohio (52,900).

The 3 leading cities in each population group at the end of the year, ranked according to the number of deaths per 10,000 registered motor vehicles, were:

Group I (over 1 million population):

	Registration rate	*Population rate*
Chicago, Ill	2.9	8.2
Los Angeles, Calif	3.1	16.3
Philadelphia, Pa	3.7	14.7
Group II (750,000 to 1 million population):		
Milwaukee, Wis	2.1	8.3
San Francisco, Calif	2.7	11.2
Houston, Tex	2.8	15.0
Group III (500,000 to 750,000 population):		
Denver, Colo	2.1	12.4
Buffalo, N.Y	2.3	11.8
Seattle, Wash	2.4	13.8
Group IV (350,000 to 500,000 population):		
Indianapolis, Ind	1.9	11.7
Louisville, Ky	2.1	11.1
Portland, Oreg	2.4	17.4
Group V (200,000 to 350,000 population):		
Providence, R.I	1.5	6.7
Jacksonville, Fla	1.6	10.9
Flint, Mich	1.8	10.4
Group VI (100,000 to 200,000 population):		
Lincoln, Nebr	0.8	3.9
Waterbury, Conn	.9	3.7
Yonkers, N.Y	1.3	4.7
Group VII (50,000 to 100,000 population):		
Binghamton, N.Y	---	----
Alameda, Calif	---	----
Cuyahoga Falls, Ohio	---	----
Group VIII (25,000 to 50,000 population):		
Zanesville, Ohio	---	----
Midland, Mich	---	----
Bristol, Conn	---	----
Group IX (10,000 to 25,000 population):		
Pampa, Tex	---	----
Glenview, Ill	---	----
South St. Paul, Minn	---	----

Motor vehicle deaths and changes, total United States

Months	Deaths				Percentage changes		
					Corresponding months		4 months moving average
	1962	1963	1964	1965	1963-65	1964-65	1964-65
January	2,685	2,695	3,230	3,520	+31	+9	+8
February	2,460	2,647	3,260	3,100	+17	−5	+4
March	2,965	3,283	3,510	3,360	+2	−4	+2
April	3,038	3,180	3,450	3,700	+16	+7	+2
May	3,200	3,485	3,830	3,990	+14	+4	+1
June	3,614	3,714	3,950	4,070	+10	+3	+3
July	3,860	3,942	4,300	4,160	+6	−3	+3
August	4,005	4,321	4,840	4,710	+9	−3	+*
September	3,632	4,032	4,090	4,250	+5	+4	+*
October	3,913	4,009	4,590	4,790	+19	+4	+1
November	3,672	4,069	4,160	4,410	+8	+6	+3
December	3,760	4,187	4,490	4,940	+18	+10	+6
Total	40,804	43,564	47,700	49,000	+12	+3	-------

*Less than 0.5 percent.

THE URGENT NEED FOR DAIRY PRICE SUPPORT INCREASES

Mr. McGOVERN. My attention has just been called, Mr. President, to the report of the Department of Agriculture for the month of January 1966, relating to evaporated, condensed, and dry milk.

The report shows that the production of evaporated milk in January 1966 dropped 5½ million pounds, or 4 percent under January 1965, and 12 percent under the 1960–65 average. The production of nonfat dry milk in January 1966 was down 56 million pounds, or 30 percent under January 1965, and 23 percent under the 1960–64 average.

Nonfat dry milk is the principal high-protein commodity which has been available to our foreign school lunch assistance programs in the past, and it is now becoming a scarcity item as a result of comparatively low manufacturing milk price supports and the movement of dairy farmers out of milk into the production of beef, pork, and other more profitable commodities.

I ask unanimous consent, Mr. President, to have printed in the RECORD excerpts from the January milk report which are pertinent. The report leaves no doubt that there is an urgent need for an increase in our basic manufacturing milk price support to halt the liquidation of dairy herds and maintain dairy production. In the absence of improved dairy income, production can now very easily decline to a level that will result in a runaway inflation of dairy prices.

The Secretary of Agriculture has assured us that an increase in the support level will be forthcoming soon. I can only urge that it be adequate and timely.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

EVAPORATED, CONDENSED, AND DRY MILK REPORT FOR JANUARY 1966

PRODUCTION

Evaporated and condensed milk: January output of evaporated whole milk is estimated by the Crop Reporting Board at 117 million pounds. This is 4 percent less than the January 1965 production and 12 percent below the 1960–64 average for the month.

Production of sweetened condensed whole milk during January was 9.5 million pounds. Output was 2 percent more than the same month last year.

Dry milk: Production of spray and roller process (combined) nonfat dry milk for human consumption was 130 million pounds in January. This is 30 percent smaller than a year earlier and 23 percent below the average for the month.

Spray-dried nonfat milk production totaled 126 million pounds—down 30 percent from a year earlier, 21 percent less than average, and the smallest production for the month since 1957.

Roller-dried nonfat milk output is estimated at 3.8 million pounds—off 37 percent from January a year ago and 58 percent below average.

Production of dry whole milk, at 8.4 million pounds, was down 1 percent from January last year, but was 4 percent more than average.

TABLE 2.—*Production of nonfat dry milk (human food, total), United States*

Month	Enumerations (million pounds)		Estimates (million pounds)		Percent change from—	
	1960-64 average	1964	1965	1966	1960-64 average	1965
January	167.6	177.1	186.0	129.8	−23	−30
February	166.7	180.1	183.3	--------	--------	--------
March	191.9	209.5	203.4	--------	--------	--------
April	206.4	221.4	217.3	--------	--------	--------
May	243.4	255.7	244.6	--------	--------	--------
June	233.0	239.6	224.9	--------	--------	--------
July	179.4	181.4	169.8	--------	--------	--------
August	144.1	150.1	131.2	--------	--------	--------
September	118.0	121.7	100.6	--------	--------	--------
October	126.8	127.1	102.0	--------	--------	--------
November	130.4	135.9	105.2	--------	--------	--------
December	162.6	177.2	130.7	--------	--------	--------
Annual total	2,070.3	2,176.8	1,999.0	--------	--------	--------

Dry buttermilk output at 5.5 million pounds was down 25 percent from a year earlier and 29 percent less than average for the month.

Dry skim milk for animal feed was 1.8 million pounds—an increase of 12 percent from January last year but a decrease of 12 percent from average.

THE PRESIDENT'S COMPREHENSIVE PROPOSAL FOR A DEPARTMENT OF TRANSPORTATION SHOULD BE SUPPORTED STRONGLY

Mr. GRUENING. Mr. President the State of Alaska has, I believe, more at stake in effective development of all forms of transportation than any other State in the Union.

The very size of our State—586,400 square miles in area—demands transportation services equal to its vast reach of land and water. Our isolation, despite contiguity with the North American Continent, resembles that of an island. Our long deprivation of Federal assistance for development of highways, airports, navigation facilities and all the necessary accompaniments of a modern transportation system gives an added dimension to the importance of accelerated progress in all forms of Alaskan transportation. As a territory, Alaska was cruelly neglected in the provision of Federal aids liberally given to the States of the Union and, so, our State will have many years of catching up to bring us even near the standards of transportation systems of the other States.

The proposal of President Johnson to consolidate transportation agencies having responsibilities for promotion and development of highway, air, water, and rail transportation in a single Department of Transportation promises progress in the field of transportation in Alaska. A cordinated plan for solving American transportation problems, where differing forms of transportation can be studied in a balanced and systematic manner should be far more productive than is now possible. Conflicts and duplications that result in concentration on single transportation systems without relationship to others can be eliminated and the Nation as a whole will be better served by the resources of the Federal Government.

Alaska has, of course, unique characteristics of its transportation services which have developed as a result of geographical factors and the lack of attention from the Federal Government to which I have previously referred.

Alaskans still rely sometimes on the unique transportation service of dogsleds; however, by far the greatest volume of travel in my State is by modern aircraft. The people of Alaska travel more miles by air than those of any other State. One reason for this is, of course, that we have so few highways, the direct result of longtime discrimination by the Federal Government which resulted in our total exclusion from Federal-aid highway legislation during its first 40 years—from 1916 to 1956—and then on a very reduced basis in the next 3 years until we achieved statehood.

The heavy dependence of Alaskans on air travel is graphically demonstrated by such statistics as the fact the FAA national airport plan for fiscal years 1963 through 1967 estimates Alaskans will use a total of 364 landing facilities, or an average of one facility for approximately 700 people—Texas has the next highest per capita availability of landing facilities, having one facility per 48,000 persons. Another indication of the importance of air transportation to Alaskans is the location in Alaska of more than 30 percent of all being in the United States designated to receive certificated service.

For shipment of freight to Alaska, our people are totally dependent on water transportation provided by commercial carriers operating from west coast ports. With the exception of the imaginative and highly successful State ferry system inaugurated by the new State of Alaska in 1963, no water transportation service for passenger traffic exists. The importance, indeed, the necessity for efficient, low-cost freight transportation to Alaska is foremost among the factors affecting development of the State and its resources. For too many years, Alaskans have been aware they could not make the economic progress promised by rich resources so long as freight rates remain exorbitant and service is provided only at the pleasure of the carriers without regard to the welfare of the people.

The only railroad service available in Alaska is that of the 470-mile-long federally owned Alaska Railroad, now, and for all the time of its history, under the management of the Interior Department. The railroad was built and financed by the Federal Government to aid in development of the roadless Territory. In 1914, when its authorizing legislation was passed, the railroad was a progressive idea. It still has possibilities for encouraging the development of the State and it serves specialized functions in support of military forces and facilities in Alaska.

It has, however, long been very clear the Department of the Interior lacks the expertise of specialists in the field of transportation badly needed to run a railroad. I commend the recommendation for transfer of the Alaska Railroad from the Interior Department to a new Department of Transportation. I believe that such a reorganization will provide an opportunity for careful review of the operating procedures of the Alaska Railroad and for improvement of its services in the interests of the State.

As for our highways, Alaska has an incredibly minute and inadequate system of roads for the terrain to be served. As of December 31, 1963, Alaska had little more than 6,000 miles of highway to serve its 586,400 square miles of real estate. At the time of admission to the Union, a little over 7 years ago, the capital of Alaska and most of the communities of the State were completely unconnected by highway. Now, the only exception is the "marine highway"—the State ferry system—which connects our capital and other southeastern communities with each other and with British Columbia. This essential component of our transportation system was built and financed entirely by the new State without any help whatever from the Federal Government.

This serious deprivation of highway mileage results from the failure of Congress to extend to Alaska the full benefits of the Federal Aid Highway Act until Alaska entered the Union. Since that time I have made it one of my primary objectives to achieve enactment of meaningful legislation that would give Alaska a start toward a good highway system. The only progress that has been possible was the enactment of an amendment to the Federal Aid Highway Act of 1962 which authorized the Secretary of Commerce to produce a study of Alaska's highway needs for which I was able to secure an authorization and appropriation of $400,000, which produced a complete report.

The legislation directed that the report was to have been made to Congress by May 15, 1964. May 1964 came and so did May 1965 and apparently so will May 1966 come without the promised report being submitted to Congress or even officially released by the Department of Commerce.

It was the understanding with the Department of Commerce when this legislation was first sought that it would eventuate in an administration-sponsored bill designed to rectify the longstanding discrimination against Alaska. But this promise has not yet been kept.

It is my fervent hope that the plan of the President to transfer the Bureau of Public Roads and the administration of the Federal aid highway system to a new Department of Transportation will place this highly important program in an organizational location where its contributions to Alaska, as to other States, will be more meaningful than in the past. Perhaps, if the Federal aid highway program is rescued from its now smothered existence in the giant Commerce Department the needs of Alaska will have a chance of recognition and action will be taken to meet them fully.

A Department of Transportation, as proposed by the President, will enable experts in the field to view all modes of transportation—air, motor, water, rail—as parts of an integrated pattern. The requirements of each form of transportation can be assessed and met without damaging the interests of others and in the way best able to serve the needs of the people. For Alaska this is of vital importance and I hope speedy and favorable action will be taken on the President's proposal.

ADDRESS OF SENATOR DODD OF CONNECTICUT AT THE LAW ENFORCEMENT EXHIBIT

Mr. BAYH. Mr. President, I would like to insert in the RECORD comments of Senator THOMAS J. DODD, chairman of the Senate Judiciary Subcommittee to Investigate Juvenile Delinquency, at the opening of the Law Enforcement Exhibit sponsored by the Federal Bar Association which opened on February 28, 1966, at the exhibit hall of the Radio Corporation of America in New York City.

The Juvenile Delinquency Subcommittee was selected to represent the Congress as a result of its years of work on studying the causes and recommending legislative cures for juvenile crime under Senator DODD's guidance.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS OF SENATOR THOMAS J. DODD ON THE OPENING OF THE FEDERAL LAW ENFORCEMENT EXHIBIT SPONSORED BY THE FEDERAL BAR ASSOCIATION, AT THE RCA BUILDING, NEW YORK, N.Y., FEBRUARY 28, 1966

The Juvenile Delinquency Subcommittee of the Committee on the Judiciary represents the concern of the U.S. Senate over the continuously increasing rate of youth crime throughout the Nation. Its major task is to explore and pinpoint the causes of this problem and to develop effective legislative measures for controlling it.

Each year almost a million young people appear before juvenile courts throughout the Nation.

Each year almost 2 million youths are arrested by the police for suspected crimes of one type or another.

And there are several hundred thousand young people who are criminals because they are victims of narcotics and other dangerous drugs.

The causes of these problems are complicated. They grow out of poverty and racial discrimination. They grow out of inadequate opportunity for economic and educational advancement. They grow out of family instability, the deterioration of community life in our large cities and a thousand other conditons that are a part of modern life.

Many of these conditions will require broad Federal legislation for controlling them. The Congress must pass legislation that improves our schools and our neighborhoods. It must pass legislation that assures adequate education and employment for those who lack the qualifications for participation in our advanced technology.

And it must pass legislation that will improve the treatment and rehabilitation of the thousands of young people who are today detained in our jails, prisons, training schools, and reformatories.

Our committee has moved against those conditions that both breed and feed on crime with a number of measures, some of which have been passed into law, some of which are still before the Senate.

In 1961 shortly after assuming chairmanship of the committee, I cosponsored the first major Federal effort to prevent youth crime, the Juvenile Delinquency and Youth Offenses Control Act of 1961.

In recent years we obtained passage of the Drug Control Amendments of 1965 which will stop the annual flow of 5 billion illicit "pep pills" and "goof balls" to the Nation's addicts.

In the last session of Congress we held hearings on the administration's proposal to control the irresponsible distribution of deadly weapons, some of which we have on display here today.

Presently we are considering President Johnson's anticrime legislation which will establish more effective Federal-State judicial and correctional procedures for treating our growing legion of narcotic addicts.

I would like to thank the Federal Bar Association and the Radio Corporation of America for providing the opportunity to tell the public some of what Congress does to help reduce the crime menace which threatens this Nation.

The exhibit which opens here today is vitally important because it is one way of telling the American people what the Government is doing to control this formidable problem. And it is vitally important because the Government must have the support of an informed and enlightened public if any law, any act of law enforcement or any administrative measure is to be effective in reaching its objective.

VIETNAM WAR THREATENS INFLATION

Mr. CHURCH. Mr. President, the threat of inflation is quite clear.

I suggest that Americans seriously consider the extent to which the war in Vietnam is contributing to the threat of inflation at home, as well as the balance-of-payments problem abroad.

The Idaho State Journal in Pocatello published an Associated Press article which illustrates this point of view, and I ask unanimous consent to have it printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Impact of War on Economy Brings Threat of Inflation

New York.—The impact of the Vietnam war on the American economy is growing.

It hasn't reached the proportions of the Korean war, when wage and price controls were imposed, but it is very real. And it brings with it the ominous threat of inflation.

Labor and material shortages are occurring and some transportation is being taxed.

Government officials and business executives face problems that will have to be solved as the Vietnam conflict escalates. Liaison between Government and business has become an everyday affair as the administration seeks cooperation on prices, balance of payments, and availability of strategic supplies.

Big orders for airplanes and helicopters are keeping the aircraft plants humming. Apparel manufacturers are having a hard time meeting Government needs for uniforms. Airlines are struggling to haul vast quantities of materials and men to the war zone.

The military demands are coming on top of a booming civilian economy that has pushed factories to capacity or near capacity production. Apprehension about inflation is rising.

All forecasts of stock market and economic activity are hedged by the uncertainty of the Vietnam situation.

The sensitive stock market has been jolted by talk of war and talk of peace. Recently a report of a peace feeler by North Vietnam sent it into a brief tailspin.

Commenting on the market's reaction, Eldon A. Grimm, a senior partner in the big brokerage firm, Walston & Co., said: "We are in a financial foxhole—a semiwartime market."

Prudential Insurance Co. of America said stepped-up military activity in Vietnam, coupled with growing inflation, has prompted it to revise upward its economic forecast for 1966.

Prudential's chief economist, Dr. William V. Freund, now sees the 1966 gross national product—total of all goods and services—at $726 billion, up from a $714 billion prediction issued last November.

The 1965 gross national product was $676 billion, up 7.5 percent from 1964.

Secretary of the Treasury Henry H. Fowler said the Vietnam escalation is pulling gold and dollars out of the United States at a $700 million a year clip. This outlay goes for troop costs, construction, and purchase of supplies that cannot be obtained in the United States.

Fowler said the administration is holding to its goal of trying to balance the U.S. international payments position this year but he warned that a fresh jump in Vietnam costs could put the target out of reach.

Fowler has quoted President Johnson as saying that the prime reason for maintaining the sales of savings bonds, on which interest has been raised, is to help meet the cost of the Vietnam war. The Secretary also said that the savings bond program could prove one of the Nation's most valuable weapons in averting inflation.

It seemed likely that Johnson's Great Society program might be a major victim of the war. Increases in appropriations for the domestic war on poverty and other programs already have been pared. Further cuts could come if war expenditures continue to rise.

In an increasing number of industries, demand-supply conditions have reached the point where manufacturers have had to allocate their products among their customers to assure a fair distribution.

BIG BROTHER CURTAILED?

Mr. LONG of Missouri. Mr. President, I wish to call to the attention of this body a very recent action taken by the Federal Communications Commission. On Monday, February 28, 1966, the FCC adopted rules outlawing eavesdropping in private conversations. Effective April 8, 1966, the use of radio devices for eavesdropping purposes will finally be somewhat curtailed.

As chairman of the Senate Subcommittee on Administrative Practice and Procedure, I have been appalled at the complete lack of controls over these radio devices which are used to pry into the private lives of too many of our American citizens. The step taken by the FCC is a small, though important, step in the uphill battle to remove these little bugging devices from the marketplace.

The rules issued by the FCC would prohibit, with the exception for law enforcement agencies, the use of any radio device to overhear or record the private conversations of others without the consent of all parties engaging in the conversations. Mr. President, I underscore the word "all."

This is a significant departure from the few State laws on this subject, most of which only require the consent of one party to the conversation. The theory behind this is that a person assumes the risk that whatever he says may be divulged without his knowledge by the other party to the conversation. According to the new FCC rules, however, both parties must consent to the use of these eavesdropping devices. This is extremely important, for our American citizens should not be forced to live in constant fear that their remarks may be recorded without specific consent.

Mr. President, I have stated that this is but a small step forward. Now that the FCC has prohibited the use of radio devices for eavesdropping purposes, it would seem to me that the advertising of these gadgets for eavesdropping purposes in newspapers and magazines should likewise cease.

Our subcommittee files are full of advertisements telling the reader that by buying one product, he can be the first on his block to listen to his neighbors on the next block. Or that another product can be successfully hidden in a cigarette pack or vest pocket. Another advertisement informs the reader that he can purchase, at a nominal price, a fountain pen which "picks up and broadcasts everything that is being said."

And one ad reads:

> Any girl can tap a phone in 10 seconds * * * just unscrew the mouthpiece and drop in the FM transmitter.

I have therefore written the Federal Trade Commission and the Department of Justice, asking for an immediate investigation with the ultimate purpose of curtailing all advertising of these snooping devices for illegal purposes.

Mr. President, I ask unanimous consent to insert at this point in the Record the recent FCC order referred to earlier.

There being no objection, the order was ordered to be printed in the Record, as follows:

Commission Acts To Protect Right of Privacy: Adopts Rules Outlawing Radio Eavesdropping

The Federal Communications Commission has unanimously adopted rules to prohibit the use of any radio device for eavesdropping.

The rules prohibit, with an exception for law enforcement agencies, the use of any radio device to overhear or record the private conversations of others without the consent of all parties engaging in the conversations. They are applicable to all radio devices, whether licensed or not, and violators will run the risk of the imposition of a fine of $500 a day for each and every day such offenses occur, as well as loss of license or civil forfeitures where those remedies are appropriate. They reflect growing public indignation with increased intrusions into the traditional right of privacy through the use of wireless microphones, some so small as to be concealed in a pack of cigarettes or the now-famous martini olive.

Aspects of the rules deserving special emphasis are:

First, the rules apply unless all parties to a private conversation consent to the use of such devices. In contrast, it may be noted that of the seven States having laws on this subject, five provide that the consent of only one party is necessary on the theory that a person assumes the risk that anything he says may be divulged without his knowledge by any other party to the conversation. The Commission's policy is predicated on the view that the right of privacy is so precious that a person engaging in a private conversation should not be asked to assume the risk that his remarks are being recorded without his full knowledge and consent.

Second, the exception for law enforcement officers makes no change in what constitutes a crime under State law or existing practices in the States. The burden of establishing that radio eavesdropping is being lawfully conducted rests with the law enforcement agency. In all other respects, as has always been true, use of radio devices by law officers must be in full compliance with the Commission's rules and regulations.

Third, only "private conversations" are entitled to protection. The rules, contrary to some expressed concern, will not interfere with generally accepted broadcast practices in covering public interest events. For example, conversations carried on in public and semipublic places or where they may reasonably be overheard by others are not "private" and therefore not covered.

Fourth, the rules cover both the direct and indirect use of radio devices. In the area of eavesdropping, ingenuity knows no bounds; but if in any phase of the operation a radio device is used to transmit a private conversation the rules will apply.

Finally, the rules adopted in the Commission's report and order in docket 15262 will become effective April 8, 1966.

In the Matter of Amendment of Parts 2 and 15 of Commission's Rules To Add Regulations Prohibiting the Use of Radio Devices for Eavesdropping Purposes

(Before the Federal Communications Commission, Washington, D.C., Docket No. 15262)

REPORT AND ORDER

By the Commission: Commissioner Wadsworth absent.

1. On January 17, 1964, the Commission released a Notice of Proposed Rule Making (FCC 64-27, 29 F.R. 577) looking toward the adoption of rules prohibiting the use of radio devices for eavesdropping. The Notice invited interested parties to file comments on or before March 16, 1964, and reply comments on or before April 16, 1964.

2. Comments were received from the following parties: Columbia Broadcasting System (CBS); Glenn A. Zimmerman, New Brunswick, N.J.; City of San Diego, Calif.; Association of the Bar of the City of New York; Fargo Co., San Francisco, Calif.

No reply comments were received. It is noteworthy that the comments filed by the Association of the Bar of the City of New York were prepared by its Special Committee on Science and Law which has conducted a study of the effect which recent scientific and technological advances are having on privacy in the United States. The Fargo Co. manufactures miniature radio transmitters for sale to law enforcement agencies.

3. At the outset, it should again be noted that the rules discussed herein do not pertain to the unauthorized interception of communications by wire or radio. That practice is prohibited by the provisions of section 605 of the Communications Act of 1934, as amended, 47 U.S.C. 605.[1] The rules with which we are concerned apply solely to the use of radio devices to transmit private conversations which have been overheard by one means or another.

4. Advances in the miniaturization of radio transmitters have fostered an apparent increase in the use of such devices for eavesdropping. Virtually every radio eavesdropping device known to be used today is essentially a wireless microphone; i.e., a unit having the combined capabilities of a sensitive microphone and a radio transmitter. Though wireless microphones are often used by entertainers, lecturers, and others for innocuous and useful purposes (provision is made for the use of these devices in certain licensed services and under part 15 of the rules), most of those devices are readily adaptable to an eavesdropping use. Wireless microphones which are constructed specifically for eavesdropping are designed either to permit easy concealment or to resemble some commonplace items, e.g., a pack of cigarettes, or the now-famous martini olive.[2]

5. Each of the parties who filed comments commended the Commission for its recognition of the problems raised by the increased use of radio eavesdropping devices, and the city of San Diego and the Fargo Co. recommended adoption of the rules as proposed. The other parties raised questions concerning the proposal which we shall discuss in the following paragraphs.

6. The Association of the Bar of the City of New York (association) urged initially that public hearings be held (preferably before a congressional committee, but under Commission auspices if necessary) to review the whole subject of eavesdropping, its effect upon society, the state of the existing law in this area, the need, if any, for additional laws or regulations, etc. The association believes that without such a hearing the commission risks changing the vital balance of society without an adequate understanding either of what is involved or the consequences of its actions. They feel the Commission will affect the public consensus as to where the line should be drawn between encroachments on privacy which are permissible and those which are not.

7. Senate hearings encompassing the question of eavesdropping were held on May 9–12, 1961, before the Subcommittee on Constitutional Rights of the Committee on the Judiciary in connection with four bills dealing with wiretapping and eavesdropping which were introduced in the 87th Congress, 1st session. On February 18, 1965, Senate hearings on electronic eavesdropping were initiated by the Subcommittee on Administrative Practice and Procedure of the Committee on the Judiciary. Testimony regarding this Commission's role in the matter of radio eavesdropping was submitted by the Commission on May 5, 1965. The information developed during both these hearings has been of benefit to the Commission in formulating this report and order.

8. The Commission's decision to take action with respect to the matter of radio eavesdropping is consistent with its public interest responsibilities under the Communications Act. Eavesdropping, by any means, has traditionally been regarded as contrary to the public interest. Blackstone (4 Commentaries, chapter 13, section 5(6)) defined the practice as a common nuisance punishable before the court. Section 605 of the Communications Act of 1934, as amended, though enacted to prohibit the unauthorized interception of communications by wire or radio, reflects the intent of Congress to preserve the privacy of communications in those areas where the Federal Government has unquestioned jurisdiction to act. This concern for the privacy of communications has been stressed by President Johnson.[3] Eavesdropping by means of a listening device has been held to be an actionable violation of one's right of privacy.[4] Moreover, seven States have seen fit to adopt statutes prohibiting electronic eavesdropping.[5] Thus, the Commission's action is calculated to insure that the authority to operate radio devices, whether under a license granted by the Commission or pursuant to part 15 of the Commission's rules, cannot be claimed to permit the use of those devices for eavesdropping purposes.

9. Objection was made by the association to that provision of the proposed rules which would make the prohibition against eavesdropping inapplicable where the use of the device is authorized by one or more of the parties engaging in the conversation. It was contended that this approach fails to recognize a distinction between the risk that a party to a conversation may divulge what he remembers from the conversation and may be believed by others, and the risk that a party to a conversation will use a radio device to overhear and record the conversation verbatim, or authorize another to so overhear or record it. Doubt was expressed as to whether most persons assume, or should assume, the risk that their conversations are being overheard or recorded by the use of such devices. The association also expressed the view that the real significance of this provision of the proposed rules would be to enlarge the area of permitted eavesdropping beyond that likely to be condoned by the public or by the courts.

10. Our proposal was based upon the tentative view, set forth in paragraph 6 of the Notice of Proposed Rule Making, that anyone who engages in conversation with others must assume the risk that anything he says may be divulged without his knowledge by any other party to the conversation. However, upon further consideration, we have decided that the objections to this view are well founded and that we should not sanction the unannounced use of listening or recording devices merely because one party to any otherwise private conversation is aware that the conversation is in fact no longer private.

11. The right of privacy is precious, and should not be sacrificed to the eavesdropper's needs without compelling reason. We cannot find such reason here, subject to the single exception made in paragraph 13, infra, for law enforcement officers operating under lawful authority. We agree that the ordinary risk of being overheard is converted into another risk entirely when the electronic device is made the instrument of the intruder. Coupled to a recording device, this new eavesdropping tool puts upon the speaker a risk he has not deliberately assumed, and goes far toward making private conversation impossible. We do not believe the assumption of such a risk should be made the basis of our rules. We are commanded by the Communications Act to "encourage the larger and more effective use of radio in the public interest," section 303(g). Upon reflection, we do not believe it to be consistent with the public interest to permit this new product of man's ingenuity to destroy our traditional right to privacy.

12. As stated in the notice, there are precedents in this or analogous fields which lend support to the adoption of the rule as proposed, i.e., with an exemption where one party consents to the radio eavesdropping.[6] But the matter is one of policy and, for the reasons just stated, it is our judgment that the appropriate policy balance should be struck in favor of protecting the traditional right of privacy. The position we take here on this question is the same one we took in requiring that telephone recording devices be equipped with an automatic tone warning device, so that all parties to the conversation may be on notice where any party is making a recording of a telephone conversation. See "Use of recording devices," 11 FCC 1033 (1947).

13. The proposed rules would except the operations of law enforcement officers conducted under lawful authority. The association and Mr. Zimmerman commented that the phrase "under lawful authority" does not describe precisely what authority would be

---

[1] A common violation of section 605 involves the unauthorized interception of telephone communications. This practice is popularly known as wiretapping and is normally accomplished either by making direct contact with the telephone wire or by placing an induction coil within the magnetic field surrounding the wire. (The words "unauthorized interception" when used with respect to section 605 in this document include the divulging or beneficial use of the intercepted communications.)

[2] See Senate hearings on electronic eavesdropping before the Subcommittee on Administrative Practice and Procedure of the Committee on the Judiciary, Feb. 18, 1965.

[3] See the New York Times, July 16, 1965.

[4] See *McDaniel* v. *Atlanta Coca-Cola Bottling Co.*, 2 S.E. 2d 810 (Ga. 1939); *Roach* v. *Harper*, 105 S.E. 2d 564 (W. Va. 1958); and *Hamberger* v. *Eastman*, 206 A. 2d 239 (N.H. 1964).

[5] See Cal. Ann. Codes, Penal Code sec. 653j (West 1956); Ill, Ann. Stat. ch. 38 sec. 14–1 (Smith-Hurd 1941); Md. Code Ann. Art. 27 and 125(A) (Michie 1957); Mass. Ann. Laws ch. 272 sec. 99 (Michie 1956); Nev. Rev. Stat. ch. 200.650. (1957); N.Y. Consol. Laws Ann., Penal Law Art. 73 sec. 738 (McKinney 1944); and Oreg. Rev. Stat. sec. 165.540(1) (c).

[6] For example, the statutes of California, Illinois, Massachusetts, Nevada, and New York do not apply if any party to the conversation has consented to the eavesdropping. The statutes of Maryland and Oregon apply unless all parties to the conversation have consented.

required to permit law enforcement officers to conduct such operations.

14. The problem of providing an exception to the rules for the operations of law enforcement officers has been closely analyzed. Because of the complex and varying structure of law enforcement authority existing in the various States and their political subdivisions, it is extremely difficult to specify a source or type of authority which is common to all jurisdictions. Initially, it may be assumed that law enforcement officials conduct their activities within the framework of existing law and authority. Should these officials intend to engage in radio eavesdropping, it would be incumbent on them first to determine the validity of such practice under applicable local law. This being so, the burden of establishing that radio eavesdropping activities are being carried on under lawful authority rests with the law enforcement agency. In view of the diverse sources of possible authority, we believe that this is the best approach to follow in establishing a standard under which law enforcement officers would be exempted from the Commission's radio eavesdropping rules. However, if inadequacy of this standard should be revealed or other developments of a more basic nature occur, further exploration of this question will be undertaken and appropriate revision of the rules will be made.

15. It is important that law enforcement officers understand that this exception is by no means intended to waive the part 15 rules governing the use of nonlicensed low-power communication devices (e.g., operation within specified frequency bands, power, and radiation limitations, etc.); to authorize the use of unlicensed transmitters for eavesdropping; or to authorize the use of licensed transmitters in such a manner that other Commission rules are violated (e.g., abandonment of control, transmission of unauthorized communications, etc.).

16. CBS opposed adoption of the proposed rules on the grounds that they would hamper and impede broadcast activities heretofore generally accepted. As examples of situations which CBS feels would be prohibited by the rules, they cited (1) the CBS reports broadcast entitled "Biography of a Bookie Joint," and (2) coverage of newsworthy events in public and semipublic places or any other place where persons may reasonably expect that their conversations may be overheard. The association also questioned the effect of the rules on the radio or television coverage of public interest events, as well as the effect upon the protective or beneficial monitoring of conversations, e.g., of apartment elevators for the protection of young ladies, of assembly lines for efficiency and economy of production, and of public places for the safety, security, and comfort of those who frequent them.

17. The fears expressed by CBS and the association with respect to the coverage of news events are believed to be unwarranted. The rules adopted herein should not impede broadcast programing any more than the prohibitions against wiretapping in section 605 have impeded programing in the past. The proposed rules specifically refer to private conversations. The interpretations applied to that phrase by the courts indicate that the phrase does not embrace conversations carried on within earshot of others not engaged in the conversation.[7] Thus, conversations in public and semipublic places or in any other place where persons may reasonably expect their conversations to be overheard would not be protected by the rules. With respect to the instances of protective or beneficial monitoring mentioned by the association, the public, in those instances, should be given adequate notice of the fact that the area is being monitored. Thus, persons engaged in conversation in such an area would have consented by implication to the monitoring. The absence of adequate notice could well result in an invasion of privacy since the monitoring would then be conducted without the consent of those being monitored.

18. We are amending the rules by adding a new subpart, as set forth in the appendix hereto, the part 2 of the rules as a general prohibition against the use for eavesdropping of any device required to be licensed by section 301 of the Communications Act of 1934, as amended. (Specific reference to this prohibition will be added to those parts of the rules where it is deemed appropriate.) Additionally, we are adding a similar prohibition to subpart A of part 15 of the rules. A reference to the latter prohibition is being made in subpart E governing the operation of low power communication devices, the part 15 devices most susceptible to use by eavesdroppers.

19. The reference in the rules to both direct and indirect use has been included to encompass any radio operation in connection with an eavesdropping arrangement. For example, the amendment will prohibit the use of a part 15 wireless microphone to relay a conversation which is picked up initially by some form of nonradio eavesdropping device.[8] Thus, irrespective of the combination of devices employed by the eavesdropper to accomplish his objection, the proposed rules will apply if any one of the combination is a radio device.

20. The rules reflect Commission policy. Their violation could result in loss of license where that remedy is appropriate (see sections 307(d) and 312(a) of the Communications Act), or the imposition of fines under section 502. What constitutes a crime under State law reflecting State policy applicable to radio eavesdropping is, of course, unaffected by our rules.

21. A question was raised as to the basis for the Commission's authority to establish rules prohibiting radio eavesdropping. The Commission, of course, has broad licensing authority over radio devices in section 301 of the Communications Act and has exercised that authority in the rules promulgated by it as to both specific licensing and the Part 15 facet of its functions. Under section 303 of the Communications Act, the Commission is empowered by Congress, as the public convenience, interest, and necessity requires, to prescribe the nature of the service to be rendered by radio stations and to make such rules and regulations as may be necessary to carry out that function. Thus, the establishment of rules prohibiting radio eavesdropping is consistent with the authority of the Commission to prescribe the nature of the service rendered by radio devices.

22. In view of the foregoing, and pursuant to authority contained in sections 4(i), 301, 303(b), and 303(r) of the Communications Act of 1934, as amended. It is ordered, That effective April 8, 1966, Part 2 and Part 15 of the Commission's rules are amended as set forth in the attached appendix, and the proceedings in Docket No. 15262 are terminated.

FEDERAL COMMUNICATIONS COMMISSION.
BEN F. WAPLE, *Secretary*.

(NOTE.—Rules changes herein will be covered by T.S. II(64)–10.)

APPENDIX

1. Part 2 is amended by adding a new subpart H to read as follows:

"Subpart H—Prohibition against eavesdropping

"SEC. 2.701. Prohibition against use of a radio device for eavesdropping.

"(a) No person shall use, either directly or indirectly, a device required to be licensed by section 301 of the Communications Act of 1934, as amended, for the purpose of overhearing or recording the private conversations of others unless such use is authorized by all of the parties engaging in the conversation.

"(b) Paragraph (a) of this section shall not apply to operations of any law-enforcement officers conducted under lawful authority."

2. Part 15 is amended by adding a new section to subpart A to read as follows:

"SEC. 15.11. Prohibition against eavesdropping.

"(a) No person shall use, either directly or indirectly, a device operated pursuant to the provisions of this part for the purpose of overhearing or recording the private conversations of others unless such use is authorized by all of the parties engaging in the conversation.

"(b) Paragraph (a) of this section shall not apply to operations of any law-enforcement officers conducted under lawful authority."

3. Subpart E of part 15 is amended by adding a new section to read as follows:

"SEC. 15.220. Eavesdropping prohibited."

As provided in section 15.11, the use of a low-power communication device for eavesdropping is prohibited.

PANDORA'S BOX

Mr. CHURCH. Mr. President, 2 weeks ago Secretary Rusk told the Senate Foreign Relations Committee that the United States had a solemn duty not only to resist communism in all its forms, but also to work against changes abroad fostered by violence rather than by peaceful means.

Within the past week alone, the headlines of any major newspaper reported the following facts: The Ghanaian Army had overthrown President Nkrumah; the sixth such African army takeover in less than 6 months; leftists had taken over the Syrian Government and were making overtures of friendship toward Communist countries; King Faisal was asking the United States for military aid to put down opponents supported by the United Arab Republic; Castroites continued to hold out against government forces in the Peruvian Andes; terrorists were threatening to take over Guatemala after elections are held; violence continued between the government and anti-Communist students in Indonesia. Yet, the papers carried no word that the United States was in any way capable of, or involved in, putting down these acts or threats of violence in these foreign lands.

---

[7] It has been held that a conversation between a husband and wife in a railroad station waiting room with people coming and going is not a private conversation, *Linnell* v. *Linnell*, 143 N.E. 813 (Mass. 1924). In *Freeman* v. *Freeman*, 130 N.E. 220 (Mass. 1921), the court found that a conversation between husband and wife in a public street was private because "none of the passers-by or persons in the vicinity paid any attention to them, or even could hear the words."

[8] There are numerous other eavesdropping devices which, though not operated on radio principles, could employ a radio transmitter for purposes of relaying a conversation picked up initially by the nonradio device. These may include miniature wired microphones concealed in the room where the conversation is to take place and connected to a radio transmitter by means of wire or transparent conductive paint. A radio transmitter could also be used in conjunction with a contact or "spike" microphone which is operated by attaching the microphone to a spike which has been driven into a stud common to both the room in which the eavesdropping equipment is located and the room in which the conversation is to take place. A parabolic microphone may also conceivably be used for eavesdropping in conjunction with a radio transmitter. This is an audio device which uses an acoustically solid reflector to focus sound waves to a point where a small microphone magnifies the sound received. Such devices are used innocuously at sports events and conventions to pick up the voices of persons out of normal earshot. (See Senate hearings on electronic eavesdropping before the Subcommittee on Administrative Practice and Procedure of the Committee on the Judiciary, Feb. 18, 1865.)

Many thoughtful people ask why the Secretary chose to protect a foreign policy objective so clearly beyond our capacity to fulfill. The editors of the New Republic wonder, and cannot find any satisfactory answers.

In the lead editorial of the March 5 edition, the editors explore such murky questions as our commitments under the SEATO treaty, the meaning of "aggression" when the aggressors are from the same country, and the strained analogy which compares Europe with southeast Asia. All of these questions deserve our most careful consideration, since failing to find rational answers will open a Pandora's box for years to come.

Mr. President, I ask unanimous consent to have the New Republic editorial printed in the RECORD.

THE RUSK DOCTRINE

The White House chose to shave its differences with Senator ROBERT F. KENNEDY over Vietnam. As an alternative to sudden, unilateral withdrawal of U.S. forces or to killing more and more Vietnamese and upping the risk of war with China, Senator KENNEDY advised admitting the Vietcong to a "share in power and responsibility." The Vice President shuddered: it would be like inviting an arsonist into the fire department. Nevertheless, 48 hours later, the President's press secretary, Bill Moyers, told newsmen the administration does not rule out the possibility of Vietcong participation, either in a provisional government preceding free elections in the south, or in a government arising out of such elections. Moyers' assurance suggests that we are not bound as tightly to the survival of General Ky's regime as we said we were in the Declaration of Honolulu. It would be wrong, however, to say that the administration is really ready to concede some place to the National Liberation Front in Vietnam's future. For alongside Mr. Moyers' rejoinder to Senator KENNEDY, one must place the more detailed exposition by the Secretary of State in his appearance before the Senate Foreign Relations Committee on February 18.

It is not testimony to put heart or hope into those who want a tolerable end to this senseless struggle. For huge consequences hinge, in Mr. Rusk's mind, on who governs South Vietnam. Here, in this small country of ancient but altogether different traditions, he sees a test of whether freedom can survive; or whether world peace itself is possible. It is not experience which informs the Secretary's fear of intractable and expanding Communist rule (experience of communism in Eastern Europe, in Indonesia, in relations between China and Russia teaches another and more hopeful lesson), but his apocalyptic vision of a gathering storm.

Throughout his testimony, Mr. Rusk held aloft two words: "commitment" and "aggression." The commitment that binds us to consume a billion dollars a month and thousands of lives derives from a "fundamental SEATO obligation that has from the outset guided our actions in South Vietnam"; more precisely, article IV of the Southeast Asia Collective Defense Treaty, which says: "Each party recognizes that aggression by means of armed attack in the treaty area or against any of the parties or against any state or territory which the parties by unanimous agreement may hereafter designate [such as South Vietnam], would endanger its own peace and safety, and agrees that it will in that event act to meet the common danger in accordance with its constitutional processes." Having decided years ago, that the Vietcong did "endanger its own peace and safety" (however tenuous the evidence to justify that determination) the United States intervened.

But there is another section of article IV not cited by the Secretary in his testimony. It obliges SEATO members, in the event of "any act or situation which might endanger the peace of the area," to "consult immediately in order to agree on the measures which should be taken for the common defense." How has that obligation been met? The "outset" of our commitment to various Saigon regimes dates from 1954—beginning with U.S. economic support, followed by military advisers and then the sending of armed forces that now outnumber the hard-core and part-time forces of the Vietcong. Not until April 1963 did the SEATO Council of Ministers formally address themselves to the "common defense," and then merely "took note" of a report by Secretary Rusk on the improved military situation in Vietnam. The first explicit SEATO pledge of support (France abstaining) did not come until 1964, when the Council of Ministers expressed its "grave concern * * * deep interest and sympathy." Last year, finally, the SEATO communique did call for "defeat of this Communist campaign"—with Pakistan joining France in abstention. As for contributions to the "common defense," TRB's Washington Report in this issue gives the facts. As of February 1966, our SEATO partners have supplied the following combat strength: Great Britain, none; France, none; Thailand, none; Pakistan, none; the Philippines, none; New Zealand, 300; Australia, 1,500.

George Kennan and others believe we are dangerously overcommitted in Vietnam. Not Mr. Rusk. Indeed, Vietnam is only one of many such commitments. As James Reston describes the Secretary's view: "The United States is committed to oppose Communist aggression all along the periphery of the Communist nations from the North Cape of Norway through the heart of Europe to Greece and Turkey (NATO); along the southern frontier of the Soviet Union in the Near and Middle East (the Eisenhower resolution); and thence through southeast Asia (SEATO) to Australia, New Zealand, the Philippines, Japan, and Korea. And if you add our obligations under the Organization of American States and our obligations under the United Nations, you take in most of the rest of the world."

What exactly are we committed to defend in all these places? It is not clear. From the Secretary's testimony (and the example of U.S. armed intervention in the Dominican Republic), it seems we are committed to do more than help allies if they are militarily attacked by another country. For when the Secretary uses his second favorite word, "aggression," he includes both invasions across national boundaries and "wars of national liberation," which is to say, internal subversion and civil war. The Rusk doctrine, Mr. Reston notes, "makes the Monroe Doctrine or the Truman doctrine seem rather cheap."

In explaining this broader U.S. commitment, the Secretary reminded the Senators that "many of them (our allies) deal with these problems in their own way, without having to call upon us for direct involvement or assistance, say, with our forces." Thus Mr. Rusk reassures his countrymen that American troops are not likely to be needed in too many places simultaneously. For example, in "Latin America, some of them have dealt with it at the ballot boxes, and some with their own local forces, and in Western Europe they made an enormous contribution by working internal arrangements and a constitutional basis that helped to protect them against pressures from the Communist side." The conclusion seems inescapable that had the governments of these countries not been able to withstand internal Communist pressures, the United States would have been committed to supply on demand its arms and men.

What does the Secretary mean by "aggression" in the context of Vietnam? Are U.S. troops there to punish invaders from without? Or is this, as others say, essentially a civil war? Mr. Rusk grants that "there are elements of civil war in this situation"; nevertheless he insists that "the heart of the problem is the external aggression." From where?

"Senator CHURCH. Chinese combat troops have not become involved in the fighting in Vietnam.

"Secretary RUSK. That is correct, sir.

"Senator CHURCH. So that we are not faced here, as we were in Korea, with an actual Chinese invasion of Vietnam.

"Secretary RUSK. * * * That is correct, sir."

The "elementary fact," continues Mr. Rusk, "is that there is an aggression in the form of an armed attack by North Vietnam against South Vietnam." (The President used the word "invader" last week; and on the day he spoke it was announced that about 96,000 men had deserted from the South Vietnamese armed forces in 1965.) Are North Vietnam and South Vietnam then two countries? Sometimes, Mr. Rusk implies they are. Thus, "we wish only that the people of South Vietnam should have the right and opportunity to determine their future in freedom without coercion or threat, from the outside." North Vietnam is referred to as a "Communist country." On the other hand, he explains the war as "one further effort by a Communist regime in one-half of a divided country to take over the people of the other half at the point of a gun and against their will."

"Senator FULBRIGHT. It is not one country. It used to be one country.

"Secretary RUSK. But there was a settlement, Mr. Chairman, on the basis of the 17th parallel.

"Senator FULBRIGHT. What kind of settlement was it? I think it would be fine if you would make it very precise. Did it divide it into two separate nations?

"Secretary RUSK. It did not establish it as two separate nations, but it provided some procedure by which this could occur if that is what the people wanted."

There has certainly been coercion and threats and more "from the outside." Perhaps then the Secretary means that "external aggression" is the heart of the problem because the Soviet Union and Communist China are meeting their commitments to their Vietnamese friends. They are, though more modestly than we are aiding "our" Vietnamese. But it is not a point to be made much of. As Senator John F. Kennedy said in 1957, "Most political revolutions—including our own—have been buoyed by outside aid in men, weapon, and ideas."

If the North Vietnamese are to be identified as the aggressors—though their troops account for a very small percentage of the forces against us in the south—then they must be outsiders. But if they are, are there two Vietnam nations? And if so, what did the Secretary have in mind when he told the South Vietnamese in April 1964, that "some day that regime in Hanoi will disappear and you [the South Vietnamese] and your brothers in the North will be able to join in a free and democratic Vietnam." Brothers?

To those who see no profit and much loss in this deepening commitment to destruction in Vietnam and who speak out against it, the Secretary has rockbottom rejoinder; "They [the doubters] have not learned the lessons of the thirties." Mr. Rusk concludes that the 20-year struggle of the followers of Ho Chi Minh to control their country is equivalent to the march of Nazi troops across Europe, comparable in its malevolent design, comparable in its threat to the security of the United States. It is, as Mr. Kennan has said a "fatally unfortunate conclusion." Nevertheless, Operation Brainwash proceeds, assisted by General Taylor, Hanson Baldwin and other believers in the analogy with Munich. Those who would restrain our hand, who would hold and wait, who would prefer an accommodation to the brutalizing expansion of this war are dubbed defeatists. Mr. Rusk would have us believe that if victory eludes us it will not be the fault of our leaders but of doubters who stabbed them in the back.

CONTROL OF OUTDOOR ADVERTISING IN INDUSTRIAL AND COMMERCIAL AREAS

Mr. PEARSON. Mr. President, the Department of Commerce, in its draft standards for the control of outdoor advertising in industrial and commercial areas, has failed to follow the intent of the Congress. While the Department says the draft standards are, to quote them, "presented solely as guidelines for consideration and discussion purposes," the very fact that they have been drawn indicates a desire to severely restrict the outdoor advertising industry.

Of particular concern to me are departmental suggestions which, if ordered, would be a severe or even crippling injury to the industry. The draft standards fail to follow the intent of Congress by offering standards inconsistent with "customary use."

As the able senior Senator from West Virginia [Mr. RANDOLPH] adroitly advised this body on February 4 of this year, the House amended S. 2084 to include the phrase "consistent with customary use" when applied to any proposed regulation of outdoor advertising.

However, I am advised that such is not the case in this matter.

Mr. President, I have not had the opportunity to thoroughly study the so-called guidelines. But some of my constituents, successfully experienced in outdoor advertising, have pointed out portions of the draft standards which indicate a total disregard to "customary use." These suggested regulations, and that is what they are whether so stated or not, would create such severe limitations on the spacing of outdoor signs in urban areas that such advertising would be decimated.

Mr. President, I am told the guidelines for setbacks in certain areas are not only impractical but all but impossible to follow. The establishment of extreme setback limits would, in many cases, make valueless, hundreds of thousands of dollars of land purchased or leased by outdoor advertising companies.

At no time during the debate on S. 2084 was there any indication the Congress, or the administration, was desirous of such regulation which would be so harmful to the outdoor advertising industry. But the Department of Commerce draft standards could, if adopted, severely cripple the industry, if not destroy it.

I concur with the Senator from West Virginia and others who have urged that we maintain a careful watch on this matter, through transcripts of the Department of Commerce hearings, and hearings before the Bureau of Public Roads.

IDAHO IS PROUD OF FRANK CHURCH

Mr. GRUENING. Mr. President, an excellent editorial concerning our able colleague, the Senator from Idaho [Mr. CHURCH] was published in the Idaho Observer on February 17, 1966. It pays tribute to his vision and wisdom in the field of foreign relations.

I ask unanimous consent to have the editorial entitled, "Senator Was True to His Promise," printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SENATOR WAS TRUE TO HIS PROMISE

A 32-year-old Boise attorney won election to the U.S. Senate 10 years ago with a campaign based on the slogan, "Idaho will be proud of FRANK CHURCH." If ever a man delivered on a campaign promise, FRANK CHURCH did it this week.

Appearing with four other Senators on a CBS Television program dealing with U.S. policy in Vietnam, the Idahoan demonstrated a remarkable grasp of the circumstances and forces which underlie our present plight in southeast Asia.

With a logic and lucidness commanding respect even from those who do not share his view, CHURCH stated the case against further military escalation in Vietnam, pointing out that Communist containment policies evolved in Western Europe can't work the same way in Asia and Africa, and that we are doomed to failure if we erect a barrier of bayonets around the emerging nationalism of the former colonial world.

The viewpoint to which CHURCH gave eloquent and compelling expression on this occasion, as he has done in the past, may still be a minority viewpoint in this country. But it is one to which a growing number of distinguished Americans have added their support, in varying degrees, in recent weeks: Senate Majority Leader MIKE MANSFIELD; Senator WILLIAM FULBRIGHT, chairman of the Senate Foreign Relations Committee; former Ambassador George Kennan, the architect of the original containment policy; Generals James Gavin and Matthew B. Ridgeway; Marriner S. Eccles, chairman of the board of the First Security Corp., of Salt Lake City, and many others.

A deep tide of disquiet over the direction of our foreign policy is coming to full flow in the United States. It has found its ablest exponent in FRANK CHURCH.

Idahoans, regardless of whether they feel themselves to be a part of the tide, may well take pride in that.

THE RURAL-URBAN BALANCE

Mr. HARTKE. Mr. President, there is a great concern of late about the problems of food and people, about how to keep our food production abreast of our production of new mouths to feed.

Some time ago Mr. W. B. Murphy, president of the Campbell Soup Co., took a look at some of these problems, particularly as they appear in our domestic economy, and at the relationship of urban and rural America. In addition to his position as the head of a major food processing company, Mr. Murphy is president of the Business Council. His address was given before the Economic Club of Detroit.

Mr. President, I ask unanimous consent that Mr. Murphy's address be printed in the body of the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE RURAL-URBAN BALANCE

(An Address by W. B. Murphy, president, Campbell Soup Co., before the Economic Club of Detroit, Sept. 20, 1965)

Michigan is well known throughout the world for its metal working industries, of course. But to those of us in the food industry, it is equally renowned for its high-quality agricultural production and for its position as a leader in education relating to foods. The food industry leans heavily on Michigan farms for a wide variety of ingredients and on its great universities for teaching and research in agriculture, biology and food distribution.

When one is in the food industry he is likely to find it advantageous and usually necessary to keep closely attuned to the people of our country if for no other reason than that there's a well-established custom of eating foods at least three times a day. Also, the food habits of the population are pretty decisive in the success or failure of a food business.

There are two subjects relating to food and people that are much discussed these days and that are of concern to anyone who is thinking of the future. The first of these is the country's and the world's ability to provide the necessary food as population shoots upward; and second, the adequacy of water supplies.

A third subject is less discussed but just as vital: the continued shifting of population from the farms and small rural places to the mammoth metropolitan areas. To a food processor who deals with and is dependent on the farmers in the rural areas, this shifting of people and what it means is a matter of more than small importance.

Today I should like to discuss briefly the first two of these subjects; namely, food production potentials and adequacy of water supply and then deal with the question of where people are going to live and work.

Now, there are many predictions about the things to come. Undoubtedly one of the least unreliable has to do with the future population trend. It is estimated that the population of the United States will come close to doubling and that of the world about double over the next 35 years, that is, by the year 2000. This sounds like the distant future, but actually it isn't so far off. A growth rate of 2 percent per year means doubling in 35 years.

Can this vastly greater population be fed? This is a complicated subject in itself. There is a different answer for North America than for Asia or South America. For North America, the answer is an unequivocal "yes." For some parts of the rest of the world, the answer hinges on economic, educational, and political accomplishments more than on the technical question of the earth's food production potentials. Since food supplies are inadequate now in Asia, the future for food in that part of the globe is full of problems. For the rest of the world, the situation is less questionable.

I believe it is not too difficult to raise food production to a much higher level. The world's arable land is about 6.6 billion acres and only about 3 billion are used for agriculture. Furthermore, substantial progress is being made in reducing the huge crop losses caused by insects, viruses, predators, weeds, and nematodes and there are continued improvements in the techniques of crop production. A combination of reduced losses and better growing methods means that the yield per acre generally can climb to much higher levels. The agricultural productivity in large areas of our country and in many countries of the world is not near its practical limit and will rise as modern agricultural research and development is applied to meet local conditions.

For example, a careful program of agricultural research in Mexico, sponsored by the Rockefeller Foundation, boosted corn and rice crops and enabled that country to become self-supporting and, in fact, an exporting nation for wheat, sugar, and cotton. Mexico is now engaged in a well-rounded research program that is showing fine results for many other crops. In the United States and Canada, the yields per acre for a long list of grains and vegetables have more than doubled since World War II and can go much further with research work now underway. The productivity figures for cattle and poultry have also climbed rapidly. Genetics research can bring resistance to some of the crop debilitating factors. Crop-growing experiments result in improved growing methods. Chemical research is producing means for more effective disease and predator resistance and for weed controls.

The adequacy of water for a population that will nearly double over the next 35 years is vital to the food industry for the simple reason that 40 percent of the water used in the United States today is for irrigation. If a higher percentage of our arable land is to be planted, a primary concern is water supply. The subject of water is just coming into its own as a national problem. The 3-year below-normal rainfall in the Northeast States triggered this sudden general interest, although water as a subject of major national and regional concern would have come to the forefront in any event sooner or later.

There is plenty of water for a doubled population and much more if water supply and its distribution is given attention. It is a sure thing that we are going to have to pay a little more for water in the future. Unmetered homes, unlined irrigation ditches, undistributed surpluses, uncaptured rain and snow runoffs, and untreated waste water, of necessity, will be frowned upon, and as a result, water supplies will probably be adequate for the foreseeable future.

INCREASED POPULATION A PROBLEM

The third subject for discussion here, namely increased population, is more difficult to deal with than food production potentials and water supply. Where is this increased population going to live and work? If the present trend toward greater and greater population concentration continues, there will be rather drastic environmental effects on most of us having to do with the way we live—our taxes—and our peace of mind—among other things.

Why would a businessman and a food processor worry much about population trends as long as they're going up? There are at least two good reasons.

1. As a food processor, he is vitally concerned with the need for continuing increases in crop yields per acre, not only to raise food production, but to help hold consumer food prices. This increasing productivity, involving as it does fewer and fewer farms producing larger and larger crops, carries with it the problem of surplus farm and small-town population.

2. As a businessman and taxpayer, he must be interested in the massive problems and in the costs to convert the metropolitan centers into attractive, livable places.

Last March, President Johnson sent a message to Congress on housing and cities. He said, "Over 70 percent of our population—135 million Americans—live in urban areas. A half century from now 320 million of our 400 million Americans will live in such areas. And our largest cities will receive the greatest impact of growth. In our time, two giant and dangerous forces are converging on our cities; the forces of growth and of decay. Between today and the year 2000, more than 80 percent of our population increases will occur in urban areas. During the next 15 years, 30 million people will be added to our cities. Each year, in the coming generation, we will add the equivalent of 15 cities of 200,000 each."

METROPOLITAN AREAS PLANNED

Plans are already being considered for the huge metropolitan areas of Boston, New York, Philadelphia, and Baltimore-Washington—for the enormous metropolitan areas centered by the cities of Chicago, Detroit, Miami, San Francisco, and Los Angeles. These plans involve much needed programs for cleanup, rehabilitation, and upgrading. People are to be stacked on top of each other in innumerable large apartment projects—distances from suburbs to city centers will increase—breakfasts will be served earlier and dinners later—transportation needs will soak up vast areas of valuable urban and suburban property.

This picture of greater and greater population concentration is to me unpleasant and expensive, and I would hope, not inevitable. It makes for a more impersonal existence, higher taxes, more government controls, and in most ways what can be considered a distorted existence, at least by the standards we know today.

Yet, we are on our way to this rather dismal prospect if we continue for the next 35 years the trend toward urban concentration that has characterized the past 35 years.

Thirty-five years ago, the farm population was approximately 30,500,000 people. In 1965, it was about 12,500,000. Farm population was almost one-fourth of our population 35 years ago, whereas today it is only 6½ percent. In contrast, the metropolitan areas with populations of over one million totaled 43 million people in 1930 and today about 80 million. The reduction in the farm population has come about through the tremendous productivity improvements in farming, the sharp reduction in numbers of small farms, plus the job opportunities offered in the big cities for people who had difficulty making a living in the rural areas.

An analysis of population figures by counties shows what has been happening. Counties with less than 25,000 population not contiguous to metropolitan areas represent 61 percent of all counties—they also have 61 percent of the land area but only 12 percent of the population. Counties with 25,000 to 100,000 population and not in metropolitan areas represent 26 percent of all counties and 20 percent of the population. Adding these together yields 32 percent of the population as against 42 percent, 35 years ago, yet they represent 88 percent of all counties and a corresponding proportion of the land area.

Now, let's look at the metropolitan areas of one million or over. There are 164 counties in this category that represent less than 5 percent of the land area but have 41 percent of the population. This population has gone up in a disproportionate amount over the last 35 years. If we examine the record on distribution of employment in manufacturing establishments, the most recent count shows that the metropolitan areas have 48 percent of the total.

We know that the combination of metropolitan industrialization and scientific farm developments has caused many millions of rural people to go to the metropolitan areas. What problems we created for ourselves. Had industry expanded by decentralization to a far greater extent than now is the case, and had it gone into the thousands of small cities and towns, the rural citizens who could not make a living on their farms could have found jobs in local industry and the overcrowding of big city areas would be far less.

This isn't a phenomenon of North America. The vast slums of Caracas, Mexico City, and Lima, for example, are made up to a considerable degree of families from rural sections who are attracted to the possibility of jobs in the industry that clusters in metropolitan areas. One day the merit of industrial decentralization will be recognized throughout the world and those from the poor farms will find jobs in plants located near their homes.

I believe it is in order to suggest that in the United States the disproportionate industrial concentration in the metropolitan areas not go further and further and also to suggest that manufacturers can do themselves a favor and our country a service by allocating a fair share of their new plants to the rural areas.

We already have critical urban problems. Those problems will be compounded if the trend toward the metropolitan areas that characterized the past 35 years continues into the future.

In this city of Detroit, there is an aggressive urban renewal program led by Mayor Cavanagh that obviously is badly needed and which illustrates the kind of attack that must be carried on in all major cities. But Detroit doesn't need to have further migrations from the rural areas.

Philadelphia, where I live, is also making strenuous efforts to upgrade its character and also has a long struggle ahead. It too doesn't need further migrations from the rural counties. The conditions in New York, Chicago, and Los Angeles are too well known to need description here.

It is estimated, and I think it is a reasonable estimate, that over the next 35 years, while our population will double, the number of farms will decrease from today's 3,300,000 to about 1,500,000, and that farm population will drop from today's 12½ million to about 6 million. Since in 35 years the 12½ million will nearly double to approximately 24 million, and farms will then need only 6½ million, this means a surplus of about 18 million. These are conservative figures. Other estimates indicate that there will be only 1 million farms and a farm population of only 4 million. There is no estimate for the future reduction in numbers of people in rural towns serving the farm population. This reduction easily can match in numbers the surplus from the farms. The trend to fewer and fewer farms and lower farm and other rural population has been going on for many years and shows no sign of abating.

This does not mean that our crop production will be less—in fact, it will be far higher but it will be done by much larger farms and by further farm mechanizations and other crop productivity gains. I am not suggesting that we are going to have farm factories. An overwhelming proportion of our farms undoubtedly will be family farms as they are today, but these will be family farms of much larger acreage, operated with more sophisticated machinery and with fewer work-hours per unit of crop production. In 1930 the average value of a farm was $10,900—today, the average value of a farm is $68,000. It is estimated that 35 years from now the average value of a farm will be $200,000 or more. This means that there will be fewer farms and millions of people from small farms and rural towns will be looking for jobs. If the trend of the last 35 years continues, they will go to the large cities and mostly to the metropolitan centers.

FARMING AN EXCITING OCCUPATION

Farming is an exciting occupation when the farmer has good education and training and when the farm has the potential to be profitable. This means a sizable acreage, high production modern farm machinery, funds for fertilizing and spraying and ample water supply.

But it's no fun being a break-even or loss farmer and so over the last several decades there has been an evolutionary change entailing large, year-after-year reductions in small farms. This will continue, in all probability, until there remains a hard core of well-educated, high-income farmers. Speaking as a taxpayer, this will be a good thing in more ways than one.

The fact that there is considerable unemployment in the poor sections of big cities would seem to argue for concentrating new plants in such areas. This seems to me to be a superficial conclusion. There are plenty of job opportunities now in the big cities for trained people.

The principal problem of the unemployed is lack of education. Educated people do not have trouble getting jobs and this applies to all nations and all races. Our unemployment is heavily concentrated in the ages of 16 to 25 and primarily among those without good education or training. Motivate these young people to want an education, to want to work and to want to be trained, and the vast employment opportunities now existing in big cities will be available to them.

If most of the new manufacturing plants are loaded into the metropolitan areas, this won't solve the unemployment problem of the uneducated, but it will cause millions more from the rural counties to drift to the big cities to look for jobs.

You might ask what will stop this greater and greater big-city concentration. People are going to move where they want to and the mobility of the American people is well established. If the jobs are available in the metropolitan areas, the people are going to those jobs. By the same token, if jobs are available in the thousands of small towns and cities away from the metropolitan areas, I think most of the people in these rural areas will not move. They will prefer to live in the circumstances in which they were raised. People everywhere can read. They see television and they read the papers. They know about urban crowding and the urban crimes. They also know that smaller places are friendly. They know that in the small town or city it takes only 5 to 15 minutes to travel between home and work. Generally, parking is not a problem. For those who golf, the golf course is near enough to their place of work to permit nine holes before dinner. If one likes to hunt and fish, the hunting and fishing frequently are quite handy also. If one runs into trouble, the neighbors will help and not look the other way.

Of course, those of us who travel a good deal find much of this industrial decentralization going on right now. Industrial plants are springing up in many places throughout the country, but they are also still springing up in the metropolitan areas as well and in greater proportion. At the present time, we have a continuation of the trend to greater and greater big city crowding.

For the most recent 10-year period for which figures are available, that is 1952–62, the number of business establishments of all kinds, manufacturing and non-manufacturing combined, that had over 100 employees, increased from 50,900 to 57,000. Over 48 percent of that increase took place in the already overcrowded 164 counties that represent metropolitan areas.

To place this in another perspective, by the latest figures available, the number of people employed in manufacturing plants in the rural counties is about 1.1 million and has gone up only 450,000 in 20 years. The number of people in manufacturing plants in metropolitan areas is 8.5 million and gone up 3.4 million in 20 years, over 7 times as much as in the rural counties; so 5 percent of the land and 5 percent of the counties have had 7 times as many new jobs as the rural 60 percent land area. This is concentration and overcrowding with a vengeance.

If manufacturers were to schedule a fair share of their new plants to the small places distant from the metropolitan areas as suggested here, this could well bring down the wrath of the metropolitan chambers of commerce and metropolitan real estate promoters, but it shouldn't. Even if there were no more manufacturing plants built in the already overcrowded urban areas, there is still more cleaning up to do, more building expansion, more growth in the urban centers than probably can be handled well.

Most of our urban centers now have very difficult water and sewage problems. All of them need housing improvements. Their educational facilities, which should be first-rate to cope with big city problems, are, in general, far from that much-needed level. This applies to the situation today. Without a further disproportionate share of new manufacturing plants added to metropolitan centers, the load on transportation, on water and sewage systems, on housing and on education will be vastly greater in the future for the very simple reason that the metropolitan centers will have constantly rising populations and greater demands on contiguous business.

It happens that there is an enormous segment of the business complex that can't be dissociated from the great population of the metropolitan centers. I refer here to the services industry which includes retailing, wholesaling, utilities, transportation, construction, entertainment, banking, insurance and all of the other types of services that are necessarily indigenous to the population. They must be located where they are needed. It also happens that the services part of our economy is our fastest-growing portion and now exceeds in employment the manufacturing part.

The metropolitan areas will have their hands full adjusting to the growth in the services industries without further massive manufacturing plant loads.

I am not so naive as to think that in this area of industrial development and population growth that everything is cut and dried. In my company, for example, we now have five plants in metropolitan areas. We are in the process of some necessary expansion in three of these plants. We have rehabilitated all of them in order to raise their productivity.

I do not think for the future that it would possibly come about that all new manufacturing plants could be located in the counties of smaller population, but I would hope that a greater portion would be so located than has been the case in the past so that the work force made available by the reduction in numbers of farms would not have to move to the metropolitan areas to find work.

SOME DECENTRALIZATION GOING ON

Assuming it to be desirable, how is this scattering of new manufacturing plants to be accomplished? In England and France, for example, it is done by government fiat. Belgium has a most effective voluntary program that stresses the logic of utilizing available rural labor, lower taxes, and low-cost real estate. I think in our country decentralization is now going on to some extent and will be done to a much greater degree as the relative merits of locating in small rural-type communities become more apparent to our manufacturing companies. Lower costs will be an important factor and here I do not mean labor rates, except as they reflect lower living costs.

There are many places in our country where manufacturing can be located away from the metropolitan centers. Of the Nation's 28,800 manufacturing establishments with over 100 employees, only 2,062 are located in these rural counties. This is about one such plant per county. Now it is true, of course, that a part of this land is represented by mountainous or desert areas, but even if we allow for this, there are literally thousands of small places hungering for manufacturing industries. Also, most counties away from metropolitan areas, that have 25,000 to 100,000 population, are far from being overcrowded with manufacturing plants.

Using our company as an example, we recently completed construction of a million-square-foot plant that will ultimately require about 1,500 people in Paris, Tex., a community of about 21,000 people. This was a very close decision as we had dozens of opportunities to go into small places in Texas where conditions were adequate in all respects. We were in the happy position of being able to choose one out of at least a dozen excellent communities. We are now constructing a plant in Sumter, S.C., a town of 23,000. This plant could have gone into any one of 50 locations in the southeastern part of the country, all with adequate land, labor, water, utilities, etc.

I could give examples of other such plants in Ohio, Maryland, Indiana, Minnesota, Nebraska, Arkansas, California. These plants are located in towns as small as 2,000 population. In these places, employees are sometimes drawn from a radius of 15 to 20 miles. In the past 15 years, our medium-size company has added roughly 14,000 employees in smaller communities as our business has expanded. This has meant that some 50,000 to 60,000 family members have been held in their home communities rather than forced to drift into larger places looking for jobs plus at least that number of people in the services industries dependent on money circulating from those families.

PROBLEMS CAN BE OVERCOME

Of course, there are some obstacles to operating manufacturing plants in small cities and towns. The difficulties might be considered to be these: lack of management and executive personnel—reluctance of some company executives or their wives to take assignments in small communities—lack of trained mechanical workers—inadequate utilities—lack of construction work forces. Of all of these, the most serious one is the possibility of inadequate utilities. It may be necessary to put in ones' own water or sewage system. This is an extra cost, of course, but we have found it to be more than offset by the lower tax rates. The matter of the lack of trained people is a myth in my opinion. The men and women from farms and small towns tend to have good work habits because of their way of life and their early training. Our organization at Paris, Tex., for example, where we took a green force from scratch and trained it to handle some of the fastest metal working machines, such as, can body makers and aluminum presses, and intricate electrical devices, such as, electronic sorting machines, automatic controls and computers, developed the necessary skills in at least as short a time as is par for the course in urban centers.

Being the main industry in a town has many advantages but also I suppose has the disadvantage of being constantly in the spotlight. However, an industry that deals fairly with its neighbors and employees has lots of friends. This can be important during critical periods.

Small towns cannot compete with large centers for cultural activities—the theater, museums, concerts, lectures, etc.—but I don't think this is a critical matter. There are fast airplane services, national magazines, national newspapers, and national radio and television, but most of all, the fast and frequent means of travel permits those who live in small places to visit large cities with great ease and at low travel cost. And, I suppose, we might put forth the advantages of communing with nature as being a cultural advantage favoring the small town.

If someone should ask us whether rural places and small towns can equal the urban centers as the spawning grounds for business, government, education and scientific leaders, the record to date indicates that the answer is "Yes." For example, of the 100 presidents of the country's leading industrial firms, 23 were born in metropolitan areas, but 41 came from small towns or rural communities. Of the 100 U.S. Senators, only 13 came from metropolitan areas, while 59 came from the predominantly rural counties. For the President and his Cabinet composed of 12, only 3 came from metropolitan areas, and 5 came from rural places. Of the 20 heads of the Nation's leading colleges and universities, only 3 were born in metropolitan areas, while 12 came from small towns and farms. Of the 20 top men in the National Academy of Sciences, which includes 11 members of the Council and 9 division Chairmen, 4 were born in metropolitan areas, while 9 were born in small places. This does not prove that the rural counties are better than the metropolitan areas for developing future leaders, but it does indicate pretty persuasively that there is no disadvantage to being born and brought up on a farm or in a small rural town.

I think I have certainly shown a leaning toward locating a fair share of manufacturing plants away from the big population centers at this stage in our country's development. My purpose has not been to disparage the big city, but rather to indicate the importance of avoiding further unnecessary overcrowding and additional distortions in our already mammoth centers that will result through failing to provide jobs in the rural counties for the coming millions from these rural counties who will need nonfarm jobs.

HON. EUGENE V. ALESSANDRONI, DISTINGUISHED JURIST

Mr. SCOTT. Mr. President, Pennsylvania lost a distinguished jurist and I lost a lifelong friend when Judge Eugene V. Alessandroni died on Thursday.

He and I served together as assistant district attorneys in Philadelphia. Our paths crossed often in public life and our friendship strengthened over the years. I have enjoyed the warm kindliness of an unforgettable man.

Judge Alessandroni was the son of a stonemason in Capestrano, Italy. His parents brought him to America at the age of four and then he went on to illustrate the American dream of beginning at the bottom and working his way to the very highest councils of American public life.

Along the way he joined organizations and contributed to the cultural wealth of our society in almost more ways than could be mentioned. He was a good family man and it is worthy of some note that his nephew is Walter E. Alessandroni, attorney general of Pennsylvania and candidate for Lieutenant Governor of our Commonwealth.

It was an honor to have known him and a privilege to have been in his company. America, Pennsylvania, and his home city of Philadelphia are the better for Eugene V. Alessandroni having been here.

I ask unanimous consent to insert into the CONGRESSIONAL RECORD an article that appeared about Judge Alessandroni in the Philadelphia Bulletin of March 3, 1966.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

JUDGE ALESSANDRONI DIES; SERVED 38 YEARS ON BENCH

Judge Eugene V. Alessandroni, president judge of Common Pleas Court No. 5, died today in University Hospital.

Judge Alessandroni, who was 80, dean of Common Pleas Court judges in point of service. He served for some 38 years, the last 11 as president judge.

Although Judge Alessandroni was in and out of the hospital for the past several months, he was active in court affairs up to his death. Only last week, he ordered the signing by his associate, Judge Theodore L. Reimel, of the court order which lifted the ban on hearings by the Police Advisory Board.

Judge Reimel will become president judge of Court 5.

The other judge of Common Pleas No. 5, Judge Leo Weinrott, visited Judge Alessandroni last night with the latter's nephew, Edward DiNardo, clerk of Court 5.

Judge Alessandroni had been in the Ravdin Pavilion of the hospital for the past 3 weeks.

BORN IN ITALY

Judge Alessandroni was born in Capestrano, Abruzzi, Italy, on January 24, 1886. His middle initial stands for Victor.

His father, Pier, was a stonemason. His mother's name was Carmela.

Young Eugene was brought to America at the age of four and the family settled in South Philadelphia.

He attended public schools, then went on to Central High. After school, he worked in his father's wholesale grocery.

ENROLLED AT PENN

From there, he enrolled at the University of Pennsylvania in the days when the tuition was around $165 a year.

It wasn't much money, but it required sacrifices of the Alessandroni family. Eugene did odd jobs. His brother, Joseph, pitched in, too.

When only 19, Eugene was graduated from Penn's Law School and had to wait 2 years before he was old enough to be admitted to the bar. He started his practice in 1907.

But law alone didn't occupy this young man. He had a deep concern for the problems of Italian immigrants. He knew them firsthand.

SONS OF ITALY HONOR

In 1911, he became secretary of the committee in charge of the first Congress of Italians in the United States.

He joined Italia Lodge No. 77, Order Sons of Italy in America, in 1913, and devoted his untiring energies to expanding that organization.

Judge Alessandroni had been unopposed for 39 years as grand venerable of the Pennsylvania Lodge, Sons of Italy, and in 1959 got the highest honor of the national organization at its Boston convention. It was the Guglielmo Marconi Award.

In 1923, he was decorated by King Victor Emanuel of Italy.

By this time, Judge Alessandroni was sharing his pleasures and problems with the former Ethel Hope Tumbelston, whom he married in 1909.

Judge Alessandroni was a Republican.

ELECTED JUDGE

Mrs. Alessandroni died in 1952. Their only child, a daughter, Hope, died in 1960.

In 1919, he was appointed an assistant district attorney and served until 1927, when he was elected a judge of Common Pleas Court No. 5.

Since then he had been reelected for 10-year terms without opposition.

The judge was for years in the forefront of this city's Columbus Day affairs.

His other community activities included membership on the boards of the Union Home for Old Ladies, Eagleville Sanatorium, and the Philadelphia CARE Committee.

ACTIVE IN ORGANIZATIONS

He was a member of the American, Pennsylvania, and Philadelphia Bar Associations; the American Academy of Political and Social Sciences; the Zoological Society of Philadelphia, University of Pennsylvania Museum, the Knights of Columbus, and the Alumni Society of the University of Pennsylvania.

Judge Alessandroni also belonged to the Contemporary, Lawyers' and Sociolegal Clubs.

An accomplished pianist, his love of music got him interested in the Philadelphia Orchestra, of which he had been a director.

Judge Alessandroni was an honorary citizen of Cassino, Italy. He spent much time raising money for an orphanage there built to honor American soldiers who died there in World War II.

In raising these funds, he served as national chairman of a campaign put on by the Sons of Italy.

HONORED BY ITALY

Italy honored him on other occasions, as well.

It made him a Knight Commander of the Crown of Italy in 1919 and gave him the Star of Solidarity of the Republic of Italy (first class) in 1957 and the same year made him an Officer Chevalier of the Order of the Republic of Italy.

In 1959, he was named a Commander of the Order of Merit of the Republic of Italy.

After Italy surrendered in World War II, he organized the Italian Relief Fund of the Sons of Italy and helped found the American Committee for Italian Democracy as well as the Committee for a Just Peace With Italy.

He flew to the Paris Peace Conference in 1946 in behalf of the Italian-American Labor Council.

Besides Italian-American affairs, Judge Alessandroni's interests included minority groups, art, and travel.

The judge was a great storyteller. He spoke extemporaneously, spicing his words with humor.

He attended Our Lady of Lourdes Roman Catholic Church, 63d Street and Lancaster Avenue.

Surviving are two brothers, Joseph and John, both lawyers.

He was the uncle of Walter E. Alessandroni, State attorney general. Walter is the son of Joseph.

Judge Adrian Bonnelly, present judge of county court, said of Judge Alessandroni:

"He was an outstanding jurist, accomplished scholar and the essence of gentlemanly perfection. I knew him over 50 years. The bar has lost a most capable and upstanding jurist and I have lost a true companion and friend.

COME TO SPRUCE KNOB

Mr. BYRD of West Virginia. Mr. President, the success of the Izaak Walton League of America in its continuing efforts to preserve and conserve the boundless natural resources of our great land is well known. Like most other Members of the U.S. Senate, I admire the league's perseverance in these efforts.

The March edition of the magazine, the Izaak Walton Outdoor America, carries an article entitled, "Come to Spruce Knob," which extends a general invitation to all its readers to visit the new

Spruce Knob-Seneca Rocks National Recreation Area in West Virginia.

I was pleased to extend this invitation because I believe the enjoyment of the scenic beauty at Spruce Knob is an experience that should be shared by millions of people. I hope it will be just that.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD as follows:

COME TO SPRUCE KNOB

(By U.S. Senator ROBERT C. BYRD)

One of my New Year's resolutions on January 1 was to extend a welcome far and wide for many people to spend a vacation at one of the country's newest and most picturesque pleasure areas—the Spruce Knob-Seneca Rocks National Recreation Area in West Virginia.

Picture 100,000 acres of rolling hillsides, dotted with forests of stately and colorful trees, mountains with steep slopes, sheer cliffs, and large rock formations that rise spectacularly from the valley floor and hillsides. Here and there are impressive geological exposures, limestone caverns, alpine-type high meadows, and picturesque valleys. Waterfalls, clear mountain streams, and large springs add the final touch to the portrait of nature at its finest hour.

It almost sounds too good to be true, and that is why I never rested until I saw it protected as a national area—to guarantee its lasting value as a site to be visited and enjoyed by the public. I first began my campaign to preserve this section of the country in 1963 and saw it signed into law by the President on September 28, 1965. I believe the Izaak Walton League of America can take full pride for its endorsement of this project given in testimony to congressional committees.

They also provide an inspiring backdrop for camping, picnicking, sightseeing, hiking, and mountain climbing, as well as nature studies.

What will we do with all this beauty? We are certainly going to take care of it, preserve it, and develop it only in the most careful manner so as to make it available for more people to enjoy. The U.S. Forest Service will manage it and work closely with the West Virginia Department of Natural Resources to bring out its full potential for outdoor recreation.

There will be some additional facilities, giving each of the many types of users the kind of recreation sought. There will someday be scenic roads and overlooks for those traveling by car. There will be campgrounds, picnic areas, and related facilities.

There will also be rugged back country for those who want less of civilization's trimmings. Rock climbers and cave explorers will continue to enjoy this country. The clear headwaters of the South Branch will continue to provide pleasure for white-water canoeists and fishermen alike.

I consider the Spruce Knob-Seneca Rocks National Recreation Area as one of the best investments that this Nation can make in its public lands. We will be making needed capital improvements in an outstanding area adjacent to the populous northeastern and midwestern regions.

I hope many people will find time to enjoy it.

One of the most exciting aspects of Spruce Knob to me is its proximity to the great population centers of the country where huge developments have just about eased out all but the smallest patches of greenery.

It has been estimated that more than 30 million people live in urban areas within a 250-mile radius of Spruce Knob-Seneca Rocks, and that there will be a million visitors a year at the recreation center by 1970 and eventually some 5 million a year.

Travelers can reach the center from U.S. Highways 50 or 60, which are in close proximity to Grant and Pendleton Counties of West Virginia.

The central attraction in the new development will be Spruce Knob, the highest peak in West Virginia, with an elevation of 4,860 feet.

But, with no effort to exaggerate, there are attractions just everywhere for the visitors—camping, picnicking, hunting, fishing, sightseeing, winter sports, canoeing, rock climbing, and the mere sheer enjoyment of scenic and natural historical values.

A catalog of the features would range from the South Branch of the Potomac River and its tributaries, which snake through the mountains offering white-water canoeing and excellent fishing, to the high mountain country around Spruce Knob and Spruce Mountain, North Mountain, Cave Mountain, and other high ridges providing scenic vistas and varied opportunities for public recreation.

To the people who marvel at the wonders of the earth's formation, there are the Spires of Seneca Rocks, Blue Rock, Eagle Rock, and the Smoke Holes, Seneca Caverns, and other caverns and caves. They are all historic homes of early American Indians, and they illustrate the magnitude of the power that shaped the earth.

LOBBYIST ACTIVITIES BY BAR ASSOCIATIONS AND BY INDIVIDUAL LAWYERS, AND THEIR ROLE IN THE LEGISLATIVE PROCESS

Mr. BYRD of West Virginia. Mr. President, James Madison, writing in Federalist No. 10, speculated that the mischief of "factions"—or special interest groups—could be cured either by removing the causes or controlling the effects. The first was unthinkable because the right to create factions was an essential aspect of a free society. As to the second possibility, he wrote:

> The regulation of these various and interfering interests forms the principal task of modern legislation, and involves the spirit of party and faction in the necessary and ordinary operations of the Government.

The role of government as a referee of battling interest groups, though interesting as a subject, is beyond the dimensions of my discussion today. Regulation of interests and interest groups, however, has now become a major function of government, and the obverse of this situation, the efforts of interest groups to influence the Government, more specifically the Congress, is a subject of particular concern. In this regard, although I do not by any means categorize the American Bar Association as an interest group in the sense of being a "battling faction" with selfish interests to advance, I will devote a major portion of this discussion to its so-called lobbying efforts because of the interest of attorneys in its activities.

The key word, if I can use such a term, is "influence." It exists in numerous forms and operates in a multitude of fashions. Its effect, for instance was evident on the man who had just bought a new baby-blue Cadillac. The salesman was interested in uncovering the effects of their costly, recent, advertising program.

"I wonder if you would tell me what was the one dominating thing that made you buy this car?", the salesman asked him.

"My wife," said the customer.

I have no intention of equating the influence of attorneys and the American Bar Association upon legislation to that of the lady in the purchase of the car, but the record is very impressive, and in fact should be because of the natural relationship of the bar to the legislative process.

I shall, therefore, explore the influence of the bar upon the content of statutes, the work of members of the bar from the outside, as lobbyists, rather than from the inside as legislators.

The lobbyist has often been depicted as a rather rotund man with a large black cigar and a large black bag overflowing with legislative bills, legislative data, and also a more material consideration for influencing votes. The term itself was derived from newspaper shorthand in the late 1820's for persons who frequented the lobbies of government buildings in order to speak to legislators or officials. Stories are told from the days of the robber barons about the lords of the railroads or the oil industry descending upon State legislatures with suitcases stuffed with currency. It perhaps on occasion happened to Congress, as the infamous credit mobilier scandal in the 19th century testifies.

It was done under cover of the right to petition and the right of free speech. There is no doubt that in the past, abuses of these rights have occurred. Congress, from time to time, has undertaken investigations of such abuses and has ultimately adopted self-protective measures.

In 1852, the House of Representatives forbade access to the floor to newspapermen employed as agents to prosecute any claim pending before Congress. In 1854, the House established a select committee to investigate the efforts of Samuel Colt to secure extensions of a patent including alleged offers of money to Members or use of other illegal means to secure passage or defeat of a bill.

In 1867, the House modified its rules to exclude from floor privileges former Members who were interested in claims pending before Congress.

In 1876, the House adopted a lobbyist registration resolution, but its duration was only during the 44th Congress.

Bills to regulate lobbying and lobbyists began to be dropped into the hopper with some regularity beginning in 1907. In 1913, one of the most thorough investigations of lobbying was carried on by a select committee of the House relative to the activities of a former lobbyist for the National Association of Manufacturers.

The report issued by the select committee—House Report No. 113, 63d Congress, 1913—is one of the most extensive and penetrating ever produced on lobbying. It revealed that the chief page of the House was in the employ of an NAM lobbyist and kept his employer advised of what transpired in the House cloakrooms and in personal conversations on the House floor. The lobbyist was permitted the use of a room in the Capitol Building itself, and his intimate contacts with leading Members resulted in his securing advance information regarding pending and proposed legislation. It was even averred that the NAM lobby controlled the appointment of Members to committees. Incidentally, I wish to call attention here to "Congressional Lobbies: A Chronic Problem Reexamined," by the late John F. Kennedy, written when he was a Senator, 45 Georgetown Law Journal 535, summer 1957.

In 1927, the Senate did pass a lobbyist registration bill, but it died in the House.

Finally, as a result of the exposure of public utility scandals in 1935 and 1936, Congress added a provision to the Public Utilities Holding Act of 1935 (40 Stat. 825) requiring registration of those who would "present, advocate or oppose any matter" affecting holding companies before Congress, the SEC or the FPC. A substantially similar provision, but tied to the Federal Maritime Board and the Secretary of Commerce, as well as to Congress, was included in the Merchant Marine Act of 1936 (49 Stat. 2014).

In 1938, the Foreign Agents Registration Act was passed (52 Stat. 631) requiring anyone representing foreign governments or principals to register with the Department of Justice.

By the end of the 1930's, then, Congress had passed a number of laws requiring the registration of lobbyists in particular circumstances—including a statute early in the century prohibiting lobbying with appropriated funds (41 Stat. 68 (1919)).

No general act, however, had been passed.

Then, as title III of the Legislative Reorganization Act of 1946 (60 Stat. 839; 2 U.S.C. 261–270) Congress enacted the Federal Lobbying Act requiring anyone who solicits or receives funds for the purpose of lobbying Congress to register with the House Clerk, the Secretary of the Senate, and/or to file quarterly financial reports.

The act has not been amended since its enactment although it was the subject of a searching House committee probe in 1950, and of another by the Senate Committee on Government Operations, in 1956. It also received attention in an appraisal of the operations of the Legislative Reorganization Act of 1946, by that latter Senate committee, in 1951.

As the first and only general Federal lobbyist registration law, the 1946 act did not restrict the activities of lobbyists. Involved were the vital constitutional rights of freedom to petition and freedom of speech. Consequently the statute was an exposure law requiring individuals or organizations, except those regulated by the Corrupt Practices Act, who solicit or receive money "to be used principally to aid, or the principal purpose of which person is to aid" in influencing legislative action, to register with the Clerk of the House and the Secretary of the Senate providing such information as who his employer is, his legislative interest, and how much he is to be paid.

Registrants must file quarterly reports of contributions received and expenditures made. Violators can be fined up to $5,000, or imprisoned 1 year or both and shall be prohibited from lobbying for 3 years.

It is essentially a criminal statute, but there have only been three convictions under it. These occurred in 1956, in a situation involving the natural gas bill in which a campaign contribution of $2,500 was attempted to be left with the late Senator Francis Case of South Dakota by two attorneys acting for the Superior Oil Co. of California. Senator Case did not accept the money, and in December 1956, the two men, John Neff of Nebraska and Elmer Patman of Texas were found guilty of violating the lobbying act by failing to register although engaged in lobbying the natural gas bill. They were fined $2,500 each and given 1-year suspended sentences by the U.S. District Court in Washington, D.C. The Superior Oil Co. was fined $5,000 on each of two counts of aiding and abetting the two men to violate the lobbying law.

Other investigations of lobbyists, subsequent to these convictions, took place in 1959 when a House Armed Services Subcommittee examined the role of former military and defense personnel in winning defense contracts for private business, and in 1962, when the Senate Foreign Relations Committee investigated the activities of lobbyists in regard to the extension of the Sugar Act.

The subject has occupied a fair proportion of congressional time over a period of almost a century and a half. Lobbying is an essential element in our system of representative government. The making known of views of interested parties—sometimes contradictory—to the legislative branch is a vital process in governing. The right to make such views known rests upon solid constitutional foundations.

As the Supreme Court declared in *U.S. v. Harriss*, 347 U.S. 612, 625 (1954):

> Yet full realization of the American ideal of government by elected representatives depends to no small extent on their ability to properly evaluate * * * pressures. Otherwise the voice of the people may all too easily be drowned out by the voice of special interest groups seeking favored treatment while masquerading as proponents of the public weal. This is the evil which the Lobbying Act was designed to help prevent.

The Court continued:

> Toward that end Congress has not sought to prohibit these pressures. It has merely provided for a modicum of information from those who for hire attempt to influence legislation or who collect or spend funds for that purpose. It wants only to know who is being hired, who is putting up the money, and how much. It acted * * * to maintain the integrity of a basic governmental process.

The act itself, however, has been the subject of considerable criticism, as have been the few court decisions, notably the Harriss case, wherein its constitutionality has been sustained.

The law does require exposure and undoubtedly has flushed out into the open many lobbyists who were unknown to the public and even to many Members of Congress. It has contributed to making the lawmaking process take place in a goldfish bowl.

The act does contain certain exemptions, that is, those required to report under the Corrupt Practices Act—political committees—those who merely appear before a committee of Congress in support of or in opposition to legislation, public officials acting in their official capacity, and newspapers and periodicals.

The Harriss decision, by construing the act narrowly, left large gaps in its coverage and limited its effectiveness. The Court held that the act only applied to groups or persons who solicit, collect, or receive contributions for the main or principal purpose of influencing the passage or defeat of legislation through direct communication with Members of Congress. The Court felt that it had to so construe the act as a legitimate protection of the integrity of the governmental process in order to dispose of allegations that the law invaded the realms of the right to petition, of free speech and press, and so forth.

The Court's interpretation has permitted groups or individuals that spend their own money to finance activities designed to influence legislation and without collecting or soliciting from others, to avoid registering.

It has allowed numerous organizations to argue that the principal purpose for which they collected money was not to influence Congress and consequently there was no need for them to register.

Others have asserted that since the essence of the act is communication with Members of Congress, they were not covered where their activities were confined to influencing the public on legislation.

Another ambiguity concerns the kind of communications with Members that are covered. Do they include mere informational contacts, for instance?

Finally, other weaknesses in the statute relate to its administration. Registrants themselves make the determination of what portion of total expenditures to report. No person, or committee, or group was empowered to examine and investigate reports to ascertain their truthfulness. While the Justice Department must prosecute, it was given no mandate to investigate.

Various recommendations as to the improvement of the law have been made by congressional committees and others, but they have yet to be acted upon. The current Joint Committee on Reorganization is examining the subject and most likely will report amendments.

The act has only partially admitted light into the catacombs wherein many lobbyists work. Changes are necessary so long as they are confined to the constitutional spectrum. It is to be hoped that they will shortly come about so that the process of lobbying as an essential component of the democratic system can contribute most meaningfully to the Nation.

For lobbying, despite what has been said about its abuses and the fact that it often panders to selfish interests, is an integral part of the governing process. At its best it has an informative function for both Congress and the public about matters that require attention. It may often, as generally in the case of bar associations, be directed to some larger view of the public interest which does not specifically benefit its members. It helps to stimulate public debate and encourage the development of a national consensus. It is an avenue of approach to Congress for the needy or those wronged by society. It supplies legal support for proposals, or precedents against them. It provides practical and concrete illustrations of how legislation would affect those within its ambit. Technical information, originally research, and even suggested drafts of bills or amending clauses are often supplied by lobbyists. Perhaps, most important of all, the presentations of interest groups of all colors of persuasion enable Congress to partially gage the needs and temper of the Nation and give to that body and the public a far clearer portrayal of problems and of the real meaning of certain proposals.

At its worst, lobbying can involve bribery and conflicts of interest and while Federal statutes prohibit both activities few have been the lobbyists who have been convicted thereunder. The statutes are available though to deter those who might consider going beyond a mere failure to register under the lobbying act.

Related to the subject of lobbying in its broadest connotation are the Federal Corrupt Practices and Hatch Acts which require certain reporting of campaign contributions and expenditures, set limits on contributions, and forbid corporate and labor union contributions or expenditures on behalf of candidates in Federal elections. These topics of serious import are, however, beyond the limits of this discussion.

Lobbyists and lobbying include a wide spectrum of types of activities and functions. Lobbyist is often used as a synonym for "pressure group," meaning an organization or person whose activities are directed primarily at influencing the decisions of Congress.

It can refer to propaganda activities designed to influence the electorate on a particular issue and consequently indirectly to influence Congress.

Lobbying can relate to groups engaged in general educational campaigns espousing a set of principles of government or general policies, which groups may directly influence Congress and/or the public.

Lobbying may relate to a narrow interest of the members of a group or to more general matters of public benefit to be shared by group members as citizens.

Often a lobbyist works on behalf of others, either a group or a person, generally for pay, and attempts to influence Congressmen through direct contacts.

A lobbyist may or may not be required to register under the 1946 act. As has been noted, loopholes in the act itself, as well as augmentation of such through judicial decision, have enabled numerous persons and organizations, popularly thought of as engaged in lobbying, to avoid the necessity of registering and reporting.

Lobbying in some respects has accelerated with the growth of the Federal Government and the extension of its activities into additional areas of economic and social concern. In the past, questions of tariff policy, monetary policy, distribution of the public domain, and matters of internal improvement were the inspiration for much of the lobbying activity. Today, labor-management relations, welfare legislation, research grants, defense spending, urban problems, and civil rights matters are among the subjects of continuous lobbying pressure.

Communications developments have resulted in an increasingly expanded role of mass pressure organizations at the expense of the behind-the-scenes operator. Recent times have seen a noticeable reduction in the old "wine, women, and song" plus "folding money" types of pressures. Indirect pressure techniques of mass mailings and promises and/or threats of political support are supplanting the older methods.

Pressure for particular benefits for specific groups is still probably the major focus of lobbying activities, but ideological issues on which particular groups or persons will gain no direct advantages have been the subject of numerous lobbying efforts since World War II. The great labor organizations, for example, have not only lobbied for "bread and butter" issues, but also on questions of civil rights and aid to education, among others.

Among the most continuously active lobbying organizations in modern times, as listed by the Congressional Quarterly (Congress and the Nation, 1945–64, 1965, p. 1591), have been the American Legion, the AFL–CIO, the American Farm Bureau Federation, the National Association of Electric Companies, the National Association of Real Estate Boards, the United Federation of Postal Clerks, the American Medical Association, and the Association of American Railroads. Such a listing itself is suggestive of the vast array of issues of significance to interest groups.

Foremost among lobbyists are, of course, lawyers. They have been active in the lobbying process on behalf of individual clients and in respect to general issues almost from the earliest days of the Republic. While some attorneys are registered under the 1946 act, many are not, primarily because their activities fall within the statutory exemption respecting appearances before congressional committees. Some are registered, for instance, on behalf of estates involved in claims and legal problems with the Government. Some are registered such as was the law firm of former Congressman Dow Harter, of Ohio, because they have been employed to represent specific interests. In this case, it was B. F. Goodrich Co. at one time, and Avon Products, Inc., at another.

The American Bar Association itself is not listed as a lobbyist organization, but the CONGRESSIONAL RECORD of August 30, 1965, shows that two Washington attorneys are registered as representatives of the association.

Attorneys possess a number of advantages which enable them to participate favorably in the lobbying process. Successful lobbying requires perception, persuasion, patience, persistence, and planning, and I recommend, in this regard, a reading of "The Lawyer as a Legislative Lobbyist," by Robert Satter, 34 Connecticut Bar Journal 38, March 1960.

Lobbying, in essence, is systematic advocacy, and demands an understanding and appreciation of the legislative process including not only a knowledge of procedures but also of influential Congressmen. It requires persuasion to overcome hostility and win support. It demands patience with the sometimes inordinately lengthy consideration of questions by a legislature and its committees. It requires persistence to keep working, sometimes against odds and at others to protect a measure against injurious revisions. Finally, it demands planning and provision for a long campaign which can have a duration of several years.

Lawyers make good lobbyists because their training and temperament promote the development of these qualities. They are trained to marshal difficult, often complex facts and present them in an understandable fashion. They have a deep respect for the law as a social value and a real sense of responsibility to the legislature which enacts the statutory law. They are often skilled in the preparation of bills and can meet objections to constitutionality, phraseology, and substance.

And, perhaps as significant as any other reason, lawyers bring integrity and honorable standards to their task. Canon 26, of the Canons of Professional Ethics promulgated by the American Bar Association establishes rigid standards for attorneys who appear as lobbyists. It reads:

> ### Professional Advocacy Other Than Before Courts
>
> A lawyer openly, and in his true character, may render professional services before legislative or other bodies, regarding proposed legislation and in advocacy of claims before departments of government, upon the same principles of ethics which justify his appearance before the courts; but it is unprofessional for a lawyer so engaged to conceal his attorneyship, or to employ secret personal solicitations, or to use means other than those addressed to the reason and understanding, to influence action.

Canon 32, in part, reads:

> No client, corporate or individual, however powerful, nor any cause, civil or political, however important, is entitled to receive nor should any lawyer render any service or advice involving disloyalty to the law whose ministers we are, or disrespect of the judicial office, which we are bound to uphold, or corruption of any person or persons exercising a public office or private trust, or deception or betrayal of the public.

And in its opinions, the Professional Ethics Committee of the American Bar Association has required strict adherence to these standards. For instance, it ruled in December 1959, that a law firm may not accept employment to appear before legislative committees while a member of the firm is serving, even though a full disclosure of the relationship is made, and even though the member serving in the legislature does not share in any fees received thereby (45 American Bar Association Journal 1272, December 1959).

Only one case under the 1946 Lobbying Act has directly involved a lawyer and charges that he was lobbying on behalf of clients without registering. The defendant was found not guilty, however, on the ground that his activity had mainly consisted of preparing statements for witnesses to be given by them before congressional committees, and that such a practice was within the statutory exception excluding from the registration requirement appearances before committees (*U.S.* v. *Slaughter*, 89 F. Supp. 205, 876 (D.C.D.C., 1950)).

Because of the particular circumstances surrounding lawyers including adherence to a code of ethics and to high standards as well as the possibility of scrutiny of their actions by bar associations, suggestions have been made in the past that lawyers should be exempted specifically from the provisions of the Lobbying Act—note 15 George Washington Law Review, 455, 459–60 (1947). It is perhaps a point worthy of consideration in any general revision of the act, but the fact that so many lawyers are lobbyists—although not registered—and that such a determination has been challenged as favoritism by other professional groups, have thus far militated against the adoption of the proposal.

Among the most preeminent of the organizations engaged in lobbying in its broadest and most honorable sense has been the American Bar Association. In his study on group representation before Congress, for the Brookings Institute in 1929, Edward Pendleton Herring noted—p. 185—that the influence of certain lobbying organizations was dependent entirely upon the value of the advice they had to give. "Their words," he reported, "must be weighted with wisdom rather than the strength of numbers." He concluded that the ABA could well boast of both.

From its earliest days, the association through special as well as standing committees has studied and reported on problems relative to the administration of the law and to other national questions and has made its recommendations available to Congress. From the beginning it followed a policy of printing its proceedings including the reports of its committees in its annual reports and has distributed them to all branches of the Federal Government.

In addition, Federal legislation sought by the association is usually presented directly to Congress or to its appropriate committees, by association committees, and in this regard, it is worthwhile to read "History of the American Bar Association and Its Work," Edson R. Sunderland, 1953. For example, this process was used in the past in seeking legislation for the relief of the Supreme Court, 1888–1890; for a Federal code of procedure, 1888; for an increase in judicial salaries, 1888; for a right of appeal from orders appointing receivers, 1897; for protection of bona fide purchasers of land against revenue tax liens, 1900—Sunderland, supra, page 60.

Often, individual members of the association are requested to appeal to their own Senators and Representatives in Congress—for example, in seeking legislation for relief of the Supreme Court, in 1889.

Sometimes petitions are circulated among members of the association and presented to Congress.

On other occasions, as for instance respecting the Supreme Court relief bill, a direct appeal might be made to the President for endorsement of the proposed legislation in his message to Congress—Sunderland, supra, pages 60–61.

The association was largely responsible for the enactment of the Bankruptcy Act in 1898. For 5 years thereafter one of its committees worked in close cooperation with the chairmen of the committees in both Houses of Congress on amendments, and by 1903 virtually all of the changes suggested by the association had been enacted—Sunderland, supra, page 64.

Other early association activities included work on the Federal court system culminating with the establishment of the U.S. circuit courts of appeal by Congress in the early 1890's; adoption of a form of a maritime bill of lading, enacted by Congress in 1893; restoration of the right of appeal, under habeas corpus, to the Supreme Court; amendments to the patent laws; law reporting and digesting, and a host of other subjects.

From the beginning of the century up through 1935, the association, through its committees, engaged in studies, recommendations, and in some instances bill drafting in a host of fields including administrative law, admiralty and maritime law, air law, radio law, bankruptcy, criminal law, insurance law, judicial procedure, judicial selection and tenure, mineral law, patent, trademark, and copyright law, public utility law, constitutional law and rights of citizens, and taxation.

Since 1936, the association has expanded its committee system and intensified its educational activities. Among its many standing committees today are those on the Bill of Rights, Federal legislation, legal assistance for servicemen, and peace and law through the United Nations. Special committees include atomic energy law, civil rights and racial unrest, code of Federal administrative procedure, committee to cooperate with Cuban lawyers in exile, association program for lawyers in Government, and a special committee to cooperate with the Kefauver investigation of interstate crime in 1950–51. Reports and recommendations have dealt with such subjects as procedures sometimes employed by congressional committees in derogation of the rights of individuals, the evacuation of American citizens of Japanese ancestry from military areas, effectual exercise of the right to the writ of habeas corpus, rights of the mentally ill, and amendment of the Federal rules of procedure.

The association has sponsored or supported such landmark proposals as the Administrative Procedure Act, the Self-Employed Individuals Tax Retirement Act, and the constitutional amendment relating to presidential inability and vice-presidential vacancy. It has participated vigorously in support of a public defender act, legislation clarifying accession to public information, conflict of interest amendments, and relief of court congestion through enlarging the Federal judicial system.

The association's lobbying activities, however, extend far beyond professional evaluation of Federal legislative proposals. In many respects it is an educational organization encouraging and promoting creative developments in the law. Two of its offshoots are the loci of such efforts. One such is the National Conference of Commissioners on Uniform State Laws which drafts statutes designed to eliminate chaotic divergencies among State laws. The second is the American Law Institute concerned with restatements of law designed to produce order in judge-made law by criticism and collection of the welter of conflicting decisions across the Nation.

Perhaps the most important educational function of the association, at least as respects the public at large, is its continuous program of production of materials and information about the Constitution and the meaning and place of law in our system. Law Day which is now celebrated throughout the Nation, for instance, is the brainchild of one of the association's past presidents, Mr. Charles S. Rhyne.

Truly, the American Bar Association is one of the country's outstanding lobbying organizations. In working on its committees and participating in its activities, attorneys can assume a role of influence in the highest meaning of the term.

The law and lobbying are naturally correlative activities. Despite some of the abuses that have been heaped upon it, the lobbying process is an essential component of American government. It works successfully on many occasions for numerous reasons not least of all being the fact that those most fully engaged in it are lawyers.

The legislative process as we practice it could not function without lawyers, for they, more than any other group in our society, fully understand the democratic legislative process and the many requirements incident to the preparation and passage of legislation. Our society is almost totally dependent upon attorneys for the procedural, administrative, constitutional, and technical guidelines within which statutory law functions.

The range of subjects and the variety of organizations on which lawyers are called upon to lobby is legion. They represent commercial and labor interests forcefully and honorably. They appear on behalf of volunteer citizen organizations seeking the passage of a worthwhile bill. They represent individual clients with claims on society's compassion. They speak for their bar associations in attempts to remedy defects in laws revealed by experience or decisions, or to press for some reform with which the legal profession is deeply concerned.

Lobbying is a challenging and rewarding function of the lawyer. It demands a full panoply of skills and talents associated in large part with his experience and training. It involves him in direct participation in the workings of the democratic legislative process. It reaches the heights of satisfaction when a statute, enacted through his efforts, benefits not only his client, but the people of the Nation as well.

THE THREAT OF DRUGS TO YOUTH

Mr. DODD. Mr. President, I ask unanimous consent to insert into the Record at this point a collection of articles published recently in Newsday, Garden City, Long Island, N.Y.

The concern of this newspaper and its publishers is clearly with the youth of America, and how youth is led into the purgatory of pill addiction, narcotic addiction, and crime for money to feed their habits.

The people who rely on habit-forming drugs to get through each day, and who must have drugs legally or illegally, even if they have to steal or get them, are the people who contribute most to our crime problem.

And then there are those who pander to this illicit trade, men who live off the wracked bodies of addicts.

I believe that the aim of Newsday was to get to the heart of that problem. I know that Newsday's portrait of drug abuse as it moves from the slums through the suburbs is accurate.

I was particularly impressed by the reporting of Martin Schram and Bob Greene, and other Newsday staff members who ran some risk to inform the public.

The threat of drugs to our youth, and the modus operandi of those who profit by this trade, are amply told in these articles.

I commend it to my colleagues.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From Newsday, Jan. 5, 1966]

DOPE PUSHER: BUSINESS IS GOOD

(By Bob Greene)

Newsday has interviewed a man described by Suffolk police as one of the major heroin pushers on Long Island, although police have never been able to get evidence against him. His base of operations has been in western Suffolk. The interview was conducted in secret and the pusher was promised he would remain anonymous in any reporting, since he freely admits to criminal acts; the purpose of the interview was to demonstrate the scope of heroin addiction on Long Island and the operations of a typical pusher. The pusher here is not an addict himself, he moved from Manhattan to Long Island and has never been convicted despite diligent police observation. Here is what he was asked and what he said:

Where do you operate?

I've been in a different part of ——— town over the past couple of years. But business has gotten so big that I rented a room for an office so that people wouldn't bother me at home.

How many customers do you have?

I got about 100 customers, sometimes more, sometimes a little less. There are about nine other pushers in town that are big. Between us we got 300 to 350 customers. They bounce back and forth. Most come from the town, but a few are from other places and they come in to score.

What kind of customers do you have?

My customers are all kinds, man. I got women in furs, square guys with neckties and all that, bums, kids, all kinds. You couldn't say there was one type. They're all hooked. Most of them that come in look OK, but a lot of them have the shakes real bad when they come in. They'd do anything to get that fix. They say: "Please ———, please give it to me quick." They're so bad off some of them, they cook (heat the heroin) and pop (inject it) right in front of me. Sometimes the kids need it real bad, but they got no money. If they look real sick and I don't need the money, sometimes I give them a bag (glassine bag containing enough powdered heroin for one injection).

One thing, though. All the American kids come in for it, they look clean cut. But sometimes the Spanish (Puerto Rican) kids look like they need a shave—bad. You know, just like the pictures you see of junkies. So I tell them to wash up, look clean. They should have pride, too. I had one bunch of kids that paid for their kicks by stealing cartons of cigarets from all over Suffolk. They'd do 150 to 200 cartons a week and peddle them for $1.80 to $2 a carton. They were good customers.

Where do you get your heroin and why do you sell it?

I get it from Manhattan. I got a lot of connections in there. I can connect at a lot of different places. Why do I sell it? Money, man, money, the same reason guys run saloons and grocery stores. But in heroin the money is bigger and there's no taxes. Like I go into New York and buy a half a loaf (roughly a handful). I pay $120 to $150 for the half loaf. I bring it back and bag it myself (put it in individual glassine bags). I get about 100 bags out of a half a loaf. That means I sell it for $5 a bag. I make $350 on each half loaf and I can go as high as a loaf a week.

Do you try to hook more people on the habit to build your business?

Who needs it? I never hooked anyone in my life and I don't have to. The customers are already there, more than you can handle. Set up in business, make one sale and the junkie grapevine is really working. The next thing you know, they're knocking you down in the rush. You can't get enough stuff to handle the trade, people who came out from New York hooked, people out here they hooked for company, and kids on their way up from pills and cough medicine and the rest of that ———.

So with all the business—and we got it here—why take the risk of hooking some kid? All this talk about pushers going around hooking people so they can sell it is a lot of ———. Everybody is against the pusher who isn't hooked himself. The law says burn him. But everybody feels sorry for the addict who is the pusher, too. They say feel sorry for him. Man, that's the dangerous man. He's hooking people so he has company. It makes him feel better. That law is a crazy thing.

Don't you feel you are doing wrong?

No. I don't feel bad about selling the stuff. I'm not hooking them. I even try and get them good stuff. In New York, my connections cut the strength of the heroin with quinine or milk sugar. Too much quinine and my customers feel it burn when they roll up the sleeve and put it in the main vein. Too much quinine burns going in. They complain. Sometimes they put in too much milk sugar. That don't burn but my customers complain they get no kick popping. So I go raise hell with my connection and change if it doesn't get better. My customers are already hooked. If I don't sell them, someone else will. So why shouldn't I get the money. I don't cheat them or hurt them. Better me than someone else.

What about cough medicine and pills?

I don't touch it. That's for kids. All over the place the kids are talking about it. I'll get a few of them later. But the big thing all over in Suffolk and Nassau is pot (marijuana). I take it once in awhile myself. I been to lots of pot parties out in the Hamptons, in Nassau, New York. Man, that's everywhere.

Is this the only place that heroin is being sold on Long Island?

You gotta be kidding. My town is no different than any other town on Long Island. We got the same nice people as other towns. All the towns are the same. I even know guys pushing in the other towns. But those towns are their turf and I stay out. There's plenty of business for everyone, so why go looking?

[From Newsday, Jan. 4, 1966]

DRUG STORY WRITER BEATEN

Plainview.—Newsday reporter Bob Greene told police he was beaten up outside a Plainview bar last night by six youths after he attempted to buy drugs in connection with a series of articles on the Long Island drug problem.

Greene said he contacted the youths in the Esquire Bar at 433 South Oyster Bay Road to keep an appointment to make the buy. He did not get the drugs but the six followed him from the bar at about 11:45 and ganged up on him in the parking lot in front of the bar, knocking him to the ground, he told Eighth Precinct Detective James Wylie. He said he heard one say, "Don't do any more now," and the pummeling stopped, giving him a chance to dash to his car and drive away.

The reporter drove east on Northern State Parkway and he said the six youths followed, but kept going when Greene stopped next to a parkway police patrol car. He was treated for face cuts and bruises at Smithtown General Hospital and released.

[From Newsday, Jan. 4, 1966]

LOOKING FOR KICKS? JUST SEE "JOE"

(Editor's Note.—Newsday Reporter Martin Schram worked his way into a group of young punks to take a look at how and where they get their dime store kicks on codeine cough medicine. His experience would be merely trite if it did not represent, for many, the first step toward addiction.)

(By Martin Schram)

"If you're really people, buddy, and you ain't no uncle, you swig first." The 20-year-old tough drew his finger across the word "day" on the medicine bottle. "Down to here, a big happy swig."

He passed me the medicine bottle. His three buddies looked on and waited. Being people is good. It's being in. Being uncle, however, is bad. And when you're outnumbered 4 to 1, it's downright unhealthy. Uncle, from television's "The Man From U.N.C.L.E.," is punkese for undercover agent.

If I turned out to be people, these toughs promised to cut me in eventually on 200—maybe 400—pep pills. My pusher pals were waiting. It was time to put up or shut up and maybe get beat up. So I swigged. And thinking of the 4 to 1 odds, I swigged big, well past the "day" mark on the label. After all, I was people.

This was the first of four stops in a recent joyride for cough syrup and kicks. We were sitting in the cramped confines of a foreign car sedan, parked in front of Korvette's department store in Huntington Station's Walt Whitman Shopping Center. Korvette's was No. 1 on the gang's unwritten two-county list of easy hits.

"You can cop (buy) here, man," one had told me moments before. "Just walk into the store, go to the pharmacy counter, and ask for any codeine cough medicine. They'll make you sign their register, but you can probably sign any name you want without them checking for ID (identification)."

That's how it worked. I got Robitussin A-C, which contains one grain of codeine per ounce (the maximum allowed without a prescription). I signed my own name and address to the list, but could just as easily have signed yours. After I returned to the car and swigged to prove I was people, two others went in to cop codeine preparations.

We sat there, swigging, each getting "a good high." Getting a good high on codeine cough sirup is almost like getting a good high on whisky. You get the same lightheadedness, and the same giddy or moody, happy or sad feeling you'd get from booze. It just takes less medicine than liquor to get a good high, and it's cheaper. So kids with few coins in their jeans go to the cough sirup for kicks. Then they're happy * * * they're high * * * they're big men.

It wasn't hard to find a source for cough medicine and contraband barbiturates and amphetamines. It just meant looking around a little and listening a lot. I found my contacts in the Plainview shopping center by dropping a few hints with the youthful clientele of a bar and Mickey's luncheonette just a few doors to the north. I was a guy who had worked a couple of years and was now going to college. I wanted codeine, goofballs (barbiturates), bennies (amphetamines), marihuana and perhaps heroin. "You need an inside now because the heat's on," most said. Finally someone said. "See ———."

The man I was told to see—we'll call him Joe—was easy to spot. He drives a flashy car and hangs out at the luncheonette or in the parking lot out front every evening. He walked into the luncheonette that night with another youth.

"I just can't turn you on (give you drugs) now," he told his buddy, while the two were seated at the counter. "The heat's on. Try ——— in Bethpage. He hangs around the hairdresser's. His sister works there or something."

After a couple of days of hanging around, I approached Joe, asking if he knew where I could make a buy. At first he was suspicious. "I wanna know who fingered me for you. I don't like my guys fingering me as a pusher to everyone they meet. You could be uncle—you could be the man (a lawman)."

Later, he softened. And with three of his ring members, in their late teens to early twenties, we set out to make the rounds of the easy cops (buying places). "You gotta understand why we're jumpy," Joe said. "Man, I run things in this town and these guys know it. Dozens of guys know it. If you play ball, I can get you at least 400 pills at a nickel apiece. You buy 400 and give us half. The other half is yours." Where do the pills come from: "Contacts, man, contacts."

After copping at Korvette's we headed into Greenlawn, were we got more Robitussin A–C at the Mid-Village Pharmacy at 51 Broadway. We swigged. "See? It's a snap," said one. Another just sat there, his eyes starting to roll upward, his lids starting to slide down. He said he's a family man, married less than a month ago.

Next stop was East Northport. We went to the nearby Gold Drug Store, at 2 Laurel Road, and made another easy codeine cop. "This one is satisfaction," one said, taking a big swig. "Look across the street." There was a Suffolk County police booth across the street, with a manned squad car parked beside it.

Then it was back to home base in the Plainview Shopping Center. Joe and his tough-acting friends sang most of the way back, a rather talented rendition of a medley of rock 'n' roll hits.

These toughs—Joe, the blond one, the sleepy-eyed one, and the skinny one—all bragged about their contacts and arrest records. They say they've got both. "We've got guys in several precincts who let us know what to expect from the other cops. They'll get us for fighting, but not for pushing." They murder the English language, but because they want to, not because they know no better. They come from well-to-do homes; two drive Corvettes. And when it comes to brains, these youths can rattle off the names of every drug, its chemical composition, what dosage will get you high, and what dosage will kill you. ("Only once you get high, it's hard to stop popping the pills.") They also know the law—what's legal, what's illegal, and where the loopholes are.

They're out of school—some dropouts, some pushouts. Some work, some don't. They're the toughs, the pushers, the ones at the source. But they say they sell to all sorts of nicer, weaker youngsters who are also looking for kicks and willing to pay their price. I believe them.

[From Newsday, Jan. 4, 1966]

New Danger in Suburbia: Drugs Spread Among Long Island Teens

(By Bob Greene)

An alarming number of Long Island's privileged, well-fed, well-housed young people are turning to drugs in the same way their urban opposites have done, a month-long Newsday survey has disclosed.

A gallon of gas to the west, New York City's junkie class—mostly Negro, largely moneyless, almost entirely deprived of the warmth generated by family relationships has long since fled into the dream cocoon of heroin and codeine.

But the suburbs have lent gentility to drugs. Long Island's drugs users are not Negro but largely white, not broke but middle and upper-middle class, not the hackneyed "products of broken homes" but the cuddled products of homes just like yours, not dropouts entirely but often good high school and college students and apparently normal youngsters.

They range in age from 14 to 25. To most of them, heroin is still something they read about in books. Their kicks come from codeine-based cough medicine, marihuana (pot), barbiturates (goof balls), amphetamines (pep pills, frequently given as diet pills) and tranquillizers.

Many of these drugs are in home medicine cabinets or easily available in stores. In overdose form, they pack a wallop that can produce intoxication, physical or mental addiction, and even insanity and death. But in hundreds of house parties, cars, movie drive-ins and luncheonettes, youngsters are taking them with the gusto that earlier generations reserved for experimentation with liquor and sex. During the course of the survey, Newsday reporters swigged cough medicine with partying teenagers, negotiated for the purchase of illegal pep pills, conducted an interview with one of Long Island's biggest heroin pushers and talked with scores of school officials, jurists, students, and law enforcement authorities. Most agree: there is a problem and it's getting worse—fast.

DRUG FATALITIES ON LONG ISLAND

During 1965, six Long Island youths died from some form of drug intoxication, five in Nassau and one in Suffolk. Many others have been found unconscious in their cars or in the streets. And medical authorities suspect that a number of automobile and other accidents resulting in death were indirectly the result of the driver or victim being under the influence of cough medicine or pills.

Meanwhile, statistics on narcotics are difficult to find because users come to official attention only when they die, are arrested, or surrender for treatment. But some startling facts have recently come to the surface:

The official of one large Nassau school district estimates that between 200 and 300 high school children in his district are on cough medicine or pills.

A veteran Suffolk police official believes that 1 of every 10 teenagers in the county is an occasional or frequent user of marihuana, pep pills, or cough medicine.

A dean of one of Long Island's largest universities estimates that 6 percent of the 5,000 student population uses some form of drugs at one time or another.

A Nassau County Probation Department caseworker, specifically assigned to narcotics, believes that as many as 4 of every 10 persons between the ages of 15 and 25 in Nassau County have experimented at least once with marihuana or one of the forms of drugs.

Generally, most drugs produce a form of intoxication, Heroin produces a cloud-floating sort of detachment; 2 ounces of a codeine-based cough medicine has the belt of a half-fifth of whisky; goof balls such as Seconal produce the slurred speech and ungaited movements of the very drunk; four pep pills produce elation, a feeling of great power and forgetfulness. Gradually the body builds tolerance and dosages must be increased until levels are reached which sometimes result in death.

Unlike New York City, where the economically depressed use heroin as an escape, the use of drugs on Long Island has its highest incidence in middle-class families. Nassau County Probation Department Chief Louis Milone said: "This is a white, middle-class, churchgoing family situation. These children come from our average and better homes." Police in both counties agree.

And these drugs are not taken in slum alleys. Pep pills and goof balls are swallowed at "nice" house parties by clean-cut children who sip soft drinks and listen to records; they are "popped" by college kids before exams, or to get a fast "high" after classes. The same goes for cough medicine and marihuana, although "pot" seems to be the favorite of the upper-income strata.

Suffolk County authorities have voiced concern about the surge in drug use. Nassau officials have been split. Former town of Hempstead Presiding Supervisor Palmer Farrington reported last year that drug use was becoming a major problem. But County Executive Nickerson and Police Commissioner Francis Looney, although admitting that some addiction existed, insisted that it was not yet a major problem.

Nickerson, who formed a narcotics task force on February 17, under the direction of Oyster Bay Town Supervisor Michael Petito, replied that he did not regard drug traffic as a present source of serious concern. Lt. James Henderson, commander of the Nassau Police Narcotics Squad, agreed, citing arrest statistics to show that there had been no significant increase in the county drug traffic since the squad was formed 3 years before. But Petito, head of Nickerson's own task force, said on December 10, that on the basis of his study he has become convinced that addiction is a serious and growing problem in Nassau.

DISTRICT ATTORNEY'S POINT OF VIEW

Nassau District Attorney Cahn recently told Newsday: "There is a problem. It's nothing to push the panic button about. But the problem is there; it's growing every day and we are going to have to come to grips with it head on—all of us." Said Probation Chief Milone: "It is becoming a matter of grave concern."

Law-enforcement authorities rate codeine-base cough medicine as the single largest danger in both counties. Medicines such as Robitussin A-C or elexer terpin hydrate can be readily purchased in any drugstore and, until January 1 of this year, could be purchased without prescription. Now, persons under 21 must have a prescription to purchase it. The price for a bottle ranges between 98 cents and $1.25. The medicine contains codeine, a habit-forming narcotic drug, and up to 40 percent alcohol.

Milone and Suffolk Detective Inspector William Coleman maintain that cough medicine a highest in popularity because of its ready availability through legal channels and the low price (a beginner can get high on 2 ounces). Youths seeking to get high have favorite soft drugstores throughout the two counties where they can connect for cough medicine with few questions asked.

Second in popularity is marihuana (pot), which is smoked and which resembles tobacco in appearance. The drug gives a mild high, heightens the sex drive of some persons and creates a feeling of euphoria. Many youngsters go for marihuana at parties, because it is a nonaddictive drug. But while the drug itself is nonaddictive physically, authorities say it creates a mental dependence and is a frequent step up the drug ladder to "hard stuff" for kick seekers.

Right behind are the pep pills, barbiturates and tranquilizers, all of which, medical research now shows, create physical as well as mental addiction when taken in large enough doses over a long enough period of time.

Youths obtain the pills by way of forged prescriptions (Suffolk County police uncovered 120 forgeries last year alone), drugstore burglaries and from neighborhood pushers. Pills are selling on Long Island at prices ranging from 25 to 50 cents each.

At the bottom of the popularity scale is heroin. While the incidence of heroin use on Long Island is still low, it is rising quickly as youngsters on other drugs build up their tolerance and seek out the last drug that can give them a kick. The general public antipathy toward sticking oneself with a needle is generally credited with the popularity of the other drugs and last resort status of heroin.

The recent exposure of a party in the Hamptons at which some of the 230 youthful guests were taking drugs, a marihuana ring of 24 youths in Northport and a barbiturate party for 140 in Bethpage last summer only shows the surface point of an immense iceberg, many authorities have told Newsday. "There's so much in so many places among such regular kids that it scares me," one Nassau detective said.

Nassau narcotics experts say that the county is roughly divided into three geographical sections as far as drug use is concerned. Section 1 (the five towns and southwest Nassau east and north to Hempstead Village): marihuana with some pills and heroin. Section 2 (North Shore-Great Neck to Syosset): almost exclusively marihuana. Section 3 (Hempstead-east): cough medicine, pills.

Figures prepared by the Suffolk police narcotics squad indicate drugs moving in every section of the county. But particular trouble areas singled out by police include Huntington, Northport, East Northport, Brentwood, Amityville, Bay Shore and Islip. Suffolk police estimate that one-third of all crime in the county stems from narcotics addicts seeking money to support habits.

Questions as to why the drug fad is sweeping through middle-class Long Island youth bring varying answers. "Let's face it," said one Suffolk detective, "if we were in East Overshoe, Iowa, we might have a different problem. But Nassau and Suffolk Counties lie right next to New York City, the largest single source of narcotics in the United States."

Others see the cause of the problem at another level. Cahn said: "We live in an affluent society. We say that we want to give our children everything we never had when we were little. So we satiate them with material things. By the time they are 16, they have had everything, experienced everything. They are bored—even jaded. Drugs are the only new experience they can have. They grasp out for it."

A Suffolk detective added: "The teenagers from the good families get on barbs and cough medicine because they're looking to be big shots. They've got all life's comforts, but they're looking for thrills. Its also prevalent in our colleges. Every college in Suffolk, and I mean every one, has been contaminated.'"

Time and again in the course of the Newsday survey, reporters listened as clean-cut teenagers described their reactions * * * "This is it, man * * * It's kicks * * * I'm floating * * * C'mon, you chicken? * * *" To them it's not heroin, so it's harmless fun.

But the mortality statistics of two counties reflect the following for the year 1965:

August 7: Lennis Keith Jones, 15, of 16 Eleanor Place, Freeport, sat on a curb for half an hour sniffing glue in a bag. He then jumped up and franatically climbed a power pole and grabbed the high tension wire, electrocuting himself.

July 22: Relatives of Robert J. Drankwater, 17, found him dead in bed at his home at 47 Essex Road, Bethpage. Relatives said he had come home each night appearing drunk and had been hard to waken in the morning. Death was caused by an overdose of Robitussin cough medicine.

October 25: Kenneth Moxin, 17, of 2422 Cambridge Avenue, East Meadow, collapsed and died at the home of a friend. He had been on pills for 11 months. A post mortem examination showed that he had 11 Doriden tablets in his system, a lethal overdose. Doriden is a tranquilizer.

November 29: Fred Powers, 20, of 7 The Outlook, Glen Cove, died in Glen Cove Community Hospital of an apparent overdose of a narcotic drug. A post mortem indicated that the cause of death was Doriden.

November 29: Harry Perkett, of 4015 Avoca Avenue, Bethpage, was found dead in his father's car parked in front of the house. A post mortem revealed a lethal dose of barbiturate in his blood stream.

January 8: Dennis White, 19, of 40 Fifth Avenue, Bay Shore, died in an auto on his way home from a party in Northport, where he and his three companions had been sniffing the fumes of the household cleaner Carbona for kicks. The fume inhalation was the cause of death.

There are other results of this new dangerous dope fad. Nassau probation has 144 youths charged with narcotic-connected crime under specialized supervision. Fourteen of the eighteen youths in the high school section at Nassau County Jail are confirmed addicts. Suffolk mental hospitals are receiving the hulks left over from glue-sniffing at the rate of 14 each year.

A veteran caseworker with the Nassau Probation Department said: "This thing has now become a dangerous fad. Some fads, like long hair, you can cut when it's all over. But you get hooked on this fad. And you can't cut that when it's all over."

[From Newsday, Jan. 5, 1966]

OFFICIALS PLEDGE ATTACK ON DRUG PROBLEM

County officials and law enforcement officers in Nassau and Suffolk expressed concern yesterday about Long Island's drug addiction problem and pledged new preventive and educational efforts to attack it.

"There's no question in my mind that it's a growing problem," said Nassau District Attorney Cahn. "I believe frankly in ripping the mantle of secrecy that usually cloaks this subject so that the citizenry can be apprised of the problem in its full impact." Suffolk District Attorney Aspland said: "This is something that should be publicized to the hilt." Both district attorneys agreed on the need for constructive action.

"I think it's a matter for concern," said Nassau County Executive Nickerson. "Just how widespread (it is) is a matter of judgment. But I have always said that if there is a single instance of the use of drugs, it is serious." He noted that his task force on narcotics submitted a report to him earlier this week. Oyster Bay Town Supervisor Michael Petito, who headed the task force, said he plans to disclose a preventive and educational program Monday.

Suffolk County Executive Dennison said he thought it was necessary to "break up this (drug addiction situation) fast," adding that he would discuss the matter in detail with Suffolk Police Commissioner John L. Barry.

Nassau Probation Officer Louis Milone, saying that the problem is of great concern, claimed that it should be met by one agency alone—the police department. "They need only a few extra tools, such as some more men for undercover work, and they can do the job," he said.

The increase in the drug addiction problem is obvious to any district court judge, said Suffolk District Court Judge Floyd Sarisohn. "The worst part of it is that the kids are totally ignorant of the effects of barbiturates. They know very well what narcotics can do, but they don't know or realize that barbiturates and glue sniffing can also kill."

The spread of drug addiction among Long Island's teenagers is described in a series of Newsday articles, "New Danger in Suburbia," which continues today. Officials praised the series for publicizing the problem, with Nassau Police Commissioner Francis Looney commenting: "The articles will greatly aid the police department's educational program of the last 2 years and will serve as a means of developing public awareness of the dangers of drug abuse."

[From Newsday, Jan. 5, 1966]

NEW DANGER IN SUBURBIA—DRUGS ON LONG ISLAND—INDEX OF TORMENT

(By Martin Schram)

All too often, police say, they encounter real or feigned ignorance from parents whose children have begun the cough medicine-pep pill route to addiction. Drugs are getting too dangerous to ignore. Here is a grim primer:

Life is tense, so there are sedatives, sleeping pills.

Life is tedious, so there are pep pills, stay-awake pills.

Life is fattening, so there are diet pills, get-thin pills.

But the magical drugs are being improperly acquired and dangerously used on Long Island. For though the agony of a mainliner's withdrawal is familiar enough to be a dramatic cliche, the withdrawal from barbiturates and tranquilizers, authorities now agree, can be far more dangerous. It can be fatal, and withdrawal from heroin can only be misery to experience and unnerving to witness. But heroin and the dangerous pills are on a par when you are using too much of them: both can kill then, and both have, on Long Island. (Governor Rockefeller was to ask the new legislature to enact stiffer penalties on dope peddlers and mobilize a crackdown on addiction.)

There is no single way to attain total, debilitating addiction, but today's style very often follows the route through cough remedies, to pills to heroin. Here is the guide of an expert, a Long Island teenager who is a heroin addict:

"You start with the cough syrup and you get high, so you keep it up. Pretty soon you just don't get the same feeling, so you try mixing with pills. Then more pills—as much as it's safe to take without killing you. But eventually that doesn't even give you the same high. So you try the hard stuff—heroin. And soon you're hooked on that. And you need more and more and you're always broke."

The most popular codeine cough syrup among the habitual Long Island swiggers is

Robitussin A–C, a cherry red antihistamine preparation which contains 1 grain of codeine per ounce—the legal maximum for the prescription-exempt drugs. Other leading codeine preparations include Elexir Terpin Hydrate (a clear solution), Tussar-2 (green), and Phenegan (red).

A couple of ounces of these cough remedies produces a high effect equivalent to a half-fifth of whisky. Overdoses can result in loss of consciousness. Extreme overdoses can be fatal. Nassau County Medical Examiner Dr. Leslie Lukash reports that one 17-year-old youth, Robert J. Drankwalter of Bethpage, died from just such an overdose of Robitussin A–C. Elexir Terpin Hydrate is said to be the most intoxicating of the codeine cough mixtures made.

Cough medicine manufacturers have recently introduced a new ingredient to their mixtures in place of codeine. Pharmacists insist that the new ingredient, dextromethorphan, is every bit as effective as codeine in terms of cough suppressing. Moreover, it is not habit forming. Thus, druggists are now offering Robitussin DM (noncodeine) as well as Robitussin A–C.

Cough medicine addiction is the teenage world's unwanted gift to suburban culture, but the pills they take have merely been converted from their prescribed usage in the adult world. The tablets and capsules come in three categories, barbiturates, tranquilizers and amphetamines; they soothe, they soup up, they slim. But they do other things for the pill-poppers, and they have other names. Barbiturates and tranquilizers can be goofballs, red birds, yellow jackets, and blue heavens. Amphetamines are bennies, pep pills, copliots, hearts and footballs.

Here is what the pills are all about. First, the barbiturate compounds, which are involved in 25 percent of all the poisoning cases admitted to American hospitals each year:

Common brands: Secobarbital sodium (Seconal), Pentobarbital sodium (Nembutal), Amobarbital sodium (Amytal), Secobarbital plus Amobarbital (Tuinal), Barbital (Vernonal), Phenobarbital (Luminal).

Prescribed usage: Sediative, sleeping pills.

Effect when taken in excess: The user reacts in the same manner as if he were consuming alcohol, except there is no telltale odor on his breath. In small quantities, the user feels relaxed, sociable. After further doses he becomes sluggish, gloomy, perhaps quarrelsome. Then the user may gradually slump into deep sleep or may suddenly collapse in a coma. At this stage, barbiturates are more dangerous than alcohol, because they are not vomited; if not removed by stomach pump, they are absorbed by the system and may soon be fatal.

Withdrawal: Sudden abstinence by a barbiturate addict results in anxiety, tremors, and debility within 8 to 16 hours after discontinuance. By the second day, convulsions occur similar in appearance to epileptic fits. Delirium sets in by the third day, and death is imminent. Withdrawal must therefore be gradual and should only be attempted under constant hospital supervision.

Here are the facts on nonbarbituric tranquilizers:

Common brands: Meprobamate (Miltown, Equanil, Meprospan, Meprotabs), Gluetethimide (Doriden), Ethinamate (valmid), Ethchlorvynol (Placidyl), Methyprylon (Noludar), and Chlordiazepoxide (Librium).

Prescribed usage: Sedative.

Effects when taken in excess: Barbituric-like intoxication resulting in drowsiness, impaired mentation, motor incoordination. Although said to be nonbarbituric, they lead to barbituriclike dependence and addiction. Overdoses of Meprobamate and Methyprylon have proven fatal.

Withdrawal: Convulsions similar to barbituric withdrawal symptoms occur, accompanied by psychotic behavior. These, too, can be fatal. Authorities recommend the same gradual treatment that is used in barbiturate withdrawal cases, under hospital supervision.

Here are the facts on amphetamines, the familiar bennies:

Common brands: Benzedrine, Dexadrine, Dexamyl.

Prescribed usage: Stimulants, stayawakes, diet, and pep pills.

Effects when taken in excess: Produces feelings of temporary elation, relief from fatigue, inability to recognize danger, feeling of superiority and courage, often hallucinations. Continued use can result in immediate collapse into deep sleep or coma. Have been shown to be addictive.

Withdrawal: Results in depression sometimes to the extent of suicidal tendencies, listlessness, fatigue, no appetite, brain and nervous system damage.

The next step up the scale is to heroin, the most prevalent of the morphine derivative narcotics. Possession and sale of heroin is illegal. It is a white powder, bitter in taste, sold in the underworld and packaged in small glassine packets containing enough for one injection. Each packet is called a bag, and 25 bags equal one-eighth of an ounce. Heroin is never taken in the pure state, it is "cut" (diluted) with milk sugar and quinine. Heroin is, of course, heavily addictive: It produces a calm, peaceful, detached, soaring feeling.

The heroin addict has his tools of the trade: a syringe, a tourniquet, an eye dropper, a bent spoon, a folded matchbook cover. The folded matchbook cover is used by those who sniff the powder; the eye dropper by those who have no syringe. They stick the dropper directly into an open vein. The bent spoon is used to heat the heroin powder in before it is injected.

Heroin withdrawal, though unpleasant, is not fatal. Addicts often go through the drying-out period (withdrawal) while serving time in prisons. It begins with running nose and hot and cold flashes. Next comes tremors and fever. Finally the addict is retching and vomiting blood.

Marihuana, like heroin, is illegal to possess or sell. It is, however, not habit forming. Marihuana, nicknamed pot or tea, is a tobacco-like substance used when rolled into slender cigarette sticks and smoked. It induces a euphoria, a heightening of the senses and a glazing of the eyes.

In a special case by itself is the mysterious drug called lyseric acid diethylamide, better known as LSD. A hypnotic and hallucinogenic, LSD is a granulated powder usually packaged in small cubes and needs refrigeration. A couple of grains in a tumbler of water can produce grotesque and distorted impressions. Tastes and colors appear more vivid, a detached feeling prevails often resulting in bizarre actions.

LSD has been known to bring out latent schizophrenic tendencies, in some cases resulting in permanent schizophrenia. Authorities do not yet know whether LSD is addictive. It has, however, been outlawed in New York State.

[From Newsday, Jan. 5, 1966]

New Drug Laws Make Buys Harder

New State and Federal regulations which went into effect just 4 days ago will make it a little more difficult to buy drugs over the counter in 1966.

A recently adopted New York State law prohibits the sale of exempt-narcotic cough mixtures (containing no more than one grain of codeine per ounce) to persons under 21 unless they have a doctor's prescription. Previously, there were no prescription requirements or age limits. The only requirement was that the medicine be sold only for health purposes and that no more than 4 ounces could be sold to a person in any single day.

The new Federal law requires a written prescription for the purchase of any amphetamine (stimulant) or barbiturate (sedative). The State regulation goes one step further, requiring written authorization for each renewal of existing prescriptions. Previously, prescriptions and renewals telephoned to the pharmacist by the doctor were acceptable.

[From Newsday, Jan. 6, 1966]

The Drug Menace Exposed

The spotlight has focused on drug addiction, both on Long Island and statewide, and on the immense waste in human usefulness engendered by this vicious habit. The drug addiction problem is no longer limited to the familiar items as heroin, cocaine and marihuana. It now encompasses a wide variety of stimulants and depressants, many of which are familiar items in our home medicine chests but often more deadly than the better-known narcotics.

Drugs get into the hands of addicts from many sources; from pushers, forged prescriptions, burglaries and the "black market," and even from cough medicines which do not require prescriptions. A series appearing in Newsday makes it apparent that drug addiction is no longer confined to the poor and underprivileged, as used to be the case. It is no longer confined to Negroes and Puerto Ricans, many of whom may have in the past been driven to addiction by the misery of their lives. It is now a white, middle-class habit, indulged in by young people from 14 to 25 who come from good homes, enjoy the affection of their parents and have no visible reason for engaging in such dangerous practices.

And drugs are easy to get. A bone-chilling interview with a dope pusher by Bob Greene, in yesterday's paper, reveals how broad the habit is and how simply its addicts can indulge their cravings. "I never hooked anyone in my life," says this anonymous pusher, "and I don't have to. The customers are already there, more than you can handle."

Governor Rockefeller, in his message to the 189th session of the legislature, called addiction a prime cause of crime. "Our State today," he said, "has more than one-half of all the addicts in the country." His remedy is twofold—first, to slap the toughest prison sentences possible on the pushers; second, to break the addicts of the dope habit. State law now permits an addict accused of crime to choose between a short time in prison or a longer spell of rehabilitation treatment. The answer, to an addict, is obvious. He goes to prison, serves his time, and then resumes his habit. The Governor's recommendation is that treatment should be mandatory. To which, amen, and may the legislature speedily send him a new law for his signature.

As to Nassau-Suffolk, we need, first, a recognition by all local officials that a problem exists. Schoolchildren should be educated to the dangers and horrors of addiction, whether to narcotics, stimulants or depressants; and there should be encouragement of more parental responsibility so the children learn the same blunt facts at home. A study commission is to report on addiction in Nassau next Monday. Suffolk has no such commission, and badly needs one. For, as County Executive Nickerson of Nassau says: Even one child addict is one too many.

Junkie, 17, Tells How He Started

(Editor's Note.—This is the story told by a 17-year-old Bethpage youth, short on years but long on addiction experience. What he has to say is not a loudmouth's fantasies. Experienced detectives who know him say it is all plausible.)

I was 12 when I got my first high from a pill. You see, there was this buy who was older than me in my neighborhood. I thought he was Mr. Cool. I idolized him. He was on pills and I thought that was great, so he turned me on and I've been on ever cince.

I'd take goofballs (barbiturates), pep pills (amphetamines), anything. Mix them with cough medicine, mix them with beer, or just swallow them plain. It makes you somebody when you're on you know? I mean like I'm sort of a coward, see, but when I had a couple of bennies (barbiturates), I'd do anything. Crazy things. I mean you're not scared.

By the time I was 14, I was turning on guys 16 and 17. I must of turned on a couple dozen. I used to get cough medicine and water it down and sell it. I'd also sell pills. Where'd I get it? I got contacts, man; I know people. There's always someone to get you pills. We used to go out behind shopping centers or gas stations and sell the stuff and also take it.

I was taking Doriden (a barbiturate)—maybe five or seven a day, and sometimes Nembutals—maybe eight of those. But some guys were taking 20 or 25 a day. They were the real bad ones. Once I went into withdrawal in a park. I hadn't had the stuff in days and I was bad off. I went into convulsions right there in the park. Rolling around and throwing a fit. People thought I was an epileptic and took me to a hospital. But then, my parents had already found out I was an addict. They knew when I was 14. When my dad first suspected it, he took me to the O–2 ward at Meadowbrook for observation and treatment and diagnosis and all that. So I told them I was depressed and worried and they ate it up. When the examination was over, they sent me home and bawled out my dad for having such crazy ideas.

I don't know how many guys in my area are on drugs. Twenty? Hell no, more like 100 I guess. But I'll tell you this, man. It's bigger than half the idiots that run this county think. For years, we've been seeing Frank Sabatella—he's the principal at Bethpage—saying in papers and places that they got no problems and stuff like that. We laugh ourselves sick over that. And you can print that in headlines. They're not all tough guys or dumbbells either. A lot of the guys are collegians now.

(Editor's Note.—Sabatella, asked to comment, said: "We're not aware of it going on in school. If there is more, we'd better look some more. But these could be dropouts, kids out of school.")

We used have to boost (shoplift) to pay for our habit. We'd make $5, maybe $10 a day selling the stuff to a fence. Sometimes it was easier. We used to go into Bohack's in Bethpage, usually two of us. One guy would be lookout and the other would swipe golf balls, dozens of golf balls. Then we'd sell them at the Bethpage golf course.

A couple of years ago I had my first heroin. Sniffed it. We got it from junkies in the Bronx and Harlem. How'd we find them? You don't have to find them, man, the junkies have a regular grapevine. They find you and let you know where they are. Get it? I took the heroin because I wanted a new high. Every day an addict keeps trying for the same high he got the first day he tried pills. But each day I'd get less and less high; so I'd take more pills. But I never got the same high as when I started. Heroin was the best.

Don't believe all the storybooks. You don't take it once and become a slave to it all your life. It takes time. I don't have a heroin habit or anything. I've just got a pill habit, man. I'm an addict. I can't explain it. I'll tell you this, I want to get rid of the habit—really. It's miserable, no fun. You get diarrhea, running nose, urine burns, bite your nails off and it's lousy. I've been in a hospital once, but it doesn't work very well. I mean they've got the guidance people and all who are OK Joes, but they're weird. One guy came in once with just half his face shaved. To see how I'd react, I guess. He says to me, "See, I shaved on this side and not on that side." And he waited for me to say something. So I told him, "It stinks," and that's that.

I dropped out of school in the 11th grade, but I want a diploma now. I want to get rid of this thing and maybe get a job. A commercial artist or something like that. I like to sketch a lot. I want to quit, but can I? I don't know.

[From Newsday, Jan. 6, 1966]

New Danger in Suburbia: Long Island Addiction—A Disease of Youth

(By Martin Schram)

Long Island's addiction problem is largely a problem of the young: the high schooler, the collegian, the dropout, the pushout.

In fact, Nassau and Suffolk officials say there are more drug abusers in the 17 to 19 age group than in any other bracket. These are thrill-now, think-later types. And their record of achievements reads, in part, like this:

At least 140 Bethpage teenagers spent part of their 1964 summer vacation in private-home dope parties.

About 30 Northport youths were members of a close-knit marihuana and heroin ring. Another cough syrup-swigging group from Northport High School was also uncovered.

At a north shore high school 25 girls, ages 14 to 17, were blackmailed into forming a teenage prostitution ring in 1964. Police say the girls were dared by boys into swallowing pills. Once high, they were lured into lewd poses and photographed. The photos were then used to force the girls to submit to these boys and others, for a price, with the boys' clique pocketing the pay.

LOOK THE OTHER WAY

Former Suffolk District Attorney Bernard Smith, now a State senator, said recently that there is as much drug abuse in Long Island high schools as outside. Yet, most public school officials shy away from the subject whenever it is mentioned. A rare exception was the Long Island school district superintendent who said: "I'm sick and tired of people in government and school administration saying there is no drug problem. We have a problem and the schools are not doing their job. I'm not even satisfied with what we're doing, and we're doing more than most."

This school official agreed to spell out the problems of his district provided that the location of the district be withheld. "School districts find it easier to look the other way because it is a tough problem to face," he said. "They think that if they admit they have a drug problem, the good teachers won't come to their district."

Pills, both pep and sedative, are his biggest headache. "I'd say we have 5,000 children in the 7th to 12th grades. About 100 of these are known to be using pills, and you can double that—maybe triple it—to find the number who aren't known. The highest percentage is in the 10th to 12th grades." He said that there is little evidence of heroin being used by his teens, and marijuana is just slightly more prevalent. Codeine cough medicine is a major problem and a natural steppingstone to pills. As for glue sniffing, the superintendent says: "It was a craze a couple of years ago, but we don't see much of it now. I guess even the teenagers think of it as kid stuff."

He continued: "I'd say as many kids are pushouts as dropouts. Too many school districts kick a kid out of school and then forget him. That's not the answer. He still hangs around the school, goes to school functions, and influences the students to do right, or more often, to do wrong. The schools need to wake up and actually combat the problem."

PLAN OF ACTION

Quietly, this district began doing just that. An 11-point plan of action was drawn up calling for liaison with merchants and physicians and additional school grounds security. Several instructors were urged to establish a rapport with the drug-habituated element. It was a tedious process. One who succeeded talked frankly about the problem:

"After a while, I got to be a sort of middleman between them and the outside world. Not long ago, one kid staggered into my office and passed out from an overdose. I looked out my window and saw the other members of his gang watching from two cars down the block. They'd brought him to me. If I turned the kid into the police, I'd be a bad guy forever in their book. I called two doctors and told them what was wrong. They wouldn't touch it with a 10-foot pole. So I called a third and just told him I had an emergency case for him."

On the way to the hospital, the educator stopped by the gang's hangout. "I told them, 'He's yours, you got him high. Either one of you comes with me to the hospital or I'll dump him right here and you'll wind up with a dead friend.' There was a silence. Finally one guy said, 'OK, I'll go.' This way, it was the gang and me turning the kids in—not just me alone.

ELABORATE ORGANIZATION

The youths' organization for distributing the pills is complete down to a mimeographed organization chart, the "in" educator said. The names of about 30 youths, half of them graduates or dropouts, are on that chart. It's a big triangle starting with the No. 1 man, the source. Under him come several (distributor) lieutenants, each having several subordinates of his own.

The official said 80 percent of the drugs obtained by youths in his district comes from black market sources in New York City. The remaining 20 percent comes from the youth's own schemes, forged prescriptions, stolen drugs, and so on.

The district officials drew a sharp line between drug taking and other forms of juvenile delinquency. One said: "The difference is that popping pills and smoking marijuana is accepted by the good kids, the ones who are usually the first to condemn delinquency among themselves. They've rejected breaking and entering, shoplifting, and even wild automobile driving. But they've accepted the pills, even though they themselves might not be taking them. That's why this thing has gotten so big."

Another district official said he believed two factors lure today's teenagers to drugs. "These are fairly well-to-do kids," he said. "They've already had everything and experienced everything—liquor, cars, sex—by the time they are teens. This is what's left: drug kicks." He added that the entire teenage terminology now is based on disinvolvement, detachment. Dance by yourself. Play it cool. "The pattern is the same, and the pills give kids a way out, detached feeling."

Nassau probation officials agree that the addiction problem is no longer a problem mainly of lower income groups or Negroes. Of 116 narcotics cases now under supervision, only 8 are Negroes.

Some school and police authorities say that one thing that helps the habituated punks look big in their own crowd is the law. The unnamed school district officials say there are too many cases where youths are hauled into court and then get off with a verbal wrist-slapping by the judge. "When a kid gets back on the streets after getting just a lecture or a suspended sentence, he's a hero to his own crowd," complained one top official in the school district.

The official added: "He says he beat the rap. He brags that he told off the cops and the judge. And 10 other youngsters who were too timid before now have the courage to get on the stuff."

BIG MAN IN TEEN SET

The drive to be a "big man" in the teen set has led to incidents that would be ludicrous if only they didn't deal with a serious problem. Freeport detectives report that not long ago, one youth hit on a get-rich-quick scheme that made him the school kingpin—for a few days. He was rolling old dried brown grass in paper and passing the sticks off as marijuana. He sold his "pot" for 50 cents a stick, and some youths smoked them, got sick and thought they were high.

Suffolk County police tell a similar tale about another youth who put white cleanser in tiny glassine bags and passed it off as heroin.

Not all districts can pinpoint the problem easily. In Central High School District No. 2, Long Island's largest secondary-school system (encompassing Elmont, Franklin Square, New Hyde Park, and Floral Park), officials say they can't find a drug problem—even though they know one may exist.

"We're not naive enough to say outright that there is no problem, but, if there is one, we can't find it," said District Principal John W. Nicoll. "Our teachers, nurses, and psychologists are all on the lookout. But out of our 12,000 students (in six high schools), not one case has been reported."

Nassau probation officials say there is a problem in the district, however, with marijuana being most prevalent there. As many as 30 percent of the district population between the ages of 16 and 25 puff pot occasionally, they say. One Elmont probationer recently surrendered to authorities, saying he was hooked on pills and wanted help. He gave officials the names of 54 boys and girls in Elmont and Franklin Square who he claimed were on pills.

Long Island's college administrators were every bit as reluctant to discuss the scope of the student drug problem as the public school officials. A Suffolk detective said recently that "every college in Suffolk County —and I mean every one—has been contaminated by drug addiction." Nassau officials say much the same thing.

Yet, most college educators steer clear of numbers. "We have the reputations of our institutions to think about," they explain. C. W. Post Dean of Students Frederick DeMarr put things this way: "To say the problem is nonexistent is pretty stupid but the problem is not on our campus and it's not in our dormitories (housing 1,100 students). If it's anywhere, it's off campus."

Randall Hoffman, the dean of students at Hofstra University, said "I'm sure some experimentation takes place among our students with marihuana, LSD, pep pills and that sort of thing. We have about 5,000 full-time daytime students, and I'd guess that 6 or 7 percent of them (300 to 350) experiment. I doubt that we have any addicts per se. But it is very easy here to get marihuana and pills on the black market. It's a word-of-mouth sort of thing. One friend tells another."

Police officials say Hofstra is not Long Island's largest campus in terms of illegal drug traffic. Both Nassau and Suffolk have institutions with greater drug incidence. A Stony Brook State University official also admitted the presence of drugs. We don't have much heroin, but there is a good deal of marihuana and drugs around," he said. "Barbiturates and amphetamines are very available and prevalent. Sure it exists, and we'd be crazy to deny it. They are most common during stress periods, like examinations. Most often, it's the youngster who has a personal disorientation, compounded by academic pressures. Generally, they're pretty bright."

He added that about 15 students a year come in and ask for help in kicking the habit. "They are usually spurred to come in after a break in a boy-girl relationship," he said. "They want to start over clean. These kids aren't the types who are out for fast thrills. They're just experimenting."

A Nassau detective said that he attended one of Hofstra's early season home basketball games and was shocked by what he saw in the smoking room adjacent to the gym. "The room was jammed at half-time," he recalled, "and 20 percent of the kids were higher than kites. It was a drug high and I recognized it right away. I've seen a lot, but I was really shook by that."

The detective said he told a Hofstra official what he'd seen, and the university man replied that he estimated it was even higher than 20 percent, but that most top university officials regard the problem as a phase that will pass eventually. However, several weeks later, a Newsday reporter donned sweater and slacks and joined the Hofstra student section at another home game. Inside the lounge were several hundred students—all sober, none high.

[From Newsday, Jan. 6, 1966]

ONE HELD IN ATTACK ON REPORTER

LEVITTOWN.—A 19-year-old on probation was arrested here yesterday on charges of taking part in the beating Monday of Newsday reporter Bob Greene after Greene tried to buy drugs in connection with a series of articles on the Long Island drug problem.

The suspect, Leonard A. Herbst, an auto mechanic, was charged with third-degree assault, a misdemeanor, and with violation of probation. Eighth Precinct Detective James Wylie, who made the arrest, said he would travel to another State today in an effort to pick up a second suspect, whose name is withheld at police request. Greene identified Herbst, whose address was given as 8 Vera Avenue, Plainview, and the unnamed suspect from police photographs as the two youths who beat him Monday night after he left the Esquire Bar at 433 South Oyster Bay Road, Plainview. He said that several other youths stood by while he was attacked. Greene was treated at Smithtown General Hospital for lacerations of the face.

Wylie said that Herbst, a solidly built youth with bushy blond hair, admitted being at the bar Monday night with the still-missing suspect but denied taking part in the beating. Wylie said that Herbst was arrested previously on a burglary charge and was put on probation after receiving youthful offender treatment. Wylie said the probation still has 15 months to run, and Herbst faces the possibility of being sent to jail for that period. Conviction on the misdemeanor charge could bring a maximum penalty of a year in jail and a $500 fine. Herbst was to be arraigned today in First District Court, Mineola.

[From Newsday, Jan. 7, 1966]

HIGH PRICE OF ADDICTION TALLIED IN DOLLARS, TEARS

(By Martin Schram)

When a drug addict turns on, everybody pays.

Each year, addicts drain millions from the Long Island economy. And it is a paradoxical expenditure, for the public pays both to combat the habit and to support it. The costs can be tabulated on a balance sheet.

But there is another addiction cost that knows no price tag. That is the cost of broken bones and shattered windows, the untotaled damage cause by people high on drugs. It is also the deep down cost of human grief, a personal price paid by the addict's family and friends.

Of all those drug expenditures, the cost of combat is easiest to spot. Nassau and Suffolk taxpayers spend more than $1 million annually to fight the addiction problem on the local front. That is a catchall figure, encompassing everything from undercover police investigations and public education campaigns to medical care and counseling for the addicts themselves. It breaks down like this:

Long Island police officials says their combined efforts to curb suburban addiction cost $400,000 a year. That includes narcotics squad detective salaries, investigation, and administration costs and a variety of public awareness pamphlets. Also included is the cost of Nassau's mobile narcotics display trailer, once a homicide lab on wheels, which has been viewed by more than 11,000 patrons of shopping centers since it started rolling last December 1.

Nassau and Suffolk probation officials agree that each addicted probationer—and there are about 360 of them—costs the public $500 a year. Included are counseling sessions with the offender, often his parents, clergy, and others.

Court costs figure heavily, but they are immeasurable, officials say. "Who can put a dollars-and-cents value on the length of time spent in court on addicts as opposed to murder cases?" one police authority asked.

Long Island taxpayers, as well as those throughout the State, help to support the two State hospitals on the Island offering addict rehabilitation programs: Pilgrim State Hospital and Central Islip State Hospital. Dr. Henry Brill, Pilgrim State superintendent, figures that the 165-bed center costs the public $750,000 annually to maintain. Dr. Francis J. O'Neill, of Central Islip, sets the annual cost of maintaining its 75-bed center at $328,500.

Those are the economics of the war against addiction. But the addict also has a dollars-and-cents problem. And there, too, the public pays. One Long Island narcotics detective reports: "The average addict out here needs $15 to $25 a day just to feed his habit, and that includes everything from cough-medicine drinkers to heroin shooters. Some are up to $30 daily and more, about a shot every 4 hours."

How does the addict support his habit? He goes after easy money. "One-third of all of our crime stems from narcotics and drugs," a veteran narcotics detective says. "This is not sex crime, it's mainly petty stuff. Most of it is boosting (shoplifting) because it's usually the easiest to pull off. These addicts have to steal to support their habit. Even if they do hold down a regular job, and most can't, they don't make enough without stealing."

Nassau police report that in 1964, the value of all properties stolen (excluding automobiles) was $3,607,874. One-third of that is $1,202,626, which, when funneled through black market fences, still buys a lot of illegal drugs and narcotics. When it comes to crime perpetrated by addicts, many Long Islanders are of little help to the law, a detective asserts. In fact, he says, some people are on the side of the addicted.

"We've had cases where addicts have actually been taking orders from their own neighbors for toasters, records, cigarettes, and even TV sets,": he said. "Then the addicts would go and 'boost' the items and sell them to their neighbors at the lowest prices you ever heard of."

Another big financial boom to the suburban addict is called "cattle rustling," addict lingo for stealing meat from supermarket counters and selling it to friends at discount rates.

The pusher-addict has his own form of moneymaking: he cheats his customers. Take the case of Gerald Peacock, 21, a Freeport pusher who commuted regularly to Harlem to pick up heroin for his 17 suburban clients. Peacock would pay his supplier $5 for a tiny glassine bag of heroin (enough for one shot). Then he'd cut each bag's strength in half by diluting it with quinine and milk sugar—thus doubling his supply. Finally, he would sell each half-strength bag for $5. A tidy 100-percent profit.

THE END OF HIS LINE

Peacock's business, which financed his own $30-a-day heroin habit, came to a sudden halt last January 23. At 1 a.m. that day, he was met by Freeport Detectives Robert Gordon and Joseph Romeika as he stepped off a Long Island railroad train with 25 heroin bags hidden in his clothing. An informant had tipped off the police. "We need informants in narcotics cases," Romeika said. "They are the only way we can function, and we protect our informers to the hilt."

Society also bears a cost of addiction that cannot be figured exactly. The Nassau County medical examiner, Dr. Leslie Lukash, explained that cost this way: "I don't care so much about the kid who gets hooked on drugs. He went out of his way to do it, and deep down inside he knew better. I'm concerned about the innocent people who get hurt, physically hurt. When these kids are on drugs, they lose their reflexes and have no sense of danger. They become reckless. Many get behind the wheel of a car and get into accidents, maiming innocent people. We'll never know how many such accidents were caused by kids high on drugs, because most policemen can't tell a drug high from accident shock. Unless a driver smells of liquor, he rarely gets charged with intoxication."

A little-known side incident to the death of Harry Perkett, 19, of Bethpage, substantiates Lukash's view. Perkett was one of three youths who downed barbiturates mixed in coke for kicks on the night of November 28. He died early the next morning in the back seat of his family's car of a barbiturate overdose.

One of Perkett's companions was involved in two auto accidents while driving home after putting Perkett in his father's car that night. After the first accident, the youth was taken to the emergency ward of Meadowbrook Hospital. There, his barbiturate-high condition was diagnosed as accident shock. The youth was released that same night, and once again he got behind the steering wheel, and once again he was involved in an accident.

Finally, there is the cost that has no dollar value. It is the cost of emotional suffering by those close to the addict. And it might well be the highest price of all to pay. A Brentwood woman says: "I saw my brother turn into a heroin addict a few years ago. I tried to stop him and get him help, but he wouldn't help himself and no one would help me help him. Then he married a girl. She was hooked, too. Now, they spend a wretched life. She walks the streets in Greenwich Village, prostituting to get them both money for heroin. It tears you up, but what can you do?"

[From Newsday, Jan. 7, 1966]

SECOND YOUTH HELD IN BEATING OF REPORTER

MINEOLA.—The second of two youths charged with the beating of Newsday reporter Bob Greene was jailed here last night after the youth's arrest in Massachusetts yesterday by two Nassau detectives.

The youth, identified as Russel J. Pappalardo, 18, of Northampton, Mass., a factory worker, was arrested by Det. Sgt. Henry McCarthy and Det. James Wylie of the Eighth Precinct. Pappalardo was charged with third-degree assault in a warrant signed by First District Judge Julius Chinman. At his arraignment before Chinman in First District Court in Mineola today, Pappalardo pleaded innocent and was ordered held in $500 bail. Trial was scheduled for January 20.

The second youth charged in the assault, Leonard A. Herbst, 19, whose address was given as 8 Vera Ave., Plainview, was arraigned in First District Court yesterday on a charge of third-degree assault, a misdemeanor. Herbst pleaded innocent and was held in $500 bail for trial January 20.

Herbst has also been charged with violation of parole. He pleaded guilty in 1964 to burglary and grand larceny charges, was adjudged a youthful offender and received a 3-year sentence. He was paroled in June. Greene identified Herbst and Pappalardo from police photographs as the two youths who beat him Monday night after he tried to buy drugs in connection with a series of articles on the Long Island drug problem.

[From Newsday, Jan. 7, 1966]

NEW DANGER IN SUBURBIA: APATHY STALLS LONG ISLAND FIGHT ON DRUGS

(By Bob Greene)

"Write whatever you want about teenage drug use on Long Island," said a Nassau detective. "Everyone will scream and shout for a while and then they'll form a committee and try to study it to death."

His overstatement stands as a challenge to official Long Island because it includes a discouraging core of truth. During the past several years, a number of individuals and law enforcement agencies have warned of the increase in teen drug use. Each time, committees have been formed. Few have produced concrete results. By that time, the problem has been forgotten.

A year ago, former Hempstead Presiding Supervisor Palmer Farrington charged that teenage drug use was becoming a menace in Nassau County. County Executive Nickerson replied that there was no major problem. But he appointed a study commission to look into the matter. The commission, with some interruptions, has been studying for a year. During that year, five Nassau youths have died as a result of drug usage.

Yesterday, Suffolk County Executive Dennison said that he was concerned about reports that there is a teenage drug problem in Suffolk, and has appointed a committee. "But we'll have to check into all the facts," said Dennison. "We just can't accept anyone's word for it." Dennison said that he has formed a coordinating office for all social agencies in the county and that a committee formed by that office is now studying the problem.

But Suffolk Police Commissioner John L. Barry has no doubts about the problem. Said Barry: "We are trying to bring this situation to the public's attention and we don't believe in hiding the fact that it is a problem. I asked for an increase in our narcotic squad in the last budget. We would like to double the squad. However my request was not included in the final budget (agreed upon by Dennison and the board of supervisors). I intend to rediscuss this with the board of supervisors."

Suffolk County covers a geographical area of 922 square miles and has a population of more than 800,000. The narcotics squad must patrol the entire county. The present complement of the Suffolk County police narcotics squad is four men.

STUDY FORCE FORMED

Nickerson's study force, headed by Oyster Bay Town Supervisor Michael Petito, was formed last February 17 and held its first meeting in mid-April. The board includes doctors, police officials, social workers and mental health experts.

Petito frankly admits that when the study started, he thought that the problem was superficial, "an undercover fad." A year later he says: "I now know that teenage drug use is an insidious sub rosa problem of concern to us all. The problem is far more serious and extensive than we thought last March."

The Petito committee has listened to Nassau Police Commissioner Francis Looney, a committee member, who has sent out questionnaires to school districts and other concerned agencies, and has conducted symposiums of school district representatives to determine the extent of the problem.

He said that school representatives at the symposiums that were held were reluctant to discuss the problem openly. "There was tension in the air," he said. "I could feel the educators wanted to talk but were afraid. So I invited them for personal talks with me." At one such talk, he said, a school official told him that he had 40 glue-sniffers between the ages of 14 and 17 in his own high school.

Petito said that the study took a full year because "I felt it had to be done right on a professional basis—not based on theatrics or political hacks." Whatever the case, the committee has finally produced a report. A similar committee, but on a smaller basis, was formed to study the problem in the town of Oyster Bay in 1964. The committee held one meeting, heard a Nassau police spokesman declare that there was no real problem, and never met again.

Narcotics experts agree that the problem in both the State and on Long Island falls into four distinct categories: Enforcement, education, prevention, and treatment. Here is the present Long Island picture:

Enforcement: Both the Nassau and the Suffolk police narcotics squads are doing a diligent job of enforcing present laws. But they are faced with overwhelming odds. Both need more men and a more adequate supply of money to make purchases from big pushers.

The Nassau police department has obviously recognized the growth in drug use; the narcotics squad has been increased from 2 to 10 men in the last few years. But some top officials of the department still maintain that there is no real drug problem, contributing to a false sense of security by the public. Both New York City and Suffolk police, straddling Nassau on either side, candidly admit that they have major problems.

Education: A few school districts are vigorously attacking the problem, but most of them are ignoring it. Said one educator: "Some school officials feel that if they admit they have problems they won't be able to draw the best teachers to their system."

The Plainview-Bethpage school district in Nassau has launched a widespread program of education working closely with local clergymen, businessmen, social workers, and police. Other school districts have distributed literature to students explaining the various kinds of drugs and listing the consequences of drug abuse. But many others have done nothing.

Prevention: The Federal and State Governments have recently passed stringent laws aimed at lessening the diversion of pills into the illegal markets. Drug manufacturers and drugstores must now keep stringent records of the sale of barbiturates, amphetamines, and tranquilizers. Prescriptions may no longer be refilled without the express consent of the prescribing physician and no persons under 21 may now purchase codeine-based cough medicine without a prescription. Under the new State law, the druggist is allowed to make his own decision as to who is over 21, but if he guesses wrong, he is also liable to criminal penalties.

Treatment: Long Island is in dismal shape when it comes to the treatment and cure of persons who have become physically or psychologically dependent on drugs. There are no treatment centers on Long Island devoted exclusively to the treatment and full rehabilitation of drug-dependent persons. Pilgrim State Hospital in Brentwood has a 165-bed unit devoted to the treatment of adults and Central Islip State Hospital has a 75-bed center. But this involves commitment to a mental hospital and offers no halfway house type facilities where a cured person can gradually work back into a productive life.

Persons under 21 on Long Island are sent to Manhattan General Hospital in New York if they voluntarily seek a cure. At the hospital they are detoxified, given psychiatric treatment, and thrust back out on the street after several months.

Long Island offers few short-range treatment areas for drug-dependent persons. Supervisors of the Nassau County Probation Department and other law officials have complained about the reluctance of Meadowbrook Hospital to take "high" addicts for even a night.

A spokesman for Meadowbrook denied yesterday that the hospital has refused to take addicts. He said that the hospital has had many of them and has a full staff to aid them toward rehabilitation. But a Nassau district judge disagreed yesterday. "The hospital refused to take an addict from my court last week," the judge said. "I finally had to call and order them to take him in. Then they call me 3 days later, tell me he's detoxified, and say they want to release him. I ordered them to keep him for another week."

In his message to the legislature this week, Governor Rockefeller strongly urged both stiffer penalties against drug pushers and funds to establish narcotics treatment centers throughout the State, something strongly endorsed for Long Island by many experts on the subject.

Over the past month, Newsday has sought the advice of many leading experts on both the State and local levels in an effort to determine some of the best ways to eliminate drug abuse. Here are some of their suggestions:

Louis Milone, chief of the Nassau County Probation Department has urged (1) expansion and implementation of facilities at local general hospitals for the detoxification of drugs users on either a voluntary or mandatory basis, (2) construction of residential treatment centers for rehabilitation designed to eliminate psychological dependency and geared to give treatment on both in and out treatment basis, (3) hospitalization and treatment of known users on a mandatory basis rather than the present voluntary basis, (4) more flexible legislation giving increased authority to the courts, parole and probation departments to facilitate easier handling of the user with less redtape, (5) mandatory prison sentences for pushers with no alternatives.

ASKS LAW REVISION

Barry, taking the law-enforcement view, has asked some revisions in the present laws. Currently a pusher who is also an addict can escape jail if he voluntarily submits himself to treatment in State facilities. Barry said that many such accused persons choose the shorter period of treatment to the longer jail term and return to pushing or other crimes when they are freed. He would like some form of adjustment in the law to prevent this from happening. Barry would also like the penalty for pushers amended to provide a minimum 5-year sentence.

Dr. Henry Brill, director of Pilgrim State Hospital, endorses the idea of treatment centers and expansion of treatment facilities in the State's present mental institutions.

John Bellizzi, director of the New York State Narcotics Control Board in Albany, strongly supports mandatory treatment centers and stiffer penalties for addicts. He would like to see a 25-year jail sentence as mandatory for nonaddicted pushers.

Nassau County Court Judge Douglas Young and Nassau District Judges Bea Burstein and John Lockman, all of whom have spent a good deal of their own time working on the problem, advocate a full-scale education campaign and the immediate construction of treatment centers.

Said Lockman: "We have a bad problem here on Long Island and it's becoming worse by the moment. Every untreated drug-dependent person walking the streets is a source of infection to every other person around him. As long as they stay untreated, the problem is going to keep exploding more and more."

[From Newsday, Jan. 7, 1966]

FIVE THOUSAND FIVE HUNDRED DOLLARS IN DRUGS STOLEN

NEW HYDE PARK.—About 11,000 barbiturate and tranquilizer pills, worth $5,500 on the illicit drug market, were stolen from the Alan Pharmacy here in a burglary Wednesday night, it was learned yesterday.

Police said burglars forced open a back door of the pharmacy at 1630 Hillside Avenue, shortly after a clerk locked up for the night at 10 p.m. The burglary was discovered by a patrolman at 11:08 p.m. the same night. The operator of the store, Joseph Meyer of 187 Robby Lane, New Hyde Park, told police that the burglars took about 5,000 one-quarter grain and 5,000 one-half grain phenobarbital pills, 500 one-and-a-half grain nembutal capsules, and 100 seven-and-one-half-grain doriden tablets.

Meyer said he was still checking the inventory of the pharmacy to determine the exact amount taken in the burglary. He said he would not place a monetary value on the loss until the full inventory was completed in a few days.

The theft was one in a series of recent Nassau pharmacy burglaries that have led to the arrest of teenagers on narcotics charges. The most recent arrest occurred December 21 when two Bethpage youths were found semiconscious nine blocks apart in Massapequa. Police said they stole drugs and $60 from Merit Drugs, 673 Broadway, Massapequa.

Inspector John J. Cummings said the Alan Pharmacy haul would be worth $5,500 to drug pushers if the bottles were full. This is based on the sales of pills at 50 cents each, the going rate if they are sold individually. Phenobarbital and nembutal are barbiturates and their possession without a prescription is a crime. Doriden is a sedative and its possession is not a crime. But taken in doses of three or four pills, doriden produces a "high."

Police said that the thieves gained entry to Alan's by breaking the glass on the rear door. They said the police laboratory was checking the bottles for fingerprints. Police also found blood on the prescription counter.

[From Newsday, Jan. 11, 1966]

THEIR LOCKS NO BAR TO BAIL IN DOPE RAP

MINEOLA.—Two long-haired male teenagers, arrested on narcotics charges Wednesday after a dean's investigation at C. W. Post College, won a reduction in bail at their arraignment yesterday when a defense attorney told a judge, "They aren't as bad as they look."

County Court Judge Paul Kelly reduced the bail for student Thomas Wester, 17, and former student Robert Patterson, 19, from $10,000 to $2,500 each after telling the attorneys to have their clients improve their appearance. The bail reduction was approved despite Assistant District Attorney Martin B. Weinberg's objections. "After looking at them," Weinberg said, "I'd like to make an appeal to raise the bail."

During the earlier arraignment, Wester's father, Victor, 46, collapsed in the rear of the court when the $10,000 bail was set. The father was placed on a stretcher and taken to Meadowbrook Hospital, where he was treated and released. He hurried back to the courtroom to assure his son that he was all right.

Melvyn Altman, of Manhattan, one of two defense attorneys who appeared for the youths yesterday, explained that Wester and Patterson wear their hair long because they are interested in music and believe they must go unshorn to be a success. "They are not as bad as they look," Altman said in requesting less bail.

Patterson, who gave his address as 8555 88th Street, Woodhaven, Queens, and Wester, who said he lived at 9 Crossbar Road, Hastings-on-Hudson, were released to await grand jury action. They were arraigned on felony charges of possession of 30 ounces of marihuana and 700 dexedrine pills with intent to sell. Their arrest came after Frederick DeMarr, dean of students at C. W. Post, called police after conducting his own investigation of campus rumors that drugs were being sold. Police praised DeMarr for not trying to cover up.

In another case yesterday, a Plainview youth whose life was saved by police after he reportedly had taken an overdose of narcotics, was arrested on charges of stealing 7,000 barbiturate pills from a drugstore. Robert Moore, 17, whose address was given as 95 Cherry Drive, was arrested in Meadowbrook Hospital, where he is recovering. Police said Moore would be arraigned on a third-degree burglary charge when he is released.

Moore was charged with breaking into the Morton Village Pharmacy at 1026 Old Country Road in Plainview at 1:30 a.m. on February 3. Police said he stole 7,000 seconal, phenobarbital, and tuinal pills. Acting on a tip, police went to Moore's home Tuesday night, where they said they found 100 seconal pills hidden in the garage. Police said they began looking for Moore and found him sitting in a car outside of a Plainview diner with three other youths. Moore told them, police said, that he had just taken 2 shots of heroin and 15 seconal pills at one time. He was rushed to Meadowbrook Hospital where he went into a coma. Authorities said last night that the youth is in fair condition.

Louis Milano, 20, an unemployed electrician's helper who said he lived at 46 Verdi Street, Kings Park, was one of the occupants of the car with Moore. Police said they found a syringe, heroin, and barbiturates in his possession and charged him with illegal possession. Milano has applied for treatment as a narcotic addict, and his case is being reviewed. The other occupants of the car were released.

In another court case, 22-year-old unemployed Artist Richard Olsen pleaded innocent in Nassau County Court yesterday to a charge of possession of heroin, and Judge Douglas F. Young released him in $1,000 bail to await trial. Olsen was arrested October 13 on Hempstead Turnpike. Police said they stopped him for passing a red light and found the heroin in his pocket and a hypodermic needle inside a flashlight in the car. A grand jury indicted Olsen on the felony charge January 27.

[From Newsday, Jan. 11, 1966]

DOPE ADDICT'S HUNT FOR CURE USUALLY LEADS BACK TO DRUGS

(By Bob Greene)

It was May 1963, and Mrs. Evelyn Winters was desperately worried. Her 19-year-old son, Frank, was not eating; his eyes were watering and he was constantly nervous. Mrs. Winters had seen it happen to other youngsters in Woodmere. Her son was taking narcotics.

She faced a painful dilemma. Should she try to protect her son by concealing what she knew? Or should she turn him over to authorities in the hope that he could be treated before it was too late? Like many Long Island parents over the past several years, Mrs. Winters went to the police. Her son, a heroin addict, was brought before the court on her complaint for possession of a hypodermic syringe.

But there were two things against Frank Winters. He already had the habit, and New York State has virtually no facilities to help Frank and other persons like him to find their way to a full and complete cure. He got a short period of treatment. Then a sympathetic judge and probation officers worked with him almost every day for 6 months. They worked and hoped for a miracle.

It didn't happen. Within a year, Frank, like more than 80 percent of the addicts treated in this State, was back on narcotics. And last week, he was arrested again by Nassau police, charged with selling packages of heroin to police undercover agents. Now he faces up to 15 years in prison upon conviction.

"The Winters case is just one of hundreds of such tragedies on Long Island and elsewhere," said Nassau District Court Judge Beatrice Burstein, who has battled for 4 years to warn Long Island parents of the dangerous increase in teen drug use. She said: "Once these kids start using drugs, any kind of drugs, they are on a treadmill. And with our present lack of facilities, the treadmill is for life."

Under present laws, teenage addicts who come before the courts are sent to Manhattan State Hospital for treatment. Because of the tremendous demand for admission, the average time of treatment is 3 months. Then the patient is released. Manhattan State, with a capacity of 200 beds, treated 801 patients in 1965.

State mental hygiene authorities, many psychiatrists, and most law enforcement agencies concede that any effective treatment program must last from 2 to 3 years, not 3 months.

There is only one such facility in the Greater New York area which offers long-term treatment, Day Top Village on Staten Island, a small, private institution. And because of acute overcrowding at Day Top, Nassau County was able to place only four youths there last year and Suffolk none. The rest, for better or worse, go to Manhattan State, which has a rate of about 80 percent released patients returning to narcotics.

Louis Milone, director of the Nassau County Probation Department, said that the department arranged psychiatric therapy for teenage addicts while they are in the Nassau County jail and group therapy and parent conferences when the youngsters are out on probation. He said the Nassau rate of those returning to narcotics currently is just slightly higher than 60 percent.

There are, according to authorities, an estimated 70,000 addicts of all ages in the State of New York. But in all State institutions there are only 704 beds set aside for addict treatment—1 bed for every 100 addicts. Governor Rockefeller has already indicated that he will ask the legislature this year for funds to build treatment centers throughout the State, for long-term treatment.

"But," Judge Burstein said, "these centers, if approved by the legislature, will take time to build and finance, possibly years. We desperately need something immediately. These children are affecting others on Long Island every day."

[From Newsday, Feb. 10, 1966]

"JIM" CHANGED, AS ADDICTS DO

FARMINGDALE.—Jim's junior high school grades fell suddenly; and he was absent frequently, became easily irritated and drowsy, stole $5 from his mother's purse, but no one knew what was wrong.

The trouble was that Jim had become a drug addict.

The name Jim is fictitious, but according to one expert, the description is typical of hundreds of young Long Island narcotics addicts. A continued pattern of unexplainably bad grades, the unusual absences, drowsiness, small thefts—all these were pointed out as things parents should look for if they suspect a son or daughter has been taking drugs.

The description came last night from Robert Hill, director of the social services department at Meadowbrook Hospital in East Meadow. Hill, a psychotherapist who has worked with addicts since 1958, spoke to a PTA meeting at the Weldon E. Howitt Junior High School here. In remarks after the talk, he outlined for parents a picture of a teenager who has become an addict. Lacking athletic ability, for example, the teenager may have trouble adjusting to others, particularly members of the opposite sex. He is almost always an insecure person, who uses drugs as a crutch. The drugs may range from tranquilizers taken from the home medicine cabinet to heroin. And Hill warned his audience: "There is little hope for effecting an absolute cure for addiction."

"The typical young drug addict was introduced to things in a social gathering or by a young friend," Hill said. "It comes from your friends. No one goes out looking for a shot." Out of curiosity, to answer a dare or to be one of the group, the teenager tries some narcotics, Hill said. "He gets a good feeling. It's the buzz many of us got when we got high the first time," he explained. But the first exposure generally leads to stronger forms of drugs. "Very few individuals can try it once and leave it," he said.

In his talk, Hill detailed the road to addiction, explaining terms like snow (heroin), spike (the syringe) and mainlining (injecting heroin into the veins). Many in the audience squirmed uncomfortably when he told of how addicts try to hide needle marks from police by injecting heroin into a vein between the toes. And he warned parents: "The kids know twice as much as you already." At the end of the meeting, one woman said: "I guess we'll all go home with something to think about."

[From Newsday, Feb. 10, 1966]

POST DEAN TRACES RUMORS, CAUSES DRUG ARRESTS OF PAIR

BROOKVILLE.—A dean at C. W. Post College conducted his own narcotics investigation on the campus yesterday—and then called the police, who arrested one of his students.

Nassau police said that Dean of Students Frederick DeMarr, by tracing rumors he had heard through the grapevine, brought about the arrest of the student and a former student on charges of possession of drugs with intent to sell. Capt. James Henderson, chief of the narcotics squad, said DeMarr's investigation enabled police to find 3 ounces of marihuana, worth $60, and 700 dexedrine capsules, worth $75, in the student's dormitory room.

DeMarr, who is the college's representative on the Nassau County Task Force on Narcotics, said: "We owe it to our student body and to the students yet to come, to straighten these matters out. It's a subject anyone should be concerned about, and if we find a problem, we'll act." DeMarr said he heard of the drugs in the college, tracked down the rumors, called freshman Thomas Wester, 17, to his office, questioned him, and then called police, who questioned the student further. DeMarr said the use of drugs is not a significant problem at C. W. Post, which has 3,200 full-time students, but added: "I'm sure that sales have been made before."

Police said they found the drugs in a locked suitcase in Wester's room. Marihuana is nonhabit forming, but dexedrine, a stimulant, has been shown to be addictive. Later, when Robert Patterson, 19, an unemployed former student, appeared on the campus, police were called to the school again and arrested Patterson on the dean's complaint. DeMarr said Patterson had been dropped from the college for academic reasons last June but maintained contacts on the campus.

Police said the youths admitted buying the drugs in Greenwich Village last week, but had denied that they planned to sell them. Under State law, however, possession of more than 1 ounce of loose marihuana is presumptive evidence of intent to sell. Both Wester, who gave his address as 9 Crossbar Road, Hastings-on-Hudson, and Patterson, who said he lived at 85-55 88th Street, Woodhaven, Queens, were charged with possession of marihuana with intent to sell, a felony punishable by up to 5 years in jail, and possession of amphetamines, a misdemeanor punishable by up to a year in jail. They were held for arraignment today in first district court.

In an unrelated case, the 20-year-old son of a Manhattan jewelry store owner pleaded innocent in Nassau County court yesterday to charges that he possessed marihuana and sold it to undercover narcotics squad detectives. William Yee, who gave his address as 71 Somerset Drive, Great Neck, entered the plea at his arraignment before County Court Judge Douglas F. Young. No trial date was set. Yee was arrested January 27 after being indicted December 2 on three counts of possessing and selling marihuana. Police said he is free on bail awaiting trial on a previous narcotics charge dating from August 20, 1964.

Meanwhile, in Columbus, Ohio, a narcotics charge against a 21-year-old Smithtown, N.Y., coed, which was dismissed in a pretrial hearing earlier this week because of insufficient evidence, will be brought before the Franklin County grand jury. A Columbus vice squad spokesman said yesterday that Carol Lynn Stechner, a senior at Ohio State University, whose address was given as 49 Burlington Boulevard, Smithtown, was arrested January 11 on charges of illegal possession and illegal sale of narcotics.

[From Newsday, Feb. 10, 1966]

"KICKS" ALMOST DEADLY

MINEOLA.—A Plainview teenager, in fair condition at Meadowbrook Hospital today after reportedly taking 2 shots of heroin and 15 barbiturate pills at one time, may owe his life to quick police work.

Police and probation department officials told this story yesterday of how a tip followed by quick investigative work led to the arrest and then the hospitalization of Robert Moore, 17, whose address was given as 95 Cherry Drive, Plainview.

At about 10 p.m., Tuesday, Detective James Wylie, of the Eighth Squad, got a tip that Moore, who was on probation for a previous narcotics conviction, had a batch of barbiturate pills hidden in his home. Wylie contacted Dean Hepper and David Galusha of the probation department's narcotics unit. The three men, joined by James Treuchtlinger, a probation department supervisor, and another detective rushed to Moore's house. They said Moore's parents cooperated and let them search the house. The 5 men found 100 Seconal pills (a barbiturate) in a sock tied to a rafter in the garage.

The men then split into two groups to search for Moore in the Plainview area. Wylie and the other detective went in one car and sent the three probation officers to a Plainview diner, a popular gathering place for teenagers.

The probation officers said they found Moore, Louie Milano, 20, who gave his address as 46 Verdi Street, Kings Parks, and two other probationers sitting in a car outside the diner at about 11 p.m. When they were joined 15 minutes later by the detectives, all four youths were taken to Eighth Precinct headquarters.

When the four were searched in the station house, a batch of Seconal pills was found in Moore's pocket. Wylie and the others said they had noticed during the ride back to the precinct that Moore was getting progressively "higher." When they saw fresh needle marks on Moore's arms, they said, they became concerned that he might be in danger.

Wylie said Moore told him that he had taken 2 shots of heroin and 15 Seconal pills at one time. Realizing that this was a lethal dose, the police took Moore to Meadowbrook Hospital in East Meadow.

Milano, an unemployed electrician's helper, was arrested on charges of illegal possession of narcotics. Moore was arrested on one charge of illegal possession of narotics. The other youths in the car with Moore and Milano were released.

[From Newsday, Feb. 10, 1966]

Narcotics Stalk "Typical" Long Island Town

(By Arnold Abrams and Frank Lynn)

Plainview, a seemingly typical suburban community near Nassau County's eastern border, has felt the public spotlight in recent weeks as a community with a dope problem.

Why Plainview? Is it different from other Long Island communities? Or is it merely an example of a problem that can also be found beneath the surface of dozens of outwardly ideal suburban communities?

Plainview has a dope problem. There's no question about that. Police, school officials, politicians, storekeepers, and the community's youths attest to that. There have been at least five narcotics arrests in the community in the past 6 weeks, including two Monday evening. Police say that there are probably at least 200 other Plainview youths using barbiturates and codeine cough medicines. School officials are aware of the problem and rather than trying to hide it behind the glass and brick facades of the school, are trying to combat it. Storekeepers in several shopping centers in the community are painfully aware of it. They are often unwilling hosts to packs of doped-up boys and girls.

But Plainview is not alone. Police and county probation officials with firsthand knowledge of the dope problem said that it is present in many Long Island communities but has not been spotlighted by local officials as has been done in Plainview.

The businessmen of Plainview didn't need any spotlight, however. A matronly waitress in the Skyline diner, 1904 Old Country Road, told a reporter yesterday of her experience with the youthful addicts, two of whom were arrested in the diner parking lot Monday evening for possession of heroin and Seconal pills, a barbiturate. "I am scared to death to work here at night," she said. "These kids behave terribly. They throw things like silverware and glasses. They fall asleep and slump at the tables. * * * All you have to do is look at their eyes. They are glassy and droopy. The kids walk around like they were in a stupor. * * * You could cry when you see young boys and girls sitting around in this kind of condition. And, they're not drunk. You know this because they have been sitting there for hours and not drinking and you don't smell liquor on them."

The addicts, who range from 14 to their early 20's, travel in packs of up to 20 boys and girls from one shopping center to another. They infest diners, bars, and adjacent parking lots.

Two shopkeepers in the Morton Village shopping center on Old Country Road told their experiences to a reporter. A druggist said that burglars had shattered the plate glass window of his store to gain entry last week. He said that they had stolen 5,000 phenobarbital and several hundred Seconal pills. "They weren't looking for money; the cash registers were untouched," the druggist said.

One businessman related how he stood up to a pack of addicts to keep them from turning his stationery store into a hangout: "Several weeks ago, they started coming around. I spotted them right away. I've been in business long enough to know trouble when I see it. At first, they were taking nickel and dime stuff from me. Then, a $10 cigarette lighter disappeared. That hurt and I decided to do something about it. There was a bunch of them hanging around one night and I told them to move out. I told them I didn't want their business. I figured I'd be letting myself in for trouble but I was ready for it. I was scared, but you've got to take a stand. Otherwise, they'll run all over you. They haven't been here since."

The youths' movement from one area to another within the community was pointed up by shopkeepers in a shopping center at the southeast corner of South Oyster Bay and Woodbury Roads. This shopping center had been identified as an addict hangout in a Newsday series on suburban drug addiction in December. The businessmen in the center said that they have had no problem since.

Despite the grim portrait painted by Plainview businessmen, Oyster Bay Town Supervisor Michael Petito, who lives in Plainview, said that it is not different from any other community. "We are fortunate that we have school officials who have boldly approached this problem and are trying to cope with it," he said. A detective and two probation officers familiar with Plainview and its dope problem agreed. "It's no worse off than any other area in the county," said a probation officer.

Those officials most involved with the problem agreed that it not only cuts across community lines but also involves white and Negroes, male and female youths of all economic and intellectual levels. These officials also place the blame squarely on parents who are insensitive and indifferent to the youths.

An 18-year-old Long Island youth now in jail for illegal possession of narcotics echoed this theory in his own words in a letter to a county official. He wrote: "I think we must agree that never before has a generation come so close to rearing themselves. * * * Parental guidance is no longer the prime rule of the game. * * * Not only has the adult and parent of today fallen down as a leader in the home but he has set himself or herself up knowingly as a competitor of youth. The youths of our county, looking for adult leadership and not finding it, resort to their own ideas and actions. * * * Not only have these factors contributed to the rise in juvenile delinquency of the old form but also to one of a newer form, for example, the cough syrup addict."

Complaints about their parents are common among youthful addicts, a probation officer said. He said that these youths repeatedly protest parental nagging, inconsistency and overstrictness. He said that he has often heard addicts complain: "I can't talk with my father." He added that youths who don't feel accepted at home frequently look for recognition and direction from youths with similar problems.

A Plainview High School senior, who does not use drugs, sounded a similar theme yesterday. "At first, age and size make the big difference; if you are bigger than the rest of the boys, you are a hotshot automatically. But if you're not big enough, you have to have something else." He explained that "something else" is a cigarette for a junior high schooler, cars for some teenagers and liquor, glue sniffing, or dope for others. He said that he knew several addicts. "It all started 4 or 5 years ago when these boys who were eighth graders then began getting mixed up with older boys," he said.

The boy, who intends to go to college in September, pinpointed a sad difference between the youth whose name is on a college register and one whose name is on a police blotter. He noted that virtually all teenagers try to assert their independence if by no other means than wearing leather jackets and tight pants. He added: "I did, too, but I outgrew this stage. They didn't."

[From Newsday, Feb. 15, 1966]

Two Sentenced for Beating Reporter

Mineola.—Two youths convicted of assaulting Newsday Reporter Bob Greene were sentenced yesterday to 3 years each in the Elmira Reception Center, but the sentence of one was suspended.

In suspending the sentence of Leonard A. Herbst, 19, First District Court Judge Harold F. Strohson noted that Herbst had been held in jail without bail since his arrest January 4. Strohson also fined Herbst $100. Herbst faces a possible revocation of his parole on a 1964 burlary conviction. Strohson ordered Russell Pappalardo, 18, to serve his sentence.

Herbst's fine was paid by his father. Both youths were calm during their sentencing, but Pappalardo's mother was sobbing in the back of the courtroom. When the teenagers were found guilty last month, Pappalardo's parents caused an emotional scene outside the courtroom.

Greene was attacked by the youths after they encountered him in the Esquire Bar, 433 South Oyster Bay Road, Plainview, while he was trying to obtain pep pills in connection with a series of articles about drug addiction among Long Island teenagers. Greene said that after he failed to get the pills, he left the bar and was attacked nearby by Herbst, Pappalardo, and four others whom he could not identify.

Strohson told Herbst: "Cases such as yours are not easy to decide. It is difficult for this court to understand why you are here. You come from a fine home. It seems you are one of those misfits who looks to associate himself with * * * trash. Wherever you are you like to be friendly and helpful, like a puppy dog, like a little boy. If you could be in good company all the time, you probably would never be in trouble."

Turning to Pappalardo, Strohson said: "You are about about as rotten as any young man can be and still maintain some respectability. While you were on trial, you were arrested for possession of barbiturates * * *. I hope by sending you away for a while you may change. But I doubt it. You're one of those kids who thinks he can fool everybody." Under State law, Pappalardo will be eligible for parole in 15 months.

Pappalardo, who gave his address as 17 Roundhill Road, Northampton, Mass., also faces a second-degree assault charge against a policeman in addition to the charge of possession of barbiturates. Herbst, who gave his address as 8 Vera Avenue, Plainview, is also charged with violation of parole for a 1964 burglary and grand larceny conviction. He was paroled from Elmira last June. The parole can be revoked by probation department officials, and Herbst would have to serve the remaining 7 months of his 3-year sentence.

[From Newsday, Feb. 15, 1966]

Nassau Task Force To Hear "In" Teens on Drugs

East Meadow.—The Nassau County Task Force on Narcotics is planning to invite high school students from "in" groups to speak at its convention March 19 at C. W. Post College in Brookville.

"He need not be the student council president," said Dr. Benjamin Ringer, an associate professor of sociology at Hunter College. "We are looking for the student who is on the 'in.'"

Ringer said he believes that students who know what's going on at school may offer a view of "the grassroots of the (narcotics) problem." Oyster Bay Town Supervisor Michael N. Petito, chairman of the task force, agreed. "We might learn firsthand how it [the drug problem] affects the student, how it is transmitted," he said. "You would be amazed how many students know what's going on."

The Brookville convention plans to bring together an estimated 200 educators and public officials. Petito said that representatives of Nassau and Suffolk's 120 public school districts, as well as of Long Island parochial schools, will be invited.

On another level of the county campaign against narcotics, District Attorney Cahn will discuss addiction tomorrow night at 7 in a speech before the Nassau Lawyers' Association at McCluskey's Restaurant in Bellmore.

[From Newsday, Feb. 15, 1966]

Act of Courage

Frederick DeMarr, dean of students at C. W. Post College, a part of Long Island University, heard rumors recently that drugs were being peddled and used on the campus. He might have shrugged his shoulders. He might have swept the whole thing under the rug, fearing adverse publicity for the college. He did neither. He conducted his own investigation, and then called the police, who arrested one of his students for possession of narcotics along with a former student.

This was an act of courage as well as of integrity. We commend it to all other educators on Long Island at every school level to pursue the same course. The evil of drug addiction must be stamped out wherever it exists. Educators owe that to parents as well as to children. High marks, therefore, to Dean DeMarr and Chancellor R. Gordon Hoxie.

CONCLUSION OF MORNING BUSINESS

Mr. LONG of Louisiana. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. LONG of Louisiana. Has not the morning hour been concluded?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

TAX ADJUSTMENT ACT OF 1966

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 12752.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The Legislative Clerk. A bill (H.R. 12752) to provide for graduated withholding of income tax from wages, to require declarations of estimated tax with respect to self-employment income, to accelerate current payments of estimated income tax by corporations, to postpone certain excise tax rate reductions, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported by the Committee on Finance with amendments on page 32, line 2, after the word "of", to strike out "12" and insert "10"; at the beginning of line 5, to strike out "If the number determined under the preceding sentence is not a whole number, the fraction shall be disregarded; except that, if the number determined is one-half or more but less than one, it shall be increased to one." and insert "For purposes of this subsection, fractional numbers shall not be taken into account."; in line 22, after the word "than", to insert "(i)"; in line 24, after the word "estimation", to strike out "year" and insert "year, or (ii) in the case of an employee who did not show such deductions on his return for such preceding taxable year, an amount equal to the lesser of $1,000 or 10 percent of the wages shown on his return for such preceding taxable year"; on page 33, line 22, after the word "year", where it appears the second time, to strike out "(or if the employee has filed a return for the preceding calendar year, and if he has in effect a withholding allowance under this subsection based on using the current calendar year as the estimation year, such current calendar year)" and insert "(except that with respect to an exemption certificate furnished by an employee after he has filed his return for the preceding calendar year, such term means the current calendar year)"; on page 35, after line 11, to strike out:

"(D) Limitation.—The Secretary or his delegate may by regulations provide that one or more of the withholding allowances to which an employee would, but for this subparagraph, be entitled under this subsection shall be denied because such employee's estimated wages are above the level at which the amounts deducted and withheld under this chapter are generally sufficient to offset the liability for tax under chapter 1 with respect to the wages from which such amounts are deducted and withheld.

And, in lieu thereof, to insert:

"(D) Limitation.—In the case of employees whose estimated wages are at levels at which the amounts deducted and withheld under this chapter generally are insufficient (taking into account a reasonable allowance for deductions and exemptions) to offset the liability for tax under chapter 1 with respect to the wages from which such amounts are deducted and withheld, the Secretary or his delegate may by regulation reduce the withholding allowances to which such employees would, but for this subparagraph, be entitled under this subsection.

On page 36, after line 8, to strike out:

"(E) Authority to prescribe tables.—The Secretary or his delegate may prescribe tables pursuant to which employees shall determine the number of allowances to which they are entitled under this subsection. Such tables may be based on reasonable wage and itemized deduction brackets.

At the beginning of line 15, to strike out "(F)" and insert "(E)"; in line 18, after the word "withholding", to strike out "exemption." and insert "exemption."; after line, 18 to insert:

"(4) Authority to prescribe tables.—The Secretary or his delegate may prescribe tables pursuant to which employees shall determine the number of withholding allowances to which they are entitled under this subsection (in lieu of making such determination under paragraphs (1) and (3)). Such tables shall be consistent with the provisions of paragraphs (1) and (3), except that such tables—

"(A) shall provide for entitlement to withholding allowances based on reasonable wage and itemized deduction brackets, and

"(B) may increase or decrease the number of withholding allowances to which employees in the various wage and itemized deduction brackets would, but for this subparagraph, be entitled to the end that, to the extent practicable, amounts deducted and withheld under this chapter (i) generally do not exceed the liability for tax under chapter 1 with respect to the wages from which such amounts are deducted and withheld, and (ii) generally are sufficient to offset such liability for tax."

On page 38, at the beginning of line 11, to strike out "(1) that the wages (within the meeting of chapter 24) shown on his return for any taxable year were less than such wages actually shown, or (2) *that the itemized deductions referred to* in section 3402(m) on the return for any taxable year were greater than such deductions actually shown, he shall pay a penalty of $50 for each such statement" and insert "(1) as the amount of the wages (within the meaning of chapter 24) *shown on his return for any taxable* year an amount less than such wages actually shown, or (2) as the amount of the itemized deductions referred to in section 3402(m) shown on the return for any taxable year an amount greater than such deductions actually shown, he shall *pay a penalty of $50 for such statement*"; on page 45, after line 5, to insert:

(4) Section 6211(b)(1) (relating to definition of a deficiency) is amended by striking out "chapter 1" and inserting in lieu thereof "subtitle A".

At the beginning of line 9, to strike out "(4)" and insert "(5)"; at the beginning of line 18, to strike out "(5)" and insert "(6)"; on page 49, after line 16, to strike out:

(b) Floor Stock Tax. Section 4226 (relating to floor stock taxes) is amended—

(1) By adding at the end of subsection (a) the following new paragraph:

"(8) 1966 tax on automobiles. On any article subject to tax under section 4061(a)(2) which on the day after the date of the enactment of the Tax Adjustment Act of 1966 is held by a dealer and has not been used and is intended for sale, there is imposed a floor stocks tax at the rate of 1 percent of the price for which the article was sold by the manufacturer, producer, or importer. Under regulations prescribed by the Secretary or his delegate, the tax imposed under this paragraph shall be paid by such dealer and shall be collected from him by the manufacturer, producer, or importer."

(2) By amending subsection (d)—

(A) by striking out "and except" and inserting in lieu thereof "except", and

(B) by striking out "delegate." and inserting in lieu thereof "delegate, and except that the tax imposed by paragraph (8) shall be paid at such time after 60 days after the date of enactment of the Tax Adjustment Act of 1966 as may be prescribed by the Secretary or his delegate."

(c) Conforming Amendments.

(1) Section 6412(a)(1) (relating to floor stocks refunds on passenger automobiles, etc.) is amended by striking out "January 1, 1966, 1967, 1968, or 1969," and inserting in lieu thereof "January 1, 1966, April 1, 1968, or January 1, 1969,".

(2) Section 209(c)(1)(G) of the Highway Revenue Act of 1956 (relating to general provisions for transfers to the Highway Trust Fund) is amended by striking out "section 4226(a)" and inserting in lieu thereof "sec-

tion 4226(a) (other than paragraph (8) thereof)".

And, in lieu thereof, to insert:

(b) Conforming Amendment.—Section 6412(a)(1) (relating to floor stocks refunds on passenger automobiles, etc.) is amended by striking out "January 1, 1966, 1967, 1968, or 1969," and inserting in lieu thereof "January 1, 1966, April 1, 1968, or January 1, 1969,".

On page 51, at the beginning of line 14, to strike out "(d)" and insert "(c)"; on page 53, after line 12, to insert a new title, as follows:

TITLE III—MISCELLANEOUS PROVISIONS

After the amendment just above stated, to insert:

SEC. 301. DISALLOWANCE OF DEDUCTION FOR CERTAIN INDIRECT CONTRIBUTIONS TO POLITICAL PARTIES.

(a) Disallowance.—Part IX of subchapter B of chapter 1 (relating to items not deductible) is amended by adding at the end thereof the following new section:

"SEC. 276. CERTAIN INDIRECT CONTRIBUTIONS TO POLITICAL PARTIES.

"(a) Disallowance of Deductions.—No deduction otherwise allowable under this chapter shall be allowed for any amount paid or incurred for—

"(1) advertising in a convention program of a political party, or in any other publication if any part of the proceeds of such publication directly or indirectly inures (or is intended to inure) to or for the use of a political party or a political candidate,

"(2) admission to any dinner or program, if any part of the proceeds of such dinner or program directly or indirectly inures (or is intended to inure) to or for the use of a political party or a political candidate, or

"(3) admission to an inaugural ball, inaugural gala, inaugural parade, or inaugural concert, or to any similar event which is identified with a political party or a political candidate.

"(b) Definitions.—For purposes of this section—

"(1) Political party.—The term 'political party' means—

"(A) a political party;

"(B) a National, State, or local committee of a political party; or

"(C) a committee, association, or organization, whether incorporated or not, which directly or indirectly accepts contributions (as defined in section 271(b)(2) or make expenditures (as defined in section 271(b)(3)) for the purpose of influencing or attempting to influence the selection, nomination, or election of any individual to any Federal, State, or local elective public office, or the election of presidential and vice-presidential electors, whether or not such individual or electors are selected, nominated, or elected.

"(2) Proceeds inuring to or for the use of political candidates.—Proceeds shall be treated as inuring to or for the use of a political candidate only if—

"(A) such proceeds may be used directly or indirectly for the purpose of furthering his candidacy for selection, nomination, or election to any elective public office, and

"(B) such proceeds are not received by such candidate in the ordinary course of a trade or business (other than the trade or business of holding elective public office).

"(c) Cross Reference.—

"For disallowance of certain entertainment, etc. expenses, see section 274."

(b) Clerical Amendment.—The table of sections for such part IX is amended by adding at the end thereof the following new item:

"Sec. 276. Certain indirect contributions to political parties."

(c) Effective Date.—The amendments made by subsections (a) and (b) shall apply to taxable years beginning after December 31, 1965, but only with respect to amounts paid or incurred after the date of the enactment of this Act.

And, on page 56, after line 2, to insert:

SEC. 302. INFORMATION RETURNS MADE BY DEPARTMENT OF AGRICULTURE.

(a) Filing by Secretary of Agriculture or His Designees.—Section 6041 (relating to information at source) is amended by adding at the end thereof the following new subsection:

"(e) Payments by Department of Agriculture.—

"(1) Returns to be made by secretary of agriculture.—In the case of any payments, for which returns are required under subsection (a), made under any program administered by the Department of Agriculture, the returns required under subsection (a) shall be rendered by the Secretary of Agriculture or by one or more officers or employees of the Department of Agriculture designated by the Secretary of Agriculture to make such returns on his behalf.

"(2) Statements to be furnished to persons with respect to whom information is furnished. The Secretary of Agriculture, or the officer, or employee of the Department of Agriculture designated by him to render any return to which paragraph (1) applies, shall furnish to each person whose name is set forth in such return a written statement showing the aggregate amount of payments to the person as shown on such return. The written statement required under the preceding sentence shall be furnished to the person on or before January 31 of the year following the calendar year for which the return under subsection (a) was made."

(b) Effective Date.—The amendment made by subsection (a) shall apply with respect to returns made after the date of the enactment of this Act.

ORDER OF BUSINESS

Mr. RIBICOFF. Mr. President, I ask unanimous consent that I may now yield to the Senator from Illinois; and, if the Senator from Illinois will defer to the Senator from Washington, I will be pleased to yield first to the Senator from Washington, without losing my right to the floor.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

CORRECTIVE MEASURES FOR DRAIN OF GOLD RESOURCES TO FRANCE

Mr. DOUGLAS. Mr. President, first I thank the Senator from Connecticut for his very gracious yielding of the floor. He has been present ever since 12 o'clock, and has seen his hopes of addressing the Senate on an important subject deferred from minute to minute. Since he has been so kind as to yield to me, I shall try not to infringe too deeply on his time.

Somewhat over a year ago, I took the floor of the Senate to point out that General de Gaulle had announced his intention to demand gold from us in payment for the dollar claims which France held against us. In effect, he had announced his intention to start a run on the credit bank of dollars which we had created to protect and rebuild the world, France included. I then proposed that, despite our appreciation of French culture and our admiration for the many estimable facets of the General's character, in self-defense and without bitterness we adopt a series of defensive economic moves designed to lessen or eliminate his drain on our gold. I suggested a decrease in our tourist travel in France and a re-routing of cargo and passengers away from French shipping, a shifting of our command and supply activities out of France into other countries, and the discontinuance of American aid and investment in those nominally independent African nations which are still financially tied to France. For in these cases, our expenditures in dollars are transferred to Paris and speedily become official claims upon our gold.

I even went so far as to suggest that if France continued in its attempt to pull down the pillars of the gold exchange standard we should try to counter this by asking France to pay some of the billions which she still legally owes us on the World War I debts.

While I received some reassuring comments from certain administration officials, no visible action was taken by it. In the late summer, I addressed a letter to the leading department heads reaffirming my suggestions.

I ask unanimous consent that that letter be printed in the Record following my remarks.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

(See exhibit 1.)

Mr. DOUGLAS. After a time I received an official reply from Assistant Secretary of State Douglas MacArthur II, rejecting or postponing a decision on all of these suggestions, and I ask that this letter also be printed in the Record at the end of my remarks.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

(See exhibit 2.)

Mr. DOUGLAS. It is understood that the main opposition to even the mildest of these suggestions comes from the State Department. It is, I suppose, natural for them to do so. They want to hold the shaky Western alliance together. So do I. They do not want to excite the further anger of General de Gaulle and hope that the ever-rolling stream of time will either moderate the General's policies, cause the French people to repudiate them or bring new leaders to the fore. But we must face the fact that General de Gaulle was recently reelected even though he only received 45 percent of the votes on the first ballot and 55 percent on the second. Continuing in power, he seems to be slightly more conciliatory towards the other European members of the Common Market but just as confirmed as ever in his anti-Americanism. He is for forcing all NATO units commanded by Americans out of France and obviously wants to injure America in every possible way. Economically, in the past year, the French claimed $800 million of gold and their example was followed by Spain and by other small European nations. Secretary Fowler has testified before the Finance Committee that De Gaulle is continuing this policy at the rate of $30 million a month. Unless corrective steps are taken in Indochina, which I shall touch on in a moment, this drain will not only continue but will markedly increase.

De Gaulle is now forcing our troops and supply and command units out of France and in the process slightly diminishing the gold drain. How much more dignified it would have been had we voluntarily withdrawn, as I urged last year, instead of being forcefully booted out.

I now wish to make two very modest suggestions which can be easily put into effect:

First. That, as I suggested last year, we discontinue economic aid to the African republics which are financial dependencies of France. By last accounts, aid and American investments in these countries amounts to about $200 million a year. France has sufficient resources of her own to assume the full economic responsibility for these countries and we should not allow this burden to be shifted to us—particularly in view of that fact that De Gaulle then uses our very generosity to undermine further our international economic position.

I hope that such items may be omitted from the forthcoming economic-aid bill. But, if not, and if AID and the State Department persist in their determination to thus aid De Gaulle, I think I should serve notice politely but firmly that I will try to eliminate these items specifically from any authorization.

Second. We need to take corrective measures to prevent financial disaster growing out of our expenditures in Vietnam, for France is financially strengthening herself and, at the same time, undermining us as we try to prevent the Communists from taking over South Vietnam by force. We should start from the fact that the French owned and dominated Bank of Indochina still largely controls the financial life of South Vietnam as it did that of all Indochina prior to the military expulsion of the French in 1954. This bank is both rich and powerful and has been and is highly influential in French political life as it still is in South Vietnam. There are also, as I understand, two rather small Vietnamese banks and presumably two which are owned by overseas Chinese. But it is the Bank of Indochina which is dominant and controlling, and this, I repeat, is French owned and controlled.

Already dollar expenditures in South Vietnam are finding their way into the Bank of Indochina and are apparently then being transferred to Paris where they become official French claims upon the dollar and, hence, create an ultimate demand upon our gold.

The administration estimates that the added cost of the stepup in our efforts in Vietnam will be $10.5 billion. Possibly if we were to get an early and honorable cessation of hostilities, it might be less. But all the probabilities are that it will be more. It is almost inevitable that the dollars for some of these expenditures will find their way into the Bank of Indochina and then be transferred to Paris and then give General de Gaulle further weapons in his effort to strip America of its gold. I wish to commend the Defense Department and the Treasury for their decision to have our troops in Vietnam payed in scrip, redeemable only in the United States. This should reduce the French claims on gold although it is still possible that some of this scrip may still wind up in French financial hands.

But expenditures by contractors and subcontractors who will do the extensive construction work which is being planned cannot be so easily controlled. I think it safe to estimate that, at the very least, 5 percent of the total expenditures will get into the hands of the Bank of Indochina and will then be transferred to Paris and create an added demand for our gold. I have consulted with men who know the situation and I believe my estimates are most modest and probably err greatly on the side of conservatism. But even 5 percent would mean added claims against our gold of $500 million.

Of course, if the Communists were to take over South Vietnam, the Bank of Indochina would then exist only at their sufferance and when it was convenient it would be closed down or taken over.

Let it be clear that, while we are not in Vietnam to protect the Bank of Indochina, this is nevertheless one of the incidental side effects. An ironical situation is thus created whereby the more we help to protect the Vietnamese people and, incidentally, the Bank of Indochina, the more this furnishes General de Gaulle with the financial ammunition which he will then use in the effort to cripple us financially.

I submit that it is about time we stopped this. We have not won the General's friendship or cooperation by our sufferance of injuries. Perhaps we can win French support and induce the General to be less antagonistic by decent self-defense. On last Friday, therefore, I urged the Treasury to help establish American banks in South Vietnam and to see to it that dollar payments be channeled into them rather than into the Bank of Indochina. I am now informed that at least four American banks would like to establish branches in South Vietnam and are awaiting approval by the South Vietnamese government. I believe the attitude of the Treasury Department is wholly constructive in this matter, but we need the support of the State Department if this effort is to be fully effective. While I do not want to condemn the State Department in advance, I think I can say that in the past they have been less than alert to the financial dangers involved and have been unduly concerned in seeking to conciliate the General. To patiently turn the other cheek is, within limits, noble—but after a time a decent self-defense is desirable. Even if the aggressor is a brave General and the head of a great country with a distinguished history, we should not suffer this any longer. We can act in a dignified and nonprovocative manner, but it is necessary and proper to defend ourselves economically. I hope the State Department and its representatives will see the light and that these banks may be quickly set up and the necessary administrative orders issued in cooperation with the South Vietnamese Government so that dollar deposits and claims can only be handled through them.

But, of course, our cultural contacts with the French people should not only be preserved but increased, and we should strive to work cooperatively with both the French Government and people in all those ways which will strengthen the security and well-being of the world. General de Gaulle may be our enemy but we will not be his enemy and we wish to let the French people know that we would be true friends of theirs.

EXHIBIT 1

JULY 27, 1965.

Hon. DEAN RUSK,
Secretary of State,
Washington, D.C.

MY DEAR MR. SECRETARY: In a speech which I gave recently on General de Gaulle and his attitude toward the United States, I made some specific suggestions with respect to policies which I felt our Government should pursue in connection with France and General de Gaulle.

Some of these proposals are under the jurisdiction of your Department. I wonder if it would be possible for you to indicate to me if any of these proposals are now either being looked into by the Department or if any of them are now the policy of your Department and the Government of the United States.

With best wishes.

Faithfully yours,

PAUL H. DOUGLAS.

EXHIBIT 2

DEPARTMENT OF STATE,
Washington, August 30, 1965.

Hon. PAUL H. DOUGLAS,
U.S. Senate.

DEAR SENATOR DOUGLAS: Thank you for your letter of July 27, 1965, asking for the views of the Department of State on various suggestions regarding policies toward France which you discussed in the Senate on June 3. I regret the delay in our reply.

One of your proposals is that we shift governmental transportation either to United States or, for example, to British flag vessels and aircraft. I can assure you that Department of State personnel and their effects now move abroad only on U.S. flag carriers, except to or from destinations that are not served by U.S. carriers or, in exceptional circumstances, when such carriers are not available during the period that travel must take place. We, of course, intend to continue this policy, which is also followed by other U.S. Government agencies.

You also suggested that we might reduce travel by American tourists and businessmen abroad, particularly to France. I am sure you will understand our view that the U.S. Government should not interfere with the right to travel, nor should it suggest where or how its citizens might travel, except of course for passport restrictions relating to special circumstances. The Government, under the leadership of the Department of Commerce, is trying hard to promote travel within the United States, both by Americans and by foreign visitors.

Another of your proposals was that military activities might be removed from France. There is, as you say, an annual net dollar outflow on military account as a consequence of the presence of U.S. forces in France. However, we believe that the best deployment of our forces in Europe would include the line of communications across France as well as the network of airbases available for our use in central and eastern France. It would be unwise to change these arrangements on balance-of-payments grounds alone. We will certainly continue our efforts to manage these military facilities in France with the most economical use of personnel and resources, and we note that economies in this respect have been achieved by the military services each year. It is expected that further economies will be realized this year in France, as well as in other countries.

You further suggested that we consider ways to induce greater financial cooperation from France. We frankly do not believe that it is possible to achieve an improvement in the international monetary system except on the basis of agreements among interested governments founded on their mutual interests; improvements cannot be obtained by pressure or coercion of one against another. Your suggestion that we ask France to make payments to us in gold would not be effective so long as France enjoys a surplus in its external accounts or, should the French surplus disappear, so long as France has convertible foreign exchange holdings, primarily dollars, with which to settle deficits in its accounts. In the absence of such holdings, France would, of course, be obliged to settle such transactions with the United States and other countries in gold, and this is its established policy.

You suggested that the entire French indebtedness from World War I might be canceled in return for their canceling the total foreign exchange claims which they hold against us. This would amount to expunging their dollar balances of some $865 million. We feel that any suggestion along these lines, which would also resurrect controversial issues concerning a period long past, would only serve to undermine confidence in the dollar as a reserve currency in the modern world.

Finally, I wish to comment on your suggestion that we consider the reduction or elimination of aid to 18 French-speaking countries in Africa. The United States recognizes the continuing importance and value of French aid and influence in these countries where, in many cases, France is the most important donor. We also recognize the importance to these countries of diversifying their economic and political associations, and believe it to be of the greatest importance that they have the opportunity to do so with all countries of the free world, as an alternative to the Communist world. We are also impelled by humanitarian considerations, and note that more than half of our aid to Afirca last year took the form of food-for-peace shipments.

We consider our aid programs in Africa a significant ingredient in the closeness of our relations with these new countries. We believe they contribute to increased African understanding and support for our own policies outside Africa, which are of great importance to us. The development of this identification of interests has also had significant results in the provision of space and other important facilities in Africa. While U.S. aid to Africa has been relatively small in relation to the assistance provided by France and other European countries, it demonstrates our concern for the welfare of these new nations.

We appreciate this opportunity to comment on the suggestions made in your speech of June 3. We also wish to assure you that, while differences in policy between the United States and France are naturally of concern to us, we remain in touch with the French Government at all levels, to discuss and, where possible, resolve our differences. If I may be of further assistance to you, please do not hesitate to call on me.

Sincerely yours,
DOUGLAS MACARTHUR II,
Assistant Secretary for
Congressional Relations
(For the Secretary of State).

Mr. RIBICOFF. Mr. President, I ask unanimous consent that I may yield to the Senator from Delaware, without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

TAX ADJUSTMENT ACT OF 1966

The Senate resumed the consideration of the bill (H.R. 12752) to provide for graduated withholding of income tax from wages, to require declarations of estimated tax with respect to self-employment income, to accelerate current payments of estimated income tax by corporations, to postpone certain excise tax rate reductions, and for other purposes.

Mr. WILLIAMS of Delaware. Mr. President, I am supporting H.R. 12752 the pending bill, the purpose of which is to provide additional revenue for fiscal year 1966 as well as 1967. I voted against the removal of these taxes last year on the basis that it was fiscally irresponsible to cut taxes in the face of a big deficit and with a war going on.

However, in supporting this bill, I do not underwrite the administration's claim that this solves all the fiscal problems, or that this will result in a deficit of only $1.8 billion in fiscal 1967.

For fiscal 1967 they claim it is $1.8 billion, but in reality the deficit is between $9 and $10 billion.

I pointed out earlier this year that the President in his message to Congress had advocated legislation dealing with truth in lending and truth in packaging, and I stated that what we need equally as much is more truth in government.

The fact is that if the budget submitted by the President to Congress is enacted this Government will produce a deficit of close to $10 billion in 1967.

The Secretary of the Treasury in his testimony before the Committee on Finance on this particular bill confirmed the arithmetic I have just stated.

I pointed out, however, that the real deficit is camouflaged in the claim of a $1.8 billion deficit. They have boasted of this figure as a great accomplishment.

The bill, coupled with the action in the committee last year, will produce $4.5 billion in fiscal 1967 in additional revenue as a result of acceleration in the payment of corporate taxes.

This is not new revenue. It is merely borrowing from next year's tax bill money that would normally be paid next year. This is moved over into fiscal 1967 to defray current expenses. It is so recognized and admitted by the Secretary of the Treasury. It is purely a one-shot operation, one which cannot be repeated in the years to come because we certainly cannot collect taxes in advance.

In addition, as a result of the new silver half dollars and quarters containing less silver there will be $1.5 billion nonrecurring income accrued to the Federal Treasury in fiscal 1967, and they have decided to include this as part of the general revenue, thereby using that money to defray expenditures in 1967.

Again, this item is nonrecurring income unless some brilliant bureaucrat decided later to print a paper quarter instead of minting a metal one.

They estimate $400 million will be picked up in fiscal 1967, as a result of the change in withholding taxes, which again is a one-shot operation.

In addition they are liquidating the assets of the Government by selling the mortgages on the Federal National Mortgage Association—FNMA—and some of the other lending organizations. It is true, as the Secretary points out, that there have always been some normal sales of these mortgages over the years, but the Secretary confirmed to our committee in the hearings on this bill, copies of which are now on Senators' desks, that the sale of FNMA mortgages was accelerated over and above the normal average sales of such mortgages by more than $1 billion in fiscal 1966 and that in fiscal 1967 an additional $1.5 billion will be brought in.

Their plans are to sell $4.7 billion in FNMA and small business mortgages. This is $1.5 billion more than would normally be sold.

All of the proceeds of the sales of these mortgages are used to pay current expenses and thereby reduce the amount of the recorded deficit.

Furthermore, they are selling $4.7 billion of these mortgages and applying it not to income but subtracting it from the expenditure side in order to give the American people the idea that they have cut expenditures. They have not cut expenditures. I repeat—they are using the $4.7 billion to defray the cost of the program of the Great Society. This is merely a bookkeeping device so that it will not appear on the books at all as expenditures.

Summarizing, taking the $4.5 billion accelerated payments of corporate taxes, the $1.5 billion windfall profit on coinage, the $400 million on withholding collections, and the $1.5 billion extra receipts on FNMA mortgages which have been sold, it means that they will be collecting $7.9 billion extra revenue, all of which will be nonrecurring income. It is like borrowing on next week's salary to pay this week's grocery bills.

When we add this $7.9 billion one-shot income to the $1.8 billion which the administration admits as a deficit, we find that the Government in fiscal 1967, based on its own records, will have a deficit of $9.7 billion. On an average this represents $800 million expenditures beyond our income for every month in the calendar year of 1967.

This $9.7 billion is after we have taken into consideration the restoration of the telephone and automobile excise taxes, which are part of this bill.

Mr. President, I am supporting the bill because I believe we are confronted with a serious financial condition so far as the Government is concerned.

As I stated earlier, I opposed removing these taxes last year when everyone knew our deficit this year would exceed $6 billion.

With a war in Vietnam the only alternatives were to restore the taxes or to raise the debt.

Yes, I support the administration in this bill, but I will have no part of its effort to deceive the American people as to the true deficit. Even with this bill we are not paying for the expenditures to meet the cost of the war in Vietnam.

Officials in the administration boast of the great achievements of their planned deficit program and boast that as the result of this deficit planning they have in the last 5 years brought down the unemployment rate to below 4 percent.

The chairman of the committee just mentioned that great achievement with pride, but they do not tell the people that the reason they were so successful in bringing the unemployment rate to below 4 percent is not an achievement of the Great Society but because there is a war going on in Vietnam and many American boys are being put into uniform and others are being employed in defense plants to make the implements of war. That is how the low unemployment rate has been brought about. Nor is the administration providing revenues to take care of the expenditures to conduct the war in Vietnam. We are enjoying a wartime prosperity. I use the term "enjoying" advisedly because we should recognize we are in a wartime economy, and we should be paying for its cost instead of insisting on both butter and guns.

As to the achievements of the Great Society, the Secretary of the Treasury and the Director of the Budget boasted that the deficits of the Great Society were deliberately planned just as planned but controlled inflation was a part of their program.

Some day this administration is going to have to take direct responsibility for the inflation which it is causing. Since 1961, the 5 years in which the Great Society has been in office, the administration has spent $31½ billion more than it has taken in in revenues. That is an average of $500 million a month for every month it has been in office. Yet every year the President has been before this Congress and in his messages he has always boasted that we are achieving a balanced budget. The words sound well, but actions belie the words.

It is time that the administration told the American people the facts of life; namely, that this bill is a one-shot operation to take it beyond the 1966 congressional elections without having to call for a tax increase. They want to go before the American people and tell what they have done without raising taxes.

The administration should have the same degree of courage to tell the American people what the facts are as is being shown by our boys fighting on the battlefields of Vietnam.

The people should be told that with the approval of this bill, once the year 1967 rolls around, we will automatically be moving into a deficit of around $900 million a month.

Unless Congress can cut some of the expenditures that are being asked for under the Great Society there will have to be a tax increase that will shock many people. Of course the administration may not admit this point until after the votes are counted next November.

According to the press, the administration is asking a special committee of Congress, beginning March 16, to study proposals to give the President standby authority to raise taxes. This standby authority to raise taxes is a devious way to have a tax increase approved by Congress without exactly describing it that way. Under the plan the standby authority will be enacted in this session of Congress, yet in the 1966 congressional elections the administration and the Members of Congress will be able to say that they have not raised the people's taxes but that Congress has only given the President standby authority if the Vietnam war makes it necessary. Then after the elections are over the increase can be ordered into effect, but by then the ballots will have been counted.

I for one do not intend to support any such standby authority. If the administration wants to increase taxes let the President tell the American people exactly what the fiscal situation is which faces the people and what kind of an increase it recommends. If the administration wants to increase taxes let it have the courage to ask for an increase in taxes and let Congress approve or disapprove it.

As one member of the Senate Finance Committee I serve notice that I intend to do all I can to block this request. This would be a tax rise with a political twist.

The administration boasts that the cash budget is in balance. That boast is meaningless. When we talk about a cash budget we are talking about trust funds under the social security program, the railroad retirement program, and the civil service retirement program, and all of the other trust funds. To include moneys in those trust funds to show that there is a balanced cash budget is misleading the American people. It should follow its own directive to have truth in Government.

Certainly no reasonable Government official is going to propose that we move in and tap these trust funds—the social security fund, the medicare fund, and the other retirement funds.

I think it should be made clear to the American people that the present administration, this Great Society administration, is the most spendthrift government that we have ever had in the history of our country; that during the 5 years it has been in office it has spent at the rate of $500 million a month more than it has taken in, that currently it is operating at the rate of $600 million a month more than it has taken in, and based on present plans the deficit next year will be at the rate of $800 million a month more than the revenues.

This administration is leading us down the road to bankruptcy and inflation, and the Johnson administration will have to take full responsibility for it. What I would like to see the administration do is to tell the American people what the budgetary facts are with same courage that our boys are showing in Vietnam.

Mr. CARLSON. Mr. President, I wish to express my appreciation to the distinguished Senator from Connecticut [Mr. RIBICOFF] for allowing me a few minutes to speak on this matter.

As a member of the Finance Committee, I voted to report the bill. I expect to vote for it on final passage. But I feel I would be derelict in my duty if I did not state that I think there has been a very weak effort on the part of the administration to prevent inflationary pressures that are now confronting the Nation, destroying the purchasing power of the American public and threatening the American economy. In addition to that, I personally do not feel that the administration is providing for the expenditures needed for the war in which we are involved in Vietnam.

Mr. President, as the distinguished Senator from Delaware [Mr. WILLIAMS] mentioned, if we are to continue to expand these ever-increasing Great Society programs, it is a meager effort to take care of that phase of it.

I did not rise today to speak on the bill as a whole. I expect to participate in this debate and I shall discuss several phases of the bill as we go through it.

But I wish to speak out against one item in the bill and I feel that I must speak strongly against a reimposition of what I say is the most unfair of the nuisance taxes, the tax on telephones.

This has been an eventful several months. For years I—and others in this body—have been pointing out the injustice and inequity of this temporary tax which has been extended from time to time for over two decades.

Then last year the administration began swinging around to my point of view.

Last year our committee reported out a bill which would lop 7 percent from the telephone excise tax in January, 1966, with the remaining 3 percent to go by 1969.

The President hailed the action as he signed the excise tax bill of 1965.

In January, the first tax cut was seen in millions of telephone bills. And in January, even before most customers had received their first bills reflecting the tax reduction, the administration asked Congress to restore the cut.

I understand some people are calling the telephone excise the yo-yo tax.

But this tax is no joke. It is discriminatory, unfair and regressive.

This is a tax on the people who use the telephone—not the telephone companies. Over 55 million telephone customers will be paying about $700 million a year.

In my State of Kansas, 650,000 telephone users will pay nearly $11 million a year in this tax which is added to every telephone bill. Ending the tax would mean that many millions added to the purchasing power of Kansans—money which would add to the economic health of the Sunflower State.

By any principle of taxation, the telephone tax is a bad tax. It falls most heavily on those least able to pay.

This is not a luxury we are talking about. The telephone is in 85 percent of the Nation's homes. On the many farms and ranches of Kansas it is one of the most valued tools.

Bureau of Census figures for 1960 show that 20 percent of the households with telephones—approximately 7,800,000—had incomes of less than $3,000 a year. More than half of the telephone households had annual incomes of less than $6,000.

Last month, William C. Mott, of the United States Independent Telephone Association, representing 2,400 telephone companies, large and small, appeared before our committee.

He said it was difficult to explain to customers why they alone were to have to bear a total reimposition of the excise tax on an essential and necessary service.

> It is difficult—

He declared—

> because they don't understand why a service which everyone knows is necessary and essential should receive no tax relief while the race track goer, the cabaret habitue, the country club set, and buyers of jewels and furs are given complete tax relief.

Year after year as this discriminatory tax has been extended, I have been strongly urging its removal. And I do so again.

To sum up:

First. This tax falls hardest on those least able to pay—the lower income groups.

Second. It is discriminatory also in that telephone is the only household utility so taxed.

Third. The public generally regards this tax as unfair, particularly because it applies to a service it regards as essential, not a luxury.

It does not it make sense to let the so-called luxury taxes disappear while we reimpose an excise tax on telephones.

Mr. **RIBICOFF**. Mr. President, I ask unanimous consent that I may yield to the Senator from Massachusetts [Mr. KENNEDY], without losing my right to the floor.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

REPORT OF JUDICIARY SUBCOMMITTEE ON REFUGEES AND ESCAPEES

Mr. **KENNEDY** of Massachusetts. Mr. President, since July of 1965, The Senate Judiciary Subcommittee on Refugees and Escapees, has been holding extensive hearings on the serious problem of refugees in South Vietnam. Thirty-six witnesses in all have testified before the subcommittee, ranging from members of the State Department to representatives of all of the major voluntary agencies represented in South Vietnam, to distinguished members of the academic committee.

The subcommittee has early this month, completed a comprehensive report on its investigations and hearings. On Wednesday, the full Judiciary Committee considered this report and unanimously approved it.

The subcommittee report is, in many areas, highly critical of the United States and South Vietnamese programs directed toward the handling of the refugees. We have, however, tried to be fair and objective, and above all constructive in our approach.

The report speaks for itself, and I shall not try to summarize or capsulize it here. I would however, like to outline here today the key recommendations made by the subcommittee for improving the handling of refugees.

The subcommittee recommends the following:

First. The subcommittee recommends that the United States express greater humanitarian concern for the refugees in South Vietnam and their fellow citizens in distress. Efforts to improve their welfare necessarily complement the military activity. Such efforts will be a basic ingredient in the long haul to preserve and strengthen the political independence of South Vietnam. But those efforts must rival in resolve and resources the needed military effort. They must be more forcefully expressed and more fully integrated into the operation of America's overall strategic concept, which in the past has neglected the importance of economic, social, and political development among the South Vietnamese people. The battles may be won by the military; but the true victory will be won by a people inspired with confidence and hope that the future will bring a better life for themselves and their children.

Second. The subcommittee recommends that refugee assistance increasingly emphasize long-term rehabilitation and resettlement. There is an urgent need for meaningful programs which will restore hope in the refugees—indeed, in all the people of South Vietnam—as well as keep them alive. Activity is needed to educate the children, to care for the orphans, and to raise standards of health. Activity is needed to establish cottage industries, cooperative self-help projects, local agricultural development programs, vocational training and general education centers, resettlement villages, and other channels to train idle hands, to encourage industriousness, to stimulate productive life, and achieve active allegiance to the Government. Such programs will contribute to nation building in South Vietnam and the long-term betterment of its citizens.

Third. The subcommittee recommends that programs for economic and social development be coupled with efforts to encourage the growth of rudimentary but viable democratic political action within the refugee centers. Elected councils within the centers, closely tied to the existing political structure could reflect and serve the interests of the dispossessed at the provincial and national levels of the South Vietnamese Government. The meaning and experience of creative and democratic political activity cannot be minimized in a country where the concepts of nationhood, and of a national government responding to individual needs and legitimate demands for social change, are novel and without tradition.

Fourth. The subcommittee recommends that greater efforts be made by U.S. officials to stimulate a very active and creative concern for the people of South Vietnam on the part of the Government in Saigon. New ways must be explored to induce the South Vietnamese Government to drop its lethargy toward refugees and others in distress. Because of the highly political nature of the conflict in South Vietnam, it is mandatory that the Government not be satisfied with military measures alone. A responsive Government will care for and protect refugees, and institute reform and economic development to alleviate the popular grievances upon which insurgency feeds. South Vietnam needs quick-impact and easily discernible reforms, and appropriate psychological action campaigns. The Government must involve as many of the people as possible—including the refugees, a significant cross section of South Vietnamese citizens.

U.S. assistance programs for refugees and their fellow citizens should be implemented as much as possible through the South Vietnamese Government. The U.S. role should be essentially indirect and supportive, in order to help strengthen and encourage the Government in expanding its presence and control in the countryside. To assure that U.S. assistance will be used promptly, effectively, and economically, the subcommittee believes that additional coordinating and operating procedures must be developed within both Governments and between them.

Fifth. The subcommittee recommends that the United States encourage and assist a greater effort in short-term programs for the training of South Vietnamese specialists in social welfare, public health, agricultural development, and other fields. Special efforts should be made in encouraging the South Vietnamese Government to involve the university students of South Vietnam, and to enlist their talent, in the task of meeting the needs of their fellow citizens and their country.

Sixth. The subcommittee recommends that the seriousness and importance of the refugee problem, and America's deep humanitarian concern for the plight of these people, be reflected in the presence of a refugee official at the highest policymaking level of the U.S. mission in Saigon. This official should be responsible only to the Ambassador and the President. He should be directly involved in all decisions, whether military or civilian, concerning refugees. He should be coordinator of all assistance efforts by the American people, through their Government or private voluntary agencies.

Seventh. The subcommittee recommends that officials in the executive branch consider the establishment of a highly motivated, professional corps to serve in a civilian counterinsurgency establishment as a complement to the Special Forces in the military. The political, economic, and social services of such a specially constituted corps are urgently needed among the refugees in South Vietnam and their fellow citizens, and among the people of other countries threatened with Communist insurgency.

Eighth. The subcommittee recommends that greater efforts be made to enlist the support of the international community, including intergovernmental organizations, in providing humanitarian assistance to the people of South Vietnam.

World opinion, in both the private and public sectors, has not been marshaled effectively by the South Vietnamese and United States Governments. Contributions in trained personnel, equipment, and supplies are immediately needed to help ameliorate the serious educational, medical, social, and economic needs among the refugees and their fellow citizens in distress.

Ninth. The subcommittee recommends that appropriate consideration be given to the establishment of a special international force of qualified personnel to assist in the development of southeast Asia. The presence of men and women whose only concern is the health of the people, the education of children, the teaching of simple technology, and the training of civilian administrators would make important contributions to economic and social developments, and to the political stability of southeast Asia. Such a force would enroll citizens of many countries, but especially those in Asia. Its activities would complement and encourage existing developmental programs, and action contemplated by the recently established Asian Development Bank. The international force would appropriately fall under United Nations auspices, but also encourage the participation and partnership of nongovernmental organizations throughout the world. The military conflict in South Vietnam should not hinder a free discussion on establishing an international force for development in Asia. What an international force cannot immediately and fully accomplish in South Vietnam, should, nevertheless, be undertaken in other countries of Asia at an early date.

Tenth. The subcommittee recommends that every effort be made to strengthen and facilitate the role of voluntary agencies and other private organizations in assisting the dispossessed in South Vietnam. Because specialists in refugee work are urgently needed, the subcommittee recommended that the U.S. Government subsidize the travel and salary costs of agencies willing to recruit additional personnel. The subcommittee also recommends that every consideration be given by U.S. officials to providing capital facilities for hospitals, clinics, schools, resettlement villages, and similar facilities, which individual voluntary agencies could operate and support. Such contracting programs effectively operate elsewhere, notably in Hong Kong. A similar pattern should be encouraged in those areas of South Vietnam where security conditions and need make it possible and desirable.

Eleventh. The subcommittee recommends that leaders in the private sector, in cooperation with appropriate officials in Government, should establish an officially recognized and special operating committee of leading Americans to help publicize the urgent needs in South Vietnam, and to galvanize public opinion in this country into greater support for humanitarian assistance through private organizations. The religious and nonsectarian voluntary agencies—as well as interested civic organizations, labor unions, business groups, and other bodies—furnish a ready mechanism whereby the American people, through contributions in funds and kind, may express their deep sympathy and active concern for the plight of those who suffer in South Vietnam. The American people should be more effectively encouraged to participate in this humanitarian offensive. Thus far, there has been a marked failure in capturing the attention and positive response of a large segment of the American people in an area of traditional concern to this country.

In addition to these recommendations, I have filed a supplementary statement dealing with the current status of the refugee program and the use of the United Nations and its specialized agencies as channels of assistance for the dispossessed in South Vietnam.

On February 11, 1966, the subcommittee met to hear a report on the refugee program by Mr. Edward B. Marks, who heads the Office of Refugee Coordination of the U.S. AID mission in Saigon. Mr. Marks had returned to Washington for several days of consultation. He was accompanied to the hearing by Mr. George Goss, AID refugee program coordinator in Washington. The hearing followed the Honolulu conference between President Johnson and South Vietnamese leaders whose joint communique specifically recognized the important need of a substantive program among the refugees in South Vietnam.

The hearing indicated, however, that while some progress had been made over the past few months in developing a viable policy and program for the refugees, it was also true that the task had only begun, and that a needed sense of urgency and creative direction in this matter was not clearly in evidence, especially on the part of the South Vietnamese Government. After more than 7 months of continuous activity there is, in fact, little evidence to suggest that the governments involved have moved significantly beyond a backstopping position in providing care and protection to the refugees—even in the immediate area of emergency and short-term custodial relief.

This is illustrated by the tenor of Mr. Marks' testimony, which emphasized intention and hope, rather than actualities and progress, and by his comment that—

> We are giving our attention first to getting the most urgent supplies up to the refugees, and to getting the Government (South Vietnamese) to really focus attention on the problem.

The fact that this situation continues to exist, gives me cause for serious concern, which I am sure is shared by my colleagues on the subcommittee.

The testimony of Mr. Marks and Mr. Goss provided no assurance that adequate personnel existed in the U.S. mission's office of refugee coordination to supplement adequately the limited activities of South Vietnamese officials, or to engage in planning and the estimating of future contingencies involving refugees. Additionally, in spite of the large number of refugee children and orphans, there are no specialists in child welfare, for example, and, in contrast to the military, regular AID and refugee personnel are not stationed below the Provincial level of the South Vietnamese Government.

Moreover, the testimony made clear that most of the current planning for refugees is still based on informal estimates regarding the nature and scope of the refugee problems. There is, for example, no accurate information on the number of refugee camps or centers. Little has been done in the way of surveys to determine more accurately refugee needs in housing, medical care, and education. In the area of education, Mr. Marks candidly stated that he did not know at this point whether the U.S. mission's proposal to the South Vietnamese Government regarding the number of needed temporary classrooms, was in fact a "valid one."

My response to this statement, and to the many similar statements made before the subcommittee over the last 7 months, is simply this—how can we talk about solving a refugee problem if we do not know, or cannot develop, information on the needs of the refugees?

The continued ad hoc nature of refugee operations and the absence of an overall viable policy toward the refugee problem is most clearly reflected in the lack of definitive budgetary information on the part of both AID and the South Vietnamese Government. Beyond emergency and short-term custodial relief, there are apparently no priorities currently given to substantive programs in education, cottage industries, vocational training, resettlement, and the like, even though in education, for example, the percentage of nonrefugee children in school exceeds that of the refugee children by nearly 50 percent. There has also been scant attention paid to refugee political action programs, which are recognized as possible and desirable in an effort to broaden and strengthen allegiance to the South Vietnamese Government among a significant cross section of its citizens.

Although the South Vietnamese Government has introduced some flexibility into its operation, in the main, it is still operating through the same diffuse and cumbersome machinery which existed many months ago. It has done little to recruit and train additional cadre to carry out a viable refugee program in the field. Moreover, little action to enforce whatever national decisions are made, has been taken in the Provinces, where the Province chiefs continue to make the final decisions regarding provisions for refugee assistance.

There is little doubt in my mind that the resolve present on the battlefield is not yet present in the equally important task of nationbuilding and development—in educating the children; in caring for the orphans; in raising standards of health; in establishing cottage industries, vocational training centers, and agricultural programs; and in eradicating popular grievances on which insurgency feeds. I am hopeful that the Honolulu Conference declarations will have generated on the part of both Governments the sense of urgency and resolute action which is needed in all these areas. The task of building in a country besieged by war and violent internal conflict, is admittedly difficult. But without this effort the military venture will not fully achieve its final end, to safeguard and strengthen the political independence of South Vietnam.

AMENDMENT TO FOREIGN ASSISTANCE ACT OF 1961, AS AMENDED

AMENDMENT NO. 497

Mr. KENNEDY of Massachusetts. Mr. President, I wish to introduce at this time for printing an amendment to H.R. 12169, a bill to amend the Foreign Assistance Act of 1961, as amended. The amendment that I propose to the AID supplemental bill relates not only to the present humanitarian needs arising out of the war in Vietnam, but also to the question of future social and economic progress in that country, and perhaps all of southeast Asia.

We are all aware of the plight of the Vietnamese civilian population. The needs of these people have been dramatically described by many returning from Vietnam, including myself. The report of the Refugee Subcommittee that I submitted this afternoon is based on months of hearings in this area; and our recommendations reflect the concern of the subcommittee with the human problem created by war. It is safe to say, Mr. President, that the Senate requires no further detailing of these conditions.

The amendment that I submit and have asked to be printed, will provide a financial resource for programs of assistance to civilians in Vietnam.

The purpose of the amendment is to increase the authorization in chapter III of the AID legislation by $10 million for contributions to international agencies which are helping and assisting in meeting the problems of refugees and the civilian population of Vietnam.

I believe it is proper for the United Nations and institutions within the United Nations to develop humanitarian programs in Vietnam.

For these programs to be successful additional contributions will be needed, hopefully to be made by the United States and hopefully by many other free countries around the world, and even perhaps foundations that are interested in the humanitarian needs of the people in Vietnam.

We have made attempts to alleviate these conditions through our various aid programs. Most recently the statements of the administration following the Honolulu meetings give an indication that, at least at the policy level, it is again our intention to press for greater efforts in meeting the humanitarian needs of the Vietnamese.

I have stated before that we are engaged in a battle for the allegiance of the Vietnamese people. This demands that we move against the social ills of the nation with the same determination that has marked our military activities. But to be realistic, our concern for the social welfare of the people has played a secondary role and to a large extent has been motivated by our overall strategy of war. This motivation, while undoubtedly correct as a matter of strategy, will not be sufficient for the future.

The future stability and peace of Vietnam, and all of southeast Asia, rests heavily on the overall social and economic development of these countries. The role that we can play in bringing this long-run development about has assuredly been damaged by our current activities in Vietnam. Our efforts, no matter how pure our humanitarian intentions, present the opportunity for others to marshal forces against us in that area of the world.

But more than that, the nations of southeast Asia have given definite signs that they wish to meet their own problems through a multinational approach. This decision is understandable in that it guarantees the primacy of Asians in an Asian effort, while calling upon the assistance of other nations without depending on any one.

The creation of the Asian Bank, and our participation in it, is a major indication of the desires of these countries to work through multilateral channels for development. The request for a new title VIII in the 1966 aid legislation is a strong recognition of our intention to meet the social and economic problems of southeast Asia through multilateral and regional programs. Our assistance to Laos, Cambodia, Thailand, and Vietnam, through the United Nations for the development of the Mekong Basin, though relatively unknown, is one of the most productive efforts undertaken to date to assist in the betterment of this part of the world.

Mr. President, subscribing as we do to many nation assistance for the welfare of the people of Asia, I would have expected more imaginative efforts in this regard in meeting the nonpolitical humanitarian problems created by the conflict in Vietnam.

We have recently made a substantial effort to encourage a U.N. political role in the Vietnam conflict.

It seems clear that for the time being, however, there are major obstacles blocking the political and diplomatic involvement of the United Nations. But we and the United Nations and its individual members should not allow this political stalemate to obstruct humanitarian and nonpolitical programs for the people of South Vietnam.

The specialized agencies of the U.N. were established and are maintained to assist suffering people of the world, wherever that is possible and regardless of the political situation. Reliance upon these agencies for assistance in the health, education, sanitation, nutritional, and other needs of the Vietnamese can be requested without in any way calling upon the United Nations to be a party to our struggle. This has been accomplished in the past, and even now many U.N. agencies have small projects in operation in Vietnam.

But a greater effort is required if U.N. assistance is to be felt in a nation that may one day join the community of nations. The needs of the people are urgent, yet the response can be politically neutral. We know that the suffering of Vietnamese women, children, and the aged has been brought about by our military activities as well as by enemy forces.

In armed hostilities neither side can escape blame for the consequences of war—and in a sense, the United Nations and its humanitarian agencies cannot turn away from requests for help in easing the pains of battle inflicted on the innocent.

I recently visited the many agencies of the United Nations, asking whether they could respond if they received valid humanitarian requests for assistance. In no case was I disappointed; in all cases a willingness to assist was expressed, provided financial resources were available. I then discussed this matter with the Secretary of State, and he has undertaken the task of assisting the South Vietnamese Government in preparing such a request.

It is my understanding from the many conversations I have had on this matter that a strong indication of financial support by the Congress would assist the U.N. agencies in getting their programs underway. Once the agencies are assured that a request is forthcoming and a major part of the financial resources are present, hard plans can be developed. It is also possible that our indication of interest in assuming a major part of this burden will attract many of our allies, heretofore reluctant to assist us in our military effort, to at least join with us as contributors to this humanitarian effort.

Again, it should be clear that this request, if granted would in no way involve the United Nations or its agencies as participants in our Vietnam activities. This request would be only for the people of Vietnam; it would recognize the suffering visited upon them, and be a call to other nations to ease that suffering.

It is for this purpose that I submit this amendment to the aid supplemental calling for the additional authorization of $10 million to be expended for humanitarian programs administered by the United Nations in Vietnam.

These funds are not available today, unless they should come from the AID Contingency Fund. The information I have obtained, in speaking with Mr. David Bell, Administrator of AID, is that the contingency funds have already been committed to many programs. Therefore, I feel there is a need to increase the authorization. The amendment also gives a clear congressional intent of this Nation to support the United Nation's activities.

Mr. President, I ask unanimous consent that the amendment be printed in the RECORD.

The PRESIDING OFFICER. The amendment will be received, printed, and will lie on the table; and, without objection, the amendment will be printed in the RECORD.

The amendment (No. 497) was ordered to lie on the table, as follows:

At the end of the bill add the following:

SEC. 4. Chapter 3 of Part I of the Foreign Assistance Act of 1961, as amended, is amended by adding at the end thereof the following new section:

"SEC. 304. Programs of Assistance to Civilians in Vietnam in order to help the United Nations and its specialized agencies, and other international organizations, respond to the social and economic needs of the civilian population of Vietnam, especially the needs of the refugees, in such areas as health, education, sanitation, and nutrition, there is hereby authorized to be appropriated to the

President for use under the authorities of this chapter, in addition to other funds available for such purposes, not to exceed $10,000,000, which shall remain available until expended."

TAX ADJUSTMENT ACT OF 1966

The Senate resumed the consideration of the bill (H.R. 12752) to provide for graduated withholding of income tax from wages, to require declarations of estimated tax with respect to self-employment income, to accelerate current payments of estimated income tax by corporations, to postpone certain excise tax rate reductions, and for other purposes.

TAX CREDITS FOR HIGHER EDUCATION TUITION COSTS—AMENDMENT

AMENDMENT NO. 496

Mr. RIBICOFF. Mr. President, I send to the desk an amendment to H.R. 12752, the Tax Adjustment Act of 1966, and ask that it be printed.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table.

Mr. RIBICOFF. Mr. President, I intend to call this amendment up at a later date. This amendment is cosponsored by Senators DOMINICK, ALLOTT, BENNETT, BREWSTER, CANNON, CASE, DODD, FANNIN, FONG, GRUENING, HARRIS, HART, JACKSON, JORDAN of Idaho, LONG of Missouri, MAGNUSON, MCINTYRE, MORTON, MUNDT, MURPHY, PEARSON, PROUTY, PROXMIRE, RANDOLPH, SCOTT, SIMPSON, THURMOND, and TOWER.

This amendment will provide an income tax credit for college tuition costs. With one difference—the effective date—the provisions are identical to S. 12, which I introduced last year and which is cosponsored by 37 other Members of this body. In substance, it is identical to the proposal I offered as an amendment to the 1964 tax bill. That amendment was narrowly defeated by a 45 to 48 vote.

The credit is based on the first $1,500 paid for tuition, fees, books, and supplies for any student at an institution of higher education. The amount of the credit is 75 percent of the first $200, 25 percent of the next $300, and 10 percent of the next $1,000. The maximum credit is $325.

The credit is not a deduction. It is a subtraction from the amount of taxes an individual would otherwise pay. It is subtracted at the end after he has computed his tax liability. Thus, because each $1 of credit reduces a person's tax by $1, the tax relief is provided uniformly without regard to the taxpayer's bracket.

Thus, while a deduction or exemption saves a $15,000-a-year man more tax dollars than one who earns $5,000, a tax credit saves both the same number of dollars.

Further, my proposal provides that the amount of credit is reduced by 1 percent of the amount by which the taxpayer's adjusted gross income exceeds $25,000. Thus, for each $5,000 of adjusted gross income above $25,000, $50 is subtracted from the credit otherwise available. In this manner, the credit gives less dollar benefit to upper middle income groups and no benefit at all to high-income groups.

I ask unanimous consent that a table showing the dollar benefits provided by my amendment be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Dollar benefit under Ribicoff bill providing tax credit on 1st $1,500 of tuition, fees, books, and supplies at an institution of higher education

	Adjusted gross income up to—							
	$25,000	$30,000	$35,000	$40,000	$45,000	$50,000	$55,000	$60,000
Tuition per student:								
$100	$75	$25	0	0	0	0	0	0
$200	150	100	$50	0	0	0	0	0
$300	175	125	75	$25	0	0	0	0
$400	200	150	100	50	0	0	0	0
$500	225	175	125	75	$25	0	0	0
$600	235	185	135	85	35	0	0	0
$700	245	195	145	95	45	0	0	0
$800	255	205	155	105	55	$5	0	0
$900	265	215	165	115	65	15	0	0
$1,000	275	225	175	125	75	25	0	0
$1,100	285	235	185	135	85	35	0	0
$1,200	295	245	195	145	95	45	0	0
$1,300	305	255	205	155	105	55	$5	0
$1,400	315	265	215	165	115	65	15	0
$1,500	325	275	225	175	125	75	25	0

Mr. RIBICOFF. Mr. President, the credit is available to anyone who pays tuition expenses. It is thus available to students who are working to put themselves through school and pay their own expenses; it is available to parents putting their children through; it is available to other relatives; and it is available to those who would like to help a deserving student.

Parents would benefit from the credit regardless of the number of children in college. Thus, a parent with two children in college, each paying $500 for tuition, could receive a credit on the total $1,000 paid. The credit is available on the total amount paid up to $1,500 for a taxpayer, even if the parent has more than one child in college.

Mr. President, the concept of tax relief to ease the burden of higher education has been advanced many times in the past. In the past decade, over 400 bills have been introduced in this and the other body. In the last Congress alone, 19 bills of this nature were introduced in the Senate and over 100 in the House.

I first proposed tax relief for college expenses 3 years ago in a speech on this floor.

Sometime we must squarely face the issue of providing tax relief to ease the heavy burden of college costs.

The people who are in desperate need of the relief provided by this bill are the lower and middle income groups of the United States. The bill is designed to provide them with the relief they need. The wealthy need no relief, and this bill gives them none.

Each year the costs of going to college increase. From all the evidence, these costs will continue to increase. As they do, the burden will continue to fall more and more heavily upon those very people who constitute the backbone of America—the blue-collar workers, the white-collar workers, the wage earners, the salaried persons of the lower and middle income groups—who are struggling to pay their bills, buy their homes, and educate their children. These are the people who pay their taxes and for whom a $10,000 burden to educate a child—multiplied by several children—over a few short years constitutes one of the major financial burdens of their lifetime. Let us look at the record.

In 1955, there were 2,260,000 college students working toward degrees. Today, there are 5,526,000 college students working toward college degrees. In 1970, there will be over 7,225,000. By 1974, college enrollments will top 8½ million.

The increased enrollment figures will mean that both public and private institutions alike must continue to expand their facilities. This will in turn mean increased tuition costs.

At the same time, man's ever-increasing knowledge of the universe and the great technological advances of the 20th century will also continue to push up the cost of education. Advancing the frontiers of knowledge—and passing that information on to students—by its very nature grows more expensive. Ben Franklin could experiment with a kite and key, but today's universities require atomic accelerators, mass spectrometers, and other sophisticated equipment.

Thus, in 1955, the median tuition and required fees for a full-time undergraduate student at a public institution of higher learning was $139; at a private college $438. By 1964, these figures had increased to $191 and $734, respectively. By 1971, the Office of Education estimates these figures will be $353 in a public institution and $1,115 at a private institution.

This, of course, is not the total cost of sending a child to college. The average total cost for the academic year ending in 1965 is estimated to be $1,560 for a public college and $2,370 for a private college. In the year ending 1967, these figures will go up to $1,640 and $2,570. By 1970, they will rise to $1,840 and $2,780. For many, the cost is already over $3,000 a year.

What does all this mean to the average workingman earning between $3,000 and $10,000 a year and with three or four children to educate? Simply stated, it means a financial crisis. A man with three or four children can reasonably expect expenses of $30,000 to $40,000 to put those children through college.

I believe that today this is an impossible burden. And families in the $3,000 to $10,000 income group represent 62 percent of all the families in America.

But, some argue, such families will get relief through scholarship aid. Let us look at the facts.

The September 20, 1965, issue of U.S. News & World Report contained a fascinating table—a table which showed the amounts most colleges expect a family to contribute to their children's education. The table was prepared by the College Scholarship Service, and it will be widely used by colleges and universities in considering applications for scholarships and other financial aid.

I ask unanimous consent that this table be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

How much can a family afford to spend on a child's college education, in relation to income and other dependent children still living at home? You get an idea from a new set of estimates that will be widely used by colleges in considering applications for scholarships and other financial aid.

Spending on college: The estimates are those of the College Scholarship Service. The CSS assists many major universities and colleges in determining which students are entitled to first call on available financial help. The following table shows amounts that families are expected to contribute annually from current income if they have only one child in college:

Income before taxes	Number of other dependent children in family—				
	None	1	2	3	4
$4,000	$290	$100	----	----	----
$6,000	790	550	$350	$220	$130
$8,000	1,290	980	740	570	440
$10,000	1,860	1,490	1,150	920	750
$12,000	2,450	2,050	1,650	1,370	1,130
$14,000	3,200	2,680	2,220	1,890	1,590
$16,000	3,970	3,360	2,850	2,470	2,130

Mr. RIBICOFF. Mr. President, you will note that a man having a gross annual income of $6,000—with one child in college and no other dependents save his wife—is expected to contribute $790 a year from his income before his child is entitled to scholarship assistance. Such a person, earning $6,000 and taking the standard deduction, pays an income tax of $552. This leaves only $5,448 net income each year, and you can imagine the burden on such a person.

The wage earner with an $8,000 income would have a net income of $7,114, and out of that sum he is expected to pay $1,290 toward college expenses.

An examination of this table will show most graphically, the average American family's real expenses.

I emphasize that 62 percent of the benefits under this amendment goes to families earning between $3,000 and $10,000; 91 percent of the benefits goes to families below $20,000 of income.

Mr. President, last year we enacted the Higher Education Act of 1965—a landmark in American education progress. During the Senate's consideration of the bill, I engaged in a colloquy with the distinguished Senator from Oregon [Mr. MORSE]. I said at that time that I would not raise my tax credit proposal as an amendment to the Higher Education Act, because I wanted to do nothing to endanger the prospects of the act or delay its passage.

We passed the bill, and we provided 140,000 scholarships for needy students. These scholarships represent a breakthrough in American education—and provide real help for low-income families. Now is the time to take the next step—and provide meaningful relief for the millions of American families who have received no help. Now is the time to provide a tax credit for college expenses.

It will be argued by some that if scholarships are not available, people can borrow the money. To the workingman with a mortgage on his house, the thought of borrowing many more thousands is not a pleasant one and may indeed be practically impossible. Further, should our young people graduating from college—at the beginning of their lives, about to marry and have children—be forced to begin many thousands of dollars in debt?

Last December the interest rates throughout the country were again boosted by one-half of 1 percent.

The distinguished junior Senator from Louisiana [Mr. LONG], who is the manager of this bill and will oppose this amendment, stated the case well in a colloquy with Secretary Fowler at the hearings on the proposed Tax Adjustment Act of 1966, when he stated that:

> An increase in interest rates of one-half of 1 percent, when passed on throughout the economy, means about a $7 billion tax on the rank and file of the people, the working class—generally speaking, the middle and lower income classes of people.

These are exactly the people I am trying to help. If the rise in interest rates cost them $7 billion this year, surely we can give them $1 billion in tax relief.

It has been said that this proposal would discriminate against the public university. This is simply not the case. While the dollar amount of relief would be higher at most private colleges, the percentage of relief would be higher at State and land-grant institutions. For instance, the credit on a $200 expense is $150—75 percent. The credit on a $1,000 expense is $275—only 27 percent. Even where a college charges no tuition, the expense of fees, books, and supplies invariably totals $200 or more. Thus, the fact is the bill favors the low-tuition colleges, most of which are public colleges.

It is, of course, true that the credit on $1,000 tuition is more dollars than the credit on $200 tuition. However, every credit and deduction in the Internal Revenue Code operates the same way. The investment credit, for example, gives greater dollar benefits to a man who buys a $100,000 machine than to a man who buys a $10,000 machine, but this of course is in no way discriminatory.

My amendment uses a sliding scale formula, which computes the greatest percentage of credit on the lowest amount of tuition. I have prepared a table showing what the dollar benefit of the credit would be on tuition, fees, books, and supplies at most of the State universities and land-grant colleges of America. The tuition and fee figures were supplied by the Department of Education. They apply to academic year 1964-65. To these have been added the Office's $90 estimation for books and supplies. I ask unanimous consent to add this table to the end of my remarks.

The PRESIDING OFFICER. There being no objection, it is so ordered.

(See exhibit 1.)

Mr. RIBICOFF. Mr. President, in terms of the total benefits provided to the Nation as a whole, an increasing amount would go into State universities and land-grant colleges both as they make inevitable tuition increases, and as an increasing percentage of America's college population attends these colleges.

The tuition tax credit would further aid American education by allowing students to choose their colleges on the basis of their individual academic requirements, rather than simply economic necessity.

It is a disturbing trend, disturbing to all of us who are interested in education—public and private—that more and more of our students are compelled to go to public institutions and a smaller and smaller percentage can afford private colleges. In 1950, the ratio between public universities and those attending private colleges was 50-50. In the fall of 1955, 44 percent enrolled in private institutions. At the present time the figure has fallen to 34 percent. This trend is disturbing because it indicates the increasing danger of destroying the diversity which has made American education great. This trend represents a growing expense for the taxpayers of this country. They must continue to build public facilities at a rapid rate, and to support a disproportional enrollment rate at public institutions. Besides the costs of buildings, the taxpayer must pay an increasingly heavy local tax to subsidize each additional student at a public university.

Many parents feel there is a great value in sending their children away from home to college. Those who seek a middle ground economically by sending their child to an out-of-State public university will reach a rude awakening as the years progress. With few exceptions, tuition costs at public universities have been increased in the last 2 years—for out-of-State students, in particular. The tuition fees charged out-of-State students exceed $1,000 in a number of universities already.

My proposal for tuition tax credits will not lead to increased tuition costs. The credit is available only for tuition paid to nonprofit institutions will therefore set their fees to raise the money they need, not what the traffic will bear. My proposal for tax credits will only help the great majority of hard-working Americans to face those increases which inevitably are going to come. I ask unanimous consent that an excerpt from a pamphlet prepared by the Department of Health, Education, and Welfare on college costs be printed at this point in the RECORD.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

> We have entered an age in which education is not just a luxury permitting some men an advantage over others. It has become a necessity without which a person is defenseless in this complex, industrialized society. * * * We have truly entered the century of the educated man."—President Lyndon B. Johnson, April 1964.
>
> First things first. A high school student who plans to go to college should first determine which college has the courses of study best suited to his needs or career plans. Since the student should feel at home in his school, other considerations are also important—whether the college is in a rural environment or a city, whether it is large or small, coeducational or not. The next step is to find out in detail the college entrance requirements, and prepare to met them. And, for many students, there is the matter of money:

The average cost

Expenses	High-cost private college	Low-cost private college	High-cost public college	Low-cost public college (primarily commuters)
Total	$3,200	$1,850	$1,800	$1,050
Tuition and fees	1,500	550	300	100
Room	400	200	300	0
Meals on campus	500	400	500	200
Books and supplies	150	150	150	150
Transportation	250	150	150	200
Personal and miscellaneous	400	400	400	400

> Paying for college: A number of private groups, institutions, and organizations offer financial assistance to qualified college students. The U.S. Department of Health, Education, and Welfare and other Government agencies also provide financial aid for study in specific areas. This pamphlet is a guide to the four major financial aid programs of the U.S. Office of Education, and is intended for students in any course of study.

Mr. RIBICOFF. It has been said by some that this tax credit proposal will not help those who are so poor that they pay no taxes.

Neither does the tax relief for high medical expenses or losses from fire, theft, windstorms, or bad debts, which are necessary parts of our tax law.

Moreover, the College Scholarship Service reported that the median family income of students applying for scholarships was $8,436. With assistance from the tuition tax credit, many students now receiving partial scholarships could forgo that assistance—release to each and every college in the land large amounts of scholarship funds to help the truly destitute.

As far back as 1958, John F. Meck, vice president of Dartmouth College stated at congressional hearings:

> Most parents in the $8,000 to $10,000 and even the $12,000 a year brackets, who now require partial scholarships in order to keep their children in college would be able to forgo these scholarship funds, thus making them available for children coming from homes of less financial ability.

Further, this proposal would generate new scholarship assistance. Under present law, no tax benefit is available to a person or business who gives a scholarship to a person he designates.

Contributions or gifts must be given to a particular university or charity. My bill gives a tax benefit to anyone who pays the tuition of another, thus encouraging persons to help poor but deserving boys and girls in their own communities. Colleges and universities might well prevail upon alumni to "adopt" deserving students in financial distress. This technique has been used by charities for many years with great success and would certainly work in this context.

Tax relief is a logical method of providing financial assistance to college students. It supplements scholarships, which I have long supported, but does not replace them. As long as the tax credit grants tax relief for medical and casualty expenses, families burdened with high college costs are entitled to similar relief, especially in view of the positive effect of college education upon our country's culture and economy. It is a method of relief that is completely nondiscriminatory and is easily administered without additional governmental expense.

Several months ago, the Secretary of the Treasury pointed out that for 5 years this Nation has experienced economical expansion without parallel in our peacetime industry. He pointed out, and rightly so, that these impressive economic gains did not simply happen. It was sparked in 1962 by two major fiscal steps. First, the Treasury greatly liberalized depreciation for tax purposes. Second, a tax credit of 7 percent on new investments on machines and equipment was included as a key element in the Revenue Act of 1962.

How has the investment credit worked? In 1962, 249,000 corporate returns claimed $834 million in tax credits. In 1963, the amount of investment credits were more than $1 billion. Since then, the figure is estimated to have risen over the $2 billion mark.

The Treasury Department has estimated that my proposal would provide $1.3 billion in tax credits in 1970. I believe that an investment in American education is just as important as an investment in American machines. It is education that, in the long run, will provide the future strength of our Nation.

A Nation that can afford billions in tax credits for investments in machines can afford $1 billion in 1968 for education. It can certainly afford tax credits to help those classes of Americans that struggle to pay their own way—the farmer, the blue collar worker, the man on the assembly line, the clerks and storekeepers, the gas station operators, the telephone lineman, and all the others who are the backbone of America.

It will be noted that the effective date on this amendment is for taxable years beginning after December 31, 1966. Therefore, it will apply only to tuition paid in 1967 and thereafter. It would first appear on tax returns filed in 1968, and would therefore have no affect on the money which this tax bill raises for fiscal years 1966 and 1967. It will not affect the money raised by this bill to fight the war in Vietnam.

It is education that is our long-run hope, and by 1968 this is an investment that the American people must make.

EXHIBIT 1

Dollar benefit of Ribicoff tax credit bill on tuition, fees, and books at State universities and land-grant colleges

	Resident		Nonresident	
	Tuition, fees, and books	Dollar benefit of tax credit	Tuition, fees, and books	Dollar benefit of tax credit
Alabama A. & M.	$280	$170	$400	$200
Auburn University	390	198	690	244
University of Alabama	390	198	740	249
University of Alaska	323	180	623	237
Arizona State University	320	180	740	249
University of Arizona	304	176	954	270
Arkansas A. & M.	270	168	470	218
University of Arkansas	290	173	560	231
University of California	310- 356	178- 190	910- 956	266- 271
Colorado State University	426	207	1,011	276
University of Colorado	448	212	1,196	295
University of Connecticut	280	170	680	243
Delaware State College	250	163	550	230
Florida A. & M.	270	168	620	237
University of Florida	$316	$179	$666	$242
Florida State University	316	179	666	242
Fort Valley State College	330	183	630	238
Georgia Institute of Technology	399	200	1,089	284
University of Georgia	350	188	695	245
University of Hawaii	336	184	336	184
University of Idaho	274	169	584	233
Southern Illinois University	240	160	480	220
University of Illinois	360	190	710	246
Indiana University	420	205	900	265
Purdue University	420	205	1,040	279
Iowa State	382	196	582	233
University of Iowa	430	208	860	261
Kansas State University	334	184	664	241

EXHIBIT 1

Dollar benefit of Ribicoff tax credit bill on tuition, fees, and books at State universities and land-grant colleges—Continued

	Resident		Nonresident	
	Tuition, fees, and books	Dollar benefit of tax credit	Tuition, fees, and books	Dollar benefit of tax credit
University of Kansas	$334	$184	$664	$241
Kentucky State College	285	171	435	209
University of Kentucky	310	178	610	236
Louisiana State University	260	165	560	231
University of Maine	515	227	915	267
University of Maryland	436	209	566	232
Maryland State College	291	173	441	210
Massachusetts Institute of Technology	1,790	325	1,790	325
University of Massachusetts	414	204	814	256
Michigan State University	418	205	964	271
University of Michigan	380	195	1,020	277
Rutgers (New Jersey)	596	235	832	258
New Mexico State University	352	188	662	241
University of New Mexico	390	198	660	241
Cornell University	1,890	325	1,890	325
State University of New York	560- 610	231- 236	760- 810	251- 256
North Carolina Agricultural and Technical	426	207	678	243
University of North Carolina	375	194	800	255
North Carolina State College	427	208	852	260
North Dakota State University	390	198	660	241
University of North Dakota	390	198	660	241
Kent State (Ohio)	486	222	816	256
Miami University (Ohio)	510	226	1,060	281
Ohio State University	465	216	960	271
Wayne State University	450	213	896	265
University of Minnesota	405	201	870	262
Alcorn A. & M. (Mississippi)	276	169	476	219
Mississippi State University	384	196	784	253
University of Mississippi	370	193	770	252
Lincoln University (Missouri)	233	158	348	187
University of Missouri	340	185	690	244
Montana State College	$420	$205	$758	$251
University of Nebraska	354	189	690	244
University of Nevada	351	188	951	270
University of New Hampshire	494	224	1,039	279
Ohio University	540	229	940	269
Langston University (Oklahoma)	279	170	537	229
Oklahoma State University	314	179	666	242
University of Oklahoma	314	179	666	242
Oregon State University	420	205	990	274
University of Oregon	420	205	990	274
Pennsylvania State University	615	237	1,140	289
University of Puerto Rico	247	162	247	162
University of Rhode Island	430	208	930	268
Clemson College (South Carolina)	576	233	826	258
South Carolina State College	380	195	610	236
South Dakota State College	387	197	655	241
State University of South Dakota	392	198	660	241
University of Tennessee	315	179	615	237
Prairie View A. & M. (Texas)	244	161	544	229
Texas A. & M. University	260	165	560	231
Texas Technical College	240	160	540	229
University of Texas	234	159	534	228
Utah State University	321	180	501	225
University of Utah	390	198	585	234
University of Vermont	665	242	1,665	325
Virginia Polytechnic Institute	480	220	870	262
Virginia State College	476	219	656	241
University of Virginia	517	227	1,027	278
University of Washington	390	198	690	244
Washington State University	390	198	675	243
West Virginia University	322	181	852	260
University of Wisconsin	390	198	1,090	284
University of Wyoming	488	222	804	255

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. RIBICOFF. I yield.

Mr. CARLSON. Mr. President, I commend the distinguished Senator from Connecticut for offering this amendment to authorize tax credits for those families who have boys and girls in college.

I can think of no other person who is better qualified to discuss that problem or to present it to the Senate than is the distinguished Senator from Connecticut, who served as Secretary of that great, executive department of the Government, the Department of Health, Education, and Welfare.

The Senator from Connecticut, while the Secretary of the Department of Health, Education, and Welfare, dealt with all of the educational problems of the Nation. He is, therefore, particularly well qualified to present this proposal today.

I share the concern of the Senator with regard to the future welfare of this Nation because of educational problems. I believe that the future strength and development of our great democracy will be helped by continued education for our youth.

I commend the Senator for offering his amendment.

Mr. RIBICOFF. Mr. President, I thank the distinguished Senator from Kansas.

I am deeply concerned at, in all of the legislation we pass, our lack of concern for the middle income group.

We are concerned with people at the poverty level, and we should be. I support such legislation. We are concerned with poor people who need scholarships, and I support such legislation. We are concerned with large corporations and oil depletion allowances, some of which legislation I support and some of which I do not.

However, Congress and the executive branch of our Government, year in and year out, neglect the tax problems, and the need for tax relief for the middle-income group.

The middle-income group is the backbone of America. These people are not looking for handouts. They are not looking for any favors. They are proud people. They pay their own bills and look for no assistance from the Government. They sacrifice to support and educate their families.

These hardworking people in the $5,000 to $10,000 a year income bracket raise their children, and their great hope and ambition is to see their children receive a college education.

When many of these people are middle aged, their children are ready for college. They then experience a great financial squeeze and must sacrifice for their children. As the figures and tables which I have had printed in the RECORD indicate, they are required to pay such large sums of money for their children to go to college that it becomes a practical impossibility.

In view of all the tax credits, deductions, and loopholes which exist in our tax laws, I am rather shocked that the executive branch of our Government continues to resist the giving of assistance to these people who are the backbone of America.

The time has come to do something for the middle-income families of the Nation. Proposals have been made year after year. This proposal was made 2 years ago. It was narrowly defeated at that time.

I hope the Senate agrees to this amendment this year. However, I assure the Senate that, as long as I am a Senator, I will bring this matter up year after year until it meets with success. I am sure that the time will come when Congress and the executive branch of the Government will recognize that something must be done to alleviate the financial burdens of the middle-income families of America who, through self-respect, want to pay their own expenses in educating their children in the colleges of this country.

ORDER FOR ADJOURNMENT UNTIL MONDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, when the Senate completes its business this afternoon, it stand in adjournment until 12 o'clock noon on Monday.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ESTATE OF BART BRISCOE EDGAR, DECEASED

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 992, H.R. 3076.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 3076) for the relief of the estate of Bart Briscoe Edgar, deceased.

Mr. MANSFIELD. Mr. President, this bill has been cleared on both sides, and that is the reason for calling it up at this time.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H.R. 3076) was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1017), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the proposed legislation is to pay to the estate of Bart Briscoe Edgar, deceased, the sum of $5,000 in full settlement of the claims against the United States for the death of Bart Briscoe Edgar which resulted from injuries sustained when he was struck by a U.S. Army truck.

STATEMENT

A similar bill, accompanied by House Report No. 523 of the 88th Congress, was reported favorably by the House Judiciary Committee. The facts surrounding this legislation are contained in House Report No. 93 on H.R. 3076, and are as follows:

"Evidence adduced before the subcommittee which considered the merits of this bill disclosed that the Army truck which struck Mr. Edgar was one of a convoy of 10 trucks en route to St. Petersburg, Fla., via the Gandy Bridge. The convoy was proceeding across the bridge when a civilian vehicle owned by the General Foods Sales Co. and going in the same direction attempted to pass the convoy. As it attempted to pass, a car approached from the opposite direction causing the civilian driver to move to his right on the narrow bridge. This, in turn, caused the driver of the Army truck to swerve to his right to avoid a collision with the civilian vehicle. As he did so, the truck struck Mr. Edgar, who was fishing from the side of the bridge. Mr. Edgar died the following day from the injuries received.

The widow, Mrs. Bessie Irene Edgar, filed an administrative claim with the military authorities for damages arising out of the injury and death of her husband. The claim was disapproved by the local commanding officer on the ground that there had been no negligence on the part of the Army driver, the accident being unavoidable. Mrs. Edgar appealed this decision to the Secretary of War. The appeal was denied because in the meantime Mrs. Edgar had received a settlement in the amount of $3,500 from the Hartford Accident & Indemnity Co. under its coverage of the General Foods Sales Co. and had executed documents releasing the civilian driver and the General Foods Sales Co. Such settlement with release operated under Florida law to bar further recovery from the Government as a joint tort-feasor.

Mrs. Edgar has stated that the settlement was accepted because she was in distressed circumstances with medical and funeral bills to pay, and a minor child to raise; she was given to understand the defense of the General Foods Sales Co., that the accident was due entirely to the negligence of the Army truckdriver, might be good; and she had been informed that she could proceed against the Government.

The Department of Justice and the Department of the Army are opposed to the bill on the ground that the estate of Bart Briscoe Edgar had its day in court and, to grant the proposed relief would nullify the provision of the Federal Tort Claims Act, which declares that claims against the United States must be determined by the law of the place where the act or omission occurred. It may be noted that the Federal Tort Claims Act was not enacted until August 2, 1946, which was more than a year after Mr. Edgar's death and some 2 months after the widow signed the releases referred to above. The act, however, provided for retroactive application to January 1, 1945.

In April 1950, Mrs. Edgar did file a suit under the Federal Tort Claims Act against the United States in the District Court for the Southern District of Florida for $75,000 because of the death of her husband. On January 13, 1953, the court rendered a summary judgment in favor of the United States on the ground that it was the law of Florida, that a release of one tort-feasor released all others who may have negligently contributed to the injury.

FOREST ROADS

Mr. JORDAN of Idaho. Mr. President, there has been much recent discussion of the transportation needs of America. But, in this discussion an important shortcoming of our national transportation system has received no mention. I refer to the inadequacy of our forest roads system. There is a demonstrable need for accelerated expansion of this system.

In 1962 the late President Kennedy submitted to Congress a 10-year program for roads in the national forests. He envisioned a system which would serve multiple objectives including the expanded use and management of resources and the enhancement of recreational and esthetic values. Unfortunately, the roads authorizations for fiscal years 1963 to 1967 lag behind the planned program by $169 million. With a continuing rise in construction costs it is conservatively estimated that at the current rate of appropriations several decades will pass before an adequate transportation system can be built in our national forests.

This year Congress will consider authorizations for forest roads and trails for fiscal years 1968 and 1969. There is ample evidence to justify increasing expenditures for this program to a level substantially above that of the recent past.

An expanded system of mainline, multipurpose conservation roads would enlarge recreational opportunities fulfilling a need which is difficult to measure in dollars. The President's message on transportation emphasized the necessity for coordination and creativity to meet the growing transportation requirements dictated by urbanization. However, the explosion of population and growth in leisure time which contribute essentially to urban problems also have their effect on regions far removed from city streets. This effect is felt in vastly increased recreational pressures on areas where city people go to experience the values of the great outdoors. There are more hunters, fishermen, campers, skiers, boaters, hikers and just people who want to look at natural scenery now than ever before. Our campgrounds are already overcrowded. To deal with this recreation explosion there are simply not enough roads to expand access in order to diffuse and distribute the pressure. Furthermore, the inaccessibility of much of our forest land results in damage to recreational and esthetic values through losses by fire, disease and the deterioration of trees due to age.

Opening up more of our forest lands with high standard roads will provide significant aid to thorough conservation management. Conservation in its truest sense implies wise use of resources, not a hands-off policy. A forest, like a garden, will not flourish without proper care. And this care involves not only nurturing healthy growth but also selective harvesting.

It must be recognized that transportation development and economic growth are interdependent. Millions of board feet of timber in mature and overmature trees are now being wasted because lack of access makes logging economically inoperable. A bigger and better forest roads system would curtail this waste and furnish an immense economic stimulus by providing the means to meet growing demands for forest products. It would encourage mining development and improve conditions for livestock transportation.

Controlled, conservation-oriented resource development which would follow the construction of multipurpose forest trunklines would result in the creation of new employment opportunities and in the improvement of the overall prosperity of communities near forested areas. New tax revenues would become available to counties and all other levels of Government. The processing and marketing of new supplies of food, fiber and ores would influence the economy far beyond local boundaries.

Interpretation of the Land and Water Conservation Fund Act of 1965 seems to preclude applying moneys from this fund to improving roads in national forests. Trying to finance such roads by requiring timber operators to build them places an unfair burden on a single user. And timber operators generally are not in a position to finance the building of high-standard mainline conservation roads designed to serve the concept of multiple use.

Therefore the fairest and most effective way to meet the need for these roads is through Federal appropriations from general funds. Advantages of an expanded forest road system to recreation, conservation, and development far outweigh reservations about increasing the expenditures for construction. In the long run, forest road expansion will more than pay for itself.

The Legislature of the State of Idaho has forwarded a joint memorial urging the Congress of the United States to act promptly and affirmatively on this matter.

I ask unanimous consent that Senate Joint Memorial 1, recently passed by the Legislature of the State of Idaho, be printed in the RECORD at this point.

There being no objection, the memorial was ordered to be printed in the RECORD, as follows:

SENATE JOINT MEMORIAL 1

Joint memorial to the honorable Senate and House of Representatives of the United States in Congress assembled

We, your memorialists, the Legislature of the State of Idaho, respectfully represent that:

Whereas the lack of an adequate transportation system is the greatest deterrent to the full use of the natural resources in the national forests in the State of Idaho; and

Whereas under the present rate of road construction, it will take 100 years to complete an adequate national forest conservation road transportation system: Now, therefore, be it

Resolved by the 2d extraordinary session of the 38th session of the Legislature of the State of Idaho now in session (the Senate and House of Representatives concurring), That we most respectfully urge the Congress of the United States of America to proceed at the earliest possible date to enact the necessary legislation to authorize the financing of primary national forest conservation roads from the general funds of the U.S. Treasury and to provide an appropriation commensurate with the urgency of the demonstrated need; and be it further

Resolved, That the secretary of state of the State of Idaho be, and he hereby is authorized and directed to forward certified copies of this memorial to the President and Vice President of the United States, the Speaker of the House of Representatives of the Congress, and to the Senators and Representatives representing this State in the Congress of the United States.

COURT RULES CHRONIC ALCOHOLIC NOT CRIMINAL

Mr. JAVITS. Mr. President, in connection with the bill to treat alcoholism as a disease—which it is, the fourth most lethal disease in the country—the U.S. Fourth Circuit Court of Appeals recently held that a chronic alcoholic cannot be stamped as a criminal "if his drunken public display is involuntary as the result of the disease." The court pointed out that the decision does not preclude appropriate detention of the alcoholic for treatment and rehabilitation so long as he is not marked a criminal. It was also emphasized that an intoxicated person in a public place might be arrested, but criminal prosecution if the individual is a chronic alcoholic would "affront the eighth amendment as cruel and unusual punishment."

The decision in this important case underscores the fact that alcoholism is the fourth most serious health problem in the Nation and that the alcoholic should be given medical attention.

I ask unanimous consent to have printed in the RECORD at this point the decision of the U.S. Court of Appeals for the Fourth Circuit in the case of Joe B. Driver against Arthur Hinnant, superintendent of the Halifax County Prison unit of North Carolina State Prison Department, decided January 22, 1966.

There being no objection, the decision was ordered to be printed in the RECORD, as follows:

[In the U.S. Court of Appeals for the Fourth Circuit, No. 10,166]

JOE B. DRIVER, APPELLANT, VERSUS ARTHUR HINNANT, SUPERINTENDENT HALIFAX COUNTY PRISON UNIT OF THE NORTH CAROLINA STATE PRISON DEPARTMENT, APPELLEE

(Appeal from the U.S. District Court for the Eastern District of North Carolina, at Raleigh. Algernon L. Butler, chief district judge)

Argued December 7, 1965. Decided January 22, 1966. Before Bryan and Bell, circuit judges, and Maxwell, district judge.

Anthony Mason Brannon (Brannon & Read on brief) for appellant, and Theodore C. Brown, Jr., assistant attorney general of North Carolina (T. W. Bruton, attorney general of North Carolina, on brief) for appellee. The American Civil Liberties Union, the National Capital Area Civil Liberties Union, and the Washington Area Council on Alcoholism submitted a brief as amici curiae.

ALBERT V. BRYAN, circuit judge. The question is whether a chronic alcoholic, as appellant Joe B. Driver has proved and confesses to be, can constitutionally be criminally convicted and sentenced, as he was for public drunkenness.

Admitting the truth of the charge under the North Carolina statute, he grounded his defense on the 8th amendment, applied to the States under the due process clause of the 14th, barring the infliction of "cruel and unusual" punishment. His argument may be condensed in this syllogism: Driver's chronic alcoholism is a disease which has destroyed the power of his will to resist the constant, excessive consumption of alcohol; his appearance in public in that condition is not his volition, but a compulsion symptomatic of the disease; and to stigmatize him as a criminal for this act is cruel and unusual punishment.

This plea failed in the State courts. (*State* v. *Driver*, 262 NC 92, 136 SE2d 208(1964).) Thereupon he unsuccessfully petitioned the Federal district court for habeas corpus to procure release from imprisonment ordered on his sentence. (*Driver* v. *Hinnant*, 243 F. Supp. 95 (1965).)

We find merit in his petition. Accordingly we must vacate the judgment on review and remand for the further proceedings later outlined.

The State statute is North Carolina General Statute 14–335 reading as follows:

"If any person shall be found drunk or intoxicated on the public highway, or at any public place or meeting, in any county herein named, he shall be guilty of a misdemeanor, and upon conviction shall be punished as is provided in this section:

"12. In Durham County by a fine, for the first offense, of not more than $50, or imprisonment for not more than 30 days; for the second offense within a period of 12 months, by a fine of not more than $100, or imprisonment for not more than 60 days; and for the third offense within any 12 months' period such offense is declared a misdemeanor, punishable as a misdemeanor within the discretion of the court."

As more than a three-time repeater in Durham County, driver was sentenced to imprisonment for 2 years for each of two offenses occurring on December 18 and 19, 1963, respectively, the terms running concurrently. While he pleaded guilty, the evidence taken as a guide to an appropriate sentence conclusively proved him a chronic alcoholic, his inebriation in public view an involuntary exhibition of the infirmity. The district judge had no doubts about it. Actually, it is a concessum in the case.

Driver was 59 years old. His first conviction for public intoxication occurred at 24. Since then he has been convicted of this offense more than 200 times. For nearly two-thirds of his life he has been incarcerated for these infractions. Indeed, while enlarged on bail pending determination of this appeal, he has been twice convicted for like violations.

Thus the question here is beyond the difficult determination of whether an accused is a chronic alcoholic. Our discussion and decision, it must be recalled throughout, presuppose an indisputable finding that the offender is a "chronic alcoholic." As defined by the National Council on Alcoholism, he is a "person who is powerless to stop drinking and whose drinking seriously alters his normal living pattern."[1]

The American Medical Association defines "alcoholics" as "those excessive drinkers whose dependence on alcohol has attained such a degree that it shows a noticeable disturbance or interference with their bodily or mental health, their interpersonal relations, and their satisfactory social and economic functioning."[2] The World Health Organization recognizes alcoholism "as a chronic illness that manifests itself as a *disorder of behavior.*"[3] (Accent added.) It is known that alcohol can be addicting,[4] and it is the addict—the involuntary drinker—on whom our decision is now made.[5] Hence we exclude the merely excessive—steady or spree—voluntary drinker.

This addiction—chronic alcoholism—is now almost universally accepted medically as a disease.[6] The symptoms as already noted, may appear as "disorder of behavior." Obviously, this includes appearances in public, as here, unwilled and ungovernable by the victim. When that is the conduct for which he is criminally accused, there can be no judgment of criminal conviction passed upon him. To do so would affront the Eighth Amendment, as cruel and unusual punishment in branding him a criminal, irrespective of consequent detention or fine.[7]

Although his misdoing objectively comprises the physical elements of a crime, nevertheless, no crime has been perpetrated because the conduct was neither actuated by an evil intent nor accompanied with a consciousness of wrongdoing, indispensable ingredients of a crime. (*Morissette* v. *United States*, 342 U.S. 246, 250–52 (1952).) Nor can his misbehavior be penalized as a transgression of a police regulation—malum prohibitum—necessitating no intent to do what it punishes. The alcoholic's presence in public is not his act, for he did not will it. It may be likened to the movements of an imbecile or a person in a delirium of a fever. None of them by attendance in the forbidden place defy the forbiddance.

---

[1] Public Health Service Publication No. 760, "Alcoholism," prepared by the National Institute of Mental Health, National Institutes of Health, U.S. Department of Health, Education, and Welfare (1965).

[2] See footnote 1.

[3] See footnote 1. Chief Judge Butler noted below, 243 F. Suppl. 95, 97, and followed the definition of Congress appearing in the District of Columbia Code, 24–502, that a chronic alcoholic is "any person who chronically and habitually uses alcoholic beverages to the extent that he has lost the power of self-control with respect to the use of such beverages."

[4] See footnote 1.

[5] See Justice Clark dissenting in *Robinson* v. *California*, 370 U.S. 660, 684 (1962).

[6] Of the myriad authorities these citations will suffice: a Cecil and Loeb, "A Textbook of Medicine," at 1625 (10th ed. 1959); Manfred S. Guttmacher and Henry Weihofen, "Psychiatry and the Law," at 318–322 (1952 ed.); Jellinek, "The Disease Concept of Alcoholism," at 41–44 (1960).

[7] See concurring opinion of Justice Douglas in *Robinson* v. *California*, supra, 370 U.S. 660, 676.

This conclusion does not contravene the familiar thesis that voluntary drunkenness is no excuse for crime. The chronic alcoholic has not drunk voluntarily, although undoubtedly he did so originally. His excess now derives from disease. However, our excusal of the chronic alcoholic from criminal prosecution is confined exclusively to those acts on his part which are compulsive as symptomatic of the disease. With respect to other behavior—not characteristic of confirmed chronic alcoholism—he would be judged as would any person not so afflicted.

Of course, the alcohol-diseased may by law be kept out of public sight. Equally true, the North Carolina statute does not punish them solely for drunkenness, but rather for its public demonstration. But many of the diseased have no homes or friends, family or means to keep them indoors. Driver examples this pitiable predicament, for he is apparently without money or restraining care.

Robinson v. *California*, supra, 370 U.S. 660 (1962), sustains, if not commands, the view we take. While occupied only with a State statute declaring drug addiction a misdemeanor, the Court in the concurrences and dissents, as well as in the majority opinion, enunciated a doctrine encompassing the present case. The California statute criminally punished a "status"—drug addiction—involuntarily assumed; the North Carolina Act criminally punishes an involuntary symptom of a status—public intoxication. In declaring the former violative of the eighth amendment, we think pari ratione, the Robinson decision condemns the North Carolina law when applied to one in the circumstances of appellant Driver. All of the opinions recognize the inefficacy of such a statute when it is enforced to make involuntary deportment a crime.

The constitutional premise of Robinson, and so apt here, is found in the opinion, 370 U.S. at 666:

"It is unlikely that any State at this moment in history would attempt to make it a criminal offense for a person to be mentally ill, or a leper, or to be afflicted with a venereal disease. A State might determine that the general health and welfare require that the victims of these and other human afflictions be dealt with by compulsory treatment, involving quarantine, confinement, or sequestration. But, in the light of contemporary human knowledge, a law which made a criminal offense of such a disease would doubtless be universally thought to be an infliction of cruel and unusual punishment in violation of the eighth and fourteenth amendments." (See *Francis* v. *Resweber*, 329 U.S. 459.)

The director of the prison department of North Carolina [8] has patly and pithily termed the prosecution of the chronic alcoholic. Driver, he said, is one of the "unfortunates whose only offense is succumbing publicly to the disease of alcoholism."

We do not annul the North Carolina statute. It is well within the State's power and right to deter and punish public drunkenness, especially to secure others against its annoyances and intrusions. (*Robinson* v. *California*, supra, 370 U.S. 660, 664.) To this end any intoxicated person found in the street or other public areas may be taken into custody for inquiry or prosecution. But the Constitution intercedes when on arraignment the accused's helplessness comes to light. Then it is that no criminal conviction may follow.

The upshot of our decision is that the State cannot stamp an unpretending chronic alcoholic as a criminal if his drunken public display is involuntary as the result of disease. However, nothing we have said precludes appropriate detention of him for treatment and rehabilitation so long as he is not marked a criminal.

The judgment denying appellant's petition for habeas corpus will be vacated, and the case returned to the district court with directions to order Driver's release from the impending detention by North Carolina unless, within 10 days, the State be advised to take him into civil remedial custody.

Vacated and remanded.

Mr. SYMINGTON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. TYDINGS in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SYMINGTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE EXTRAORDINARY CLARITY OF OUR POLICIES INCIDENT TO VIETNAM

Mr. SYMINGTON. Mr. President, during the past several weeks this Nation has heard almost continuous debate on our policies in Vietnam in these Chambers, on television, and in the press. One of the persistent themes of those who question this policy is that it is confused and unclear. It is to such critics that I address my remarks. For I find it hard to conceive a more clearly enunciated policy.

For 70 years—starting with Lenin—the Communists have made a science of the study of seizing power. We are dealing in Vietnam with the latest and most insidious technique which these studies have produced.

The original Marxist-Leninist doctrine held that revolution will take place in industrial countries. That doctrine was tried out and proved faulty. No industrialized nation has ever fallen victim to the tactics then advocated.

Lenin was the first to perceive this and to point out that the greatest opportunity for revolution lay in backward and underdeveloped countries. He also perceived that war and the political, economic, and social chaos which war produces create the best possible conditions for revolution. In Lenin's words, war and chaos are "the midwife" of revolution. Russia and China were to prove this case.

But the extension of communism in Eastern Europe and North Korea after World War II was not the product of chaos, discontent, or mass uprising. It was accomplished by the Red army at the point of a gun.

Moreover, the Communists learned after the war that the less developed countries were not so susceptible to Communist revolution as their theories proclaimed. Attempts to take power in Greece, in South Korea in 1948, in the Philippines, in Indonesia in 1948 and again last September, and in Malaysia from 1946 to 1958, all ended in failure. For the Communists came up against a much more powerful force, the force of nationalism.

After that long record of failure a new and more refined Communist strategy has been conceived by Mao Tse-tung and General Giap. The new strategy is directed at destroying the whole fabric of society in developing countries, starting in the rural and remote areas and gradually moving toward the cities. The tactics call for the training of dedicated subversives in foreign countries who are then infiltrated with arms and munitions to destroy the structure of government by assassinating its local officials, mayors, village elders, teachers, police, doctors, anti-malaria workers, and anyone who is trying to maintain the fabric of society. Non-Communist nationalists are made the prime targets. The aim is to break down law and order, terrorize the population into submission and cooperation, and produce chaos.

Vietnam is not the only place where that blueprint is being tried. It was tried in Laos, and the same pattern is now beginning to unfold in Thailand.

Nor is it confined to southeast Asia. Only this week the new Government of Ghana showed reporters through a camp run by Chinese Communists to train subversives in sabotage and guerrilla tactics for campaigns against independent African states.

There are many countries where the power of government is being slowly forged, where economic progress is only beginning. In such countries there are many problems to solve, and the governments should be given the chance to solve them.

Guerrillas only have to destroy; the government to construct and defend. Guerrillas may strike anywhere. Governments must offer security everywhere. That is the reason why governments backed, albeit passively, by the great majority of their citizenry are strained to the breaking point to defend themselves against these new Communist tactics, why the government forces may require 10 to 15 times the number of guerrillas before it can end the strife, why help from outside must often be called on.

As I have said, there are a good number of countries which are vulnerable to the new Communist tactics. If we do not stand in Vietnam with the strong nationalist forces who have resisted and continued to resist revolution by terrorism, then we will surely have to face it later, and under more adverse conditions. The process of nibbling aggression must be stopped, or the ultimate outcome will either be a wider war or a disastrous shift in the world balance of power. I agree with Winston Churchill that those who believe that the road to peace lies in throwing a small nation to the wolves suffer from a fatal delusion.

The Chinese and North Vietnamese Communists have bluntly declared that Vietnam is the test case for their new strategy; and as a result, over 60,000 men have been infiltrated into South Vietnam from the North.

That strategy must be defeated in South Vietnam. What could be more clear?

---

[8] Dr. George W. Randall.

The Communists have taken the position that the future of Vietnam will be settled by force. We prefer negotiation.

What is unclear about that?

We seek the end of aggression from the North. Our war aims are limited and do not extend to the destruction of North Vietnam. Nor do we threaten Communist China. What is unclear about that?

Hanoi says that the Vietcong must be recognized as the sole representative of the South Vietnamese people before any conference can be held. The South Vietnamese and we reject that contention. There are 250,000 or so Vietcong. But there are 900,000 refugees who came south in 1954, over 700,000 who have fled from Vietcong areas in 1965, 700,000 in the army of South Vietnam, a million and one-half Catholics, and millions of Buddhists and various other groupings in South Vietnam. They do not want communism, and they have fought it for a dozen years.

What could be clearer than that?

We are committed to the holding of free elections in South Vietnam.

What is unclear about that?

Since we are committed to free elections we recognize the possibility that former members of the Vietcong might be elected. We have said we will accept what the people of South Vietnam freely choose. We are confident that the Vietcong will be decisively rejected by the people of South Vietnam.

In all history, no people have ever freely elected a Communist government and the actions of the people of Vietnam indicate that they will not be the first.

We are in South Vietnam as allies of the nationalist forces that are fighting for their freedom and independence; and it is not for us to impose upon South Vietnam any preconceived solutions to their problems. What we need in Vietnam is a Vietnamese solution, which they themselves will work out.

Questions have been raised about the details of our negotiations. I do not believe a public detailed discussion of negotiating positions is in our national interest. When negotiations start they will be difficult and complicated.

Unilateral statements, pleas in this body and in the press for concessions, serve only to raise fears among the South Vietnamese; and also to increase the demands of Hanoi.

The place to solve problems is at the negotiating table. Anyone with any negotiation experience knows that to be a fact. Unless one is deliberately planning to lose, it is the height of folly to make concessions prior to the start of negotiations, or make concessions at all except as they would, in this case, promote the larger aim of assuring the freedom of South Vietnam.

What is unclear about such a policy?

What indeed is unclear about any part of our policy in Vietnam?

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. SYMINGTON. I am glad to yield to the distinguished Senator from Colorado.

Mr. ALLOTT. I congratulate the distinguished Senator from Missouri for his very clear and precise statement on Vietnam. Having had an opportunity to sit with him in committee relative to discussions in Vietnam, I know of his views very well. It is my hope that many others can make such statements, not only on the floor of the Senate, but around the country, so our people can be somewhat clearer on what the war in Vietnam is all about. There is no question that if we yield inch by inch there, we are headed for having them take over Thailand. The point the Senator has made is that even though this is a small country, the people of the free world will have to realize that the cost of fighting there will not be as much as the greater cost that would take place later if we do not fight there now.

I commend the Senator very much for his statement.

Mr. SYMINGTON. I thank my very able colleague from Colorado. It has been a privilege to serve with him on the joint Appropriations-Armed Services Committee. I have already told him, but I am happy to make the statement also on the floor—that his questioning of the Secretary of Defense the other day brought out at least as many pertinent facts as the questioning of any other Senator.

I deeply appreciate what he has said this afternoon.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. SYMINGTON. I am glad to yield to the distinguished Senator from California.

Mr. MURPHY. I congratulate my colleague from Missouri on his remarks. agree that it has helped clarify to a very great degree what has been almost contrived confusion brought about on television, the press, and also in this Chamber. I am glad the Senator from Missouri has made these remarks.

As I know he knows, there was a meeting held recently which was attended by 307 saboteurs and guerrilla fighters to start campaigns in Latin America. So there is a potential source of trouble. This is the kind of situation we are confronted with.

I am glad the Senator from New York [Mr. JAVITS] is present, because he made an excellent statement after a trip to Vietnam, in which he said that what we must face is reality, and that we must not be thinking in fantasies or day dreams.

I think the Senator from Missouri has pointed out the basic realities which exist. I think the remarks he has made have clarified the situation.

Mr. SYMINGTON. I appreciate the remarks of the distinguished Senator from California. He and I have been friends for longer than either of us care to remember, having been friends in college. I know of his fine contributions in this field.

If I may repeat one part of my short talk today that nails down some of my apprehensions—apprehensions others have expressed in the past and he expressed today—it is significant that as soon as the Nkrumah government was overthrown in Ghana, the successful revolutionists took foreigners and showed them this guerrilla camp where people were being trained by Chinese Communists. After they rebelled and after the Nkrumah government was overthrown, such Communists were flown back to their homes by plane loads.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. SYMINGTON. I am glad to yield to the distinguished Senator from New York.

Mr. JAVITS. First, I would like to congratulate the Senator from Missouri for his excellent presentation and for continuing the debate on Vietnam in a constructive manner.

I would like to raise one point with the distinguished Senator from Missouri, whose judgment I find enormously enlightening. The point has to do with the role of Communist China in Vietnam. I think this is what really troubles the American people. Perhaps the Senator is in no position to comment on Red China this afternoon; it would be unfair to ask him to do it. But I would hope he would direct his talks at some time to that question.

I think the American people feel that if the war is confined to Vietnam, they are willing to go through with it. They do not want a war with China. In order to both do the job of stabilizing South Vietnam and keep the Red Chinese out, the United States must continue to pursue limited objectives by limited military means. I think this is a basic decision on the part of the American people.

I think the declaration of the distinguished chairman of the Foreign Relations Committee about the advisability of arriving at what diplomats call a modus vivendi is pertinent to the subject. Senator FULBRIGHT has opened up an important point for discussion, and in doing so, he expresses the feelings of Americans against expanding the war in Vietnam to China.

Mr. SYMINGTON. I do not want to interrupt the able Senator from New York but he has made several interesting observations, let me comment on them, and then perhaps he will have others.

First, I would join the Senator from California in complimenting the Senator from New York for the statement he made after his visit to the Far East. Having talked with the head marine out there who was back here for a few days, I was not only impressed, but our people in South Vietnam were impressed with the efforts the Senator made to get the facts.

The Senator made reference to Red China.

As a member of the Foreign Relations Committee I am somewhat at a loss to understand just what we do think about the Red Chinese. There is a strange dichotomy of thought in the committee itself. Some members are almost afraid to discuss Red China. The phrase "scared to death" has been used. But other members denigrate the capacity of Red China to do anything material against the Armed Forces of the United States—unquestionably the strongest armed forces in the world.

Therefore, I am looking forward to the hearings which start next week—open hearings, I might add—scheduled wisely by the chairman of the Foreign Relations Committee so as to investigate this subject of China. Let us find out more truth about this country and its people.

I would hope the able Senator from New York, with his great intellectual capacity, and who has many friends interested in this field, would suggest to the committee any witnesses from some of the great universities in his State, or any State or any others, he would like to have appear before the committee.

There is one statement made by the Senator from New York with which I may not agree.

It is so important for free people to face up to totalitarian aggression—in this case Communist totalitarian aggression—that regardless of what the Chinese decide, I would not want their decision to be decisive as to what we do.

The British people waited too long against the growing aggression of Hitler, to the point where our Nation was the last shield between them and total destruction. It is difficult even today to realize that Neville Chamberlain went to visit Hitler three times in his effort to appease, his third visit ending with the sellout of Czechoslovakia at Munich. That insured the Second World War

My point is that no one wants to see this Nation get into military trouble with the Red Chinese, but our foreign policy should not be decided exclusively by what the Red Chinese will or will not do.

In past years I have made talks on the floor of the Senate recommending that policies should establish events rather than events establishing policy.

If the Red Chinese attacked the United States, I believe that the people of the United States would be willing to pay the price necessary for resistance, as part of the price of freedom.

I am confident in my own mind, however, that the policies of this administration are designed to prevent the Chinese from being so foolhardy; and I personally believe that the possibility of the Chinese attacking this country because of our efforts to sustain freedom in South Vietnam are remote indeed.

I thank the Senator.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. SYMINGTON. I will be glad to yield to the Senator.

Mr. JAVITS. I think that I need to make exactly clear how I feel should the Communist Chinese attack us where we stand in Vietnam. Perhaps the Senator will or will not agree.

I am not for provoking them. I am for standing our ground, according to our strategy. If they choose to use this as a pretext for going after us, there is little we can do but fight back. That is the way I feel, and I believe there is no other choice. I would hope that Peiping would have the good sense not to misconstrue our limited objectives.

Mr. SYMINGTON. I could not agree more. Anything we would do to provoke them would be foolhardy to the extreme.

Mr. JAVITS. It is necessary to find a way to live with the Communist Chinese. Preventive war is not the answer to the problem of finding a way to live with Red China. I think it is possible over a period of time to find other ways to live with them. But I think that the essential ingredient in finding these other ways is the Vietnamese struggle and the purpose of it. We must show Peiping that we mean business and cannot be bullied, and that it is wiser for them to settle their differences with us—and many of these differences are imaginary on their part—by negotiations.

I believe so much in these exchanges with the Senator from Missouri and others, and the Senator from California.

I think that one of the issues in Vietnam, which has not been fully brought out, is whose ideas will prevail in the Communist world if we are pushed out of Vietnam; and the idea of counterinsurgency of the war; and the idea of the country and the cities, as the Chinese Minister put it in his article, with which the Senator from Missouri is familiar, will be the predominant idea in the world.

If our limited purposes—not victory—prevail in Vietnam, we have a good chance for peaceful coexistence and for the more moderate Russian way to prevail. Then, the Russians can go back to a higher priority than Vietnam—accommodation with the West and the United States. It will no longer be necessary for them to talk tough in order to maintain the leadership of the Communist world, in order to compete with Red China.

This will be one of the most decisive effects of the war in Vietnam.

Mr. SYMINGTON. I agree with the able Senator from New York who has one of the fine minds in this body.

Not too long ago, some of us met with Mr. Mikoyan. In analyzing the question of communes, he stated he felt Soviet Russia was 30 years ahead of China in the development of communism. Let us hope that in 30 years the Chinese Communists will have as much willingness to work with us for peace as do now the Soviets, sketchy as that may be.

I have personally talked with people in the British Government, and also people in the Government of Pakistan, who told me their recognition of Red China, with consequent establishment of an Embassy in Red China meant little or nothing because, in effect, they were in house arrest in their own Embassy.

I note this morning an article on the front page of the New York Times. The headline reads:

> Red China Scores U.S. War Debate: Asserts That Both Hawks and Doves in Vietnam Dispute Are Fools.

Mr. President, I ask unanimous consent that this article be inserted in the Record at the end of this discussion.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. SYMINGTON. Mr. President, this is but typical of the reaction of the Red Chinese to any efforts we make toward arriving at better understanding.

I know that the able Senator from New York does not misunderstand me. I believe implicitly in doing everything we can do to reach a better understanding with these people, and with all people. This new world is very small indeed.

But the primary purpose of my talk today was to emphasize that the policies of this Government in the Vietnam problem are very clear; in fact, as laid down time and again by the President, I do not see how they could be more clear.

I feel this Government knows what it wants to do, and am also certain, whereas it may be willing to go another mile toward peace with the Red Chinese, it is not willing to let the Red Chinese dictate the foreign policy of the United States.

I am sure my able friend from New York agrees that should never happen.

Mr. JAVITS. I feel that way and I join the Senator in saying that I think that I to understand it fully.

I deeply appreciate the Senator's suggestion with regard to producing some witnesses and I will do exactly that.

Mr. SYMINGTON. I thank the Senator from New York. It is always a privilege to discuss this or any other matter with him.

Exhibit 1

[From the New York Times, Mar. 4, 1966]

Red China Scorns U.S. War Debate—Asserts That Both Hawks and Doves in Vietnam Dispute Are Fools

(By Seymour Topping)

Hong Kong, March 3.—Communist China asserted today that both the hawks and the doves in the Washington debate on Vietnam were fools whose views differed only on the means of carrying out aggression.

Jenmin Jih Pao, the Communist Party newspaper, in an authoritative article, indicated that the Peiping leadership saw no prospect for an accommodation with the United States in proposals put forward by such critics of the administration policy as Senator J. W. Fulbright, chairman of the Senate Foreign Relations Committee.

The commentary did not mention Senator Fulbright, but it lumped President Johnson and his critics together as members of the U.S. ruling circles who were using the Vietnam debate as "camouflage to hoodwink the people."

NO FUNDAMENTAL DIFFERENCES

The text of the article was distributed abroad by Hsinhua, the Chinese Communist press agency, 2 days after Senator Fulbright had proposed an agreement with Peiping that would provide for the neutralization of southeast Asia. The Arkansas Democrat also announced yesterday that his committee would begin hearings next week that would review U.S. policy toward Communist China.

Jenmin Jih Pao declared that an analysis of those termed "hawks" and "doves" showed that "there is no fundamental difference of opinion between them with regard to aggression against Vietnam." Both the hawks, advocates of militant action to achieve victory, and the doves, supporters of peaceful negotiations as the primary approach, refuse to "abandon the U.S. policy of aggression in Vietnam and Asia," the paper asserted.

The party organ said that the aggressive intent of all the participants in the Washington debate was demonstrated by the fact that they opposed an immediate withdrawal of U.S. troops from Vietnam and recognition of the National Liberation Front, the political organization of the Vietcong, as the sole representative of the South Vietnamese people.

The article added that although the Washington debate would never produce results, revolutionary people should consider the wrangling a good thing because it "shows up the extreme weakness of the Johnson administration and its isolation."

After describing the hawks and doves as a "bunch of fools," the article concluded:

"In the final analysis, only the complete victory of the Vietnamese people in their struggle to resist U.S. aggression and to save the country will settle the issue for them."

INFLEXIBLE POSITION ON TALKS

Analysts here said that the article indicated that the Chinese Communist position had become so inflexible as to exclude the possibility of Peiping's exploitation of the debate in the United States for some tactical advantage. The intransigent stand adopted by the Chinese Communists has tended to discourage opponents of the administration policy rather than exacerbate differences in the United States that might weaken the Vietnam war effort.

While the Vietnamese Communists have been inflexible on terms for a negotiated settlement of the war in South Vietnam, they have been less categoric than Peiping in rejecting peace overtures, and Hanoi has entered into private exploratory talks with United States and other Western officials.

The Peiping article may have been intended to disabuse Vietnamese Communists of any idea that the debate in the United States might produce an acceptable basis for negotiations.

Jenmin Jih Pao attacked the "Khrushchev revisionists," an allusion to the present Soviet leadership, for a suggestion that the Washington debate was in effect, a dispute between militarists and moderates and that a "political uprising had occurred in Congress."

"They try their best to convince others that those engaging in aggression in Vietnam are only a handful of American militarists while the Johnson administration is composed of good people only," the article asserted.

HANOI SILENT ON SOVIET EFFORTS

Observers here said the implication was that Moscow had sought to persuade the Vietnamese Communists that the Washington debate had opened opportunities for advantageous negotiations. The North Vietnamese have not followed Peiping in charging Moscow with entering into "peace plots" in collusion with the United States.

The Peiping article made no distinction between American officials who, it said, "shout that American forces should fight their way to North Vietnam or even bomb all the way to Peiping and others who express fear at the prospect of a big land war in Asia."

Analysts said it appeared that fears of a war with the United States had abated somewhat in Peiping, possibly as a consequence of public discussions in the United States.

A series of militant editorials in the Peiping press warning that the United States intended to impose war on the country was suddenly terminated about 2 weeks ago.

The Chinese Communist press has published a summary of President Johnson's speech February 23 in which he said that the United States was doing everything it could to avoid drawing Communist China into the Vietnam conflict.

GREAT SALT LAKE RELICTED LANDS

Mr. JACKSON. Mr. President, I ask unanimous consent that the Senate proceed to consideration of Calendar No. 980, S. 265.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 265) to confirm in the State of Utah title to lands lying below the meander line of the Great Salt Lake in such State.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Interior and Insular Affairs with an amendment to strike out all after the enacting clause and insert:

That the Secretary of the Interior shall convey to the State of Utah by quitclaim deed all right, title, and interest of the United States in lands lying below the meander line of the Great Salt Lake in such State, as duly surveyed heretofore or in accordance with section 4 of this Act, whether such lands now are or in the future may become uncovered by the recession of the waters of said lake: *Provided, however,* That the provisions of this Act shall not affect (1) any valid existing rights or interests, if any, of any person, partnership, association, corporation, or other nongovernmental entity, in or to any of the lands within and below said meander line, or (2) any lands within the Bear River Migratory Bird Refuge and the Weber Basin Federal reclamation project.

SEC. 2. The conveyance authorized by this Act shall contain an express reservation to the United States of all subsurface mineral deposits in the Federal lands below the meander line of Great Salt Lake to the waterline of the lake as of the date of enactment of this Act, together with the right to prospect for, mine, and remove the same. The minerals thus reserved shall thereupon be withdrawn from appropriation under the public land laws of the United States, including the mining laws, but said minerals, in the discretion of the Secretary of the Interior, may be disposed of under any of the provisions of the mineral leasing laws that he deems appropriate: *Provided,* That any such lease shall not be inconsistent, as determined by the Secretary of the Interior, with the other uses of said lands by the State of Utah, its grantees, lessees, or permittees.

SEC. 3. As a condition of the conveyance authorized in section 1 of this Act, and in consideration thereof, (a) the State of Utah shall, upon the express authority of an Act of its legislature, convey to the United States by quitclaim deed all of its right, title, and interest in lands upland from the meander line, which lands the State may claim by reason of said lands having been, or which may hereafter become, submerged by the waters of Great Salt Lake, and (b) the State of Utah shall pay to the Secretary of the Interior an amount approximating the fair market value of the lands, or in lieu thereof may grant to the United States interests in lands, mineral rights, including those beneath the lakebed, or release land selection rights of comparable value, or a combination thereof, as determined by the Great Salt Lake Relicted Lands Commission created under section 6 of this Act.

SEC. 4. The Secretary of the Interior is authorized and directed to complete that portion of the public land survey necessary to close the existing meander line of the said Great Salt Lake.

SEC. 5. Pending resolution of the amount and manner of compensation by the State of Utah to the United States as provided herein, the State of Utah is authorized upon enactment of this Act to issue permits, licenses, and leases covering such of these lands as the State deems necessary or appropriate to further the development of the water resources of the Great Salt Lake, or for other purposes, on terms and conditions acceptable to the Secretary of the Interior. The State of Utah, by an express act of its legislature, or by written assurance of the appropriately authorized official or agency, shall agree to assume the obligation to administer the lands, for the purposes set forth above, in the manner of a trustee and any proceeds so derived by the State of Utah shall be paid to the United States, until compensation for the full value of said lands as herein provided is made. Such proceeds paid to the United States shall be to the credit of the State of Utah as part of the compensation for which provision is made herein.

SEC. 6. (a) In order to resolve expeditiously the issue of appropriate consideration to be paid to the United States by the State of Utah for the lands described in section 1 of this Act, there is established a commission to be known as the Great Salt Lake Relicted Lands Commission, hereafter referred to as "the Commission."

(b) The Commission shall consist of three members as follows:

(1) One person to be designated by the Secretary of the Interior;

(2) One person to be designated by the Governor of the State of Utah; and

(3) One person, who shall be chairman of the Commission, to be selected by the other two.

(c) Any vacancy which occurs on the Commission shall not affect its powers or functions but shall be filled in the same manner in which the original appointment was made.

(d) Two members of the Commission shall constitute a quorum.

(e) Members of the Commission who are officers or employees of the United States or the State of Utah shall serve without compensation in addition to that received as such officers or employees, but they shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission.

(f) A member of the Commission who is not an officer or employee of the United States or of the State of Utah shall receive $50 per diem when engaged in the actual performance of duties vested in the Commission, plus reimbursement for travel, subsistence, and other necessary expenses incurred by him in the performance of such duties.

(g) The expenses of the Commission shall be met and shared equally by the United States and the State of Utah.

SEC. 7. (a) The Commission shall make a comprehensive study of the lands which are the subject of this Act, giving consideration to, among other factors it deems pertinent, (i) the present ownership of the lands conveyed by the United States pursuant to section 1 of this Act; (ii) the right of the State to approximately one-ninth of those lands as school sections, when surveyed; (iii) the present ownership of the State of the water resources of the lake and those of its bed and subsoil; and (iv) the relationship of the land area to the development of such resources. Nothing in this section shall be deemed to limit or prevent the Commission from giving consideration to any other factors it deems pertinent to an equitable resolution of the question of the proper consideration to be paid by the State of Utah to the United States for such lands.

(b) The Commission shall report its finding and recommendations to the Secretary and the Governor of the State of Utah not later than one year after the effective date of this Act. Within thirty days after receiving such report, the Secretary shall transmit copies thereof to the President of the Senate and the Speaker of the House of Representatives, together with his comments thereon. The Secretary shall, after the expiration of sixty calendar days from the date of such transmission (which sixty days, however, shall not include days on which either the Senate or the House of Representatives is not in session because of an adjournment of more than three days to a day certain) proceed forthwith to execute the conveyance herein authorized provided that neither

House of Congress has disapproved by resolution the proposed compensation.

(c) In the event title of the subject lands does not vest in the State of Utah, then any valid permits, licenses, and leases issued by the State under authority of this Act, shall be deemed permits, licenses, and leases of the United States and shall be administered by the Secretary in accordance with the terms and provisions thereof.

Mr. JACKSON. Mr. President, the purpose of the pending bill, S. 265, is to resolve a long-standing controversy between the State of Utah and the Federal Government over title to hundreds of thousands of acres of lands which once were beneath the waters of the Great Salt Lake, and which now are upland flats. These relicted lands are of great potential value for industrial purposes in connection with the development of the mineral resources of the waters of the Great Salt Lake, for waterfowl habitat, and for recreational purposes.

The pending measure has been before the Committee on Interior and Insular Affairs for more than a year. In my opinion, the bill as amended and reported by the Interior Committee represents a fair and equitable solution of a problem which has been delaying important industrial development and which has caused concern on the part of both the Federal Government and the State of Utah.

Mr. President, I yield to the distinguished senior Senator from Utah, who wishes to discuss the provisions of the reported bill.

Mr. BENNETT. Mr. President, I shall vote for S. 265, which sets forth conditions under which the State of Utah will acquire title to lands lying below the meander line of the Great Salt Lake.

As the original sponsor of the original bill on this subject as far back as the 87th Congress, I should have preferred the passage of that bill as it was then introduced or of the bill now before the Senate before it was amended by the Committee on Interior and Insular Affairs and is now reported to the Senate.

The purpose of the proposed legislation is to resolve a controversy between the State of Utah and the Federal Government over title to several hundred thousand acres of lands which once were beneath the waters of the Great Salt Lake but which now are so-called upland flats.

As technological and scientific advancements are made, it is becoming obvious that the lands in question and the waters of the lake are of great potential for industrial purposes in connection with the development and establishment of a minerals industry on the lake, in addition to allowing for the establishment of a recreational industry and for a waterfowl habitat, as the chairman of the committee also has indicated.

Both the State government and the Federal Government claim the lands. Because of the title dispute, the development of the mineral resources of the lake by private industry is being retarded, thus depriving both Governments of revenues and economic growth.

The original bill that I introduced, and which is also under consideration in the other body, would extinguish the claim of the Federal Government to title to lands over which the State of Utah has exercised dominion and control since the State was admitted to the Union on January 4, 1896.

However, the Department of Justice and the Department of the Interior have taken the position that extensive amendments are necessary, and the Senate Committee on Interior and Insular Affairs has accepted most of them. In view of the necessities of the present situation and the pressure of time, I desire to have the record show that I do not wholeheartedly agree to these amendments, but I also am accepting them in the hope that the House will probably improve the situation when it acts on the bill.

As I have said, the time factor has entered the whole question, and private industry is now making decisions regarding its developments on the lake. The title dispute must be resolved before these firms can intelligently choose their course, and before the firms can know with which agency of Government they will have to deal.

The State has taken the position that it would like to see my original bill passed; but that rather than wait for a year and take the chance of losing potentially great economic developments, it will accept the version the Senate is now considering.

When the bill was first reported by the Committee on Interior and Insular Affairs, I asked the distinguished majority leader [Mr. MANSFIELD] if he would delay bringing up the measure for a few days, so that I might have the opportunity to study the new language, which I had not seen, and he graciously granted me that opportunity. In the meantime, as I studied the bill, several key questions arose which I thought should be presented and, if possible, answered. Since the completion of the hearings, the only opportunity I have to clear up these questions officially is by creating appropriate legislative history on the floor of the Senate. The chairman of the committee has graciously agreed to cooperate with me to that end.

I wish to emphasize again that it was never my purpose to block or unreasonably to delay action on the bill. However, I feel that it is important that these questions be cleared up today, if possible, before the Senate takes final action on the bill.

If the chairman will work with me, I should like to propound eight questions to him on the floor of the Senate.

First, if the authorities of the State of Utah agreed to the passage of this bill, would their admission constitute the end of the law which gives to the State title and ownership beneath navigable waters within State boundaries? I refer the Senator to volume 43 of the United States Code, page 1311; page 1302 of the 1964 edition.

Mr. JACKSON. Mr. President, I am happy to respond to the questions asked by the Senator from Utah. The bill is predicated on the fact that the Submerged Lands Act, which the distinguished Senator from Utah has cited, is not applicable to these Great Salt Lake relicted lands. That is, the committee has followed the rule of law asserted by the Department of the Interior and the Department of Justice to be controlling under the particular facts and circumstances of these Great Salt Lake relicted lands; namely, that the rights of the United States arise from the old common law rule of reliction and accretion. This rule has been tested and upheld in the courts. Hence, the enactment of the bill would not repeal, modify, or affect in any way the Submerged Lands Act. There is no question that the lands presently beneath the waters of the Great Salt Lake belong to Utah.

Therefore, the answer to the question propounded by the Senator from Utah must be in the negative. I invite his attention to the paragraphs in the report of the Department of the Interior, which appears on page 11 of the report of the Committee on Interior and Insular Affairs—Senate Report No. 1006—to accompany S. 265, and to those of the Department of Justice on pages 16 and 17.

Mr. BENNETT. I have read the passage to which the Senator from Washington refers.

I should like to raise a question separately from the ones I announced I would propound, for the purpose of enlightenment and for the clarification of what the Senator from Washington has just said.

If the bill is passed, and if the State meets the conditions which it sets up, there will not be any further question of reliction and accretion with respect to the land presently lying under the waters of the Great Salt Lake?

Mr. JACKSON. The Senator is correct. The purpose of the bill before us is, in effect, to quiet title.

Mr. BENNETT. Yes.

Mr. JACKSON. It is the congressional intent to provide the means of bringing an end to the controversy and to draw a line, so that as the waters of the Great Salt Lake ebb and flow, as they do—and even the wind, I understand, can make a great difference in what lands are under water—the title to the relicted lands will not change.

At present, as the waters change, as the waters rise or recede, the title shifts between the State and the Federal Government as a matter of law. As the waters come in, of course, the title changes from the Federal Government to the State, and, conversely, as the waters recede, it passes to the Federal Government under the accreted lands rule of law.

The bill will, we hope, settle, once and for all, the cloud that appears over the title to the vast acreage that is the subject of the bill.

Mr. BENNETT. So hereafter the winds can blow freely.

Mr. JACKSON. The Senator is correct. I doubt that we can do anything about the wind.

Mr. BENNETT. I now propound my second question:

This bill conveys to the Federal Government the mineral rights in the land between the present water line of the lake and the meander line, which presumably substitutes for the water line at the time Utah became a State. Can the State legally transfer the mineral rights under that land, and the land between, to the Federal Government without compensation and thus permanently dispose of that right? Does it have the authority to do so? For instance, I notice in the Utah Code Annotated 65–1–14:

> The sale of whatever right, title, and interest the State has in such bed shall be by quitclaim deed or other similar conveyance, with reservation to the State of all mineral rights.

Mr. JACKSON. It is inaccurate to describe the bill as "conveying" to the Federal Government any mineral rights belonging to Utah. I most certainly do not wish to quibble over words, but a conveyance by the State would infer the ownership of some right or interest on the part of the State in the lands below the meander line. As stated in my response to question No. 1, no such right or interest exists in the State under the committee's bill. The Federal Government reserves the mineral interests in the Federal lands it conveys to the State. What the State would convey is something very different. Section 3, the only section referring to any conveyancing by Utah, is applicable only to lands upland from the meander line. As to such lands the State would quitclaim right, title, and interest based on any claim it might have because these uplands may once have been covered by the waters of the lake, or may become covered by them in the future.

Moreover, the quitclaim by Utah is part of the quid pro quo for the conveyance of the relicted lands below the meander line, even though it now seems unlikely that the water would rise above the meander line.

Mr. BENNETT. My third question is: On page 16 of the report is a paragraph referring to a recent decision entitled "State of Utah (70 I.D. 27 (1963))" which brings into the problem the theory of riparian rights with the United States as the riparian owner. It seems to me that this is a complete conflict with the right given to the State of Utah under the public law referred to in question No. 1. How does this bill resolve that conflict and does such a resolution protect the basic right of the State as outlined in title 43, United States Code, section 1311?

Mr. JACKSON. I feel that the answer to this question is given in my answer to question No. 1. The Submerged Lands Act does not apply to the subject lands; hence there is no basic conflict between the cited law and the Interior Department's decision. I might point out, however, that the validity of the principle of law on which the decision is based has been upheld as recently as 1961 by the 9th Circuit Court of Appeals in a decision the U.S. Supreme Court declined to upset. The case is that of *United States* v. *State of Washington*—294 Fed. 2d 830. Cert. den. 369 U.S. 817 (1962).

Mr. BENNETT. My fourth question is: What happens to extant leases previously granted by the State within the disputed territory if this bill passes? Will the State have to reissue these leases? Are there any Federal leases or applications that would have to be terminated contrary to the rights of third parties as a result of the bill?

Mr. JACKSON. A specific proviso in section 1 of the reported bill gives unequivocal protection to valid, existing rights. I should not be put in the position of interpreting Utah State law, or of trying to tell the State what it should do, but I fail to see that the committee's bill creates any problems with respect to State-issued leases. I would think that when the State gets clear title to the lands, as provided, it would honor, under the doctrine of after-acquired title, whatever leases it had previously issued. I see no reason why these leases would have to be reissued. Since title to the subject lands has been and is in the Federal Government, and since the bill specifically protects existing rights, the answer to the question in the last sentence of question No. 4 of the Senator must be in the negative; namely, that there are no Federal leases or applications that would have to be terminated contrary to the rights of third parties. As the Senator knows, an application does not, of itself, establish a right to a lease or a permit.

Mr. BENNETT. Question No. 5: If this bill is passed, will it become a precedent which can be used for invading States rights on other navigable lakes and streams in other States? Will the bill and the Interior Department decision entitled "State of Utah (70 I.D. 27 (1963))" affect actions heretofore taken by the Department in other States?

Mr. JACKSON. The answer is "No." My responses to questions 1 and 3 apply with equal force here, although I must confess I am not wholly certain what is meant by the decision and the bill affecting "actions heretofore taken by the Department in other States." The bill itself, by its own terms, can apply only to the Great Salt Lake relicted lands. I cannot, of course, predict what actions the present or future Secretaries of the Interior may take with respect to other lands elsewhere.

Mr. BENNETT. Question No. 6: What kind of precedent is this bill setting for the Department of Interior by creating a commission to determine fair market value? It has been my impression that the Bureau of the Budget vigorously opposed this policy.

Mr. JACKSON. The committee's report is quite specific in asserting that the establishment of a commission to determine fair market value is not a precedent. This can be seen in the section on page 2 of the report. As stated, only the particular facts and circumstances surrounding this particular case led the committee to depart from the established rule. It is true that the Bureau of the Budget has voiced misgivings at the committee's improvisation, but, on the other hand, the Department of the Interior has not objected. Having a commission, on which the State is represented, determine fair market value rather than leaving such determination to the Secretary alone, appeared to the committee to be an equitable method of bringing the controversy to a speedy termination. I reiterate, however, that this is not to be considered a precedent, but was designed only to resolve this particular problem.

Mr. BENNETT. Mr. President, I am eliminating the word "surface" that occurs in the letter of the Senator and in my letter.

Question No. 7: I am greatly concerned about the use of the phrase "subsurface" in this bill, particularly because being a lake bottom, the land is covered with a deposit of minerals from the existing lake water. These minerals may not be valuable but they could be considered minerals that go to the Federal Government. Surface control then would become meaningless. To me there is a different status for minerals deposited by prehistoric lakes which are now far below ground. Should not the bill be amended to provide a clear-cut definition of the two types of mineralization and their location?

Mr. JACKSON. The modifying adjective "subsurface" inserted before "mineral deposits" in section 2 was written in on the motion of Senator Moss to make clear that any minerals lying on the lands as a result of evaporation belong to the State of Utah. The use of the word limits the Federal Government's reservation of minerals to those the extraction of which can be obtained only by breaking the surface. The same section clearly makes dominant the uses to which the State puts the lands. Thus, as a matter of law and fact, the minerals reservation will not interfere with whatever uses the State may wish to make of the lands. In view of both the language of the bill itself and the manifest congressional intent as set forth in the report, I do not believe that further amendment is needed.

Mr. BENNETT. I thank the Senator. I believe that this is probably the important question that he and I shall have discussed today.

Question No. 8: I am not clear on what is meant by the "meander line." On pages 2 and 3 of Senate Report No. 1006, reference is made to the line of 1855–56. On page 6 of the report, Under Secretary Carver talked of the 1883 meander line. I have also heard of a 1914 meander line. Am I correct in assuming that the dates are not necessarily totally correct, but that the meander line referred to is the one fixed by the cadastral surveyors and approved under the survey plat regardless of whether it was 1855, 1883 or 1914? In addition, the language of the bill appears to require a complete new survey of the meander line. Can you provide an estimate of how much that would cost and advise me whether such costs would be added to the amount the State must pay? If the State takes the present meander line and such expense were eliminated, could it be deducted from the amount that the State is required to pay to the Federal Government? The whole meander line question should be clarified, it seems to me.

Mr. JACKSON. I concur with the Senator's belief that the different dates used in the report with respect to the meander line might be a basis for some confusion. The line contemplated by the committee's bill is the line of the public land survey which has been in the process of determination ever since 1855. The most recent extension was made in 1928, at least, so I am informed. There remains a gap of a few miles along the western boundary in Box Elder County.

Section 4 of the bill directs the Secretary to complete this line. Thus, the existing meander line would be closed and present uncertainties as to whether the Federal Government or the State had title to a particular tract would be resolved. Since, as the hearings and reports make clear, a public land survey is a function of the Federal Government, the State would not bear any of the costs of completing and closing the line.

Mr. BENNETT. Mr. President, I appreciate the cooperation of the chairman of the Committee on Interior and Insular Affairs, and his very gracious manner in handling the problems I have raised. My questions were answered in writing, and the answers submitted to me for further check. That has made this particular exercise very useful and satisfying, and I am grateful for the Senator's cooperation.

Mr. JACKSON. Mr. President, the questions certainly have been most helpful. One cannot go too far in trying to clarify a subject as complicated, complex, and drawn out in debate and discussion as the measure now before the Senate. I trust and believe that the colloquy here will further clarify the specific intent of the Senate.

I also wish to make known to the Senators my strong feelings about the fine help that the junior Senator from Utah [Mr. Moss] has given in connection with the pending measure. He has been involved in a long series of discussions in connection with the pending bill; and it has been, as has been brought out, a very complicated matter. The effort has been made to try to find a resolution of the problem by which the interests of the Federal Government will be properly protected, and that at the same time the interests of the State of Utah are adequately protected. I wish to commend him as well as the distinguished senior Senator from Utah for his assistance and cooperation.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a letter from Ramsey Clark, Deputy Attorney General, dated February 18, 1966, which arrived too late for inclusion in the report accompanying the bill.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF JUSTICE,
Washington, D.C., February 18, 1966.

Hon. HENRY M. JACKSON,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your request for the comments of the Department of Justice on the substitute language of S. 265 (Committee Print No. 3), a bill "To confirm in the State of Utah title to lands lying below the meander line of the Great Salt Lake in such State." As originally drafted, S. 265 proposed that the United States convey to the State of Utah title to all lands below the meander line of the Great Salt Lake as established in the past or as established in accordance with future surveys without reserving the minerals in and under such lands. The United States would then retain title to all lands above the meander line.

This Department consistently has objected to such language because we could perceive no justification of this outright gift of an unassailable Federal title and because such legislation, if passed, might serve as a precedent for bills seeking to dispose of other littoral areas of inestimable extent and value.

At the same time, however, we recognize the desirability of establishing a fixed boundary for Federal and State lands in the vicinity of the Great Salt Lake. And, although the Federal title unquestionably extends down to the present waterline, and since the amended bill provides for reservation of the minerals in the lands being conveyed by the United States, for payment by the State of Utah of the fair market value of such lands, and further conditions the grant by the United States upon the State of Utah's relinquishing all claims in lands upland from the meander line which the State may have by reason of said lands having been or which may hereafter become submerged by the waters of the Great Salt Lake, it would appear that our prior objections in this regard have been satisfied.

There is, however, some language in the amended bill which we think is unsatisfactory. The title of the bill states that title to the lands involved is being "confirmed" in the State of Utah. As we have previously asserted, the State of Utah presently has no title to confirm; this legislation is a grant of Federal lands to the State of Utah, for which the United States will receive certain compensation and a reciprocal relinquishment of the State's claims to lands upland from the meander line, in order to establish a definite boundary line. Consequently, we recommend that the title of the amended bill be changed to conform to the nature of the proposed legislation.

Also, the language in section 2, providing that the minerals reserved to the United States may be disposed of under the mineral leasing laws but containing the restriction that any such lease shall not be inconsistent with other uses of said lands by the State of Utah, its grantees, lessees, or permittees, could prevent the United States from properly utilizing its resources without conferring a corresponding benefit on the State of Utah. We think that this difficulty could be obviated to accommodate the U.S. policies of developing its resources without hindering the State's surface use of such lands by changing the language of the proviso to read as follows:

"*Provided,* That no such lease shall be issued until the Secretary, in his discretion, has determined that the lease will not be inconsistent with the other uses of said lands by the State of Utah, its grantees, lessees or permittees."

Section 7(b) provides that the commission, established by the amended bill to determine the fair market value of the lands being conveyed by the United States, shall report its findings and recommendations to the Secretary and the Governor of the State of Utah not later than 1 year after the effective date of the act. The Secretary shall thereupon transmit copies to the President of the Senate and the Speaker of the House of Representatives, and, within 60 days thereafter, shall proceed forthwith to execute the conveyance authorized on behalf of the United States. The amended bill, however, does not contain any provisions specifying when the relinquishment of upland rights by the State of Utah shall be made and does not contain any time limitations upon payment of the fair market value as established by the commission. Consequently, to clear up this ambiguity, we recommend that section 7(b) be amended by adding the following langugage:

"*Provided,* That the State of Utah has executed the quitclaim provided for in section (a) of this Act: *And provided further,* That the State of Utah has tendered payment pursuant to section 3(b) of this Act in an amount and in the manner determined by the Commission."

Subject to the above qualifications, we have no objections to the enactment of S. 265 as amended by committee print No. 3.

The Bureau of the Budget has advised that while there is no objection to the submission of this report, its views are as set out in its report to the committee.

Sincerely yours,

RAMSEY CLARK,
Deputy Attorney General.

Mr. JACKSON. I yield to my distinguished fellow member of the committee, the junior Senator from Utah.

Mr. MOSS. I thank the chairman of the committee for yielding to me. I wish to express to him my appreciation for his diligent efforts on the committee, and the recent hard work that has gone into perfecting the bill before us today.

The bill has indeed been before the Committee on Interior and Insular Affairs for a long time. S. 265 was introduced by me on the first day that bills could be introduced in the Senate last year. Since that time, I think we have worked on it rather continuously. Hearings were held more than a year ago. Since then, there have been numerous conferences with the Department of the Interior, the Department of Justice, and the Bureau of the Budget. There have been on-site inspections. There has been almost continuous work. We considered many drafts of the bill before arriving at the compromise before the Senate today.

As my senior colleague pointed out, this is a compromise bill, considerably different from the one that we began working on in the first place; but it represents what was necessary in order to bring together all of the divergent interests involved.

The Great Salt Lake is a residual body of water with no outlet. Therefore, it is governed by the inflow of water from snows and rains in the mountains. The only outflow is through evaporation.

Consequently, the lake changes its shoreline almost from day to day. I have some interesting figures which I received by telephone today from the Geological Survey, a projection on the area of the Great Salt Lake. Their estimate is that the Great Salt Lake now covers 700,000 acres. By July of this year, because they expect a 3-foot rise in the lake, it will cover an additional 150,000 acres; and the Survey predicts that within 10 years the lake will cover 1,050,000 acres.

So, although the lake, in recent years has declined, it has now started back up again; and there is no way of being certain what it will be this year or next year, except that we know it will be up.

These figures highlight the problem of the fluctuating shoreline; and when we are confronted with the interpretation of the law which says that lands that become exposed belong to the adjacent landowner, we encounter the insecurity that is limiting our uses of the lake, which has become extremely valuable.

Several large firms are now beginning to extract from the lake, not only sodium chloride, which we have been doing for 100 years, but many other exotic minerals; and it is thought that the lake contains vast amounts of minerals which will be very valuable to the State.

I also point out that all of the income from either State-owned lands or minerals belonging to the State goes to the public schools of the State of Utah. Because we have a problem, as does every other State in the Union, of providing adequate schools for our children, it is of far-reaching importance to the State that we secure, as soon as possible, fixed title, to enable the minerals to be extracted from the lake. That is the reason for urgency on the bill.

As our Governor, in testifying before a committee of the House of Representatives on this same bill, said, it is urgent that we have a bill this year, and not postpone its enactment trying to refine it further.

I am therefore very grateful that the chairman has called the bill up now, and that I believe Senate action will be completed today.

I do not propose to discuss the sections of the bill unless questions arise. The bill provides for the appointment of a reliction commission to determine the values of the lands which will be transferred, so that the State may accommodate to that. But the bill further provides—and I emphasize this for the record—that the management of the bed of the lake passes immediately to the State, so that the State may begin to operate at once as a landlord in working out its contracts with the various extraction industries around its perimeter.

Therefore, there should be no delay at all in the economic developments that are projected for the Great Salt Lake. Within a year's time, the question of payment to be made, if any, will be settled, and the matter will come back before the committees of Congress, so that we shall have an opportunity to look at it and be sure that this obligation is satisfactorily carried out. Then the matter will finally be concluded, and there will be a line, once and for all, between the State of Utah and the Federal Government as to the shoreline of the Great Salt Lake.

The meander line, I might point out, is a line which shows on every plat which is filed in every county courthouse which abuts the Great Salt Lake. Therefore, it is a known and fixed line, one to which we have always repaired. It is a logical line to be drawn and the bill does draw that as the dividing line.

I appreciate the courtesy of the chairman and the many hours which he has put in, as well as other members on the committee, in working out this compromise.

The **PRESIDING OFFICER**. The question is on agreeing to the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

The **PRESIDING OFFICER**. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended, so as to read: "A bill to authorize conveyance of certain lands to the State of Utah based upon fair market value."

Mr. **JACKSON**. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. **MOSS**. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

THE INVESTMENT CREDIT SHOULD NOT BE REPEALED

Mr. **SCOTT**. Mr. President, I rise to express my opposition to the proposals to repeal or suspend the investment credit which is now a part of our revenue code. It is neither necessary nor desirable for the following reasons:

First. Investment credit is a sound long-range measure. The investment credit was adopted to provide a long-range incentive for growth and modernization of our productive capacity. It has been eminently successful. The added capacity and efficiency that have resulted from the operation of the credit along with the new depreciation guidelines since 1962 are of tremendous value to our economy and our defense effort now. The credit is one of the key weapons in assuring a strong and sustainable level of investment to add to our productive capacity and efficiency. Such growth in capacity is the ultimate weapon against inflation. The repeal of the credit would discourage new long-range orders and commitments and this in turn would result in a cutback in investment and capacity at a later period. That result may be entirely inappropriate at that time—for we will want a high level of investment in the years ahead after Vietnam is in back of us.

Second. Repeal of investment credit not suitable as short-term restraining factor. There is a considerable "lead-time" in carrying out investment projects. The investment credit becomes available when assets are put in service and hence present contracts are being undertaken in reliance on the availability of the credit when the project is completed. Any repeal of the credit would have to provide an exception for projects already under commitment, but which will be completed in the future. Thus repeal of the investment credit would generally not alter investment expenditures or tax revenues for a substantial period of time.

Third. Current situation does not require changes in final income tax liabilities. As the President has stated, it is not necessary or desirable to change individual or corporate final tax liabilities at this time in response to the current economic situation associated with Vietnam expenditures. Since the investment credit is a component of final income tax liabilities, it follows that the current situation does not require a repeal of the investment credit.

Fourth. Balance of payments. The investment credit helps the balance of payments in two direct ways: First, it makes investment here in the United States more attractive, and second, it encourages modernization and cost cutting to strengthen our export position—including our defensive position vis-a-vis imports. Removal or reduction of the investment credit in a world in which investment incentives are widely used in foreign tax systems under which our friendly international competitors operate would weaken our international competitive position.

Mr. President, the Secretary of the Treasury, Mr. Fowler, in testimony before the Finance Committee on the Tax Adjustment Act of 1966, in dealing with the proposal to suspend or repeal the investment credit stated, on page 93 of the hearings—and in quoting him let me indicate that I am in entire agreement with him—as follows:

> There were three principal reasons why we—

That is the Treasury—

> rejected suspension or repeal of the investment credit.
>
> First, we feel the investment credit is a sound, long-range measure in that its basic purpose was to produce an incentive to increase productive capacity. An increase of productive capacity, and an increase in supply, is one of the best answers to increased demand or inflationary tendencies.
>
> Second, we felt the investment credit will induce more efficient processes resulting in an increase in the rate of productivity. This will not only produce overall efficiency to the system, but it will also enable us to provide regular wage increases that are characteristic of our system without inducing price increases that might undermine our competitive position in dealing with our balance of payments.
>
> For those two long-range reasons, we felt a retention of the investment credit was desirable.
>
> Looking at the investment credit on a short-term basis, we felt that suspension or repeal of it was not particularly useful as a short-term restraint. The credit, as you will remember, becomes available when a project is completed. Therefore, if Congress moved to suspend or eliminate it, in good faith and fairness it would have to make some exception for projects that have been initiated in reliance of the availability of the investment credit.
>
> Therefore, the impact in terms of revenue, assuming provision would be made to exempt those projects already underway, would be very much delayed. Moreover, the impact in terms of current activity would not be nearly as great as one would anticipate and it would probably hit us some time next year or so rather than today.

Mr. President, for these and numerous other reasons which have been cited by other speakers and will be cited again, I am sure—I intend to oppose any amendments to H.R. 12752 which would have the purpose of either repealing or suspending investment credit.

KWAME NKRUMAH BECOMES GUINEA HEAD OF STATE

Mr. **SCOTT**. Mr. President, all Senators have heard of the unusual developments in Ghana and Guinea whereby Kwame Nkrumah, the deposed President of Ghana, pops up as the new President of adjoining Guinea.

Mr. President, Ghana has just succeeded in freeing itself from Communist infiltrations which have been so successful there heretofore, especially by Soviet Russia, but I believe much more importantly in this context; namely, the virtual domination of some of the actions of the Republic of Ghana by the Red Chinese.

The Red Chinese are losing a lot of bouts right now around the world. They have been kicked out of several African nations recently, under the principle that to know the Red Chinese is to wish to get rid of them immediately. I am glad that tendency is showing up in Africa today. I believe it stems from the ill-conceived remarks some time ago of Chou En-lai when he stated that what was needed in Africa were more revolutions.

The armies took him at his word, evidently, and the heads of states were terribly upset, because Chou En-lai had forgotten that when he was advocating revolution he was advocating revolution against incumbent dictators.

The recent coups in Africa have been directed at the attempt by Red China to subvert and control one government after another.

I may be able to add something here which I have not seen in the press, because to underestimate the skill of various African leaders would be to make a great mistake.

One of the most brilliant diplomats in the world today lives in Africa. Many in America have not heard much about him, but they are going to be hearing very much more from him in the future. His name is Alpha Ibrahima Diallo.

Mr. Diallo manages to bring together, as he has done in this case with at least two other African countries, the various African countries where recently the influence of the Red Chinese has been strongly felt.

Mr. Diallo was Guinea's delegate to the International Telecommunications Union Conference at Montreux, Switzerland, in September and October of last year. At that time he persuaded 32 African countries to vote against the United States and other nations on matters which the United States felt were in violation of the constitution of that 100-year-old organization—the oldest international organization, I believe.

The United States took a setback on this; Mr. Diallo advanced.

I observed Mr. Diallo at Montreux, and I do not underestimate him. Mr. Diallo is the man who brought about the return of Kwame Nkrumah, not to Ghana, which kicked him out, but to Guinea, nearby, where Communist influence is still very strong.

Mr. Diallo was there. There are others. But he is the leader and the front for whatever activities they may undertake there.

So now we see Kwame Nkrumah, kicked out of his own country, now operating in neighboring Guinea. This will probably bring about more violence, more bloodshed, which may result in Guinea throwing Nkrumah out, and which would be a sort of double bounce, since he appeared there on the rebound.

On the other hand, Guinea—there was once a union between the two countries—may decide to make war on Ghana.

The reason I rose to make this statement is to point out that a new figure is on the scene, which can be added to the names of Stalin, Khrushchev, Mao Tse-tung, Chou En-lai, and the rest of the Communist leaders.

He has fully matched them in shrewdness, ability, and ingenuity, and his purpose is to turn black Africa Red.

As I have said, he and his Chinese allies have been losing a number of battles, but he should be exposed for what he is. I would like to see somebody do a profile of him. I suggest the press have an opportunity to look up Mr. Diallo. They will be surprised—keeping aside for the moment the Vietnam war—at his activities with respect to a revolution in Guinea or a fight between Guinea and Ghana. The "Grey Eminence," as Cardinal Richelieu used to be termed, will be there in the presence of Mr. Diallo.

I hope the United States will not fall for some scheme to send economic or military aid to Guinea on the ground that it is really a fine, independent country, which is in control of its own affairs, because it is not. It is strongly dominated by Red Chinese influence. Chances are that the people of Guinea do not like it that way, but they are not being consulted.

At the same time the new Government of Ghana appears to be turning to the West. If we give aid to Ghana, we had better give it in a form where it cannot be stolen or taken by force under the aegis of Kwame Nkrumah or Sekou Toure or Mr. Diallo.

The outcome of this is obviously something which no one can foretell, but in the past it has been our experience that our country frequently rushes to the aid of the wrong side, or that we are not sure which tiger to ride, or even whether it is a tiger, or a pussycat. Our Government had better look at these countries and ask, "What's new Pussycat?" because this is a critical and dangerous situation.

Somebody will suggest, "Take it up with the United Nations." That is all right with me. My guess is it will not do any good. While the United Nations needs the practice, and it costs a lot to keep the U.N. going. If it did any good, I would be the first to cheer. But I would have my country recognize that we are not dealing with a free, independent country in the form of Guinea, but one of the last strongholds in the world where the Chinese Communists have not been defeated, denounced, or kicked out. Ghana seems to be pretty much rid of them.

I reserve any comments on Vietnam. I do not want to go into that now. But I refer to what the Chinese Communists may be doing in the way of economic, political, and diversionary actions. They are not doing very well.

I hope our Government makes sure it does not do anything which, unwittingly, or through overcomplacency or overgenerosity, may lead us into this particular tiger's cage.

ADJOURNMENT

Mr. BREWSTER. Mr. President, under the previous order, I move that the Senate stand adjourned until 12 noon on Monday next.

The motion was agreed to; and (at 3 o'clock and 29 minutes p.m.) the Senate, under the previous order, took an adjournment until Monday, March 7, 1966, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate March 4, 1966:

IN THE AIR FORCE

Maj. Gen. Richard L. Bohannon, FR19067, Regular Air Force, Medical, for appointment as Surgeon General of the Air Force in the grade of lieutenant general. This nomination is made under the provisions of section 8036, title 10 of the United States Code.

I nominate the following-named officers for temporary appointment in the U.S. Air Force under the provisions of chapter 839, title 10 of the United States Code:

To be major generals

Brig. Gen. Philip H. Greasley, FR1821, Regular Air Force.

Brig. Gen. Kenneth R. Powell, FR1614, Regular Air Force.

Brig. Gen. Richard O. Hunziker, FR4164, Regular Air Force.

Brig. Gen. John L. McCoy, FR1705, Regular Air Force.

Brig. Gen. Charles G. Chandler, Jr., FR1842, Regular Air Force.

Brig. Gen. Michael J. Ingelido, FR4295, Regular Air Force.

Brig. Gen. Harry L. Evans, FR4619, Regular Air Force.

Brig. Gen. Louis E. Coira, FR1429, Regular Air Force.

Brig. Gen. William T. Smith, FR1689, Regular Air Force.

Brig. Gen. Glenn A. Kent, FR3701, Regular Air Force.

Brig. Gen. Woodrow P. Swancutt, FR3729, Regular Air Force.

Brig. Gen. Wendell E. Carter, FR3848, Regular Air Force.

Brig. Gen. Stebbins W. Griffith, FR3944, Regular Air Force.

Brig. Gen. Luther H. Richmond, FR4133, Regular Air Force.

Brig. Gen. Grover C. Brown, FR4144, Regular Air Force.

Brig. Gen. William T. Daly, FR3947, Regular Air Force.

Brig. Gen. Oris B. Johnson, FR5025, Regular Air Force.

Brig. Gen. Lawrence F. Tanberg, FR8286, Regular Air Force.

Brig. Gen. Royal N. Baker, FR8315, Regular Air Force.

Brig. Gen. Jewell C. Maxwell, FR8393, Regular Air Force.

Brig. Gen. Royal B. Allison, FR8451, Regular Air Force.

Brig. Gen. Chesley G. Peterson, FR9383, Regular Air Force.

Brig. Gen. Hugh B. Manson, FR1800, Regular Air Force.

Brig. Gen. Robert L. Delashaw, FR1913, Regular Air Force.

Brig. Gen. Andrew J. Evans, Jr., FR4072, Regular Air Force.

Brig. Gen. Kenneth C. Dempster, FR4633, Regular Air Force.

Brig Gen. Edward H. Nigro, FR4889, Regular Air Force.

Brig. Gen. Robert F. Worley, FR4906, Regular Air Force.

Brig. Gen. William C. Lindley, Jr., FR5006, Regular Air Force.

Brig. Gen. James T. Stewart, FR8692, Regular Air Force.

Brig. Gen. George B. Simler, FR9236, Regular Air Force.

Brig. Gen. Norman S. Orwat, FR9489, Regular Air Force.

Brig. Gen. Russell E. Dougherty, FR9985, Regular Air Force.

Brig. Gen. Edwin R. Chess, FR55101 (Colonel, Regular Air Force, Chaplain) U.S. Air Force.

To be brigadier generals

Col. Roscoe C. Crawford, Jr., FR1639, Regular Air Force.

Col. William H. B. Erwin, FR3699, Regular Air Force.

Col. Robert A. Patterson, FR19250, Regular Air Force, Medical.

Col. William P. McBride, FR4179, Regular Air Force.

Col. Dudley E. Faver, FR4202, Regular Air Force.

Col. Edward W. Scott, Jr., FR4203, Regular Air Force.

Col. Richard L. Ault, FR4462, Regular Air Force.

Col. Timothy L. Dacey, Jr., FR4631, Regular Air Force.

Col. Gustav E. Lundquist, FR4710, Regular Air Force.

Col. Richard R. Stewart, FR5096, Regular Air Force.

Col. Sam L. Huey, FR5175, Regular Air Force.

Col. Harold V. Larson, FR5184, Regular Air Force.

Col. William S. Harrell, FR5240, Regular Air Force.

Col. Wright J. Sherrard, FR5249, Regular Air Force.

Col. Harold F. Funsch, FR19181, Regular Air Force, Medical.

Col. Franklin A. Nichols, FR4809, Regular Air Force.

Col. Jack Bollerud, FR19194, Regular Air Force, Medical.

Col. James S. Cheney, FR8336, Regular Air Force.

Col. Robert B. Hughes. FR7319, Regular Air Force.

Col. Gilbert L. Curtis, FR7448, Regular Air Force.

Col. Joe T. Scepansky, FR7879, Regular Air Force.

Col. Pete C. Sianis, FR7945, Regular Air Force.

Col. Harold C. Teubner, FR8145, Regular Air Force.

Col. Ralph D. Steakley, FR8241, Regular Air Force.

Col. William A. Hunter, FR8623, Regular Air Force.

Col. Joseph Myers, FR8661, Regular Air Force.

Col. Harmon E. Burns, FR8702, Regular Air Force.

Col. Courtney L. Faught, FR8781, Regular Air Force.

Col. John H. Herring, Jr., FR8800, Regular Air Force.

Col. Donald F. Blake, FR8926, Regular Air Force.

Col. Lester F. Miller, FR9004, Regular Air Force.

Col. Paul R. Stoney, FR9083, Regular Air Force.

Col. Kenneth W. Schultz, FR9096, Regular Air Force.

Col. Herbert G. Bench, FR9190, Regular Air Force.

Col. Walter R. Hedrick, Jr., FR9353, Regular Air Force.

Col. George J. Eade, FR9515, Regular Air Force.

Col. Joseph N. Donovan, FR9584, Regular Air Force.

Col. William F. Pitts, FR9796, Regular Air Force.

Col. Louis L. Wilson, Jr., FR9803, Regular Air Force.

Col. Edward A. McGough III, FR9819, Regular Air Force.

Col. James F. Hackler, Jr., FR9839, Regular Air Force.

Col. Carlos M. Talbott, FR9853, Regular Air Force.

Col. Winton W. Marshall, FR9999, Regular Air Force.

Col. Felix M. Rogers, FR10067, Regular Air Force.

Col. William W. Snavely, FR10177, Regular Air Force.

Col. James W. Little, FR8099, Regular Air Force.

Col. James O. Lindberg, FR8525, Regular Air Force.

Col. Carl W. Stapleton, FR8893, Regular Air Force.

Col. Paul N. Bacalis, FR9227, Regular Air Force.

Col. William C. Pratt, FR9722, Regular Air Force.

Col. Buddy R. Doughtrey, FR9984, Regular Air Force.

Col. Albert J. Bowley, FR10101, Regular Air Force.

Col. Augustus M. Hendry, Jr., FR8645, Regular Air Force.

Col. Robert E. Lee, FR32976, Regular Air Force.

Col. William L. Clark, FR48578, Regular Air Force, chaplain.

Col. Rene G. Dupont, FR11836, Regular Air Force.

Col. Donavon F. Smith, FR14577 (lieutenant colonel, Regular Air Force) U.S. Air Force.

Col. Dewitt S. Spain, FR36000 (major, Regular Air Force) U.S. Air Force.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 4, 1966:

Federal Reserve System

Andrew F. Brimmer, of Pennsylvania, to be a member of the Board of Governors of the Federal Reserve System for a term of 14 years from February 1, 1966.

Federal Deposit Insurance Corporation

William W. Sherrill, of Texas, to be a member of the Board of Directors of the Federal Deposit Insurance Corporation for a term of 6 years.

Comptroller General

Elmer Boyd Staats, of Kansas, to be Comptroller General of the United States for a term of 15 years.

Foreign Claims Settlement Commission

Theodore Jaffe, of Rhode Island, to be a member of the Foreign Claims Settlement Commission of the United States for a term of 3 years from October 22, 1965, to which office he was appointed during the last recess of the Senate.

Department of Justice

James L. Watson, of New York, to be judge of the U.S. Customs Court.

Wilfred Feinberg, of New York, to be U.S. circuit judge, second circuit.

William K. Thomas, of Ohio, to be U.S. district judge for the northern district of Ohio.

William J. Lynch, of Illinois, to be U.S. district judge for the northern district of Illinois.

Gilbert S. Merritt, Jr., of Tennessee, to be U.S. attorney for the middle district of Tennessee for the term of 4 years.

Anthony J. Furka, of Pennsylvania, to be U.S. marshal for the western district of Pennsylvania for the term of 4 years.

Archie Craft, of Kentucky, to be U.S. marshal for the eastern district of Kentucky for the term of 4 years.

James J. Moos, of Illinois, to be U.S. marshal for the southern district of Illinois for the term of 4 years.

HOUSE OF REPRESENTATIVES

Monday, March 7, 1966

The House met at 12 o'clock noon.

Reverend Father Michael Urbanowich, Marianapolis Preparatory School, Thompson, Conn., offered the following prayer:

Let us pray in the name of the Father, and of the Son, and of the Holy Spirit.

Almighty God, the Lord and Ruler of all nations, today in this glorious House of Representatives of the United States of America we glorify Thee on behalf of the people who, led by Thy providential hand, came to this country from Byelorussia.

We thank Thee for the blessings Thou hast bestowed upon America.

Bless, O Lord, our President, our Speaker, our legislators, our clergy, and the Armed Forces of this land of freedom.

Bless the freedom-loving people of Byelorussia who 48 years ago on March 25, 1918, proclaimed the independence of their Byelorussian Democratic Republic. Freedom and democracy were short-lived in Byelorussia, because the Red army drove them out. Still, the Byelorussian people never lost their hopes for national independence and each year commemorate proclamation of independence—the historic March 25.

As we once more commemorate Byelorussian Independence Day here in these glorious United States, we pray Thee, O loving Father, to give the entire Byelorussian people spiritual strength to resist godless communism and preserve their ideals of liberty. Look down with favor, O Lord, upon Thy children who cry out to Thee in anguish for their deliverance.

We humbly beg Thee to grant that they may soon see the dawn of a better day, when together with all free men they might live in peace and prosperity, worshiping Thee, their only true God and Redeemer, with dignity and honor.

Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, March 3, 1966, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Geisler, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 1484. An act for the relief of Mrs. Loneta Hackney;

H.R. 1918. An act for the relief of Eligio Ciardiello;

H.R. 2627. An act for the relief of certain classes of civilian employees of naval installations erroneously in receipt of certain wages due to misinterpretation of certain personnel instructions;

H.R. 3076. An act for the relief of the estate of Bart Briscoe Edgar, deceased;

H.R. 3236. An act for the relief of Louis Shchuchinski;

H.R. 4928. An act for the relief of Chizuyo Hoshizaki;

H.R. 4995. An act for the relief of Muhammad Sarwar;

H.R. 5231. An act for the relief of Jack Ralph Walker;

H.R. 5530. An act for the relief of the estate of Robert A. Ethridge;

H.R. 5973. An act for the relief of Edwin F. Hower;

H.R. 7667. An act for the relief of Donald F. Farrell; and

H.R. 10338. An act for the relief of Joseph B. Stevens.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 2752. An act for the relief of Kock Kong Fong;

H.R. 2938. An act for the relief of Przemyslaw Nawakowski;

H.R. 2939. An act for the relief of Manojlo Verzich;

H.R. 3875. An act for the relief of Mrs. Panagiota Vastakis and Soteros Vastakis;

H.R. 4743. An act for the relief of Ralph Tigno Edquid;

H.R. 6112. An act for the relief of David Glenn Barker (Jai Yul Sung) and Richard Paul Barker (Pil Su Park);

H.R. 9442. An act for the relief of Ki Sook Jun; and

H.R. 10403. An act for the relief of Edward F. Murzyn and Edward J. O'Brien.

The message also announced that the Senate had passed bills and joint resolutions of the following titles, in which the concurrence of the House is requested:

S. 146. An act for the relief of Delma S. Pozas;

S. 153. An act for the relief of Matsusuke Tengan;

S. 265. An act to authorize conveyance of certain lands to the State of Utah based upon fair market value;

S. 926. An act for the relief of Laura Hui-Wei Wong and her children, Janet Wong and Simon Wong;

S. 1213. An act for the relief of Richard K. Jones;

S. 1375. An act providing a method for determining the amount of compensation to which certain individuals are entitled as reimbursement for damages sustained by them due to the cancellation of their grazing permits by the U.S. Air Force;

S. 1661. An act for the relief of Samuel C. Neiburg;

S. 1923. An act to amend chapter XI of the Bankruptcy Act to give the court supervisory power over all fees paid from whatever source;

S. 1960. An act for the relief of Capt. Rey D. Baldwin;

S. 2153. An act to authorize the Secretary of the Interior to use appropriated funds for the payment of medical care of temporary and seasonal employees and employees located in isolated areas who become disabled because of injury or illness not attributable to official work, and for other purposes;

S. 2177. An act for the relief of Donald I. Abbott;

S. 2265. An act for the relief of Konstadyna Byni Deliroglou and her minor child, Alexandros Deliroglou;

S. 2307. An act for the relief of certain civilian employees and former civilian employees of the Bureau of Reclamation at the Columbia Basin project, Washington;

S. 2356. An act for the relief of Raymond J. Grachek;

S. 2696. An act for the relief of Abraham Ezekiel Cohen;

S.J. Res. 18. Joint resolution to provide for the designation of the fourth week in April of each year as "Youth Temperance Education Week"; and

S.J. Res. 133. Joint resolution designating February of each year as American History Month.

PERSONAL ANNOUNCEMENT

Mr. ANNUNZIO. Mr. Speaker, because of illness last week I was not present during the vote on S. 1666, which provides for the appointment of additional circuit and district judges. Had I been present, I would have answered "yea" to roll No. 28, which was taken on the passage of this legislation.

I was also not present during the vote on H.R. 12889, the supplemental defense authorization. Had I been present last week, I would have answered "yea" to roll No. 26, which was taken on the passage of this bill.

I would like the RECORD to show my position on these measures.

FEDERAL LAKES AND RESERVOIRS SHOULD REMAIN FREE TO THE PUBLIC

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. EDMONDSON. Mr Speaker, I have today introduced a bill to repeal all authority for Federal entrance and admission fees at virtually all Government lakes and reservoirs.

I am convinced the imposition of such fees at reservoirs primarily built for flood control, navigation or power, is neither justified nor necessary.

Furthermore, such fees constitute a breach of contract with the people, whose tax money has been used to acquire the lands and build the dams which make the reservoirs possible.

In many instances, construction of these reservoirs was approved and supported by local people with the definite understanding that no Federal interference of any kind would take place with the time-honored rights to fish and boat on the waters impounded. In the case of our Indian people, many of whom were guaranteed perpetual rights to hunt and fish without interference under treaties many years ago, the new fees are a flagrant violation of traditional, historic rights—and are totally indefensible.

It is one thing to collect a user fee from an individual using a facility like a bathhouse or a special campsite with utilities—both requiring continual maintenance and personnel in attendance. It is entirely a different matter to charge for access to the land and the water which belong to the people in the first place, and have long been used by them for recreational purposes. Especially is this so at reservoirs where recreational facilities are largely incidental to other major reservoir purposes.

These fees, Mr. Speaker, should be prohibited by the Congress, without further delay.

VIETNAM

Mr. DOW. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DOW. Mr. Speaker, in the last few days, we should all be concerned about the indications that our side is escalating the war in Vietnam. How long can we continue to talk peace on the one hand and raise the level of bombing on the other? They say our bombing in Vietnam is now comparable to any in World War II or in Korea.

Yesterday the paper reported that we were bombing rail lines near China. Also, it said that at least one of our military leaders proposed the mining of Haiphong Harbor. It may not be too long before the Chinese throw their hordes of infantry into Vietnam, as they did into Korea. If we mine the harbor at Haiphong, and interfere with Russian shipping, then we have put their national pride on the line, and they have to react somehow whether they want to or not.

Mr. Speaker, none of us should be afraid to face either China or Russia in a clear situation of our own self-defense. But, I fail to see how a foothold in Vietnam has any value in our own self-defense. How does our fight in that one place assure that insurgency will disappear in every other place on earth?

Until elections are held in Vietnam, we cannot even be sure that we are fighting for what those people want.

Considering all these uncertainties, Mr. Speaker, how can the United States proceed with such assurance and coolness to tempt the gods of world war III?

I must strongly protest the steps of escalation that we are taking. These mean danger to every family in America—and yet they are based on reasons that are not quite good enough.

PERSONAL ANNOUNCEMENT

Mr. O'BRIEN. Mr. Speaker, I regret that illness last week prevented me from voting on the bill H.R. 12889, providing necessary funds for our military operations in Vietnam. If I had been present, I would have voted for the bill without reservation.

THE NEW GI BILL

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. FEIGHAN. Mr. Speaker, the new GI bill signed into law by President Johnson will benefit large numbers of young Americans who have served in the Armed Forces of our country. In my district alone it is estimated that approximately 10,300 veterans are potentially eligible for the benefits and services under the new bill.

This includes education and training programs generally patterned after the highly successful GI bills of World War II and the Korean conflict.

The educational provisions of the bill are expected to provide veterans in the 20th District of Ohio almost $828,000 in direct benefits in the first year. Veterans' Administration guaranteed loans totaling $2,876,000 to some 190 veterans are also expected in the first year. New hospital benefits made available to these veterans are expected to total $42,000 in the first year.

Mr. Speaker, the education and training provisions of this program will help a great deal to prepare more of our young men and women to realize their full potential in life. I know they are welcomed by the veterans in my district.

HALL URGES RETENTION OF SCHOOL MILK PROGRAM

Mr. HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, I have today introduced legislation to insure that the school milk program is extended with adequate appropriations to assure the continued availability of milk at moderate prices in the Nation's schools.

There is growing concern with the administration's actions in refusing to release $3 million for the special school milk program this year. I cannot agree with the President's proposal to cut funds for the school lunch program by 12 percent and the special milk program by almost 80 percent for the coming fiscal year, while flaunting other areas of domestic fiscal responsibility.

These cutbacks, coming at the same time that "poverty warrior" salaries are being escalated and foreign aid expanded, make no sense to either our dairy farmers or to our schoolchildren and their parents.

These programs have, through the years, proven to be especially effective means of assisting schools in providing nutritionally desirable diets to grade and high school students at moderate prices. They have contributed to the health and development of the Nation's future generation. As a "doctor in the House," I am certainly for these efforts, under local school board control.

During fiscal year 1965, 61.7 million additional half-pints of milk were served to students in the State of Missouri, alone, under these extremely successful programs. Under the administration's proposed program, this would be drastically curtailed. If under the new program, a school district determines that $3,000 income is the difference between a needy family and a prosperous family, then, the child of a family with $2,999.99 income will pay nothing for a half-pint of milk. How utterly foolish.

I would much rather see a cut in Mrs. Johnson's so-called beautification program, or in the poverty program, than the $80 million cut in this vital and important program for our schools, and leaders of tomorrow.

THE OPPORTUNITY CRUSADE ACT OF 1966

Mr. QUIE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. QUIE. Mr. Speaker, today I have introduced a bill, the Opportunity Crusade Act of 1966, along with my colleague, Congressman GOODELL, of New York. This bill seeks to mesh the combined efforts of government at all levels with private endeavors to provide jobs and dignity for the poor. Some parts of this bill are completely new. Other parts are a redirection and improvement of present law.

What it does, basically, is to put all the training programs under the Department of Labor, so that one Federal agency, the Department of Labor, can give coordination and direction to this program, so that they can decide whether a young person can be retrained best under the Manpower Development and Training Act, or under a Neighborhood Youth Corps program, or in an urban training center which we call a skill center, or under a rural-type camp of the Job Corps. All education programs would be under the Office of Education. Headstart and preschool programs would be financed through funds of the Elementary and Secondary School Act.

Today, if the present law continues, there will be a limited amount of money available for Headstart or preschool education. There would be no shortage of funds for preschool children under the bill which I am introducing today.

If ever we are going to break the cycle of poverty, then it has to be at the preschool level. This bill provides that the Office of Education must provide for the needs of preschool education before they finance the remedial programs, for the remainder of the act.

The loans to farmers would be handled by the Farmers Home Administration. In fact, what would be left of the Office of Economic Opportunity would be two things: community action programs and vistas.

Community action boards all would have to have at least one-third selected by the poor, so that the poor people's representatives would be on the community action board to help direct community action agencies, and through this program they could help coordinate the efforts that are going on now to reach the poverty-stricken people of the country, amounting to better than $100 million a year.

Our program would cost less Federal money, would reach more people, and would put more money into the efforts to give opportunities to the poor people of this country.

The priority would be to the very young, the preschoolchildren, but it would put the emphasis on jobs—not on make-work jobs, but jobs in private industry—so they could learn skills necessary to hold down the kinds of jobs which would make them taxpaying citizens who would be an asset to the country rather than a burden and taking from the tax revenues of the Federal Government.

OSTEOPATHS IN MILITARY SERVICE

Mr. CAHILL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. CAHILL. Mr. Speaker and Members of the House, I would like to call the attention of the Members to what appears to be a flagrant disregard for the law of the land either by the respective Secretaries of the military or by the Surgeon General. I am sure all of you know, if your experience is similar to mine, there is not only an acute shortage of doctors in the country, but there is an acute shortage of doctors in the military. Just the other day I read in the paper where a father of seven children was being drafted to serve in the military. Yet a law passed by Congress, the 64th Congress, which was supported by the Department of Defense and the American Osteopathic Association, Public Law 763, which provides for duly licensed osteopaths to be taken into the armed services, is being disregarded and has not been implemented by the Surgeon General. So today we have the anomalous situation of a graduate of an osteopathic college, duly licensed to practice medicine in my State at least and probably in many of yours, who is single and who has received part of his education through the generosity of the Government but who cannot, even though he wants to and is anxious to, get into the military services of his country. On the other hand, we have a father of seven children who, just because he went to a different medical school, can get in whether he wants to or not. I am certainly going to find out why this law has not been implemented, and I ask the membership of this House to join me in investigating it.

DONATIONS OF BLOOD BY STUDENTS OF MASON CITY JUNIOR COLLEGE

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER.** Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, on Thursday and Friday of last week, some 355 students at Mason City Junior College, Mason City, Iowa, turned out to give blood for U.S. servicemen in Vietnam.

The 355 young men and women represent one-fourth of the student body at this fine school.

We read entirely too often of the disgraceful activities of a relatively few college students—the publicity-seeking draft card burners and demonstrators. It is indeed heart warming to learn of the patriotic action by such a large number of students at Mason City Junior College, which I am proud to say is in the district I have the honor to represent.

PAY AND BENEFITS OF FEDERAL EMPLOYEES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 402)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Post Office and Civil Service and ordered to be printed:

To the Congress of the United States:

Among the many blessings which Americans can count is a corps of Federal civil servants that is unequaled anywhere in the world. Honest, intelligent, efficient, and—above all—dedicated, these men and women represent a national resource and a national asset.

America expects much of these public servants. We have made vigorous demands on their time and energy. We have exacted from them high standards of work and conduct.

In recent years, we have moved steadily to compensate these men and women equitably and competitively for their quality performance in the public interest. To that end, the administration prepared and the Congress enacted, the Federal Salary Reform Act of 1962. We established the principle that Government workers are entitled to a pay scale which compares favorably with pay in private industry.

Such a pay scale is as much in the national interest as it is in the interest of Government employees. I said when signing the Government Employees Salary Reform Act of 1964:

> America's challenges cannot be met in this modern world by mediocrity, at any level, public or private. All through our society we must search for brilliance, welcome genius, strive for excellence.

We have been true to the principle of comparability.

Since 1961, the pay of Federal employees has increased by over 16 percent.

In the brief period since I have been President, employees of the Federal Government have enjoyed pay increases amounting to nearly 12 percent. These increases have done much to close the gap between compensation for Government employees and those in private enterprise.

The increases in basic pay, however, were not accompanied by any significant benefits in forms other than salary. Yet pay, retirement, and other fringe benefits are all parts of an employee's total compensation. Recognition of this basic fact is crucial in developing a rational and equitable system of compensation. Neither pay, nor retirement, nor other fringe benefits can be considered in isolation. For all of them together represent the worker's real reward.

The proposals which I am making today reflect this consideration.

I propose increases in Federal compensation of $485 million per year.

I am asking the Congress to enact legislation which will provide an average increase for Federal civilian employees amounting to 3.2 percent of total compensation.

On the average, direct salary increases will amount to 2.85 percent. The other increases are for fringe benefits to assist the Government employee in providing for his own economic security.

In considering these proposals, I urge careful study of the supporting data and background information contained in the two reports transmitted with this message:

1. The report of the Cabinet Committee on Federal Staff Retirement Systems, prepared in response to my request of February 1, 1965, for a review of Federal retirement policies and benefits.

2. The annual report to the President of the Director of the Bureau of the Budget and the Chairman of the Civil Service Commission on the comparison between Federal civilian pay levels and those in private enterprise—as required by law.

I also urge the Congress to take into account two other considerations of utmost importance to the Federal employee—and all wage earners—and the Nation as a whole:

The wage-price guideposts which are key weapons in our defense against inflation; and

Sound and responsible Federal fiscal policy.

Both of these considerations weighed heavily in my mind as I studied various possible recommendations to make to the Congress this year. For nothing will destroy the progress of the Federal employee in his efforts to achieve comparability more effectively than the erosion of inflation.

PAY

I recommend to the Congress the enactment of a pay raise for Federal employees, effective January 1, 1967, ranging from 1 to 4½ percent.

With these increases, nearly 1 million of the 1.8 million employees affected will achieve pay comparability with private enterprise. These employees include about 88 percent of all postal workers and the more than 470,000 Classification Act employees in grades GS–1 through GS–5.

The smallest increase of approximately 1 percent will go to the lowest of the two grades of the classification system which are already above comparability. The modestly higher increases will go to the relatively few upper grades where the current comparability difference is larger and where, accordingly, our recruiting difficulties are greatest.

RETIREMENT

I shall not detail in this message all of the changes recommended by the Cabinet Committee on Federal Staff Retirement Systems. The report speaks for itself clearly and succinctly. I endorse it.

I call particular attention to three proposals which I believe to be most urgent. These are:

1. Those who reach age 55 with 30 years of service, should be allowed to retire without reduction in annuity. The Government should also have the option to retire involuntarily, at age 55, employees in grades GS–13 and above who have 30 or more years of service.

2. We should guarantee that retirement, disability, and survivor benefits are at least equal to benefits payable under the old-age and survivors disability insurance program of the social security system.

3. We should provide for the transfer to the social security system of service credits of employees who died, become disabled, or leave Federal employment before becoming eligible for Federal retirement systems benefits.

I recommend that these three proposals, like the basic pay increases, be made effective January 1, 1967.

I also recommend:

The enactment into law of a clear statement of retirement policy, as set forth in detail on pages 10 and 11 of the Cabinet Committee's report.

Adjustments between the Civil Service and the Foreign Service retirement systems.

The ultimate costs of all of the proposed changes in the retirement systems are set forth in tabular form on pages 21 and 22 of the Committee's report. This report also contains a sound financing plan. It is essential that we place our retirement system on a sound basis of financing as soon as possible.

I recommend that financing provisions be enacted as a part of the retirement legislation, including a 0.5-percent increase in contributions of both agencies and employees, effective January 1, 1967.

The report of the Cabinet Committee does not deal with changes in the military retirement system. Although the Committee reviewed important aspects of military retirement, it agreed with the Secretary of Defense that recommendations for fundamental changes should wait completion of a broad management study now underway in the Department of Defense.

The retirement report and the recommendations for legislation presented by it are major steps forward in our continuing efforts to improve the compensation system for Federal employees. In my judgment, they are equal in importance to the 1962 Federal Salary Reform Act.

OTHER BENEFITS

I recommend a phased 2-year increase in the Government's contribution to our civilian health benefits program.

The first increase should be effective on January 1, 1967; the second on January 1, 1968. These increases would restore the ratio of costs to the Government and costs to the employee established by the original Health Benefits Act of 1959.

The effective date of other important adjustments in our retirement system should be deferred for at least another year. The most important of these are to:

1. Extend medicare to Federal civilian employees.
2. Continue benefits until age 22 for those surviving children of deceased Federal employees who are continuing their education.
3. Compute benefits on the basis of a guaranteed disability minimum to widows of employees who die after retirement for disability.
4. Continue benefits for a surviving widow if she remarries after age 60.

NEED FOR NEW KNOWLEDGE

If we are to continue to modernize our policy of total compensation, we need better information than is now available. We must examine all of the fringe benefits in our compensation system. These include leave, holiday pay, special pay differentials, unemployment insurance, Federal Employees Compensation Act benefits for duty-related accidents and illness, health benefits, life insurance, and counterpart benefits prevailing elsewhere in our economy.

I am recommending that the Congress appropriate funds for collection and evaluation of information on non-Federal fringe benefits in the budget of the Department of Labor for 1967.

CONCLUSION

The measures I am proposing meet the test of fairness to our employees. They also meet the test of economic responsibility.

For the past many months, the Government has appealed to labor and industry alike to hold price and wage increases within the guideposts established by the Council of Economic Advisers.

If our Government is to exercise continued leadership in the fight for price stability, then we must continue to practice what we preach. The Government has the added responsibility of not contributing to inflation by its own actions.

With 5 years of unprecedented economic expansion, our industry is now operating near the peak of its capacity. Added to this, we now have the obligation to support our fighting men in Vietnam and our commitment to freedom there.

This administration has already proved that our Nation does not have to live with depression or recession. Now we must prove that we can remain both strong and prosperous without endangering our economic stability.

Government employees have a direct stake in this effort. For none is more harmed by inflation—and harmed more quickly—than the wage earner and the salaried employee. It is of small value to him if the extra dollar he earns buys less and less with every passing week.

We are the wealthiest nation in history. We can afford whatever is necessary for both our welfare at home and our common defense abroad. But we can do this only by the exercise of fiscal prudence and economic responsibility during times when special demands are being made on our economy by the military needs of Vietnam.

I am certain that both Government employees and the leaders of their organizations will recognize that restraint serves both their cause and the national interest. They will recognize that these proposals meet three essential requirements:

First, that taken together, pay, retirement, and health benefits amount to an increase of the maximum total compensation increase within the wage-price guidelines.

Second, that the major increases will go to those Federal workers whose compensation is least comparable with private enterprise.

And third, that these proposals move the entire pay scale toward full comparability in an orderly manner.

The annual cost of these proposals will amount to $485 million. If they are made effective on January 1, 1967—which I urgently recommend—the cost for the next fiscal year will be $240 million. These costs are fully provided for in the budget which I submitted to the Congress in January.

The Federal Government is the largest employer in the Nation. The largest employer has an undeniable responsibility to lead, and not merely to follow, in instituting and adhering to model employment practices.

A model employer can demand excellence in performance. A model employer can demand continuing awareness of the need for greater productivity, more imaginative conduct of Government programs, and substantial cost reduction. We have made those demands.

Federal officers and employees at all levels have responded with enthusiasm and skill. If they had not been determined to improve the efficiency and economy of Government operations, budget costs in both 1966 and 1967 would be some $3 billion higher than they are.

By the close of this fiscal year, the total compensation for our 2½ million Federal civilian employees will be $20.4 billion a year. With expenditures of such magnitude, the President, the Congress, and Federal employees themselves, cannot fail to give the most careful consideration to every adjustment in pay, retirement, and health benefits. Each proposed adjustment must not only be merited, it should also be consistent with the principles of sound government.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *March 7, 1966.*

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

AUTHORIZING THE SECRETARY OF THE INTERIOR TO TRANSFER CERTAIN LANDS IN THE STATE OF COLORADO TO THE DEPARTMENT OF AGRICULTURE FOR RECREATION DEVELOPMENT

The Clerk called the bill (H.R. 10451) to authorize the Secretary of the Interior to transfer certain lands in the State of Colorado to the Department of Agriculture for recreation development, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

H.R. 10451

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized to transfer to the Department of Agriculture lands under his jurisdiction that are needed in connection with the development and management of the recreation resources of the Dillon Reservoir, thereby extending the exterior boundaries of the Arapaho National Forest in Colorado to include all of the lands not presently within such boundaries lying in township 5 south, range 77 west; township 6 south, range 77 west; township 7 south, range 77 west; township 5 south, range 78 west; township 6 south, range 78 west; and township 7 south, range 78 west, all of the sixth principal meridian.

SEC. 2. Subject to valid, existing rights so long as the same are maintained there are hereby added to the Arapaho National Forest all lands of the United States within the area described in section 1, except the following, known as the Dillon small tract site:

SIXTH PRINCIPAL MERIDIAN

Township 5 south, range 77 west: section 6, lots 13 to 63, inclusive; section 7, lots 10 to 150 inclusive. Township 5 south, range 78 west: section 1, lots 18 to 67, inclusive; section 12, lots 14 to 62, inclusive.

SEC. 3. The Secretary of Agriculture is hereby authorized to make such cooperative arrangements as he may deem appropriate with the Board of Water Commissioners of the City and County of Denver for the development and management of the recreation resources of the Dillon Reservoir and adjacent lands within the Arapaho National Forest and funds hereafter appropriated and available to the Forest Service for forest land management shall be available for the construction, operation, and maintenance on lands of the water board of structures, improvements, and facilities for such purposes provided the Secretary obtains the right to use such land for the estimated life of or need for such structures and improvements, including the right to remove the same within a reasonable time after the termination of the right to use the land.

With the following committee amendments:

Page 1, line 7, after "Reservoir," strike out "thereby extending" and insert "and".

Page 1, line 8, after "Colorado" insert "are extended".

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CLARIFYING REEMPLOYMENT PROVISIONS OF THE UNIVERSAL MILITARY TRAINING AND SERVICE ACT

The Clerk called the bill (H.R. 11509) to amend and clarify the reemployment provisions of the Universal Military Training and Service Act, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, I should ask the gentleman from Illinois [Mr. PRICE], who I assume is in charge of the bill, if it would in any way have anything to do with a report in the newspapers about drafting women for the military services.

Mr. PRICE. No, this merely has to do with providing employment rights for servicemen who, at the request and for the convenience of the Government, vountarily or involuntarily serve their country for a period not to exceed 12 additional months beyond the present 4-year period for which reemployment rights are normally given.

Mr. GROSS. Has the gentleman heard about a proposal to draft women?

Mr. PRICE. No, I have not heard about that.

Mr. GROSS. I should like to ask another question with respect to employment. The Peace Corps spends a good many thousands of dollars a year maintaining a service for the employment of returning Peace Corps-ites. Does the military provide a special service for returning veterans?

Mr. PRICE. Only in the sense that the Congress, through the Universal Military Training Act passed by the 82d Congress, guarantees their right to reemployment after spending 4—and we hope to extend it to 5—years in the service. This is the only service that the Government provides, and if they have any difficulty in returning to employment, they can go the the Department of Labor and the Department of Labor will assist them in seeing that the law is complied with.

Mr. GROSS. I am unable to understand why there should be a special employment service for members of the Peace Corps, a service that is apparently denied to men who have been in combat.

Mr. PRICE. Of course, the Armed Services Committee has no jurisdiction over the operations of the Peace Corps, either while the men are in service or when they return; this legislation has nothing in the world to do with the Peace Corps.

Mr. GROSS. I am sure my friend from Illinois is interested in whether preferential treatment is being accorded. A serviceman must go to an employment agency to get a job, but with respect to the Peace Corps it has a special agency to assist returning members to get jobs. And I have no doubt that Peace Corps members have priority over combat veterans in employment in the Federal Government.

Mr. PRICE. I do not know what particular legislation that would come under, but I know it is not provided for in this legislation. This legislation would merely extend existing reemployment rights for a period of 1 year to those servicemen in the Reserve and the National Guard who voluntarily extend their services another year.

Mr. GROSS. I regret that the Foreign Affairs Committee of the House has not seen fit to go into this matter, and I would like to urge the Committee on Armed Services to take a look at it.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

Mr. HALL. Mr. Speaker, reserving the right to object.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include a portion of the hearings on pages 5316, 5317, and 5318 in connection with the bill.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, this legislation is unanimously referred by our Armed Services Committee and Subcommittee. I am for it and know of no objection.

The portions of the hearings are as follows:

Mr. Hall. Mr. Chairman, I have been cognizant of this problem for a long time, both from the point of view of the committee and as a former personnel officer and specifically as a result of complaints of some of the reservists in my district. I think I could document many letters referring to what the admiral mentioned after the Berlin callup; corporations of national stature who happen to be located in the district that I represent were found easing out or dropping people in Ready Reserve status. This of course has flared into the open again as a result (a) of the Navy and Marine Corps involuntary or voluntary extensions and (b) because of the possibility of a general callup.

Now, I have two questions and I would just as soon both of you would comment on them, both Mr. Bradley and Admiral Shupper.

I think this committee is acutely aware of the fact that there have been people called up and Selective Training and Service Act used for individual filler-trainees and replacements in the line, not necessarily in just the Navy or the Marine Corps, but as you say, this backs up voluntary enlistments in the Navy and the Air Force; rather than calling up Ready Reserve units as indeed was done during the Berlin beefup.

Is this bill, if passed, H.R. 11509, in anywise an additional ruse—and I use the word advisedly—on the part of the Secretary of Defense to keep on active duty people other than petty officers for key, essential positions in the military, rather than resort to calling up the Ready Reserve, the trained Reserve or those that we have spent millions of dollars on in training, simply because the Reserve is being eliminated or dissolved or reassigned by the Secretary of Defense?

Admiral Shupper. No, sir, I don't think it is a ruse at all. I think that, naturally, the Department of Defense would like to have key personnel who are in the Reserve on active duty remain to tide us over this period. We do not——

Mr. Hall. If they need them that bad, Admiral, why don't they call up the other reservists and guardsmen that are trained and rotate those that have served 4 years or over in these key spots?

Admiral Shupper. Well, sir, it is a matter of having the bird in the hand and it is less disruptive to a man's life to have him voluntarily extend than to call somebody involuntarily who is in civil life and would have to disrupt his entire life to come on active duty.

Mr. Hall. It is also a matter—we didn't consider that in the Berlin beefup. It is also a matter, is it not, Admiral, of having made an unfortunate guesstimate 2 to 3 months before the escalation as a result of the Bay of Tonkin, that we would dissolve the Reserve and therefore embarrassing to have to call them up?

Admiral Shupper. Well, sir, I am not in a position to answer that question.

Mr. Hall. You are the personnel officer representing the Department of Defense, aren't you, manpower utilization officer?

Admiral Shupper. Yes, sir, but there was no decision made to dissolve the Naval Reserve and no decision made to dissolve the Marine Corps Reserve or the Air Force Reserve as far as I know.

Mr. Hall. Well, let me reframe the question, Admiral. And I want to reassure you again that I am not picking at you personally.

Admiral Shupper. Yes, sir, I understand.

Mr. Hall. I do think this point needs to be made in consideration of this legislation. And I want to go one step further and say that I will probably support this legislation because I do know the need for retaining beyond a stipulated time of active duty certain skilled people, electronics, even a good skilled boatswain's mate now and then, or particularly I should say a good skilled boatswain's mate and so forth. And I think I understand the purpose of this bill. But I think in all fairness you can see also that in the congressional responsibility and protecting of the individual and the public that this could get pretty hairy if such legislation is used to continue a policy that is based on internecine or interdepartmental politics or strongman's misstatement rather than equity and justice in callup and/or rotation of personnel. Isn't that a simple, fair statement?

Admiral Shupper. Yes, sir; but I don't think that there is any internecine conflict on this. I think all the services desire to try to meet the situation with volunteers if possible. If the situation develops to the point where we cannot, we will naturally have to call the Organized Reserve.

Mr. Hall. Exactly, and I would like very much for you to be able to do that.

I again want to make it clear that I have no sympathy with the employer who doesn't protect the reservist. I was protected for over 8 years when I was on active duty as a reservist by the organization that I left and returned to, despite other opportunities after World War II. And I don't have much respect for big national corporations that are weeding out reservists who participate in a Ready Reserve. This bill would help to correct that, that is why I am for it. But in another context, let me ask you this rather blunt question: Would a declared emergency, either Presidential or congressional, solve this problem and preclude the necessity of such legislation as H.R. 11509, Admiral?

Admiral Shupper. No, sir; because a declared emergency would aim at something else. We would still desire to retain voluntarily anyone that we could in preference to having to involuntarily call reservists either in organized units or as augmentation.

Mr. Bradley. Maybe I should add to that.

Mr. Hall. Yes, I hoped you would comment on this.

Mr. Bradley. On the first part of your question, I should say these amendments originated in the Department of Labor, not in the Department of Defense. We requested the Department of Defense——

Mr. Hall. I understand it is your bill.

Mr. Bradley. It is our bill, submitted by us.

Mr. Hall. Submitted by the chairman.

Mr. Bradley. And not originating with the Department of Defense with the idea of attempting to keep people in that maybe did not need to be kept in.

With respect to the second question, even if you have a joint resolution and a callup of Reserves, a Reserve who has already served for as much as 4 years, if recalled, would not have reemployment rights under section 9 (g)2 unless this bill is amended. So it is very important that this amendment go through, whether you call up or whether you do not.

If a reservist is called up who has not completed 4 years of service, he would be protected. But if he has already completed his 4 years of service for an absence from a single employer during that period of time, a callup, this legislation would be necessary to protect him.

Mr. Hall. I think that is a very excellent point and I thank you.

Mr. Chairman, I think I have no other questions.

Mr. Price. Thank you.

Any other questions, any member of the committee?

Mr. Hicks. Mr. Chairman.

Mr. Price. Mr. Hicks.

Mr. Hicks. This chart that you included here, does this all boil down to the fact that you are adding 1 year and that is all?

Mr. Bradley. Not to exceed 1 year.

Mr. Hicks. Over the present law.

Mr. Bradley. Not to exceed 1 year, but it cannot be at the convenience of the individual, it must be at the convenience of the Government.

Mr. Hicks. Thank you.

Mr. Love. In that connection, what is the total time of protection?

Mr. Bradley. Four years in the law. This would give an additional 12 months where it was at the convenience of the Government.

Mr. Love. That is a total of 5 years.

Mr. Bradley. A total of not to exceed 5 years.

Mr. Love. Not to exceed five.

Mr. Price. They are already protected up to four.

Mr. Bradley. We are dealing here with anything that took place after 1961. In 1961 we added an additional 4 years, which terminated in 1965, now you go back to 1961 with this.

Mr. Love. It would be a total of 9 years.

Mr. Bradley. With the 1961 amendment actually a person could serve 8 years and still be protected under that type of amendment. This is different. This adds only 1 additional year.

Mr. Price. Governor Stafford.

Mr. Stafford. I have no questions, Mr. Chairman.

Mr. Price. I think counsel has one or two questions.

Mr. Slatinshek. In connection with the latter subject, the protection of reservists who are perhaps involuntarily called or voluntarily enlist, can you define for purposes of the record what "convenience of the Government" means?

In other words, let's assume I am a reservist in the Army, I volunteer for a period of 1 year because of the Vietnamese crisis, would I be covered?

Mr. Bradley. Repeat that, please.

Mr. Slatinshek. I am a reservist on inactive duty in the Army Reserve and I feel that my services are necessary and apparently there is a critical skill shortage in my MOS and I decide to volunteer for 1 year's service. Would I be protected?

Mr. Bradley. You would be protected.

Mr. Slatinshek. And for the legislative record here, what determinant would be "at the convenience of the Government"? Does this require some sort of statement on the part of the Department of Defense?

Mr. HALL. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There being no objection, the Clerk read the bill, as follows:

H.R. 11509

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 9 of the Universal Military Training and Service Act, as amended (50 U.S.C. App. 459), is amended as follows:

(1) Amend section 9(c) by adding the following paragraph immediately after paragraph (2):

"(3) Any person who holds a position described in paragraph (A) or (B) of subsection (b) shall not be denied retention in employment or any promotion or other incident or advantage of employment because of any obligation as a member of a reserve component of the Armed Forces of the United States."

(2) Amend section 9(d) by deleting the numeral "(1)" immediately following "subsection (c)."

(3) Amend section 9(g)(1) to read as follows: "Any person who, after entering the employment to which he claims restoration, enlists in the Armed Forces of the United States (other than in a reserve component) shall be entitled upon release from service under honorable conditions to all the reemployment rights and other benefits provided for by this section in the case of persons inducted under the provisions of this title, if the total of his service performed between June 24, 1948, and August 1, 1961, did not exceed four years, and the total of any service, additional or otherwise, performed by him after August 1, 1961, does not exceed five years, provided that the service in excess of four years after August 1, 1961, is at the request and for the convenience of the Federal Government (plus in each case any period of additional service imposed pursuant to law)."

(4) Amend section 9(g)(2) to read as follows: "Any person who, after entering the employment to which he claims restoration enters upon active duty (other than for the purpose of determining his physical fitness and other than for training), whether or not voluntarily, in the Armed Forces of the United States or the Public Health Service in response to an order or call to active duty shall, upon his relief from active duty under honorable conditions, be entitled to all of the reemployment rights and benefits provided by this section in the case of persons inducted under the provisions of this title, if the total of such active duty performed between June 24, 1948, and August 1, 1961, did not exceed four years, and the total of any such active duty, additional or otherwise, performed after August 1, 1961, does not exceed five years, provided that the active duty performed in excess of four years after August 1, 1961, is at the request and for the convenience of the Federal Government (plus in each case any additional period in which he was unable to obtain orders relieving him from active duty)."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDMENT TO THE FEDERAL EMPLOYEES' COMPENSATION ACT

Mr. POWELL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 10721) to amend the Federal Employees' Compensation Act to improve its benefits, and for other purposes, as amended.

The Clerk read as follows:

H.R. 10721

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Employees' Compensation Act Amendments of 1966".

SCHEDULED DISABILITIES

Sec. 2. (a) Section 5(a) of the Federal Employees' Compensation Act is amended by striking out everything preceding clause (1), and inserting in lieu thereof the following:

"Sec. 5. (a) In any case of permanent disability which involves the loss, or loss of use, of a member or function of the body or involves disfigurement, basic compensation for such disability shall be payable to the disabled employee, as provided in the following schedule, at the rate of 66⅔ per centum of his monthly pay. Such compensation shall be payable regardless of whether the cause of the disability originates in a part of the body other than such member, and regardless of whether the disability also involves another impairment of the body. Such compensation shall be in addition to compensation for any temporary total or temporary partial disability. The schedule referred to in the first sentence is as follows:".

(b) Section 5(b) of such Act is amended to read as follows:

"(b) With respect to any period after payments under subsection (a) have terminated, compensation shall be paid as provided in section 3 if the disability is total, or as provided in subsection (a) of section 4 if the disability is partial."

(c) The second sentence of section 5(c) of such Act is amended by striking out "for the purposes of disabilities specified in subsection (b),".

(d) Paragraph (1) of section 5(d) of such Act is amended by striking out "(including any disability compensable under the schedule to subsection (a) by virtue of subsection (b))".

(e) Section 6(a)(1) of such Act is amended by striking out "(including compensation payable under the schedule to section 5(a) by virtue of section 5(b))".

INCREASES IN MAXIMUM AND MINIMUM LIMITS OF COMPENSATION

Sec. 3. (a) Section 6(a)(1) of the Federal Employees' Compensation Act is amended by striking out everything after "wage-earning capacity" and inserting in lieu thereof a period.

(b) Section 6(c) of such Act is amended by striking out "shall not be more than $525 per month and in cases of total disability shall not be less than $180 per month," and inserting in lieu thereof the following: "shall not be more than 75 per centum of the monthly pay of the highest rate of basic compensation provided for grade 15 of the General Schedule of the Classification Act of 1949, and in cases of total disability shall not be less than the lowest rate of basic compensation provided for grade 2 by such General Schedule,".

(c) Section 10(K) of such Act is amended to read as follows:

"(K) In computing compensation under this section, the monthly pay shall be considered to be not less than the lowest rate of basic compensation provided for grade 2 by the General Schedule of the Classification Act of 1949, but the total monthly compensation shall not exceed (1) the monthly pay computed as provided in section 12, or (2) 75 per centum of the monthly pay of the highest rate of basic compensation provided for grade 15 of the General Schedule of the Classification Act of 1949."

INCREASE IN COMPENSATION FOR CERTAIN PERSONS; ALLOWANCES FOR ATTENDANTS

SEC. 4. (a) Section 6(b)(1) of the Federal Employees' Compensation Act is amended by striking out "$125" and inserting in lieu thereof "$300".

(b) The second proviso of the first section of the Act of February 15, 1934 (5 U.S.C. 796), is amended—

(1) by striking out "$150" in clause (a) and inserting in lieu thereof "$300"; and

(2) by striking out "$150" in clause (b) and inserting in lieu thereof "$450".

ELIGIBILITY OF RETIREES FOR SCHEDULE AWARDS AND MEDICAL SERVICES, ETC.

SEC. 5. (a) The first sentence of section 7(a) of the Federal Employees' Compensation Act is amended by inserting after "Civil Service Retirement Act" the following: ", or any other Federal Act or program providing retirement benefits for employees,".

(b) The first sentence of section 9(a) of such Act is amended by inserting after "Civil Service Retirement Act" the following: "or any other Federal Act or program providing retirement benefits for employees".

REEMPLOYMENT RIGHTS

SEC. 6. Section 9 of the Federal Employees' Compensation Act is amended by adding at the end thereof the following new subsection:

"(c) Upon the application of any employee in receipt of compensation under this Act to the United States Civil Service Commission, said Commission shall enter his name on each appropriate register or employment list, both, maintained by the Commission, for certification for appointment to any vacant position for which he is physically and otherwise qualified, in accordance with regulations of the Commission and with the same priority which the Commission accords a career or career conditional employee who has been involuntarily displaced from his position through no fault of his own."

CONTINUATION OF BENEFITS ON ACCOUNT OF SURVIVING CHILDREN ATTENDING SCHOOL

SEC. 7. (a) Paragraph (G) of section 10 of the Federal Employees' Compensation Act is amended by adding at the end thereof the following new sentence: "Nothwithstanding any other provision of this section, compensation payable to or for a child, a brother or sister, or a grandchild which would otherwise be terminated because such child, brother or sister, or grandchild has reached the age of eighteen shall be continued if he is a student (as defined in paragraph (M)) at the time he reaches the age of eighteen for so long as he continues to be such a student or until he marries."

(b) Section 10 of such Act is amended by adding at the end thereof the following new paragraph:

"(M) For the purposes of this section, a person shall be considered a student while he is regularly pursuing a full-time course of study or training at an institution which is an educational or training institution as defined by the Secretary, but not after he reaches the age of twenty-three or has completed four years of education beyond the high school level, except that, where his twenty-third birthday occurs during a semester or other enrollment period, he shall continue to be considered a student until the end of such semester or other enrollment period. A child shall not be deemed to have ceased to be a student during any interim between school years if the interim does not exceed four months and if he shows to the satisfaction of the Secretary that he has a bona fide intention of continuing to pursue a full-time course of education or training during the semester or other enrollment period immediately following the interim or during periods of reasonable duration during which, in the judgment of the Secretary, he is prevented by factors beyond his control from pursuing his education."

LUMP-SUM COMPENSATION UPON REMARRIAGE

SEC. 8. Section 14 of the Federal Employees' Compensation Act is amended by inserting "(a)" after "SEC. 14." and by adding at the end thereof the following new subsection:

"(b) Upon remarriage, a widow or dependent widower, entitled to compensation under section 10, shall be paid a lump sum equal to twenty-four times the monthly compensation payment (excluding any compensation on account of another person) to which he was entitled immediately prior to the remarriage."

TIME FOR CLAIMS

SEC. 9. Section 20 of the Federal Employees' Compensation Act is amended by inserting "(a)" after "SEC. 20.", by striking out of the second sentence "due to radiation or other causes", and by adding at the end thereof the following new subsection:

"(b) The time limitations in subsection (a) shall not begin to run against a minor until he reaches the age of twenty-one or has had a legal representative appointed, and shall not run against an incompetent person while he is incompetent and has no duly appointed legal representative."

RECOVERIES IN ACTIONS AGAINST THIRD PARTIES

SEC. 10. (a) The third paragraph of section 26 of the Federal Employees' Compensation Act is amended by inserting before the period at the end thereof the following: ": Provided, That in any event the beneficiary shall be paid not less than one-fifth of the net amount of any settlement or recovery remaining after the expenses thereof have been deducted".

(b) Paragraph (B) of section 27 of such Act is amended by inserting before the period at the end thereof the following: ": Provided, That the beneficiary shall have the right to retain not less than one-fifth of the net amount of such money or other property remaining after the expenses of a suit or settlement have been deducted, and, in addition, to retain an amount equivalent to a reasonable attorney's fee proportionate to the refund to the United States".

(c) Section 35 of such Act is amended by adding at the end thereof the following new subsection:

"(d) As used in subsection (a) of this section, the term 'administrative expenses' does not include expenses for legal services rendered by or on behalf of the Secretary under sections 26 and 27."

HEARINGS

SEC. 11. (a) The first sentence of section 32 of the Federal Employees' Compensation Act is amended by inserting after the comma the following: "including rules and regulations for the conduct of hearings under section 36,".

(b) Section 36 of such Act is amended by inserting "(a)" after "SEC. 36." and by adding the following at the end thereof:

"(b)(1) Prior to any review under section 37, any claimant for compensation not satisfied with a decision of the Secretary under this section shall, upon request made within thirty days after the date of issuance of such decision, be afforded an opportunity for a hearing upon his claim before a representative of the Secretary. At such hearing, the claimant shall be afforded an opportunity to present evidence in further support of his claim. Within thirty days after the conclusion of such hearing, the Secretary shall notify the claimant in writing of his further decision on such claim and any modifications of the award he may make and of the basis of his decision.

"(2) In conducting such hearing the representative of the Secretary shall not be bound by common law or statutory rules of evidence, by technical or formal rules of procedure, or by section 5 of the Administrative Procedure Act except as provided by this Act, but may conduct such hearing in such manner as to best ascertain the rights of the claimant. For this purpose he shall receive such relevant evidence as may be adduced by the claimant and shall, in addition, receive such other evidence as he may determine to be necessary or useful in evaluating such claim."

SECRETARY'S RULEMAKING AUTHORITY IN EMPLOYMENT OUTSIDE THE UNITED STATES

SEC. 12. Section 32 of the Federal Employees' Compensation Act is amended by adding the following: "In the adjudication of claims under section 42 of this Act, the Secretary shall have the authority to determine the nature and extent of the proofs and evidence required to establish the right to benefits under this Act without regard to the date of injury or death for which claim is made."

INCREASE IN EXISTING AWARDS

SEC. 13. The Secretary of Labor shall determine the per centum rise in the price index on the basis of the annual average price index for calendar year 1958 and the price index for the month during which this Act is enacted. Effective on the first day of the third month which begins after the enactment of this Act, compensation payable under the Federal Employees' Compensation Act on account of disability or death which occurred more than one year before such first day shall be increased by the per centum rise determined under the preceding sentence adjusted to the nearest one-tenth of 1 per centum and rounded to the nearest dollar, except that such increase shall in no case be less than $1. For purposes of this section, the term "price index" means the Consumer Price Index (all items—United States city average) published monthly by the Bureau of Labor Statistics.

COST-OF-LIVING ADJUSTMENTS IN FUTURE

SEC. 14. The Federal Employees' Compensation Act is amended by redesignating section 43 as section 44, and by inserting after section 42 the following new section:

"ADJUSTMENTS IN COMPENSATION TO REFLECT FUTURE PRICE INCREASES

"SEC. 43. (a) Each month after the month during which this section becomes effective, the Secretary shall determine the per centum change in the price index. Effective the first day of the third month which begins after the price index has equaled a rise of at least 3 per centum for three consecutive months over the price index for the most recent base month, compensation payable on account of disability or death which occurred more than one year before such first day shall be increased by the per centum rise in the price index (calculated on the highest level of the price index during the three consecutive months) adjusted to the nearest one-tenth of 1 per centum.

"(b) The monthly compensation, after adjustment under this section, shall be fixed at the nearest dollar, except that the monthly compensation shall, after adjustment, reflect an increase of at least $1.

"(c) For purposes of this section—

"(1) the term 'price index' means the Consumer Price Index (all items—United States city average) published monthly by the Bureau of Labor Statistics; and

"(2) the term 'base month' means the month this section becomes effective and each month thereafter which is used as a basis in calculating an increase in compensation under this section."

APPLICATION TO MILITARY PERSONNEL

SEC. 15. Except for benefits provided under section 7 of this Act, nothing in this or any other Act of Congress shall be construed to make the increases authorized herein applicable to military personnel or to any person or employees not within the definition of "employee" in section 40(b) (1) or (2) of the Federal Employees' Compensation Act. However, these amendments shall apply to employees of the government of the District of Columbia other than members of the Police and Fire Departments who are pensioned or pensionable under the provisions of the Policemen's and Firemen's Retirement and Disability Act.

EFFECTIVE DATES

SEC. 16. (a) The amendments made by sections 3, 4, and 5 shall be applicable to cases of injury or death occurring before or after the date of enactment only with respect to any period beginning on or after the first day of the first calendar month following the date of such enactment.

(b) The amendments made by sections 2, 6, and 11 shall not apply with respect to any injury sustained before the date of enactment of this Act.

(c) The amendments made by section 7 (relating to continuation of benefits on account of surviving children attending school) shall apply with respect to persons who, on the date of enactment of this Act, have not reached twenty-three years of age or completed four years of education beyond the high school level.

(d) The amendments made by section 8 (relating to lump-sum compensation upon remarriage) shall be applicable only with respect to remarriages occurring after the date of enactment of this Act.

(e) The amendments made by section 9 (relating to the time for claims) shall be applicable only with respect to injuries occurring after the date of enactment of this Act.

(f) The amendments made by section 10 (relating to recoveries in actions against third parties) shall apply in the case of any recovery occurring after the date of enactment of this Act.

The **SPEAKER**. Is a second demanded?

Mr. **QUIE**. Mr. Speaker, I demand a second.

The **SPEAKER**. Without objection, a second will be considered as ordered.

There was no objection.

The gentleman from New York is recognized.

Mr. **POWELL**. Mr. Speaker, H.R. 10721, a bill to amend the Federal Employees Compensation Act, is a long-needed overhaul of a piece of legislation of great importance to all the civilian employees of our Government.

Under this act, the Government pays to employees who have suffered from disabling injuries, arising in the course of their employment, money which tries in some way to compensate them for their loss of income and for the other hardships they have undergone as a result of their injury.

It is similar to the State workmen's compensation acts, and like them, it has needed constant overhaul and revision.

This bill is the first revision of the Compensation Act since 1960, and represents an attempt to bring the Compensation Act into line with the increases in Federal salaries and the cost of living in that period.

The Select Subcommittee on Labor held hearings on this legislation last fall, from September 8 to September 16. The committee considered the original H.R. 10721, introduced by the gentleman from Maine [Mr. HATHAWAY] at the Labor Department's request; H.R. 10865 introduced by the gentleman from Michigan [Mr. O'HARA]; and other related bills.

The subcommittee reported a substitute amendment to the full committee on February 8, and the full committee adopted three amendments and reported the bill to the House unanimously. I know that my colleagues on the committee will all join with me in saying that this bill represents a bipartisan effort to make long-overdue changes in a piece of legislation which Democrats and Republicans alike can support with pride and conviction.

Mr. Speaker, H.R. 10721, as amended, increases benefits for people now on the compensation rolls in line with the increase in the Consumer Price Index since 1958, and it provides for automatic compensation increases as the price index goes up. It raises the dollar ceilings on compensation payments, and allows them to move up in line with increases in the Federal pay system.

The bill allows young people on whose behalf beneficiaries are receiving augmented compensation to remain "dependents" for that purpose until they have completed their undergraduate college education.

It provides for rehiring procedures for disabled employees who are ready and able to go back to work, and it provides a hearing procedure to safeguard the rights of employees who feel they have not been given proper consideration with their claims.

Mr. Speaker, I yield such time as he may desire to the gentleman from Michigan [Mr. O'HARA] who has been designated by myself and the distinguished gentleman from Pennsylvania [Mr. HOLLAND] to present the argument for this bill on the floor.

Let me say, before so doing, that the civilian employees of this Government owe a debt of gratitude to the gentleman from Pennsylvania and to the gentleman from Michigan for the untiring efforts they have put into the attempt to amend this act and to make it meaningful in today's context.

Mr. **QUIE**. Mr. Speaker, I rise in support of this bill, which would make some very necessary improvements and changes in the Federal Employees' Compensation Act which I think should have been made some time ago. But they are changes that will be of long-lasting value.

I do not believe it will be necessary for us to be meeting again for this purpose for some time into the future.

I wish to commend the gentleman from Michigan [Mr. O'HARA] for the way in which he handled the subcommittee in the absence of the chairman, the gentleman from Pennsylvania [Mr. HOLLAND], and for the opportunity he gave to the minority to bring out the proposed changes in the Federal Employees' Compensation Act that they believed were justified, and the way we were able to work out a bill which could have unanimous approval by the Education and Labor Committee.

One knows that the Education and Labor Committee is not exactly noted for bringing out legislation that has unanimous approval. However, in this case, we did, and it had the support of all of the minority members as well as the majority members.

I feel pleased that this is a piece of legislation that we can be proud of. It was not exactly what the administration sent up to us, but I know the improvements are for the benefit of all Federal employees. I think that the Congress can be proud of the work that has been done on this bill.

Mr. Speaker, I yield 3 minutes to the gentleman from Iowa.

(By unanimous consent, Mr. GROSS was granted permission to speak out of order.)

BRITISH TO USE MILITARY FORCE IN RHODESIA

Mr. **GROSS**. Mr. Speaker, Queen Elizabeth of Britain took a few minutes last Friday from her plush vacation in the balmy Caribbean area to mount the U.S. subsidized throne in Jamaica and announce the British will use military force, if necessary, to beat the independence-seeking Rhodesians to their knees.

Among other things, she said:

> My Government * * * fully supports the United Nations and the principles of its charter.

Since when did Queen Elizabeth's shabby government start supporting principles? British traders and trimmers still supply, directly and indirectly, Communist North Vietnam, Communist China, and Communist Cuba. How much longer does Britain propose to go on giving aid and comfort to these aggressors?

A few years ago, and regardless of the merit or demerit of their action, it was the British and French who shredded the United Nations Charter and launched an invasion of Egypt—an act of aggression that was halted by the United States. Was Elizabeth then interested in the principles of the U.N. Charter?

On the subject of alleged discrimination in Rhodesia, it was comparatively recent that the British clamped down on the migration of Negroes to the British Isles. And what about Australia and New Zealand where the color line is tightly drawn?

And how many seats are held by Negroes in the British Parliament? There are 15 such seats in the Rhodesian Parliament.

As a cold fact of life, the principle of a monarchy is discriminatory and a totally unnecessary bill of expense for those of all races who are called upon to support the regal extravagances.

Elizabeth might well be given a permanent vacation to enjoy her sun bathing and leave Rhodesia, New Zealand, Australia, and others to carry on with their principles which, up to this point at least, seem to be more acceptable than hers.

Mr. POWELL. Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan [Mr. O'Hara].

Mr. O'HARA of Michigan. Mr. Speaker, I wish to take just a few minutes more to touch upon a couple of provisions of this bill about which some question has arisen.

I have mentioned, Mr. Speaker, the provision which would permit the payment of compensation benefits on account of a child over age 18 so long as that child remains a full-time student, but only until he reaches the age of 23.

I understand a question has been raised. If the gentleman from Alabama [Mr. Edwards] wishes, I will yield to him for the purpose of stating the problem he has encountered and I will try to respond to his question.

Mr. EDWARDS of Alabama. Mr. Speaker, I thank the gentleman for yielding.

The provision which allows a child to continue his education and therefore to continue to draw benefits is set out on page 11 of the bill, commencing with the proposed section (M). Under that provision, which is very similar to the Civil Service Retirement Act provision, the child must not have a break any longer than 4 months in his education if he is to continue to receive benefits.

Under the Civil Service Retirement Act, the provision is so worded, and the Civil Service Board has held, that a child who has a period of 4 months and 6 days between schools is therefore not any longer eligible. The case in point is a child who graduated from high school on May 21 and who started college on September 27, the first available day that he could get into college, 4 months and 6 days later; and the Civil Service Commission has held that he is therefore no longer entitled to benefits.

My question to the gentleman from Michigan is, Does the wording of the provision on page 11, to which we have been referring, as drafted in the present bill, take care of a provision or a situation such as that?

Mr. O'HARA of Michigan. I am pleased to report to the gentleman that it does. We set up two tests, really, for determining whether or not compensation may continue to be paid on account of a child who is a student during the period when he is not in school. First, the Secretary may continue to pay compensation on the child's account during any interim between school years if the interim does not exceed 4 months and he shows to the satisfaction of the Secretary he has bona fide intention to continue to pursue a full-time course of education.

In addition, we have the language on page 11, lines 21 to 24. This goes directly to the point raised by the gentleman where it provides that the child shall continue to be eligible "during periods of reasonable duration during which, in the judgment of the Secretary, he is prevented by factors beyond his control from pursuing his education."

I will say to the gentleman it seems to me this clearly envisages a case in which a young man might be out of school for over 4 months because of a factor beyond his control which has prevented his continuing his education. I am sure that this is the kind of a case that would be protected under that provision. Since the gentleman raised this very useful point, I will take the time to call this colloquy between us to the attention of the Secretary for his guidance in framing his regulations under this particular provision.

Mr. EDWARDS of Alabama. It is the idea, then, of the gentleman who is the manager of this bill that the situation I described would fit within the language you have read? As I understand it, the language that the gentleman from Michigan just read is not in the Civil Service Retirement Act.

Mr. O'HARA of Michigan. I will respond to the gentleman's question by saying the situation he described is covered by the provision I just read, or at least those of us on the committee intend it to be so. I believe his question can be answered in the affirmative.

Mr. EDWARDS of Alabama. I thank the gentleman for yielding.

Mr. O'HARA of Michigan. The other provisions of this bill all represent improvements of different kinds in the Federal Employees Compensation Act, the oldest employees compensation act in the Nation and, I think, they are long overdue and should meet with the overwhelming approval of this House.

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Michigan. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. In the report on page 28 you make reference to findings and awards. You show two new paragraphs in connection with the review under sections 36 and 37 of the act. Will you explain what difference this new law would make under the procedure?

Mr. O'HARA of Michigan. Yes. I would be happy to do so.

Mr. Speaker, this Federal Employees Compensation Act is the only one of the compensations acts of the United States—and each of the 50 States has such an act—which did not provide in any way for any kind of a hearing for the employee filing the claim. The procedure is that the employee claiming work-related disability, files his claim. The Bureau of Employees Compensation considers it and grants it or denies it. The employee never has an opportunity for a hearing. So we have attempted to give him an opportunity for a hearing with the provisions referred to by the gentleman from Colorado. However, in doing so, we wanted to be sure to emphasize the fact that this is not an adversary proceeding and we do not have a situation of a claimant pressing his claim against a reluctant Government. So we did not apply to it the rules which customarily apply to adversary proceedings. We try to give him a hearing but keep it informal so we do not set up an adversary hearing where none exists now.

Mr. ROGERS of Colorado. In other words, the Secretary would have authority under these new provisions, section 36(b) 1 and 2 of the act, to appoint a representative to conduct a hearing for a person who is not satisfied, where the claimant applies within 30 days?

Mr. O'HARA of Michigan. That is correct.

Mr. ROGERS of Colorado. And then the claimant can present evidence to that individual?

Mr. O'HARA of Michigan. That is correct.

Mr. ROGERS of Colorado. And the Secretary's representative is not bound by so-called formal rules of procedure nor by common law or statutory rules of evidence?

Mr. O'HARA of Michigan. That is correct.

Mr. ROGERS of Colorado. The Secretary, acting through his representative, would have the right not only to review the action that has heretofore taken place, but to consider evidence to upset or set aside the decision of the Bureau.

Mr. O'HARA of Michigan. That is absolutely correct.

Mr. ROGERS of Colorado. I want to compliment the committee on bringing this matter to the attention of the Congress, because on a number of occasions I have had complaints by Federal employees who were injured who felt that they had a good case and were unable to present it at a hearing. Here they are given that opportunity and can have an adverse decision reviewed and submit evidence to support their claim.

Mr. Speaker, I thank the Committee on Education and Labor for bringing this to our attention.

Mr. O'HARA of Michigan. That is correct, and I thank the gentleman from Colorado [Mr. Rogers] for bringing up the matter in this colloquy today.

Mr. Speaker, H.R. 10721, as reported, will be a significant step forward in the improvement of the Federal Employees' Compensation Act. This act, under which the United States attempts to compensate its civil employees for disability arising out of their employment, is the oldest workmen's compensation act in the Nation. Enacted originally in 1916, it has served, in a broad sense, as a pattern and an inspiration for the several States, all of which have now enacted compensation statutes covering private employees.

The present act in its basic approach, provides for the assumption by the Federal Government, of medical care costs for those of its employees who are injured on duty, and, in addition, for payments to such employees for their loss of earning capacity arising out of such injuries. Depending on the degree of disability, the employee, after exhausting his sick and annual leave, may receive compensation up to 66⅔ percent of his basic salary. If he has dependents, his compensation may further be augmented by an additional 8⅓ percent. These percentages are subject to various limitations, including a specific dollar ceiling, now fixed by law, at $525 per month.

The widows and dependent children, parents, brothers and sisters, etc., of persons whose injuries resulted in death, can be compensated at rates beginning at 45 percent for a widow, up to 75 percent for a widow with several children.

Again, these amounts are subject to the same dollar ceiling.

This bill seeks to make two basic changes in the system. First, it liberalizes the benefits in a number of cases. Secondly, it attempts to make the system more flexible by "automating" increases in benefits and dollar ceilings. The dollar ceiling itself is taken out of the bill, and the ceiling is fixed instead at 75 percent of the pay of the top step of a GS-15, however that may be fixed by law. The benefits are increased now by the increase in the Consumer Price Index since 1958—a figure of over 9 percent, and the act is further amended by providing for an automatic increase in benefits whenever the Consumer Price Index increases by 3 percent for a period of 3 months.

In keeping with the emphasis which this Congress and the administration have placed upon education as an investment for the Nation, payments to or on behalf of children are to be continued by section 7, past the present cutoff age of 18, as long as the child is a full-time student, to a new cutoff age of 23.

Your committee, Mr. Speaker, has been very favorably impressed by the administration of this act by the Bureau of Employees' Compensation—a Bureau which has demonstrated a real concern for the interests of the employee. The few cases which are handled in a manner unsatisfactory to the claimant can be appealed to the Employees' Compensation Appeals Board. Your committee considers it most significant that the employees' organizations, who testified before the committee, had nothing but praise for both the Bureau and the Board. The organizations were less complimentary about the handling of claims by the other agencies of the Government—and in your committee's opinion, they were justifiably so. An effort has already been initiated by the committee to persuade other agencies to speed up their handling of claims, and this effort will be pressed until some substantial improvement is shown.

One major improvement in procedure, however, did seem justified to the committee, and is proposed in section 11 of H.R. 10721. This is the institution of informal hearings, available at the request of the employee, in the course of which the Bureau's reasons for any decision and any evidence which the employee may wish to present, can become part of the formal record of the case. This hearing provision will not only be of assistance to the aggrieved employee, but will also expedite the work of the Appeals Board in requiring, in effect, the compilation of a more formal record than now exists.

Several other amendments in the present system are contained in H.R. 10721. The first, in section 3, related to the treatment of so-called scheduled injuries—the injuries, mostly involving the loss or loss of use of a member of the body, which are listed in the schedule in section 5 of the act, and for which compensation is paid for a specific number of weeks, without regard to the loss of wage-earning capacity. This feature is found in every State workmen's compensation act, and it is included in the Model State Act drawn up by the Council of State Governments.

Under the Federal act, Mr. Speaker, there exists an anomaly in the treatment of such injuries. In the cases of total loss or total loss of use of a member the disabled individual is paid his scheduled award for whatever number of weeks the law provides, and at the conclusion of this period, he is compensated for his actual loss of earning capacity.

The same thing is true if a person suffers a partial loss or partial loss of use of a member, and also has another significant impairment to another part of the body. But if a person suffers a partial loss or loss of use of a member, and has no other impairment of the body, his compensation ends when the scheduled award is paid in full, and he can receive no further compensation even though his partial loss or loss of use of a member may in fact continue to reduce his wage-earning capacity.

The committee's recommendation is simply that persons with partial loss or loss of use be treated the same as persons with total loss or loss of use—that, after the scheduled injury is compensated for, the employee be entitled to receive compensation on the same basis as everyone else—in terms of his actual loss of wage-earning power.

Another anomaly in the act resulted from good intentions not wholly carried out in the 1960 amendments. I have reference to section 5 of the bill. Under the act, employees' compensation and retirement payments, in general, are options open to employees who must leave the service because of injury and resulting disability. Generally speaking a disabled employee may elect the system under which he will leave the service.

In the 1960 amendments the Compensation Act was liberalized to allow persons in receipt of scheduled awards to receive their full scheduled award, for whatever number of weeks the law provided, while simultaneously in receipt of their retirement benefits.

The reasoning behind this amendment was that the scheduled award is more than merely a replacement of earning power. It is also, to some extent, a gratuitous payment by the public to atone for the loss of an arm or leg or eyesight or hearing or whatever in the service of the public. However, in those amendments, reference was made to the Federal civil service retirement system by name.

Inadvertently, this left employees of such agencies as the Foreign Service, the CIA, and a few other employees with separate retirement systems unable to benefit from this provision. Speaking for your committee, I submit that this should be corrected—particularly so because the employees in these other retirement systems are in many cases in the very agencies in which injury in the line of duty may be particularly frequent.

Another important section of this bill, Mr. Speaker, is section 6, providing for reemployment rights. It is not enough in our judgment, to be generous in our treatment of disabled employees while they are disabled. We should also seek to do whatever we can to enable them to get back to productive work.

This is a service to the employee, since like most of us, 99 percent of the disabled employees would rather work for a living than receive even a very generous compensation payment. It is in the interests of the Government and the taxpayer because an employee who is usefully employed is obviously a better investment than a man in a hospital room collecting compensation.

The act now directs the Secretary of Labor to assist compensees seeking vocational rehabilitation, and authorizes the payment of an allowance of $100 per month to persons undergoing training to this end. The Bureau of Employees' Compensation does a good job of trying to persuade agencies to rehire compensees who have recovered from their disability. But these voluntary efforts have not met with full success.

Your committee has proposed, therefore, that the Civil Service Commission be directed to treat employees in receipt of compensation essentially as they would treat an employee who had been riffed. The precise recommendation, in section 6, is that an employee shall be placed, at his request, on the register for any job for which he is physically and otherwise qualified—I repeat "physically and otherwise qualified"—with the same priority in placement as would apply to a person removed from the payroll involuntarily but through no fault of his own.

Certainly this phrase applies to these disabled employees. They are out of a job involuntarily and without any fault of their own. They are entitled, in your committee's judgment, to be among the first considered for any job opening for which they are, in fact, qualified. In this way, the compensation rolls can be reduced, the taxpayer receives a day's work for a day's pay, and the services of people who have already demonstrated their interest in public service can be utilized instead of being discarded.

This provision in no way forces any agency to employ anyone who is not physically and otherwise qualified, and should be an integral part of the employees' compensation system.

The act now provides for a death benefit, payable to dependents, including widows and dependent widowers of employees whose death results from an injury received in the service. This benefit, under present law, is automatically cut off upon the remarriage of such a widow or dependent widower. In cases—and there are many—where the death benefit is a major portion of a person's income, it is conceivable that the loss of this benefit might well give people cause to hesitate before marrying a second time.

In section 8 of the bill, the committee has recommended that a lump-sum payment of 24 months' compensation be paid to any widow or dependent widower who remarries while eligible for a death benefit. This lump-sum repayment will be in lieu of any further compensation whatsoever.

Section 10 of the bill changes the present provisions regarding recoveries from third parties. Under the law, the Secretary is authorized to require persons receiving compensation to bring suit in their own name, or to assign to the Secretary the right to bring suit, against third parties who are liable for damages for the injury received by the employee.

Under present law, the Secretary may deduct from the proceeds of such a suit any funds he has already paid the employee in compensation, and the remainder of the proceeds constitute a credit against which future compensation payments are withheld until the proceeds of the suit are exhausted. If an employee can be awarded a substantial amount of damages, he will then have something to show for his pains. But if the damages are less than the entire amount of compensation for which he might be eligible throughout the course of his disability, then he has been put to the trouble of bringing suit to no advantage to himself.

Under these circumstances, it is difficult to persuade employees to bring suit, and difficult to persuade juries that appropriate damages should be awarded when suit is brought by the United States—since the juries tend to look upon the U.S. Treasury as the beneficiary of the suit, rather than the injured employee himself.

The committee's amendment would provide that the employee would be entitled, in any event, to not less than one-fifth of the proceeds of such a suit, thus giving him a real interest in the proceedings. The amendment further allows the Secretary to defray the costs of such suits from the employees' compensation fund, rather than from appropriated funds.

Section 4 of the amendment is directed toward a special group of compensees who have always lagged far behind the ordinary beneficiary because of the special circumstances in which they were originally employed. By an act of February 15, 1934, the Congress directed that employees of New Deal era work relief agencies, such as the Civil Works Administration, the Civilian Conservation Corps, and others, should be compensated for work-connected disabilities to the full extent possible under the Compensation Act, subject to certain special provisions contained in that act.

One of those provisions was to establish a simulated salary level, at which such employees were to be deemed to have been employed, since the act's percentages of the salaries which were actually paid to such employees would have been, even by 1934 standards, ludicrously small.

That act has been amended over the years, and the ceiling on payments to the totally and permanently disabled, and the simulated salary level on which benefits are calculated have gradually been increased. At present, a permanently, totally disabled employee can receive $150 per month. In the case of death benefits, or compensation for persons less than totally and permanently disabled, the simulated salary is $150 per month, and they receive a percentage of that.

The committee amendment raises the ceiling to $300 per month, and raises the simulated salary to $450, so that a widow who is entitled to the full 75 percent can also receive as much as $300 per month. Another part of that section amends the compensation act itself by authorizing the Secretary to pay $300 per month for the services of attendants for such employees—there are only a handful of them—who are so totally disabled as to need the full-time services of an attendant.

The present act allows the munificent sum of $150 for the services of such an attendant. These two amendments cover a very small number of people. According to the best estimates we have been able to get from the Bureau of Employees' Compensation, there are about 100 exemployees of the work relief organizations, and something under 800 survivors. The other section of the amendment, which applies to beneficiaries needing the full-time services of an attendant, will cover approximately 100 people.

Section 15 modifies a provision of the 1960 amendments which was originally designed to prevent a situation in which veterans benefits under this act would get out of balance with the benefits administered under the Veterans' Administration. Some persons disabled prior to January 1, 1957, while on duty with military reserve units, receive their compensation under this act, rather than under veterans or military retirement legislation.

The 1960 amendments provided that the increases authorized in that year to FECA beneficiaries would not apply to these reservists, in order to keep veterans benefits generally similar for veterans retiring under varying legislation. This year, however, the committee, at the Administration's suggestion, has recommended that section 7 of the amendment—the education benefits provision—be applied to these reservists as well as to the other beneficiaries.

The remaining three sections of the bill come under the head, Mr. Speaker, of technical amendments. Section 9 provides that the time limit in the act for filing claims, which is 60 days from the date of the injury, shall not begin to run against incompetent persons while they are incompetent, and have not had a legal representative appointed, nor against minors before they have attained their majority, or have had legal representatives appointed.

The 1960 amendments provided that the time limit would not begin to run in the case of latent injuries until the injury became apparent. At that time, we used the phrase, describing latent injuries "from radiation or other causes." These five words are purely redundant and are removed from the act simply to improve the language.

Section 12 amends the act by adopting language which has been contained in Labor Department appropriation bills for several years, authorizing the Secretary to make rules regarding the nature and extent of proofs and evidence required to establish the right to compensation in cases arising outside the United States and involving noncitizen employees of the Government. The language is offered as a permanent amendment to the act at the request of the Labor Department.

The final section of the bill contains the effective dates. Expressed simply, Mr. Speaker, the increases in the ceiling, the amendment relating to the CWA and CCC veterans and the amendment allowing retirees to collect scheduled injuries awards apply to injuries received at any time, but will take effect the first day of the first month after enactment. While, in other words, the coverage of these amendments will be retroactive, the benefits will not be.

Section 2, improving scheduled injury benefits, and section 9, relating to time for filing claims, apply only to injuries incurred after the enactment of the amendment.

Section 7, the amendment keeping students on the rolls until they reach 23, applies to any person eligible as of the time of amendment. In other words, it will have the effect of placing some persons back on the rolls whom age has removed.

Section 8—the lump-sum for remarriages—applies only to marriages after the enactment of these amendments.

Section 10, applying to the distribution of damages recovered from third parties, applies only with respect to recoveries after enactment.

The effective dates of the Consumer Price Index increases—both for present compensees, and for future increases, are contained in the sections themselves. In both cases, the increase takes effect on the first day of the third month after the date as of which the new CPI figure is estimated, and in both cases, the increases will apply only to persons who have been in receipt of compensation for at least 1 year as of the date the increase begins.

These amendments, Mr. Speaker, do not make the Federal Employees' Compensation Act perfect. The employees' organizations have requested other improvements in the act, some of which the subcommittee members were inclined to favor. But in the judgment of your committee, these are the amendments that are most urgently needed now. And they are a reasonable approach to deficiencies which have existed for an unreasonable length of time.

In comparing Federal employees' compensation with the State workmen's compensation acts for private employees, lawyers are wont, Mr. Speaker, to make a lawyerlike distinction. The State acts, we are told, constitute a quid pro quo. The workers have surrendered their ancient common law right to bring suit against their employer and in lieu they have received the statutory right of workmen's compensation. But in the case of Federal employees, the legal scholars point out, since the sovereign was always immune from suit, a system of workmen's compensation is but an act of grace on the part of the sovereign.

If that analogy is valid, Mr. Speaker, then I say let the sovereign not be miserly in its graciousness. If we are performing an act of grace by compensating public servants for disabilities incurred in the course of that service, let us do so fairly and generously. For the most part, these Federal employees are people of high skills and immense energies—people who could often command greater salaries outside of the public service.

This House, this Government, has, in recent years, begun to treat these people with generosity in the matter of salary, health benefits, retirement. We have left the disabled employee far behind. It is time to catch up.

Mr. POWELL. Mr. Speaker, I yield such time as he may consume to the distinguished author of this bill, the gentleman from Maine [Mr. HATHAWAY].

Mr. HATHAWAY. Mr. Speaker, I thank the chairman of the Committee on Education and Labor, the gentleman from New York [Mr. POWELL] and I wish to commend the gentleman from Michigan [Mr. O'HARA], the acting chairman of the subcommittee, for his tireless efforts in bringing this most beneficial legislation to the floor of the House.

Also I wish to commend the gentleman from Minnesota [Mr. QUIE] for his efforts in behalf of the bill, and I commend all the members of the subcommittee who have worked so hard on this bill. It has been a pleasure to work with all of them.

Mr. Speaker, my able colleague from Michigan [Mr. O'HARA] has described H.R. 10721 in all its details, and, in so doing, has made a telling argument for its adoption. I want only to dwell on a few salient points, and to indicate how truly pressing is the need for this legislation.

As the gentleman from Michigan has said, this bill seeks to automate the process by which the Compensation Act will keep pace with increases in salaries and increases in the cost of living. The Congress has had to amend this program 18 times in the course of its 50 years of operation. The Congress has done so, and has acted generously and, on the whole, without excessive delay. Yet the fact of delay has caused not only inconvenience and extra work for the Congress—this, after all, is a minor problem—but hardship for disabled workers. That, Mr. Speaker, is not a minor problem.

The committee hearings on this legislation brought out very clearly, the problems which excessive rigidity in the act has created. One such rigidity, which this bill would completely cure, is the artificial dollar ceiling on benefits. Your committee was agreed that there should be a fixed ceiling on benefits. Since employees' compensation is tax free, an unlimited compensation scale could allow disabled civil servants at the very top of the career ladder to collect more money under compensation than they were paid while on duty. But the ceiling in the present act, and even the ceiling in the bill which I originally introduced at the request of the Labor Department, set at a specific figure, would inevitably mean that a growing segment of the civil service would be left unable to collect the full amount of compensation to which their disability and their number of dependents was supposed to entitle them.

Let me illustrate, from the hearings, what this could mean. Today, the United States has, in Vietnam, hundreds of dedicated civilian employees—men from AID, the U.S. Information Agency, the State Department, and other agencies of the Government. These men are not sitting in comfortable, air-conditioned offices, working a 40-hour week. They are scattered all over the face of that war-torn country, living, many of them, under the same combat conditions that face our soldiers there. They live in tiny Vietnamese villages, eating the same food, drinking the same water, and shedding the same blood as the Vietnamese civilian authorities who are—as our civil officials are—such a prime target for Vietcong terrorism. Joseph Grainger, of AID, was captured last year by the Vietcong. He tried to escape, and was killed in so doing. His salary, while he was alive and working for his country, was $11,325 per year. Under the present act, his wife and four children could expect, at the very most, a total of $6,300 in annual compensation—a reduction in income of nearly 50 percent. The administration bill—the bill which I originally introduced, and which I urge you to amend today—that bill, Mr. Speaker, would have raised that amount to $8,220. It would have been generous, I suppose, to raise the compensation payment from a little over half to a little over two-thirds of the salary Joe Grainger had been earning. But the act, Mr. Speaker, promises him not half, not two-thirds, but 75 percent. Seventy-five percent of a man's income, I submit, is a small price for a generous Government to give to a widow and four children in return for their father's life. Under the bill before us, with the committee's amendment, Mrs. Grainger can collect what the act promises her with one hand while, as it reads now, it takes it away with the other.

According to testimony before our committee by C. William Kontos, of the personnel office of AID, who was speaking on behalf of the Department of State, AID, and the U.S. Information Agency, the original bill, the bill which the Labor Department sent up to improve the act, even under that bill, Mr. Speaker, 37 percent of the people whom these agencies send into trouble spots all over the world—37 percent of these civilians whom this Government asks to risk their health, their very lives in the unarmed services of their country—37 percent of these unglamorous, unsung servants of our Nation's interests abroad, would find, in the event of total disability or death, that they or their survivors would be able to collect less than the three-fourths of their basic salary which the Congress clearly intended they should be able to collect when first it set the present ceiling.

Mr. Speaker, I am in effect, asking this House to amend my own bill, H.R. 10721, by adopting the amendments which the committee has offered for the consideration of the House. When I first introduced H.R. 10721, I thought it was a generous updating of the present act. But the hearings have impressed upon me the shortcomings of that original bill, and I would be less than honest with you, my colleagues, if I did not urge you to adopt the amendments which the committee, without a dissenting voice, adopted in this proposal.

Mr. TUPPER. Mr. Speaker, I rise in support of the bill of my able colleague, the gentleman from Maine [Mr. HATHAWAY], H.R. 10721. The amendments offered by the Committee on Education and Labor would fairly and intelligently update the provisions of the Federal Employees' Compensation Act.

Federal employees look to this act for protection for themselves and their dependents or survivors in the event they become disabled. They are fully justified in expecting that adequate provision be made to assure them a continuing income should accident or illness render them incapable of working. They, and their dependents, are fully entitled to these benefits, which are enjoyed in varying degree by millions of American workers in public and private employment.

I share the view of the Committee on Education and Labor, that the Federal Employees' Compensation Act was generously written, and that it has been administered with evident concern for the interests of those entitled to benefit from its provisions. However, every law on policy of Government is subject to review at appropriate intervals in order that passing time and changing conditions may not render them irrelevant or obsolete.

I am in full agreement with the proponents of the bill in question, who suggest that benefits generously decreed 17 years ago may be long overdue for reconsideration. The fact that today some 15 percent of our Federal employees are prevented, by limitations adopted 17 years ago, from obtaining the benefits which the act intended they should receive amply supports this view.

I am in full accord, also, with the view that the Compensation Act should be automated in order that in the future it may adjust itself to the changing requirements. No one can argue against the suggestion that a benefit intended to be generous 17 years ago is likely to be marginal or miserly in today's economy. By the same token any adjustment we may make at this time is unlikely to require no adjustment 17 or even 7 years hence.

I support Mr. HATHAWAY's bill because I feel a real obligation to the able and dedicated civilian employees of the Federal Government. All play an important role in carrying out the many and complex activities of our Government. They are entitled to every reasonable benefit which we can offer them.

The expectations of our Federal employees are reasonable and just. The provisions of the bill before us are likewise reasonable and extend only reasonable benefits.

I, therefore, support H.R. 10721 without reservations, and urge my colleagues on both sides of the aisle to do likewise.

The SPEAKER. The question is on the motion of the gentleman from New York that the House suspend the rules and pass the bill H.R. 10721, with a committee amendment.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill as amended was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. HATHAWAY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislation days in which to extend their remarks on H.R. 10721, the bill just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

AUTHORIZATION FOR FUNDS FOR THE U.S. COAST GUARD

Mr. GARMATZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 12762) to authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard, as amended.

The Clerk read as follows:

H.R. 12762

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That funds are hereby authorized to be appropriated for fiscal year 1967 for the use of the Coast Guard as follows:

VESSELS

For procurement, extension of service life, and increasing capability of vessels, $63,210,000.

(A) Procurement:

(1) four high-endurance cutters;

(2) one river tender;

(3) design of icebreaker;

(4) design of oceanographic cutter; and

(5) design of small cutter.

(B) Increasing capability:

(1) install secure communications equipment on three high-endurance cutters; and

(2) install balloon tracking radar on one high-endurance cutter.

(C) Extension of service life:

(1) improve icebreakers; and

(2) enlarge operations center on two two-hundred-and-fifty-five-foot high-endurance cutters.

AIRCRAFT

For procurement of aircraft, $29,144,000:

(1) three long-range aircraft;

(2) five medium-range fixed or rotary-wing aircraft; and

(3) twenty medium-range helicopters.

CONSTRUCTION

For establishment or development of installations and facilities by acquisition, construction, conversion, extension, or installation of permanent or temporary public works, including the preparation of sites and furnishing of appurtenances, utilities, and equipment for the following, $33,725,000.

(1) Station, Umpqua River, Oregon: barracks, messing and operations building; equipment building; and public family quarters;

(2) Station, Coos Bay, Oregon: operations building, garage and public family quarters;

(3) Base, Milwaukee, Wisconsin: administration, industrial and buoy maintenance building, dock; and breakwater on leased premises with long-term lease;

(4) Depot, Southwest Harbor, Maine: barracks and mess building piers, and public family quarters;

(5) Station, New Canal Louisiana: utility building, bulkhead, and dock;

(6) Base, Governors Island, New York: industrial facilities, piers; and acquisition of the building constructed on the Fort Jay Military Reservation, New York, by the Young Men's Christian Association;

(7) Station, Saint Ignace, Michigan: barracks, messing and operations building, garage, piers, breakwater, and public family quarters;

(8) Station, Grand Isle, Louisiana: moorings, bulkhead, public family quarters, and completion of LORAN-A station.

(9) Air Station, South San Francisco, California: barracks and sickbay building, rehabilitation of existing barracks as administration and messing building, transmitter-emergency operations building.

(10) Various locations: transportable communications units;

(11) Base, New Orleans, Louisiana: third and fourth floors of administration building, gatehouse, shop buildings, and moorings;

(12) Station, Rappahannock River, Virginia: barracks, messing, operations building; bulkhead, pier; and public family quarters;

(13) Radio Station, Long Beach, California: transmitter installation;

(14) Radio Station, Kodiak Island, Alaska: transmitter and antennas;

(15) Station, Marathon, Florida: barracks, administration and operations building, storage building wharf, bulkhead and seawall;

(16) Station, Cape May, New Jersey: hangar, offices, shop building, and improve mooring;

(17) Air Station, Kodiak, Alaska: improvement of hangar doors;

(18) Base, Terminal Island, San Pedro, California: supply warehouse;

(19) Moorings, Pine Bluff, Arkansas: establish moorings for aids to navigation tender;

(20) Various locations: Aids to navigation projects including, where necessary, advance planning and acquisition of sites;

(21) LORAN-A Stations, Galveston and Port Isabel, Texas: transmitter, power, and storage buildings;

(22) Academy, New London, Connecticut: cadet barracks;

(23) Recruit Training Center, Cape May, New Jersey: administration building;

(24) Reserve Training Center, Yorktown, Virginia: Engineman School classification and laboratory building;

(25) Station, Chicago, Illinois: hangar, offices, shop building, and improved mooring;

(26) Cape Kennedy, Florida: hangar, offices, shop building, and improved mooring;

(27) Various locations: public family quarters; and

(28) Various locations: advance planning, construction design architectural services and acquisition of sites in connection with public works projects not otherwise authorized by law.

SEC. 2. During fiscal years 1967 through and including 1968 the Secretary of the Department in which the Coast Guard is operating is authorized to lease existing housing facilities at or near Coast Guard installations in the United States and Puerto Rico for assignment as public quarters to military personnel and their dependents, if any, without rental charge upon a determination by the Secretary, or his designee, that there is a lack of adequate housing facilities at or near such Coast Guard installations. Such housing facilities may be leased on an individual or multiple-unit basis. Expenditures for the rental of such housing facilities may not exceed the average authorized for the Department of Defense.

The SPEAKER. Is a second demanded?

Mr. MAILLIARD. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. GARMATZ. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, before speaking on the bill, I wish to call the attention of the House to a Government Printing Office error in the report.

On the first page, in the 12th line, the committee amendment to Coast Guard aircraft is stated to be $49,344,000.

The figure should be $29,144,000.

Mr. Speaker, all too many of us who are not located on the immediate seacoasts of our country tend to forget the important role that the Coast Guard plays in our lives.

Were we to take a plane to Europe or the Orient, the Coast Guard would contribute to the safety of our trip by supplying navigational data and weather information from its weatherships to the pilot of the plane.

Similarly, if we were to travel by sea, we would have the same weather data, iceberg information, and the comforting knowledge that in the event of a casualty the Coast Guard would be ready and able to assist us at the earliest possible opportunity.

In connection with the latter, the Coast Guard is extending its automated merchant vessel reporting system—AMVER—to the Pacific.

By the operation of this system, which locates virtually every merchant ship by means of a computer, the Coast Guard is able to find merchant vessels nearest the point of a casualty and dispatch them with a minimum loss of time.

The system has been in operation for several years in the Atlantic and has proved most effective in minimizing loss of lives and property in that ocean.

The safe navigation of our vast river system, with its hundreds and thousands of barges carrying all kinds of material at very low rates is due in large measure to the efforts of the Coast Guard in providing proper aids to navigation to enable the tows to proceed safely.

Those of us who are fortunate enough to have small boats are aware of the constant efforts of the Coast Guard to protect us.

Sometimes, when they cite us for failure to carry proper equipment, we feel that they are overzealous, but their efforts have paid off in the surprisingly low casualty rate among those who use the waters for recreation.

We know that our men in Vietnam are backed up by the Coast Guard, which has 26 of its best 82-foot patrol cutters, together with their crews patroling the coasts to prevent infiltration and smuggling.

On the opposite side of the world, in a more peaceful, but nevertheless tense and critical area, the Coast Guard is shepherding and guarding the safety of thousands of refugees from Cuba who have sought to escape the despot Castro by utilizing small boats many of which were never designed for use in open waters.

Their success in this field in the light of hazardous circumstances is outstanding and many people who are presently happy in the United States owe their lives and their liberty, to the men of the Coast Guard.

Our fishermen, upon whose efforts we depend for a goodly portion of our food likewise must acknowledge the help of the Coast Guard not only in protecting their lives against the vagaries of the weather but in protecting them and their source of livelihood from the depredations of Russian and Japanese fishermen.

It would be difficult to measure the financial gain to the country from the work of the Coast Guard.

We can only be sure that the benefits derived from their efforts is many, many times the amount of money they call upon us each year to furnish them.

Because of the widespread activities of the Coast Guard, I view with great concern the authorization bill submitted by the Coast Guard through the Bureau of the Budget for the coming fiscal year.

Last year, the expenditure of $120,510,000 was authorized by our committee for the current fiscal year for ships, planes, shore facilities, and aids to navigation.

We felt that in view of the sadly depreciated and obsolete condition of the greater portion of the Coast Guard's equipment and facilities, it was the very least that could be done.

The Appropriations Committee, however, saw fit to reduce the amount to $115,510,000.

This year I was shocked, therefore, when we received the proposed authorization for the coming fiscal year in an amount of $103 million which includes $8,800,000 required in connection with the transfer of five icebreakers from the Navy to the Coast Guard.

I am aware of the problems facing the President in attempting to maintain a reasonable budget while confronted with vastly increasing demands for funds both here and abroad.

However, I feel that the requirements of the Coast Guard, in the light of its impact upon all of us, deserves considerably better treatment than accorded it by this budget.

In fact, the $103 million would provide the Coast Guard with only slightly over $94 million, aside from the money needed for the icebreakers, which is over $20 million below the current year's appropriation.

I feel that this is totally inadequate.

It is far less than the Coast Guard stated would be its minimum requirements in its original submission to the Treasury Department and the latter's submission to the Bureau of the Budget, and I believe that it is totally inadequate for its needs for the coming year.

Accordingly, in its consideration of the bill, the Committee on Merchant Marine and Fisheries amended it to provide an additional sum of $23,079,000, to permit the construction of one more large cutter, desperately needed for ocean service; eight helicopters, required in connection with its lifesaving and icebreaking activities; the addition of two helicopter lifesaving stations at Chicago, Ill., and Cape Kennedy, Fla.; and $2.5 million to permit the construction of additional housing.

While I am aware that the Defense Department has eliminated virtually all of its housing request for the coming year, I call the attention of the House to the fact that at present but 10 percent of Coast Guard families enjoy Government housing, whereas 34 percent of the other armed services are provided for.

I feel that this lack must be met in the immediate future to protect the Coast Guard against vastly increased expenses resulting from a drop in reenlistments.

As we all know, the welfare of our families weighs heavily upon us and the inability to secure adequate housing at a reasonable cost militates against a decision to reenlist, which in turn entails a considerable expense to train a successor.

I am convinced that the bill presented by this committee, representing as it does a modest increase over last year's appropriation, is the minimum amount with which the Coast Guard can function, and that any substantial reductions would very seriously impair its efficiency.

And it would adversely affect the gallant and vital service rendered to all of us.

Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania [Mr. CLARK].

Mr. CLARK. Mr. Speaker, I share my chairman's regard for the excellent work of the Coast Guard, but I am gravely concerned lest the excellent record that it has achieved over the past years will be jeopardized by the continuing radical cuts in its requests for funds.

The bill as presented to my subcommittee represented a cut of over $20 million in its hardware alone. In addition to its ordinary duties, which are constantly expanding, it has had the responsibility of operating all American icebreakers thrust upon it, which entails the necessity of securing additional funds for both machines and men.

I feel that this transfer of icebreakers was most appropriate in view of the Coast Guard's experience in the field, but I am concerned with respect to the overall picture because of the adverse effect upon safety of the attempted cuts.

I am heartily in accord with the increases offered by the committee in this bill and I am convinced that every dollar requested is a vital necessity for good operation. We cannot compromise with safety, and failure to supply the proper tools will endanger all of us, whether operators of small boats, victims of natural disasters, passengers on ocean vessels, or commercial operators of waterborne transport.

I am aware of the problems of the administration in balancing domestic requirements with those of our commitments abroad, but I feel that any attempt to cut in this particular field is completely ill advised.

I, therefore, urge the House to enact this bill in the sum submitted by the committee in light of my firm conviction that it is essential for the welfare of all of us.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. CLARK. I yield to the gentleman.

Mr. GROSS. As I understand it, this is transferring the icebreakers from the Navy operation of icebreakers to the Coast Guard; is that correct?

Mr. CLARK. That is true.

Mr. GROSS. Is the gentleman saying there is no provision made for funds for the operation by the Coast Guard of the icebreakers?

Mr. CLARK. There was not until we put it in the bill.

Mr. GROSS. Do I understand that a million dollars is being set aside for the study or a survey as to the need for icebreakers by the Coast Guard, that is new icebreakers?

Mr. CLARK. Yes.

Mr. GROSS. One million dollars is being set aside for that? I can remember that the committee had hearings on the construction of icebreakers both of the conventional type and nuclear-powered icebreakers several years ago.

Mr. CLARK. That is correct.

Mr. GROSS. Then is there any need for a study at this time and the expenditure of $1 million for that purpose? Would the gentleman think this would be necessary?

Mr. CLARK. I think so because we are getting into a completely new field.

Mr. GROSS. This is a completely new field?

Mr. CLARK. Yes as far as the Coast Guard and the merchant marine are concerned.

Mr. GROSS. But the Coast Guard has been operating icebreakers, has it not?

Mr. CLARK. Yes, but not in the nuclear field.

Mr. GROSS. Oh, I see. The $1 million would set the stage for nuclear-powered icebreakers, is that correct?

Mr. CLARK. It is in the study stage; that is right. It is not in design.

Mr. GROSS. I thought we had gone into that pretty exhaustively. At that time I was a member of the committee, and I thought that we went into it in considerable depth. I am still wondering why $1 million should be expended at this time.

Mr. ASHLEY. Mr. Speaker, will the gentleman yield?

Mr. CLARK. I yield to the gentleman from Ohio.

Mr. ASHLEY. I might say to the gentleman that I think he is under a misconception as to the use of research funds for this purpose. It is my understanding that those funds did not go to explore the feasibility of using nuclear-powered icebreakers for that purpose. According to the justification that was given to us, it was, as the gentleman from Pennsylvania suggested, to determine the feasibility of nuclear power in this field that the funds are being requested.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. CLARK. I yield.

Mr. GROSS. We went into the testimony as to the feasibility, the costs, and all the rest of it at that time, some years ago.

Mr. ASHLEY. I think the gentleman will find that there has been no money that has been directed for research by the Coast Guard into the use of nuclear power for this purpose. There may have been discussion in the past, but there has been no use of the funds. There has been no determination to do research for this purpose.

Mr. GROSS. That is correct, but I thought we had gone into it in considerable depth in hearings that were previously held.

Mr. MURPHY of New York. Mr. Speaker, will the gentleman yield?

Mr. CLARK. I yield to the gentleman.

Mr. MURPHY of New York. Mr. Speaker, I want to congratulate our chairman of the Committee on Merchant Marine and Fisheries for his outstanding statement before the House today. I also want to congratulate the chairman of the Subcommittee on Coast Guard, Coast and Geodetic Survey, and Navigation, Mr. CLARK, of Pennsylvania, for the detailed summary of the findings and recommendations of his subcommittee, which were presented to us here today.

It is significant to note that the Coast Guard continues to play a more important part in the safety of American waterborne commerce as well as America's waterborne recreation users.

Statistics as to the number of pleasure craft, both large and small, now in use on the navigable waterways and lakes are well known to the Members of this House. However, the statistics that 20 years ago there were 28,000 private and commercial aircraft, and today there are 97,000 private aircraft should be included, and we should be aware of the Coast Guard's service to this industry as well as to our surface craft.

It was the Coast Guard that was the first rescue vessel on the scene of major and minor air accidents in the New York area in the past year. Without their experienced skill and dedication, our airline industry would not have this essential safety and rescue service available.

I note that the overall monetary request this year is $12 million less than last year's request. This, of course, as the chairman stated, is with the added responsibilities required by our rapidly expanding waterways due to Federal improvements, and the Coast Guard's assumption of many of the missions previously performed by the U.S. Navy.

On June 1 the Coast Guard will assume control of Governors Island in the New York Harbor and will consolidate its major bases in the New York port at this installation. This base will effect many savings in the years to come in the operations as well as in consolidation of services.

Admiral Roland, Commandant of the Coast Guard, is not only an inspiration to his service, but also a wise manager and administrator of the Government's funds allocated to his service. The Merchant Marine Committee as well as the Congress have been fortunate in having his wise counsel and advice for the past 4 years. In the history of the Coast Guard, there has not been a finer Commandant than this outstanding sailor.

Mr. Speaker, I urge the support of all members of this committee for this legislation.

Mr. GARMATZ. Mr. Speaker, I yield myself 1 minute.

It was close to 8 years ago that they were making the survey. There were no funds allotted for a nuclear-powered icebreaker at that time. That was 8 years ago. The $1 million in this bill is really to go into the planning and to see which icebreakers are needed today.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. GARMATZ. I yield to the gentleman from Iowa.

Mr. GROSS. In addition to the expenditure of $1 million, how many cutters is it contemplated would be provided under the proposal?

Mr. GARMATZ. Four large cutters.

Mr. GROSS. Four large cutters?

Mr. GARMATZ. Yes.

Mr. MAILLIARD. Mr. Speaker, I wish to join my colleague, the gentleman from Maryland, the distinguished chairman of our committee, in urging favorable action on H.R. 12762.

The United States is unique among the nations of the world in developing a military service—the U.S. Coast Guard whose reason for being is basically humanitarian. Its primary mission is to save lives. It was first established to deal with the sea and its effect on the American citizen.

The origin of the U.S. Coast Guard can be traced to one of the first acts of the Congress, over 175 years ago. Since that time, its missions have been continually increasing until today its responsibilities include such broad and diverse areas as ocean stations, law enforcement, search and rescue, merchant marine safety, Reserve training, port security, aids to navigation, military readiness, icebreaking, and oceanography.

On the west coast, for example, the Coast Guard has experienced substantially increased demands on their port security forces due to the large volume of military cargoes being shipped from those ports to southeast Asia. It is establishing a new station at Rio Vista, Calif., this year to assist in this effort and to provide additional search and rescue, and law enforcement coverage. The Coast Guard Air Station at San Francisco, consisting of a number of wood frame World War II buildings, is scheduled for refurbishing. The transmitter presently housed in a World War II barracks is scheduled for relocation to a new transmitter building. This will improve the communications facilities for the 12th Coast Guard District and their western area headquarters.

The added demands upon the Coast Guard have been most marked since the Korean conflict. Distress calls for assistance have doubled to about 38,000 per year. This is largely attributable to a twofold increase in the recreational boating population to about 40 million, ranking fourth in participation sports in this country. Aids to navigation have increased better than 10 percent to 42,000. And, oceanographic data collection, virtually nonexistent 15 years ago, is growing at a fantastic rate as nations race to explore the elements of inner space.

Yet, while there has been an abundant generosity in allocating responsibilities, there has been a somewhat miserly attitude in providing needed funds for the tools to perform these added functions. Cutters, which constitute the backbone of the seagoing Coast Guard, are obsolescent. The average age of the present fleet is over 22 years. Twenty of a total of 36 were never designed for the service in which they are now used. They were originally built by the Navy as seaplane tenders during World War II. Their structural members have deteriorated to such a degree that, if they were commercial merchant vessels, the Commandant of the Coast Guard stated he would not—repeat not—issue a certificate of seaworthiness. Yet, we expect men of the Coast Guard to hazard the elements to save the lives of others in these "crocks." It is nothing short of ridiculous. It is penny wise and pound foolish to permit this condition to exist.

Moreover, to allow this condition of substandard vessels to persist would be hypocrisy. It would be tantamount to approving a double standard—one for Government-owned vessels and one for commercial vessels. I, for one, would like to see more vigorous prosecution of marine safety laws, particularly with respect to foreign-flag cruise vessels operating out of our ports. I introduced legislation on this very matter last session. I am not satisfied with the legislation which finally passed the House. Yet, how can we in good conscience press for stricter safety standards to be applied by the Coast Guard, and then allow these very same law enforcement officers to sail vessels they themselves would not pass upon as being seaworthy? We must permit the Coast Guard to press forward with its vessel replacement program and remove this blight of overaged vessels.

In connection with shore stations and structures, the Coast Guard today has almost 200 stations with major structures over 50 years old. More than 50 percent of Coast Guard families are inadequately housed. Only 10 percent of Coast Guard families enjoy Government housing compared with 34 percent of other armed services, as noted by my distinguished colleague from Maryland. Certainly, this vital armed service is worthy of better facilities than this.

Now, in line with its expanding mission, the Coast Guard has assumed operation of all eight U.S. polar icebreakers, five of which are being transferred from the Navy. This accounts for $8.8 million of the current authorization, as noted by our chairman. But, if you consider all icebreakers, plus helicopters, plus design cost for replacements, the total attributable to this added operation is more on the order of $11 million. The additional four helicopters added by the committee results in a cost of about $13.5 million. It is incongruous that in light of this new and major responsibility, the Coast Guard was sent up to the Congress with an authorization request about 10 percent less than actually appropriated last fiscal year.

As many of my colleagues, I have serious personal reservations whether we can have a truly "guns and butter" budget in view of our commitments in Vietnam. But the U.S. Coast Guard is one service which should not be required to spread the butter thinner. It faces a severe problem of block obsolescence of overage ships and aircraft over the next several years. It possesses antiquated shore structures. All of these are creating both budgetary and operating strains as they become more costly to maintain and more inefficient to operate in the face of increasing responsibilities.

If we permit slippage through budgetary privation, we are only postponing the inevitable at substantially increased cost at a later date. Our savings today will be our expenses tomorrow. Already there is an estimated cumulative slippage for the past 2 fiscal years approaching $100 million. Let us not add to this by compounding the folly. I urge all Members of the House to face budgetary reality and support H.R. 12762.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. MAILLIARD. I yield.

Mr. GROSS. Are these four cutters to be built in American yards? Is there any provision for that?

Mr. MAILLIARD. Yes, these are to be built in American yards.

Mr. GARMATZ. Mr. Speaker, I yield to the gentleman from North Carolina [Mr. LENNON], such time as he will need.

Mr. LENNON. Mr. Speaker, I wish to commend the chairman of the full committee and the chairman of the Coast Guard Subcommittee for bringing to the floor today this bill, which received a unanimous vote not only of the Subcommittee on Coast Guard but of the full committee.

It is interesting to note that last year the Appropriations Committee requested the Coast Guard to project a long-range plan for a period of at least 7 years with regard to the implementation of vessels, the acquisition and the construction of onshore and offshore installations, as well as aircraft. They complied with that request and projected their needs on a cost basis of $188,800,000 for a period of the next 7 years.

The Coast Guard submitted its proposed budget for fiscal 1967, and it was looked at, I assume, with a little bit of concern because they thereafter established a task force headed by the Assistant Secretary of the Treasury in charge of the Coast Guard.

They cut it a little bit. Thereafter they came back to the Coast Guard, and those figures were maintained at that level. Then it went to the Secretary of the Treasury, and he in turn cut it. But when it got to the Bureau of the Budget it was cut from $188.8 to $103 million.

The Coast Guard Subcommittee and the full committee have been very conservative, Mr. Speaker, in their estimates of the needs of the Coast Guard for the next fiscal year. It is hardly conceivable to me that so few people know anything about the roles and the missions of the Coast Guard, not only in this country of ours—where it serves a special mission in at least 49 of our 50 States—but also in all of the free oceans of the world. It is now actively engaged, so to speak, in South Vietnam.

I do not believe that the Members of the Congress recognize the fact that 17 of our 85-foot patrol boats, which we have just received, were commandeered by the Commander in Chief and sent, with the Coast Guard crews, to Vietnam, where they are demonstrating a very fine and excellent service. Just recently they were called on for eight more, and the Coast Guard responded. Where this will lead, we do not know.

We do know this, Mr. Speaker: that on the west coast, from which are deployed most of our troops to South Vietnam and to southeastern Asia, as well as materiel, the Coast Guard is heavily involved.

I urge support for this legislation, which contains a figure far below our needs and just a little bit above the budget estimate.

Mr. GARMATZ. Mr. Speaker, I yield 1 minute to the gentleman from Hawaii.

Mr. MATSUNAGA. Mr. Speaker, I rise in support of H.R. 12762, a bill to authorize appropriations for the Coast Guard.

The Coast Guard is a familiar branch of the armed services to those of us who come from States where it maintains shore and offshore establishments. While the Coast Guard's traditional peacetime role as the chief agency for the protection of life and property at sea and the enforcement of U.S. maritime laws is familiar to all, some of us are apt to forget that in time of war the Coast Guard becomes an active and important part of the U.S. Navy, which it actually antedates from the standpoint of organizational history.

In peace and in war, the Coast Guard in Hawaii, the home of the 14th Coast Guard District, has fulfilled its many duties with great credit and given special meaning to its motto, "Semper Paratus," or "Always Prepared."

Being the only State that is completely surrounded by water, Hawaii has offered many challenges to Coast Guardsmen, and they have responded in the finest traditions of the sea and of their service. And yet, I regret to say, public housing for our men in the Coast Guard in Hawaii has been an area of great need for some time. While approximately 34 percent of the families in other military services are provided Government housing, only about 10 percent of the Coast Guard enjoy such facilities. This has had an adverse effect upon the reenlistment rate of Coast Guard personnel, with its resultant damaging impact upon the efficiency of the organization.

Mr. Speaker, I am deeply grateful that the Committee on Merchant Marine and Fisheries has recognized this great need in its deliberations on the legislative measure now on the floor.

The committee states at page 10 of its report:

Provision for adequate housing is of considerable benefit with respect to the enlistment rate and thus contributes to operating efficiency and reduced cost through minimizing the need for training new personnel in the increasingly sophisticated devices utilized in the course of Coast Guard work.

The locations at which such housing is most urgently required are in the Honolulu area and that of San Francisco.

Mr. Speaker, the committee goes on to state, and I agree fully with its finding, that adequate housing is an urgent necessity for the proper functioning of the Coast Guard. To meet the housing deficiency at several critical locations, including Honolulu, the bill provides, among many other necessary items, for an expenditure of $8 million.

I strongly urge and ask for a favorable vote for the measure now on the floor.

Mr. GARMATZ. Mr. Speaker, I yield 2 minutes to the gentleman from California.

Mr. HOLIFIELD. Has the Merchant Marine Committee had testimony from the Atomic Energy Commission on this icebreaker?

Mr. GARMATZ. No, sir.

Mr. HOLIFIELD. Have you had testimony from the Navy on this matter?

Mr. GARMATZ. No, sir.

Mr. HOLIFIELD. Have you gone into the economics of nuclear propulsion in proposing this matter?

Mr. GARMATZ. No. That is the purpose of one of the studies.

Mr. HOLIFIELD. I am not going to oppose this request, but I want to call to the attention of the Committee on Merchant Marine that this has been a continuing interest of the Joint Committee on Atomic Energy. We have something like 99 submarines planned or being built and a number of surface ships that are being propelled by nuclear energy, but they are being justified for national defense purposes. Not one of them is being operated on an economic basis in comparison to fossil fuel plants.

I would hope that the chairman of this committee, in the public interest, would invite some of these people, who have put these submarine engines and the nuclear propulsion engines into the *Enterprise* and the *Bainbridge* and the *Long Beach*—surface ships which are in existence—to testify, and inquire deeply into the economics of nuclear propulsion for nonmilitary purposes.

If the hearings of the gentleman's committee will support that type of propulsion on an economic basis, or on a national defense basis, I will support the appropriation, but very frankly, on the basis of the information that we have had and testimony that we have had this past week on merchant marine propulsion by nuclear energy, nuclear propulsion has not been shown to be economic. I do not care to oppose this, but I would sound a note of warning.

The SPEAKER. The time of the gentleman from California has expired.

Mr. MAILLIARD. Mr. Speaker, I yield 2 minutes to the gentleman from California.

Mr. Speaker, I would like to point out that on page 43 of the hearings, this was discussed with Admiral Roland, the Commandant of the Coast Guard.

When we had hearings 7 or 8 years ago, the Coast Guard came up with a request for an ice breaker, not on economic grounds but on other grounds. He was asked whether they changed their minds, and he said, "No, we have not," but since this was 7 or 8 years later, we would like to reevaluate this whole thing. That is the purpose of the funds here.

Mr. HOLIFIELD. Mr. Speaker, I suggest to the gentleman that there is a great deal of information available at the present time in the hearings of the Joint Committee on Atomic Energy. If the gentleman will call before him Mr. Milton Shaw, who is in charge of reactor development of the Atomic Energy Commission, and seek his testimony and seek the information which is already compiled, then he will have a mass of information.

Mr. MAILLIARD. We will surely do this, I am sure, when it comes to that point, but the Coast Guard wants to go into designing an ice breaker, not necessarily nuclear. They want to discuss that question, too.

Mr. HOLIFIELD. That is a different proposition. I have no objection to your designing an icebreaker or even a nuclear icebreaker, providing they can justify it on the grounds of national interest, but more importantly in that kind of case, I think on the grounds of economics. We know from experience that we have had to go to 500,000 megawatts in order to get economic production of electricity. You do not need that kind of power in a ship. When you get down into the small size nuclear propulsion plants, whether it be a standard electric station on the ground or in a ship, you get into high operational and capital expenses. For instance, let me give you a figure here. A conventional steam engine that will produce between 70,000 and 100,000 shaft horsepower costs $7 million, that is, a conventional type engine. It costs between $20 million and $24 million if it is a nuclear plant. So immediately you start out with three times the cost of a fossil plant, which will provide the same shaft horsepower. That is the problem that I am worried about. I know your great committee will look at this very carefully before making any final decision to come to this House and ask for that type of expenditure for that purpose.

Mr. MAILLIARD. Mr. Speaker, I yield to the gentleman from California 1 more minute so that the gentleman from Iowa may ask him a question.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman.

Mr. GROSS. I want to commend the gentleman from California [Mr. HOLIFIELD], for taking the floor to point out the situation as it presently stands. For the life of me, I cannot understand the expenditure of $1 million without an accumulation of prior information. The gentleman has given some very valuable information here this morning. The expenditure of $1 million, without a better reason that I have heard here today, is something that I cannot understand. I want to reserve the right, when the appropriation bill comes in, to offer an amendment to strike out the $1 million for this purpose.

Mr. HOLIFIELD. I am very much interested in nuclear propulsion. The gentleman knows that.

Mr. GROSS. So am I.

Mr. HOLIFIELD. And I am for bringing it forward in every way that is possible based on economic justification or some specific national need.

Mr. GROSS. That is right.

Mr. HOLIFIELD. And in every way that is feasible and justifiable.

Mr. GROSS. That is right.

Mr. HOLIFIELD. But I do not want to see white elephants hung around the neck of the nuclear industry to their discredit. I am going to watch it very carefully.

Mr. GROSS. In the previous hearings it was indicated to my complete satisfaction—and the committee did nothing further with it, indicating they had doubts about it—it was indicated to my complete satisfaction that it was not necessary and it was not feasible and involved a tremendous increase in cost to equip icebreakers with nuclear power.

Mr. MAILLIARD. Mr. Speaker, I ask unanimous consent that the gentleman from Maine [Mr. TUPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. TUPPER. Mr. Speaker, at a time when the responsibilities of the U.S. Coast Guard have been increased and broadened to a considerable extent, I hope that Members of the House will authorize them the tools to meet these added burdens.

As I have stated before in this Chamber, there is no Federal agency where the taxpayer gets more in return for his tax dollar. The saving of lives and property each year by the Coast Guard attests quite eloquently to the tremendous record of our Nation's oldest seagoing service.

The House Subcommittee on U.S. Coast Guard on which I am privileged to serve as ranking minority member, carefully examined the needs of the Coast Guard for fiscal year 1967 insofar as procurement of vessels and aircraft, and construction of shore facilities are concerned. We heard from a number of unusually competent witnesses, including the Honorable True Davis, Assistant Secretary of the Treasury, Adm. E. J. Roland, Commandant of the U.S. Coast Guard, and Vice Adm. W. D. Shields, Assistant Commandant.

Members will be interested to learn that 26 Coast Guard patrol boats of the 82-foot class and about 450 men from the U.S. Coast Guard are on patrol off the Vietnam coast to interdict the supply routes of the Vietcong by sea. Coast Guardsmen are also active in port security work in South Vietnam. At certain Pacific coast ports the Coast Guard has augmented security personnel supervising the loading of ships bound for South Vietnam with ammunition.

Admiral Roland informed the subcommittee that between September 28, 1965, and November 12, 1965, from Coast Guard assisted 4,910 persons fleeing from Cuba to Florida.

The U.S. Coast Guard recently was assigned the sole responsibility for operation of eight polar icebreakers; they will take over five formerly operated by the U.S. Navy before November of this year.

The Coast Guard is making a growing contribution in the field of oceanography.

When we consider the numerous missions of the Coast Guard, both of a routine and special nature, and that it is a constantly expanding operation, the authorization before us seems modest indeed.

The Merchant Marine and Fisheries Committee, under the able chairmanship of the distinguished gentleman from Maryland [Mr. GARMATZ] has recommended authorization of $63,210,000 for vessels, which includes 4 badly needed high endurance cutters; $29,144,000 for 3 long-range aircraft, 5 medium-range aircraft, and 20 medium-range helicopters; plus $33,725,000 for shore facilities.

This provides only the barest minimum needs.

I urge approval of the recommended authorization.

Mr. FASCELL. Mr. Speaker, it is with pleasure that I rise today in support of the fiscal year 1967 congressional authorization of funds for the U.S. Coast Guard.

The U.S. Coast Guard, America's most versatile triphibious service—sea, land, and air—was created in 1790, just 1 year after our present constitutional Government was born. In war and in peace our Coast Guard has rendered this Nation invaluable service, sometimes under handicaps seemingly insurmountable. Between 1949, when the Congress spelled out the Coast Guard's functions for the first time in its history, until 1962, Coast Guard facilities rapidly deteriorated, to the point where replacement, repair, and construction became critical if the service was to continue serving the country. Following an exhaustive study made by the Coast Guard in 1962, the Congress has sought to correct this situation by giving it the facilities and money commensurate with its responsibilities in the areas of merchant marine safety, search, and rescue, ocean stations, oceanography, aid to navigation, military readiness, law enforcement, and port security. We should not do less.

This bill, H.R. 12762, is part of that continuing help. For Coast Guard shore establishments, the committee is recommending the modest sum of $29,686,000. The Coast Guard has seen fit to recommend to the Congress the construction of a station at Marathon, Fla., which will include barracks, several other buildings, a storage building wharf, and a bulkhead and seawall. I can assure you the people of the Fourth Congressional District of Florida will continue to help and cooperate with the Coast Guard as it carries out its important missions.

Mr. KEITH. Mr. Speaker, I, too, support H.R. 12762, authorizing funds for the U.S. Coast Guard, and join my colleagues on the Committee on Merchant Marine and Fisheries in expressing my concern for the continued ability of Coast Guard vessels to protect our merchant marine, our fishing fleets, and, particularly, the pleasure craft that sail in the territorial waters of the United States.

With twenty-six 82-foot Coast Guard cutters serving in Vietnam, the Committee on Merchant Marine and Fisheries recognizes the need for the Coast Guard to update its fleet, and to particularly take care of the needs of the national increase in recreational boating. Additional funds can provide the helicopters for air-sea rescue service and the construction of helicopter stations in future years.

We on Cape Cod look forward to the day when the Coast Guard will operate its air-sea rescue service directly out of Otis Air Force Base. This item was in last year's budget and we have been assured that construction will be completed by the fall of 1967. There will be four fixed-winged aircraft and three helicopters at the Coast Guard station, thus providing even better protection in southeastern Massachusetts.

The members of the Committee on Merchant Marine and Fisheries have given this legislation their most thoughtful attention and it is a great improvement over the legislation that came to us from the Bureau of the Budget—it should be helpful in enabling the Coast Guard to carry out its mission.

Mr. GILBERT. Mr. Speaker, as a member of the Merchant Marine Committee, I urge my colleagues in the House to support H.R. 12762, to authorize appropriations for U.S. Coast Guard requirements in shore facilities, vessels, aircraft, communications, and navigation needs.

I regret the departmental request, as submitted in the bill, was for only $103 million, which was more than 10 percent below the 1966 appropriation. And I call attention to the fact that the request includes an item of $8.8 million made necessary by the transfer of Navy icebreakers to the Coast Guard. Amendments in committee increased the total authorization to $126,179,000, still substantially less than the Coast Guard estimated it needed.

Mr. Speaker, we are fighting a war in Vietnam and the Coast Guard is performing vital missions and important services to our country. The action by our committee to provide the additional $23,079,000 is wholly justified with the growing activities and added responsibilities of the Coast Guard, the expansion of world commerce, and the tremendous increase in pleasure boating in recent years. The figure of $126,079,000 in this bill represents the minimum with which the Coast Guard can properly carry out its important activities and functions.

I am pleased the bill provides funds for the continuation of work at Governors Island, N.Y., where the Coast Guard will take possession in July 1966.

I am pleased to give my support and vote for H.R. 12762. And I take this opportunity, Mr. Speaker, to commend the distinguished chairman of my committee, the gentleman from Maryland [Mr. GARMATZ], and the able chairman of the Coast Guard Subcommittee, the gentleman from Pennsylvania [Mr. CLARK], for their outstanding efforts and accomplishments in behalf of the Coast Guard.

The SPEAKER. The question is on the motion of the gentleman from Maryland [Mr. GARMATZ] that the House suspend the rules and pass the bill H.R. 12762 with committee amendments.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. MAILLIARD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the subject of the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

CONGRESSIONAL JOINT ECONOMIC COMMITTEE DISCLOSES SERIOUS DEFECTS IN THE NATION'S FINANCIAL MANAGEMENT—FEDERAL RESERVE CITED AS PROBLEM

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD on the Joint Economic Committee hearings.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, I have the great privilege and responsibility to chair the Joint Economic Committee at a critical time in our Nation's history. The Constitution specifically delegates to Congress sole authority to see to the Nation's economic health.

Pursuant to this mandate, Congress enacted the Employment Act of 1946 which created the Joint Economic Committee as well as the President's Council of Economic Advisers. That act specifically recognizes the Government's constitutional responsibility to utilize and coordinate its resources to promote maximum production, employment and purchasing power. We have just completed our celebration of the 20th anniversary of the Employment Act and look back with some degree of pride and a large degree of thankfulness, particularly for the economic results of the past 5 years.

However, Mr. Speaker, two recently published reports by the Joint Economic Committee pinpoint very serious problems in our national financial management which only Congress can solve. The $40-plus billion in Government bonds held by the New York Federal Reserve Bank, which institution claims independence from the Government, has been cited by many, many objective economists responding to our Joint Economic Committee survey as not only unnecessary, but potentially dangerous, and certainly unjustifiable. It is indeed mystifying why Congress permits this institution which is almost entirely free of public supervision, to keep over $40 billion of the public's assets and collect the $1.5 billion annual interest income for the System to spend as it pleases. What makes the whole thing even more ridiculous is the complete absence of a General Accounting Office audit of this $40 billion operation.

The other Joint Economic Committee report, Mr. Speaker, deals with the vital question of coordination of all Government economic policies which is clearly required under the Employment Act. Nearly every member of the committee, Republicans as well as Democrats, charged the Federal Reserve with a serious failure to coordinate its money and credit activities with the Government's overall economic program when the Board arbitrarily hiked interest rates last December without any knowledge of the administration's January budget proposals. Even members of the Federal Reserve Board itself admitted this inexcusable failure to comply with the Employment Act's injunction.

Failure to coordinate policy in a complex, highly industrialized modern economy will lead to serious trouble—even depression.

I commend these reports to my colleagues as very important reading.

THE OPPORTUNITY CRUSADE ACT OF 1966

Mr. GOODELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GOODELL. Mr. Speaker, along with the gentleman from Minnesota [Mr. QUIE], I have introduced the Opportunity Crusade Act of 1966 as a complete substitute for the lagging war on poverty. It would spend $200 million less than the present war on poverty from Federal funds. It would enlist States as partners in this war, and give realistic incentives to private enterprise to give productive and dignified jobs to the poor. Part of this objective would be accomplished through a new Industrial Youth Corps and part through the Republican Human Investment Act. It would begin a new military career center program that would help 20,000 youngsters the first year who want to get into service and cannot qualify for selective service for physical or mental reasons.

It would set up a new program to automate the employment services to provide high speed reliable joining of persons with available jobs. It would take the blinders off those now laboring to train unemployed through a long overdue national skills survey pinpointing the thousands of skilled categories in which qualified applicants cannot be found. It would give tax incentives to help people, not to build machines.

Basically, this program would strip the "fuddle factory" that operates under the name of the Office of Economic Opportunity of all programs except the community action phase, which would be completely restructured, and VISTA. We believe this program as it is proposed—which is in a bill of over 100 pages—will be a real program to help the poor people, with less Federal money in the first year, and will leave us with a structured program that will eliminate the waste and scandal and abuses that have come into this program.

We urge our colleagues to take a close look at the legislation that we are introducing, and we hope many of you will introduce it with us. A summary of our proposal follows:

OPPORTUNITY CRUSADE

(Remarks of Representative ALBERT H. QUIE and Representative CHARLES E. GOODELL)

We are today introducing legislation which will launch an opportunity crusade for the underprivileged in America.

The opportunity crusade will mesh the combined efforts of government at all levels with private endeavors to provide jobs and dignity for the poor. It is a complete substitute for the President's lagging war on poverty. It will begin the imperative task of coordinating the thousands of activities that today spend well over $100 billion annually to fight poverty. It will enlist the State and local governments as partners in the opportunity crusade. It will infuse a new vitality and a new realism into programs for training, educating, and motivating the tired and cynical and hopeless prisoners of poverty in our midst.

The opportunity crusade builds upon the solid foundation of a free enterprise economy. It will offer respectable and productive jobs, not leaf raking and make-work in public employment. It provides realistic incentives for private employers and individuals, as well as public agencies, to join the crusade.

In addition to a complete restructuring of the popgun war on poverty, the opportunity crusade would:

1. Automate the employment services to provide high-speed, reliable joining of individuals with available jobs.

2. Take the blinders off the eyes of those now laboring to train the unemployed, through a long-overdue national skill survey pinpointing the thousands of skilled categories in which qualified applicants cannot be found.

3. Enlist the expertise and responsibilities of the States in the opportunity crusade, and stimulate a thorough analysis at the State level of the mangled mish-mash of overlapping, conflicting, and wasteful programs that are supposed to be helping the poor.

4. Place the children of poverty at the very top of our list of domestic needs in America. A Headstart program, exclusively for children aged 3 through 7 from impoverished backgrounds, will be funded to the full extent of the needs, with emphasis on State and local administration and control.

5. Tax incentives will be given to help people, not build machines. Under the Republican Human Investment Act, employers will receive a 7-percent tax credit for money spent to train and employ people with low skills.

6. Private employers will be given a realistic incentive to hire untrained young people between the ages of 16 and 22 by paying one-third of their wages while they undergo on-the-job training for permanent employment. Unemployment of youths has remained around a stagnant 12-percent level for the past 5 years. Minimum wage laws tend to price young low-skilled workers out of the market. Seventy-five thousand youngsters will benefit from this program the first year.

7. Work experience programs permitting welfare recipients to acquire basic education and on-the-job training will be expanded to help these citizens become self-sustaining. Maximum utilization will be made of State, local, and private facilities and personnel available.

8. The elderly and retired, who can be accurately characterized as the "forgotten poor," will be permitted and encouraged to work and obtain a livable income without loss of social security benefits.

9. Community action will be given the propulsive force it needs to realize its exciting potential by requiring at least one-third true representation of the poor on policymaking boards.

10. The fuddle factory that operates under the name of the Office of Economic Opportunity will be stripped of all its present programs except in the community action phase. The Farmers Home Administration loan program will be administered by the experts in Agriculture; the small business loan program will be administered by experts in the Small Business Administration; the education programs will be administered by experts in the Office of Education; the work experience program will be administered by the experts in HEW; all training programs will be coordinated under the Manpower Development and Training Act of the Labor Department.

11. The opportunity crusade will help more poor people while spending $200 million less than the war on poverty. Funds for the new community action will be more than doubled; Headstart will receive all it can use, at least twice the budget estimate for Headstart next year; expenditures for the Job Corps and Neighborhood Youth Corps will be cut back while serving more enrollees (private employers pay two-thirds of the wages of enrollees instead of the 10-percent contribution under the present Neighborhood Youth Corps program).

12. The Job Corps will be completely revamped with an accent on intelligent evaluation of applicants, discipline in camps, use of private enterprise to create realistic working conditions, and elimination of prodigal spending for staff and facilities.

13. New camps will be set up under the Secretary of Defense to equip for military service young men from poverty backgrounds who cannot meet Selective Service standards.

14. Careful administrative guidelines are written into all programs under the opportunity crusade to eliminate the bungling and wrangling of the present war on poverty and to prevent constant intrusion of Federal bureaucrats into programs of local initiative and concern.

The outline of expenditures for the opportunity crusade, compared with the war on poverty, follows:

Program	Total funds for opportunity crusade	New Federal authorization for opportunity crusade	Budget proposal for war on poverty
Job Corps	$200,000,000	$200,000,000	$355,000,000
Skill centers		90,000,000	
Conservation centers		50,000,000	
Military career centers		60,000,000	
Neighborhood Youth Corps	382,000,000	225,000,000	275,000,000
Industry Youth Corps	150,000,000	50,000,000	
Summer Youth Corps	106,000,000	80,000,000	
In school	80,000,000	60,000,000	
Out of school	46,000,000	35,000,000	
Community action	867,000,000	700,000,000	475,000,000
Urban CAP	360,000,000	324,000,000	
Bonus	108,000,000	54,000,000	
Rural CAP	307,000,000	276,000,000	
Bonus	92,000,000	46,000,000	
VISTA	25,000,000	25,000,000	23,000,000
Headstart	644,000,000		260,000,000
Regular	(444,000,000)		
Bonus	(200,000,000)		
Adult basic education	44,000,000	40,000,000	30,000,000
Rural loans and migrants	55,000,000	55,000,000	32,000,000
Small business incentives	12,000,000	12,000,000	
Work experience	200,000,000	200,000,000	150,000,000
Employment Service	25,000,000	25,000,000	
Skill surveys	5,000,000	5,000,000	
Automation	20,000,000	20,000,000	
Total	2,454,000,000	1,482,000,000	1,637,000,000

It will be noted that, by giving private employers a reasonable incentive to hire Industry Youth Corps enrollees and by enlisting the States as partners under the new bonus programs, substantially more total assistance will be available to the poor under the opportunity crusade than under the war on poverty. This is accomplished while cutting the amount of Federal spending below present levels.

It should also be noted that the war on poverty projects plan for 45,000 job corps enrollees. With new military career centers and total revamping of job corps administration and policies, the opportunity crusade will enlist a total of 55,000 enrollees, while reducing Federal expenditures by $155 million.

The launching of a new Industry Youth Corps, with two-thirds the wages paid by private employers, will enable the opportunity crusade to help a total of 438,000 school dropouts or potential dropouts as compared to projected plans to help 354,000 youngsters under the war poverty. This will be accomplished with a cut in Federal spending of $50 million annually.

TORNADO SWEPT THROUGH MISSISSIPPI AND ALABAMA

Mr. WILLIAMS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WILLIAMS. Mr. Speaker, late last Thursday afternoon, a devastating tornado swept through the city of Jackson, Miss., and on into eastern Mississippi and Alabama claiming the lives of more than 60 people, injuring 500 more, and destroying millions of dollars in property. The storm destroyed scores of homes, churches, businesses, and actually laid waste several small communities in Rankin and Scott Counties, east of Jackson. At least 12 people lost their lives when a new shopping center, Candlestick Park, was completely demolished by the force of the tornado.

Mr. Speaker, I was able to view the scene of the devastation the next morning, to survey the extent of the damage, and to observe the manner in which local authorities had brought order out of what must have been utter chaos. Within minutes following the tragedy, all appropriate governmental authorities had moved in to meet the emergency.

Under the leadership of the Lieutenant Governor, Carroll Gartin, as Acting Governor in the absence of Governor Johnson from the State, the National Guard was called into action immediately. The State highway patrol, all municipal resources and manpower of the city of Jackson, the Hinds County sheriff's office, citizens' band radio operators, other county agencies, and volunteer civic groups pitched in together in one of the finest and most orderly cooperative efforts I have ever witnessed to get the injured to the hospitals and to avert possible further disaster. I am pleased to say, also, that agencies of the Federal Government responded promptly in providing much-needed assistance to the people of the area.

As a part of my remarks, I include at this point a very appropriate editorial which appeared last Saturday in the Jackson Clarion-Ledger:

OUR HOME FOLKS, GOD BLESS 'EM, STORM-TESTED, ARE THE GREATEST

> No folks anywhere excel the people in and near our hometown when the time of testing comes, as was the case with the tornadoes which hopped and skipped about middle Mississippi counties Thursday afternoon.
>
> Not only do we have kind hearts and gentle people, but we have folks who are brave and resolute people, capable of rising to emergencies in whatever strength and skills the situation demands.
>
> The honor roll of this weekend is a long one and we certainly could not begin to designate the folks who earned that distinction Thursday and Friday. But we cannot let the opportunity pass to list some of them.
>
> The immediate response of Jackson's fine police force and fire department, the close cooperation of Hinds' deputies and highway patrolmen, the unbelievable flexibility displayed by our hospitals, physicians, staffs, and volunteers, should be written in shining letters on our honor roll which includes also ministers of all the faiths, medical aids of varied abilities, members of both races.
>
> Mississippi Power & Light, Southern Bell Telephone, Mississippi Valley Gas personnel, on company business and as individuals possessed of special training and/or equipment useful for the emergency, pitched in with special zeal.
>
> Red Cross, Civil Defense, Jackson Auxiliary Police, citizens band radio volunteers, Salvation Army, Vicksburg and Clinton Fire Departments, special volunteers of Continental Can Co. crews—the list could go on and on.
>
> This newspaper would have to have its own special list, including Thomas Alewine, Sr., and Junior of the Rankin County News, where first copies of our Friday paper were printed, administrative and service personnel of the power company, who pressed efforts for restoration of electric current, volunteer photographers and reporters, particularly John McLaurin, who helped at strategic points.
>
> Last but certainly not least, the personnel of our newspaper family, editorial, mechanical, circulation, and managerial forces, all rose to the occasion and performed in the highest tradition of service to our readers.
>
> Bless 'em all, they're the greatest.

Mr. Speaker, as the residents of the area dig themselves out of the rubble left in the wake of the tornado's path, and as Mississippi continues sadly to count its dead and injured, I know that the hearts of all Americans go out to them.

HORTON'S CIVIL RIGHTS LAW ENFORCEMENT BILL PROVIDES FOR NONDISCRIMINATORY JURY SELECTION, FEDERAL PROTECTION AGAINST RACIAL VIOLENCE

Mr. HORTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, it was my privilege today to introduce legislation that would put meaning and muscle behind countless court opinions which have deplored discrimination in jury selection, and which have so consistently and correctly enunciated the right of all qualified persons, under the 6th and 14th amendments to serve on juries. The Civil Rights Law Enforcement Act of 1966 establishes reasonable standards for determining whether in a particular court's jurisdiction, systematic exclusion from juries on arbitrary grounds is being practiced, and provides a remedy where such discrimination is found, commensurate with the dictates of the 14th amendment.

Noted civil liberties lawyer Anthony G. Amsterdam, writing in the University of Pennsylvania Law Review, makes a cogent and timely observation concerning contemporary civil rights problems. In an article on the removal of civil rights cases to the Federal courts, he states:

> It is no hyperbole to say that the critical issues of human liberty in the country today are not issues of rights, but of remedies. The American citizen has had a right to a desegregated school since 1954 and to a desegregated jury since 1879, but schools and juries throughout vast areas of the country remain segregated.
>
> The right is there on paper; what is needed is the machinery to make the paper right a practical protection.

Mr. Speaker, the Constitution is still the Constitution and is still the supreme law of the land even in the absence of a practical remedy.

I am distressed by the untenable assumption of persons who have become so accustomed to relying on court enforcement of constitutional provisions that the absence of an effective remedy is the equivalent of no constitutional right. Nothing could be further from the truth. These rights, as the Supreme Court recently said, are "present rights. They are not merely hopes to some future enjoyment of some formalistic constitutional promise. The basic guarantees of our Constitution are warrants for the here and now."

This absence of an effective remedy neither qualifies the right nor impugns the courts which are charged with its enforcement. Rather, it is an indictment of the Congress which, by virtue of the 5th section of the 14th amendment, is directed to adopt appropriate legislation to enforce its provisions. Insofar as the fair and impartial administration of justice is concerned, we are clearly in default on our obligations. The fact that some States, which have primary responsibility in this area, have not done all they could, does not mitigate the harshness of this indictment. It was just such a situation that the 14th amendment was intended to cure. As observed by Justice Strong in *Ex parte Virginia*, 100 U.S. 339, 345 (1880):

> Some legislation is contemplated to make the amendments (13th and 14th) fully effective.

In the case of *Strauder* v. *West Virginia*, 100 U.S. 303, 306, 307 (1880), the Justice spelled out the purpose of the 14th amendment and Congress' role relevant thereto. He said:

> This is one of a series of constitutional provisions having a common purpose; namely, securing to a race recently emancipated, a race that through many generations had been held in slavery, all the civil rights that the superior race enjoy. The true spirit and meaning of the amendments, as we said in the Slaughter-House Cases, 16 Wall., 36, 21 L. ed., 394, cannot be understood without keeping in view the history of the times when they were adopted, and the general objects they plainly sought to accomplish. At the time when they were incorporated into the Constitution, it required little knowledge of human nature to anticipate that those who had long been regarded as an inferior and subject race would, when suddenly raised to the rank of citizenship, be looked upon with jealousy and positive dislike, and that State laws might be enacted or enforced to perpetuate the distinctions that had before existed. Discriminations against them had been habitual. It was well known that, in some States, laws making such discriminations then existed, and others might well be expected. The colored race, as a race, was abject and ignorant, and in that condition was unfitted to command the respect of those who had superior intelligence. Their training had left them mere children, and as such they needed the protection which a wise government extends to those who are unable to protect themselves. They especially needed protectioh against unfriendly action in the States where they were resident. It was in view of these considerations the 14th amendment was framed and adopted. It was designed to assure to the colored race the enjoyment of all the civil rights that under the law are enjoyed by white persons, and to give to that race the protection of the general government in that enjoyment, whenever it should be denied by the States. It not only gave citizenship and the privileges of citizenship to persons of color, but it denied to any State the power to withhold from them the equal protection of the laws,

> and authorized Congress to enforce its provisions by appropriate legislation. To quote the language used by us in the Slaughter-House Cases, "No one can fail to be impressed with the one pervading purpose found in all the amendments, lying at the foundation of each, and without which none of them would have been suggested; we mean the freedom of the slave race, the security and firm establishment of that freedom, and the protection of the newly made freeman and citizen from the oppressions of those who had formerly exercised unlimited dominion over them." So again; "The existence of laws in the States where the newly emancipated Negroes resided, which discriminated with gross injustice and hardship against them as a class, was the evil to be remedied, and by it (the 14th amendment) such laws were forbidden."
>
> If, however, the States did not conform their laws to its requirements, then, by the fifth section of the article of amendment, Congress was authorized to "enforce it by suitable legislation." And it was added, "We doubt very much whether any action of a State, not directed by way of discrimination against the Negroes, as a class, will ever be held to come within the purview of this provision."

No amount of rhetoric can excuse the continued existence of racial discrimination in the agencies of justice. Of the various practices that deny participation in the instrumentalities of justice to any one class of citizens because of race or color, none is more reprehensible nor more repugnant to our democratic institutions than the denial to serve on grand or petit juries. In the words of the Court:

> For racial discrimination to result in the exclusion from jury service of otherwise qualified groups not only violates our Constitution and the laws enacted under it but it is at war with our basic concepts of a democratic society and representative government.. (*Smith* v. *Texas*, 311 U.S. 128, 130 (1940).)

The jury is the cornerstone of our system of justice. It is part of the established tradition in the use of juries as instruments of public justice that the jury be a body truly representative of the community. This tradition was already long recognized in England at the time the Constitution was adopted. Blackstone, in his commentaries says:

> The right of trial by jury, or the country, is a trial by the peers of every Englishman, and is the grand bulwark of his liberties.

This grand bulwark of liberty as Blackstone so aptly described it, was secured to every American citizen in the Bill of Rights and was further reinforced by the 14th amendment's prohibitions against denials of due process and the equal protection of the laws.

In case after case since 1880, the Supreme Court has reaffirmed the basic fundamental right of an accused to trial by jury selected without regard to race. The basic questions raised by the Court in the very first jury exclusion case more than 85 years ago remain just as unanswerable today. I quote:

> It is not easy to comprehend how it can be said that while every white man is entitled to a trial by a jury selected from persons of his own race or color, or rather, selected without discrimination against his color, and a Negro is not, the latter is equally protected by the law with the former. Is not protection of life and liberty against a race or color prejudice, a right, a legal right, under the constitutional amendment? And how can it be maintained that compelling a colored man to submit to a trial for his life by a jury drawn from a panel from which the State has expressly excluded every man of his race, because of color alone, however, well qualified in other respects, is not a denial to him of equal legal protection. (Strauder, supra, at 309.)

In subsequent cases, the Court has held that a conviction cannot stand where there has been discrimination in the selection of jurors, "whether accomplished ingeniously or ingenuously"—*Smith* v. *Texas*, supra, at 132.

Despite the clear and unmistaken mandate of the 14th amendment, petitions alleging the systematic exclusion of jurors dot court calendars. Despite the impressive body of judicial decisions affirming the right of all persons to sit on juries "Negroes throughout the South are rarely—often never—found seated on the jury which actually hears a case with racial aspects"—Griswold, 1965, report of the U.S. Commission on Civil Rights 183. Recent events in Mississippi and Alabama make inescapable the conclusion of racial discrimination in the selection of grand and petit jurors.

Thus, in *Anderson* v. *Alabama*, 366 U.S. 208 (1961), the circuit solicitor testified that no Negroes had served on a grand jury in the county for 5 years. The secretary of the jury commission stated that none had served on the grand jury for years. Negro citizens testified that neither they nor, to their knowledge, any Negroes they know had ever served on any juries. At the time, the latest Federal census disclosed that 6,940 white males and 7,956 colored males over the age of 21 years resided in the county from which jurors were selected.

In *United States ex rel Goldsby* v. *Harpole* (263 F. 2d 71 (1959), cert. denied 361 U.S. 838, reh. denied 361 U.S. 850 (1959)), the evidence revealed that more than 57 percent of the 15,448 persons residing in the county were Negroes. Of this number there were 1,949 nonwhite males over 21, who thus met the qualifications of age and sex for jury service. Yet, as the Court noted:

> None of the officials called as witnesses—the circuit clerk, the chancery clerk, the sheriff, the ex-sheriff who had served 20 years, the district attorney or the circuit judge—could remember any instance of a Negro having been on a jury of any kind in * * * the county.

In its 1961 report on "Justice" the Civil Rights Commission states:

> The number of cases is not an accurate index of the problems prevalence, since in many areas where racial exclusion of jurors persists the issue is not raised (p. 92).

The reasons it is not raised were voiced by the judges of the fifth circuit comprising the six States of the Deep South. First:

> Conscientious southern lawyers often reason that the prejudicial effects on their clients of raising the issue far outweighs any practical protection in the particular case.

Second:

> Such courageous and unselfish lawyers as find it essential for their clients' protection to fight against systematic exclusion of Negroes from juries sometimes do so at the risk of personal sacrifice which may extend to loss of practice and social ostracism. (*United States ex rel Goldsby* v. *Harpole*, supra, at p. 82.)

The resulting injustice appears in the fact that Negroes convicted of crimes are given the maximum allowable punishment. Thus, a Negro convicted of rape is usually given a death sentence, while this is rarely the fate of a white man convicted of this offense. On the other hand, a white man charged with an offense having civil rights overtones walks into court virtually confident of the outcome. Thus the trials of the persons charged with the murders of Lemuel A. Penn and Jonathan Daniels resulted in acquittals. The trial of the alleged murder of Medgar Evers, resulted in a hung jury on two occasions. The trial of one of the persons charged with the murder of Viola Liuzzo also resulted in a hung jury. Here again, a retrial led to an acquittal.

Mr. Speaker, the Negroes' plight in securing the fair and impartial administration of justice brooks no further delay. Due process and equal protection of the laws—too long denied—hang in the balance. Existing Federal remedies; namely, 18 U.S.C. 243 and 42 U.S.C. 1983, enacted in the 1870's have had no impact in suppressing the systematic exclusion of minority groups in jury selection. Although the 1964 Civil Rights Act permits the Attorney General to join a jury discrimination suit brought by private persons, it does not permit him to initiate a suit. This is not enough. More, much more, is needed. As the Court has said, it is not enough to hold out a promise that discrimination will not be practiced:

> The 14th amendment requires that equal protection to all must be given—not merely promised. (*Smith* v. *Texas*, supra, p. 130.)

For these reasons I am introducing a bill to give vitality to the 6th amendment's requirement of an impartial jury. This bill would insure not only the accused's right to trial by a jury selected without regard to race, but also the right of all persons regardless of race to sit on juries.

The jury is too fundamental to our system of justice to countenance its continued perversion. A jury selected by discriminatory procedures is a sham; its judgment, a fraud.

The venerable code of equity commands "for every wrong, a remedy."

Mr. Speaker, I urge the necessity of affirmative action on the Civil Rights Law Enforcement Act upon my colleagues. The standards it espouses, and the guarantees it contains have been owed by the Congress to the American people for a full century.

CIVIL RIGHTS ENFORCEMENT ACT OF 1966

Mr. CORMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CORMAN. Mr. Speaker, I was pleased to note that my able and respected colleague, the gentleman from Maryland [Mr. Mathias], and 17 other Members on the Republican side of the aisle have announced their introduction of the Civil Rights Law Enforcement Act of 1966. Their stated objectives coincide with the recommendations of President Johnson made to this House in his state of the Union address.

This is, I hope and expect, the first step in a strong bipartisan effort to pass firm and effective legislation to end racial discrimination in the administration of justice. Certainly there is no place for partisanship in respect for and protection of each American's constitutional rights. During the 88th Congress, we saw the valiant and effective efforts of two great Congressmen, the gentleman from New York, Chairman Celler, and the gentleman from Ohio, Congressman McCulloch, lead to a high water mark in civil rights legislation in the 1964 Civil Rights Act.

I witnessed with a heavy heart the apparent abandonment of the Republican Party's civil rights stand at their 1964 presidential convention in San Francisco. My concern mounted during the first session of this Congress when 115 of the 136 Republicans voting joined 54 southern Democrats in an effort to recommit the 1965 Voting Rights Act. Fortunately, 21 Republicans joined 227 Democrats to defeat that effort and thus gave to hundreds of thousands of Americans the right, for the first time, to participate in the political life of this Nation.

Additionally, I have been disturbed by the prediction of the chairman of the Republican congressional campaign committee that he expects his party to pick up many new seats in the South. If the efforts of the Republican Party in the South were gaged to bring equal rights and equal justice to all Americans, I would welcome that endeavor. But their successes to date clearly indicate that they seek public office in that part of the Nation under the banner of Barry Goldwater—not Abraham Lincoln.

I am most hopeful that the Republican leadership in the House will join Congressman Mathias, and his 17 colleagues. There is no place in either of our two great political parties for those who would place so-called States rights above human rights, for those who would condone maladministration of justice or for those who would close their eyes to the terror visited upon the Negro and the civil rights worker in the Deep South. I am certain I speak for many on this side of the aisle when I say to Congressman Mathias, that we shall be pleased to work shoulder to shoulder with him in writing another chapter in the history of American freedom.

CONTIGUOUS FISHERY ZONE

Mr. MATHIAS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. MATHIAS. Mr. Speaker, in connection with the bill introduced today by the gentleman from Massachusetts [Mr. Keith], in which I join, to establish a contiguous fishery zone beyond the territorial sea of the United States, I am submitting for inclusion in the body of the Record the following special report by "Hal" Lyman, of Boston, Mass., publisher of the Salt Water Sportsman magazine:

HENRY "HAL" LYMAN OPINES ON THE LONG-LINE THREAT

(Editor's Note.—"Hal" Lyman, of Boston, Mass., publisher of the Salt Water Sportsman magazine, and internationally recognized marine angling and conservation authority, has written this special report for the CGA bulletin. It is condensed from his editorial published in the January 1966 issue of Salt Water Sportsman.)

Growing concern over the long-line fishery in the Caribbean is felt by both the sport fisherman and scientists, who question—with good reason—whether species taken in vast quantities by this means can stand such excessive pressure. However, it should be emphasized that this problem is not confined to the Caribbean area. The Nova Scotian and the North Carolinian, the Californian, and the Hawaiian are equally concerned.

Various solutions to this problem of excessive long-line catches have been proposed. One, mentioned in a recent CGA newsletter, is a complete moratorium on long lining until such time as scientists can determine whether or not the fish stocks can survive at a reasonable level under such punishment. This, we submit, is unrealistic.

In a protein-hungry world, complete restriction of this type of commercial fishing would result in hardship both to the fishermen themselves and to those who consume the catches. Unpleasant as it is for an angler to contemplate, a semistarving human will eat fish sausage made from marlin with gusto and would resent any effort made to delay his meal for what might stretch into a period of years.

Extension of national territorial waters limits has been proposed as another answer, but international courts have not upheld any such extensions to date. In addition, the long liners themselves often operate far at sea even beyond the extended territorial boundaries.

A reasonable solution to this problem is establishment of a quota system for long liners until such time as sufficient date may be obtained to determine what pressure the fisheries can stand. Such quotes already are in force in other areas of fisheries, notably in the whaling industry. It should be noted in particular that a complete moratorium on long lining will remove one of the tools needed for scientific research—catch statistics.

The obvious agency to establish and enforce such quotas is the Food and Agricultural Organization (FAO) of the United Nations. As this is written, the FAO has already suggested a quota system on tuna. There is no reason why this should not be expanded to include the various billfishes and broadbill swordfish as well.

We therefore urge that those who are concerned with this whole question persuade their respective governments to back the FAO in a plan to set quotas and enforce them. Such a plan is the logical and practical way to resolve the present unhappy situation.

OUR NATURAL RESOURCES

Mr. VIGORITO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. VIGORITO. Mr. Speaker, I request permission to extend my remarks at this point in the Record.

Mr. Speaker, last week the Congress received President Johnson's most eloquent message about the need for an awareness about the danger our natural resources face from an encroaching civilization.

A recent editorial in the Erie, Pa., Daily Times has very cogently pinpointed the responsibility which we, as representatives of the people, share in regard to the preservation and conservation of our natural resources.

I hope we all heed the President's recommendations and take prompt action on legislation that will help us combat a growing problem that defaces the Nation.

Mr. Speaker, I would like my colleagues to read excerpts from the Erie Daily Times editorial and, therefore, insert it in the Congressional Record at this point:

CONSERVATION

Few responsibilities are more significant for this generation of Americans than preservation of our natural heritage.

In connection with preservation of our natural heritage there have been several developments recently worthy of comment.

First, and most hopefully, was passage by the U.S. Senate of a wild rivers bill, aimed at preserving certain wild rivers in the West and Midwest.

The bill still faces a major hurdle in the House where it has to pass the shoals of the House Interior Committee.

In conjunction with this wild rivers bill, Senator Joseph Clark * * * [has] proposed that several stretches of Pennsylvania rivers be studied along this line, and the proposal is a happy one that deserves full support.

One area that should certainly be preserved is Tionesta Creek in Forest and Warren Counties and this should be relatively easy since much of the area falls within the Allegheny National Forest. Another area in this part of the State would be the Clarion River in Clarion and Elk Counties—one of the most beautiful stretches of stream in the State.

Closer to home, there is responsibility for State and county officials to preserve some of the beautiful streams of Erie County.

Elk Creek is a natural, of course. Another possibility is Wintergreen Gorge, although, unfortunately, there has been a lot of illegal dumping along portions of the gorge in the last decade.

For many, the most famous example of natural beauty in the Nation is the Grand Canyon of the Colorado River in northern Arizona.

Yet this famed area is in danger of further desecration.

Considerable support has developed for erection within the canyon of two huge dams to plug up the wild waters of the Colorado.

One of the proposed targets, to build the Bridge Canyon Dam below the Grand Canyon National Monument and the Grand Canyon National Park, is now being reevaluated because of protests from the public.

But the other, a proposed dam at Marble Gorge, upstream from the Grand Canyon National Park, is still being pushed through Government channels.

Both dams should be delayed indefinitely. To impair the beauty of the Grand Canyon would be a national tragedy.

WOMEN'S GROUPS HONOR SUSAN B. ANTHONY

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, recently the Nation paused to honor one of its great heroines, Susan B. Anthony, who did so much to give women the right to vote.

Since 1952, American women have cast more than half of the votes in every presidential election. They are becoming increasingly important not only at the polls but in every facet of American business. Thanks to the leadership of President Johnson, women today are in important positions throughout all levels of our Federal Government. In the past 2 years, the President has appointed 150 women to top jobs in the executive branch, including 6 assistant or deputy assistant secretaries in Cabinet departments, 4 Ambassadors and 6 appointments to Federal commissions. On top of that, President Johnson directed the promotion of some 8,000 women in Federal jobs to salary levels of $10,000 and above.

Susan B. Anthony exemplifies the long and continuing struggle to provide women full and equal rights in this country. The National Woman's Party and many other distinguished women's groups are continuing the battle which Miss Anthony started. One of their major projects is passage of a constitutional amendment which will seal equal rights for women into the American Constitution. Resolutions to start this amendment process are pending in both Houses of Congress. I am happy to be among the sponsors in the House. This proposed amendment provides that, "equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex."

I want to congratulate the National Woman's Party for its fine leadership in this area and for its magnificent work in carrying out the annual celebration of the birthday of Susan B. Anthony. I also want to commend the other organizations which participated in this year's celebration in the crypt of the Capitol. These include:

American Association of Women Ministers; American Legion Women's Auxiliary; American Newspaper Women's Club; American War Mothers; Capitol Hill Restoration Society; Catholic Daughters of America; Colonial Dames of the 17th Century; Daughters of the American Colonists; Democratic National Committee—Women's Division; General Federation of Women's Clubs; Crupo Espanol; Kappa Beta Pi—International Legal Society; Ladies Auxiliary of International Firefighters; Ladies of the Grand Army of the Republic; Mary Washington College of University of Virginia; National Association of Colored Women; National Association of Women Lawyers; National Federation of Business and Professional Women's Clubs. National Federation of Republican Women's Clubs; National League of American Pen Women, Inc.; National Federation of Women Shareholders; National Society of Daughters of American Revolution; National Woman's Party; National Zonta Clubs; People's Mandate Committee; Republican National Committee—Women's Division; Society of Friends; Soroptimist International Association; United States Daughters of 1812; Veterans of Foreign Wars, Women's Auxiliary; Women's Bar Association of the District of Columbia; Women's Christian Temperance Union; Women's Division of the Metropolitan Police of District of Columbia; Women's National Press Club; Women's Joint Legislative Committee for Equal Rights; Women's Medical Association—American; and Women's Bar Association of Maryland.

I also want to commend the leadership and the work of the women who made this observance such a success. Among the leaders were: Miss Louise Gore, vice chairman of the National Woman's Party and member of the Maryland House of Delegates, who presided at the observance; Mrs. Lenox Birkhead, national chairman of the National Woman's Party, who was chairman of the observance; Mrs. Coleman Brownfield, chairman of the committee of arrangements for the observance; Mrs. Ada C. Trigger, chairman of the Susan B. Anthony Memorial Committee of the National Woman's Party; Mrs. Cecil Norton Broy, member of the National Council of the National Woman's Party; and Alice Paul, founder and honorary chairman of the National Woman's Party.

Mr. Speaker, I also include in the Record a copy of the remarks which I delivered at the observance.

Remarks of Congressman Wright Patman at Susan B. Anthony Celebration

I regard the invitation to participate in this observance as a distinct honor. Susan B. Anthony was, indeed, a great American. She came out of that hardy stock of Americans who have a deep sense of human justice and the willingness and the courage to fight for it.

Only a short 15 months ago, more than 35 million women marked ballots and pulled the levers on voting machines to help select a President of the United States. Many of them, I am sure, did not realize that their right to share fully in this basic American freedom was assured only 45 years ago through the persistent efforts of Susan B. Anthony and her gallant band of allies who just wouldn't accept the word "impossible."

Like so many American heroes and heroines, Susan B. Anthony came from a humble background as a schoolteacher who earned a few dollars a week. But, she found the courage and the heart to do battle—and win—against powerful politicians and the unenlightened who would have denied women the right to participate in the American democracy.

Women's groups such as yours have long paid homage to Susan B. Anthony. But the country, as a whole, should pause to honor this courageous lady. Everyone, men and women alike, can learn a great deal from her example, particularly those who today fight seemingly unpopular and uphill battles in many areas of our political and economic life.

Through efforts of women like Susan B. Anthony and excellent women's organizations as yours, a quiet revolution has taken place which has brought American women to the threshold of full and complete equality on all levels. As prejudices against women have been overturned, the country has been enriched by the talents and the skills of this segment of the population. Your participation strengthens the American democracy, and this is vitally important at a time when our society faces a severe test from Communist dictatorships throughout the world.

I congratulate the National Woman's Party and the other fine women's groups which continue to battle for total victory in the fight for women's rights. I know that you are vitally interested in seeing passage of an amendment which will seal these rights into our American Constitution. A resolution to start the amendment process is pending in both Houses of Congress and has already picked up 100 sponsors in the House of Representatives and nearly half of the Members of the U.S. Senate. I am very happy to be among the sponsors of the resolution in the House of Representatives. Frankly, I hope you will be able to gain early consideration of this fully justified amendment to the Constitution.

President Johnson, I am convinced, will go down in history as the Chief Executive who has done the most to bring complete equality for women in employment. His effort to bring women into high levels of the Federal Government has influenced private employers throughout the country. In the past 2 years, the President has appointed 150 women to top jobs in the executive branch including 6 assistant or deputy assistant secretaries in Cabinet departments, 4 Ambassadors and 6 appointments to Federal Commissions. On top of that, President Johnson directed the promotion of some 8,000 women in Federal jobs to salary levels of $10,000 and above.

Of course, there are encouraging signs for women throughout the world. Only last month, Indira Gandhi was named Prime Minister of India—the first woman to become chief executive of a major nation.

So, it is obvious that your hard work for equal rights for women is paying off. But your groups, I am sure, realize that much work remains to be done if you are to keep faith with the early pioneers like Susan B. Anthony.

And, as your strength and influence grows, I hope you will exercise your rights fully and participate in the basic economic and political decisions of the country. Don't let the decisions be made by the so-called experts that are too often just lobbyists for some special interest. Participate actively in every political campaign * * *. Appear before congressional committees * * *. Make your voice heard. Frankly, as chairman of the House Banking and Currency Committee, I welcome the active participation and interest of American women in such vital economic issues as monetary and banking policy. I would like to see groups like yours representing the consumer as a voice and a force to counter the army of special interest lobbies which literally haunt the halls of Congress.

Through women like Susan B. Anthony and the many dedicated workers that have followed her, you have gained great strength. Now, I hope you will use this growing power to strengthen the country's economic and political processes.

MEDICAL CARE OF OUR SERVICEMEN

Mr. HALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. **HALL**. Mr. Speaker, from time to time colleagues and Members have fallen prey to a popular matter of concern with the American people; namely, medical care of our servicemen, their rights concerning evacuation, care overseas, or care and disposition in our continental named Army general hospitals. This is always a subject of popular interest in time of war. It is particularly paradoxical in view of the lowest battle casualty mortality—less than 1 percent—in all history. From World War I to date this has progressively reduced from over 8 percent down through 4 plus percent—World War II—to 2 percent—Korea—and now less than 1 percent.

Mr. Speaker, it should be borne in mind that the primary mission of the medical departments of the armed services is to keep all personnel medically fit and return them to duty at the earliest practical date, whether admitted for sick and nonbattle casualties, or from the battle casualty list. In other words, the mission of the medical departments is to maintain the most healthy and able men on the line, all the time.

On the other hand, if it is obvious—or is even desirable—to determine whether a serviceman is unfit for military service, this is handled by the congressional-made law under title 10, United States Code, chapter 61. It follows that if this is not correct, we should change it rather than castigate those who serve that our personnel might fight in the best of health. The American people have always insisted, and rightly so, that our servicemen have even better medical care than our civilians at home. The record of the medical departments is a proud one and history has so recorded, for those who would read.

If an evacuated battle casualty is unfit for military service, there are two routes to follow, or a combination of both:

First. He may be retired because of physical disability from the service which involves 75 percent of base pay, tax free, for the rest of his life; or

Second. He may be dismissed and referred to Veterans' Administration hospitals and/or outpatient care, depending on the findings of a medical board in the hospital at which he has received maximum benefit of service hospitalization and which Board is controlled by the medical department officers of the service involved. Where there is disagreement or further necessary findings, including review of all records, an additional physical evaluation board composed of one doctor but also other administrative officers of the line, determine the legal status prior to retirement, discharge, or the combination above mentioned.

Mr. Speaker, it should be borne in mind that constitutionally an individual in his haste to get home, even after serving his Nation and undergoing battle casualties, may not "waive away his personal rights" but that "waivers" are granted after full determination by a grateful Government.

Finally, Mr. Speaker, I submit that these processes take time and as well stated by the service involved in last Thursday's speech by one of our colleagues, who I fear had not researched the problem nor understood the legal background; points out that convalescent leave is being used to the maximum, both statistically and practically. This practice was started in World War II with our great convalescent facilities after major European engagement and long time on the line with ensuant battle fatigue cases mounting by the thousands. The convalescent leave for rest and recuperation foreclosed much additional hospital construction. The practice is still in effect, I am pleased to tell this Congress after a careful inspection of all the facilities in the District of Columbia and particularly in the Department of the Army's medical centers, including Walter Reed General Hospital and Forest Glen convalescent facility. I think this is the essence of good administration while maintaining fairness to the individual, and would only emphasize further that the commanding officers emphasize this policy on the basis of needed beds and facilities during time of escalation.

I believe the attached direct memorandum dated March 4, 1966, is self-explanatory, and I commend it to the study of all colleagues in the Congress so that they may have knowledge and background concerning this so-called problem. There are many more serious problems today, and I believe most prudent and reasonably informed people will conclude that this is no area for misinformation or further arousing the public by those who have not seen fit to investigate the requirements and circumstances.

In response to your telephone call on March 3, I believe that the following information is appropriate in regard to "board processing" of Vietnam patients at Walter Reed General Hospital, and comments made by the Honorable SEYMOUR HALPERN.

Under the provisions of military regulations, patients who have been hospitalized must be evaluated following their course of treatment to determine whether they meet the medical standards for retention (and ultimate reassignment to duty) or whether they should be released from the service because they do not meet the minimal retention standards.

Where an individual patient is clearly medically fit, his case is expeditiously handled both medically and administratively. He is returned to duty at the earliest time that he will be able to perform his tasks without harm to himself.

In cases where a patient is unfit or if there is a question as to his medical fitness, his case is given more detailed medical evaluation and administrative processing to insure that the interest of the individual as well as the interest of the Government is protected.

This more detailed consideration is furnished through the medium of a medical board and where indicated a Physical Evaluation Board.

Under the provisions of title 10, United States Code, chapter 61, members of the Armed Forces are entitled to be retired or separated from the service for physical disability. The type of release and determination of benefits, if any, can only be made following a detailed medical evaluation of the case and the circumstances under which the disability was incurred. Additionally, when it has been determined that an individual is entitled to benefits, these must also be delineated.

The medical evaluation of a patient is conducted by a Medical Board. This medical board, a responsibility of the Army Medical Service, is set up to protect the patient through a full professional evaluation of all significant medical evidence in the case. The members of this Board form a team of doctors—as opposed to one doctor—who are highly qualified specialists in the medical aspects of the case under consideration. The comprehensive evaluation of the cause, history and course of treatment followed in caring for the disability made by this team includes study of the contents of all medical records of the individual, both past and present, to insure all pertinent factors are included during the deliberations. The documentation prepared by this Board contains the studied opinion and recommendations of these doctors which establishes the fact of disability, its permanence and whether it is of a degree which disqualifies the individual for retention on duty. If the determination is that the patient is disqualified for retention, a determination must then be made to establish his eligibility for retirement benefits or separation from the service. In the cases where the disqualifying medical conditions are considered to have been incurred in line of duty or aggravated by the military service, further administrative evaluation must be conducted by a Physical Evaluation Board. This Board is not a part of the medical service but is charged with the responsibility to consider cases referred by medical authorities, generally through the medium of a Medical Board. Only one member of this Board is a doctor. The remaining members are senior military officers of arms and branches other than medical. Administration of this Board is not a responsibility of the Army Medical Service but is rather a function under the Secretary of the Army delegated to the regional army area. The Physical Evaluation Board may determine that the individual should be returned to duty but generally makes recommendations to the Secretary of the Army on the degree and permanence of the disability. The Secretary of the Army is the final approving authority for cases processed through these Boards.

The undeniable necessity to protect the right of the soldier to a fair and comprehensive evaluation dictates that all pertinent information be obtained, recorded, and considered. Such a process takes a period of time proportionate to the complications which may exist in any given case. This normal time requirement is somewhat further increased by the greater number of cases generated by the Vietnam situation.

There are periods of time in processing board actions where it is not essential that the patient be present at the hospital. If other factors are not contraindicative, it is the policy of all hospital commanders to grant personnel convalescent or other leave as they may desire. The commanding general of Walter Reed General Hospital informs me that this policy is in effect at his facility.

During the final processing of a case through a Physical Evaluation Board, it is considered essential to the best interest of the patient that he be available to discuss his case with legal counsel, to insure that he is cognizant of his rights and prerogatives. It is at this time that he has the opportunity to formally present his case if he is not in agreement with the recommendations of the Board. Following the completion of proceedings of the Physical Evaluation Board, the service member is given the opportunity to proceed to his home to await final action by the Secretary of the Army on his case, or to decline such offer. It is also the policy at Walter Reed General Hospital to follow this procedure.

Unfortunately the absence of information on specific cases creates a situation in this matter in which direct and positive facts cannot be obtained. The interaction between professional and administrative staff members which is required for board cases, coupled with the number of Vietnam veterans at Walter Reed General Hospital at the present time precludes development of a quick analysis of board processing which would accurately reflect details of individual cases.

The following information relating to Vietnam veterans at Walter Reed General Hospital is furnished as a summary analysis. It reflects data as of March 3, 1966:

Total in hospital	391
On convalescent leave	122
In VA hospital awaiting release from service	3
At home awaiting release from service	3

Of the remaining 263 patients, all are in hospital status undergoing treatment. Only eight of this remaining strength are in process of medical board action. It is policy in these cases for the individual concerned to be immediately available for professional consultation or evaluation. In the investigation to determine whether unwarranted delays exist in processing the boards of Vietnam veterans at Walter Reed General Hospital, I can inform you that there is no unnecessary delay and that the patient is encouraged to avail himself of leave or if appropriate to proceed home to await final action by the Secretary of the Army, when his presence is not necessary.

I can assure you that if specific cases of complaint are made known to me or to the commanding general at Walter Reed Hospital, appropriate action will be taken. I have equal concern for expediting processing board cases not only to insure a satisfactory patient response but also to preclude unnecessary expense to the taxpayer because of prolonged retention of medically unfit personnel in the active military forces. I will not however, initiate or condone changes which would jeopardize the best interests of the soldier, his family, or the Government.

You may also be sure that the commanding general at Walter Reed General Hospital and his staff are equally interested in expediting the return of these fine men to duty or to their homes and families at the earliest possible time. The desire for speed in releasing individuals, particularly in cases being separated from the service with disabilities, must always be tempered by farsighted recognition of possible adverse consequences of haste at any cost.

JAMES T. MCGIBONY,
Major General, Medical Corps, Acting The Surgeon General.

KEITH PROPOSES 12-MILE LIMIT FOR FISHING

Mr. KEITH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. KEITH. Mr. Speaker, I have today introduced a bill for the establishment of a contiguous fishery zone beyond the territorial seas off the United States. This bill, if enacted, will help to protect and conserve our coastal fishery resources. It will, to a larger degree, reserve them for American fishermen. Specifically, the bill would establish that we have exclusive fishing rights out to a 12-mile limit by claiming a zone of 9 miles beyond our present 3-mile territorial sea.

The 12-mile limit for fishing has become a fact of life. Of the 98 coastal nations of the world, we are one of perhaps 10 which claim jurisdiction over only a 3-mile area off our coasts. Ten of the world's seagoing countries claim between 3 and 12 miles, another 45 claim the full 12 miles, and approximately 10 others even make extravagant claims to areas extending 100 or 200 miles out to sea. The trend away from the 3-mile limit is relentless. We have only ourselves to hurt by not accepting it.

And this does not mean that we have not been hurt already. As a nation we have always done the majority of our fishing within 12 miles of our shore—in fact, two-thirds of our catch comes from these comparatively close-in grounds. In former years there were relatively few foreign vessels using this stretch of water and interfering with our fishermen. But recent developments in oceangoing fishing vessels and "factory" ships by other countries have radically changed the picture. Today, even though it is the middle of the winter, at last count by the Bureau of Commercial Fisheries, 72 Soviet fishing vessels are operating in the area off Georges Bank and another 105 off the Alaskan coast. Last June, hundreds of Russian ships were found operating off Cape Cod. And this does not take into account the ships of many other countries which are also constantly fishing these waters.

Mr. Speaker, the right of foreign ships to fish the high seas has been established since the time of the Norsemen, and the bill does not seek to make any change in this. I have presented these statistics merely to show how gradual expansion of foreign fishing activities—which will be necessary in the next few years to take care of the ever-expanding world population—could eventually bring these competitors up to our 3-mile limit. We must protect our immediate coastal area while we still can do so—and before, by reason of custom, we could be forced to grant traditional fishing rights to these countries.

Under present circumstances, only Canada enjoys this traditional privilege, and there exists an informal recognition of similar rights for American fishermen who fish within Canada's 12-mile limit. But the longer we allow other countries to operate within our waters, the more customary will their presence become—until, through international usage, we are forced to consider their presence to be traditional.

In addition to the reservation of these waters for our own fleets, a second major purpose of the bill I am introducing is conservation of the resources within the 12-mile boundary. As the world population explosion continues, the demand for fish products will eventually exceed the supply unless we take steps now to prevent the "fishing out" of large areas. For those many small communities along the coastline of the United States who harvest the sea for the fresh fish market, the adoption of this new boundary will help to protect their future livelihood.

Although international agreements do exist to help protect fishery resources, ratification of these treaties alone takes considerable time. For example, we have been waiting since 1958 for full ratification of the International Convention on Fishing and Conservation of the Living Resources of the High Seas. One can easily see that decisionmaking under these treaties is a long process. Therefore, there is no longer any good reason why we should not, at the same time, exercise jurisdiction over the resources near our own coasts and include this area in our overall program for protection of fish and wildlife.

Mr. Speaker, I am, of course, a firm believer in the principle of freedom of the high seas—and I agree that we must keep the oceans open to all those who wish to use them, but we must not overlook the protection of our food supply. So, I stress to my colleagues in the Congress that enactment of this bill would cover only fishing and imply no additional jurisdiction over these waters.

The primary reason for concern over our dwindling proportion of the world's catch at this particular moment is that in recent years we, as a nation have fallen from second to fifth place among the fishing countries of the world. We now rank behind both Peru and Japan.

Mr. Speaker, this proposal is another step in our efforts to improve the fortunes of our fishing industry which has long suffered from the high cost of domestic vessel construction. You know that, last year, in order to give a boost to this vital branch of our economy, we passed the Fishing Vessel Construction Subsidy Act which, hopefully, will make it possible to update our fleets and keep them competitive with those of other nations.

Mr. Speaker, I have recently returned from a trip to the Soviet Union and seen at firsthand the enormous strides that the Soviets have made in developing their fishing fleets and allied industries. Russia has a 12-mile territorial limit.

In my view, we should not handicap our fishermen by refusing to them the same protection given to foreign fleets by their governments. Further, Mr. Speaker, 2 years ago we passed legislation recognizing our title to and responsibility for the resources of our Continental Shelf. The creation of a 12-mile fishery zone would more fully complement this earlier legislation by recognizing our responsibility in the long-range development of the fishing resources of this Nation.

H.R. 13376

A bill to establish a contiguous fishery zone beyond the territorial sea of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is established a fishery zone contiguous to the territorial sea of the United States. The jurisdiction of the United States extends to all waters in the zone and the United States will exercise the same exclusive rights in respect to fisheries in the zone as it has in its territorial sea subject to the continuation of traditional fishing by foreign states within this zone as may be recognized by the United States.

SEC. 2. The fishery zone has as its inner boundary the outer limits of the territorial sea and as its seaward boundary a line drawn so that each point on the line is nine nautical miles from the nearest point in the inner boundary.

Sec. 3. Whenever the President determines that a portion of the fishery zone conflicts with the territorial waters or fishery zone of another country, he may establish a seaward inner boundary for such portion of the zone in substitution for the seaward boundary described in section 2.

JOHNSON AND A CONFUSED NATION

Mr. MINSHALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. MINSHALL. Mr. Speaker, many Americans are confused over our role, methods, and objectives in Vietnam. On Thursday morning, February 24, I, along with other of my colleagues, were briefed at the White House by Vice President HUMPHREY, who had just returned from southeast Asia, the President, and others of his Cabinet.

Many of us came away from that briefing convinced that if they would take this message to the American people with the same force and conviction that he evidenced to us, this compounded confusion would rapidly be dispelled.

Accordingly, when I returned to my office that day, I wrote the President the following letter:

FEBRUARY 24, 1966.

The PRESIDENT,
The White House,
Washington, D.C.

MY DEAR MR. PRESIDENT: I was most impressed by the briefing on Vietnam you held with the Vice President for the congressional leaders this morning.

My one regret is that it was not televised for the benefit of millions of Americans who are doubtful and frightened about our conduct of the war in the Far East. They have been overexposed to strong, conflicting voices raised in public debate over the U.S. role in Vietnam.

You and the Vice President explained the matter in brilliant fashion today. I listened intently and was particularly impressed by your emphasis that the final, critical decisions rest on your shoulders as the Commander in Chief.

I can think, however, of no more urgently needed service than an intensive informational campaign waged by you and the Vice President to thoroughly advise the American people to the degree that you briefed us this morning. Our citizens are entitled to know and should know the facts. The American people are intelligent and, having understanding in times of crisis, of boundless loyalty.

In my opinion the intense confusion and divided opinion on the Vietnam situation have been generated here in Washington at both the executive and legislative levels. Examples:

1. Prophetic statements that "we'll soon have the boys home."

2. Statements that we will need vastly increased troops.

1. Assertions at high legislative levels that we should bomb North Vietnam.

2. Statements at the same levels that we should not bomb North Vietnam.

1. Statements that we should withdraw from Vietnam.

2. Statements that we should send in vastly more ground troops.

If you would present the facts to our people on the homefront with the same admirable forthrightness you displayed this morning, I am certain there would be a resurgence of support which would dispel the uneasiness and misgivings now clouding our policies and efforts in the Far East. I think, also, that the morale impact on our men in the military would be tremendously heartening.

May I respectfully request that you give this suggestion your earliest and most serious consideration. As in the past, you may depend upon my continued effort as a member of the Subcommittee on Department of Defense Appropriations to support and strengthen those endeavors which are best for our Republic.

Respectfully yours,
WILLIAM E. MINSHALL,
Member of Congress.

I was gratified that the Cleveland Plain Dealer, one of this Nation's finest newspapers, agrees with my position. The lead editorial in yesterday's Sunday Plain Dealer stated:

JOHNSON AND A CONFUSED NATION

In the tranquillity of his Texas ranch this weekend President Johnson might well ponder the state of the Nation's mind after it has absorbed the conflicting congressional views on Vietnam and has considered the rising casualties and increase in U.S. forces in the battle area.

It might occur to the President that a confused people would be helped by some direct words from the White House that might clarify their thinking and give them a better insight into the complexities and a better knowledge of what to expect.

Last Saturday, President Johnson forbade the televising of his press conference. So little advance notice was given his New York speech last week that only one television network carried it and the public was not notified of the broadcast.

The President's Cabinet members acquitted themselves admirably before the Senate Foreign Relations Committee in detailing their special roles in the conflict but they were interrupted so frequently by those with contradictory views that a watcher could not sort out the jumble of opinions.

President Johnson must know by now that Premier Nguyen Cao Ky went home from the Honolulu Conference and told his people that they were pledged to freeing the North Vietnamese from the "yoke of Chinese colonialists and their puppets."

But Americans have been led to believe that the sole U.S. purpose in Vietnam is still the halting of Communist aggressions. If a change has been agreed upon, the public has not been made aware of it.

No change has been announced in the policy of limited pressure on the Vietcong while waiting for the enemy to agree to enter into discussions, but steady beefing up of U.S. forces is conveying the impression that there is no limit on the size of the American commitment.

There are many other questions in the public mind that only the President can answer. A broadcast, given enough advance notice to assure the widest possible audience at a time most convenient for the public to listen, would go a long way toward clearing the air on the major topic in the Nation's mind today.

DUMPING OF GOVERNMENT-OWNED CORN

Mr. FINDLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FINDLEY. Mr. Speaker, Agriculture Secretary Orville L. Freeman is dumping millions of bushels of Government-owned corn into the marketplace in a calculated effort to depress the cash price and club farmers into reluctant compliance with the Government's so-called "voluntary" feed grains program.

We are witnessing a repetition of the disastrous program undertaken by the Secretary in 1961–62 when he sold nearly a billion bushels of Commodity Credit Corporation corn and set the stage for a subsequent collapse of hog and cattle prices.

The massive dumping of corn by the Johnson administration reached 140 million bushels in February—the highest month in 4 years. Corn sales in December were only 8 million bushels. Timed as it was, this dumping must be interpreted as a coldblooded plan to force signup. If the administration had followed an orderly program of liquidating stocks—spreading the sales evenly throughout the months following the harvest peak—corn prices could be 10 to 20 cents a bushel higher.

I call attention to these facts:

First. From October 1, 1965, the beginning of the new crop year, through February 18, 1966, CCC sold 154,413,000 bushels of corn for unrestricted domestic use, plus an additional 41,689,000 bushels for export. In some recent weeks, such corn sales have been in the 30- to 40-million-bushel range. Trade reports are that CCC sold more than 40 million bushels on March 2 and 3.

Second. These heavy marketings, made in direct competition with sales by farmers, have forced midwestern corn prices down by 7 to 10 cents per bushel at a time when there would normally be a seasonal rise in the cash price of corn.

Third. Secretary Freeman should declare a moratorium on further corn sales. According to the Department of Agriculture, CCC had 361,759,000 bushels of corn in its uncommitted inventory as of February 18, 1966. The figure is probably under 300 million today. That would last less than 2 months at the current rate of dumping. The 1966 corn crop is not even in the ground, much less ready to harvest. It takes nearly 4.2 billion bushels of corn to meet current domestic and export needs. Even a modest reduction in the 1966 corn crop—from drought, early freeze, or some unforeseen cause—would make Mr. Freeman wish he had a few hundred million bushels of corn on hand to meet the emergency.

Fourth. Department of Agriculture spokesmen have expressed disappointment that fewer farmers are signing up to participate in the 1966 feed grains program than in 1965. Through February 11 only 12,248 of the 209,124 Illinois farms which produce feed grains had been enrolled in the program for which the signup ends April 1. For the

Nation as a whole, 405,252 of the 3,178,731 feed grain farmers were in the fold.

Fifth. Hog and cattle prices recovered last year from the disastrous 1963–64 decline which was triggered by CCC's earlier corn-dumping program. Farmers themselves made the adjustments in livestock numbers and marketings which resulted in sharply improved prices. Now Mr. Freeman seems bent upon wrecking livestock prices again by releasing Government corn, thereby increasing the feed supply and encouraging another round of unsound expansion in pork and beef production.

JOINT RESOLUTION AUTHORIZING THE PRESIDENT TO DESIGNATE OCTOBER 31 AS NATIONAL UNICEF DAY

Mr. KASTENMEIER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, last October, UNICEF, the United Nations Children's Fund, was awarded the Nobel Peace Prize. We rejoice in the accomplishments of this fine organization which the Nobel Committee of the Norwegian Parliament has recognized in this dramatic way. According to the Nobel Committee the purpose of this coveted award is to honor the individual or institution "who has worked most or best for brotherhood amongst the nations, to the abolishment or reduction of standing armies and for the furtherance of peace congresses." Thus the award to UNICEF acclaims the contributions to the advancement of world peace which this small, but vital, agency within the family of United Nations organizations has made during the past 19 years by its programs benefiting children in over 100 countries. In our customary focus on the political differences among nations, we tend to lose sight of the solid, substantial progress that is going forward under United Nations leadership. By learning to cooperate with each other for the welfare of children, however, the nations of the world have been gaining a valuable lesson in mutual understanding and good neighborliness. We know that peoples everywhere share a concern for the needs of helpless little children who, through no fault of their own, are the victims of illness, hunger, and ignorance.

It seems fitting, therefore, that we in this Congress take cognizance of this distinguished award to an international agency in which the United States has played a vital role ever since UNICEF was established in December 1946. We are proud of our share in the success of UNICEF, not only through our financial contributions over the years, not only through our continuing membership on the 30-member Executive Board which guides the policies of UNICEF, but also because UNICEF's Executive Director has always been an American: first the distinguished Maurice Pate who directed his death a year ago, and now our former Ambassador to Greece, Henry R. Labouisse, his successor, who has only recently assumed the position of Executive Director.

It seems appropriate also that, at this time, this Congress pay tribute to the millions of our own young people, the boys and girls who have shared their Halloween fun with less fortunate children around the world. We commend their deep concern for other children who suffer severe handicaps through chronic illness and malnutrition, or who have no opportunity to escape the vicious cycle of poverty and ignorance.

In October of 1964 the "trick or treat" for UNICEF program was 15 years old. By coincidence the cumulative total collected by American children at Halloween was just over $15 million at that time. The final figures for the 1965 trick or treat campaign by American children have not yet been made available but we know that collections have already passed $2 million and the final report will show an impressive increase over all preceding years. In addition to raising funds to further the work of UNICEF I should like to add my personal view that the trick or treat campaign for UNICEF offers a significant enrichment to the school curriculum of these youngsters when their teachers relate it to their lessons in world geography.

Mr. Labouisse, in announcing the Nobel award at a UN press conference, said:

> We will accept this honor, grateful for the cooperation between nations which has made it possible for us to help in providing medical care, food and educational opportunity to children in 118 countries. We accept it humbly, aware of the millions of children still suffering from hunger, disease, malnutrition and ignorance. And we accept it with confidence that, in the future, UNICEF can and will play an even greater role in helping to prevent suffering and to prepare the young for more constructive and effective parts in the peaceful development of their respective countries and of our world.

In his congratulatory letter to Mr. Labouisse, President Johnson said:

> UNICEF is giving new hope for a better life to the generations in whose hands the security of the world soon will rest. There is no nobler work for peace. Your UNICEF Trick or Treat Day has helped turn a holiday too often marred by youthful vandalism into a program of basic training in world citizenship.

Thus did President Johnson already commend the trick or treat for UNICEF campaign on Halloween. Even before the Nobel Peace Prize award he had similarly given his approval and encouragement to the drive in a statement to the U.S. Committee for UNICEF on March 17, 1964.

Started by a small Sunday school class in the Philadelphia area in 1949, trick or treat for UNICEF has inspired millions of children all over the United States—and, I may say, in Canada as well. I think that we can fairly say that trick or treat for UNICEF on Halloween has become a tradition among our boys and girls in every State of the Union. Sixteen years of continued suppport certainly qualifies for the establishment of a new tradition in our society. It adds a new, broader dimension to our children's Halloween celebrations without subtracting any of the age-old fun. Appreciating its constructive value, each year more and more children and adults participate joyfully in the trick or treat for UNICEF campaign.

To add further recognition to this new tradition, to pay tribute to our own boys and girls who have given such practical demonstration of their good will toward their less fortunate contemporaries, and to urge all Americans in our unfailing spirit and generosity and good will to continue and to increase our efforts for UNICEF in the years ahead, I now introduce a resolution to authorize and request the President of the United States to issue annually a proclamation designating October 31 as National UNICEF Day. I invite my colleagues to join with me in supporting this resolution. What greater promise of world peace can we in this Congress encourage than to give our blessing to this constructive program of children-to-children cooperation? May I say also that I agree wholeheartedly with our President when he says that there is no nobler work for peace.

Mr. Speaker, I also include in the Record at this point an article from the February 21, 1966, Department of State Bulletin. It was prepared by Blanche Bernstein, officer in charge of international educational and social affairs in the Bureau of International Organization Affairs, and describes in detail the evolution of UNICEF's policies and programs and the role the United States has played in helping to shape them. UNICEF and American support of its activities is a great credit to the United States.

UNICEF—The United Nations Children's Fund

(By Blanche Bernstein)

"Today UNICEF is possibly the best known, probably the most successful, and certainly the least controversial operation carried on by the United Nations." This quote from the New Yorker profile on Maurice Pate, the late Executive Director of UNICEF, is as accurate today as when it was published in December 1961. In fact, the news last year that UNICEF had been awarded the Nobel Peace Prize for 1965 was applauded throughout the world. The citation read, in part:

"UNICEF has realized that children provide the key to the future: the children of today are the history of the future. UNICEF is now forging a link of solidarity between the rich and the poor countries. In an age when so many people are terrified of the destructive effects of the forces that science has placed in our hands, UNICEF offers young people in all countries an alternative which it is worth living and working for—a world with freedom for all people, equality between all races, brotherhood among all men."

UNICEF has been enthusiastically endorsed by Presidents Truman, Eisenhower, Kennedy, and Johnson. It receives widespread bipartisan support in the Congress—some Members occasionally suggest a substantial increase in the U.S. contribution. And with the exception of a small but vocal minority, it is widely supported by the public at large through the "trick or treat" Halloween campaign and the purchase of UNICEF greeting cards and calendars.

Other governments and peoples are equally enthusiastic. Though contributions are voluntary, no less than 121 governments contribute to UNICEF, a larger number than to any other voluntary U.N. program. Its greeting cards are sold in many U.N. member states, and many countries have the equivalent of the U.S. trick-or-treat campaign.

The goal of the United Nations Children's Fund is to encourage by means of international assistance to governments the efforts of those governments to improve the lot of children and youth. In pursuing this goal, UNICEF has granted funds for programs of disease control, maternal and child health, nutrition, including child feeding programs, milk conservation projects and nutrition education and related activities, family and child welfare services, training of personnel needed for services to children, and more recently for education and vocational training.

Its work has been carried on in close cooperation with the specialized agencies—the World Health Organization (WHO), the Food and Agricultural Organization (FAO), the United Nations Educational, Scientific and Cultural Organization (UNESCO), and the International Labor Organization (ILO) —and with the U.N. Bureau of Social Affairs.

Within the United Nations, UNICEF has a semiautonomous status and operates in the framework of resolutions adopted by the General Assembly and in accordance with such principles as the General Assembly and the Economic and Social Council may lay down. Governing UNICEF is a 30-nation Executive Board which meets annually to set policy, consider requests from governments for assistance, allocate aid, review program developments, and establish the administrative budget of the agency. The United States has always been represented on the Board.

The Secretary General of the United Nations, in consultation with the Executive Board, appoints an Executive Director who is responsible for the day-to-day operations of UNICEF. One man, Maurice Pate, held the post of Executive Director from UNICEF's inception in 1946 until his death in February 1965. In June 1965 Henry R. Labouisse, former U.S. Ambassador to Greece, was appointed Executive Director.

Most of UNICEF's income comes from voluntary contributions of governments. Out of a total income of approximately $32.9 million in 1964, $25.6 million, or 77.8 percent, came from governments, including $12 million from the United States.

Income from private sources was $4.1 million, or 12.6 percent of the total, a substantial increase from the 7.4 percent in 1960. The largest single contribution came from the U.S. Committee for UNICEF, which raised $2.2 million, mainly from its trick-or-treat project; $1.2 million was realized from freedom-from-hunger campaigns in Great Britain, New Zealand, and Australia, and additional sums came from "Shell-out" in Canada and various other campaigns. Other income of $3.1 million (9.6 percent of the total) consisted of net profits from the UNICEF greeting card fund and income from miscellaneous sources.

RECURRING DEBATE OVER UNICEF'S MISSION

UNICEF has not always rested on universal consensus. Indeed its historical evolution has been accompanied by periodic disagreement over the scope of its mission in the United Nations family and in the early days over the question of whether it should be continued as a separate organization within the U.N.

The reason for the recurring ambivalence about UNICEF is that it does not appear to fit logically into the pattern of U.N. bodies designed to promote social progress. Others, such as WHO, UNESCO, ILO, FAO, and the U.N. Bureau of Social Affairs, cover certain functional areas—health, education, vocational training, agriculture and nutrition, and social welfare. UNICEF's concern is an age group, specifically children and youth, and, as necessary, their mothers.

Clearly, however, if one wants to help children and youth one does something about their health, education, nutrition, training, and welfare. In a sense, therefore, UNICEF can be said to duplicate the responsibilities of other U.N. agencies, and it could be argued on strictly logical grounds that there is no need for such an organization. This kind of duplication is, of course, not unique to the U.N. It is found in our own Department of Health, Education, and Welfare, which is partly organized on functional lines and partly, as in the Children's Bureau, on an age basis. Similar duplication can be found in any welfare and health council in any city in the United States.

In a world which is not altogether logical, however, the justification is easy and can be made on practical grounds. In the first place UNICEF, in view of its special responsibilities, insures that attention will be paid to the problems of children and youth and that their needs will not be overlooked in the fierce competition for limited resources. In view of the close connection between an improvement in the health and educational and vocational skill levels of children and the objective of social progress in the developing countries, it is essential that adequate provision be made for the young, who today comprise roughly half the population of these countries.

The second practical reason for the continued existence of UNICEF is the emotional appeal of an organization which works in behalf of children and youth. UNICEF has been very successful in raising funds from both governmental and private sources, funds which might not otherwise be made available for social programs of the developing countries.

Finally, a division of responsibilities between UNICEF on the one hand and the specialized agencies and the U.N. Bureau of Social Affairs on the other has been worked out so that duplication of activities is minimized.

In establishing UNICEF in 1946 the General Assembly provided:

"To the maximum extent feasible, the utilization of the staff and technical assistance of specialized agencies * * * shall be requested, with a view to reducing to a minimum the separate personnel requirements of the fund."

The above directive was confirmed when UNICEF was made a permanent agency in 1953. In implementing this directive it was agreed that, with respect to specific projects, UNICEF would provide the essential supplies and equipment, financial aid (including stipends for training), and engineering assistance for milk and other food conservation programs. The specialized agencies, each within its own area of competence, review and advise on the technical aspects of the projects, and, where necessary, provide experts to the governments for limited periods to help with the administration of the projects in the field.

On the whole the arrangements between UNICEF and the specialized agencies have worked reasonably well. Disagreements which do arise from time to time about the importance of a particular project requested by some government, the details of how it should be set up, or the sharing of the direct and overhead costs of the technical personnel provided by the specialized agencies have not prejudiced the development of close and cooperative relations between UNICEF and the specialized agencies.

Questions about the scope of UNICEF programs have also been raised from another angle. A substantial part of its funds have gone into disease-control campaigns, particularly malaria eradication and yaws, and in more recent years to rural water and sanitation control. These campaigns, of course, benefit adults and children alike.

In the monumental study, "The United Nations and Promotion of the General Welfare," by Robert Asher, Walter Kotschnig, and others, published in 1957 by the Brookings Institution, the question was raised whether the terms of reference of UNICEF "should be clarified to make it evident that in much of its work it acts as a supply organization in the execution of highly important functions serving the population as a whole and not just children." The authors felt that if public opinion were properly educated the explicit recognition of the broad scope of UNICEF's program would not weaken the emotional appeal based on its association in the public mind with children.

In recent years, however, the United States has pressed for a sharper UNICEF focus on programs for children and youth. Ambassador Jonathan B. Bingham, former U.S. representative on the Economic and Social Council (ECOSOC), stated the problem at the 1963 spring session of the Council as follows:

"There are many who believe that the best way of assuring the welfare of children is to improve the general level of economic and social development. We have no basic quarrel with this view. Indeed, many programs—such as the improvement of child health—require action which reaches all members of the community such as environmental sanitation or increased agricultural production. We believe, however, that UNICEF fulfills a different purpose from other international agencies which are concerned with economic and social development in general. Children have special needs; they are more vulnerable to the effects of such new and developing factors as rapid increases in population, the ever-increasing migration of people from rural to urban areas and the frequently accompanying breakdown of family traditions and solidarity."

At the June 1963 UNICEF Executive Board meeting, the U.S. representative, Dean Frederick DelliQuadri, stated that the United States was satisfied with the major policy decisions which governed the scope of UNICEF programs but expressed concern about certain types of projects in nutrition and training. He illustrated the dilemma in the field of nutrition by describing UNICEF projects that would be of special benefit to children. These included, he said, "nutrition education for mothers and children, training in nutrition of personnel who serve mothers and children, provision of food supplies for school or other feeding programs for children, assistance in the production of milk or other protective foods for children and research to develop such foods, and assistance to improve the quality and quantity of noncommercial locally produced foods for home or school consumption.

"We believe, however, that the general—and acute—problem of increasing the commercial production of foodstuffs is not the concern of UNICEF. Our objection would extend to UNICEF assistance to research projects designed to increase food production for commercial sale and to the training of agronomists or other personnel whose work will be related largely to improvement in general food production."

The United States has also had some questions concerning UNICEF assistance to rural sanitation and water-supply programs, but it recognized that contaminated water constituted one of the greatest health hazards to children, particularly the very young, and that, until other international or bilateral aid agencies were ready to undertake such programs, UNICEF could not ignore appeals for assistance in a matter so critical for child health.

Although a variety of points of view were expressed at the 1963 meeting by representatives of other governments, some of which were more restrictive than the U.S. view and some of which would have permitted very wide flexibility, there was general agreement that UNICEF should not spread itself too thin and that its programs should be focused through a good standard lens and not a wide-angle lens on the major problems of children. Beyond this, it is unlikely that there will ever be unanimous agreement on any restatement of the proper scope of UNICEF programs.

The almost universal acclaim of and the recurring ambivalence about UNICEF can be understood only in the framework of its history and its origins.

THE ORIGIN OF UNICEF

The United Nations International Children's Emergency Fund (UNICEF) was established by the General Assembly (Resolution 57(I)) in December 1946 to aid children and youth in countries which had been the victims of aggression in World War II. The United Nations Relief and Rehabilitation Administration was coming to an end, but the feeling was strong that the task of emergency feeding programs and the distribution of clothing and blankets should be continued for the young. The Fund was to give emergency relief "for child health purposes generally, giving high priority to the children of countries victims of aggression."

In its first years, UNICEF concentrated on distributing food, clothing, and blankets to the children of 14 European countries and China. But by the end of 1949 the Fund had expanded to 13 European countries, 14 countries and territories in the Far East, 6 countries in the Middle East, and 11 Latin American countries. Its program had increased too: construction of and equipping milk conservation plants; training for doctors and nurses; provision of raw materials for shoes and jackets.

It was at this juncture that concerned people began to think in terms of a permanent international body to meet the needs of children. There were differing views, however, on the appropriate organizational arrangements.

In June 1949 the United States began discussions with other major donors to UNICEF looking toward the discontinuance of UNICEF as a separate organization. It was the U.S. view that for the long run children should be a part of the regular U.N. structure. It proposed, therefore, that a modest amount should be added to the regular U.N. budget for this purpose, in addition to the voluntary contributions from governments. Main emphasis of the new program, it suggested, should be on training services, advisory assistance, and demonstration projects.

These elements of the U.S. position, which in effect constituted an effort to reduce drastically the scope and operations of the agency, became the principal issues debated by governments in 1950 at the Social Commission, at ECOSOC, and at the General Assembly. The U.S. position was defeated at the Social Commission, but a compromise was reached at ECOSOC. When the matter reached the General Assembly, strong opposition to the ECOSOC resolution developed among the delegations from Asia and the Middle East, who felt that there was no reason for the termination of the present emergency organization simply because the emergency was over in Europe. They argued that their children had been in a state of emergency for centuries.

As the debate progressed, most of the donor countries switched positions and supported a new resolution sponsored by Australia which extended UNICEF's life for 3 years, endorsed the recent trend in policy, and specified that greater emphasis should be given to long-term aid directed particularly to children in the less developed countries. On the final vote only the U.S. delegate abstained. (Actually, new instructions to support the resolution were en route. They arrived too late, however, simply because the resolution came up for a vote earlier than anticipated.) The U.S. representative, in explaining his abstention, stated that although the United States preferred other organizational arrangements, his Government and the American people were sympathetically aware of the plight of children in many parts of the world; further, the United States was second to none, as shown by the record, in its willingness to help those children.

The U.S. record of generosity was maintained. In 1951 and 1952 the United States continued as it had in earlier years to contribute almost 72 percent of the funds UNICEF received from governments. Further, throughout the fifties the U.S. Government's contribution was gradually increased in absolute terms even while as a proportion of the total it was reduced to 50 percent. At present, the U.S. annual contribution of $12 million constitutes 40 percent of UNICEF's income from voluntary government contributions.

THE QUESTION OF LONG-TERM ASSISTANCE

In 1950 General Assembly Resolution 417 (V) directed UNICEF to meet "through the provision of supplies, training, and advice, emergency and long-range needs of children and their continuing needs particularly in underdeveloped countries, with a view to strengthening, wherever this may be appropriate, the permanent child health and child welfare programs of the countries receiving assistance."

From 1950 to 1953 UNICEF policy, with regard to long-term assistance, gradually took shape. The Executive Board decided that the agency would favor action projects over research projects and that, in its review of project proposals, it would consider the capacity of a given country to meet its own needs and/or to secure international assistance from other sources. Furthermore, a government had to be prepared to meet local costs and match UNICEF aid with its own funds before a proposal could be considered. (At present the contribution of governments is equal, on an average, to about 2½ times the UNICEF contribution to assisted projects.)

The Board looked with favor upon those projects which had the greatest direct impact on a large number of children, which represented an attack on serious problems assuring long-range benefits, and which were strategic in dealing with basic lacks in adequate child care. Finally, UNICEF wanted projects which would give results on the basis of low per capita costs, which were within the capabilities of the country to continue after an initial period of international aid, and which set organizational patterns capable of being duplicated elsewhere in the country.

During this period UNICEF resources were devoted mainly to three basic types of programs:

1. Basic maternal and child welfare services: Efforts to establish basic permanent health and welfare services for children, especially networks of health centers, and aid to national programs for training personnel to plan and operate these services.

2. Disease control: Campaigns to control or eradicate diseases affecting large numbers of children such as malaria, tuberculosis, yaws, trachoma, and leprosy.

3. Nutrition: Mainly supplementary child feeding projects and milk conservation. Some funds were also devoted to the development of other protein-rich foods and to the education of families in better nutrition practices.

In addition, UNICEF continued grants for emergency aid for the relief of children and mothers in times of disaster due to earthquakes, floods, droughts, etc.

In 1953 the General Assembly reviewed the work of the Fund. The result of the review was an unqualified endorsement of UNICEF's work; a unanimous resolution (802 (VIII)) continued the Fund without a termination date. In recognition of the new long-range aspect of the UNICEF program, the words "International" and "Emergency" were dropped from the Fund's title. The acronym "UNICEF" had become so familiar throughout the world, however, that the Assembly decided to leave it unaltered.

EVOLUTION OF POLICIES AND PROGRAMS

Beginning in 1954 evolving UNICEF policy moved ever closer toward the two most significant aspects of the new look which the agency would formally adopt in 1961: (1) attention to the needs of children within the framework of a national plan and (2) a flexible policy allowing UNICEF to expand its assistance beyond the boundaries of its traditional fields of operation.

Early in 1954 the Executive Board established the practice of approval of projects in principle. The Board decided that where a request for a UNICEF allocation was for only one stage of a government project, the Board should have an opportunity to consider the whole project. The 1954 report of the Executive Board advised:

"If the Board approves the project in principle, future requests for continued aid would be given the priority, which under existing Board policy is accorded to help complete or perfect work already undertaken."

This was the first time UNICEF had given a direct endorsement to the planning process. Obviously, the applying country would have to assemble some sort of plan—however narrow in scope—if the Board were going to be able to make commitments of continued assistance to a project years in advance of its completion.

In 1957 the Board took a second step in this direction. It formally recognized that the needs of children must be viewed within the context of their family and community environment. The following year the Board approved the proposition that provision for the welfare of the child should be one facet of a broad national plan for raising family and community levels of living, and the U.S. proposal that UNICEF assist social service programs was accepted.

Finally, during the Executive Board meeting of 1960 several representatives advanced the view that UNICEF should be prepared to help a country set up a broad child welfare program within the general framework of a national development plan, even if this should require some redistribution of UNICEF's financial and administrative resources.

Even as it began to accept the concept of the national plans, UNICEF policy also began to move toward a more flexible position regarding the types of assistance which the agency might render. This trend was especially obvious with respect to the question of UNICEF aid for training national personnel.

Until 1959 the agency had generally limited this type of assistance to the provision of supplies and equipment required by government training programs bearing upon maternal and child welfare services, disease control, and child nutrition. UNICEF looked upon the expenses incurred for administration and scholarships or stipends for the trainees as local costs which were properly the responsibility of local governments. Only when governments for some reason needed to educate nationals in other countries was UNICEF willing to bear the financial burden.

In 1959, however, the Executive Director of UNICEF recommended to the Board that the agency give increased emphasis to the training of national personnel within the country. One result was that the Board at last agreed to let UNICEF provide local stipends for training programs. Even more significant was the fact that the presentation of the proposal set the stage for a lively Board debate over UNICEF assistance policy. Some representatives, including the U.S. representative, urged caution in adding new categories of aid, fearing that UNICEF's modest resources might be spread too thin over too many types of projects. Others held the opposite viewpoint that UNICEF should endeavor to assist whatever projects governments themselves believe of highest priority, providing only that the projects are related in some way to the needs of children.

The same division of opinion appeared again at the 1960 Board meeting in the discussion of UNICEF's matching policy. The Board agreed, however, that while the former matching policy would continue to apply to the bulk of UNICEF-assisted projects, it would allow some flexibility in particular cases where: (a) a government's contribution provided all necessary local costs, (b) a government had previously provided funds for a project and then needed help to improve the coverage or the quality of the service, or (c) a government's contribution would increase progressively even though in the first instance it was less than the UNICEF allocation.

With the liberal proposals with respect to planning and matching before it in 1960, the Board decided that it would consider the future orientation and scope of UNICEF activities at its June 1961 session and called upon the Executive Director for two studies for consideration at that time: a broad survey of children's needs, and an examination of training in health, nutrition, and social services.

THE NEW LOOK, 1961–65

The Executive Board in June 1961 made a number of decisions which together constitute the new look in UNICEF program policy. As previously mentioned, the most significant aspects of the new look are two:

1. UNICEF may now help governments, upon their request, to draft national plans for meeting the needs of children and youth. The Board expressed the hope that these plans would be an integrated part of, or related to, overall economic and social development. UNICEF now gives priority to those projects which fall within the framework of a national development plan.

2. UNICEF can aid whatever programs countries themselves feel are of highest priority. This means that UNICEF is no longer limited to programs designed to meet only the physical requirements of children but can also serve other needs—for example, education, vocational training and guidance, and expanded social services.

UNICEF's new look embodies two other important shifts in policy:

UNICEF now meets local costs of projects where this is essential for their success and funds are not available from other sources (a situation most likely to occur with respect to training projects and experimental programs).

UNICEF now assumes the expenses of hiring specially qualified national or other consultants to help governments prepare project requests where sufficient assistance is not available from UNICEF field staff and the technical personnel of other agencies in the United Nations family.

The implementation of the new look is reflected in table I showing the distribution of UNICEF assistance by type of program.

the 5 years from 1960 to 1965, education allocations jumped from less than 1 to 17 percent of UNICEF's program allocations. There has been a sizable increase in allocations for maternal and child health services and a substantil decline in assistance to disease-control programs. Allocations for nutrition have also declined, but this may prove to be only a temporary phenomenon.

Table I.—*Allocations by program*

[In thousands of U.S. dollars]

	1960		1965	
	Amount	Percent	Amount	Percent
Basic maternal and child health	4,314	20	6,824	29
Disease control	11,105	50	7,893	34
Nutrition	4,602	21	2,691	12
Family and child welfare services	385	2	576	2
Education	143	(1)	4,041	17
Vocational training			390	2
Other	43	(1)	694	3
Total long-range aid	20,592	93	23,118	99
Emergency aid	1,538	7	345	1
Total program aid	22,130	100	23,463	100

[1] Less than 0.5 percent.

Table II shows UNICEF's dramatically increased involvement in Africa and Asia—particularly Africa—and a concomitant reduction in aid to Europe.

Table II.—*Allocations of long-term aid by area*

[In thousands of U.S. dollars]

	1960		1965	
	Amount	Percent	Amount	Percent
Africa	2,073	9	4,548	20
Asia	6,663	27	9,070	39
Eastern Mediterranean	3,682	15	2,718	12
Europe	1,385	6	505	2
The Americas	7,399	30	5,379	23
Interregional	3,115	13	898	4
Total	[1] 24,317	100	[2] 23,118	100

[1] Includes freight.
[2] Excludes freight.

The United States on numerous occasions since 1961 has expressed its strong support for the expansion of UNICEF programs in education and vocational training and has urged that special attention be given to the problems of children of families recently migrated to urban areas. Furthermore, at the most recent meeting of the UNICEF Executive Board, in June 1965, the U.S. delegation proposed that the Board at its next meeting, which is scheduled to be held at Addis Ababa in May 1966, consider what role UNICEF should play in family planning as part of its maternal and child health program. The United States also proposed that the Secretariat present to the Board a few requests for assistance in family planning programs which may be made to it by member governments giving high priority to such programs. These proposals had strong support from many of the developing countries, as well as from Sweden and the United Kingdom, and the Board accepted them after extended debate.

UNICEF'S ACCOMPLISHMENTS

UNICEF is currently assisting more than 500 projects in 118 countries. Since 1950 UNICEF has equipped more than 30,000 health centers, ranging from simple village dispensaries to modern pediatric wards. These facilities have provided services to over 70 million mothers and children. About 100 million persons around the world have been examined for yaws, and 41 million have been treated. About 200 million persons have been protected against tuberculosis through the use of BCG vaccine, and 145 million persons have been protected from malaria through insecticide spraying and other measures.

More than 200 milk processing plants in 38 countries have been or are presently being equipped by UNICEF. These include Asia's largest dairy installation, which handles 500,000 quarts of milk a day—the Worli plant in Bombay, India. UNICEF is concentrating on applied nutrition projects in 57 countries to stimulate greater production and the use of nutritious foods. It has provided equipment for more than 4,000 nutrition centers.

Since the inauguration of UNICEF aid to education and vocational training in 1962, UNICEF has helped equip more than 2,000 primary schools, 34 secondary schools, 231 teacher training centers, and 372 vocational and prevocational training centers, and it has earmarked funds sufficient to equip as many again in the immediate future. About one-third of UNICEF's program expenditures are now devoted to the training of local personnel to staff vital programs for children. To date UNICEF stipends and fellowships have been used to train more than 100,000 persons in the developing countries for child services. UNICEF projects are currently assisting in the training of an additional 96,000 persons.

This is an impressive record of accomplishment. Yet, although UNICEF projects are directed toward meeting basic needs, the individual projects are not to any great extent related to an overall plan which takes account of the wide range of child needs and the limited resources available to meet them, nor are they integrated into overall country development plans.

At the Executive Board meeting in June 1961 the importance of integrating UNICEF programs into overall plans for children was recognized and provision was made in the budget for the sum of $100,000 to assist countries, at their request, in assessing children's needs and preparing plans to meet them. So far, however, no country has asked for this type of assistance.

At the June 1962 Board meeting the theme of overall planning for children, as well as the importance of relating such plans to country development plans, was repeated by a large number of countries. It was of interest, however, that several of the developing countries took the occasion to point out that it was often very difficult to develop overall plans for children and that they trusted that UNICEF aid would still be available for useful projects even in the absence of overall country plans.

In an effort to promote the idea of planning for children and youth and to promote the interests of children within national development plans, the Executive Board, on the recommendation of the Executive Director, approved allocations for a roundtable conference on planning for the needs of children in developing countries, held at Bellagio, Italy, in 1964, and for two regional conferences, one in Latin America, the other in the ECAFE region. The first of these regional conferences was held at Santiago, Chile, in December 1965; the other is scheduled for March 1966 at Bangkok. The Board will have to evaluate the results of these meetings at its next session, and the United States will have to formulate its own position on the usefulness of this technique for promoting planning for children.

THE FUTURE OF UNICEF

At present, despite differences in the past, the U.S. Government warmly supports UNICEF policies and programs and recognizes that UNICEF is making a substantial contribution to the objectives of the U.N. decade of development. The United States has announced on several occasions—at UNICEF Board meetings and most recently at the 20th General Assembly—that it would be prepared to consider an increase in its present contribution of $12 million to UNICEF if other governments would increase their contributions to maintain a ratio of 40 (United States) to 6 (other governments). Current limitations on its income have forced UNICEF to limit severely the number of new projects it can assist in order to complete programs already underway. Additional funds would enable it to accelerate its assistance in the newer areas of its activity—education and vocational training and, if the Board approves, family planning programs.

About 2 years ago Harlan Cleveland,[1] meeting with several people interested in UNICEF, asked them to consider and advise him on what UNICEF should be doing 20 years hence. It was a good question but a hard one. None of those asked has yet come forward with an answer.

Perhaps the answer lies in recognition of the fact that this is not just the decade of development but the generation of development. If so, UNICEF's role will continue to be to help meet the priority needs of children and youth in the developing countries in each succeeding decade.

DOGNAPING

Mr. REID of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REID of New York. Mr. Speaker, the recent shocking discovery of 103 dogs cruelly confined in a Baltimore junkyard has focused nationwide attention on the inhumane treatment of dogs, cats, and other animals in dealers' establishments. This incident underscores the need for Federal legislation that will, first, make the theft of animals to be used for research and experimentation a Federal offense; and second, regulate through licensing the handling, sale, and transportation of animals by dealers who sell them to research facilities for experimental purposes. I am introducing a bill today which would fulfill these two needs.

Humane care and treatment must be guaranteed for animals used in research during all stages of procurement, transportation, and storage. The purchasing procedures of research facilities must meet certain standards that will insure that the animals used for experimentation are obtained from licensed dealers.

Unnecessary pain must never occur through careless, thoughtless, or even cruel practices—especially by dealers who handle the animals even before they reach the laboratories. In calling for Federal regulation of animal handling by dealers, the New York Times in an editorial on November 28, 1965, stated that what is at issue here is the decent, responsible care of animals.

Laboratories now use almost 2 million dogs a year for experimental purposes and about half a million cats. From $30 to $50 million was spent for these animals by hospitals and research laboratories receiving Federal funds.

Unscrupulous persons capitalize on this demand by stealing family pets from streets, backyards, and automobiles and then selling them to research facilities. In testimony before the Livestock and Feed Grain Subcommittee of the House Agriculture Committee last September 2, numerous witnesses cited the case of an animal dealer "who enjoyed sales of over $750,000 last year." Another witness observed at the same hearing that 65 percent of all dogs and cats used for medical research are stolen animals. As an article in the February 4, 1966, issue of Life magazine pointed out, the Humane Society of the United States estimated that 50 percent of all missing pets have been stolen by such "dognapers."

The reprehensible manner in which these dog thieves operate must not be condoned by the Federal Government. Mrs. Christine Stevens, president of the New York State Humane Association, summarized the problem in her testimony:

> Dog and cat dealers, large and small, have been obtaining these animals by any means open to them for a long period of time. The methods and the conditions under which many of them operate are urgently in need of reform. Animals may be dishonestly obtained by a number of means, among them: (1) stealing animals from the owner's premises; (2) encouraging children to do this and give them to an older child for sale to the dealer; (3) masquerading as a dog warden or animal shelter attendant and picking animals up in a truck made to appear to be a legitimate vehicle; (4) advertising for animals which are supposedly to be placed in a good home or answering ads placed by owners and obtaining the animals under the pretext that they will be given a good home; and (5) luring them off the streets.

Mr. Speaker, the black market in illegally obtained animals is an interstate business. Stolen dogs and cats are often transported across State lines to a dealer's farm or to a research facility. The Humane Society reports that a truck bearing the name "Rodney M. Schreck" with Pennsylvania license plate No. 396-692 was seen in Cressona, Pa.; Walden, N.Y.; Parkersburg, W. Va.; Mansfield, Ohio; Smithfield, Charlotte, and Raleigh, N.C.; and Waterford, Conn., all within a month and a half. According to Humane Society testimony, Schreck had previously been convicted of cruelty to animals and "he was also charged with having a loaded shotgun in his possession and, at the time he was convicted of cruelty to animals, he was on probation on burglary and larceny charges."

The thief who moves a stolen car or stolen livestock from one State to another commits a Federal crime but the interstate transportation of stolen dogs and cats is not a Federal offense.

Furthermore, only 11 States and 30 communities have adopted laws that protect pet owners and guarantee an adequate supply of animals for study. New York State has such a law but—according to a statement submitted at the hearing by the Animal Rescue League of Berks County, Pa.—one of the most "widely published cases of a family pet believed to have been sold by a commercial dealer to a medical research laboratory is that of a Dalmatian owned by a Pennsylvania family," and transported by a Pennsylvania dealer to a laboratory in New York City where the animal died before its owner was able to rescue it. In other words, State laws are unable to deal effectively with the traffic in stolen animals that originates outside their borders.

Mr. Speaker, this is a serious problem and the need is clear for strong Federal legislation that establishes effective machinery to identify and penalize animal thieves. My bill would make it a Federal offense to steal a family pet for sale to a laboratory.

Equally, I believe, legislation is needed to set up and enforce standards for housing, feeding, and sanitation of animals in transportation and in dealers' establishments. Oliver Evans, president of the Humane Society of the United States, has testified:

> In general, conditions at the dealers' establishments have been found to be positively filthy, with many evidences of neglect in feeding, watering, and control of diseases.

Humane Society officials, veterinarians, law enforcement officers, and concerned citizens have testified as to the abominable conditions that exist at dealers' establishment in all parts of the country. Here, too, State laws are woefully inadequate to bring about badly needed reforms.

Where convictions have resulted under State and local laws, they have not succeeded in putting the dealers out of business since, in most cases, the maximum fine is $50. In fact, Lester W. Brown, the Baltimore dealer whose "indescribably filthy" junkyard was pictured in Life magazine, had previously been "convicted of cruelty to animals in November 1962" according to Humane Society testimony.

Mr. Speaker, it is my understanding that the Livestock and Feed Grain Subcommittee of the Committee on Agriculture is holding hearings on this legislation today and tomorrow. As a major supporter of scientific experimentation, the Federal Government should be a partner in the acquisition of animals used for experimentation through legitimate means; it should not condone the practice of permitting laboratories to use animals acquired from dubious sources and unscrupulous dealers.

A section-by-section analysis of my bill follows:

Section 1: Statement of purpose.

Section 2: Definitions.

Section 3: Makes it unlawful for any research facility to purchase or transport dogs, cats, and other animals in commerce except from a dealer licensed in accordance with this act.

Section 4: Makes it unlawful for a dealer to buy, sell, or transport in commerce dogs, cats, or other animals unless the dealer has obtained a license from the Secretary of Agriculture in accordance with this act.

Section 5: (a) Provides that the Secretary of Agriculture shall promulgate standards for the humane care of dogs, cats, and other animals by dealers. Humane care is defined as that ordinarily given a household pet and shall include housing, feeding, watering, handling, sanitation, ventilation, shelter and separation by species, sex, and temperament. Section 5(b) provides that the Secretary shall appoint a panel of lawyers, deans of medical and veterinary schools, and other distinguished citizens to advise him on the promulgation of these standards.

Section 6: Provides that all dogs and cats bought, sold, or transported in commerce shall be identified by a photograph.

---

[1] Mr. Cleveland was formerly Assistant Secretary of State for International Organization Affairs; he is now U.S. permanent representative on the Council of the North Atlantic Treaty Organization.

Section 7: Requires research facilities and dealers to make and keep for a period of not less than 2 years such records with respect to their purchase, sale, transportation, and handling of dogs, cats, and other animals as the Secretary may prescribe. These records will be open to inspection by representatives of the Secretary or officers of any legally constituted law enforcement agency.

Section 8. Authorizes the Secretary to take appropriate action to encourage the States to adopt such laws and take such actions as will promote the purposes of this act and authorizes the Secretary to cooperate with officials of the States in implementing this act.

Section 9: Prohibits dealers from selling or disposing of dogs, cats, or other animals within a period of 5 business days after the acquisition of the animals. Law enforcement officials are authorized to assist the owner of any animal who has reason to believe that the animal is in the possession of a dealer.

Section 10: Prohibits sale or purchase of dogs, cats, and other animals by weight or at a public auction.

Section 11: Authorizes and directs the Secretary to promulgate such rules and regulations as are necessary to require compliance with the standards for humane care and treatment called for in section 5(a). Representatives of the Secretary or State law enforcement officers shall make adequate inspections of dealers' facilities and shall regularly inspect the transportation of animals by and from dealers to research facilities.

Section 12: Provides that a violation of this action is punishable by imprisonment of not more than 1 year and/or a fine of not more than $5,000.

Section 13: Provides that the failure of an individual to comply with this act shall be deemed a failure to comply on the part of the research facility or dealer by which he is employed as well.

Section 14: Provides that the Secretary shall suspend a dealer's license temporarily if he has reason to believe that the dealer has violated this act and the license shall be revoked after a hearing has determined that such violation has occurred. Licenses of dealers convicted under State laws may also be revoked.

Section 15: Provides that if any section of this act is held invalid, the remaining sections will be in force.

Section 16: Provides that the Secretary shall charge fees for dealers' licenses in order to finance this act.

Section 17: Provides that the act will take effect 120 days after enactment.

FISH PROTEIN CONCENTRATE BILL

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DON H. CLAUSEN. Mr. Speaker, today I am introducing a bill designed to assist in the development and production of a concentrated protein derived from fish.

It is my understanding that protein deficiency diseases are the largest single source of infant mortality on a global basis. If production of a fish protein concentrate can be made to be commercially feasible, it would be a needed and welcome addition to the diets of more than a billion men and women who suffer from the misery of chronic malnutrition.

Fortunately, a start has always been made in this research by the Bureau of Commercial Fisheries in conjunction with the National Academy of Science. Basic laboratory work on the development of fish protein concentrates has been carried on for several years. The bill I am introducing today will authorize the establishment of several experimental plants in order to develop techniques designed to assure the reliability and practicality of the processes that heretofore have been used only under laboratory conditions. If this proves successful, as I know it will, I am sure we will be able to count on commercial production of fish protein concentrates and a resultant improvement in health throughout the world.

As we attempt to free the poor people in underdeveloped countries from sheer hunger, we must also make certain that we do not neglect the need to enrich their diets with proteins and vitamins. Animal protein is a necessity for the diets of infants and lactating mothers. And, if this protein can be added to the diets of the laborers in the underdeveloped countries, the workers' health will be improved and this should result in increased productivity and a resultant higher standard of living.

However, Mr. Speaker, there is one obstacle we must overcome before we get this important program underway. Sadly, the Food and Drug Administration has taken an unrealistic stand on fish protein concentrates and ruled that they are unfit for consumption. The Food and Drug Administration claims that fish protein concentrates are adulterated and that they would be esthetically objectionable to some of the consuming public. This unfortunate ruling means not only that this product may not be sold in the United States, but also that it cannot be sold overseas under Public Law 480. Even though fish protein concentrates are absolutely sterile as a finished product, and even though the material is washed 16 times in both water and alcohol during its processing, the Food and Drug Administration has clung zealously to this unreasonable stand prohibiting domestic distribution.

However, it is my understanding that this decision will be reconsidered shortly and I am hopeful it will be retracted. When this is the case, we can begin to make fish protein concentrates available to those with dietary deficiencies and we can renew our efforts to improve the medical well-being of our friends throughout the earth.

The provision of the bill I am introducing will authorize the Secretary of the Interior to conduct and encourage research with a view to proving the feasibility of fish protein concentrate production.

It will also authorize the construction and maintenance of a number of experimental fish protein concentrate production plants. These plants will begin to develop processes to reduce fish to fish protein concentrate in large enough quantities as to make it practical on a commercial basis.

The raw materials for this program are plentiful and available. The fish varieties which can be converted into fish protein concentrate amount to an almost untapped resource. Many of these fish are now caught by fishermen but have to be returned to the sea for lack of economic value. Other fish have become readily available only recently with the development of a midwater trawl. These fish in particular will be used in vast numbers—without a danger of depleting their population to any detrimental degree.

But I represent a congressional district with nearly 400 miles of Pacific coastline and because more than half of all of California's commercial fishing vessels are located in my district, I am very aware of the potential of the sea and am most interested in developing its resources for the use of mankind. It is estimated that within the reach of fishermen from district are sufficient quantities of Pacific hake, when converted to fish protein concentrate, could meet the protein needs of almost 20 million people each year. This is not to mention the other species of fish available. Similar quantities can easily be found in the fishing areas off the coast of Alaska.

With the vast potential for raw materials and now that the basic research has been accomplished, let us get this program underway and enrich the world's diet in order to obtain the benefits associated with a healthy population.

PRESIDENT'S AGRICULTURE BUDGET FOR 1967

Mr. PIRNIE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. PIRNIE. Mr. Speaker, after a thorough analysis of the President's Agricultural budget for fiscal year 1967, I have come to the conclusion that the administration is misleading the American people at the expense of our farmers and young people.

I can find no other possible explanation for such drastic proposals as those calling for a $101 million reduction in the school lunch and special milk programs and equally significant cuts in requested funding for our land-grant colleges and universities.

We are in the midst of an inflationary period that is playing havoc with the family budget and yet our farmers, whose per capita income still averages little more than half that of the rest of the Nation, are faced with proposals that, if followed through, will impose on them still further hardships.

Certainly, the President should exercise restraint in his nondefense spending plans, especially at this time with the uncertainties resulting from our Vietnam involvement.

However, I fail to see the logic in decreasing our commitment to bona fide programs whose worth as sound investments in our country's future has been clearly demonstrated while the Federal Government is seeking to increase its subsidy to new projects that are controversial by their very nature and highly questionable in value.

At a time when the administration's trumpets are heralding the importance of health, education, aiding our Nation's youth, and encouraging greater agriculture efficiency, it appears, according to the budget, that the President's statements are not consistent with his intentions.

We all know that the war on poverty has given rise to problems of immense magnitude and yet, rather than holding the line in spending until these problems can be resolved, the administration wants to increase, by $463 million, the cost of this operation in the year ahead.

To me this action, in itself, is wrong; however, the error in judgment is magnified many times when it is considered in relation to other areas of the budget.

Recently, in an appearance before the House Agriculture Committee, officials of the Department of Agriculture predicted that school milk consumption will drop 1 billion half pints next year if the administration's plan to cut the school milk program is accepted.

For years this program has been recognized as one of great value in promoting the general health and welfare of our children. Time and again, campaigns to encourage all of our people to increase their consumption of milk have been launched and, as I recall, the late President Kennedy, at one of his press conferences, appealed to a nationwide audience to drink more milk. Now, suddenly, we are told that the milk program for our children is no longer of such importance.

Like a chameleon that changes color according to its mood and environment, the administration is altering its position regarding the school lunch program. First we hear convincing testimony that adequate steps must be taken to insure that our youngsters receive proper nourishment, then we receive a proposal to reduce, by $19 million, the amount of money the Federal Government should make available to accomplish this worthy objective. Ironically, an unworkable "means test" for the recipients is proposed to still further confuse the issue.

Apparently there are individuals in the executive branch who have assigned a lesser priority to a program dealing with the nutrition of our youth than they have to one that is constantly being subjected to justified criticism for political favor and confused leadership.

As a member of the House Republican Task Force on Agriculture, I have participated in a number of conferences at which the present world food crisis has been discussed. To a member, each of us on the task force agrees that if ever there was a need for strong and viable agriculture institutions to conduct progressive agriculture experiments and to broaden our base of competent agricultural specialists, the time is now.

The administration tells us it agrees with this view—how could one do otherwise in view of the circumstances—and yet it proposes to weaken the whole structure of our land-grant college system by withdrawing millions of dollars of support when, if anything, it should be exploring just the opposite approach to the matter.

The $463 million increase requested to widen the war on poverty is more than enough to restore the proposed cuts to sound, time-tested, and beneficial programs here being discussed. I suggest that it is in order for us to overcome the failure of the administration to affix sensible priorities to these programs by taking appropriate action to insure that their present strength is maintained. At the same time, I think it would be prudent and wise for us to carefully examine the present conduct of the war on poverty before going forth blindly into further battle.

REPRESENTATIVE QUIE SUPPORTS ATLANTIC UNION

Mr. MAILLIARD. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Findley] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. FINDLEY. Mr. Speaker, a significant statement was issued last Thursday by U.S. Representative Albert H. Quie of Minnesota in support of the resolution to establish an Atlantic Union delegation.

It points to the need to strengthen the Atlantic Alliance so it will serve nonmilitary common interests as well as military. Representative Quie has long been an effective and courageous leader in promoting free-world unification, and I call attention to the text of his recent statement, as follows:

Statement of the Honorable Albert H. Quie

A prominent American radio commentator (Note: Edward C. Morgan, ABC, March 1, 1966) recently suggested that perhaps the worst thing that can happen in diplomacy is success. He made the remark in commenting on the North Atlantic Treaty Organization and I believe his point is well taken.

For NATO faces its darkest hour at the pinnacle of its success. If NATO is to fail now, it is because its brilliant successes in containing communism in Europe have dulled vision to its potentialities.

NATO has been brilliantly successful from a military point of view. But there is another side of the picture which holds even greater promise. This greater promise was intimated in article 2 of the original NATO Charter. In addition to military cooperation, the signatories pledged that "they will seek to eliminate conflict in their international economic policies and will encourage economic collaboration between any or all of them."

Economic cooperation is a facet of the NATO purpose that has never been fully explored, let alone fully utilized.

I believe that a great challenge awaits us in tightening the fabric of NATO through a United Trade Policy. I shall have more extended remarks on this subject in a few days.

The United Trade Policy is one portion of the activities that should be undertaken. Others should deal with readjusting current institutions between the NATO signatories which have changed greatly since 1949. There should be new efforts to meet the challenges that science and technology have created.

These new tools of cooperation United Trade Policy and other renewed and new institutions in other areas—could all be forged in the conference of blue-ribbon delegations proposed in the resolution which we commend to your attention and the bipartisan attention of the Congress, today.

And, at all times, we should keep clearly in view the basic goal of the NATO Charter: "to safeguard the freedom, common heritage and civilization of their peoples, founded on the principles of democracy, individual liberty and the rule of law."

COMMEMORATING THOMAS MASARYK'S BIRTHDAY

Mr. MAILLIARD. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Derwinski] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, I wish to remind the Members of the House of the anniversary today of the birth of Thomas Masaryk, the great Czechoslovak hero. I join in commemorating the birthday 116 years ago of this illustrious leader who devoted his life to the freedom of his country. Unfortunately, the people of Czechoslovakia are now captives of communism and are forbidden to publicly celebrate this historic day by their present Red tyrants.

We in the free world must rededicate ourselves, therefore, to our efforts to see that freedom is restored to the brave people of Czechoslovakia and all the other captives of communism.

Thomas Masaryk was a member of the Austrian Parliament but resigned in protest against the treatment of Czechoslovak nationalists. After a number of years of writing in the fields of history and political philosophy, Masaryk formed the Czechoslovakian National Council with Dr. Eduard Benes, and it became the recognized government of Czechoslovakia. When Czechoslovakia became a republic in 1918, Masaryk was elected as its president and served in that capacity until the age of 85.

Mr. Speaker, we must not limit our interest in the freedom of the people of Czechoslovakia to the commemoration of their national days. A practical step for Congress to take would be the establishment of a Special House Committee on Captive Nations.

Furthermore, the Voice of America should provide lengthier and more effective broadcasts to pierce the wall of Communist propaganda and deliver the truth to the people of Czechoslovakia. In recent years, Mr. Speaker, the Voice of America has cut back both its hours of broadcast in the Czech and Slovak languages and in the nature of these broadcasts. The Voice of America gives straight news only and is fearful of offending the Soviet Union under present administration policy. However, the brave people of Czechoslovakia deserve the truth. The Voice of America should be a vehicle for delivering the message of truth to them so that they would not be brainwashed and their resistance weakened by the constant propaganda from their tyrannical Moscow oppressors.

CONCERN ABOUT UNITED STATES-U.S.S.R. CONSULAR CONVENTION

Mr. MAILLIARD. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, many Members of the House are concerned about a Senate ratification of the United States-U.S.S.R. Consular Convention. There are numerous reasons for the rejection of this pact, particularly at this time when the Soviet Union is the major supplier of goods and critical arms to the Red totalitarian regime in Hanoi.

Regarding the recent case of Newcomb Mott, I request that the letter of a Senator be printed in the RECORD, followed by the full text of a reply written by Dr. Lev E. Dobriansky, of Georgetown University, and the edited copy as appeared in the Washington Post of December 15, 1965. Without volunteering any personal comments on these three copies, I believe that a careful reading of them by every concerned American will lead to certain inevitable conclusions as to the substance of the arguments offered and the editorial treatment of one of them. In the interest of popular information on this subject, particularly in the light of the tragic disposition of the Mott case by the Soviet Russian totalitarians, I submit these pieces for the RECORD:

[From the Washington (D.C.) Post, Nov. 22, 1965]

CONSULAR TREATY NEEDED

I share the feelings of outrage expressed in your editorial of November 5 regarding the arbitrary detainment by Soviet authorities of Newcomb Mott, an American student who apparently wandered quite innocently across the Norwegian-Soviet border.

You point out in your editorial that Mr. Mott has been held in jail at Murmansk and that the American Embassy has not been given official notice of his arrest. If the Soviet-American consular treaty negotiated last year were ratified and in effect, the Soviet Government would have been obliged to notify American officials within 3 days of Mr. Mott's arrest and an American official would have had the right to visit Mr. Mott within no more than 4 days of his arrest. Had these provisions been in effect, it is even doubtful that the Russians would have detained Mr. Mott at all.

Neither the Soviet Union nor the United States has yet ratified the consular treaty although it was approved last August 3 by the Senate Foreign Relations Committee by a large majority. The treaty was withheld from consideration by the whole Senate because of an apparently well-founded fear that it could not command the necessary two-thirds majority. The immediate cause of substantial opposition to the treaty last September was an extensive lobbying campaign mounted by an extremist organization which professed to believe that the presence of Soviet officials in the United States would constitute a threat to our national security.

It is to be hoped that both the Soviet Union and the United States will soon ratify this sensible and advantageous treaty. Were it in effect now, the United States would be able to provide protection for Mr. Mott against arbitrary Soviet practices. Largely because of the fears of rightwing extremists the United States has been denied an effective instrument for the protection of its citizens in the Soviet Union.

J. W. FULBRIGHT,
U.S. Senator, Arkansas, Chairman, Senate Committee on Foreign Relations.
WASHINGTON.

NOVEMBER 26, 1965.

To the EDITOR OF THE WASHINGTON POST:

Senator FULBRIGHT's letter in your November 22 issue seems like a desperate attempt to capitalize on any sentiment generated by the Mott case in behalf of the defective and ill-advised consular convention with the Soviet Union. The letter is also remarkable for its gross inaccuracy and factual omissions concerning the strong opposition to Senate ratification of the treaty last summer.

First, it is pure speculation on the Senator's part that Newcomb Mott might not have been detained by the Russian totalitarians if the convention were in effect. Early notification and access to the arrested party do not add up to freedom. The so-called protection aspect of the pact has been so exaggerated by proponents of the treaty that one wonders why they have hesitated to insist upon the principle of strict reciprocity as concerns legal treatment of arrested persons within the present framework of our diplomatic relations with the U.S.S.R. Aside from the general barbarity of Russian institutions, as so well illustrated by Moscow's arbitrary expulsion of your own correspondent, it is really no concession at all for colonialist Moscow to permit early notification and access.

Second, the Senator indulges in a measure of smear tactics when he paints the opposition to the treaty in the form of "rightwing extremists." The Liberty Lobby came into the act when it was practically over last August. As early as June 1964, numerous national organizations, including the National Captive Nations Committee, appealed to scores of Senators not to ratify this highly disadvantageous and legally invalid treaty. And this appeal, along with a persistent call for open and fair public hearings, was carried down to last August. It will be renewed come January 10.

Third, what the chairman of the Senate Foreign Relations Committee failed to mention was the attempt to railroad the treaty through the Senate for a blind ratification. In June 1964, the chairman promised immediate public hearings on the signed pact but quickly reversed himself when the aforementioned opposition emerged and the presidential campaign was in the offing. Then the hearings were supposed to be held at the beginning of the 89th Congress. Such hearings never came to pass. Instead, as the title of the committee's report shows, only one hearing was held, and that briefly for the Secretary of State.

Finally, what the Senator failed also to mention is the fact that there are many more reasons than just the espionage one justifying the nonratification of this second treaty of Moscow. These reasons include a diplomatic affirmation of Moscow's empire within the U.S.S.R., the legal invalidities of the treaty, an American assist to Moscow's Russification policies, an incredible diplomatic immunity given to consular personnel, opportunities for Moscow's intensified political warfare in the United States, an unwarranted basis for further political warfare by Moscow in Latin America, a most-favored nation sieve in the treaty, and the Baltic dilemma it would place us in. These are essential matters that should be freely discussed in public hearings on the treaty. It appears that advocates of the treaty fear such open, democratic discussion. At present the burden is on the chairman of the Senate Foreign Relations Committee and also the Department of State to invite such discussions through public hearings, that is if they're not too fearful of an intelligent basis for the Senate's consideration of the pact.

LEV E. DOBRIANSKY,
Professor, Georgetown University and Chairman, National Captive Nations Committee.

[From the Washington (D.C.) Post, Dec. 15, 1965]

ANSWER TO FULBRIGHT

Senator FULBRIGHT's letter of November 22 issue seems like a desperate attempt to capitalize on any sentiment generated by the Mott case in behalf of the defective and ill-advised consular convention with the Soviet Union.

It is pure speculation on the Senator's part that Newcomb Mott might not have been detained by the Russian totalitarians if the convention were in effect. Early notification and access to the arrested party do not add up to freedom. The so-called protection aspect of the pact has been so exaggerated by proponents of the treaty that one wonders why they have hesitated to insist upon the principle of strict reciprocity as concerns legal treatment of arrested persons within the present framework of our diplomatic relations with the U.S.S.R.

The Senator indulges in a measure of smear tactics when he paints the opposition to the treaty in the form of "rightwing extremists." The Liberty Lobby came into the act only last August. As early as June 1964, numerous national organizations, including the National Captive Nations Committee, appealed to scores of Senators not to ratify this high disadvantageous and legally invalid treaty. And this appeal, along with a persistent call for open and fair public hearings, was carried down to last August. It will be renewed on January 10.

LEV E. DOBRIANSKY,
Chairman, National Captive Nations Committee.
WASHINGTON.

THOMAS G. MASARYK

Mr. MAILLIARD. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. GRIFFIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GRIFFIN. Mr. Speaker, for the thousands of American citizens of Czechoslovakian origin or descent, March 7, is a very special day. It is the birthday of Thomas G. Masaryk, born 116 years ago and destined to become the first president of the Republic of Czechoslavakia.

This great man, a philosopher and social critic was elected president of the Republic at the age of 68, following many years of struggle during which he displayed great intelligence and bravery.

He was elected to the Austrian Parliament in 1891 but resigned after 2 years in protest against the treatment of the Czech nationalists. Following this time he wrote at great length, placing special emphasis on criticism of the Marxist philosophy.

At the beginning of World War I, Masaryk escaped to Paris and formed the Czechoslovakian Council in conjunction with Dr. Edward Benes, which later became the recognized government of the country.

Czechoslovakia was proclaimed a republic in 1918 and Thomas G. Masaryk was named president. He was reelected three time before resigning at the age of 85, having devoted his life to the cause of freedom.

The life of this man and his great accomplishments serves to remind us of the importance of eternal vigilance in the cause of freedom.

KEEP SMALL BUSINESS ADMINISTRATION INDEPENDENT

Mr. MAILLIARD. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. LANGEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LANGEN. Mr. Speaker, the small businessman's voice will be forever lost in the wilderness of bureaucratic bigness if the persistent rumors are true that the administration will attempt to transfer the Small Business Administration to the Commerce Department. Even the President, when he was in the Senate, observed that a small business agency cannot be effective unless it is independent. It is hoped that he will put an end to the current rumors and act to strengthen rather than weaken the Small Business Administration.

The SBA has operated without an administrator since last August, Mr. Speaker. And no new applications for business loans have been accepted since last October. It is obvious that the SBA is being allowed to deteriorate to a dangerous level. It's a rudderless ship that desperately needs a captain at the helm.

There also is confusion over available funds with which to run SBA. The disaster assistance funds and the business loan funds have been lumped together even though they represent separate functions. The result is that the agency doesn't even know how much money is available for either the disaster loans or the business loans. Hence, worthy small businesses in need of assistance are forced to wait many months while their loan applications gather dust in the Washington confusion.

Congress must now step in and pick up the reins that were dropped by the administration. The Congress must act to insure SBA's continued independent status and restore the agency to its former high level of performance. It would be a tragedy if the Small Business Administration were to cease being an effective spokesman for the small businessman.

LETTER FROM MR. JOE PATTERSON, OF IOLA, KANS.

Mr. MAILLIARD. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. SKUBITZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SKUBITZ. Mr. Speaker, at a time when our Nation is beleaguered by peace demonstrations, conflicting opinions about our presence in the Vietnam situation, riots, and other forms of disgruntlement within our country, I receive a great deal of satisfaction in reading mail from former and active members of our Armed Forces.

With the permission granted I want to share a letter I recently received from a constituent of mine, Mr. Joe Patterson, from Iola, Kans. It is my hope and belief that the views that he puts forward reflect the thinking of a majority of the American people.

DEAR CONGRESSMAN: First I want to say that I think this national issue poll you send out is a great thing.

Now I want to give you my feelings on Vietnam in hopes they may be of some help to you.

I served 3 years in the service, and I thank God that I'm not in Vietnam. But it does make me sick when I see these guys burning draft cards and trying to beat the draft. They have their duty to their country and I feel they should serve it.

As far as upholding our national honor in Vietnam, I can't see this as the problem. Our national honor was very well established on April 19, 1775. And it has never faltered since. This is a problem of right and wrong. And communism is wrong so it must be stopped, not controlled. We can't stop it by putting it off as in Korea. I agree that we slowed communism in Korea with a great show or strength and unity of the United Nations.

But if we ever let our national honor down, I feel we did it there. Any time we let our boys and our allies die as they did in Korea, and then settle for less than complete victory, I don't think we can talk of national honor.

In my mind Vietnam is indeed a fault we made in Korea, and we must make it right.

It is a shame that young men in the prime of their lives must die. But it is a much greater shame that they must die for less than complete victory or peace. Because they will continue to die until this is accomplished. And we know this cannot be until communism is stopped. Not put off to face and die for later.

Remember if you will how they tried to negotiate with Hitler, how they tried to put it off?

I am 24 years of age with a wife, son, and a daughter. And I hate to think of going to Vietnam and falling, so we can negotiate or put it off so my son can also die on some foreign soil, or his native soil.

But I'd love to think of falling in Vietnam for his safety and the insurance of peace.

As for fighting a war in Vietnam that we can't win: if we're true Christians and fighting for a Christian cause, we can't lose.

Sincerely,

JOE PATTERSON.

THE LIONEL D. EDIE SURVEY

The SPEAKER. Under previous order of the House, the gentleman from Texas [Mr. PATMAN] is recognized for 30 minutes.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

ADMINISTRATION DOUBTS ACCURACY OF WIDELY REPORTED SURVEY ON PLANT AND EQUIPMENT EXPENDITURES FOR 1966

Mr. PATMAN. Mr. Speaker, the Johnson administration and the Congress are keeping a close watch on the economy and are particularly mindful of any trends which might lead to inflation. I know that a number of people were quite disturbed by the publication of the Lionel D. Edie survey which made an estimate that the investment for plant and equipment purposes during the year 1966 would be increased by 32 percent over 1965. Mr. Speaker, this represents a rather alarming statement in view of the fact that this concern has a good reputation and is relied upon by many people.

As a result, I wrote the President last Saturday asking for the administration's comments on this survey. I am happy to report that the information available to the administration plainly shows that the Edie survey substantially overstates the situation.

So that this report may be put in the proper context, I place in the RECORD my letter of March 5 to the President of the United States:

MARCH 5, 1966.

THE PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: I have recently learned of a survey of business investment plans for 1966 made by the Lionel D. Edie Co. I understand that it shows that manufacturing businesses plan to increase their plant and equipment expenditures by 32 percent in 1966 over 1965.

I am sure that you agree that a good rise in private investment is a healthy thing for our economy. But an increase of this size appears to me as possibly too much of a good thing, at a time when our unemployment rate is already down to 4 percent, and we are also mounting a sizable military effort in southeast Asia. This also appears to be a substantially larger increase in investment than our Council of Economic Advisers was expecting when they testified recently before the Joint Economic Committee.

I should greatly appreciate it, Mr. President, if you could look into this report and advise me whether it is correct and, if so, what its implications might be for our economy. I am sure that other members of my committee would also be much interested in your views.

With best personal regards, I am,

Sincerely yours,

WRIGHT PATMAN.

Mr. Speaker, I have a reply today from the President in which he states as follows:

THE WHITE HOUSE,
Washington, March 7, 1966.

Hon. WRIGHT PATMAN,
Chairman, Joint Economic Committee, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: I have received your letter of March 5 referring to the Lionel D. Edie survey of business investment plans. The Council of Economic Advisers received a copy of their report some time ago and has been studying it.

The Edie survey has often in the past given a fairly reliable indication of business

> investment intentions. The regular investment survey conducted by the Department of Commerce and the Securities and Exchange Commission has substantially broader coverage. It has proven remarkably accurate in the past. The Department of Commerce and the SEC have a new survey that is now virtually complete, with final results to be available shortly.
>
> The Council of Economic Advisers believes the Edie survey substantially overstates the situation. The present expectation is that the Commerce-SEC survey will show an investment gain for 1966 up only slightly over the 1965 gain—in the 15.5- to 16.5-percent range. You recall that total plant and equipment expenditures increased by 15.5 percent in 1965. The machinery and construction industries were able to accommodate it without excessive strain. In manufacturing in particular, the Commerce-SEC likely survey figures are far from the 32 percent predicted by Edie. Of course, as your letter noted, the economy is closer to full use of its resources this year.
>
> If the final figures show an increase in 1966 comparable to the 1965 increase, we must continue to keep an extremely close watch on economic developments. We must be prepared to act quickly in the field of taxation if such action appears necessary. In this connection, I am pleased to learn that a subcommittee of your distinguished committee will be holding hearings later this month.
>
> As I said in my economic report: "We must always be prepared to meet quickly any problems that arise in the path of continued, stable economic growth, whether the problems call for fiscal stimulus or fiscal restraint. Background tax studies by both the Congress and executive branch should therefore be adequate to permit quick decisions and prompt action to accommodate short-run cyclical changes. If quick action is ever needed, we should not have to begin a long debate on what the changes in taxes should be."
>
> I shall watch your hearings with great interest.
>
> Sincerely yours,
>
> LYNDON B. JOHNSON.

Mr. Speaker, President Johnson's reply is reassuring and once again demonstrates that the administration is keeping a close watch on the economy at all levels. The Council of Economic Advisers and members of the President's Cabinet have appeared in recent weeks before the Joint Economic Committee. I have been impressed with the competency of these gentlemen and by the fact that they are keeping such a close eye on all economic developments. This is very important as our war expenditures increase in Vietnam.

However, Mr. Speaker, it is important that we keep all of these issues in the proper context and that we not over react in any area.

Certainly, one can find isolated instances of price increases and other economic factors which could lead to an impression that our economy is entering an inflationary phase.

On the other hand, however, as spelled out in the President's budget and in the Economic Report of the President, one can conclude that if the present military programs hold steady, the overall economic advance could well dissipate itself before the end of the year. It should be kept in mind that the great majority of these expenditures will have their economic effect in the first 6 months of this year.

Perhaps the fairest thing one could say about our economy today is that the administration and the Congress should not be stampeded into arriving at any rash, restrictive, and ill-advised economic policies. It is quite conceivable that continued monetary tightness, an additional reinstatement of taxes, and cutbacks in civilian programs could well introduce, as one writer has pointed out:

> Too much deflation into an economy that was reacting from a temporary bulge of emotional overbuying.

The President's wage and price guidelines have on the whole worked well to date.

However, Mr. Speaker, I am firmly convinced that the maintenance of stable wages and stable prices must also depend on a stable monetary policy. The stability of the economy is unquestionably affected by interest rate increases. The cost of money is reflected in the cost of every product in the economy. Therefore, we cannot take a head-in-the-sand attitude and ignore this vital sector of the economy.

On December 6, the Federal Reserve Board increased the discount rate—the wholesale cost of money to banks—by 12½ percent. At the same time, it increased by 22.2 percent and 37½ percent the interest rate that banks may pay on time deposits. Obviously, it does not take a learned mathematician or economist to discover that these increases far exceed the administration guidelines.

It is unfair to expect business and labor to restrain their demands if the banking community is allowed to raise its prices at will.

Can we expect the businessman who must pay 25 percent more money to buy new equipment to keep his price increases within 3.2 percent? Can we expect the worker who must pay 25 percent more for a home mortgage to keep his wage demands within a 3.2 limit?

I am convinced that both the President and the Congress are sincerely pursuing economic policies and programs which will keep our economy stable and which will prevent any inflationary trends.

It is unfortunate that the Federal Reserve Board—or more correctly, a 4-to-3 majority of that Board—defies the President and the Congress in this area. Once again I say that it is important that the Federal Reserve Board move in the same direction as the administration and the Congress.

President Johnson and his advisers have done a magnificent job of maintaining a stable economic condition even in the face of heavy expenditures in southeast Asia. The President's letter to me on the Lionel D. Edie survey reinforces and gives new evidence of this excellent record.

However, this record could well be jeopardized and destroyed unless we find some means of bringing the Federal Reserve Board into harmony with the country's overall economic objectives.

THE JOINT ECONOMIC COMMITTEE HAS PRODUCED NEW INFORMATION ON MONETARY POLICY

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, the Joint Economic Committee, which I have the honor to chair, has recently published two reports that I wish to call to the attention of the Congress because they both are important public documents. I wish that all of my colleagues in this House and in the other body, too, would read them.

TAXPAYERS STILL PAYING $1.5 BILLION A YEAR ON BONDS YOU PAID FOR ONCE

One of them is the study of the $40 billion Federal Reserve portfolio. Our committee sent questionnaires to outstanding monetary economists in this country and we received detailed responses from 86 of these highly knowledgeable and expert people. Their views are presented as they were submitted, along with a brief staff summary. In my opinion, it is the best available compilation of informed opinion on the vital subject of the vast bond holdings of the Federal Reserve System.

The Federal Reserve has amassed a portfolio of almost $40.7 billion over the years. The Government pays them interest on this—$1.5 billion each year. The Federal Reserve is then in the position to spend what it chooses without authority of Government appropriation and without any audit from the Government or from any other outside party.

HIGH-POWERED DOLLARS

When the Federal Reserve buys these bonds it pays for them by increasing the reserves of the commercial banks—a mere stroke of the pen. These reserves, of course, are as good as money. In fact, they are high-powered dollars which the bank can use to expand their loans and investments 10 to 1. The banks can call upon the Federal Reserve for money against these reserves and the Fed is empowered to issue Federal Reserve notes which, of course, are U.S. legal tender.

In a nutshell, Mr. Speaker, the Federal Reserve System, which conducts itself independently of the Government of the United States and under the domination of the banking community—as I have told my colleagues many times—this institution is able to obtain interest-bearing U.S. Government bonds and to pay for them through the credit of the people of the United States. Then, after it has purchased the bonds, it does not cancel them, as any other agent would be required to do, but it continues to hold them, collect the interest on them, and collect the principal when it is due. In this massive and self-serving operation there is no one to look over their shoulder—no one from the Congress—no one from the executive branch—no one to represent the people of the United States.

A FANTASTIC SITUATION

This is a fantastic situation that we have permitted to develop. At the very least, we must understand it better—the whole process—and that is why I value the portfolio study so highly.

The second publication is the record of the December hearings on the Federal Reserve's December 5 action raising the discount rate by 12½ percent and the certificate of deposit rate by 37½ percent—to my knowledge the most inflationary action of the past 5 years.

I am proud to say that the Joint Economic Committee worked very hard at these hearings. We were dealing with one of the fundamental problems of our whole economy—the problem of coordinating our monetary policy with the economic policy of the U.S. Government.

LACK OF COORDINATION BY FEDERAL RESERVE BOARD

Mr. Speaker, throughout those hearings there was great concern, shared by majority and minority members, that there is a serious lack of coordination between our Government and the central banking system, which controls the money in this country. The subject of coordination came up 75 times. We have had the committee staff excerpt these passages from the hearings and I offer them for the record now so that those of my colleagues who cannot read the hearings in detail may read these parts of the testimony having to do with this basic question of coordination.

On February 1, Mr. Gardner Ackley, Chairman of the President's Council of Economic Advisers, testified before the Joint Economic Committee that the Federal Reserve Board's premature action in raising the discount and time deposit rates, has handicapped the administration. It does so by limiting the administration's freedom of action in formulating its budget. They have to take account of the fact that the Federal Reserve Board has already moved to tighten money in deciding on appropriate fiscal and expenditure policies.

Secretary Fowler indicated at the same hearings that the Federal Reserve Board's action was not needed to help the refinancing of the public debt early in 1966. Thus we have ridiculous situation where Federal Reserve Board claims that it took this action to help the Secretary of the Treasury, when the Secretary of the Treasury testifies that he neither asked for nor wanted such help.

Recently, the president of the Federal Reserve Bank in New York, the "high priest" of the Federal Reserve System, the man who keeps the $40.7 billion portfolio in the New York bank, and who dominates and operates the Open Market Committee—Mr. Alfred Hayes—spoke to a New York State Bankers Association. He chose the occasion to instruct those of us who were concerned about higher interest rates and to correct us on our misconceptions. He particularly singled out fallacies that are holdovers from "ancient Populist theories which have long since lost whatever validity they might once have had in a rather primitive economy." A more complete quote is as follows:

> Another fallacy worth mentioning is the tendency to attribute higher interest rates simply to the insatiable greed of the bankers. This strand of thought is a holdover from the ancient Populist theories which have long since lost whatever validity they might once have had in a rather primitive and largely agricultural economy. In our present highly developed economy, all income groups participate importantly in saving and benefit directly or indirectly from the flow of interest payments. Under these conditions, it is pretty hard to tell whether the greater social benefit will follow from lower or higher interest rates per se. What is not at all hard to tell, however, is that a great number of people are badly hurt by general price increases.

Now, I am sure that Mr. Hayes considers me to be a leader among that Populist circle at which he looks down his nose. And if a Populist is defined as someone who is concerned with the welfare of the people, I will gladly accept the designation. With men like Mr. Hayes in control of interest rates, the people need all the spokesmen they can find. Mr. Hayes is the highest paid official in the Government, $75,000 a year. He is paid out of public funds voted him by the board of directors of the New York Federal Reserve Bank. Six of the nine directors are selected by the private member banks. The disturbing thing is not the size of the salary, that is second only to the salary of the President of the United States but the fact that representatives of private banks can appropriate public funds without the consent of Congress. Is Congress abdicating? Mr. Hayes has been the mastermind of a sustained and clever program to raise the entire interest rate structure in this country. The excuses that he employs vary. It may be inflation one time, the balance of payments the next time, or saving the banks from losing their certificates of deposits—as was the case in December. Regardless of excuses, the real objective is to enlarge the stream of national income going to the banks. By that standard, the Hayes campaign has been highly successful.

The discount rate has been increased by a full percentage point within a 13-month period—from 3½ to 4 percent in November 1964 and from 4 to 4½ percent in December 1965. Ever since, bank earnings have been going up—especially the large banks. This is obvious from reading the Wall Street Journal reports on bank earnings for the past 2 months. To take a few of those recently reported, First National of Chicago enjoyed a 12-percent rise in earnings for 1965; First National of Cleveland, 16 percent; Marine Midland of New York, 12 percent; First National of Boston, 9 percent, Chase Manhattan, 8.8 percent. Two other big New York banks, Irving Trust & Chemical did not do so well, with increases of 2 and 3 percent. But I predict that they will show sharper rises when they hit their stride with the new higher rates. No doubt 1966 will be a profitable year for big banks.

The Federal Reserve is highly expert at masking its real intention behind doubletalk. Mr. Hayes says in the statement which I quoted previously that it is difficult to tell whether society benefits more from high interest rates or low. This is the latest variation of Charlie Wilson's claim that whatever helps General Motors helps the United States. This, of course, is the old "trickle down" theory—the idea that increased income at the top will gradually dribble down to the less fortunate. The only thing wrong with this theory is that it does not work. A topheavy income structure dries up purchasing power and causes general recession. It hurts everybody—even the bankers—because business falls off, loans drop, and interest rates have to go down because there is so much less borrowing.

LESS FORTUNATE HARDEST HIT

The simple truth is that increases in interest rates seriously burden the less fortunate members of society and benefit the rich. Lower income families pay out in interest far more than they receive. Twenty-five percent of all the families and single individuals in this Nation have no savings at all. Another 28 percent having savings of under $500. An additional 12 percent are below $1,000. In short, about two-thirds of this Nation's families have less than $1,000 in savings. Now, how much interest does Mr. Hayes suppose that these families receive. The answer is, practically none. On the other hand, let us analyze how much they pay out.

Millions of Americans have home mortgages, varying from $10,000 to $20,000. Millions of Americans owe $1,000 or possibly more, on an automobile. Millions of small businessmen and families are deeply in debt for capital. We know that they borrow much more than they lend. Now, when interest rates go up, these are people who have to pay more to the lenders—the bankers and the moneyed groups. A 1-percent rise in interest rates adds approximately $4,700 in interest cost to a $20,000 loan over a 30-year term. This exceeds the annual income of close to half the population. Looking at it another way, a 1-percent increase in interest will mean that millions of people have to work a full year just to pay the additional cost on their home mortgage. This is what the Federal Reserve does when it raises discount rates.

I remember, when I was a prosecuting attorney some years ago in Texas, there used to be a notion in the law in many States called "alternative pleading." This meant that a defendant could at the same time deny that he committed a wrong and also admit that he did the act but claim that it did not have the wrongful effects that the prosecution claimed.

This is exactly what our friends at the Federal Reserve are doing. Mr. Hayes is saying, in effect, "We did it and it is a good thing, it helps the poor." Mr. Martin, on the other hand, seems to be saying, "We haven't done anything." When he testified before the Joint Economic Committee in December, Mr. Martin claimed that the discount rate would not affect interest rates. He said that it was merely designed to bring the discount rate in line with the market rates that already existed. Of course, he blandly overlooked the fact that it is the Open Market Committee that makes the interest rates in this country, and he did not talk about that.

Now, let us see just what happened after the December 5 increases. Here are some items taken from the financial press:

On December 7: Basic—prime—lending rates on business loans raised to 5 percent from 4½ percent by many major commercial banks across the Nation. Treasury bill yields raised to highest rate in 5 years. Bankers' acceptance rates rose one-fourth of 1 percent. Commercial paper rates rose one-fourth of 1 percent. Call loan rates rose about one-third of 1 percent.

On December 8: Remaining major banks raised prime rates to 5 percent.

On December 9: Six major finance companies announced rate increases on notes they sell to investors. In commercial banking, several more big banks raised prime rates to 5 percent from 4½ percent.

On December 13: Leading Detroit and Los Angeles savings and loans raised rates.

On December 15: Short-term rates continued to rise on a broad front. FNMA increased yield on notes. Two dealers in bankers' acceptances raised rates one-eighth of a point on all maturities.

On December 20: Auto finance companies, led by General Motors Acceptance Corp., raised interest charge on loans to auto dealers from 5 to 5½ percent.

On December 21: Commercial bank certificates of deposit rates continued to rise. Franklin National Bank—5 branches in New York City—voted raised rates on its 5-year savings bonds to 4.8 percent from 4.5 percent.

On December 22: Interest rate increase broadened. Five Miami area savings and loans raised savings dividend rate from 4¼ to 4½ percent. Some New York mutual savings banks have done the same. Two large Philadelphia banks boosted charges on loans to auto dealers.

On January 4: Many savings and loans raised rates effective January 1.

On January 10: Short-term rates moved up, chiefly in some maturities of certificates of deposit sold by large New York banks and in commercial paper.

On January 12: FNMA raised rates it pays on short-term notes, including an increase in top rate from 4.85 to 4.95 percent. A number of finance companies boosted rates on certain maturities of commercial paper to 4.875 percent.

On January 13: FHA raised interest ceiling on Government-insured loan mortgages.

On January 18: 13-week Treasury bill yields rose to a new high of 4.673 percent.

On January 19: Secretary of the Treasury Fowler announced that rates on U.S. savings bonds would soon be increased. The preceding week, First National City raised to 4¾ percent its rate on 180-day savings deposit certificates of $2,500 or more. Two more New York City banks followed suit.

On January 20: Morgan Guaranty Trust Co. raised lending charge on securities brokers borrowing from 5 to 5¼ percent. Speculation arose as to whether another boost on the prime lending rate was in the offing.

On January 21: Four more New York banks followed Morgan move.

On January 26: First National City, New York's second largest bank, increased its charge on unsecured personal loans from $4.25 per $100 to $5.25. Two of 12 Federal home loan banks have announced rate increases and others are expected to follow.

On January 27: Treasury offered 5 and 4⅞ percent notes.

On January 28: Manufacturers Hanover Trust Co. and Chemical Bank New York Trust Co. followed the lead of First National City Bank in raising minimum charge on unsecured personal loans from $4.75 to $5.25 per $100.

On February 4: Bankers acceptance dealers raised rates by one-eighth percentage point.

On February 8: Rate on mortgages insured by FHA raised to 5½ percent from 5¼ percent.

On February 11: Bankers Trust Co. raised long-term—1 year or more—rate on certificates of deposit to 5¼ percent.

A third fairytale that the Fed trots out from time to time is the notion that European rates are way ahead of ours. This is untrue. With a 4½-percent discount rate, we are higher than West Germany, which has a 4-percent rate, France, which has a 3½-percent rate, and Switzerland, which has a 2½-percent rate. Of the major European financial powers, only England has a rate higher than ours.

But as I say, Mr. Speaker, regardless of the excuses given, the action is always the same—and it adds up to a sustained, clever campaign to lift interest rates, and one of the main thrusts of this drive is to eliminate the 4¼-percent ceiling on long-term Government bonds that has been in effect in this country for half a century—ever since Woodrow Wilson's time. The Federal Reserve has now depressed bond prices to a point where yields are well above this ceiling—5 percent. They are concentrating their fire on this last barrier protecting interest rates. They are well on the way to the 6-percent level that I predicted a year ago.

Mr. Speaker, some of us in the House have news for them. We have a steering committee, which now includes 87 Members of the House of Representatives from 37 States. We intend to oppose vigorously any attempt to lift this interest ceiling on long-term bonds. Unquestionably, this is the most crucial economic decision facing this country. On it depends our continued prosperity. Unless the march to higher and higher interest rates is stopped and reversed, we will have depression and stagnation. It is a frightful price to pay.

If you agree, our steering committee will welcome you with open arms. Our work is cut out for us.

Mr. Speaker, I include the following excerpts relative to coordination from hearings held before the Joint Economic Committee on recent actions of the Board of Governors of the Federal Reserve System:

VOLUME 1, DECEMBER 13, 1965

Chairman PATMAN. This hearing is called under section 5 of the Employment Act of 1946, which assigns to this committee the responsibility of studying means to coordinate programs to carry out the purposes of the act.

We have witnessed a most serious lack of coordination that runs to the very heart of that law. I refer to the recent action by the Federal Reserve Board to raise discount rates from 4 to 4½ percent, and to lift the ceiling on time deposits from 4½ to 5½ percent. The discount rise is 12½ percent and the time deposit rate has gone up 22.2 percent.

There is an old Navy saying that the quickest way to sink a ship is to have two captains. I believe this applies even more pronouncedly to our national economy. A cartoon from the Washington Post of December 8 showing the administration and the Federal Reserve trying to pedal one bicycle in opposite directions is a most expressive and accurate description of what is going on.

The Employment Act specifically requires coordination when in section 2 it charges the Federal Government "to coordinate and utilize all its plans, functions, and resources for the purpose of creating and maintaining, in a manner calculated to foster and promote free competitive enterprise and the general welfare, conditions under which there will be afforded useful employment opportunities, including self-employment for those able, willing, and seeking to work, and to promote maximum employment, production, and purchasing power."

* * * * *

Chairman PATMAN. The Employment Act is very clear and specific on the requirement that economic policies must be coordinated and it charges the President, the Congress, and all other officials with this duty. Although no agency was exempted, time and time again the Federal Reserve has chosen to ignore this public law and to go off in its own. It chooses to conduct the monetary policy machinery of this Nation as a completely independent and separate operation—separate from the President, the Congress, and even the law.

* * * * *

Chairman PATMAN. Marriner Eccles, a former Board Chairman, had something to say about the role of a Federal Reserve Chairman. I would like to read his statement into the RECORD at this time. It was made before the Joint Economic Committee on August 15, 1961:

"I think, as a practical matter, it is reasonable to allow the President to remove a Governor when he sees fit. An administration is charged with the economic and social problems of the Nation. It seems to me to be extremely difficult for an administration to deal with these problems, economic and social, of the entire country, without having these powers. There must be a liaison, a responsive relationship between the administration and the monetary system. This does not mean political control in the undesirable sense which it is often implied. I think that the Governor of the Federal Reserve Board is the channel through which the relationship with the Federal Reserve System should develop."

* * * * *

Chairman PATMAN. A brief review of events of recent weeks provides the needed background for this inquiry into the breakdown of economic policy coordination called for by the Employment Act.

* * * * *

Shortly after these very clear indications of administration policy, the Federal Reserve Board met on December 3 and decided to change monetary policy without waiting for full development of the administration's program. The Board voted 4 to 3 to tighten money at once.

The facts are obvious. While the rest of the executive branch of the Government were coordinating their activities and plans preparatory to submitting them to Congress in accord with the law, the Federal Reserve, under the chairmanship and leadership of Mr. Martin, by their action, declared their independence of any coordinating effort.

No other conclusion can be drawn. On December 7, 1 day after the Federal Reserve decision was announced, Vice President Humphrey found it necessary to declare that the Government policies, which had been coordinated for 57 months, were no longer coordinated as a result of the Federal Reserve increase in the discount rate.

The Vice President specifically mentioned that the Federal Reserve did not give full consideration to the administration-proposed budget in making its decision. The Vice President went on to say that "part of the task will be to develop an appropriate fiscal-monetary policy in light of the Federal Reserve action."

Chairman Patman. The Federal Reserve action poses several serious issues:

* * * * *

5. Was there appropriate coordination with the President, his advisers, and the Congress concerning the mix of economic policies as called for by section 2 of the Employment Act of 1946, and which this committee is directed to study by section 5(b)(2) of the same statute?

We can, however, reasonably demand a full and frank answer now to the last and most important question: Was there proper coordination of economic policies, and if not, why not?

* * * * *

Senator Javits. We recognize the great importance of close coordination in the formulation of economic policies. We want to emphasize that this is the obligation of both the Federal Reserve and the administration. We hope that this matter will be fully explored in these hearings.

Clearly, one of our purposes here should be to determine the degree and nature of coordination which ought to exist, without undermining the essential independence of the Federal Reserve Board.

* * * * *

Senator Javits. And I will be very deeply interested in the question of timing, which I consider a major issue, but I also agree with the chairman that this hearing may develop into a confrontation between the question of the independence of the Federal Reserve Board and whether we shall in some way change the law or recommend its change to tie in differently with the rest of the Government in terms of some change, in the heretofore accepted independence of the Federal Reserve Board, since Carter Glass' day.

* * * * *

Representative Curtis. In order to get these hearings in context, I would like to read from an article that appeared in the New York Times this morning by M. J. Rossant, the first paragraph:

"If past performance is a guide, the Joint Economic Committee's new investigation of Federal Reserve-Administration relations will get bogged down debating the pros and cons of the latest policy decision of the money managers, neglecting the far more important issue of whether the latter should be making their decisions independently."

* * * * *

Representative Curtis. Because I can see those two things will be going through our hearings, I want to say for myself that I agree that the most important issue before us, and one on which the chairman, I believe, has called these hearings, is largely this question of the independent role of the Federal Reserve System, and the immediate actions of the Federal Reserve Board that have received this publicity merely give us an opportunity of examining into this basic question in that light.

Let me also put in the record a reference of the Constitution of the United States, article I, section 8, powers of Congress—"to coin money, regulate the value thereof"—and the Federal Reserve Act of 1913, which established this Board as independent, in section 10, provided that the Board should consist of seven members, with terms of appointment of 14 years.

To put this into broad context, we have to look at these other so-called independent agencies that the Congress creates, because I am afraid we are losing sight of the fact that all of them were created to carry out powers of the Congress, and not powers of the President, the ICC, the Federal Power Commission, the Federal Trade Commission, and so forth.

* * * * *

Representative Curtis. I would argue, and I hope as these hearings develop, that the Federal Reserve Board is essentially a creature of the Congress, to carry out its responsibilities in this very important area of monetary policy.

Then let me finally state, just to get this further in context, as one who serves on the Ways and Means Committee, where we have a responsibility of managing the Federal debt, that the relationships that exist between the executive branch of the Government and those which Congress has put in charge of monetary policy in this area, increasingly become crucial.

* * * * *

Mr. Martin. Finally, you ask whether there was appropriate coordination with the President. I can assure you that the Administration has been kept continuously informed of the position of the Federal Reserve System and that there has been a continuing frank exchange of views between the Federal Reserve and administration officials, both before and after the Board's actions.

* * * * *

Mr. Martin. I would merely like to conclude, Mr. Chairman, by saying that I did not have these questions until yesterday—I was away—and in preparing this, I have not concentrated on the constitutional or legal aspects of the Federal Reserve's independent role. I would merely like to reiterate the position that you know I have always held, and in that, in my mind, this issue, so far as I was personally concerned, was an issue of conscience, responsibility, and integrity as I read the law.

I want to close by quoting from what I said to the Life Insurance Institute in the course of a talk last Wednesday noon by simply stating as I said to them, and as I have said to this committee many times, the American people, through the legislative process, can change the authority and the responsibility of the Federal Reserve System whenever they choose to do so, but unless and until the law is changed, I should consider it a violation of my oath of office to vote for or against a policy measure for any reason other than my best judgment of that measure on its merits.

* * * * *

Mr. Mitchell. It seems to me that such an action (discount rate increase), given its announcement and psychological effects, should have awaited, and been coordinated with, other Government decisions to be taken over the next several weeks and to be announced in the Budget and the Economic Report. Such consultation and coordination, in my view, would not in any way have been inconsistent with the independence of the Federal Reserve.

The issue of independence of the Federal Reserve calls for a brief comment. In my view, independence of judgment is much more than a matter of legal right, for laws can be changed. Real independence, the only enduring kind, rests on wise and responsible behavior. The measure of independence that the System has retained over the years reflects its sparing use of dissent and the care and skill with which the System's views have been negotiated in controversial analyses and judgments. I might add that a similar sort of independence is found within the Federal Reserve where individual policymakers prize and use, as I and others did last December 3, the right to dissent.

* * * * *

Mr. Mitchell. In brief summary, my position on the posture of the monetary policy in the current changing circumstances is that the discount rate action could have been delayed, to await coordination with other Government policies. My willingness to delay discount rate action in this way is based on the fact that monetary policy has already tightened, on the lack of evidence that inflationary pressures are strong or accumulating, and on the belief that we should continue to set high standards for the performance of the economy and, especially, for the reduction of unemployment.

* * * * *

Mr. Maisel. The critical question, then, what about demand for next year. Most forecasts done by private consultants throughout the country, by academic groups, showed a balance for next year, but in all of them, the critical question was the Government budget and expectations. A small change in the Government budget for next year would be very important in determining whether we would have too much demand or not.

Given this fact, the important factor of the Federal budget, it seemed to me vital that we wait for the President to determine what the budget was to be. Clearly, since the budget hadn't been determined by the administration, the Federal Reserve could not know it, and, in fact, the Federal Reserve had no inside information on what would happen for the last half of this year; therefore, it seemed to me most necessary to delay at least until the budget was formulated, because the delay could occur with but slight cost, while a failure to delay, taking an action on the discount rate, would be irreversible in terms of interest rates for a considerable period in the future.

Secondly, however, I believe that the way the action was taken was the wrong way. I felt that if action were to occur, it should be as part of a coordinated program announced jointly with the administration.

* * * * *

Mr. Maisel. Secondly, it seemed to be an irresponsible use of independence, and it would decrease the system's value in the future.

* * * * *

It seemed to me that on the question of independence, a critical fact was that it reduced the choices on national policy available to the President. We were informing him that monetary policy would be tighter, leaving him to adjust fiscal and wage price policy accordingly.

* * * * *

Mr. Maisel. I think we may well be better off with a smaller budget deficit and lower interest rates. That is a path that I personally prefer; but more important than my own beliefs is the fact that I dislike attempting to impose them unilaterally on other parts of the Government. I would have preferred to explore all possible channels in an attempt to get a coordinated program.

The Board's freedom to act requires that it use responsible statesmanship in achieving better economic policy. History has shown that dividing the monetary from the fiscal functions of the Government is wise. Otherwise, the creation of money to fill the public purse can become an engine of inflation.

* * * * *

Costs of conflict between monetary, fiscal, and wage-price policies are high. Achieving sound policies which will enable our economy to grow with stable prices, at full employment, is a most difficult task. In such decisions, the Federal Reserve System has a vital role. It must remind other agencies of the need for monetary probity, and must insist that the value of the dollar be maintained.

However, our independence and right to act should be used primarily as a valuable ace in the hole, and unnecessary use of power may dangerously weaken the system. The weapon of independence was clearly a major bargaining force; however, because monetary and fiscal policies are necessarily interdependent, national goals may be more easily achieved if the ability to act leads to a coordinated program rather than independent action.

* * * * *

Senator JAVITS. Mr. Martin, did you seek the concurrence of the administration in your action before you cast your vote?

Mr. MARTIN. I most certainly did.

Senator JAVITS. You sought the concurrence of the administration?

Mr. MARTIN. I did, indeed.

Senator JAVITS. In other words, you testified at the very end of your statement that you informed the administration, and conferred with them, but you did not testify that you sought its concurrences. You now say that you did?

Mr. MARTIN. I did, indeed.

Senator JAVITS. Now whose concurrence did you seek?

Mr. MARTIN. I would have liked to have had the concurrence of the President, the Secretary of the Treasury, the Chairman of the Council of Economic Advisers. I did not consult beyond that.

Senator JAVITS. But you asked for their concurrence.

Mr. MARTIN. I urged them. I presented the situation as I saw it, and I indicated to them what the problems were, as I saw it. They did not agree with me. It was a very friendly and very useful discussion, and I also reported to my colleagues that I had done this.

* * * * *

Senator JAVITS. Now did you, nonetheless, go ahead, and after their refusal to concur?

Mr. MARTIN. I did.

Senator JAVITS. Now may I ask you whether you think any change in law or practice is required or desirable for the better coordination of your own activities and those of the administration in power, whatever it may be, in respect to their fiscal and economic policy as contrasted with your monetary policy?

Mr. MARTIN. There has been a lot of discussion, as you know, Senator, about this, and it may be that there could be some improvements in the informal procedures which have been developed through the years, where I usually have lunch with the Secretary of the Treasury on Monday. Treasury representatives come over to the Board frequently on Wednesday, almost as a routine matter, we have occasional meetings with the Council of Economic Advisers, and since Secretary Anderson's time, we have had small groups which—recently the group has been called the Quadriad, that have met with the President periodically. The Quadriad has met about once a month.

Whether there would be anything achieved by making a legislative framework that might include others that would call for this sort of consultation or not, I think, depends on whether the Congress and the public or the people believe that in this sort of coordination, that the coordination should be the same as authority to make a binding decision.

In the event, as in the current case, where the Federal Reserve, the majority of the Federal Reserve Board, have done their best to discuss this matter and have a different conclusion than the other members of the quadriad, should they be bound by law to go along? If they were, it seems to me that there is no real need for a Federal Reserve Board. It would probably be better with a Cabinet official.

Senator JAVITS. Did you ask the Quadriad to concur in this decision?

Mr. MARTIN. I did not formally send them a letter asking them to concur, but I had a long meeting with the President and the Quadriad on this, as long ago as the 6th of October.

Senator JAVITS. And during all that time, they have known that you proposed this action?

Mr. MARTIN. They know that that's my view, and that they know this has been discussed.

Senator JAVITS. But at a given time, you actually asked for their concurrence, and they couldn't give it to you, and that was before the vote?

Mr. MARTIN. Well, now you are getting into a very difficult area. I don't know that I gave them a formal statement saying, "If you don't concur with me, I will go ahead and act," no. That isn't the sort of coordination we have. But they were informed, Secretary Fowler was informed—and he has been most cooperative and reasonable in this entire matter—was informed following the open market meeting of the 23d of this past month that this was clearly in the wind.

Senator JAVITS. Now were they informed that you would take this action at this particular meeting at which you took it? In other words, were the President and the other officials of our Government, the top officials, informed that you proposed to put this matter before the Board and have it voted on at this meeting in December?

Mr. MARTIN. I told Secretary Fowler on the morning of December 3 that I intended to act, if the Board would back me. I did not—I couldn't commit the Board.

Senator JAVITS. Of course.

Mr. MARTIN. I didn't know whether the Board would support me or not.

* * * * *

Representative CURTIS. And I was very pleased to notice that each one of the members of the Board who had just agreed with this judgment still expressed themselves as strongly in favor of the independence of the system. Am I correct in that observation?

I think this is very important, and I think some of the testimony that has come out, by Chairman Martin, in respect to the care that was taken in using this independence, and I would say care that was taken in using this independence, which I know Governor Maisel, in a very fair way, has pointed out his difference of opinion, to coordinate with the Executive. I think that is an area that Congress well might look into, whether or not, as Mr. Martin has said, we might want to formalize the meeting of the Board, frankly.

* * * * *

Representative CURTIS. There is a point, though, after Governor Maisel said that he agreed with the independence of the system, but then later in this statement, he brought in, I think, a question of what is the definition of independence.

On page 8: The weapon of independence is clearly a major bargaining force. However, because monetary and fiscal policies are necessarily interdependent, national goals may more easily be achieved if the ability to act leads to a coordinated program, rather than independent action.

Is there a disagreement, Governor, between you and the expressions of the definition of independence as expressed by Chairman Martin?

Mr. MAISEL. I am not certain that there is. I think in this case, I would point out, as I think Chairman Martin did indicate, that really, in terms of the minority, there were two questions involved in this matter. One was the question of the proper technical reasons for action. When it became clear that the majority felt that action was necessary, that we needed a tighter monetary posture than we had had previously, then I think the discussion within the Board did shift to this question of coordination and timing, so a fair percentage of our discussion was concerned with this.

* * * * *

Representative CURTIS. In other words, your disagreement lay in the fact that other factors could become known that were not known at the time, rather than the fact that a judgment was rendered which happened to be different from the other arms of Government. If you happened to agree that all the facts were in that you needed, you would have acted independently. Is that correct?

Mr. MAISEL. That's correct.

* * * * *

Representative REUSS. I am most interested in the question of timing and coordination in the exercise of the Federal Reserve's independence. And I would like to ask you this question: In your discussions with the President and the other members of the Quadriad, prior to the action you took on December 3, did you at any point recommend or request the executive branch to pursue a noninflationary fiscal policy—that is to say, either to tax more, to spend less, or both of those—which recommendation would have made unnecessary the increase in the discount rate of December 3?

* * * * *

Mr. MARTIN. I did not.

* * * * *

Mr. MARTIN. I did not make any—oh, I discussed the matter generally, but I did not make any specific recommendation.

Representative REUSS. So you went ahead, then, and voted to increase the rediscount rate on December 3, without having taken a position in favor of fiscal methods of fighting inflation, and without, therefore, having had an opportunity to be turned down on that by the President and the other members of the Quadriad?

Mr. MARTIN. This is not the nature of those meetings. It is not for me to discuss.

Representative REUSS. And just to make sure that you have answered my question, then neither at the meetings at which the President was present, or in any other way, at meetings or outside of meetings, did you recommend to any members of the executive branch that they adopt fiscal methods of fighting inflation.

Mr. MARTIN. I have never gone to any of these meetings from the time that Secretary Anderson started them with specific recommendations, but I have discussed general policy, all aspects of it, to the extent that the President, who is the presiding officer, wishes.

Representative Reuss. Well, your answer to my question is "No" is it?

Mr. Martin. My answer to your—I can't say no in a categoric sense, because we discussed all aspects of this problem, but not in terms of a recommendation of what ought to be done, except in my field. In my field, as I say, I discussed——

Representative Reuss. Monetary matters?

Mr. Martin. Monetary matters. This is my field. I don't try to run the Government.

Representative Reuss. But you didn't make any recommendation as to fiscal matters.

Mr. Martin. I urged every possible restraint. Now I did not make a specific recommendation in fiscal policies.

* * * * *

Representative Reuss. Well, you say you discussed the raising of the rediscount rate with Secretary Fowler, as close to the December 3 meeting as the very morning of that day, did you not?

Mr. Martin. That is correct.

Representative Reuss. And am I also correct in my understanding that Secretary Fowler urged you not to raise the discount rate at that time?

Mr. Martin. That is correct.

Representative Reuss. Well, then, you, to the extent that you adopted concern for the January–February debt management position of the Treasury, were in effect substituting your judgment for that of Secretary of the Treasury Fowler, were you not, in a matter which is his responsibility, not yours?

Mr. Martin. On that particular point, yes; but this was not the point on which we were moving. I would have liked to have moved—if I had been doing this on my own, I would have moved in late September and early October. And I felt that now, the Treasury market was in a position—this has nothing to do with January and February—was in a position where we would have to supply reserves, in an amount greater than any monetary policy we had heretofore, in order to sustain a Treasury rate of interest, during this period of Christmas and early New Year.

And to me this was going beyond the realm of support for the market. This is a purely technical matter. But the other point is a subsidiary point, and to that extent, I was substituting my judgment for Secretary Fowler's there, but only as a subsidiary matter.

* * * * *

Mr. Maisel. Now I am a novice in this matter, since, as you know, I have only been here since May 1, but I must say that in the 8 months that I have been in Washington, I have personally been shocked by the lack of coordination. I think if you told the average person who thought they knew what went on in Washington about the amount of coordination between the monetary and fiscal authorities in this area, they would be similarly shocked. I think Chairman Martin has correctly brought out the amount of informal coordination that takes place. I would only say for myself that I have been told that there have been some staff studies of the Quadriad. I have never received any official information in any way of the feeling of the Treasury or the Budget Bureau or the Council of Economic Advisers, with respect to what their feelings were at this time, whether they felt that there was a problem in the matter, whether they felt there were any difficulties that could be met by monetary fiscal policy.

When I came here, I explored some of these matters on an informal basis, because I recognized this was the chairman's responsibility, and that he was meeting in this matter informally, and I got a reaction that in the past, clearly, when attempts had been made to increase the amount of formal coordination, they had been rejected by the Federal Reserve as a feeling that this would interfere with the Federal Reserve's independence.

* * * * *

Representative Widnall. Was one of the factors in your decision to oppose the rate increase the fact that you knew the President and the Secretary of the Treasury were opposed to it?

Mr. Maisel. I certainly—yes. My own personal feeling was that this request from the President resulted from the fact that he was unclear himself as to what would happen by January, that it was our responsibility to go along with that feeling, and if, by January, we then could not come to an agreement, and if at that time, I was convinced that inflation was possible, I would have felt that it was as necessary as part of our independence to move. I didn't feel that this was proper at this time.

Representative Widnall. Doesn't that amount to saying that the President and Secretary of the Treasury should determine our monetary policy?

Mr. Maisel. No, sir, not at all. I feel very strongly that by putting the pressure on him, as Chairman Martin did, and which as he indicated was very clear, he was forcing them to make a choice. He was forcing them to decide whether they wanted a tighter fiscal policy or a tighter monetary policy. He was in effect being given this choice, and I think this was a proper choice, but I was concerned that I, at least, had no indication that he had made the choice or even had the figures available to make the choice. I didn't want to be premature in forcing a decision upon him which I thought he ought to have the right to make.

* * * * *

Chairman Patman. If we had what you wanted we would have two governments in Washington. We would have them right now because you have assumed the power, you [Mr. Martin] have seized it in a genuine way, not in a bloody revolution but you have seized it. Now we have two governments, one is an elected government, the President and all the Members of Congress. They have certain powers but you have the power over money and credit and interest rates and the supply of money and everything that goes to the economic well-being and that is the banker government. We have two governments. One, the constitutional government, elected government, and the other composed of the most powerful group of men in the United States like yourselves, the unelected officials of the country who are not accountable to anybody. The people can't vote against you. The Federal Reserve Act does not have any way of removing you.

I am not proposing removal of any of you but the act does not propose it anyway. So I do feel like it is contrary to the Constitution of the United States to have two governments in Washington, one a bank government and one elected by the people.

* * * * *

Representative Curtis. The same arguments that the gentleman has made were made in the Federalist Papers on the creation of an independent judiciary. As I stated in my opening remarks, this is a provision of the constitutional power of Congress. In my view the Federal Reserve System is an arm of the Congress as I view the other independent regulatory agencies that regulate our power over interstate commerce. The Tariff Commission is our arm, and very clearly so, to regulate international trade. We gave the power of appointment to the President only as a mechanism, a method of moving forward, just as we did in the Comptroller General of the United States. There is no question about the Government Accounting Office being an arm of the Congress but for convenience, and good convenience, I think, we gave the President the power of appointment.

The reason there were 14-year terms, and they were staggered, it was created in the beginning it would be staggered so that no single President could use the power of appointment to exercise his political judgment in this area which is congressional, of maintaining the value of money.

So we do have a basic difference of opinion on the constitutionality, Mr. Patman, I think Mr. Martin and the Board is certainly carrying out what the Congress at any rate interpreted the Constitution to be.

* * * * *

Chairman Patman. Would you not be less vulnerable in advocating the independence of the Federal Reserve, if they could be told what the President wanted to do, if they were under the Government?

Now the agencies you mentioned, the Interstate Commerce Commission and Tariff Commission and others, they are under the Government. They get their money from Congress. Congress can have something to do with guidance and stop them if they are going in the wrong direction.

Representative Curtis. You can handle them this way, too.

Chairman Patman. They are not under the Government Accounting Office. They have not been audited in 52 years.

Representative Curtis. We have them here right today. This is a very good function. We always have this right to bring them before us. I think they have always respected our right.

VOLUME 2, 1965, DECEMBER 14, 1965

Senator Proxmire. I think this series of increases culminating in this final increase in 1965 and a total of one-half of 1 percent increase during a period when Congress and the administration have been expansionary represents a direct conflict. Maybe civil war is too strong language, but it represents a clear conflict in policy.

Mr. Martin. No, Senator. I respectfully disagree because so far as coordination is concerned, there has never been a better meeting of the minds on my part with the administration than during this period.

Let me say, and this is not any invidious matter with respect to my own Board, but I have some members on my own Board that were opposing the increase in the discount rate from 3 to 3½ percent. I don't like to stand here and quote a man who is dead, but President Kennedy had a hard time keeping him from going on the air to support this increase.

Now I don't know how you can have better coordination between an administration and the Federal Reserve than that. At the same time these accelerated depreciation guidelines were actively discussed and considered both in the top level of the Government and with me.

* * * * *

Mr. Martin. Don't misunderstand me. I am not trying to make an issue out of this, but on the matter of coordination here not only has there not been any economic policy civil war, but on this last item there has been an honest difference of opinion as to whether this will actually help investment rather than the reverse because as I indicated yesterday, there have been some cooperates.

* * * * *

Mr. Martin. Now there is an honest difference of opinion. It is not for me to go into this. You have my associates on the Board who disagree and there are some in the Government who disagree, with respect to this last issue.

But with respect to all the rest, there has never been completer coordination in my experience in the Government.

Let me tell you about the 3½ to 4 percent that I called President Johnson on the telephone and informed him of this, and he went along and he supported this. It was discussed with the Treasury and with the Council. I don't know all of their views, but there was complete unanimous support. I just think it is important that we get this in the record.

* * * * *

Senator Proxmire. Now I would simply say that President Johnson and President Kennedy may have agreed with our actions in 1963 and 1964. That does not mean that there is not a direct economic policy conflict.

I can see why they might take that position, and there are many, many economic reasons why they might. At the same time, I think the overall effect of the increase in discount rate, increase in interest tends to restrain expansion while on the other hand these other policies tend to move the economy ahead.

* * * * *

Senator Proxmire. What I would like to do * * * I would like to ask Governor Maisel to get into this because he was the one whose statement yesterday so intrigued me when he said he was shocked at the lack of coordination. Perhaps he was thinking of the substantive consequence which is spelled out here as well as the fact that he had not apparently an opportunity to consult directly with the administration in any formal or regular way.

Mr. Martin. Senator * * * but so far as coordination, and here let me say respectfully that Governor Maisel was not on the Board at the time of these actions, so far as coordination is concerned, the first one had to do with the balance of payments in which the Federal Reserve has performed under Governor Robertson's leadership, I think, yeoman service in the voluntary foreign credit restraint program, and the second one had to do with the problem of the United Kingdom and the pound.

* * * * *

Senator Proxmire. Isn't it possible that an increase in, rather than a prior consultation or consultation that extended through December might possibly have resulted on fiscal policies which would have been more conservative?

For example, former Internal Revenue Commissioner Caplin announced that there was real consideration for stepping up the withholding tax in the coming year. That kind of thing might be enacted into law.

Now, it seems to me, compared to the action by the Federal Reserve that sort of conservative action to relieve pressure on prices might have been taken. That is one example of many. So you are acting before the administration made its decisions on fiscal policy.

Vice President Humphrey pointed out now in view of what the Federal Reserve Board has done it seems it will be necessary for the administration to compensate for this by a more expansive policy than they might otherwise have adopted.

* * * * *

Mr. Martin. Now you are perfectly entitled to say there has been a breakdown of coordination in this last instance, depending on your assessment of what the factors are. I stressed yesterday and I stress again that the economic aspects of the problem are arguable and debatable, the balance-of-payments aspect of the problem is arguable and debatable.

In terms of the flow of funds and the financial problem, I think it is less debatable. To me and to the majority of the Board it was not debatable. It was a clear case where it was within our responsibility and, we should add, a minority disagreed with us, which is their right, but this is where, if you want to carry coordination to the point where we should take direction, then of course the coordination broke down completely.

Mr. Maisel. Clearly I can't talk about the earlier period, as Chairman Martin has made clear. My statement yesterday was in response to the opening statement of Chairman Patman having to do with the Employment Act of 1946. As I said, my concern there was with the decisionmaking process under the act of 1946.

I simply stated that as a novice I did not know what prior decisionmaking functions had been, but at least in my case during the period we have just gone through, which basically, say, was from September, I have found that I did not feel that I, as a member of the Board, had the necessary amount of information with respect to the combination, the interdependence of monetary and fiscal policy, to come to a proper decision.

In other words, it seemed to me clear that when we were talking about these matters, that the view of the administration as to what was going to happen on fiscal policy, the view of the administration as to how monetary and fiscal policy should be coordinated, was a very critical thing in my making up my mind as to what was proper monetary policy.

It seemed to me this was the purpose of the Employment Act: to make sure that the joint considerations were taken into consideration when either monetary policy was changed or fiscal policy was changed.

I fail to have such information. Obviously what I did was to—when I had lunch with somebody or some other things—I tried to find out what the feeling was, what other people's views were around Washington, what the current situation was that we were in, where we were going, what the problems were.

The feeling I got at the time was that there was a lack of formal consideration of some of these matters, that in some cases the staff of the Board were allowed in as unofficial observers or because they had particular technical skills in which they worked on some of these problems. But at least until after the decision of December 3, I never received any official view as to what sort of policy was involved with respect to fiscal policy, what were the administration's projections as to where we were going, and things such as that.

I must also say I was somewhat surprised that last week, when I met a member of one of the other agencies, to find that there have been some sort of staff exercise, whether this was a typical one or not I don't know, in which there had been some attempt to at least state the different assumptions that have worked in this field, the type of numbers that were involved, how the different agencies looked at this I did not have available at the time that the decision was made. So far as I was concerned—I gather this would be different for each member of the Board—all I know is that in this case I had to make up my own mind, guess at what administration policy was, where they thought the economy was going, what the budget was going to be, what type of expenditure figures were available, and this type of information which I had assumed would be available in attempting to make these decisions I find I did not have during the entire period, from October through December.

It was this I was referring to, this coordination in this sense of the decisionmaking process in terms of some agreement as to what type of economic information was available, where it was going, what the administration view or the various parts of the Board's view were with respect to this information.

* * * * *

Representative Ellsworth. I am concerned about this question of coordination. I notice, Mr. Chairman, that you spoke in some detail about the kinds of coordination that have existed between you and the administration. Yet, on the other hand, Governor Maisel, you said from your point of view, there was no coordination at all, or substantially on a formal basis of any kind.

Mr. Maisel. I did not say that. I was very clear that there has been, I was well aware of meetings of the Quadriad, I guess there were two during this period and the fact that Chairman Martin was meeting with Secretary Fowler. I was saying in terms of the decisionmaking progress, the specific views and the type of information on which decisions had to be made, that I did not receive any formal information, nor even informal—I would say that the best information I received on that, sir, was from the press—the type of information necessary to make a decision, for me to make a decision as to whether monetary policy should have been changed in contrast to fiscal policy.

Representative Ellsworth. In other words, you said that although you understood that Chairman Martin was in communication with the administration all the time about economic policy generally, that you weren't; and I understood you to say that your staff except on an informal catch-as-catch-can basis, that is the staff of the Board, were not in coordination.

Mr. Maisel. This is my understanding and feeling; yes, sir.

Representative Ellsworth. Chairman Martin, is that true?

Mr. Martin. I am not sure I got all the implications.

Representative Ellsworth. What I am getting at is, is it true that although you are in communication with the administration on these matters, that the other members of the Board are not, and that the staff of the Board is not.

Mr. Martin. The staff of the Board works continuously with all departments of the Government. I think they have had extremely good relations with them. Now we do not take all seven members of the Board to a meeting of the Quadriad. I think it would be very unwieldy if we did.

Representative Ellsworth. How many members of the Board do you take to the Quadriad?

Mr. Martin. I don't take any. Sometimes I take the Vice Chairman but not very often. I think the Chairman of the Board is usually sufficient. When this Quadriad meeting was set up by Secretary Anderson a number of years ago it was an experiment. At that time we tried to keep it to a small group. Sometimes the group gets rather large as it is. I try to keep the Board, this is one of the reasons I think for the Board setup.

I try to keep the Board from not being committed in advance. I think if you are committed to two or three votes on something I think one of the defenses of the Board's system, it ought not to be, maybe we should have a Cabinet official, if we have a Board system it seems to me that the Chairman of the Board should present his views at the proper time and should report back at the time of the decisionmaking to what the views of the others are, but he should not be in a position to where he is committed, or where he has committed all his fellow Board members.

Representative Ellsworth. I agree, although I don't believe, at least I don't have the impression that because you attend meetings of the Quadriad that you are committed.

Mr. Martin. Absolutely no. I say if you had the whole Board there. And sometimes I am in a position always of being able to say on certain occasions, well, gentlemen, I happen to feel this way but I don't know whether my Board will.

Representative Ellsworth. Thank you very much.

Now, Governor Maisel. What about what the Chairman said about the staff? He said that the staff worked continuously with other staffs around the administration and elsewhere in Washington. Is that contrary to your understanding?

Mr. Maisel. I think it is a question of specific things As an example, let me cite this specific example of the question of expenditures, for example, and revenue. Now these are coordinated in some cases, at least this is my understanding that sometimes they are coordinated and sometimes they are not.

Now my statement in effect was that at a time of very critical decisions I at least felt that a great deal depended upon the administration's view as to what expenditures would be during the next 6 months. This type of information was not available. Now whether it was requested or not requested officially, I don't know. At least I was not able to receive any official view of any sort.

* * * * *

Mr. Balderston. It seems to me, Mr. Chairman, that the two have raised what your committee may consider the most fundamental question of law; namely, how a developed, mature country such as ours may obtain a proper mixture of fiscal and monetary policy. Fiscal policy as we all know, is inflexible. It is changed but seldom when the Congress changes the taxes and the Congress approves a budget but monetary policy is flexible.

* * * * *

Now it is possible to work out a proper mix of the two. It seems to me that is the subject before you but if you think of coordination in terms of subordination, the result will not be achieved. The Congress thought it was wise to create a Federal Reserve System that would not be subordinate to the Government of the moment, would not be at the mercy of pressures, private or public, private or political, and that is the reason why Congress in its wisdom established a Board with terms of 14 years. So, no Board member need be frightened to vote in accordance with his best thinking and his conscience.

* * * * *

Chairman Patman. Mr. Martin, on a number of occasions you have repeatedly expressed dedication to the objective of the Full Employment Act of 1946. The plain reading of this act requires all Government departments and agencies to coordinate their activities toward a national economic policy set out by the President in his annual Economic Report to the Congress. It occurs to me that you feel that the Federal Reserve is legally bound by the injunction of this act from what you have testified in the past to coordinate not only his ultimate goals but also its practical policies with the administration.

Now on July 6 of this year Treasury Secretary Fowler announced the establishment of a Coordinating Committee on Bank Regulations to include the Federal Reserve, the Comptroller of the Currency's Office, Federal Deposit Insurance Corporation and the Federal Home Loan Bank Board. At that time he said that any rule, regulation or policy of any one of the banking regulating agencies which might conflict with an existing rule, regulation or policy of the other should be discussed with the committee, and a 10-day waiting period observed. Was the jump in the regulation Q ceiling difficulties discussed with the committee and subject to the 10-day waiting period, Mr. Martin.

Mr. Martin. No, it was not. It was discussed with the Secretary of the Treasury. The Comptroller of the Currency was out of town. We did not communicate with the Deputy Comptroller of the Currency.

* * * * *

Mr. Martin. I do not think that the Federal Reserve ought to try to run the finances of the Government. We are here to safeguard the U.S. currency. We are one only instrumentality of the Government that is devoting its full time to saving the American dollar.

* * * * *

Our staff works very closely with the staff of the Treasury in the compilation of the statistics and is very well informed in my judgment as to what the moves of the Treasury are and they have never tried to withhold any information from us. Our coordination has been 100 percent.

* * * * *

Senator Proxmire. I would like to ask Governor Maisel, and I am almost through * * * about this executive branch staff paper which, as I understand the suggestions or discussions is a mix of fiscal and monetary policy and which you said wasn't accessible to you, you didn't have it at the appropriate time, it would have been helpful for you to make up your mind.

There was lack of coordination at least on this substantial information that the executive branch worked out that you might have had but didn't. Did I understand that correctly?

Mr. Maisel. Might I state my point? I think I have been particularly unexpressive in making myself clear on this point. In other words, I raised the point originally as Chairman Patman did as to the question of the proper coordination of fiscal and monetary policy and as such I was making very clear I hope that we not sacrifice the present procedures which I think are very valuable. I also want to make it clear that I did not feel, I agreed fully with the Chairman, that the Board can not enter into these problems. I also want to make it clear I was not questioning the ability of the staff or the amount of staff information available to each member. I was raising the question of what is the proper balance between independent and interdependence of monetary and fiscal policy. It seems to me this is the critical question.

* * * * *

Senator Proxmire. Let me shift right away because time is limited and I know time is late, to ask Governor Martin and other members if they would like to comment about the fact that we are concerned, I think other Members in Congress too are concerned, that there should be a greater * * * consultation.

I am not talking about independent or more dependence or taking orders or taking directions. I am simply talking about the greatest possible amount of mutual information going both ways, frank, full, blunt discussion on the part of members of the Federal Reserve Board on fiscal policy and members of the administration on monetary policy, not with any feeling you are dictating to them what they should do, but making clear what is your best judgment, which is excellent and very valuable judgment to them. It should be.

I would like to get at whether or not you think it would be worth while considering one of the following four alternative methods of increasing coordination:

No. 1, regular meetings, weekly or monthly or four times a year, at any rate as often as possible, of all members of the Federal Reserve Board and some top members of these other agencies that are involved, the Budget, the Council, and the Treasury.

That is one possibility, and maybe there are reasons why it can't be accomplished. What I am deeply concerned about is, Governor Martin, you have one vote, the other members have six votes. They have the ability, therefore, to determine policy, as you know. You are the Chairman, but as I understand it, the law does not give you any extraordinary power except that you are the chief executive officer. There is no other influence you have that they don't have. The majority leader cannot have any more influence in determination of policy than I have as an individual Senator. I think all members of the Board should have the greatest opportunity to be briefed. That is one alternative.

The second is the possibility of position papers prepared and circulated regularly with the arguments adduced from each of the other three important economic policy agencies. I can see that there would be problems involved here, but I think it might be very, very helpful, particularly if they were kept in confidence, and you had an opportunity to decide on a free and frank discussion that way in writing.

A third is for you to follow the same policy you do now but to keep a recorded transcript of the kind we have here of your discussions with the Council, Treasury, and Budget which would be made available in full promptly, the next day, to the other six members of the Board, and then maybe some opportunity for them to comment if they wish.

A fourth would be to establish a formal secretariat to work with all four agencies and to work directly with them to keep them all informed fully and to work for the greatest amount of understanding on the part of all members of the Federal Reserve Board and all members of these other three agencies not with a notion that the President would dominate or that the administration would dominate but that you would be fully and completely informed, not simply you but the other six members of the Board.

What is your reaction to these four possibilities? Do you think they might be considered and explored seriously?

Mr. Martin. I think we ought to explore carefully and conscientiously every avenue of improving coordination within the Government.

The independence we are talking about is independence within the Government, not independence of the Government. All four of these methods and several others that you have suggested have from time to time been discussed and evaluated and there are problems with all of them as you yourself recognized in outlining them.

I don't say that any one of them ought to be discarded, per se. I think our purpose ought to be to get better coordination throughout the Government not only in the Federal Reserve but in other areas of Government and the only thing that we ought to be careful about is that we do not substitute dictation for coordination.

Senator Proxmire. But you would feel that there might be further consideration, particularly since there is a feeling in the country, I think, and some feeling in the Congress, that it may be a matter of misunderstanding.

Mr. Martin. Yes.

Senator Proxmire. That we could have a better coordination—and that one of your members, a new member admittedly, but obviously a very able member, has indicated he was shocked at what he felt was a lack of coordination. He said that yesterday.

Mr. Martin. Nobody regrets more than I do that Governor Maisel felt that there wasn't proper coordination. I think we ought to do everything we can to improve that coordination.

Let me say from the standpoint of people out in the country that I run into that it is not only in relation to the Federal Reserve but it is in relation to a great many areas of Government policy that there is question.

Senator Proxmire. You have a peculiar problem because you are set up as a quasi-independent agency. At the same time your policies, as I tried to bring out later, often seem to be in contradiction of the administration, and sometimes they are.

Mr. Martin. Yes. I am not criticizing anything when I say this, but on a recent trip I made to California and around I got more comments about failure of coordination in areas within the executive branch than I did between the Federal Reserve Board and the executive branch. These were just raised with me by people who seem completely dispassionate but were critical of some actions that the Government was taking.

VOLUME 3, DECEMBER 15, 1966

Statement of Dr. Galbraith

The central bank plays a subordinate but integral role in this policy. To such coordinated management * * * we owe the steady expansion and the steady prices of the last 5 years.

* * * * *

The imperatives of coordinated economic administration have required all countries to bring their central banks fully under Government control. This, of course, has been true of the United States; indeed we have been a leader in developing the policy.

* * * * *

Men who prefer shadow to substance still speak of the independence of the Federal Reserve System. It hasn't existed for years. For years Mr. William McChesney Martin has been attending meetings on Government policy.

* * * * *

When the Chairman of the Board of Governors of the Federal Reserve System participates in meetings with other officials, yields to their judgments, accepts the resulting decisions and passes them through his Board, it is impossible to speak of an independent Federal Reserve System. Or it takes a certain exercise of mind. Nor would an acceptable economic policy have survived the independent and uncoordinated action by the Federal Reserve. This is the only way it could have been.

Most Americans regard successful management of the economy as an imperative. They do not react well to unemployment, depression, or stagnation. The right of the Federal Reserve to independent action has survived only because it has not interfered with that management—because it has not been used.

* * * * *

Now this anachronistic authority has been used. Since it is an authority that has existed because it was not used, it is an authority that will have to be removed if it is used * * *.

* * * * *

First. Though no monetary action can by nature be really informed, this one was visibly uninformed. Only Mr. Martin, perhaps supported on rare occasions by a deputy, has participated in economic policymaking in recent years. Other members have not been present. This is for purely practical reasons. The whole Board cannot debouch into a meeting, marching like a platoon with Mr. Martin leading the others in echelon right and left. So members learn of issues at second or third hand, therefore.

* * * * *

The conclusion to be drawn from this review will be evident. The action of the Board was legal. It was also unwise.

* * * * *

The question now is whether steps should be taken to remove the anachronism in our banking laws which places the rediscount rate and related market operations outside of the reach of Presidential authority.

Statement of Dr. Henry C. Wallich

From point of view of the strategy of the measure, it would have been far better if a way could have been found to take it in a coordinated manner, by agreement with the administration. Whether waiting 1 month, until the budget had been announced, would have produced such coordinated action there is no means of knowing. That the Federal Reserve Board should have been lacking essential information prior to the budget announcement is not very plausible. Surely the shape of the budget is now known to within a couple of billion dollars or so. But by acting alone, the Federal Reserve Board sacrificed the appearance and the reality of coordination which has been a valuable asset of our policymaking mechanism.

* * * * *

The conflicts of opinion that have arisen from time to time between the Fed and the executive branch are of a sort that may also arise within the executive branch itself. They are likely to be differences about means, not ends. This I believe to have been the case also in the latest disagreement. The difference is that if the Federal Reserve had been set up as a regular Government department, or as part of an existing department, the President could resolve such conflicts.

Lack of unified command, however, is not unusual in our Presidential system of government. Unified control over most economic policy instruments is usual in countries with a parliamentary form of government. But in some of those, and not the economically least successful ones, the central bank has been given a certain independence. In our own system of checks and balances, there seems to be no anomaly in the kind of independence that the Federal Reserve enjoys.

The justification for some degree of central bank independence seems to me twofold. One is to take the unpopular task of occasional credit tightening out of the political arena. The other, which has become more important since prices ceased to have flexibility downwards, is to give decisions that have long enduring effects to any agency with a greater degree of continuity than that of a regular government department.

* * * * *

Senator Javits. Also I wish to point out that it seems clear already that arrangements for coordination between the Federal Reserve Board and the rest of the Government, charming as they may be, at luncheons and other meetings, are by no means perfect, and that we find that there were discussions on this matter as early as October 6 to which Chairman Martin testified, again on November 23, at the very least, and then an actual confrontation on December 3, resulting in this very sharp diversity, at least in announced policy, but in the absence of administration testimony we can only go by newspaper reports and speeches as between the administration of the Federal Reserve Board. There was excellent cooperation between 1962 and 1964 and I regret very much to see it wrecked.

* * * * *

Senator Javits. Professor Galbraith, I notice with very great interest your strong feeling about the independence of the Board as being out of date, that is the Federal Reserve Board. Now would you apply the same standard to other Boards with similar authority which have tenures, that is stated terms, the Federal Trade Commission * * * and all those cases, entirely independent action subject to court review is entirely possible. Yet as I understand it those were, speaking as a liberal, myself, I know you are, those were the institutions which liberals have valued the most as a result of development of the past decade.

* * * * *

Senator Javits. Secondly, I would suggest that one of the easiest ways of achieving coordination would be to reduce the terms of the members of the Federal Reserve Board to approximately the length of those in the Federal Communications Commission or on the Federal Aviation Agency. Were that done, were they further made subject to removal for cause, there would no longer be any great danger of action independent of the coordinated policy of the administration.

* * * * *

Senator Proxmire. It seems to me if this is true we have a very serious problem here of sacrificing growth because of very bad institutional organization and arrangement. It seems to me that as long as we have the kind of separation we now have we know there will be a continued tendency for loose fiscal policy and compensatingly high monetary policy.

* * * * *

Mr. Wallich. Now the coordination. There are legislations where the Secretary of the Treasury and Secretary of the Economy are admitted to the sessions of the central bank, the Bundes Bank, for example. They may come or send delegates. They may cause a vote to be suspended for 2 weeks but if within those 2 weeks the central bank does not change its mind the central bank's vote stands.

* * * * *

Senator Proxmire. You see, what I am getting at is the fact that the newest member, Dr. Maisel, who was just appointed to the board and is an eminent economist, in my judgment, said he was shocked at the lack of coordination. He said he was not informed. He said an important staff member never came to his attention. It was never formalized. His vote is just as important as Mr. Martin's vote. This is true of the six members of the board. They have no formal regular way of knowing the views, the very helpful and valuable opinions, what the plans are, what the President's budget is going to be, the most significant element at all in determining the impact on price levels and so forth. They do not have that.

It seems to me we ought, as a result of these hearings, to consider seriously legislation that would, as Senator Javits said, require a greater degree of information, understanding, coordination, influence. If perhaps we do not take the additional step of ending the legal position, so-called independence.

* * * * *

Representative Curtis. I was very pleased to see that we are beginning to zero in on some of the basic issues here. One is the term "independence" which of course needs a great deal of definition because there seem to be some differences of opinion.

* * * * *

The second question is coordination. This, too, has become a label which is very clear that we ought to get. We have separated some confusion already. Coordination among the board members themselves is one thing and coordination with the executive is another.

* * * * *

Mr. Galbraith. Let me say further that in my own testimony, the point I made is * * * Mr. Martin has attended regularly the meetings on economic policy emerging from the budget, from the Treasury, from the Council of Economic Advisers, from the other responsible meetings. These meetings have been going on for years.

The other members of his board, as I say an occasional deputy, have not been participating in those meetings.

* * * * *

Mr. Galbraith. And this problem can be solved very simply by giving the ultimate authority to the President of the United States where it belongs.

* * * * *

Mr. Galbraith. The point I am making is that the ultimate policy on these matters, the ultimate responsibility lies with the Secretary of the Treasury, Council of Economic Advisers, and Bureau of the Budget and forthwith with the Federal Reserve, that if the system of economic management which we have then allows six members of the Federal Reserve who have not attended these meetings, have not participated in this discussion, to exercise arbitrary independent power to overthrow the decisions reached by the previous group, this is a very poor form of coordination. It is an indefensible form of coordination.

* * * * *

Representative Curtis. Governor Maisel on "independence" said I also welcome an opportunity because I believe the independence of the Federal Reserve system to be a keystone in our economy's proper functioning.

Again it can come over his definition of independence. I think we have to get in behind that word to see what we are talking about. Your definition of coordination it would seem to me would be to have the executive have the final power of decision rather than have the final power of decision in monetary matters in the Fed Reserve Board as it presently exists.

* * * * *

Mr. Galbraith. It seems to me this is a fair statement. The question here ultimately is whether one trusts authority in the President of the United States or not.

* * * * *

Mr. Galbraith. One of the unfortunate facts of our time is that a great deal of power resides in the office of the President of the United States. Undoubtedly, many of us would prefer a system of government, a system of life where it was not necessary for Government to have such awesome power. But there is something special, something peculiar, something uniquely precious about the power over banking, banking policy, no one must in this day and age deny.

* * * * *

Representative Reuss. Let me go on with my next question. Under our system of government should the President have the power in December to ask the Federal Reserve which in the model I am putting to you seems to be ready to vote 4 to 3 for raising the discount rate to 4½ percent from 4 percent in December, to withhold its action until January? Or should the Fed Reserve have the right to thumb its nose at the President and put that into effect despite the President's request?

Mr. Wallich. If no more is involved than to request a postponement and if action then can proceed freely one might very well come out to say that somewhat analogous to the German system, the President should be entitled to some postponement of the action.

* * * * *

Representative Reuss. Let me break a lance with you on that point because I really think you led yourself astray a bit on this. You say in your paper, and you just repeated, that the lack of Presidential authority over the Fed is not really very alarming because the President does not have any authority over fiscal matters. The Congress may refuse to go along on tax or spending matters. Quite true, but the real question I put to you is what is the locus of authority within the noncongressional, nonjudicial branch of Government, call the executive or executive plus the Fed or what you will?

It is a fact, is it not, that even if you adopted the Galbraith resolution putting the ultimate power in monetary matters in the Presidency, that the Congress under its constitutional power to coin money and regulate the value thereof could always overturn both the President and the Fed just as effectively as it can overturn the President and the Secretary of the Treasury on tax matters?

Thus, doesn't this, because the President is without authority anyway, distinctly tend to drop out of the area?

Mr. Wallich. I would say for the Congress to overturn a discount rate action on the grounds that it can regulate money and credit which in the days this was written meant the size and weight of coins and not the purchasing power of the dollar, nevertheless, is a very different thing, it seems to me.

Representative Reuss. Do you doubt the constitutional power of Congress to direct the Federal Reserve to take a given discount or open market or bank reserve requirement policy? Because even Governor Martin does not doubt that power.

Mr. Wallich. The Congress could pass a law, I believe, requiring this and it would abrogate the Federal Reserve Act in that respect.

Representative Reuss. Hence, doesn't the distinction drop out? There is no difference between the powers of Congress to make fiscal policy and the powers of Congress to make monetary policy?

* * * * *

Mr. Wallich. The constitutional power in the ultimate sense may be the same but the political practice I think is very different.

* * * * *

Mr. Wallich. It is really, in other words, a pragmatic matter. People who feel that monetary stability is underrepresented favor independence so long as the Fed leans that way, and vice versa.

VOLUME 4, DECEMBER 16, 1965

Statement of Dr. Seymour E. Harris

Federal Reserve independence is an insane idea. Even in less troubled times, it is folly to allow the Federal to run in one direction and the executive in another. President Johnson is—and President Kennedy was—a strong President, and whatever lip service they may have paid to the independent theory, neither believed in it in practice. Even Mr. Martin, if we are to judge from his policies generally, does not believe in it.

* * * * *

I have never had much sympathy with the theory of independence. Particularly in these troubled times the Government certainly should not move in one direction and the monetary authority in another. The latter has every right to push its views before Government decides on a policy. But once the decision is made, monetary policy must be an instrument of Government policy, not a barrier to its achievement.

* * * * *

Indeed, both Presidents Kennedy and Johnson have affirmed the independence of the Fed. I doubt that this is more than paying lip service to the slogan that the Fed is independent. Two strong Presidents are not likely to go for the independent theory in practice. On several occasions I talked to President Kennedy on this issue, and it was clear to me that independence meant little in practice to him. The policy of the Fed in the 1960's confirms this fact. The President did not hesitate to tell the Fed what he wanted; and what he wanted, he got.

* * * * *

"Because of the paranoiac mania for the Federal Reserve independence, the Federal Open Market Committee, the real hard core on policy in this country, does not even let the Secretary of the Treasury or the Council of Economic Advisers inside the door to explain the administration's fiscal outlook or strategy." (Excerpt from Professor Tobin's letter in the New York Times.)

* * * * *

Mr. Chairman, it is also true that Mr. Maisel said he was all for independence but I think if you will read his statement and what he means by independence I would be perfectly willing to accept that kind of independence from the Federal Reserve because what this statement really says is that above all you have to have integration between the Executive and the Federal Reserve.

* * * * *

Senator Miller. If the Congress in its wisdom—now you may call it an insane idea—but if the Congress in its wisdom decided to have an independent Fed and if the independent Fed in its judgment thinks that the President is wrong, then why would you call it defiance?

* * * * *

Dr. Harris. Senator, I am not absolutely sure that the legislation says that they are independent. This idea of their being independent is something which has grown up over the years. What I would argue is that—of course we are really at war, but even in the great depression the same view would prevail—the independence as the right of the Federal Reserve to do what it pleases is a great luxury.

* * * * *

Mr. Harris. In the fifties I thought he [Mr. Martin] was terrible for reasons Congressman Reuss indicated. My only point on this whole issue is that the Government is in favor of the expansionist policy as it is now, and we have had this really remarkable recovery over the 60 months or so and this recovery has been largely due to the activities of the Government, much truer than before, if this Government thinks the best thing to do is to have an expansionist policy and goes over these problems with the Federal Reserve Board as they did, the Federal Reserve Board has every right to say what is necessary and desirable but once having decided on a policy I don't think it is correct and desirable that the Federal Reserve introduce a restrictionist policy when the Federal Government is introducing an expansionist policy.

CIVIL RIGHTS LAW ENFORCEMENT BILL OF 1966

The SPEAKER pro tempore. Under previous order of the House the gentleman from Maryland [Mr. Mathias] is recognized for 30 minutes.

Mr. MATHIAS. Mr. Speaker, we can no longer postpone fulfillment of our national pledge to liberty and justice for all.

In the Civil Rights Acts of 1957, 1960, and 1964, and in the Voting Rights Act of 1965, the Congress and the Nation reaffirmed and reasserted the American commitment to protect the civil rights of all citizens and to enforce equal protection of the laws. These historic acts, if vigorously enforced, will remedy many ancient wrongs. But events of the last 12 months have proved that the courts do not yet have all the legal tools they need.

It is time for us to guarantee that justice will be done throughout the land. Toward this goal, I am proud to announce that 18 of our colleagues are joining me today in introducing the civil rights law enforcement bill of 1966.

Cosponsoring this bill with me are Alphonzo Bell, William T. Cahill, Silvio O. Conte, Florence P. Dwyer, Robert F. Ellsworth, Peter H. B. Frelinghuysen, Robert P. Griffin, James Harvey, Frank Horton, Theodore Kupferman, William S. Mailliard, Joseph M. McDade, F. Bradford Morse, Charles A. Mosher, Ogden R. Reid, Howard W. Robison, Robert T. Stafford, and William B. Widnall.

I welcome the generous remarks made earlier today by the gentleman from California [Mr. Corman], and I thank him for them. In response I wish to assure him of my desire for broad bipartisan support for this bill and of my commitment to an objective consideration of all responsible legislative proposals in this area.

I ask unanimous consent that all Members be permitted to revise and extend their remarks following mine under this special order.

Mr. Speaker, it is empty to declare our commitment to equal rights if men and women can be persecuted for exercising those rights. It is insufficient to pass laws implementing the Constitution if men can disobey the letter of those laws and subvert their spirit with impunity. It is futile to take civil rights controversies from the streets into the courts if the administration of justice lacks uniform equity and force.

We need not recount the many courageous Americans who have suffered arrest and prosecution in courts of our land for the peaceful assertion of their rights and for the lawful encouragement of the rights of others. We need not relate those cases in which violence, spurred by bigotry, has gone unpunished.

What we do need are guarantees that these injustices and abuses will not continue. The civil rights law enforcement bill of 1966 provides these guarantees. It will establish an objective and equitable standard for the selection of juries in Federal and State courts. It will protect civil rights workers and those exercising civil rights from violence inflicted by both private citizens and public officials. It will strengthen Federal criminal penalties for those who deprive individuals of their federally protected rights. It will make governmental employers jointly liable for damages for acts of violence committed by public officials.

This measure is built upon the foundations which we laid in 1957, 1960, 1964, and 1965, and upon the further recommendations of the Civil Rights Commission. Many of its provisions, especially its title III, have been recommended for many years, and should be enacted without further delay.

Mr. Speaker, we should act now to insure that all Americans receive equal protection of the laws, that they can exercise their federally protected rights without fear of injury or intimidation, and that they, when brought before any court in this Nation, will receive a fair and objective trial. We should not seek to supersede the authority of State courts—but we must be sure that they will meet their full responsibilities, and that relief can be obtained when they do not. For justice is distant when the administration of justice is not everywhere equitable and temperate.

I include in the Record at this point an explanation and section-by-section summary of the civil rights law enforcement bill of 1966:

Brief Explanation and Section-by-Section Summary of the Law Enforcement Bill of 1966

TITLE I—JURY SELECTION IN THE FEDERAL AND STATE COURTS

Federal courts

Explanation: Present law (sec. 1861 of title 28 of the United States Code) sets out some basic qualifications for Federal jury service, but it leaves considerable leeway in implementation to court clerks and jury commissions. The subjective nature of the system of obtaining persons for jury service who meet the qualifications may provide opportunities for discrimination on the basis of race, color, sex, etc. It is our purpose in this bill to provide objective standards that can be administered easily and insure that Federal juries will be drawn from a satisfactory cross section of people. We believe that the use of the list of qualified voters for the judicial district provides such an objective standard. The act of citizenship required to register to vote is an indication of potentially responsible jury service. The Voting Rights Act of 1965, if properly enforced, contains the necessary tools to prevent the discriminatory deprivation of the right to vote.

Section 101. Provides that anyone qualified to vote within the judicial district is competent to serve as a Federal juror.

Section 102. Amends section 1863 of title 28 relating to exclusions from jury service. Under section 1962 exemptions are now provided for members of the armed services on active duty, members of police and fire departments and public officials in executive, legislative, and judicial branches of Government. Section 1863, as amended by section 102 of our bill, will retain the existing power of the district judge to excuse or exclude when he finds that jury service would cause undue hardship, extreme inconvenience, or seriously obstruct or delay the administration of justice. It also provides that the district judge excuse or exclude those who are unable to speak or understand the English language, unable to read or write the English language (unless the person has completed the sixth grade in an English language school), or incapable by reason of mental or physical defects from rendering efficient jury service. (Note that the sixth-grade provision is consistent with the Voting Rights Act of 1965.)

Section 103. Provides for the mode of selection of jurors. The clerk of the court is to obtain the names of all persons qualified to vote within the judicial district. Not less than 300 of these names are to be selected at random from the voting lists and from these the clerk will draw names publicly for service on grand and petit juries. Random selection is designed to prevent discrimination on the basis of race, color, sex, political or religious affiliation, or social or economic status. The specific manner of random selection is to be established by the chief judge of the district with the advice of the administrative office of the U.S. courts and the Bureau of the Census. The list of names obtained from the voting list is to be reviewed at least once a year and the clerk of the court must keep records of the voting lists, as well as the names selected and the names of those who actually serve as jurors. Review of the operations of the courts in jury selection will be conducted by the judicial conferences of the United States and of the various judicial circuits. If it is determined that the requirements of the law are not being met, another judge may be appointed to take charge until such time as all provisions are complied with.

Section 104. Provides that grand and petit jurors be, from time to time, selected from the parts of the district most likely to insure an impartial trial, from various parts of the judicial district so as to insure an impartial trial and not impose undue hardship on any one part of the district.

Section 105. Repeals section 1866 of title 28 which permits judges to take jurors from the courtroom when sufficient jurors are not otherwise available.

Jury selection in State courts

Explanation: Congress has received considerable evidence of discrimination in the selection of juries in many State and local courts on the grounds of race, color and sex. In some States, women are completely barred from serving as jurors. To halt this discrimination our bill establishes the presumption that a State with a system of jury selection which does not, in general, conform to the Federal system set out in section 103, may be discriminating. Our bill provides that a defendant in a State court who alleges discrimination in the selection of a grand or petit jury will have the right to ask for Federal court review of the selection of the jury. If the Federal court finds that the selection is discriminatory, the case can be tried in Federal court. The Attorney General is also authorized to institute legal proceedings to enjoin discriminatory State jury selection procedures.

Section 107. Amends section 1443 of title 28 of the United States Code which provides grounds for removal of certain State civil actions or criminal prosecutions in civil rights cases. It provides for such removal if the procedures used for the selection of the grand petit juries are not in conformity with the federal system, unless, apart from the recordkeeping provisions of the federal system, the procedures of the State and local courts assure the prevention of discrimination. The Attorney General is authorized to intervene for the presentation of evidence and for argument on the question of conformity of State and local provisions for jury selection.

Section 108. State and local courts are required to maintain, for not less than 4 years, records of the names of those who are taken from the jury lists, those selected at random, and those who actually serve and the dates of such service.

Section 109. Authorizes the Attorney General, whenever he has reasonable cause to believe that the procedures for jury selection in a State or local court constitute discrimination to bring a civil action in the appropriate U.S. district court requesting preventive relief against those responsible for the discriminatory procedures or selection.

Section 110. Makes applicable existing provisions of Federal law regarding the retention and protection of Federal election records.

TITLE II—FEDERAL CIVIL RIGHTS CRIMES

Explanation: There are a number of serious defects in the Federal statutes, as interpreted by the courts, relating to civil rights crimes. Section 241 is now limited to acts committed by private individuals. As interpreted it is necessary to prove that it was the specific purpose of the alleged act to prevent the free exercise of a federally protected right. Our bill amends section 241 to proscribe acts by public officials as well as private citizens. It also alleviates the difficulty of proving a violation by eliminating the implication that the specific intent of the alleged act was to inhibit the free exercise of a federally protected right.

Section 201. Amends section 241 of title 18, United States Code, to include persons who act "under color of law or otherwise" to injure, oppress, threaten, or intimidate another, on account of his race or color or because of his efforts or attempts to petition for or secure recognition of the right to enjoy federally protected rights. It is also a violation under this section to conspire to inhibit the free exercise of federally protected rights. The burden of proof requires that the violator acted "for the purpose, or with the reasonably foreseeable effect" of inhibiting the free exercise of a federally protected right.

Explanation: Section 242 of title 18, United States Code proscribes only those acts committed by those acting under color of law. The difficulty with its enforcement has been the requirement of the courts that it be demonstrated that the official knowingly acted to deprive another of his rights on account of race or color. Our bills make it necessary to prove only that the official has reasonable grounds to believe that he is depriving another of a federally protected right. It also brings within the protection of the law, as does section 201 of this act, acts to petition for or secure recognition of federally protected rights. This would protect civil rights workers in the South.

Section 203. Adds a new section on penalties for the violation of sections 241 and 242 as amended by our bill. Penalties are set on a sliding scale, depending on the seriousness of the violation. Violation of either section is punishable by not more than $1,000 or imprisonment for 4 months to 1 year. A violation, accompanied by the use of a dangerous or deadly weapon carries a fine of not more than $10,000 or imprisonment for 1 to 10 years; a conviction for an offense which resulted in a death carries a fine of not more than $10,000 or imprisonment for 1 to 30 years; suspension of sentence or probation will not be granted to second offenders and when the violation was committed with a weapon or results in a death, at least one-third of the maximum prison term allowable will be mandatory.

Section 202. Amends section 242 of title 18, United States Code to proscribe acts committed under color of law by a public official who knowingly, or has reasonable grounds to believe that he is depriving another of rights or privileges protected by the Constitution or laws of the United States, or knowingly or has reasonable grounds to believe that he is subjecting another to different punishments or penalties on account of race or color. Conspiracy to commit such acts is also prohibited.

TITLE III—CIVIL PREVENTIVE RELIEF

Explanation: This title incorporates the title III provisions that have been proposed for every civil rights act since 1957. This title permits an individual or the U.S. Attorney General to institute civil proceedings against those who interfere with that individual's federally protected rights or who interfere with his exercise of his right of free speech to advocate racial equality.

Section 301. Provides that whenever a person has engaged, or there are reasonable grounds to believe that any person is about to engage in an act or practice that would deprive another, because of race or color, of a federally protected right, the other person acting for himself or the Attorney General acting for the United States may bring a civil action for preventive relief.

Section 302. Provides that whenever a person has engaged or there are reasonable grounds to believe that any person is about to engage in an act or practice depriving another of the exercise of a federally protected right, or hindering the other in the exercise of the right to speak, petition, assembly, or otherwise advocate equality and the elimination of racial discrimination, either the person whose rights are violated or the Attorney General may seek preventive relief as in section 301.

Section 303. Grants jurisdiction over suits brought under sections 301 and 302 to the U.S. district courts.

TITLE IV—INDEMNITY

Explanation: This title adds to existing law which permits civil suits for damages against a public official who deprives an individual of federally protected rights. At present, the employer of such public official, whether the State or local government, is not liable for damages in such a suit. The low salaries of many law enforcement officials have made it very difficult for an injured person to collect. Our bill would make the State or local government liable for such damages, with the law enforcement official.

Section 401. Provides that section 1985 of title 42, United States Code, be amended by adding a section making the political subdivision or State under whose authority the prohibited action is taken jointly and severally liable with the person or persons who committed the injury.

Section 402. Amends section 1986 of title 42, United States Code which permits civil action when injury or loss of life results from the neglect of an individual acting under color of law to prevent such injury, to make the political authority responsible for such action jointly and severally liable with the individual public official.

Mr. Speaker, the civil rights law enforcement bill does not include provisions aimed directly at the civil rights problems in our schools. This should not be interpreted to mean that we do not judge these problems serious, or that we feel that present steps against school segregation are likely to prove adequate. In my own judgment, however, the key to enforcement of school desegregation is not additional law, but firm administrative action. I would like to discuss for a few minutes the courses of action already authorized under title VI of the Civil Rights Act of 1964.

In considering the problem of applying title VI to schools, I feel it is essential to distinguish between problems of standards and problems of procedure. The Civil Rights Act does prescribe procedures to be followed before Federal funds are cut off under title VI, and many of the difficulties which arose last fall can be traced to failure to observe the sequence of actions set by law. But no procedures, however strictly observed, will be effective when the standards applied are inadequate.

To date, local public school officials in the South have been able to maintain segregated schools without being deprived of Federal assistance because the Department of Health, Education, and Welfare has approved freedom of choice plans and voluntary pupil transfer plans as in accord with the requirements of title VI. HEW has also approved plans which rezone schools in accordance with racial residential lines. Yet it seems clear that residential zoning which results in segregated schools defies the purpose, if not the letter, of the Civil Rights Act. It seems equally clear that freedom of choice plans, which place the burden of desegregation on the parents rather than on school administrators, cannot be effective as long as those seeking to exercise freedom of choice are subject to harassment and intimidation.

I strongly support the recommendations of the Civil Rights Commission, which has urged the following:

First. HEW should revise its policies regarding desegregation plans, and should reject both freedom of choice and other voluntary pupil transfer plans, and plans of school redistricting which are drawn along residential color lines.

Second. HEW should accept and encourage varying types of desegregation plans which have proven effective in school systems throughout the country. These include: revision of school attendance areas by redrawing school zones to cut across residential racial lines; reorganizing the use of schools; changing feeder patterns of elementary to junior to senior high schools; establishing educational centers; and selecting sites for new schools carefully to prevent building additional segregated schools.

Third. HEW should require school districts desegregating under court orders to submit plans which comply with the strict standards which should be set by HEW.

Fourth. HEW should require plans to desegregate teaching and administrative staffs to accompany plans for pupil desegregation.

Fifth. HEW should require local school districts to demonstrate that desegregation plans are not discriminatory in their purpose, operation, or effect.

Sixth. HEW should adopt procedures to insure adequate evaluation of plans and assurances and adequate monitoring of compliance.

Seventh. Finally, HEW should require evidence that local school officials are actively attempting to create a climate conducive to acceptance of the law.

Mr. Speaker, there are limits to the automatic impact of any law. My sponsorship of the civil rights law enforcement bill of 1966 testifies to my conviction that, in the enforcement of equal rights, these limits have not yet been reached. But the problem of school desegregation illustrates that not even the strongest and clearest law will fulfill its purpose in the absence of strong and unequivocal implementation. Thus we have two tasks this year: first, to enact the additional legal tools we need; and second, to demand full administration employment of these tools, so that the civil rights legislation of 1964, 1965, and 1966 may lead to the achievement of full civil rights for all Americans in 1966 and beyond.

Mr. REID of New York. Mr. Speaker, I am today introducing, along with several of my colleagues, the Civil Rights Law Enforcement Act of 1966.

This act deals directly with the problems regarding equal rights encountered in our courts. It will:

Provide an objective and equitable standard for the selection of juries in Federal and State courts;

Protect individuals and civil rights workers from official and private violence in the exercise of constitutional rights;

Strengthen Federal criminal penalties for those who deprive individuals of their federally protected rights;

Give the Attorney General power to institute action to protect individuals in the exercise of first amendment rights, including freedom of speech, of the press, and peaceable assembly; and

Make governmental employers liable for damages for acts of violence committed by public officials.

Mr. Speaker, several times in the past decade the Congress and the Nation reaffirmed and reasserted the American commitment to protect the civil rights of all citizens and to enforce equal protection of the laws. The Civil Rights Acts of 1957, 1960, and 1964, and the Voting Rights Act of 1965, if enforced, will remedy many ancient wrongs. However, events over the past 2 years clearly demonstrate that the courts do not yet have all the legal tools necessary.

It is empty to declare our commitment to equal rights if men and women can be persecuted for exercising those rights. It is insufficient to pass laws implementing the Constitution if men can disobey the letter of those laws and subvert their spirit with impunity. It is futile to take civil rights controversies from the streets into the courts if the administration of justice lacks uniform equity and force.

Many of us in this House know clearly, unmistakably, and sorrowfully that there have been threats, intimidation, brutality, and, indeed, murder in connection with equal rights. The consequences and tragedy of these actions have been felt throughout the United States, including Westchester County, N.Y.

The Civil Rights Law Enforcement Act is a progressive measure, built upon the foundations which we laid in 1957, 1960, 1964, and 1965. We do not seek to supersede the authority of State courts—we do seek to insure that they will meet their full responsibilities, and that relief can be obtained when they do not.

There is a clear need for the Federal Government to be able to take appropriate action to guarantee constitutional rights and to uphold first amendment rights. The legislation we are introducing today would provide temporary injunctions and preventive relief in matters such as peaceable assembly and would provide a remedy now lacking against police brutality. This is the essence of the so-called title III provision, which passed the House during the Eisenhower administration but failed of enactment in the Senate.

Mr. Speaker, I am happy to join my colleagues in introducing this legislation today, and I urge the House to take prompt action to assure equitable justice for all Americans.

Mr. KUPFERMAN. I am pleased to endorse this much-needed additional step in the process of constant vigilance over the civil rights of the people of this great Nation.

In the interest of conserving the time of the House, I would like to state that I concur in the statement and sentiments of my colleague, the gentleman from Maryland [Mr. MATHIAS].

Mr. MORSE. Mr. Speaker, I am proud to join my colleagues here today in introducing the Civil Rights Law Enforcement Act of 1966. In my judgment, the enactment of such legislation is long overdue. All of the hard work and effort of the Congress in enacting legislation in 1957, 1960, 1964, and again last year will be to no avail if the rights they guarantee cannot be enforced due to inequities in the administration of justice.

The Civil Rights Commission has twice reported in detail on defects in the administration of justice: in the procedures by which grand and petit juries are selected in State and Federal courts; in the ability to enforce laws penalizing private and official violence; and in the inability of private citizens to achieve adequate relief from acts of official violence. In 1963 the Commission devoted an entire volume of its report to the administration of justice. Last year, the Commission again added to our information on this problem in its "Law Enforcement Report on Equal Protection in the South."

Notwithstanding these warnings, action was not taken and we have witnessed numerous examples of private and official violence, several resulting in tragic deaths—for which the defendants never received punishment. The failures of our legal mechanism in this field reflect on our commitment to be a nation of laws, not of men.

We can no longer postpone action in the field of civil rights law enforcement.

We believe that the legislation we propose today will accomplish its purposes with a minimum of disruption to present practice, and with a minimum of interference with the State legal systems. Title I establishes an objective and equitable standard for the selection of jurors for Federal courts. By using the voting lists as the basic source, an adequate cross-section of people can be obtained for jury service. The Voting Rights Act of 1965 contains the tools necessary to prevent the discriminatory deprivation of the right to vote. If properly enforced it can insure fairness in the jury system.

The evidence of discrimination we have seen in State court jury selection makes it incumbent on us to act in this field as well. Our bill establishes a presumption that the federal system is fair and equitable and serves as a model for the State systems. States need not conform to the federal system in every particular, but they must show that whatever procedures they use insure that discrimination on account of race, color, or sex in the selection of jurors is prevented.

Title II amends sections 241 and 242 of title 42 of the United States Code. Due to judicial interpretations of the type of violence and degree of intent that must be proven, it has been next to impossible to obtain convictions under these statutes. Our bill includes official as well as private violence within the scope of section 241 and lessens the burden of proof. The bill also establishes a sliding scale of penalties according to the seriousness of the violation of the statutes. This title insures that violators will be adequately penalized for their wrongdoing, without in any way interfering with the State judicial process.

Title III is familiar to all of us. It would grant to an individual deprived of his rights, or to the Attorney General acting on behalf of the United States, the right to bring a civil suit for relief.

Title IV also carries out the recommendations of the Civil Rights Commission and others by making the employer of a public official, such as a police officer, who violates the civil rights of another, jointly liable in a civil action for damages under sections 1985 and 1986 of the code.

In my judgment, the enactment of these changes is vital to the quality of our entire legal system. We have learned through tragic experience that our legal tools are not now adequate to the task. It is the job of the Congress to provide these tools. No person should be denied justice because of discrimination in the selection of a jury; no person should be permitted to substitute physical brutality for a fair trial; the citizen wronged should be able to recover for his losses.

I would like to commend our colleague, Mr. MATHIAS, for his initiative and leadership in this matter. His efforts bring us closer to the day when the goal of liberty and justice for all will be reality for every American.

GENERAL LEAVE TO EXTEND

Mr. MATHIAS. Mr. Speaker, I ask unanimous consent that all Members may have permission to extend their remarks on the bill which I have introduced.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. MATHIAS. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. SCHWEIKER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. SCHWEIKER. Mr. Speaker, 2 weeks ago I introduced House Concurrent Resolution 595 which calls upon the President to end discrimination in the assignment of U.S. employees to overseas posts. I took this action after learning that the administration has been practicing religious discrimination in its assignment of employees abroad, thereby hindering assignment of qualified Jewish employees to U.S. posts in Arab-bloc countries and qualified Negro employees to apartheid nations.

Prior to introducing this concurrent resolution, I wrote the President asking that he take immediate action to end this discriminatory practice. It was my hope that the President might take this step without waiting to be told to do so by the Congress. However, I have now received a reply from Assistant Secretary of State Douglas MacArthur II which indicates that the administration will not voluntarily abandon its discriminatory practice. Mr. MacArthur's reply of February 24 states:

> The Department does not practice discrimination in any aspect of its personnel policies.

Yet his letter of January 14 to me states:

> Thus while the United States does not normally take into account the religion of its employees in assigning them for duty abroad, this is regrettably a factor which cannot be ignored in the case of certain countries whose policies in this respect we cannot control however much we disagree with them.

Mr. Speaker, Mr. MacArthur's earlier letter shows clearly that the United States does discriminate in assignment of its employees. The administration attempts to justify this discrimination by pointing out that our personnel could be declared persona non grata by the country to which they were assigned if the host government found them unacceptable for any reason. I argue most emphatically that this factor does not give the administration justification to practice religious or racial discrimination in its assignment of U.S. employees. Our Government should assign its employees without regard to race, religion, color, or national origin. If the host government decides to declare our employee persona non grata then the onus of discrimination will rest upon the host government, not upon our country as is now the case.

Mr. Speaker, I would welcome the support of my colleagues on both sides of the aisle for prompt passage of House Concurrent Resolution 595. I insert at this point copies of the three letters which I have received from the Department of State on this matter:

DEPARTMENT OF STATE,
Washington.

Hon. RICHARD S. SCHWEIKER,
House of Representatives.

DEAR CONGRESSMAN SCHWEIKER: Thank you for your letter of November 23, 1965, regarding the religious discrimination that Arab countries exercise against U.S. citizens applying for visas.

Certain Arab countries presently require a visa applicant to state his religion. Iraq, Jordan, Lebanon, Libya, Saudi Arabia, the Syrian Arab Republic, and the United Arab Republic have had such requirements. A person of the Jewish faith might not be allowed to enter these countries.

A copy of the Department's Circular M–248 available to all persons applying for a passport in the United States is enclosed. The U.S. Government's positive opposition to any legislation or regulation by another country which differentiates between U.S. citizens on the basis of their religious faith is clearly expressed in the circular. The United States has repeatedly and strongly protested against these laws and regulations to the countries concerned.

Discriminatory restrictions based on religion have been mitigated in several Arab countries in recent years. This has been substantially attributable to efforts of the U.S. Government. However, our Government has also had to accept the element in Arab thinking that the distinctions are motivated by considerations that are political rather than religious or racial.

The Arabs have a predisposition to believe that persons of the Jewish faith are likely to be Zionists and therefore supporters of the State of Israel with which the Arabs regard themselves as being in a state of war or belligerency. The United States does not recognize this position but has been compelled to take cognizance of the Arab attitude as one of the continuing aftermaths of the Arab-Israel hostilities of 1948.

You are assured that the Department will continue to express firm opposition to any discrimination between American citizens on the basis of their religious faith. Methods to compel the unbiased consideration of all visa applications without regard to race or religion are considered from time to time. The methods have to be considered with respect to the moderating influence that the presence of U.S. interests in the Arab States is able to bring to bear. Unwarranted interference in the internal regulations of other countries by threat or retaliation will often have an adverse overall effect on American policies.

If I can give you any further information please let me know.

Sincerely,

DOUGLAS MACARTHUR II,
Assistant Secretary for Congressional Relations.

DEPARTMENT OF STATE,
Washington.

Hon. RICHARD S. SCHWEIKER,
House of Representatives.

DEAR CONGRESSMAN SCHWEIKER: I refer to the Department's telephone acknowledgment of your letter of December 21, 1965 in which you requested further information regarding visa regulations of some foreign governments. You asked particularly about those countries which require a visa applicant to state his religion. Your questions are answered in the order in which they were asked.

1 and 2. All persons seeking entry to certain countries are required to state their religion. This includes the military and civilian personnel of the U.S. Government.

3 and 4. It is understood that Mr. Edward P. Hunt applied for a Libyan visa at the Embassy of the Kingdom of Libya in Bonn, Germany. The application read in part "* * * I know that in case of obtaining any Israel visa my visa to Libya will be considered invalid."

The language in foreign visa applications is changed from time to time and the foregoing statement might be used in Arab State visa applications in some countries. No such statement is included in any foreign visa application presently being processed for official U.S. Government travelers through foreign embassies here in Washington.

5. Under recognized principles of international law the U.S. Government cannot require any other government to change its internal laws, including those relating to the entry of aliens. The Department does avail itself of every feasible opportunity to protest through diplomatic channels against any foreign visa regulations by any country directed toward the exclusion of American travelers because of religion or race.

The success that has been attained in individual cases has been closely related to the pressure brought to bear through diplomatic channels. Because of these efforts, and also, we believe, because of a more realistic attitude by some of the Arab governments, progress in this situation has been made and continues to be made. I am sure you will appreciate that the Department's efforts to eliminate discriminatory restrictions by foreign countries can have the maximum possible effect only when conducted in the quietest atmosphere possible, free of the glare of publicity.

6. In recognition of the fact that any government can refuse to accept an employee officially assigned by another government through the simple expediency of declaring him to be persona non grata, the United States tries not to assign any employee to a country where he will be unacceptable to the host government. To violate this assignment policy would be to place the employee in a position where he could not succeed in fulfilling his functional obligations in the interest of the United States. Thus, while the United States does not normally take into account the religion of its employees in assigning them for duty abroad, this is regrettably a factor which cannot be ignored in the case of certain countries whose policies in this respect we cannot control however much we disagree with them.

You may be sure the Department shares your concern about the problems of religious discrimination practiced by some governments. Efforts are constantly directed toward solutions of these problems.

Sincerely,

DOUGLAS MACARTHUR II,
Assistant Secretary for Congressional Relations.

DEPARTMENT OF STATE,
Washington, February 24, 1966.

Hon. RICHARD S. SCHWEIKER,
House of Representatives.

DEAR CONGRESSMAN SCHWEIKER: The Secretary has referred your letters of February 9 and 10 to the President and to him, concerning assignments of employees to certain countries, to me for reply.

The Department does not practice discrimination in any aspect of its personnel policies. When making personnel assignments to individual posts abroad, however, the Department does take into account all factors which would affect an employee's effectiveness in carrying out our policies and programs in that country. In this process, we would not assign an officer to a post where, for reasons beyond his own control, he would not be effective or where his particular assignment might result in adverse action against him.

I do not believe that the Department's desire to maximize the effectiveness of its representatives in particular situations is tantamount to going along with the anti-Zionist practices of the Arab countries or with apartheid in the Union of South Africa. We have made clear our opposition to such practices on many occasions and in many contexts. However, prejudice and discriminatory practices do not end easily, and it remains a cardinal tenet in international intercourse that the representatives of one government must be acceptable to the receiving country.

With reference to your question regarding assignments to Israel, I wish to assure you that the Department has no policy which precludes sending Jewish officers to Israel. The Department has posted Jewish personnel there in the recent past.

I appreciate your interest in this problem and have reason to believe that we are making gradual progress towards our objective of eliminating racial and religious distinctions from international intercourse.

Sincerely,

DOUGLAS MACARTHUR II,
Assistant Secretary for Congressional Relations.

TRANSCRIPT OF THE HALE BOGGS TV SHOW WITH DEAN RUSK AS GUEST

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. BOGGS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BOGGS. Mr. Speaker, this past week I had as a guest on my regular television show Secretary of State Dean Rusk.

The discussion centered on the principal issues concerning our role in Vietnam and the Secretary was at his lucid best in explaining to my constituents the reasons for our being in southeast Asia and what would happen if we left without a just and honorable peace.

The transcript of the television show deserves reading by all of us. It follows:

TRANSCRIPT OF THE HALE BOGGS TV SHOW WITH DEAN RUSK AS GUEST

Good morning, ladies and gentlemen, this morning it is my great privilege to have on our program the distinguished Secretary of State, Dean Rusk. Mr. Rusk has been described as one of the greatest Secretaries of State in the history of our Country. He is a native of Georgia and he is well known in our area and today he is going to talk to you about Vietnam. I know of no one more competent to do so.

Mr. Secretary, we are very happy to have you here and I would like to start off by asking you a question. Some of the opponents of our policy in Vietnam have said that we have no legal right to be there. Now, Congress, this week, has just voted almost unanimously—two against in the Senate, four votes against in the House—to supplement our program there. Would you mind telling our people the legal basis for being there—and then we will go on to the other reasons.

Mr. Rusk. Hale, let me first say how happy I am to be here today. As you are a Member of the distinguished leadership of the House, you and I have seen a great deal of each other in the past 5 years. Actually, the legal position in South Vietnam is very clear. Under article 51 of the United Nations Charter, all states have an individual and collective right of self-defense. Nothing in the charter interferes with that individual and collective right. Therefore, South Vietnam has a general right under the national law to call upon those who are willing to assist it in any event of an attack.

Secondly, we have the Southeast Asia Treaty which was passed by an overwhelming vote in the Senate back in 1955. Out of that treaty article IV, gives each party, in the event of attack, the ability to take action to restore the peace in the area. And that obligation runs individually and collectively.

Five of the signatories in the Southeast Treaty Organization are very actively involved in this situation—Australia, New Zealand, and Thailand and ourselves, as well as South Vietnam itself, and President Marcos of the Philippines has indicated that he expects to send some Philippine forces there. Britain, another signatory has been giving our effort there very strong political support.

Mr. Boggs. Australia and New Zealand have their forces there. So—there is no doubt about the international law aspect and the American Bar Association recently commented on that subject with a resolution affirming the legality of our actions. I might say that one of my constituents offered that resolution—Mr. Eberhard Deutsch.

Mr. Rusk. Well, I'm delighted to hear that, Mr. Boggs.

As far as the internal legal situation is concerned, the President of the United States is acting both under the Southeast Asia Treaty and in conformity with a resolution of the Congress passed by an overwhelming vote, 502 to 2 back in August 1964.

Quite apart from that, the Commander in Chief has power which has been exercised since the days of George Washington to use the forces of the United States to protect the interests of the United States in situations in different part of the world. He has used that authority some 116 or more times.

Mr. Boggs. Well, Mr. Secretary, I think that you have certainly answered that question—in my judgment there is no doubt about our legal right to be there. Now, should we be there from a political and a military point of view? You know the expression has grown up about doves and hawks and some people say "get out"—other people say "further in." First, about the doves. Would we have peace if we got "out"—without an honorable treaty?

Mr. Rusk. It seems to me, Hale, that we have learned since Japanese militarists first went into Manchuria in 1931 that if a course of aggression gathers momentum, the end of that road is war. Now, we have a specific commitment in South Vietnam—the other side knows about that commitment—the rest of the world does. Now, if Peiping, or if Moscow should discover that the commitment of the United States does not mean anything, then I think we are facing very great dangers—dangers far beyond those that are now on the horizon, because they would make decisions about the lack of will of the United States that would move into a war that no one would want.

This is why, since 1945, we have been forced to act with firmness in a series of crises that have appeared in this postwar period.

Mr. Boggs. Do you mind mentioning some of them?

Mr. Rusk. Well, there was the attempt by the Soviet Union to keep its troops in Iran, the Greek guerrilla operations, the blockade of Berlin, Korea, the Cuban missile crisis—and in the course of meeting these threats with firmness, the United States has taken more than 170,000 casualties. It hasn't been cheap and it hasn't been easy—but we learned before World War II that one must organize a peace—one must defend a peace—one just can't hope for it. Those before World War II thought that perhaps the aggressor would be satisfied with his next bite then leave everything alone, but found that that was the path into the greatest catastrophe we have ever had. Now we cannot afford to let that happen again. We've got to hang on to these lessons of World War II because we are not going to get a chance to draw many lessons from world war III, there is not going to be enough left.

Mr. Boggs. Let me read a quote from a speech which you made quite recently and I quote from you, Mr. Secretary:

"A central issue in the dispute between the two leading Communist powers today—that is the Soviet Union and Red China—it is to what extent it is effective and prudent to use force to promote the spread of communism. If the Bellicose doctrine of the Asian Communists should reap a substantial reward, the outlook for peace in this world would be grim indeed."

That's the end of your quote—I wonder if you would expand on that a bit? That is a very significant statement.

Mr. Rusk. There has been, since 1961, at least, a major ideological debate between Moscow and Peiping on the techniques by which one advances their world revolution. Moscow in effect said in 1961 "that you've got to be a little careful about the use of force and how you use it and when you use it because the imperialists will react and everybody could get themselves into a big war." That's somewhat of an over-simplified way of stating their view. Peiping came back and in effect said: "No, you're just being cowards—the way to get on with a world revolution is through militancy and support wars of national liberation by men and by arms where opportunities exist.

Mr. Boggs. Well, what do they mean by wars of national liberation, Mr. Secretary?

Mr. Rusk. Well, they don't mean decolonization. Now they mean the advancement of the Communist world revolution by overthrowing existing governments through means of terror and sabotage and subversion and all the other techniques that we have learned a lot about since the end of World War II. Now, it is very important that the militancy of Peiping be recognized for what it is—and that Peiping be brought to the conclusion that the use of force has no future in it. Now, I had people in the Communist world tell me that the No. 1 question in the world today is how to move Peiping to peaceful coexistence. If I had said that, they would have charged me with capitalist propaganda, but here are people in the Communist world, in Eastern Europe, who look upon this as the No. 1 question—I happen to agree with them. Now, this is important for the United States because of our allies in the Pacific, in Asia, Korea, Japan, Formosa, the Philippines, Thailand—South Vietnam as a protocol state of SEATO—Australia, New Zealand. Now, if Peiping should discover that these alliances of ours don't represent a firm and genuine commitment of the United States of American power, than we are going to have a whole series of acts of aggression on our hands, so, we've got to stop this aggression at the beginning and organize to defend the peace.

Mr. Boggs. Isn't it so, also, that should this happen, you would see a great increase in the Chinese Communist activity in Latin America and other developing areas?

Mr. Rusk. I think so—of course. But Peiping has had to face a whole series of setbacks this past year. They have been excluded from about four or five countries in Africa, for example. They had a major setback in Indonesia, they march up hill and down again in the India-Pakistani fighting and they see the commitment of American power in southeast Asia, so, as one of their recent articles put it, they must expect some reverses, some ups and downs.

Mr. Boggs. That was my next question, Mr. Secretary. It seems to me that some of our critics are inclined to look almost entirely at the negative aspects of South Vietnam. Very few of them, I say very few. These people do not look at what actually has happened within the last 9 to 10 months. Do you think for one moment that we would have had the developments we did have in Indonesia and that we are now having in Africa and other places, had not our presence been made so effective in Vietnam?

Mr. Rusk. Well, I think the attitude of the United States in Vietnam has been of deep encouragement to many of the smaller countries and many of the peoples in other parts of the world who are faced with the same type problem. I believe, however, that what the Chinese have been learning is that most of the people of the world just do not want what they have got to offer and what they are trying to impose upon them—and so, in this kind of struggle I feel that every small country has a stake. Now, it is true that not all of those 100 smaller countries want to step out publicly now and give us strong public support. They have got some problems of their own, but we have no doubt that about 75 are supporting what we are doing, and I have no doubt at all that if there is a successful outcome in South Vietnam, as I know there will be, that a hundred small countries around the world will breathe a high of relief and be glad that it has come out that way.

Mr. Boggs. Would you mind in that connection talking about—and I know this has military implications—but the different position today in Vietnam today, both military and economic and politically, as compared to just 8 months ago.

Mr. Rusk. Well, I think in the first place, for the past 3 or 4 months the South Vietnamese and allied forces have clearly been on the initiative. If you follow the operational reports as closely as Mr. Boggs does, you will notice that most of the larger operations are on the initiative of the South Vietnamese and allied groups—some 25 to 30 of those separate operations every day. Of course, now, our own newspapermen out there concentrate on the American forces and we lose sight of the fact that about two-thirds of those operations are conducted by the South Vietnamese themselves—and it remains their war. It has not become an American war. We are supporting them. But the initiative is clearly with the South Vietnamese and the allies. The other side has been taking very serious punishment. During 1965, for example, the Vietcong suffered in numbers killed as many as the United States had killed throughout the entire Korean war, and, since the first of this year, those casualty rates have gone up—so they are running into serious trouble not only in the effectiveness of their operations, but also in morale and supply. Now I think another important phase of the battle is the one we discussed in Honolulu in great detail—that is to get on with the economic and social development of the country. That has been given new impetus—the Vietcong still try to disrupt it by attacks on local officials and by disrupting lines of communication and these are tough problems they have there, but the present government, and certainly our Government, are committing themselves fully to it and I would expect increasing rapid change in that field as well.

Mr. Boggs. Now Mr. Secretary, we just have time for one or two other questions. The suggestion has been made by some that we, in our efforts to go to the bargaining table and negotiating table with a peaceful conference that we include the Vietcong. Would you mind disposing of that contention?

Mr. RUSK. Well, in the first place the other side has made it quite clear that their condition is that the Vietcong be accepted as the sole representatives of the South Vietnamese people. They haven't been qualifying this demand. Secondly, the Vietcong is an arm of Hanoi. Their views can be ascertained, but we shan't impose upon the people of South Vietnam this outfit, which has not been chose by the people of South Vietnam and which represents somebody else.

Mr. BOGGS. It's a front, pure and simple.

Mr. RUSK. Now, if the South Vietnamese have some peace and can have their elections, they can choose whatever government they want. I'm convinced myself that the South Vietnamese people are not going to choose a liberation front or the representatives of Hanoi—a million people, you remember, HALE, left Hanoi after the division of Vietnam in order to escape this Communist regime.

Mr. BOGGS. Right, Mr. Secretary, do you feel we are making progress in an orderly fashion—would you venture a prediction on how long military operations may have to continue? I know that this is a difficult thing.

Mr. RUSK. No; it's hard to predict. There is a long, hard job ahead, even if the main military operations were to be brought to a conclusion, you'd still have a considerable guerrilla problem and sabotage in the country for the South Vietnamese to dispose of, but in these crises we have had since 1945, the end comes rather quickly and unexpectedly. I am thinking now about the Greek guerrillas and about the Berlin blockade, even the Korean war—so it is a little hard to know just when it will come. I think it will come when Hanoi fully realizes they are not going to have South Vietnam by force, and then we will see a break in the situation.

Mr. BOGGS. One final question—Do you think the vote in Congress this week was helpful?

Mr. RUSK. It was indeed and I think that very strong vote in support of what is going is going on in South Vietnam will be helpful not only in the housekeeping aspect of it but as a demonstration of determination to the South Vietnamese and indeed to Hanoi, and I must say I was deeply grateful for the overwhelming vote that you gentlemen down here gave us on that bill.

Mr. BOGGS. Well, Mr. Secretary, I know we could go on for a much longer period, but our time has expired. Thank you very much for joining with us this morning in this report to our people in south Louisiana.

Mr. RUSK. It is a great pleasure to be here.

Mr. BOGGS. Thank you, sir.

THE U.S. LEGAL RIGHT TO BE IN VIETNAM—THE AMERICAN BAR ASSOCIATION'S HOUSE OF DELEGATES SPEAKS

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. BOGGS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BOGGS. Mr. Speaker there has been debate in the our country about the U.S. legal right to be in Vietnam.

The American Bar Association's House of Delegates spoke loud and clear on this issue at its midwinter meeting in Chicago February 21, 1966.

That body unanimously adopted a resolution and report supporting the position of the United States. The resolution should put to rest any doubts about our position.

Mr. Speaker, I would like to add that the resolution was the work of one of my constituents, Eberhard P. Deutsch, chairman of the Standing Committee on Peace and Law through United Nations.

Mr. Deutsch is a world renowned attorney who has given of himself for the past 41 years in perfecting the American system of justice, both in the practice of civil and military law.

All Americans owe a debt of gratitude to Mr. Deutsch. May we all continue to deserve his efforts.

Following is the resolution and report adopted by the American Bar Association in addition to a brief biographical sketch of Mr. Deutsch:

AMERICAN BAR ASSOCIATION SPECIAL JOINT REPORT OF THE STANDING COMMITTEE ON PEACE AND LAW THROUGH UNITED NATIONS AND THE SECTION OF INTERNATIONAL AND COMPARATIVE LAW

RECOMMENDATION

Whereas in recent hearings before the Foreign Relations Committee of the U.S. Senate, it has been stated that international lawyers are agreed that the U.S. position in Vietnam is illegal and in violation of the charter of the United Nations; and

Whereas articles 51 and 52 of the charter sanction steps for self-defense and collective and regional security arrangements such as the Southeast Asia Treaty Organization to which the United States is a party; and

Whereas in the course of these hearings, it has been suggested that an expression on this subject by the American Bar Association would be appropriate: Now, therefore, be it

Resolved by the American Bar Association, That the position of the United States in Vietnam is legal under international law, and is in accordance with the charter of the United Nations and the Southeast Asia Treaty; and be it further

Resolved, That the secretary of this association be, and he is hereby, authorized and directed to transmit a copy of this resolution immediately to the chairman of the Foreign Relations Committee of the U.S. Senate.

REPORT

The attention of the committee and the council has been called to the recent widely publicized hearings on appropriations for support of the U.S. forces in Vietnam before the Foreign Relations Committee of the U.S. Senate.

At these hearings, it has been suggested that international lawyers are agreed that the U.S. position in Vietnam is illegal and in violation of the United Nations Charter.

Articles 51 and 52 of the charter expressly provide that nothing contained therein "shall impair the inherent right of individual or collective self-defense," nor preclude "the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action." The Southeast Asia Treaty Organization is such an arrangement or agency.

Professors of international law of some 31 law schools have expressed their opinion, and it is the opinion of the members of this association's Standing Committee on Peace and Law Through United Nations and of the members of the Council of the Section of International and Comparative Law, that the position of the United States in Vietnam is legal, and is not in violation of the Charter of the United Nations.

During the course of the Senate committee hearings, it was suggested that it would be desirable to have an expression on this subject by the American Bar Association.

The matter was taken up at a joint session of the committee and the council of the section which now jointly recommend adoption by the house of delegates of the resolution hereinabove set forth to the effect that it is the position of the American Bar Association that the presence of U.S. forces in Vietnam is legal under international law, and in accord with the charter of the United Nations and the Southeast Asia Treaty.

EBERHARD P. DEUTSCH,
Chairman, Standing Committee on Peace and Law Through United Nations.

EDWARD D. RE,
Chairman, Section of International and Comparative Law.

Recommendation adopted unanimously on February 21, 1966, by the house of delegates of the American Bar Association at its midwinter meeting in Chicago, Ill.

BIOGRAPHICAL SKETCH OF MR. EBERHARD DEUTSCH

Eberhard P. Deutsch was born on October 31, 1897, in Cincinnati, Ohio, where he completed his early studies. His parents were Dr. and Mrs. Gotthard (Hermine Bacher) Deutsch of that city.

In April 1917, he enlisted in the 1st Illinois Cavalry—later the 122d U.S. Field Artillery—in which, with the 33d Division, U.S. Army, he served throughout the First World War, rising to rank of lieutenant.

In 1925, he completed his studies as a special student at the College of Law of Tulane University, and has been engaged in the general practice of civil law ever since at New Orleans, where he is senior member of the law firm of Deutsch, Kerrigan & Stiles.

In 1942, he again entered military service, reaching the rank of colonel, and serving with various combat and military-government units throughout, and following close of, the Second World War.

Colonel Deutsch completed his tour of active military duty in the fall of 1946, having served since close of hostilities in Europe, as principal legal adviser to Gen. Mark W. Clark, and as Chief of the Allied Legal Directorate, in the military administration of Austria, and in the re-creation of that country as a free and independent nation.

During his service in Austria, Colonel Deutsch devised, and assisted in putting into effect, the so-called negative veto, under which decrees promulgated by the Austrian Government, and legislation enacted by the Parliament of Austria, became effective throughout the country in 31 days unless unanimously rejected by the quadri-partite (United States, British, French, and Soviet) Allied Military Commission in the meantime.

Colonel Deutsch took part in 12 major engagements, including the invasion of Sicily and in airborne landing behind the lines in Normandy. He has a total of some 16 American and French decorations and service medals.

Colonel Deutsch is Honorary Consul of the Republic of Austria at New Orleans, and civilian aid for the State of Louisiana, to the Secretary of the Army.

In 1936, Mr. Deutsch was counsel for publishers in their successful attack on a Louisiana advertising tax, declared unanimously by the Supreme Court of the United States to constitute an infringement of the constitutional guarantee of a free press.

In 1950–52, Mr. Deutsch, as Special Assistant to the Attorney General of the United States, successfully prepared and prosecuted the appeal of the United States from adverse judgments in the vast Texas City disaster litigation, believed to be the largest civil action of its kind in the history of the world.

He has been (1961–62) chairman of the American Bar Association's Standing Committee on Admiralty and Maritime Law, and for many years a member, and chairman (1962–63 and 1965 to date) of that association's Standing Committee on Peace and Law Through United Nations. He is, and has been for several years, chairman of the Louisiana State Bar Association's Standing Committee on Law Reform, and regularly takes a leading part in many civic activities.

Mr. Deutsch is the author of a plan for reconstitution of the International Court of Justice, to give it uniform, universal, compulsory jurisdiction over all nations, without undue surrender of their sovereignty. The plan is described in Mr. Deusch's leading article in the American Bar Association Journal for June 1963, and was approved unanimously in August 1965, by the house of delegates of the American Bar Association.

Mr. Deutsch has been a frequent contributor to American Bar Association Journal, and is the author of many leading articles which have appeared in various legal publications during the past 30 years, on constitutional, maritime, and international law.

GLUE SNIFFING

Mr. de la GARZA. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Farbstein] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FARBSTEIN. Mr. Speaker, for a number of years the subject of glue sniffing has occupied the time and energy of many local governments and has been studied at the national level. Many municipalities and States have enacted statutes aimed at either promiscuous uses of these solvents or at restricting the sale of products containing toxic solvents, as in the case of the New York City ordinance. However, no concrete action on a national scale has been started to discourage and prevent glue sniffing.

The problem is not abating but rather is increasing. Reports continue to pour in from my district telling of teenagers drunk, dizzy, and euphoric from inhaling fumes of plastic cements and other organic solvents. Similar events have been reported in Memphis, Boston, Hawaii, and other areas throughout the Nation.

It is clear from existing research that this form of aberrant behavior among our teen and preteenagers causes a syndrome resembling acute alcoholic intoxication. Apart from the incalculable harm done while children are under its influence, inhaling the solvents from glues and other substances produces physical injury. It is apparent from the many articles and clinical evidence that a young body can be seriously damaged from inhalation of certain solvents. I do not believe we need wait any longer for additional evidence and more substantiating cases attesting to damage of the human body. It is time to initiate a program to deter and prevent the practice. Mr. Speaker, it is my intention to introduce legislation amending the Federal Hazardous Substances Labeling Act to require manufacturers of glues and other substances containing toxic solvents to label their product with a skull and crossbones and the word "poison." In addition, the tube or bottle containing the product should bear a label warning that the vapor may be harmful and that the product should be used only in a well-ventilated area.

The legislation will apply to glues and other substances containing the organic solvents most frequently producing the intoxicating effect, such as toluene, xylene, methyl isobutyl ketone, methyl cellasolve acetate, isopropyl alcohol, methylethyl ketone, acetone, ethyl acetate, or their combinations.

In addition, it will also require that products containing these organic solvents be removed from the open serve-yourself shelves of stores.

Mr. Speaker, I do not delude myself that this legislation will reform existing sniffers, but it may deter any new converts to this dangerous practice. We must direct efforts aimed at correcting the underlying emotional disorders to make any real headway with the hard core toxic solvent sniffer. These young people are potential drug addicts of tomorrow. Let us take steps to nip many of these, at an early stage, when the job of rehabilitation is not so difficult a task.

I might add that I believe the Congress should push vigorously ahead with pending legislation covering civil commitment for drug addicts and a Federal aid program for drug treatment centers. We must realize the seriousness of the problem and take creative steps to aid those human creatures lost in a world of opiate dreams to find a place in the real world.

A FATHER AND HIS SON SPEAK ABOUT VIETNAM

Mr. de la GARZA. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Rodino] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. RODINO. Mr. Speaker, when we talk about Vietnam, no one is more deserving of being heard than the young men who are there fighting for us all and the families of those men here awaiting their return.

A few days ago, I received a letter from the father of one of those young men, one who though wounded is still there in Vietnam engaged against the enemy. Nothing that I can say can add to the courage and determination manifested by the words of this father and his son.

I am sure that all my colleagues, all Americans will share my heartfelt gratitude to these two great men and the pride that they are of us. And, above all, like our President and all Americans, I pray that a just and honorable way may soon be found to end this conflict, so that Jack and all his comrades may be home again with their families.

The text of the letter follows:

Glen Ridge, N.J.,
February 24, 1966.

Hon. Peter W. Rodino, Jr.,
Commerce Court Building,
10 Commerce Court,
Newark, N.J.

Dear Peter: That was very nice of you, Pete, to drop me a little note commenting on our son Jack being wounded in Vietnam. This is typical of the thoughtfulness and consideration you have for your constituents, regardless of their party affiliation, which has endeared you to so many thousands of people in the district.

As a Member of Congress you may soon be called upon to express an opinion either in support of or opposed to the administration's policy in Vietnam. You may therefore be interested in this excerpt from a letter we recently received from Jack:

"I was very lucky previously and there is a chance I won't be so lucky next time. If anything should happen I don't want any big moping going on. I chose to be here and I am proud to do my job."

As President Johnson said last night on the television, the boys who are doing a job like our son Jack have no doubts at all whether they are doing the right thing for our country and our freedom. From your letter, as well as the fact that you have been over there personally, I know that you understand this too. Thus, I know you won't be sidetracked by the strange views of some of your colleagues in the Senate whose motives are so hard to understand.

Thank you again for your letter. I hope you will take every opportunity to become as vocal as possible in supporting our mission in Vietnam.

With kindest regards,

W. Jefferson Lyon.

H.R. 13319, EXTENSION OF THE LIBRARY SERVICES AND CONSTRUCTION ACT

Mr. de la GARZA. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Pepper] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PEPPER. Mr. Speaker, as an agency of information, as an institution of learning, and as a recreation center, the public library renders invaluable service to its community and to the Nation. It not only offers its citizens the opportunity to spend enjoyable hours of leisure in the world of books, but it also gives them access to the world's best thought and a chance to make their education a lifelong process. These are all significant contributions but especially important is the indispensable role of the public library as an educational institution.

Today it is imperative that our people be better read and better informed than ever before, if our society is to remain open and democratic and if the American people are to exercise responsible citizenship. Public libraries can help to perform this function, but only if they are within the reach of all Americans. As

Dr. Luther H. Evans, former Librarian of Congress, pointed out:

> The perpetuation of a free society requires not only that men have the legal right to hear and read the truth, to seek information from varied sources, to explore divergent views, to be exposed to new or heretical ideas, but that they have the actual opportunity to do so.

The Library Services Act has given that actual opportunity to countless numbers of Americans. Enacted in 1956 to promote the development of library services in rural areas, the act was extended to urban areas by the Library Services and Construction Act of 1964.

This law has been instrumental in the development of wider and better library services all over the country. It has also stimulated greater State and local library efforts. In my own State of Florida funds budgeted for library services this fiscal year overmatched Federal funds by $1.29 million.

With these funds we are making grants to many of our public libraries to help them achieve minimum national standards and to assist the State library agency in providing increased consultant services, supplementary book and reference services and encouragement to county and multicounty library development. We also have three approved construction projects to date. In short, we are making steady progress under the Library Services and Construction Act toward providing adequate library service to every Floridian.

Mr. Speaker, other States are and can continue to make similar progress if we do not allow the Library Services and Construction Act to expire this June 30. H.R. 13319, a bill which I have introduced would not only continue the program, but would further expand it. H.R. 13319, which is identical to H.R. 12133, introduced by the distinguished Congressman from Kentucky [Mr. PERKINS] would authorize $60 million for fiscal 1967 for library services under title I, $75 million for fiscal 1967 for library construction under title II, and additional funds under both titles for fiscal years 1968–71. The bill would also add a new title to the Library Services and Construction Act to authorize grants to State library agencies to develop cooperative library services. In this way we could utilize our library facilities more fully in meeting the library needs of our people.

Mr. Speaker, the public library is essential to the continuing education of the American public and H.R. 13319 and H.R. 12133 is essential to the development of our public libraries. I give this measure my wholehearted support and I encourage my colleagues to do the same. We must not delay in extending and expanding the Library Services and Construction Act.

THE NEED FOR THE BEST POSSIBLE CARE FOR ANIMALS WHOSE LIVES ARE SACRIFICED IN THE QUEST FOR THE MEANS TO BETTER HUMAN HEALTH

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PEPPER. Mr. Speaker, I would like to make a few remarks on a legislative matter which is of great concern to me. My remarks are prompted by the hearings on H.R. 12488 scheduled for today and tomorrow, March 7 and 8, by my colleague, Mr. POAGE, chairman of the Livestock and Feed Grains Subcommittee. Over several years I have taken a keen interest in the legal protection of those animals whose lives are sacrificed in the quest for the means to better human health.

Many bills have been introduced in this Congress relating to this problem. H.R. 9750, introduced by me last August, deals with the problems of humane care of animals by the dealers supplying the medical and drug laboratories and H.R. 10050, introduced by me in July, covers the humane housing, care, and use of animals within these laboratories.

Mr. Speaker, I should like to point out that the subjects covered and the problems encountered by these two pieces of legislation are very different. Even a cursory reading of the two bills will reveal how widely different are the requirements of appropriate legislation for establishments where animals are held only a few days before shipment and for laboratories where they often stay for months or years and are, of necessity in many cases, subjected to extremely painful procedures.

Mr. Speaker, in a letter to my honorable colleague, Mr. POAGE, I have attempted to cover in detail the important reasons why I feel these two areas should be the subject matter of separate pieces of legislation. I bring this matter to the attention of the House because some of the pending bills to regulate the suppliers would also be of some modest effect in regulating laboratory conditions. Inclusion of the latter would, I fear, not only result in inadequate treatment of laboratory problems but also would be prejudicial to the passage of adequate legislation such as H.R. 10050. Since I consider the points made in my letter of utmost importance to good legislation in this difficult field, I have unanimous consent to have printed at this point of the RECORD my letter of March 2, 1966, to my colleague and chairman of the Subcommittee on Livestock and Feed Grains, the Honorable W. R. POAGE.

HOUSE OF REPRESENTATIVES,
Washington, D.C., March 2, 1966.

Hon. W. R. POAGE,
Member of Congress,
Washington, D.C.

MY DEAR MR. CHAIRMAN: As you know, for several years I have taken a very active interest in all of the fields of animal welfare for which Federal legislation has been proposed. As long ago as 1963 I introduced legislation designed to insure the best treatment possible of animals used in research laboratories. In July 1965 I introduced a bill designed to eliminate the intolerable practices prevailing at the establishments of the wholesale dealers supplying animals to laboratories.

Over the years I have given this legislative field careful attention and have had the benefit of the best advice of the leading national humane societies.

In the light of the foregoing, H.R. 12488, introduced by you on February 2, is of great interest to me and I trust I may offer some opinions on it.

I am, of course, in general agreement with the establishment under the Department of Agriculture of standards and regulations which will force the laboratory animal supply trade into the hands of responsible and decent people. Establishments such as Lester Brown's, pictured in Life 3 weeks ago, are intolerable.

As I testified at the hearings chaired by you last September, I am quite concerned over the coverage of bills in the field under consideration. I believe that bills such as H.R. 12488 should deal with the conditions of purchase and sale, care and handling, and housing and transportation of animals by dealers but should not extend to conditions within the laboratories themselves. Conditions in the animal supply industry do not appear to call for the same kind of regulation as those found in the research, medical, and drug laboratories.

In the dealer trade the problems appear to be identification and recordkeeping to insure that all animals have been legally acquired, and humane and sanitary care during the periods that animals are housed and transported by the dealers. These relatively simple problems can be met by regulations establishing minimum standards for environment and care, a system of registration and inspection of dealers' establishments, requirements for recordkeeping and identification, and appropriate administrative machinery and penalties for violations.

By contrast, the problems obtaining in laboratories are far more complex. The stay of animals in laboratories is often measured in months and years as compared to hours and days in dealers' establishments. Standards for one would not be applicable for the other. However, the greatest problem in laboratories arises in seeking a resolution of the conflicting, emotion-laden approach to a difficult problem by scientists and humanitarians—the problem of using animals in research with a minimum of pain and discomfort and a maximum yield of scientific information.

My bill, H.R. 10050, is in no sense an anti-science or anti-vivisectionist bill but it does spell out in considerable detail many ways in which animal suffering will be reduced. There are many methods by which this can be done, but not at the expense of scientific achievement.

Besides establishing standards for general care and environment, H.R. 10050 contains carefully drawn provisions designed to reduce the number of animals used to the minimum needed; to insure that where pain is necessary to the performance of an experiment the least pain is inflicted upon the animals and that pain relieving care conforms to the best practices; to substitute wherever possible less sensitive forms of life, or insentient forms such as micro-organisms, tissue cultures, etc.; to require a search of available information in order to eliminate the needless duplication of work already done.

Great care has been exercised to eliminate discomfort and to minimize pain wherever possible without impeding the progress of science toward greater benefits for human health. I am firmly convinced that the care and use of laboratory animals under humane conditions will, in the long run, benefit rather than retard research.

I have mentioned some of the features of H.R. 10050 to illustrate the complex matters which must be dealt with in order to treat adequately all the problems arising from the use of animals in laboratories. I do not believe that justice is done to these problems in section 5, which is the relevant part of H.R.

12488: "The Secretary is authorized to promulgate humane standards to govern the handling and transportation of dogs, cats, and other animals by dealers and research facilities, and to promote their health, well-being, and safety: *Provided, however,* That this authority shall not be construed to authorize the Secretary to set standards for the handling of these animals during the actual research or experimentation."

While section 5 would have some beneficial effect upon the housing and care of animals in laboratories, it would specifically exempt conditions attendant upon their actual use in research. I am convinced that the needs of animals and our moral obligation to them is not met by such a provision for partial coverage. I am convinced that a far better answer lies in covering conditions in laboratories in a bill like H.R. 10050 and covering conditions in the dealer trade under a bill such as H.R. 12488 with the separation of the coverage of the two at the laboratory door.

Finally, I should like to call to your attention the large and rapidly increasing voter support for H.R. 10050 and its companion bills. A very large volume of letters from my constituents favoring my bill has been received in this office.

The national publicity has created such a demand for legislation that strong support now exists in the House. Bills identical to mine have been introduced by our colleagues Paul Rogers, Leo O'Brien, William Springer, James Gilligan—all of the Health and Public Safety Subcommittee—Oliva Huot and William Randall. In the other body, Senators McIntyre and Bayh. In my judgment there is an excellent outlook for the enactment of the kind of laboratory legislation we are proposing.

I hope these prospects will not be jeopardized by the overlapping coverage of section 5 of your bill.

With warm regards to you and to your committee.

Believe me,

Always sincerely,

Claude Pepper,
Member of Congress.

TWENTY-SEVEN MILLION DOLLARS ASSESSED IN UNPAID TAXES AGAINST PRIVATE TAX-EXEMPT FOUNDATIONS

Mr. de la GARZA. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. Evins] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. EVINS of Tennessee. Mr. Speaker, President Johnson, in his annual economic report to the Congress, called upon the Congress "to deal with abuses of tax-exempt private foundations."

It is noteworthy that a subcommittee of the House Small Business Committee has played an important role in causing the Internal Revenue Service to assess unpaid taxes on a number of private foundations.

It is significant to report that five tax-exempt foundations, under study by a subcommittee of the House Small Business Committee, have been assessed over $27 million in taxes by the Internal Revenue Service. Three of these foundations, which the study discloses are controlled by one person, received a $6.2 million tax bill because of unrelated business activities. A fourth foundation was assessed $3.6 million because of business activities and unreasonable accumulation of income. The fifth foundation has been billed a delinquent tax bill of $17.6 million by the Internal Revenue Service.

Subcommittee No. 1 of the House Small Business Committee, studying tax-exempt foundations, is under the chairmanship of Hon. Wright Patman, of Texas. Chairman Patman and his subcommittee have been widely commended for investigating the abuses of private tax-exempt foundations—and indeed the Internal Revenue Service has applauded the work of this subcommittee.

I am pleased to call to the attention of our colleagues and others interested, articles on this subject which appeared in the Washington Post of January 6, 12, 18, and 23, 1966.

The articles follow:

[From the Washington Post, Jan. 6, 1966]

Two Exempt Foundations Get $5.5 Million Tax Bill

(By Richard L. Lyons)

The Government has slapped a $5.5 million back income tax bill on two New York foundations accused by House investigators of using their tax-exempt status to serve as unregulated securities brokers for movie magnates and other businessmen.

They are the Winfield Baird Foundation and the David, Josephine & Winfield Baird Foundation, controlled by New York stock broker, David G. Baird.

Internal Revenue Service determined that during the years 1960 through 1964 the foundations "did not operate exclusively for charitable purposes" as required for tax-exempt status. It revoked that status as of January 1, 1960, and assessed $4,235,063.73 against the Winfield Baird Foundation and $1,341,679 against the other.

The case came to light when David G. Baird appealed to the U.S. Tax Court, challenging the IRS ruling and asking that the case be tried in New York.

The legal documents allege and deny in dry unembellished language that the foundations derived taxable income during those years from interest, dividends, rents, and royalties, and property deals.

The Baird story was told more colorfully 2 years ago in a 407-page report on tax-exempt foundations issued by a House small business subcommittee headed by Representative Wright Patman, Democrat, of Texas. Patman contended that many foundations had abused their tax-exempt status to engage in moneymaking enterprises.

HUGE INCREMENT CHARGED

Patman said the Baird foundations had increased their original assets from $490,000 to $23 million by acting as unregulated stock dealers for prominent businessmen.

Among the foundations' clients said Patman's report, were Spyros Skouras, president of Twentieth Century Fox; Floyd B. Odlum, New York financier; Toots Shor, New York restauranteur; Conrad N. Hilton, chairman of the Hilton Hotels Corp.; Henry Crown, Chicago financier; and Serge Semenenko, once known as the mystery banking power behind the postwar film industry.

OPERATED AS DEALER

Patman said the foundations had operated as securities dealers—"a handy, multimillion dollar unregulated source of stock market credit for friends and business associates"—as bankers, money brokers, and real estate dealers.

The House report said the Baird foundations had been the major money reservoir for the deals that made Semenenko at one time the second largest stockholder in Warner Brothers Pictures.

Patman's report said the Baird foundations had purchased for their clients millions of dollars worth of stock without requiring any cash downpayment. At one point, it said, Odlum owed the Baird complex $2,057,000 and Henry Crown owed it $1,519,000.

THIRD FIRM ASSESSED

Last year, IRS had assessed $641,562 in back taxes against a third Baird foundation—Lansing Foundation. That was not appealed.

Before the Patman investigation was conducted, the Baird foundations had agreed with IRS that they transfer their assets to bona fide charitable organizations by the end of 1965.

Baird contended in his appeal to the Tax Court that this agreement barred the tax assessment.

[From the Washington Post, Jan. 12, 1966]

Foundation's Multimillion Tax Dispute Bared

(By Morton Mintz)

A multi-million-dollar tax controversy between a newspaper-owning foundation based in Washington and the Government was disclosed yesterday by a House Small Business Subcommittee headed by Representative Wright Patman, Democrat, of Texas.

The dispute involves the Public Welfare Foundation, Inc., of 3242 Woodland Drive NW. It was founded in 1947 by Charles E. Marsh, a Texas newspaper publisher who on his death in December 1964, was called an "old and trusted friend" by President Johnson.

Now headed by the widow, Claudia Haines Marsh, the foundation said in December 1964, that it has distributed about $4 million to schools, clinics, and children's camps. A year ago, it made a $13,000 grant to what is believed to be Washington's first day-care center in a public housing project.

The Internal Revenue Service claims that the foundation owes either $3,673,995 or $3,352,388 in tax deficiencies for the 11 fiscal years ended October 31, 1962.

The larger claim assumes that the retroactive revocation of the foundation's tax exemption by the IRS will be upheld by the courts. The smaller claim assumes the exemption will be left standing. The case is pending here in U.S. Tax Court, to which the foundation appealed on May 31, 1964.

The IRS contends that in the 11-year period the foundation failed to report its 100 percent ownership of General Newspapers and that the foundation had $6,566,239 in net income from the "unrelated trade or business" of three subsidiary newspapers acquired from General Newspapers.

The three newspapers are the Gadsden Times and the Tuscaloosa News, both in Alabama, and the Spartanburg Herald Journal in South Carolina. General Newspapers had been owned by Charles Marsh.

The Patman subcommittee, which has been studying about 600 tax-exempt foundations, said that Public Welfare Foundation's unspent income rose from zero in 1951 to $5,201,949 by October 31, 1964. During the same period, assets increased from $23,835 to $7,095,492.

The subcommittee pointed to a provision of the law saying that there shall be no unreasonable accumulation of income by tax-exempt foundations because they are granted exemptions for charitable purposes.

In the decade ended October 31, 1960, the subcommittee said, the foundation's total receipts were $9,674,819 (including contributions of $2,014,298), its gifts and grants $2,041,383 and its operating expenses $998,901.

Robert A. Schulman, attorney for the foundation, refused to comment on the case, except to say that the foundation has "fully complied" with the law and expects to win in court.

The subcommittee said the record shows that in the newspaper purchases, which were followed by complex sale or lease arrangements, the first market value of the stock exceeded the amount paid by $2,291,413. The excess, the subcommittee said, was, "in effect, a contribution to the foundation."

In the 1964 fiscal year the foundation received $860,527 in "net rent-newspaper leases," the subcommittee said. In the same year, contributions to the foundation included $15,266 each from the Gadsden and Tuscaloosa newspapers.

The foundation asserts, and the IRS denies, that the foundation's sale and lease of newspaper assets were conducted at arm's length, and that the terms were fair and reasonable.

[From the Washington Post, Jan. 18, 1966]

IRS Bills Foundation $17 Million—Rand Organization Funds Diverted, Investigators Say

(By Hobart Rowen)

A tax fraud penalty of $5.9 million plus a tax deficiency bill of $11.7 million have been slapped by the Internal Revenue Service on a tax-exempt foundation controlled by James H. Rand, Jr., millionaire former president of the Remington-Rand Co. (now Sperry-Rand).

The total levies of $17.6 million, still in legal contention, were revealed by records of a House Small Business subcommittee chaired by Representative Wright Patman, Democrat, of Texas, who has been studying the returns of 600 foundations that enjoy special tax exemption.

Patman has long contended that many tax-exempt foundations, ostensibly set up for charitable or educational purposes, actually provide illegal tax shelters for their founders. He has urged and sponsored corrective legislation.

The IRS, in support of its tax bill against Rand's foundation—the Public Health Foundation for Cancer & Blood Pressure Research, Inc., of Stuart, Fla.—detailed an intricate story of alleged personal misuse of funds ranging from purchases of special mattresses to a research grant of $750,000 to associates of Rand "to reward them for their loyal service to him."

The Tax Court presently is considering replies by the IRS on September 13, 1965, and December 10, 1965, to the foundation's petition asking that the tax deficiencies be set aside, and a rejoinder by the foundation. Among other things, the foundation says that the bill presented by IRS far exceeds its assets.

Much of the evidence in the case was obtained, the foundation charges, in a raid conducted jointly by the IRS and the Canadian Department of National Revenue on the offices and home of Edward W. Tyrrill, a close friend of Rand's.

The foundation's petition claims that books and other records were seized and then copied at the Canadian revenue offices in Ontario. The evidence thus obtained, the foundation says, is in violation of the foundation's constitutional rights.

The IRS says flatly, according to the Patman committee account, that all or part of the $11.7 million in tax deficiencies from 1955 through 1961 is due to fraud. The fraud penalty of $5.9 million represents the 50 percent assessment permitted by the revenue code.

Government sources told the Washington Post that despite its title, the foundation never did any cancer or blood pressure research. Investigators did discover, however, that the foundation once bought seven oxygen units at $735, only one of which was ever used.

It was understood that Rand used this unit at his Connecticut home to breathe pure oxygen several times a day.

According to the IRS complaint, Rand has had complete domination and control of the foundation since August 1946 when his son Henry J., his wife, Evelyn H. and his close friend, Raymond E. Hackett, became the three members of the foundation. Rand's son, Hackett and Winfred C. Hoyt were the three trustees appointed by the members to manage the foundation's affairs.

Under the direction of this set of principals, according to IRS, the foundation made contributions of $4,197,243—of which, the IRS says, $3,146,644 were not made on a true charitable basis. "Many of the nonqualifying contributions were made by the foundation to social friends and business associates of James H. Rand, Jr.," according to the Patman report.

During the years 1942 to 1962, according to the Patman committee, Rand and his family or corporations controlled by them gave $1.7 million to the foundation. "He benefited," the report points out, "by a deduction of these contributions on his individual tax returns, which were in an 80- to 90-percent tax bracket.

"After donating the funds, he controlled the reinvestment of them by the foundation, and through the foundation, he accumulated and utilized tax exempt funds for his ultimate personal benefit."

The Patman report says that IRS charged not only that the foundation has existed "primarily for his [Rand's] personal benefit," but that the foundation has been speculating in stocks—especially in Remington Rand common stock—aided by insider knowledge obtained by Rand. He was also charged with engaging in a tax evasion scheme with other corporations.

But for all of the foundation's generosity to Rand and his friends, according to the Patman document, the foundation wound up on June 30, 1962, with more than $10 million of unspent money—an amount which IRS says is "unreasonable" to carry out the supposed educational and charitable purposes of the foundation.

Examples of the misuse of funds cited in the Patman report include:

On March 31, 1958, the foundation made a medical grant of $750,000 to Colonial Research Institute, which in turn made a grant to the International Research Foundation. The latter promptly wrote checks of $200,000 to Hackett, $250,000 to Hoyt, and $200,000 to Tyrrill. Each check was accompanied by a resolution saying that they and their wives had been chosen to manage these funds for the "advancement of human welfare."

"These so-called trust funds were converted by the individuals to their own use and the whole transaction was merely a scheme by James H. Rand, Jr., to reward them for their loyal service to him."

Rand sold his 41-acre Connecticut estate to the foundation for $231,000 for research purposes. But it was in reality maintained "for the exclusive benefit" of Rand.

In 1957, the foundation spent $159,000 for what was said to be a research lab in Stuart, Fla. But the real purpose was to grow special types of tomatoes, celery, and other vegetables for the personal use of Rand and his friends.

In the same year, the foundation bought special beds from Air-Mass, Inc., Cleveland, Ohio, for $225.65 and $222.44 for Rand's use.

[From the Washington Post, Jan. 23, 1966]

Tax Game

Tax evasion can be fun. There was a time when it involved either freehand bookkeeping—concealing income here, blowing up expenses there—or the political muscles required to open a loophole in the law. But if there is substance at all to the Government's charges against the Public Health Foundation for Cancer & Blood Pressure Research, Inc., what was once a grubby if profitable pastime is now sheer pleasure.

According to the charges, this Florida foundation was concerned more with high living than with high blood pressure. Its trustees are accused of making contributions to friends, buying expensive beds, growing fancy vegetables, and speculating in a common stock with an insider's knowledge—all of that in the name of research.

Representative Wright Patman, whose diligent researchers uncovered the facts leading to the charges, has long urged legislation that would make it more difficult, if not impossible, to evade taxes by the foundation route. If Congress really wants to preserve the morale of the millions of taxpayers who lack the means to play the foundation game, it will act promptly.

CABINET-LEVEL TRANSPORTATION DEPARTMENT WOULD CONSOLIDATE MULTIPLE TRANSPORTATION AGENCIES AND PROMOTE NEEDED PROGRAM OF NATIONAL HIGHWAY SAFETY

Mr. de la GARZA. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. Evins] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. EVINS of Tennessee. Mr. Speaker, in connection with the President's recent proposal to create a Cabinet-level Department of Transportation to consolidate the myriad of transportation agencies within the Federal Government, I ask unanimous consent to include in the Congressional Record my recent weekly newsletter concerning this legislation.

The newslctter follows:

President Proposes Cabinet-Level Transportation Department To Consolidate Multiple Transportation Agencies and To Conduct National Program of Highway Safety

(By Joe L. Evins, Member of Congress, Fourth District, Tennessee)

President Johnson, in his continuing effort to make our Federal Government more effective and efficient, proposed last week that all Federal agencies relating to transportation be merged into a single Cabinet-level Department of Transportation.

Transportation functions are now scattered throughout Government in a large number of agencies and departments—including the Bureau of Public Roads, the Department of Commerce, the Federal Aviation Agency, the Civil Aeronautics Board, the Interstate Commerce Commission, and the St. Lawrence Seaway Development Corporation, among others.

The new Department would consolidate almost 100,000 employees in these several departments with existing budgets exceeding $5 billion in Federal funds now devoted to transportation.

The new proposed Department of Transportation would do these things:

Improve safety and promote safety standards and regulations in every means of transportation.

Reduce highway traffic deaths and accident tolls.

Coordinate all Federal programs involving transportation.

Bring new technology to bear on our transportation system by promoting research and development in conjunction with private industry.

Encourage high-quality, low-cost service to the public.

Analyze and strengthen existing transportation systems.

The basic problem is that our population and the number of vehicles are growing so rapidly that they have long ago outdistanced our highway systems. The Interstate Highway System is a response to this fact with its separated traffic and limited access.

The basic problem is reflected in our population growth figures which are almost impossible to grasp. Since 1950, for example, our population has grown by 45 million people. Since 1960 the population in the United States of America has grown by 16 million.

It is estimated that today's national car registration of 75 million vehicles will double by 1980 and that by the turn of the century registration will be four times as great.

All of these additional millions of people and automobiles in an age of mobility and technology are moving constantly across this great land of ours. And so, obviously, every effort must be made to create efficient transportation systems in every dimension—on land, on water, and in the air.

In a nation of 196 million people, inefficient transportation systems are daily translated into headlines tolling the daily traffic fatalities and injuries.

And areas with poor transportation systems—areas that are relatively inaccessible—are suffering in terms of retarded economic growth and progress.

A fundamental part of the President's reorganization proposal is passage of the Traffic Safety Act of 1966 which would:

Increase Federal grants to the States for development of comprehensive highway safety programs in each State under standards approved by the Secretary of Commerce. Such programs would include greatly improved driver education and licensing, advanced traffic control techniques, and regular vehicle safety inspections.

Improve automobile safety performance by requiring automobile manufacturers to build the safest cars possible.

Establish a national highway research and test center to study the problems involved in highway safety and to develop effective answers to the problems.

There are certainly national aspects of highway safety and this issue is a matter of national concern requiring national attention. The new Department of Transportation would be a giant stride in this direction, according to the President.

STOCKPILE PROGRAM AND THE DOMESTIC MINING INDUSTRY

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that the gentleman from Nevada [Mr. BARING] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BARING. Mr. Speaker, under leave to extend my remarks, I should like to have inserted in the CONGRESSIONAL RECORD the following statement made on March 3 to the Subcommittee on Mines and Mining of the House Interior and Insular Affairs Committee on the occasion of a review of the stockpile program as it relates to minerals and metals and as it affects the domestic mining industry, by Mr. Samuel H. Williston, president of the American Quicksilver Institute.

Mr. Samuel H. Williston is also chairman of the Strategic Metal Committee of the American Mining Congress, a post he has held since 1947 and is thus well qualified to present the industry views in regard to the stockpile program. Mr. Williston presented an excellent statement which bears out my earnest view that it is in the national interest that large stockpiles of minerals be retained for use in emergencies:

TESTIMONY OF SAMUEL H. WILLISTON BEFORE THE HOUSE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS, THURSDAY, MARCH 3, 1966

My name is Samuel H. Williston, chairman of the Strategic Metal Committee of the American Mining Congress since 1947 and president of the American Quicksilver Institute representing the domestic mercury producers.

I am appearing today to give you a brief rundown of the current picture so far as the so-called strategic metals are concerned. So far as possible, I will refrain from covering any metals on which you will receive more detailed information from other witnesses.

The strategic metals were originally defined as those not being produced in appreciable quantities within the United States. Originally there was a very restricted list of some seven metals so defined in 1940. Since that time almost every metal and some minerals have been considered at one time or another as strategic. I will confine my remarks to the early description of strategics and leave the other metals in their original category of critical.

At this time I would like to mention briefly why the strategic metals are not produced in large amounts within the United States. Usually people not familiar with the mining industry believe that these metals are not produced because they do not occur within the United States. This is only partly true; only tin falls in this category. By far, the greater category of strategics falls in the group where the metals do occur within the United States and where they also occur in appreciable quantities in the United States but where, unfortunately for us at least, higher grade deposits occur in foreign nations which have the great advantage of having lower operating costs and where foreign nations can deliver these metals to United States ports at less than the cost of production within the United States.

Manganese is probably the best example of this type of material. There are large deposits of what we call low-grade manganese ore, running from 10 to 30 percent manganese. In certain foreign countries, such as Africa, Brazil, and India, manganese ore of grades of 50 percent and above occur in quantity. As it so happens, all of the countries have labor rates of less than $2 a day, frequently considerably less than $2, whereas American mine labor costs at the present time, including fringes, probably run $30 a day or higher. Anyone who has the opinion that one American miner is the equivalent of 15 or more foreign miners should have his head examined. The average value of contained manganese in manganese ore imported into the United States is less than 5 cents a pound. Electrolytic manganese metal is slightly over 30 cents a pound, 10 percent manganese ore containing some 200 pounds of manganese should be worth something between $6 and $10 a ton for its contained metal—$60 a ton if it were converted to electrolytic manganese.

At the present time there are operating, open pit, large tonnage mines in the United States showing a profit with a gross value of less than $4 a ton, so it is conceivable that on a large operation of, say 20,000 tons a day or more, costs could be reduced so that we might be essentially self-sufficient in manganese.

So long as the U.S. Government has no long-term policy in regard to minerals, and so long as the U.S. Government becomes deeply concerned about strategic metals only in time of war no domestic mining company would even consider the large investment necessary for such an operation or even to give serious thoughts to the metallurgical work which would have to be perfected before such an operation would be feasible.

An exactly similar situation occurs insofar as domestic chrome production is concerned. There are chrome-bearing serpentines on the west coast carrying small amounts of nickel, traces of platinum, and some other materials which might make it feasible to operate if the climate was such as to encourage long-term investments on a sufficiently large scale. In the meantime, we continue to import all of our chrome from abroad, from Russia, from Rhodesia, from South Africa and from other sources, principally Turkey.

The chrome situation is particularly amusing because it would appear that the action of our own State Department is going to develop a chrome shortage within the United States which could be serious. If, through economic sanction, the United States cuts off importation of chrome ore from Rhodesia it means we will have to acquire additional supplies from Russia and Turkey and it certainly seems odd to the average miner of the West why we should encourage our dependence on Russia for this strategic metal while we slap Rhodesia in the face, a nation which, in spite of its shortcomings, is strictly an anti-Communist nation.

The situation in regard to tungsten is quite interesting. During the early days of the Korean conflict the world price of tungsten soared to $70 a unit. It subsequently declined to a low of $8 a unit and is now above $40 and still rising.

One of the problems which has always faced the tungsten industry is the position of Red China in the tungsten market. When, if and as China sees fit to sell tungsten to the Western World the bottom can fall out of the market. When, as and if China sees fit to completely stop exports, tungsten immediately becomes in short supply and the price rises. It has to rise sufficiently high to justify the reopening of the tungsten mines throughout the free world. It ends up as a situation that when you don't need it it runs out of the world's ears and when you do need it it is almost impossible to acquire.

One very interesting case occurred during the early days of the Korean war and I believe it received no publicity whatsoever for security reasons. In 1951 the Army had a requirement for tungsten which would have necessitated the whole world's productive capacity to fill. The project was cancelled because that much tungsten was just not available, but I know the feelings at that time was that the project would well have justified the expense if the material had been available. I frequently wonder just how long the present tungsten surplus in the stockpile would last if they were again faced with this requirement.

Insofar as antimony is concerned, domestic production of antimony is still restricted to byproduct material from one of our principal silver mines. Our balance of new antimony is obtained from South Africa, Bolivia, and, to a lesser extent, Mexico. Again, China is the overwhelming threat to any potential antimony producer. With low labor costs and large reserves China can, by withholding antimony, run prices up above 44 cents per pound. When China sees fit to export, prices can and have dropped down to 25 cents a pound and less, and again, no mine operator in his right mind can give serious thought to the development of antimony properties within the United States.

We now come to what to me at least is the most important of the strategics—mercury—and one with which I am most familiar.

Slightly over 2 years ago a sudden urgent requirement hit the mercury market almost overnight. At that time the world industry had cut back very painfully to the then world consuming demand and had an inventory in stock of 70,000 flasks. Almost overnight the inventory disappeared and the world's principal producers were sold out for all their production for over a year in advance. The price skyrocketed from a $180 a flask level, at which price only one United States mine could show a profit, to a peak of $750 a flask and even at this price supplies were still short. Ostensibly this sudden demand was caused by a proliferation largely abroad of electrolytic plants for the manufacture of caustic soda and chlorine, but in my own mind there must have been much more behind it than this alone. Orders for mercury came from Iron Curtain countries and from the Far East far larger in amount than could conceivably be called for by caustic and chlorine requirements alone. Certainly the shipments to European Iron Curtain countries which had always obtained their mercury from Russia can hardly be called a normal requirement, nor can a threefold expansion in Far Eastern shipments likewise be called normal commercial consumption.

To what extent, if any, this worldwide shortage could be blamed on Russia's announcement some time ago of a major increase in their chemical industry or to what extent Red China's requirement for the wherewithal to make lithium deuteride be an explanation of these demands is unknown.

At the present time, this large worldwide demand for mercury seems to have been met and prices within the United States and abroad are dropping drastically. Mexican producers, who previously had been shipping to Japan, are now making blanket offers for the delivery of large amounts of metal and are offering metal at a flat $30 a flask below the quoted price in this country. These offerings have been considerable and each offering drives the quote of the E. & M.J. lower and each lowering of the quote brings a corresponding cut in offering prices from Mexico.

The following is a direct quotation from the E. & M.J. Metal & Mineral Markets of February 14. "There are persistent reports that mercury is being illegally smuggled out of Mexico, but legally entering the United States—the U.S. import duty is paid, but not the Mexican export duty. It is being sold at prices cheaper than would normally be paid. And now, some of these dealers are trying to make direct contracts with consumers. Flasks of mercury that were smuggled out of Mexico in January got out without being charged a $95 export tax. In February, the tax will be close to $90. As such, any person behind the alleged smuggling can afford to sell cheaply. And, those who are buying cheaply can afford to offer at a lower price in the United States. Since the mercury which comes into the United States has had the U.S. duty paid, it is legally acceptable in the marketplace and its sales go toward establishing the M. & M.M. weekly quotation.

"According to one source, the way the reported smuggling works is as follows: 'The smugglers apply to the Mexican Government for an export license for 25 flasks. They pay the export tax on those 25 flasks. Then, they use the same license to make 5 or 10 shipments of 25 flasks across the border on the same day.' "

Information available to me seems to justify this conclusion. If it continues it will be disastrous to the domestic mining industry.

As a result of the price rise many newcomers rushed into the mercury producing business and some of them have been able to get into production just in time to enjoy the present decline in prices. Some, I hope, of these newcomers will recover their investments but many, I am afraid, will be far less successful.

In addition to the problems of distressed metal from Mexico, the domestic industry has had to face competition from our own Government. In 1954 the Atomic Energy Commission removed secretly from the U.S. strategic stockpile one-half of that stockpile. We have been informed that this was done with secret Presidential approval. Even at this late date we have never been able to find anyone who ever saw that secret approval, let alone has anyone been able to produce it. We understand that the original release provided that the Atomic Energy Commission should return this metal to the stockpile. We have never been able to find out under what authorization this original requirement was rescinded. In 1954 the Atomic Energy Commission also purchased essentially all of the production from Spain for a period close to a year. The fact that they made this arrangement through an agricultural barter partnership in New York, both of whose members were from behind the Iron Curtain and one of them with relatively short residence in the United States, always amused us. But what does not amuse us is the fact that this metal was purchased from Spain on the direct U.S. promise that it would not be offered in the commercial market; that it was for the specific use of the Government itself and would not interfere with normal commercial channels.

I think you gentlemen are all familiar with what has happened. The Atomic Energy Commission no longer requires this material. Government stockpile material, as well as that purchased from Spain, was declared surplus by the Atomic Energy Commission and turned over to the General Services Administration to sell under the surplus disposal laws. Under these laws it would have been quite possible for the General Services Administration to dump all of it on the market at a price of 1 cent on the dollar or even less, and it has taken all the efforts of the domestic industry with the help of many of you gentlemen here to prevail on the General Services Administration to enter into an orderly disposal of this surplus.

When you realize that the amount of metal declared surplus by the Atomic Energy Commission was the equivalent of something like 2 years' of normal U.S. consumption and not much less than 1 year of world consumption, you can see how close to complete destruction the domestic industry came. Even now the present program of mercury disposal by the General Services Administration, which may well extend for some 4 or more years in the future, calls for a supply by the U.S. Government of 25 percent of the total U.S. requirements for mercury. If such a proposal had been made in regard to copper, or lead, or zinc, or aluminum the screams from industry and the political repercussion would have stopped it in its tracks. The domestic mercury industry is too small and too weak to fight the Government under these conditions.

Certainly the eventual program for distribution has been such that the industry has been able to survive and expand up until now but the 30,000 flasks of domestic market filled by the Government is now being replaced by excess production from Mexico which can well have an equal effect.

In conclusion I would like to mention one fact well known to you gentlemen but apparently not well known to most of the consumers of metals within the United States. As you know, the strategic stockpile is basically limited to the provision of metals for military requirements and only minimum essential civilian requirements can be taken care of. Metals from the stockpile cannot be used for normal manufacturing purposes where the civilian is the ultimate consumer. In discussing this with manufacturers throughout the country I find that they feel that these stockpiles will be available to them for their normal requirements in the event imports are cut off. I think it should be publicized, and widely publicized, the exact basis on which metals can be removed from the strategic stockpile in an emergency. Possible aluminum is probably one of the best examples in this connection. During World War II the bulk of the alumina importing fleet running between the United States and South America was sunk. In World War II the German submarine fleet never had more than some 85 submarines. At the present time Russia is given credit for over, and possibly considerably over, 400 submarines which are not only faster but quieter and can work at much greater depths. I have no knowledge of the effectiveness of research and development on the improvement of detection of submarines but I do know that with increased speed, increased depth, and increased silence in each case the difficulty in detecting goes up more or less as the square of the improvement. Thus, to be equally effective today antisubmarine detection must be many times more efficient than it was in the 1940's. If it is not many, many times more efficient then the possibility of importing metals and ores into the United States by surface vessels will be all but impossible in the event either of a nonatomic war or an atomic war.

If you gentlemen care to go to the trouble to take the total amount of aluminum metal in the stockpile and divide it into the total U.S. consumption of aluminum I think you will find that the total amount of aluminum available plus the so-called surplus would keep the country going for far less than 1 year. The situation in copper is not much different, but certainly we do have a domestic copper industry much more capable of supplying domestic requirements.

The mining industry, certainly of the strategics, and I think likewise of the criticals, can look forward to the steady exhaustion of its high-grade deposits and of the necessity of going to lower and lower grades. Much of the increased costs in these lower grade ores can be offset by increasing efficiency and improving technology by the industries themselves but, in general, as the years pass the price of metals can be expected to slowly and steadily increase and the possibility of sudden increased production to meet sudden increased demand will become less and less possible.

If surplus or so-called surplus stockpile materials are dumped on the commercial market, some day in the not-too-distant future, some future Congress and some future administration is going to look back and say, "Why, oh, why were we so foolish to dispose of those essential minerals and metals which we now need so badly."

TO AMEND THE WAGNER-PEYSER ACT AND TO IMPROVE THE U.S. EMPLOYMENT SERVICE

Mr. de la GARZA. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Holland] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HOLLAND. Mr. Speaker, I have today introduced a bill drafted by the administration, to amend the Wagner-Peyser Act and to improve the U.S. Employment Service. The Select Subcommittee on Labor of your Committee on Education and Labor together with the Employment and Manpower Subcommittee of the Senate Labor and Public Welfare Committee today began joint hearings on this and other legislation in this area, and testimony will be taken on this administration bill also during the course of these joint hearings. The joint hearings are scheduled to continue on March 8, 9, 15, 16, 17, 22, 23, and 24 under the chairmanship of the senior Senator from Pennsylvania [Mr. CLARK] and myself.

Under unanimous consent I insert Secretary Wirtz' letter of transmission, the text of the administration bill, and an explanatory statement in the RECORD at the conclusion of my remarks:

U.S. DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
Washington, March 7, 1966.

Hon. JOHN W. MCCORMACK,
Speaker of the House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: I am enclosing a draft bill to modernize the Wagner-Peyser Act which 33 years ago founded the Federal-State public employment service system. The bill is designed primarily to provide a comprehensive and unmistakably clear statement by the Congress of the major role the service needs to play and the functions it needs to perform in the Nation's urgent efforts to deal with its employment, manpower, and human resources development problems.

This administration is dedicated to the principle that full employment opportunity is a proper, practicable, and priority national objective. This administration has recommended, and the Congress has enacted a broad range of programs which bear, directly or indirectly, on our efforts to achieve this objective. Simultaneously with tax cuts a series of imaginative manpower programs have been undertaken to make it possible for the Nation's workers to take advantage of modern employment opportunities as they arise. These programs are effective only insofar as updated machinery and institutions exist for effectuating them. Programs that are broadly framed by Congress have to be carried out in day-to-day activities in cities and towns throughout the country.

The Federal-State public employment service system with its network of nearly 2,000 State and local offices is one of the vital instruments for carrying out at the local level this broad range of human resource development programs and for achieving effective development, distribution, and use of manpower resources basic to the economic and social growth of the Nation and the full realization of individual potential.

The specific duties imposed on the public employment offices by these new programs do not focus directly upon the employment service itself, but upon a complex of interrelated unemployment, education, training, and general manpower issues dealing with the maximum development of the Nation's human resources. Important as are these various programs, the essential answer to unemployment is getting a person into a permanent job.

The terms of reference of the Wagner-Peyser Act are general enough to permit the public employment service to do many things, but it does not explicitly state the full range of functions expected from a modern service.

The proposed bill thus revises the Wagner-Peyser Act to establish a clear mandate by the Congress that the Federal-State system of public employment offices must provide the modern and up-to-date tools and services necessary to carry out its essential role and to cope effectively with contemporary manpower and employment needs.

The bill has grown out of extensive review of the operations of the public employment service both by congressional committees and a special task force which I appointed last fall, composed of a group of distinguished citizens from business, labor, and the public, under the chairmanship of Dean George Shultz, University of Chicago School of Business.

The task force filed their report with me last December recommending both administrative and legislative updating of the employment service system. In its deliberations the task force took full account of the hearings conducted by subcommittees of the Senate and House Labor Committees and of the reports issued by these subcommittees. The report of this task force was unanimous.

I have reviewed the task force report carefully. The attached bill puts into legislative form most of its major recommendations. Copies of the report are available.

Important among the bill's provisions are identification of the need for the system to provide comprehensive employment services to workers and employers; recognition of the need for working with all elements in the community, public and private, in developing jobs; recognition of the need for highly trained personnel receiving adequate salaries; provision for the maximum separation of the employment service from the unemployment insurance program functions; recognition of the need for special employment services for the disadvantaged; and recognition of the importance of providing efficient and rapid communication of employment and manpower information between the 2,000 State and local offices and other agencies and institutions. A more detailed explanatory statement of the bill is enclosed.

The present Federal-State structure of the system will be retained under which State and local public employment offices provide the necessary manpower and employment services under the leadership of the Department of Labor.

The bill does not incorporate the recommendation of the task force to transfer financing of most of the administrative costs of the public employment service system from the employment security trust fund established under the Social Security Act to general revenues but continues the present provision of the act which authorizes, but does not make mandatory, the use of general revenues.

The legislation which I am sending to you today will constitute another important step in the fulfillment of this administration's active manpower policy—to develop the skills and abilities of our people, to create job opportunities for these abilities, and to match people and jobs. I urge its prompt enactment.

Sincerely,

W. WILLARD WIRTZ.
Secretary of Labor.

H.R. 13362

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to maintain, strengthen and improve the operations of the Federal-State public employment service system established under the Act of June 6, 1933, as amended (48 Stat. 113), such Act is amended to read as follows:

SHORT TITLE AND DECLARATION OF PURPOSE

SECTION 1. (a) This Act may be cited as the Employment Service Act of 1966.

(b) The Congress finds and declares that technological innovations, rising aspirations for the attainment of equal employment opportunity, changes in the size and characteristics of the working population, shifts in public and private needs, all combine to impose an ever-increasing burden on the process by which the Nation's workers obtain suitable employment and employers obtain qualified workers. These conditions indicate the need for stronger manpower services to accomplish manpower objectives. New efforts are required under national leadership to bring about effective development, distribution and use of manpower resources basic to the social and economic growth of the Nation and the full realization of individual potential; to fill job vacancies more expeditiously; to provide more complete information regarding impediments to employment and employability for those on the fringes of the labor force and to develop new approaches and special services to increase the employability of such persons and to upgrade them so they may work at their highest capability.

Recent legislation by the Congress has responded to the employment needs of those in poverty, the Nation's youth, its older people, and its minority groups. Such legislation requires effective local coordination of manpower services, including cooperation between public and private employment activities. Further, effective coordination and formulation and achievement of national manpower policies require current and comprehensive job market information.

The Congress therefore declares that a strong and modern public employment service which operates not merely as a labor exchange bringing jobseekers and employers together but as an effective manpower service agency is essential to the achievement of these objectives.

ESTABLISHMENT OF FEDERAL-STATE PUBLIC EMPLOYMENT SERVICE SYSTEM; UNITED STATES EMPLOYMENT SERVICE; "STATES" DEFINED

SEC. 2. (a) The Secretary of Labor (hereinafter referred to as the Secretary) shall promote and develop a national system of Federal-State public employment offices to provide comprehensive employment services for persons legally qualified to engage in gainful employment, and for employers, which shall include but not be limited to identification of job opportunities, counseling, testing, placement and related services.

(b) The Secretary shall assist in establishing and maintaining a system of public employment offices in the several States and the political subdivisions thereof in which there shall be located a veteran employment service. The Secretary shall, except as he may otherwise authorize, assure that the State and local public employment offices are devoted exclusively to carrying out employment service functions in accordance with such rules, regulations, and standards as he may prescribe, including standards for personnel supervision, fiscal accountability, and location of physical facilities. Except as the Secretary may otherwise authorize, each State public employment service (hereinafter referred to as the State agency) and each local public employment office shall be under the direction of a State officer whose duties shall be devoted exclusively to such functions.

(c) The Secretary shall assist in coordinating the public employment Offices throughout the country and in increasing their usefulness by developing and prescribing minimum standards of efficiency, assisting them in meeting any manpower and employment problems peculiar to their localities due to the locality's economic level, shifts in types of jobs available, closing of plants, and other reasons, promoting uniformity in their administrative and statistical procedures, furnishing and publishing information as to opportunities for employment and sources of available labor supply and other information of value in the operation of the job market and maintaining a system for facilitating the placement of workers between the several States.

(d) The Secretary shall maintain a United States Employment Service within the Department of Labor to assist him in carrying out this Act with which shall be affiliated the State and local employment offices established pursuant to this Act. The United

States Employment Service shall include a veterans' service to be devoted to securing employment for veterans, a farm placement service, and a public employment service for the District of Columbia.

(e) Whenever in this Act the word "State" or "States" is used, it shall be understood to include Puerto Rico, Guam, and the Virgin Islands.

OFFICERS AND EMPLOYEES

SEC. 3. The Secretary is authorized to appoint such personnel and to make such expenditures (including expenditures for personal services and rent at the seat of government and elsewhere and for law books, books of reference, and periodicals) as may be necessary to carry out the provisions of this Act. In case of appointments for nonclerical positions in the veterans' employment service provided for in section 2(d) of this Act, the Secretary shall appoint only persons who are veterans of any war, or have served in the active military, naval, or air service, since January 31, 1955, and who have been discharged or released therefrom under conditions other than dishonorable.

FUNCTIONS OF THE STATE PUBLIC EMPLOYMENT OFFICES

SEC. 4. In accordance with such rules and regulations as the Secretary may prescribe, the State public employment offices shall:

(a) offer and encourage the use of employment services by all persons in and preparing to enter the labor force, including, but not limited to, counseling, testing, placement, information and assistance to improve their employability, and referral to training;

(b) (1) provide employers with: job market information, including information on sources of available labor supply; local and interarea recruitment services; occupational, aptitude, and related tests and testing services; and screening and referral services for qualified workers to fill placement needs, and (2) assist employers in: (i) preventing, alleviating, and resolving skill shortages and undesirable turnover; (ii) making job modifications to permit the use of available applicant supply; (iii) identifying entry jobs and training needs; (iv) helping to achieve equal employment opportunity; (v) adjusting to technological change and other occupational manpower problems; and (vi) developing programs to alleviate mass layoffs;

(c) provide for and encourage the use of employment services by all persons or groups of persons having or likely to have difficulty in obtaining employment, including special employment services tailored to their needs, including testing, counseling and other information and assistance for improving their employability, which may include but not be limited to referral to other public and private agencies for rehabilitation, educational assistance, training, medical examination, and medical care;

(d) maintain programs designed to inform all persons who encounter special difficulty in obtaining employment of the range of services available to them through the public employment offices;

(e) develop and provide appropriate occupational, aptitude, and related tests or testing services to employers, schools, and other agencies contributing to the development and use of the labor force, provided that the confidentiality of test material is observed and professional competence is available for test administration and interpretation;

(f) promote and develop employment opportunities for handicapped persons and provide for job counseling and selective placement services for such persons, including the designation of at least one person in each State or Federal employment office whose duties shall include such functions, and in those States where a State board, department, or agency exists which is charged with the administration of State laws for vocational rehabilitation of physically handicapped persons, cooperate with such board, department, or agency;

(g) cooperate with Federal agencies in administering related programs; and

(h) cooperate with employers, labor organizations, private employment agencies, schools, colleges, and other public and private agencies and organizations in developing increased opportunities for employment, and explore all practical ways to develop an effective exchange of information with such individuals, agencies, and organizations.

INTERAREA AND INTERSTATE PLACEMENT

SEC. 5. For the purpose of providing jobseekers with the maximum opportunity for employment and employers with qualified workers as expeditiously as practicable,

(a) the State public employment offices shall establish and maintain an effective system for the interstate recruitment and placement of workers; and

(b) the Secretary of Labor shall—

(i) adopt such measures as will assure the cooperation of all States in the establishment and maintenance of such a system;

(ii) establish, operate, or otherwise provide for multi-job-market clearance centers to assist in the recruitment and placement of workers and the exchange of job information on a multiple-job-market basis, and coordinate their operation; and

(iii) appoint one or more advisory committees, which shall include appropriate representation of other Federal agencies, to study and make recommendations to the Secretary with regard to the use of modern rapid communication systems, automatic data processing, information storage and retrieval methods, and such other technology as may be useful in developing an effective system for the interstate and interarea operations of the Federal-State employment service.

PLANNING AND PROGRAMS FOR EMPLOYMENT DISLOCATIONS

SEC. 6. The Secretary shall develop and maintain means of:

(a) identifying impending and long-range shifts and dislocations in employment, both technological and economic, including those related to reductions or changes in defense activities, and employment needs arising therefrom;

(b) identifying employment needs arising from chronic unemployment and related problems;

(c) assuring that State public employment offices provide such employment services as may be necessary to meet the situations and needs so identified and to avoid or relieve any adverse impact of such conditions upon workers, including measures which will stimulate occupational readjustment and geographical mobility of the affected workers.

CONTRACTS FOR SPECIAL EMPLOYMENT SERVICES

SEC. 7. (a) For the purpose of carrying out this Act, a State agency may, when authorized by the Secretary as he deems appropriate, enter into a contract with a public or private agency for the performance of employment services, including special counseling, placement, or research whenever such services are not otherwise conveniently or reasonably available.

(b) The Secretary is authorized: (1) to conduct special studies and experimental, developmental, demonstration, and research projects related to the effective operation of the employment service system provided by this Act, and (2) to make grants to or contract with any public or private agency for such purposes.

EMPLOYMENT INFORMATION

SEC. 8. (a) The Secretary shall develop, collect, analyze, and distribute employment and manpower information, including information for occupational guidance, testing, and employment counseling, which is required to achieve a more efficient functioning of the job market, and shall cooperate with other organizations, public and private, concerned with the development and use of human resources. The information program authorized by this section may include, but is not limited to, employment information related to the types and distribution of occupations and the qualifications required for their performance, job vacancies and occupational shortages, labor area classifications, occupational classifications, employment changes, technological developments, characteristics of the labor force, and changes in the economy of local and regional areas.

(b) The Secretary shall provide technical assistance to the public employment offices to further the development and expansion of methods and systems for collecting, analyzing, and distributing manpower information.

TRAINING AND PERSONNEL

SEC. 9. (a) In order to assure the effective operation of the public employment service system established under section 2 (a), (b), and (c), the Secretary is authorized to—

(1) requires that each State plan approved under section 10 shall: (i) establish and maintain for personnel employed in the State system of public employment offices a merit system of personnel administration under such standards as the Secretary prescribes, except that the Secretary shall exercise no authority with respect to the selection, tenure of office, and compensation of any individual employed in accordance with such methods; and (ii) establish minimum qualification standards, appointment and promotion procedures, and salary schedules adequate to attract and retain personnel qualified to perform the functions of the State's public employment service;

(2) require that each State plan include appropriate provisions for training of State employment service personnel which may include provisions for orientation, inservice and outservice training, payments of tuition, and educational leave with pay;

(3) make supporting grants to institutions of higher education for the conduct of training programs and courses and for the establishment and operation of regional centers for the training of State employment service personnel;

(4) develop training materials for and provide technical assistance to the State employment service in the operation of their training programs;

(5) under such regulations as he may prescribe, award fellowships and traineeships, designed to improve qualifications for professional service, to persons already in the State employment service or to persons preparing for employment in State employment services who agree to complete prescribed periods of service after completion of such fellowships or traineeships. The Secretary may, to the extent that he finds such action to be necessary, prescribe requirements to assure that any person receiving a fellowship or traineeship shall repay the costs thereof to the extent that such person fails to serve for the period of service prescribed by the Secretary;

(6) enter into agreements or otherwise arrange for the assignment of officers and employees of the United States Employment Service to State agencies and for the assignment of officers and employees of State agencies to the United States Employment Service for a period not to exceed 2 years, and the provisions of section 507 of the Elementary and Secondary Education Act of 1965 (79 Stat. 27) shall apply to any such assignment.

(b) In order to facilitate the recruitment of well-qualified individuals for the employment service, the Secretary shall provide for the creation of a special two-year employment service trainee position in the Department of Labor during which such trainees shall be considered Federal employees. With the consent of a State, the Secretary, within such two-year training period, may arrange for the assignment of such trainees to positions within a State employment service, during which period they shall continue to be considered Federal employees.

STATE PLANS

SEC. 10. Any State desiring to receive the benefits of this Act shall, through the State agency established pursuant to section 2 of this Act, submit to the Secretary a State plan and annual supplements thereto, which shall include such provisions as the Secretary by rules and regulations shall prescribe for carrying out this Act, including a provision that the State will replace within a reasonable time any funds received under this Act which are lost or, because of any action or contingency, have been expended for purposes other than or in amounts in excess of those found necessary by the Secretary for the proper and efficient administration of the public employment offices. If such plans are in conformity with the provisions of this Act and reasonably appropriate and adequate to carry out its purposes, they shall be approved by the Secretary and due notice of approval shall be given to the State agency.

APPROPRIATIONS: CERTIFICATION OF FUNDS TO STATES

SEC. 11. (a) There is authorized to be appropriated, in addition to such funds as are made available for expenditure from the employment security administration account established under the Social Security Act, out of any money in the Treasury not otherwise appropriated, such amount from time to time as the Congress may deem necessary to carry out the purposes of this Act.

(b) The Secretary shall from time to time certify to the Secretary of the Treasury for payment to each State such amounts as the Secretary determines to be necessary for the proper and efficient administration of its public employment offices if the State is found to be in compliance with this Act, the approved State plan, and the rules, regulations, and standards prescribed by the Secretary hereunder. Such funds shall be expended solely for the purposes and in the amounts found necessary by the Secretary for the proper and efficient administration of the public employment offices.

COMPLIANCE

SEC. 12. It shall be the duty of the Secretary to ascertain whether the system of public employment offices maintained in each State is conducted in accordance with this Act, the State plan, and the rules and regulations and standards, including standards of efficiency, prescribed by the Secretary in accordance with the provisions of this Act. The Secretary may withhold or revoke any certification or may direct the Secretary of the Treasury to reduce or withhold payments to any State under section 11 whenever he determines as to any State, that the State agency is not complying with this Act, the approved State plan, or the rules, regulations and standards prescribed by the Secretary hereunder. Before any such action, the Secretary shall provide the State agency with reasonable notice of such proposed action and the reasons therefor and with opportunity for a hearing.

RECORDS AND REPORTS

SEC. 13. Each State aegncy shall maintain such records, and shall submit to the Secretary an annual report and such other reports, in such form and containing such information as he shall prescribe. Each State agency shall comply with such provisions as the Secretary may from time to time deem necessary to assure the correctness and verification of such records and reports.

FEDERAL AND STATE ADVISORY COUNCIL

SEC. 14. (a) The Secretary shall establish an employment service and unemployment insurance advisory council which shall be composed of men and women representing employers and employees in equal numbers and the public for the purpose of formulating policies and advising the Secretary on problems relating to the employment service and the unemployment insurance program and insuring impartiality, neutrality, and freedom from political influence in the solution of such problems. The Secretary shall establish at least two subcommittees with like representation, one for the employment service and one for the unemployment insurance program.

(b) The members of the council shall be selected from time to time without regard to the Civil Service Act in such manner and for such period as the Secretary shall prescribe and shall serve without compensation, but when attending meetings of the council, they shall be allowed necessary travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 73-b(2)) for persons in the Government service employed intermittently.

(c) The council and each subcommittee thereof shall have access to all files and records of the United States Employment Service, and shall be furnished necessary personnel under section 3 of this Act including adequate secretarial and clerical assistance.

(d) The Secretary shall require the organization of similar State advisory councils composed of men and women representing employers and employees in equal numbers and the public.

REFERRALS IN LABOR DISPUTE SITUATIONS

SEC. 15. No person shall be referred to a position the filling of which will aid directly or indirectly in filling a job which (a) is vacant because the former occupant is on strike or is being locked out in the course of a labor dispute, or (b) the filling of which is an issue in a labor dispute. With respect to positions not covered by (a) or (b) of this section, any individual may be referred to a place of employment in which a labor dispute exists, provided he is given written notice of such dispute prior to or at the time of his referral.

RULES AND REGULATIONS

SEC. 16. The Secretary is authorized to issue such rules and regulations as may be necessary to carry out the provisions of this Act.

COOPERATION OF FEDERAL AGENCIES

SEC. 17. (a) In order to avoid unnecessary expense and duplication of functions among Government agencies, each department, agency, or establishment of the United States shall cooperate with the Secretary in carrying out the provisions of this Act.

(b) Each department, agency or establishment of the United States shall also cooperate with the Secretary in providing such information to the public employment offices as the Secretary, with the concurrence of the Civil Service Commission, shall request concerning opportunities for employment in the Federal Government.

ACCEPTANCE BY STATES; EFFECTIVE DATE OF ACT

SEC. 18. Any State which has accepted the provisions of the Act of June 6, 1933, shall be deemed to have accepted the provisions of this Act, *Provided*, That, where any State does not have legal authority to comply with the requirements of this Act, the effective date of such requirements shall be 90 days after the convening of the State's first regular legislative session following enactment of this Act.

EXPLANATORY STATEMENT OF A BILL FOR AN "EMPLOYMENT SERVICE ACT OF 1966"

PURPOSE AND SUMMARY

This bill revises the Wagner-Peyser Act (29 U.S.C. 49–49k), under which the Federal-State public employment service system was established in 1933. This system constitutes a vital part of the machinery by which the Nation achieves effective development, distribution, and use of manpower resources basic to the economic and social growth of the Nation and the full realization of individual potential. The terms of reference of the Wagner-Peyser Act are general enough to permit the public employment service to do many things but it does not explicitly state the full range of functions expected from a modern service. The bill, which retains the existing Federal-State structure of the system, is designed to provide a comprehensive and unmistakably clear statement by the Congress of the major role the service needs to play and the functions it needs to perform in the Nation's urgent efforts to deal with its employment, manpower, and human resource development problems.

The bill's provisions may be summarized as follows:

1. It provides for a physical separation at the State and local level of employment service functions from those relating to the administration of the unemployment insurance provisions of the Social Security Act except where the Secretary of Labor authorizes a different arrangement. In addition, it provides that at both State and local office level, the program shall be under the direction of a State officer whose duties are devoted exclusively to employment service functions, except as the Secretary may otherwise authorize.

2. It indicates clearly that employment service facilities are available not only to unemployed workers and workers who have particular difficulty in securing employment, but to all workers without limitation.

3. The services which the public employment offices may afford to employers are specified.

4. The State public employment offices are directed to reach out to persons in need of and encourage their use of specialized manpower services to improve their employability.

5. The State public employment offices are to cooperate with employers, labor organizations, private employment agencies, schools and other public and private agencies in developing both job opportunities and more effective exchange of information.

6. When authorized by the Secretary of Labor, the State public employment offices are given express power to contract with both public and private agencies for the performance of employment services whenever such services are not otherwise conveniently or reasonably available. The Secretary is authorized to contract with or make grants to public or private agencies for studies and for experimental or demonstration projects.

7. Improvement and strengthening of the personnel of the public employment service system is to be achieved not only through the use of merit standards (required under the present act), but also through new provisions for qualification standards, appointment and promotion procedures, and salary schedules adequate to attract and retain qualified personnel, programs for employment service trainees in the Federal Government, for training employees of State public employment service offices, and for temporary exchange of personnel between State public employment offices and the U.S. Employment Service.

8. The State offices are to maintain an effective system for the interstate recruitment and placement of workers.

9. In order further to improve interarea and interstate recruitment and placement, multi-job-market clearance centers are to be established or otherwise provided for by the Secretary of Labor to act primarily as a center for pooling information on jobs and workers and making it readily available.

10. The Secretary of Labor is to appoint one or more advisory committees to study and suggest effective automatic data processing and computer systems for matching job vacancies and workers and otherwise to make the interstate operations of the public employment system more effective.

11. The Secretary of Labor is directed to develop and maintain means for identifying and dealing with emergency employment situations, such as mass layoffs due to plant closings and unrest stemming from chronic unemployment.

12. The Secretary of Labor is directed to develop and distribute comprehensive and varied employment and manpower information.

13. It is made clear that the authority to finance the employment service system from general revenues is in addition to the financing it presently receives from Federal unemployment tax funds.

14. The Federal Advisory Council to advise the Secretary of Labor and corresponding State advisory councils are continued. Subcommittees of the councils must be established to deal separately with employment service problems and unemployment compensation problems.

15. The Secretary of Labor determines State compliance with the act, the State plan and the rules, regulations and standards prescribed in accordance with the act. If after notice and opportunity for a hearing he determines that a State agency is not in compliance, he may withhold funds.

BACKGROUND OF BILL

The provisions of the bill reflect most of the major recommendations of a special task force appointed by the Secretary of Labor, composed of representatives of labor, management and the public under the chairmanship of Dean George Shultz of the University of Chicago School of Business. The task force took full account of extensive hearings conducted in 1963 and 1964 by committees in both the House and the Senate relating to the role of the U.S. Employment Service and the Federal-State public employment service system in the conduct of the Nation's present manpower policies.

The task force filed a unanimous report with the Secretary of Labor on December 23, 1965.

SECTION-BY-SECTION ANALYSIS OF THE BILL

Section 1 declared the intent of the Congress that the public employment service system be strengthened and modernized to provide for the effective development, distribution, and use of the Nation's manpower resources.

Section 2(a) continues the national system of Federal-State public employment offices for the purpose of providing comprehensive employment services to all persons legally engaged in gainful employment and to employers.

Section 2(b) provides that State public employment offices are to be devoted exclusively to employment service functions, except where the Secretary of Labor otherwise provides. Similarly, except as otherwise authorized by the Secretary, the State agency and each local office is to be under the direction of a State officer whose duties are devoted exclusively to employment service functions. This general separation of employment service functions from unemployment insurance functions does not prohibit their location in an umbrella-type State agency. Necessary functions of the employment service in providing services to claimants for unemployment benefits would not be affected.

Section 2(c) sets forth general coordinating duties of the Secretary of Labor.

Section 2(d) provides for the maintenance of the U.S. Employment Service. This subsection also continues the present veterans' employment service, farm placement service, and a public employment service for the District of Columbia.

Section 3 authorizes the Secretary to appoint such personnel as are necessary to carry out the act. It substantially restates section 2 of the present Wagner-Peyser Act. However, the provision relating to the employment of veterans in the veterans' employment service has been restated to provide that the service shall appoint to nonclerical positions only persons who are veterans of any war, or who have served in the military, naval, or air service since January 31, 1955, and who have been discharged under conditions other than dishonorable.

Section 4 sets forth the essential functions of the employment service offices. Among other things, the section makes it clear that State public employment offices: (1) are to reach out into the community and offer its services to those who need it; (2) have the responsibility to provide comprehensive employment services to meet the contemporary needs of employees, employers, and others; (3) are to continue to provide special employment services to handicapped persons and other persons or groups of persons having unusual difficulty in the job market; (4) are to cooperate with Federal agencies administering related programs, such as those of the Department of Health, Education, and Welfare and those of the Office of Economic Opportunity; and (5) are to cooperate with employers, labor organizations, private employment agencies, schools, colleges, and other public and private organizations in developing opportunities for employment and in developing practical ways to establish methods of exchanging information.

Section 5(a) directs State public employment offices to maintain an effective system for the interstate recruitment and placement of workers.

Section 5(b) requires the Secretary:

To adopt such measures as will assure the cooperation of all States in the maintenance of such a system.

To establish, operate, or otherwise provide for, multi-job-market centers to serve as a clearinghouse for job information.

To appoint one or more advisory committees, which shall include appropriate representation of other Federal agencies to study and make recommendations to the Secretary regarding the use of modern rapid communications systems, automatic data processing, information storage and retrieval methods, and other technology for handling interarea placement problems.

Section 6 requires the Secretary to develop and maintain measures for an early warning system to identify unusual or large-scale employment problems such as those resulting from impending plant closings, to identify employment needs resulting from chronic unemployment and related problems, and to assure that the State public employment offices provide the employment services needed to avoid or relieve the adverse impact of such conditions upon workers. Such measures are to include those which will stimulate occupational readjustment and geographic mobility of the affected workers.

Section 7 permits State employment offices, with the approval of the Secretary, to contract with other public or private agencies for the performance of employment services when such services are not otherwise conveniently or reasonably available.

Section 7 also authorizes the Secretary of Labor to conduct special studies and experimental, developmental, demonstration, and research projects related to the effective operation of the employment service system, and to make grants or contracts with public or private organizations for such purposes.

Section 8 requires the Secretary to maintain a comprehensive program for the collection and dissemination of employment and manpower information. It also requires him to cooperate with private and other public agencies concerned with the development and use of human resources. The section directs the Secretary to provide technical assistance to the public employment offices in developing manpower information programs.

Section 9 is designed to strengthen the public employment service by improving the quality of its personnel. Section 9 provides for the enhancement of the quality of personnel by authorizing the Secretary to provide for—

1. the maintenance of a merit system of personnel administration, qualification standards, appointment and promotion procedures, and salary schedules adequate to attract and retain qualified personnel;

2. the maintenance by States of appropriate training programs, and assistance to the States in developing these programs;

3. grants to colleges and universities for developing training materials and operating training centers for employment service personnel;

4. the award of fellowships and traineeships to persons in the employment service or, with limitations, persons who wish to enter the service;

5. interchange of personnel of the State public employment offices and that of the U.S. Employment Service for 2-year periods; and

6. special 2-year employment service trainees in the Federal service, who may serve during the training period within a State employment service, with the consent of the State.

Section 10 requires each State seeking the benefits of the act to submit to the Secretary a plan of operation and annual supplements thereto. The requirement is typical of Federal grant programs.

Section 11 authorizes appropriations from general revenues, in addition to funds made available from the employment security administration account under the Social Security Act, for the costs of administering the public employment service system. It also provides for payments to the States of such amounts as the Secretary finds necessary for the proper and efficient administration of the public employment offices, and makes clear the Secretary has control over the proper expenditures of the funds by a State.

Section 12 requires the Secretary to evaluate and review State operations to assure that each State is complying with the act, the State plan, and the rules, regulations, and standards prescribed by the Secretary. Whenever a State is found not to be in compliance, the Secretary, after notice and opportunity for a hearing, may take appropriate enforcement action.

Section 13 requires State agencies to file annual reports with the Secretary, and such other reports in such form and containing such information as he may require, and contains safeguards to assure their accuracy which are based on similar requirements in section 303(a)(6) of the Social Security Act dealing with State unemployment insurance laws. The section also provides for the retention of records by State agencies in accordance with requirements of the Secretary.

Section 14 retains the Wagner-Peyser Act's present requirement for an advisory council composed of men and women representing employers and employees equally and the public to advise the Secretary on employment service and unempolyment insurance matters. The bill would require the establishment of separate subcommittees within the advisory council for separately advising on the employment service and unemployment insurance programs.

Section 15 continues the requirements imposed by the regulations issued under section 11(b)of the present Wagner-Peyser Act under which the employment service is prohibited from referring applicants to a job the filling of which will aid directly or indirectly in filling a job which is vacant because the former occupant is on strike or is being locked out in the course of a labor dispute, or the filling of which is an issue in a labor dispute. With respect to other positions, any individual may be referred to a place of employment in which a labor dispute exists, provided he is given written notice of such dispute prior to or at the time of his referral.

Section 16 similarly continues section 12 of the present Wagner-Peyser Act giving the Secretary rulemaking authority necessary to carry out its provisions.

Subsection (a) of section 17 requires Federal departments, agencies, and establishments to cooperate with the Secretary in carrying out the provisions of the act. Subsection (b) directs each such Federal agency to provide such information on opportunities for Federal employment as the Secretary, with the concurrence of the Civil Service Commission, shall request.

Section 18 provides that existing State laws accepting the Wagner-Peyser Act constitute acceptance of this revision of the act. If any States lack legal authority to incorporate in their State plans any of its provisions, the act will not become effective for such State until 90 days after the convening of the State's next regular legislative session in order to enable the State to take appropriate legislative action. Meanwhile, such States will be permitted to continue their employment service operations under existing State plans. This is not intended to preclude the Secretary from requiring any improvements in such plans which would have been authorized under the present provisions of the Wagner-Peyser Act.

THE MIGRANT WORKER BECOMES VISIBLE

Mr. de la GARZA. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Gonzalez] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, if ever there was an invisible and forgotten man in this country, he is the migrant farmworker. For years these hard-working and low-paid people have been exploited with less humanity than we treat our oil and gas and other physical resources. They have been kicked around from State to State and farm to farm, stopping only to help harvest the crops without which we would hardly be an affluent society or a well fed people. Compounding their misery and their exploitation was the feudalistic bracero program, wisely and successfully terminated by Congress last year.

One of the great myths that has existed in some places is that the migrant farmworkers, particularly those of Mexican descent, are especially suited for "stoop" labor; and that they cannot or will not learn the skills that would open up greater job opportunities. The oppressed, disenfranchised, subjugated migrant farmworker still suffers from the damage that has been done through the myth of his inferiority. Racial, religious, and ethnic discrimination take many forms and have historically hidden beneath many falsehoods. The myth of the laziness and the intellectual inferiority of the migrant farmworker falls in this category.

Mr. Speaker, the migrant farmworkers have been literally buried beneath acres of false claims and false assumptions. Fortunately, they are beginning to dig themselves out, with the help of funds from the Office of Economic Opportunity. My purpose today is to inform the Members of this House of the adult migrant education program that is being conducted in San Antonio and several other cities in south Texas.

Some time ago the Office of Economic Opportunity granted $3.3 million for an adult migrant education program in south Texas. Never before had any sustained manpower training program been attempted in this area for migrant workers. The reason given for the neglect of this large group of underprivileged and poverty stricken people by State officials and others amounted to the myth I have outlined. That is, that these people did not want to or could not learn to do anything except migrant farmwork. So the migrant farmworker received no training, and his children received little education. When you are the child of a migrant farmworker you go where the seasonal farmwork is. And seasonal farmwork does not normally coincide with the school year. It is quite typical for the children of migrant farmworkers to leave school before the end of the school year in order to travel across the country in search of farmwork. The effect of all this has been to maintain a large supply of low-skilled labor for the great farms and plantations not only of Texas but of States throughout the Nation.

I am happy to say that even in the short time that the south Texas adult migrant education program has existed so far, the myth of the migrant has been proven false. The 3,000 adult migrant farmworkers that have enrolled in the current training program have amazed everyone with their earnestness, their willingness to learn, their enthusiasm for the program, and their attendance. In some south Texas cities daily attendance has averaged 98 percent. In San Antonio, for example, 80 adult students attend classes from 4 to 9:30 p.m., 5 days a week. Fifty of the students are from 40 to 60 years old. Only two of those who enrolled in the program have dropped out.

Similar programs are being conducted in Laredo, Robstown, MacAllen, Roma, and Rio Grande City. Without exception, these programs have been completely sold out, in terms of applicants for enrollment. In fact, hundreds of migrants have had to be turned down because of the amount of funds and resources available. Numerous requests have already been made to the migrant farmworker section of OEO for an enlarged program next year. I support and fully endorse these requests. Next year's adult migrant education program for south Texas should service a minimum of 25,000 persons. In San Antonio alone, at least 5,000 persons should have the chance for this training and education.

The Sunday, March 6, issue of the San Antonio Light carried a story on the adult migrant education program. The story contains this observation:

> Most of the enrollees are seasonal farmhands and many of them are tired of making the annual trek to out-of-State farmwork.

The story goes on to quote Domingo Villegas, 57, one of the students:

> I want to learn to read and write and learn a trade. I have 19 grandchildren and my sons and daughters have too many mouths to feed.

The south Texas adult migrant education program has demonstrated beyond any doubt that migrant farmworkers want to be better educated and better employed. I believe the Federal Government should help these people with training and educational opportunities. This is a program that should be expanded.

With unanimous consent, I am inserting in the Record a copy of the newspaper story from the San Antonio Light, March 6, 1966, entitled "Migrants Prove Adage":

Migrants Prove Adage

You are never too old to learn.

This old saying can be applied to 80 persons enrolled in the adult migrant education program now being held under the auspices of the Texas Education Agency and the Federal antipoverty program at the South Side High School.

Most of the students are parents of children attending that school during the day.

LONG CLASSES

There are three classes. They start their schooling at 4 p.m. and go home at 9:30 p.m.

There are six teachers and four teacher's aids involved in the program.

They attend classes 5 days a week.

Fifty of the students are men ranging in age from 40 to 60 years old—and all take their schooling seriously.

Each enrollee is paid $30 a week. Only two students have dropped out.

Most of the enrollees are seasonal farmhands and many of them are tired of making the annual trek to out-of-State farmwork.

For the first 3 months, both the men and women will learn the three R's. The last 3 months of their 6-month course will be devoted to learning a trade. The men will be taught welding, plumbing, carpentry, and upholstery.

READ AND WRITE

The women will be taught sewing, cooking, upholstery, and health care.

Supervising the program is Principal Jack Gray. He gathers all the statistics and payrolls from the three classes.

Domingo Villegas, 57, who lives near Bergs Mill and is father of six, said, "I want to learn to read and write and learn a trade. I have 19 grandchildren and my sons and daughters have too many mouths to feed."

CORPS PROJECTS IN SOUTH DAKOTA

Mr. BERRY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. BERRY. Mr. Speaker, recently the Corps of Engineers, on the basis of the district engineer's preliminary findings, has authorized a wide range of detailed investigations of potential dams and reservoirs in the Second Congressional District of South Dakota.

I am very hopeful that these projects as well as the current study of the upper Cheyenne River can be adequately funded to achieve the optimum value of these important projects.

Investigations have been authorized at the following sites: on Beaver Creek above the Cheyenne River; at three sites in canyons west of Rapid City; on Box Elder Creek, near New Underwood; on the Belle Fourche River, west of Belle Fourche; on the Cheyenne River, below the mouth of the Belle Fourche River; on Bear Butte Creek, west of Sturgis; on Deadman's Gulch, southwest of Sturgis; on Falsebottom Creek, southeast of Spearfish; and on Whitewood Creek, near Lead.

The potentials of these sites range from single-purpose flood control to multiple purposes such as municipal water supply, water-quality control, outdoor recreation, fish and wildlife conservation, and possibly power.

Studies for local protection projects have also been authorized at Spearfish, Deadwood, Sturgis, New Underwood, and Wasta in South Dakota and at Beulah, Wyo.

The upper Cheyenne River investigation now is scheduled for completion late in 1968. Again, may I stress my hope that all of these projects will be funded adequately to allow for uninterrupted progress.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. PELLY (at the request of Mr. GERALD R. FORD), for March 7 through March 10, 1966, on account of official business.

Mr. HANNA (at the request of Mr. ALBERT), for today, and the rest of the week, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. PATMAN, for 30 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. MATHIAS, for 30 minutes, today.

Mrs. MAY (at the request of Mr. MAILLIARD), for 1 hour, on March 9; to revise and extend her remarks and include extraneous matter.

Mr. WOLFF (at the request of Mr. DE LA GARZA), for 30 minutes, on March 8.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. BANDSTRA.

Mr. O'NEILL of Massachusetts and to include extraneous matter.

(The following Members (at the request of Mr. MAILLIARD) and to include extraneous matter:)

Mrs. BOLTON.

Mr. DOLE.

Mr. QUIE.

(The following Members (at the request of Mr. DE LA GARZA), and to include extraneous matter:)

Mr. ANNUNZIO.

Mr. DONOHUE in four instances.

Mr. TENZER.

SENATE BILLS AND JOINT RESOLUTIONS REFERRED

Bills and joint resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 146. An act for the relief of Delma S. Pozas; to the Committee on the Judiciary.

S. 153. An act for the relief of Matsusuke Tengan; to the Committee on the Judiciary.

S. 265. An act to authorize conveyance of certain lands to the State of Utah based upon fair market value; to the Committee on Interior and Insular Affairs.

S. 926. An act for the relief of Laura Hui-Wei Wong and her children, Janet Wong and Simon Wong; to the Committee on the Judiciary.

S. 1213. An act for the relief of Richard K. Jones; to the Committee on the Judiciary.

S. 1375. An act providing a method for determining the amount of compensation to which certain individuals are entitled as reimbursement for damages sustained by them due to the cancellation of their grazing permits by the U.S. Air Force; to the Committee on the Judiciary.

S. 1661. An act for the relief of Samuel C. Neiburg; to the Committee on the Judiciary.

S. 1923. An act to amend chapter XI of the Bankruptcy Act to give the court supervisory power over all fees paid from whatever source; to the Committee on the Judiciary.

S. 1960. An act for the relief of Capt. Rey D. Baldwin; to the Committee on the Judiciary.

S. 2153. An act to authorize the Secretary of the Interior to use appropriated funds for the payment of medical care of temporary and seasonal employees and employees located in isolated areas who become disabled because of injury or illness not attributable to official work, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 2177. An act for the relief of Donald I. Abbott; to the Committee on the Judiciary.

S. 2265. An act for the relief of Konstadyna Bynl Deliroglou and her minor child, Alexandros Deliroglou; to the Committee on the Judiciary.

S. 2307. An act for the relief of certain civilian employees and former civilian employees of the Bureau of Reclamation at the Columbia Basin project, Washington; to the Committee on the Judiciary.

S. 2356. An act for the relief of Raymond J. Grachek; to the Committee on the Judiciary.

S. 2696. An act for the relief of Abraham Ezekiel Cohen; to the Committee on the Judiciary.

S.J. Res. 18. Joint resolution to provide for the designation of the fourth week in April of each year as Youth Temperance Education Week; to the Committee on the Judiciary.

S.J. Res. 133. Joint resolution designating February of each year as American History Month; to the Committee on the Judiciary.

ADJOURNMENT

Mr. DE LA GARZA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 48 minutes p.m.), the House adjourned until tomorrow, Tuesday, March 8, 1966, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2139. A letter from the Assistant Administrator for Program, Agency for International Development, Department of State, transmitting a report comparing the fiscal year 1965 military assistance program as presented to the Congress with the actual program implemented during the fiscal year, pursuant to section 634(d) of the Foreign Assistance Act of 1961, as amended; to the Committee on Foreign Affairs.

2140. A letter from the Chairman, U.S. Advisory Commission on Information, transmitting copy of the 21st report of the Commission, pursuant to the provisions of Public Law 80–402 (H. Doc. No. 403); to the Committee on Foreign Affairs, and ordered to be printed.

2141. A letter from the Adjutant General, United Spanish War Veterans, transmitting proceedings of the 67th National Encampment of the United Spanish War Veterans, September 5 to 9, 1965, pursuant to the provisions of Public Law 77–240 (H. Doc. No. 404); to the Committee on Veterans' Affairs, and ordered to be printed.

2142. A letter from the Administrator, General Services Administration, transmitting a draft of proposed legislation to authorize the disposal of amosite asbestos from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

2143. A letter from the Administrator, General Services Administration, transmitting a draft of proposed legislation to authorize the disposal of thorium from the supplemental stockpile; to the Committee on Armed Services.

2144. A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to amend chapter 55 of title 10, United States Code, to authorize a civilian health benefits program for retired members of the uniformed services and their dependents; to the Committee on Armed Services.

2145. A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to amend chapter 55 of title 10, United States Code, to increase health benefits for dependents of members of the uniformed services; to the Committee on Armed Services.

2146. A letter from the Administrator, General Services Administration, transmitting a draft of proposed legislation to authorize the disposal of rhodium from the national stockpile; to the Committee on Armed Services.

2147. A letter from the Executive Assistant to Assistant Chief for Construction, Bureau of Yards and Docks, Department of the Navy, transmitting the semiannual report of military construction contracts awarded on other than a competitive bid basis to the lowest responsible bidder, during the period July 1, 1965, to December 31, 1965, pursuant to the provisions of Public Law 89–188; to the Committee on Armed Services.

2148. A letter from the Secretary of Labor, transmitting a draft of proposed legislation titled "Employment Service Act of 1966"; to the Committee on Education and Labor.

2149. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource development proposals; to the Committee on Interior and Insular Affairs.

2150. A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to establish a program for the preservation of additional historic properties throughout the Nation, and for other purposes; to the Committee on Interior and Insular Affairs.

2151. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to amend the Revised Organic Act of the Virgin Islands to provide for the reapportionment of the Legislature of the Virgin Islands; to the Committee on Interior and Insular Affairs.

2152. A letter from the chairman of the board, Communications Satellite Corp., transmitting the annual report of the corporation for the year 1965, pursuant to the provisions of section 404(b) of the Communications Satellite Act of 1962; to the Committee on Interstate and Foreign Commerce.

2153. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report of extraordinary contractual adjustments authorized by the NASA Contract Adjustment Board, during calendar year 1965, pursuant to the provisions of 72 Stat. 972; to the Committee on the Judiciary.

2154. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered, as well as a list of the persons involved, pursuant to the provisions of section 13(c) of the act of September 11, 1957; to the Committee on the Judiciary.

2155. A letter from the Assistant Secretary of Defense, transmitting a report on civilian positions allocated or placed in grades GS-16, 17, and 18, during calendar year 1965, and on positions established to carry out research and development activities requiring the services of specially qualified scientific or professional personnel, pursuant to statute; to the Committee on Post Office and Civil Service.

2156. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated January 7, 1966, submitting a report, together with accompanying papers and an illustration, on a letter report on Carrabelle Harbor, Fla., requested by a resolution of the Committee on Public Works, U.S. Senate, adopted June 11, 1962, and resolutions of the Committee on Public Works, House of Representatives, adopted June 3, 1959, and June 19, 1963. No authorization by Congress is recommended as the desired improvement has been adopted for accomplishment by the Chief of Engineers under the provisions of section 107 of the 1960 River and Harbor Act; to the Committee on Public Works.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADAMS:

H.R. 13309. A bill to amend the Urban Mass Transportation Act of 1964 to authorize financial assistance for planning, engineering, designing, and other technical studies; to the Committee on Banking and Currency.

By Mr. DENT:

H.R. 13310. A bill to provide for a special milk program for children; to the Committee on Agriculture.

By Mr. DYAL:

H.R. 13311. A bill to provide for the coinage of proof sets of subsidiary silver coins and minor coins bearing the date 1965; to the Committee on Banking and Currency.

H.R. 13312. A bill to permit Federal employees to purchase shares of Federal- or State-chartered credit unions through voluntary payroll allotment; to the Committee on Banking and Currency.

By Mr. EDMONDSON:

H.R. 13313. A bill to amend the River and Harbor Act of 1965 to prohibit certain fees being charged in connection with projects for navigation, flood control, and other purposes; to the Committee on Public Works.

By Mr. WILLIAM D. FORD:

H.R. 13314. A bill to amend the Older Americans Act of 1965 in order to provide for a National Community Senior Service Corps; to the Committee on Education and Labor.

By Mr. GARMATZ:

H.R. 13315. A bill to amend the Merchant Marine Act, 1936, to prohibit transportation of Government-aided cargoes aboard vessels trading with North Vietnam; to the Committee on Merchant Marine and Fisheries.

By Mr. HALL:

H.R. 13316. A bill to provide a special milk program for children; to the Committee on Agriculture.

By Mr. O'HARA of Illinois:

H.R. 13317. A bill to establish a U.S. Committee on Human Rights to prepare for participation by the United States in the observance of the year 1968 as International Human Rights Year, and for other purposes; to the Committee on Foreign Affairs.

H.R. 13318. A bill to establish a pilot program making housing loans available to veterans of service in the Armed Forces of the United States who are residing abroad; to the Committee on Foreign Affairs.

By Mr. PEPPER:

H.R. 13319. A bill to extend and amend the Library Services and Construction Act; to the Committee on Education and Labor.

By Mr. PHILBIN:

H.R. 13320. A bill to authorize the disposal of industrial diamond stones from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

By Mr. REID of New York:

H.R. 13321. A bill to authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs, cats, and other animals intended to be used for purposes of research or experimentation, and for other purposes; to the Committee on Agriculture.

By Mr. SIKES:

H.R. 13322. A bill to assist the States in providing technical recreation service and advice to private landowners and local public agencies relating to the management and development of areas for public outdoor recreation, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MATHIAS:

H.R. 13323. A bill to guarantee equal justice under law; to the Committee on the Judiciary.

By Mr. BELL:

H.R. 13324. A bill to guarantee equal justice under law; to the Committee on the Judiciary.

By Mr. CAHILL:

H.R. 13325. A bill to guarantee equal justice under law; to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 13326. A bill to guarantee equal justice under law; to the Committee on the Judiciary.

By Mrs. DWYER:

H.R. 13327. A bill to guarantee equal justice under law; to the Committee on the Judiciary.

By Mr. ELLSWORTH:

H.R. 13328. A bill to guarantee equal justice under law; to the Committee on the Judiciary.

By Mr. FRELINGHUYSEN:

H.R. 13329. A bill to guarantee equal justice under law; to the Committee on the Judiciary.

By Mr. GRIFFIN:

H.R. 13330. A bill to guarantee equal justice under law; to the Committee on the Judiciary.

By Mr. HARVEY of Michigan:

H.R. 13331. A bill to guarantee equal justice under law; to the Committee on the Judiciary.

By Mr. KUPFERMAN:

H.R. 13332. A bill to guarantee equal justice under law; to the Committee on the Judiciary.

By Mr. MAILLIARD.

H.R. 13333. A bill to guarantee equal justice under law; to the Committee on the Judiciary.

By Mr. McDADE:

H.R. 13334. A bill to guarantee equal justice under law; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 13335. A bill to guarantee equal justice under law; to the Committee on the Judiciary.

By Mr. MOSHER:

H.R. 13336. A bill to guarantee equal justice under law; to the Committee on the Judiciary.

By Mr. ROBISON:

H.R. 13337. A bill to guarantee equal justice under law; to the Committee on the Judiciary.

By Mr. STAFFORD:

H.R. 13338. A bill to guarantee equal justice under law; to the Committee on the Judiciary.

By Mr. WIDNALL:

H.R. 13339. A bill to guarantee equal justice under law; to the Committee on the Judiciary.

By Mr. HORTON:

H.R. 13340. A bill to guarantee equal justice under law; to the Committee on the Judiciary.

By Mr. REID of New York:

H.R. 13341. A bill to guarantee equal justice under law; to the Committee on the Judiciary.

By Mr. SCHWEIKER:

H.R. 13342. A bill to guarantee equal justice under law; to the Committee on the Judiciary.

By Mr. BROWN of California:

H.R. 13343. A bill to authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs, cats, and other animals intended to be used for purposes of research or experimentation, and for other purposes; to the Committee on Agriculture.

H.R. 13344. A bill to establish safety standards for motor vehicle tires sold or shipped in interstate commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 13345. A bill to establish a National Highway Traffic Safety Center to promote research and development activities for highway traffic safety, to provide financial assistance to the States to accelerate highway traffic safety programs, and for other purposes; to the Committee on Public Works.

By Mrs. BOLTON:

H.R. 13346. A bill to authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs, cats, and other animals intended to be used for purposes of research or experimentation, and for other purposes; to the Committee on Agriculture.

By Mr. DON H. CLAUSEN:

H.R. 13347. A bill to authorize the Secretary of the Interior to develop, through the use of experiment and demonstration plants, practicable and economic means for the production by the commercial fishing industry of fish protein concentrate; to the Committee on Merchant Marine and Fisheries.

By Mr. FRIEDEL:

H.R. 13348. A bill to provide for a coordinated national safety program and establishment of safety standards for motor vehicles in interstate commerce to reduce traffic accidents and the deaths, injuries and property damage which occur in such accidents; to the Committee on Interstate and Foreign Commerce.

By Mr. MACKAY:

H.R. 13349. A bill to amend the Urban Mass Transportation Act of 1964 to authorize financial assistance for planning, engineering, designing, and other technical studies; to the Committee on Banking and Currency.

By Mr. MORRISON:

H.R. 13350. A bill to amend the Civil Service Retirement Act, as amended, to provide annuities for additional personnel engaged in hazardous occupations; to the Committee on Post Office and Civil Service.

By Mr. ROBERTS:

H.R. 13351. A bill to provide a special milk program for children; to the Committee on Agriculture.

By Mr. RODINO:

H.R. 13352. A bill to authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs and cats intended to be used for purposes of research or experimentation, and for other purposes; to the Committee on Agriculture.

H.R. 13353. A bill to establish a national policy and program with respect to wild predatory mammals, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. SCHMIDHAUSER:

H.R. 13354. A bill to amend the Older Americans Act of 1965 in order to provide for a National Community Senior Service Corps; to the Committee on Education and Labor.

H.R. 13355. A bill to amend title VII of the Civil Rights Act of 1964 in order to make discrimination because of age in employment an unlawful employment practice; to the Committee on Education and Labor.

H.R. 13356. A bill to amend section 201(c) of the Federal Property and Administrative Services Act of 1949 to permit further Federal use and donation of exchange sale property; to the Committee on Government Operations.

H.R. 13357. A bill relating to dealings in good faith between parties to franchise agreements; to the Committee on the Judiciary.

By Mr. TENZER:

H.R. 13358. A bill to amend the Public Health Service Act to provide for the establishment of a National Eye Institute in the National Institutes of Health; to the Committee on Interstate and Foreign Commerce.

By Mr. VIGORITO:

H.R. 13359. A bill granting the consent of Congress to a Great Lakes Basin compact and for other purposes; to the Committee on Foreign Affairs.

By Mr. COOLEY:

H.R. 13360. A bill to amend the provisions of the Agricultural Act of 1949, as amended, establishing the minimum price support level for peanuts; to the Committee on Agriculture.

H.R. 13361. A bill to establish a cooperative Federal-State child nutrition program under the direction of the Department of Agriculture; to the Committee on Agriculture.

By Mr. HOLLAND:

H.R. 13362. A bill to amend the Wagner-Peyser Act, and for other purposes; to the Committee on Education and Labor.

By Mr. KING of California:

H.R. 13363. A bill to extend the time within which certain requests may be filed under the Tariff Schedules Technical Amendments Act of 1965; to the Committee on Ways and Means.

By Mr. PHILBIN:

H.R. 13364. A bill to authorize the disposal of platinum from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

H.R. 13365. A bill to authorize the disposal of metallurgical grade chromite from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

H.R. 13366. A bill to authorize the disposal of aluminum from the national stockpile; to the Committee on Armed Services.

H.R. 13367. A bill to authorize the disposal of acid grade fluorspar from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

H.R. 13368. A bill to authorize the disposal of bismuth from the national stockpile and the supplemental stockpile; to the Committee on Armed Services

H.R. 13369. A bill to authorize the disposal of molybdenum from the national stockpile; to the Committee on Armed Services.

H.R. 13370. A bill to authorize the disposal of fused crude aluminum oxide from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

H.R. 13371. A bill to authorize the disposal of phlogopite mica from the national and the supplemental stockpile; to the Committee on Armed Services.

H.R. 13372. A bill to authorize the disposal of crude silicon carbide from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

H.R. 13373. A bill to authorize the disposal of muscovite mica from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

By Mr. RIVERS of South Carolina:

H.R. 13374. A bill to amend title 10, United States Code, to authorize the award of trophies for the recognition of special accomplishments related to the Armed Forces, and for other purposes; to the Committee on Armed Services.

By Mr. DON H. CLAUSEN:

H.R. 13375. A bill to establish a contiguous fishery zone beyond the territorial sea of the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. KEITH:

H.R. 13376. A bill to establish a contiguous fishery zone beyond the territorial sea of the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. MATHIAS:

H.R. 13377. A bill to establish a contiguous fishery zone beyond the territorial sea of the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. QUIE:

H.R. 13378. A bill to mesh the combined efforts of government at all levels with private endeavors to provide jobs and dignity for the poor; to the Committee on Education and Labor.

By Mr. GOODELL:

H.R. 13379. A bill to mesh the combined efforts of government at all levels with private endeavors to provide jobs and dignity for the poor; to the Committee on Education and Labor.

By Mr. KASTENMEIER:

H.J. Res. 866. Joint resolution to authorize the President to designate October 31 of each year as National UNICEF Day; to the Committee on the Judiciary.

By Mr. BINGHAM:

H.J. Res. 867. Joint resolution to authorize the President to designate October 31 of each year as National UNICEF Day; to the Committee on the Judiciary.

By Mr. BRADEMAS:

H.J. Res. 868. Joint resolution to authorize the President to designate October 31 of each year as National UNICEF Day; to the Committee on the Judiciary.

By Mr. CONYERS:

H.J. Res. 869. Joint resolution to authorize the President to designate October 31 of each year as National UNICEF Day; to the Committee on the Judiciary.

By Mr. EDWARDS of California:

H.J. Res. 870. Joint resolution to authorize the President to designate October 31 of each year as National UNICEF Day; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.J. Res. 871. Joint resolution to authorize the President to designate October 31 of each year as National UNICEF Day; to the Committee on the Judiciary.

By Mr. FRASER:

H.J. Res. 872. Joint resolution to authorize the President to designate October 31 of each year as National UNICEF Day; to the Committee on the Judiciary.

By Mr. FULTON of Pennsylvania:

H.J. Res. 873. Joint resolution to authorize the President to designate October 31 of each year as National UNICEF Day; to the Committee on the Judiciary.

By Mr. KUPFERMAN:

H.J. Res. 874. Joint resolution to authorize the President to designate October 31 of each year as National UNICEF Day; to the Committee on the Judiciary.

By Mrs. MINK:

H.J. Res. 875. Joint resolution to authorize the President to designate October 31 of each year as National UNICEF Day; to the Committee on the Judiciary.

By Mr. NIX:

H.J. Res. 876. Joint resolution to authorize the President to designate October 31 of each year as National UNICEF Day; to the Committee on the Judiciary.

By Mr. O'HARA of Illinois:

H.J. Res. 877. Joint resolution to authorize the President to designate October 31 of each year as National UNICEF Day; to the Committee on the Judiciary.

By Mr. O'KONSKI:

H.J. Res. 878. Joint resolution to authorize the President to designate October 31 of each year as National UNICEF Day; to the Committee on the Judiciary.

By Mr. RACE:

H.J. Res. 879. Joint resolution to authorize the President to designate October 31 of each year as National UNICEF Day; to the Committee on the Judiciary.

By Mr. ROSENTHAL:

H.J. Res. 880. Joint resolution to authorize the President to designate October 31 of each year as National UNICEF Day; to the Committee on the Judiciary.

By Mr. STALBAUM:

H.J. Res. 881. Joint resolution to authorize the President to designate October 31 of each year as National UNICEF Day; to the Committee on the Judiciary.

By Mr. THOMPSON of New Jersey:

H.J. Res. 882. Joint resolution to authorize the President to designate October 31 of each year as National UNICEF Day; to the Committee on the Judiciary.

By Mrs. GREEN of Oregon:

H.J. Res. 883. Joint resolution to authorize the President to designate October 31 as National UNICEF Day; to the Committee on the Judiciary.

By Mr. SCHWEIKER:

H. Con. Res. 612. Concurrent resolution authorizing the President to proclaim the last week of February in each year as National Father and Son Week; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

408. By the **SPEAKER**: Memorial of the Legislature of the State of Alaska relative to requesting a Presidential commission for the Alaska natives; to the Committee on Interior and Insular Affairs.

409. Also, a memorial of the Legislature of the State of Colorado, relative to enacting into law the recommended revision of H.R. 4671 approved by the Colorado Water Conservation Board on February 8, 1966, and endorsed by the Colorado General Assembly relating to the Colorado River Basin project; to the Committee on Interior and Insular Affairs.

410. Also, a memorial of the Legislature of the State of Colorado, relative to urging full implementation of Public Law 874, retaining Federal aid to public schools; to the Committee on Education and Labor.

411. Also, a memorial of the Legislature of the territory of Guam, relative to a report of the Organic Act of Guam Revision Commission; to the Committee on Interior and Insular Affairs.

412. Also, a memorial of the Senate of the State of Hawaii, relative to supporting a reduction in transpacific air fare; to the Committee on Interstate and Foreign Commerce.

413. Also, a memorial of the Legislature of the State of Idaho, relative to enacting necessary legislation to authorize the financing of primary national forest conservation roads; to the Committee on Public Works.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DYAL:

H.R. 13380. A bill for the relief of Alfred Coleman; to the Committee on Interior and Insular Affairs.

By Mr. EVERETT:

H.R. 13381. A bill for the relief of Cathie Lee Clark; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 13382. A bill for the relief of Jong Kook Song and Dea Kyon Song; to the Committee on the Judiciary.

By Mr. HAGEN of California:

H.R. 13383. A bill for the relief of Antonio S. Martins; to the Committee on the Judiciary.

H.R. 13384. A bill for the relief of Mrs. Maria da Conceicao Rodrigues; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

337. By the **SPEAKER**: Petition of department commander, Department of Massachusetts, Veterans of Foreign Wars, Boston, Mass., relative to preventing the closure of Springfield Armory, Springfield, Mass.; to the Committee on Armed Services.

338. Also, petition of the chairman, Army Advisory Committee of Hawaii, Honolulu, Hawaii, relative to continuing the operation of the Armed Forces Recreation Center, Kilauea Military Camp; to the Committee on Armed Services.

339. Also, petition of Henry Stoner, Avon Park, Fla., relative to reading the motto, "In God We Trust," in public schools; to the Committee on Education and Labor.

340. Also, petition of B. V. Villas, chairman, Civilian Services Rendered to the U.S. Armed Forces in the Philippines Committee, Dumaguete City, Philippines, relative to several claims for civilian services rendered to the United States; to the Committee on Foreign Affairs.

341. Also, petition of City Council, Seward, Alaska, relative to establishing experimental plants to manufacture fish protein concentrate; to the Committee on Merchant Marine and Fisheries.

SENATE

Monday, March 7, 1966

The Senate met at 12 o'clock meridian, and was called to order by the Acting President pro tempore (Mr. Metcalf).

Rev. Edward L. R. Elson, minister, National Presbyterian Church, Washington, D.C., offered the following prayer:

Eternal God, in the solemn silence of this moment, incline our thoughts to Thee and to Thee alone. Make this place now a sanctuary of the spirit. Deliver us from the clash and clamor of the world without, from the pressure of urgent duties, from the confusion of many voices that we may "be still and know—be still and know that Thou art God."

Lift all the deliberations of this body into the higher order of Thy kingdom. Restore our faith in the omnipotence of good. Make and keep this Nation the servant of truth and justice. Renew within us pure religion and lofty patriotism that this Nation may be a worthy instrument of Thy purposes upon the earth.

In all that we think and say and do, wilt Thou lift our eyes to behold, beyond the things that are seen and temporal, the things which are unseen and eternal. Amen.

THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Friday, March 4, 1966, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries.

WAIVER OF CALL OF THE CALENDAR

Mr. MANSFIELD. Mr. President, under rule VIII, I ask unanimous consent to waive the call of the calendar of measures that are not objected to.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. Mansfield, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to consider executive business, for action on nominations.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary:

John M. Imel, of Oklahoma, to be U.S. attorney for the northern district of Oklahoma; and

Joseph W. Keene, of Louisiana, to be U.S. marshal for the western district of Louisiana.

The ACTING PRESIDENT pro tempore. If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar.

DEPARTMENT OF THE NAVY

The legislative clerk read the nomination of Charles F. Baird, of New York, to be an Assistant Secretary of the Navy.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

U.S. MARINE CORPS

The legislative clerk proceeded to read sundry nominations in the U.S. Marine Corps.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

NOMINATIONS PLACED ON THE SECRETARY'S DESK

The legislative clerk proceeded to read sundry nominations in the Army, the Navy, and the Marine Corps which had been placed on the Secretary's desk.

The ACTING PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The ACTING PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

NOMINATION OF STANLEY R. TUPPER

Mr. FULBRIGHT. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that today the Senate received the nomination of Stanley R. Tupper, of Maine, to be Commissioner General for U.S. participation in the Canadian Universal and International Exhibition.

In accordance with the committee rule, this pending nomination may not be considered prior to the expiration of 6 days of its receipt in the Senate.

LEGISLATIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Committee on Agriculture and Forestry was authorized to meet during the session of the Senate today.

On request of Mr. DIRKSEN, and by unanimous consent, the Internal Security Subcommittee of the Committee on the Judiciary was authorized to meet during the session of the Senate today.

COMMITTEE MEETING DURING SENATE SESSIONS TOMORROW AND THURSDAY

On request of Mr. LONG of Louisiana, and by unanimous consent, the Committee on Foreign Relations was authorized to meet during the session of the Senate tomorrow, Tuesday, March 8, and also on Thursday, March 10, 1966.

INCREASED COMPENSATION FOR FEDERAL EMPLOYEES—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 402)

The PRESIDING OFFICER (Mr. HARRIS in the chair). The Chair lays before the Senate a message from the President of the United States on Federal salary reform. Without objection, the message will be printed in the RECORD, without being read, and appropriately referred.

The message was referred to the Committee on Post Office and Civil Service, as follows:

To the Congress of the United States:

Among the many blessings which Americans can count is a corps of Federal civil servants that is unequaled anywhere in the world. Honest, intelligent, efficient, and—above all—dedicated, these men and women represent a national resource and a national asset.

America expects much of these public servants. We have made vigorous demands on their time and energy. We have exacted from them high standards of work and conduct.

In recent years, we have moved steadily to compensate these men and women equitably and competitively for their quality performance in the public interest. To that end, the administration prepared and the Congress enacted, the Federal Salary Reform Act of 1962. We established the principle that Government workers are entitled to a pay scale which compares favorably with pay in private industry.

Such a pay scale is as much in the national interest as it is in the interest of Government employees. I said when signing the Government Employees Salary Reform Act of 1964:

> America's challenges cannot be met in this modern world by mediocrity, at any level, public or private. All through our society we must search for brilliance, welcome genius, strive for excellence.

We have been true to the principle of comparability.

Since 1961, the pay of Federal employees has increased by over 16 percent.

In the brief period since I have been President, employees of the Federal Government have enjoyed pay increases amounting to nearly 12 percent. These increases have done much to close the gap between compensation for Government employees and those in private enterprise.

The increases in basic pay, however, were not accomplished by any significant benefits in forms of other than salary. Yet pay, retirement, and other fringe benefits are all parts of an employee's total compensation. Recognition of this basic fact is crucial in developing a rational and equitable system of compensation. Neither pay, nor retirement, nor other fringe benefits can be considered in isolation. For all of them together represent the worker's real reward.

The proposals which I am making today reflect this consideration.

I propose increases in Federal compensation of $485 million per year.

I am asking the Congress to enact legislation which will provide an average increase for Federal civilian employees amounting to 3.2 percent of total compensation.

On the average, direct salary increases will amount to 2.85 percent. The other increases are for fringe benefits to assist the Government employee in providing for his own economic security.

In considering these proposals, I urge careful study of the supporting data and background information contained in the two reports transmitted with this message:

1. The report of the Cabinet Committee on Federal Staff Retirement Systems, prepared in response to my request of February 1, 1965, for a review of Federal retirement policies and benefits.

2. The annual report to the President of the Director of the Bureau of the Budget and the Chairman of the Civil Service Commission on the comparison between Federal civilian pay levels and those in private enterprise—as required by law.

I also urge the Congress to take into account two other considerations of utmost importance to the Federal employee—and all wage earners—and the Nation as a whole: The wage-price guideposts which are key weapons in our defense against inflation, and sound and responsible Federal fiscal policy.

Both of these considerations weighed heavily in my mind as I studied various possible recommendations to make to the Congress this year. For nothing will destroy the progress of the Federal employee in his efforts to achieve comparability more effectively than the erosion of inflation.

PAY

I recommend to the Congress the enactment of a pay raise for Federal employees—effective January 1, 1967—ranging from 1 percent to 4½ percent.

With these increases, nearly 1 million of the 1.8 million employees affected will achieve pay comparability with private enterprise. These employees include about 88 percent of all postal workers and the more than 470,000 Classification Act employees in grades GS–1 through GS–5.

The smallest increase of approximately 1 percent will go to the lowest of the two grades of the classification system which are already above comparability. The modestly higher increases will go to the relatively few upper grades where the current comparability difference is larger and where, accordingly, our recruiting difficulties are greatest.

RETIREMENT

I shall not detail in this message all of the changes recommended by the Cabinet Committee on Federal Staff Retirement Systems. The report speaks for itself clearly and succinctly. I endorse it.

I call particular attention to three proposals which I believe to be most urgent. These are:

1. Those who reach age 55 with 30 years of service, should be allowed to retire without reduction in annuity. The Government should also have the option to retire involuntarily, at age 55, employees in grades GS–13 and above who have 30 or more years of service.

2. We should guarantee that retirement, disability, and survivor benefits are at least equal to benefits payable under the old-age and survivors disability insurance program of the social security system.

3. We should provide for the transfer to the social security system of service credits of employees who die, become disabled, or leave Federal employment before becoming eligible for Federal retirement systems benefits.

I recommend that these three proposals, like the basic pay increases, be made effective January 1, 1967.

I also recommend the enactment into law of a clear statement of retirement policy, as set forth in detail on pages 10 and 11 of the Cabinet Committee's report; adjustments between the civil service and the Foreign Service retirement systems.

The ultimate costs of all of the proposed changes in the retirement systems are set forth in tabular form on pages 21 and 22 of the Committee's report. This report also contains a sound financing plan. It is essential that we place our retirement system on a sound basis of financing as soon as possible.

I recommend that financing provisions be enacted as a part of the retirement legislation, including a 0.5-percent increase in contributions of both agencies and employees, effective January 1, 1967.

The report of the Cabinet Committee does not deal with changes in the military retirement system. Although the Committee reviewed important aspects of military retirement, it agreed with the Secretary of Defense that recommendations for fundamental changes should wait completion of a broad management study now underway in the Department of Defense.

The retirement report and the recommendations for legislation presented by it are major steps forward in our continuing efforts to improve the compensation system for Federal employees. In my judgment, they are equal in importance to the 1962 Federal Safety Reform Act.

OTHER BENEFITS

I recommend a phased 2-year increase in the Government's contribution to our civilian health benefits program.

The first increase should be effective on January 1, 1967; the second on January 1, 1968. These increases would restore the ratio of costs to the Government and costs to the employee established by the original Health Benefits Act of 1959.

The effective date of other important adjustments in our retirement system should be deferred for at least another year. The most important of these are to:

1. Extend medicare to Federal civilian employees.
2. Continue benefits until age 22 for those surviving children of deceased Federal employees who are continuing their education.
3. Compute benefits on the basis of a guaranteed disability minimum to widows of employees who die after retirement for disability.
4. Continue benefits for a surviving widow if she remarries after age 60.

NEED NEW KNOWLEDGE

If we are to continue to modernize our policy of total compensation, we need better information than is now available. We must examine all of the fringe benefits in our compensation system. These include leave, holiday pay, special pay differentials, unemployment insurance, Federal Employees' Compensation Act benefits for duty-related accidents and illness, health benefits, life insurance, and counterpart benefits prevailing elsewhere in our economy.

I am recommending that the Congress appropriate funds for collection and evaluation of information on non-Federal fringe benefits in the budget of the Department of Labor for 1967.

CONCLUSION

The measures I am proposing meet the test of fairness to our employees. They also meet the test of economic responsibility.

For the past many months, the Government has appealed to labor and industry alike to hold price and wage increases within the guideposts established by the Council of Economic Advisers.

If our Government is to exercise continued leadership in the fight for price stability, then we must continue to practice what we preach. The Government has the added responsibility of not contributing to inflation by its own actions.

With 5 years of unprecedented economic expansion, our industry is now operating near the peak of its capacity. Added to this, we now have the obligation to support our fighting men in Vietnam and our commitment to freedom there.

This administration has already proved that our Nation does not have to live with depression or recession. Now we must prove that we can remain both strong and prosperous without endangering our economic stability.

Government employees have a direct stake in this effort. For none is more harmed by inflation—and harmed more quickly—than the wage earner and the salaried employee. It is of small value to him if the extra dollar he earns buys less and less with every passing week.

We are the wealthiest nation in history. We can afford whatever is necessary for both our welfare at home and our common defense abroad. But we can do this only by the exercise of fiscal prudence and economic responsibility during times when special demands are being made on our economy by the military needs of Vietnam.

I am certain that both Government employees and the leaders of their organizations will recognize that restraint serves both their cause and the national interest. They will recognize that these proposals meet three essential requirements:

First, that taken together, pay, retirement, and health benefits amount to an increase of the maximum total compensation increase within the wage-price guidelines.

Second, that the major increases will go to those Federal workers whose compensation is least comparable with private enterprise.

And third, that these proposals move the entire pay scale toward full comparability in an orderly manner.

The annual cost of these proposals will amount to $485 million. If they are made effective on January 1, 1967—which I urgently recommend—the cost for the next fiscal year will be $240 million. These costs are fully provided for in the budget which I submitted to the Congress in January.

The Federal Government is the largest employer in the Nation. The largest employer has an undeniable responsibility to lead, and not merely to follow, in instituting and adhering to model employment practices.

A model employer can demand excellence in performance. A model employer can demand continuing awareness of the need for greater productivity, more imaginative conduct of Government programs, and substantial cost reduction. We have made those demands.

Federal officers and employees at all levels have responded with enthusiasm and skill. If they had not been determined to improve the efficiency and economy of Government operations, budget costs in both 1966 and 1967 would be some $3 billion higher than they are.

By the close of this fiscal year, the total compensation for our 2½ million Federal civilian employees will be $20.4 billion a year. With expenditures of such magnitude, the President, the Congress, and Federal employees themselves, cannot fail to give the most careful consideration to every adjustment in pay, retirement, and health benefits. Each proposed adjustment must not only be merited, it should also be consistent with the principles of sound government.

Lyndon B. Johnson.

The White House, *March 7, 1966.*

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MONTOYA:

S. 3030. A bill for the relief of Luciano Vittorio Guiseppe Giomo; to the Committee on the Judiciary.

By Mr. YOUNG of Ohio:

S. 3031. A bill to authorize the Secretary of the Interior to establish a National Visitor Center, and for other purposes; to the Committee on Public Works.

(See the remarks of Mr. Young of Ohio when he introduced the above bill, which appear under a separate heading.)

By Mr. CLARK (by request):

S. 3032. A bill entitled "Employment Service Act of 1966"; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Clark when he introduced the above bill, which appear under a separate heading.)

By Mr. GORE:

S. 3033. A bill for the relief of Alan Bruce Lancaster and his wife, Marie Nunez Lancaster; to the Committee on the Judiciary.

By Mr. JACKSON (by request):

S. 3034. A bill to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource development proposals;

S. 3035. A bill to establish a program for the preservation of additional historic properties throughout the Nation, and for other purposes; and

S. 3036. A bill to amend the Revised Organic Act of the Virgin Islands to provide for the reapportionment of the Legislature of the Virgin Islands; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Jackson when he introduced the above bills, which appear under separate headings.)

By Mr. GRUENING:

S. 3037. A bill for the relief of Vartekes Vapurcuyan; and

S. 3038. A bill for the relief of Harry Doukas; to the Committee on the Judiciary.

By Mr. NELSON:

S. 3039. A bill for the relief of Daniel Pernas Beceiro; to the Committee on the Judiciary.

By Mr. TALMADGE:

S. 3040. A bill for the relief of Eileen B. White; to the Committee on the Judiciary.

By Mr. MONDALE:

S. 3041. A bill for the relief of Ming Gow (Jimmy) Moy; to the Committee on the Judiciary.

By Mr. CLARK:

S. 3042. A bill for the relief of Dr. Oscar Lopez; and

S. 3043. A bill for the relief of Dr. Oswaldo F. Lopez; to the Committee on the Judiciary.

By Mr. BREWSTER:

S. 3044. A bill for the relief of Chu Yan Chan; and

S. 3045. A bill for the relief of Sai Shun Ng; to the Committee on the Judiciary.

By Mr. MORSE:

S. 3046. A bill to strengthen and improve programs of assistance for our elementary and secondary schools; and

S. 3047. A bill to strengthen and improve public and private programs of assistance for institutions of higher education and students attending them; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Morse when he introduced the above bills, which appear under a separate heading.)

By Mr. DIRKSEN (for himself and Mr. Mansfield):

S.J. Res. 142. Joint resolution proposing an amendment to the Constitution of the United States providing for representation in the Congress for the District constituting the seat of government of the United States; to the Committee on the Judiciary.

(See the remarks of Mr. Dirksen when he introduced the above joint resolution, which appear under a separate heading.)

A NATIONAL VISITOR CENTER SHOULD BE ESTABLISHED

Mr. YOUNG of Ohio. Mr. President, last Monday President Johnson sent to the Congress a message outlining the need for a national visitor center in Washington, D.C. I introduce, for appropriate reference, a bill which would provide for a center such as the President requested.

All of us are aware of the increasing number of visitors to the Capital. For example, in 1960 there were approximately 15.4 million visitors, and it is estimated that by 1970 this total will increase to 24 million annually. To make their visits to the Nation's Capital a more meaningful experience, a facility is needed to provide helpful orientation and to fulfill many other needs. It is important that citizens of our country, young and old, be encouraged to come to the beautiful Capital of our country.

For example, in the President's proposal, students, and other visitors would be provided with briefings on the historic, political, and symbolic significance of the places they would be visiting. The Center would provide these briefings through exhibits, films, lectures, and other appropriate means of displaying the history and operation of our Government. Each visitor would leave the Capital richer from having visited not only our seat of Government, but through the Center would have a clearer understanding and a deeper appreciation of what was observed and learned here.

In addition, this proposed Center would be of great assistance to visitors to the Nation's Capital with the problems common to tourists anywhere. It would also provide specialized information and assistance to foreign visitors to facilitate and encourage their travel throughout other parts of our Nation.

The unique educational opportunity which Washington can offer to American and foreign visitors alike will be greatly enhanced by the creation of this visitor Center. I am hopeful that the Committee on Public Works will be able to hold public hearings on this bill soon, and take whatever action is necessary to assure that the visitors who come to our Nation's Capital to learn as well as see will be given the most complete and thorough background briefing necessary to help them accomplish their goals.

It is my understanding that Senators on the Committee on Interior and Insular Affairs have expressed an interest in this legislation, and I wish to say that members of the Public Works Committee would have no objection if Senators who are on the Interior and Insular Affairs Committee request its rereferral to that committee after the Committee on Public Works has completed consideration of the bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3031) to authorize the Secretary of the Interior to establish a National Visitor Center, and for other purposes, introduced by Mr. Young of Ohio, was received, read twice by its title, and referred to the Committee on Public Works.

EMPLOYMENT SERVICE ACT OF 1966

Mr. CLARK. Mr. President, by request of the administration, I introduce, for appropriate reference, a bill to maintain, strengthen, and improve the operations of the Federal-State public employment system, known as the Employment Service Act of 1966.

I ask unanimous consent to have the bill, the letter of transmittal from Secretary Wirtz, and an explanatory statement containing a section-by-section analysis thereof, printed in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and statement will be printed in the Record.

The bill (S. 3032) entitled "Employment Service Act of 1966," introduced by Mr. Clark, by request, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the Record, as follows:

S. 3032

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to maintain, strengthen and improve the operations of the Federal-State public employment service system established under the Act of June 6, 1933, as amended (48 Stat. 113), such Act is amended to read as follows:

SHORT TITLE AND DECLARATION OF PURPOSE

Section 1. (a) This Act may be cited as the Employment Service Act of 1966.

(b) The Congress finds and declares that technological innovations, rising aspirations for the attainment of equal employment opportunity, changes in the size and characteristics of the working population, shifts in public and private needs, all combine to impose an ever-increasing burden on the process by which the Nation's workers obtain suitable employment and employers obtain qualified workers. These conditions indicate the need for stronger manpower services to accomplish manpower objectives. New efforts are required under national leadership to bring about effective development, distribution and use of manpower resources basic to the social and economic growth of the Nation and the full realization of individual potential; to fill job vacancies more expeditiously; to provide more complete information regarding impediments to employment and employability for those on the fringes of the labor force and to develop new approaches and special services to increase employability of such persons and to upgrade them so they may work at their highest capability.

Recent legislation by the Congress has responded to the employment needs of those in poverty, the Nation's youth, its older people and its minority groups. Such legislation requires effective local coordination of manpower services, including cooperation between public and private employment activities. Further, effective coordination and formulation and achievement of national manpower policies require current and comprehensive job market information.

The Congress, therefore, declares that a strong and modern public employment service which operates not merely as a labor exchange bringing job seekers and employers together but as an effective manpower service agency is essential to the achievement of these objectives.

ESTABLISHMENT OF FEDERAL-STATE PUBLIC EMPLOYMENT SERVICE SYSTEM; UNITED STATES EMPLOYMENT SERVICE; "STATES" DEFINED

Sec. 2. (a) The Secretary of Labor (hereinafter referred to as the Secretary) shall promote and develop a national system of Federal-State public employment offices to provide comprehensive employment services for persons legally qualified to engage in gainful employment, and for employers, which shall include but not be limited to identification of job opportunities, counseling, testing, placement and related services.

(b) The Secretary shall assist in establishing and maintaining a system of public employment offices in the several States and the political subdivisions thereof in which there shall be located a veterans' employment service. The Secretary shall, except as he may otherwise authorize, assure that the State and local public employment offices are devoted exclusively to carrying out employment service functions in accordance with such rules, regulations, and standards as he may prescribe, including standards for personnel supervision, fiscal accountability, and location of physical facilities. Except as the Secretary may otherwise authorize, each State public employment service (hereinafter referred to as the State agency) and each local public employment office shall be under the direction of a State officer whose duties shall be devoted exclusively to such functions.

(c) The Secretary shall assist in coordinating the public employment offices throughout the country and in increasing their usefulness by developing and prescribing minimum standards of efficiency, assisting them in meeting any manpower and employment problems peculiar to their localities due to the locality's economic level, shifts in types of jobs available, closing of plants, and other reasons, promoting uniformity in their administrative and statistical procedures, furnishing and publishing information as to opportunities for employment and sources of available labor supply and other information of value in the operation of the job market and maintaining a system for facilitating the placement of workers between the several States.

(d) The Secretary shall maintain a United States Employment Service within the Department of Labor to assist him in carrying out this Act with which shall be affiliated the State and local employment offices established pursuant to this Act. The United States Employment Service shall include a veterans' service to be devoted to securing employment for veterans, a farm placement service, and a public employment service for the District of Columbia.

(e) Whenever in this Act the word "State" or "States" is used, it shall be understood to include Puerto Rico, Guam, and the Virgin Islands.

OFFICERS AND EMPLOYEES

SEC. 3. The Secretary is authorized to appoint such personnel and to make such expenditures (including expenditures for personal services and rent at the seat of government and elsewhere and for law books, books of reference, and periodicals) as may be necessary to carry out the provisions of this Act. In case of appointments for nonclerical positions in the veterans' employment service provided for in section 2(d) of this Act, the Secretary shall appoint only persons who are veterans of any war, or have served in the active military, naval, or air service, since January 31, 1955, and who have been discharged or released therefrom under conditions other than dishonorable.

FUNCTIONS OF THE STATE PUBLIC EMPLOYMENT OFFICES

SEC. 4. In accordance with such rules and regulations as the Secretary may prescribe, the State public employment offices shall:

(a) offer and encourage the use of employment services by all persons in and preparing to enter the labor force, including, but not limited to, counseling, testing, placement, information and assistance to improve their employability, and referral to training;

(b) (1) provide employers with: job market information, including information on sources of available labor supply; local and interarea recruitment services; occupational, aptitude, and related tests and testing services; and screening and referral services for qualified workers to fill placement needs, and (2) assist employers in: (i) preventing, alleviating, and resolving skill shortages and undesirable turnover; (ii) making job modifications to permit the use of available applicant supply; (iii) identifying entry jobs and training needs; (iv) helping to achieve equal employment opportunity; (v) adjusting to technological change and other occupational manpower problems; and (vi) developing programs to alleviate mass layoffs;

(c) provide for and encourage the use of employment services by all persons or groups of persons having or likely to have difficulty in obtaining employment, including special employment services tailored to their needs, including testing, counseling and other information and assistance for improving their employability, which may include but not be limited to referral to other public and private agencies for rehabilitation, educational assistance, training, medical examination, and medical care;

(d) maintain programs designed to inform all persons who encounter special difficulty in obtaining employment of the range of services available to them through the public employment offices;

(e) develop and provide appropriate occupational, aptitude, and related tests or testing services to employers, schools, and other agencies contributing to the development and use of the labor force, provided that the confidentiality of test material is observed and professional competence is available for test administration and interpretation;

(f) promote and develop employment opportunities for handicapped persons and provide for job counseling and selective placement services for such persons, including the designation of at least one person in each State or Federal employment office whose duties shall include such functions, and in those States where a State board, department, or agency exists which is charged with the administration of State laws for vocational rehabilitation of physically handicapped persons, cooperate with such board, department or agency;

(g) cooperate with Federal agencies in administering related programs; and

(h) cooperate with employers, labor organizations, private employment agencies, schools, colleges, and other public and private agencies and organizations in developing increased opportunities for employment, and explore all practical ways to develop an effective exchange of information with such individuals, agencies, and organizations.

INTERAREA AND INTERSTATE PLACEMENT

SEC. 5. For the purpose of providing job seekers with the maximum opportunity for employment and employers with qualified workers as expeditiously as practicable,

(a) the State public employment offices shall establish and maintain an effective system for the interstate recruitment and placement of workers; and

(b) the Secretary of Labor shall—

(i) adopt such measures as will assure the cooperation of all States in the establishment and maintenance of such a system;

(ii) establish, operate, or otherwise provide for multi-job market clearance centers to assist in the recruitment and placement of workers and the exchange of job information on a multiple job-market basis, and coordinate their operation; and

(iii) appoint one or more advisory committees, which shall include appropriate representation of other Federal agencies, to study and make recommendations to the Secretary with regard to the use of modern rapid communication systems, automatic data processing, information storage and retrieval methods, and such other technology as may be useful in developing an effective system for the interstate and interarea operations of the Federal-State employment service.

PLANNING AND PROGRAMS FOR EMPLOYMENT DISLOCATIONS

SEC. 6. The Secretary shall develop and maintain means of:

(a) identifying impending and long-range shifts and dislocations in employment, both technological and economic, including those related to reductions or changes in defense activities, and employment needs arising therefrom;

(b) identifying employment needs arising from chronic unemployment and related problems;

(c) assuring that State public employment offices provide such employment services as may be necessary to meet the situations and needs so identified and to avoid or relieve any adverse impact of such conditions upon workers, including measures which will stimulate occupational readjustment and geographical mobility of the affected workers.

CONTRACTS FOR SPECIAL EMPLOYMENT SERVICES

SEC. 7. (a) For the purpose of carrying out this Act, a State agency may, when authorized by the Secretary as he deems appropriate, enter into a contract with a public or private agency for the performance of employment services, including special counseling, placement, or research whenever such services are not otherwise conveniently or reasonably available.

(b) The Secretary is authorizd: (1) to conduct special studies and experimental, developmental, demonstration and research projects related to the effective operation of the employment service system provided by this Act, and (2) to make grants to or contract with any public or private agency for such purposes.

EMPLOYMENT INFORMATION

SEC. 8. (a) The Secretary shall develop, collect, analyze, and distribute employment and manpower information, including information for occupational guidance, testing, and employment counseling, which is required to achieve a more efficient functioning of the job market, and shall cooperate with other organizations, public and private, concerned with the development and use of human resources. The information program authorized by this section may include, but is not limited to, employment information related to the types and distribution of occupations and the qualifications required for their performance, job vacancies and occupational shortages, labor area classifications, occupational classifications, employment changes, technological developments, characteristics of the labor force, and changes in the economy of local and regional areas.

(b) The Secretary shall provide technical assistance to the public employment offices to further the development and expansion of methods and systems for collecting, analyzing, and distributing manpower information.

TRAINING AND PERSONNEL

SEC. 9. (a) In order to assure the effective operation of the public employment service system established under section 2(a), (b), and (c), the Secretary is authorized to—

(1) require that each State plan approved under section 10 shall: (i) establish and maintain for personnel employed in the State system of public employment offices a merit system of personnel administration under such standards as the Secretary prescribes, except that the Secretary shall exercise no authority with respect to the selection, tenure of office, and compensation of any individual employed in accordance with such methods; and (ii) establish minimum qualification standards, appointment and promotion procedures, and salary schedules adequate to attract and retain personnel qualified to perform the functions of the State's public employment service;

(2) require that each State plan include appropriate provisions for training of State employment service personnel which may include provisions for orientation, in-service and out-service training, payment of tuition, and educational leave with pay;

(3) make supporting grants to institutions of higher education for the conduct of training programs and courses and for the establishment and operation of regional centers for the training of State employment service personnel;

(4) develop training materials for and provide technical assistance to the State employment service in the operation of their training programs;

(5) under such regulations as he may prescribe, award fellowships and traineeships, designed to improve qualifications for professional service, to persons already in the State employment service or to persons preparing for employment in State employment services who agree to complete prescribed periods of service after completion of such fellowship or traineeships. The Secretary may, to the extent that he finds such action to be necessary, prescribe requirements to assure than any person receiving a fellowship or traineeship shall repay the costs thereof to the extent that such person fails to serve for the period of service prescribed by the Secretary;

(6) enter into agreements or otherwise arrange for the assignment of officers and employees of the United States Employment Service to State agencies and for the assignment of officers and employees of State agencies to the United States Employment Service for a period not to exceed two years, and the provisions of section 507 of the Elementary and Secondary Education Act of 1965 (79 Stat. 27) shall apply to any such assignment.

(b) In order to facilitate the recruitment of well-qualified individuals for the employment service, the Secretary shall provide for the creation of a special two-year employment service trainee position in the Department of Labor during which such trainees shall be considered Federal employees. With the consent of a State, the Secretary, within such two-year training period, may arrange for the assignment of such trainees to positions within a State employment service, during which period they shall continue to be considered Federal employees.

STATE PLANS

SEC. 10. Any State desiring to receive the benefits of this Act shall, through the State agency established pursuant to section 2 of this Act, submit to the Secretary a State plan and annual supplements thereto, which shall include such provisions as the Secretary by rules and regulations shall prescribe for carrying out this Act, including a provision that the State will replace within a reasonable time any funds received under this Act which are lost or, because of any action or contingency, have been expended for purposes other than or in amounts in excess of those found necessary by the Secretary for the proper and efficient administration of the public employment offices. If such plans are in conformity with the provisions of this Act and reasonably appropriate and adequate to carry out its purposes, they shall be approved by the Secretary and due notice of approval shall be given to the State agency.

APPROPRIATIONS; CERTIFICATION OF FUNDS TO STATES

SEC. 11. (a) There is authorized to be appropriated, in addition to such funds as are made available for expenditure from the employment security administration account established under the Social Security Act, out of any money in the Treasury not otherwise appropriated, such amount from time to time as the Congress may deem necessary to carry out the purposes of this Act.

(b) The Secretary shall from time to time certify to the Secretary of the Treasury for payment to each State such amounts as the Secretary determines to be necessary for the proper and efficient administration of its public employment offices if the State is found to be in compliance with this Act, the approved State plan, and the rules, regulations, and standards prescribed by the Secretary hereunder. Such funds shall be expended solely for the purposes and in the amounts found necessary by the Secretary for the proper and efficient administration of the public employment offices.

COMPLIANCE

SEC. 12. It shall be the duty of the Secretary to ascertain whether the system of public employment offices maintained in each State is conducted in accordance with this Act, the State plan, and the rules and regulations and standards, including standards of efficiency, prescribed by the Secretary in accordance with the provisions of this Act. The Secretary may withhold or revoke any certification or may direct the Secretary of the Treasury to reduce or withhold payments to any State under section 11 whenever he determines as to any State, that the State agency is not complying with this Act, the approved State plan, or the rules, regulations and standards prescribed by the Secretary hereunder. Before any such action, the Secretary shall provide the State agency with reasonable notice of such proposed action and the reasons therefor and with opportunity for a hearing.

RECORDS AND REPORTS

SEC. 13. Each State agency shall maintain such records, and shall submit to the Secretary an annual report and such other reports, in such form and containing such information as he shall prescribe. Each State agency shall comply with such provisions as the Secretary may from time to time deem necessary to assure the correctness and verification of such records and reports.

FEDERAL AND STATE ADVISORY COUNCIL

SEC. 14. (a) The Secretary shall establish an employment service and unemployment insurance advisory council which shall be composed of men and women representing employers and employees in equal numbers and the public for the purpose of formulating policies and advising the Secretary on problems relating to the employment service and the unemployment insurance program and insuring impartiality, neutrality, and freedom from political influence in the solution of such problems. The Secretary shall establish at least two subcommittees with like representation, one from the employment service and one for the unemployment insurance program.

(b) The members of the council shall be selected from time to time without regard to the Civil Service Act in such manner and for such period as the Secretary shall prescribe and shall serve without compensation, but when attending meetings of the council, they shall be allowed necessary travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 73–b (2)) for persons in the Government service employed intermittently.

(c) The council and each subcommittee thereof shall have access to all files and records of the United States Employment Service, and shall be furnished necessary personnel under section 3 of this Act including adequate secretarial and clerical assistance.

(d) The Secretary shall require the organization of similar State advisory councils composed of men and women representing employers and employees in equal numbers and the public.

REFERRALS IN LABOR DISPUTE SITUATIONS

SEC. 15. No person shall be referred to a position the filling of which will aid directly or indirectly in filling a job which (a) is vacant because the former occupant is on strike or is being locked out in the course of a labor dispute, or (b) the filling of which is an issue in a labor dispute. With respect to positions not covered by (a) or (b) of this section, any individual may be referred to a place of employment in which a labor dispute exists, provided he is given written notice of such dispute prior to or at the time of his referral.

RULES AND REGULATIONS

SEC. 16. The Secretary is authorized to issue such rules and regulations as may be necessary to carry out the provisions of this Act.

COOPERATION OF FEDERAL AGENCIES

SEC. 17. (a) In order to avoid unnecessary expense and duplication of functions among Government agencies, each department, agency or establishment of the United States shall cooperate with the Secretary in carrying out the provisions of this Act.

(b) Each department, agency or establishment of the United States shall also cooperate with the Secretary in providing such information to the public employment offices as the Secretary, with the concurrence of the Civil Service Commission, shall request concerning opportunities for employment in the Federal Government.

ACCEPTANCE BY STATES; EFFECTIVE DATE OF ACT

SEC. 18. Any State which has accepted the provisions of the Act of June 6, 1933, shall be deemed to have accepted the provisions of this Act, Provided That, where any State does not have legal authority to comply with the requirements of this Act, the effective date of such requirements shall be 90 days after the convening of the State's first regular legislative session following enactment of this Act.

The letter of transmittal and statement presented by Mr. CLARK is as follows:

U.S. DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
Washington, D.C., March 7, 1966.
Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: I am enclosing a draft bill to modernize the Wagner-Peyser Act which 33 years ago founded the Federal-State public employment service system. The bill is designed primarily to provide a comprehensive and unmistakably clear statement by the Congress of the major role the service needs to play and the functions it needs to perform in the Nation's urgent efforts to deal with its employment, manpower, and human resources development problems.

This administration is dedicated to the principle that full employment opportunity is a proper, practicable, and priority national objective. This administration has recommended, and the Congress has enacted a broad range of programs which bear, directly or indirectly, on our efforts to achieve this objective. Simultaneously with tax cuts a series of imaginative manpower programs have been undertaken to make it possible for the Nation's workers to take advantage of modern employment opportunities as they arise. These programs are effective only insofar as updated machinery and institutions exist for effectuating them. Programs that are broadly framed by Congress have to be carried out in day-to-day activities in cities and towns throughout the country.

The Federal-State public employment service system with its network of nearly 2,000 State and local offices is one of the vital instruments for carrying out at the local level this broad range of human resource development programs and for achieving effective development, distribution, and use of manpower resources basic to the economic and social growth of the Nation and the full realization of individual potential.

The specific duties imposed on the public employment offices by these new programs do not focus directly upon the employment service itself, but upon a complex of interrelated unemployment, education, training, and general manpower issues dealing with the maximum development of the Nation's human resources. Important as are these various programs, the essential answer to unemployment is getting a person into a permament job.

The terms of reference of the Wagner-Peyser Act are general enough to permit the public employment service to do many things, but it does not explicitly state the full range of functions expected from a modern service.

The proposed bill thus revises the Wagner-Peyser Act to establish a clear mandate by the Congress that the Federal-State system of public employment offices must provide the modern and up-to-date tools and services necessary to carry out its essential role and to cope effectively with contemporary manpower and employment needs.

The bill has grown out of extensive review of the operations of the public employment service both by congressional committees and a special task force which I appointed last fall, composed of a group of distinguished citizens from business, labor, and the public, under the chairmanship of Dean George Shultz, University of Chicago School of Business.

The task force filed their report with me last December recommending both administrative and legislative up-dating of the employment service system. In its deliberations the task force took full account of the hearings conducted by subcommittees of the Senate and House Labor Committees and of the reports issued by these subcommittees. The report of this task force was unanimous.

I have reviewed the task force report carefully. The attached bill puts into legislative form most of its major recommendations. Copies of the report are available.

Important among the bill's provisions are identification of the need for the system to provide comprehensive employment services to workers and employers; recognition of the need for working with all elements in the community, public and private, in developing jobs; recognition of the need for highly trained personnel receiving adequate salaries; provision for the maximum separation of the employment service from the unemployment insurance program functions; recognition of the need for special employment services for the disadvantaged; and recognition of the importance of providing efficient and rapid communication of employment and manpower information between the 2,000 State and local offices and other agencies and institutions. A more detailed explanatory statement of the bill is enclosed.

The present Federal-State structure of the system will be retained under which State and local public employment offices provide the necessary manpower and employment services under the leadership of the Department of Labor.

The bill does not incorporate the recommendation of the task force to transfer financing of most of the administrative costs of the public employment service system from the employment security trust fund established under the Social Security Act to general revenues but continues the present provision of the act which authorizes, but does not make mandatory, the use of general revenues.

The legislation which I am sending to you today will constitute another important step in the fulfillment of this administration's active manpower policy—to develop the skills and abilities of our people, to create job opportunities for these abilities, and to match people and jobs. I urge its prompt enactment.

Sincerely,

W. Willard Wirtz,
Secretary of Labor.

EXPLANATORY STATEMENT

1. PURPOSE AND SUMMARY

This bill revises the Wagner-Peyser Act (29 U.S.C. 49–49k), under which the Federal-State public employment service system was established in 1933. This system constitutes a vital part of the machinery by which the Nation achieves effective development, distribution, and use of manpower resources basic to the economic and social growth of the Nation and the full realization of individual potential. The terms of reference of the Wagner-Peyser Act are general enough to permit the public employment service to do many things, but it does not explicitly state the full range of functions expected from a modern service. The bill, which retains the existing Federal-State structure of the system, is designed to provide a comprehensive and unmistakably clear statement by the Congress of the major role the service needs to play and the functions it needs to perform in the Nation's urgent efforts to deal with its employment, manpower, and human resource development problems.

The bill's provisions may be summarized as follows:

1. It provides for a physical separation at the State and local level of employment service functions from those relating to the administration of the unemployment insurance provisions of the Social Security Act except where the Secretary of Labor authorizes a different arrangement. In addition, it provides that at both State and local office level, the program shall be under the direction of a State officer whose duties are devoted exclusively to employment service functions, except as the Secretary may otherwise authorize.

2. It indicates clearly that employment service facilities are available not only to unemployed workers and workers who have particular difficulty in securing employment, but to all workers without limitation.

3. The services which the public employment offices may afford to employers are specified.

4. The State public employment offices are directed to reach out to persons in need of and encourage their use of specialized manpower services to improve their employability.

5. The State public employment offices are to cooperate with employers, labor organizations, private employment agencies, schools, and other public and private agencies in developing both job opportunities and more effective exchange of information.

6. When authorized by the Secretary of Labor, the State public employment offices are given express power to contract with both public and private agencies for the performance of employment services whenever such services are not otherwise conveniently or reasonably available. The Secretary is authorized to contract with or make grants to public or private agencies for studies and for experimental or demonstration projects.

7. Improvement and strengthening of the personnel of the public employment service system is to be achieved not only through the use of merit standards (required under the present act), but also through new provisions for qualification standards, appointment, and promotion procedures, and salary schedules adequate to attract and retain qualified personnel, programs for employment service trainees in the Federal Government, for training employees of State public employment service offices, and for temporary exchange of personnel between State public employment offices and the U.S. Employment Service.

8. The State offices are to maintain an effective system for the interstate recruitment and placement of workers.

9. In order further to improve interarea and interstate recruitment and placement, multi-job-market clearance centers are to be established or otherwise provided for by the Secretary of Labor to act primarily as a center for pooling information on jobs and workers and making it readily available.

10. The Secretary of Labor is to appoint one or more advisory committees to study and suggest effective automatic data processing and computer systems for matching job vacancies and workers and otherwise to make the interstate operations of the public employment system more effective.

11. The Secretary of Labor is directed to develop and maintain means for identifying and dealing with emergency employment situations, such as mass layoffs due to plant closings and unrest stemming from chronic unemployment.

12. The Secretary of Labor is directed to develop and distribute comprehensive and varied employment and manpower information.

13. It is made clear that the authority to finance the employment service system from general revenues is in addition to the financing it presently receives from Federal unemployment tax funds.

14. The Federal Adivsory Council to advise the Secretary of Labor and corresponding State advisory councils are continued. Subcommittees of the councils must be established to deal separately with employment service problems and unemployment compensation problems.

15. The Secretary of Labor determines State compliance with the act, the State plan and the rules, regulations and standards prescribed in accordance with the act. If after notice and opportunity for a hearing he determines that a State agency is not in compliance, he may withhold funds.

2. BACKGROUND OF BILL

The provisions of the bill reflect most of the major recommendations of a special task force appointed by the Secretary of Labor, composed of representatives of labor, management and the public under the chairmanship of Dean George Shultz, of the University of Chicago School of Business. The task force took full account of extensive hearings conducted in 1963 and 1964 by committees in both the House and the Senate relating to the role of the U.S. Employment Service and the Federal-State public employment service system in the conduct of the Nation's present manpower policies.

The task force filed a unanimous report with the Secretary of Labor on December 23, 1965.

3. SECTION-BY-SECTION ANALYSIS OF THE BILL

Section 1 declares the intent of the Congress that the public employment service system be strengthened and modernized to provide for the effective development, distribution, and use of the Nation's manpower resources.

Section 2(a) continues the national system of Federal-State public employment offices for the purpose of providing comprehensive employment services to all persons legally engaged in gainful employment and to employers.

Section 2(b) provides that State public employment offices are to be devoted exclusively to employment service functions, except where the Secretary of Labor otherwise provides. Similarly, except as otherwise authorized by the Secretary, the State agency and each local office is to be under the direction of a State officer whose duties are devoted exclusively to employment service functions. This general separation of employment service functions from unemployment insurance functions does not prohibit their location in an umbrella-type State agency. Necessary functions of the employment service in providing services to claimants for unemployment benefits would not be affected.

Section 2(c) sets forth general coordinating duties of the Secretary of Labor.

Section 2(d) provides for the maintenance of the U.S. Employment Service. This subsection also continues the present veterans' employment service, farm placement service, and a public employment service for the District of Columbia.

Section 3 authorizes the Secretary to appoint such personnel as are necessary to carry out the act. It substantially restates section 2 of the present Wagner-Peyser Act. However, the provision relating to the employment of veterans in the veterans' employment service has been restated to provide that the service shall appoint to nonclerical positions only persons who are veterans of any war, or who have served in the military, naval, or air service since January 31, 1955, and who have been discharged under conditions other than dishonorable.

Section 4 sets forth the essential functions of the employment service offices. Among other things, the section makes it clear that

State public employment offices (1) are to reach out into the community and offer its services to those who need it; (2) have the responsibility to provide comprehensive employment services to meet the contemporary needs of employees, employers, and others, (3) are to continue to provide special employment services to handicapped persons and other persons or groups of persons having unusual difficulty in the job market; (4) are to cooperate with Federal agencies administering related programs, such as those of the Department of Health, Education, and Welfare and those of the Office of Economic Opportunity; and (5) are to cooperate with employers, labor organizations, private employment agencies, schools, colleges, and other public and private organizations in developing opportunities for employment and in developing practical ways to establish methods of exchanging information.

Section 5(a) directs State public employment offices to maintain an effective system for the interstate recruitment and placement of workers.

Section 5(b) requires the Secretary—

To adopt such measures as will assure the cooperation of all States in the maintenance of such a system;

To establish, operate, or otherwise provide for, multijob market centers to serve as a clearinghouse for job information; and

To appoint one or more advisory committees, which shall include appropriate representation of other Federal agencies to study and make recommendations to the Secretary regarding the use of modern rapid communications systems, automatic data processing, information storage and retrieval methods, and other technology for handling interarea placement problems.

Section 6 requires the Secretary to develop and maintain measures for an early warning system to identify unusual or large-scale employment problems such as those resulting from impending plant closings to identify employment needs resulting from chronic unemployment and related problems, and to assure that the State public employment offices provide the employment services needed to avoid or relieve the adverse impact of such conditions upon workers. Such measures are to include those which will stimulate occupational readjustment and geographic mobility of the affected workers.

Section 7 permits State employment offices, with the approval of the Secretary, to contract with other public or private agencies for the performance of employment services when such services are not otherwise conveniently or reasonably available.

Section 7 also authorizes the Secretary of Labor to conduct special studies and experimental, developmental, demonstration, and research projects related to the effective operation of the employment service system, and to make grants or contracts with public or private organizations for such purposes.

Section 8 requires the Secretary to maintain a comprehensive program for the collection and dissemination of employment and manpower information. It also requires him to cooperate with private and other public agencies concerned with the development and use of human resources. The section directs the Secretary to provide technical assistance to the public employment offices in developing manpower information programs.

Section 9 is designed to strengthen the public employment service by improving the quality of its personnel. Section 9 provides for the enhancement of the quality of personnel by authorizing the Secretary to provide for—

1. The maintenance of a merit system of personnel administration, qualification standards, appointment and promotion procedures, and salary schedules adequate to attract and retain qualified personnel;

2. The maintenance by States of appropriate training programs, and assistance to the States in developing these programs;

3. Grants to colleges and universities for developing training materials and operating training centers for employment service personnel;

4. The award of fellowships and traineeships to persons in the employment service or, with limitations, persons who wish to enter the service;

5. Interchange personnel of the State public employment offices and that of the United States Employment Service for 2-year periods; and

6. Special 2-year employment service trainees in the Federal service, who may serve during the training period within a State employment service, with the consent of the State.

Section 10 requires each State seeking the benefits of the act to submit to the Secretary a plan of operation and annual supplements thereto. The requirement is typical of Federal grant programs.

Section 11 authorizes appropriations from general revenues, in addition to funds made available from the employment security administration account under the Social Security Act, for the costs of administering the public employment service system. It also provides for payments to the States of such amounts as the Secretary finds necessary for the proper and efficient administration of the public employment offices, and makes clear the Secretary has control over the proper expenditures of the funds by a State.

Section 12 requires the Secretary to evaluate and review State operations to assure that each State is complying with the act, the State plan, and the rules, regulations and standards prescribed by the Secretary. Whenever a State is found not to be in compliance, the Secretary, after notice and opportunity for a hearing, may take appropriate enforcement action.

Section 13 requires State agencies to file annual reports with the Secretary, and such other reports in such form and containing such information as he may require, and contains safeguards to assure their accuracy, which are based on similar requirements in section 303(a)(6) of the Social Security Act dealing with State unemployment insurance laws. The section also provides for the retention of records by State agencies in accordance with requirements of the Secretary.

Section 14 retains the Wagner-Peyser Act's present requirement for an advisory council composed of men and women representing employers and employees equally and the public to advise the Secretary on employment service and unemployment insurance matters. The bill would require the establishment of separate subcommittees within the advisory council for separately advising on the employment service and unemployment insurance programs.

Section 15 continues the requirements imposed by the regulations issued under section 11(b) of the present Wagner-Peyser Act under which the employment service is prohibited from referring applicants to a job the filling of which will aid directly or indirectly in filling a job which is vacant because the former occupant is on strike or is being locked out in the course of a labor dispute, or the filling of which is an issue in a labor dispute. With respect to other positions, any individual may be referred to a place of employment in which a labor dispute exists, provided he is given written notice of such dispute prior to or at the time of his referral.

Section 16 similarly continues section 12 of the present Wagner-Peyser Act giving the Secreary rulemaking authority necessary to carry out its provisions.

Subsection (a) of section 17 requires Federal departments, agencies, and establishments to cooperate with the Secretary in carrying out the provisions of the act. Subsection (b) directs each such Federal agency to provide such information on opportunities for Federal employment as the Secretary, with the concurrence of the Civil Service Commission, shall request.

Section 18 provides that existing State laws accepting the Wagner-Peyser Act constitute acceptance of this revision of the act. If any States lack legal authority to incorporate in their State plans any of its provisions, the act will not become effective for such State until 90 days after the convening of the State's next regular legislative session in order to enable the State to take appropriate legislative action. Meanwhile, such States will be permitted to continue their employment service operations under existing State plans. This is not intended to preclude the Secretary from requiring any improvements in such plans which would have been authorized under the present provisions of the Wagner-Peyser Act.

INVESTIGATIONS OF CERTAIN WATER RESOURCE DEVELOPMENT PROPOSALS

Mr. JACKSON. Mr. President, I introduce, by request, for appropriate reference, a bill authorizing the Secretary of the Interior to engage in feasibility investigation of certain water resource development proposals. I ask unanimous consent to have printed in the Record a letter from Kenneth Holum, Assistant Secretary of the Interior, requesting the proposed legislation, and stating the purpose and need for the bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the Record.

The bill (S. 3034) to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource development proposals, introduced by Mr. Jackson, by request, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

The letter presented by Mr. Jackson is as follows:

U. S. Department of the Interior,
Washington, D.C., March 2, 1966.

Hon. Hubert H. Humphrey,
President of the Senate,
Washington, D.C.

Dear Mr. President: Enclosed for your consideration is a draft of bill "To authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource development proposals."

We recommend that this draft bill be referred to the appropriate committee and we recommend that it be enacted.

Section 8 of the Federal Water Project Recreation Act of July 9, 1965 (79 Stat. 217) provides:

"Effective on and after July 1, 1966, neither the Secretary of the Interior nor any bureau nor any person acting under his authority shall engage in the preparation of any feasibility report under reclamation law with respect to any water resource project unless the preparation of such feasibility report has been specifically authorized by law, any other provision of law to the contrary notwithstanding."

Subsection 1(a) of the draft bill affects a number of proposals presently pending before the Congress. Feasibility investigations have already been completed to the extent normally required on the 12 projects in this subsection, legislation has been introduced to authorize construction of these proposals, hearings have been held by the appropriate subcommittees of the Interior and Insular Affairs Committees on most of them and, in certain instances committee reports have been filed. The subsection authorizes any additional work that may be required on those proposals.

Subsection 1(b) authorizes the Secretary of the Interior to perform such minor completion, review, processing, and subsequent reanalysis as may be required on 35 proposals which either are currently being reviewed and processed within the executive branch or upon which feasibility investigation work at the regional level of the Bureau of Reclamation will be completed or substantially completed by June 30, 1966. For the most part, there is no continuing requirement for investigation funds for prosecution of work on the proposals in this subsection. The predominant activity remaining to be completed in connection with the proposals in this category is review and processing at the agency and departmental level to permit presentation of the proposals to the Congress for authorization.

Section 2 grants authority to the Secretary to continue to engage in feasibility investigations on 67 potential project proposals for which funds have been made available through the Public Works Appropriation Act for fiscal year 1966. In most cases these investigations were undertaken only after the completion of a thorough reconnaissance investigation which established that the prospects were favorable for the development of feasible and justifiable plans. In other cases the feasibility investigations were undertaken without formal reconnaissance investigations where the combination of overwhelming need and apparent justification, based on reasoned judgment, indicated excellent prospects for the development of feasible and justifiable plans. Substantial local interest and support has also been demonstrated for each of the investigations listed in section 2 so that the likelihood of the Department's being unable to secure appropriate repayment arrangements has been minimized.

Feasibility investigations on these potential projects would be completed at the regional level of the Bureau of Reclamation some time between late fiscal 1967 and 1972, if current program schedules are maintained. The potential projects represented by these investigations present a balanced program for the several river basins of the reclamation States and Alaska, and will be urgently needed by the time the plans can be developed, authorized, and implemented. Assuming no lapse in meeting program schedules or extraordinary delay in authorization of construction and funding, the feasibility investigations upon which continuing authority is sought in section 2 will not, for the most part, be translated into performing reclamation projects before the 1980's. If the reclamation States are to be enabled to meet their growth needs for water resource development at that time, it appears essential that the continuing program of feasibility investigations provided by section 2 should be authorized at this time.

Section 3 of the draft bill authorizes the Secretary of the Interior to undertake feasibility investigations not currently underway or funded. Subsection 3(a) authorizes nine new feasibility investigations for which funds have been requested in the President's Budget for fiscal year 1967. Subsection 3(b) authorizes 11 new investigations currently scheduled to be initiated after fiscal year 1967. As in the case of those investigations currently underway, information now available indicates that prospects are favorable for developing feasible and justifiable plans for those proposals and that local interest and support have been substantial.

We wish to point out that section 2 of Public Law 485, 84th Congress, 2d session, authorizing the Colorado River storage project and participating projects, directed the Secretary of the Interior to give priority to the completion of planning on certain listed potential participating projects. Similarly Public Law 87–590, authorizing the Fryingpan-Arkansas project, directed the Secretary to complete the planning on the potential Basalt project in Colorado as a participating project under the terms of the act authorizing the Colorado River storage project and participating projects. We have assumed that the feasibility studies of these priority projects have been specifically authorized by the Congress within the intent of section 8 of Public Law 89–72. For this reason they have not been listed in the draft bill.

Section 4 of the draft bill authorizes the Secretary to undertake additional feasibility studies to the extent that those studies are financed with contributions from the States or local interests. Over the years the Congress, acting through its Appropriations Committees, has strongly encouraged the financial participation of State and local interests in the planning program of the Bureau of Reclamation. This attitude is reflected in the annual appropriation acts covering Bureau activities which have, for many years, contained a proviso substantially stating that "none of this appropriation shall be used for more than one-half of the cost of an investigation requested by a State, municipality, or other interest." Each year the Bureau receives a sizable amount of contributed funds, either to accelerate going work or initiate new investigations.

The principal incentive to financial participation by State or local interests has been that the initiation of new investigations has been permitted promptly upon receipt of the contributed funds. The alternative would have been to seek Federal financing through normal budgetary channels, entailing a delay of 1 to 2 years. Section 8 of Public Law 89–72, however, requires specific legislative authority for those feasibility studies requested by the States and local interests even though contributed funds have been made available for the work. Unless legislative authority already exists, section 8 would preclude undertaking these cooperative studies until the authority has been obtained. This removes much of the incentive for local financial participation. Certainly the result appears to be contrary to the intent of the Federal Water Project Recreation Act which provides for local participation in water resource developments, and the modification which we suggest in section 3 would be consistent with that act.

The Bureau of the Budget has advised that there is no objection to the presentation of this proposed legislation from the standpoint of the administration's program.

Sincerely yours,

KENNETH HOLUM,
Assistant Secretary of the Interior.

PROGRAM FOR PRESERVATION OF ADDITIONAL HISTORIC PROPERTIES

Mr. JACKSON. Mr. President, I introduce for appropriate reference, a bill to establish a program for the preservation of additional historic properties throughout the Nation.

As the Members of the Senate will recognize, this bill is in furtherance and fulfillment of a part of President Johnson's message of February 23 on the preservation of our national heritage. The President said:

> Historic preservation is the goal of citizen groups in every part of the country. To help preserve buildings and sites of historic significance, I will recommend a program of matching grants to States to the National Trust for Historic Preservation.

The bill I am introducing would carry out this recommendation. It provides for the maintenance by the Secretary of the Interior of a national register of historic sites in the Department, and establishes under the administration of the Secretary a program of grants and matching grants to the States and to the National Trust for Historic Sites for projects having as their purpose the preservation for public benefit of properties that are significant in American history and culture.

The Members of the Senate will recall that the National Trust for Historic Preservation was established by a bill in the 81st Congress which was considered and reported favorably by the Interior Committee and became law in 1949. This measure in turn amended the Historic Sites Act of 1935, but the standards set forth in this act requiring that a site be of true national significance have proved unduly restrictive. The bill I am introducing would make aid available as well for preservation of places significant in the history and development of regions, States, and localities.

I ask unanimous consent, Mr. President, that a communication from the Secretary of the Interior on this subject be printed at this point in the RECORD as a part of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 3035) to establish a program for the preservation of additional historic properties throughout the Nation, and for other purposes, introduced by Mr. JACKSON, by request, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

The letter presented by Mr. JACKSON is as follows:

U.S. DEPARTMENT OF THE INTERIOR,
Washington, D.C., March 2, 1966.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: The President, in his February 23 message dealing with the quality of our environment, said, "Historic preservation is the goal of citizen groups in every part of the country. To help preserve buildings and sites of historic significance, I will recommend a program of matching grants to States and to the National Trust for Historic Preservation." The enclosed draft bill will carry out this recommendation.

The national preservation program contemplated by the Historic Sites, Buildings, and Antiquities Act of August 21, 1935 (49

Stat. 666; 16 U.S.C. 461–467), has fallen short of the goals envisioned by the framers of that act. Since very few historic properties worthy of preservation meet the national significance standard prescribed in the 1935 act, additional means for preserving historic properties, without the Federal Government assuming ownership or administration of them, are badly needed. The need, however, is not confined to historic properties judged nationally significant. Historic places important to local communities, States, and regions are also vital parts of the Nation's heritage, and they are even less immune to the forces of destruction than nationally significant properties.

Chief among the methods of promoting historic preservation at the State, county, and municipal levels are the identification of the significant sites and their acquisition, rehabilitation, and maintenance. Other methods, however, may be needed and they are the subject of continuing study by many interested groups, both public and private.

The enclosed draft bill authorizes the Secretary of the Interior to maintain a national register of sites, buildings, and objects significant in American history and culture. This includes both historic and archeological sites. In addition the bill establishes a program of matching grants-in-aid to States and the National Trust for Historic Preservation in the United States for projects having as their purpose the preservation for public benefit of properties that are significant in American history and culture.

The program of grants-in-aid to States will begin with a statewide historic sites survey financed by the Federal Government and conducted according to standards and procedures reflecting those of the National Survey of Historic Sites and Buildings which this Department is presently conducting. The statewide survey will include sites already determined to be of national significance by the Secretary of the Interior, but it will be aimed primarily at identifying and evaluating other properties that are significant in American history and culture.

On the basis of such survey, the State will prepare a comprehensive statewide historic preservation plan which, when approved by the Secretary of the Interior after considering its relationship to the statewide outdoor recreation plan, will form the basis for matching grants-in-aid to States for the acquisition and development of historical properties in non-Federal public or private ownership. Properties of national, regional, State or local historical significance will be eligible for inclusion in the statewide plan, whether they are operated by a public agency or private organization or individual.

Due to rapidly increasing development in urban centers of population, the Secretary of the Interior will require assurances that preservation of historic areas in our cities figure materially in the preparation of any statewide plan. For this reason also, apportionment of the grants will take into account the many historical properties located in urban centers.

Although most of this program will take the form of matching grants-in-aid to States, the bill also contemplates that some matching grants-in-aid will be made to the National Trust for Historic Preservation in the United States, which was chartered as a charitable, educational, and nonprofit corporation by the act of October 26, 1946 (63 Stat. 927; 16 U.S.C. 468 et seq.). Its purposes according to that act are to "receive donations of sites, buildings and objects significant in American history and culture, to preserve and administer them for public benefit, to accept hold, and administer gifts of money, securities, or other property of whatsoever character for the purpose of carrying out the preservation program."

The above act provides for the principal office of the National Trust to be located in the District of Columbia and for its affairs to be under the general direction of a board of trustees. The Board of Trustees is composed of the Attorney General of the United States, the Secretary of the Interior, and the Director of the National Gallery of Art, ex officio; and not less than six general trustees. At the present time, the bylaws of the National Trust provide for not more than 31 general trustees and they are chosen by the members of the National Trust from its members.

The National Trust is empowered to accept and administer gifts of real and personal property absolutely or in trust and to contract with Federal, State, or municipal agencies, or individuals for the preservation and maintenance of historic properties owned by other agencies or individuals.

Under its program the National Trust has acquired historical properties of great significance, and has assisted in the preservation and maintenance of other properties in private ownership. Among those the National Trust owns and maintains are Woodlawn Plantation, at Mount Vernon, Va.; Decatur House, Washington, D.C.; Shadows-on-the-Teche, New Iberia, La.; Casa Amesti, Monterey, Calif.; Woodrow Wilson House, Washington, D.C.; and Belle Grove, Middletown, Va.

As part of its educational program the National Trust conducts workshops, seminars, and conferences, and it is especially active in giving moral support and, upon request, expert technical advice to preservation organizations for their local projects. It is the only nongovernmental body operating on a nationwide basis in the historical preservation field. Participating in the National Trust's programs are more than 6,000 member organizations and individuals located throughout the Nation.

The functions of the National Trust are carried out solely with donated funds. Grants to the National Trust under the proposed bill will enable the Trust to proceed to encourage on an accelerated basis the local initiative and support that is needed for preservation of our historic heritage.

The bill prescribes a number of conditions to the grants-in-aid to the States and National Trust in order to insure that the purposes of this act will be carried out.

The bill also provides that no grant may be made under this act for or on account of any survey or project with respect to which financial assistance has been given or promised under any other Federal program or activity, and vice versa. This provision will avoid any overlap with other related Federal programs and activities such as the Department of Housing and Urban Development's open-space programs conducted pursuant to title VII of the Housing Act of 1961 (75 Stat. 183, as amended; 42 U.S.C. 1500 et seq.).

The estimated cost of the program authorized by the enclosed bill is $2 million for the fiscal year 1967. Costs for succeeding fiscal years would depend upon the needs identified in the surveys.

The Bureau of the Budget has advised that this proposed legislation is in accord with the program of the President.

Sincerely yours,

STEWART L. UDALL,
Secretary of the Interior.

AMENDMENT OF REVISED ORGANIC ACT OF THE VIRGIN ISLANDS, RELATING TO REAPPORTIONMENT

Mr. JACKSON. Mr. President, I introduce, for appropriate reference, a bill to amend the Revised Organic Act of the Virgin Islands to provide for the reapportionment of the Legislature of the Virgin Islands.

I ask unanimous consent that the letter from the Department of the Interior accompanying the bill be printed in full at this point in the RECORD.

The **PRESIDING OFFICER.** The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 3036) to amend the Revised Organic Act of the Virgin Islands to provide for the reapportionment of the Legislature of the Virgin Islands, introduced by Mr. JACKSON, by request, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

The letter presented by Mr. JACKSON is as follows:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., March 3, 1966.
Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed herewith is a proposed bill "To amend the Revised Organic Act of the Virgin Islands to provide for the reapportionment of the Legislature of the Virgin Islands."

We recommend that the proposed bill be referred to the appropriate committee for consideration, and we recommend that it be enacted.

Under existing law (48 U.S.C. 1571(b)) the Virgin Islands is divided into three legislative districts—the Districts of St. Thomas, St. Croix, and St. John—and the 11 members of the legislature are elected as follows: two senators from the District of St. Thomas, two senators from the District of St. Croix, one senator from the District of St. John, and six senators at large who are elected by the qualified electors of the Virgin Islands from the Virgin Islands as a whole. The same law provides that in the election of the six senators at large each elector shall be permitted to vote for two candidates and the candidates receiving the greatest number of votes are declared to be elected up to the number to be elected at that election.

After 11 years of experience with the existing law, a period which comprehends very substantial political development in the Virgin Islands with the achievement of an ever increasing sense of political maturity, and the pronouncements of the Supreme Court of the United States concerning legislative reapportionment, we believe that the existing law should be modified to reflect experience, the wishes of the people of the Virgin Islands, and external circumstances of the times. The enclosed draft proposal amending the existing law, if enacted, would, in our opinion, provide the necessary revision of the present law.

Recognizing the development of political maturity in the government and people of the Virgin Islands, the proposed amendment would leave to local enactment the details of legislative apportionment. Criteria by which to judge the propriety of any reapportionment are not detailed since it seems to us presumptuous at this point in time to attempt to forecast just what criteria may emerge from current litigation concerning this very point. In lieu of specific criteria, the proposed amendment incorporates and makes applicable to any reapportionment the language of the equal protection clause of the 14th amendment of the Constitution, which language is the basis of the Supreme

Court's one-man, one-vote decisions. While those decisions are not for application in the Virgin Islands, we nevertheless strongly believe in the correctness of the principle stated and by the foregoing we would provide for its enforcement in the Virgin Islands, should the need for such enforcement ever arise.

The proposed amendment also provides that electors shall be entitled to vote for the whole number of candidates to be elected, whether by district or at large. The substitution of this procedure for the existing "two of six" provision seems to us to be required if we are to be consistent.

Finally, the proposed amendment contains a transitory provision extending the existing law until such time as a reapportionment is effected, subject to a provision that the second proviso pertaining to the number of candidates for whom an elector may vote shall become effective upon enactment.

This proposal is consistent with the wishes of the people and government of the Virgin Islands, although it does not follow the form of the recommendation of the Virgin Islands Constitution Convention as adopted February 25, 1965. That recommendation followed the format of the existing law and detailed a new apportionment of the legislature to be enacted by the Congress. For the reasons stated, we have suggested that the Congress authorize local legislation in this regard subject to the stated provisos. The deletion of the "two of six" provision is common to the recommendation of the Constitutional Convention and the enclosed proposal.

The Bureau of the Budget has advised that there is no objection to the presentation of this draft bill from the standpoint of the administration's program.

Sincerely yours,

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

PROPOSED LEGISLATION RELATING TO EDUCATION

IMPROVED ASSISTANCE FOR ELEMENTARY AND SECONDARY SCHOOLS

Mr. MORSE. Mr. President, it is my responsibility and my privilege as chairman of the Subcommittee on Education of the Committee on Labor and Public Welfare to introduce certain education bills that have been sent to Congress by the administration. It will be my responsibility, after hearings have been completed on the bills and the committee makes whatever report of proposed legislation to the Senate that it decides to make, to be in charge of the bills.

I now send to the desk, for appropriate reference, the administration bill to strengthen and improve programs of assistance for our elementary and secondary schools. I ask unanimous consent that the text of the bill and a fact sheet concerning it, which was prepared by the Office of Education of the Department of Health, Education, and Welfare, be printed at this point in my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and fact sheet will be printed in the RECORD.

The bill (S. 3046) to strengthen and improve programs of assistance for our elementary and secondary schools, introduced by Mr. MORSE, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 3046

A bill to strengthen and improve programs of assistance for our elementary and secondary schools

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Elementary and Secondary Education Amendments of 1966".

TITLE I—AMENDMENTS TO THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

Part A—Financial assistance to educational agencies for the education of children of low-income families

Extension of Program to June 30, 1970

SEC. 101. Section 202 of the Act of September 30, 1950, Public Law 874, Eighty-first Congress, as amended, is amended to read as follows:

"Duration of Assistance

"SEC. 202. The Commissioner shall, in accordance with the provisions of this title, make payments to State educational agencies for the period beginning July 1, 1965, and ending June 30, 1970."

Grants for Indian Children in Schools Operated by the Department of the Interior

SEC. 102. Section 203(a)(1) of such Act of September 30, 1950, is amended to read as follows: "From the sums appropriated for making grants under this title for a fiscal year, the Commissioner shall reserve such amount, but not in excess of 3 per centum thereof, as he may determine and shall allot such amount among Puerto Rico, Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands, and the Department of the Interior (to meet the special educational needs of educationally deprived children in elementary and secondary schools operated for Indian children by that Department) according to their respective needs for such grants. The maximum grant which a local educational agency in Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands shall be eligible to receive, and the terms upon which payments shall be made to the Department of the Interior for such Indian children, shall be determined pursuant to such criteria as the Commissioner determines will best carry out the purposes of this title."

Payments to State Educational Agencies for Assistance in Educating Migratory Children of Migratory Agricultural Workers

SEC. 103(a) Section 203(a) of such Act of September 30, 1950, is amended by inserting after paragraph (5) the following new paragraph:

"(6) A State educational agency which has submitted and had approved an application under section 205(c) for any fiscal year shall be entitled to receive a grant for that year under this title for establishing or improving programs for migratory children of migratory agricultural workers. The maximum total of grants which shall be available for use in any State for any fiscal year shall be an amount equal to the Federal percentage of the average per pupil expenditure in the United States multiplied by the full-time equivalent of the estimated number of such migratory children aged five to seventeen, inclusive, who reside in the State part time, as determined by the Commissioner in accordance with regulations. For purposes of this paragraph, the "average per pupil expenditure" in the United States shall be the aggregate current expenditures, during the second fiscal year preceding the fiscal year for which the computation is made, of all local educational agencies in the United States, plus any direct current expenditures by States for operation of local educational agencies (without regard to the sources of funds from which such expenditures are made), divided by the aggregate number of children in average daily attendance to whom such agencies provided free public education during such preceding year."

(b) Section 205 of such Act is amended by adding the following new subsection at the end thereof:

"(c)(1) A State educational agency or a combination of such agencies may apply for a grant for any fiscal year under this title to establish or improve, either directly or through local educational agencies, programs of education for migratory children of migratory agricultural workers. The Commissioner may approve such an application only upon his determination—

"(A) that payments will be used for programs and projects (including the acquisition of equipment and where necessary the construction of school facilities) which are designed to meet the special educational needs of migratory children of migratory agricultural workers, and to coordinate these programs and projects with similar programs and projects in other States, including the transmittal of pertinent information with respect to school records of such children;

"(B) that in planning and carrying out programs and projects there has been and will be appropriate coordination with programs administered under part B of title III of the Economic Opportunity Act of 1964; and

"(C) that such programs and projects will be administered and carried out in a manner consistent with the basic objectives of clauses (1)(B) and (2) through (8) of subsection (a), and of section 206(a).

The Commissioner shall not finally disapprove an application of a State educational agency under this paragraph except after reasonable notice and opportunity for a hearing to the State educational agency.

"(2) If the Commissioner determines that a State is unable or unwilling to conduct educational programs for migratory children of migratory agricultural workers, or that it would result in more efficient and economic administration, or that it would add substantially to the welfare or educational attainment of such children, he may make special arrangements with other public or nonprofit private agencies to carry out the purposes of this subsection in one or more States, and for this purpose he may set aside on an equitable basis and use all or part of the maximum total of grants available for such State or States."

(c)(1) The portion of section 206(a) of such Act which precedes clause (1) is amended by striking out "participate in the program of this title" and inserting in lieu thereof "participate under this title (except with respect to the program described in section 205(c) relating to migratory children of migratory agricultural workers)".

(2) The first sentence of section 207(a)(1) of such Act is amended by inserting "it and" after "the amount which".

(3) Section 210 of such Act is amended by striking out "section 206(b)" and inserting in lieu thereof "section 205(c) or 206(b)".

(4) Section 211(a) of such Act is amended by striking out "section 206(a)" and inserting in lieu thereof "section 205(c) or 206(a)".

Eligibility for Grants; Clarifying Definition of "Average Per Pupil Expenditure" in a State

SEC. 104. (a)(1) The portion of section 203(b) of such Act of September 30, 1950, which precedes paragraph (1) thereof is amended by inserting "the sum of" before "the number", and by inserting after "subsection (c))" the following: ", and the number of children of such ages of families receiving an annual income in excess of the low income factor from payments under the program of aid to families with dependent children under a State plan approved under title IV of the Social Security Act".

(2) Section 203(b)(1) of such Act is amended by striking out all that follows "shall be" and inserting in lieu thereof "at least ten."

(3) Section 203(b)(2) of such Act is amended by striking out "shall be one hundred or more" and inserting in lieu thereof "shall be at least ten".

(b) The last sentence of section 203(a)(2) is amended to read as follows: "For purposes of this subsection, the 'average per pupil expenditure' in a State shall be the aggregate current expenditures, during the second fiscal year preceding the fiscal year for which the computation is made, of all local educational agencies in the State, plus any direct current expenditures by the State for operation of local educational agencies (without regard to the source of funds from which such expenditures are made), divided by the aggregate number of children in average daily attendance to whom such agencies provided free public education during such preceding year."

Raising the Low-Income Factor to $3,000 After June 30, 1967

Sec. 105. Section 203(c) is amended to read as follows:

"(c) For the purposes of this section, the 'Federal percentage' shall be 50 per centum and the 'low-income factor' shall be $2,000 for each of the two fiscal years ending prior to July 1, 1967, and they shall be 50 per centum and $3,000, respectively, for each of the three succeeding fiscal years."

Using Most Recent Aid-For-Dependent-Children Data Available after June 30, 1967

Sec. 106. Effective with respect to fiscal years beginning after June 30, 1967, the third sentence of section 203(d) of such Act of September 30, 1950, is amended to read as follows: "The Secretary of Health, Education, and Welfare shall determine the number of children of such ages from families receiving an annual income in excess of the low-income factor from payments under the program of aid to families with dependent children under a State plan approved under title IV of the Social Security Act on the basis of the most recent satisfactory data available to him."

Repealing Provision for Special Incentive Grants

Sec. 107. (a) Title II of such Act of September 30, 1950, is amended by striking out section 204.

(b) Such title II is further amended by—

(1) striking out "basic grant", "Basic Grants" and "basic grants" each time they occur and inserting in lieu thereof "grant", "Grants" or "grants", as the case may be;

(2) striking out "or a special incentive grant" in the portion of section 205(a) which precedes clause (1); and

(3) striking out in section 207(a)(2) the portion which follows the comma and inserting in lieu thereof "except that this amount shall not exceed the maximum amount determined for that agency pursuant to section 203."

Treatment of Income of Employees Receiving Aid for Dependent Children

Sec. 108. The following new section is added immediately after section 212 of such Act:

"Sec. 213. (a) Notwithstanding the provisions of title IV of the Social Security Act, a State plan approved under section 402 of such Act shall provide that for a period of not less than twelve months, and may provide that for a period of not more than twenty-four months, the first $85 earned by any person in any month for services rendered to any program assisted under this title of this Act shall not be regarded (A) in determining the need of such person under such approved State plan, or (B) in determining the need of any other individual under approved State plan.

"(b) Notwithstanding the provisions of subsection (a) of this section, no funds to which a State is otherwise entitled under title IV of the Social Security Act for any period before the first month after the adjournment of the State's first regular legislative session which adjourns more than sixty days after enactment of this Act, shall be withheld by reason of any action taken pursuant to a State statute which prevents such State from complying with the requirements of subsection (a) of this section."

Use of Grants for Planning Programs and Projects, Including Construction

Sec. 109. (a) The portion of section 205(a)(1) of such Act of September 30, 1950, which precedes subclause (A) thereof is amended to read as follows: "(1) that payments under this title will be used for programs and projects (including the acquisition of equipment, and, where necessary, the construction of school facilities and plans made or to be made for such programs, projects, and facilities)".

(b) Title II of such Act is amended by redesignating clauses (5) through (8) of section 205(a) and references thereto as clauses (6) through (9), and by inserting after (4) the following new clause:

"(5) in the cause of an application for payments for planning, (A) that the planning was or will be directly related to programs or projects to be carried out under this title and has resulted, or is reasonably likely to result, in a program or project which will be carried out under this title, and (B) that planning funds are needed because of the innovative nature of the program or project or because the local educational agency lacks the resources necessary to plan adequately for programs and projects to be carried out under this title;"

Providing That a Program or Project Must Be at Least a Certain Minimum Size To Be Approved

Sec. 110. Section 205(a)(1)(B) of such Act of September 30, 1950, is amended by inserting "(and to this end involve an expenditure of not less than $5,000)" after "which are of sufficient size, scope, and quality".

Computing Amount of Payments for State Administrative Expenses

Sec. 111. Clause (1) of section 207(b) of such Act of September 30, 1950, is amended to read as follows:

"(1) 1 per centum of the total maximum grants for State and local educational agencies of the State as determined for that year pursuant to sections 203 and 208".

Providing a More Current Base for Determining Maintenance of Effort

Sec. 112. Section 207(c)(2) of such Act of September 30, 1950, is amended by striking out "for the fiscal year ending June 30, 1964" and inserting in lieu thereof "for the second preceding fiscal year".

Continuing and Revising Provision for Adjustments Where Necessitated by Appropriations

Sec. 113. (a) Section 208 of such Act of September 30, 1950, is amended by striking out "for the fiscal year ending June 30, 1966," and inserting in lieu thereof "for any fiscal year".

(b) Such section 208 is further amended by adding at the end thereof the following: "In order to permit reductions made pursuant to this section for any fiscal year to be offset at least in part, the Commissioner may set dates by which (1) State educational agencies must certify to him the amounts for which the applications of educational agencies have been or will be approved by the State, and (2) State educational agencies referred to in section 203(a)(6) must file applications. The excess of (1) the total of the amounts of the maximum grants computed for all educational agencies of any State under section 203, as ratably reduced under this section, over (2) the total of the amounts for which applications of agencies of that State referred to in clauses (1) and (2) of the preceding sentence are approved shall be available, in accordance with regulations, first to educational agencies in that State and then to educational agencies in other States to offset proportionately ratable reductions made under this section."

Definitions

Broadening definition of "local educational agency"

Sec. 114. (a)(1) Section 303(6) is amended to read as follows:

"(6)(A) For purposes of title I, the term 'local educational agency' means a board of educational or other legally constituted local school authority having administrative control and direction of free public education in a county, township, independent, or other school district located within a State. Such term includes any State agency which directly operates and maintains facilities for providing free public education.

"(B) For purposes of title II, the term 'local educational agency' means a public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for, public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a State, or such combination of school districts or counties as are recognized in a State as an administrative agency for its public elementary or secondary schools. Such term includes any other public institution or agency having administrative control and direction of a public elementary or secondary school, and it also includes (except for purposes of sections 203(a)(2), 203(b), and 205(a)(1)) any State agency which is directly responsible for providing free public education for handicapped children (including mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or other health impaired children who by reason thereof require special education)."

(2) The first sentence of section 203(a)(5) of such Act is amended by striking out ", on a non-school-district basis,".

(3) Section 203(a)(3) is amended to read as follows:

"(3) In the case of local educational agencies which serve in whole or in part the same geographical area, and in the case of a local educational agency which provides free public education for a substantial number of children who reside in the school district of another local educational agency, the State educational agency may allocate the amount of the maximum grants for those agencies among them in such manner as it determines will best carry out the purposes of this title."

Providing for a more precise definition of "current expenditures"

(b) Section 303(5) of such Act is amended to read as follows:

"(5) The term 'current expenditures' means expenditures for free public education, including expenditures for administration, instruction, attendance and health services, pupil transportation services, operation and maintenance of plant, fixed charges, and net expenditures to cover deficits for food services and student body activities, but not including expenditures for community services, capital outlay, and debt service, or any expenditures made from funds granted under title II of this Act or title II or III of the Elementary and Secondary Education Act of 1965."

Part B—School library resources, textbooks, and other instructional materials

Appropriations Authorized

SEC. 121. Section 201(b) of the Elementary and Secondary Education Act of 1965 (Public Law 89–10) is amended to read as follows:

"(b) For the purpose of making grants under this title, there are hereby authorized to be appropriated the sum of $100,000,000 for the fiscal year ending June 30, 1966, $105,000,000 for the fiscal year ending June 3, 1967, and such sums as may be necessary for each of the three succeeding fiscal years."

Indian Children in Schools Operated by the Department of the Interior

SEC. 122. Section 202(a) of such Act is amended by—

(a) striking out "2 per centum" in the first sentence and inserting in lieu thereof "3 per centum";

(b) striking out "and" after "the Virgin Islands," in the first sentence, and inserting after "the Pacific Islands" in that sentence ", and the Department of the Interior (for library resources, textbooks, and other printed and published instructional materials for the use of children and teachers in elementary and secondary schools operated for Indian children by that Department)"; and

(c) inserting after the first sentence thereof the following new sentence: "The terms upon which payments shall be made to the Department of the Interior for such purposes shall be determined pursuant to such criteria as the Commissioner determines will best carry out the purposes of this title."

Assuring Each State at Least $30,000 Per Year for Administrative Expenses

SEC. 123. Clause (2) of section 203(a) is amended by inserting immediately before the semicolon at the end thereof "or $30,000, whichever is greater".

Part C—Supplemental educational centers and services

Appropriations Authorized

SEC. 131. Section 301(b) of the Elementary and Secondary Education Act is amended to read as follows:

"(b) For the purpose of making grants under this title, there is hereby authorized to be appropriated the sum of $100,000,000 for the fiscal year ending June 30, 1966, $150,000,000 for the fiscal year ending June 30, 1967, and such sums as may be necessary for each of the three succeeding fiscal years."

Indian Children in Schools Operated by the Department of the Interior

SEC. 132. Section 302(a) of such Act is amended by—

(a) striking out "2 per centum" in the first sentence and inserting in lieu thereof "3 per centum";

(b) striking out "and" after "the Virgin Islands," in the first sentence and inserting after "the Pacific Islands," in that sentence "and the Department of the Interior (for carrying out the purposes set forth in paragraphs (a) and (b) of section 303 for the benefit of Indian children in elementary and secondary schools operated by that Department)"; and

(c) inserting after the first sentence thereof the following new sentence: "The terms upon which payments shall be made to the Department of the Interior for such Indian children shall be determined pursuant to such criteria as the Commissioner determines will best carry out the purposes of this title."

Part D—Cooperative Research Act Amendments

Permitting the Research Training Program To Be Carried Out Through Contracts as Well as Grants

SEC. 141. Section 2(b) of the Cooperative Research Act (20 U.S.C. 331a) is amended to read as follows:

"(b)(1) The Commissioner is authorized to make grants to universities and colleges and other public or private agencies, institutions, and organizations to assist them in providing training in research in the field of education (including such research described in section 503(a)(4) of the Elementary and Secondary Education Act of 1965), including the development and strengthening of training staff and curricular capability for such training, and, without regard to sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5), to provide by contracts or jointly financed cooperative arrangements with them for the conduct of such activities; except that no such grant may be made to a private agency, organizations, or institution other than a nonprofit one.

"(2) Funds available to the Commissioner for grants or contracts or jointly financed cooperative arrangements under this subsection may, when so authorized by the Commissioner, also be used by the recipient (A) in establishing and maintaining research traineeships, internships, personnel exchanges, and pre- and post-doctoral fellowships, and for stipends and allowances (including traveling and subsistence expenses) for fellows and others undergoing training and their dependents not in excess of such maximum amounts as may be prescribed by the Commissioner, or (B) where the recipient is a State educational agency, in providing for such traineeships, internships, personnel exchanges, and fellowships either directly or through arrangements with public or other nonprofit institutions or organizations.

"(3) No grant shall be made or contract or jointly financed cooperative arrangement entered into under this subsection for training in sectarian instruction, or for work to be done in an institution, or a department or branch of an institution, whose program is specifically for the education of students to prepare them to become ministers of religion or to enter upon some other religious vocation or to prepare them to teach theological subjects."

Consolidating Research Authority Under Section 2

SEC. 142. Section 4(b) of the Cooperative Research Act is amended by striking out the second sentence thereof.

Amending the Definition of "Construction" To Include the Acquisition of Existing Buildings

SEC. 143. Section 5(4) of the Cooperative Research Act is amended to read as follows:

"(4) The terms 'construction' and 'cost of construction' include (A) the construction of new buildings, and the acquisition, expansion, remodeling, replacement, and alteration of existing buildings, including architects' fees, but not including the cost of acquisition of land (except in the case of acquisition of an existing building) or off-site improvements, and (B) equipping new buildings and existing buildings, whether or not acquired, expanded, remodeled, or altered."

Part E—Grants to strengthen State departments of education

Appropriations Authorized

SEC. 151. Section 501(b) of the Elementary and Secondary Education Act of 1965 is amended to read as follows: "For the purpose of making grants under this title, there are hereby authorized to be appropriated the sum of $25,000,000 for the fiscal year ending June 30, 1966, $22,000,000 for the fiscal year ending June 30, 1967, and such sums as may be necessary for each of the three succeeding fiscal year."

Technical Amendment Regarding Interchange of Personnel With States

SEC. 152. Effective as of April 11, 1965, section 507(c)(3)(D) of the Elementary and Secondary Education Act of 1965 is amended by inserting ", and for retention and leave accrual purposes," after "toward periodic or longevity step increases".

Part F—Effective date

SEC. 161. The provisions of this title shall be effective with respect to fiscal years beginning after June 30, 1966.

TITLE II—FEDERALLY AFFECTED AREAS

Part A—Amendments to Public Law 874

Subpart 1—Major Amendments

SEC. 201. Section 3 of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), as amended, is amended in the following respects:

Changing method of computing entitlement to eliminate present eligibility requirement and include an absorption provision

(a)(1) Paragraphs (1) and (2) of subsection (c) of section 3 are amended to read as follows:

"(c)(1) The amount to which a local educational agency is entitled under this section for any fiscal year shall be—

"(A) with respect to children determined under subsection (a), an amount equal to the local contribution rate (determined under subsection (d)) multiplied by the number of children determined under subsection (a) minus a number equal to 3 per centum of the total number of children who were in average daily attendance during that year and for whom the agency provided free public education, and

"(B) with respect to children determined under subsection (b), an amount equal to one-half of the local contribution rate (determined under subsection (d)) multiplied by the number of children determined under subsection (b) minus a number equal to 6 per centum of the total number of children who were in average daily attendance during that year and for whom the agency provided free public education.

"(2) No local educational agency shall be entitled to receive any payment for a fiscal year unless the total number of children for whom the agency will receive such payments is ten or more. Notwithstanding the provisions of paragraph (1), whenever and to the extent that, in his judgment, exceptional circumstances exist which make such action necessary to avoid inequity and avoid defeating the purposes of this Act, the Commissioner may waive or reduce the 3 per centum deduction contained in clause (A) of paragraph (1), or the 6 per centum deduction contained in clause (B) of paragraph (1)."

(2) Subsection (c) is further amended by inserting immediately after paragraph (2) the following new paragraph:

"(3) For the purposes of this subsection, a local educational agency may count as children determined under subsection (b) any number of children determined under subsection (a)."

Method of determining local contribution rate

(b) Subsection (d) of section 3, relating to the computation of the local contribution rate, is amended as follows:

(1) The first sentence of subsection (d) is amended by striking out "and the local educational agency".

(2) Clauses (1) and (2) of the first sentence of subsection (d) are amended to read:

"(1) he shall place each school district within the State into a group of generally comparable school districts; and

"(2) he shall then divide (A) the aggregate current expenditures, during the second fiscal year preceding the fiscal year for which he is making the computation, which all of the local educational agencies within any such group of comparable school districts made from revenues derived from local sources, by (B) the aggregate number of children in average daily attendance to whom such agencies provided free public education during such second preceding fiscal year."

(3) The third sentence of subsection (d) is amended by striking out "If, in the judgment of the Commissioner, the current expenditures in those school districts which he has selected under clause (1)" and substituting in lieu thereof "If, in the judgment of the Commissioner, the current expenditures in the school districts within the generally comparable group as determined under clause (1)".

(4) The fourth and fifth sentences of subsection (d) are repealed.

Exclusion of property which is subject to local taxation

SEC. 202. Subsection (1) of section 303, relating to the definition of "Federal property", is amended by striking out the following sentence: "Such term includes real property which is owned by the United States and leased therefrom and the improvements thereon, even though the lessee's interest, or any improvement on such property, is subject to taxation by a State or a political subdivision of a State or by the District of Columbia."

Subpart 2—Minor and Technical Amendments

SEC. 211. Section 3 is further amended in the following respects:

Providing that children of servicemen shall be deemed to reside with a parent employed on Federal property

(a) (1) The first sentence of subsection (b) of section 3 is amended by—

(A) inserting "(1)" before "resided on Federal property",

(B) inserting "(2)" before "resided with a parent", and

(C) inserting before the period at the end thereof ", or (3) had a parent who was on active duty in the uniformed services (as defined in section 102 of the Career Compensation Act of 1949)".

(2) The second sentence of subsection (b) is repealed.

Providing that all Federal payments will be deduction from gross entitlements on the same basis

(b) Subsection (e) of section 3 is amended to read as follows:

"(e) In determining the total amount which a local educational agency is entitled to receive under this section (other than subsection (c)(4) thereof) for a fiscal year, the Commissioner shall deduct (1) such amount as he determines that agency derived from other Federal payments (as defined in section 2(b)(1)) but only to the extent such payments are not deducted under the last sentence of section 2(a), and only to the extent the payments are made with respect to property on which children, counted for purposes of this section, live or on which their parents work, and (2) such amount as he determines to be the value of transportation and of custodial and other maintenance services furnished such agency by the Federal Government during such year. The Commissioner shall make no deduction under this subsection for any fiscal year in which the sum of the amounts determined under clauses (1) and (2) of the preceding sentence is less than $1,000."

Making the appropriation for one fiscal year available through the following year to meet obligations of the current year

SEC. 212. Section 5(b) is amended by adding at the end thereof the following new sentence: "Sums appropriated pursuant to this Act shall remain available for obligation and payment as provided in this Act until the close of the fiscal year next succeeding the fiscal year for which they were appropriated."

Where a local educational agency cannot or will not educate children living on Federal property

SEC. 213. Section 6 is amended by redesignating subsection (f) as subsection (g), and by inserting immediately after subsection (e) the following new subsection:

"(f) If no tax revenues of a State or of any political subdivision of the State may be expended for the free public education of children who reside on any Federal property within the State, or if no tax revenues of a State are allocated for the free public education of such children, then the property on which such children reside shall not be considered Federal property for the purposes of sections 3 and 4 of this Act. If a local educational agency refuses for any other reason to provide in any fiscal year free public education for children who reside on Federal property which is within the school district of that agency or which, in the determination of the Commissioner, would be within that school district if it were not Federal property, there shall be deducted from any amount to which the local educational agency is otherwise entitled for that year under section 3 or 4 an amount equal to (1) the amount (if any) by which the cost to the Commissioner of providing free public education for that year for each such child exceeds the local contribution rate of that agency for that year, multiplied by (2) the number of such children."

SEC. 214. Section 303 is amended in the following respects:

Extending to all property the provision which permits Federal property used for housing to be counted as Federal property for one year after transfer by the United States

(a) Clause (B) of the second last sentence of section 303(1) is amended by striking out "housing".

Repeal of exclusion of property used for provision of local benefits

(b) The last sentence of section 303(1) is amended by—

(1) striking out "(A) any real property used by the United States primarily for the provision of services or benefits to the local area in which such property is situated."; and

(2) redesignating clause (B), (C), and (D) as clauses (A), (B), and (C), respectively.

Eliminating eligibility of federally connected children in thirteenth and fourteenth grades

(c)(1) Subsection (4) of section 303, relating to the definition of "free public education", is amended by striking out "for the purposes of title II".

(2) Subsection (15) of that section, relating to the definitions of "elementary school" and "secondary school", is amended by striking out "For the purpose of title II, the" and inserting "The" in lieu thereof.

Authorizing the Commissioner to establish a method of counting children for the purpose of determining average daily attendance

(d) Subsection (10) of section 303 is amended to read as follows:

"(10) Average daily attendance shall be determined in accordance with State law, except that (A) the average daily attendance of children with respect to whom payment is to be made under section 3 or 4 of this Act shall be determined in accordance with regulations of the Commissioner, and (B) notwithstanding any other provision of this Act, where the local educational agency of the school district in which any child resides makes or contracts to make a tuition payment for the free public education of such child in a school situated in another school district, for purposes of this Act the attendance of such child at such school shall be held and considered (i) to be attendance at a school of the local educational agency so making or contracting to make such tuition payment, and (ii) not to be attendance at a school of the local educational agency receiving such tuition payment or entitled to receive such payment under the contract."

Part B—Amendments to Public Law 815

Reducing Percentage Increase Required for Eligibility and Lengthening Increase Period to 4 Years

SEC. 221. (a) Section 5(c) of the Act of September 23, 1950 (Public Law 815, Eighty-first Congress), as amended, is amended by striking out "at least 5 per centum" and inserting in lieu thereof "at least 6 per centum".

(b) Section 15(15) is amended by inserting "third or fourth" immediately before the phrase "regular school year" the first time that phrase occurs in the subsection, and by striking out "or the regular school year preceding such school year".

(c) Section 15(16) is amended by striking out "two" and inserting "four" in lieu thereof.

(d) Section 5(f) of such Act is amended to read as follows:

"(f) In determining under this section the total of the payments which may be made to a local educational agency on the basis of any application, the total number of children counted for purposes of paragraph (1), (2), or (3), as the case may be, of subsection (a) may not exceed—

"(1) the number of children whose membership at the close of the increase period for the application is compared with membership in the base period for purposes of that paragraph, minus

"(2) the number of such children whose membership at the close of the increase period was compared with membership in the base year for purposes of such paragraph under the last previous application, if any, of the agency on the basis of which any payment has been or may be made to that agency."

Reduction in the Non-Federal Growth Requirement

SEC. 222. Section 5(d) of such Act is amended by striking out "107 per centum" and by inserting in lieu thereof "106 per centum".

Extending the Time for Determining the Number of Unhoused Children by Authorizing the Commissioner To Make the Estimate for a Period Extending One Year Beyond the Increase Period

SEC. 223. Section 4 of such Act is amended by inserting "the year following" immediately before the phrase "the increase period".

Exclusion of Property Which Is Subject to Local Taxation

SEC. 224. Section 15(1) of such Act, relating to the definition of "Federal property", is amended by striking out the following sentence: "Such term includes real property which is owned by the United States and leased therefrom and the improvements thereon, even though the lessee's interest, or any improvement on such property, is subject to taxation by a State or a political subdivision of a State or by the District of Columbia."

Making the Provisions Relating to Indians Living on Reservations Permanent

SEC. 225. (a) The first sentence of section 14(b) of such Act is amended by striking out "ending prior to July 1, 1966," and ", not to exceed $60,000,000 in the aggregate,".

(b) The third sentence of section 14(b) is amended by striking out ", except that after June 30, 1966, no agreement may be made to extend assistance under this section".

Providing That Children Residing on Federal Property Who Have a Parent in the Uniformed Services Will Be Considered as Federally Connected

SEC. 226. Section 5(a)(1) of such Act is amended by inserting "(A)" immediately before the phrase "with a parent employed on Federal property" and by inserting immediately before the comma preceding the phrase "multiplied by 95 per centum" the following: ", or (B) who had a parent who was on active duty in the uniformed services (as defined in section 102 of the Career Compensation Act of 1949)".

Providing for Transfer of Title to Facilities to the Local Educational Agency Where It Is in the Federal Interest To Do So

SEC. 227. Section 10 of such Act is amended by inserting "(a)" immediately before the first word thereof, and by adding the following new subsection:

"(b) When the Commissioner determines it is in the interest of the Federal Government to do so, he may transfer to the appropriate local educational agency all the right, title, and interest of the United States in and to any facilities provided under this section (or sections 204 or 310 of this Act as in effect January 1, 1958). Any such transfer shall be without charge, but may be made on such other terms and conditions, and at such time as the Commissioner deems appropriate to carry out the purposes of this Act."

Repeal of Exclusion of Property Used for Provision of Local Benefits

SEC. 228. The last sentence of section 15(1) of such Act is amended by—

(1) striking out "(A) any real property used by the United States primarily for the provision of services or benefits to the local area in which such property is situated,"; and

(2) redesignating clauses (B), (C), and (D) as clauses (A), (B), and (C), respectively.

Eliminating Eligibility of Federally Connected Children in Thirteenth and Fourteenth Grades

SEC. 229. Section 15(4) of such Act, relating to the definition of "free public education," is amended by inserting ", except that such term does not include any education provided beyond grade 12" immediately before the period at the end of the sentence.

Including American Samoa in Definition of "State"

SEC. 230. Section 15(13) of such Act, relating to the definition of "State," is amended by inserting "American Samoa," immediately before "the Virgin Islands".

Part C—Effective date

SEC. 241. The amendments made by this title shall be effective for fiscal years beginning after June 30, 1966, except that if the amendment made by section 213 would have reduced the payments under such Act to a local educational agency for the fiscal year ending June 30, 1966 (if it had been in effect for that year), the amendment shall not apply to that local educational agency for fiscal years ending prior to July 1, 1968.

The fact sheet presented by Mr. MORSE is as follows:

FACT SHEET

Elementary and Secondary Education Amendments of 1966—Appropriations requested for fiscal year 1967

[In millions]

Title I, amendments to the Elementary and Secondary Education Act of 1965 (Elementary and Secondary Education Act of 1965, Public Law 89–10):	
Part A, opportunity for the disadvantaged (title I of Elementary and Secondary Education Act of 1965)	$1,070
Part B, school library resources, textbooks, and other instructional materials (title II of Elementary and Secondary Education Act of 1965)	105
Part C, supplementary educational centers and services (title III of Elementary and Secondary Education Act of 1965)	150
Part D, research (title IV of Elementary and Secondary Education Act; Cooperative Research Act)	80
Part E, strengthening State departments of education (title V of Elementary and Secondary Education Act of 1965)	22
Total	1,427
Title II, amendments to federally affected areas program:	
Part A, operation of schools (Public Law 874)	183.4
Part B, construction of schools (Public Law 815)	22.9
Total	206.3
Total Elementary and Secondary Education Amendments of 1966	1,633.3

TITLE I—AMENDMENTS TO THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

Part A—Opportunity for the disadvantaged (1966 amendments to title I of the Elementary and Secondary Education Act of 1965, Public Law 89–10)

Background

The close tie between poverty, low academic achievement, and poor schools has long been recognized. The 10 States with the lowest per capita income have consistently high levels of Selective Service rejection. Two-thirds of the families headed by persons with fewer than 9 years of education live in poverty. In the 18- to 24-year-old age bracket, 20 percent of the young men and women with an eighth-grade education or less are unemployed.

The poor school, whether situated in the rural or urban slum, breeds disinterest resulting in a dropout rate far above that in schools serving high-income neighborhoods. In the inner city high schools, as many as 60 percent of the students enrolled in the 10th grade may drop out before graduation.

The Federal Government assumed a responsibility for helping provide quality education to all children with the passage of the Elementary and Secondary Education Act of 1965. Title I of this law established a billion dollar program aimed at educationally deprived children. The Congress appropriated $775 million for the first year of this program.[1]

Local public school districts are eligible to receive a share of these funds based on half the average current school expenditures per child in the State, multiplied by the number of school-age children in the district from families having an annual income below $2,000 or from families receiving aid for dependent children payments in excess of $2,000.

As of January 31, 1966, an estimated 6,000 projects are being supported at an approximate cost of $550 million. More than 3.5 million children are already benefiting; new programs are being approved daily.

A sample of 484 of these projects indicates educationally deprived children are receiving a variety of services. Almost two out of every three projects call for remedial reading. Forty percent involve summer programs to develop and reemphasize student interest in various fields. Thirty percent of the projects are using teacher aids and other subprofessional personnel. Moreover, emphasis has been placed on the early years of education. Sixty-eight percent of the children are in the grades from preschool through sixth.

Proposal

The program would be extended through fiscal year 1970. The current authorization formula would be continued through fiscal year 1967. In fiscal year 1968 and the following 2 years, however, the low-income factor would be raised to $3,000 and the most recent data on aid to families with dependent children would be used. Thus, 2.9 million additional children would be counted, a total of 8.4 million. This would increase the authorization by approximately $600 million.

The incentive grant proposals scheduled to go into effect in fiscal year 1967 would be repealed because they would be erratic and would fail to help the neediest school districts with the largest numbers of disadvantaged children. The estimated savings of $400 million would thus be available for making basic grants to more than 20,000 school districts.

Local school districts would be permitted to use part of their grants for planning, including planning for school construction. The districts would have to demonstrate that the planning funds would lead to a program for educationally deprived children. Moreover, schools would be required to show that the planning grants are needed because of the innovative nature of the program or because the schools lack the resources to plan adequately.

Special provision would be made to meet the special educational needs of educationally deprived Indian children in Bureau of Indian Affairs schools. In fiscal year 1965, there were nearly 150,000 Indian children between the ages of 6 and 18. Only 134,000 of them were enrolled in school, one-third of them in schools maintained by the Bureau of Indian Affairs. Of those not enrolled in school, more than 8,000 were unable to attend because of lack of facilities. An additional 4,000 lived in dormitories away from home so that they might receive an education. Of those who attend school, 50 percent drop out before they complete the 12th grade. On the reservations, young adults—those under 45 years of age—average an eighth grade education, compared to a national average of almost 12 years of school.

Funds would also be made available for the education of migratory children of migratory agricultural workers. Each year, approximately 150,000 migrant children accompany their parents from community to community and from State to State. Those migrating from some home bases are estimated to spend only 2 to 6 weeks in any one school district during the harvest season. Well over half of all migrant children are not achieving at their grade level; a substantial number of them are 2 years or more behind in their schooling. Of all migrants over the age of 25, one-third have only a fourth grade education or less. An additional 43 percent have no more than an eighth grade education. The median years of school completed by migrants over the age of 25 is 6.5.

---

[1] An additional appropriations request for $184 million is currently before the Congress for fiscal year 1966, making a total request for this title of $959 million.

A total of $1.07 billion would be requested for fiscal year 1967, $111 million more than the appropriations request in fiscal year 1966.

Part B—School library resources, textbooks, and other instructional materials (1966 amendments to title II of the Elementary and Secondary Education Act of 1965, Public Law 89-10)

Background

Quality in textbooks and school library programs is related to students' academic achievement, to remaining in high school, and to continuing on to college or a job. Almost 70 percent of the public and more than 50 percent of the private elementary schools have no libraries. Nearly one-half of the elementary schoolchildren in the United States attend schools that do not have libraries. The current public school levels of 6.2 library books per pupil and $2.28 annual expenditure for books per pupil are well below the recommended professional standards of 10 books and $4 to $6 annual expenditure for books per pupil.

In addition, school systems in 33 cities with a population of more than 90,000 do not provide free high school textbooks. A family with children in high school may have to spend $15 to $20 per student for current textbooks. In 1961 families spent $90 million for textbooks, 40 percent of that year's total textbook expenditures. Sales of textbooks in 1963 for kindergarten through grade 12 were $293 million, or about $6.11 per student. This amount would hardly purchase two new textbooks, which is inadequate in view of the rapid accumulation and changing nature of knowledge.

In the Elementary and Secondary Education Act, Congress recognized the Federal responsibility for the improvement of school libraries and instructional materials. The first year appropriation was $100 million.

Title II funds may be used to purchase textbooks as well as library books and audiovisual materials. The money may also be used to purchase periodicals and documents, films and recordings, but not equipment.

By February 10, 46 States had submitted their State plans for title II to the Office of Education. Thirty-four of these plans had been approved potentially affecting 40 million students and 1.5 million teachers in these States.

Acquisition of library resources has been given priority by the States. Every State plan calls for spending at least half of the money for school library resources. Twenty of the 34 State plans require at least two-thirds of the money to be used for this category.

By summer, the remaining plans should be approved with children in all States feeling the impact of the program by next September

Proposal

The program for library resources, textbooks, and other instructional materials would be continued through fiscal year 1970. Special provisions would be made for Indian children presently not covered by the program.

State departments of education would be able to expend up to 3 percent of their allotment, or $30,000, whichever is the greater, for the administration of the program at the State level.

Funds authorized for fiscal year 1967 would be $105 million, up $5 million from this year's appropriation. Such sums as may be necessary would be authorized for the next 3 years.

Part C—Supplementary educational centers and services (1966 amendments to title III of the Elementary and Secondary Education Act of 1965, Public Law 89–10)

Background

Seventy percent of the Nation's public secondary schools have no language laboratories. Seventy-five percent of our elementary schools do not have the services of a guidance counselor for even 1 day a week. In 40 States, there are still high schools without science laboratories.

The supplementary centers and services which Congress authorized under title III of the Elementary and Secondary Education Act were based on the premises that communities and local school districts know their deficiencies and that they are most able to devise remedies for their own needs.

A wide variety of services can be used to raise the quality of education on the local level. The title encourages school districts to look at their educational needs and develop original and innovative programs to enrich courses of study.

By the first deadline, 746 title III proposals were submitted requesting more than $75 million for these supplementary centers and services. One hundred and forty-seven planning projects and 70 operational projects were approved. An estimated 20 million persons are to be served by these efforts—children and teachers in public and private schools, preschoolers, adults, handicapped children and out-of-school youth.

More than half of these projects were for multipurpose programs, such as media and material centers, cultural enrichment programs and mobile activities. Almost one-third were for special activities outside the regular curriculum, such as guidance counseling, remedial instruction, special education for the talented, and self-instruction.

By the close of this fiscal year, it is expected that 1,000 projects will have been approved affecting some 2,000 school districts; however, the available funds will help less than 10 percent of the Nation's 24,000 school districts.

Proposal

The program for supplementary centers and services would be continued through fiscal year 1970. Special provisions would be made for Indian children presently not covered by the program.

Funds authorized for fiscal year 1967 would be $150 million, doubling this year's appropriation. Such sums as may be necessary would be authorized for the next 3 years.

Part D—Research (1966 amendments to title IV of the Elementary and Secondary Education Act of 1965, Public Law 89–10, and to the Cooperative Research Act of 1954)

Background

While $42 billion will be spent on education in the United States this year, less than 1 percent will be expended for educational research. Private industry allocates up to 10 percent and more for research and development.

The Cooperative Research Act of 1954 (Public Law 83–531) was passed to provide support for research to develop new knowledge about the process and content of education and to devise new applications of this knowledge in solving these problems.

Despite the small U.S. investment in educational research, important progress has been made. For example, blind children are being taught to read at four times the previous rate. Under the braille system, the average sixth grade blind child is able to read at the rate of 60 words a minute. A new technique, which uses an accelerated rate of words on tape, enables the child to comprehend oral instruction at the rate of about 240 words a minute or, in some instances, as many as 400 words a minute.

Using programed instructional materials developed by researchers, fourth and sixth graders at the experimental Oakleaf Elementary School in suburban Pittsburgh scored higher than college freshmen on science tests prepared by the University of Pittsburgh.

Preschool children have been taught to read, and to read well, in experimental programs that stimulate their curiosity and intellectual drive.

As of June 30, 1965, more than 1,700 projects had been supported. In 1966, with the increased funds available, 346 additional projects will receive support. Moreover, nine Research and Development Centers at universities have been established to focus attention on high priority problem areas.

Seeking to improve the depth of U.S. educational research, Congress appropriated $100 million over 5 years under title IV of the Elementary and Secondary Education Act for the constructing and equipping of national and regional research facilities. In so doing, it amended the Cooperative Research Act to include a national program of educational laboratories. Nine development grants have already been made. The research program was also expanded to provide for the training of educational researchers. Seven hundred people will be trained in the summer of 1966, with an additional 1,300 receiving training in the fall.

Proposal

The program would be broadened to permit research training contracts including those with profitmaking organizations. Moreover, authority would be added to permit the acquisition of existing buildings for research facilities (now only new buildings may be constructed).

Part E—Strengthening State Departments of Education (1966 amendments to title V of the Elementary and Secondary Education Act of 1965, Public Law 89–10)

Background

The State provides instructional leadership and technical services to local school districts, and coordinates education planning and activity. These activities demand strong State education agencies. Funneling of Federal funds through the State agencies has intensified the need. The agencies must plan disbursements and submit plans, programs, and accomplishments to the U.S. Office of Education and other Federal agencies.

But despite growing demands upon the State education agencies, most are seriously understaffed in almost every field. One State education department last year had only 75 professionals to assist 1,300 schools and 20,000 local school people. Under circumstances such as these, State educational leadership has often been inadequate.

To strengthen State education departments under title V of the Elementary and Secondary Education Act, Congress appropriated $17 million. Applications for funds have been approved for the 50 States, the District of Columbia, the Virgin Islands and Puerto Rico. All call for hiring additional personnel, estimated to total more than 1,500.

Ninety-one percent of the proposals outline efforts to strengthen capacity for planning and developing new educational programs, for evaluating existing programs, and for coordinating research activities. Some 88 percent of the States said they planned to improve their general administration.

In addition, 83 percent of the States want to provide more leadership to local school districts and educational agencies. Such leadership would include the services of consultants and technical assistance.

Almost two-thirds of the States submitted plans for improving teacher education, teacher certification, and teacher licensing. In many cases the States hope to raise the level of teacher qualifications.

An equal percentage of States hope to strengthen statistical and data collection methods with automatic processing equipment, and to improve methods of communication between State offices, school districts and individual schools.

Groups of States are also joining forces for a team attack on common problems in education using the funds reserved for experimental projects under title V. In New England, for example, States will use funds to plan a program for educational assessment.

Proposal

The program for strengthening State departments of education would be continued through fiscal year 1970.

Funds authorized for fiscal year 1967 would be $22 million, up $5 million from this year's appropriation. Such sums as may be necessary would be authorized for the next 3 years.

TITLE II—AMENDMENTS TO FEDERALLY AFFECTED AREAS PROGRAM (1966 AMENDMENTS TO PUBLIC LAW 815 AND PUBLIC LAW 874)

Background

Congress has recognized that Federal activities have an impact on local school districts. The influx of new families generated by these activities and the loss of tax revenue resulting from Federal acquisition of property has caused severe strain on school districts across the Nation. To help relieve this strain, the Lanham Act was adopted in 1941 to provide Federal assistance to communities "impacted" by Federal defense installations. In 1950, the 81st Congress passed two laws which were designed to set up a uniform nationwide formula to continue the program, Public Law 81-815 for school construction and Public Law 81-874 for operating expenses. As a result, the Federal Government has assisted with the construction of school facilities where Federal activities have caused a rapid increase in school enrollment and has compensated local school districts for educating federally connected children.

Funds are made available to local educational agencies providing free public education to substantial numbers of children in the following two major categories: (1) those whose parents work and live on Federal property (category A children) and (2) those whose parents either live or work on Federal property (category B children).

Since the program began in 1950, more than $2.36 billion has been appropriated for operation and maintenance of schools and $1.23 billion for school construction. More than 61,000 classrooms serving almost 2 million children have been built.

The relative number of federally connected enrollments has remained constant, at around 15 percent, and Federal payments have averaged about 5 percent of the total operating costs of eligible school districts each year since the program was enacted in 1950.

In the 1965 budget submitted to Congress, the President recommended that a thorough study be made of the program of Federal assistance to federally impacted areas. Of particular concern was the effect that Federal activities have on the fiscal and economic resources of local communities for the education of their children.

Congress approved this recommendation and appropriated $200,000 for the study. A contract for the project was concluded with the Stanford Research Institute.

The proposed amendments are based upon the major recommendations of the study.

Proposal

The amendments to Public Law 874 are designed to make major revisions in the impacted areas program—making the payments to school districts more equitable across the Nation and, consequently, reducing the cost of the program.

The three major amendments are as follows:

1. The present eligibility requirement would be eliminated and school districts would be required to absorb without Federal payment a minimum percentage of federally connected children.

As the law presently operates, if the total number of federally connected children constitutes 3 percent of the enrollment in a school district, that district receives payment for all federally connected children. However, if the number of federally connected children constitutes 2.9 percent of the enrollment, the district receives no payment whatsoever. The result is that some districts educate federally connected children at Federal expense while others carry out this responsibility with local revenues.

This amendment would require each local educational agency to absorb without Federal payment a number of A category children equal to 3 percent of total attendance and a number of B category children equal to 6 percent of total attendance. Payments would be made only for the number of children above the absorption level in each category. If a local educational agency has less than the minimum percentage of A category children, it may count those children in the B category.

2. The method of computing the Federal contribution would be uniformly based on a local cost of education basis.

The rate of Federal payment is designed to (a) meet the cost of education in the locale where the child is being educated, and (b) replace the revenue lost to the school district by the loss of tax on property owned by the Federal Government.

Some districts now receive Federal payments in excess of the amount required to compensate them for burdens imposed by Federal activities.

In order to limit Federal payments to the burden actually imposed by Federal activities, this amendment would eliminate the local educational agency's option to use one-half the national average per pupil expenditure or one-half the State average per pupil expenditure as its rate of payment.

Each local educational agency would also be placed in a group composed of generally comparable districts in the State. The local contribution rate of each agency within a group would be the average per pupil expenditure of the entire group. At present, a local agency is able to select the districts to which it considers itself to be generally comparable, and this often results in overpayment.

3. Federal property which is leased to a private concern and is, therefore, subject to local taxation would not be considered Federal property with regard to ascertaining the Federal connection of pupils who reside on that property or whose parents are employed on that property.

Federal property leased to private individuals is subject to local taxation, therefore, the local school district may derive taxes from the property. This amendment would provide that any Federal property which is subject to local taxation on the leasehold interest no longer would be considered Federal property for purposes of the act. Since the States have the power to tax this type of property, they have a source of revenue which makes it unnecessary for the Federal Government to pay a portion of the cost of educating children connected with the property.

The temporary provisions for construction of school facilities, Public Law 815, would be allowed to expire, except those which apply to Indian children living on Indian reservations. The temporary provisions apply essentially to children whose parents either work or reside on Government property, but not both.

A number of minor and technical amendments would also be made in both laws to improve cost effectiveness, to streamline administration, and to eliminate minor inequities.

The effect of the amendments would be to reduce the cost of the two programs from $466 million (estimated cost for fiscal year 1967 under present provisions) to about $206 million. Of the 4,077 school districts now eligible under Public Law 874, about 1,200 would not be eligible. All participating schools would receive a reduced Federal payment. Overpayments, cited in the Stanford Research Institute study, would be virtually eliminated. Savings, thus effected in the impacted areas program, could be used to finance the expansions recommended by the administration in the Elementary and Secondary Education Amendments of 1966.

Estimated amounts under Elementary and Secondary Education Amendments of 1966

	Education of children of low-income families,[1] title I		School library resources, textbooks, and instructional material,[2] title II	Supplementary educational centers and services,[3] title III	Strengthening State departments of education,[4] title V	Estimated total, Elementary and Secondary Act of 1965, amended
	Grants	Administration				
United States and outlying areas	$1,058,721,000	$11,680,000	$105,000,000	$150,000,000	$18,700,000	$1,344,110,000
50 States and District of Columbia	1,026,959,370	10,996,268	101,850,000	145,500,000	18,326,000	1,303,631,638
Alabama	31,151,253	311,513	1,800,874	2,732,702	361,015	36,357,357
Alaska	1,732,923	75,000	129,701	382,290	118,744	2,438,658
Arizona	9,318,065	93,181	853,113	1,332,790	217,266	11,814,415
Arkansas	20,327,061	203,271	966,884	1,583,973	241,611	23,322,800
California	70,147,541	701,475	9,787,430	12,589,383	1,437,553	94,663,382
Colorado	8,790,792	87,908	1,114,118	1,598,167	252,769	11,843,754
Connecticut	6,472,728	75,000	1,458,132	2,099,636	280,390	10,385,886
Delaware	1,776,563	75,000	270,021	546,903	134,006	2,802,493
Florida	24,715,289	247,153	2,748,090	4,056,634	483,058	32,250,224
Georgia	33,586,697	335,867	2,256,992	3,327,457	431,120	39,938,133
Hawaii	2,136,088	75,000	407,038	709,210	150,904	3,478,240
Idaho	2,291,324	75,000	382,890	718,382	154,511	3,622,107
Illinois	54,966,856	549,669	5,591,129	7,487,586	755,185	69,350,425
Indiana	16,529,689	165,297	2,650,790	3,669,950	452,975	23,468,701
Iowa	16,776,967	167,770	1,531,091	2,184,442	296,258	20,956,528

See footnotes at end of table.

Estimated amounts under Elementary and Secondary Education Amendments of 1966—Continued

	Education of children of low-income families,[1] title I		School library resources, textbooks, and instructional material,[2] title II	Supplementary educational centers and services,[3] title III	Strengthening State departments of education,[4] title V	Estimated total, Elementary and Secondary Act of 1965, amended
	Grants	Administration				
Kansas	$9,639,316	$96,393	$1,175,453	$1,788,552	$259,100	$12,958,814
Kentucky	27,100,922	271,009	1,593,703	2,492,249	308,713	31,766,596
Louisiana	34,487,814	344,878	2,003,958	2,786,147	351,879	39,974,676
Maine	3,610,490	75,000	544,811	907,359	169,830	5,307,490
Maryland	13,715,571	137,156	1,904,186	2,633,905	339,343	18,730,161
Massachusetts	14,876,237	148,762	2,728,985	3,869,475	420,266	22,043,725
Michigan	31,242,404	312,424	4,887,784	6,135,629	719,819	43,298,060
Minnesota	22,063,088	220,631	2,068,916	2,763,034	353,642	27,469,311
Mississippi	27,787,106	277,871	1,260,296	1,954,221	283,476	31,562,970
Missouri	26,855,025	268,550	2,401,130	3,264,755	402,645	33,192,105
Montana	3,418,579	75,000	395,520	720,585	152,336	4,762,020
Nebraska	6,325,882	75,000	796,691	1,246,523	200,033	8,644,129
Nevada	856,179	75,000	229,847	473,397	133,251	1,767,674
New Hampshire	1,306,195	75,000	349,514	655,047	140,440	2,526,196
New Jersey	22,090,176	220,902	3,371,589	4,746,261	503,589	30,932,517
New Mexico	8,818,773	88,188	620,337	967,954	184,013	10,679,265
New York	98,643,466	986,435	8,618,018	12,235,977	1,101,390	121,585,286
North Carolina	47,513,169	475,132	2,504,777	3,755,963	470,811	54,719,852
North Dakota	4,694,910	75,000	357,659	682,180	146,721	5,956,470
Ohio	35,244,655	352,447	5,643,817	7,461,900	812,434	49,515,253
Oklahoma	15,644,836	156,448	1,262,746	1,929,491	283,311	19,276,832
Oregon	7,416,851	75,000	1,013,281	1,536,447	240,762	10,282,341
Pennsylvania	50,315,211	503,152	5,972,654	8,201,297	787,239	65,779,553
Rhode Island	3,633,284	75,000	445,330	817,275	148,487	5,119,376
South Carolina	24,715,094	247,151	1,363,223	2,125,418	300,222	28,751,108
South Dakota	6,253,895	75,000	399,827	725,914	151,982	7,606,618
Tennessee	28,967,138	289,671	1,888,685	2,920,727	373,661	34,439,882
Texas	69,840,209	698,402	5,588,951	7,725,464	890,024	8,743,050
Utah	2,587,221	75,000	610,149	955,527	189,883	4,417,780
Vermont	1,573,613	75,000	216,741	493,228	126,442	2,485,024
Virginia	27,539,809	275,398	2,182,362	3,305,677	409,477	33,712,723
Washington	9,690,586	96,906	1,637,304	2,340,062	327,026	14,091,884
West Virginia	15,282,360	152,824	932,364	1,540,777	234,491	18,142,816
Wisconsin	16,243,444	162,434	2,386,251	3,156,334	369,614	22,318,077
Wyoming	1,405,377	75,000	188,761	451,235	127,086	2,247,459
District of Columbia	4,840,649	75,000	356,087	714,509	145,197	6,131,442
Outlying areas	31,761,630	692,732	3,150,000	4,500,000	374,000	40,478,362

---

[1] Estimated distribution based on State maximum possible allotments, fiscal year 1966. Base data do not include handicapped or migrant children. 3 percent of the grant amount reserved for the outlying areas (including Bureau of Indian Affairs).

[2] Estimated distribution of $105,000,000 (3 percent reserved for the outlying areas, including BIA) on the basis of the estimated total elementary and secondary school enrollment, fall 1965.

[3] Estimated distribution of $150,000,000 (3 percent reserved for the outlying areas, including BIA) with a basic allotment of $200,000 to the 50 States and District of Columbia and the balance distributed: ½ on the 5 to 17 population, July 1, 1963, and ½ on the total resident population, July 1, 1963.

[4] Estimated distribution of $18,700,000 (2 percent reserved for the outlying areas, excluding BIA) with a basic allotment of $100,000 to the 50 States and District of Columbia and the balance distributed on the basis of the total public school enrollment, fall 1965. The State allocation does not include the 15 percent set aside for experimental projects.

Mr. MORSE. Mr. President, for the reasons given in my floor statement on March 2, 1966, in colloquy with my colleagues on the Subcommittee on Education, relative to the proposals to cut back on educational expenditures, some of which are contained in the measure just introduced, I am sorry to have to report that I have grave reservations as to various aspects of the introduced measure.

However, since I am a firm believer in the principle that any administration should have a full hearing upon its legislative recommendations, I have introduced the administration bill so that the merits and the demerits of the proposal can be fully and properly explored through the hearings process.

Nevertheless, I am reserving my right as a Senator and as chairman of the subcommittee—and let this be made crystal clear to the Senate and to the administration—to offer amendments to the bill and to support in committee and on the floor of the Senate such changes in it as, in my judgment, I feel will be warranted by the testimony presented during the hearings.

Mr. President, I ask unanimous consent that the measure I have just introduced lie upon the table until the close of business, Friday, March 11, 1966, so that such Senators as may wish to do so may have the opportunity to add their names as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

IMPROVEMENT OF PUBLIC AND PRIVATE PROGRAMS OF ASSISTANCE FOR INSTITUTIONS OF HIGHER EDUCATION AND STUDENTS ATTENDING THEM

Mr. MORSE. Mr. President, I now send to the desk, for appropriate reference, the administration bill to strengthen and improve public and private programs of assistance for institutions of higher education and students attending them. I ask unanimous consent that the text of the measure and a fact sheet concerning it which was prepared by the Office of Education of the Department of Health, Education, and Welfare be printed in the RECORD at this point in my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and fact sheet will be printed in the RECORD.

The bill (S. 3047) to strengthen and improve public and private programs of assistance for institutions of higher education and students attending them, introduced by Mr. MORSE, *was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the* RECORD, *as follows:*

S. 3047

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Higher Education Amendments of 1966".

TITLE I—EXTENSION OF ASSISTANCE TO HIGHER EDUCATION

Part A—Extension of and Amendments to the Higher Education Facilities Act of 1963

Extension of Grants for Construction of Undergraduate Academic Facilities

SEC. 101. (a) Section 101 of the Higher Education Facilities Act of 1963 is amended to read as follows:

"SEC. 101. (a) For the purpose of enabling the Commissioner of Education (hereinafter in this Act referred to as the "Commissioner") to make grants to institutions of higher education for the construction of academic facilities in accordance with the provisions of this title, there is hereby authorized to be appropriated the sum of $230,000,000 for the fiscal year ending June 30, 1964, and for the succeeding fiscal year, *$460,000,000 for the fiscal year ending June 30, 1966,* $453,000,000 for the fiscal year ending June 30, 1967, and such sums as may be necessary for each of the four succeeding fiscal years. In addition to the sums authorized to be appropriated under the preceding sentence for each fiscal year, there is hereby authorized to be appropriated for that fiscal year for making such grants the difference (if any) between any specific sums authorized to be appropriated under the preceding sentence for the preceding fiscal year and the sums which were appropriated for such preceding year under such sentence.

"(b) Sums appropriated pursuant to subsection (a) of this section shall remain available for reservation as provided in section 109 until the close of the fiscal year next succeeding the fiscal year for which they were appropriated."

Payments for Administrative Expenses and for Planning

SEC. 102. Subsection (b) of section 105 of the Higher Education Facilities Act of 1963 is amended to read as follows:

"(b) The Commissioner is authorized to expend not exceeding $3,000,000 during the fiscal years ending June 30, 1965, and June 30, 1966, and not exceeding $7,000,000 for the fiscal year ending June 30, 1967, and each of the four succeeding fiscal years, in such amounts as he may consider necessary (1) for the proper and efficient administration of the State plans approved under this title and under part A of title VI of the Higher Education Act of 1965, including expenses which he determines were necessary for the preparation of such plans, and (2) for grants, upon such terms and conditions as the Commissioner determines will best further the purposes of this Act, to State commissions for conducting, either directly or through other appropriate agencies and institutions, comprehensive planning to determine the construction needs of institutions (and particularly combinations and regional groupings of institutions) of higher education. Not more than $3,000,000 may be expended in any fiscal year for the purposes set forth in clause (1)."

Extension of Grants for Construction of Graduate Academic Facilities; Extending Availability of Appropriations

SEC. 103. (a) Section 201 of the Higher Education Facilities Act of 1963 is amended to read as follows:

"SEC. 201. In order to increase the supply of highly qualified personnel critically needed by the community, industry, government, research, and teaching, the Commissioner shall, during the fiscal year ending June 30, 1964, and each of the seven succeeding fiscal years, make construction grants to assist institutions of higher education to improve existing graduate schools and cooperative graduate centers, and to assist in the establishment of graduate schools and cooperative graduate centers of excellence. For the purpose of making grants under this title, there is hereby authorized to be appropriated the sum of $25,000,000 for the fiscal year ending June 30, 1964, the sum of $60,000,000 for the fiscal year ending June 30, 1965, the sum of $120,000,000 for the fiscal year ending June 30, 1966, the sum of $60,000,000 for the fiscal year ending June 30, 1967, and such sums as may be necessary for each of the four succeeding fiscal years. In addition to the sums authorized to be appropriated under the preceding sentence for each fiscal year, there is hereby authorized to be appropriated for that fiscal year for making such grants the difference (if any) between any specific sums authorized to be appropriated under the preceding sentence for the preceding fiscal year and the sums which were appropriated for such preceding year under such sentence. Sums appropriated pursuant to this title for any fiscal year shall remain available for grants under this title until expended."

Extension of Loans for Construction of Academic Facilities

SEC. 104. Section 303(c) of the Higher Education Facilities Act of 1963 is amended—

(1) by striking out "four" in the first sentence and inserting "seven";

(2) by striking out in the second sentence all that follows "the two succeeding fiscal years" and inserting in lieu thereof ", $200,000,000 for the fiscal year ending June 30, 1967, and such sums as may be necessary for each of the four succeeding fiscal years."; and

(3) by amending the third and fourth sentences to read as follows: "In addition to the sums authorized to be appropriated under the preceding sentence for each fiscal year, there is hereby authorized to be appropriated for that fiscal year, for making such loans, the difference (if any) between any specific sums authorized to be appropriated under the preceding sentence for the preceding fiscal year and the sums which were appropriated for such preceding year under such sentence. Sums appropriated pursuant to this subsection for any fiscal year shall be available without fiscal-year limitation for loans under this title."

Clarifying Amendment of Definition of Development Cost

SEC. 105. Subsection (c) of section 401 of the Higher Education Facilities Act of 1963 is amended (1) by inserting "(1)" immediately after "(c)", (2) by redesignating clauses (1) and (2) as clauses (A) and (B), respectively, (3) by redesignating subclauses (A) and (B) as subclauses (i) and (ii), and (4) by adding at the end thereof the following new paragraph:

"(2) In determining the development cost with respect to an academic facility, the Commissioner may include expenditures for works of art for the facility of not to exceed 1 per centum of the total cost (including such expenditures) to the applicant of construction of, and land acquisition and site improvements for, such facility."

Repeal of Authority To Prescribe a Schedule of Fees for Certain Inspections and Related Activities

SEC. 106. The Higher Education Facilities Act of 1963 is amended by striking out subsection (b) of section 304 and by redesignating subsection (c) and references thereto as subsection (b).

Part B—Extension of assistance to developing institutions

SEC. 111. Paragraph (1) of section 301(b) of the Higher Education Act of 1965 is amended by inserting "the sum of $30,000,000 for the fiscal year ending June 30, 1967, and such sums as may be necessary for each of the three succeeding fiscal years" after "1966,".

TITLE II—STUDENT LOAN PROGRAMS

Loan Reimbursement Payments for Teachers

SEC. 201. Title II of the National Defense Education Act of 1958 is amended by redesignating subsection (c) of section 205 as subsection (d), and by inserting after subsection (b) the following new subsection:

"(c) In order to encourage students who have obtained a loan under this title to refinance such loan through the student loan program carried out under part B of title IV of the Higher Education Act of 1965, and likewise to encourage students to obtain new loans under such part B program in lieu of obtaining such loans under this title, a student who does so with the approval of the educational institution involved shall, with respect to so much of the loan under such part B as—

"(1) is a refinancing of a student loan made by the institution under this title, or,

"(2) in the case of a loan under such part B obtained in lieu of a loan from the institution, does not exceed the amount which he was eligible to borrow from the institution, be entitled, in accordance with regulations of the Commissioner, to have the following loan reimbursement payments made to him by the Commissioner: An amount equal to 10 per centum of the applicable total principal amount of any such loan shall be paid for each complete academic year or its equivalent (as determined under regulations of the Commissioner) of service as a full-time teacher in a public or other nonprofit elementary or secondary school in a State, in an institution of higher education, or in an elementary or secondary school overseas of the Armed Forces of the United States, until an amount equal to 50 per centum of such total has been paid. The annual amount shall be 15 per centum (rather than 10 per centum) for each complete academic year or its equivalent (as so determined) of service as a full-time teacher in a public or other nonprofit elementary or secondary school which is in the school district of a local educational agency which is eligible in that year for assistance pursuant to title II of the Act of September 30, 1950, Public Law 874, Eighty-first Congress, as amended, and which for purposes of this paragraph and for that year has been determined by the Commissioner, pursuant to regulations and after consultation with the appropriate State educational agency, to be a school in which there is a high concentration of students from low-income families, except that the Commissioner shall not make such determination with respect to more than 25 per centum of the total of the public and other nonprofit elementary and secondary schools in any one State for any one year; and for the purpose of payments pursuant to this sentence, an aggregate amount equal to an additional 50 per centum of the applicable total principal amount of any such loan may be so paid. No payment shall be made under this subsection for service performed more than fifteen years from the execution of the note or written agreement evidencing it."

Encouraging Private Capital for National Defense Student Loans

SEC. 202. Section 203 of the National Defense Education Act of 1958 is amended by designating the present text as subsection (a) and by inserting at the end thereof the following new subsection:

"(b)(1) For the purpose of substituting for direct Federal support to the maximum extent practicable private and other non-Federal funds for student loans, the Commissioner is authorized to provide the following forms of assistance, upon such terms and conditions as he may deem appropriate, for the benefit of students attending institutions of higher education:

"(A) If an institution of higher education borrows non-Federal funds (or otherwise receives or makes available repayable non-Federal funds) for use as capital contributions to a student loan fund established under this title, the Commissioner may (i) guarantee timely repayment of all or part of such funds (plus interest thereon), (ii) agree to reimburse the institution for up to 90 per centum of the loss to it from defaults on student loans made from such funds, (iii) agree to pay to the institution the amount of the interest differential (as defined in paragraph (3) of this subsection) with respect to such funds, and (iv) agree to pay the institution the amount of administrative expenses authorized by clause (3) of section 204 to be paid out of a student loan fund with respect to such funds.

"(B) If an institution of higher education arranges for a student assistance organization (as defined in paragraph (3) of this subsection) to make loans to students attending the institution, the Commissioner may enter into an agreement with the organization upon the terms set forth in section 204 and may (i) guarantee timely repayment of funds (plus interest thereon) borrowed by the organization for use as capital contributions to a student loan fund established under this title, (ii) agree to reimburse the organization for up to 90 per centum of the loss to it from defaults on student loans made from such borrowed funds, (iii) agree to pay to the organization the amount of the interest differential with respect to such borrowed funds, and (iv) agree to pay to the organization the amount of administrative expenses authorized by clause (3) of section 204 to be paid out of a student loan fund with respect to such funds. A student assistance organization with which the Commissioner makes an agreement pursuant to this subparagraph shall be deemed to be an institution of higher education for purpose of applying the other provisions of this title.

"(C) If an institution of higher education enters into arrangement with one or more lenders pursuant to which the lender makes loans (upon terms and conditions set forth in section 205(b)) in such amounts and to such students as the institution may determine on the basis of the criteria set forth in section 205, the Commissioner may (i) guarantee to the lender timely repayment of the loans (including amounts thereof which are canceled), (ii) agree to pay to the lender such amount as the Commissioner determines will give the lender, considering the interest on the loan, a reasonable rate of return on such loans, and (iii) agree to pay to the institution, with respect to the aggregate amount of outstanding principal on such loans, an amount equal to the amount of administrative expenses authorized by clause (3) of section 204 to be paid from a student loan fund. The Commissioner shall condition any such assistance upon agreement by the institution to pay the Commissioner promptly an amount equal to 10 per centum of the amount paid by him to the lender on account of defaults on such students loans.

"(2) The assistance provided by the Commissioner pursuant to paragraph (1) shall be subject to the following limitations:

"(A) If the interest on an obligation is exempt from income taxation by reason of section 103(a) of the Internal Revenue Code of 1954, the Commissioner shall not guarantee timely payment of that obligation except during such time or times as it is held beneficially by a holder which is exempt from income tax because it is a State or an instrumentality of a State or because of section 501(c) of such Code.

"(B) No payment shall be made under this subsection with respect to a loan if the rate of interest on that loan exceeds such per centum per annum on the principal obligation outstanding as the Secretary (after consultation with the Secretary of the Treasury) determines to be reasonable, taking into account the range of interest rates prevailing in the private market for similar loans and the rate of interest the borrower pays or would have to pay with respect to other loans of a similar duration.

"(3) For purposes of this subsection—

"(A) the term 'interest differential' means the excess of (i) the amount of interest paid by an institution or organization with respect to sums deposited by it as capital contributions to a student loan fund established under this title, over (ii) the amount of interest received by it on student loans made from such funds;

"(B) the term 'student assistance organization' means a nonprofit organization authorized to make loans to students in one or more institutions of higher education."

Revolving Fund; Appropriations Authorized

SEC. 203. (a) Section 203 of the National Defense Education Act of 1958 is further amended by adding at the end thereof the following new subsections:

"(c) There is hereby created in the Treasury a separate fund (hereinafter in this section called 'the fund') which shall be available to the Commissioner without fiscal year limitation as a revolving fund for making Federal capital contributions to institutions which have agreements with the Commissioner under this title but which for legal or other reasons are unable (as determined by the Commissioner) to take adequate advantage of assistance under subsection (b). Federal capital contributions made from the fund shall be made upon such terms and conditions as the Commissioner may deem appropriate, and they may be made without regard to the allocation provisions of sections 202 and 203(a). There shall be deposited in the fund all amounts appropriated pursuant to subsection (d) of this section, all sums appropriated pursuant to section 201 and not obligated prior to the date of enactment of this subsection, amounts received by the Commissioner as repayments of capital contributions, and any other moneys, property, or assets derived by him from his operations in connection with the fund, including any moneys derived directly or indirectly from the sale of assets, or beneficial interests or participation in assets, of the fund. There shall be paid from the fund all payments to institutions of higher education required by section 208 with respect to student loans financed from capital contributions from the fund and all expenses and payments of the Commissioner in connection with the sale (through the Federal National Mortgage Association or otherwise) of participations in obligations acquired under this title. If at any time the Commissioner determines that moneys in the fund exceed the requirements of the fund, such excess shall be transferred to the general fund of the Treasury.

"(d)(1) There are authorized to be appropriated $150,000,000 for the fiscal year ending June 30, 1967, and such sums for the succeeding fiscal year as may be necessary for making payments into the fund established under subsection (c).

"(2) In order to receive Federal capital contributions from the fund (and notwithstanding section 205(b)(8)), an institution must agree to require each student who receives a loan financed from such capital contributions to authorize in writing assignment to the Commissioner of the note or other agreement evidencing that loan; and the note or other agreement evidencing each prior loan made by the institution to the student under this title, and the institution must agree to assign to the Commissioner so much of these notes and agreements as he may determine. The institution shall continue to collect, as agent of the Commissioner and for so long as he may determine, payments of principal and interest with respect to any such notes and agreements which may be assigned, and while the institution is so collecting the provisions of clause (3) of section 204 (regarding administrative expenses and collection costs) shall continue to apply to the loans evidenced by such notes and agreements. Ten per centum of such payments with respect to notes and agreements which have been assigned shall be retained by the institution and 90 per centum of such payments shall be paid to the Commissioner.

"(e) (1) For any fiscal year, the aggregate of (A) the amount of loans which may be guaranteed under clause (i) of subparagraph (A), (B), or (C) of subsection (b), (B) the amount of any other loans with respect to which the Commissioner agrees to pay the interest differential authorized by subsection (b), (C) the amount of Federal capital contributions made from the fund established under subsection (d), and (D) the amount of student loans with respect to which the Commissioner may become liable, by virtue of section 205(c), to make loan reimbursement payments may not exceed such maximum amount as may be authorized by an appropriation Act, except that this amount in turn may not exceed the amount authorized to be appropriated for that year by section 201. Whenever a specified maximum amount is so authorized by an appropriation Act, there shall be established on the books of the Treasury as indefinite appropriations such sums as may be necessary from time to time to enable the Commissioner to make payments required by a contract of guaranty or by any other undertaking made by him pursuant to subsection (b) with respect to such maximum amount.

"(2) For any fiscal year, the share of the maximum amount determined under paragraph (1) which shall be available for students attending any institution shall be determined by the Commissioner by allocating such maximum amount among institutions and organizations with which he has agreements under this title in a manner which he deems to be consistent, considering the availability of student loan assistance under title IV–B of the Higher Education Act of 1965, with the provisions of sections 202 and 203."

(b) Section 206(b) of such Act is amended to read as follows:

"(b) After September 30, 1966, each institution with which the Commissioner has made an agreement under this title shall pay to the Commissioner, not less often than quarterly, 90 per centum (or such lesser proportion as the Commissioner may deem to be equitable in light of the relative Federal and non-Federal contributions to the loan fund) of the amounts received by the institution after that date in payment of principal or interest on student loans made from the student loan fund established pursuant to such agreement (which amount shall be determined after deduction of any administrative costs or collection costs authorized by clause (3) of section 204 to be paid from the student loan fund and not already reimbursed), and the remainder of such amounts shall be retained by the institution."

Authorizing Loan Insurance for Loans To Refinance Loans Made From Federally Assisted Student Loan Funds

SEC. 204. (a) Title IV of the Higher Education Act of 1965 is amended by redesignating subsections (b) and (c) of section 427, and references thereto, as subsections (c) and (d), respectively, and by inserting after subsection (a) the following new subsection:

"(b) A loan by an eligible lender shall also be insurable by the Commissioner under the provisions of this part if it is made for the purpose of enabling the borrower to repay one or more loans obtained by him from a loan fund established under title II of the National Defense Education Act of 1958. The Commissioner shall pormulgate such regulations as he may deem appropriate to assure that loans which are insurable by virtue of this subsection shall be used for the purpose for which they are made. A loan shall be insurable by virtue of this subsection only if it is evidenced by a note or other written agreement which meets the requirements of clause (2) of subsection (a), except that if the repayment period has begun for any loan which is to be repaid, the new loan may not be insured under this part unless its repayment period begins when the loan is paid to the borrower. The amount of any loan which is made insurable by virtue of this subsection shall not be included in determining whether a student has exceeded the annual or aggregate limits set forth in section 425(a)(1)."

(b) Section 428(c)(1)(A) (as redesignated by section 101(b) of this Act) is amended by inserting at the end thereof and before the semicolon ", except that there shall not be included in determining such amount the amount of any loan made pursuant to regulations of the Commissioner for the purpose of enabling the borrower to repay one or more loans obtained by him from a loan fund established under title II of the National Defense Education Act of 1958".

The fact sheet presented by Mr. MORSE is as follows:

FACT SHEET

Higher Education Amendments of 1966—Appropriations requested for fiscal year 1967

[In millions]

Title I, extension of assistance to higher education:	
Part A, amendments to the Higher Education Facilities Act of 1963 (Public Law 88–204):	
Grants for undergraduate facilities construction (title I)	$453
Grants for State administrative expenses and planning grants	7
Grants for graduate facilities construction (title II)	60
Loans for undergraduate and graduate school construction (title III)	[1] 200
Total (part A)	720
Part B, extension of assistance to developing institutions (title III of the Higher Education Act of 1965, Public Law 89–329)	30
Title II, amendments to the national defense student loan program	150
Total, Higher Education Amendments of 1960	900

[1] $100,000,000 in additional loan funds is to be made available through the sale of notes from this program to private financial institutions under legislation to be submitted to the Congress at a later date.

HIGHER EDUCATION AMENDMENTS OF 1966

Since the end of World War II, higher education has become one of the major factors contributing to the continued strength and vitality of American society. Before 1946, higher education was generally considered to be a luxury available to only a fortunate few.

The increased complexity of postwar American life, a thirst for knowledge on the part of young people, and a growing demand for college graduates have had a profound effect upon the higher education system. College enrollment has doubled in the last decade. There are now nearly 6 million students in American colleges. By 1975 enrollment is expected to reach 8.6 million. Freshman enrollments for 1965 are 18 percent above those of the previous year. The number of colleges and universities rose from 866 at the end of World War II to almost 2,200 in 1966, and there is every indication that this spectacular growth will continue.

Concurrent with the rapid expansion of the higher education system at the undergraduate level, there has been growth in demand for postgraduate education. Students with bachelor's degrees are seeking to go on to graduate school. Colleges, vocational and technical schools, business, and industry are requiring professional employees to have postgraduate education as a prerequisite for work in an increasing number of specialized fields. Ten years ago, approximately 240,000 students were enrolled in graduate schools. Last September, that number had increased to 570,000. The demand for graduate education is not expected to abate. Projections indicate that by 1974 there will be almost 1.1 million graduate students. It is estimated that an additional 40 strong graduate centers are needed to meet the Nation's manpower requirements.

Cost-of-living increases, better teachers' salaries, and the cost of improving the quality of education have resulted in a rapid increase in the cost of going to college. In public institutions, college costs in 1940 were approximately $850 a year. By 1965, that cost had almost doubled, $1,560. It is estimated that the average annual cost of attending a public institution will be $2,400 in 1980. In private institutions the costs have risen from $1,100 in 1940 to $2,370 in 1965—by 1980 it is estimated that the average annual cost will be $3,640.

Congress has recognized that the vital role of higher education in national affairs has created a need for a national effort to assist both institutions of higher education and students. In 1958, the National Defense Education Act was enacted. This act, established to improve education at all levels, included the popular national defense student loan program. In 1963, Congress passed the Higher Education Facilities Act to assist in construction of libraries, laboratories, and classrooms.

The Higher Education Act of 1965 authorizes support for a broad range of higher educational activities. Significant is title III, designed to strengthen developing institutions. Congress recognized that if the goals of American higher education are to be met, every college must develop to its full potential.

TITLE I—ASSISTANCE TO HIGHER EDUCATION

Part A—Amendments to the Higher Education Facilities Act of 1963 (Public Law 88–204)

Background

The demand for student space in our institutions of higher education has resulted in a great expansion of facilities, but demand has far outpaced supply. Neither the tax-assisted State and municipal institutions nor the private colleges have sufficient resources to build and improve quickly enough. It is estimated that this year more than $1 billion in non-Federal funds will be spent for undergraduate facilities. Even with more than $600 million in Federal grants and loans, the unmet need for facilities since 1961 is estimated to amount to more than $4 billion.

The Higher Education Facilities Act of 1963 reflects the recognition by Congress of the Federal obligation to help colleges and universities increase their facilities. The purpose of the law: To provide present and future generations of American youth with ample opportunity for the fullest development of their intellectual capacities.

The Higher Education Facilities Act of 1963 established three major programs for the construction, rehabilitation, alteration, conversion, or improvement of college facilities: Grants for undergraduate facilities, grants for graduate facilities, and loans for both undergraduate and graduate facilities.

Funds were first appropriated for these programs in fiscal year 1965. Since that time, grants and loans have been affecting the education of millions of students.

Title I of the law establishes grants to public and private nonprofit colleges and universities for undergraduate classroom, laboratory, and library construction. These grants are used to pay up to a third of construction or improvement cost.

In fiscal year 1965, $224 million provided support for 516 projects. Total cost of these projects was $900 million. A survey indicated, however, that grant applications during that year exceeded available funds by more than $245 million. In the current fiscal year, 542 applications requesting a total of $217 million have been received, and State commissions forward only those applications for which sufficient Federal funds are available in the State allotment. To date 126 projects have been approved at a cost of $47 million. Demand for funds already exceeds the amount available in many States and all applications have not yet been forwarded to the Office of Education.

Title II of the law establishes grants to public and nonprofit private colleges and universities, for graduate classroom, laboratory, and library construction. These grants are used for up to a third of construction or improvement cost.

Under a fiscal year 1965 appropriation of $60 million, 85 grants were awarded out of 125 applications. More money has been requested during the current fiscal year than the total funds appropriated. Thirty-one grants, totaling $18.3 million, had been made by the end of January on the recommendation of the advisory committee. If demand continues, about $100 million will be requested by graduate schools in this fiscal year. Every indication points to a continuing demand.

Federal loans are available for undergraduate and graduate school construction under title III of the Higher Education Facilities Act of 1963. This program complements the grant programs established by titles I and II. Federal contribution under both programs may not exceed three-fourths of the cost of construction of any academic facility.

In fiscal year 1965, 133 loans were approved, totaling more than $107 million. This fiscal year, the demand for loans is expected to be twice the amount of funds appropriated. By the middle of the fiscal year applications were $20 million more than the $110 million appropriation.

Proposal

All three programs would be extended 5 years through fiscal 1971. Funds authorized for undergraduate school construction grants (title I) for fiscal year 1967 would be $460 million, the same as in fiscal year 1966. Of this amount, $453 million would be for construction grants; $7 million would be available for the administration of State plans and for comprehensive planning of construction needs of institutions of higher education. Such sums as may be necessary would be authorized for the next 4 years. Funds would remain available for grants until the close of the fiscal year after their appropriation.

Funds authorized for graduate school construction grants (title II) for fiscal year 1967 would total $60 million, the same as in fiscal year 1966. Such sums as may be necessary would be authorized for the next 4 years. Funds appropriated under this title would remain available for grants until expended and would not lapse with the end of the fiscal year.

Funds authorized for undergraduate and graduate facilities construction loans (title III) for fiscal year 1967 would be $200 million, an increase of $90 million over this year's appropriation. Such sums as may be necessary would be authorized for the next 4 years. Funds authorized under this title would remain available for grants until expended and would not lapse with the end of the fiscal year.

Part B—Extension of assistance to developing institutions (title III of the Higher Education Act of 1965, Public Law 89–329)

Background

The small college plays an important role in the American higher education system. Of the 2,134 institutions of higher education, 1,238 have an enrollment of less than 1,000. More than 80 percent of our colleges enroll less than 2,500 students. Nearly one-half of our college students attend small colleges.

The familiar problems which beset all institutions of higher education are especially critical for developing institutions. One out of every four of our colleges and universities is not accredited. These colleges lack adequate financial support, breadth in course offerings, and sufficient numbers of faculty members. Typically found within this group is the small colleges.

Weaknesses in faculty and administration frequently make them unable to compete successfully for funds from private sources or to participate in other Federal programs. Ninety percent of Federal research money has gone to fewer than 100 institutions and 40 percent went to the top 10.

Other factors compound the problems of smaller institutions. Currently, American universities graduate only about half the number of Ph. D.'s that the Nation needs. Of these, less than half go into college teaching. The larger university, with its research facilities and attractive salary scale, has a hiring advantage over the small college. It becomes less and less possible for smaller institutions to acquire and hold the better scholars.

Title III of the Higher Education Act of 1965 is a major effort to alleviate the problems of the small college. It is aimed at augmenting the teaching resources of small colleges through faculty exchanges and national fellowships for young graduate students and instructors in large universities. Cooperative programs are being assisted in order to encourage contracts with larger universities for joint use of available faculty and facilities. Cooperation of this nature will help solve the facility and financial problems that are related to the smallness of the institution.

An advisory committee, which will assist the Commissioner in approving applications, has been appointed and has begun to function. Regulations, guidelines, and applications have been printed and distributed to institutions of higher education. Grants are scheduled to be announced in June.

Proposal

The program for strengthening developing institutions would be extended through fiscal year 1970. Funds authorized for fiscal year 1967 would be $30 million, up $25 million from this year's appropriation. Such sums as may be necessary would be authorized for the succeeding 3 years.

TITLE II—AMENDMENTS TO THE NATIONAL DEFENSE STUDENT LOAN PROGRAM

Background

The national defense student loan program was established in 1958 in order to assist able and needy college students in financing a college education. Under the program, Federal funds are made available as low-interest loans to students who need money for tuition, books, supplies, and living costs. Loans carry a 3-percent interest rate and are repayable over a 10-year period, starting 9 months after graduation or termination of the required academic workload. Students who can demonstrate need and who attend a participating college, university, business school, or technical institution at least half-time are eligible for the loans.

Since the program became operational 7 years ago, more than 890,000 students attending 1,700 colleges and universities in all 50 States have borrowed approximately $800 million. The average annual loan during the first full year of the program was $438. In 1965 the average loan was $524. In fiscal year 1965, 319,025 loans were made totaling $166,333,271.

Borrowers who teach in elementary and secondary schools may have up to one-half of their loan forgiven over a 10-year period. If the school in which the borrower teaches is designated as one which serves an area with a high concentration of pupils from low-income families, 100 percent of the loan may be "forgiven" at a rate of 15 percent per year. Since the beginning of the program, $14.1 million has been canceled.

In 1965, the 89th Congress authorized the establishment of a much broader student loan program with the enactment of the Higher Education Act of 1965 (Public Law 89–329). Title IV–B of that act provides for a program of federally insured reduced-interest privately financed student loans on terms similar to those in the national defense student loan program. Under this program, the Federal Government assists State and private student loan insurance programs by underwriting annual loans of up to $1,500 on terms essentially comparable to those under the NDEA. Loans must be repaid within 5 to 10 years after graduation, beginning 9 months after the student leaves school. There is a 3-year moratorium on repayment for borrowers serving in the Armed Forces or in the Peace Corps. Minimum annual loan repayment is $360.

Proposal

Title II of the National Defense Education Act would be amended in several ways to facilitate the substitution of private capital for direct Federal appropriations in meeting student loan needs.

1. Funds borrowed by an institution of higher education or a student assistance organization would be guaranteed by the Federal Government except for tax-exempt obligations held by a taxable lender.

2. Ninety percent of the loss from defaults on student loans would be covered by the Federal Government, and 10 percent by the institution of higher education.

3. The Federal Government would subsidize the difference between interest payments received from student loans and the interest which the institution or student assistance organization pays to borrow the funds.

4. The Federal Government would pay one-half of the expenses of administering the loan fund, but not more than 1 percent of the outstanding loans (as in existing sec. 204(3) of National Defense Education Act).

5. In order to assure that college loan funds will have sufficient capital to make loans to students during fiscal year 1967, appropriations of $150 million would be authorized to be deposited in a revolving fund for allocation to institutions of higher education which for legal or other reasons are unable to take advantage of private capital with the Federal assistance outlined above. Such sums as may be necessary would be authorized for this purpose in fiscal year 1968.

6. These institutions would agree to require each student borrower to authorize the assignment to the Commissioner of Education of his note and all previous notes evidencing loans made by that institution to such student. The institution could be required to continue to collect payments of principal and interest on these loans as the Commissioner's agent (and would receive the above-mentioned administrative expenses). The Commissioner could then sell participations in obligations so acquired (through the Federal National Mortgage Association or otherwise) and thus secure the funds from the private capital market for deposit in the revolving fund to replace the capital contributions made out of the revolving fund.

7. After September 30, 1966, institutions would be required to return the Federal Government's share of repayments received on National Defense Education Act student loans to the Commissioner for deposit in the revolving fund.

8. Teacher loan cancellation provisions comparable to the benefits contained in the existing NDEA program would be included in the new legislation. Students receiving loans from private lending institutions which are insured under title IV–B of the Higher Education Act of 1965 would be entitled to loan reimbursement payments for subsequent service as a teacher if the student is refinancing a National Defense Education Act loan or would have qualified as an eligible borrower under the national defense student loan program. These reimbursements would equal 10 percent of the total loan for each year of service (up to 5) as a teacher in a public or other nonprofit elementary or secondary school or in an institution of higher education. As in the recently enacted amendment made by the Higher Education Act of 1965, such payments would equal 15 percent for each year of service as an elementary or secondary school teacher in a school in which there is a high concentration of students from low-income families. (Not more than 25 percent of the schools in a State may be so designated.) A student could thus be reimbursed for all of his loan (instead of 50 percent).

9. The total amount of the student loans which are assisted by these various means could not exceed the authorization now provided in NDEA title II ($190 million for fiscal year 1967)—whether this assistance is provided by assisting colleges to obtain loan funds by guarantee or subsidy of the interest differential on these borrowed funds or by making capital contributions from the revolving fund, or by entitling students who receive insured loans to loan reimbursement payments.

10. Allocation of the maximum amount of federally assisted loans which would be available to students at each institution of higher education would be determined in a manner consistent with the present NDEA allocation formula, considering the availability of student loan assistance under title IV–B of the Higher Education Act of 1965.

Higher Education Amendments of 1966

	Total State amounts	Public community colleges and public technical institutes [1]	Undergraduate institutions other than public community colleges and public technical institutes [2]
U.S. and outlying areas	$453,000,000	$99,660,000	$353,340,000
50 States and District of Columbia	448,561,491	98,464,092	350,097,399
Alabama	7,687,016	2,334,674	5,352,342
Alaska	355,212	71,953	283,259
Arizona	4,337,575	831,654	3,505,921
Arkansas	4,526,373	1,301,745	3,224,628
California	45,967,763	7,169,021	38,798,742
Colorado	5,318,536	1,045,570	4,272,966
Connecticut	5,786,285	1,033,228	4,753,057
Delaware	986,795	170,908	815,887
Florida	11,556,393	2,700,126	8,856,267
Georgia	$9,031,172	$2,509,621	$6,521,551
Hawaii	1,702,750	404,421	1,298,329
Idaho	1,923,231	522,673	1,400,558
Illinois	22,305,020	4,208,831	18,096,189
Indiana	11,754,921	2,697,957	9,056,964
Iowa	7,548,459	1,790,236	5,758,223
Kansas	5,965,569	1,218,198	4,747,371
Kentucky	7,155,939	1,898,091	5,257,848
Louisiana	8,324,527	2,154,865	6,169,662
Maine	2,315,520	662,541	1,652,979
Maryland	7,344,771	1,543,111	5,801,660
Massachusetts	13,636,029	2,508,574	11,127,455
Michigan	20,370,683	4,186,616	16,184,067
Minnesota	9,884,901	2,375,812	7,509,089

See footnotes at end of table.

Higher Education Amendments of 1966—Continued

	Total State amounts	Public community colleges and public technical institutes [1]	Undergraduate institutions other than public community colleges and public technical institutes [2]
Mississippi	$5,311,059	$1,375,194	$3,935,865
Missouri	10,428,673	2,186,952	8,241,721
Montana	1,844,963	441,070	1,403,893
Nebraska	3,854,780	885,507	2,969,273
Nevada	714,109	129,471	584,638
New Hampshire	1,701,519	404,047	1,297,472
New Jersey	11,784,552	2,783,000	9,001,552
New Mexico	2,602,555	640,700	1,961,855
New York	36,839,093	6,315,153	30,523,940
North Carolina	11,516,400	3,236,112	8,280,288
North Dakota	1,878,723	446,007	1,432,716
Ohio	23,761,920	5,363,602	18,398,318
Oklahoma	6,792,546	1,624,114	5,168,432
Oregon	5,331,905	1,168,833	4,163,072
Pennsylvania	25,648,779	6,438,491	19,210,288
Rhode Island	2,153,672	439,500	1,714,172
South Carolina	5,495,709	1,690,533	3,805,176
South Dakota	$1,949,424	$474,728	$1,474,696
Tennessee	8,923,462	2,349,334	6,574,128
Texas	23,699,371	5,440,791	18,258,580
Utah	3,703,404	724,696	2,978,708
Vermont	1,149,998	256,325	893,673
Virginia	8,695,492	2,259,429	6,436,063
Washington	8,258,184	1,788,441	6,469,743
West Virginia	4,635,829	1,306,008	3,329,821
Wisconsin	10,878,947	2,597,357	8,281,590
Wyoming	873,920	198,807	675,113
District of Columbia	2,347,063	159,464	2,187,599
American Samoa	47,512	20,419	27,093
Canal Zone	----------	----------	----------
Guam	153,570	40,838	112,732
Puerto Rico	4,176,068	1,118,271	3,057,797
Virgin Islands	61,359	16,380	44,979

[1] Estimated distribution on the basis of the State products of (1) total high school graduates and (2) fiscal year 1967 allotment ratios with limits of 0.3333 and 0.6667.

[2] Estimated distribution with ½ distributed according to an estimated fall 1965 enrollment in grades 9 to 12, and ½ distributed according to fall 1965 enrollment in institutions of higher education.

NOTE.—Data on enrollments in institutions of higher education were partially estimated.

Mr. MORSE. Mr. President, for the same reasons as were developed in my floor statement of March 2, 1966, I am further constrained to express my reservations with respect to the measure which I have just introduced. Again, the matter can be fully explored during our hearings.

Mr. President, I ask unanimous consent that the Higher Education Amendments of 1966 bill be held at the desk until the close of business, Friday, March 11, 1966, to permit cosponsorship of such Senators as may wish to avail themselves of this opportunity.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

REPRESENTATION IN CONGRESS FOR RESIDENTS OF THE DISTRICT OF COLUMBIA

Mr. DIRKSEN. Mr. President, ever since I can remember in the course of my service in Congress—and that goes back a third of a century—there has been agitation to provide the District of Columbia with a voting representative in the House of Representatives. It appears that this can be done only by amending the Constitution, but for one reason or another no action on such a proposal has ever been taken by either House of Congress.

The Constitution confers upon Congress exclusive jurisdiction over the seat of the Federal Government. At the time when the Constitution was formulated, there was ample reason for such action. The Continental Congresses were subjected to considerable pressure and on occasion there were threats and demonstrations which jeopardized the safety of Members of Congress. But it was never contended that the inhabitants of the area which was to be marked out as the seat of government should not have a voice in government. In fact, James Madison in discussing the matter in the 43d of the Federalist Papers speaks of the inhabitants who will occupy the area to become the seat of government to the effect that, "They will have had their voice in the election of the government which is to exercise authority over them," and further that they will have "a municipal legislature for local purposes, derived from their own suffrages."

It has been a long struggle to secure a vote for the residents of the District of Columbia that they might share in the selection of a President.

It has also been a long struggle to secure action on a home-rule measure which will provide some form of a municipal legislature, and even now that proposal, passed in different forms in the House and Senate in the first session of the present 89th Congress, is still beset with much disagreement and controversy.

Neither of these matters is affected by the constitutional resolution which I am introducing today. This concerns itself wholly and singly with the proposal to give the District of Columbia voting representation in the Congress in such manner as Congress shall provide. It is therefore merely the bare constitutional authority to make this possible and leaves it to the Congress how it shall be done.

Insofar as I can determine, the present population of the District is in excess of 800,000 persons. If all of them had their legal domicile in the District, it would exceed the populations of 12 States. Even when allowance is made for those who maintain their legal residence in the States from whence they come, the stationary, domiciled population of the District is very substantial and it merits a voice in the Congress.

This in no way affects or impairs the exclusive jurisdiction of the Congress over the seat of government. It merely recognizes the realities of our time. District residents no less than the residents of the 50 States are affected by general legislation enacted by Congress dealing with revenues, welfare, pollution, and a vast variety of other matters and hence deserve to be heard through a representative of their own choosing who is clothed with a right to vote which shall be of equal weight as that of other Members of Congress.

I ask unanimous consent to have printed in the RECORD the text of the resolution, and also an article from the Washington Star, entitled "Representation—The Next Logical Step."

The **PRESIDING OFFICER.** The joint resolution will be received and appropriately referred; and, without objection, the joint resolution and article will be printed in the RECORD.

The joint resolution (S.J. Res. 142) proposing an amendment to the Constitution of the United States providing for representation in the Congress for the District constituting the seat of government of the United States, introduced by Mr. DIRKSEN (for himself and Mr. MANSFIELD), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States which shall be valid to all intents and purposes as part of the Constitution if ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"ARTICLE —

"SECTION 1. The District constituting the seat of government of the United States shall be given voting representation in Congress in such measure as the Congress may direct."

The article presented by Mr. DIRKSEN is as follows:

REPRESENTATION—THE NEXT LOGICAL STEP

Starting tomorrow, at the urging of the President, the Bayh subcommittee will hear a parade of Senators support a variety of proposals for revising the electoral voting system through a new constitutional amendment. The revision is overdue, for the system clearly contains faults.

Those hearings, however, have another, greater importance to Washingtonians. They provide the simple, logical means by which Congress, without impairing the chances for electoral reform can simultaneously correct a far more invidious and senseless voting fault—the denial of representation in Congress to District residents.

District representation is entirely germane to electoral reform. As President Johnson has noted, the lack of a District voice in Congress would rob Washingtonians of participation in a presidential election thrown into Congress by the failure of any candidate to win a majority of the Nation's electoral votes. Any electoral reform, therefore, must inevitably deal with this problem. But the only proper way is to deal with it directly—by granting District residents the basic right of a voice in Congress.

Fortunately this direct approach already has attracted strong congressional support. Majority Leader MANSFIELD forthrightly endorses it. Minority Leader DIRKSEN promises to sponsor, at the proper time, the necessary corrective language. Their sentiments are echoed by other House and Senate leaders, and outside the Halls of Congress the story is the same. District Democratic and Republican leaders, who agree on little else, unequivocally support the idea.

The historic injustice which this move would correct requires no extensive review here. Nowhere in the Constitution or in the deliberations preceding it is there the slightest suggestion of any intent to deny residents of the Nation's Capital the right to representation in Congress. Nearly two centuries ago, discussing in The Federalist (No. 43) the Founding Fathers' proposal to create a seat of government over which Congress would have complete authority, James Madison stated what he thought was the fact—that the inhabitants of the area "will have their voice in the government which is to exercise control over them."

In the drafting, however, the District was forgotten. The Constitution provided for the election of representatives to Congress only through the political machinery of the States. Since the District is a Federal area, and not a State, the oversight left its residents with no basis for participation. And although resolutions to correct it have been introduced in every session of Congress for the past 90 years, this situation has remained a source of frustration and shame to the local community.

Congress finally came to grips with the issue in 1959. The result was the 23d amendment, ratified by the States in 1961, which gave District residents the right to vote for President. It is too bad, of course, that this amendment did not also provide the missing authorization for congressional representation—for the basic constitutional problems involved in the two forms of enfranchisement were the same. Actually, the Senate did approve such a provision, which was dropped when the House Judiciary Committee decided that one voting plateau for the District—the vote for President—was sufficient for Congress to digest at that time.

Those discussions, however, were by no means wasted. They helped clarify a number of crucial questions which obviously worried Congress. They made plain, for example, that District representation would not alter the unique status of the city as a Federal enclave, nor interfere in any way with the degree of representation in Congress now enjoyed by the States. They affirmed, through expert legal opinion, the view that voting representation cannot be granted by the passage of a simple law without first amending the Constitution. In 1962, moreover, extensive hearings on the same subject by the Kefauver subcommittee threw further valuable light on these questions.

From the practical viewpoint, past hearings also have produced another important conclusion: that while the merits of the case entitle the District to voting representation in both the House and Senate, Congress evidently is not prepared to grant that full package all at once. Everything said on the subject points to an inclination to grant these rights progressively, a step at a time.

All that need now be done, therefore, and all that should now be sought, is a few words, added to whatever constitutional amendment on electoral reform which Congress may propose, providing in effect that the District constituting the seat of government of the United States shall be given voting representation in Congress, in such manner as the Congress may direct.

Such simple language would correct the constitutional error which for 165 years has precluded Congress from granting any form of meaningful representation to the District. It would commit neither this Congress nor future Congresses to anything in absolute terms. But it would leave the door open for Congress in the future to grant such representation as it sees fit. And in enabling District citizens to travel the road toward full enfranchisement gradually, it also would avoid the need for future changes in the Constitution itself.

This language would not make the District a State, or move the city in that direction. Rather, it would reaffirm the unique character of the District as the permanent seat of government—set aside forever from the States. Representation would not alter Congress responsibilities, but would make it possible for Congress to discharge them more effectively.

This language would have no bearing whatever on the question of "home rule," the drive to establish an elected municipal government. The two concepts are separate, distinct, and in no sense mutually antagonistic.

Far from overburdening a constitutional amendment on electoral reform, the addition of the District voting provision should assist its passage through Congress and its ratification. There is evidence of strong sympathy across the Nation for the granting of District voting rights. The 23d amendment giving District residents the vote for President was ratified by three-fourths of the States in 9 months—the briefest ratification period of any amendment since 1804, when there were merely 16 States, rather than 50.

The 23d amendment also was initiated under circumstances strikingly similar to the present. It was first related in 1959 to a proposed anti-poll-tax amendment, as national representation should now be related to electoral reform. It received its major impetus, moreover, in the same Senate subcommittee which Senator BAYH now heads. We trust, in the hearings which open tomorrow, that the new subcommittee will follow that precedent.

In this era of righting voting wrongs, more than ever before, the plight of District residents stands forth as a cynical anachronism. It is high time, to borrow the 1959 phrase of the House Judiciary Committee, that we move to the next plateau.

MEMORANDUM FROM GEN. LEWIS HERSHEY, DIRECTOR OF THE SELECTIVE SERVICE SYSTEM ON PRESENT OPERATIONS OF THE SYSTEM INCLUDING LOCAL DRAFT BOARDS

Mr. DIRKSEN. Mr. President, as the military requirements for manpower for Vietnam increase, the authorities can look to only two sources for such additional personnel. The first source is voluntary enlistments. If an insufficient number of men volunteer for training and service, they must look to the Selective Service System for inductees. As the available pool of eligible men diminishes, the System may find it necessary to examine the whole complement of those who have been previously deferred, and this examination may include students, married men without dependents or who may not be living in a normal family relationship, and others.

It was but natural that as draft calls increased and began to affect groups who were heretofore deferred, the number of letters and telephone calls to Members of both Senate and House should increase, inquiring whether the Selective Service System had modified its criteria for eligibility for training and service. I have made inquiry of the System and requested a simple, short memorandum setting forth the present basis for draft calls in the hope that it could be printed as a document and provide material assistance to Senate Members in responding to such inquiries.

In addition, I have discussed this with General Hershey.

I ask unanimous consent that the memorandum from General Hershey be printed in the CONGRESSIONAL RECORD and also as a Senate document.

The PRESIDING OFFICER. Without objection, it is so ordered.

The memorandum ordered to be printed in the RECORD is as follows:

SELECTIVE SERVICE TODAY: MARCH 2, 1966

The Selective Service System exists to insure the maintenance of the Armed Forces necessary for our defense.

To insure that the Nation shall be prepared to raise and support the military forces required, the Congress in the law imposed on all men within liable ages the obligation to perform military service.

The Congress created the Selective Service System to determine through local board classification decisions the order in which men are called to discharge the military obligation. This order is determined by the numbers of men needed by the Armed Forces and by the needs of the civilian society which are met through temporary deferment of the individual's military service. These two considerations constitute the national interest which governs local board classifications.

Under the law and regulations every registrant is deemed available for service (class I–A) until it is demonstrated to the satisfaction of the local board that he should be temporarily deferred or exempt in the national interest. A registrant who is deferred earns no vested right to the deferment. If the needs of the Armed Forces or pertinent information about the individual convince the local board that his deferment is no longer in the national interest, he again becomes available for the service which he is obligated to perform under the law.

During the current buildup of the Armed Forces, the demands for manpower by the Armed Forces have increased several fold over a year ago. Monthly draft calls have been in the 30,000 to 40,000 range.

Enlistments have increased substantially, a major part of them being traceable directly to the existence of the selective service obligation and local board processing. For example, in the last 5 months about 180,000 men have enlisted after they had been examined and found qualified for induction, many of them after induction orders had been mailed. In the same period, local boards provided about 170,000 inductees to the Armed Forces.

These increased demands on the Nation's manpower resource do not permit the continued liberal deferments of a year ago.

The available manpower 19 to 26 has steadily declined through induction, enlistment and failure to qualify under Armed Forces medical, mental, and moral standards.

In order to maintain a source for inductions and enlistments, the Selective Service System is faced with the necessity of returning to class I–A (available for service) some men currently deferred. The largest deferred categories from which additional manpower can be made available are (1) those men deferred because they do not meet current Armed Forces standards, but who would be qualified under lower standards such as would prevail, for example, in time of war; (2) fathers and persons with other dependents who would suffer extreme hardship if the registrant were inducted: and (3) students.

It has been determined that the student population should be screened more closely. To that end, the System is instituting a program similar to that used during and after Korea of considering a student's standing in his class or his score on a special test which will be made available to any student desiring to take it in May and June of this year. These criteria are advisory only as the law provides that no local board can be required to defer a student solely on the basis of any test score, grades, class standing, and similar criteria.

A few men who were found disqualified by the Armed Forces under Armed Forces qualification test criteria prior to November 1, 1965, will be produced under new criteria announced by the Secretary of Defense on that date. But their numbers will be small. They are only those high school graduates who scored 16 to 31 on the AFQT but did not score sufficiently high on supplemental tests to be qualified. Under the new standards, the high school diploma qualifies such a registrant irrespective of his score on the supplemental tests.

The local boards, through classification and reclassification, keep up to date the determinations of availability of registrants. Those remaining in or reverting to class I–A constitute the pool of men available for service. These men are delivered to the Armed Forces for examination, and if they are found qualified, they are called for induction in a sequence established by regulation. That sequence of selection is:

1. Men declared delinquent for failure to comply with the selective service law who have attained the age of 19 years in the order of their dates of birth with the oldest being selected first.

2. Volunteers for induction who have not attained the age of 26 years in the sequence in which they have volunteered for induction.

3. Nonvolunteers who have attained the age of 19 years and have not attained the age of 26 years and who (a) do not have a wife with whom they maintain a bona fide family relationship in their homes, in the order of their dates of birth with the oldest being selected first, or (b) have a wife whom they married after August 26, 1965, and with whom they maintain a bona fide family relationship in their homes, in the order of their dates of birth with the oldest being selected first.

4. Nonvolunteers who have attained the age of 19 years and have not attained the age of 26 years and who have a wife whom they married on or before August 26, 1965, and with whom they maintain a bona fide family relationship in their homes, in the order of their dates of birth with the oldest being selected first.

5. Nonvolunteers who have attained the age of 26 years in the order of their dates of birth with the youngest being selected first.

6. Nonvolunteers who have attained the age of 18 years and 6 months and who have not attained the age of 19 years in the order of their dates of birth with the oldest being selected first.

In order to fill calls, local boards since December 1965 have been ordering for induction from the first four categories.

The current pool of available manpower 19 to 26 may well be depleted by June of this year through disqualification, enlistments and inductions if enlistments and inductions continue at the rates which have prevailed over the last 5 months. In order to insure adequate manpower for induction and enlistment, some men now deferred must revert to class I–A, available for service. The task of the local board is to determine which registrants these should be.

There is attached to this report an analysis as of January 31, 1966, of the pool of available manpower and an estimate of losses and additions to that pool through June 30, 1966, indicating that available manpower will be exhausted unless there is an additional input into class I–A from registrants now deferred.

In connection with classification and reclassification, which is the process of maintaining an inventory of potential military manpower, some interest has been expressed, and some misunderstanding is apparent, of a group within the I–A pool identified as not available for preinduction examination because already ordered for examination.

A I–A pool divided simply between those examined and qualified, and not examined does not provide sufficiently refined information on which to plan or to assess the System's ability to meet anticipated demands. After a registrant is classified as available for service, other processing is necessary before he can be delivered for induction. The law requires that a preinduction examination be given by the Armed Forces to determine acceptability. Changes in his status such as enlistment or other changes making his classification out of class I–A may occur.

The Armed Forces examining stations currently are examining nearly 200,000 registrants each month. These registrants typically are ordered to report for examination throughout the month with the examination day typically falling in the next month. Thus, on the last day of any month, there will be in the examination pipeline a number approximately equal to the monthly rate of examination. Others are in the examination pipeline because, for various reasons, they have not yet been delivered for examination, or, if examined, the determination of acceptability has not yet been made by the Armed Forces.

In the interest of efficient operation it is important to know how many men class I–A are in the examination and induction pipelines, as well as to know the numbers not yet ordered for either examination or induction.

Present regulations provide for the following classifications:

Class I–A: Available for military service.

Class I–A–O: Conscientious objector available for noncombatant military service only.

Class I–C: Member of the Armed Forces of the United States, the Coast and Geodetic Survey, or the Public Health Service.

Class I–D: Member of Reserve component or student taking military training.

Class I–O: Conscientious objector available for civilian work contributing to the maintenance of the national health, safety, or interest.

Class I–S: Student deferred by statute.

Class I–Y: Registrant available for military service, but qualified for military service only in event of war or national emergency.

Class I–A: Conscientious objector performing civilian work contributing to the maintenance of the national health, safety, or interest.

Class II–A: Registrant deferred because of civilian occupation (except agriculture and activity in study).

Class II–C: Registrant deferred because of agricultural occupation.

Class II–S: Registrant deferred because of activity in study.

Class III–A: Registrant with a child or children (special rules apply to physicians, dentists and allied specialists): and registrant deferred by reason of extreme hardship to dependents.

Class IV–A: Registrant who has completed service; sole surviving son.

Class IV–B: Officials deferred by law.

Class IV–C: Aliens.

Class IV–D: Minister of religion or divinity student.

Class IV–F: Registrant not qualified for any military service.

Class V–A: Registrant over the age of liability for military service.

Selective service is the oldest and most universal method of raising armed forces. Modern selective service in the United States dates from September 1940, and has been continuous since that time, except for a brief period from March 1947 to June 1948. Even during the period March 1947 to June 1948, when an active Selective Service System was not in operation, the Congress provided by law for the Office of Selective Service Records to preserve the knowledge and methods of selective service. Selective service in the United States is based on the accepted principle of the universal obligation and privilege of citizens to defend the Nation.

The present Selective Service System is not an experiment. The history of compulsory military service in this country has made one fact abundantly clear. No system of compulsory service in this country could long endure without the support of the people. The people of the country will support a compulsory system only to the extent that they have confidence in its fairness and they will have confidence in a system only to the extent which they themselves operate it.

The Selective Service System is, therefore, founded upon the grassroots principle, in which boards made up of citizens in each community determine when registrants should be made available for military service. There are more than 4,000 of these local boards located in every community throughout the Nation. More than 40,000 citizens contribute their services without pay as members of these local boards, and in various capacities as advisers to the local boards and to the registrants.

The selective service law further recognizes the importance of the decentralization principle by making the Governor of each State the nominal head of selective service within his State. The law further requires a State headquarters in each of the States, and provides for a State director in each to administer the State headquarters and to represent the Governor. The State director and local board members are appointed by the President, upon recommendation of the Governor.

Study of availability of registrants for induction based upon Jan. 31, 1966, availability reports and estimates of new 19-year-olds available and qualified for induction through June 30, 1966

1. I–A and I–A–O, single and married after Aug. 26, 1965:	
Examined and qualified	66, 705
Less 11-percent induction rejection rate experience	7, 338
Total	59, 367
Not examined	38, 074
Less 40-percent preinduction rejection rate experience	15, 230
Total	22, 844
Less 11-percent induction rejection rate experience	2, 513
Total	20, 331

Study of availability of registrants for induction based upon Jan. 31, 1966, availability reports and estimates of new 19-year-olds available and qualified for induction through June 30, 1966—Continued

1. I–A and I–A–O—Continued	
Not available because ordered for examination	204, 378
Less 40-percent preinduction rejection rate experience	81, 751
Total	122, 627
Less 11-percent induction rejection rate experience	13, 489
Total	109, 138
New 19-year-olds (monthly)	150, 000
Less 40-percent preinduction rejection rate experience	60, 000
Total	90, 000
Less 11-percent induction rejection rate experience	9, 900
Total	80, 000
Less enlistments, deferment for high school, college, fathers, dependency, etc., leaves about 20,000 available for induction each month, 5 months	100, 000
Total, this group	288, 836
2. I–A, I–A–C, married on or before Aug. 26, 1965:	
Examined and qualified	81, 696
Less 11-percent induction rejection rate experience	8, 987
Total	72, 709
Not examined	79, 751
Less 40-percent preinduction rejection rate experience	31, 900
Total	47, 851
Less 11-percent induction rejection rate experience	5, 264
Total	42, 587
Not available because ordered for examination	75, 298
Less 40-percent preinduction rejection rate experience	30, 119
Total	45, 179
Less 11-percent induction rejection rate experience	4, 518
Total	40, 661
Total, this group	155, 957
Single and married after Aug. 26, 1965	288, 836
Married on or before Aug. 26, 1965	155, 957
Total	444, 793
Less enlistments, 50,000 a month, 5 months	250, 000
Less calls, 40,000 a month, 5 months	200, 000
Available and qualified, as of June 30, 1966	−5, 207
Gross available	444, 793
Less	450, 000

The above study is based upon the assumption that no registrants in the two groups would be in the examination pipeline, but that all would have been examined and the local boards would have the records of acceptability. This condition of a clear pipeline is, of course, unattainable.

Mr. DIRKSEN. Mr. President, I merely wish to say that thereafter I shall ask consent for the printing of 100,000 copies to assist Senators in answering their mail and the inquiries that are presently reaching them.

AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961, AS AMENDED—AUTHORITY TO FILE INDIVIDUAL VIEWS

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that individual views may be filed with the report of the Committee on Foreign Relations of the Senate on the bill (H.R. 12169) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

TAX ADJUSTMENT ACT OF 1966—AMENDMENT

AMENDMENT NO. 500

Mr. JAVITS submitted an amendment, intended to be proposed by him, to the bill (H.R. 12752) to provide for graduated withholding of income tax from wages, to require declarations of estimated tax with respect to self-employment income, to accelerate current payments of estimated income tax by corporations, to postpone certain excise tax rate reductions, and for other purposes, which was ordered to lie on the table and to be printed.

ADDITIONAL COSPONSORS OF BILLS

Mr. AIKEN. Mr. President, at its next printing I ask unanimous consent that the name of the Senator from Wyoming [Mr. McGee] be added as a cosponsor of S. 2888, a bill to assure dairy products under school programs.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SMATHERS. Mr. President, I ask unanimous consent that the name of the Senator from Indiana [Mr. Bayh] be added as a cosponsor to S. 2928, a bill introduced by Senator Edward M. Kennedy to correct racial imbalance in the public schools.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF BILLS

Under authority of the orders of the Senate, as indicated below, the following names have been added as additional cosponsors for the following bills:

Authority of February 18, 1966:

S. 2947. A bill to amend the Federal Water Pollution Control Act in order to improve and make more effective certain programs pursuant to such act: Mr. Allott, Mr. Bartlett, Mr. Bible, Mr. Brewster, Mr. Case, Mr. Church, Mr. Clark, Mr. Dominick, Mr. Douglas, Mr. Ervin, Mr. Fong, Mr. Jordan of North Carolina, Mr. Kennedy of New York, Mr. Kuchel, Mr. Lausche, Mr. Long of Missouri, Mr. Magnuson, Mr. McCarthy, Mr. McGee, Mr. McIntyre, Mr. Metcalf, Mr. Mondale, Mr. Monroney, Mr. Morse, Mr. Murphy, Mr. Pastore, Mr. Pell, Mr. Scott, Mrs. Smith, and Mr. Yarborough.

Authority of February 21, 1966:

S. 2951. A bill to amend title V of the Social Security Act to provide a grant-in-aid program to assist the States in furnishing aid and services with respect to children under foster care: Mr. Fong, Mr. Fulbright, Mr. Hartke, Mr. Kennedy of Massachusetts, Mr. Long of Missouri, Mr. McCarthy, Mr. Pell, Mr. Randolph, and Mr. Yarborough.

NOTICE OF PUBLIC HEARINGS BY THE JUDICIARY SUBCOMMITTEE ON CRIMINAL LAWS AND PROCEDURES

Mr. McCLELLAN. Mr. President, for the information of the Senate and other interested persons, I want to announce that the first of a series of hearings has been scheduled by the Subcommittee on Criminal Laws and Procedures of the Committee on the Judiciary. The hearings will begin Tuesday, March 22, 1966, at 10 a.m., in room 2228, New Senate Office Building.

The subject matter to be explored is concerned with possible legislation to combat the rising crime rate in the United States. Testimony will also be taken on six bills dealing with various aspects of criminal law and procedure, and presently pending before the subcommittee.

Mr. President, I announce also that, in the meantime, it is expected that other bills will be introduced, bills which probably will later be included among those upon which we shall take testimony at the time of this series of hearings.

Because of the widespread concern over this serious domestic problem of our constantly increasing crime rate, the subcommittee hopes to have the benefit of the testimony of outstanding leaders in the fields of law enforcement. Attorney General Nicholas deB. Katzenbach will be the first witness at 10 a.m. on Tuesday, March 22, 1966.

The first series of these hearings will continue through Thursday, March 24, and will be resumed at a later date yet to be announced.

The six bills on which we will hear testimony are:

S. 2187, a bill which provides that any person who knowingly and willfully becomes or remains a member of the Mafia, or similar organizations, shall be imprisoned for not less than 5 years and fined not more than $20,000.

S. 2188, a bill to prohibit the obstruction of criminal investigations of any department, agency, or the Armed Forces of the United States.

S. 2189, a bill to amend the Communications Act of 1934 and make it unlawful except by order of a court of competent jurisdiction to intercept, disclose, or use the contents of a wire communication except in the normal course of employment, or by the President to obtain information to protect the national security, and for other purposes.

S. 2190, a bill to permit the compelling of testimony before courts of the United States in proceedings with respect to certain crimes, and the granting of immunity in connection with such testimony.

S. 2191, a bill which provides that a person who is a narcotic addict and desires to obtain treatment for that addiction may file with the clerk of the U.S.

district court a statement setting forth his request; sets procedures for determining addiction; and provides for civil commitment, and other after care and rehabilitation procedures.

S. 2578, a bill that provides, among other things, that confessions, otherwise admissible, shall not be inadmissible in Federal courts solely because of delay in taking an arrested person before a U.S. Commissioner or other committing magistrate.

POSTPONEMENT OF HEARING ON NOMINATION OF MILES W. LORD, OF MINNESOTA, TO BE U.S. DISTRICT JUDGE, DISTRICT OF MINNESOTA

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that the public hearing scheduled for Wednesday, March 9, 1966, at 10:30 a.m., on the nomination of Miles W. Lord, of Minnesota, to be U.S. district judge, district of Minnesota, vice Dennis F. Donovan, retired, has been temporarily postponed.

ADMINISTRATION FISCAL POLICY ABOUT RIGHT IN UNCERTAIN ECONOMIC SITUATION

Mr. PROXMIRE. Mr. President, 2 weeks ago I called the Senate's attention to the warning of George Shea in the Wall Street Journal that the inflationary impact of the Vietnam war has already been felt in the increase in obligational authority, and that the coming year is likely to see a decrease in obligational authority—not Vietnam war spending, but obligational authority, that is, orders for future spending. Shea argued that in the past it has been the obligational authority, not the spending itself, that has shoved prices up.

Today Mr. Shea returns to the fray with another thoughtful column contending that there are private forces tending to diminish price pressure and possibly turn the price trend around, as well as public pressures. He cites the accumulating effect of credit restraint and the shortage of money. At least 10 municipalities have postponed the bond issues they planned because interest rates are too high, according to Shea, and in many of these cases they will also postpone construction.

This is not an isolated consequence. And in this huge economy of ours the greatest front of economic expansion has been in the capacity to meet future production—plant capacity itself has been growing at a very rapid rate, and so have both the labor force and the skills of that labor force.

While it is still true that most economists contend that inflation is likely, and while new orders and plant investment continue to rise, the stock market's cold and realistic assessment continues to be steadily down—certainly not a bet on runaway inflation.

All this suggests that the cautious, careful approach of the administration in its moderate suggestion of mild revenue increases may be about right.

I ask unanimous consent that the Shea article from today's Wall Street Journal be printed in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

Appraisal of Current Trends in Business and Finance

The human tendency to project present conditions into the future and thus pretend to the possession of foreknowledge extends to all topics of conversation, including weather, sports, and economic affairs. The question is whether it applies to current predictions of inflation.

This tendency to project is easily tolerated in regard to the weather and sports. We've all probably ourselves fallen into the practice of announcing, with an air of profundity, at 9 a.m. on a summer day with the thermometer already above 85, that "it's going to be a hot one." And we've heard TV golf announcers predict, after the hole's final putt—clearly the fourth stroke—is sunk, that the player "is going to take a 4." Such minor pretensions are amusing but unimportant.

More critical are the occasions when the economic trend is about to change. Forecasts made at such times have been known to prove sadly out of kilter. Fortunately for those in the profession of making economic predictions, the business over the decades has been on the way up most of the time. For that reason projections of a continuation of current conditions have been much more frequently optimistic than pessimistic, and for exactly the same reason they've been more often right than wrong.

Just now the almost universal forecast is that the Nation faces inflation on top of the boom of the past 5 years. The reasons are quickly listed. Unemployment is down to 4 percent of the labor force, with actual shortages reported in many occupations and some regions. Manufacturing output is reportedly at or above 90 percent of capacity, and rates of spending on new plants and equipment are rising so fast they are absorbing an increasing proportion of available capacity, leaving a reduced portion to satisfy consumption, though that is rising too as incomes expand.

That this situation has produced an inflationary trend there is no doubt. Wage boosting has speeded up. Announcements of price increases greatly outnumber price cuts, as the report from purchasing agents on another page makes clear, and most indexes of commodity prices are up substantially in the past year and quite sharply in the past few months.

The main reason why forecasters expect these trends to continue or even to become accentuated is that Vietnam spending is scheduled to rise in the fiscal year that starts next July. But, as shown here 2 weeks ago, it is arguable that the impact of Federal warlike escalation comes when the orders are placed rather than when the money is paid out. On that basis, the effect of the escalation may have been felt in large part already, because contract authorizations of the Federal Government, according to the budget issued in January, are at their high this fiscal year; they are scheduled to fall off a little in the new fiscal year.

The projections of further inflation also assumed that the rest of the economic system—the part not influenced by Vietnam—is going to keep expanding too. Perhaps this assumption will prove correct, but there is no assurance that it will.

Indeed, one factor will tend to reduce general business activity, and that is the growing shortage of lendable money. There is no way of knowing how strong a depressant it will prove to be, but there is no doubt it is a depressant.

The main evidence of this shortage, of course, is the general rise in the interest charges being demanded by lenders. The borrowing being done apparently exceeds the savings being set aside; hence those who have money to lend want to be paid more for lending it. Also, both banks and insurance companies are known to be rationing the new loans they make.

Because the rise in business activity in the last few years has depended heavily on new borrowings, it is probable that no further speeding up in the expansion is possible now that the money isn't available to finance such a speed-up. Actually the rise in the cost of borrowing as well as the short supply of available funds may already be having a limiting and even constricting effect on new outlays that have been planned.

One sign of this effect is that during the past week at least 10 local governments decided not to sell at this time bond issues they had scheduled. Obviously these postponements will not in all cases prevent the spending, as some localities already have funds on hand and others can borrow the money on a temporary basis, but some of the decisions not to sell bonds were accompanied by decisions to delay construction.

What makes the rise in interest rates and the growing shortage of funds particularly impressive as a potentially deflationary influence is that it has come about mainly as a result of the forces of the market itself. The latest monthly bulletin of the Federal Reserve Board says that in the past year "the Federal Reserve sought to limit credit expansion." But the restrictive policy is considerably milder than at previous like occasions such as 1957–58 and 1959–60. Yet the latest rise in interest rates is broader and has reached higher levels.

Unless relieved for unexpected reasons, this tightness surely must have its effect on economic activity. Shortage of money, as many a businessman knows from experience, is just as restrictive as shortages of materials or labor. The more the trend to inflation continues the greater is likely to become the shortage of funds, which suggests the possibility of a turn to deflation sooner than anyone now expects.

George Shea.

CHILD NUTRITION ACT OF 1966 COULD MEAN LESS MILK FOR NEEDY

Mr. PROXMIRE. Mr. President, last Friday I had an opportunity to discuss the Department of Agriculture's proposed 80-percent cutback in the special milk program for schoolchildren with Department officials. I was frankly shocked to discover that the proposed Child Nutrition Act of 1966 could mean less, not more, milk for the needy even though the principal aim of the legislation is to provide free milk for the needy as well as milk for children who attend a school which does not have a school lunch program.

To be more specific, the proposed legislation would provide first and foremost for those schools which do not have a school lunch program. The children in those schools would continue to pay less for their milk because of Federal reimbursements. The Department believes that $10 million to the $21 million the legislation provides is sufficient for school milk to go to such schools.

However, if the Department's estimates are incorrect the entire $21 million might possibly be used to help schools without a lunch program. This means that not one cent would go to the needy unless, of course, they attended a lunchless school.

Let us assume that the Department's estimates are correct. If so, the remaining $10½ million would go to help the needy—over $500,000 is to be used for administrative expenses. How many needy children would this provide for? The Department says 1 million.

This sounds like a lot of children, Mr. President. Yet the Department of Health, Education, and Welfare in estimating how funds were to be disbursed to counties under the Elementary and Secondary Education Act of 1965 stated that there were 4,911,143—or almost 5 million—children of grammar and high school age whose parents had an annual income of less than $2,000. These are our hard-core poor. A ceiling of $3,000 annual income would undoubtedly increase this figure substantially.

In other words only 20 percent of the really poverty-stricken children in our school systems will get free milk if the proposed legislation is enacted. Would it not be far better to continue to provide at least partial reimbursement assistance for 17 or 18 million children, including 2 million poor than to help only 20 percent or 1 million, of our hard-core needy? Or better yet, why not expand the program to assist more needy rather than cut it by 80 percent? I believe these alternatives are clearly more desirable, Mr. President. This is why I have introduced legislation to make the school milk program in its present form a permanent one at a higher level of funding. I am delighted that 63 of my Senate colleagues agreed with me and decided to cosponsor the bill.

PERSONAL PRIVILEGE

Mr. MORSE. Mr. President, over the weekend, several reports in the newspapers and on the radio and television made false statements concerning the views of the senior Senator from Oregon in regard to his plans for the coming political campaign. Some of the news media reported that the senior Senator from Oregon plans to campaign against candidates for office who support what the senior Senator from Oregon considers to be the illegal, immoral, and unjustifiable unilateral warmaking of the United States in southeast Asia.

Let the Record show that what the Senator from Oregon said, and what his position will be, is that I shall campaign for Democratic candidates who are opposed to the escalating unilateral course of action that the United States is following in southeast Asia, because I consider it to be immoral, illegal, and unjustifiable.

The PRESIDING OFFICER (Mr. Harris in the chair). Is there further morning business?

WHAT A WASTE

Mr. YOUNG of Ohio. Mr. President, last month in the Senate I denounced the fact that while many hospitals in Vietnam and elsewhere in southeast Asia are overcrowded with our wounded and sick from Vietnam, there are two 200-bed field hospitals stored for civil defense purposes at Oak Harbor and Port Clinton, Ohio. This outrageous situation is duplicated in other cities in Ohio and in other States. Without a doubt thousands of these hospital beds and other equipment could be put to good use by our Medical Corps officers in Army, Naval, and Air Force hospitals in Vietnam, Thailand, Okinawa, Guam, and elsewhere to add to the comfort and care of our servicemen.

Subsequently, Jack Ballantine, State editor of the Cleveland Press, one of the great newspapers of Ohio and of the Nation, personally investigated this scandalous situation and reported his findings in an article which appeared in the Cleveland Press on February 26, 1966, entitled "Supplies for 118 Hospitals Are Gathering Dust in Ohio." Jack Ballantine is to be commended on the excellent job of reporting he did on uncovering this waste of taxpayers' money and more important this tragic misuse and waste of hospital supplies and equipment.

Among the items he found in this stored hospital was a supply of insulin whose usefulness expired nearly 3 years ago and a supply of other serum and testing equipment whose usefulness expires next month.

The most shocking discovery revealed as a result of Mr. Ballantine's investigation is the fact that there are 117 other civil defense emergency hospitals scattered throughout Ohio, each costing at least $50,000. This is an inexcusable waste of $6 million of taxpayers' money. Some of the equipment and supplies date back to 1955.

The Ohio health department was assigned custody of these stored hospitals in 1961, although ownership remains with the Federal Government, and officials of the General Services Administration are supposed to inspect the material regularly. When questioned regarding these hospitals John Bolin, a State health department official, stated that he had no idea of what other outdated medicines remained in the 117 other civil defense emergency hospitals in various places throughout Ohio.

Mr. President, this same intolerable situation exists in other States and is just one more example in a long list of silly schemes and unworkable programs concocted by boondoggling civil defense officials.

I ask unanimous consent that the article by Jack Ballantine be printed in the Record at this point as part of my remarks.

Mr. President, Civil Defense officials have asked for an appropriation of more than $133 million for the coming fiscal year. These bureaucrats never seem to learn. After 15 years, after the complete waste of more than a billion and a half taxpayers' dollars, and after announcements of hundreds of silly and useless schemes, including siren sounding and fantastically unworkable evacuation programs, they still hope to continue the ridiculous Civil Defense boondoggle. There is perhaps no other function or agency of the Federal Government that has been so thoroughly discredited. Few citizens any longer take its operations seriously. Many communities throughout the Nation have discontinued their civil defense programs and expenditures officially, such as Portland, Oreg., or have ignored them to the point where for all practical purposes they have been abolished.

Shortly after he took officer, Mayor Lindsay, of New York City, announced that he would abolish that city's office of civil defense and said that scrapping it would mean a considerable savings for the city. Let us hope that other mayors and Governors follow this commonsense action by the mayor of New York City.

Mr. President, unfortunately, too few Governors, mayors, and county commissioners can resist the temptation of Federal matching funds to provide in many cases a comfortable haven in the political storm for political hacks and defeated officeholders. While enjoying public sinecures they do little except talk vaguely about survival plant, write messages to other bureaucrats, stage alerts to annoy their neighbors, and distribute countless reams of literature.

Daily, I—and I am sure all of my colleagues likewise—receive phone calls and letters from mayors and other municipal officials requesting assistance in having their applications for public works and other projects expedited.

At the same time, the Federal Government is encouraging these officials to spend millions of taxpayers' dollars for civil defense employees and ridiculous civil defense programs. If we cut off the head of the bureaucratic octopus in Washington, its wasteful satellites in States and cities will soon wither away.

Mr. President, there appeared in the Cleveland Press of March 1, 1966, a very thoughtful editorial entitled "What a Waste" deploring the situation which I described in Oak Harbor, Ohio, and the waste of Federal funds for local civil defense programs. This editorial concisely and clearly sets forth the futility of our civil defense program as now operated. I commend this to my colleagues, and ask unanimous consent that it be printed in the Record at this point as part of my remarks.

Mr. President, let us put an end to wasting more of the taxpayers' money on storing hospitals and medical equipment which will never be used, on buying so-called survival biscuits, on digging ridiculous holes in the ground and placing ugly black and yellow signs on public and other buildings, and on a thousand and one other absurd programs perpetrated by the civil defense boondogglers.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Cleveland Press, Feb. 26, 1966]

Supplies for 118 Hospitals Are Gathering Dust in Ohio

(By Jack Ballantine)

Oak Harbor.—"Chief, we ought to get rid of this old stuff."

The civil defense worker handed Ottawa County Civil Defense Director Howard Brown a box of outdated insulin.

It was packaged in March 1961. The manufacturer's label said the insulin's usefulness expired nearly 3 years ago in March 1963.

The box was in a refrigerator on the second floor of the town hall here where a 200-bed civil defense emergency hospital is stored.

"Put it back in the refrigerator," Brown instructed his aid. "The Government must have said it was OK."

John Bolin, of the State health department, said the Federal Government, which owns the packaged hospital, inspects the materials regularly.

Tags on boxes with bandages, blankets, instruments and other medical supplies, however, indicated the packages were last inspected in November 1964, by Federal employees from the General Services Administration's civil defense depot at Shelby.

Bolin said these inspectors must have approved the outdated insulin or it would not be in the refrigerator.

The supplies for a 200-bed CD hospital here and supplies for others stored elsewhere recently were cited by U.S. Senator Stephen M. Young as an outrageous situation.

The Senator called for use of the hospitals for wounded servicemen in Vietnam.

If the Senator's demands are to be heeded, the Government will have to move fast to salvage some of the medicine and testing materials that are approaching their expiration dates.

The 5-year-old insulin already has far exceeded its recommended usefulness. The time on other serum and testing equipment expires next month.

Tetanus serum in the three refrigerators that hold medicine here expires next year.

Bolin, executive coordinator of the Ohio health department's health mobilization unit, said he had no idea how much other outdated medicine remains in 117 other CD emergency hospitals scattered throughout the State.

He said the health department was assigned custody of the hospitals in 1961, but inspection is a function of the U.S. General Services Administration.

James F. Worster, deputy director of Ohio's Civil Defense Division, offered the State's help if the Federal Government wants to move the emergency hospitals to combat areas.

"If there is need for any of these units in Vietnam, we'll pack them on trucks and get them to the nearest port for shipment overseas right now," Worster said.

Bolin said the most costly perishable item under refrigeration is human albumen serum. Three large cases of it are stored here. The serum was manufactured in 1960 and its time expires in 1970, according to the packing list.

Bolin said each of the 118 CD hospitals stored in Ohio is worth $50,000. There is none in Cuyahoga County because it is a primary target city, he said.

The boxes, bags, and other packages include everything needed for a 200-bed hospital, including bedding, heavy duty cots, operating tables and instruments, X-ray equipment, water tank, and power generators.

Some of the equipment and supplies date back to 1955.

The medical supplies are sufficient to serve 200 patients for 30 days, Bolin said.

[From the Cleveland Press, Mar. 1, 1966]

What a Waste

Item in the Press: "For the first time in 15 years Lake County will get Federal funds for its civil defense program * * * an estimated $15,000 this year."

Item in the Press: "The civil defense worker handed Ottawa County Civil Defense Director Howard Brown a box of outdated insulin. * * * The box was in a refrigerator on the second floor of the Oak Harbor Town Hall where a 200-bed civil defense emergency hospital is stored."

What will the $15,000 buy for Lake County? Warning signals for one thing. Warning signals for what? A nuclear attack, perhaps, if a potential enemy is idiotic enough to give warning that an ICBM is enroute.

It might buy new medical supplies in the event that it has a plentiful supply of outdated stuff on hand.

Trouble is, no one can be quite sure of the kind of protection $15,000 will buy. Nobody in Washington quite knows, and if somebody does, he has neglected to pass along his valuable knowledge.

As Senator Steve Young has said so rightly time and time again, the U.S. Civil Defense program is a terrible waste of money. Not to mention the material which has been rotting in secret hideaways for who knows how many years.

It all adds up to waste, waste, waste.

Oak Harbor Town Hall isn't the only place with aging goods.

There are 117 other instant hospitals all over Ohio. And deep in the recesses of our own county courthouse on Lakeside Avenue, food and medicine is piled far and high against a doomsday attack.

Washington has done nothing to bring civil defense into line with reality. No one knows really what to do in the event of a nuclear holocaust, so the program goes on and on aimlessly and wastefully.

But a civil defense program geared for natural disaster, and organized in cooperation with the Red Cross, are possibilities that deserve greater financial and manpower consideration.

Mrs. NEUBERGER. Mr. President, will the Senator from Ohio yield?

Mr. YOUNG of Ohio. I am glad to yield to the distinguished Senator from Oregon.

Mrs. NEUBERGER. I should like to join the Senator from Ohio who, I note, is continuing to keep up the good public relations in exposing what the Senator calls the boondoggle in civil defense. I believe that experience has shown that more money is being wasted in so-called civil defense than in any other branch of Government.

Mr. YOUNG of Ohio. I am very grateful to the Senator from Oregon for her comments. We have wasted approximately $1,500 million of the taxpayers' money on this civil defense boondoggle. No one in America is better off because of it; in fact, we are that much worse off.

HOOVER'S SUCCESSOR

Mrs. NEUBERGER. Mr. President, during the long 9-hour flight to Oregon, I became acquainted with Rex Stout, the inimitable creator of Nero Wolfe.

The Saturday Review published a review of Mr. Stout's newest production "The Doorbell Rang" which seems to be based on his personal experience with the FBI.

The Nation for March 7 comments on lampooning the Director of that institution, Mr. Hoover, and reviews the status of bills in Congress which call for the advice and consent of the Senate in finding a replacement for the Director of the FBI when that time shall come.

Mr. President, I ask unanimous consent to have the article published in the Nation printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Hoover's Successor

Rex Stout's "The Doorbell Rang," which no doubt J. Edgar Hoover regards as a vicious lampoon, actually tells the sober truth about an institution that has become more powerful than the executive department to which it belongs. Successive Attorneys General have stepped warily whenever duty led them near the sacred precincts of the Federal Bureau of Investigation, for they have been keenly aware that Attorneys General come and go but J. Edgar Hoover goes on forever. Well, not quite forever—he is a year or more past retirement age and is rumored to have handpicked his successor. If one is to judge by a recent speech, his protege will carry on, if appointed, in the Hoover tradition of covering the faults of the FBI with periodic ululations about the menace of communism which, despite the valiant efforts of Mr. Hoover and his 14,300 employees and a budget of almost $150 million, apparently keeps mounting.

Senator Everett McKinley Dirksen is surely not one to ignore whatever residual peril still lurks in that quarter, but he may have a sneaking suspicion that J. Edgar has been pulling the wool over the eyes of credulous citizens during most of his 40 years of service, and has thereby managed to create an imbalance in the Justice Department which should be redressed at the first opportunity. That will be when J. Edgar finally decides that, though the country can ill spare his services, the day has come when it must try. Anticipating the inevitable, Senator Dirksen on January 7, 1965, introduced S. 313, relating to the appointment of a new FBI Director. The bill was reported out favorably from the Committee on the Judiciary and passed the Senate on May 24, 1965; it was then referred to the Committee on the Judiciary of the House of Representatives. This same bill also passed the Senate in June 1963, but died in the House during the 88th Congress.

This legislation should be a matter of first priority in the present session. The bill itself can be read in 20 seconds. The malarkey in the covering report, lauding Mr. Hoover's achievements, may be profitably skipped, but here is the text: *"Be it enacted by the Senate and House of Representatives of the United States in Congress assembled,* That, effective as of the day following the date on which the present incumbent in the office of Director ceases to serve as such, the Director of the Federal Bureau of Investigation shall be appointed by the President, by and with the advice and consent of the Senate, and shall receive compensation at the rate prescribed for level II of the Federal Executive Salary Schedule."

That is to say, J. Edgar Hoover is not to be permitted to perpetuate himself in office by nominating his successor for the President to appoint; rather, the appropriate Senate committee is to scrutinize whoever shall be nominated, hear objections to him, if any, and recommend his confirmation only if it finds him fit. The Director of the FBI occupies an office as important as that of any Federal judge, even Justices of the Supreme Court. The appointment, when it comes, should receive the most critical attention of the Senate, and preparation for it should be made now.

HOSPITALS AS COMMUNITY HEALTH RESOURCE

Mrs. NEUBERGER. Mr. President, the Senate Special Committee on Aging, in conducting hearings on long-term care in Boston last August, heard from a very able and articulate hospital administrator, Dr. John H. Knowles, director of the Massachusetts General Hospital. Dr. Knowles presented a realistic appraisal of the critical situation facing hospitals and nursing homes in meeting the urgent medical demands of today, while giving ample attention to preparing for the needs of tomorrow. Recognizing the urgency for rational and responsible planning, Dr. Knowles admonished the medical profession and hospitals for their lack of leadership:

> The Federal Government, the public, and our political representatives have grown restless and impatient with our irrational behavior as regards chronic and continuing aftercare and have attempted to rationalize and improve our services with the new medicare bill, which encourages continuing care, home care, and nursing home care.

More recently, in an article published in the Journal of the American Hospital Association, Dr. Knowles once again has stirred within the medical community a need for immediate and responsible action. In this unusually perceptive article, the hospital administrator describes how hospitals can plan a broader role as community health centers. He refers to the clinics as an ideal setting "to structure service and research in social medicine," and he speaks of comprehensive medicine as the "coordination of all the various caring elements in the community with those of the medical profession by a team of individuals representing all disciplines, with all the techniques and resources available to the physician and his patient."

Mr. President, I ask unanimous consent that Dr. Knowles article, "The University Hospital as a Community Health Resource," be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

THE UNIVERSITY AS A COMMUNITY HEALTH

The university hospital has emerged as the primary health resource of the community. Contemporary medical needs are met while tomorrow's physicians, nurses, dietitians, and technicians are trained—thereby serving short-term as well as the long-range health interests of the community. There might be other, more central functions of the teaching hospital, but I firmly and perhaps naively believe that teaching, research, care and service are inseparable, and that they embellish and complement each other. It is true that teaching and research needs are not always compatible with the community's monetary service needs; this might stem from inflexibility and lack of style and imagination on the part of many medical faculty members who might be too busy garnering grants for basic science research to be concerned with the opportunities for continuing sociological research or who might be unable to teach medicine unless the right patient with the right disease was present.

Because of a lack, or perhaps intolerance of imagination and long-range planning in the university, the medical school, and the affiliated hospitals, the ties that bind and rationalize the functions of doctor, nurse, patient, hospital, and community care agencies are weak and frayed. The system has been neglected and left unstudied by the most obvious group to undertake it—the university faculty, particularly that of the medical school.

Can we agree that one of the primary aims of medical education is to rationalize the behavior of doctors, nurses, social workers, patients, and the institutions they need and use? If the roles of each were made reasonable and understandable, then our final goals of serving the health wants and needs of the community could be realized efficiently, with minimal emotional, intellectual, physical, and financial cost. Can we honestly say that anything but a furtive attempt has been made in this direction as everything is sacrificed on the altar of biological science and superspecialism? This represents to my mind, irrational behavior in this day and age of limited manpower and expanding needs. I hope the chords of my song do not sound like shrill, high notes of paranoia, or the muddy deep notes of pessimism, but I wish to stimulate and prod and not to scratch backs and sing sweetly of our triumphs and successes.

At the turn of this century, a leaflet describing the work of the Massachusetts General Hospital read in part:

"The Massachusetts General Hospital is a private institution, supported solely by voluntary contributions and the receipts from those patients who pay board * * *" After describing the types of application for admission, the statement continues:

"Contagious cases are not admitted to the hospital, and only such chronic cases as can be partially relieved by temporary treatment.

"Regular charges to paying patients are as follows: In the Jackson Ward (private) $35 per week; and Bigelow Wards, $21 per week; in small rooms in the Townsend in the General Wards, $10.50 per week.

"The outpatient department is for the poor only and is open between 9 and 10 in the morning, Sundays and holidays excepted."

Today a similar flyer would read:

"The Massachusetts General Hospital is a part private, part public institution—supported by (1) voluntary contributions and endowment income, (2) involuntary payments by overcharged private patients, (3) State and Federal funds under the Social Security Act of 1935 and the Kerr-Mills amendment of 1960, (4) the reimbursements of Blue Cross and commercial insurance companies, (5) the payments of a steadily diminishing number of direct paying patients, and (6) progressively smaller amounts of money from the United Fund.

"Contagious cases, including tuberculosis, are admitted to the hospital, and chronic cases are accepted for rehabilitation as well as help with their ultimate disposition to the necessary chronic care facilities.

"Regular charges to paying patients, third-party payers such as the Blue Cross, and to State welfare departments are (when appropriate) $350 per week in a private room, $315 in a semiprivate, and $280 in a wardroom.

"The outpatient department is for all social and economic classes, and in conjunction with the emergency ward is open 7 days a week, 24 hours a day, including all holidays and leap year."

A CHANGING CONCEPT

Comparison of these two statements shows a change in the character and the function of the hospital, evolving from a totally voluntary low-cost passive receptacle for the indigent sick to a quasi-voluntary, high cost positive force for all social and economic classes. It is now called, euphemistically, the health center. The three major revolutions affecting medicine in the past half century—the expansion of medical knowledge through science; the development of social welfare programs, including the various forms of prepayment for medical care; and the establishment of the present form of medical education—have made today's hospital what it is not. Medical science is well established, its triumphs legion. The social and economic programs and problems of medical care are unstudied and unknown in most medical schools. Contemporary medical education has grown from the Flexner report without significant major change since 1910. Will medical shape its social future or merely confine itself to its current conventional wisdom, which states that truth, wisdom and utility starts and stops with the paradigm of biological science, that most glorious form of contemporary entertainment? Can medicine shape its future without knowledge and research in the social sciences? Would it just as soon have the voter and the politician play the major role, as they are at present?

The tremendous expansion of science in the past half century has led to an enormous increase in medical knowledge and technology. This in turn has led to superspecialization and to supercosts. The rising expectations of our expanding population are being fulfilled, while the frustration of rising costs and the increasingly discontinuous and frequently irrational distribution of services thwarts the best intentions of doctors, administrators, trustees, and political representatives. One investigating body after another berates the house of medicine for its lack of regional planning, its apparent inattention to the overutilization of health services, and its indifference to the development of low-cost facilities as represented by the better utilization of ambulatory clinics, public health-preventive medicine units, and nursing homes.

ROLE OF UNIVERSITY HOSPITAL

Meanwhile, the university hospital plows through these troubled waters with what might be called "la belle indifference," sailing under the flag of biological science. Schools of public health that do concern themselves with the social, economic, organizational, and distributional problems of medical care long since have been splintered off from the medical school. The undergraduate medical curriculum and the intellectual shutters of the medical student have been closed involuntarily to his expanding body of information. Departments of preventive medicine too often confine themselves to the campus and are rarely seen on the firing line of the hospital or are given only a fleeting moment in the curriculum to cross the arid desert of epidemiology and biostatistics.

The university hospital continues to see what is interesting and leaves what is difficult to the community and its other hospitals, struggling physicians, political representatives, and voters. The outside expert—the politician, the social historian, the economist, the social psychologist—today has a clearer view of the problems of medical care than do the experts of the inner sanctum—the medical faculty—and therefore, their products: the practicing physician and medical faculty of tomorrow. Medical faculties are incredibly busy nationally and internationally, and are growing increasingly complacent as their prestige and coffers are swelled and their territory is improved and expanded by munificent sums of money from the Federal Government.

PHYSICIAN EDUCATION PROBLEMS

The practicing physician, isolated from the major socioeconomic problems of scientific medicine in medical school and the university hospital and generally confined to biological science for his intellectual development, has also not realized the major aim of education—to, as Lionel Trilling said, "be at home in and in control of the modern world." If, as John Dewey said, "Education is the fundamental method of social progress and reform," how much social progress and reform has been brought about by the medical profession and the present medical curriculum?

Turning to the house officer, the deficiencies of his education in the university hospital are real and occur for several reasons: First, the patient population is highly selective, representing on the teaching service a gathering of the aged and medically indigent with acute, advanced, complicated, and frequently rare somatic disease. Second, there is little emphasis on the social and economic factors of disease and hospitalization, save for a brief recording of the type of health insurance and the occupational and family history. Third, there has been inadequate integration of the private patient into a meaningful teaching situation. Fourth, because of the restrictions of the traditional, acute curative function of the teaching hospital, preventive medicine and public health interests play almost no part in the teaching process, and there is no extension of the student and house officer's interest or knowledge into the community so far as existing facilities for the aftercare of the chronically ill are concerned. Finally, there remains little or no knowledge of the hospital as one of society's major institutions—its history, its structure, its contemporary social and economic problems, its various subcultures, and its technology.

How can the hospital and the medical profession realize their ultimate role as a social force when there is little or no knowledge or interest in the rationalization of the role of doctors, patients, and hospital? The medical ostrich has buried its head in the sands of biological science and has turned its backside to the major social issues of medical care today. As a result, our services are now being rationalized for us, to a certain extent by our local political structure but to a larger extent by the Federal Government. Perhaps this is right and desirable, but I retain the old-fashioned idea that a voluntary, private system of medical education, hospitals, doctors, and medical care supported and understood by the local community can develop the best system.

When medicare takes effect on July 1, 1966, the Massachusetts General Hospital will find roughly 25 percent of its patients and perhaps 35 percent of its costs being partially or wholly paid from Washington by a still unknown route and rate of reimbursement. Of our total budget of roughly $10 million for research and $28 million for patient care, over one-half may soon be supplied by city, State, and Federal funds. When these various governments have had complete control of the economic lifeline, the grinding inefficiency of an expanding bureaucracy and indifference to the renovation of hospital facilities and equipment by evanescent political representatives demand that now we must understand the problems and play a part of in shaping our own future. I think we are withholding ourselves from the expanding social problems of medicine and sacrificing social progress to biological science.

EXPANDING ROLE NECESSARY

For these reasons I believe that the university hospital must expand its role as a community health resource and the university must turn its rich intellectual resources to the socioeconomic problems of medical care. It will no longer suffice to maintain just an acute, curative, passive receptacle for the sick, on a solid but narrow base of biological science. Our role must expand, and it can without losing what we have developed so successfully to date. Initially the medical curriculum must be changed to include the social history of medicine and social and economic studies of doctors, patients, hospitals, and other health and welfare institutions. Schools of public health and their disciplines should be reintegrated into the medical curriculum, leaving sanitary engineering, if necessary, to schools of engineering. Simultaneously, the university must become the uniting force among hospitals and health facilities and train its intellectual resources on the problems of rationalizing health services. In this connection, the mere collection of data and the use of techniques will be no substitute for the proper interpretation by and the wise foresight of the planners. We must also realize that those who make the decisions may not be the best implementers of necessary change. Occasionally the collection of massive social and economic data degenerates into a "mind-stunting morass of useless fiddle-faddle," important only to the comfortable thoughts of the bureaucrat. The best qualities of the intellect are needed here as they now exist in biological science.

AN INTERFACING RELATIONSHIP

The university hospital represents the interface between the university and the community and serves the health needs of the community in three ways—by responding to the needs of the sick and injured today in terms of immediate service, by conserving knowledge and transmitting it to students for future health needs, and by adding to knowledge through research. It is the community's needs with which we must immediately be concerned. Patients and doctors use the university teaching hospital for two major purposes: (1) continuing and comprehensive care for their total health wants and needs as their primary resource and (2) consultative and technical services for their special (or unexpected, emergent) needs, not obtainable in their local health facilities.

It is impossible to predict the social and political pictures that we will view 10, 20, or even 5 years from today, but several principles should apply in both areas in the future:

1. There should be one social environment for all classes of patients without respect to race, color, creed, or financial status.

2. The benefits of teaching should be available to all patients, rich and poor, "interesting" or uninteresting. The uninteresting patient does not exist, but is a figment of the constricted imagination of the inadequate teacher. Certainly every group should enjoy the same benefits of teaching.

3. The prime service function of the university hospital, i.e., complete, continuing care, on consultative and referral care, should be identified clearly and approached rationally so as to use limited resources effectively and efficiently and facilitate regional planning.

4. In the case of either function, social and mental disease are vital concomitants of somatic disease or represent the primary disturbance. An expansion of the traditional function of the ambulatory clinic is absolutely necessary. The clinics, emergency services, and the department of psychiatry represent important doorways to the community and provide the setting where experiment and ongoing study of the community service function can best be done.

As for psychiatry, the development of preventive and social psychiatry is imperative, as it will extend the hospital's interest to the community and its social systems, which lie at the roots of mental and social disease. Active intervention in these systems may prevent illness or provide for patient rehabilitation. The reintegration of some of the practices and interests of the segregated specialty psychiatric institution is desirable, particularly the concept of the therapeutic environment, so that more of the community's mentally ill can be cared for in their own locales and can be reintegrated more quickly and easily into job and home from the urban general hospital.

COMPREHENSIVE CARE

The clinic is an ideal setting to structure service and research in social medicine. An expansion of the function of the ambulatory clinic is long overdue and should spring from a foundation of comprehensive care. Comprehensive medicine in this context means the coordination of all the various caring elements in the community with those of the medical profession by a team of individuals representing all disciplines, with all the techniques and resources available to the physician and his patient. The aim of these individuals would be to provide total care—somatic, psychic, and social—to those in need and to study and investigate the expanding social and economic problems of medical care with the intent of rationalizing and thereby improving the organization and provision of health services.

COORDINATED ACTION NEEDED

Thus, in addition to traditional medical, surgical, psychiatric, and social service disciplines, there would be representatives of the State's departments of public health and social welfare, the religious professions, academic preventive medicine and public health departments, the social sciences, and the visiting nurse association. The present plan would bring the community's health agents into the hospital for ease of communication, coordinated action, study, and research. In this way, a community health center could be created in the environment of the hospital to which individuals could turn and expect advice or help for all their various needs in time of crisis.

Public health and preventive medicine disciplines would be represented for their interest in the problems of infectious disease, air and water pollution, alcoholism, narcotic addiction, venereal disease, maternal and neonatal deaths, screening large segments of the population for the early detection, treatment and prevention of disease, and industrial hygiene. Their traditional interests in the integrity and health of the family units as manifested, for example, by the development of home care programs would be of value. Most importantly, the public health officer's capacity to organize, develop, and administer health programs would bring a discipline back into the mainstream of medicine.

HUB OF ACTIVITIES

Improvement of chronic, terminal care, and convalescent facilities would spring from the hospital-based public health unit, the hospital being one of the major referral agencies. With medicare, for instance, it will be the referring agency for nursing homes. Continuity of care for the chronically ill could be improved by better liaison with nursing homes, which ultimately must be on the main beat of the teaching hospital. Continued scrutiny of the distribution of and need for health facilities for the whole community would be logically carried out here. Voluntary regional planning might even be possible.

Social science techniques would help in determining attitudes and motivations that determine why individuals and communities do or do not use existing health services and public health programs and how the attitudes of those who work in hospitals affect those who come for help. Patient care research, such as objective measurement of the quality of care and the degree of its fulfillment, would be conducted here. Continuing economic studies could be carried out with trained economists and hospital administrators. Prepayment plans for comprehensive care could be formulated by a clinic-based group practice on an experimental and demonstration basis.

Representatives of the State's department of public welfare would do well to have an office in the hospital-based community health center. The present lack of communication between hospitals and welfare agents is deplorable, and there will be a marked expansion in their numbers as of July 1, 1966. Too often, members of welfare departments picture themselves as representing the taxpayers instead of properly acting as the agents of the impoverished sick and others in need of help. In this latter role, they join with the hospitals and share mutual goals. In the former instance, they too often pit themselves against the hospitals and the patients.

What better mechanism could be provided than to have a welfare representative in the urban hospital? Administrative costs for State welfare might well be reduced and coordination of positive action for the indigent sick would be provided. On-the-scene checks of the quality of care and the need for hospitalization could be obtained for the welfare department. Better interpretation of existing social legislation and translation for the benefit of the indigent population would result. Hopefully, new programs to improve ambulatory care and its financing might be formulated. For similar reasons, it would seem desirable to post an agent of the local Blue Cross plan in the ambulatory clinic. Communication and understanding among these powerful groups must improve.

The net result would be that the community would recognize the emergency department as the area for somatic crisis, and they now appear to want the hospital to function in times of mental and social crisis.

TRADITIONAL PRACTICES QUESTIONED

Coincident with this program are several necessary departures from traditional practices.

First, professorial heads of departments and other full-time teachers must commit themselves to this long neglected area of the hospital. They must work there themselves and restructure their academic reward system so that medical care research and work in social welfare will become an important part of medicine. Teaching programs will succeed as comprehensive care is given to the community, and research can then be introduced to study and improve the system.

Second, third-party payers must provide full financial coverage for ambulatory services. Medicare is a step in this direction. When the revolution it causes subsides, one of the most effective ways of reducing hospital costs will have been established. Ambulatory clinics can pioneer in these experiments.

Third, public health officers and their schools as well as academic departments of preventive medicine and State departments of public welfare must be willing to function on the firing line in the hospital rather than maintaining a certain aloofness and built-in protection behind their desks.

Fourth, trustees and administrators must provide one social environment for the care of all classes of patients.

Fifth, a major change in the medical curriculum is long overdue.

BROADER ROLE NECESSARY

Urban teaching hospitals are struggling to coordinate the efforts of an expanding number of individuals and agencies concerned with the health, education, and welfare of the community. The community looks to the university or teaching hospital as a medical center, with the expectation that it will eventually become a community health center. This can occur without its arrogating the solution of all man's ills and without its becoming a surrogate for the community's responsibility. At present, hospitals and medicine provide for but one aspect of a community's health. By an expansion of the psychiatric and ambulatory clinic programs, the hospital can play a broader role as a community health center and bring in for ease of action and communication the key persons necessary for a community's health. The perspective of the medical profession will enlarge, and with the others, the doctor can help provide solutions to the ever-increasing social and economic problems that beset the community. Prevention of disease will assume its proper role in health services. Health services and their planning will be rationalized to an extent that does not exist today.

Is it too much to hope that the issues raised will in time become a part of the medical curriculum so that the medical profession can broaden its horizons in medical school and assume leadership in these broad areas of social welfare? Will the schools recognize mental disease and chronic illness as the two major health problems of our era—problems that are compounded by specialism, rising costs, and our present disorganization of health services—and bend the students' interest and knowledge in this direction? Or shall we wait for the Federal Government to attempt the solution of these problems, recognizing its inability to satisfy the exact needs of each different community? The university hospital is the major community health resource. The time has come to rationalize its functions by ongoing studies, using the disciplines of history, social psychology, and cultural anthropology, economics, political science, and demography—in short, the social sciences—so that rational regional planning can be achieved. Such knowledge can be woven into the curriculum, and a more socially useful and sociable animal may be produced, at home, and in control of the modern medical world, shaping his own future.

Medicine is a social science as well as a biological science. Medical school faculties and those who inhabit the hospitals must recognize this balance and organize medical school curriculums, research development, and hospital function around this basis.

Many of the teaching hospital and medical school controversies fly in the rarefied atmosphere of natural science, and much of the passion of our medical leaders is spent here. Perhaps it is time that medical faculties and university hospitals developed what Max Weber called the three cardinal qualities of the politician: a sense of proportion, a feeling of responsibility, and passion—in this case, a passionate commitment to the solution of medicine's expanding social problems.

HEALTH CLINIC PROBLEMS

Mrs. **NEUBERGER**. Mr. President, the advent of numerous Federal and State health programs in recent years has added to the increasing rate of problems faced by local participating clinics. Health clinics must deal with the recurring problems of providing adequate health services to all patients irrespective of economic class, devising a fair and rational fee scale, and at the same time comply with Federal, State, and local requirements. Other administrative, medical, and political problems often besiege and hamper the operation of a community health clinic.

A thought-provoking article on the subject was published in the Journal of the American Medical Association. Its author, Dr. Ralph Crawshaw of Portland, Oreg., explores the many facets of these problems and emphasizes the need for more cooperation among participating agencies as well as more understanding between physicians and patients.

Mr. President, I ask unanimous consent to have Dr. Crawshaw's article, "Financing a Small Community Mental Health Clinic," printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FINANCING A SMALL COMMUNITY MENTAL HEALTH CLINIC

(By Ralph Crawshaw, M.D.)

(EDITOR'S NOTE.—So begins the duty of the manager of a household who has to order the things which nature supplies * * * for surely the members of a household must have health just as they must have life. And as from one point of view the master of the house and the ruler of the state have to consider about health, from another point of view not they but the physician; * * * so in another way the [physician's] art has to consider about money.—Plato: "The Politics," circa 400 B.C.)

Financing a small independent community mental health clinic has applications to other clinics as well as influencing future trends in the economics of medicine. Though the experience is limited to one clinic, it can be considered representative, since the clinic is in a suburban-rural county adjoining a large city, an area of rapid population growth and social change. The clinic offers psychiatric, outpatient service to a population of 107,000 people. At present there are two psychiatric teams operating at the clinic, made up of two part-time psychiatrists (averaging 1¼ days per week each), two half-time psychologists, two full-time social workers, and three clerical workers. It also has the able support of dedicated volunteers and a strong board of directors.

The clinic originated in 1959 through the plans of the local community council. Coincidentally, the State government established matching funds for local clinics to compensate for an increasing shift of State hospital patients back to the local communities. In establishing the clinic the citizens planned that the cost would be met by government and private funds. An independent board of directors was formed and started with a "seed money" grant of $40,000 from a local foundation.

MEETING THE COST

The staff, which was hired in 1961, wished to answer the problem of how to offer adequate, out-patient mental health services to patients of all economic classes, particularly to the deprived middle class. Historically, the wealthy have their specialists, the poor, their medical school clinics, while the middle class are left with their hopes. Immersed in the immediate problems of establishing the clinical program, the staff was unaware of the pitifully artificial system of meeting the cost of local mental health services. By ratifying the clinic's covenant with the State and appointing the clinic as a local mental health agency, both State and county governments appeared to concur in the clinic's existence as an agent of the government. In a legal opinion upholding the county government's action, the district attorney felicitously wrote: "The need is great, the law is clear, the staff is qualified, the action proper." Thus, the clinic staff assumed the county as its primary community, confusing legality with acceptance.

From the first, the clinic considered the patient as the logical person to meet the cost of medical care. Charge the patient for services rendered and use private and public charity to make up any deficit was the staff's first approach. However, charging the patient in an eleemosynary clinic proves a difficult task. Not that the patient does not wish to pay, but each patient is a special case, not a stereotype, demanding separate financial appraisal with incomes ranging from nothing to independently wealthy. The staff's definition of "wealthy" differed at times from some patients who reported an intense sense of deprivation precipitated by the cost of Cadillacs and saddle horses. All patients who could afford private services were referred, if private services were available elsewhere.

RATIONAL FEE SCALE

The immediate temptation in charging clinic patients is to use a Robin Hood approach of robbing the rich and supporting the poor. However, in an affluent society, Robin Hood is not only unpopular, but impractical. A graduated fee scale was the next cliche—but what grade, what fees, and whose scale? Most existing schedules were unrealistically low with a maximum fee that had no apparent rationale. The staff decided to establish a new and, hopefully, rational fee scale.

In order to set a fee scale, a minimum and maximum fee was necessary. The minimum was easy—zero for the destitute. The reasonable maximum fee in an eleemosynary clinic should be the cost, the monetary value, of the service. But what was the cost? The average cost of 1 hour of time with a patient was obtained by dividing the number of dollars spent during a unit of time (a month) by the number of staff hours spent with patients during that time. The result was an average cost of $25 an hour. This figure seemed startling, but is comparable with the dental patient's or a general practitioner's patient's cost per hour. From month to month the cost per hour averaged about $25 an hour, strikingly similar to the results of another documented cost study of an agency.[1] Thus, $25 an hour was set as the maximum fee. Using $25 as a maximum and zero as a minimum, two points of reference were established. The problem then became how to string the points together. No logical way has been found. The staff simply established that anyone who made $10,000 net or more a year paid the maximum, and using the income tax curve (since it is an established and less controversial curve) fees were established for patients with incomes ranging between zero and a net income of $10,000 a year. Thus, a working fee schedule came into existence. By applying the fee schedule the staff found that 20 percent of the costs of the clinic could be met by patient fees. As it turned out, three-fourths of the patients paid less than $10 per hour.

Some considerations, if not conclusions, can be extracted from the experience of determining clinic patient costs. Historically, in public clinics fees have been taken as tokens and little serious effort has been made to use them to support the service. Token payment is attractive to some professionals because it implies lack of economic involvement. Some professionals avoid patient cost considerations by working in institutions where either token fees or no fees are charged and any immediate economic concern can be eliminated in the therapeutic relationship. However, in these same clinics and hospitals, both governmental and private, it is not uncommon for professional staff to turn to private practice as a supplement to poor pay scales. An aura of illicit activity is attached to such moonlighting and it is uncommon for the constructive, economic concepts of private practice to be learned. Rather, the private practitioner tends to be looked on by the clinic worker as a brusque, overworked, uninterested moneygrubber. It is an unpleasant stereotype that can only be matched by the private practitioner's concept of the clinic worker as a coffee-drinking, recordkeeping, bureaucratic drone. Our clinic staff attempted to change both these concepts by taking the best of each, private and clinic, into our practice.

MEASURE OF RESPONSIBILITY

There are many resistances to considering the problem of charging clinic patients. One resistance is calling it socialized medicine, and by pronouncing anathema on heresy the problem is removed from the working arena. Another resistance arises when professionals do not wish to directly acknowledge cost, or patients, similarly, are reluctant to talk about it. Thus, the question of cost remains hidden, not worked through by the patient and therapist through an unspoken, if not unconscious agreement that it is not nice to talk money.

To understand the therapeutic implications of costs consider the private practitioner. In this case, paying for the medical service is a direct part of the doctor-patient relationship. The patient meets the cost or ignores it, as in the case of the patient who never pays a bill. At no time is there a question in the relationship of where the responsibility for payment lies. This implicit understanding of responsibility between the patient and the therapist serves to clearly focus on one important aspect of reality, and Menninger has shown the psychological importance of the understanding of fee between patient and therapist in respecting and developing the patient's sense of responsibility.[2] The therapist at our clinic has a responsibility to insure that the patient completely meets the agreed-upon fee for each hour. The fee is not a token but a part of the therapeutic relationship and is responded to by the therapist as the maximum contribution of the patient, a measure of his responsibility.

If these steps are ignored, an element of complicity, if not conspiracy, enters the relationship. The unconsidered financial agreement breeds any one of many destructive attitudes which can best be illustrated from the therapist's viewpoint: first, the attitude in which therapy is devalued: "Treatment is not worth the full fee and I am cheating you to ask more than a token." Another, and probably more common attitude is one in which the therapist is devalued: "Yes, the treatment is worth the full fee but because I like you, I will get you something wholesale and then, of course, you will like me." Yet another attitude devalues the patient: "Yes, the treatment is worth the full fee but you—poor, miserable soul—are not worth the trouble to collect your insignificant contribution." There are other destructive attitudes but these examples serve to make clear how the "institutional" answer (wherein the therapist fails to properly recognize the patient's economic contribution) subverts therapy.

One example can show how important the fee can be in therapy, irrespective of the absolute amount involved. At the beginning of therapy part of the agreement established by the therapist with the patient is that the patient will be financially responsible for all scheduled appointments, unless otherwise agreed on prior to a missed appointment. This agreement has both practical and theoretical meanings which are constructive to the patient. However, this constructive element cannot be worked through until the patient is confronted with a bill for a missed hour. "I was not here because my car would not start, so why should I pay?" may be the beginning, if handled properly, of a real awareness for the patient of the value of therapy and, most important, his value of himself. Can he assume a prearranged, reasonable responsibility and master it? The therapist's assumption is that he can.

For the low-income patient the economic focus is lost unless the therapist makes an extra effort to clarify the responsibility. Considering the financial support for the low-income patient in whole or in part becomes the responsibility of the therapist, who sees that there is compensation for the difference between what the patient can pay and the actual cost. Whether the difference comes out of the therapist's pocket (as reduced personal income) or someone else's pocket (as a donation or tax), at the point when a contribution is made, the therapeutic relationship becomes broader than the one to one relationship of private practice. Whoever the other contributing person, persons, or institutions are in relationship becomes a potent element in the medical care, and the third party influence must be weighed by the therapist. How the third party sees their contribution is of utmost importance in maintaining the integrity of the therapy. If their contribution is a ritual, forced, or halfhearted—in effect, if the contribution is anything but a thought through, thoroughly evaluated investment in the mental health of the community, the contribution can detract from the therapy. If it is a reluctant, forced, overcontrolled contribution, a distant tax, or a form of tax evasion, the effect may be disastrous on therapy. For example, the therapist cannot maintain his own self-respect if he feels his clinic is maintained as a corporation's tax dodge.

The concept of the therapist having a responsibility in financing therapy places a double and new responsibility on any professional who is attempting to develop adequate clinic services. If he wishes to practice with any sense of personal financial responsibility for the patient, he must then consider the cost per hour with his patient, and he must continually consider the influence on himself and on the patient of the people who are paying for the difference in the cost. Such considerations are not impossible, but they are new. The work may be repulsive to professionals because it draws them into a consideration which seems far from helping their patients directly. Much as the surgeon who has not been particularly interested in who pays for the scalpel but how well it is used, so the psychotherapist has been trained to focus on how well his time is used, not who pays for it. However, such economic work appears as an evolution of medicine, and if avoided, the work may be taken over by nonprofessional groups. As no one financial source fills the gap, the physician (as exemplified in the clinic's experience) is forced to deal with multiple and ambiguous sources of financial support. He enters a struggle not of his choosing.

Working through the economic relationship with the clinic patient did not remove the dilemma of where the other 80 percent of income could be found. Through a series of board and staff discussions, an established priority of financial responsibility was established in seeking the remaining 80 percent. The responsibility starts with the patient and moves first to his family, then to insurance (which represents a larger family of the employer or labor union), private charity, and finally public charity. Public charity, in turn, is seen as first city, then county, State, and, finally, Federal responsibility. The priority proved to have little to do with reality, but the rationale of keeping the financing close to the service continues to seem sound and remains our guide in attempts to meet the costs of mental health services.

NEED FOR LEGITIMACY

The board and clinic staff approached the community with most known ethical activities in order to raise the remaining 80 percent. Sower showed how an independent health council died for lack of legitimacy.[3] The clinic attempted to enhance its legitimacy by having broad community representatives on our board of directors. The members have been a banker, a clergyman, the past president of the State medical society, lawyers of prominence, responsible executives from local industry, a social worker from the county welfare department, a nurse on the faculty of the State school of nursing, as well as other dedicated citizens. The board of directors is flanked by three other boards: one, a lay advisory board made up of interested citizens; another, a medical advisory board having among its members the president of the county medical society and the county health officer; and a third, a psychological advisory board made up of interested clinical psychologists. In addition, there is a clinic volunteer organization which gives not only direct services, but assists in raising money through local charity drives. With all of these individuals, to different degrees, the meaning of their contribution has been worked through and they, in turn, have appealed to the community.

---

[1] Goldman, M.: "An Agency Conducts a Time and Cost Study," Social Casework 45: 393–397 (July) 1964.

[2] Menninger, K.: "Theory of Psychoanalytic Technique," New York: Basic Books, 1958, p. 128.

[3] Sower, C., et al.: "Community Involvement," Glencoe, Ill.: Free Press, 1957.

The first task was to acquaint the community with the existence, purpose, and needs of the clinic. The division of work was carried out with the staff giving most of the community talks and the board doing most of the community representations. The staff gave innumerable talks to the PTA and Rotary, Civitan, Kiwanis, study and church groups, while the board undertook prolonged negotiations with foundations, United Good Neighbors, and local and State government. The volunteers worked by sponsoring educational programs with speakers of national prominence, horse shows, pancake feeds, fun-fairs, spaghetti dinners, and dances. The response was good: once the public understood what the money was being spent for, they gave. The local medical society donated office equipment. Direct contributions made up approximately 5 percent of the budget. The United Good Neighbors gave 19 percent, and private foundations gave 10 percent. The majority of the contacted public was interested in seeing that the clinic's needs were filled, which reinforced the staff's idea that the clinic was meeting a felt need of the community.

STATE AND FEDERAL SUPPORT

In exploring governmental sources for money, the reaction to the clinic varied. At the Federal level though no moneys were available to the clinic directly, the governmental officials consistently responded to any requests for information on Federal programs in a helpful, direct way. At the State level cooperation was the keynote starting with a lively dialog between State legislators and clinic staff. The State wished to match whatever could be raised locally, and all contacted State officials cooperated unstintingly in developing support. During one financial crisis the State board of health conributed $2,000 directly, and the division of mental health's matching funds have been continually sustaining, amounting to 45 percent of the budget. At one point three legislators personally donated 1 month's salary to the clinic. In all the interaction with the State, the only control the State has reserved has been the right to audit the clinic's finances and to review the medical program. Neither control has worked any hardship on the clinic. The meaning of the State's contribution has been easily worked through by the therapists with the State officials.

LOCAL CONTROL

With local school districts a strong, growing liaison has developed with increasing clinic service being contracted for by the schools. However, with the local county government, the interaction has been diametrically the opposite. Following the original legalization, an ever-widening gap has grown between the clinic and the county government. The question always comes back to "who will control the clinic," for the county government felt no matter what percent it contributed, its control should be 100 percent. During the first year of clinic operation county appropriated $5,000 (less than 10 percent of the budget) for the clinic. The county government felt, however, that the money could not be given directly to the clinic, despite the State's uninhibited contribution of 50 percent. The $5,000 was placed in the budget of the county health department to be used to buy services from the clinic for consultation and education. However, after rendering $1,265 worth of service, the clinic was informed that their services were no longer needed (presumably the remaining $3,345 was reverted to the county general fund), and no further appropriations have been forthcoming.

The board of directors responded to the apparent widening gap with a series of informal conferences with the county government officials. "The cracker-barrel approach" seemed initially successful, for the officials agreed to hire a social worker whom they would pay and assign to the clinic. Again, no implementation occurred, and the gap continued to widen. Now the county officials, far from being proud of the citizens' effort, began complaining that the clinic was too vocal in importuning the county government. There was no attempt to consider jointly the county's overall mental health problems. The staff's attempt for a mental health seminar for county government died for lack of the county government's response. The only shred of working agreement remaining beyond the original legal recognition is the availability of county health nurses to do home evaluations for clinic patients.

In the case of local government, the therapists failed to work through the meaning of their contribution. It is a tragedy which for complex but inexorable reasons may destroy the entire financial structure of the clinic.

In March of 1965 when the clinic was faced with a particularly acute financial crisis, the payroll could not be met. The board responded first by securing a lifesaving grant from a local foundation for $5,000, and then readdressed the problem of county support. At the May county budget meeting, the board asked that the clinic be reimbursed for the direct services rendered to the juvenile court over the last few years. The board was told that the county had a severe financial problem and was unable to entertain any new programs, including reimbursement to the clinic for the services rendered. However, within a month it was learned that the county had entered an agreement to open a county "child development clinic" (a worthy endeavor to diagnose mentally retarded children). The agreement called for the Federal Government to underwrite the initial cost and the county to be liable for one-half of the cost (approximately $25,000 a year) within 3 years. The county government is using Federal matching funds to run their clinic, while our independent clinic is using State matching funds.

DILEMMA OF OUR TIMES

The meaning of this development is important. The county officials' absence of cooperation need not be due to a lack of humanity, for in all probability they are as concerned with the welfare of the population as the clinic board and staff. What has occurred is an interface in one of the great human dilemmas of our times, an attempt to solve medical problems by political means.

It is the result of two different points of view and two different points of departure, but the issue would probably have never arisen if it was not for the increase of State and Federal matching funds. Ordinarily, the mental health problems are so large and the resources so slim that local government and local social agencies can operate without even competing. With the prospect of gigantic Federal and financial resources, this is no longer true. Both local government and local independent agencies are moving to secure the "new resource," and they move from their own bias. The county government starts from the political question, "Who controls the money?" The independent clinic starts from the medical question, "How will the money be used?" As the "new resources" pour into the county through increasing State and Federal matching funds for mental health centers and staffing clinics, the question of control, as contrasted to use, is likely to become more acute. As it now stands, the clinic will be in the position of the poor man who found a melon while walking with a rich man. On suggesting they divide it half and half, he got a hearty assent, "Certainly, we will divide the melon by you taking the outer half and I the inner half." In this case, the inner half will be the control of the State and Federal mental health money.

A puzzling result of the increase of Federal and State medical funds on our local government is that unless our local government works through its contributions to existing agencies, it will have to go further and further into the practice of medicine for middle-class families. If independent clinics are not fostered, but suppressed, then the void will be filled by using State and Federal medical funds to finance local government clinics, not exclusively for the poor, but similar to our own, for all economic classes, but without clear lines of patient financial responsibility. The alternative is to turn down State and Federal matching funds.

The dilemma is a sad one. Possibly there is a way around it through forming a paragovernmental agency, such as a mental health authority, similar to a port authority or a sewer district, but this seems most unlikely. The unfortunate conclusion for the clinic is that we cannot look for increased help from the State and Federal Government over the long run. Since the clinic failed to develop the participation of the local government into a medical contribution, rather than a political responsibility, the whole clinic program may be in jeopardy through loss of the State matching funds. There is the possibility that our county's medical problem will have a primarily political solution.

Reviewing the vicissitudes of financing a small independent mental health clinic leaves a clear conclusion for the physician. He is responsible for understanding and interpreting the patients' economic environment. He is forced by ambiguous sources of financing which tend, inadvertently, to become controlling factors in the doctor-patient relationships. If he fails to work through the economic meaning of the mental health program with any patient, individual, or institution comprising the community, the entire program is jeopardized with a subsequent loss of a great natural resource, the patient's full sense of personal and community responsibility. Involvement in financing a mental health clinic is recommended to all physicians who wish to test and develop two traits for which the medical profession has gained respect—patience and hope.

THE METRIC SYSTEM—PROPOSED STUDY BY COMMERCE DEPARTMENT

Mrs. NEUBERGER. Mr. President, I invite the attention of the Senate to a piece of proposed legislation which is sort of gathering dust in a cubbyhole somewhere under the Capitol dome, which has to do with the metric system and a proposed study to be made by the Commerce Department.

The bill passed the Senate on September 20, 1965. A similar bill was reported to the House floor on August 24, 1965, but the Rules Committee in the other body decided to defer action.

Apparently, some people in Congress feel that a study of the practicality of converting the Nation to the metric system would be a subversion of treasured American principles. On September 20, 1965, the Senate passed a bill authorizing the Secretary of Commerce to undertake a study of the feasibility of converting to the metric system. The bill was written so that no advocacy, no prejudging, of such conversion was made. It required only an examination of the problems arising from the existence of differing standards of weights and measures, and suggestions of possible solutions. I am disappointed that the other House has delayed action on this needed measure.

The importance of getting on with this study is highlighted by a short article published in the New York Times of March 3, that Japan will convert to the metric system on April 1 of this year. From past experience, we know that this may have an unhealthy effect upon our trade with Japan. This is particularly important to the Northwest as a primary trading partner of this Asian country.

America is the last great nation to maintain the posture of the proverbial ostrich over adopting a rational system of measurement. It does seem strange that we should commit our armed might to staking southeast Asia to a free future, yet court commercial isolation because of an antiquated set of weights and measures.

Mr. President, I ask unanimous consent to have printed in the Record the short article in the New York Times to which I have referred.

There being no objection, the article was ordered to be printed in the Record, as follows:

Metric System in Japan Goes Into Effect April 1

Tokyo.—Japan will adopt the metric system for all measurements starting April 1. This system has long been taught in Japanese schools, but traditional measurements have continued to be used by shopkeepers, carpenters, and landowners. The metric system has been compulsory only in the sale of food.

Japan's traditional measurements are very similar to the foot and inch system.

OIL SHALE

Mr. **DOMINICK**. Mr. President, I wish to make a few comments this morning on the problem of oil shale, which is probably as valuable a resource as any that there is in the United States at the present time, but which is still largely locked in the bosom of mother earth in the States of Utah, Colorado, and Wyoming.

I bring this matter up at this time because in the March issue of the Atlantic Monthly there is an article by the well known reporter in this area, Mr. Julius Duscha, entitled "Bonanza in Colorado—Who Gets It?"

I was privileged to get an advance copy and to be able to read this particular article, so it should come as no surprise to Mr. Duscha to see in today's Record or to hear that I do not agree with him on his analysis of the problem or his approach in the article.

I think that I have an ample right to say something about this matter, particularly since he says in his article that in the hearing by the Committee on Interior and Insular Affairs some time ago my colleague and I "used the hearings to press for an early decision by Secretary Udall to allow the leasing of the shale oil lands," which are presently federally owned and managed.

Mr. Duscha further states in his article:

> Allott and Dominick attacked Galbraith as a man with a long history of antiprivate enterprise.

Frankly, I do not remember making any comments about Mr. Galbraith at that hearing. I can say that his point of view that these resources should be kept in the ground and not be available for almost any kind of activity, whether it be research, technical development, or anything else, seems to me to be locking up something which the people of this country very badly need.

After I had received the original article by Mr. Duscha I was happy to receive a copy of a paper which was given before the 95th annual meeting of the AIME at the Americana Hotel in New York, delivered by Mr. C. E. Reistle, Jr., chairman of the board, Humble Oil & Refining Co., a company which has been active in trying to develop means and mechanisms of turning oil shale into shale oil. They have been doing it for a long period of time.

This article shows quite clearly, in my opinion, the need for new energy resources in our country, resources which are not subject to being cut off in the event we should have a national emergency, about which we are all concerned.

There has been talk about the need for developing additional mechanisms to make the technology of a type so that the resulting product will be competitive with present sources of energy.

This shows the absolute futility of taking a natural resource of this size and importance and leaving it in the ground where no one can get at it. We have been urging the Secretary of Interior to establish rules and regulations for the leasing of those properties. I think it is important that that be done instead of putting it on the shelf as has been done, awaiting further action and apparently waiting further development of research programs now going on.

Mr. President, I ask unanimous consent, because I believe that this is so important, that at this point there be printed in the Record the article entitled, "Bonanza in Colorado—Who Gets It?" by Mr. Julius Duscha; and also that there be printed in the Record the address given by Mr. C. E. Reistle, Jr., before the 95th annual meeting of the AIME.

There being no objection, the article and address were ordered to be printed in the Record, as follows:

Bonanza in Colorado—Who Gets It?

(By Julius Duscha)

An oil reserve worth as much has $300 billion lies under the earth in the West, and the fight for it is well under way in Washington between the oil companies and representatives of the public at large. A veteran member of the national news staff of the Washington Post and author of books about the Government, "Taxpayers' Hayride" and "Arms, Money and Politics," Julius Duscha here tells how the struggle is going.

Every fall thousands of deer come down from the mountains of western Colorado to spend the winter foraging on some of the most valuable land in the world. Beneath the land is the largest oil reserve known to man, enough to meet America's needs for hundreds of years. The oil is worth at least $300 billion, and it is all on public land. But if American oil companies have their way, they will get most of the benefits from this resource.

Major oil companies are putting heavy pressure on both Congress and Secretary of the Interior Stewart L. Udall to grant leases giving them control over the land and the exploitation of its oil. So far Udall has successfully resisted these pressures, but efforts will be made in Congress this year to force Udall to lease the land to the oil companies.

Big oil wants action now before the cost of getting the oil out of the ground is known and before the precise value of the oil can be determined. And big oil has powerful friends in the Senate and the House who usually get the industry what it wants in Washington.

Supporting Udall's go-slow position are conservationists and such economists as J. K. Galbraith, of Harvard, who vigorously argued for continued public ownership and control of the land as a member of an Interior Department advisory board on the oil problem. Seeking immediate leasing of the land to oil companies are such powerful Members of Congress as Representative Wayne N. Aspinall, of Colorado, who is chairman of the House Interior Committee and whose congressional district includes the oil lands in western Colorado. A hearing on the leasing problem has already been held in the Senate, and House hearings are planned for this year.

At issue is not only control of the $300 billion oil reserve centered in western Colorado and extending into southern Wyoming and eastern Utah but also the future of the extensive Federal benefits now granted the oil industry. These include the legislation that saves the industry a billion dollars a year in income taxes and the Federal restrictions that keep cheap foreign oil out of the United States at a cost of $2 billion a year to consumers.

The huge profits of the oil industry have been built over the years on a favorable Federal tax structure, on Federal controls over the importing of oil, and on State regulations carefully restricting the production of oil each month. The industry's argument for these benefits is that domestic oil producers must be given all possible encouragement to develop new reserves because oil is a scarce and irreplaceable resource essential to the Nation's security.

The truth of the matter is that the United States and the rest of the non-Communist world already have so much oil that no one knows what to do with it. Texas, where almost half of America's developed oil reserves are located, restricts production to little more than a quarter of the State's capacity. Many other oil States enforce the same kind of restrictions on production, while Venezuela and the Middle East stand ready to flood the United States with cheap, and good, oil.

Every move in the oil game affects all of the players. Thus the reserves in Colorado, Wyoming, and Utah threaten to undermine the foundation for the governmental benefits enjoyed by the industry not only because there is so much oil beneath the land in question but also because it is a different kind of oil.

The oil is locked in shale, a rock formed from silt deposited by glaciers 50 million to 75 million years ago. Geologists confirmed the location and the extent of the shale oil deposits in the 1920's, so there is no need to compensate oil companies for exploration costs. But the deposits have taken on their great value only recently because scientists are on the threshold of the development of efficient methods for taking the oil out of the rock. In experimental plants in Colorado, oil has been removed from the rock through a still expensive mining and heating process. The cost of this process is expected to be reduced sharply as further experiments are conducted by industry and Federal and State governments.

But the most spectacular and most promising breakthroughs in the shale oil fields probably will result from atomic energy. The Interior Department in cooperation with the Atomic Energy Commission is planning to conduct experiments to use controlled nuclear explosions to ignite underground fires hot enough to separate the oil from the rock without disturbing the landscape.

Once shale oil is commercially competitive with oil found in its liquid state, all of the political benefits affecting the oil industry should be reexamined. With almost limitless oil resources easily available beneath the rock terrain of Colorado, Wyoming, and Utah, the 27.5-percent depletion allowance and the other tax favors granted the oil industry would be difficult to justify. There no longer would be any need to stimulate still more production by continuing to give these tax concessions to the oil industry.

In the industry's view, the best way to prevent what could be a shattering reappraisal of its tax and other governmental benefits would be to tie up the shale lands with leases as quickly as possible. Then the oil companies could bring the shale fields into production in a way that would cause little disturbance to the existing price and tax structures of the industry. But if Secretary Udall and the conservationists win this struggle and are able to prevent the leasing of the shale lands until their value is known, it should be possible to reexamine the governmental benefits to the entire oil industry once the shale resources become competitive.

Like all the other major political and economic disputes that depend on decisions in Washington, the controversy over the shale oil lands involves a cast of strong characters in positions of power and influence. As in the case of so many other Washington controversies, the outcome of the shale oil dispute may depend more on power politics than on the public interest.

The most influential proponent of immediate leasing of the sale lands is Congressman ASPINALL. As the Representative of the congressional district containing the richest of the shale deposits, ASPINALL has an obvious interest in a development plan that would bring more people and more money to the shale area, which is sparsely populated. And as chairman of the House Interior Committee, the stubborn, plain-talking ASPINALL has always put the development of resources ahead of conservation measures.

"Natural resources were placed here to be used," ASPINALL maintains, "not to be cooped up for future generations, and anyone who says otherwise is giving you a bunch of buncombe. The oil isn't worth a hoot to anybody as long as it is in the ground."

ASPINALL is a realistic politician who knows how to wait out an adversary. The Congressman was one of the implacable opponents of the original wilderness preservation bills. He was against them because so many wilderness areas contain valuable minerals, trees, and grass sought by mining, lumbering, and grazing interests. Patiently and purposefully, ASPINALL outwaited the conservationists, fleeing to Colorado one year to avoid calling a meeting of his committee to consider the wilderness bill. Finally, the conservationists gave ASPINALL practically all of the concessions he sought in the wilderness bill to protect western commercial interests. Then the legislation easily went through his Interior Committee and the House.

In dealing with the shale oil issue ASPINALL again appears to be playing a waiting game. After a Government advisory board issued a deeply divided report on shale oil last year, ASPINALL indicated that he would quickly convene hearings on the report, but then postponed the hearings because he did not want to endure the acid tongue of economist Galbraith, one of the members of the advisory board who opposed the immediate leasing of the shale lands as advocated by ASPINALL. The Congressman contented himself with ominous mutterings about "the personal ideology" of some members of the advisory board. But no one in Washington who is familiar with ASPINALL and his usually successful legislative tactics believes that the last word has been heard from him. And ASPINALL's last word is usually the one that counts in resource issues like shale oil.

The Senate Interior Committee did hold a shale oil hearing last year (at a time when Galbraith happened to be lecturing in Australia). Colorado's two Republican Senators, GORDON ALLOTT and PETER H. DOMINICK, used the hearing to press for an early decision by Secretary Udall to allow the leasing of the shale oil lands. ALLOTT and DOMINICK attacked Galbraith as a man with a "long history of antiprivate enterprise."

The Senate hearing showed once again how the members of the western-dominated Interior Committee stick together. Only 1 member of the 17-man committee represents a State east of the Mississippi, and he is Senator GAYLORD NELSON, of Wisconsin, who also happened to be the only member of the committee to question the wisdom of immediate leasing of the shale lands. The other members of the committee took the traditional western stance for quick and easy commercial access to resources on the public lands.

Not a single representative of an oil company appeared at the Senate hearing, even though major companies are actively seeking shale oil leases. No one who is familiar with the way Washington lobbyists work was surprised, however, at the failure of oil company representatives to come forward. Big oil learned long ago that it can best press its arguments for tax benefits and other governmental favors by helping to elect sympathetic Senators and Representatives and then letting them present the industry's case. The late Speaker Sam Rayburn, for example, never allowed a man to get on the House Ways and Means Committee unless he supported the 27.5-percent oil depletion allowance. President Johnson when he was the Democratic leader of the Senate helped to see to it that Senators who would be friendly to the oil interests deep in the heart of Texas were appointed to the Senate Finance Committee.

The oil companies have pushed their case for leasing of the shale lands with discreet visits to Senators and Representatives as well as to Secretary Udall. Udall, who uses as a paperweight a chunk of the dark, oil-bearing rock given to him by a Government geologist, became aware of the shale controversy soon after taking office as Secretary of the Interior 5 years ago. It was not, however, until 1963 that he felt the problem demanded some action on his part. Across his desk one day came a request from the Shell Oil Co. to lease 50,000 acres of the richest shale land. When Udall asked Interior Department officials to evaluate this request, he was astonished to learn that the shale acreage sought by Shell contained enough oil to meet the company's requirements for 660 years.

Shell was not the only company seeking leases on the shale lands. Sinclair had asked for leases that would meet its oil requirements for the next 226 years. A somewhat modest request came from Humble, which sought only enough land to fulfill its oil requirements for 54 years. Continental asked for what amounted to a 27-year supply of oil. Other companies seeking leases included Union, Richfield, Standard of California, and Standard of Ohio.

Despite lobbying by the oil companies at the Interior Department and in Capitol Hill offices, Udall has resisted a precipitous decision. He may have remembered a story often told on Capitol Hill about his predecessor, Fred A. Seaton. When Seaton became Secretary of the Interior during the Eisenhower administration, he suggested to members of his staff that they say no to all proposals from the oil industry. Seaton noted at a staff conference that oil had so often caused scandal to the Department that the best way to avoid it in the future might be to take a wholly negative attitude toward proposals from the oil industry.

Only a few months after he took office as Secretary of the Interior, Udall himself had been acutely embarrassed by an incident involving an oil lobbyist then working for Shell. The lobbyist, a dapper well-known Washington figure named Jack Evans, wrote to his colleagues in the oil industry to tell them that Udall had asked him to enlist their support in purchasing tickets to a $100-a-plate Democratic dinner. When the letter fell into the hands of Columnist Peter Edson, who published it, Udall protested that there had been a misunderstanding between him and the lobbyist, who happened to be a personal friend of his.

Udall was not about to be burned again by an oil matter, and he discovered that there were excellent precedents for caution in dealing with the shale oil question. The shale lands were withdrawn from leasing by the late Herbert Hoover, when he was President, in 1930, and not a single lease has been issued since then.

"Whether the 1930 order was in furtherance of a far-seeing conservation policy, or a retreat from a vexing administrative problem is open to some question," Under Secretary of the Interior John A. Carver, Jr., has noted in a polite reference to the aftermath of the Teaport Dome oil scandals which plagued Republican administrations during the 1920's.

By early 1964, with pressures from oil lobbyists and Western Senators and Representatives increasing, Udall decided to follow a familiar Washington route out of a dilemma. He announced that he would appoint an advisory board to study the question of developing a shale oil industry and to appraise the problems involved in the leasing of the shale lands.

For a Government oil committee the Oil Shale Advisory Board was unusual. The Interior Department generally seeks advice on oil matters only from industry sources. The Department's 90-man National Petroleum Council, for instance, is made up entirely of executives from the oil industry, but 4 of the 7 members of Udall's Shale Board had no connection with the industry.

The four nonindustry members were Economist Galbraith; Benjamin V. Cohen, an old New Dealer still practicing law in Washington; retired Gen. James M. Gavin, a former Army Chief of Staff who is now chairman of the board of Arthur D. Little, Inc., the research and development company; and Joseph L. Fisher, president of the foundation-financed research organization called Resources for the Future, whom Udall named as Chairman of the Advisory Board.

The other three members of the Board turned out to be supporters of the oil industry's proleasing point of view. They were Milo Perkins, another old New Dealer, who is now a business consultant in Tucson, Ariz.; Orlo B. Childs, president of the Colorado School of Mines; and H. Byron Mock, a Salt Lake City attorney who has represented companies seeking leases on the shale lands.

But the oil industry's failure to place a majority of its friends on the Advisory Board did not stop industry supporters within the Interior Department from seeking to influence the Board's deliberations. At their first meeting the members of the Advisory Board were provided with thick folders containing background information on the shale problem prepared for them by Interior Department employees working under the direction of John M. Kelly, who was then Assistant Secretary of the Interior for Mineral Resources.

A politically oriented oilman who returned last summer to his home State of New Mexico, Kelly got his Interior Department job in 1961 because he had the powerful support of Senator CLINTON P. ANDERSON, then chairman of the Senate Interior Committee and now head of the Senate Space Committee. The 51-year-old Kelly is a dark-haired, bushy-browed, genial Irish geologist. Born in Chelsea, Mass., he moved after college to New Mexico, where he prospered in the oil industry. Always considered a spokesman for the oil industry's interests while he was in the Interior Department, Kelly was allowed by an understanding Senate Interior Committee to keep title to some of his oil properties after his confirmation by the Senate as an Assistant Secretary.

Another Interior Department official with a direct interest in Government policies toward the leasing of the shale lands was Charles H. Stoddard, the Director of the Bureau of Land Management. Although his Bureau is responsible for overseeing grazing and other leasing operations on the Government-owned shale lands, Stoddard was not even consulted during the early days of the Advisory Board's work. Kelly, who was organizing the Interior Department's oil shale staff work, knew that Stoddard was opposed to the immediate leasing of the lands being sought by the large oil companies.

When the time came for the Oil Shale Advisory Board to begin work on its report, the members asked the Interior Department to furnish a draft to serve as a basis for the Board's recommendations. The draft was prepared by Kelly and his aids, again without consulting Stoddard and the BLM.

The draft report, which was and still is labeled "confidential," called for the removal of "obstacles to the commercial development of oil shale" and recommended that at an early date the Interior Department "announce its willingness to receive requests and proposals for production leases and that it explore with applicants their interest, capability and needs for land for commercial development."

Despite all the prodding from Kelly, however, only three members of the Advisory Board—Perkins, Childs, and Mock—advocated in its final report the immediate leasing of shale lands to oil companies. Three other members—Fisher, Cohen, and Galbraith—said that the Government should proceed cautiously before leasing any of the land. The seventh member of the Board General Gavin, had resigned early in its deliberations because of the press of other business.

"This report," Galbraith wrote, "is right in stressing that the oil shale deposits, underlying some 5,118,000 acres in Colorado, Utah, and Wyoming, are a publicly owned resource of great magnitude. Several hundred years' supply of petroleum at present consumption rates exist in these beds on lands owned by the people of the United States. Foresighted efforts in the past have kept these lands from those who, under the sanction of private enterprise, view public property only as an opportunity for personal profit. Having withstood thoughtfully designed raids in the past, it is important that the Government show equal wisdom and restraint in the present on behalf of our resources for the future.

"There is no showing of urgent economic or strategic need for oil from the shale in the present or near future. The domestic petroleum industry is operating under severe Government restrictions. Imports are subject to quota. These sources are almost certainly cheaper than oil from shale by prospective processes. Hence there is no pressing peacetime need for oil from shale. Given the most rapid development, the share of oil from shale in total production will be negligible for many years. Hence it will not, in the foreseeable future, be an important wartime resource replacing any important present source of petroleum. We cite this because strategic arguments are regularly advanced for oil shale development. They appear to reflect only the common effort to find a national security justification for action that individuals or groups would find in their economic interest.

"The major oil companies are naturally concerned with protecting their position in the event of the development of an oil shale industry by buying or controlling oil shale acreage. However, with one or two exceptions they seemed not now inclined to incur substantial development costs to produce shale oil. Certainly for companies with alternative sources of petroleum the economic attraction of oil shale is not high. The incentive to control oil-bearing acreage is thus, for the time being, much greater than the incentive to produce from it. This incentive, however, is very strong and strongly indicated by present efforts to obtain acreage in the area."

While Members of Congress from the Western States and lobbyists for the major oil companies continue to press for the leasing of the shale lands as if they were just another public resource to be controlled for private gain, Secretary Udall and a few other officials in Washington have recognized the unique position in which the Government finds itself. Seldom in the history of the United States has the Government had the opportunity to guide the development of a natural resource in the way it can direct the growth of a shale oil industry. The closest parallel is probably with the early days of atomic energy.

It seems plain now that if the public interest is to be served, Udall—and President Johnson—must first make certain that no legislation is pushed through Congress forcing the Government to lease its shale lands before their true value is known and before the cost of taking the oil out of the rock is determined. But Udall and Johnson also must convince Congress that shale oil offers a special opportunity to develop an extremely valuable resource in the best interests of the people to whom it belongs.

The Government does not, however, necessarily have to develop the shale lands itself. What is necessary is that the Government protect the public interest in this great resource, once private development of these Federal resources is permitted. A quasi-public corporation similar to COMSAT, which is operating the Nation's commercial communications satellites, a Tennessee Valley Authority, or an agency modeled on the Atomic Energy Commission could be used to develop the shale fields. Studies should be undertaken to determine what kind of development corporation and plan could best serve the Nation after it becomes clear that shale oil is needed to augment or replace liquid petroleum reserves.

In the meantime, the Government should help to support research of the kind that is now being conducted by the Oil Shale Corp. in western Colorado and by a group of eight oil companies at the recently reactivated shale oil experimental plant at Rifle, Colo. Fifteen percent of the shale land is not owned by the Federal Government and is available to oil companies that want to carry on research. Large tracts of land are not needed for experimental work, and if it is necessary, the Government can lease small sections of its shale lands to facilitate research.

But, above all, a Great Society must encompass bold planning for the development of natural resources as well as human resources.

Shale Oil: From Potential to Production

(By C. E. Reistle, Jr., chairman of the board, Humble Oil & Refining Co., before the 95th annual meeting, AIME, New York, N.Y., March 1, 1966)

The security and welfare of the United States demand that adequate supplies of domestic energy be available at all times. The most abundant energy resources in the United States are hydrocarbon fossile fuels—oil, gas, coal, and oil shale.

Essentially all private and most public transportation is powered by energy derived from fossil fuels—mainly from crude oil. At some point in future time the increasing demand for liquid fuels will probably require that conventional sources of liquid energy be supplemented with those from oil shale and other sources. It's difficult at this time, however, to predict how soon these supplemental fuels can be produced at a price that will make it possible for them to compete effectively for a share of the national energy markets.

Nevertheless, it is reasonable to assume that when oil from shale enters the national energy markets it will do so gradually and as a supplement to production of domestic crude oil. The obvious problems of developing this new industry are such that any fear that it will swamp the present petroleum industry or take over a disproportionate share of the markets is unfounded. Certainly it could not do so in the light of today's economics and technology. Two things will bring shale oil into the picture: (1) increased costs of finding and developing new reserves of crude oil, and (2) advancements in shale technology.

As all of us know, our national economy is marked by an insatiable thirst for energy. The use of energy contributes directly to the high standard of living we enjoy. Use, I might add, is the key word. Some countries, such as those in the Middle East, are richer in specific energy resources than we are, but their people use less energy for productive purposes.

By contrast, use of petroleum and natural gas as sources of energy in the United States has increased steadily. During the past year, the United States consumed petroleum products at a rate of about 11 million barrels a day. That was enough to provide 874 gallons a year for every man, woman, and child in this country. By contrast, per capita consumption in the rest of the free world was only 109 gallons in 1965.

Taking a look at the future, I believe a reasonable estimate of U.S. consumption in 1985 is 18 million barrels per day. To meet that much demand, and maintain present reserves to production ratios, the oil industry must develop an additional 89 billion barrels of reserves in the next 20 years. That is more liquid energy than the United States consumed during the past 100 years, and presents a tremendous challenge to our industry. This also explains why it is probable that supplies of energy from conventional sources will have to be supplemented by liquid fuels from shale oil, coal, and tar sands at some point during the next two decades.

As the petroleum industry goes about its important task of meeting energy needs in the future, we are going to see some keener rivalry as each type of energy strives for a greater share of the market. This is nothing new; interfuel competition has been getting hotter for a long time, with shifts occurring from time to time among competing fuels. The percentage of energy supplied by oil and gas has grown tremendously. By the late 1920's, oil and gas accounted for one-third of all energy consumed in this country; this had grown to one-half by the late 1940's; today it is about three-fourths.

A good example of interfuel competition is the changing picture in use of fuels for home heating between 1940 and 1965. During that period, coal's percent of the home heating market declined from 55 to an estimated 7.7. In the same 25 years, oil increased from 10.5 to an estimated 29.2, and gas increased from 11.4 to 50.1. But coal in recent years has made great progress in becoming a strong competitor of petroleum in other energy fields—particularly in the public utilities generation of electricity.

Each of us could name reasons for intense interfuel competition. One is the increasing costs of finding and developing new crude oil reserves. Another reason, and a fortunate one for the public, is that the consumer has greater variety of energy sources at competitive prices from which to choose, as well as a greater number of suppliers. As an example, electricity for home heating is making great strides, and the oil industry will have a real fight on its hands to maintain its present position in the space heating field.

With this as a background, let's turn our attention back to our main subject—shale oil. The fact is, there has been interest in shale oil in this country—to a greater or lesser degree—for the past 40 or more years. But just about the time shale oil would begin to look like a paying project, something would happen to shove it into the background again—something, for example, such as new discoveries of large reserves of crude oil, both domestic and foreign, or the changing concern over our energy supplies during and after major wars.

Shale oil recovery has a much longer history in other parts of the world, beginning in England about 500 years ago. Over the years, moderate amounts of oil have been recovered from shale in Australia, Brazil, Manchuria, Estonia, France, Germany, Scotland, Spain, and Sweden. By far the most extensive oil shale deposits in the world are those in Brazil and the United States.

The most important oil shale deposits in the United States (and possibly in the world) occur in the Green River formation which underlies about 16,500 square miles in the Piceance Basin of northwestern Colorado, the Uinta Basin of northeastern Utah, and the Green River Basin of southwestern Wyoming. These shales have been estimated to contain more than 2 trillion barrels of shale oil.

Of the three areas just mentioned by far the most significant is the Piceance Basin covering about 1,380 square miles (roughly 880,000 acres) in northwestern Colorado. This area is bordered on the south by the main stem of the Colorado River, on the east by the White River uplift, on the north by the White River, and on the west by the Douglas Creek arch.

While the total shale oil deposits in Colorado has been estimated as high as 1.5 trillion barrels, the richer portion averaging 25 gallons of oil per ton of shale, and varying from 50 to 2,000 feet thick, is estimated to contain about 480 billion barrels. The recoverable portion based on present technology is estimated roughly at 280 billion barrels of oil from this richer section. By contrast, domestic reserves of crude oil are about 31 billion barrels.

These are tremendous numbers. They are big enough to cause speculative fever among men who have no idea of what must be done to get the oil out of the shale at a price low enough to compete with fuels from conventional crude. No practical oilman will be misled by what may seem to be a mammoth supply of oil in the shale, just ready for the taking. There is a big difference between this "on the books" oil from shale and oil in a pipeline. It is the same difference that exists between gold in the sea and gold in Fort Knox. It has been estimated that the oceans of the world contain more than 6 million tons of gold. That is enough to make a pile which would weigh almost as much as the Great Pyramid of Egypt. Figured at today's market value, that pile of gold would be worth $7 trillion. By contrast, the present monetary gold supply of the entire world is worth only $40 billion. But you don't see anyone rushing to mine the sea for gold. And no wonder. A ton of sea water contains only 2 to 60 milligrams of gold—not worth the effort with our present knowledge.

The plain facts are, it will be necessary to spend large sums on research and development before a profitable shale oil industry can become a reality. Substantial progress is being made in oil shale research. Technology has now progressed to the stage where we may hope to produce and process oil from shale at a cost closely competitive with crude oil. But we still have a lot to do if we are going to get those costs closer together. A differential of just half a cent a gallon for gasoline makes a terrific difference in this highly competitive business. That amounts to 21 cents a barrel, and every producer fights hard for much smaller cost reductions than that in his regular operations.

Let me emphasize that I do not mean to imply that oil and gasoline from shale will not eventually enter the market. Today, few question that. My company would not be spending money on research unless we were reasonably inclined to believe that shale oil can one day supplement other energy sources. Nor would our competitors. But the old question of economics remains a deciding factor. The point I want to make is that even a fractional difference in price of gasolines derived from shale and crude oil will defer or hasten the day when fuels from shale oil can begin to compete with fuels from conventional crude.

How soon that will come depends basically on two factors which are still unknowns in the shale oil equation. The first of these factors is the technology that industry can provide to make shale oil competitive with crude oil and other energy sources. The second factor is Government and the kind of environment it is willing to provide to encourage development of shale oil by private industry. Let's look first at the industry side of the equation.

There are two major methods that are being studied for getting oil out of the shale: (1) mining and retorting and (2) in situ retorting. Work is going forward on both methods; one or both may ultimately prove to be economically feasible. Using the mining and retorting method, a minimum shale oil plant is believed to be one which will produce at least 50,000 barrels of oil per day. Such an operation involves mining, crushing, and retorting 80,000 tons of shale per day. Capital investment in such a plant, including upgrading facilities, would be in the order of $100 million. An operation like the one just described would be comparable to finding, developing, and producing a 365 million barrel oilfield—and we don't find many fields of that size. In fact, there have been only 23 fields which have produced that much oil in the history of the domestic petroleum industry.

Using the in situ method involves creating some type of permeability in the shale formation, so that heat can be brought in contact with the shale in place and hydrocarbon vapors generated from the heated kerogen can be recovered at the surface. Considerable effort has been carried on with the use of conventional hydraulic fracturing, followed by superheated steam or other heated gases. There has been considerable discussion between the Government and industry concerning the use of a nuclear device to create a "rubble zone," or chimney, in the shale which would be followed by some means of heat. A contract has also been let by the Government to experiment with high voltage electricity to create permeability between adjacent wells.

As recovered by any method, shale oil is a viscous, waxy liquid of low gravity and high pour point. It contains a moderate amount of sulfur and a relatively high amount of nitrogen. In its raw state it is too thick to be moved easily by pipeline. It cannot be used as a normal feedstock in present-day refineries because of its nitrogen content. Removal of nitrogen is unusually difficult because it occurs in shale oil throughout the boiling range, in contrast to conventional crudes, where nitrogen is substantially restricted to the residual cut. Once the nitrogen is removed, however, shale oil can be converted into quality fuels.

I would say that a leadtime of from 8 to 10 years will be needed by an aggressive industry in order to carry out research and development necessary to design and build commercial equipment. Recognizing this leadtime requirement, Humble is now involved in research programs in laboratories of its research affiliates and also in the consortium operating the Bureau of Mines experimental facilities at Anvil Points. These facilities have been leased from the Department of the Interior by the Colorado School of Mines Research Foundation. This program is sponsored and the experimental work is manned by several companies with the research effort primarily directed to future development in retorting technology.

Having briefly discussed the industry side of the shale oil equation, let us turn now to the role of Government.

The ownership and leasing situation with regard to oil shale lands is unusual. The bulk of the high quality deposits are in Colorado in an area which is owned about 10 percent by private interests and 90 percent by the Federal Government. The privately controlled lands are generally of a poorer quality or else are so distributed that they could not support a competitive industry. Their ultimate disposition and value will depend almost entirely on the programs adopted for the development of the Federal lands.

To those familiar with the problems associated with trying to develop a commercial oil shale industry, it is obvious that a satisfactory basis for leasing the Federal lands must be devised at an early date. At the present these lands are an idle and frozen asset and there is no indication of how their leasing and development will be administered. I have previously emphasized that substantial amounts of time and money will be required to make shale oil commercial. Industry cannot be expected to make the necessary commitments of either effort or funds without knowledge of the framework within which this industry will have to function, or without the opportunity for commensurate reward for the risk capital necessary to carry on the development efforts.

I believe private industry should be given the opportunity to do the necessary research and spend the funds to develop the shale oil deposits under a program in keeping with those applied so successfully under similar circumstances. In my opinion, the public interests would best be served by making these Federal lands available in an orderly and intelligent manner under a competitive bid, fixed royalty lease basis, similar to that employed so successfully in Federal offshore oil and gas lease sales. Not all of the shale lands need be leased at once, but reasonable amounts should be made available at reasonable frequencies. The system adopted should be designed to attract numerous operators, thereby fostering the diversity of approach to both research and development which has stimulated industrial progress in this country. The type of Government-industry relations utilized in leasing the offshore Continental Shelf areas has benefited both industry and the public. And after all, it is the public who really owns these lands and whose interests should be served.

Let me say at this point that all industry, not just petroleum, has an obligation to expose the fallacy of the hue and cry that some have raised about windfall profits and stealing of the public treasures if these lands are leased to private industry for development. Nothing could be farther from the truth. To my mind, the worst thing that could be done to the public interest would be to depend upon the Federal Government to develop and actually operate an oil shale business. To do so would strike at the very heart of the basic institutions on which this country has grown and prospered. Furthermore, there is no evidence that Government can match the efficiency and economy which are the natural outgrowths of industrial competition.

In the specific case of shale oil there is no basis to suggest that there is a potential windfall to anyone, but rather there is only the opportunity to invest large sums and to devote much time and effort in the hopes of realizing a reasonable profit. My company, and I am sure many others, will be willing to take these risks. And I would urge those who talk of windfalls to have a little more faith in the ability of our present competitive system to continue to serve the public good by providing both reasonable prices and reasonable profits.

For the public good, the rate and extent of shale oil development should be determined by economic forces which control the interfuel competition in this country without artificial stimulus or delay. Interfuel competition will assure continued and adequate supplies of energy at the lowest possible costs. Economic development of oil shale deposits, even in competition with other fuels, will, however, require reasonable Government policies which will encourage private industry to do its own research, develop its own processes, and make its own investments.

While the leasing problem is of the utmost importance, it must also be recognized that the Government can discourage or encourage private development through use of its power to tax. Another Government matter is the oil import policy; any drastic shifts in present imports policy would either discourage or encourage development of shale oil by private industry.

What happens in Washington, of course, are not the only factors which affect the shale oil question. Those willing to risk capital in this new industry must also recognize that any unforeseen changes in the domestic oil picture could affect the economic rewards and speed up or delay shale oil development. For example, new discoveries of crude reserves, if large enough, could decrease the interest in shale oil—just as such discoveries have in the past. On the other hand, a continued slowing down of oil-finding success could encourage the development of shale oil. Breakthroughs in technology that would lower the costs of producing liquid fuels from shale would also speed up the development of the shale reserves. By similar reasoning, any such breakthroughs in producing gasoline from coal or tar sands would have an obvious effect on the development of a shale oil industry.

In summary, I believe that shale oil can become a viable segment of the petroleum industry during the 1970's. If this is to happen, however, several conditions must be met. A firm program, including reasonable leasing rules, must be adopted for the federally controlled public lands which dominate this country's oil shale deposits. There needs to evolve in the minds of the people and of Government officials an understanding that while the uncertainties of exploration have been removed, unknowns of equal or greater magnitude exist in the mining, retorting, and refining processes which must be developed for this industry. These uncertainties foreclose without question any possibility of windfall profits to oil shale developers at the expense of the public. These same uncertainties are, however, the first half of the risk-reward formula which has so successfully motivated private industry in the past and has been the hallmark of the industrial leadership of this country.

Gasoline from oil shale will require significant commitments of technical talent and large capital expenditures for research and development, all of which will take time. Private industry is more than willing to take these steps. Timely action by Government in establishing a framework within which a shale oil industry can function is essential to provide sufficient lead time for the research and development necessary to commercialization. Given these opportunities, private industry can bring oil shale from potential to production.

ILLINOIS LEAGUES OF WOMEN VOTERS OPPOSE DIRKSEN ROTTEN BOROUGH AMENDMENT

Mr. DOUGLAS. Mr. President, I have heard from more local Leagues of Women Voters in Illinois who have asked that I record and act upon their opposition to the Dirksen amendment, Senate Joint Resolution 103, which would overturn the Supreme Court's decisions on one man, one vote. In addition, many individual league members throughout Illinois have written to support my opposition to this proposed amendment.

On February 7 I introduced in the RECORD 20 letters mainly from suburban leagues in Illinois. Today I wish to call to the attention of the Senate several more letters from the presidents of local leagues, this time from throughout the State: from Carbondale, home of the southernmost league in Illinois, to Waukegan in the northeast corner of the State; and from Rock Island to Lincoln to Quincy to Edwardsville in the west. These statements opposing the Dirksen amendment come from large, medium, and small communities across the State: Aurora, Carbondale, Chicago, Deerfield, De Kalb, Edwardsville, Elgin, Evergreen Park, Lake Bluff, Lincoln, Quincy, Riverdale-Dolton, Rock Island, Villa Park, and Waukegan.

There is no urban-rural difference, no small town-large city split, in these letters. The league chapters have studied this matter in detail for more than a year and have come to the informed opinion that we must preserve equality of representation in both houses of the State legislatures. The league has taken a strong position on this matter because they wish to preserve this unalienable individual right to equality of citizenship and because they want to see the legislatures take their intended places as strong partners in the federal system. The Senate should do no less.

Mr. President, I ask unanimous consent that these letters be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

LEAGUE OF WOMEN VOTERS,
Aurora, Ill., March 1, 1966.

Senator PAUL H. DOUGLAS,
Senate Office Building,
Washington, D.C.

DEAR SENATOR DOUGLAS: The leagues of women voters in the United States have agreed overwhelmingly that we should oppose any constitutional amendment aimed at permitting States to apportion their legislatures on the basis of factors other than population. In Illinois, this agreement was also clear. It reflected the views of leagues in Cook County, the suburbs, and downstate, as you know.

In Aurora, we studied the issue carefully and came to the same conclusion. We feel that the 15-percent variance already allowed by the Supreme Court is adequate and that State legislatures will be more responsive and better able to cope with our problems. We feel that they will actually be strengthened.

In our Aurora study, we failed to find any fair way in which genuine minority interests could be properly represented that would not defeat the basic intent of representative government—a ruling body that is truly responsive to all of the people. We did see much possibility for pressure groups—be they large cities, private business, labor interests, land interests, racial interests, or others—to place those with the responsibility of reapportionment in a very uncomfortable position.

We commend you for your efforts to defeat the attempts of your colleague to amend the Constitution and to allow the States thereby to take away one-man, one-vote rule.

Yours very truly,
MRS. PAUL BOWER,
President.

LEAGUE OF WOMEN
VOTERS OF CARBONDALE,
Carbondale, Ill., February 16, 1966.

Hon. PAUL DOUGLAS,
Senator from Illinois,
Senate Office Building,
Washington, D.C.

DEAR SIR: The League of Women Voters of Carbondale, Ill., affirms the position of the League of Women Voters of America that representation in both houses of State legislatures be based substantially on population.

We hold that the United States is a democratic Republic wherein the right to govern rests with the people, a right which they exercise through representatives which they elect. The individual participates in the right to the people to self-government through his vote. Whenever that vote is diminished or denied, the right of the people to self-government is likewise diminished or denied. The Constitution of the United States and the constitution of the State of Illinois both begin with the words, "We, the people * * *." Any proposition which denies to any individual or group of individuals the equal right to vote violates the fundamental principle upon which these constitutions were founded; that is, the right of all the people to self-government.

It is self-evident that the equal right to vote can only be assured when representation is based on population. We, therefore, are opposed to any amendment to the Constitution of the United States which would permit the States any other basis upon which to apportion their legislatures.

Yours truly,
MRS. RANDALL H. NELSON,
President.

P.S.—We are, as you may already know, the southernmost league in Illinois.

League of Women Voters of Chicago,
Chicago, Ill., February 16, 1966.
Hon. Paul H. Douglas,
U.S. Senate,
Washington, D.C.

Dear Senator Douglas: The League of Women Voters of Chicago vigorously supports your position upholding the Supreme Court's one-man one-vote standard for apportionment of State legislatures.

We know you are aware of the league's consensus on this issue on a national level. The results of the league's study of the apportionment problem in Chicago were parallel to the conclusions reached by league members all over the country.

The Chicago league holds that only through equal representation can the interest of all the voters and of all minorities be represented. We agree wholeheartedly with the Supreme Court that in a democracy each vote having an equal weight is a fundamental individual right of citizens—a right the majority may not vote away.

With my warm personal greetings,
Helen S. Aaron
Mrs. Ely M. Aaron,
President.

League of Women Voters of Deerfield,
Deerfield, Ill., February 10, 1966.
Hon. Paul Douglas,
Senate Office Building,
Washington, D.C.

Dear Senator Douglas: The Deerfield League of Women Voters is opposed to any constitutional amendment that would change the population standard for reapportionment of State legislatures as established by the recent decisions of the Supreme Court.

After studying the issue, our league (of 76 members) reached a consensus that was in agreement with the consensus reached by the National and the Illinois leagues. We believe that the right of each individual to be equally represented in the legislature is basic to our form of government.

The rights of the minorities must be protected—but not at the expense of the majority. Also, it would be very difficult, if not impossible, to apportion—giving weight to all the minority groups that might demand it, such as: rural voters, urban voters, suburban voters, racial groups, business groups, labor groups, etc. Where would you stop?

The one-man one-vote standard will give each vote equal weight; and yet, since some leeway has been allowed in setting up districts under this standard, the basic political subdivisions within the States need not be drastically changed.

Since the majority of the States have reapportioned (or will have before their next elections); and since they have accomplished this using the population standard and satisfying the various factions in the States; we can see no need for an amendment; and we oppose one.

Yours very truly,
Lois Beskin
Mrs. Jules Beskin,
President.

The League of Women Voters of De Kalb,
De Kalb, Ill., February 27, 1966.
Senator Paul Douglas,
Senate Office Building,
Washington, D.C.

Dear Senator Douglas: The League of Women Voters of De Kalb spent considerable time studying the issue of reapportionment of both houses of State legislature last summer and fall. We came to the conclusion that the only fair way for legislative apportionment was on the principal of one man, one vote. At a time when our country is making a valiant effort to extend the vote to all its citizens, it seems contradictory to also be considering an amendment which would not give each citizen an equal vote.

We have taken a position against the Dirksen amendment and wish to commend you on your leadership in the fight against it.

Very truly yours,
Mrs. A. K. Tink,
President, League of Women Voters of De Kalb.

The League of Women Voters of Edwardsville,
Edwardsville, Ill., February 10, 1966.
Hon. Paul Douglas,
U.S. Senate,
Washington, D.C.

Dear Sir: The Edwardsville League of Women Voters has taken and is in agreement with the following position on apportionment of State legislatures. This position was announced by the National Board of the League of Women Voters of the United States as being the consensus of all leagues nationwide.

We hope you will support the position which follows: "The members of the League of Women Voters of the United States believe that both houses of State legislatures should be apportioned substantially on population. The league is convinced that this standard, established by recent apportionment decisions of the Supreme Court, should be maintained and that the U.S. Constitution should not be amended to allow for consideration of factors other than population in apportioning either or both houses of State legislatures."

As the statement of position goes on it was pointed out that the leagues interpret the word "substantially" as an allowance for sufficient leeway for districting to provide for any necessary local diversities.

Thank you.

Respectfully,
Mrs. R. N LaFaver,
President.

League of Women Voters,
Elgin, Ill., February 28, 1966.
Hon. Paul Douglas,
Senate Office Building,
Washington, D.C.

Dear Senator Douglas: The members of the League of Women Voters of the United States believe that both houses of State legislatures should be apportioned substantially on population. The Elgin league concurs in this opinion. The league is convinced that this standard, established by recent apportionment decisions of the Supreme Court, should be maintained and that the U.S. Constitution should not be amended to allow for consideration of factors other than population in apportioning either or both houses of State legislatures.

Therefore, we support your stand in opposition to Senate Joint Resolution 103. This is an important issue and this is not the time to deny the citizen's right to fair representation in State government.

Sincerely,
Mrs. Barbara Mullikin
Mrs. Wallace D. Mullikin,
Voters Service Chairman, Elgin League of Women Voters.

League of Women Voters, of Evergreen Park, Ill.
March 1, 1966.
Hon. Paul Douglas,
Senate Office Building,
Washington, D.C.

Dear Senator Douglas: The League of Women Voters of Evergreen Park wishes to add its name to your list of supporters in opposition to Senator Dirksen's apportionment amendment.

The league will give you continued support and appreciates your obviously high evaluation of the study behind this consensus.

Yours very truly,
Ruth M. Gilke
Mrs. Paul V. Gilke,
President.

League of Women Voters of Lake Bluff, Ill.,
February 23, 1966.
Senator Paul H. Douglas,
Senate Office Building,
Washington, D.C.

Dear Senator Douglas: Your most recent endeavors encourage the League of Women Voters of Lake Bluff to urge you to continue your opposition to the Dirksen amendment, the proposal which would allow State legislatures to be apportioned on factors other than population.

Our local group is joining with leagues all over the country to put into action recent nationwide League consensus favoring the population standard for apportioning both houses of State legislatures.

It is said that action is expected on Senate Joint Resolution 103 about March 1, 1966. Such an amendment would dilute the value of the vote at a time when over the Nation the franchise is being extended. This issue is important to the development of the strength of State government and to the avenues now opening for more effective solutions to State problems. Certainly this is not the time to deny the citizen's right to fair representation nor to reduce the chances for more effective government.

Very truly yours,
Mrs. Kenneth R. Pickard,
President, League of Women Voters.

League of Women Voters of Lincoln,
Lincoln, Ill., February 14, 1966.
The Hon. Paul Douglas,
Senate Office Building,
Washington, D.C.

Dear Senator Douglas: The members of the League of Women Voters of Lincoln are opposed to an amendment to the Constitution to allow for consideration of factors other than population in apportioning either or both houses of State legislatures. We reached this consensus in our league after a study of the basis of representation in State legislatures. We wanted you to know we were a part of the League of Women Voters of the U.S.-position supporting one man, one vote.

Yours very truly,
Mrs. John J. Shute,
President, League of Women Voters of Lincoln.

Quincy League of Women Voters,
Quincy, Ill., February 5, 1966.
Hon. Paul Douglas,
Senate Office Building,
Washington, D.C.

My Dear Senator Douglas: The League of Women Voters of Quincy writes you in support of the national league's position on apportionment of State legislatures—briefly, (1) that both houses should be apportioned substantially on the basis of population; and (2) that the U.S. Constitution should not be amended at this time to allow other standards.

The Quincy league's study of this question began in October 1965 and consisted of two meetings of the membership, at which all sides were presented as fully as possible. At one of these meetings the question was discussed with State Representatives Rowe, Republican, and MacLain, Democrat.

A third meeting in December was a consensus meeting where the majority agreed with the statement above. Reasons given were:

The Supreme Court decision is worth a try. We respect the court's decision and do not wish to set a precedent of amending the Constitution too readily in the event of a controversial decision.

A person's vote should have a national guarantee for nearly equal representation. It is not wise to have this vary from State to State or within a State.

There is no more just means of guaranteeing equal representation than the basis of population.

The role of the Federal Government might be diminished if cities are given their rightful representation in State legislatures.

A minority felt the court decision could be injurious in Illinois because "Chicagoans do not understand downstate Illinois."

Yours very truly,
Mrs. William B. Raufer,
President.

League of Women Voters
of Riverdale-Dolton,
Riverdale, Ill., February 23, 1966.

Hon. Paul Douglas,
Senate Office Building,
Washington, D.C.

Dear Senator Douglas: You once wrote a member of our league that you did not like to receive letters that urged you to vote for an issue that you already had supported strongly, so I have hesitated to add the voice of the Riverdale-Dolton League of Women Voters to the many which have told you about our stand on apportionment. However you have reacted happily to the other letters from suburban leagues so I will tell you that we, too, studied the issues carefully and came to the conclusion which most of the other individual leagues in the United States reached—that there is no justification for diluting the power of each individual citizen's vote.

Yours very truly,
Mrs. Walter Erhard,
President.

League of Women Voters
of Rock Island, Ill.,
February 26, 1966.

Senator Paul Douglas,
U.S. Senate,
Washington, D.C.

Dear Senator Douglas: The League of Women Voters of Rock Island participated in a study and evaluation of the basis of representation in State legislatures on a nationwide basis, and is in agreement with the national position that both houses of State legislatures should be apportioned substantially on population, and that the U.S. Constitution should not be amended to allow for consideration of factors other than population.

We urge you to consider this view and would like to point out that there was no urban-rural or geographic split in the nationwide consensus obtained by the league.

Very truly yours,
League of Women Voters
of Rock Island,
Elizabeth B. Hoane,
President.

League of Women Voters of
Villa Park, Ill.,
February 24, 1966.

Hon. Paul Douglas,
Senate Office Building,
Washington, D.C.

Dear Senator: On behalf of the League of Women Voters of Villa Park, I wish to commend you on your opposition to the Dirksen amendment.

The Villa Park League's position is reflected in the nationwide consensus which upholds the Supreme Court decision of the one man, one vote.

We feel that each man's vote should be of equal value in order to carry out our democratic form of Government. The League of Women Voters of Villa Park also feels the term "substantially" used in Supreme Court decisions allows adequate leeway for districting to provide for any necessary local diversities.

Finally, we feel that individual rights now protected by the Constitution should not be weakened. An amendment to the Constitution could leave the door open to unfair representation in one House on the basis of racial, urban, religious, or other factors.

On behalf of the League of Women Voters of Villa Park, I thank you for your strong stand on this matter.

Yours very truly,
Mrs. Richard M. Arend,
President.

League of Women Voters
of Waukegan,
Waukegan, Ill., February 9, 1966.

Dear Senator Douglas: We oppose any amendment to the U.S. Constitution which would change the one-man, one-vote ruling.

Both houses of State legislatures should be apportioned on the basis of population alone. This is in accordance with the 14th amendment.

Yours truly,
Mrs. Floyd McIntire,
President.

League of Women Voters,
Homewood, Ill., February 24, 1966.

Hon. Paul Douglas,
Senate Office Building,
Washington, D.C.

Dear Senator Douglas: The League of Women Voters of Homewood has participated in the national league study to determine the proper basis of representation in State legislatures. As was true in leagues all across the country, our study yielded a strong consensus which opposed an amendment to the Constitution permitting any variation from the one-man, one-vote principle.

We have watched your strong and active support of this position the last several months and wish to commend your efforts on behalf of a very basic democratic issue. It is to be hoped that you will see successful results in this session as you did in the last.

Sincerely yours,
Mrs. Walter Roy Miller,
President.

TRIBUTE TO ADM. CHESTER WILLIAM NIMITZ

Mr. YARBOROUGH. Mr. President, the death of Fleet Adm. Chester William Nimitz struck sadness in the hearts of every American as Admiral Nimitz was one of the greatest naval heroes of modern times. After Pearl Harbor, Admiral Nimitz distinguished himself in the annals of naval history by guiding the bomb-shattered Pacific Fleet through a historic island-hopping campaign to a decisive victory.

His death brings the loss of Texas' greatest naval hero, as Admiral Nimitz was born in Fredericksburg, Tex., a landlocked Texas town. From his Texas background, Admiral Nimitz launched a patriotic and devoted career in the naval service and gained the fond respect of all Texans.

Admiral Nimitz was a third-generation Texan, grandson of a sea captain who built a hotel in Fredricksburg, Tex., in the form of a ship. Admiral Nimitz' grandfather built a replica of a poop deck of a ship on top of the hotel from which he could look over the surrounding valleys and hills around Fredericksburg. This was long a landmark in Fredericksburg, where Admiral Nimitz was reared, which is only 18 miles from the LBJ Ranch where President Lyndon Johnson was reared.

From this beginning, Admiral Nimitz became one of the alltime great admirals of history, and is internationally regarded as a great defender of freedom.

GOVERNMENT DOCUMENTS

Mr. President I ask unanimous consent that portions of the funeral services on February 24, 1966, for Admiral Nimitz who died February 20, 1966, be printed in the Record at this point. This includes funeral prayers by Rear Adm. J. W. Kelly, Chief of Navy Chaplains, and the prayer by Cardinal Spellman, also the eulogy given by Secretary of the Navy Paul H. Nitze at memorial services held here at the Washington Cathedral on February 25, 1966.

There being no objection, the material was ordered to be printed in the Record, as follows:

Funeral Service for Admiral Nimitz

(Prayers by Rear Adm. J. W. Kelly, Chief of Navy Chaplains)

Let the words of my mouth and the meditation of our hearts and the memories of our minds and the honor and tribute we pay to this great man be acceptable in Thy sight, O Lord, our strength and our Redeemer.

I am the resurrection and the life saith the Lord; he that believeth in Me, though he were dead, yet shall he live: and whosoever liveth and believeth in Me, shall never die.

I know that my Redeemer liveth, and that He shall stand at the latter day upon the earth: and though this body be destroyed, yet shall I see God: whom I shall see for myself, and mine eyes shall behold, and not as a stranger.

We brought nothing into the world, and it is certain we can carry nothing out. The Lord gave, and the Lord hath taken away; blessed be the name of the Lord.

PSALM 121

I will lift up mine eyes unto the hills; from whence cometh my strength. My help cometh even from the Lord, who hath made Heaven and earth. He will not suffer thy foot to be moved; and He that keepeth thee will not sleep. The Lord himself is thy keeper; the Lord is thy defence upon thy right hand; so that the sun shall not burn thee by day neither the moon by night.

The Lord shall preserve thee from all evil, yea, it is even He that shall keep thy soul. The Lord shall preserve thy going out, and thy coming in, from this time forth for evermore.

PSALM 130

Out of the deep have I called unto Thee, O Lord; Lord, hear my voice, I look for the Lord; my soul doth wait for Him; in His word is my trust. My soul fleeth unto the Lord before the morning watch; I say, before the morning watch.

O Israel, trust in the Lord, for with the Lord there is mercy, and with Him is plenteous redemption.

Behold, I show you a mystery; we shall not all sleep, but we shall all be changed, in a moment, in the twinkling of an eye, at the last trumpet; for the trumpet shall sound, and the dead shall be raised incorruptible, and we shall be changed. For this corruptible must put on incorruption, and this mortal must put on immortality. So when this corruptible shall have put on incorruption, and this mortal shall have put on immortality, then shall be brought to pass the saying that is written, Death is swallowed up in victory.

O death, where is thy sting? O grave, where is thy victory?

The sting of death is sin; and the strength of sin is the law.

But thanks be to God, which giveth us the victory through our Lord Jesus Christ.

Therefore, my beloved brethren, be ye steadfast, unmovable, always abounding in the work of the Lord, for as much as ye know that your labor is not in vain in the Lord.

Let us pray: Eternal Father strong to save, we thank you today for your servant Adm. Chester William Nimitz. We are grateful that through the years of his devotion to duty and in shouldering great positions of leadership responsibility he was temperate and truthful in speech, honorable and generous in dealing with others, humble in his estimation of himself, faithful and loyal in his high calling as a naval officer, and mindful always of our Nation and its responsibility to stand against aggression and enslavement. We thank you Almighty God, that he heard your voice, a voice of comfort, assurance and challenge. And today in his memory we offer a prayer that he would want us to pray:

Eternal Lord God, who alone spreadest out the heavens, and rulest the raging of the sea, vouchsafe to take into Thy almighty and most gracious protection our country's Navy, and all who serve therein. Preserve them from the dangers of the sea, and from the violence of the enemy, that they may be a safeguard unto the United States of America, and a security unto such as pass upon the sea on their lawful occasions, that the inhabitants of our land may in peace and quietness serve Thee our God, to the glory of Thy name. Through Jesus Christ our Lord. Amen.

We know that all things work together for good to them that love God, and them who are the called according to his purpose. What shall we then say to these things? If God be for us, who can be against us? He that spared not his own Son, but delivered him up for us all, how shall he not with him also freely give us all things? Who is he that condemneth? It is Christ that died, yea rather, that is risen again, who is even at the right hand of God, who also maketh intercession for us. Who shall separate us from the love of Christ? Shall tribulation, or distress, or persecution, or famine, or nakedness, or peril, or sword? Nay, in all these things we are more than conquerors through him that loved us. For I am persuaded, that neither death, nor life, nor angels, nor principalities, nor power, nor things present, nor things to come, nor height, nor depth, nor any other creature, shall be able to separate us from the love of God, which is Christ Jesus our Lord. May God bless these words to our minds and hearts.

We are most privileged today to have with us a man who has throughout the long years lifted high the lamp of faith to servicemen in lonely and faraway places. He is a shepherd for all of us. He is a personal friend of the family and will at this time say a prayer.

His Eminence, Francis Cardinal Spellman.

PRAYER BY CARDINAL SPELLMAN

(After the prayer by Cardinal Spellman there will be a 19-gun salute.)

Unto Almighty God we commend the soul of our shipmate departed and we commit his body to the ground, in this sacred place where he is surrounded by sailors, marines, soldiers, and airmen who served with him in battle for the peace of the world; earth to earth, ashes to ashes, dust to dust; in sure and certain hope of the resurrection unto eternal life, through our Lord Jesus Christ. I heard a voice from heaven, saying unto me, write, "From henceforth blessed are the dead who die in the Lord: even so saith the Spirit; for they rest from their labors."

The Lord be with you.

Answer: And with Thy spirit.

Let us pray the Lord's Prayer:

"Our Father, who art in heaven, hallowed be Thy name. Thy kingdom come, Thy will be done, On earth as it is in heaven. Give us this day our daily bread, and forgive us our trespasses, as we forgive those who trespass against us. And lead us not into temptation, but deliver us from evil; for thine is the kingdom, and the power, and the glory, forever." Amen.

The shadows have lengthened, the evening has come, the busy world has hushed, give, we pray, Almighty God, to Admiral Nimitz holy rest and peace at last through Jesus Christ our Lord.

The grace of the Lord Jesus Christ, and the love of God, and the communion of the Holy Spirit, be with you all. Amen.

(Firing of volleys. Secretary of Navy gives flag to Mrs. Nimitz.)

EULOGY BY THE HONORABLE PAUL H. NITZE, SECRETARY OF THE NAVY, AT MEMORIAL SERVICES FOR THE LATE FLEET ADM. CHESTER W. NIMITZ, U.S. NAVY, THE WASHINGTON CATHEDRAL, WASHINGTON, D.C., FEBRUARY 25, 1966

A respectful nation today pays solemn tribute to one of its great heroes. Fleet Adm. Chester W. Nimitz was a man distinguished for a lifetime of high service to his country, notable as well for a simplicity of character that commanded universal respect. Such men form a part of the national resources of any great people, yet such men come but rarely. Their value is beyond price, and their loss diminishes each of us.

Admiral Nimitz's entire life was a career of service to his fellows, his Navy, his Nation. As commanding officer of submarine U.S.S. *E-1* he risked his life to rescue one of his men from drowning. He applied his great talents and his dedication to submarines, subordinating a personal preference for battleship duty to the needs of this new service. He made himself one of the Navy's first experts in diesel propulsion, and even built the engines for the tanker U.S.S. *Maumee.* In World War I, his exceptional ability to work with people—contributed greatly to the cooperation between the Royal Navy and our own.

In helping to establish the NROTC program, he acquired an interest in education and in young people which never left him. In his later years, Fleet Admiral and Mrs. Nimitz still enjoyed taking lunch in the student cafeteria at Berkeley, a great university of which he was one of the distinguished regents. Such easy fellowship with his juniors was characteristic of the man.

Most of all, of course, he is remembered for his unparalleled wartime service. As Chief of the Bureau of Navigation he directed with great skill the expansion of the rolls of the Navy between 1939 and the attack on Pearl Harbor. As commander in chief of the U.S. Pacific Fleet from its darkest hour in December 1941 to its final victory in 1945, he led immense fleets deployed across half a world. His serenity in the face of agonizing problems was legend, and a source of strength to all about him. He was approachable, ever open to intelligent suggestion, and unfailingly courteous, although a will of granite lay beneath the outward composure. His genius with people, his intelligence, and the extraordinary judgment he commanded gave irrestible force to the efforts of the millions of men who fought with him the great battles of the Pacific.

In victory he was magnanimous. His contribution to the renewed friendship between the Japanese people and our own is exemplified in the restoration of Admiral Togo's battleship *Mikasa* as a national shrine at Yokosuka, a project to which he lent his personal support. His loss is felt not only by his countrymen, but by the thousands around the world who accorded him their respect and their friendship.

He was very much a man of the sea. He valued tradition, authority, and discipline. While disciplined to the bone, he was yet kindly. When a Navy tanker grounded in San Francisco Bay just a few years ago, Fleet Admiral Nimitz was the first to remind the public that he, too, had once grounded a ship; never was a commanding officer so deftly restored to honor.

His later years have been full ones, and happy. His wise advice was often sought and freely given. His memoirs remain to be written, for he was characteristically, not disposed to create contention over things past. His last writing was an article addressed to the Boy Scouts of America. It appeared last month. His simple, modest philosophy is appropriate, I think, for this occasion: "The sea—like life itself—is a stern taskmaster. The best way to get along with either is to learn all you can, then do your best, and don't worry—especially about things over which you have no control."

His was a long and rich life, for he made it so. He will rest within sight of the Pacific Ocean which he loved and to whose history he added so much. As we stand here in memoriam, we stand in reverence of a great man who made of the profession of arms, a career, which honors every American.

(Preface to eulogy: It is my grave responsibility, as the designated representative of the President of the United States, to memorialize a great and wonderful American the late Fleet Adm. Chester William Nimitz, U.S. Navy.)

Mr. YARBOROUGH. Mr. President, as a tribute to the memory of this great Texan, I ask unanimous consent that the article entitled "Nimitz Guided Fleet Victory in the Pacific" from the Monday, February 21, 1966, Houston Post, the article entitled "Nimitz Took Over U.S. Fleet After Staggering Navy Loss" from the Monday, February 21, 1966, Dallas Morning News, the article entitled "Nimitz Wanted an Army Career, but—" from the San Antonio Light of Wednesday, February 23, 1966, the article entitled "Admiral Nimitz' Final Visit During Fiesta Recalled" from the San Antonio Light of Monday, February 21, 1966, the article entitled "San Francisco Rites Set Thursday for Admiral Nimitz" from the Monday, February 21, 1966, Austin Statesman, and the article entitled "Admiral Nimitz To Be Buried Near the Sea" from the Tuesday, February 22, 1966, Austin American be printed at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Houston (Tex.) Post, Feb. 21, 1966]

NIMITZ GUIDED FLEET VICTORY IN THE PACIFIC

SAN FRANCISCO.—Fleet Adm. Chester William Nimitz, whose desire for an Army career led to his command of the largest Navy armada ever assembled, died Sunday in his home overlooking San Francisco Bay.

The five-star admiral, who took command of the shattered U.S. Pacific Fleet shortly after the Japanese attack on Pearl Harbor and led it to victory, would have been 81 years old Thursday.

He died in his white frame home on the Yerba Buena Island Naval Reservation, with his wife, a daughter, and a grandson at his bedside.

A Navy spokesman said death was caused by complications from a stroke Nimitz suffered early in January. He was allowed to return to his home from Oak Knoll Naval Hospital February 1, but remained under the care of naval doctors.

A graveside service and burial with military honors are scheduled Thursday afternoon at Golden Gate National Cemetery in nearby San Bruno. The body will lie in state for 1½ hours at the Treasure Island Naval Base chapel earlier in the day.

President Johnson, who served with the Navy in the South Pacific for a time during World War II, remarked on the admiral's death that Nimitz' "quiet courage and resolute leadership" earned him the "undying gratitude of his countrymen and an enduring chapter in the annals of naval history."

Former President Dwight D. Eisenhower, who served as supreme commander of allied forces in Europe during the war, described the admiral as "a good friend whom I admired and respected deeply."

HAILED BY M'NAMARA

The death of Nimitz was officially reported to the U.S. Armed Forces by Defense Secretary Robert McNamara, who said:

"In the death of Admiral Nimitz the Nation has lost one of our greatest naval leaders. A superb sailor, university regent, and dedicated citizen, he served his country and his State with a full measure of devotion. All in the Armed Forces salute his life of achievement with the words, 'Well done.'"

Nimitz, a one-time Texas choreboy who dreamed of a career in the Army, took command of the bomb-shattered U.S. Pacific Fleet 24 days after the Japanese attack on Pearl Harbor December 7, 1941.

He accepted the post with reluctance, preferring a seagoing command, but immediately set about rebuilding the fleet into the mightiest armada ever assembled—a force of 16,000 aircraft, 5,000 ships, and 2 million men.

DEPLOYED FORCES

Deploying his forces with chesslike precision, Nimitz guided the fleet's historic island-hopping campaign across the Pacific to a decisive victory.

In May 1942, the American fleet defeated the Japanese in the Battle of the Coral Sea, and the following month heavy losses were inflicted on the enemy at the Battle of Midway.

In August the U.S. marines hit Guadalcanal in the Solomon Islands and the rollback of the Japanese began.

The Pacific Fleet finally destroyed Japan's naval power in October 1944, in the 5-day Battle of Leyte Gulf, the biggest naval action ever fought.

Nimitz' drive across the Pacific was climaxed September 1, 1945, when he formally signed the Japanese surrender for the United States aboard the battleship *Missouri* in Tokyo Bay.

BORN IN FREDERICKSBURG

Nimitz was born February 24, 1885, in Fredericksburg, Tex., and grew up in Kerrville, where his mother and stepfather helped manage a hotel. While doing odd jobs at the hotel, he once met two Army officers and decided on West Point as a career.

But his Congressman said there would be no appointments from this district for some years and suggested the youth try for the Naval Academy. Nimitz won the appointment and graduated in 1905, seventh in his class of 114.

He saw duty on gunboats, submarines, cruisers, and battleships after graduation, writing in a naval publication as a lieutenant in 1912 before many saw the possibility of submarines:

"The steady development of the torpedo together with the gradual improvement in the size, motive power, and speed of submarine craft of the near future will result in a most dangerous offensive weapon and one which will have a large part in deciding fleet actions."

NEVER RETIRED

After the war Nimitz succeeded Adm. Ernest King as chief of naval operations. In 1947 he was detached as special assistant to the Secretary of the Navy and later headed a United Nations Mediation Commission in 1949 and the U.S. Internal Security Commission in 1951.

He never retired and at his death was still carried on the Navy's active rolls—its oldest member.

He lived out his years in Navy quarters on Yerba Buena Island in San Francisco Bay with his wife, the former Catherine Vance Freeman of Wollaston, Mass.

Other survivors include a son, Rear Adm. Chester W. Nimitz, Jr., U.S. Navy, retired, New Canaan, Conn.; and three daughters, Mrs. Catherine Vance Lay, Newport, R.I.; Mary Manson Nimitz, a nun in the Dominican convent, San Rafael, Calif., and Anne Elizabeth Nimitz, Topanga, Calif.

His decorations included the Distinguished Service Medal, the Distinguished Service Medal by Congress, the gold star in lieu of the third Distinguished Service Medal, the Army Distinguished Service Medal, and the Silver Life Saving Medal won for rescuing a drowning submarine crewman in 1912.

Nimitz held honorary degrees from 19 colleges and universities and decorations from the Governments of Great Britain, France, China, the Netherlands, Philippines, Belgium, Italy, Greece, Argentina, Ecuador, Brazil, Guatemala, and Cuba.

[From the Dallas (Tex.) Morning News, Feb. 21, 1966]

NIMITZ TOOK OVER U.S. FLEET AFTER STAGGERING NAVY LOSS

NEW YORK.—When Admiral Nimitz took command of the United States Fleet in the Pacific on December 31, 1941, the Navy had suffered a staggering loss less than a month before. Carrierborne Japanese planes had crippled the main battle fleet at Pearl Harbor and the carrier and cruiser divisions of the fleet had escaped similar fates by sheer accident.

Without haste, but without the loss of a single moment, Nimitz directed the deployment of the carrier and cruiser fleets so that they might hold the line until that moment, perhaps 2 years hence, when the battleship fleet would have made up its losses to become once more the backbone of American grand strategy in the Pacific.

With Adm. Ernest King, Chief of Naval Operations, President Franklin D. Roosevelt, and the Navy's other strategy planners, Nimitz had to undergo the anguish of being unable to answer the cry of soldiers trapped on Bataan: "Where's the fleet?"

But before Nimitz and his associates were through—before he signed the Japanese capitulation on the deck of the U.S.S. *Missouri* on September 2, 1945—U.S. naval units, implementing strategy announced by Nimitz, had sent the bulk of Japan's seapower to the bottom.

In the 1870's Capt. Charles Nimitz, a retired sea captain, built, in the inland town of Fredericksburg, Tex., a hotel equipped with a bridge and pilothouse from which he could scan the rolling prairies. In this hotel, on February 24, 1885, Chester William Nimitz was born, 5 months after the death of his father. A few months after the child's birth, his mother, Anna Henke Nimitz, was married to William Nimitz, a brother of her late husband, and moved with him to Kerrville, Tex.

Here young Chester went to school, hunted rabbits and quail, and dreamed of becoming a soldier. But there were no local appointments available to West Point when he was ready for the examinations so he took the entrance examinations for Annapolis and passed them when he was 15.

At the Naval Academy Chester Nimitz showed a strong bent for mathematics and physical exercise.

Nimitz stroked the crew in 1906, the year he was graduated. In "The Luckey Bag," the Academy yearbook, he was described as a man "of cheerful yesterdays and confident tomorrows." He was commissioned a midshipman and became an ensign the next year.

In 1913 Nimitz wrote to a friend: "On April 9 I had the good sense to marry Catherine Vance Freeman, of Wollaston, Mass." Miss Freeman was the daughter of a shipping broker. By way of a honeymoon, the young officer was assigned to study diesel engines in Germany and Belgium for a year.

During World War I Lieutenant Commander Nimitz served as chief of staff to Rear Adm. Samuel S. Robison, commander of the submarine division of the Atlantic Fleet. His main duties were to see that as many submarines as possible were conditioned to join the allied flotillas in European waters. He saw no battle action.

From 1926 to 1929 he was assigned to the important duty of establishing at the University of California the first Naval Reserve officers' training unit of its kind in the country. The between-wars period included service on battleships and as a cruiser commander as well as study at various advanced naval schools. By 1938 he was a rear admiral.

In 1940 Admiral Nimitz' name was one of two submitted for the post of commander in chief of the Pacific Fleet. The other was that of Adm. Husband E. Kimmel, who got the assignment.

Nimitz was in his home in Washington listening to the radio when the news of Pearl Harbor was announced. Without saying a word, he picked up his cap and went down to the Office of the Chief of Naval Operations. A few days later Admiral Kimmel was relieved of his command and Nimitz was on his way to Pearl Harbor.

Nimitz quickly built up his combat teams, which were commanded by Adms. William F. Halsey, Marc A. Mitschner, Richmond K. Turner, Raymond A. Spruance, and Thomas C. Kinkaid.

With King and the naval operations section in Washington, Nimitz planned the strategy that showed its first signs of success at the battle of the Coral Sea on May 8, 1942. This was the world's first naval battle fought entirely by air, without the carriers even sighting each other or a shot being exchanged between surface craft. It was adjudged an American victory, although the Japanese exacted a heavy toll.

U.S. naval victories at Midway the next month and in the Aleutians and finally, after bitter fighting, in the Solomons, turned the tide. Many of these fights were won because the naval commander on the scene exercised his judgment, but all in general conformed to the strategy made operational by Nimitz at Pearl Harbor.

During the first half of 1944 Nimitz employed the main fighting strength of the Navy in a power-packed westward advance through the central Pacific. The bloody victory of the marines at Tarawa was followed by the "great turkey shoot" in the Marianas, where U.S. airmen downed 402 out of 545 Japanese planes sighted.

In November 1945, Admiral Nimitz became one of the four senior naval chiefs to be elevated to the newly created rank of admiral of the fleet.

In 1949 Admiral Nimitz was named by the United Nations Secretariat to supervise a proposed plebiscite to determine whether Kashmir should become part of India or should be linked to Pakistan. International complications prevented the plebiscite commission from functioning.

Although he was the commander of 1,000 ships and 2 million men in World War II, Nimitz never wrote any memoirs. He made it clear early after the war that he had no desire to. He regularly allowed others to organize birthday parties for him in his later years, but not without a grumble.

On his 75th birthday, he was asked if he was looking forward to it.

"I'm looking forward to the end of it," he said. "I feel the same way about it as the man who bought himself a small boat; his two happiest days were when he bought it and when he sold it."

Admiral and Mrs. Nimitz had three daughters and a son. They were Catherine Vance Nimitz, who married James T. Lay, a U.S. naval officer; Anne Elizabeth and Mary Manson Nimitz and Chester William Nimitz, Jr., who followed his father into the Navy.

[From the San Antonio (Tex.) Light, Feb. 23, 1966]

NIMITZ WANTED AN ARMY CAREER, BUT—

(NOTE.—The following account of how he came to enter the U.S. Naval Academy was copied by Ella Gold, of Fredericksburg, from Fleet Adm. Chester W. Nimitz' autobiographical manuscript.)

CAREER BY CHANCE

Fifty-seven years ago, in the small town of Kerrville, Tex., a 15-year-old youth worked feverishly at his studies in algebra, geometry, history, geography, and grammar—fired with determination to win an appointment as a cadet at the U.S. Military Academy, at West Point, N.Y.

What sparked that activity? It was the presence of Battery K, 3d Field Artillery, encamped in the hills close by Kerrville and engaged in routine training and gunnery practice. Each summer that battery departed its normal base at Fort Sam Houston, Tex., for field exercises, as did several troops of cavalry which wheeled and maneuvered on the plain just south of Kerrville. These detachments brought a measure of prosperity to the merchants of the community and added greatly to the excitement and entertainment of the youngsters and "small fry" of the area.

Especially admired in their spanking new and well-fitting uniforms were two newly graduated West Pointers, Second Lieutenants Cruikshank and Westervelt, who, on their way to join Battery K, stopped a few days at the St. Charles Hotel, where the above-mentioned youth worked as a desk clerk, janitor, and general handy man outside of school hours in exchange for board, lodging, and $15 per month.

By now it must be apparent that the foregoing are a few paragraphs of my own autobiography. You may be sure that I lost no time in becoming acquainted with those smartly turned-out young Army officers, who, in my opinion, had everything. Coming from a poor family, I could foresee no prospect of an education beyond high school. I had already formed vague plans to seek employment as a surveyor's assistant to learn that skill as I carried his chain.

But here were two young men who had been educated by the Government and I was determined to follow in their footsteps. "Write to your Congressmen and ask for an appointment to the U.S. Military Academy," I was told. It was also suggested that I ask for a description of life at West Point after one has successfully passed the strenuous physical and mental entrance examinations.

My Congressman, the late Hon. James L. Slayden, of San Antonio, promptly informed me that he would have no appointments to the Military Academy for several years, but that he had a vacancy for the U.S. Naval Academy, at Annapolis, Md., in the coming summer of 1901. An Army doctor at Fort Sam Houston quickly assured me that I could meet the physical requirements.

The time has now come for me to admit that I had never heard of the Naval Academy but, because it gave me the opportunity for further education, I determined that I would work hard for the competitive examination. Such ignorance on my part concerning the Navy was not strange in my part of Texas, which was well acquainted with the Army because Fort Sam Houston, on the outskirts of San Antonio, was one of the largest military establishments maintained in the South.

Now began the hard grind in preparation for the competition. For several months every available moment was devoted to study. My stepfather, William Nimitz, who assisted in the management of the hotel, was an excellent coach and quiz master. He tested me constantly with sample entrance examinations sent out by the Naval Academy authorities to illustrate the difficult character of the entrance requirements. The principal of Tivy High School, where I was a student, tutored me in algebra and geometry, in which he was a specialist. A very fine teacher and a wonderful woman, Miss Susan Moore, took over the remainder of my preparation. My mother, also employed at the hotel and in charge of the kitchen, gave me daily encouragement.

My day-to-day routine may interest present-day youngsters. School hours were from 9 a.m. to 4 p.m., after which my janitorial chores began with lawn care and raking followed by splitting cedar for kindling, filling woodboxes, and attending some dozen or more stoves and fireplaces, which occupied the time between the end of school and supper. After supper I took my turn as clerk at the desk until about 10 p.m., when everyone had retired and I could occupy my lodging. This consisted of a cot set up in the ladies' parlor of the hotel. I arose at 3 a.m. to study until 5:30 a.m., when it became time to light fires, attend stoves, and call early risers. After breakfast I was free to go to school.

For the competition that April, there were about seven who completed the 3 days of examinations, although double that number started. In due time I was informed that I was the winner and that the appointment to the Naval Academy was mine. Early in July 1901, my Congressman, Mr. Slayden, accompanied me to Annapolis where I entered the Werntz Preparatory School for 2 months of further drill and preparation for the entrance examinations in late August. These I passed with no difficulty. On September 7, 1901, I entered the Naval Academy and was sworn in as a naval cadet, a designation later changed to midshipman.

From that day until this moment I have enjoyed my naval service, which encompassed duty in many types of naval vessels in many parts of the world, and in ranks from the lowest, naval cadet 4th class, to fleet admiral. The Navy has given—and is giving—me a good life. On September 7, 1956, I remarked to M. Sgt. George E. Cozard, U.S. Marine Corps, that "Today is an anniversary for me—a very special day because it was on this day 55 years ago that I entered the Navy." After considering the statement for a moment Sergeant Cozard asked, "Well, Admiral, do you think you will make a career of the Navy?" I replied in all sincerity, "Yes, I think I will." I meant just that.

Although I originally set my sights on an Army career, circumstances over which I had no control diverted me to the Navy. I am glad it turned out that way. The Navy has been my life and will continue to be my life—as long as I have life left in me.

C. W. NIMITZ,
Fleet Admiral, U.S. Navy.

FEBRUARY 5, 1957.

[From the San Antonio (Tex.) Light, Feb. 21, 1966]

ADMIRAL NIMITZ' FINAL VISIT DURING FIESTA RECALLED

Fleet Adm. Chester W. Nimitz, who died Sunday at his San Francisco home, made his final official visit to San Antonio in April 1948, when he was guest of the Alamo City at the fiesta celebration.

On the same visit, Admiral and Mrs. Nimitz paid a homecoming visit to Fredericksburg.

Nimitz was honorary grand marshal of the Battle of Flowers Parade, and while in San Antonio he took a brief recess to accept the battleship *Texas* as the flagship of the Texas navy.

The battleship is now permanently moored at the San Jacinto battlefield at Houston.

The admiral remained in Texas until April 30 and then flew back to San Diego. He was principal speaker at the annual pilgrimage to the Alamo and he later participated in the river parade.

Nimitz and his party landed at Kelly Air Force Base where he was greeted by high ranking military officials and civilian dignitaries.

CHILDHOOD

FREDERICKSBURG, TEX.—Fleet Adm. Chester W. Nimitz, who during World War II commanded the most powerful armada in American history, first "walked the deck" in this landlocked Texas town.

The "deck" which the late admiral trod as a boy was the gallery ringing the old 4-story Nimitz Hotel, built in the shape of a ship's superstructure by his seafaring grandfather. The admiral was born here.

DESERTED SEA

The grandfather, Chester Nimitz, had deserted the sea to join a group of German emigrants who founded Fredericksburg in 1846. His hotel became famous for its excellent kitchen and genial saloon and the guests of the frontier hostelry included Robert E. Lee, Jefferson Davis, and Gen. Phil Sheridan.

Shortly before the admiral was born, his father died and the lad's first 5 years were spent in the nautical atmosphere of the hotel, called the "steamboat" or "battleship" by Fredericksburg residents.

An old sea captain was a permanent resident and young Nimitz' imagination was fired by the tales of sea told by his grandfather and the captain.

When his mother married the brother of her late husband they moved to nearby Kerrville where they operated the St. Charles Hotel.

CHAMP "RASSLER"

Chester was kept busy with chores around the hotel and driving a butcher's delivery wagon for pocket money but he found time to hunt and fish. The lanky lad was also the champion "rassler" of the town.

Except for occasional visits, Nimitz spent little time in Fredericksburg and the old "steamboat" hotel has been replaced by a more modern structure.

But to Fredericksburg residents this has been and always will be "Nimitz country." They are just as proud of their five-star admiral as is Denison of another World War II military leader—Gen. Dwight D. Eisenhower—who was born in that north Texas city.

[From the Austin (Tex.) Statesman, Feb. 21, 1966]

SAN FRANCISCO RITES SET THURSDAY FOR ADMIRAL NIMITZ

SAN FRANCISCO.—The late James V. Forrestal while Secretary of the Navy, once asked his chief of naval operations whether an officer convicted by a court-martial ever had risen to flag rank.

"You're looking at one," replied Fleet Adm. Chester W. Nimitz, who commanded the most powerful fleet in history during World War II.

As a young officer, the soft-spoken Texan had indeed been found guilty and reprimanded by a Navy court—for running a destroyer aground in Manila Bay.

The admiral, who died Sunday at 80, commanded a thousand ships and 2 million men during the battles leading to the surrender of Japan. He was the last of the five-star admirals.

Despite holding awesome power, the admiral disliked pomp. On his 75th birthday the Navy staged a big party for him and he remarked:

"Am I looking forward to it? I'm looking forward to the end of it. I feel the same about it as the man who brought himself a small boat: His 2 happiest days were when he bought it and when he sold it."

The admiral's first experience with a small boat was not pleasant. Born in a landlocked town, he never had seen an ocean until he arrived at Annapolis and became seasick on his first voyage—in a small boat there.

Nimitz, whose career at sea spanned two world wars and the birth of the atomic age, died of what a Navy spokesman called "complications following a stroke" suffered January 3.

With him at his home on Yerba Buena Island Naval Base in San Francisco Bay were his wife, Catherine, one of his daughters and a grandson.

Burial will be Thursday in Golden Gate National Cemetery just south of San Francisco.

In Washington, President Johnson paid tribute to Nimitz as a man of "quiet courage and resolute leadership." The President said Nimitz had earned "the undying gratitude of his countrymen and an enduring chapter in the annals of naval history."

Gen. Dwight D. Eisenhower said: "Admiral Nimitz was one of the most distinguished officers of World War II. The entire Nation will always owe him a debt of gratitude for his brilliant service in World War II. He was a good friend whom I admired and respected deeply."

Nimitz was jumped over 24 senior admirals to become commander in chief of the Pacific Fleet after the Japanese attack on Pearl Harbor December 7, 1941.

His high command spanned the Navy's greatest days—at Coral Sea, Midway, Guadalcanal, Leyte Gulf, and finally the surrender signing on Tokyo Bay, where he signed the agreement as U.S. representative.

The battle off Midway, June 3–6, 1942, in which the Japanese lost four carriers and a heavy cruiser, was the turning point of the Pacific war, in the admiral's opinion. The Japanese offensive power sank with those carriers.

His decorations included 30 medals, ribbons, and badges, 13 of them from foreign countries.

A native of Fredericksburg, Tex.—20 miles from President Johnson's ranch—Nimitz said of his oceangoing profession, "It was a career by chance." He failed in a bid to get an appointment to West Point.

His naval career began, as it ended, on San Francisco Bay. He shipped out in January 1905 aboard the battleship *Ohio*, which became flagship of the Asiatic Fleet.

Biographical sketch No. 4051 on Admiral Nimitz has been released.

[From the Austin (Tex.) American, Feb. 22, 1966]

ADMIRAL NIMITZ TO BE BURIED NEAR THE SEA

San Francisco.—Fleet Adm. Chester W. Nimitz, who marshaled American naval strength from the disaster of Pearl Harbor to Japan's surrender in Tokyo Bay, will be buried on his 81st birthday Thursday near the ocean his ships rode to victory.

A scant 5 miles and a low mountain range separate Golden Gate National Cemetery in San Bruno from the Pacific.

"Admnral Nimitz loved his country and the sea," said President Johnson in tribute of the admiral who died Sunday from the complications of a cerebral hemorrhage.

"His devotion to one inspired his mastery of the other."

In death as in life, friends and associates of the quiet, unassuming naval hero sought to shield him from the massive public adulation he always side-stepped.

Thursday afternoon from 12:30 to 2 the body of the gray-haired leader of 2 million men and a thousand ships in World War II's Pacific phase will lie in state in the chapel at Treasure Island Naval Base. But viewers who come to pay him honors will be admitted by invitation only.

Funeral services will be limited to graveside rites.

Golden Gate is a cemetery just south of San Francisco for thousands of military men in all services. Even there, because of space, efforts will be exerted to limit those in attendance.

Nimitz was reticent to talk or write about himself. He granted his last formal news conference when he was 75.

"I have no regrets whatever," he said then.

"I wouldn't change anything if I could."

He turned aside all suggestion that he write his memoirs.

Mr. YARBOROUGH. Mr. President, as an account of the funeral ceremonies for Admiral Nimitz, I ask unanimous consent that the article entitled "Nimitz' Funeral Is Held on Coast" from the Friday, February 25, 1966, New York Times, be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

NIMITZ' FUNERAL IS HELD ON COAST—ADMIRAL DECLINED ARLINGTON BURIAL TO LIE WITH MEN

San Francisco, February 24.—Admiral of the Fleet Chester W. Nimitz, who was retired only by death from the Navy he loved, was buried today alongside many of the men he led to victory in the Pacific in World War II.

Navy jet fighters swept overhead and cannon boomed two 19-gun salutes as an Army caisson pulled by 15 bluejackets carried the five-star admiral's coffin to the grave on a gentle slope in the lawn of Golden Gate National Cemetery.

Admiral Nimitz, who built the greatest fighting fleet in history from the wreckage of Pearl Harbor, would have been 81 years old today. He had not retired, and was at his home on Yerba Buena Island, adjoining the Treasure Island Naval Station, when he died Sunday of complications from a stroke.

CHOSE HIS BURIAL SITE

The white-haired, blue-eyed admiral had chosen both the burial site at the Golden Gate cemetery in San Bruno, just south of San Francisco, and the services. Several years ago he declined the offer of a state funeral made by President John F. Kennedy.

His grave will be marked by a white stone like those of thousands of military men who lie in Golden Gate.

The final ceremonies began at Treasure Island's chapel where the coffin lay for 90 minutes. There was no religious service at the chapel.

A procession carried the body 15 miles across the western half of the Oakland-San Francisco Bay Bridge and down the Bayshore Freeway to San Bruno.

At the grave a Protestant committal service was read by the Navy's chief of chaplains, Rear Adm. James W. Kelly, of Washington.

WIDOW GETS PERSONAL FLAG

A bugler sounded taps. The admiral's personal flag was folded and given to his widow by Secretary of the Navy Paul H. Nitze.

Cardinal Spellman, a friend of the admiral since 1942, when he was vicar of Roman Catholics in the Armed Forces, and Admiral Nimitz had his headquarters at Pearl Harbor, said a prayer at the graveside. He had flown from New York to pay his respects.

About 400 people, mostly military personnel, attended the brief ceremony.

A memorial service was held in the Texas hill country town of Fredericksburg, where Admiral Nimitz was born. In Washington Representative Bob Wilson, Republican, of California, proposed that the next nuclear aircraft carrier be named for Admiral Nimitz.

Secretary Nitze issued a statement to all Navy and Marine Corps personnel saying that "Admiral Nimitz' character will be an inspiration and standard for all of us in the years to come."

Mr. YARBOROUGH. Mr. President, in addition I ask unanimous consent that the editorials from the February 22, 1966, New York Times entitled "Chester W. Nimitz," Dallas Morning News of February 23, 1966, entitled "Chester Nimitz," Houston Chronicle of February 22, 1966, entitled "A great Texan and a great sailor," Dallas Times Herald of February 22, 1966, entitled "Admiral Nimitz," Washington Post of February 22, 1966, entitled "Chester W. Nimitz," Houston Post of February 23, 1966, entitled "Adm. Chester W. Nimitz," San Antonio Light of Wednesday, February 23, 1966, entitled "A Texas Hero," Fort Worth Star-Telegram of February 22, 1966, entitled "Texan Dies U.S. Hero," and the article from the March 4, 1966, Time magazine entitled "Home is the Sailor" on page 33, be printed at this point in the Record.

There being no objection, the editorials and articles were ordered to be printed in the Record, as follows:

[From the New York (N.Y.) Times, Feb. 22, 1966]

CHESTER W. NIMITZ

In World War II Admiral of the Fleet Chester W. Nimitz commanded a thousand ships and 2 million men over the Pacific expanse of 65 million square miles. It was his task to organize and deploy these formidable resources as they became available after the catastrophe of Pearl Harbor—his to direct them against a shrewd and powerful enemy, a Japan emboldened by an initial control of the western Pacific.

The great American victories in the Coral Sea, at Midway, and in the Marianas that shattered the Japanese Navy were monuments to Admiral Nimitz's careful planning and his organizational genius. Others were assigned the glory of heading the combat teams; he shone at the unspectacular aspects of overall coordination and strategic command. These quiet skills earned him an enduring niche in the annals of naval heroism.

[From the Dallas (Tex.) Morning News, Feb. 23, 1966]

CHESTER NIMITZ

Death came to Adm. Chester Nimitz almost on the eve of the 81st birthday of the distinguished Texan. He was born February 24, 1885, at the home of his maternal grandparents, Mr. and Mrs. William Henke, in Fredericksburg. A block away is the Nimitz Hotel, historic refuge for travelers en route by stage from coast to coast, built by his paternal grandfather.

Many tributes are being paid to the great sailor who rebuilt the U.S. Navy after the debacle of Pearl Harbor, led it to victory in the Pacific and then demobilized the greatest array of sea power the world has ever seen.

But the best tribute of all remains to be paid. This is the creation of a military museum by restoration of the Nimitz Hotel where young Chester played as a boy. History alone pleads for the preservation of this building, constructed like a steamboat, with its hurricane deck, pilot house and crow's nest. Its guests included such greats as Rutherford B. Hayes, Robert E. Lee, Elisabet Ney, Phil Sheridan and dozens of others.

Add to that history the association with Admiral Nimitz and the opportunity for creating a memorial to those who fought in World War II, and the argument for a museum is overwhelming. Fredericksburg's unique Sunday Houses, and other distinctive relics of early Texas, along with its present association with President Lyndon B. Johnson, are added assets. Here is the nucleus for an attraction for native Texans and other tourists that this State cannot afford to overlook.

Mr. and Mrs. Eugene McDermott, of Dallas, are leading the way at Fredericksburg by financing restoration of the Gillespie County Courthouse that was built in 1882. The next step is to finance the Nimitz Hotel Museum, completing the plans already started there.

[From the Houston (Tex.) Chronicle, February 22, 1966]

A Great Texan and a Great Sailor

He wanted to be a soldier.

He became one of the great sailors of America's history.

Chester W. Nimitz was a son of the great German immigration to Texas following the disturbances in Europe in 1848. He was born in Fredericksburg in 1885 and grew up in Kerrville. As a youth he wanted to attend West Point but had to settle for Annapolis.

Texans are confident that had this outstanding son of Texas gone to West Point he would have made his mark in the fighting of the Second World War. He certainly did so in the naval phase of that struggle. He and Adm. "Bull" Halsey took turn and turnabout in winning victories over the Japanese enemy in the Pacific.

Nimitz took command of the Pacific fleet 24 days after the attack on Pearl Harbor. The fleet was shattered. But in half a year or so he won the Battle of the Coral Sea, then shortly thereafter the Battle of Midway. Finally, the Japanese naval power was broken in the Battle of the Leyte Gulf in Philippine waters.

Following the war Admiral Nimitz succeeded Adm. Ernest King as chief of naval operations. He never retired. He was approaching 81 when he died Sunday, the oldest member of the U.S. Navy.

Texans are proud of Admiral Nimitz, and with good cause.

[From the Dallas (Tex.) Times Herald, Feb. 22, 1966]

Admiral Nimitz

A man who "earned the undying gratitude of his countrymen and an enduring chapter in the annals of naval history," President Johnson said of him.

And the President's statement about Adm. Chester W. Nimitz is no exaggeration. Certainly he lives and will always live for us who remember the dark days after Pearl Harbor as one of the indomitable figures of that trying period.

A man of "quiet courage and resolute leadership," the President also called him. And that courage and that leadership was the momentous contribution of Adm. Chester W. Nimitz to his country at a time in its history when it was so sorely beset.

He was, indeed, a figure who, as the days of the war in the Pacific went by and as we saw the fleet return from the graveyard of Pearl Harbor to become the mightiest naval fighting force in history, gave us renewed faith and confidence in ultimate victory.

For this, as well as the victory which he was so instrumental in achieving, we owe this once-country boy from Texas everlasting gratitude and honor.

[From the Washington (D.C.) Post, Feb. 22, 1966]

Chester W. Nimitz

The United States has been most fortunate in the caliber of the men who had led her military forces in times of crisis. They have been skilled military strategists, but the best of them have also been men of humility and compassion. Chester W. Nimitz was such a man. He commanded, with great skill and daring, the greatest armada the world has seen, the 6,000 ships and 14,000 aircraft of the U.S. Pacific fleet, during World War II.

Assuming command of the remnants of the fleet only 10 days after Pearl Harbor, Admiral Nimitz quickly adjusted to the loss of his battleships and perfected a new weapon of naval warfare, the attack carrier task force. From his headquarters in Hawaii the commander in chief sent his lieutenants, Halsey, Turner, Spruance, Mitschner, and Kincaid, to find the enemy. The result was a series of sea battles that led to American mastery of the air and gradually all but eradicated the Japanese Navy. Admiral Nimitz' great contribution to victory in the Pacific, in addition to his influence on strategy, was his ability to mediate the often conflicting requests of Washington, his brilliant subordinates and General MacArthur. The respect in which he was held by both civilians and the military men who served under him remained unchallenged throughout the war.

A further testimonial to his stature was his appointment in 1949 by the United Nations as chairman of the group to supervise a plebiscite in Kashmir and his selection by President Truman in 1951 as chairman of a Commission on Internal Security and Individual Rights. It is to be regretted that he was not allowed to function in either post. He did, however, serve with distinction as a regent of the University of California.

Admiral Nimitz was proud of the five stars of his admiral of the fleet rank. But he was equally proud of Navy's Silver Medal he won in 1912 for saving a shipmate from drowning. The determination and courage that young Lieutenant Nimitz brought to that early act of heroism were the same qualities that won him his country's gratitude and acclaim.

[From the Houston (Tex.) Post, Feb. 23, 1966]

Adm. Chester W. Nimitz

On the morning of December 25, 1941, an uncommon naval officer from Texas reported for duty to Pearl Harbor.

It was only 18 days after the Japanese attack. The pride of our Pacific Fleet lay in the mud of the harbor.

That man was Chester W. Nimitz. He had been jumped over 28 senior admirals to take command of the battered and torn U.S. Fleet in the Pacific. He died Sunday.

It was typical of the man that he shouldered his task with calm dignity.

"I have just assumed a great responsibility which I shall do my utmost to discharge," he said.

On May 4, 1942, U.S. Naval Forces engaged the Empire of Japan in the Coral Sea. It was a new kind of naval battle, fought entirely by air forces without contact on the surface of the sea. It turned back an attempted invasion of Port Moresby.

A few weeks later, the Battle of Midway was fought. It is thought to have been the turning point in the war in the Pacific.

In concentrating his forces at Midway, Nimitz had taken a great chance that the Japanese would not strike elsewhere.

After the Coral Sea and the Midway victories, Nimitz said later, "It was just a matter of time."

Nimitz' signature is written across many famous battles, Tarawa, Kwajelein, Saipan, Guam, the Philippine Sea, and Leyte Gulf.

He was there when the final peace was signed—significantly enough—on the deck of the battleship *Missouri* in Tokyo Bay.

He was a quietly courageous man who wore few medals. (One of them was a lifesaving medal he won in 1912 as the youthful commander of the submarine *Skipjack*.) Like his contemporary, Gen. George Marshall, Nimitz never wrote his memoirs. Memoirs, he said, often contain "many critical remarks and self-praise at the expense of others."

Nonetheless, his name is indelibly inscribed in American military history.

[From the San Antonio (Tex.) Light, Feb. 23, 1966]

A Texas Hero

Chester Nimitz was a Texas country boy and he never changed, thank goodness. He never put on airs.

No one who saw the newsreel of the Japanese surrender aboard the battleship *Missouri* in Tokyo Bay will ever forget the way Nimitz looked and acted—a dominant figure in that handsome uniform, and the authentic hero of the Pacific war, who was as relaxed and unpretentious as though he were signing a routine order.

This was the man who inherited the remnants of the Pacific Fleet at Pearl Harbor, built it into the mightiest armada in history and led it through a series of decisive battles and strategic maneuvers to final victory.

They called him "Cotton Head" when he was a small boy in his native Fredericksburg and when he went to school in Kerrville. He was still crowned with cotton when he died at 80.

The five-star fleet admiral was still on the active roll, too, although his son, Chester W. Nimitz Jr., is a retired rear admiral.

Admiral Nimitz kept himself in top physical condition. One of his favorite exercises, which perhaps reminded him of his hill country background, was pitching horseshoes.

Although his grandfather had been a seafaring man, it was chance that steered Nimitz into the U.S. Navy.

As they prepare to bury Chester Nimitz with military honors in the Golden Gate National Cemetery, let us salute the passing of a great American.

[From the Fort Worth (Tex.) Star-Telegram, Feb. 22, 1966]

Texan Dies U.S. Hero

Fleet Adm. Chester W. Nimitz, who died Sunday at 80, was one of the Nation's truly great sea admirals and a Texan who served his country with unsurpassed distinction.

The American victory over the Japanese fleet in the Pacific in the torturous years of the Second World War was the strategic architecture of Admiral Nimitz and his associates.

Before the Japanese surrendered in 1945 Admiral Nimitz had under his command the greatest armada ever assembled under one flag. He commanded more than a thousand ships, thousands of combat aircraft, and 2 million men. And the Japanese sea power lay in a shambles.

Late in that year he became one of the four senior naval chiefs elevated to the newly created rank of admiral of the fleet.

As soon as he could reassemble a fleet after the disastrous Japanese attack at Pearl Harbor December 7, 1941, he took a calculated risk that the Japanese would strike toward the central Pacific and ordered Adm. William F. Halsey to waters near Midway Island.

The battle of Midway was a turning point in the war and broke the Japanese hope of taking the Hawaiian Islands. American carrier planes sank four of Japan's largest carriers and a heavy cruiser. After that battle, and the earlier battle of the Coral Sea, "it just," in the language of Admiral Nimitz, "became a question of time."

Admiral Nimitz was born at Fredericksburg, in the Texas hill country, of early German immigrant stock. Texans will mourn his death, even as they exulted in his magnificent leadership during the critical years after Pearl Harbor.

[From Time magazine, Mar. 4, 1966]

Heroes: Home Is the Sailor

All the way from Washington, Chester Nimitz had studied the statistics of disaster. None conveyed so urgently the task that faced him as the sight that met the admiral at Pearl Harbor on Christmas Day, 1941. Where 3 weeks earlier the proudest flagships of the U.S. Navy had swung at anchor, only small boats plied through the oil slick, still bringing ashore the dead crewmen of a dead fleet.

Thirty-seven years earlier, his Annapolis classbook had taken a curiously prophetic bearing on the sailor who was to lead his Nation out of the greatest naval disaster in its history. "He is a man," it had said, "of cheerful yesterdays and confident tomorrows." So he proved to be. As new commander in chief of the Pacific Fleet, Nimitz set out first to restore the Navy's shattered nerve—and then to restore the Navy. "I have complete confidence in you men," he briskly assured the ashen-faced staff at Pearl Harbor. "We've taken a terrific wallop, but I have no doubts as to the ultimate outcome." In less than 2 years, U.S. shipyards enabled him to begin to fight on even terms. In the meantime, perilously outnumbered, Nimitz played a brilliant game of parry and thrust.

BREAK IN THE CHAIN

Japanese strategy was to (1) destroy the rest of the Pacific Fleet that had miraculously been on patrol when the dive bombers struck Pearl Harbor; and (2) build such strong defenses on its newly won island bases that no new U.S. force, no matter how strong, could possibly break through to disturb the inner empire. The island of Midway, 1,136 miles northwest of Pearl Harbor, was to be the final link in this defense chain. At the end of May 1942, some 200 ships, the bulk of the imperial navy, converged for an invasion of Midway and a second surprise attack on the battered Pacific Fleet.

By then, Nimitz was ready. From a reading of the Japanese "purple code," deciphered by Army cryptographers nearly a year before, naval intelligence knew an attack was planned at invasion point "AF." Washington thought that "AF" was Hawaii itself. Nimitz was certain it was Midway. He bolstered the little island with every plane he could spare, ordered nearly every ship in his command to rendezvous just outside what he thought would be the farthest radius of Japanese air patrols. Nimitz urged on his commanders the same policy principle of "calculated risk" that he himself had followed in ordering his ships to Midway. He explained: "You shall interpret this to mean the avoidance of exposure of your force to attack by superior enemy forces without good prospect of inflicting, as a result of such exposure, greater damage on the enemy."

UNMENTIONABLE WORD

His gamble paid off. In the resulting battle, the enemy lost four irreplaceable carriers and the momentum that had propelled him from victory to victory. For the Japanese, Midway became an unmentionable word. Nimitz indulged himself in a rare pun: "Perhaps we will be forgiven if we claim that we are about midway to our objective." Though more than 3 years of hard, bitter fighting remained, that single, 3-day battle marked the turning point of the Pacific war, the beginning of the end of Japanese ambitions.

A spare, modest, friendly man, blue-eyed, Texas-born Chester Nimitz never won or sought the public renown that came to the aloof MacArthur or his own subordinate, flamboyant William "Bull" Halsey. Early in his career Nimitz had run a destroyer aground in Manila Bay, escaping with a reprimand when he might have been drummed from the service; he was seldom thereafter unsympathetic to the shortcomings of junior officers. Despite his burdens as wartime commander, he revived the custom of inviting every commander who passed through Pearl Harbor—from tugboat skipper to captain of the biggest battleship—to chat with him in his office.

After the war, Nimitz, now one of four five-star admirals,[1] succeeded Adm. Ernest King as chief of naval operations in Washington until 1947, when he returned to his adopted home in the San Francisco Bay area to serve the University of California as a regent and his Nation as a naval adviser; a five-star admiral is never retired. In his study he kept mementos from the days when he commanded the greatest armada the world has ever seen—or is likely to see again. Last week Nimitz, 80, died at his home and was buried beside the Pacific, at his own wish, without the pomp of a state funeral, like any other sailor home from the sea.

UTAH RECLAMATION PROJECT REPAID

Mr. BENNETT. Mr. President, before long I plan to go before the Appropriations Committees to urge for a restoration of about $7.5 million in the Bureau of Reclamation budget request for fiscal year 1967 for the construction of the vital Bonneville unit of the central Utah project—a participating unit of the upper Colorado River storage project.

Last year, I am pleased to report, the two Appropriations Committees approved my request for funds to begin the construction, and this year, Utah officials have told me they were planning for a big step forward with about $18 million to clear early construction costs. I am told that the Bureau of Reclamation had asked for about $20 million, and engineers considered $10 million as the minimum to really get the construction on its way.

However, when the budget came to Congress in January only $2.7 million was listed for this important part of the central Utah project—the project that will make the big change in Utah's water picture, bringing life to the parched farmlands and empty water taps of the Bonneville basin.

Many will ask "Why this increase for Utah in times of war and when the President is trying to finance both guns and butter out of one checking account?"

Actually, this is the point: Reclamation projects are not a handout like the many, many other Federal programs on the books today. Reclamation projects are repaid to the Federal Government—some with interest—by the users. In addition, reclamation projects help provide jobs, put idle land into farm production, provide electricity, and help broaden the tax base.

Just the other day an item illustrating this very point was noticed in the Utah press. It concerned the announcement that a water users association had made its final payment to the Federal Government for the Echo Dam project which has been in operation since 1932. The association made annual payments of $88,000 a year to repay the Government for the construction cost.

In addition, Mr. President, I am told that each year the added tax revenues resulting from the Echo project are greater than the original cost of it.

Another point I would like to make is that reclamation is one of those important activities that needs to be a sustaining program. When it experiences ups and downs due to political moods and whims from the White House its major function suffers. That is why the $2.7 million figure for the central Utah project this year is unrealistic. At that rate, it will take more than 100 years to complete it.

The Provo Daily Herald, a well-known Utah county newspaper, succinctly summarized the significance of the repayment by the Weber Water Users Association and pointed to the need for the restoration of necessary funds for the Bonneville unit—for it, too, someday will be repaid.

I ask unanimous consent that the editorial from the Provo Daily Herald of February 21, 1966, be included at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Example of Echo Dam Project

A news item out of Ogden the other day should be called to the attention of President Johnson, the Bureau of the Budget, and Congress.

It announced simply that the Weber Water Users Association has made final payment to the Federal Government for the Echo Dam project. The dam, in operation since 1932, is operated by the Weber River Water Users Association. The association has made annual payments of $88,000 a year to repay the Government for the construction cost.

Utah's congressional delegation will be going before Congress to try to get President Johnson's request of $2.7 million for central Utah project construction raised to a respectable figure in the 1967 fiscal year.

Those with influence in increasing the allocation should be shown that the central Utah project works on a similar principle as the Echo Dam project. The money allocated by the Government for construction will be paid back.

This is not a handout like many of the Federal programs of today. It is a reclamation project that will help the economy by providing jobs, putting idle land into farm production, building powerplants that will provide electricity for industrial and municipal uses, and broadening the tax base.

And Uncle Sam will get his money back with interest.

Surely in a budget of $112.8 billion more than $2.7 million can be found so that the Bonneville unit of the central Utah project can get moving at more than a snail's pace.

This was to be the big year for the project. The people of the seven counties comprising the Central Utah Conservancy District voted overwhelming approval of the repayment contract. The Bureau of Reclamation asked for around $18 million and engineers considered $10 million the minimum to really get construction moving in a big way.

In seeking a step-up in the appropriation, the people in the conservancy district do not have their hands out for a Government giveaway. They are seeking a loan you might say, to build the structures that will enable Utah to use its decreed share of water from the Colorado River, water that will give this area of the State a shot in the arm.

---

[1] The others, all dead: Ernest King, William Leahy and Halsey.

The Echo Dam project is a good example of the way this type of program works. The example should be held up for all to see in official circles in Washington.

SENATOR GRUENING HONORED BY ALASKAN AMERICAN LEGION POST

Mr. YARBOROUGH. Mr. President, Senator Ernest Gruening, of Alaska, is not only one of the original cosponsors of the cold war GI bill, but in the struggle for enactment of this worthy legislation he has been one of the most stalwart supporters of the bill, working for its passage from its inception to its final disposition. He was present to receive a Presidential pen when President Lyndon B. Johnson signed the GI bill into law last Thursday.

Last month, the Auke Bay Post No. 25, of Auke Bay, Alaska, passed a resolution commending Senator Gruening not only for his tremendous work on the cold war GI bill but also for his constant interest in the field of veterans' affairs. I ask unanimous consent that this resolution be printed at this point in the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Resolution of Auke Bay Post No. 25, the American Legion, Auke Bay, Alaska

Whereas the Honorable Ernest Gruening, U.S. Senator from Alaska, has established a long record of service to and interest in the welfare of America's war veterans; and

Whereas said Ernest Gruening, when he was Governor of the Territory of Alaska, did order a special session of the Territorial Legislature for the sole purpose of enacting the Alaska World War II Veterans Act to help Alaska's returning servicemen in their transition from military to civilian life; and

Whereas said Ernest Gruening, soon after becoming a Member of the U.S. Senate, perceived the need for Federal legislation to help the increasing numbers of returning servicemen in building a better and more substantial civilian life and thus became one of the original sponsors of the so-called cold war GI bill of rights; and

Whereas the American Legion of Alaska has also supported and endorsed said cold war GI bill of rights; and

Whereas the cold war GI bill of rights was passed in final form by both Houses of Congress of the United States during this past week and is now awaiting final approval and signature of the President of the United States: Now, therefore, it is hereby

Resolved by Auke Bay Post No. 25, the American Legion, meeting in regular session at Auke Bay, Alaska, this 11th day of February 1966, That it commends the long history of leadership and service given to America's former servicemen by the Honorable Ernest Gruening, U.S. Senator from Alaska, and that it offers its most sincere congratulations and appreciation to Senator Gruening for the final passage of the so-called cold war GI bill of rights; and it is further

Resolved, That a copy of this resolution be transmitted to the Honorable Hubert Humphrey, Vice President of the United States, in his capacity as Presiding Officer of the U.S. Senate, requesting that this resolution be printed in the Congressional Record in order to inform all persons of the appreciation by this organization for the special interest shown by Senator Ernest Gruening in veterans legislation.

Ervin E. Hagerup,
Commander.

Attest:

George L. Baker,
Adjutant.

RIBICOFF EXPLAINS NEW MENTAL HEALTH PROGRAMS TO PALM BEACH COUNTY MENTAL HEALTH ASSOCIATION

Mr. RIBICOFF. Mr. President, some weeks ago, I spoke before the Palm Beach County Mental Health Association, at dedication ceremonies for a new administration building at West Palm Beach, Fla. This fine group is ambitious in its determination to further the cause of men, women, and children who suffer emotional disorders. Because there has been wide interest in the speech I gave there—attempting to explain some of the new programs of the Federal Government in this field—I ask unanimous consent that it be inserted in the Record at this point.

There being no objection, the address was ordered to be printed in the Record, as follows:

Address by Senator Abraham Ribicoff

This afternoon we dedicate a building in the cause of mental health.

But we do more than dedicate a building. We rededicate ourselves to the cause of human beings—of men and women and children who suffer mental disorders.

As members of the Palm Beach County Mental Health Association, you—and your auxiliary—the Women's League for Mental Health of Palm Beach County—have given your hands and hearts to this endeavor. This building bears witness to your success—and holds great promise for the future.

Our Nation is now committed to an all-out fight for mental health. Even if it is only a battle in a larger war against human suffering, it cannot be lost. And you in this audience are in the forefront.

Looking into your faces, I am moved to think of matters more basic than technical rules regarding States and communities—of regional offices, interstate compacts, legislative acts. I see people, concerned with the welfare of other people who need help.

Historically, the responsibility for mental health started in communities, then shifted almost entirely to the States. Now it is reverting to communities. There is one enormous difference: Substantial help is now available from both Federal and State governments, which are sharing the responsibility.

But the size of the problem is ever increasing. At this moment there are about 1 million patients under mental health care—either in hospital beds or as outpatients in local, State, or Federal public or private facilities. A few of them are being treated by private psychiatrists.

A total of about 2 million patients will be under care during the year. This figure accounts for approximately 1 percent of our population.

Of the 2 million under treatment, about half will occupy hospital beds.

Every day we spend more than $7½ million in caring for all these people who need some form of psychiatric care.

As a nation, we are spending a total of an estimated $2.8 billion annually on mental health services.

The cost in dollars only introduces the story. In terms of loss of precious human talent, in terms of family misery, in terms of personal tragedy, the cost cannot be measured.

And we have not even begun to satisfy the needs. Because of lack of manpower and money—to say nothing of the more fundamental lack of knowledge—many are not getting the most effective care. And who knows how many more who need care get no care at all? We must realize that as the public becomes better educated for mental health, and when we have more community mental health facilities and services, many more will be demanding care. Will the number then jump from 1 percent to, say, 3 percent of the population?

How many employees and how many dollars would be required to give competent mental health care to 6 or 7 million people a year? And even then, with 3 percent of the population under treatment, how many more people who need care still could not get it?

No matter how overwhelming these problems may seem to us now, we must keep in mind that mental illness is not a new problem that has suddenly arisen to perplex us. Mental illness and mental retardation have been with us since man has walked upright. But for the first time, we are looking at these problems rather than looking away, as we have done in the past.

Just 3 years ago, President Kennedy moved to crown the efforts of people like yourselves who had worked so hard in this field. In the first special Presidential message on mental illness and mental retardation ever presented to Congress, he made it clear that a concerted national attack on mental disorders was both possible and practical.

He presented a new program to Congress—a program which carried great hope for mentally ill and mentally retarded men, women, and children.

This new program was the result of a great amount of staff work within the Department of Health, Education, and Welfare where I had the honor to serve at that time.

Underlying this new law of the land, which I was proud to support and vote for, is a humane and scientific truth. The great majority of people who suffer mental afflictions can achieve a social adjustment that gives them self-respect and dignity in the eyes of their fellow man.

At the heart of the new program is this new concept: Many forms and degrees of mental illness can be prevented or treated more effectively through community-oriented preventive, diagnostic, treatment, and rehabilitation services than through care in a large State mental hospital.

The program aims to use Federal resources to stimulate State, local, and private action. It is based on the belief that it will be possible within a decade or two to reduce the number of patients now under custodial care by 50 percent or more.

Central to the new program is the establishment of comprehensive community health centers. The American Psychiatric Association, in a definitive survey some years ago, recommended that four such centers be established in Florida—one in Palm Beach, one in Tampa, one in Miami, and one in Orlando.

I know of your interst in such a center. Today I want to give you some idea of the nature and functions of a community mental health center. As a county mental health association, you can participate in its development and operation. After all, you represent the community initiative and community support without which a mental health center cannot come into being, and without which meaningful services cannot be maintained.

What are community mental health centers? Just as important, what are they not?

A community mental health center is not necessarily a new agency in the community's roster of public service institutions. Rather, a community mental health center is a program of services. It is a network of integrated mental health services which provides a full range of care for the mentally ill.

This means that a community mental health center program aims at the prevention of mental illness, the diagnosis of mental illness when it occurs, treatment of such mental illness, and rehabilitation during the period of recovery.

The full range of mental health services should be available right in the patient's own community. Patients should be able to get services where and when they need them. Such needed services should be brought directly to patients, or at least be located close by.

We used to put away our mental patients. Now we realize there is very little therapeutic value to be gained from their isolation at a great distance from home. Quite the reverse: This antique custom produces tremendous problems for the patients, their families, and the people who care for them. And even when isolated and secluded patients do recover, we then must help them reenter the community and become readjusted. Our space scientists talk about the great friction and heat which are generated by reentry when astronauts return to the earth's environment and readjust to it. As you who have sponsored a Phoenix Club for the social rehabilitation of psychiatric patients well know—friction and heat is also generated when a patient reenters the everyday workaday world here on earth.

We must remember that care should be available when it is needed as well as where it is needed. For this reason, the community mental health centers program stresses the importance of having emergency psychiatric facilities. It is essential that care be available on a 24-hour-a-day and 7-days-a-week basis. Like other forms of illness, mental illness does not respect the clock.

When it does develop, it is then that care is needed. And such immediate care—such early diagnosis and treament—serves to prevent the development of more severe illness.

Availability of care, then, is basic to the idea of the community mental health center. There is also a second concept which is basic to the community mental health center approach. This is "continuity of care." Basically, this refers to the provision of an integrated and coordinated program of treatment services as the patient's treatment progresses.

As the patient's illness moves on in time, his needs for treatment change. These changing needs should be met with appropriate changes in service. At an early stage in his illness, a patient may have to be hospitalized for treatment as an inpatient. Later he may need only outpatient care on a weekly basis while he continues to work and live with his family. The community mental health center should provide the full range of treament services which a patient may need.

As an incentive, the Community Mental Health Centers Act of 1963 authorized $150 million for Federal grants-in-aid for construction of community mental health centers. The 1965 amendment to the Centers Act provided funds to help finance the initial costs of staffing, while communities arranged their own long-term financing. All community mental health centers which wish to be eligible for Federal grants—either for construction or staff salaries—must provide five basic services:

First, they must provide inpatient care or hospital care—care of the patient on a 24-hour-a-day basis. In most centers, the average period of hospitalization would be no more than several weeks.

Second, community mental health centers must provide outpatient care. This may be found in mental hygiene clinics, child guidance clinics or the outpatient clinics of State hospitals. What a community mental health center must do is to place such outpatient care in the context of a complete range of services.

Third, partial hospitalization is a vital part of a complete mental health center program. Many patients need the benefits of full hospital care—but they don't need overnight accommodations. When he is a patient in a day hospital, a man may live at home with his family and go to the hospital only during the workday hours. Or, if he is in a night hospital, he can come in after work and get treatment during evening hours, sleep at the hospital, and go to work in the morning.

Fourth, emergency services are essential if there is to be true availability of care. Emergency rooms or accident wards have long been hallmarks of general hospitals. With the community mental health center, emergency units have been added to the range of services for the care of the mentally ill.

Fifth, a community mental health center should provide community consultation and education, geared to give mental health advice and consultation to the non-mental health agencies of the community. Many mentally ill persons never come in contact with psychiatrists, psychologists, or social workers. Some turn to clergymen, some to public welfare workers.

Policemen and probation officers and teachers come in contact with human beings in times of trouble. If these people can locate the community resources available and get the support and help of mental health professionals, they will be able to get effective preliminary advice and guidance and they will learn to recognize the earliest symptoms of emotional disturbance. Teachers, occasionally, can help prevent mental illness by the early recognition and treatment of a mental disorder.

Here I want to emphasize especially to you who are so deeply interested in a clinic the importance of comprehensive services for children. We have made great progress. But all our efforts, though they run to millions of dollars and represent a new direction in mental health, will not be meaningful if they fail to ease the plight of seriously disturbed children. Here in Palm Beach County, for instance, you have a child guidance clinic, but no facility for the psychotic child.

From a more personal point of view, I have felt the need for a program covering the emotionally disturbed child.

Like most people, I pondered the reasons behind the Kennedy assassination. I read the Warren Commission's thorough report carefully. Through the maze of discussion and statistics, through the tangled testimony of the witnesses, through the awful deed itself, there seemed to run one indisputable fact: Lee Harvey Oswald, the murderer, was mentally ill, and his illness had come to the attention of the authorities in New York City when he was 13 years old. Yet society had let him slip through its fingers. Had Oswald received psychiatric help when he was young, John Kennedy might be alive today.

A social worker who interviewed the young Oswald in 1953 wrote: "Despite his withdrawal, he gives the impression that he is not so difficult to reach as he appears, and patient, prolonged effort in a sustained relationship with one therapist might bring results. There are indications that he has suffered serious personality damage, but if he can receive help quickly, this might be repaired to some extent."

The dry but eloquent comment of the Warren Commission was: "Oswald never received that help."

There was a clear need to develop constructive legislation which would help prevent future Oswalds from future deeds of anger and sorrow.

Last year, I drafted a series of amendments geared to improve child health and welfare services—amendments I called "Childcare." In one of the new amendments I asked for a "Joint Commission on Mental Health of Children."

My amendment was enacted into law.

The feeling prevailed that we should have a study first, and base further legislation setting up needed services on its findings.

The Commission is organized and will begin its work shortly. Its task is not an easy one: It must assess the needs, recommend solutions, and provide us with the hard facts and figures we need to convince the Nation and Congress that an effective new program is needed.

Here in Palm Beach County, you have a child guidance clinic. You have an adult psychiatric clinic and a county home and hospital or nursing home. You have general hospitals with some few facilities for the mentally ill. And, perhaps most important, you have yourselves—a county mental health association composed of dedicated men and women, working in a just cause.

Your challenge is clear. You have the talent, you have the will, you have the means—you know what you want—a comprehensive community mental health center, to truly serve the emotionally disturbed people of this area. I have outlined generally the criteria you must meet in formulating your application to the mental health authorities of the State of Florida—an application which will then be forwarded to the National Institute of Mental Health.

Of course, I know your problems. The Federal funds are limited, priorities must be assigned, the State of Florida has already announced other commitments. But communities that draw up the best plans and are all set to go with them are in the best position in these matters in the end. So I suggest that, working together with all the interested people in the area, you press on toward your goal. And I suggest, too, that you make use of the expertise and knowledge your government provides through the Community Mental Health Facilities Branch of the National Institute of Mental Health—whose job it is to give technical advice to communities anxious to develop mental health centers.

A community mental health center is a true "community" endeavor. Whatever the source of the money may be for building and operating a community mental health center, the interest behind the center must come from the community's citizens. It is the people who live in the community who must become involved in the planning and the development of a center, and it is these people who must stay involved in its operation.

One more thing: Leaders in human and social welfare tend to be too modest. You are really very important people. Your Senators and Congressmen, Governor and State legislators have respect for your experience, your judgment and your dedication to public service. Make it a point to see them often, to share your problems and your goals with them, and to educate them in the details of your crucially important work.

Those of us who are your proven friends in helping to solve the problems of mental illness ask you to speak up for emotionally disturbed children—and men and women. Make it your business to see that all the facts are known to your legislators in your State and in Washington, and follow up through community action at home. For Americans and their elected representatives do care: They are compassionate, they are realistic—and pragmatic. To produce the answers, they need only understand the facts.

Your job is to give them these facts. Your job is to convince them of your cause.

The goal is high—the undertaking ambitious. But a proposal of lesser scope would scarcely meet the need.

Let us continue, then, to act, and work, both for the person whose mental health is affected and for the Nation as a whole. Both will be the better for it.

As a gifted writer has said: "In the last analysis, the realm of the mind and spirit is the dwelling place of man's enduring power."

CHECKING JUDICIAL DISCRETION

Mr. TYDINGS. Mr. President, a substantial body of Federal case law holds that a criminal sentence is within the sole discretion of the trial judge, and may not be challenged successfully in the courts of appeals unless the sentence imposed exceeds the maximum limits set by statute. Therefore, when a trial judge decides to refuse probation and imposes a prison sentence and when the trial judge sets the terms of that sentence, those decisions are beyond review.

The inability of the Federal courts of appeals to review the sentencing decisions of the district courts stands in marked contrast to the practice of some 17 of our States, the practice of many foreign nations, including England and Canada, and the concern shown in the review of every other aspect of a criminal proceeding.

Appellate review of Federal criminal sentences has long been advocated by my distinguished colleague, Senator Roman Hruska. In November, Senator Hruska introduced S. 2722, a bill to provide for review of sentences imposed in the district courts. This bill is a substantially redrafted version of a measure that has been introduced in the Senate on three previous occasions. The main object of the proposed legislation is to eliminate unreasonable sentences by providing a means for the direct appeal of the trial judge's exercise of discretion in imposing sentence. S. 2722 is a tribute to Senator Hruska's steadfast belief in appellate review of sentences as a means for improving the sentencing process.

The merits of Senator Hruska's efforts to provide a check on unrestrained sentencing discretion have recently been recognized in the editorial columns of the Washington Post. I ask unanimous consent to have printed in the Record this Washington Post editorial which appeared on March 4, 1966.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Checking Judicial Discretion

Impressive support has been adduced for Senator Hruska's bill to permit the review of sentences of more than 1 year in the Federal courts. The chief justification for the bill is the fact that even the best of our judges are human beings. As such, they are open to error of judgment. It is no less important to correct such errors than it is to straighten out procedural irregularities and to guarantee a fair trial.

The aim to be sought is not, as former U.S. Attorney David C. Acheson noted, the homogenization of sentences. Judges usually have good reason for imposing different sentences upon individuals found guilty of the same crime. But when due allowance has been made for tailoring the sentence to the individual offender, some excesses remain. Judge Stanley A. Weigel, of California, told a Senate subcommittee that a few judges habitually "lay it on" offenders in their courts. Others tend to impose very severe sentences for crimes of a particular kind. And every judge may occasionally abuse his discretion in one or more of the hundreds of cases that normally come before his court in the course of a year.

It is a wise safeguard to allow an appellate review in such cases. Judge Weigel noted that eight American States and Britain already allow such a check on the trial judge's discretion. The mere presence of such a power in the appellate courts, he told the subcommittee, would operate as a curb on excessively harsh or lenient sentencing.

We also agree that the court of appeals is the proper body to do this reviewing. To assemble a panel of district court judges for the purpose would be awkward, especially in one-judge districts. This might turn out to be more of an interference with the trial judge's primary sentencing function than a proper review of the few cases in which the initial sentence appears unreasonable. The multiplication of such appeals would be discouraged by knowledge on the part of the defendant that the appellate court could increase his sentence instead of reducing it.

The case that has been made for sentence review is so strong that our judicial system is going to seem defective until Congress approves this reform.

THE DISTRIBUTION OF FEDERAL RESEARCH AND DEVELOPMENT FUNDS AMONG THE STATES

Mr. HARRIS. Mr. President, I regret that the press of other responsibilities prevented me from being present on the floor of the Senate last Wednesday when the distinguished Senator from Nebraska [Mr. Curtis] made his excellent statement concerning the maldistribution of Federal research and development funds among the States. The statement, and the colloquy that ensued, underlined several very important points.

As chairman of the newly created Subcommittee on Government Research of the Government Operations Committee, I share the concern of Senator Curtis and the other Senators which was expressed during this most interesting colloquy. There is no doubt in my mind that more equitable distribution of the almost $16 billion for research and development by the several agencies can, and must, be made; $16 billion represents a significant input into the economy, and I think that we are in general agreement that the expenditure of these funds is an essential investment in the future of our great country. And, I think that I can safely say that the expenditure of this money can and should be an investment in the future of each of the several States, without regard to geographic location or the accidents of history.

I agree, as well, with the distinguished scientist and author, Dr. Ralph E. Lapp, when he wrote in the March 1966 issue of Fortune magazine—and I ask unanimous consent that this article be printed in the Record at the conclusion of my remarks—that:

> It is clear that big Government contracts go where the brains are.

Dr. Lapp pointed out in his article that:

> As technology works unforeseeable changes in the U.S. economy, the "drain" areas have plenty of reason for concern about the future.

The PRESIDING OFFICER. Without objection, it is ordered.

(See exhibit 1.)

Mr. HARRIS. Mr. President, there is no doubt in my mind that the cycle of concentration of brainpower is a self-perpetuating one, and that it is the responsibility of Congress to take steps to husband our intellectual resources and to nurture them so that they might grow and flourish.

Traditionally, we have been concerned about and have taken steps to insure the conservation of agricultural capacity, mineral and ore deposits, as well as the natural beauty of our States. Now it will be necessary for us to conserve what is perhaps our most important resource for the future, our brainpower, our intellectual capabilities, if we are to successfully meet the demands of the future and develop our country.

Mr. President, no State, no region of the country has a corner on the ability to produce brainpower—we cannot afford intellectual underdevelopment in any part of our Nation. We must take steps to insure a more equitable distribution of the Federal funds for research and development which have become so vital to the maintenance of academic excellence.

But, Mr. President, the responsibility for achieving this most desirable end is not ours alone. Certainly, we can legislate a formula for a more equitable distribution of research and development funds. But it might be asked, will that lead to a high quality research, will the money be well spent, or will these expenditures be wasted by an arbitrary application of a formula for distribution to the "have not" States?

We must proceed cautiously if we are to benefit not only the States which we represent, but the Nation as a whole. We must turn our attentions, and it is the plan of the Subcommittee on Government Research to do so, to the many vital questions of a comprehensive national science and research policy.

And, the States themselves must retool to meet the demands of the future. They must aggressively compete in the brainpower marketplace, they must marshal their resources and their initiative, in order to reverse the trend of the past.

Mr. President, it is my hope that Congress can provide the stimulus for this through certain legislative changes. And it is for this reason that I have joined the junior Senator from Nebraska [Mr. Curtis], and others, in sponsoring Senate Resolution 231.

Exhibit 1

Where the Brains Are

(By Ralph E. Lapp)

(Note.—Dr. Ralph E. Lapp is a nuclear physicist who has written extensively on atomic energy and has served as an adviser to the Department of Defense.)

The 15 Midwestern Congressmen who filed into the office of Secretary of Defense Mc-

Namara were determined to find out why their region lagged so far behind other sections of the country in winning prime research and development contracts. As is his wont, the Secretary gave them a clear cut but somewhat dismaying answer: "We seek the best brains and we go where they are. And generally speaking, they are not in the Midwest."

That confrontation occurred in the summer of 1962. Since then midwesterners and others whose regions are chronic also-rans in the competition for choice Government R. & D. contracts have become acutely aware of what McNamara meant by brains. The distorted map above [not printed in RECORD] shows the uneven geographic distribution of top U.S. scientific personnel, a group defined here as those individuals who are engaged in basic research, development, and design, plus those scientifically trained administrators who propose and manage high-technology research projects.

No section of the country has a monopoly on the production of scientists, but a few favored areas are the dominant employers and therefore gain a disproportionate economic advantage. States such as Illinois and Wisconsin, which educate more Ph. D. scientists than they employ, can be said to suffer a special kind of "brain drain," while other States such as California and New York, which experience an in-migration of scientific talent, enjoy a "brain gain." What's more, the rich States tend to get richer as their concentrated talent exerts a powerful pull on younger scientists. The five leading regional complexes, which have attracted one-third of the Nation's scientific brainpower, currently hold 58 percent of the prime R. & D. contracts awarded by the Department of Defense.

THE PH. D. ECONOMY

Clearly, as technology works unforeseeable changes on the U.S. economy, the "drain" areas have plenty of reason for concern about the future. To an ever-increasing degree today's innovator is a scientist with 20 years or more of formal education leading to the award of a doctorate. Gaining or losing him may well mean the difference between growth and stagnation of a regional economy. The research-and-development industry is nourished by an annual Federal outlay of $16 billion, to which private industry adds about half as much. Three-fourths of U.S. research and development is performed by private industry. Of the $16 billion total for R. & D. in the fiscal 1967 Federal budget, about $5.5 billion goes to basic and applied research, carried out mainly by educational institutions or by Government laboratories. Such research, stressing the role of the scientist over that of the engineer, has in the postwar period produced fundamental, often dramatic, breakthroughs in knowledge and technique. The transistor, the laser, and kindred products of high-talent technology symbolize the growth of this Ph. D. economy.

States suffering a net outflow of scientific talent are in danger of falling outside this new economy. Although the mold has been hardened by immense postwar Government R. & D. spending, changing technology and the creation of new centers of scientific excellence can conceivably break it. The first change, however, must come in the way scientific brainpower is regarded. States accustomed to reckoning their resources in topsoil or in mineral and oil deposits will have to adjust to a resource level 5 feet above the ground, and make strenuous efforts to conserve it.

Calling Illinois "a great exporter of talent," Gov. Otto Kerner recently complained: "Other States produce automobiles, or vegetables, or scenery; in Illinois we develop minds. And we ship our finished products to all States of the Nation to help them develop their intellectual and economic potential." At a rough estimate, each such intellectual "finished product" lost by Illinois—or any other State—represents a traceable loss of $50,000 a year to its economy, and potentially perhaps a great deal more.

Because the scientist is both valuable and migratory, the Federal Government, through the National Science Foundation, has set up a National Register of Scientific and Technical Personnel to keep track of the U.S. scientific population. According to the NSF's recently released 1964 statistics, personnel in the natural sciences break down this way:

	Scientists	Ph. D.'s
Chemists	63, 053	21, 789
Biologists	27, 135	13, 355
Physicists	26, 698	10, 286
Earth scientists	17, 907	3, 578
Mathematicians	17, 411	4, 603
Meteorologists	5, 510	479
Total	157, 714	54, 090

The total of 157,714 scientists contrasts sharply with the number 400,000 that is often used in manpower studies. There are several reasons for this difference. First, since our interest is in research and development, we exclude the broad category of social science. Second, the NSF professional-society ground rules vary from field to field and thus some personnel fail to qualify as scientists. (The NSF register is based upon a nationwide questionnaire sent out to scientists every 2 years. Each professional society has its own ground rules for deciding if a man is a qualified scientist. Mathematicians, for example, must have 4 years of experience, while graduate chemists qualify as soon as they are employed professionally.) Finally, there is the arbitrariness of definition, which allows some professional "fish" to escape the NSF net.

The sort of brains McNamara was talking about would exclude teachers, administrators, and production or sales personnel with no hand in research and development. The NSF data enable us to exclude, as well, those scientists engaged in applied research, and to concentrate on those who perform and manage basic R. & D. These latter scientists (of whom 4 percent are women) are the generators of ideas and concepts that are worked up into proposals for prime R. & D. contracts. They also include the active researchers or doers who carry out the work of the Federal contract once it is landed.

As the map shows (not printed in the RECORD), California leads in such R. & D. talent with a total of 13,688 scientists, trailed by New York with 11,095. The 10 top States include almost two-thirds of the U.S. total of 101,103 research scientists. Within the leading States, scientists are further concentrated in metropolitan areas, as shown in the table:

[Data taken from National Register of Scientific and Technical Personnel Results of latest (1964) National Science Foundation survey]

Regional complex of metropolitan area	Research and development		Management or administration	Total[1]
	Basic	Applied		
1. New York City complex (25-mile radius includes Newark, Paterson, Jersey City)	3, 148	2, 978	2, 746	10, 221
2. National Capital area (25-mile radius centered at Greenbelt, Md.)	2, 863	2, 252	2, 707	8, 298
3. Los Angeles complex (San Fernando, Pomona, Pasadena, Santa Ana)	1, 504	1, 548	1, 479	5, 552
4. San Francisco Bay area (Richmond, Livermore, Palo Alto, San Jose)	2, 204	1, 381	989	5, 137
5. Boston complex (Routes 128 and 495)	2, 031	1, 037	779	4, 257
6. Chicago complex (includes Gary, Ind.)	1, 417	1, 231	976	4, 019
7. Philadelphia complex (includes Camden, N.J.)	1, 035	1, 020	791	3, 309
8. Wilmington, Del	386	581	413	1, 579
9. Pittsburgh	573	468	368	1, 626
10. Minneapolis—St. Paul	537	444	351	1, 531
11. Cleveland	451	458	314	1, 398
12. Denver	513	312	206	1, 113
13. Houston—Galveston	252	342	276	1, 049
14. Rochester, N.Y	341	297	207	1, 041
15. Detroit	274	337	260	1, 007
16. St. Louis, Mo	303	329	247	1, 006
17. Trenton, N.J	470	265	187	980
18. Madison, Wis	688	164	100	971
19. Knoxville, Tenn	423	207	143	863
20. San Diego, Calif	328	218	94	777
Total	19, 741	15, 869	13, 633	55, 734
Total in United States	35, 700	30, 250	24, 500	102, 000

[1] Total indicated here is more than the sum of the columns; it includes development and design personnel.

Whether the scientists produce the surging R. & D. companies, or the industry produces these concentrations of scientists, is one of those questions. In any case, at last count there were over 5,000 industrial research laboratories in the United States, but nine-tenths of the R. & D. work is done by about 5 percent of these installations. The Federal Government employs over 7,000 scientists in Washington alone, making the Capital area the Nation's second-highest concentration of brainpower. An R. & D. industry is springing up in nearby Virginia and Maryland, spurred on largely by defense and space funds. Fifth-ranked Boston links its future to the very strong educational base at Harvard and MIT. Near Boston, about 250 R. & D. firms are strung along the well-known research highroad, Route 128, and the fast-growing Route 495.

THE ENVIABLE STATE OF CALIFORNIA

But California is far and away the leader. In the Los Angeles and San Francisco areas there are more than 600 science-oriented firms. In the fiscal years 1961 through 1965, California managed to acquire 38.5 percent of Federal R. & D. funds. Its preeminence in space research is attested by the National Aeronautics and Space Administration's commitment of as much as 45 percent of its R. & D. money to California. (It should be remembered that R. & D. absorbs nine-tenths of NASA's $5-billion-plus annual budget.) Not surprisingly, a 1964 head count of NASA's 35 major contractors showed that 44 percent of its scientists and engineers are located in California.

The ability to attract R. & D. contracts, which makes California the envy of other States, is not explained merely by the number of its scientists. If the Federal Government spread its R. & D. money around the country uniformly, based on a head count of scientists, then California would receive only about a third as much Federal funding as it gets today. But in the arithmetic of the

Pentagon some heads count more than others—indeed, they have a multiplier effect on contract-awarding calculations.

California's quantitative advantage is enhanced by its qualitative leadership. The most respected attainment in science is the winning of the Nobel Prize. Almost half of America's Nobel Prize men are concentrated in California. Next to the Nobel Prize, scientists attach greatest value to being elected to the National Academy of Sciences—an honor won by 705 Americans. No fewer than 158 of them hail from California. Massachusetts claims 117, New York 109, New Jersey 44, and Illinois 38. Two-thirds of the academy membership is to be found in these five States. Here the line between R. & D. "haves" and "have-nots" is most sharply drawn. For 8 States have only 1 academy member and a total of 15 are without a single member. Even one or two academy members can be extremely valuable to an institution because of their influence in the awarding of research grants and contracts. And a Nobel Prize winner is a positive lightning rod for such blessings.

THE EXPORT-IMPORT TRADE

Although California has clearly enjoyed a great "brain gain" and it is accused of pirating the intellectual resources of other States for its own aggrandizement, the export-import trade in Ph. D.'s is quite complex. Of 8,005 Ph. D. scientists employed in California in 1962, 3,172 received their doctorates within the State. Illinois provided 617 of California's Ph. D. scientists; New York and Massachusetts sent 1,037, and 5 Midwestern States 1,148. But the balance in the brain trade must be struck several ways. Illinois, for example, employs 3,625 Ph. D. scientists, of whom 1,233 are "homegrown," i.e., have Ph. D.'s from Illinois schools. And Illinois has imported 193 Ph. D.'s from California, so it lost 424 in the exchange with that rival. On the other hand, Illinois gained 249 from Wisconsin while losing only 108 to that State—a net gain of 141 with respect to its northern neighbor.

Herbert S. Parnes, professor of economics at Ohio State University, referring to a Government study of the movements of 1,000 Ph. D. scientists, concludes: "The study shows that such scientists commonly begin their geographic moves even during their training period: more than three-fifths of the sample received their bachelor's and doctor's degrees in different States. Over two-fifths held professional jobs in at least three States, and of those who had held as many as four such jobs, two-thirds had worked in three or more States."

The nomad nature of the Ph. D. scientists makes them fair game for raiders who cross State lines to pick up personnel. As the pages of ads in metropolitan newspapers clearly indicate, the hunt for high-talent personnel in science and technology is nationwide. A personnel manager in an R. & D. plant is bedeviled by the requirements for expertise. He is asked not just to find a physicist but a special kind of physicist. The NSF Register details 86 specialists in physics and almost as many in chemistry (a man was once either an organic or an inorganic chemist).

THE LURE OF QUALITY

For talent-seeking States and corporations the guide to luring top scientific personnel is deceptively simple: quality attracts quality. Hard-sell ads, even impressive salary increases and fringe benefits, won't pull prime talent from its roost unless the potential employee can offer an attractive environment. This environment, once established, has a self-perpetuating effect, as Dr. Fred Harrington, president of the University of Wisconsin, explains it. "Scientists' high educational and income level, their high prestige and cultural level create islands of special advantage in our democracy. In these places the schools are likely to be better, and more of the young people go on to college. Industrial development proceeds, with a snowball effect." The State can do a great deal to enhance the quality of its environment. Hale Champion, California's director of finance, believes that the $1.5 billion State outlay for education "has been a critical factor in furthering scientific and technological excellence in California."

New York State is attempting to upgrade its higher educational system by creating special professorships carrying $100,000 endowments. Recently an intellectual coup was scored at Stony Brook, the new State university on Long Island. The president of Stony Brook, Physicist John S. Toll (an import from Maryland), proudly announced the appointment of Nobel Laureate C. N. Yang as an Einstein professor of science at $45,000 a year. New York recognizes that in science brains go where brains are.

Texas, too, is striving. The Graduate Research Center of the Southwest, in Dallas, founded in 1960, has imported Dr. Lloyd V. Berkner to raise its intellectual-industrial sights. Berkner, for 15 years a driving force in a half dozen different Government science agencies, has won fame as a keen scientific administrator, quick to seize upon new ideas and promote them on a grand scale. His objective is to promote scientific research and produce a bumper crop of science Ph. D.'s as the newest form of wealth in Texas.

Some States have created advisory bodies of scientists; others have established study groups to appraise State needs and to develop plans for the future. Many communities have set up A. & D. "parks" to encourage the growth of new industry. But it takes more than land, buildings, and a nearby college to make headway in the competition for R. & D. talent. Universities like Illinois and Indiana find it difficult to emulate Stanford and MIT. The R. & D. firms around Boston chose the area for many reasons, but one stands out: scientists like to be near the intellectual hum of Harvard and MIT. A land-grant school like Indiana suffers from its physical isolation and its political linkage to the State.

Traditional midwestern conservatism may impede the growth of science-based, high-risk industry in that region. Dr. Jean P. Mather, before he sought greener pastures in Philadelphia's University City Science Center, served as general manager of the Purdue Research Foundation and studied Indiana's industrial firms. "I came to the conclusion after such a study * * * that there are more toilet seat producers in Indiana than anywhere else in the United States." Noting the preponderance of consumer-oriented concerns in Indiana, he warned that many "are destined to go down the drain between now and 1975" if the prediction comes true that "by then 75 percent of our labor force will be producing goods and services that have not yet been developed."

Some communities that have sought to attract scientists have had to reassess themselves and their resources in quite a new light. For example, local attitudes on civil rights have turned out to be important, as in Huntsville, Ala., where NASA's Saturn project scientists set up shop. Towns and cities have been forced to take inventory as they attempted to bring intellectual and economic vitality into their midst. In the process many gained new respect for education. Sometimes the awakening came after scientists located in the community. In Melbourne, Fla., a rather mediocre high school was literally "taken over" by newcomers to Cape Kennedy with the result that it became an outstanding school.

CAN THE OPEN SPACES BE FILLED?

Federal attempts are being made to smooth out the distribution of U.S. scientific brainpower, but it is more easily decreed than done. Last September, President Johnson issued a policy statement in which he urged a more equitable distribution of research funds, especially to universities. However, this directive is hard to implement when Government executives are simultaneously urged to "get the most for the money." Given two identical research proposals, say, one from a small southern university and one from Harvard, and given two equally competent researchers, Harvard would win out because of its superior resources. The southern university would require Government-purchased equipment that Harvard already has. In research, bigness begets bigness. For this reason the regional character of R. & D. funding is likely to persist.

Still, technological innovations may affect the flow of talent and funds, and a shift away from space research would have important effect. The biggest change might occur as the result of a shift from physical to biological research, which would reduce the importance of massive R. & D. installations and produce political pressure to "spread it around." That turn—or one now unforeseen—could fill up some of the open spaces on the "brain map."

CRIME RATE: A NATIONAL DISGRACE

Mr. FANNIN. Mr. President, it has become almost trite to observe that our soaring crime rate is a national disgrace.

Yet we all know that serious crimes have been increasing at a rate five times faster than our population. Year after year, we read the appalling story contained in the annual report compiled by the Federal Bureau of Investigation.

We have witnessed a shocking decline in public respect for law and order throughout the Nation which is like a moral cancer eating at the fiber of our society.

Fortunately, there are increasing signs that the American people are awakening to the peril of this threat on the home front.

In this regard, I want to commend a project initiated by the Wisconsin State Jaycees which I believe holds great promise of making a significant contribution in the continuing war against crime.

This project is called the law is the will of the people and is designed to foster public respect and understanding of the vital role that law-enforcement personnel play in our free country.

Recognizing that society generally is failing to support the kind of vigorous but fair law enforcement which the times demand, the Wisconsin Jaycees are sparking a practical movement to help remedy this situation.

In addition to widespread distribution of an attractive and well-written brochure, this group of energetic and civic-minded young men is sponsoring public showings of a 30-minute color film produced by the International Association of Chiefs of Police.

Entitled "Every Hour Every Day," this film portrays the many functions a modern policeman is required to perform and shows with dramatic effect why law enforcement deserves a better image and more respect from all citizens.

It is my understanding that the board of directors of the National Junior Chamber of Commerce will shortly consider a recommendation to undertake this project as a national campaign by all Jaycees during fiscal 1967.

As one who knows the enthusiasm and dedication which Jaycees bring to so many worthwhile community projects, I am greatly encouraged by this demonstration of their concern over public support for law enforcement and their determination to do something about it.

Their efforts deserve all possible support and for this reason I ask unanimous consent that the Wisconsin State Jaycee brochure, along with a letter of endorsement from FBI Director J. Edgar Hoover be printed in the RECORD.

There being no objection, the brochure and letter were ordered to be printed in the RECORD, as follows:

The Law Is the Will of the People

Woodrow Wilson once said: "The first duty of law is to keep sound the society it serves." In our day this has become increasingly more difficult because of society's indifference to its first duty—upholding the law.

Just as the men of our Armed Forces have the duty and responsibility of protecting our Nation against foreign invaders, so do the men of our civilian police forces have the duty and responsibility of protecting the safety and security of our citizens against criminal invaders.

If, however, in the defense of our Nation, our Armed Forces were hampered and hamstrung by court-imposed restrictions, such as restrain and restrict civilian police in their war on crime, our land would be infiltrated with dangerous enemies just as our society is now infested with dangerous criminals.

Whosoever knowingly and willfully violates any law—no matter how important or insignificant the law, or the violation may seem—is, in effect and in fact, defying the will of the people. The police officer is a representative of the people and his purpose is to defend and protect the law-abiding citizens, their rights, their lives and their properties against the acts and conduct of the law violators.

Nothing discourages or disheartens law-enforcement officers more than the knowledge that the efforts they make and risks they take in apprehending criminals are too often no more than a useless waste of time and taxpayers' money—useless because unwarranted leniency makes a mockery of good police work.

Assuredly, we must continually strive to rehabilitate those persons who have strayed from lawful ways. On the other hand, more consideration must be given to protecting society. And this can be done by isolating individuals who have no respect for law and order or for the rights of others.

THE SCALES OF JUSTICE MUST BE BALANCED

The rights of society in many legal jurisdictions today are being ignored in the administration of justice involving habitual criminals. Suspended sentences, paroles, and probations are meted out to convicted murderers, rapists, and depraved thugs as though they were badges of merit—rewards for criminal conduct. The "criminal feedback"—the maladministration of rehabilitation procedures—is definitely a contributing factor to the alarming increase in crime and criminal behavior.

Viewed drastically, this problem boils down to the simple fact that, in our land today, the average man, woman, and child is in greater danger than ever of becoming a victim of this criminal onslaught. It means that day or night, at work or play, the individual's basic rights of personal security and the pursuit of happiness are steadily diminishing because society is failing in its duty to support law enforcement effort.

Let us therefore resolve, as law-abiding citizens, to broaden our efforts and increase our vigilance against the criminals who menace the safety and security of America. Let us also strive, with every just and lawful means, to make certain that respect for the law enforcement authority is restored and reinforced so that police officers may perform their duties without being subjected to abuse, vicious and malicious attacks by mobs of so-called citizens.

U.S. DEPARTMENT OF JUSTICE,
Washington, D.C., October 7, 1965.

Mr. ALBERT T. VIGIL,
Assistant National Chairman, Governmental Affairs, U.S. Jaycees, Milwaukee, Wis.

DEAR MR. VIGIL: The brochure entitled "The Law Is the Will of the People" which you furnished the FBI has been brought to my attention.

I want to congratulate you on this public service program being conducted by the Wisconsin Jaycees and other chapters of your national organization throughout the country. We were glad to cooperate with you in this project, and I wish you every success in this important endeavor.

Sincerely yours,
J. EDGAR HOOVER,
Director,
Federal Bureau of Investigation.

THE U.S. DRUG INDUSTRY

Mr. DIRKSEN. Mr. President, there has been a great deal of talk recently about drug prices, including suggestions made here in the Senate that such prices are unreasonably high and that drug makers should start making reductions.

I have had occasion in the past to ask that the U.S. drug industry be treated with some degree of fairness and objectivity, Mr. President, and I think the time has come for me to make this plea again.

Happily, I can offer some facts today, from sources that even the industry's severest critics will not challenge, which show that reductions in drug prices have already taken place.

My most authoritative source is the President of the United States himself.

My second is the President's Council of Economic Advisers.

The President discussed drug prices in his recent Economic Report to the Congress. So did the Council of Economic Advisers in its annual report.

Our President pointed out in his Economic Report that "many industries and markets have demonstrated that the gains of lower costs and rapidly rising productivity can be shared with consumers." One of his prime examples of product categories in which wholesale prices "averaged at least 5 percent lower than in 1957–59" was "drugs and pharmaceuticals."

The Council of Economic Advisers, as Senators well know, goes into detail in its annual report on the state of our economy.

In a discussion devoted specifically to the cost of medical services, the Council said:

> In the most recent 5 years, medical costs have risen less rapidly than during the 1950's and that this has been due primarily to the fact that prices of prescriptions and drugs have been declining.

Mr. President, I think the critics of the drug industry might welcome a change from a steady diet of reading each other's speeches. I suggest that they read in full text the section on medical services of the Council of Economic Advisers' annual report for an illuminating and thoroughly objective discussion of drug price reductions.

I ask unanimous consent that this section be printed in the RECORD at this point.

There being no objection, the excerpt from the report was ordered to be printed in the RECORD, as follows:

MEDICAL SERVICES

Persistently and strongly rising fees and charges for medical services have exerted an upward influence on the consumer price index throughout the postwar period. As shown in table 13, medical care prices, which account for about 6 percent of consumer expenditures, have risen twice as rapidly as the average of all other consumer prices for most of the postwar period, and have contributed one-tenth to two-tenths of 1 percent to the rise of the index in most years.

TABLE 13.—*Changes in consumer prices for medical care, 1947–65*

Period	Annual percentage change in consumer prices			
	Medical care			All other items
	Total	Medical services	Prescriptions and drugs	
1947–53	4.2	4.6	2.1	3.0
1953–60	3.7	4.0	1.7	1.3
1960–65	2.5	3.1	−.8	1.2
1960–61	3.0	3.7	−1.2	.9
1961–62	2.6	3.3	−1.5	1.1
1962–63	2.5	3.0	−.9	1.1
1963–64	2.1	2.4	−.3	1.4
1964–65	2.4	3.2	−.3	1.5

Source: Department of Labor.

In the most recent 5 years, medical costs have risen less rapidly than during the 1950's. This has been due primarily to the fact that prices of prescriptions and drugs have been declining. Also, the increase in charges for medical services—including doctors' and dentists' fees, eye examinations and eyeglasses, and hospital rates—has slowed down in comparison with the earlier period.

The higher hospital and doctor charges reflected in the Consumer Price Index may overstate the true increase in the cost of medical care when account is taken of the rising effectiveness of the care received. With the dramatic improvements in medical technology that have taken place over the postwar period, many patients get more real services from each day's stay in the hospital, or each visit to the doctor, than before.

The basic sources of rising medical costs are the inadequate supply of personnel and facilities, the sharply rising cost of hospital construction, and the continually more complex medical equipment, the rapid increase in salaries of medical personnel relative to productivity gains as presently measured, and the expanding demand for medical services. Although some of these conditions may be relieved in the longer run, they will not be in the immediate future. The advent of medicare will add to the expanding demand for medical services and facilities. Thus, the urgency of public policies to augment medical care resources and to improve their organization for efficient use will be even greater.

REDWOOD NATIONAL PARK

Mr. METCALF. Mr. President, on February 28 the Sacramento, Calif., Bee carried an editorial and cartoon relating to the proposed Redwood National Park.

The point of the editorial is one on which there is general agreement, on the part of the President, the Secretary of the Interior, the distinguished senior Senator from California [Mr. Kuchel], who introduced S. 2962, and those of us who proposed amendment No. 487, which would establish the national park in the Redwood Creek area.

> A solution is urgent—

Said the Sacramento Bee.

> The time is short.

Mr. President, I ask unanimous consent to insert the editorial, "Congress Should Act on Redwoods Park Now," in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Congress Should Act on Redwoods Park Now

The important thing about the controversy over a proposed national Redwoods Park is that it should be brought to a head at the present session of Congress now that the long-awaited proposal of President Lyndon B. Johnson's administration has been announced.

The Sierra Club is campaigning for a large program, one which would reserve 93,000 acres of prime redwood country. The Johnson plan, supported by Gov. Edmund G. Brown and U.S. Senator Thomas H. Kuchel, of California, would be about half as large. The commercial forest industry has suggested even more modest programs.

The more ambitious redwood park advocates are disappointed with the Johnson plan, contending it does not set aside sufficient redwood forest. Yet it does represent a starting point.

Several bills have been introduced in the House and the Senate which would accomplish one or the other of the suggested programs. Thus there appears to be general agreement that the creation of a national redwoods park would be in the overall public interest. This point alone represents progress.

Local interests in Humboldt and Del Norte Counties, who would be most directly affected by the creation of a national park, fear a loss of lumbering activity would endanger the local economy. The Johnson plan would take care of this by providing annual payments to the two counties to compensate for tax losses and by starting immediate park development to help take up the employment slack.

Satisfying all participants in the redwood controversy will be difficult. The Conservation News, published in Washington, D.C., recently commented:

Those leaders of Government, captains of industry and conservation organizations struggling with the proposition will need the strength of Sampson, the patience of Job and the wisdom of Solomon to arrive at a consensus of what eventually is to be in the public interest."

A solution is urgent. The time is short. Senator Lee Metcalf of Montana, author of the Senate program which would carry out the fondest wishes of the conservationists, pointed out there is not a more majestic, awesome tree than the redwood yet the cutting of these forest patriarchs in the area proposed for park purposes is continuing.

NO PLACE TO PARK IN WASHINGTON, D.C.

Mr. TYDINGS. Mr. President, together with Senators Dirksen, Randolph, and Kennedy, of New York, I have introduced a bill to create a parking authority for the District of Columbia. Identical bills have been introduced in the House by Representative B. F. Sisk and four of his colleagues.

The need for a public parking agency in the District of Columbia is widely recognized. My subcommittee has held 6 days of hearings on this question. With the exception of the private parking lobby, virtually every witness before the subcommittee supported legislation to create a public parking authority.

A recent article published in the Washingtonian by Urban Affairs Specialist Royce Hanson ably analyzes the parking problem in our Nation's Capital. Mr. Hanson makes some highly useful comments and suggestions about fringe parking. I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

No Place to Park

(By Royce Hanson)

Washington is probably safe from a foreign invasion because there is no place for the invaders to park. What force could withstand for long the psychological pressure of the signs proclaiming: "Sorry, Lot Temporarily Full"? Invaders aside, the natives are tiring of ritual block circling and paying tribute to the city's unchallenged lords of parking. Traffic to downtown is growing at a rate almost double the increase in the metropolitan population. The situation is so bad that it is now virtually impossible to find an illegal parking place downtown, as any weary block-circling motorist knows.

Washington's parking problem grows from a number of causes. The office worker population downtown is increasing faster than off-street parking. A Federal City Council report predicts a deficit of 11,000 downtown spaces by 1971. Washington does not have an adequate mass transit system. While a subway is supposed to be built by 1972, the historical failure of rapid transit here has contributed to sprawling low-density development which renders efficient and economic bus or rail service difficult if not impossible for some parts of the metropolis. The automobile will remain indispensible to many commuters.

The city has almost no fringe parking. The present cost of bus transportation would impair the success of many fringe lots without adjustment of both rates and routes. And the agency created to build public parking lots was scuttled by the private parking lobby in 1961.

In that year, Congressmen John McMillan and Joel T. Broyhill sponsored a House amendment which transferred parking meter revenues from the Motor Vehicle Parking Agency to the general fund. The District Commissioners did not prevent the conversion of funds and what hope there might have been for adequate public facilities vanished. The amendment also stripped the Parking Agency of its power to plan and develop off-street parking facilities. Finally the domination of the Parking Agency's board by representatives of the private parking lobby rendered it completely ineffective. Developer Garfield I. Kass called his 9 years of service on the agency a "waste of time" because of the opposition of the parking lot operators to providing more parking facilities.

Since 1961, accelerated office building development has displaced a number of surface lots and off-street parking in the new office buildings has not kept pace with the need. In the area bounded by 2d Street, Massachusetts Avenue, Constitution Avenue and 23d Street, the private parking industry provided a net average increase of only one off-street space a month from 1959 to 1964. Overall, the Federal City Council charged that between 1957 and 1963 there was a net loss of 70 permanent spaces in private garages in the downtown area. Private enterprise, said the FCC report, had demonstrated that it could not do the job alone.

The parking problem involves not only the number of spaces available, but the location of parking space. Some areas may have excess space available, and in others all the lots may be filled, leaving no place to park for those entering the area to transact business, to shop, or to visit. This condition often afflicts smaller business districts in the city. For instance, in 1962, businessmen in the 14th Street and Columbia Road area began the search for a much-needed parking facility. After the Parking Agency voted to construct a lot, the Engineer Commissioner postponed the hearing on it indefinitely. The businessmen then took their problem to Congress, but were told to get a lobbyist with "influence." They apparently were unable to find one and Chairman McMillan has yet to process legislation to authorize construction of a parking facility in the area.

What all this means is that parking in the District of Columbia has been an intensely political matter. The political system protects the operations of the private parking interests against either competition by public facilities or regulation in the public interest. In short, parking is planned and operated only for profit, the public be damned.

One of the primary sources of parking lots is the District of Columbia building schedule. Parking lots help hold vacant land pending construction or resale. This is not bad, but it results in a here-today-gone-tomorrow system of parking. William Heath, Director of the Motor Vehicle Parking Agency, reported that 50 percent of downtown off-street parking is on transitional lots. Obviously, this is not a suitable foundation on which to develop a program for a modern city.

Since the Federal City Council's report was issued in late 1964, a District of Columbia Commissioners' advisory group has recommended new legislation to establish a public parking authority under the Commissioners with power to condemn land to build parking facilities and power to set rates in publicly owned facilities. Under pressure from the Washington Parking Association it appeared that the Commissioners were ready to capitulate on these essential features of their bill. Then Senator Joseph D. Tydings announced that his District of Columbia Subcommittee would hold hearings on the parking problem. The Senator also insisted that planning for parking be coordinated with highway planning and other transportation programs. After hearings in January, Tydings drafted a new parking bill. It would give the Commissioners, as the parking authority, power to plan and construct parking facilities. It would also grant them the power of eminent domain and permit them to fix rates in publicly owned garages and lots. In addition, the Commissioners would be given the power to acquire and operate fringe parking lots in suburban locations. A few days after the Tydings subcommittee's hearings, the Washington Board of Trade, overruling the parking interests on its board, voted to support creation of a public parking authority, including the condemnation power.

While all these are encouraging signs that the city may be on the way to solving its parking problem, the battle is far from over. Substantial questions on the merits of a parking program remain. Obtaining the legislation and using it involve extensive political difficulties; in fact, a completely sound parking program may be impossible in the present political situation.

First, there is the problem of coordinating parking and transportation. For either to work well they must be related. As city planner Robert B. Mitchell said in testifying before the Tydings subcommittee: "A highway system without parking terminals would be like a water transportation system without ports." The National Capital Transportation Agency has power to construct parking facilities at its transit terminals. But further legislation and broader coordination will be required to tie an extensive fringe lot program to existing and expanded bus service.

Studies already made for the National Capital Planning Commission and the NCTA have identified and evaluated 28 potential fringe lots in the metropolitan area. The success of these and other locations depends on public transportation service which is both cheap and frequent. Only if adequate bus or subway service is offered can the lots be expected to succeed. Yet, as New York Traffic Commissioner Henry Barnes told the Tydings subcommittee, the dimensions of the downtown traffic and parking problems are such that their solution is meaningless unless urban commuters are offered an alternative means of getting to work which is competitive with driving an automobile.

Raising all-day rates downtown will not discourage drivers if there is no other place to park. Studies of fringe lots show that bus service should be cheap and frequent, and parking should probably be free. For the most part, this will mean a decision to subsidize fringe parking, and even fringe lot bus service as a part of the total transportation service. The cost of such a subsidy must be measured against the costs of traffic control and the economic impact of congestion in the downtown area. Fringe parking can also offer considerable advantages for suburban shopping centers and businesses located in the vicinity of bus and rapid transit terminals. Many suburban shopping centers have found it good business to allocate part of their parking spaces to commuters on weekdays, encouraging shopping on the way home. For downtown, the fringe lot helps reduce traffic, opens parking spaces for business and shopping trips.

The critical point is that rapid transit alone will probably not drain enough commuters from the roads to solve either the congestion or the downtown parking problem. Moreover, there is a 6-year gap between now and the first subway service. Relief is needed in the meantime. The first subway lines will not extensively serve the suburbs. Fringe-lot service could alleviate suburban commuter needs. One activity in which the proposed parking authority could engage immediately is a major demonstration program of fringe lots coordinated with better, cheaper bus service. Such a demonstration program could be financed largely by the Department of Housing and Urban Development.

Also related to fringe parking are reception centers for tourists. Fifteen million visitors annually have no orientation to the city and its attractions. Reception centers could greatly improve the tourist business as well as enhance the tourists' visits to the capital. From the point of view of city planning and transportation, tourist reception centers similar to Williamsburg's could relieve the downtown area of several thousand cars weekly, if accompanied by tour bus service, minibuses, and tourist bus passes to encourage the visitor to see the capital some other way than through his own windshield. Secretary of Interior Stewart Udall and the National Park Service have shown an interest in providing tourist reception centers, but they must be coordinated with the metropolitan transportation system.

An extensive fringe parking system is needed to make a downtown parking program work. If people can park under the freeways and at suburban lots as Senator Tydings envisions, then the amount of expensive downtown space required for parking will be less, and Government will not have to compete as extensively with private enterprise in providing parking space. Also, a rate structure can be used downtown to encourage fringe parking for commuters.

All-day parking can then be encouraged in outlying areas and on a short-term basis, in downtown and other business districts. The point, again, is that massive parking facilities downtown will only encourage more automobiles and more congestion. The objective is to provide better ways to get to work so that the space available can be used efficiently, in the interest of the whole city. In this right, parking is as much a metropolitan public utility as transit and should be planned in the public interest.

In planning the parking system, the distribution of business activity must be kept in mind. Downtown is not the only area in need of parking facilities. Some suburban business areas, as well as outlying areas in the District, need more customer parking space to survive. A parking program, in terms of its impact on the transportation system and on the urban economy, needs to be metropolitan in scope and in execution. The people of the suburbs as well as those of the city have a vital stake in facilities and their location.

This raises the question of which agency should be charged with the program. Out of political necessity the District of Columbia Commissioners appear to be the first choice—NCTA, which already has power to construct transit terminal lots, would appear to be the logical choice, especially since it will eventually be converted into an interstate agency, but it does not seem to want the honor. NCTA officials apparently feel they will have enough trouble building and operating subways without taking on opposition from the private parking interests and worrying about financing an extensive public parking system.

Another logical agency, the Washington Metropolitan Council of Governments, is trying on new wings at the moment and is probably not ready to engage in so extensive and controversial a program. That leaves the Commissioners, or a new public authority. In an area already afflicted with special purpose agencies, the thought of a new one is not inviting. Thus it boils down to the Commissioners, who, at best, preside limply over one of the creakiest municipal establishments in the United States.

The Commissioners' principal problem will be making decisions within the framework of parking politics in the District. They are wide open for what amounts to congressional blackmail. The Commissioners capitulated on the McMillan-Broyhill move to suffocate the Motor Vehicle Parking Agency partly from fear of congressional reprisals on other programs requiring legislative action, which suggests, that they are at the mercy of Congress, particularly the House District Committee. Unfortunately, as we have seen, no other agency in a better position is willing or able to assume leadership in parking. Of course, if home rule ever comes, the parking power would be transferred to the Mayor.

All of this, of course, may be academic. Parking lot owners are certain to oppose the key provisions for condemnation power and for ratesetting powers in the public garages. They surely will oppose public parking under the Mall. Some legitimate questions may be raised about such a facility, or the use of other park land or public spaces for parking. And Congressmen, who have curb parking reserved for them, have traditionally been indifferent to the problem, and will no doubt continue to be. But at least, Senator Tydings pointed up the problem and there is some optimism that his bill will pass the Senate. The House, of course, may find a parking place for it if it is not skillfully managed and forcefully supported.

The parking problem offers one more illustration of the disjointed system of regional and city planning in Washington. It also documents the fallacy that Congress protects the "Federal interest" in governing Washington. Perhaps the pinch on business and on a revitalized downtown has awakened some of the business community. But there still remains a large gap between realization of need and effective action. Senator Tydings has given the problem a harder try than it has seen in years. He may succeed in getting something done. In the meantime, plan to drive around the block a few more times—and any power planning to invade the city will have to wait its turn.

BENEFICIAL EFFECTS OF MILITARY RESEARCH AND DEVELOPMENT ON CIVILIAN ECONOMY

Mr. INOUYE. Mr. President, we often have a tendency to forget that the immense sums expended by this Nation on military research and development are not without their beneficial effects on our civilian economy.

This fact was underlined this week in a major address delivered by Gen. B. A. Schriever, commander, Air Force Systems Command, before the Honolulu Rotary Club.

General Schriever also commented on Vietnam and he made what I believe to be a very pertinent comment on that conflict, "the real point at issue is not our firepower; it is our willpower."

I ask unanimous consent that the full text of General Schriever's address be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

The Can-Do Age

(By Gen. B. A. Schriever, commander, Air Force Systems Command, luncheon address, Rotary Club, Honolulu, Hawaii, March 1, 1966)

Ever since I was in Hawaii last fall for the Governor's Conference on Oceanography and Astronautics, I have been eager to get back again. John King's invitation to address you today seemed the perfect opportunity.

The subject of my remarks this noon is the new period in history which we are rapidly approaching. It is a period which might be called the Can-Do Age. This name simply means that for the first time it appears possible, in terms of the purely technical know-how required, to talk about practical, large-scale answers to disease, ignorance, poverty, hunger, and the other age-old problems of mankind.

The incredible advance of science and technology opens many possibilities for the future. These include distilling fresh water from the sea on an economical basis, developing new energy sources which will not pollute the atmosphere, predicting the weather accurately several days ahead, producing food more cheaply and abundantly, and increasing the speed and efficiency of our transportation and communications systems—to name just a few examples. Many additional possibilities will emerge as we fully apply our imagination to the potentials of technology. We cannot afford to "underimagine" the future.

These future developments are extremely promising, and they can have a worldwide impact that will be truly revolutionary. However, in order for them to be realized peaceably and with full respect to human freedom and dignity, we must use technology for one task of highest priority. That task is to help preserve the independence of peoples who are threatened by aggression. As long as aggressors employ force or threaten to employ it, we must build and maintain realistic means of meeting that threat.

Thus the advancement of military technology becomes a cornerstone of our Nation's continuing policies of deterrence and of controlled response to aggression. But technology cannot be divided into neat little compartments which can be labeled either "peaceful," or "nonpeaceful." In actual practice, we find that a tremendous amount of military research and development makes direct or indirect contributions to the civilian economy.

The many contributions of military aviation to the airlines industry and the substantial support given by the ballistic-missile effort to the national space program are fairly obvious examples. Less obvious, perhaps, but equally real, are such developments as higher reliability, new management techniques, new materials, improved manufacturing methods, better instrumentation, and the expansion of technical fields such as cryogenics and microelectronics. All of these have been greatly stimulated by military necessity. The vast store of technical knowledge that has been generated in this way is a new national resource which has yet to be exploited fully.

And there is much progress ahead. About 2 years ago the Air Force completed a long-range planning study called Project Forecast. Its purpose was to look at the national security requirements of the Nation extending into the 1970's and to predict how science and technology could meet those requirements. Although many of the forecast recommendations obviously are classified, one unclassified example will show some of the things we found.

The example I have chosen is long-range air transportation, which clearly has both military and commercial value. It has long been known that in order to make the kind of advances that were needed in this area, we needed substantial progress in such key technical areas as materials, propulsion, and flight dynamics. Project Forecast indicated that such progress could be made.

In materials, for instance, it was found that metals could be strengthened by oxide dispersion to allow an increase of several hundred degrees in operating temperatures. This increase would make it feasible to build more efficient aircraft engines. At the same time, the development of new composite materials made of metallic and metalloid fibers in a plastic binder—using roughly the same principle as reinforced concrete—was shown to promise weight savings of between 35 and 50 percent in airframe structures, with no decrease in strength or stiffness. The fibers under consideration include boron, carbon, silicon carbide, and boron carbide.

In the propulsion area, it was found that the use of these new materials, together with advanced design concepts, would allow us to build greatly improved engines with increased thrust-to-weight ratios and reduced specific fuel consumption.

Likewise, advances in flight dynamics, such as laminar flow control and variable geometry wings, together with the use of new materials and propulsion systems, can lead to new transport aircraft with ranges several hundred percent greater than those of today's aircraft. It is possible to develop new generations of aircraft which can be designed for near global range or for vastly improved payloads, for vertical takeoff and landing, for economic operation over quite a wide range of speeds, or for a combination of these capabilities.

When these predictions were made 2 years ago some people thought that they were overly optimistic. But, in actual fact, many of the Forecast findings have turned out to be just the opposite—they have been quite conservative. In some areas we have already achieved experimental results in the laboratory which reach or surpass the goals predicted for 1970.

For example, current experiments with oxide-dispersed metals for strength at high temperatures show a 40-percent improvement over the findings of 2 years ago. Boron fibers for composite materials have already been produced with a 20-percent greater average strength than they were predicted to attain by 1970. Their monthly production is more than 20 times the total supply that existed 3 years ago. Production costs have already been reduced from $6,000 a pound to $650 a pound, and there are immediate prospects for a further reduction to $250 a pound. We feel that eventually the cost of boron fibers can be brought down to less than $25 a pound.

At the same time a new plastic binder has been produced in the laboratory which offers an increased temperature resistance of 100° centigrade over polymerized benzine (PBI), which was the best plastic binder known 2 years ago. And promising new concepts for composite materials of metalloid fibers in a metal matrix are being explored.

When we turn to the propulsion area, we find that a new aircraft engine is presently under test, which surpasses the gains predicted for 1970 in bypass ratio, high temperature capability, and reduced specific fuel consumption. The supersonic combustion ramjet, or SCRAMJET, is showing great promise for airbreathing vehicles at speeds of mach 6 or greater. Supersonic combustion has already been repeatedly demonstrated at simulated speeds of mach 6 in test facilities.

Now I do not want to leave the false impression that these technical advances are going to be incorporated into new products next week. Many of them are still in the laboratory stage, and there are problems of cost, design, and fabrication which remain to be solved. But there is every indication, from our past experience, that they will be solved. In fact, as I have indicated, we are steadily making progress toward their solution.

I think that perhaps the real barrier to progress is simply negative thinking. There are always people who would rather give you a thousand good reasons why something cannot be done than encourage you to go ahead and try. This seems to be a fundamental tendency in human nature. I feel sure that the man who invented the wheel back in the dawn of history must have run into the same kind of thinking from some of his neighbors. And every inventor since has been surrounded by skeptics. The ones who enabled civilization to advance were those who dared to go ahead anyway. I think that our biggest need in the can-do age is for can-do people.

Now I have been talking about the future, but that is not the only place where challenges exist. We have pressing problems which confront us right now in southeast Asia. You, in Hawaii, are probably even more aware of these than other Americans may be, because geographically you are much closer to it than the rest of the country.

But the challenge in southeast Asia is not a regional problem. It is a global problem, and it clearly poses the basic question: "Must free peoples anywhere allow themselves to be victimized by force and terror and brutality?" Our Nation's answer is that we have both the right and the duty to help the people of South Vietnam resist aggression and build a free and independent society.

You will recall the words of President Kennedy's inaugural, when he said: "We shall pay any price, bear any burden, meet any hardship, support any friend, oppose any foe to assure the survival and the success of liberty." He did not add, "We will pull out when the going gets tough." Let us make no mistake about it: the going is tough, and it may get tougher. Anyone who thinks that there are any easy answers in Vietnam is only deluding himself.

There are some who think we should not turn back aggression in Vietnam, and there are some who think we cannot turn back aggression there. Fortunately, most Americans appear to disagree with this negative thinking. They know that we must turn back Communist aggression in Vietnam. As Winston Churchill pointed out after the concessions at Munich in 1938: "The belief that security can be obtained by throwing a small state to the wolves is a fatal delusion." Those who would deny the truth of this observation are either blind to history's lessons or deluded by wishful thinking.

Some ask whether we have the resources to honor our commitments in Vietnam. But the real point at issue is not our firepower; it is our willpower. Your distinguished Senator, Mr. INOUYE, made this point very clearly in the U.S. Senate last fall when he said: "Vietnam is not a war over land or strategic position. It is a war of will, a test of the character of the American Nation. * * * If we do not fight this war, there will be another, and if we do not fight that one, there will come a time when there is no choice; and the price will be increased accordingly."

If a job has to be done, then people will find a way to do it, no matter how difficult it is or how long it takes. In some ways Vietnam represents a challenge unlike any our Nation has faced before, but this certainly does not mean that we must abandon the effort. The whole history of our country and in fact of civilization itself is the story of response to new challenges—and that story did not come to an end in 1966.

Technology can do much to help us deal with the problems of jungle warfare, and we are actively at work to develop new weapons and new techniques. But the crucial issue is still one of our determination as a people and our willingness to find fresh ways of waging counterinsurgency warfare. This is a challenge that must be met, and with enough can-do people, I am fully confident that we can meet it successfully.

Thank you.

A WAR ON HUMAN HUNGER

Mr. MONDALE. Mr. President, President Johnson has proposed that the United States lead the world in a war on human hunger. The Senate Agriculture Committee is now conducting hearings on his proposal to establish a new food-for-freedom program, as well as the bills introduced by Senator McGOVERN and myself.

During the committee hearings, and the growing national debate on this issue, several questions have come to the forefront. One is the need for other advanced countries—especially those which excel in agricultural production—to play a larger role in the war on hunger. I ask unanimous consent, therefore, that a recent editorial from the Washington Post entitled "Internationalizing Food Aid" be printed in the RECORD at the close of my remarks.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

(See exhibit 1.)

Mr. **MONDALE.** Mr. President, another point which has received increasing attention is the importance of accelerated food assistance programs in providing an expanded market for the products of American industry and agriculture. America's trade today is primarily with industrialized countries, because their people have sufficient incomes to purchase American products. But in the less developed nations, it is the lag in agriculture, more than anything else, which prevents them from achieving rapid economic growth, which would provide increased markets for our products.

Finally, there is the recognition that, in an expanded war on hunger, U.S. private enterprise must play a far greater role than ever before—in setting up fertilizer plants, fortification of foods, and processing of farm products.

I therefore ask unanimous consent that there be printed in the RECORD three articles from the March issue of Forbes, entitled "World Hunger: Enemy of U.S. Prosperity," "U.S. Business Against Malthus," and "Twice as Many Sukarnos?"

The **PRESIDING OFFICER.** Without objection, it is so ordered.

(See exhibit 2.)

EXHIBIT 1

INTERNATIONALIZING FOOD AID

"We cannot meet this problem alone," the President told Congress in his food aid message. "Hunger is a world problem. We must encourage a truly international effort to combat hunger and modernize agriculture."

The administration is thinking of a food aid consortium to deal with the famine threat in India as a first step toward an internationalized approach to the world agricultural problem. Canada, for example, has a wheat carryover this year of 14 million tons; even allowing for the customary retention of a 10-million-ton reserve, Ottawa still has a 4-million-ton margin. Yet Canadian involvement in food aid to India has been limited in the current crisis to unilateral donations totaling 165,000 tons.

Similarly, Australia, which has available out of its carryover at least 500,000 tons, notwithstanding a poor crop year, has contributed 150,000 tons. This is in contrast to new U.S. commitments to ship 4.5 million tons by May.

In a consortium, countries with cash to spare would sit across from less affluent countries with food to spare; and the result, hopefully, would be collaborative arrangements resulting in increased exports to the food deficit nations. Thus, West German or French capital might be applied to Australian or Canadian wheat purchases or at the very least to shipping costs. One of the most interesting dimensions of the consortium idea is a plan to include aid programs for fertilizer manufacturing ventures. Whether much actual help can be realistically expected in the near future is doubtful. But it could put the whole program on a sounder footing in the long run. The greatest advantage of an internationalized approach is its tendency to reduce the political friction inevitably arising in relations between a single patron and a client country.

EXHIBIT 2

[From Forbes magazine]

WORLD HUNGER: ENEMY OF U.S. PROSPERITY

One billion people, a third of the world's population, drag themselves through the day weak from hunger, an easy target for disease and frequently for death from starvation. Another billion are badly malnourished, almost on the borderline of starvation. What we call progress, civilization, prosperity, is meaningless to two-thirds of the human race. These people are only half alive. They are half dead from hunger.

The average American consumes 3,100 calories a day in food rich with proteins, vitamins, and minerals. In the underdeveloped nations, the average person must drag his body along on a mere 2,030 calories a day, and his food usually is deficient in those nutrients. While the United States, Western Europe, Japan, and a few other nations get richer, the hungry get hungrier, because, in the underdeveloped part of the world, human fecundity is outstripping agricultural fecundity. In Asia and Latin America in the past 5 years the population has risen by 12 and 17 percent, respectively. In contrast, production of food has risen by only 10 percent. The result is that per capita food production has fallen by 3 percent in Asia, by 7 percent in Latin America.

The deadly effects of the population explosion aren't for tomorrow. They are here and now. Today.

As Chairman Robert S. Stevenson, of Allis-Chalmers puts it: "The United States, Canada, and Australia are going to have to feed the world, or we're going to have to help the world feed itself." Nobody realizes this more keenly than President Lyndon B. Johnson and his top aids. The more newsworthy problems of Vietnam and inflation have not, even for a day, crowded it out of their deliberations.

Humanitarian motives aside, the President and his aids know full well that the U.S. economy cannot continue to grow without an expanding world market. Moreover, as the President has noted, quoting Seneca, "A hungry people listens not to reason, nor cares for justice, nor is bent by any prayers."

The malnourished masses love their children as intensely as well-fed Americans love theirs. They are not about to starve peacefully and quietly, in patience, resignation, and fatalism, as their ancestors might have done. They know there is a world without hunger somewhere outside their dusty villages. They have transistor radios, and they have bumped in rickety buses into market towns. They have taken seriously the politicians' promises of a better life. They will riot and kill to achieve it. They are doing so right now.

ESCALATION

Almost in desperation, the United States plans to escalate its efforts to deal with the world hunger problem. In so doing it will create tremendous opportunities for businesses that have the know-how, the foresight, and the capital to help end hunger.

President Johnson fired an opening gun in the stepped-up war against hunger when he sent a message to Congress last month, asking for a new food program to replace the present food-for-peace program, Public Law 480, which expires this year. The President did not spell out all the details of his food-for-freedom program, but, even so, agricultural experts agree that it eventually will have an enormous impact on the entire U.S. economy. For one thing, it will change the whole direction of the foreign aid program. Until now, foreign aid has gone primarily toward industrial development; hereafter, it will be directed more toward agricultural development. The food-for-freedom program will have an even greater impact on U.S. agriculture. Since the first Agricultural Administration Act, the U.S. Government has attempted to keep food production down. Now, the administration plans to offer inducements to farmers to raise production of certain foodstuffs. Under the food-for-peace program, the United States sent abroad primarily those agricultural products it had in surplus in Government warehouses. Now, it will gear its production more directly to the needs of the hungry, using incentives to increase production of certain foodstuffs when necessary.

Out of this inevitably will come several other developments: Little by little, land which has been retired from production under the present farm program will be brought back into cultivation. The exodus of marginal farmers into the cities will be speeded up, since they will not have the capital to expand production as the Government requires. The big farmers will get bigger. Even if world prices of agricultural products don't rise, the big farmers will become so efficient and have such an enormous market they will be able to prosper with lower subsidies—or even without them.

One expert, Don Lerch, a Washington management consultant who specializes in agriculture, believes that by 1976 there will be only 500,000 farmers in the United States (as compared with 3.2 million today). But, he quickly adds, they will all be immensely prosperous.

The farmers of Canada and Australia also will benefit. Both countries, as a result, are likely to keep booming.

The United States plans to fight the war against hunger on two fronts. The first will be a crash program to supply the underdeveloped countries with food. The United States has been giving away $1.5 billion worth of food abroad every year under Public Law 480. If Congress approves the President's new program—as seems all but certain—food shipments could rise to $3.3 billion by 1967–68. This move is designed to cope with such emergencies as the recent drought in India, which already has led to Communist-organized riots in the State of Kerala.

In the long run, the second front will be the decisive one. This is the self-help part. Every nation receiving U.S. aid will have to promise to build up its own agriculture as swiftly as possible. Not only promise, but show results. The reason for this is simple. "We don't have enough capacity to feed all these people," says Secretary of Agriculture Orville L. Freeman. "Unless they learn to feed themselves, there will be world famine. The estimated increased needs between now and 1980 are in the neighborhood of 300 million tons. The potential reserve productive capacity of this country is 50 to 55 million tons more. There is a 250-million-ton gap here that only the underdeveloped nations themselves can fill."

Along with the food, therefore, the United States will send the underdeveloped nations fertilizer and farm equipment. It will also encourage U.S. companies to build fertilizer plants and farm equipment factories abroad. It will teach farmers in Asia and Africa and Latin America how to make the most of the land they have. It will urge—and even armtwist—governments to rerig archaic policies in the field of price incentives, farm credit, and land reform. This will all be done under the Agency for International Development (AID).

Increasing food shipments abroad will mean increasing production at home, for, according to Freeman, the reserves in Government storage don't come anywhere near the world's requirements. "Our reserves are now in the land rather than in the storage bin," he says. Grain in storage has been dropping steadily since 1961—wheat, from 1.4 billion bushels to 800 million; feed grains, from 77 million metric tons to 50 million.

This means that millions of acres of land that have been retired under the present farm program eventually will be brought back into production as needed. It will be done gradually, Freeman says, first to prevent chaos in the marketplace, and second because there isn't enough shipping to handle all the food the U.S. farmer could produce if the wraps on him were taken off all at once.

All told, there are now nearly 57 million acres of U.S. farmland "in reserve." Freeman won't reveal just how many he intends to put back into production, but some Government officials believe it will be somewhere between 5 and 7 million acres. He already has taken a small step in that direction. "Just last month," he points out, "I discontinued the alternative of voluntary acreage reduction whereby a spring wheat producer could take 10 percent out of production and get paid for doing it. The producer no longer has that option. He has to plant his full allotment."

MORE TO COME

The acreage allotment for rice will be increased this year by 10 percent. Many experts believe it will eventually be necessary to increase the allotment for winter wheat. Says Claude W. Gifford, senior economist of Farm Journal: "A shortage in wheat is only a few years away."

Freeman's guideline will be the President's promise to Congress to "bring these acres back into production as needed—but not to produce unwanted surplus." In short, to change the very nature of U.S. agricultural policy but without causing chaos on the farm and in the marketplace.

In his message, Johnson called for increased production of soybeans. The Secretary of Agriculture believes this can be achieved by the judicious use of incentives—more acreage with guaranteed prices. "In corn," he says, "we have too much. We still have a surplus. We'll do something which will make it possible for those farmers to plant soybeans on those acres and come out just as good. We need the soybeans. We don't need corn." Soybeans produce a high-protein, low-cost diet meal for animals. They also are one of the richest sources of protein in food mixes for humans.

Robert W. Engle, manager of marketing of Allis-Chalmers' farm equipment division, believes that increased production will have to come from improved farm equipment and improved farm techniques, as well as from greater acreage. "One area where output per man hour has been neglected is farm materials handling," he says. "There are going to be some giant strides made in coordinating a farmer's growing system with a push-button, automated method of handling and storing his crop.

"Another way of increasing farm production is * * * by growing two stalks of corn where only one grew before. Instead of growing corn in the standard 38- or 40-inch rows, we've tried it in 30 or 20. Yield often increases 10 or 15 percent."

CHANGE IN POLICY

Under Public Law 480, the United States has either been giving the food away or else selling it for local currency. In simple fact, selling it for local currency almost invariably has meant giving it away, because so little of the currency can be used. According to Sam I. Nakagama, a senior economist of the First National City Bank of New York, the United States now holds an amount equivalent to two-thirds of the currency of India as a result of selling the Indians food. Most of this money obviously can't be used; spending it would create horrendous inflation. Under a tacit agreement with the Indian Government, therefore, the United States simply hoards it. The United States now holds $2.8 billion in counterpart funds.

Under the food-for-freedom program, food will no longer be sold for local currency and only a maximum $800 million worth will be given away. Only those nations which clearly can't subsist except on charity will receive free food. The United States will grant the others—nations like Taiwan, Spain, Greece, and the United Arab Republic—long-term credits at low interest, perhaps 2 percent, to buy the remaining $2.5 billion worth. They will have to pay the world market price. They will be required to repay the money in dollars.

Prices also should be bolstered by the fact that, at times, the United States will have to get the food on the open market.

There are those who fear that, by helping other nations increase their food production, the United States will destroy its own commercial food-export market, which now amounts to about $4.5 billion a year. According to Freeman, these fears are groundless. Experience proves, he says, that, as a country raises its production of food, what it does is switch to importing other U.S. agricultural products like animal feeds. The result is a net gain for the U.S. farmer. Freeman cites the case of Japan. That country used to get massive agricultural aid from the United States. It soon may be buying $1 billion worth of U.S. farm products annually on a straight cash basis. Western Europe, which also used to receive agricultural aid, is now this Nation's biggest customer of feed grains and poultry. In 1964, U.S. food exports to Western Europe totaled $2.3 billion.

As Freeman sees it, prosperity abroad, therefore, will mean prosperity at home. "Every 10-percent increase in per capita income (abroad) results in a 16-percent increase in the commercial imports of our products," he says.

In the fight to increase production of foodstuffs abroad, the United States will count particularly on the manufacturers of fertilizer. Says David E. Bell, Administrator of the Agency for International Development: "Fertilizer will be our biggest need." Dr. Lester R. Brown, staff economist of the Department of Agriculture, adds: "Ironically, the less-developed regions of Asia, Africa, and Latin America, which contain two-thirds of the world's people and where the food needs are greatest, use only 5 million tons of the 35-million-ton annual world total. In other words, only one-seventh of the world fertilizer supply is used in the regions containing two-thirds of the population. As the supply of new land that can be brought under cultivation diminishes, fertilizer becomes the principal substitute for land in the food production process."

FERTILIZER BOOM AHEAD

The United States is now shipping about $325 million worth of fertilizers abroad every year through foreign aid and commercial channels. By 1970, it will be shipping about $1 billion abroad each year. In addition, the United States will spend about $250 million to help build fertilizer plants in partnership with natives in the underdeveloped countries such as Gulf Oil's project in Korea.

Says an AID chemical engineer: "One million dollars worth of food aid will feed 70,000 people for a year, but the same $1 million put into fertilizer would help feed 200,000 people for a year."

AID's Bell is also counting on farm-equipment manufacturers and food processors to help beef up the agriculture of the underdeveloped countries. The farm-machinery makers will have to develop equipment especially designed for their needs, he says, pointing out that in India, for example, "the landholdings are very small. Farming takes on the characteristics of gardening. You need small power units, hand equipment almost."

A great deal rides on the success of this new program—which partly explains why support for it seems to cut across party lines. President Johnson's proposals have the support of many Republicans, who in the past were leery about foreign aid. Much of the Republican leadership in Congress comes from farm States, where food-aid programs naturally have strong support. Moreover, as Senator MILTON R. YOUNG of North Dakota, the ranking Republican member of the Senate Agricultural Appropriations Committee, points out, "Republicans originated the whole food-for-peace program back in the Eisenhower administration." He adds: "I think the President will get substantially what he wants. Giving people food and helping them produce more food is the best kind of foreign-aid program."

Is the food-for-freedom program alone big enough to deal with the problem? No. The sad fact is that, no matter how generous it is, it can only supplement the efforts of the underdeveloped countries themselves.

Some pessimists think that the problem is hopeless; that the population explosion is now out of hand. But some very hardheaded experts think otherwise. To quote Bryson M. Filbert, vice president and director of Esso Chemical Co., a big factor in the world fertilizer business, "It is possible to double or even triple agricultural production in all of Asia, Africa, and Latin America through the use of more fertilizers, more irrigation, better seed varieties, more pesticides, and other improved farm practices. I have been told by experts that four times the present world population could be supported by widespread use of improved farming methods."

But the key word is "could." To turn "could" into "will" is going to take some very drastic, very fast changes in the underdeveloped countries themselves. Almost without exception they misread the economic history of the prosperous nations. They only noticed that these countries built industries and turned farmers into workers. What they failed to note was that in most cases such countries did so only after developing a prosperous agriculture first. In part this misreading of history was due to an obsession with the "Soviet experiment."

RUSSIA'S BAD EXAMPLE

The Soviets reversed the normal process of economic development. By starving agriculture of capital and by keeping food prices artificially low, they made the farmers bear the cost of building hydroelectric dams and plants and steel mills. The Soviet Union became a great industrial power, and this bedazzled the underdeveloped nations. What they failed to realize was a fact that has since become obvious to everyone: The Soviet Union produces more steel than it needs, but it can't feed its steelworkers without importing food.

India is the classic case of a country that was misled by the "Soviet experiment." India concentrated all its capital and most of its foreign aid into building up industry. It used the free food it received from the United States to keep food prices low for industrial workers. The program has proved self-defeating. Low food prices have kept the Indian farmer too poor to provide a market for the goods the industrial workers are producing. At the same time, the low prices have discouraged the farmer from attempting to increase production.

[From Forbes magazine, Mar. 1, 1966]

U.S. BUSINESS VERSUS MALTHUS: IT WILL TAKE ALL THE NATION'S ECONOMIC RESOURCES TO DEFEAT THE ARITHMETIC OF STARVATION

Obviously, the U.S. farmer will be the first to feel the impact of the food-for-freedom program. In a recent talk with midwestern grain dealers, Robert C. Liebenow, president of the Corn Industries Research Foundation, predicted that food exports under the program and through regular commercial sales would increase by 50 percent "within the next few years." They now amount to $6 billion a year. A 50 percent increase would bring them close to $9 billion. Land values are going to rise. Smart farmers with capital will become rich.

Major segments of U.S. industry are going to benefit, too. The menace of starvation will mean steadily mounting sales for the producers of fertilizers, farm machinery, seed and feed. According to Liebenow, in order to increase exports by 50 percent, the farmer will have to spend $3 billion a year more for those products than the $13 billion he spends now. Little wonder that farm machinery companies are expanding as fast as they can, that almost every major oil company is striving to build a major stake in fertilizer.

James Devlin, director of domestic agricultural sales of American Metal Climax, which makes fertilizer, goes further. Increased food exports, he says, will "affect the whole gross national product." The railroads will prosper, he points out, because the food must be shipped from farm to seaport by rail. The steel industry will profit because farm machinery is made of steel. Even the paper industry will profit, he says, noting: "We put our fertilizer in paper bags."

SHIPS AND SHIPPERS

"It will mean a lot more business for us," says Alvin Shapiro, executive vice president of the American Merchant Marine Institute, which represents the nation's shipowners, who will have to carry the foodstuffs and fertilizer and farm machinery abroad. He doubts, however, that it will have an immediate effect on the nation's shipbuilders because "there is still tremendous unused capacity around. The big tankers are excellent for shipping grain and are not being fully utilized." Increased exports also will mean a lot more business for such commercial grain shippers as Cargill and Continental Grain.

Claude W. Gifford, senior economist, of Farm Journal, believes that, aside from the farmer, the makers of fertilizer will profit most from the food-for-freedom program. "You can get fertilizer on the land quickly," he says, "and it's easy to teach peasants how to use it even if they can't read. It's harder to teach the operation of machinery, and there's the problem of repairs."

This does not mean that manufacturers of farm machinery won't benefit, too, Gifford is quick to add, naming specifically Massey-Ferguson, Deere, and International Harvester. Others who will benefit are seed companies like DeKalb, Northrup King, and Pioneer, he says.

DEMAND FOR ROADS

Norman R. Urquhart, assistant vice president in charge of commodities of the economics department of the First National City Bank of New York, foresees a growing demand abroad for American earth-moving machinery. "When I was a boy growing up on an Illinois farm, one of the farmers' great cries was for good farm-to-market roads. We have them now, but the rest of the world needs them." This should help Caterpillar Tractor, he says. He also sees great opportunities for companies that build chemical plants, like Fluor, Foster Wheeler and Pullman's M. W. Kellogg division, "if they can get the contracts against foreign competition."

Some experts fear that increased production of foodstuffs in the United States and abroad actually may create a world shortage of fertilizers. Urquhart and one of First National's senior economists, Sam I. Nakagama, insist there is a world fertilizer cartel outside the United States. Asked why U.S. companies don't attempt to break it, Nakagama says: "Perhaps they don't find it advantageous to do so."

Whatever the facts about this may be, according to Devlin of American Metal Climax, the world potash industry is geared to expand only at the rate of 6 to 7 percent a year. If demand rose to a 10-percent increase a year, Devlin admits, the industry wouldn't have the facilities to keep up with it for more than a few years. "We couldn't, in that time, bring out new mines," he says. Devlin doesn't believe that such a rise in demand is likely, but this view is far from unanimous.

One company that is all but certain to benefit is International Harvester. Says Hugh A. Davies, general manager of Harvester's overseas division: "We do research all over the world, in places ranging from Argentina, which is a net exporter of foodstuffs, to Africa, where the people eat bananas. We have facilities in 20 nations outside the United States. We're in roadbuilding, trucks, and farm equipment. Only where farming is done by hand and horse do we not supply the tools.

"We can fill any demands that come. We just hope that demand is created. Roadbuilding might be a big thing. You have to have a way to get the food to market. The hinterland of Brazil is an example. You need better roads, schools, dams, and irrigation channels."

Deere & Co., already the biggest farm machinery manufacturer in the United States, is spending heavily to expand abroad. These investments have yet to pay off, but Chairman William A. Hewitt is sure they will. Meanwhile, he believes, the new farm policy will mean a big sales increase for his company in the United States. White Motor, which got into farm machinery through a series of mergers, now gets 30 percent of its $638 million in sales from that business and is out for more. So are Allis-Chalmers and the revitalized J. I. Case (Forbes, Feb. 15, p. 62).

Since the war against hunger can succeed only if the underdeveloped nations learn to produce more food, the U.S. Government is particularly anxious for U.S. manufacturers and food processors to expand abroad. Says AID Administrator David E. Bell: "There are lots of American companies beginning to invest abroad in fertilizer plants and there will be more in years to come. International Minerals & Chemical is putting up a big plant in India. We've recently made two loans for fertilizer plants in Korea; there the principal American investors are Gulf Oil and Swift. Now we are working with Standard of Indiana, Armour and others on fertilizer projects."

Bryson M. Filbert, vice president of Esso Chemical Co., says: "We have already invested about $90 million in facilities to produce ammonia, nitric acid and various other fertilizers and fertilizer compounds in Colombia, Aruba, Costa Rica, El Salvador and Spain. In addition, we are building or planning plants in the Philippines, Greece, Jamaica, Malaysia, Lebanon and Pakistan, as well as one in a very economically advanced nation, the Netherlands. In all, these plants will have more than 1 million tons of ammonia capacity and more than 1.8 million tons of fertilizer capacity. * * * Their capital cost will exceed $200 million."

The company also is working on new techniques which, it hopes, will make the sand dunes of Tunisia and Libya bloom. These involve using oil to stabilize them.

The U.S. Government is putting a great deal of pressure on the underdeveloped nations to make it attractive for U.S. companies to build fertilizer plants abroad. For a long time, India insisted that it handle all the distribution of fertilizers produced in that country by U.S. companies and that it also set the price. Standard of Indiana understandably refused to accept these conditions. AID put food shipments to India on a month-to-month basis until the Indian Government let Standard of India market the fertilizer itself at its own price.

OPPORTUNITY—AND PROBLEMS

Bell believes "there is a real opportunity in food processing." However, the food processors themselves think it may be a long time before they make any great progress in the underdeveloped countries. Harry Meisel, technical coordinator for Corn Products International, points out his company has sold a product derived from corn called "Maizena" which has been known for 100 years in Latin America. Recently, it brought out a new product in Brazil, "Enriched Maizena." This is "Maizena" with proteins, vitamins, and minerals added. "It solves the problem of getting nutrition into the diet in an innocuous way," says Meisel.

But Corn Products is losing money on "Enriched Maizena" because the protein element, which is made of milk and soybeans, costs too much. One reason is that it's been difficult to shift Brazilian farmers to soybean production. U.S. farmers will shift from one crop to another at the drop of a dollar, but in Brazil caution and suspicion prevail. It takes 15 years to get a Brazilian farmer to shift crops, Meisel says. Introducing a new product in underdeveloped countries, he concludes, "is a baptism of blood."

Quaker Oats has been having a similar experience with "Incaparina." This is a powdered cereal mix that contains cottonseed and soy flour. Quaker Oats is promoting the cereal with an advertising campaign. Particularly effective have been movies which show babies before and after drinking the cereal.

"But," admits Michael Hore, general manager of Latin American and Pacific operations for Quaker, "we have a long way to go. It's a matter of education, and the money for that has to come from us."

Dr. Harold L. Wilcke, director of research for Ralston Purina, suspects there may be greater opportunities in the underdeveloped countries in processing food for animals than in food for humans. "In many areas," he says, "animals cannot economically compete in food value with direct consumption of grain. But in some areas the land can grow food fit only for animals. These are areas similar to our Rocky Mountains, where grass is the only crop, and they exist in India, Mexico, and Venezuela. In addition, animals can compete when they scavenge or when they eat spoiled grains."

This could mean business for Ralston Purina's supplementary feeds, which help the animals grow faster and bigger, Dr. Wilcke says.

Clearly, the outlook is this: In the United States, the economic impact of the food-for-freedom program will be swift. In the underdeveloped countries, however, the problems are as great as the need. For many of the companies that go overseas, these problems will make it difficult to show a profit for a long time. But for many the opportunity is simply too great to miss, whatever the risks.

The great 19th century clergyman-economist Thomas Malthus believed that population growth inevitably would outstrip food supply; only massive starvation and misery could reright the balance, he said. It didn't happen that way in the countries of the West and in Japan, but it seems to be coming to that for the world as a whole. In the struggle to prove Malthus wrong, the know-how and enterprise of U.S. businessmen are going to prove mighty weapons.

Companies that will help feed the world

Company	Operating data			Stock data				
	Assets (millions)	1965 revenues (millions)	1965 net income (millions)	Latest 12 months earnings per share	Recent price	5-year price range	1966 indicated dividend	Yield (percent)
FERTILIZER PRODUCERS								
American Cyanamid	$786	$863	$93.1	$4.21	92¼	96 -35½	$2.50	2.7
Armour	631	2,062	22.4	2.88	46⅝	53⅛-29	1.60	3.4
Borden Co	677	1,353	49.1	1.94	40½	47¼-20⅝	1.20	3.0
Cities Service	1,586	[1] 1,185	104.1	3.86	47¼	50 -22⅛	1.50	3.2
Continental Oil	1,554	[1, 2] 1,552	96.2	4.25	66¾	81½-43½	2.40	3.6
Grace, W. R	906	902	40.5	2.61	57½	62⅝-16⅞	1.20	2.1
Gulf Oil	4,667	[1] 3,879	427.0	4.12	53¼	60 -30¾	2.00	3.8
International Minerals & Chemical	324	279	21.7	3.40	84⅞	84⅞-17	1.20	1.4
Kerr-McGee	324	314	23.8	3.64	77⅜	77⅞-24	1.30	1.7
Lone Star Gas	421	183	17.8	1.22	24⅝	28¼-18⅝	1.12	4.5
Potash Co. of America	55	28	4.6	3.67	74¼	76¾-16	2.00	2.7
Socony Mobil	4,879	[1, 2] 4,755	320.0	6.30	89⅝	98½-38¾	3.20	3.6
Standard Oil of California	3,796	2,930	391.0	5.15	79	86 -40½	2.50	3.2
Standard Oil of Indiana	3,306	3,063	219.3	3.10	44⅞	50½-20	1.70	3.8
Standard Oil of New Jersey	12,490	12,725	1,035.0	4.80	78¼	92⅞-40¾	3.30	4.2
U.S. Borax & Chemical	135	98	9.4	2.21	36¾	47½-19⅛	1.10	3.0
AGRICULTURAL EQUIPMENT								
Allis-Chalmers	552	714	22.1	2.33	35¼	36¼-12½	0.75	2.1
Case, J. I	218	289	13.5	2.93	30	38⅛- 4½	([3])	----------
Caterpillar Tractor	1,007	1,405	158.5	2.80	46½	53⅞-14¾	1.20	2.6
Deere & Co	981	922	56.5	4.07	62¼	63¼-20¾	1.70	2.7
International Harvester	1,814	2,359	103.2	3.56	50¾	50⅞-21⅜	1.725	3.4
Massey-Ferguson	742	808	40.1	2.66	33⅞	37⅜- 8⅞	1.00	3.0
White Motor	286	635	22.0	3.80	43⅜	44¾-16⅛	1.40	3.2
FOOD PROCESSORS								
Archer-Daniels-Midland	183	339	3.7	2.32	41½	44½-30	1.60	3.9
Central Soya	126	469	10.5	3.44	60⅝	60⅝-23¾	1.40	2.3
Corn Products	584	979	54.7	2.45	50⅛	67⅜-37	1.60	3.2
National Dairy Products	825	2,017	69.9	4.83	84⅛	98½-46¼	2.80	3.3
Pfizer, Chas	465	543	53.4	2.70	71⅜	76⅜-30⅝	1.45	2.0
Pillsbury Co	237	450	10.4	2.35	39½	49 -20	1.00	2.5
Quaker Oats	228	480	16.3	3.89	74	96 -55	2.20	3.0
Ralston Purina	395	988	32.4	2.16	49½	50 -22	1.00	2.0
Swift	634	2,751	16.4	2.70	57¼	65 -31	2.00	3.5
Unilever N.V.[4]	2,932	[5] 5,050	[5] 188.0	[5] 2.83	31	43⅜-23	1.438	4.6
CONSTRUCTION								
Foster Wheeler	96	[1] 228	1.9	2.65	48½	51¾-22¼	[6] 1.40	2.9
Kaiser Industries	441	[7] 452	[8] 15.1	[8] .73	13⅞	15-5¼	([3])	----------
Morrison-Knudsen	135	314	5.3	2.57	29⅞	35¾-26⅜	1.60	5.4
Pullman	300	661	20.6	4.51	66¼	73⅞-20¼	2.40	3.6
GRAIN-CARRYING RAILROADS								
Atchison, Topeka & Santa Fe	1,857	677	91.0	3.45	41¼	42 -20½	1.60	3.9
Chicago, Milwaukee	682	241	7.3	2.16	61½	64 - 7	1.00	1.6
Chicago, Rock Island & Pacific	497	211	[8] 1.5	[8] .50	42¾	47 -14⅝	([3])	----------
Illinois Central Industries	743	283	9.8	6.66	78¼	81 -31⅛	2.40	3.1
Missouri Pacific	1,196	417	26.3	14.26	94½	96½-35¼	5.00	5.3
Union Pacific	1,765	549	93.8	4.03	47⅛	49½-27⅛	1.80	3.8

[1] 12 months ended Sept. 30.
[2] Excludes excise taxes.
[3] None.
[4] Stock data for Unilever N.V. shares.
[5] Estimates.
[6] Plus stock.
[7] 12 months ended June 30.
[8] Deficit.

TWICE AS MANY SUKARNOS?

Each generation faces its own crisis. In the thirties and forties it was the rise of fascism. In the fifties and sixties it has been communism. In the seventies and eighties it's likely to be an even more virulent threat: Hunger. Americans probably won't go hungry, but most of the rest of the world will, and we won't be able to escape the consequencies.

On pages 19 through 26 of this issue, the editors of Forbes examine the economic implications of population growth pressing against an inflexible food supply. The work of a six-man Forbes team, the report takes a generally optimistic view about what U.S. business can do about the situation—and how it can benefit from it.

But not everybody is optimistic, and we think it only fair to expose our readers to the views of an extremely well-informed businessman who thinks the prospects for feeding the world over the next few decades are dim.

He's Thomas M. Ware, 47-year-old chairman of International Minerals & Chemical. Under Tom Ware's brilliant direction IMC has been extremely aggressive in expanding in the fertilizer field. But that isn't Tom Ware's only credential. He is chairman of the Freedom From Hunger Foundation, a nonprofit organization that promotes support among businessmen for the food programs of the United Nations. Most important of all, Tom Ware is an engaged and aroused citizen.

"Hope always springs eternal," he told Forbes late last month. "But I don't see how on earth it's possible for the world to feed itself in the years ahead."

UNDERUSED TOOLS

It isn't a shortage of fertilizer, he emphasizes, of implements, of seeds, or even of land. The trouble is even more basic: It lies in the human mind. "Intelligence," he says, "is capital. We've spent billions on education in this country to get the amount of intelligence we have today. The underdeveloped countries haven't, and they aren't going to be able to catch up overnight.

"We've got the tools," he goes on. "TV is a great tool for mass education. Computers and jet planes give seven-league boots to brilliant men. Satellite communications can spread ideas instantaneously.

"But, because of a lack of education, of intelligence, many of our tools are not being used properly. Atomic power cannot be used for digging irrigation projects because of politics. Population control cannot always be used effectively because of religious ethic. And remember that the sword we give someone to cut food can also be used to slay somebody else."

Ware believes that hunger itself breeds ignorance. "If half the people in the world are starving," he says, "then half the world's minds are permanently maimed. They just don't have the voltage between the ears to get any work done. How can a mental dwarf who has no energy grow more food?"

TO THE SKY?

In his own field of fertilizer, Ware says, proper use takes intelligence and education. "Every soil is different, and needs different treatment," he says. "An American farmer knows just what he needs, and has the capital to pay for it. But a man who can't read might put fertilizer on a plant a foot thick and expect it to grow to the sky. Instead the plant would grow at all."

Ware is concerned too that Americans aren't sufficiently aroused and may wait too long to take really effective action. He points out that it took 15 years to open up his company's big new potash mine in Saskatchewan. "For the first 5 years, we had to sit and assay the market. The next 5 were taken up with design and planning. The third 5 were spent actually digging the hole. In addition to all that time, there was the $60 million we spent. That experience has made me very respectful of the meaning of a doubled population in just 35 years."

SCORCHED EARTH

Finally, he speaks about the scarcity of arable soil in the world, and of the fact that world hunger will create turmoil that destroys soil. "The soil was destroyed by war in the Nile Valley and the Mediterranean

Basin, and now it's being scorched in Vietnam," he says. "When you double the population, you're going to double the number of Sukarnos, Cubas, Vietnams, library burnings, and the like. More accurately, you're probably going to get eight times as much trouble."

We hope Tom Ware is wrong in his pessimistic view. In fact, he hopes so, too. But unless the American people and American business make a mighty effort, and soon * * * well, Ware knows what he is talking about, if any man does.

CAREFUL ASSESSMENT OF DOMESTIC PROGRAM EXPENDITURES URGED

Mr. MILLER. Mr. President, for some time I have been convinced that we must assess very carefully and wisely the expenditures for our domestic programs in light of the needs to win the war in Vietnam.

If we are to have a "win" policy in Vietnam, we must look at the domestic programs to determine where cuts should be made. These cuts rightly should be channeled into our military effort so that we may be able to win the war at the earliest opportunity.

I believe the editor of the Farm Journal in the March 1966 issue made a very valid point when he asked:

> Isn't it about time we all got into this war, all made some sacrifice? Should we just leave all the sacrificing to 200,000 or more American boys in Vietnam?

The editor is convinced that we cannot continue full speed ahead on both the domestic and Vietnam areas without a necessary trimming back on the domestic front.

This editorial should be required reading for those who believe we can do both.

I ask unanimous consent that the editorial, "It's Our War," be placed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

It's Our War

Isn't it about time we all got into this war, all made some sacrifice? Should we just leave all the sacrificing to 200,000 or more Americans boys in Vietnam?

We may as well admit it: For the most of us except those boys and their families back home, life has been going on pretty cozily. We've followed the news of the war, but then have gone on about our affairs undisturbed. Most Americans have been doing pretty well financially. They've enjoyed all the usual pleasures and some extra ones, kept comfortable and snug.

Partly this was because we hoped that this war which we drifted into would soon end, and that the Vietnam nightmare would somehow go away. But we see now that likely we are in for a long and dirty fight and that the cost in men and money will probably go up, not down.

What can we noncombatants do?

Well, for one thing, we can realize we are in a war and act like it. We can ask our Government to do the same.

In his annual budget message the President called on us to "support the struggle in Vietnam" but then added that "the struggle for a Great Society must go on unabated." Unabated, with a war going on? We doubt that he really meant it, for already some spending programs have been cut back. But they need to be trimmed a lot more and the effort turned to the military struggle and the prevention of more inflation. Those are the two big jobs on our hands now. That's plenty; other things can surely wait.

We can make the draft more fair. It can never be fully fair, but so far it has been falling too heavily on the boys not shielded by the sanctuary of college.

If we need more taxes to curtail Government deficits let's have them, unpleasant though taxes are. But not unless or until we've cut out spending for things we can forgo or at least postpone. Let's try that first.

In today's world we need allies. World opinion is a powerful force. But how many American boys should we sacrifice for fear of offending "allies" who are sending food and materiel to a shooting enemy?

It seemed to us that the bombing lull, the dispatch of our emissaries to all parts of the world, the appeal to the United Nations, futile as that organization is, were all worth trying. We favor making every other possible attempt at peace. The President has tried hard.

What we are asking now is that he first consult fully with Congress, which he hasn't done, then have the courage to tell us what is necessary and when. In brief, let's all of us begin to share this war, so far as possible, with the boys doing the fighting. It will be mighty uneven sharing at best, but at least we can start acting like this is our war, not just theirs.

OUR NATION'S CAPITAL COLORING BOOK

Mr. MILLER. Mr. President, in dignified impressive ceremonies at Valley Forge, Pa., on February 22, 1966, the U.S. Capitol Historical Society was presented with its second Freedoms Foundation award. Honored with a 1964 citation for We, the People, the society was recognized again for its 1965 publication, Our Nation's Capital Coloring Book.

The principal Americana Award was presented to the U.S. Capitol Historical Society of Washington, D.C.

> Honoring Our Nation's Capital Coloring Book, using the historic and scenic monuments of the Capital City, re-created our heritage in story and picture and included a recommended reading list, a full color page of State flags, a tour map of the city and note pages.

Representing the society at Valley Forge was the driving force founder, and first president of the society, Fred Schwengel of Davenport, former Congressman from the First District of Iowa.

In presenting the George Washington Honor Medal, Dr. Kenneth D. Wells, president of the Freedoms Foundation at Valley Forge, made the following remarks:

> This next award goes to show what can be done with an idea in this great free society of ours. The staff of the U.S. Capitol Historical Society, ever mindful of the importance of history to the impressionable young, decided that in order to meet the minds of our youth it must bend to the child's own media. The result was a combination history-coloring book that is now being used in classrooms all over America. It is one thing to produce a coloring book, but another to rank among the top echelon of Freedoms Foundation awards. Our jury felt that this was a great thing being done for millions of young Americans and we are proud to present this medal to the society. Our most sincere congratulations.

Mr. President, I am sure this is an honor with which all Members of Congress and millions of other people are in full agreement. All of us know of the outstanding job that the United States Capitol Historical Society has been doing to make our people more acquainted with the facts and traditions of the U.S. Capitol.

I believe that the untiring work of Mr. Schwengel should share in this recognition because I know how long and how hard he has labored so that the United States Capitol Historical Society will fulfill the dreams of its founders.

VIETNAM: CONTAINMENT OR ACCOMMODATION

Mr. McGEE. Mr. President, the Washington Sunday Star, in its lengthy and well-put lead editorial yesterday, examined the crux of the current debate over America's Vietnam policy, cut through the entangling maze of questions and answers and reached a conclusion. That conclusion was that, "Given the importance that Vietnam has assumed as a test case for Mao's doctrines of revolutionary conquest, there is, at present no realistic alternative to military containment" of Red China.

The Star's editorial commands attention, Mr. President, and I ask unanimous consent that it be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Star, Mar. 6, 1966]

Crucial Issue: Containment or Accommodation

The continuing debate on Vietnam has not produced a solution to our problem in that part of the world. But it has succeeded to an encouraging degree in getting the problem down to its essentials.

More and more, in recent days, the debate has begun to transcend the ambiguities of Vietnam itself and center on the problem of the containment of Communist China. More and more, both those who defend our policies in Vietnam and those who criticize them have cast their arguments in terms of a confrontation between American power and that of the vast nation which has taken over as the primary global antagonist of the United States.

Most serious critics of the administration now admit that the containment of China, in southeast Asia and elsewhere, is a vital interest of the United States. The question is simply whether or not the war in Vietnam serves this purpose. Are we containing or provoking China in Vietnam? Are we decreasing or increasing the risk of all-out conflict? Have we the means of attaining our objectives? Is there, in fact, a practical alternative to the military containment of Chinese expansionism in Vietnam and elsewhere?

The answers to all of these questions depend finally on an assessment of the capacities and ambitions of the regime in Peiping. If, as the critics fear, the capacities of Red China are virtually unlimited, military containment is indeed a dubious proposition. And if, as they hope, its ambitions are modest, an alternative might be found.

The alternative suggested, most explicitly by Chairman Fulbright of the Senate Foreign Relations Committee, is what he calls an "accommodation" with China on a large scale. Peiping, he believes, can be induced to settle for the neutralization of southeast Asia in return for the withdrawal of American power from the area. If this were done, he implies, the aggressive nature of the Communist regime would change and stability would return along China's borders.

In our view the main trouble with this analysis is the fact that it is refuted by virtually every scrap of available evidence about the capacities and ambitions of the regime in Peiping—which, incidentally, greeted Senator Fulbright's suggestion with the revelation that he and his fellow doves are as big "fools" in Peiping's book as are the American hawks. It is also in contradiction with the major conclusion based on this evidence: That today the ambitions of the leaders in Peiping far exceed their material capabilities and that the military containment of China has been an established fact for 15 years.

Those who would seek to assuage China's aggressive expansionism by any sort of a deal in southeast Asia must first close their eyes firmly to the dimensions of Peiping's territorial appetite. The neutralization, or even the outright surrender of Vietnam, Laos, and Cambodia would amount to a drop in the bucket to a regime which loudly asserts traditional claims to hundreds of thousands of square miles on its periphery.

The presence of American power in Vietnam is a minor irritant compared to the presence of American power in South Korea or Nationalist Chinese power on Taiwan. Appeasement in any form is hardly a realistic solution for a country whose list of unfulfilled demands also includes large parts of Siberia, India, Nepal, Bhutan, Burma, Thailand, and Malaysia.

These territorial claims, combined with the militant spirit of the regime in Peiping, have in fact forced a policy of military containment on most of China's neighbors since the consolidation of communism on the mainland in 1949.

The Chinese have contested this containment many times in many places, sometimes with success. Tibet has been invaded and occupied. Direct aggression has been fostered against South Korea. Many clashes have occurred along the Chinese-Russian border. Probing attacks have been made on India. The Nationalist Chinese islands of Quemoy and Matsu in the Formosa Straits have come under bombardment and the threat of invasion from the mainland.

Yet, with the exception of Tibet which had no means of military defense and India where the Chinese still occupy some contested border territory, the lines of containment have held. Today, the encirclement of China about which the leaders in Peiping constantly complain is very real indeed. And the pressure of American power from northern Japan to Thailand on which a major sector of the ring of containment depends has grown to formidable proportions.

Since Korea, the leadership in Peiping has carefully avoided the risk of a direct confrontation with this American power. For all the bluster about paper tigers they have backed away from every situation which threatened to involve American airpower against Chinese territory. Confident as they may be of their ability to defeat any actual invasion of the mainland, the leaders in Peiping are thoroughly aware of China's vulnerability, even in terms of nonnuclear weapons that could be brought to bear.

The formula of conquest by proxy, developed from Mao Tse-tung's doctrines of "peoples' wars of national liberation," has in recent years provided an ingenious solution to the dilemma which has confronted China. Without risk of direct involvement, the encouragement and support of indigenous rebellions in areas marked for conquest have promised to provide the key to unlock the wall of containment and satisfy at least some of Peiping's territorial ambitions.

Vietnam offered the ideal terrain. Since the French occupation, all the apparatus for successful subversive warfare had been at hand. A successful "war of national liberation" in Vietnam—particularly one which ended in the withdrawal of American power from southeast Asia—would open up innumerable opportunities for the expansion of Chinese domination in southeast Asia. Above all, perhaps, in the struggle with Russia for domination of the world Communist movement, success in Vietnam would provide the vindication of the Peiping's militant doctrines.

On the other hand, if Chinese ambitions should fail in Vietnam the outlook from Peiping's point of view would be a good deal less encouraging. If the result of the war there turned out to be a massive new injection of American power, the containment of the rebellion and the strengthening of resistance to subversion in other less vulnerable areas, the leaders in Peiping might be induced to modify some of their most cherished hopes.

Indeed, there is good reason to believe that this result is well on its way to being achieved. In Laos and Thailand, the American buildup in Vietnam has brought about a remarkable stiffening of resistance to Communist pressures. In Indonesia, the hope of the Communists of turning the American position by seizing power has ended in stunning disaster. In Ghana and Cuba, Mao's theories of the exportability of world revolution have suffered serious reverses.

The fact which emerges, and which should impress itself on American doubters, is that the very survival of neutralism today in Asia—in Burma, Cambodia, and Indonesia, for instance—depends very much on the success of the containment effort in Vietnam. The leaders in Peiping have been impressed enough by the difficulties which they are encountering everywhere to warn their people that they must expect temporary reverses and retreats along the road to ultimate victory.

Given the importance that Vietnam has assumed as a test case for Mao's doctrines of revolutionary conquest, there is, at present, no realistic alternative to military containment. The time to begin talking about accommodations will come when the door to aggressive Chinese expansion has been firmly closed once and for all. Under these conditions, a genuine accommodation would take the form of opening the door to China's entry into the community of responsible nations. And this is the ultimate objective to which American policy in Asia should be unswervingly directed.

COOPERATIVE WEATHER OBSERVERS

Mr. MURPHY. Mr. President, for more than a hundred years in this country devoted public servants have been daily performing a public service of which most Americans are not aware. These men are the cooperative weather observers of the U.S. Department of Commerce Weather Bureau.

Under this program, the observer is furnished the necessary instruments and without compensation he takes and records daily observations of the weather. Today in the United States there are over 12,000 of these observers, and it is estimated that these volunteers give to the Government about 1 million hours yearly.

Mr. President, recently the Commerce Department published a book saluting the fine record of those who have been making weather observations for 30 or more years. In my own State of California, there are more than 900 cooperative weather stations in operation and 13 of the men who man these stations have given over 30 years of service to the Weather Bureau.

Mr. President, I ask unanimous consent that the information from "The Cooperative Weather Observer," saluting the efforts of the California volunteers, be printed in the Record.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

CALIFORNIA

A natural resource of first importance to California is the diversity of its climates. Found within her boundaries are the dry desert climate of the southeast and the humid region of the northern coastal mountains. Temperatures range from the searing heat of the desert and the interior valleys to the usually cool pattern of the north coast and the cold winter of the high Sierra Nevadas. It is the cooperative observer who has documented these several climates through the years so that we can tell what they are. The records have many applications.

Consider, for example, the western portion of the San Joaquin Valley. This is an area with a desert-like climate. Few people live here, but for 50 years the operator of an oil company pumping plant maintained a cooperative weather record. Today plans are being made to bring in irrigation water, and the long and complete record from Middlewater forms a basis for estimating the climate of the rest of that area so that growers will be able to make effective use of the newly opened agricultural area.

From time to time flooding has occurred in one part of the State or another, and the records of the cooperative observers are of vital significance in an analysis of these floods. Not only is it important to know what rain fell during the flood situation, but long records of more normal conditions are necessary if users are to evaluate properly the significance of the periods of high rainfall. Damage suits in some flood damage cases amount to several millions of dollars.

Of interest in delineating the climate of an area are the infrequent extremes that suggest the outside limits of weather that can be expected. Typical is the high temperature of 134 degrees F. observed at Greenland Ranch on July 10, 1913. Snowfall amounting to 60 inches was reported in a 24-hour period on January 18 and 19, 1933, at Giant Forest. The total for a season was 884 inches at Tamarack in 1906–07. Some of the heaviest precipitation rates are 1.03 inches in 1 minute at Opids Camp on April 5, 1926, 11.50 inches in 80 minutes at Campo on August 12, 1891, and 26.12 inches in 24 hours at Hoegees on January 22, 1943.

Without the help of the cooperative observers who make their readings regularly each day we would have no information on which to base an estimate of these extremes.

HOWARD R. ALLARD, WILLOWS

Mr. Allard has been the official observer in Willows since 1926, continuing a record started in 1878. For 36 years he was with the irrigation district until his retirement in 1956, and since that time he has served as a city official in Willows. He has taken an active position of leadership in the community, in his church, and in the several branches of the Masonic lodge. At Willows, as at many stations, the weather observations have been a family project.

ERNEST J. ANDERSON, ORLEANS

Mr. Anderson became the observer at Orleans in 1932, continuing a record that started in 1885. For his outstanding work he was given the John Campanius Holm award in 1964.

ROBERT E. BURTON, SANTA CRUZ

Mr. Burton has operated this station since 1931, except for the war years when he was on duty in the Pacific with the U.S. Navy. During that time he served on Ponape and operated a weather station there. His wife, son, and a neighbor operated the Santa Cruz weather station during that period.

As a special project Mr. Burton has devised equipment for estimating the amount of dew deposited on redwood trees and has found as much as 40 to 60 gallons of water per acre on some nights. He received the John Campanius Holm award in 1964.

At the present time Mr. Burton is a county supervisor for Santa Cruz County.

CARLOS A. CALL, FORT ROSS

In 1907 Mr. Call succeeded his father, who had been observing precipitation at Fort Ross since 1874. A storm in November of 1874 gave a measured total of 18.06 inches of precipitation in 24 hours, and probably the amount was more than 20 inches. The gage ran over at one time during the storm. Mr. Call has sent us copies of data extracted from the records of the Russian colony that manned Fort Ross as early as 1840.

The 91-year record within the family and the 58-year record by Carlos Call are outstanding not only for their length but also for their quality. Mr. Call was chosen in 1960 to receive the John Campanius Holm award and in 1965 the Jefferson award for outstanding service as a cooperative observer.

WALTER CANTRALL, JESS VALLEY

Mr. Cantrall was born in Jess Valley and he continued to live there to the present time. He has been the sole observer at this station since its establishment in 1929, and the record is not worthy for the total lack of missing data.

Shortly after this station was established Mr. Cantrall assisted water resource officials in the selection, measurement, and marking of a new snow course that is still in use more than 30 years later.

EDWARD C. GERLACH, LONE TREE CANYON

Mr. Gerlach has been the observer ever since this station was established in 1933. It is in an area of precious little rainfall, where an accurate measurement of what little does fall is of vital importance. He is interested in community activities and has donated land to the Rod and Gun Club for their rifle range.

LEROY KEMP, SQUIRREL INN NO. 2

Mr. Kemp was first appointed as the official observer in 1929, although he had in fact been taking observations for several years prior to this, both at Squirrel Inn No. 1 and No. 2. He visited the San Bernardino Mountains for a summer vacation in 1924 and has remained there for 40 years. During that time he has worked for the Squirrel Inn, the school district, and the fire protection district, among others, retiring in 1960. For many years he has sent in special weekly snow reports during the winter for the National Weekly Weather and Crop Bulletin.

ARCHIE C. LEACH, CAMPO

Mr. Leach is a rancher who was formerly with the engineering department of the city of San Francisco. His engineering background and his present interests lead to close attention to the accuracy of his precipitation records. He has operated the Campo weather station since January 1926.

This station experienced a cloudburst on August 12, 1891, that produced 11.50 inches of precipitation in 80 minutes. The intensity of the storm is documented by newspaper accounts of the damage done.

EDWIN L. PAULSON, ST. HELENA

Mr. Paulson was born in St. Helena, and except for brief periods of work in other communities he has lived there to the present time. He became a printer in 1902 and worked at that trade until he retired in 1955. He has been the weather observer at St. Helena since 1921, continuing a record started in 1907. His station was one that was chosen to test the dial thermometer a few years ago, and Mr. Paulson received the John Campanius Holm Award in 1961. He lives on his own ranch with his two brothers.

ROGER C. RICE, LOS BANOS

Mr. Rice is a licensed civil engineer, employed as watermaster and chief hydrographer for the network of irrigation canals serving much of central California. Prior to his present employment he was with the U.S. Geological Survey and with Southern California Edison Co., serving at various times in Washington, D.C., San Francisco, Honolulu, Kansas, and Arizona. He has published a number of articles in his field, including one that appeared in the Monthly Weather Review.

Mr. Rice has been the official observer at Los Banos since 1931 and has done an outstanding job of summarizing weather records that go back to 1873. In 1962 he was awarded the John Campanius Holm Award for outstanding service.

WILLIAM B. TEMPLE, COVINA TEMPLE FC 193

Mr. Temple, a leader in civic affairs in the Covina area, is continuing a precipitation record started by his father in 1902 and assumed by him in 1930. In recent years the citrus orchard that surrounded his home has given way to a subdivision that has built up in the area.

DARWIN M. TING, ESCONDIDO

Mr. Ting has been the observer at this station since February 1935, when he replaced Mr. Moon, who had served for 41 years. Mr. Ting is a pharmacist and owns and operates his own drugstore.

K. R. WARREN, WHITTIER CITY HALL

Mr. Warren is an official of the Whittier Water Co. and reports rainfall information to the Los Angeles County Flood Control District as well as to the Weather Bureau.

THE AMERICAN MERCHANT MARINE POLICY

Mr. BREWSTER. Mr. President, the chairman of the House Committee on Merchant Marine and Fisheries, Representative Edward A. Garmatz, of Maryland, recently spoke before the Maritime Administrative Bar Association on the subject of American merchant marine policy.

During his 18 years in Congress, Representative Garmatz has acquired an expert knowledge of the problems facing our merchant marine. He is eminently qualified to speak on maritime matters.

Representative Garmatz, in his speech, calls for an end of the proliferation of studies of merchant marine problems and a beginning of effective remedial action. He points especially to the construction of nuclear propelled merchant vessels as a stimulus to reverse the decline of the merchant marine.

I am in complete agreement with Representative Garmatz' plea to end the inertia prevailing in our maritime program.

Mr. President, I ask unanimous consent that the speech of Representative Garmatz to the Maritime Administrative Bar Association on February 10, 1966, be printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

REMARKS OF HON. EDWARD A. GARMATZ, CHAIRMAN, HOUSE COMMITTEE ON MERCHANT MARINE AND FISHERIES, BEFORE THE MARITIME ADMINISTRATIVE BAR ASSOCIATION, LAWYERS CLUB, WASHINGTON, D.C., FEBRUARY 10, 1966

We have all been reading and hearing that the immediate months ahead are critical ones for the American merchant marine and shipbuilding industry. Perhaps they will be, but I suspect that the important matters for administrative, executive, and legislative decision, will be of a different nature than many people are thinking.

I do not expect that we will be actively concerned during this session of Congress with any drastic or revolutionary overhaul of our national maritime policy or programs.

Whatever else might be said about the American merchant marine, it has hardly been the subject of insufficient study.

Since I was first elected to Congress 18 years ago, there has scarcely been a year when some governmental committee, or quasi-governmental committee, was not analyzing or dissecting the American merchant marine.

During those years, we have witnessed at least 25 major studies of varying descriptions by the executive and legislative branches of our Government—not to mention countless minor studies.

In more recent years, we have had the project Walrus report of the National Academy of science, the report of the Maritime Evaluation Committee of the Department of Commerce, the Interagency Maritime Task Force Report, and the report of the President's Maritime Advisory Committee.

I am ready to make one prediction—that we are reaching inevitably the end of an era—the time is approaching when there must be a halt to this proliferation of studies.

Either we will find a way to follow through with the effective execution of our maritime policy and programs, as enacted by Congress, or there will no longer be a subject available for study. I am confident that the way for promoting and sustaining a healthy American merchant marine and ship building industry, will be found.

In my opinion, the difficulties which now beset our maritime industry are largely attributable to the ineffective, and half-hearted administration of the statutory programs, rather than to any basic deficiencies in the programs themselves. Indeed, all of the maritime studies, except one—the Interagency Maritime Task Force Report—seem to agree with that conclusion.

In any hearings which our committee may hold on this subject, I intend to investigate as fully as possible the underlying reasons for the persistent and continual administrative inertia that has, unfortunately, characterized our maritime programs.

Recently the thought has been advanced that the revolutionary ideas proposed by the present Maritime Administrator have accomplished one very worthwhile and beneficial purpose—if nothing else—they have caused the industry to think.

Obviously, I must agree, as I expect anyone would, that thought is good. Such platitudes, however, do not allay my concern for those who would seek to deviate from or to destroy our basic maritime legislative program.

Thought without action in a commercial industry is merely stultifying. We are not attempting to develop a group of philosophers.

A diagnosis without a cure or continuous deliberation without a decision eventually will produce stagnation and prevent any progress.

I am fearful that the present chaotic and frenzied state of affairs has produced harmful rather than beneficial results.

Announced confusion over the administration of our maritime programs has created uncertainty.

A prospect that domestic operators may be allowed to construct vessels abroad certainly discourages new construction by such operators in domestic shipyards.

The threat that our cargo preference laws may be repealed hinders new construction by operators of bulk carrier vessels.

These vagaries in our own maritime program have impeded the development of the American merchant marine and have unwittingly given encouragement to the merchant marines of other nations.

The Maritime Administrator keeps calling for something new—the miracle that will solve all of our problems. I see many new developments, especially in the area of nuclear propulsion and containerization—but I see virtually no action by the Maritime Administration.

Six years ago I introduced a bill, to encourage the construction of nuclear merchant vessels, as the second phase of our nuclear ship program, but I have heard of little interest in this field by the Maritime Administration.

How new must something be to whet the whistle of those who chase the rainbow? Perhaps even nuclear propulsion is now too antedated for them and some more exotic technological change is sought.

Let us return to reality.

The United States has spent a large amount of money to develop what is still the world's only commercial nuclear vessel—the N.S. *Savannah*.

That vessel is now outmoded, as we knew it soon would be.

Yet the money has been wisely spent, if we move ahead promptly in the second phase of our nuclear ship program which will be far less expensive than the first. If we do not move ahead, the substantial moneys that have been expended will have been wasted.

I believe that we are now on the verge of a technological breakthrough, in the construction of nuclear propelled merchant vessels. Nuclear propulsion is no longer a fanciful dream, or something that is not economically feasible.

We have the present ability to create a fleet of large, fast, nuclear-powered ships, which by their size, speed and ability to load and discharge, could, in a comparatively short time, dominate the point-to-point common carrier movement of the world's commerce.

I believe that a program designed to provide support for a minimum number of nuclear-propelled vessels must be commended immediately in American shipyards. There is at least one American-flag operator ready and willing to pursue such a program, and I am confident that others will follow.

At the present time, the United States has a temporary advantage in the field of nuclear propulsion, but the real advantage will be ours, only if we capitalize on it.

Foreign operators are not encumbered by the type of inertia that prevails in our maritime program and they will eventually move forward. The Germans are now building the *Otto Hahn*, a nuclear bulk carrier, and the Japanese are contracting for a nuclear propelled oceanographic vessel. The Russians have the *Lenin*, a large nuclear icebreaker. These are the foreign equivalents of the NS *Savannah*, except, that at least two of these foreign nuclear vessels already incorporate reactor designs that I am informed are superior to the *Savannah*.

Ironically enough, these foreign reactor designs were derived directly from our own maritime reactor program.

If we are to maintain our lead in maritime nuclear power, and simultaneously to capitalize upon current developments in ocean transportation, we must make a decision now—thinking about it is not enough.

Obviously, if such a program is pursued, it must be undertaken in American shipyards. It would be unthinkable for us to consider exporting our technology abroad, so that foreign operators could use it to destroy our industry.

In my opinion, our domestic shipbuilding industry is the most maligned segment of our economy. It has now become popular sport in some quarters, to place all of the woes of the American merchant marine at the doorstep of the shipbuilder.

Critics of the American shipbuilding industry have pointed out the remarkable accomplishments of the American aircraft producer.

We are all aware that more than 80 percent of all jet planes in commercial use throughout the world are the products of American factories, and their skilled technical and management teams.

If we are to make such a comparison, however, between the American shipbuilder and aircraft manufacturer, let us be fair and realistic.

I have no desire or intention to take anything away from the achievements of the aircraft industry, but the fact is, that the Government has spent several billions of dollars in technological developments, and governmental contracts with the aircraft producers, have allowed them to finance and construct new plants, and to amortize their plant equipment.

Without such a progressive program of governmental assistance in the aircraft industry, the success of the American aircraft producer would scarcely have been possible. As far as I know, no large commercial aircraft in this country was developed without governmental assistance.

The assistance by the Government to the American shipbuilding industry has been insignificant by comparison—and certainly inadequate. It is paradoxical that anyone would suggest that such assistance should now be reduced or eliminated.

If one-tenth as much developmental money had been spent in the shipbuilding field as in the aircraft industry, I am confident that we would now have a shipbuilding industry in this country that would be competitive with foreign shipbuilders.

In my opinion, the American merchant marine and our domestic shipbuilding industry must move forward and grow together.

And for that to be accomplished, we must start having action—not just a lot of words floating through the air. This industry is being talked and studied to death. Action can get underway right at the Maritime Administration by taking positive steps on the various applications which have been sitting there for so long, by taking positive steps to promote the American merchant marine and not just downgrade it all the time, by informing the American people what the merchant marine really means to them—why they must have it—this effort must be combined with a program to sell those in Government along the same lines, not downgrade all the time.

For too long now, the approach has been along the negative line. Let us do something positive—and good—for a change.

PEACE CORPS REPORTS ON SERVICE IN BRAZIL

Mrs. SMITH. Mr. President, a young couple in July 1963 joined the Peace Corps 10 days after their marriage. They were Mr. and Mrs. David Seaton. He is a resident of Coffeyville, Kans. She is the former Carolyn Allen, daughter of Mr. and Mrs. Francis D. Allen of Bangor and granddaughter of Mrs. Mary Allen of Ellsworth, one of Maine's most distinguished women.

They have recently returned from service in Brazil and he has written a most interesting unofficial report, which appeared in the Ellsworth, Maine, American. I invite the attention of the Members to this report and I ask unanimous consent that it be placed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

PEACE CORPS REPORT ON SERVICE IN BRAZIL

(NOTE.—This is a report by David Seaton, recently returned from Peace Corps service in Brazil. Mr. Seaton is married to the former Carolyn Allen, daughter of Mr. and Mrs. Francis D. Allen of Bangor, and granddaughter of Mrs. Mary Allen of Ellsworth. Carolyn served as a volunteer with her husband in Brazil.

(David Seaton's home is Coffeyville, Kans., He and Carolyn, "Callie," were married on June 29, 1963, in Bangor, at All Souls Congregational Church. The couple joined the Peace Corps 10 days after the marriage.

(This report is written purely of his own initiative, and has nothing to do with Peace Corps publicity as such.)

"Callie" and I spent 17 months in the town of Muqui, State of Espirito Santo, Brazil. Muqui is located about 400 miles north of Rio de Janeiro, just off the highway that connects Rio with the northern port city of Bahia.

We were invited to Muqui, to work with a school snack program supported by food for peace. And we were trained to use this program as a starting point from what we call in the Peace Corps community action.

When we first arrived in Muqui by car, I guess we were a little disappointed. There was one wide street going right through town, with a railroad track alongside the cobble pavement. It didn't look very pretty.

We went to the dingy "prefeitura" or city hall, to look up the mayor. He was out of town, but the vice mayor talked to us. We listened, but it did little good. Our American project director translated what he could, and we smiled every so often, so we wouldn't look too out of it.

Later, we found out that nobody understands the vice mayor very well, because he has a speech impediment and talks as fast as he can to cover it up.

Finally we got up, shook hands and said our one Portuguese phrase—"muito obrigado" for me and "muito obrigada" for "Callie"—meaning, thank you very much, and skedaddled for the mayor's house to see if he was home yet.

On our way to the mayor's house, we saw that Muqui is really a pretty town once you get around in it. There is an odd-shaped "praca" or park with a beautifully green and close-trimmed garden at the center of town.

The big church, built entirely by local donations, overlooks the main street. Along the side streets, the pale red, yellow, blue and off-white houses are lined up like store fronts, with their entrances right on the sidewalks.

From Boa Esperanca, the little street where the mayor lives, we could see the green hills and huge rock faces that surround the town. All this made us feel better about the idea of living in Muqui.

Ary, the mayor, came home soon after we reached his house. We were sitting there in the living room on straight-backed chairs, with little cups of cafeezinho balanced on the palms of our hands, when Ary came hurrying in the front door.

Ary is a small man, with short legs that embarrass him a little, but he is all activity and hard work. We could understand most of what he said, because he used simple words and talked slowly. And though he joked a lot, we could tell he was aware of what the Peace Corps and its intentions are all about.

We spent our first 2 months in Muqui, going with Ary to visit people in their homes and at the cafes along the main street. Ary also took us out to the larger "fazendas" or farms, on which live the landowners, in the big—but usually poorly equipped—house, and the tenant farmers in their scattered shacks.

And Ary took us to the "Murro do Querosene," the Kerosene Hill. This is Muqui's "favela" or slum hill, named after one of the big favelas in Rio.

On the Morro, live about 75 of the poorest families in Muqui, in houses made of mud and sticks, with no floors, no electricity, and no money in the mattress. A good number of them have no father, so the mother has to make do by washing clothes or separating coffee beans at a wage of about $3 a week.

The people we met would fill a book of human portrait stories. Most of them were mulattoes. There were also some Italians, whose parents or grandparents had immigrated to Brazil, some Portuguese, a few Spanish, a few Syrians, and even a couple of German families.

All these people speak Portuguese; over 90 percent of them are Catholics. The largest Protestant group is the Baptists. There are also a few Spiritualists, who believe in reincarnation of the soul and communication with the dead.

You can see that it would be hard to describe the typical Muquiense, or citizen of Muqui, because there is so much diversity of racial and cultural origin among the people. But if you were to visit Muqui, the man who would impress your memory most is the homen do campo—the poor, landless man of the countryside.

He might be white or brown or nearly black in color, thin, with strong forearms and back. His hands would be so calloused that you could hardly see the lifelines. He would look at you with friendly, but cautious, eyes, and would probably address you as "o senhor" instead of the familiar "voce."

If he had been working, he might not smell very good, and his shirt would be so patched that it looks like a piece of quilt. His pants would be baggy, perhaps made of grey denim, if his wife got the material at the church last Christmas, as many wives do.

Unless he were going to baptize a baby or marry a son or daughter, he wouldn't be wearing shoes. And his feet would be so tough and padded by callouses that he would walk easily over rocks that would give you a hard time with your shoes on.

This man, toughened by his conditions of life, obedient to tradition, yet always impatient for a better wage or crop or treatment by his employer, is the unknown quantity of Brazil's future and the central figure of her contemporary socio-economic problems.

After a couple of months in Muqui, we got our bearings, settled down into a house of our own, and began to look around for something useful to do. We decided we should spend our time visiting the one-room country schools around Muqui, to see if the teachers wanted to join the school snack program.

This was our steady job for the rest of our stay; we managed to help the local supervisor of the snack program build her participation from about 15 schools to over 30. While we were in Muqui, a lunch program was introduced for the larger schools.

It didn't take long to see, however, that improved nutrition for the children was not going to perfect the educational standards of the rural schools. "Callie" had studied elementary education in college, and was anxious to do something with the teachers to help them improve their methods.

She and some teacher friends, Lenyra and Lizette Costa, who lived up the street, began making posters and visual aids, to use in the classroom. This work caught the interest of other teachers, including Batista, one of the professors at the normal school, and expanded into a project to start a resource library for primary teachers.

When we left Muqui in November 1965, the library committee was working almost every night to recatalog the town library and add a section for the teachers, where they could find ideas to bring their classroom methods more up to date.

I got myself involved in school construction. Muqui has an active chapter of the Society of Saint Vincent of de Paul, an international Catholic laymen's service organization. I went to the meeting of the Vicentinos—as the members of the society call themselves—just about every Friday night.

As "Callie's" interest in teaching methods helped stimulate the library project, my interest in the work of the Vicentinos helped stimulate the revival of an old idea of theirs for building a bigger school at the Morro do Querosene.

With Padre Pedro's guidance, the Vicentinos and I worked out a plan for the expanded school and sent it to the Peace Corps in Rio. The Peace Corps like the idea well enough to send us over a million cruzeiros or about $600, to help with the project.

With fiestas, auctions, and raffles the people of the town raised the other 3½ million cruzeiros needed. On September 5, 1965, the new school—which is a public school, open to all faiths—was inaugurated.

When this school project was going along well, I began to think it would be good to try another such construction project in the countryside, so I went to Monte Alegre, one of the fazendas, to talk to the men about building a new school to replace the dilapidated one their children attended.

The men were interested, and 18 of the men who had school-age children, agreed to donate their labor to the project. The committee we organized asked each man to give at least 4 days of work, and every man who was asked, with three exceptions, gave his quota. Some, of course, gave much more. The administrator of the fazenda donated his supervisory work, and a mason was hired to oversee the construction.

We made the walls of adobe bricks, formed one at a time in a Cinva-Ram machine that presses a mixture of clay, sand, and cement until it is rock-hard, when it dries. The foundation was rock; the roof was made of clay tiles, set on wood lathes, and supported by wooden beams.

Eastern High School of Middletown, Ky., sent us $850, through the school-to-school program, which was to be used only for materials. Actually the Monte Alezie school was finished for about $800, leaving a little for the new Peace Corps volunteers for later improvements.

There is, of course, a lot more to tell, but this is plenty for now. I would like to add one thing, though, "Callie" and I now have double citizenship. The municipal assembly of Muqui made us honorary citizens of their town before we left.

NEW DIMENSIONS FOR HAWAII

Mr. FONG. Mr. President, one of the truly amazing success stories of postwar Hawaii has been the visitor industry. Booming tourism in the 50th State today is a far cry from the fledgling efforts of two decades ago to revive an industry that had all but vanished during the 4 years of World War II.

At that critical juncture 20 years ago, Hawaii turned to a man whose far-sighted vision and planning helped shape the future of this burgeoning industry. In Mark Egan—first postwar executive director of the Hawaii Visitors Bureau—Hawaii placed her faith for a comeback in tourism.

Mr. Egan and others similarly dedicated began a promotion campaign which brought in 15,000 visitors and $6,300,000 that first year in 1946. Last year, over 600,000 visitors spent $260 million in Hawaii. By 1970, Hawaii expects to welcome 1 million visitors—making Hawaii "probably the fastest growing recreational area in the world," in Mr. Egan's words.

But Hawaii is much more than a "God-given location, climate, beauty and the rich heritage of Polynesia and its people." In Mr. Egan's view, Hawaii offers seven orientations: Government, agriculture, business, recreation, science, education, and sociology.

How to use these various orientations to bring more visitors to Hawaii from all parts of the world is the mission today of the Hawaii Visitors Bureau and those, like Mark Egan, who look forward to still wider horizons for Hawaii. Their objective is to make Hawaii a more attractive place not only for recreation but even more as a gathering place for large groups of people in business, agriculture, government, science, and learned organizations.

Mr. Egan is now managing director for North America of the Hawaii Visitors Bureau. His headquarters are in Chicago, where one of the four mainland Hawaii Visitors Bureau office is located. The others are in San Francisco, Los Angeles, and New York.

In a recent speech before the Rotary Club of Honolulu, Mr. Egan discussed the "New Dimensions for Hawaii. I ask unanimous consent to have the speech printed in the Record at this point, as well as two editorials from the Honolulu Star-Bulletin and the Honolulu Advertiser commenting on his speech.

There being no objection, the speech and editorials were ordered to be printed in the Record, as follows:

[From the Honolulu Star-Bulletin, Jan. 27, 1966]

NEW DIMENSIONS FOR HAWAII

(Note.—Mark Egan is managing director for North America of the Hawaii Visitors Bureau. His headquarters are in Chicago, where one of the four mainland Hawaii Visitors Bureau offices is located. The others are in San Francisco, Los Angeles and New York.

(During World War II, he was chief of service for the Pacific Division of the Air Transport Command.

(In January 1946, Egan reactivated the Hawaii Visitors Bureau, following World War II, by opening the first office in Honolulu. At that time he was the executive director for the organization and continued in that capacity for 5 years, returning to the mainland in 1951 to enter corporate marketing activities.

(For the following 14 years, he was adviser to the board of directors of the Hawaii Visitors Bureau, even though engaged in other business activities. In this capacity, he made an annual trip to Hawaii.

(A year ago, he returned to the bureau in his present capacity, as director of mainland offices and activities.

(Egan's prior backgrounds include management of city convention bureaus in Pittsburgh, Cincinnati and Cleveland. He lectured for 12 years at the Hotel Management School of Cornell University, Ithaca, N.Y. Many of today's hotel leaders were his students.

(This article is based on a speech Egan made before the Rotary Club of Honolulu.)

It is two decades this month that the Hawaii Visitors Bureau was reactivated under the direction of a committee of the Honolulu Chamber of Commerce. Alex Anderson was chairman at the time. It was this group that hired me as the first postwar executive director.

But except for the enforced hiatus of World War II, this was a continuation of the oldest promotional organization of its kind in the United States. Formerly, it had been called the Hawaii Tourist Bureau. But the forerunner was the original Hawaiian Promotion Committee which was organized shortly after the turn of the century.

It is interesting to recall the reasons for changing the prewar name Hawaii Tourist Bureau to its postwar counterpart—The Hawaii Visitors Bureau. It was the feeling of the committee that the word tourist implied an individual from some other place who came to Hawaii with new money to spend.

In the opinion of the committee, the connotation of tourist implied one whose sole reason for being was to be exploited by the so-called tourist attractions such as hotels, restaurants, service businesses, nightclubs, internal transportation facilities, and the like.

The word visitor seemed to imply a guest in one's home with all of the implications of hospitality which such a situation involved. This seemed more in the tradition of the Hawaiian spirit of aloha. It is interesting how many other similar promotional organizations in the United States have since substituted the word visitor for tourist.

Napoleon said "simpletons talk of the past, wise men of the present and fools of the future." But somebody else has said "the past is prelude."

Looking back over the past two decades might be the job of a simpleton but it can also be a useful measurement of progress in any specific area as well as valuable background for appraising the present in terms of the future.

Let's glance for a moment at this past. From the yellowing pages of the publication "New Pacific," July 1946, I read: "First piece of publication the Hawaii Visitors Bureau has printed is a small pamphlet entitled 'Hold Them at Arms Length—But Hold Them.' In it is discussed Hawaii's travel problems; how tens of thousands of people on the mainland want to visit Hawaii; how the Islands aren't ready to receive them; what Hawaii must do in the interim until it is ready to handle the trade.

"With two airlines in operation plus steamship service, Hawaii can, within a few years, attract double and treble our prewar total of tourism, says Egan. A 5-year objective can be over 100,000 visitors spending up to $50 million a year. But fruit like that, he cautions, will not come merely by shaking the tree."

In 1946, there were about 1,500 hotel rooms in the islands. The Royal Hawaiian Hotel was still in the hands of the Navy. There were two methods of transportation: 4½ days by Matson steamers; 17 hours by Pan American Clipper. It was during 1946 that United Air Lines received its certificate to fly from San Francisco to Honolulu. That year 15,000 visitors came to Hawaii and their expenditures amounted to about $6,300,000. The visitor business then was a fledgling as compared with the three other great economic activities in the islands: government, sugar, and pineapple.

Today, this visitor business is big business as we know, ranking with the top industries of the world. In 1964, 508,000 visitors spent $225 million in the islands. In 1965, over 600,000 visitors spent around $260 million.

With this growth have come many changes. These have taken place against the backdrop of God-given location, climate, beauty, and the rich heritage of Polynesia and its people.

These are the elements and assets which are eternal and upon which human effort has built the Hawaii of today. Today there are about 13,500 hotel rooms in the islands. The large hotel average occupancy of 83.2 percent and the smaller hotels of 76.7 percent are far above the national occupancy averages. Transportation to and from the Islands will fit any desire or any budget. And all of these facilities are carefully attuned to the desires and needs of the visitors.

Two decades ago, government, sugar, and pineapple were the primary orientations. As I have said, even tourism had not yet earned its title as an industry. Today there are seven primary orientations in Hawaii and these are what I would like to review briefly with you.

FIRST ORIENTATION: GOVERNMENT

In 1965 the Army, Navy, Air Force, and Coast Guard spent in excess of $400 million in Hawaii. According to Dr. Tom Hitch, "of these expenditures of appropriated funds, 44 percent is for military pay, 32 percent for civilian pay, 23 percent for local purchases and the remainder for miscellaneous disbursements."

But apart from this quantitative approach, we must recognize the linkage between this orientation and others in the islands in the technological research which is being done, particularly by the Navy. This ranges from the nuclear submarine training facility and nuclear power division at Pearl Harbor to military participation in the Mercury, Gemini, and other space programs.

Plus a vast amount of original and cooperative research in oceanography. In addition, we have the Federal grants-in-aid which today represent an estimated $59 million. The department of education, the University of Hawaii, the East-West Center, the Hawaiian National Guard, the department of social sciences and the department of transportation are the principal recipients.

SECOND ORIENTATION: AGRICULTURE

This includes, of course, our great sugar and pineapple industries. But it also carries with it the fact that 1 out of every 15 civilian workers in the State of Hawaii is a farmer or farmworker. The sugar and pineapple industries have done a great deal in the area of agricultural research.

The Hawaiian Sugar Planters Association experiment station has propagated millions of new cane varieties; research is developing in extracting juices by diffusion rather than grinding. Automation is adding to the production process. Pineapple is busy developing both new products and new markets.

Specialists in the Pineapple Research Institute are working, for example, in such areas as fruit characteristics and utilization, field management, pest control, variety development, and chemical analysis and synthesis.

Then there are the specialty crops—coffee, macadamia nuts, flowers, tropical fruits.

And these processes and markets are developing steadily to new highs by dint of continuous work on new technology and the development of new markets.

The greatest tropical agricultural research in the world is done in Hawaii, not only through industry, but through the partnership of industry, Government, and the agricultural extension service of the University of Hawaii.

THIRD ORIENTATION: BUSINESS

Hawaii is becoming the economic center of the entire Pacific Basin. It is becoming the communication hub of the Pacific. Hawaiian companies are engaged in huge construction activities around the Pacific as well as at home.

Manufacturing, exclusive of the processing of sugar and pineapple, represents in the neighborhood of $260 million.

The foreign trade zone will add to Hawaii's already considerable foreign trade in a very real way. Here foreign products and components and merchandise will be imported, processed and reexported without payment of duty. The advantage of bulk shipment to the zone followed by breakdown, processing and consolidation on one bill of lading, etc., will make this development exciting and profitable, to Hawaii.

Recently I attended a meeting of the National Council of Physical Distribution Management of which I happen to be a charter member and a member of the executive committee. One of the important afternoon sessions was devoted to international distribution and the Colon Free Zone was one of the cases.

Nelson S. Kern, export manager for the Gillett Co., was quoted concerning Gillett's experience with the Colon Free Zone. Brought to light were many activities connected with the free zone not usually associated therewith, and beyond the usual idea of bringing materials in bulk, holding them, breaking them down and reshipping. Better control over marketing activities are the result.

Flexible stocks which can be processed on the spot to fit current requirements in specific countries; labeling on the spot to accommodate the individual market; the location of a selling organization to service the particular markets involved are a few of these.

Significantly, Mr. Kern said "as you know, recent developments in the Far East have presented interesting sales possibilities. Japan has revealed a good potential for our products. Similarly, the Philippines, Thailand, Burma could be profitable markets.

"We believe that we should investigate another free zone area, perhaps Hong Kong, to cultivate our sales in that area.

"Whether a place like Hong Kong would provide the same advantages as the Colon location is one of the questions that is now being explored but basically we are sold on the idea of 'free zone activity,' and their valid contribution to developing overseas markets rapidly."

In talking with many of the executives from many leading American corporations that were present at the conference, I was impressed with how few knew about Hawaii's trade zone and many have asked for information about it.

FOURTH ORIENTATION: RECREATION

Many elements have contributed to this orientation beginning with the God-given heritage of sun, sky, sea, climate, beauty, and a hospitable people comprised of many races. Today transportation facilities, hotels, service businesses, and all sorts of sports and recreation allures have made Hawaii probably the fastest growing recreational area in the world with a potential, by 1970, of 1 million visitors and by 1975, of one and a half million visitors. The visitors industry which today represents $250 million will double and triple in the next decade.

Research and development activities, as we know, are expanding rapidly here in Hawaii particularly in the fields of oceanography, geophysics, astronomy and biomedicine.

Outer space research is also a part. It is interesting that today for example, Haleakala is known to the visitors from the recreational standpoint as the world's largest dormant volcano; to the scientist, Haleakala is known as the window to the universe.

The University of Hawaii is becoming one of the great universities of the United States. The East-West Center brings large numbers to Hawaii from Pacific basin countries to be trained technically and professionally. It is said that the wise men of the East meet the wise men of the West in Hawaii.

SEVENTH ORIENTATION: SOCIOLOGY

Sociologists call Hawaii the 21st century society. Here we are not preoccupied with any one race or group of races. Rather, we are preoccupied with the overriding concept of human harmony. The implications here for interracial studies, people-to-people programs, interaction of various cultures, and experiments in world peace are tremendous.

Let's keep in mind these seven orientations: Government, agriculture, business, recreation, science, education, and sociology.

It is curious that in the promotion of the visitor business in Hawaii, we have only used one of the seven orientations—the recreational. Could it be that we are missing something? Could it be that some of our future lies in the expansion of the relationship of visitors to the other orientations as well?

Why am I talking about these orientations? In your business you recognize, I am sure, that the successful corporation is a system which operates within a local, national, and even global environment. And it is a system which is interrelated with many other systems existing in these various geographies.

The corporation is composed of many interrelated subsystems, each with related components. We are discovering that before we develop programs of any sort, be it for the corporation, the visitor industry, a university, or even a government, we must take a conceptual approach. We must start with such questions as "what kind of a business are we in?" And we must be certain that we are not myopic in this approach. By taking a conceptual approach, the program emerges in a much more obvious and sensible fashion.

SYSTEMS APPROACH

Today we call this the systems approach. Thus, with the corporation we have the systems approach in our manufacturing process. The marketing concept is another example of this coordinated systems approach. And right now on our business horizons appears the newest and most intriguing systems approach to the physical movement of product from the end of the production line to its final resting place.

Let's take this conceptual approach and apply it to the total economy of Hawaii.

It can be viewed as a total system—ever-changing system—with subsystems and components which are all interrelated and interdependent. Nothing today really stands alone. In fact, if any of the components involved in the economy of Hawaii seem to stand alone, they might be considered extraneous to the system.

Let's go back to the visitor industry as a case in point. Up to this moment we have taken only the quantitative approach to the visitor industry. We say that today the visitor industry represents $250 million in Hawaii's economy. We reach this figure by looking at each visitor in terms of how much he's worth "on the hoof." Our research has decided that he is worth about $420 and so we multiply this by the number of visitors and up comes our total of $250 million.

The Hawaii Visitors Bureau is now taking a qualitative approach to this subject. We are not only considering how much the visitor is worth to us "on the hoof" but we should very seriously begin to ask ourselves "who is he?" Just think about this a moment and some exciting prospects emerge. And all, I believe, are related to the future of this visitor business.

I am talking about the marketing program for the visitor business in Hawaii.

CONVENTION BUSINESS

And, of course, in a talk of this sort, we can't begin to do much justice in depth to as big a subject as this but I shall try to give you some idea of what is on my mind.

We have moved from the promotion of the visitor business in terms of individuals traveling to Hawaii and have added to this activity the development of what is commonly known as conventions.

But I think we might be misled by the connotation of the word convention and convention business as it might apply to Hawaii. We are talking about bringing to Hawaii large groups of people who are interested in the same orientation. These include business, agricultural, government, scientific and learned organizations.

It is nonsense to use just the recreational orientation to bring them to Hawaii. In fact, use of the recreational orientation will repel certain organizations because of the facetious overtones. And it is equally silly to approach an organization interested in space with that part of our science orientation which pertains to oceanography.

The same can be applied to all of the groups of which there are thousands meeting not only in the United States but around the world which can be brought to Hawaii at some time by the matching of orientations existing in Hawaii with those of the particular organization.

In the case of the international organizations which meet only periodically in the United States, Hawaii offers the most unique State in the Union in that it is the only off-port State and its position as the crossroads of the Pacific will encourage attendance to that meeting in Hawaii from all over the Pacific Basin. And, in the case of the international groups the sociological orientation as it exists in Hawaii is an important factor.

In structuring the marketing plan for the Hawaii visitor industry, the Hawaii Visitors Bureau is paying attention to some of these points. Our research presently identifies market segmentation in terms of the demographic, the geographical, economic status, race, national origin, education, sex and other established criteria. What I am talking about now is called the psychographic market segmentation which means to break across the boundaries of these traditional market sectors and identify a homogeneity or linkage among the people who might otherwise be considered as belonging to diverse markets.

I am sure that you can see that this approach would have quite a profound influence on our current advertising and sales program patterns. It is this sort of sophistication which Hawaii needs in keeping ahead of the competitive pack.

NATURE OF BUSINESS

It has been said that all businesses are alike. If you remove the material content from a business all that you have left is allocation of corporate resources and effort of people. In this sense, all businesses are alike.

My friend, Peter Drucker, points out in his classic "The Practice of Management," there is only one valid definition of business purpose and that is to create a customer. He goes on to say that if this be true, there are only two functions of business and these he calls the entrepreneurial functions. One is marketing and the other innovation.

Taking Hawaii's visitor industry as a case in point, we are certainly involved with the overall objective of creating customers for Hawaii. The functional activities for so doing should be geared to marketing and to innovation and we should continuously evaluate and measure our programs against these two criteria.

The visitor industry here in Hawaii like any of its other industries is having its future decided by what happens today.

In his later book "Managing for Results," Dr. Drucker says "before an executive can think of tackling the future, he must be able to dispose of the challenges of today in less time and with greater impact and permanence. For this he needs a systematic approach to today's job.

"There are three different dimensions to the economic task:

(1) The present business must be made effective; (2) its potential must be identified and realized; (3) it must be made into a different business for a different future.

Each task requires a distinct approach. Each asks different questions. Each comes out with different conclusions, yet they are inseparable. All three have to be done at the same time—today. All three have to be carried out by the same organization, with the same resources of man, knowledge and money and in the same entrepreneurial process.

"The future is not going to be made tomorrow; it is being made today, and largely by the decisions and actions taken with respect to the tasks of today."

I am suggesting then that we in Hawaii start today toward a more sophisticated approach to the development of our highly important and dynamic visitor industry.

Taking a leaf from Dr. Drucker's comments, we feel that the coordinated marketing concept should be used in structuring the market plan and the marketing strategies for the activity. We mean not just words but we mean an actual demonstration of a coordination between all of the dynamics that are involved in marketing including research, advertising, public relations, sales promotion, and sales. This is what I have referred to earlier as the systems approach.

PRODUCT STRATEGY

The other half of the coin is, of course, product strategy. Continuous development of what we call the visitor plant and this goes beyond hotel and transportation facilities. This involves everybody and the total area of Hawaii and all of the other systems and subsystems as they are interrelated.

For our own good and in the interest of all of Hawaii, we shall continue to appraise the visitor industry quantitatively for measurement for certain purposes. But we shall also keep the qualitative very much in mind.

I am not suggesting that we become so preoccupied with the development of the visitor industry at the expense of recognizing its relationship to a much larger system of which it is really a subsystem. Here I am speaking again of the total economy of Hawaii and the relationship to it of all its parts. And the interrelationship as well.

In this context and certainly as a dramatic example of innovation, our marketing strategy will be involved continuously with present and future orientations as they exist and may exist in Hawaii and these will be used as well as the traditional recreational orientation in bringing a highly interesting mix of visitors to Hawaii.

This, in our opinion, is the one way in which we can avoid the further development of a great mass visitor industry by 1970 of a million people all of whom are nameless, faceless, and whom we regard as a lot of trouble except for the fact that they are worth millions of dollars on the hoof.

This is the Hawaiian Visitors Bureau's interpretation of the systems approach to the problem. And very much involved in this interpretation is the interrelationships and interdependence of these systems which are involved. The other day in Chicago a general executive of a corporation was discussing this point with me and he said he was reminded of Gertrude Stein's expression "a rose is a rose is a rose." He put it—"a system, is a system, is a system."

And I'd like to close with another gem from Drucker. He says "that neither results nor resources exist inside the business. Both exist outside. There are no profit centers within the business; there are only cost centers.

"Results depend not on anybody within the business nor on anything within the controls of business. They depend on somebody outside * * * the customer in a marketing economy, the political authority in a controlled economy. It is always somebody outside who decides whether the efforts of a business become economic results or whether they become so much waste and scrap."

I titled this talk today "Pacific Panoply" partly because it sounded good but more importantly because it seems to express what I am trying to say. Panoply means a full suit of armor; a magnificent or impressive array. A display of appropriate appurtenances. You, no doubt, can get the relationship from some of the new dimensions I have been discussing with you today in terms of Hawaii and her uninterrupted present and future economic expansion.

[From the Honolulu Advertiser, Jan. 22, 1966]

The Visitor "Mix"

To act as a catalyst in moving the Hawaii visitor industry from a $6 million business 20 years ago to a $265 million economic bonanza today has been the major assignment and accomplishment of the Hawaiian Visitors Bureau.

Now, however, the Hawaiian Visitors Bureau with its background of success in selling Hawaii as a vacation area has accepted an added role as the marketing arm of the visitor industry in the islands.

This new responsibility was described as an expansion of the bureau role, but not at the expense of it, by Mark Egan, Hawaiian Visitors Bureau managing director for North America, in a recent talk before the Honolulu Rotary Club.

Egan pointed to the "linkage" between the seven facets of the State economy that can be developed for the total benefit of that economy.

Recreation (tourism) was listed as one of the major facets, along with government, agriculture, business, education, science, and sociology.

By matching the interests of groups in these fields to the programs and facilities in Hawaii, conventions and conferences can be attracted on a basis other than vacations.

Cases in point are the recent Governor's scientific conference on Kauai, the attraction which the University of Hawaii and the East-West Center holds for scholars, and which oceanography and space developments here have for groups in those fields.

The Hawaiian Visitors Bureau feels that because of its marketing organization it is in a position to cooperate with the components that go to make Hawaii the economic center and communications hub of the Pacific.

Thus, the million visitors a year expected by 1970 presumably will be a "mix" of vacationers and professional people, who will combine conferences and vacations.

This expansion of services by the Hawaiian Visitors Bureau has been under way since the bureau began to contract with the State Department of Planning and Economic Development several years ago.

Today, the bureau and the department work cooperatively in many fields and the Hawaiian Visitors Bureau mainland offices are equipped to promote the whole of the State's economic resources.

The foreign trade zone and the opportunities it will offer are a part of this package.

Entering 1966, the Hawaiian Visitors Bureau has a continuing program of selling travel to Hawaii. It has a long-range program of adding 400,000 annual visitors to the total by 1970. It has an advisory function to the resort promotion areas of the Pacific and the world.

To accomplish all of these will require an expanded program and budget.

The present budget of $1.57 million does not adequately meet the needs of the visitor promotion program, let alone the added assignments. This will be an issue before the legislature and the business community before long.

[From the Honolulu Star-Bulletin, Jan. 27, 1966]

Time for a Reassessment

Twenty years ago, Mark Egan occupied a cubbyhole off Bishop Street that was labeled the office of the Hawaii Visitors Bureau.

The number of resort hotels in the territory could be counted on one hand—Halekulani, Moana, Naniloa, Volcano House, Kona Inn. (The Royal Hawaiian was still closed for postwar renovation.)

There were only a few commercial hotels of quality—names like Alexander Young, Hilo Hotel, and the now-defunct Maui Grand and Kauai Inn.

Hawaii was settling back to some kind of normalcy after World War II, but with the recognition that the economy needed new props, and that tourism offered a great hope.

One of Egan's pressing problems was the lack of activity for visitors, and in particular the lack of night life.

He was overjoyed to receive the news that Don Beachcomber planned a restaurant with floor show, an innovation of considerable importance in Egan's book. (The principal other places to eat in Waikiki in those days were the Halekulani, Moana, Tropics restaurant and Wagon Wheel.)

In this atmosphere, with the visitor pace at about 15,000, down from a prewar peak of around 33,000, Egan dared to think of the days when the figures might run to the hundreds of thousands.

As much as any man, Egan is responsible for the concepts which have shaped the postwar development of the visitor industry.

Now, in an important speech, he suggests that some major rethinking is in order.

Its suggestion that we have passed the time when we should stress only Hawaii's recreational charms is not new.

But he offers an analysis of the new situation raised by the possibility of visitors by the million and the suggestion that many of these visitors will relate to Hawaii in other ways than as simple fun-seekers.

For many, in fact, fun may be the bonus or extra to go with some other prime reason for coming here.

There have been past instances where some business or professional groups avoided Hawaii for fear that a meeting in a vacation spot would be misinterpreted.

Guidelines for assessing this market and approaching it are offered in Egan's talk this month to the Honolulu Rotary Club.

He heads back this weekend to Chicago, the base from which he now handles his work for Hawaiian Visitors Bureau. The document he has left behind is worth mulling over.

DOMESTIC HEALTH

Mr. **BREWSTER**. Mr. President, never before in its history has this Nation been more acutely aware of the importance of providing adequate standards of health for every citizen in this country. And never have we understood more clearly how crucial the existence of an active and effective partnership between local, State, and Federal agencies and organizations is to that goal.

The very growth and complexity of American society has underscored the fact that the protection of the individual cannot be assured through individual action alone.

His protection demands a safe and a healthful environment to begin with. It further demands the availability of professional manpower, of diagnostic and treatment facilities, of intelligently planned and balanced service programs.

Most local, State, and regional health authorities have long recognized the need for such coordination. They have until now lacked the financial resources to make it a reality. Federal health grants have done much to strengthen State and local health programs, but they have not until now provided for the fully comprehensive approach so obviously required.

Now, however, President Johnson seeks to correct this situation. Through what he aptly calls "a partnership for health," he proposes to amend sections 314, 316, and 318 of the Public Health Service Act to:

Stimulate and support comprehensive statewide and areawide planning of health services, manpower, and facilities.

Strengthen and extend comprehensive community health services by giving much-needed support to programs providing personal and environmental health services by buttressing the leadership of State health and mental health departments and by broadening their capacity for leadership.

Give added incentive through health service development grants to the trying of new methods and avenues for service.

I consider these proposals intelligent, farsighted, and essential to this Nation's well-being.

I believe that the program for hospital modernization deserves particular priority.

For some years, while Federal funds have been channeled into much needed new construction under the Hill-Burton Act, existing hospitals steadily deteriorated—especially those in our larger and older cities. These hospitals are not only our major centers for specialized care: they are our teaching and research hospitals. What folly it would be to further jeopardize the work of these institutions—already laboring under great handicaps—by refusing to provide now the aid they have long needed. Continued neglect of these centers of learning and progress can no longer be countenanced if the people of the United States are to receive the high quality hospital care that has come to be a basic human right.

The President's new proposals—funds for modernization and replacement of hospitals and other health facilities, and a program of planning grants, are not a substitute for, nor a criticism of, past programs. They are, rather, an answer to a growing problem, a supplement to the Hill-Burton program which, since it began in 1946, has wisely helped guide the development of the Nation's hospital system.

Alleviation of hospital obsolescence was begun by the Hospital and Medical Facilities Amendments of 1964, with the authorization of $160 million in Federal funds. It should be clear to all of us now that this amount was not enough. Projections for the years 1966–76 place the cost of modernization at $9.75 billion for the 10-year period. This figure represents the cost of modernizing beds that are now obsolete, plus those becoming obsolete each year. Within the next 10 years an estimated 390,000 beds require replacement.

In the face of such need, the President's proposal deserves wide support.

CONCLUSION OF MORNING BUSINESS

The **PRESIDING OFFICER**. Is there further morning business? If not, morning business is closed.

TAX ADJUSTMENT ACT OF 1966

Mr. **FULBRIGHT**. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The **PRESIDING OFFICER**. Without objection, the Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H.R. 12752) to provide for graduated withholding of income tax from wages, to require declarations of estimated tax with respect to self-employment income, to accelerate current payments of estimated income tax by corporations, to postpone certain excise tax rate reductions, and for other purposes.

THE UNITED STATES AND CHINA

Mr. **FULBRIGHT**. Mr. President, it is quite obvious, from the discussions that have taken place in the last several weeks, particularly with regard to the military authorization bill, that underlying those discussions was a deep concern about our relations with China. So this morning I want to say a few words about that subject.

Speaking of China, United Nations Secretary General U Thant recently made the point that "when a country is obsessed with fear and suspicion, all sorts of tensions are likely to develop, all sorts of unreasonable reactions are likely to come forth. Countries, like individuals," he said, "have nervous breakdowns," and it is the duty of the community to try to understand and find some remedy. The Secretary General pointed out that "China is going through a difficult stage of development and" he said, "in such a delicate stage, countries will show certain emotions, certain strong reactions, certain rigidities, and even certain arrogance"—The Washington Post, January 21, 1966.

The Secretary General's words are supported by modern knowledge of human behavior.

Said the distinguished psychiatrist, Dr. Jerome D. Frank:

> Frightened, hostile individuals tend to behave in ways which aggravate their difficulties instead of resolving them, and frightened, hostile nations seem to behave similarly.[1]

A nation, like an individual, Dr. Frank suggests, is likely to respond to a feared rival by breaking off communications, by provocative behavior, or by taking measures which promise immediate relief, regardless of their ultimate consequences.

Fearful and hostile behavior is not rational but neither is it uncommon, either to individuals or to nations, including our own. In retrospect most Americans would agree that our national behavior was unduly fearful and irrational during the McCarthy period of the early fifties and the "Red scare" after World War I. And just about all of us would agree that our Nation suffered something worse than a "nervous breakdown" just over a hundred years ago.

Perhaps we southerners have a sensitivity to this sort of thing that other Americans cannot fully share. We—or our forebears—experienced both the hotheaded romanticism that led to Fort Sumter and the bitter humiliation of defeat and a vindictive Reconstruction. The indignities suffered by the South during that era have burdened not just the South but the entire Nation with a legacy of bitterness far more durable and, in retrospect, more damaging than the physical destruction wrought by the war itself. Even today, although the South has long since recovered its political rights and has begun at last to share in the Nation's economic prosperity, the very word "Yankee" still awakens in some southern minds historical memories of defeat and humiliation, of the burning of Atlanta and Sherman's march to the sea, or of an ancestral farmhouse burned by Cantrell's raiders, or a family fortune lost and never recovered, or of arrogant carpetbaggers and the helpless rage of the people they dispossessed.

These memories are irrational but not irrelevant. They are pertinent because they persist and, by persisting, continue to work a baleful influence on our national life. They may be pertinent as well in helping us to understand the bitterness and anger and unreason in the behavior of other peoples who once were great but then were struck down and finally rose again only after a long era of degradation at the hands of foreigners.

I am thinking about China. Not being an expert in such matters, I cannot claim with anything approaching certainty that the indignities suffered by China in the 19th century have had human consequences comparable to those of the injustices suffered by the American South in the wake of the Civil War. It may be, however, that there is a similarity. Unless we are to believe that there is a "Chinese nature" which is entirely different from the "American nature," unless we believe that there is no such thing as a common human nature, it would seem to me logical to suppose that, national differences—great as they are—notwithstanding, the people of one nation are likely to respond to success and to humiliation, to victory and to defeat, in about the same way as the people of another nation.

China has experienced very little except humiliation and defeat in its relations with the West, including Russia and, to some degree, America. One of our leading Chinese scholars, Prof. John K. Fairbank, who is the director of the East Asian Research Center of Harvard University, believes that the rapacious behavior of Europeans in China in past centuries has a great deal to do with the irrationality and hostile behavior of China's current leaders. He writes:

> The sources of China's revolutionary militancy are plain enough in Chinese history. The Chinese Communist regime is only the latest phase in a process of decline and fall followed by rebirth and reassertion of national power. China's humiliation under the unequal treaties of the 19th century lasted for a hundred years. An empire that had traditionally been superior to all others in its world was not only humbled but threatened with extinction. Inevitably, China's great tradition of unity, as the world's greatest state in size and continuity, was reasserted.[2]

Words like "extraterritoriality" and "unequal treaties" are far too antiseptic, too bland, to describe China's humiliation by Western imperialism. In human terms, the coming of Western civilization to China in the 19th century meant the plundering of China's wealth by foreigners and the reduction of most of the Chinese to an inferior status within their own country. Missionaries were immune from Chinese law and treated the Chinese as heathen, except, of course, for the converts who also claimed immunity from Chinese law and used the power conferred by their foreign association to intimidate their fellow citizens. Foreign goods were exempted by treaty from internal toll taxes imposed by the Manchu Dynasty to pay for the Taiping rebellion of the mid-19th century, with the result that Western companies destroyed their Chinese competitors in the sale of such products as timber, oil, tobacco and, of course, opium. Each of China's disastrous 19th century wars with the West was followed by the levy of a huge indemnity or some further incursion on the economic life of the country.

The first of these wars, the opium war of 1839 to 1842, came about when the Chinese Government tried to end the traffic in opium. The destructive narcotic was destroying the health and the lives of alarming numbers of Chinese addicts, but it was also a source of great profit to foreign and Chinese opium merchants. British businessmen were the major foreign dealers in opium, but Americans, French, and others also participated; opium became an important factor in the trade balance between some Western countries and China. When the Chinese Government tried to ban the import of opium in 1839, the British refused to pledge their compliance, whereupon a number of incidents occurred culminating in war between China and England. The British won easily and under the Treaty of Nanking of 1842 China was forced to cede Hong Kong to Britain, open five treaty ports for British trade, accept tariffs that could not be changed without Britain's consent, and, in addition, pay an indemnity to compensate the British for lost opium and for expenses incurred in the war.

---

[1] Letter from Dr. Frank to Senator FULBRIGHT, Sept. 13, 1960.

[2] John K. Fairbank, "How To Deal With the Chinese Revolution," the New York Review of Books, Feb. 17, 1966.

Following the British example, other powers exacted concessions from China through persuasion and the threat of force. The United States, for example, signed a treaty with China in 1844 under which the United States acquired trading privileges and extraterritoriality for both civil and criminal cases.

The opium war and the Treaty of Nanking exposed China's vulnerability and opened the way to extensive exploitation by foreign powers. In the 1850's the British Prime Minister Lord Palmerston judged that "the time is fast approaching when we shall be obliged to strike another blow in China." In Palmerston's words:

> These half-civilized Governments such as those of China, Portugal, Spanish America require a dressing down every 8 or 10 years to keep them in order.

The Chinese got many a "dressing down" in the years that followed. The British and French fought another war with China in 1856. Under the treaties of Tientsin new concessions were granted and old ones enlarged. The European powers acquired new trading ports and additional authority over Chinese tariffs as well as other privileges. The Chinese were required to pay indemnities, and there was also an article guaranteeing the protection of missionaries since, in the words of the treaty:

> The Christian religion, as professed by Protestants and Roman Catholics, inculcates the practice of virtue, and teaches man to do as he would be done by.

The Chinese refused to ratify these treaties. Hostilities were renewed and the British burned the Emperor's summer palace in Peiping. Under the Peiping Convention of 1860 more ports were opened, more indemnities were paid and the Chinese were compelled to cede Kowloon to England.

The treaties of 1842 and 1844 and of 1858 and 1860, known for fairly obvious reasons as the "unequal treaties," formed the basis of China's relations with the West until the Second World War.

The Chinese also had their difficulties with the Russians. In 1858, while the Chinese were beset with British and French attacks from the sea and the Taiping rebellion in the interior, the Russians presented the Chinese with certain territorial demands. The Chinese were forced thereupon to cede to Russia all of the hitherto Chinese territories north of the Amur River. In 1860 the Russians demanded and received additional territory on the Pacific coast, including the area at which the port of Vladivostok was subsequently established. Under these two treaties Russia deprived China of a territory larger than Texas.

In the last decade of the 19th century Japan joined the Western Powers in their depredations against China. Japan attacked China in 1894 and under the treaty of Shimonoseki, which ended that war, Japan exacted large cessions of territory as well as extensive commercial privileges. Pressure by the European powers forced the Japanese to withdraw some of their demands, notably for Port Arthur on the Liaotung Peninsula, but Japan acquired the island of Taiwan and extensive trade privileges and, of course, China was compelled to pay an indemnity.

Having joined with the powers in forcing Japan to return the Liaotung Peninsula to China, Germany now demanded a reward. The Chinese failed to see the equity of this claim, but were brought around when the Germans landed troops. China was thereupon forced to lease the port and Bay of Kiaochow to Germany for 99 years and was also forced to yield commercial privileges on the Shantung Peninsula.

The other powers also sought rewards. Russia demanded and received the lease of Port Arthur and Dairen and the right to build a railroad across Manchuria. France, which had forced China to recognize French authority in Indochina in the 1880's, demanded and received in 1898 an extensive sphere of influence in south China, including the lease of Kwangchow Bay for 99 years. The British, not to be outdone, now demanded and acquired control of the Chinese maritime customs, lease of a naval station at Weihaiwei, and the extension of the lease of Kowloon to 99 years.

China had become a virtual colony with many masters. "Yet," said Sun Yat-sen, then a rising revolutionary, "none of the masters feels responsible for its welfare."

The Society of the Righteous and Harmonious Fists, better known as the Boxers, was a secret organization composed largely of poverty-stricken peasants. Their grievances might well have been directed against the Manchu rulers of China, but government officials had no great difficulty in persuading the Boxers that the foreigners were the cause of the misery of the people. With great savagery, the Boxers fell upon foreigners and their Chinese cohorts in 1900; they were especially merciless toward missionaries and their Chinese converts. The Boxers went on a rampage against the foreigners in Peiping, besieging the foreign legations.

An international rescue force made up of Japanese, Russians, British, Germans, French, and Americans was sent to relieve the legations. The commander of the allied force, Field Marshal Count Von Waldersee, was under instructions from the Kaiser "to give no quarter and to take no prisoners," so that "no Chinese will ever again dare to look askance at a German."

The allies proved the equal of the Boxers in their ferocity. The defeated Chinese were now compelled to sign a new treaty under which the foreign powers received the right to station troops in their legation sites, a new Chinese tariff system was imposed, an indemnity of $333 million was to be paid, and the Chinese were obliged to punish war criminals.

The United States returned a large part of the $25 million which was its share of the Boxer indemnity with the provision that the fund be used to educate Chinese students in the United States. Many Americans have regarded this as an act of extraordinary philanthropy.

The United States thereafter announced its open-door policy toward China. The open-door policy purported to preserve the territorial integrity of China and to safeguard for all nations equal commercial access to China. Limited and ineffective as it was, the open door policy induced the Chinese to think of the United States as the only major foreign power which might be thought of as their friend and possible protector. The open-door remained the basis of American policy toward China until the Communists came to power in 1949 and closed China's door.

Political history hardly begins to convey the human effects of Western imperialism on the Chinese people. Something of the meaning of life in China under the impact of Western imperialism is conveyed by a Chinese engineer's account of his return to China in 1913 with his Belgian wife and son. He wrote as follows:

> In Shanghai it was agony, for there it was only too plain that in my own country I was nothing but an inferior, despised being. There were parks and restaurants and hotels I could not enter, although she could. I had no rights on the soil of a Chinese city which did not belong to the Chinese; she had rights by reason of something called skin.
>
> We boarded the English steamer from Shanghai to Hankow; the first class was for Europeans only, and there was no other steamer. Marguerite leaned her arms on the railings and stared at the river. She was in first class, with our son. I went second class. I had insisted it should be so. "It is too hot for you here below."

Some years earlier as a student in Shanghai the young man had written to his brother about his inability to understand the Europeans. He wrote:

> They always bewilder me. At once most ruthless in the pursuit of their interests, caring nothing for the wholesale misery they bring, at the same time their papers are full of verbiage of their nobility, rightness, and the good they do. They become indignant at our public executions, and our cruelty to dogs. Yet the record of their lootings and killings in our country shows no such correct compassion.

The humiliations to which the Chinese were subjected would be difficult for any people to endure. Consider how shocking they must have been to a nation with a far longer and in many ways more illustrious history than that of any nation in the West, to a people who have always—and not without some justification—regarded their civilization as superior to any other. Before the time of Christ the Chinese had developed the principles and methods which were to hold together their empire until the 20th century. In science and technology as well as government, China was well ahead of Europe by the time Marco Polo visited China in the 13th century. China became the center of civilization in eastern Asia and it became the model for smaller states, such as Korea and Vietnam, whose rulers accepted the obligation of tribute to the Chinese Emperor as their suzerain.

When European merchants and missionaries and buccaneers first came to China, they did not come to a land of primitives and pagans. They came upon a rich and ancient civilization, but one which had fallen behind in its technology, especially its military technology, with the result that it was thrown open to exploitation by foreigners whose power vastly exceeded their wisdom. Writes C. P. Fitzgerald, professor of far eastern history in the Australian National University:

> It is a regrettable fact that the value of a nation's contribution to civilization, her place in the world, tends to be judged, from age to age, by the strength or weakness of her military power. When China under K'ang Hsi or Ch'ien Lung was manifestly too strong for any European encroachment to succeed, the real and serious weaknesses of the Government and economy were not regarded; the achievements in art and literature were much respected. When China fell behind Europe, her military power becoming negligible, encroachment was continual, and the value of Chinese civilization fell sharply in Western eyes.[3]

The Chinese revolutions of the 20th century were in part spawned by the ravages of the West. Finding themselves militarily inferior to the West, but unshaken in their faith in the superiority of their own civilization, the Chinese undertook, first through the unsuccessful democratic revolution of Sun Yat-sen, then through the successful Communist revolution of Mao Tse-tung, to acquire those Western techniques of science and technology, of political organization and military power, which would make it possible to expel the West from China. It is ironic and significant that the Western political doctrine that China finally adopted was the one which the West itself had repudiated.

It is of great importance that we try to learn something more about the strange and fascinating Chinese nation, about its past and its present, about the aims of its leaders and the aspirations of its people. Before we can make wise political—and perhaps military—decisions pertaining to China, there are many questions to be asked and, hopefully, answered: What kind of people are the Chinese? To what extent are they motivated by national feeling? To what extent by ideology? Why are the Chinese Communist leaders so hostile to the United States and why do they advocate violent revolution against most of the world's governments? To what extent is their view of the world distorted by isolation and the memory of ancient grievances? To what extent, and with what effect on their Government, do the Chinese people share with us and with all other peoples what Aldous Huxley has called the simple human preference for life and peace?

We need to ask these questions because China and America may be heading toward war with each other and it is essential that we do all that can be done to prevent that calamity, starting with a concerted effort to understand the Chinese people and their leaders.

The danger of war is real. It is real because China is ruled by ideological dogmatists who will soon have nuclear weapons at their disposal and who, though far more ferocious in words than in actions, nonetheless are intensely hostile to the United States. In the short run the danger of war between China and America is real because an "open-ended" war in Vietnam can bring the two great powers into conflict with each other, by accident or by design, at almost any time. Some of our military experts are confident that China will not enter the war in Vietnam; their confidence would be more reassuring if it did not bring to mind the predictions of military experts in 1950 that China would not enter the Korean war, as well as more recent predictions about an early victory in Vietnam. In fact, it is the view of certain China experts in our Government that the Chinese leaders themselves expect to be at war with the United States within a year, and it is clear that some of our own officials also expect a war with China.

The expectation of war, even though it is not desired, makes war more likely. Writes social psychologist Gordon Allport:

> The crux of the matter lies in the fact that while most people deplore war, they nonetheless expect it to continue. And what people expect determines their behavior. The indispensable condition of war, is that people must expect war and must prepare for war, before, under warminded leadership, they make war. It is in this sense that "wars begin in the minds of men."[4]

The first vital step toward altering the fatal expectancy of war is the acquisition of some understanding of our prospective adversary. Most of us know very little about Communist China, partly for lack of qualified observers in China and partly because there are so few China experts in our own Government and universities. At present, I am told, there are only about six full-time analysts of Chinese affairs in the Department of State. Some of the most knowledgeable "old China hands" were driven out of the State Department by the McCarthy investigations and there are now few if any well-known and influential "sinologists" at the highest level of Government comparable to such Soviet experts, as George Kennan and Llewellyn Thompson. There are some highly competent China specialists below the top levels of Government but they are not exerting a major influence on policy. Some of these experts, according to James Reston, do not subscribe to the view that the war in Vietnam can be enlarged without drawing China into the conflict—"The New China Experts," New York Times, February 16, 1966.

We must acquire knowledge not only of China but of the Chinese. To most of us China is a strange, distant, and dangerous nation, not a society made up of 700 million individual human beings but a kind of menacing abstraction. When Chinese soldiers are described, for example, as "hordes of Chinese coolies," it is clear that they are being thought of not as people but as something terrifying and abstract, or as something inanimate like the flow of lava from a volcano.

Both China and America seem to think of each other as abstractions: to the Chinese we are not a society of individual people but the embodiment of an evil idea, the idea of imperialist capitalism, and to most of us China represents not people but an evil and frightening idea, the idea of aggressive communism. Man's capacity for decent behavior seems to vary directly with his perception of others as individual humans with human motives and feelings, whereas his capacity for barbarous behavior seems to increase with his perception of an adversary in abstract terms. This is the only explanation I can think of for the fact that the very same good and decent citizens who would never fail to feed a hungry child or comfort a sick friend or drop a coin in the church collection basket celebrated the dropping of the atomic bomb on Hiroshima and can now contemplate with equanimity, or indeed even advocate, the use of nuclear weapons against the hordes of Chinese coolies.

I feel sure that this apparent insensitivity to the incineration of thousands or millions of our fellow human beings is not the result of feelings of savage inhumanity toward foreigners; it is the result of not thinking of them as humans at all but rather as the embodiment of doctrines that we consider evil such as fascism and communism. Wrote William Graham Sumner:

> If you want war, nourish a doctrine. Doctrines are the most frightful tyrants to which men ever are subject, because doctrines get inside of a man's reason and betray him against himself. Civilized men have done their fiercest fighting for doctrines.[5]

For these reasons it is important that Americans and Chinese come to know each other in human terms. There is no easy way for us to make ourselves known to the Chinese as the decent and honorable people we really are, and it is not likely that the dogmatic men who rule in Peiping will soon remove the blinders of ideology and look at the world in realistic and human terms. This makes it all the more important for Americans to be openminded and inquisitive, to set aside ideological preconceptions and try to learn all that we can about the Chinese and their behavior and attitudes, and especially to try to find out why exactly the Chinese are so hostile to the West and what, if anything, can be done to eliminate that hostility.

In the hope of making some contribution to a better understanding of China the Committee on Foreign Relations will begin on Tuesday, March 8, a series of public hearings on China and on American attitudes toward China. The immediate purpose of the inquiry will be educational rather than political. It seems to me that at this stage the best contribution the committee can make is to provide a forum through which recognized experts and scholars can help increase congressional and public knowledge of China. Whether and in what way the inquiry will influence American foreign policy will depend upon the value of the information provided and the attentiveness and openmindness with which it is received.

---

[3] C. P. Fitzgerald, "The Chinese View of Their Place in the World" (London: Oxford University Press, 1964), pp. 34–35.

[4] Gordon W. Allport, "The Role of Expectancy," Hadley Cantril, ed., "Tensions That Cause Wars" (Urbana: University of Illinois Press, 1950), pp. 43, 48.

[5] "War" (1903).

Our ultimate objective must, of course, be political: the prevention of war between China and America. At present there appears to be a growing expectation of war in both countries and, as Professor Allport points out, "what people expect determines their behavior." Perhaps a concerted effort to increase our understanding of China and the Chinese would alter that fatal expectancy, and perhaps if our expectations were altered theirs too would change. It is anything but a sure thing but, considering the stakes and considering the alternative, it seems worth a try.

The Chinese today, like Americans a hundred years ago, are in an agitated and abnormal state of mind. It is not only within our means but, as a great and mature Nation, it is our responsibility, as U Thant so wisely pointed out, to try to understand the causes of China's agitation and to try to find some remedy.

On November 14, 1860, Alexander Hamilton Stephens, who subsequently became Vice President of the Southern Confederacy, delivered an address to the Georgia Legislature in which he appealed to his colleagues to delay the secession of Georgia from the Union. He said:

> It may be that out of it we may become greater and more prosperous, but I am candid and sincere in telling you that I fear if we yield to passion, and without sufficient cause shall take that step, that instead of becoming greater or more peaceful, prosperous and happy—instead of becoming Gods, we will become demons, and at no distant day commence cutting one another's throats. This is my apprehension. Let us, therefore, whatever we do, meet these difficulties, great as they are, like wise and sensible men, and consider them in the light of all the consequences which may attend our action.[6]

What a tragedy it is that the South did not accept Stephens' advice in 1860. What a blessing it would be if, faced with the danger of a war with China, we did accept it today.

Mr. MORSE subsequently said: Mr. President, earlier today, the Senator from Arkansas [Mr. FULBRIGHT] made a very great speech on the floor of the Senate on American foreign policy toward China.

It had been my plan to be in the Chamber when he made his speech, which I read earlier this morning. But, as I announced before, I was detained representing the Senate at a luncheon in honor of the group of visiting Parliamentarians from Paraguay.

The speech of the Senator from Arkansas [Mr. FULBRIGHT] is another of his truly remarkable contributions to American foreign policy. In it, he is seeking to open up the most closed part of the foreign policy mind of America—our relations with Communist China.

One has to have been in this body in the late 1940's and early 1950's to know how fraught with emotion this subject is, and how hard it is for anyone to talk about it with reason. That is exactly why it has been a closed book in the State Department and the administrations of the last 17 years.

But keeping the subject closed has not changed the fact that it is there, and that events, conditions, and possibilities have shifted and changed as much in that area of our international relations as they have in every other area in these 17 years.

When I hear that Communist China is an aggressive, militant power that must be brought into peaceful coexistence by means of fear of American military power, I am reminded that, although we applied that principle to the Soviet Union with some success, we coupled it with many other policies toward Russia that are still missing from our policy toward China.

For example, we withheld diplomatic recognition from the Bolshevik government of Russia for about the same length of time that we have now withheld recognition from the Communist government of China. But when the cold war began, and when it culminated in the Cuban missile crisis, our diplomatic relations with the Soviet Union were a key element in enabling us to judge for ourselves her interests and possible responses.

In fact, if we had not had diplomatic relations with Russia at the time of the October 1962, missile crisis, I do not think there is any doubt about the fact that we would have been at war with Russia. It was only because we had well-traveled diplomatic avenues open that it was possible for the President of the United States and the head of the Russian government to communicate with each other.

What is sorely needed at this critical time, when war clouds between the United States and China are gathering, is communication between the United States and China.

The presence of the Soviet Union in the United Nations has been another factor in exposing her leaders to world opinion and discussion, which is not present in the case of China.

Further our trade and cultural and tourist exchange with the Soviet Union, including the visit of Mr. Khrushchev to this country, have had some slight effect in achieving the state of mind that enables the Soviet Union and the United States to think of each other as people, rather than as the disembodied dogmas that the Senator from Arkansas has talked about.

How well I remember the latter part of November, when, as chairman of the Senate delegation—the Senator from North Dakota [Mr. BURDICK] is on the floor, and he knows whereof I speak, because he was a member of my delegation—we went to Hong Kong, because the administration had urged us to go to Hong Kong, for a briefing on Chinese problems. We had a briefing by our great Foreign Service officer there, the Consul General, Mr. Rice. In our discussions we talked about China's economic conditions. In that briefing came the information that the Chinese people have not been as well fed in decades and decades and decades.

When a question was asked by one of our delegation as to whether there is not starvation in China, we were told there is not. In that briefing we were told that China has crop failures. There are areas of China that suffer from drought and failures because of weather conditions. But it was suggested, as the Senator from North Dakota will remember, that perhaps it would be a good idea to take my delegation to one of the largest Communist banks in Hong Kong. We were told they would be very proud to show it to us. We were told that that large Communist bank last year had an exchange benefit of more than one-half billion dollars. Then it was said to us, that is where they get the money to pay for Canadian wheat.

Then there was a little discussion about trade policy. No one could listen to it without recognizing the shortsightedness of American policy vis-a-vis China.

I come from the west coast. Business interests up and down the west coast have visited me for years, urging that we recognize the advisability of engaging in trade with China in nonstrategic goods. Canada does it, and Canada has taken away from the United States our historic wheat trade program with China.

The Senator from Kansas [Mr. CARLSON], from a great wheat State, sits on the floor of the Senate. He will not deny, I am sure, what has developed over a great many years with respect to the wheat trade with Kansas. As far as Asia is concerned, China was the chief purchaser of American wheat for years. Now Canada enjoys that benefit.

What are we gaining by it? What is this kind of economic isolationism leading us to? What is this kind of economic isolationism vis-a-vis China leading us to? In my opinion, it is contributing to an oncoming war with China.

I am proud to sit at the feet of the great Senator from Arkansas [Mr. FULBRIGHT], who has the courage and the foresight to tell the American people, as they are being swept up in waves of patriotic hysteria—which is really false patriotism—that they are following a mistaken course of action in regard to United States-China relationships.

Mr. President, we will not be able to contain China with American bombs. We will not be able to contain China solely with American military forces. But it appears that we are ready to try.

These are times when Americans in seats of responsibility should be willing to give the American people that forewarning. I think it is the height of national stupidity to think we can win a peace after a war with China, for all that the hundreds of millions of Chinese will do will be to dig in for as long as it takes to throw the United States out of Asia.

---

[6] Alexander Hamilton Stephens, "Secession," in Modern Eloquence (New York: P. F. Collier & Sons, 1928), vol. II, p. 203.

The interesting thing is that is what most Americans would do if they were Asians in the same situation.

When are we going to learn that no Western power, including the United States—just as the other Western powers have already learned—will be able to maintain a position of domination in Asia? That era is gone.

These are times when we had better take a look at what our future position is going to be vis-a-vis Asia and China, and recognize that the course of action the United States calls military containment is an insurance policy for war. That is going to be the end result.

So I say that if the Senator from Arkansas had never done another thing on behalf of public enlightenment—and he has done a great many things—his speech today and the hearings he will open tomorrow would be all the monument necessary to his devotion to a foreign policy based upon information and reason.

Judging from the ease with which military solutions are talked up for every American difficulty in the Far East, one wonders whether we should not at least get to know China better before we have a war with her. Yesterday, for example, we heard again, but this time from an administration confidant, the proposal that we mine the North Vietnamese harbor at Haiphong. With Americans, mining the harbor seems to be in somewhat the same class as bombing—it sounds *neat and sanitary and seems to avoid the* messy elements of war that are distressing to watch on television screens.

But no one has mentioned the fact that every navy that has minelayers also has minesweepers. The military technology of mines has not been discussed, but it has been true in the past that mines can be swept as well as laid out. It may be that the United States has developed something new in this respect. But if we did place mines so as to intercept shipping into Haiphong, we would have to assume that Soviet or Chinese minesweepers would try to get rid of them.

I cannot imagine Soviet freighters, for example, going through a minefield without the Soviet Navy first trying to get rid of the mines. I cannot imagine the Communist flag of Russia lowering itself to a blockade of Haiphong, an American blockade of Haiphong.

That is a risk that, in my judgment, those responsible for the leadership of the United States should never run. That is a risk which, in my judgment, the leaders of this Government cannot justify taking in future American history. That is a risk that, in my judgment, augurs very well the terrible danger of a war with China and Russia. That is why I think we ought to heed the Senator from Arkansas when he is pleading with us to change our course of action from one obviously designed for unconditional surrender in southeast Asia to a program of accommodation, to a program of recognizing that Asia is entitled to exercise a voice in determining the policy of Asia.

Is this minelaying something we would have to keep going back to, to do over and over, while the Chinese or Russians kept sweeping them out? At what point would American Navy vessels begin intercepting the minesweepers?

The idea that we can use our military power in ways that will damage an enemy without annoying anyone else or leading to further incidents and confrontations that continue to expand the war is one of the great fallacies of our thinking about Vietnam. Putting mines anywhere around Haiphong is going to mean confrontations at some point with nations whose vessels are sunk or which send their own military vessels to protect their freighters.

Let us stop thinking we can bring this or any other form of force to bear upon North Vietnam without suffering some kind of consequence to ourselves by way of additional problems and additional opposition.

Here is another easy fallacy in our thinking about China. What would be *the American response to a mine laid by* China or Russia in the Gulf of St. Lawrence? The idea that just because we have always done pretty much as we pleased in pre-Communist China we can go on doing pretty much as we please anywhere on her borders is going to lead to war with China unless we find additional means—nonmilitary means—to use at the same time, to bring her to a sense of community responsibility rather than opposition to the free world.

There is no question about her irre*sponsibility so far as her leaders are con*cerned. It saddens me, but I say it because I believe it: Her irresponsibility compares with our own irresponsibility. Her irresponsibility compares with the irresponsibility of our own leadership, for, in my opinion, our own leadership is taking us closer to a war with China.

I do not know whether it is possible to get Red China to assume some sense of responsibility, given the climate that prevails in the present administration. I feel we must change our course of action, at least to the extent of adding to it the nonmilitary means of reaching a state of peaceful coexistence. That effort must be made. The great statesman from Arkansas, the chairman of the Foreign Relations Committee, is trying to point the way to a program of statesmanship as a substitute for what I consider to be the military and political expediency on the international scene of our present administration.

The Senator from Arkansas [Mr. FULBRIGHT] outlined briefly the history of China's relations with the West. In it he mentioned the "open door" policy of the United States. Had I been here when he made his speech, I would have asked him this question.

Was it not true that the purpose of the open door policy was to safeguard the commercial interests of the United States against the possibility that European extraterritorial rights in China might become the means of gaining trade privileges at our expense?

I intended to ask him that question when he was discussing this problem on page 4 of the manuscript, as the advance copy was handed to me. I ask the question rhetorically. I would supply the RECORD with my own answer to it.

In his circular telegram to our embassies in Berlin, Paris, London, Rome, and St. Petersburg, at the time of the China crisis of that day, John Hay said:

> If wrong is done to our citizens, we propose to hold the responsible authors to the uttermost accountability. The purpose of the President is, as it has been heretofore, to act concurrently with the other powers first, in opening up communication with Peiping and rescuing the American officials, missionaries, and other Americans who are in danger; second, in affording all possible protection everywhere in China to American life and property; third, in guarding and protecting all legitimate American interests; and fourth, in aiding to prevent a spread of the disorders to the other provinces of the empire and a recurrence of such disasters. It is, of course, too early to forecast the means of attaining this last result; but the policy of the Government of the United States is to seek a solution which may bring about permanent safety and peace to China, preserve Chinese territorial and administrative entity, protect all rights guaranteed to friendly powers by treaty and international law, and safeguard for the world the principle of equal and impartial trade with all parts of the Chinese empire.

Mr. President, undoubtedly the American desire to keep all of China accessible to American interests served to offset somewhat the European demands for exclusive rights; but our motives were still those of self-interest and not motives for the benefit of China itself.

If we are going to further the cause of peace, an honorable peace, if we are going to further the cause of substituting the rule of law for America's military jungle law in southeast Asia, it is for us to recognize that the time has come for a change in American policy vis-a-vis China, to follow the leadership of the Senator from Arkansas [Mr. FULBRIGHT], to recognize that, now, not the Chinese closed-door policy but the U.S. closed-door policy should be changed in China, and that we ought to recognize that an accommodation should be worked out.

As I have said so many times in this historic debate, these despicable Chinese leaders are going to leave the scene sooner or later. Time will overtake them. But the masses of Chinese people will carry on, and as enlightenment develops, as they become better and better informed and educated, perhaps through increased contacts with the West, as they enjoy greater benefits of economic freedom over the course of years, this great reservoir, now empty of United States-China good will, can be filled again. I am interested in filling that reservoir of United States-China friendship.

I still think that we ought to start filling that reservoir and that is why I must go on record once again, this time in support of the historic speech of the Senator from Arkansas [Mr. FULBRIGHT], in pleading with my Government that it stop a policy that obviously is designed to contain China through military force alone and face the fact that we can never militarily contain China, for if we follow the policy we will take America to a war that can lead not only to a war with China but the beginning of world war III. That is my plea.

I hope that the voice of the Senator from Arkansas will be heeded before it is too late.

TAX ADJUSTMENT ACT OF 1966

The Senate resumed the consideration of the bill (H.R. 12752) to provide for graduated withholding of income tax from wages, to require declarations of estimated tax with respect to self-employment income, to accelerate current payments of estimated income tax by corporations, to postpone certain excise tax rate reductions, and for other purposes.

Mr. SMATHERS. Mr. President, the Nation has enjoyed 5 years of uninterrupted economic expansion. There has been a steady upward climb since early 1961—in gross national product, in employment, in personal income, and in corporate profits.

We have come a long way over the past 5 years. We now have a high-level balanced prosperity—and a new set of concerns: Can we keep a destructive price-wage spiral from getting underway? Will there be enough plant capacity to produce all the goods and services we seek? Can we avoid bottlenecks in major industries or key skills that would hamper our defense effort or our economic expansion? And, of paramount importance, we must provide additional revenues required by the conflict in Vietnam.

All this has a great deal to do with the tax measure, H.R. 12752, now before us.

While our tax system—particularly at a time when we are approaching full employment and full use of our industrial capacity—has powerful revenue-generating capacities, the amount of revenues we could expect in fiscal 1966 or 1967, under present tax laws, will not be sufficient to maintain the right fiscal balance during the coming year.

In view of the demands of the Vietnam situation and the domestic economic environment, President Johnson concluded—correctly, I think—that the budget receipts we would get without this pending legislation would be too low in relation to the costs of the conflict in Vietnam.

Last month, in a letter to the chairman of the House Ways and Means Committee, President Johnson defined the three choices he faced:

> A deficit in excess of $6.5 billion, which would require the Government to borrow the additional money.
>
> An increase in corporate and personal income tax rates, or other new taxes.
>
> Temporary restoration of certain excise taxes, and adoption of graduated withholding of individual income taxes and current payment of corporate income taxes—to increase revenue without a general tax increase.

The President chose the third alternative—which he called—and note these adjectives—moderate, equitable, responsible and essential. And he also assured us:

> If our needs in Vietnam require additional revenues, I will not hesitate to request them.

In our Senate Finance Committee hearing on this bill, Mr. President, I questioned Secretary of the Treasury Fowler closely on another subject—the threat of inflation.

Secretary Fowler made it clear that administration officials are concerned about inflation. But he also stressed it would not be wise to impose additional measures of restraint on the economy—in addition to those reflected in the tax bill now before the Senate or in the President's budget and economic reports—unless or until "unforeseen inflationary pressures" develop.

Now, Mr. President, I would like to discuss certain features of the pending bill—one that, aside from its moderating influence on the expenditures of individuals and business firms, will produce an additional $1.1 billion in revenues during the current fiscal year and $4.8 billion in fiscal 1967. The key revenue features of the bill would—

First. Put into effect, starting May 1, 1966, a new graduated withholding system for the collection of individual taxes on a pay-as-you-go basis.

Second. Restore, temporarily, the 7-percent manufacturers excise tax on new passenger automobiles that was in effect prior to January 1, 1966, but allowing this rate to drop 2 percent on April 1, 1968, and to 1 percent on January 1, 1969.

Third. Reinstate, also on a temporary basis, the 10-percent excise tax on telephone service. The bill provides that this rate would drop automatically to 1 percent on April 1, 1968.

It would be completely removed on January 1, 1969.

Fourth. Provide for a speedup in the payment of income taxes by larger corporations, so that, with respect to tax liabilities in excess of $100,000, a corporation would move to a current-payments basis by 1967 instead of 1970, as provided by the Revenue Act of 1964.

Fifth. Require self-employed persons, starting in 1967, to pay social security taxes on a quarterly estimated basis. They are now required to pay their income taxes on a quarterly estimated basis.

The proposals relating to the corporate income tax, the graduated withholding system, and payment of social security taxes by the self-employed on a current basis would not alter anyone's final tax liabilities. These proposals have to do with when the taxes are to be paid and, I repeat, do not represent tax increases.

The tax bill now before us involves a structural improvement in our tax system.

Even if the enactment of a graduated withholding plan for individual income-tax payers had no economic or revenue effects—and it has both—it would be very worthwhile.

The graduated withholding plan increases no taxpayer's final tax liabilities—but it certainly will help to solve the problem faced by many Americans who find the present 14-percent flat-rate withholding system leaves them holding the bag when April 15 rolls around.

The same time that some taxpayers find they owe a very substantial amount to the Federal Government at income-tax time—that is, April 15 for most of us—there are many other Americans who find the present system results in substantial amounts of overwithholding for them. This has been particularly true for the lower income taxpayer.

The bill now before us, Mr. President, does not solve all the problems of overwithholding or underwithholding for the more than 63 million American taxpayers who are covered by the withholding system. But, as the tables in the committee's report make clear, the six-bracket graduated withholding plan involves very substantial structural improvements in the withholding system.

One of these improvements, which has received very little public attention, involves the incorporation of the minimum standard deduction, which we approved as part of the Revenue Act of 1964, into the graduated withholding plan. This, coupled with other features of the graduated withholding plan, will reduce overwithholding for many taxpayers with incomes of $5,000 or less per year.

This bill, Mr. President, will reduce from 20 million to slightly under 13 million the number of tax returns in this income group where overwithhold exceeds $10 annually. It will thus serve to boost the number of break-even situations by a very substantial number.

Here I am talking about 15.4 million individual taxpayers with incomes of $5,000 a year or less, who, under the new system, will be in this break-even group. The present system permits only about 8.4 million of such taxpayers to be in the break-even category—that is, in the category where the amount of withholding is within $10 of final tax liability.

The committee bill also will make the withholding system more equitable for other income groups, as well, both in terms of the number of tax returns involved and the amount of dollars involved. The amount of overwithholding now averages out, under the present 14-percent flat-rate system, to about $136 per taxpayer. This will be reduced under the bill to about $124. The comparable figures for underwithholding are: The average per taxpayer affected by underwithholding now is $151 per year. Under the committee bill, this average will be pulled down to $79 per year.

It might be theoretically possible to change the Federal income tax withholding system to such a degree that the withholding system would work almost perfectly for all taxpayers—all 63 million or so wage and salary earners who are covered by the system. However, the search for tax equity can be carried to such a point that another equally important goal of tax policy—simplification—can be drowned in a sea of redtape.

I think the committee, in approving President Johnson's recommendations with some modifications, has come up with recommendations providing a graduated withholding plan that will be both workable and much fairer for all taxpayers.

Prior to the switch over to the new graduated withholding system, of course, the Internal Revenue Service must acquaint employers with the way the new system will work, but the Revenue Service has repeatedly demonstrated its capability for handling an assignment of this sort.

Once the format of the new withholding system is set, IRS will prepare a new "Employer's Tax Guide," the necessary tables, and so on, to permit the new system to get underway smoothly.

In place of the present 14-percent flat-rate withholding system—where an employer withholds only that amount unless there is a voluntary election on the part of the wage earner to have a larger amount withheld from his wage or salary—the new system will scale the withholding to a six bracket approach, ranging from 14 to 30 percent.

While the present system takes into account only the number of exemptions the employee lists with his employer, and the 10-percent standard deduction, the new system will reflect also the minimum standard deduction which was approved as part of the 1965 Revenue Act.

The bill now before the Senate also contains special relief provisions, which will come into play starting next year.

These are designed to permit persons with substantial itemized deductions to increase the number of their withholding allowances, if certain tests are met.

Both the Ways and Means Committee and the Senate Finance Committee reasoned that 1967 would be a better starting time for the special relief features.

Since the graduated withholding system will be in effect only 8 months of this calendar year, the situation—overwithholding for some taxpayers with larger than usual itemized deductions—will not be a serious problem this year in view of the underwithholding that will generally exist during the first 4 months. Further, there was a desire expressed all around to get the new system quickly into operation with a minimum of administrative burdens for both taxpayers and the tax service.

Tables will be worked out to reflect the technical language of the law, relating to the special relief provisions. Thus, no taxpayer will be obliged to apply a complicated formula to his own individual situation to determine whether or not he is eligible for one or more additional withholding allowances.

As under the present system, employers will be permitted to compute withholding by means of either a percentage method or wage-bracket tables. The Internal Revenue Service will distribute wage-bracket tables for the various payroll periods now recognized. The Revenue Service also will supply instructions for the use of the percentage method.

For irregular supplemental wage payments—such as a bonus for a salesman—employers will be permitted to either apply a flat percentage rate to the supplemental wage payment without making any allowance for exemptions, or treat the payment as if it were part of the current or preceding regular wage payment. Where a flat percentage rate is used, regulations to be issued by the Treasury or Internal Revenue Service will specify a flat rate of about 20 percent.

As under present law, claims for withholding allowances will be filed under the new system by the employee with his employer. However, the number of times per year the employer will be required to recognize changes in the number of exemptions and withholding allowances claimed by employee will be increased. At present, these dates are January 1 and July 1 of each year. The bill adds May 1 and October 1 each year as status determination dates. As under present law, employers will be permitted to put changes in exemptions claimed by employees into effect prior to the four so-called status determination dates if they desire to do so.

On the graduated withholding system generally, the Senate and House versions of the bill are pretty much alike.

While I have not attempted to discuss every aspect of the new graduated withholding system, I think it is clear that the new system will be a substantial improvement over the present 14-percent flat-rate system.

Next, I believe, Mr. President, there is the broadest public interest in the excise tax features of the pending bill. Therefore, I would like to discuss, briefly, why we decided to approve a 2-year moratorium on automobile and telephone excise tax reductions, rather than seeking the revenue elsewhere.

There are four main reasons—and they all are persuasive:

First. These excises involve a substantial amount of revenue.

Second. Both of these excise taxes are still in effect—unlike the many other we wiped off the tax books in 1965.

Third. The impact of the readjustment of excise rates on automobiles and telephone service would be spread over a broad segment of the American public because of the widespread ownership of cars and the use of telephones.

Fourth. And finally, to modify—and postpone for 2 years the gradual reduction of these excise levies—would involve relatively minor administrative and compliance problems for the industries involved. The adjustments would not require, for example, setting up new tax accounting procedures.

The bill now before the Senate differs somewhat from the President's recommendations. We did agree, however, to restore temporarily the 7-percent excise tax rate for new automobiles and the 10-percent rate for telephone service—rates which, under the 1965 excise tax relief bill, had dropped on January 1, 1966, to 6 percent in the case of automobiles and to 3 percent in the case of telephone service.

The pending bill would keep both of these rates—that is, the 7 percent for automobiles and the 10 percent rate for telephone service in effect until April 1, 1968, when they will automatically, under the legislation, drop to the lower rates Congress specified in the 1965 law.

On April 1, 1968, the automobile excise tax will drop to 2 percent, and on January 1, 1969, this excise tax will drop to 1 percent where it will remain.

Similarly,' the telephone excise tax, under the committee's bill would stay at 10 percent until April 1, 1968. Then it would drop automatically to 1 percent, and on January 1, 1969, it will be removed entirely.

We estimate that the excise tax proposals will provide about $35 million in additional revenues in the current fiscal year; and about $1.2 million in fiscal 1967, starting July 1.

Not everyone is happy, of course, with the decision to restore, temporarily, the 7-percent manufacturers' excise tax rate on automobiles or the 10-percent telephone service excise. I did notice, however, that some outstanding auto industry leaders were not unduly alarmed by this proposals. The auto industry has had a series of great years—and 1966 looks no less promising for that industry because our action, in effect, will add only about $22 to the retail price of the average new automobile—the same $22 which was taken off only last January.

All in all, Mr. President, the excise tax features of this bill shape up as the appropriate steps to take at this time. I support them; the committee supports them; and I think the Congress should enact them.

I expect, Mr. President, to have something to say later about the amendment, which I understand will be offered on the floor, to substitute suspension of the 7-percent business investment tax credit for the excise tax features of this bill.

At this time, however, I would like to make some general comments on why we should not modify the investment credit, as part of this bill which is designed to meet current revenue needs associated with the Vietnam situation.

The Finance Committee considered the idea of substituting suspension of the investment credit for the excise tax proposals in this bill, and rejected it. We should reject it here.

We approved the investment credit to provide a long-range incentive for growth and modernization of our productive capacity. It has been successful. The added capacity and efficiency that have resulted from the operation of the credit along with the new depreciation guidelines since 1962 are of tremendous value to our economy and our defense effort now. The credit is one of the key weapons in assuring a strong and sustainable level of investment to add to our productive capacity and efficiency.

The suspension of the credit would discourage new orders and commitments and this in turn would result in a cutback in investment and capacity at a later period. There is a considerable "leadtime" in carrying out investment projects. The investment credit becomes available when assets are put in service and hence present contracts are being undertaken in reliance on the availability of the credit when the project is completed.

As President Johnson has stated, it is not necessary or desirable to change individual or corporate final tax liabilities in response to the current economic situation associated with Vietnam expenditures.

Nor should we overlook the contribution of the investment credit to our balance-of-payments situation in two direct ways:

First, it makes investment here in the United States more attractive, and second, it encourages modernization and cost cutting to strengthen our export position.

To suspend the investment credit in a world in which investment incentives are widely used in foreign tax systems under which our international competitors operate would weaken our international competitive position.

Looking back a bit, Mr. President, I recall that 3 or 4 years ago there was widespread concern about the weakness of investment demand.

But the fiscal measures—including the investment credit of 1962—served to strengthen both consumer demand and incentives for business to modernize and expand.

The Council of Economic Advisers—in discussing the longer term prospects in the 1966 annual Economic Report, summed up the present situation in this way:

> Business investment programs in the past 2 years seem to have added to capital in the right places and in appropriate amounts.

Aside from the longer term implications, Mr. President, I just don't see any merit in suspending the 7-percent investment tax credit at a time when American industry is operating—as it is today—so close to full utilization of capacity.

To cut back the expansion of the American economy, through a suspension of the investment tax credit, would, it seems to me, seriously hamper the efforts of business to cut costs and to avoid bottlenecks and production delays.

We won't make much headway against inflation by cutting down the capacity of business firms to meet the high-level demand we now anticipate in the months ahead.

Without going into more detail, I think it is obvious that the amendment sponsored by the senior Senator from Tennessee has no place in the tax adjustment bill now before us.

The proposal to suspend the business investment tax credit is not a good idea, either for the short range or the longer pull.

It certainly is not a suitable substitute—either in its potential economic effect or in its revenue aspects—for the excise tax provisions of the pending bill (H.R. 12752).

The administration does not favor suspending the business investment tax credit.

For all of these reasons, I urge the Senate to reject such proposals.

Mr. President, the provisions of the legislation before us today are sound. Laying aside for the moment the excise restorations, these provisions represent real improvements in our tax law which will help to make our pay-as-you-go tax system more effective and more equitable—both for corporations and for individuals.

It would have been beneficial from the taxpayers' viewpoint to make these changes before. But we have not had an appropriate opportunity before now to recommend them, since they involve a substantial increase in tax receipts—even though this increase is of a one-shot nature. Now we need just such an increase—not only to help meet our obligations in Vietnam but also to help us to meet the possible threat of inflationary pressure.

These tax changes are sound changes at any time, but they are particularly sound changes to make at this time.

Permit me at this time to briefly summarize what I have already stated.

This bill is carefully designed to provide the additional revenues needed in this period of a high level of military expenditures in South Vietnam.

The revenues will have their greatest effect on the status of the budget during fiscal year 1967 but the economic effect will be felt earlier, in fiscal year 1966.

The President's present plans call for a level of expenditures for the Vietnam operations of $10.5 billion in the fiscal year 1967.

This is an increase of $4.7 billion over the $5.8 billion level in the fiscal year 1966.

This rapid increase in expenditures—more than 10 percent above the level of all expenditures in fiscal 1965—comes when the economy is approaching full employment and creates the very real danger of serious inflationary pressures while the growth of defense expenditures is taking place.

The nature and timing of the tax changes in H.R. 12752 will siphon off the dangerous margin until the normal growth of the economy and tax revenues generate the normal built-in restraints against inflation.

At the present time, the economy is near full employment. We have reached the interim goal of 4 percent unemployment of the labor force sought by Presidents Johnson and Kennedy.

It is quite likely that unemployment will fall near to 3 percent of the labor force by December of this year.

Manufacturing output rose to 91 percent of full capacity utilization in December 1965, only 1 percent below the preferred operating rate. As we would expect, several industries are operating above this level at the present time.

The wholesale and consumer price indexes rose more rapidly during 1965 than during any of the preceding 4 years.

While the greatest increases occurred in food and medical services, the prices of industrial materials and products also rose at a faster rate than in the 4 years before.

Increasing defense expenditures at this time add to demands from the private sector of the economy, and their impact already is reflected in the indexes of prices, capacity utilization and unemployment.

It must be apparent to every one of the Members of this body, as well as to many other observers, that some kind of restraint must be placed upon the economy to avoid a serious explosion of prices. Therefore, we must be careful, and prescribe just the correct medicine and quantity of medicine to meet the present situation. It is a delicate problem, and there is as much danger from prescribing too much medicine as there is from too little medicine.

The tax changes contained in H.R. 12752 have been planned to offset the timing of the higher defense expenditures, the growing impact of private industrial and consumer spending, and the attainment of full employment of the labor force and industrial production.

The greatest impact of the increased defense expenditures—almost entirely due to Vietnam needs—is being felt right now in fiscal year 1966. The increase next fiscal year will be smaller, adding less of an economic impact to the economy at the time when full employment will be at hand.

The economic effect of the rise in defense expenditures will be felt most seriously in fiscal year 1967, after the rise in Government expenditures, as a result of the response by business and consumers to the income added to the economy by the new defense expenditures. It is at that time the tax changes included in this bill will have their greatest effect in providing price stability.

The major parts of the bill do two things. First, the tax collection procedures are altered to produce a more current payment pattern of tax liabilities, and these adjustments are timed to start the increase of collections in 1966 and 1967 when the need is greatest. These adjustments do not involve any changes in tax liabilities.

Secondly, the excise tax rates on automobiles and telephones will be restored to the levels in effect last December and will remain at those levels for a 2-year period. These higher tax rates will have important stabilizing effects, even though the additional taxes that will be paid by each taxpayer will be a modest amount. The sacrifice is far less than the "taxation by inflation" that we can expect if H.R. 12752 is not enacted.

The collection speedups on the corporation income tax and graduated withholding will provide economic restraint by reducing the currently available supply of cash to individuals and corporations. These provisions will require a rescheduling of plans and a deferral of some purchases into the future. It is hoped that the weight of these effects will be just great enough to bring about modifications rather than disastrous cancellations. The small increases in excise tax rates will strengthen this tendency.

In fiscal year 1968, after the impact of these new tax provisions, the continuing growth of the economy will continue to generate its normal growth of Federal tax receipts—about $7½ billion a year. This increase will be large enough to provide a budgetary surplus in 1968 if the presently projected level of Federal expenditures, including Vietnam costs, can be maintained.

The normal growth in tax receipts also will be adequate to finance an additional increase in defense expenditures in the event that would become necessary.

All in all, I think we have a carefully and responsibly designed fiscal program before us.

The changed pattern of tax collections and the excise tax rate increases are large enough—and timed properly—to offset the potentially inflationary margin of Federal expenditures and to continue the healthy growth of output and income.

It will permit us to meet our responsibilities in southeast Asia while at the same time reaching our long sought-after goal of domestic full employment.

It puts our economy into the position where it will be able to maintain its healthy growth in output and employment without the dislocations that would be inevitable if we had to step hard on the economic brakes and then release them abruptly.

And because Congress has recognized that President Johnson proposed moderate, equitable, responsible, and essential tax adjustments at this time, to meet primarily the revenue needs associated with the situation in southeast Asia, we have been able to move swiftly in considering and acting on this legislation.

I do not think it should go unnoticed, Mr. President, that our Chief Executive called upon us to act on these tax recommendations in his state of the Union message in mid-January.

Within days, the House Ways and Means Committee was working on the tax program.

Within a month after the President's request for action, the Tax Adjustment Act of 1966 was ready for House floor action.

And our committee started to consider the bill within 2 days of its House passage—that was on Friday, February 25.

Now the bill—approved overwhelmingly by our committee with no major changes—is before the Senate.

We are demonstrating—as we have demonstrated in the past—that the Congress can, indeed act both swiftly and responsibly to adjust our tax system to meet our obligations abroad and to keep our economy advancing at home.

I urge, Mr. President, that the Senate approve the bill.

COMMITTEE AMENDMENTS AGREED TO

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc and that the bill as thus amended be considered as original text for the purpose of further amendment.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

ROLE OF WHITAKER & BAXTER IN CONNECTION WITH PROPOSED CONSTITUTIONAL AMENDMENT FOR LEGISLATIVE REAPPORTIONMENT

Mr. TYDINGS. Mr. President, some days ago the distinguished Senator from Wisconsin [Mr. PROXMIRE], the distinguished Senator from Illinois [Mr. DIRKSEN], the minority leader, and I joined in a colloquy relating to the financial contributions and lack of financial reporting by a noted California public relations firm known as Whitaker & Baxter. This firm has been, I understand, retained for the purpose of enacting a constitutional amendment, the so-called Dirksen amendment, or Senate Joint Resolution 103. This amendment would, in effect, permit the malapportionment of one house of a bicameral State legislature.

In this connection, I invite the attention of the Senate to a number of articles, one published in the Los Angeles Times, one in the Washington Evening Star, and one in the Boston Globe, each written by a different reporter, but all relating to the fact that the firm of Whitaker & Baxter has failed in any way to reveal the source of the financial contributions which have been made and which the firm is using in the operation of a rather extensive public relations effort to amend the Constitution of the United States.

I refer to an article written by John H. Averill, a staff writer, published in the Los Angeles Times of February 9, 1966. I ask unanimous consent that the entire article be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Los Angeles Times, Feb. 9, 1966]

DIRKSEN WILL POSTPONE REAPPORTION SHOWDOWN—MOVE REPRESENTS SUDDEN SHIFT IN STRATEGY TO CIRCUMVENT ONE-MAN, ONE-VOTE RULING

(By John H. Averill)

WASHINGTON.—With the odds seemingly against him, Minority Leader EVERETT M. DIRKSEN, Republican of Illinois, has tentatively decided to postpone an immediate Senate showdown on his revised legislative reapportionment amendment.

This represents a sudden shift in his strategy.

When Congress reconvened last month, DIRKSEN said he planned to seek action by mid-February on his proposed constitutional amendment to circumvent the Supreme Court's one-man, one-vote ruling.

But he is now letting it be known that he probably won't attempt to take his amendment to the Senate floor until sometime in March and perhaps even later.

TACIT CONFESSION

Opponents of the DIRKSEN amendment immediately interpreted the minority leader's decision as a tacit confession he still lacks the votes to get it through the Senate.

DIRKSEN, however, continues to insist that his prospects have improved since last August 4 when an earlier version of his amendment was defeated, 59 to 39. Although this was a majority for the amendment, it was seven votes short of the two-thirds majority required for approval of a constitutional amendment.

After his August defeat, DIRKSEN rewrote the amendment in an effort to meet objections of some of his opponents. It retains the original objective, however, of seeking to give the States a means of escaping the one-man, one-vote ruling that both houses of State legislatures must be based on population.

DIRKSEN's new amendment would give a State's voters a chance every 10 years to choose whether they want both houses of their legislature based on population or to have one apportioned by other factors, such as geography.

CLAIM BY LIBERALS

Senate liberals who led the successful fight against the earlier Dirksen amendment last summer insist not only that their ranks remain firm but that they have picked up votes.

Some sources close to DIRKSEN are inclined to accept the liberals' assessment. But not DIRKSEN.

He has told associates he doesn't want to force action on his new amendment until the Senate has disposed of legislation authorizing additional military and economic assistance for the war in Vietnam. These bills, now pending in committee, are expected to be ready for Senate consideration by next week.

DIRKSEN's tentative decision to delay a showdown on his new amendment comes just 3 weeks after he told a televised press conference that a massive nationwide fundraising and publicity campaign had been organized in behalf of it.

SOLID FOUNDATION

The minority leader refused at that time to discuss details of the operation other than to say it has a solid financial foundation.

Those financial details remain shrouded in secrecy.

Whitaker & Baxter, a San Francisco public relations and advertising firm which is directing the campaign for the Dirksen amendment, will not discuss how much money has been raised or spent.

"We haven't released any figures and frankly we don't intend to," Clem Whitaker, Jr., the head of the firm, told a reporter. He said such matters "detract from the issue." He defined the issue as getting the Dirksen amendment through Congress and ratified by the States.

To conduct the campaign for the amendment, Whitaker & Baxter is directing a newly formed organization called the Committee for Government of the People.

The committee and a new Washington branch of the Whitaker & Baxter concern share a suite of offices in downtown Washington.

Although DIRKSEN is chairman of the new committee, the actual direction of it is under Robert M. Smalley, a Whitaker & Baxter partner who was formerly public relations director of the Republican National Committee.

At his January 19 press conference, DIRKSEN announced that the New York accounting firm of Price Waterhouse & Co. had been retained to audit contributions and expenditures of the new committee and would make a report public on its findings.

However, Price Waterhouse denied knowledge of this and referred a questioner to one of the firm's partners in San Francisco, Walter Baird.

Baird, in a telephone interview, said he serves as treasurer of the new Dirksen committee but added that "this has nothing to do with Price Waterhouse."

He said his function is to deposit contributions to the committee in the bank and then report to Whitaker & Baxter.

Although Whitaker & Baxter refused to divulge its fee for the Dirksen amendment campaign, records on file with the Clerk of the House of Representatives show that the Washington law firm of O'Connor, Green, Thomas, Walter & Kelly is being paid $15,000, plus expenses, to lobby for the amendment.

Mr. TYDINGS. Mr. President, I wish to comment from the article. The following statement appears at about the middle of the article:

> Whitaker & Baxter, San Francisco public relations advertising firm which is directing the campaign for the Dirksen amendment, will not discuss how much money has been raised or spent.

The article then quotes Clem Whitaker, head of the firm:

> "We haven't released any figures and frankly we don't intend to." He said such matters "detract from the issue."

Further in the article, Mr. Averill states as follows:

At his January 19 press conference, Dirksen announced that the New York accounting firm of Price, Waterhouse & Co. had been retained to audit contributions and expenditures of the new committee and to make a report public on its findings.

However, Price, Waterhouse denied knowledge of this and referred a questioner to one of the firm's partners in San Francisco, Walter Baird.

Baird told a reporter in a telephone interview that he served as treasurer of the Dirksen committee, but added that this has nothing to do with Price, Waterhouse & Co. He said his function was to deposit contributions to the committee in the bank, and then to report to Whitaker & Baxter. Although Whitaker & Baxter refuse to divulge its fees to the Dirksen campaign, records on file with the House of Representatives, show the Washington law firm of O'Connor, Green, Thomas and Kelly as having been paid $15,000 plus expenses to lobby for the amendment.

I refer now to an article entitled "Washington Close-Up," written by Paul Hope, and published on February 18. I ask unanimous consent that this article be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record as follows:

Washington Close-Up: Dirksen Drive Picks Up Helpers

(By Paul Hope)

A well-heeled and professionally staffed campaign seems to be breathing some life into Senate Republican Leader Everett Dirksen's effort to lessen the effect of the Supreme Court's one-man, one-vote ruling.

Dirksen is fighting for congressional approval of his constitutional amendment to let the people of each State decide whether they want one house of their legislatures to be apportioned on factors other than population. The Supreme Court has ruled that both the upper and lower houses of State legislatures have to be based as nearly as possible on population.

A Dirksen lieutenant claims the Senator is within three votes of having the two-thirds necessary to get the amendment through the Senate. Last year it failed by seven votes. It is expected to come up again next month.

Dirksen claims the Supreme Court ruling, which is throwing control of State legislatures to urban areas, is upsetting the system of checks and balances developed by the Nation's Founding Fathers. He calls the situation the gravest constitutional issue ever to confront representative government in the United States.

Dirksen's new effort to drum up grassroots and congressional support is being run by a team of professionals out of a five-room suite in a downtown Washington office building.

Those in charge will talk about almost anything but where the money is coming from to finance the operation. Such inquiries are directed to Dirksen's office and his office says it's coming from contributions.

It's obvious the campaign is well financed.

In charge is Whitaker & Baxter, a San Francisco public relations firm whose services don't come cheap.

Eight people are in the Washington office. Their salaries alone would total in the neighborhood of $10,000 a month.

Whitaker & Baxter have hired a lobbyist, John Flynn, of a Washington law firm, who has listed his fee at $15,000. Samuel C. Brightman, longtime public relations director for the Democratic National Committee, also has been hired as a part-time consultant.

Rent on the suite amounts to several hundred dollars a month. A massive national distribution of pamphlets and other propaganda is being undertaken, involving large printing and mailing costs.

Television tapes containing messages from Senators and House Members are being distributed free to stations around the country. However, part of that tab is being picked up by the Federal Government, since the tapes are made in Government facilities available to Congressmen at minimal costs.

Coordinating the effort in Dirksen's office is a Senate employee, Clyde Flynn, Jr., minority counsel for the Senate Subcommittee on Constitutional Amendments, on which Dirksen serves.

The top man in the downtown Washington office is Robert M. Smalley, who resigned last year as public relations director for the Republican National Committee to take a job with Whitaker & Baxter. During the 1964 presidential campaign Smalley was press aid to William E. Miller, the GOP vice-presidential candidate.

Another top man is Ernest Tupper, a former lobbyist for the American Can Co., who has a financial consulting business in Washington. Tupper worked for the Dirksen amendment last year for the National Commission for Constitutional Government but since efforts have been consolidated he moved over to the Whitaker & Baxter suite.

Another lobbyist for the amendment last year, Rein J. Vander Zee, former top assistant to Bobby Baker in the Senate Democratic leadership office, apparently is not involved in the operation this year.

Among groups supporting the Dirksen amendment are the American Farm Bureau Federation, the U.S. Chamber of Commerce, the National Association of Manufacturers and the National Association of Real Estate Boards. Smalley says, however, that none of these groups has put up money to finance the Whitaker & Baxter operation.

Arrayed against the Dirksen forces are a host of organizations, many with powerful and well-financed lobbies in Washington. They include labor unions, civil rights groups, the liberal Americans for Democratic Action and the National Committee for Fair Representation. Their coordinator is Lawrence Speiser, Washington representative for the American Civil Liberties Union.

In typical Dirksenese, the Senator from Illinois, in announcing his grassroots drive last month, said his troops were "going forward to meet the infidels."

The leader of the antiamendment forces, Senator Paul H. Douglas, Democrat, of Illinois, declared it was more as though Dirksen and his cohorts were "riding off to belabor a dead horse."

Speiser, who said his forces slacked off after the amendment was defeated last year, is taking no chances with Dirksen. He is starting to count his senatorial noses to see that some of them haven't got under the Dirksen tent.

Mr. TYDINGS. Mr. President, I ask unanimous consent that there be printed at this point in the Record an article entitled "In One-Man, One-Vote Fight: Mystery Fund Backs Dirksen," published in the Boston Globe of Tuesday, February 22, 1966.

There being no objection, the article was ordered to be printed in the Record, as follows:

In One Man, One Vote Fight: Mystery Fund Backs Dirksen

(By James S. Doyle)

Washington.—In an eighth-floor suite of offices in downtown Washington, behind doors that bear no identification, money is being collected for a nationwide assault on the Supreme Court's one-man, one-vote decisions requiring most State legislatures to reapportion their seats.

The finances of this operation are as mysterious as the unmarked office doors, despite the illustrious political names connected with the campaign.

Since January 19, when Senate Minority Leader Everett McKinley Dirksen announced the formation of the Committee for the Government of the People, reporters seeking information on how much money has been collected have been refused any information.

Dirksen originally said that the accounting firm of Price, Waterhouse & Co. had been retained to audit contributions and expenditures and make a public report.

But Price, Waterhouse officials have denied that the company was retained.

Robert M. Smalley, who is running the day-to-day operations of the committee, said Wednesday there was no plan to report to Congress any of the committee's financial dealings except the fees paid to a legal firm hired to lobby for the amendment in Congress.

Smalley said the lobbyist, Jack Flynn of the law firm of O'Connor, Green, Thomas & Kelly, "has been retained as an incident of the operation, but only as an incident. Fundamentally we are trying to reach the people.

He said that Walter Baird of San Francisco, a partner in Price Waterhouse, was acting treasurer of the committee and "does in fact audit the books."

Smalley was asked if he considered this comparable to the public audit of a nationally known accounting firm that Dirksen had promised.

"Certainly it is to us, and to Senator Dirksen it is," he replied.

On all other features of the committee's financial operations, Smalley was tight-lipped. "I'll have to refer you to Senator Dirksen on that," he kept saying.

But Dirksen has been dodging all questions on the committee's finances for more than a week.

The Price Waterhouse partner, Walter Baird, told a reporter his function is to deposit contributions in the bank and report to the advertising firm that is running the committee's operation.

That firm is Whitaker & Baxter of San Francisco. Smalley says that a firm partner, Clem Whitaker, Jr., is in command of the whole operation and visits Washington frequently.

Whitaker has also refused any financial information. "We haven't released any figures and frankly we don't intend to," he told a reporter. "It detracts from the issue."

Meanwhile, as the contributions roll in, Dirksen has switched his tactics in the Senate, where he had promised to seek action by mid-February on his proposed constitutional amendment that would circumvent the Supreme Court's rulings.

Reporters who keep a nose count in the Senate maintain that Dirksen's amendment has less support than last year, when it missed by seven votes.

They also maintain that each day Dirksen waits, as the Vietnam and budget questions preoccupy the Senate, Dirksen loses support.

But the Senator says he is gaining support in the Senate, and probably won't attempt to take his amendment to the floor until next month or later.

Meanwhile the Committee for Government of the People, which Dirksen described at the outset as having a solid financial foundation, continues to accept donations.

Smalley says that most of its work to date has consisted of nationwide mailings of press releases, recording of television spot announcements, arranging speakers for groups, and setting up adjunct committees in 34 States.

Its headquarters consists of a rather drab suite of offices on the eighth floor of a building at 733 15th Street NW.

Whitaker & Baxter is listed as room 828 on the lobby directory, and the committee at room 832, the eight-man staff is housed in adjoining offices numbered 826 to 834.

Mr. TYDINGS. Mr. President, a large-scale operation is being conducted out of a Washington office building by Whitaker & Baxter. The firm employs a number of secretaries and at least one attorney who has reported a $15,000 lobbying fee. The firm is sending literature throughout the country, soliciting support under the name of the Committee for Government of the People, over the signature of a Samuel C. Brightman, consultant to the Committee for Government of the People. The letter from this committee patently misstates the facts on two major points involved in the constitutional debate.

The letter, dated January 28, 1966, which I understand has been circulated to every Democratic State chairman, states on page 2 that the Dirksen amendment "is not an attempt to abandon the one-man, one-vote principle." It also states that it "is not mandatory," and that "it imposes no duty or requirement on any State."

Mr. President, I ask unanimous consent that a copy of this letter of January 28, 1966, be printed at this point in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Washington, D.C.,
January 28, 1966.

I hope that you will take the time to read this brief letter and its enclosures carefully. During my years as a deputy chairman of the Democratic National Committee, I had a great deal of experience with problems of legislative apportionment and with the kindred problem of allocation of delegates to Democratic National Conventions.

This experience has led me to believe, without by any means abandoning the one-man, one-vote principle as a basic yardstick, that other factors can possibly be introduced in formulating the composition of any democratic body designated to representing groups of people.

It is notable that both major political parties have seen fit to introduce some of these other factors in the apportionment of delegates to their national conventions, created to make major national decisions for their members of the democratic process.

It is my personal belief that the States should enjoy similar freedom, if they so desire, to recognize other factors along with population in the constitution of their legislatures. In effect, this, with built-in safeguards to guarantee fair representation, is the intention of Senate Joint Resolution 103, popularly known as the Dirksen amendment. Since there is a great deal of misunderstanding about this proposal, I should like to mention a few things that it is not:

It is not a partisan issue. Democrats support it as strongly as Republicans.

It is not an urban versus rural issue. It is supported by Senators from highly urbanized States.

It is not an attempt to abandon the one-man, one-vote principle.

It is not mandatory. It imposes no duty or requirement on any State.

All it does is to give States the freedom to deal with problems created by geography and the location of the State's population according to the wishes of a majority of the voters in that State. And whatever decision each State reached must be put before the voters after each census.

I believe that this right of self-determination should be given to each State and that is why I am sending you this letter and material.

Naturally I hope that you will agree with my views and express yourself publicly and by writing to me or to the Committee for Government of the People. I am enclosing a card for your convenience if you wish to express your support of the committee's efforts to me.

With all best wishes.

Sincerely,

Samuel C. Brightman,
Consultant to the Committee for Government of the People.

Mr. TYDINGS. Mr. President, this matter came to my attention through a copy of a letter written by Mr. Sidney S. Kellam to Mr. Samuel C. Brightman.

I ask unanimous consent that a copy of Mr. Kellam's letter be printed at this point in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Virginia Beach, Va.,
February 18, 1966.

Mr. Samuel C. Brightman,
Washington, D.C.

Dear Mr. Brightman: My attention has been called to an article in the Richmond News Leader of February 12, in which it states that I have been named to the Virginia committee with several other people to conduct an educational campaign on behalf of the proposed constitutional amendment on reapportionment now before the U.S. Senate.

In your letter to me of January 28, you pointed out that there was no thought of abandoning the one-man, one-vote principle nor was it an urban versus rural issue; and you sent me a lot of material to read and a card to send in. While I did not carefully read the card, I was of the impression that additional information would be sent to me, and I did not agree in any way to serve on any committee, and I was relying 100 percent on your letter that it was not in any way abandoning the one-man, one-vote principle.

I do not wish to serve on any committee that would in any way abandon the one-man, one-vote principle nor to get involved in any issue that would be urban versus rural and if somewhere on this card it read that I agreed to serve on this committee. I would like to advise you that it would be impossible for me to do so. I am interested in receiving any additional material that you may have on this subject and after carefully studying it all, I would then be in a position in determining whether or not I favor any proposed amendment.

Very sincerely,

Sidney S. Kellam,
Democratic National Committeeman.

Mr. TYDINGS. Mr. President, this is a tremendously important constitutional issue. It is not proper, in my judgment, for a letter to be circulated to responsible party officials with a statement that it would in no way abandon the one-man, one-vote principle.

I feel that, although the committee under the letter of the law is only, as I understand it, required to file its quarterly reports between April 1 and 10, it is important for the people of the United States and for elected representatives to know the source of the funds being used to support the Whitaker and Baxter public relations firm. It is important to know how these funds are being spent.

I feel that we may vote on this matter before April 1. I think that Members of Congress are entitled to know where the firm of Whitaker & Baxter is getting this money and how the money is being spent. I do not believe that the firm should hide behind the specific language of the statutes which, in a sense, would obviate the necessity of filing any financial records except on quarterly dates.

At the time of the colloquy with the junior Senator from Illinois [Mr. Dirksen] and the senior Senator from Wisconsin [Mr. Proxmire], I was not aware of the letter and the information which were sent out under Mr. Brightman's signature. However, I think that it points out the need and the necessity in such a vital matter to have a complete financial disclosure and to know exactly what is happening in connection with the public relations activities of Whitaker & Baxter.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. PROXMIRE. Mr. President, what is the background and what has been the political experience and relationships of Whitaker & Baxter, this firm which is in charge of organizing support for the Dirksen amendment around the country?

Mr. TYDINGS. It is my understanding that the Whitaker & Baxter public relations firm specialized in the managing of political campaigns. I understand that they represented groups who opposed medicare in the Congress for some years. They were engaged in lobbying activities which, for a time, were unsuccessful, until the people of the United States expressed their mandate in the 1964 elections.

I understand that they are from California, and that they have from time to time been active in soliciting business of a political nature and in actually managing California political campaigns.

Mr. PROXMIRE. Is it not also true that this is one of the highest priced, highest pressure, and most successful political public relations firms in the country?

Mr. TYDINGS. I am not in a position to state affirmatively one way or the other, but——

Mr. PROXMIRE. It has that reputation, does it not?

Mr. TYDINGS. They have such a reputation.

Mr. PROXMIRE. Yes; indeed.

I should like to ask, in connection with this Price, Waterhouse business, was it not asserted at one point that Price, Waterhouse, a very reputable accounting firm, would audit the books of Whitaker & Baxter, or rather of the committee, in connection with this effort by the committee to lobby the Dirksen amendment through the Congress?

Mr. TYDINGS. I read into the Record the article appearing in the Los Angeles Times which covered the initial press releases. I was not present at the press meeting, but it is my understanding that Senator Dirksen had indicated that Price, Waterhouse would audit the books and the funds which were to be used by Whitaker & Baxter.

It is my understanding, from reading of the report and talking with the reporters, that when Price, Waterhouse was contacted, they stated that Price, Waterhouse had not been retained to audit the books, and that a member of the firm, a Mr. Walter Baer, stated that he served as treasurer, but added that "this has nothing to do with Price, Waterhouse." He stated that his function is to deposit contributions to the committee in the bank, and then report to Whitaker & Baxter.

Mr. PROXMIRE. So here we have a situation in which the firm of Whitaker & Baxter, which has a reputation as one of the smoothest, slickest, most effective high-pressure political public relations outfits in the country, has been hired. There is no evidence by which we can determine how much money is being spent. They are not being audited by Price, Waterhouse, or by any accounting firm. They have retained a number of very high-priced people, including one lawyer for $15,000, whose term is not specified—it was not $15,000 a year, obviously—probably for what will be a few weeks' parttime work. They have also retained Sam Brightman, a man who was formerly very closely affiliated with the Democratic committee, as well as Rein VanderZee, who was Bobby Baker's top assistant here in the Senate, and was well and favorably known by most Senators as a very personable young man, at a very big fee.

It is my understanding that the present expenditures are in the neighborhood of something like $10,000 a month, as a minimum. Was that the estimate of the Senator from Maryland?

Mr. TYDINGS. Let me say this: I do not know how much money they have taken in or are spending. I know they have as headquarters a suite of offices on the eighth floor of a building at 733 15th Street NW., and that Whitaker & Baxter is listed as room 828 on the lobby directory of that building; that the committee is at 823, and that they have a large staff in an adjoining suite of offices numbered 826 to 834.

I am not prepared to estimate how much they are spending or how much it costs to have a suite like that, or a staff of that size, except that it is not inconsequential.

Mr. PROXMIRE. In the second place, as I understand it, and as I think many people in the Congress and the public expect, there is a lobby law that requires some kind of reporting by lobbyists supporting legislation, and there are reports made, and at least some of those reports do disclose the financial interest; that is, the amount spent, as well as other data on the lobbyists.

In this case, however, it appears there is no disposition on the part of Whitaker & Baxter and no disposition on the part of anyone else to report the amount that is spent to lobby the Dirksen amendment through the Senate, although it is clear that literally thousands of dollars—and I think we can say conservatively tens of thousands of dollars—are being spent in this endeavor; is that not correct?

Mr. TYDINGS. I think that would be a fair assumption.

Mr. PROXMIRE. With respect to the letter written by Mr. Sam Brightman—which, as the Senator pointed out, did result in at least one case of a prominent Democratic official sending in a card indicating that he might support this kind of position; but he sent it in, clearly, because he was deceived, and he said so, and later withdrew his support, after being informed as to what the actual situation was:

In the fourth paragraph of the letter, Mr. Brightman has a series of subparagraphs. He says, speaking of the Dirksen amendment, "It is not a partisan issue. Democrats support it as strongly as Republicans."

I wish it were not a partisan issue. There are some wonderful Republicans opposing the Dirksen amendment, but let us see how many there are. When the matter was up for a vote in the Senate last year, 29 of 32 Republicans supported the Dirksen amendment. There were three who voted against it; Senators CASE, JAVITS, and BOGGS.

On the Democratic side—and Mr. Brightman indicates that Democrats supported it as strongly as Republicans—Democrats in the Senate do not support it at all, because the RECORD showed that out of the 64 Democrats voting, 36 voted no, and only 28 voted for the Dirksen amendment. So it is clear that that statement is just plain wrong.

I do not know of any other evidence of how Democrats or Republicans stand on the Dirksen amendment. There has not been a vote in the House. Certainly, the vote in the Judiciary Committee indicated a preponderance of Democratic opposition; is that not correct?

Mr. TYDINGS. That is correct. Seven of the eight members of the Judiciary Committee who oppose the amendment are Democrats. Four of the eight who support it are Republicans.

Mr. PROXMIRE. So that, as the record indicates, that statement is just untrue—not only inaccurate, but untrue.

Mr. Brightman then goes on to say:

> It is not an attempt to abandon the one-man, one-vote principle.

Now, what is it, if it is not an attempt to abandon the one-man, one-vote principle? Does it not seem transparently clear that the whole trust of the Supreme Court's decision in June of 1964 was to affirm a one-man, one-vote principle in State legislatures throughout the country, in both the upper and lower houses? Is that not correct?

Mr. TYDINGS. The Senator is correct.

Mr. PROXMIRE. Is not the whole purpose of the Dirksen amendment to abandon that principle? Is not it clear that the amendment would provide that geographic, political, and other considerations would be considered with population in determining the representation in one branch of the legislature. Could this do anything but abandon the one-man principle?

Mr. TYDINGS. That is correct.

Mr. PROXMIRE. It is very difficult for me to understand how a letter can go out from a man as eminent and as outstanding as Samuel Brightman, saying that Democrats support the amendment as strongly as do Republicans, and that it is not an attempt to abandon the one-man, one-vote principle.

The Senator from Maryland is certainly an expert on this matter—he, together with the Senator from Indiana [Mr. BAYH] and the Senator from Nebraska [Mr. HRUSKA], probably attended more of the hearings and more of the detailed exposition of this effort by supporters of the Senator from Illinois than anyone else.

Mr. Brightman says about the amendment, as his third point:

> It is not mandatory. It imposes no duty or requirement of any State.

What is the Senator's answer to that statement?

Mr. TYDINGS. That is incorrect. Senate Joint Resolution 103 requires that each State obtain approval every 10 years regardless of whether or not they have a plan of apportionment which seeks to divide from the one-man, one-vote principle.

Even if they have an absolutely proper and constitutionally created State legislature, the States will be required, every 10 years, if this constitutional amendment is passed, to obtain reapproval of their system of apportionment.

Mr. PROXMIRE. So it now appears that every one of the specific points made by Mr. Brightman in his letter is wrong. The fact is that the Democrats do not support this amendment as strongly as the Republicans; that is clear. In the second place, it is an attempt to abandon the one-man, one-vote principle, or it is nothing at all. In the third place, it is mandatory, and the Senator from Maryland has demonstrated clearly that it is mandatory, although Mr. Brightman's letter says it is not.

The Senator from Maryland is rendering a valuable service in calling the attention of the Senate to the deceptive, erroneous, and false solicitations being made by Whitaker and Baxter to officials around the country in order to line up support for this amendment against the very important principle which the Senator from Maryland is striving so hard to defend.

I should like to ask the Senator from Maryland one or two additional questions.

First, in contrast to the thousands of dollars which, it is clear—and there has been no dispute regarding this spending—are being spent to advance the amendment, can the Senator give the Senate an idea how much money has been used in opposing the Dirksen amendment, and how much is being spent at the present time?

Mr. TYDINGS. My understanding is, as was stated on the floor of the Senate—and this is in the RECORD—by the Senator from Illinois [Mr. DOUGLAS], who is the sole contributor, to my knowledge, that it is in the neighborhood of $500 for reprints of a copy of a speech, to further the effort of those of us who are opposed to the Dirksen amendment. In other words, it is less than $1,000.

Mr. PROXMIRE. Also to pay for some lunches.

Mr. TYDINGS. The Senator is correct.

Mr. PROXMIRE. These were lunches given for supporters who got together. We have no suite of offices.

Mr. TYDINGS. That is correct.

Mr. PROXMIRE. No persons of any kind—attorney, secretary, public relations firm, or any other kind—are being retained by those of us opposing the Dirksen amendment.

Mr. TYDINGS. The Senator is correct.

Mr. PROXMIRE. No funds of any kind have been spent for anyone to come to the Senate to appear, or anything of that kind.

Mr. TYDINGS. The Senator is correct.

Mr. PROXMIRE. So that those of us opposed to the Dirksen amendment—I should say Senator DOUGLAS has spent a limited amount of money, a few hundred dollars, in order to disseminate some information, and we have hired no one. And no one, literally no one, has been hired to help make the fight against the amendment. We are fighting this battle strictly on its merits; is that not correct?

Mr. TYDINGS. The Senator is correct.

Mr. PROXMIRE. Does not the Senator from Maryland feel—as I feel, at least—some deep concern about this problem, that it is a vital issue, as the Senator maintains the Senator from Illinois [Mr. DIRKSEN] has been making—as he always makes a greatly effective and gallant fight—but at the same time, in view of the fact that the last vote was close, that only seven Senators who switched could have made the difference, in view of the fact that these literally thousands of dollars are being spent on behalf of the Dirksen amendment at the present time, and in view of the further fact that those of us who oppose the Dirksen amendment are spending practically nothing, and in view of the fact that not only is money being spent for the Dirksen amendment but also some of the most competent brains in the Nation in terms of political image, and organizing support in the country has been rallied behind it, does not the Senator from Maryland feel that it is necessary for those of us who oppose the Dirksen amendment to make the strongest possible fight we can, that those Senators who agree with us that the principle is a principle worth defending should recognize that we are being challenged as we have not been challenged at all before, and that this is the very first time that those supporting the Dirksen amendment have really put the money, the muscle, and the power in this way behind their position.

Mr. TYDINGS. I could not agree more with the Senator. Let me add that this is perhaps the most important constitutional issues to be debated, at least in this century. There is nothing wrong, as such, with groups lobbying for or against legislation. This is in the American tradition. But to have a public relations firm which avoids answering questions to members of the press about its activities, which seeks to withhold information from the press as to the source of its contributions, as to the manner in which it is spending it, and as to the people on its staff, is not in the interest of sound legislative procedures. It is even more important now because this is such a vastly important constitutional issue and disclosure is not that difficult. All they would have to do would be to publish the names of their contributors, the amount of money received, the persons on their staff, and how they are spending the money, so that the people of the United States and Members of Congress would have all the facts before them when the vital matter comes to a vote.

I fail to see why Whitaker & Baker, and those they have retained or hired, are failing to comply with the spirit, at least, of our statutes involving full disclosure in matters of lobbying.

Mr. PROXMIRE. Let me ask the Senator one more question—and I apologize for detaining him because I know that he wishes to make only an abbreviated statement—but is it not true that the information has also been disseminated by this organization, including I believe, Mr. Brightman—correct me if I am wrong—indicating that the Senate Judiciary Committee has approved the Dirksen amendment?

Mr. TYDINGS. Such a statement was made in material disseminated to Members of Congress by the Committee for Government of the People.

Mr. PROXMIRE. Is it not also true that that is false information—that the Senate Judiciary Committee did not at any time approve the Dirksen amendment?

Mr. TYDINGS. The Senator is correct. The Senate Judiciary Committee reported Senate Joint Resolution 103 without recommendation.

Mr. PROXMIRE. Is it not also true that they have disseminated information saying that if the Dirksen amendment is defeated, there will be an effort made to apply the so-called one-man, one-vote principle to the U.S. Senate?

Mr. TYDINGS. My understanding is that they have put out that kind of argument.

Mr. PROXMIRE. Therefore, is it not clear to anyone covering the Senate in the Senate Press Gallery, or anyone who has served in the Senate, that this is ridiculous, that it cannot be applied to the Senate because of the clear language in the Constitution, No. 1; and that, No. 2, it is an entirely different situation, that the Federal Government was formed on the basis of separate and sovereign States combining together to provide certain enumerated, specified powers to the Federal Government, reserving the rest of the powers to the States, that there is no analogy whatsoever between that situation and the situation within the States, where there is no federal system. The federal system is not a historical fact, but is based squarely on the federal principle which I am sure the Senator from Maryland approves—which I certainly heartily approve, too—that basic federal principle of limited national powers and definite reservation of powers to the State is made meaningful by the organization of Congress, including the Senate which has two Senators from every State.

Mr. TYDINGS. The Senator is correct. That point has been raised in debate, both in committee and on the floor of the Senate. Specifically, those of us who favor fair apportionment, have repeatedly described the basis for the federal system. We have pointed to the fact that under our Constitution no State can be deprived of an equal representation in the Senate without its own approval; that we would oppose any such effort. This argument has nothing whatever to do with the issue before us today.

Mr. PROXMIRE. I thank the distinguished Senator from Maryland.

Mr. DIRKSEN. Is that all the Senator has to say?

Mr. PROXMIRE. So far as I know.

Mr. DIRKSEN. Mr. President, I listened with a great deal of interest to the dialog between my very distinguished friend, the distinguished Senator from the great Badger State of Wisconsin, and the very distinguished lawyer from the great Free State of Maryland. The dialog was not quite up to the level of Plato, but it was interesting notwithstanding.

Therefore, I approach each of them with the idea of calling up the reapportionment resolution as an amendment to the Constitution and that we agree on a limitation of time and that we do this in such a manner as not to impede with the progress of legislation dealing with Vietnam.

I suggest also that they consult with my senior colleague [Mr. DOUGLAS], who has been one of the "three horsemen" in opposition to this amendment; and thereafter I shall discuss it with the majority leader. Perhaps we can proceed, and all the concern about where we raise the money and the nature of the literature sent down and the quality of the public relations firm and all these other questions can be so beautifully disposed of.

I may say to my friend from Wisconsin that if one picks out a public relations firm, he should certainly pick one out that had some "clout"——

Mr. PROXMIRE. May I say to the Senator from Illinois that they certainly picked one with a lot of "clout"—a "golden clout."

May I ask the Senator from Illinois if he would not agree that the disposition of the Senator from Maryland and the Senator from Wisconsin to have a unanimous consent to limit time would be an indication of our sincerity in trying to get this issue to a vote in view of the position the distinguished Senator from Illinois took so effectively on 14(b); in view of the position taken by the Senator from Illinois, as I understand it, on the upcoming minimum wage legislation and unemployment compensation legislation, to wit: that he may organize a long, long educational campaign tying up the Senate for weeks to achieve his objectives, in what can properly be described as filibusters.

I would hope that the distinguished minority leader would give real consideration to adopting this same position or attitude of charity and cooperation toward this minimum wage and unemployment compensation legislation that we have toward this very vital constitutional amendment.

Mr. DIRKSEN. Mr. President, my friend from Wisconsin has been endowed by the Almighty with a sweet and gracious way, and he can be so whimsical, even though not always interesting. I might say that for my distinguished friend from Maryland. They approach this in a wonderful spirit.

Of course, the Senator from Illinois cannot always be accountable for his cantankerous qualities when there is controversy in the air and when he has a deep conviction on a matter, even as my friend from Wisconsin has a deep conviction on this proposal for legislative reapportionment.

But I am eternally grateful to him for the lovely way, the charming way, the disarming way, the gracious way he approaches it.

I shall be more than glad to cooperate and to speak with the majority leader, and then we will let it come before the Senate.

Mr. PROXMIRE. I thank the Senator. I hope that once again he will give consideration to that spirit of charming cooperation that we are showing here on these other matters.

Whereas the Senator from Illinois paid us a tribute that we are not always interesting but whimsical, he is always interesting as well as whimsical.

Mr. DIRKSEN. I thank the Senator.

Mr. President, this will be pursued with vigor.

SHOCKING ATTACKS BY GOVERNOR CONNALLY AND ATTORNEY GENERAL CARR, OF TEXAS, ON ATTORNEY GENERAL NICHOLAS KATZENBACH AND THE NATIONAL ADMINISTRATION IN CONNALLY-CARR EFFORTS TO LIMIT VOTER REGISTRATION IN TEXAS

Mr. YARBOROUGH. Mr. President, on February 9, 1966, a three-judge Federal court sitting at Austin, Tex., composed entirely of judges who had practiced law in Texas for many years before appointment to the bench, held unconstitutional a 64-year-old poll tax requirement for voting in Texas. Shortly thereafter, Gov. John Connally, of Texas, convened the Texas Legislature on February 14 to pass a registration law for a system of registration without payment of poll tax. The legislature enacted a law requested by Governor Connally which provided a period for registration for voting in the 1966 primary and general elections, without the payment of a poll tax, such period of registration to begin March 3 and to end March 17.

By its order entered on February 9, 1966, the Federal court, composed of U.S. Circuit Judge John Brown, of Texas—appointed by President Eisenhower; U.S. Circuit Judge Homer Thornberry—appointed by President Lyndon B. Johnson; and U.S. District Judge Adrian Spears—appointed by President John F. Kennedy—unanimously entered an order "after enjoining and prohibiting the officers of the State of Texas from requiring the payment of poll taxes as a prerequisite to voting in general, special, and primary elections, Federal, State, or local elections in the State of Texas, and then ordered "the court retains jurisdiction of this cause for such other and further orders as may be required."

The three-judge Federal court expects to look at the results of the 15-day registration to judge its effectiveness. Since facts on its effectiveness will need to be presented to the court, the Justice Department is using the FBI to gather pertinent facts. The Justice Department regularly uses the FBI to gather facts in all types of cases, civil and criminal. The FBI factfinding was not threatened as a club, or publicly announced by the Justice Department as a political move—all the publicity on it came from State candidates, since it was not concealed from the State.

The FBI is expected to gather facts on the publicity given to the open registration period, the number of deputies used to increase registration, the number of offices available to register in, and their office hours, and this information is to be gathered in representative counties.

Attorney General Katzenbach phoned the attorney general of Texas, Waggonner Carr, and advised him of the merely fact-gathering duties of the FBI and that they would be used to gather facts, but not in an attempt to supervise the registration. Within a matter of a few days, Attorney General Waggoner Carr, of Texas, and Governor John Connally, aided and followed by some other State and Federal officeholders in Texas, denounced the Attorney General of the United States in a shocking and discreditable manner.

Mr. President, I ask unanimous consent to have printed at this time in the Record an article from the Dallas Morning News, March 3, 1966, entitled "Connally, Carr Rap Voter Check by FBI," and an article from the same issue of the Dallas Morning News entitled, "Katzenbach Astonished," and another article from the same issue of the Dallas Morning News entitled "Registration Rule Altered."

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Dallas (Tex.) Morning News, Mar. 3, 1966]

Connally, Carr Rap Voter Check by FBI

(By Jimmy Banks)

Austin, Tex.—Gov. John Connally and Attorney General Waggoner Carr bitterly condemned here Wednesday an FBI investigation of voter registration in Texas, terming it an unjustified insult to the entire State.

Both noted that even the Federal court which struck down the poll tax found that it had not been used to discriminate against anyone. But Carr said U.S. Attorney General Nicholas Katzenbach told him he had personally ordered the FBI to spot check voter registration during the special 15-day period beginning Thursday.

Connally said Katzenbach and the U.S. Justice Department apparently "intend to instigate trouble in this State, where there has been none."

Carr told Katzenbach that citizens of Texas "will cower under such misuse of authority.

"If you have any complaint against Texas," Carr said in a letter to the U.S. Attorney General, "state it in court—don't threaten with the FBI."

Both Connally and Carr said Katzenbach's action constituted an insult to every public official in Texas and particularly to the tax assessor-collectors responsible for registering voters under the new act adopted to replace the poll tax system.

Connally said Katzenbach had put "a great service," the FBI, in a very difficult position since the Justice Department had already asked "that they scour the State in an attempt to find some evidence of discrimination under our voting laws, which the Justice Department alleged but could not prove."

"Conversely," Connally noted, "the Federal court held specifically there had been no discrimination in Texas."

Carr said the FBI probe climaxes State dealings with the U.S. Department of Justice on the poll tax issue which have been getting "progressively more disagreeable because of a big brother attitude they've taken, trying to oversee the affairs of this State."

Carr issued his statements at a press conference, along with copies of a letter he mailed Tuesday to Katzenbach. He said the U.S. Attorney General telephoned him Wednesday morning after learning the press conference had been scheduled.

"He denied there was any surveillance of the State government involved," said Carr, "saying it was his personal decision to send the FBI into the State to spot check the way citizens are registered.

"To me, sending the FBI to spot check how we enforce our laws and guarantee constitutional rights is contemptuous and I have so advised Mr. Katzenbach," said Carr. "When he acts in a contemptible way toward my State, I get fighting mad."

Carr also told Katzenbach, in his letter, that he would refuse to make reports to him on voter registration as requested.

"Our reports will be made to the Federal court having jurisdiction over this matter and to no one else unless the court directs us to do it," said Carr. "You have the same right as any other citizen to see what we file with the court if the court desires you to see it."

Carr's letter also noted that Katzenbach's office had opposed Texas' successful efforts last Saturday to obtain a 30-day stay of the order banning the poll tax as a requirement for voting. "Without the stay" said Carr, "we had no satisfactory way to prevent fraudulent multiple voting by persons presenting themselves to vote under real or fictitious names" in special elections during the next month.

"I found it difficult to understand why Texas had to fight your office for the right to protect the purity of her elections for the next 30 days," Carr wrote to Katzenbach.

He added that "our State is capable of handling our internal affairs" and would not be subjected to "any humiliation resulting from an overlord attitude."

Katzenbach Astonished

Washington.—Attorney General Nicholas Katzenbach said Wednesday he was astonished at charges made by Texas Attorney General Waggoner Carr that the FBI was conducting surveillance on Texas State government.

He said he had not yet received a letter written to him by Carr on the matter but that he had talked with Carr by phone prior to the State attorney general's press conference.

"On the basis of both the facts and of our conversation," Katzenbach said in a prepared statement, "I am astonished that he would express such views.

"As I explained to him," Katzenbach continued, "the FBI has been assigned merely to gather facts regarding actual registration in sample counties.

"The pertinence of this information is explicitly evident from the order issued Saturday by the three-judge Federal court sitting in the pending poll tax proceedings."

REGISTRATION RULE ALTERED

AUSTIN, TEX.—Attorney General Waggoner Carr advised county tax assessor-collectors Wednesday that voters over 60 who did not obtain exemption certificates prior to January 31 can register during the next 15 days.

Carr's decision on persons over 60 in towns of more than 10,000 population represented a change from his original interpretation of the new Voter Registration Act.

"We've had an opportunity to study the act more deeply since the first instructions went out," said Carr, "and we feel our first interpretation was too strict."

Persons who were subject to paying the poll tax but who failed to do so or failed to obtain a free certificate for voting in Federal elections should now register, Carr noted.

"Persons holding a paid poll tax receipt, a receipt stamped 'poll tax not paid' (for voting in Federal elections) or those who have received an exemption certificate do not need to register and should not be allowed to do so," Carr advised.

Mr. YARBOROUGH. Mr. President, it will be noted from this article, entitled "Registration Rule Altered," that after being advised that FBI agents would be sent into Texas, Attorney General of Texas Carr changed his previous interpretation of the new voter registration act. Carr's first instructions ordered that in cities of more than 10,000 population in Texas, persons over 60 years of age could not register under the new law. Under the old laws, voters over 60 years of age, but living in cities of more than 10,000, were exempt from poll tax payments, but must obtain an exemption certificate. On the passage of the new law in February, Attorney General Carr ruled that in case of voters over 60 years of age in cities of over 10,000 population, a failure to obtain an exemption certificate before January 31, 1966, barred those more than 60 years of age from obtaining a free exemption certificate under the new law. Upon learning that FBI agents were watching the registration to be able to furnish the court with information for use in the event of additional attack on the reasonableness of the State's action, Attorney General Carr hastily changed his ruling, as reported in the Dallas News of March 3, 1966, and ruled that prospective voters over 60 years of age, living in cities of more than 10,000 might register between March 3 and March 17, under the new law, and vote this year.

Vastly beneficent effect has been obtained by the sending of FBI agents into Texas. Prior to this change of ruling by Attorney General Carr, the tax assessors and collectors in Houston, Harris County, and Fort Worth, Tarrant County, and a number of other counties were instructing that people more than 60 years of age living in cities of more than 10,000 who did not obtain an exemption certificate under the old law prior to January 31, 1966, could not obtain free voter registration under the new law and thus be qualified to vote.

Furthermore, the tax assessor and collector for Harris County—including the city of Houston—and may other cities, acting on instructions from State officers at Austin, Tex., had advised prospective voters that the informal type of application for a free registration, being printed in many newspapers in Texas, could not be used as a basis for registration but that the prospective voters must wait until the tax assessors and collectors had printed application forms—these forms to be printed under the new law, the registration time from the 3d to the 17th of March already being in effect.

After news of the arrival of FBI agents in Texas, these rulings were hastily changed and tax assessors and collectors who acted in good faith on advice of State officials in Austin had advised the public that the informal type of applications for registration being printed in daily papers over the State could not be used to apply for voter registration in Texas, now advised the public that such proper registration forms could be used wherever printed.

Thus, two vast and beneficial changes have been obtained already by the sending of FBI agents to Texas and Attorney General Katzenbach is to be complimented for his action in aiding the court by sending them there.

The State officers are apparently angry that the poll tax was stricken down—the Attorney General has fought long and diligently to try to keep the poll tax in Texas. For those Texans who have not paid their poll tax this year, the State has provided this short 2-week registration period. For future years, however, the law will require annual registration prior to February 1 of each year. Texas thus becomes one of the only five States in the Union with an annual registration instead of a permanent voter registration that 90 percent of the States have. Thus an effort is still being made to restrict the size of the electorate in Texas.

Illustrative of the anger of the State officials of Texas over action of the Federal court in enforcing constitutional rights which will expand the electorate, are articles from the daily press of Texas. Mr. President, I ask unanimous consent that there be printed at this point in the Record an article from the Austin American dated March 3, 1966, under the title "Connally, Barnes Join Carr in Indignation at the FBI Check of Registration," and an article from the Fort Worth Star Telegram of March 3, 1966, under the title, "Connally Blasts Plan of FBI Voter Watch," an editorial entitled "Texas Has Cause for Resentment," an article of San Antonio Express of March 3, 1966, under the title "Katzenbach Act Called Insulting: U.S. Planning To Monitor Registration," and also an article in the same issue of this San Antonio Express entitled "Counties Advised To Make Certain All May Register," and an article from the Houston Post, March 3, 1966, under the title "FBI Check on Voters Denounced" and a subsequent headline "Over 60 May Register, Carr Rules."

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Austin (Tex.) American, Mar. 3, 1966]

CONNALLY, BARNES JOIN CARR IN INDIGNATION AT FBI CHECK OF REGISTRATION

(By Sam Wood and Jerry Hall)

Gov. John Connally and House Speaker Ben Barnes Wednesday added their indignation in response to an order by U.S. Attorney General Nicholas deB. Katzenbach directing the FBI to check Texas voter registration.

Katzenbach's order was revealed earlier in the day by Attorney General Waggoner Carr who described himself as "fighting mad and highly insulted."

There has been no indication from any quarter that registration at county level would not be in keeping with the new voter registration law.

Connally described the U.S. Attorney General's action as "a gratuitous insult to the public officials of this State, particularly to the assessor-collectors and election officials."

Barnes branded the Justice Department's action as "completely uncalled for."

Registration of voters under the law passed last week by a special session of the legislature starts Thursday. The county assessor-collectors are the registrars.

Wednesday morning Attorney General Carr released to reporters a letter he had sent to Katzenbach after having been informed in a telephone conversation Tuesday by an assistant to the U.S. Attorney General the FBI had been asked to check Texas voter registration for any acts of discrimination.

In his letter to Katzenbach Carr said: "Your assignment of the FBI to maintain surveillance over the Texas government is an insult to every public official and every citizen of Texas."

Governor Connally told reporters he had read Carr's letter and approved of it.

All three Texas officials pointed out that in the poll tax test case which resulted in the Federal district court's judgment that the poll tax as a prerequisite to voting is unconstitutional, it was conceded there had been no evidence of voter discrimination in Texas.

Connally said the U.S. Attorney General's action indicated a determination to "investigate trouble in this State where we have no trouble."

"I've no fear of what the FBI might find," the Governor told reporters. "I can only deplore the image that might be left in other parts of the country simply because the U.S. Attorney General ordered such an investigation."

Connally said it was his hope that "every eligible voter registers." He pointed out that in his first legislature repeal of the poll tax was submitted to the people, and it was defeated. In his second legislature the repeal amendment was submitted again and will be on the November ballot.

"I feel just as Attorney General Carr does that we are capable of handling our elections and as far as that goes all of our internal affairs," Speaker Barnes said.

Carr set the stage for his denunciation of the Katzenbach order at a press conference called for the purpose of "clarification" of the emergency registration period.

"He (Katzenbach) called me this morning after I had put the letter in the mail," Carr stated. He quoted the U.S. Attorney General as saying it was his personal decision to have the FBI make "spot checks" of the Texas registration. He said Katzenbach stated the action was not surveillance.

Carr said he told Katzenbach "to me any spot check by the FBI is contemptuous and should not be done. I advised him very strongly of my feeling."

Carr told reporters "You can be contemptuous of me and I'll get angry. 'But when you get contemptuous of my State I get fighting mad.' "

The State attorney general said he told Katzenbach he expected him to show respect to this State and to its elected officials who will be conducting the registration.

The letter, mailed early Wednesday after Carr's talk Tuesday with an assistant, stated: "We will not subject this State to any humiliation resulting from an overlord attitude."

The State attorney told the Federal official "I know of no court order which requires me, as Attorney General of Texas, to report to you for anything Texas does."

Carr announced that tax assessor-collectors are being urged to extend the regular working days during the 15-day registration period in order that everyone who desires to do so can register. He said he also had urged the registrars to hire as many deputies as possible.

[From the Fort Worth (Tex.) Star-Telegram, Mar. 3, 1966]

Connally Blasts Plan of FBI Voter Watch

(By Harley Pershing)

Austin.—Gov. John Connally joined Attorney General Waggoner Carr Wednesday in denouncing the Federal Government's plan to send FBI agents into Texas to monitor the new voter registration system.

He said the action, prompted by U.S. Attorney General Nicholas Katzenbach, was "unjustified and unwarranted," adding that it was a "gratuitous insult" to the elected officials of Texas, particularly the county assessors-collectors.

Earlier in the day, Carr labeled Katzenbach's decision as "contemptuous," adding that it made him "fighting mad."

Carr called a news conference Wednesday morning to reveal that Katzenbach had informed him that the FBI would be on duty throughout the emergency registration period.

Carr said also the U.S. Attorney General had requested a report on how the voter signup was progressing, whether assessor-collectors were making determined efforts to sign up voters and working employees overtime to bring about full registration.

Carr condemned this action, saying it was not authorized by the Federal courts which struck down Texas' poll tax as a requirement for voting, a decision that brought about an emergency legislative session to write the new voter registration law.

In a letter to Katzenbach—copies were furnished newsmen—Carr told the Federal official he would not report to him on progress of the registration.

He added that if Katzenbach wanted the information he could obtain it from official reports filed with the Federal court.

"Your assignment of the FBI to maintain surveillance over the Texas government is an insult to every public official and every citizen of Texas," said Carr's letter.

The attorney general said that Katzenbach telephoned him, just before the news conference, to explain that the FBI would be making spot checks and not maintaining a surveillance over voter registration.

Carr said he was told that Katzenbach wanted the FBI reports to determine "if we are conducting voter registration that is satisfactory to Washington."

In Washington Katzenbach, after hearing of Carr's comments, released this statement Wednesday:

"I have not yet received Attorney General Carr's letter which I gather was only mailed today, but I did talk with him this morning prior to his press conference. On the basis of both the facts and of our conversation, I am astonished that he would express such views.

"At that time I made it perfectly clear to him that the FBI is not maintaining surveillance over the Texas government and he has in no sense been threatened. As I explained to him, the FBI has been assigned merely to gather facts regarding actual registration in sample counties.

"The pertinence of this information is explicitly evident from the order issued Saturday by the three-judge Federal court sitting in the pending poll tax proceedings."

Carr noted that the State's relations with the Federal official had deteriorated greatly since his decision to seek a 30-day extension of the Federal court's order outlawing the poll tax.

He went before the court Saturday and won the extension until March 26 in order to complete the registration period.

In Connally's news conference, the Governor charged that Katzenbach's action places the FBI, which he called "a great service," in a very difficult position.

He noted that the FBI failed to find any evidence of discrimination against voters through poll tax payments when the Federal Government filed its lawsuit last year, challenging constitutionality of this longstanding custom.

Texas Has Cause for Resentment

Texas Attorney General Waggoner Carr is fully justified in his indignation over U.S. Attorney General Nicholas Katzenbach's attempt to watchdog the State's free vote registration. Every Texan ought to share Mr. Carr's feeling about what he calls a gratuitous insult to the State.

This attempted Federal supervision includes assignment of the FBI to maintain a close watch on the registration and orders from Mr. Katzenbach for all details of the registration to be reported to him promptly.

The Texas attorney general's reply to this uncalled for interference in what is the State's business was a proper mixture of curt rebuff and expression of willingness to cooperate:

"I know of no court order which requires me to report to you for anything Texas does. If you have any complaint against Texas, state it in court, don't threaten us with the FBI. Your assignment of the FBI to maintain surveillance over the Texas government is an insult to every public official and every citizen of Texas.

"Texas will cooperate with you in every reasonable way on this or any other matter, but we will not subject this State to any humiliation resulting from an overlord attitude."

It is difficult to see why Mr. Katzenbach should feel it necessary to keep such a strict watch on Texas' registration performance. The State is acting under the supervision of a three-judge Federal court, which ruled Texas' poll tax method of registration unconstitutional.

Without waiting even for appeal of the court's ruling, the legislature was called into special session and acted promptly to set up a free registration system patterned generally after the methods in use in other States. To this form of registration the court has given its assent, and it is to the court, and not to Mr. Katzenbach, that the State is answerable.

In trial of the poll tax case, Mr. Katzenbach was unable to point out where the qualification of voters in Texas had been conducted on a discriminatory basis. The court expressly found that it had not. It is to be wondered, then, why Mr. Katzenbach feels suspicion over the registration that will be conducted over the next 15-day period.

Texas has a right to resent the implication that there is reason for someone to look over its shoulder as it goes about business that is essentially its own and distinctly, under the circumstances, not Mr. Katzenbach's.

[From the San Antonio (Tex.) Express, Mar. 3, 1966]

Katzenbach Act Called Insulting—U.S. Planning To Monitor Registration

(By John Ford)

Austin.—Gov. John Connally Wednesday joined State Attorney General Waggoner Carr in angrily protesting assignment of FBI agents to monitor Texas voter registration procedures.

Carr, in one of the strongest statements of his public career, said he is "fighting mad" at "overlord" and "big brother" attitudes of the U.S. Department of Justice and Attorney General Nicholas Katzenbach toward Texas.

Connally charged Katzenbach with intentionally fomenting trouble among militant Texas political factions during the March 3-17 first free registration period under the State's new voter qualification law.

The law went into effect just last week to replace the poll tax abolished by Federal court action brought by Katzenbach on authority of the 1965 Federal Voting Rights Act.

HEATED WORDS

Heated words used by both the attorney general and the Governor strongly indicated a gathering new political storm between State and Federal Government officials which may sweep many areas of controversy before the all-clear sounds.

Carr called Katzenbach's decision to order the FBI to check on the registration mechanism "contemptuous" and a culmination of "progressively more disagreeable" relations between the State and the Justice Department. He said he would refuse to comply with a request by Katzenbach for detailed reports on status of registration.

"When I heard about this action on the FBI Tuesday, I decided it was time to blow the whistle on him * * *. It's an insult to every public official and every citizen of Texas * * *. I'm fighting mad," Carr told reporters, his voice breaking occasionally with anger.

The Texas attorney general, who is a Democratic candidate for U.S. Senator, communicated his views to Katzenbach in a three-page letter.

ADVANCE KNOWLEDGE

Connally, who acknowledged he had advance knowledge of Carr's letter, called Katzenbach's action "completely unwarranted and unjustified."

"It's a gratuitous insult to the public officials of this State, particularly the tax assessor-collectors and their deputies and election officials," the Governor said of what he termed FBI "monitoring" of Texas voter registration.

Connally said the assignment puts "a great service—the FBI—in a very difficult position" since it already has made an investigation in the State and found no voter discrimination." Both he and Carr emphasized that the three-judge Federal court which knocked out the poll tax also found the voting levy was not discriminatory as to race.

"I can only interpret the action of the U.S. Attorney General in asking the FBI to monitor our registration to mean that, for whatever reason * * * they intend to instigate trouble in this State where we have had none," Connally stated.

KATZENBACH ASTONISHED

In Washington, Katzenbach expressed astonishment, according to the Associated Press.

"On the basis of both the facts and of our telephone conversation, I am astonished that he would express such views," the Attorney General said.

When he talked to Carr Wednesday morning, Katzenbach said, "I made it perfectly clear to him that the FBI is not maintaining surveillance over the Texas Government, and he has in no sense been threatened.

"As I explained to him, the FBI has been assigned merely to gather facts regarding actual registration in sample counties. The pertinence of this information is explicitly evident from the order issued Saturday by the three-judge Federal court sitting in the pending poll tax proceeding."

Katzenbach said he has not yet received Carr's letter, "which, I gather was only mailed today."

URGE REGISTRATION

Both Carr and Connally urged local tax officials (registrars under the new State act) to take whatever steps are necessary—including naming deputies in all areas and authorizing overtime work—to encourage the widest possible registration.

"That would be the most healthy thing that could occur," Connally said. "I encourage everybody to register, to vote and to go to precinct conventions on election night."

The Governor said he knew of no complaints by the Justice Department against any Texas election official or any allegation that voters had been prevented from qualifying.

He said, in answer to a question, he is not sure whether he will discuss the FBI assignment with President Johnson and other high officials, but may do so.

Carr in his letter to Katzenbach said he found it "difficult to understand" why Justice Department attorneys fought a 30-day stay of the poll tax abolishment order. Federal judges in Houston Saturday granted the stay despite Federal opposition.

TURNED DOWN

Carr said the delay was necessary "to protect the honesty of our elections until our new registration law could be put into effect." He noted the Justice Department was also turned down by the court in its attack on length of the 15-day initial registration period.

He complained that Stephen Pollack, a high-ranking assistant in the U.S. Justice Department civil rights section, had twice contacted his office here requesting detailed reports on registration procedures be sent to Washington. He reported Pollak informed him Tuesday the FBI would "check on Texas to see whether our registration is carried out as you think it should be."

"I know of no court order which requires me to report to you for anything Texas does," Carr wrote Katzenbach. "Quite frankly, we feel our State is capable of handling our internal affairs. Our reports will be made to the Federal court having jurisdiction over this matter and to no one else unless the court directs us to do it. You have the same right as any other citizen to see what we file with the court if the court desires you to see it.

CONFIDENCE APPRECIATED

"Our State appreciates the confidence the court has in Texas' ability to see that its citizens are duly protected in their constitutional rights once those rights are judicially determined.

"Your assignment of the FBI to maintain surveillance over the Texas government is an insult to every public official and every citizen of Texas," Carr continued. "If you have any complaint against Texas, state it in court—don't threaten with the FBI * * *. Texas will cooperate with you in every reasonable way on this or any other matter, but we will not subject this State to any humiliation resulting from an overlord attitude."

Carr said Texas officials are dedicated to guaranteeing all citizens the opportunity to qualify to vote.

He told reporters Katzenbach learned in advance that he had scheduled a press conference here and called him by telephone to inform him that the FBI is only making "spot checks" on registration and to deny any "surveillance over Texas government." Carr said he found it difficult to "draw the line between spot checks and surveillance."

COUNTIES ADVISED TO MAKE CERTAIN ALL MAY REGISTER

AUSTIN.—Attorney General Waggoner Carr, Wednesday called on county tax assessor-collectors to appoint an adequate number of voter registration deputies and authorize overtime if necessary to give all prospective registrants a chance to sign up March 3–17.

Reversing earlier legal advice, Carr said Texans over 60 years of age in cities of 10,000 or larger must be permitted to register during the first free registration period in the State if they did not obtain old-age exemption certificates under the poll tax law before January 31.

Tax officials (made registrars under the new registration act passed last week to replace the poll tax as a voting requirement) earlier had been informed the over-60 group could not register this month. Carr said this was the result of hasty interpretation of the new law, and that legislative intent obviously was to permit the oldsters to sign up as any other voter who had not paid the poll tax can during the 2-week free registration period.

REPORT ASKED

The attorney general requested tax officials to send him a report on how registration is progressing at the end of the first week and a final report at the end of the 15-day period. He enclosed forms for the reports.

"It is important that we receive this report promptly so that we can defend the good faith effort of Texas against any future attacks by the Federal Department of Justice," Carr stated in a memo to registrars.

He noted that he fought a U.S. Justice Department attack on shortness of the registration period by assuring Federal judges tax collectors "would do their clear-cut duty to provide a reasonable opportunity to register everyone in their respective counties."

Carr pointed out, however, the three-judge court, which abolished the poll tax, retained jurisdiction of the dispute over the registration period. He said this allowed the Justice Department "to make further complaints to the court in the event the 15 days actually proves to be insufficient time."

OBLIGATION EMPHASIZED

Carr reported the court emphasized obligation to provide adequate registration facilities and to publicize fully rights of all citizens during the registration period and times and places deputies will be available.

He urged appointment of "a sufficient number of deputies to assure that all people in all areas of your county are afforded a full and adequate opportunity to register."

"If * * * it is necessary to extend the working hours of your deputies beyond the usual and ordinary working day, I strongly urge you to do so," Carr wrote the tax officials.

He also urged that local newspapers, radio and television stations be provided full information on times and places deputies will be available for registration.

SAMPLE FORMS

The attorney general enclosed sample mail registration forms, and advised that local newspapers be requested to reproduce them and that organizations participating in the registration drive be allowed to print and circulate them.

Carr again said these persons should register if they want to vote in State and local elections this year: those who have not paid the poll tax or obtained a "free" poll tax receipt for voting in Federal elections before the January 31 deadline.

Original estimates of some State officials, including Gov. John Connally, that only 50,000 to 100,000 will register over the State this month now look a little low, Carr acknowledged.

Connally, however, stuck by his estimate of less than 100,000 statewide.

[From the Houston (Tex.) Post,
Mar. 3, 1966]

FBI CHECK ON VOTERS DENOUNCED

(By William H. Gardner)

AUSTIN.—Both Gov. John Connally and Attorney General Waggoner Carr angrily denounced Wednesday the decision of the U.S. Department of Justice to have FBI agents monitor the registration of Texas voters, calling it an insult to the State.

The Governor charged that the move was a deliberate move to stir up racial trouble in this State "where we've had none before." He added that it was completely unjustified and unwarranted, since the Federal court which declared the poll tax unconstitutional on February 9 stated specifically that in the last 20 years it had not been used in Texas to disenfranchise Negroes or any other class of voters.

Attorney General Waggoner Carr wrote a strong letter of protest to U.S. Attorney General Nicholas Katzenbach, who confirmed in a telephone conversation with Carr that it was his decision to have the FBI "spot check" the voter registration, which begins Thursday and lasts for 15 days.

Governor Connally said he had not talked with President Johnson, his close personal friend, about the Justice Department's decision to send FBI agents into the President's home State to supervise voter registration, and did not know whether he would do so.

"I approve of the letter Attorney General Carr sent and the position he took," Connally told newsmen at a press conference. "The requirement that the FBI monitor registration of voters in this State does a disservice to the people of Texas. It is a gratuitous insult to the public officials of this State, particularly the tax collectors and their deputies who will conduct the registration."

Connally added that it put the FBI in "a very difficult position," since the Department of Justice already had asked that agency to search the State for evidence of discrimination in the poll tax, but none could be found.

"I can only interpret the action of the U.S. Attorney General to mean that, for whatever reason, they intend to institute trouble in this State, where we've had none," the Governor continued. He pointed out that he had twice recommended abolition of the poll tax—in 1963, when it was defeated by the people, and again in 1965, when the legislature voted to submit it to another vote next November. He said he hoped every qualified voter who has not already paid his poll tax will register in the 15-day period.

"So far as I know, there have been no complaints or charges by anyone against any election official of Texas that they prevented anyone from voting," Connally said.

Attorney General Carr, at an earlier news conference, branded the Department of Justice decision as contemptuous, and an insult to every citizen and every public official in Texas.

"When anyone acts in a contemptible way toward my State I get fighting mad, and that's the way I am this morning," said the Texas attorney general, speaking deliberately and with an obvious effort to control his anger.

He said Stephen Pollack, a Justice Department attorney who took a leading part in the Federal Government's fight against the Texas poll tax, had asked him to report to Katzenbach on the way the Texas voter registration progresses. Among other things, Carr said, he was asked to report on whether tax collectors make their deputies work overtime and on weekends.

"I simply want to state to you that I know of no court order that requires me, as attorney general of Texas, to report to you for anything Texas does," Carr said in his letter to Katzenbach. "Quite frankly, we feel our State is capable of handling our internal affairs. Our reports will be made to the Federal court having jurisdiction over this matter and to no one else unless the court directs us to do it."

Referring to the assignment of FBI agents to spot check the registration, Carr said no citizen of Texas would be intimidated by it.

"If you have any complaint against Texas, state it in court—don't threaten with the FBI," he wrote. "Texas will cooperate with you in every reasonable way on this or any other matter, but we will not subject this State to any humiliation resulting from an 'overlord' attitude."

The Texas attorney general told newsmen that ever since the poll tax fight began the contacts his office has had with the Department of Justice have been getting progressively more disagreeable because of "a big brother attitude they've taken in overseeing the affairs of this State."

"This attitude has reached the limits which to me can no longer be tolerated," Carr said. He then read a copy of the letter he had sent to Katzenbach.

Carr appealed the Federal court's ruling outlawing the poll tax to the U.S. Supreme Court Wednesday. The attorney general served notice of appeal to the three-judge court, stating the appeal is based on two questions:

1. Does the U.S. Constitution guarantee to every citizen the right to vote in State elections?

2. Does the poll tax requirement infringe on a right protected by the U.S. Constitution?

The Federal court held that the answer to both questions is affirmative.

WASHINGTON.—U.S. Attorney General Nicholas Katzenbach said Wednesday that he was astonished by charges made in Austin by Texas Attorney General Waggoner Carr over Federal examinations of free voter registration in the State.

"Your assignment to the FBI to maintain surveillance over the Texas government is an insult to every public official and every citizen of Texas," Carr said in a letter to Katzenbach.

"No citizen of Texas, any more than any citizen of any other proud State, will cower under such misuse of authority." Carr said he would defy the Justice Department.

The 15-day emergency voter registration will begin Thursday, having been made necessary by a three-judge Federal court's ruling that Texas' poll tax, as a qualification for voting, is unconstitutional.

Katzenbach said he talked with Carr before his press conference in Austin. "On the basis of the facts and our conversation, I am astonished that he would express such views," Katzenbach said.

"At that time I made it perfectly clear to him that the FBI is not maintaining surveillance over the Texas government, and he has in no sense been threatened.

"As I explained to him, the FBI has been assigned merely to gather facts regarding actual registration in sample counties." The Justice Department would not give the names of the counties chosen for the sample.

"The pertinence of this information is explicitly evident from the order issued by the three-judge Federal court," Katzenbach said.

OVER-60 MAY REGISTER, CARR RULES

AUSTIN.—Attorney General Waggoner Carr said Wednesday that voters over 60, living in cities over 10,000 population, who did not get their exemption certificates before the February 1 deadline will be allowed to register for voting in the 15-day registration period beginning Thursday.

This is a reversal of a previous interpretation of the new registration law, when it was held that over-60 voters who had not obtained their exemption certificates could not now register.

The new ruling was sent out from the attorney general's office Wednesday to all tax collectors in the State as a part of the instructions for registering voters.

"We are now advising tax collectors to allow them to register," Carr said. "We feel it was the legislative intent in passing the new voter registration bill not to discriminate against people over 60. We concluded that our first interpretation was too strict."

The letter of instructions from the attorney general also urged tax collectors to appoint a sufficient number of deputies so that everybody who wishes can register in the 15-day period from March 3 through 17. It advised registrars to supply full information on registration procedures to newspapers, radio, and television stations.

Attorney General Carr asked that county tax collectors report to his office at the end of the first week on how registration was progressing, and submit another report at the end of the 15-day period.

It has been estimated that 2 million Texans are eligible to register, but Carr said he did not expect nearly that many to do so. He added, however, that he thought the figure would be somewhat higher than the 50,000 to 100,000 estimate of registrations which some have made.

Mr. YARBOROUGH. Mr. President, all of the people of Texas who believe in real democracy and the expansion of the electorate owe a vote of thanks to the Federal court, the Federal judges on it, and to Attorney General Katzenbach and to this administration for their actions involving the electorate in Texas.

It is shocking that so-called Democratic officeholders in Texas; namely, Gov. John Connally, Attorney General Waggoner Carr, and others should denounce the national Democratic administration for its efforts to secure voting rights for the people of Texas. The national administration is to be commended instead of denounced for its diligent efforts to assure constitutional voting rights for the people of Texas.

It is estimated that 2.4 million Texans qualified to vote under the old law, but that there are 3.4 million more adults who could qualify under the Federal court opinion. These 3.4 million unregistered are given 14 days by the Connally-Carr political machine to qualify to vote in Texas.

Mr. President, in protecting and securing the voting rights of Texas, the three-judge Federal court is right, this administration is right, Attorney General Katzenbach and the President who appointed him are right. The Texas lawyers in Katzenbach's office who advise him are right, and the Governor and the Attorney General of Texas are wrong and those public officers in Texas who have sided with them are wrong. Connally, Carr, and others are fighting the basic right of people to vote.

Mr. President, I ask unanimous consent to print at this point in the RECORD my remarks at Houston, Tex., last Friday evening, March 4 under the title of "A Plan To Bring Texas Into the 20th Century Politically and Governmentally," which deals mainly with the right to vote in Texas and the restriction on that right to vote that people of Texas have suffered for many years.

Mr. President, I also ask unanimous consent to print at this point in the RECORD the opinion of the U.S. District Court for the Western District of Texas, Austin division, under the title of *"U.S. of America, plaintiff,* v. *State of Texas, et al., defendants,"* Civil Action No. 1570, before Brown and Thornberry, circuit judges, and Spears, district judge, and the decree in that same cause dated February 9, 1966.

Mr. President, I ask unanimous consent that my radio report to the people of Texas on the weekend of the 5th and 6th of March 1966, be printed in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

A PLAN TO BRING TEXAS INTO THE 20TH CENTURY POLITICALLY AND GOVERNMENTALLY

(A speech delivered by Senator RALPH W. YARBOROUGH at the Four-State COPE meeting in Houston, Tex., at the 1966 Go Union Banquet, March 4, 1966)

Friends and fellow Texans, trying to develop a plan to bring Texas into the 20th century politically and governmentally may at first glance appear to be an impossible task. However, I can tell you that we already have the basic tools here in Texas.

These tools are: first, a progressive, forward-looking majority of the Texas people, and second, the right to vote. That is all we need for the Texas people to be able to express their wishes and to elect those people who are willing to carry out the will of the Texas people that we enter into the 20th century.

However, the difficulty is that we still have some people with 18th century ideas who are trying their best to hold back progress in this State and who have used every power in their hands to keep the Texas people from voting in this State. For where the people vote, they will vote for progress.

For many years, I have been fighting the poll tax as a barrier to the right to vote. Yet, it was not the establishment State government of Texas who finally struck this down, but it was a three-judge Federal court composed of three Texas judges. Those in political and governmental power in this State didn't want the voters to be able to vote.

And when the February special session of the Texas Legislature was called, those in power did not pass a law to try to help more people in Texas to vote, but rather they were trying every way they could think of to keep the Texas people from voting.

They fear the people; they distrust the people, and the people of Texas should ask why.

Now it seems to me that the last thing a man representing the people of this State should be afraid of is letting the people of the State vote—maybe the facts of the matter are that the people of this State are not being represented, but only a few interests are controlling the State and they are trying to keep it that way.

Why else would a representative of the people advocate a restrictive, retrogressive system of annual registration which only five States in this Nation still have? I will tell you why, it is because they are afraid of the people, and afraid of the vote.

When this same three-judge court decided that it would call upon its agents to gather the facts to protect the people's constitutional rights during this limited 2-week period of registration, this same powerful establishment minority said that they were insulted.

It is a strange public official who thinks that it is an insult to have the constitutional rights of the people of this State protected. Why would any public official be afraid of the scrutiny of honest people who were trying to protect the constitutional rights of voters?

I will tell you why—because these are the very people who have been against the voters all of their public life. We are trying to bring Texas into the 20th century and these people are still fighting the constitutional rights that this country wrote back in the 18th century. I say that people who are 200 years behind the times are not representing the Texas people.

One hundred and thirty years ago last Wednesday, Texas declared its independence from Mexico. One of the reasons was that Mexico had not provided an adequate public educational system for the children of Texas. For this, the people of Texas revolted. Last year the State of Texas dropped from 29th in the Nation in education to 30th in the Nation, at a time when the Texas establishment was saying that we were making progress. Now here is what they call progress: Over the last 10 years, Texas ranks 39th in the percent of increase in expenditure for education per pupil—38 States are improving their educational systems faster than we are.

Now, let me remind you that Texas ranks No. 6 in the Nation in gross income, yet the establishment is content to remain 30th in education, and then call it progress. Progress is going to come in this State at the polls, because the people of Texas want progress, and if Texas revolted 130 years ago over inadequate education, they have the same bone of contention now.

Great progress has been achieved on the Federal level to make programs available to the State that they themselves are not providing. Texas, which ranks 32d in the Nation in per capita income, can be one of the chief beneficiaries of these programs, because the greater a State's need, the more it is eligible for. Yet, we have been told that Texas is not getting 39 Federal aid programs—mainly because the State is not putting up the matching funds. But there has been some expounding on that problem too. The fault, we are told, is that the Federal Government does not take special steps to channel these funds through thoroughly established State agencies.

Now, what does this mean? It means that the power structure who control these agencies are telling the Federal Government that they would not make any special efforts to get money for the Texas people who need it unless it is placed directly within their power structure. In other words, if any attempt is made to give the money to the people that they are trying to keep from voting, then they would not cooperate.

They are saying "put the money right in my hand, and I will take care of the rest."

I say that if the representatives of the people are interested in the people then they will try to take advantage of every program that will benefit the people—that is, if they are interested in the interests of the people of Texas.

For Texas to come into the 20th century, the voters are going to have to go to the polls and vote for men who have ideas of the 20th century. Those men who support the programs of President Lyndon B. Johnson and the Great Society and those who will let the people vote. This is the way into the 20th century—with the ballot.

The quickest way to get rid of those who are against the people being able to vote is to use our votes for those men who are for the people and the Great Society. Men who are against President Johnson's war on poverty and try to thwart its effectiveness; who attack the social security and medicare programs and condemn the voting rights bill and its protection of the right to vote are not representing the best interests of Texas.

(In the U.S. District Court for the Western District of Texas, Austin Division—Civil Action No. 1570)

UNITED STATES OF AMERICA, PLAINTIFF, *v.* THE STATE OF TEXAS, ET AL., DEFENDANTS

Circuit Judge THORNBERRY. In this action the Attorney General of the United States challenges the validity of the Texas poll tax,[1] pursuant to the provisions of Section 10(b) of the Voting Rights Act of 1965, 79 Stat. 437, and 42 U.S.C. 1971(c). The United States seeks to show that the requirement of the payment of a poll tax as a precondition for voting in Texas is a device conceived primarily to deprive Negroes of the franchise and that it has continued to have that effect because the inadequate and disparate educational opportunity given Negroes until recent years by the State has placed them at an economic disadvantage and made the payment of the $1.75 poll tax a heavier burden on the Negro than on whites, in violation of the Equal Protection Clause. The United States also alleges that the Texas poll tax deprives Negroes of the right to vote under the Fifteenth Amendment and that, irrespective of any discrimination, it is invalid under the Due Process Clause since it does not have any adequate State justification and is in fact a restraint and a charge on the exercise of the fundamental right to vote. Although we find that the Texas poll tax is not violative of the Equal Protection Clause or the Fifteenth Amendment, for reasons which we shall discuss at length, we hold that the payment of a poll tax as a precondition to voting must fall as an unjustified restriction on one of the most basic rights guaranteed by the Due Process Clause.

I

The United States Attorney General filed a complaint invoking the jurisdiction of this three-judge District Court under the provisions of the Voting Rights Act of 1965, § 10, 79 Stat. 442–43.[2] Jurisdiction is also asserted under 42 U.S.C. 1971,[3] 28 U.S.C. 1345,[4] and 28 U.S.C. 2281.[5]

Standing to bring this suit is established by Section 10(b) of the Voting Rights Act of

---

[1] Similar suits are being prosecuted in Alabama, Mississippi and Virginia. *United States* v. *Alabama,* M.D. Ala. 1965, No. 225–N; *United States* v. *Mississippi,* S.D. Miss. 1965, No. 3791; *Harper* v. *Virginia State Board of Elections, Butts* v. *Harrison,* E.D. Va. 1964; 240 F. Supp. 270, appeal pending, 34 L.W. 3234 (brought prior to Voting Rights Act of 1965, United States as amicus curiae).

[2] SEC. 10. (a) The Congress finds that the requirement of the payment of a poll tax as a precondition to voting (i) precludes persons of limited means from voting or imposes unreasonable financial hardship upon such persons as a precondition to their exercise of the franchise, (ii) does not bear a reasonable relationship to any legitimate State interest in the conduct of elections, and (iii) in some areas has the purpose or effect of denying persons the right to vote because of race or color. Upon the basis of these findings, Congress declares that the constitutional right of citizens to vote is denied or abridged in some areas by the requirement of the payment of a poll tax as a precondition to voting.

(b) In the exercise of the powers of Congress under section 5 of the 14th amendment and section 2 of the 15th amendment, the Attorney General is authorized and directed to institute forthwith in the name of the United States such actions, including actions against States or political subdivisions, for declaratory judgment or injunctive relief against the enforcement of any requirement of the payment of a poll tax as a precondition to voting, or substitute therefor enacted after November 1, 1964, as will be necessary to implement the declaration of subsection (a) and the purposes of this section.

(c) The district courts of the United States shall have jurisdiction of such actions which shall be heard and determined by a court of three judges in accordance with the provisions of section 2284 of title 28 of the United States Code and any appeal shall lie to the Supreme Court. It shall be the duty of the judges designated to hear the case to assign the case for hearing at the earliest practicable date, to participate in the hearing and determination thereof, and to cause the case to be in every way expedited.

[3] SEC. 1971.(a) (1) All citizens of the United States who are otherwise qualified by law to vote at any election by the people in any State, Territory, district, county, city, parish, township, school district, municipality, or other territorial subdivision, shall be entitled and allowed to vote at all such elections, without distinction of race, color, or previous condition of servitude; any constitution, law, custom, usage, or regulation of any State or Territory, or by or under its authority, to the contrary notwithstanding.

* * * * *

(c) Whenever any person has engaged or there are reasonable grounds to believe that any person is about to engage in any act or practice which would deprive any other person of any right or privilege secured by subsection (a) or (b) of this section, the Attorney General may institute for the United States, or in the name of the United States, a civil action or other proper proceeding for preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order. If in any such proceeding literacy is a relevant fact there shall be a rebuttable presumption that any person who has not been adjudged an incompetent and who has completed the sixth grade in a public school in, or a private school accredited by, any State or territory, the District of Columbia, or the Commonwealth of Puerto Rico where instruction is carried on predominantly in the English language, possesses sufficient literacy, comprehension, and intelligence to vote in any Federal election. In any proceeding hereunder the United States shall be liable for costs the same as a private person. Whenever, in a proceeding instituted under this subsection any official of a State or subdivision thereof is alleged to have committed any act or practice constituting a deprivation of any right or privilege secured by subsection (a) of this section, the act or practice shall also be deemed that of the State and the State may be joined as a party defendant and, if, prior to the institution of such proceeding, such official has resigned or has been relieved of his office and no successor has assumed such office, the proceeding may be instituted against the State.

(d) The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law.

[4] SEC. 1345. Except as otherwise provided by Act of Congress, the district courts shall have original jurisdiction of all civil actions, suits or proceedings commenced by the United States, or by any agency or officer thereof expressly authorized to sue by Act of Congress.

[5] SEC. 2281. An interlocutory or permanent injunction restraining the enforcement, operation or execution of any State statute by

1965 under which the Attorney General is "authorized and directed to institute forthwith * * * actions * * * against the enforcement of any requirement of the payment of a poll tax as a precondition to voting * * *" in areas where the requirement of such taxes denies or abridges the constitutional right of citizens to vote. The defendants are the State of Texas, the Judges of Election for Precinct Number 239 of Travis County, Texas, the Mayor of Austin, Texas, the Travis County Democratic and Republican Executive Committees and their Chairmen, and the Tax Assessor-Collector of Travis County, Texas.[6]

II

Although frequently thought of as a tax on the privilege of voting, the poll tax is actually a head tax. In this context, "poll" means "head" rather than the term customarily used to describe a place of voting.[7] The first poll tax in Texas, one dollar on white males from 21 to 55, was levied on June 12, 1837,[8] soon after Texas declared its independence from Mexico and became a Republic. From that time up until the Constitutional Amendment in 1902, there was no relation between the poll tax and the right to vote.[9] Negroes were enfranchised in Texas in 1869 [10] and became liable for the poll tax in 1870.[11] By 1870, there were 50,000 Negro and 60,000 white voters on the rolls. Proposals to make payment of the poll tax a qualification for voting were first raised in the 1875 Constitutional Convention [12] and frequently thereafter.[13] Finally, in 1901 the Texas Legislature, by Joint Resolution, proposed a constitutional amendment to make payment of the poll tax a prerequisite to voting,[14] and in 1902 the voters of Texas approved.[15]

We cannot improve on the following excellent summary of the Texas poll tax requirements found in the United States' brief: In order to vote in general, special and primary elections of the cities, counties and State, a person must be (1) twenty-one years old, (2) a citizen, (3) a resident of the State for one year and of the district or county in which the election is held for six months, and (4) a holder of a poll tax receipt, if liable for the tax.[16] The same preconditions apply to voting for federal officials except that the payment of poll taxes [17] has been prohibited by the adoption of the Twenty-Fourth Amendment. Insane persons, paupers supported by the county, and persons convicted of a felony whose civil rights have not been restored are disqualified from voting.[18]

The poll tax is imposed on all residents of the State between the ages of twenty-one and sixty as of January 1 of the tax year.[19] The amount of the tax is $1.50,[20] but counties are authorized to require payment of an additional $.25 to defray the cost of collection. In addition, cities are authorized to impose a poll tax [21] of $1.00 as a precondition to voting in city elections. The tax must be paid between October 1 of the tax year and January 31 of the following year.[22] The deadline for payment precedes general elections in November by nine months. The Texas Constitution allocates one dollar of the tax to public education.[23]

Persons over the age of sixty on January 1 of the tax year are exempt from the tax.[24] but, if they live in a city of over 10,000 population, they must obtain "overage" certificates of exemption during the same four-month period that poll taxes are paid.[25] Persons over sixty who live in small towns or rural areas are allowed to vote without paying poll taxes or procuring a certificate of exemption. Persons who became 21 after the beginning of the tax year but before the election, regardless of the population of their area of residence, must obtain a certificate of exemption at least thirty days before the election.[26] The same rule applies to persons who became residents of the State after January 1 of the tax year.[27]

Poll taxes are paid to and certificates of exemption are issued by the County Tax Assessor-Collectors who are agents of the State for this purpose.[28] Payment of poll taxes may be tendered in person or mailed, and, in either case, payment may be made by the taxpayer himself or by certain close relatives.[29] The taxpayer must use his own money to pay the tax, since willfully loaning or advancing money to another person for poll tax payment is punishable by a $500 fine.[30]

A County Tax Assessor-Collector "may at such places as shall in his discretion be necessary or advisable" appoint deputies for the purpose of accepting poll tax payments and issuing certificates of exemption.[31] In counties containing a city of 10,000 or more inhabitants, other than the county seat, provision is made by statute for a poll tax deputy to accept payments and issue exemption certificates in the city, but only during the month of January.[32] These statutes appear to be the only provisions of Texas law related directly to procedures for the assessment and collection of poll taxes. The State Comptroller has broad statutory authority to prescribe forms and issue instructions to County Tax Assessor-Collectors,[33] and has issued a manual containing forms and instructions relating to assessment, collection and record-keeping procedures for various State taxes.

Texas does not have a separate system for registration of voters. At the time he pays his poll taxes, a prospective voter is required to show that he satisfies the voting preconditions of age, citizenship and residence. This information is recorded on his poll tax receipt, a copy of which is retained for use by the Tax Assessor-Collector in compiling lists of qualified voters.[34] Before April 1 of each year, the Tax Assessor-Collector of each county is required to compile and certify lists of the names of qualified voters, by election precinct, who have paid their poll taxes or received certificates of exemption during the statutory four-month period.[35] These lists are ultimately transmitted to the precinct judges of election.[36] With certain minor exceptions,[37] only persons whose names appear on such lists or on supplemental lists are allowed to vote.[38]

---

restraining the action of any officer of such State in the enforcement of execution of such statute or of an order made by an administrative board or commission acting under State statutes, shall not be granted by any district court or judge thereof upon the ground of the unconstitutionality of such statute unless the application therefor is heard and determined by a district court of three judges under section 2284 of this title.

[6] The defendants other than the State of Texas were named because they typify officials throughout the State who have statutory duties in the enforcement of the poll tax.

[7] Texas Legislative Council, Staff Research Report: A Survey of Taxation in Texas, Part IIB, 68 (1952) [hereinafter cited as Texas Legislative Council].

[8] Laws of the Republic of Texas 1837, at 259, 262.

[9] Texas Legislative Council, 71–73.

[10] Tex. Const. art. III, § 1 (1869); Tex. Laws 1870, at 24.

[11] Tex. Laws 1870, at 199.

[12] Journal of the Constitutional Convention of 1875, at 238; Texas Legislative Council 72.

[13] Texas Legislative Council 73. Proposals were introduced in the Texas Legislature in 1879 (Tex. Laws 1879, at 46; Tex. H. Jour. 1879, at 716); in 1883 (Tex. H. Jour. 1883, at 716); in 1889 (Tex. H. Jour. 1889, at 588); in 1891 (Tex. H. Jour. 1891, at 59); in 1895 (Tex. H. Jour. 1895, at 40); in 1899 (Tex. H. Jour. 1899, at 445); and finally in 1901 as a proposed amendment to the Texas Constitution (Tex. H. Jour. 1901, at 56, 59, 175; Tex. S. Jour. 1901, at 29).

[14] Tex. S. Jour. 1901, at 29; Tex. H. Jour. 1901, at 175.

[15] Tex. S. Jour. 1903, at 877.

[16] Tex. Const. art. VI, § 2; Tex. Election Code art. 5.02 (Supp. 1965).

[17] U.S. Const. amend. XXIV:

"SEC. 1. The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax.

"SEC. 2. The Congress shall have power to enforce this article by appropriate legislation."

A poll tax receipt for Federal elections must be obtained during the same period that regular poll taxes are collected. The receipt, generally marked "Poll Tax Not Paid," is honored for Federal elections only. Tex. Election Code art. 5.02a (Supp. 1965).

[18] Tex. Const. art. VI, § 1; Tex. Election Code, art. 5.01 (Supp. 1965).

[19] Tex. Gen. Tax Code art. 2.01 (Supp. 1965); Texas Election Code art. 5.02 (Supp. 1965). Imposition of a poll tax by the legislature is expressly authorized by the Texas Constitution. Tex. Const. art. VIII § 1.

[20] The tax is limited to $1.00 for insane and blind persons, persons suffering from certain permanent physical disabilities, and members of the active State militia. Tex. Gen. Tax Code art. 2.01 (Supp. 1965); Tex. Election Code art. 5.02 (Supp. 1965).

[21] Tex. Rev. Cic. Stat. art. 1030 (1963).

[22] Tex. Election Code art. 5.09 (Supp. 1965).

[23] Tex. Const. art. VII, § 3. The remaining $.50 is allocated for general revenue purposes. Tex. Election Code art. 5.09 (Supp. 1965).

[24] Tex. Election Code art. 5.09 (Supp. 1965).

[25] Tex. Election Code art. 5.16 (Supp. 1965).

[26] Tex. Election Code art. 5.17 (Supp. 1965).

[27] *Ibid.*

[28] Tex. Election Code arts. 5.11–5.12 (Supp. 1965).

[29] *Ibid.*

[30] Tex. Penal Code art. 204 (1952).

[31] Tex. Election Code art. 5.11 (Supp. 1965).

[32] Tex. Election Code art. 5.19 (1952).

[33] Tex. Rev. Civ. Stat. art. 7201 (1960).

[34] Tex. Election Code arts. 5.14, 5.16 (Supp. 1965).

[35] In addition, the County Tax Assessor-Collectors are required to file a monthly report with the State Comptroller during the four-month poll tax season (October through January). The form for this report is prescribed by the State Comptroller and reflects the number of poll taxes paid and certificates of exemption issued during the monthly reporting period.

[36] Tex. Election Code art. 5.22 (Supp. 1965).

[37] Persons who pay poll taxes in one county and thereafter move to another county or to another election precinct in the same county may, upon complying at the polls with certain conditions, vote in the precinct of their new residence, even though their names do not appear in the precinct list of qualified voters. This procedure does not apply to persons who move into or change election districts within a city of over 10,000 population. Such persons must present their poll tax receipts, certificates of exemption, or affidavits of loss thereof to the Tax Assessor-Collector and have their names added to the list of qualified voters. Tex. Election Code art. 5.15 (Supp. 1965).

As noted supra, p. 10, persons over 60 who live in small towns and rural areas are not required to pay poll taxes or procure certificates of exemption.

[38] If a judge of election allows a person to vote whose name is required to be listed but is not so listed, the judge is subject to a $500 fine. Tex. Penal Code art. 216 (1952).

III

The United States urges a number of theories as the basis of its attack on the constitutionality of the poll tax. It contends that the State of Texas by failing to provide Negroes with educational opportunities equivalent to those given to white students has limited their income-producing potential and that, as a result, the payment of the poll tax is a more difficult burden on the Negro than on the non-Negro. This disparity of educational and economic opportunity when coupled with a historical structure of social and political segregation is asserted to have deprived Negroes of the equal protection of the law guaranteed by the 14th amendment.

To establish this theory, the United States offered evidence of the relationship between educational level and income potential and statistics showing the inferior educational and vocational training formerly provided Negroes. Charts and figures were presented to show the disparity in annual instructional expenditures per pupil, in teacher salaries, in number of pupils per teacher, and in the value of school property and equipment.[39]

As evidence of the effect of the poll tax on Negroes, the United States submitted statistics on the number of whites and Negroes between the ages of 21 and 60 who actually paid the poll tax as compared to the total number of potentially eligible voters of each race. Their figures for 187 out of 254 counties showed that 57.3 percent of the eligible whites paid the poll tax in 1964, while 45.3 percent of the eligible Negroes paid.[40] The United States contends that this variation of 12 percent demonstrates the discriminatory effect of the poll tax on Negroes whose income potential has been stymied by lack of educational opportunity.

The United States also argues that, aside from consideration of race, the poll tax necessarily discriminates against the poor, denying them equal protection of the law. To support this contention, the United States offered evidence that one purpose of the adoption of poll tax payments as a precondition for voting was to disenfranchise the poor who formed the backbone of the Populist Party.[41] The deposition of Mollie Orshansky, an expert on poverty, was introduced to show that, for persons living "below the poverty line," [42] the poll tax fee must compete with the basic necessities of life, placing a substantial handicap upon the poor's exercise of the right to vote.[43]

As evidence that the purpose and effect of the Texas poll tax is to discriminate against Negroes in violation of the Fifteenth Amendment, the United States traced the historical development of the poll tax as a prerequisite to voting in the State of Texas. Although various theories have been advanced to explain the passage of the 1902 constitutional amendment making payment of the poll tax a prerequisite for voting, the United States submitted excerpts from speeches of proponents and opponents of the amendment, from newspaper articles and editorials, and from the comments of historians to show its discriminatory objective.[44]

Insight into the motives of Texas voters can be gained, the United States contends, by viewing the Texas amendment as part of the Southern movement to use the poll tax rather than intimidation to disfranchise the Negro.[45] Between 1889 and 1902, ten Southern states made the poll tax a prerequisite for voting.[46] Florida led off in 1889,[47] followed by Mississippi [48] and Tennessee [49] in 1890, Arkansas [50] in 1892, South Carolina in 1895,[51] Louisiana in 1898,[52] North Carolina in

---

[39] See the following table:

Texas State totals

YEARLY INSTRUCTIONAL EXPENDITURES PER PUPIL

	White	Negro
1930-31	$43	$20
1934-35	36	18
1940-41	47	26
1946-47	80	62
1952-53	175	133
1956-57	205	190

TEACHER SALARIES

1930-31	$1,033	$623
1934-35	900	557
1940-41	1,140	704
1946-47	1,905	1,521
1951-52	1,707	1,640

NUMBER OF PUPILS PER TEACHER—AVERAGE DAILY ATTENDANCE

1930-31	24	31
1934-35	25	31
1940-41	24	27
1946-47	24	25
1954-55	22	22
1960-61	21	22

NUMBER OF PUPILS PER TEACHER—ENROLLMENT

1930-31	32	44
1934-35	31	41
1940-41	--------	--------
1946-47	--------	--------
1954-55	25	26
1960-61	23	25

VALUE OF SCHOOL PROPERTY AND EQUIPMENT PER YEAR PER CHILD

	White	Negro
1930-31:		
Property	$149.00	$38.00
Equipment	7.10	1.28
1935-36:		
Property	159.00	55.00
Equipment	9.00	2.00
1940-41:		
Property	201.00	64.00
Equipment	14.00	3.00
1945-46:		
Property	225.00	75.00
Equipment	22.00	6.00

[40] The State asserted that 55.9 percent of the white population over 21 had qualified to vote and that 50.2 percent of the Negroes over 21 years had so qualified. The discrepancy between these figures may be explained by the State's inclusion in its calculations of those who received free poll taxes and exemptions—i.e., those who had just reached 21 years of age, those over 60 years of age, and those who received the free Federal poll tax receipts.

[41] See infra, p. 20.

[42] The "poverty line" is defined in relation to calculations of a minimum adequate level of living.

[43] Miss Orshansky estimated that at least 600,000 Texans between the ages of 21 and 59 are living below the poverty line.

[44] Delegates to the Constitutional Convention:

Delegate Mills "said he understood this as a thrust against the colored men, and was a violation of their rights." State Gazette (Austin, Tex.), Oct. 7, 1875, quoted in McKay, The Texas Constitutional Convention of 1875, at 168.

Delegate Weaver contended:

"Neither do I consider it an argument of any value, that it might deprive the colored man of the right of suffrage. This is not an argument to me. I believe in the supremacy of the Anglo-Saxon race above negroe * * * but * * * I believe that the negroes, as Mr. Mills has said, will sell their hats, boots, and shoes to pay their tax and qualify themselves for the polls and will struggle to the last. Nay, I do not know but that some of them would even steal to get enough to pay their poll tax and vote."

State Gazette (Austin, Tex.), Oct. 14, 1875, quoted in McKay, The Texas Constitutional Convention of 1875, at 171.

According to Judge Ballinger, also a delegate to the Convention:

"They had proposed a poll tax, intending merely, whatever they might say to the contrary, to reach the colored people and make it a fundamental condition of suffrage * * *. Whatever argument might be used in its defense, the clause was simply a restriction on the right of suffrage of the poor people of the State."

State Gazette (Austin, Tex.), Oct. 8, 1875, quoted in McKay, The Texas Constitutional Convention of 1875, at 181.

Newspaper articles and editorials:

"It remains to be seen what effect the adoption of this amendment will have on the suffragists of Texas. It is asserted by some that its ostensible object of increasing the revenues of the State will not be realized; that, in fact, the prime movers in this piece of legislation never had the object of adding to the revenues of the State in view and that their real purpose was to disfranchise the shiftless element of voters."

San Antonio Daily Express, Nov. 8, 1902, p. 1, col. 5:

"Are those who pay nothing toward the support of the government the peers of those who do? Has the drone the right to share equally the privileges of the industrious? Must the low groveling equal-before-the-law, lazy, purchaseable negro, who pays no taxes, have the privilege of neutralizing the vote of a good citizen and taxpayer?"

Houston Telegraph, Oct. 10, 1875, quoted in McKay, Debates of the Texas Constitutional Convention of 1875, at 98.

Scholars and Historians:

Professor Frederic D. Ogden, the leading student of the poll tax, concluded that the "use of the poll tax in the South for suffrage restriction dates back primarily to the period from 1890 to 1908. * * * It is obvious that one reason why southern states adopted the poll tax and other suffrage restrictions in the period from 1890 to 1908 was to disfranchise the Negro. * * * In Mississippi, payment of the tax was made a voting prerequisite largely because of the belief that whites would be more apt to pay it than Negroes. The situation was similar in Texas."

Ogden, The Poll Tax in the South, 2, 4–5, 7 (Univ. Ala. Press 1958), (footnotes omitted), cited in *Harman* v. *Forssenius*, 1965, 380 U.S. 528, 529, 539, 540.

[45] Ogden, *op cit. supra*, note 44, at 5, 7–10, 30–31.

[46] Texas Legislative Council 70.

[47] Fla. Laws 1889, ch. 3859, at 13.

[48] Miss. Const. §§ 241, 243 (1890); Miss. Code §§ 3160–63 (1942`. The Supreme Court of Mississippi has explicitly acknowledged that the State's poll tax was intended to "obstruct the exercise of the franchise by the negro race." *Ratiffe* v. *Beale*, 1896, 74 Miss. 247, 266–67, 268.

[49] Tenn. Acts 1890, ch. 26, at 67.

[50] Ogden, *op cit. supra*, note 44, at 2–3.

[51] Ibid. Ogden relates that at the South Carolina Constitutional Convention of 1895 which adopted the tax, Benjamin R. Tillman decried Negro voting and stated the Convention's purpose to be "to put such safeguards around the ballot in the future, to so restrict the suffrage and circumscribe it, that this infamy can never come about again." Id. at 5–6.

[52] According to Ogden, the President of the Louisiana Constitutional Convention that adopted the tax commented of the new Constitution: "Doesn't it let the white man vote, and doesn't it stop the Negro from voting, and isn't that what we came here for? (applause)" (footnote omitted). Id at 6.

1900,[53] Alabama in 1901 [54] Virginia [55] and Texas in 1902, and Georgia [56] in 1908.

A 1952 Staff Report to the Texas Legislative Council [57] concluded that:

"No single factor accounts for acceptance of the poll tax as a prerequisite for voting. Obviously, the movement had been underway a long time, and such an issue, constantly pressed, has a way of eventually gaining public favor. However, it would appear that at least three important elements were involved. In the first place, there was the desire to purify the ballot. This was one of the reasons most often advanced by supporters of the proposed constitutional amendment. Apparently, they felt that 'vote-buying' and other fraudulent election practices would be substantially reduced by adding to the cost of vote-purchasing and by having more carefully regulated election administration. Second, there was a desire to disfranchise the Negro. And third, there was the essentially defunct Populist Party. The Populist or People's Party was an important element in the politics of many sections of the United States during the 1890's. The party was radical in its views and received its main backing from struggling farmers and from labor. This organization was anathema to many of the politicians of that day. Thus some proponents of a poll tax requirement for voting saw in it a method of disfranchising the people who had formed the backbone of the Populist Party." [58]

The State of Texas contends that there is no evidence that the poll tax in Texas discriminates against anyone because of race or economic status. The State notes that the poll tax is imposed on everyone between the ages of 21 and 60 and that, according to the Attorney General of the United States and the Voting Rights Commission of 1961, no voting discrimination exists in Texas. In his testimony before the Senate Judiciary Committee, the Attorney General made the following statements:

"Could I say two things. One, that the Department of Justice and the Civil Rights Commission has never had one single complaint on voters' discrimination arising in the State of Texas. The point 2 that I want to make, a higher percentage of Negroes are registered in proportion to the Negro population of Texas than whites. 58 percent of the Negroes are registered; 56 percent of the whites are registered.

* * * * *

"Mexicans registered are even a higher percentage than the Negroes." [59]

The United States asserts that these figures should not be given weight since they were based on "estimates" made by the Southern Regional Council which have proved inaccurate in the light of the evidence assembled for this lawsuit.

The Civil Rights Commission of 1961 concluded that:

"The right to vote without distinctions of race or color—the promise of the 15th amendment—continues to suffer abridgment. Investigations, hearings, and studies conducted by the Commission since its 1959 Report indicate, however, that discriminatory disfranchisement is confined to certain parts of the country—indeed that it does not exist in 42 States. But in about 100 counties in Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee, there has been evidence, in varying degree, of discriminatory disfranchisement." [60]

The United States claims that the definition of "discriminatory disenfranchisement" did not include poll taxes and their effect, but was limited to overt and deliberate discrimination and that the Commission recommended that the Congress abolish the poll tax as a precondition to voting.

IV

In the light of the evidence assembled by the United States and the defendants, this Court hereby makes the following findings and conclusions:

(1) A primary purpose of the 1902 Amendment to the Texas Constitution making payment of a poll tax a precondition to the right to vote was the desire to disenfranchise the Negro and the poor white supporters of the Populist Party. The fact that the Amendment was conceived for this invidious purpose over half a century ago is not alone a sufficient reason today for declaring it unconstitutional.

(2) This Court acknowledges that a dual structure of society developed in post-Civil War Texas and has resulted in a denial of equal opportunities to the Negro. The disparity in state support of white and Negro education until recent years stands as the most vivid example of this dual structure and leaves a substantial proportion of the present adult Negro population as products of its discrimination.

(3) Even though the poll tax was established as a prerequisite for voting in part to disenfranchise the Negro and even though the Negro has been relegated to a position of second-class opportunity by policies of segregation and inadequate education, the evidence does not establish that the poll tax in Texas discriminates against Negroes in violation of the Fifteenth Amendment or the Equal Protection Clause.

The evidence clearly shows, and the United States does not dispute, that at least during the last twenty years there has not been any attempt to use the poll tax overtly to deprive the Negro of his right to vote. Despite unlimited pretrial discovery, no instances of outright discrimination have been shown or alleged. In fact, the United States has relied primarily on evidence of discrimination in public education and the resulting economic disadvantages to establish that the poll tax is more of a burden upon the Negro than upon the white voter. Although we consider the United States' method of proof a legitimate means for reaching such a conclusion, the facts will not support a finding of racial discrimination. The figures most favorable to the United States' position indicate that of the eligible persons between the ages of 21 and 60, 57.3 percent of the whites and 45.3 percent of the Negroes pay their poll tax. It is to be noted that both of these figures, although not commendable in terms of the total electorate, are substantial and that the difference between them is only 12 percent. If the disparity had been larger, we might have been more inclined to accept the evidence of a historical background of discrimination and the result of the poll tax sales as sufficient to justify a finding that the poll tax discriminates against Negroes. The disparity, however, is not glaring. Indeed, it is relatively small. The evidence points to other possible reasons for this difference. In some counties, the percentage of both white and Negro voters paying the poll tax is substantially higher than the average,[61] while in

---

[53] Id. at 3.

[54] The author described the debate on the tax at the Alabama Constitutional Convention of 1901:

"One of the delegates in the Alabama Convention stated that he believed that the poll tax would disfranchise ten Negroes to one white man. Another delegate, who approved using the revenue for educational purposes, thought that the tax would both disfranchise Negroes and educate white children. Other members of this convention regarded the poll tax as the primary solution for their suffrage problem, frequently stated to be that of disfranchising the Negro without at the same time disfranchising any whites. (Footnotes omitted.) Id. at 6.

[55] Va. Const. §§ 18, 20–22, 35, 38, 173. Ogden also quotes a delegate-supporter of the poll tax at that convention: "It will not do away with the Negro as a voter altogether, but it will have the effect of keeping numbers of the most unworthy and trifling of that race from the polls. I do not know of anything better in view of the fifteenth amendment. Ogden, op. cit. supra, note 44, at 7.

[56] Ga. Acts 1908, at 27.

[57] The Texas Legislative Council is an organ of the State Legislature composed of fifteen legislators, the Speaker of the House and the President of the Senate and operates pursuant to State law with a professional staff. Tex. Rev. Civ. Stat. art. 5429(b) (1958).

[58] Legislative Council Staff Report, p. 73 (footnotes omitted).

"The United States asserts that the tax was not linked to voting for the purpose or with the effect of increasing the number of payers. The percentage of those liable who were paying was rising before the tie to voting and, with rare exceptions, has declined since. Thus, 53.8 percent of those liable paid in 1896, but only 33.5 percent in 1950 and 42.3 percent in 1960."

[59] Hearing on S. 1564 before the Senate Committee on the Judiciary (Executive Session), vol. 2, at 117 (April 7, 1965).

[60] Civil Rights Commission, Report on Voting, book 1, at 133 (1961).

[61] See the following table:

Sample counties where both white and Negro poll tax payments are higher than the average

County	Persons 21 to 59 (in 1960)		Poll-tax payers (1964)		Percent of persons 21 to 59 paying poll tax	
	White	Negro	White	Negro	White	Negro
Angelina	15,492	2,976	11,316	1,837	73.0	61.7
Chambers	3,911	936	3,035	690	77.6	73.7
Hardin	9,351	1,605	6,579	948	70.4	59.1
Lee	3,026	705	1,984	422	65.6	59.9
Montgomery	9,407	2,347	7,243	1,449	77.0	61.7
Newton	2,935	1,204	2,040	766	69.5	63.6
Sabine	2,339	711	1,766	493	75.5	69.3
San Jacinto	1,245	1,055	1,056	781	84.8	74.0

others it is lower.[62] In a few counties, the percentage of Negro poll tax holders exceeds that of white poll tax holders.[63]

Perhaps this is merely a reflection of the general apathy level in different parts of the state. A mere 84,297 persons out of a possible 1,495,988 eligible took advantage of the free federal exemptions. The figures available from a number of counties with heavy Negro population show a meager response to this opportunity to vote without paying the poll tax.[64]

In spite of all the evidence submitted by the United States, there are still too many unknown variables which may reasonably explain the relatively small discrepancy between white and Negro payment of the poll tax.

(4) The United States asserts that the poll tax discriminates against the poor as a class. Certainly, we may assume any non-progressive tax results in a greater hardship on the poor than on the non-poor. The question, however, is whether the poll tax is an unconstitutional discrimination against the poor because of the harder burden it lays on them. Since we have held that the Texas poll tax is invalid under the Due Process Clause, we find it unnecessary to consider this contention.

V

Section 10(a) of the Voting Rights Act of 1965 states the Congressional finding that:

"The requirement of the payment of a poll tax as a precondition to voting (i) precludes persons of limited means from voting or imposes unreasonable financial hardship upon such persons as a precondition to their exercise of the franchise, (ii) does not bear a reasonable relationship to any legitimate State interest in the conduct of elections, and (iii) in some areas has the purpose or effect of denying persons the right to vote because of race or color. Upon the basis of these findings, Congress declares that the constitutional right of citizens to vote is denied or abridged in some areas by the requirement of the payment of a poll tax as a precondition to voting."[65]

The Attorney General of the State of Texas contends that the members of Congress had no evidence to substantiate their findings in relation to the Texas poll tax. In support of this allegation, he offered letters from fifty-nine legislators who answered his inquiry. Fifty-eight of the fifty-nine stated that no evidence had been offered to support the findings as to Texas. The United States, however, submitted excerpts from the legislative history of the Voting Rights Act of 1965, the Twenty-Fourth Amendment, and earlier poll tax bills to refute the State's contention. In part, these records show that Congress had evidence that of the six states with the lowest voter turnout in the 1964 elections, four have poll tax requirements:[66] Several Congressmen testified that poll taxes in Texas and in general were a burden on the poor and were discriminatory.[67] There was evidence before both the House and the Senate that the poll tax could not properly be justified as a qualification for voting[68] or as a revenue measure[69] and that historically it has been a device to disenfranchise the Negro.[70]

The Congress' experience with the poll tax was summarized recently by the Supreme

---

[62] See the following table:

Sample counties where both white and Negro poll tax payments are lower than the average

County	Persons 21 to 59 (in 1960)		Poll-tax payers (1964)		Percent of persons 21 59 paying poll tax	
	White	Negro	White	Negro	White	Negro
Coryell	10, 361	665	3, 720	22	35. 9	3. 3
El Paso	139, 752	5, 430	50, 376	817	36. 0	15. 0
Potter	51, 362	3, 589	20, 499	1, 417	39. 9	39. 5
Walker	7, 407	3, 208	2, 924	1, 239	39. 5	38. 6

[63] See the following table:

Sample counties where Negro poll tax payers exceed whites

County	Persons 21 to 59 (in 1960)		Poll-tax payers (1964)		Percent of persons 21 to 59 paying poll tax	
	White	Negro	White	Negro	White	Negro
Midland	31, 155	2, 975	18, 526	2, 059	59. 5	69. 2
Nacogdoches	9, 232	2, 903	5, 113	1, 821	55. 4	62. 7
Polk	4, 125	1, 565	2, 571	1, 324	62. 3	84. 1
Smith	30, 668	9, 755	17, 232	5, 744	56. 2	58. 9
Upshur	6, 489	1, 921	4, 453	1, 515	64. 9	78. 9

[64] See the following table:

County	Persons 21 to 59 (in 1960)		Percent of persons 21 to 59 paying poll tax (in 1964)		Persons not paying poll tax (in 1964)		Federal exemption certificates	
	White	Negro	White	Negro	White	Negro	White	Negro
Brazoria	33, 111	4, 562	70. 5	35. 1	9, 783	2, 960	135	--------
Galveston	54, 830	14, 007	63. 7	49. 5	19, 911	7, 071	573	7
Harris	502, 080	118, 355	60. 0	51. 0	200, 823	58, 052	10, 428	1, 604
Harrison	12, 225	7, 482	64. 6	36. 9	4, 328	4, 721	59	23
Jefferson	94, 278	25, 894	63. 6	48. 1	34, 292	13, 435	495	116
McLennan	60, 425	10, 079	49. 7	41. 4	30, 413	5, 904	660	16
Tarrant	238, 274	27, 413	52. 2	34. 4	113, 859	17, 973	6, 069	411
Travis	88, 492	12, 099	77. 0	57. 9	20, 333	5, 099	951	67

[65] Voting Rights Act of 1965, § 10(a), 79 Stat. 442.

[66] See the following table:

State	Voting age population	Total vote cast, 1964 presidential election	Percentage of voting age population
Alabama [1]	1, 915, 000	689, 818	36
Georgia	2, 636, 000	1, 139, 352	43
Mississippi [1]	1, 243, 000	409, 146	33
South Carolina	1, 380, 000	524, 748	38
Texas [1]	5, 922, 000	2, 626, 811	44
Virginia [1]	2, 541, 000	1, 042, 267	41

[1] Poll-tax States.

Source: Hearings before the Subcommittee of the House Committee on the Judiciary, 89th Cong , 1st sess., ser. 2, at 29 (1965).

[67] See, e.g., Senator RALPH YARBOROUGH of Texas, CONGRESSIONAL RECORD, vol. 111, pt. 7, p. 9916; Senator BIRCH E. BAYH, CONGRESSIONAL RECORD, vol. 111, pt. 7, p. 10048; and Senator JOSEPH D. TYDINGS, CONGRESSIONAL RECORD, vol. 111, pt.. 7, pp. 10040–10041.

[68] Nothing in the payment of a poll tax evidences one's "qualification" to vote. A man with a million dollars in the bank cannot vote if he fails to pay the tax; a man who steals a couple of dollars to pay the tax has met this condition. A poll tax has nothing in common with true "qualifications": Age (reflecting maturity of judgment); residency (reflecting knowledge of local conditions), etc. Once it is demonstrated that the poll tax cannot be justified as a qualification for voting fixed by the States under article I of the Constitution, good cause for this restriction on the right to vote is hard to find. H.R. Rep. No. 439, 89th Cong., 1st Sess. 22 (1965); See S. Rep. No. 162, 89th Cong., 1st Sess., pt. 3, at 34 (1965).

[69] "No one seriously contends that it is a revenue measure. Forty-six states deem it unwise." H.R. Rep. No. 439, 89th Cong., 1st Sess. 22 (1965).

Senator EDWARD M. KENNEDY of Massachusetts provided the following statistics on public education revenues, CONGRESSIONAL RECORD, vol. 111, pt. 7, p. 9919:

"Further evidence to show that States could not be possibly reliant upon these taxes can be seen from the fact that in 1954, for example, Alabama spent almost $95 million for its schools and collected half a million dollars in poll taxes; in 1955 Mississippi spent $26 million on its schools and collected half a million dollars in poll taxes; while Texas, spending over $205 million for free schools and vocational education, received only $1,400,000 of poll tax revenue available for these schools; and Virginia in 1954 spent $67.7 million for schools, collecting only $972,000 from poll taxes."

[70] The 1965 Senate Committee Report quoted the following statements from a 1943 Report of the Senate Judiciary Committee:

"We think a careful examination of the so-called poll tax constitutional and statutory provisions, and an examination particularly of the constitutional conventions by which these amendments became a part of

Court in *Harmin* v. *Forssenius*, 1965, 380 U.S. 528, 538–40:

"Prior to the proposal of the Twenty-fourth Amendment in 1962, federal legislation to eliminate poll taxes, either by constitutional amendment or statute, had been introduced in every Congress since 1939. The House of Representatives passed antipoll tax bills on five occasions and the Senate twice proposed constitutional amendments. Even though in 1962 only five States retained the poll tax as a voting requirement, Congress reflected widespread national concern with the characteristics of the tax. Disenchantment with the poll tax was many-faceted. One of the basic objections to the poll tax was that it exacted a price for the privilege of exercising the franchise. Congressional hearings and debates indicate a general repugnance to the disenfranchisement of the poor occasioned by failure to pay the tax * * *. Another objection to the poll tax raised in the congressional hearings was that the tax usually had to be paid long before the election—at a time when political campaigns were still quiescent—which tended to eliminate from the franchise a substantial number of voters who did not plan so far ahead. The poll tax was also attacked as a vehicle for fraud which could be manipulated by political machines by financing block payments of the tax. In addition, and of primary concern to many, the poll tax was viewed as a requirement adopted with an eye to the disenfranchisement of Negroes and applied in a discriminatory manner." (Footnotes omitted.)

VI

As the Supreme Court noted in *Block* v. *Hirsh*, 1921, 256 U.S. 135, 154:

"No doubt it is true that a legislative declaration of facts that are material only as the ground for enacting a rule of law * * * may not be held conclusive by the Courts * * * But a declaration by a legislature concerning public conditions that by necessity and duty it must know, is entitled at least to great respect."

In the light of the numerous bills affecting the poll tax during the last twenty-five years, the public attention focused on this controversial topic, the special acquaintance of legislators with all aspects of voting, and the fact that Congress is not confined to the type of evidence which would be admissible in a court, there can be little doubt that there was sufficient evidence before Congress from which it could make the findings found in Section 10(a) of the Voting Rights Act. "[T]he legislature, acting within its sphere, is presumed to know the needs of the people of the State * * * and this presumption cannot be overthrown, as it has been sought to be overthrown, by testimony of individual legislators * * *" or by the letters submitted in this case. *Townsend* v. *Yeomans*, 1937, 301 U.S. 441, 451. See *Clark* v. *Paul Gray, Inc.*, 1939, 306 U.S. 583, 594. There being a rational basis for the Congressional findings, we deem them worthy of "great respect" in determining the validity of the poll tax requirement for voting.

We have also taken note of the mandate of Section 10(c) of the Voting Rights Act of 1965 that "it shall be the duty of the judges designated to hear the case to assign the case for hearing at the earliest practicable date, to participate in the hearing and determination thereof, and to cause the case to be in every way expedited" and, with the excellent cooperation of counsel on both sides, have endeavored to comply with it.

VII

"[T]he maintenance of the opportunity for free political discussion to the end that government may be responsible to the will of the people and that changes may be obtained by lawful means, an opportunity essential to the security of the Republic, is a fundamental principle of our constitutional system." *Stromberg* v. *California*, 1931, 283 U.S. 359, 369. Yet how ineffective is this "political discussion" protected by the First Amendment if its ultimate objective can be denied at the ballot box.

Even though not specifically mentioned in the Constitution, the right to vote clearly constitutes one of the most basic elements of our freedom—the "core of our constitutional system." *Carrington* v. *Rash*, 1965, 380 U.S. 89, 96. "No right is more precious in a free country than that of having a voice in the election of those who make the laws under which, as good citizens, we must live." *Wesberry* v. *Sanders*, 1964, 376 U.S. 1, 17. See *Harman* v. *Forssenius*, 1965, 380 U.S. 528; *Carrington* v. *Rash*, supra; *Reynolds* v. *Sims*, 1964, 377 U.S. 533; *Yick Wo* v. *Hopkins*, 1886. 118 U.S. 220. It would be ironic, indeed, if the Constitution did not protect the right to vote, since that right has long been acknowledged to be "preservative of all rights." *Yick Wo* v. *Hopkins*, supra, at 226.

The Supreme Court "has never held that the Bill of Rights or the Fourteenth Amendment protects only those rights that the Constitution specifically mentions by name." *Griswold* v. *Connecticut*, 1965, 381 U.S. 479, 486 n.1 (concurring opinion, Goldberg, J.). Among the many rights which have been found to be constitutionally protected though not expressly mentioned in the Constitution are: the right to marital privacy, *Griswold* v. *Connecticut*, supra; the right to travel, *Kent* v. *Dulles*, 1958, 375 U.S. 116; *Aptheker* v. *Secretary of State*, 1964, 378 U.S. 500; the right to educate one's children as one chooses, *Pierce* v. *Society of Sisters*, 1925, 268 U.S. 510, and the "freedom to associate and privacy in one's association." *NAACP* v. *Alabama*, 1958, 357 U.S. 449, 462. While some rights have been found to be implicit in one or more of the first nine amendments to the Constitution (see, e.g., *Griswold* v. *Connecticut*, supra; *NAACP* v. *Alabama*, supra), others have found protection within the concept of "liberty" in the due processes clauses of the Fifth and Fourteenth Amendments (see, e.g., *Kent* v. *Dulles*, supra; *Pierce* v. *Society of Sisters*, supra).

To determine whether a right is protected by the due process clause, a court "must look to the 'traditions and [collective] conscience of our people' to determine whether a principle is 'so rooted [there] * * * as to be ranked as fundamental.' *Snyder* v. *Massachusetts*, 291 U.S. 97, 105. The inquiry is whether a right involved 'is of such a character that it cannot be denied without violating those 'fundamental principles of liberty and justice which lie at the base of all our civil and political institutions' * * *" *Powell* v. *Alabama*, 287 U.S. 45, 67.

Griswold v. *Connecticut*, supra, at 493 (concurring opinion, Goldberg, J.).

When measured against these standards and examined in the light of Supreme Court pronouncements describing it as our most "precious" right, *Wesberry* v. *Sanders*, 1964, 376 U.S. 1, 17, and as the "essence of a democratic society," *Reynolds* v. *Sims*, 1964, 377 U.S. 533, 555, it cannot be doubted that the right to vote is one of the fundamental personal rights included within the concept of liberty as protected by the due process clause.

VIII

In Texas, the right to vote is denied to those who have not paid the poll tax or obtained an exemption. As stated by the Supreme Court "fundamental personal liberties * * * may not be abridged by the States simply on a showing that a regulatory statute has some rational relationship to the effectuation of a proper State purpose. 'Where there is a significant encroachment upon personal liberty, the State may prevail only upon showing a subordinating interest which is compelling.' *Bates* v. *Little Rock*, 361 U.S. 516, 524. The law must be shown 'necessary, and not merely rationally related, to the accomplishment of a permissible State policy.' *McLaughlin* v. *Florida*, 319 U.S. 184, 196. See *Schneider* v. *Irvington*, 308 U.S. 147, 161." *Griswold* v. *Connecticut*, 1965, 381 U.S. 479, 497 (concurring opinion, Goldberg, J.). Thus, we must determine whether the Texas poll tax as a restraint on the right to vote may be upheld as "necessary * * * to the accomplishment of a permissible State policy."

The tying of the payment of a head tax to the exercise of the franchise has been rationalized in a number of ways since the days of its first proponents. As this Court has found, one of the prime purposes of the 1902 Amendment to the Texas Constitution was to disenfranchise the Negro and the poor white supporters of the Populist Party. Needless to say, that objective cannot now be used to justify the poll tax as a prerequisite to voting. Other advocates have suggested that the poll tax requirement (1) purifies and protects the ballot, (2) serves as a registration device, (3) limits the electorate to those interested enough to buy a poll tax and competent enough to accumulate the $1.75, and (4) is a legitimate method of enforcing an otherwise valid tax. In weighing these possible justifications, this Court must be sure that, when the State attempts to achieve a legitimate end, it does not use means "which sweep unnecessarily broadly and hereby invade the area of protected freedoms." *NAACP* v. *Alabama*, supra, at 307; *Griswold* v. *Connecticut*, supra, at 485, 498. "In an area so closely touching our most precious freedoms," "precision of regulation must be the touchstone * * *." *NAACP* v. *Button*, 1963, 371 U.S. 415, 438; *Griswold* v. *Connecticut*, supra, at 498, and "the breadth of legislative abridgment must be viewed in the light of less drastic means for achieving the same basic purpose." *Shelton* v. *Tucker*, 1960, 364 U.S. 479, 488.

Under the stringent requirements of these constitutional standards, none of the suggested justifications may be sustained. Purification and protection of the ballot may be accomplished by other means as the State of Texas has recognized by the passage of numerous penal provisions.[71]

Indeed, the continuing occurrence of vote-buying prosecutions would indicate that the poll tax requirement has not even been an

---

the State laws, will convince any disinterested person that the object of these State constitutional conventions, from which emanated mainly the poll tax laws, were motivated entirely and exclusively by a desire to exclude the Negro from voting". S. Rep. No. 162, 89th Cong., 1st Sess., pt. 3, at 33 (1965).

[71] Under the Texas Penal Code it is a crime for an election official to intimidate a voter (art. 220); to refuse to permit voters to vote (art. 217); to influence voters (art. 218); to permit alteration or premature removal of ballots (art. 219); to compare the executed ballot with the voter list (art. 221); to change a ballot (art. 223); to fail to secure the ballots (art. 226); to make a false canvass (art. 227); or to make a false certificate (arts. 228, 229). A person voting illegally is subject to a five-year penitentiary sentence (art. 232). It is a crime to instigate illegal voting (art. 233); to swear falsely as to qualifications to vote (art. 234); to procure a voter to swear falsely (art. 235); to procure an illegal vote (art. 237); to falsely impersonate another (art. 239); or to vote more than once (art. 241). A person altering or destroying ballots faces a five-year penitentiary sentence (art. 244). Riots, unlawful assembly and misconduct at elections are crimes (arts. 253–61).

effective device for protecting the purity of the ballot.[72]

Although the poll tax system in Texas does serve as a substitute for a registration system, it is difficult to comprehend the necessity of collecting $1.75 merely to register potential voters, especially since only a portion of those qualified are required to pay the tax. As the Supreme Court noted in *Harmon* v. *Forssenius*, 1965, 380 U.S. 528, 543, "the 46 States which do not require the payment of poll taxes have apparently found no great administrative burden in insuring that the electorate is limited to bona fide residents." The availability of other registration devices which do not impede the right to vote undermines this basis for justifying the poll tax.

The State in its brief asserts that "it appears ridiculous to state that anyone who is interested in the welfare and the conduct of the government . . . would or could not save the sum of $1.75 during the course of a year" and that "any person, white or colored, who was incapable of managing his affairs and acquiring during the course of 1 year the insignificant sum of $1.75 certainly is not intelligent enough or competent enough to manage the affairs of the government." Regardless of whether the ability to accumulate a sum of money is a valid criterion for determining qualification to vote,[73] the actual administration of the poll tax laws clearly indicates that no such standard has ever been applied in Texas. The ignorant and incompetent spouse, parent or child may vote if some member of his family remembers to purchase a poll tax for him.[74] Anyone who becomes 21 years old after the beginning of the tax year but before the election [75] or who is over 60 years old [76] may vote without paying a poll tax fee [77] or without showing the intelligence or competence necessary to accumulate $1.75 in one year. Thus, it is obvious that the poll tax in Texas is not a "test" of the intelligence or the competence of potential voters.

The final basis of justification, and the only one seriously relied on by the State, is that the tying of the poll tax to the right to vote is a legitimate method of collecting the head tax which is imposed upon all Texans between the ages of 21 and 60. Over the years there have existed several means for enforcing the poll tax. An 1891 law, which was repealed in 1965, provided that delinquent poll tax payers would be liable to work three days per year on the roads.[78]

The State Comptroller, among whose tasks is the supervision of poll tax collections, does not recall the use of this provision during his twenty-one years in the Comptroller's office.

Prior to 1947, poll taxes were assessed along with ad valorem taxes. Failure to pay the poll tax would result in the classification of the taxpayer as delinquent and make him liable to possible levy on his real or personal property. Assessment slips for ad valorem and poll taxes were mailed together to the taxpayer and could be paid at the same time. This convenient method of assessment was discontinued at the request of the State Comptroller and with the approval of the Attorney General. No reasons have been offered by the State to explain this action.[79]

Since that time, assessment slips generally have not been mailed to taxpayers and poll taxes have been assessed only at the time of voluntary payment.[80] With the exception of setting up substations in some metropolitan areas for the collection of poll taxes, neither the State nor most of its tax assessors [81] make any other effort to increase the number of poll tax payers or to enforce its payment by nonvoters.

Since the State has voluntarily abandoned the use of the most logical means for collecting the poll tax, that is, by assessing it along with the ad valorem taxes, and has made no attempt to enforce the tax except by use of the penalty of disenfranchisement, it is difficult to accept the State's contention that the tying of the poll tax to the right to vote is necessary for the collection of the tax.[82]

Even if we assume the validity of this position, we still would not find the poll tax as a prerequisite to voting to be justified as an encroachment on a fundamental right "necessary * * * to the accomplishment of a permissible State policy." The permissible State policy here is not the perpetuation of a head tax, as such, but the raising of revenue. When viewed in this perspective, it is clear that the poll tax as a restriction on the right to vote is not "necessary" to insure the collection of revenue. The mere fact that 46 other States have been able to raise funds without such a requirement demonstrates this obvious conclusion. That poll tax receipts constitute only a minute percentage of the revenue of the State of Texas [83] does not prove that the poll tax is not a revenue measure, as the United States asserts, but it does indicate that the State of Texas has also been able to find adequate means of collecting revenue which do not restrict the right to vote.[84]

The poll tax in Texas is indeed a very strange revenue tax, when compared with other admittedly legitimate taxes. It was tied to the franchise for a discriminatory reason. For unknown reasons, the State has abandoned the most reasonable means for its collection. Although the Texas Constitution requires all persons between 21 and 60 to pay the tax, only those who wish to vote ordinarily "volunteer" to pay it, and the State makes no other attempt to enforce it. Inasmuch as no acceptable basis for justifying the poll tax as a prerequisite for voting has been offered, the due process clause requires that this unnecessary restriction on the fundamental right to vote be eliminated.

IX

Since, in general, only those who wish to vote pay the poll tax, the tax as administered by the State is equivalent to a charge or penalty imposed on the exercise of a fundamental right. If the tax were increased to a high degree, as it could be if valid, it would result in the destruction of the right to vote. See *Grosjean* v. *American Press Co.*, 1936, 297 U.S. 233, 244.

It has long been established that a State may not impose a penalty upon those who exercise a right guaranteed by the Constitution. *Frost & Frost Trucking Co.* v. *Railroad Comm. of California*, 271 U.S. 583. "Constitutional rights would be of little value if they could be . . . indirectly denied," *Smith* v. *Allwright*, 321 U.S. 649, 664, or "manipulated out of existence." *Gomillion* v. *Lightfoot*, 364 U.S. 339, 345.

Harmon v. *Forssenius*, 1965, 380 U.S. 528, 540.

The State asserts that "the Legislature, and people of Texas, have had the choice, insofar as the poll tax was concerned, of selecting the method of collection. The Legislature and the people chose to deny the right to vote to those who do not pay rather than some more onerous method of collection." It is clear, however, that the Legislature and the people may not choose to deny a fundamental constitutional right as a means of collecting revenue. " 'One's right to life, liberty, and property * * * and other fundamental rights may not be admitted to vote; they depend on the outcome of no election.' A citizen's constitutional rights can hardly be infringed simply because a majority of the people choose that it be." *Lucas* v. *Forty-Fourth General Assembly*, 1964, 377 U.S. 713, 736–37. If the State of Texas placed a tax on the right to speak at the rate of one dollar and seventy-five cents per year, no court would hesitate to strike it down as a blatant infringement of the freedom of speech. Yet the poll tax as enforced in Texas is a tax on the equally important right to vote.

---

[72] Vernon's Annotated Texas Statutes report numerous appellate actions of fraudulent vote buying involving the poll tax: e.g., *Duncan* v. *Willis*, Tex. 1957, 302 S.W. 2d 627; *Longoria* v. *State*, Tex. Cr. App. 1934, 71 S.W. 2d 268; *Johnson* v. *State*, Tex. Cr. App. 1915, 177 S.W. 490; *Beach* v. *State*, Tex. Cr. App. 1914, 171 S.W. 715; *Solon* v. *State*, Tex. Cr. App. 1908, 114 S.W. 349; *Fugate* v. *Johnston*, Tex. Civ. App. 1952, 251 S.W. 2d 792.

[73] The proposition suggests the period in history when only the landed gentry were considered fit to participate in the affairs of government.

In the same vein the Senate Committee Report stated that:

"The poll tax, in essence, puts a price on the ballot, and if you can pay this price you are "qualified" to vote—if you can not pay this sum you are somehow not a qualified citizen. This remnant from the days of property "qualifications" for voting purposes cannot stand. For the payment of a poll tax tells us nothing about a citizen's qualifications as an elector. This requirement, then, so heavily involved with various procedural devices for payment does only one thing—it is an effective barrier to voting. S. Rep. No. 162, 89th Cong., 1st Sess., pt. 3, at 34 (1965).

[74] Tex. Election Code, arts. 5.11–.12 (Supp. 1965).

[75] Tex. Election Code art. 5.17 (Supp. 1965).

[76] Tex. Election Code art. 5.09 (Supp. 1965).

[77] In 1960, 125,000 Texans turned 21 and 1,076,666 were 60 or over. U.S. Bureau of Census, U.S. Census of Population, 1960, Final Report, PC (1)—45B (Texas) Table 16.

[78] Tex. Laws 1891, ch. 97, § 23, 10 Gammel, Laws of Texas 153 (1898), Tex. Rev. Civ. Stat. art. 6758 (Supp. 1965).

[79] Three years prior to this change in method of assessment, the United States Supreme Court held that Negroes could not be excluded from primary elections. *Smith* v. *Allwright*, 1944, 321 U.S. 649.

[80] The Texas Legislative Council Report suggests the reinstatement of the pre-1947 assessment methods to increase payment of the poll tax. Texas Legislative Council 113.

[81] It is true, however, that in many counties the tax assessors give numerous interviews to the news media to publicize and to encourage the sale of poll taxes. In addition, various private and civic organizations have been active in the promotion of poll tax sales.

[82] Evidence has been offered to show that the rate of payment of the poll tax percentagewise has decreased since its collection was tied to the exercise of the franchise. See note 57, *supra*.

[83] The poll tax revenue constitutes .19 percent of the estimated 1965 general revenue fund and .76 percent of the available school fund. See Calvert, 1965–67 Biennial Revenue Estimate 2, 10.

[84] It is interesting to note that the poll tax is administratively the most expensive of all the taxes levied by the State of Texas. It costs 19.4 cents per dollar to collect the poll tax, while it costs 7.1 cents for the next most costly tax (the motor vehicle sales tax), 2.4 cents for the average tax, and only 0.1 cent for the largest revenue tax (the oil and natural gas tax). Deposition of Robert Calvert, State comptroller, Table III–5. [Not included in RECORD.]

The Supreme Court has dealt with attempts to license or tax fundamental constitutional rights. In *Grosjean* v. *American Press Co.*, 1936, 297 U.S. 233, a tax on gross receipts of newspapers with circulation in excess of 20,000 copies per week was found to be an abridgment of the freedom of the press as "a deliberate and calculated device in the guise of a tax to limit the circulation of information to which the public is entitled in virtue of the constitutional guaranties." *Id.*, at 250.

An ordinance requiring a permit to distribute handbills was held invalid on its face in *Lovell* v. *Griffin*, 1937, 303 U.S. 444, as a restraint on the freedom of the press. In *Murdock* v. *Pennsylvania*, 1945, 319 U.S. 105, an ordinance requiring religious colporteurs to pay a license tax as a precondition to the pursuit of their activities was stricken down as a denial of first amendment rights. In answer to the contention that "the fact that the license tax can suppress or control this activity is unimportant if it does not do so," the Court in Murdock stated:

"But that is to disregard the nature of this tax. It is a license tax—a flat tax imposed on the exercise of a right granted by the Bill of Rights. A state may not impose a charge for the enjoyment of a right granted by the Federal Constitution." Id., at 112–113.

Since the poll tax in Texas is enforced only against those who wish to vote, it is, in effect, a penalty imposed on those who wish to exercise their right to vote. Even if the poll tax were seriously enforced as a revenue measure, the tying of its collection to the franchise would be invalid as a charge on a very precious constitutional right.

The State of Texas contends that the 1937 Supreme Court case, *Breedlove* v. *Suttles*, 1937, 302 U.S. 277, controls the questions raised in this suit. The only issues, however, discussed by the Court in that case were whether the Georgia poll tax violated the equal protection clause, since it applied only to persons between the ages of 21 and 60 and to women who registered to vote; whether payment of the poll tax as a prerequisite of voting denied any privilege or immunity protected by the Fourteenth Amendment; and whether the poll tax requirements abridged the provisions of the Nineteenth Amendment. Although dicta may be found in the opinion supporting the validity of the poll tax as a prerequisite to voting, we do not believe that the holding in Breedlove applies to the issues raised here or that the dicta, in the light of more recent Supreme Court pronouncements concerning the right to vote (see e.g., *Wesberry* v. *Sanders*, supra; *Reynolds* v. *Sims*, supra), should guide our decision.

For the reasons stated herein, we hold that the poll tax as a prerequisite to voting in the State of Texas infringes on the concept of liberty as protected by the Due Process Clause and constitutes an invalid charge on the exercise of one of our most precious rights—the right to vote. In view of the impending elections, appropriate declaratory and injunctive relief is being ordered by appropriate decree.

(In the U.S. District Court for the Western District of Texas, Austin Division—Civil Action No. 1570)

UNITED STATES OF AMERICA, PLAINTIFF, *v.* THE STATE OF TEXAS, ET AL., DEFENDANTS

DECREE

This cause having come on for trial at which all parties were present by counsel; and the court having heard the evidence and having considered the pleadings, evidence, and argument of counsel and being the view that a decree should be entered in accordance with the opinion of the court prepared for the court by Judge Thornberry, which also constitutes the court's findings of fact and conclusions of law under F.R. Civ. P. 52(a), filed this date, it is therefore ordered, adjudged, and decreed:

First. That article VIII, section 1, and article VI, sections 2 and 3 of the Texas constitution, article 2.01 of the Texas General Taxation Code, article 13.21 of the Texas Election Code and all other Texas statutes implementing the poll tax are hereby declared unconstitutional and invalid insofar as they require the payment of a poll tax as a prerequisite to voting in general, special, and primary elections, Federal, State, or local, in the State of Texas.

Second. The defendants herein, their respective agents, servants, employees and successors, and all other persons having knowledge thereof who have any responsibility under election procedure laws of the State of Texas or its political subdivisions, are hereby enjoined and prohibited from requiring the payment of poll tax as a prerequisite to voting in general, special, and primary elections, Federal, State, or local, in the State of Texas, and from applying or enforcing the provisions of the Texas constitution and statutes referred to in paragraph first hereof insofar as they require the payment of a poll tax as a prerequisite to voting in general, special and primary elections, Federal, State or local, in the State of Texas.

Third. This decree shall be effective immediately, but paragraph second hereof is stayed for the period of 14 days to enable the parties to submit an application for stay to the Circuit Justice, the Supreme Court, or a Justice thereof.

Fourth. The Court retains jurisdiction of this cause for such other and further orders as may be required.

Done at Austin, Texas this 9th day of February 1966.

ADRIAN A. SPEARS,
U.S. Circuit Judge.
HOMER THORNBERRY
U.S. Circuit Judge.
JOHN BROWN,
U.S. District Judge.

RADIO REPORT TO THE PEOPLE OF TEXAS

(The following is a radio report by Senator YARBOROUGH broadcast by more than 135 radio stations in Texas on the weekend of March 4, 1966.)

Friends and fellow Texans; this is your U.S. Senator RALPH YARBOROUGH with my weekly radio report to the people of Texas from your Nation's Capital in Washington, D.C.

During the last few weeks important events have happened that affect each and every Texan and his right to vote.

For many years, I have condemned the poll tax as a barrier to the right to vote and I have campaigned upon the principle that the poll tax should be abolished.

Last year I supported and voted for an amendment to the Federal voting rights bill to abolish the poll tax as a condition to the right to vote in all the States. Although we lost by a narrow margin of 49 to 45, ample proof was presented on the floor of the Senate that the poll tax had long been a barrier to the right to vote and was often used to discriminate against people with low incomes.

I said at that time that "more people had probably been barred from the ballot box in Texas by the poll tax than had been barred in any other State by a literacy test."

On February 9 of this year, a three-judge Federal court at Austin (all three Federal judges being Texans—Judges Thornberry, Spears and Brown) held that the Texas poll tax was unconstitutional and that the doors for full voting privileges were to be opened wide for all Texans for the first time since the poll tax was adopted three quarters of a century ago. The barrier against equal governmental rights for the poor man was ordered struck down and now every Texan was to have the right to vote without having to pay this onerous tax. I have praised the Federal court for this decision—a decision of wisdom and concern for our basic right to vote.

In the special session of the Texas Legislature, called because of the Federal court ruling that the poll tax was unconstitutional, a system of annual registration was adopted. Unfortunately, this system is restricted and still makes it hard to qualify to vote in Texas.

Although this annual registration law is still very limited and we still kept the cutoff date of January 31 which makes registration difficult, it is still a great improvement over the old poll tax which the Federal court declared unconstitutional. Only about five States have an annual registration law like Texas and it is more restrictive than a permanent registration law where a person can register and remain registered until they change their residence.

Now, bringing this up to date for those Texans who have already paid their poll tax this year, you are already registered to vote. But if you did not pay the poll tax this year and are not registered, you still have a chance to register so that you will be able to vote in the elections this year.

From March 3 to March 17, any Texan can now register his name and be able to vote in this year's primary elections and the general elections. This 2-week period is now running and I urge every Texan to register his name so that he can exercise his right to vote—the most precious right we have in our democracy. The time is short, too short, only 2 weeks in which to act, but you should act now.

The abolishment of the poll tax is a great benefit to Texas, as it is a step forward in the direction of good government, good citizenship and liberties for all in Texas. It is now up to every citizen to exercise his right to vote, to exercise this right of citizenship, limited as it has been by the Texas legislature. It is a right and you now have 2 more weeks in which to become a full-fledged participating citizen in your government. If you haven't registered to vote or paid a poll tax this year, then register now before March 17.

This is your U.S. Senator RALPH YARBOROUGH with my weekly radio report to the people of Texas. I will be back next week with another report.

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GORE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TAX ADJUSTMENT ACT OF 1966

The Senate resumed the consideration of the bill (H.R. 12752) to provide for graduated withholding of income tax from wages, to require declarations of estimated tax with respect to self-employment income, to accelerate current payments of estimated income tax by corporations, to postpone certain excise tax rate reductions, and for other purposes.

Mr. GORE. Mr. President, I send to the desk an amendment and ask that it be stated.

The **PRESIDING OFFICER.** The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 49, beginning with line 1, strike out all through line 12 on page 53—title II of the bill, relating to postponement of certain excise tax rate reductions—and in lieu thereof insert the following:

TITLE II—TWO-YEAR SUSPENSION OF INVESTMENT CREDIT

SEC. 201. DENIAL OF INVESTMENT CREDIT FOR PROPERTY PLACED IN SERVICE BETWEEN MARCH 1, 1966, AND FEBRUARY 28, 1968

(a) IN GENERAL.—Section 46(c) (relating to definition of qualified investment) is amended by adding at the end thereof the following new paragraph:

"(5) 2-year suspension.—Notwithstanding any other provision of this subpart, the term 'qualified investment' shall not include any amount with respect to section 38 property placed in service during the period beginning March 1, 1966, and ending February 28, 1968, other than section 38 property placed in service during such period—

"(A) to the extent such property is attributable to construction, reconstruction, or erection by the taxpayer (i) before March 1, 1966, or (ii) on or after March 1, 1966, and on or before February 28, 1967, pursuant to the terms of a binding contract as in effect on February 28, 1966; or

"(B) which was acquired by the taxpayer (i) before March 1, 1966, or (ii) on or after March 1, 1966, and on or before February 28, 1967, pursuant to the terms of a binding contract as in effect on February 28, 1966."

(b) APPLICATION OF UNUSED CREDIT CARRYBACKS AND CARRYOVERS.—Section 46(b)(2) (relating to limitation on allowance of credit for carryback and carryover of unused credit) is amended by adding at the end thereof the following new sentence: "For purposes of this paragraph, the amount of the credit allowable under subsection (a)(1) shall be determined as if subsection (c)(5) (relating to 2-year suspension) had not been enacted."

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall apply to taxable years ending on or after March 1, 1966.

Mr. GORE. Mr. President, on June 15, 1965, less than 9 months ago, the Senate approved the bill H.R. 8371, the Excise Tax Reduction Act of 1965. The Senate report on this bill set out the various reasons for the measure. The report emphasized that our excise taxes, "for the most part, were initially levied as emergency revenue-raising measures at the time of the Korean war, World War II, or the depression of the 1930's. As a result, they were not developed on any systematic basis and are often discriminatory in their application to the taxed industries or to the purchasers of the taxed products."

The report went on to state:

> Many of these excises are objectionable in that they are regressive in their impact, absorbing a larger share of the income of low-income persons than of those with higher incomes. This stems from the fact that low-income families find it necessary to spend a higher proportion of their incomes for consumption than those with larger incomes.

For these and other reasons, I strongly supported the excise tax reduction bill last year. I wanted, and still want, to get rid of these burdensome, regressive, and unfair taxes.

With the enactment of the excise tax bill last year, the Congress set a policy to eliminate insofar as practicable most excise taxes, and to do so in an orderly and scheduled manner. The enactment of the excise tax provisions of the bill now before us, it seems to me, would constitute a reversal of that policy.

I am opposed to this reversal of policy, which we set just last year, with respect to excise taxes.

But I recognize, Mr. President, that we must have more revenue to meet the increasing cost of operating various Government programs, including the operations in Vietnam, during the next 2 years. I would not, therefore, wish to move to strike from this bill the provisions to increase excise taxes without offering some substitute provision which would raise at least as much revenue.

If it is impossible to substitute a revenue-raising provision for the excise tax provisions in the bill, then of course, elimination of the excise tax provision alone will be a subject for consideration.

As a matter of fact, we will likely need more revenue than this bill provides for the next few years in order to decrease or eliminate budget deficits. It is surely unwise in times of prosperity to continue to run large budget deficits—or to attempt to hold down bookkeeping deficits by a wild scramble to unload Government assets, or to undertake other feats of sharp pencil legerdemain. We cannot afford to run the risk, under current conditions, of monetizing more of the national debt. In addition, there are sufficient signs that we face a nascent inflation to warrant soaking up funds otherwise available for expenditure in certain areas of the private sector of the economy.

It seems to me that the Congress should already be giving serious thought to the best way of using tax policy to dampen down a threatened inflation.

I have never been one who believes that the budget should be balanced at all times. In a period of deflation, in a period of economic recession, fiscal policies and budgetary policies can be and should be wisely used to stimulate the economy so as to accomplish worthy social and economic objectives. The investment credit was advocated and adopted by Congress for the purpose of stimulating the economy. It seems to me that an artificial stimulant of the economy is about the last thing we now need. Not only is additional revenue needed to prosecute an expensive and perhaps long conflict in Vietnam, but unless Great Society programs are to be seriously curtailed, as has already been suggested in the budget, additional revenue for those purposes is needed.

The amendment I am offering now would move tentatively in this direction. It would raise slightly more revenue than the bill in its present form would provide, and it would apply the restraining hand of fiscal policy selectivity to one relatively small but significant part of the economy.

I do not suggest that the amendment I offer will solve our fiscal problem. I do not suggest that the revenue which it would raise over and beyond that promised by the excise tax provisions of the pending bill, for which I have offered my amendment as a substitute, would be significant. But so far as there is a difference, all responsible estimates that I have been able to get from the staff of the Committee on Finance, the Joint Committee on Internal Revenue Taxation, or the Treasury indicate that the amendment I propose would produce more revenue than the provisions in the bill for which I offer my amendment as a substitute.

Specifically, my amendment would suspend for 2 years from March 1, 1966, the operation of the investment credit, instead of raising excise tax rates as the bill now provides. Certain adjustments would also be made in the use of carryovers during this 2-year period.

Suspension of the investment credit, together with a modification of the use of existing carryovers, will produce more revenue than would the reimposition of the excise taxes on automobiles and on telephone service.

Suspension of the credit would add $80 million to revenues in the current fiscal year, while raising excises to their pre-January level would, as approved by the Finance Committee, produce only an additional $35 million. In fiscal 1967, it is estimated that $1.2 billion would be raised by either procedure, while in fiscal 1968 the investment credit suspension would add $1.9 billion and the excises only $1.5 billion.

So it will be seen that, so far as there is a difference, the revenue would be greater by the amendment I propose than would be the case under the excise tax provisions of the pending bill.

In addition to greater revenues, my amendment is clearly preferable from the standpoint of the overall economic effects, as well as on equity considerations.

The present outlook for expenditures on fixed investment clearly raises the threat of inflationary pressures in that sector of the economy. Fixed investment in 1965 was 10.3 percent of gross national product, about the same as it was during the investment boom of 1956 and 1957. The rate of investment at that time could not be sustained, and neither, in my opinion, can the current rate.

In 1965, investment in plant and equipment increased 15.4 percent over 1964. Recent surveys show an expected increase in 1966 of 15 percent or more over 1965, and surveys taken at this time of year generally underestimate final expenditures. Extending these projections into 1966, we will have by the end of this calendar year a fixed investment expenditure amounting to some 11 percent of gross national product. This is well above the noninflationary level of 10 percent for a full employment economy.

Obviously, in the interest of orderly growth, and to avoid inflationary pressures in an important sector of the economy, expenditures for fixed investment should be slowed. At least, they should not be artificially stimulated. Expenditures should not be halted, but marginal projects should be postponed. Suspension of the credit will not halt projects, such as those associated with defense orders, clearly warranted by demand.

The Finance Committee report on the 1962 Revenue Act, when the investment credit was instituted, gave three specific reasons for the credit:

> 1. The investment credit would stimulate investment * * * by reducing the net cost of acquiring depreciable assets, which in turn increases the rate of return after taxes arising from their acquisition.
>
> 2. The investment credit, by increasing the flow of cash available for investment, will stimulate investment.
>
> 3. The investment credit can be expected to stimulate investments through a reduction in the payoff period for investment in a particular asset.

Mr. President, contemplate these reasons upon which, and because of which, Congress enacted the investment credit. Contemplate them in the circumstances in which we found ourselves at that time. Then, study the same reasons in the light of the circumstances now facing the United States and its national economy.

The same arguments, I submit, can now be used in reverse to justify suspending the investment credit. We do not need artificial stimulation of the economy now.

The inflationary pressures raise too many danger signals for that. Congress should be moving here, not in the timid way which I suggest, but in a far more aggressive and meaningful way. However, this step which I suggest is a meaningful first step toward the use of fiscal and revenue policy to eliminate the artificial stimulus from our economy.

Given current conditions, the artificial stimulation to expenditures for fixed investment should be eliminated or, at least, suspended. And it is suspension that I propose. The investment credit should be suspended until such time as conditions warrant a return to stimulation.

Another fact which is particularly pertinent today is that production of equipment for fixed investment competes with production of hard goods for defense purposes.

Continuation of the investment credit will hamper defense production and increase the cost of defense contracts. It will increase the cost of the war and, if continued, will further increase the cost of living because of the inflationary pressures which artificial stimulation generates.

This is particularly true with respect to highly skilled manpower, in which there is already a shortage. Continued artificial stimulation of plant and equipment expenditures can only result in bidding up the price of scarce materials, facilities, and manpower needed for defense production, thus setting off a ripple of inflation which might well become a powerful wave carrying our economy and the cost of living before it.

Looking at restraints already at work through Government action, one is struck by the tight-money policy enforced by the Federal Reserve Board. However one may view this monetary policy, fiscal policy must work with and not against monetary policy if we are to have an effective economic policy. In this instance, the suspension of the investment credit will reinforce the tight money policy of the Federal Reserve Board. On the other hand, a tax policy which works counter to it will but give an excuse to the money managers to tighten the screws even harder, thus giving rise to further undesirable distortions which we have witnessed in the past when monetary policy was misguided.

Little more need be said here to support the substitution of this credit suspension for the increase in excises on automobiles and telephone service from the standpoint of equity. The excises bear directly on the consumer and are recognized as regressive taxes. Furthermore, the excise tax increases in this bill affect only one commodity and one service—the automobile and the telephone. It is difficult to justify singling them out, particularly when they are virtual necessities. Suspension of the investment credit will work no hardship on any particular group, and its effects will be spread broadly, particularly across the corporate sector.

Responsible economists are now expressing concern about the possibility of inflation. It is felt by many that substantial tax increases are needed, and now. In the absence of a general tax increase now, selective tax changes in areas where both economic and equity objectives can be furthered would certainly be in order. Suspension of the investment credit is surely one of the most obvious places to begin.

Mr. President, a great many thoughtful citizens and economists have suggested a suspension of investment credit. It is not strange that this is true, because its suspension is so clearly in order.

I read from an article in the Wall Street Journal of February 24, 1966, datelined from Washington:

> Walter Heller, former top economic aid to the administration, suggested "temporary suspension" of the 7-percent investment credit to dampen the capital-spending boom.
>
> Mr. Heller, currently a University of Minnesota economist, said the credit might be temporarily limited to increase in investment rather than to investment totals. Treasury Secretary Fowler has strongly opposed tinkering with the tax credit, which lets companies subtract from their tax bills up to 7 percent of the amount they spend on equipment.
>
> Mr. Heller was one of a parade of ranking economists who cautioned yesterday that the Government may have to move speedily to fight inflation, although they differed in their choice of weapons. The occasion was a symposium by the House-Senate Joint Economic Committee on the 20th anniversary of the Employment Act of 1946, which created both the committee and the President's Council of Economic Advisers and committed the Government to fostering growth.

I digress from the reading of the article, Mr. President, to suggest that I have been informed by a member of the Joint Economic Committee that the committee itself has now concluded to recommend a suspension of the investment credit. I am not prepared officially to make that announcement, but I put it only as I have said, that this report has been given to me since coming to the floor of the Senate today. I hope that the committee has reached such a conclusion. I do not see how it could quite reach any other conclusion. Much more than this needs to be done, as I have said, but surely this is the place to start. Because here is a measure enacted for the avowed purpose of stimulating the economy. At a time when we seek to apply restraints, surely the place to begin is the elimination of artificial stimulation.

Where is there a need for artificial stimulation in our economy now? It is about to burst at the seams; and the Nation's most thoughtful economists suggest that Congress and the administration should be giving careful thought to a move to counter the inflationary pressures existent in the present wartime economy.

I continue to read from the article:

> Acknowledgement of the possible perils of inflation came from the administration as well as from academic analysts. In a message read at the dinner by Mr. Fowler, President Johnson said, "The rapid growth of output which has enabled us to reduce unemployment has placed special and temporary strains on some of our raw material resources." The problems of matching men and jobs during the transition to high employment are more difficult now than they will be after more experience with it, the President said.
>
> "We will need to watch unfolding events closely, and to remain flexible in our tax and other policies so that we can change quickly if the need should arise," he said, adding that the transition will "test our energy and ingenuity" and require seeking "new ways in which business, labor and Government can cooperate to avoid inflationary wage and price movements."
>
> Gardner Ackley, chairman of the Council of Economic Advisers, asserted that today's problems for economic policy "are more difficult that any we have faced in recent years," because solutions to unemployment and slack are more obvious than answers to problems "of sustaining high-level prosperity."
>
> ### SPECIFIC PRESCRIPTIONS
>
> But more specific prescriptions came from the past council officials. Mr. Heller, Mr. Ackley's predecessor under the Kennedy and Johnson administrations, urged that no time be lost in generally outlining "a temporary Vietnam add-on or surtax on our income taxes, for use as needed." If business investment is excessive and profits are rising rapidly at the time it might be decided to raise taxes, he said, corporate rates should be raised more steeply than individual rates.

I digress from the reading of the article, Mr. President, to say that corporate profits have had a drastic increase—such an increase, after taxes, as to indicate that instead of this beginning step which I now suggest, the Senate Finance Committee should be seriously considering an increase in corporate taxes, not only to finance the cost of war and worthwhile domestic programs which must be continued, but also to dampen the inflationary pressures which threaten further to increase the cost of living, which threaten further to dislocate the economy, posing the hazards, the hardships, and the dangers of inflation.

I continue to read:

> Selective measures such as installment-credit curbs and suspension of the 7-percent investment credit could be useful supplements, Mr. Heller said. With capital investment climbing rapidly enough in the past few years to be causing some worries about

> its generating "an unsustainable source of excess capacity," Mr. Heller said, "the selective impact of generally tighter money on investment isn't unwelcome." If the credit is partly suspended by temporarily denying it only to increases in investment, Mr. Heller said, there should be "an ironclad guarantee to restore it" later. The idea of making any income-tax increase refundable, he said, "deserves reconsideration" as a way to provide "a ready source of demand expansion when Vietnam ends."

Mr. President, I digress again from the article to suggest to the Senate once again that what I propose here is a suspension of the investment credit.

If the Vietnam war should end later this year, next year, or the year after—let us hope it will be soon—the investment credit would automatically come back into play because the suspension which I propose is only for 2 years. Therefore, in many respects, the proposal I submit meets the standards set out by Dr. Heller, although I prepared the amendment before I saw his statement. Nevertheless, I welcome the expertise of this economist. I have not always agreed with him, but when he agrees with me I am happy to cite him for that purpose.

Continuing reading:

> The amount of "anticipatory" borrowing in recent weeks "strongly suggests that higher interest rates are still expected," Mr. Heller said, contending that "what we need to do to stop this is quickly to get our rates, especially our long-term rates, up as high as policy wants them to go, and then say so."

Mr. President, I digress to say that unless we make such moves as I suggest, and others, more and more pressure will be added, more and more excuses will be provided for those who seem habitually to favor high interest rates.

A rising interest rate hurts nearly everyone except those who receive a substantial amount of their income from interest. It hurts the homeowner who wishes to add a bedroom to his house. It is burdensome to the person who wishes to buy a washing machine or an automobile on the installment plan.

It is hurtful to State, city and county governments. Earlier today, the senior Senator from Wisconsin spoke of numerous local governments postponing the building of hospitals, schools, and worthwhile community facilities, because interest rates on securities were too high and the local communities could not stand it. These are some of the consequences of high interest rates.

I am not suggesting that monetary policy does not have a part and should not be exercised as an economic lever. I am suggesting that we cannot depend upon it alone. For one thing, to do so would not be effective; and, for another, it would be highly inequitable. Surely, it needs to be supplemented by tax policy and fiscal policy.

Continuing to read:

> Mr. Heller conceded he was still uncertain as to whether any dampening actions should be taken, however. Among factors that could mean the United States will be able to ride out the transition to a full-employment economy, he said, are that the December 6 increase by the Federal Reserve Board in the discount rate, the System's fee on loans to member banks, hasn't yet had its full effect in the capital markets and that the administration's tax-collection speedup proposals haven't yet been enacted.
>
> Raymond J. Saulnier, council chairman under President Eisenhower and currently a Columbia University professor, urged that the Government should first exercise fiscal restraint by controlling its spending, saying that the tax system "provides the second line of defense." He expressed concern that too much reliance is being placed on monetary policy. To raise interest rates much higher would take the economy into a "genuinely new" territory in which "we will be well advised not to press the journey too rapidly," he said.

Mr. President, I find this persuasive. He suggested that we should reduce spending.

How, and where?

We are told that Vietnam will cost $15 billion this year. Many orders are being placed for vastly greater expenditure next year in Vietnam. There is already a scarcity of skilled manpower. The plant and facilities boom artificially stimulated in part by investment credit is, in some measure, responsible for current economic strain.

It seems to me to be far more equitable to remove the artificial stimulation of investment credit than it is to place a higher tax on an automobile which the workingman must buy in order to make a living, and upon the telephone service which a small businessman must use to carry on his business—which all of us must use.

Mr. President, excise taxes are regressive. They are acknowledged to be regressive. Only 15 months ago as I have stated, the Senate adopted the policy of moving toward the elimination of most excise taxes.

This is a wise policy. Why reverse it now—particularly when, instead of doing so, we can substitute an action that would not be regressive but which would add to the equity of the tax system and remove an artificial stimulus to a booming sector of the economy.

Investment tax credit is not needed now. Indeed, it is downright harmful and dangerous to the economy.

Continuing reading:

> Several economists urged an immediate start on a tax increase. Henry Wallich, a Yale professor, said it's clear that six months from now the economy "will be facing substantial pressures," that because of the time lag in putting a tax boost into effect "we should now move toward a tax increase." Gerhard Colm, chief economist of the National Planning Association, recommended that Congress begin considering a tax increase bill that it could keep "on the shelf" and put into effect by a joint resolution sometime after enactment if that appears necessary.

That ends the reading of the news article from the Wall Street Journal of February 24, 1966.

I suggest Mr. President, it is significant that many noted economists see danger signals in our economy which either suggest a tax increase now, a standby tax increase which could be quickly invoked, or a suspension of the investment credit.

It is this latter step, mild as it is, that I now suggest.

Just today, in the Washington Post, there appeared a column by Mr. Joseph Kraft, which I should like to read:

> It is no longer a question whether the administration is going to seek new weapons against inflation. The only interesting question now is what weapons it will choose.
>
> In thinking about the choice, it is important to remember that the inflationary condition is not universal, either in the economy or the country. Some sectors of the economy, notably residential construction, are doing quite poorly. In the country at large, unemployment, at just under 4 percent, is too high. The more so since the jobless rate among Negroes and persons over 45 is much higher.
>
> Because inflationary pressure is not generalized, but confined to pockets or bottlenecks, it follows that measures to restrict demand should be highly selective. The general rule is that every step to restrict demand should find expression in a commensurate cut in inflationary pressure.
>
> Every dollar's worth of medicine, in other words, should buy a dollar's worth of cure. Otherwise, the restrictions will be ineffective: they will be applied, sometimes in a punitive, manner, to regions of the country and sectors of the economy that are generating inflationary pressures only indirectly, if at all.
>
> As it happens, the geographical locus of inflationary pressure is not hard to identify. In general, the tightest area of labor shortage in the country lies in the heavy industrial belt running along the Great Lakes through Buffalo, Cleveland, Detroit, Chicago and Milwaukee. In these cities, unemployment is just above the 2-percent mark; credit is tight; and in some industries orders are exceeding current demand.
>
> The cities along the Great Lakes, of course, are the country's main producers of steel, machinery, electrical equipment and other heavy durable goods. The access of inflationary pressure in the Great Lakes region, accordingly suggests that the country is once again going through the kind of capital goods boom that it experienced in 1956–57.
>
> That impression is reinforced by statistics on business spending for plant and equipment. Last year investments in that field increased by 15 percent over the previous year. Preliminary estimates for this year forecast another 15-percent increase and these estimates are now being revised upwards. In the light of the revision, it appears that the problem of restricting inflation turns on the problem of restricting business spending.

Yet, instead of approaching this problem and its danger selectively, the pending bill proposes to increase the taxes on an automobile bought by a workingman in North Dakota; proposes to increase the taxes on the use of the telephone by the poor as well as the rich all over the United States.

Mr. President, is there a scarcity of telephones? Is there a shortage of telephone service? Is it inflationary for a person to have a telephone?

I ask the same questions about an automobile. Excise taxes are regressive and are surely not selective.

Continuing to read from Mr. Kraft:

> To that end, many different actions are theoretically feasible. Drying up consumer spending by a general tax increase, for instance, would put a heavy dent in overall demand that would cause businesses to cut back their expansion plans. The trouble is that a general tax increase would cut back, not merely on business spending but on all spending right across the board.
>
> Curtailing Government spending would reduce demand and eventually cause firms to

> cancel or postpone investment plans. But the first victims of a cut in Government spending would almost certainly be the minority groups who, because they are not participating fully in the present boom, are especially dependent on Great Society and other welfare programs.
>
> Tighter money, achieved by action of the Federal Reserve Board would have a more direct impact on business spending. But the impact would be especially severe in the area of residential housing which is too low now. Moreover, tight money seems to favor large companies, which finance expansion from their own funds, over smaller ones that are dependent on bank loans.
>
> In these circumstances, attention is more and more coming to focus on corporate taxes, and in particular, on the 7-percent tax credit on new investment enacted by the Kennedy administration to promote economic expansion in 1962. Suspending or rescinding that credit would put an immediate direct drag on the investment plans of business firms. It would have no adverse effect on residential housing as the credit does not apply there. Though the Treasury asserts that administration would be difficult, that is what the Treasury is always saying.
>
> My own feeling is that suspension if not outright withdrawal of the 7-percent credit offers the most promising weapon for selective action against inflation. And the sooner the better.

Mr. President, the thoughtful column which I have just read from Mr. Joseph Kraft is a persuasive one. Many other thoughtful citizens are suggesting the desirability of suspending the investment credit.

I do not now have before me the resolution of the American Federation of Labor and Congress of Industrial Organizations passed at their recent convention, but I believe it is correct to say that the AFL–CIO has endorsed a suspension or repeal of investment credit.

I do have before me a telegram from the American Farm Bureau Federation addressed to me:

> We support your amendment to tax adjustment bill to strike excise tax increases and substitute suspension of investment credit for 2 years.

I cite an article which appeared in the Washington Post on February 27, 1966, by Prof. Paul A. Samuelson, entitled, "Boiling Economy Needs Tax Damper."

Mr. Samuelson writes:

> The other day at a meeting with some financial experts, it was forcibly brought home to me that we are indeed in an economic boom.
>
> One man said with a straight face: "Well, at least there are two bits of good news. Housing starts fell in January and automobile sales have been a little weaker these last 10 days." Only after a pause did he realize what he had said, and everybody laughed.

Mr. President, is it not strange that we are in a situation in which one can applaud reduction in housing starts and a reduction in automobile sales?

I have just read that another eminent economist, a writer, points to the booming increase in plant and equipment. And yet what is the remedy proposed to the Senate? It is not to suspend the artificial stimulus for expansion of plant and equipment, but to increase the taxes on the automobile that a workingman must buy and the telephone that all must use.

Regressive, unselective, wide of the mark of the economic needs of our economy.

I continue to read:

> How can you have too much of a good thing? The Economic Report of the President forecast for 1966 a 5-percent increase in the real national product. It suggested that prices and wages would not rise more in 1966 than they did in 1965. Since 1965 was the greatest year ever, and also one of the years of healthiest advance, what can be wrong with that?
>
> If the future develops exactly as the President's economic advisers have forecast, we shall be fortunate. Unemployment will drop below the proximate target of 4 percent set a few years ago by President Kennedy and only just recently achieved. Since profits will also continue to grow, according to this forecast, although not quite so rapidly as last year, the prosperity will be a widely shared one.
>
> The increase in interest rates paid on savings accounts and bonds would in some measure compensate retired people for the rise in certain prices. And in any case, the introduction of medicare will mean much even to those on rigidly fixed pensions.

Mr. President, I digress to say that the rising cost of living, that is now at the highest point in history and which threatens to go much higher unless the administration and the Congress act with prudence and dispatch, will go a long way toward negating many of the benefits which the Congress has recently provided for people of small income.

It is upon the hard-pressed person that a higher cost of living places the greatest burden.

Continuing to read:

> ### Healthy Advance?
>
> I have long been impressed by the wisdom and knowledge of Government economists. They have the best data in the world. They have the most powerful computers to process the data. In this decade, they have been selected from the ranks of America's outstanding academic scholars. In season and out of season, I sing the praises of the New Frontier experts who have kept, along with their cool heads, warm hearts and a genuine interest in the problems of America's underprivileged.
>
> If the American economy lives up to the expectations stated in his Economic Report, the President should find widespread approval among the citizenry in this election year of 1966, even if he may lose some of his consensus support where Vietnam is concerned.
>
> But have events thus far in 1966 given the impression of a healthy advance along an optimal growth path? Even in the month since the Economic Report came out, has there not been accumulation of a body of experience suggesting that its forecasts were a little too modest in terms of money magnitudes, and hence a little too optimistic with respect to the problems of limiting excessive dollar spending?
>
> I realize that every dog has his day. I know economists who have been criticizing the administration for years—almost since the recession was seen to be definitely over—for being too expansionary.
>
> They opposed expansion of civilian programs. They urged extra taxes at the time of the Berlin crisis. They opposed the Kennedy-Johnson tax cut, proposing in its place politically unrealistic cutbacks in public programs along with tax reduction. They long urged the Federal Reserve to tighten up on credit.
>
> My name was not to be found in their camp. For years, I weighed their arguments and found them wanting. I did expect that in some way reality would stagger into the fixed sights of their telescopes, and that when this happened they would remind us, "I told you so."
>
> ### BILL OF INDICTMENT
>
> Well, economists are even more predictable than economics. All that has come to pass. Last year, wholesale prices did rise on the average, particularly in the area of farm products and nonferrous metals. The final reduction of unemployment to the 4-percent level apparently could not be achieved with continuance of the 1958–64 stability in the wholesale price index.
>
> Those who have long been critical of the administration for being too expansionary have revealed that they personally would be glad to pay a price for stability; that is, high unemployment rates among the populace. In my opinion, it is fortunate that they have not been able to persuade the majority of the electorate that this is a good bargain.
>
> Still, I am now forced to criticize the Johnson administration for being too inactive in its use of fiscal policy. Let me state the indictment:
>
> 1. If the President does not bring in a program to raise tax rates on personal and corporate incomes, the $723 billion—plus or minus $5 billion—Government GNP forecast now seems unrealistic. It appears that $728 billion—plus or minus $5 billion—will be nearer the mark, and most of the difference is of the unhealthy sort associated with a mere building up of price and wage tags. (Does anyone still seriously believe that the GNP deflator will grow only 1.8 percent in 1966?)
>
> 2. The long-run best interest of the unemployed is not served by a spring of production that cannot be maintained, particularly if the dash to the pole of full employment sets off an avalanche of price and wage pressures, culminating in inventory distortions and temporary excesses of plant and equipment.

I digress to say that it may well be, as Dr. Samuelson suggests, that neither the President nor the Treasury foresaw, in December, what we can now clearly see. But the Senate was not called upon to act in December. The Senate has the measure before it now, when we can so clearly see the cost of living going upward, corporate profits sky-high, inflationary pressures rising, and danger signals flashing red in every direction.

Yet what is the remedy? To increase taxes on automobiles and telephone service. Of what benefit to the economy, of what regulatory effect, is a tax rate on telephone service that my neighbors in Tennessee must pay? This is not where the dangerous pressures are. Regressive measures such as these are not a proper answer to our problem.

I do not suggest that the suspension of investment credit is an answer to all these problems, but it is the obvious place to start toward a solution. More is needed. But I know of nothing less justified in our tax system now than investment credit. I repeat: The last thing we need now is artificial stimulation of our economy. We need to remove from the tax structure this artificial stimulant.

Mr. HART. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. HART. I am one who wishes to thank the Senator from Tennessee for raising in such a clear way the issue he draws. I agree thoroughly with the analysis he is presenting. I thank him for giving us the opportunity to attempt to make, what I believe to be a constructive change.

Mr. GORE. I appreciate the generosity of my friend, the able Senator from Michigan.

Mr. HART. Admittedly, one permitted to represent Michigan is suspected of speaking and reacting as a nationalist when the question bears on automobile excise taxes. While we are our own most lenient judges in these matters, I hope that my approach to the suggestion of the Senator from Tennessee is not colored, entirely at least, by the interest that Michigan necessarily has in the prosperity and continued growth of the automotive business. Automobile buyers are found in 50 States, and there is where the burden of the auto excise really falls.

I share the feeling, so effectively described by the Senator from Tennessee in his supplemental views, that all of us have a responsibility to attempt to respond prudently to danger signals that suggest that ceilings are being reached and that inflationary pressures are, if not at hand, around the corner.

As one who has urged, and will continue to urge, increasing, vigorous war on poverty at home as well as against our enemies overseas, I should be among the last to be indifferent to this problem.

I, therefore, do recognize the necessity of increasing revenue; but, with the Senator from Tennessee, I hope that that may be done with some greater measure of equity than is proposed by the bill before us.

Having said that, and being in a far less effective position to measure the future than is the Senator from Tennessee, who sits on the Committee on Finance, but having apprehension that the need for additional revenues will heighten and become more clear, I ask the Senator from Tennessee if he has considered the possibility of responding to the need for additional revenues, not merely or not even by way of approaching the investment tax credit, as he now suggests, but by moving across the board toward corporate profits, which have been so dramatic in the past 12 to 18 months?

Specifically, has the Senator from Tennessee considered the desirability, as of now, of proposing that a 1- or 2-percent increase at all levels of corporate profits be applied?

Mr. GORE. I have given that considerable thought. Corporate profits after taxes plus capital consumption allowances have increased since 1960 by 56 percent. Interest income—that is, personal income from interest—has increased by 59 percent. It would appear obvious to me that an increase in interest rates will further increase the income from interest.

It is equally obvious that a continuation of the investment credit, which is largely used by corporations, will not only continue an artificial stimulation of investment in plant and equipment, which, as I have said, is not now needed, but will further increase corporate profits. We seem to be doing the inequitable things. The more equitable approach would be to increase the taxes on those elements in our society that have experienced the most profitable and beneficial increases in their incomes.

But we need to do more than seek equity here because of the inflationary condition of our economy. We need to use fiscal measures as a regulator of our economy and as a safeguard against inflation. So, when measured by both of these standards, the standard of equity and the standard of dampening inflationary pressures, the obvious place to start is investment credit, which is an artificial stimulant, designed for that purpose.

As I said before the distinguished Senator entered the Chamber and did me the honor of his audience, Congress should be doing much more than this. If I receive very much more encouragement, such as that given to me by the able junior Senator from Michigan, I shall surely be prepared to offer an amendment to increase governmental revenue by means of a corporate tax rate increase. It is needed to defray the cost of the Vietnam war. It is needed to provide funds for very necessary programs in health, education, welfare, and other fields here at home. It is needed to dampen the fires of inflation that threaten a further increase in the cost of living.

Mr. HART. Mr. President, I thank the Senator from Tennessee very much for his last comment. I was somewhat reluctant to interrupt the Senator. However, I am satisfied that I should have known in advance that no interruption serves to distract the Senator from Tennesse from the basics in any discussion in which he is engaged.

I shared with the Senator, though it may be politically disagreeable medicine, the belief that one does not need to be an economist of imposing stature to realize that we must face up to the obligation to respond at the cashier's window and that it is necessary to increase revenues to dampen inflationary pressures. This is particularly true if one is, as I am, a person who feels, as does the Senator from Tennessee, that we must continue to press for many things domestically.

I am delighted to hear from the Senator from Tennessee, who is certainly a student in this field in his role as a member of the Committee on Finance, that he feels, with me, that the most logical target area, the one most eligible, and the one where equity most clearly suggests that we should aim, is at this corporate profit level. It would have the advantages that the Senator from Tennessee indicates are possessed by suspending the investment tax credit, as well.

It would have equity and it would dampen inflationary pressures. It would respond, I suggest, to those who argue, and I think with merit, that there are instances in which an investment tax credit, if available, would permit the introduction of some new product which would meet the genuine cost-of-living need and serve well social ends.

Some economists, I am aware, have pointed out that as the economy expands and as the labor force increases in size, additional capital investment is essential if we are to maintain a rate of growth sufficient to make use of all our resources. That may well be true.

However, as between a choice of hiking excise taxes on cars and phones and suspending the tax credit, I prefer the latter since an increase in Government revenue seems imperative. But I would hope that further revenue needs would be met in the form of an increase in the corporate surtax rate.

I shall, as I have often done in the past, in the areas of finance look to the Senator of Tennessee for counsel and for guidance.

Mr. GORE. Mr. President, I am very grateful to my able colleague for his generosity and thoughtful interjection.

I find it particularly galling that, while we gave the greatest tax reduction to people in high income brackets—to be specific, men like Henry Ford—when we find it necessary to increase revenue, we lay the burden upon the people who must buy automobiles and who must use telephones. These excise tax provisions lay the burden on rich and poor alike. It is undemocratic and inequitable. However, more important in the context of the present situation, it is not aiming at the real problem and need of our national economy.

I continue to read from Dr. Samuelson:

> President Johnson should bring in a tax program before midyear. Congress should pass that program speedily.

Mr. President, under the Constitution, the raising of revenue is peculiarly a prerogative of Congress. It is for Congress to consider such measures. It would be well if we had a presidential recommendation for a further increase in revenue, for a vigorous anti-inflationary program. However, the lack of such recommendation in no way absolves Congress from its responsibility. It is for the exercise of that responsibility that I have offered this beginning step.

I continue to read:

> And all the people—not excluding those in Wall Street—should hail such useful programs, which will serve to keep the American economy moving vigorously throughout the decade.
>
> The issue is no longer growth versus stagnation. It is maintainable long-term growth versus frenzied and self-defeating scrambling for limited resources.

Mr. President, I ask unanimous consent that there be printed at this point in the RECORD my supplemental views found in the committee report beginning at page 43.

There being no objection, the supplemental views were ordered to be printed in the RECORD, as follows:

VII. SUPPLEMENTAL VIEWS OF SENATOR ALBERT GORE

This bill, H.R. 12752, is designed to help finance the increasing costs of Government during the next 2 years. By raising additional revenue it will decrease the budget deficit and lessen the amount by which the public debt would otherwise be increased. Some assistance in controlling a nascent inflation should be provided.

Although several provisions of the bill are meritorious, it is poorly designed in certain respects and in all likelihood will prove quite inadequate. Some reenforcement of fiscal policy ought to be provided now, by raising more revenue than this bill will provide, and by placing the increased revenue burden where it will do the most to dampen demand in areas where such demand most clearly threatens price stability.

Oddly, the two most important provisions of the bill, from a revenue standpoint, represent in one instance a speedup of a schedule already adopted by the Congress—for getting corporation tax payments more nearly current—and in the other a complete reversal of a previously adopted congressional schedule for ridding the consumer of two onerous excises. I support the previously established congressional policy in both instances, to place corporation taxes on a current basis, and to eliminate excise taxes. I oppose the proposed reversal of congressional policy with respect to excises.

Since more revenue is needed, and since an increase in excise taxes is regressive in nature, Congress should raise more revenue and do so in a more equitable manner. Suspension of the investment tax credit as a substitute for the proposed excise tax increases would serve both purposes. This would have the additional advantage of selectively dampening demand in an area which seriously threatens to create inflationary pressures.

Suspension of the investment credit, together with a modification of the use of existing carryovers, will produce as much revenue as would the reimposition of the excise taxes on automobiles and on telephone service. Suspension of the credit would add $80 million to revenues in the current fiscal year, while raising excises to their pre-January level would produce only an additional $65 million. In fiscal 1967, it is estimated that $1.2 billion would be raised by either procedure, while in fiscal 1968 the investment credit suspension would add $1.9 billion and the excises only $1.5 billion.

So long as the revenues are this close, then, the choice would hinge on the overall economic effects, as well as on equity considerations.

The present outlook for expenditures on fixed investment clearly raises the threat of inflationary pressures in that sector of the economy. Fixed investment in 1965 was 10.3 percent of gross national product, about the same as it was during the investment boom of 1956 and 1957. The rate of investment at that time could not be sustained and neither can the current rate.

In 1965, investment in plant and equipment increased 15.4 percent over 1964. Recent surveys show an expected increase in 1966 of 15 percent or more over 1965, and surveys taken at this time of year generally underestimate final expenditures. Extending these projections into 1966, we will have by the end of this calendar year a fixed investment expenditure amounting to some 11 percent of gross national product. This is well above the noninflationary level of 10 percent for a full employment economy.

Obviously, in the interest of orderly growth and to avoid inflationary pressures in an important sector of the economy, expenditures for fixed investment should be slowed. Expenditures should not be halted, but marginal projects should be postponed. Suspension of the credit will not halt projects clearly warranted by demand. It would remove this element of artificial stimulation in our economy.

The Finance Committee report on the 1962 Revenue Act, when the investment credit was instituted, gave three specific reasons for the credit:

1. The investment credit would "stimulate investment * * * by reducing the net cost of acquiring depreciable assets, which in turn increases the rate of return after taxes arising from their acquisition."

2. The investment credit "by increasing the flow of cash available for investment, will stimulate investment."

3. The investment credit "can be expected to stimulate investments through a reduction in the 'payoff' period for investment in a particular asset."

The same arguments—in reverse—could now be used to justify suspending the investment credit.

Given current conditions, the artificial stimulation to expenditures for fixed investment should be cut off. The investment credit should be suspended until such time as conditions warrant a return to stimulation.

Another fact which is particularly pertinent today is that production of equipment for fixed investment competes with production of hard goods for defense purposes. This is particularly true with respect to highly skilled manpower, in which there is already a shortage. Continued artificial stimulation of plant and equipment expenditures can only result in bidding up the price of scarce materials, facilities, and manpower needed for defense production, thus setting off a ripple of inflation which might well become a powerful wave carrying all before it.

Looking at restraints already at work through Government action, one is struck by the tight money policy enforced by the Federal Reserve Board. However, one may view this monetary policy, fiscal policy must work with and not against it. In this instance, the suspension of the investment credit will reenforce the tight money policy of the Federal Reserve Board. On the other hand, a tax policy which works counter to it, will but give an excuse to the money managers to tighten the screws even harder, thus giving rise to further undesirable distortions which we have witnessed in the past when monetary policy was misguided.

Little need be said to support the substitution of this credit suspension for the increase in excises on automobiles and telephone service from the standpoint of equity. The excises bear directly on the consumer and is recognized as a regressive tax. Furthermore, the excise tax increases in this bill affect only one commodity and one service. It is difficult to justify singling them out, particularly when they are virtual necessities. Suspension of the investment credit will work no hardship on any particular group and its effects will be spread broadly, particularly across the corporate sector.

Responsible economists are now expressing concern about the possibility of inflation. It is felt by many that substantial tax increases are needed, and now. In the absence of a general tax increase now, selective tax changes in areas where both economic and equity objectives can be furthered would certainly be in order. Suspension of the investment credit is surely one of the most obvious places to begin.

Mr. GORE. Mr. President, on February 27, the Washington Post carried an article by Mr. Hobart Rowen, entitled "Economic Impact—Johnson Should Propose Tax Hike Now."

I ask unanimous consent that this article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, Feb. 27, 1966]

JOHNSON SHOULD PROPOSE TAX HIKE NOW

(By Hobart Rowen)

President Johnson's January bet that the Nation could enjoy "business as usual" despite a shooting war in southeast Asia isn't likely to be a winner. He hasn't made this concession yet, but the impact at home of the war in Vietnam has been a surging economy well beyond his or anyone else's calculations.

There is new evidence of the proportions of the boom, and it was discussed in hush-hush tones in Washington this week: a reliable private survey done by Lionel Edie shows a fantastic new boost in business plans for plant expansion.

Where the survey a few months ago showed a 12-percent increase likely between 1965 and 1966, the figure is now 17 percent. And in critically important manufacturing, the new estimate is a sensational 24 percent gain, compared with earlier survey figures of 17 percent.

When the Council of Economic Advisers made its forecast of a $723 billion gross national product—that's now outdated—it assumed a private investment gain this year of only 11.5 percent.

TAX BOOST NEEDED

Yet, L.B.J. and his advisers have refused to interfere with normal business operations, except for a timid tax speed-up program and a withdrawal of a small amount of excise tax cut. They have resisted—so far—the real need, a solid boost across the board in corporation and personal tax rates.

American industry can't be faulted for going on a building-stockpiling-borrowing binge. Businessmen figure, quite logically, to "git while the gitting is good."

Good old cash money, as a result, has become the scarcest commodity in the country. If you don't believe it, drop in at the corner bank and try to borrow some. With tears in their eyes, bankers are turning away new customers and rationing the old ones.

Interest rates, with an assist from the Federal Reserve Board, have followed a predictable course: they've skyrocketed, and since record yields on bonds look attractive, stocks in the Wall Street markets have been taking a beating.

And unless taxes are raised, the situation will get progressively worse. It may be a hard political jolt for Mr. Johnson, but he really has no other option. By tapping businessmen and individuals for $5 billion in taxes as a starter, the administration could cool off an overheating economy.

ENOUGH "BUTTER" LEFT

In a true sense, the Nation would be paying for that much of the Vietnam war out of current income instead of having to borrow it for repayment later.

At the present level of the military buildup, such a tax boost would leave plenty of "butter" in a guns and butter economy. But the President ought to say frankly that if the build-up approaches a force level of 600,000 men (as rumored on Capitol Hill) there will be not only more of a tax bite, but some economic controls as well.

We might as well quit kidding ourselves about the real ramifications of Vietnam. Ever since last August, the administration has failed to be candid about the impact of each escalated stage of the war.

And now, strangely, the President's "new economists" in and out of Government have shirked the responsibility for arguing for higher taxes, which are so clearly needed. The "new economists" used to say they wouldn't hesitate to recommend restraining fiscal policy when necessary to combat a truly inflationary situation. But they've been hesitating.

After a struggle with his conscience for the past few months, Paul Samuelson, brilliant MIT professor, has finally made the break. He says forthrightly that the time has come to raise taxes. (See his special article in today's outlook section.)

HELLER MISSED OPPORTUNITY

Prof. Walter W. Heller, who advised both Kennedy and Johnson, could have made perhaps a greater impact with a similarly un-

> equivocal proposal during the symposium in Washington last Wednesday commemorating the 20th anniversary of the Employment Act.
>
> But he passed up the chance. Instead, he provided a "on the one hand, on the other hand" analysis. Most independently minded professionals who attended the symposium privately agreed that a tax increase is now essential. Conservatives like Arthur Burns and Raymond J. Saulnier would try cutting expenditures first.
>
> I think this would be a mistake, because it would put the burden of paying for the higher costs of war on those who would benefit from social programs—instead of on the affluent who can afford it better.
>
> I don't like the thought of higher taxes any more than I like the war. But I prefer them to giving up needed programs—or to a costly inflation.

Mr. GORE. Mr. President, on March 6, 1966, the Sunday Star of Washington, D.C., published an article by Mr. Lee M. Cohn entitled "Business Spending Data May Spark Fiscal Curb."

Mr. President, the article reads:

> A Government report due in about 1 week may trigger a decision by the administration to cool off the economic boom by raising taxes and supporting tighter credit restraints, informed sources said yesterday.

Mr. President, I have been hearing reports about this anticipated Government report. I cited earlier information given me to the effect that the Joint Economic Committee has reached the conclusion that the investment credit should be suspended. A very responsible and learned reporter forecasts in this article that there will be a Government report which he states may trigger, not the mild step that I suggest here as a beginning, but something much more. He states that it "may trigger a decision by the administration to cool off the economic boom by raising taxes and supporting tight credit restraints."

I continue to read:

> The crucial report is the Commerce Department's survey of planned business spending for new plant and equipment.

I digress. That is what I have been talking about, the boom that we have had, that we now have, frankly, as a result partially of artificial stimulation of plant and equipment expenditures. It is here that the tightness in our economy appears. It is here where materials and skilled labor are short.

Telephone service is not in short supply. That is not where the danger to the economy lies. Automobiles are not hard to buy. That is not what is damaging to our economy. It is the inflationary pressures that arise from that element of our economy that is called upon to supply the war needs, that element of our trained manhood that is so much needed to produce supplies to win the war in which we are so unfortunately and unwisely engaged.

But that is a different subject. We are engaged in it, and we must all do our part toward seeking a satisfactory solution, I hope a peaceful solution and an early one. But again, I do not wish to get into that matter. That has been debated to a considerable extent in recent weeks. I am talking about the economic necessities of the war economy in which we now find ourselves.

And what is the proposal we have? To increase Federal sales taxes on automobiles and telephone service.

I think we should do something else, a suspension of the investment credit which, along with the war demands, has partially triggered the boom.

I continue to read:

> If the survey comes close to confirming private forecasts of surging expenditures, a key official said, "that could be the trigger point" for a shift to harsher anti-inflation policies.

Why should we wait to take some action until the harsh measures are necessary? Why not start now to take some equitable, obvious first steps? It might lessen the severity of the cure later.

I shall not ask that action on this bill await the report of the Joint Economic Committee on the Economic Report. I shall not ask that action on this bill await this Government report by the Department of Commerce. I am not attempting to be dilatory. I am prepared to agree to a vote on the amendment tomorrow. I think its need and its justification are so obvious, the arguments for it so irrefutable, so unanswerable, that I am prepared to submit it to the Senate at any time the leadership is ready. I would prefer that the vote come tomorrow, because a few of my colleagues might do me the honor of reading the debate in the RECORD tomorrow.

Continuing to read the article of Mr. Cohn:

> Such a shift almost certainly would lead President Johnson to propose tax increases beyond the stop-gap revenues bill now progressing through Congress.
>
> Johnson probably would encourage the Federal Reserve Board to reinforce the tax measures by tightening credit another notch which would push interest rates still higher.
>
> Business spending for plan and equipment packs an economic wallop beyond what the raw numbers suggest.
>
> When the President's Council of Economic Advisers predicted in January that 1966 would be a year of strong but noninflationary economic expansion, a major unpublished assumption was that spending for plant and equipment would increase 12 or 13 percent above the 1965 total of $51.8 billion.
>
> The 1965 total exceeded 1964 by 15.4 percent.
>
> Any substantial increase above 12 or 13 percent would cause serious trouble, the Council feared.
>
> Advance indications are that plant and equipment outlays are heading for a bigger rise than the Council expected. One private survey respected for past accuracy estimates a rise of nearly 20 percent.
>
> Any increase above 15 percent, a Commerce Department official said, would lead to "an agonizing reappraisal" of policies for fighting inflation.
>
> If the figure is close to 20 percent, the official said, the danger of inflationary overheating of the economy will look serious and early action may be needed to dampen the boom.
>
> The economy, with the added stimulus of spending for the Vietnam war, now is operating close to its capacity.
>
> A sharp surge in plant and equipment spending plans would aggravate shortages of labor and materials, lengthen delivery delays and create bottlenecks. Wages and prices inevitably would rise faster.

I digress, Mr. President, to ask a few questions.

If this forecast be true, how much more will the war in Vietnam cost? If the forecast be true, how much further will the cost of living spiral? If the cost of living continues to spiral, what will be the extent of the hardships on minority groups with low wages, and who still suffer widespread unemployment?

What will the cost be to the retired and the sick people with low incomes? If interest rates are forced still higher, how many more counties and cities will postpone the building of hospitals and schools?

Why, Mr. President, should Congress be timid in approaching a problem that is peculiarly burdensome to the people for whom the Congress speaks?

We are called upon to act now, when the dangers are clear and plain for all to see.

Mr. President, if, in fact, this boom in plant and equipment serves as Mr. Cohn says, "to lengthen delivery delays," will this aid the war effort, or hinder it? Shall we supinely permit an artificial stimulation of the economy to lengthen delays in delivery of war materials, to increase the cost of those products, to increase the cost of living unnecessarily, and to force a still further rise in interest rates?

I do not claim that adoption of my amendment would solve all these problems, but it would be a step in the right direction toward their solution, whereas the excise tax provisions in the pending measure would provide no such step in the right direction.

Continuing reading:

> While new plant and equipment increases industry's capacity to produce, thus easing shortages, excessive business spending more than offsets this benefit by straining the capacity of supplies, equipment makers, and builders.
>
> Aside from the inflationary impact, excessive plant capacity can lead to recessions later when demand for the products of industry ebbs.
>
> Tax increases would dampen a plant and equipment boom directly by reducing corporation cash available for spending. It also would indirectly curtail consumer demand and thus weaken incentives for expanding productive capacity.
>
> Tighter monetary policies by the Federal Reserve would reinforce the effects of tax increases by curtailing the supply of credit and raising interest rates—thus making it harder for business to borrow to pay for new plant and equipment.
>
> Credit already is tight and interest rates generally are at or near the highest levels in more than 40 years.

Mr. President, I do not wish to discuss monetary policy here. I am not proud of the fact that it is in an administration of my party that interest rates are at their highest point in almost 40 years. Surely, a Democratic administration can propose a more equitable and a more effective policy than this one. But, if we continue to wait, if we continue to procrastinate, if we continue to take the wrong steps instead of the right steps, not only will interest rates be higher but the cost of living will also be higher, war costs will be higher, inflationary pressures more severe and dangerous to the economy will mount—all of which is becoming abundantly apparent.

Continuing reading:

> There is concern at the Federal Reserve that much further tightening would cause serious economic distortions.

Mr. President, what kind of distortions? Many, including greater burdens upon those who must buy the necessities of life, including greater burdens upon those who must buy automobiles in which to reach their jobs in order to make a living, greater burdens upon housewives who must have washing machines, refrigerators, and stoves, including higher costs for schools and hospitals; and, indeeed, as we have already heard today, the postponement of the selling of bonds for construction of necessary community facilities.

Continuing to read:

> The money managers, therefore, want the administration to carry the major burden of any additional anti-inflation moves by tightening fiscal policy through a combination of tax increases and spending curbs.
>
> Nevertheless, the Federal Reserve has been tightening credit gradually since it raised the discount rate last December, and probably will continue the trend even if taxes are raised.
>
> If the administration takes strong fiscal action, tightening by the Federal Reserve will be relatively mild. If the administration holds back, the Federal Reserve probably will feel compelled to squeeze credit hard.
>
> January's economic forecasts by the council have been outdated by revisions of 1965 figures and by the economy's stronger than expected performance so far this year.
>
> The council will revise forecasts for internal use some time after the plant and equipment survey is published.
>
> In January's Economic Report, the council predicted that the gross national product would rise by about $46 billion to $722 billion—plus or minus $5 billion—in 1966.
>
> It appears that the midpoint of the new gross national product forecast will be near the top end of the range predicted in January.
>
> That would heighten the dangers of inflation and increase chances for tax boosts.

Mr. President, I should like to propose, and shall later propose, more vigorous steps toward inflation control.

The step I propose now is clearly needed and obviously justified as a substitute for a regressive form of taxation which is not aimed at the principal economic danger we face, but I shall be content to ask for a vote upon this amendment first.

"WHO SPEAKS FOR EFFECTIVE LAW ENFORCEMENT?"

Mr. McCLELLAN. Mr. President, the U.S. attorney for the District of Columbia, the Honorable David G. Bress, recently delivered an address on one of the gravest domestic problems this Nation presently faces. Speaking before the Federal Bar Association, Mr. Bress outlined his views on the issues involved in society's dilemma in its constant quest for effective law enforcement. The volume of crime in the District of Columbia is scandalous, and the effects of such decisions as Mallory in this jurisdiction can only hamper local law enforcement efforts. In light of this, the views of Mr. Bress, as U.S. attorney for the District, on the problems of effective law enforcement take on particular interest and significance.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a copy of Mr. Bress' address, entitled "Who Speaks for Effective Law Enforcement?"

There being no objection, the address was ordered to be printed in the RECORD, as follows:

WHO SPEAKS FOR EFFECTIVE LAW ENFORCEMENT?

Three months have now passed since I have been sworn into office as U.S. attorney for the District of Columbia. I must say to all of you here today that thus far I have found the experience interesting, exciting and intellectually stimulating—particularly for one who has spent almost all of his professional career on the civil side of the court. I recommend this kind of transition to others. Each day has produced minor crises of one kind or another and has afforded me a superb vantage point from which to observe very closely the practical operation of the criminal law in this jurisdiction. By no means have I become an expert. But 3 months of intense study of the criminal law and its application has opened my eyes to a new horizon which in the past was hazy.

While engaged in private practice, I generally kept currently informed on new developments in the law, including the trend in recent years to broaden interpretations in the area of individual constitutional rights, whenever the individual found himself locked in battle with a Federal law enforcement agency or with the Metropolitan Police Department. A great deal of my time recently has been spent concentrating on such topics as the law of arrest, search and seizure, confessions, insanity, the privilege against self-incrimination, and speedy trial. New decisions in the civil field have taken on lesser significance. In the past few years, only a few jurists, professors, or writers have spoken out in favor of effective law enforcement. The scales of justice, insofar as the criminal law is concerned—at least in this jurisdiction—indeed appear now to be tipped sharply in favor of the individual, with new rules and new interpretation tending to favor the defense—albeit by renewed support for certain constitutional rights of the accused. I do not oppose—on the contrary, I support—affording every constitutional right to an accused. It may well be that to go too far in our concern for the accused could impair the general public interest. To protect the interests of the community, no one would dare challenge the need for effective law enforcement. Though it may be unique, my topic today is that someone must speak out for effective law enforcement—and I hope to do so.

About a month ago, the Evening Star printed a story about a Puerto Rican grocer named Enrique Negron, residing in New York, who about 8 months ago had gone to the rescue of a patrolman under attack by a mob of angry people. In helping the patrolman, Mr. Negron was stabbed in the back with an icepick. The next day the little grocer was hailed as a hero. The city's police commissioner came to Mr. Negron's room at the hospital and thanked him. His friends bought him a gold watch. The Patrolmen's Benevolent Association showed its gratitude by giving him $1,000. In the past 8 months, however, all that changed. Mr. Negron was castigated by his friends and neighbors as a "cop lover"; he lost the grocery business he had saved 10 years to purchase; he had no job and only $300 left to his name. Mr. Negron was quoted as saying he could not find any work, his wife was too ill to get a job, and he was too proud to take charity. This then was the reward which befell one man who wanted to see effective law enforcement in his community. It was only after this pathetic vignette was printed in the daily press that several organizations offered to help him find employment.

This illustration drives home my first premise, which is that better law enforcement will only be achieved when an entire community rises, as one voice, and indicates that it truly wants to minimize crime in its city. Here in the District of Columbia, crime has become a national scandal. The statistics make me shudder—and I hope we can do something about it.

During the fiscal year 1965, there were a total of 32,053 serious offenses reported, an alltime high for the District. The volume of crime in the District for the fiscal years 1957–65 has virtually doubled, going from 16,000 part I (serious) offenses in 1957 to over 32,000 such offenses in 1965. Last July a police report showed 92 crimes were being committed here every 24 hours. The upward trend in crime in this jurisdiction is all the more shocking when we realize that housebreakings have tripled since 1957; auto thefts have more than tripled; and robberies have very nearly quadrupled since that time. Pocket alarms and tear gas guns are sold in many of our finer shops in the city. Women are being encouraged to take jujitsu lessons as a means of self-protection. Two-thirds of the 155 homicides perpetrated here in fiscal 1965 were accomplished by the use of guns or knives. During the first 22 days of January 1966, there were 22 homicides committed in this city. Such is the dismal picture of our current crime situation. This is so notwithstanding that we had in this morning's Post the report of Police Chief Layton that for the third consecutive month overall crime was down 8.1 percent from a year ago. I hope this trend will continue.

I am wholehearted in my support of the efforts of President Johnson's administration to carry on a "war against crime" by striving to eliminate slums, broken homes, discrimination, ignorance, and poverty. These conditions are the breeding grounds for crime, and I have no doubt that their elimination will go a long way in winning the major battle against crime. That program will not be achieved overnight—it will be a slow and gradual process—but one that I am satisfied must ultimately prevail. I incline to refer to that battle as the first front based on education and economic progress. But what about the crime we have now? Not what we will not have in the future. It seems to me that society can move in this "war" on a second front—by strengthening law enforcement and the administration of justice so that (1) more of those who tend to commit crime will be deterred, (2) more of those who commit crime will be swiftly apprehended, and (3) more of those who are caught are dealt with in a humane manner so that they do not thereafter commit crime. How can this needed objective be achieved without waiting for crime's gradual disappearance?

It is discouraging to read that the Federal Bureau of Investigation estimates that the total annual cost of crime in the United States is well over $20 billion. It is similarly discouraging to find that the Uniform Crime Reports of the Bureau reflect that crime in the United States has continued to outpace population with an increase since 1958 of almost six times the growth of the national population. When we pick up our local newspapers each day and read about a bus driver who was robbed, a liquor dealer who was just shot to death, or a police officer who was viciously attacked, the first reaction is likely to be, "Well, why don't they do something about it?" The "they", of course, refers to the police. I submit that the police can do no more than society, the legislature, and the courts will permit them to do.

According to the FBI, taking into consideration the city, county and State police populations, there were 18,000 police officers assaulted in 1964. That was 1 out of every 10 policemen in the country. Of these 7,738 officers were injured, or 1 out of every 24 policemen nationwide. Continuing statistically, permit me to say that 57 policemen were killed throughout the country by criminals during 1964. The number of policemen murdered annually in the line of duty has doubled since 1960. I find these figures appalling and hope that I can count on the support of the entire community—as well as the courts—in connection with the prosecutions undertaken by my office of cases of assaults on police officers who sustain substantial injury.

All of the citizens in our city must be convinced through such agencies as the churches, civic organizations and the schools that police officers must be obeyed and permitted to carry out their assigned duties without interference. People must be made to understand that when a police officer is assaulted, society is assaulted, and that society will not condone such assaults. The creation of the Police-Community Relations Unit within the Metropolitan Police Department in September 1964, for the purpose of achieving a better mutual understanding of the problems of both the citizens and the department, is certainly a step in the right direction. I have already initiated efforts along this line to utilize the facilities of the local UPO office and the Neighborhood Legal Services offices to promote a program of teaching respect for law and order—and the police—in the so-called poverty areas of this city. By utilizing talks and demonstrations to block groups—participated in by the trusted members of the block, social workers, the police and even the prosecutor—hopefully some greater respect for law and order will emerge.

Much has been said in recent years on the effect of judicial decisions in this country on the ability of law enforcement to cope with the rising tide of crime. Some writers have complained that the courts are "handcuffing" the police. The police chief of Los Angeles has complained that American police work has been "tragically weakened" through a progressive "judicial takeover." Because the District of Columbia is a bifurcated jurisdiction, where the U.S. attorney prosecutes both local and Federal offenses, I have a special concern with such criticisms.

The trend of our appellate courts has been toward the impairment of the use of confessions as a practical tool in criminal prosecutions. These decisions have had a profound effect on effective law enforcement in this jurisdiction. There are the "unnecessary delay" cases beginning with the 1957 landmark case of *Mallory* v. *United States*, 354 U.S. 449 (1957). Mallory was really an extreme situation where, after some 7½ hours of interrogation, the defendant confessed to the police his participation in a rape. The court, as many of you are aware, excluded the confession as being obtained during a period of "unnecessary delay" and therefore violative of rule 5(a) of the Federal Rules of Criminal Procedure. In *Spriggs* v. *United States*, 335 F. 2d 283 (D.C. Cir., 1964), a conviction was reversed by our court of appeals because of the admission into evidence of a confession made to police, during a form filling process some 30 minutes after arrest. The most severe restriction came in the case of *Alston* v. *United States*, 348 F. 2d 72 (D.C. Cir., 1965), where our court of appeals reversed a conviction because of the receipt into evidence of a confession at the precinct made by a defendant under arrest who was questioned by the police for 5 minutes during which period he denied any involvement and where it also appeared that the defendant was not warned about his right to remain silent; then he was permitted to speak briefly to his wife; and he thereafter promptly confessed.

As rule 5(a) has been interpreted in this jurisdiction, when an arrest is made, the suspect must be charged and promptly thereafter presented as a criminal defendant before a committing magistrate. This interpretation effectively bars any questioning after arrest. Such a standard impedes law enforcement where, in a large metropolitan city such as this, the police deal primarily in crimes of violence such as rape, robbery, murder, etc., offenses which require prompt arrest, often involving few or no witnesses and little, if any, tangible evidence. In my view, the law should provide some opportunity for police interrogation of suspects, if dangerous criminals are to be brought to book and technical application of the exclusionary rule is to be overcome.

And it may well be that such applications of the rule cannot be legally overcome. If, under our system, it is finally ruled that the Constitution protects an accused against the use of his voluntary noncoerced incriminating statement, then our system must find a new way, after full debate, to provide a solution so that society will be protected. Rule 5(a) is not itself insurmountable. Our system abhors coercion of any kind, and the accused must be protected by the law against it whatever form it may take. But where coercion does not exist and where voluntariness is clear or conceded—it is necessary to find the proper way so that admissions or confessions are admitted to establish the truth. The present application of the rule excluding such voluntary confessions frequently results in the guilty going free. It is hoped that a proper accommodation between the need for the use of the confession and the protection of the accused's constitutional rights will be found. Pending determination of that accommodation, my office will continue with the so-called 3-hour rule for interrogation established administratively by my predecessor, Hon. David C. Acheson, last July.

Another impact on law enforcement has resulted from the extension by some courts of the rule in *Escobedo* v. *Illinois*, 378 U.S. 478. There, in a rather extreme factual situation an arrested person was denied access to his lawyer who had come to the precinct to see him and was then in an adjoining room. While depriving him of such access, the police continued to interrogate him and elicited a confession. Quite properly, the Supreme Court held that the defendant's sixth amendment rights had been violated and his confession should therefore be excluded from evidence. It is quite amazing now to see the extent to which claims are being made of denial of sixth amendment rights. One extreme contends that the sixth amendment entitles the defendant to counsel from the moment of arrest. This might entail the installation of the lawyer's seat in every police scout car—or a motorcycle sidecar. Apropos of this, our court of appeals recently observed, "Even assuming the presence of a peripatetic public defender in or following the police car, such counsel cannot impede the 'dynamic' form of investigation inherent in hot pursuit, apprehension and confrontation with victims." Others—less extreme—contend that the lawyer should be provided from the moment of arrival at the precinct, and the failure to have a lawyer at the precinct renders inadmissible on sixth amendment grounds any incriminatory statement the suspect may make. The NLSP has offered to make counsel available at the precinct—but no action has yet been taken by my office on that offer. The matter is still being given serious consideration and no doubt some action will soon be taken with respect to that request. Thus far, the courts have not held that the sixth amendment requires that counsel be furnished to an accused from the moment of arrest. If the Supreme Court so holds, then it will be the obligation of the Government to see to it that such counsel for the defense is furnished. It is conceded that the Government ought never to put itself in a position to make it difficult for an accused to obtain counsel at any time. While I, as a former member of the board of NLSP, recognize the valuable work which it is doing in the community, it does raise serious problems for the prosecutor to say that this agency alone is the way in which to provide counsel for the accused at the time of arrest or at the precinct. Some endorsement of the bench and bar would appear to be necessary before any private group should take unto itself the obligation of furnishing counsel from the moment of arrest.

This is one of the most difficult questions in the criminal law field today. We have hardly begun to provide adequate and competent counsel for the defense at the trial stage, and it is unknown what effect such early provision of counsel at the arrest stage would have upon law enforcement. In any event my office will continue to cooperate with any program that has the support of the bench and bar which would begin to give us the knowledge and insight on the effects of the early provision of counsel on the effective administration of justice. It is hoped that the research studies now being done by the National Crime Commission and the local crime commission will contribute to the solution of this knotty problem.

Without extending my remarks further into the area of sixth amendment rights, I do look forward to further expression by the Supreme Court in the post-Escobedo cases now pending there. As the second circuit has recently said in connection with its refusal to apply the Escobedo rule to a case where it was argued that a confession should be excluded because the defendant was not advised by Federal narcotic officers that he had the right to silence and counsel, "It may well be that Congress or the Supreme Court through its rulemaking power at the sufferance of Congress will, after appropriate study, make rules requiring such warning and advice under certain circumstances in future cases." And speaking of warning, I should point out that the administrative rule to which I have referred does provide for appropriate warning to the suspect that he may remain silent, that what he may say may be used against him, and that he may call his attorney, friend, or family to be present with him, and if he has no attorney one will be appointed for him when he goes to court if he cannot afford to retain his own counsel.

As a matter of interest, based on the 1960 Census, the District of Columbia was first in the Nation in the ratio of policemen to population. According to the annual report of the Metropolitan Police Department, fiscal 1965, there were 3.81 police officers per 1,000 inhabitants in the city as of June 30, 1965. This is the highest ratio ever reported for this city. The volume of serious crime in the District from June 1957—the time of the Mallory opinion—up to the present, has increased—practically doubled. The population in the District over this same period has increased only a little more than 5 percent. It would appear anomalous therefore for me to tell you that, in spite of the high police officer-citizen ratio, the solution of serious crime in the District of Columbia continued in 1965 a downward trend of prior years and reached a record low of 34.1 percent clearance of the total part I (serious) offenses reported. This means that for every 10 serious offenses committed only 3.4 suspects are arrested. Thus a defendant who commits a serious crime in the District of Columbia stands a 60–40 chance of never being arrested.

Without in any way being critical of the soundness and justice of the decisions in the Escobedo and Mallory lines as applied in the District of Columbia—it is inescapable that the impact of those decisions has been to impair effective police investigation. These decisions are directly related to the reduced clearance rate of serious offenses about which I spoke a moment ago, because it is well known that when a suspect is apprehended by the police and if he could be questioned about other offenses committed by him, multiple crimes are solved which would not otherwise be cleared.

Contrary to popular notion, there are no Dick Tracy's or "007's" on our various law enforcement staffs. Most crimes are solved not by fingerprints, infra-red photographs, wristwatch radios, or the clever and astute gathering of evidence, but by "information." For the clearance rate of crimes committed in this jurisdiction to be maintained, opportunity by law enforcement for even limited interrogation of suspects is a must.

Part of the general responsibility for the crime problem in the United States also must be laid at the doorstep of the penal authorities. At least one-third of the felonies are committed by recidivists, people previously convicted of criminal offenses. Thus, according to the FBI, "during 1963 and 1964, the criminal records of almost 93,000 offenders disclosed that 76 percent of these then-active offenders had been arrested at least twice." Bringing the matter closer to home, it appears that of those convicted for criminal offenses in the U.S. District Court for the District of Columbia over a 12-month period in 1963–64, about 72 percent had prior police records, and nearly half of these had served at least one term in prison. Part of the reason for this high rate of recidivism is the fact that as late as 1964, there were only 50 professional psychiatrists in attendance among the 232 major Federal and State prisons and reformatories. Certainly, this data demonstrates an urgent need for additional professional assistance and more effective rehabilitation programs at our prisons. Perhaps, if our existing facilities are not too overcrowded now, what our various penal authorities ought to consider is the possibility of converting some of our minimum security institutions into "halfway houses," so that an individual eligible for release from custody, is eased back into the outside world with no undue rippling of his social equilibrium. The gradual readjustment of the prisoner back into society will best serve the interests of law enforcement and the entire public—and I know that considerable effort in this direction is now being made by our Federal Bureau of Prisons, including a new halfway house in the District of Columbia.

The sophisticated criminal, the hoodlum, the thug, and the juvenile delinquent must all be stopped, before crime, corruption, and chaos become a greater menace to our cities. The police, the prosecutors, the courts, and our penal systems make up the unified bulwark that stands between a safe society and a crime-ridden community. I suggest to you that the efficient cooperation by each of these agencies, together with an aroused community that truly desires improvement, are the only real answers to effective law enforcement. In my opinion—our resourcefulness and institutions are such that the goal of a clean and safe society—and more particularly a clean and safe Washington—a model for the Nation—can be achieved while still giving full protection to the constitutional rights of the individual. I assure you that the U.S. attorney will strive to reach that goal.

VISIT BY PARLIAMENTARIANS FROM PARAGUAY

During the delivery of Mr. Gore's speech,

Mr. MORSE. Mr. President, will the Senator yield?

Mr. GORE. I yield to the Senator from Oregon.

Mr. MORSE. Mr. President, it is my privilege to make an announcement welcoming to the Senate and to the country a group of distinguished parliamentarians from Paraguay and also to welcome the Ambassador and the Minister of Justice of Paraguay.

Today the Latin American Subcommittee, of which I have the honor to serve as chairman, of the Foreign Relations Committee, gave a luncheon in honor of this group of distinguished visitors.

Because within the group we had those who do not, within our rules, have access to the floor and those who do have access to the floor, we decided we would ask the delegation to sit in the gallery, where they could observe the Senate in session.

I explained to them that, I am also bound under the rules not to introduce them from the gallery. However, I wish to say, as I said at the luncheon, that the entire Senate welcomes this group of distinguished parliamentarians from Paraguay.

I said at the luncheon, and would like to have the Record show, we all honor very highly the Ambassador from Paraguay to our country. He has been a very able representative of his country and a proven friend of ours.

As the chairman of the subcommittee—and the Senator from Tennessee [Mr. Gore] is a member of the Foreign Relations Committee and knows whereof I speak—I wish to say that we have always had complete cooperation from the Ambassador of Paraguay. At the same time his cooperation has enabled him to well represent the interests of his country.

Mr. President, I would like permission to file with the Senate for printing in the Congressional Record a statement by way of a biographical sketch of each one of these distinguished visitors. I wish to have the Record now show that we welcome them enthusiastically and that we are very proud and pleased that they decided to visit our country, for it is such visits as this, such exchanges as represented by this exchange that will strengthen the understanding and friendship between our country and our neighbors in the Western Hemisphere.

Mr. President, I ask unanimous consent to have the material to which I have referred printed in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

Name: Dr. Sabino A. Montanaro.

Home address: Cerro Cora 1452, Asuncion, Paraguay.

Present position: Minister of Justice and Labor.

Previous position: Member of Congress, 1954–63.

Political affiliation: Colorado Party.

Academic background: Law School, National University, Asuncion.

Date and place of birth: July 30, 1922; Asuncion, Paraguay.

Travel: 1959, 1960, 1962, United States—member of Paraguayan delegation to U.N.; 1963, Colombia; 1965, Spain; 1965, Italy—audience with the Pope.

Interests while in the United States: Dr. Montanaro's two main interests are: (1) to study labor in the United States, and (2) to observe the functioning of Congress, and visit its Library. He also would like to: meet high-level officials of the executive branch of the Federal Government including the Departments of State and Labor and the National Labor Relations Board; visit a labor training institute of a large university; study labor-management relations in the Chicago industrial complex; visit a medium-sized cooperative; and make courtesy calls on Federal and State judicial and penal officials.

Name: Ruben Stanley Rodriguez.

Present position: Member of the House of Representatives.

Personal data: Born, 1924; address, care of House of Representatives, Asuncion, Paraguay; marital status, married, Dr. Stanley will be accompanied by his wife; languages, native, Spanish; Dr. Stanley speaks some English, however, he will be accompanied by a Department of State escort-interpreter.

Other present positions: Member of the highest body of the Colorado Party.

Past positions: Ministry of Foreign Affairs in the Paraguayan Embassy in Buenos Aires, Argentina; judge of criminal court.

Objectives of U.S. visit: The Honorable Ruben Stanley Rodriguez will visit the United States for 30 days with other members of the Paraguayan congressional delegation to observe representative examples of civic activities, industry, and agriculture. He is particularly interested in observing techniques of reclaiming land for agriculture, land settlement and development, cattle raising, and fruit production. He is also interested in visiting major universities to gain more insight about organization and curriculum. He would like to visit the U.S. Congress in session and a session of a State legislature. Another major interest is a visit to a criminal court in session.

Name: Francisco Domingo Volpe.

Present position: General secretary of Levi-Liberal Party.

Personal data: Born, April 30, 1933, Asunción, Paraguay; address, Cerro Corá casi Brasil, Asunción, Paraguay; academic training, medical school, 1959; languages: native Spanish. Dr. Volpe has an inadequate knowledge of English and will be accompanied by a Department of State escort-interpreter.

Other present position: Surgeon, Sanatorio San Benigno and Hospital de Clínicas.

Past positions: Chief of medical residents in Hospital de Clínicas.

Membership in organizations: Medical Association of Paraguay.

Travels abroad: Dr. Volpe has traveled in Argentina and Uruguay.

Objectives of U.S. visit: The Honorable Francisco Domingo Volpe will visit the United States for 30 days with other members of the Paraguayan congressional delegation to observe representative examples of civic activities, industry, and agriculture. He is particularly interested in visiting major universities to further his interest in medical schools. He would also like to visit a rural area to learn more about the growing of fruit and vegetable products and about the landholding laws and cattle raising in the United States. He is also interested in visiting the U.S. Congress in session and a State legislature.

Name: Luis Maria Argaña.

Present position: Member of the House of Representatives; professor at law faculty, National University of Asuncion.

Personal data: Born, October 9, 1932, Asuncion, Paraguay; address, Chile 327, Asuncion, Paraguay; marital status, married, Mr. Argaña will be accompanied by his wife; academic training, Law School, National University of Asuncion, 1954, doctorate in law and social sciences, 1958, special course in ALALC at the University of Montevideo, 1963; languages, native Spanish, Mr. Argaña has an inadequate knowledge of English and will be accompanied by a Department of State escort-interpreter.

Past positions: Prosecuting attorney, civil and criminal courts; director of legal department of the municipality of Asuncion.

Membership in organizations: Paraguayan Bar Association; Inter-American Bar Association; Catholic Bar Association.

Publications: Book entitled "Paraguay," published by the National University of Asuncion.

Travels abroad: Mr. Argaña has traveled both in Europe and in Latin America.

Objectives of U.S. visit: The Honorable Luis Maria Argaña will visit the United States for 30 days with other members of the Paraguayan congressional delegation to observe representative examples of civic activities, industry, and agriculture. Mr. Argaña is especially interested in visiting major universities in the schools of business and economics. He would like to visit the U.S. Congress in session and to gain more knowledge about State and municipal government throughout the United States. His other interests include visiting an automobile plant and observing a criminal court trial.

Name: Miguel T. Romero.

Present position: Member of the House of Representatives.

Personal data: Born, September 29, 1924, Luque, Paraguay; address, José Berges 1124, Asuncion, Paraguay; marital status, married, Mr. Romero will be accompanied by his wife; academic training, bachiller, Catholic Seminar of Asuncion; languages, native Spanish, Mr. Romero speaks some English, however, he will be accompanied by a Department of State escort-interpreter.

Other present positions: Public relations consultant, Ministry of Industry and Commerce.

Past positions: General Director of Tourism; Director of Public Relations, Ministry of Public Health; Director of Administration and Accountancy, Ministry of Public Works; secretary of Paraguayan Embassy in Bolivia.

Membership in organizations: Press Association of Paraguay; Interparliamentarian International Union.

Publications: Mr. Romero has published 40 brochures on politics and several articles on a variety of subjects. He was chief for the political page of the daily newspaper, Patria.

Travels abroad: Mr. Romero has traveled both in the United States in 1964, and in Latin America (Argentina, Brazil, Chile, Uruguay, Bolivia, Peru and Venezuela).

Objectives of U.S. visit: The Honorable Miguel T. Romero will visit the United States for 30 days with other members of the Paraguayan congressional delegation to observe representative examples of civic activities, industry and agriculture. Mr. Romero is particularly interested in learning about truck farming, the growing of fruits and vegetables, the dehydration of farm products and the canning of orange and tomato juices. He would also like to visit the U.S. Congress in session and to gain knowledge about various legislative systems on the State level. He would also like to visit an automobile plant.

TAX ADJUSTMENT ACT OF 1966

The Senate resumed the consideration of the bill (H.R. 12752) to provide for graduated withholding of income tax from wages, to require declarations of estimated tax with respect to self-employment income, to accelerate current payments of estimated income tax by corporations, to postpone certain excise tax rate reductions, and for other purposes.

SUSPENSION OF THE INVESTMENT CREDIT AS A SUBSTITUTE FOT TITLE II OF THE BILL

Mr. LONG of Louisiana. Mr. President, I wish to speak to the amendment submitted by the distinguished Senator from Tennessee [Mr. GORE].

The Senator from Tennessee presented his proposal to the Secretary of Treasury in hearings before the Finance Committee. The Secretary indicated that the Treasury prefers the approach adopted in this bill to the one proposed by the Senator. A majority of the Finance Committee, which gave careful consideration to the Senator's proposal, also indicated a preference for the bill as it stands. There are good reasons for the position taken by the Secretary and the majority of the committee.

There is virtually no difference in the revenue effects of the two proposals. The excise tax provisions of the bill will add $35 million to revenues in fiscal 1966 while suspension of the investment credit on March 1 would add $80 million to revenues. The excise proposals will add $1.2 billion to revenues in fiscal 1967, the same amount as suspension of the credit will produce under the terms of the Senator's amendment because there is no difference in revenue impact, such as relation effectiveness as an inflation preventative.

PREVENTION OF INFLATION

H.R. 12752 provides a balanced program to prevent inflation. The most important provision from a revenue standpoint is the acceleration of corporate estimated tax payments. This provision will restrain investment by the Nation's 16,000 largest corporations. Graduated withholding and the excise-tax proposals will affect consumers, restraining consumption expenditures. The bill as it now stands, therefore, will moderate both private investment spending and private consumption spending.

In contrast to this balanced approach, the Senator's proposal would shift virtually the entire weight of the bill on to investment. Investment would be restrained both by the acceleration of corporate tax payments feature and by the 2-year suspension of the investment credit. Consumption, on the other hand, would be restrained only by the effect of graduated withholding, which may largely disappear in 1967, when the withholding allowance procedure goes into full effect.

Inflation is the problem of too much purchasing power chasing too few goods. We can prevent inflation by either holding down purchasing power or by making sure that the volume of goods produced increases in proportion to the increase in purchasing power. While at times it is necessary to put a little restraint on purchasing power, clearly it is better to prevent inflation by producing more rather than by spending less. That is why this is not the time to suspend the investment credit. We need to increase capacity to provide for the defense needs in Vietnam and to provide for a prosperous domestic economy. Some restraint on investment is probably called for to make sure that investment does not become too exuberant. But the Senator's proposal, coming on top of the acceleration of corporate tax payments, might apply too much restraint on investment.

While both the excise-tax proposals in this bill and suspension of the investment credit would tend to moderate private spending, the effect of the excise-tax proposals will be felt sooner. The effect of suspending the credit would be delayed, since it wouldn't apply to goods on order at the time the suspension becomes effective. The lag between order and delivery would delay the effect of suspending the credit until late in this year or early next year. The restraining impact of the excise-tax proposals will be felt as soon as the bill is passed or very shortly thereafter.

THE BALANCE OF PAYMENTS

The investment credit is very important to our balance of payments. In the first place, the credit encourages the modernization of American machinery and equipment. Such modernization makes our exports more competitive in world markets.

The credit has a second important effect on the balance of payments. It tends to make investment opportunities at home more attractive relative to investment opportunities abroad. If the credit were suspended, the pressures leading to an outflow of U.S. capital to take advantage of foreign investment opportunities would become even stronger. As Senators know, the outflow of American capital has been one of the most difficult aspects of the problem faced by the President and the Congress in the effort to eliminate balance-of-payments deficits.

EQUITY AND ADMINISTRATION

When we consider the effects of the Senator's proposal, we must look at the entire bill and not confine ourselves to a comparison to the excise tax proposals and a suspension of the credit. The bill as reported by your committee spreads the burden of the added revenues needed to fight the war in Vietnam broadly and equitably over the population. The Nation's largest corporations, as is only fair, carry a heavy share of the burden. Both wage earners and self-employed persons are affected. Finally, the excise tax proposals themselves affect as broad a cross section of consumers as any two excises that I know.

The Senator's proposal would shift more of the burden of this bill on to business firms. His proposal, in other words, would make one sector of the economy carry most of the load. In this regard, we must remember that corporations are already in the midst of accelerating their tax payments. Under the terms of the Revenue Act of 1964, the acceleration of corporate payments would add $1.8 billion to corporate tax payments in 1966 and $2.1 billion in 1967.

This bill will step up the acceleration, producing a total increase in corporate tax payments of $2.8 billion in 1966 and $5.3 billion in 1967. The Senator's proposal would place the further burden of a reduction in the investment credit on business firms, primarily corporations.

While it might appear that it would be easy from an administrative standpoint to suspend the investment credit, there would be problems. Under the terms of the Senator's amendment, the credit cannot be taken with respect to property acquired after the date of enactment of the bill unless a binding commitment to purchase it existed before that date and installation is completed within 1 year after that date.

This rule will open up difficult areas of dispute between the Internal Revenue Service and business firms over what constitutes a binding commitment. I doubt if any mechanical rule can be followed here. Each case will have to be examined on its own merits.

If we try to avoid this problem by suspending the credit on all equipment installed after the date of enactment of the bill, we will treat unfairly the many businessmen who have made plans and committed themselves to the purchase of the equipment which cannot be installed until after that date. On the other hand, if we move the effective date back to take account of this, taxpayers will be encouraged to crowd their investments into the period before the credit is suspended. This effect would not stabilize the economy, it would destabilize it.

CONCLUSION

In conclusion I would also like to point out that suspension of the investment credit would be a major change in tax policy. As the Secretary of the Treasury pointed out, the credit is viewed by the Treasury and the business community as a permanent feature of the tax law.

It is also a very significant feature of the tax law as far as liabilities are concerned. Under the circumstances, we should not alter the credit until public hearings are held and representatives of the public have had a chance to present their views and the Members of Congress have had an opportunity to consider those views carefully.

Mr. President, I discussed this matter with the senior Senator from Tennessee. The Senator felt that it might be well that the presentation appear in the Record, so that Senators could consider overnight the argument made by the Senator from Tennessee on behalf of his amendment, as well as the reply to the argument, and that we vote on this matter tomorrow.

Accordingly, I have discussed this matter with the ranking Republican member of the Committee on Finance, and I believe I am correct in saying that I did mention this subject to the majority leader. I believe that there will be no objection from the Republican side of the aisle.

UNANIMOUS-CONSENT AGREEMENT

Mr. President, I ask unanimous consent that, after the morning hour tomorrow, the amendment of the senior Senator from Tennessee [Mr. Gore] be laid before the Senate and that debate thereon be limited to 2 hours, 1 hour under the control of the Senator from Tennessee [Mr. Gore] and 1 hour under the control of the Senator in charge of the bill.

The **PRESIDING OFFICER**. Is there objection? The Chair hears none, and it is so ordered.

The unanimous-consent agreement, subsequently reduced to writing, is as follows:

Ordered, That on March 8, 1966, 2 hours after the bill (H.R. 12752) to provide for graduated withholding of income taxes from wages, to postpone certain excise tax rate reductions, and for other purposes, is laid before the Senate, following the conclusion of the morning business, the Senate proceed to vote on the Gore amendment on investment credit (No. 499).

Ordered further, That the 2 hours be equally divided and controlled by the Senator from Louisiana [Mr. Long] and the Senator from Tennessee [Mr. Gore].

Mr. LONG of Louisiana. Mr. President, in addition, I have an amendment which I have discussed with other committee members. I believe this amendment will help to ease the administration of the bill and that it would be worthy of consideration in conference.

I ask unanimous consent that the amendment of the Senator from Tennessee may be temporarily laid aside, and that the Senate may proceed to the consideration of the amendment which I shall now offer.

The **PRESIDING OFFICER**. Is there objection to the request of the Senator from Louisiana? The Chair hears none, and it is so ordered.

Mr. LONG of Louisiana. Mr. President, I send to the desk an amendment and ask unanimous consent that the reading of the amendment be dispensed with.

The **PRESIDING OFFICER**. Is there objection to the request of the Senator from Louisiana?

Mr. CARLSON. Mr. President, reserving the right to object, I do not want to object to the request of the distinguished chairman of the committee. However, I hope that we shall not start to introduce amendments and immediately debate such amendments when the time is limited to 2 hours on tomorrow.

I should like to discuss the amendment myself this afternoon.

Mr. LONG of Louisiana. Mr. President, if the Senator is disposed to object, I shall withdraw the amendment.

Mr. CARLSON. Mr. President, I do not object.

The **PRESIDING OFFICER**. There being no objection, it is so ordered.

The amendment offered by the Senator from Louisiana [Mr. Long] is as follows:

On page 48, after line 20, insert the following new section:

SEC. 105. OPTION OF INDIVIDUALS TO DISREGARD BALANCES DUE AND OVERPAYMENTS OF $5 OR LESS.

(a) In General.—Part I of subchapter A of chapter 1 (relating to tax on individuals) is amended by renumbering section 5 as 6, and by inserting after section 4 the following new section:

"SEC. 5. OPTION TO DISREGARD BALANCES DUE AND OVERPAYMENTS OF $5 OR LESS.

"(a) Balances Due of $5 or Less.—Under regulations prescribed by the Secretary or his delegate, if the amount shown on the return of an individual as the tax imposed by this subtitle for the taxable year exceeds by $5 or less the sum shown on the return of—

"(1) the credits against tax allowed by part IV of this subchapter, and

"(2) the amount of estimated income tax paid with respect to the taxable year,

the taxpayer may elect to disregard the amount of such excess.

"(b) Overpayments of $5 or Less.—Under regulations prescribed by the Secretary or his delegate, if the sum shown on the return of an individual of—

"(1) the credits against tax allowed by part IV of this subchapter, and

"(2) the amount of estimated income tax paid with respect to the taxable year,

exceeds by $5 or less the amount shown on the return as the tax imposed by this subtitle for the taxable year, the taxpayer may elect to disregard the amount of such excess.

"(c) Election.—An election under subsection (a) or (b) shall be made for each taxable year—

"(1) at the time of filing the return for the taxable year, and

"(2) in such manner as the Secretary or his delegate shall prescribe."

(b) Clerical Amendment.—The table of sections for part I of subchapter A of chapter 1 is amended by striking out the last item and inserting in lieu thereof the following:

"SEC. 4. Option to disregard balances due and overpayments of $5 or less.

"SEC. 5. Cross references relating to tax on individuals."

(c) Effective Date.—The amendments made by subsections (a) and (b) shall apply to taxable years beginning after December 31, 1966.

Mr. LONG of Louisiana. Mr. President, my amendment is designed to simplify procedures for taxpayers. The amendment is essentially a very simple one. It merely provides that when the amount due or the overpayment of tax is $5 or less, taxpayers at their option may skip payment or not claim a refund.

This amendment should have the effect of encouraging taxpayers either by withholding or by declaration payment to make sure that the withheld amount comes within $5 of their tax liability as shown on their return. If they do this, they can ignore the balance due and will not have to write a check for the balance.

The significance of this is indicated by the fact that under Treasury Department estimates with respect to the new withholding procedures, it is believed that 20 million taxpayers will have within $10 of the correct amount of tax accounted for by the new graduated withholding system. To the extent that these amounts are within $5 of the amount due, taxpayers will find it unnecessary to write a check at all when they file their income tax return. Thus, for these taxpayers the withholding system will account for the payment of their entire tax liability. In addition, there will be other taxpayers who, by declaration payment either supplementing withholding or in addition to it, will also find that they need to make no payment at the time they file their final tax return.

I hope that the amendment might be considered in conference. The amendment, if adopted, would save 10 million taxpayers a great amount of bookkeeping.

I have also discussed the amendment with the Senator from Delaware [Mr. Williams], who felt that this amendment would be worth considering and that it should be taken to conference.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. CARLSON. Mr. President, before we vote on the bill, I hope to discuss some of the complexities of withholding.

I think possibly that the Senator from Louisiana has offered an amendment here which might simplify the measure somewhat. If it does, I shall certainly heartily endorse it. It is the first time I have heard of the amendment. With that understanding, I shall not object to the amendment or oppose it.

Mr. LONG of Louisiana. Mr. President, I thank the Senator. I hope that this amendment, if agreed to, will ease some of the burdens of the taxpayers. If a taxpayer were to hire someone to advise him on how to file his return, it would cost him at least $5 to obtain that advice.

I think this might be a net gain to both the taxpayer and to the Treasury Department.

I believe in the last analysis that we would tend to break even.

The amendment, if adopted, would eliminate a lot of bookkeeping.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Louisiana.

Without objection, the amendment is agreed to.

Mr. CARLSON. Mr. President, I do not rise necessarily to oppose the amendment offered by the distinguished Senator from Tennessee [Mr. Gore]. However, I do want to express my views on that amendment. I think that I would be less than frank if I did not state that, when the roll is called, I shall vote against the amendment.

This investment credit was enacted as a part of the Revenue Act of 1962. It was enacted with the thought that it would increase business investment—an important factor in achieving long-term growth and full employment.

We have now had 3 years' experience with this program. I think it can easily be demonstrated that it has resulted in expanded investment—directly through more efficient production and the purchase of more modern equipment, and indirectly through greater output.

The investment credit allows the purchaser of new equipment to take 7 percent of the cost of that purchase as a credit against his tax liability. However, the taxpayer was also required to subtract the amount of the credit from the cost of the asset for purposes of determining tax deductible depreciation.

At the present time there is considerable pressure to repeal the investment credit on the theory that it is resulting in inflationary pressures on our economy, through investment in modern equipment and greater output, at a time when our Nation is suffering from greatly increased war expenditures.

It is my opinion, even though Congress should repeal the 7-percent investment credit at this time, that it would not immediately be effective in an inflationary economy, for the reason that it would be too long before its effectiveness would be felt.

And second, it would be inequitable to take away the credit on projects already approved and undertaken by business. Certainly, it would be a year or a year and a half before any effect on wholly new investments would be felt.

Our transportation industry has been suffering for years because of a lack of funds for expansion and the purchase of new equipment that is badly needed. This is especially true in regard to locomotives and boxcars.

Our Nation today is approaching a crisis in railway transportation, as a result of a boxcar shortage. It can be definitely proven that the 7-percent investment credit has been used to great advantage by our rail carriers in building boxcars.

Availability of tax incentives has had a marked influence on railroad capital expenditure programs, especially in periods of pressing equipment demands and increasing taxable earnings. The beneficial effect of tax incentives is reflected in past records of railroad capital spending, particularly for equipment.

The rapid amortization program during World War II, while limited in its immediate effectiveness by shortages of materials, helped to build up cash reserves for postwar replacement of worn-out equipment. Capital expenditures for equipment averaged $322 million annually in 1941–45, and after the war rose to an average of $822 million a year in 1947–49, as railroads in a 3-year period used their accumulated reserves to replace more than one-eighth of their freight cars and one-sixth of their locomotives.

By the close of 1949, net working capital of the class I railroads had declined to $645 million, down nearly $1 billion since 1945. With freight car supply generally adequate as measured by the then traffic demands, capital spending for equipment declined. However, with the entry of the United States into the Korean war and enactment of a new program of accelerated amortization, railroad capital spending immediately increased. Railroad outlays for equipment amounted to $779 million in 1950, increased sharply to $1,051 million in 1951, and averaged $948 million in the 3-year period 1951–53.

A general economic recession and easing of demand for freight cars as a result of lessened railroad freight traffic followed termination of the Korean conflict in 1953 and resulted in railroad expenditures for equipment falling to $499 million in 1954. As a result of an economic upswing in 1955 and continued tax incentives, railroad expenditures for equipment rose modestly to $568 million in 1955. The announcement in the fall of 1955 of an intended termination of the tax incentive afforded by the rapid amortization program led to a last minute and substantial increase in orders for new freight cars. As a result equipment expenditures rose from $568 million in 1955 to $821 million in 1956 and to $1,008 million in 1957.

The period 1958–61 was marked by another general decline in the national economy, in the demand for freight cars and in railroad earnings. Lacking any special tax incentive for capital investment, railroad equipment outlays fell to an average of $527 million per year, reaching a low of $427 million in 1961. Aided largely by enactment in 1962 of the 7-percent investment tax credit and promulgation of more realistic guidelines for equipment depreciation, such spending increased year by year from 1961's $427 million to $593 million in 1962, $785 million in 1963, $1,140 million in 1964, and to an all time record $1,300 million in 1965.

With a new freight car order book now even higher than a year ago and new locomotive production also at a high level, equipment purchases in 1966 are expected to exceed last year's record $1.3 billion, barring removal of existing tax incentives.

Capital spending by railroads for facilities other than equipment was maintained in the early postwar years in a range from about $300 million to $400 million, the highest average occurring during the 1951–57 period of installation of emergency facilities certified under the amortization program set up in 1950. After 1957 such spending on roadway projects fell below $300 million, touching bottom at $219 million in 1961, but increasing each year thereafter as tax incentive was provided.

The upturn in spending for improvement and expansion of the rail car fleet under tax incentives has been substantially greater than indicated by the above figures which do not include expenditures made by railroad subsidiaries and others for cars which railroads use under various rental or leasing arrangements. Such expenditures are estimated to have approximated $300 million in 1965 alone. Through leasing arrangements, railroads having no Federal income tax liability and, therefore, unable to realize direct benefits from available tax incentives, have received such benefits indirectly through the rental rates and have thereby been encouraged to acquire equipment they would not otherwise have been able to afford.

A conclusion that the investment tax credit, as utilized by the railroad industry, is accomplishing its purpose of encouraging capital spending and expansion need not rest on statistical inference alone. Railroad officials made public announcements in late 1962 and early 1963 that the investment tax credit and guideline depreciation were vital considerations in management decisions to order increased numbers of new freight cars.

Mr. President, I call this to the attention of the Senate for the very reason that this Nation today, in every section of our country, is suffering from a lack of boxcars; a lack of boxcars to move grain, cotton, and supplies for our military forces. In my opinion, it would be a sad mistake if Congress made any changes in the provision of the 7 percent investment tax credit at this time.

I have here, Mr. President, a table compiled from Department of Commerce-SEC surveys of plant and equipment spending which shows the wide-ranging benefits of the investment credit as illustrated by the amount of credits that were received by 20 industries which were the largest beneficiaries in the corporate sector in 1963, the latest year for which such data are available. I ask unanimous consent that the table and an introductory statement be printed in the RECORD at this point.

There being no objection, the statement and table were ordered to be printed in the RECORD, as follows:

BENEFICIAL EFFECTS OF THE INVESTMENT CREDIT: DISTRIBUTION OF BENEFITS AMONG INDUSTRIES AND ACCOMPANYING INCREASES IN BUSINESS CAPITAL EXPENDITURES

Table 1 shows the wide-ranging benefits of the investment credit as illustrated by the amount of the credit received by the 20 industries which were the largest beneficiaries in the corporate sector in 1963, the latest year for which such data are available. These 20 industries accounted for 83 percent of the total investment credit of $1,105 million actually taken in the corporate area in that year. They also accounted for about 71 percent of the $626 million unused credit available for carryovers as of the end of 1963.

The magnitude and wide distribution of these benefits among key industries in our economy suggest the incentive they provided for expansion and modernization of our economic capabilities for meeting both civilian and defense requirements.

Table 2 presents data comparing the amount of business capital expenditures for new plant and equipment in 1961 and in 1963 and 1965, respectively. The increases in 1963 and 1965 over 1961 are shown both in dollar amounts and as percentages.

As shown by the table, business spending for new plant and equipment increased by $4,850 million or 14 percent in 1963 over 1961 and by $15,630 million or nearly 46 percent in 1965 over 1961.

While only a portion of all plant and equipment expenditures qualify for the investment credit (buildings and assets with useful lives under 4 years are excluded as are varying percentages of the cost of assets with lives between 4 and 8 years), it is apparent that the availability of the credit on the vital part of investment representing new machinery and equipment has assisted modernization and expansion generally.

As shown by the table, plant and equipment spending by the manufacturing industries were nearly 60 percent greater in 1965 than in 1961. Investment by the manufacturing industries is especially important because of their ability to contribute to exports and compete against imports and thus strengthen our balance-of-payments position. The railroad industry also showed a major increase in equipment modernization and growth (142 percent increase in capital outlays in 1965 over 1961), a development of great importance both to our civilian economy and defense.

These data confirm what is widely known: that the investment credit has been a vital consideration in business management decisions to modernize and expand in the period since 1961.

TABLE 1.—*Investment credit—20 industries (2-digit SIC) which were largest beneficiaries, amount of credit taken, and unused credit, 1963*

[In thousands]

Industry (2-digit standard industrial classification)	1963[1]	
	Credit taken	Unused credit[2]
1. Electric and gas companies and systems (largest component beneficiary, the electric utilities; also includes primarily the gas utilities)	$135, 230	$21, 592
2. Communication (largest component beneficiary, telephone companies; also includes primarily radio and television broadcast companies)	99, 225	5, 334
3. Transportation (largest component beneficiary, the railroads; also includes primarily truckers, airlines, and pipelines)	96, 756	166, 884
4. Chemicals and allied products (largest component beneficiary, the plastics, synthetic rubber, and manmade fiber industries; also includes primarily the basic chemicals and related products such as explosives, drugs, fertilizers, and soaps)	78, 040	22, 861
5. Primary metal industries (largest component beneficiary the iron and steel industry; also includes primarily the nonferrous metals such as aluminum, copper, lead, and zinc)	63, 573	22, 836
6. Food and kindred products (largest component beneficiary dairy products; also includes primarily the flour and cereal industry, the beer industry, the canned and frozen food industry, and bottled soft drinks)	58, 443	19, 328
7. Petroleum refining and related industries (largest component beneficiary the big integrated petroleum refining and extraction companies; also includes primarily oil refiners and the coal tar products industry)	51, 571	88, 891
8. Motor vehicles and equipment (largest component beneficiary the auto manufacturers; also includes primarily the auto parts industry)	47, 316	3, 354
9. Machinery, except electrical and transportation (largest component beneficiary the office computing and accounting machine industry; also includes primarily the metalworking machinery industry and the construction, mining, and materials handling equipment industry)	35, 961	10, 282
10. Paper and allied products (largest component beneficiary the paper, paperboard, and building paper and board industry; also includes primarily the paper box and container industry and pulp mills)	31, 195	11, 387
11. Stone, clay, and glass products (largest component beneficiary cement producers; also includes primarily makers of concrete, gypsum, and plaster products and the glass industry)	30, 893	14, 109
12. Electrical equipment, machinery and suppliers (largest component beneficiary the electrical transmission and distribution equipment industry; also includes primarily electronic components, radio and television sets, and household appliance manufacture)	$26, 254	$10, 152
13. Transportation equipment, except motor vehicles (largest component beneficiary aerospace and related industries; also includes primarily railroad equipment manufacturers)	24, 480	1, 722
14. Fabricated metal products (largest component beneficiary fabricated wire products and miscellaneous fabricated metal products ranging from toothpaste tubes to safes and vaults; also includes primarily structural metal products, such as bridge, building, and ship structural components and the metal can and metal stamping industries)	23, 966	8, 199
15. Textile mill products (largest component beneficiary cotton cloth manufacturing; also includes primarily knitting mills, yarn and thread mills, and the synthetic fiber cloth industry)	20, 174	7, 783
16. Banks and trust companies (commercial banking institutions and mutual savings banks but not savings and loan associations)	19, 818	2, 446
17. Printing, publishing, and allied industries (largest component beneficiary, printing and business form industry; also includes primarily newspapers, book publishers, and bookbinding and similar printing trade services)	19, 335	8, 302
18. General merchandise stores (largest component beneficiary, department stores; also includes primarily variety stores)	18, 681	8, 911
19. Rubber and miscellaneous plastic products (largest component beneficiary, tires and inner tubes; also includes primarily miscellaneous rubber products and plastic castings "made for the trade")	18, 262	3, 491
20. Retail trade, food stores	17, 745	7, 067
Total, 20 largest beneficiaries	916, 918	444, 931
Total all active corporations	1, 105, 353	625, 590
Total, 20 largest beneficiaries as percentage of total all active corporations	83. 0	71. 1

[1] For 1966, the total amount of the investment credit taken by corporations generally will be about 60 percent greater than in 1963.

[2] Unused credit includes credit on 1963 investments not used in 1963 plus carryover of unused credit from 1962.

Source: Based on Statistics of Income.

TABLE 2.—*Business capital expenditures for new plant and equipment—Increase in expenditures in 1963 and 1965 over 1961, by major industry group*

[Dollar amounts in millions]

	Plant and equipment expenditures		Increase in 1963 over 1961		Plant and equipment expenditures, 1965	Increase in 1965 over 1961	
	1961	1963	Amount	Percent		Amount	Percent
Manufacturing	$13,680	$15,690	$2,100	15.4	$21,880	$8,200	59.9
Durable goods industries	6,270	7,850	1,580	25.2	10,960	4,690	74.8
Primary iron and steel	1,130	1,240	110	9.7	1,880	750	66.4
Primary nonferrous	260	410	150	57.7	630	370	142.3
Electrical machinery and equipment	690	690	0	------	800	110	15.9
Machinery, except electrical and transportation	1,100	1,240	140	12.7	1,990	890	80.9
Motor vehicles and parts	750	1,060	310	41.3	1,980	1,230	164.0
Transportation equipment, excluding motor vehicles	380	530	150	39.4	520	140	36.8
Stone, clay, and glass	510	610	100	19.6	760	250	49.6
Other	$1,450	$2,050	$600	41.4	$2,390	$940	64.8
Nondurable goods industries	7,400	7,840	440	5.9	10,920	3,520	47.6
Food and beverage	980	970	−10	------	1,170	190	19.4
Textile	500	640	140	28.0	1,010	510	102.0
Paper	680	720	40	5.8	1,130	450	66.2
Chemical	1,620	1,610	−10	------	2,470	850	52.5
Petroleum and coal	2,760	2,920	160	5.7	3,830	1,070	38.8
Rubber	220	240	20	9.1	350	130	59.1
Other	650	730	80	12.3	970	320	49.2
Railroad	670	1,100	430	64.2	1,620	950	141.8
Transportation, other than rail	1,850	1,920	70	3.8	2,790	940	50.8
Public utilities	5,520	5,650	130	2.4	6,690	1,170	21.2
Communication	3,220	3,790	570	17.7	------	------	------
Commercial	8,460	10,030	1,570	18.6	------	------	------
Total	34,370	39,220	4,850	14.1	50,920	15,630	45.5

Source: Compiled from Department of Commerce-SEC surveys of plant and equipment spending.

Mr. CARLSON. Mr. President, I call to the attention of the Senate telegrams I have received from two of the outstanding railways in our Nation in regard to the need for continuation of the 7 percent investment credit, and also as to the amount of money that they have been spending annually, based upon the 7 percent investment tax credit.

A wire from the Atchison, Topeka & Santa Fe Railroad reads as follows:

CHICAGO, ILL.,
March 4, 1966.

Hon. FRANK CARLSON,
New Senate Office Building,
Washington, D.C.:

We are pleased to know of your support of retention of investment tax credit. In order that you might be aware of its IHO use, we thought the following information would be of interest to you.

Gross capital expenditures of the Santa Fe Railway and its controlled subsidiary companies averaged $70.6 million annually for the years 1955 to 1962, inclusive. The effect of the 7 percent investment tax credit was an important consideration in our planning of capital expenditures subsequent to its enactment and contributed to our decision to make the following increased expenditures: 1963, $91.9 million; 1964, $121.9 million; 1965, $157.3 million; and planned expenditures for 1966 approximate $138 million. Completion of the 1966 program will bring our investment to more than $403 million for over 21,000 new freight cars and new diesel locomotives in just 4 years. These substantial expenditures have been made by Santa Fe not only to meet its own freight car needs in the face of chronic car shortages but also to make a substantial contribution to the Nation's car supply.

The importance of this legislation to the railroad industry cannot be minimized. The carriers should be given every encouragement to continue their substantial improvement programs in order to assure an adequate car supply for future economic growth and adequate transportation for the needs of the Nation's defenses.

E. S. MARSH,
Santa Fe Railway.

I am advised that in the 10 years preceding 1961, the Union Pacific spent $605 million on road and equipment improvements, or an average of $60,500,000 per year. That in 1961, the year preceding the enactment of the 7-percent deduction provision, the Union Pacific had spent $49,900,000; that after the enactment of the deduction provision the Union Pacific in 1964 spent $107,800,000; in 1965 they spent $121,300,000.

Actual expenditures for the years 1962 through 1965 and budgeted expenditures for 1966 are as follows:

1962	$64,404,130
1963	75,803,463
1964	107,876,141
1965	121,300,000
Budget for 1966	160,000,000

Mr. President, I call this to the attention of the Senate for the very reason that in this Nation, and particularly in the grain belts of the Nation, we are facing a great demand for cars that are in great shortage. It is impossible to move much of the grain in those areas at the present time, and I know that the car shortage is felt in other areas of the Nation as well. I sincerely hope that no action will be taken at this time that will in any way reduce the opportunities for these carriers to expand their supply of locomotives and boxcars, at a time when our Nation is in war.

Mr. President, I had not intended to discuss the graduated withholding provisions of this bill until the distinguished Senator from Louisiana [Mr. LONG], the chairman of the committee, offered an amendment which has been approved.

It is my opinion that the graduated withholding plan in this bill is designed to bring withholding more in line with our graduated income tax rates. While it may be true that a significant number of employees will eventually find their withholding more nearly equal to their tax, I think many of us overlook the fact that this quest for improvement in the withholding system will not be without its complications for millions of wage earners.

The bill requires that employers put the new withholding rates into effect on May 1 of this year. This allows only a short time for employees to learn about the new system—which will involve six withholding rates instead of the one now in effect. Married employees must file new withholding certificates before May 1 to qualify for withholding under the rates for married people. Moreover, those employees who have voluntarily increased their withholding so that it will meet their tax liability will have to make adjustments within this period if they want to avoid overwithholding under the new rates. Employers will have to revise their withholding procedures to accommodate to the new system. Unless the Internal Revenue Service acts quickly to inform employers and employees of the new system, we can expect a lot of confusion. I must say that the Service has assured us it will do all it can to keep the confusion and difficulties to a minimum.

I realize, however, that this is only a short-term problem that will pass with time. Nevertheless, we must recognize that the transition will put a burden on our citizens and businesses.

Many of our citizens will find in May that the current tax payments they make through withholding will increase. I am sure some will not be expecting this, and they may be suddenly surprised. It is, of course, true that the additional payments will be reflected in turn in the lower tax bill next year, for the real tax liability is not changed and more payments now simply mean a lesser amount need be paid later on. Still, we should be preparing for the higher payments starting in May.

There has been much discussion about the overwithholding that this graduated plan will produce for some employees. While there are some who will not object, there are others who may find this a substantial hardship. Of course, we have always had overwithholding in our tax system, and this bill has really served to focus attention on this problem. The bill does include a special relief provision for substantial cases of overwithholding caused for employees with relatively large deductions. Again, to achieve more equity, we are adding a complex formula to the law which employees who choose this relief must apply every year. I can only hope and expect that the Internal Revenue Service will make every effort to translate this formula into a simple form, perhaps through the use of tables.

My real hope is that we are obtaining enough improvement through the graduated withholding plan to compensate for the complexities which we are placing on millions of employees and their employers. We must assume that the result of keeping taxpayers more current and reducing the yearend bills that now face many taxpayers through the present underwithholding—and which brought many complaints last year—justifies the necessary complexities of this bill. The changes we are adding do take some of the rough edges off the withholding system, but the improvements do come at a price. I can only hope that the balance overall is a favorable one, and that as we go along and gain experience with graduated withholding and the new relief provisions we will be able to produce even a better system.

Mr. President, I am pleased that the distinguished chairman of the committee offered an amendment which, I am hopeful, will remove some of the complexities and simplify the measure, which I know will cause some difficulties to millions of our citizens.

Mr. LONG of Louisiana. Mr. President, will the Senator from Kansas yield?

Mr. CARLSON. I yield.

Mr. LONG of Louisiana. I wish to congratulate the distinguished Senator from Kansas for the fine statement he has just made. I have never observed the Senator's voting anything other than his complete conscience on tax matters. I have not yet seen him cast a vote in a partisan way on revenue matters, or, for that matter, on very few other matters. I am grateful to the Senator from Kansas for the thoughtful and studious attention he gives to all revenue matters that come before the Senate.

ORDER FOR ADJOURNMENT

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it adjourn until 12 o'clock noon tomorrow.

The PRESIDING OFFICER (Mr. Byrd of Virginia in the chair). Without objection, it is so ordered.

TAX ADJUSTMENT ACT OF 1966

The Senate resumed the consideration of the bill (H.R. 12752) to provide for graduated withholding of income tax from wages, to require declarations of estimated tax with respect to self-employment income, to accelerate current payments of estimated income tax by corporations, to postpone certain excise tax rate reductions, and for other purposes.

Mr. McNAMARA. Mr. President, I regret very much that I cannot support the proposal—to restore excise taxes on automobiles and telephone service which we removed last year.

It is highly inappropriate for us to reinstate so soon these taxes which were reduced such a very short time ago.

We took a proper and overdue step last year, when we removed many of the excise taxes that had been borne for so long by consumers, and reduced the automobile and telephone excise taxes as the first steps toward eliminating them.

That was a proper thing to do—because consumer taxes are the worst kind In many cases they are levied on items that are needed by rich and poor alike—and violate the principle that taxes should be based on ability to pay.

Why have the administration, and, thus, far, the Congress, chosen to restore the excise taxes on these two items?

Secretary of the Treasury Fowler has been frank to say that it is entirely a matter of convenience. In his testimony before the Senate Finance Committee he explained:

> With regard to the automobile and telephone taxes, however, only a change in rate is involved—not a restoration of an entire tax. No additional accounting and reporting are involved, and there is no reintroduction of the compliance and administrative difficulties involved in the various small taxes.

Thus, it is ease of collection—rather than merit—which appears to govern the Treasury's tax policy.

Raising the excise tax rates on automobiles and telephone calls will produce $60 million in fiscal year 1966 and $1.2 billion in fiscal year 1967.

This is a poor way to raise this sum—when we consider the alternatives that are available.

Federal taxation—most experts agree—should be based on ability to pay—not on ease of collection.

We should examine carefully any proposals to soak the consumer, at a time when profits are breaking all records, and when we have just reduced the burden of taxation on many luxury items.

We should examine carefully any proposals to soak the consumer—when we consider that consumer spending is such an important factor in maintaining our high levels of employment.

We should ask ourselves who are best able to bear this additional cost of the war in Vietnam—at a time when we are asking working people to limit their wage increases to 3.2 percent per year.

The economy is booming—partly because of the tax reductions we have voted in recent years, and partly because of the war in Vietnam.

This prosperity is accompanied by enormous increases in profits.

While the Council of Economic Advisers attempts to impose that 3.2 percent ceiling on wage increases, cash dividends paid by corporations issuing public reports rose 10.25 percent during 1965—according to the Department of Commerce.

Corporate profits—before taxes—were at an all-time high in 1965—of $74.6 billion, as compared with $64.8 billion in 1964. This is an increase of more than 15 percent.

Profits after taxes rose from $37.2 billion to $44.5 billion from 1964 to 1965. This is an increase of 19 percent.

These profit figures are well known. I get them from the Economic Report of the President for January 1966. They are no secret to those who are being asked to sacrifice by restricting their wage demands—or by paying higher consumer taxes.

These increased profits are a much more reasonable source of additional revenue than the restoration of consumer taxes on items that can hardly—these days—be considered luxuries.

While this legislation proposes to restore the higher level of taxes on automobiles and telephone calls, it lets stand these annual losses in excise taxes which were entirely removed on June 22, 1965:

Jewelry: $220 million.
Furs: $30 million.
Toilet preparations: $210 million.
Luggage: $90 million.
Business machines: $75 million.
Sporting goods, excluding fishing equipment: $25 million.
Phonograph records: $30 million.
Musical instruments: $27 million.
Television sets: $135 million.
Radios and phonographs: $90 million.
Cameras, films and lenses: $40 million.
Air conditioners: $34 million.
Lighters: $3 million.
Matches: $4 million.
Playing cards: $11 million.
Coin operated amusement devices: $6 million.
Bowling alleys and pool tables: $7 million.
Safe deposit boxes: $7 million.
General admissions: $55 million.
Cabaret admissions: $47 million.
Club dues: $85 million.
Manufactured tobacco: $18 million.

Here are taxes that can yield about $1.25 billion annually—just about the amount the administration expects to gain by restoring telephone and automobile excise taxes to their earlier and higher levels.

I am against restoring these taxes, too—because they are consumer taxes. We did well to remove them last year. Yet it seems to me much more reasonable—and defensible—if any taxes are to be restored, to restore luxury taxes, than to raise taxes on items as essential to most people as automobiles and telephone calls.

The Treasury says that reinstating the luxury taxes involves a lot of trouble and bookkeeping. That argument may be valid—but if these taxes are not to be reimposed, then neither should taxes on items much more necessary to the ordinary consumer.

The argument is that it is easier to raise an existing tax than to impose new ones—or to restore taxes that have been removed altogether. This argument can be applied to other taxes—and more equitable taxes—as well as to those it proposes to raise.

If we are to be serious in our efforts to hold down inflation—if we really want to persuade working people that they are not the only group being subjected to controls, if we are to seek needed extra revenue from sources best able to pay—then we should certainly look to the enormously inflated profits of the present period.

I asked the Treasury to estimate for me the effect of an increase of 1 percentage point in the basic corporate income tax rate. It replied that this would raise $700 million a year.

Since we are asked to raise taxes about $1.26 billion in fiscal years 1966 and 1967, I propose that instead of restoring the excise tax cuts on telephone calls and automobiles, we raise the basic corporation income tax by 2 percentage points—to yield $1.4 billion.

This will be an easy tax to compute and collect. It will be a fair tax. In the swollen state of profits today, it will also be an easy tax to pay.

Mr. CARLSON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will coll the roll.

The legislative clerk proceeded to call the roll.

Mr. SMATHERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WILLIAMS of Delaware. Mr. President, the Senate Finance Committee by a vote of 10 to 1 approved my amendment, as appearing in section 301 of the pending bill, the purpose of which is to prohibit any advertising in political programs or in programs of groups sponsored by political committees from being considered as deductible expense for income tax purposes.

Since the approval of this amendment, questions have arisen in both political parties as to whether or not it is broad enough to cover such advertisements or contributions when the profits are to be used by a political party or a candidate for educational research or some other similar purpose or when such advertisements appear in almanacs or other types of campaign folders.

The answer most emphatically is that the amendment as drafted does cover such situations and any similar arrangement which may be devised later. Advertisements under any such circumstances, if this amendment is approved by the Senate, will not be deductible.

In this connection, I ask unanimous consent that a copy of the amendment as it was approved by the committee be printed at this point in the Record.

There being no objection, the amendment was ordered to be printed in the Record, as follows:

SEC. 301. DISALLOWANCE OF DEDUCTIONS FOR CERTAIN INDIRECT CONTRIBUTIONS TO POLITICAL PARTIES.

(a) DISALLOWANCE.—Part IX of subchapter B of chapter 1 (relating to items not deductible) is amended by adding at the end thereof the following new section:

"SEC. 276. CERTAIN INDIRECT CONTRIBUTIONS TO POLITICAL PARTIES.

"(a) DISALLOWANCE OF DEDUCTIONS.—No deduction otherwise allowable under this chapter shall be allowed for any amount paid or incurred for—

"(1) advertising in a convention program of a political party, or in any other publication if any part of the proceeds of such publication directly or indirectly inures (or is intended to inure) to or for the use of a political party or a political candidate,

"(2) admission to any dinner or program, if any part of the proceeds of such dinner or program directly or indirectly inures (or is intended to inure) to or for the use of a political party or a political candidate, or

"(3) admission to an inaugural ball, inaugural gala, inaugural parade, or inaugural concert, or to any similar event which is identified with a political party or a political candidate.

"(b) DEFINITIONS.—For purposes of this section—

"(1) POLITICAL PARTY.—The term 'political party' means—

"(A) a political party;

"(B) a National, State, or local committee of a political party; or

"(C) a committee, association, or organization, whether incorporated or not, which directly or indirectly accepts contributions (as defined in section 271(b)(2)) or makes expenditures (as defined in section 271(b)(3)) for the purpose of influencing or attempting to influence the selection, nomination, or election of any individual to any Federal, State, or local elective public office, or the election of presidential and vice-presidential electors, whether or not such individual or electors are selected, nominated, or elected.

"(2) PROCEEDS INURING TO OR FOR THE USE OF POLITICAL CANDIDATES.—Proceeds shall be treated as inuring to or for the use of a political candidate only if—

"(A) such proceeds may be used directly or indirectly for the purpose of furthering his candidacy for selection, nomination, or election to any elective public office, and

"(B) such proceeds are not received by such candidate in the ordinary course of a trade or business (other than the trade or business of holding elective public office).

"(c) CROSS REFERENCE.—

"For disallowance of certain entertainment, etc., expenses, see section 274."

(b) CLERICAL AMENDMENT.—The table of sections for such part IX is amended by adding at the end thereof the following new item:

"SEC. 276. Certain indirect contributions to political parties."

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall apply to taxable years beginning after December 31, 1965, but only with respect to amounts paid or incurred after the date of the enactment of this Act.

Mr. WILLIAMS of Delaware. I shall ask that there be printed in the RECORD a statement outlining the purpose and legislative intent of this amendment should it be adopted in its present form. This analysis was prepared not just by myself but in cooperation with the staff of the Joint Committee on Taxation working with the Treasury Department. This is a clear analysis as to how we intend this amendment to be interpreted should it be approved in its present form.

I ask unanimous consent that the statement outlining the legislative intent be printed at this point in the RECORD.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

STATEMENT ON AMENDMENTS SPONSORED BY SENATOR JOHN WILLIAMS

Included in the bill as reported by the Committee on Finance are two amendments I sponsored.

AMENDMENT ON INDIRECT POLITICAL CONTRIBUTIONS

The first of my amendments is designed to clear up the tax treatment of what really are indirect political contributions. It is the committee's view that political contributions either generally should be deductible or not deductible. I see no reason for special treatment just because we call some of them advertising, admissions, or anything else.

Under existing law political contributions generally are not deductible. Nevertheless, it is common knowledge that this rule has, for some time, been circumvented by the simple expedient of framing contributions in the form of purchases of advertising space in various party-sponsored publications. In spite of the obvious transparency of this device, I am informed that it is by no means certain that deductions for such "advertising expenses" will be disallowed. I am not only concerned with the lack of clarity in present law as to the deductibility of these contributions. I am also concerned about the participation of political parties in schemes which by indirection attempt to create tax deductions for payments which, if made directly, would not be allowable.

For these reasons I proposed this amendment to the bill (H.R. 12752) to make it unmistakably clear that political contributions made in the form of advertising, payments for admissions, or payments by other indirect means, are not to be deductible for income tax purposes.

Under this amendment amounts paid for advertising in a political convention program are not to be deductible under any circumstances. In addition, amounts paid for advertising in any other publication are not to be deductible, if any part of the proceeds of the publication inures, directly or indirectly, to a political party or a political candidate. In determining whether proceeds inure to a political party or candidate the use to which they are put by the party or candidate is completely irrelevant. The fact that such proceeds are used by a political party or candidate only for educational and research purposes, or for any other similar purposes, does not make the advertising deductible.

In addition, my amendment specifies that no deduction is to be allowed for the admission charge to any dinner or program, if any part of the proceeds of the dinner or program inures, directly or indirectly, to a political party or a political candidate. A charge for admission for this purpose includes not only amounts paid for the right to attend the event, but also includes any additional amount paid to entitle the person to participate in activities carried on at the event.

My amendment also provides that charges for admission to an inaugural ball, inaugural gala, inaugural parade, or inaugural concert, or to any similar event which is identified with a political party or political candidate are not to be allowed as deductions. This provision applies regardless of the sponsorship of the event or of the disposition of the proceeds. Under this provision, charges for admission to an inaugural ball sponsored by nonpartisan or bipartisan committee or organization are not deductible. This is true even if the proceeds are used only to defray the expenses of the ball or similar event. The provision applies whether the inaugural celebrated is for a Federal, State, or local official (elected or defeated).

A political party for purposes of my amendment includes (in addition to a political party as commonly understood) a national, State, or local committee or a political party. It also includes any committee, association, or organization, whether incorporated or not, which directly or indirectly accepts contributions or makes expenditures for the purpose of influencing or attempting to influence the selection, nomination, or election of any individual to any elective public office, or the election of presidential or vice presidential electors. These organizations are treated as political parties whether or not the individual succeeds in being selected, nominated, or elected.

In general, this amendment is patterned after the provision of present law denying deductions for worthless debts owed by a political party. However, it differs slightly to make it clear that (as was intended under the worthless debt provision) it applies to candidates at primary elections.

Mr. WILLIAMS of Delaware. Mr. President, immediately following, I ask unanimous consent that two editorials be printed in the RECORD, one appearing in the Washington Post entitled "Back-Door Fundraising" and the other appearing in the Wilmington Morning News of March 4 entitled "Twilight of a Shakedown."

Questions raised in the first editorial are answered in the statement above.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Mar. 5, 1966]
1966]

BACK-DOOR FUNDRAISING

The chief question about Senator JOHN J. WILLIAMS' amendment to the tax bill striking at corporation advertising in political fundraising publications is whether it goes far enough. The fund raisers have driven a coach and four through the flimsy provisions of the Corrupt Practices Act. It was once thought to prohibit corporations from contributing to political campaigns. But it has not stopped either party from soliciting advertising in convention books and thinly disguised campaign pamphlets designed to raise money for "educational purposes."

At Senator WILLIAMS' behest, the Finance Committee voted to forbid any tax deduction for advertising expenses in a convention program of a political party or other publication if the proceeds would inure to the benefit of a political party or candidate. The amendment is intended, of course, to prevent businessmen from passing part of the cost of these favors on to the public by charging them off as businesss expenses. But already its meaning is in dispute. If the language is not now unmistakably clear, we hope that it will be spelled out in no uncertain terms.

This newspaper has long advocated tax exemption for small individual contributions to the political parties and candidates. But no party should have any back-door siphon into corporate treasuries. The fact that corporate ads in party publications may have some commercial value is beside the point. Whatever that value may be, corporations may be reasonably required to forgo it in the interests of clean politics. Indeed, we surmise that the managements of the big corporations would be the first to welcome a flat ban on corporate ads in party publications as a means of escaping from potential shakedowns. In any event, the public interest requires an abrupt cutoff in this flow of corporate funds into partisan treasuries.

[From the Wilmington (Del.) Morning News, Mar. 4, 1966]

TWILIGHT OF A SHAKEDOWN?

U.S. Senator JOHN J. WILLIAMS is another big notch further along in his campaign to tighten up the Federal denial of tax deductibility for contributions to political parties or candidates for office. On his insistence the Senate Finance Committee has agreed that the cost of advertisements in political brochures should no longer qualify as business expense deductible on corporation income taxes.

Whether it's a printed program for a convention or for a fundraising clambake in shirt sleeves—the device of selling high-price ads has become popular with party factotums. They have found it especially useful in arm twisting big cash gifts out of firms that do business with Government—or hope to. It is also true that some firms have resolutely refused to be shaken down this way.

Last December a brochure extolling the Democrats' achievements in the 89th Congress contained $1 million worth of advertising. (There have been Republicans willing to say the example is worth emulating.) Even before that glad rag came out, Senator WILLIAMS had laid his plans shrewdly enough. He introduced a pair of contradictory bills. One permitted deductibility for all such ads; the other outlawed it. Then he challenged the U.S. Treasury to choose between the two versions.

Chapter 2: This week Secretary of the Treasury Henry H. Fowler told Senator WILLIAMS his Department favored an amendment to rule out deductibility on advertising of this type. That was all the Sussex-bred watchdog of the Treasury needed. Armed with Mr. Fowler's endorsement, he saw his amendment go through the committee 10-to-2.

Since the removal of this deductibility will have a direct effect on corporation tax revenues, Senator WILLIAMS was doubly shrewd. For best speed he attached his amendment not to the basic Corrupt Practices Act itself but to the administration's new tax bill which had already sailed through the House of Representatives in the context of the Vietnam war. If and after the Senate accepts the amendment, back in the House it stands to find some champions of clean politics. One of them has already raised a banner in the WILLIAMS style. That is Representative CHARLES L. WELTNER, Democrat, of Georgia, who refused to use the proceeds of a program for a fundraising theater party to help his own election campaign in 1964.

Before long, let's hope, corporations will be on the same footing with individual taxpayers in this manner: No tax deductions for political contributions. And the corporations themselves, we are sure, will be the last to complain.

STATEMENT OPPOSING THE RIBICOFF AMENDMENT

Mr. LONG of Louisiana. Mr. President, the Ribicoff amendment would provide a tax credit against individual income tax liability, determined according to a sliding schedule applied to payments for tuition, fees, books, supplies, and equipment incurred on behalf of a student enrolled at an institution of higher education. The tax credit would be available to any taxpayer who legitimately may claim the student as a dependent of his on his income tax return.

Two years ago, when this same proposal was under consideration as a floor amendment to the Revenue Act of 1964, Senator RIBICOFF stated that his purpose was to ease the heavy financial burden of college costs and thus help to reach the goal of enabling every deserving young man and woman in this country to obtain a college education.

I think we ought to examine the proposal on its merits to determine the extent to which it may succeed in its objectives.

The maximum tax credit would be $325 on tuition, fees, and so forth, of $1,500. The credit would be $150 on college costs of $200, and $175 at the median level of $750 of expenses. The credit declines as income rises above $25,000 and vanishes at $57,500. Undoubtedly, a reduction in his tax burden would be welcomed by any taxpayer, but it is difficult to believe that the relief available from this amendment would provide the extra margin of funds required to permit more than a handful of young people to go to college who could not afford to go in the absence of the tax credit.

Senator RIBICOFF claims that 62 percent of the estimated tax benefits would go to families with incomes between $3,000 and $10,000. His estimate is correct, but another view of the estimates presents a different picture. Sixty-two-percent share of these tax benefits also would go to taxpayers with incomes above $7,500, which is approximately the median family income in the United States today. While all beneficiaries of this tax credit could hardly be classed as rich men, it is clear that the distribution of benefits is inequitable.

In addition, the annual costs of sending a young man or woman to college are described unfairly. Expenses for room, board, transportation, and personal items should not be included in the costs of going to college. After all, these living costs would have to be met under any circumstances.

The only relevant expenses are tuition, books, and fees. The estimates of the tax credit against such fees, presented by the Senator from Connecticut on Friday, average $195 for the 92 institutions he listed. One hundred and ninety-five dollars is a sizable tax credit, but we should not deceive ourselves into believing that $195, or $22 a month for a 9-month school year, will be the critical difference in the decision whether or not to go to college.

It is of much greater importance to recognize that this shortcoming of the tax credit actually underscores its inability to provide general relief. Lower income taxpayers do not incur large enough tax liabilities to benefit from the tax credit. What is an even more melancholy consideration is that children in these families who possess the capacities to benefit from college training do not enter college because of this income inadequacy. In short, the tax relief amendment does not meet the major problem interfering with college attendance.

Many college administrators also oppose the Ribicoff plan because it fails to meet the real problems of bringing more students into colleges. In addition, they have stated that they would take steps to vitiate whatever benefits the tax credit would provide by increasing tuition. It has been estimated that three-quarters of the tax relief that could be obtained from the tax credit would be absorbed by increased tuition.

One easily can visualize legislative proposals from proponents of the Ribicoff amendment seeking to restore the benefits of the tax credit by enlarging the tax credit. We would then take off on a continuous, ascending spiral of higher tuition and fees and larger tax credits. The greatest victims would be the handful of students who might be able to afford college because of the initial tax credit. They would lose out as the rising tuition and fees wiped out the small beneficial margin they received initially.

Acceptance of the Ribicoff amendment to this bill would indeed be ironic. H.R. 12752 is a careful blend of changes in the tax laws which are designed to offset the inflationary edge of increased defense expenditures, to bring the economy to full employment and to keep it there. The tax adjustments in this bill will carry just the correct dosage of tax medicine into fiscal year 1968 to avoid serious inflation. At that time, the normal rate of eonomic growth will generate sufficient tax revenues to offset further claims on our resources.

This amendment, however, will commit us now to reducing taxes on 1967 returns by more than $1 billion when we do not know what our international and military commitments will be at that time. It is intended to forego tax revenues before we will have had the opportunity to assess our requirements.

It is also ironic that this amendment to a tax bill that is needed because of our military requirements so eagerly would reduce through a highly questionable tax credit the financial sacrifice of getting a college education—which provides so many personal benefits—when so many other fine young men are risking their lives and health in the military service of their country. Gentlemen, that is not a pretty picture.

At a matter of fact, it is worth pointing out that most of the young men whose families would be enjoying the tax credit would be going to college and would thereby be exempt from the draft. By contrast, the measure provides no tax credit for families of young men who are serving on the field of battle as a result of being drafted into the uniform of their country or as a result of volunteering to serve their country on the field of combat against the enemy.

The nature of the income distribution in the United States, and the patterns of college enrollment, effectively convert the tax credit to tax relief available primarily to the upper half of the income distribution. It is cruelly unfair to the lower income taxpayers to deny them tax relief, too, when they cannot afford to make the expenditures which are the basis of the tax relief. It would be far more equitable, effective, and beneficial to all taxpayers to wait until economic and budgetary considerations permit a general tax deduction of benefit to all. I might add that the tax credit contemplated in this amendment, in all probability, will delay the timing of a general tax reduction.

There remains, of course, the question whether the Ribicoff tax credit is necessary any longer in the light of recent legislation in the field of education.

The student loan program which was enacted last year is a far more beneficial and powerful medium for opening up the college gates to qualified students. The loans are available to all students, regardless of their own or their parents' income level. The interest cost of the loan is a small cost when compared with the enhanced income prospects that college training makes possible. The lengthy period allowed for repayment eases the burden of payments upon the borrower's income when he is just starting his career. The size of loan available to a student makes a genuine contribution to meeting the financial costs of attending college.

In his statement supporting his amendment, the Senator from Connecticut expressed his disapproval of the use of loan funds by the parents and the students. He considered it to be unfair to ask the parents to incur an additional debt burden or the student to start his career after graduation saddled with thousands of dollars of debt.

The Senator's well-placed sympathies, however, distort the picture. The choice is at the margin. Should the student or his parents borrow an amount equal to the tax credit his amendment would provide? If the amount that would be borrowed were only equal to the tax credit his amendment would provide, the average student or his parent would borrow less than $800 for a 4-year undergraduate degree, or a maximum of $1,300 if the full tax credit could be taken. Is that too great a burden spread over 4 years? Are not the benefits which the student will gain in higher income for the remainder of his working life worth incurring a debt between $800 and $1,300?

Actually, I have heard it estimated that the difference between the earnings of a young man who drops out before finishing high school and the earnings of a young man who finishes high school, over a period of 40 years of productive endeavor, is $160,000. I should think that the $800 to $1,300 that a person would borrow on the same basis would certainly be justified by the difference of $160,000 in lifetime earnings.

The tax credit is an expensive device compared to the student loan program, as well as a less effective one. At the present time, the tax credit will cost about $1 billion in foregone tax receipts, and the revenue loss will become greater as college enrollment increases in the future. The loan program is costless in the long run. The initial contribution to the loan fund will be repaid by the borrowers, and the losses from defaults undoubtedly will be made up by the interest payments on the loans. In effect, the fund will become self-sustaining.

The new student loan program is far more consistent with the traditions of our country than the tax credit amendment. It does not only provide the loans to all matriculated students on the basis of their ability to be accepted in a college of their choice.

It provides a mechanism at the disposal of the student and his family that assists them in meeting their own responsibilities and costs through simply leveling out and extending over a longer period of time the concentration of large payments that otherwise must be met in a brief 4-year period.

It provides a financial environment in which independence and self-reliance can be fostered.

It accomplishes these objectives without the indirect subsidy through tax relief to the upper half of the income distribution and without the accompanying shift of a larger share of the tax burden to all other taxpayers—of whatever level of income—that is the inevitable result of the Ribicoff tax credit amendment.

I trust that the Ribicoff amendment will be rejected. I could not think of a worse time to adopt it. It tends to discriminate in favor of those who enjoy more income and whose sons are today exempt from the draft. It tends to favor those who in the years to come would enjoy far more income than other taxpayers who would be paying the taxes, while the favored individuals were exempt from a major portion of a tax which other citizens who have even greater needs in other respects, would be expected to shoulder.

While I have strong sympathy for those who wish to aid education, I point out that 2 years ago the entire Federal effort in the field of education was about $4,750 million. Today the Federal effort is about $10 billion annually, more than twice the amount of the effort that the Federal Government was making 2 years ago.

Furthermore, the direction in which the Federal Government has moved has been to help to provide jobs for those who would like to work their way through college, and those jobs are available. The Federal Government is helping to provide grants for those who themselves are not able to pay for a college education. The Federal program also provides loans to students who wish to go to college, so that they may borrow money to advance their college education. A college education is not denied today to anyone who has the ability to do good college work. Either he can work his way through college or obtain grants to see him through, or he can borrow money to obtain a college education that will make it possible for him to enjoy a better standard of living and to enjoy far more income than he would otherwise enjoy during the remainder of his productive life.

That is the direction in which we should be moving, rather than simply to provide what would start out as a billion-dollar tax advantage but would later become a multibillion-dollar tax advantage to people who today are already well able or are at least able to pay for the education of their children, when so many programs are available to those who have some need of them.

In the last analysis, it seems to make better sense that those who expect to enjoy higher income for the remainder of their lives as a result of college education should have to establish either that they have need of a Federal grant or are willing to work for it, or are willing to repay its cost, in order to enjoy the higher earnings that are available to them but are not available to taxpayers who do not have the same opportunity.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. SMATHERS. I feel certain that the Senator from Louisiana will remember when the junior Senator from Florida introduced a bill, many years ago, of the type of the amendment which has been offered by the distinguished Senator from Connecticut [Mr. RIBICOFF]. I pursued this objective and idea for a number of years before I became convinced, as the Committee on Finance also became convinced, that that really was not the correct way to approach the problem of providing education for those in our society who are unable to provide education for themselves or who are most in need of education.

I believe the Senator remembers that this particular measure was turned down by the Committee on Finance at least two or three times.

Mr. LONG of Louisiana. The Senator is correct.

Mr. SMATHERS. Is it not correct that Congress just recently passed the so-called modern GI Bill of Rights—which of course covers Vietnam—under which, for every month a young man serves in the Armed Forces of his country, the Federal Government will provide him with a minimum of $100 a month for the purpose of obtaining an education?

Mr. LONG of Louisiana. The Senator is correct. That makes good sense, too. The measure passed unanimously. One reason that the measure did pass unanimously was that Congress recognized the obligation on the part of the Government to help provide an education for those who went the extra mile for their Nation and made that extra sacrifice.

The same thing does not apply to those who are being exempted from the draft so that they may pursue their college education.

Mr. SMATHERS. When it comes to trying to reward the young men who have recognized their responsibility to the Nation by wearing their country's uniform and serving in the Armed Forces, does it not seem to the distinguished Senator from Louisiana, the chairman of the committee, that we should reward those boys who have served our Nation and are in need of funds with which to start or to complete their education, rather than, as the Senator has pointed out, to encourage some young men to take advantage of a measure passed by Congress, such as the education bill offered by the Senator from Connecticut, so that they might thereby escape their responsibility to the Nation?

Mr. LONG of Louisiana. Mr. President, it almost escapes me to understand why, at a time when we have young men fighting and dying on the battlefields for their country—and the son of the distinguished Senator from Florida is fighting for our country right now—we should attempt to do something for those who prefer to finish their education before serving their country.

It seems passing strange to provide by law that at a time when some men are being asked to fight for their country, a man who has as much as $20,000 income should be afforded a $325 refund in taxes, which is what the tax credit would amount to. It is proposed by the Senator from Connecticut that this amount of refund be provided, to help such a man put his boy through college. That boy is being favored by being exempted from the draft so that he might go to college.

One who has that good fortune, if that is what he wants, should thank his merciful Lord that his boy is not making the sacrifices that others are making and have made with the 1st Marines, with which the Senator from Florida served so ably during World War II.

Mr. SMATHERS. I thank the Senator. I totally agree that if we want to help educate—and we do—our young people and all who are in need, it would be much wiser to do it in the way Congress has already done it, rather than to widen what is really a discrimination gap by passing the amendment offered by the distinguished Senator from Connecticut.

The amendment of the Senator from Connecticut, if agreed to, would provide an additional shelter so that some boys might go to school and continue their education and never meet the responsibility which so many hundreds of thousands of young men are willing to meet in the interest of serving their Nation.

Mr. LONG of Louisiana. Mr. President, I can think of a thousand things as of now that should take precedence over providing a tax credit to a man who has an income of $20,000 or $25,000. The proposed tax credit would exceed $300 per child, and would be granted to help the man put his children through college.

I suggest that that would wipe out all of the revenue that can be extended in the event that the Vietnam war continues for 8 or 10 years, as some people fear.

There is only about $1,200 million of revenue that can be extended or continued in the event it is found necessary.

This is the type of measure that at best might be considered at a time when we have a budgetary surplus and no period of inflation, at a time when the Nation is in good condition. However, at the present time, I would say that before we start thinking in those terms, it might be well to determine whether the $10,000 of so-called war risk which we provide for these boys who lose their lives is adequate, or whether the veterans' benefits provided for boys who lose their eyes or legs while fighting for their country is adequate. We should consider those things before we start to provide a completely unnecessary and unneeded benefit for those who are able to provide these things for themselves.

In the last analysis, I believe the Senator would agree that, even though $7,500 or $8,000 is not a great amount of money, it would not be asking much to ask a family to pay some interest on money in order to put a boy through school at a time when other boys are making sacrifices far beyond what that boy is expected to make today.

Mr. SMATHERS. Mr. President, I totally agree with the distinguished chairman of the committee. Under the amendment of the distinguished Senator from Connecticut, 62 percent of the benefits granted would go to those who have an average income of $7,500 a year.

It seems to me that, as the Senator has pointed out, we are helping those who need help the least at a time when, in some respects, we are actually doing damage to the economy of our country. At the same time we are encouraging boys not to accept their responsibility. I believe that most of these boys would like to accept their responsibility and put on the uniform of their country at a time when the country needs them and go out and help fight the battle in southeast Asia.

Mr. LONG of Louisiana. Mr. President, it seems to me that we are providing right now as much as we should provide for those who are able to provide for themselves. Frankly, at a time like this, I believe that it would be well for us to ask, as John F. Kennedy asked in his inaugural address, that they think, not in terms of what their country can do for them, but what they can do for their country.

Mr. SMATHERS. I think that is an excellent note on which to leave that argument.

Mr. LONG of Louisiana. Mr. President, the Senator from Hawaii wanted me to discuss briefly with him one item in the bill.

Mr. INOUYE. Mr. President, the distinguished Senator, as chairman of the Committee on Finance, is saddled with the most thankless responsibility of raising funds in a time of need.

I know that many Senators are proposing amendments to the bill. However, I take this opportunity to commend the committee for what I consider to be a fine piece of work.

Many of us have received letters from automobile dealers throughout the United States. I am certain that the recommendation of the committee in this respect will meet with the approval of all automobile dealers.

I express my delight at this committee action and extend my commendation to the committee.

Mr. LONG of Louisiana. Mr. President, I thank the Senator. I believe that would amount to approximately $23 per automobile.

It was the judgment of the committee that it was not necessary to collect that tax in order to make the other tax effective.

Mr. INOUYE. Mr. President, I have here a letter from the Telephone Company of Hawaii which states that this would be the 11th time that Congress has voted to extend a telephone excise tax, and that the reimposition of the tax hits hardest the residential user, really 50 million households. It states that 20 percent of the households have incomes of less than $3,000 annually, and that 53 percent have incomes of less than $6,000 annually.

What would be the position of the Senator on an amendment that would exempt local telephone service from this reimposed tax?

Mr. LONG of Louisiana. Mr. President, that would cost about $350 million, and out of the revenue of taxes being extended, that would account for about one-fourth of it. The amount that would be saved for each telephone user, may I say, would not be very great. It would be about 85 cents a month. The Government does need the revenue at this time. However, the Government recognizes the merit of the position of the Senator.

We have provided that, at the end of the 2-year period, the tax would go then to the point at which it would otherwise have been in the event we had not found it necessary to continue the tax.

I do realize that the telephone is something of a necessity, but it is not as necessary as some other things.

It is not as necessary as food, clothing, or shelter. As taxes go, this tax is really not as burdensome as the usual sales tax, because it does not fall on something that is a necessity to the same extent that certain other things are.

That being the case, it is felt that, rather than impose a variety of taxes that would hit a number of different industries, from the industrial point of view, here is an industry that is entitled to make a fair return after taxes. While this is something of a burden on the product, it is a burden that the product has in the past carried very successfully, and the industry has been able to expand substantially in spite of it; and we propose, at the end of 2 years, that the tax should go down to the 2 percent that we had previously provided.

May I say to the Senator that although a number of independent companies—which include the smaller companies, who undoubtedly can make a strong case—have expressed some protest about the matter, approximately 80 percent of all telephones in the United States are owned by the American Telephone & Telegraph Co. and its subsidiaries; and that company, recognizing the facts of life, feels that the Government does need the revenue. It recognizes the problem, and it has not expressed itself or made an effort to oppose the continuation of this tax, which I feel is a matter of industrial statesmanship on the part of the company which possesses about 80 percent of the telephone instruments in this country.

So I say to the Senator that those companies will get their relief, and we do intend, at the end of the 2 years, that this tax be terminated, and that the tax will then be reduced to the 2 percent previously contemplated.

Mr. INOUYE. I am happy to hear that.

In the past few days, I have received several letters inquiring as to why the Committee on Finance has not seriously considered raising tobacco and liquor taxes to meet the needs.

Mr. LONG of Louisiana. Those taxes are already at their wartime peaks. To increase those taxes would be a matter of raising them beyond any point they have ever previously reached.

While I find some appeal in the Senator's suggestion, particularly based on the health showing by the Surgeon General with regard to the study on cigarettes, it can be pointed out that a mere increase in the taxes does not appear to make people quit smoking cigarettes; they simply pay the tax and go ahead and smoke them. I would hope that perhaps by other measures we might discourage people from smoking cigarettes, but it does not seem that the tax is much of a deterrent, because in spite of the tremendous taxes which already exist on tobacco and alcohol, the consumption of those products continues to increase.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. MURPHY. The Senator's point in the present consideration is to raise income to the Government, not to deal with the health question.

I think the question raised by the Senator from Hawaii is a very good one, and I think possibly that our distinguished friend, the Senator from Louisiana, has helped make the point; because, if these are both luxuries, certainly not to be compared with the use of the telephone, and if increasing the cost does not act as a deterrent to consumption, and thus does no damage to the industries, I would think such taxes would be worthy of consideration.

Mr. LONG of Louisiana. Such taxes were considered. I point out that the taxes already are very heavy indeed. On liquor, for example, the last time I looked at it, the estimated cost of producing a gallon of whisky was about 90 cents, and the Federal tax alone was about $9; so the tax is about 1,000 times the cost of production, and that is just the Federal tax. The States have taxes in addition to that. It is not a product that is lightly taxed.

THE GORE AMENDMENT

Mr. SMATHERS. Mr. President, I am opposed to the 2-year suspension of the investment credit proposed in the amendment sponsored by the senior Senator from Tennessee for a number of reasons.

In the field of investment incentives, as elsewhere, problems are the price of success.

As our economy heads into the sixth year of its phenomenal and sustained expansion, important developments are occurring: unemployment has dropped to less than 4 percent, the lowest rate in 9 years, and it is predicted that it will fall to 3½ percent or less in 1966; average hourly earnings in manufacturing have reached a record of $2.67; industry is hiring additional workers to meet increased orders and shortages in manpower have appeared in several industries; investment has reached record levels.

In dealing with the problems we do not want to weaken our economy—and that is the serious mistake that would be made by those who would suspend the investment credit.

These are problems we have been waiting to encounter for nearly 10 years, as the President said.

Let us by all means deal with them—but in a way which will conserve the progress made in raising the level of expansion and modernization of our productive equipment.

We must remember that the investment credit is a sound long-range structural reform—not a countercyclical device.

One of the greatest problems which the Nation had to confront early in the 1960's was the grim fact that our plant and equipment expenditures had been pretty well stalled for a number of years.

In dollar amounts, business plant and equipment expenditures in 1960 were $35.7 billion or about $1¼ million less than in 1957. With the adoption of the investment credit and the new depreciation guidelines in 1962, investment for the first time crept slightly above the 1957 mark. As the investment credit and the generally improved climate for investment gradually made themselves felt, plant and equipment outlays rose to $39.2 billion in 1963, $44.9 billion in 1964, and $51.8 billion in 1965. For 1966, the plant and equipment investment level is estimated at about $59 billion.

We do not want to go back to the stagnation that these structural reforms to strengthen investment and modernization were designed to correct.

The investment credit was not adopted as a countercyclical stimulative device. Rather, it was designed as a basic long-range structural reform wholly apart from cyclical considerations. The Congress of the United States, in providing this basic reform, helped put American business on the same footing as its competitors throughout the world—competitors who receive favorable tax treatment, in many instances more favorable than ours, designed to encourage growth, efficiency, and productivity.

Mr. President, in connection with that statement, I ask unanimous consent to have printed in the RECORD at this point an article clipped from the Department of Commerce publication International, headlined "Britain Devises New System To Encourage Industrial Investment." The subheadline reads "Cash Grants To Replace Former Arrangement of Tax Allowances."

I shall not read the article, but it shows that what it is evident the British are endeavoring to do in order to meet their monetary and fiscal crisis is to encourage, through something in the nature of our investment credit, their industry to expand and do bigger things, with the result that there will be a greater supply of goods, to more adequately meet the growing demand for goods coming from their people.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BRITAIN DEVISES NEW SYSTEM TO ENCOURAGE INDUSTRIAL INVESTMENT—CASH GRANTS TO REPLACE FORMER ARRANGEMENT OF TAX ALLOWANCES

The British Government has announced a new system of encouraging industrial investment through payment of cash investment grants instead of the previous system of tax allowances.

The grants will be administered by the board of trade. Under the scheme, which will require legislation, cash grants of 20 percent will be made available for new plant and machinery (excluding vehicles, office equipment, and small items) in the manufacturing and extractive industries.

In the new development areas, which replace the previous development districts, the grant will be 40 percent. There will be no investment allowances or initial allowances on plant and machinery for which a grant is paid. However, industries and equipment, which are excluded from the grant system, will be permitted an initial tax allowance of 30 percent instead of the existing 10 percent. Industrial buildings will receive an initial tax allowance of 15 percent.

SPECIAL GRANTS

Special treatment will be accorded to computers and ships. Ships will receive a 20-percent grant, and the arrangement for free depreciation will continue. A 20-percent grant will also be available for computers used for all industrial and commercial activities. In the development areas, the same rate of 20 percent will apply, as ships and computers will not be eligible for the special grants of 40 percent.

Vehicles and aircraft, which are not eligible for investment grants, will be permitted an initial allowance of 30 percent.

The United Kingdom has indicated that there would be no discrimination between domestic and foreign products eligible under the new scheme.

Mr. SMATHERS. When Congress took this important action in 1962, some of its critics said the investment credit will not last, business cannot count on it, it will be used as a control device. They pointed out, quite correctly, that investment in our complex modern economy must have continuity.

The investment credit has encouraged additions to productive capacity, continuing modernization, and deepening of the capital structure—which is an increased ratio of productive capital to workers. To suspend the investment credit now in the face of economic uncertainties arising from Vietnam would represent a backward step in the Nation's efforts to provide healthy growth, more jobs, and a stronger economy.

None of our actions in the area of tax law are immutable—all are subject to review and modification. But a long-range structural reform, such as the investment credit, should not now be converted into a temporary control device to deal with passing strains that are coincident with the hostilities in Vietnam.

Let us review a little of the legislative history. When the credit was under discussion in 1962, some said: Why use such a measure now when there is still slack in the economy? They argued that such a device could not be useful in encouraging investment and modernization as long as our capacity utilization rates were well below preferred levels. Supporters of the credit had to point out then that the fact that the investment credit was suggested at a time when we were in a recession period and that it was being adopted in a period of recovery did not mean that it was to be regarded as a countercyclical tool. Rather it was pointed out very clearly that it was intended to be a permanent part of the basic tax law in the sense that it was to become part of the underlying tax structure designed to invigorate the environment for investment. The major impact of the credit, it was recognized, would be felt as we moved along in our recovery to full employment and increased growth thereafter.

If we accepted the reasoning of the critics in 1962, we could not have had the credit since we were then in a recession period, and if we accept the views of the critics today, we would not have a credit because we are now in a period of strength and full utilization of capacity. In short, in the view of these critics we would not have an investment credit at any time.

No one can look around the world today and fail to recognize that tax policies designed to encourage growth and modernization are an integral part of the world scene. These tax systems all have basic structural measures which create an environment favorable to the growth and modernization of industrial capacity.

If the idea is implanted that the investment credit is such a temporary on-and-off device, its future usefulness will be gravely impaired. If it cannot be counted on in the continuous forward planning of investment, it will cease to be a real source of strength. If business had to plan around temporary swings of such a control instrument, the credit would certainly have erratic and undesired effects. Investment would be speeded up by business artificially to try to get under the wire when it looked as though the credit was to be reduced. Investment would be slowed down to an unwarranted degree during temporary suspensions in the hope of getting the benefit of the credit at some later date.

The disruptive effects of an on-again off-again policy would be bad for business and bad for the economy.

For a number of reasons, the investment credit is not suitable as a short-range restraining measure.

For one thing, cash flow or revenue effects of the credit are delayed. The credit becomes available as the investment project is completed. As a matter of good faith and fairness, a suspension has to provide an exception for projects already underway or contracted for prior to the effective date. The amendment it is understood, excepts prior commitments, provided the equipment is installed within a year. This might well produce a disorderly rush to complete installations before the 1-year cutoff.

It is obvious that this would aggravate an already difficult situation. I am encouraged that those business executives who probably have not counted on expansion right away will make contracts for them right away. We would already see that otherwise the shortage of carpenters, electricians, plumbers, and others which we now have would grow even shorter and, consequently, the inflationary fires would begin to build up and take effect.

Mr. PROXMIRE. Mr. President, will the Senator from Florida yield for a question?

Mr. SMATHERS. I am glad to yield to the Senator from Wisconsin.

Mr. PROXMIRE. I should like to support the distinguished Senator from Florida. I do so as one who opposed the investment credit when it was up before. I voted against it. I believe the evidence has shown that investment credit has worked extremely well. It has helped greatly to reduce unemployment and also to expand the capacity of American industry, which is crucial if we are going to meet inflation. To meet additional demands, American industrial plant capacity must be increased.

I believe that one element which President Johnson rightly recognized is the importance of certainty to American business. Uncertainty seriously disturbs business. If Congress should now suspend or repeal this investment credit, the confusion, the concern about whether it would be reinstituted and when, would have a long-term, adverse effect on business.

Furthermore, and this is the vital point, I believe, as the Senator from Florida has so well said, if investment credit were to be suspended now, the effect would not be now, when inflation may indeed be serious. This week Secretary of the Treasury Fowler has written me that in his judgment, suspension of the investment credit will not be felt for approximately 6 months after Congress acts. At the present time, the stock market is dropping, and dropping sharply. It has been going down for a matter of several weeks. This hardly suggests the responsible American investor anticipates galloping inflation. The last statistics we had on the consumer price index showed that it was stable for the month of February. The best evidence we can get is that the obligational authority in connection with the Vietnamese war has reached a peak and is likely to decline next year. The experience in the Korean war was that it was the rising obligational authority that pushed up prices. After the obligational authority began to drop, prices dropped also, and prices dropped in the face of rising war spending.

Tight money is beginning to have a serious effect in slowing down demand and reducing price pressure. It is retarding construction and postponing a great deal of economic activity which would otherwise be stimulated.

Altogether, I believe that the administration's tax package is just about right. For Congress to suspend an economic growth factor which has been as significant as investment credit could be a serious mistake. Although I still have some misgivings as to the equity of the measure, I believe that in general it has worked. It has been a measure which has helped to expand and reduce unemployment. I believe that it would have a most serious and adverse effect on business confidence if we should at this time, suspend investment credit.

Mr. SMATHERS. I thank the distinguished Senator from Wisconsin for his comments.

As a respected member of the Joint Economic Study Committee, I know that the Senator has had many witnesses before that committee, as to what this Nation should do with respect to its monetary fiscal program, in order to protect the integrity of our system. When the Senator from Wisconsin makes the statements he has just made, I know that they carry great weight, as I know they do with most other Senators.

This seems likely to result in uneconomic and wasteful actions to meet the deadline. The impact of the suspension in terms of both raising revenue and restraining the cash flow to investing business will therefore be delayed by a considerable period, reflecting the leadtime involved in most investment activity. The real impact of the suspension might not hit us for a year or so following the effective date of the suspension. Furthermore, leadtime in modern investment involves more than contractual commitments. In this connection, it should be pointed out that in taking action to suspend the credit, even if prior orders or contractual commitments were excepted, considerable injustice and disruption would be caused to businesses which have already gone ahead with "inhouse design" and other preparatory activities for making new investments. Leadtime, viewed realistically, often involves various steps including extensive plant design carried out by the investing business itself. Suspending the credit on projects on which extensive preparatory work has been done may involve about the same losses or penalties to taxpayers as cancellation of an outstanding contract. For obvious reasons, however, it would be difficult to draft a suspension provision which would take care of investment already started in the sense described here.

In addition, the credit has been helpful in discouraging previous practices of repairing antiquated equipment to eke out its industrial life. Prior to the credit, taxpayers often preferred to spend money to keep the old machine going, partly because they could get current tax deductions for these outlays. The investment credit tipped the balance in favor of getting modern equipment. Suspension of the credit may send many businesses back to the uneconomic repair and maintenance practices so that their expenditures can be expended for tax purposes. This would not only be bad for our technological progress but also would involve demands on the economy and revenue decreases which would offset both the economic restraint and revenue contribution of suspending the credit.

Also, a point often overlooked is that suspension of the credit might prove to be most effective in curtailing the type of investment that makes the most anti-inflationary contribution. Suspension of the credit would operate most promptly and effectively on equipment which has a short leadtime between order and delivery and which bunches its contribution to production within a short period of time—that is, has a relatively short useful life. This type of equipment would help round out and increase productive capacity in the next year or two. On the other hand, the long leadtime equipment with a long useful life would be much less affected by suspension of the credit because completion could be scheduled 2 years or so hence, when the credit was to be restored.

Finally, suspension of the credit would create imbalance in the 1966 revenue program and apply too severe a restraint on investment. The program provided in the bill before the committee relies on restraint of corporate cash flow and liquidity to apply a moderate restraining factor on the economy. Of the $4.8 billion revenue total for the fiscal year 1967, $3.2 billion, or about two-thirds, is derived from the acceleration of corporate tax payments. This in itself will provide a moderate and salutary restraint on investment. The other increases in revenue affecting purchasing power generally will also operate to moderate expansive investment activity. If a suspension of the investment credit is added to the program, it will concentrate too much on the business sector and run the risk of slamming on the brakes too hard.

Moreover, the investment credit is focused on a single vital part of the investment process—the creation of new, modern machinery and equipment. It does not apply to building construction—industrial, commercial, or residential—nor does it affect inventory accumulation or investment in trade receivables. In a situation where moderate restraint should be applied broadly and evenly, suspension of the investment credit narrows its impact to the machinery and equipment component of investment, the part which incidentally makes the most significant contribution to technological updating of our productive capacity and the part which can make the greatest contribution to avoiding inflation by expanding our capacity to meet increased demands.

One of the most important areas where the investment credit is needed is in helping our international competitive position and our balance of payments. One of the major considerations in the adoption of the investment credit was its usefulness in putting American business on a par with its international competitors, in markets at home and abroad and in encouraging domestic rather than foreign installations of equipment. It was recognized that the investment credit helps the balance of payments in two direct ways: First, it makes investment here in the United States more attractive; and second, it encourages modernization and cost cutting to strengthen our export position—including our defensive position vis-a-vis imports. Suspension or reduction of the investment incentives in a world in which investment incentives are widely used in foreign tax systems would weaken our international competitive position.

We have made important progress toward achieving a balance in our international payments in the years since the credit was adopted. The deficit of about $2.2 billion in our payment balance in 1962—both liquidity and official settlements basis—was reduced to $1.2 billion—liquidity basis—and $1.4 billion—official settlements basis—in 1965.

Suspension of the investment credit for even a 2-year period would have seriously undesirable effects at a critical time when Vietnam exchange requirements make it additionally important that we maintain and even strengthen our drive toward international payments equilibrium.

It is always more difficult to chart a policy course that avoids the dangers of overrestraint than one which crudely overreacts to the dangers of overheating. As the economy reaches the goal we have long sought of acceptably low levels of unemployment, high rates of capacity utilization, and a strong backlog of manufacturing orders, our approach to economic policy requires greater courage, greater subtlety, greater discernment, and indeed greater prudence than before. What is really needed is a prudent and balanced policy which calls for moderate restraint but preserves the enormous progress we have made toward the goal of full employment of both manpower and physical resources. In this situation, high priority should be attached to the creation of additional and more efficient capacity with which to meet the combination of civilian and defense demands which have contributed to strains here and there on our resources. Every $1 million of investment which we complete will create additional capacity next year and in years thereafter. Additional investment provides the base for growth which yields fiscal dividends on which we can count in future years.

We talk sometimes about trade-offs between jobs and prices, between guns and butter, between investment and consumption. Those who would suspend the investment credit have, in effect, concluded that the Nation's efforts to rebuild its productive capacity, to modernize its machinery, to recoup the ground lost during the stagnant years of the late 1950's should become the first economic sacrifice as we rechart our policy course in keeping with the current state of the economy. This is a choice which is unwise. Investment is the goose that lays the golden eggs. One of the great advantages that we now have and that we will continue to have in the period ahead is the additional expansion and modernization of our productive capacity now coming "on stream" and the continuing process of expansion and modernization that we are getting as a result of the basic improvement of the climate for investment that was obtained as a result of the investment credit and its companion measure the depreciation guidelines. We must be very careful not to adopt measures which will restrain or hold back the enlargement of our productive capacity and efficiency to meet growing requirements both for defense and civilian use.

Early in the 1960's, analyses made of the Nation's economic progress, both Government studies and private ones, paid increasing attention to the relationship between levels of investment and productive equipment and overall economic growth. These studies underlined the lagging ratio in the United States of investment in productive equipment to gross national product.

Investment in machinery and equipment in the United States during the decade of the fifties was equal to about 6 percent of the gross national product and this percentage had been steadily dropping in recent years. In West Germany it exceeded 11 percent, in Italy and France upward of 8 percent. Growth rates in terms of gross national product have followed a similar pattern: barely a 3-percent annual growth in GNP at constant prices of the United States during the 1950's but more than 7 percent for West Germany and 4 to 6 percent for a number of other major industrial countries of Western Europe. In 1960, investment in producers durable equipment amounting to $30.3 billion were approximately 6 percent of our GNP, then $503.8 billion. In the fourth quarter of 1965, some 5 years later, producers durable equipment expenditures amounted to $47.6 billion or about 6.8 percent of a GNP level of $697 billion. An increase in our investment in producers durable equipment from 6 percent to less than 7 percent of the GNP hardly seems the occasion to push the panic button.

In conclusion, I would like to point out that the senior Senator from Tennessee has indicated that he has offered his amendment to conserve skilled manpower and to prevent investment from competing with the production of military hardware. As many analysts have observed, high rates of capital spending may be viewed with mixed feelings. Additions to capacity are a clear remedy for upward price pressures resulting from near-capacity operations. At the same time, of course, building of plant and equipment involves real as well as dollar costs; it puts some pressure on the available resources the economy offers for meeting demands for consumption and investment. On balance, however, in the present situation we should prefer continued high levels of investment, subject to the moderate restraining influence provided by the present bill. The additional capacity which current and prospective investments will bring into being in the near future will be as welcome as the capacity being brought on stream today as a result of the investments of 1964 and 1965. Capacity has not been overbuilt in relation to demand. The increase in overall capacity this year is no greater than the projected gains in overall output.

Mr. President, the present bill provides us with the checks and restraints we need to deal with any runaway investment boom, should it develop—and I must point out it has not.

The arguments for supporting this bill are based on the facts and data available, and they are grounded on logic and a realistic concern for a healthy and vigorous economy. I submit that they are compelling.

But the idea of singling out for abandonment the investment tax credit, which has been shown to encourage the one form of investment most likely to increase both capacity and efficiency, is not grounded on fact or logic. Nor can it be shown to be beneficial to our economy.

Therefore, it is my hope that the amendment offered by the distinguished Senator from Tennessee [Mr. GORE] will be substantially defeated.

ADJOURNMENT

Mr. SMATHERS. Mr. President, I move that the Senate adjourn in accordance with the previous order.

The motion was agreed to; and (at 5 o'clock and 22 minutes p.m.) the Senate adjourned, under the previous order, until tomorrow, Tuesday, March 8, 1966, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate March 7, 1966:

COMMISSIONER GENERAL FOR U.S. PARTICIPATION IN THE CANADIAN UNIVERSAL AND INTERNATIONAL EXHIBITION

STANLEY R. TUPPER, of Maine, to be Commissioner General for U.S. participation in the Canadian Universal and International Exhibition.

POSTMASTERS

The following-named persons to be postmasters:

ALABAMA

Otis H. Moore, Jr., Sterrett, Ala., in place of B. V. White, retired.

Bessie J. Bragg, Ward, Ala., in place of E. P. Mitchell, retired.

ALASKA

Maudrey J. Sommer, Tanana, Alaska, in place of H. A. Peters, resigned.

ARKANSAS

Elizabeth K. Brannon, Colt, Ark., in place of E. R. Gatten, retired.

John T. James, Cotton Plant, Ark., in place of J. A. Myover, retired.

Carroll W. Patrick, Decatur, Ark., in place of E. E. Dewey, retired.

Denver H. Estes, Malvern, Ark., in place of I. H. Roland, retired.

CALIFORNIA

William R. Lackey, Bass Lake, Calif., in place of Edward Edwards, retired.

Paul J. Lay, Beaumont, Calif., in place of E. C. Martin, retired.

Shirley E. Ames, Bodega Bay, Calif., in place of H. L. Hellwig, retired.

Earl O. Good, Jr., Fullerton, Calif., in place of A. C. Blackford, retired.

Irma L. Wyly, Jacumba, Calif., in place of T. S. Dunning, retired.

Dorthy E. Birkhead, Morro Bay, Calif., in place of Vaun Johnson, retired.

Carl L. Backlund, Torrance, Calif., in place of C. A. Conner, retired.

Betty J. Raper, Westend, Calif., in place of B. M. Tyler, retired.

COLORADO

Lloyd C. Catron, Sterling, Colo., in place of H. N. Beery, deceased.

CONNECTICUT

Julia A. Wharton, Colebrook, Conn., in place of B. M. Turberg, retired.

Manuel W. Vetti, Stamford, Conn., in place of P. P. Pavia, deceased.

FLORIDA

James F. Myers, Casselberry, Fla., in place of E. R. Sitler, resigned.

James F. Bridges, Jr., Fort Pierce, Fla., in place of C. W. Peters, retired.

Francis A. Wynn, Homestead, Fla., in place of A. V. Phillips, retired.

Franklin C. Smith, Interlachen, Fla., in place of M. R. Brush, retired.

John A. Norden, Lake Mary, Fla., in place of C. D. Donaldson, resigned.

Maxwell E. Scott, Marco, Fla., in place of C. D. Rutledge, resigned.

John O. Hampton, Melbourne, Fla., in place of J. L. Porcher, retired.

Shearod W. Williams, Niceville, Fla., in place of L. J. Edge, retired.

GEORGIA

Mary B. Goolsby, Carlton, Ga., in place of L. P. Goolsby, retired.

William B. Price, McIntyre, Ga., in place of F. S. McGahee, retired.

ILLINOIS

Donald S. Maciejewski, Calumet City, Ill., in place of W. J. Malackowski, deceased.

Glenn A. Brown, Farmersville, Ill., in place of R. E. Gorman, retired.

Forrest A. Holstrom, Geneseo, Ill., in place of F. R. Johnson, retired.

Ernie A. Plotz, Grayslake, Ill., in place of C. M. Wightman, retired.

John J. Drover, Jr., La Grange, Ill., in place of J. M. Allbright, transferred.

Grover J. Beaird, Norris, Ill., in place of G. E. Dilley, retired.

John C. Totten, Peoria, Ill., in place of H. J. Gorman, retired.

George R. Campbell, Tower Hill, Ill., in place of A. E. Watson, retired.

INDIANA

John H. Summers, Carbon, Ind., in place of J. T. Patrick, deceased.

Wiley E. Brewer, Fowler, Ind., in place of C. L. Shipman, deceased.

Ralph B. Foster, Kimmell, Ind., in place of W. B. Foster, retired.

IOWA

Thomas H. Garrod, Fonda, Iowa, in place of D. C. Ogden, deceased.

Kathleen E. O'Brien, Geneva, Iowa, in place of N. V. Benson, retired.

Charles H. Walter, Jr., Knoxville, Iowa, in place of L. D. Tucker, retired.

Helen I. Brecht, Watkins, Iowa, in place of J. E. Waychoff, retired.

KANSAS

Richard A. Merz, Satanta, Kans., in place of R. R. Staab, retired.

Elizabeth M. Elliott, White City, Kans., in place of O. T. Kappelmann, retired.

LOUISIANA

John W. Vining, Amite, La., in place of W. S. Fussell, retired.

Doland Vincent, Kaplan, La., in place of Maurice Primeaux, retired.

Jesse P. LeBlanc, Lockport, La., in place of A. E. Ayo, Jr., retired.

Gerald J. Marquette, Napoleonville, La., in place of E. C. Marquette, retired.

Nita S. Dabadie, Ventress, La., in place of F. E. Dabadie, deceased.

MAINE

Arthur L. Reed, Brewer, Maine. Office established October 1, 1960.

Frank L. Reynolds, Brooks, Maine, in place of L. E. Cox, removed.

MASSACHUSETTS

Patrick J. Windward, Jr., Sterling Junction, Mass., in place of A. O. Bullard, deceased.

James F. Alley, West Tisbury, Mass., in place of A. A. Alley, retired.

MICHIGAN

Wallace J. Reed, Flushing, Mich., in place of I. M. Vernon, retired.

Vern W. Bemus, Hazel Park, Mich., in place of P. T. Morden, retired.

MINNESOTA

James M. Pederson, Echo, Minn., in place of C. E. Thorson, retired.

Thelma A. Reynolds, Holloway, Minn., in place of V. B. Pederson, retired.

R. Vron Muir, Jackson, Minn., in place of G. P. Holecek, retired.

MISSISSIPPI

Hallie R. Young, Belzoni, Miss., in place of M. H. Domengeaux, retired.

Paul B. Alford, Jr., Morton, Miss., in place of T. V. Laird, transferred.

MISSOURI

Walter J. Stuesse, Beaufort, Mo., in place of E. F. Rutkowski, resigned.

Archie L. Williams, Carl Junction, Mo., in place of O. C. Magoon, deceased.

Edward L. Rogers, Robertsville, Mo., in place of B. L. Halbach, retired.

Winifred M. Puchta, Rockaway Beach, Mo., in place of George Puchta, retired.

Victor F. Mudd, Silex, Mo., in place of A. S. Williams, retired.

MONTANA

Fred W. Schepens, Glendive, Mont., in place of Joseph Kelly, retired.

Wallace W. Paterson, Livingston, Mont., in place of Francis I. Adams, retired.

Milton M. Sloan, Whitefish, Mont., in place of G. W. Duffy, retired.

NEBRASKA

Roy E. Boham, Bassett, Nebr., in place of F. C. Diehl, deceased.

W. Wayne Thompson, Bruning, Nebr., in place of T. H. Wilken, retired.

Mable M. Boggess, Salem, Nebr., in place of C. E. Baldwin, deceased.

Dean W. Spike, Silver Creek, Nebr., in place of L. J. Johnson, removed.

Ruth G. Reichstein, Trumbull, Nebr., in place of H. C. Wheeler, retired.

Earl K. Trullinger, Waterloo, Nebr., in place of J. C. Traber, deceased.

NEW HAMPSHIRE

John T. Richardson, East Barrington, N.H., in place of H. W. Henderson, retired.

NEW JERSEY

Louis J. Rossi, Avenel, N.J., in place of G. E. Fox, retired.

Joseph M. Gondola, Clifton, N.J., in place of F. E. Gersie, retired.

Otto W. Bahrle, Forked River, N.J., in place of Ralph Penn, retired.

William C. Beemer, Sussex, N.J., in place of H. W. Case, retired.

NEW MEXICO

Jenkins A. McRae, Jr., Alamogordo, N. Mex., in place of F. I. Burch, retired.

Alberto Romero, Mora, N. Mex., in place of R. E. Branch, retired.

NEW YORK

Francis J. O'Gorman, Colton, N.Y., in place of E. M. McEwen, deceased.

Andrew F. Papa, Fonda, N.Y., in place of L. K. Kurlbaum, retired.

Merel G. Hubbard, Gilboa, N.Y., in place of A. C. Lewis, retired.

Shirley M. Buchanan, Hagaman, N.Y., in place of M. M. Jones, retired.

Conrad W. Sinning, Hawthorne, N.Y., in place of D. E. Fischer, retired.

Helen S. Swotkewicz, Jamesport, N.Y., in place of F. E. Sowinski, retired.

Leonard S. Fischer, Monsey, N.Y., in place of A. M. Trainor, retired.

Reeve D. Curtis, Mount Upton, N.Y., in place of L. M. Albrecht, retired.

NORTH CAROLINA

Boyce W. Cloninger, Catawba, N.C., in place of Z. S. Glovier, retired.

William P. Hudgins, Sunbury, N.C., in place of F. L. Nixon, retired.

NORTH DAKOTA

Vernon L. Hansen, Kenmare, N. Dak., in place of Otto Engel, retired.

OHIO

David F. Tootle, Frankfort, Ohio, in place of H. L. Flesher, transferred.

Howard R. Van Scholk, Hilliard, Ohio, in place of Florence Wilcox, retired.

Joseph D. Buchanan, Norwich, Ohio, in place of G. R. Perkins, deceased.

Matthew J. Dowling, Perrysburg, Ohio, in place of R. E. Bayer, deceased.

Robert L. Booth, Tiffin, Ohio, in place of P. B. Parkin, retired.

Charles H. McGovney, West Union, Ohio, in place of L. M. Grooms, retired.

OKLAHOMA

James A. Maddux, Cheyenne, Okla., in place of J. W. Chalfant, transferred.

PENNSYLVANIA

Ruth J. Svilar, Armagh, Pa., in place of R. O. Trexler, retired.

William G. Lutz, Sr., Barto, Pa., in place of E. G. Reed, retired.

Eleanor M. Bordner, Bethel, Pa., in place of E. D. Bordner, retired.

Hugh J. Malloy, Carrolltown, Pa., in place of H. J. Fabry, resigned.

Joseph W. Hanna, Clymer, Pa., in place of B. E. Goodlin, retired.

John F. Helm, Downingtown, Pa., in place of J. M. Welsh, retired.

Doris L. Oldham, Fishertown, Pa., in place of Faye Wolfe, resigned.

Walter G. Woolbaught, Hallstead, Pa., in place of F. E. Chamberlin, retired.

C. Jean Steinkirchner, Jennerstown, Pa., in place of E. K. Hay, retired.

John J. Mullally, Jermyn, Pa., in place of D. K. Eagan, retired.

Ernest P. Zserai, Jonestown, Pa., in place of D. H. Cope, retired.

W. Elliot Jones, Kelton, Pa., in place of E. L. Moore, retired.

Howard L. Bredbenner, Mifflinville, Pa., in place of G. D. Henrie, retired.

Hugh A. Armstrong, New Providence, Pa., in place of D. M. Herr, retired.

George W. Brehm, Newtown Square, Pa., in place of H. J. Niemeyer, resigned.

Paul C. Brasch, North Wales, Pa., in place of C. R. Hankin, retired.

Irving E. Rath, Pillow, Pa., in place of C. M. Koppenhaver, resigned.

John J. Buchinsky, Shenandoah, Pa., in place of B. J. Lukas, retired.

William G. Cox, Thompsontown, Pa., in place of H. I. Haines, retired.

Lloyd L. Williams, Vintondale, Pa., in place of C. V. Lybarger, retired.

RHODE ISLAND

James M. Phelan, Warwick, R.I., in place of W. A. Kirkpatrick, retired.

SOUTH CAROLINA

John H. Atkinson, Jr., Myrtle Beach, S.C., in place of H. K. Sanders, deceased.

SOUTH DAKOTA

James W. Cheatham, Aurora, S. Dak., in place of M. H. Coon, deceased.

Thomas R. Lyons, Brookings, S. Dak., in place of E. F. Minier, retired.

Stanley K. Baird, Frankfort, S. Dak., in place of R. C. Drayer, retired.

TENNESSEE

Florence A. West, Collegedale, Tenn., in place of G. N. Fuller, retired.

Edith T. Webb, Orlinda, Tenn., in place of K. C. Barber, retired.

TEXAS

Harold C. Strauss, Bellville, Tex., in place of R. E. Trenckmann, retired.

Jerrold N. Turner, Daingerfield, Tex., in place of C. L. Pratt, retired.

Thomas A. Boulmay, Galveston, Tex., in place of F. A. Yeager, deceased.

Jesse K. Brett, Hull, Tex., in place of Lucie Hill, retired.

Norma L. McBee, Lefors, Tex., in place of Volna Ogden, retired.

Jackie L. Reed, Manvel, Tex., in place of A. C. Peters, retired.

Tom M. Yarbro, Marathon, Tex., in place of Lizzie Crawford, retired.

Ralph W. Chaney, Monahans, Tex., in place of W. R. Shelton, retired.

Atha E. Williamson, Olden, Tex., in place of Stella Jarrett, retired.

Flora M. Martin, Ropesville, Tex., in place of H. M. Sims, retired.

UTAH

Harold J. Dawson, Layton, Utah, in place of Clair Whitesides, retired.

VERMONT

Donald A. Frail, Hartland, Vt., in place of O. M. Lobdell, retired.

VIRGINIA

Randall J. Wilmarth, Danville, Va., in place of H. G. Gentry, retired.

Edna A. Josey, Disputanta, Va., in place of J. C. Tomko, retired.

Charlie M. Jeffries, Warrenton, Va., in place of D. W. Moffett, retired.

Carol B. Miller, Washington, Va., in place of W. A. Miller, retired.

WASHINGTON

Lenard A. Smith, Leavenworth, Wash., in place of H. B. Dye, deceased.

Gordon G. Johnson, Olympia, Wash., in place of J. F. Leverich, retired.

WEST VIRGINIA

Roy K. Hatton, Huntington, W. Va., in place of R. A. Pygman, retired.

John W. Almond, MacArthur, W. Va., in place of L. A. Shrewsbury, retired.

Ivan N. Hunter, Nitro, W. Va., in place of R. W. Casto, retired.

WISCONSIN

Richard D. Huttner, Dresser, Wis., in place of A. J. Fogerty, retired.

John A. Oberto, Iron Belt, Wis., in place of V. M. Wiita, retired.

Sylvan H. Erickson, Luck, Wis., in place of E. A. Kamholz, retired.

Joseph P. Wergin, McFarland, Wis., in place of C. A. Thompson, retired.

Kathleen M. Bink, Malone, Wis., in place of Augusta Phalen, retired.

Frederick L. Stich, Stitzer, Wis., in place of J. R. Keller, deceased.

WYOMING

Gene R. Stapleton, Guernsey, Wyo., in place of A. W. Crawford, retired.

Dwight S. Despain, Lovell, Wyo., in place of P. D. Sims, retired.

CONFIRMATION

Executive nominations confirmed by the Senate March 7, 1966:

DEPARTMENT OF THE NAVY

Charles F. Baird, of New York, to be an Assistant Secretary of the Navy.

U.S. MARINE CORPS

To be lieutenant general

Maj. Gen. Lewis W. Walt, U.S. Marine Corps, having been designated, in accordance with the provisions of title 10, United States Code, section 5232, for commands and other duties determined by the President to be within the contemplation of said section, for appointment to the grade indicated while so serving.

The following-named officers of the Marine Corps Reserve for temporary appointment to the grade indicated, subject to qualification therefor as provided by law:

To be major generals

Charles F. Duchein
Sidney S. McMath

To be brigadier generals

Leland W. Smith
Arthur B. Hanson

In the Army

The nominations beginning Robert F. Comeau, to be captain, and ending Cornelius M. Ziemann, to be second lieutenant, which nominations were received by the Senate and appeared in the Congressional Record on February 18, 1966.

In the Navy and Marine Corps

The nominations beginning Robert E. Bass, to be captain in the Navy, and ending Russell H. Sutton, to be first lieutenant in the Marine Corps, which nominations were received by the Senate and appeared in the Congressional Record on February 21, 1966.

In the Marine Corps

The nominations beginning Elaine T. Carville, to be lieutenant colonel, and ending Paul J. Zohlen, to be first lieutenant, which nominations were received by the Senate and appeared in the Congressional Record on February 16, 1966.

EXTENSIONS OF REMARKS

A Foreign Policy of Self-Interest and Self-Help

EXTENSION OF REMARKS

OF

HON. HAROLD D. DONOHUE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 7, 1966

Mr. DONOHUE. Mr. Speaker, as we approach consideration, again, of the challenging subject of foreign aid and assistance I should like to repeat and emphasize my past convictions and urgings that the time is long overdue for these programs to be sensibly based upon the principles of American self-interest and the demonstrated willingness of the recipients to help themselves.

I very strongly feel that most American taxpayers firmly believe that the so-called giveaway era should be rightly ended and it is only good sense and simple justice to ask and expect that the nations we have aided and are aiding will fully and effectively cooperate with us for common survival.

Our continued assistance to countries who have become fully rehabilitated and completely revived economically should be terminated and principally directed to those nations that actually need help and are capable and disposed to use that help to improve their farming techniques, schools, hospitals, and basic industry. I think that the majority of our citizens strongly believe in charitable, reasonable sharing of our resources with less fortunate countries but I think they believe with equal emphasis that our aid should be restricted to those nations that demonstrate—not simply promise—foundation reforms in land ownership and tax laws that hitherto seemed always to favor the wealthy and further oppress the poor.

Another implement, of what I hope will be a new foreign aid and policy posture, which appears very wise and worthy is the food-for-freedom program being stimulated to increase American agriculture exports to food-shortage countries. The statistics about malnutrition, particularly in the children of the developing countries, are startling.

Half of them die before they reach their sixth birthday largely because, the medical men tell us, their undernourished bodies cannot combat minor childhood diseases. Even out of those that survive we are told that 7 out of 10 suffer continuously from the effects of malnutrition which causes physical and mental retardation. Certainly we are starting at the foundation when we help to properly feed these children in the less fortunate countries and certainly we should request, encourage, and welcome the contributions of other countries which are also blessed with agricultural abundance. Let no one ask and expect the American taxpayers to do it all alone especially in the face of ever-increasing tax burdens being placed upon them for domestic progress at home and military involvement abroad.

I strongly think that most of our fellow Americans will be very glad to observe a more positive attitude in our foreign policy and more hopeful signs of our determination to provide forward-looking leadership to underdeveloped countries in their and our everlasting struggle to conquer the age-old enemies of us all—tyranny, poverty, disease, and war itself.

Mr. Speaker, the urgency of sensible restriction and reform in the creation and application of our foreign aid programs has been obvious for a long time and the sooner we respond to that urgency the more economical and efficient our programs will be and, I dare say, the more universally respected we shall become.

Observance of Purim

EXTENSION OF REMARKS

OF

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 7, 1966

Mr. ANNUNZIO. Mr. Speaker, the Jewish holiday, Purim, this year was observed yesterday, March 6. It is a significant commemoration, not only because it marks the anniversary of one of a long series of persecutions inflicted on the Jewish people, but also because it marks the valiant stand of the Jews in the face of religious discriminations, cultural repressions, physical tortures, and even the horrors of attempted genocide.

Purim celebrates the deliverance of the Jews of Persia from a plot to destroy them. The book of Esther relates that Haman, a close adviser of King Ahaseurus, convinced the King to designate a date on which all Jews would be killed for allegedly being unfaithful to the state. Ahaseurus' Queen was Esther, a Jewess who had concealed her religion when she married. When she learned of Haman's plot, she told Ahaseurus that she was Jewish and that she would join her people to die with them if he signed the decree. Ahaseurus instead ordered his adviser, Haman, to be killed.

On February 4, 1965, I introduced House Concurrent Resolution 177 to express the sense of the Congress against the persecution of persons by Soviet Russia because of their religion. It is public knowledge that Soviet Russia has prevented the Jews behind the Iron Curtain from participating in the traditions and institutions which have long been an integral part of Judaism. During the Purim observance it is fitting for us to join together in renewing our efforts to insure religious freedom for the Jews, and indeed for all peoples, who wish only to practice their faith without interference and harassment from more powerful neighbors.

Passage of House Concurrent Resolution 177 and similar legislation would be tangible evidence of our intentions and would reaffirm to the Soviets and to all nations our belief that mankind the world over has the inherent and inalienable right to be free from tyranny and oppression.

Massachusetts Harangued by Mrs. Murray

EXTENSION OF REMARKS

OF

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 7, 1966

Mr. O'NEILL of Massachusetts. Mr. Speaker, a few days ago the Commonwealth of Massachusetts was visited and harangued by an avowed atheist. Mrs. Madalyn Murray was very largely responsible for the Supreme Court's denial to millions of American youngsters of the right to pray in the public school. She has already clearly demonstrated that this was no isolated instance by moving in the Maryland courts to strike down that tax exemption which religious institutions have always enjoyed in the United States. In Boston, hoping for converts, she found her visit turned rather into a rallying point for citizens from across the Commonwealth who have banded together into Massachusetts Citizens for Public Prayer. Box 1776, Rutland, Mass.

I do not, of course, question her privilege of dissent. But I do question the propriety of escalating this privilege into a right to dictate to the great majority of the people of Massachusetts what they shall or shall not do in those schools which are sustained by their tax dollars. Democracy has never had cause to worry when one or another of its citizens disagrees with some consensus.

In fact the habit and the ability to accommodate dissent are among the principal glories of any democracy. But this is not to set up the dissenter as an arbiter tyrannizing over the bulk of the citizenry. Equal protection of the law must extend as well to the greater as to the lesser number among us. Once he has been given his right to silence or abstention, to allow the dissenter to determine public policy in such a case as this is oligarchy pure and simple.

I believe a precedent for the solution of the problem of school prayer can be found in the Supreme Court's own decision in the matter of the flag salute. Here the Court did not throw out the salute altogether. It simply said that no one could be forced against his conscience to participate in it. I concur with Dean Erwin Griswold, of the Harvard Law School who said Court action in the school prayer cases was "absolutist" and "thought denying."

The motto of the city of Boston, as Rev. Robert G. Howes of Catholic University reminded Mrs. Murray during one of her appearances in New England, is "Sicut patribus, sit Deus nobis." As He was with our fathers, let God stand with us. I am certain that for the vast majority of those I represent and their neighbors, religion is indeed, as the Nation's Roman Catholic bishops once expressed it, "our chief national asset." I have heard from a number of them. They are deeply troubled at the removal of God from the public classroom. They see clearly that this removal is only the beginning of a series of attacks which, unless checked once and for all, must lead to the erosion of every other instance of public reverence. They want action now to repeal what Madalyn Murray stands for.

I urge again, as strongly as I can, that all Americans who share my belief in the validity and the urgency of public reverence make their voices heard loud and long. At least as loud and long as was the voice of Madalyn Murray in Massachusetts a few days ago.

My own position has, perhaps, been best expressed by two men. The first is professor of law at Fordham University, Charles E. Rice, who writes in his excellent book "The Supreme Court and Public Prayer":

> I believe that the Court will find itself imprisoned by its logic and that the American people will see most of the accustomed religious elements of public life eliminated singly but inexorably. * * * We are, I believe, witnessing the erection of a new public orthodoxy—of agnosticism. It is an orthodoxy destined to degenerate, unless the Court is checked, into an affirmative secularism bringing in its train, in place of our accustomed governmental hospitality to all religions, a public policy of hostility toward theistic religion.

The second is that of Dean Emeritus Henry Van Dusen of Union Theological Seminary:

> The corollary in both law and logic of the Supreme Court's recent interdictions is inescapable, prohibition of the affirmative recognition and collaboration by government at all levels with all organs of religions in all relationships and circumstances. A consistent application of such a policy would involve a revolution in the Nation's habitual practice in the matter of religion. * * * Nothing less than this is at stake.

I am glad that the citizens of Massachusetts listened with forbearance to Mrs. Murray. I am even happier that so many of them have joined the fight to restore fully and proudly the right to public reverence.

Statement on Electoral College

EXTENSION OF REMARKS

OF

HON. BERT BANDSTRA

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 7, 1966

Mr. BANDSTRA. Mr. Speaker, today I testified on the subject of "Electoral College Reform" before the Subcommittee on Constitutional Amendments of the Senate Committee on the Judiciary.

On two occasions, first on February 1, 1965, and again an January 20, 1966, President Johnson urged the Congress to approve a constitutional amendment abolishing the electoral college.

The draft of a proposed electoral reform amendment, which the President sent to the Congress last year, has been introduced in the Senate as Senate Joint Resolution 58 and in the House of Representatives as House Joint Resolution 278.

The Senate subcommittee began hearings a week ago but, as it happens, I was the first witness to testify in support of the basic approach to electoral college reform as incorporated in the President's proposal.

In most respects, I think this proposal is a sound and realistic one. However, as I pointed out in my prepared statement to the Senate subcommittee, I feel that there is room for improvement.

Since electoral college reform should be a matter of great concern, not only to the Congress but to all Americans, I am including the text of my prepared statement in the RECORD:

STATEMENT ON ELECTORAL COLLEGE, BY BERT BANDSTRA, U.S. REPRESENTATIVE FROM IOWA; SUBMITTED MARCH 7, 1966, TO SUBCOMMITTEE ON CONSTITUTIONAL AMENDMENTS, COMMITTEE ON THE JUDICIARY, U.S. SENATE

Mr. Chairman, members of the subcommittee, I am here today to express my conviction that a constitutional amendment is urgently needed to abolish the electoral college and to further modernize our presidential and vice-presidential election process. I am also appearing to place myself on record in support of the basic approach to electoral reform as incorporated in Senate Joint Resolution 58 and, at the same time, to suggest some possible improvements to this proposal.

The electoral college, in my view, is a serious threat to orderly and democratic government. This opinion is based in part on personal experience. Nearly 2 years ago, I served as a presidential elector for my home State of Iowa and, in that capacity, I had the more or less anonymous distinction of being one of the 538 citizens who in 1964 actually cast ballots for the President and Vice President of the United States. Having participated myself in the workings of the electoral college, I can say with some authority that the institution is not only useless but dangerous. I have also given some close study to the way in which the electoral college system has operated in the past, and this has further convinced me that our Constitution today contains serious defects which could at some future date turn a presidential election into a national calamity.

Consequently, I am hopeful that this session of the Congress will approve and send to the States for ratification a constitutional amendment to remove the long-existing flaws in our presidential and vice-presidential election process. My feeling is that such an amendment should be confined to making limited reforms, as is the case with Senate Joint Resolution 58, and that efforts to fundamentally alter the basic operation of our electoral system should, for the time being at least, be put to one side. An amendment aimed at limited reform would, I think, be most beneficial if it were drafted so as to (1) abolish the electoral college and automatically award a State's total electoral vote to the presidential and vice-presidential candidates who carry the State and (2) reduce to the very minimum the chances of a presidential election being thrown into the House of Representatives, as now provided by the Constitution, or into a joint session of the Congress, as proposed by Senate Joint Resolution 58.

The electoral college and the contingent election, as the provision for choosing the President in the House is often called, are the two major defects in the Constitution as it relates to the selection of the Chief Executive. Both these flaws can be removed by an amendment which would in no way endanger our present two-party system, and which would simply give the constitutional seal of approval to our presidential election process as it is expected to operate today. And I firmly believe a limited reform amendment of this sort is critically needed in order to place our constitutional provisions for the presidential election on a secure and democratic footing. Accordingly, last year I introduced such a proposed amendment, House Joint Resolution 327, in the House of Representatives. Since then, in order to make two technical but necessary revisions, I have reintroduced it in the form of House Joint Resolution 819.

This proposal, in agreement with Senate Joint Resolution 58 would make no sweeping changes in our presidential election system. By contrast other approaches to the electoral college problem would make fundamental, and perhaps even revolutionary, changes in our existing election process. These alternative proposals, of which there are basically three, are all aimed at abolishing the general ticket system, under which a State awards all its electoral votes to the presidential and vice-presidential candidates who carry the State.

There is, to begin with, the proposal for the direct popular election of the President, thereby eliminating the electoral college, electoral votes, and States lines as voting factors. This plan has the merit of insuring that the candidate with the most popular votes will automatically become President. It is, in fact, the only proposal that would do so. However, the blunt truth is that this proposal, whatever its virtues, has almost no chance of adoption. Electoral votes, as the Constitution has always provided, are awarded to States on the basis of their representation in both the House and the Senate. Thus, no matter how small a State's population, it is assured of at least three electoral votes. And it is hardly likely that the smaller States would ratify an amendment abolishing a voting system weighted in their favor.

Secondly, there is the district system proposal. Under this, the electoral college would be retained, but with the express requirement that electors credited to a State on the basis of its representation in the House be elected from single-member districts. Another two electors, like U.S. Senators, would be chosen in a statewide vote. One drawback to this proposal is that it would open the door to possible gerrymandering of electoral districts. It would also divide the Nation into 481 separate presidential voting units, as compared with the 51 in which campaigns are now conducted. Moreover, there is no assurance that the district system would prevent the election of Presidents who did not receive the most popular votes.

For example, a study by Congressional Quarterly, based on returns from congressional districts, showed that Kennedy would have lost the 1960 election to Nixon if the district system had been in effect. Furthermore, this proposal would not abolish the general ticket universally. For in Alaska, Delaware, Nevada, Vermont, and Wyoming, all States with only one Congressman, the candidate who carried the State would receive all three electoral votes.

Finally, there is the proportional plan. Under this proposal, the electoral college would be abolished and a State's electoral votes would automatically be awarded to candidates on a formula proportional to the popular vote. The primary objection to this plan, it seems to me, is that it could very well weaken our two-party system. Unit voting by States serves to discourage zealous political activity among minority factions, since they have little chance of obtaining enough popular support in any State to bring them electoral votes. However, if the proportional voting plan were in effect, this moderating influence on our two-party structure would be removed.

Third-party movements, by obtaining a small number of electoral votes in several States, could become a major factor in the final outcome of a presidential election. Thus, in my view, the proportional plan carries with it the risk of political instability. And, as with the district system, it would not necessarily prevent the election of a "minority" President.

The Congressional Quarterly study of the 1960 returns, to which I referred earlier, also showed that Nixon would have won over Kennedy had the proportional plan been used. In addition, earlier studies have shown that the proportional plan would have resulted in the election of "minority" Presidents in 1880 and 1896.

Efforts to abolish the general ticket system have been made repeatedly in the past, but always without success. In a way, this is rather ironical. For there is nothing whatever in the Constitution requiring a State to cast its electoral votes by the general ticket system. And yet every State has used it since 1892, when Michigan abandoned it briefly, and for partisan reasons, in favor of the district system. Today, our presidential elections are conducted on the assumption that the general ticket system will prevail across the entire Nation, and that each State will cast its electoral votes in one unit. To abolish the general ticket system by constitutional amendment, especially as proposed by the district or proportional plans, would result in basic alterations to our presidential election process. No one can foresee the results of these changes, and it seems to me that the wisest course is to refrain from these changes until we can be fairly certain of their results.

Nevertheless, as I said earlier, there are serious defects in our constitutional provisions for the presidential election which, in the national interest, should be corrected. This can be accomplished by means of a limited reform amendment. In my view, such an amendment should be drafted so as to remove the following flaws in our Constitution:

First, presidential electors are legally free, under the Constitution, to vote for anyone they might desire. Thus, there is always the possibility that an elector will substitute his own particular wishes for the popular will of the people. This has happened more than once in our history. Electors have broken pledges to their party in 1820, 1824, 1948, 1956, and, most recently, in 1960.

The 1960 example is the most frightening. That year a Republican elector from Oklahoma, one Henry Irwin, abandoned Richard Nixon and cast his ballot instead for a man who was not a presidential candidate in any of the States. Worse yet, he actively sought to induce other Republican electors to do likewise. In 1961, testifying before this subcommittee, Mr. Irwin described his participation in a coalition movement. The avowed aim of this movement, he admitted, was to obtain enough votes in the electoral college to prevent either Kennedy or Nixon from obtaining the Presidency, and to send to the White House a man with no popular mandate from the people.

Fortunately, this movement failed. But this incident clearly shows that the electoral college is not, as Hamilton affirmed it would be, a barrier against cabal, intrigue, and corruption. Today, it is exactly the opposite. Moreover, the electoral college, as the 1960 incident points out, can be used as a device by political extremists seeking to thwart the democratic process.

Second, State legislatures retain an absolute power over the appointment of electors. The Constitution, under article II, section 1, provides that each State shall appoint electors in such manner as the legislature thereof may direct. In the early days of the Republic, electors were frequently chosen by State legislatures. The Supreme Court, in an 1892 decision, held that legislatures still retain this power, explaining that the Court "can perceive no reason for holding that the power confided to the States by the Constitution has ceased to exist because the operation of the system has not fully realized the hopes of those by whom it was created" (*McPherson* v. *Blacker*, 146 U.S. 1, 35). In other words, in no State do the people have a constitutional right to vote for presidential electors, and any State has the power to resume legislative appointment of electors. Furthermore, this State power of appointment allows legislative enactment of laws permitting the use of unpledged or independent electors. In 1960, a total of 14 unpledged electors were chosen from 2 States, and all 14 voted for the candidate of Mr. Irwin's coalition movement. The chief danger of this practice is that enough unpledged electors might be chosen in a close election so that they would hold the balance of power over the outcome, either by picking one of the major party candidates or by voting for a third person and throwing the election into the House.

Third, a presidential candidate must obtain an absolute majority of electoral votes to prevent an election in the House of Representatives. The House has been called upon to decide a presidential election twice in our history, once in 1800 and again in 1824. On the first occasion, Aaron Burr was very nearly elected President over Thomas Jefferson. And in 1824, when 18 of the 24 States had their electors chosen by the people, Andrew Jackson obtained a plurality of the popular votes cast, but lost the election in the House to John Quincy Adams.

In both cases, there were allegations of intrigue and vote-trading in the House. There is general agreement today that selection of a President by the House is highly undesirable, particularly under the present constitutional provisions for the contingent election. The procedure is hardly democratic, since each State delegation, regardless of size, has only one vote in deciding the outcome. Nevertheless, so long as the election of the President requires an absolute majority of electoral votes, there is always the danger that the House will be called upon to decide the contest.

This danger is especially acute when strong third-party movements arise, or when a presidential election is decided by a close popular vote. In 1948, for example, if Truman had lost less than six-tenths of 1 percent of his vote in two States, the election would have gone to the House. And in 1960, a total shift of only about 20,000 popular votes in two States would have left Kennedy with less than an absolute majority of electoral votes.

If adopted, Senate Joint Resolution 58 would correct all but one of these defects. It provides for abolishing the electoral college and automatically awarding a State's electoral votes to the winning candidate. This, in one stroke, would remove the dangers stemming from the office of elector and the State's absolute power over appointment of electors. It also provides that, if a presidential candidate fails to obtain an absolute majority of electoral votes, the election will be decided from among the three leading candidates by a joint session of the Senate and the House, with each Member casting one vote. This would make the contingent election more democratic, but it would not in any way lessen the danger of its occurrence.

Since my feeling is that the danger of the contingent election should be reduced to the very minimum, I would like to suggest to the subcommittee that it consider the provisions covering it as contained in House Joint Resolution 819. Under my proposal, the candidates with the greatest number of electoral votes, whether a majority or a plurality, would automatically be declared President and Vice President after a routine count by the Congress. If the electoral vote ended in a tie, which is a remote possibility, the Senate and House of Representatives, sitting in joint session and with each Member casting one vote, would immediately choose the President and Vice President from among the candidates with the greatest and equal number of electoral votes.

As I see it, the provision for election by plurality has these arguments in its favor:

First, it would give the greatest possible assurance, within the framework of a limited reform amendment, that the electoral vote count will reflect the result of the popular vote. In a close election, it is always possible that the presidential candidate with the most popular votes, and who as such would be the choice of the people, might nevertheless fall short of an absolute majority of electoral votes. If that happened, the people would not have elected the President. And, even under the provisions of Senate Joint Resolution 58, it cannot be said with certainty that the Congress would be guided by the results of the popular vote. There would always be the danger of "cabal, intrigue, and corruption," especially if the leading candidate's party held a narrow majority in the Congress.

Second, it would discourage divisive efforts by third parties. A third party, even with fairly heavy popular backing, would not be strong enough to elect a President. But it might actively work to frustrate the November election, throw the decision into the hands of the Congress and, in this way, exert an influence disproportionate to its strength. The contingent election, as provided by Senate Joint Resolution 58, would be decided among the three leading candidates, which would further encourage third-party efforts toward an inconclusive general election. Election by either a plurality or majority of electoral votes, rather than by an absolute majority only, would render such tactics futile and, in the process, strengthen our two-party system.

Third, it would prevent the risk of an intolerable situation as regards the conduct of our foreign affairs. If a close election denied the leading candidate an absolute majority of electoral votes, the United States, lacking a President-elect, would drift from November to January uncertain as to the next occupant of the White House. And so would the rest of the world. It is not hard to imagine the difficulties which could plague us, particularly if a sudden international crisis arose before the Congress could elect the next President.

Fourth, it would insure the orderly exchange of executive power from one administration to the next. A President-elect, especially if he is from a party returned to power, faces an enormous task after the November election. He must pick a Cabinet, appoint other high officials, consult, plan, and prepare. He must do all this in the relatively short period from early November until the January inauguration. A President chosen by the Congress would be denied this time, and instead would be faced with the impossible job of organizing a new administration within a few weeks. The certain result would be delay and disorder in the executive branch, possibly for months.

Finally, from the standpoint of practical politics, election by either a plurality or majority of electoral votes would not change our presidential election process. We find nothing harmful in sending the successful presidential candidate to the White House with a plurality of popular votes. In fact, some of our greatest Presidents reached office with less than 50 percent of the popular vote. Abraham Lincoln was a "plurality President" in the 1860 election. So was Woodrow Wilson in 1912, and again in 1916. So was Harry Truman in 1948. And so was John Kennedy in 1960. If we honor the plurality principle as to the popular vote, which is considered the presidential mandate, there is no logical reason why we should not do likewise as to the electoral votes.

In addition to the plurality provision, I also would like to suggest to the subcommittee that it consider revisions to Senate Joint Resolution 58 relating to the following subjects:

1. District of Columbia presidential vote: Under the 23d amendment, adopted in 1961, the District of Columbia obtained the right to participate in the presidential election. However, Senate Joint Resolution 58 has no provision regarding voting in the District of Columbia and its status in the presidential election would be left in doubt if the proposed amendment were adopted in its present form. This problem can be resolved, as I have done in House Joint Resolution 819, by simply reworking the language of the 23d amendment so as to conform to an election system in which the electoral college plays no part.

2. State residency requirements for presidential elections: Within the last several years, there has been a growing trend toward State legislation allowing newly arrived citizens a shorter term of residence to qualify for voting in presidential elections. At least 19 States now have laws of this sort. The theory behind them is sound, since the presidential election is of national scope, and a citizen should not lose his right to participate simply because he has moved from one State to another. Senate Joint Resolution 58, however, provides that voting in presidential elections be limited to persons qualified to vote for members of the most numerous branch of the State legislature. If approved in this form, the proposed amendment would strike down the more liberal residency laws now existing. To preserve these laws, it would be necessary only to add a provision allowing State legislatures to prescribe lesser qualifications with regard to residency in presidential elections.

3. Places and manner of holding presidential elections: Senate Joint Resolution 58 gives the Congress authority to determine the time of presidential elections, but it says nothing as regards jurisdiction over the places and manner of holding the elections. Thus, it is silent on a subject involving, among other things, the determination of contested elections. In my view, it would be best to add a provision giving the Congress and the States concurrent jurisdiction over the places and manner of holding presidential elections.

A precedent for such a provision can be found in article I, section 4, of the Constitution, which gives the Congress and the States concurrent jurisdiction over the conduct of elections to the House and Senate. It may be that the Congress would leave to the States statutory authority over the conduct of presidential elections. However, there might also be a need for uniform laws on some matters in this area, especially the determination of election disputes. In that case, the Congress would need to draw its authority from the Constitution, and it would be well to make provision for that eventuality in any amendment abolishing the electoral college.

By way of clarification, I would like to add that I see no technical problems with regard to the 24th amendment, which bans the poll tax in Federal elections. On February 2, 1966, I placed in the Congressional Record an analysis of Senate Joint Resolution 58 prepared by the committee on Federal legislation of the association of the bar of the city of New York. The analysis, among other things, suggested that Senate Joint Resolution 58 be revised so as to avoid any arguments that the 24th amendment would no longer apply to presidential elections, should Senate Joint Resolution 58 become part of the Constitution. At my request, the American Law Division of the Library of Congress has prepared a memorandum on this question. The memorandum, I think, clearly shows that the 24th amendment, both as to its language and intent, was drafted so that the ban on poll taxes would continue to apply to the presidential election in case the electoral college were abolished. I am submitting both the analysis and the memorandum to the subcommittee, which may wish to include them in the record of the hearings.

In conclusion, I wish to express again my conviction that action is needed now to abolish the electoral college. These hearings, as the subcommittee knows, represent the latest in a long series of efforts to reform an electoral system which has never functioned as the framers of the Constitution intended. Unfortunately, largely because of disagreement as to the method of reform, these efforts have been futile. Even so, there is general agreement that something should be done to modernize the way in which we elect our President. Edward S. Corwin, a leading authority on the Constitution, has said:

"On no problem did the Convention of 1787 expend more time and effort than that of devising a suitable method of choosing a President. With no other feature of the Constitution did they express greater satisfaction than on the method finally devised. It is, Hamilton said in The Federalist, 'the only part of the Constitution not condemned by its opponents.' Actually, no feature of the Constitution has raised more difficulties in the past, or remains at this moment a graver menace to our domestic peace."

If this menace is to be removed, the first step toward success is approval by the Congress of a limited reform amendment such as Senate Joint Resolution 58. This sort of amendment, I think, is a sound compromise between what may seem ideally desirable and what is realistically possible. As such, there is no reason why it should not be ratified by the States. It would preserve our presidential election system as it is expected to operate under normal circumstances, but at the same time remove the subtle dangers in the Constitution which some day could lead to disorder, delay, and even disaster. Even if the risks seem small, we should no longer trust to luck in filling the highest office in the land. Therefore, I hope that this subcommittee will act favorably on Senate Joint Resolution 58, perhaps making some of the revisions suggested earlier, and that the Congress as a whole will do likewise before this session ends.

Champion of the Common Man

EXTENSION OF REMARKS

OF

HON. ROBERT DOLE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 7, 1966

Mr. DOLE. Mr. Speaker, yesterday in Philadelphia, our distinguished colleague, Santiago Polanco-Abreu, of Puerto Rico, had the high privilege of dedicating the Ernesto Ramos Antonini Development Center.

His remarks are of great significance, as they pertain to a patriot, a true champion of the common man, and an effective contributor to the public institutions serving the people of Puerto Rico.

I believe the eloquent but humble expressions of our colleague may serve to promote understanding across the span of geography which separates our people physically, but never spiritually, and under unanimous consent I include his remarks in the Record:

Speech at the Ribbon-Cutting Ceremony To Dedicate the Ernesto Ramos Antonini Center, Philadelphia, Pa., March 6, 1966

(By Santiago Polanco-Abreu, Resident Commissioner of Puerto Rico)

Ladies and gentlemen, I am honored to speak to you today at the ribbon-cutting ceremony to dedicate the Ernesto Ramos Antonini Development Center.

I am familiar with the fine work being accomplished by the Opportunities Industrialization Center. To this community, especially to young people, this center brings hope where there was no hope; faith where there was despair; strength where there was weakness. From the material point of view, it is making it possible for the young people of this community to acquire knowledge and to develop skills, which will make it possible for them to realize just rewards for future efforts.

The founders and organizers of this center deserve the finest congratulations and praise.

We have met here today to dedicate a particular part of this center to honor the memory of a truly great and unusual man, Ernesto Ramos Antonini. It is not my purpose to praise him as much as to learn from him.

It has been said that the mighty oak was struck and fell and that then there was a silent, empty place.

In a sense this is true of the man whose memory we honor today in this dedication. He was struck down in the vigor of his life, and he was sorely missed, because he was sorely needed by the Puerto Rican people and their institutions, which had come to rely on him.

The accomplishments which he carved in the time allotted him were so fundamental, so magnificent, so great, and so enduring that their effects are being felt in Puerto Rico as though he were still with us and guiding us.

There was a greatness about Ramos Antonini. The Almighty endowed him richly with many and varied talents, and with unusual energy. Ramos Antonini used them wisely and unselfishly for the benefit of the people he loved.

Who were these people? They were the youngsters in the high school where he taught as a young man. They were the plant and field laborers who were to gain from the strength of his helping hand. They were people in trouble who needed and got justice from the courts through his noble and skillful representations as a lawyer. They were the peoples' representatives in the legislative assembly who were inspired by his magnificent leadership as speaker of the house. They were the peasants who benefited from a social program inspired by him to provide fresh milk at the dinner table of poor people. They were the barefoot schoolboys who received shoes by legislation approved under his sponsorship. They were the artists who received his friendship, help, and inspiration. They were even the patrons of a small movie house in Rio Piedras in the days of the silent cinema where as a young man he played the piano to create the mood of the films.

The mighty oak fell, and then there was a silent, empty place.

To be sure, there was shocked silence, when this man of the people was taken so suddenly from them who loved and needed him so much. It was a sad, smothering, aching, tearful silence. And yet Ramos Antonini lives—through the principles he established in the legislative assembly; through the laws still prevailing for which he was responsible; through the labor unions that he formed; through his lasting contributions to the public school system; through his teachings to the people of Puerto Rico of all ages through his music; and not less, through his loving memory and continued inspiration of this great man.

Ramos Antonini is probably best remembered for three outstanding talents—those of a lawyer, of an orator, and of an artist. As a lawyer, his ability and accomplishments were legend. As an orator, he could sway an audience as few persons in our history. As an artist, he loved beauty and nature; he possessed an orchestral and harmonic temperament; and the gift of a sensitive soul. In thinking of him, I recall Emerson: "Most men act from motives of external compulsion; few are strongly and steadily inspired from within." Especially these words, "strongly and steadily inspired from within," are words that best describe him.

The mighty oak fell, and then there was a silent, empty place.

This is true of Ramos Antonini. But the lessons he taught endure in the hearts and minds of the working people of Puerto Rico for whom he fought so hard. Perhaps it is because this dedicated man has his origin in humble beginnings and had tasted the disappointments that come from poverty that he devoted himself to the working man and the poor. He quickly became their leader. Over and over again he repeated the call for unity in the labor ranks until the call was heard and understood and heeded. He showed the workers how to fight for their rights. He was responsible for setting minimum rates of pay for hourly or daily toil.

On one occasion, he even went into the canefields to lead a strike which was to paralyze the sugar centrals and result finally in an islandwide labor contract by collective agreement. On another occasion, he was shocked to learn how lenders were exploiting the workers by charging the most usurious interest rates so that the laborers became hopelessly mired in debt. Thus, he conceived the establishment of a workers bank through pioneering legislation. The Workers Bank has been acclaimed as one of the most advanced financial institutions in this hemisphere. The bank, established only a few years ago, already ranks fourth among all financial houses in Puerto Rico. The U.S. Government has shown its interest in using this institution of Ramos Antonini's creation as an example for all Latin American countries.

The mighty oak fell, and then there was a silent, empty place.

Yes, the voice of Don Ernesto is gone from us, but the foundations he built endure as Gibraltar. He was one of the most influential of the group of originators, creators, and builders of a new concept within the U.S. political system. He contributed brilliantly to the establishment of the Commonwealth of Puerto Rico—to its structure, its organization, and its purpose.

As we gather today to pay tribute to our beloved friend, we must indeed be grateful for the legacy that he leaves us—the legacy of a life richly lived and dedicated to that which gives hope and courage.

It is a legacy which has meaning for us here today at this place and at this time. Perhaps of all his contributions, the most lasting is the lesson he taught, that poverty is no insurmountable barrier to opportunity and success; that man should have dignity in his soul, and that he must have hope for the future and take pride in what he is able to accomplish in the present; that each should give something of himself to others; that in this way each accomplishment can be multiplied and multiplied again.

The institution which we meet here to dedicate is in the true image of Ernesto Ramos Antonini. For many to whom opportunity might not otherwise come, it will provide the threshold from today to all the tomorrows.

Stop the Theft of Dogs and Cats

EXTENSION OF REMARKS

OF

HON. FRANCES P. BOLTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 7, 1966

Mrs. BOLTON. Mr. Speaker, I am introducing a bill today to regulate the traffic in dogs and cats that are sold for scientific research purposes.

Recent articles in Life magazine and other publications have detailed the shocking operating procedures of some dealers in such animals—theft, brutality, deception. Surely we can preserve the health and lives of animals legally intended for research. Surely we must protect the thousands of household pets stolen each year and the families who love them.

My bill provides for the licensing of animal dealers and the inspection of their facilities and records, directs the Secretary of Agriculture to promulgate standards governing the handling and transportation of dogs and cats, and requires that research facilities obtain animals only from licensed dealers.

Such legislation should go far in eliminating conditions which are an affront to both personal and business ethics and a disservice to the quality of scientific research in this country. I hope that immediate action will be taken by the committee and the Congress.

The Great Society Cuts Land-Grant College and University Funds

EXTENSION OF REMARKS

OF

HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 7, 1966

Mr. QUIE. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following letter from Dr. O. Meredith Wilson, president of the University of Minnesota, and other correspondence of President Wilson all relating to the hardships that will be suffered by the University of Minnesota if funds under the Land-Grant College Act are not restored in the fiscal 1967 budget.

The 1967 Federal budget proposes a cut of more than $20 million in instructional and research funds for the 68 land-grant colleges and universities. This leaves only $50,000 per State for instructional use and in some States it would be divided between two institutions. The agricultural research funds would be cut 20 percent, even though the administration says we must help meet the world food crisis by exporting our agricultural technology.

There are no funds to replace this money. It is too late for the colleges to appeal to their State legislatures because most legislatures are not meeting this year. All of the land-grant colleges will have trouble replacing the money.

May I again remind my colleagues that for a century, educators, Congressmen, and the public at large have hailed the Land-Grant Act as the keystone of Federal participation in higher education.

UNIVERSITY OF MINNESOTA,
OFFICE OF THE PRESIDENT,
Minneapolis, Minn., February 21, 1966.

Hon. ALBERT H. QUIE,
House of Representatives,
New House Office Building,
Washington, D.C.

DEAR MR. QUIE: I am writing to alert you to the hardships that will be suffered by the University of Minnesota if certain omissions in President Johnson's 1967 budget are not restored. A crippling blow to instructional programs of the university would accompany the proposed decline of Morrill-Nelson and Bankhead-Jones funds available to the university. Proposed is a decline from $281,144 available currently to $50,000 in the coming fiscal year. This, in the face of growing enrollment pressures, is catastrophic.

The Morrill-Nelson and Bankhead-Jones funds, also known as land-grant funds, are used exclusively for the support of teaching positions. Eleven units in our college of agriculture, forestry, home economics, institute of technology, and college of liberal arts use such funds. In home economics, for example, more than 15 percent of our teaching budget comes from these sources. Many of these dollars are employed for tenure positions. Thus, even if such a reduction is desirable in the long run, a position that we strongly dispute, a reduction of this magnitude on such short notice places land-grant educational institutions in an almost impossible fiscal situation.

We are further distressed by declines in Federal assistance for research at State institutions (Hatch funds). A decline of 18 percent in this assistance, totaling $190,000 for the Minnesota Experiment Station, is outlined in the new budget. The effect on tenured personnel and their research could create chaotic situations. We feel duty-bound to impress upon you the adverse effect the proposed reductions would have on research work that is critical to the State and the Nation. A reduction in agricultural research funds at this time, when world attention is being increasingly directed to a world food crisis, seems particularly incongruous to us.

My conversations aimed at discovering motives behind this change in policy from formula support of research to grant support of research have troubled me. The implications seem to have been that the grant research in space science or under the National Science Foundation has been more successful than agricultural research. I am a great admirer of what has been done by these Federal agencies and what has been done by the National Institute of Health. But as an historian I think the record is clear. American achievements in agriculture are our most impressive achievements and perhaps our strongest weapon against propaganda of Communist countries.

Our agricultural progress has been based upon agriculture research that has been supported through the Hatch Act formula. I find it hard to understand why Federal policy would want to abandon a clearly successful policy which has given us unquestioned leadership for other policies where our leadership is still in dispute.

Proposed changes in the administering of cooperative extension funds worries us as well. Suggested changes call for a shift in $10 million in support from institutional allocation to allocation by the Federal Government. We feel this suggested shift does an injustice to men administering our agricultural extension programs. We are particularly proud of the ability of our Minnesota Extension Service to gage correctly the needs of the people of the State and devise programs to serve these needs. We do not favor the change. We want you to know, however, that our position is based upon the nature of funding and not upon the direction of proposed program adjustments. As you know, the University of Minnesota has been a leader in the development of community and resource development programs.

Attached are documents dealing in more detail with the concerns we have. May I remind you of the difficulties faced by your university if these funds are interrupted and urge you to restore them when the bill comes before you. This matter should be of grave concern not only to the administration of the university but to all Minnesotans.

Sincerely yours,

O. MEREDITH WILSON,
President.

FEBRUARY 18, 1966.

Dr. HAROLD HOWE,
Commissioner of Education, Department of Health, Education, and Welfare, Washington, D.C.

DEAR DR. HOWE: It is my purpose to express to you grave concern over proposed cuts in Federal appropriations for instructional programs in the land-grant institutions as revealed in President Johnson's 1967 budget. Cuts proposed would deal a crippling blow to the instructional programs of the University of Minnesota.

This institution currently receives slightly in excess of $281,000 annually in Morrill-Nelson and Bankhead-Jones funds. These funds comprise a significant and an essential part of the institution's instructional resources and many of the funds support tenured positions. The newly proposed budget suggests a reduction of these funds to $50,000 thereby slashing more than $231,000 of critical funding for instruction.

It seems incongruous that this proposed reduction of Federal support should come at a time when the Federal Government seems to be seeking acceptable ways to help meet demands for expansion of instruction on university campuses. Our own institution, for example, has experienced a doubling of enrollment in the past 11 years.

Undergraduate enrollment has increased sharply from over 20,000 in 1954 to more than 42,000 in 1965. Our concern becomes even more pronounced when we recognize that the total number of college-age youth in the State of Minnesota has risen from nearly 167,000 in 1954 to over 232,000 in 1965. During the same period persons attending colleges in Minnesota have risen from over 38,000 to over 90,000 with projections calling for further increases in the years ahead.

In light of projections of continued increases in Minnesotans desiring college training, and in light of the significant proportions of these people served by the University of Minnesota, we are alarmed by the suggestion that Federal instruction funds be curtailed. Clearly such a curtailment would markedly impair the ability of this land-grant institution to serve the educational needs of the State and the Nation.

May I urge that every step possible be taken to bring about a reinstatement of the instructional funds in the 1967 budget. Indeed, increases rather than curtailments are in order for the health of instructional programs in the land-grant institutions of the country.

Sincerely yours,

O. MEREDITH WILSON,
President.

STATEMENT BY THE EXECUTIVE COMMITTEE OF THE ASSOCIATION REGARDING PROPOSED FEDERAL BUDGETARY CUTS IN FUNDS FOR LAND-GRANT INSTITUTIONS

The executive committee of the National Association of State Universities and Land-Grant Colleges views with surprise and shock the proposals in the 1967 budget for a reduction of more than $20 million in instructional and research funds going to the 68 land-grant institutions, and for a shift of $10 million in support of cooperative extension programs with the U.S. Department of Agriculture, from institutional allocation by formula to Federal allocation.

The executive committee feels that the implications of these actions are of great concern to the 98 members of the association, and to higher education generally.

Relationships between the Federal Government and the land-grant institutions, in which for more than a century desirable national objectives have been accomplished with a maximum of institutional independence and decentralized decisionmaking, have long been hailed as a model of Federal-State relationships in education. An across-the-board modification of these institutionally related programs, at a time when Federal support of higher education is being increased in federally selected categories, may be viewed as raising fundamental philosophic issues. We were of the opinion that these were not fully understood or considered under the unusual conditions which surrounded preparation of the 1967 budget.

The proposed reduction in instructional and research funds of more than $20 million represents more than 2,000 faculty members and if put in terms of endowment represent a capital of $400 million. The Federal instructional funds cut is particularly disturbing in terms of the programs of the 16 land-grant institutions predominantly attended by Negro students. A more detailed discussion of each item appears below.

TEACHING FUNDS

The budget proposes a reduction of nearly $12 million, or 80 percent, in Federal appropriations for the "further endowment" of the instructional programs of the land-grant institutions. These annual appropriations, administered by the U.S. Office of Education, are for instruction or instructional materials in the natural sciences, mathematics, engineering, agriculture, and related subjects. They were initiated by unanimous act of Congress in 1890 in legislation introduced by Senator J. S. Morrill, of Vermont, for the purpose of placing these institutions on a firm instructional foundation "for as long as this Nation shall live." As recently as 1960, Congress reviewed this program and, by unanimous action in both Houses, increased its support from $5 to $14.5 million annually, based on inflation and population growth since the last review. The proposed reduction is the equivalent of 1,200 faculty members and at least 18,000 students, at a time when enrollments are at an all-time high and increasing rapidly, and students being denied admission for lack of adequate staff. The budget message states that these funds are no longer needed because of other Federal aids for higher education.

This statement represents a gross lack of information on current Federal funds relating to higher education. The Federal Government has substantial programs to help students get into college. It helps build buildings, construct educational television facilities, and purchase equipment. It finances a wide variety of research programs. But, aside from the modest amount it now proposes to eliminate, it nowhere helps finance the central function of instruction of the undergraduates about which there is so much national concern today.

We note particularly the impact of the proposed cut on the 16 land-grant institutions predominantly attended by Negro students, which involves a reduction in instructional support of more than $1 million, representing more than 100 staff members at current rates and, through them, some 1,500 students. This is the equivalent to a 15- to 20-percent reduction in next fall's freshman class at these institutions, unless the funds are replaced from other sources—emergency appropriations from State legislatures, many of which are not in session and some of which meet only biennially, or increase in student fees and tuition. In several institutions, the Federal support proposed to be withdrawn represents the total amount of Federal funds going to the institutions. In one case, it represents one-fourth of the entire instructional budget.

AGRICULTURAL RESEARCH

The proposed reduction of $8.5 million in research funds for the agricultural experiment stations of the land-grant institutions, coupled with a substantial reduction in U.S. Department of Agriculture research funds, is shocking at a time when our concerns are turning from agricultural surpluses to possible shortages, and Food for Peace is being emphasized as never before. The actual reduction in federally supported research amounts to substantially more than 20 percent, since research costs increase at the rate of 5 to 6 percent a year. This is the spigot theory of research: Under this theory one simply turns on the spigot when research results are needed, and results flow forth. Then one turns off the spigot until more results are needed. Unfortunately science has not reached the point at which faculty members and their families may be stockpiled pending the development of a food crisis in which their talents are urgently needed. Nor can research assistants forced to turn to other careers be quickly retrained or redirected.

COOPERATIVE EXTENSION WORK

The proposal for a shift of $10 million in support of the cooperative extension program of the land-grant institutions and the U.S. Department of Agriculture from institutional allocation to Federal allocation is described as for the purpose of assuring increased concentration of effort on rural community development and work with low-income families. The objective is praiseworthy, the method unnecessary and undesirable. The land-grant institutions have pioneered the work of rural community development and shifted resources to this area and to work with low-income families, in full cooperation and consultation with the U.S. Department of Agriculture. They have also repeatedly urged additional Federal assistance for this work, which has not been forthcoming. The implications of change from cooperative consultation to Federal direction are disturbing, to say the least.

CONCLUSION

We would emphasize that the need for action is immediate and critical. Faculty arrangements for the coming academic year must normally be made within the next 2 or 3 months. Some State legislatures are on a biennial funding basis and do not meet this year. In the substantial majority of others appropriations actions have already been concluded or will be within a brief period, leaving no available source of funds for support of the faculty positions involved in the proposed Federal budget cut.

The following members of the executive committee of the association participated in the meeting at which the above statement was unanimously agreed on: President David D. Henry, University of Illinois, chairman; President Edgar F. Shannon, Jr., University of Virginia, president of the association; President James H. Jensen, Oregon State University, president-elect; President Lewis C. Dowdy, Agricultural and Technical College of North Carolina; President Mason Gross, Rutgers University; President Fred H. Harrington, University of Wisconsin; President Elvis J. Stahr, Jr., Indiana University; Chancellor W. Clarke Wescoe, University of Kansas; Vice Presidents Robert Kerley, University of Kentucky, Boyd Page, Iowa State University; Herman Spivey, University of Kentucky; Deans Paul Sheats, University of California; and C. C. Murray, University of Georgia. Also President Homer D. Babbidge, Jr., University of Connecticut, chairman, legislative committee.

RESIDENT TEACHING FUNDS FOR LAND-GRANT INSTITUTIONS

The following is a table by States and institutions for distribution of resident teaching funds. If the proposed budgetary cut stands there would remain of these funds only $50,000 per State, and where more than one institution is involved, this $50,000 would be allocated in the same ratio as the total now going to the State is allocated.

Land-grant institution	*Funds for instruction and facilities (Morrill-Nelson and Bankhead-Jones funds)*
All land-grant institutions	$14,500,000
Alabama:	
Alabama Agricultural and Mechanical College	95,170
Auburn University	182,477
Alaska: University of Alaska	205,376
Arizona: University of Arizona	230,951
Arkansas:	
Agricultural, Mechanical, and Normal College	66,125
University of Arkansas	176,333
California: University of California	573,580
Colorado: Colorado State University	241,689
Connecticut: University of Connecticut	260,260
Delaware:	
Delaware State College	42,122
University of Delaware	168,486
Florida:	
Florida Agricultural and Mechanical University	103,357
University of Florida	214,386
Georgia:	
Fort Valley State College	83,507
University of Georgia	210,216
Hawaii: University of Hawaii	215,040
Idaho: University of Idaho	215,858
Illinois: University of Illinois	439,618
Indiana: Purdue University	310,822
Iowa: Iowa State University of Science and Technology	265,544
Kansas: Kansas State University of Agriculture and Applied Science	251,783
Kentucky:	
Kentucky State College	39,471
University of Kentucky	232,743
Louisiana:	
Louisiana State University and Agricultural and Mechanical College	188,920
Southern University and Agricultural and Mechanical College	88,496
Maine: University of Maine	223,038
Maryland:	
Maryland State College, Division of the University of Maryland	32,844
University of Maryland	240,856
Massachusetts:	
Massachusetts Institute of Technology	16,667
University of Massachusetts	305,709
Michigan: Michigan State University	385,940
Minnesota: University of Minnesota	281,144
Mississippi:	
Alcorn Agricultural and Mechanical College	127,519
Mississippi State University	124,253
Missouri:	
Lincoln University	$18,917
University of Missouri	283,760
Montana: Montana State College	216,098
Nebraska: University of Nebraska	233,546
Nevada: University of Nevada	206,781
New Hampshire: University of New Hampshire	214,426
New Jersey: Rutgers, The State University	344,201
New Mexico: New Mexico State University	222,605
New York: Cornell University	598,897
North Carolina:	
Agricultural and Technical College of North Carolina	101,737
State College of Agriculture and Engineering, University of North Carolina	206,557
North Dakota: North Dakota State University	215,032
Ohio: Ohio State University	430,710
Oklahoma:	
Langston University	25,534
Oklahoma State University of Agriculture and Applied Science	229,807
Oregon: Oregon State University	242,040
Pennsylvania: Pennsylvania State University	469,049
Puerto Rico: University of Puerto Rico	255,846
Rhode Island: University of Rhode Island	220,429
South Carolina:	
Clemson Agricultural College	128,316
South Carolina State College	128,316
South Dakota: South Dakota State College of Agriculture and Mechanic Arts	216,175
Tennessee:	
Tennessee Agricultural and Industrial State University	51,509
University of Tennessee	233,187
Texas:	
Prairie View Agricultural and Mechanical College [2]	106,924
Texas Agricultural and Mechanical University [2]	320,774
Utah: Utah State University of Agriculture and Applied Science	221,169
Vermont: University of Vermont and State Agricultural College	209,267
Virginia:	
Virginia Polytechnic Institute	196,193
Virginia State College	98,097
Washington: Washington State University	267,818
West Virginia: West Virginia University	244,220
Wisconsin: University of Wisconsin	293.929
Wyoming: University of Wyoming	207,845

AGRICULTURAL EXPERIMENT STATION FUNDS

The following table shows the proposed reductions under Hatch (agricultural experiment station) formula funds, by States, which would be effected if the 1967 Federal budget proposals are approved. It does not show the total effect of the $8.5 million cut proposed, as $2,380,000 in regional research funds allocated on the basis of regional projects, are also involved.

Effect of reduction on Hatch formula funds

Alabama	$154,803
Alaska	39,276
Arizona	54,246
Arkansas	125,614
California	170,852
Colorado	71,560
Connecticut	59,084
Delaware	42,568
Florida	101,213
Georgia	166,981
Hawaii	40,973
Idaho	67,937
Illinois	198,255
Indiana	178,709
Iowa	187,918
Kansas	$117,055
Kentucky	185,706
Louisiana	117,313
Maine	59,662
Maryland	84,252
Massachusetts	72,620
Michigan	185,031
Minnesota	176,166
Mississippi	171,854
Missouri	174,967
Montana	63,165
Nebraska	107,063
Nevada	38,280
New Hampshire	46,324
New Jersey	68,952
New Mexico	55,340
New York	181,601
North Carolina	268,872
North Dakota	81,446
Ohio	217,165
Oklahoma	108,035
Oregon	81,508
Pennsylvania	217,112
Puerto Rico	207,080
Rhode Island	38,602
South Carolina	$143,824
South Dakota	81,790
Tennessee	192,444
Texas	236,724
Utah	48,998
Vermont	50,502
Virginia	165,377
Washington	95,108
West Virginia	98,001
Wisconsin	176,452
Wyoming	45,710
Subtotal	6,120,000

(NOTE.—This table does not take into account regional research fund.)

UNIVERSITY OF MINNESOTA,
OFFICE OF THE PRESIDENT,
Minneapolis, Minn., February 18, 1966.

The Honorable ORVILLE L. FREEMAN,
Secretary of Agriculture,
Department of Agriculture,
Washington, D.C.

MY DEAR MR. FREEMAN: We have always prized the cooperative arrangements shared with the U.S. Department of Agriculture under the provisions of the Smith-Lever Act and related legislation. Such arrangements have enabled the extension service to develop competent staff and effective educational programs. We earnestly hope that the progress of many years will not be jeopardized by proposed budget changes. We fear that important, well established extension services will be sacrificed in order to achieve the new emphasis you suggest.

I hasten to indicate that we sympathize with work in resource development and with programs designed to help the underprivileged. While it may be true that in some places more forceful measures are required to direct resources to these areas, the Minnesota extension service has made significant progress in adjusting our programs to the two program areas mentioned. You may be interested in knowing, for example, that during the period 1962–65 the percentage of staff time devoted to community and resource development increased from less than 20 percent in 1962 to almost 28 percent in 1965 in spite of a sizeable reduction in total staff days available. This includes time devoted to work with resource planning and development groups, State and local government in community planning and development projects, soil and water conservation, wildlife development, recreation and touristry.

While we do not record participation of low income or disadvantaged families in extension programs, some studies have been made of this. A recent national study indicated that in the North Central States about 34 percent of total extension time is invested in work with families whose annual income is below $3,000. We feel it important to note that these changes have come at the State level as a result of State programing in response to State needs.

Agriculture constitutes an important resource base in the economy of our State. It provides employment and income opportunities for farmers, processors, distributors, and farm supply firms as part of the total agribusiness complex. Contrary to some opinion, a decline in numbers of farms and of farm operators has not resulted in a comparable decline in needs and demands for educational service. On the contrary, requests have been made for expanded educational work with the increasingly complex agribusiness sector of the economy.

To meet these demands we have undertaken new and intensified educational programs. To do this job effectively we need to draw upon resources throughout the university as well as those found in the traditional departments in the institute of agriculture. These needs require a broadly based staff and more sophisticated programs. We have already attempted to adjust resources and structure to meet these increasing demands. Unfortunately adequate support has not been made available for these needs. Reduction of support for this work can only jeopardize the significant improvements already achieved.

We have experienced significant increases in total demands placed on our staff by other agencies—Federal, State, and local—and by various private agencies engaged in agricultural or nonagricultural endeavors. At the same time there has been relatively little increase in the resources made available to us.

If the budget proposals are supported by the Congress, we do hope that consideration will be given to those of us who share your views on the importance of work in the resource development and poverty areas and, at considerable sacrifice to other needs, have already made significant shifts in resources use and program emphasis. We hope, too, that you are aware of the existence of additional unmet needs that deserve program help.

If the budget proposals are supported by Congress, we hope that those institutions that have recognized the need for expanded work in the resource development and poverty areas and have devoted additional resources thereto will not be penalized for their foresight.

Sincerely yours,

O. MEREDITH WILSON,
President.

P.S.—I am sending a copy of this letter to Dean Sherwood O. Berg, with the request that he provide you specific information regarding the impact on University of Minnesota programs.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., January 28, 1966.
Dr. O. MEREDITH WILSON,
President, University of Minnesota,
Minneapolis, Minn.

DEAR PRESIDENT WILSON: I want to write you about changes as we are proposing in the 1967 budget for the Cooperative Extension Service.

We wish to continue the cooperative programs with the land-grant universities that have been so productive in the past. We wish to maintain the same high degree of freedom for local program determination to serve the needs of the people in each State, consistent with national missions and goals. The educational role of the Extension Service is important in helping people develop fully their capacity to solve their problems, to avail of their particular opportunities and fully to achieve their individual potentials. It is likewise important in the development of the understanding and motivation essential to the local initiative that is crucial to effective operation of many Federal, State, and local programs.

Extension's work with farm families continues to be important to our family farms and to the income of farm families. Extension's work with youth and homemakers serve important needs today as they have in the past. And, Extension has served well the interests of American consumers and the business sector of the food industry. These long-established services shall continue without major change.

But, now, in addition we seek to increase the effectiveness of Extension programs to help people develop their own communities and the services those communities provide, wisely to use, develop and conserve our natural resources, to speed the economic growth of rural areas, and to provide greater service to low-income people who have special needs for these educational programs.

We propose a 1967 appropriation for the Extension Service at the same level as in 1966. Within this appropriation we propose to continue adjustment of our programs. We propose reduction of $10 million in funds allocated to the States according to formula, and an increase of $10 million to be allocated to the States on the basis of project proposals. This shift will be consistent with our continued efforts to increase emphasis on high priority work and to reduce work of lower priority. We propose to use $2.9 million of the $10 million shifted to fortify our work with lower income people, $6.7 million to expand our resource development programs, and $400,000 to compensate for the reduction in matching funds.

These actions have been taken to support two major purposes of the Department. First, it remains our aim always to adjust our work as efficiently as possible. Second, we are trying to use available funds whereever possible to provide special consideration to those Americans whose needs are greatest.

Today many rural communities lag in economic development and in the services provided to members of the community. Yet there are now a number of Government programs available to these communities through which the opportunities for people there can be improved. So, there is a growing need for programs of Extension education to encourage people to take initiative in the development of these rural areas. Also, there is still a wide gap between the low income and the more affluent segments of our society. There is a growing need for Extension education to help the disadvantaged more fully to participate in the high level of prosperity now general in this Nation. We believe that the State extension directors must and will participate fully as primary agents to determine the areas of lower urgency and reduced relative emphasis as these more urgent and growing needs are met.

Thus, these redirections of programs are being made in order to serve high priority purposes. The administration is determined that we shall have a strong Extension program serving well the high priority needs of our farmers, our other rural people and the consumers of America.

Sincerely yours,

ORVILLE L. FREEMAN.

UNIVERSITY OF MINNESOTA,
OFFICE OF THE PRESIDENT,
Minneapolis, Minn., February 18, 1966.
Hon. ORVILLE L. FREEMAN,
Secretary of Agriculture,
Department of Agriculture,
Washington, D.C.

MY DEAR MR. FREEMAN: My Minnesota colleagues and I are distressed by your letter of January 26, 1966, which describes the proposed 1967 USDA budget and reflects sharply reduced allocations for research.

Our principal concern runs to proposed reductions in Hatch funds. A suggested $8.5 million reduction in this fund would represent a reduction for the State of Minnesota of approximately $190,000—the first reduction since the passage of the Hatch Act in 1887. This represents a decrease of about 18 percent in the slightly more than $1 million in Hatch funds currently available to Minnesota. Such a reduction would seriously threaten the work of our agricultural experiment station.

Our concern is heightened because much of the success of the Hatch program can be attributed to the continuity of funding. This procedure has enabled us to support continuing research with high-quality staff in tenured positions. As I am sure you appreciate, short-term reductions of funds such as these have serious fiscal implications for institutions such as ours and particularly at this time when budgets are strained to meet increasing student demands. Furthermore, reduction in agricultural research support at this time seems to us to be inconsistent with the growing international concern regarding future world food supplies.

We are also concerned by a proposed shift in appropriations, which seems to describe a decrease in formula funds and an increase in grant funds. My conversations aimed at discovering motives behind this change in policy from formula support of research to grant support of research have troubled me. The implications seem to have been that the grant research in space science or under the National Science Foundation has been more successful than agricultural research. I am a great admirer of what has been done by these Federal agencies and what has been done by the National Institutes of Health. But as a historian I think the record is clear: American achievements in agriculture are our most impressive achievements and perhaps our strongest weapon against propaganda of Communist countries. Our agricultural progress has been based upon agricultural research that has been supported through the Hatch Act formula. I find it hard to understand why Federal policy would want to abandon a clearly successful policy which has given us unquestioned leadership for other policies where our leadership is still in dispute.

The formula program has made agricultural research in the States most successful. This is because it provided a continuity of research support and therefore made it possible to keep highly qualified personnel. Genetic research such as you describe in your letter would have found less success if carried on with grant funds rather than formula funds because of the long-term nature of the research. It is an example of research maintained successfully by a station only because of the confidence in the ability to fund long-term research. This confidence was based largely upon our history of formula funding. The continuing aspect of this program is a principal source of its strength. We feel that any attempt to trade formula funds for grant funds would be a violation of the original philosophy contained in the Hatch appropriation and would jeopardize the continuity which has made the Hatch program so effective.

Turning to specifics defined in your letter, we are prompted to remind you of the long history of the Minnesota Experiment Station in water research, toxicoses, and our current heavy involvement in studies involving various mycotoxins as they affect livestock and humans. This important work has been carried on with the assistance of Hatch funds and, as you indicate, deserves continued attention and support. In addition, Minnesota has had a long history of State support for plant protein research. We fear that a reduction in experiment station funds might shift priorities and threaten this vital and ongoing research.

We are cognizant of increasing national interest in the area of resource development. Forestry is obviously an important portion of this field of study. We feel it important that McIntire-Stennis funds be increased to allow additional work in this area.

While we recognize that at a Federal level priorities can be addressed to agricultural research, we would hope that it be recognized that the same process operates at a State level. We would hope, too, that it would be apparent that the tradition of research in the State, the strengths of research staff, and the needs and desires of the people of a specific State are strong directives in formulating these priorities. We like to feel that our 15- to 20-percent adjustment in program each year, arrived at in consultation with USDA, represents a diligent and responsible effort to address ourselves to tasks of current importance.

We hope that our concern for the proposed cuts in USDA research expenditures has been made clear. Further, we hope that possible shifts in the method of deployment of these funds will be reconsidered. We strongly urge that the serious concerns of this institution and our sister institutions throughout the country will prompt a restoration of a budget that makes possible the research in State universities and colleges that is so obviously important to the health of the Nation.

Sincerely yours,

O. MEREDITH WILSON,
President.

P.S.—I am sending a copy of this letter to Dean Sherwood O. Berg, with the request that he provide you specific information regarding the impact on University of Minnesota programs.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., January 26, 1966.

President O. MEREDITH WILSON,
University of Minnesota,
Minneapolis, Minn.

DEAR PRESIDENT WILSON: This letter is to inform you about this Department's 1967 budget proposals. These include funds for support of research in the State agriculture experiment stations, cooperative State forestry schools, and funds for project grants administered by the Cooperative State Research Service.

We are asking for increased project grant funds to support research on problems of highest priority in States where such support can be gotten most effectively. Specific areas for new research emphasis will include more efficient use of water, ways of eliminating food poisoning and toxin-producing organisms from our food supply and other issues of pressing importance.

Increased support is proposed for research on plant proteins, including soybeans, to help expand markets and to contribute to world protein food needs. Some new funds are requested to accelerate research on the role of cooperatives in farm marketing systems.

Funds are included to continue project grant support for research to find ways of reducing the costs of producing and marketing cotton.

This new research will all contribute to achieving the missions and goals that this Nation has set out.

Of especial importance to one of these goals, about $1 million are requested for the first time to support research in the 16 former Negro land-grant colleges. They now have little research support from any source. They provide training for a rapidly increasing number of students, presently about 40,000. Provision of research support for their faculties is essential to their further growth in excellence. The research to be supported will be responsive to the needs of the rural communities from which their students come.

Support for forestry research under the McIntire-Stennis Act complements that of the Forest Service. This new research program is off to a very good start. It will provide a much-needed increase in the supply of trained research people for all our forest-related activities. It will speed the research results needed in the several States. Funds asked for this area of research are continued at the 1966 level, $2.5 million.

We are determined to continue support to the research in the State agricultural experiment stations. We will continue to work with them to make that research even more productive, to further improve its quality, and to assure its concentration on research of highest priority.

The research at the State agricultural experiment stations which is supported by funds appropriated under the Hatch Act and by State appropriated funds continues to make outstanding contributions to the solution of agriculture's problems. For example, a recent discovery has been made at the Indiana Agricultural Experiment Station at Purdue. Genetic research there has developed corn breeding lines and hybrids which are high in protein. This discovery may be epochial not only for the feeding of pigs and poultry, but for people for whom corn is an important food, too.

Adjustments proposed in the 1967 estimates will permit continuation of research on such urgent problems as pesticides for which the Congress provided special funds in 1965 and on other problems of high priority.

We have always emphasized the necessity for elimination of research of low priority. About 20 percent of all projects terminate each year. Many of these are replaced by projects in new areas. This year's budget proposals for funds under the Hatch Act reflect this continuing policy by a proposed reduction of $8.5 million. This reduction amounts to only about 4 percent of funds from all sources available to the State agricultural experiment stations.

While it will necessitate elimination of low-priority research, remaining funds and the new grant research funds can accelerate needed concentration on high-priority problems.

The long-range study of research needs now underway will more clearly identify areas of greatest urgency for future budgetary consideration.

The administration is determined to support research needed for economic growth and for human welfare. We will find within our current funds as much of that needed for research as we can. Pruning out low-priority research will make the new growth more fruitful.

Sincerely yours,

ORVILLE L. FREEMAN.

Just and Timely Consumer Protection

EXTENSION OF REMARKS
OF

HON. HAROLD D. DONOHUE

OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Monday, March 7, 1966

Mr. DONOHUE. Mr. Speaker, whenever and wherever the average American's life and health and money are at stake, and he cannot reasonably and adequately protect himself in these vital areas, it is the duty of his Government to act in his behalf.

Unfortunately, it is all too obvious that in today's mass consumer market commercial selling practices and appeals have grown, perhaps unwittingly, dangerously confounding, and even hazardous to the ordinary customer.

In the field of staple purchasing comparative cost shopping is practically impossible because of the fractional weights, odd-sized boxes, and doubletalk small print wordage on the product covers. In our modern so-called supermarkets one seldom, if ever, sees a weighing instrument in evidence for the shopper's use even if she or he were so inclined.

In the area of consumer credit only a very few experts understand the true interest charges projected.

In the vital area of nonprescription drugs it is practically impossible for the ordinary person to tell what is helpful from what is harmful or harmless because of the continuous assault on his senses of exaggerated television advertisements and rival claims.

As the President recently emphasized, the day and time has come for clear labeling, true descriptions, and commonsense rules to be applied in retailing merchandise to the American consumer.

To enable him to protect his life and his health and his hard-earned money it has become essential for the American consumer to be given what she and he are demanding; namely, lifeguarding controls on labeling and marketing of hazardous drugs and substances; reasonable and appropriate weight standards to facilitate comparative shopping; and clearer, more definite information about the cost of a loan to a borrower.

Mr. Speaker, this modern-grown problem, essential to the basic interests of the American family, is one that shall have to be legislatively dealt with sooner or later and the sooner the better. No reputable business will be adversely affected if we exercise, as we should, every legislative concern to encourage industry self-regulation and refrain from any excessive intrusion upon the traditional ethics and competitive practices in our private enterprise system. I hope that sensible and adequate legislation to accomplish these prime objectives, in the best interest of both the consumer and industry, will soon be presented to the Congress.

The School Lunch and Special Milk Programs Are Vital to the Continuing Good Health and Proper Education of American Children

EXTENSION OF REMARKS

OF

HON. HAROLD D. DONOHUE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 7, 1966

Mr. DONOHUE. Mr. Speaker, like a good many colleagues here I am very deeply concerned about and very deeply and earnestly question the economic urgency and wisdom of the Administration's request for apparent major reductions in the appropriations for federally impacted areas and the school lunch and special milk programs that have, over these past several years, been so healthfully enjoyed by hundreds of thousands of American children.

The President himself has said that, "a poor diet is a root cause of disease." I am sure that every American agrees with him in that statement.

The school milk program is of vital importance for our school youngsters because, according to all of the authorities, milk contains nutrients essential for good health. They further tell us that milk is a basic factor in building proper diet habits. And even further, we all know that a well-nourished child learns better than an undernourished child.

The school officials themselves testify to us that the proposal to distribute the milk and limit the program on the basis of need is both impractical and unworkable. Under this proposal it would seem that school administrators would be asked to separate the students whose parents have a low level of income from those who are assumed to be able to afford to buy the milk. This certainly appears to be inducing school officials to do something our schools are not set up to do and it is also quite likely to create an artificial barrier between and among the students.

Mr. Speaker, in my opinion our school-lunch and milk program is basically and primarily a health program, not a welfare program. The savings projected in the proposed appropriation reductions are so small in comparison with some of our overly generous expenditures for projects and programs in other countries and other people all over the world that they appear unjustifiable on any normal, economic, or practical standards.

Whatever the need, and I think there is real need, to sensibly restrict Government expenditures, I would hope we can find more nonessential areas in which to do it rather than take a chance on cutting down and into our wisest investment in the future of America, the encouragement of a healthy, well-nourished, wholesome, American youth, in the best educational environment we can devise.

National Eye Institute

EXTENSION OF REMARKS

OF

HON. HERBERT TENZER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 7, 1966

Mr. TENZER. Mr. Speaker, our distinguished colleague, Congressman Fred B. Rooney, the gentleman from Pennsylvania, introduced H.R. 12373 on January 27, 1966, a bill to amend the Public Health Service Act to provide for the establishment of a National Eye Institute in the National Institutes of Health. I am proud to join my colleague in sponsoring this legislation.

The National Eye Institute would conduct research on blinding eye diseases, blindness, and visual defects. I commend our colleague for having taken the initiative in this area. During the past 19 years it has been my privilege to have been a member and an officer of the National Council to Combat Blindness, Inc., a voluntary agency, which through its Fight for Sight makes awards annually, through grants-in-aid, student fellowships, postdoctoral research fellowships, and clinical service projects. Since 1946 the council has carried on extensive work in the field of basic and clinical eye research at hospitals, medical schools, and universities throughout the United States and elsewhere in the world.

To date the Fight for Sight has disbursed close to $2½ million of private funds to finance research at over 100 institutions in the United States and abroad. This effort is not enough because by 1975, unless there are some dramatic major developments in the field of eye research and treatment, there will be 16 million blind persons in the world. Today in the United States alone there are 3½ million men, women, and children with chronic noncorrectable visual defects and that number is increasing each year.

The Fight for Sight, in its support and encouragement of basic and clinical eye research, provides a unique and dynamic machinery for uniting scientific research workers, business and professional people, housewives, and others in many walks of life, so that eye resesarch can advance the health and well-being of all mankind.

Eye research anywhere can help men, women, and children everywhere. Truly the Fight for Sight is a global imperative. This spark in the dark, first ignited in 1946, has become an international beacon for ophthalmic research workers. The lost sight of one young woman has become an illuminating vision for thousands of loyal volunteers for the Fight for Sight and a reason for hope to those whose lives are threatened by impending blindness.

Miss Mildred Weisenfeld, founder and executive director of the National Council to Combat Blindness, Inc., has led the Fight for Sight since 1946. In 1949, Miss Weisenfeld, who lost her vision in her youth, because of a blinding eye disease, called retinitis pigmentosa, for which no cure has yet been found, appeared before a subcommittee of the Committee on Interstate and Foreign Commerce of the House of Representatives—81st Congress—and made a significant contribution to adding "and Blindness" to the then National Institute for Neurological Diseases which is today the National Institute for Neurological Diseases and Blindness.

Mr. Speaker, you and a number of our colleagues are aware that during the past 10 years I have served as president of Fight for Sight and therefore, I do not want there to be any misunderstanding about my endorsement and sponsorship of a bill calling for the establishment of a National Eye Institute.

I have today introduced such a bill and I want to state that the National Council to Combat Blindness, Inc. and its Fight for Sight will not be eligible to receive any funds directly or indirectly by the enactment of this legislation. The work of National Eye Institute will be carried on under the direction of the Surgeon General, with the approval of the Secretary, research in the field of blinding eye diseases and visual disorders. The National Council to Combat Blindness, Inc. in cooperation with its Fight for Sight leagues, will continue to raise funds to supplement the work done by the National Eye Institute in such areas where the Institute may not be authorized to act. The Fight for Sight will continue to finance special projects such as the Children's Eye Clinic—the first such clinic established in the eastern part of the United States at Columbia-Presbyterian Hospital in New York City and another such clinic recently established at the Wills Eye Hospital in Philadelphia, as well as to finance other service projects.

It will also continue its work in the field of public information and education and guidance to individuals requesting information regarding available sources for assistance to blind persons.

Perhaps with the establishment of the National Eye Institute, a more orderly and coordinated war against blindness may be waged and the fight for sight will be won, or at least the causes of blinding eye disease may be uncovered and cures found. Then and only then will it be feasible and practical to seek a merger of voluntary agencies in the eye research field in order that government and private voluntary agencies may coordinate their respective activities.

Prior to my introduction and cosponsorship of legislation to establish a National Eye Institute I wrote to the distinguished members of the Scientific Advisory Committee of the National Council To Combat Blindness, Inc., for their opinion on the proposed legislation. My letter of February 10, 1966, reads as follows:

> I would appreciate your comments on the proposal for a National Eye Institute as suggested by H.R. 12373 introduced by Congressman FRED B. ROONEY, of Pennsylvania, which I am planning to cosponsor.
>
> With kindest personal regards.
>
> Sincerely yours,
>
> HERBERT TENZER,
> *Member of Congress.*

The above letter was sent to the following members of the scientific advisory committee:

Charles A. Perera, M.D., chairman, associate clinical professor of ophthalmology, Columbia University, College of Physicians and Surgeons, New York, N.Y.

James H. Allen, M.D., chairman, department of ophthalmology, Tulane University, School of Medicine, New Orleans, La.

Bernard Becker, M.D., head, department of ophthalmology, Washington University, School of Medicine, St. Louis, Mo.

Goodwin M. Breinin, M.D., chairman, department of ophthalmology, New York University Medical Center, New York, N.Y.

Hermann M. Burian, M.D., department of ophthalmology, State University of Iowa, College of Medicine, Iowa City, Iowa.

Arthur G. De Voe, M.D., director, the institute of ophthalmology, the Presbyterian Hospital, New York, N.Y.

Dan M. Gordon, M.D., department of ophthalmology, New York Hospital-Cornell Medical Center, New York, N.Y.

Michael J. Hogan, M.D., chairman, department of ophthalmology, San Francisco Medical Center, University of California, School of Medicine, San Francisco, Calif.

V. Everett Kinsey, Ph. D., assistant director of research, Kresge Eye Institute, Detroit, Mich.

Peter C. Kronfeld, M.D., head, department of ophthalmology, University of Illinois, College of Medicine, Chicago, Ill.

Irving H. Leopold, M.D., medical and research director, Wills Eye Hospital, Philadelphia, Pa.

A. Edward Maumenee, M.D., director, the Wilmer Institute, Johns Hopkins Hospital, Baltimore, Md.

John M. McLean, M.D., chief, division of ophthalmology, Department of Surgery, New York Hospital-Cornell Medical Center, New York, N.Y.

Stuart Mudd, M.D., department of microbiology, University of Pennsylvania, School of Medicine, Philadelphia, Pa.

Frank W. Newell, M.D., chairman, section of ophthalmology, department of surgery, University of Chicago, Chicago, Ill.

Edward W. D. Norton, M.D., chairman, department of ophthalmology, University of Miami, School of Medicine, Miami, Fla.

Theodore C. Ruch, Ph. D., chairman, department of physiology and biophysics, University of Washington, Seattle, Wash.

Samuel L. Saltzman, M.D., attending staff, department of ophthalmology, New York Eye and Ear Infirmary, New York, N.Y.

Harold G. Scheie, M.D., chairman, department of ophthalmology, University of Pennsylvania, School of Medicine, Philadelphia, Pa.

George K. Smelser, Ph. D., director of research, department of ophthalmology, Columbia University, College of Physicians and Surgeons, New York, N.Y.

Bradley R. Straatsma, M.D., chief, division of ophthalmology, department of surgery, University of California Medical Center, School of Medicine, Los Angeles, Calif.

Kenneth C. Swan, M.D., chairman, department of ophthalmology, University of Oregon Medical School, Portland, Oreg.

Phillips Thygeson, M.D., director, Francis I. Proctor Foundation for Research in Ophthalmology, San Francisco Medical Center, University of California, school of medicine, San Francisco, Calif.

I have also written to the officers and directors of the National Council to Combat Blindness—Fight for Sight—and others for their comments and I shall keep my colleagues advised of their replies from time to time.

I am today introducing a bill to establish a National Eye Institute. Mr. Speaker, I believe the distinguished group of scientists which supports this legislation should be heard and their views considered by the appropriate congressional committee and ultimately be considered by the Congress.

The Traditional American; Probate Judge Carl E. Wahlstrom of Worcester, Mass.

EXTENSION OF REMARKS

OF

HON. HAROLD D. DONOHUE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 7, 1966

Mr. DONOHUE. Mr. Speaker, on Sunday, February 27, last, with an appropriate ceremony in the Beth Israel Synagogue Hall at Worcester, Mass., Worcester County Probate Court Judge Carl E. Wahlstrom, became the fourth recipient of the Beth Israel Brotherhood's Good Neighbor Award for his "betterment of understanding among men of all faiths."

Several hundred men and women from the city's major faiths gathered in the congregation's social hall to honor Judge Wahlstrom who was chosen for this particular distinction by a committee made up of the past recipients, A. Alfred Marcello, day city editor of the Worcester Telegram, 1963; Very Rev. Armand H. Desautels, A.A., 1964, then president of Assumption College and now provincial superior of the Assumptionist Fathers in North America; and Rev. Kenneth E. Bath, minister of Greendale People's Community Church, 1965.

A unique silver bowl signifying the Good Neighbor Award was presented to Judge Wahlstrom by Melvin Merten of the brotherhood.

Multitudinous past distinctions have been bestowed upon Judge Wahlstrom in recognition of his most unselfish and effective civic leadership and only last November he was specially honored at a great public testimonial upon the completion of 25 years as probate judge in our area.

He is a graduate of Worcester, Mass., Commerce High School; Clark University in Worcester; and Boston University Law School. Also, he is an acknowledged expert on Lincoln lore, a director of colleges, businesses and associations, and an honorary 33d degree Scottish Rite Mason.

Mr. Speaker, it was my special pleasure and privilege to sum up the tributes to Judge Wahlstrom that were given by various city officials, educational directors, prominent judges, and spiritual leaders on this occasion.

I emphasized that in the torturous pursuit of solutions for the tremendous problems plaguing ourselves and the world today it is imperative, if we are to be successful, for all of us to perseveringly follow the inspiring example of the life and conduct of Judge Carl E. Wahlstrom so truly representative of the traditional American virtues upon which this country was founded and only upon which it can endure and will prevail.

The text of my summation follows:

SPEECH OF CONGRESSMAN HAROLD D. DONOHUE AT BETH ISRAEL ANNUAL GOOD NEIGHBOR AWARD TO JUDGE CARL WAHLSTROM, BETH ISRAEL SYNAGOGUE, FEBRUARY 27, 1966

Rabbi Kazis, other members of the clergy, distinguished guests, ladies and gentlemen of Beth Israel Congregation, it is a particular pleasure for me to take part in this well-deserved public tribute to my dear friend and our good neighbor, Judge Carl E. Wahlstrom.

On the basis of distinguished judicial stewardship alone, Judge Wahlstrom preeminently merits the special honor you are conferring upon him this morning.

In his court, the probate court, legal issues and disputes embrace the most intimate actions and vital interests of human beings at their best and at their worst. Their settlement demands the most searching analysis and the most equitable judgment.

To successfully preside over and decide upon these most stirring judicial challenges very truly requires possession of the persistence of Diogenes, the patience of Job, and the wisdom of Solomon; yes, requiring the exercise of the fullest understanding, the deepest compassion, the utmost tolerance, and the kindliest firmness.

Judge Wahlstrom possesses these rare qualities and that is why he is an exceptional judge.

Judge Wahlstrom applies these attributes in all his actions and that is why he is an extraordinary person.

Together with his acclaimed leadership in multitudinous community objectives, at great sacrifice, it is the practice of these combined virtues in all his daily associations that makes Judge Wahlstrom our good neighbor.

Perhaps not too many know that he was a student leader and outstanding athlete at Clark University in his college days and served his country as an infantry lieutenant in World War I.

Judge Wahlstrom's career reveals a prime example of the full, wholesome, balanced life.

Besides all this, he is an outstanding scholar and is recognized as one of the Nation's authorities on the life and works of our revered 16th President of the United States, Abraham Lincoln.

It is significantly indicative of the character and disposition of our honored guest that he would be so vitally interested in the life of one of the greatest men of our history whose stalwart qualities and attributes are so well mirrored in his own personal and professional career.

Judge Wahlstrom's distinction in connection with this great American patriot prompts the reflection that perhaps we might suitably and profitably dwell, this morning, on a comparison of the problems that confronted President Lincoln and the country with the crucial challenges facing us in this nuclear age.

Of course, our problems today are technically different and our challenges are now expanded beyond and above the horizon.

But there is a similar height of urgency in our affairs today. We are at a similar crossroad of our destiny, a destiny involving the world's future.

The various problems bedeviling us today comprise a lengthy and fulsome list. Their broad recitation would include such soul-searching questions as:

How shall we exercise our traditional right to differ while we carry out our patriotic obligation of unity in purpose?

How can we effectuate the guarantees of civil rights while we fulfill our duty of civil obedience?

How shall we apply the restraint of recommended guidelines without suffocating the fruitful energy of personal effort and private enterprise?

How shall we extend our spending while we contain inflation?

How shall we share in the privations of our servicemen fighting overseas while we enjoy the extravagances of domestic plenty?

And finally—How can we negotiate an end of agonizing war without yielding to dishonorable peace terms?

These are a few of what we might term the umbrella challenges.

It would take a hundred mornings and a hundred nights to itemize all the problems that would come under them. And although I receive in my daily mail about 50 earnest and thoughtful suggestions for their settlement, I don't think anyone yet possesses the full answer to each different problem.

It is my opinion the proper answers and full solutions will have to come out of a nationally unified character and atmosphere of moral responsibility, patriotic sacrifice, and dedicated unselfishness that was urged by the voice, and personified in the life and death of Abraham Lincoln.

In this country today we have the great wealth and the highest standard of living of any people in the history of the earth and there is even more in sight on the nuclear energy horizon ahead.

If Lincoln were alive we fear that he would have to question the existence of that moral character and atmosphere in our country today. We fear Lincoln would join with many authorities today who express the deepest doubts that proper solutions to our problems will not be found until substantial turnabout changes are made in a great many current attitudes and practices that seem to be corrupting the core of our modern society.

But, as we look about us today, I think you might agree there are far too many regettable signs of widespread immorality in conduct, indifference to recognized ethical standards, defiance of legitimate authority, disrespect for hallowed traditions, disregard of our historical ideals, and even some thoughtless ridicule of the heroic sacrifices of our servicemen abroad.

These unhappy signs of dangerous weaknesses in our prosperous society emphasize the wisdom of the warning advice contained in the question President Lincoln asked of the people during a speech in Illinois back in 1858.

This was his question—"What constitutes the bulwark of our own liberty and independence? It is not our frowning battlements, our bristling sea coasts, our Army, and our Navy. These are not our reliance against tyranny. All of those may be turned against us without making us weaker for the struggle. Our reliance is in the love of liberty which God has planted in us. Our defense is in the spirit which prized liberty as the heritage of all men, in all lands everywhere. Destroy this spirit and you have planted the seeds of despotism at your own doors."

It would appear that this question by President Lincoln is even more pertinent to our affairs today than it was back in 1858.

Isn't it the strengths of this traditional belief and American spirit that we must help to place back into the hearts and minds of all Americans and into the basic structure of our national character if we are to find surviving solutions to the problems of ourselves and the world?

A few days ago, as I thought of this meeting this morning, I recalled a story of the father and of the little boy who wanted to be doing something.

The father was stretched out in his easy chair after a day's work to read his newspaper before dinner. He was interrupted by the normal complaint of children about having nothing to do—so he assigned a minor household chore to the youngster.

In no time the boy was back for another assignment. This was repeated several times and finally his father, in desperation, picked up a map of the United States from a table beside his chair, tore it into many dozens of pieces, and said: "Here, son, take this and put the country back together again."

The boy happily went to work on the homemade jigsaw puzzle. His father again settled back with the newspaper—but before he had read as far as the sports page the child tugged at his arm and proudly pointed to a perfectly put together United States of America.

Pleased and amazed by the lad's knowledge of geography and his speed in applying it, the father said: "That's really wonderful. But how did you do it?"

"I remembered," the boy explained, "that on the back side of that map was a picture of a man. And I figured that if I just put the man together right, the country would come out in pretty good shape."

Don't you think it is about time for you and for me and for each American to start putting ourselves to right and the country back in good shape?

Isn't it high time for us to get to work to restore proper reverence of our churches, decency in public conduct, ethical standards in business, recognized discipline in educational institutions, obedience to our laws, acceptance of parental authority in the home and a mature, moral example for the proper encouragement of our youth?

And while we proceed with the development of a Great Society let us wisely insure the construction of a good society.

This, I think, was what President Lincoln was urging when, speaking in Milwaukee, on September 30, 1859, he said: "Let us hope that by the best cultivation of the physical world beneath and around us, and the best intellectual and moral world within us, we shall secure an individual, social, and political prosperity, and happiness whose course shall be onward and upward and which, while the earth endures, shall not pass away."

Above all, then, let us remember the true mission of all mankind is not for nations to war with each other unto death but to live with each other in a brotherhood of good will and under a peace of honor forever lasting.

That, I believe, is the true significance and the true meaning of our meeting and ceremony here this morning in this hall, adjacent to your temple of prayer.

That is the true worth of Carl Wahlstrom's contribution of virtues and talents as a good man and a good neighbor.

That, I think, is the true value of your exercise here this morning, in the encouragement of fellow citizens to emulate the example of a good neighbor, for the betterment of their community, for the progress of their country, and for the peace of the world.

If then, we and our fellow Americans will unite in our faiths and consolidate our moral spirits in patriotic sacrifice to preserve our liberty and repel tyranny I am supremely confident we will not just survive—we will prevail.

SENATE

TUESDAY, MARCH 8, 1966

The Senate met at 12 o'clock meridian, and was called to order by Hon. MAURINE B. NEUBERGER, a Senator from the State of Oregon.

Bishop W. Earl Ledden, Wesley Theological Seminary, Washington, D.C., offered the following prayer:

Almighty God, in whom our fathers trusted and were not dismayed, we turn to Thee for direction in this hour of the world's confusion.

Confronted with the complexities of our social disorder, discouraged by the futility of our good intentions, disheartened by the frustration of our best endeavors, we look to Thee, as did our fathers before us, for a renewal of hope.

Deliver us from despair, we pray, and make us to share the sustaining power of those whose hope is in the everlasting.

When it seems that things are in the saddle and ride mankind, help us to remember that this is not Thy will for mankind.

Help us to recall the words of the Psalmist of old, who recognized Thy concern for man, and cried aloud to Thee in grateful wonder:

"What is man? Thou art mindful of him. Thou visitest him. Thou madest him to have dominion over the works of Thy hands."

We dare pray, then, that we may achieve dominion over things—and not suffer domination by things.

Especially do we pray that Thou wilt so enlighten and strengthen Thy servants in this Chamber that, by Thy grace, they may help man gain control of things, that things may serve—and cease to menace—mankind. For this has been Thy purpose since creation's dawn. And again we pray: Thy will be done.

In the name of Christ. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
Washington, D.C., March 8, 1966.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. MAURINE B. NEUBERGER, a Senator from the State of Oregon, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mrs. NEUBERGER thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Monday, March 7, 1966, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries, and he announced that on March 7, 1966, the President had approved and signed the following acts:

S. 577. An act for the relief of Mary F. Morse;

S. 851. An act for the relief of M. Sgt. Bernard L. LaMountain, U.S. Air Force (retired);

S. 1520. An act for the relief of Mr. and Mrs. Earl Harwell Hogan; and

S. 1904. An act to authorize the Secretary of the Interior to give to the Indians of the pueblos of Acoma, Sandia, Santa Ana, and Zia the beneficial interest in certain federally owned lands heretofore set aside for school or administrative purposes.

REPORT ON MANPOWER—MESSAGE FROM THE PRESIDENT

The **ACTING PRESIDENT** pro tempore. The Chair lays before the Senate a message from the President of the United States on manpower. Without objection, the message will be printed in the RECORD, without being read, and the message and report will be appropriately referred.

The message was referred to the Committee on Labor and Public Welfare, as follows:

To the Congress of the United States:

I report on a year of progress and fulfillment.

I report on a year of challenge and change.

February 1966 marked the 20th anniversary of this Nation's 1946 commitment to provide job opportunities for every person, able, willing, and seeking to work.

February 1966 also brought the fifth anniversary of our longest and soundest period of peacetime prosperity. It marked the 60th consecutive month of visible proof that the 1946 commitment can be met.

A RECORD OF ACCOMPLISHMENT

Five years of sustained economic growth have effectively demonstrated that this Nation can:

1. Pursue an economic policy which creates millions of new jobs and reduces the burdens of unemployment and poverty.
2. Provide the necessary job opportunities to convert a flood of teenagers into a valuable national resource instead of an urgent social problem.
3. Set in motion manpower programs to transform the deprived, the disadvantaged, and the despairing into effective and self-respecting members of the Great Society.

Last year was one of harvest—and of new planting.

The fruits of sustained economic growth were realized in terms of increased employment and earnings for the American worker.

In 1965: The advance of 2.4 million jobs exceeded by one-third the increase of the labor force. Private nonfarm payrolls swelled by 42,000 added jobs each week. More than a million young Americans entered the work force, but there was work for them to do. Unemployment was reduced to its lowest rate in almost 9 years. The American factory worker's weekly earnings reached $110.92. Although the cost of the things he bought went up 2 percent, there was 4.5 percent more money in his pocket to buy them after paying his Federal taxes.

Last year also saw the first combined effects of the new manpower, education, and poverty programs.

In 1965:

More than 100,000 persons completed training under the Manpower Development and Training Act. Three out of every four were placed in jobs within 90 days after their course ended.

More than 500,000 young men and women were approved for participation in the Neighborhood Youth Corps. The Corps helps those in school to stay there, and helps dropouts to return to school or begin work.

About 200 area vocational-technical schools were approved for construction. Now 85,000 full-time students are receiving financial assistance to begin or continue vocational training.

About 115,000 full-time college students in more than 1,100 colleges participated in work-study programs, which helped them to meet the costs of a college education.

Work experience programs provided jobs, basic education, training—and hope and dignity—for 65,000 public welfare recipients with almost 200,000 dependents.

Almost 30,000 young men and women were enrolled in the Job Corps. For many of them, it was their first opportunity for realistic training to help them find and keep jobs.

Across the land, more and more men and women became productive members of a great and productive society. More and more boys and girls, in and out of school, received the work experience and training which helped to fit them for responsible places in society and to save them from lifetimes of chronic unemployment and degrading poverty.

A year ago 5.0 percent of our workers were unemployed.

Now only 3.7 percent are out of work.

A year ago many of our programs to provide better training and wider educational opportunities were only beginning.

Today they are supplying thousands of trained workers for our expanding economy.

But our very success in banishing the specter of mass unemployment from our land has brought new problems.

To sustain high employment, and continue our record of price stability, we must work harder than ever to match jobs and men.

Our success in reducing unemployment brings out more clearly than ever the fact that there is poverty in the midst of plenty. We cannot rest content: when employers seek skilled and experienced workers while thousands cannot find work because they lack proper training and education; when factories in some areas are unable to fill orders because they lack workers, while chronic unemployment endures in other areas.

This year we must make a special effort to see that our human resources are not wasted.

We must accelerate the growth of public and private training programs and make them available to all.

We must bring jobs to workers and workers to jobs.

We must eliminate the discrimination which wastes our manpower resources.

Our goal is not just a job for every worker. Our goal is to place every worker in a job where he utilizes his full productive potential, for his own and for society's benefit.

To achieve this goal, I have outlined below a new program to make full use of all our human resources.

Making the transition to an economy of sustained high employment is our immediate task. But we must not lose sight of the longer run.

We take pride in the growth of our economy, in the achievements of our scientists and engineers, and in the ability of our dynamic private enterprise economy to put new technology to practical use. But the requirements of new technology demand continuing adjustments in our work force. To make those adjustments as smoothly as possible, every worker needs a first-rate education and opportunities for continuing education and training.

A MANPOWER PROGRAM FOR FULL EMPLOYMENT OPPORTUNITY

Earlier manpower reports proceeded from a central concern with excessive unemployment: 6 percent at the time of the first report, and still 5 percent 2 years later.

Now, with unemployment below 4 percent and falling, the attention of the Congress and the Nation must focus on the manpower prospects and problems which emerge as the products of unprecedented prosperity.

An unemployment rate of 3.7 percent in February marks another milestone along the country's course toward full realization of its economic potential.

It was in November 1953—more than 12 years ago—that the unemployment rate was last that low. A year ago it was still 5 percent.

Attaining an unemployment rate of 3.7 percent is a triumph for our Nation's economy. It is a tribute to the public and private policies that led to this achievement.

Because it does reflect an economy operating closer to the full use of its manpower resources, our celebration must be tempered with caution. We must be alert to assure that the pace of our advance does not become too rapid, endangering the healthy stability and sound balance of our expansion.

Yet to conclude that we must proceed cautiously does not mean that we should slam on the brakes or throw the economy into reverse.

We expect our labor force to expand by 1.6 million workers this year.

Thus, we must provide about 4,500 new jobs each day—31,000 new jobs each week—134,000 new jobs each month.

Moreover, we cannot rest on past accomplishments when the unemployment rate for Negroes was still 7 percent in February. It was down from 9.2 percent a year earlier, and from nearly 13 percent in February 1961. But we cannot be satisfied when 1 out of every 14 Negro workers is without a job.

Nor can we be satisfied with a reduction of the unemployment rate for teenagers from 15½ percent in February 1961 and 14½ percent a year ago, to 10.9 percent last month. So high a rate for young workers still blocks far too many young men and women from beginning productive and rewarding careers.

Our achievement is worthy of celebration, but our task remains unfinished. We can and will move with appropriate caution to sustain our economic advance into even higher levels of manpower achievement.

The 3.7-percent rate is an average. It conceals the fact that some 3 million workers still lack jobs. It also conceals the fact that there are now more jobs in some areas and occupations than there are people to fill them.

In the Great Lakes region, there is already a tight supply of both skilled and unskilled labor.

There are shortages of machinists for the metalworking industry throughout the country, and shortages of building trades craftsmen in many areas.

The new education programs could be stunted for a lack of teachers, and the medicare program thwarted for a lack of medical and nursing personnel.

Yet, while these shortages exist:

There are pockets of chronic unemployment in many cities, in Appalachia, in the Mississippi Delta, and in other regions of economic distress.

There are teenagers who need jobs to stay in school or to help support their families. They need to know that society has a place for them and a need for their services.

There are millions employed in occupations and skills that do not fully utilize their capabilities.

There is no overall labor shortage. But the unemployed and underemployed are not fully matched with the jobs available.

Specific shortages of labor can slow up the expansion of the economy. They can put pressure on costs and prices.

We are determined to do whatever is necessary to keep the economy expanding and avoid inflationary bottlenecks.

PLANS TO HEAD OFF MANPOWER SHORTAGES

The time to deal with manpower shortages is before they develop.

Effective manpower policies can reduce unemployment and at the same time head off manpower shortages.

I am therefore:

1. Directing the Commissioner of Labor Statistics to include in the monthly employment reports, starting in March, the fullest possible information on existing or threatening labor shortage situations.

2. Establishing an Office of Assistant Secretary of Labor for Manpower, to assist the Secretary of Labor in the discharge of his manpower responsibilities under existing legislation and as Chairman of the President's Committee on Manpower.

3. Instructing the Secretary of Labor to focus Manpower Development and Training Act programs to meet prospective manpower shortage situations, especially through on-the-job training.

4. Requesting the President's Committee on Manpower to submit to me by July 1, 1966, a report on the recently announced coordination plan for all manpower activities of the Federal Government.

5. Asking the President's Advisory Committee on Labor-Management Policy to make appropriate recommendations to me on the manpower situation and related matters.

6. Referring the report of the National Commission on Automation, Technology and Economic Progress to the President's Manpower and Labor-Management Policy Committees for advice regarding the Commission's recommendations.

At my request, the Secretary of Labor yesterday submitted to the Congress legislation to improve the administration of the Federal-State Employment Service. This legislation emerged from the unanimous recommendations of a task force of distinguished businessmen, labor leaders, educators, and other manpower specialists.

I call at the same time on American management and American labor to take the affirmative action which is necessary to assure that inflation, resulting from the underuse of America's manpower potential, will not deprive us of the fruits of the most magnificent economic growth record in history.

A CALL FOR BOLD NEW APPROACHES

I am asking these agencies and groups to think boldly about new approaches.

What can we do to move the unemployed and the underemployed from places where jobs are scarce to places where workers are scarce? How do we move the jobs to the unemployed?

What can we do to encourage employers, who seek scarce skills, to redefine jobs in a way that employs more of the unskilled or semiskilled?

How can we enhance the mobility of workers in construction and similar occupations where demand shifts sharply among localities?

What can we do to mobilize the recently retired but still productive?

What can we do to make fuller use of our trained womanpower?

What can we do to break down artificial barriers against the entry of new workers into jobs that are hard to fill?

What can we do to insure that training and apprenticeship programs are open to all alike and are sufficiently extensive to meet our needs for skilled workers?

What can we do to help employers improve their own on-the-job training?

What can we do to encourage the employment of the physically and psychologically handicapped?

What can we do to facilitate the immigration of workers with scarce skills?

What more can we do to break down the barriers of discrimination that waste valuable manpower resources?

We already have many effective tools of an active manpower policy. In the year ahead we will expand and improve these programs.

Our most important new tool was provided by the Manpower Development and Training Act of 1962, strengthened by the amendments of 1963 and 1965. Our manpower training programs must respond both to needs of people and the needs of the economy.

Our experience under the act has proved that: People can be helped through education and training; the economy will benefit from the availability of additional workers.

Training will make useful and productive citizens of people previously considered beyond even the most elementary kinds of help.

Mentally retarded individuals are being hired in increasing numbers by both Government and private employers, after successful training in various semiskilled office and service occupations.

Vocational rehabilitation and manpower development programs are being applied more extensively to inmates of correctional institutions. During their period of confinement, they can prepare for jobs when they are released.

Federal manpower training programs are conducted in close cooperation with private industry. During the past year, we have significantly increased the number of on-the-job training programs approved under the Manpower Development and Training Act. In occupations ranging from tool and die makers to nurses aids and shipfitters, people are being trained on the job. The employment rate of over 85 percent testifies to the effectiveness of these programs.

In the next fiscal year, we will train and retrain 250,000 persons under these Manpower Development and Training Act programs.

An expanding economy now presents both the opportunity and the necessity to upgrade the skills of the underemployed. This will meet the demand for workers. It will afford opportunity to people to move into higher skills and higher paying jobs—as high as their abilities permit.

The second major tool of our manpower policy is the Federal-State Employment Service. It must assume even greater responsibility not only in placing people, but in providing proper job and training information, guidance, and counseling to all who need it.

The administrative framework of the Service must be modernized.

The quality of those who provide its day-to-day services must be improved.

The methods of its operation need development.

More intensive research is needed to help guide our young people to occupations where they are most needed.

Vigorous manpower training and a revitalized job placement service are essential for a high-employment economy with price stability.

We will make the most of these tools in 1966.

THE SPECIAL PROBLEMS OF THE DISADVANTAGED

Certain groups in the Nation have not shared fully in the benefits of our unprecedented economic expansion. Much remains to be done to achieve full opportunity for these groups. As we expand their opportunities, we expand our manpower resources.

Unskilled workers, with almost double the national rate of unemployment, lack the training to develop their potential skills.

Nonwhite workers, constitute 11 percent of our labor force, 20 percent of our unemployed, and nearly 25 percent of our long-term unemployed, they suffer the double disadvantages of lower educational attainment and lingering discrimination.

Young Americans, who will swell our work force for many years to come, still experience triple the national unemployment rate.

Farmworkers, both operators and hired workers, remain the victims of high unemployment and underemployment.

Workers in surplus labor areas, such as Appalachia, can benefit only from more vigorous economic development in their home areas or from migration to centers of employment growth.

No society can be truly great—and no economy can be truly prosperous—if high, long-duration unemployment for some exists side by side with low, short-term unemployment for others.

Special programs, suited to special groups, are needed to achieve full employment with price stability.

We must move again as we did last year to meet the impact of the more than 2 million young people—16 to 21 years of age—who will be looking for work next summer.

As we continue toward the Great Society, we will also bring increased employment opportunities to many groups.

The rehabilitation and rebuilding of large blighted sections in our central cities will bring new vistas to those parts of America where opportunities are needed most.

The work of the Rural Community Development Service will open up new opportunities for rural people, particularly in areas of greatest need. The new community development districts, when pending legislation is passed, will bring greater planning resources to rural areas. The result will be higher levels of social and economic development.

Our efforts under the 1965 Public Works and Economic Development Act will be stepped up.

Joint Federal-State efforts under the Appalachian Regional Commission are also being increased. I have recommended quadrupling the expenditures for special programs to reach the more than 17 million people residing in that area. Such an increase means increased resources for highway construction, development of natural resources, vocational education and health activities.

Our economy cannot be fully successful, or our society truly great, while differences in economic opportunity persist.

The programs and policies of this administration seek to reduce and ultimately to eliminate these differences. They are intolerable in a free and democratic society.

INVESTMENT IN HUMAN RESOURCES

In a prosperous economy, the root of most problems of unemployment and underemployment lies in deficiencies in education.

We must repair these deficiencies where we can.

We must prevent their recurrence in the next generation.

Fewer young people now drop out of school. But the number is still too high. If current trends continue, there will be over 8 million school dropouts between 1960 and 1970. The average American worker already has more than a high school education. The dropout will be at an ever-increasing disadvantage.

I am particularly concerned by the large numbers of young men who fail the Armed Forces qualification tests and must be rejected for military service. One-seventh of the young men examined cannot pass the equivalent of an elementary school examination.

Low educational attainment is a product, and in turn a producer, of poverty, unemployment, and discrimination.

This administration is determined to bring increased education and training opportunities to all Americans in the coming year. We intend to:

Improve vocational rehabilitation training for over 200,000 mentally retarded, severely disabled and handicapped individuals.

Train or retrain 250,000 persons under manpower development programs.

Have community action programs in 900 areas, urban and rural, throughout the United States.

Fund preschool classes for more than 200,000 children over the full academic year—and for another 500,000 youngsters during the summer. Almost 150,000 teachers, teacher aids, and neighborhood helpers will provide the needed service to these children.

Operate 124 Job Corps urban and rural training centers, able to enroll approximately 45,000 men and women at any one time.

Provide 125,000 part-time jobs during the entire school year and another 165,000 summer jobs in the Neighborhood Youth Corps to help poor young people stay in school. Another 64,000 positions will be available for boys and girls out of school.

Offer services, under the work experience program, to over 100,000 public welfare recipients who support 300,000 dependents.

Give basic education to 75,000 adults under grants to States for improving adult literacy.

Conduct 350 different projects involving 4,500 VISTA volunteers to provide educational training and related services to the poor.

These specific programs are in addition to the enormous expansion in aid to our elementary, secondary and higher education systems. For next year, I have proposed a total Federal investment in education of $10.2 billion—more than double the $4.75 billion effort when I became President. This will move us forward toward our goal of providing full education for every citizen to the limits of his capacity to absorb it.

Teaching methods and materials, no matter how excellent, are not enough. They must be kindled by ingenious, flexible and responsive teachers and administrators. I have urged that Congress provide the funds for a new Teacher Corps—to be made up initially of 3,700 men and women. Combined into teams of experienced and intern teachers, they will be sharing their skills and understanding this fall with the poor children who need them most.

I am also calling for increased activities which will provide this Nation with more high-quality teachers for the handicapped and to meet the impact of school desegregation.

Manpower demands for professional personnel are also increasing in many other fields. New research and teaching activities must be oriented to meet those demands. Grants, loans, and other forms of aid are being made available to States, localities, and educational institutions. They include:

A significant increase in National Science Foundation support of basic research and science education, critically important for the advanced training of scientists and engineers.

University grants for research and training of advanced degree students in the space sciences through the National Aeronautics and Space Administration.

Help through the Health Professions Educational Assistance Act and other legislation to increase, by 1975, the number of medical school graduates by 50 percent and the number of dental school graduates by 100 percent over 1960.

Training personnel to deal with the critical problems of water pollution under the Water Pollution Control Administration.

Training programs for developing skills of persons who are needed in community development activities.

Continued assistance in the development of high quality personnel for guidance and counseling—from elementary school to the university—under provisions of the National Defense Education Act.

We must provide full and free access to a first-rate education for all our youth, with later opportunities to develop their talents to the fullest measure of their ability.

The commitment of the administration is to expand education and training opportunities for every citizen.

UNEMPLOYMENT INSURANCE AND MINIMUM WAGE

Sound fiscal and monetary policies, effective training programs, and efficient employment service, and expanding educational services can steadily provide new hope for the unemployed.

Yet, even in a high-employment economy, the protection of unemployment compensation remains essential. The present period of prosperity is the appropriate time to modernize and strengthen our system of unemployment insurance.

I have recommended that legislation be enacted to improve our system's financing and administration, to prevent abuses, to provide more realistic benefits for more workers, for longer periods.

Special protection is needed for those in our labor force who are still employed at substandard earnings. The minimum wage for American workers has been an essential part of national policy for almost 30 years. But both the level of the minimum and the number of workers covered have recently fallen behind the pace set by the rest of the economy.

I recommend that the minimum wage be increased and that the coverage of the Fair Labor Standards Act be extended to additional workers.

We must provide all possible assistance to those who seek work, and decent living conditions for those who do work.

The programs and policies of this administration will be directed at these goals.

OUR OPPORTUNITY FOR THE FUTURE

This report has been of programs and policies, of legislation and appropriations. These are the means by which manpower policy is carried out.

The real basis of manpower policy is more fundamental.

It is the very essence of a free and democratic society.

It is our shared belief in the dignity of every human being.

This report has been of the gains of the past year.

To mark these gains is only to take new measure of the future. We are a people who draw confidence from the certainty of change. We are restless unless we can mold change to the highest human purpose.

With all that we have accomplished so far, with all that we are doing now, it is time to ask again: What of the future?

The future can be and ought to be a time of opportunity.

I see a future where the first two decades of people's lives are spent growing up, physically and mentally fit—training for citizenship and effective participation in their country's affairs—attaining the education for service, for a craft, for a profession—getting ready for their roles as workers, consumers, producers, and contributors to a free society.

I see a future in which education and training will be a permanent bridge between learning, employment and human development. Even as we develop new uses of technology, we recognize that people grow stale unless there is a continuous renewal of their knowledge, enrichment of their skills and development of their talents.

I see a future in which help to those seeking a station in life—whether it be the young dropout, the first offender, the older man with an outdated skill, the military rejectee—will have an opportunity to fulfill their hopes and expectations.

A manpower policy must be based on belief in the value of the individual and in the promise of welcome change.

A manpower policy should lead us to a society in which every person has full opportunity to develop his—or her—earning powers, where no willing worker lacks a job, and where no useful talent lacks an opportunity.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *March 8, 1966*.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 10451. An act to authorize the Secretary of the Interior to transfer certain lands in the State of Colorado to the Department of Agriculture for recreation development, and for other purposes;

H.R. 10721. An act to amend the Federal Employees' Compensation Act to improve its benefits, and for other purposes;

H.R. 11509. An act to amend and clarify the reemployment provisions of the Universal Military Training and Service Act, and for other purposes; and

H.R. 12762. An act to authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H.R. 1484. An act for the relief of Mrs. Loneta Hackney;

H.R. 1918. An act for the relief of Eligio Ciardiello;

H.R. 3076. An act for the relief of the estate of Bart Briscoe Edgar, deceased;

H.R. 3236. An act for the relief of Louis Shchuchinski;

H.R. 4928. An act for the relief of Chizuyo Hoshizaki;

H.R. 4995. An act for the relief of Muhammad Sarwar;

H.R. 5231. An act for the relief of Jack Ralph Walker;

H.R. 5530. An act for the relief of the estate of Robert A. Ethridge;

H.R. 5973. An act for the relief of Edwin F. Hower;

H.R. 7667. An act for the relief of Donald F. Farrell; and

H.R. 10338. An act for the relief of Joseph B. Stevens.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H.R. 10451. An act to authorize the Secretary of the Interior to transfer certain lands in the State of Colorado to the Department of Agriculture for recreation development, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 10721. An act to amend the Federal Employees' Compensation Act to improve its benefits, and for other purposes; to the Committee on Labor and Public Welfare.

H.R. 11509. An act to amend and clarify the reemployment provisions of the Universal Military Training and Service Act, and for other purposes; to the Committee on Armed Services.

H.R. 12762. An act to authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard; to the Committee on Commerce.

LIMITATION ON STATEMENTS DURING THE TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. MANSFIELD, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

COMMITTEE MEETING DURING SENATE SESSION TODAY

On request of Mr. MANSFIELD, and by unanimous consent, the Subcommittee on Constitutional Rights of the Committee on the Judiciary was authorized to meet during the session of the Senate today.

On request by Mr. NELSON, and by unanimous consent, the Committee on Agriculture and Forestry was authorized to meet during the session of the Senate today.

COMMITTEE MEETINGS DURING SENATE SESSION TOMORROW

Mr. MANSFIELD. Madam President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate tomorrow.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Madam President, I ask unanimous consent that the Senate proceed to consider executive business, for action on nominations.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to the consideration of executive business.

The ACTING PRESIDENT pro tempore. If there be no reports of committees, the clerk will state the nominations on the Executive Calendar.

DEPARTMENT OF JUSTICE

The legislative clerk proceeded to read sundry nominations in the Department of Justice.

Mr. MANSFIELD. Madam President, I ask unanimous consent that the nominations be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Madam President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The ACTING PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

ORDER FOR ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. MANSFIELD. Madam President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 11 o'clock tomorrow morning.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

TRANSFER TO SMITHSONIAN INSTITUTION OF TITLE TO CERTAIN OBJECTS OF ART

Mr. MANSFIELD. Madam President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1023, S. 2266.

The ACTING PRESIDENT pro tempore. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 2266) to authorize the Attorney General to transfer to the Smithsonian Institution certain objects of art.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Attorney General is authorized and directed to transfer to the Smithsonian Institution title to the jade, stone, and bronze objects of art consisting of forty-four pieces which were vested in or transferred to the Attorney General pursuant to the provisions of vesting order 18344, dated August 21, 1951.

SEC. 2. After the transfer of title by the Attorney General, the Smithsonian Institution shall have complete discretion to retain, exchange, sell, or otherwise dispose of the objects of art referred to in section 1 in promotion of the purposes for which that Institution was founded.

TIJUANA RIVER FLOOD CONTROL

Mr. MANSFIELD. Madam President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1024, S. 2540.

The ACTING PRESIDENT pro tempore. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 2540) to authorize the conclusion of an agreement for the joint construction by the United States and Mexico of an international flood control project for the Tijuana River in accordance with the provisions of the treaty of February 3, 1944, with Mexico, and for other purposes.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2540

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of State, acting through the United States Commissioner, International Boundary and Water Commission, United States and Mexico, is hereby authorized to conclude with the appropriate official or officials of the Government of Mexico an agreement for the joint construction, operation, and maintenance by the United States and Mexico, in accordance with the provisions of the treaty of February 3, 1944, with Mexico, of an international flood control project for the Tijuana River, which shall be located and have substantially the characteristics described in "Report on an International Flood Control Project, Tijuana River Basin," prepared by the United States Section, International Boundary and Water Commission, United States and Mexico.

SEC. 2. If agreement is concluded pursuant to section 1 of this Act, the said United States Commissioner is authorized to construct, operate, and maintain the portion of such project assigned to the United States, and there is hereby authorized to be appropriated to the Department of State for use of the United States Section, such sums as may be necessary to carry out the provisions of this Act: *Provided,* That no part of any appropriation made shall be expended for construction on any land, site, or easement, except such as has been acquired by donation and the title thereto has been approved by the Attorney General of the United States.

SMALL BUSINESS ACT AMENDMENTS OF 1966

Mr. MANSFIELD. Madam President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1026, S. 2729.

The ACTING PRESIDENT pro tempore. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 2729) to amend section 4(c) of the Small Business Act.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Banking and Currency with an amendment to strike out all after the enacting clause and insert:

That section 4(c) of the Small Business Act is amended by striking out "$1,841,000,000" and "$1,375,000,000" and inserting in lieu thereof "$1,966,000,000" and "$1,500,000,000", respectively.

SEC. 2. Effective on July 1, 1966, section 4(c) of the Small Business Act is amended to read as follows:

"(c)(1) There are hereby established in the Treasury the following revolving funds: (A) a disaster loan fund which shall be available for financing functions performed under sections 7(b)(1), 7(b)(2), 7(b)(4), and 7(c)(2) of this Act, including administrative expenses in connection with such functions; and (B) a business loan and investment fund which shall be available for financing functions performed under sections 7(a), 7(b)(3), 7(e), and 8(a) of this Act, titles III and V of the Small Business Investment Act of 1958, and title IV of the Economic Opportunity Act of 1964, including administrative expenses in connection with such functions.

"(2) All repayments of loans and debentures, payments of interest and other receipts arising out of transactions heretofore or hereafter entered into by the Administration (A) pursuant to sections 7(b)(1), 7(b)(2), 7(b)(4), and 7(c)(2) of this Act shall be paid into the disaster loan funds; and (B) pursuant to sections 7(a), 7(b)(3), 7(e), and 8(a) of this Act, titles III and V of the Small Business Investment Act of 1958, and title IV of the Economic Opportunity Act of 1964, shall be paid into the business loan and investment fund.

"(3) Unexpended balances of appropriations made to the fund pursuant to this subsection, as in effect immediately prior to the effective date of this paragraph, shall be allocated, together with related assets and liabilities, to the funds established by paragraph (1) in such amounts as the Administrator shall determine. In addition to any sums so allocated, appropriations are hereby authorized to be made to such funds, as capital thereof, in such amounts as may be necessary to carry out the functions of the Administration, which appropriations shall remain available until expended.

"(4) The total amount of loans, guarantees, and other obligations or commitments, heretofore or hereafter entered into by the Administration, which are outstanding at any one time (A) under section 7(a), 7(b)(3), 7(e), and 8(a) of this Act, and title IV of the Economic Opportunity Act of 1964, shall not exceed $1,364,100,000; (B) under title III of the Small Business Investment Act of 1958, shall not exceed $366,500,000; and (C) under title V of the Small Business Investment Act of 1958, shall not exceed $156,700,000.

"(5) The Administration shall submit to the Committees on Appropriations and the Committees on Banking and Currency of the Senate and House of Representatives, as soon as possible after the beginning of each calendar quarter, a full and complete report on the status of each of the funds established by paragraph (1), including its projection of the future needs of such funds, and its recommendations for such additional appropriations as it deems appropriate. If at the close of the preceding calendar quarter the aggregate amount outstanding or committed by the Administration in carrying out its functions under any of the sections or titles referred to in paragraph (4) exceeded 75 per centum of the total amount authorized to be outstanding or committed under such sections or titles, the Administration's report shall include its recommendations for such additional authority as it deems appropriate.

"(6) The Administration shall pay into miscellaneous receipts of the Treasury, following the close of each fiscal year, interest on the outstanding cash disbursements from each of the funds established by paragraph (1) at rates determined by the Secretary of the Treasury, taking into consideration the current average yields on outstanding interest-bearing marketable public debt obligations of the United States of comparable maturities as calculated for the month of June preceding such fiscal year."

SEC. 3. (a) Section 7 of the Small Business Act is amended by adding at the end thereof the following new subsection:

"(e) The Administration also is empowered to make loans (either directly or in cooperation with banks or other lenders through agreements to participate on an immediate or deferred basis) to assist any firm to adjust to changed economic conditions resulting from increased competition from imported articles, but only if (1) an adjustment proposal of such firm has been certified by the Secretary of Commerce pursuant to the Trade Expansion Act of 1962, (2) the Secretary has referred such proposal to the Administration under that Act and the loan would provide part or all of the financial assistance necessary to carry out such proposal, and (3) the Secretary's certification is in force at the time the Administration makes the loan. With respect to loans made under this subsection the Administration shall apply the provisions of sections 314, 315, 316, 318, 319, and 320 of the Trade Expansion Act of 1962 as though such loans had been made under section 314 of that Act."

(b) Section 2 of Public Law 87-550, approved July 25, 1962 (76 Stat. 220), is hereby repealed. Any unexpended balances of appropriations heretofore appropriated for the purposes of such section are hereby transferred to the business loan and investment fund established by section 4(c)(1) of the Small Business Act.

(c) This section shall take effect on July 1, 1966.

The amendment was agreed to.

Mr. PROXMIRE. Madam President, during 1964 and 1965 this country suffered a series of unprecedented disasters: the Alaska earthquake; floods in California, Oregon, Washington; Mississippi floods in the Midwest; and finally Hurricane Betsy in Louisiana, Mississippi, and Florida. These disasters caused great suffering and property loss in the areas affected. In order to meet its statutory responsibility to make disaster loans, SBA was forced to divert money and personnel to handle the loan applications resulting from these and other disasters. Because of this demand, SBA was forced to stop the acceptance of direct regular business loan applications on October 11, 1965. It has, however, continued to accept business loan applications under its loan guarantee plan. This curtailment has caused severe strain on those small businesses all over the country whose only source of capital funds was the SBA. Legislation is clearly needed to avoid such curtailment in the future. SBA has also almost reached the ceiling for loans outstanding in its regular business, disaster, and poverty loan programs.

Section 1 of this bill, S. 2729, would increase by $125 million the ceiling for the amount of loans and commitments that may be outstanding in SBA's regular business loan program, disaster loan program, prime contract authority, and title IV loans under the Economic Opportunity Act of 1964. It would also increase the total amount which may be appropriated to SBA's present revolving fund by $125 million. This increase, recommended by the administration, is the amount estimated by SBA to be needed to continue these lending functions through June 30 of this year. This portion of the bill is a temporary measure designed to aid SBA for the balance of this fiscal year.

Section 2 of the bill is an amended version of the bill I introduced, along with Senators MCINTYRE, JAVITS, and RANDOLPH, to assure, as nearly as possible, the continuation of SBA's lending programs during the periods when SBA has a severe drain on its resources caused by great natural disasters.

This section would rewrite section 4(c) of the Small Business Act to establish two revolving funds for financing SBA's lending functions effective July 1, 1966. One fund would be available for financing SBA's physical disaster loan program. No authorization ceiling is placed on this fund. It was the opinion of the committee that since it is impossible to predict the extent of the need for funds to meet physical disaster requirements, no authorization ceiling was necessary for the disaster loan funds. If a ceiling were placed on disaster loans, it is possible that the ceiling might be reached at a time when Congress was not in session. Therefore, even with funds available, disaster loans could not be made until Congress returned to raise the ceiling. Funds for use by SBA in its disaster loan program would still be subject to restrictions placed on the program by the Bureau of the Budget and by the Appropriations Committees of the Congress.

A second fund would be available for the other lending programs of SBA. Three ceilings are placed on activities financed from this fund. The ceilings reflect SBA's estimated activities under this fund through fiscal year 1967.

A ceiling of $366,500,000 is placed on functions under sections 302 and 303 of the Small Business Investment Act of 1958. These functions pertain to the purchase by SBA of the subordinated debentures of SBIC's and the making of long-term loans to SBIC's.

A ceiling of $156,700,000 is placed on loans under sections 501 and 502 of the Small Business Investment Act of 1958. These sections pertain to loans to State and local development companies.

A ceiling of $1,364,100,000 is placed on the remaining functions financed under the fund; that is, the regular business loan program, displaced business disaster loans, trade adjustment loans, prime contract authority, and loans under title IV of the Economic Opportunity Act of 1964.

The bill would require SBA to make quarterly reports to the Senate and House Committees on Banking and Currency and Appropriations on the status of the two revolving funds, including its recommendations whenever 75 percent of any ceiling on outstanding obligations has been reached.

The bill would also transfer relevant portions of Public Law 87-550, authorizing SBA to make trade adjustment loans, to the Small Business Act.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended, so as to read: "A bill to amend section 4(c) of the Small Business Act, and for other purposes."

ENROLLED BILL SIGNED

The ACTING PRESIDENT pro tempore announced that on today, March 8, 1966, the Vice President had signed the enrolled bill (H.R. 12563) to provide for the participation of the United States in the Asian Development Bank, which had previously been signed by the Speaker of the House of Representatives.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Report on Extraordinary Contractual Adjustments

A letter from the Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, on extraordinary contractual adjustments made by that Administration, during the calendar year 1965; to the Committee on Aeronautical and Space Sciences.

Child Nutrition Act of 1966

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to assure to our Nation's children access to this country's abundance of food; to improve the nutrition level for children and thus to serve their health and well-being and their incentive to learn through cooperative Federal-State efforts in a nationwide child nutrition program; and to provide for the conduct of this comprehensive effort by the U.S. Department of Agriculture as a part of its basic food and nutrition responsibilities (with an accompanying paper); to the Committee on Agriculture and Forestry.

Report on Reapportionment of an Appropriation

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Civil Service Commission for "Salaries and expenses," for the fiscal year 1966, had been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

Amendment of Chapter 55 of Title 10, United States Code

A letter from the Secretary of Defense, transmitting a draft of proposed legislation to amend chapter 55 of title 10, United States Code, to increase health benefits for dependents of members of the uniformed services (with an accompanying paper); to the Committee on Armed Services.

Report on Reserve Officer Training Corps Flight Training Program

A letter from the Secretary of the Air Force, transmitting, pursuant to law, a report on the progress of the Reserve Officer Training Corps flight training program, for the calendar year 1965 (with an accompanying report); to the Committee on Armed Services.

Award of Trophies for Recognition of Special Accomplishments Related to the Armed Forces

A letter from the Under Secretary of the Air Force, transmitting a draft of proposed legislation to amend title 10, United States Code, to authorize the award of trophies for the recognition of special accomplishments related to the Armed Forces, and for other purposes (with an accompanying paper); to the Committee on Armed Services.

Report on Military Construction Contracts Awarded on Other Than a Competitive Bid Basis

A letter from the Executive Assistant to Assistant Chief for Construction, Bureau of Yards and Docks, Department of the Navy, Washington, D.C., transmitting, pursuant to law, a report on military construction contracts awarded on other than a competitive bid basis to the lowest responsible bidder, for the 6-month period ended December 31, 1965 (with an accompany report); to the Committee on Armed Services.

Proposed Disposal of Certain Items From National Stockpile

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting a draft of proposed legislation to authorize the disposal of crocidolite asbestos (harsh) from the supplemental stockpile (with accompanying papers); to the Committee on Armed Services.

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting a draft of proposed legislation to authorize the disposal of cordage fiber (sisal) from the national stockpile (with accompanying papers); to the Committee on Armed Services.

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting a draft of proposed legislation to authorize the disposal of opium from the national stockpile (with accompanying papers); to the Committee on Armed Services.

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting a draft of proposed legislation to authorize the disposal of celestite from the supplemental stockpile (with accompanying papers); to the Committee on Armed Services.

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting a draft of proposed legislation to authorize the disposal of vanadium from the national stockpile (with accompanying papers); to the Committee on Armed Services.

Report on Procurement From Small and Other Business Firms

A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting, pursuant to law, a report on Department of Defense procurement from small and other business firms, for the period July–December 1965 (with an accompanying report); to the Committee on Banking and Currency.

Report of Communications Satellite Corp.

A letter from the chairman of the board, Communications Satellite Corp., Washington, D.C., transmitting, pursuant to law, a report of that corporation, for the year 1965 (with an accompanying report); to the Committee on Commerce.

Extension of Time Making Grants Under Federal Airport Act

A letter from the Administrator, Federal Aviation Agency, Washington, D.C., transmitting a draft of proposed legislation to amend the Federal Airport Act to extend the time for making grants thereunder, and for other purposes (with an accompanying paper); to the Committee on Commerce.

Reappointment of Neville Miller as a Member of the District of Columbia Redevelopment Land Agency

A letter from the President, Board of Commissioners, District of Columbia, transmitting, pursuant to law, the nomination of Neville Miller for reappointment as a member of the District of Columbia Redevelopment Land Agency (with an accompanying paper); to the Committee on the District of Columbia.

Report on Highway Trust Fund

A letter from the Secretary of the Treasury, transmitting, pursuant to law, a report on the financial condition and results of the operations of the highway trust fund as of June 30, 1965 (with accompanying papers); to the Committee on Finance.

Report of Advisory Committees Under Social Security Act

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report on advisory committees assisting him in carrying out his functions under the Social Security Act, for the calendar year 1965 (with accompanying papers); to the Committee on Finance.

Report of U.S. Information Agency

A letter from the Director, U.S. Information Agency, Washington, D.C., transmitting, pursuant to law, a report of that Agency, for the 6-month period ended December 30, 1965 (with an accompanying report); to the Committee on Foreign Relations.

Reports of Acting Comptroller General

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on audit of the Federal Deposit Insurance Corporation, for the year ended June 30, 1964 (with an accompanying report); to the Committee on Government Operations.

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on potential savings to be realized by providing Government quarters in lieu of payment of quarters allowances to U.S. military personnel in Taiwan, Department of Defense, dated February 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on examination of financial statements, fiscal year 1964, Federal Housing Administration, Department of Housing and Urban Development, dated March 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on review of self-employment tax payment and collection practices, Internal Revenue Service, Treasury Department, dated March 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on examination of financial statements of Public Housing Administration, fiscal years 1965 and 1964, Department of Housing and Urban Development, dated February 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on examination of financial statements, fiscal year 1965, Virgin Islands Corporation, Department of the Interior, dated February 1966 (with an accompanying report); to the Committee on Government Operations.

Proposed Legislation Relating to Department of the Interior

A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to repeal section 6 of the Southern Nevada Project Act (act of Oct. 22, 1965 (79 Stat. 1068)) (with an accompanying paper); to the Committee on Interior and Insular Affairs.

A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to establish a program for the preservation of additional historic properties throughout the Nation, and for other purposes (with an accompanying paper); to the Committee on Interior and Insular Affairs.

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to amend the Revised Organic Act of the Virgin Islands to provide for the reapportionment of the Legislature of the Virgin Islands (with an accompanying paper); to the Committee on Interior and Insular Affairs.

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource development proposals (with an accompanying paper); to the Committee on Interior and Insular Affairs.

Report on Compilation of Voting and Registration Statistics

A letter from the Secretary of Commerce, reporting, pursuant to law, that he had directed the Bureau of the Census to take no further action at this time to compile the voting and registration statistics contemplated in the Civil Rights Act of 1964; to the Committee on the Judiciary.

Suspension of Deportation of Certain Aliens

Two letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens, together with a statement of the facts and pertinent provisions of law pertaining to each alien, and the reasons for ordering such suspension (with accompanying papers); to the Committee on the Judiciary.

Temporary Admission Into the United States of Certain Aliens

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting temporary admission into the United States of certain aliens (with accompanying papers); to the Committee on the Judiciary.

Admission Into the United States of Certain Defector Aliens

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting admission into the United States of certain defector aliens (with accompanying papers); to the Committee on the Judiciary.

Adjustment of Immigration Status

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered in behalf of certain aliens, relating to adjustment of their immigration status (with accompanying papers); to the Committee on the Judiciary.

Reports on Visa Petitions According the Beneficiaries Third Preference and Sixth Preference Classification

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, reports on certain visa petitions according the beneficiaries third preference and sixth preference classification (with accompanying papers); to the Committee on the Judiciary.

Employment Service Act of 1966

A letter from the Secretary of Labor, transmitting a draft of proposed legislation entitled "Employment Service Act of 1966" (with accompanying papers); to the Committee on Labor and Public Welfare.

Comprehensive Health Planning and Public Health Services Amendments of 1966

A letter from the Secretary, Department of Health, Education, and Welfare, transmitting a draft of proposed legislation to amend the Public Health Service Act to promote and assist in the extension and improvement of comprehensive health planning and public health services, to provide for a more effective use of available Federal funds for such planning and services, and for other purposes (with accompanying papers); to the Committee on Labor and Public Welfare.

Library Services and Construction Act Amendments of 1966

A letter from the Secretary, Department of Health, Education, and Welfare, transmitting a draft of proposed legislation to extend and amend the Library Services and Construction Act (with an accompanying paper); to the Committee on Labor and Public Welfare.

Hospital and Medical Facilities Modernization Amendments of 1966

A letter from the Secretary, Department of Health, Education, and Welfare, transmitting a draft of proposed legislation to amend the Public Health Service Act to further promote and assist in modernization of hospitals and other medical facilities through grants for amortization of indebtedness incurred for that purpose, direct loans, and guarantees of loans, and through grants for the planning of such modernization, and to authorize grants for development of new technology systems and concepts in the provision of health services (with accompanying papers); to the Committee on Labor and Public Welfare.

Elementary and Secondary Education Amendments of 1966

A letter from the Secretary, Department of Health, Education, and Welfare, transmitting a draft of proposed legislation to strengthen and improve programs of assistance for our elementary and secondary schools (with accompanying papers); to the Committee on Labor and Public Welfare.

Allied Health Professions Personnel Training Act of 1966

A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to amend the Public Health Service Act to increase the opportunities for training of medical technologists and personnel in other allied health professions, to improve the educational quality of the schools training such allied health professions personnel, and to strengthen and improve the existing student loan programs for medical, osteopathic, dental, podiatry, pharmacy, optometric, and nursing students, and for other purposes (with accompanying papers); to the Committee on Labor and Public Welfare.

Higher Education Amendments of 1966

A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to strengthen and improve public and private programs of assistance for institutions of higher education and students attending them (with an accompanying paper); to the Committee on Labor and Public Welfare.

Clean Air Act Amendments of 1966

A letter from the Acting Secretary, Department of Health, Education, and Welfare, transmitting a draft of proposed legislation to amend the Clean Air Act so as to authorize grants to air pollution control agencies for maintenance of air pollution control programs in addition to present authority for grants to develop, establish, or improve such programs; make the use of appropriations under the act more flexible by consolidating the appropriation authorizations under the act and deleting the provision limiting the total of grants for support of air pollution control programs to 20 percent of the total appropriation for any year; extend the duration of the programs authorized by the act; and for other purposes (with an accompanying paper); to the Committee on Public Works.

Report of National Mediation Board

A letter from the Acting Chairman, National Mediation Board, Washington, D.C., transmitting, pursuant to law, a report of that Board, for the fiscal year ended June 30, 1965 (with an accompanying report); to the Committee on Labor and Public Welfare.

Report of Department of Defense on Civilian Positions in Grades GS-16, GS-17, and GS-18

A letter from the Assistant Secretary of Defense, transmitting, pursuant to law, a report of the Department of Defense on civilian positions allocated or placed in grades GS-16, GS-17, and GS-18 during the calendar year 1965, and on positions established to carry out research and development activities requiring the services of specially qualified scientific or professional personnel (with accompanying papers); to the Committee on Post Office and Civil Service.

Disposition of Executive Papers

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The ACTING PRESIDENT pro tempore appointed Mr. Monroney and Mr. Carlson members of the committee on the part of the Senate.

RESOLUTION OF CONSERVATIVE CLUB OF YONKERS, N.Y.

The ACTING PRESIDENT pro tempore laid before the Senate a resolution adopted by the Conservative Club of Yonkers, N.Y., relating to reapportionment of State legislatures, which was ordered to lie on the table.

RESOLUTIONS OF ARIZONA LEGISLATURE

Mr. FANNIN. Madam President, the House and Senate of the 27th Arizona Legislature last month adopted several memorials dealing with matters of national concern.

One of these is the complicated question of community antenna television systems and how they should be regulated by the Federal Communications Commission.

CATV, as it has come to be known, is especially important in my State of Arizona. It provides many isolated communities with television reception which they otherwise could not enjoy. In addition, an important industry for the manufacture of components used in CATV systems has developed in Arizona and provides employment for hundreds of our citizens.

The concern expressed by the memorial of the Arizona House of Representatives is most legitimate and deserves a wider audience.

On another matter, both the House of Representatives and the Senate of Arizona have unanimously adopted memorials in opposition to S. 1592.

As I have previously indicated in testimony and in other public statements, I share the fears of those who believe S. 1592 as originally introduced would infringe upon the constitutional right of citizens to acquire and maintain firearms.

It would, in addition, impose unreasonable penalties and economic hardship on many small independent businessmen who sell guns and ammunition for the legitimate use of sportsmen, ranchers, and hunters.

All of us are concerned about the rising crime rate, but I sincerely believe S. 1592 would not be an effective weapon against crime. Even without additional legislation, there is much that governmental agencies could do to more effectively control this situation.

As the Arizona memorial points out, the State Department could do far more than it has to restrict the import of cheap foreign military surplus weapons and pistols.

I ask consent that these three resolutions adopted by the legislature of my State be printed at this point in the Record, and appropriately referred.

The ACTING PRESIDENT pro tempore. The resolutions will be received and appropriately referred.

The resolutions, presented by Mr. Fannin, were received and referred, as indicated:

To the Committee on Commerce:

"House Memorial 6 of the State of Arizona, House of Representatives, 27th Legislature, 2d Regular Session

"Memorial urging the Federal Communications Commission to withhold issuing its second report and order concerning the regulation of community antenna systems

"To the members of the Federal Communications Commission:

"Your memorialist respectfully represents:

"Whereas many citizens of the State of Arizona are unable to receive adequate off-the-air television signals; and

"Whereas as a result of this condition numerous community antenna systems have been constructed to render more adequate television service to their customers; and

"Whereas a large and growing industry has developed in Arizona, which industry manufactures components used in community antenna systems; and

"Whereas the Federal Communications Commission previously indicated to the Congress of the United States that unless the Congress adopted legislation concerning community antenna systems that the Federal Communications Commission would exercise control over community antenna systems; and

"Whereas it is understood that the Federal Communications Commission now proposes to issue its second report and order concerning its regulation of microwave companies serving community antenna systems as well as its regulation of community antenna systems directly; and

"Whereas your memorialist believes that it is the proper function of the Congress of the United States to determine what control the Federal Communications Commission shall have over community antenna systems, if any; and

"Whereas any additional restrictions placed upon the right of citizens to receive television signals by means of community antenna systems would adversely affect many citizens of the State of Arizona and would materially adversely affect an important segment of Arizona industry: Wherefore, your memorialist, the House of Representatives of the State of Arizona, prays:

"1. That the Federal Communications Commission desist from issuing its proposed second report and order concerning the regulation of community antenna systems until the Congress of the United States sets forth what the national television policy is to be.

"2. That the Honorable Wesley Bolin, Secretary of State of Arizona, transmit copies of this memorial to the members of the Federal Communications Commission and to each member of the Arizona congressional delegation.

"Approved by the Governor, February 9, 1966.

"Filed in the office of the secretary of state, February 9, 1966."

To the Committee on the Judiciary:

"House Memorial 3 of the State of Arizona, House of Representatives, 27th Legislature, 2d Regular Session

"Memorial urging the Congress of the United States to oppose the Dodd bill or any other Federal legislation relating to regulation and registration of mail order firearms sales

"To the Congress of the United States:

"Your memorialist respectfully represents:

"Whereas since the unfortunate and untimely death of President John F. Kennedy, considerable impetus has occurred for the passage of the Dodd bill relating to regulation and registration of mail order firearms sales; and

"Whereas the Dodd bill (S. 1592), if enacted, will prohibit citizens from purchasing a firearm by mail, and give the U.S. Treasury Department such broad regulatory powers it could subject such citizens to police investigation and harassment and lead to registration of said firearms; and

"Whereas such requirements will cause an inconvenience and an undue burden on law abiding people of this country, particularly in rural areas, and such legislation will open the door for the Treasury Department to regulate who may buy firearms; and

"Whereas the Bill of Rights of the Constitution of the United States and article 2, section 26 of the constitution of the State of Arizona guarantee to its citizens the right to keep and bear arms, and the Dodd bill, if enacted, will be in direct violation of such guaranteed rights; and

"Whereas responsible organizations such as the National Rifle Association, National Wildlife Federation and others have no objection to workable laws that will prevent the misuse of firearms by increasing penalties for crimes committed with firearms; and

"Whereas the Dodd bill, if enacted, will seriously hamper small industries that build fine custom rifles for mail order trade throughout the Nation; and

"Whereas any restrictive legislation should be directed to merely requiring that shipments of firearms in interstate commerce be made in compliance with the laws of the State of destination; and

"Whereas since practically all States have laws regulating sale of firearms to juveniles, convicted felons, and incompetents and against carrying concealed weapons, and since there are already Federal laws which make it a crime for a convicted felon to transport firearms across State lines, no Federal law for regulation and registration of mail order sales of firearms is necessary: Wherefore your memorialist, the House of Representatives of the State of Arizona, prays:

"1. That the Congress of the United States take positive action leading to the defeat of the Dodd bill (S. 1592).

"2. That the Congress of the United States carefully examine and oppose any other Federal legislation relating to registration and regulation of firearms which restricts the rights of law abiding citizens and usurps the police power of the States to control firearms, and that it urge the State Department to exercise more control under the Munitions Control Act of imports of cheap foreign pistols and military surplus.

"3. The secretary of state is directed to transmit copies of this memorial to the President of the Senate of the United States, the Speaker of the House of Representatives of the United States, and to each member of the Arizona congressional delegation.

"Approved by the Governor of Arizona, February 9, 1966.

"Filed in the office of the secretary of state, February 9, 1966."

"SENATE MEMORIAL 1 OF THE STATE OF ARIZONA, SENATE, 27TH LEGISLATURE, 2D REGULAR SESSION

"Memorial urging the Congress of the United States to oppose the Dodd bill or any other Federal legislation relating to regulation and registration of mail order firearms sales

"To the Congress of the United States:

"Your memorialist respectfully represents:

"Whereas since the unfortunate and untimely death of President John F. Kennedy, considerable impetus has occurred for the passage of the Dodd bill relating to regulation and registration of mail-order firearms sales; and

"Whereas the Dodd bill (S. 1592), if enacted, will prohibit citizens from purchasing a firearm by mail, and give the U.S. Treasury Department such broad regulatory powers it could subject such citizens to police investigation and harassment and lead to registration of said firearms; and

"Whereas such requirements will cause an inconvenience, and an undue burden on, law abiding people of this country, particularly in rural areas, and such legislation will open the door for the Treasury Department to regulate who may buy firearms; and

"Whereas the Bill of Rights of the Constitution of the United States and article 2, section 26 of the constitution of the State of Arizona guarantee to its citizens the right to keep and bear arms, and the Dodd bill, if enacted, will be in direct violation of such guaranteed rights; and

"Whereas responsible organizations such as the National Rifle Association, National Wildlife Federation and others have no objection to workable laws that will prevent the misuse of firearms by increasing penalties for crimes committed with firearms; and

"Whereas the Dodd bill, if enacted, will seriously hamper small industries that build fine custom rifles for mail-order trade throughout the Nation; and

"Whereas any restrictive legislation should be directed to merely requiring that shipments of firearms in interstate commerce be made in compliance with the laws of the State of destination; and

"Whereas, since practically all States have laws regulating sale of firearms to juveniles, convicted felons, and incompetents and against carrying concealed weapons, and since there are already Federal laws which make it a crime for a convicted felon to transport firearms across State lines, no Federal law for regulation and registration of mail-order sales of firearms is necessary: Wherefore your memorialist, the Senate of the State of Arizona, prays:

"1. That the Congress of the United States take positive action leading to the defeat of the Dodd bill (S. 1592).

"2. That the Congress of the United States carefully examine and oppose any other Federal legislation relating to registration and regulation of firearms which restricts the rights of law abiding citizens and usurps the police power of the States to control firearms, and that it urge the State Department to exercise more control under the Munitions Control Act of imports of cheap foreign pistols and military surplus.

"3. The secretary of state is directed to transmit copies of this memorial to the President of the Senate of the United States, the Speaker of the House of Representatives of the United States, and to each member of the Arizona congressional delegation.

"Approved by the Governor, February 7, 1966."

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. METCALF (for himself and Mr. MANSFIELD):

S. 3048. A bill for the relief of Andrew White; to the Committee on the Judiciary.

By Mr. SMATHERS:

S. 3049. A bill to amend the Social Security Act in order to provide for a Talented American Senior Corps; to the Committee on Finance.

(See the remarks of Mr. SMATHERS when he introduced the above bill, which appear under a separate heading.)

By Mr. DOUGLAS:

S. 3050. A bill for the relief of Marina Panagiotis Restos; to the Committee on the Judiciary.

By Mr. LONG of Missouri (for himself, Mr. SYMINGTON, Mr. CARLSON, and Mr. PEARSON):

S. 3051. A bill granting the consent of Congress to the compact between Missouri and Kansas creating the Kansas City Area Transportation District and the Kansas City Area Transportation Authority; to the Committee on the Judiciary.

(See the remarks of Mr. LONG of Missouri when he introduced the above bill, which appear under a separate heading.)

By Mr. RANDOLPH (for himself and Mr. COOPER):

S. 3052. A bill to provide for a coordinated national highway safety program through financial assistance to the States to accelerate highway traffic safety programs, and for other purposes; to the Committee on Public Works.

(See the remarks of Mr. RANDOLPH when he introduced the above bill, which appear under a separate heading.)

By Mr. McGEE:

S. 3053. A bill to amend the Civil Service Retirement Act with respect to annuities of Panama Canal ship pilots; to the Committee on Post Office and Civil Service.

By Mr. SCOTT:

S. 3054. A bill providing for a study of serious interruptions of certain essential services; to the Committee on Commerce.

(See the remarks of Mr. SCOTT when he introduced the above bill, which appear under a separate heading.)

By Mr. BARTLETT:

S. 3055. A bill for the relief of Paul L., Margaret, and Josephine Kirsteatter; and

S. 3056. A bill for the relief of William D. Pender; to the Committee on the Judiciary.

By Mr. JAVITS:

S. 3057. A bill to amend the National Housing Act to reduce the premiums charged for the insurance of certain cooperative housing mortgages; and

S. 3058. A bill to amend section 213 of the National Housing Act to permit the more effective operation of the Cooperative Management Housing Insurance Fund; to the Committee on Banking and Currency.

(See the remarks of Mr. JAVITS when he introduced the above bills, which appear under a separate heading.)

By Mr. SCOTT:

S. 3059. A bill to authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs, cats, and other animals intended to be used for purposes of research or experimentation, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. SCOTT when he introduced the above bill, which appear under a separate heading.)

By Mr. BURDICK:

S.J. Res. 143. Joint resolution proposing a nationwide popular vote for election of the President and Vice President of the United States; to the Committee on the Judiciary.

CONCURRENT RESOLUTION

PRINTING OF ADDITIONAL COPIES OF JOINT ECONOMIC COMMITTEE HEARINGS

Mr. DOUGLAS. Madam President, on behalf of the Joint Economic Committee, I submit, for appropriate reference, a concurrent resolution authorizing the printing of 5,000 additional copies of its hearings entitled "Recent Federal Reserve Actions and Economic Policy Coordination."

The ACTING PRESIDENT pro tempore. The concurrent resolution will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 79) was referred to the Committee on Rules and Administration, as follows:

> *Resolved by the Senate (the House of Representatives concurring)*, That there be printed for the use of the Joint Economic Committee five thousand additional copies of Parts 1 and 2 of its hearings of the Eighty-ninth Congress, first session, entitled "Recent Federal Reserve Actions and Economic Policy Coordination."

PROPOSED TALENTED AMERICAN SENIOR CORPS ACT

Mr. SMATHERS. Madam President, I send to the desk, for appropriate reference, a bill to amend the Social Security Act to establish a Talented American Senior Corps, the short name of which would be TASC.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3049) to amend the Social Security Act in order to provide for a Talented American Senior Corps, introduced by Mr. SMATHERS, was received, read twice by its title, and referred to the Committee on Finance.

Mr. SMATHERS. Madam President, this proposed legislation would make two meaningful contributions toward better lives for America's elderly.

First. It would make it possible for those in this age group to earn money by providing services needed in their own communities, and thus to improve themselves economically.

Second. It would satisfy the desire of many senior citizens to continue as active members of society and to engage in useful and satisfying pursuits.

Third. Needed services would be provided for all age groups, including the elderly.

For too many of our fellow Americans, reaching old age presently results in a slump into dire poverty. For some of them, grinding poverty is all they have ever known. Others may have lived in moderate circumstances while working, but find it impossible to make ends meet when forced into retirement by advancing years. It would be difficult to determine which is worse: to be poor in the later years, after having been poor all one's life; or to be poor in old age after having seen better days. They are both bad.

The most widely accepted standard used for measuring adequacy of income is that set up by the Bureau of Labor Statistics in 1960. Under that standard, it is estimated that the minimum annual income needed by an elderly couple to achieve a "modest but adequate living" is $3,000 in a large city and $2,500 in a smaller community. For an elderly single person, it is estimated at about $1,800. In 1962, half of the 5,400,000 couples headed by a person aged 65 or more had incomes of less than $2,875, and 30 percent had less than $2,000. Two-thirds of the 8,700,000 retired individuals had less than $1,800 of income. Establishment of the Talented American Senior Corps would make it possible for many of these older Americans to bring their incomes up to the level of adequacy.

However, this program would go far beyond meeting the financial needs of the elderly. It would also meet their psychological needs and benefit their physical and mental health. Psychologically, it would meet the need of interesting and satisfying activities, the need to earn the respect of others, and the need to be worthy of one's own self-respect. It is difficult for younger people who are preoccupied with earning a living and raising families to appreciate what many of our elders go through during the long, empty days of retirement. One dramatic example of this was given by a witness at a hearing of one of the subcommittees of the Senate Special Committee on Aging, Dr. Robert F. Powers, president of the Saginaw County, Mich., Medical Society. He told of a 72-year-old uncle of his who had nothing to do and who was so hungry for something to do that he counted the bricks in a wall facing his window. He quoted his uncle as saying:

> Robert, do you know how many bricks are in that wall on that house next door? There are 1,645. I've counted exactly that number a thousand times.

From information reaching the Committee on Aging, this is by no means an isolated example of the difficulty senior citizens have in finding something—anything—to do. You could multiply this example by the thousands. The Talented American Senior Corps would give the elderly of our Nation something to do—something considerably more than a make-work program.

It would give them a means of earning and maintaining the respect of the younger people in their communities, and of keeping their own self-respect. Some observers have referred to the United States as a work-centered culture. The traditional American point of view is that only he who works and makes a contribution is entitled to the respect of others. In the early days of this country, when all hands were needed to clear and till the land, as well as to ward off Indians and other hostile forces, there was no such thing as enforced idleness of the elderly. Thus, this attitude did not work to the disadvantage of our seniors. However, in recent years, as compulsory retirement has become general, this old lack of respect for nonworkers has carried over. Too many younger persons look upon the retired as a burden upon society, as drones. As they in turn become old, this attitude eventually works to their own disadvantage.

Because the elderly themselves have spent a lifetime developing lack of respect for nonworkers, enforced idleness in old age can be devastating to their self-respect and self-image. In fact, since their attitudes toward nonworkers were formulated many years ago, when scorn for nonworkers was stronger than it is today, their judgment of themselves may be much harsher than that of their younger compatriots.

The Talented American Senior Corps will give older persons the opportunity they need to engage in service to others and thereby to earn the respect of younger members of society and to maintain their own self-respect, no matter how strong may be their scorn and that of others for the nonworker.

Besides improving the psychological well-being of the elderly, their service in the Talented American Senior Corps will benefit their physical and mental health as well. An authority in the field of geriatrics, Dr. Edward F. Bortz, has said:

> Older citizens who are actively employed will be more healthy and better adjusted and consequently a less likely drain on the Public Treasury. Instead of being consumers they will be producers and taxpayers. They will take pride in being self-supporting and in being able to provide for their own needs. It can be predicted that healthy and alert senior citizens, well utilized by the community, will make far fewer demands for medical services.

In this connection, I should like to quote again from the testimony of Dr. Robert F. Powers, who expressed the consensus among physicians as follows:

> We feel that the key to positive health lies in struggle rather than retreat, in enjoyment rather than avoidance of stress of living. It might be said that the "wounds of combat" are definitely preferable to the decay of idleness, both from a biological and moral standpoint.

In a study of 352 aged applicants for public housing in San Antonio, Tex., in 1960, Dr. Frances M. Carp, of the University of Texas found that there was a significant correlation between having a paid job responsibility on the one hand and health, happiness, and general morale on the other. Dr. Carp is now on the staff of the aging program of the National Institute of Child Health and Human Development.

The Talented American Senior Corps could contribute not only to the physical health of elderly participants but also to their mental health. Dr. R. H. Felix, a leader in the field of mental health and former Director of the National Institute of Mental Health has said:

> From the point of view of mental health, the central problem is to give the older people a sense of participation and continued purpose in life.

In 1956, there was published the results of a study conducted by four sociologists for the Russell Sage Foundation, entitled "Five Hundred Over Sixty." Those who conducted the study were Bernard Kutner, David Fanschel, Alice M. Togo, and Thomas S. Langner. They found in their study of the relationship of employment to adjustment of older people that, when coupled with good health:

> Employment lifts the spirit, mobilizes energy, and brightens the individual's perspectives.

The Talented American Senior Corps would not only provide needed income supplementation for the elderly and benefit their physical, mental, and psychological health, it would enrich our society in a third important way by providing services needed in every community in our Nation which are not now being provided. The failures of our communities to provide these services is due to no shortage of manpower to provide them, but rather to a lack of any effective mechanism to utilize the vast store of manpower to meet these needs which we have in our Nation's elderly. Enactment of my bill will provide such a mechanism.

Under the war on poverty, the Office of Economic Opportunity has already put into operation programs to utilize the elderly to meet some needs. Its foster grandparent program hires needy seniors to provide individual love, attention, and guidance to children in institutions who desperately need sustained contact with an adult on a 1-to-1 basis, of the type provided most children by their natural parents or grandparents. The Committee on Aging has received glowing reports of the emotional benefits of this program to both the children served and to those who serve.

More recently, the Office of Economic Opportunity has put into effect two programs called medicare alert and green thumb. Medicare alert is employing low-income seniors to take the message of medicare to other older individuals who might not otherwise hear of this program and who might otherwise fail to sign up before the March 31 deadline. Green thumb hires low-income retired farmers and others experienced in making plants grow and thrive, to plant and tend trees and shrubs along highways as a means of highway beautification.

While these are extremely worthwhile programs, they merely scratch the surface of jobs which need to be done, and which can be done by America's elderly, but which will not be done unless the Talented American Senior Corps or something like it is created.

The authorization proposed for this new program is a comparatively modest one, being $15 million for each of the first 2 years. With this small investment, we can help our Nation's elderly to improve their economic position, we can benefit this age group psychologically, we can improve their physical and mental health, and we can meet needs in every community of the Nation which would otherwise go unmet. As a matter of fact, it is not too much to hope that this small expenditure will pay for itself, at least partially, by improving the health of the elderly and reducing their need for health care under medicare, Kerr-Mills, and other public programs.

If we give our Nation's elderly the opportunities represented by the Talented American Senior Corps, Madam President, we will be able to say with the Poet Longfellow:

> Age is opportunity no less than youth itself, though in another dress.

Mr. HART subsequently said: Madam President, earlier today the able Senator from Florida [Mr. Smathers] introduced a bill to establish the Talented American Senior Corps Act. I ask unanimous consent that the bill will be held at the desk until March 15 for cosponsors.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMPACT BETWEEN THE STATES OF MISSOURI AND KANSAS RELATING TO PUBLIC TRANSPORTATION

Mr. LONG of Missouri. Madam President, public transportation continues to be one of the most vexing problems facing our urban communities. Difficulties in finding solutions are often multiplied where the urban community is situated in more than one State. Recently, the Legislatures of Missouri and Kansas took steps to eliminate some of these difficulties in the Greater Kansas City area by authorizing a bistate compact to create the Kansas City Area Transportation District and the Kansas City Area Transportation Authority. Under this authority, the two States have entered into a compact and in accordance with the Constitution request the consent of Congress.

The Kansas City Transportation District includes the counties of Cass, Clay, Jackson, and Platte in Missouri and the counties of Johnson, Leavenworth, and Wyandotte in Kansas. The establishment of this Transportation Authority should help the Greater Kansas City community immeasurably in providing satisfactory and adequate public transportation for all citizens of the area.

Therefore, Madam President, on behalf of myself, the senior Senator from Missouri and the senior and junior Senators from Kansas, I introduce, for appropriate reference, a bill to grant the consent of Congress to the Missouri-Kansas compact.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3051) granting the consent of Congress to the compact between Missouri and Kansas creating the Kansas City Area Transportation District and the Kansas City Area Transportation Authority, introduced by Mr. Long of Missouri (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

HIGHWAY SAFETY ACT OF 1966

Mr. RANDOLPH. Madam President, notwithstanding the 3-minute rule, I ask unanimous consent that I be permitted to address the Senate for an additional 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. RANDOLPH. Madam President, I introduce, for appropriate reference, a bill entitled the "Highway Safety Act of 1966." This measure is title III of the administration proposal—S. 3005—introduced by the chairman of the Commerce Committee [Mr. Magnuson] on March 2. By agreement between the members of the Commerce Committee and the Committee on Public Works, it has been determined that the most expeditious manner of handling the President's traffic safety program is for the Committee on Public Works to conduct hearings and report on that portion of the legislation dealing with Federal-aid highways over which this committee exercises jurisdiction.

The proposal in which the ranking minority member [Mr. Cooper] joins, would implement an important part of the broad and far-reaching transportation message transmitted to the Congress by President Johnson last week. We refer to the United States as a nation on wheels. But few of us realize the full extent to which the automobile has come to dominate much of the character of American life. Two decades ago there were 31 million motor vehicles in the United States; today there are 90 million. By 1975 there will be 120 million, and it is estimated that by the year 2000 our annual production will be 20 million.

In the immediate future—by 1968 or 1969—Americans will be traveling 1 trillion vehicle miles a year on almost 3 million miles of paved highways and streets.

Madam President, this degree of mobility has not been achieved without a dreadful annual cost in lives, maimed bodies, and billions of dollars in property damage. Last year, almost 50,000 persons lost their lives on American highways, and an additional 1.5 million persons were injured.

Since the introduction of the automobile in the United States, 1½ million persons have lost their lives in traffic accidents—more than the combat deaths suffered in all of America's wars.

We know, for example, that the superior design of the Interstate System—of which more than 21,000 miles are now open to traffic—has reduced the fatality rate to 2.8 per 100 million vehicle miles, compared with a rate of 9.7 on other roads.

But much remains to be done, and even more needs to be learned about the causes and prevention of highway accidents. The measure proposed by President Johnson is the first coordinated effort to close the gaps in our knowledge and to establish a program of action to lessen death on American highways. The Subcommittee on Public Roads, of which I am the chairman, of the Committee on Public Works, will give prompt attention to this measure.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3052) to provide for a coordinated national highway safety program through financial assistance to the States to accelerate highway traffic safety programs, and for other purposes, introduced by Mr. Randolph (for himself and Mr. Cooper), was received, read twice by its title, and referred to the Committee on Public Works.

Mr. COOPER. Madam President, I am pleased to join my distinguished colleague, Senator Randolph, in introducing this bill, the proposed "Highway Safety Act of 1966." I believe it covers a subject of great importance, and I believe these proposals should be brought before the Public Works Committee for its consideration.

I know that changes may be required to perfect the bill, either in its substantive provisions, or in the amounts of funds, which appear large and are proposed to be authorized. I would reserve the right to propose in the committee, or on the floor, any amendments which may appear necessary after hearings have been held and facts have been given to the committee.

I have been privileged to work on many bills with Senator RANDOLPH, the chairman of the Subcommittee on Public Roads, and as the ranking minority member of the committee, I join him in this effort because of the great importance of considering these safety proposals and the necessity of legislative action in this Congress.

Mr. CASE. Madam President, as the original Senate sponsor of the National Driver Register Service, I am delighted that the highway safety legislation introduced by the Senator from West Virginia [Mr. RANDOLPH] provides for expansion of the Service.

In the last session of Congress, I introduced my own bill—S. 1379—to expand the scope of the Driver Register Service. That bill is presently before the Senate Commerce Committee.

While my bill differs from the Randolph measure in a few technical details, both have the same important objective—to broaden the work of the Driver Register Service so that it can play an even greater role in reducing the carnage on our highways.

We have been told that a record 49,000 Americans died in traffic accidents last year, and that millions more were injured. The President has pointed out that the death toll on our streets and highways since the automobile was introduced is 1,500,000—"more than all the combat deaths suffered in all of our wars."

It is clear that our efforts to improve traffic safety have been inadequate and that action on a national scale is now required.

It is also clear, I think, that the improvement of highway safety goes beyond upgrading the design and construction of automobiles and their components, though this is important, too.

Much also needs to be done to rid our highways of the reckless driver.

The National Driver Register Service is a key weapon in the battle against carelessness on our roads. The Service presently is a clearinghouse which provides the States with information about drivers who have been denied licenses for either of two reasons—driving while intoxicated or conviction of a traffic violation involving a fatality.

If any of these motorists attempt to obtain a driver's license in another State, it is possible for the motor vehicle agency in that State to check overnight on their past records through the Driver Register Service.

Since 1961, when the Service was established in the Commerce Department largely through my efforts, the DRS has checked millions of names and identified 110,750 individuals whose applications for driver's licenses the States might want to deny on the basis of their records.

While the record of the Service indicates progress in the drive against reckless motorists, the mounting slaughter on our highways makes it clear than the campaign must be intensified.

My bill would help bring this about by expanding the present National Driver Register to include information on all revocations or suspensions of 30 days or more, regardless of the reason for taking away an individual's permission to drive a motor vehicle.

While Congress ponders long-range programs for combatting the soaring highway fatality rate, this is one step for greater safety that can be taken at once.

We can help the States to crack down even harder on the reckless driver—a relatively small expansion of the National Driver Registration Service will enable it to do a far more effective job.

Mr. RANDOLPH. Madam President, will the Senator yield?

Mr. CASE. I yield.

Mr. RANDOLPH. Madam President, I know of the intense interest of the Senator from New Jersey. I assure him that the measure he has introduced will have full consideration by the subcommittee.

We are grateful for the interest that he expressed today in his very pertinent remarks.

Mr. CASE. The Senator from West Virginia is most generous in the kind assurance he has just given. All of us in the Senate have found that we are able to rely upon his assurances with complete confidence, and I am happy indeed to have it.

I thank the Senator.

STUDY OF MAJOR POWER FAILURES

Mr. SCOTT. Madam President, I introduce, for appropriate reference, a bill directing the Office of Emergency Planning to undertake a thorough study of the effects of serious interruptions of communications, transportation, and other essential public services resulting from major disruptions such as storms, strikes, and blackouts. Under my bill, the Director of OEP would be required to submit the results of the study to Congress by December 1, 1966, together with any recommendations for measures to minimize the adverse effects of such disruptions.

My bill is prompted by two recent events of concern to the American people: the Northeast power failure of last November, and the now legendary blizzard of 1966 which hit the eastern seaboard at the end of January. Our economy and indeed the Nation's security cannot risk the jeopardy of future occurrences, involving natural or human-caused calamities. Ways and means must be developed to avert such interruptions as the power failure and to minimize the consequence of natural events such as the recent blizzard.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3054) providing for a study of serious interruptions of certain essential services, introduced by Mr. SCOTT, was received, read twice by its title, and referred to the Committee on Commerce.

PROPOSED LEGISLATION RELATING TO HOUSING

Mr. JAVITS. Madam President, I introduce, for appropriate reference, proposed legislation which is sorely needed to correct inequities in the law governing cooperative housing. In 1961, legislation was enacted to authorize a reduction in premium rates for mortgage insurance for management-type cooperatives. Last year, I strongly supported a bill to provide mutuality for cooperative housing, and this was incorporated in the Housing and Urban Development Act of 1965. Yet, I am informed that the premiums have not been reduced, and the new mutual fund has not been fully put into effect.

The proposed legislation which I introduce today will make the premium reduction mandatory, and will also settle the confusion which exists with regard to some aspects of the mutuality program so that the latter may soon be effectively implemented. The management cooperatives have made an enviable record which is demonstrated by the fact that they have contributed well over $27 million to the FHA housing fund, while their defaults have amounted to less than $700,000. Their record deserves our immediate attention.

Since the inception of the insurance program in 1950, the management-type co-ops have been paying the standard premium rate for FHA mortgage insurance—one-half of 1 percent—and have thus contributed over $27 million. On the theory that good insurance experience deserves a reduction in premiums, the Congress in 1961 authorized the FHA to reduce the premium to one-fourth of 1 percent. The FHA has thus far failed to carry out the will of the Congress even though the fund is sound beyond any doubt. My first proposal would require the FHA to reduce the premium to one-fourth of 1 percent as it should have done long ago.

Last year, the Housing Act established a separate mutual fund for the management type co-ops so that their premium payments, administrative costs, and any losses, would be segregated from the general fund. It was also stipulated that when the fund was sufficiently strong, the FHA would distribute shares of rebates to the co-op owners whose premiums had provided this strength. It was also stipulated that no such disbursements may be paid out until any funds which might be transferred to the management fund from the general fund were repaid. My second proposal would clear up the doubt which has arisen as to whether all initial transfers from the general to the management fund or only subsequent loans made to the management fund must be repaid to the general fund. The bill makes it clear that the intention is that only the subsequent loans need be repaid. Further, in order that the management fund reflect the full strength of the co-op program, the bill provides that an amount equal to the premiums already paid by the co-ops minus the administrative expenses will be transferred to the management fund. This amount is over $15.5 million at the present time.

Finally the second proposal is designed to overcome a key obstacle to the implementation of this mutuality provision. Under the present law, the mortgagee or lender has to consent to any transfer of funds from the general fund to the management fund. There is no legal basis for this requirement, and in fact it was not required in the case of other funds which were consolidated into the general fund. Seventy-eight mortgagees have refused to allow such a transfer due to a restriction on the use of FHA debentures. The debenture restriction appears an unintended effect of present law and my proposal would remove it. With the restriction removed, the requirement of consent is no longer appropriate and would therefore also be removed under my proposal. Thus all accounts of management-type co-ops will be transferred into the management fund, which the Congress established for that purpose.

The sole objective of these proposals is to provide equitable treatment for owners of management-type co-ops. Where a class of property owners has demonstrated over the years its determination and ability to meet its obligations, they should not be called upon to bear the brunt of the defaults of other classes of propertyholders less heedful of their responsibilities. I ask my colleagues to join with me in securing the early enactment of these two bills.

Madam President, I ask unanimous consent that the bills be printed in the Record.

The ACTING PRESIDENT pro tempore. The bills will be received and appropriately referred; and, without objection, the bills will be printed in the Record.

The bills, introduced by Mr. Javits, were received, read twice by their titles, and referred to the Committee on Banking and Currency, as follows:

S. 3057. A bill to amend the National Housing Act to reduce the premiums charged for the insurance of certain cooperative housing mortgages.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 203(c) of the National Housing Act is amended by striking out "*Provided,* That any reduced premium charge so fixed and computed" and inserting in lieu thereof the following: "*Provided,* That the premium charge fixed for the insurance under section 213 mortgages which are the obligation of the Cooperative Management Housing Insurance Fund (or which are insured under subsection (a)(1), (a)(3) (if the project is acquired by a cooperative corporation), (i), or (j) of such section and remain the obligation of the General Insurance Fund) shall not exceed an amount equivalent to one-fourth of 1 per centum per annum: *Provided further,* That any reduced premium charge fixed and computed under the preceding provisions of this subsection".

S. 3058. A bill to amend section 213 of the National Housing Act to permit the more effective operation of the Cooperative Management Housing Insurance Fund.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the fourth sentence of section 213(k) of the National Housing Act is amended to read as follows: "The Commissioner is directed to transfer to the Management Fund from the General Insurance Fund an amount equal to the total of the premium payments theretofore made with respect to the insurance of mortgages and loans transferred to the Management Fund pursuant to subsection (m) minus the total of any administrative expenses theretofore incurred in connection with such mortgages and loans, plus such other amounts as the Commissioner determines to be necessary and appropriate."

Sec. 2. The second proviso in section 213(l) of the National Housing Act is amended by striking out "pursuant to subsection (k) or (o)" and inserting in lieu thereof "pursuant to subsection (o)".

Sec. 3. Section 213(m) of the National Housing Act is amended by striking out ", but only in cases where the consent of the mortgagee or lender to the transfer is obtained or a request by the mortgagee or lender for the transfer is received by the Commissioner within such period of time after the date of the enactment of this subsection as the Commissioner shall prescribe."

Sec. 4. Section 213(n) of the National Housing Act is amended by striking out "issued in connection with mortgages" and all that follows and inserting in lieu thereof the following: "issued in connection with mortgages which are the obligation of either the Management Fund or the General Insurance Fund."

REGULATION OF TRANSPORTATION, SALE, AND HANDLING OF ANIMALS INTENDED FOR PURPOSES OF RESEARCH AND EXPERIMENTATION

Mr. SCOTT. Madam President, I introduce, for appropriate reference, a bill to regulate the transportation, sale, and handling of dogs, cats, and other animals intended to be used for purposes of research and experimentation.

My bill is designed to put the cruel and inhumane "dognapers" out of business. It would outlaw the purchase or transport of dogs, cats, or other animals in interstate commerce by research facilities unless these facilities were licensed by the Secretary of Agriculture for this purpose. It would also outlaw the sale or transport of these animals in interstate commerce by unlicensed dealers to research facilities. Administration and implementation of this legislation would be vested in the Secretary of Agriculture.

This proposed legislation would in no way impede the legitimate use of animals in medical research. It is designed to stop the "dognapers."

Americans are rightly shocked and indignant at the gruesome stories of dognaping which have been brought to their attention recently. This racket is lucrative. Dognapers buy these innocent animals at low prices, or in many cases steal them outright. Then they sell the dogs to medical research institutions which have a continuing need for animals for experimental and research purposes. In the process of being held and later transferred to their new owners, the medical research institutions, these dogs and cats are often subjected to brutal and inhumane conditions.

This shocking situation must be ended, Madam President. It can be, by the enactment of legislation to outlaw the dognaping racket.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3059) to authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs, cats, and other animals intended to be used for purposes of research or experimentation, and for other purposes, introduced by Mr. Scott, was received, read twice by its title, and referred to the Committee on Commerce.

TAX ADJUSTMENT ACT OF 1966—AMENDMENTS

AMENDMENT NO. 501

Mr. TOWER submitted an amendment, intended to be proposed by him, to the bill (H.R. 12752) to provide for graduated withholding of income tax from wages, to require declarations of estimated tax with respect to self-employment income, to accelerate current payments of estimated income tax by corporations, to postpone certain excise tax rate reductions, and for other purposes, which was ordered to lie on the table and to be printed.

AMENDMENTS NOS. 502, 503, AND 504

Mr. HARTKE submitted amendments, intended to be proposed by him, to House bill 12752, supra, which were ordered to lie on the table and to be printed.

NOTICE CONCERNING NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Madam President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

Joseph L. Ward, of Nevada, to be U.S. attorney, district of Nevada, term of 4 years, vice John W. Bonner, retiring.

Harry D. Mansfield, of Tennessee, to be U.S. marshal, eastern district of Tennessee, term of 4 years (reappointment).

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Tuesday, March 15, 1966, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

"GOD IS MY JUMPMASTER"

Mr. DIRKSEN. Madam President, I walked up and down the wards of the U.S. naval hospital at Great Lakes, among the wounded who had been brought in from Vietnam. There were splintered arms and legs and, in fact, every variety of wound that can be caused by a landmine, a mortar shell, a grenade, or by small arms ammunition. I went from one bed to another to visit and get their reactions.

At the end of the line was a young paratrooper. His name is Eddie L. Armstrong. Strangely enough he was not shot or wounded in the air. It came when he touched the terrain. Now he was in a hospital waiting for the healing forces to make him fit again so that he could return to Vietnam and help finish the job.

One of his intellectual recreations was to write poetry. One of his latest poems was entitled "God Is My Jumpmaster." He looked so young, so appealing, and so artistic. He suggested that perhaps I could read it aloud to those who were a part of the entourage that followed me to the hospital. I did. It is a tender thing, and I believe it merits inclusion in the permanent Record. I ask unanimous consent that it be printed in the Record at this point.

There being no objection, the poem was ordered to be printed in the Record, as follows:

God Is My Jumpmaster

(By Eddie L. Armstrong, specialist, fourth class, U.S. Army, paratrooper)

As I fly over his war-stricken land,
I think of the jungles, the mountains, and the sand.

I think of the hell, the terror, and sin
Spread upon these people where the free must win.

I think of my family, and the girl I love,
And pray that someone's watching me up above.

Now we're all hooked up, waiting for the word,
From the pilot flying this great silver bird.

There's a young man watching me from across the way,
Then he turns to the rear and begins to pray.

As the doors are opened, what do I see
The image of an angel looking over me.

As I move to the door, before I start down
I wonder if death is waiting us upon the ground.

The word is passed and we're starting to go
To a no man's land, waiting down below.

The first man is gone, then a second and third,
Falling like feathers from this big silver bird.

Nobody knows what will happen this day,
But before I go to all I must say

Every man in this plan has only one goal,
To fight for our father's freedom, no matter the toll.

PROPOSED SCHOOL MILK SLASH WILL NOT REDUCE ADMINISTRATIVE COSTS

Mr. PROXMIRE. Madam President, the Department of Agriculture's proposal to slash the special milk program for schoolchildren by 80 percent came under heavy fire in the Agriculture Subcommittee of the Senate Appropriations Committee last week.

One of the facts that emerged from a hearing on the costs of the proposed program was that despite the fact the program was being reduced to one-fifth its former size the costs of the administrative staff here in Washington would actually go up by $5,000 due to last year's pay raise. This means that the cost of administration as a percentage of overall program costs would go up fivefold. In other words the new proposal to direct the milk program to schools without a lunch program and to the needy would cost five times as much to administer per dollar spent on the milk itself as the present program.

The Department says there is a good reason for this great increase in administrative costs. The new program will apparently be much more difficult to implement. I certainly do not disagree with this statement, Mr. President. In fact I would go one step further and say that the program will be next to impossible to implement effectively.

It is interesting to note that no Federal funds are now used by State agencies for administering the school milk program in the States. One can only speculate on the increased State costs that will be the inevitable outcome of the need to administer means tests to 50 percent of the children receiving milk under the proposed program. These costs will be an additional strain to States which already are facing extraordinary educational expenses.

RIBICOFF ASKS JUSTICE DEPARTMENT TO INVESTIGATE SAFETY WITNESS HARASSMENT

Mr. RIBICOFF. Madam President, as chairman of the Subcommittee on Executive Reorganization, I feel compelled to draw the attention of the Senate to a situation of grave concern; namely, an apparent attempt to harass and intimidate a subcommittee witness.

On February 10, Mr. Ralph Nader, a Connecticut attorney and author of a recent book entitled, "Unsafe At Any Speed," testified during the course of the subcommitee's inquiry into the Federal role in traffic safety. His testimony was helpful to the subcommittee and represents a valuable addition to the record.

Now, in the past few days, a number of articles have been published in the press which state that Mr. Nader has been the subject of intensive investigation by detective agencies hired by unknown persons, that he has been followed and subjected to harassing telephone calls. The implication of the press stories is that there is some connection between Mr. Nader's testimony and the alleged harassment—that someone wants either to discredit Mr. Nader or to induce him not to testify further.

Madam President, this is an extremely serious matter. As I said publicly at the time of his testimony, I had never seen Mr. Nader until he came before the subcommittee to testify. I knew that he had been in contact with the subcommittee staff about the problem of traffic safety, just as representatives of auto manufacturers and safety organizations had come to the staff to offer information and suggestions. The subcommittee is always receptive to any constructive effort to assist its work.

I am sure my fellow Senators would agree that the operations of Congress will suffer acutely should any citizen feel himself restrained from coming forward to offer his opinions and counsel on matters of public policy. But more than that, no citizen of this country should be forced to endure the kind of clumsy harassment to which Mr. Nader has apparently been subjected since the publication of his book. Anonymous phone calls in the night have no place in a free society.

What concerns me most immediately is that a witness before a Senate subcommittee feels that he has been exposed to potential intimidation as a result of his testimony. Section 1505, title 18 of the U.S. Criminal Code is very explicit on matters of this nature:

> Whoever corruptly, or by threats or force, or by any threatening letter or communication, endeavors to influence, intimidate, or impede any witness in any proceeding pending before any department or agency of the United States, or in connection with any inquiry or investigation being had by either House, or any committee of either House, or joint committee of the Congress; or
>
> Whoever injures any party or witness in his person or property on account of his attending or having attended such proceeding, inquiry or investigation, or on account of his testifying or having testified to any matter pending therein. * * *
>
> Shall be fined not more than $5,000 or imprisoned not more than 5 years, or both.

I am asking the Department of Justice to investigate this matter to determine whether there has been a violation of the law. One would hope that public disclosure of this situation will assure Mr. Nader and any other witness before any legislative body that their rights as citizens are not to be trifled with.

Madam President, I ask unanimous consent that four recent articles relating to Mr. Nader be printed in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the New Republic, Mar. 12, 1966]

The Dick

(By James Ridgeway)

Ralph Nader is a lanky Washington attorney of 32 who recently has been getting publicity because he went after the automobile makers for not designing safer cars. He wrote a book, "Unsafe at Any Speed," which told what was wrong with cars; he was a major witness before Senator Abraham Ribicoff's Subcommittee on Traffic Safety; and most likely he will testify before the Senate Commerce Committee when it holds hearings on the administration's highway safety bill.

The automakers, who first ignored Nader, have now turned on their most vigorous critic. This is precisely the sort of knockdown public fight Nader was hoping for, but instead of open battle, he finds himself suddenly distracted from the task at hand and locked in a subterranean struggle against an uncertain enemy.

Nader first felt someone was watching him January 10 in the Kirkwood Hotel at Des Moines, where he had gone to testify before the State attorney general's inquiry into traffic safety. He remembers seeing a man, two or perhaps three times in the hotel, once on his floor; for reasons Nader can't explain, the man made him feel uneasy.

Nader was to testify before the Ribicoff subcommittee February 10. In the days before he was to appear, he received several odd phone calls that increased in their frequency until on the evening of February 9, when he was trying to put the finishing touches on a prepared statement, Nader got half a dozen phone calls. A voice would say, "Mr. Nader, this is Pan American," and then hang up. Or, "Mr. Nader, please pick up the parcel at Railway Express." And finally, "Why don't you go back to Connecticut, buddy-boy." (Nader's home is at Winsted, Conn.) Nader's appearance before the committee was marked by a sharp clash between Senator Carl Curtis, of Nebraska, and Senator Robert Kennedy, of New York. Curtis kept pretending he could not understand what Nader was saying and finally Kennedy, in short temper, said this was a deliberate attempt to keep Nader from completing his statement, and to let him alone. The next day, a Friday, Nader went to the New Senate Office Building for a television interview. As he was coming out, one of the building guards told him two men had been tailing him. The men asked the guard which room Nader had gone into, and then volunteered they had been following Nader around the country. The guard reported the incident to his superior, who asked the men to leave the building.

WHAT JOB?

During the next week, Nader's landlady got a call from a man checking to see whether her tenant paid his bills on time. Nader's stockbroker received a visit from a man who said he worked for "Allied Investigations." His client wanted to hire Nader. He wanted to know about Nader's credit and his habits. In Cambridge, Mass., Harold Berman, a professor at Harvard Law School who taught Nader, got a call from a man who as Berman remembers it, said he worked for a research organization. He said Nader had given Berman as a reference for a job. In Boston, Thomas Lambert, Jr., the editor in chief of the American Trial Lawyers Association Journal, a publication that had carried a number of articles by Nader, was visited by a man who looked very Ivy League. He said his name was "Mr. Dwyer" and he worked for a management consultants or management associates at 53 State Street in Boston. He also represented a client who wanted to hire Nader. He asked about his drinking habits and his technical capabilities. Lambert was pleased to recommend Nader; he sent Nader off a note telling of the visitor and wishing the young attorney well in whatever the new job might be. But Nader had not applied for any job.

Sunday evening, February 20, Nader left his room in northwest Washington and went up the street a couple of blocks to a drugstore. He was standing at the magazine rack when a young, attractive brunette he had never seen before approached and said, "Pardon me. I know this sounds a little forward. I hope you don't mind, but can I talk to you?" She said a few of her friends often got together to discuss various problems of foreign affairs. They wanted to get all viewpoints. Would he join them? Nader was dumbfounded. Trying to get rid of her politely, he said he was from out of town. But the girl persisted. Oh, she said, that's all right; there was a meeting that night. Nader said he wasn't interested and turned his back. The girl left.

Monday morning Nader took a plane to Philadelphia, where he was to appear on ABC's "Mike Douglas Show."

That same day at a little after noon, Frederick Hughes Condon, a lawyer for a life insurance company in Concord, N.H., to whom Nader had dedicated his book, got a call from a "Mr. Warren," who said he wanted to come by the office and ask Condon a few questions about his friend, Ralph Nader. He said he had a client who wanted to hire Nader to do some research and writing, and in this connection he was looking into Nader's background, partly to make sure he led a normal sex life and was not involved in leftwing politics, and also because he needed to know whether Nader was capable of doing work in fields other than car design. Condon asked Warren who the client was, but Warren said he could not disclose that. So Condon asked him who he was. Warren said he worked with an attorney, a Mr. Gillen of New York City, who specialized in investigations. His suspicions already aroused, Condon told Warren to come by the office later that afternoon.

Nader had finished the "Mike Douglas Show" in Philadelphia, he was late for a 3:30 United Air Lines flight back to Washington. The other passengers had boarded when he hurried up to the gate at 3:25. Suddenly, he was aware that two men who had been sitting on a bench nearby had risen and boarded the plane after him. They took seats near his. They seemed to be especially interested in Nader.

It was midafternoon that day when the telephone rang in the New York City apartment of Dexter Masters. Masters had written a complimentary review of the Nader book that appeared a few weeks before as the lead article in "Book Week." Masters remembers picking up the phone. A smooth-talking fellow said he understood I had reviewed the book for "Book Week" and could I tell him anything about Nader. I said I didn't know him and what did he want to know for. The man said he represented the Gillian Agency or something, that sounded like that. He said one of the operators was a former FBI agent. They were investigating for a client who was interested in hiring Nader to write some articles. Did I think it really was a good book? I said I thought it was an excellent book and so had written. The man thanked Masters and hung up. Masters, thinking this one of the silliest pieces of detective work he ever had encountered, called Nader's publisher, Richard Grossman, to tell him the story.

At about 4:15 the United flight with Nader aboard was in its landing approach at Washington's National Airport; the two men seated near him looked like smalltime salesmen. The plane came to a stop and Nader went down the ramp, then ducked in and out of a number of doors at the airport to shake the men. He got into a cab, and as it headed for downtown Washington, Nader looked through the back window for the men. They had disappeared.

Condon, meanwhile, was closeted with a vice president of his company for much of the afternoon and it wasn't until 4:30 that he got free to see Mr. Warren, who now was calling himself Mr. Gillen. As the secretary ushered Mr. Gillen into Condon's office, the lawyer remembered he wore heavy black-rimmed glasses, was of medium height with a barrel chest, and gray hair combed straight back. Gillen had a nervous manner when he asked leading questions, and he insisted on holding an attaché case in his lap. By now Condon was sure the man was a detective, and he was ready to believe the attaché case held recording equipment. But Condon was playing dumb.

Gillen came right to the point. He asked repeatedly whether Nader had a driver's license and from what State. Had he owned a car at Harvard? Had Condon ever seen him drive a car? What make car did he own? Had he ever had any automobile accidents? Condon could not remember Nader driving and didn't know whether he had a license or not. (Actually Nader has a Connecticut driver's license.)

Gillen said he heard Nader traveled a lot. Did Condon know where he had gone? Why wasn't Nader married? Did he get financial help with his book? Did he have any leftwing political affiliations? Gillen said Nader was of Syrian ancestry. Was he anti-Semitic? Condon assured Gillen that Nader's personal life was normal; he didn't, to Condon's knowledge, belong to any political groups on one side or the other, that he had traveled to Mexico, and perhaps he had gone to see relatives in Lebanon, where his parents came from (not Syria), and that he was decidedly not anti-Semitic. Then Gillen sought to discover when Nader had met Senator RIBICOFF and what his connections with the Senator were. Condon said he didn't know, and wasn't at all sure that Nader even knew RIBICOFF.

SOMEBODY MIGHT YELL

Finally, Gillen asked Condon a few questions about himself. Condon is a paraplegic. Some years ago he fell asleep at the wheel of his car, which went off the road and crashed. The doors opened as it rolled over, and Condon, half in and half out, had his spine twisted. Gillen wanted to know if Nader had dedicated his book to Condon because of this accident. Did Condon think his injury was caused by unsafe design? What was the make of the car he was driving? Where had the accident taken place?

Having in this manner discovered the depths of Nader's intellectual abilities from his friend, Gillen said he really didn't know what job his client had in mind for Nader but he was sure it would be a good one, and picking up his attaché case, he bid Condon goodby. Condon immediately wrote up the conversation, sent Nader a wire, and later that evening phoned him in Washington.

Now Nader was sure he was being investigated and probably followed. The girl in the drugstore had been a lure; he reasoned that the auto companies would like to get anything they could to discredit him as a future witness before congressional committees considering auto safety legislation. His suspicions were further aroused 2 days later, on Wednesday, February 23, when on the way to meet a friend in the afternoon, he stopped off to buy a package of cookies at a Safeway store near his boarding house. There were perhaps 30 people in the store, the usual raft of children, some women and a few single men. As he was looking about for the cookies, a girl, blonde and wearing slacks, came up to him and said, "Excuse me, but I need some help. I've got to move something heavy into my apartment. There's no one to help me. I wonder if I can get you to give me a hand. It won't take much time. Will you help?" Nader said he was sorry but he had a meeting and was late already. The girl persisted. "Please," she said. "It won't take long." Nader refused. Then, although there were a number of other people in the store who might have helped her, the girl turned straight around and left the store.

Neither Allied Investigating Service in Washington nor Management Consultants in Boston cared to discuss this matter. Both are private detective firms. After some prodding a spokesman for Allied said there was no investigation of Nader; John Dwyer, of Management Consultants, at 53 State Street said, "I am not at liberty to discuss any of these matters." But a reporter was successful when he reached Vincent Gillen, of Vincent Gillen Associates, the detective firm in Garden City, N.Y. Mr. Gillen seemed flustered. "We've made inquiries about Nader," he said. "I spoke with Condon myself; another of our men contacted Masters." Gillen said he could not disclose the name of his client, but he said, "A lot of people were mentioned adversely in that book." Recovering his composure, he told the reporter: "I am a private investigator. We have hundreds of clients; we write thousands of reports, primarily on employment matters. I was asked by a client to make an investigation of Ralph Nader. I understand that he is an intelligent, articulate fellow. And my client told me he was considering him for an important job, to do research on something, I don't know what."

"I knew Nader was a writer," Gillen said, "and I went out and bought 'Unsafe at Any Speed.'" Gillen read the book and "felt like staying in bed. I was afraid to drive a car," he said. "I thought at the time, he'd better know what he's talking about or somebody might yell."

"Is somebody yelling?" the reporter asked. There was a pause before Gillen said once more that Nader was being considered for a job. The investigation was not yet complete, the detective said, and then added, "All I can say is, it is good for Nader."

[From the New York Times, Mar. 6, 1966]

CAR INDUSTRY CRITIC SAYS HE'S TRAILED, INVESTIGATED, AND HARASSED

(By Walter Rugaber)

DETROIT, March 5.—A leading independent critic of the automobile industry has undergone an investigation of his affairs by private detectives.

The critic, Ralph Nader, of Washington, has repeatedly charged that the car manufacturers are guilty of unsafe design. His attacks have helped generate a controversy over auto safety.

The investigators, working for unidentified clients, appear to have trailed Mr. Nader at different times in the last month and questioned a number of his friends.

In addition, Mr. Nader complained that he had received a series of harassing telephone calls and that women had sought to lure him into apparently compromising situations.

One of the men who conducted an inquiry said that while it was taking place, he found himself "tumbling over investigators all over the place."

This report was supported by Vincent Gillen, of New York, an attorney and detective, who said he had investigated Mr. Nader for an employment agency. Mr. Gillen said in a telephone interview:

"I've had reason to believe from what we saw and what we heard that other people were investigating Nader."

The detective said he had finished his inquiry.

Mr. Gillen called the employment agency he had worked for a "headhunter" but would not disclose its name. The detective maintains offices in Manhattan and Garden City.

Mr. Nader, the author of a scathing book entitled "Unsafe at Any Speed," has put the blame on industry for the inquiry. There have been no job discussions with anyone, he said.

Spokesmen for the major manufacturers in Detroit dismissed Mr. Nader's charge as ridiculous. Several indicated a belief that the investigation wouldn't be worth the trouble.

Mr. Nader said he believed the industry would order the investigation either to harass him or to impugn his standing before Congress and other opinion centers.

The critic, a 31-year-old bachelor who lives in Northwest Washington, testified last month as a major witness before a Senate subcommittee investigating auto safety.

Mr. Nader lashed out at car design before the panel, headed by Senator ABRAHAM A. RIBICOFF, Democrat, of Connecticut. Mr. Nader is expected to make another appearance before Congress when hearings begin on President Johnson's measure to set nationwide safety standards for vehicles.

Many industry leaders deeply fear Federal standards because they feel Government regulation would lead to intolerable limitations on styling and performance.

Mr. Nader, an intense man, became interested in vehicle safety as a student and shows no signs of slacking off on what he considers a crusade.

ATTENDED PRINCETON

He was born in Winstead, Conn., where his father, a Lebanese immigrant, had established a restaurant and bakery. He attended Princeton University and the Harvard University Law School.

At Harvard, Mr. Nader was president of the Harvard Law Record and wrote a lengthy paper on unsafe auto design and its legal aspects.

For a short time after graduation, he worked as a research assistant to Harold J. Berman, a law professor at Harvard. He then spent 6 months in the Army.

Mr. Nader then traveled widely in Latin America, Europe and Africa, writing articles on a variety of subjects. He finally returned to Connecticut and started law practice.

Convinced of the national importance of safe design, Mr. Nader devoted more and more of his time to research on the subject and started getting in touch with Government officials.

"Unsafe At Any Speed" was published last November 30 by Grossman Publishers of New York. A spokesman there said about 20,000 copies had been sold.

Most of Mr. Nader's friends pictured him as a rather austere young man who leads a Spartan life and spends most of his time working on various problems that interest him.

TELEPHONE CALLS BEGIN

In late January, he said, he began receiving bothersome telephone calls at home despite his unlisted number. The callers were never obscene or abusive, he said.

"Mr. Nader?" a voice would inquire.

"Yes."

Then, suddenly, as if to a child:

"Cut it out now. Cut it out. You're going to cut me off I tell you. Cut it out."

Then the connection would be broken. The other calls involved similar incidents. Mr. Nader believes they were made to harass him or to establish his whereabouts.

The telephone began to ring with increasing frequency, and on February 9, the night before his testimony before Senator RIBICOFF's committee, Mr. Nader said he received six calls.

They came as he was working on a statement to be read the next morning. The calls continued until 4 a.m., he said, and as a result he overslept that morning.

On February 11, the day following his appearance, Mr. Nader went to the National Broadcasting Co.'s television studios in the New Senate Office Building for an interview.

Two men followed him. They asked a guard for directions to the studio, described Mr. Nader and inquired whether he had gone in. The men waited outside the door.

Subsequent reports indicate they mistook a reporter for the Washington Post, Bryce Nelson, for Mr. Nader and began following him.

POLICE ENTER THE SCENE

The mixup was discovered, but the Capitol Police came into the picture and an unidentified lieutenant ordered the two investigators to leave the building.

On February 21, Mr. Nader flew to Philadelphia for another television interview and is positive he was shadowed, at least on the plane back.

He said he was late arriving at the plane but that men were in the waiting room though the craft was about ready to leave for Washington.

When he dashed for the ramp, Mr. Nader said, the two men got up and followed him aboard. He said he managed to evade them at National Airport.

On the same day, Mr. Gillen conducted what appears to be the most extensive interview of Mr. Nader's acquaintances. The detective called on Frederick Hughes Condon.

Mr. Condon is assistant counsel and assistant secretary of the United Life & Accident Co., of Concord, N.H. He was paralyzed in an auto crash, and Mr. Nader's book is dedicated to him.

Mr. Condon was reached at his home in East Andover, N.H., and said he had made notes and written a detailed memorandum of Mr. Gillen's visit.

The detective wore a sports coat and slacks and glasses with heavy, black frames, Mr. Condon said, and kept a tan attaché case on his knees during the interview. The insurance company official said the investigator had asked about Mr. Nader's political beliefs and whether his ancestry had made him anti-Semitic.

Mr. Condon said Mr. Gillen had asked if there was any reason why Mr. Nader was not married. The insurance company official replied:

"Are you asking me if he is a homosexual?"

"Well, we have to inquire about these things," Mr. Gillen was quoted as having said. "I've seen him on TV and he certainly doesn't look like * * * but we have to be sure."

Mr. Gillen confirmed in a telephone interview that he had asked the question and explained that an employer would want to know about such matters.

Despite such intimate questioning, Mr. Condon said he got the impression Mr. Gillen was most interested in a series of questions about Mr. Nader's driving record.

The insurance company official said the detective had asked three or four times whether Mr. Nader had a driver's license or whether he had ever seen Mr. Nader driving a car.

AN IMPORTANT JOB

The same question was raised on the same day in Lansing, Mich., by Frank Winchell, chief engineer for research and development at the Chevrolet division of the General Motors Corp.

Mr. Winchell, answering questions before a committee of the Michigan Senate, took a slap or two at Mr. Nader's biting criticism of General Motors in "Unsafe at Any Speed."

The engineer informed the Senators that Mr. Nader did not own an automobile and added that "I don't even know if he has a (driver's) license."

Mr. Condon, who said he had been told Mr. Nader was being considered for an important job assignment, said later he had been suspicious about the investigation.

[From the Washington Post, Mar. 7, 1966]

INVESTIGATORS DOG CAR SAFETY WITNESS

(By Richard Harwood)

A few months after the publication of Ralph Nader's critical book on American automobiles, "Unsafe at Any Speed," detective agencies in Washington, Boston and New York began an investigation into his background and habits.

Did he have a normal sex life? Was he anti-Semitic? Did he belong to leftwing political groups? Was he a licensed driver? Was he professionally competent?

Other curious things began happening, according to an article by James Ridgeway in the current issue of the New Republic.

Nader was bothered by pointless telephone calls on the eve of his testimony on auto safety before a congressional committee. People began following him.

An attractive brunette solicited his company at a casual meeting in a drug store on February 20. Three days later he was approached by a blond in a supermarket who invited him to her apartment to move furniture around.

Investigators questioned his friends, his college professors, and a writer who had reviewed his book. They claimed Nader had applied for a job and were checking him out. It was a plausible excuse but it was untrue. Nader was not job hunting.

He was, instead, pursuing his interest in what is wrong with American cars—preparing testimony for Congress and preparing for a meeting with the auto makers in Detroit.

Was it the auto makers who had developed this unusual interest in a 32-year-old Connecticut lawyer?

Neither Nader nor Reporter Ridgeway could find out.

One investigating firm, Allied Investigating Service of Washington, refused to discuss the matter with Ridgeway initially and then denied it had any interest in Nader.

The Boston detective firm, Management Consultants, brushed off the reporter with: "I am not at liberty to discuss these matters."

The New York firm, Vincent Gillen Associates of Garden City, admitted asking about Nader for a "client * * * considering him for an important job, to do research or something."

Gillen told Ridgeway the investigation is incomplete and "all I can say is, it is good for Nader."

Nader, however, does not feel good about it. "They can't hurt me," he said "asking about my sex life, my drinking habits and things like that. I'm not vulnerable. But it's a strange thing. Suppose I were married and had several children and someone turned up something embarrassing. It would be an intimidation for a writer.

"I think it's wrong, if anyone disagrees with my book or what I've had to say, to turn it into something personal like this. Let them debate the issues, instead of this kind of thing."

[From the New York Herald Tribune, Mar. 6, 1966]

Safety Crusade of an Automobile Buff

(By Dick Schaap)

Ralph Nader thinks "they" are following him, which is only fair, because for years now he has been following "them." They are not from SPECTRE, or UNCLE, or even the CIA. They are from Detroit.

They are the automobile industry.

And Ralph Nader is a lawyer, a tall, slender bachelor in his early thirties, whose recent book, "Unsafe at Any Speed," subtitled "The Designed-in Dangers of the American Automobile," is a thoroughly documented indictment of the automobile industry. Nader argues so strongly that the American car is deliberately uncrashworthy, that the car itself is responsible for an overwhelming majority of auto injuries, he could have called his book, "The Bier That Made Detroit Famous."

Nader is a crusader, a zealot. He believes that, until now, the automobile has been outside the law, that the manufacturers have been almost criminally negligent in failing to provide safety design and safety equipment, that a combination of private lobbying and Federal indifference has resulted in an automobile that is, by safety standards, totally obsolete. His views and conclusions are not terribly surprising; what is surprising is that, finally, after long silence, they are being publicly aired.

"There are men in the automobile industry," he writes, "who know both the technical capability (for safety) and appreciate the moral imperatives. But their timidity and conformity to the rigidities of the corporate bureaucracies have prevailed. When and if the automobile is designed to free millions of human beings from unnecessary mutilation, these men * * * will look back with shame on the time when common candor was considered courage."

Nader's crusade began a decade ago, shortly after he graduated from Princeton's Woodrow Wilson School, entered Harvard Law School and gave up the last car he owned. "I used to travel on the highways a great deal," he said the other day, "and I saw several accidents. My natural curiosity led me to start asking questions. And then in law school, I began to see how the system was rigged."

His first article on the subject appeared in the Harvard Law Record in 1958. It was called: "American Cars: Designed for Death." After law school, Nader went into legal practice in Hartford, Conn., and, surrounded by insurance companies and working on negligence cases, his interest in the automobile flourished. He campaigned, on his own time, for increased safety regulations in Connecticut, then, as he realized that only Federal legislation could solve the problem, broadened his target. Through the former Governor of Connecticut, Senator Abraham Ribicoff, Nader served as an unpaid adviser to a Senate subcommittee investigating automotive hazards.

Eventually, Grossman Publishers, Inc., heard of Nader's compulsive interest and asked him to write a book. "Unsafe at Any Speed" came out less than 3 months ago, and already more than 25,000 copies are in print.

"It's had a phenomenal impact on the industry," Nader said. "In Detroit, they just call it 'The Book'."

Since publication, since Nader has testified before a recent Senate hearing and since Senator Robert Kennedy began supporting his views, Nader has, as he says, been "under surveillance" by the industry. "They follow me into the new Senate Office Building," Nader said, "and they check to see which offices I go into. And, it's funny, but at the same time they're tailing me, they're also wooing me. I keep getting invitations to go out to Detroit and look at the industry and at their executive suites."

General Motors has even invited Nader to test-drive the latest model of the Corvair, a special target in the book. So far, he has not had the time to accept any of the test-driving invitations from Detroit. He probably will, and when he does, he should press down on the accelerator very carefully.

Mr. NELSON. Madam President, will the Senator from Connecticut yield?

Mr. RIBICOFF. I am happy to yield to the Senator from Wisconsin. I ask unanimous consent to proceed for 3 additional minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. NELSON. Madam President, I have read the New York Times report on the story to which the Senator from Connecticut makes reference. I have also read the New Republic article very carefully. I do not believe that anyone is certain who hired this large number of detectives to harass Mr. Nader, but is it not correct that the clear implication of every one of these articles is that the automobile industry is involved; in other words, the articles have been written so as to leave that implication with the reader?

Mr. RIBICOFF. Of course, that implication is there, but frankly, I do not know who hired the detectives. I cannot imagine why anyone should try to personally discredit Mr. Nader. I do not know anything about Mr. Nader except that he is a member of the Connecticut bar. I know that as a member of the Connecticut bar no member is admitted without a character investigation and a rigid examination. To my knowledge, he is a man of reputation and probity. It certainly seems to me a clumsy case of intimidation. I believe that no man or woman who comes to Washington to give testimony before any Senate committee should be placed in that position.

Mr. NELSON. I wish to make it clear that there is no way for me to make any determination as to who did hire the detectives, but any reader of the articles would come to the conclusion that this whole matter is somehow associated with Nader's activities in the automobile industry. The point is that the matter should be cleared up at once and if it has any relationship to his testimony before the subcommittee under the chairmanship of the Senator from Connecticut, it raises a grave public policy question as to whether a witness coming to Washington to furnish information to Congress may be harassed and intimidated by someone who is opposed to his position. Therefore, it raises an important question about this particular issue which should be clarified.

Madam President, I ask unanimous consent that I may proceed for 3 additional minutes in my own right.

The ACTING PRESIDING pro tempore. Without objection, it is so ordered.

Mr. NELSON. Madam President, the press has thoroughly documented the shadowy but widespread attempts to intimidate Ralph Nader and to gather information which could be used against him. Certainly, everyone involved in this situation should welcome a responsible investigation in order to clear the air.

I am sending a request to the Justice Department asking that they investigate this matter immediately.

The facts are clear. From the moment Mr. Nader's comments on automobile safety achieved widespread public notice, he has been under various forms of surveillance and harassment.

On the day he testified before a U.S. Senate committee, he was followed right into the Senate Office Building by two investigators. This sinister business was first brought to light by one of our own employees; a Capitol policeman asked the men shadowing Nader to leave the Senate Office Building.

Since then, the press tells us, his landlady has been asked about his rent payments. His stockbroker has been questioned. His law school professor and an editor who worked with him have been contacted.

An officer of a firm for which Nader worked was questioned at great length by a flashily dressed private detective who conducted a scandalous quest for possibly lurid material.

This filthy business has been reported by the New York Times, the Washington Post, New Republic magazine, and many others.

The clear implication of everything reported so far is that the automobile industry has hired at least three different firms of private detectives to shadow and investigate a man who appeared as a witness before a congressional committee.

Both Congress and the automobile industry should want to have the facts made known. If the industry was not involved, it should be able to establish that fact by submitting sworn statements. The Justice Department should be able to establish who in fact did hire the private detectives who have been shadowing Mr. Nader.

The public—which has such a great stake both in automobile safety and in freedom of expression—and Congress should insist that this mystery be cleared up promptly.

THE DOCTOR-MERCHANTS

Mr. HART. Madam President, over the weekend 300 doctors met, and one gets the impression they agreed that if you ignore an ailment it might go away. The doctors were delegates to the American Medical Association's first national congress on ethics.

The ailment which was not—to all appearances—the object of very intensive treatment was the growing practice of doctors setting themselves up as merchants—selling the products they prescribe.

Members of this body may recall that the Senate Antitrust and Monopoly Subcommittee studied the doctor-merchants during hearings in 1964 and 1965. At the conclusion of the hearings I introduced S. 2568, the Medical Restraint of Trade Act, which would give the force of law to what until 1955 was the AMA's ethical position. The bill would bar a doctor from profiting from the sale of any product he prescribes. It would not forbid holding shares of a major company where stock ownership is widely dispersed.

When I introduced it, I pointed out that I did not feel that Congress was the appropriate organization to be setting ethical rules for a professional group. However, financial harm worked by some doctor-merchants on consumers and competition was such—and the AMA had been so reluctant to act—that I saw Congress as the court of last resort.

I must confess that I did entertain hopeful thoughts when I read of the calling of this first ethical congress. Reports on the conference from Morton Mintz—a competent and outstanding reporter—which were published in the Sunday and Monday issues of the Washington Post, dimmed that hope.

For not only did the ethical congress fail to alter the code of ethics, they also did not seem to consider ways of enforcing the existing code.

The AMA code today clearly outlaws doctor ownership of small drug repackaging companies.

Apparently, while the AMA and I disagree on other points, the association does not concur that repackaging companies are undesirable.

The small repackaging companies buy generic name drugs, package them or have them packaged under the company trade name, and sell them for as much as 10 times the price of the generic name drug. Doctor-owners of these companies, of course, have a distinct advantage over normal stockholders of a company. They have a legal monopoly over prescriptions so they can—and the subcommittee hearings showed many do—prescribe on their own company. Thus, a patient inexorably ends up paying the grossly inflated price.

As I said, the AMA code of ethics clearly bars doctors from owning drug repackaging companies. Yet, in 1964, the Antitrust Subcommittee located approximately 150 companies involving more than 5,000 doctors. The AMA was given that list and they promised something would be done. The best I can ascertain today is that the companies are all still flourishing—with their doctor-owners.

I know, as does the AMA, that the doctor-merchants are a minority of the doctors in this country. However, I am once again confounded as to why the AMA lets them continue to blacken the name of an honored profession.

The only answer then, apparently, still lies with Congress.

In the spring, the Senate Antitrust and Monopoly Subcommittee plans to hold hearings on S. 2568 as another step toward that answer.

Madam President, I ask unanimous consent that the Washington Post articles to which I referred be printed in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Post, Mar. 7, 1966]

ETHICAL ISSUE UNRESOLVED AT AMA PARLEY

(By Morton Mintz)

CHICAGO, March 6.—The keynoter for the first national congress on medical ethics made an unusual slip of the tongue at the start of the 2-day meeting yesterday.

Ethical principles, said Dr. James H. Berge, chairman of the judicial council of the American Medical Association, "ideally are not observed."

The Seattle physician recovered in midsentence. He had intended to say, and did say on his second try, that ethics "ideally are to be observed rather than enforced."

So far as the approximately 350 delegates to the AMA-sponsored meeting were concerned, the trouble was—"ideally" aside—Dr. Berge had a point both times.

HART SPONSORS BILL

They left here today more painfully aware than ever that a minority has not observed the professional ideals of medicine, and that because of this there is an unprecedented threat of enforcement by Congress—in the form of a bill sponsored by Senator PHILIP A. HART, Democrat, of Michigan.

The speakers they heard made it clear repeatedly that some of the AMA's mechanisms to assure observance are creaky and ineffective, and that some of the ethical principles as now stated have loopholes that invite abuse.

The Hart bill, for example, would forbid physicians from profiting from their prescriptions—through ownership of pharmacies and small drug repackaging firms they control—and from dispensing eyeglasses or therapeutic devices.

Not once in the open sessions, however, was the Hart bill mentioned by name. Its provisions were not outlined. The abuses that led to it were merely alluded to.

IT IS UNETHICAL

Reporting today on a closed workshop session on medicine and pharmacy, the moderator said "there was no question that it is unethical for a physician to have an interest in a drug repackaging company."

The moderator, Dr. Marvin Johnson, of Denver, did not point out, however, that thousands of physicians own stock in such companies, that some have shrugged off denunciations by their own State medical societies, that the companies are growing and prospering, and that the AMA assured HART in August 1964 that they would swiftly become extinct.

Dr. Johnson was content to say that workshop participants "seemed to agree without exception that the existing problems could and should be worked out by discussion."

The delegates were concerned with an almost bewildering variety of ethical questions. Some were old, for example, how to protect the public against the incompetent physician. Some are changing constantly because of new medical technology, such as the use of extraordinary means to prolong life. Some are new, including those posed by certain provisions of the medicare law. And all are complex.

LEGISLATORS CONCERNED

But some problems serious enough to have deeply concerned congressional subcommittees received no attention.

One is the question of ownership by doctors of stocks in large drug firms that they do not control, but whose products they test or can favor in prescribing. The present position of the judicial council is that such stockownership creates no conflict of interest.

Another ethical question, wholly ignored, is the acceptance by the AMA Journal, with no apologies, of drug advertisements later found by the Food and Drug Administration and others to have contained false representations to the AMA's own members.

In the new issue of the AMA News, distributed today, there is an item about FDA's seizure last Monday of a drug promoted with ads the FDA termed false and misleading. But the item does not say where the ad was published, an omission, an AMA News spokesman said was attributable wholly to publication deadline pressures.

[From the Washington (D.C.) Post, Mar. 6, 1966]

DOCTOR TELLS AMA IT MUST REVIEW ETHICS EXCEPTIONS

(By Morton Mintz)

CHICAGO, March 5.—The medical profession was warned today that it must review the exceptions to its ethics that for 11 years have permitted several thousand physicians to profit from their drug, eyeglass, and appliance prescriptions.

The warning came at the American Medical Association's first national congress on medical ethics from Dr. Walter H. Judd, of Washington. Medical ethics are in the purview of the council of which Dr. Judd is a member. He is a former Republican Congressman from Minnesota.

LEGISLATION SEEN

He said the profession faces a threat of legislation of its ethics that cannot be ignored. And he said that if the profession does not act it will be haunted by some continuing, unsavory examples of exploitation of the patient.

Several such examples were developed in 1964 and 1965 in hearings held by Senator PHILIP A. HART's Senate Antitrust Subcommittee. Despairing that the AMA would reform a proportionately small minority of its members, the Michigan Democrat introduced a bill to forbid doctors from owning pharmacies or small drug companies and from selling eyeglasses or therapeutic devices.

In effect, HART would implement by law the AMA's own ethical ban on dispensing by a physician for the purpose of supplementing his income. Medical ethics direct doctors to limit the sources of their professional income to the services they or those they supervise render to patients. Starting in 1955, this was diluted to permit dispensing by physicians if that is in the best interest of the patient, and provided there is no exploitation of the patient.

The AMA condemns as unethical those doctor ownerships in which small firms package or relabel drugs under their own brand names. The association assured HART 19 months ago that such firms would swiftly disappear, but they appeared to be flourishing.

Until Dr. Judd met the challenge of legislation head-on the first warning of the meeting had gone by with only oblique or passing references to it.

CLOSED SESSIONS

Eight afternoon workshops—including one on medicine and pharmacy—were closed. "Our good friends from the press will absent themselves," the delegates were told by Dr. James H. Berge, of Seattle, chairman of the judicial council, "in order to give you full opportunity to speak without fear of being quoted."

On Sunday, however, the workshop moderators plan to summarize their sessions. The meeting will end later in the day.

Dr. Judd said that some critics of the profession actually seek to stimulate it "to rededicate itself to those principles which have made it peerless."

Merely refraining from unethical behavior is not enough, he said. "The profession needs a new pride," Judd said, "a new enthusiasm for excellence at the high duties entrusted to us."

CHANGES IN OUR IMMIGRATION POLICY

Mr. HART. Madam President, last week the Michigan Committee on Immigration, together with the United Community Services of Metropolitan Detroit, held a day-long conference on the Immigration Act of 1965.

All of us who sponsored and worked for this change in our basic immigration policy are interested in the details of how this major revision of the law is actually working.

The opening speech at the conference was delivered by Mr. James J. Hines, of the Department of State. It contained statistics on visa issuance which give us a first view of the operations under the new quota system.

It would seem to me that the transition made by the Department of State under the new act has been well planned and has resulted in very little disruption. In fact, the reunion of families as a result of visa allocations being made under the pooling arrangement is most heartening.

There are problems, however, which are arising in terms of delays in visa issuance resulting from the provisions of section 212(a)(14) which require special labor certification for potential immigrants other than relatives.

The procedures for obtaining these labor certifications and clearing them through the regional and Washington offices of the Bureau of Employment Security of the Department of Labor apparently have resulted in many weeks of delay. At this time, we do not have a clear enough analysis of the situation to determine whether these delays result from the specific provisions of the act and regulations or whether they are primarily the result of administrative difficulties, including lack of adequate staff to undertake this responsibility. Recently, I wrote to Secretary Wirtz urging him to review the situation very carefully. It is my understanding that the Department of Labor is requesting additional personnel to carry out the requirements for labor certification under the new act. Hopefully, we will find that the delays are not inherent in the law but can be overcome by both more efficient administration and modification of unnecessary hurdles in the regulations.

Madam President, I ask unanimous consent that the speech of Mr. Hines to which I referred be printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

The Immigration Act of 1965

(Statement of James J. Hines, Office of the Legal Adviser, Department of State, before a regional conference held in Detroit on February 28, 1966, and sponsored by the Michigan Committee on Immigration and the United Community Services of Metropolitan Detroit)

I think it is fitting that we meet today in the State of Michigan for a discussion of the Immigration Act of 1965. History will record the names of many distinguished legislators who formed the vanguard of a long and constant struggle to achieve a more equitable immigration law, but no name will deserve more acclaim than that of your able and thoughtful Senator Hart. When he addressed the Senate on September 17, 1965, during the debate on H.R. 2580, he was not unmindful of the many friends of the immigrant, outside of Congress, who had successfully welded public opinion in support of immigration reform, particularly the abolition of the national origins quota system which President Kennedy once described as a system without basis in logic or reason. Senator Hart said on that occasion:

"The heroes, Mr. President, of this long and historic struggle to achieve the abolition of the national origins system of selectivity, are properly tens of thousands of Americans. They have organized through community, religious, and fraternal groups to achieve the victory now being consummated in the Congress. It is these Americans, who in years past opened their homes, their communities, their businesses to welcome the refugee, the relative and the homeless of the world. These citizens conducted community conferences and urged their national organizations to press for immigration reform. Today is their victory."

I feel sure that the Michigan Committee on Immigration was uppermost in Senator Hart's thoughts when he spoke these generous words.

During the past 2 weeks I have been thinking seriously about an appropriate subject for discussion at this conference. There are many aspects of the new immigration law which I am sure you would find timely and interesting. However, a recent article published in a national magazine gave me an idea. It conveyed the impression that the administration's immigration bill, S. 500, which the President sent to Congress on January 13, 1965, was rejected by the Congress and that H.R. 2580 as passed by the House of Representatives represented a completely new approach to immigration reform. I would like to take this occasion to examine each bill in a general way, to compare those provisions which were common to both bills and to point out the disparities. The following provisions were contained in the administration's bill, S. 500, and in H.R. 2580 as passed by the House of Representatives:

1. Repeal of the national origins quota system;
2. Elimination of the Asia-Pacific triangle restriction;
3. Nonquota status for Jamaica and Trinidad, thus providing equal treatment for natives of all independent countries in the Western Hemisphere;
4. Nonquota status for the parents of U.S. citizens (S. 500 stipulated no age limit for the citizen relative whereas H.R. 2580 fixed the age limit at 21 years);
5. Elimination of the requirement of prearranged employment for professionals and others of exceptional ability in the arts and sciences; i.e., those aliens who formerly comprised the first-preference class;
6. Preference status for labor in short supply;
7. Discretionary authority granted consular officers to require departure bonds in visitor and student cases;
8. Discretionary authority granted the Attorney General to waive the inadmissibility of certain aliens found excludable on medical grounds (S. 500 was more inclusive in this regard);
9. Discretionary authority granted the Secretary of State to reregister aliens on the waiting lists, and to regulate the time and manner of the payment of visa fees;
10. Elimination of "epilepsy," and substitution of mental retardation for feeblemindedness as grounds of exclusion;
11. Prohibition on issuance of quota visas to immediate relatives of U.S. citizens;
12. Authority conferred on consular officers to retrieve visa numbers for allocation to other qualified immigrants;
13. Relief for refugees included in the permanent law for the first time although the manner of giving relief to refugees differed considerably in each bill;
14. Absence of any numerical restriction on immigration from the Western Hemisphere. (The 120,000 ceiling was added by the Senate and adopted in conference.)

The two bills were dissimilar in the following major respects:

1. H.R. 2580 did not include the administration's proposal to establish an advisory Immigration Board consisting of Members of Congress and other members appointed by the President.
2. H.R. 2580 rearranged the order of the preference classes giving priority to family unity, added a sixth preference for labor in short supply and a seventh preference for refugees; it also modified the percentage limitations on allocation of visas within each preference class.
3. H.R. 2580 increased but retained a ceiling on immigration from colonial and other dependent areas. (S. 500 would have removed this ceiling over a 5-year period.)
4. H.R. 2580 restricted adjustments of status in the United States by denying the benefits of section 245 to all natives of the Western Hemisphere.
5. H.R. 2580 strengthened the labor safeguard.

I think it is fair to conclude from this comparative review of the major provisions of the two measures that except for two or three proposals which would have attained the same objectives by different means, the similarities outweighed the disparities.

The principal reform contained in the Immigration Act of October 3, 1965, concerned the national origins quota system. It will be phased out over the next 2½ years. In the meantime, the Department will be allocating visa numbers from two sources; namely, the national quotas which continue in effect until June 30, 1968, and the immigration pool which consists of the quota numbers unused during the previous fiscal year. The numbers in the pool for this fiscal year total about 55,000, and they are being made available regardless of the alien's country of birth, for visa issuance, for adjustments of status in the United States, and for the conditional entry of refugees. One of the principal differences between the quota reserve under S. 500, and the immigration pool under H.R. 2580 is that the numbers constituting the pool may be used only for preference immigrants whereas the numbers in the quota reserve would have been available to both preference and nonpreference immigrants. We had estimated that the immigration pool for the fiscal year beginning July 1, 1966, would contain about 62,000 numbers, that is, the total quota numbers remaining unused at the end of this fiscal year. It now appears that our estimate was too conservative. Nonpreference visa issuance in previous years accounted for 80 percent of all quota immigrant visas issued. This is not likely to be the case in the future. With 4 months of the fiscal year remaining, it is safe to assume that all of the 55,000 numbers in the immigration pool will be allocated and used but as concerns the available numbers under the national quotas (158,000 in the aggregate), it is quite apparent that the allocations for this year, inclusive of visa issuances and adjustments in the United States, will be appreciably below last year's total of 102,892. The immigration pool for the fiscal year beginning July 1, 1966, may reach a total of 70,000 numbers, and next year's estimated qualified demand in the preference categories will fall far short of the 70,000 numbers. Consequently, a sizable portion of these numbers in the pool will not be used. This prospect lends some merit to Congressman CONTE's bill which would give nonpreference immigrants access to the immigration pool, but the unknown factor in any projection of nonpreference qualified demand is the labor certification. It cannot be stated with any certainty that all of the 70,000 numbers would be absorbed if nonpreference applicants are given access to the immigration pool. We recognize that it is too early to assess the real impact of the new labor restriction and that it takes time to set the machinery in motion. However, if the trend of visa issuance as reflected in the statistics covering the first 2 months of operation under the new law continues, a significant change in the character of our immigration is forecast. A few examples will illustrate what the initial impact of the strengthened labor safeguard has been:

Nonquota visa issuances

	December 1964	December 1965	January 1965	January 1966
Montreal	874	303	906	216
Toronto	875	187	836	120
Quebec	258	85	232	44
Vancouver	329	71	352	60

Quota visa issuances

	December 1964	December 1965	January 1965	January 1966
London	988	326	963	427
Paris	182	65	170	29
Frankfurt	656	38	675	87
Hamburg	219	5	178	27
Dublin	219	2	306	12
Rotterdam	196	54	162	66
Naples	360	2,446	249	1,767
Palermo	136	564	129	965
Vienna	85	11	77	12
Warsaw	392	976	395	591
Hong Kong	26	328	22	435
Manila	--------	132	1	251
Athens	52	341	48	353

An analysis of these figures shows that at those posts where we had a heavy preference backlog of relatives of U.S. citizens or permanent-resident aliens, such as Naples, Palermo, Lisbon, Hong Kong, Manila, and Athens, visa issuance for the months of December 1965 and January 1966 has shown a substantial increase. These relatives, as you know, are not subject to the labor certification. On the other hand, a substantial decrease in visa issuance has occurred at posts such as London, Paris, Vienna, Dublin, Frankfurt, Hamburg, and Rotterdam, where traditionally we have had no preference backlogs in the relative categories, and where visa issuance in the past has been heavily nonpreference. It is too early, in my opinion, to measure the full import of the above figures which cover the first 2 months of operation under the new law.

With the exception of those provisions of Public Law 89–236 which will ultimately abolish the national origins quota system, it is generally agreed that the labor provision is the most significant aspect of the new law. We had no indication in the Department of State of any dissatisfaction with the labor safeguard which the committee reports accompanying the McCarran-Walter Act of 1952 described as adequate. The labor certifications under section 212(a)(14) had steadily increased in recent years. During the period from June 3, 1957, when the first certification issued, to May 22, 1964, the Secretary of Labor issued 60 nonagricultural certifications against specifically named employers and 8 area certifications. Twenty-four of both types were issued during the first 5 months of 1964. Some of these certifications resulted from an administrative arrangement between the Department of State and the Department of Labor whereby visa cases involving 25 or more workers destined to the same employer in this country were reported to the Department of Labor for investigation. Effective July 1, 1963, we instituted a special procedure with respect to immigration from Mexico because of a widespread practice of falsifying job offers. This procedure required prospective employers of Mexican workers to submit their job offers to the U.S. Employment Service for approval prior to the issuance of a visa. Under this program 6,740 certifications barring the entry of the immigrant were issued by the Secretary of Labor during the period from July 1, 1963 to August 1, 1964. They accounted in large measure for a 41-percent decline in immigration from Mexico during the fiscal year beginning July 1, 1963. It was for these reasons that we assumed the labor safeguard contained in the 1952 act was fulfilling its intended purpose.

What is the essential difference between the labor provision enacted in 1952 and the more restrictive provision contained in Public Law 89–236? Prior to December 1, 1965, the responsibility for taking the initiative to establish displacement of American workers or adverse effect on wages and working conditions devolved upon the Secretary of Labor. The labor restriction had no force in the absence of a certification and, as a matter of fact, the provisions of section 212(a)(14) were completely dormant for 4½ years after the McCarran-Walter Act came into force. The preamendment certifications of the Secretary of Labor had the effect of excluding any intending immigrant whom the consular officer found to be within the scope of the certification. Now under the amended provisions of section 212(a)(14) a labor certification has the effect of admitting the particular immigrant or immigrants for whom it is granted, and the burden of proving nondisplacement of American workers and no adverse effect has been transferred to the American employer. There are other important differences. The labor certifications under the former law were directed against specific employers in this country or against designated geographical areas and were issued on a selective basis. They were, in other words, limited in scope as contrasted with the recently published schedule B (occupations in oversupply) which has a nationwide application. We appreciate the problem inherent in any listing of the schedule B occupations on an area-by-area basis, since this tends to invite evasion, but the language of section 212(a)(14) clearly contemplates a determination (shortage of able, willing, and qualified workers) with respect to "the place to which the alien is destined." Congressman FEIGHAN emphasized this point during the debate on H.R. 2580 when he said the following: "New labor controls are established to govern the admission of all immigrant worker classes.

"These new controls require the Secretary of Labor to make an affirmative finding on an individual case basis that, with respect to the job the immigrant worker is to fill in the locality to which he is destined, there is no able, willing, qualified and available American worker to fill that job."

In conclusion, I can assure you that the administrative officials who share responsibility for enforcement of the immigration law have been remarkably flexible in their construction and application of the new labor safeguard. Particularly commendable was the action of the Secretary of Labor in giving a blanket certification for some 150 Polish immigrants who, short of processing passports, had qualified for visas in all respects when the new law came into force. Equally commendable was his ruling that Cuban parolees in the United States are not subject to the labor certification when they apply for immigrant visas abroad. A blanket certification has been granted for persons in the service of religious denominations. There is general agreement that the labor provision applies only to the head of the family and not to his spouse and children; also, that it does not apply to the self-employed, or to those who will not be gainfully employed in this country. Doubtless there will be other rulings of a like nature. I think they reflect a disposition on the part of Government to be fair and reasonable as we strive to carry out the will of Congress. The Secretary of State in the last 2 years made four appearances before the congressional committees in support of immigration reform. Each time he accented three features of the former law which were adversely affecting our foreign relations; namely, the national origins quota system, the Asia-Pacific triangle restriction, and the denial of equal status to immigrants born in two of our American Republics. These irritants were removed by the act of October 3, 1965, and this is one reason why, when we appraise that act in terms of all its provisions, the conclusion is inescapable that the immigration law today is infinitely more equitable than at any time in our history.

Mr. WILLIAMS of Delaware. Madam President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JAVITS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. JAVITS. I ask for recognition.

The ACTING PRESIDENT pro tempore. The Senator from New York.

UNITED STATES ACTS TO STOP FREE WORLD TRADE WITH NORTH VIETNAM

Mr. JAVITS. Madam President, I call the attention of the Senate to one of the most nettling problems that faces us in North Vietnam. It is a fact that a great deal of the supplies to North Vietnam is coming by sea. Though, of course, the Soviet Union or other Communist states are shipping supplies into Vietnam, I again call attention to the fact that goods are being shipped to North Vietnam from countries in the free world, by some of our stoutest allies, including Japan and France.

It is true that ships engaged in this traffic flying the flags of Great Britain, Cyprus, Greece, Liberia, and Norway, are not always under the direct control of their governments. Nevertheless, governments can deny registration, and can persuade the owners of these ships to withdraw their vessels from the trade. It would help us if they would stop supplying that country with those supplies.

In addition, one of the countries with the most ships flying its flag, Great Britain, is a great friend of ours. I say that with no sarcasm, but with the greatest conviction. We should do all we can to get the British to call off these ships.

It is a fact that the trade is small and does not involve strategic goods. It seems to me our people should recognize the fact that it is small. Nevertheless, it is nettling to us while we expend great amounts of human and material resources in Vietnam, and it seems to me we should do all we can to get Great Britain, as well as other countries, to cut that trade materially.

On February 14 I wrote Secretary Rusk and asked him to state the administration's position on this question and to describe U.S. actions currently underway to eliminate this trade.

On March 4 I received a reply from the Department. The key points in this letter are as follows:

First. We have approached several countries involved in shipping these goods to North Vietnam. As a result, the number of ships involved in the trade has declined sharply. For the last 6 months, the monthly average of calls by free world vessels to the port of Haiphong has dropped to 14 as compared with 34 per month in 1964.

Second. Among the countries with ships calling on North Vietnam ports, four are U.S. aid recipients: Cyprus, Greece, Liberia, and Norway. All of the four aid recipient countries are taking steps to remove their ships from the trade in order to continue to qualify for U.S. aid.

Third. Great Britain, which has by far the largest number of free world vessels in North Vietnam trade is not an aid recipient. Secretary Rusk and Under Secretary Mann are in touch with the Government of the United Kingdom to deal with the rather complex problems involved in removing British-flag vessels from this trade. Many of these ships are small coastal vessels owned and registered in Hong Kong by Chinese Communist operators, yet by virtue of their registry are entitled to fly the British flag. There is no indication in the letter of the progress being made in our talks with the United Kingdom.

Fourth. On February 12 the Maritime Administration announced in the Federal Register that the President has approved a policy of barring U.S. Government financed cargoes from foreign-flag ships calling at North Vietnam on or after January 26. Five free world ships were involved in this first announcement—three British, one Cypriot, and one Greek—and they will be barred from carrying U.S. financed cargoes from U.S. ports. These ships will be able to visit U.S. ports, however, and carry privately financed cargo.

It is my understanding that as a result of these actions, there was a sharp drop in free world trade with North Vietnam during the second half of 1965.

During the first half of 1965, free world exports to North Vietnam totaled $7.2 million, with Japan, Malaysia, France, and the Benelux being principal exporters. Free world imports from North Vietnam in this same period totaled $13.3 million with Japan, France, Hong Kong, and Cambodia being the principal importers. Imports from North Vietnam involved principally anthracite coal; while exports involved mostly textiles, foodstuffs, and fertilizers.

The State Department's actions to date have been effective and I hope that its further efforts will result in the elimination of this trade in the near future.

Once the Vietnam conflict has been terminated, with a just solution, it has already been made clear that we would be willing to reconsider our policy toward trade with North Vietnam and to consider seriously the inclusion of a trade agreement between the United States and North Vietnam as part of the overall settlement in Vietnam.

I ask unanimous consent that a letter sent to me by the State Department, together with my letter to the Secretary of State, and tables indicating the value and countries involved in this trade, may be printed in the RECORD as a part of my remarks.

There being no objection, the letters and schedule were ordered to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,
Washington, D.C., March 4, 1966.

HON. JACOB K. JAVITS,
U.S. Senate.

DEAR SENATOR JAVITS: We appreciate having a copy of your speech to the Freight Forwarders and Brokers Association in New York, on January 26, which you enclosed with your letter of February 14 to the Secretary.

You said you would be interested in the administration's position concerning your proposal that we vigorously press our allies and other nations to eliminate their trading with North Vietnam.

We have been giving continuing attention to the problem of both trade and shipping by the free world with North Vietnam. As you noted in your speech, the volume of the trade is small. It amounts to only 15 percent of North Vietnam's total trade, and is nonstrategic in nature. It is, furthermore, subject to the strategic embargo restrictions of the Coordinating Committee (Cocom) countries. Free world exports to North Vietnam consist mostly of textiles, foodstuffs, and fertilizer. Imports from North Vietnam are mainly anthracite, apatite, rattanware, fruits, and vegetables. Enclosed are lists of free world imports and exports to North Vietnam for 1963, 1964, and the first 6 months of 1965 that were prepared by the Department of Commerce. Although we do not yet have data on free world trade with North Vietnam for the last half of 1965, we believe that there will be a decrease in that trade in view of the sharp drop in free world shipping to North Vietnam during the last half of 1965.

Since free world trade moves almost entirely by sea, we have approached other countries on this problem in terms of controlling this shipping. (Such an approach is consistent with relevant legislation and has been remarkably successful.) Furthermore, it is a more constructive approach to countries which would find it difficult to support our Vietnam policy if we attempted to persuade them to impose an embargo on all trade with North Vietnam.

As the Secretary indicated in his testimony before the Foreign Relations Committee on February 18, we have made vigorous representations to those free world countries whose nationals have been engaged in shipping with North Vietnam.

As a result of these representations and continued followup efforts, the number of ships involved in the trade has declined sharply. For the last 6 months the monthly average of calls by free world vessels at Haiphong has dropped to 14 as compared with 34 per month in 1964. We are still working hard on the problem of bringing these voyages down as far as possible, and we hope very much that there will be further reductions.

During 1965 free world countries having ships in the North Vietnam trade were: Cyprus, France, Great Britain, Greece, Italy, Japan, Lebanon, Liberia, Malta, the Netherlands, Norway, and Panama. During the last 6 months of 1965, no Italian, Japanese, Lebanese, Netherlands, or Panamanian ships called at North Vietnamese ports. During this latter period France and Liberia each had a ship making one call.

With respect to the question of existing or proposed legislation to terminate aid to countries still engaged in trade and shipping with North Vietnam, I should like to point out that only four aid-recipient countries had ships calling at North Vietnam ports during the last 6 months of 1965; namely, Cyprus. Greece, Liberia, and Norway. Some of the ships of these countries were under long-term charters to Communist countries and not under control of their owners. However, we have already had assurances in some cases that once these charters expire, the ships will be removed from the North Vietnam trade. All of the four aid-recipient countries are taking steps to remove their ships from the trade in order to continue to qualify for United States aid. For example in the case of Liberia the Government has issued regulations making it unlawful for its ships to carry cargo to or from North Vietnam. We will, of course, keep the effectiveness of these measures under continuing review. It should be pointed out that Great Britain, which has by far the largest number of free world vessels in the North Vietnam trade, is not an aid recipient.

The problem is particularly complex with respect to ships under British registry. The majority of these vessels in the North Vietnam trade are small coastal vessels owned and registered in Hong Kong by Chinese Communist operators, yet by virtue of their registry are entitled to fly the British flag. They are on time charters to Communist China and normally ply in trade only between mainland China and North Vietnam.

Secretary Rusk took up the problem of British-flag shipping in the North Vietnam trade with Foreign Secretary Stewart in January. Under Secretary Mann discussed the problem with British Ambassador Dean in December and again in January. Subsequently, during the week of February 1, Assistant Secretary Solomon discussed the problem with the Foreign Secretary and other responsible British officials in London. If British-flag vessels could be removed from the North Vietnam trade, we would have arrived at the virtually irreducible minimum of free world involvement in North Vietnam shipping. There still might be an occasional free world ship calling in North Vietnam as there will also remain the possibility of an occasional voyage that results from an unexpired time charter contract held by a Communist country and that the owner is not able to prevent.

With respect to your suggestion that the ships of those nations continuing in trade with North Vietnam be blacklisted, I would call your attention to the announcement by the Maritime Administration on February 12 in the Federal Register that the President had approved a policy of barring U.S. Government financed cargoes shipped from the United States from foreign-flag ships calling at North Vietnam on or after January 25, 1966. This announcement contained a list of five free world ships which have recently visited North Vietnam and which are therefore barred from the carriage of U.S.-financed goods from U.S. ports. Further lists will be published at frequent intervals.

The policy directive barring U.S. Government financed cargoes to ships calling at North Vietnam was calculated to supplement our diplomatic approaches and the action taken against recipients of U.S. aid. It is believed that these measures will be adequate to remove practically all the remaining free world shipping from the North Vietnam trade. If, however, these measures are not successful further action will have to be considered.

I hope that this information will be helpful to you, and I trust that you will let me know if there are further questions.

Sincerely,

DOUGLAS MACARTHUR II,
Assistant Secretary for Congressional Relations.

FEBRUARY 14, 1966.

Hon. DEAN RUSK,
Secretary of State,
Washington, D.C.

DEAR DEAN: On January 26 I made a speech to the Freight Forwarders Association in New York City on the subject of East-West trade.

In that speech, among others, I recommended that the United States vigorously press our allies and other nations trading with North Vietnam to eliminate this trade in view of the situation in that part of southeast Asia. I also recommended that, should this effort fail, we should cut off economic and military assistance to countries continuing this trade and that at some point put the ships of these nations on a blacklist. A copy of this speech is enclosed for your information.

I would be interested to know what the administration's position is on this issue, what have we done to eliminate this trade, and what this trade amounts to currently including the countries, number of vessels, and products involved in this trade.

Your earliest response will be appreciated.

With warm regards.

Sincerely,

JACOB K. JAVITS.

Free world countries trading with North Vietnam, 1963 and 1964

[Value in thousands of U.S. dollars]

Countries	1964 exports to North Vietnam	1964 imports from North Vietnam	1963 exports to North Vietnam	1963 imports from North Vietnam
Austria		58		28
Belgium-Luxembourg	2	767	2	1,514
Denmark	12	10	41	5
France	2,551	3,740	2,542	3,600
Federal Republic of Germany	1,108	236	322	191
Ireland				3
Italy	1,274	278	2,207	593
Netherlands	144	1,312	167	2,276
Sweden		7	167	2
Switzerland	79	69	72	70
United Kingdom	101	165	102	73
Finland	6			
Jordan		4		27
United Arab Republic (Egypt)	200	386	140	9
Morocco	12		11	3
Ivory Coast		[1] 105		1
Cambodia	1,188	1,266	580	1,400
Ceylon	59			
Tunisia		1		
Hong Kong	88	3,729	162	3,304
India	12		81	
Japan	3,372	9,842	4,316	10,255
Malaya and Singapore	1,288	1,434	1,296	1,434
Pakistan			163	
New Zealand	24		27	
Senegal			3	
Argentina	606			
Mexico	95			3
Australia			350	
Total	12,221	23,409	12,751	24,800

[1] January–October.

Source: Department of Commerce.

Imports of free world countries from North Vietnam, January–June 1965

[Value in thousands of U.S. dollars]

Importing country	Total from world	Total from Sino-Soviet bloc	Percent of total value	North Vietnam
Total of listed countries		3,165,128		13,270
United States	10,102,593	65,942	0.7	(1)
Canada	3,773,324	21,146	.6	(1)
European OECD countries, total	42,309,032	1,687,498	4.0	3,384
Austria	979,528	101,996	10.4	24
Belgium-Luxembourg	3,080,767	62,023	2.0	423
Denmark	1,431,149	60,488	4.2	
France	4,884,462	150,035	3.1	2,261
Germany, Federal Republic of	8,496,468	405,922	4.8	97
Greece	542,862	49,197	9.1	(1)
Iceland	65,655	9,073	13.8	
Ireland	538,915	9,044	1.7	(1)
Italy	3,552,270	228,906	6.4	134
Netherlands	3,556,547	81,568	2.3	352
Norway	1,097,327	32,820	3.0	
Portugal	408,303	6,825	1.7	(1)
Spain	1,415,401	29,430	2.1	
Sweden	2,165,115	94,504	4.4	(1)
Switzerland	1,817,157	38,207	2.1	6
Turkey	281,020	26,000	9.3	(1)
United Kingdom	7,996,086	301,460	3.8	87
EUROPE, OTHER				
Finland	826,264	151,645	18.4	
Yugoslavia	620,968	168,423	27.1	(1)
MIDDLE EAST				
Cyprus	66,703	4,189	6.3	
Iran	439,121	20,736	4.7	
Israel	414,587	7,000	1.7	(1)
Jordan	72,829	7,190	9.9	
Libya	144,399	9,276	6.4	(1)
Malta (January–March)	22,966	1,380	6.0	(1)
Sudan (January–April)	61,254	6,218	10.2	
Syria	100,900	14,900	14.7	(1)
United Arab Republic (Egypt) (January–March)	198,474	39,323	19.8	(1)
AFRICA				
Angola	78,221	230	.3	(1)
Ghana	183,765	41,532	22.6	(1)
Kenya	121,755	2,915	2.4	(1)
Malagasy Republic	66,295	1,267	1.9	(1)
Mali	19,297	7,782	40.3	(1)
Morocco	209,558	12,229	5.8	(1)
Niger	18,480	1,154	6.2	(1)
Nigeria	381,300	16,000	4.2	(1)
Rhodesia (Southern)	164,716	456	.3	(1)
Senegal	89,276	1,604	1.8	(1)
Sierra Leone	52,200	2,800	5.4	(1)
South Africa, Republic of (January–April)	826,800	2,800	.3	(1)
Tanzania	63,531	2,268	3.6	(1)
Togo	23,622	973	4.1	
Tunisia	129,620	5,033	3.9	(1)
Uganda	58,256	1,605	2.8	(1)
Zambia	140,244	232	.2	(1)
FAR EAST				
Burma	126,800	25,000	19.7	
Cambodia	48,100	13,200	27.4	1,200
Ceylon	166,830	41,162	24.6	(1)
Hong Kong	786,159	202,930	25.8	1,311
India	1,351,582	139,361	10.3	
Japan	4,145,455	252,844	6.1	6,466
Malaya and Singapore	758,006	54,395	7.2	909
Pakistan	578,280	28,957	5.0	
Taiwan	257,781	349	.1	(1)
Thailand	339,300	3,900	1.1	(1)
OCEANIA				
Australia	1,664,396	31,168	1.9	(1)
New Zealand	440,983	2,841	.6	
LATIN AMERICA				
Argentina	583,164	18,541	3.2	
Brazil	514,091	34,544	6.7	(1)
British Guiana (January–February)	14,083	366	2.6	(1)
Chile	247,775	617	.3	(1)
Colombia	237,314	4,552	1.9	(1)
Jamaica	147,544	49		(1)
Mexico	741,162	2,551	.3	(1)
Peru (January–February)	93,720	281	.3	(1)
Trinidad and Tobago	240,253	353	.1	(1)
Uruguay	93,700	1,421	1.5	
Cocom countries, total	53,348,633	1,745,176	3.3	9,820
European Cocom countries, total	35,327,261	1,405,244	4.0	3,354

[1] Not available.

Source: U.S. Department of Commerce.

Exports of free world countries to North Vietnam, January–June 1965

[Value in thousands of U.S. dollars]

Exporting country	Total to world	Total to Sino-Soviet bloc	Percent of total value	North Vietnam
Total of listed countries	----------	3,107,310	----------	7,168
United States	13,195,932	64,313	0.5	(1)
Canada	3,724,778	95,305	2.6	(1)
European OECD countries, total	37,325,682	1,499,179	4.0	2,604
Austria	755,148	113,356	15.0	1
Belgium-Luxembourg	3,117,248	50,973	1.6	881
Denmark	1,099,456	49,785	4.5	68
France	4,884,462	174,590	3.6	1,268
Germany, Federal Republic of	8,806,425	433,395	4.9	45
Greece	158,193	45,304	28.6	(1)
Iceland	57,029	7,957	14.0	----------
Ireland	275,916	1,765	.6	(1)
Italy	3,456,699	187,083	5.4	65
Netherlands	3,057,098	52,010	1.7	68
Norway	703,004	30,011	4.3	----------
Portugal	247,384	2,483	1.0	(1)
Spain	436,532	9,684	2.2	2
Sweden	1,915,371	83,446	4.4	----------
Switzerland	1,401,959	42,410	3.0	69
Turkey	205,540	34,670	16.9	(1)
United Kingdom	6,748,218	180,257	2.7	137
EUROPE, OTHER				
Finland	644,956	132,256	20.5	----------
Yugoslavia	480,837	197,051	41.0	(1)
MIDDLE EAST				
Cyprus	34,529	4,392	12.7	----------
Iran	642,000	23,810	3.7	----------
Israel	243,951	8,332	3.4	(1)
Jordan	9,633	752	7.8	----------
Libya	359,849	215	.1	(1)
Sudan (January–April)	64,413	8,770	13.6	(1)
Syria	86,400	35,100	40.6	(1)
United Arab Republic (Egypt) (January–March)	178,926	71,066	39.7	(1)
AFRICA				
Angola	95,642	983	1.0	(1)
Ghana	179,830	36,657	20.4	(1)
Kenya	76,771	2,811	3.7	(1)
AFRICA—continued				
Malagasy Republic	39,225	718	1.8	(1)
Mali	9,411	595	6.3	(1)
Morocco	236,477	23,425	9.9	(1)
Nigeria	377,500	17,400	4.6	(1)
Rhodesia (Southern)	168,409	1,498	.9	(1)
South Africa, Republic of (January–April)	484,400	300	.1	(1)
Tanzania	83,679	5,127	6.1	(1)
Togo	14,933	600	4.0	----------
Tunisia	63,259	4,182	6.6	(1)
Uganda	95,467	11,098	11.6	(1)
Zambia	248,822	5,452	2.2	(1)
FAR EAST				
Afghanistan	35,300	11,500	32.6	(1)
Burma	114,100	20,800	18.2	----------
Cambodia	56,500	6,400	9.6	800
Ceylon	195,382	36,701	18.8	(1)
Hong Kong	419,421	1,972	.5	64
India	817,258	147,929	18.1	----------
Japan	3,923,584	211,562	5.4	2,027
Malaya and Singapore	668,232	64,379	9.6	1,659
Pakistan	262,839	34,616	13.2	(1)
Thailand	297,600	2,900	1.0	(1)
OCEANIA				
Australia	1,499,613	159,051	10.6	(1)
New Zealand	576,318	9,523	1.7	14
LATIN AMERICA				
Argentina	731,295	60,168	8.2	(1)
Brazil	648,000	37,947	5.9	(1)
Chile	352,009	329	0.1	(1)
Colombia	257,983	5,119	2.0	(1)
Jamaica	119,228	1	----------	(1)
Mexico	555,200	38,559	6.9	(1)
Peru (January–February)	96,136	1,079	1.1	(1)
Uruguay	91,400	5,388	5.9	----------
Cocom countries, total	53,328,021	1,611,739	3.0	4,559
European Cocom countries, total	32,483,727	1,240,559	3.8	2,532

[1] Not available.

Source: U.S. Department of Commerce.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. JAVITS. Madam President, I ask unanimous consent to proceed for 2 additional minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EDUCATORS OPPOSE ADMINISTRATION PROPOSAL TO CUT BACK NDEA STUDENT LOANS

Mr. JAVITS. Madam President, on February 23 I inserted into the CONGRESSIONAL RECORD—page 3861—the objections registered by the banking community through the American Bankers Association to the administration proposals to shift the National Defense Education Act student loan program to the newly authorized subsidized loan guarantee program enacted as title IV, part B, of the Higher Education Act of 1965.

As I indicated in my remarks, bankers and educators stand together in their opposition to this proposal. Opposition was also most recently voiced by a number of my colleagues on the Senate Education Committee who on March 2 joined in a colloquy on the Senate floor in which we expressed our reservations to this and other parts of the administration's fiscal year 1967 education program.

I have received many letters from New York and other educators expressing their views. Most recently, Dr. Clifford Lord, president of Hofstra University, Hempstead, N.Y., wrote me setting forth his views and detailing how the administration's proposal would adversely affect both students and the college.

I ask unanimous consent to include President Lord's letter with my remarks in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

HOFSTRA UNIVERSITY,
Hempstead, N.Y., March 3, 1966.

Hon. JACOB JAVITS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR JAVITS: Serving on the Education Subcommittee of the Senate, I know you are aware of some of the problems being encountered by colleges and universities as a result of proposed cutbacks in the National Defense Education Act loan fund program. Permit me to describe the situation as it affects this university.

During the current academic year we have received and distributed approximately $500,000 in national defense loan funds to 561 students. More than half of this money ($289,000) has been directed toward students who are preparing for teaching careers. As you know, the National Defense Education Act program provides that if these students teach for 5 years after graduation, up to 50 percent of the sum borrowed would be forgiven. Therefore, many of the Hofstra students intending to enter teaching, view the National Defense Education Act loans as equivalent to a half scholarship.

Our request for the academic year 1966–67, submitted on January 17, 1966, called for an increase to $600,000 in National Defense Education Act funds. This was based on an expanding student population and a growing tendency among students to regard education as an investment justifying borrowing.

Information now at hand indicates that President Johnson has asked the Congress to reduce the budget for these loans from $180 million to $30 million. This is a drastic cut especially when growing college enrollments would argue for greater sums to be made available. In place of these Federal funds the President has recommended the creation of State-sponsored federally guaranteed loans which would duplicate the program already in existence in New York, under the New York Higher Education Assistance Corp. Many Hofstra students, where their financial need is great, already have both National Defense Education Act and New York Higher Education Assistance Corp. loans.

The consequence of this change in policy would in our judgment be disastrous. Hofstra's financial aid officer estimates a loss of over 80 percent of the National Defense Education Act funds received in 1965–66, and an inability on our part to meet more than a handful of the requests to renew National Defense Education Act loans for our students who are using them to meet educational expenses. This would compel many undergraduates currently receiving national defense student loans, and other students planning to attend Hofstra who require financial assistance, to turn to the New York Higher Education Assistance Corp. for aid. However, loans from this agency, though they carry the same interest rate, lack several advantages of the National Defense Education loans:

1. They are not available to out-of-State residents;

2. They have no provision for forgiveness; hence the full amount would have to be repaid by those preparing to teach;

3. The university has no control over these loans, as they must be forwarded to Albany for clearance; the normal time for processing is 4 to 6 weeks. With National Defense Education Act loan assistance can be immediately provided;

4. Time for processing the loans will be considerably increased since they will have to be approved in Albany and then funded by a local bank;

5. The university has no control over the New York Higher Education Assistance Corp. loans, and cannot offer the student a financial aid package to meet his needs, or to attract students to our campus, as was possible when working with the National Defense Education Act loans for both in- and out-of-State students.

In short, the change in the national student loan funds largely cancels out a valuable program of financial assistance which the Congress and administration have evolved, and will adversely affect the educational opportunity of hundreds of our students especially those preparing for teaching careers.

We ask your help in restoring the national defense loan funds available to students with due recognition of the increased needs of students for this type of assistance.

May I take this opportunity to refer to a second aspect of Federal aid to education which has created some concern; namely, the delay in formulating and announcing guidelines to govern applications under the Higher Education Act of 1965. The Congress and administration deserve much credit for designing this act intended to benefit colleges and universities throughout the Nation. Title II of the act covering libraries is still unfounded, and I hope that the Congress will appropriate funds for this title during the present session.

However, my chief concern is with the considerable delay on the part of the Department of Health, Education, and Welfare in furnishing guidelines to colleges and universities for the funded portions of the act. Only 4 months of fiscal 1966 remain, but we do not yet have the criteria and format for titles I, III, and VI. Briefing sessions on the guidelines were held last October by HEW, the State of New York has had committees formulating in-State policy for the various titles, various programs have been submitted to Albany, but no Federal guidelines are available. The State of New York and its institutions have settled down to exasperated waiting. A recent report on title VI prepared by the New York State Education Department calling for the State's colleges and universities to bear with us.

Title IV guidelines have been issued and Hofstra applied for economic opportunity loans on January 17, 1966. However, no word has been received. This is distressing because commitments must be made to bright but needy students in the spring for the following academic year. Until we hear from HEW, we cannot make these commitments.

I recognize that the Federal Government fears that rising expenditures for the Vietnam war, coming at a time of high spending by consumers and business, may create a dangerously inflationary situation. Under the circumstances the Federal Government may indeed wish to slow down many of the Great Society programs so recently enacted by the Congress. This may account for the delays in processing applications, the delays in issuing guidelines, the cutbacks in programs.

But education is not the logical field to slow down. I know that you, Senator, are mindful of the great dependence of this Nation upon its colleges and universities and the men and women they educate, and I hope that you will not allow the needed stream of Federal aid to education to be dammed or diverted.

Sincerely,

CLIFFORD LORD,
President.

DISCRIMINATION AGAINST HIGHLY URBANIZED STATES UNDER FEDERAL GRANT-IN-AID PROGRAMS

Mr. JAVITS. Madam President, I have undertaken a study in detail of a number of Federal programs of grants-in-aid to State and local governments, in order to determine whether and to what extent such programs fairly allocate Federal resources among the States, particularly those such as New York, which have enormous new needs because of the massive flow of population into densely populated urban centers. It is estimated that by 1970 some 75 percent of our Nation's population will live in urban areas.

This study has now been completed and it concludes that there are serious disproportions in the patterns of aid in what should be urban-directed programs, matched against the needs for, and costs of, basic governmental services in New York State as compared with other less urban-centered States. The report identifies the interstate allocation factors in each of some 20 programs which result in disproportions of Federal aid, and recommends legislative amendments to overcome the unfair effect of those factors.

This is not to say that we ought to cut down on aid to States with sparser populations, but the formulas should be revised so that programs directed primarily at urban problems do what they were intended to do. Congress should face realistically what is needed to do the job, rather than stand by while the major urban centers and the States in which they are located continue to be discriminated against. In a number of significant cases those cities and States are adversely treated and starved because of the changes which have occurred in our society—particularly the massive change which is occurring in the location of the population—since the allocation factors were built into the law.

I am submitting the report to the New York congressional delegation and believe it should also be of concern and great interest to Members from other urbanized States. We should, with all urgency, get together and discuss the problems of the big cities, which are aggravated by the fact that the taxing power is effectively in the hands of the Federal Government but the interstate allocations of Federal funds are loaded against the big cities and the States in which they are located. I know that my colleagues from the urban areas will join with me in efforts to bring about a greater element of justice than now exists.

I ask unanimous consent that the report be printed in the RECORD at this point in my remarks.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

DISCRIMINATION AGAINST HIGHLY URBANIZED STATES UNDER FEDERAL GRANT-IN-AID PROGRAMS

(A report to the New York State congressional delegation)

For many years, we in the New York congressional delegation have been deeply concerned about the relative proportion of Federal grant-in-aid assistance which our State is and has been receiving. On many occasions I have stated in Senate debate that for every dollar of Federal taxes contributed by our State's citizens, we have received a disproportionately low amount in return. In 1963, for example, we received only 54 cents in return. In 1964, on a per capita, or population basis, New York ranked 46th, and on the basis of percentage of personal income, it ranked 49th in Federal aid to State and local governments.

This is not to say that the States should receive from the Federal Government precisely what they contribute to it in Federal taxes. But it does raise a grave question as to whether the allocation of Federal funds among the States is fair in the light of today's needs, particularly in the major urban centers with their vastly aggravated problems and soaring costs.

In this report I have analyzed the most significant urban programs and have found a great many discriminatory features affecting distribution among the States. In each case I have sought to measure the degree of discrimination and its adverse impact on New York State. I have also proposed amendments to each law to help correct the imbalance, and I urge the delegation to study and support these proposals.

There are more than 125 different grant-in-aid programs and each has its own unique impact on the States. The Advisory Commission on Intergovernmental Relations—the body established by the Congress to consider on a long-term basis the relationships between the Federal Government and the States—published a detailed study in January 1964, entitled "The Role of Equalization in Federal Grants." This study analyzed in detail the impact of various legislative provisions on the allocation of Federal funds among the States. The Commission called these provisions equalization features, which seek to level out the differences in the capacity of the State and local governments to raise funds from taxes in order to finance joint Federal, State, and local programs.

The Commission identified the common equalization features as allocation formulas among the States and matching requirements, either or both of which often include a factor of inverse relationship between per capita income and the size of each State's own share of Federal funds. The theory of such provisions, which was developed in the 1930's, was that per capita income was a useful index of relative State fiscal capacity and that by building it into the Federal programs, it would reflect the greater need for Federal assistance to the poorer States. Another theory behind such provisions was the desire of the Congress to assure that a basic minimum level of the needed services was achieved in all the States.

The Commission found, however, that in reality a confusing variety of technical formulas has grown up with the growth of the Federal grant-in-aid programs, some in the statutes themselves and some administratively. It also found that little or nothing has been done to determine in any rational way whether the provisions are in fact doing what they were supposed to do or whether they are really operating fairly in the light of considerably changed circumstances.

One major change in the circumstances is that the poorer States are no longer relatively as poor as they were when these equalization provisions were introduced into the law.

The Commission found that—

"The rich States have ben growing but the poor States have been moving up the scale at a faster pace. In 1929 the per capita income of the highest income States was 4.3 times that of the lowest. By 1950 the per capita income of the highest income States was 2.9 times that of the lowest and in 1962 the ratio was 2.6."

On the face of it one might expect the per capita income factor in present equalization formulas to reflect this narrowing of the income gap. The analyses which are the basis for this report indicate that this is not the case because another and even more explosive change has been taking place at the same time.

That change is the enormous shift of population into the major urban centers, most of which are in high per capita income States. This shift is occurring at an ever-accelerating pace. It has brought with it tremendous strain on the capacity of the major cities and the States in which they are located, even with maximum taxing efforts, to meet the vastly increased demands for governmental services and the sharply increased costs of such services. The fiscal plight of these urban centers demonstrates that the per capita income basis for distributing Federal funds among the States is no longer fair or sound, because the extraordinary growth of the cities has multiplied the cities' needs for those funds far more sharply than the income gap between the States has narrowed. What has happened is that we have perpetuated a benefit for the less populated States without considering whether it is still relevant. Rather than being in a poorer position to offer a basic national minimum standard of govermental services many of these States are even in a better position than are the densely populated cities and States.

Where in 1930 only 56.2 percent of the Nation's population lived in urban areas, in 1960 69.9 percent lived in urban areas, and it is estimated that in 1970 more than 75 percent will live in urban areas. In number of people this means a progression from 68.9 million people living in urban areas in 1930, to 125.2 million in 1960, to a projected 154.4 million in 1970. In concentration of population this has already caused an increase in population in the existing 222 metropolitan areas (standard metropolitan statistical areas) of 26.5 percent in the decade between 1950 and 1960 alone.

What this means is that, as the attention of Congress finally turns to the vast problems raised by this new factor of sheer size and density of population in the urban centers, it must be concerned also with whether its programs will really reach those problems. So far there has been little effort to evaluate in this light the equalization provisions, which the Commission notes have been even more frequently enacted in recent years than before.

As the Commission put it:

"The growing urbanization of the country is concentrating increasingly larger proportions of the less privileged and less prosperous components of the population in central cities. This is producing in some city centers an unhappy combination of disproportionately heavy service loads (school age children, unemployed, sick and aged), a special need for services linked to urban living, relatively high unit costs for governmental services, and disproportionately low local taxpaying capabilities."

The Commission, in considering this factor, quite properly discussed the capacity of State and local government to develop tax resources to meet their responsibilities in these areas. This is a point which I believe is a crucial adjunct to this subject, and I urge support for a proposal which I have already introduced with Senator HARTKE (S. 2619), to channel a part of increased Federal revenues from the progressive income tax to the States with a minimum of strings attached, in order to strengthen the capacity of local governments to serve their citizens effectively.

However, even with a tax-sharing plan such as I and others have proposed, the Federal grant-in-aid programs will continue to exist and will have to be supplemented to meet the special national policy objectives for which they were enacted. Thus their capacity to meet those objectives under present formulas in the light of changing conditions must be reevaluated.

To this end the Commission has repeatedly recommended that there be periodic congressional review of grants-in-aid to evaluate their adequacy. This proposal is embodied in S. 561, introduced by Senator MUSKIE, which would impose this requirement upon subsequently enacted programs. This bill was passed by the Senate unanimously in August of last year and has been pending since then in the House Government Operations Committee. I urge the delegation to support early consideration and enactment of this measure, which I believe would go a long way toward preventing the continual recurrence of the kind of morass into which the equalization features of grant-in-aid programs are now floundering.

This, again, leaves the question of how to deal with those provisions which are already in the law. On this point I have sought to analyze the equalization factors in a broad range of existing grant-in-aid programs which are of particular concern to highly urbanized States such as New York. The Commission report, which of course could not and did not seek to take any particular area's point of view made pointed recommendations about the limited value of equalization formulas, urged that they be made more uniform and more responsive to real fiscal capacity of the States and localities. It also recommended that they be continually reviewed as to their effects by the executive branch as well as by the Congress.

My own view is that, matched against any standard, many of the current equalization formulas, are out of date, arbitrary, grossly unfair to large urban States and should be amended.

For many years, members of the New York delegation, including myself, and members of other urban-State delegations, have been willing to support giving some advantages to the less urban States, and it is very likely that some type of equalization may still be necessary in certain programs. But the time has come to mount a campaign to review and revise these formulas and redirect their impact toward the urban centers and urban areas, where the most pressing needs exist today.

For too long, the degree of advantage to the less urban States has been altogether too arbitrarily determined and too freely perpetuated, ignoring the fact that the face of the Nation has been changing at an extremely rapid rate, and that the Nation's most critical problems are now in our large urban areas.

To document the above thesis, there follows a detailed analysis of major programs affecting urban States, based on five principal issues.

I. What are the equalization factors which appear to be a problem for urban States?

These factors are (1) allocation formulas, which usually combine population with the inverse ratio of per capita income; (2) maximum and/or minimum amounts for each State; and (3) matching requirements.

Often two or more of these factors are combined in the same program, so that it is difficult to determine readily whether only one is responsible for limiting aid. Thus, it is superficially appealing to zero in on an especially discriminatory allocation formula, but amendment of this alone may bring little or no additional aid, because of another factor in that program. For example, the matching requirement may be too high for the State to meet in full, in view of the priorities it has established in matching its available resources against the whole variety of Federal programs. In these cases, additional factors will have to be considered.

II. How much has New York received under this program in one or both of the most recent fiscal years (fiscal year 1964 and 1965) in comparison with New York's percentage of the Nation's total population?

New York's share of the Nation's population in 1964 was estimated at 9.4 percent. Obviously, there are defects in treating population as a perfect measure of the need of all States for all programs. But, as indicated above, it is surely a better measure—however imperfect—than the present admixture of population with the inverse ratio of per capita income. And it is a useful gage in determining need where a program is designed to meet a problem greatly aggravated by the density of population, such as water and air pollution, low-rent public housing, and urban renewal.

III. What has been the experience of one or more other States under the same provisions as compared with their percentage of the national population?

This comparison is not intended as an attack on any other State, but only to show that the equalization provisions are not rationally related to the goals of the Federal program.

IV. What are the relevant New York State agency estimates as to the need for Federal funding under the given program, over and above current assistance?

It is recognized that similar estimates could be obtained from other States as well, whether or not they believe they are being fairly treated by the equalization provisions. But the order of magnitude of these additional estimates, beyond what in fact has been granted, is at least some guide, especially when considered in conjunction with the population ratio, to the degree to which the equalization provisions are inadequate.

V. Finally, the most difficult question: What changes should be made in the law to achieve a fairer apportionment of funds to the highly urbanized States?

There are a certain number of obviously very highly discriminatory factors, many of which—like the 15-percent limitation for each State on low-rent public housing—have already been attacked by me and by others in the delegation and in the Congress.

In that particular case I succeeded last year in broadening the limitation at least to permit the agency to pool and reallocate to needy States funds left unused by other States. But in many cases there is no easy answer, and it may be necessary in the first instance simply to seek to eliminate any per capita equalization, at least as a way of obtaining congressional consideration of the entire problem. The Intergovernmental Relations Advisory Commission report indicated that personal income "has some limitations as an index of the relative capabilities of the State and local governments to raise revenues."

The report mentions that there are some other indexes still unevaluated, and the delegation should explore the impact of these other indexes. One index which clearly requires urgent consideration in the light of the population density problem is that of State-by-State differences in costs and prices for a given level of governmental services. The Commission notes that such figures have not yet been developed. Clearly every effort should be made to do so and to weigh this factor into more realistic formulas. Perhaps the density of population itself should be a factor in new formulas.

A further complicating aspect is the uneven impact of any statewide formula upon programs—such as the war on poverty and the Economic Development Act—which do not pass funds from the Federal Government to the States and thence to the localities, but which generally pass them directly from the Federal Government to the localities. In the former case it is assumed that the States are responsible to the variation in need, costs, and taxing power of the localities. In fact it is this assumption which in part underlies the conviction of many Members of Congress, including myself, that more programs should be channeled through the States than not, since the same sensitivity to local needs cannot be expected at the Federal level. But the fact remains that some programs do involve direct Federal outlays to the localities, and in some of these programs the use of a statewide formula of the per capita income type may be wholly inappropriate since a poor locality in a wealthy State may be penalized because of the relative prosperity of other parts of the State.

This feature is of even greater significance when private non-profit organizations receive funds directly from the Federal Government, either along with, or instead of, governmental units. An entirely separate study could and should be made of the extent to which existing law imposes statewide equalization factors on such recipients and of the undesirability of imposing them in these cases.

In evaluating what follows it should also be kept in mind that New York, like other highly populated States, receives extremely small proportions of large sums of Federal money appropriated under a long series of agricultural grant-in-aid programs. For example, in 1965 it received only 3 percent of the $45,449,120 spent for agricultural experiment stations, only 2 percent of $80,371,512 spent for agricultural extension education, only 3 percent of $15,283,821 spent for forestry cooperation programs, only 4 percent of $3,043,784 spent for agricultural marketing research and services, only seven-tenths of 1 percent of $58,440,952 spent for watershed protection and flood prevention. It is not contended that these proportions are unfairly related to rural needs as distributed throughout the Nation. But these proportions and the amounts involved do strengthen the point made here, that where programs are directed toward urban needs, or needs which are vastly aggravated by metropolitan density, the interestate allocation should reflect those needs more fairly than they now do.

(The program-by-program analysis follows: In all cases the roman numerals correspond to the outline explained above.)

HILL-BURTON HOSPITAL AND MEDICAL FACILITIES CONSTRUCTION

I. All three factors are present:

1. An allocation formula which weights the population of each State with the inverse ratio, not of per capita income alone, but the square of per capita income. This is achieved through a complex computation which also limits the per capita income variations to a range of between 75 and 33⅓ percent. The net effect is a gross distortion of the per capita income standard, even assuming the validity of that standard, at the expense of the heavily urban States.

2. Minimum allotments per State set a floor, again at the expense of the heavily urban States: for hospitals and public health centers, $200,000; for chronic disease hospitals, $200,000; for diagnostic or treatment centers, $100,000; for rehabilitation facilities, $50,000; and $100,000 for nursing homes.

3. Variable matching from one-third to two-thirds based on the inverse ratio of per capita income.

II. Compared to its population share in 1964 of 9.4 percent, New York received 5 percent in 1964, or $8,912,574 out of a nationwide $188,760,682; in 1965 New York received 5.5 percent, or $10,686,788 out of $195,266,393.

III. This compares with:

North Carolina, which with 2.5 percent of total population received 4.5 percent in 1964, or $8,535,950, and 3.6 percent in 1965, or $7,007,326;

Alabama, which with 1.8 percent of total population received 4.7 percent in 1964, or $8,953,105; and

Georgia, which with 2.2 percent of total population received 4.6 percent in 1965, or $9,713,755.

IV. As a measure of the additional need in New York State, State authorities estimate that an additional $48,540,340 could have been used for planned hospital construction in 1964; an additional $43,943,820 in 1965. Projections of additional need in 1967 and 1968 soar to $105,099,529 and $132,788,993, respectively.

V. The enormous disproportions in distribution in this program in the light of the excess need in areas of very great population density clearly call for changes in all three allocation factors:

1. At the very least, the delegation should support legislation eliminating the squaring of the per capita income factor in the allocation formula and substituting the usual per capita income factor (i.e. the higher the average per capita income in the State, the lower its share of funds). During the last session of Congress I pledged, in conjunction with the pending Vocational Rehabilitation Act, which borrowed the same allocation formula as in Hill-Burton, to seek revision of this aspect of Hill-Burton. However, I believe even the straight-forward per capita income formula may be grossly inadequate, as has been discussed above, and, particularly in this area of governmental service, in which density of population brings special communicable disease and other health problems, a straight population or density of population factor should be substituted. Certainly with the gross disproportion which the law has carried since its enactment in 1946, there should be careful examination as to whether the need for additional hosiptal space in the less densely populated areas matches the enormous needs in the heavily populated areas.

2. The minimum allotments per State should be repealed at this point, for the same reasons set out in (1) and for the additional reason that the specification of particular types of facility is unnecessary and creates its own distortion within the States.

3. Variable matching, while on its face complementary to the purpose of a per capita income allocation formula, serves actually to multiply its effect. Not only is a State with higher per capita income reduced to a smaller share of the Federal funds, but to utilize that share it must raise an even larger percentage of State funds to match the Federal money. Again, for the reasons stated in (1), the delegation should support legislation at the least substituting a flat matching requirement.

COMMUNITY MENTAL HEALTH CENTERS CONSTRUCTION

I. All three factors are present:

1. The act specifies only the criteria of population, the extent of need for community mental health centers, and the financial need of the respective States. Administratively this has been enforced by allotting two-thirds of the funds on the basis of population weighted by per capita income, one-third on the basis of population alone, which is taken to represent the need for community mental health centers.

2. A minimum of $100,000 to each State.

3. Matching is variable between 33⅓ percent and 66⅔ percent, with the State permitted to apply either a flat rate across the State or a variety of rates for the various localities depending upon economic status of the areas and other relevant factors.

II. Compared to its population share in 1964 of 9.4 percent, New York received in the first year under the act 7.7 percent, or $2,711,019 out of $35 million.

III. This compares with:

Arkansas, which with 1 percent of total population, received 1.3 percent or $454,470; Alabama, which with 1.8 percent of total population, received 2.2 percent, or $787,622; Louisiana, which with 1.8 percent of total population, received 2.1 percent, or $751,603; Mississippi, which with 1.2 percent of total population, received 1.8 percent, or $628,233; in 1965.

IV. As a measure of the additional need, New York State authorities estimate that for New York City alone there are pending projects which are eligible for more than five times the amount of the total State allocation. For 1965 this would have amounted to approximately $13.6 million.

V. All three factors should be amended to minimize this disproportion:

1. The act should eliminate financial need as a criterion or at the least should reverse the proportion of funds weighted by per capita income, so that only one-third of the funds, rather than two-thirds, is so weighted. The reverse proportion would reflect the administrative determination under the Mental Health Community Services Act, which contains the same statutory criteria. However, it is noteworthy that the Department of HEW itself recognizes in its description of the administrative formula that population is the best index of need for this program.

2. The $100,000 minimum should be repealed.

3. Variable matching, which only compounds the distortion of need, should be eliminated and a flat matching rate substituted.

VOCATIONAL REHABILITATION

I. Two factors are present: Beginning in 1967, the allotment formula will follow the Hill-Burton formula, squaring the per capita income factor which weights population. Prior to the 1965 amendments the formula used a straight per capita income factor weighing population.

3. Also beginning in 1967, the matching will be 75-percent Federal—25-percent State; prior law required 50–50-percent matching.

II. New York's experience to date is not relevant in view of the drastic change in the allotment formula beginning in 1967. But in 1967, compared to its population share in 1964 of 9.4 percent, it is estimated that its allotment will be 5.1 percent, or $17,782,628 out of $350 million; and in 1968 will be 5.1 percent or $20,323,003 out of $400 million.

III. This with compare with:

North Carolina's, which with 2.5 percent of total population, will be 3.8 percent or $13,402,941, in 1967; and in 1968 will be 3.8 percent or $15,317,647.

Mississippi's, which with 1.2 percent of total population, will be 2.4 percent, or $8,239,913, in 1967; and in 1968 will be 2.4 percent, or $9,417,043;

Texas, which with 5.4 percent of total population, will be 6.7 percent, or $23,422,680; and in 1968 will be 6.7 percent, or $26,768,777.

IV. New York State authorities estimate that, with the change in matching requirements in 1967, New York would be able to obtain $18,041,676 in Federal funds if the allotment formula had not been made so disadvantageous. They estimate that New York's entitlement under the new formula will be only $14,871,612 and that New York will thus lose a needed additional $3,170,064, or 17.6 percent of its need.

V. For all the reasons presented in the case of the Hill-Burton Act, the allotment formula should be amended and at least the straight per capita income factor restored. The House version of the 1965 act retained the latter; the Senate version, which I opposed, inserted the former.

URBAN MASS TRANSPORTATION

I. Two factors are present:

1. Project grants in any one State may not exceed 12½ percent of the aggregate amount authorized to be appropriated.

2. There is a matching requirement in that up to two-thirds of net project cost may be met from Federal funds.

II. Compared to its population share in 1964 of 9.4 percent, New York will be eligible for no more than 12½ percent of the authorization for fiscal year 1965 through fiscal year 1967, which totals $375 million. New York's maximum share will be $46,875,000.

III. This cannot be compared with other States' experiences as yet because the applications are still in the process of being submitted. It is estimated, however, that at least three States, New York, Pennsylvania, and California, will be limited by the 12½ percent limitation.

IV. As a measure of the additional need in New York State, State authorities estimate that New York City alone will use $23 million of the State's share for its subway and $10 million for its commuter railroads. The total need is for $1 billion additional for the subway in the next 10 years and $400 million additional for commuter railroad rolling stock in the next 5 years.

V. The same considerations apply in this case as in the cases of Urban Renewal and Low-Rent Public Housing: the upper limitation should be eliminated. The adequacy of inserting a reallocation provision should be considered. The adequacy of the amount of the Federal matching share should be evaluated.

LOW-RENT PUBLIC HOUSING

I. Three factors are present:

1. Contracts for additional units for any one State may not exceed 15 percent of the aggregate amount not already guaranteed under contracts on June 30, 1961. However, under an amendment I offered in 1965 which was adopted, unused funds may be pooled and reallocated to States which have used their maximum of 15 percent.

2. There is an administrative upper limit (on allowable cost of construction) of $20,000 per unit (consisting of 4.2 rooms).

3. Administratively there is a form of matching in that the Federal contribution cannot exceed a sum equal to the annual yield, at the applicable going Federal rate plus 2 percent, upon the development or acquisition cost of the project involved, and is for a maximum period of 40 years.

II. Compared to its population share in 1964 of 9.4 percent, New York received 15 percent in 1964, or $52,421,921 out of $333,812,696; and 15 percent in 1965, or $51,904,082 out of $346,027,213.

III. This compares with:

Alabama, which with 1.8 percent of total population, received 3.7 percent or $12,511,654 in 1964;

New Jersey, which with 3.5 percent of total population, received 6.3 percent or $21,058,635 in 1964;

Illinois, which with 5.5 percent of total population, received 8.3 percent or $28,853,891 in 1965.

IV. As a measure of the additional need in New York State, State authorities estimate that in New York City alone 200,000 families live in substandard dwellings. At present 7,000 new units are being constructed in New York City annually. The need is estimated at 18,000 additional units per year, which would amount to an additional $360 million per year, more than the amount expended for the entire Nation at present.

V. The same considerations apply in this case as in the case of urban renewal; the upper limitation should be eliminated and the adequacy of the reallocation provision evaluated. The $20,000 limit per unit on cost of construction should be carefully reviewed to determine its adequacy in high construction cost urban centers, toward which this program was intended to be directed. In addition, the Federal share of costs should be evaluated to determine whether the major urban centers are being discriminated against because of considerably higher costs of both borrowing and construction.

URBAN RENEWAL

I. All three factors are present:

1. An apportionment formula giving the Administrator authority to assess urgency of need and feasibility.

2. A maximum limitation of not more than 12½ percent of the funds expended in any one State. However, the Administrator may expend additional $100 million in States where more than two-thirds of the maximum has been obligated.

3. Variable matching: generally, two-thirds Federal, but three-fourths Federal in communities with population under 50,000 or in communities with population under 150,000 which are designated as redevelopment areas.

II. Compared to its population share in 1964 of 9.4 percent, New York received 12½ percent or $27,489,178 out of $211,912,510; in 1965, New York received 12½ percent or $34,844,687 out of $291,653,771.

III. This compares with:

Arkansas, which with 1 percent of total population, received 2.5 percent, or $5,352,308, in 1964;

Pennsylvania, which with 6 percent of total population, received 12.7 percent, or $26,972,974, in 1964;

Connecticut, which with 1.4 percent of total population, received 7.4 percent, or $21,785,192, in 1965.

Massachusetts, which with 2.8 percent of total population, received 9.2 percent, or $26,779,168, in 1965.

IV. New York authorities estimate that the entire allocation for the State would not even be adequate for New York City alone, much less for the entire State. In fiscal year 1964, New York City received $10 million and in fiscal year 1965, $16 million. For fiscal year 1966 through 1969, New York City is seeking 10 percent of the $2.9 billion authorized, or $290 million and needs $200 million more.

V. Clearly the 12½-percent maximum limitation is unrealistic and should be repealed. The authority to exceed the limitation now in the act should be evaluated to determine why it has not been effective in reflecting New York's obviously disproportionate need. The limitation now built into the act reflects congressional acceptance of the fact that urban centers have needs for renewal which exceed any one State's population share. But the amount of the limitation fails to reflect the degree to which this is true. It must be considered that, as of the 1960 census, only 9 States have 5 or more cities with populations of more than 100,000: one has 14; one, 11; two, 8; two, 6; and three, 5. In these 68 cities are crowded some 15.8 percent of the Nation's population. Consideration should also be given to eliminating the discrepancy in matching for smaller cities.

AIR POLLUTION

I. All three factors are present regarding control program grants, which were inaugurated in fiscal year 1965:

1. An allocation formula listing as criteria, population, the extent of the actual or potential air pollution problem, and financial need. Administratively the funds are allocated on a project, not a State-by-State basis.

2. A maximum statutory limitation on each State of 12½ percent of available funds.

3. Federal matching up to two-thirds, except up to three-fourths in the case of intermunicipal or interstate agencies. Administratively the full two-thirds or three-fourths is granted unless it is not requested.

II. Compared to its population share in 1964 of 9.4 percent, New York received 12½ percent in 1965, or $522,500 out of a nationwide $4,180,000.

III. This compares with:

Alabama, which with 1.8 percent of total population, received 3.8 percent, or $160,000, in 1965;

New Jersey, which with 3.5 percent of total population, received 6 percent, or $250,000, in 1965;

Arizona, which with 0.8 percent of total population, received 3.1 percent, or $130,000, in 1965.

IV. As a measure of additional need, New York State authorities estimate that an amount two to three times greater than that granted would have been applied for, had the 12½-percent limitation not been in effect. In dollar terms this would have amounted to an additional $522,500 to $1,045,000.

V. In view of the disproportion of New York's metropolitan needs, at least the 12½-percent limitation should be repealed.

WATER POLLUTION (WASTE TREATMENT WORKS CONSTRUCTION)

I. All three factors are present:

1. An allocation formula beginning in fiscal year 1966 which allots the first $100 million appropriated 50 percent on a population basis and 50 percent on the basis of the inverse ratio of per capita income; the balance ($50 million each for fiscal year 1966 and 1967) on the basis of population alone. There is a reallocation provision for unused funds; and a provision increasing grants by 10 percent if certified as conforming to a comprehensive plan for a metropolitan area.

2. A type of minimum distribution to smaller communities, which requires that at least half the first $100 million appropriated annually must be used for municipalities of 125,000 or less population;

3. A matching requirement, the Federal share not exceeding 30 percent of a project or $1.2 million, whichever is smaller, except in the case of a project which serves more than one municipality, where the fixed limit is $4.8 million.

II. Compared to its population share in 1964 of 9.4 percent, New York received 7 percent in 1964, or $4,685,034 out of a nationwide $66,432,402; in 1965 New York received 5.4 percent, or $3,769,284 out of $69,755,014.

III. This compares with:

Georgia, which with 2.2 percent of total population, received 3.3 percent or $2,186,349 in 1964;

Arkansas, which with 1 percent of total population, received 1.8 percent, or $1,171,573 in 1964; and

Louisiana, which with 1.8 percent of total population, received 2.6 percent, or $1,816,333 in 1965.

IV. As a measure of additional need in New York State, State authorities estimate that $65.8 million was actually spent in 1964 for this purpose, within the State, more than $60 million of it from non-Federal sources. $50.8 million was spent in 1965, more than $47 million from non-Federal sources. In addition, New York State has committed itself to a $1.7 billion program for 1967 through 1972, involving a projected State and local effort of $1.1 billion; yet the Federal 30 percent cannot be met under the present allocation factors.

V. At least two of the three factors are distorted and should be amended:

1. The allocation formula slightly reduces the negative effect of the per capita income factor by applying the latter only to 50 percent of the Federal funds, and, as amended in 1965, only to 50 percent of the first $100 million. What has been said above about substituting for the per capita income factor remains basically valid, however, particularly in view of the discrepancy in percentage of funds related to population in a program which clearly is affected by density of population. In addition, the fact that so much more than the 70 percent expected to be spent by the States is spent by New York State, is an index to the need, which will clearly be severely aggravated in the next 5-year period.

2. For the reasons stated in (1), the minimum distribution factor should be repealed.

3. For the reasons stated in (1), the $1.2 million limitation should be repealed, since it discriminates against larger cities with need for larger facilities; and the 30 to 70 percent matching requirements should be reevaluated.

LIBRARY SERVICES AND CONSTRUCTION

I. All three factors are present:

1. An allotment formula based on population.

2. A minimum allotment to each State of $100,000 under title I, library services; a minimum of $80,000 under title II, library construction.

3. A variable matching requirement between 33⅓ and 66⅔ percent based on the inverse of per capita income.

II. Compared to its population share in 1964 of 9.4 percent, New York received 3 percent in 1964, or $279,948 out of $7,442,537; and 6 percent in 1965, or $1,555,013 out of $26,110,985.

III. This compares with:

North Carolina, which with 2.5 percent of total population, received 4.2 percent or $309,703 in 1964;

Kentucky which with 1.7 percent of total population, received 2.7 percent, or $204,994 in 1964;

Maryland which with 1.8 percent of total population, received 2.3 percent, or $603,628 in 1965;

Rhode Island, which with 0.5 percent of total population, received 1.1 percent or $293,807 in 1965.

IV. As a measure of the additional need in New York State, State authorities estimate that at present rates of planning the State could use an additional Federal payment of at least $9 million, consisting of $4 million for services and $5 million for construction.

V. The disproportion should be reduced by:

2. Reducing or eliminating the minimum allotment to each State under both titles, since this factor immediately withdraws from the possibility of allotment to New York on any basis approximately one-third of the total amount of funds, or approximately $8.8 million out of $26.1 million in 1965.

3. The variable matching requirement should be repealed and a fixed matching requirement substituted.

ELEMENTARY AND SECONDARY EDUCATION ACT

I. Title I, aid to local school districts for special educational programs in areas having high concentration of children of low-income families, contains only one factor, an allocation formula using the population of 5- to 17-year-old children in families with incomes of less than $2,000 per year (1960 census) and those in families with incomes above $2,000 from the aid to dependent children program under title IV of the Social Security Act (1962 data).

Title II, school library resources, textbooks, and other instructional materials, contains an allocation formula based upon the population of children enrolled in public and private elementary and secondary schools.

Title III, supplementary educational centers and services, contains an allocation formula, one-half based upon the population of children aged 5 to 17 on July 1, 1963, and one-half based upon the total population on that date. But it also contains a minimum amount of $200,000 for each State.

Title V, strengthening State departments of education, contains an allocation formula based upon school population in the fall of 1964. But it also contains a minimum amount of $100,000 for each State and, beginning in fiscal year 1968 there will be a variable matching requirement of between 50 and 66⅔ percent, depending upon the inverse of per capita income.

II. Compared to its population share in 1964 of 9.4 percent, New York was allocated out of authorizations for fiscal year 1966:

Title I: 9.4 percent or $109,639,348 out of $1,163,940,540;

Title II: 8.3 percent or $8.3 million out of $100 million;

Title III: 5.8 percent, or $5.8 million out of $100 million;

Title V: 3.1 percent, or $784,668 out of $25 million.

III. The title I share compares with:

North Carolina, which with 2.5 percent of total population, was allocated 4.5 percent on $52,826,063;

Arkansas, which with 1 percent of total population, was allocated 1.9 percent on $22,600,021;

Louisiana, which with 1.8 percent of total population, was allocated 3.3 percent on $38,344,221.

IV. As a measure of need, New York State authorities estimate additional requirements, based upon applications received to date, as follows for each of these titles:

Title I: 50 percent more, or $54.5 million;

Title II: $15 to $20 million;

Title III: at least $7 million.

V. While allocation under this act is more closely related to population than under most others, its allocation provisions nonetheless should be amended:

Title I: I sought a higher income figure than $2,000, which is substantially below the poverty line of $3,000 established for the antipoverty program and which clearly discriminates against the major urban centers. Although New York's allocation equals its total population share, this is a prime example in which the problems of density of population and the increased burden imposed upon the disadvantaged as a result of density should result in a higher percentage for such areas than population alone would warrant. In view of the disproportion of need, the delegation should support amendment of title I to achieve a higher standard than $2,000 of income. It should also implement Commissioner Allen's request in his letter to the delegation dated December 27, 1965, for amendments (1) requiring more recent data than the 1960 census and (2) authorizing the reallocation of funds not used in some school districts to those whose needs have not been met fully. Reallocation provisions already exist in titles II and V. Commissioner Allen suggested that the reallocation be based upon the proportion of each district's students from families receiving aid to dependent children.

Title II: The State authorities contend that even a pure population standard is unfair to New York because of the critical need in large cities. The delegation should consider an alternative which would stress those areas, perhaps a title I-type formula, amended as recommended above. Since a reallocation provision already exists in this title, its adequacy for meeting New York's needs should be evaluated.

Title III: The $200,000 minimum should be reduced or eliminated.

Title V: The $100,000 minimum should be reduced or eliminated, and the variable matching should be replaced with a fixed matching requirement.

EDUCATIONAL TELEVISION CONSTRUCTION

I. There is no statutory allocation formula, but the act imposes a $1 million maximum on the aggregate funds granted within a State over the 5-year period of the program. There is also a matching requirement, the Federal share totaling 50 percent of project cost plus 25 percent of the cost of any educational TV broadcasting facilities owned by the applicant. Administratively these two factors have been combined into an allocation formula which considers population relative to area, but with an upper limit of $1 million and a lower limit of $300,000, which is taken to represent the approximate Federal share of a major broadcast facility.

II. Compared to its population share in 1964 of 9.4 percent, New York will receive over the 5-year period 3.3 percent, or $1 million out of $30,001,120.

III. This compares with:

Maine, which with 0.5 percent of total population, will receive over the 5-year period 1 percent, on $300,000;

Montana, which with 0.4 percent of total population, will receive over the 5-year period 2.5 percent, on $765,460.

IV. As a measure of additional need, the New York authorities used their maximum allocation in the first half of the first fiscal year under the program and estimate the need for first an additional $600,000 by the end of fiscal year 1966.

V. In view of the strain on classroom space in urban areas and the resulting need for other techniques such as educational TV, the $1 million maximum should be repealed, or at least a reallocation provision for unused allotments should be provided and the $300,000 minimum should be eliminated.

NATIONAL DEFENSE EDUCATION ACT

I. All three factors are present in title III, public school laboratory equipment and materials for science, math, and modern foreign languages:

1. An allocation formula under which 86 percent of the funds are distributed according to school-age population and the inverse ratio of income per school-age child; the latter is limited to a range of 66⅔ to 33⅓.

2. Grants for supervision and administration are a minimum of $20,000 per State.

3. 50–50 matching requirement.

All three factors are present in title V–A, guidance, counseling, and testing:

1. School-age population.

2. But a minimum allotment of $50,000 to each State.

3. And 50–50 matching.

Two factors are present in title X, improvement of statistical services:

2. No State may receive more than $50,000.

3. 50–50 matching.

II. Compared to its population share in 1964 of 9.4 percent, New York received 7 percent in 1964 under all NDEA titles, or $6,017,962 out of a nationwide $84,214,013; in 1965 New York received 5 percent, or $3,828,957 out of $80,703,642. In 1965 New York received 5.8 percent under title III alone, or $2,863,820 out of $50,185,668; 3.3 percent under title V–A alone, or $577,900 out of $17,259,978; and 2.9 percent under title X, or the maximum, $50,000, out of $1,712,416.

III. This compares with overall National Defense Education Act allocations:

Colorado, which with 1 percent of total population, received 2.2 percent or $1,779,376, in 1965;

Georgia, which with 2.2 percent of total population, received 3.8 percent, or $3,055,827, in 1965;

North Carolina, which with 2.5 percent of total population, received 4.2 percent, or $3,396,226, in 1965.

IV. As a measure of the additional need, New York State authorities estimate that for title III in 1966 some $1.5 million will be necessary above the Federal share to match the requests of New York schools; an additional $1,438,000 could be utilized under title V–A; and an additional $140,000 is needed under title X.

V. In view of the disproportions, the following amendments should be made:

Title III:

1. The factor of income per school-age child should be eliminated;

2. Consideration should be given to eliminating the $20,000 minimum;

3. The adequacy of the matching requirement should be studied.

Title V–A:

2. The minimum allotment of $50,000 should be eliminated;

3. The adequacy of the matching requirement should be studied.

Title X:

2. The $50,000 maximum should be increased to $200,000;

3. The matching requirement should be eliminated.

MATERNAL AND CHILD HEALTH SERVICES

I. Three factors are present:

1 and 2. An allocation formula which splits the funds into two equal parts, fund A and fund B. From fund A each State receives $70,000 plus a portion of the remainder based upon the ratio of live births in the State to those in the Nation. From fund B, 25 percent is for regional or national special projects on a project basis. The remainder is apportioned on a per capita income and live birth basis, with a minimum of $35,000 to each State. Here the live birth criterion is weighted so that each rural birth is given twice the weight of an urban birth.

3. Grants from fund A require equal matching; matching is not required for formula grants from fund B.

II. Compared to its population share in 1964 of 9.4 percent, New York received 6 percent in 1964, or $1,374,033 out of a nationwide $27,249,553; in 1965 New York received 5 percent, or $1,604,163, out of $31,948,969.

III. This compares with:

North Carolina, which with 2.5 percent of total population, received 3.6 percent, or $993,930, in 1964;

Virginia, which with 2.3 percent of total population, received 3.4 percent, or $920,072, in 1964;

Alabama, which with 1.8 percent of total population, received 2.5 percent, or $890,076, in 1965.

IV. As a measure of additional need, New York State authorities estimate that an additional $1,139,926 could have been used, on a straight population basis, in 1964, and an additional $1,021,199 in 1965.

V. In view of the disproportions and magnitude of additional need, the allocation formula should be amended for both fund A and fund B so that the minimum amounts of $70,000 and $35,000, respectively, for each State are eliminated. And even more important, the weighting of rural births at twice urban births should be repealed.

MENTAL HEALTH COMMUNITY SERVICES

I. All three factors are present:

1. By administrative determination, an allocation formula for 30 percent of the funds weights population with per capita income; the balance of the funds are distributed on a straight population basis;

2. A minimum grant for each State, administratively set at $65,000 for 1962, and at $115,000 for 1963;

3. 50–50 matching required.

II. Compared to its population share in 1964 of 9.4 percent, New York received 7 percent in 1964, or $705,115 out of $9,667,561; and 7 percent in 1965, or $773,582 out of $11,063,781.

III. This compares with:

Rhode Island, which with 0.5 percent of total population, received 1.1 percent or $106,422 in 1964;

New Mexico, which with 0.5 percent of total population, received 1 percent or $116,414 in 1965;

Mississippi, which with 1.2 percent of total population, received 1.4 percent, or $137,768 in 1964;

Nevada, which with 0.2 percent of total population, received 0.8 percent or $88,755 in 1965.

IV. As a measure of the State's need, New York authorities estimate that they receive annually applications for more than four times the amount of the State's allocation, most of which would be approved if the funds were available. For 1964 this would have amounted to approximately $2.8 million; for 1965 approximately $3.1 million.

V. 1. Given the disproportions and the measure of need, the per capita income factor should be eliminated. The act itself requires the Suregon General to consider population, the extent of the mental health problem, and the financial need of the respective States. Administratively he has applied per capita income to 30 percent of the funds to satisfy the financial need criterion. Thus the act should be amended to remove financial needs as a criterion in order to eliminate the per capita income factor.

2. The minimum grant per State should be eliminated in view of its relatively high amount in proportion to the total funds available under this program.

3. The adequacy of the matching requirement should be considered.

COMMUNITY HEALTH SERVICES, PARTICULARLY FOR THE CHRONICALLY ILL AND AGED

I. All three factors are present in grants to States:

1. A discretionary allocation formula basing program need on the criteria of population and fiscal capacity as reflected by per capita income. Administratively 40 percent of the funds is allotted on the basis of population, weighted by the reciprocal of State per capita income.

2. Administratively a minimum allotment has been established, for fiscal year 1962 it was $40,000 per State.

3. Matching of 66⅔ percent Federal, 33⅓ percent State obtained through fiscal year 1965; thereafter it became 50–50. None of the factors apply to grants to nonprofit agencies.

II. Compared to its population share in 1964 of 9.4 percent, New York received 10 percent in 1964, or $2,449,464 out of $23,066,604; and 8.4 percent in 1965, or $2,698,935 out of $32,087,096.

III. This compares with:

Mississippi, which with 1.2 percent of total population, received 1.4 percent, or $329,812 in 1964;

West Virginia, which with 0.9 percent of total population, received 1.5 percent, or $348,819 in 1964;

Oklahoma, which with 1.3 percent of total population, received 1.6 percent or $520,409 in 1965.

IV. As a measure of additional need, New York State authorities estimate that on a population basis New York needed an additional $256,800 in 1964, an additional $222,350 in 1965, and needs an additional $227,600 in 1966.

V. In view of the disproportions, the per capita income factor should be eliminated from the allocation formula, the desirability of the minimum allotment should be evaluated, and the adequacy of the matching requirement should be considered.

CANCER DEMONSTRATION AND CONTROL

I. All three factors are present:

1. The statutory allocation formula specifies population, cancer mortality and per capita income. Administratively 60 percent of the fund is allotted on the basis of the extent of the cancer problem as measured by mortality from cancer (using a 3-year average) and the inverse of population density.

2. Administratively each State receives a minimum grant of $25,000 or 25 cents per capita, whichever is less.

3. Matching 50–50 percent, except for demonstration grants, which require no matching.

II. Compared to its population share in 1964 of 9.4 percent, New York received 8 percent in 1964, or $267,890 out of $3,391,568; and 8 percent in 1965, or $270,900 out of $3,366,394.

III. This compares with:

South Carolina, which with 1.3 percent of total population, received 1.7 percent, or $57,591 in 1964;

Mississippi, which with 1.2 percent of total population, received 1.9 percent, or $64,195 in 1964;

Arkansas, which with 1 percent of total population, received 1.4 percent, or $47,203.

IV. As a measure of the additional need, New York State authorities estimate that on a population basis New York required an additional $50,100 in 1964, an additional $47,600 in 1965, and requires an additional $49,400 in 1966.

V. In view of the disproportion, the per capita factor should be eliminated; the minimum should be eliminated; and the adequacy of the matching requirement should be reconsidered.

HEART DISEASE CONTROL

I. Two factors are present:

1. An allocation by statute listing as criteria population and per capita income. Administratively 38 percent of the funds is allocated on the basis of 50 cents per capita for the first 100,000 population, or fraction thereof, and 62 percent is allocated on the basis of population weighted by per capita income.

2. Fifty-fifty matching.

II. Compared to its population share in 1964 of 9.4 percent, New York received 6 percent in 1964, or $396,606 out of $6,109,723; and 5.6 percent in 1965, or $364,100 out of $6,276,529.

III. This compares with:

Colorado, which with 1 percent of total population, received 1.9 percent or $114,985 in 1964;

Mississippi, which with 1.2 percent of total population, received 2.4 percent or $148,926 in 1964;

South Carolina, which with 1.3 percent of total population, received 2.2 percent or $133,400.

IV. As a measure of additional need, New York State authorities estimate that on a population basis New York required an additional $282,200 in 1964, an additional $272,900 in 1965, and requires an additional $376,500 in 1966.

V. In view of the disproportion, the allocation formula should be amended to eliminate the per capita income factor; and the adequacy of the matching requirement should be reevaluated.

GENERAL HEALTH (COMMUNITY HEALTH PRACTICE AND RESEARCH)

I. Two factors are present:

1. The statute specifies as criteria of general health need, population, financial need, and extent of the health problem in the various States. Administratively, 95 percent of the funds are allotted on the basis of population weighted by the inverse per capita income; and 5 percent on the basis of the ex-

tent of the health problem as measured by the weighted inverse of population density.

2. Equal matching is required.

II. Compared to its population share in 1964 of 9.4 percent, New York received 6 percent in 1964, or $892,619 out of $15,233,821; and 4 percent in 1965, or $670,700 out of $11,142,001.

III. This compares with:

Texas, which with 5.4 percent of total population, received 5.2 percent, or $797,911 in 1964;

Mississippi, which with 1.2 percent of total population, received 2.1 percent or $315,548 in 1964; and 1.9 percent, or $211,479 in 1965;

South Carolina, which with 1.3 percent of total population, received 1.8 percent, or $197,159 in 1965.

IV. In view of the disproportion, the allocation formula should be amended to eliminate the per capita income factor. It is noteworthy that, as a measure of special health problems, the Department of Health, Education, and Welfare has itself selected density of population as the index, but has used it in exactly the reverse of its significance by giving the largest shares to the States with the lowest density and the smallest to those with the highest.

VOCATIONAL EDUCATION

I. In the greatly expanded act of 1963, all three factors are present:

1. An allocation formula which weights population of certain age brackets with the inverse ratio of per capita income;

2. A minimum amount to each State of $10,000;

3. A 50–50 matching except for research and training programs.

II. Compared to its population share in 1964 of 9.4 percent, New York received 6 percent, or $2,490,146 out of $41,076,168; in 1965 New York received 4 percent, or $5,870,584 out of $131,524,980.[1]

III. This compares with:

Alabama, which with 1.8 percent of total population, received 2.3 percent, or $936,007, in 1964;

Kentucky, which with 1.7 percent of total population, received 2.4 percent, or $994,050, in 1964;

Georgia, which with 2.2 percent of total population, received 3 percent, or $4,311,053, in 1965;

North Carolina, which with 2.5 percent total population, received 4.1 percent or $5,423,408, in 1965.

IV. As a measure of additional need, New York State authorities estimate that for fiscal year 1966 an additional $3,400,000 is needed beyond the allotment of Federal funds, consisting of $600,000 for the George-Barden programs, $1 million under the work-study program of the Vocational Education Act of 1963 and $1,800,000 for the other programs under the act.

V. 1. The extremely low percentage of participation of New York State as compared with the need demonstrates that the allocation formula in the Vocational Education Act of 1963 should be amended to eliminate the per capita income factor. This is very strongly supported by the straight population factor used in the preceding George-Barden and Smith-Hughes Acts (see note below).

2. The minimum amount is prejudicial to the urban States but the amount is so small as compared with total outlays that is probably negligible.

3. The delegation should consider amending the matching provision to increase the Federal share from 50 to 75 percent. The State Vocational Education authorities recommend this increase for specific classes of persons who have entered the labor market: those who need training or retraining to achieve stability or advancement in employment; and those who have academic, socioeconomic, or other handicaps which prevent them from succeeding in regular education programs. These are goals which are of greater significance in an urban, industrial setting and therefore support the reasoning in 1 above as well.

CONSTRUCTION OF HIGHER EDUCATION FACILITIES

I. Title I. Grants for Construction of Undergraduate Facilities: Two factors are present for public community colleges and public technical institutes, which receive 22 percent of the funds allotted to each State:

1. An allocation formula weighting the population of high school graduates in the State by the inverse of per capita income. The range of the latter factor is limited to between 33⅓ and 66⅔ percent. A special allotment ratio of 50 percent is fixed for any State with exceptionally high construction costs.

2. Matching of 40 percent Federal—60 percent State.

Two factors are present for other undergraduate facilities, which receive 78 percent of the funds allotted to each State:

1. One-half on the basis of enrollment in institutions of higher education; one-half on the basis of enrollment in grades 9 through 12.

2. Matching of not more than 33⅓ percent Federal.

Title II. Grants for Construction of Graduate Facilities: One factor is present: no State may receive more than 12½ percent of the total appropriation for any fiscal year.

Title III. Loans for Construction of Academic Facilities: One factor is present: no State may receive more than 12½ percent of the total appropriation for any fiscal year.

II. Compared to its population share in 1964 of 9.4 percent, New York received 8.4 percent in 1965, or $19,303,194 out of $230,900,000.

III. This compares with:

California, which with 9.5 percent of the total population, received 10.2 percent or $23,647,473;

Minnesota, which with 1.8 percent of total population, received 2.2 percent or $5,019,166.

IV. As a measure of additional need, New York State authorities estimate that title I community college applications for fiscal year 1966 will total $10,258,346, or $3,300,065 more than the allocation; and that title I other than community college applications for fiscal year 1966 will total $44,593,548, or $13,129,411 more than the allocation.

V. In view of the disproportionate need, the following amendments should be sought:

Title I: Per capita income should be eliminated as a factor in the community college grants. It is noteworthy that the existing formula makes a gesture toward a fairer approach by stipulating a special 50 percent per capita income rate for States with exceptionally high school construction costs.

The adequacy of the matching requirements should be evaluated for both the community college and other undergraduate grants.

Titles II and III: The 12½-percent maximum limitations in both titles should be eliminated.

ECONOMIC OPPORTUNITY ACT

I. The presence of allocation factors varied widely from program to program.

Work training (Neighborhood Youth Corps):

1. Allocation formula specifies as criteria: population, unemployment, and family income levels.

2. Maximum limitation of 12½ percent to any 1 State out of amount appropriated for any fiscal year.

3. Matching 90 percent Federal, 10 percent State until June 30, 1967; 50–50 thereafter. Matching may be in kind.

Work study (now administered by Office of Education, HEW):

1. Allocation formula specifies one-third of the funds in proportion to a full-time enrollment in institutions of higher education; one-third in proportion to the number of high school graduates; and one-third in proportion to the number of children under 18 years of age living in families with annual incomes of less than $3,000. Reallotment provided for unused funds.

2. Matching 90 percent Federal, 10 percent State until June 30, 1967; 75–25 thereafter. Matching may be in kind.

Community action programs:

1. Allocation formula for 80 percent of funds appropriated specifies one-third in proportion to the number of public assistance recipients; one-third in proportion to the number of unemployed persons; and one-third in proportion to the number of children under 18 years of age living in families with annual incomes of less than $1,000. Reallotment provided for unused funds; 20 percent of funds appropriated allotted at the discretion of the Director. Criteria specified for allocation within States by Director as between urban and rural areas.

2. Matching 90 percent Federal, 10 percent State, until June 30, 1967; 50–50 thereafter. Director authorized to reduce 90 percent prior to June 30, 1967 for programs which have received assistance under the act.

Adult basic education:

1. Allocation formula: in proportion to the number of individuals who have attained 18 years of age and have no more than a fifth-grade education. Reallotment of unused funds provided for.

2. Minimum allotment to each State of $50,000.

3. Matching 90 percent Federal, 10 percent State until June 30, 1967; 50–50 thereafter.

II. Compared to its population share in 1964 of 9.4 percent, New York in fiscal year 1965 received:

Work training: $11,838,796, or 9 percent of $127,675,880.

Work study: $2,035,000, or 4 percent of $55,077,000.

Community action: $23,089,259, or 14 percent of $237,157,000.

Adult basic education: $1,696,057, or 38 percent of $4,448,000 (only a handful of States participated in the first year of the program.)

For fiscal year 1966 New York is allocated:

Community action programs: $33,743,000 or 8 percent of $412,002,000.

III. At this point full comparative figures for fiscal year 1965 are not available. However:

1. For fiscal year 1966 under work training (Neighborhood Youth Corps):

Arizona, which, with 0.8 percent of total population, received 5 percent, or $7,371,549;

Arkansas, which, with 1 percent of population, received 5 percent or $6,448,819;

Missouri, which, with 2.3 percent of population, received 6 percent or $8,410,179.

2. For fiscal year 1966 under Community action programs:

Kentucky, which, with 1.7 percent of total population, is allocated 2.4 percent, or $10,259,000;

North Carolina, which, with 2.5 percent of total population, is allocated 3.6 percent, or $15,120,000.

IV. As a measure of additional need, New York authorities indicate that requests for work training (Neighborhood Youth Corps) exceeded approved grants by $16,422,776 in fiscal year 1965; and that requests for community action programs exceeded approved grants by $15,657,083.

---

[1] All the dollar amounts in this discussion include amounts appropriated under the George-Barden and Smith-Hughes Acts, which, interestingly enough, apportioned funds related to agricultural education on a straight rural population basis and those related to industrial training on a straight urban population. The funds for 1964 for these two programs totaled $56,076,168 and for 1965 totaled $56,592,828.

V. The following should be considered:

1. Work training (Neighborhood Youth Corps): the 12½ percent limitation be eliminated in view of the volume of requests (which, if granted in fiscal year 1965, would have far exceeded that limitation), and the administrative application of the formula should be evaluated in the light of the relatively low percentage of funds in fact granted in fiscal year 1965 compared to need and other States' shares.

2. Community action programs: the administrative application of the allocation formula should be evaluated in view of the percentage of funds allocated for fiscal year 1966 in relation to population and need; and the $1,000 annual income figure in the allocation formula should be raised as unrealistic in the major urban centers.

3. Adult basic education; the $50,000 minimum should be evaluated in the light of budgetary cuts which severely hampered a number of States whose plans had progressed further than others in the first year, including New York State.

CONCLUSION

This is the age of the cities. The Nation and the Congress are recognizing this fact and all that it implies. With similar realizations of national movements, our public and private institutions have responded magnificently. When the decline of the farm population loomed as a danger to our ability to feed our people, we reacted with multibillion-dollar rural aid programs which have boosted our agricultural production so vastly that it is now the wonder of, and a major source of supply for, the world. When the roads of our Nation were found to be grossly inadequate to the great rush into the automotive age, we reacted with a multibillion-dollar interstate highway construction program, which is planned to end in 1972.

Now the city must be the focus of our attention, for the huge concentrations of population in major urban centers have created conditions entirely beyond the proportions ever experienced before. These are conditions which threaten the basic livability of the dwelling-place of almost 75 percent of our Nation's people. And they are conditions which the cities and the States in which they are located are incapable of handling with their available resources. Only the Federal Government can help to do this job. Without the Federal Government the cities are strangling.

This is not because the cities and urban States have not been trying. Between 1946 and 1964 local debt rose from $13.6 billion to $68.4 billion while Federal debt increased from $269 billion to $312 billion. On a per capita basis, local debt in that period rose from $97 to $357 while the Federal debt per capita actually decreased by about $300. At the same time the sources of revenue for the cities have been drying up. In 1932 the municipalities were collecting 52 percent of all taxes, more than the Federal and State Governments combined. By 1962 the cities' share of revenues had dropped to 7.3 percent.

What this means is that the Federal commitment to aid the cities needs to be greatly increased and intensified. It is almost unthinkable that as recently as 1963 Federal aid to cities for housing and community development was only $400 million compared to $7.7 billion spent by the Department of Agriculture and $1.9 billion for interstate highways. It has been estimated that, even with the war on poverty, total expenditures for urban aid are less than 1 percent of the entire Federal budget.

Clearly there needs to be a massive reevaluation of our Federal Government's expenditures, other than those for defense, international affairs, space, veterans, and interest costs. These civilian expenditures account for between 20 and 26 percent of the total budget. A major question is whether there should not be some reallocation of our civilian expenditures as between urban and nonurban purposes. A second major question is whether there should not be massive new programs designed specifically for aid to the cities, for example, in housing, schools, recreation, parks, policing, social services. A third major question is whether out of its expected increase in tax revenuses the Federal Government should not share some percentage of its revenue with the States, as I have proposed in S. 2619.

Finally, as this report documents, there is much that could and should be done to make many of the urban-related programs already in operation more equitably geared to the needs of the urban centers:

1. Allocation formulas should be amended to eliminate the per capita income feature, which distorts the shares received by the urban States, and in the absence of a more equitable and sensitive measure, population alone or the density of population should be the basis for allocation.

2. Maximum and minimum limitations on amounts for each State, which also distort the allocations, should be repealed.

3. Matching requirements which vary according to per capita income should be amended, and matching requirements should be reevaluated to determine their adequacy, particularly in relation to each other as competing demands for available State and local funds.

4. Legislators from urban States should seek alternative methods to determine the need in urban States, such as, for example, measures which effectively incorporate differences in the cost of providing governmental services in the most densely populated urban centers.

Clearly the highest priorities should go to amending those allocation formulas and matching requirements which not only use a per capita income factor but intensify that factor by squaring it, such as those in the Hill-Burton hospital and medical facilities and the vocational rehabilitation programs, and those, such as the urban renewal, low-income housing, urban mass transportation, and Neighborhood Youth Corps programs, which impose maximum limitations on each State's share. But as the analyses show, there are many other programs which do not have such obvious distorting factors on their face but which nonetheless result in disproportionately low amounts for the urban centers, and priorities among these should be established.

5. We should also support early enactment of S. 561, pending before the House Government Operations Committee, which calls for periodic congressional review of further grant-in-aid programs, so that allocation features are not endlessly perpetuated without any conscious reevaluation from time to time as conditions change.

In short, it is high time that the legislators from urban States became as sensitive to the significance of allocation patterns for Federal funds as those from nonurban States obviously have been for many years.

TRIBUTES TO FORMER SENATOR HARRY F. BYRD, OF VIRGINIA

Mr. LONG of Louisiana. Madam President, on November 11 of last year, Senator Harry F. Byrd resigned the seat he had held in the Senate since 1933. On that day the Senate lost one of the great statesmen of all time, and the Committee on Finance lost a great chairman.

During the nearly 33 years he served in the Senate, Harry F. Byrd's career was marked by the highest degree of personal integrity attainable. I recall two instances which epitomize this fine trait. Several years ago, the Finance Committee had before it legislation which reduced tax burdens on shareholders of one of our better known corporations. Senator Byrd held some of the stock of this corporation. Feeling he could not conscientiously vote a tax amendment which would benefit himself, Harry Byrd, at considerable personal sacrifice, sold those securities before the Finance Committee acted on that bill, thus eliminating what he perceived to be a conflict of personal and public interests.

Again in 1962, during Finance Committee consideration of the revenue bill of that year, an amendment was discussed to provide a 7-percent tax credit for certain investments in depreciable property. One of the chairman's apple plants had burned and he had rebuilt it. The tax credit would have applied to much of his investment. In his mind, this tax credit raised another conflict between private interests and public duty. Characteristically, he solved this conflict by voting to authorize an amendment to make the credit inapplicable in his situation.

Congress' and the Nation's high regard for his convictions on Federal financial policies is well-mirrored in the fact that Harry F. Byrd is the only person ever to serve as chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures. This important congressional committee was created in 1941 and Senator Byrd was its chairman continuously through both Democratic and Republican control of the Congress until his retirement in November of last year.

Harry F. Byrd served his State in high public office longer than any other Virginian. This could not have happened unless the voters of Virginia held the same high esteem for him as those of us who worked with him in the Senate, particularly those fortunate enough to serve under his leadership on the Committee on Finance.

Harry F. Byrd was the 27th Senator to serve as chairman of the Committee on Finance since its creation 150 years ago. He was the second Virginian to achieve this high honor, and his name will rank among the notable Senators, such as Henry Clay, Daniel Webster, and Walter F. George, who headed the committee in years gone by.

Harry F. Byrd was assigned to the Committee on Finance at the time he entered the Senate in 1933. His tenure as chairman began in 1955 and covered many difficult years—years of great change in the affairs of our Nation. His service as chairman will be long remembered for the unceasing sense of fairness and impartiality with which he presided and for his great courtesy in working with other members of the committee.

I want to stress these characteristics because they reveal more than any other the true measure of the man. These are the characteristics the committee insisted be inscribed on the resolution of appreciation for his many years of service and leadership. This resolution was unanimously agreed to by the committee at its first meeting following his retirement. Madam President, I ask unanimous consent that the entire text of this resolution be included at this point in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

COMMITTEE RESOLUTION, COMMITTEE ON FINANCE, U.S. SENATE

Whereas Harry Flood Byrd, of Virginia, served honorably and faithfully as a member of the Committee on Finance from March 9, 1933, until he retired from the U.S. Senate on November 10, 1965; and

Whereas Harry Flood Byrd served with highest distinction as chairman of the Committee on Finance from January 11, 1955, until November 10, 1965; and

Whereas during the entire period of his membership and chairmanship of the Committee on Finance, Harry Flood Byrd continuously manifested the highest principles of government and exercised the highest qualities of leadership: Now, therefore, be it

Resolved, That the Committee on Finance hereby expresses its profound gratitude to Harry Flood Byrd for his outstanding service to the committee during his long and fruitful membership on the committee and particularly during his chairmanship of the committee, its deep appreciation for the gentlemanly and impartial manner in which he served as chairman of the committee, and its humble thanks for the countless courtesies extended by him while chairman to all members of the committee.

RUSSELL B. LONG, GEORGE A. SMATHERS, CLINTON P. ANDERSON, PAUL H. DOUGLAS, ALBERT GORE, HERMAN E. TALMADGE, EUGENE J. MCCARTHY, VANCE HARTKE, J. W. FULBRIGHT, ABRAHAM A. RIBICOFF, JOHN J. WILLIAMS, FRANK CARLSON, WALLACE F. BENNETT, CARL T. CURTIS, THRUSTON B. MORTON, EVERETT M. DIRKSEN.

(Given at Washington, District of Columbia, this 19th day of January 1966.)

Mr. LONG of Louisiana. Madam President, we all know the great pain Harry Byrd endured the last several months—pain which made it difficult for him to perform his duties as well as he would have liked. It is a tribute to him that he chose to retire from the Senate when he felt his health no longer permitted him to serve his State with the vigor of other years.

His retirement is well-earned and richly deserved. I wish him many years of peaceful relaxation in the hills of Virginia he loves so well. I leave him with this thought: The Committee on Finance will be a better committee because of Harry Byrd's dedicated leadership.

One of the marks of a great chairman, which was so typical of Harry Byrd was that when he found himself in opposition to the position of a majority of his committee he never took advantage of his chairmanship to prevent the committee from acting on a measure. He made his position clear and voted as his conscience dictated, but I never knew him to cast an irresponsible vote.

In his service in the Senate, if he found himself opposed to a measure, never would he vote to make it a still worse measure. He only wanted to see it improved.

Harry Byrd was a magnificent example for all of us. I believe that the courtesy and consideration he showed to every member of the committee probably exceeded that of anybody who ever served in the Senate or in the House of Representatives.

Mr. DOUGLAS. Madam President, I am very happy to join the Senator from Louisiana [Mr. LONG] in the tribute which he has paid to Senator Byrd.

I served for approximately 10 years on the Finance Committee with Senator Byrd during the period of his chairmanship.

I suppose that no two men on the Finance Committee differed more than I did with the Senator from Virginia because our theories of taxation differed very sharply. Also, our belief in what the procedure of the committee should be was in sharp disagreement.

But I wish to say that no man could have treated me with greater consideration and courtesy than the Senator from Virginia. He was a model of fairness. Whatever may have been his private opinions they were carefully concealed. He was always courteous and gentlemanly, and, with me, an example of how to behave on any issue.

I join my friend, the Senator from Louisiana, in paying tribute to Senator Byrd for this feature of his character.

We all wish him a very happy life, and I hope that the graciousness of his spirit may spread, even though the economic soundness of his ideas may not be fully accepted.

Mr. WILLIAMS of Delaware. Madam President, last November the senior Senator from Virginia, Harry Flood Byrd, resigned from the U.S. Senate.

Since his resignation, scores of editorials and columns have been written extolling his outstanding record as a public official, but none more accurately describes the characteristics of this great American than the article by William S. White entitled "Byrd Leaves the Senate."

I read the article:

[From the Washington (D.C.) Post, Nov. 15, 1965]

BYRD LEAVES THE SENATE

(By William S. White)

Harry Flood Byrd of Virginia is leaving the Senate of the United States and in his departure the Nation at large should sense the tolling of a nostalgic bell in its public life.

For more than Byrd is leaving. Going with him are irreplaceable qualities rarer and bigger than all manner of ideological and partisan jawings. His retirement to the worn beauty of his country place, Rosemont, in the 79th year of his life and the 33d year of his service to the Senate, is like a parting of the rope of time and tradition.

For Byrd the great conservative will be missed as no Senator has been missed since Robert A. Taft of Ohio left both the Senate and this life in 1953. This is not because of the views of Byrd of Virginia, nor because Byrd of Virginia has been among the right-minded and the winners. It is because however wrong he has been—and even to this unashamedly friendly columnist he has been rather often wrong—he has been so gallantly wrong, so bravely among the losers.

The kind of world Harry Byrd loves has not for a long time been the real world. But he has been unterrified all the same. To the end, against all the odds, he has fought with skill and valor, without hatred or intolerance or malice or littleness, to restore a world that once was but will never be again.

For Harry Byrd's true contribution to our national affairs has not been what he has done, but rather how he has done it. Since the war at any rate, that is, since 1946, when this writer first began intimately to observe the Senate, no man there has so embodied absolute honesty, absolute honor, absolute integrity.

Endlessly, the liberals and the moderates despaired of him—and equally endlessly they respected and valued him in ways that no other was quite respected and valued in his time. When for example, the notably liberal President Johnson kissed the hand of this patriarch on the occasion of Mrs. Byrd's death the compulsive gesture of affection was not for what Byrd thought. It was for what Byrd was.

Endlessly, the far rightists sought to capture him; but endlessly they mistook their man. Though most of our public policies for 30 years had shaken him to the heart and he was their tireless opponent, he never for a moment embraced a politics of mere bitterness, a politics of spite and destruction.

Whenever and wherever he fought, sometimes alone, sometimes in a diminishing company of other Old Guard conservatives, he fought as a gentleman fights, knowing he would lose but determined to play the decent game to the last. Many who know only the Byrd of this prolonged resistance to change did not know the other side of Harry Byrd.

To them he was, for illustration, only an opponent of school integration. But this same Byrd as Governor of Virginia put through the first tough antilynching law in the Nation. This same Byrd a generation ago brought the Ku Klux Klan to its knees in Virginia.

This same Byrd smashed the power of a dreadfully wrong politico-clerical movement, associated with prohibition extremism and whispered anti-Catholicism, which once threatened to seize the whole of the Protestant South. It is one of the many ironies about this undemanding and totally unsnobbish aristocrat that the well-known "Byrd machine" arose from the necessity to beat the political parsons, to halt a new wave of know-nothingism.

Harry Flood Byrd never burned a witch nor put a dissenter to the rack, not even in the fiercest of all his battles. He is a man who goes far back, far beyond that Confederate South of which many suppose him to be an automatic champion. He goes back to the British colonial Cavaliers, men gayly untroubled in the full exercise of their privileges but bound by hoops of iron to the Spartan discharge of their responsibilities as they saw them.

It was my privilege to serve 19 years in the Senate with this great American, and during that period I came to respect him as a man of high principles, a man of impeccable integrity, a man of courage, and a man who never forgot that his office was a public trust. As a public official he was a dedicated servant of the people of the Commonwealth of Virginia and of the United States of America.

The Commonwealth of Virginia has an enviable record of producing great men, including many of our early Presidents, and Senator Byrd's name will go down in history as one of Virginia's great. His departure from the Senate is a loss to his State and to our country.

I join his host of friends, both in the Senate and throughout America, in wishing him many years of good health and a well-earned retirement.

In recognition of the outstanding services of Senator Byrd both as a Senator and for 10 years as chairman of the Committee on Finance, our committee at its first executive session, on January 19, unanimously adopted a resolution expressing our appreciation and respect.

The text of this resolution was inscribed on a bronze plaque to be presented to Senator Byrd.

I read the inscription which appears thereon:

COMMITTEE RESOLUTION, COMMITTEE ON FINANCE, U.S. SENATE

Whereas Harry Flood Byrd, of Virginia, served honorably and faithfully as a member of the Committee on Finance from March 9, 1933, until he retired from the U.S. Senate on November 10, 1965; and

Whereas Harry Flood Byrd served with highest distinction as chairman of the Committee on Finance from January 11, 1955, until November 10, 1965; and

Whereas during the entire period of his membership and chairmanship of the Committee on Finance, Harry Flood Byrd continuously manifested the highest principles of Government and exercised the highest qualities of leadership: Now, therefore, be it

Resolved, That the Committee on Finance hereby expresses its profound gratitude to Harry Flood Byrd for his outstanding service to the committee during his long and fruitful membership on the committee and particularly during his chairmanship of the committee, its deep appreciation for the gentlemanly and impartial manner in which he served as chairman of the committee, and its humble thanks for the countless courtesies extended by him while chairman to all members of the committee.

RUSSELL B. LONG, GEORGE A. SMATHERS, CLINTON P. ANDERSON, PAUL H. DOUGLAS, ALBERT GORE, HERMAN E. TALMADGE, EUGENE J. MCCARTHY, VANCE HARTKE, J. W. FULBRIGHT, ABRAHAM RIBICOFF, JOHN J. WILLIAMS, FRANK CARLSON, WALLACE F. BENNETT, CARL T. CURTIS, THRUSTON B. MORTON, EVERETT MCKINLEY DIRKSEN.

(Given at Washington, District of Columbia, this 19th day of January 1966.)

Mr. ROBERTSON. Madam President, former Senator Harry F. Byrd served in the U.S. Senate longer than any Senator from Virginia, and with a distinction surpassed by no Virginia Senator in the past 100 years.

It was my good fortune to have been closely associated with Senator Byrd, Senior, in Virginia politics for the past 50 years. By a singular coincidence we were born in the same town, and the same doctor brought us both into the world, I preceding him by 13 days.

At the age of 28 we were elected to the State senate in 1915, and were associated in the political life of the State for the next half century. We were deskmates in the State senate for 6 years. I served in his cabinet when he was Governor, and we both entered Congress in 1933, he in the Senate and I in the House.

Having known the record of Virginia Governors for a long period, and having studied the record of those before I entered public life, I am definitely of the opinion that the accomplishments of Byrd as Governor of Virginia are on a par with his accomplishments as a U.S. Senator; namely, they have not been surpassed in 100 years.

Senator Byrd, Senior, like George Washington, read and studied widely. Washington became the richest man in the United States. Harry Byrd is far from being the richest man even in Virginia, but you can count on the fingers of your hand men who started in business while still in their teens and without financial backing got rich out of farming. That was exactly what Harry F. Byrd accomplished in the apple orchard business, having been for some years the largest apple grower in the United States.

But it was as a U.S. Senator that Byrd won national recognition and fame. Year after year as a member of the Committee on Finance, and later as its chairman, he worked on an ever-increasing program of Federal taxation. During 10 of my years in the House I was privileged to help write 12 tax bills, which then came to the Committee on Finance. So even before I joined him as his colleague in the Senate I was quite familiar with the fine work he was doing in the field of taxation.

Senator Byrd, Senior, had qualities I have always regarded as essential to success in business or politics—character, courage, integrity, commonsense, and a willingness to sacrifice in order to reach an objective.

His work in the Senate for more than 30 years in behalf of sound fiscal policies will long be remembered. It gives me great satisfaction to hear those who served in the Senate with him voice those same sentiments.

Mr. BENNETT. Madam President, service in the Senate brings many privileges, not the least of which is the privilege to associate and develop friendships with other fine men and women who also serve. I have counted myself most fortunate because in 1953 I was given a place on the Committee on Finance, of which Senator Harry Byrd was then a ranking member and later the chairman. This was the basis of an association and friendship which has grown over all the years between. With the friendship there also grew a tremendous and profound respect for this quiet Virginia gentleman so devoted to the fundamental and traditional principles of our Government, whose establishment was influenced so much by other great Virginians in the beginning of our history. Senator Harry Byrd was a worthy modern representative of these men and brought into all of his Senate activities the spirit that they represented.

I certainly had no quarrel with his determination to resign because in every way this seemed to be the wise thing for him to do, but by this action he left a real void in the committee, in the Senate, and in the image of our Government that exists in the minds and hearts of most Americans. He is the personal embodiment of all the desirable attributes of fine character and, in addition, became the personal symbol of the need for prudence and thrift in the operation of our national affairs.

In spite of the fact that he is at present in a hospital, we have every hope that his health will again improve so that he can enjoy many more active and happy years surrounded by a fine family and the great business that he built up.

Mr. RIBICOFF. Madam President, I am proud to add a few words to the volumes that could be written about Senator Harry Byrd. I was privileged to serve on the Committee on Finance under his able leadership for only a few years; yet those years have left an indelible impression. He is a gentleman in the true sense of the word—courteous, responsible, and a man of integrity.

The distinguished chairman represents a great family with a long and honorable history. He epitomizes the best of a tradition of service carried on over many generations.

Whether one agreed with his social and economic philosophy or not, Chairman Byrd never varied in his courteous and attentive manner. Many pieces of legislation were passed by this body, with which he did not agree; yet he never blocked the will of a majority of his committee.

The Senate will miss Harry Byrd, and his long and distinguished career will always grace the history of this Nation and the Commonwealth of Virginia. I join my colleagues in wishing him much happiness and health among his beloved apple orchards of Virginia.

Mr. CASE. Madam President, I join my colleagues, especially those who are members of the Committee on Finance, in expressing appreciation for the person, character, and service of Senator Byrd. He is one of the most gracious individuals I have ever known.

He and I, as the distinguished Senator from Illinois [Mr. DOUGLAS] spoke earlier with respect to himself, differed deeply on many subjects, but certainly not concerning the great decencies of our civilization or of our democratic processes.

I wish to express to Senator Byrd and to his family my own warm and affectionate greetings and appreciation for his many kindnesses to a much younger man in service, kindnesses always rendered without any condescension but with real affection and a friendliness which made it possible to accept the kind of help he gave to so many of us.

We shall miss him greatly. We shall never forget him. We are happy that we had the privilege of serving in the Senate when he was serving.

Mr. CARLSON. Madam President, Harry Flood Byrd became a Member of the U.S. Senate on March 4, 1933, and retired late last year, after having served over 30 years in this body.

During his service he was nationally recognized as the "watchdog" of the U.S. Treasury. I know personally of his active interest in preserving the solvency of the U.S. Government, as I was privileged to serve with him for a number of years on the Senate Finance Committee, of which he was chairman.

He was truly a dedicated public servant and held many positions of honor and trust in the great Commonwealth of Virginia.

He always had the courage to stand by his convictions on matters affecting his State or the Nation, regardless of whether they were the popular position of the times.

He is a kindly man and those of us who served under him as chairman of the Senate Finance Committee had an opportunity to observe this quality and also his forbearance and patience as he dealt with the problems confronting the committee.

Harry Byrd truly typifies the virtues of a perfect gentleman, among which are patience, generosity, humility, courtesy, unselfishness, sincerity, and honesty. He is a true representative of southern aristocracy.

I am grateful that I had the opportunity of knowing and serving with Senator Byrd and I wish for him many years of well-earned and well-deserved rest.

Mr. HARTKE. Madam President, the resignation of Senator Harry F. Byrd from this body has left a vacancy which no one else is likely to fill. His long service in the Senate was one in which his position was a consistent one, based on the same principles which he applied to his State as Governor and in his later concern with the operations of the Commonwealth of Virginia.

As a member of the Finance Committee, I served under his chairmanship. I did not always agree with the views of the chairman, and there were times when the committee as a whole did not agree with him. But when we did disagree, Senator Byrd remained always the kindly and courteous gentleman. He was a firm believer in the democratic process, and he exercised that belief without rancor even when the workings of democracy seemed to defeat his own views.

There is no doubt that there is a continuing need for scrutiny of the operations of government in order to maintain wisdom in our spending. Senator Byrd was a watchdog of expenditures, an embodiment of what some might call the old-fashioned virtues of thrift and care, and his motive was that of concern for the best welfare of the Nation.

Mr. JAVITS. Madam President, Senator Byrd and I often disagreed on legislation, but there was no man in the Senate for whom all of us—and that includes myself—had greater respect, for his sincerity, his integrity, his deep interest in a subject, and his strong convictions. Nor has there been a more charming gentleman in the Senate.

I join with my fellow Senators, Madam President, in saying that we shall miss him greatly, in the amalgam of what we hope is vitally important thought to our Nation and the world which constitutes the judgment of the Senate, and wish him many continued years of happiness, health, and a voice in the affairs of our Nation.

Mr. GORE. Madam President, Senator Harry Byrd, who served in this body for so long and with such distinction, possessed unusual personal characteristics. He was a very gentle man, a very generous gentleman in his relationships with fellow Senators.

He was a very considerate committee chairman. His consideration applied to new members on the committee as well as to its senior members.

His gentleness and consideration for his fellow man was demonstrated time after time, not only in the equation between himself and other members of the Finance Committee but also in his attitude toward witnesses before the committee. He was anxious that on every issue on which a hearing was requested, the people be heard. He was anxious that every witness who wished to be heard have the opportunity to voice his views. Many days he occupied the chair as chairman of that committee for many hours, tiresome hours sometimes, in order to hear out spokesmen and interested citizens with respect to the issues before the committee.

With respect to suggestions, amendments, views, the right to be heard, the right to have suggestions considered, his attitude as chairman was exemplary. It was a pleasure to serve on the committee with this gentle gentleman, and under his chairmanship of that very important committee.

My gratitude, my respect, my esteem, my friendship, and my affection are possessed by him in full measure.

Mr. METCALF. Madam President, as a newcomer to the Senate Finance Committee, I did not have the opportunity to serve under the chairmanship of Senator Byrd. But I did observe and respect him even before I came to Congress 14 years ago. He was one of the first men I met after my election in 1952. His leadership and his integrity has been an inspiration to hundreds of Members of Congress. A dedicated and devoted Senator in the finest tradition of the U.S. Senate he will be long remembered as a fine citizen, a faithful and conscientious Member of Congress and a just and hard working chairman of a great committee of the Senate.

Mr. SMATHERS. Madam President, I would like to join and concur in the remarks made by the present chairman of the Senate Finance Committee, the able and distinguished Senator from Louisiana, Senator LONG, and other members of the Finance Committee, in paying tribute to our former chairman, Senator Harry F. Byrd.

The public record of Senator Harry Flood Byrd, Madam President, is one in the finest traditions of the State of Virginia and the United States. Integrity and selfless public service have been the hallmarks of this fine American, Harry Byrd.

For the better part of this century, the name of Harry Byrd has been a valued one in the field of public service. He was first of service to his beloved Shenandoah Valley of Virginia and was president of the Valley Turnpike Co. in 1908–18. From 1915 to 1925 he served in the State Senate of Virginia. In 1918, he was fuel commissioner for the Commonwealth of Virginia. In 1922, he was elected chairman of the Democratic State Committee. From 1926 to 1930, Harry Flood Byrd was Governor of Virginia, where he wrote a magnificent record of public administration.

Appointed to the U.S. Senate to fill an unexpired term, Senator Byrd came to these historic chambers on March 4, 1933, and served thereafter for 32 years, before submitting his resignation—announced on November 11, 1965.

The esteem and respect which he has enjoyed from his colleagues on both sides of the aisle in the Congress for performing great service to this Nation has never been equaled. As chairman of the Finance Committee he was always fair, objective, and patient. At no time did he ever delay or discriminate against proposed legislation, even though he was opposed to some measures that came before our committee. He is a man of sterling character and superb ability. Despite his many responsibilities and nagging troubles he always was courteous, thoughtful and kind. In addition to being a great Senator from Virginia, he was a great friend and great man. We in the Congress miss Senator Harry Flood Byrd. I am sure that the people of Virginia and the Nation miss his courageous voice almost as much as we do. But he has left for us all a great legacy—one to inspire us to greater selflessness, more arduous labors, and a higher sense of duty. I happily and eagerly join my colleagues in expressing my sincere hope that he will have a very speedy recovery and enjoy many, many more years of health and happiness.

Mr. CURTIS. Madam President, I want to add my voice in praise of Senator Harry Flood Byrd who served so long and so well as a Senator from the State of Virginia.

Senator Harry F. Byrd is the most consistent public official that I have ever met in my life. He is Mr. Sound Fiscal Policy. He has never waivered. He has never yielded to pressure. He has never changed his views when they were unpopular. Senator Byrd's position on spending has not often prevailed. Our country would have been much better off if his ideas on spending had prevailed.

Senator Byrd is a very kind man. He is a gentleman in the truest sense of the word. He is always extremely courteous. He is always considerate of the views of his colleagues and has never been critical of those who disagreed with him. He has written a record in the U.S. Senate that will stand for all time. He is truly one of the Republic's great men. I hope that he enjoys many happy years in his retirement.

Mr. YOUNG of North Dakota. Madam President, I wish to join with my colleagues in the Senate in paying tribute to one of the all-time great Members of the Senate, our good friend Harry F. Byrd, Sr.

Harry Byrd is known throughout the length and breadth of this land for many phases of his outstanding work in the Senate. The one field in which he has no peer is in his long and effective efforts for a sound and stable Federal Government. He believed in economy first, last, and always.

Above all, he always believed in constitutional government and all that it stands for. No one was a more effective advocate of States rights and he fought with all his heart in the rearguard action to maintain those principles of government that he held so dear.

Senator Byrd is a southern gentleman of the old school—always courteous, considerate, and friendly. He was a proud and stately representative of his beloved Old Dominion of Virginia continuing the proud tradition of the Byrd family dating back even beyond the founding of our Republic.

I am honored and privileged to have been able to serve with him during his last 21 years in the Senate. May his retirement be long and pleasant.

Mr. JORDAN of North Carolina. Madam President, I want to join my colleagues in paying tribute to our good friend, Harry Flood Byrd.

The Senate has not been the same since Senator Byrd retired, and it will take a long time for us to get used to the fact that he is not in the Chamber and is not at work in the Senate Finance Committee.

We know how much he looked forward to retirement, but still we wish he had remained with us. We can only hope that he is enjoying his leisure days and wish the very best for him always.

No American has given more dedicated service to his Nation than Harry Byrd. Even though there were many who disagreed with the positions he took and his philosophy of government, all who knew him admired him and respected him for being the gentleman he always is, no matter what the situation might be.

Even though we miss his friendly and always courteous manner, he has left in the record he made a challenge to all of us—respect and work for sound fiscal management of the Federal Government.

I am sure that as time goes on we will call upon him to give us the benefit of his advice and wisdom even though he no longer serves as a Member of this body.

Mr. MORTON. Madam President, all I can say is that Harry Flood Byrd is the greatest statesman I have ever known and certainly the greatest gentleman.

Mr. Harry, I salute you.

Mr. THURMOND. Madam President, the presence of Senator Harry F. Byrd, Sr., is sorely missed in the Senate. No man I have known since coming to the Senate have I regarded more highly than Senator Harry Byrd. One of the greatest pleasures of my service in the Senate was my personal association with Senator Byrd; and I am particularly reminded today, as the Senate undertakes consideration of the first major tax measure since Senator Byrd's resignation from the Senate, of the absence of Senator Byrd's counsel and experience in Government fiscal matters. He was one of the soundest men in Government, and the Nation benefited tremendously from his long and dedicated service. I would hope that the Senate in its consideration of the tax measure which is before it, and in the future, particularly when it is considering fiscal matters, will recall the example and sage advice of Senator Harry Byrd, who never swerved from his dedication to principles of fiscal responsibility.

Mr. SIMPSON. Madam President, when that great gentleman of the U.S. Senate, Harry F. Byrd, retired, he was termed by the Washington Star the man "who in 33 years in the Senate has become the Nation's leading symbol of fiscal economy and conservatism." And predating the retirement by some 2 years was the comment by columnist William S. White that "all of the U.S. Senators think of Harry Byrd as a man of absolute integrity, absolute honesty, absolute courage."

These two observations I believe, Madam President, summarize the feeling of the Senate and the Nation for the retired senior Senator from Virginia.

Since my first day in the Senate, this grand gentleman had been ever present to offer me advice, to give me assistance, and to guide and counsel me. Although of different parties, we were of like mind and philosophy and I came to regard Harry F. Byrd as a gentleman, a statesman, a man of tremendous stature who was big enough to chart the fiscal course of this great Nation and humble enough to help a junior Senator with any problem, large or small.

Seldom does it come to anyone to do as much for his country as Harry Byrd did for the United States.

I think it well to look very briefly at the Senator's career. He entered the publishing business at the tender age of 15 and began to grow apples before he was 20. Before his 21st birthday he was elected to the Winchester City Council and to the State senate at 27. At 33 this precocious and phenomenal gentleman from Virginia was the Governor of his State and as all of us know, he has been U.S. Senator from Virginia since 1933.

Madam President, I was in Wyoming when Senator Byrd announced his retirement from the Senate of the United States. Like my colleagues, and the people of Wyoming to whom Senator Byrd was a symbol of Americanism and dollar-and-cents commonsense, I was shocked and grieved, for I knew that with that announcement there was created a vacuum in the U.S. Senate.

I join today with my colleagues in a tribute to a man richly deserving of accolades. I wish the gentleman from Virginia a long, happy, and productive life because his counsel and advice and his influence on our Government has not ended with the termination of his Senate career.

Madam President, I ask that an article by Mr. William S. White, printed from the April 1933 Reader's Digest, be printed in the RECORD in the context of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[A Reader's Digest reprint, April 1963]

MEET THE HONORABLE HARRY (THE RARE) BYRD

(By William S. White)

(NOTE.—Even those who disagree with his policies cannot help liking and admiring the patriarch from Virginia as a man of integrity and courage.)

A veteran Congressman said recently, "There are three parties in the U.S. Senate—the Democratic Party, the Republican Party and the party of Harry Byrd. Harry is far too fond of the old Democratic Party ever to leave it, and he is too oldfashioned a southern gentleman ever to join the Republican Party. So, he has his own party—the Byrd-Democratic Party."

Harry Flood Byrd of Virginia is the Senate's southern conservative patriarch. Some of his colleagues think of him as a force of "reaction" and pennypinching; others think of him as the last, best guard over the Federal Treasury, the last, best hope against Federal intervention in State and local affairs. But all of them think of Harry Byrd as a man of absolute integrity, absolute honesty, absolute courage.

Why absolute integrity? Because he votes as he believes. Why absolute honesty? Because he says what he believes, and only what he believes. Why absolute courage? Because no mere part-time valor can arm any man to vote invariably, and to speak invariably, only upon his own convictions.

Two years ago when the Senate voted on the Kennedy administration's proposals to extend unemployment insurance, Byrd lost, by only two votes, his fight to preserve the principle of State responsibility for the administration and distribution of the funds. But he did not, as a lesser man might, take the narrow defeat as a personal rebuke and go off sulking. Byrd, confident that his convictions were right, stayed on the floor. When the Senate clerk had called the last name and it was apparent how the vote had gone, Senators who had opposed him went to Byrd's front-row desk to congratulate him for his fortitude.

This respect for Byrd is bipartisan. When, after years of Democratic Party rule in Congress, the Republicans won a majority and the right to name committee chairmen in 1947 and 1953, they asked Byrd to remain as chairman of the House-Senate Committee on Reduction of Nonessential Federal Expenditures, which he had been instrumental in setting up in 1941. "That's Byrd's committee and he should keep on running it," one Republican explained. Today, the committee is one of the best sources of information about Government spending. Byrd, with 21 years as chairman, has been head of a congressional committee for a longer unbroken time than any other man in history.

Byrd is a true aristocrat, perhaps the last in the Senate and one of a nostalgic few remaining on the U.S. political scene. The name Byrd has been written across all the pages of Virginia's history since 1674. Yet, like many aristocrats, Byrd seems unconscious of his status. A thrifty man who has a horror of any kind of "show," he could be picked as the least well-dressed member on the Senate floor. He drives only low-priced automobiles. He buckets around his vast apple orchards in the Shenandoah Valley (he is the largest individual grower in the world) and around his hometown of Berryville in khaki pants and shirt like a farmer on the way to the general store.

Byrd's sole visible symbol of status is his white-pillared country house, "Rosemont," which surmounts Berryville like a manor house over an English village. When, and very rarely, Byrd entertains at Rosemont (always in the spring, when the apple blossoms cover the hills), "H. F. Byrd," the apple-grower, and Harry Flood Byrd, the U.S. Senator, become simply Byrd of Rosemont. In these moments Byrd is dressed for the role of southern squire, usually in white linen gleaming against his reddish, apple-cheeked face and his blue, amused eyes.

But Byrd's public life is his real life, and has been for 55 of his 75 years. His father, Richard Evelyn Byrd (the late admiral and explorer of the same name was Harry Byrd's younger brother), had sat with such absorption as speaker of the Virginia House of Delegates that he had neglected both his law practice and the small family fortune bound up in the Winchester Star. The Star had become so debt ridden that the elder Byrd had about decided to liquidate it. But Harry Byrd, although only 15, asked permission to quit high school and have a go at the paper.

His first problem was a heavy indebtedness to the firm that supplied the newsprint. He persuaded that firm to send newsprint c.o.d.—one day's supply at a time. By day-and-night collection of bills owed the Star and by working as manager of the local Bell Telephone office, young Harry managed to pay for each shipment of paper as it arrived. And, finally, through his managerial skill, all back bills, too, were paid, and the newspaper became solvent.

But from early boyhood Harry Byrd had meant to be a public man. He was elected to the Winchester city council before he was 21, to the State senate at 27, and was Governor of Virginia at 38. He has been a U.S. Senator since 1933, the year in which Franklin D. Roosevelt entered the White House.

In the years since he left Virginia statehouse, Byrd has "had some little hand," as he puts it, in the election of nine Governors of Virginia. Eight have been "Byrd men"—men who in general have shared his philosophy of fiscal prudence and belief in the maintenance of worthwhile traditions.

The "Byrd organization" is no Tammany Hall, no machine like the one the Republicans once had in Pennsylvania. It is variously described as "an association of like-minded men" (by its friends) and as "Harry Byrd's steamroller" (by his enemies). In the organization there are no direct ukases from on high; Byrd does not personally pick who is to run for what office. Still, when election time comes around, everybody in Virginia knows how "the Senator" feels. Byrd himself says, "For the success that I have had and the organization has had, there is, I think, one very simple explanation: I have always been conservative and it has always been conservative."

The catalyst that formed "the organization" came in 1923, when Virginia was torn by a debate over how to pay for badly needed highways. Byrd, as a State senator, advocated building modern roads; but unlike his opponents he felt the $50 million cost should be paid as the roads were built rather than by floating a bond issue. Resolving to carry the decision to the people, he slogged through the muddy roads to nearly every city and village in the State. Byrd's proposal was simple: "Pull the farmers out of the mud, but do it sanely through a pay-as-you-go gasoline tax." The voters were convinced; the proposal for a bond issue was defeated, and Byrd became the logical choice for Governor.

As chief executive, Byrd streamlined the State constitution until it became a model studied throughout the United States. He changed a $1,900,000 budget deficit into a $5,700,000 surplus. He persuaded the legislature to pass a tough law that ended lynching in Virginia. He lured new industry, and put Virginia on such a sound financial basis that, while it now ranks well above the national average in growth, expenditures for education, and percentage of surfaced highways, it has virtually no State debt.

Never has "the organization" been remotely accused of corruption. One of Byrd's few orders (decisions he calls them) to "the organization" was to resist the slightest touch of influence peddling. Indeed, Byrd's own antagonism to influence peddling is so marked as to seem to more relaxed politicians almost an obsession. For example, when President Eisenhower named Charles E. Wilson of General Motors as Secretary of Defense in 1952, nearly all of Washington assumed that Wilson would have no trouble in being confirmed by the Senate. But Byrd, though a strongly probusiness politician, read the conflict-of-interest laws to say that Wilson must sell his stock in General Motors, which held large contracts with the Defense Department.

There was a hard deadlock between these two hard-minded men. Other Senators wanted a compromise; Byrd would have none of it. Wilson threatened to "go over the Senate's head" with a television appeal to the country. (What he meant was to "go over Byrd's head.") Byrd told him, "Mr. Wilson, I do hope you won't do that. It would be very bad—for you." Wilson finally sold his stock.

Byrd's insistence on budget balancing, on pay as you go, and his hostility to the spread of Federal powers often irritate his colleagues, but they could hardly imagine the Senate without him. In 1958 he announced that he was retiring. Mrs. Byrd had been ill, and he had promised her that he would not run again. There was an outpouring of genuine regret in the U.S. Senate, but the general assembly of Virginia did more than regret. It passed a resolution, the first of its kind, calling on him to reconsider. "The general welfare of the entire United States and Virginia demands his continued service," the resolution concluded.

Byrd, bearing his promise in mind, went to Mrs. Byrd with the assembly's request. She herself wrote a letter to the assembly: "I have looked forward to my husband's retirement, but I do not feel that my hope should obstruct the judgment of those better informed than I who think he can render a public service in these trying days."

So Byrd ran again for the U.S. Senate. His favorite corner there is the finance committee, of which he is chairman. He fights a cheerful but endless rearguard action against too much spending, too much foreign economic aid, too much intrusion by the Federal power. His arguments, in brief, almost offhand speeches, are never stilled.

Hundreds of major legislative actions in the fiscal field over the years have borne the imprint of Byrd's thrifty hand. The soundness of the social security system, for one, represents an enduring Byrd victory. From the enactment of the law in 1935, Byrd was dissatisfied with it, because it promised billions of dollars in pensions but offered no guaranteed means for paying the bill. He wanted nothing less than a pay-as-you-go plan—and 4 years later, in 1939, Congress accepted a Byrd amendment for pay as you go.

Seventeen years later, when the Eisenhower administration proposed the vast multibillion-dollar highway program now in the process of lacing this country, Byrd returned to the same principle. Eisenhower and George M. Humphrey, then Secretary of the Treasury, wanted to finance the system with a bond issue which would augment the already mountainous Federal debt. Byrd told them, "Roads, yes, gentlemen. Bonds, no, gentlemen." When the Federal Highway Act of 1956 was finally adopted, it carried Byrd's pay-as-you-go financing plan.

He fights doggedly even on small items. When in 1945 the time came for President Franklin D. Roosevelt's fourth inauguration, Byrd was chairman of the inaugural committee. Congress appropriated for the occasion $25,000, to Byrd an ample sum. F.D.R., who had conducted polite but relentless warfare for years with the Senator, observed one night to friends: "Old Harry is so worried about money, I think I shall simply announce that I want nothing from him for the inauguration—not even his precious $25,000."

Byrd calmly took the President at his word. He issued orders to the inaugural committee to return the $25,000 to the Federal Treasury. Roosevelt paid for the chicken a la king inaugural luncheon out of regular White House funds.

Byrd has always assumed that because he means a thing when he says it, other public men mean what they say. Demagoguery is utterly foreign to him; he never hides his motives or apologizes for his actions. "I just go on my regular course," Byrd was quoted by Time. "I don't claim to have any special virtues at all. I just vote for what I think is right."

Truman once said that there were "too many Byrds" in the Senate. But there is only one Harry Flood Byrd of Virginia; and there will not soon, if ever, be another. Issues are endlessly debatable; but character is not. And Harry Byrd symbolizes a vanishing era of public men who stood to the end in awareness that their true and ultimate responsibility was to country and history.

Mr. BYRD of Virginia. Madam President, on behalf of the former senior Senator from Virginia, as well as on behalf of the present junior Senator from Virginia, I express my deep appreciation to the former colleagues of Senator Byrd for the beautiful tributes that have been paid to him this morning, and for the magnificent plaque which was worded and approved by the Committee on Finance, on which he served so long as chairman.

Those Senators who served with him know how deeply he revered the Senate of the United States. I believe that all Senators know how much he misses the many wonderful and warm friendships he enjoyed for so many years with his colleagues in the Senate.

Speaking from my own point of view, it was an inspiring, wonderful thing today to sit in the Senate Chamber that he loved so much and to hear so many distinguished U.S. Senators pay to my father such wonderful tributes.

Madam President, on behalf of my father and myself, I express my deep appreciation.

REDWOOD NATIONAL PARK

Mr. METCALF. Madam President, on February 23, when I introduced amendment 487 to S. 2962, to establish a Redwood National Park, I listed the following organizations which support amendment 487: Sierra Club, the Wildlife Management Institute, the Wilderness Society, the Citizens Committee on Natural Resources, the National Parks Association, the Federation of Western Outdoors Clubs, the Izaak Walton League, the Public Affairs Institute, Trout Unlimited, the Audubon Society, and Citizens for a Redwood Park. Amendment 487 is also supported by the Garden Club of America. The Garden Club of America went on record at a hearing before the Department of the Interior last November. I ask unanimous consent to insert in the Record the statement at that November 22, 1965, hearing by Mrs. Thomas M. Waller, president of the Garden Club of America.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

(For presentation at a meeting to review and discuss proposals for a Redwoods National Park in California—U.S. Department of the Interior, Washington, D.C., November 22, 1965.)

I am Mrs. Thomas Waller of Bedford Hills, N.Y., president of the Garden Club of America, a national organization with member clubs from coast to coast and in Hawaii. I greatly appreciate this opportunity to present our views on this important issue.

The concern of the Garden Club of America for the Sequoia Sempervirens is a long serial which commenced in the 1920's. In 1931 we presented 2,552 acres on the south fork of the Eel River to the California State Park system and since then have added 1,565 acres to our grove. Our interest and concern for the preservation of the Redwoods has never lessened.

We strongly advocate the establishment now of a Redwoods National Park of approximately 90,000 acres, a park which would include about 45,000 acres of virgin trees, the most significant area of primeval redwoods, and other related natural features. In considering the total acreage to be encompassed in a Redwoods National Park we are mindful of the fact that the entire area was once a virgin forest of close to 2 million acres. We believe that Prairie Creek-Lost Man Creek-Redwood Creek Valley is the most important and suitable area for inclusion in the National Park System. This contains the magnificent Gold Bluff's Seashore, with numerous waterfalls dropping down the face of Gold Bluff from the forest above, the unbelievably beautiful Fern Canyon, the world's tallest trees, and a far greater variety of scenic features than are found in any of the other proposed areas. The greatest variety of wildlife species, including the Roosevelt elk are to be found in this proposal and the area is especially important for its ecological value. Its recreational facilities are far better than those in the Del Norte County, for the magnificent Gold Bluff Beach would afford unequalled opportunities to the public for the enjoyment and use of a seashore area. In addition, the Prairie and Redwood Creek areas are better suited to absorb an increasing visitor load, without impairment, than are any of the other possible national park proposals.

Of greatest importance is the fact that the Prairie Creek-Lost Man Creek-Redwood Creek Valley contains a wider sweep of primeval redwood forest than is to be found in any other section of the redwood region; this sweep of forest extends from the near rain forest grooves in the present Prairie Creek State Park southeastward across the width of the redwood belt. Within this proposal there are also a number of unaltered tributary streams to Redwood Creek. These are practically the only streams in the redwood region today, the watersheds of which are still untouched by man.

With some 12,000 to 15,000 acres of the redwoods being logged each year it is the understatement of the century to say that time is of the essence. We urge establishment of a Redwood National Park of approximatly 90,000 acres, believe the Prairie Creek-Lost Man Creek-Redwood Creek Valley to be the most desirable area for such a park, and pray that the first act of the next session of Congress will be to pass legislation creating a Redwoods National Park of this magnitude in northwest California.

THE SITUATION IN VIETNAM

Mr. McGEE. Madam President, regarding the situation in Vietnam and the reasoned, careful escalation of American military activity there, I have said on several occasions that these are steps we must take, realizing the risk of provoking mainland China. Some critics of the Government's policies seem sure that we are bound to provoke China into massive intervention in Indochina. This, they say, is a risk we cannot take.

It is, however, a risk we must take. Today's Washington Post, Madam President, treats this question with an editorial which gives little weight to the apocalyptic view of the critics I have mentioned. I ask unanimous consent that this editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Mar. 8, 1966]

WAR WITH CHINA?

Many recent critics of American policy in Vietnam fear that this policy is increasing the risk of war with China. They expect early Chinese intervention in the Vietnamese war. There is reason to believe that their expectation is ill founded.

Some American specialists on China—familiar with her conduct in past crises—have long believed that she would intervene massively in the Vietnam war only if she were attacked or if American troops invaded North Vietnam with the intention of overthrowing the Communist regime there. As one such expert has put it: "All the indications are that Peiping will only decide on direct military involvement if it believes that the United States has mounted a Yalu River-type escalation directly threatening the security of China itself." In a word, China's actual military posture in Vietnam remains essentially defensive. China's goal is to see the United States defeated by the Vietcong and to avoid itself being drawn directly into the conflict.

What in the past was based largely on educated guesswork can now be supported by an extremely significant, and largely unnoted, recent statement of China's Premier Chou En-lai. Chou, in a December 20 speech in Peiping celebrating the fifth anniversary of the founding of the National Liberation Front, outlined a number of actions the United States is preparing to take in Vietnam including the following: Bombing Haiphong and Hanoi; harassing and blockading the Bac Bo Gulf to cut the sea communications to Hanoi; bombing the Communist-held central and southern parts of Laos; dispatching United States, Thai, and Loatian Government troops to occupy this area; and instigating the Thai and South Vietnamese Governments to seal the border between Cambodia and South Vietnam.

Chou said nothing about possible Chinese responses to such action. Rather he said that if all these actions failed to save the United States from defeat in Vietnam, as he predicted they would, it is possible that the United States would "go a step further and extend its war of aggression to the whole of Indochina and to China." He strongly suggested that only at this point would China enter the war. Similarly, Foreign Minister Chen Yi, in a December 30 interview with a Japanese Communist correspondent, said in reply to a question about how China would cope with American escalation in Indochina: "If U.S. imperialism insists on extending the war to China, we cannot but resolutely take up the challenge and we will not call off the battle until complete victory."

Why should the Chinese tip their hand in this fashion? One reason might be a desire to draw the line sharply between what the United States can and cannot do in Vietnam so as to deter a premature U.S. attack on Chinese territory. Another might be to prepare the NLF for the failure of the Chinese to respond should the United States undertake the lower level actions mentioned by Chou. These actions, Chou implied, could be dealt with by the Vietnamese people themselves.

Obviously no one can be absolutely sure what U.S. actions in Vietnam might trigger a war with China. But available evidence suggests that Peiping is just as anxious to avoid a larger war as is the United States. Such a war, in which China would be extremely vulnerable to American air power, would serve no rational purpose either for China or the United States. This is not to say it could not happen. Nations have blundered into war before. The point is that both China and the United States have very strong reasons to avoid a direct confrontation in Vietnam and there is a reasonable chance that they can do so.

This does not mean that escalation carries no risk or is desirable. But it does suggest that the apocalyptic view taken by some administration critics is not appropriate to the situation. Moreover, this view hampers realistic consideration of American options.

THE MERRIMACK II STORY

Mr. COTTON. Madam President, it is an unhappy fact of life that every hair-brained scheme bearing the blessing of Government planners and bureaucrats receives front page attention, regardless of merit or return to the taxpayer, while the contributions of private investment to the growth of our economy are accepted as a matter of course, with little notice and faint praise.

We are confronted with a classic example of this in northern New England where much has been made of a proposed hydroelectric project on the St. John River. In the midst of all the clamor attending this determined effort to bring public power to my section of the country, wanted or not, needed or not, economical or not, the Public Service Co. of New Hampshire is quietly proceeding with the construction of a $37 million extension of its Bow, N.H., plant, designed to bring needed power to our State, at reduced cost to the consumer, without expense to the rest of the Nation, and with the payment of additional taxes to community and State.

As is pointed out in an excellent editorial appearing in the Manchester Union Leader for Friday, February 25, this provides a textbook lesson in the benefits of free enterprise as opposed to Government control, and I ask that the full editorial be printed at the conclusion of my remarks.

I, for one, am delighted to help tell the "Merrimack II Story" and invite to the attention of the Senate that private initiative has not yet been stifled by big Government, at least in New Hampshire.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Manchester (N.H.) Union Leader, Feb. 25, 1966]

WHO WILL TELL THE MERRIMACK II STORY?

Construction of a $35 million addition to the Public Service Co.'s generating plant in Bow, with an anticipated drop of between 30 and 40 percent in electricity bills, not only will provide a textbook lesson in the benefits of free enterprise as opposed to Government control, but also it will bring that lesson home with dramatic impact.

William C. Tallman, president of the firm, described this dramatic success story without need to resort to overstatement during his remarks at the recent ground-breaking ceremony. When the new addition—to be known as Merrimack II—becomes operational in the spring of 1968, Tallman said, New Hampshire will have the lowest electric power cost of any thermal unit in the six New England States. The 350,000-kilowatt unit at Bow will cause power costs to drop from 7½ to 4.9 mills per kilowatt-hour. Thus, in the short space of one decade, the cost will have dropped from more than a cent per kilowatt-hour to less than one-half a cent.

The addition to the existing plant, 6-year-old Merrimack I, will produce a total generating capacity of 476,000 kilowatts and also will result in the employment of hundreds of New Hampshire men at the construction site.

The company's investment is a commitment not only in terms of dollars and cents, it is also an affirmation of the Public Service Co.'s confidence in the future of the Granite State. To illustrate that confidence the firm is spending $37 million on Merrimack II, the largest investment in a single factory ever made by a New Hampshire industry, and $8 million for new transmission lines. Vice President Eliot Priest estimates that some $11 million will be spent in New Hampshire for wages and materials for the construction project.

Out-of-State readers of this newspaper can breathe a sigh of relief. This is not a TVA-type project. The lowering of electricity costs here is not being accomplished at the expense of the rest of the Nation.

Since all private utilities are watched closely by the Internal Revenue Service and are forbidden to deduct the cost of certain institutional advertisements from their taxable incomes—i.e., they may not indicate a preference for investor-owned utility companies as against Government-owned plants which are the beneficiaries of tax favoritism and vast public appropriations—it is to be hoped that New Hampshire's congressional delegation will use their positions to lavish the kind of praise on Merrimack II that is lavished on public power projects.

There's no law against that—so far.

FIRST LADY'S SPEECH AT THE UNIVERSITY OF ALABAMA

Mr. ERVIN. Madam President, on February 25, 1966, our First Lady, Mrs. Lyndon B. Johnson, addressed the University of Alabama and American Association of University Women Leadership Conference at Tuscaloosa, Ala.

In returning to her native Alabama to speak at the university which she once attended, Mrs. Johnson alluded to the early history of the university and emphasized the role of women in the university's development.

Mrs. Johnson indicated several areas in national life in which women are making an outstanding contribution and correctly opined "when women get behind a project, things happen."

The First Lady did not confine her praise to the ladies. Indeed, she rightfully lauded Alabama's two distinguished U.S. Senators. No one knows better than their Senate colleagues how right Mrs. Lyndon Johnson was when she said "there are two men who stand tall in the Nation's Capital." I would like to identify myself with Mrs. Johnson's tribute to two of the Senate's most able Members.

The First Lady discussed, in an engaging manner, a number of the administration's programs. I call to my colleagues' attention this very interesting and charming speech of a very lovely lady.

Madam President, I ask unanimous consent that Mrs. Johnson's speech be printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Remarks by Mrs. Lyndon B. Johnson, University of Alabama and American Association of University Women Leadership Conference, Tuscaloosa, Ala., February 25, 1966

Dr. Rose, friends, coming home is always a nostalgic experience and Alabama is second home to me. But my nostalgia is mixed with pride today as we gather at this great university. Back in the summer of 1931, I was enrolled here for 6 short weeks. Over the years, this campus has lived in my mind as the perfect setting for a college. It seemed to come right out of a novel, with all the romance and beauty that implies. I remember the patrician president's mansion and the quadrangle with its great old trees, offering welcomed shade and that comfortable feeling of deep roots. There was a marvelous swimming hole off the campus that must by now be lost to the forces of progress. But the center of life was the Union Building. We all gathered there at the Post Office. This, I am sure, is changeless.

Today on this campus we see the signs of wise planning—the careful preservation of the old and the orderly development of the new. The University of Alabama is fortunate to have a man with the stature and vision of Dr. Frank Rose to guide it through these changing and demanding times.

You have gathered here because you know that Alabama, like the rest of our country, is in transition. Your conference theme recognizes that the decade of the sixties offers both responsibility and opportunity for citizens.

In your workshops and through your speakers, you are going to examine many avenues of possible service. But I sense from the speech topics that you are also searching for the answer to a deeper question: What is the real role today of women in our type of culture, in our period in world history, in this particular part of our country? This is a never-ending search. I wish you a fruitful journey.

How can I be useful to you in this important quest? The answer lies, I believe, not in cataloging for you the problems we face or the programs and policies that need your backing. Instead, I would like to set before you an attitude of mind that I believe holds the key to all that we attempt to do.

First, let us do what all southerners love doing—let us find out who we are—identify ourselves.

You have an enviable heritage of outstanding Alabama women doers behind you. There was Julia Tutwiler in the late 1800's, who established schools for women all over Alabama and brought coeducation to this university. The officials solemnly assured her that grave consequences would follow if girls were admitted to the university. Finally, in 1896, 10 women were admitted. "Aunt Julia" remembered not to smile too widely when the girls walked away with four of the six honors awarded at graduation. The first women's dormitory was named in her honor. Her prison reforms brought about the establishment of Julia Tutwiler Prison for Women. My own cousin, Edwina Mitchell, has for many years been its director.

Who doesn't thrill over the miracle of Helen Keller, of Tuscumbia, whose indomitable spirit has given hope and encouragement to handicapped people throughout the world.

In your State capital you have a great archives, thanks to the determined efforts of Marie Bankhead Owen.

Harper Lee, a brilliant novelist who attended the university in the forties, has brought alive the warmth and humanity of a southern family in a small southern town.

And, may I add, Libby Anderson Cater, who was the only girl to be elected president of the University of Alabama student body and whose husband, Douglass Cater, is a special assistant to my husband. In raising a family and being an alert, active citizen, she is a good example of a point I want to make today.

One of the most wasted of our natural resources today is the idleness of the educated woman. Some of us never survive the battle fatigue of launching a family. Others become accustomed to being homebodies and find the old rut too comfortable, or too deep, to climb out. Or we may simply lose our self-confidence about the worth of our talents.

I am speaking particularly to you students, who have before you the wonderful prospect of raising families but also desire to keep current with the world; and to those of you who are facing a new freedom for the first time in your married lives now that the children have flown the coop. I am also speaking to those of you who are active career women already but who seek new dimensions of activity outside your professional duties.

I have made a discovery in my life that I am sure many of you have made for yourselves. It is a life-renewing discovery. There is some magical energy, a secret chemical more powerful than Adrenalin, which pushes me on when I am doing something I love.

Someday I believe that medical researchers are going to isolate habitual fatigue only to find out that it is the presence of nothing? What else can explain the fact that the men and women who love their work are able to work twice as hard and twice as long and yet remain refreshed?

We have all had periods of nothingness in our lives when we felt too tired to begin to do something. But if there is one message that I would like to give you today, it is this: be aware of your hidden strengths. You have the capacity to change the face of your community, to elevate the level of life around you. Through the centuries, women have been the prodders. Good works go forward in proportion to the number of vital and creative and determined women supporting them.

When women get behind a project, things happen.

Things happen when we organize a yard-of-the-month program to make our hometown more beautiful.

Things happen when, up in the mountains of Appalachia, women take the bookmobiles back into the forks of the creek, carrying the miracle of good reading to people who never before knew the joy of a library.

Things happen when women support a good citizenship campaign or a Headstart kindergarten for disadvantaged children or a fund drive for one of the many worthy U.N. projects.

Education is a debt to be repaid with the gift of self. But we do not have to look on this as a painful obligation. Rather each of us should choose a challenge that will make our own life richer and happier. Then, work so that at the end of the day we feel excited instead of tired—excited over what we accomplished today and what awaits us tomorrow.

There are so many worthwhile things waiting to be done. When your children make their declarations of independence, be ready to make your own.

Life around the White House these days is very much like what you're doing here. It is one continuing seminar. A short while ago, I was supposed to meet with a group to discuss the Women's Job Corps. We looked around for a place where 100 women leaders from all over the United States could talk about the hopes and pitfalls of this great venture.

In the East Room, a ceremony was being held to honor outstanding students from 40 States. The rose garden couldn't be used because a group of ministers were gathering to discuss community relations. The State Dining Room was being prepared for a luncheon and briefing of businessmen by the President and Cabinet members.

I didn't dare try for the second floor because Luci and Lynda were in the throes of exams and had issued dramatic pleas to keep everything quiet.

So we found our meeting place down in a far corner of the south lawn amid a wonderful grove of trees. Fortunately, it was a sunny day. In 160 years, I doubt that this particular part of the White House grounds had been put to such talkative use. But we gathered there, with coffee and doughnuts, full of ideas about how to get untrained young women into jobs.

Here, as in the White House, our pulses beat with a new tempo. It is a different paced world than the one I entered as a girl when I first fell in love with Alabama. From the age of 6 until I married, I spent every summer here visiting my relatives. Montgomery, Billingsley, Mobile, Prattville, Wetumpka—the places where I stayed come back to me in a mezzotint of memories.

I remember—who could ever forget?—the laughing hayrides and watermelon suppers, learning to swim in Mulberry Creek, the lazy curl of a cousin's fishing line flickering in the sun, church on Sunday, and then the long Sunday dinner with kinfolks—endless kinfolk—discussing the endless family gossip around the table.

Today, I am still under the spell of that special grace, but I also sense the spirit of a State on the move—decidedly on the move. I feel this most of all when I talk with the two Alabamians I know best—two men who stand tall in the Nation's Capital. I mean Senators Lister Hill and John Sparkman.

I think of the top priority programs for the good of Alabama and the whole Nation that these men have helped to move: What could be more important than education and health? When we read that the Federal investment in education and training will reach $10 billion this year, we can thank the man from Alabama who is chairman of the Senate Labor and Public Welfare Committee—and also chairs the Appropriations Subcommittee on Education—Lister Hill. No group knows better than this one of the contributions which Senator Hill and the Congressman from this district, Armistead Selden, have made to higher education.

When we drive through a small Alabama town or nearby 8,000 other towns and cities in America and come upon a modern, well-equipped hospital or nursing home offering health to the people, we can bless the author of the Hill-Burton Act.

Housing also ranks at the top when we consider our scale of values for the good life. I wonder how many farmers who own their own homes realize what they owe to that son of a tenant farmer John Sparkman.

Nearly 15 million American families today are better housed because of legislation patiently crafted by the man who is known as "Mr. Housing" in Washington.

For him, housing doesn't stop at the home place. It reaches to almost every college campus in the country. Right here in Alabama, 27 institutions of higher learning have benefited from the college housing program sponsored by John Sparkman.

Both these men have a quality essential to the public servant and the active citizen. They don't say die when the going gets rough. To quote the late Gov. Bibb Graves, they "keep on keeping on." Most things that are really worth accomplishing require this kind of persistence.

People sometimes ask me how I define the central purpose of all this activity in our land. I would like to refer to one more man. He happens to be my husband. He has wrapped it up in three words: "the Great Society."

In describing the Great Society, the President said at Ann Arbor: "The challenge of the next half century is whether we have the wisdom to use our wealth to enrich and elevate our national life, and to advance the quality of our American civilization."

Our conquest of nature has produced more abundance, and more promise of abundance, than the world has ever known. Our scientists and engineers have propelled us further into the age of comfort than we dreamed possible.

Yet we are uncomfortable, and to me the Great Society means facing up to the reasons why we are ill at ease amid so much achievement.

To my mind, there are three main problems.

We need to bring our human resources—our products of the mind and of the spirit—up to matching our products of the laboratory.

We head for the moon. We go further down into the oceans than man ever ventured before. We seem to be able to do anything except get along together.

One day we might hope that the conference table in Birmingham or Geneva will be as successful as the assembly line in Huntsville and the launching pad at Cape Kennedy.

The second problem is closely connected with the first. We need to learn how to make use—rich use—of the leisuretime which our technological advances are bringing us. We must avoid the repetitive, deadening, and slothful throwing away of time given us by our machines. If not, our leisure may become our Achilles' heel.

There is nothing very complex about this. It is a matter of attitude, of calling on the abundant resources in our country and inside ourselves. Quite aside from the time you give to your community, you must also reserve some time for self-renewal.

It is a time for remembering the joys of the simple things—taking your child fishing in the woodland stream, walking through an art gallery with a friend and delighting to learn that you both respond to the same painting, experiencing the beauty of Vermont in October, the majesty of the Rockies snowcapped, the lilt of an Alabama spring. Thirdly, we must see to it that the potentialities of all these things are spread to ever-widening circles of the 190 million Americans.

The history of the United States is the history of the constant expansion of opportunity for the people of our land. This is indeed the major theme of the Great Society.

The essence of the Great Society is that it cannot be a spectator society. It is a society of participation—full-hearted participation by individuals acting as individuals and local communities acting as local communities.

People will shape the Great Society in a thousand different towns and cities and in a thousand different ways.

The Great Society is a Headstart center I visited in Newark, N.J. It is—especially—the youthful volunteer I met who gives 6 hours each day taking children out of dull-eyed slums and sending them home bright-eyed with new horizons.

The Great Society is the group of energetic and farsighted clubwomen of East Moline, Ill., who raised money to replace trees destroyed by street-widening. One day there will be a majestic arch of shade for their grandchildren to enjoy.

It is the civic leaders of Altanta who, as a living memorial to the Atlantans killed in a tragic plane crash, are seeing to it that the people of their city will be able to fill leisure hours with a great new center for all the arts.

The Great Society is all those who, by personal example and effort, are trying to ease the pain and suffering of human beings. I do not mean merely physical suffering, but the sharpest pain—that of the spirit.

The greatest need of each human spirit is to walk with head high in the tonic air of self-respect.

To treat everyone as your fellow citizen is not always an easy thing to do. Some prefer noninvolvement, even with our neighbors. Custom or prejudice deter us from reaching out and offering the hand of partnership in the American experience.

Yet the spirit of the second half of the 20th century demands this partnership. We must think in a 20th-century way about human relationships.

We are doing that. The progress that has been achieved seldom makes page 1, but it is there and it is solid.

The promise of equality first made in our Constitution is ours to keep.

And so, the Great Society is a society which finds in its technological brilliance a challenge to its human backwardness. It uses its material affluence as a base for achieving its nonmaterial dreams.

You women leaders of Alabama are in the vanguard of this movement. Your energies, your talents, and your dedication are helping this State not simply to progress but to grow with grace. When I look at you, I know that Alabama can lead the rollcall, not just in alphabetical order, but in all the achievements that make a society great.

It has been a moving experience for me to be with you today. Let me extend to you my own and the President's best wishes in your endeavors.

A year from now, may each of you be able to look around you and find that life in your community is a little more kindly, a little richer, a little more expressive of the whole human spirit because you—as an individual—cared—and because you—as an individual—tried.

NEED FOR NATIONAL TEACHER CORPS

Mr. TYDINGS. Madam President, I was disappointed last year when the Congress failed to appropriate money to fund the National Teacher Corps. I believe this is a vitally needed program. Hopefully we will rectify last year's omission by providing the necessary funds during the current session of Congress.

The need for these funds is dramatically illustrated by a letter which I have received from the superintendent of the Baltimore public schools. I ask unanimous consent that this letter be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Baltimore Public Schools,
Baltimore, Md., February 16, 1966.

Hon. Joseph D. Tydings,
U.S. Senate,
Washington, D.C.

Dear Senator Tydings: I hope you can see your way clear to support the supplemental appropriations for the establishment of the National Teacher Corps which is now before the Congress. These supplemental funds are needed so that we may:

1. Start immediately to recruit college seniors who are presently enrolled.

2. Establish summer institutes during the 1966 summer session to train these individuals.

3. Set up inservice programs to continue their training during the next school year.
4. Select outstanding teachers to guide this program. There should also be sufficient money appropriated in fiscal year 1967 to pay the salaries of these teachers during the 1966–67 school year.

As you can well appreciate, it is the responsibility of a public school system to do everything possible to upgrade the level of teaching and maintain it at a high-quality level. Needless to say, our task of recruiting teachers is even more difficult now because of the strong competition from other higher paying professional fields such as engineering, law, medicine, accountancy and the like. It is urgent, therefore, for the large cities such as Baltimore to face this keen competition by recruiting while the students are still in college. If we wait until they graduate, it is too late. To do the job effectively takes more money than the large cities can possibly squeeze out of their already limited budgets. We must, consequently, look to the Federal Government for assistance.

Because of the urgent need for competent teachers, I sincerely hope that you will support the supplemental appropriations for the establishment of the National Teacher Corps.

Thank you for your cooperation.

Sincerely yours,

Laurence G. Paquin,
Superintendent.

FORTHCOMING RETIREMENT OF SENATOR McNAMARA

Mr. BIBLE. Madam President, official business required me to be in Nevada at the time of the announcement of the senior Senator from Michigan [Mr. McNamara] that he will retire at the end of this year.

Many Senators have spoken of how Pat McNamara will be missed, but none will miss him more than I.

It will be hard for me to say goodby to this big, friendly Irishman. We have sat here side by side for almost 12 years. Because he has been seated next to me, I have known that there was a reservoir of strength and fortitude for myself and for all of us. His is the stalwart courage of an honest man.

Senator McNamara has earned the Senate's trust. His forthright directness on every issue has taught the self-seeking never to try battle with this fierce warrior of the truth.

I deeply regret his resolve to retire. But although he will not be here among us in the hours of stress and decision, the Senate will always take heart when it thinks of Pat McNamara.

MAUI AWARD WINNING ESSAY, "FREEDOM IS—"

Mr. FONG. Madam President, the Freedoms Foundation at Valley Forge recently selected an essay submitted by Mrs. Rachel M. Jio, of Pukalani, Maui, Hawaii, for one of its 1965 Freedom Awards.

In her essay entitled "Freedom Is—," Mrs. Jio eloquently expresses her concept of freedom and cites many practical ways freedom is enjoyed every day in our land. One has only to read these to realize how often we take our precious freedoms for granted.

One idea developed by Mrs. Jio is worthy of special note. She wrote:

> Freedom is relatively new and the tools of our pioneers—courage, work, and risk—the tools of free men, are still the same in the year 1965 as they were in 1776 * * *. Freedom holds a wide promise for the future, for freedom breeds self-reliance and vision. This is why America is a country of never-ending frontiers.

How inspiring to think that America is a land of never-ending frontiers because it is a land of freedom.

Madam President, so that my colleagues in Congress and all who read the Congressional Record may study this beautiful dissertation on freedom, I ask unanimous consent that the entire essay be printed in the Record.

There being no objection, the essay was ordered to be printed in the Record, as follows:

Freedom Is—

(By Rachel Jio)

Freedom is the writing of the greatest of documents—the Constitution of the United States—the first Government in history to serve not the state but its people. In this Constitution the people gave themselves the power to make their own laws and astounded the people in the "old country" by creating a free, representative government. It is the flexibility of this great document that built the world's most powerful nation. And, yet, there are many in this country who feel that the Constitution is outmoded and cannot meet the challenges of the sixties, and there are so-called Americans who advocate that this document be changed or thrown out completely! I often wonder if this is so, then, how is it possible that such a Constitution has lasted for over a century? It is due to this great document as our guide that America has progressed beyond all the dared dreams of our forefathers.

Freedom is the right to disagree with our elected congressional representatives or with any elected body of people on vital issues which we feel are of importance to our country's destiny. Having this right to disagree and to present our thoughts and ideas are of utmost importance in this democratic society of ours. Without this right to disagree, our country will be a "nation of sheep" following the dictates of those who are in power. However, this right to disagree or to have a different opinion is oftentimes threatened in times of war or when fear is aroused in the populace.

Freedom is the right of every individual, regardless of creed, color, or race, to participate actively in the affairs of government. Each individual taking upon himself the responsibility to see that honest and sincere men and women are elected to office. Men and women who can be called statesmen and not mere politicians. Elected officials who will use their elective office to do the greatest good for the greatest number of people. Men and women who are not afraid to say "no" or "yes" to pressure groups no matter how difficult the task may be and not succumb to political expediency as ofttimes happen to those who are so afraid to stand up and be counted when the issues are too controversial or when particular issues might bring forth the wrath of militant groups and kill their chance of being reelected.

Every election day, this privilege to participate in the shaping of our Government is exercised by the lowly and the great. That precious X placed beside the candidates of our choice is only ours to write and no one else's. No one can dictate to us how we must vote. This privilege to vote is here for those who wish to exercise one of the most cherished rights of freemen. So long as men have love of country within their hearts, this right is here to stay. But sadly there are many in this country who fail to exercise this precious right.

Freedom is our right to choose—to choose our friends and neighbors; to choose the kind of work we want, the only limitations being our own ability and training; to choose the kind of program we wish to participate in; to choose the kind of life we wish to live so long as we do not deprive others of the same rights and privileges that we enjoy.

Freedom is the right to own property and to make use of this property for our benefit. Our property cannot be decreased in value by an act of Government without due process of law—that is according to legal procedures and established customs. To own property is our badge of freedom and the vast opportunity it gives us to develop this property to give us comfort and security for all times.

Freedom is our right to attend a Monday night Toastmistress Club meeting or a Tuesday night PTA meeting, or a football game on a Saturday. It is a camp out in Makena or a hike into the Haleakala Crater, or a swim in the blue Pacific. It is a christening of the newborn; a birthday party; testing for a merit badge; a prom; a wedding; and the paying of our annual income taxes.

Freedom is the crosses in the Pacific National Cemetery; remembering of the Alamo; the U.S.S. *Arizona* in the depths of Pearl Harbor; and the recall of Gen. Douglas MacArthur, one of the greatest generals of our time. His memorable words: "And like the old soldier of a military ballad, I now close my military career and just fade away, an old soldier who tried to do his duty as God gave him the right to see that duty. Goodby"—still echoing in the august Chambers of Congress to give inspiration to those who believe in victory in any war with no compromises and no appeasements.

Freedom is our hatred of barbed-wired fences and walls; of human shackles and of street riots in the name of civil rights. It is the burning love of family, country, and God. It is the flag that tells the story of courage and of noble deeds of the Boston tea party, the midnight ride of Paul Revere, and Washington crossing the Delaware. It is the pride and hope of the world that the freedom enjoyed in America will prevail forever.

Freedom is relatively new and the tools of our pioneers—courage, work, and risk—the tools of freemen are still the same in the year 1965 as they were in 1776. Because they were free they were able to create the land of opportunity and to develop the immense natural resources and, thus, start the American dream marching along its glorious road.

Freedom is a hard-won prize. Each generation must work at it to keep it. Freedom is responsibility; it demands courage and hard work. It demands knowledge and the ability to work to think. It does not promise equal gains for all or automatically provide every one with easy, comfortable living, wisdom, or happiness. It promises only equal rights and equal risks. We must be alert to our opportunities to improve for this is the chance that freedom gives us.

Freedom holds a wide promise for the future, for freedom breeds self-reliance and vision. This is why America is a country of never-ending frontiers. The land frontiers may be gone, but the frontiers in education, science and industry are wide open. This, then, is freedom in the United States of America of today. It has its faults, but it has promises, too. More promises for every one living here than those who live in other lands. What will be done to turn promises into realities depend upon Americans of today and tomorrow in how they use their heritage of freedom.

TRIBUTE TO A NAVAL HERO—FLEET ADM. CHESTER W. NIMITZ

Mr. FONG. Madam President, the late Fleet Adm. Chester W. Nimitz has a special place in the history of wartime Hawaii and the hearts of Hawaii's people. He, more than any one individual, personified the role of protector and defender of the Hawaiian Islands in the dark days after Pearl Harbor.

The people of Hawaii looked to Admiral Nimitz with unflagging confidence that he would rebuild the bomb-shattered fleet and direct the Allied forces to ultimate victory. This he did, with supreme skill and resolute leadership.

This great American, who assembled a 2-million-man, 5,000-ship Pacific force that drove the enemy back to his homeland, has passed to his reward. This mastermind of Pacific victory is no longer with us, but he will long be remembered.

In paying tribute to the memory of Admiral Nimitz, I voice the highest admiration of Hawaii's people, who regarded him as one of their own. I extend their deepest sympathy and heartfelt gratitude to his wife and the family in their bereavement.

Many words of praise and remembrance have been written and spoken since the admiral's passing. They have extolled his military genius, his quiet courage, his notable capabilities in welding a unified Pacific Command, and his superb naval strategy and timing.

Less well known but equally inspiring are certain facets of his personality and career. These have been recalled in the past few days, in affectionate memory, by several writers in Hawaii.

I ask unanimous consent that the following be printed in the RECORD at this point:

An article by William H. Ewing, assistant to the publisher of the Honolulu Star-Bulletin, who developed a warm friendship with Admiral Nimitz while serving as a war correspondent during World War II; an article by Wayne Harada of the Honolulu Advertiser staff, relating Admiral Nimitz' support of Hawaiian statehood and his admiration for Hawaii's people; a fine tribute by the Shipyard Log, published at the Pearl Harbor Naval Shipyard; and a letter by Charles G. Braden, printed in the Honolulu Star-Bulletin, which recalled a poignant incident and endeared the late, great admiral to the people of Hawaii.

There being no obection, the material was ordered to be printed in the RECORD, as follows:

[From the Honolulu Star-Bulletin, Feb. 21, 1966]

ADMIRAL CHESTER W. NIMITZ

(By William H. Ewing)

At a time when great trouble haunts the earth, when not only our own Nation but all civilization is in danger, when small men move with one eye on their goals and one on the polls, the fact that a man such as Chester William Nimitz has just died should make us all pause.

For it can be said of him that he wanted above all else to serve his country, and did so without ever any thought of personal ambition or the vain glory that comes when ambition is satisfied. He would never have said, as Robert E. Lee once said, that duty is the sublimest word in the English language, but only because he was not given to ennobling language. The concept, however, fitted him as well as it fitted Lee.

When Admiral Nimitz came to Pearl Harbor on Christmas Day 1941, he was, in my late and still unhesitating estimation, the one man who could perform best the task that had to be done in the ensuing 3 years in the Pacific. Among all his other virtues—strength of character, resolution, knowledge of the task assigned to him—none stood forth more prominently than patience. When on occasion he would appear publicly in Honolulu during those early days of 1942 and use the Hawaiian phrase, "hoomanawanui," meaning "have patience," he meant it in all seriousness. He knew it would be a long wait, not much more than a holding action, before the forces under his command could set out to destroy the Japanese enemy.

Not only did Admiral Nimitz accept the grand strategy devised in Washington and London of defeating Germany first while holding off the Japanese, he believed in wisdom, though it can be said without hesitation that had he been of different opinion no one would ever have known it. He believed in obeying orders. To hold off the enemy did not mean, to him, to sit tight and do nothing. In the early months of the war he sent a message to all commands which was, in essence, the same d'Artagnan received when his father set him forth on his travels: "Fight on all occasions." For such a message there was some grumbling, the idea being that a proud Navy should not have to be told to fight. But nobody knew better than Admiral Nimitz that the Pacific command consisted of thousands of middle-aged men who had never heard a shot fired in anger, to whom the services had become an easy-going way of life, and who were filled with horror at the thought of being killed. It was necessary to order them to fight, and Admiral Nimitz so ordered them and fight they did.

He was the only man who has ever come to mind who could have carried out so well the obligation of command that became his that Christmas Day in 1941. He had, first of all, a command which had just taken a terrible beating and was not quite sure how it would come off in a fair fight against the Japanese. He also had to deal with interservice rivalry which has probably never been worse, before or since. Admiral Nimitz knew he had to weld this command into a unified force in order for it to be effective against the enemy. The fact that his sense of fairness was as greatly respected in the Army and Air Corps as within the Navy itself had as much as anything to do with his success in this regard.

His understanding of problems outside his own particular field was quite remarkable. Early in 1942 Admiral Nimitz had been convinced by members of his staff that I, a two-stripe lieutenant on the staff of the district commandant, could more effectively serve the war effort talking over the radio than in uniform. So in June, barely 6 months after the war began, I was returned to inactive status and began a 15-minute 6-day-a-week war news commentary over KGMB. The idea was that I would go out to Cincpac every morning, confer with three or four staff officers, come back to town, write a 15-minute script and then take it back for their inspection, and, perhaps, demolition.

I gave it a fair try but it was simply unworkable. Sometimes the necessary staff officers were available together and sometimes they weren't, and even when they were we had constant interruptions. Moreover, they didn't understand what I was trying to do. They were supposed to inform me and also to tell me what I couldn't use. But when one of them would say, "Why do you want to say it that way?" I had no ready answer. I just knew that was the way to say it. Yet I couldn't answer, "Look, Captain, if you want to write the script, go ahead." Not and remain respectable.

So one morning I screwed up my courage and went to Admiral Nimitz's headquarters. I saw Capt. Jerry Wiltse, then assistant chief of staff and now a retired vice admiral living in La Jolla, and told him the problem. He was a fine officer; he listened intently, then went in and saw the Admiral. A few minutes later he came out and said, "You're on your own." And I never was censored from that time on, except for frontline dispatches, and I got into trouble only once. But that's another story. The point is that Admiral Nimitz had the understanding to grasp the problem that I faced, and solved it simply and quickly by placing me on my own responsibility.

I saw him last at his quarters on Yerba Buena Island in San Francisco Bay. He had slipped and fallen on the steps of the Federal Building in San Francisco earlier in the year and had not recovered from an injury to his hip. He was sitting stern-faced and patient, outside the house waiting for me when I arrived. I had a visit of about an hour with him and Mrs. Nimitiz, who is going to be very lonely now that he is gone.

I thought he had aged considerably since I had seen him about a year earlier but he was in good spirits and said the thing he missed most was being unable to pitch horseshoes but was looking forward to recovering sufficiently to do so before long. I could not help recalling a sparkling January morning in 1944 when a vast armanda moved out of Pearl Harbor to seize the Marshall Islands, and from the bridge of the old battleship *New Mexico* I looked down and saw the Admiral in his white uniform standing in his barge, come to see the warriors off. He was one of the great figures of our time and the greatest man I have ever known.

[From the Honolulu Advertiser, Feb. 21, 1966]

HE STOOD UP FOR AJA, BACKED HAWAII STATEHOOD

(By Wayne Harada)

Adm. Chester W. Nimitz ran the greatest naval war in history.

It was at Pearl Harbor—on December 31, 1941, at the beginning of the war—that his flag was hoisted aboard the submarine *Grayling*, signaling his takeover of the Pacific fleet.

It was from Pearl Harbor that he took his vessels across the Pacific and on to victory.

And it was at Pearl Harbor—on November 24, 1945—that he relinquished his command.

Despite losses at Pearl Harbor and the shortage of vessels, planes, and supplies, he organized his forces and carried on defensive warfare which ultimately halted the Japanese.

As rapidly as ships, personnel, and material became available, he shifted from defensive to offensive warfare.

"It was a story of success unequaled anywhere," the Advertiser said editorially on September 3, 1945. "He left in his wake the most brilliant, utterly audacious chapter in U.S. history."

In Navy Day ceremonies October 27, 1945, Nimitz said "the first fruits of a glorious and hard-won victory * * * finds us with many problems.

"We must maintain occupying forces in troubled areas of the world to insure that we will not lose much or all that we have gained at great cost.

"There is a classic lesson for us in the defeat of maritime Japan. It is there for all Americans to bear because the United States is a maritime Nation.

"Without adequate seapower we would not be the victors today. Without adequate seapower we cannot insure our children the fruits of that victory."

Three thousand people cheered the admiral later that evening in the first reception and dance at the Royal Hawaiian Hotel since the outbreak of the war.

Nimitz was a vocal supporter of statehood for Hawaii. On March 11, 1947, he told the House Public Lands Committee that he could see "no objection from a military or naval standpoint to the Hawaiian Islands' achieving statehood."

He said that before the war he had doubted the loyalty of the American citizens of Japanese ancestry.

"From my observations during World War II, however, I no longer have that doubt," he said.

"I had the opportunity to observe the people of the Hawaiian Islands and I have great admiration and appreciation of the wholehearted cooperation they gave the war effort," he testified.

"The citizens of the islands participated actively in the Army service of World War II and served with distinction. That includes many of Japanese ancestry."

When speculation of his retirement occurred late in 1945, Nimitz said he would not give up his career. He never retired.

But his ramrod bearing was giving way to a slump, and his face began to show the mark of time.

Today, a school and highway bear his name in Hawaii. Nimitz Elementary School was opened in the fall of 1954, and the old Pearl Harbor Road became Nimitz Highway on March 12, 1947.

The Pearl Harbor main gate was renamed the Nimitz Gate on February 24, 1960, in honor of the sea warrior on his 75th birthday.

Seventy-five trees were planted on both sides of Nimitz Highway, forming a colonnade to the gate—a living tribute to the admiral.

[From the Shipyard Log, Feb. 25, 1966]

Death of a Naval Hero

"Imua, imua * * *. A lanakila—Forward, forward * * * on to victory."

That was the message which Fleet Adm. Chester W. Nimitz sent to the Polaris submarine U.S.S. *Kamehameha* when she was launched at Mare Island Naval Shipyard a little over a year ago.

It could well have been the motto which guided him throughout World War II—from the dark early days of the war following the devastating attack on Pearl Harbor to the victorious day when he signed for the United States, accepting Japan's unconditional surrender aboard the U.S.S. *Missouri* in Tokyo Bay.

Admiral Nimitz, the mastermind of the Pacific victory, died late Sunday afternoon, February 20, at his home on Yerba Buena Island, overlooking San Francisco Bay.

He became the commander in chief of the U.S. Pacific Fleet 24 days after the Japanese attack on Pearl Harbor. He directed the recovery of the battered U.S. fleet, and led the mightiest armada in history consisting of 2 million men, 16,000 aircraft, and 5,000 ships to a decisive victory.

Of Admiral Nimitz, Naval Historian Samuel Eliot Morison had this to say:

"He had an immense capacity for work, an equal talent at obtaining the best work from others, an almost impeccable judgment of men, and a genius for making prompt, firm decisions.

"He restored confidence to the defeated fleet. He had the patience to wait through the lean period of the war, the capacity to organize both a fleet and a vast theater, the tact to deal with sister services and Allied commands, the leadership to weld his own subordinates into a great fighting team, the courage to take necessary risks, and the wisdom to select, from a welter of intelligence and opinion, the strategy that defeated Japan."

Admiral Nimitz was close to the people of Hawaii and became a vocal supporter of Hawaiian statehood. On Navy Day 1945, the Sons and Daughters of Hawaiian Warriors named him high chief—a rare honor accorded to only a few by this society.

After the war he succeeded Adm. Ernest King as Chief of Naval Operations. He never retired from the Navy. At his death, he was the oldest member on active duty, serving as a special assistant to the Secretary of the Navy.

In Hawaii today, a school and highway bear his name. Nimitz Elementary School was opened in the fall of 1954, and the old Pearl Harbor Road became Nimitz Highway on March 12, 1947.

The Pearl Harbor main gate was renamed Nimitz Gate on February 24, 1960 on the 75th birthday of this great naval leader.

Seventy-five trees were planted on both sides of Nimitz Highway with the shipyard participating in the tree planting tribute.

As Secretary of Defense Robert McNamara said in announcing Admiral Nimitz' death to the Armed Forces, "The world has lost a distinguished citizen whose energies and vision were devoted without stint to a long lifetime of service to free men everywhere."

[From the Honolulu Star-Bulletin, Mar. 3, 1966]

Honor Reciprocated

Editor, the Star-Bulletin:

Last week the United States paused to honor the memory of Fleet Adm. Chester W. Nimitz. Many of us who had the privilege of serving under his command during World War II recalled anecdotes which illustrated the brillance and simultaneously the humanity of his leadership.

One such anecdotes stands out in my memory. It involves an incident here in Honolulu in the fall of 1945. An Hawaiian society, the Sons and Daughters of Hawaiian Warriors, decided to confer a rare honor on the famous admiral. They wanted to make him a "high alii" which honor had only been bestowed on one or two other haoles in recorded history. Admiral Nimitz was informed and replied that he would be pleased to accept the honor.

The ceremony was held on a Saturday morning and the locale was, naturally, the makai steps of Iolani Palace. Several thousand people, including representatives of many Hawaiian societies gathered to observe the impressive ceremony. After the conch shells were blown, an Hawaiian chant recited, two spears were crossed over the Admiral's head and the traditional yellow feather cape was draped over the shoulders of his sparkling white dress uniform.

At that point, Admiral Nimitz responded in a fashion as exquisitely appropriate as I have ever witnessed. He accepted the honor in a brief speech in Hawaiian. In spite of what must have been crushing demands on his talents and energy, he had taken time to phrase and then memorize his remarks in Hawaii's own language.

You can imagine the reaction of the crowd. Deep emotion was openly expressed and I recall that many senior Hawaiian ladies and gentlemen wept without reserve.

Hawaii has honored Admiral Nimitz in many ways. On that day in October 1945, the admiral honored Hawaii with a simple yet profound gesture that was typical of his true greatness.

Charles G. Braden.

VIETNAM—WE ARE THERE

Mr. McCARTHY. Madam President, I should like to call to the attention of the Senate, and to the country as a whole, the editorial in the New York Times on Sunday, March 6, entitled "We Are There." It seems to me that this editorial states with unusual clarity and precision what many believe our objectives are, or should be, in Vietnam.

The editorial said:

> The ultimate American objective must be to leave South Vietnam honorably and to leave it in condition freely to choose its own government and determine its own policy.

The editorial makes it clear, however, that it is not inconsistent with this objective to enter into direct talks with the Vietcong, and to make it plain that no one in South Vietnam would necessarily be excluded from participation in whatever interim government may be set up to precede the elections or in whatever government may be established after the elections depending, of course, on the outcome of the vote in honest elections. The editorial makes the point that the United States has moved quite far toward accepting the necessity of taking such steps but the editorial goes on to note:

> The American position has been obscured by crosscurrents emanating from various White House spokesmen, not to mention the South Vietnamese Government.

If I were to sum up the wisdom of this editorial it would be by pointing to the statement in the Times that "the fact remains that without compromise there can be no negotiation."

We must stand firm against any compromise that would mean accepting other than an honorable peace and would not establish the condition that would permit South Vietnam to choose its own government and determine its own policy. But this does not mean that we should deny reality for to do so would be to contradict our avowed desire to negotiate a settlement on this war. I believe that the New York Times editorial performs a great service in making these points clear.

I ask unanimous consent that the editorial be printed in the Record at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the New York (N.Y.) Times, Mar. 6, 1966]

We Are There

With the steady increase in the number of American troops in Vietnam—the figure is already 215,000 and will soon rise by another 20,000—there can no longer be much doubt that the United States is becoming committed to precisely what its civilian and military leaders have almost unanimously wanted to avoid: a massive land war on the continent of Asia.

Whether or not the figure will escalate to 400,000 or even to 600,000, as has been widely predicted—the fact is that already, as of today, "we are there"; and "we are there" on a scale and to a degree not even contemplated a relatively short time ago. The problem now is not to recriminate, but to see how and in what way the President can be aided in his profoundly serious search for peace—the peace that, as he said last week, "is within our grasp if we will both reach for it together."

While a strictly military victory in the normal sense of the word could, of course, be won by the United States over the North Vietnamese and the Vietcong, the cost in escalation, in human life, and in moral, physical, economic and political damage could invalidate such a victory even before it was won. Quite apart from the risk entailed in war with China, the picture of Americans obliterating an Asian country and people—even with the highest, most selfless of motives—is not a picture that would in the long run redound to the benefit of the United States, nor to its long-range safety or interest.

It must be emphasized that the United States cannot and should not under present circumstances pull out of Vietnam. The United States, as the President has made clear, is not going to withdraw precipitously—or withdraw at all—without a satisfactory settlement. What this newspaper believes, and always has believed, is that constant military build-up is not the way to achieve such a settlement. Nor is it the way to accomplish the avowed purpose of the United States to transfer the conflict from battlefield to bargaining table.

If the non-Communist South Vietnamese are to have a fighting chance after the war, they must carry the main military burden now. The immediate American objective should be to strengthen our allies but not to replace or supplant them, as escalation much beyond present levels threatens to do. A build-up to 400,000 American troops would over-Americanize what is essentially a Vietnamese political conflict, while bombing of the North Vietnamese cities of Hanoi and Haiphong—which thus far President Johnson has wisely refused to sanction—would also change the whole character of the war. This newspaper has, in fact, opposed and continues to oppose the resumption of the bombing of North Vietnam on the grounds that, in terms of the purposes for which the United States is fighting, it does far more political and moral harm than military good.

In fact, this kind of choice is the essence of virtually all decisions affecting Vietnam: a balancing of risks, a determination of which of two unattractive courses is the less attractive, a selection not between what is clearly desirable and clearly undesirable, but between what is more or less undesirable.

While continued military pressure is purely essential if Hanoi and the Vietcong are ever to be persuaded to negotiate, there is an important difference between the approach suggested above and a steady escalation of the American military effort, which—despite protestations to the contrary—is what seems to be occurring.

The picture is not clear. There is no doubt that President Johnson has restrained the more belligerent of his advisers, and he deserves full credit for doing so; but it is also evident that he has not succeeded in making as plain as possible the limited nature of the American involvement.

The surest way to do this would be by a far more persuasive and consistent diplomatic and political offensive than has even yet been undertaken. We have not the slightest doubt that the President would infinitely prefer peace to war. Yet, neither the world—nor, even more strongly, the enemy—has been persuaded that the U.S. purpose in Vietnam is purely defensive; that Washington really means negotiations to be "unconditional"; that it would enter a resurrected Geneva Conference without prior conditions; that the United States really does not intend to keep on building up its forces in Vietnam to the maximum degree possible into an indefinite future.

While the attitude of Hanoi has thus far been totaly negative and uncompromising, the fact remains that without compromise there can be no negotiation; and the United States should not be the party to this conflict that leaves any stone unturned in an honorable effort to achieve such negotiations.

For example, direct talks with the Vietcong are essential; and that fact should be frankly recognized despite the understandable aversion of the South Vietnamese Government to giving the immediate enemy even that much recognition. And it needs to be made even clearer that—as the White House has in fact suggested—the Communists would not necessarily be excluded from participation in whatever interim government may be set up to precede the elections; nor if the vote so warrants, from whatever government may be established after the elections.

In recent weeks the United States seems to have moved quite far toward accepting such a possibility; but the American position has been obscured by crosscurrents emanating from various White House spokesmen, not to mention the South Vietnamese Government. It is obviously not to America's interest to weaken the South Vietnam Government; at the same time, however, steady pressure must be applied on General Ky and his colleagues to open up a dialog with civilian political groups and to envisage the ultimate establishment of contact with the Vietcong, looking toward an interim coalition government into which the Vietcong could be incorporated along with the many other elements that make up the variegated political life of South Vietnam.

It goes without saying that the projected program of social reform emphasized at the recent Honolulu meeting is essential to any long-term solution in South Vietnam. If vigorously pursued, it would strengthen support for the Saigon Government and, in fact, aid it in negotiations with the Communists and in the inevitable postwar political conflict. But the trouble is that statements of South Vietnamese leaders give the impression that they have not much faith, or are not particularly interested in pushing this vital program. Such attitudes need drastic revision.

This newspaper believes that these modifications in present policy could conceivably lead to the beginning of a beginning of an end to the war. They may not work; but it is our belief that they offer a far greater hope of achieving an honorable peace and a far smaller risk of an "open ended" war than faces the embattled and bewildered American people today. The ultimate American objective must be to leave South Vietnam honorably and to leave it in condition freely to choose its own government and determine its own policy.

MERCHANT MARINE POLICY

Mr. BREWSTER. Madam President, a respected Member of Congress from Maryland, Representative Edward A. Garmatz, chairman of the House Committee on Merchant Marine and Fisheries, delivered a speech on merchant marine policy at the end of last month before the Propeller Club of the Port of Washington.

Representative Garmatz' speech pinpoints the needs of our declining merchant marine. It deserves to be called to the attention of the Senate.

I agree with Representative Garmatz that the time is ripe for us to develop a realistic, positive, maritime program based on the framework of the Merchant Marine Act of 1936.

I also agree with Representative Garmatz that such a program should include the second phase of our nuclear propelled commercial vessel development scheme. In general, shipbuilders need the same sort of assistance in vessel research that has already been granted to the aircraft industry.

Madam President, I ask unanimous consent that the speech of Representative Garmatz to the Propeller Club on February 23, 1966, be printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Remarks of Hon. Edward A. Garmatz, Democrat, of Maryland, Chairman, Committee on Merchant Marine and Fisheries, House of Representatives, at the Propeller Club, Port of Washington, Luncheon, Wednesday, February 23, 1966, at the Mayflower Hotel, Washington, D.C.

Mr. Clark, members of the Propeller Club, Port of Washington, distinguished guests, ladies and gentlemen, it is a pleasure for me to appear before the Propeller Club of the Port of Washington.

The Propeller Club was founded to preserve the maritime heritage of our Nation and it is a symbol of our maritime industry and the American merchant marine. I am proud to say that I appear before you as a member—for I have enjoyed membership in the Propeller Club.

It is something more than simply a very genuine pleasure for me to address you today.

The broadly based objectives of the Propeller Club of the United States to promote, further and support an American merchant marine adequate to meet the requirements of national security and economic welfare of the United States apply to all of the 50 member ports within and without the United States and to the 15 student ports. They are the objectives sought to be fostered by the more than 10,000 dedicated individuals who make up our national membership.

Interest in the furtherance of these objectives is at a high level in all of the constituent ports.

And I wish to compliment the national and local leadership that is presently exerting itself to make the Propeller Club an effective force in the vital maritime affairs of our country.

But there is something special about this club—not that there is any greater interest or dedication to our objectives than there is elsewhere.

The something special is due to the unique concentration of representatives here in Washington of virtually every element that goes to make up the great complex of American maritime policy and all of its contributing components.

Just a quick look at a roster of the membership of the Port of Washington bears this out.

From the Government you have many members from most of the executive departments, including, of course, the numerous bureaus and agencies within such departments.

You have vice presidents and other high officials of most of the leading shipping and shipbuilding companies.

The major maritime trade associations are well represented.

Maritime labor is widely represented.

There are naval architects, steamship agents, leading manufacturers' representatives, and lawyers galore. You have beauteous lady members, Madeleine Carroll and Congresswoman Leonor Sullivan.

So, it is a special privilege, and I believe very fitting, that I should appear before you today to make what is virtually my maiden speech since election to the chairmanship of the Committee on Merchant Marine and

Fisheries. I am greatly pleased to see so many members of the committee here today.

I am looking forward to the coming years, and I am here to give you my pledge that I will do all in my power to carry out our national maritime policy and vigorously foster the objectives of the Propeller Club of the United States.

Although I have seen written reports that I am slanted in one way or another, I can promise you that my efforts will be directed in behalf of the overall good for the American merchant marine.

In my 18 years in Congress I have never witnessed a period when our national maritime policy has been the subject of so much uncertainty and confusion. Notwithstanding a clear statutory statement of policy, with a full set of implementing guidelines, we seem to be not only without a propeller, but apparently without rudder and helmsman as well.

At a time when the Soviet Union is expanding the size of its merchant fleet at a faster rate than any other nation in the world, the American merchant marine is experiencing a record decline.

I am concerned about the confusion and uncertainty that exists and I am concerned about the steady decline of this country as a maritime power.

It seems to me extremely shortsighted for this country to allow such a situation to exist and continue.

Our maritime industry should be a major and vibrant part of our economy—it is essential not only to our national defense—as the Vietnam conflict has once again proved—but to our commerce. If properly promoted, the merchant marine could by itself overcome our adverse balance of international payments.

Let us look at a few facts:

It is indeed ironic that the present budget calls for only 13 new vessels during the fiscal year 1966. In 1964, when 100 new merchant vessels were delivered to the Soviet Union, only 16 new vessels were delivered for U.S. registry.

A little over a year ago, the Soviet Union had 464 merchant vessels under contract in shipyards, including 111 tankers. As of the same date, the United States had only 39 new vessels under contract, including 1 tanker.

At the present time, the United States—the major power of the world and by far the world's major trading nation—ranks 12th in new vessel construction.

We rank behind such countries as Argentina, Brazil, Finland, and Peru.

For a nation whose growth and greatness have come from seapower, can these facts be other than alarming?

I have always considered that our basic maritime policy is sound.

Under the Merchant Marine Act of 1936, we have developed the world's most efficient and most modern liner fleet—even though inadequate in numbers. The detailed provisions of the act, however, have not been adequate to promote strong bulk carrier and tanker segments of our merchant marine.

Succeeding administrations have failed to seek the necessary implementing legislation or administer that which has been provided.

I would not attempt to contend that any statute, in the face of changing times, should remain unaltered for 30 years.

And we can have a more realistic program for assisting American-flag bulk carriers and tankers, without at the same time destroying that part of the act which has been successful. Some new legislation may be needed. Let us have it and we will act on it.

At a time when we should be considering a positive program for broadening the Merchant Marine Act of 1936 to extend its benefits to all segments of the American merchant marine, we are floundering on the sea of uncertainty.

At a time when our domestic shipbuilding program should be at its peak, the present budget proposes a program that is the all-time low.

I am tired of reading analyses of the Interagency Maritime Task Force report, or of the report of the President's Maritime Advisory Committee. The business of our committee is legislation, and without a legislative program to consider, we are left to theorize like everyone else.

I am confident that President Johnson aims to dispel the atmosphere of despair that now prevails in our maritime program, as he has done in other areas. The picture is not entirely bleak.

Our country has the world's only nuclear-powered merchant vessel, the NS *Savannah*.

We are on the verge of technological breakthrough in the field of nuclear propelled commercial vessels, and the time is ripe for us to begin the second phase of our nuclear ship program.

The United States has the world's best, the most modern and most productive liner fleet—but we need more such vessels in private ownership to serve our complex society and the uncertain but demanding needs of war.

With assistance in vessel research similar to that of the American aircraft industry, I am convinced that our domestic shipyards could become competitive with foreign shipbuilders.

Lastly, but most importantly, most segments of maritime labor have tried to be reasonable and realistic in accepting reduced manning requirements resulting from automation.

There is virtually no industry in this country that is not subsidized either directly or indirectly through some protective measures. The American merchant marine is not unique in the assistance that it requires. Our economy has been able to flourish with the highest standard of living in the world as the greatest trading Nation because our industries, with governmental assistance, have been able to become the most productive industries in the world.

Recent technological developments in ship design, propulsion equipment, shipbuilding and cargo handling signify that a major technological breakthrough is imminent. Increased productivity is now possible in the maritime industry as never before.

Automation programs are reducing the impact of the differential between higher American-flag labor costs and foreign costs.

We are at a critical time when we must move forward with a program to promote all segments of our American merchant marine and our domestic shipyards so that these industries can achieve maximum productivity in our economy. There appears to be every hope that, with such a realistic and positive program, subsidy cost to the Government will eventually be reduced, rather than increased.

Our committee is most anxious to cooperate with the administration in any constructive new maritime program that will be presented.

Unfortunately, perhaps, too much emphasis has been placed on focusing on the revolutionary proposals in the Interagency Maritime Task Force report, rather than recognizing that in principle very few people disagree on what should be the main ingredients of a sound maritime program. For example, everyone agrees that—

1. We must build more vessels for operation under the American flag;

2. We must develop a realistic program for assisting American-flag bulk carriers and tankers;

3. Government interference with the steamship industry should be minimized and management should in most cases be free to exercise its own prudent business judgment;

4. Subsidies should be to the greatest possible extent direct rather than indirect; and

5. Our subsidy program should contain an element of incentive.

These principles form the basis for developing a sound new and expanded maritime program.

I do not agree with the proposal that we should permit vessels under this program to be built abroad. Such a step would, in my opinion, be inconsistent with the best interests of our country and our economy, and would have an extremely detrimental effect on our international balance of payments.

I am hopeful that the administration will not recommend such a proposal as a part of the new program.

Similarly, I do not agree with those who would seek to abandon our cargo preference laws.

Such proposals emanate from theoreticians who have no real interest in the American merchant marine. Foreign-flag merchant marines have too many built-in and hidden nationalistic advantages and too many preferences of their own for us to consider it realistic at this time to repeal our cargo preference provisions.

On the other hand, as new efficient bulk carrier vessels are constructed for American-flag operation, and—if they are paid a direct operating subsidy—the differential in rates for the carriage of cargo in American-flag bulk carriers as opposed to foreign-flag bulk carriers should be largely eliminated.

Again, I am hopeful that the administration will not recommend that we abandon our cargo preference statutes.

I also do not agree with those who would contend that we should completely do away with the essential trade route program.

It seems to me that this program is sound and that it has worked well. Perhaps some modifications could be made so as to allow the operators increased flexibility—but I believe that there must be the assurance that adequate American-flag service will be available on each essential trade route to meet our goals and commitments around the world and build our national economy in all areas of the country.

Insofar as passenger vessels are concerned, I am convinced that they are necessary as a part of our American merchant marine for national defense reasons and for economic and social reasons as well.

More and more people of the world are beginning to travel. The great percentage of these people prefer to travel by surface transportation. There is a great untapped market that is available for ocean transportation services.

I believe that this country must take steps to encourage the construction of several large capacity, low-fare superliners that will place ocean transportation within the economic means of the major part of our Great Society.

In short, I am enthusiastic that we can build upon the framework of the Merchant Marine Act of 1936 and develop a new, far-reaching program to promote all segments of the American merchant marine. I am most certainly optimistic.

The progress of our Nation has been one of steady development and evolution—we cannot destroy what we already have, but must use what is good to plan and create our programs for the future. This is the essence of the Great Society, and I am confident that its logic will soon be applied to the maritime industry.

Yesterday was George Washington's birthday. He was a man of great wisdom. He knew that history is eloquent in demonstrating that any nation which takes the easy way of permitting its commerce to be carried by foreign-flag ships—which rents the service and space it is too lazy or too shortsighted to provide—is embarked on a policy of dependency that has ended every time with the nation in question becoming a second-rate power.

Washington knew this truth and warned against its neglect. In closing, I would like to quote the words of George Washington:

"We should not overlook the tendency of war to abridge the means, and thereby at least enhance the price, of transporting productions to their proper markets. I recommend it to your [Congress] serious reflections how far and in what mode it may be expedient to guard against embarrassments from these contingencies by such encouragement to our own navigation as will render our commerce and agriculture less dependent on foreign bottoms which may fail us in the very moments most interesting to both these great objects. * * * There can be no greater error than to expect or calculate upon real favors from nation to nation. It is an illusion which experience must cure."

Thank you.

JOHNSON ADMINISTRATION MOVES AGAINST FARM ECONOMY

Mr. HRUSKA. Madam President, yesterday—Monday, March 8—the administration took drastic action for the purpose of breaking the price of an important agricultural product—namely, hides.

All exports of hides and skins, except exports to Canada and except shipments valued at $100 or less, have been placed under a complete licensing control under the Export Control Act of 1949. That is, the goods may not be exported until the Government has given approval for each such shipment. The purpose of this action is clearly to break the price of hides. It has already had some effect in that direction. According to the Wall Street Journal, the order was responsible for profit taking in the hide futures market yesterday. It is a fact that hide futures fell yesterday by more than a cent a pound in a single day. On last Friday also, when this prospective action was being rumored, prices fell approximately a cent a pound.

It is true that hide prices have advanced during the past 2 or 3 years. Thank goodness for that. Until comparatively recently, hide prices have been at giveaway levels. During parts of 1963 and 1964, hide prices were at the lowest levels since before the war. At the end of my statement a table is inserted giving certain price comparisons to illustrate that point.

The recent advances have raised prices from those punishingly low levels, and even today hide prices are not high. They are about at the level reached as recently as 1959. On last Friday, March 4, the quoted price for the grade known as light native cowhides was 25 to 26 cents per pound. In 1959, for the same grade the average price for the entire year was 25.7 cents per pound, and for a great part of that year, the price was considerably higher.

The fact is that over a long period of time there has been a steadily declining market for hides, partly because of the development of synthetic materials as substitutes for real leather. The per capita consumption of beef has increased, but each beef animal has a hide and the per capita production of shoes made from leather has declined from 3.4 pairs per capita in 1952 to 3.2 in 1963. As a result there has been a growing imbalance between supply and demand, and a generally declining market. The development of export outlets abroad for our hides has enabled us to get rid of these surplus hides. The development of these export outlets has been a systematic project of the industry, with the cooperation of the Department of Agriculture. Now this arbitrary action by the Department of Commerce threatens to destroy the results of many years of careful work.

The destructive impact of this order on the price of hides will not stop there, unfortunately. Almost surely any price decline will be reflected right back to the market price for live cattle.

Hides are often spoken of as a byproduct, but the fact is that when hide prices are good, it means that the packer can pay more to the producer, without passing the extra cost along to the housewife in the price charged for the meat. The average hide weighs 60 pounds. Thus, a difference of 10 cents a pound in the hide market is equivalent to $6 in the price received for the live animal.

A serious question could be raised whether the export control law should properly be invoked in a case of this sort. Most of the products subjected to export controls are placed in that category for security reasons, or for reasons related to the foreign policy of the United States. The law also permits exports controls to protect the economy in cases of short supply, but only one other commodity—copper and certain copper products—is now subject to export controls under that provision of the law. Certainly, the hide situation is in no way comparable to the copper problem. With copper, there was a physical shortage of the metal, a difficulty in securing sufficient quantities for the manufacture of such vital military needs as shell casings, a need to dip into the strategic reserve of copper, and so on. Without doubt, there is a real shortage problem for copper, but there has been no such shortage of hides. The year-end inventory of hides last December was not greatly reduced from the normal year-end inventory figures. There has merely been a normal movement of surplus hides into export, and a price rise to something like profitable levels for a product which has suffered from chronic depression until recently.

It appears that this action has been taken to hold down costs for shoe manufacturers. The question is, was any assurance received from the shoe industry that if hide prices were pushed down, the prices of shoes would not be increased? Over the years, the tendency has been for the farmer to receive a smaller and smaller share of the consumer's dollar. That has been just as true for hides as for other farm products.

It is simply rank discrimination to invoke these extraordinary Government powers to push down the price of an agricultural product like hides, when dozens of other products are relatively much higher priced. It is for these reasons that I protest against yesterday's order.

Madam President, I ask unanimous consent to have printed at the conclusion of my remarks certain tables showing the course of hide prices during the years, and also an article from the Livestock and Meat Situation of January 1964, discussing the long-range decline in the use of leather in this country, and the development of export markets to take the resulting hide surplus off the market.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Packer hide prices, average per pound, Chicago

	Heavy native steers	Light native cows
1940	12.50	12.64
1941	14.49	14.68
1942	15.50	15.50
1943	15.50	15.50
1944	15.50	15.50
1945	15.50	15.50
1946	18.55	18.36
1947	27.25	28.70
1948	27.73	28.39
1949	22.60	25.25
1950	26.83	29.14
1951	31.02	34.24
1952	14.99	18.08
1953	14.86	17.81
1954	11.68	14.25
1955	12.38	13.51
1956	12.39	15.95
1957	11.03	15.65
1958	11.41	16.57
1959	19.16	25.61
1960	13.72	18.81
1961	14.91	19.54
1962	15.19	18.50
1963	11.23	12.83
1964	10.32	13.23
1965	14.2	15.7
1966:		
January	17.3	20.0
February	19.0	22.6
March (1st week)	21.25	25.5

Source: For 1940 through 1964, Livestock and Meat Statistics, 1962, and Livestock and Meat Statistics Supplement for 1964, both published by the U.S. Department of Agriculture; for 1965 and 1966, from Economic Research Service, U.S. Department of Agriculture.

Packer hide prices, average per pound, Chicago, 1959, by months

	Steers, heavy native	Cows, light native
January	12.1	21.6
February	13.3	22.8
March	16.8	25.8
April	23.3	30.4
May	21.5	26.9
June	24.5	29.1
July	24.1	29.6
August	22.9	29.3
September	22.2	28.0
October	19.1	24.0
November	14.3	19.2
December	15.0	21.1
Annual average	19.1	25.7

Source: U.S. Department of Agriculture, Economic Research Service.

HIDE AND LEATHER SITUATION BRIGHTER IN 1964

(By John W. Thompson, Marketing Economics Division, ERS)

Hide prices in 1963 declined to their lowest level since the early 1930's. Average prices for heavy native steer hides, Chicago, fell from 15 cents a pound in 1962 to 11 cents a pound in 1963 (table 10). Cash prices for most other hides declined similarly while calf and dip prices fell by about 40 percent from their 1962 levels.

As hide prices continued their rapid and sizeable decline during 1963, hide buyers placed more emphasis on quality, and many hide dealers had difficulty moving poor quality hides at any price. This was especially true of firms marketing country-locker or butcher hides. Many packers and dealers reported throwing No. 3 hides into rendering tanks.

The drop in hide prices only slightly affected finished leather prices, and had almost no effect on leather footwear prices. The index of hide and skin prices (1957–59 base) fell 21 points—from 106 in 1962 to 85 in 1963—while the finished leather price index fell only 6 points during the corresponding period (table 10). Indexes of leather footwear prices remained almost constant at 108 in 1962 and 1963.

IMBALANCE IN SUPPLY-DEMAND

The dominant factor contributing to depressed hide prices in 1963 was the 4-percent increase in cattle slaughter while leather demand for use in shoes remained almost unchanged. Further large increases in hide supplies are anticipated for 1964. Cattle slaughter in 1964 is expected to be the largest ever, about 3 percent over the 28.1 million head slaughtered in 1963.

Most of this imbalance in the supply-demand situation which began in 1952 results from the increasing per capita consumption of meat, while per capita consumption of leather shoes—which uses over 80 percent of finished leather supplies—has been declining. During the 12-year period (1952–63) per capita consumption of meat increased about 33 percent, while leather shoe production fell from 3.4 pairs per capita in 1952 to less than 3.2 in 1963. During this period when hide supplies were increasing and domestic consumption did not keep pace, the United States was able to export most of its excess hide supplies.

HIDE EXPORTS UP FOR 1963

Early in 1963 the outlook for a strong world demand for U.S. hides looked promising, although a known buildup of United States and European hide inventories occurred at the end of 1962. Shipments from Argentina, the major exporter, were expected to be sharply curtailed in 1963 as herd rebuilding got underway. But the decline in Argentine hide exports did not materialize. As a result, U.S. hide exports were below expectations the first 6 months of 1963, but picked up considerably in the latter half of the year. During November 1963, U.S. cattle hide exports totaled 843,000 pieces which brought the 11-month total for hide exports up to 7,311,000. This was an increase of 10 percent over the 6,587,000 hides exported during the first 11 months of 1962. Cattle-hide exports for 1963 are estimated at about 8 million pieces—a new high.

CONSUMPTION OF LEATHER MAY BE UP

An upturn in consumption of hides during 1964 appears likely. Estimates of leather shoe production are 621 million pairs. This is an increase of 3 to 4 percent over the 598 million pairs produced in 1963. Presently, shoe inventories are below normal levels as a result of larger-than-expected Christmas sales. If these inventories are rebuilt, it should provide more impetus for a strong leather demand early in 1964. Another bright spot in the leather situation is the recent upturn in exports of finished leather. Present estimates for the first 11 months indicate that exports of finished upper leather have increased from 10.8 million square feet in 1962 to 16.4 million square feet in 1963. Assuming the United States can continue to expand this market, the hide and leather industry could work itself out of the current imbalance in supply and demand. U.S. cattle hide exports may be around 8 million pieces in the coming year.

HIDE PRICES NOT LIKELY TO CHANGE

Although consumption of hides and leather may be larger in 1964 than in 1963, hide prices may not improve appreciably. Cattle slaughter will be up, present hide inventories are larger than normal, and leather shoe production will continue to encounter strong competition from synthetic materials, sneakers, open types of shoes and shoe imports.

TABLE 10.—*Selected hide and leather statistics for 1962 and 1963*

Item	1962	1963	Percent change
Cattle slaughter, total (millions)	27	28.1	+4.1
Hide exports (1,000 pieces)	6,587	[1] 8,000	+18.0
Hide prices (Chicago) (cents per pound):			
Light native cows	18.5	12.8	−31.0
Country hides, extremes	13.5	9	−33.0
Heavy native steers	15.1	11.1	−27.0
Calfskins (under 9½ pounds)	57.6	33	−43.0
Kips	47.8	30.2	−37.0
Hide indexes (1957–59=100):			
Hide prices	106.2	[2] 84.7	−20.0
Leather prices	108.5	[2] 102.1	−6.0
Leather footwear prices	108.7	[2] 108	0
Leather shoe production (million pairs)	598	[3] 598	0
Per capita consumption	3.20	[3] 3.16	−1.2

[1] Estimated.

[2] 11-month average.

[3] Tanners' Council estimates.

THE NATIONAL CRIME RATE

Mr. DODD. Madam President, I ask unanimous consent to insert into the RECORD a newspaper story from the Detroit News of February 16, 1966, under the byline of James L. Kerwin. The story details the problem of one large American city, Detroit, which is plagued by the commerce across State lines in weapons, of all varieties, to criminals, addicts, mental patients, and so forth.

This particular story was occasioned by the shooting of a rabbi in a Detroit synagogue by a member of the congregation, who was apparently ill himself. The man, who turned the gun on himself after shooting the rabbi, had purchased the weapon in a nearby Toledo, Ohio, novelty shop without question.

A Detroit detective said:

> Toledo has become the arsenal of Detroit and there is nothing we can do about it.

I agree with the detective. But Detroit is not the only large city confronted with the same problem.

The guns displayed in the windows of a number of these Toledo novelty shops are the same cheaply made for imports that have turned up by the thousands in my investigations of the mail-order gun problem by the Juvenile Delinquency Committee. And these window displays also contain the same collection of military surplus guns now plaguing law enforcement officials across the country. The dealers frequently offer the guns for sale without permit and offer credit on the purchase.

I ask my colleagues how this type of commerce aids in reducing the national crime rate, and whether or not Congress can move to stop this traffic?

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Detroit (Mich.) News, Feb. 16, 1966]

GUNS FOR SALE—NO PERMITS NEEDED—AND IT'S ALL LEGAL IN TOLEDO

(By James L. Kerwin)

TOLEDO, February 16.—The sign hanging over the sidewalk advertised "novelties-jokes-tricks." But in bigger letters was the word "guns."

Behind the dingy window beneath the sign was a deadly array of weapons—a huge guaranteed automatic with an extra clip, a hand-operated tear gas device, and a row of knives with blades as long as 10 inches.

Propped in a corner above the arms display was a red-lettered, cardboard sign which reads:

"No permit required to buy guns but you must be 18 years or older."

Attached to the poster was another sign, "credit?"

OTHER SIMILAR SHOPS

The small shop, which failed to display a single "novelty or trick" in its show windows, is one of a half dozen establishments in downtown Toledo that offer weapons for sale to practically all comers.

All the shops offering the guns, some of them pawnbrokers, are operating legally since Ohio—unlike Michigan—virtually has no restrictions on gun sales.

From one of these stores 2 weeks ago, Richard Wishnetsky, mentally ill and brooding, purchased a pistol that he used to gravely wound Rabbi Morris Adler at synagogue services last Saturday before turning the weapon on himself.

"Toledo has become the arsenal of Detroit," observed one veteran Detroit detective. "And there's nothing we can do about it."

PHONY NAMES USED

Although denying it is a "major problem," top police officials in Toledo concede that many Michigan residents buy guns here, using phony names and addresses.

One Toledo gun dealer, who displays weapons alongside the beads of a rosary in the front window of his loan firm, admits that 90 percent of his customers come from Michigan, principally Detroit.

He and other gun salesmen here prominently exhibit weapons with such tags as "only," "reduced," and "bargain."

The choice of weaponry is inexhaustible to the gun seeker.

POLICE .38, $65

For the fashionable James Bond set there is a .25 caliber European make available for $34.95. A powerful automatic like a .38 caliber police special cost $65. Blank starting pistols are offered as low as $7.95.

There are derringers, boxes of razor blades, a variety of target pistols, magnums, and any caliber pistol used by law enforcement agencies—or criminal elements.

When a photographer tried to make pictures of the weapons displayed for sale, one gun dealer rushed from the store to protest:

"Tell me what I'm doing wrong. It's not illegal."

The same shop had been involved in a recent case where a Toledo plainclothes officer saw two men departing in a Michigan car after buying guns.

Although they had used false names and Toledo addresses in buying the revolvers, they were traced through the license number. Later, in Flint, they were arrested after a series of holdups.

DEALER CLAMS UP

Two brothers, Moe and Hans Shapiro, known more popularly locally as the "gold dust twins," operate one of the busiest gun exchanges. But they refuse to discuss their operations with reporters.

"You made the wrong approach," one of the brothers complained. "The milk has been spilled. We wouldn't recognize anyone who bought a gun, nor tell you."

A few blocks away, Dick Phillips, whose loan shop is crammed with second-hand items, has several show cases filled with shiny, new revolvers.

"A lot of nice people come down here from Michigan to buy guns," he insisted. "Some are very educated."

MOST FOR MICHIGAN

He estimated that of the 150 hand pistols he sells each year "90 percent are bought by Michigan people."

"I sometimes sell as many as 25 on a Saturday", Phillips recounted, adding that sales spiral when tension is aroused by a crime or racial strife.

Like other dealers here, Phillips asks the gun purchaser to sign a card with his name, address, and signature.

TURNS DOWN KIDS

He only began asking for signatures 4 months ago after Federal officials, who oversee sales of hand weapons, insisted on "closer supervision."

But still he doesn't ask for identification from gun buyers since he's not required to by Ohio law.

Asked if he imposes any restrictions on gun buyers, Phillips said he never sells weapons to anyone under 21.

"The kids in the black leather jackets have got turned down so often that they don't even try me any more," Phillips boasted.

SUBURBS COMPLETE

He added that he also refuses to sell hand weapons to anyone "who has been drinking" or "acts touched."

Phillips admitted that occasionally a pistol he sold may have been used in a crime.

Toledo Police Chief Anthony A. Bosch said Toledo once had one of the toughest gun ordinances in the Nation but that it was repealed in 1957 under "commercial pressure."

Gun merchants in Toledo, he recounted, suffered because customers could go to any of its suburbs and purchase a hand weapon without having to have himself checked for a police record, fingerprinted, and having his photograph put on file.

"Not only was it hurting local merchants, but it penalized good citizens who wanted handguns," said Bosch.

"If some fellow wants to get a gun to stick someone up, he can get it no matter what we do."

QUIZ APPLICANTS

Others suggest Ohio should pattern itself after Michigan where an applicant's record is closely checked to establish if he has a felony conviction in the last 8 years.

Reason for the applicant's bid for a gun are checked also, and to carry a concealed handgun, the applicant must answer searching questions before a special board which sits in each Michigan county periodically.

Bosch said that there has been "no clamor" in Ohio for similar restrictions.

He said he has received few complaints from Michigan authorities over illegal gun purchases and that recently a team of Detroit detectives checked records of gun purchases in Toledo and "went away seemingly well satisfied."

Top Detroit detectives, however, said the current system of keeping track of purchases in Toledo was "meaningless information."

Another quipped that released convicts today are given "a new suit, a $10 bill—and the address of a Toledo pawnshop."

NOMINATION OF SENATOR CLINTON P. ANDERSON, OF NEW MEXICO, AS A CANDIDATE FOR A FOURTH TERM IN THE U.S. SENATE

Mr. MONTOYA. Madam President, on February 22 the Democratic Party in New Mexico held its preprimary nominating convention to select a slate of candidates for the November general election. At the convention in Albuquerque, Senator CLINTON P. ANDERSON was nominated by acclamation to be the Democratic candidate for a fourth term in the U.S. Senate. Mr. Don L. Dickason nominated our esteemed colleague. I ask unanimous consent that the nominating remarks of Mr. Dickason be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

NOMINATION OF THE HONORABLE CLINTON P. ANDERSON AS A CANDIDATE FOR THE U.S. SENATE

I deem it a high honor to be able to place in nomination as the Democratic Party's candidate for the U.S. Senate, a man who has served his State and Nation with great distinction for three decades. President Johnson has called him "one of the most able and dedicated public servants in America." President Kennedy said that while this man represents New Mexico, he "speaks for the Nation."

Last fall he considered the possibility of not seeking reelection to a fourth term in the U.S. Senate. But his Democratic colleagues—and even a few distinguished Republicans—urged him to run again. They recognized the need in public life for a man with his vision, vigor, intellect, and influence.

Those qualities enabled him to achieve an amazing record of accomplishment during the last 6 years. One of his measures vastly expanded efforts to convert brackish and sea water into usable water. Another of his acts expands research on local and regional water problems. New Mexico State University received the first grant under that program. He is the author of the law which provides planning for the future of entire river basins on a logical and efficient basis; and he is pushing ahead on legislation to accelerate weather modification and increase useful precipitation. He was one of the leaders whose untiring efforts finally brought into being the San Juan-Chama and Navajo Indian irrigation projects, giving a large part of our State the increased water supply essential to growth and prosperity. It is not surprising that the majority leader of the Senate calls him Mr. Water.

But water is only one natural resource. The man I nominate is a member and former chairman of the Senate Interior Committee. Over the last 6 years his work on the committee has been marked by some of the most forward-looking conservation and outdoor recreation legislation in history. For New Mexico, outdoor recreation and tourism mean jobs and revenue. His bill became the Wilderness Act to preserve primitive stretches of American land for future generations.

Tens of thousands of Americans are involved in the atomic energy program. The man I nominate is a member and former chairman of the Joint Committee on Atomic Energy which oversees that program. His constant efforts helped produce the decision to develop the Meson facility at Los Alamos, that will assure the major role of Los Alamos in nuclear science. He has had undying faith—and that faith is being rewarded—in the nuclear propelled rocket which is of importance not only to Los Alamos but to laboratories and industries in the Albuquerque area.

As chairman of the Senate Aeronautical and Space Sciences Committee, he has had a significant voice in the boldest scientific and technical venture ever known. An energetic space program is underway at White Sands. Many of our universities and industries are involved in this space effort. This role can grow—and it will with this man's help.

But while he is concerned about the distant planets, he has helped make life on earth better. Millions of older Americans and their families will be benefited by medicare—in large measure the work of the man I nominate. His prompt action led to New Mexico being one of the first States to have a food stamp program. He worked untiringly with the Governor and other members of our congressional delegation to maintain Fort Bayard as a hospital so that the facility would not be closed for public use.

In northern New Mexico many individuals and government agencies are laboring to improve the region's industrial and agricultural pace. The man I nominate believes in developing the full potential of the people and resources of that region.

He understands intimately the problems of agriculture. He championed the program to eliminate water-wasting plants in the Pecos River Basin. He has sponsored legislation to allow transfer of cotton acreages from elsewhere to the more productive areas of our State.

He is a ranking member of the Senate Finance Committee which handles all tax legislation, including depletion allowances for such important New Mexico industries as oil and gas.

Recognizing that economic and social progress are founded on education, he has been a leader in the cause of better educational opportunities for Indians.

He can do more for New Mexico because the record proves he has done more.

I place the nomination as a candidate for another term in the U.S. Senate, the Honorable CLINTON P. ANDERSON.

INVESTIGATION OF THE NATIONAL HOCKEY LEAGUE'S MOVE TO ENFRANCHISE SIX ADDITIONAL TEAMS

Mr. BREWSTER. Madam President, last month I urged the Senate and House Antitrust Subcommittees to undertake an investigation of the National Hockey League's recent move to enfranchise six additional teams. While my initial action resulted from articles in our Baltimore newspapers and a flood of letters and telegrams from local hockey enthusiasts, in recent days I have received support for my efforts from hockey fans throughout the United States and Canada.

There appears to be a widespread feeling among those closely associated with professional ice hockey that the recent franchise selections were not based on individual merit, but rather on the selfish economic interests of a few individuals.

From the information I have been able to obtain thus far, it appears that a serious violation of our antitrust laws may have occurred. It was for this reason that I requested Attorney General Katzenbach to look into the matter.

As you know, Madam President, 13 groups from 8 different cities deposited $10,000 apiece in order to bid for the 6 available National Hockey League franchises. Five of the eight cities were awarded franchises while Baltimore, Buffalo, and Vancouver were rejected. The sixth franchise was awarded to St. Louis—a city which apparently did not have a deposit, bidders, or visible owners. Why St. Louis was enfranchised is still shrouded in mystery. It is known, however, that the late James D. Norris, former owner of the Chicago National Hockey League team, was also coowner of the St. Louis arena. It has been hinted that Mr. Norris made a St. Louis franchise a precondition for league expansion.

I believe the National Hockey League's action has implications that go far beyond the parochial question of whether one city or another gets a hockey team. The questions that must be determined are: First, has the National Hockey League deliberately violated our antitrust laws; second, is stricter enforcement of our antitrust laws necessary in the field of professional sports; and third, is further legislation needed to protect the public from backroom dealing.

The dispute over the league's actions is not confined to the United States. Many Canadians are bitter that Vancouver was not included in the expansion. They are afraid that Canada's No. 1 professional sport—hockey—is being sold out of existence. Canadian Prime Minister Lester Pearson has gone so far as to discuss the matter before Parliament. The remarks of Gordon Juckes, secretary-manager of the Canadian Amateur Association, are typical of Canadian feelings. He charges that the National Hockey League has "finally removed the blinds completely and presented its true money-grabbing philosophy to the Canadian people."

The National Hockey League's actions have also been viewed with considerable concern by the Baltimore City Council. On February 21, 1966, the council passed a resolution "requesting an investigation of the methods employed by the National Hockey League in granting six new franchises."

Madam President, I ask unanimous consent to include the council's resolution at this point in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION 1534

Resolution, city council requesting an investigation of the methods employed by the National Hockey League in granting six new franchises

(Introduced by the president and Messrs. Soypher, Prucha, Rubenstein, Panuska, Caplan, Duffy, Myers, Pica, Edelman, Curran, Best, Leone, Ward, and Schaefer)

The members of the City Council of Baltimore are completely puzzled by the methods employed by the National Hockey League in recently granting six new franchises.

Baltimore City made a strong bid for one of these franchises. The city has a civic center which could have been used for the games. It has for years given strong support to professional hockey, and seemingly the city fulfilled all requirements to qualify for one of these franchises.

The city of Baltimore was turned down in its bid for a franchise, and there are some unanswered questions as to why this occurred. For one thing, the cities of St. Louis and Philadelphia, which were late entries in the application for franchises, both were given places in the National Hockey League. In addition, there have been disquieting rumors in the public press to the effect that the coowner of the St. Louis minor league team had "forced" the National Hockey League to give a franchise to St. Louis.

Such rumors and such decisions as in this instance do the professional sports world much harm. Thousands of citizens and sports fans in the Baltimore area are disappointed and outraged over the failure to get a franchise in the National Hockey League. These feelings are aggravated when as in this instance it appears there may have been undue favoritism and influence at work in the determination of these new franchises.

In any event, the whole subject needs consideration and publicity: Now, therefore, be it

Resolved by the City Council of Baltimore, That this body requests Senator PHILIP HART, of Michigan, and Representative EMANUEL CELLER, of New York, to investigate the antitrust and monopoly aspects in the recent action of the National Hockey League in turning down the strong bid of Baltimore City for a franchise in that league; and be it further

Resolved, That the chief clerk of the council is requested to send copies of this resolution to Senator PHILIP HART, Representative EMANUEL CELLER, the president of the National Hockey League, and each member of the Maryland delegation in the Senate and the House of Representatives in the Congress of the United States.

Mr. BREWSTER. Madam President, I believe the Department of Justice should vigorously pursue its investigation of this business transaction so as to better determine whether a violation of our antitrust laws did occur. The information obtained in such an investigation would be invaluable to the Senate and House committees concerned with the antitrust laws as they apply to professional team sports.

NEARLY ANYBODY CAN BUY A GUN

Mr. DODD. Madam President, I ask unanimous consent to insert in the RECORD at this point a detailed series of articles by Tom Nolan, of the Newspapers Enterprise Association, which was published recently in the Washington, D.C., Daily News. The series reflects the enterprise of both the reporter and the news service, and the conscience of a publisher to inform the public.

In this instance the news items concern the year's long attempt of Congress to pass legislation that would bring a reasonable measure of sanity to the traffic in mail-order weapons, which now includes everything from pistols and revolvers to bazookas, cannon, and antitank guns.

The weapons are advertised for sale to anyone with the nominal purchase price including felons, addicts, and mental patients. Sales slogans say it is the World War II materiel used by the enemy to "smash" U.S. forces.

I say that commerce in these death dealing weapons has reached the point where it is inconsistent with a well regulated society to allow it to continue. These articles provide a fair outline of this situation, why it exists and, possibly, why nothing has been done about it.

I commend it to the attention of my colleagues for their better understanding of the problem when it is considered by the Senate in the near future.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Daily News, Jan. 20, 1966]

NEARLY ANYBODY CAN BUY A GUN

(EDITOR'S NOTE.—Is there any way to limit the easy availability of weapons—from pistols to bazookas—without, at the same time, hindering the legitimate activities of sportsmen? This is the issue with which Congress soon will grapple. And a bitter fight rages. In a provocative three-part series. NEA's Tom Nolan looks at the gun problem. Following is the first article in the series.)

(By Tom Nolan)

WASHINGTON.—On November 22, 1963, President John Kennedy was killed by a bullet fired from a mail-order rifle purchased by a mentally deranged man.

Last February the wife of a Falls Church, Va., school principal shot her four children to death before killing herself with a pistol. The woman, who had spent 6 months in two mental institutions the year before, bought the pistol that morning at a department store.

In Baltimore—where a written statement from the police commissioner and a 15-day waiting period are necessary before a pistol can be purchased—a robber in mid-1964 took a taxi to surburban Essex where he bought a pistol. Four months later, a bullet from the gun killed a Baltimore policeman.

A San Mateo, Calif., electronics worker bought a rifle at a shopping center last October. Two hours later, he used the weapon to kill his girl friend and himself.

These senseless tragedies occurred in part because anybody in the United States can buy a gun. There are no restrictions on the sale of rifles and shotguns anywhere. Only seven States require a permit to purchase a handgun.

Despite the emotional furies aroused by the assassination of President Kennedy, despite a national poll which showed eight out of 10 Americans favored stiffer firearms-registration requirements, despite a strong plea for a tough gun-control measure by President Johnson, Congress has twice failed to do anything about the easy availability of guns.

This is not due to lack of opportunity. Altogether there have been 34 firearms-control measures introduced in the last 26 months.

The primary reason for this foot dragging is the strong reaction of a small, but vocal, segment of the public hunters, gun collectors, firearms dealers, and patriotic organizations.

CAN FIND ARMS

Opponents to severe Federal firearms legislation point out than any criminal who seeks weapons and ammunition can always find them. Even the most stringent law would not prevent this.

At the same time, they say, any law which tightens the availability of firearms would seriously curtail activities of dedicated hunters and marksmen who, after all, should have the right to pursue their particular hobby.

Spearhead of the gun lobby, one of the most powerful in Washington, is the National Rifle Association, an organization which because of loopholes in the Federal Lobbying Act, is not required to register as a lobby.

From a small group of New York National Guard officers, the NRA has grown in 94 years to a national organization with more than 700,000 members. It can mobilize roughly another half-million supporters in some 12,000 NRA-affiliated gun clubs and groups.

Focal point of the NRA effort over the past 2 years is the President's gun bill, introduced by Senator THOMAS DODD, Democrat, of Connecticut.

Thanks mainly to NRA tactics, this hard line measure has aroused the bitterest opposition since Franklin Roosevelt tried to pack the Supreme Court. DODD's bill would ban all mail-order gun sales; impose tougher recordkeeping requirements on retail dealers to aid local police in keeping track of gun sales, raise license fees; and ban the import of foreign military surplus weapons.

The NRA interprets these provisions as prohibiting "the interstate movement of all firearms to all persons other than Federal licensed manufacturers and dealers."

Thousands of NRA members have interpreted this statement as saying that the bill would bar a Connecticut duck hunter from buying a shotgun in Colorado. This is misconception, DODD says.

With statements such as the above, the NRA caused a virtual inundation of Congress by letter and wire.

DODD says this campaign is the primary reason the bill has been stalled in his own Judiciary Subcommittee for 2 years. He was unable to round up a quorum to act on the measure after hearings were completed last July. This year, DODD vows, it will be different.

READY TO VOTE

"I'm going to get a vote at long last," he says, "if I have to use every parliamentary trick in the book, and several that aren't."

Though the NRA is flatly opposed to the President's bill, it likes several others which have been introduced—including one which DODD put in before the assassination of President Kennedy.

Says NRA Executive Vice President Franklin Orth:

"Obviously there are some abuses that we all agree need correcting."

Adds the NRA executive committee: "There can be good, forward-looking, Federal legislation. It is not necessary to accept unreasonable restrictions."

But the NRA's idea of acceptable legislation does not block the easy availability of guns—the basic reason for having a firearms-control law.

[From the Washington Daily News, Jan. 25, 1966]

NRA GUN PROPOSALS ARE FULL OF HOLES

(By Tom Nolan)

(Second of three articles)

It shouldn't be said that the National Rifle Association is against any form of gun-control legislation.

Its leadership freely admits the need for a law and is officially backing a three-part proposal sponsored by Representative ROBERT CASEY, Democrat, of Texas. The proposal has been called the toughest gun bill in Congress.

And, indeed, it is tough.

Basically, the bill would make it a Federal offense to use a gun in specified criminal acts, ranging from robbery and assault to kidnaping and rape. First-time offenders would face a mandatory 10-year prison term; repeaters, a mandatory 25 years.

Under the Casey bill, roughly 100,000 gun crimes handled last year by State and local police would require investigation and prosecution by Federal law enforcement officers.

The bill reflects the NRA belief that the only justifiable firearms laws are those providing stronger penalties for the criminal use of guns and that preventive measures, such as a registration requirement, would neither stop criminals from getting guns nor reduce crime.

Senator THOMAS DODD, Democrat, of Connecticut, who has his own bill in the congressional hopper, is not in favor of the NRA-backed bill, to put it mildly.

"I wonder," he muses, "whether the NRA, in supporting legislation it knows stands little chance of becoming law, is just supporting a gimmick to see that no new legislation is passed.

"Such a law, if strictly enforced and if upheld by the courts, would present staggering administrative problems."

A conservative guess is that the existing Federal enforcement staff would have to be tripled in size to cope with the Casey bill requirements. If only a third of last year's offenders were convicted under the bill, the existing Federal prison system capacity would have to be expanded by 150 percent.

Most congressional observers agree that the bill's chances of being passed are virtually nonexistent.

WIDE OPEN

The second NRA proposal would make it a Federal offense for a licensed dealer or manufacturer to ship a gun in contravention of a State law.

But only seven States now require a permit to purchase a pistol or revolver. There are no restrictions on the sales of rifles and shotguns. And the NRA proposal apparently gives a shipper of guns an easy out, since no conviction could be obtained if he made a reasonable effort to learn if a State law is being violated.

Such reasonable effort is now construed as simply requiring a signed statement by the purchaser to the effect that he is under no legal disability which would prohibit shipment.

THE BIG HARDWARE

The third NRA proposal would provide Federal control of such military ordinance as bazookas, grenades, cannons, and rockets. These weapons would be subject to a $200 transfer tax and registration with the Treasury Department which enforces Federal gun laws.

This proposal looks fine on the surface, but—under NRA specifications—such weapons as the .50-caliber machinegun and six antitank guns currently advertised in mail-order catalogs would be excluded, Senator DODD says.

BIG BUSINESS

Hunting, target and trap shooting are big business in the United States today. Their devotees spend roughly $250 million a year on guns, ammunition and accessories. The side effects probably produce more than a billion dollars annually for the makers of cars, boats, fuel, and clothes.

It is estimated that there are about 54 million guns of various kinds in private possession in the country today. Each year this number is increased by domestic manufacture and swollen by a flood of firearms from abroad, mostly the discarded military models of foreign governments imported to be sold cheaply by mail-order merchants.

THE RIGHT TO BEAR ARMS

Originally formed to promote proficiency in rifle shooting, the NRA over the years has become the chief defender of the citizen's right to keep and bear arms.

This crusade is based on what Senator DODD calls an out-of-context reading of the second amendment to the Constitution—which constitutional experts say was intended to safeguard only the people's collective right to bear arms as members of a militia.

Despite modern Armed Forces, a National Guard, and local police, the NRA argues that an armed citizenry is necessary to defend the country against enemies both within and without.

The NRA stands squarely on the premise that the ownership of firearms must not be denied Americans of good repute. To this end, the organization says it carefully screens its membership applicants.

Each must certify that he is over 18, has never been convicted of a crime of violence, and is not a member of any organization which seeks to overthrow the Government. Each applicant must also be endorsed by an NRA member, a public official, or a military officer of the United States.

Last month I applied for membership in the NRA by filling out an application clipped from a barber shop magazine. I enclosed a check for $5.

For the endorsement, I just printed the first name that came to mind—out of the air.

Presumably I was carefully screened. My NRA membership card arrived in the mail a week later.

[From the Washington Daily News, Jan. 26, 1966]

A BIG LOBBY IS NEEDED TO STRETCH THE TRUTH

(By Tom Nolan)

(Last of series)

Lobbyists come in different shapes and sizes.

From its plush headquarters on Farragut Square, the American Medical Association—a registered lobby for more than 200,000 doctors—spent $152,000 in one 3-month period last year in its losing fight to prevent passage of medicare.

In a small office on Indiana Avenue, Harry Maginnis directs the activities of the Associated Third-Class Mail Users—also a registered lobby. On a budget of $70,000 a year—dues from 800 junk mailers—Mr. Maginnis has been remarkably effective in protecting the present low third-class postage rate.

And from its new $3 million building on Rhode Island Avenue, the National Rifle Association wages an intensive and effective battle to prevent "unreasonable restrictive" firearms control laws. In 1963, NRA's legislative and public affairs division spent nearly $145,000 to produce, among other things, 42 special legislative bulletins urging Members to oppose various gun bills.

Perhaps the primary difference between the tactics of the AMA lobby, Harry Maginnis, and the NRA is that the NRA is not registered as a lobby.

EDUCATIONAL LICENSE

The reason for this is that the NRA claims its function is not to influence legislation, but merely to inform or educate its members and the public.

This is one of the ways in which NRA educated its members on the evils of the President's gun bill last April 9:

"If you transported your rifle or shotgun to another State for a lawful purpose, such as hunting, you would have to comply with such burdensome restrictions and redtape as might be required."

To hunter Bill Willard of Grangeville, Idaho, this spelled the end of his beloved mountain goat hunting forays to Wyoming. He promptly fired off protests to his Congressman and Senators and to Senator THOMAS DODD, Democrat of Connecticut, sponsor of the President's bill.

Tens of thousands of other hunters did the same.

WHAT THE LAW SAYS

As Senator DODD pointed out to NRA Executive Vice President Franklin Orth in hearings last year, there are no restrictions in the President's measure pertaining to anyone other than criminals or fugitives who transport rifles or shotguns across a State line.

The deluge of letters resulting from NRA bulletins played an important part in Congress' failure to act on any firearms-control bill last session.

Though the organization vigorously denies it is a lobby, an NRA folder urges readers to "watch for firearms-control proposals that may appear in Congress or your State legislature, in your community, city, or town" and to oppose them "by letter, telegram, or telephone call, or by personal appearance at open hearings."

The 1963 NRA operating report states that "during 1963, 350 bills of concern to gun owners were introduced in State legislatures and 32 in the U.S. Congress * * * 42 legislative bulletins were mailed to 320,000 members and clubs in 50 States. NRA members reacted promptly, firmly, and in force. As a result, none of the legislation deemed severe was enacted."

AMMUNITION

One NRA bulletin said, "Anyone engaged in the manufacture of ammunition would be required to have a $1,000 manufacturer's license.

In fact, the bill provides only a $500 license fee. Shotgun ammunition is excluded altogether.

The NRA also implies that the bill introduced by Senator Dodd—at President Johnson's request—is more "far-reaching and restrictive" than the President intended.

"The NRA knows this isn't true," Senator Dodd asserts. "It knows I have the complete backing of the administration on this bill. Yet it has persisted in confusing the issues and disrupting the truth."

Lobby or not, the NRA is probably the only private pressure group to receive a direct subsidy from the U.S. Government. A Defense Department program has provided NRA members—and only NRA members—with free ammunition and surplus Government guns at a fraction of their retail value.

COSTLY FOR TAXPAYERS

It is run by the Army's National Board for the Promotion of Rifle Practice and, since 1959, it has cost taxpayers more than $12 million. From 1959 to 1964, the Board gave away to NRA-affiliated gun clubs nearly 250 million rounds of free ammunition worth some $7.2 million.

Though the practice has been curtailed, the Board in the last 6 years has sold some 500,000 guns to NRA members.

In effect, the NRA is the sole beneficiary of the Board's annual appropriation of $500,000, which includes most of the cost of putting on the national shooting matches each year at Camp Perry, Ohio, a tournament staffed by some 2,000 U.S. servicemen who spend the week operating as cooks, target pullers, and judges.

Last year at Camp Perry, Armed Forces PIO issued a "press kit," containing among other items, the latest issue of the American Rifleman (the NRA official publication) which contained a blistering attack on the President's gun bill.

THE FOSTER GRANDPARENT PROGRAM

Mr. HARRIS. Madam President, the United States must find better ways to use the talents and experience of its older citizens and give them opportunities for additional private income.

I want to voice my praise for the foster grandparent program, which is sponsored jointly by the Administration on Aging and the Office of Economic Opportunity, as being a step in the right direction.

The foster grandparent program, established last year on a pilot basis, is a step in the right direction and serves several needs. It brings together children in institutions, who need personal attention and love and affection, and older people, who need income and have love and affection to share.

The foster grandparent program is now operating on an experimental basis in 20 States, primarily with mentally retarded children, and has had great success. The program needs to be expanded, and we need it in Oklahoma.

Representatives of the Administration on Aging, the Office of Economic Opportunity, the Five Civilized Tribes, and the Oklahoma Department of Public Welfare will meet in Tulsa, Wednesday, March 9, to discuss development of a foster grandparent program project for eastern Oklahoma.

This particular project would not be limited to Indian institutions, although they would be a major part of it. I certainly hope the project can be approved.

We have got to stop wasting the talents and experience of so many of our older citizens, many of whom receive welfare but desire the opportunity to earn additional income.

I want to see the foster grandparent program expanded to include using older citizens to work with children who are not in institutions, but who need the personal attention that only a foster grandparent can give.

I think the first place we ought to expand it is in the Headstart program, sponsored by OEO, which gives preschool training to deprived children.

At my request the Administration on Aging and the Office of Economic Opportunity have scheduled a Washington conference of their two staffs to discuss the possibility of extending the foster grandparent program to include working with the children in the Headstart program.

If this new concept is agreed to by the two agencies, I intend to see that an Oklahoma community is the first to become involved in this new idea, because we in Oklahoma believe this expansion of both programs is needed.

HOW TO FIGHT PORNOGRAPHY

Mr. MUNDT. Madam President, since I began my efforts to create a Commission on Noxious and Obscene Matters and Materials, I have received many, many inquiries from worried parents who ask: "What can we do to fight pornography?"

A number of community projects have been begun. Special interfaith groups have worked out programs. These are good—but the most effective way, I believe, is for each family to have its own program of keeping smut out of the hands of children and replacing it with good books and reading materials.

Columbia, the official magazine of the Knights of Columbus, has run a series of three articles on the subject of obscene literature and how to combat it. In the latest issue, the article is devoted to the problem: "How To Fight Pornography."

I believe that this is a well written, well-thought-out article which offers guidance to parents who are concerned about the traffic in salacious literature.

In addition to the splendid article written by James M. Shea, there is a special message from J. Edgar Hoover, Director of the Federal Bureau of Investigation.

I ask unanimous consent to have the article "How To Fight Pornography" and the special message from Mr. Hoover printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

How To Fight Pornography

(By James M. Shea)

(Note.—The Nation's leaders in the fight against pornography give many-faceted advice on how parents can cope with the problem, but they all agree that the action must be decisive and quick.)

One thing the average parent can do about the contagion and corruption spread by pornography is to complain—loudly, vigorously and constantly.

"If the public were vocal enough, the problem would not exist," according to the leaders of a crusade against obscenity.

But that's not all the public—parents, fathers, housewives, ordinary folks—can do.

Interviews with a cross section of American leaders deeply concerned about the plague of pornography show a consensus that says, first of all, "Do something." To do nothing is virtually to come to the aid of the traffickers in smut. In public apathy lies their chief strength.

Second, says the consensus, "Do everything." In other words even the most "average" citizen ought to see that there are steps he can take, some thoroughly positive and constructive, to turn back the evil tide.

In a special statement to Columbia, J. Edgar Hoover, Director of the Federal Bureau of Investigation, emphasized that even the utmost efforts of law enforcement authorities aren't enough. "The cooperation of all decent citizens—and particularly parents—is essential in combating this effort to degrade our young people."

Charles H. Keating, Jr., founder and chief counsel of the nationwide Citizens for Decent Literature, pointed out that "parents at least can act to reduce the problem by making their views known to newspaper editors and other molders of public opinion."

"But probably the most important thing parents can do," Keating declared, "is to make complaints wherever pornography is found."

Some of the other measures that ordinary citizens—"average parents"—can and ought to take to protect their children from the ravages of pornography, according to the leaders interviewed by Columbia, are:

1. Make sure their own homes are God-centered, formed with religious values and established in a love that is reflected in a spirit of happiness, joy and well-being.
2. Be sure they give their own children adequate and accurate instructions in the full meaning of sex so that at every period of their lives the children have their natural curiosity satisfied with information that is geared to their intelligence and at the same time is reverent and wholesome.
3. Cultivate in their own children a desire for good reading, a love of good books, a discriminating taste in literary and other matters so that even on a natural basis they may be able to choose the good because they are able to recognize it and because they have learned to appreciate it.
4. Be informed—as so many parents are not—about the true nature of the problem, the depth of the depravity of a business that probably exceeds $2 billion a year in volume, much of it aimed directly at "hooking" young people.
5. Support the work of organizations dedicated to fighting the merchandisers of pornographic books, magazines, pictures, slides, films, records, and tapes.
6. "Pray hard," as an experienced judge suggested, "for cleanness of mind, body, and heart for their children."

Hoover, who has become a symbol of the Nation's law-enforcement bodies, has no illusions about the possible effect of pornography on young people. "Not only does reading or viewing such material often lead to immorality and other disturbances on the part of the young person," he said. "It can result in acts of violence as well. In a number of instances individuals, arrested after committing vicious sex crimes, have stated that the impetus came from sampling obscene material."

And he knows where a beginning must be made. "The basic ingredient in assuring that young people will not be harmed by obscene material is instilling in them at an early age high spiritual and moral values. Parents must by their own example teach their children the traits of decency, self-respect, and clean thinking."

Moreover, Hoover continued, "It should be impressed upon teenagers that peddlers in filth are seeking to exploit their curiosity and are using them as dupes for their vicious racket."

"Children should be encouraged to read good books," he said, "so that they can develop an appreciation for excellence in literature. They will then have no difficulty in readily recognizing offcolor material for the trash that it is."

Hoover went on to say: "You as parents have a deep responsibility in the fight against pornography. My plea to you readers of Columbia magazine is to assure that proper guidance is afforded to our youth so they will shun the peddler of obscenity. In so doing, you help them develop into wholesome and responsible adults."

Msgr. Joseph J. Howard, executive secretary of the National Office for Decent Literature, was equally emphatic about the responsibility of parents and he told Columbia that "the average parent must be made aware of the problem."

"The average parent," he went on, "must realize that smut is a $2 billion business and that acording to surveys between 75 and 90 percent of it falls into the hands of youth."

"Parents should ask dealers who handle such trash to get rid of it," Monsignor Howard declared. "If the dealer refuses to cooperate, then the parents should make their purchases in another store."

The NODL official called for support of stringent laws against pornography. "We spend billions for education," he said. "Why do we allow unscrupulous merchants to destroy this education? This battle can be won only by the interest and determination of parents."

Cincinnati Municipal Court Judge John W. Keefe, himself the father of six children, has presided over some of the showcase trials of smut peddlers and distributors initiated by the Cincinnati-based Citizens for Decent Literature.

A realist, Judge Keefe is convinced of the necessity for organized, civic action against the deep-running menace of obscenity. In fact, he believes existing organizations need to become broader. He feels that only by enlisting leaders of all faiths on a national basis can an effective war be waged against the problem.

At the same time the judge, who also is active in the Knights of Columbus in Cincinnati, emphasizes that "parents can do a great deal to combat obscenity and pornography in the home."

"Often the magnitude of the problem seems to overwhelm and almost paralyze parents into a complete lack of action," he said. "This is unfortunate and unnecessary."

He was among those who called for "a wholesome sex education" for children "at a reasonable age." He said the parents themselves ought to do this, but added that "if they feel they are inadequate they can have a clergyman or an intelligent and understanding physician help."

Judge Keefe cited other steps parents ought to take, including that of "impressing your children wtih the realization that all through life they will be confronted with countless choices of right or wrong and that they must learn at an early age to make sound choices."

Equally certain that parents have to play a significant role in combating obscenity was Patricia McMackin, family life chairman of the National Council of Catholic Women, whose husband, Bernard P. McMackin, Jr., formerly held the equivalent position with the National Council of Catholic Men.

While she understands the need for organized campaigns locally and nationally, Mrs. McMackin, mother of five children, believes that a positive program of good reading coupled with a strong moral climate in the home comprises the most effective bulwark against the inroads of printed poison.

"We don't emphasize 'don't,'" smiled Mrs. McMackin. "We try to emphasize the positive. From their earliest years the children have known that we love and respect good books."

Reading to the very young members of the family is a well established tradition in the McMackin family. Moreover, when the children are reading books of their own choice, their parents contrive to discuss the books with them, leading them to make discriminating judgments.

Mrs. McMackin doesn't discount the mother's role in the religious formation of the children, but she nevertheless stresses the importance of the father's role. "A father gives his children an example, no matter what he does—either a good example or a bad one. Youngsters take their cue from dad, and if he brags about visits to an offcolor club he must be prepared to have his children seek out the material that will instruct them in questionable values."

Another element of family life to which Mrs. McMackin attaches much importance in relation to antipornography efforts, as well as to other matters, is that of love. "If a child is secure in love at home and has a sense of being an important person in a closely knit family, he is unlikely to feel a need to gain attention—and handling pornography sometimes begins as a means of gaining attention."

One of the Nation's best known crusaders against pornography is Charles Keating, former Olympic swimming champion, ex-Navy flyer, father of six children and the man behind the nationwide Citizens for Decent Literature organization.

CDL is dedicated to enforcement of the laws against obscenity and to making the public aware of the nature of the menace as well as of the legal means at their disposal to fight it.

In its 10 years of activity CDL probably has been the means of alerting more U.S. citizens to the extent and seriousness of the danger of pornography than any other agency. It has seen successes and setbacks, though Keating indicates that only a long-range view can carry a crusader through the many frustrations he experiences.

He expressed a fairly optimistic opinion about the American public's recognition of the problem. "You will find that individuals and families and even the press not only will tolerate but actually will encourage the arrest and prosecution of the pornographer today," he said. A decade ago, vague references to freedom of the press were enough to turn away public attention and interest.

Besides, "prosecutors are better educated concerning the problem," he said. What may lead to a major breakthrough for antipornography organizations now, he said, is the possibility of Supreme Court decisions upholding recent convictions in several cases now pending. If the Court does uphold the convictions, Keating expects to see "a wave of action against pornographers" and possibly "a substantial cleanup in 2 years."

But no matter how the Court decisions go there remains the responsibility of parents to "learn just how tough this material is," Keating commented.

He spoke of the "tremendous inroads made by Playboy magazine and the Playboy philosophy," noting that 50 percent of the Nation's male college students read the magazine and that the total circulation of Playboy is 7,500,000.

"Playboy gets away with murder because parents don't realize its philosophy and the stimulation it offers. This is a massive problem which parents must meet directly," he said.

Turning to the need for parents to "make complaints" every time they encounter pornography, Keating said: "I am always surprised to find out around the country that police say they have received no complaints in this matter."

Dr. Donald Cortum, Torrance, Calif., physician and national cochairman of the Citizens for Decent Literature, holds that "in a pluralistic society the only way we ever can unite on where to draw the line on obscenity is to go to court and use the jury system which embodies the conscience of the community."

But public opinion is needed to support law enforcement, Dr. Cortum added. "If Americans were not buying the stuff, no market would exist. If every Knight of Columbus would say something to the retailers, the market would be diminished. If someone persists, call the police and file a complaint.

"Further, provide healthy sex attitudes and adequate sex education in your own family to protect your children against the influence of this material."

Dr. Cortum has no illusions about fast results in this battle against the pornographic plague. Right now, he says, we must defend and insist on community standards.

Dr. Robert Buckley, of Santa Monica, Calif., president of the Guild of Catholic Psychiatrists, regards "proper and practical instruction about sex" as one of the most effective ways to keep children from becoming pornography addicts.

"Education seems the real treatment to prevent progressive addiction," he said. "This education can be accomplished only by a vigorous attack spearheaded by parent, pastor, physician, and teacher working together, not separately."

Also emphasizing the need for all-out concerted effort to drive out the pornographers was Father Morton A. Hill, S.J., secretary of Operation Yorkville, New York-based group fighting pornography.

Officials of the interfaith organization say that the pornography problem "has never been so far-reaching" as it is now and that "a generation of American children has never been so dangerously threatened."

Father Hill and his fellow workers in Operation Yorkville insist that "the voice of the people must always be heard."

"Sporadic expressions of community standards * * * are not effective enough against a well-organized, big-monied, full-time network of pornographers and defenders," he said.

Recently Operation Yorkville took a dramatic step in its campaign when it launched a nationwide citizens' appeal to the President.

Convinced that only a full-scale war against pornography, with President Johnson himself mobilizing the forces of decency in the Nation, could be effective, Operation Yorkville called for citizens around the country to flood the White House with requests to the President.

Out of such a "nationwide awakening," comments Father Hill, "there would have to come a full-time interfaith organization with headquarters in Washington and affiliates in each State."

This will not come to pass unless the "average parent" wants it, understands the need for it, and supports it.

J. Edgar Hoover, Director of the Federal Bureau of Investigation, has this special message for Columbia readers:

"The peddling of pornographic literature to America's youth presents a serious problem. Not only does reading or viewing such material often lead to immorality and other disturbances on the part of the young person, it can result in acts of violence as well. In a number of instances individuals, arrested after committing vicious sex crimes, have stated that the impetus came from sampling obscene material.

"Law enforcement is doing its utmost to curb the peddler of pornography. But this is a task that we cannot accomplish alone. The purveyor of smut has seemingly endless sources producing his merchandise and he uses a variety of clever tactics to outwit the law. The cooperation of all decent citizens —and particularly parents—is essential in combating this effort to degrade our young people.

"The basic ingredient in assuring that young people will not be harmed by obscene material is instilling in them at an early age high spiritual and moral values. Parents must by their own example teach their children the traits of decency, self-respect and clean thinking. It should be impressed upon teenagers that peddlers in filth are seeking to exploit their curiosity and are using them as dupes for their vicious racket. Children should be encouraged to read good books so that they can develop an appreciation for excellence in literature. They will then have no difficulty in readily recognizing off-color material for the trash that it is.

"You as parents have a deep responsibility in the fight against pornography. My plea to you readers of Columbia magazine is to assure that proper guidance is afforded our youth so they will shun the peddler of obscenity. In so doing, you help them develop into wholesome and responsible adults.

THE INDEPENDENT STATUS OF THE SMALL BUSINESS ADMINISTRATION

Mr. SPARKMAN. Madam President, I ask unanimous consent to have printed in the RECORD a news release issued by the Small Business Committee dealing with a resolution urging continued independence for the Small Business Administration.

There being no objection, the news release was ordered to be printed in the RECORD, as follows:

[For immediate release, Mar. 8, 1966]

SENATE SMALL BUSINESS COMMITTEE

A resolution urging continued independence for the Small Business Administration was adopted today by the Senate Small Business Committee in its annual executive meeting, Senator JOHN SPARKMAN, committee chairman, announced.

Acting on persistent rumors that plans are being actively considered by the administration to merge the Small Business Administration into the Department of Commerce, contrary to the Small Business Act which specifically states that the SBA should be independent the committee adopted the following resolution proposed by Senator SPARKMAN:

"In 1953 the Congress established the Small Business Administration as an independent agency 'under the general direction and supervision of the President,' and provided specifically that the Small Business Administration 'shall not be affiliated with or be within any other agency or department of the Federal Government.'

"Consideration is now being given to abolishing the Small Business Administration as an independent agency and transferring its functions to the Department of Commerce.

"Such a transfer would deprive small business of an effective advocate within the Executive Branch of Government.

"The Select Committee on Small Business of the U.S. Senate favors the continuation of the Small Business Administration as an independent agency and recommends that its function not be transferred to the Department of Commerce, or to any other department or agency."

EXTENDED NURSING CARE IN THE MEDICARE PROGRAM

Mr. ANDERSON. Mr. President, a good many questions arise about the provisions for extended nursing care in the medicare program. Recently, Senator Moss, who is chairman of the Housing Subcommittee of the Senate Committee on Aging, was interviewed on the subject. I ask unanimous consent that the interview be printed in the RECORD.

There being no objection, the interview was ordered to be printed in the RECORD, as follows:

VIEWPOINTS: AN INTERVIEW WITH SENATOR FRANK E. MOSS

(NOTE.—A member of the Senate Special Committee on Aging since June 1963, Senator FRANK E. MOSS, Democrat, of Utah, heads its Joint Subcommittee on Long-Term Care for the Elderly, which has held comprehensive hearings on nursing home problems and national needs in both institutional and noninstitutional services. He is chairman of the subcommittee on housing and a member of its panels on retirement income and health of the elderly. The 54-year-old native of Halladay, Utah, holds the degree of Juris Doctor from George Washington University Law School in Washington, D.C. He served for 10 years as city judge in Salt Lake City and for 8 years as county attorney for Salt Lake County before election to the Senate in 1958. Now in his second term, Senator Moss serves on the Small Business, Interior and Insular Affairs, and Public Works Committees in addition to the Aging Committee.)

NURSING HOME BEDS AND MEDICARE

Question. You have said people are overestimating the effect medicare will have on the nursing home field. Why?

Senator Moss. Medicare is a hospital-oriented program primarily concerned with acute, short-term illness. The crucial point is that payment for care in nonhospital facilities under medicare is not for the purpose of financing conventional nursing home care but for the purpose of economizing on hospital facilities.

Thus, those nursing homes which will be providers of services under medicare will be those that wish to offer a comparatively short-term, intensive service and to enter into arrangements with hospitals to serve, in effect, as extensions of those hospitals. This is not the major or usual service of most nursing homes and it probably will be a minor phase of the nursing home business. I think there is a danger in thinking that medicare's extended care benefit represents a bonanza to the nursing home field.

Question. Isn't it true that there is a shortage of nursing home beds?

Senator Moss. We hear a lot about that. Of course, there are shortages in some localities. There is also a need to replace some facilities that are hopelessly substandard. However, sometimes what may appear to be a nursing home shortage in a given community may actually be, in large part, a shortage of alternative services for elderly people who need some care. And our subcommittee has received testimony that an excess of beds has been built in certain areas.

Question. Which ones?

Senator Moss. In major cities of the Midwest and West, such as Chicago, St. Louis, Denver, and Los Angeles. In my own State, Utah, figures indicate there may be a short-run surplus.

There's a paradox for you: a much publicized shortage and yet new facilities experience low occupancy and frantic competition for survival.

Question. Why this overbuilding?

Senator Moss. Testimony suggests that some of it has resulted from speculative building in anticipation of State's implementing the Kerr-Mills law for medical assistance for the aged. This mistake might be repeated on an even larger scale if people widely suppose that medicare will support a considerable addition to the current inventory of nursing home beds.

There are indications this may be happening. I have been told that small business investment companies, supported by the Small Business Administration, have had many applications for loans to build nursing homes to meet the supposed demands of medicare. SBIC officials report that many applicants have not even read the law and don't know medicare details. Another bit of evidence: business opportunity pages of newspapers advertise to speculators in nursing care. For instance, an ad in the New York Times said this: "Be ready for medicare—motel suitable for conversion to a nursing home." I know of large corporations that are considering diversifying into the nursing home field to cash in on medicare.

Question. If what you say about overbuilding is true, won't that leave us with competition among providers of care? Won't such a situation improve the nursing home field?

Senator Moss. I don't think a surplus of nursing homes produces a healthful competition. Rather, it produces a situation in which nursing homes have great difficulty in meeting basic needs of their patients from the revenues which they can derive.

Question. What do you think will be the positive effects of medicare on the nursing home field?

Senator Moss. Medicare pays on the basis of reasonable cost. This represents the first time that this principle has been applied federally for nursing home care. Despite the limited role for nursing homes in medicare, the program represents an opportunity to show what the costs actually are when the services demanded by the public are provided. I hope we may be able to adopt this principle for all public programs dealing with nursing home care. This would bolster the economic base for the progress and improvement all of us would like to see.

Nursing homes, potentially, are centers where knowledge and techniques to promote self-care and independence in daily living can be applied. This care must be financed realistically for patients under public programs. In this session of Congress, I plan to introduce legislation to assist nursing homes and other institutions in servicing the chronically ill and aged patient.

HARTKE KEY ROLE IN VIET TALKS IS REVEALED

Mr. BURDICK. Madam President, in the last few months our colleague, Senator VANCE HARTKE, of Indiana, has played an important role in contributing to the national debate over our policy in Vietnam.

Although not a member of the Senate Foreign Relations Committee, he has contributed as much as any Member to the debate in this Chamber which all of us have witnessed these past weeks. He has made excellent speeches on his own and has persuaded others to join the debate and offer their solutions to the Vietnam crisis. A recent issue of the Evansville Press from Senator HARTKE's home State of Indiana had an excellent article describing his activities in recent weeks.

I ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HARTKE ROLE IN VIET TALKS IS REVEALED

(By John V. Wilson)

WASHINGTON.—Just before last Thanksgiving, the paths of Senators VANCE HARTKE, Democrat, of Indiana, and J. WILLIAM FULBRIGHT, Democrat, of Arkansas, crossed in Hawaii.

HARTKE was starting a round-the-world trip with a Senate delegation for foreign policy discussions in Japan, India, and Pakistan.

FULBRIGHT, chairman of the Senate Foreign Relations Committee, was en route to a parliamentary conference in New Zealand.

Both Senators had long been troubled over the grinding war in Vietnam and the ever-present threat that it could spark a nuclear battle and a land war with Red China.

As HARTKE recalls the chance meeting, FULBRIGHT repeated his desire to conduct open hearings on Vietnam by his committee and his inability to get them going.

"I told him I'd help him," HARTKE says. "I knew there was great sentiment in the Senate for a debate."

If one event can be singled out as the starting point of the great debate on Vietnam, it may well have been this discussion thousands of miles from the Senate Chamber.

When HARTKE returned from his month-long trip, he was even more convinced of the need for a complete airing of U.S. involvement in Vietnam, U.S. objectives, and U.S. efforts toward ending the war.

HARTKE found little support for U.S. presence in Vietnam. And he came back thoroughly disgusted with the costly foreign aid program.

"VANCE came back from the trip with strong feelings," recalls Senator EUGENE MCCARTHY, Democrat, of Minnesota, a member of the group that some are calling "doves."

HARTKE returned as President Johnson halted bombing of North Vietnam and launched his peace offensive.

From a series of meetings in FULBRIGHT's and HARTKE's offices and informal cloakroom discussions came the outlines of the Foreign Relations Committee hearings and floor debate.

HARTKE participated in preparing the list of committee witnesses (although he is not on FULBRIGHT's committee) and in scheduling the floor speeches.

Toward the end of January, after the peace offensive had got no place, it became apparent that Johnson would order bombing of North Vietnam resumed.

HARTKE, and other Senators who feared what escalation of the war might lead to, decided to appeal to the President to continue the lull in bombing while pursuing peace efforts.

HARTKE had a letter to Johnson drafted—the author HARTKE won't name—and circulated it among a handful of Senators for their comments.

Some thought it "too conciliatory, too polite."

A request that Johnson "consult" with the Senators before resuming the bombing was softened to the wording: "We believe you should have our collective judgment before you, when you make your decision."

And this sentence was added: "We believe we understand in some small degree the agony you must suffer when called upon by our constitutional system to make judgments which may involve war or peace."

The letter was dispatched to the White House less than 24 hours after a late-evening meeting in FULBRIGHT's office, at which HARTKE agreed to round up other signatures.

After a talk with Vermont's GEORGE AIKEN, senior Republican in the Senate, HARTKE agreed to ask only Democrats to sign the letter.

It went to the White House with 15 signatures. Johnson reacted with a curt reply, and 4 days later bombing of North Vietnam targets was resumed.

In February, FULBRIGHT's committee aired opposing viewpoints on Vietnam strategy, and the Senate Chamber reverberated with debate over Johnson's policies.

HARTKE, according to a member of the Foreign Relations Committee, worked on procedural questions arising in the hearings. The day Secretary of State Dean Rusk testified, HARTKE occupied a seat behind committee members.

In the Senate, HARTKE also made a series of speeches warning against escalation of the war, emphasizing the threat of a land war with China and calling for a U.S. military holding action in Vietnam.

Senator LEE METCALF, Democrat, of Montana, describes HARTKE as "a kind of catalyst" who brought together the group of like-minded Senators who have "misgivings about the war."

"He put it together," says METCALF. "He saw the opportunity to assert some leadership and to advance something he sincerely believed. It's about time Senators started exercising leadership."

Another Senator credits HARTKE with welding the peace group from members who had merely been expressing scattered concern about Vietnam policy.

"He hits head on," the Senator says. "He's not afraid to take a single position. He's a person of independent judgment, energy, and drive. He's concerned more with achievement—to unify the group—than in making a personal record."

By sticking his neck out, isn't HARTKE risking a complete break with the White House?

"I don't think this has made any difference," answers a Senator. "If anything, he's gained recognition. This man downtown just looks at power."

In any event, HARTKE, in his 8th year in the Senate, has fashioned a new power base to be reckoned with.

LONG-LINE COMMERCIAL FISHING IN THE OCEANS

Mr. BREWSTER. Madam President, I recently read an article in Sports Illustrated that brought to my attention a potential crisis in the world's oceans.

This article, written by Martin Kane, a senior editor of Sports Illustrated, points out that if the technique of commercial fishing called long-lining is allowed to continue unregulated, the world population of big game fish may be seriously diminished.

This problem deserves the attention of every supporter of conservation.

Madam President, I ask unanimous consent that the article in the January 31, 1966, issue of Sports Illustrated entitled "Plenty of Fish in the Sea?" be printed in the RECORD.

Mr. President, I also ask unanimous consent that an article in the January 28, 1966, issue of Time on the same subject be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

PLENTY OF FISH IN THE SEA?

(By Martin Kane)

The world population of big game fishes—most notably swordfish, the marlins, sailfish and the various tunas—is threatened with early decimation. A technique of commercial fishing that is centuries old but has been applied on a large scale only recently is ravaging the oceans. It is called long-lining, and it is the subject of dismayed denunciation in every big game fishing port on the coastal perimeter of the United States, throughout the Caribbean, along the coast of Mexico, in Scandinavia, Australia, and New Zealand. It has sparked skirmishes between sport and commercial fishermen. It has alarmed marine scientists, most of whom concede its devastating effects as a matter of commonsense but urgently need funds to establish scientifically the precise extent of the harm it has done to fish populations already and what its continued untrammeled use portends. Objective of the research: international controls. To many a salt water angler the prospect that such controls can be instituted in time is dim.

Robert S. Nyburg, a Baltimore sport fisherman and advertising man who specializes in billfish, fears that "there may be no more [salt water] sport fishing in this country" by 1970. (If you think striped bass are a sport fish, Nyburg does not know you. He thinks in terms of bigger game.) "There is a real and present danger," Nyburg says, "that, unless some fast action is taken, there will be no more marlin, sailfish, giant tuna or broadbill fishing on either coast of the United States in a very few years."

At least equally alarmed is Ed Louys, executive secretary and director of the Caribbean Gamefishing Association.

"Soon there will be no fishing in the Caribbean," he said recently in Miami. "Commercial fishermen themselves told me this in Venezuela, in Trinidad, in Jamaica—that, unless restrictions are placed on this fishing, they will be destroyed. Since the long-lining thing came out we have been answering questions from hundreds of people asking what we should do, what can we do, to prevent overfishing."

Gerald Talbert, head of the Tiburon (Calif.) Marine Laboratory of the U.S. Bureau of Sport Fisheries and Wildlife, believes that since the Japanese are by far the most extensive users of long-lining, "our only hope is to appeal to the basic good nature and sense of fair play among the Japanese people. If properly approached," he says, "I believe they would understand and withdraw from the sport-fishing area. So far as I know, no official protest has ever been entered."

Though there are others who hold that the only effective recourse would be a threat of economic sanctions in areas other than fishing, Talbert's view is by no means naive. The Japanese have been singularly cooperative in game-fish tagging programs aimed at understanding and eventual conservation of the fish involved and are more aware than any other national fishery of the excessive efficiency of long-lining. But they do need enormous quantities of fish to supply the protein requirements of their national diet, as do many island peoples. To pose the importance of recreational fishing against this need may be difficult, but there is more to it than that. While long-line fishing has been profitable for them, their catches have begun to thin out under long-lining pressure and they might well be amenable to international controls if these were to be proposed with sound scientific backing.

Unfortunately, sound scientific backing does not exist. If sufficient research grants were available immediately, it might take 5 years or more to put together a persuasive argument of solid scientific validity. In 5 years, many sport fishermen believe, the whole matter may be tragically academic.

Long-lining is as simple as it is ancient. Tie a line to the handle of a glass jug, add a hook and bait to the line and toss the jug over the side. As the jug drifts free, the bait will attract a fish. When a fish is hooked it pulls against the resistance of the jug and seemingly tries to drag it under. The jug always wins. The fish is inevitably exhausted. The fisherman recovers the jug and hauls in the fish.

Multiply that single hook by thousands and the glass jug by hundreds of glass-ball floats, all connected by surface lines that, strung together, may extend 10 miles or more, and you have long-lining, the deadliest method of ocean fishing ever devised.

The long-line's basic unit, called a "basket" because the line is coiled into baskets on deck, is a main line about 300 yards long, buoyed to the surface by float lines. Branch lines, to which baited hooks are attached, extend down into the water at variable depths. About 10 hooks are used for every 300 yards or so of main line. Baskets are connected one to another until a length of 10 miles or more may be reached. A drift in a current, such a line has the effect of a wide broom sweeping the sea.

Tuna constitute 85 percent of the Japanese catch in Pacific waters, the remaining 15 percent being billfish. The boats put out individually and in fleets, some accompanied by a mother ship, aboard which the catch is processed and canned. There is one major fishing firm which operates 2 mother ships and 112 catcher boats, each of them long-lining. At 10 miles to a line, though actually some lines are shorter, these 112 boats would represent 1,120 miles of fishing line in simultaneous operation.

Long-lining can deplete the sea itself. It has done just that in the Indian Ocean, which is the world's third largest and second deepest sea. Long-lining so drained it of yellowfin tuna—the catch dropped from 12 fish per 100 hooks set to about 5 per 100—that the Japanese all but quit fishing for them there. They switched to marlin and sailfish and in 1956 began to concentrate on the Atlantic and Pacific Oceans in ever-widening scope. Now the Japanese seem to be fishing themselves out of the Atlantic. With declining catches there, half the Japanese Atlantic fleet has been ordered back to Japan. The bankruptcy inherent in long-lining is being seen in the Pacific, too. According to the Sport Fishing Institute in Washington, "Marlin harvests by Japanese long-liners fishing off the Pacific coast of Central America" were poor in 1965—only three or four fish per boat, compared with catches of hundreds per boat in 1964. Average weight per fish was about two-thirds of what it used to be, a fact confirmed by sport fishermen, who note that along the Pacific coast marlin once averaged 110 pounds and now are down to 60 or 70 pounds. Mexican resort owners, largely dependent on sport fishermen, are in a state of panic.

The Sport Fishing Institute, which is largely supported by tackle manufacturers and provides research grants for scientific institutions, observed in its November Bulletin that "bluefin tuna stocks in the Atlantic Ocean also may soon be in trouble." Not just long-lining but purse-seining threatens the Atlantic tuna population, to such an extent that O. V. Wells, Deputy Director-General of the United Nations Food and Agriculture Organization, said last summer that "the rational utilization of tuna resources in the Atlantic Ocean requires urgent international attention." During 1962, the U.S. Fish and Wildlife Service found, U.S. fishermen landed a mere 40,000 pounds of tuna at Middle Atlantic ports. Two years later the U.S. figure had jumped to 6 million pounds, and the fishery had become so attractive that purse seiners were moving in from as far away as the Pacific coast.

The Japanese are by no means the only long-liners. The Norwegians are in the Atlantic, off the U.S. coast, concentrating on sharks but getting a share of swordfish and other gamesters, too. Swedish sportsmen are decrying the fact that long-lining has begun to affect their salmon catch. Canada has some 250 vessels in the summer and 25 in the winter long-lining the Atlantic for swordfish, once taken mostly by harpoon as they lolled on the surface. The U.S. fishery has a score or so of long-lining vessels in the Atlantic, and these have been averaging 300 swordfish a trip during the peak fall season. Red China is long-lining, but no one knows to what extent, and the same is true of the U.S.S.R., which has just announced a new 5-year plan aimed at increasing its catch more than 50 percent. Cubans are long-lining for marlin. And the Spanish are at it, too.

But all these, separately and together, are minuscule in comparison with the Japanese operation. Its growth from 1956 to 1963 was astronomical. In 1956, when 164,000 hooks were set by the Japanese, they caught 7 metric tons of striped marlin (100 fish) and 50 metric tons of blue marlin (400 fish). By 1963 they had more than 50 million hooks out and took 8,236 metric tons of striped marlin (126,700 fish) and 9,413 metric tons of blue marlin (75,300 fish). Not to mention countless other billfish and tuna.

Today Japan has 625,935 persons engaged directly in the fishing industry, a decline from the 790,000 so occupied in 1963. The decline was due largely to the fact that expansion of Japanese industry and higher wages on land pulled many a fisherman away from the sea.

Japanese boats, ranging in size from 300 to 800 tons, fish through the South Seas and deposit their catches in southeast Asia, then move on through the Indian Ocean to unload their next haul in Mediterranean ports. From the Mediterranean their course takes them into the South Atlantic, down through the Caribbean—some to the east coast of South America, others through the Panama Canal and out into the Pacific again, where they deposit their catches in Samoa before sailing back to Japan. This marketing system somewhat compromises the theory that the Japanese are seeking protein only for home consumption. Thirty percent of the fish taken by their wandering fleets, in fact, is sold to foreign countries.

Behind the explosive expansion of the long-line fishery is the development, in 1955, of the tuna hotdog, which has become widely popular in Japan. This sausage made possible the exploitation of the bigeye tuna, which had been held in low regard until then the yellowfin and bluefin being preferred. Then the marlins began to be used for sausage and the billfish kill became a valuable adjunct to the tuna fishery. The Japanese also like marlin raw as sashimi, an appetizer. (North Americans seldom eat marlin, though it is esteemed in Latin America.)

Last year the Japanese fleets did not do too well, especially with tuna, but it is impossible to say whether the decline was due to overfishing, as sport fishermen insist, or changes in water temperature, available food and salinity, as some marine scientists suspect.

There is no reason to suppose that it was not both. There is every good reason to believe that overfishing, by purse seiners as well as long-liners, is the leading villain. The 1964 annual report of the Inter-American Tropical Tuna Commission recalled that in 1962 Dr. Milner B. Schaefer, then its director of investigations, was able to assert that "the maximum average equilibrium catch" of yellowfin tuna would be in the vicinity of 183 million pounds. In other words, overfishing would begin at this point. The catch in 1959 was 145.4 million pounds, jumped sharply to 234.2 and 239.8 in 1960 and 1961 respectively, fell off for a couple of years, then rose again to 197.8 in 1964.

On the other hand, some few commercial fishermen, perhaps responding to long years of warfare with sportfishing interests, profess to see no threat to the tuna-fishing industry from long-lining. One of these is August Felando, general manager of the American Tuna Boat Association in San Diego. Felando points out that the Japanese are primarily interested in bigeye tuna, which are deep swimmers and unimportant to either the U.S. commercial fishery or sport fishery. The yellowfin has become a secondary prize (20 percent of the total catch in the eastern Pacific), and bluefin tuna are only occasionally taken by the Japanese in the Pacific.

But Felando does concede that his association's boats see increasing numbers of Japanese long-liners fishing off the Mexican coast and that these are working primarily for swordfish and marlin.

Bruce Barnes and Bill Poole, partners in a San Diego charter-fishing operation, believe that the decline in the marlin catch out of San Diego during the 1965 season could well be attributed to the more extensive use of the long-line technique off the Mexican and South American coasts. In 1963 the confirmed count of marlin at San Diego docks was 1,500. In 1965 it had dropped to 400.

There is something approaching terror on the Atlantic side of the Mexican-Central American land strip.

"This year [1965] is the worst Jamaica has had," says Ed Louys. "In the blue-marlin tournament only five fish were caught and the biggest weighed 162 pounds. But a Japanese vessel which needed medical attention for one of its crew put into Montego Bay in late September. It was loaded with blue marlin."

Sportsmen like Louys are not impressed by the fact that the Japanese and other long-liners are harvesting protein. The profits derived from sport fishing, they feel, are a source of life, too, for those engaged in boatbuilding, tacklemaking, resort maintenance and allied servicing of sport fishermen. In the United States alone, salt-water sport fishermen spent $626,191,000 in 1960, according to the U.S. Bureau of Sport Fisheries and Wildlife. Talbert notes that in 1960 1.7 billion pounds of edible fish were caught commercially, but marine sport fishing brought in almost as much—1.4 billion pounds. So, say the sportsmen, their kind of fishing is a rich source of protein, too, and does not deplete the available stock.

But the high seas are free, whether they be considered to begin 3 miles, 12 miles, or 200 miles out from shore. Besides, it is not just coastal overfishing that threatens the sportsmen. The pelagic fish he most esteems are far-ranging wanderers, and it matters not a whit whether they are destroyed 5 miles out or 500.

Since no practical means of controlling the long-liners has yet been devised, or even proposed, a few frustrated sport fishermen have been taking matters into their own hands. Long-line sets have been destroyed in the Atlantic. Off Acapulco, sport fishermen, persistently wreaking havoc on long-lines off their coast, forced one Japanese vessel to abandon the area as too expensive. U.S. sport-fishing boats sailing off the shores of Baja California play a game called "ocean skeet." They shatter the long-liners' glass buoys with shotguns.

The damage inflicted by such means is, of course, a mere nuisance and will have little or no effect on the enormous enterprise that long-lining has become. But when a Japanese long-liner ran aground last September on the southernmost tip of Baja California gleeful Mexican fishermen indulged in soul-satisfying fantasies to account for the wreck and take credit for it.

The 350-ton vessel crashed onto a reef at about 2 a.m. The 18 men aboard all got ashore safely. Some commercial and sport fishermen went aboard and found the boat equipped with the very latest in navigational and fish-finding equipment, from radar to sonar. Stacked in her freezer locker below decks were an estimated 140 tons of tuna, 40 tons of marlin and an unknown quantity of shark meat, in addition to dolphin, wahoo, and sailfish.

How to account for the wreck? The Mexicans wink and tell any of a number of stories:

1. Mexican fishermen turned off the light in the lighthouse. (Ah, but with all that electronic gear a modern vessel does not bother with lighthouses.)

2. They turned off the light and set up another light atop a high cliff to lead the Japanese astray. (But the radar would have indicated the huge land mass—cliffs several hundred feet high on the beach—behind the Judas light.)

3. Long-line sets are equipped with transistorized "homing" buoys that send out a signal to guide the fishing boat to where the sets have drifted. The Mexicans took one such buoy and put it on the beach. (This one is more ingenious than plausible. The Japanese navigational gear again would have foiled the plot.)

What hope is there, since even the wishful cleverness of Mexican wreckers is no match for the vast Japanese fleet? One theory, not very attractive, is that overfishing will solve itself.

"In some ways long-lining may be considered self-limiting," says Frank J. Mather III, associate scientist at Woods Hole Oceanographic Institution and himself a sport fisherman. "When the catch declines enough it becomes unprofitable. I think there is cause for concern but don't know what can be done. Agreement among all the nations involved would be very difficult."

"We know the extent of long-lining," Mather says, "but we have no idea of the size of fish populations." Such knowledge would be essential to the establishment of meaningful international controls, but it simply is not there to be laid on the bargaining table.

There is unanimity among marine scientists that research is a sine qua non of international controls.

"We are getting more and more letters from Congressmen inquiring about long-lining," says Albert H. Swartz, Assistant Chief of the Division of Fishery Research of the U.S. Bureau of Sport Fisheries and Wildlife. "Some people are advocating an extensive research program. Others are talking about an international convention—but there are no facts to bring to it. A research program would take about 5 years before we could go to the Japanese regarding conservation measures."

Swartz made a point that sport fishermen and their associations might consider.

"Until now," he said, "international conventions have always been on food fish. The sport fishery has never been represented. Now sport fishing should be represented. The International Game Fishing Association should have a voice."

It should indeed. And so should all sport fishermen, organized or unorganized, who know the names and addresses of their Congressmen, who, in turn, might well be persuaded to initiate preliminary negotiations with the Japanese while a crash research program is under way. The extent of this crisis cannot wait for precise scientific determination. The commonsense evidence is plentiful now. At this juncture the need for controls is clear. In the long run, controls need not deprive the Japanese of their protein supply. They could, in fact, preserve it.

Edward W. Allen recently was chairman of an international meeting which sought, unsuccessfully, to institute new controls on fishing in the North Pacific. Though he spoke in another context, in a statement to the conference he may have suggested the theme for a preliminary meeting of world sport-fishing associations and the leading fishing nations. He put it this way:

"Ocean fisheries should not be deemed to exist merely for the benefit of (commercial) fishermen and cannery operators, but should be considered to be a great trust for the benefit of humanity."

[From Time, Jan. 28, 1966]

FISHING: SLAUGHTER ON THE LONG LINE

Like most fishermen, the Japanese crewmen aboard the commercial boat *Yoku Maru* could not resist a bit of a brag. When the 100-foot vessel put into Jamaica's Montego Bay last fall, the skipper invited some local sport fishermen aboard. Modestly the Japanese apologized that a mother ship had carted away most of their catch. Then they threw open their lockers. There, stacked like cordwood, were the carcasses of thousands upon thousands of game fish: yellowfin tuna, wahoo, sailfish, and blue marlin.

Relations between sport fishermen and their commercial cousins have never been exactly cordial. Lately they have been strained to the breaking point. No longer satisfied with harvesting such traditional meat fish as cod, halibut, salmon, and the smaller tunas, commercial fishermen from Japan, Scandinavia, and Russia have now invaded the world's best sport fishing areas with superefficient methods that devastate the population of rare game fish. In the once renowned waters off New Zealand's Mayor Island, where 900 big fish—swordfish, striped, and black marlin—were boated in 1949, not a single billfish of any size was caught in 1964. Off Acapulco, Mexico, headquarters of one of the world's biggest (300 boats) sport fishing fleets, commercials have zeroed in on that most spectacular of seagoing acrobats, the Pacific sailfish. Two years ago, in Acapulco's annual tournament, 48 anglers landed 176 sails; last year's catch was barely half that.

GONE, OVERNIGHT

One top sport-fishing hole so far seems safe; Panama's Piñas Bay (Time, July 10, 1964), where hundreds of marlin and thousands of sailfish were boated last year. Maybe the commercial fishermen were too busy elsewhere. Off Montauk Point, N.Y., where a favorite sport is fishing for sharks, commercial fishermen have practically eliminated the scrappy and tasty porbeagle. The pressure is growing at Maryland's "Jack Spot," the summer home of the tough little (world's record, 161 lbs.) white marlin. Until commercials showed up in the Jack Spot last summer, it was rare for a charter-boat captain to return emptyhanded. Last September, after a fruitless day trolling at the Jack Spot, Maryland's Gov. J. Millard Tawes and Delaware's Gov. Charles L. Terry, Jr., issued a joint statement demanding protection of U.S. game fish from foreign meat fishermen.

The commercials' methods are as brutal as they are efficient. Instead of nets, which are useless against big game fish, the fishermen string out long lines—ropes or metal cables anywhere from 2 to 60 miles in length with baited hooks attached every 12 to 25 feet. The long lines are left in the water for 24 hours or more, supported by buoys and equipped with radar beacons to spot their location for the boat. Fish hooked on the long lines fight hopelessly against the miles-long cable until they drown or are mutilated by sharks. Off Baja California one day last spring, enraged Mexican sport fishermen counted more than 300 sailfish on the 2,000 hooks of a single long line. The line was only one of five laid by a Japanese boat that fished the area for 14 days. Total estimated catch, 21,000 sailfish.

RAW DELICACY

By Western standards, sailfish and marlin are practically inedible. Even the Japanese can think of nothing better to do with the coarse oily sailfish than grind it up into fish sausages. But marlin is considered a delicacy in meat-short Japan, where it is served fried or raw, garnished with soy sauce and horseradish to make a dish called sashimi.

Sport fishermen around the world have been bombarding government agencies with complaints about the commercial long liners. Now, tired of waiting, the protesters are taking matters into their own hands.

In Jamaica last summer, sport fishermen blasted away at a long liner's glass floats with rifles. In Alcapulco, only the timely arrival of a Mexican coast guard boat averted a shooting match between charter boat vigilantes and a Japanese long liner armed with a machinegun. And last July, when a flotilla of Norwegian long liners steamed into Maryland's Jack Spot, a pair of charter-boat skippers roared out and carved up the long lines with their boats' propellers.

LOUELLA DIRKSEN CHRISTENS NAVY'S NEWEST NUCLEAR SUBMARINE

Mr. HRUSKA. Madam President, on February 26 it was the privilege of this Senator to attend the ceremonies in connection with the launching of the Navy's newest nuclear submarine, the *Sturgeon*, at Groton, Conn.

The event was remarkable on a number of counts. The *Sturgeon*, or SSN 637, is the first in a new class of attack vessels, armed with Subroc, the Navy's most potent antisubmarine warfare weapon. The 2,500 persons who attended the event were impressed with this latest addition to our Nation's naval might.

But perhaps even more remarkable was the fact that our respected minority leader, although in attendance, was just one of the 2,500.

Madam President, the star performer on that Saturday afternoon was another Dirksen—the vivacious Louella Dirksen, whose assignment it was to christen the *Sturgeon*. Evelyn Archie, a staff writer for the New London Day put it this way:

> The Senate minority leader may be the star of the show on the Washington scene, but in New London with his wife christening a new submarine, he's just the husband of the main attraction.
>
> It's Louella Dirksen who's basking in the limelight this weekend, not EVERETT McKINLEY DIRKSEN, on whom the spotlight generally focuses.
>
> And she likes it.
>
> "It doesn't happen very often and I plan to enjoy every minute of it," she said last night.
>
> "I don't like it at all," drawled the Senator in the same gravel-voiced, deliberate intonation which has become familiar to millions of television viewers.

The principal address, Mr. President, was made by Dr. William T. Alexander, president of the Webb Institute of Naval Architecture at Glen Cove, N.Y., who stressed the importance of ships of quality in times of tense international situations. The launching of the *Sturgeon,* he said, "gives us a feeling of pride and accomplishment as well as added confidence in our total arsenal of defense weapons."

Madam President, I ask unanimous consent to have printed in the RECORD the text of Dr. Alexander's remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

LAUNCHING OF U.S.S. "STURGEON"

(Remarks of Dr. William T. Alexander, president, Webb Institute of Naval Architecture)

The launching of any vessel is a thrilling occasion, for it is then that an inanimate inert mass of ironwork and assorted machinery aggregations officially is named, first, because a real entity with an important mission, and one could almost say, that at this time she begins to develop a personality of her own.

With the currently tense international situation, which virtually seems to be the usual rather than the extraordinary, the launching of another fine SS(N) gives us a feeling of pride, and of accomplishment, as well as added confidence in our total arsenal of defensive weapons.

As many of you know, our country must have access to products from overseas; manganese, copper, and tin among many others, in order to operate a prosperous peacetime economy, not to mention the greatly expanded requirements for strategic materials in a war period. Also, foreign trade, with a reasonably favorable balance of dollar credits, is essential to prevent loss of status of the dollar in international markets, and the resulting financial chaos at home.

Moreover, in spite of the great advances in air transport capability, again in Vietnam it has been demonstrated that an army overseas must be supplied by shipping in great quantity even though the assault wave is airlifted.

This clearly lays down two requirements, essential both in peace and in war. First, we must have ships which are free to sail the seven seas and carry out these vital functions. In fact, at the start of hostilities there must be available a substantial fleet of merchant-type ships, and under our control so that they are immediately available.

The second requirement is protection adequate to permit our ships to carry out their missions. The vessel which is being launched today is specifically designed to combat the submarines of any enemy, which currently are the most dangerous threats to our ability to use the seas as needed.

The residents of Groton, related to the sea both by proud heritage and present employment, know well the importance of control of the seas. However, I fear that many of our citizens are in danger of forgetting that effective control of the seas is as important to national survival today as it was in the days of Lord Nelson or of Admiral Mahan.

That this lesson has not been missed by the Soviets, is proven by their greatly expanded maritime activities, both military and civilian.

Most of us think of the submarine as a very modern craft, but it has had a long history indeed, even if we ignore the early philosophical speculations and dreams about subsurface exploration and travel.

As early as 1578 William Bourne, in Britain, drew plans for a submarine with a wooden frame covered with greased leather. This was to be rowed both on the surface and under water, and its displacement was changed, to dive or surface, by pulling in or expanding its sides. After some moderate success with actual boats, and just as the Pilgrims were nearing Plymouth in 1620, Cornelius von Drebble built the first really successful submarine of Bourne's design. This boat actually operated in the Thames 12 to 15 feet below the surface.

By 1727, 14 types had been invented in England alone. Thirty years before the American Revolution primitive ballast tanks were described. Made of goat skins and attached to hull openings, at will they could be filled, or twisted to expel the water.

A submarine was first used offensively during the American Revolution. *The Turtle,* invented by David Bushnell, a one-man, hand-driven, screw-propelled submersible, attacked H.M.S. *Eagle* in New York harbor. The attack failed, as the screw designed for attaching the explosive to the enemy hull could not penetrate the vessel's copper sheathing.

Robert Fulton worked with submarines before building the *Clermont.* He built a superior iron boat named *Nautilus,* hand powered under water, and with a sail for surface propulsion. The Governments of United States, Britain, and France were uninterested and he subsequently devoted his talents to surface craft.

Experiments with hand-powered submersibles continued. One hundred and two years ago this month the first sinking of a warship by a submarine occurred, when the Confederate *Hunley* sank the U.S.S. *Housatonic* off Charleston. This was really hazardous duty as the *Hunley* sank, for the fourth time, after the attack with the loss of all hands.

Until Thorsten Nordenfelt invented a practical torpedo tube in the 1880's, and Whitehead developed a self-propelled torpedo, a submarine attacked a vessel by fastening an explosive to its opponent's underwater hull. This produced about an equal hazard to the submarine as to its target.

The first successful periscope was developed during the Civil War possibly by Thomas Doughty, a Navy designer. Prior to this essential development a submarine was conned by looking through a small port or an open hatch, a practice responsible for the loss of the *Hunley.*

Shortly after the Civil War, submarines were powered by steam when on the surface, and by electric motors submerged as an improvement over hand propulsion. The first all electric boat was built in 1894 but with an effective radius of only about 90 miles.

Modern U.S. submarines owe their final basic development to two men, J. P. Holland and Simon Lake. In 1894, Lake built the *Argonaut Jr.* a hand-propelled vessel built with double planking of yellow pine, and 3 years later he launched the *Argonaut,* propelled by a 30-horsepower gasoline engine.

The first extensive open sea voyage of a submarine, from Norfolk to New York, was made in a November storm by the *Argonaut* in 1898. Lake's boats were designed primarily for underwater exploration and for other peacetime uses.

J. P. Holland launched his first submarine in 1875. This boat had horizontal planes for diving, effective water ballast tanks, and other improvements over previous models.

In 1895, he started to build the *Plunger* for the U.S. Navy. She was designed to use steam on the surface and electricity when submerged. After many modifications this hull was abandoned in favor of a newer model, the *Holland,* being built in Elizabeth, N.J. Upon delivery in 1900, she was Holland's ninth submarine, and the first for the Navy.

By early in the 20th century, reliable electrical equipment and diesel engines had become available, and the basic development work had been done, so that the foundation was soundly laid for the great submarines of World Wars I and II.

Diesel power served well until steam again became popular in the 1950's, now generated by nuclear fission rather than by burning coal or oil.

The Electric Boat Co. has been a pioneering leader in this field. Beginning with the 54-foot *Holland* in 1900, the Navy's first submarine, this company built 44 for the U.S. Navy, and several for foreign nations, prior to World War I. During the war, it delivered 65 more submarines to the Navy.

The first four boats built at Groton in the 1920's were to fill an order from the Republic of Peru, and in 1931 the U.S.S. *Cuttlefish* was constructed, the first U.S. Navy submarine to be built at Groton, then a diesel engine manufacturing plant.

The company delivered 21 submarines to the Navy between 1931 and 1941, and 74 during our engagement in World War II, with 10 more completed after Japan's surrender. This is a tremendous achievement and the effort of Electric Boat has been of major consequence in two World Wars.

Pioneering submarine development continued at this yard and culminated in 1954 with the launching of the *Nautilus,* the world's first nuclear-propelled vessel.

The *Nautilus* was followed by successively more advanced types of submarines including the FBM, or Polaris vessels, another monumental achievement.

It was in this period also that submarines changed from surface vessels which could dive, to true undersea craft.

The SS(N)-637, which will be christened and launched today, is the third ship of the fleet proudly to bear the name U.S.S. *Sturgeon.* And this is a most appropriate name for such a craft. For a sturgeon—

1. Lives most of the year in the deep seas.
2. Is very tough and especially hard to kill.
3. Attains great age—sometimes 200 to 300 years.
4. Adapts itself to fresh or salt water.
5. Is found all over the world along the coasts and in the great rivers.
6. Is most common in Russia and North America.

Indeed the sturgeon is a kingly fish, as its great value for its caviar and edible flesh has caused the English sturgeon to be designated as the property of the king since the time of Edward II.

The first *Sturgeon*—SS-25—135 feet 3 inches long, and with a submerged displacement of 342 tons, was launched by Fore River S.B. Co., Quincy, Mass., June 11. She was renamed E-2 later that year and commissioned in February 1912. E-2 was commanded by Ens. Clarence H. Hinkamp and carried a complement of 1 officer and 19 men. Armed with four 18-inch torpedo tubes, she was designed for 13.5 knots on the surface and 11.5 knots submerged.

E-2 was based at Newport as a unit of the Atlantic submarine flotilla and carried out exercises and training along the Atlantic coast and in the Carribean.

In June 1915 she entered New York Naval Shipyard for an upkeep period and while still there, a violent hydrogen gas explosion on board killed four men and injured seven others. Shortly thereafter, she was decommissioned and was used for testing of the Edison storage battery.

With World War I in progress, *Sturgeon I* or E-2 was recommissioned in 1918, under the command of Lt. L. S. Refsnider. After a shakedown, she patrolled off Cape Hatteras and guarded the approaches to Chesapeake Bay. Two war patrols won a commendation from CMO as "exceptionally long for a submarine of her size." The vessels named *Sturgeon* had already begun to distinguish themselves.

E-2 was decommissioned in 1921 and was later scrapped.

The second *Sturgeon* (SS-187) built at Mare Island and commissioned in June 1938, was a more potent craft. With a length of 308 feet, almost 173 feet longer than *Sturgeon I,* she displaced 2,198 tons submerged.

She carried 5 officers and 50 men, and was designed for 21 knots on the surface and 9 knots submerged.

She was fitted with eight 27-inch torpedo tubes, a 3-inch deck gun, and could carry 24 torpedoes.

After a shakedown cruise she carried out normal training exercises, and on June 2, 1940, Lieutenant Commander Barnes, her original commander, was relieved by Lt. Comdr. William L. Wright.

On Pearl Harbor Day, as a member of the U.S. Asiatic fleet, *Sturgeon II* was moored in Marviles Bay. Her ordnance and gunnery officer was Lt. Chester W. Nimitz, Jr.

On the afternoon of December 8, *Sturgeon* got underway for her first real war patrol. During this patrol the Cavite Navy Yard was destroyed, and the less than 30 submarines of the Asiatic fleet were left, with no air cover, no capital ships, and practically no means of resupply, to try and delay the swarm of Japanese ships sweeping southward.

Her record is a heroic one, like that of every Pacific submarine—the exhibition of courage, skill, and the utmost in devotion to duty.

Sturgeon made 11 war patrols, received 10 battle stars, and 7 of her war patrols were designated successful for the award of the Submarine Combat Insignia.

On her last patrol, in attacks on two heavily escorted convoys, the blasts were counted from 273 depth charges and aircraft bombs directed at her from the convoy escorts. Her skin was as tough as that of the fish whose name she bore and she suffered no major damage.

Sturgeon II had seven commanding officers over her lifetime but her actual fighting was done under three officers:

Lt. Comdr. William L. Wright (June 22, 1940, to Aug. 13, 1942).

Lt. Comdr. Herman A. Fleczentkowki (Aug. 13, 1942, to Aug. 6, 1943).

Lt. Comdr. Charlton L. Murphy (Aug. 6, 1943, to Aug. 16, 1944).

Decommissioned in November 1945, she was scrapped 3 years later.

Sturgeon III S.S. (N) 637 is a modified "permit class" and will be the first of the 292-foot Sturgeon class, six of which will be built at Groton. These vessels are capable of long submerged voyages and are fitted with effective detection equipment and the most modern of antisubmarine weapons. They will be formidable adversary indeed for the submarines of any future enemy nation.

It has been truly said the "Nation's most important single asset is her manpower. The success of any effort is simply the results of the combined thoughts and efforts of hardworking men and women."

Consequently, I wish most sincerely to congratulate and thank all of those whose thoughts and efforts have combined to produce this fine vessel.

I am sure that Commander Shellman and his carefully selected crew not only will inherit an excellent craft, but also, that they will groom her into the top quality fighting unit for which the submarine forces are noted.

It is most fitting that the *Sturgeon*'s charming sponsor should be a national figure, and one who has assisted her husband to exhibit statesmanship in the finest American tradition.

Moreover, how better could we celebrate the end of Engineer's Week than by the launching of one of engineering's most impressive creations?

Good luck and Godspeed, *Sturgeon*.

DEBATE IN BRITISH HOUSE OF LORDS ON SUBJECT OF CHINA

Mr. MORSE. Madam President, on February 10, 1966, there was a debate in the British House of Lords on the subject of "China." I think it is a historic document of importance. It is a document the contents of which do not give us in the United States any encouragement in support of any view that the British are enthusiastic about our course of action in Asia.

Let us face it—if we continue our course of action in Vietnam, we will end up in a war with China, out of which will come no victories, but only world chaos.

I ask unanimous consent that the contents of the debate be printed in the body of the RECORD as a part of my remarks.

There being no objection, the debate was ordered to be printed in the RECORD, as follows:

CHINA

(3:25 p.m.)

Lord Kennet rose to draw attention to China; and to move for papers. The noble lord said: My Lords, I do not know whether the Government will have their statement ready at precisely 3:30 p.m. I intend to speak for 20 or 30 minutes, and I do not know whether it is convenient to begin the debate now. However, I puzzled for some time over the best wording for this motion. To call attention to what? Should it be, to British policy toward China; to Chinese policy toward America; to China's growing strength; to China's absence from the United Nations—to what? It seemed to me, in the end, that it was China itself which needed calling attention to. I know that the Guardian, in its leader on Tuesday, called attention to this debate under a headline which said, "China Calls Attention to Itself." Well, so it does. But I am not sure that we answer its call quite often enough or quite deeply enough. I prefer the view of my noble friend Lord Chalfont, who said recently that there was a conspiracy of silence about China; about China's real position, capability and intentions; about what kind of an animal China actually is. So I decided to call Your Lordships' attention simply to China, in the hope of bringing about a debate on all the manifold aspects of that extraordinary country and its affairs.

I am not an old China hand, but I look forward to a good debate this afternoon, because I know that some noble lords who have put themselves down to speak are, in one sense or another, old China hands. I look forward to every speech, but particularly to that of the noble lord, Lord Caccia, who was for so long responsible for seeing how China could best be fitted into our world policy, and to the maiden speech of the noble lord, Lord King-Hall, to which I know the whole House is looking forward with keen interest.

At the last meeting of the NATO Council, Mr. McNamara asked three questions. First, does China intend over the next 20 years to extend her political domination over a great part of Asia, Africa, and Latin America? Second, if so, will the vital interests of the United States and her allies be affected? Third, if this expansion is a threat to the West, what measures should be taken? Let us now listen to the voice of China, and let us listen to a man whose position there, though not precisely corresponding to Mr. McNamara's, is not too far from it—Lo Jui-Ching, chief of the Chinese general staff. He said:

"The danger is at the very gates of China."

I think that is an instructive comparison. We must never forget the questions which Mr. McNamara asked. Our safety and prosperity will depend on their right answering. But we must also not forget the Chinese view.

It leaps to the eye that Mr. McNamara's first question—does China intend over the next 20 years to extend her political domination over a great part of Asia, Africa, and Latin America?—is the one by which the others stand or fall. If China does intend this, then we shall have to take certain measures, because there is nothing we should like less than a domination of a country in the first stages of Communist regimentation, anywhere in the world. If China does not intend this, then we need not ask Mr. McNamara's other two questions at all. There will be no need to resist or parry or counter the intention to dominate.

The Chinese may, of course, wish to improve their position around the world in another way, in some way that falls short of Mr. McNamara's phrase of "political domination." They may simply wish to increase their influence and to do what they can to insure that governments friendly to them are installed in countries important to them—which means, of course, in Asia. Africa and Latin America are not important to China, except ideologically, which being translated means sentimentally. In answering Mr. McNamara's first question we should have to decide whether China's ideology of town and country—the House will know that they say that underdeveloped countries are the world's countryside, while America, Russia, and Western Europe are its cities; the Chinese revolution succeeded because the countryside managed to capture the cities in the end—and the evident wish to lead Asia, Africa, and Latin America in the capture, as it were, of North America and Europe, reflected a true intention of domination or merely a myth, a statement of belief, a self-reassurring assertion that history is on their side. Such statements are familiar enough in all cultures. The Russians used to say loud and clear that there would be a world revolution but they have stopped now. We ourselves use to say that one day the whole world would become Christian, but we have stopped now. The Chinese will probably stop the town and country nonsense soon.

To be able to answer Mr. McNamara's first question we shall have to look quite objectively at China's real relations—relations of fact, and not of propaganda—with his neighbors and with countries further afield. Let us start with Asia—that is, China's actual neighbors—and let us begin in the south and go clockwise, so that we come to Vietnam last. Laos we may almost leave aside. Its fate, with only 2 million inhabitants compared with Vietnam's 32 million, and with no industry or anything, is entirely dependent on that of its larger neighbor. Little Cambodia is a sort of joker. Its song-writing prince, one of the few real political geniuses of our generation, skims over the muddy water with dazzling skill. At the moment, he is skimming rather close to Chinese policy, although he will always cock a stylish snook at the last moment and veer off before any of the big ships can haul him on board. For years the United States resisted a conference to neutralize Cambodia, and when they finally agreed, somebody (I forget who) suggested it would be a good place to talk about Vietnam. But Prince Sihanouk was not going to have any other countries talked about at his conference; so we shall have to think again about that. But I do not think we have to worry too much about China capturing him.

Thailand is the headquarters of SEATO. There are 20,000 American servicemen there—about the same number as there were in Vietnam when we began to call that a war. Five large American airfields are built or building; a jet fuel pipeline is being laid from the one at Sattahip to the others. American bombers and assault planes take off from these airfields to attack targets in Laos and Vietnam. It is presumably for these reasons that China thinks herself entitled to invite the population of Thailand, over the radio, to rebel, to unearth the veteran Thai Prime Minister, Hai Pridi Panomyoung, who has been living 15 years and more in China, and to encourage the banned Thai Communist Party to recruit vigorously. Thailand is now fully engaged in the Sino-American cold war, and is in immediate danger of being another Vietnam.

Burma is the showpiece of Chinese benevolence among all China's neighbors; but the frontier settlement of 1961, where China showed considerable generosity and good will, has not bought Burmese acquiescence. It has not stopped Burma from signing the test ban, working hard and usefully in the United Nations, and being strictly neutral in the Indo-Pakistan dispute, all of which are quite unpalatable to China. Even here there is a cloud on the horizon. China is beginning to back a revolutionary movement called "The White Flag," but one may still hope that a desire to have at least one relaxed neutral neighbor, uncoerced by anybody, will override China's temptation to try to obtain a bargaining position inside the country.

With India we come to a completely different story. We here (and, of course, the Indians even more so) see simply a menace in China—a menace rising at times to severe, unprovoked aggression. The Chinese see it differently, and if we are to get a true picture of Chinese intentions we must know how they see it. The lines across which the aggression took place in 1962, and on which they leaned so heavily last year, was drawn by the British at the height of British imperial power. It even has a British name—MacMahon. Before that, the territory in question was Chinese. That was at a time when we were at home in Britain. Along we come and, China being then weak, we swipe part of China for our colony, India. Why should they accept that line? Why should the time of our power and their weakness be the time to settle all posterity? Now they are strong again, and we are away in Singapore, and India is not as strong as they are. Negotiations between China and India have failed over the years. So why should not the earlier line, drawn during Chinese strength and Indian weakness, be the one adopted now?

The argument has force, in this case as in others. It is always used by resurgent nations. It is also dangerous, and causes wars. But it is not amazing. To China, India is the heir of imperialism. Although our sympathies are with India, yet we must recognize how China sees it. Their Indian frontier is a hangover of the age of the Opium War and the Extraterritorial Concessions, just as surely as Hong Kong and Formosa themselves. And their attempts to rectify this frontier have been unsuccessful. They have shown their military superiority but have then retreated and kept calm, in face of growing American and Russian support for India.

The frontier with Bhutan is disputed in the same way. China will not speak to India about this because she does not recognize the Indian guidance which is established in the treaty between India and Bhutan. The Sino-Bhutanese frontier was open until recently, and is now closed. A Bhutanese independence movement draws strength from the national desire to reopen it.

Sikkim, where also the frontier is closed, is guarded by Indian troops, unlike Bhutan. Until the late 19th century it was a vassal of Chinese Tibet. Again the Chinese ask: Why should the clock be supposed to stop at the worst moment for China? China would like these two countries to follow more of the Nepalese pattern. In Nepal a kind of Indian protectorate was established in 1961. But the Chinese frontier was settled the same year, and Chinese influence has since been increasing. The frontier is open, and the last bit of a road from Katmandu to Lhasa, the stretch inside Nepal, is nearing completion. I know that later in this debate the noble lord, Lord Birdwood, is going to be able to tell us about the effect of that road on Nepal, and I look forward to hearing him. I know of no evidence of Chinese intentions to annex or subjugate any of these principalities, and with two of them there is not even a frontier dispute. There appears only to be a wish to resume traditional trade and to have there the kind of political presense which will insure normal relations.

Pakistan, China's great ally against India, has only a very short frontier with China. It was settled in 1963. Part of it, the Karakoram range, is closed by nature. The Gilgit section is open. Sino-Pakistani friendship is entirely due to a fortuitous community of interest against India: What Kashmir is to Pakistan, a few disputed frontier territories are to China. This community of interest has not prevented Pakistan from accepting a cease-fire in the Kashmir dispute at the hands of the United Nations, which is so much detested by China; and, of course, Pakistan is still nominally an ally of America. The fact that they agreed to go to Tashkent must have been another severe blow to China. The short Chinese frontier with Afghanistan was settled in 1963, but Afghanistan is and looks like remaining far outside the Chinese sphere of influence. It is between the rival blandishments of the United States and the Soviet Union that Afghan statesmanship is exercised.

The immense Chinese frontier with the Soviet Union is also disputed, though as yet only in an offhand way. Here China touches what is in her estimation, and must also be in ours, another 19th century empire. The usual forms of political conflict are in full swing. In the Soviet Union the Chinese also see the country which let them down in the late 1950's by withdrawing aid, both civil and military. America has always been the enemy, but Russia is the turncoat, and that is worse. Mongolia, for some time in dispute between the Soviet Union and China with regard to influence, is now squarely in the Soviet camp. She joined the Comecon in 1962, and signed a treaty of military alliance with the Soviet Union last month. To all intents, China thus faces her enemy, Russia, from Korea right round to Afghanistan. In North Korea, China has had a small friend for some time; but even here Russian influence is not lacking. When Japan and South Korea entered into some military arrangements in April last year, it was to Russia that North Korea turned in order to redress the balance, and not China. In Japan, as in the United States, China sees a country which does not see her. Tokyo does not recognize the Peiping Government, and the war in which the Japanese armies plunged through Manchuria is still, technically, unended.

In recent days, China has seen a rapprochement between Japan and the Soviet Union, a rapprochement which 5 years ago would have caused Washington to hit the ceiling but which now raises hardly an eyebrow there or in Britain. China also sees the movement of what she calls the "core" of the American military presence in Japan, from Hokkaido opposite the Soviet Union down to Kynshn, opposite China. In Formosa, Hong Kong, Macao, Quemoy, and Matsu, they just see part of their country under foreign occupation; as we should see the Isle of Wight, the Isle of Man, Harwich, or Cardiff. Those parts held by Britain and Portugal are tolerated for the mutual advantage that there is in it; those that are held by the United States are deeply resented and deeply disturb the world.

Lord CONESFORD. My Lords, may I put one question to the noble Lord? Is he going to mention Tibet?

Lord KENNET. My Lords, I was not planning to mention Tibet, since Tibet's border runs around the border of China. It is part of China; it was reabsorbed, and the action was recognized by India in 1954—and, for my money, what India recognizes we may also recognize. It is, though, of great historical importance.

About Vietnam I will say very little, because everything that can possibly be said, whether wise or foolish, has been said. There is one point that I would make, however, and it is this: not even in North Vietnam does China seem to have a reliable ally, let alone a satellite. We take it for granted that they must have; but we may be wrong. We do not allow for the facts that, for instance, the North Vietnamese last year publicly celebrated an 18th century victory over China; and, in their list of New Year's greetings last month, Russia was mentioned first, and not China. Nor ought it to escape our notice that when Hanoi blames the United States for risking general war in southeast Asia, it is always the danger to Laos, Cambodia, Thailand, and Burma that they mention—never China. As far as they are concerned, they think China can well look after itself. No, I do not think we should answer Mr. McNamara's first question well, if we took North Vietnam as an example of Chinese political domination, or even, as I have said, North Korea. They are in dispute between China and Russia.

Before leaving Asia, let me return for a moment to the Soviet-Chinese dispute. Let us not worry too much about the ideology; that will change. What is permanent is the fact that there runs between these two hostile giants, from end to end of Asia and deeply into each of them, a great belt of Islam. With the exception of Aden, these are the only Muslims in the world who are not yet in charge of their own destinies. They will not have forgotten that when Russia was conquering them, Britain was conquering the Arabs and Malays, France was conquering the North Africans and Holland the Indonesians. So far the Russians have omitted to liberate their Muslims. They will want to be liberated in time. The Russian Empire will be bound to break up in time, just as have the British, Dutch, and French. The Chinese will work to help that on; and they will work all the harder because their natural line of expansion lies precisely into those barely populated Muslim territories of what used to be generically called Turkistan, the way Marco Polo took, and into Mongolia. They have Mogols in China and Muslims of all sorts. The land is empty. There is no ethnic break.

My Lords, if anyone's interests are threatened by Chinese expansionism, I do not think it is in the first place those of the West. Indeed, I think we may find Russia edging nearer and nearer to the West in order to have earned a helping hand when her Empire begins to break up. I imagine we might urge them to a commonwealth-type solution. But sufficient unto the day are the puzzles thereof. The picture of China's position in Asia is not to my mind, a very alarming one for us in the West; they are not doing too well at all. Outside Asia they are doing even worse. The time was when we used to tremble at their appearance in Africa; but I think that is gone by. The African nations who were strong and wise enough to end European domination are not likely to be so weak and foolish as to turn right round and accept an Asian one.

In Cuba, which refused to sign the Test Ban and could fairly have been counted no less China's friend than Russia's, the Chinese have just made the most absurd blunder; they apparently have tried to buy Castro, and then, over his head, the army, by linking the level of rice deliveries to some political accommodation or other. They found that Castro could not be bought any more than Mao Tse-tung could be bought, or Lenin, or Nasser, or General de Gaulle, or George Washington. And in Indonesia, too, once the most promising bastion of Chinese influence outside their own frontiers, they have overcalled their hand and met with a complete rejection from the still governing, if enfeebled, Sukarno. In all this it is hard to see evidence of attempts to dominate. There is much evidence of attempts to gain influence—and much evidence, too, of the failure of such attempts.

Anybody who reads Chinese propaganda—I mean reading it directly, without the filter of the Western press—may get quite a shock at first. He sees all the familiar elements: the truculence against America, the doctrinaire stuff about world revolution, the vaunting of their own invincibility. But he also sees—and this is not familiar because the Western press does not print it—quite unmistakable evidence of a very real fear. I have just been arguing that the Chinese are not doing too well around the world. They themselves feel that the world is closing in on them; they are, in a word, dead scared. They tell their own people in so many words: "We are encircled, we are grossly inferior, we are in very great danger; but if the Americans attack us we shall beat them."

A week ago last Saturday the People's Daily of Peiping published a map showing what it called the two chains of imperialistic encirclement. The inner chain was South Korea, Japan, Okinawa, Taiwan, the Philippines, South Vietnam, Thailand and India. The outer chain consisted of the Bonin Islands, Iwo Jima, Guam, and what they call "the British strategic chain," meaning North Borneo, Singapore and Malaya, and the chain of island bases across the Indian Ocean lying beyond India. All this is true: there are Western military bases in all these places, and the West with its nuclear arms, is immensely more powerful than China. And on the west and north of China there is not so much a chain of encircling bases as a solid mass of hostile territory, some of which passed under Russian control as recently as Hong Kong and Formosa passed to Britain and Japan. It is hardly surprising that they have built their own nuclear weapons. All this they tell their people.

Now these feelings exist in a country where the population is so dense in parts that little girls on their way home from school pick up leaves on a pin and their grandmothers sort them out into those the pig can eat and those you can burn on the fire; so dense that you cannot get round to yoking oxen instead of men and women because there is nowhere to pasture the oxen—it is all needed to feed the people. In these places you cannot dig an irrigation canal 10 feet wide; someone will starve if they lose that much land. I am not talking about the old-fashioned bogey of lebensraum. That never happens without aggressive intent as well, and in practice there is plenty of room still in the inland parts of China. It will be an internal problem for them, perhaps inland and then westwards, but in the meantime the psychological impact of the two great enemies pressing in on a people so crowded should not be ignored.

I said "without aggressive intent." Is there, in Chinese propaganda, as opposed to Chinese action, evidence of aggressive intent? I do not know of any. The propaganda against America is very violent—even bloodthirsty; but it is always about defense. There is a new phrase, "ocean of people's war." It is said that "We will draw them into an ocean of people's war." But the context is always quite explicitly one of the defense of China against invaders. There is the endlessly repeated phrase, "If the imperialists impose a war on us * * * If they force a war on us * * *." I think I am right in saying that nothing has been published, or made available to the public in the West, from any source (and I have read a great deal by now), which suggests, even by remote implication, that there is any plan, or preparation, or wish, to fight anywhere except on the soil of China if attacked. Moreover, the Chinese are grossly inferior militarily. This is the key to their pronouncements, so hard to follow until you have this key, about the importance of politics and ideology in warfare. Listen to this. It comes from a published report by the Director-General of the General Political Department of the Chinese Army—and I quote:

"War * * * is politics with bloodshed. Victory is impossible without politics, without the factor of man. Victory is impossible if the theory that 'weapons decide everything' is adopted. We always rely for our victories on the factor of man, the factor of politics. This is the moral atom bomb when our side alone possesses. We have always had absolute supremacy in this respect."

Have your lordships ever heard a more forlorn whistle in a dark more pitchy?

There is also some evidence to suggest that this endless harping on the importance of the fighting man, as opposed to the weapon, is directed by the party at the army's wish to run back to Russia for modern weapons. If American pressure is now such as to make the Chinese Army want to compose the quarrel with Russia, that is something which should give us pause. Their famous aggressive rallying cries, their shouts of self-congratulation, may be no more than the voice of a terrified government preparing its people to die, and die bravely, on their own soil. I do not know that they are, but I put the hypothesis forward for serious consideration. If they are that, then certain conclusions should be drawn for Western policy and Mr. McNamara's question should be answered in a certain manner.

Much of what I have been describing is quite new—the use of the word "encirclement" in internal propaganda, for instance. The whole tone of their speech, both for internal and for external use, is changing. In the last 2 months—I do not know if those who follow these things will agree with me—the whole tone of Chinese utterances has become amost hysterical. Of course they can read English. When they look at the United States, they are overcome by a sort of hysterical suspicion. It is only natural that they should ignore the Mansfields and Fulbrights and Restons and Lippmanns and Gavins, who take the longer view. The Chinese are too scared and suspicious to do otherwise than ignore them. It is understandable, perhaps, that they should be suspicious even of the administration's words. In any case, what they do see, apparently in America is a country exclusively divided between the "goodies," who are campus liberals waving flags of peace, and the "baddies," who are all like Senator STENNIS, the chairman of the Senate's Preparatory Investigation Subcommittee.

Senator STENNIS said, a couple of weeks ago—and one must imagine Chinese eyes reading this:

"Stepped-up operations against North Vietnam may well raise a very serious question as to whether we will provoke Red China to full intervention in the war * * *. In view of our commitments, I believe that we must face and accept the risk involved and be prepared to meet Red Chinese military aggression, if it should come, with the requisite military might * * *. For my part, I would never put our boys in mortal conflict against the hordes of Red Chinese coolies without using every weapon we have."

This, of course, is exactly what the Chinese most fear: that America should use the Vietnam war to attack them with nuclear weapons. And in the word "coolie" they hear all that they fought to get away from; and for that reason they fear that they might have to fight again. They read that it is now no longer a matter of hawks and doves, but of superhawks, too, who want a preventive war on China now.

Since they have no representation in America, and cannot even brush up against America at the United Nations, they can hardly be blamed for failing to distinguish between who has power and who has not; for misunderstanding the role of the President, and for making the worst assumptions about American intentions. Mao's advisers must be saying to him, "It may be as bad as this"—whatever it may be; and he must be replying, "It may be: we must act as though it is until we can find out more certainly." And in Washington, the very same process is at work the other way round about China. Each side takes the worst possibility. This is why mutual ignorance is the common cause of war.

I said that this almost hysterical fear is something new. There have been other changes, too. Until less than a year ago, China was still making disarmament proposals, most of them not very clever or very fair. But one, at least has since been taken up both by the Soviet Government and by Senator KENNEDY in America—that is, the idea of a multilateral agreement never to be the first to use nuclear weapons. The House will remember that China is the only country in the world which has promised unilaterally never to use nuclear weapons first. But even that now is passed. "Disarmament" is a dirty word in China nowadays. It is a tragic thing, but they now see it simply as part of the Soviet-American plot to rule the world. Beyond that phrase, of course, lies their fear that the Soviet Union might stand aside, if the United States attacked them. That is looking far into the mists of horror, but it is a sad fact that if we, and the Russians, want China now to turn her thoughts back to disarmament, we shall have somehow to convince her that we do not plan to "gang up" on her and divide the world between us.

Two days ago, in the House of Commons, the Foreign Secretary was asked whether China's increasing nuclear power and the aggressive statements of some of its leaders were not the reason why we were supporting our American allies in seeking to contain this power in the Far East. He replied, with characteristic moderation, that:

"Our policy toward China must be seen in rather longer terms than the honorable Member has used."

And the next day, the Prime Minister said:

"It is not in the interest of world peace that Russia or America should be driven into a position of intransigent isolation."

That is profoundly true. And it is also true of China.

We are at the beginning of a new pattern of world affairs, and the decisions we take in the next year or two will govern our lives for the next 20. There are now three superpowers in the world. Two of them lead alliances; one does not. We are not a great power, but we do occupy a very prominent place in the alliance America leads. Let us look—bearing in mind what our position is—at the relations between the three superpowers. America and Russia are not nose to nose any more; they touch nowhere, they know one another and they have cooled off. China touches both Russia and America, nose to nose, in an immediate confrontation of the greatest armaments in the world, differing over the greatest issues, and in mutual ignorance, at least as regards America and China.

Those two countries understand each other so little. America speaks all of peace, but bombs China's neighbor. China watches her actions, and ignores her words. China speaks all of war, but there is not a single Chinese soldier outside China. America listens to her words, and ignores her actions. It is historically determined. To America, China has always been a prostrate congeries of malfunctioning micro-units, crying out for the helpful tutelage America could give, and did. But for China, that period, the last handful of decades, is, though tragic, insignificant. The real China was a legitimate and respected power for centuries when there was not such a thing as America at all.

That period, the greatness of China, which she believes she is now regaining through whatever domestic hardships and injustices, simply does not exist for America, because there were not any Americans around. China's greatness was, however, observed by "yours faithfully" Europe, whose travellers and traders were going there for a couple of hundred years before they ever went to America and for 500 years before the American State came into existence. We must remember that this historical knowledge is simply not shared by the Americans, as Americans, in the sense of a live political tradition. We must remember that the leader of our own alliance, and our best friend in the world, is in very great trouble about this. The Times 2 days ago said that they had an "unpolicy" towards China. We must try to help them find a policy, and one which corresponds with reality.

Lastly (I have already gone on for too long), a word about the United Nations. It is a commonplace, almost a hocus pocus, by now that China ought to be allowed to join the United Nations so as to get on with arms control and everything else. So she ought; and I know we all with the Government well in their attempts to get it done. This has been British policy for years now. Let me just say, in passing, that there still seem to be two things that the Government might do to bring China in more quickly. One would be active lobbying among our friends; and the other would be that we should vote China in, not only on the substantive vote but also on the procedural one which governs it. It is true that this is an important matter, and it would be funny to vote that it was not. But if we want China in, that is exactly how we have to vote.

It is very good news that the Americans have taken Vietnam to the United Nations, I am always in favor of taking everything there, however hopeless or even unsuitable it may look at first sight. I hold this view even more strongly because I know that our Government, at least, will not allow the Security Council discussions to hold up the attempts to get the Geneva Conference reconvened. We have watched their efforts in this direction over the last year with the keenest good wishes and sympathy, and we continue to hope that it will not be too long before the Russians swallow whatever bone it is that is sticking in their throat and agree with us as cochairmen to recall that conference.

My Lords, I started by referring to Mr. McNamara's question: Does China intend to dominate the world politically? He was right to ask it. We must now answer it. It is lucky that here is no tremendous hurry; we have a year or two to think. Let us work really hard on these answers, looking always to the hard evidence in fact and discounting the froth of propaganda, which as often as not is self-contradictory, anyhow. I wonder what the answer will be. If I were in on this inquiry, my own working hypothesis would be: "China is rapidly becoming a super power, like the other two, and though for the moment she may wish to dominate the world about as much as Russia does, and a little more than America, she stands no chance of doing so and will soon lose interest." If this proved to be right on examination, then the answers to Mr. McNamara's other two questions would be: (2), the interests of the West are indeed affected on the political level; there is now a super third power around; and (3), the measures which should be taken are the normal ones of diplomatic contact and pressure, increasing mutual knowledge, and foreseeing and negotiating the issues which may lead to conflict. My Lords, I beg to move for papers.

(4:05 p.m.)

The Earl of Dundee. My Lords, I gather that the statement is not ready yet, and we can therefore continue with this debate. Whatever your Lordships may think about the noble Lord's motion, at least you cannot complain that its terms are too narrow. It is rather like calling attention to the universe. It gives a nice, broad latitude for discussion. In a debate the day before yesterday in another place about the Far East, your Lordships may have noticed that both party leaders gave an extremely long, though interesting, account of their own recent travels in that part of the world. I am afraid I cannot compete with that. The only time that I have ever been to China was in 1942, together with my noble friend Lord Allwyn, who was the head of a parliamentary mission which went out there. It also included my noble friend Lord Teviot and the late Lord Lawson—Jack Lawson, who was afterwards the Secretary of War in the Labour Government. He and I were then both members of another place.

The purpose of our mission was to persuade the Kuomintang Government of Chiang Kai-shek that we were going to win the war, which was not then universally accepted as an undeniable proposition, and also to persuade them that it would be worth their while to fight a little more vigorously against the Japanese invaders. The Japs at that time held all of China which they could conveniently hold with their potentialities of manpower. They held the whole of east and southeast China. The only regions held by the Kuomintang were the Province of Chunking, where the temporary capital was, and Yunnan in the south, with its capital at Cheng tu, which we also went to. There were about 20,000 or 30,000 Chinese students there from universities from all parts of occupied China. They had walked there on their feet, with nothing to wear but their gowns, carrying their books with them, many of them for 1,000 miles; and their teachers had come with them. There they were living on nothing but a bowl of rice and sleeping on straw in a hut, carrying on with their lectures and their studies as well as they could, as they would have done in their universities in the east. I thought it was a most impressive example of Chinese devotion to education and the sacrifices which they are willing to make in order to get it. They also held Sinkiang in the north, going up to the Yellow River, where the Japanese forces were, but very little fighting was going on.

Further north there were the Chinese Communists, who were then nominally in alliance with Chiang Kai-shek. Although they had been fighting him long before, they had agreed to combine toegther to fight the Japanese. We had a long talk in Chunking with Chou En-lai, who is now the Prime Minister of China, and who was then leading the Chinese Communist army. Our talk might have been a little more informative if Chou En-lai had not insisted on trying to speak in English, although we had a first-class interpreter with us. He managed to tell us a good deal about what the Chinese Communist forces were trying to do in the north, although they had very few weapons. He did not trust Chiang Kai-shek and Chiang Kai-shek did not trust him. Neither of them at that time had anything but small arms: they had no heavy artillery, no tanks and no heavy aircraft.

The only kind of aircraft the Kuomintang had was a small force of light aircraft, which was organized by the American General Chennault who was attached to Chunking for this purpose. We all thought he was a man of great talent and ability. He had built up the small well-trained Chinese Air Force out of almost nothing, and he was continually pleading with his superiors to get the American Government to send him more equipment and more materiel, so that he could make it into something really worth while. But he was the kind of officer whose imagination and talents are sometimes unacceptable to his immediate superior officers, and I do not know whether his representations ever reached the highest quarters in Washington.

When the noble lord, Lord Allwyn, and I got home, we sent a report to our own Government, urging them to represent to our American allies that it would be a good thing if they could give General Chennault what he was asking for. I do not know whether any such representations were made, but if so no attention was paid to them. At that time, the Russians were not able to spare any arms for Chou En-lai and his Communists because they had to use all their own tanks and airplanes in resisting the invaders of their own territory. But as soon as the war was over in 1945, the Russians poured all their surplus equipment, which they did not need any more, over the frontier into north China when the Japanese cleared out, for the benefit of Chou En-lai and the Chinese Communists. The Americans were slow and reluctant to give similar help to the Kuomintang because their administration was so corrupt. It was common form that quartermasters would take all the medical supplies and sell them for their own benefit.

When the battles came between the Communists and Kuomintang, Chiang Kai-shek had a very large army, 2 or 3 million, but they had hardly anything but rifles. They began to feel that it was not much fun fighting a war when the other side had all the tanks, airplanes, and heavy artillery, so they did what Chinese armies have often done in civil wars—they changed sides. Chiang Kai-shek had to retire to Formosa with the remnant of troops which were loyal to him. After this Communist victory in China, the Americans developed a kind of guilt complex on the whole subject of China. Most of the missionaries in China had been Americans of many denominations, and they had built up fairly large congregations rather extensively throughout China. The Communist victors in the war expelled them all and suppressed and persecuted the Christian congregations. When the missionaries returned to America, they had so many stories to tell of cruel persecution and oppression of their religion that it had a deep effect on the American conscience. They began to feel: if only we had woke up and done something in time, we might have stopped this, and we have not. They developed a deep and bitter feeling against the Chinese Communist Government which they felt was establishing a new kind of civilization inimical to the whole conception of a free world.

It has always been one of the reasons for disunion between the Americans and ourselves that we have had different principles about recognizing foreign governments. We have always taken the sensible view that you ought to recognize a government which has effective control over the territory in which you want to have diplomatic representation, whatever the political or moral complexion of that government may be. The Americans have always been inclined to take the view that you recognize a government because you think it is a good government, which will behave well and do what is right. That works both ways. Three years ago, the Americans recognized the government in the Yemen, and were rather annoyed that we did not, because they thought it was a government which would be on the right side. We did not recognize it because it had not effective control of the territory, and only kept control of the little it had with the support of 40,000 Egyptian troops. In China; it was the other way around. The Americans never have been willing to recognize the Communist Chinese Government. We recognized it from the beginning because it had effective control of the country; it was the effective, de facto government.

The question of admission to the United Nations is not quite the same as the question of recognition of the Government, but it is similar. We have always felt that it would be right that China should be admitted to the United Nations. But for a very long time, although we made representations to this effect, we never went to the length of moving a resolution and voting against the Americans on this subject in the United Nations, because we knew that if we did that we should deeply offend the conscience of the American public. There were even some observers who thought that America might resign from the United Nations if this were done. After a long time—I think it was in 1962—we supported by our vote in the United Nations a resolution for the admission of China, which we thought we should win and the Americans thought they would probably lose. But, greatly to their surprise, I think, the vote went in their favor, and China was not admitted.

I hope that the present Government will continue to do what they can to get China admitted to the United Nations. I think all parties here are agreed that it would be an advantage in every way that this should be done. There are two particular reasons. One is the question of whether we shall ever get a treaty on the proliferation of nuclear weapons on which, perhaps, the avoidance of nuclear war may one day depend. You cannot get an agreement on nonproliferation, I think we are all agreed, until you have agreement between the United States and Russia. But, after that, China will have to be brought in—because China now has nuclear weapons—either by persuasion or in some other way. It cannot possibly reduce the chance of an agreement on nuclear weapons if China is in the United Nations; it may greatly increase it.

The other reason I would put to the noble Lord is that the bulk of the common people in China are, I am afraid, rather strong racialists, by tradition and upbringing. They are almost like the legendary Englishman who is reported to have said that niggers began for him when he left Dover. They take an arrogant, xenophobic view of foreigners. A cynic might say that that will be strengthened by their membership of the United Nations, or it may not. I do not think it will. I think it would be a factor mitigating their feeling against the inferiority and even the diabolical nature of foreigners, which so many Chinese entertain, if they were accepted, as they ought to be, as members of the United Nations.

Another thing which the Communist government did when they came into power was to issue a declaration in 1949 about Chinese obligations to the rest of the world under its foreign treaties. They declared that they were going to examine all the treaties made by the Kuomintang Government which preceded them, and were either going to accept them or to abrogate them, or to renegotiate. And they did not say they were going to do all this at once; they said they would do it at the appropriate time, which might be any time in the future; and more recently the official government newspaper has been saying that this renegotiation will apply much further back in history, to all treaties that were made by the Manchu Dynasty. This need not necessarily mean that China intends to be a threat to her neighbors.

The noble Lord, Lord Kennet, took a run round the countries bordering on China, and I do not think I need follow him in every detail of it. As he said, in 1960 the MacMahon Line with Burma was recognised by a new treaty with the Communist People's Party in China. As for Hong Kong, nothing has been done about that, and the treaty does not expire until 1997. It seems that the Chinese are likely to allow the present situation to continue, and to go on doing nothing, because it is convenient to them to have this window into the outside world, although it is always an advertisement for the superiority of the free world against communism because so many millions of Chinese refugees go there.

The noble Lord, Lord Kennet, did not mention Tibet, as he explained in reply to an interruption, because nominally it had been part of China. And although it was, in effect, an independent country, I do not think it had been recognized as a sovereign government. But the impression made on world opinion by the Chinese invasion and conquest of Tibet was not, I think, so much the legal aspect of it as the horrible cruelty, and even genocide, with which, according to reports, the unhappy population of Tibet has been treated.

With regard to the aggression into India, I think it is quite possible that the Chinese did not intend to do much more than rectify the frontier. I should have thought that, if they had aggressive intentions, the very sparsely populated and rich plains of Siberia would be a far greater temptation than the overcrowded subcontinent of India. Of course we do not know whether or not they have long-term intentions of aggression, but one of the difficulties about persuading our friends to accept them into the United Nations has been (whether or not they really meant it, one does not know) that the Chinese leaders and officials have certainly stated in recent years that nuclear war may be a good thing; that they have over 700 or 800 million people and can easily afford to lose 300 or 400 million in a nuclear war, and they might well be the gainers in the long run.

Lord **Kennet**. My Lords, this is a matter which is often quoted, and not always quite correctly. I do not think they ever said that nuclear war would be a good thing. There does exist one broadcast from 1957 in which one of the Chinese leaders made the point that if there were a nuclear war they would suffer less than others, because of the size of their population; but in the last 9 years even that point has not been repeated.

The **Earl of Dundee**. My Lords, I cannot substantiate any argument to the contrary, but I believe that other statements, besides the one broadcast, have been made. The noble Lord may be right, but it certainly has been an obstacle to their admission to the United Nations because many people naturally say, "After all, the United Nations is an organization which is intended to keep the peace, and nations which talk like this cannot really want to keep the peace."

But, my Lords, I think that if the Chinese have permanent intentions, either of military aggression or of gaining influence over the whole world by propaganda, they have very largely defeated their own objects by their stupidity. They are an intelligent people, but the Chinese Government has acted with great stupidity in this matter on many occasions. For instance, during Chou En-lai's visit to Africa 2 or 3 years ago he made some extremely tactless observations made about Africa being "ripe for revolution," and nearly all the work which had been done by years of persistent Chinese propaganda was undone.

Then when the war between India and Pakistan was going on, a few months ago, Your Lordships will remember the rather silly ultimatum which the Chinese sent to the Indians, saying they would take military action unless the Indians immediately returned (I think it was) 4 refugees and 59 yaks which had apparently strayed over the frontier into Sikkim. The Indians, instead of reacting in a warlike way, said that they would discuss it, and the Chinese, finding they had not got the reaction they expected, withdrew and pretended that the Indians had admitted their delinquency and had withdrawn. Of course that made a bad impression on all China's neighbors, who do not particularly want to have war and who felt that the Chinese were obviously the sort of people who were ready to make war for the sake of 4 refugees and 59 yaks. I think that by this act of stupidity the Chinese have done themselves more harm to their diplomatic status in the world than any government has done in recent times.

The noble Lord, Lord Kennet, has mentioned the third example of foolishness, in relation to Cuba. They had been getting a very good hold in Cuba, they were liked there better than the Russians, who had not stuck to the Cubans in the 1962 crisis; but now they have completely lost that. I do not know whether Lord Kennet's parallel with de Gaulle and Washington is right—whether Castro is more or less marketable than either of those characters—but he is certainly a man who is rather more likely to lose his temper than either of them. He has thoroughly gone off the deep end about this, and China's influence in Cuba now seems to have destroyed itself.

With regard to the present war in Vietnam it seems to me that probably the North Vietnamese do not want to be dominated by the Chinese, though there is no doubt that the Chinese, for their own ends, are supporting the war. If we want to achieve the results which I know all your Lordships, and the noble Lord, Lord Kennet, would like to achieve—that is to say, peace in the Far East, and, let us hope, an agreement on a nonproliferation of nuclear weapons—then we must support the defense of freedom against aggression, where aggression is taking place at this moment.

I do not think I could put it better than in the words of Sir Alec Home, in a speech which he made 3 weeks ago in New York, when he said this about the British and the American part in keeping peace in southeast Asia:

"The military prospect for the United States in Vietnam and for Britain in Malaysia is not inviting."

I would add that it is particularly uninviting in many ways in Vietnam; it is going to be a long struggle. Then he said:

"Each of us would strongly prefer a political settlement, but when it comes it must be real and more effective than those of 1954 or 1962. The longer and wider vision demands that nothing should be done to prejudice the future independence of Japan, the Philippines, Laos, Cambodia, Thailand, Malaysia, and ultimately Australia and New Zealand. A peace settlement, therefore, must be seen to provide the end of aggression and the prospect of orderly change within a framework of political stability, something far easier to say than to do, but something which, given the will by Indonesia and North Vietnam, could be done."

I am glad that Her Majesty's Government recognize the truth of this fact: that if we want to see the end of aggression, and ultimately an agreement on nuclear limitation and nonaggression, we must be seen to have stopped aggression, to make it evident that aggression will not pay, and that orderly change may take place within a framework of stability.

(4:46 p.m.)

Lord **King-Hall**. My Lords, some 26 years ago I underwent an experience which was so alarming that I could console myself only with the thought that it could not possibly happen to me again—at least, not on this planet. But today I know that I was wrong; because although to make a maiden speech in another place may be, and indeed is, most alarming, to make it here is more than alarming, it is absolutely daunting—for this reason. Although Your Lordships have surrendered some aspects of political power, there is no doubt that this House has enormously gained another aspect of power in the influence which its debates have on the formation of public opinion, an influence which I venture to say is of great value to our democracy. Therefore, it is a great responsibility, and I think particularly alarming, to have the opportunity of addressing this House for the first time. But Your Lordships are also renowned for the kindness and courtesy with which you conduct your affairs, and it is with this consoling thought in mind that I ask you to give me your indulgence for a few minutes.

My first connection with China took place some 40 years ago when, as a young naval officer, and with the assistance of 25 sailors, I spent some weeks refereeing a local Chinese war at Amoy. I was on Amoy island to protect an extraterritorial British concession, a quite small one, and the island was controlled by a certain General Chik-Ping. He was being attacked by a General Yet and also by a Chinese admiral who, curiously enough, was an honorary British K.C.B. The Chinese admiral was also at war with General Yet, which somewhat confused the issue.

It was relevant to this triangular contest that, as the Principal of Amoy University, a learned man who was a friend of mine, explained to me, it had been traditional for centuries in China, and was a well-established convention, that in contrast to the barbaric and manifestly stupid behavior of the Western Powers, who broke off diplomatic relations as soon as hostilities began, it was the Chinese view that as soon as hostilities began it was more necessary than ever to intensify and increase diplomatic relations because the situation had become much more serious.

It was for this reason that the three belligerents I have mentioned came with a request that they should use the British concession, and my modest headquarters therein, as a place for their regular and daily meetings at which they could discuss amongst themselves the state of the war. I am glad to say that, with the assistance of the British vice consul and with security provided by the 25 British sailors, an arrangement on a cash basis was reached, after some negotiations, which was extremely satisfactory to all concerned. I am reminded, when I look at four rather charming Chinese pictures, that the neutral power was not forgotten in this arrangement, which perhaps illustrates the rather realistic Chinese saying, which goes something to the effect that:

"The host is happy when the guests have gone."

It occurs to me that this Chinese piece of wisdom can perhaps best be adapted to parliamentary life if we reword it by saying:

"The house is happy when the speechmaker has sat down."

So I shall be brief. I have informed your lordships of this little episode in Anglo-Chinese relations because I submit that what the British Government did by way of conciliation on a minute scale at Amoy some forty years ago is illustrative of what Government policy might be on the world scale in the Far East. I think that it should be our endeavor, before it is too late, to use our influence to bring China into the great debate about the future of mankind which is now shaping up. And I trust that it will remain a debate and not deteriorate into something much more serious. We are living in difficult times. The shrinking of the world, in terms of the time space factor; the application of nuclear energy to military purposes, and the proliferation of such weapons; the population explosions, and the racial question in Africa—these are some of the great questions which, if they are to be resolved peacefully, will have to be dealt with to an increasing extent through what I have described as the beginnings of embryonic world government, which I regard as meaning the strengthening of the United Nations by making its membership truly universal. It is essential to bring about without delay China's membership of the Security Council.

The practical problem which emerges from this is what arguments can we advance to our American friends to persuade them of the wisdom of this policy. It would appear to be the opinion of important parts of the American administration that China is out to conquer the world, either by force of arms and/or by subversion, and that this ambition must be contained, particularly in southeast Asia. This does not fit in with my reading of Chinese history, though I will not weary Your Lordships with my reasons for this opinion. In broad terms, we are witnessing today the consequences of the fact that for the first time in their enormously long history the Chinese people have a strong central government. It is inclined to be a nationalistic government which is operating in the ideological framework of communism internally and externally, much as the Japanese militarists operated in a framework of shintoism.

It is my guess that if the Chinese have any serious aggression, their long-term purpose may well be to regain from the Soviet Union the territories taken from China by the czars in northeast Asia and, maybe, central Asia. The occupation of Tibet; their attempt to get influence in Indochina, to counteract Russian influence there, on the southern flank of China; the development of their nuclear capacity, and other measures, could all fit in with the belief that what they may face is a war with the Soviet Union.

There are a number of well-substantiated reports showing that there is a great deal of friction and tension, and a good deal of shooting, on the borders between Russia and China. I think we must recognize that a Russian-Chinese war would be a major disaster for all of us. I fear that if China remains as a kind of international outlaw over the next 10 or 20 years, we may see some extraordinary developments, in the shape of China and Japan coming together, on the one side, with the Soviet Union and the United States on the other side. Such a confrontation could be the prelude to a great racial conflict in which the nonwhite "have-nots" would be alined against the white well-off peoples.

At this time our American allies have enormous military strength, and I hope that they will see the wisdom of acting from strength and reversing their policy of nonrecognition of China, before the Chinese are in a position to say "Thank you for nothing." Furthermore, if the Americans could, as it were, inaugurate a new deal with China by supporting their admission to the United Nations, and perhaps move on to give economic aid, on the lines of the strands of American policy in southeast Asia, it seems to me that the Vietnam problem, which is so important and so central at the moment, would then be treated at one, and only one, of a number of problems in East-West relations. We should remember that for a brief period of about 150 years the Western powers, as a Chinese writer put it, "tried to carve up the Chinese melon." And later on the Japanese tried to annex China with their 21 demands and invaded her.

I would remind our American allies that they were always in the forefront of endeavors to save China from what they regarded as imperialistic Western powers. What we are seeing in Asia today is a readjustment of forces consequent upon the departure of the Europeans after their brief domination of the Far East. The control which the Western powers exerted began to crumble with the fall of Singapore, which was one of the great events of history. We must be very careful of the danger of having policies which may seem to Asians to be an attempt by the West to reenter Asia and to tell them how to conduct their own affairs—not that I believe that that is any part of Western policy; but we must be careful to see that it does not look as if it is.

If China can become a member of the United Nations and occupy a position therein to which her present and particularly her potential importance seems to entitle her, we shall have made a beginning with the creation of a situation in which an attempt could be made to reach peaceful solutions off the whole range of world problems, some of which I have mentioned; and we should hope that in world affairs China would play a constructive role.

I conclude by suggesting that we should not assume that, because at the moment China is in what one might describe as "the high temperature phase" of communism, she will not pass into what one might describe as bourgeois communism, which is what seems to be happening in Russia. If I may sum up, in a sentence or two, what I believe should be Britain's role at this time in the Far East, it is that we should strive to be bridgebuilders between China and the United States. I realize (to conclude with another Chinese saying) that: "To say is easy; to do is difficult." Nevertheless, we should attempt this task, and I hope that it is a policy which is likely to be supported by many persons of all parties and also by all cross-bench opinion.

(4:57 p.m.)

Baroness SUMMERSKILL. My Lords, I am delighted to follow my noble friend today. I have listened to his speeches on many occasions in another place, and after all these years it gives me tremendous pleasure to listen to him again and to realize that his eloquence, his fluency, and his wit are unimpaired. We look forward to hearing him many more times. The noble lord quoted the Chinese saying about visitors—namely, that the host is always happy when the visitors have left. The saying I remember is this one: "Visitors, like fish, should never be in the house more than 3 days."

I apologize to the House for speaking in this debate, because I have addressed Your Lordships a number of times during the past week or two, but when I saw this motion on the order paper, "To draw attention to China," I felt that, at this time when world attention is focused on China, those of us who have had some experience of China fairly recently should make our small contribution. My contribution is going to be quite different. Listening to the speakers who have already contributed to the debate, I realize the great difference between the male approach to that country and the female approach. The male thinks in terms of aggression, military forces, frontiers, relationships between countries. But a woman's approach is entirely different to a big new country. She is concerned more with personalities, with social services, and with the human problems that face a country with a quarter of the world's population.

Having listened to the most interesting and detailed speech of my noble friend Lord Kennet, and not having his knowledge and wisdom, I feel that there are so many imponderables in politics that it is difficult for a politician fully to understand the government in any country other than one's own. Therefore, I must confess I found my noble friend a little dogmatic about the relationships between China and other countries, and I felt that some of his speculations might prove to be unfounded. Nevertheless, I believe it is possible to visit another country, to savour the life there, and to make certain broad deductions regarding social and political trends.

In 1954 I was a member of a small group of the National Executive Committee of the Labor Party invited by the Government of China to visit that country, and my noble friend Lord Attlee—I am sorry he is not here this afternoon—was with that group. I was the only woman in the group, and it seemed to me that I had a unique opportunity of satisfying my curiosity concerning the social conditions of that vast country.

On our arrival, Mr. Chou En-lai made it quite clear that we could go anywhere we liked, ask anything we liked, and he would always be available; and he kept his word. He was there with us time after time and was prepared to face up to any questions, some of them easy and some of them less easy. On the first day, he gave me a little booklet on the new marriage law of China. I had been told that they attached tremendous importance to this, and I took a great interest in it. What I read I already knew, but, nevertheless, I read that polygamy and child marriage were prohibited, and that the woman was given equal rights with her husband for a divorce.

When I asked Chou En-lai why I had been given that immediately, he hold me that it was one of the first measures introduced after liberation. I said that I was pleased to find that he was such an ardent feminist. He replied that he did not take credit for that; that these provisions were regarded as the very foundation of the new China. He said that the men of old China were spoiled, first by their mothers and then by their wives, and they did not provide a quality of manpower capable of building a new society. This was not said in a jocular manner. I was told this because the hierarchy of China attached great importance to laying proper foundations. Indeed, when I saw Mao Tse-tung for the first time, he asked what I thought of the new law. Then he said to the interpreter: "Tell her that we thought she would appreciate the start of the birth of our new society, and tell her that the best plants grow in good soil." That was my first glimpse into the life of China. With 4,000 years of history, the Chinese are determined to build a society which will last at least many generations. Their greatly admired architect—and in this country we really must not underestimate his power—Mao Tse-tung, has directed his genius to fostering the enduring elements in Chinese society.

I think we should remember that it was in 1917 that Mao Tse-tung put a small advertisement in a Hunan Provincial newspaper, in which he sought to meet others whom he described as "interested in patriotic activities and prepared to work and make sacrifices for our country." That was half a century ago, and he has never ceased to urge his countrymen to work and make sacrifices without thought of reward. His thoughts on the subject have not altered, and they are injected day by day into the minds of the Chinese millions. No Bolshevik—Lenin, Trotsky, or Stalin—fought so long a series of battles to advance a cause as did Mao Tse-tung.

In discussing these things with the youth of the country I found that they were very prepared to discuss all kinds of problems with us, and were desperately anxious to learn about the political scene in Europe. I did not find anybody there who was acting as "big brother," and inhibiting those boys and girls from asking questions. The prospect of decades of struggle does not appear to distress the youth of China. On the contrary, they seem to regard it as a challenge, a way of life which must be reflected in everything they do. And I must say that if faith can conquer, then the faith which the people have in the leaders and their cause must entirely overcome all obstacles.

The Minister of Health, a quite remarkable woman, showed me what vast improvements had been made in the health services since 1949. To get this into proper perspective, she described to me the death carts which used to arrive in the small towns to take away those who had died from typhus—typhoid and all the diseases associated with dirt, unsanitary conditions and bad feeling. Some people like to ridicule the high standard of cleanliness. How stupid it is for these prejudiced people to say that all that the Chinese have done in Peiping is to get rid of the flies. If that is all they have done they have done a remarkable thing, for it was precisely the flies and the dirt and the unhygienic conditions which killed off the children, and now the high standard of cleanliness is something at which we must marvel. There is the universal instruction of the people in preventive medicine, and the intensive education of doctors. If they cannot take a whole medical course, they are given a limited course and specialize, let us say, in the chest, but they are experts on the lungs and heart. This has reduced the morbidity and mortality rates in China in dramatic fashion.

I listened to my noble friend Lord Kennet talking. I could hardly believe my ears. I do not know which year he was in China, or for how long. I should like to ask him which year it was.

Lord KENNET. Never.

Baroness SUMMERSKILL. Really, my Lords, I do feel that my noble friend should not have been so dogmatic when he talked about the little girl going along with a long pin with leaves on. Then he said that she took it home where some leaves were taken off for the pot and some for the pigs. I have some commonsense. I have traveled a very long way, from the south to the north, in big towns and small towns, and there is concentration on the feeding of the children and the welfare of the children. The great increase in the population just shows what importance the Chinese attach to that.

Lord KENNET. My Lords, may I interrupt the noble lady for a moment to put her out of her worry about this? I did not say that the children were eating the leaves. It was not one for the pig and one for the pot. It was one for the pig and one to be burned on the fire.

Baroness SUMMERSKILL. I speak very sweetly to my noble friend, but one cannot make generalizations and be quite so dogmatic about things like that unless one has been to the country. After all, there was at one time infanticide in China; the hunger of the people, the children and the mothers was so great that a woman had to expose her infant in order that it could die. I agree that that used to occur, but things are changing in quite a remarkable way. The harvest of 1965 was greater than that of 1964, and this year China is looking forward to even more plentiful crops. When my noble friend goes to China, I hope that he will look out of the plane as he crosses the Great Wall. He will get his first glimpse of the country from the air and will see the careful cultivation by the Chinese. They are so careful and industrious that they will cultivate a strip right up to the apex of a mountain, or so it seems from the air. It reminded me of a beautifully stitched piece of embroidery.

Now I believe that the determined resistance of the simple peasant in Vietnam today to the high-powered bombing stems from a knowledge of the successful outcome of the Chinese struggle. I believe that the only antidote to communism is to devote the vast sums spent on waging war to raising the standard of living of the millions in Asia. I ask Your Lordships to read the leader in the Times this morning, which is a development of this theme. I can think of nothing more depressing, after Honolulu, than to hear that the solution of the problem in Vietnam is to be more bombs and more doctors. My Lords, what a paradox. The people in Vietnam see what is happening in China, and they know that the standard of living of the Chinese is increasing.

On the question of aggression, I can say only this: the Chinese make no secret of their aims. They are determined—and I was told this unequivocally—ultimately to remove the puppet government in Formosa which claims to speak for China. They feel that America's presence in the Formosa Straits offers a constant provocation. I hope that, when the Government comes to reply—and I am glad to see my noble friend Lord Walston on the front bench—my noble friend will tell me that there is no substance in the charge made by China that the British Government has offered Hong Kong as a base for the United States to expand its war against Vietnam. That would be the height of folly, and would deserve the censure of the whole Commonwealth.

I believe that Mr. Johnson—indeed the whole American Nation—are deluding themselves about the vulnerability of Vietnam and China. The strength of China is certainly not in its material possessions, although by Asian standards they are well off. It is the temper of China which seems to me to be beyond the comprehension of the United States. There is a measure of self-sacrifice and heroism in the young people which is prodigious.

The other day, on television, I saw a picture of a young U.S. serviceman who, in answer to a question on why he was in Vietnam, said, "We must stop communism here; otherwise, it will spread." I felt that that boy's concept of communism in Asia was similar to his view of a revolution in say, a South American republic. He felt that it was a 9 days' wonder which would fizzle out, only to be replaced by an equally tawdry regime. But one has only to go to China and see these people, dedicated to helping their country to progress, to realize that the concept of that unfortunate (as I think) young American is entirely false.

The United States of America must stop thinking that China does not exist. In fact, it is a highly organized country which is operating more efficiently every year. The Chinese have for centuries been choosing administrators by competitive examinations. I met some of them—men who spoke perfect English, who were knowledgeable, and who, far from having that parochial attitude which some people suggest the Chinese have, had an international approach to life. These people also have an inherent courtesy and charm which derives, I believe, from the Confucian philosophy and which, I should think, enables them to work harmoniously together.

My Lords, there is an atmosphere of a nation on the move. The opinion I formed was confirmed by the Times special correspondent in Peiping in an article on October 26, 1965, which was not long ago. Under the title, "China: A Disciplined Nation," he wrote:

"As long as Peiping does nothing rash, the days of civil war and famine seem finally to be over. * * * Life has visibly improved since 'liberation,' and * * * most people * * * understand that, if they help production to rise, there will in the long run be a reasonably sized slice of cake for everyone."

He concluded: "* * * the people appear to be quite solidly behind the Government."

My Lords, history has surely proved that the Chinese are a pacific people, but Mao Tse-tung reminds them now that if they are not armed they will be destroyed—hence the nuclear bombs. Nothing supports Mao Tse-tung's contention more powerfully than the bombing of their present neighbors, the Vietnamese, by the United States. For this reason, I believe that every bomb dropped will have a boomerang effect.

Finally, may I say my word about the United Nations? The exclusion of China from the United Nations was not only a denial of justice and contrary to the provisions of the charter, but was a colossal diplomatic blunder. China, with one-quarter of the world's population, was a founding member and a permanent member of the Security Council. Yet, since 1949, she has been refused the right to occupy the seat which legally had always belonged to her. I ask my noble friend to use his good offices in this direction. The government should take every opportunity in their conversations at all levels with the representatives of the United States, wherever they may meet—and I understand they have many contacts with the United States these days—to urge China's claim to a seat in the United Nations, not only to remedy a gross injustice but to facilitate peace in Asia.

(5:17 p.m.)

Lord Bourne. My Lords, we are all grateful to the noble Lord, Lord Kennet, for putting down this motion, and I, for one, am especially grateful to him for explaining the situation in such detail and from such great knowledge. He really gave us such a wealth of information about China that, I am glad to say, it makes our subsequent speeches rather shorter. I should also like to congratulate the noble Lord King-Hall, on his maiden speech. Of course, we expected it to be like it was, because he has talked to us in many other places, and many of us are his friends. But he is a great acquisition to your Lordships' House, and I am sure we all hope we shall hear him many times again, with his expert knowledge.

Next, I should like to thank the noble Baroness, Lady Summerskill, for introducing a new note into the rather aggressive subject which we have in front of us. She is quite right, of course, to talk about the wonderful urge and aims of the new China—and she is lucky in having been to China more recently than I have. I am sorry that, although I have worked and played with Chinese in many places—and I still work with them—I have not actually been to China since 1931. On that occasion, I remember, their sense of humor was rather well displayed, because my wife and I were taken along to the Temple of Heaven on a Monday morning. We got there at about half-past 9, and the guide said, "I'm a bit late." We said, "Late for what?' He replied: "Late for the Monday morning executions." We were very glad to be late.

Now I shall have to return to the more mundane aspect of China at the present time, but, always remembering what the noble Baroness has told us about the attitude of the Chinese, and to underline that point, I should like to remind your Lordships of a Chinese proverb which I picked up in Malaya when we were looking for soldiers. It said:

"You do not make a nail with good iron; you do not use a good man to make a soldier."

That, I believe, is part of their philosophy. It was extremely difficult to get the Chinese to serve in the army as soldiers, or to serve as policemen in Malaya when we were fighting there.

My Lords, I believe that China suffers from four hates. The first hate is against the imperialists—admittedly it is an historical hate; but the fact remains that the imperialists occupied the Treaty Ports for more than 100 years. They had their own judicial courts and they did what they liked in those Treaty Ports; this has never been forgotten. Secondly, she must hate Japan. I remember leaving Peiping in September 1931. There was a Japanese soldier standing on the station at Peiping. His successors, his reliefs, did not leave until 1946. They occupied the country for 15 years. It required a tremendous effort on the part of China, including a rather unexpected alliance with the Communists and the Kuomintang States, and by her allies (but not inside China) to defeat the Japanese in China.

Next, she hates the United States for reasons I will not go into; but it is a fact. Lastly, she has learned quite recently to hate the Soviet Union. The noble lord, Lord Kennet, was right when he said that we should not take too much notice of the ideological difficulties, because they will change. But there is one very deep ideological difference between the two countries, if they both aim at world revolution and world domination. The Russians have tried to put off these aims. Mr. Khrushchev, when he was in power, said that the Russians would aim to catch up with the economy of the United States in 15 years. He was rather forgetting that the United States is a moving target. The Chinese, on their way to world domination or world revolution, have not given up the thought of, perhaps, having to use force on the way; while the Russians definitely have.

I picked up an extract from an article in Pravda only yesterday. It was discussing the advance to world domination and it pointed cut that this or that maneuver was not acceptable because it would risk thermonuclear war. The Chinese do not agree with that. They are now accusing the Russians of actually collaborating with the United States for a Soviet-United States domination of the world. It is a most extraordinary change. Again, if we look back at China's actions over the last 15 years to see how she is leading up to her aims, we find they have been a combination of subversion (as in Malaysia and Indonesia, where her aims have been defeated but which took a long time) and actions due to her great sensitivity along her periphery. I will not go right around the periphery in detail except to say that the countries concerned are Korea, Laos, Burma (where she has friends), and India, where as the noble lord, Lord Kennet, said, she has been rectifying the frontier according to the map. Tibet was, perhaps, not a frontier rectification; but there are Ladek, Sikkim, and Butan, and one can go on and on.

But I think the most extraordinary thing about this list is the gaps in it, the inactions on the part of the Chinese, the holding back. There have been two outstanding examples. The first was when the Chinese defeated the Indian Army in either 1962 or 1963 (I forget which) and, when they were on the edge of the tea gardens, they could, I believe, have got down to Calcutta and occupied it. But they refrained. They actually withdrew. The second example is Burma. If you wanted to accuse China of aggression and of trying to spread her frontiers outward, Burma would be a classic example of an easy place to have done so. Burma is a divided country and has a poor army—I know a little about it, for I trained it for a year—and could not have resisted them for more than a month at the very most. If China had wanted to gain a port on the Indian Ocean, namely Rangoon, she could have taken it any day. It was free to take; it would not have been difficult. But she refrained. I find that very curious. I do not believe it fits in with the general picture of the march of aggression. Nor does it fit in with aggression to the south. People are afraid that the Chinese have thoughts of military aggression toward southeast Asia; but southeast Asia is full, it is prosperous and there is no room for any more. But there is plenty of room in the other direction in the west.

Lastly there is the business of the nuclear bombs which China exploded unexpectedly and rather more successfully than was expected, because we must remember that she has had no military assistance and no nuclear assistance for 5 years. She did it by herself. I believe it is a precautionary move. So far, the revolutionary method, Mao Tse-tung's classic revolutionary method, has been to advise countries to surround the cities from the countryside and to use conventional tactics. China may have thought that in 15 years' time she would need thermonuclear equipment. I think it is well to remember that if she has built missiles (rather simple ones to start with), because airplanes will be out of date, those missiles will be within range of the Soviet Union before being within range of the United States.

I would say that, for the various reasons I have given, Chinese foreign policy and military policy would be one of caution for the next 10 to 15 years. In fact, I believe her aims are: first, to strengthen her own internal economy. I think she has embarked on two or three 5-year plans and one of those plans had a terrible setback. She is now embarking on another and is laying special emphasis on economy in the empty northwest. She is fully occupied with that internal plan. Secondly, she is engaged in defending herself—this is from the Chinese point of view—by establishing a series of friendly vassal countries around her periphery. We might call them vassals—she would call them friendly states—but by friendly vassal states I mean states which will have a Communist ideology and a government.

Moreover, while carrying out her internal and external policies with no military aggression of any kind, and fighting her wars by proxy, which has been very cheap and effective so far, she will at all costs avoid direct confrontation with the United States, because she simply dare not do that. At the present time she could use only conventional equipment. It would be the "human waves" tactics, which were suitable in Korea but are not suitable in other parts of the world—and certainly not so against the United States directly. The "human waves" tactic is getting out of date. China will have to wait for many years before she can get level with the Soviet Union and the United States.

My Lords, what should our policy be in reply to this cautionary Chinese policy? I suggest the first thing is to keep open our communications and be able to talk, trade, and deal with the Chinese and to live with them. We have learned to live with the Soviet Union and our relationship now, if perhaps a little stiff, are at least quite effective, and second, while doing that, to adopt the successful policy which we adopted with NATO in Europe—that is to say, to show a firm front. We have been greatly helped in Europe over the last 15 years by two things: The colossal atomic superiority of the United States and by an Iron Curtain having a clearly demarcated line, across which an angry shot has not yet been fired.

We have atomic superiority in Asia and there is no threat against us. If we also had a clear line, that would help, and it is being set up now by the action of the various States which have been mentioned. So I believe that our policy in the East is right at the present time. We must be friendly but we must be firm. In case any noble Lords think that we can abdicate and leave it to those countervailing forces which have been talked about a great deal recently, let me remind Your Lordships that these forces do not exist. The countervailing forces to China, if we regard her as a military power in Asia, are only two. One is Japan, which, by treaty, does not yet have any forces, and the other is India, which is more than fully occupied and in any case cannot afford it because she is in difficult financial straits.

India has no exportable military power at the present time. So the many weak new countries, about which I have spoken before in Your Lordships' House, still have to be defended by the United States, Britain, Australia, and New Zealand.

One last word. It is common practice to talk about power vacuums—I have been talking about them for a good many years—but I would remind your Lordships that they are very real. If we create a power vacuum by leaving, somebody else steps in. We had an example of this on television only last night, when we saw Mr. Lee Kuan Yew, the Prime Minister of Singapore, with whom I had a talk at one time on this very subject. He said that if the British left Singapore he would have to go down to the quayside and bow and surrender to the Indonesians. He added, "I have attended one surrender in my life, to the Japanese—one is enough." But what he said is an example of what would happen if ever we came to create a power vacuum by abdicating our power in the East.

(5:33 p.m.)

The EARL OF SELKIRK. My Lords, I should like to congratulate the noble Lord, Lord King-Hall, on his maiden speech. It is a pity that he is not more extensively employed in refereeing and deciding the troubles of other countries. If he were called in in all cases he would be pretty fully occupied.

The question of China is a watershed on which people come down violently, on one side or the other. I think that it is worth remembering the position in which China finds herself. She has been through 150 years of decline in her ancient civilization, to which she attaches tremendous importance, and has now established what I believe can be called a new dynasty. The noble baroness, Lady Summerskill, explained some of the developments which the dynasty is taking. One hears many different stories, some good and some bad, and though many good things are being done, I think that we can only regard China as a formidable enigma. The noble Lord, Lord Kennet, said that China was not alarming. I think that he put it in terms far too favorable at the present time. We have only to look at the size and the population of China—twice that of the whole of the African Continent—and to the fact that it is a united country under probably the ablest body of people in the world, to see that China is undoubtedly formidable.

I should like to tell Your Lordships why I think China is an enigma. In China there are two great strengths—communism, on the one hand, and the Chinese character and history, on the other. No one knows which is going to predominate in the end. We see guerrilla warfare and incitement to revolt taking place in many parts of the world; a refusal to accept peaceful coexistence; a belief in world communism, and the desire to lead it. Conversely, there is an equally strong belief in the importance of the Chinese nation. There is no Chinese in southeast Asia who is not delighted that China is important. They have a great sense of nationalism. This is seen in the question of boundaries. They talk of their traditional boundaries and go back to the empire of Tang, which was somewhat contemporary with King Arthur and the Round Table. This claim of traditional boundaries is very convenient because there have been a great many changes in the Chinese frontier. For example, if we take the empire of Genghis Khan, it stretched as far as Turkey.

On the question of Tibet, the noble lord, Lord Kennet, came down strongly on the Chinese side. I doubt whether Tibet was part of China in the time of the Tang empire. I understand that it became Chinese only in the Ching dynasty, in the early 18th century. I would say to the noble baroness, Lady Summerskill, that the Chinese did not show themselves to be a pacific people in the way they handled Tibet, and, as Your Lordships know, they were condemned by the United Nations for their complete disregard of human rights in Tibet. We have to recognize that if the Chinese think they have a right, there is no limit to what they may do, and it is unlikely that they will argue about what their right is.

Another tendency of the Chinese, to which my noble friend Lord Dundee referred, is racialism. There is absolutely nothing multiracialist about the Chinese. They have a tremendous contempt for all other nations. Not only that, but all Chinese outside the country have an immense regard for Mother China; and Mother China, in turn, expects some recognition from the overseas China that they belong in some way to the Chinese race.

Lord CHORLEY. My Lords, is the noble earl not aware of the number of indigenous racial elements in China, who number several millions—people who are not in fact Chinese—and that their method of dealing with these separate nationalities has been extraordinarily successful?

The EARL OF SELKIRK. My Lords, I think that the number percentagewise is not very great—a million among 700 million is not very much. Frankly, I think it very unlikely that the minority races are ever regarded as on the same footing as the people of Chinese race.

What worries me particularly is the attitude of China to the outside world, the ruthless resolution with which they seek to impose their views on countries overseas. We have had some examples given today of their relative failures. The Algiers conference was certainly not a success. There was their threat on the Indian frontier, from which they withdrew. There was the misplaced coup in Indonesia, which certainly was a resounding defeat; and there were their difficulties with Castro in Cuba. And in Africa they have probably been turned out of as many countries as we have which, of course, is saying quite a lot. M. Bourguiba, of Tunis, said recently:

"Madmen wage wars, and I fear that the Chinese fall into this category."

So there has been a pretty violent reaction from Africa.

That is not everything. I am going to ask the noble Lord, Lord Walston, if he will tell us what is happening in Zanzibar. Very few people know what is happening there. Some people say that there is a Chinese camp at one end, and a Russian camp at the other. Is Dar-es-Salaam in danger? What is happening in Kenya? Is Mr. Odinga being paid a large sum of money, running into perhaps six figures, by the Chinese? Has the noble Lord any information on this subject, or not? What is quite clear is that they are seeking to gain a foothold, if they can. It is these policies which we find particularly objectionable and to which we take exception.

The noble Lord, Lord Kennet, said that countries were "ganging up" against China. I look at it rather the other way. I think that China has the most astonishing self-assurance. Not only do the Chinese insult the Americans, but they carry on a dialectical warfare, I am told in the most superb language, against the Russians. They attack the Indians, and their relations with the Japanese are pretty poor, although, as has been said, the Japanese are making better approaches to China. Those countries would not normally "gang up" together, except in their attitude toward China. They have no common interests whatever. I would rather put it the other way. I wonder how frightened the Chinese are. Are they really frightened of the Americans? If you are frightened of the Americans, are you going to insult the other nuclear power in the way the Chinese are doing? I find it extremely difficult to accept this.

When I come to the future policy of China, I find myself very close to the noble lord, Lord Bourne. Mao Tse-tung has put it in this way:

"Strategically despise; tactically respect."

That is probably not a bad basis on which to proceed. Of course they do not tell their people very much about atomic power. As the noble earl, Lord Dundee, said, they pretend, that they are not very frightened of it, but I do not think their leaders are under the slightest illusion about what atomic power amounts to. I think one is forced to the conclusion that China is fairly confident that nobody is going to attack her; and I think she is probably right. I believe that her position was well stated by Sir Robert Scott in a recent issue of the Institute of Strategic Studies. He said:

"I do not myself believe that Communist China is expansionist in the sense of conventional military aggression. It is not territorial gain she seeks, but a ring of Communist buffer states; vassals of China, not of Russia."

That, I think, may be true. But I do not think we can take the slightest consolation from it, because this would give China complete dominance over very nearly half the world. Her boundaries can be adjusted almost entirely as she likes. She would thereby gain what she thinks she wants; first, world revolution of communism; and second, that that revolution should be dominated from Peiping rather than from Moscow.

In those circumstances, it is extremely difficult to say what our future policy should be. It would be foolish, of course, to throw over America and make friends with China. I am also certain that it is futile, as the noble lord, Lord Bourne, said, to show any sign of weakness. I am quite sure that not only do the Chinese respect strength, but all the countries in the neighborhood do not want to be made pawns; and unless they feel there is someone in the area with strength, to use words that I have often heard, they will not have the will to resist.

Naturally, it is a good thing to continue every form of contact, whether it be with trade fairs, through commerce, or in any other way. I personally should like to think that more people were learning Chinese. After all, nearly a quarter of the world speak Chinese. From my experience at Singapore, I would say that you can live in one of two worlds, according to whether you speak English and Mandarin. The range of contact is entirely different, and very few people can step over that line. The other thing that I should like to know is how the Chinese teach history in their own country. I read many histories in English, but I have never seen a translation of how the Chinese teach in their own schools.

The difficulty is: what advice do we tender to the United States of America? It is true, although I think regrettable, that anyone who has a "soft" China policy stands very little chance of public election—at least, that is what I am told. This is a pity, because I believe that the Americans basically do not distinguish sufficiently between the Communist element and what I call the Chinese element. My own view is that in due course the Chinese element will win, though this may not be for an exceedingly long time. I agree with the noble lord, Lord Bourne, in thinking that there is not much change; and I do not think that there will be much change. What I am sure of is that anything approaching appeasement will be the greatest possible mistake. I feel that the present situation must be looked on as something that is going to continue for quite a long time. But, above all, let us try to understand a lot more about this important and fascinating country.

(5:47 p.m.)

Lord Caccia. My Lords, I should like to join with others in expressing appreciation to the noble lord, Lord Kennet, for having initiated this debate. I think it is quite remarkable that anyone who himself says that he has not been to China should have mastered so many of the facts and details of its history and its relationship with its neighbors. Now that it is comparatively difficult for foreigners to live in China and become experts on that great country, it is all the more necessary, I submit, that there should be those among us who give time to study that country from the outside, which is much more difficult, and follow in the great tradition of experts from here like Sir Eric Teichman, Sir John Jordan, Sir Robert Hart, and many others, who over decades have been the best informed people about the celestial kingdom.

Having said that, may I go on to follow the noble lord, Lord Kennet, in a slightly different way. He took Your Lordships around the periphery of China as it is, and in a geographical description showed some of the problems that exist. I should like to take Your Lordships back into history and give some reflections about China itself, its policy, and our attitude toward that country. Here I must declare a minor interest, in that I perhaps just qualify, but only just, as an old China hand: I served in Peiping in our legation there in the early thirties, and I revisited the country in 1961 on my way back from Washington.

To take the earlier period, I arrived in China at the time when Professor Tawney had written a book entitled, "Land and Labour in China, 1931," in which he described what the position was at that moment in masterly, definitive, and sympathetic terms. He pointed out—which was an obvious truism—that China had missed the revolution in industrial and agricultural method which had affected the Western World. To take agriculture first, and to give some picture of the state of China in those early thirties, which was a time, of course, when the present Government was growing up, these were the conditions they knew; these were the things they were determined to change.

In land tenure, although China had no landed aristocracy, the average landholding was 3.6 acres. The rents in some Provinces amounted to 50 percent of produce. A good village moneylender, regarded as a blessing in his village, took 25 percent. In communications in large areas of China, away from the treaty ports, no merchandise could be sold profitably over a distance of 50 miles, because the mere cost of transport on men's backs over a greater distance meant that there could be no profit.

In a sentence, although the Chinese peasants' methods were the finest of their type, the type itself had missed the stimulus which progress of agricultural science had made possible in the West.

In industry, the story was much the same. Endowed with valuable raw materials and high traditions of skill, China long possessed important manufacturing industries. Until the rise of Western machine production toward the end of the 18th century, that technique was identical in character with the West's, and quality was not infrequently superior—for instance, in silk and porcelain. There is, as Your Lordships know, the oft-quoted reply in 1793 of the Chinese of the day to the British proposal for closer trade relations:

"Our Celestial Empire possesses all things in prolific abundance and lacks no product within its borders. There is therefore no need to import the manufactures of outside barbarians."

At that time there was more economic justification for this statement than the West has since recognized.

From the end of the 18th century, while the West was "taking off" in agriculture and industry, China continued her traditional ways and politically went through one of those troughs which are common in her history. The great Ch'ing Dynasty was in decline, and when I was there in 1930 there was no effective central government. Of course, it is now fashionable to run down the Kuomintang and the efforts they made from Nanking. But their difficulties were enormous. It was not only the economic position of the country, which I have sought to outline very briefly; it was also that there were competing war lords in other parts of China. In addition, there had already been Japan's aggression in Manchuria, carried on into Jehol, and later to be further developed into the so-called China incident.

None of this is new to Your Lordships, and why should I go over well-worn ground? The past has gone, and with the advent of the present Communist government things have radically changed. There are two reasons. First, it is against this background that the West should, I think, reconsider its attitude toward China and, secondly, all this affects the attitude of the Chinese themselves toward their own problems and toward the West. I take first the West's attitude toward China.

The way in which we were won't to regard China between 1800 and 1950 must be accepted as totally out of touch with what should be regarded as a more normal reality, once China achieved a strong central government. She is a naturally great power, with enormous economic potential, not only in the numbers of her people, but also in resources and skill and in their extraordinary vitality where they can compete with local populations, other populations, from the north of Manchuria to the tropics, and compete invariably with success.

If that is so, what of the other side of the medal, the attitude of China to her own problems and to the West? When I came back from Washington, I stopped in Peiping and saw the present foreign secretary. I think it no abuse of diplomatic courtesy for me to say now that the first thing which he stressed, and which other Chinese in authority stressed when I was there, was that the matter of paramount importance for China must be to grapple with her own enormous problems. It is for that reason that I gave some of those figures about the problems they faced in agriculture and in industry. They were then the first to say that they made mistakes. Of course, like any other government, they were capable of making mistakes, and we would add that they were hagridden by extreme doctrines. But, they said: "If we make mistakes, do not believe that we cannot put them right." I think it would be a mistake for us to conclude that their doctrines will always make it impossible for them to make great progress in the organization of their population and resources.

If that is their attitude to their own internal problems, what of their attitude to the West? As has been pointed out by many other noble lords who have spoken, the Chinese have no sense of inferiority toward the West—quite the contrary. And, indeed, why should they? From their point of view they would say that they have been a civilized power at times when most of the ancestors of some of the Western powers, who had pushed them around for the last 150 years, had been painted blue. It was not only in 1793 that they took their attitude which I have described to foreign trade. Even in 1839 Lin Tse-tsu wrote to Queen Victoria:

"The things that must be had by foreign countries are innumerable. On the other hand, articles coming from the outside to China can only be used as toys. We can take them or get along without them. Since we can get along without them, what difficulty would there be if we closed the frontier and stopped the trade?"

That is far from the spirit of the present age or the present regime, except in one thing, and that is that the innate sense of greatness survives in every Chinese, whether in China or in the overseas Chinese, and with it, alas, the sense of grievance—the sense that "we wuz robbed."

The practical application may be illustrated in that many commentators write as if it were an odd thing that the Chinese should wish to spread their influence to other parts of Asia, Africa and Latin America. If you reflect on this from a Chinese point of view, you would say: But what prescriptive right have the palefaces to think that these continents and these other areas should be exclusively theirs to influence? Therefore, quite apart from their doctrinal urge to make their form of communism successful in other areas, I think there is also the sense of pride of race, pride of culture, and that they have every much right as the next one. They have not been very successful but all I am saying is that I do not think anyone should be surprised that they should try.

Nor do I say, of course, that any of this is convenient. It is quite the contrary, in many cases, but it is one of the inconveniences of international affairs with which we have to try to live. Now how to do that? Here it is fair to recognize some particular difficulties. The first of the particular difficulties, which has been mentioned by the noble earl, Lord Selkirk, and the noble lord, Lord Bourne, is that they have apparently outstanding territorial claims; that is to say, there are areas in their neighborhood where at one time or another in history Chinese suzerainty has been accepted, and what is not at all clear yet is which of these claims they wish to press, and when, and how; and which may be regarded as permanently in the discard.

This is a real difficulty. It is compounded, of course, by two other factors; their extreme doctrinal version of communism and the extraordinarily violent language which they use. The noble lord, Lord Kennet, said that it was almost hysterical, and he has studied it more closely. I dare say, than any of your Lordships here present. They talk quite openly about "war being a great school." These are factors which I would have thought any responsible government has to take into account.

It may be that the present Chinese Government has no intention of exercising any of its claims by the use of force, but this is an opinion, and I should have thought that any government, such as our own or the United States Government or Indian Government, must take precautions against the possibility that they may wish to use force. I say that even recognizing, of course, that their words need not be taken literally.

The Chinese have a phrase for this, as they have for many other situations in life. They are usually expressed in short lapidary phrases, and this is one of four characters. The four characters are "Yo Ming Wu Shih," which translated in a rather free way, would be "What I say sounds fine, but it need not be taken too seriously." Maybe, but if you are a government faced with the language, faced with these rather uncertain claims, faced with the fact of the form of communism which they profess then I do not think it is surprising that precautions should be taken. And I do not think it at all ill founded, as the noble lord, Lord Bourne suggested, that there should, as soon as possible, be achieved some line, which the Chinese themselves freely accept.

Having said this may I confess that I, for one, have no new specifics to offer. With respect, I believe that the course followed by Her Majesty's government has been one of understanding, of reality, and correct. First, the United Nations. I would entirely agree with what so many speakers have already said: that it would be a great advantage to the West if China could become a member of the United Nations. The Americans say—and I think this puts their case more fairly—it is not that they do not recognize China. They claim that they have almost more to do with the Chinese than any other government. They say that their representative in Warsaw meets regularly with the Chinese representative accredited for that purpose. But what I think your Lordships have in mind is that what is wanted is to get representatives of the Chinese Government to New York, to have them exposed to the whole pressure of world opinion, to meet other people and to get about; and that cannot be achieved (and as a diplomat I say this regretfully) between one diplomat and another in Warsaw. In that I think there would be very little quarrel here. But I think it is also fair to recognize that there might still be difficulties, partly over Formosa, and now apparently because of a Chinese claim that the United Nations resolution condemning China for aggression in Korea should be withdrawn.

In recognizing these possible rocks, I think it is well to say that if they are the ones on which the entry of China into the United Nations founders, this will be because of China's choice and not because we have obstructed. It would not be our doing, unless "obstruction" is taken to mean failure to give in to every demand of the other side, no matter whether justified or unjustified. However, I hope that this may be a matter which can be resolved.

The counterpart to this wish to bring China more closely into the comity of nations must be an attempt, also through discussions, to show that claims in areas of uncertainty can only be resisted, and will be resisted, by force. They must recognize that there is a line to be drawn and that there are things which they cannot afford to do, and I think that can become evident only if there is a general interchange. Once again may I say that I think Her Majesty's government have done everything they can to bring China into discussions about such subjects as Vietnam and disarmament—for without a Chinese acquiescence in a disarmament agreement it is not evident what its value might be.

Then trade. The Chinese attitude to trade has changed, and I believe that nothing but good can come of the efforts made by successive governments to increase trade with China. It is a matter of record that it was on our initiative that the more exclusive China List was equated to the General List for strategic imports into Communist countries. If that list can be at any time further reduced to those items which are of continuing and direct military importance, then I hope that that will happen. The same may be said of the efforts we have made on the cultural front, and I hope the government will do what they can to further these efforts. I think the Royal Society has made successful attempts to see that these methods of communication between our countries remain open, which is all to the good.

So may I say again, in summing up, that the attitude of Her Majesty's government has been realistic in the setting at the beginning I tried to sketch in historic terms. Simply stated, it is to develop a policy of "live and let live." As other speakers have said, I do not think this will be easy. Resentments of 150 years will not go quickly. The Chinese Government, at the present constituted, grew up under the impact, as they felt it to be, of unequal treaties. But with persistence, and so long as it is clear that there are certain things which it would be dangerous for them to press by force, and so long as we are ready to discuss these matters and try to promote discussion wherever possible, I should hope that, if not in our lifetime, at one time or another, it will be possible to develop with success this policy of "living and letting live."

(6:09 p.m.)

Lord AILWYN. My Lords, may I start by warmly congratulating my noble friend Lord King-Hall on his excellent maiden speech? I do not think I ever had the honor and privilege of serving with him in the Navy, but while he was there his name was as well known in the Navy as it has been since in all kinds of public work that he has carried out. We are very pleased to have him here, and we hope that we shall hear from him on many occasions.

The terms of the motion appear to let me in for a brief intervention, although I make no claim whatever to have any special knowledge of Mao Tse-tung's China; nor do I feel that I have any right to discuss the general strategic situation which has been so well gone through today by many experts. The China that I knew belonged to the end of the Manchu dynasty and it happened that I found myself at Hankow, 600 miles up the Yangtse from Shanghai, when the first shots of the rebellion in October 1911 were fired; and I was landed from my small ship with a small posse of sailors in order to help defend the British concession. There followed, as we all know, the China of Sun Yat Sen, the China of Yuan h'si Kai, the China of Chiang Kai-shek. To me it is difficult and horrible to think of China today under Communist rule—those happy, smiling, gentle, courteous faces, contentedly working their water buffaloes in the paddy fields, brought up on love of the family, on ancestor worship, uncomplaining in the face very often of extreme poverty, facing famine and floods and other disasters with their usual courage and stoicism.

Then in 1937 came the Japanese onslaught, and for 4 years they fought alone under their Generalissimo Chiang Kai-shek, that great patriot who through countless vicissitudes kept the flag flying without any assistance from this country whose hands at that time were full with Germany and Italy. Then in 1942, as my noble friend Lord Dundee has already told your Lordships, four of us were sent out to explain the situation to Gen. Chiang Kai-shek and how it was we were unable to help them or give them any real assistance until our hands were free. All I should like to do before I sit down is to pay my humble tribute to that great man Generalissimo Chiang Kai-shek and his generous and valiant lady for their wonderful achievement in building up and maintaining that stronghold of resistance to the Red scourge, the Island of Formosa, and to tell them that their great kindness and hospitality to that parliamentary delegation has not been forgotten and will ever remain green in our memory.

(6: 13 p.m.)

Lord BIRDWOOD. My Lords, we have all listened with alert ears to what the speakers in this valuable debate have so far had to say. We have listened with more than usual interest to a very good maiden speech, and if I as a tyro in this House may add my congratulations, I do so. What have we learned? What conclusion or generalizations or predictions shall we be going away with? Simply, what are the Chinese doing now and what do they plan to do, and why? Can we honestly answer such questions? I do not think we can. And yet I feel I want to try. I want to find answers to them because I believe that China's role in the world's future will always be more important than people are prepared to accept. But I believe too that only if we go on trying and trying shall we get closer to answering those questions. What is China? The overwhelming fact is, of course, that it is a country whose population will exceed 1 billion before the end of the century. Other figures can be forgotten; this one cannot. And I will let it stand by itself as a fact that must color everything we say or think about China.

As I see it—it sounds original to say "as I see it," but in fact the noble Lord, Lord Caccia, has outlined it before—there are these two ways of interpreting China's activities on its borders and out in the world. The first is what I would call the optimistic interpretation: that China's actions can be regarded as those of a proud country reasserting itself in areas of former suzerainty. There is historical argument to support this. China up to the middle of the 19th century regarded itself as the center of the world. The name itself comes from Jung Wa, meaning Central Kingdom—a central kingdom whose relations with its neighbors was one of tribute rather than diplomacy. In this light China in, say, Tibet, or even Vietnam is reviving a dominance, a hegemony that it justifies to itself. In this light, too, once such ambitions are satisfied China would cease to be an expansionist force.

Came the mid-19th century, China was exposed to the other world powers. It is fascinating to trace the sequence of reactions this mighty nation showed as a result of such exposure. First a simple rejection of technology together with the belief that her, China's, philosophies were superior to those of any other power. Second, came the selective adoption of certain techniques; and third, the wholesale adoption—a factor that led directly to the movement of large numbers of Chinese to other countries—exchanging ideas, learning. Now from these reactions and from the events at the time one important element emerges. It is that China felt itself, and often was, humiliated. At this point I want to make a generalization. It is that the Chinese have never forgotten these humiliations, and that in the context of the present day any move which the Chinese regard as a comparable humiliation will result in a less accessible China.

I spoke of the optimistic interpretation of China's actions. The other, pessimistic, simply views China as an expansionist Communist power ideologically committed to revolution. This is, I admit, an apparently simpler case to support. Yet since 1956 China has compromised its ideology by associating itself with events in Algeria, Egypt and Indonesia, which did not automatically result in a Communist regime. And already we are in very deep water indeed. We cannot say whether these were, in China's eyes, just steps toward a goal or the goal itself. The recent moves in Indonesia suggest that they are the former, that exploiting discontent up to revolution is simply a first stage in the path of communism, a path planned in detail. But the typical paradox in thinking or speaking about China is that even this gives weight to the other, the optimistic, interpretation of China's actions.

Since the 1950's there has been a continuing debate inside China weighing the merits of alternative political techniques. One is that things are achieved by the patient application of proved methods; the other is that those same things can be achieved with fewer resources simply by surges of mass enthusiasm. I believe the two systems are referred to in China as "expert" and "red." Up till now red has dominated because it is closest in ideology to Mao Tse-tung's own thinking. And when we look at China's performance outside her borders I think we can see this principle failing when used in external context. But there is one example where the other, the slow, calculated approach is being used. It is an example where I had direct experience of China wooing a country.

If your Lordships will forgive me, I will sketch in the methods I saw being used in Nepal about 3 years ago. I was lucky enough to be in that country without any official interference, walking from village to village with a few friends, living among the people and being taken into their confidence. The first thing that struck us was the hyperawareness of every soul we met—their awareness of China. People talked of the roads that the world did not know about, roads cut through Tibet at terrible sacrifice, roads that ended at the border with massed lorries waiting for they did not know what; of prepared transit sites. These were the things people talked about. And certainly the Gurkha elements in Nepal are implacably hostile to China, and have sworn to resist an armed advance to the last man, and claim they could hold up such an advance for more than a year.

Of course, this was just one side of the coin. The other was the villages in which the central intellectual figure would be a man who had simply appeared a year or two previously, a man whose sole occupation was talking to the villagers, leading discussions, taking a prominent part in village life. Through individuals like these, young men in the villages would get invitations to Peiping, pro-Mao literature would be available to the village school, and the whole operation sensitively, delicately handled. Perhaps I am wrong to place so much emphasis on these activities. But I was deeply moved by looking at the Himalayas circling the horizon of the North Indian plain, and realizing just what it implied if these great rock battlements were in unknown hands. Sometimes it needs some powerful memorable image, like that one was, to put political theorizing into its true perspective. Whatever motives we might give the Chinese, I can only too well understand how tempting it would be to want control of Nepal, and from the most impregnable natural fortress in the world to look out upon all of Asia.

One of the complications of talking about China is that nothing in what it does or says can be isolated. China wants "great power" status. China wants leadership of the Communist world. I submit that everything we know of China carries traces of these. We can, for instance, regard most of their public statements of foreign policy as being filtered through levels of meaning: one level using America as a convenient bogey and rallying point for home use; one level which is carrying the Communist leadership message, and the level of extreme caution. Caution seems to be a fundamental part of Chinese leadership. But I take it upon myself to mention it again because it seems to run through everything that China does. I think we can see why, when we remember that a large proportion of China's leaders on this level were on the "long march"—a campaign where caution was often the only course for survival. But these men are old. When they are replaced it could be by men who do not share this caution.

China has always been intensely nationalistic. This nationalism is developing, even now, into one of the world's most potent forces. China's new leaders will have its measure. And why should they hesitate to use it? Certainly, China is still technically an impoverished society. But with the united wills of nearly 1,000 million people there is little that could not be achieved. It is too simple, is it not, to pin down our mistakes retrospectively? Bolting the stable door after the horses have escaped in Vietnam, in Cuba, in the Dominican Republic, in China itself. But we have got one stable left—this chance to wipe out old humiliations. I mean, of course, the inclusion of China to the United Nations. History always simplifies. History will laugh at us for this being delayed as long as it has, and will pity us if it is delayed longer.

(6:23 p.m.)

The Lord Bishop of Southwark. My Lords, I rise to speak quite briefly because I think there is one thing which might usefully be said from this bench. The church's communications with China are limited, and it is not easy for us to get reliable information, so many of our missionaries have been turned out. Nevertheless, we do have some. And when I asked one who was associated with China not long ago, "How do you explain China?" the answer was, "Well, it is not just in terms of economic undevelopment; not just in terms of national character or methods of Communist government; not just in terms of conflict with the United States or with the Soviet Union, though all of those things come into it. No; if you want to explain China, you must think, first and foremost, of a country which is being carried on by a dynamic new puritanism created by the teachings of Mao." In fact, I remember reading an article quite recently, that was headed in this way, "Maoism—China's secular religion. A 20th-century experiment in Puritan ethics."

In order to prepare for this debate, I spent some time last night with a teacher who had just returned from China. He was not a Communist, but he took an objective, tolerant view toward what is happening and, deeply impressed by what is happening, said, "That exactly hits it on the head. This has been my experience, and here is a country which is being carried along by this dynamic of a Puritan revolution." One illustration of it is the sort of film which is being shown in China at the moment and to schoolchildren and to universities. It is called, "The Life of Lee Feng." He was the son of peasants who died of hunger in order that this boy should live. A little later on he went to gather wood on the estate of a rich man who tried to cut off his hands, and the scars still remain. Then he joined the Red army. From the Red army he decided he was going to devote his life to serve the people. This is what is so strongly emphasized in the film, this life of service. He kept practically no money. He gave his wages to the victims of floods and other disasters, and to women who were going to have children, and so on, and whenever he passed work sites on his way back from his own work he would help.

One can laugh at all this surge and say, "This is the Boy Scout movement the wrong way round"; but it is quite meaningful to these people who see it. Here is the story of an ordinary person who devoted his energies to the cause of collectivity. This is the summing-up of this film, because Lee Feng died when he was quite young; life is short but the possibilities of serving the people are great. That is why I listened with much sympathy and interest to what the noble baroness was saying earlier in this debate. The things upon which she touched were aspects which are being emphasized in this film and in other teachings and illustrations that are being broadcast throughout China, and are believed with intense conviction. It is not just the youth who are concerned; it is also the factories and the professions. You have got a situation, so I was told yesterday—and I am sure there are many in this House who know it so much better than I do—that the professions now can see that the collectivity of joining in labor is something which is automatically done. I am told that even the politicians do it. Instead of spending all their time in their Parliament, they regard it as part of their normal duty to join together in manual work or in the fields. And, by 1970, all schools and universities will adopt this half-study program.

This dynamic puritanism helps us, I think, to understand the attitude of the Chinese now to what, rightly or wrongly, is called Russian revisionism. There is, as they see it, the reintroduction there of the profit motive. There is the fate in which they believe; and there is the division between labor and intellectuals in Russia, which is the opposite of what is sought in China. So they are extremely suspicious. It is as though a Christian were to be confronted by a church which the Christian thought was really undermining the basic tenets of the Christian faith. And, of course, it is out of enthusiasm for the purity of doctrine that they make all these pronouncements on practically everything—on even the painting of pictures, on the way crops should be planted, about the curriculums in schools.

In this situation there is here a country which passionately believes in what it is doing. What is its attitude toward us? I think China is trying to say two things to us. In any case this is what my church informants told me. They are trying to say that which is a contradiction; namely, "We are afraid of you," and, "We are not afraid of you." We are afraid of you in this way—and this again is what my teacher friend told me yesterday—of what the children are shown in the schools and what are to be put up in open spaces; there are nuclear stations and plants all around China, showing how easy it is for China to be severely, and perhaps fatally, attacked. There are also frequent references to invasions of airspace by allegedly American planes and directed missiles. Whether this is true or untrue I have not the least means of knowing, but it is believed and that is the important thing. A generation is growing up which believes that that is what we want to do. That is why they are saying, "We are afraid of you and we have got to resist you."

The other thing they are saying is this, "We are not afraid of you, because we believe we have a way of life which is much better than yours. Do not think we want what you British and Americans have. If you think we want what you regard as civilization, defend us from it. We are producing something infinitely more worthwhile which is an example to the rest of the world." We can dismiss this by saying, "This is the last thing we want," but we are dealing with a very large section of the world's population which passionately believes this and believes it with all the enthusiasm of a propagandist and of a missionary.

This is the situation, and how does one cope with it? I do not believe the answer is to look back to the regime of Chiang Kai-shek and the golden age—which I should have thought was anything but a golden age. I wholeheartedly agree with what was said about the United Nations and British policy. Surely something more could be done in the way of unofficial exchanges at this stage. I know that some of your Lordships used to have exchanges with Russia 20 or 30 years ago when we were trying to bring about better relations. I believe that those exchanges did a great deal. I am sure that that kind of thing can be done between China and the West by people who really care, who really believe in peaceful coexistence. I hope that a consequence of this debate will be to convince China—for I am sure she will take note of what has been said in this debate—that, although many of us are distressed by some of the things she does and are dismayed by her attitude in some things, yet we extend to her our sympathy and we want to show her our friendship. We believe it is possible for us to live together in peaceful coexistence.

(6:34 p.m.)

Lord Hankey. My Lords, I hesitate to add to the length of this debate at this hour, but I should like to say one or two words about the economic aspects of relations with China. I believe it can be assumed rather too facilely that China is shortly going to be a great economic power. I do not believe that is so. It took the Russians between 30 and 40 years, from 1920 to 1960, to build up the vast economy they have created. Their progress was interrupted by the war, but, on the other hand, they had very capable people. The Chinese are at least equally capable. They are perhaps, as has been said today, among the most capable people in the world, but they start from even further back than the Russians did. So that I believe it is not an exaggeration to say that it is likely to take the Chinese 30 to 40 years, starting from, say, 1950, to build up any comparable economic power, without which one doubts that they can attain the full measure of very-great-power status of which they are capable.

Meanwhile, it is a most serious matter that the Chinese should be applying the doctrine of exploiting the contradictions of the outside world in the way in which Lenin and Stalin laid down in their writings. It is a matter of great concern that a power even with the economic backing which China has should be beginning to do this. Fortunately it seems to me that the Chinese have considerably overplayed their hand. Diplomatic relations have been broken off with them in country after country, in Africa and elsewhere, because they have given so much offense. It is a good thing that they have suffered this setback. But it is unlikely that people with the subtlety and intelligence of the Chinese will always continue to do this. I am sure that we must expect to have a great deal of trouble from them if and when they get into the United Nations. I share the opinion of the noble lord, Lord Caccia, and other noble lords, that the Chinese ought to be in the United Nations, because that body ought to be universal. But we should be under no illusions about the amount of trouble we shall have with them.

Fortunately, the Chinese and the Russians seem to be at odds, and I should like to draw attention to the possible economic factors behind that. The Russians have for years been developing their Far East into a very rich economic territory, but the difficulty about it is that it is the coldest part of the earth's surface and it is hard to get people to work there. The czars tried to send people there as a penal settlement, and the Communists continued that policy; but it was not very successful because people undergoing penal servitude do not work very readily. Then they have tried paying people extra amounts to go there, and that has yielded some results. But basically the thing has to be done with machines, because Europeans do not seem to like the far northeast very much. The necessity for machines explains the extraordinary pressure on oil tanker wagons on the Trans-Siberian Railway and the building of pipelines and other measures with which we have become familiar. But that great open space could well be filled by Chinese people, and one wonders whether perhaps this demographic pressure from the south explains a good many of the frontier incidents of which the Russians have complained, and the general deterioration of relations between Russia and China. So that it seems to me there are perhaps more than plain ideological differences between the Russians and the Chinese which are likely to affect their relations.

We have heard that the Chinese do not seem to be afraid of war, but hitherto the Chinese have not had much to lose. I foresee that as they build up their industries—and inevitably they will build them up—they will have more and more to lose, and will become more and more reluctant to face the tremendous risk of war. Therefore in the long run I do not think we need to be pessimistic about relations with China. In the long run, by the time they have become powerful enough to be dangerous, they will also have become vulnerable enough to be cautious. Therefore, I hope that in the very long run we do not have to be too pessimistic. The real trouble is the short and the middle run. There I believe we have to be careful. I sympathize a great deal with what was said by the noble lord, Lord Bourne, that if we create a vacuum in southeast Asia somebody else is sure to flow into it, and it is quite likely to be the Chinese. That, I believe, is a very good reason for maintaining our power, and the power of the Commonwealth and of the Americans, in that area, not in order to dominate it, but in order to work with its inhabitants to protect it and encourage it to protect itself.

I believe that, in spite of the difficulties of our economic situation, we have to envisage sensible policies of aid to those countries. We have done a great deal in that area. We have encouraged others, also, by the Colombo plan and other measures, to do the same, and I believe that a very intelligent and forward-looking policy of aid to those countries is very necessary.

The noble lord, Lord Caccia, mentioned the difficulty which there is likely to be if and when the question of China's admission to the United Nations becomes more actual; that there will have to be a solution to the problem of Taiwan, of Formosa. It is rather remarkable that Taiwan has become so prosperous, that it is among the countries which is considered to be on the point of economic take-off. I do not know whether that analogy with an airplane is a good one, but the strides which Taiwan has made are quite remarkable. I hope that, when an agreement has to be made with the Chinese, we shall not have to sacrifice a territory which has done so relatively well.

Then I think we have also to recognize that we must continue to find a place in the Western World for Japan. Japan has done a magnificent job in building up industries —from our point of view perhaps too magnificent a job in building up exports. But there is no doubt that Japan deserves a place in the Western World, and I think that, as she gets more and more industrialized, she will also become a better and better market for British products, if we know how to sell our products there.

Your Lordships may say that this amounts to a policy of containing China, and I believe that in the short and middle run such a policy is indeed necessary. But we should continue, I am sure, to study with the utmost care, and to the best of our ability, what is happening inside China, though it is extremely hard to do.

I was particularly interested in what the noble baroness, Lady Summerskill, said, because I believe that the social policies of China would repay study, and that they are of very great interest. No doubt we shall have to take all that into account in framing our policy. But I personally get very impatient when I hear some people—notably across the Atlantic—talking as if China can be written off. China certainly cannot be written off, not only because it contains such a vast number of people, but also because it is infallibly going to have a very big economic future in the long run.

I am reminded of the Moscow story about the man who received a questionnaire from the police, the last question of which asked, "What is your attitude to the Communist Party?" He wrote in his reply with sacrilegious impertinence, "The same as my attitude to my wife." In due course, the police sent for him and said, "Well, comrade, we are not accustomed to being answered in riddle. What does this mean?" So the man said, "It is awful, but I have to live with her." That is the attitude which we shall undoubtedly have to adopt to Communist China.

(6:45 p.m.)

The Parliamentary Under Secretary of State for Foreign Affairs, Lord Walston. My Lords, my noble friend Lord Kennet set a very high standard when he started this debate, by giving us the benefit of the very great deal of thought and knowledge which he has acquired, even if he has acquired it without an actual visit to China—and here I must differ from my noble friend Lady Summerskill; I do not think that that necessarily makes him any less of an expert on the subject—and he presented it with such clarity that it was very easy for all of us to follow him.

Those who came after him lived up to that high standard, and it is not merely a matter of formal words when I say how very happy I was to hear the maiden speech from the noble lord, Lord King-Hall, delivered in such a delightful way and with so much sound commonsense and understanding of these problems.

I think it is better, rather than to try to deal individually with the different points raised, if I divide this subject of China—a wide subject, as many noble lords have pointed out—into two main headings: the internal policies of China and her external policies. First of all, there are the internal policies which she has tried to follow. I am here in complete agreement with my noble friend, Lady Summerskill, in giving the highest praise to the social advances which undoubtedly have taken place in China during these last years. It is undoubtedly a magnificent achievement, and I think many of us could learn a great deal from it. The right reverend prelate, the bishop of Southwark, was most helpful in his short contribution, when he spoke of the dynamic new puritanism and the sense of service which there undoubtedly is in China today. But that should not blind us, of course, to the fact that, in spite of their belief—as we all believe, in fact, in the Western World, too—that welfare is better than warfare, they do have a standing army of something in the neighborhood of 2½ million men and a militia, which is largely under arms, of over 10 million men; that they have spent a very considerable proportion of their scarce resources, not only in developing peaceful benefits for their population, but in developing nuclear weapons also. So they do not stand in a white sheet when it comes to the use of their resources solely for peaceful purposes.

We must also not close our eyes to the fact that there have been, and still are, very many instances of abominable cruelty, oppression, and suppression of liberty, which for us in this country is something entirely unheard of and which we find hard to comprehend. In our admiration for the advances they have made we must not forget this other side of the picture. But, again, as the noble lord, Lord Caccia, pointed out, the former state of China, in the older days, was in itself a bad one; one of poverty and oppression and hardships probably far greater than are experienced today.

I mention those points only so that one should not get the idea that now that China is a Communist country all is well, or that, because we know that there are certain cruelties and oppressions, all must be ill. There is, as in every other country, a mixture of good and bad. My own guess, although I have never been there (but I have read and studied a certain amount about it), is that in general the life of the ordinary person in China today is probably slowly improving over what it was in the past. And we sincerely hope that this will go on, because we wish China well. We wish their economic progress to advance far more rapidly than it has done before, and we hope that, as the economic progress advances, so will personal freedom and the liberty of the individual in China advance also. There is, I believe, room for a thousand flowers to bloom in the Chinese garden, not only in the intellectual garden but in all other gardens, too; and, in particular, in the garden of the ordinary man and woman in China.

It is because of this desire to see China advance economically and to advance toward further freedoms, too, that we cooperate with China in economic and cultural matters—and I was very glad to hear almost every speaker in this debate advocate that this is what our policy should be. We believe that it is not only in their interest, but in ours also, that their economic progress should be accelerated; and we do what we can to help. There was, as your Lordships know, the Trade Fair in 1964, which my right honorable friend the president of the Board of Trade attended. Following upon that trade fair, and possibly (and I hope) as a result of it, there has been a very gratifying increase in our exports to China. They went up, in fact, by some 44 percent in 1965 compared to 1964, and there was a very nearly corresponding increase of exports from China to ourselves. That is all to the good. The only restriction which we place on trade, as the noble Lord, Lord Caccia, reminded us, is for items of strategic importance. Otherwise, we do all that we can to encourage trade in itself and to encourage visits by British businessmen to China and Chinese trade missions to this country.

We adopt the same attitude on the cultural side. As the noble lord, Lord Caccia, and the right reverend prelate both advocated, we want to see a far greater interchange between China and ourselves, not only of politicians and of businessmen but of students, of intellectuals in the wider sense of the word, and of ordinary tourists, also. Of course, there are many difficulties in the way. Cost is a very great factor. It costs a very great deal of money to travel between here and China. Language is another difficulty. There are very few young English people, or even older English students, research workers and professors, who can speak Chinese, and that is naturally a great handicap in going there. But there are at the present time some 50 Chinese students in this country, and there is also a smaller number of British teachers now in China. We certainly should like to see a very great growth in two-way exchanges; and we not only put no impediments in the way, but actively do what we can to encourage them.

On the more domestic side, we have a Chinese mission in London, just as we have a British mission in Peiping. Unfortunately, we do not have Ambassadors in either place; we have only Chargés d'Affaires. The reason for that is not for any lack of good will on our part but because, so far, the Chinese have not agreed to the appointment of an Ambassador. I mention these matters to show that, on the economic and cultural side, we believe that we should have closer contacts with China and that they can be only to the benefit of both our countries and the world in general. I share the hope that other noble Lords have expressed—in fact, I would say the belief that other noble Lords have expressed—that, in the long run, this will lead, as it has done in so many other Communist countries, to a far greater tolerance at home, to a lessening of hostility abroad, to a greater understanding of the problems that face other countries, to a greater understanding of their real intentions and to a greater realization that even though people may have different colored skins, speak different languages and be brought up in different surroundings, yet basically their desires and ambitions are very much the same; that is to live at peace with their neighbors and to enjoy the good things of this world.

Let me turn now from the internal aspects of China to her external activities. May I say to my noble friend Lady Summerskill right at the outset, for fear that I might forget it later, that there is no substance whatsoever in the Chinese charge that we are allowing Hong Kong, or shall allow Hong Kong, to be used as a base for military aggression by our American friends. We do allow, and we rightfully allow, American forces to come for recreation to Hong Kong from time to time, but that is a very different matter indeed from allowing it to be used as a base for aggression.

Many noble Lords have pointed out that over the years the Chinese have used very harsh words in their descriptions of and their attitudes toward foreign countries, principally toward the United States and toward the Soviet Union. There is no need for me to quote or requote to your lordships any of those sayings; but it is worth remembering that in spite of the words they have used—not only harsh but truculent and belligerent words—they have so far acted with prudence. They have shown, I am happy to say, determination to avoid any direct military confrontation with the United States or with the Soviet Union—and similarly, of course, so has the United States with regard to China. But in certain places—and it is only right to point this out—they have shown something more than aggression by words. They have, as I think the noble Lord, Lord Birdwood, reminded us, actually committed an aggressive act in Tibet, and a very successful and a very bloody one. They have attempted the same thing in India, but fortunately without success—though it is significant, perhaps, that they have not gone further south, as the noble Lord, Lord Bourne, also pointed out.

But we must remember—and here again I am in agreement, as I was with almost everything he said, with my noble friend Lord Kennet—that they are, or give the appearance of being, dead scared. The right reverend prelate made that point, also. One of the frightening things about somebody being afraid of you is that when he is really afraid he may become very dangerous. So we cannot simply sit back and say that because they have used loud words but done nothing about it we have nothing to fear at all. We must always be prepared for those words to be translated into action.

Now, over the past years China has made many experiments in foreign countries; and almost without exception they have been unsuccessful experiments. She has been looking increasingly overseas in an attempt to extend her influence, and it is interesting to see, when one looks at it, that she has had a long succession of failures. There has been the breach with the Soviet Union and increasingly strained relations with many of the Communist countries of Eastern Europe. In addition to that, there have been the failures in Africa. China has made very great efforts in the past 2 years to win friends and influence people throughout the whole of the continent of Africa. The noble Earl, Lord Selkirk, asked me about Zanzibar and Kenya. I do not know exactly the extent to which China is active in any of those countries; but I would be surprised if, having made an attempt in the past, and that attempt having failed, it would give up entirely. Even if it has failed at the moment, I do not believe that this will be permanent.

It is worth remembering that both the Central African Republic and Dahomey have broken off relations with China. That is a mark of China's failure to get a foothold in that very important continent. They have also suffered a great loss of prestige following upon the failure of the Afro-Asian Conference, which was to have taken place in Algiers. Following on that, relations with Indonesia have become strained. Perhaps that is rather a mild expression for some of the exchanges which have been going on between Djakarta and Peiping. And, of course, they tried and failed to make any capital out of Kashmir. Finally (and other noble Lords mentioned this, too), there has been the curious incident of Cuba, where only a few days ago Dr. Castro actually spoke of the Chinese in the following terms. He said: "The Chinese Government carried out a criminal act of economic aggression against our country."

So if I were the gentleman in Peiping who is responsible for Chinese overseas policy in any of those spheres, I should be feeling distinctly uncomfortable at the present time. But the question still remains, as the noble Lord, Lord Birdwood, put it: should we be optimistic or pessimistic about the future plans of China? The answer is that we should be neither. Clearly, we must not be complacent. We must just not say: "These are only paper tigers; they talk but they mean nothing. Everything they try to do they fail. We need not bother about their internal fears." That would be unwise. It would be even more unwise for us to panic now and say: "Here is a great nation, with a quarter of the world's population now in possession of nuclear weapons, full of aggressive intentions and giving full warning of what it is going to do. We must be prepared in the next few years for a major explosion." That, I think, would clearly be wrong.

Our policy must be basically one of containment. We have no aggressive intentions against China, and I am sure that none of our allies has them either. But we have a very firm determination to protect any countries, and especially both the smaller and larger neighboring countries which are China's neighbor's, against any form of aggression or any threat that may come to them from China. I think it is worth pointing out here that although it is very understandable that China may want to surround herself with a series of buffer states, as many countries do, the danger is that a Communist buffer state does not remain a genuine buffer; it becomes a Communist state itself. Then the Communist area is extended, and further buffers are needed to protect that. That is why we are very firm in our determination not to allow any further extension of Chinese influence beyond her present boundaries.

As an example, if one were needed, we immediately dispatched aid to India in 1962 when she was threatened by China. We also have undertakings under SEATO, and various other alliances in that part of the world—as, for instance, our Malaysian defense agreement. All of these were designed in no way aggressively; but they serve to contain China within her present very large boundaries.

My Lords, there is one further thing that I should like to say on this. We have no desire, or intention, to destroy communism in China. That is no part of our plan. Our quarrel is not with Chinese communism. Insofar as we have a quarrel with China, it is with China's imperialistic and aggressive actions outside her own boundaries. We believe, with all other noble lords, that the right way in which we can fight and mitigate this danger is by China becoming a member of the United Nations. I will not rehearse the logic of it. It has often been done and is known to all of us. All sides of the House during this debate have agreed that that is what should be done. We have done already, and shall go on doing, all in our power to bring the United States to our way of thinking, and I very much hope that the unanimity which has been shown in this House this afternoon will not be without effect upon them; because, clearly, until China comes into this organization of the independent countries of the world, there can never be any peaceful settlement of all the manifold disputes and problems which arise continuously.

To sum up, our intentions against China are in no way aggressive. We will resist their imperialistic ambitions wherever they may appear. But on the internal side, so far as their own country is concerned, as long as they stay within their own boundaries we shall do all we can to help them in their economic and cultural progress. The more contact we can have in that way, and the more we can work together, the greater, I hope, will be the chances of our avoiding future catastrophe.

(7:06 p.m.)

Lord Kennet. My Lords, in thanking all noble lords who came to speak in this debate in the usual way, let me first say what a great pleasure it was—as it must be to any person who loves his country—and what a great surprise it was, to find a very large measure of agreement between noble lords in all parts about what sort of an animal China is and in what sort of a way we should treat her. It has been a most interesting debate. If I may take 5 minutes of your lordships' time to pick up various points that have been made, it was especially good to learn from the noble earl, Lord Dundee, speaking from the opposition front bench, that he shared the opinion which I put forward, and which was later confirmed by my noble friend, Lord Walston, that the Chinese are not on the up and up in the world, but rather on the down and down; that they are not doing well; and that we are not in any immediate danger of having to revise everything in order to contain them.

I also add my felicitations to those of all other noble Lords to the noble Lord, Lord King-Hall, on his maiden speech. It was an excellent one. I am very glad indeed that we have that lucid, bass voice amongst us. I have listened to it with so much pleasure and instruction in other fora for many years. I should like to assure my noble friend, Lady Summerskill that my story about the schoolgirl picking up leaves with a pin was not a story about penury or degradation or backwardness: it was, on the other hand, a story about the proper frugality of a very highly civilized people living in very great density. This was the point I meant to make.

One of the great charms of the House of Lords is the fact that people say so many surprising things and one wonders, "How on earth can he know that?" only to find that the answer is "Because he"—the man concerned—"was in the class I taught at school." We had a splendid example with the noble Lord, Lord Bourne, this afternoon, when he said that, had the Chinese wanted to seize Rangoon, and get for themselves a port on the Indian Ocean, and so transform the world in their favor, the Burmese Army could not have stopped them. How did he know that? It was because he had trained the Burmese Army. There are delightful obscure bits of knowledge that crop up. I thought that that observation of the noble Lord, Lord Bourne, was a significant one. It was not generally known. It confirms the general line I have been taking this afternoon as have many other noble Lords.

May I make what is rather a scholastic precision with the noble lord, Lord Caccia? He said that it is only an opinion that the Chinese have no intention of exercising their claims by force, so that we must continue to take precautions in case they do so. But the opinion to which he referred is one that I do not share. I think it is quite likely that the Chinese have the intention of exercising territorial claims by force. My opinion is that they do not have the intention of imposing by force domination on a country over which they have no territorial claims. This is the point. I mean Burma and Thailand and so on, not little bits of frontier.

Lord Caccia. My lords, if the noble lord will allow me, if we think in terms of Russia, it will not be just little bits of their frontiers.

Lord Kennet. But the distinction I want to make is between contested frontier areas, however deep they may be—and, after all, Tibet was of enormous depth—and those on which the Chinese make no claim. In my opinion, in those places we may not expect Chinese aggression.

With 9.9 percent of what my noble friend, Lord Walston, said, I heartily agree, and I am delighted that Government policy is as he outlined it. My 0.1 percent of disagreement with my noble friend was when he said that we must not allow any further extension of Chinese influence outside her present boundaries. I fear that if we try to stop that, we are going to have a hard time of it. If my noble friend had said "domination" or "hegemony" instead of influence, then I should have agreed 100 percent with him. I wonder whether Her Majesty's Government could look once again at the difference between influence and domination? We say that the United States has great influence in Latin America and that we have influence in Africa, but we do not dominate.

Lord Walston. My lords, I think I can persuade the noble lord to have 100 percent agreement with me. It was a misuse of words. Domination is the correct one. Influence we clearly cannot control.

THE UNCONTROLLED TRAFFIC IN DEADLY WEAPONS

Mr. DODD. Madam President, 4 months prior to the assassination of President Kennedy I introduced legislation to control the interstate commerce in mail order firearms. At the time I introduced that measure, through the Senate Juvenile Delinquency Committee, I had been investigating the problem for 2 years and was led to believe that I had, largely, the support of the gun fraternity. Now, 2½ years later, with the legislation still pending, I realize I was mistaken.

I can find no better illustration of the dangers of this uncontrolled traffic in deadly weapons, which includes everything from pistols and rifles to hand grenades, bazookas, bombs, and cannons than the stories printed by the Paterson, N.J., Morning Call.

On the second anniversary of the Kennedy death, the newspaper ordered a pistol in the name of L. H. Oswald from a mail order dealer in another State, and received it without question.

I ask unanimous consent that the stories, which speak for themselves, be printed in the Record at this point and commend a reading of them to my colleagues.

The publishers and editors of the Morning Call have illustrated, in printing this story, the threat to the community which exists because of this gun running in interstate commerce, and they should be recognized for their efforts. Both the reporting and editing were in the tradition of America's free press.

There being no objection, the material was ordered to be printed in the Record, as follows:

[From the Paterson (N.J.) Morning Call, Nov. 19, 1965]

Shadow of Tragedy: "L. H. Oswald" Buys Pistol

(By the Call's special investigation team)

On the eve of the second anniversary of President John F. Kennedy's assassination, the Morning Call yesterday received a .38-caliber revolver addressed to "L. H. Oswald" via express from an Oklahoma mail-order house.

The pistol, a Smith & Wesson Enfield Commando—similar in type and caliber to the one Lee Harvey Oswald used to kill Dallas Patrolman J. D. Tippit—was delivered to the newspaper's offices at 33 Church Street, Paterson.

A few hours later, the weapon and related documents were turned over to Attorney General Arthur J. Sills, attending a convention of the League of Municipalities at the Chalfonte-Haddon Hall Hotel, Atlantic City, by Call Reporter Richard E. Benfield.

Sills said: "This is another strong endorsement for enactment of Federal legislation so that guns could not be shipped by mail-order houses to individuals they had no check on."

In Paterson, Mayor Frank X. Graves said he received a subpena from Senator Thomas J. Dodd, Democrat, of Connecticut, sponsor of Federal gun-purchasing legislation, asking for 40 revolvers confiscated by Paterson police during arrests in recent months.

Dodd, the mayor said, intended to use these revolvers—all of which were purchased without a permit—to further his campaign.

The Call sent for the weapon under the obviously suspicious name in order to illustrate the ease with which guns bought through mail-order houses could fall into the hands of undesirables because of lack of restrictions.

Several months ago, the Call, searching through sports magazines, answered advertisements aimed at gun enthusiasts and received numerous catalogs—all of them addressed to "L. H. Oswald," 33 Church Street, Paterson, N.J.

Deciding to purchase the .38-caliber Smith & Wesson Enfield Commando, the Call wrote to P & S Sales Co., of Tulsa, Okla., and received a form letter which in part stated: "We are sure that you are just as interested as we are in taking reasonable and proper precautions to deter undesirable persons from obtaining firearms."

The letter also stated: "Note: We must have any gun permit that is required within your city, county, or State."

The Call did not enclose any gun permits required by the city of Paterson and the State of New Jersey when it returned the application.

Over the signature of the purchaser, requested on the application, P & S included the following statement:

"I hereby state that I am a citizen of the United States and that I have not been convicted in any court of the United States, territories, or possessions or the District of Columbia, for a crime punishable by imprisonment for a term exceeding 1 year. I certify that I am not a fugitive from justice, a mental incompetent, a drug addict or an adjudged drunkard. I further state that I am over 18 years of age, and that I am complying with my State, county and city laws."

The signature and address, signed by Joseph J. McGovern, assistant managing editor of the Morning Call were: "L. H. Oswald, 33 Church Street, Patersen, N.J." (Paterson was deliberately misspelled.)

Although McGovern completed the application November 6, 1965, he wrote October 4, 1966, above the signature, in order to test the alertness of the mail-order company.

And yesterday, a long brown box containing the revolver and addressed to L. H. Oswald was delivered to the Call office at 33 Church Street, by REA Express Agency.

The price of the gun was $18.95. The shipping charges were $4.20.

Controversy over mail-order sales of weapons was stirred immediately after the assassination of President Kennedy—killed with a mail-order Mannlicher-Carcano 6.5-millimeter Italian rifle obtained by Lee Harvey Oswald.

The pistol Oswald used to kill Dallas Patrolman J. D. Tippit also was a .38 caliber Smith and Wesson, which was similar to the one purchased by the Call.

Oswald, also using a fictitious name, ordered the revolver from Seaport Traders, Inc., of Los Angeles, Calif., under the name of A. J. Hidell.

U.S. Attorney General Nicholas deB. Katzenbach in urging a curb on mail-order sales of firearms said the Secret Service has frequently come across mental defectives who have access to guns.

Commenting on the application received and signed by the Call, Sills said the proposed

Federal legislation would require any out-of-State mail-order house to send the papers to a licensed dealer in the same State as the purchaser. The dealer, then, he said, would have to check on the applicant's qualifications.

"They would have to have more than a piece of paper saying 'I'm a good guy'," which in effect, Sills said, was what the Call signed.

"A gun such as this one cannot be carried in this State without a permit," Sills said, refusing to handle the weapon and instead turning it over to a State trooper.

Referring to documents concerning the purchase of the gun he received yesterday from the Call, the attorney general said they would be used in his fight to secure New Jersey legislation against firearms.

"This is just more proof of the fact the mail-order houses couldn't care less about the person to whom they are selling," Sills continued. "They just think of profit. They are merchants of death without any regard for the safety of society."

Mayor Graves said the 40 guns subpenaed by Senator Dodd even included the one he himself purchased through a mail-order house last April 15.

Dodd, the mayor said, was also interested in a gun with 50 rounds of ammunition found recently on an 18-year-old Clifton youth attending at Eastside High School football game at Hinchliffe Stadium.

In an effort to prove how easy it was to buy a gun, Graves last April bought a $13.95 money order and sent for a German-made 6-shot revolver from Global Import Co., in Chicago.

For his return address the Mayor listed: "Frank Graves, 151 Market Street, Paterson," which happens to be city hall.

On April 23, he received the package via railway express, athough he had volunteered no information about himself on the application.

CALL COMMENDED

A spokesman for Gov. Richard J. Hughes commended the Call for bringing the gun-purchasing controversy to the public in such a dramatic and effective manner.

The Senate Subcommittee on Juvenile Delinquency, headed by Senator Dodd has introduced a bill to make it a Federal crime to sell a gun to any one who would not be permitted to buy or possess a gun in his own locality.

Currently, Federal statutes prohibit gun sales if the distributor knows local laws are being broken. Dodd has argued that dealers can sell guns with ease under this law by stating: "I didn't know the purchaser had a record or used to be a mental patient."

Federal laws also do not permit prosecution of violators until after a crime is committed.

A spokesman for Senator Dodd said last night Federal authorities could do nothing about the gun purchased by the Call.

"Any one can send for this kind of stuff," he said, "and if it violates State or local laws, then the dealer can say he didn't know about it."

Under present New Jersey gun laws, a person must have a police permit to carry or to purchase a pistol and a revolver. However, rifles and shotguns do not require registration.

The pistol received by the Call yesterday did not violate State statutes, because the gun was sold in Oklahoma, not New Jersey. However, it is illegal to carry a concealed weapon in New Jersey.

But there is no law in New Jersey saying someone can't buy a gun in Oklahoma without a permit—the law only says a citizen in this State can't buy a gun in New Jersey without a permit.

However, Attorney General Sills has received more mail on the gun registration than on any other issue since he took office.

Sports enthusiasts contend the legislation would give too much power to police chiefs and would harass them.

Others have professed a fear of an invasion by Communists, stating that it was their constitutional right to bear arms against an invading enemy.

Commenting on the revolver received by the Call, Paterson Police Chief John T. O'Brien said:

"This once again demonstrates how easy it is to get these weapons. And when you consider some of the people that send for them you can imagine the potential dangers.

"The problem is they don't ask for gun permits, or if they do it's just ignored. That's why we want Federal controls. * * * The fact they didn't notice the L. H. Oswald signature shows right away dealers are not very observant."

[From the Paterson (N.J.) Morning Call, Nov. 19, 1965]

PACKAGE FOR MR. OSWALD

The story of the mail-order gun on our front page today should awaken a lot of people.

That deadly .38-caliber revolver slipped through all existing gun control regulations. It could have armed a madman, a fugitive criminal, or a drug addict just as simply as it whisked, with no questions asked, from an Oklahoma mail-order house to a fictitious L. H. Oswald at 33 Church Street, Paterson.

It could not have been very different from the fateful transaction which landed a gun in the hands of the real L. H. Oswald a mere 2 years ago, and bloodied a noble page of this country's history.

There was determination after that gun was used to assassinate the President that this easy access to firearms would be closed. How little has been done is quite clearly shown by the speedy accommodation of "L. H. Oswald's" patently questionable mail order for catalog No. M355—a 6-shot Smith & Wesson Enfield Commando.

That "L. H. Oswald" ignored a form letter advisory to send locally required firearms purchase permits; that the notorious name was legibly inscribed to that form, along with an impossible date a year in the future, did not seem to interest the mail-order house, despite its pious claim of concern to deter undesirable persons from obtaining firearms.

This incident cannot help but give impetus to demands for sensible control of firearms sales. More immediately, it should jar State and Federal authorities into strict enforcement of existing regulations.

Had the Oklahoma mail-order house complied with the regulation prohibiting shipment of guns until proper permits are in hand, the Smith & Wesson would never have reached Paterson. Had the express company complied with the regulation that a gun cannot be delivered to a customer until he has produced a copy of the permit, the Smith & Wesson would never have been left at our door.

Apart from all this, had there been an exercise of prudence anywhere along the wide-open route between the Oklahoma gun house and the fictitious "L. H. Oswald," on Church Street, there would have been no transaction. If after the Kennedy assassination there remained any doubt that an irresponsible traffic in firearms exists, the gun story on our front page today should remove that doubt with finality.

[From the Paterson (N.J.) Morning Call, Nov. 20, 1965]

GRAVES URGES CITIZENS TO REGISTER FIREARMS—KATZENBACH AND DODD RENEW GUN-CURB BID

REGISTRATION URGED

Mayor Frank X. Graves, Jr., yesterday appealed to the citizens of Paterson to register any firearms in their posesssion, and set up a special service for the project.

The mayor immediately assigned Lt. Peter Ventimigila and Detective Joseph Meola to conduct the registration program, and urged citizens to call Mulberry 4–3111 to make arrangements for registration.

"The police will make an appointment to come to the home and take down the necessary information," Mayor Graves said. "We do not want people to bring their guns to headquarters."

The mayor issued the registration appeal in conjunction with the Morning Call's campaign to end the increasing traffic in illicit firearms. Mayor Graves himself tested the loopholes in the mail order gun trade regulations by purchasing a gun without permit or identification.

COMPANY IN CLEAR

(By Daniel Weissman)

Treasury department agents in Tulsa, Okla., yesterday termed the mail-order transaction that brought a .38-caliber pistol to the Morning Call under the fictitious name of L. H. Oswald perfectly legal.

Although the official report of the probe of the gun-shipping deals made by P & S Sales of Tulsa will not be ready until Monday, Bill Gibson, Internal Revenue Alcohol and Tobacco Tax Unit investigator in charge of the study out of the IRS Dallas office, said: "I have investigated this company and have found they keep a good set of books and records. At this point, I have been unable to find a violation of the Federal firearms statute."

The preliminary finding by Gibson confirms what U.S. Senator Thomas J. Dodd, Democrat, of Connecticut, leading sponsor of a Federal firearms bill to prohibit illicit sales of weapons, has been saying—that anyone who wants a gun in this country can get it.

Dodd pointed out the Call's successful attempt to buy a weapon by devious means and have it shipped to the newspaper's 33 Church Street office with a minimum of questions asked is clear proof there is no effective legislation to keep deadly weapons out of the hands of persons who would use them against society.

A spokesman for the IRS in Washington said the investigation of the Oklahoma firm was ordered on the basis of the copyright story appearing yesterday in the Morning Call.

The investigation became a double-barreled affair when Paul A. Hankins, supervisor of the IRS Alcohol and Tax Unit serving the north Jersey area, dispatched an investigator from Newark to the Morning Call office to gather all information and documentation of the actual purchase of the British surplus hand weapon that was used by the Commandos during World War II.

He took back copies of the original order, made out in the name of "L. H. Oswald," a letter sent to the newspaper by the gun company asking for a permit, and a copy of the Railway Express stub for the delivery of the gun.

The pistol was ordered by Joseph J. McGovern, assistant managing editor of the Morning Call. McGovern intentionally did not send back the requested pistol permit and misspelled Paterson "Patersen" and put a wrong date at the top of the order to test the alertness of the company.

Despite the intentional oversights and mistakes in the order and the disregard of a notation at the bottom of the required confirmation of oath and good character that a State license must be submitted with the letter before the gun would be sent, the pistol was delivered.

Robert E. Sturgis, president of the mail order firm dealing exclusively in firearms, said, "I have nothing to say at this time, I would like to see the story."

Sturgis's answer to a question asked why the gun was sent despite the intentional mistakes and oversights, was: "We depend on the integrity of our customers." He added that the permit was the responsibility of the customers.

According to Federal statutes governing the sale and possession of pistols, a person found guilty of a violation can be fined not more than $2,000 or be imprisoned for not more than 5 years or both. In addition, the violator, who is guilty of a felony, is ineligible to get a license for 15 years.

Because of the suddenness of the probe, started by the Morning Call story, the IRS spokesman in Washington said, "We are neck deep trying to put ends together." He indicated a formal statement could be expected Monday.

The .38-caliber Smith & Wesson, Enfield commando pistol ordered by the Call was described as a weapon never meant for anything but close-range killing. According to reliable reports, American servicemen who have been exposed to the double action pistol that does not have to be hammer cocked to fire, refer to it affectionately as "The gut buster."

The gun, built by Enfield in England, is of a design patented by Smith & Wesson. It is named after a British World War II commando.

OFFICIALS INDIGNANT

(By Richard Benfield)

U.S. Attorney General Nicholas deB. Katzenbach said yesterday that the purchase of a .38-caliber pistol by the Morning Call under the fictitious name of "L. H. Oswald" was another demonstration of the need for Federal controls over the interstate shipment of guns.

U.S. Senator THOMAS J. DODD, Democrat, of Connecticut, who is proposing a Federal gun control law to make it a Federal crime to sell a gun to any person not permitted to buy or own a firearm in his own locality, said: "Today, almost on the eve of the second anniversary of the assassination of John F. Kennedy, it is as easy to purchase a mail-order gun as it was for Lee Harvey Oswald."

"The experience of the Paterson Morning Call in purchasing a gun by mail order under the name 'L. H. Oswald' again reflects the need for Congress to establish what President Johnson called for early this year—reasonable regulations of interstate shipments of the tools with which criminals work—guns," Katzenbach said.

"As long as I live I can never forget that it was a mail-order rifle, sent to a post office box that had been rented under an assumed name by a man with an established record of defection and instability, that killed President Kennedy."

DODD, who has been pushing for gun legislation for 5 years, said:

"The Morning Call has once again proved what our congressional committee—the Senate Subcommittee on Juvenile Delinquency—has been talking about since 1961—that there is an unscrupulous element in the gun business that will sell a murderous weapon to anyone including emotionally disturbed youths, criminals, and would-be assassins."

DODD scored gun lobbies which, he claimed, have been grinding out mountains of propaganda against his gun control legislation.

"I do not intend to let these gun lobbies thwart the demand of the American people in the next session of Congress," DODD said.

"Enterprising journalism such as this focuses public attention and will result in a demand for action by the public. I urge all your readers to write their Congressmen and Senators demanding stricter Federal gun laws."

Citing the copyrighted story which disclosed the Morning Call's purchase of the pistol from P & S Sales of Tulsa, Okla., Camden Mayor Alfred R. Pierce, president of the New Jersey League of Municipalities, told the league's convention in Atlantic City:

"I want each and every person holding public office to realize the dangerous situation this poses."

The article, describing how the pistol was sent to the fictitious "L. H. Oswald," without any attempt to check the character of the buyer, appeared in the Morning Call yesterday.

Pierce, in one of his final acts as president of the league, read a complete description written by a Call reporter of how the gun was obtained.

While he had no specific solution as to how the sale of guns could be curbed, Pierce said, he considered the situation serious enough to warrant the attention of the convention.

Since a 10-day advance notice must be given for a vote on any resolution, the convention could take no action on Pierce's statement, but high municipal officials throughout the State expressed concern over the danger.

"I think it poses a definite threat to the well-being of the private citizen," said Hawthorne Mayor Louis Bay II, who was elected first vice president of the league.

Bay added that although he doesn't believe in preventing individuals from carrying firearms, some safeguard must be established to prevent the weapons from getting into the hands of irresponsible persons.

"The situation needs a lot of thinking so we can achieve the ends we want," Bay said.

Meanwhile, statements of concern from high officials throughout the Nation continued to stream into the Call offices.

John J. McCloy, a member of the Warren Commission which investigated the assassination of President Kennedy, also came out for some form of Federal gun control.

McCloy, Under Secretary of War under President Franklin D. Roosevelt and a self-described sportsman and gun enthusiast, noted the Government must be careful of placing undue restrictions on legitimate sportsmen.

"But," he said, "I do think some measure requiring credentials of a gun buyer would be a good thing."

Another strong supporter of gun control legislation, Representative CHARLES S. JOELSON, Democrat, of New Jersey, expressed hope the Morning Call article would arouse public indignation against the deplorable situation regarding the interstate sale of guns.

"I think the more people realize how easy it is for unidentified people to get guns, the more pressure will increase to get tighter gun control," the Congressman said.

JOELSON, who is currently vacationing in Florida, noted he sponsored a bill which would have required guns sent by mail to go to the chief of police, rather than the buyer. The chief would check out the character of the buyer, JOELSON noted.

"Realistically," he added, "I think there's too much interest in this because the National Rifle Association and others have distorted the issue out of proportion."

In Washington, aids to U.S. Senators CLIFFORD P. CASE, Republican, of New Jersey, and HARRISON A. WILLIAMS, Democrat, of New Jersey, said the two lawmakers were optimistic the Morning Call article would create interest in curbing the interstate flow of guns.

[From the Paterson (N.J.) Morning Call, Nov. 20, 1965]

MORE GUNS OFFERED

PATERSON.—The day after the Morning Call received a mail-order pistol addressed to "L. H. Oswald," the gun firm which sent the weapon tried to interest its supposed customer in other purchases, with the newest fall catalog.

The brochure, listing a variety of guns and rifles, came from the P & S Sales Co., Post Office Box 155, Tulsa, Okla.

The catalog arrived at the 33 Church Street office of the Call yesterday morning, as the newspaper was on the stands with a description of the easy mail purchase from the firm of the gun, without a permit, by a customer with an obviously suspicious name.

The catalog was addressed with an automatic device, indicating that "L. H. Oswald" is now, or was, on the regular mailing list of the firm. The city is incorrectly spelled "Paterosn," apparently a typographical error.

Listing sporting goods and clothing, the catalog has a 2-page spread showing more than 30 firearms.

The display, with pictures and descriptions, includes a working grenade launcher. Also for sale is an M–1 Garand rifle, a basic infantry weapon in World War II. The blurb beneath it reads, in part, "Pumps out bullets as fast as you can pull the trigger."

Underneath a toy rifle, the caption says, "war games will come to life when backyard soldiers use Trainerifle, modeled after the army Springfield .03"

Among the cheaper weapons, a 7.62-millimeter M–91 Russian rifle is offered for $7.

[From the Paterson (N.J.) Morning Call, Nov. 20, 1965]

CITIZENS FAVOR TIGHTER FIREARMS REGULATIONS; ENFORCING FIREARMS LAWS

(By Michael Batelli)

Paterson residents are shocked that 2 years after the murder of the 35th President of the United States, a person named "L. H. Oswald" could still buy a gun without question. They urged more stringent laws to control mail-order weapons.

Those interviewed on the anniversary of the death of President Kennedy—exactly 2 years ago today—complimented the Morning Call for dramatizing the accessibility of mail-order revolvers to undesirables.

The Call, Thursday received a .38-caliber pistol from an Oklahoma firm under the obviously suspicious name of "L. H. Oswald," although none of the required permits had been remitted to the mail order house.

One person a veteran of World War I commended the Morning Call for actually going through the process and purchasing a mail-order house weapon to prove how easily any person can buy a gun.

Another, a veteran of World War II and a widely known sportsman, urged enforcement of existing laws with a mandatory penalty of 20 years for any crime committed with a gun of any type.

Louis Feldman, of 330 East 23d Street, Paterson, who has had experience with firearms since World War I, said, "I am glad to see the Morning Call push for greater control of mail-order house sale of guns. I am 100 percent in accord with the Morning Call that your story of Friday morning should awaken a lot of people."

"It is disgraceful," Feldman added. "Here we are on the eve of the anniversary of the assassination of President (John F.) Kennedy by such a gun, and you can still order a murderous weapon through a mail-order house."

Mrs. Sidney Horowitz, wife of a partner in Edwin's Sport Shop, 217 Market Street, Paterson, said, "I am certainly in accord that something must be done to control traffic of guns from out-of-town mail-order and discount houses."

Pointing out that there has been a lot of pressure from certain sporting groups to ward off any new gun control laws, Mrs. Horowitz added, "The Morning Call proved that people can still purchase firearms without too much trouble."

Stanley M. Levine, of East 42d Street, Paterson, a Passaic Valley water commissioner known as a fisherman and hunter, was strong in his belief that there are sufficient controls over guns.

"What is lacking," he declared, "is enforcement of existing regulations."

He favored the National Rifle Association stand that stiffer penalties and enforcement of present laws are needed.

"Give criminals who use firearms to commit lawbreaking acts mandatory jail sentences of 20 years," Levine suggested. "The thought of spending 20 years in confinement would deter others from illegal use of guns."

Levine agreed, however, that more stringent control over mail-order guns is necessary.

William Purdy, of Tamarack Road, Wayne, a warrant officer in the Passaic County sheriff's office, said, "There should be a definite check of the mail-order house gun. The Morning Call vividly showed how simple it is for anyone to get hold of a gun. It is not a good practice, and it should be stopped before another murder is committed."

Carl Buchner, of De Sepo Avenue, Hawthorne, said guns should be purchased in person, not through the mails or any other way. "I believe if a man wants a gun he should be man enough to stand up and purchase the gun at a store and not buy it through a mail-order house."

Walter Riley, of East 24th Street, Paterson, agreed. "I don't think guns should be bought through a mail-order house. It is a known fact that purchase of small arms (handguns) is illegal."

Eugene Davis of Georgia Drive, Wayne, believes the sale of guns without control should be stopped entirely. "There should be an investigation of any proposed gun purchase, whether it be for marksmanship, a starter gun, or any other type. I don't believe in killing and I certainly favor the strictest possible control over guns."

Herman Croland, of Glen Rock, a Paterson industrialist, said, "I agree there should be more control over guns. There is no doubt that it is easy for anyone to get his hands on a gun which could very easily be turned into a murder weapon or a tool to commit crime.

"The Morning Call did the correct thing in accentuating the ease one can buy a handgun. There must be laws strong enough to bring gun purchase applications immediately to attention of authorities."

Peter Currie, a South Paterson sporting goods dealer, declared, "It is not right for mailorder houses to sell guns without a permit."

He blamed legislators for lack of laws to control sale of firearms.

"Anything under 26 inches should be purchased with acknowledgement and under control of local police departments," Currie added. "Your newspaper is absolutely right. Guns should not be sold through mail-order houses to unknown purchasers."

Gene Russo, of Main Street, Paterson, stopped looking over fishing equipment to say, "I am in favor of registering all weapons. I agree 100 percent that there should be more controls over mail-order houses selling guns through advertisements to buyers they know nothing about—who they are, or how old they may be."

A man, who showed his NRA membership card, agreed with Levine that there are sufficient laws on the books to control gun sales and guns. "What we need is better enforcement of the laws we have. Let them sentence criminals caught with guns to mandatory 20-year jail terms, and you'll see less and less guns used in crimes," said the man who asked not to be identified for personal reasons.

He, too, agreed with the Morning Call on the urgency of control of firearms sales and immediate enforcement of existing regulations by State and Federal authorities.

[From the Paterson (N.J.) Morning Call, Nov. 23, 1965]

Thevos Will Investigate—Gun-Sale Probe Moving to County

(By Richard Benfield)

Investigations of the sale of a .38-caliber revolver to the fictitious "L. H. Oswald" will be transferred to Passaic County later this week, it was learned yesterday.

Governor Richard J. Hughes reached by the Morning Call aboard the SS *Constitution,* sailing from Spain, said he would push for enactment of gun-control legislation by the end of January.

State Police Maj. Frank Halley of the attorney-general's office said the investigation would be placed under the jurisdiction of Passaic County Prosecutor John G. Thevos.

Noting that the gun was purchased from a Tulsa, Okla. mail-order house by an editor of the Morning Call, Halley said:

"The entire transaction took place in Passaic County so it is only normal that officials of that county should conduct the investigation."

According to Halley, State Police officials, who have been working on the case since last Thursday, will turn their information to Thevos.

In Paterson, Thevos said it was uncertain how his investigation would be conducted. He announced his intention to question Assistant Managing Editor Joseph J. McGovern, the man who purchased the weapon under the name of Oswald.

Meanwhile, Federal officials in Oklahoma last night were continuing their investigation of the gun sale in secrecy.

Officials of the Internal Revenue's alcohol and tobacco-tax unit failed to comment further on the sale of the .38-caliber S. & W. Enfield Commando pistol by the mail-order firm of P & S Sales of Tulsa.

Paul A. Hankins, supervisor of the Internal Revenue Service alcohol and tax unit serving north Jersey, stood by earlier declarations of Treasury agents that the sale of the revolver was legal.

The transaction culminated last Thursday when the revolver was received at the Call offices, just days before the second anniversary of the assassination of President John F. Kennedy.

In ordering the pistol from the Tulsa firm, McGovern deliberately refrained from sending the requested pistol permit, to test the alertness of the company.

Reached by ship-to-shore radio, Hughes told the Call his gun-control legislation would not interfere with sportsmen.

The vacationing Governor asserted his proposal would assure that narcotics addicts, ex-convicts, subversives, and persons with records of mental instability could not obtain firearms.

Hughes disclosed he planned to discuss with lawyers Friday the possibility of a State law making it a misdemeanor to obtain a gun through the mails without a permit.

Such a measure, he said, might fill the need for that kind of legislation pending enactment of a Federal gun-control law.

However, Hughes said that his idea for a State bill controlling the mailing of guns might infringe on Federal prerogatives.

The Governor gave strong endorsement to the Federal gun-control measure proposed by U.S. Senator THOMAS J. DODD, Democrat of Connecticut, that would control the interstate flow of firearms.

In Paterson, State Senator Anthony J. Grossi, Democrat of Passaic, said the Call article demonstrated the need for legislation to keep guns out of the hands of irresponsible persons.

Grossi, regarded as a strong contender for the office of State senate president, called the article a public service showing the ease with which guns can now be obtained.

[From the Paterson (N.J.) Morning Call, Nov 23, 1965]

Murder by Mail

This newspaper has demonstrated that all it takes to get a gun are $23.15 and a postage stamp. No bother about permits, registration, or the other regulations that are supposed to protect the public; just send the money, and you have yourself a gun.

We offered the Oklahoma mail-order house every opportunity to trip us in our test of existing controls on firearms sales:

The order was made out in the name of President Kennedy's assassin (who used a mail order gun).

No gun purchase permits were enclosed, as prescribed on the mail-order house's tear-out order blank.

A form letter reminder as to the permits, primarily seeking the customer's signature on a statement that he wasn't a criminal, dope addict, or adjudged drunkard, was clearly signed with the Oswald name and mailed back—without permits.

"Paterson" was misspelled, and absurd future dates were used.

In short, the mail-order house was supplied every reason to check out this order on suspicion it came from a child or a madman. Instead, the company not only shipped out the gun but the next day shipped a fresh new catalog to L. H. Oswald.

Mayor Graves, who is keenly aware of the relationship between easy mail-order gun purchases and crime on the city's streets, personally tested loopholes in existing firearms regulations by purchasing a revolver himself, no questions asked, from a mail-order house. In addition he has shipped off to Washington 40 unregistered mail-order guns picked up in the course of routine police patrol in the city of Paterson during the last few months.

One of these mail-order guns was taken from an 18-year-old spectator in a crowd of 3,000 at a high school football game here 2 weeks ago. Another was knocked from the hand of a barroom customer who was about to fire it point blank into the face of a policeman.

While others in government are passing the buck or denying it exists, Mayor Graves is placing the power and resources of his office behind the Call's crusade to end this mail-order gun menace. He has appealed to the citizens of Paterson to register their firearms, and has detailed a team of policemen to help them.

Admittedly there's a limit to the effectiveness of local gun registration. It is not a substitute for realistic—and strictly enforced—State and Federal firearms purchase regulations. But the mayor's concern in the problem and his vigorous dealing with it at the local level should strengthen the resolve in Congress and the legislature to act on the firearms menace—act quickly, once they get back to work.

[From the Paterson (N.J.) Morning Call, Nov. 23, 1965]

Behind the Headline Death for Sale—Cheap

(By Ted Hall)

Many years ago an industrious and imaginative member of the Paterson police force set up a display of weapons that had been confiscated in the pursuit of law and order in the city. The 10-foot-long glass case was soon filled to capacity, and Police Chief John T. O'Brien describes the assembled revolvers, sawed-off rifles and shotguns, cane swords, knives, and bomb casings as obsolete. "They're not nearly as dangerous as the guns we're picking up today," he explains.

Chief O'Brien has been in the department 35 years, but in all that time he hasn't seen such a stray gun harvest as the last 2 years have produced for Paterson police, he says. This increased flow of illicit guns into the city is confirmed by Deputy Chief Marinus Riter, who has been around for a long time himself and recalls that the basement storage locker even includes a bow and arrow.

The guns that are being picked up today are small and nasty looking. Nearly all of them are .22-caliber revolvers, and nearly all of them were made in Germany and Italy. There is a particularly ugly looking .25-caliber automatic, and there is a starter's pistol which has been reamed to fire businesslike bullets. They are the type of guns that mail order houses sell, Chief O'Brien says, and they are the department's big headache nowadays.

LOADED AND READY

The confiscated guns were found on barroom floors, under the seats of automobiles, and in the pockets of troublemakers. The .22-caliber pistol and ammunition in manila envelope No. 22657 was taken from a nightclub patron. Exhibit No. 22609, an Italian make, was taken from a man in a downtown restaurant. No. 19560, a German RG–10 mail order type, was taken from a man who was threatening another man with it, and it was loaded. The .25-caliber automatic is a Spanish make, used by its owner in a holdup.

No more sinister looking than the others is exhibit 23323. That is the German RG–10 that was knocked from a belligerent bar patron's hand as he was about to fire it point blank into the face of Police Sergeant Robert Tanis when the officer responded to a trouble call in a notoriously troublesome nightclub.

Exhibit 17429, another German RG–10, was being used to terrorize a woman when the police arrived. Exhibit 18739 was carried by a man who had just burglarized a service station. A German Burgo (exhibit 22563) was taken from a man who was threatening his wife with it, and a German Omega (exhibit 17223) was dominating a family donnybrook.

The gun marked exhibit 19484, a German-made Romo, is noteworthy because a man was shot twice with it during an argument. Another German RG–10 was taken from a 17-year-old boy in a city housing project.

"About 80 percent of these guns were loaded and ready for action when we got them," Chief O'Brien says. He calls attention to the neat little paper bags attached to the guns, bank deposit envelopes used to store the cartridges that came from the guns.

INSTANT KILLING

This is a collection of the last few months. Hot weather produces more of these easily purchased mail-order guns than other kind of weather. "People have more physical contact with one another in summer," Chief O'Brien explains. "They get around more."

The police pick up other weapons too, both in warm weather and in cool weather. There are knives, razors, and old bayonets. But it is the loaded gun, the instant death weapon, that the police are determined to get out of circulation.

"Most of these weapons are picked up in bars," the chief says. "Their owners have been drinking. That's a dangerous situation." He says that when police respond to a barroom dispute they sometimes hear the illicit weapons dropping on the floor. "No one ever admits to having dropped them," Chief O'Brien says. "We pick them up and bring them in and tag them."

Chief O'Brien and Deputy Chief Riter agree that the easy order mail-order houses are the prime source of this loose gun trouble. In the old days the illicit guns were mostly brought in from States with lax regulations about purchasing and carrying a gun. But today they are no farther away from the potential holdup man or murderer than the corner mailbox.

FOLLOW THE LAW

"All we ask is that the mail-order houses comply with the laws of New Jersey," Chief O'Brien says. He refers to the law that requires a permit for the purchase of a gun. The application is made on a form available at local police stations and then checked with county and State police. If it clears, a copy must be surrendered to the gun dealer.

Recently Chief O'Brien turned down an applicant for a gun purchase permit, a man who needed it to qualify for a private detective job. "This man had three raps for assault and battery," the chief said. "He got a lawyer, and I told the lawyer that I didn't think the man was a good risk to have a gun. For one thing, he hadn't mentioned the assault and battery convictions on the application."

The applicant's lawyer kept trying. There was even an inquiry from the State police. "I told them I didn't believe in allowing a man of violent temper to have a gun," the chief said. "And when they heard the facts, the agreed with me."

HOW MANY ARE LOOSE?

No one knows how many guns may be kicking around in Paterson—in trouser pockets, under car seats, in nooks around a home. This bothers Chief O'Brien and Deputy Chief Riter and all the other men on the police force. But there is some satisfaction: "Every one of these guns we pick up is one bit of trouble less in town," Chief O'Brien says. And the police are going right on looking for them wherever there is sign of trouble, hopeful that strong enforcement of the gun purchase laws will aid them in their tasks of keeping a city safe.

[From the Paterson (N.J.) Morning Call, Nov. 24, 1965]

GRAVES RENEWS APPEAL: FIREARMS REGISTRATION PRESSED

PATERSON.—Mayor Frank X. Graves, Jr., yesterday renewed his appeal for registration of all firearms in the city.

Noting that only one person has registered a weapon since the call was issued last Saturday, Graves urged city residents owning guns to call police at MU–4–3111 and to make arrangements for registration.

"Absolutely no punitive measures will be taken against persons who call," the mayor said. "But," said the mayor, "persons owning unregistered guns involved in police incidents will be in real trouble."

The appeal for gun registration came in conjunction with the Morning Call drive to end the increasing traffic in illicit firearms.

Graves said the campaign to register guns will continue through next week. Police will come to the homes of firearms owners and obtain the necessary information, he said.

The mayor urged gun owners not to bring their weapons to police headquarters.

Meanwhile, State officials were preparing to refer details of the Call's purchase of a pistol from a Tulsa, Okla., mail-order house to Passaic County Prosecutor John G. Thevos.

State Police Maj. Frank Halley of the attorney general's office said he would meet with Thevos here next Monday.

Thevos, meanwhile, has announced plans to question Assistant Call Managing Editor Joseph J. McGovern about the purchase of the .38-caliber S. & W. Enfield Commando pistol from P. & S. Sales, Tulsa.

McGovern sent for the gun in the fictitious name of "L. H. Oswald" to demonstrate the ease with which firearms can be obtained through the mails.

The weapon was received in the Call offices last Thursday despite the fact McGovern deliberately failed to send the company copies of the required gun permits.

[From the Paterson (N.J.) Morning Call, Nov. 25, 1965]

TRAINING OF A HOOD

The two biggest threats to law and order in Paterson are easy guns and narcotics, Mayor Graves says. He adds that they have a way of getting together, with tragic results. Desperation drives the narcotic addict to armed robbery, and he's more apt to pull the trigger than are other holdup men. As the Call has demonstrated by easy purchase of a .38-caliber revolver from a mail-order house, there's nothing to stop a narcotic addict from sending in his money and having a gun delivered to him with no pertinent questions asked.

Friday the Paterson police arrested two men and charged them with possession of heroin. Sunday they arrested an 18-year-old boy, who is charged with the same offense.

Only the other day Mayor Graves disclosed that in the last few months Paterson police had picked up 40 stray guns in the course of their work, and most of them were mail-order guns that had drifted into the community without the knowledge, let alone the permission, of the police.

There we have two ingredients of very serious crime—narcotics and easy-come guns. It is something to worry about. It is another strong argument for realistic control of the mail-order gun business—as if another argument were needed.

[From the Paterson (N.J.) Morning Call, Dec. 2, 1965]

TELEVISION EDITORIAL

Disturbed at the ease with which the Morning Call recently purchased a cheap pistol by mail in the name of "L. H. Oswald," CBS television last night added its editorial voice to growing demands for tighter gun control laws.

In an editorial broadcast by Michael Keating on the 6:30 p.m. news, CBS called for support of Federal gun legislation such as that proposed by Senator THOMAS J. DODD, of Connecticut. The editorial is reprinted in full:

"Ever since the assassination of President Kennedy 2 years ago, many in this country have been worried by the ease with which anyone can obtain a deadly weapon. As you know, Lee Harvey Oswald allegedly shot the President with a rifle purchased through the mail.

"To illustrate how this bad situation continues, the Paterson (N.J.) Morning Call recently wrote to a mail-order house in Oklahoma for a .38-caliber revolver, a revolver similar to the one Oswald allegedly used to kill a Dallas policeman on that tragic assassination day.

"To make their point in a dramatic fashion, the editors of the Morning Call ordered the weapon in the name of L. H. Oswald.

"Well, despite the name, and despite the fact that the editors didn't provide the gun dealer with any of the gun permits required by the city of Paterson or the State of New Jersey, this package (the gun) arrived at the offices of the Call addressed to L. H. Oswald.

"It cost $18.05, plus $4.20 for shipping. This incident proves that if you have a few dollars, you can easily purchase a deadly weapon, no matter who you are, how old you are, or what your intentions.

"It is a menacing situation. According to our information, hunters and collectors—those who have a legitimate interest in guns—do not purchase their weapons through the mail. They want to see, feel, and test what they are buying.

"Who then buys guns through the mail? We don't know, of course, but we're worried about it, and as we've pointed out, you can easily purchase a gun, even if you order it in the name of L. H. Oswald.

"It seems obvious to us that Federal legislation is needed in this area, legislation such as that suggested by Senator THOMAS J. DODD, of Connecicut. We cannot understand why so little has been done."

[From the Paterson (N.J.) Morning Call, Dec. 4, 1965]

Jury To Get File on Mail-Order Gun

Passaic County Prosecutor John G. Thevos may soon turn over his file on the Morning Call's recent purchase of a cheap mail-order pistol under the fictitious name "L. H. Oswald" to the county grand jury, it was learned yesterday.

Thevos said he is awaiting instructions from State Attorney General Arthur J. Sills as to action on the gun case.

The grand jury was to adjourn January 23, but the panel will remain in session 2 months into 1966 to wrap up its special investigation on the gun purchase, and an inquiry into recruiting activities here of the Ku Klux Klan.

New Jersey King Kleagle Frank W. Rotella Jr., and Paterson Klan Organizer Charles E. Brown were handed subpenas to appear before the grand jury Wednesday, after Rotella was confronted by Paterson Mayor Frank X. Graves, Jr., in the office of the Call Wednesday night.

The grand jury is also finishing investigations of the Zin-inspired diet which supposedly caused the death of 24-year-old Beth Ann Simon of Clifton, and of the controversial Thunder Mountain purchase.

Although the grand jury term is being extended, County Clerk Joseph A. Ryan said yesterday that a new 35-member panel will be selected Tuesday and Wednesday as scheduled.

Of the 35, Passaic County Superior Court Assignment Judge Morris Pashman will choose 23. The result will be two grand juries operating in the first 2 months of next year.

[From the Paterson (N.J.) Morning Call, Dec. 6, 1965]

Graves Extends Gun Registry

PATERSON.—The mayor's drive to register firearms in the city will be extended another week.

Mayor Frank X. Graves, Jr., began the push for registration 2 weeks ago when the Morning Call showed the accessibility of purchasing mail-order guns by buying one through the mail under the name of L. H. Oswald.

"In cooperation with the Morning Call's drive, we're going to extend the drive 1 more week," Graves said last night.

The registration period was to end last night, but Graves said he had been encouraged by the number of people who had called with an interest to stop the illicit use of firearms.

"We've registered a substantial number of guns to date," he said, but would not specify how many.

Graves said that persons who want to register firearms should call MU 4-3111 and leave word that they have guns to be registered. Policemen will come to the house to get the necessary information. Guns should not be brought to police headquarters, he said.

[From the Paterson (N.J.) Morning Call, Dec. 10, 1965]

Prosecution in Tulsa Brewing—Mail-Order Gun House Faces Action

(By Richard Benfield)

Federal officials will attempt to prosecute a Tulsa, Okla., mail-order house that last month sent a .38-caliber revolver to the Morning Call under the fictitious name of "L. H. Oswald," it was learned yesterday.

According to sources in Washington, Treasury agents will ask U.S. Attorney John Imel, of Tulsa, to initiate action against the firm, P & S Sales Co., on grounds the concern sent the weapon to a person not having a gun permit.

The decision to push for prosecution came after a 3-week investigation by the Internal Revenue Alcohol and Tobacco Tax Unit of the Treasury Department.

Officials will attempt to indict the mail-order firm under a stipulation of the Federal laws.

Section 902, part C of that legislation states:

"It shall be unlawful for any licensed manufacturer or dealer to transport or ship any firearm in interstate or foreign commerce to any person other than a licensed manufacturer or dealer in any State the laws of which require that a license be obtained for the purchase of such firearms, unless such license is exhibited to such manufacturer or dealer by the prospective purchaser."

In mailing the .38-caliber S. and W. Enfield Commando pistol to the fictitious "L. H. Oswald," the Tulsa firm completed the transaction without receiving a permit.

And New Jersey law requires anyone buying a gun to have such a license.

According to the Washington sources, the Treasury agents will instruct Imel to bring the case before a grand jury.

If convicted of violating the firearms law, the sources said, the Tulsa firm would face revocation of its license to sell guns.

The Treasury Department probe of P & S Sales started hours after the Call received the gun at its offices in Paterson, November 18.

Assistant Call Managing Editor Joseph J. McGovern sent for the weapon in the name of "L. H. Oswald" to demonstrate the ease with which unlicensed persons could get firearms through the mails.

The gun itself was turned over to the New Jersey State Police after a Call reporter delivered it to State Attorney General Arthur J. Sills.

[From the Paterson (N.J.) Morning Call, Dec. 10, 1965]

Gun-Probe Senators Seek Graves

PATERSON.—Mayor Frank X. Graves, Jr., awaits a subpena from a congressional subcommittee investigating mail-order gun sales.

An aid to Senator THOMAS J. DODD, Democrat, Connecticut, head of the U.S. Senate Subcommittee on Juvenile Delinquency asked the mayor yesterday about the 40 mail-order weapons confiscated by police during the past few years. The Dodd committee will issue a subpena to the mayor to hear how he bought a gun by mail.

Graves purchased a .22-caliber foreign-made pistol in the spring in a test case promoted by reporters from the Morning Call. He received the gun merely by sending a bank check and providing only his name and the city hall address.

The mayor said he would send those weapons which are no longer needed for evidence in court cases.

"We have about 40, but I don't know how many are no longer needed for trials or appeals," Graves said.

The weapons would be sent to Washington, D.C., by a uniformed police officer, Graves said. It would be at least 2 weeks before the collection could be prepared and checked out, he said.

[From the Paterson (N.J.) Morning Call, Dec. 13, 1965]

Newsmen To Testify in Gun-Sale Probe

Two staff members of the Morning Call have been subpenaed to testify before a Passaic County grand jury Wednesday on the ease with which guns can be obtained from mail-order houses.

Assistant Managing Editor Joseph J. McGovern and Richard E. Benfield, staff writer, were expected to be questioned on how the Call obtained a .38-caliber revolver from a Tulsa, Okla., gun firm.

The weapon, an S. & W. Enfield Commando pistol, was ordered from P & S Sales Co., under the fictitious name of L. H. Oswald. The pistol was sent to the Paterson offices of the Call.

The mail-order firm completed the transaction without receiving a permit, required in New Jersey to purchase a firearm.

McGovern ordered the weapon from a company catalog. Benfield turned the weapon over to State Attorney General Arthur J. Sills hours after it was received November 18.

The purpose of the Call's ordering the gun was to demonstrate the need for stricter enforcement of State and Federal laws governing the sale of firearms. The newspaper has also endorsed adoption of more rigid firearms legislation.

Treasury agents last week instituted action against P & S Sales on grounds it sent the weapon without demanding a permit from the potential purchaser. The case is in the hands of U.S. Attorney John Imel of Tulsa.

[From the Paterson (N.J.) Morning Call, Dec. 16, 1965]

Editor, Reporter Testify on Guns

An editor and a reporter of the Morning Call yesterday told a Passaic County grand jury investigating mail-order gun sales how the Call purchased a pistol by mail under the fictitious name "L. H. Oswald."

Joseph J. McGovern, assistant managing editor, and Richard Benfield, a Call reporter, were subpenaed by the grand jury.

McGovern described how the order blank for the pistol was purposely filled out incorrectly, with 1966 dates which did not coincide with each other, to give the gun firm reasons to be suspicious.

No suspicions were aroused, however, and the company—the P & S Sales Co. of Tulsa, Okla.—sent the $18.95 Smith & Wesson pistol.

Although permits required by the city of Paterson and the State of New Jersey were not forwarded to the gun firm, the pistol, similar in type to one that killed Dallas Patrolman J. D. Tippet, was sent to "L. H. Oswald."

Paterson Mayor Frank X. Graves, Jr., said recently the city police have an arsenal of more than 40 pistols, all purchased without permits, which have been confiscated in the last year.

Graves speculated that many of them were probably purchased by mail.

[From the Paterson (N.J.) Morning Call, Dec. 18, 1965]

Gun Advocate Says Laws Now Enough

WCBS-TV broadcast last month an editorial describing how the Morning Call purchased a mail-order pistol under the name "L. H. Oswald," with no permits and no questions asked. In its editorial, WCBS, called for Federal gun control legislation.

Last night, the station broadcast a rebuttal by Charles Dickey, director of the National Shooting Sports Foundation, Inc., in which Dickey said the Call's purchase shows enforcement of existing gun laws is needed, not new laws.

Dickey took issue specifically with a statement by Michael Keating, who broadcast the original editorial, that, "If you have a few dollars, you can easily purchase a deadly weapon, no matter who you are, how old you are, or what your intentions."

"This statement is in error," Dickey said. "There are laws to cover such purchases," he continued, citing sections of Federal and State statutes. Dickey said he agreed with a Call editorial that the stunt, as he called it, "should jar State and Federal authorities into strict enforcement of existing regulations."

"We certainly agree," Dickey said, "for here is a case where existing laws have not been enforced at all. This station (WCBS) implied there were no laws covering the transaction, and then went on to ask for more laws.

"This reveals how misleading the publicity of the antigun lobby has been. The laws are there, but they were not enforced."

Dickey concluded by saying the enforcement of existing laws should be given every consideration before more laws are passed. He urged all citizens to write to State and Federal Governments for copies of existing laws.

[From the Paterson (N.J.) Morning Call, Dec. 23, 1965]

JURY DROPS GUN PROBE

A Passaic County grand jury looking into the purchase by the Morning Call of a mail-order pistol, decided yesterday against taking action on the matter.

The weapon was purchased from P. and S. Sales Co., of Tulsa, Okla., under the fictitious name of "L. H. Oswald."

William K. Azar, confidential aid to County Prosecutor John G. Thevos, said control over sale of mail-order firearms was up to Federal officials and State Attorney General Arthur J. Sills.

"This case is in the same category as Mayor Graves' buying a gun and others' purchasing guns through the mail," he said.

The reference was to the purchase by Paterson Mayor Frank X. Graves, Jr., earlier in the year of another mail-order firearm. At the time, Graves said he ordered the weapon to demonstrate the ease with which guns could be purchased through the mails.

While Graves had a permit to carry a gun, Call assistant managing editor Joseph J. McGovern, who bought his weapon under the fictitious name of "Oswald," did not.

A permit is required before mail-order firms can legally send a firearm to a New Jersey resident.

Both McGovern and Richard E. Benfield, a Call staff writer, testified before the grand jury last week. They said the gun was ordered to demonstrate the need for tighter gun legislation and more rigorous enforcement of existing weapons laws.

[From the Paterson (N.J.) Morning Call, Dec. 27, 1965]

NO DIVERSION

The Passaic County Grand Jury has heard at first hand the story of this newspaper's purchase of a mail-order gun in the name of President Kennedy's assassin. The grand jury recognized it as the test of gun purchase controls which it was intended to be, and found no cause for action against those who conducted the test.

Needless to say, the grand jury was concerned about the ease with which a .38-caliber revolver was purchased from a Tulsa, Okla., mail-order house. There was no bother about the purchase permit required by New Jersey statute or the Federal law that directs compliance with such State statutes.

The grand jury quite correctly declined to create a diversion from the real and serious point of the purchase experiment, which is that somebody's not minding the store when it comes to enforcement of the New Jersey and Federal gun control regulations. Paradoxically, while the deadly .38-caliber revolver was being delivered without purchase permit to the fictitious L. H. Oswald in New Jersey, Attorney General Sills was out beating the drums for new gun control legislation.

The Morning Call's demonstration of the laxity in the traffic in firearms has been noted appreciatively in Washington, where stricter regulation of gun sales is under consideration. The coming session of Congress will be asked to act on firearms controls, and there, as the grand jury recognizes, is where the problem must be solved.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Is there further morning business? If not, morning business is concluded.

TAX ADJUSTMENT ACT OF 1966

Mr. LONG of Louisiana. Madam President, I ask unanimous consent that the unfinished business be laid before the Senate.

The ACTING PRESIDENT pro tempore. Without objection, the Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H.R. 12752) to provide for graduated withholding of income tax from wages, to require declarations of estimated tax with respect to self-employment income, to accelerate current payments of estimated income tax by corporations, to postpone certain excise tax rate reductions, and for other purposes.

The ACTING PRESIDENT pro tempore. In accordance with the unanimous-consent agreement, the 2 hours on the amendment are to be equally divided and controlled by the Senator from Louisiana [Mr. LONG] and the Senator from Tennessee [Mr. GORE].

Who yields time?

Mr. GORE. Madam President, I yield myself such time as I may need.

There is pending before the Senate an important issue: an amendment which would provide needed additional revenue for the Government, would do so within the guidelines of equity, and, importantly, so far as our present economic situation is concerned, would have an anti-inflationary effect.

The amendment proposes to suspend the 7-percent investment tax credit as a substitute for the excise tax increase on automobiles and telephone service.

Congress only last year determined upon a policy to eliminate from our tax structure the regressive excise tax forms. The senior Senator from Tennessee thought that a laudable objective and a wise and equitable policy. I am not aware of an equitable social policy involved in levying excise taxes which lie not alike upon rich and poor, but more heavily upon the poor.

There is certainly great need, I believe, to eliminate the investment credit. It was enacted for the purpose of stimulating the economy. It has provided stimulation for the economy, perhaps more than was needed. At any rate, the inflationary pressures in plant and equipment and in skilled manpower are flashing danger signals to us now. I should think that about the last thing a committee of economists would suggest now would be for a further artificial stimulation of the economy, particularly in the fields of plant and equipment; indeed, I read into the RECORD yesterday articles and statements by a number of eminent economists who recommend now that the investment credit be suspended or repealed.

This step would not be sufficient to solve our economic problems. It would not be sufficient to checkmate the inflationary pressures, but it would surely be a step in the right direction.

Therefore, Madam President, I suggest it as a substitute.

As I said earlier, it would provide additional revenue. It would provide more revenue in the present fiscal year than the excise taxes proposed in the bill. It would provide about the same amount of revenue as the excise taxes during the next fiscal year, and a great deal more than the excise taxes in fiscal year 1969.

Therefore, it is more desirable from the standpoint of revenue. It is more desirable by the yardstick of equity and fairness. It is also desirable and needed for its anti-inflationary effect.

Because of these logical points, Madam President, I suggest the advisability of adoption of the pending amendment.

Mr. LONG of Louisiana. Madam President, there are a number of reasons why I believe it would be unfortunate, particularly at this time, for the Senate to vote to repeal the investment credit.

One point which does not relate to the merits of the amendment, but does relate to procedure, is that if this were going to be done, it would amount to increasing taxes on corporations by approximately $1 billion annually.

In fairness to those corporations, they should have the right to expect to be heard by our committee and given the opportunity to make their case, if we really wish to vote such a heavy tax increase upon them.

The pending bill undertakes to raise approximately $5 billion on a one-shot basis. Of that $5 billion, approximately $3.2 billion is to be raised by a speedup in the rate at which we collect taxes from corporations.

It is true that the argument can be made, it is merely a matter of making corporations pay more taxes currently than they are presently paying them; yet, the fact remains that for the Government to net that $3,200 million, even on a one-shot basis, it would be necessary to extract that money in addition to the taxes which would otherwise have been paid, so that when we speed up collection of taxes, even on a one-shot basis, we would collect more money than if we simply let taxes be collected on the slower basis that they had been collected previously.

These corporations would be required to come up with the additional $3,200 million, and they would have to carry the cost of the fighting in Vietnam and other costs of the Government, in the effort to come as nearly as possible to a balanced budget.

If we add the $3,200 million that we are extracting from the corporations, to the $1 billion which this amendment would take from the corporations, that would work out to $4.2 billion to be taken from corporate profits after the $5 billion which we hope to raise in the bill.

Madam President, I submit that that is a very heavy load to place upon corporations, if we are looking for a way out to meet our current situation, to take it out of the $5 billion, to put $4,200 million on the backs of the corporate taxpayers.

In addition to that, there is some question as to whether it would be good for the economy.

For example, it is contended that one reason we have been able to continue to have increases in wages without a substantial increase in prices has been that we have been able to continue to improve plant and equipment and, thereby, to obtain more production by the application of the same amount of labor to the plant and equipment that we have.

In addition, we feel that this has made America more competitive in world markets and more efficient in doing so. It has also helped us to maintain our trade balance, to help balance our payments with foreign governments, and to help to ease the outflow of American gold.

In addition, there is severe doubt that business is really in very good shape to take this additional tax. For example, here is an article published in the Washington Post this morning pointing out what we know to be true, that the stock market has had its worst time since the assassination of President Kennedy during the past several days. The fact is, the article points out, that today the stock market took another nosedive. The Dow-Jones averages were off 14.58, which is the greatest decline since November 22, 1963.

There is just no doubt about it, if this additional $1 billion of tax were to be levied upon corporations, it would do a great deal to further depress business conditions in this country.

It is also well to point out that today we have received notice that unemployment is lower now by another 10 percent. That takes it down from the 4 percent unemployment factor to about 3.7 percent.

As the Secretary of the Treasury pointed out, as labor becomes more and more in short supply, we will need these new machines, we will need these new plants if we are going to be able to produce the goods that make it possible for us to resist inflationary pressures.

For those reasons, Madam President, it would seem to me that we should not, at this time, deprive business of any tax credit. If this were to be done, I am sure there would be some effort to postpone the effective date, so that those who have already ordered equipment will be able to obtain delivery and to erect new plants already on order, prior to the effective date of the tax. While that would necessarily be done in justice and in fairness, it would also tend to defeat one of the purposes of the amendment; namely, to bring more revenue to the Government, because if we are going to exempt all equipment presently on order, that would mean 6 months to a year before we could even hope to obtain the full revenue benefit of that which the amendment would hope to accomplish.

It is true that a tax on telephones is and tends to be a tax that hits practically all the taxpayers. Many people regard the telephone as being something of a necessity nowadays. But I point out that business shoulders a major load in this bill, amounting to $3.2 billion, so it can well be said that all the taxpayers should help carry the burden of the defense effort going on now.

The tax on the telephone represents one of only 85 cents for each telephone user. That tax is spread broadly over the whole country. I point out that is only about 20 percent of the revenue proposed to be raised by the bill. So the corporations are the ones which will have the big end of the tax load under this bill. I submit that to put practically all the load on them would be to go too far in levying the responsibility for raising revenues on a relatively select group.

Madam President, I ask unanimous consent that an article from this morning's Washington Post and one from the New York Times be printed at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post,
Mar. 8, 1966]

WORST BREAK SINCE KENNEDY DEATH: STOCKS BATTERED AGAIN—DOW INDEX DIVES 14.58

NEW YORK, March 7.—The stock market today took another nose dive as the retreat entered its fourth week. Trading was active.

The Dow-Jones industrial average fell 14.58 to 917.76, its sharpest loss since November 22, 1963, the day President Kennedy was assassinated, when the average lost 21.16.

Volume was 9,380,000 shares compared with 9,050,000 Friday.

The ticker tape was late briefly in the morning when the retreat began to gather steam but the tape was abreast of transactions for the rest of the session. Sharp losses were taken by some of the glamor stocks in color television, other electronics, aerospace and airlines. The pace of trading was such, however, that trading was orderly.

SOME BLUE CHIPS JOLTED

Zenith fell 12⅝ to 131⅛, Fairchild Camera 11½ to 165¼, Motorola 8¼ to 171¾ and Magnavox 4½ to 97.

Many of the leading blue chips were jolted severely, accounting for the large drop in the averages, but quite a few held their ground.

General Motors fell 2¼ to 95⅞, DuPont 4⅛ to 216⅞, Anaconda 3¼ to 84 and Kennecott 2¼ to 125¾.

On the other hand, Standard Oil (New Jersey) rose ⅛, Consolidated Edison ⅜, Alcoa ½, Atlantic Refining 1⅜ and Southern California Edison ⅛.

Analysts said it was a continuation of long-term-profit taking plus a wait-and-see attitude by large investors who are unwilling to go back into the market until it seems clear that the worst is over.

As of today's close the Dow industrials were down 77.39 from their historic high this year of 995.15. This is still not as much as the virtual 100-point decline of last May–June which punctuated one of the great advances of history.

RALLY POINT PIERCED

The Dow industrials today cracked through the 925 level, which served as a rally point last week and was regarded as a possible support level.

Of 1413 issues traded, 1013 fell and 230 rose. New highs for 1965–66 totaled 18 and new lows 79.

The Associated Press average of 60 stocks fell 5.0 to 344.3 with industrials off 7.9, rails off 3.5 and utilities off 0.6. This equaled last Tuesday's decline which was the largest since November 22, 1963, when the average fell 7.2.

Standard & Poor's 500-stock index fell 1.20 to 88.04.

The factors which have been linked with the 3-week decline were still mentioned—tight money, fear of higher taxes and controls, the competition of high-yielding bonds and other securities with low-yielding blue-chip stocks. No particular new element was added today.

One big brokerage house advises its clients that the market was "oversold" and predicted a stabilizing phase during which there would be considerable "bargain hunting" for the next uptrend.

Ten of the fifteen most active stocks fell, four rose and Reynolds Tobacco was unchanged.

SHORT-LIVED RALLY

American Motors seems heartened by the fact that Detroit Investor Robert B. Evans, who has taken a large position in A.M.C. stock, was made a director.

News from the White House that industry plans to increase its capital spending this year by 15½ to 16½ percent over 1965 accompanied a slight recovery in the market in early afternoon, but the improvement was shortlived and the list closed at its lows.

News of raised dividends, higher earnings, new products, and other normally bullish developments were largely ignored by the stocks concerned.

Prices declined on the American Stock Exchange. Volume was 3.28 million shares compared with 3.8 million yesterday. Pentron Electronics was active and up ¼ at 3⅛. Flying Tiger advanced 1⅜. Syntex fell 1¾, Western Equities 1⅛, Molybdenum 2⅞ and Eldo 1⅝.

Corporate bonds declined. U.S. Treasury bonds were stronger.

NEW DATA ALLAY INFLATION FEARS—EARLY MOVE FOR NEW TAX SEEMS UNLIKELY ON BASIS OF INDUSTRIAL SPENDING

(By Edwin L. Dale, Jr.)

WASHINGTON, March 7.—President Johnson issued new figures today on probable business spending this year on plant and equipment that appeared to rule out any early decision to ask Congress for an anti-inflation tax increase.

The President said the Government survey of plans for business investments, due late this week, was expected to show an increase this year "in the 15.5- to 16.5-percent range," or not much different from last year's increase. He pointed out that this was significantly less than the increase projected in a recent private survey by the Lionel D. Edie Co., which had raised considerable speculation that an early decision on a tax increase would be necessary.

A LETTER TO PATMAN

Business spending on plant and equipment is widely regarded as a key to inflationary pressure this year. The bigger such spending, the more inflationary strain is likely, particularly in such capital goods industries as machinery.

President Johnson gave his preview of the Government's figures in a letter to Representative WRIGHT PATMAN, Democrat, of Texas, who is chairman of the Joint Economic Committee. Mr. PATMAN had asked about the implications of the Lionel D. Edie survey for Government policy.

The President said his economic advisers believed that the Edie survey, which projected a 19-percent increase in plant and equipment spending this year, "substantially overstates the situation." In the important manufacturing sector in particular, the President said, the Government figure will be "far from the 32 percent predicted by Edie."

The President noted that the projected increase in the Government survey would be "comparable" to last year's 15.5 percent, and that last year's increase was accommodated "without excessive strain." He conceded, however, that "the economy is closer to full use of its resources this year."

The President concluded:

"If the final figures [meaning those due by the end of the week] show an increase in 1966 comparable to the 1965 increase, we must continue to keep an extremely close watch on economic developments. We must be prepared to act quickly in the field of taxation if such action appears necessary. In this connection, I am pleased to learn that a subcommittee of your distinguished committee will be holding hearings later this month."

The hearings will explore what kind of tax increase would be best if one should become necessary. The President repeated today a statement in his economic report to Congress in January that "if quick action is ever needed, we should not have to begin a long debate on what the change in taxes should be."

The plant and equipment figures have been eagerly awaited as a signal of likely Government action. There is little doubt that if the increase had been as large as projected in the Edie survey, some if not all of the President's advisers would have considered this a signal of serious inflationary danger and would have recommended a tax increase.

The President said today that the Edie survey in the past "has often given a fairly reliable indication of business investment intentions." He pointed out, however, that the Government survey, made by the Commerce Department and the Securities and Exchange Commission, "has substantially broader coverage."

In the Senate today debate continued on the administration tax bill, involving chiefly a speedup in corporate and individual income tax collections and restoration of excise taxes on automobiles and telephone service that were reduced January 1.

Voting on key amendments was put off until tomorrow. The Senate adopted by voice vote an amendment by Senator RUSSELL B. LONG, Democrat, of Louisiana, affecting taxpayers who have small final settlements with the Government.

At present if a taxpayer owes $1 or less, or is owed $1 or less in refund, he is entitled to decline the payment or refund. The Long amendment would expand this to $5.

Several million taxpayers would be affected.

ORDER OF BUSINESS

Mr. LONG of Louisiana. Madam President, I ask unanimous consent that I may yield, without prejudice to my rights, to the Senator from Maryland [Mr. TYDINGS] for such time as he may require.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. How much time does the Senator from Maryland require?

Mr. TYDINGS. Madam President, it will take me about 2 minutes.

The ACTING PRESIDENT pro tempore. The Senator from Maryland.

APPOINTMENT OF ADDITIONAL CIRCUIT AND DISTRICT JUDGES

Mr. TYDINGS. Madam President, I ask the Chair to lay before the Senate the amendments of the House of Representatives to S. 1666.

The ACTING PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the bill (S. 1666) to provide for the appointment of additional circuit and district judges, and for other purposes, which were, on page 6, line 21, strike out "two", and insert "three"; on page 7, line 1, strike out "one hundred and twenty days", and insert "six months"; on page 7, after line 7, and three lines below "California:", strike out:

Central 12

And insert:

Central 13

And on page 8, one line below "New York:", strike out:

Western 4

And insert:

Western 3

Mr. TYDINGS. Madam President, I ask unanimous consent that the Senate concur in the House amendments.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

Mr. TYDINGS. Madam President, I am happy at this time that the distinguished Senator from Arkansas [Mr. MCCLELLAN] is also on the floor, since he was so tremendously helpful to me in my capacity as floor manager of the bill last spring when it passed the Senate.

The bill passed the House without deleting a single Senate amendment. The only major change in the judgeship bill is that the House added one district judge for the Los Angeles area of California.

I think this bill will aid immeasurably in reducing the great backlog in the courts of appeals and the U.S. district courts throughout the country.

I wish to emphasize that I am happy that the distinguished Senator from Arkansas [Mr. MCCLELLAN] is on the floor when I make this statement. I do not think we can continue to increase the number of judges every 4 years or so as the sole method of reducing the tremendous case backlog which is continually growing.

I think we shall have to look at other methods of dealing with the problem, including the possibility of adopting administrative measures to assist and improve the handling of cases, in order to have speedy and prompt justice.

One of the suggestions made to the Subcommittee on Improvements in Judicial Machinery of the Committee on the Judiciary is the appointment of an additional law clerk for the judges of the courts of appeals in order to increase the capacity of those judges to handle the growing caseload. The subcommittee will look into this proposal.

The Senator from Arkansas [Mr. MCCLELLAN] is in a very important position, not only because of his membership on the Judiciary Committee, and not simply as chairman of the Government Operations Committee, but because he is the chairman of the Appropriations Subcommittee that handles appropriations for the judicial system of the United States.

I think this year and in the years to come we shall have to look into improving the efficiency of the administration of the Federal courts, and not merely add judges year after year, or every 4 years, as the case may be, for simply adding more and more judges is not a satisfactory solution to the caseload problem if the administration of our judicial system does not allow the most efficient utilization of the judicial manpower that we already have.

Mr. McCLELLAN. Madam President, will the Senator yield?

Mr. TYDINGS. I yield to the Senator from Arkansas.

Mr. McCLELLAN. I thank the Senator for yielding, and I appreciate the references to my interest in connection with the legislation and the general subject matter.

I am very glad that the amendments to the bill by the House are being accepted by the Senate, therefore avoiding the necessity of sending the bill to conference, where further delays may occur in the enactment of the bill.

I point out that the enactment of the bill is most timely because in certain circuits additional judges are urgently needed.

I wholeheartedly concur in the remarks of my distinguished friend from Maryland with respect to the improvement in judicial machinery as to the need for greater efficiency in the present judicial system as well as to meet the ever increasing case load that continues to come before our courts.

I think improvements can be made, and it is a matter which should receive, and it is receiving, attention. When we make those improvements, the necessity for additional judges will be diminished, although it will never be completely eliminated as long as we have a growing population.

As suggested by the distinguished Senator from Maryland, if we provide the improvement in the judicial machinery that is needed, instead of having a bill before us every 4 years to increase the number of judges throughout the country, it may suffice to have such a bill every 10 years.

I congratulate the distinguished Senator from Maryland for his work in this field and for having successfully processed and guided this bill through the legislative channels and to final passage in the Senate.

Mr. TYDINGS. I thank the distinguished Senator from Arkansas. His encouragement and guidance have been a great inspiration to me. I am delighted he is going to work with me to improve judicial administration.

TAX ADJUSTMENT ACT OF 1966

The Senate resumed the consideration of the bill (H.R. 12752) to provide for graduated withholding of income tax from wages, to require declarations of estimated tax with respect to self-employment income, to accelerate current payments of estimated income tax by corporations, to postpone certain excise tax rate reductions, and for other purposes.

Mr. LONG of Louisiana. Madam President, I am prepared to yield back the remainder of my time if the sponsor of the pending amendment is disposed to do likewise.

Mr. GORE. Madam President, I ask unanimous consent to have printed in the RECORD an article that appeared in the Washington Post this morning, written by Joseph R. Slevin, and an article from today's Wall Street Journal.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, Mar. 8, 1966]

Fowler Versus Economists: Tax Debate To Turn on Suspension of Investment Credit

(By Joseph R. Slevin)

The big tax fight of 1966 is going to be over the 7-percent investment credit that the Government adopted in 1962 to stimulate business purchases of capital goods.

Senator ALBERT GORE, Democrat, of Tennessee, will lead a drive to suspend the credit when the Senate votes on President Johnson's $6 billion revenue-raising bill this week. The expectation is that he will lose this time but the battle will be renewed if Mr. Johnson decides to ask for an anti-inflationary tax boost in the spring.

Suspension of the tax credit is being urged by a large and growing group of professional economists. They are saying publicly—as well as privately to key Government officials—that withdrawing the special 7-percent incentive will be the simplest and most direct way of taking unwanted steam out of the booming U.S. economy.

BOOM POSES THREAT

There is general agreement that the United States is being threatened by a capital goods boom. The beauty of suspending the investment credit is that the action will discourage purchases of capital equipment and thus hit the boom at the exact point where the inflationary pressures are the heaviest.

Secretary of the Treasury Henry H. Fowler is adamantly opposing any change in the investment credit in his appearances before congressional committees.

Businessmen are making investment plans in the expectation that they will receive the credit and any modification will be a breach of faith, he argues.

The Government can suspend the credit only if it exempts projects that already have been started and that would be self-defeating, the Secretary maintains. He contends that the capital goods boom would continue for many months and that the exact time when the Government would want capital expenditures to rise strongly again.

ECONOMISTS DISAGREE

But the economists disagree vigorously.

Some maintain that no exemption is required. They say the Government often changes tax rates and there is no difference between suspending the investment credit and increasing the corporate or individual income tax rate. People are making plans in the expectation that those rates will remain unchanged just as much as businessmen are relying on the 7-percent credit, these economists say.

Many of them agree with Fowler that the exemption should be granted but disagree that the exemptions would destroy the effectiveness of the suspension.

There are a number of companies that will not start planned equal expansion programs if the credit is suspended, the economists contend. New orders for machinery will fall off quickly and the unwanted steam will be taken out of the capital goods industry, they assert.

These advocates of suspending the credit stress that the Government wants to reduce activity in the capital goods industry—not to halt it. Suspending the investment credit would cause the postponement of enough expansion plans to bring about the desired degree of restraint, the economists declare.

ISSUE IS COMPLEX

There is more to the dispute than an argument over how you treat businessmen or disagreement about the best way to fight inflation.

Many Democratic congressional critics opposed the incentive when it was granted and believe deeply that it is a giveaway to business. Some very conservative Republicans object to it on the ground that the Government loses revenue that it can never recapture.

But Fowler and President Johnson are keenly aware that the investment credit now is highly prized by business and that any move to suspend the credit would endanger the good relations that Mr. Johnson assiduously has developed with the business community.

[From the Wall Street Journal, Mar. 8, 1966]

Johnson Moves To Dispute Reports of Inflationary Capital Outlays Rise—Plant, Equipment Spending Gain of 15.5 to 16.5 Percent Seen in 1966 by Federal Survey

WASHINGTON.—President Johnson hastily sought to knock down reports that capital outlays are soaring at a dangerously inflationary rate.

Disclosing the results of a still unpublished Government survey, the President said businessmen expect to increase plant and equipment spending this year 15.5 to 16.5 percent from last year's record of $51.8 billion. The projected increase is only slightly steeper than the 15.5-percent gain of 1965 and is just about the same as the rate estimated by the President's Council of Economic Advisers in its January economic report.

Even so, Mr. Johnson warned that the level of expenditures projected by the survey requires Government policymakers to keep "an extremely close watch on economic developments." He again stressed the need for Congress to gear itself for fast action if a general tax increase is deemed necessary.

DISCLOSED IN LETTER TO REPRESENTATIVE PATMAN

The general findings of the Government survey, taken by the Commerce Department and the Securities and Exchange Commission, were disclosed by the President in a letter to Representative PATMAN, Democrat, of Texas, chairman of the House-Senate Joint Economic Committee. Mr. PATMAN had written a letter to the President last Saturday inquiring about a private survey showing that manufacturers—which include only part of all business—plan a 32-percent increase in capital outlays this year from 1965. That survey was conducted by Lionel D. Edie & Co. The White House made public the President's reply; the complete Commerce Department-SEC report is scheduled to be published later this week.

The President said:

"The Council of Economic Advisers believes the Edie survey substantially overstates the situation. The present expectation is that the Commerce-SEC survey will show an investment gain for 1966 up only slightly over the 1965 gain—in the 15.5- to 16.5-percent range.

"You recall that total plant and equipment expenditures increased by 15.5 percent in 1965. The machinery and construction industries were able to accommodate it without excessive strain. In manufacturing in particular, the Commerce-SEC survey figures are far from the 32 percent predicted by Edie. Of course, as your letter noted, the economy is closer to full use of its resources this year.

"If the final figures show an increase in 1966 comparable to the 1965 increase, we must continue to keep an extremely close watch on economic developments. We must be prepared to act quickly in the field of taxation if such action appears necessary."

In New York, Pierre A. Rinfret, chairman of Lionel D. Edie & Co., said "One doesn't debate with the President of the United States, but I would stick to our estimate."

He noted that Edie & Co.'s prediction of a 32-percent increase in capital outlays this year covers only manufacturing concerns, adding that its overall projection for both manufacturers and nonmanufacturers is 19 percent. He said this 19-percent figure was the one comparable to the Government's projection of a 15.5 to 16.5 percent gain this year.

Mr. Rinfret contended that "in periods of substantial capital outlays" Government surveys frequently underestimate capital expenditures. He said that in 1951, 1964 and 1965, for instance, Government projections fell about 4 percent short of the actual increase.

At this time last year, Mr. Rinfret said, Edie was predicting a 22-percent gain for manufacturers' capital outlays in 1965 and the Government was estimating a 16-percent increase; the actual gain turned out to be 21 percent, he added. Similarly, he contended, Edie's overall projection at this time last year was 15 percent and the Government's 12 percent; this overall gain turned out to be 15 percent, he said.

PLEASED ABOUT TAX HEARINGS

The President said that he is pleased that a subcommittee of the joint Economic Committee will hold hearings later this month on standby plans for an individual and corporate tax increase. The subcommittee, chaired by Representative GRIFFITHS, Democrat of Michigan, will solicit advice from economists and others on the detailed mechanics of a fast tax rise. Mr. Johnson said, "I shall watch your hearings with great interest."

In general, the President's discussion of the projected capital investment increase was noncommittal; he stopped short of declaring outright that the 15½- to 16½-percent advance would be too much. Thus, Mr. Johnson and his advisers seem determined to postpone awhile longer a decision on whether the economy will require tough anti-inflationary medicine in the form of higher taxes.

At stake immediately, however, in the question of possibly excessive capital spending is the fate of the 7-percent tax credits for new investments by businessmen. The administration is trying to save the credit from attacks on the Senate floor, mainly by Senator GORE, Democrat of Tennessee, who wants to suspend the availability of the investment credit for 2 years. This would deny businessmen an estimated $1.2 billion of tax savings in the year starting July 1 alone.

This is about the same amount of added revenue that the Treasury would receive from the administration's proposed increases in excise-tax rates on autos and telephone service. The excise provisions are part of a $4.8 billion revenue-raising bill passed by the House and currently being debated on the Senate floor. Senator GORE has offered an amendment that would suspend the investment credit in lieu of raising the excise taxes.

REASONS FOR CREDIT TERMED "OUTDATED"

In a lengthy speech yesterday, the Tennessee Democrat said the reasons for congressional approval of the investment credit in 1962 has become outdated in the current booming economy. "It seems to me that artificial stimulation of the economy is about the last thing we now need," he declared.

Senator Gore said he has heard a report that Representative Patman's Joint Economic Committee, in its forthcoming annual report, will recommend suspension of the investment credit. This panel makes economic studies but doesn't act on legislation. A joint committee staff member said the panel hasn't yet finished its final draft of recommendations, which are to be published later this month.

Treasury Secretary Fowler has been urging Congress to leave the investment credit alone on the ground it is a desirable part of the permanent tax law. The administration view was reflected in yesterday's Senate debate by Senator Smathers, Democrat, of Florida, who said: "To cut back the expansion of the American economy through a suspension of the investment tax credit would, it seems to me, seriously hamper the efforts of business to cut costs and avoid bottlenecks and production delays."

A vote of Senator Gore's amendment may come today.

Administration leaders seem more worried about an effort by Senator Hartke, Democrat, of Indiana, and others to remove the telephone tax increase—and possibly the auto tax increase as well—without substituting other provisions. The administration has been lobbying hard in recent days to retain the excise-tax provisions, which only narrowly survived a fight on the House floor. Chairman Long, Democrat, of Louisiana, of the Senate Finance Committee also has been trying to rally opposition against a proposal by Senator Ribicoff, Democrat, of Connecticut, that would provide a tax credit for college education expenses.

The Senate yesterday approved one amendment to the tax bill that could save an estimated 5 million taxpayers a few dollars each. The amendment, sponsored by Senator Long, would let a taxpayer skip a final settling-up payment to the Government if his wage withholding or estimated tax payments come within $5 of his final liability. The taxpayer, however, would still be required to file a regular return. Currently, a taxpayer can skip any final payment if his withholding or estimated tax payments come within $1 of the amount he owes.

PRESIDENT HAILED SEER'S 1964 DATA, PANS 1966 EFFORT

Washington.—The perils of forecasting economic developments were underlined by President Johnson's move yesterday to discount a Lionel D. Edie, Co., survey on capital outlays.

President Johnson quoted his economic advisers as saying that the Edie survey, which found manufacturers contemplating a 32-percent increase in capital spending this year, "substantially overstates the situation." But an earlier Edie survey that better served administration ends was embraced by the President.

Signing the massive tax-cut bill in February 1964, at a time when the Government was attempting to keep the economy expanding, Mr. Johnson remarked on television: "This afternoon in New York, a leading industrial economist, Mr. Pierre Rinfret, estimated that the tax reduction will materially stimulate a boom of capital-goods expenditures in the years 1964 and 1965. Mr. Rinfret predicts that capital expenditures in 1964 alone will be 20 percent higher than (in 1963)." Mr. Rinfret is chairman of Lionel D. Edie.

Commerce Department figures show that actual 1964 capital outlays exceeded the 1963 level by about 14.5 percent.

Mr. GORE. Madam President, I yield 2 minutes to the Senator from Wisconsin.

Mr. NELSON. Madam President, I support the amendment introduced by Senator Gore to suspend investment credit instead of reimposing certain excise taxes.

Last year the Congress, after many months of deliberation, acted to eliminate a number of discriminatory excise taxes. In introducing the Excise Tax Cut of 1965, President Johnson said:

> The proposed program of excise tax cuts and revisions will spur growth and move us closer to full employment by removing an unnecessary drag on consumer and business purchasing power.

This was responsible legislation which I strongly supported.

The bill before us today, H.R. 12752, the Tax Adjustment Act of 1966, would reinstate certain of these excise taxes—those on telephone service and passenger automobiles—as one means to raise additional revenue to finance our military involvement in Vietnam.

The amendment introduced by Senator Gore provides a more practical and a more equitable means of increasing revenues. Instead of reimposing certain excise taxes, the amendment would suspend investment credit. This alternative procedure will provide more new revenue than restoring excise taxes and will have a greater effect in fighting inflation.

Since the two approaches—that of the administration and that of Senator Gore—would accomplish the same purpose, we can afford to compare the alternatives on an equity basis. And I do not think that there can be any argument in favor of reinstating the excise taxes if equity is to be considered. The two excise taxes which the bill would reinstate involve basic necessities in the lives of almost every American. An automobile and telephone service can hardly be considered luxuries. So, as was stated over and over again when the Senate was debating the excise tax cut last spring, the reimposition of these two taxes will hit hardest at those who can least afford to pay.

The whole purpose of the investment credit plan, enacted in 1962, was to stimulate business expansion at a time when we had serious unemployment and underutilization of our industrial plant. We can raise more revenue and spread the burden over a broad group without causing hardship to any one sector of the economy if we suspend investment credit.

I urge the Senate to adopt Senator Gore's amendment.

Mr. GORE. Madam President, I yield back the remainder of my time.

Mr. LONG of Louisiana. I yield back the remainder of my time.

Madam President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LONG of Louisiana. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is ordered.

Mr. LONG of Louisiana. Madam President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Tennessee [Mr. Bass], the Senator from Maryland [Mr. Brewster], the Senator from Nevada [Mr. Cannon], the Senator from Idaho [Mr. Church], the Senator from Arizona [Mr. Hayden], the Senator from Massachusetts [Mr. Kennedy], the Senator from South Dakota [Mr. McGovern], the Senator from Oregon [Mr. Morse], the Senator from Utah [Mr. Moss], the Senator from Maine [Mr. Muskie], and the Senator from New Jersey [Mr. Williams] are absent on official business.

I also announce that the Senator from Ohio [Mr. Lausche] is necessarily absent.

I further announce that the Senator from New Hampshire [Mr. McIntyre] is absent because of illness.

I further announce that, if present and voting, the Senator from Maryland [Mr. Brewster], the Senator from Massachusetts [Mr. Kennedy], the Senator from Ohio [Mr. Lausche], and the Senator from New Jersey [Mr. Williams] would each vote "nay."

I further announce that, if present and voting, the Senator from Oregon [Mr. Morse] would vote "yea."

Mr. DIRKSEN. I announce that the Senator from California [Mr. Kuchel] is absent because of illness.

The result was announced—yeas 10, nays 75, as follows:

[No. 44 Leg.]

YEAS—10

Bartlett
Burdick
Douglas
Gore
Gruening
Hart
Hartke
Nelson
Neuberger
Yarborough

NAYS—75

Aiken
Allott
Anderson
Bayh
Bennett
Bible
Boggs
Byrd, Va.
Byrd, W. Va.
Carlson
Case
Clark
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Harris
Hickenlooper
Hill
Holland
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, N.Y.
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McNamara
Metcalf
Mondale
Monroney
Montoya
Morton
Mundt
Murphy
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Russell, S.C.
Russell, Ga.
Saltonstall
Scott
Simpson
Smathers
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, Del.
Young, N. Dak.
Young, Ohio

PRESENT—1

Miller

NOT VOTING—14

Bass
Brewster
Cannon
Church
Hayden
Kennedy, Mass.
Kuchel
Lausche
McGovern
McIntyre
Morse
Moss
Muskie
Williams, N.J.

So Mr. Gore's amendment was rejected.

The ACTING PRESIDENT pro tempore. The bill is open to further amendment.

ADDITIONAL COSPONSORS, AMENDMENT NO. 495

Mr. PROUTY. Madam President, before calling up my amendment No. 495, I ask unanimous consent that the names of the distinguished Senator from Wyoming [Mr. SIMPSON] and the distinguished Senator from Indiana [Mr. HARTKE] be included as cosponsors.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

AMENDMENT NO. 495

Mr. PROUTY. Mr. President, I call up my amendment No. 495.

The PRESIDING OFFICER (Mr. BARTLETT in the chair). The amendment will be stated.

The LEGISLATIVE CLERK. The Senator from Vermont [Mr. PROUTY] offers an amendment identified as No. 495, as follows:

At the end of the bill, add the following:

"SEC. . (a)(1) Section 202 of the Social Security Act is amended by adding at the end thereof the following:

"'*Benefit payments to persons not otherwise entitled under this section*

"'(w)(1) Every individual who—

"'(A) has attained age seventy, and

"'(B)(i) is not and would not, upon filing application therefor, be entitled to any monthly benefits under any other subsection of this section for the month in which he attains such age or, if later, the month in which he files application under this subsection, or (ii) is entitled to monthly benefits under any other subsection of this section for such month, if the amount of such benefits (after application of subsection (q)) is less than the amount of the benefits payable under this subsection to individuals entitled to such benefits, and

"'(C) is a resident of the United States (as defined in section 210(i) of the Social Security Act), and is (i) a citizen of the United States or (ii) an alien lawfully admitted for permanent residence who has resided in the United States (as so defined) continuously during the 5 years immediately preceding the month in which he files application under this section, and

"'(D) has filed application for benefits under this subsection, shall be entitled to a benefit under this subsection for each month, beginning with the first month after September 1966 in which he becomes so entitled to such benefits and ending with the month preceding the month in which he dies. Subject to paragraph (2), such individual's benefit for each month shall be equal to the first figure in column IV of the table in section 215(a).

"'(2) The amount of the benefit to which an individual is entitled under this subsection for any month shall be equal to one-half of the amount provided under paragraph (1) if—

"'(A) such individual is a married woman, and

"'(B) if the husband of such individual is entitled, for such month, to benefits under this subsection.'

"(2) The following provisions of section 202 of such Act are each amended by striking out 'or (h)' and inserting in lieu thereof '(h), or (w)':

"(A) subsection (d)(6)(A),

"(B) subsection (e)(3)(A),

"(C) subsection (f)(4)(A),

"(D) subsection (g)(3)(A), and

"(E) the first sentence of subsection (j)(1).

"(3) Section 202(h)(4)(A) of such Act is amended by striking out 'or (g)' and inserting in lieu thereof '(g), or (w)'.

"(4) Section 202(k)(2)(B) of such Act is amended by striking out 'preceding'.

"EFFECTIVE DATE

"(b) The amendments made by subsection (a) shall apply only in the case of monthly benefits under title II of the Social Security Act for months beginning after September 1966 based on applications filed on or after July 1, 1966, or the date of enactment of this Act, whichever is the earlier.

"(c)(1) Section 227 of the Social Security Act is repealed as of the close of September 1966.

"(2) Any individual, who (for the month of September 1966) is entitled to a monthly insurance benefit under section 202 of the Social Security Act by reason of the provisions of section 227 thereof, shall be deemed to have applied for benefits under section 202(w) of such Act, and all applications which are filed for monthly benefits under section 202 of such Act by reason of the provisions of section 227 and which are pending on the date of enactment of this Act shall be deemed to be applications for benefits under such section 202(w).

"REIMBURSEMENT OF TRUST FUNDS

"(d) There are authorized to be appropriated to the Federal Old-Age and Survivors Insurance Trust Fund, and to the Federal Hospital Insurance Trust Fund, respectively, from time to time such sums as the Secretary deems necessary for any fiscal year, on account of—

"(1) so much of any payments made or to be made during such fiscal year from such Fund with respect to individuals whose entitlement thereto is attributable to the provisions contained in section 202(w) of the Social Security Act,

"(2) the additional administrative expenses resulting, or expected to result, to such Fund on account of such payments, and

"(3) any loss in interest to such Fund resulting from the making of any such payments,

in order to place such Fund in the same position at the end of such fiscal year as that in which it would have been if the preceding subsections of this section had not been enacted."

Mr. PROUTY. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. PROUTY. Mr. President, I point out first that this amendment has been cosponsored by the distinguished Senator from Hawaii [Mr. FONG], the distinguished Senator from Idaho [Mr. JORDAN], the distinguished Senator from Pennsylvania [Mr. SCOTT], the distinguished Senator from New Hampshire [Mr. COTTON], the distinguished Senator from Kentucky [Mr. COOPER], the distinguished Senator from Alabama [Mr. SPARKMAN], the distinguished Senator from Colorado [Mr. ALLOTT], the distinguished Senator from Oregon [Mr. MORSE], the distinguished Senator from West Virginia [Mr. RANDOLPH], the distinguished Senator from North Dakota [Mr. YOUNG], the distinguished Senator from Alaska [Mr. GRUENING], the distinguished Senator from Wyoming [Mr. SIMPSON], and the distinguished Senator from Indiana [Mr. HARTKE].

Mr. President, this amendment responds to a great inequity in the present social security laws—an inequity which we tried, but failed, to abolish in the first session of the 89th Congress. It is an inequity caused by the nature of the social security system itself.

One and one-half million older Americans are not eligible to participate in social security.

Designed as a scheme of basic protection against want, the social security system has expanded its coverage over the years so that now over 90 percent of employed Americans benefit by its protective shield. Such near universal coverage has not always been the case.

Of the 1½ million Americans over age 65 not eligible for social security coverage, a great number are retirees from some of the most important productive or necessary occupations in American labor—teachers, firemen, policemen, and self-employed farmers. Many retired before their jobs were covered by the social security system. Many worked in our State or local governments, earning less than their fellow employees covered by social security.

For example, Mr. President, what is to become of those presently retired teachers who are not now eligible for social security? The plight of these important people was brought home to me recently at hearings before the Senate District Committee on legislation relating to teacher's retirement. Some District retired teachers who are not eligible for social security earned as little as $1,200 per year during their working life. Now, without social security, they are asked to live out the twilight of their years on a pittance from the teacher's retirement fund.

Men and women who devoted 20 or more years of service to teaching the young of our Nation's Capital, earning $1,200 per year in the process and denied participation in social security, now must live out the rest of their years on pensions, which they paid for out of their meager salaries, but which now yield less than welfare payments. Yes, Mr. President, we are denying social security benefits to those whose fully funded pension plans bring them less than they could receive on welfare. What justice is there for these people? What sense does the social security system make to them? What is being done to protect them against the ravages of poverty? The shocking answer is, "Nothing."

The situation in which these District of Columbia retired teachers find themselves is, I am afraid, typical of a great many personal deprivations across this great country. Who are the deprived? Those denied participation in social security during their productive years.

The situation of our self-employed farmers is no less severe. As you well know, it was not until more recent times that farmers could participate in social security programs. For those who time passed by—for those who grew old before protection was available—for those disabled under a system which recognized their plight too late, the social security system has been a bright dream in a picture book—looked at, read about but never available in times of need.

The Congress grappled with this question in 1965. To my mind we declared a major war on poverty among the aged, then equipped the army with popguns. The transitional insurance provisions of the Social Security Amendments of 1965, provide less than minimum benefits to 355,000 older Americans, those with at least three quarters of covered employment. We ignored the remaining 1.5 million without any covered employment. While setting out to alleviate long-term, hard-core poverty among our elderly poor, we enacted a short-term program with inadequate equipment and rushed to the aid of those in less severe distress.

Look closely at what we did in 1965. The transitional insurance provisions of the 1965 amendments to the Social Security Act pay a monthly benefit of $35—which is $420 per year or $1.15 per day—to those age 72 or over having at least three quarters of social security coverage. In other words, benefits less than the $44 Congress considered to be the bare-bones minimum for the lowest earning beneficiary were paid to those who evidenced some ability to work in covered employment during the years immediately preceding their retirement.

Mr. President, for the 355,000 Americans over age 65 who had three quarters of social security coverage the transitional insurance provisions, meager as they were, held a promise of hope. But, the provisions were a sad disappointment to the many, many hundreds of thousands of older Americans who had no quarters of coverage because the system did not permit them to participate. They were a bitter pill to those whose hard and earnest labors during a lifetime of marginal existence on the farms and in the classrooms brought no lasting financial rewards. They brought great sorrow to those whose dimming eyes and weakened hearts will not reach the 72d year.

In contrast, Mr. President, in the same act which propounded this mythical solution to a very real problem are provisions establishing broad spectrum medical care for the elderly. I refer my colleagues to a provision of the medicare title which reflects the incongruity of the transitional insurance plan.

Section 103 of title I, "Health Insurance for the Aged and Medical Assistance," blankets in for medical care all those over age 65 or those who become age 65 before 1968, or those who have at least three quarters of coverage. As a result, any person 65 or over is eligible for hundreds of dollars of medical care without regard to social security coverage. But the same person would not be eligible for even the minimum cash benefit unless he had some covered employment.

This disparate approach to providing protection for the otherwise unprotected makes little sense. As written the law launches an attack on the symptoms and byproducts of poverty among the elderly poor, but not the poverty itself. The 1½ million older Americans not eligible for cash benefits must wait until their poverty—their hunger—inadequate clothing and housing—cold stoves and heaters bring sickness, disease, and despair.

Poverty breeds sickness; among the elderly poor food, poor housing, poor clothing and poorly heated living quarters bring illness and disease, which in turn bring eligibility to participate in the medicare program under social security.

To those not eligible to participate—to those with no benefits at all, social security holds no bright ray of hope. There can be no promise of fulfillment in a program which absorbs an old person after all hope—all dignity—all health is gone.

Mr. President, I ask my colleagues to take a close look at the features of my amendment. Look at them in comparison to the transitional insurance provisions of the 1965 act and the medicare blanketing-in provisions.

First, I propose to blanket in all age 70 and above who are not otherwise eligible for social security benefits. These people would receive the minimum monthly benefits, which are now $44 per month, without regard to covered employment. They would receive benefits to insure them against abject poverty in their later years.

Unlike the blanketing-in proposals of the 1965 act, people becoming 70 in all future years will be eligible for benefits under my amendment. Unlike the 1965 amendments, there is no provision in my amendment which phases out later beneficiaries unless they acquire some quarters of coverage before reaching age 70.

I think it is preposterous to expect a great many of our older Americans, who had never worked in covered employment in years preceding their retirement, to get a covered job in their 70th year. Nor do I think it is equitable to provide medical care to all those now 65 without regard to covered employment while denying such coverage to all becoming 65 after 1968.

My amendment assumes that if we blanket in all those reaching age 70 in 1966, we must, in fairness and equity, blanket in those reaching age 70 in later years. The blanketing-in provisions of present law penalize later retirees. It asks them to pay twice—once for those presently of retirement age—through general revenues—and again for their own subsequent retirement. Under present law those nearest retirement age or those who have reached 65 but not 72 may have to seek some covered employment so as to be eligible for benefits at age 72.

Mr. President, the question of blanketing in should always be considered in the light of the economic realities inherent in the program. As social security coverage approaches universality the cost of my amendment diminishes. As more and more people work in covered employment and as more categories of employment come within the scope of the social security system fewer and fewer older Americans will fall outside the shield of its protection. What I ask my colleagues to do today is to bring hope to those whose jobs were covered after they retired.

Mr. President, I think it is of particular importance to look at my amendment's funding technique in comparison to that of the transitional insurance.

The report of the Senate Finance Committee on the transitional insurance program points out how $140 million was to be disbursed from the old age trust fund for benefits to the transitionally insured. It required substantial manipulation of the underlying tax base and scale of covered salaries to produce this $140 million. As a net result future participants in the system and future employers must pay for benefits disbursed in earlier years. Each subsequent retiree, then, has paid a share of the retirement of the transitionally insured.

Blanketing in of all age 70 and above, providing a floor of protection against the needs of our elderly poor, is a responsibility properly belonging to the Nation as a whole.

While Federal moneys to fight the war on poverty came from the pocket of each taxpayer, the aged poor are ignored. While the elderly are expected to support this program, they reap few of its benefits. The war on poverty is being fought on other fronts. Older Americans are a lost battalion.

My amendment is a call to do battle against poverty among the aged. It is a battle belonging to each of us—a battle belonging to the present. My amendment funds the program entirely from general revenues and, accordingly, makes no impact whatsoever on the actuarial balance of the trust funds. In fact, by supplanting the transitional insurance program in existing law, my amendment enables further development of programs under the trust fund.

Mr. President, this brings me to a related question intimately connected with the amendment I now propose.

My amendment brings all those age 70 and above not otherwise eligible for social security under a program of minimum benefits. In the light of the cost of living and the great impact of ill health on the earning capacity of our older Americans, the present minimum of $44 makes little or no sense. As you know, I have long pushed for an elevation of the minimum level of benefits to a flat $70. If the system is to provide a basic floor of protection against want it must do more for the millions of Americans who, if covered at all, are only rewarded by a miserly scale of benefits.

A modest but adequate standard of living for older Americans, living in one of America's larger cities, as seen by the Bureau of Labor Statistics, is in the neighborhood of $3,200. Under present benefit levels, $44 per month nets a single retiree $528 per year. The older couple receives annually only $792 from social security. It is clear that social security at present minimum levels comes nowhere close to meeting the real needs of older couples. And, if social security is the aged couple's only income, there is no doubt they must live out their final years in abject poverty.

I am sorry my amendment is not broader of scope. I am sorry it brings 1½ million Americans under such a woefully inadequate scale of benefits. I am sorry it does not begin to provide real protection against want. But, it is a fundamental first step. It will provide bread and potatoes where before there were none.

My point, Mr. President, is this: While my amendment would have an impact on poverty among our elderly, it would only be the initial engagement in a war for meaningful, long-term protection against the devastating poverty that afflicts older America.

Unfortunately, Mr. President, my amendment is not a grandiose scheme to right all the wrongs that are done our elderly in the name of the war on poverty. It is a program that I consider minimal if we are ever to come to grips with the pressing problems of poverty.

I have heard the cost of this program discussed at some length. But there are some legislative matters, which, because of reasons of fundamental fairness, justice, and equity require that cost be put in perspective in the light of the values to be attained.

At a time when the President has assured us that the budget deficit will be one of the smallest of recent years—at a time when great poverty haunts many hundreds of thousands of older Americans—at a time when other Federal programs spend billions of dollars for everything from sewers to space—there must be and there is a way to bring food to the mouths—clothing to the backs and hope to the hearts of our forgotten old people.

This amendment does not propose a novel scheme. The financing for the amendment already has a precedent in existing law.

The portent of the amendment is along the lines of the Canadian public pension program which puts a flat-rate pension of $75 in the hand of every applicant over age 70.

Robert M. Clark, in his famous study, "Economic Security for the Aged in the United States and Canada," stated that in interviewing well over 300 persons in connection with this report:

> I have never discussed social security with anyone so devoted to principles of individualism that he did not favor action at some level of government to provide basic minimum of social security for everyone. Nor have I encountered anyone so imbued with extreme collectivist doctrines that he denied the desirability of at least a minimum positive role for private initiative in providing for social security. I hasten to add that the concept of a basic minimum to be provided by the state varies all the way from an amount barely sufficient for survival to an amount that would provide a comfortable and financially carefree retirement.

The objectives of my amendment have been acclaimed by such diverse parties in interest as the U.S. Chamber of Commerce and the AFL–CIO. Every organization of older Americans that I have talked to unqualifiedly supports my amendment. In fact, last year I had an overwhelming number of letters suggesting that my amendment should be adopted before medicare—that in the scale of values my amendment was of more direct consequence and of more immediate benefit to those whose povertous afflictions would ultimately lead to ill health.

Why, in Vermont alone there are 2,500 people age 70 and over who are on public assistance but are not eligible to receive social security benefits. They receive not $1 of the $9.3 billion in cash benefits distributed nationally; nor do they receive a penny of the more than $23 million distributed in Vermont alone.

My amendment is not novel—it is fundamental—it is necessary—it is long overdue.

Mr. President, there are more than 18 million people over age 65 in our country today. It is estimated that by the year 2000 one-third of our population will be 65 and over. If 1960 income averages hold steady, nearly 4 percent or some 1,300,000 will have no money income whatsoever. Unless we now chart a course leading to meaningful programs of protection for older Americans we may come upon a period when our national resources must be largely directed toward correcting old wrongs.

My amendment, Mr. President, would, by blanketing in under social security those age 70 and above not otherwise eligible for benefits, put a paltry $1.45 each day into the pocket of a needy older American. While the poverty program in some of our larger cities has been putting thousands of dollars into the hands of a chosen few—the party hacks who bleed the poor to enrich the party—it has declined to put $1.45 into the hands of a needy old woman. While it has spent millions of dollars to set up new bureaucracies to tell the poor why they are poor, it has not had the courage, the boldness or the daring to tell older America why it does not provide $1.45 for food and clothing.

That is the remarkable feature of the so-called war on poverty, Mr. President. It is fought on the wrong battlefields at the wrong time for the wrong reasons. While legions of our older Americans are losing daily battles against invading poverty, a well-oiled, well-heeled war machine wheels past them, showering promises on ears deafened by time, waving banners before eyes dimmed by despair.

The National Council of Senior Citizens reports that nearly 5.4 million persons age 65 and over live in poverty. The elderly constitute more than one-half of all the poor people living alone. Their poverty is often invisible—by no means are they all congregated in slums, but are found in the rooms of old homes, in mining and railroad towns and in shacks in rural areas.

The older they get the poorer they become—literally thousands of them fail to survive the rigors of our winters. In this supposedly civilized and enlightened age that is a timeless tragedy exceeding comprehension.

Leon Keyserling, the former Chairman of the Council of Economic Advisers, pointed out in a recent antipoverty conference in New York that of those receiving social security benefits, nearly 58 percent of the married couples, 58 percent of the unattached men, and 64 percent of the unattached women live in poverty. Among recipients of public assistance who do not receive old-age benefits under social security, almost 100 percent of the married couples age 65 and over live in poverty. Quoting Mr. Keyserling:

> During the years since the original Social Security Act of 1935, the marshaling of the national conscience, the marshaling of our national resources, the marshaling of quantitative income help for the old has lagged terribly. It has lagged not only behind the cost of living, but also behind the productive resources of the Nation, behind our per capita worth, behind our capacity as distinguished from our obligation to provide a decent standard of living for our old people * * *. We have the economic and financial resources to do this, allowing for all other priorities of our national needs—and we should do it.

Mr. President, these elderly people if their health, strength and skills had permitted, would have come under social security had they been able to work a few more years. But when they retired from the work force, the act was not broad enough to provide them with even a small retirement increase. Today these men and women 70, 80, 90 years old must live from hand to mouth, in many cases not knowing where their next meal is coming from.

My amendment would come to grips with this problem completely by blanketing in once and for all all Americans over 70 years of age not otherwise eligible for benefits.

Mr. President, I feel that the Congress has been derelict in understanding and responding to the needs of these people. We have succeeded in setting our older people as a group apart from the mainstream of American life. The elderly are with us, but not of us.

They trouble us precisely because we are such an affluent society. They have become a standing embarrassment, a mute reproach to the social conscience of the Nation.

Mr. President, it is high time that we took action to correct this great inequity.

Mr. PASTORE. Mr. President, will the Senator from Vermont yield for a question?

Mr. PROUTY. I am glad to yield to the Senator from Rhode Island.

Mr. PASTORE. The Senator's amendment has great personal and human appeal, there is no question about it. There may be many citizens not covered by social security who do need some assistance once they have reached the age of 70. In our kind of society, it is hard for them to find gainful employment, or to obtain some income without becoming beggars so to speak. Therefore, the question I should like to ask the distinguished Senator is: How much will it cost?

Mr. PROUTY. I have the figures before me.

Mr. President, in response to the inquiry of my good friend, the Senator from Rhode Island [Mr. PASTORE], let me indicate the summary of the costs as I see them.

First. In 1965 Robert Myers, Social Security actuary, informed the Senate Finance Committee that there were 1.75 million Americans aged 65 and over not eligible for social security.

Second. The Task Force on Economic Growth and Opportunity of the United States Chamber of Commerce, the AFL–CIO, the National Council of Senior Citizens, the American Association of Retired Persons and the National Retired Teachers Association claim that this figure should be 1.5 million.

Third. On March 2 of this year Robert Myers maintained there were 1.8 million age 70 and above not eligible for social security.

Fourth. Using the figures cited by the chamber task force the cost of the Prouty amendment—not including an allowance for any reduction in State welfare payments which may take place—can reasonably be expected to be $450 million.

Using the Myers figures, the net cost of my proposal would be $760 million.

I have struck a median figure between the high and the low level estimates of my proposal. I think it can reasonably be expected not to exceed $600 million.

I am sure that the labor organizations and the United States Chamber of Commerce task force have competent actuaries in a position to make reasonably good estimates.

Mr. PASTORE. I understand the Senator's amendment would be paid out of the trust fund, which would be reimbursed by the general treasury.

Mr. PROUTY. That is correct.

Mr. PASTORE. It is my understanding that we have a permanent debt ceiling of $285 billion. I recall that we have lifted the debt ceiling many times and it is now set temporarily at $324 billion. The national debt is $323.7 billion. That means we have a margin of only about $300 million.

If the amendment is adopted and the bill passes with the amendment, it will cost between $450 and $760 million.

Does the Senator make any provision for raising the ceiling of the debt limit?

Mr. PROUTY. Obviously the Senator from Vermont is not in a position to do that. I think there are many unnecessary items in the budget, and some that are much less important than taking care of 1½ million people who are in desperate need.

I do not know what is going to happen to the debt ceiling. If the deficit is held to what it is estimated to be, we may not have a problem.

Mr. PASTORE. But the Senator realizes that we have passed a bill providing for expenditures of $4.8 billion in order to carry out our obligation and commitment in Vietnam. It is because of that commitment and a hesitancy to raise the debt at this time that the administration is asking for money to pay for that obligation. Yet the Senator's amendment seeks to increase the debt by $450 to $760 million.

What the Senator from Rhode Island would like to have answered at this juncture is how we are going to cut taxes or give greater allowances at a time when we are trying to have a tax adjustment in order to meet our commitment in Vietnam.

I wonder if the Senator from Vermont can inform us how we can have our cake and eat it, too. That is what it amounts to.

Mr. PROUTY. I think taking care of a million and a half elderly citizens, 70 years of age and over, who are in desperate need, is entitled to a high priority; it is a very important consideration.

Let me refer to one of thousands of letters I have received over the past years. This one comes from the La Crosse Retired Teachers Association in Wisconsin. A study conducted by the association shows that 500 retired teachers receive less than $25 a month, while 637 receive $50 a month, and none of these 1,100 retired teachers was eligible for social security.

I have many others that I shall put in the RECORD, but that is typical.

Mr. PASTORE. May I say to the Senator, unless a motion to table is made, that I am looking rather sympathetically at the amendment, because if the Senator from Vermont or any Senator on the other side of the aisle is going to be Santa Claus, I would like to consider these people in my State, too; but if we are to begin to live up to our responsibilities, we had better act in a responsible way.

Such an important measure should have the benefit of committee consideration and calm judgment. These older people will be hurt by any quick rejection of their cause in a hasty floor discussion. They will be hurt even more by an attempt at an empty gift gesture with no practical money source to make it good.

It is not logical or helpful to tie their case with its considerable cost to a bill intended to increase the Government's income for Vietnam.

I shall vote to table the amendment although my heart will not be in it—for I favor a practical approach to the problem of their need.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. PROUTY. I yield to the Senator from Oregon.

Mr. MORSE. Mr. President, the amendment of the Senator from Vermont [Mr. PROUTY] provides long delayed justice to the individuals who, by various chances of working conditions, have reached the age of 70 without an entitlement to social security coverage. The cost of furnishing them coverage would come out of General Treasury funds, under this amendment.

In my opinion, it is only a matter of time before this measure is enacted, and I only hope it will be now, rather than later.

It provides the "70 and over" age group with only the minimum coverage. But it seeks to correct the gaps in the law and in the circumstances of individuals whereby the intended universality of social security has not been achieved.

These people are dying by the day, week, and month. I think any further delay is going to continue to work an injustice on these citizens.

I warmly commend the Senator from Vermont for offering the amendment. I am pleased to be a cosponsor, to speak for it, and to vote for it.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. PROUTY. I yield to the Senator from New Hampshire.

Mr. COTTON. Mr. President, I want to compliment the Senator from Vermont, not only for offering this amendment, but for the very masterful way in which he has marshaled the facts concerning the need for it.

I am a cosponsor of the amendment. I have long been associated with the Senator from Vermont in his efforts to secure help for these very people, those who are under social security, who are receiving a minimum amount, and those not under social security.

With all the benefits and alleged benefits being spread around this country, it is inconceivable that we should not do something to right the wrong in the case of this group.

I am very happy to be joining the Senator from Vermont in fighting for this very necessary and worthy amendment.

Mr. PROUTY. I appreciate what the Senator has said. I recall last year he voted twice not only in support of an amendment similar to the pending amendment, but also to increase the minimum payments for social security beneficiaries. I appreciate the Senator's help. I know his support is going to add luster to this amendment.

Mr. LONG of Louisiana. Mr. President, this amendment is a social security amendment. It will cost $790 million. The Government needs revenue. We are trying to come as close to balancing the budget as we can. If this amendment is adopted, it will put the budget still further out of balance.

The amendment would provide a windfall in many State welfare programs, because a large portion of the people who need this help are already covered by the State welfare programs which are already matched by Federal funds.

With the Federal Government running a deficit, and the Federal Government being $320 billion in debt, it does not seem appropriate to put the Federal Government still deeper into debt.

Some of the States operate on a surplus. The State of Louisiana would not object to having a windfall, but the constitution of the State of Louisiana requires it to float a bond issue and borrow if it is going to have a deficit.

The State of Virginia, also, is not permitted to operate on a deficit. I see in the Chamber the Senator from Virginia [Mr. BYRD]. He was a State legislator and he knows that the State of Virginia does not operate on a deficit. They have no debt. Imagine that. Under this amendment it is proposed that we put the Federal Government deeper in debt by going to the aid of State budgets, when some of the States do not have a debt at all.

I have sympathy for helping the aged, and there are all sorts of things we can do for the aged. We did a lot last year. The social security and medicare bills we passed last year cost the Government several billion a year. Most of that would go to the aged and add to the cost of the social security increase.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield to the Senator from Florida.

Mr. SMATHERS. Is it not a fact that one of the worst fallacies in the area of this particular proposal is that of the roughly 1,800,000 people who would be covered under the amendment there are many hundreds of thousands who are already retired on a military retirement, a Federal retirement, or some private company retirement, and they are not asking for help? Some of these are actually quite well-to-do people and yet this is going to give them $44 a month and their spouses $22 in addition. They do not need it or want it. The other 1,100,000 who would be benefited by this particular amendment offered by the Senator from Vermont, are under the old-age assistance program. The State legislatures in each of these States would have to meet and devise a suitable means test to determine whether or not they are going to have this increase permitted because it may be, as the Senator from Louisiana pointed out, that the States would do nothing and the Federal Government would do all of it.

It would take at least a year and a half to get underway and cover people who do not need or have asked to be covered. It throws us into debt more deeply than we are now.

Here is a measure to meet the present cost of Vietnam and what are we doing but adding an amendment that will have a total cumulative 5-year cost of $3.4 billion. That does not make sense.

Mr. PROUTY. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. If I may continue for a moment, I will yield to the Senator from Vermont.

In the State of Louisiana, we have a popular Governor who ran for office and committed himself to pay raises for schoolteachers. Ever since then the administration has been trying to find enough money to meet that commitment. They have found financing for part of it but not all of it. If we were to give them an additional amount from the Federal Government they could say, "Let's put that into the schoolteacher pay raise."

In that event this measure would not be for the old people but for the schoolteacher pay raise. They will say, "The Federal Government took these people off of our hands. We will give money we saved to the schoolteachers." It would not be the aged who would benefit but the schoolteachers.

Approximately 1.8 million persons would be blanketed in under this proposal.

Of this group, about 1 million are estimated to already be receiving old-age assistance from the States. This amendment would replace State funds now received by the needy and they would receive the check instead from the Federal Government.

The increased benefits would go to those who least need it—not those on welfare, but to the well-to-do who are not on welfare. They do not need it nor do they expect it. It would be foolish to spend the money in this fashion, especially when the Federal Government is running a deficit.

The proposal is arbitrary because there is no justification for selecting the age of 70 as the starting point. Why not the age of 68 or the age of 66? If a person were 68 or 66 years of age he might need the money more than a person a year or two older who is well off financially. The selection of age in this fashion would invite further reduction to perhaps 65.

Mr. PROUTY. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I will yield in just a moment.

Last year Congress provided increased benefits for public assistance as well as designing a new program to allow greater Federal participation in the medical assistance programs of the States. Further, the medicare programs afforded hospital and medical benefits to all our elderly heretofore unprotected against medical costs. All of these programs allow our elderly to use previously unavailable funds and have greater purchasing power for nonmedical necessities.

The amendment is a crude way of getting Federal general fund revenue for the aged. It would merely replace Federal dollars for the State dollars going to persons on old-age assistance, with no assured increase in payments for the individual recipient. The substitution of Federal funds will enable the State to merely pocket the saving and then the State is free to spend it for any public welfare purpose, and the needy aged may not be the advantaged group. A straight increase in the old-age assistance matching formula would be a much more effective conduit of general revenue funds to the needy aged and it would avoid the windfall payments to the States who are well able to meet their own requirements.

I submit that the Committee on Finance has not ignored the needs of the aged in this country. We brought before the Senate last year, and I am sure we will again this year, measures to help provide additional benefits to the aged. The social security bill last year increased the cost to the Government by over $7 billion a year. Most of that $7 billion was for the benefit of the aged. We will take a look at our program sometime during the year, and as we study the figures, and the measures available, and the various services where we could better provide for the aged, we will recommend to the Senate what we believe would be the best program to be worked out after.

There are untold numbers of provisions that can be voted for each year by those who wish to benefit the aged. However, I do not think that it should be added to this revenue-raising bill.

I have seen many suggestions, all containing varying degrees of merit which would give benefits of one kind or another to the aged.

I believe that the Senate would be better advised to study all of these proposals and suggestions and at least let the Department of Health, Education, and Welfare recommend those that they think we can afford at this time.

I yield to the Senator from Vermont.

Mr. PROUTY. Mr. President, first I recognize the responsibility of the distinguished Senator from Louisiana who opposed this legislation. Regardless of how he might feel about his job, as chairman of the committee, he is the spokesman for the administration. When I refer to the Senator's opposition, I am not thinking of him as an individual. I know that when a similar amendment was introduced last year the Senator gave a great deal of time and thought to it. I appreciated that very much.

We have to assume, I think, that he is speaking for the administration. It is his responsibility to do that when he opposes this amendment or those similar to it.

Mr. LONG of Louisiana. May I say to the Senator that I am not speaking for the administration. I have not checked as to the Department of Health, Education, and Welfare or the Treasury Department's view. I would assume that the Treasury Department does not want it on this revenue-raising bill. It defeats the purpose of the bill.

The purpose of the bill is to seek to raise close to $5 billion to help balance the budget and to pay the extraordinary costs imposed on us because we have a war going on in Vietnam. What we are supposed to be doing today is raising revenue, not spending it.

Mr. PROUTY. Mr. President, will the Senator yield further?

Mr. LONG of Louisiana. I yield.

Mr. PROUTY. In view of the fact that I and other Senators have sponsored legislation similar to this over the last 4 years, and no hearings have ever been held by the Senate Finance Committee, I think it is logical to assume that the administration is strongly opposed to legislation of this nature. I shall place in the Record, at the proper time, a great many figures on this subject; but I invite the Senator's attention to the 1965 amendments to the Social Security Act, which provide incentives and penalties for certain reductions in State public assistance programs resulting from amendments to the Social Security Act. I shall place them in the Record in memorandum form.

However, the Senator from Louisiana well knows that if a State reduces its old-age assistance because of an increase in social security payments, it proportionately loses some of the Federal grant unless that money is used for some other State public assistance program, such as aid to the blind, aid to dependent children, and similar programs. Is it not accurate then to say that in such a situation my amendment has positive benefits?

A substantial number of States have already taken advantage of the voluntary exemption up to $5. I hope others will do so.

Mr. LONG of Louisiana. From my point of view, that is one more thing that is wrong with the amendment. It should not give States windfalls in their budgets, it seems to me that there is no reason to enable them to reduce taxes while the Federal Government is increasing its taxes.

Mr. PROUTY. I shall also place in the Record, in the form of a memorandum, the 1965 actuarial report of the Civil Service Commission, which makes some startling observations.

To those who would not like to see my amendment apply to recipients of Federal pensions I would point out that of the more than 200,000 surviving widows and children of civil service retirees, 38 percent receive less than $50 a month; 79 percent receive less than $100 a month; 93 percent receive less than $150 a month. Ninety-nine percent of all surviving widows and children receive less than the so-called poverty level of $3,000 per year. Of the 170-some thousand widows on the civil service retirement rolls as of June 30, 1965, the average age was 65.8, the average annuity a meager $80 per month.

The situation of surviving widows and children is not necessarily the most desperate. Look at the unfortunate figures relating to employee annuitants.

Four hundred forty-nine thousand and seven hundred receive less than $50 a month; 126,100 receive less than $100; 214,300 receive less than $150 per month; 307,600 receive less than $200. Viewing the so-called poverty level as $250 per month, 377,500 civil service employee annuitants out of a grand total of 508,500 receive less than poverty-scale annuities.

That poverty scale was established by this administration, which apparently is overwhelmingly opposed to the adoption of this amendment.

Mr. President, alarmingly enough, nearly 74 percent of all civil service employee annuitants receive less than the magical poverty level.

So let him who sees injustice, in including Federal pensioners in my bill come forward and identify himself.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Vermont.

Mr. LONG of Louisiana. Mr. President, I do not desire to deter Senators from making speeches on the amendment. If any Senator desires to discuss the amendment further, I shall yield for that purpose. However, unless some Senator desires to discuss it, I am prepared to move to table the amendment on the theory that it is a social security amendment, which more appropriately should be attached to a social security measure than to the revenue-raising bill now before the Senate.

Mr. PROUTY. I understand what the Senator has in mind. Unless other Senators wish to speak at this time, I should like to have a live quorum. Following the quorum call, I should like to be permitted to speak briefly, after which I shall be prepared to vote.

Mr. LONG of Louisiana. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 45 Leg.]

Aiken
Allott
Anderson
Bartlett
Bayh
Bennett
Bible
Boggs
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Carlson
Case
Clark
Cooper
Cotton
Curtis
Dirksen
Dominick
Douglas
Eastland
Ellender
Ervin
Fannin
Fong
Gore
Gruening
Harris
Hart
Hartke
Hickenlooper
Hill
Holland
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McIntyre
McNamara
Metcalf
Miller
Mondale
Monroney
Montoya
Morse
Morton
Mundt
Murphy
Nelson
Neuberger
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Russell, S.C.
Russell, Ga.
Saltonstall
Scott
Simpson
Smathers
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N Dak.
Young, Ohio

The PRESIDING OFFICER (Mr. BARTLETT in the chair). A quorum is present.

Mr. PROUTY. Mr. President, I point out that at the appropriate time, a motion will be made to table my amendment. I wish to make it very clear, particularly to the 1,500,000 elderly citizens, 70 years of age or over in this country who would benefit under this amendment, that a vote for a motion to table is a vote against the amendment. I repeat, a vote for a motion to table is a vote against the amendment.

I understand some of these elderly people, or some of their representatives, are in the gallery. I want them to report that to the people they represent: that a vote to table this amendment is a vote against a meaningful program of benefits for older Americans and, in my judgment, is a vote against 1,500,000 elderly citizens in this country who need help desperately at this time. So let there be no mistake about that.

I think it is unfortunate, Mr. President, that all of a sudden, the Senate of the United States is urged not to stand up and vote on the merits of this amendment. It seems to me that we should have sufficient courage to vote "Yes" or "No" on the merits of the amendment, and not on a procedural motion. And so again, Mr. President, let me make it very plain to the old folks of this country that a vote to table this amendment is a vote against the amendment.

Mr. President, after making the parliamentary situation clear, I should like to proceed to explain briefly what my amendment purports to do.

There are 1.5 million Americans age 70 and above who have no social security protection. The system has passed them by. Their jobs were not covered by social security during their working years. They are for the most part the teachers, policemen, firemen, and self-employed farmers who retired before social security coverage came to their profession.

Many of these 1.5 million older Americans either have no outside income or they receive small pensions based in part on salaries of the 1930's and 1940's. For example, some retired teachers with 20 or more years service have pensions of $25 per month. A number are on public assistance.

My amendment would "blanket in" under the protection shield of social security all of these people who reach age 70 without the benefit of social security coverage. They would receive the minimum monthly benefit which is now $44.

The precedent for my amendment was set in the 1965 amendments to the Social Secruity Act when all older Americans not covered by social security were made eligible for medicare at age 65. Additionally, the transitional insurance provisions added to the social security law by those amendments were an effort to make a start in the direction of my amendment.

My proposal is the logical extension of the "blanketing in" provisions of the 1965 Social Security Amendments. Its adoption is essential if we are to meet our commitments to fight poverty among our elderly poor. It is supported in principle by the U.S. Chamber of Commerce, the AFL–CIO, the American Association of Retired Persons, the National Retired Teachers Association, the National Council of Senior Citizens, and virtually every informed person or organization conversant with the plight of the aged needy.

Some weeks ago, when he appeared before the Committee on Aging, Mr. Shriver, Director of the OEO, stated in substance that the poverty program was not designed to help the elderly poor. He said, in effect, that while the program trys to bring some help to the elderly poor, it basically was not designed for that purpose.

I commended Mr. Shriver for being honest and forthright in making that statement. I asked him if it was not true that what the elderly poor in this Nation needed more than anything else was more money in their pockets, and in substance he agreed.

I now quote from Mr. John Edelman, legislative director of the National Council of Senior Citizens, when he appeared before the Committee on Aging.

He said:

> We have adopted, both by convention and by subsequent action of our executive council, a program for considerably more substantial increases in the social security benefits than even those pointed out by Mr. PROUTY. We applaud Senator PROUTY's efforts in this direction, and in the long run, we feel he is aiming at the most fundamentally necessary thing which needs to be done to alleviate the conditions of the elderly in the United States today. We support blanketing in all persons aged 70 under social security for at least a minimum benefit, and will continue to work for it very actively and very militantly.

Mr. President, let me quote briefly from a few of the thousands of letters that I have received on this question from old people throughout the country. Nothing tells more about my amendment—nothing better states its need—than the correspondence I have received over the years.

From Mrs. C, an 89-year-old widow with no social security, no pension, and little hope, a plea to buy bread for her table.

From Mrs. T, the widow of a minister with 50 years' service, a sorrowful request for redemption from the indignity of poverty.

From Miss C, a retired teacher with 50 years' service, a searching request for money to help her preserve her failing eyesight.

From Mrs. S, of Appleton, Wis., a touching note telling how much my amendment would mean to her. Her total income is $45 per month—she does not receive any welfare payments.

From the La Crosse County Retired Teachers Association, the results of a study which notes that 500 retired teachers receive less than $25 per month from their pension while 637 receive only $50. None of these 1,100 retired teachers was eligible for social security.

From Mrs. M, of Little Rock, Ark., the story of an acquaintance who retired from teaching at age 70 and took a job as a waitress to get social security coverage.

From Miss M, of Rhode Island, a statement of the retired teachers great need for my amendment, relating how 250 of them receive pensions of less than $2,000 a year.

From Miss S, of Milford, Mich., afflicted with chronic allergic asthma, complicated by emphysema, who receives a pension of $113 a month, over half of which goes for medicines and I quote:

> I have at times considered just giving up with an overdose of sleeping pills at times—it is so discouraging. I have been a good citizen all my life but I really don't feel like one now.

From Mr. H, of New Fairfield, Conn., the holder of a Ph. D., these tragic words:

> I used to take it as an honor, but inflation has driven me to my knees to beg for some kind of relief.

From Mrs. U, from Moxville, N.C., a short, sad biography. For the past 14 years she was the sole support of her aged mother, who recently died at 97. Her pension over this period was less than $50 a month. Now her eyes are dimming and she writes me of her fear that she will not live to see the benefits of my amendment.

From Miss F, of Burlington, Vt., the recollection that for many of her working years as a public school teacher she received $6.50 a week, paying $2.50 a week for board. Today she cannot live on what little she saved. She is not eligible for social security.

From Mrs. F, of Louisville, Ky., a plea for adoption of my amendment and the very penetrating insight that "the elderly so far have been forgotten in the blueprint for a Great Society."

From Mrs. H, of New York City, an urgent request for adoption of my amendment because she is now being forced to support her husband's nursing care out of capital.

From Mr. A, of St. Petersburg, Fla., a report of hunger and little money and a call for the Great Society to do something tangible for the starving millions of older Americans who gave their all during their working years.

From Mr. E, of Huntington Station, N.Y., a comment familiar to those of us who have long studied the problems of the aged, he cannot find a job so as to qualify for social security. You see, he is 78 and employers tell him he is too old to work.

These letters are typical of the thousands I have received in recent years stressing the plight of the forgotten elderly and pleading for relief from the oppressions of poverty. These people are not the cold statistics of a census. These are real people in real distress.

Much has been said about the cost of the program. First, I remind Senators who are present in the Chamber that the Dominion of Canada, which clearly does not possess the financial resources of the United States, pays a pension of $75 a month to every citizen reaching the age of 70.

If our country, the greatest and most powerful country in the world cannot duplicate the effort of our northern neighbor, I believe we must take a new look at our entire social security system. Turning to some of the costs of the poverty program, I quote from hearings on the supplemental 1966 appropriations for the poverty program:

> PER PERSON COSTS OF OTHER FEDERAL PROGRAMS IN RELATIONSHIP TO THE $44 PER PERSON PER MONTH $528 PER YEAR COST OF THE PROUTY AMENDMENT
>
> UNDER THE POVERTY PROGRAM
>
> *From hearings on supplemental 1966 appropriations*
>
> Cost of operating Job Corps camp per enrollee: $4,500, over 9-month period annualized, this cost is $6,035.
>
> Capital costs of Job Corps camp per enrollee: $500, as amortized over 10 years.
>
> Travel costs of enrollee: $70.
>
> Readjustment allowance per enrollee: $50 per month, plus $30 per month living allowance.
>
> Maximum clothing allowance per enrollee: $140.
>
> In the 1966 supplemental, Shriver asked for $235 million for job camps to meet a design capacity of 50,000 enrollees. The Prouty amendment asks for three times that amount to provide social security protection for 30 times the number of people. The goal is 100,000 enrollees at an annualized cost of $600 million poverty dollars. For one-third again the cost, the Prouty amendment benefits 1,500 percent more people.
>
> The poverty program benefits 50,000 young people in the prime of life. The Prouty amendment benefits 1.5 million older Americans in their dim and often desperate years.
>
> The Job Corps enrollee is paid enough to send $600 back to his parents each year. The aged, 70 years and over, not eligible for social security, are denied $528 if the Prouty amendment is defeated.
>
> The appropriation requested for 280,000 work trainees was $255 million, or roughly $911 per trainee. The amount requested per each Prouty beneficiary, $44 per month, $528 per year.
>
> UNDER MANPOWER DEVELOPMENT AND TRAINING ACT
>
> According to the Department of Health, Education, and Welfare, it costs nearly $2,500 per year to keep a man and his family on welfare for a year (hearings on Manpower Development and Training Act, Feb. 2, 1964, Senate, according to Commissioner Keppel). MDTA costs $1,200 to $1,300 per trainee.
>
> UNDER PROGRAMS OF VOCATIONAL REHABILITATION
>
> Depending upon degrees of disability, rehabilitation services run from $500 to $1,500 per person.
>
> In summary then, it appears that the Prouty cost-benefit ratio far exceeds cost-benefit ratios of existing Federal assistance programs. Additionally, the program benefits a category of beneficiaries too long neglected.

Mr. President, I should like to quote from the task force report of the U.S. Chamber of Commerce. It states in part:

> There remain over 1.5 million people age 65 and over who are not eligible for social security retirement benefits. These are principally retired Federal Government employees, veterans, and others who, either because of age or occupation, were not included in the Social Security Act of 1935 and subsequent amendments. The number of aged persons not covered by social security is decreasing each year as people in the upper age brackets die and as more people reaching retirement age are eligible for social security because of prior employment.
>
> Since 1935 the Social Security Act has been amended to include more groups, such as, for example, military personnel and self employed persons. Members of the medical profession, as a result of the amendments of 1965, are the most recent group to be added. Social security is a public program and no group of working people should be exempted from paying taxes to support it or from benefiting from it.

The task force's recommendations state:

> All Americans 65 years of age and over not eligible for social security retirement benefits should be brought into the program.

Mr. President, a little earlier, when there were few Senators in the Chamber, I pointed out some of the problems of the recipients of Federal pensions. I should like to reiterate their plight again for emphasis:

Of the more than 200,000 surviving widows and children of civil service retirees, 38 percent receive less than $50 a month; 79 percent receive less than $100 a month; 93 percent receive less than $150 a month. Ninety-nine percent of all surviving widows and children receive less than the so-called poverty level of $3,000 per year. Of the 170,000-some widows on the civil service retirement rolls as of June 30, 1965, the average age was 65.8, the average annuity a meager $80 per month.

The situation of surviving widows and children is not necessarily the most desperate. Look at the unfortunate figures relating to employee annuitants: 49,700 receive less than $50 a month; 126,100 receive less than $100; 214,300 receive less than $150 per month; 307,600 receive less than $200. Viewing the so-called poverty level as $250 per month, 377,500 civil service employee annuitants out of a grand total of 508,500 receive less than poverty-scale annuities.

Mr. President, alarmingly enough, nearly 74 percent of all civil service employee annuitants receive less than the magical poverty level.

So, let him who sees injustice in including Federal pensioners in my bill come forward and identify himself.

I wish to point out that there can be a fair and reasonable difference of opinion as to the cost of this program; the figures are quite intricate. I invite the attention of the Senate to an amendment which I offered last year on the floor of the Senate to increase minimum benefits to $70 per month per individual.

During the debate, the distinguished Senator from Louisiana estimated the cost of my amendment at that time at $3 billion. I estimated the cost at around $1.2 billion.

Subsequent to action on the bill, I received a memorandum from Mr. Myers, the Social Security actuary, in which he said in part:

> A discussion of the cost estimates that I had made for this proposal and for earlier versions thereof is contained in the CONGRESSIONAL RECORD, volume 111, part 12, page

15909. Unfortunately, some of the cost information that I furnished to both Senator LONG and Senator PROUTY was not completely clear and I hope that this memorandum will clarify the situation.

He pointed out—and I am not referring to the amendment presently pending before the Senate—that the actual additional cost of my amendment over the Finance Committee bill was $1.8 billion, rather than $3 billion suggested by the distinguished Senator from Louisiana.

I am not suggesting that Mr. Myers deliberately—I know he did not—give different information to the Senator from Louisiana than he did to me. We approached the question from different standpoints. I think the Senator from Louisiana and I were both accurate, based on the information given us.

In closing, let me reemphasize that the Canadian Government pays to each citizen 70 years and older $75 a month, and $150 to a couple, if a man and wife are both living.

It seems to me this country can do no less.

May I repeat, if and when the motion to table is made, I want it clearly understood a vote to table this amendment is in fact a motion to kill the amendment. It is merely a procedure by which some Senators, if they wish to do so, can tell people back home, "I voted only to table; I did not vote against the amendment." But a vote to table is a vote against the Prouty amendment. I hope there will be no misunderstanding about it.

I am sorry we have had no opportunity to act on this measure over the 3 to 4 years since its introduction. I must assume the administration is opposed to the proposal. Otherwise it would have the support of the distinguished Senator from Louisiana.

I am perfectly willing to yield the floor at this time, and I am ready to vote at any time; but, once again, I wish to say that a vote to table is a vote against the Prouty amendment

Mr. LONG of Louisiana. Mr. President, this amendment should not be agreed to. I should like to point out why it does not make good sense. I explained the amendment to the Senate last year. The Senate tabled the amendment at that time.

I made the statement then and it is equally appropriate now that, rather than adopt the amendment, it would be just as well to climb to the top of the Washington Monument and scatter hundred dollar bills in a high wind.

In Louisiana we cannot get the policemen and firemen to come under the social security system. They prefer to be covered by the State pension system because they get higher retirement benefits under that system. After serving 20 years, a policeman can retire on full retirement benefits and receive full retirement benefits.

This amendment provides that, even while either the retired fireman or policeman is drawing a pension, which could be $500 a month or more, he would nevertheless be entitled to social security benefits of $44 a month for himself and $22 for his wife.

If any distinguished Member of this legislative body is 70 years of age, he receives the full retirement benefit of $900 a month. Under this amendment, he would also receive a further benefit of $44 a month for himself and $22 for his wife.

Further, a member of the armed services generally draws retirement benefits far greater than provided by social security. Under this amendment, he will get additional benefits of $44 a month for himself and $22 for his wife, even though there was no need shown for it.

One would think, if we were going to adopt this amendment, there would at least be a requirement to show a need. This need has certainly not been demonstrated. There is no question of need involved.

The Senator from Vermont has talked about schoolteachers. We cannot get the schoolteachers in Louisiana to enter the social security retirement program. They fear that if they do so, they would jeopardize their own pensions, under which they are guaranteed much better benefits than they would receive under the social security program. They do not want to take the chance, by coming under social security, that the State legislature would not appropriate the large sums of money necessary to provide for their present retirement benefits.

Yet under this bill, in addition to the State retirement benefits, each retired schoolteacher would receive $44 for himself and $22 for his wife.

Even more inequitable, under this amendment, a person can be a millionaire, draw a good private pension, and still be entitled to $44 a month for himself and $22 for his wife.

This is certainly a poorly conceived amendment, almost as inept as another amendment, which might have been offered. This other measure, namely, amendment No. 490, was also introduced by Senator PROUTY as a proposed amendment to the pending tax measure. It would provide benefits for everybody around the world who is aged 70 and over. It would include Mao Tse-tung, Charles de Gaulle, and everybody else. The Senator apparently will want to provide a pension for everybody in the world. The Senator may not call amendment 490 up.

At least, we can say the pending amendment applies only to American citizens. But it is equally objectionable, for there is no requirement of need or of contribution. Every State has a welfare program to take care of anyone who is truly in need. But those who are not in need and who have not contributed 5 cents to the social security trust fund would, under the amendment, receive benefits. There is no reason why we should be providing payments to people who can take care of themselves and have not made any contributions to the program.

For example, the Federal Government provides a better retirement program than people have under social security. Why should Federal retirees receive additional benefits under the social security system?

How about State employees? Many of them do not want it. If they want to come under social security, all they have to do is elect to do so.

When I tried to persuade such individuals to come under the social security program in my State, they demanded that I take any such proposal off the statute books for fear that the State legislature might not vote to provide the amounts of money necessary under their own retirement system.

The Government is about $320 billion in debt. Some States have no debt at all. This amendment would give some States a big windfall as to their own State programs, at the expense of the Federal Government, and put the Federal Government more deeply into debt.

Mr. President, there is no need for the amendment. In the event that someone had a case for people who are really in need, we would be glad to consider it on the Finance Committee and vote additional help for these less fortunate persons. Not only is there no need for this amendment, it does not belong on a tax raising bill.

H.R. 12752 is to enable us to move toward balancing the budget, and the proposed measure would unbalance the budget.

If we are going to vote for this amendment, we might as well go ahead with voting other measures which might provide for those who think they have no need for additional Federal benefits.

Because of the foregoing arguments, I shall move to table the amendment.

Mr. PROUTY. Mr. President, will the Senator yield for a unanimous-consent request?

Mr. LONG of Louisiana. I yield.

Mr. PROUTY. Mr. President, I ask unanimous consent to submit some memorandums in the RECORD.

There being no objection, the data were ordered to be printed in the RECORD, as follows:

SUMMARY OF COST ANALYSIS

1. In 1965, Robert, Meyers, social security actuary, informed the Senate Finance Committee that there were 1.75 million Americans aged 65 and over not eligible for social security.

2. The U.S. Chamber of Commerce, the AFL–CIO, the National Council of Senior Citizens, the American Association of Retired Persons, and the National Retired Teachers Association claim that this figure should be 1.5 million.

3. On March 2, Robert Meyers maintained there were 1.8 million age 70 and above not eligible for social security.

4. Using the figures cited by the chamber the cost of the Prouty amendment (not including an allowance for any reduction in State welfare payments which may take place) can reasonably be expected to be $450 million.

5. Using Meyers figures the net cost of the Prouty proposal is $760 million.

6. Striking a median figure between the high and low estimates the Prouty proposal can reasonably be expected to cost around $600 million.

MEMORANDUM ON COST

On April 30, 1965, Robert J. Myers, social security actuary, submitted a written estimate on the cost of blanketing-in all persons age 65 or over for benefits of $35 per month with $17.50 payable to the wife of the beneficiary.

This stated that there were 1.75 million Americans aged 65 and over not eligible for social security. Mr. Myers indicated that the number of such beneficiaries would diminish each year reaching a level of 1.25 million by 1990. On March 2, 1966, Mr. Myers said that there were 1.8 million people age 70 and above who would be brought within the scope of my amendment.

Clearly, there is a wide discrepancy in Mr. Myers' underlying data. How can there be 1.75 million age 65 while there are 1.8 million age 70 only 1 year later, particularly in light of the statement by Mr. Myers that the group not now eligible for social security is decreasing in size each year.

The U.S. Chamber of Commerce in its task force report on poverty and the aged notes that there are 1.5 million Americans age 65 and above not now eligible for social security. This statistic is confirmed by the National Council of Senior Citizens and the American Association of Retired Persons and the National Retired Teachers Association.

The difference in the ultimate cost figure is, of course, quite substantial. If the base figure of 1.5 million older Americans ineligible for social security is used for all those age 65 and above, the cost of the Prouty proposal viewed as a product of the annual benefit ($528) times the number of beneficiaries the cost is maximized at $792 million. The actual cost will be much less. For example, a portion of the 1.5 million will be wives who would receive one-half the minimum benefit. Additionally, the 355,000 transitionally insured (now financed from the OASDI trust fund) would be absorbed and included in the 1.5 million, releasing the present cost of transitional insurance, $140 million for other social security purposes. Finally, beneficiaries of the Prouty amendment might elect to go off public assistance, thereby diminishing the total Federal cost by virtue of the public assistance title of the Social Security Act.

The Prouty amendment does not blanket in at age 65. It blankets in at age 70. Using the Chamber's base of 1.5 million at age 65 it is fair to assume a base of 1.25 million at age 70. Using a base of 1.25 million would develop a maximum cost of $660 million from which reductions would be made for payments to wives, diminishment in public assistance payments, and a $140 million credit for the transitionally insured absorbed into the Prouty proposal. The net cost out of general revenue might be fairly represented by $450 million.

Taking Mr. Myers' highest estimate of 1.8 million beneficiaries age 70 and above less the credit for transitional insurance, wives' payments and reductions in public assistance, his estimate can be fairly read to require payment of some $700 million out of general revenues.

Striking a median cost figure between the high buyer's estimate and the low estimate a payment of some $575 million out of general revenues might be expected.

A more definite cost appraisal is not possible due to the wide fluctuation of the estimates provided by the social security actuary from 1965 to the present.

Per Person Costs of Other Federal Programs in Relationship to the $44 Per Person Per Month or $528 Per Year Cost of the Prouty Amendment

UNDER THE POVERTY PROGRAM (FROM HEARINGS ON SUPPLEMENTAL 1966 APPROPRIATION)

Cost of operating Job Corps camp enrollee: $4,500, over 9-month period; annualized, this cost is $6,035.

Capital costs of Job Corps camp enrollee: $500, as amortized over 10 years.

Travel costs of enrollee: $70.

Readjustment allowance per enrollee: $50 a month, plus $30 a month living allowance.

Maximum clothing allowance per enrollee: $140.

In the 1966 supplemental appropriation, Shriver asked for $235 million for job camps to meet a design capacity of 50,000 enrollees. The Prouty amendment asks for two times that amount to provide social security protection for 30 times the number of people. The goal is 100,000 enrollees at an annualized cost of $600 million poverty dollars. For one-third again the cost, the Prouty amendment benefits 1,500 percent more people.

The poverty program benefits 50,000 young people in the prime of life. The Prouty amendment benefits 1.5 million older Americans in their dim and often desperate years.

The Job Corps enrollee is paid enough to send $600 back to his parents each year. The aged, 70 years and over, not eligible for social security, are denied $528 if the Prouty amendment is defeated.

The appropriation requested for 280,000 work-trainees was $255 million, or roughly $911 per trainee. The amount requested per each Prouty beneficiary, $44 per month, $528 per year.

UNDER MANPOWER DEVELOPMENT AND TRAINING ACT

According to the Department of Health, Education, and Welfare, it costs nearly $2,500 per year to keep a man and his family on welfare for a year (hearings on Manpower Development and Training Act, Feb. 2, 1964, Senate—according to Commissioner Keppel). Manpower Development and Training Act costs $1,200–$1,300 per trainee.

UNDER PROGRAMS OF VOCATIONAL REHABILITATION

Depending upon degrees of disability, rehabilitation services run from $500 to $1,500 per person.

In summary then, it appears that the Prouty cost-benefit ratio far exceeds cost-benefit ratios of existing Federal assistance programs. Additionally, the program benefits a category of beneficiaries too long neglected.

Memorandum on State Public Assistance Programs

The 1965 amendments to the Social Security Act provided an incentive and a penalty for certain reductions in State public assistance programs resulting from amendments to the Social Security Act.

The incentive was provision for voluntary exemption of up to $5 of income in computing a welfare recipient's eligibility for continued or new participation in a State welfare program.

The penalty occurs under section 405 in the 1965 amendments and requires the diminishment of Federal public assistance grants to States to the extent that the State does not maintain expenditures from State and local funds as was spent under approved plans in a base period against which current quarter expenditures would be measured.

The net effect of adding these provisions to the Social Security Act is to persuade States to maintain their level of public assistance expenditures without setting off benefits received by welfare claimants from social security.

While these two provisions do not guarantee the complete pass-through of social security benefits to welfare recipients without a reduction in the welfare payment they clearly limit the instances in which a State will elect to make such public welfare reductions.

For example, since the effective date of the 1965 amendments, 11 States have implemented part or all of the allowable $5 exemption. Two States are going to implement it and an additional 12 jurisdictions have the matter actively under consideration.

Because of the maintenance of effort provisions, section 405, should a State reduce a beneficiary's welfare payment that money is more likely to stay within the States public assistance program—to aid the blind, children of unemployed parents, the physically handicapped—and accordingly the Prouty Amendment will support State public assistance programs.

Subject: States which have passed the OASDI benefit increase on to old-age assignment recipients by exercising the option in section 409 (a) of the Social Security Amendments of 1965 allowing the disregarding of up to $5 a month of any income.

The Welfare Administration informs us that as of February 3, 1966, the following States had exercised the option as to $5 a month or less: Arkansas, $3; Delaware, $5; Florida, $4; Idaho, $5; Indiana, $5; Georgia, $4; Hawaii, $5; Missouri, $5; Vermont, $4; South Dakota, $5; Wyoming, $5.

Two more jurisdictions say that they are going to implement the provision: Michigan and Puerto Rico.

Twelve more jurisdictions state that implementation is under consideration at the present time: District of Columbia, Kentucky, Nevada, New Hampshire, North Carolina, Oklahoma, South Carolina, Tennessee, Virgin Islands, Virginia, West Virginia, and Wisconsin.

The rest of the jurisdictions have indicated that they do not intend to implement the provision at the present time.

Memorandum on General Revenue Funding

1. Amendment 490 which has been superceded by amendment 495 provided that the OASDI trust fund should be reimbursed on a "contribution-benefit" formula. That is to say from general revenues money should be covered into the trust fund to the extent that it would equate the contribution a Prouty beneficiary would have made to the trust fund if he had been covered by social security.

2. Amendment 495 which will be offered provides for funding from general revenues on a "cost-benefit" ratio. That is to say $1 is covered into the OASDI trust fund from general revenues for every dollar in benefits paid.

3. Under the principle of the funding technique in amendment 490 the cost of the Prouty plan is borne both by the taxpayers and the trust fund. Inasmuch as minimum beneficiaries never contribute as much to the fund as they take out, the Treasury would have to cover into the trust fund only the contributions beneficiary would have made if he had been covered. To the extent that such contribution does not pay for actual cash benefits the trust fund absorbs the difference.

4. Under the general revenue funding principle of amendment 495 no burden is placed on the trust fund, hence on contributors to the trust fund. All of the costs are borne out of general revenues, hence by the taxpayers.

Excerpts From Correspondence—Who Benefits by the Prouty Amendment

Mr. President, nothing tells more about my amendment—nothing better states its need—than the correspondence I have received these many months from people whose destiny turns on my amendment. Let me read to you some telling excerpts:

From Mrs. C. an 89-year-old widow with no social security, no pension, and little hope, a plea to buy bread for her table.

From Mrs. T, the widow of a minister with 50 years' service, a sorrowful request for redemption from the indignity of poverty.

From Miss C, a retired teacher with 50 years' service, a searching request for money to help her preserve her failing eyesight.

Fom Mrs. S, of Appleton, Wis., a touching note telling how much my amendment would mean to her. Her total income is $45 per month—she does not receive any welfare payments.

From the La Crosse County Retired Teachers Association, the results of a study which notes that 500 retired teachers receive less than $25 per month from their pension while 637 receive only $50. None of these 1,100 retired teachers was eligible for social security.

From Mrs. M of Little Rock, Ark., the story of an acquaintance who retired from teaching at age 70 and took a job as a waitress to get social security coverage.

From Miss M of Rhode Island, a statement of the retired teachers great need for my amendment, relating how 250 of them receive pensions of less than $2,000 a year.

From Miss S of Milford, Mich., afflicted with chronic allergic asthma, complicated by emphysema, who receives a pension of $113 a month, over half of which goes for medicines and I quote, "I have at times considered just giving up with an overdose of sleeping pills at times—it is so discouraging. I have been a good citizen all my life but I really don't feel like one now."

From Mr. H of New Fairfield, Conn., the holder of a Ph. D, these tragic words: "I used to take it as an honor, but inflation has driven me to my knees to beg for some kind of relief."

From Mrs. U from Moxville, N.C., a short, sad biography. For the past 14 years she was the sole support of her aged mother, who recently died at 97. Her pension over this period was less than $50 a month. Now her eyes are dimming and she writes me of her fear that she will not live to see the benefits of my amendment.

From Miss F of Burlington, Vt., the recollection that for many of her working years as a public school teacher she received $6.50 a week, paying $2.50 a week for board. Today she cannot live on what little she saved. She is not eligible for social security.

From Mrs. F of Louisville, Ky., a plea for adoption of my amendment and the very penetrating insight that "the elderly so far have been forgotten in the blueprint for a Great Society."

From Mrs. H of New York City, an urgent request for adoption of my amendment because she is now being forced to support her husband's nursing care out of capital.

From Mr. A of St. Petersburg, Fla., a report of hunger and little money and a call for the Great Society to do something tangible for the starving millions of older Americans who gave their all during their working years.

From Mr. E of Huntington Station, N.Y., a comment familiar to those of us who have long studied the problems of the aged, he cannot find a job so as to qualify for social security. You see, he is 78 and employers tell him he is too old to work.

These letters are typical of the thousands I have received in recent years stressing the plight of the forgotten elderly and pleading for relief from the oppressions of poverty. These people are not the cold statistics of a census. These are real people in real distress.

Mr. LONG of Louisiana. Mr. President, I move that the amendment be laid on the table, and I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Tennessee [Mr. Bass], the Senator from Nevada [Mr. Cannon], the Senator from Idaho [Mr. Church], the Senator from Arkansas [Mr. Fulbright], the Senator from Arizona [Mr. Hayden], the Senator from Minnesota [Mr. McCarthy], the Senator from South Dakota [Mr. McGovern], the Senator from Utah [Mr. Moss], and the Senator from Maine [Mr. Muskie] are absent on official business.

I also announce that the Senator from Connecticut [Mr. Dodd] and the Senator from Ohio [Mr. Lausche] are necessarily absent.

I further announce that, if present and voting, the Senator from Connecticut [Mr. Dodd] would vote "nay."

I also announce that if present and voting, the Senator from Ohio [Mr. Lausche] would vote "yea."

Mr. DIRKSEN. I announce that the Senator from Califoria [Mr. Kuchel] is absent because of illness.

The result was announced—yeas 37, nays 51, as follows:

[No. 46 Leg.]

YEAS—37

Anderson
Bayh
Bible
Brewster
Byrd, Va.
Case
Douglas
Eastland
Ellender
Ervin
Harris
Hart
Hill
Holland
Jackson
Jordan, N.C.
Long, Mo.
Long, La.
Mansfield
McClellan
McGee
McNamara
Metcalf
Monroney
Montoya
Neuberger
Pastore
Pell
Proxmire
Robertson
Smathers
Stennis
Symington
Talmadge
Tydings
Williams, N.J.
Yarborough

NAYS—51

Aiken
Allott
Bartlett
Bennett
Boggs
Burdick
Byrd, W. Va.
Carlson
Clark
Cooper
Cotton
Curtis
Dirksen
Dominick
Fannin
Fong
Gore
Gruening
Hartke
Hickenlooper
Hruska
Inouye
Javits
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Magnuson
McIntyre
Miller
Mondale
Morse
Morton
Mundt
Murphy
Nelson
Pearson
Prouty
Randolph
Ribicoff
Russell, S.C.
Russell Ga.
Saltonstall
Scott
Simpson
Smith
Sparkman
Thurmond
Tower
Williams, Del.
Young, N. Dak.
Young, Ohio

NOT VOTING—12

Bass
Cannon
Church
Dodd
Fulbright
Hayden
Kuchel
Lausche
McCarthy
McGovern
Moss
Muskie

So the motion of the Senator from Louisiana [Mr. Long] to lay on the table the amendment of the Senator from Vermont [Mr. Prouty] was rejected.

The PRESIDING OFFICER. The question now is on agreeing to the amendment of the Senator from Vermont [Mr. Prouty]. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MILLER (when his name was called). On this vote I have a live pair with the junior Senator from Oklahoma [Mr. Harris]. If he were present and voting, he would vote "nay." If I were at liberty to cast my vote, I would "yea." I withhold my vote.

The rollcall was concluded.

Mr. LONG of Louisiana. I announce that the Senator from Tennessee [Mr. Bass], the Senator from Nevada [Mr. Cannon], the Senator from Idaho [Mr. Church], the Senator from Arkansas [Mr. Fulbright], the Senator from Arizona [Mr. Hayden], the Senator from Minnesota [Mr. McCarthy], the Senator from South Dakota [Mr. McGovern], the Senator from Utah [Mr. Moss], the Senator from Maine [Mr. Muskie], and the Senator from Oklahoma [Mr. Harris] are absent on official business.

I also announce that the Senator from Connecticut [Mr. Dodd], the Senator from Ohio [Mr. Lausche], and the Senator from Virginia [Mr. Byrd] are necessarily absent.

On this vote, the Senator from Virginia [Mr. Byrd] is paired with the Senator from Connecticut [Mr. Dodd].

If present and voting, the Senator from Virginia would vote "nay," and the Senator from Connecticut would vote "yea."

I further announce that if present and voting, the Senator from Ohio [Mr. Lausche] would vote "nay."

Mr. DIRKSEN. I announce that the Senator from California [Mr. Kuchel] is absent because of illness.

The result was announced—yeas 45, nays 40, as follows:

[No. 47 Leg.]

YEAS—45

Aiken
Allott
Bartlett
Boggs
Brewster
Burdick
Byrd, W. Va.
Carlson
Cotton
Curtis
Dominick
Eastland
Fannin
Fong
Gruening
Hartke
Hruska
Jackson
Javits
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Magnuson
McClellan
McIntyre
Mondale
Morse
Mundt
Murphy
Nelson
Pastore
Pearson
Pell
Prouty
Randolph
Ribicoff
Russell, S.C.
Russell, Ga.
Scott
Simpson
Smith
Sparkman
Tower
Young, N. Dak.
Young, Ohio

NAYS—40

Anderson
Bayh
Bennett
Bible
Case
Clark
Cooper
Dirksen
Douglas
Ellender
Ervin
Gore
Hart
Hickenlooper
Hill
Holland
Inouye
Jordan, N.C.
Long, Mo.
Long, La.
Mansfield
McGee
McNamara
Metcalf
Monroney
Montoya
Morton
Neuberger
Proxmire
Robertson
Saltonstall
Smathers
Stennis
Symington
Talmadge
Thurmond
Tydings
Williams, N.J.
Williams, Del.
Yarborough

NOT VOTING—15

Bass
Byrd, Va.
Cannon
Church
Dodd
Fulbright
Harris
Hayden
Kuchel
Lausche
McCarthy
McGovern
Miller
Moss
Muskie

So Mr. Prouty's amendment was agreed to.

Mr. LONG of Louisiana. Mr. President——

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. PROUTY. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. SCOTT. Mr. President, I move to lay that motion on the table.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. The Senator from Louisiana had addressed the Chair previously, and the Chair recognized him.

Mr. LONG of Louisiana. Mr. President, I wish to discuss the amendment. I think Senators ought to have an opportunity to hear the arguments made on this amendment. I should like to acquaint Senators with what this amendment does.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. Does the Senator from Louisiana yield?

Mr. LONG of Louisiana. Mr. President, I do not yield.

Mr. SCOTT. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. Does the Senator for Louisiana yield for that purpose?

Mr. SCOTT. Mr. President, who has the floor?

Mr. PROUTY. Who has the floor?

Mr. LONG of Louisiana. I do. I refuse to yield.

The PRESIDING OFFICER. The Senator from Louisiana has the floor, and the Chair did not recognize the Senator from Vermont to make his motion.

Mr. LONG of Louisiana. Mr. President, I have the floor. I do not yield at this moment.

Mr. DIRKSEN. Mr. President, wait a minute. Do not be impatient.

Mr. LONG of Louisiana. May I say, Mr. President, that I am not impatient but I still do not yield the floor. I should like to ask the Chair to protect my rights.

Mr. President, I do not want to yield.

Mr. DIRKSEN. I insist.

Mr. LONG of Louisiana. I believe I do have the floor, and I do not yield.

The PRESIDING OFFICER. The Senate will be in order.

Mr. LONG of Louisiana. I was recognized by the Chair.

Mr. SCOTT. Mr. President, I should like to propound a parliamentary inquiry, which I understand is in order.

Mr. LONG of Louisiana. I was recognized by the Chair.

The PRESIDING OFFICER. Will the Senator yield for a parliamentary inquiry?

Mr. LONG of Louisiana. No. I do not yield at this point.

Mr. PASTORE. May we have order, Mr. President?

Mr. PROUTY. Mr. President, a point of personal privilege.

Mr. LONG of Louisiana. Mr. President, do I have the floor?

The PRESIDING OFFICER. The Senate will be in order.

Mr. PROUTY. Mr. President, a point of personal privilege.

The PRESIDING OFFICER. The Senate will be in order. The Senator from Louisiana has the floor. Does the Senator from Louisiana yield?

Mr. DIRKSEN. Mr. President, let us have a formal ruling as to whether or not——

Mr. LONG of Louisiana. Mr. President, I will yield for a question, and I will not yield for anything but a question. The Chair recognized the Senator from Louisiana when I addressed the Chair.

The PRESIDING OFFICER. The Senator from Louisiana has the floor. The Senator from Vermont spoke a few seconds after the Chair had recognized the Senator from Louisiana.

Mr. HICKENLOOPER. Mr. President, may we have order?

The PRESIDING OFFICER. The regular order has been requested, and the Senator from Louisiana has the floor and will hold the floor if the Chair is able to enforce that ruling.

Mr. DIRKSEN. Mr. President, I would like to know, when a vote has been taken——

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that, without any prejudice to my right to the floor, and without yielding to any Senator the right to make a motion, I might yield for a brief statement by the Senator from Illinois; I repeat, with the understanding that I do not prejudice my right to the floor and I do not yield to him for the purpose of making a motion.

Mr. DIRKSEN. Mr. President, I fully agree to those conditions.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. DIRKSEN. Mr. President, when the result was announced, the Senator from Vermont was in the well of the Senate, and he moved to reconsider. It seems to me that even without formal recognition by the Chair, that motion can be made. That has been customary; and I moved to table that motion.

Now, did the Senator from Vermont have the floor, or did he not have the floor?

Mr. MANSFIELD. Mr. President, will the Senator yield at that point?

Mr. DIRKSEN. I yield.

Mr. MANSFIELD. I had tried to seek recognition for the purpose of asking for the yeas and nays on the motion to reconsider of the distinguished Senator from Vermont, but I was not recognized. So, as I understand it, due to the fact that the Senator from Louisiana was given the floor, there was no motion to table made which would have any validity.

The PRESIDING OFFICER. The Senator from Montana has stated the situation correctly. The Senator from Vermont will have the privilege, before any other business is transacted, of making a motion to reconsider.

Mr. LONG of Louisiana. Mr. President, I did not agree to that.

Mr. PROUTY. Well, Mr. President, a parliamentary inquiry.

Mr. LONG of Louisiana. My understanding, Mr. President, is that the person who holds the seat of the majority leader when all the Senators are shouting at the same time according to custom is entitled to be recognized first. That has been the procedure as long as I have been a Member of this body.

I wish to speak about the motion while a number of Senators are present, since very few Senators were present when I presented my arguments.

This is the same measure that was voted down by a vote of 55 to 36 last year. I merely wish to explain to the Senators how little sense this proposal makes. Here is what it would do.

In the State of Louisiana, for example, as in some of the other States, we permit policemen to retire after 20 years of service.

Mr. PASTORE. Mr. President, we cannot hear the speaker.

The PRESIDING OFFICER. The Senate will be in order. Senators will take their seats.

Mr. LONG of Louisiana. In the State of Louisiana, just as one example, as in many other States, we let policemen retire after 20 years of service, and they can draw full retirement after 20 years. They do not wish to be covered by social security, because the retirement benefits under our policeman's retirement program are so much greater than they are under social security.

In my State, it is not at all unusual for a man to retire as a policeman and then go to work as a fireman; and after 20 years, he is eligible for a second full retirement, so that he can draw two pensions, both of which exceed the maximum benefit under social security.

The amendment upon which we have just voted now proposes to say that, starting at age 70, in addition to drawing two pensions, that a person could also draw a third pension, under social security, of $44 for himself and $22 for his wife, even though he has not contributed 1 cent to social security. Not 1 red copper penny must he have put into the social security fund. To pay for this amendment, we will have to take from the general revenues much of the money we hope to raise in the pending tax legislation. The amount required for the first year would exceed what we would raise by the increased tax on telephones. It would cost $790 million to provide these social security benefits to many who do not need them.

In addition, people in the armed services have their retirement program, and in many instances the maximum benefit under that program exceeds the maximum benefit under social security.

What would the Senator's amendment provide? It would provide that those people, in addition to drawing a military pension—which we provide with taxpayers' funds—would also draw $44 for themselves and $22 for their wives.

The amendment is so broad as to provide benefits even for Members of Congress, persons who are serving here right now provided they are not covered under social security. Every retired Senator 70 years of age or older would start immediately drawing a pension of $44, plus $22 for his wife in addition to his Government pension. So I say to my fellow Senators, you are voting yourselves a pension right now if you are over the age of 70 and not drawing social security benefits.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield to the Senator from Rhode Island.

Mr. PASTORE. I think the Senator from Louisiana is making a good point. I think there is considerable substance to the arguments that have been made by the Senator from Vermont [Mr. PROUTY]. There are some people who have reached the age of 70 who may need some help.

But after all, this is a piece of legislation that should be studied thoroughly. I realize that what this legislation would do is put everyone under the umbrella. Once you have reached the age of 70, you could be a millionaire, and you would still be entitled to collect $44 every single month.

I do not think the Senator from Vermont means anything as far-reaching as that. He has been reading letters here of people who desperately need some help; and we ought to do something for those people. But I think this is a measure which should be thoroughly studied, and that this is not the way to do it.

I believe there is substance to the arguments made on both sides, but I would hope we would not go off, willy-nilly, because it is attractive, this afternoon, to subscribe to the Senator's amendment.

Mr. LONG of Louisiana. Mr. President, I wish to go one step further. I wish to point out that anyone who is in need of such help can get it right now, under public welfare. We just finished increasing the matching formula to provide adequately for those under old age assistance.

So what it boils down to is a matter of whether the Senate wishes to embark on this program of providing monthly payments to people who have not paid one penny for it, who have no claim nor title whatever to it, and who have no need of it. If we are going to embark on such a course may our merciful Lord shed some help on this fair land of ours. If we are going to start voting pensions for people who do not need them, who have no requirement for them whatever, who are drawing pensions already, in some cases, of $700 every month, many thousands of dollars every year, people who have large annuities, who have all kinds of resources, then I would say there is no hope of ever balancing the budget, no hope of ever having any fiscal responsibility in this country.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. SMATHERS. Is it not a fact that the bill with which we are involved here is basically a bill which seeks to raise revenue in order to meet our growing commitments in South Vietnam? Is that not the purpose of the bill?

Mr. LONG of Louisiana. That is what we are trying to do.

Mr. SMATHERS. Is it not a fact that this amendment, if adopted, would cost the taxpayers an estimated $3.4 billion in 5 years?

Mr. LONG of Louisiana. Yes, it would.

Mr. SMATHERS. Is it not a fact that we have in this country a somewhat inflationary condition already, and that if we adopt the amendment of the Senator from Vermont, it would feed the fires of inflation about as much as anything we could do?

Mr. LONG of Louisiana. There is no doubt about it; because it would put the money, for the most part, in the hands of people who have no need of it whatever.

Mr. SMATHERS. Would the Senator not agree that people who talk about believing in fiscal responsibility should by all means not vote for this amendment?

Mr. LONG of Louisiana. I agree.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield to the Senator from New Mexico.

Mr. ANDERSON. I am 70 years old. Will the Senator explain to me why I should receive an extra $66 a month—which I do not receive?

Mr. LONG of Louisiana. I just do not understand it. May I say to the Senator, if he retires, he will have a very fine pension available to him.

Why we have to provide additional pensions is something I cannot understand. It may be that there are some needy persons who need help, but for the most part they are being taken care of by public welfare. If we are going to start providing pensions for persons whether they need it or not, where they may be drawing three different payments, one from the armed services as a retiree, one from the police association as a former policeman, another as a schoolteacher or a former fireman, and in addition, provide $66 for the man and his wife even though they might still be working and drawing a large income, I cannot hazard a guess where it will stop.

All of that is provided for by this measure. Further, if we are going to provide benefits at the age of 70, what is sacred about that number? Why not make it 35? Why not provide here and now that everyone shall draw a pension of $1,000 a month and no one will have to work any more. It makes about that much sense.

Mr. ANDERSON. The Senator is talking theoretically. However, if I should retire, I would draw a pension from the Senate. I have also served 35 years as an officer of an insurance company and I would draw a pension from them. Therefore, why should I receive $66 on this? I do not see it at all.

Mr. LONG of Louisiana. I agree with the distinguished Senator from New Mexico.

To me, it seems unnecessary to vote $66 for Senators and their wives. To now accept the principle that everyone in good health, with plenty of money, and no need whatever, can receive a Federal benefit even though they are receiving two or three other pensions is disastrous. That is the one principle that seems to me, once we accept it in this voice; namely, that the Government will give us money whether we need it or not just cries out for everyone to dig into Uncle Sam's Treasury and take a barrelful of money home.

Once we adopt that principle, there will be little hope that the Government will ever be solvent.

Mr. DIRKSEN. Mr. President, will the Senator from Louisiana yield, without losing his right to the floor?

Mr. LONG of Louisiana. I yield for a question only, without losing my right to the floor.

Mr. DIRKSEN. Of course, because there must be an observation made here.

The PRESIDING OFFICER (Mr. RUSSELL of South Carolina in the chair). Does the Senator from Louisiana yield to the Senator from Illinois?

Mr. LONG of Louisiana. I yield, without losing my right to the floor.

Mr. DIRKSEN. The distinguished Senator from Louisiana cannot quarrel with me, because I gave him the vote. I share the logic which he has expressed but, of course, before us at the moment is the fact that here is a vote of 45 to 40. The Senate has voted. Now we are ready to reconsider the vote. I know of no good reason why we should not proceed with reconsideration, because the author of the amendment will so move, and we need not go through all this argument again. We had it last year. We have it today. The amendment has been printed. It has been before the Senate for a long time.

Mr. LONG of Louisiana. Let me say that one of the finest speeches I heard in this body was made on the Republican side of the aisle by former Senator Homer Capehart. I recall, during one night session, he took the floor and stated, "Why do we do these things? Why don't we think?"

I should like to suggest that we think once in a while and have some idea of what we are voting on.

I did not debate the amendment in detail, because last year, by a vote of 55 to 36, the Senate rejected this very amendment. It was my thought that it was not necessary to go into great detail explaining the matter from the point of view of those opposed to it.

Mr. President, in due course, the motion to table will be made, but of course Senators know that once that motion is made, it is not debatable.

Mr. DIRKSEN. The Senator is correct.

Mr. LONG of Louisiana. I believe that I should have a word or two to say before that motion is made.

Mr. ANDERSON. The Senator knows, of course, that was a different situation last year. Last year was not an election year. [Laughter.]

Mr. MANSFIELD. Mr. President, will the Senator from Louisiana yield, without losing his right to the floor?

Mr. LONG of Louisiana. I yield to the Senator from Montana, under those conditions.

Mr. MANSFIELD. Is it not true that the adoption of this amendment will, as the distinguished Senator from Florida has stated, cost the Federal Treasury $3.5 billion over the next 5 years?

Mr. LONG of Louisiana. Yes; the Senator is correct.

Mr. MANSFIELD. Is it not true that every Member of Congress, even though we have fairly good pension funds to which we all contribute, would become eligible either upon retirement or at the age of 65, I believe it is, to also receive an additional $44 a month?

Mr. ANDERSON. Sixty-six dollars, with husband and wife.

Mr. LONG of Louisiana. It is $44 plus $22 for one's wife.

Mr. MANSFIELD. That would mean, then, that every Member of this body would be eligible, without having to pay one dime, if this amendment were adopted, and I would acquire an additional $44.

Mr. LONG of Louisiana. Provided, of course, we did not draw social security.

Mr. MANSFIELD. Let me say that I would hate to vote for such an amendment and then have to face my constituents who would know that I had voted a pension of $44 for myself.

Mr. LONG of Louisiana. The Senator from Montana is correct.

Mr. PROUTY. Mr. President, will the Senator from Louisiana yield for a question, with the understanding that he will not lose his right to the floor?

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Vermont under those conditions?

Mr. LONG of Louisiana. I yield, under those conditions.

Mr. PROUTY. Mr. President, the criticisms made about my proposal apply to the social security system itself. The social security system imposes no true means test. I am sure that my good friend from Louisiana recognizes that we should not try to establish a means test. If the Senator wishes to do anything about it at some time in the future, that is one thing; but let me point out—the Dominion of Canada pays to every individual 70 years of age or older, $75 a month. It is certainly not the intention to add pensions to that of the distinguished Senator from Montana, or other Senators present. This is something that can be studied in the future, but it will mean changing the nature of the entire social security program to do it. What my amendment is intended to do is to take care of 1,500,000 elderly people 70 years of age or older who are desperate. There is no question about that. Do we want them to have a retirement annuity or do we want them to stand in the breadlines? If we wish to preserve some degree of human dignity in people who are retired—teachers and other professional people who were working before the social security program became effective, or were too old to qualify under the law which was approved last year, we can do it.

All of the associations of retired persons, the AFL–CIO, and the task force of the U.S. Chamber of Commerce feel that every older person should be brought in under the social security program.

I believe the actual cost of my program is going to be considerably less than the figure which has been mentioned by the distinguished Senator from Louisiana. I believe his figures have been inflated. I believe that it can be demonstrated quite effectively that that is the case.

Mr. President, I have placed many memoranda in the Record. I believe that Senators, if they were not in the Chamber at the time of this debate, will find that I justified the costs of a program in light of the old people who would be covered by this amendment.

I do not wish to continue this discussion. I am ready for the vote, when the Senator from Louisiana will permit me to do so, but I must say that this is unusual procedure.

Mr. LONG of Louisiana. Free debate has never been unusual. I have waited until the Senator was through speaking before I made the motion to table.

The Senator contends that I was in error in the estimate I made about one of his amendments. The Senator usually introduces his amendments on the floor and keeps changing them, which makes it rather difficult to know what the correct estimates are. The estimate I have, and one I made, came from someone regarded as the best man in the business—I am talking about Mr. Robert Myers, who estimated what this amendment would cost.

May I say that some things are a little bit difficult to explain. Here is amendment No. 490, which bears the Prouty name. It provides for monthly benefits of $44 and $22 for the spouse. This one says that everybody who has reached the age of 70 is entitled to the benefits. It does not limit it to American citizens. This amendment would make Mao Tse-tung eligible for the benefits. It would provide Khrushchev the benefits——

Mr. PROUTY. That is not the amendment before the Senate. Amendment No. 490 utilized an approach to eligibility paralleling the approach taken by the transitional insurance eligibility provisions of section 227 of the Social Security Act. Nevertheless, amendment No. 490 is not before the Senate.

Mr. LONG of Louisiana. It was introduced and I have it here in my hand.

Mr. PROUTY. That amendment has not been called up.

Mr. LONG of Louisiana. But here it is, and it provides that everybody in the world age 70 and over would be eligible for the $44 monthly benefit and his spouse $22.

Mr. MANSFIELD. Mr. President, I move to reconsider the vote by which the amendment was agreed to, and I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. PROUTY. Mr. President, I move to lay that motion on the table, and I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on the motion to table the motion to reconsider.

The yeas and nays have been ordered.

Mr. DOUGLAS. Mr. President——

The PRESIDING OFFICER. The question is on the motion to lay on the table the motion to reconsider.

Mr. DOUGLAS. Mr. President, will the Chair state what is the question before this body?

The PRESIDING OFFICER. The Senate will be in order. The question is on the motion to table the motion to reconsider.

The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Tennessee [Mr. Bass], the Senator from Idaho [Mr. Church], the Senator from Nevada [Mr. Cannon], the Senator from Arkansas [Mr. Fulbright], the Senator from Arizona [Mr. Hayden], the Senator from Minnesota [Mr. McCarthy], the Senator from South Dakota [Mr. McGovern], the Senator from Utah [Mr. Moss], the Senator from Maine [Mr. Muskie], and the Senator from Missouri [Mr. Symington] are absent on official business.

I also announce that the Senator from Connecticut [Mr. Dodd], and the Senator from Ohio [Mr. Lausche] are necessarily absent.

On this vote, the Senator from Connecticut [Mr. Dodd] is paired with the Senator from Missouri [Mr. Symington]. If present and voting, the Senator from Connecticut would vote "yea," and the Senator from Missouri would vote "nay."

I further announce that if present and voting, the Senator from Ohio [Mr. Lausche] would vote "nay."

Mr. DIRKSEN. I announce that the Senator from California [Mr. Kuchel] is absent because of illness.

The result was announced—yeas 44, nays 43, as follows:

[No. 48 Leg.]

YEAS—44

Aiken
Allott
Bartlett
Boggs
Brewster
Burdick
Byrd, W. Va.
Carlson
Cooper
Cotton
Curtis
Dirksen
Dominick
Eastland
Fannin
Fong
Gruening
Hartke
Hickenlooper
Hruska
Jackson
Javits
Jordan, Idaho
Kennedy, N.Y.
McIntyre
Mondale
Morse
Morton
Mundt
Murphy
Nelson
Pearson
Prouty
Randolph
Ribicoff
Russell, S.C.
Russell, Ga.
Scott
Simpson
Smith
Sparkman
Tower
Young, N. Dak.
Young, Ohio

NAYS—43

Anderson
Bayh
Bennett
Bible
Byrd, Va.
Case
Clark
Douglas
Ellender
Ervin
Gore
Harris
Hart
Hill
Holland
Inouye
Jordan, N.C.
Kennedy, Mass.
Long, Mo.
Long, La.
Magnuson
Mansfield
McClellan
McGee
McNamara
Metcalf
Miller
Monroney
Montoya
Neuberger
Pastore
Pell
Proxmire
Robertson
Saltonstall
Smathers
Stennis
Talmadge
Thurmond
Tydings
Williams, N.J.
Williams, Del.
Yarborough

NOT VOTING—13

Bass
Cannon
Church
Dodd
Fulbright
Hayden
Kuchel
Lausche
McCarthy
McGovern
Moss
Muskie
Symington

So Mr. Prouty's motion to lay on the table Mr. Mansfield's motion to reconsider the vote by which the Prouty amendment was adopted was agreed to.

CIGARETTES HAZARDOUS ONLY TO AMERICANS?

Mrs. NEUBERGER. Mr. President, on previous occasions, the distinguished chairman of the Committee on Commerce [Mr. Magnuson] and I have remarked on the rather odd spectacle of the Department of Agriculture sponsoring a cigarette-promotion film entitled "World of Pleasure," for distribution abroad and within our own country, in vivid contrast to the action taken last year by Congress and the Public Health Service to educate the public on the health hazards of smoking. It seems the height of bureaucratic madness for the Department of Agriculture to try to stimulate cigarette consumption in light of the evidence of the Surgeon General's report and the latest Hammond study of smoking among women that health risks are reduced as cigarette consumption is reduced.

An excellent review of what happened is found in an article by Don Oberdorfer, the reporter responsible for bringing this matter to our attention.

I ask unanimous consent that the article, published in the December 29 Akron Beacon-Journal, be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Akron (Ohio) Beacon-Journal, Dec. 29, 1965]

WHILE FIGHTING SMOKING HERE, UNITED STATES AIDS CIGARETTE PROMOTION ABROAD WITH TAXPAYER DOLLARS

(By Don Oberdorfer)

Washington.—The U.S. Government is warning Americans against the dangers of cigarette smoking—but overseas it is quietly spending taxpayers' funds to subsidize cigarette commercials, and a slick new pro-smoking film, "World of Pleasure."

The cigarette promotion work is part of the product development program of the Foreign Agricultural Service, a branch of the U.S. Department of Agriculture. The aim is to sell more American tobacco abroad.

Just 770 paces down the street a newly created Public Health Service agency, the National Clearinghouse on Smoking and Health, is working hard to combat cigarette smoking at home. This effort was authorized by Congress after an official U.S. commission pronounced cigarettes to be a health hazard in early 1964.

For a time after the official smoking report, Secretary of Agriculture Orville Freeman banned new Government-sponsored cigarette promotions abroad. About 6 months ago, however, commitments began to be approved again.

During the current fiscal year, Uncle Sam is pouring $210,000 into advertising to sell selected brands of cigarettes to the people of Japan, Thailand, and Austria. In each case, the cigarettes involved use substantial amounts of American leaf.

Among the U.S.-aided smokes are Peace, Hope, and Tokyo cigarettes in Japan, which will receive $80,000 for advertising from Uncle Sam this year; Falling Rain and Gold City cigarettes in Thailand ($75,000 from the United States); and Smart Export cigarettes in Austria ($55,000). Where possible, payment is made in American-owned foreign currencies.

Some of the promotion money goes to foreign newspaper and magazine ads, but most is used for television. For example, U.S. Government funds help a Thailand cigarette sponsor a Thai version of "The Virginians," as seen on Bangkok television.

Foreign audiences are not told that Uncle Sam is subsidizing the ads. Nor do the cigarette packs involved bear the warning, required by Federal law after January 1, in the United States, that "cigarette smoking may be hazardous to your health."

The Federal money is funneled to foreign cigarette makers through four U.S. trade groups—Tobacco Associates Inc., Burley and Dark Leaf Tobacco Export Association, Leaf Tobacco Export Association, and Virginia Dark-fired and Sun-cured Export Association.

The trade groups hire U.S. advertising agencies with their own funds to help prepare and to supervise the subsidized ads.

Meanwhile, operating through the same trade groups, the Agriculture Department is subsidizing a new Warner Brothers film, "World of Pleasure," to be shown in England, France, Belgium, Germany, Austria, The Netherlands, Denmark and Egypt.

The United States is paying $106,000 in foreign currency for its share of the film. In a contract with Warner Brothers, the trade groups add a contribution of their own. The industry-furnished sum is "a trade secret," according to John D. Palmer, president of Tobacco Associates.

A script of the 23-minute technicolor film on hand at the Agriculture Department contains scenes such as this:

"A young man and girl (over 21) run up to the surf and light and enjoy cigarettes as they look at the sea. Boy offers pack. Girl takes two cigarettes, placing one on boy's lips, one in her own. They light up, enjoy their cigarettes."

According to Hugh C. Kiger, director of the Tobacco Division of the Foreign Agricultural Service, the contract promises that Warner Brothers will distribute the film abroad as a short subject with its theatrical features.

Moviegoers will not be informed that it is subsidized by Uncle Sam or the U.S. tobacco industry, since officials feel this would negate the value of the "soft sell."

Foreign audiences will have to guess why "World of Pleasure," which purports to be a travelog, shows an attractive Egyptian couple lighting up beside the Pyramids, a French couple smoking at the Eiffel Tower, and so on.

Mrs. NEUBERGER. Mr. President, last week, the junior Senator from Tennessee [Mr. Bass] said that this whole issue was "much ado about nothing." He suggested that as the Department of Agriculture promotes other agricultural products abroad, such as wheat and cotton, it could not discriminate against tobacco; that the film in question, "World of Pleasure," was contracted for and filmed prior to the issuance of the Surgeon General's report and the action of Congress on cigarette health hazards; that not one American dollar was spent on the making of the film, but rather that foreign currencies or counterpart funds were used; that Congress specifically excluded the health-hazard label from cigarettes manufactured for export; that the film was not to be directed to those countries which have a national policy of discouraging smoking; that the film was an innocent travelog showing occasional couples smoking; and that there was no hard sell attempt anywhere.

I should like to offer a few observations on the points raised by the Senator from Tennessee. I am completely unmoved by the contention that because promotional films are sponsored by the Department of Agriculture for other crops, the Department is unable to discriminate against tobacco. It is quite true that the Department is charged with administering tobacco exports, but the Secretary is certainly not obligated to make Hollywood productions in support of that program. The Department exercises its judgment as to whether or not it will use films, and in this instance its judgment was very poor. The second defense is even more singular in its logic. The fact that the film was made prior to the issuance of the Surgeon General's report and the actions of Congress and the Public Health Service is no conceivable justification for its distribution afterward. One might just as well say that because thalidomide was produced and used prior to the knowledge of its tragic consequences, it ought to continue to be promoted. Besides, the contract did not call for the completion of the foreign language prints of the film until after the January 11, 1964, issuance of the Surgeon General's report.

It is true that the $106,000 that the Department of Agriculture spent for the film, "World of Pleasure," was from counterpart funds, or soft currency. How this is supposed to mitigate the judgment of the Department of Agriculture to continue to promote this film I cannot imagine. The question, after all, is not how much money was spent making the film, but whether or not the U.S. Government ought to be officially promoting cigarette sales abroad. But if the financing issue is to be raised, since when are counterpart funds placed in the category of play money? There are plenty of uses to which the funds could be put in Egypt to raise the standards of living and education, and I doubt whether all the problems of man have been solved in the 14 European nations named in the contract.

I find it incredible that the exemption of cigarettes for export from the Cigarette Labeling Act should be cited as justification for the promotion of cigarette sales abroad. After all, a warning in English is not going to do an Austrian or a Swede much good, and the exemption most assuredly does not reflect a congressional determination that cigarettes are hazardous only to Americans.

The contention that the film was not to be directed to those countries which have a national policy of discouraging smoking is not borne out by an examination of the actual contract for the film. Article IV of the contract states:

> The contractor, will provide for and make complete distribution arrangements through its worldwide organization for the films to be shown in theaters and made available for television showings through its distribution affiliates in the following countries: England, Scotland, Ireland, West Germany, Austria, The Netherlands, Belgium, France, Luxembourg, Switzerland, Norway, Denmark, Finland, Sweden, Egypt. The contractor shall have the right, but shall not be obligated, to distribute the film in all other parts of the world outside of the United States and Canada.

That certainly appears to mean that they are obligated to show them in the 15 countries just enumerated. Yet we all know that several of those countries have policies opposed to the consumption of cigarettes. Incidentally, that the film was to be shown only abroad is not made clear by the memorandum of agreement on the film between the Department of Agriculture and the tobacco cooperators. The memorandum states:

> The U.S. Department of Agriculture shall also have the right to make, distribute, and sell prints at cost or otherwise make use of the film in the United States.

The film itself is in no danger of winning any Academy Awards. It gives the appearance of having been created by splicing together several film clips of old travelogs. The narrative that is spoken with it is a model of banality. The fact that it is a bad film does not excuse the judgment of those who still wish to use it to promote cigarette sales. Simply put, the U.S. Government has no business sponsoring films, good or bad, with the purpose of increasing the consumption of cigarettes.

Mr. President, I ask unanimous consent that the text of the contract for the film, the memorandum of agreement on the film, an article from the March 5 New Republic, a February 18 editorial from the Washington Post, and an editorial from the New York Times be printed in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

CONTRACT

The Burley & Dark Leaf Tobacco Export Association, Inc.; Leaf Tobacco Exporters Association, Inc.; Tobacco Associates, Inc.; and Virginia Dark-Fired and Sun-Cured Tobacco Export Association, Inc.; in furthering their cooperative projects with the Foreign Agricultural Service, U.S. Department of Agriculture, desire to have produced a series of tobacco motion pictures for theatrical and television distribution overseas to promote and expand the consumption of U.S. tobacco abroad.

This contract is entered into by and between the Burley & Dark Leaf Tobacco Export Association, Inc.; Leaf Tobacco Exporters Association, Inc.; Tobacco Associates, Inc.; and Virginia Dark-Fired and Sun-Cured Tobacco Export Association, Inc.; hereinafter called the U.S. tobacco cooperators represented by its authorized representatives executing this contract, and Warner Bros. Pictures, Inc., a Delaware corporation; hereinafter called the contractor. The parties hereto agree that the contractor will produce and distribute a series of films for the purpose of promoting exports of U.S. leaf tobacco in the foreign countries in accordance with the provisions set forth in the articles of the contract:

ARTICLE I—FILM PRODUCTION REQUIREMENTS

The parties agree that the contractor will produce a series of six motion pictures in six different language versions in accordance with the requirements listed below. Each film is to be 10 minutes in total running time and will be designed to include the same basic 7 minutes of visual story photographed in the United States.

The remaining 3 minutes of visual story will be photographed in the countries in Europe and the Middle East listed in section C1 of this article.

(A) From ideas proposed by the U.S. tobacco cooperators in conferences in Washington, D.C., contractor will prepare and submit draft copies of the shooting script for review and upon approval will prepare and submit copies of the final shooting script for review and approval prior to the start of photography on location.

Once the final script is approved, the contractor will be permitted to make only limited changes to improve the picture with photographic opportunities that present themselves and provided permission is obtained from the technical adviser (see sec. B below).

(B) In the various countries where photography and sound recordings are made, the U.S. tobacco cooperators or the U.S. agricultural attachés, when so requested, will serve as technical advisers on subject matter, and local customs and habits, and maintain liaison with foreign government agencies in regard to photographic restrictions or problems, all without cost to contractor.

Except for stockfootage showing tobacco in Connecticut, the contractor will photograph the films on original 35 millimeter Eastman color stock in accordance with the production breakdown and shooting schedule to be submitted and approved by the U.S. tobacco cooperators prior to the start of photography.

1. The photography will be accomplished by the contractor in the following locations:

(a) United States, particularly Richmond, Jamestown, Williamsburg, and Newport News, Va.; Raleigh, Winston-Salem, N.C.; Lexington and Hopkinsville, Ky.

(b) United Kingdom.

(c) Norway and/or Sweden and/or Denmark and/or Poland.

(d) France and/or Belgium.

(e) The Netherlands.

(f) West Germany and/or Austria.

(g) Egypt, United Arab Republic.

2. The contractor will provide all film, tapes, reels, in addition to cans and shipping cases which will be appropriately identified in English and in the designated foreign languages.

(D) The contractor will supply special effects and opticals, as required by the subject.

(E) The contractor will supply proper titles on the 35 millimeter and 16 millimeter prints as required in the six language versions as specified.

(F) The contractor will perform all editing at Warner Bros. Studios, Burbank, Calif.

(G) Requirements for sound will include music, commentary, sound effects, and a composite sound track including music, voice, and effects. The music shall be an original score written for this film, with the same music for the 7 minutes of the U.S. photography and six different 3-minute endings for the six foreign versions.

In providing the music, the contractor will furnish worldwide music performance rights which will enable the U.S. tobacco cooperators to exhibit the films at any time and through any method of projection or transmission, subject to clearance by applicable performing rights societies in accordance with their customary practices and payment of their customary fees by parties exhibiting the film.

(H) Contractor will arrange for the translations and recordings of the narration of each film to be made in the five foreign-language countries with the recordings made by popular local narrators familiar to the populace of the countries of eventual distribution.

The contractor's international distribution division will make recommendations as to the appropriate film and language version to be shown in countries other than where produced.

The six-language versions shall be as follows:

1. English for distribution in the United Kingdom and in certain areas where English with local subtitles are recommended by the contractor's distribution division.

2. Arabic for distribution in Egypt, United Arab Republic.

3. German for distribution in West Germany, Austria, and portions of Switzerland.

4. Dutch for distribution in the Netherlands and Flemish part of Belgium.

5. French for distribution in France, Belgium, Luxembourg, and portions of Switzerland.

6. The appropriate language version and/or titles for distribution in the four Scandinavian countries.

(I) Key production steps will be finally reviewed in accordance with article II herein by the U.S. tobacco cooperators in consultation with representatives of the U.S. Department of Agriculture.

(J) Preprint materials to be provided by the contractor are:

1. 35-millimeter color photography:

(a) One 35-millimeter edited original negative conformed in A and B rolls for printing and optical effect.

(b) One 35-millimeter color interpositive, including printed-in optical effects from original.

(c) Ten 35-millimeter color internegatives including optical effects from the interpositive and each internegative including its own language titles.

(d) Ten 16-millimeter color internegatives including optical effects from the interpositive and each internegative including its own language titles.

(e) One 35-millimeter master sound music recording on magnetic film for the basic 7 minutes; and six 35-millimeter master sound music ending recordings on magnetic film cued to the foreign-language versions.

(f) The 35-millimeter edited voice sound tracks on magnetic film, one for each language translation cued to the foreign versions.

(g) One 35-millimeter edited effects track on magnetic film for the basic 7 minutes; and six 35-millimeter 3-minute edited effects track endings cued to the foreign versions.

(h) Six 35-millimeter combined (mixed) sound tracks including narration, music and sound effects on magnetic film, each cued to the particular foreign version.

(i) Six 35-millimeter combined sound track negatives suitable for color release printing, one for each foreign language version.

(j) Six 16-millimeter combined sound track negatives suitable for color release printing, one for each language version.

2. Postscripts and narration scripts: Six copies of each of the postscripts in English and the final narration scripts in the respective foreign languages.

3. All preprint materials are to be properly identified and titled and shipped to the U.S. tobacco cooperators when they become available. All preprint materials will become the property of the U.S. Department of Agriculture.

ARTICLE II—PRODUCTION PHASES AND DATES

(A) In the performance of this contract, the contractor shall periodically submit scripts, photography and recordings on or before the dates listed below to enable the U.S. tobacco cooperators in consultation with representatives of the U.S. Department of Agriculture, Washington, D.C., to review for approval the following production phases:

1. The effective starting date shall be the date that this contract is signed by the authorized representatives of the U.S. tobacco cooperators and the contractor.

2. Twenty copies of the first shooting scripts on or before August 1, 1963; and 20 copies of the final shooting script on or before August 14, 1963.

3. Twenty copies of the production breakdown and shooting schedule prior to start of photography.

4. Production of field photography to commence on or about August 19, 1963, and to be completed on or about November 15, 1963.

5. Screening the assembly of all field photography, shot in the United States as well as overseas, and of all titles on or before December 15, 1963, at the contractor's studios, Burbank, Calif.

6. Reading to the screen of the English narration cued to the rough cut of the entire English version, and the same for each of the other five foreign language endings with titles (with English translations) on or before January 15, 1964, at the U.S. Department of Agriculture, Washington, D.C.

7. Interlock screening of each of the six language versions on or before February 15, 1964, at the U.S. Department of Agriculture, Washington, D.C.

8. Screening of the answer prints of each of the six language versions on or before March 15, 1964, at the U.S. Department of Agriculture, Washington, D.C.

9. Release printing will commence immediately after answer prints are approved.

ARTICLE III. RELEASE PRINTS

(A) The contractor will provide the number of 35- and 16-millimeter release prints of each language version to meet foreign distribution requirements. In addition, the contractor shall furnish one release print of each language version to the Foreign Agricultural Service, U.S. Department of Agriculture. The print costs payable by the U.S. tobacco cooperators to the contractor will be at existing laboratory prices in the motion picture industry as listed in the latest available price schedule to be provided by the contractor.

(B) The order for release prints will follow decisions to be made by the U.S. tobacco cooperators and the contractor in relation to the distribution opportunities. The contractor shall be responsible for delivery and shipment of release prints.

(C) Where foreign government restrictions for theatrical release require dubbing or printing to be performed in the country of intended distribution, such arrangements will be made by the contractor.

ARTICLE IV—DISTRIBUTION

(A) The contractor will provide for and make complete distribution arrangements through its worldwide organization for the films to be shown in theaters and made available for television showings through its distribution affiliates in the following countries:

1. England.
2. Scotland.
3. Ireland.
4. West Germany.
5. Austria.
6. The Netherlands.
7. Belgium.
8. France.
9. Luxembourg.
10. Switzerland.
11. Norway.
12. Denmark.
13. Finland.
14. Sweden.
15. Egypt.

Contractor shall have the right, but shall not be obligated, to distribute the films in all other parts of the world outside of the United States and Canada.

(B) The distribution plan for theaters will be designed to achieve the widest possible distribution throughout the 15 countries listed in section A above, for the longest possible runs, subject to any lawful restrictions or prohibitions in any such country, and to contractor's ability to obtain the relevant release prints. The contractor will provide a general schedule of anticipated theater distribution for each country listed in section A of this article.

(C) The television distribution will follow the completion of the theater release, and contractor will use its best efforts to achieve distribution via television throughout the 15 countries listed in section A of this article (where television exists).

(D) Contractor will from time to time, at the written request of the U.S. tobacco cooperators and/or the U.S. Department of Agriculture, furnish them with reports in writing showing, to the extent practical, the countries in which said films have been exhibited, the dates of release to theaters and/or for television, the approximate number of bookings and similar information. It is acknowledged, however, that contractor does not keep detailed records concerning distribution of short subject motion pictures outside the United States and Canada. Consequently, contractor shall not be liable hereunder if information furnished hereunder is deemed incomplete or inadequate by the U.S. tobacco cooperators or by the U.S. Department of Agriculture.

(E) The contractor will be responsible for all costs and expenses incurred in the distribution of the films, except print costs, to the extent paid by the U.S. tobacco cooperators under article VII C.

In no event shall the U.S. tobacco cooperators be liable for distribution charges incurred by the contractor other than the amount set forth in this contract.

(F) Upon completion of theater and television distribution, the contractor will make available to the U.S. tobacco cooperators all usable release prints.

ARTICLE V—PERSONNEL, MATERIALS AND SERVICES

(A) The contractor shall furnish all personnel, materials, and services necessary for the preparation, production, and completion of this film project including research, travel and all other expenses of the contractor's personnel.

(B) The contractor shall, to the extent practical, obtain releases from all persons, professional or otherwise, who will be recognizable in the film, such releases being of a nature that will entitle the contractor to own free and clear of any claim on the part of the talent all rights of any kind in the work or contribution of the talent, subject to applicable collective bargaining agreements. Furthermore, as a prerequisite to completion of the film contract, the contractor shall assign all such releases to the U.S. Department of Agriculture, and as to all recognizable persons from whom releases are not obtained, contractor will indemnify the U.S. tobacco cooperators and the U.S. Department of Agriculture against liability.

(C) The U.S. tobacco cooperators reserve the right to approve any material, service and production personnel, narrator, or others to be furnished by the contractor. Every effort will be made by both the U.S. tobacco cooperators and the contractor not to engage any person in the production of these films if the participation of such person might, for political or moral reasons, embarrass the U.S. Government.

ARTICLE VI—U.S. DEPARTMENT OF AGRICULTURE

(A) Although this contract is between the U.S. tobacco cooperators and the contractor, both parties will recognize the advisory role to be performed by the U.S. Department of Agriculture representatives throughout the planning, scriptwriting, production, and distribution of these films, and its representatives must be part of the reviewing and approving committee in production steps as set forth in this contract.

(B) All preprint materials will remain in the custody of the U.S. tobacco cooperators during the period of project usefulness, not to exceed 5 years, but at the same time will be the permanent property of the U.S. Department of Agriculture. All unused film, including negative and positive out-takes and cuts will be delivered to and become the permanent property of the U.S. Department of Agriculture, Washington, D.C., upon completion of the printing of the 35-millimeter release prints and prior to the final payment to the contractor.

ARTICLE VII—CONSIDERATION AND PAYMENT

(A) For all work under this contract, except purchase of release prints as covered in (C) below, the U.S. tobacco cooperators will pay United Arab Republic (Egyptian) pounds (to be spent only in Egypt) and French francs in the total amount of:

[Currency and approximate U.S. dollar equivalent]

(Egyptian) pounds, 3,475 United Arab Republic	$8,000
French francs (new), 458,565	93,585
Total	101,585

(B) Progress payments will be made as follows:

(a) Upon completion of story treatment, 3,475 United Arab Republic (Egyptian) pounds and 69,010 French francs.

(b) Upon completion of film production, 108,210 French francs.

(c) Upon review of all field photography, 108,210 French francs.

(d) Upon final approval of the answer print, 108,210 French francs.

(e) Upon completion of all work under the contract including distribution as confirmed by the fourth quarterly distribution report, 64,925 francs.

(C) Release prints:

In addition to the contract payments as specified in (A) and (B) above, the U.S. tobacco cooperators will pay the contractor for release prints in amounts not to exceed $9,000 United States. The number of release prints required by contractor for distribution in the 15 countries specified in article IV (A), as well as in all other territories where contractor may elect to distribute said films, will be determined by contractor up to a cost of $9,000. Price will be based upon existing laboratory prices at time of ordering. If the U.S. tobacco cooperators determine that additional release prints are needed, the contractor will provide them and payment will be made in French francs.

(D) Taxes:

It is understood that the amounts to be paid, as specified in (A), (B), and (C) above, are net to contractor or its nominee and, therefore, all taxes applicable to the transfer of currency to the contractor or its nominee are to be absorbed by the U.S. tobacco cooperators.

In witness whereof, the parties hereto have executed this agreement as of the 9th day of October 1963.

Contractors:

WARNER BROS. PICTURES, INC.,
R. J. OBRINGER,
Assistant Secretary.

OCTOBER 9, 1963.

U.S. tobacco cooperators:

ROBERT L. MINOR,
Authorized Representative.

AUGUST 27, 1963.

——— ———,
Authorized Representative.

AUGUST 29, 1963.

Approved by U.S. Department of Agriculture:

RAYMOND A. IOANES,
Administrator.

AUGUST 27, 1963.

MEMORANDUM OF AGREEMENT ON THE PRODUCTION AND DISTRIBUTION OF A TOBACCO MOTION PICTURE IN SEVERAL FOREIGN LANGUAGE VERSIONS, U.S. DEPARTMENT OF AGRICULTURE, FOREIGN AGRICULTURAL SERVICE

It is herein agreed that the Burley and Dark Leaf Tobacco Export Association, Inc., Leaf Tobacco Exporters Association, Inc., Tobacco Associates, Inc., and the Virginia Dark-Fired and Sun-Cured Tobacco Export Association, Inc. (hereinafter called the "U.S. tobacco cooperators") shall make a 10-minute motion picture, including several foreign language versions, to be used to promote U.S. tobacco in principal tobacco markets in the world. The movie and all language versions shall be produced and distributed under the market development project agreements, No. 86502-30 in France, and No. 86512-27 in the United Arab Republic, between the U.S. tobacco cooperators and the Foreign Agricultural Service in accordance with regulations and procedures contained in FASR, title 11.

PURPOSE

The purpose of the film and the respective language versions is to aid in the promotion and expansion of U.S. tobacco exports in the target countries listed herein. The film will depict the high quality and desirability of U.S. tobacco, showing the handling, harvesting, and marketing, and the language version for each respective target area will show the utilization and production of tobacco products containing U.S. leaf.

PLANS

Subject to the approval of the Foreign Agricultural Service, the U.S. tobacco cooperators will contract with a reputable producer/distributor for the production of this film and its distribution in cinemas, TV, and commercial libraries of the target countries as an entertainment and educational feature.

The first 7 minutes (approximately) of the film will be the same for each language version and will be filmed in the United States. This section will cover some of the historical aspects of U.S. tobacco during the Colonial days, and move into modern production, processing, and handling of tobacco today. The final 3-minute portion of each 10-minute language version will be filmed in the respective target areas, highlighting the utilization of U.S. tobacco in accordance with local customs. Each completed language version will have as much educational value and local appeal as possible but still maintain a soft-sell approach.

Among the target countries or areas to be considered for this film are the following: The United Kingdom, Germany or Austria, France or Belgium, the Netherlands, the United Arab Republic, Norway or Sweden, Spain, Japan, Thailand, and Italy.

The contract will call for research, treatment, and scripts; photography in the United States and overseas; translations and narration recordings in languages of respective target areas; editing, music; production reviews and approvals; laboratory processing and printing and distribution according to detailed specifications developed for bid purposes and approval by the Foreign Agricultural Service.

COSTS

The estimated total cost of this project to be paid from foreign currencies contributed by the Foreign Agricultural Service and U.S. dollars contributed by the U.S. tobacco cooperators is the equivalent of $124,000 as listed below:

FAS:	*Amount*
(a) France, project No. 86502-30 (dollar equivalent)	$100,000
(b) United Arab Republic, project No. 86512-27 (dollar equivalent)	15,000
U.S. tobacco cooperators: U.S. dollars	9,000
Total	124,000

It is understood that the U.S. tobacco cooperators will not enter into contracts and incur other obligations for expenditure of funds made available by the Foreign Agricultural Service in excess of the amounts indicated above without prior approval in writing by the administrator of the Foreign Agricultural Service.

Based on the detailed specifications (mentioned above under plans) covering all phases of production and distribution for this project, the U.S. tobacco cooperators will issue invitations for submission of bids from reputable movie producers to perform this work. The U.S. tobacco cooperators will review bids with the Foreign Agricultural Service and obtain approval for the contract to be awarded to the selected contractor, including approval of the contract between the U.S. tobacco cooperators and movie contractor.

FILM TITLES

Copies of this picture to be used in the United States, including any acquired by the Department of Agriculture, shall have an opening title limited to the title of the film and shall have an ending as follows: "Presented in the public interest by the U.S. Department of Agriculture and The Burley and Dark Leaf Tobacco Export Association, Inc.; Leaf Tobacco Exporters Association, Inc.; Tobacco Associates, Inc.; Virginia Dark-Fired and Sun-Fired Tobacco Export Association, Inc. Produced by (film maker). The end."

FILM RIGHTS AND OWNERSHIP

The U.S. tobacco cooperators shall have the right to make, distribute, and sell prints at cost or otherwise make use abroad of the film produced under this memorandum of agreement. The U.S. Department of Agriculture shall also have the right to make, distribute, and sell prints at cost or otherwise make use of the film in the United States and foreign countries as desired.

The original cut picture negative and the composite negative sound tracks shall be and remain the property of the U.S. Department of Agriculture, but shall remain in the custody of the U.S. tobacco cooperators for 2 years following the completion of the production of the picture unless otherwise agreed in writing, subject to the right of the U.S. Department of Agriculture to call for delivery of such materials at an earlier time. The U.S. Department of Agriculture shall receive all negative out-takes and cuts not in the finished picture and the separate magnetic music and narration tracks upon completion of the film.

The film produced under this memorandum of agreement shall not be copyrighted in the United States or abroad.

In witness thereof, the parties hereto have executed this agreement as of the 24th day of May 1963.

U.S. Department of Agriculture.

Approved: Foreign Agricultural Service.

DAVID L. HUME,
Assistant Administrator.

MAY 23, 1963.

Concurred in: Office of Information.

HAROLD R. LEWIS,
Acting Director.

APRIL 22, 1963.

U.S. tobacco cooperators:

ROBERT L. MINON,
Authorized Representative.

MAY 24, 1963.

[From the New Republic Magazine]

BE HAPPY, LIGHT UP

The Senate Commerce Committee has been treated to the world premiere of a new Warner Brothers film, "World of Pleasure," soon to be seen (perhaps) in theaters in 15 nations. It will not win an Oscar, but the Department of Agriculture will be happy if it just hooks a few new cigarette smokers. While the Surgeon General was reporting a causal connection between cigarette smoking and lung cancer, and while Congress was enacting a mild law requiring health warnings on cigarette packs, the Department of Agriculture was spending $106,000 to make a 20-minute film, in five different languages, touting the pleasures of smoking. The film's existence was discovered by Don Oberdorfer, a reporter for the Knight newspapers, who wondered what the Department was doing these days for tobacco growers. He found that Agriculture spent $210,000 last year to subsidize cigarette commercials in Japan, Thailand, and Austria, and that it was about to release "World of Pleasure," a fatuous travelog. Everywhere one goes, a young couple is lighting up—at Hollywood and Vine, in the shadow of the Sphinx, in a Parisian cafe, in Winston-Salem, N.C. Ephrem Zimbalist, Jr., the English-language film's narrator, delivers the cigarette message: "Capture the flavor of the land and one of its most pleasurable products."

"Tobacco is a part of the lives of millions of people throughout the world—the pure joy part." "A symbol of pleasure within the reach of everyone." "An odyssey of global enjoyment."

Nowhere in the credits is the hand of the Department of Agriculture visible. Nor is it explained that the Burley and Dark Leaf Tobacco Export Association, the Leaf Tobacco Exporters Association, Tobacco Associates, Inc., and the Virginia Dark-Fired and Sun-Cured Tobacco Export Association were parties to the contract with Warner Brothers. (Senator THRUSTON MORTON, of Kentucky, who approves of the film, speculated at last week's hearing that it would spoil the film's "softsell" to disclose that the U.S. Government was responsible for it. If you labeled the film, he said, it would automatically be called propaganda. People would be saying "the Department of Agriculture is giving us a lot of bunk.")

The Department of Agriculture says it cannot discriminate against one commodity when it makes similar films promoting the sale of others—lard, for example. Moreover, the film will only be shown in countries which welcome it. (The film contract calls for distribution in England, Belgium, Denmark, Sweden, and Norway, all of which according to Senator MAGNUSON have government campaigns against smoking. England, MAGNUSON said, prohibits cigarette advertising altogether.) Anyway, explains the Department, the film was paid for out of counterpart funds amassed in the food-for-peace program which must be spent abroad.

David L. Hume, Assistant Administrator of the Foreign Agricultural Service of USDA, defends the Department for looking after the interests of the "700,000 farm families engaged in tobacco production" in the United States. In a letter to Mr. MAGNUSON, Secretary of Health, Education, and Welfare John Gardner calls attention to broader interests: "The overwhelming weight of scientific evidence indicates a strong link between cigarette smoking and lung cancer. We consider it essential to make that fact known as widely as possible." It was Secretary Gardner's understanding that "World of Pleasure" had not yet been released. It shouldn't be.

[From the Washington (D.C.) Post, Feb. 18, 1966]

SMOKE AMERICAN

The Department of Agriculture is in the film business. Some $106,000 from Public Law 480 funds are to be paid to Warner Bros. for a travelog called "World of Pleasure." The object of the film is to promote American tobacco, a crop that accounts for $400 million in exports a year. To this end tobacco trade groups provided a portion of the cost and supervision for the film, which subtly stresses the pleasures of smoking.

Whether the United States should be propagandizing smoking is doubtful. The film was contracted before the Surgeon General's report was issued, but in light of the public dialog that preceded the report, the decision to endorse a film endorsing tobacco was questionable. Beyond this, however, is the problem of hidden Government involvement in any medium used to convey ideas—be it films, television, or books. A number of films boosting other commodities were made prior to the tobacco film. According to the Department the Government connection isn't revealed in the credits because this information would tend to limit distribution. And well it might. The Government proudly affixes a tax seal on cigarette packages. Let it also affix its seal on the movies, books and magazines it finances.

[From the New York (N.Y.) Times]

SMOKE IN WHOSE EYES?

At home, the U.S. Government by law requires a warning on every pack: "Cigarette smoking may be hazardous to your health."

Abroad, the U.S. Government subsidizes the promotion of cigarettes through advertising and a color film, "World of Pleasure," which contains a soft sell for cigarette smoking.

The Department of Agriculture in 1963 contributed $106,000 in foreign currencies to funds raised by tobacco trade groups for the production of the 23-minute film showing young couples enjoying cigarettes together. This fiscal year the Department of Agriculture will spend $210,000 to advertise in Austria, Japan, and Thailand cigarettes made from American tobacco.

While it is true that Congress in Public Law 480 authorized such expenditures as part of the effort to expand tobacco and cigarette export, there is no compulsion on the Department to engage abroad in this promotional effort directly at variance with governmental policy at home.

Furthermore, the law requiring the health warning specifically exempts cigarettes sold abroad. And Congress has several times refused to eliminate Government supports for the tobacco that, in the form of cigarettes, "may be hazardous to your health."

The present two-faced policy badly needs correction both in Congress and in the Department.

THE ROLE OF THE CONGRESSIONAL COMMITTEE IN INVESTIGATION AND OVERSIGHT

Mr. BYRD of West Virginia. Mr. President, in his argument in the proceedings against the dean of St. Asaph, in 1783, the noted English attorney, Thomas Erskine, gave this description of the processes of government. He declared:

> The prosperity and greatness of empires ever depended, and ever must depend, upon the use their inhabitants do make of their reason in devising wise laws, and the spirit and virtue with which they watch over their just execution.

In these few words, Erskine described what have been and are today two fundamental responsibilities of the legislative branch—the enactment of laws as required by the Nation's needs, and the exercise of a continuing vigilance over the execution of these laws, the so-called oversight function.

Today, I wish to explore the investigative and legislative oversight role of the congressional committee.

Since World War II, few subjects have been the focus of as much literary comment as that of the investigating role of congressional committees. Violent criticism, based upon some aspects of past investigations, has been poured upon them, but over and again commentators have strongly supported their necessity and lauded the part they play in the maintenance of our system of free government.

The congressional investigation has often been called, "The grand inquest of the nation," a term first used by William Pitt in the House of Commons, in 1742, in describing the duty of Parliament "to inquire into every step of public management, either abroad or home, in order to see that nothing has been done amiss"—"Grand Inquest," by Telford Taylor, 1955, page 1.

The three major functions of Congress in today's world of complex relationships, and technological development, may be listed as: First. The enactment of legislation; second, supervision and oversight over the vast plethora of executive agencies, authorities and bureaus, and third, the informing and enlightening of public opinion as to the policies and operation of the Federal Government.

To its credit, Congress, perhaps alone among the major legislative bodies of the world, has offered, through its performance of these three functions, resistance to the growing menace to our republican form of government by technocrats behind the facade of a formal constitution.

In modern times with the executive branch constitution the primary fount of legislative proposals, some commentators such as Dr. George Galloway, senior specialist in American government in the Legislative Reference Service of the Library of Congress, place emphasis on the second function, stating:

> Today, legislative oversight has become a, if not the, principal activity of the standing committees of both Houses ("History of the House of Representatives," George B. Galloway, Demas Crawill Co., 1961, p. 185).

Woodrow Wilson was in accord many years ago, and also favored the third function, that of informing, when he said:

> Quite as important as legislation is vigilant oversight of administration, and even more important than legislation is the instruction and guidance in political affairs which the people might receive from a body which kept all national concerns suffused in a broad daylight of discussion. * * * The informing function of Congress—

He declared—

> should be preferred even to its legislative function.

The instrument which Congress uses to secure the information to enable it to legislate and to inform and to perform the oversight function, is the committee, both standing and select. A standing committee, as we all know, is one, the existence of which is provided for in the rules of both Houses and exercises its functions continuously throughout each Congress. A select or special committee is one created on an ad hoc basis for a specific purpose and usually has a life limited to one Congress or less.

The work of congressional committees in maintaining an unrelenting watch over the activities of the bureaucracy is a result, in good part, of our system of separation of powers wherein the Executive works with, rather than controls, the Legislature, and wherein no agency, by and large, can operate irresponsibly for long in significant matters. Sooner or later it must expect to justify its action before its constitutional equal. And, despite alarm in some quarters at the history of aggrandizement of the Presidency, Congress, of late, is more than holding its own. Whether this is merely a cyclical swing remains to be seen, but the possibilities are that the role of Congress will continue to be that of a strong and influential institution of government. The history of freedom in the Nation will, to a considerable extent, depend upon its persistent adherence to this role.

Its committees are its major functionaries in this respect. They conduct investigations, analyze facts, and report conclusions and recommendations to their parent body.

In exercising authority to investigate committees carry out a legislative power that is older than the Constitution itself. As expressed by the Supreme Court in *McGrain* v. *Daugherty,* in 1927—273 U.S. 135:

> The power of inquiry—with process to enforce it—is an essential and appropriate auxiliary to the legislative function. It was so regarded and employed in American legislatures before the Constitution was framed and ratified.

It was a practice found in the colonial assemblies and in Parliament. And article I, section 1, of the Constitution, in granting all legislative powers to Congress, also contains implicit authorization for legislative investigations. To quote again from McGrain against Daugherty:

> A legislative body cannot legislate wisely or effectively in the absence of information respecting the conditions which the legislation itself is intended to affect or change; and where the legislative body does not itself possess the requisite information—which not infrequently is three—recourse must be had to others who do possess it.

There have been considerably more than 800 major investigations conducted in our national history by congressional committees, the major portion of them during this century, reflecting the increasing oversight role assumed by Congress. Only three Congresses have been barren of legislative inquests, while no administration has been immune. Dr. George Galloway reports—supra, pages 185–186—that as many inquiries have been conducted by each Congress since 1950 as were carried on in the whole 19th century.

This development has been due, at least in part, to the directive in section 136 of the Legislative Reorganization Act of 1946 that "each standing committee of the Senate and House of Representatives shall exercise continuous watchfulness of the execution of any laws" by the administrative agencies within their jurisdiction. It has also been facilitated by the increase in standing committee staffs which have doubled in the Senate and tripled in the House during the past decade—Galloway, supra, page 186.

Since 1792, when the first celebrated congressional investigation was initiated by a select committee of the House of Representative appointed to look into the defeat of Gen. Arthur St. Clair by a league of Indians near the present site of Fort Recovery, Ohio, many investigations have been outstanding in bringing to light and correcting egregious misconduct within the administration, and in achieving far-reaching legislative accomplishments.

Examples of the former are the Teapot Dome oil reserve scandal of the Harding era and the income tax administration scandal of the Truman regime. In the latter area, studies of immigration, lobbying, munitions manufacturing, stock exchange operations, conservation, monopoly in industry, the organization of Congress, and the organization of the executive branch, are examples—see Ogg and Ray's Essentials of American Government, eighth edition, 1961, page 199.

Among the outstanding achievements which must be credited to congressional inquiries are the discovery of General Wilkinson's part in the Burr conspiracy in 1810; the disclosure of Andrew Jackson's conduct in the Seminole War of 1819–20, and of the light regard in which he seemed to hold certain restrictions of the Constitution; the unearthing of the Credit Mobilizer scandal of 1872, which jeopardized the political careers of James G. Blaine and Schuyler Colfax; the disclosure of frauds in the star route mail service in 1884; and the resignation of Secretary Ballinger after his sensational controversy with Gifford Pinchot in 1911, which contributed to the disruption of the Taft administration and the split in the Republican Party in 1912. "The Investigative Function of Congress," George B. Galloway, American Political Science Review, volume 21: 47–70, February 1927.

Among more recent investigations have been those of the celebrated "Truman committee" during World War II, the efforts of which, by uncovering waste and contract manipulation, resulting in the savings of billions of dollars, of war financing, and of the House Subcommittee on Legislative Oversight in 1957–58, which, in investigating the execution of the laws by the administrative agencies turned up evidence which led to the resignation of President Eisenhower's White House chief, former Gov. Sherman Adams of vicuna coat fame.

It is also true that Congress has not always lived up to the highest standards in conducting investigations. Political motivations have sometimes exerted an influence on investigations particularly where the President and the Congress might be of different political persuasions. The balance sheet, however, over the long run, reveals far greater benefits from investigations than abuses.

The power to investigate, while inherently a function of the legislative body itself, cannot be exercised by so unwieldy an institution. It is thus delegated to those legislative instrumentalities which can most appropriately utilize it, the committees.

For Senate standing committees there is continuing statutory authority to conduct hearings and investigations into matters within the jurisdiction of each respective committee and to issue subpenas in connection therewith. This was conferred by section 134(a) of the Legislative Reorganization Act of 1946—2 United States Code 190b. The jurisdiction of each of the 16 Senate standing committees is set forth in Senate rule XXV.

House committees do not have the benefit of such a statute. Their authority to conduct investigations is conferred through the House rules and by action of the House itself. The House, in theory, has authority limited to each 2-year Congress. Consequently, it readopts its entire set of rules at the beginning of each Congress. House rule XI sets forth the jurisdiction of each of the 20 standing committees, and authorizes only the Committee on Appropriations, the Government Operations Committee, and the Committee on Un-American Activities to hold hearings, conduct investigations, and issue subpenas.

The other 17 committees—excluding the Rules Committee which does little if no investigating—receive authority to investigate by separate resolutions passed by the House early in each Congress. Since these constitute in reality amendments of the rules, the resolutions after being introduced are referred to the House Rules Committee and reported from that committee to the full body.

If select committees are to be created in either House to conduct special investigations this is achieved through an authorizing resolution adopted by the respective chamber.

In a few instances joint committees have been created by the Congress to investigate or watch over specific matters. Current examples are the Joint Committee on Defense Production and the Joint Committee on Immigration and Nationality Policy.

A decision by a committee to investigate can be made by a majority of the members but the chairman usually plays a very influential role in such a determination. Such decisions are significant because committees are the arms of Congress in assuring executive responsibility to obey the intent of the law and they have a profound influence on the exercise of administrative power. The existence of their specialization makes them formidable rivals to the departments or agencies in the evolution of policy in the areas of their jurisdiction.

A committee investigation, once having been decided upon, is, in essence, a process and not a single, definable instrument. It can perform many functions and is highly adaptable in the detail of its rituals.

It is employed to supplement the power of the purse and the lawmaking power and to supplant in large measure the even more unwieldy power of impeachment.

Investigation is synonymous, in many respects, with supervision. Governmental efficiency, the protection of private rights, and the execution of legislative policy as the will of the Nation, demand of Congress that it devise methods of supervising the administration of the law and the conduct of executive officers. It often enables responsibility, otherwise confused under our multiple agency system, to be fixed for every questionable administrative act and informs Congress when the Executive is opposed to the enforcement of the law and when legislative action is perforce required.

Most investigations commence with the securing of background information by committee staffs through their own research or with the aid of the Legislative Reference Service of the Library of Congress. A checklist is made of interested persons and a tentative roster of witnesses, preferably balanced, is drawn up. Depending upon the hearing it may be composed entirely of voluntary witnesses or it may contain names of those who, the committee believes, will require summoning through use of the subpena.

After the initial spadework is done, a date is set for the commencement of the investigation.

Following the hearings, the committee meets in executive session to draw up an appropriate bill, if necessary, and write its report containing its recommendations.

Investigations may be directed at one or more objects. They may be of persons, particularly by Senate committees concerned with confirmation of Presidential nominations.

They may be of the administration of laws. These are sometimes undertaken independently, or they may be made in connection with appropriation measures or with bills amending, repealing, or modifying existing policies or practices.

They may be of "problems," such as in recent years, the Communist conspiracy, disarmament, and racketeering in labor unions. Sometimes these too, occur in connection with consideration of a bill.

An investigation, then, may have several roles. It is a primary factor in executive-legislative relations, a substantial educator of the public, a means of supervision over the carrying out of legislative policies, and of the unearthing of executive branch misfeasance or maladministration. It is a source for the acquisition of information essential to the process of legislating.

Investigations may curb the administration or they may aid it. Early in 1932, for instance, the Senate Committee on Agriculture and Forestry was asked to investigate the activities of the Federal Farm Board. This agency, created by the Agricultural Marketing Act of 1929, had lost more than two-thirds of a $500 million revolving fund appropriated for the stabilization of the prices of agricultural commodities. The report, issued in 1935, was, to say the least, not complimentary.

On the other hand, an investigation into a problem may be in response to an administration need for assistance. An investigation by a joint committee, in 1937, into forms of income tax avoidance sustained the need for reform proposals that had been suggested to the President by the Secretary of the Treasury. Legislation designed to plug the loopholes was soon enacted.

These then are the major forms and functions of the congressional committee investigating process. They are peculiarly adapted to those situations in which no law has been violated, but in which there has been an apparent betrayal of public trust including failure to carry out the intent of Congress, or, distortion of that intent.

Their success depends upon numerous factors. A chairman can make or break an investigation through the use of staff intelligently, the allocation of questioning time to committee members, and the "tone" he imparts to the occasion. Adequate staff and adequate preparation are essential. The degree of witness cooperation can have a marked influence. Prior planning on areas for the direction of questions is helpful in achieving desired information.

The process relates to these factors and more, and often, if they are fully considered, the results can be enlightening and beneficial to the Nation as a whole.

Before turning to the constitutional and legal aspects of committee investigations, let me add a brief additional word about oversight. Oversight, as I have mentioned, a function traditionally practiced by committees and formalized in the Legislative Reorganization Act of 1946.

It is a scrutiny over the administration and execution of the laws. All committees exercise one or more forms of oversight. The Appropriations Committees and the Government Operations Committees are consistently involved in examining the allocation and expenditure of funds. Other committees have more limited areas of oversight depending upon their jurisdiction.

Oversight deals with the control and supervision of administration and of standards to be applied. It can be and is a source of some conflict between the legislature and the executive since there is no simple line beyond which Congress cannot tread in attempting to supervise the administration of the laws.

Control is essential; not only to reduce the tendencies of bureaucracy to become a force unto itself, but also to insure integrity and efficiency in the public service. Involved, moreover, are questions of policy determination, loyalty of personnel, and political power which can result from the administration of laws.

Oversight utilizes many techniques in addition to investigations. These involve detailed legislation; the use of congressional vetoes over executive branch reorganization proposals submitted under the Reorganization Act of 1949, as amended; the confirmation of executive appointees; congressional veto power established under acts such as the Federal Highway Act of 1956 which requires that allocations to the several States be reported to Congress by the Secretary of Commerce and be approved by concurrent resolution before going into effect, or the committee veto such as was incorporated into the Public Buildings Contract Purchase Act of 1954, under which no funds could be appropriated for annual payments in excess of $20,000 in any lease-purchase contract unless the contract had been approved by the Public Works Committee of each House; use of concurrent or other resolutions to terminate specific programs or activities; the requirement of numerous reports to be submitted to the Congess or to specific committees; use of resolutions of inquiry directed to the departments requesting factual information, among others.

These techniques and more are useful in the exercise of the oversight function.

How effective is it all? This is hard to judge. Woodrow Wilson wrote in 1885 in a famous passage:

> Even the special, irksome, ungracious investigations which (Congress) from time to time institutes in its spasmodic endeavors to dispel or confirm suspicions of malfeasance or of wanton corruption do not afford it more than a glimpse of the inside of a small province of Federal administration. Hostile or designing officials can always hold it at arm's length by dexterous evasions and concealments. It can violently disturb, but it cannot often fathom the waters of the sea in which the bigger fish of the civil service swim and feed. Its dragnet stirs without cleaning the bottom.

This is perhaps a somewhat bleak picture, but Congress is in many cases at the mercy of a department, especially the Department of Defense, because of the sheer magnitude and technical nature of its operations. The necessary secrecy surrounding many military matters constitutes another hazard in this particular connection. So does the exercise of the so-called executive privilege whereby the President, for security or other reasons, refuses to release information to a committee.

On balance, however, Congress is successful in its efforts to keep the administration even more sensitive to public opinion than it otherwise would have been. There does exist an impressive record of concrete reforms and results. In the complexities of the executive-legislative struggle and cooperation, Congress has, and should have, in the opinion of many commentators, a significant role in the control and oversight of the administration despite differences on the proper extent of such control and the skill and objectivity with which it is exercised by Congress.

It is an essential and inevitable response of Congress to the dangers of a technical monopoly on the part of the bureaucracy. As we have noted, oversight investigations have increased markedly in the past two decades and the conclusion must be drawn thereby that the most all-pervading and powerful of our constitutional principles, those of the separation of powers and of checks and balances continue to have meaning and applicability in our system of free government.

But, bitter controversy has sometimes raged around the operation of the investigating process. It has stemmed, in general, from differences over whether an investigation has stepped over the line of obtaining information for legislative purposes into the area of harassment or exposure of the private affairs or opinions of individuals, and from the fact that a necessary corollary of the power of inquiry is authority to enforce it through resort to coercion for contempt.

Despite the fact that courts have laid down some standards to govern the conduct of congressional investigations, there are still numerous areas where the law is yet unsettled, and these, of course, constitute an invitation to controversy. For it is with the conduct of investigations that lawyers are most concerned and involved. They may appear as counsel for a witness before a committee, they may defend against a contempt citation in court. At issue are deep constitutional principles which run the gamut from the necessary use of government authority for the promotion of the general welfare and the maintenance of public order, to the preservation of individual rights.

Commencing with the decision in *Kilbourn* v. *Thompson* in 1881, 103 U.S. 168, the Supreme Court has differentiated between investigations which are "in aid of the legislative function" and those that involve the private affairs of citizens. The former is a legitimate use of the investigating power, the latter is questionable. The Court summarized the principles relevant to the investigating power stating:

> That neither House of Congress possesses a general power of making inquiry into the private affairs of citizens; that the power actually possessed is limited to inquiries relating to matters of which the particular House has jurisdiction and in respect of which it rightfully may take other action; that if the inquiry relates to a matter wherein relief or redress could be had only by a judicial proceeding it is not within the range of this power, but must be left to the courts, conformably to the constitutional separation of powers; and that for the purpose of determining the essential character of the inquiry recourse may be had to the resolution or order under which it is made.

Admittedly, how much of a limitation the "legislative purpose" doctrine actually furnishes is unclear. The resolution empowering the investigation does not have to state explictly that it is intended in aid of legislation as long as it "plainly is one on which legislation could be had and would be materially aided by the information which the investigation was calculated to elicit"—*Kilbourn* v. *Thompson*, supra, page 177.

It is not necessary, even, that the authorizing resolution avow an intent to legislate, because: "it was certainly not necessary that the resolutions should declare in advance what the Senate meditated doing when the investigation was concluded." *In re Chapman*, 166 U.S. 661, 679—1897.

Neither does the limitation of the subject of investigation to that on which Congress may legislate seem to furnish a clear guide. As Mr. Justice Harlan recently wrote for the Court in 1959:

> The scope of the power of inquiry, in short, is as penetrating and far reaching as the potential power to enact and appropriate under the Constitution (*Barenblatt* v. *U.S.*, 360 U.S. 109, 111).

And again, in *Tenney* v. *Brandhove*, 341 U.S. 367—1951—the late Justice Frankfurter, in speaking for the Court, declared:

> Investigations, whether by standing or special committees, are an established part of representative Government * * * to find that a committee's investigation has exceeded the bounds of legislative power it must be obvious that there was an usurpation of functions exclusively vested in the judiciary or the executive.

Today, despite admonitory language in *Watkins* v. *U.S.*, 354 U.S. 178—1957—that there is no general authority to expose the private affairs of individuals without justification in terms of the functions of Congress, the exception of a nonlegislative purpose has lost much of its meaning.

The power of Congress to legislate in the field of Communist activity, for instance, has received such broad sanction from the courts—see Barenblatt against the United States, supra—and the precision with which authorizing resolutions are being drafted, have effected a severe reduction in controversies over whether a committee has projected its inquiry into an area not sanctioned by the parent body. This particular objection no longer seems to have the pertinency that it once possessed.

Attention consequently is directed to those other areas where witnesses seek to raise defenses, in judicial proceedings, against investigations. Two major areas of defense have been attempted to be created against the investigating power. These involve assertions that the question was not pertinent to the inquiry; or, that notwithstanding the legitimacy of the committee's inquiry, the invasion of the witness' privacy, which the interrogation entails, outweighs in importance the committee's need for the information sought to be obtained thereby and, accordingly, is within the protection afforded by amendment I.

Both defenses involve the power of Congress to treat the failure or refusal of an individual to comply with the processes of either House as contempt. The case of *Anderson* v. *Dunn,* 19 U.S. 204—1821—early settled the question by holding that either House may attach and punish a person, other than a Member, for contempt of its authority. Contempt has usually been described as consisting of ignoring its processes or refusing to answer questions—see McGrain against Daugherty, supra.

The power to punish for contempt is not unlimited, however. The power of at least the House of Representatives to imprison for contempt must terminate with adjournment—Anderson against Dunn, supra. Consequently, Congress enacted a statute, presently codified as 2 U.S.C. 192, which provides that when a person summoned as a witness before a committee, willfully defaults or refuses to answer pertinent questions, he shall be deemed guilty of a misdemeanor and be punishable by a fine of not more than $1,000 and imprisonment for not less than 1 month or more than 1 year.

Citations for contempt, voted by either House, are referred to the U.S. District Attorney for the commencement of appropriate proceedings in court to effect the statutory coercion and punishment. Although both Houses still possess authority to try individuals for contempt before their own bar, this practice has long been out of date, and resort is made to the statutory procedure under which a person ascertained to be in contempt can be punished for a term extending beyond the adjournment of a specific Congress.

Privileges of witnesses in the Senate rest in good part upon the respective rules of each committee relative to hearings. Such matters as right to counsel, confrontation of witnesses, or cross-examination, for instance rest upon such rules.

In the House, the same procedure exists except for a limited number of privileges adopted by that body as a permanent part of its Rule XI in 1955. These require the presence of at least two committee members for the purpose of taking testimony, the making of an opening statement by the committee chairman relative to the subject of the investigation, the furnishing of a copy of the committee rules to the witness, the privilege of allowing the witness to be accompanied by counsel for the purpose of advice concerning constitutional rights, and the handling of testimony that might tend to defame, degrade, or incriminate any person. Rule XI also provides that no testimony taken in executive session may be released without the consent of the committee.

These protections, many of which are accorded by Senate committees as well, have gone far to reduce alleged abuses in committee hearings.

Problems still exist, however. For instance, the extent of objection by a witness to the presence of banks of television lights and cameras or of groups of reporters or spectators, has not yet been settled.

Whether a hearing is to be public or in executive session still rests in the discretion of each committee.

The legal effect of an objection of the absence of a quorum is still open.

The major cases in recent years have dealt with matters of pertinency both in the refusal to answer questions—Watkins against the United States, supra—and in the sufficiency of indictments under the contempt statutes, and with efforts to raise free speech as a defense.

As respects pertinency, the Supreme Court in the Watkins decision in 1954, emphasized that inasmuch as a witness by his refusal, exposes himself to a criminal prosecution for contempt, he is entitled to be informed of the relation of the question to the subject of the investigation with the same precision as the due process clause requires of statutes defining crimes.

Later cases have indicated, however, that the requirement of pertinency can easily be met by the committee chairman or counsel making a few introductory remarks, general in content, on the subject under investigation and providing a connection between the subject and the particular witness—see, for instance, *Braden* v. *U.S.,* 366 U.S. 431—1961.

Nevertheless, indictments under the contempt statute must indicate more than a mere reference to pertinency, and must show an identification of the subject in sufficient detail to inform the witness—*U.S.* v. *Russel,* 369 U.S. 749—1962.

Defense through use of the first amendment has thus far run into the so-called balancing formula whereby courts balance competing private and public interests that are at stake—Barenblatt against the United States, supra. Generally, once it has been established that communism is involved in the subject matter under investigation, the balance will be struck in favor of the governmental interest in protecting the national security—*Wilkinson* v. *U.S.,* 365 U.S. 399—1961.

Consequently, the first amendment road of defense has yet to be fully developed.

The majority of witnesses, of course, rely upon the fifth amendment and its protection against self-incrimination. The privilege is available to a witness before a congressional committee—*Quinn* v. *U.S.* 349 U.S. 115—1955—and is one that must be accorded liberal construction—ibidem.

To have it claimed by a witness, it need only be evident from the implications of the question, in the setting in which it is asked, that a responsive answer could invoke an injurious disclosure—*Hoffman* v. *U.S.,* 341 U.S. 479—1951.

Thus, although a witness is not excused from testifying "merely because he declares that in doing so he would incriminate himself," a claim of privilege will generally be sustained unless it is "perfectly clear, from a careful consideration of all the circumstances in the case, that the witness is mistaken, and that the answers cannot possibly have such a tendency to incriminate"—*Temple* v. *Commonwealth,* 75 Va. 892—1881.

The privilege is also available where an answer might divulge "links in a chain of evidence" required for the prosecution of the witness—*Councilman* v. *Hitchcock,* 142 U.S. 547—1892.

The privilege applies to production of records so long as they are the private property of the person claiming the privilege, or at least in his possession in a purely personal capacity—*Boyd* v. *U.S.,* 116 U.S. 616—1886.

A witness may waive the privilege, and it has been held that he must explictly claim it or he will be considered to have waived it—*Rogers* v. *U.S.,* 340 U.S. 367—1951.

This puts a witness in something of a dilemma at times, because he can never really know what questions he can safely answer without being held to have waved the privilege.

In any event, he is not the final judge of the validity of his claim, and the fact that he may raise it before a committee is no guarantee that he will not be cited for contempt with the ultimate determination of the question being made by the courts.

The cases cited have involved private citizens. The courts have not really had the opportunity to deal with the critical problem of the refusal of an executive branch officer to testify before a committee. Presidential prerogatives, including the making of a decision by the Department of Justice to prosecute an executive branch officer in such a case, would be involved. This is perhaps more of a political than a legal question and adjustments in such a situation, outside of the law, might be preferable.

In any event, standards have been developed as respects the purpose of investigations and the conduct thereof. The scope and conduct of congressional investigations have been subjects of controversy throughout our history. Their powers and procedures have been bitterly attacked and vigorously defended. Constitutional protections have slowly been devised, however, and abuses have led many committees to adopt codes of fair procedure along with that of the House of Representatives.

It is to be hoped and perhaps it can be said with growing certainty that the discrediting and harmful elements in investigations will continue to decrease, as they have for the most part decreased in recent years. They never did affect more than a minority of the committees, although they obtained a far greater proportion of public attention.

In spite of the furor that has sometimes been generated about investigations, it is equally important to view them in perspective and to consider their function in our system of government. Hardly anybody wants to abolish them because it is recognized that their role in our system of free government is essential to the preservation of representative democracy.

In closing, I would like to quote from the work by Ernest S. Griffith entitled, "Congress, Its Contemporary Role"—1961, page 108—wherein the author sums up what we have been discussing tonight:

> In conclusion, we repeat that the investigation has not one role, but several. It is a process, an instrument, if you will, to carry out a number of functions. It has grown greatly in frequency and prestige, as the agenda of Congress has multiplied many times, and as the problems facing the Nation have grown in magnitude and complexity.
>
> Trends are observable, chiefly in the direction of perfecting its technique and safeguarding it against abuses. Skill in questioning, focusing upon the relevant, buttressing by research at both the preparatory and synthesizing stages, streamlining of press relations, increasing nonpartisanship, development of codes of fair and orderly procedure—these and other trends are making the congressional investigation a potent and dramatic instrument in governance. It is the major factor in legislative-executive relations, the major educator of the public in dramatizing issues (rivaled only by the President's press conference), one among several tools to serve as the basis for congressional decisions. We venture to predict that, as it makes further gains in responsibility and precision, it will appear more and more clearly as a vital part of the democratic process.

RESOLUTION OF THE PERUVIAN CHAMBER OF DEPUTIES ENDORSING THE VIEWS EXPRESSED BY SENATOR FULBRIGHT CONCERNING THE DOMINICAN REPUBLIC AND THE UNITED STATES POLICY TOWARD LATIN AMERICA IN GENERAL

Mr. FULBRIGHT. Mr. President, the Department of State has sent me a copy of a note from the Peruvian Ministry of Foreign Relations transmitting to the American Embassy in Lima the text of a resolution by the Peruvian Chamber of Deputies endorsing the views I expressed last fall concerning the Dominican Republic and United States policy toward Latin America in general. I have also received a transcript of the debate in the Peruvian Chamber on this matter, and I ask unanimous consent that the note and the transcript be printed in the RECORD at the conclusion of my remarks.

The RECORD should show that the four deputies who participated in the discussion represent the four major parties in the Peruvian Congress from both the Government and the opposition. Alfredo Garcia Llosa is a Christian Democrat; Andres Townsend Ezcurra is an Aprista—and also Secretary General of the Latin American Parliament; Ciro Alegria Bazan is a member of the Popular Action Party of President Belaunde Terry—and also a noted Peruvian author; and Jose Benza Picon is a member of the Odriista National Union. I am, of course, very gratified that my views found such a warm response in Peru, and I take this opportunity to express publicly my appreciation for the remarks which were made.

I also ask unanimous consent, Mr. President, that there be printed in the RECORD translations of sundry newspaper editorials and columns from El Tiempo, of Bogotá; El Espectador, of Bogotá; and El Mercurio, of Santiago, concerning U.S. policy toward Latin America. I point out that all of these papers are highly respected and take a generally middle-of-the-road or conservative view of social and economic questions.

There being no objection, the translations were ordered to be printed in the RECORD, as follows:

[Informal translation]

THE HONORABLE EMBASSY OF THE UNITED STATES OF AMERICA, CITY:

The Ministry of Foreign Relations presents its compliments to the Embassy of the United States and has the honor to transmit a resolution of the order of the day approved by the Peruvian Chamber of Deputies the 25th of the present month:

"The Peruvian Chamber of Deputies resolves to express its appreciation for the words of U.S. Senator J. W. FULBRIGHT with respect to the relations of his country with Latin America and to congratulate him for the effort he is making in order that the American people may be better acquainted with the problems of Latin America, which doubtless will result in an improvement in the friendly relations between the United States and Latin America."

The Ministry of Foreign Relations takes advantage of this opportunity to renew to the honorable Embassy of the United States of America the sentiments of its most high and distinguished consideration.

LIMA, *October 29, 1965.*

TRANSCRIPT OF REMARKS MADE BY DEPUTIES GARCÍA LLOSA, ANDRÉ TOWNSEND EZCURRA, CIRO ALEGRÍA BAZÁN, AND JOSE BENZA PICÓN AT THE SESSION OF OCTOBER 25, 1965

GARCÍA LLOSA. Mr. Chairman, may I have the floor?

The CHAIRMAN. The Chair recognizes the Deputy from the Department of Lima.

GARCÍA LLOSA. Mr. Chairman, the Saturday newspapers published a cabled report stating that the U.S. Senator from the State of Arkansas, Senator FULBRIGHT, has made some additional remarks in the Senate, requesting a revision of U.S. policy in Latin America, and asking that this important problem be debated in public so that the entire Nation may know about it.

Mr. Chairman, it so happens that the complete text of Senator FULBRIGHT's remarks in the Senate on September 15 is in my hands, and I think that they are so important to the Latin American nations that they deserve a very careful analysis. Senator FULBRIGHT is chairman of the Senate Committee on Foreign Relations and, as such, referred in his remarks chiefly to the situation in the Dominican Republic, but he took advantage of the opportunity to pass judgment also on U.S. policy in Latin America.

With respect to the U.S. action in the Dominican Republic, Senator FULBRIGHT reached three conclusions. The first was that U.S. policy in Santo Domingo lacked candor. Here, he was referring to the fact that when the Marines invaded Santo Domingo, the United States announced that it was sending them to protect American citizens residing in that country. Senator FULBRIGHT came to the conclusion that that statement lacked candor, because the truth of the matter was that the intervention by the U.S. Government in Santo Domingo was to prevent the victory of the rebel forces, which, it was believed, it was assumed, were strongly infiltrated by Communists. Senator FULBRIGHT makes an analysis in his statement, in which he comes to the conclusion that all those reports were exaggerated, and so this also lacked foundation.

Allow me, Mr. Chairman, to digress a bit in connection with this first conclusion of Senator FULBRIGHT, because precisely when I was in Venezuela a few weeks ago following the terrible, unfortunate events that occurred in Los Angeles, where there were a number of bloody incidents, a Venezuelan newspaper published a sensational column on its first page, which read approximately as follows: "We do not understand what the Latin American governments are waiting for before landing troops in Los Angeles to protect the Latin American citizens who are in danger in that troubled country." This digression is to the point, Mr. Chairman, because Senator FULBRIGHT's words demonstrate that the intervention by the United States in Santo Domingo was just as appropriate as the comment made by the Venezuelan newspaper.

The second conclusion reached by Senator FULBRIGHT is that such unilateral intervention was hasty, illegal, and therefore mistaken.

Third, he stated that with such intervention, the United States offended the dignity and self-respect that the Latin American peoples deserve, especially, he said, all those young and idealistic Latin Americans who trusted and hoped for another attitude by the United States. It should be said, then, that Senator FULBRIGHT's conclusions in connection with the problem of Santo Domingo are completely in harmony with the resolutions adopted by this Chamber.

The protest made here and in the Senate and in many parliamentary bodies of Latin America, and those that various governments in this part of the world have made, agree completely with Senator FULBRIGHT's line of thought.

However, Mr. Chairman, Senator FULBRIGHT went further. He said that in his opinion the United States is possibly the most conservative country in the world; and this is perfectly understandable in a country that has reached the stage of development that the United States has reached; that has a wealth and power about which it can feel satisfied; power, wealth, and prosperity that it wishes to preserve. Senator FULBRIGHT added that for that very reason, the nature of the social revolution in Latin America cannot be understood in his country. He added that for that same reason it is inexplicable that the United States should have adopted the attitude it has adopted in Santo Domingo, because in doing so, it has violated the Charter of the Organization of American States; and it is incomprehensible that a conservative country, whose stability and order are based fundamentally on respect for the law, should have violated the law. In this way, the doors are being opened for other countries, for others, also to violate the law and their international commitments.

This obviously is a great truth and demonstrates the serene, profound analysis Senator FULBRIGHT made of the situation in Santo Domingo.

But although, as I said a moment ago, the fundamental purpose of his remarks was to refer to the problem of Santo Domingo, perhaps the most important and fundamental aspect of his statement was the analysis he made of the relations between the United States and Latin America, that is to say, of U.S. foreign policy in Latin America. This indictment demonstrates not only a familiarity with, a thorough knowledge of the problems of Latin America, but a deep understanding of them, the consequence, undoubtedly, of his familiarity; a familiarity and understanding that, unfortunately, many U.S. leaders do not yet share.

Mr. FULBRIGHT has said in the United States what we Christian Democrats and many other Latin Americans have said, that is, that the future of Latin America is on the horns of a dilemma, not of communism or a continuation of the status quo, but the dilemma, on the basis of an inevitable social revolution, of which of two roads to take, communism or social revolution accomplished by new democratic forces, such as the Christian Democratic movement and others that are struggling in Latin America to establish social justice. In other words, the dilemma is not communism or oligarchy, but communism or democratic revolution.

Senator Fulbright quite rightly mentions that all these reform movements in Latin America usually receive Communist support, and that if the United States, for that reason alone, that is to say, because communism capitalizes on a reform movement in Latin America or endeavors to capitalize on it, is going to oppose it—to go further, is going to combat it actively—it will end up making itself a prisoner or an ally of the reactionary, unpopular, and corrupt oligarchies that wish to preserve the status quo in Latin America.

Referring to the United States, he says: "We cannot have it both ways: we must choose between the Alliance for Progress, which means the road of social revolution, and preservation of the status quo in Latin America, thereby making ourselves allies of the oligarchies."

Senator Fulbright maintains that it is preferable to compete with the Communists in those reform movements in which they want to take part, those they wish to exploit; that is a thousand times preferable to giving them an open field. And he especially emphasizes that the most important thing—and he stresses this, Mr. Chairman—that the most important thing is that "economic development and social justice are themselves the primary and most reliable security against Communist subversion."

To sum up, Senator Fulbright suggests that the United States-Latin American policy be revised, applying a greater knowledge of the causes and reasons for the social revolution in Latin America. He insists on the need that all this be known in order to understand better the reaction of the Latin American peoples, and therefore, that the U.S. policy should be formed in harmony with such knowledge.

He referred in his remarks to President Frei's trip to Europe, praising efforts to establish links between Europe and other continents and Latin America. And he concluded, Mr. Chairman, with a few sentences, which, if perhaps you will forgive any mistakes I may make in translation, I am going to read to you because I think that they are really important and should be known in their entirety in this Chamber, in this country, and in all the countries of Latin America: "I think further that it would be a fine thing if Latin American countries were to undertake a program of their own for 'building bridges' to the world beyond the Western Hemisphere—to Europe and Asia and Africa, and to the Communist countries if they wish. Such relationships, to be sure, would involve a loosening of ties to the United States in the immediate future, but in the long run, I feel sure, they would make for both happier and stronger bonds with the United States, happier because they would be free, stronger because they would be dignified and self-respecting as they never had been before."

These words, Mr. Chairman, show not only a profound trust in the peoples of Latin America but an unshakable faith in the strength of democracy that undoubtedly is sadly lacking in many McCarthyites both there and here.

It has been said that we Christian Democrats are anti-American; that has been said because we think, and have often expressed, the same things Senator Fulbright has said. Can anyone believe that Senator Fulbright is anti-American? Or perhaps we Christian Democrats are anti-American because we think the same as Senator Fulbright, yet Senator Fulbright is not anti-American although he thinks the same as the Christian Democrats?

These questions that I am asking myself can be applied not only to Christian Democrats but, as I said a moment ago, to the vast majority of Latin Americans who share Senator Fulbright's ideas. All those who share this line of thought must be labeled anti-American.

Mr. Chairman, those of us who are familiar with the United States cannot be anti-American. I have visited the United States many times, I have perhaps traveled over most of the country; I have had the opportunity to talk with people at all social levels, of all origins, races, and religions, and when I did so, and after doing so, I came to the conviction that they are a healthy, democratic people who fully share the thoughts of Latin Americans. Unfortunately, what happens is that the American people are not familiar with the Latin American situation, they do not know what our problems are, do not know what our actual situation is. And that is why, first of all, they do not play a more active role in the Latin American policy; and that also explains why there is frequently a contradiction between the position of the Government of the United States and the thought and tradition of the people of the United States. What actually happens is that, whereas the American people are worried about the internal problems of their country and are worried to a certain extent about foreign problems relating to Russia and perhaps Europe, they have an almost total ignorance of the problems of Latin America. So it is that, whereas they have a decisive influence on domestic policy, and their opinion is taken into account in forming the foreign policy with Russia and Europe, the American people entrust their Government almost entirely with everything relating to the Latin American policy and have no influence on it with regard to that policy.

That is why Senator Fulbright's statement is of extraordinary importance; it is important because, as I said a moment ago, he is asking not only a revision of U.S. policy toward Latin America, but he is conducting a genuine campaign in his country to have Latin American problems discussed fully in public debate; that is to say, he is asking everyone, all of public opinion in the United States, to take part in the discussion concerning the establishment, or rather, the revision of the U.S. policy line. Like me, Senator Fulbright is convinced that when the American people become familiar with the problems of Latin America, when they know the causes of the social revolution in Latin America, they will be completely identified with his position, and it will then be necessary to revise U.S. policy in Latin America. And this is the tremendous importance of the constant presence in the Upper House of the United States of the words of Senator Fulbright, demanding a revision of his country's policy toward Latin America.

This reminds us of the late, beloved President John F. Kennedy, who also understood the problems of Latin America and began to work to revise his country's policy toward it. Thus, a tribute to Senator Fulbright is also a tribute to President Kennedy, who had the same deep interest as he has in Latin America's problems; a sincere and profound concern over the problems of our countries, since, once they understood them, they reached the conclusion that those of us who have criticized the policy of the United States have done so not because we are anti-American, but because we consider that policy mistaken and not in harmony with their own tradition at home or with the feelings of their own people.

And so, the statements of Senator Fulbright deserve praise. It is fundamental that everyone in Latin America should be familiar with them; and it is also fundamental that he and those who, like him, are working to revise U.S. policy in Latin America should know that we are following their steps and are in agreement with such revision. In a word, it is necessary that they feel they are supported by those for whom he is demonstrating such concern.

It is for these reasons, Mr. Chairman, that, in behalf of the Christian Democrat Parliamentary Group, I am going to submit to the Chair the following motion:

"The Chamber of Deputies resolves to express its approval of the words of U.S. Senator J. W. Fulbright with respect to the relations between his country and Latin America and to congratulate him for the effort he is making so that the American people may be better informed regarding Latin American problems, all of which will certainly lead to an improvement in the friendly relations between the United States and Latin America."

I am absolutely certain that this thought is shared by all Members of this Chamber, and therefore, that this motion will be unanimously approved.

The Chairman. Although Deputy García Llosa has already done so, the reporter will read the document so that the Chamber may take due note.

(The reporter read the document indicated.)

Mr. Townsend Ezcurra. May I have the floor?

The Chairman. The Deputy from the Department of Lambayeque is recognized.

Mr. Townsend Ezcurra. Mr. Chairman, the Aprista Parliamentary Group has listened with all due interest to the reasons for the motion just made by the Deputy from Lima, Mr. Alfredo García Llosa, and they express their agreement with these statements and with the text submitted and state that they will vote in favor of it.

The Aprista Parliamentary Group would in turn like to add a few remarks from its own ideological and political viewpoint concerning the topics that have been touched upon here by the Honorable Deputy.

First of all, they are familiar with Senator Fulbright's statement as it appeared in the official version of the Congressional Record of September 15, 1965; and they are certain that his latest remarks of last week are as forceful, accurate, and opportune as was his statement last month.

We have followed with interest the career of Senator Fulbright, one of those men who, in the dark period of 1952–54, was one of those most bitterly attacked by Senator McCarthy and whose lot it was to defend, with a wealth of arguments and ideas, the classic positions of American liberalism and democracy. We take pleasure in noting that at a time when, unfortunately for the hemisphere, retrogressive tendencies are aggressively reappearing and influencing the foreign policy of the United States, the eminent voices of the great liberals, as represented by Senator Fulbright, are again fearlessly making themselves heard.

The address of this Parliamentarian, in its analysis of the Dominican policy and of the unforgivable error of unilateral intervention without consultation, committed in violation of the provisions of the Charter of the Organization of American States and the Inter-American Treaty of Reciprocal Assistance, is one of the most trenchant, penetrating statements that could have been made, from the standpoint of the United States, concerning the unfortunate occurrence in our sister republic in the Caribbean. His reflections regarding future relations between Latin America and the United States actually constitute broad constructive criticism and will have a profound influence on public opinion in the United States.

In reviewing the Latin American scene, after the impact produced on it by the landing of the Marines in Santo Domingo, Senator FULBRIGHT mentions as one of the catastrophes of American policy the fact that the friendly opinion of those democratic non-Communist and anti-Communist sectors of Latin America has been alienated, since they consider the intervention in the Dominican Republic the greatest gift that could have been given to Communist international policy.

In this matter of Santo Domingo, Senator FULBRIGHT emphasizes that it has caused confusion and protests among the progressive and leftist elements in Latin America, outstanding among which—as Deputy Alfredo García Llosa has noted—are the Christian Democrats but also APRA in Peru and the Democratic Action Party in Venezuela. In a subsequent paragraph, he emphasizes the importance of those movements, which he labels in general terms the democratic left; and he affirms that in facing up to the inevitable social revolution that must occur in Latin America, the United States is putting us in the predicament of choosing between communism and reaction. Then Mr. FULBRIGHT adds: "If those are the available alternatives, if there is no democratic left as a third option, then there is no doubt of the choice that honest and patriotic Latin Americans will make: they will choose communism, not because they want it but because U.S. policy will have foreclosed all other avenues of social revolution and, indeed, all other possibilities except the perpetutation of rule by military juntas and economic oligarchies." These are penetrating words which truly place hemispheric policy within its dramatic extremes. For these reasons, it appears to us that Mr. FULBRIGHT is deserving of a vote by this Chamber, which we hope will be unanimous among the democratic elements, congratulating him and declaring the statement he made in the U.S. Senate to be both opportune and courageous. We Latin Americans must not lose sight of the fact that the United States is not a monolithic state, in the manner of totalitarian countries, but a vast social and political experiment in a constant state of ferment, and that forces of advancement and retrogression, of progress and reaction, revolutionary and reactionary forces are constantly struggling to prevail, thus determining the fate of a country whose decisions influence the destinies of the world.

During the time of John F. Kennedy, the more positive forces of liberalism and social democracy won out in the United States. It is sad that the bullet, which on that fateful day in Dallas cut off the life of the great American President, should have cut off—as it actually seems to us it did—a policy of change, modernization, and democratization of the hemispheric system. A constructive policy between the United States and Latin America had been started. The great watchwords of the Alliance for Progress are still being proclaimed and disseminated, but we Latin Americans have the feeling that it is more words than deeds, and that if this Alliance for Progress exists, it has been directed recently through channels other than those conceived by its illustrious founder; and that if, in this matter of economic cooperation, the trend is backward toward formulas other than those conceived by Kennedy when he launched his idea before the Latin American diplomatic corps at the beginning of 1963 [sic], the retrogression in the matter of policy has been even more serious, for the unilateral intervention in Santo Domingo took us back quickly to the outmoded, unfortunate eras of Coolidge and Hoover. There are, therefore, forces of retrogression or reaction that have again become belligerent and acquired influence in the United States. This new adventure of the right in the United States, with its relapse to imperialism and armed action (tardily justified afterwards by an attempted multilateral intervention, which should have come before and not after the decision concerning Santo Domingo), led in turn to the mobilization of clear and enlightened minds that understand that the United States cannot convert itself into a bulwark of world reaction but that it must act as it always should act; as the first revolutionary country, historically speaking, of the world, as a force of acceleration and democratic progress for the underdeveloped countries, especially ours. These forces are vital, strong, and vigorous, and Senator FULBRIGHT's address confirms this. We would be truly inconsistent and ungrateful if we were to allow the opportunity afforded us by Senator FULBRIGHT's brilliant statement to pass without declaring our support and approval of the manner in which he has approached this problem, so critical at this time, of the relations between the United States and Latin America. It is important that a Senator of his stature and prestige define positions as he has done.

We cannot ignore the urgent need for public opinion in the United States to have a clear awareness with respect to Latin America. Haya de la Torre once said, in a very keen comment on public reactions in the United States, that ordinarily it could be maintained that with respect to European policy, or even Asiatic policy, the people of the United States, the common citizen, voter, and taxpayer of the United States, have certain definite opinions. They are isolationist and interventionist, let us say, in the matter of European or Asiatic wars, and their position definitely has an influence on the decisions of the State Department. In contrast—Haya de la Torre pointed out—in the matter of Latin American policy, quite the contrary happens. There is no sufficiently well formed public opinion in the United States regarding Latin America; instead, public opinion endeavors to be guided by the position taken by the Department of State, and, in turn, pressure groups and currents of diverse kinds influence the Department of State. Among these, we must express our support of the one represented by Senator FULBRIGHT as an expression of clarity and good sense in U.S. policy. My distinguished colleague from Lima, referring to an article in a Venezuelan newspaper, said that by invoking on a reciprocal basis the principle invoked by the United States for entering Dominican territory by force, the Latin Americans could—and he said this in jest—intervene in the matter of the riots in Los Angeles. I wish to recall here merely as an anecdote, because it has no bearing on either the doctrinary statement made by Mr. García Llosa or on mine, but as a little known interesting episode in our national history, that an attitude similar to this was adopted by Peru during the term of President Castilla. At that time, the Gold Rush era, many people went to work in the mines in California, and when San Francisco was a tough, violent port, where gunfire and danger were commonplace, a group of Peruvians asked the President of Peru to provide them with protection. President Castilla sent a warship to defend the safety of those Peruvian citizens who had no protection by American authorities. It was the first case of unilateral intervention in reverse which General Castilla, at a glorious time in our diplomatic and military history, ordered, and which has been somewhat forgotten in our history.

I wish to say something else in connection with this intervention. Making Latin American problems known in the United States is especially a problem of illuminating its leaders. The case of Senator FULBRIGHT and of other American legislators in both House and Senate who have had their eyes open and clear to our problems is important. But it would be truly a gigantic task if we were to attempt to change the mental attitude that permits resolutions such as that unfortunate Resolution 560, which was condemned by this Chamber, by practically all the legislative bodies of Latin America, and by the Executive Committee of the Latin American Parliament at its recent meeting. However, the publicizing of the protests that we must make and that have been made, as loudly and clearly as necessary, in order that the rashness of such a statement as that contained in Resolution 560 may not go unanswered, since it destroys the entire inter-American juridical system, requires complementary work, that is, we must change the attitude of the American legislators who were led to make such an unfortunate decision. I wish to mention, Mr. Chairman, that in the announcement made by the Executive Committee of the Latin American Parliament in Santiago, Chile, on October 10, after a statement of unity and a reaffirmation of all the specific, categorical protests that have been made in our legislative bodies against U.S. intervention and the influence of Resolution 560, it was stated that we Latin American parliamentarians, being sure as we were of the truth of our cause, were determined to defend and uphold it before public opinion in the hemisphere, before world opinion, and especially in open, frank dialog with legislators of the United States. The invitation has been issued, sir. It is now up to the Senators and Representatives of the United States to consider this possibility, to agree to open up a channel of communication between the United States and Latin America in order to debate, with the freedom of legislators who do not manage foreign relations, the problems peculiar to our hemispheric relationship. We shall not be able to arrive at decisions that are binding, and no one claims that, but there is no doubt that the moral force of any agreement that we could reach in constructive dialog between American parliamentarians and Latin American parliamentarians will make it possible to eliminate these vestiges of an outdated imperialist policy and an anachronistic system of ideas and procedures. Its influence on the decisions that will have to be taken, beginning with the Rio Conference, will be salutary.

We have hopes for that meeting, but those of us who have a mandate from the people, who advocate a program of inter-American relations, cannot wait passively for its results. Fortunately, the Chamber of Peru has a clean record in this matter. On April 19, a motion—which I had the honor of sponsoring—was unanimously approved by this Chamber, with the support of all the political sectors represented here. This motion set forth the views of the Chamber of Deputies concerning relations with other Latin American countries and the inter-American regional system. It preceded the Santo Domingo venture, but its essential lines are still valid, and it was strengthened and confirmed by the unanimous decisions adopted following the invasion of Dominican soil.

Therefore, sir, the Aprista Parliamentary Group will support the motion presented by Deputy García Llosa and considers that this is the time when our peoples, our representative bodies, should initiate an open dialog with the parliamentarians in the other America and establish a continuing democratic flow of communication regarding these great causes of freedom and social reform with the people of the United States, above, before, and after such ill-fated imperialist adventures that sully and jeopardize our hemispheric relations. That is all, Mr. Chairman. [Loud applause.]

Mr. ALEGRÍA BAZÁN. May I have the floor?

The CHAIRMAN. The Chair recognizes the Deputy from the Department of Lima.

Mr. Alegría Bazán. Mr. Chairman, following the brilliant words of the two honorable Deputies who have preceded me, the members of the Popular Action Group, in whose behalf I speak, can only support them, but I also believe that I ought to say a few words expressing our views, which, in general, agree with theirs. The felicitous remarks of Senator Fulbright have revived an old debate in the United States, as we who have been there and who have read the newspapers or listened to occasional speakers have seen and heard. It is quite a longstanding debate on the problem of improving relations with Latin America. It goes back almost to the time when the conferences convoked by Bolivar failed, but in order not to go back so far, I think that we should recall the good days of Roosevelt, now somewhat distant, and the good days of the Kennedy administration. These were two milestones in the political life of the United States in relation to the world, and to be more exact, to limit ourselves to the matter we are discussing, in relation to Latin America. I was there when, let us say, the New Deal era ended and the time of Truman began. Although that was not a violent change, it did signify moderation. Then came the time of Eisenhower, who made many mistakes in relation to Latin America, especially in his treatment of dictators, for example, Pérez Jiménez, whom he decorated. Then the New Deal reappeared in a new form and under a new title, the "New Frontier," with President Kennedy. Since Kennedy, it appears that there has again been a retrogression, an unfortunate retrogression, and there has even been a nearly mass dismissal of the high officials of the administration who had very precise ideas about what the New Frontier and the Alliance for Progress policy should be.

The way in which Senator Fulbright has revived this debate is very opportune, in our opinion, at a time when there has been an intervention in Santo Domingo and when the results of the Rio Conference are being awaited. We join in the congratulations for Senator Fulbright, and we express the hope for a new policy, based on the precedents set by Roosevelt and Kennedy.

It is our hope that Senator Fulbright's voice will not be alone, but that it will have many echoes and broad support, because it is a voice that truly interprets the needs of the Latin American people. So, we express the wish that there may be a genuine Alliance for Progress for the sake of a truly just and free world.

Mr. Benza Picón. May I have the floor?

The Chairman. The Chair recognizes the Deputy from the Department of Junín.

Mr. Benza Picón. On behalf of the National Odrista Union, I wish to support the motion presented, and at the same time I want to point out that it was the National Odrista Union that first raised its voice in protest the day following the invasion of Santo Domingo by American troops.

Deputy Carlos Benigno Cedaño Villalta,
Secretary.

Deputy Eulogio Tapia Olarte,
Assistant Secretary.

Lima, *November 3, 1965.*

[From El Tiempo, Bogotá, Sept. 21, 1965]

A Serious Step Backward

We do not wish to hide the seriousness of the resolution adopted by the Chamber of Representatives of the United States in establishing as valid the unilateral intervention of that country in the politics of the other American countries. We assumed that after the failure of the intervention in Santo Domingo, there was no longer a bold desire left in the United States to keep thinking along the lines of a policy so stupid and abusive.

Now the U.S. House embraces a thesis contrary to the principle of nonintervention. All in one step it destroys this principle and emphatically reestablishes the discredited and anachronistic Monroe Doctrine.

We are facing an infinitely transcendental fact that, having no force of law, breaks the continental solidarity that since the historic Conference of Montevideo, rests over the main arc of nonintervention.

The only thing to do is to wait for a spirit as liberal as that of Senator Fulbright, whose extraordinary speech critical of White House policy in Santo Domingo is published today; to help make its wisdom prevail over the folly of the decision that destroys, in less than an hour, what men like Roosevelt and Kennedy have tried to create over years of intelligent and friendly work.

[From El Tiempo (Bogotá), Sept. 22, 1965]

Return to the Big Stick?

The resolution adopted by the U.S. House concerning the unilateral intervention of the United States in Latin American politics, is so serious it will be necessary to return from time to time to this subject. This resolution from Washington indicates a policy about face in inter-American policy. The spirit of the resolution implies a return to the worst hours of the relations between that great country and the countries south of the Rio Grande. All of the good neighborliness of Roosevelt and the same spirit of the "Alianza" of Kennedy disappeared in one brutal slap, in a tremendous crisis, when Mr. Johnson resolved, alone and without consulting the OAS, to invade the Dominican Republic.

Yesterday we published the text of the splendid speech of Senator Fulbright, in which he bravely analyzed the errors of the policy followed by the White House in the Dominican drama. Above all there was an evident abuse of international covenants that the United States should have respected, because the solidarity of the continent rests on them.

Mr. Fulbright is correct when he asserts that the unwise decisions of Mr. Johnson rested on bad advice given by people who are determined to see Communist danger everywhere when there was no basis for seeing such danger in Santo Domingo. If there were such a danger, first of all there should be an appeal to the channels established by the regional system. This system is not, as is thought in the White House and in the Capitol, simply a piece of paper. There was a policy established; one could almost say, an ethic.

Today everything is in the air. Maybe the delayed Conference of Rio could and should convene and face the new situation brought about by the unusual resolution of the North American Chamber. This act has resulted in an urgent need for a deep and formal revision of relations between the two Americas unless it is desired that we submit ourselves, hands tied, to this new version of the big stick.

The judicial achievement that was made possible in Montevideo, when Secretary of State Cordell Hull accepted in the name of President Roosevelt the outlawing of intervention, replaced a truly intolerable situation.

The landings in Nicaragua and in the Dominican Republic itself were fresh in mind at that time, and Latin American feelings had been hurt. The "good neighbor" policy with its aftermath of "anti-intervention" modified the spirit and the coexistence of the hemisphere.

This was only yesterday in the history of our America. Why return to an ominous past?

[From el Espectador, Bogotá, Sept. 22, 1965]

Pangloss: Themes of Our Time

Once again Senator William Fulbright, chairman of the Senate Foreign Relations Committee, has fallen out of line. Always in the minority, as is the case with those people who command respect, Mr. Fulbright has made a recount of the Santo Domingo episodes to demonstrate, as if it were necessary to do so again, that the policy of the State Department was hasty or badly informed. He said that the United States, using as a basis only fragments of information, assumed from the beginning that the revolution was dominated by the Communists; or would end up being so dominated. He also noted, with reason, that any movement of reform is accustomed to having Communist backing. This is a fact that is usually passed over in making top level policy decisions in the United States, concerning the development countries and especially those in its orbit (as is said in the jargon of our time).

The analysis of Senator Fulbright really says nothing that would not have been said by the liberal Latin American press. This is especially true with the Colombian press, which said all of this and more from the first day the gringo troops invaded the island. What is outstanding here is that it was said by such a prominent Member of the U.S. Congress. He was the same one who said similar things before the Bay of Pigs invasion, and with reason, and then was beaten down by the conservative wing of his own country who considered him little less than a spy for the comrades.

The House of Representatives, in a vote that does not obligate the President but does "reflect the thinking of the body," allows unilateral intervention by the United States in Latin American affairs, with the pretext of combating communism. Pravda immediately took advantage of the occasion to stress this attitude, that can be classified as imperialistic even though it is badly disguised. The comrades, who do not stop at trifles to intervene either when they so desire (as witness: Budapest, Tibet, and now almost the border of India), exploit to the maximum the errors, frankly unbelievable, of a country that has such a great influence and responsibility in the destiny of the world. The difference between one and the other is that the errors the gringos make come generally from naivete or inexperience and the excesses of the Communists are generally deliberate.

The difference also comes from another very important source: what David Wise and Thomas Ross call invisible government in a book that has just come out ("The Invisible Government," English edition Jonathan Cape, London, 1965). This is the intelligence service, that monstrous machinery which was invented by totalitarian states and later copied by the freedom-loving countries in a natural defensive reaction, but which can be converted into a blind instrument. The CIA is one of those elements of the invisible government, as is the FBI. Both are in the hands of persons who are, without doubt, honorable people, but invariably belong to the most reactionary sector of the country and have an obvious tendency toward holding power without restriction. By their own nature these activities are secret in themselves, and so is their budget, the amount of which is known only in the high spheres of the Executive. These activities do not come under any independent control and have come to be machinery for foreign intervention as was certainly the case in the overthrow of Arbenz in Guatemala, in the attacks on China from Formosa, in the coup against Mossadegh in Iran (1953), in backing the forces of the right against the neutral government in Laos, and in the rising to power of Ngo Dinh Diem in Vietnam 11 years ago, the final results of which we are now witnessing. Naturally included is the ruinous invasion of Cuba. The last feat seems to be the case of Santo Domingo, denounced, maybe fruitlessly, by Senator Fulbright, who will naturally not think of spending the weekend in Dallas, Tex.

SENATOR FULBRIGHT AND THE FOREIGN POLICY OF THE UNITED STATES

The Senate of the United States is one of the most important political organs of that country. It is comparable, for the influence it exercises on another plane, to the Supreme Court.

The Foreign Relations Committee of that high Chamber is of great importance, and Senator WILLIAM FULBRIGHT, who now presides over it, not only exercises power within the committee and in the Senate itself, but in the Government and in the conduct of its foreign relations. His voice is heard with respect in the White House, his advice is sought and his opposition to a project or course of action makes the Government reflect or change position.

This is why attention is called to the speech the Senator has just given in which he criticizes openly the Government policy and its intervention in the Dominican Republic.

"We have committed an error," he said, "in the Dominican Republic as we committed one in the Bay of Pigs in Cuba in 1961; but one lone error of insight does not constitute a doctrine for the conduct of future policy and we shall continue to be dedicated to the objectives of the Alliance for Progress."

He attributed that error to wrong information from people in charge of briefing President Johnson on the situation produced in the Dominican Republic and he placed direct responsibility on the diplomatic representatives in Santo Domingo.

He believes that the Presidential decision was based on "exaggerated presumptions concerning the Communist influence in the rebel movement and on the displeasure at the return to power of ex-President Juan Bosch."

Referring to the social movement in Latin America, he said he was sure that the United States "was not and should not become an enemy of the social revolution in Latin America."

This is a declaration that will calm many of the fears of progressive public opinion in Latin America.

As is held by Senator FULBRIGHT, the United States will not oppose social reform in Latin America. It could be no other way because the Alliance for Progress created by the late President Kennedy is revolutionary in relation to the previous situation, or at least a step in the great transformation that Latin America needs to eradicate misery, ignorance, and sickness.

The keen observation of Senator FULBRIGHT that "one error of insight does not constitute a doctrine," is a demonstration of the North American honesty of recognizing its own faults and is a good promise for the future that action will proceed with a major gathering of information. It also indicates that it is not fair to judge a policy by an error that has the nobility of being confessed.

The chairman of the Foreign Relations Committee of the Senate has been hard in his judgments, but it can be beneficial to the future of the relations of the United States with the countries of Latin America.

ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, under the previous order, I move that the Senate stand in adjournment until 11 a.m. tomorrow.

The motion was agreed to; and (at 4 o'clock and 35 minutes p.m.) the Senate adjourned, under the previous order, until tomorrow, Wednesday, March 9, 1966, at 11 o'clock a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate, March 8, 1966:

DEPARTMENT OF JUSTICE

Joseph W. Keene, of Louisiana, to be U.S. marshal for the western district of Louisiana for the term of 4 years.

John M. Imel, of Oklahoma, to be U.S. attorney for the northern district of Oklahoma for the term of 4 years.

HOUSE OF REPRESENTATIVES

TUESDAY, MARCH 8, 1966

The House met at 12 o'clock noon.

Rev. David P. Small, Jr., Fair-Park Baptist Church, Alexandria, Va., offered the following prayer:

Scripture: During a period in Israel's history, when doubt and despondency was present, one of her prophets spoke these timely words of encouragement as found in Isaiah's prophecy, chapter 40: 31: *They who wait for the Lord shall renew their strength, they shall mount up with wings like eagles, they shall run and not be weary, they shall walk and not faint.*

With these words before us let us pray together.

Eternal God, we are here to pause in these brief moments to be reminded that Thou art the Creator of the universe and the Redeemer of man, man who is the crown of all of Thy creation. We know that if we lose our awareness of Thee, O God, we soon forget that man is Thy creation, made in Thine image and for Thy purpose.

By the power of Thy spirit lift us to Thy presence just now, that we may find forgiveness for our sins, strength and wisdom to be Thy servant in our respective task. We marvel, O Heavenly Father, that Thou hast dared to trust us with the duties and challenge of this awesome age. Amid the world's distractions, give us hearts tempered by the blessing of Thy indwelling peace.

O God, graciously abide with the officers, Members, and employees of this body of persons, selected to serve the cause of freedom and justice in our native land and throughout our world.

Through Jesus Christ, we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Geisler, one of his secretaries, who also informed the House that on March 7, 1966, the President approved and signed bills of the House of the following titles:

H.R. 5831. An act to provide for the free entry of certain stained glass and cement windows for Our Lady of the Angels Seminary of Glenmont, N.Y.;

H.R. 10185. An act amending certain estate tax provisions of the Internal Revenue Code of 1939;

H.R. 11006. An act to extend the statutory burial allowance to certain veterans whose deaths occur as a result of a service-connected disability;

H.R. 11007. An act to provide statutory authority for the Deputy Administrator of Veterans' Affairs to assume the duties of Administrator during the absence or disability of the Administrator, or during a vacancy in that office, and for other purposes; and

H.R. 11747. An act to amend section 3203, title 38, United States Code, to restrict the conditions under which benefits are immediately reduced upon readmission of veterans for hospitalization or other institutional care.

RESIGNATIONS FROM COMMITTEES

The SPEAKER laid before the House the following resignations from committees:

HOUSE OF REPRESENTATIVES,
Washington, D.C., March 8, 1966.

Hon. JOHN W. MCCORMACK,
The Speaker, House of Representatives.

DEAR MR. SPEAKER: Please consider this letter as my resignation from the Committee on Banking and Currency in order to provide eligibility for appointment to the Committee on Science and Astronautics.

In tendering this resignation, please be assured that this is in no way an expression of dissatisfaction with my present committee assignment, which I have enjoyed very much, but is in line with original request for committee assignment when first elected to the 89th Congress.

Thanking you for the many courtesies extended in the past, I am,

Respectfully yours,

EARLE CABELL.

HOUSE OF REPRESENTATIVES,
Washington, D.C., March 8, 1966.

Hon. JOHN MCCORMACK,
Speaker of the House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: It is with deep respect that I submit herewith my resignation to you as a member of the House Committee on Science and Astronautics, effective March 8, 1966.

Respectfully,

BOB CASEY.

HOUSE OF REPRESENTATIVES,
Washington, D.C., March 8, 1966.

Hon. JOHN MCCORMACK,
Speaker of the House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: It is with deep respect that I submit herewith my resignation to you as a member of the House Committee on Merchant Marine and Fisheries, effective March 8, 1966.

Respectfully,

BOB CASEY.

HOUSE OF REPRESENTATIVES,
Washington, D.C., March 8, 1966.

Hon. JOHN MCCORMACK,
Speaker, House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: It is with great regret that I submit my resignation as a member of the Committee on Science and Astronautics effective today. It has been a great privilege for me to work with the many fine members of this committee during the 89th Congress, and it has been a great honor for me to serve under the chairmanship of the Honorable GEORGE MILLER, of California.

My association and participation in the deliberations of this group have been a pleasant and rewarding experience.

Sincerely yours,

BROCK ADAMS.

The **SPEAKER.** Without objection, the resignations will be accepted.

There was no objection.

ELECTIONS TO COMMITTEE

Mr. KEOGH. Mr. Speaker, on behalf of Mr. Mills, the chairman of the Committee on Ways and Means, I offer a privileged resolution (H. Res. 755) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 755

Resolved, That the following-named Members be, and they are hereby, elected members of the following standing committees of the House of Representatives:

Committee on Appropriations: Bob Casey, Texas.

Committee on Banking and Currency: Thomas M. Rees, California.

Committee on Interstate and Foreign Commerce: Brock Adams, Washington.

Committee on Merchant Marine and Fisheries: William D. Hathaway, Maine; Walter B. Jones, North Carolina.

Committee on Science and Astronautics: William J. Green, Pennsylvania; Earle Cabell, Texas.

Committee on Veterans' Affairs: Roman C. Pucinski, Illinois.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GOVERNMENT CORN DUMPING SPEEDS UP—USDA BECOMES OPA

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, yesterday's commodity report of the Wall Street Journal clearly sets forth the facts concerning the current premeditated and deliberated effort by the U.S. Department of Agriculture to intentionally and systematically depress corn market prices.

This newspaper summarizes the Department's action as follows:

> Surplus corn sales have been stepped up by the Government, a development which grain traders believe is part of the administration's effort to curb inflation. Federal disposals ballooned to 140.2 million bushels in February, up from only 8.4 million bushels in December and the largest for any month in 4 years.

As this report shows, Chicago prices on No. 2 Yellow corn, a key grade, have dropped to $1.27 per bushel, or down 6 cents from 3 weeks ago.

The clear import of this news story is that the U.S. Department of Agriculture is now acting like the Office of Price Administration of World War II days. It is taking an active role in price controls on one of our most important grains. It is deliberately depressing the corn price by dumping the Government surplus.

This shocking activity certainly should be stopped by Secretary Freeman. Is it fair to farmers for this administration to wink its eye at wage and price increases in excess of 3.2 percent alleged Johnson-Humphrey guidelines for other segments of the economy and then turn around and depress the corn market? By piecemeal economic discrimination the administration is not really getting at the root of the problem of inflation. The real villain in the increase in the cost of living is the Johnson-Humphrey administration which will increase the cost of the Federal Government by $26 billion in a 2-year period. Let me reemphasize the villain is not the American farmer but a more expensive and expanding Federal Government.

I include the entire contents of the Wall Street Journal article of March 7, 1966, at this point in the Record:

Corn Prices Hurt by Soaring Federal Sales Amid Strong Demand, Farmers' Holdback

The Government's rapidly accelerating disposal of surplus corn is putting downward pressure on prices.

In recent weeks the corn sales by Federal farm-surplus managers have increased to a fire-sale pace, a sharp turnabout from earlier predictions. The Agriculture Department forecast in December that corn requirements in the crop year begun October 1 "can be met largely out of the 1965 crop, with only limited amounts of corn expected to be made available from [Government-owned] stocks."

Sales in December were limited to 8.4 million bushels, compared with 50.6 million a year earlier. But Federal disposals in January expanded more than sevenfold to 62 million bushels, about matching the year-earlier sales. And in February, Government corn sales ballooned to 140.2 million bushels, highest for any month in 4 years, and more than double the 63.1 million bushels sold in February 1965.

Last week, the sales accelerated to an even greater volume as the Government unloaded 72 million bushels of corn. Most of the surplus grain has been bought by domestic users. In February, for example, the Government sold 122.9 million bushels for domestic use and 17.3 million bushels for export.

EFFECT ON PRICES

The large Government sales, grain dealers agree, have influenced prices of corn. Prices have dropped since mid-February. No. 2 yellow corn, a key grade, now sells in Chicago at $1.27 a bushel, down from $1.33 about 3 weeks ago.

On the Chicago Board of Trade, prices of corn sold for future delivery have taken an even sharper slump in the wake of expanded Government sales. Corn for delivery later this month closed Friday at $1.23 a bushel, down 8 cents from mid-January.

Agriculture Department officials won't discuss their reasons for increasing sales of corn. They do, of course, have the duty of selling surpluses, which are costly to maintain, whenever it's advantageous to do so.

Grain traders find several reasons for the expanded U.S. sales. A combination of strong domestic and export demand and reluctance of many farmers to sell has made a ready market for the Federal corn, they say.

Corn disappearance, domestic use plus exports, in the quarter through December rose 7 percent from a year earlier to a record 1.2 billion bushels. The Government has pegged total disappearance in the current crop year at more than 4.1 billion bushels, up 5 percent from the prior year. That would be only 30 million bushels shy of the record 1965 corn crop. But many private forecasters currently are predicting this year's disappearance as high as 4.3 billion bushels, which would exceed the 1965 production and eat into the carryover from prior crops.

FARMERS HOLD BACK SUPPLIES

Many farmers have been withholding corn from market in expectation of higher prices later. The higher than expected rate of corn use and increasing concern over the food shortage in many parts of the world is encouraging the holdback, market analysts say.

Corn exports are getting a lift from expansion of livestock herds abroad. The Agriculture Department expects corn exports this year to reach a record 675 million bushels, up from 570 million in 1964–65. Exporters say the total may exceed 700 million bushels if supplies are available at ports. The principal buyers are Western European lands and Japan, but some orders have come from Communists satellites, including Czechoslovakia, East Germany, and Bulgaria.

Some grain traders figure the expanded Federal corn sales are part of the Government's broad efforts to curb inflation. Rising prices for food, especially meat, have exerted a strong upward pull on the cost of living in recent months. Keeping a lid on corn's price will help encourage greater livestock production, grain men note, which in turn would cause a downturn in meat prices.

Traders also contend that high corn prices would tend to lure farmers out of the Federal feed grain programs for controlling production of corn and other feed grains. As this is the time of year farmers are asked to sign up under the acreage-controlling plan, "we can only suspect the corn disposal has the aim of discouraging a large corn acreage this year," one grain man comments.

The heavy sales of corn by the Government are rapidly reducing the size of the Federal surplus. As of February 18 the Government-owned supply of corn had shrunk to 361.7 million bushels from 700 million bushels a year earlier. It was as high as 1.5 billion bushels at its peak in the late 1960.

The speedy disappearance of the once mountainous corn holdings is spurring speculation in the grain trade that Uncle Sam won't be such a prime market influence in the future as in the past.

CONSERVATION DISTRICT EFFORTS BRING RECREATION AND RURAL BEAUTY

Mr. SIKES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, great strides in resource conservation are being made by local soil and water conservation districts in Florida, with effective technical help of the Soil Conservation Service. I am proud that the first conservation district organized in the State nearly 30 years ago was in my congressional district, and that my district is now completely covered by these local groups.

Wherever I drive in my home district, I can see evidence of the continuing efforts to improve land and water use. Hills that once were barren and ugly with gullies are now covered with grass, clover, and trees. The land is dotted with sparkling farm ponds. Clearly, the countryside of northwest Florida—and of all the State—is more beautiful today because soil and water conservation districts have helped make it that way.

Wildlife, too, knows that the land is better. Increasing numbers of quail, wild turkey, and deer are being grown on our agricultural lands. Wild waterfowl, ducks, geese, and jacksnipe have found feeding and resting areas on privately owned wetlands. Many kinds of game fish are being grown in farm ponds by district cooperators to provide fishing for food and recreation. In northwestern Florida, 427 new farm ponds have been stocked with fish from Federal and State hatcheries in the past 18 months.

Eglin Field, just below my hometown of Crestview, was not always the fine game area that it is today. I am proud to have sponsored the legislation that set up a game management program which has become a pilot model for similar programs on military reservations throughout the Nation. Now landowners adjoining the reservation are benefiting from this program because the game is spreading out.

We are proud of our recreational assets. In the Choctawhatchee River district, we have the two largest lakes as well as the deepest lake in western Florida constructed with planning help of the Soil Conservation Service. The largest, Lake Juniper, covers 665 acres and serves Walton County as a public recreational facility. Land area for the lake was largely donated by private landowners. Seventeen acres on the lakeshore were donated for public parks and access areas. Spring Lake, covering 170 acres, is privately owned; but it is open to the public on a free basis. The deepest lake, Lake Alaqua, was constructed by the Gulf Coast Council, Boy Scouts of America, on the council's 940-acre reservation in Walton County. During the summer months this 30-acre lake provides boating, canoeing, fishing, swimming, and recreational training for 150 to 250 boys each week.

Since 1962, nearly 100 conservation district cooperators have established income-producing recreation enterprises in Florida. Sixteen cooperators have switched from farming to recreation for their primary source of income, converting 4,399 acres from crops to this new use.

The conservation job is becoming more challenging. Mounting competition for land and water brought about by accelerating urbanization calls for aggressive, up-to-date efforts by conservation districts and their State and Federal partners. I believe Florida's districts will meet these challenges, and I know that their resource efforts will continue to bring welcome dividends in beautiful land, plentiful wildlife, and relaxing recreation.

APPROVES PRESIDENT'S NEW HEALTH AND EDUCATION PLANS

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The **SPEAKER.** Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, there probably is not an item in the President's message on health and education that would not be helpful.

This is the opinion of the Chicago Sun-Times, which states in an editorial in the issue of March 3, 1966, that the mere listing of the goals "indicates both the expanse of the President's thinking and the vastness of the Nation's needs."

The editorial adds:

> He is wise to move fast. If he wants his programs passed substantially as he proposed them, he should not wait.

The welfare of our people concerns us all, and by unanimous consent I am extending my remarks to include the editorial in its entirety, as follows:

THE PRESIDENT'S NEW PLANS

> President Johnson continues his planning for the Great Society. The latest program he has sent to Congress—one of several that dwarf even Franklin D. Roosevelt's rescue operation of the 1930's—would provide for the expansion of health services and aid to education. It will, he said, help the Nation achieve two admittedly ambitious goals for the future:
>
> Good health for each person to the extent of the Nation's ability to provide it.
>
> Full education for every person to the extent of his ability to absorb it.
>
> To that end millions would be spent to modernize and renovate obsolete hospitals; to develop comprehensive, general public health planning and services in the States and their communities; to train specialists in the professions allied to health services (medical technologists, dental hygienists, etc.); to establish a center for research in the cause, prevention, control and treatment of alcoholism; to help communities plan school construction that would encourage innovation and correct obsolescence, overcrowding and de facto school segregation; to enlarge the coverage of aid to elementary and secondary education; and to expand the Headstart program that gives poor children training before they enter school.
>
> The mere listing of the goals—and ours is somewhat abbreviated—indicates both the expanse of the President's thinking and the vastness of the Nation's needs. For there's probably not an item in his program that would not be helpful. President Johnson has that need in his favor. He also has a large, friendly majority in Congress that is not likely to thwart the wishes of its chief. He is wise to move fast. If he wants his programs passed substantially as he proposes them, he should not wait.
>
> But his most recent proposals, like his earlier ones, raise an old question: Can the Nation have both butter and guns? The war in Vietnam is draining off billions from the Nation's storehouse. If the drain continues, something may have to give. Perhaps the President believes that the Nation can simultaneously fight that war and pursue its welfare program. Or he may believe—or may be gambling—that an end of hostilities will soon free large sums for domestic use. That prospect is not large, but it is pleasant to contemplate. Freed from war, any nation could proceed with its proper humanitarian purpose, that of providing for its own and helping its needy brother across the border.

"PARADISE OF THE PACIFIC" HAS GREAT POTENTIAL

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. MATSUNAGA. Mr. Speaker, the city of Honolulu has recently been the center of national and international attention, and the Joint Declaration of Honolulu announced by President Johnson and Prime Minister Ky of South Vietnam will no doubt go down in world history as one of the great documents of this era.

Because of the growing importance of the Asian nations as they relate to our international relations, and because of the strategic geographic location of Hawaii's capital city, it will continue to serve as the situs for many more important events to come.

Businessmen, too, have recognized the great potential of Honolulu and have converged upon a booming economy. As a consequence, Honolulu attained a rank among the 11 leading cities of the United States in the value of building permits issued from January through November last year. Dunn & Bradstreet lists the building volume for the city and county of Honolulu for the 11-month period involved as $191.6 million, a huge 44-percent increase over the same period in 1964.

Honolulu, which ranks as the Nation's 43d largest city, overtook San Francisco—12th largest—last October. San Francisco's volume for the same period was $181.6 million.

This all experts agree is truly a phenomenal record for a city located in the youngest State of the Union. I bring this matter to the attention of Congress in the hope that the important role which Honolulu is destined to play in our national and international life will be more fully appreciated by its Members, and through them the people of America. Now is the time to look to the "Paradise of the Pacific" for pleasure, for business, or international culture, technical, and political exchange.

GOVERNMENT CORN DUMPING

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, I commend the remarks of the distinguished minority leader, the gentleman from Michigan [Mr. GERALD FORD], with respect to the sale of corn held by the Federal Government. This is one of the most incredible operations I have heard about since I became a Member of Congress.

Apparently the Democrat administration is out to make the farmer the victim of low prices for the benefit of consumers. I say again that it is a reprehensible action on the part of the Secretary of Agriculture to proceed with the sale of corn at bargain prices, forcing down the price of that held by farmers.

The villain in this act is the Government and the farmer is the victim.

GOVERNMENT CORN DUMPING

Mr. NELSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. **NELSEN**. Mr. Speaker, I would like to join my colleagues in protesting the dumping practices of the Commodity Credit Corporation. Those of us who live in the Midwest suffered the effects of a soft corn crop last year—a crop that could not be held over but one that had to be merchandised one way or the other immediately. This corn could not be stored, so toward the end of last year the country elevators bought good corn from the Commodity Credit Corporation so they could serve their customers during the period when feed is needed.

I received a long distance telephone call last week just after the Commodity Credit Corporation had dumped a vast amount of corn on the Minneapolis market. This call came from a small country elevator operator who said:

> I lost $12,000 because of this Government action. I bought high from the Government; they sold low at Minneapolis and cut my legs off at the knees.

This has gone on and represents an obviously frantic attempt on the part of the Department of Agriculture to keep corn prices down. I can only assume that they fear a natural price increase which would drive food prices up. This is a sad commentary on the action being taken by those who were proponents of high supports and who spoke loudly of 100 percent of parity for the American farmer. The Secretary of Agriculture has deliberately held feed grain prices below parity during his entire administration.

This whole administration seems to insist on policing prices on everyone but themselves. The continued deficit spending of this administration has contributed more to inflation than any other single factor.

Mr. Speaker, I join my colleagues in protesting these inexcusable price depressing practices by the Department of Agriculture, and I am bringing this situation to the attention of the chairman of our House Agriculture Committee asking that he institute a committee investigation of the selling practices of the Commodity Credit Corporation.

AD HOC SUBCOMMITTEE ON POVERTY OF THE COMMITTEE ON EDUCATION AND LABOR

Mr. **ALBERT**. Mr. Speaker, I ask unanimous consent that the ad hoc Subcommittee on Poverty of the Committee on Education and Labor be permitted to sit while the House is in session today, and during the balance of the week.

The **SPEAKER**. Is there objection to the request of the gentleman from Oklahoma?

Mr. **HALL**. Mr. Speaker, reserving the right to object, would the distinguished majority leader tell us what the program is for today and the balance of this week, which requires this special unanimous-consent concurrence for today and the balance of the week.

Mr. **ALBERT**. Mr. Speaker, if the gentleman will yield, in response to the gentleman—I believe the answer is that this is the customary request, because special orders and other matters might be programed in the House.

Mr. Speaker, the matter has been cleared with both sides of the aisle.

Mr. **HALL**. Mr. Speaker, further reserving the right to object, and I shall not object, the program is light for all of this week, and such unanimous-consent requests hardly seem necessary.

Mr. **ALBERT**. The gentleman from Missouri is correct.

Mr. **HALL**. I believe there are many other committees that are planning to meet, with or without permission, because of the lack of programing of House business, albeit there are some special orders and things of that type.

Mr. **ALBERT**. Mr. Speaker, if the gentleman will yield further, it is the better part of wisdom on the part of any committee to obtain permission to sit if the House is in session. Otherwise some Members might object to its sitting.

Mr. **HALL**. Mr. Speaker, I withdraw my reservation of objection.

The **SPEAKER**. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

MANPOWER REPORT OF THE PRESIDENT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 406)

The **SPEAKER** laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Education and Labor and ordered to be printed with illustrations:

To the Congress of the United States:

I report on a year of progress and fulfillment.

I report on a year of challenge and change.

February 1966 marked the 20th anniversary of this Nation's 1946 commitment to provide job opportunities for every person, able, willing, and seeking to work.

February 1966 also brought the fifth anniversary of our longest and soundest period of peacetime prosperity. It marked the 60th consecutive month of visible proof that the 1946 commitment can be met.

A RECORD OF ACCOMPLISHMENT

Five years of sustained economic growth have effectively demonstrated that this Nation can:

1. Pursue an economic policy which creates millions of new jobs and reduces the burdens of unemployment and poverty.

2. Provide the necessary job opportunities to convert a flood of teenagers into a valuable national resource instead of an urgent social problem.

3. Set in motion manpower programs to transform the deprived, the disadvantaged, and the despairing into effective and self-respecting members of the Great Society.

Last year was one of harvest—and of new planting.

The fruits of sustained economic growth were realized in terms of increased employment and earnings for the American worker.

In 1965:

The advance of 2.4 million jobs exceeded by one-third the increase of the labor force.

Private nonfarm payrolls swelled by 42,000 added jobs each week.

More than a million young Americans entered the work force, but there was work for them to do.

Unemployment was reduced to its lowest rate in almost 9 years.

The American factory worker's weekly earnings reached $110.92.

Although the cost of the things he bought went up 2 percent, there was 4.5 percent more money in his pocket to buy them after paying his Federal taxes.

Last year also saw the first combined effects of the new manpower, education, and poverty programs.

In 1965:

More than 100,000 persons completed training under the Manpower Development and Training Act. Three out of every four were placed in jobs within 90 days after their course ended.

More than 500,000 young men and women were approved for participation in the Neighborhood Youth Corps. The Corps helps those in school to stay there, and helps dropouts to return to school or begin work.

About 200 area vocational-technical schools were approved for construction; 85,000 full-time students are receiving financial assistance to begin or continue vocational training.

About 115,000 full-time college students in more than 1,100 colleges participated in work-study programs, which helped them to meet the costs of a college education.

Work experience programs provided jobs, basic education, training—and hope and dignity—for 65,000 public welfare recipients with almost 200,000 dependents.

Almost 30,000 young men and women were enrolled in the Job Corps. For many of them, it was their first opportunity for realistic training to help them find and keep jobs.

Across the land, more and more men and women became productive members of a great and productive society. More and more boys and girls, in and out of school, received the work experience and training which helped to fit them for responsible places in society and to save them from lifetimes of chronic unemployment and degrading poverty.

A year ago 5 percent of our workers were unemployed.

Now only 3.7 percent are out of work.

A year ago many of our programs to provide better training and wider educational opportunities were only beginning.

Today they are supplying thousands of trained workers for our expanding economy.

But our very success in banishing the specter of mass unemployment from our land has brought new problems.

To sustain high employment, and continue our record of price stability, we must work harder than ever to match jobs and men.

Our success in reducing unemployment brings out more clearly than ever the fact that there is poverty in the midst of plenty. We cannot rest content—

When employers seek skilled and experienced workers while thousands cannot find work because they lack proper training and education;

When factories in some areas are unable to fill orders because they lack workers, while chronic unemployment endures in other areas.

This year we must make a special effort to see that our human resources are not wasted.

We must accelerate the growth of public and private training programs and make them available to all.

We must bring jobs to workers and workers to jobs.

We must eliminate the discrimination which wastes our manpower resources.

Our goal is not just a job for every worker. Our goal is to place every worker in a job where he utilizes his full productive potential, for his own and for society's benefit.

To achieve this goal, I have outlined below a new program to make full use of all our human resources.

Making the transition to an economy of sustained high employment is our immediate task. But we must not lose sight of the longer run.

We take pride in the growth of our economy, in the achievements of our scientists and engineers, and in the ability of our dynamic private-enterprise economy to put new technology to practical use. But the requirements of new technology demand continuing adjustments in our work force. To make those adjustments as smoothly as possible, every worker needs a first-rate education and opportunities for continuing education and training.

A MANPOWER PROGRAM FOR FULL EMPLOYMENT OPPORTUNITY

Earlier manpower reports proceeded from a central concern with excessive unemployment: 6 percent at the time of the first report, and still 5 percent 2 years later.

Now, with unemployment below 4 percent and falling, the attention of the Congress and the Nation must focus on the manpower prospects and problems which emerge as the products of unprecedented prosperity.

An unemployment rate of 3.7 percent in February marks another milestone along the country's course toward full realization of its economic potential.

It was in November 1953—more than 12 years ago—that the unemployment rate was last that low. A year ago it was still 5 percent.

Attaining an unemployment rate of 3.7 percent is a triumph for our Nation's economy. It is a tribute to the public and private policies that led to this achievement.

Because it does reflect an economy operating closer to the full use of its manpower resources, our celebration must be tempered with caution. We must be alert to assure that the pace of our advance does not become too rapid, endangering the healthy stability and sound balance of our expansion.

Yet to conclude that we must proceed cautiously does not mean that we should slam on the brakes or throw the economy into reverse.

We expect our labor force to expand by 1.6 million workers this year.

Thus, we must provide about 4,500 new jobs each day, 31,000 new jobs each week, 134,000 new jobs each month.

Moreover, we cannot rest on past accomplishments when the unemployment rate for Negroes was still 7 percent in February. It was down from 9.2 percent a year earlier, and from nearly 13 percent in February 1961. But we cannot be satisfied when 1 out of every 14 Negro workers is without a job.

Nor can we be satisfied with a reduction of the unemployment rate for teenagers from 15½ percent in February 1961 and 14½ percent a year ago, to 10.9 percent last month. So high a rate for young workers still blocks far too many young men and women from beginning productive and rewarding careers.

Our achievement is worthy of celebration, but our task remains unfinished. We can and will move with appropriate caution to sustain our economic advance into even higher levels of manpower achievement.

The 3.7 percent is an average. It conceals the fact that some 3 million workers still lack jobs. It also conceals the fact that there are now more jobs in some areas and occupations than there are people to fill them.

In the Great Lakes region, there is already a tight supply of both skilled and unskilled labor.

There are shortages of machinists for the metalworking industry throughout the country, and shortages of building trades craftsmen in many areas.

The new education programs could be stunted for a lack of teachers, and the medicare program thwarted for a lack of medical and nursing personnel.

Yet, while these shortages exist:

There are pockets of chronic unemployment in many cities, in Appalachia, in the Mississippi Delta, and in other regions of economic distress.

There are teenagers who need jobs to stay in school or to help support their families. They need to know that society has a place for them and a need for their services.

There are millions employed in occupations and skills that do not fully utilize their capabilities.

There is no overall labor shortage. But the unemployed and underemployed are not fully matched with the jobs available.

Specific shortages of labor can slow up the expansion of the economy. They can put pressure on costs and prices.

We are determined to do whatever is necessary to keep the economy expanding and avoid inflationary bottlenecks.

PLANS TO HEAD OFF MANPOWER SHORTAGES

The time to deal with manpower shortages is before they develop.

Effective manpower policies can reduce unemployment and at the same time head off manpower shortages.

I am therefore:

1. Directing the Commissioner of Labor Statistics to include in the monthly employment reports, starting in March, the fullest possible information on existing or threatening labor shortage situations.

2. Establishing an Office of Assistant Secretary of Labor for Manpower, to assist the Secretary of Labor in the discharge of his manpower responsibilities under existing legislation and as chairman of the President's Committee on Manpower.

3. Instructing the Secretary of Labor to focus Manpower Development and Training Act programs to meet prospective manpower shortage situations, especially through on-the-job training.

4. Requesting the President's Committee on Manpower to submit to me by July 1, 1966, a report on the recently announced coordination plan for all manpower activities of the Federal Government.

5. Asking the President's Advisory Committee on Labor-Management Policy to make appropriate recommendations to me on the manpower situation and related matters.

6. Referring the report of the National Commission on Automation, Technology, and Economic Progress to the President's Manpower and Labor-Management Policy Committees for advice regarding the Commission's recommendations.

At my request, the Secretary of Labor yesterday submitted to the Congress legislation to improve the administration of the Federal-State Employment Service. This legislation emerged from the unanimous recommendations of a task force of distinguished businessmen, labor leaders, educators, and other manpower specialists.

I call at the same time on American management and American labor to take the affirmative action which is necessary to assure that inflation, resulting from the underuse of America's manpower potential, will not deprive us of the fruits of the most magnificent economic growth record in history.

A CALL FOR BOLD NEW APPROACHES

I am asking these agencies and groups to think boldly about new approaches.

What can we do to move the unemployed and the underemployed from places where jobs are scarce to places where workers are scarce? How do we move the jobs to the unemployed?

What can we do to encourage employers, who seek scarce skills, to redefine jobs in a way that employs more of the unskilled or semiskilled?

How can we enhance the mobility of workers in construction and similar occupations where demand shifts sharply among localities?

What can we do to mobilize the recently retired but still productive?

What can we do to make fuller use of our trained womanpower?

What can we do to break down artificial barriers against the entry of new workers into jobs that are hard to fill?

What can we do to insure that training and apprenticeship programs are open to all alike and are sufficiently extensive to meet our needs for skilled workers?

What can we do to help employers improve their own on-the-job training?

What can we do to encourage the employment of the physically and psychologically handicapped?

What can we do to facilitate the immigration of workers with scarce skills?

What more can we do to break down the barriers of discrimination that waste valuable manpower resources?

We already have many effective tools of an active manpower policy. In the year ahead we will expand and improve these programs.

Our most important new tool was provided by the Manpower Development and Training Act of 1962, strengthened by the amendments of 1963 and 1965. Our manpower training programs must respond both to needs of people and the needs of the economy.

Our experience under the act has proved that:

People can be helped through education and training;

The economy will benefit from the availability of additional workers.

Training will make useful and productive citizens of people previously considered beyond even the most elementary kinds of help.

Mentally retarded individuals are being hired in increasing numbers by both Government and private employers, after successful training in various semiskilled, office, and service occupations.

Vocational rehabilitation and manpower development programs are being applied more extensively to inmates of correctional institutions. During their period of confinement, they can prepare for jobs when they are released.

Federal manpower training programs are conducted in close cooperation with private industry. During the past year, we have significantly increased the number of on-the-job training programs approved under the Manpower Development and Training Act. In occupations ranging from tool and die makers to nurses aids and shipfitters, people are being trained on the job. The employment rate of over 85 percent testifies to the effectiveness of these programs.

In the next fiscal year, we will train and retrain 250,000 persons under these Manpower Development and Training Act programs.

An expanding economy now presents both the opportunity and the necessity to upgrade the skills of the underemployed. This will meet the demand for workers. It will afford opportunity to people to move into higher skill and higher paying jobs—as high as their abilities permit.

The second major tool of our manpower policy is the Federal-State Employment Service. It must assume even greater responsibility not only in placing people, but in providing proper job and training information, guidance, and counseling to all who need it.

The administrative framework of the Service must be modernized.

The quality of those who provide its day-to-day services must be improved.

The methods of its operation need development.

More intensive research is needed to help guide our young people to occupations where they are most needed.

Vigorous manpower training and a revitalized job placement service are essential for a high-employment economy with price stability.

We will make the most of these tools in 1966.

THE SPECIAL PROBLEMS OF THE DISADVANTAGED

Certain groups in the Nation have not shared fully in the benefits of our unprecedented economic expansion. Much remains to be done to achieve full opportunity for these groups. As we expand their opportunities, we expand our manpower resources.

Unskilled workers, with almost double the national rate of unemployment, lack the training to develop their potential skills.

Nonwhite workers constitute 11 percent of our labor force, 20 percent of our unemployed, and nearly 25 percent of our long-term unemployed; they suffer the double disadvantages of lower educational attainment and lingering discrimination.

Young Americans, who will swell our work force for many years to come, still experience triple the national unemployment rate.

Farmworkers, both operators and hired workers, remain the victims of high unemployment and underemployment.

Workers in surplus labor areas, such as Appalachia can benefit only from more vigorous economic development in their home areas or from migration to centers of employment growth.

No society can be truly great—and no economy can be truly prosperous—if high, long-duration unemployment for some exists side by side with low, short-term unemployment for others.

Special programs, suited to special groups, are needed to achieve full employment with price stability.

We must move again as we did last year to meet the impact of the more than 12 million young people—16 to 21 years of age—who will be looking for work next summer.

As we continue toward the Great Society, we will also bring increased employment opportunities to many groups.

The rehabilitation and rebuilding of large blighted sections in our central cities will bring new vistas to those parts of America where opportunities are needed most.

The work of the Rural Community Development Service will open up new opportunities for rural people, particularly in areas of greatest need. The new community development districts, when pending legislation is passed, will bring greater planning resources to rural areas. The result will be higher levels of social and economic development.

Our efforts under the 1965 Public Works and Economic Development Act will be stepped up.

Joint Federal-State efforts under the Appalachian Regional Commission are also being increased. I have recommended quadrupling the expenditures for special programs to reach the more than 17 million people residing in that area. Such an increase means increased resources for highway construction, development of natural resources, vocational education, and health activities.

Our economy cannot be fully successful, or our society truly great, while differences in economic opportunity persist.

The programs and policies of this administration seek to reduce and ultimately to eliminate these differences. They are intolerable in a free and democratic society.

INVESTMENT IN HUMAN RESOURCES

In a prosperous economy, the root of most problems of unemployment and underemployment lies in deficiencies in education.

We must repair these deficiencies where we can.

We must prevent their recurrence in the next generation.

Fewer young people now drop out of school. But the number is still too high. If current trends continue, there will be over 8 million school dropouts between 1960 and 1970. The average American worker already has more than a high school education. The dropout will be at an ever-increasing disadvantage.

I am particularly concerned by the large numbers of young men who fail the Armed Forces qualification tests and must be rejected for military service. One-seventh of the young men examined cannot pass the equivalent of an elementary school examination.

Low educational attainment is a product, and in turn a producer, of poverty, unemployment, and discrimination.

This administration is determined to bring increased education and training opportunities to all Americans in the coming year. We intend to—

Improve vocational rehabilitation training for over 200,000 mentally retarded, severely disabled, and handicapped individuals;

Train or retrain 250,000 persons under manpower development programs;

Have community action programs in 900 areas, urban and rural, throughout the United States;

Fund preschool classes for more than 200,000 children over the full academic year—and for another 500,000 youngsters during the summer. Almost 150,000 teachers, teacher aids, and neighborhood helpers will provide the needed service to these children;

Operate 124 Job Corps urban and rural training centers, able to enroll approximately 45,000 men and women at any one time;

Provide 125,000 part-time jobs during the entire school year and another 165,000 summer jobs in the Neighborhood Youth Corps to help poor young people stay in school. Another 64,000 positions will be available for boys and girls out of school;

Offer services, under the work experience program, to over 100,000 public welfare recipients who support 300,000 dependents;

Give basic education to 75,000 adults under grants to States for improving adult literacy;

Conduct 350 different projects involving 4,500 VISTA volunteers to provide educational training and related services to the poor.

These specific programs are in addition to the enormous expansion in aid to our elementary, secondary, and higher education systems. For next year, I have proposed a total Federal investment in education of $10.2 billion—more than double the $4.75 billion effort when I became President. This will move us forward toward our goal of providing full education for every citizen to the limits of his capacity to absorb it.

Teaching methods and materials, no matter how excellent, are not enough. They must be kindled by ingenious, flexible, and responsive teachers and administrators. I have urged that Congress provide the funds for a new Teacher Corps—to be made up initially of 3,700 men and women. Combined into teams of experienced and intern teachers, they will be sharing their skills and understanding this fall with the poor children who need them most.

I am also calling for increased activities which will provide this Nation with more high-quality teachers for the handicapped and to meet the impact of school desegregation.

Manpower demands for professional personnel are also increasing in many other fields. New research and teaching activities must be oriented to meet those demands. Grants, loans, and other forms of aid are being made available to States, localities, and educational institutions. They include:

A significant increase in National Science Foundation support of basic research and science education, critically important for the advanced training of scientists and engineers.

University grants for research and training of advanced degree students in the space sciences through the National Aeronautics and Space Administration.

Help through the Health Professions Educational Assistance Act and other legislation to increase, by 1975, the number of medical school graduates by 50 percent and the number of dental school graduates by 100 percent over 1960.

Training personnel to deal with the critical problems of water pollution under the Water Pollution Control Administration.

Training programs for developing skills of persons who are needed in community development activities.

Continued assistance in the development of high-quality personnel for guidance and counseling—from elementary school to the university—under provisions of the National Defense Education Act.

We must provide full and free access to a first-rate education for all our youth, with later opportunities to develop their talents to the fullest measure of their ability.

The commitment of the administration is to expand education and training opportunities for every citizen.

UNEMPLOYMENT INSURANCE AND MINIMUM WAGE

Sound fiscal and monetary policies, effective training programs, and efficient employment service, and expanding educational services can steadily provide new hope for the unemployed.

Yet, even in a high-employment economy, the protection of unemployment compensation remains essential. The present period of prosperity is the appropriate time to modernize and strengthen our system of unemployment insurance.

I have recommended that legislation be enacted to improve our system's financing and administration, to prevent abuses, to provide more realistic benefits for more workers, for longer periods.

Special protection is needed for those in our labor force who are still employed at substandard earnings. The minimum wage for American workers has been an essential part of national policy for almost 30 years. But both the level of the minimum and the number of workers covered have recently fallen behind the pace set by the rest of the economy.

I recommend that the minimum wage be increased and that the coverage of the Fair Labor Standards Act be extended to additional workers.

We must provide all possible assistance to those who seek work, and decent living conditions for those who do work.

The programs and policies of this administration will be directed at these goals.

OUR OPPORTUNITY FOR THE FUTURE

This report has been of programs and policies, of legislation and appropriations. These are the means by which manpower policy is carried out.

The real basis of manpower policy is more fundamental.

It is the very essence of a free and democratic society.

It is our shared belief in the dignity of every human being.

This report has been of the gains of the past year.

To mark these gains is only to take new measure of the future. We are a people who draw confidence from the certainty of change. We are restless unless we can mold change to the highest human purpose.

With all that we have accomplished so far, with all that we are doing now, it is time to ask again: What of the future?

The future can be and ought to be a time of opportunity.

I see a future where the first two decades of people's lives are spent growing up, physically and mentally fit—training for citizenship and effective participation in their country's affairs—attaining the education for service, for a craft, for a profession—getting ready for their roles as workers, consumers, producers, and contributors to a free society.

I see a future in which education and training will be a permanent bridge between learning, employment, and human development. Even as we develop new uses of technology, we recognize that people grow stale unless there is a continuous renewal of their knowledge, enrichment of their skills, and development of their talents.

I see a future in which help to those seeking a station in life—whether it be the young dropout, the first offender, the older man with an outdated skill, the military rejectee—will have an opportunity to fulfill their hopes and expectations.

A manpower policy must be based on belief in the value of the individual and in the promise of welcome change.

A manpower policy should lead us to a society in which every person has full opportunity to develop his—or her—earning powers, where no willing worker lacks a job, and where no useful talent lacks an opportunity.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *March 8, 1966.*

SUBCOMMITTEE ON REGULATORY AGENCIES, SELECT COMMITTEE ON SMALL BUSINESS

Mr. DINGELL. Mr. Speaker, I ask unanimous consent that the Subcommittee on Regulatory Agencies of the Select Committee on Small Business may have the permission of the House to sit this afternoon during general debate and also tomorrow and the next day.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

COMMITTEE ON PUBLIC WORKS

Mr. McCARTHY. Mr. Speaker, I ask unanimous consent that the Committee on Public Works may have until midnight tonight to file the report on S. 2394.

The SPEAKER. Without objection, it is so ordered.

SUBCOMMITTEE ON FEDERAL AID TO HIGHWAY PROGRAM AND THE SUBCOMMITTEE ON ROADS

Mr. McCARTHY. Mr. Speaker, I ask unanimous consent that the Special Subcommittee on Federal Aid to the Highway Program and the Subcommittee on Roads may be permitted to sit this afternoon and for the balance of the week.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. GROSS. Mr. Speaker, reserving the right to object, has the request been cleared with the minority members of the committee?

Mr. McCARTHY. Yes.

Mr. GROSS. I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from New York? The Chair hears none, and it is so ordered.

There was no objection.

INFLATION AND GUIDEPOSTS

Mr. HANSEN of Idaho. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. ELLSWORTH] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. **ELLSWORTH**. Mr Speaker, virtually every responsible public official today recognizes that inflation and the threat of more inflation are the biggest domestic problems confronting this Nation. The President, members of the Cabinet, the Council of Economic Advisers, and congressional leaders of both parties have stated over and over again that inflation is an overriding national concern.

A sharp split has developed, however, over how best to combat inflation. For months, Republican members of the Joint Economic Committee have been urging the use of broad fiscal and monetary anti-inflation weapons—while some administration spokesmen, academic economists, and Democratic Members of Congress have been bearing down on the so-called wage and price guideposts, or voluntary controls.

In yesterday's Washington Post, Sunday, March 6, 1966, Mr. Bernard Nossiter sets out the European experience with "guideposts" and notes that they have not worked successfully to curb inflation, in the absence of governmental willingness to use fiscal and monetary policies aggressively. Mr. Nossiter's article is an excellent one, and in view of the current debate here at home, is most timely. I commend it to my colleagues, as follows:

Europe Weighs Guideposts—Takes Second Look at Wage-Price Policy

(By Bernard D. Nossiter)

Paris, March 5.—Like economists in the United States, Western Europe's experts are beginning to take a critical look at the Continent's version of wage-price guideposts.

In private conversation, there is growing skepticism over the technique's use to battle rising prices.

One leading economist says bluntly: "When unemployment rates are under 2 percent, it won't work. And above 2.5 percent, you don't need it."

Allowing for the differences in counting jobs, his rates would translate into about 4 and 5 percent for the United States.

Few of the experts here, however, would scrap the European equivalent of guideposts. Instead, most think that governments will also have to use fiscal policy—tax and spending techniques—more aggressively.

The debate here is generally more low-keyed than the shouting match now going on between George Meany and the White House. Moreover, it isn't called guideposts here but income policy. However, it comes down to the same thing, Government pressure to limit wage increases to the growth in productivity.

MORE EXPERIENCED

The Europeans have had more experience under fire with income policy than the United States. Except for Italy, full and overfull employment has been the prevailing rule here for several years. Labor has been so scarce that continental countries have been encouraging migration from Spain, Portugal, Greece, Turkey, and Italy to fill their needs.

The prevailing view here holds that income policy or exhortation is better than nothing, that it probably tempers the wage and price increases that would otherwise take place. But in a tight economy, the argument goes, stable prices won't be maintained unless governments take sterner measures to curb demand.

Ironically this conclusion is being reached at the very moment that Britain is about to adopt elaborate income machinery. The Labor Government is moving from exhortation to a system requiring the submission of wage and price increases to a Government board. The board, however, would operate as it has in the past making recommendations but lacking power to prevent changes.

BRITISH EXAMPLE

The experts' skepticism is strengthened by Britain's performance last year. With a Labor Government in power and the nation undergoing a well-publicized currency crisis, Government appeals still failed to have much effect. Wages rose about 6 percent and consumer prices 5 percent. The point seems to be that strong unions in tight labor markets can't easily be checked.

Even when unions are weak, as they are in France, guideposts are unlikely to stand up. Wages here rose 5 percent last year. The Government held down living costs only by main force, using direct controls. Even so, they rose about 2.5 percent. President de Gaulle's regime is trying to clamp incomes policy on the large number of state employees, but this is touching off a great wave of unrest.

Holland has often been cited as the model for incomes policy.

Its sophisticated unions and employers are keenly aware of Dutch dependence on foreign trade and competitive export prices. But there too the dam broke in 1964. Last year, wages jumped another 10 percent and prices about 5 percent. Labor-short employers have simply been paying "black wages," pay higher than the contractual rates, to hold workers.

SWEDEN ALSO CITED

Sweden, too, is sometimes described as a model, particularly since its government has developed superb techniques to move jobless men to unfilled posts. Moreover, one big bargain between Sweden's labor and employer federation determines the pattern for the country. In such circumstances, the government's guidance should be persuasive. Nevertheless, wages climbed nearly 10 percent last year and prices half as much.

At full employment, the pressure on incomes policy is two-sided. Unions, even weak ones, reject it. They regard the system as unjust since nothing much can be done to limit stock market gains, real estate speculation, professional fees, dividends and the other sources of income of the well off. Employers, hungry for workers, will pay what it takes to keep production rolling as long as there is a demand. So, the conclusion runs, governments must tame demand at full employment by rising taxes or cutting their spending.

The new emphasis is likely to show up in the future reports of the Organization for Economic Cooperation and Development. This is a club of mostly rich nations who give each other advice about their economics. OECD experts have been in the forefront of those urging incomes policies. Now, more stress on flexible fiscal policy can be expected in their studies.

The OECD has asked a group of outside experts to recommend ways in which governments can employ fiscal policy more effectively to promote stable growth. The experts held their first meeting here this past week. Their report, due next year, is expected to strengthen the trend toward greater use of tax and spending powers and less reliance on incomes policy.

RETIREMENT ADJUSTMENT ACT OF 1966

Mr. **HANSEN** of Idaho. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. Ellsworth] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. **ELLSWORTH**. Mr. Speaker, today I have introduced a bill titled the Retirement Adjustment Act of 1966. It contains provisions to allow an additional $3,000 exemption from income tax on income received as annuities, pensions, and other retirement benefits.

The Retirement Adjustment Act allows significant relief for those people who have retired and depend almost entirely on retirement benefits for their income. It is this age and income bracket which suffers the most from trying to live on small fixed incomes in a time of rising consumer prices. Inflation is fast becoming a reality to these people, and if they are to remain self-sufficient and able to live on the retirement benefits they have earned, some adjustment has to be made which will allow them to do so.

In addition, many of the people who will be covered by this bill are also covered by certain provisions of the Economic Opportunity Act, but due to poor administration, are not receiving the assistance which was intended under that act.

SAVE THE CHILDREN FEDERATION: HELPING THE POOR TO FIGHT POVERTY—PART I

Mr. **HANSEN** of Idaho. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. Duncan] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. **DUNCAN** of Tennessee. Mr. Speaker, among the many distinguished landmarks of my native Tennessee, there is a warehouse in Knoxville known to thousands of schoolchildren across the Nation for its unique service over many years to the people of the southern Appalachian Mountain region. As a processing center for Save the Children Federation, a private, voluntary agency working in depressed areas of our country and overseas, it can take pride in the achievements which have merited this recent tribute from President Johnson:

> The people of this Nation, acting through their elected representatives in Congress and this administration, have dedicated themselves to a program of economic development for the people of Appalachia.
>
> Save the Children Federation, as a private international agency devoted to helping underprivileged children and their families, is the people's partner in this compassionate cause.

I would like to pay tribute to all the fine people associated with this organization—the national officers in Norwalk, Conn.; the prominent persons who lend their support; the local workers everywhere who carry out the programs; and especially National Director Harry R. Anderson, of Knoxville, and the other fine people in our Second District who perform magnificently.

The work of these dedicated citizens cannot be told in a few words; therefore, Mr. Speaker, I would like to "serialize" this story in three different issues of the RECORD.

Save the Children Federation, founded in 1932, is a nonprofit, nonsectarian, and nonpolitical organization serving deprived children and their families in poverty or disaster areas of our country and abroad. It administers annually more than 10,000 sponsorships to provide funds and counseling for children, families, communities, and schools, and a self-help scholarship program in addition to the annual clothing drive. Self-sufficiency through education and the practice of self-help is the federation goal.

Current federation services are helping chronically impoverished children in Appalachia, young American Indians of the Southwest reservations, and children overseas in Colombia, Finland, France, Greece, Italy, South Korea, Lebanon, and Tanzania. In cooperation with the Community Development Foundation, the federation is supporting social and economic gains through community self-help projects and nationwide community development programs in underdeveloped and newly emerging countries.

The collection of donated clothing for distribution in parts of Kentucky, Tennessee, and Virginia was one of the earliest programs of Save the Children Federation. The federation's long record of humanitarian service started in Appalachia when the depression threw many thousands of miners out of work. With prolonged unemployment, many people there today still have little or no cash income. Lack of clothing keeps many children away from school despite their eagerness to attend.

Our southern Appalachian people are not inclined to accept free clothing. How then could they get the clothing needed for their children? Save the Children Federation workers, together with teachers, local school and welfare officials, and with the support of funds contributed to the federation, found an effective way to clothe the children without hurting local pride. Schoolchildren and community groups throughout the Nation collect wearable used clothing every fall during the "bundle days drive." Nine million articles were collected during the last year.

The clothing is then shipped to Knoxville. At the warehouse it is sorted, cleaned, mended, and distributed to 106 Save the Children Federation centers where rural families can shop for clothing within their meager means. A portion of the collected clothing is distributed to people who contribute their labor to self-help projects and some is distributed to victims of disasters. Preserving dignity is the federation's first aid toward rehabilitation.

The federation's clothing program also makes a decisive contribution to the quality of education available in Appalachia. Since State funds for schools are allocated by attendance, the more children who stay away for lack of clothing, the more impoverished the whole educational system becomes. Teachers and school attendance officers take a deep interest in this program which increases school attendance and augments school budgets to assure better education for more children.

In the federation programs to help people grow out of poverty, not merely subsist in it, education is a basic tool. In Appalachia, on Indian reservations, and in many parts of the world, teenagers are quitting school because they cannot meet minimum financial requirements. As dropouts, they join the ranks of the uneducated, the unskilled, and unemployable. They are locking themselves in the poverty trap. But Save the Children Federation has helped many bright, ambitious youngsters avoid that trap through sponsorship and scholarship programs.

In our southern mountains more than 300 plucky boys and girls are earning federation grants to cover school fees, lunches, clothing, and bus fare by performing useful social tasks—canning beans for a hot lunch program, delivering mail in rural areas, ironing linens for a hospital, tutoring slow readers in elementary school, helping in the school library, or typing for the visiting nurse. Because of the aid offered by self-help scholarships, many Appalachian teenagers who would have been dropouts, now continue high school and further training as nurses, teachers, and technicians. Last year alone more than 5,000 children in several different countries were able to continue their schooling through the direct aid of SCF educational sponsorships and self-help scholarships. And hundreds more received educational benefits indirectly through federation aid given to sponsored schools in Appalachia and overseas.

BOXCAR RELIEF NEEDED

Mr. HANSEN of Idaho. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. NELSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. NELSEN. Mr. Speaker, I have received a copy of a letter from Angus McDonald, director of research, National Farmers Union, stressing the importance of pending legislation such as I have introduced to alleviate the serious boxcar shortage. I believe my colleagues would find his comments of interest, and include the letter in the RECORD:

NATIONAL FARMERS UNION,
Washington, D.C., March 2, 1966.

HON. HARLEY O. STAGGERS,
Chairman, Committee on Interstate and Foreign Commerce, U.S. House of Representatives, Washington, D.C.

DEAR CONGRESSMAN STAGGERS: Our attention has been called to the bill which is pending before your committee relating to the boxcar shortage.

You may be interested to know that one of the greatest obstacles to marketing of wheat has been the perennial shortage of boxcars in the upper Mississippi and Missouri valleys where the bulk of the members of our organization reside. This has not only hampered the conveyance of wheat to mills and to ports for export, but has resulted in deterioration of grain.

According to our information, the bill S. 1098 (the House number of which I believe is H.R. 7615), would greatly expedite the transportation of grain and relieve the boxcar shortage. This shortage has been particularly acute this year. According to the Chairman of the Interstate Commerce Commission, the daily shortage of boxcars during the month of February exceeded 10,600; the average daily shortage of all freight cars was 15,300. With the harvest season still ahead the shortage is due to become more critical later this year.

The legislation referred to would permit the Interstate Commerce Commission to fix rental rates on railroads rolling stock and thus encourage the rental of cars. Railroads it seems to us are entitled to a fair return on rentals. Alleviating the boxcar shortage would contribute to a sound maintenance program and would be in the interest of more efficient commerce between the States and in the interest of national defense.

We will appreciate anything you can do to bring about approval of this legislation by your committee and by the House of Representatives.

Sincerely yours,
ANGUS MCDONALD,
Director of Research.

THE CIVILIAN AVIATION ACADEMY—A NECESSITY FOR THE FUTURE OF AMERICAN AVIATION

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. WOLFF] is recognized for 30 minutes.

Mr. WOLFF. Mr. Speaker, in concert with the President's message on manpower I rise today to discuss the manpower needs of the aviation industry—a cornerstone of our national strength.

The United States today is the undisputed world leader in the field of commercial aviation. Since the day almost 30 years ago, when the first China Clipper began regular trans-Pacific air service, the U.S. commercial air fleet has grown to the point where there are few free world capitals not served by American-flag carriers.

American aviation spans the globe. We must insure that this leadership is not lost.

Therefore, Mr. Speaker, I consider it of primary importance that we devote our attention to the status and needs of our commercial air service and our aviation industry in general. The piloting, control, and maintenance of today's great airplanes requires the highest professional competence in all the manifold aspects of modern aviation. To provide a steady supply of trained personnel for all phases of aviation, and to extend to flying the professional status its importance and challenges merit, I am tomorrow introducing a bill for the establishment of a Civilian Aviation Academy.

Securing flight crew personnel for the Nation's airlines has always been a helter-skelter process. Since World War II, the airlines have depended heavily upon military-trained pilots. But this source is drying up rapidly. Last year, for example, the Air Force trained only

1,700 new pilots—nearly 4,100 fewer than it did in 1955. The Air Force pilot training program has declined sharply since 1958, reflecting the shift from reliance on manned bombers to ICBM's for strategic deterrence. And of the Air Force pilots currently on active duty, almost 50 percent are between the ages of 31 and 40—beyond the hiring age of most airlines.

Thus, there is today increasing concern among air carriers over the number of available trainees to meet flight crew needs. Contributing to the problem are other factors such as the great growth of traffic in recent years, new type aircraft currently in service, and the need to look ahead to still newer types such as the supersonic transport. At present, 425 new aircraft are scheduled for delivery to U.S. domestic and international carriers through 1969.

To man this fleet, which represents only a part of forecast expansion over the next decade, reports indicate that some airlines are relaxing their requirements for pilot applicants. This disturbing fact alone underscores the urgent need for a steady supply of trained, high-level flight officers such as the Civilian Aviation Academy will supply.

A recent New York Times article, Sunday, January 2, 1966, dramatizes the plight faced by many airlines: "Virtually the No. 1 problem for every airline in this country," Mr. W. A. Patterson, chairman and chief executive officer of United Airlines, is quoted as saying, "is pilots."

According to the Times article, United would like to hire 1,600 pilots in the next 2 years. American Airlines, which hired no pilots between 1959 and 1963, has hired 1,000 pilots since January 1964, and would like to hire an additional 500 immediately, and hopes to add another 500 through 1969. Trans World Airlines says it will hire 725 new pilots in 1966. And Eastern Air Lines would like to get 400 pilots immediately. The article goes on to say that the Federal Aviation Agency estimates that airline pilot losses because of retirement, disability, or promotion will average 1,200 a year through 1980. In addition, the airlines estimate they will need to hire 400 pilots a year just to handle the growth of their fleets. The problem is compounded by the fact that fewer military pilots are turning to airline careers. Many more are remaining in the service as careers, and those that leave are more frequently taking jobs outside of aviation.

A further problem plaguing airline personnel executives is the approaching retirement of World War II and Korean war vintage pilots presently flying with the airlines. At a time when new aircraft such as the SST are programed for the not-too-distant future, carriers want to get younger pilots started so that they will have experience when the SST's arrive. Yet, as the older pilots are retiring, there is a correspondingly increasing difficulty in securing replacements. One major international carrier, for example, will hire 8 pilots this year, 11 next year, and beginning in 1968 the rate will increase until it reaches a peak of 204 pilots retiring during 1977.

Mr. Speaker, the Airline Pilot's Association estimates that of its March 1965 total membership of 15,319 pilots, 3.4 percent will retire by 1970, 10.8 percent by 1975, 31 percent by 1980, and 55.7 percent by 1985.

The question is: Where will pilot replacements come from? At a time when the carriers would like to place an increasing emphasis upon education and a well-rounded background and less on flying time for pilot recruits, many are having to hire pilots with little or no college training provided they can meet other requirements.

Mr. Speaker, I contend that the strength of our vital civil aviation system must not be subject to fluctuating and uncertain sources of trained manpower. For this reason, and because I believe flying should be accorded the status of a profession, as is the maritime service, I urge this body to support the bill I am introducing for the establishment of a Civilian Aviation Academy.

This bill would set up a 4-year program of instruction to train young people in all aspects of aviation. A civilian aviation cadet could major in any one of a number of vitally important disciplines such as radar and electronics, aircraft maintenance, navigation, and airways operatives as well as pilot training. Regardless of primary field of study, however, each cadet would receive heavy concentrations in all other courses offered with the objective of producing mature, well-rounded, highly skilled professional air officers for the commercial air service of the Nation.

Mr. Speaker, a Civilian Aviation Academy would begin to provide a trained cadre of pilots and other skilled personnel by the early 1970's—at a time when projected pilot shortages will be reaching the acute stage. And the Academy will be turning out exactly the type of individual that airlines are coming to realize is essential for operation of the aircraft of tomorrow.

Yet, critical as it is, the peacetime pilot needs of the airlines is not the only argument for the Aviation Academy.

In times of war or other emergency, the Civil Air Reserve Fleet—CRAF—and the War Air Reserve Pattern—WASP—are the two basic organizations through which scheduled airlines are integrated into the defense effort for use as military transport aircraft. CRAF is currently composed of 344 firstline aircraft modified to allow a rapid changeover from civil to military needs. These planes would operate as though they were military aircraft assigned to regular transport duty. Under WASP, the airlines continue to operate their own planes, but the CAB has authority to assign them and their crews from one location to another as needed. The point is, who would man these planes in time of crises when military needs could be expected to drain off any existing pools of pilots? Is not the forecast pilot shortage a critical flaw in these vital defense emergency programs?

Mr. Speaker, sometimes we begin to take for granted elements of our national strength which, if unavailable, we could not do without and maintain our status as a great nation. Our air transport system is such an element. And our air fleet is only as good as the quantity and quality of those who man it.

Both Presidents Kennedy and Johnson have grappled with the problem of gold outflow—a battle that is not yet won. The problem is to balance our purchases from foreign countries with our sales to those countries. Air transport is carrying an increasing share of high priority trade with other nations. We cannot let this vital and increasingly important element of our international economic position weaken merely because we are unable to provide sufficient trained aircrews to man our international carriers.

Furthermore, our sales of American aircraft to foreign countries would benefit greatly by having highly trained crews—the kind the Civilian Aviation Academy would provide—available to train foreign crews in their own countries. And sales of American aircraft abroad is an important plus in the balance-of-payments situation.

Mr. Speaker, my proposal for a Civilian Aviation Academy would in no way threaten the existence of our private flying schools. Applicants for the pilot training major at the Academy would be required to have a current private pilot's license prior to admission. Actually, with the ultimate goal of attendance at the National Air Academy, training at a local flying school would quite possibly be stimulated as interested young people prepare for application to the Academy.

Further, there is an important place for women in today's aviation. In time of war, women have proven that they can serve well in air traffic control and related occupations. During World War II, women ferried bombers and fighters to England, thereby relieving men for combat flying. The Russians have no reservations about using women in aviation—they even sent them on globe-girdling space flights. I think American commercial aviation needs the services of our women.

Graduates of the Civilian Aviation Academy would enter the Reserve of the Air Force, as graduates of the Merchant Marine Academy enter the Reserve of the Navy. Graduates would also be required to serve a meaningful period as flight officers with one of the Nation's airlines, and would be expected to make such a career their life work.

Appointment to the Academy would be made strictly on the basis of competitive educational and physical examination, and would seek to encourage applicants from all segments of the population regardless of race. Airlines contend that opportunities exist for minority group pilots, and that the big problem is finding qualified minority group applicants. Graduation from the Academy would remove this obstacle.

Mr. Speaker, the essential purpose of the legislation I plan to introduce tomorrow is that our Nation must not lose its position as world leader in aviation. Our technology has for decades produced aircraft that have become the standard throughout the world for efficiency, safety, and dependability. Yet, our air fleet is only as good as those who man it.

Establishment of the Civilian Aviation Academy would be a magnet to attract many of our best youth interested in aviation but who have been discouraged in the past from entering the field, because of its lack of bona fide professional status. Today's flying is a profession, and establishment of the Academy will enhance the attractiveness of a career in aviation to today's youth.

Mr. Speaker, 2 years ago last month, the Aviation Human Resources Study Board was established by the Administrator of the Federal Aviation Agency because of growing concern that civil aviation faced a potentially serious shortage of skilled personnel. Project Long Look was the result of the Board's study. Although providing a much-needed analysis of the Aviation Academy, I think a longer look to the 1970's and beyond shows without a doubt that such an institution is vital to the continued preeminence of American aviation.

Mr. Speaker, I have spoken at length today about our pilot shortage because this is the most immediate shortage facing the Nation's airlines. However, less glamorous but equally important aviation skills such as radar and electronics, weather forecasting, navigation, air traffic control, and all require trained young people for the future. The Civilian Aviation Academy would offer training in these disciplines as well as in pilot training.

Mr. Speaker, aviation is on the verge of a great era of expansion, both in terms of the number of aircraft and also the complexity, speed, size, and diversity of equipment. The supersonic transport, capable of moving 400 passengers from New York to London in 2 hours, is moving toward reality. There are a number of types of V/STOL aircraft, with great potential for local service, intercity runs, presently being tested. Widespread use of helicopters is just ahead. We must provide a trained cadre of professional air officers to meet the challenges offered by these new types of aircraft. As aircraft sophistication and speed increases, so must all the other aspects of aviation be revised and updated accordingly. Graduates of the Civilian Aviation Academy would have the basic skills and familiarity with the overall picture to meet these demands.

Those of us privileged to serve in this national forum have a tremendous responsibility to those we represent and to the Nation at large. That responsibility includes planning ahead to try and provide now for the future requirements of our dynamic technological society. I serve on the Advanced Research and Technology Subcommittee of the Science and Astronautics Committee and have long been deeply interested in aviation.

I urge that the bill I will introduce tomorrow for the establishment of a Civilian Aviation Academy be adopted by this body in the interest of the future of American aviation.

Our Nation, the first to achieve manned flight, whose history is replete with aviation firsts, cannot afford to neglect the vital task of training professional airmen for the aviation needs of tomorrow.

For the aircraft of tomorrow will very shortly be the aircraft of today.

Mr. RONCALIO. Mr. Speaker, I listened with a great deal of interest to what I believe is a splendid presentation of an acute problem in America. I am happy to associate myself with the remarks of the gentleman from New York [Mr. WOLFE] and wish him well. I shall be happy to support this legislation. I shall introduce a companion bill tomorrow.

PROPOSED AMENDMENTS TO THE NEW IMMIGRATION AND NATIONALITY ACT

The SPEAKER pro tempore (Mr. KREBS). Under previous order of the House, the gentleman from New York [Mr. RYAN] is recognized for 5 minutes.

Mr. RYAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, last summer we passed the new Immigration and Nationality Act in a mood of optimism. By abolishing the national origins quota system, we sought to make it possible for all people who desire to enter our great Nation to do so on an equal basis.

Unfortunately, in the 3 months since the act took effect, certain inequities have become apparent.

Mr. Speaker, people from the Western Hemisphere, under the new act, are not accorded the same treatment as people from the rest of the world. This has created a great hardship for many Latin Americans.

Mr. Speaker, the New York newspaper El Diario-La Prensa stated recently in an editorial as follows:

> Europeans are hailing the new immigration law of the United States as nondiscriminatory. But Latin Americans are mourning it as a low blow to the good-neighbor policy.

Mr. Speaker, I have today introduced legislation which would help to put Latin Americans on an equal footing with immigrants from the rest of the world.

Two of the major sources of inequity appear in section 245 of the Immigration and Nationality Act. Under that section certain individuals who come to the United States with tourist or student visas are enabled to change their status to that of permanent resident, without first obtaining an immigrant visa. Were it not for this section, those who come to the United States on a visa other than an immigrant visa, and then decide that they want to stay, would have to return to their native country in order to get an immigration visa. In effect, section 245 allows them to change their status without going home. However, this section, section 245, specifically excludes persons from the Western Hemisphere.

Mr. Speaker, section 245 is not a windfall. It does not allow people to bypass the immigration requirements. It requires that an applicant be "eligible to receive an immigrant visa", and that an immigrant visa be "immediately available to him."

Its purpose is simply to allow eligible immigrants to become permanent residents without first having to return to their native country.

Mr. Speaker, under section 245 of the former act Latin Americans who were in the United States on visitor or student visas could change their status without any difficulty. Since Latin American states were "nonquota countries" under the former law, Latin Americans could become American citizens without difficulty. Now the new act puts them at a distinct disadvantage.

First, the new act makes a change of status under section 245 unavailable to citizens of the Western Hemisphere. In other words, an engineering student from India could become a permanent resident without having to leave the United States; whereas an engineering student from Chile would have to return to Chile before becoming a permanent resident. The restriction on Latin Americans is totally unfair.

Therefore, Mr. Speaker, I have introduced an amendment to the Immigration and Nationality Act which would repeal section 245(c). This would put all immigrants who apply for permanent residency on the same basis. They would all be treated alike.

Mr. Speaker, another injustice has been done to some Latin Americans as a result of the way in which the new Immigration and Nationality Act is being administered. Before the act went into effect on December 1, 1965, any Latin American who was in the country on a visa was eligible to have his status changed to that of permanent resident if he met the minimum health and character requirements. Relying on this, and prior to the effective date of the new law, many Latin Americans routinely applied for a change of status. Because of the timelag in processing, many of the applications had not been acted upon prior to December 1, 1965. Then, they were treated under the new law, and hundreds of Latin Americans were denied a change of status. This is unfair.

Mr. Speaker, I have today introduced a second bill to amend the Immigration and Nationality Act to treat applications filed before December 1, 1965, under the provisions of the former law. The effect would be twofold. First, the applicant would not have to return to his native country to obtain an immigrant visa. Second, he would not be required to meet the immigration standards of the new law. Many of those who filed before December 1 are not able to secure the required certificate from the Secretary of Labor.

Mr. Speaker, I hope that we will be able to act on these amendments expeditiously. They are in keeping with the spirit of justice and equality which prompted President Kennedy and President Johnson to recommend the new Nationality and Immigration Act to the Congress. In passing this law, we certainly did not intend to adopt provisions which would discriminate against prospective immigrants from Latin America.

We intended that all prospective immigrants be treated equally. The enactment of my two amendments will put the Latin American immigrant on exactly the same footing as the immigrant from any other country in the world.

Mr. Speaker, I ask unanimous consent to include an editorial which appeared on January 13, 1966, in El Diario-La Prensa.

The SPEAKER pro tempore (Mr. Krebs). Is there objection to the request of the gentleman from New York?

There was no objection.

The editorial follows:

[From El Diario-La Prensa, Jan. 13, 1966]

Bad Neighbor

Europeans are still hailing the new immigration law of the United States as nondiscriminatory. But Latin Americans are mourning it as a low blow to the good neighbor policy.

Thousands of Latin Americans have already received a short and terse note expelling them from our country.

They are expelled because they came to the United States with temporary visas and the new law closed the door for them to get a resident card.

Moreover, the immigration authorities are, for all practical purposes, making the law retroactive. They are expelling from the country all Latin Americans not in possession of a resident permit even though they had applied for it way before the new law became effective.

El Diario-La Prensa has received many complaints in this connection. A typical example is the case of a Latin American who arrived in the United States in June 1965 and who requested a resident permit the following month. He filled all the requisites, including medical examinations, and the immigration authorities told him to report on December 14 for a final decision. However, on December 2, he was notified by mail that the appointment was canceled and a few days afterward, he was given 30 days to leave the United States.

Great. We are opening the doors to Europeans while Europe is going through an economic boom with many European countries being forced to import labor from their neighbors. On the other hand, Latin America is going through one of the worst depressions in its history.

Latin Americans are coming here looking for an opportunity in the great democracy of the north. They come because they are unable to make a decent living in their own countries, or because life has become unbearable for them under dictatorial governments. Many of them—as millions of European migrants that came here before—have become an integral and positive part of the life of our Nation. Others, after piling up a small capital, dollar by dollar, return to their homelands to lead an independent life and to sing the praises of the United States.

New York—the promised land of their forefathers—has two Senators: Mr. Robert F. Kennedy, a Democrat, and Mr. Jacob K. Javits, a Republican.

We do hope that both of them will spearhead a movement to write out this discriminatory legislation that is deeply harming the good-neighbor policy. The Senate has been traditionally the branch of Congress at the helm of our foreign policy. Our Senators can work both inside and outside the Senate. Outside, so as to impress our Government with the need of being lenient toward the Latin Americans who came to the United States before the law was enacted, and in the Senate in order to amend this discriminatory law through the Commission on Western Hemisphere Integration which will report to the President and Congress before July 1, 1968.

We know that Vietnam and the war on poverty are foremost on the minds of Congress and of President Johnson. But, we do hope that our legislators and our Executive would not be remiss in following the steps of President Roosevelt and President Kennedy by doing their utmost to be good neighbors.

HANDLING OF MEDICARE

Mr. GROSS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, Mr. Ralph de Toledano, writing for King Features Syndicate, has written a column on the Social Security Administration's handling of medicare.

It deals with the sequence of events involved in the Administration's changing of the rules requiring proof of birth for eligibility, and the subsequent reversal of that policy, which followed my criticism of that change.

The article follows:

Medicare Rules and Doubletalk From the Social Security Administration

(By Ralph de Toledano)

A woman reader takes exception with me because I berated the Social Security Administration's handling of medicare. In a letter to the Herald and News, of Klamath Falls, Oreg., she accuses me of "inspiring distrust and uncertainty in the minds of senior citizens expecting to benefit by the medicare bill."

The lady was referring to a column I had written in which I noted that the Social Security Administration had secretly changed its rules so that applicants for medicare benefits would be required to present birth certificates—and only birth certificates—if they hoped to qualify. This would have cut out many senior citizens who were born in States and territories which did not then issue birth certificates.

My critic wrote to Senator Wayne Morse, who answered that Social Security procedures had been changed. "Notations in family Bibles, marriage certificates, insurance policies, and the like," he said, would now be acceptable.

The Morse letter and the reader's charge put me in the light of being a poor or biased reporter. But what are the facts?

As my column clearly noted, Representative Durward Hall, Republican, of Missouri, had discovered the secret change in Social Security regulations which penalized certain senior citizens. He issued a statement to this effect on January 6, 1966. That same day, the Social Security office called him to ask for a copy of the statement. At 1:45 p.m., that same day, the Social Security Administration issued a statement, carried on the Associated Press wire, that Congressman Hall was in error, and that previous procedures were being employed.

That same day, at 7:12 p.m., the Social Security Administration issued a statement to United Press International in effect denying its earlier release. It conceded that birth certificates were being required of applicants, but added that this system wasn't working too well and that it intended to revert to the old system of asking only for "the best available proof."

As of January 12, however, the Social Security Administration had failed to make any reply to Representative Hall's very pointed questions which he had directed to the agency on January 4. On the 12th, in point of fact, Mr. Hall's only reply had been a letter stating that his inquiry was receiving official attention. There was no official announcement that Mr. Hall had been right in the first place and that changes were being made in regulations harmful to many senior citizens.

My column had been written prior to January 12 for release on January 14. My lady critic read my column on January 17. When she wrote to Senator Morse and when he replied is not divulged in her letter criticizing me. Since no official action had been taken as of the 12th, there is a strong belief on Capitol Hill that the column added the last little push to what Representative Hall had begun and for which he must take full credit.

At no time has the Social Security Administration admitted that it did not move to help those senior citizens without birth certificates until Mr. Hall had taken up the cudgels for them. I know that early in January at least one senior citizen in New York was having considerable difficulty in having a medicare application processed. In some parts of the country, senior citizens were being turned away for lack of a birth certificate some 3 weeks after the Hall statement—or 2 weeks after the appearance of my column.

Obviously, the bureaucratic redtape artists had imposed the birth certificate rule—without official notice in the Federal Register—in November. It had applied this unfair rule until a Member of Congress learned of it. Even then, it had dragged its feet. When the press began commenting, the Social Security bureaucrats decided to take some action. But having been caught off base, they never admitted their error, trying to pass it off as an "experimental" phase of the operation.

This is nothing new. Without Congressmen like "Doc" Hall, these bureaucratic tyrannies would continue without relief. The press, by giving publicity to the efforts of lawmakers, does its own small part. But it is a little discouraging when those who report the facts are criticized by their readers—or when a man like Wayne Morse joins the whitewash brigade.

I'm glad that the Social Security Administration indirectly conceded its bureaucratic error, even though it is still attempting to strike a noble pose. And I am glad that the lady wrote her letter, because it gives me the chance of setting the record straight.

DUMPING SURPLUS STOCK

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Minnesota [Mr. Quie] is recognized for 5 minutes.

Mr. QUIE. Mr. Speaker, the Nation's agricultural stability is being undermined by the Commodity Credit Corporation's policy of dumping surplus stock onto the market in order to prevent price increases. It is further being misled in its understanding of H.R. 12784. Just as the administration forced aluminum and copper producers to abandon price increases by dumping government-owned surpluses onto the market, farm prices are held to an arbitrary level by manipulation and dumping of CCC-held farm commodities.

The following quotation appeared in yesterday's Wall Street Journal—March

7, 1966—in the daily column on commodities.

> In recent weeks the corn sales by Federal farm-surplus managers have increased to a fire-sale pace, a sharp turnabout from earlier predictions. The Agriculture Department forecast in December that corn requirements in the crop year begun October 1 "can be met largely out of the 1965 crop, with only limited amounts of corn expected to be made available from (Government-owned) stocks."
>
> Sales in December were limited to 8.4 million bushels, compared with 50.6 million a year earlier. But Federal disposals in January expanded more than sevenfold to 62 million bushels, about matching the year-earlier sales. And in February, Government corn sales ballooned to 140.2 million bushels, highest for any month in 4 years, and more than double the 63.1 million bushels sold in February 1965.
>
> Last week, the sales accelerated to an even greater volume as the Government unloaded 72 million bushels of corn.
>
> The large Government sales, grain dealers agree, have influenced prices of corn. Prices have dropped since mid-February. No. 2 yellow corn, a key grade, now sells in Chicago at $1.27 a bushel, down from $1.33 about 3 weeks ago.

One side-effect of this price-lowering activity of the Government has been that farmers have been withholding their corn from the market in the hopes that prices would rise again. Their hopes seem doomed to disappointment, as the Government shows no signs of letting up in its relentless struggle to keep prices down.

Let us examine the Government's present power to dispose of the CCC stocks on the open market, and the extent to which that power has been used in recent months. First, I should like to point out that the use of Government-held stocks to depress market prices is dangerous to the economy for two reasons. First, dumping destroys the freedom of the market and manifests the growing use of Federal power in the private sector of the economy. Secondly, and more important at this time, I contend that such practices will lead to an unnecessary economic imbalance. The delicate relationship that exists between the production and price level of feed grains and the availability of livestock for the market can be seriously upset by economic tampering of this sort. The result to the economy could be serious fluctuations in the price of feed grains due to increased speculation by commercial livestock feeders. A further result is instability—further instability—in the agricultural economy. And I hasten to point out that it is the private farm producer, the independent operator who is given so much lipservice by those who would preserve our farm heritage, who is most hurt by the instability which results.

Mr. Speaker, this is not an idle guess on my part, nor am I alone in opposing the CCC's policy of dumping. I have already gone on record in support of raising the CCC resale formula in order to let farm prices seek their own level. Last May I said here that raising the resale formula to anything short of 115 percent of the support price would not allow farm prices sufficient market freedom. I now reiterate that opinion, particularly in the light of the large amount of dumping that has occurred since May of 1965.

As the ranking minority member of the Livestock and Feed Grains Subcommittee, I feel that it is my duty to point out that millions of farmers and numerous farm organizations have raised their voices in opposition to the dumping of feed grains to prevent prices from rising. Such diverse organizations as the National Farmers Union, the National Farm Bureau Federation, the Farmers Union Grain Terminal Association, the National Grain Trades Council, the National Federation of Grain Cooperatives, and the Grain and Feed Dealer's Association are against the dumping of feed grains.

The acute shortage of pork products and the resulting high prices of bacon have dramatized the cyclical nature of livestock production. With feed grain prices now being held to an artificially low level, large specialized livestock feeders will take advantage of these low prices to increase their feedings. Farm feeders who raise much of their own feed grains, however, will not benefit by these low feed prices. The price of feed grains is not directly important to their feeding operation, except that when prices are held to an arbitrary low, with an unlimited supply of cheap feed grains available to commercial feeders, total livestock production is greatly increased by nonfarmers. Nonfarm feeders already have numerous distinct advantages over farm feeders. For example, they always locate in areas of relatively stable climate, avoiding the problems accompanying rainfall and snowstorms, and locating close to stock markets. To control price fluctuations due to Government controls on the price of feed grains is beyond the scope of rational economics. This is particularly true in a country which has long extolled the heritage bequeathed by the private, self-reliant farmer. The plight of farmer feeders is typical of this Nation's tendency to ignore the problems that face private farmers in the face of economic expedience. No matter how often the Department of Agriculture pats itself on the back for protecting the American farmers, it is undermining the welfare of that farmer by allowing, even encouraging, commercial interests to have such a direct effect on the farm economy. I deplore the two facedness of this policy, and urge my colleagues to give every consideration to raising the resale price of feed grains.

How long will the Congress continue to sanction the practically unlimited power now vested in the person of the Secretary of Agriculture in matters relating to price fixing and economic oppression? At this time there is before the Congress a bill which would extend, even enlarge the powers that are now being used so freely to force down the market prices of a number of important commodities. This bill—H.R. 12784—is being presented in the guise of a companion bill to its numerical neighbor, H.R. 12785, the food-for-freedom bill. The administration would have us believe that the former is essential to the welfare of the latter, while in reality this is not the case at all. This commodity reserve bill would simply strengthen the power now held by the Secretary of Agriculture in matters of storage and grain disposal. It would not facilitate the movement of our vast food supply onto the world market.

To me, this represents little more than a misuse of the Government's power to "lead" the people in matters of importance. When leading turns into hoodwinking, and public relations replace factfinding, then the public is in danger. It is in danger because many of the facts which are at the disposal of the Government are beyond the reach of the average citizen, with the result that he must rely heavily on the word of the Government in judging matters that concern that Government. In the case of H.R. 12784, Mr. Speaker, he is being mislead. And it is my strong hope that the Members of Congress will correct that situation by examining this bill on its own merits or lack of same, and not fall prey to the notion that somehow the world will starve unless both H.R. 12784 and 12785 are passed.

Mr. Speaker, needless to say, this policy of holding down farm prices is not restricted to feed grains. Wheat producers on all levels have protested the CCC's callous disregard for farm income and have denounced the wheat dumping that occurred frequently in 1965.

In their 1966 declaration of national policy, members of the American Farm Bureau Federation states:

> We have seen excessive sales at 105 percent of a low loan rate (and even lower in the case of feed grains) break market prices to disastrous levels.
>
> The original purpose of commodity loan programs was to avoid glutted markets at harvesttime and to encourage orderly marketing throughout the year. Loans at moderate levels should be coupled with higher release prices for CCC stocks. This will allow the market price system to function, reduce the takeover by the CCC, cut the cost of the program, and provide farmers with an opportunity to receive higher net incomes.
>
> We, the voting delegates of the 47th annual convention of the American Farm Bureau Federation, deplore and condemn the action of the Secretary of Agriculture in wrecking the price of wheat through the dumping of Government-held stocks of the commodity.

This condemnation comes from the Nation's largest farm organization, but it is by no means the only organization to so condemn the dumping policy.

The official voice of the Farmers Union Grain Terminal Association—GTA—said:

> The CCC dumping policy gets right to the question: What are farm programs for? Congress has historically recognized that farmers occupy a uniquely exposed and hazardous position in the economy, and it has passed laws to give them minimum protection. It is and has been the expressed hope of Congress that farm prices will improve to parity levels. Yet in a perversion of the intent of those laws, we again see them being twisted around and used to put an enforced ceiling on farm prices, and in the case of wheat, well below parity levels.

Mr. Speaker, I ask you, Why? In the USDA, which once conscientiously sought to improve the lot of the Nation's farm economy, why is the farmer's chance to make a profit so undermined, so debased, so downtrodden by the very agency that once sought to "protect" the farmer? The answer, I fear, is a sad commentary upon the extent to which we have glorified—or idolized—Federal power. The reason, simply stated, is that farmers would hesitate to sign up for voluntary farm programs if they found that the market could indeed support the produce they had to offer. The Department of Agriculture, sensing the threat to voluntary signups, thus is willing to punish those who do sign as well as those who do not by forcing a ceiling on prices.

And now we are asked to sanction the right of the Secretary of Agriculture to continue to punish the farmer by passing H.R. 12784. Let me quote from the chairman of the National Grain Trade Council in his recent testimony before the House Committee on Agriculture with reference to H.R. 12784:

> H.R. 12784 could be called a blank check giving unprecedented commodity price- and market-control powers to the Secretary of Agriculture.
>
> In this bill there is not one specific guideline to set the reserve goal for wheat, or corn, or soybeans, or vegetable oils, or any other commodity. There is no reference to any guarantee of sale of reserves to satisfy urgent consumer needs. Resale price limitations are virtually nil, referring only to existing law which has been so distorted in its application as to penalize farmers in the market with CCC sales assaults. In this one respect alone this committee should be cautious about any new grant of uncontrolled power.
>
> If the men of the thirties or forties could have foreseen CCC use of grain stocks to shackle farm markets, would they have left so much to USDA judgment? I doubt it. And today, if a blank-check authorization is given to acquire, dispose of, and even process and package reserve commodities, what unforeseen use of these powers will show up in the future? The possibilities are limitless under a bill like H.R. 12784.

That, Mr. Speaker, is a forceful example of many people's attitude toward the current CCC policy. It is more than that, it is an example of America's bridling reaction to power of this nature being vested in a single Government official.

CONGRESSIONAL JOINT ECONOMIC COMMITTEE HEARINGS LAST DECEMBER ON MONETARY POLICIES

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Missouri [Mr. CURTIS] is recognized for 30 minutes.

Mr. CURTIS. Mr. Speaker, yesterday the distinguished gentleman from Texas [Mr. PATMAN], chairman of the Joint Economic Committee, took the floor of the House to expound upon some recent hearings of the Joint Economic Committee held last December on monetary policy.

I first want to commend the gentleman from Texas for carrying this dialog forward. I know of no subject matter other than the war in Vietnam that is more vital than inflation which in turn involves our monetary policy. I am particularly pleased to see the gentleman from Texas [Mr. PATMAN] call the attention of the House to some of the material and data that was adduced at these public hearings last December.

However, at the same time I would like to point out that these hearings last December were very incomplete. They were called because the Federal Reserve Board had increased the discount rate which was certainly going to increase interest rates throughout our country. The administration through a number of spokesmen including the President himself had criticized adversely the action of the Federal Reserve Board. The Secretary of the Treasury had criticized in public statements this action. The Chairman of the Council of Economic Advisers had done likewise and so had the Director of the Bureau of the Budget.

After the Joint Economic Committee proceeded with its hearings on December 13 and 14 calling before it the Federal Reserve Board to discuss the implications of this action on their part and what had transpired, I requested, and so did the other Republican members of the Joint Economic Committee, that the Secretary of the Treasury, the Director of the Bureau of the Budget and the Chairman of the Council of Economic Advisers be called before the committee for their comments.

To my amazement, I might say, and really I felt that this certainly was a misunderstanding to say the least on the part of the minority who had agreed to these hearings, the majority did not call these Government witnesses. These Government witnesses did not appear. This matter was put to a formal vote in the Joint Economic Committee and by a vote of 7 to 6 the majority led by Chairman Patman refused to call these public witnesses of the administration, the very people who in their public statements when they were not subject to cross examination had criticized the Federal Reserve Board for its actions.

Now the result has been that the dialog has not really moved forward since last December because it cannot move forward until there is a thorough hearing including a cross examination of these critics in the administration.

Now these hearings that the gentleman from Texas [Mr. PATMAN] called attention to in his speech yesterday, which I have in my hand, are really excellent hearings as far as they go. The other comment I would make in respect to how we can move this important dialog forward is this. The gentleman from Texas [Mr. PATMAN] chose to take the floor of the House to, in effect, make his report on these hearings. The committee has not even attempted to present a written report to the Congress on the subject matter of these hearings. Had the committee done that, then we in the minority, of course, would file our written minority views to accompany the report to the Congress.

Behind all of this omission to call key witnesses and to prepare committee reports is something quite sinister, I would observe, as far as the future of representative government is concerned. Is the Congress under the leadership of the Democratic Party to be so abject that it will refuse to go into the full depths of these serious questions that face our country—such serious questions that the administration, the executive branch of the Government, goes to the extent to criticize publicly the decision of the Federal Reserve Board and yet refuses to come before the committees of the Congress to present their viewpoint under cross examination?

Is the Congress going to continue as it has with regard to the other important issue, the Vietnam war, to not provide the public and the members of Congress the opportunity to examine into, in public hearings, with cross-examination, the various aspects lying behind the important policy decisions which have produced a war and shifted us from a peacetime economy to a wartime economy? It is not merely in respect to questions of war, but in matters of fundamental economic policy, involving our domestic economic welfare, that this administration fails to deal forthrightly either with the Congress or with the people of this country. I think these are the most serious aspects of the failure of the majority of the Joint Economic Committee to call the executive witnesses before us in December, and now the added failure of the majority to prepare and file a written report to the Congress, on the limited data adduced—at hearings, thus permitting the minority to file its report.

One of the basic points in these hearings was centered around the question of the independence of the Federal Reserve System from the executive branch of the Government. A second point concerned the coordination of the activities and the responsibilities of the Federal Reserve System, an independent agency, with other aspects of Government policy, particularly those relating to fiscal policy, which is largely the responsibility of the executive branch of the Government; the coordination of the monetary policy over which the Federal Reserve has authority with the fiscal policy over which the executive branch, mainly in the Secretary of the Treasury and the Director of the Bureau of the Budget, has control.

The Chairman of the Federal Reserve Board pointed out something that I think was news to many members of the Joint Economic Committee, certainly news to the Congress as well as to the public, that there had been developed under President Eisenhower and carried on under President Kennedy and President Johnson an informal group called the Quadriad, chaired by the President of the United States.

The Quadriad consisted of the Chairman of the Federal Reserve Board, the Secretary of the Treasury, the Director of the Bureau of the Budget, and the Chairman of the President's Council of Economic Advisers. This four-man body, I again say, under the chairmanship of the President, met monthly in order to try to coordinate the fiscal policies of the Government with the monetary policies of the Government. As I point this out, it becomes even more significant that only one member of the Quadriad testified in our December hearings, and the other three members of the Quadriad refused to appear, did not appear, and to this day have never answered under cross-examination the important questions involved in the Federal Reserve actions last December: How does the Quadriad function? Is this coordination sufficient in order to bring about the proper relationship of fiscal and monetary policy?

Chairman PATMAN has raised the question of whether or not the Federal Reserve Board should be independent. I tried to point out in the hearings that the Federal Reserve in essence was an arm of the Congress. The Constitution provides, among the powers granted to the Congress, "to coin money, regulate the value thereof." This is not an Executive power; it is a congressional power.

Back in 1913, Congress, in order to do a better job of this business of regulating the value of money in our society, passed the Federal Reserve Act creating the Federal Reserve System, thus giving to this particular independent agency this power, which is essentially that of Congress. This is no different, I might say, than the Congress has done in handling other powers it has, particularly in the area of regulating interstate commerce, which I emphasize is a power of Congress and not of the Executive, here we created the Federal Power Commission, the Federal Trade Commission, the Interstate Commerce Commission, and all of these other agencies which we call independent agencies, but which are in essence arms of the Congress to regulate various aspects of interstate commerce.

In international trade, which is also a power of Congress, we have created the Tariff Commission. In the area of expenditures we have created the Government Accounting Office with the Comptroller General heading it. These are arms of the Congress. They are not part of the executive branch of the Government.

The confusion over where the basic power is vested comes about because of a mechanical reason—and I would argue a good reason—Congress gave to the executive branch the power of appointing those who are to serve on the boards of those various regulatory congressional bodies. But note in the Federal Reserve System the term of office of the seven members of the Board is 14 years.

This clearly indicated that Congress did not want to vest any political power in the control of any single President, because no Executive would serve 14 years. The appointments were staggered to be certain that no Executive would have this kind of political influence or control.

The Comptroller General is appointed for 14 years. We find this power of appointment vested in the President not to give him political power but to arrange the mechanics so that these arms of Congress may be operated with some efficiency.

This issue was one of the issues which was raised in serious discussion in the recent deliberations of the Joint Economic Committee.

I would like to expound upon one other aspect that was brought out in this December hearing, a point made by one of the members of the Federal Reserve Board who was in the minority—the decision to raise the discount rate.

I might say that this disagreement on the Board was a healthy thing because it brought out different viewpoints. These are honest and fine men. I wish the President of the United States would understand that disagreement and honest debate is the way to move forward in resolving problems with intelligence, contrary to the concept of consensus created behind closed doors where no one in Congress or the public even knows who is attending, no one knows what arguments are used, what facts are adduced. This healthy kind of give and take cannot be developed in Government by consensus.

In the development of the different points of view of the members of the Federal Reserve Board, one of the members stated that he felt that the error lay not in coordination, not in the independence of Federal Reserve Board, but in the timing of the particular decision.

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from Texas.

Mr. PATMAN. Mr. Speaker, the gentleman mentioned that I had jumped the gun, I understand, on the committee report.

Mr. CURTIS. Let me say that I commended the gentleman in my preliminary remarks for taking the floor of the House yesterday and calling attention to these hearings we held.

My criticism related to two areas. One is the same that the gentleman is familiar with, that the committee did not call the other members of the quadriad. The second point I was making was that the committee did not have a written report based on these hearings.

If the gentleman had filed a report, then we in the minority could have filed our minority views on this material. I am not referring to the President's 1966 Economic Report or jumping the gun on the majority report on the Economic Report of the President for 1966. There is no criticism there at all, and, really, if there is criticism, it is of a rather mild nature.

Mr. PATMAN. I thank the gentleman. I appreciate that.

Mr. CURTIS. We are happy for your having taken the floor yesterday.

Mr. PATMAN. I appreciate the gentleman's qualifying the statement from what I had understood it was. I know the gentleman is a very knowledgeable person, one of the most knowledgeable in the Congress on the subject. I listen with great interest and respect to what he says.

May I invite the attention of the gentleman to the fact that what I said about the Federal Reserve was in published hearings only.

Mr. CURTIS. That is true.

Mr. PATMAN. Nothing was said that was not published. I was careful.

As far as the quadriad was concerned, we had our hearings in depth, and there was quite a lot of interest by the minority to hear the administration witnesses.

Mr. CURTIS. Yes.

Mr. PATMAN. But on a vote of the committee we decided to postpone it until January, as the gentleman knows.

Mr. CURTIS. On a partisan vote.

Mr. PATMAN. That is correct, on a partisan vote, Democrats on the one side and Republicans on the other.

Mr. CURTIS. Yes.

Mr. PATMAN. But as the hearings came on in January, I did not hear the minority insist on having any more witnesses. That part is something new to me.

I noticed that very few questions were asked the Secretary of the Treasury and the Director of the Budget about these matters. I thought the minority had actually abandoned its fight.

Mr. CURTIS. I am sure the gentleman is saying that with his tongue in his cheek, because we certainly have not. The only answer is that when we interrogated the Secretary of the Treasury and the Director of the Budget, in January and February, it was on the basis of the President's economic message and it included a great many other things than this issue of the Federal Reserve Board raising the discount rate.

I can assure the gentleman, if he will read the hearings, or reread them, they will show that I asked a number of the questions along this line of both the gentlemen. I directed the same criticisms to them that I am bringing out on the floor of the House.

I rebuked the Secretary of the Treasury, and I rebuked the Director of the Budget, for not having appeared in our hearings in December.

Certainly it is a position that I have not abandoned, but we are moving the dialog forward to some degree, regrettably not in the way that it could have been or should have been moved forward.

I may say that after we finish our report on the comprehensive economic report of the President, I hope we will take up these hearings again and call in the other three members of the quadriad and move forward to resolve some of the questions the gentleman has raised, some of which I am not in disagreement with, as he knows.

Also there should be raised other questions on these very serious problems involved in the interrelationship between fiscal and monetary policy.

Mr. PATMAN. May I say to the gentleman I believe he has already received—and if not, he will before the end of the day—the proposal by the Democratic members of what the report should be. It is my understanding through the staff and others that the gentleman and his associates and his colleagues on the minority have been preparing a report of their own.

Mr. CURTIS. Yes, we have. It is a lengthy report and we will have quite a bit to say about the subject matter that the gentleman brought up on the floor yesterday and which I am carrying on further here.

Mr. PATMAN. I would suggest this: We have a meeting tomorrow morning at 10 o'clock in room 100, about halfway between the House and the Senate, as is usual and customary, and I hope we will be in a position there to decide either on the majority report or the minority report or let each of them go his own way.

Mr. CURTIS. I certainly will be there, and I think probably the healthy thing is the way we have done it. The majority will file its report and the minority will file ours. I hope we will get together *some day in future reports and agree on* an agreed-upon statement of facts in the areas where there is agreement and then, having put in that part where there is agreement, proceed so the majority can develop its theories and the minority can develop theirs which are in disagreement.

Mr. PATMAN. That sounds very reasonable to me if it can be done. However, you know that sometimes you cannot always do that.

Mr. CURTIS. That is the part I would single out and see if there is any area where there is honest agreement. Of course, if there is not there cannot be an agreed statement of facts. However, there is a lot that I think we would agree on, and the reader would then realize where there is agreement thus clarifying the areas of disagreement.

Mr. PATMAN. Mr. Speaker, will the gentleman answer one other question?

Mr. CURTIS. Yes.

Mr. PATMAN. The gentleman mentioned several times the members of the Federal Reserve Board having a 14-year tenure as evidence of independence.

Mr. CURTIS. Yes.

Mr. PATMAN. I believe the gentleman stated that was in the original act, the 14 years.

Mr. CURTIS. I think that is right.

Mr. PATMAN. I think the gentleman is clearly in error about that, because in the original act it was a 10-year term, and in the act of 1933 it was increased to 12.

Mr. CURTIS. I think you are right.

Mr. PATMAN. And in 1935 it was increased to 14. However, no one on the floor of the House or the Senate, no one in either committee considered the bill ever at one time, according to the printed testimony I have referred to, as intending to give them independence. Never.

Mr. CURTIS. I may say it is obvious that the reason was there. I think the gentleman is correct in correcting me on what the original terms were. As a matter of fact, they were shorter than that, because the first Board members started out with staggered terms, but ended up with a full term of 10 years and then it was raised to 12, then to 14.

Now, if I may proceed to some specifics on this subject, one of the commissioners who was in dissent said the reason for his dissent was not the lack of coordination, really, or of his disagreement with independence. All seven members of the Board agreed that the Federal Reserve Board should be independent, but, rather, he felt it was the timing of the discount rate increase. He thought there ought to be more information from the executive branch of the Government in respect to the 1967 budget. The point I made to the Commissioner on cross-examination was that the 1967 budget was not the immediate problem as it related to monetary policy. We were still in *fiscal 1966* and *fiscal 1966* did not end until June 30, 1966. The issue of concern was expenditure policy for fiscal 1966. We certainly did not have to wait for the budget message on fiscal 1967 in order to evaluate the economic forces that resulted from the Federal Government's *fiscal policy in being in fiscal 1966.*

This is a point that I think was left out of the excerpts from the hearings that Congressman PATMAN inserted in the RECORD yesterday. It is a very key point.

Now, reading what another Commissioner said, which appears on page 5054 of the CONGRESSIONAL RECORD of yesterday—Commissioner Balderston—said, "Fiscal policy, as we all know, is inflexible."

Now, I must contradict the Commissioner. There are two aspects of fiscal policy that are relatively inflexible. He was really relating his remarks to those two. One is taxation. Federal taxation tends to be inflexible or certainly is nowhere as near as flexible as monetary policy. Certainly debt, Federal debt, which is another aspect of fiscal policy, tends to be inflexible. However, the other half of the coin of fiscal policy, which is expenditure, is not so inflexible. Indeed this flexibility is the very thing that brought about the problem of last fall in respect to monetary policy. Expenditure policy, the amount of expenditures by the Federal Government, is very much under the immediate direction of the executive branch of the Government and not under the Congress.

Mr. Speaker, the Congress had already granted the power to spend to the President. The President then sets the rate of spending.

In September of 1965 the President of the United States already had around $200 billion power to spend. He had said in his budget message of January 1965 that he was only going to spend $99.7 billion in fiscal 1966. But at any time, as I tried to point out time and again on the floor of the House during various debates, and particularly on debt policy, at any time the President, without any further authorization by the Congress, could increase that expenditure rate to $115 billion, or he could have cut it to $95 billion.

Mr. Speaker, this was the power which the Executive had. I was happy to say in September on the floor of the House that the President in fiscal 1966, for the first 2 months—the months of July and August 1965—was adhering to an expenditure level of $97.3 billion. He was doing a better job than the $99.7 billion, although Congress by cutting the debt ceiling request he had made in June, had sought to cut the expenditure rate to $98.7 billion for fiscal 1966.

But, Mr. Speaker, in September 1965 the real President Johnson stood up. These figures of expenditure for that month came out in early October. The expenditure rate zoomed from $97.3 to $114 billion at an annual rate, based on that month of September.

Mr. Speaker, this kind of rapid shift is not indicative of inflexible expenditure policy. The dissenting members of the Federal Reserve Board said the failure on the part of the majority of the Federal Reserve Board lay in not coordinating this change in monetary policy with the fiscal policy of the administration—not waiting for the budget message for 1967 to be presented to them. Far from it being that picture, the executive branch of the Government in September *1965 basically changed its expenditure* policy, its fiscal policy, to move to a heavy deficit operation by increasing the expenditure rate from $97.3 billion to around a $114 billion rate, without trying to coordinate it with existing monetary policy. The change in monetary policy followed the change in expenditure policy, not vice versa.

Further, Mr. Speaker, we saw the revisions of the 1966 expenditure levels in the 1967 budget message. And I might say we also saw a deficit that jumped from a $3 billion deficit to one of around $6 billion or $7 billion in the January budget message.

Mr. Speaker, if we eliminate the increased sale of capital assets and the requests for increased taxes, the deficit was actually around $11 billion in the revisions of January 1966.

So, Mr. Speaker, the Federal Reserve was reacting to a radical change in fiscal policy of the administration. It was not starting a new revision of monetary policy, not coordinated with the fiscal policy of the President.

Mr. Speaker, I hope that we can also move the dialog on the serious question of the relation of monetary policy with Federal debt policy along. I shall not attempt to go into that further subject in depth here, other than to set out some guidelines.

Mr. Speaker, if we had no Federal debt today we would have to change to a new monetary system. The Federal Reserve System assumes a Federal debt in order to handle monetary policy. In the open market operation of buying Government securities, the Federal Reserve finds its greatest weapon or tool in seeing that the amount of money in our society conforms to the present and immediate impending economic activity. At the same time, the Federal Reserve attempts through its open market operation to help the Treasury Department market the Federal debt in an orderly fashion, and this is good. But the two objectives can conflict if the fiscal authorities in managing the Federal debt—namely, the Secretary of the Treasury—seek to try to market the debt at an unrealistic market rate and have the Federal Reserve absorb Government securities at a lower rate than they can sell them for on the market. Then we get into the process of in effect monetizing the Federal debt. In other words, we create more money than the economic growth of the country up to that point can absorb. This produces inflation. Interest rates can be held down it is true, to some degree, but increases in the consumer price index result.

This is exactly the experience we had culminating in the Federal Reserve-Treasury Accord of 1951. By this accord the Federal Reserve refused to purchase Government debt securities any longer at interest rates below the market and the Treasury raised its interest rates to meet market demands. Post World War II inflation started to abate and interest rates rose.

Today the market demands are such that the Treasury can no longer market its debt securities of maturities beyond 5 years within the interest rate ceiling set by law at 4¼ percent. Actually long term Federal bonds today are selling at discount to yield 4.7 percent. Increasingly the Treasury is refinancing the old Federal debt and the new increments to it in short maturity issues. The shorter the maturity the closer the debt security is to "near" money. This process serves to weaken the ability of the Federal Reserve Board to set monetary policy.

The interrelation of Federal debt policy with monetary policy is largely an unstudied field. I hope at long last both the executive and the Congress will start to study and to understand more of its economic complexities.

The SPEAKER pro tempore. The time of the gentleman from Missouri has expired.

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

NEW YORK BANKING SUPERINTENDENT WILLE RULES CHASE MANHATTAN-LIBERTY NATIONAL AFFILIATION ILLEGAL—DECISION IS GREAT VICTORY FOR DUAL BANKING SYSTEM AND FREE COMPETITION

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include certain extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, last October 22, I rose on the floor of the House to inform my colleagues of my grave concern over the proposed acquisition by Chase Manhattan Bank of the Liberty National Bank & Trust Co., Buffalo, N.Y. Chase is a $13 billion Wall Street banking giant, the Nation's second largest, and Liberty—with assets of over one-third of a billion dollars—is itself a huge institution.

Clearly, the disappearance of Liberty as a competitor of Chase would be detrimental to the banking public and further add to the already great concentration of banking resources in that State. Since both institutions are national banks, Congress has both the right, as well as the responsibility to be vitally concerned. Furthermore, the integrity of State laws on branch banking and holding companies which by Federal law are also applicable to national banks is at stake here.

On February 16, Superintendent of Banks Frank Wille disapproved Chase's proposal to acquire and control Liberty under New York's holding company law.

My own objection to this transaction is that the acquisition of corporate stock by national banks is clearly forbidden by the National Banking Act. If banks were permitted to acquire and control other businesses, especially banks, independent businessmen, and bankers would rapidly disappear from the American scene.

Comptroller of the Currency James J. Saxon, supervisor of national banks, finally realized the weakness of his original decision permitting Chase to acquire the stock of Liberty on the ground that owning the stock of other banks is incidental to the business of banking. Mr. Saxon then decided that he might be able to assist in legalizing this questionable transaction under the provisions of the Bank Merger Act of 1960. But the Federal Reserve Board and the Federal Deposit Insurance Corporation take the position that the transaction is simply not a merger in the first place. Furthermore, the Department of Justice is considering an action under the antitrust laws.

In view of the importance of Mr. Wille's decision to the future of dual, competitive banking in America, with unanimous consent I hereby insert it at this point in the RECORD:

APPLICATION OF THE CHASE MANHATTAN BANK (NATIONAL ASSOCIATION), PURSUANT TO SECTION 142(1)(b) OF THE BANKING LAW OF THE STATE OF NEW YORK FOR PRIOR APPROVAL TO BECOME A BANK HOLDING COMPANY BY ACQUIRING UP TO 100 PERCENT OF THE VOTING SHARES OF LIBERTY NATIONAL BANK & TRUST CO.

(Recommendation of the superintendent of banks to the banking board)

FEBRUARY 16, 1966.

GENTLEMEN: On October 22, 1965, the Chase Manhattan Bank (national association) filed with the superintendent of banks and the Banking Board of the State of New York an application under article III-A of the banking law for approval of action to be taken which would result in its becoming a bank holding company, within the New York definition of that term, through the acquisition of direct or indirect ownership or control of up to 100 percent of the voting shares of Liberty National Bank & Trust Co., of Buffalo, N.Y.[1] Under the banking law, an order granting or denying the application must be issued by the banking board not later than February 19, 1966.

In accordance with the requirements of subdivision (1) of section 142 of the banking law, I submit herewith for your consideration the application, together with my recommendation in regard thereto, and all papers, correspondence and other information in my possession and relating thereto.

I. THE LEGALITY OF THE METHOD OF AFFILIATION PROPOSED

This is the first application to come before the banking board which proposes that a bank itself become a bank holding company within the meaning of article III-A of the New York banking law. Every prior application for permission to form a new bank holding company in this State has contemplated the acquisition of a controlling interest in two or more banks by a separate and distinct corporate entity which is not itself one of the participating banks.

The application raises a basic question of legality, since, prior to its filing, it had been generally assumed that a national bank had no power to own a controlling interest in the stock of another bank. Similarly, by virtue of the provisions of section 9 of the Federal Reserve Act, which subjects State member banks to the same limitations and conditions as national banks in the purchase and holding of stock, it had also been generally assumed that a State member bank had no such power.

Under date of October 22, 1965, however, the Associate Chief Counsel in the Office of the Comptroller of the Currency advised Chase Manhattan's counsel that his office found "no objection to Chase, with our prior approval, acquiring and owning 80 percent or more of the voting stock of Liberty or the controlling stock of a New York business corporation which owns such amount of voting stock of Liberty."

On the question of the corporate power of a national bank to own a controlling interest in another bank, the Associate Chief Counsel made the following observations:

"Chase, as a national bank, is empowered to engage in the business of banking in New York State, including exercise of all incidental powers as shall be necessary to carry on such business. Liberty is identically empowered. Moreover, in New York State, the business of banking includes ownership by a bank of corporate or bank stock under the circumstances now envisioned by Chase."

As a factual matter, however, the business of banking in New York State does not include "ownership by a bank of corporate or bank stock under the circumstances now envisioned by Chase." The records of the State banking department indicate that no commercial bank under New York State charter owns the stock of any other bank, directly or through a subsidiary, and the department knows of no national bank in New York State wihch owns such stock, directly or through a subsidiary.[2]

To the extent that the ruling of the Associate Chief Counsel in the Office of the Comptroller of the Currency relies on the "incidental powers" of national banks under the National Bank Act as authority for the method of affiliation here proposed, it is the opinion of the State banking department's own counsel that such reliance is misplaced, that in fact no provision of Federal law can properly be construed as authorizing a national bank thus to acquire the stock of another national bank, and that past decisions of the U.S. Supreme Court are clear authority for the proposition that no such power exists.

In view of the different legal opinions which have been reached on this question of legality, I engaged as special counsel Messrs. Hughes, Hubbard, Blair & Reed, a distinguished law firm of unquestioned independence.

Special counsel, after extensive research and full access to all relevant documents on file with the State banking department, has advised me as follows:

"1. Chase Manhattan cannot lawfully affiliate with Liberty in the manner proposed in the application because it does not have the power or right to do so.

---

[1] For convenience, the applicant will be referred to in this recommendation as "Chase Manhattan" or "Chase" and Liberty National Bank & Trust Co. as "Liberty."

[2] The fact that State-chartered commercial banks in New York have the power, under subdivision 5 of sec. 97 of the banking law, to invest, with banking board approval, in the capital stock of any corporation would appear to be irrelevant to a consideration of the corporate power of a national bank in New York State to make similar investments, in the absence of any provision of Federal law which grants to a national bank the same investment powers that a State bank might have in the State where the national bank is located.

"2. If the banking board believes that there is a public interest in the uniform administration of the dual banking system in the State of New York, it may take into account, in considering the application pursuant to New York banking law, article III–A, the adverse effect on such uniform administration that would result from its approval of any such application, as a result of conflict among the Federal regulatory authorities as to the powers of National and State banks."

The full text of the opinion of special counsel, together with the appendixes referred to therein, is attached to this recommendation and is an integral part hereof.

II. THE PUBLIC INTEREST

For more than 100 years the Nation's commercial banks have operated within the context of a dual banking system. This system, in which banks under State charter are free to convert to national charter, and national banks are free to convert to State charter, has provided a competitive vigor and flexibility to all the Nation's commercial banks which has served the public well. In the past, the dual banking system has fostered innovation and sensitive response at both Federal and State levels to changing needs for bank credit and bank services.

The successful operation of the dual banking system presupposes a substantial equality of opportunity between national banks and State banks in those areas which are basic to their competitive standing. Thus, national banks and State banks are both subject to the geographic restrictions of State law with respect to the establishment of branch offices and the acquisition of existing banks by merger, consolidation, or asset acquisition. National banks and State banks are both subject to the same statutory criteria at the Federal level for the review of proposed mergers, consolidations, and asset acquisitions, irrespective of which Federal bank agency is the reviewing authority. And in some basic areas, the Federal Reserve Act makes clear the intent of Congress that State banks which are members of the Federal Reserve System should be subject to the same limitations and conditions as national banks, all of whom by law are members of the Federal Reserve System.

The draftsmen of article III–A of the New York banking law were keenly aware of this basic imperative in the maintenance of the dual-banking system. By requiring the approval of the banking board for all holding company applications in New York State, under one set of standards and irrespective of whether the participating banks operate under National or State charter, the New York Legislature made clear its insistence that the opportunities to form and extend bank holding companies across banking district lines should be the same for both national and State-chartered banks. The preamble to the act which added article III–A to the banking law makes this legislative intent explicit:

"SECTION 1. Declaration of policy.—The enactment of Federal law to regulate bank holding companies (Bank Holding Company Act of 1956) has made it necessary for the State of New York to review the structure of banking organizations operating in New York State. After full consideration of the complex issues involved it is hereby declared to be the policy of the State of New York that appropriate restrictions be imposed to prevent statewide control of banking by a few giant institutions; that no law or the administration of any such law should work a discrimination in favor of federally chartered banking institutions or against State-chartered institutions; that the dual-banking system be preserved."

Accordingly, it is relevant for this board, in reaching a determination as to "the public interest," to consider whether the proposed method of affiliation is equally available to State member banks and national banks in New York State, and if not, whether a disparity in this regard would discriminate in any significant way in favor of federally chartered institutions and against State-chartered institutions.

As noted earlier in this recommendation, the Office of the Comptroller of the Currency has ruled that the method of affiliation proposed by the applicant is within the authority of a national bank. It is clear, however, that the Board of Governors of the Federal Reserve System would not take the same view as to the authority of a national bank, with the result that a State member bank could not utilize the same method of affiliation by virtue of section 9 of the Federal Reserve Act.

The Board of Governors issued a ruling on this precise point in 1963 when a State member bank headquartered in New York City sought to acquire, through a subsidiary, a controlling interest in a new national bank which was to acquire substantially all the assets of an existing bank in Nassau County. In a letter to the State bank dated April 30, 1963, the Board of Governors said:

"The stock-purchase provision of section 5136 since its enactment in 1933 has been regarded, consistently and correctly, as constituting a prohibition against the purchase of corporate stock by national banks, except such purchases as are permitted or recognized by statute or as are embraced within the incidental powers of national banks, such as, for example, their power to purchase stock of Edge Act corporations, bank premises corporations, and corporations formed to liquidate assets acquired as a result of default on loans made by such banks. It is well settled that national banks have no authority under statute or under their incidental powers to purchase stock of other banks."

The letter concluded that in substance the subsidiary was the alter ego of the State member bank and that the proposed purchase of stock in the new national bank would involve the State member bank in a violation of section 5136 of the Revised Statutes, as made applicable to State member banks by section 9 of the Federal Reserve Act.

The method of affiliation proposed in this application has undoubted attractions to Chase Manhattan, as it might to other banks in a similar position. Shares of a new company need not be exchanged for outstanding shares of Chase Manhattan stock, thereby saving the expense and inconvenience involved in issuing an entirely new security. A new management structure need not be superimposed on the present management structure of Chase Manhattan. And at least with the first acquisition it may be possible to effectuate an affiliation without a review on the merits by the Board of Governors of the Federal Reserve System.[3]

The advantages to a bank of the proposed method of affiliation are significant and self-evident. If, by action of this board, such advantages become available to national banks when they are not equally available to State member banks, a substantial discrimination between the two groups of banks would be effected, thereby violating the declared policy of the State. The practical opportunities among National and State banks to form bank holding companies in this State would no longer be the same. Far from preserving the dual banking system, such a course of action would seriously weaken it in a vital area.

In addition to the foregoing, the illegality of the method of affiliation proposed by the applicant makes even more difficult a finding by this Board that the public interest would be served by approval of the application. Sound regulation and the preservation of the dual-banking system require respect for the law on the part of both Federal and State regulatory agencies.

Even if this Board were to assume that the applicant has a completely persuasive case with respect to the competitive and banking factors involved in the proposed affiliation with Liberty, the banking board of the State of New York should not willingly participate in a course of action which not only works a discrimination against State-chartered member banks but is illegal as well.

III. CONCLUSION AND RECOMMENDATION

For the reasons stated, I am of the opinion that the public interest would not be served by an approval of the method of affiliation proposed—

Since the same method of affiliation is not equally available to State member banks under the 1963 ruling of the Board of Governors of the Federal Reserve System referred to in this recommendation;

Since the legislature has declared it to be the policy of the State of New York that no law or the administration of any such law should work a discrimination in favor of federally chartered banking institutions or against State-chartered institutions, and approval of the method of affiliation here proposed would work a significant discrimination between the two groups of banks; and

Since the legislature has declared it to be the policy of the State of New York that the dual-banking system be preserved, and approval of the method of affiliation here proposed would seriously weaken that system.

My conclusion that these considerations alone would require the denial of this application is only reinforced by the illegality of the method of affiliation proposed.

Accordingly, I recommend that the banking board deny the application of the Chase Manhattan Bank (national association) to affiliate with Liberty National Bank & Trust Co. through the acquisition of direct or indirect ownership or control of up to 100 percent of the voting shares of said bank.

FRANK WILLE.

W. DAN LATIMER III

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include certain extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, often when we hear of the passing of a person of advanced age we hear the comment that "he led a full life." But there is a particular sense of regret and dismay when we see a young person pass away, knowing that most of his lifetime lay before him.

---

[3] Although two banks are here seeking to affiliate, the method by which they propose to affiliate would result technically in only a one-bank holding company under the Federal Bank Holding Company Act of 1956, thereby avoiding a review of the competitive and banking factors in the application by the Federal Reserve Board. While Chase Manhattan's exchange offer is conditioned on the issuance by the board of (i) a ruling that Chase Manhattan will not become a "holding company affiliate" within the meaning of sec. 2(c) of the Banking Act of 1933, as amended (except for the purposes of sec. 23A of the Federal Reserve Act) or (ii) a voting permit pursuant to sec. 5144 of the Revised Statutes, the extent to which the board may review the merits of the application in determining whether to issue the requested ruling or voting permit is by no means clear.

It is, therefore, with particular regret and sorrow that I call the attention of the House to the passing of W. Dan Latimer III, of Mount Pleasant, Tex., which occurred in Paris, France, on September 28, 1965.

Danny, as he was known to his many friends, served as a page in the House of Representatives under my sponsorship in 1957 and 1958 and was graduated from the Capitol Page School in 1958. He was only 25 at the time of his death.

Because I knew Danny to be an outstanding young man in every respect, and a credit to his family, his State, and his intended profession of medicine, I want to extend my deepest sympathies to his family and friends. He will not be forgotten by those of us who were privileged to know him.

I include in the RECORD at this point an article from the Mount Pleasant, Tex., Times, of September 30, 1965, and a statement prepared by several Capitol Hill employees who served with Dan as pages in 1957 and 1958.

Paris Crash Is Fatal to Local Man

W. Dan Latimer III, 25, was killed Wednesday morning in Paris, France, when the motorcycle he was riding was in collision with a taxi at the southern edge of the city. The accident was at 8:30 a.m., Paris time.

Latimer died of head and chest injuries, the Associated Press reported. The taxi driver and a passenger were hurt, the news service said.

Latimer's parents were notified Wednesday afternoon by the American consul in Paris.

A memorial service will be held Saturday afternoon at 2:30 at First Presbyterian Church. Private funeral services will be held later.

He was born September 19, 1940, at St. Joseph's Hospital in Paris, Tex. He was a native of Mount Pleasant, his family having resided here since 1937.

He attended schools in Mount Pleasant, and was active in all school activities. He twice served as a page in the U.S. House of Representatives in Washington, D.C., and was graduated from the Capitol Page's School there.

He attended Loomis Preparatory School in Windsor, Conn., and was graduated from Tulane University, at New Orleans, La., in 1963.

At the time of his death he was a third year medical student on leave from the University of Texas School of Medicine to study in Paris under Dr. Jean Hamburger, in the field of organ transplants. Just prior to going to France to study, he was at the Mayo Clinic in Rochester, Minn., for 10 weeks on a special scholarship, studying anatomic pathology.

At the University of Texas School of Medicine, he was a member of Phi Chi medical fraternity. At Tulane, he was a member of Sigma Alpha Epsilon social fraternity.

Surviving are his parents, Mr. and Mrs. W. Dan Latimer Jr., 506 Dellwood, and a sister, Mrs. David Hagey of Austin, Tex.

Statement by Friends of Danny Latimer Who Served With Him in the House of Representatives When He Was Page

Those of us who knew Danny Latimer during the time we served with him as pages in 1957 and 1958 have learned with sorrow of his passing.

We will always recall him as a bright and cheerful friend who was full of life, and even some mischief on occasion. When he first came to Washington as a page boy he was perhaps the shortest page Texas had ever produced. Almost before our eyes, during his term as page, he grew to be 6 feet tall. When he graduated from Capitol Page School in 1958 he had already decided the course he wished to follow in life. The 1958 Page School yearbook, "The Congressional," noted in his biography that it was his wish to become a surgeon, a goal he was pursuing with distinction at the time of his death.

We will always remember Dan fondly and we want to express our most sincere sympathy to his family. Our sense of loss for a good friend cannot be expressed in words alone.

URBAN RENEWAL IN DUBLIN CITY, IRELAND

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. SWEENEY] is recognized for 5 minutes.

Mr. SWEENEY. Mr. Speaker, I rise to draw the attention of the House to the report that at long last the free people of the Republic of Ireland in their own unique way have embarked upon a program of urban renewal in Dublin City, Ireland, and that as part of this urban renewal program Nelson's Pillar, long symbolic of Great Britain's rule over Irish people, has been destroyed.

The occasion of its destruction brings to mind indeed bitter days of intense feeling between the people of Ireland and their English oppressors of other generations and Nelson's Pillar standing on O'Connall Street was but an unwholesome reminder of these days of antagonism.

Mr. Speaker, it is good that it is gone, for through patient diplomatic effort, the relations between the Republic of Ireland and Great Britain have steadily increased in genuine friendliness up to a point where the economic ties between these two nations today are strong and sure.

It is good that monuments such as these, commemorating imperialistic periods during which England imposed herself upon the free people of Ireland, are forgotten. The passing of this particular monument, however, should serve as a reminder to all of us that the problem of a divided Ireland still exists in a troubled world, and this once free and independent nation is still arbitrarily and unnaturally partitioned by the will of Great Britain, who through force of arms maintains a military government controlling the six northern counties of the land.

Mr. Speaker, the elimination of Nelson's Pillar should be a reminder that there are those in the world who lose heart in the proposition that through evolution their land can be united and free, and through discouragement and despair in the constitutional processes turn from evolution to revolution in an effort to secure these ends.

Today the entire free world should think long and hard about the proposition of bringing about at long last the reunification of the whole of Ireland, not just 26 counties of the land, but all 32 in granting to these God-fearing people the right of self-determination through free elections which we so piously espouse to be the underlying principle of our own American foreign policy.

Mr. Speaker, the full influence of our Government should be brought to bear on the Irish question and our good allies in Great Britain should ponder seriously the gains to be achieved through urging Irish unification.

The IRA and all of the revolutionists who brought about the limited Irish freedom this land now enjoys are few in number and we hope that there will be no struggle of physical forces throughout the Republic of Ireland in the future.

To avoid such a possible revolutionary struggle, to eliminate the very reason for the existence of revolutionary forces in this Emerald Isle, I believe it is in order to urge that the United States take a position urging Great Britain along this course that I have mentioned so that, yes, in our lifetime, the epitaph of Robert Emmett, the famous Irish patriot might be written, and that the land of this great Irish hero might, free and undivided, once again take her rightful place among the families of nations of the world.

RESOLUTION BY VFW

Mr. HANSEN of Idaho. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, the spokesmen for the many veterans throughout our Nation are, of course, the national veterans organizations which keep abreast of issues ranging from veterans benefits to Americanism versus communism. By its very nature military service demands a hard-nosed realism in confronting and resolving problems which is matched only by the law enforcement agencies in civilian life. It is not surprising then that the major issues which concern our Nation today receive a no-nonsense treatment at the hands of various veterans organizations, especially those issues which bear on the continuing security of the United States.

The 66th National Convention of the Veterans of Foreign Wars of the United States was held in Chicago from August 13 to 20, 1965. Of the numerous and varied resolutions passed at the convention, those relating to Americanism, communism, and Vietnam are certainly worthy of consideration in the light of serious current events.

Perhaps the motivation for the following resolutions is best described by the UPI photo from Vietnam which appeared in the Washington Daily News yesterday, March 7. An American soldier is shown in full battle dress, with the inscription, "In God We Trust," written across his helmet. Though protected, as far as possible, by the modern implements of war, this soldier is a 20th century personification of our forefathers' reliance on God. In the same vein is the following partial listing of VFW resolutions, blending a deep, religious faith with commonsense measures of protection against this Nation's most treacherous enemy.

AMERICANISM

1. Amend the Constitution to allow prayer in public schools (Res. 161).

2. Oppose any attempt to change the "Pledge of Allegiance" (Res. 163).

3. Publicize the slogan: "For God, Flag, and Country" (Res. 175).

4. Designate May 1 of each year as Loyalty Day on all calendars (Res. 178).

5. Cooperate with national organizations to promote youth, safety, and patriotic programs (Res. 217).

6. Support police and law enforcement officials (Res. 227).

COMMUNISM AND VIETNAM

1. We reaffirm our complete, unwavering opposition to communism in all its forms, both foreign and domestic, and will resist all Communist policies against the United States and all persons who support, defend, aid, and abet them (Res. 19a).

2. We strongly support a U.S. foreign policy designed to aid the liberation of enslaved peoples of the world (Res. 19c).

3. We endorse and recommend the continuation of the work of the Federal Bureau of Investigation, and other Federal and State agencies charged with protecting the internal security of the United States (Res. 19f).

4. We endorse and recommend the continuation of the work of the Senate Internal Security Subcommittee, the House Committee on Un-American Activities and any other congressional committee formed for the purpose of protecting our country from Communist and other subversive activities (Res. 19g).

5. Require Russia and other countries to pay United Nations obligations (Res. 20).

6. Oppose foreign aid to certain countries (Res. 126).

7. Enforce the Monroe Doctrine (Res. 134).

8. Support the Organization of American States (Res. 138).

9. Take the initiative in the struggle against communism (Res. 150).

10. Maintain a strategic war deterrent force (Res. 152).

11. Oppose the treaty which would permit the establishment of Soviet Union consulates in various sections of the United States (Res. 270).

12. Support our Government in whatever action is necessary to conclude the war in South Vietnam (Res. 21).

13. Protect relatives of veterans from threatening and harassing phone calls (Res. 263).

14. Prohibit entry into U.S. ports by any ships which carry cargo into North Vietnam (Res. 268).

15. Enforce the law against those who undermine our policy of defending South Vietnam (Res. 269).

TOWARD HARMONIZATION OF WORLD ANTIDUMPING LAWS AND REGULATIONS

Mr. HANSEN of Idaho. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. CURTIS. Mr. Speaker, in the Congressional Record, volume 111, part 9, pages 12075–12077, I introduced House Resolution 405 directing the President to prepare an international agreement to harmonize the administration of the antidumping laws and regulations of all nations. Most nations are agreed that pernicious dumping—that is, sales in foreign markets at less than the home market price which are intended to injure or destroy competition—is an economic evil. Beyond this central concept there is much disagreement among nations, and many differences in their procedures against dumping. An international code would bring agreement on a definition of dumping and related concepts, and on measures against dumping. At the same time such an agreement would help expand, rather than constrict, the flow of trade.

When I introduced House Resolution 405 the idea of an international antidumping code was still quite new. I have been gratified by the favorable response this resolution has received from many segments of American business, and include at the close of my remarks two letters of particular note endorsing House Resolution 405. The concept of an international code has also received impressive support in the Senate. On July 28, 1965, Senators Javits, Republican, of New York, Jordan, Republican, of Idaho, and Miller, Republican, of Iowa, introduced a companion resolution, Senate Resolution 133 in the Senate—Congressional Record, volume 111, part 14, page 18534. Included at the close of my remarks are the comments of Senator Javits on introducing Senate Resolution 133 on behalf of Senators Jordan and Miller.

In addition, at least two well established private U.S. organizations have studied the problems of world dumping in detail and have made serious and scholarly proposals for an international antidumping code. These private organizations are the U.S. Council of the International Chamber of Commerce, and the U.S. Business and Industry Advisory Council—USBIAC—to the Organization for Economic Cooperation and Development—OECD. Clearly such sound support for an international code belies certain congressional critics' claims that the harmonization approach is an impractical, futuristic panacea.

Since June 1965, the United States, under the leadership of the special representative for trade negotiations, and with the cooperation of the Treasury Department, has made noteworthy progress toward an international understanding on dumping. On January 20, 1966, U.S. representatives met with representatives of the United Kingdom, the European Economic Community—EEC—and other nations under the aegis of the General Agreement on Tariffs and Trade—GATT—to discuss British proposals for an international agreement that would harmonize the participating nations' practices designed to curb dumping. As of last June, the special GATT working group on dumping, which had been established as part of the machinery of the present sixth round of tariff negotiations under GATT, had never met. There is evidence that even the EEC, which has been unable to participate in the major part of the GATT trade negotiations since June 29, 1965, has contributed to the working group's discussions. The British Government has played a major role in the recent discussions, and deserves credit for having actually proposed a draft code for consideration by GATT member governments.

The discussions which began on January 20 are important because they represent the first formal attempt to bring the problem of dumping, a long standing, serious international trade problem, to earnest negotiation among major trading nations. The Treasury Department, which has charge of the administration of the U.S. antidumping law of 1921, has recently shown commendable flexibility in this effort.

Future discussions by the Antidumping Working Group are scheduled. An agenda has been agreed upon. I hope personally to observe and participate in these discussions in Geneva at the earliest appropriate time. This work is especially important because antidumping measures are one of those few nontariff barriers to trade which are shared by most trading nations, though some countries have chosen to treat U.S. antidumping law as one of the great nontariff barriers to international trade, forgetting that they, themselves, maintain nontariff practices which are very harmful to international trade. I believe that a successful conclusion to such negotiations is possible within a relatively short time, perhaps within the June 30, 1967, deadline set for the Kennedy round.

HERLONG-HARTKE AMENDMENTS TO 1921 ANTIDUMPING ACT

When introducing House Resolution 405 one principal concern was that the Herlong-Hartke bill (H.R. 8510) to amend the 1921 Antidumping Act, under which our present antidumping program is administered, would introduce changes in our law and procedure that would aggravate, rather than alleviate, this longstanding international trade problem. In my opinion, H.R. 8510 would merely increase foreign animosity against U.S. practice. At the same time it could bring retaliation by means of foreign antidumping action against U.S. exports, and thus would not, in my opinion, advance the goal of greater reciprocal international trade.

As other nations continue to develop their antidumping procedures the international economic problem of dumping continues to threaten to become a danger to American exporters. The possibility that U.S. exports could be impeded by foreign antidumping procedure in retaliation for U.S. action is dangerous at a time when increased exports is a major objective of U.S. foreign economic policy. Antidumping proceedings against four large U.S. synthetic rubber manufacturers have been brought by one large European nation, and are now pending. Since 1960 other nations have instituted antidumping proceedings against many other U.S. exports, a partial list of which is attached.

The European Economic Community draft regulation on antidumping and countervailing duties has cleared all internal hurdles except to be approved by the EEC Council. It would establish a formal EEC antidumping procedure.

Until now EEC countries have separately administered their antidumping measures, which are in some cases unpublished and unknown, and in many cases highly uncertain in application. Formalization of a uniform EEC antidumping regulation will mean at least that antidumping proceedings can be dealt with "above the table." This would be a step forward. But the United States must strive by international negotiation to attempt to insure that these new EEC regulations, as well as the antidumping regulations of all nations, are made compatible with the goal of the expansion of world trade.

An effective and reasonable solution to the problem of dumping which would serve the needs, not just of the United States but of all trading nations, must be devised. Such an agreement would, ideally, define the central concepts involved, such as what is dumping, what constitutes injury, and what is the definition of the industry which is harmed by dumping.

It would also provide standard measures of dealing with injurious dumping when it is found to occur. We should try to the extent possible to modify the effects of, and prevent dumping sales by taking action against them, just as U.S. unfair trade practices legislation makes illegal and punishable such predatory and discriminatory sales within the U.S. domestic market.

But the nature of such action should be agreed among all parties. It should not invite harsh reaction from our trading partners. It should be considered in the broader context of an effort to promote the best possible international climate for business operations, for capital movements, and for trade. Thus, in House Resolution 405, I called for the establishment of international rules of fair competition for international trade. By fair competition I meant a body of rules under which healthy competition should flourish, rules by analogy similar to U.S. laws against unfair trade practices. I do not mean a system of international cartels, market sharing agreements, administered prices, and other practices restrictive of competition.

In endorsing my proposal for an international agreement to codify worldwide dumping concepts and antidumping procedures and in rejecting the Herlong-Harris idea of passage by the United States of a hard and tough antidumping law prior to negotiating such an agreement, the June 4, 1965, Journal of Commerce editorial had this comment:

> What better country to lead the parade [toward an international understanding] than the United States itself, which enjoys the double distinction of being at one and the same time one of the world's greatest and most persistent dumpers and one of the nations most sensitive to its evils when it fancies itself the true victim?

Nonetheless, on June 23, 1965, my colleague from Texas [Mr. THOMPSON] spoke in opposition to the idea of negotiating an international antidumping harmonization code at present—CONGRESSIONAL RECORD, volume 111, part 11, page 14523. Instead, he asked that the legislative branch itself examine the antidumping law before allowing the executive to pursue an international antidumping code as requested in House Resolution 405.

Critics such as the gentleman from Texas [Mr. THOMPSON] argue that having a tough antidumping law would strengthen the hand of U.S. negotiators at any international conference whose purpose would be to codify the nature of dumping and the procedures and remedies pertaining thereto. But there is no evidence, in my opinion, that the present U.S. law and its fully published administrative procedures is an unsuitable base for international negotiation.

Additionally, my colleague's statement entirely ignores the very likely possibility of foreign retaliation through equally tough antidumping laws and procedures abroad. Furthermore, it would be impossible for U.S. negotiators to bargain away the tough provisions of a law passed by the Congress and approved by the President.

In introducing the companion measure to H.R. 8510 in the Senate, Senator HARTKE, Democrat, of Indiana, said it is time that "the rules of the road be clarified." The Senator forgets the rules of the road for all travelers cannot be laid down unilaterally by one motorist. Critics of House Resolution 405 and its companion Senate measure, Senate Resolution 133, have said its sponsors are grasping at the panacea of an international code to unify antidumping laws, and cite the impracticability of an international code of fair competition. I suggest that those critics should elevate their sights. These goals are obtainable if all of us, both in Congress and the executive, work toward their achievement.

DISCUSSION OF HERLONG-HARTKE PROPOSALS

Below are explored some objections to the provisions of H.R. 8510 in the hope that they may provide alternative points of view and stimulate discussion. If valid, many of the Herlong-Hartke proposals may be acceptable for inclusion in an international code, and thus be used as standards of behavior for all subscribing nations. But there are many objections to unilaterally enacting these provisions.

It should be kept in mind when reading the following that at present to find dumping and to levy an antidumping tariff requires a two-stage investigation. First, the Treasury must find sales at less than fair value, and the Tariff Commission must then find injury to the domestic industry.

First, dumping defined: H.R. 8510, section 212(c), speaks of the first stage of present antidumping procedure, the Treasury's finding of sales at less than fair value, as a dumping determination. Sales in the United States below market prices in the exporting country per se do not constitute dumping even under the present U.S. law, nor under article VI of the GATT, unless there is injury to a domestic industry.

No opprobrium attaches to sales below home market prices per se. Economists have pointed out that such sales can be normal, sound business transactions, beneficial to consumers in the buying country. The question whether export sales are in fact below home market prices is usually a complicated one in itself, requiring judgments as to what allowances are to be made for different circumstances of sale in comparing the prices.

Frequently, the market structure in the receiving country makes differential pricing essential if the goods are to move, just as it is often necessary to price differently in different parts of domestic markets.

Accordingly, the real economic test whether sales below home market prices should be discouraged perhaps should be whether they are made with predatory purpose—unfair competition in the classical sense—and whether they cause meaningful distress for important segments of the receiving country's economy. The legal test for dumping in the U.S. law is "injury," and there have been differences of opinion among lawyers and economists and within the Tariff Commission as to just what this means. Several Tariff Commission injury decisions have upheld the concept of predatory purpose. H.R. 8510 would insure an answer that would interpret injury loosely and thus easily trigger antidumping duties.

Second, so-called loopholes in present law and proposed clarification of standards. H.R. 8510 supporters allege it would close loopholes and "clarify standards" in present law. The Antidumping Act of 1921, as amended by the Congress in 1954 and 1958, gives the Treasury Department and the Tariff Commission sufficient authority to search out and punish cases of dumping. The extent to which H.R. 8510 proposals would prevent or make more difficult the proof of actual facts by the foreign suppliers, is called a "clarification of standards". So far as the Treasury Department is concerned, the proposed "standards" would require that agency to accept data such as published price lists as actual transaction prices, unless the accused foreign suppliers can carry a very heavy burden of proof. The proposed "standards" would impose such strict tests of injury to be applied by the Tariff Commission that the functions of the Commission as a deliberative body exercising judicious discretion based on thorough analysis would atrophy.

Third, fragmentation of markets: H.R. 8510 distorts the concept of domestic industry, against which injury must be determined by the Tariff Commission before an antidumping duty can be levied. H.R. 8510 domestic industry is stated in terms of vendors rather than producers, and would make any limited number of such vendors an "industry," provided they were supplying the competitive market area—which could be just one port city.

For example, six or eight wholesalers supplying domestically manufactured ordinary common steel wire nails to the city of Baltimore—where some nails may be imported at less than fair value—could be considered an injured industry, thus bringing antidumping duties into force throughout the entire country, despite the fact that: First, the wholesalers are not producers of the wire nails in question; second, their sale of wire nails could well be less than 1 percent of the nationwide industry's production; third, the manufacturers for whom they are vendors could be in a highly prosperous situation; and fourth, the industry as a whole is unaffected by the Baltimore entries.

In order to protect the most marginal firm or sector of such an industry the total industry would receive a margin of subsidy. The GATT speaks in terms of injury to an industry, not in terms of an injury to vendors or fragmented market areas. On this point it is argued that the Herlong-Hartke bill would violate article VI of the GATT.

It would seem that the proposed definitions of material injury, competitive market area, and domestic industry, are designed not in the interest of greater certainty, but in the interest of greater freedom from import competition.

Fourth, time limits on investigations: H.R. 8510 would place a 6-month deadline upon the Treasury investigation of the existence of less-than-fair-value prices, unless the Secretary of the Treasury obtained permission from the chairmen of the House Ways and Means or the Senate Finance Committee to extend the time limit of the investigation. Speediest possible disposition of antidumping proceedings is always to be desired. However, mandatory time limits on investigations—which may cover many products, many producers, and many ports of entry—might not allow maximum thoroughness and fairness in the processing of a complaint.

This could well result in injustice to one side or the other. In the case of H.R. 8510 the injustice could fall with heavier weight upon the U.S. importers and foreign exporters because the processing of a dumping complaint at the sales-at-less-than-fair value stage is so complex.

First, the Customs Bureau questionnaire of the foreign exporter must be drawn up, then transmitted through diplomatic channels to the foreign exporter. He must then begin to answer these questions, which often are complex and time consuming.

When the reply is received by Customs, its examiners in all major ports of entry of the contested product go through invoices and other data to determine whether the exporter's reply is sound. Frequently the Customs Bureau sends back additional questions to the exporter.

When the material is ready and is submitted with a recommendation from the Commissioner of Customs to the Secretary, he can then issue a tentative determination of sales at less than fair value, or no such sales. This determination is published in the Federal Register, with the provision that contestants can file further statements. At the end of 30 days, if there is no contest of the Secretary's decision, the final determination can be made. It would be difficult to complete this process within 6 months without damage to the interest of the U.S. importer and foreign exporter, whose case is being elicited and examined, and who could bear the penalty of an antidumping duty.

This account of the procedures inherent in a determination of "sales at less than fair value" is indicative of the complexity of the subject with which we are dealing. Yet we must remember that this determination is only half of the procedure required before an antidumping duty can be imposed; the other half, of course, is the finding of injury to a domestic industry by the Tariff Commission.

The difficulty of achieving truly equitable procedures throughout these lengthy, difficult investigations—procedures just as fair to U.S. business as to U.S. importers and foreign exporters—should make us think twice before adopting simplistic solutions to extremely complex problems.

Fifth. Confrontation and cross-examination: H.R. 8510 would institute contentious proceedings during the Treasury Department investigation, which is a technical search for complex and confidential business facts. It is objected that such a manner of proceeding would add little to Treasury's expert knowledge.

Furthermore, jurisdictional problems would exist with respect to foreign suppliers, who would be presented with the Hobson's choice of submitting to cross-examination with respect to their confidential business operations or of creating an appearance of noncooperation, which could well be fatal to their case. Since the Treasury investigation is a weighing and assessing of complex data by an expert body, it is difficult to see what useful purpose confrontation and cross-examination, not by Treasury officials but by the complainants, could serve.

Sixth. Treasury's continuing problem of trying to determine actual foreign prices: H.R. 8510 would require that formal listed prices be used as actual transaction prices unless there is conclusive evidence that these prices are not observed.

One of the Treasury Department's greatest difficulties in antidumping investigations is the discovery of actual home market prices of articles against which a dumping claim has been filed.

The new rules proposed in the Herlong bill might well make Treasury's task easier, but they might result in stacking procedures in favor of the domestic complainants regardless of the equities of the case. Mandatory use of unrealistic published foreign price lists would be required by Treasury, in the absence of conclusive proof that actual prices were different. Discounts for sales in large wholesale quantities would virtually be eliminated as a valid price adjustment, even though such practice is now widely accepted, and foreign suppliers would be forced to the impossible proof of showing they subjectively had all the differing costs of sale in their minds at the time of establishing export prices.

Unrealistic limitations are placed upon the use of third-country sales as a basis for the price comparison. Upon pain of losing the case, foreign suppliers would be forced to make public at Treasury proceedings all their detailed confidential business data to their competitors, the complainants. All these and other provisions, as a practical matter, would make the proceeding inequitable from the standpoint of the U.S. importers and their foreign suppliers.

Seventh, Tariff Commission Role: In his introduction to H.R. 8510—CONGRESSIONAL RECORD, volume 111, part 11, pages 14523–14524—the gentleman from Florida speaks devisively of the Tariff Commission's decisions in previous dumping cases it has decided. He does not indicate that these decisions are reached after 3 months of intensive investigation by the Commission's expert economic and legal staff and that its conclusions are reached among six commissioners, expert in trade matters, after presiding over hearings and reading briefs submitted by both parties.

The Tariff Commission's occasional inability to agree, criticized by proponents of H.R. 8510, is not unusual for any commission or tribunal; application of legal concepts to differing facts on a case-by-case basis would be suspect if decisions were always unanimous. The inflexible "reliable standards" provided by H.R. 8510 might indeed impose upon the Tariff Commission the unanimity of automatons—but only at the expense of the equities of a particular case, and of the Tariff Commission as an independent institution.

CONCLUSION

These arguments should be considered by proponents of H.R. 8510 as serious objections to their proposals. The arguments substantiate, I believe, my position that H.R. 8510 would make U.S. antidumping procedures a most serious international trade barrier. Now is the time to seek ways through international negotiation to minimize, not to maximize, the problem of dumping as an irritant to trade and economic relations among States, and to pursue this goal as part of a thorough, purposeful U.S. effort to bring international peace through international economic cooperation based on sound economic principles.

Extraneous material in connection with my remarks follows:

CHAMBER OF COMMERCE OF THE
UNITED STATES,
Washington, D.C., August 13, 1965.

Hon. THOMAS B. CURTIS,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. CURTIS: We welcome and support your proposal set forth in House Resolution 405 to initiate a study of the antidumping laws of all countries with the expressed goal of establishing an international agreement to harmonize the operation and administration of such laws.

The proposal is consistent with the business community's position that every effort should be made to establish uniform antidumping laws and regulations among trading nations.

While the U.S. antidumping law is intended to curb injurious dumping of foreign goods in the U.S. market ,we believe care should be taken not to amend the U.S. law so as to lead to an unduly protectionist interpretation or implementation. This would impair healthy trade expansion and/or invite damaging retaliation by other countries. We are not persuaded that the current bills to

amend the Antidumping Act of 1921 would avoid this situation.

Sincerely yours,

DON A. GOODALL,
Legislature Director,
Legislative Department.

AMERICAN BAR ASSOCIATION,
Washington, D.C., June 14, 1965.

Hon. THOMAS B. CURTIS,
House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE CURTIS: As chairman of the American Bar Association Committee on Tariffs and the GATT may I extend my congratulations to you for your thorough and penetrating progress report on the current GATT trade negotiations which you presented in the CONGRESSIONAL RECORD of June 2. Your report is, undoubtedly, the most realistic summary available of the present U.S. position on the Kennedy round of GATT negotiations.

Again, I want to congratulate you on your most knowledgeable and statesmanlike position in regard to the antidumping question. Your remarks on the need for an international dumping code in the CONGRESSIONAL RECORD of June 1 were extremely persuasive. Within the American Bar Association Committee on Tariffs and the GATT, we have long felt the need for a comparative study of the various national antidumping laws to determine the desirability of an international antidumping code. By the end of next month we hope to complete the first phase of our study, a comparative study of the antidumping codes and practices of the member nations of the European Economic Commission, the United States, the United Kingdom, Canada, and Japan, as well as the proposed antidumping regulations of the European Economic Community.

I would be pleased to cooperate with you in your study of the antidumping situation.

Best wishes.

Sincerely yours,

ALAN D. HUTCHISON,
Chairman, Committee on
Tariffs and the GATT.

NEW INTERNATIONAL APPROACH NEEDED TO ANTIDUMPING LAWS

Mr. JAVITS. Mr. President, concerted efforts are currently being made by many nations to remove the obstacles to a free flow of international trade. The most promising international attempt to strike down world trade barriers is the current Kennedy round of the GATT negotiations in Geneva. The United States has taken the lead in these negotiations in working for the reduction and elimination of tariff barriers. However, foreign nations, having little else to complain about U.S. trading practices, point out that our antidumping policies contribute a nontariff barrier to international trade.

The purpose of U.S. antidumping procedures is to prevent foreign nations from selling goods in our markets at lower prices than they charge for the same goods in their own domestic markets, in effect dumping surplus merchandise on our shores. Most businessmen and economists agree that there is sound economic justification for antidumping codes, but the issue is complicated by the necessity to determine what constitutes sales in our markets at less than fair value and whether injury to U.S. producers has resulted.

These two criteria for determining dumping raise numerous administrative and conceptual difficulties which have been compounded by the numerous revisions of the original Antidumping Act.

We are now working under essentially the same Antidumping Act passed in 1921, although there have been many subsequent regulations and revisions. The labyrinth of antidumping regulations that now exists has become almost impossible to administer and enforce fairly. An immediate result of the complex of antidumping revisions and regulations is that present U.S. procedures often withhold the evaluation of imported merchandise under the antidumping regulations for unreasonably long periods of time. It is for this reason that our antidumping program is charged to constitute an unjustified nontariff barrier to international trade.

What is worse is that recently other nations have begun to implement and enforce antidumping regulations of their own. Their efforts are often inexplicit and poorly designed and threaten to be used as protective barriers against foreign competition. The danger is great that international trade may be increasingly restricted by a multitude of national antidumping procedures, each system different from any other. The present situation clearly calls for an international approach to the antidumping issue. It is useless to work for the reduction of tariff barriers to trade if nontariff protection is going to increase through such programs as national antidumping regulations.

Recently, Representative THOMAS B. CURTIS, of Missouri, one of the four congressional members of the U.S. delegation to the present GATT negotiations and a Republican colleague of mine on the Joint Economic Committee, introduced a House concurrent resolution calling for the President to take such action as is needed for the preparation of an international agreement harmonizing the antidumping laws of all nations.

I commend Representative CURTIS for his demand for a new approach to antidumping and wish to introduce a similar resolution in the Senate on behalf of myself as well as Senator JACK MILLER, of Iowa, and Senator LEN B. JORDAN, of Idaho, my two Republican colleagues on the Joint Economic Committee. This resolution calls upon the President to take the necessary action to convene an international conference with the purpose of concluding an agreement harmonizing the antidumping laws and procedures of all nations. Only a new, international approach can prevent the possible restriction of world trade by numerous national antidumping codes.

The VICE PRESIDENT. The resolution will be received and appropriately referred.

The resolution (S. Res. 133) was referred to the Committee on Finance, as follows:

"*Resolved*, That it is the sense of the Senate that the President should immediately initiate a study of the antidumping laws of the United States and other major trading nations and take such action as may be necessary to convene a conference of such nations, as well as other interested states, for the purposes of establishing an international code to provide for uniform treatment under the antidumping laws of participating nations of the imports of other signatories. Such a code should harmonize the antidumping laws, and administrative procedures thereunder, of participating nations."

SOME ANTIDUMPING ACTIONS AGAINST U.S. FIRMS SINCE 1960

(NOTE.—Dumping duties were not levied in all cases.)

European countries: Polyethylene, aluminum ingot, antifreeze, styrene monomer, lithium hydroxide and lithium carbonate, potassium bromide, butanol, ethylene glycol, rubber (synthetic), kraft paper, furfural, cellophane.

Other countries: acetate yarn, color pigments, penicillin, phthalic anhydride, sodium tripolyphosphate, paradichlorobenzene, streptomycin, fluorocarbon, detergent alkylate, glycerine, aluminum foil, phenol, phosphoric acid, carbon tetrachloride.

Liquid caustic soda, motors for 2-speed differential, molded-case circuit breakers, neoprene diving suits, projection screens, polyvinyl-chloride-coated fabrics, shotgun cartridges, silicone fluids, soda ash, sorbitol, soya flour, super playballs, and certain vinyl floor coverings.

CONGRESSIONAL REFORM—NEW YORK TIMES SUPPORTS CURTIS PLAN FOR MINORITY COUNCIL ON ECONOMICS

Mr. HANSEN of Idaho. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, last week I inserted in the CONGRESSIONAL RECORD—page 4499—a column by Roscoe Drummond and called the attention of my colleagues to the subject matter—the excellent proposal offered by the gentleman from Missouri [Mr. CURTIS] that a Minority Economic Council be established.

This proposal has now received further editorial support from the New York Times. The editorial follows these comments of mine.

The Times believes that to establish the Minority Council would be a "long and probably futile battle." It is discouraging that so distinguished a newspaper appears to be giving up the fight so early in the game. An aroused public, backing an excellent idea, can still find a hearing in these Halls. The Times would have served the cause of good government if it did not write off the chances for this proposal.

However, the paper does suggest a constructive alternative when it proposes that the gentleman from Missouri launch his own inquiry into the effectiveness of the administration's anti-inflationary defenses. The editorial points out that there is no shortage of experts in a position to suggest ways to strengthen tax policy and to recommend alternatives to the administration's economic guideposts. The writer goes on to say that a study, followed by a full-scale debate in Congress could arouse the Nation and possibly spur the administration to greater efforts in the war against inflation. This is undoubtedly true and I join in the hope that the gentleman will attempt as best he can to follow the suggestion of the Times.

MINORITY SHORT OF STAFF

In view of the fact, however, that the minority is hampered seriously by a shortage of staff, I think the editors of the Times overlook the problems that we would face in mounting such hearings. Underlying this and other problems facing the Nation is a deplorable lack of staffing support which the minority can command.

The minority leader [Mr. FORD] has suggested and urged that the minority be given control of at least one investigatory committee, particularly when the same political party controls both the executive and legislative branches. Distinguished members of the majority—I refer specifically to testimony presented to the Joint Committee on the Organization of Congress by the gentleman from Connecticut [Mr. MONAGAN] and the gentleman from California [Mr. KING]—

have openly admitted the problem of staffing for the minority is a real one.

If Congressman CURTIS can find the energy and supporting talent to undertake such broad inquiries without formal staff assistance and on top of all his other duties, the country would be greatly in his debt. Indeed, we already are, for the distinguished gentleman's contributions to the Congress and the Nation over many years of dedicated service are well nigh immeasurable.

Hopefully, what such hearings lack in staff support could be made up by the voluntary efforts of public-spirited citizens and coverage in depth by the news media.

The Times editorial follows:

[From the New York Times, Mar. 4, 1966]

DEBATE ON INFLATION

Representative THOMAS B. CURTIS, of Missouri, a conscientious and conservative member of the Joint Economic Committee, proposes creation of a minority economic council, financed by congressional appropriation, to serve the opposition party in Congress as a kind of counterbalance to the President's Council of Economic Advisers. Mr. CURTIS thinks that the Nation should be given alternatives to administration economic policy in a number of areas, including the war on poverty, foreign trade and the use of wage-price guideposts, which he argues are being applied without any debate.

Congress has traditionally been reluctant to provide the minority with adequate staff on the standing congressional committees. It is unlikely to change this policy, but the issues raised by Mr. CURTIS warrant debate. There has been a conspicuous lack of informed discussion in Congress about the validity of the administration's guideposts or the usefulness of its guidelines to curb the flow of private capital abroad.

Instead of embarking on a long and probably futile battle for a minority council, Mr. CURTIS could make an immediate contribution by launching an inquiry into the effectiveness of the administration's anti-inflationary defenses. There is no shortage of experts in a position to suggest ways to strengthen tax policy or to recommend alternatives to the guideposts. A study followed by a full-scale debate in Congress could arouse the Nation and possibly spur the administration to greater efforts in the war against inflation.

ADMINISTRATION'S VERSION OF ECONOMIC OPPORTUNITY ACT OF 1966

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. GIBBONS. Mr. Speaker, I have today introduced the administration's version of the Economic Opportunity Act of 1966 and I ask unanimous consent to insert in the RECORD at this point an explanation of the supposed legislation.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

EXPLANATION OF ECONOMIC OPPORTUNITY AMENDMENTS OF 1966

Section 1. Short title: This section provides that the act may be cited as the "Economic Opportunity Amendments of 1966."

Section 2. Authorization and financing:

(a) This subsection authorizes a fiscal year 1967 appropriation of $1,750 million for programs under the Economic Opportunity Act. This appropriation would be used for all programs under the act except the college work-study program which is administered by the Office of Education as part of the program of student assistance provided under the Higher Education Act of 1965. Also, in the case of the title IV small business loan program, the authorization would cover only funds needed for screening, counseling and similar services provided by small business development centers. Funds for making loans and for Small Business Administration administrative costs are not included, since these would be provided through the SBA revolving fund, as authorized by section 404 of the Economic Opportunity Act.

The total sum authorized would be subject to specific title limitations, as contemplated by the Economic Opportunity Act. The authorization would be included in one brief subsection of the bill, rather than in a variety of amendments to the individual titles of the Economic Opportunity Act. This format is designed so that the authorizing legislation will present a clearer and more concise picture of the total amount authorized and the manner it is contemplated that the funds will be employed.

Specifically, the authorization provided by the bill would permit the following appropriation and program levels during the fiscal year 1967: $533 million for title I programs to permit an anticipated capacity for 45,000 youths in the Job Corps and jobs for 354,000 youths in the Neighborhood Youth Corps; $944 million for title II programs, to sustain community action programs in more than 900 communities, Headstart programs for 700,000 children, and adult basic education programs for 75,000 participants; $65 million for title III programs. This sum will be used to support a greatly expanded program of assistance to migrant workers and their families, and provide loans to 15,000 low-income rural families and 400 local cooperative associations; $5 million for title IV small business loan program. This will be used to provide screening, counseling, management guidance or similar assistance through 120 small business development centers in 70 areas; $160 million for title V work experience programs serving 105,000 participants; $26 million for VISTA (under a new title VIII which the bill would add to the Economic Opportunity Act) to support a program with 4,500 volunteers; $17 million for general direction and administration of the War on Poverty pursuant to title VI.

(b) This subsection extends the duration or term of the various programs under the Economic Opportunity Act until June 30, 1970. This means that each program would have a 5-year term, beginning with its first full year of operation. The change would facilitate long-range program planning. It would not, however, affect congressional control over annual program levels, since specific authorizations, as well as appropriations, would still be necessary for each fiscal year.

(c) This subsection extends for 1 year authority to provide Federal assistance to work-training, community action and adult basic education programs at a basic level of 90 percent of program costs. The act now provides for a reduction of assistance to 50 percent of program costs. This reduction would begin to affect some programs in the fiscal year 1967, since assistance granted during that year may extend to activities carried on during the following fiscal year when the reduction will become effective.

It is now clear that a 50-percent level of support would be too low and would drastically impair the capacity of States, communities, and local agencies to carry on projects already initiated. A further analysis of each program is being made to determine the administrative actions and specific statutory amendments needed to assure that the required commitment of non-Federal resources will be as meaningful as possible consistent with the varying fiscal capacities and needs of different States and communities.

Section 3. Criteria for community action programs: This section would provide the Director with more specific authority to prescribe and enforce requirements for local community action programs on matters relating to fiscal procedures, evaluation and audit, preclusion of partisan political activities, and personnel standards that are basic to the success of those programs.

Section 4. Community action personnel assistance: This section expands authority to provide technical assistance by permitting special assignments of Federal personnel to local community action or State technical assistance agencies. Some communities, particularly in low-income rural areas, have a need for guidance and technical expertise that cannot be met through normal avenues of advice or brief visits of Federal or State technical assistance personnel. The amendment would permit highly qualified persons to work with some of these communities having especially difficult problems over more extended periods, while retaining their regular employment status. No more than 100 persons could be hired for this purpose or could be on special assignment at any one time, and no such assignment could be for more than 2 years.

Section 5. Adult basic education—State plan criteria and project grants:

(a) This subsection amends section 212 of the Economic Opportunity Act to clarify the educational deficiencies at which adult basic education programs may be directed. At present, section 212 refers specifically only to inability to read or write the English language. The amendment would make it clear that programs may also include adult education in similar basic skills, such as simple arithmetic and speech.

(b) This subsection clarifies and strengthens the criteria for approval of State plans.

The statute now contains little in the way of quantitative or substantive criteria for these plans. If the program is to be maintained in its present basic structure, a better statutory focus is needed, with emphasis on effectiveness in serving low-income persons and coordination with related programs. These objectives are related in that programs will typically be best when the participants can see that basic education is tied to other activities or assistance, such as employment counseling or job training, which give promise of an immediate, tangible impact on their lives. The new criteria would require specific priorities governing the distribution of funds and effective procedures for assuring coordination, at State and local levels, with agencies concerned with problems of poverty, employment, and health. They would also require attention to the special problems of teaching the educationally and economically disadvantaged, and regular or periodic evaluation.

(c) This subsection makes certain amendments in the provisions relating to the reallotment of funds in order to provide somewhat increased flexibility in the use of funds not required for carrying out State plans. It would permit use of these funds in certain cases for special project grants or their reallocation or transfer for use in connection with other programs under the Economic Opportunity Act subject to applicable appropriation and authorization limitations.

(d) This subsection authorizes a limited use of adult basic education funds for special project grants. These could be made directly to local educational agencies or other public or nonprofit agencies. They are designed to encourage particularly innovative programs such as may have national significance. They are also designed to encourage and facilitate projects involving cooperative arrangements, as with agencies conducting community action, employment, or training programs, which hold unusual promise in promoting a comprehensive or coordinated approach to the problems of low-income people with basic educational deficiencies. State educational agencies would be afforded an opportunity to review and comment upon all such grants before they are made, as would the appropriate local educational agencies in cases where grants are not proposed to be made to such agencies.

Twenty-five percent of the funds appropriated or allocated for the adult basic education program could be reserved for special project grants and for the training of adult basic education teachers or instructors. Additional funds for project grants may also be made available in some cases by virtue of the amendments in subsection (c) to provisions governing reallotments.

Section 6. Rural loans: Under this section, the individual loan limit on rural loans would be raised from $2,500 to $3,500 and small farmers and other qualified low-income rural residents would be permitted to obtain credit under the program so long as their outstanding indebtedness does not exceed this amount.

Applications for individual rural loans must now be rejected if it is obvious $2,500 will not be adequate either to finance initial operations or permit an enterprise to be established on a profitable basis. The present loan limit $2,500 also prevents the extending of additional financing which could strengthen small enterprises in the critical first year or two of development. The amendment would be particularly helpful in enabling the individual loan program to serve more effectively the rural nonfarm poor, who make up the majority of the rural poverty population.

Section 7. Grant support—Small business loan program: This section provides direct funding under title IV for public or nonprofit agencies, principally small business development centers, to enable such agencies to provide screening, counseling, management guidance, or similar assistance in connection with small business loans. Funds for this purpose have been provided in the past through grants under the community action program. While the amendment will permit separate financing under title IV, coordination with community action agencies will be maintained.

Section 8. VISTA: New title VIII: This section creates a new title VIII for VISTA. At present, while VISTA is a distinct and separate program in the war on poverty, authority for it is contained in a section of the title for administration and coordination. This amendment recognizes the status of VISTA as a separate program, and clarifies the significant role with which VISTA is charged. A new section 801 declares VISTA's purpose is to enable individuals to participate personally in the war on poverty and to stimulate, develop, and coordinate programs of volunteer training and service through which persons will be encouraged to combat poverty in their home communities.

Two changes are made in the substance of the VISTA authority. The new section 803 authorizes the Director to pay a stipend not to exceed $100 a month to volunteer leaders designated in accordance with standards prescribed by the Director. At present, the maximum stipend for all volunteers is $50 a month. This increase in stipend for volunteer leaders is similar to that provided for persons in similar positions in the Peace Corps. It is designed to recognize the experience, outstanding ability and responsibility of volunteers on whom extra burdens of leadership are placed. Normally only those persons who have completed at least 1 year's service will be eligible. These leaders are not expected to be greater in number than 1 in 25 volunteers.

The second change is contained in the new section 805, which provides for special volunteer programs in furtherance of the purposes of the title. This section would authorize or facilitate new programs of volunteer service that build upon the experience of the present VISTA program. These could include special programs for low-income persons, programs for qualified persons who cannot commit themselves to the 1-year term of service usually required for VISTA volunteers, and programs for qualified persons for whom the experience, supervision and training available in special VISTA programs will serve as valuable preparation for further work in the field of volunteer service. Not more than 15 percent of sums appropriated or allocated to carry out the purposes of title VIII would be available to carry out special programs under this section.

Section 9. Technical amendments: This section contains several technical amendments which do not affect the substance of the existing authority.

Section 10. Higher Education Act of 1965—Moratorium on student loans to VISTA volunteers: This section extends to VISTA volunteers while they are in service the moratorium on repayment of loans under the Higher Education Act of 1965 (Public Law 89–329, 79 Stat. 1239) which that act provides for full-time students, members of the Armed Forces of the United States and Peace Corps volunteers. A comparable moratorium on repayment of loans under the National Defense Education Act was extended to VISTA volunteers by the 1965 amendments to the Economic Opportunity Act.

GIVE RHODESIA A FAIR BREAK

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. ASHBROOK] is recognized for 30 minutes.

Mr. ASHBROOK. Mr. Speaker, it is an old maxim that history keeps repeating itself. It seems to be an unfortunate fact of life, moreover, that we go blindfolded into the same difficult situations without using our God-given faculties to learn, improve our approaches, and refashion our ideas based on experience. In our foreign policy this seems to be exceedingly true—our diplomats fail to learn. I think this can be well illustrated by our unfortunate policy toward Rhodesia which is not realistic and is little more than a rudimentary hangover from the old era when we lost one-third of the world to communism through stupidity and blundering, old days when the theorists never really came to grips with world problems as they are.

About 20 years ago we lost China to the Communists. A great part of this loss could be attributed to the lack of general knowledge of what was going on in Asia, what groups were contending for power, which were our friends, and so forth. The State Department gang and a group known as the Institute of Pacific Relations, headed by Owen Lattimore and others of doubtful allegiance, were grinding out a propaganda mill to the effect that the Chinese Communists were really agrarian reformers and the Nationalist Chinese headed by Chiang Kai-shek were corrupt and dictatorial. We lost China and we may yet have to pay for this folly by an armed conflict with this godless band of murderers who executed more than 20 million of their own countrymen when they took over. Yet, what have we learned? The State Department still suffers from myopic vision. Unlike many of my colleagues, I never underestimate the allegiance of the professional American liberal and the State Department in particular to ideas that do not work. I now see the exact set of circumstances and forces again at work in Africa and in particular, Southern Rhodesia.

The European is put in the place of the Nationalist Chinese and is the exploiter. His integrity and purpose is impugned. He could not possibly be trying to do what is right. He must go. And what has been the scorecard of this policy? South of the Sahara and north of the Zambezi River all too often the record has been one of chaos, dictatorship, blood baths, and coups. A fiction has been created that a nation is independent when it has 90 percent illiteracy, little or no capital for international trade and credit and little or no democratic self-government instinct. The record in Congo, Nigeria, Tanzania, Chad, and other nations has been one which would prima facie give credence to the Rhodesian thesis that majority rule should come through merit and not by waving some mystical wand, pronouncing tribesmen sovereign with the result that everything is turned over to them, lock, stock, and barrel.

FIRSTHAND OBSERVATIONS MADE

I had the opportunity in January to participate as chairman of a factfinding mission to Southern Rhodesia which was sponsored by the American-African Affairs Association. This group, headed by such illustrious Americans as William A. Rusher, John Dos Passos, Hon. Walter H. Judd, Prof. David N. Rowe, Gen. Thomas A. Lane, and scores of others, was organized with the belief that the American public should hear more than one side on Africa since the one side has been so notoriously inaccurate and wrong in the past. We might avoid another China if the public were to get the truth. Many of us felt that the State Department went along with the British attack on Rhodesia after their declaration of independence on November 11, 1965, from an illogical and biased point of view. Together with Dr. Max Yergan and Ralph de Toledano I went to Rhodesia and saw firsthand what was happening there. We talked to Premier Smith, we conferred with nationalist leaders, opposition party members, scores of people in every walk of life. We came away with very definite ideas and these are embodied in a mission report which is included with these remarks.

Some will say we did not spend enough time in Rhodesia to get the real picture. Possibly so but the State Department has had years and they do not have the true picture yet. Some people will never learn. My experience has been that travel to the scene makes a great difference. You can get a feeling of a country when you walk down the streets, talk to the shopkeepers, observe men and women freely chatting and laughing on a corner. Africans did not strike me as an oppressed people. Quite the opposite. On the other hand, when I passed through the Brandenburg gate which separates West Berlin and East Berlin you instinctively get a feeling that the East German is oppressed, uneasy. They wonder who you are and cast furtive glances over their shoulders. "Who are these people? Can they harm me?" they seem to say. After visiting almost two score countries, you have some ability to compare, and by every power of reason and observation I possess it is my honest opinion that Rhodesia is one of the finest countries I have ever visited. Its people are of the very highest quality, their motives are good, their outlook is humanitarian and above all, there is an effort to make improvement. They are proud of what they have built in the wilderness and well they should be. It was done by their toil and ingenuity and they are not prepared to turn it over to those who are unprepared in statecraft or Western democratic ways. Our policy should not blindly require them to do so.

OBSERVATIONS ON RHODESIA

My opinions are very easy to express. I liked what I saw and believe that the average American has not gotten a true picture of the Rhodesian. In fact, the same can be said about the Congress, and one of the recommendations I make would be for the House Foreign Affairs Committee to send a fact-finding delegation to Rhodesia to analyze the situation there, and make up its own mind unfettered by the State Department's dogmatic declarations.

First. The Smith regime is secure. It has the broad support of the European minority which has molded a close identity with Rhodesian independence and the policies of Prime Minister Ian Smith. The African majority still has more identity to their ancestral tribes than to a nationalist Rhodesia. Little evidence of open hostility to the white man is apparent. For African nationalist leaders to get anywhere they have to advocate the break up of the tribe and the traditional African way of life. It is the same old story of Nkrumah, Holden Roberto, Lumumba, and their Marxist stripe.

Unfortunately, the basis of African nationalism has for the most part been crass materialism. Marxist ideologies seem to rule the day and men like Tshombe or Balewa are all too rare. At the base of the monument which Nkrumah had erected to himself in Accra, this inscription emblazened his ideal:

> Seek ye first the political kingdom and all things shall be added unto you.

This is a mocking and perversion of the Scriptures. Like most tyrants, Nkrumah sought the wrong kingdom but while he was there, U.S. liberals thought he was great.

It is fair to say that for the most part African emancipations have been far less a case where movements seek men to lead them than of men who seek to make movements to lead as a result of their personal aspirations for power. The movement is usually one centered on "Get rid of the white man" or "African rule right now." This spirit is in Rhodesia but it would seem to be a small minority and one with which the so-called man in the street has little identity.

Second. Southern Rhodesia is a model nation for peace, stability, racial harmony with—and this is very important, Mr. Speaker—increasing rather than decreasing efforts toward understanding between the races. This point is amplified in the mission report. It is not fair to call this nation racist. There is a great contact between the racial groups and segregation is not the rule. I visited the best hotels, the best restaurants, and the Salisbury Press Club, for example, and there was noticeable contact at the social level between Africans and Rhodesians. Salisbury, is at the same time, a white man's city with skyscrapers and all of the hallmarks of European and Western civilization. The point I make is that it is possible for the African to move into this society on a basis of merit and even to leadership. There are handicaps of education, culture, and differences of background, ability, and tradition which make it difficult to pass immediately from the tribe to Salisbury life, for example, but the effort is made to help the African become westernized without forcing him to change his customs and preferences. All things are relative and my personal opinion would be that Rhodesia can rate favorably with any other nation in the world as far as the way it is handling this sensitive problem.

Third. The Rhodesian people are independent and they have the fortitude to remain independent. It is a little tiring to see the double-standard liberal who continually refers to Rhodesia as an illegal nation or one which has unconstitutionally declared its independence. They are independent, like it or not. They proclaimed their independence in a proper manner and should be respected as an independent nation. The same people who see something wrong with Rhodesia have no qualms about the persecuted people of East Germany, Poland, and Estonia. These nations are independent in their leftwing jargon but Rhodesia is not. When General Ironsi's coup in Nigeria left 23 slaughtered in a fiendish and brutal grasp of power, these same people saw nothing wrong or at least were amazingly silent in the wake of this bloodbath. Even the moderate African leader, Sir Abubaker Tafawa Balewa, a fine and honorable man was shot in cold blood and thrown in a ditch. Where were Prime Minister Balewa's liberal friends in this country? Oh, yes, attack Premier Smith and his "illegal" grasp of power but court the Ironsi-type tyrants and their "proper" assumption of leadership.

This has been going on for years. The front page of the January 17, 1964, New York Times has a news story with this heading: "Zanzibar Regime Seizes U.S. Consul at Gunpoint."

The story relates:

> Frederick P. Picard 3d, U.S. consul, was marched out of a Zanzibar hotel to an undetermined place tonight with a gun at his back.

Dean Rusk and his boys wasted no time in recognizing this fraudulent, Communist-inspired regime. They did it almost immediately—even with such conduct that so clearly violated all rules of international law and comity. Yes, our State Department recognizes this type of a regime but when it comes to an honest, pro-Western, Christian regime such as in Southern Rhodesia our official position was announced on December 22, 1965:

> This Government in no way recognizes the rebel regime and continues strongly to support a solution in Southern Rhodesia that will be just and acceptable to the population as a whole.

Then you wonder why people such as myself have grave doubts about our State Department?

CONCLUSIONS

On the basis of these and many other observations, I came to a number of conclusions. If we think that the Western ideals of self-government are proper then it only makes sense to look at how they came about. They did not grow up out of the ground. Our Western heritage of self-government and freedom was something which developed over the centuries, by trial and error, by a painful process in which we forged a new way of life for our people. It has never been an ingredient we could give to people. It cannot be given to the African but it can be taken away from the Rhodesian. Self-government can only flourish to the degree that education, understanding, and citizenship prevails. The African has had his own tribal way of life which is another world. For him to achieve self-determination in Rhodesia or anywhere he must evolve through a transitory stage to our ways. He cannot get there overnight—none of us did so it is no reflection on him. As I see it, the Rhodesian Government is holding out to the African this chance. They are saying, in effect, "Stay in your tribes if you want to, observe your traditions and be ruled by your chiefs. We will work with you and your chiefs as brothers and cooperate. On the other hand, if you want to enter the mainstream of our society then we will help you, too, through education and job training. When, on a basis of merit you have achieved this, you can be your own master and the majority can rule."

If Western ideals are to fluorish, they will have to be transmitted in this manner. Rhodesia is on the right track. Africans are moving into Rhodesia not moving out of that nation. On the other hand, what is the alternative? If the tribal system, one-man, one-vote, or military, rule is to be preferable, then renounce the Smith regime and turn over this progressive nation to those unprepared in statecraft, enterprise, and civic responsibility. One point came through very clear to me. Even the African nationalist leaders are divided. Some thought it would be 5 or 10 years before they could possibly rule the nation. On the other hand, one Member of Parliament expressed himself very well to our group when he said:

> I don't want to be no guinea pig. We want to rule right now.

Not all nationalists are African. One of the most intelligent men I talked to was Dr. Palley, an opposition Member of Parliment who is white. With all of his brilliance, however, he could offer little more than the observation that this difficult problem was fraught with disaster whichever course of action was taken but his personal opinion was that there would be less African retaliation against the whites if they were given the country very soon.

History has shown that self-government tends to fail even where the highest standards are sought. If under some perverted liberal idea of self-determination we dragoon the African out of his tribe and into some sort of parliamentary system he may not want, does not understand and even less desires to perpetuate, what have we really done? The liberal argues that we can have instant self-government by lowered standards. The history of nationalist Africa cries that it cannot be done. The Conquistadors visited all types of crimes on the Incas and the Aztecs because they felt it was in the best interest of these natives and besides they were doing it for the glory of the cross. Those of this era with a medieval mentality foist the same type of injustice on the African tribesman only this time it is immediate nationalism under a majority rule or one-man, one-vote rationale.

As to the vote and the right of citizenship, the American liberal is adept at speaking in cliches and one-man, one-vote arguments which really do not say much. The Rhodesian has laid down no stricter criteria for the African than we have for the franchise in our Nation. Here you have a universal right of suffrage yet in most States you must be 21, must register, must present yourself at the voting booth, must not have been imprisoned for a felony or be incarcerated at time of election or be committed to an insane asylum, and so forth. It is possible that you may not be able to vote in Ohio because you have not lived in the State for more than a year. A hundred other qualifications and disqualifications could be mentioned here. We think these are reasonable because they can be attained by most people with any gumption at all. In Rhodesia, under the Constitution of 1961, qualifications are set forward which present no greater obstacle to the African under their totally different circumstances than these few reservations I cite present to the average American. Yet we see the bleeding hearts bristle at the thought of any qualified franchise, any wise limitation or system of merit. How blind can they be? How can it be said that it is any less fair to limit the franchise in Rhodesia to those inhabitants capable of exercising it with reason, judgment, and public spirit than it is in the United States to those who have attained the age of 21 and must meet the legal requirements we set down?

The position of the British is deplorable in this matter. The Rhodesian feels he is a member of the British community but he also recalls that British promises in Kenya and Uganda were not all they were held out to be. They will not make the same mistakes by depending on these guarantees. At the present time, the Socialist government of Prime Minister Wilson is not helping us in Vietnam where we have an avowed Communist enemy trying to subvert a free people. In fact, the British are the major free world shippers of supplies to North Vietnam. How cowardly can we be that we would cooperate with the British in their unjustified sanctions against our friends in Rhodesia when they do not reciprocate in North Vietnam and send supplies to those who are perpetrating a terroristic guerrilla war against our ally and fighting our own men who are in that land? This is another example of State Department schizophrenia which should make Americans indignant. The preeminence of trade is obvious as the British appear ready to relax the sanctions on asbestos and chromite. Of course, they need these products and business comes first.

The most foolhardy position of all, in my considered opinion, is the Wilson and Rusk notion that they can topple the Smith regime through their boycotts and sanctions and then deal with his successor. This is a blueprint for sheer chaos. You would have thought they would have learned something in their mistakes in Katanga and the Congo. They toppled Tshombe who was pro-Western but the chaos which ensued made a reversal of their position mandatory. Tshombe returned. In Rhodesia, it would be far worse. Prime Minister Smith is a true patriot and gentleman. It would take a major holocaust to depose him and how can we possibly think that the pieces can be picked up and then put together. This position is reprehensible.

The oldest lie of all which can be perpetrated is that people prefer good government to self-government. This is the cry of the tyrant. People in Rhodesia have good government. The African is far from attaining self-government. When the time comes for them to achieve this goal I would be fighting as strongly on their side if there is any effort of the white Rhodesian to block this effort. From what I have seen, this can be accomplished with the least possible strife if the African directs his efforts at peaceably accomplishing this through merit rather than terror or strife.

Lastly, why expect perfection in Southern Rhodesia in an otherwise imperfect world? By any honest appraisal, what they are doing there is to be applauded not attacked. By every humanitarian standard, Rhodesia is on the path to free and democratic government in the best Western tradition. By any relative appraisal, they offer the African a far better life than he can get in Ghana, Nigeria or in any totalitarian regime. By any standard, Rhodesia deserves the opportunity to prove itself. It is admittedly taking a different approach than those which have been used south of the Sahara and north of the Zambezi River. Judging from what has happened in the past 20 years, I feel that a new approach is needed and it will be in the best interests of all, the African especially, and will succeed if we only let it. These people deserve an opportunity to prove themselves. I am confident that they will.

One final question occurs. Do the people who built a great country over the past 70 years, steadily improved its standards, brought civilization to a wilderness area, achieved peace and order, constructed beautiful cities like Salisbury and erected engineering masterpieces like the Kariba Dam now have anything to say about the future of their product, Rhodesia, or must they renounce all they have done? I think most fair-minded people would answer that they have a right to say a great deal about the future of their country without meddling from do-gooders who have no solution except chaos. Particularly this is so when the course on which they have embarked is just, humanitarian and full of promise.

Mr. Speaker, I also include with these remarks our mission report, and statements by Prime Minister Ian Smith:

EXHIBIT 1

RHODESIA: POINTING THE WAY TO A MULTIRACIAL AFRICA?

(The report of the factfinding mission of the American-African Affairs Association; Members: Representative JOHN ASHBROOK, chairman, Dr. Max Yergan, Ralph de Toledano)

I

American policy on Rhodesia represents the triumph of ideology over actuality. To excuse American intervention in what should be the purely private conflict between the British Government and Rhodesia, it is argued that the chain of circumstances leading to Rhodesian independence was improperly motivated—the result of a racist philosophy and a uniquely selfish economic interest. This position is based on a profound ignorance of the forces at work in Rhodesia—as well as in the rest of Africa.

The aim of both Britain and the United States is to bring down the constitutionally elected government of Prime Minister Ian Smith and replace it by a puppet regime, to be followed precipitously by a "one man, one vote" formula—thus applying, in an undeveloped continent, a highly sophisticated western political system divorced from the realities of the present situation in Rhodesia. Since that country has been significantly in the news for many months, it might have been expected that the American press would have sent numerous able reporters to Salisbury, the capital city, to report developments there at first hand. Instead, news reaching the United States has come almost exclusively from British circles taking their lead from Labor Party publicists. Dubious sources at the United Nations have added their mite to the muddle of misinformation.

Certainly, it is no secret that Assistant Secretary of State for African Affairs G. Mennen Williams has used what influence remains at his disposal in Washington to discourage on-site inspection by responsible legislators and newspaper correspondents who believe that the U.S. foreign policy should lead from the strength of knowledge rather than the fanaticism of a priori judgment. Important publications have been told that the Rhodesian Government is not admitting accredited journalists—a totally false charge. In actual fact, the Rhodesian Government is not only willing but anxious to open its doors to those able to report what their eyes and ears register. "We have nothing to hide," Prime Minister Smith told our mission when asked if he would receive a congressional delegation.

Planned myopia seems to be the technique of American policymakers—the same planned myopia which led millions of Americans to accept with no attempt at verification the myth that the Chinese Communists were agrarian reformers and Mao Tse-tung the George Washington of the Far East. A new myth now prevents a careful reading of the Rhodesian situation and halts debate by describing that country as a crumbling bastion of white supremacy which must "inevitably" fall before the progressive onslaught of African nationalism. To the propagators of this myth the "petrol bomb" used by Rhodesian Nationalists to intimidate their fellow Africans has seemingly become just an instrument of democratic persuasion, acceptable despite the terror it engenders.

The steps being taken in Rhodesia to maintain and extend a high level of living for all, to preserve public tranquility, and to lift the economic, social, and political level of the African population may or may not be morally or pragmatically justifiable. But before any approbation or opprobrium are meted out, there surely must first be an accurate estimate of the situation. And this estimate cannot be valid unless it answers the following questions, which have been largely ignored by policymakers, the mass media, and those who derive their positions from both.

Is the Rhodesian Government of Prime Minister Smith stable?

What degree of active or passive support does it have from the Rhodesian people—white and black?

Is the Rhodesian economy sound, and how is it threatened by the sanctions which Britain has imposed and America accepts?

If these sanctions succeed, who would suffer most?

Can the country survive a political and economic collapse, yet still continue a respectable member of the family of nations?

Is the philosophy of the present Rhodesian Government racist?

What, in fact, is its philosophy, and where does it lead?

What are Rhodesia's strengths and weaknesses as a nation?

What is the nature of the African population?

Most important of all, would the enshrining of the "one man, one vote" principle in Rhodesia be possible today without subjugating the country to the chaos, despotism, and barbarism which have all too often taken over in the so-called developing nations of Africa?

II

Americans, in contemplating the Rhodesian situation, are either unaware or refuse to take cognizance of its complete uniqueness among all the other colonies, possessions, or participants in the systems set up by the European powers in Africa. For example, few know that Rhodesia moved directly from its status as a chartered region to self-government. Until 1887—or 2 years before the Crown granted a charter to the British South Africa Co.—the area now called Rhodesia was the battleground for bloody tribal wars between the militarized Matabele tribes and the relatively peaceful Mashonas. An ancient and endless conflict had kept the Mashona in a constant state of physical terror and economic uncertainty. These wars, and the incursions of disease and early mortality, had held down the African population to about 300,000. It has now risen to some 4 million—and it is estimated that barring starvation, cataclysm, or the kind of freedom which Britain wishes to impose, it will double in the next 20 years.

The white settlers who emigrated from Britain or South Africa were not looking for fast profits in gold and emeralds. They came to live as farmers, homesteaders, and businessmen. Rhodesia for them was not a way station on the road of Imperial convenience, but a way of life. Under the governance of the British South Africa Co., they built cities, established trade, opened up the land, set up a school system, and organized the country with the same goals of permanence that European settlers carried with them to America. They did this with a minimum of damage to the tribal system and its customs, and they did not act with the rapacity which led settlers on the American Continent to wipe out entire indigenous populations or to take over the entire area in their civilizing course.

By free choice, after a referendum, the Rhodesians voted, in 1923, for responsible self-government as a member of the British Commonwealth, rather than for joining the Union of South Africa as a fifth province. The status was replaced by an assertion of full sovereignty by a legitimate and legally elected government in 1965, at a time when the British Government—with the blessing of the United States—was systematically granting independence to all sorts of former possessions with little or no training or tradition in self-government. The outcry at No. 10 Downing Street over Rhodesia's unilateral act of dissociation may be understood in terms of Commonwealth interest and the general inclinations of Prime Minister Harold Wilson. But to argue constitutionality under the circumstances, or to insist on the right of the British Government to determine the internal organization of the withdrawing state, should have sounded strange to Americans who seized their own independence by force of arms and set up their own government without the permission of George III or his ministers.

III

The test of legal validity will not be found in the animadversions of Britain's Labor Government. Despite the reservations of Prime Minister Wilson, it remains a fact that the Rhodesian Government of Mr. Ian Smith was elected by an overwhelming vote of those who held the franchise. It remains a fact that the 14 African members of the Rhodesian Parliament, elected in the same election—there are 65 Members of Parliament in all—do not favor the surrender of the country to the African nationalists. And it remains a fact that the present Constitution differs only in nonessentials from the 1961 Constitution which Mr. Wilson holds so dear. For Britain to attempt to inject itself into the internal affairs of Rhodesia and especially its political life, when it has signally refrained from doing so in many former British possessions that are now frankly African police states, is hardly consistent, let alone fair.

The structure of the Rhodesian state and its qualifications for granting the franchise will be discussed later in this report. That it meets the requirements of the Rhodesian situation is an observable fact. Salisbury, the other cities of Rhodesia, and the agricultural countryside are tranquil to a degree unknown in many sections of the civilized world. The streets are policed by African officers far more relaxed than their law-enforcement counterparts in New York, Los Angeles, or Washington. Crimes of violence, an index to social malaise and instability, are relatively few. Political crimes—consisting mostly of incinerating people in their beds by tossing "petrol bombs" onto thatched roofs—ceased almost entirely when the perpetrators were arrested, much to the relief of the African population. The telltale signs of racial tension are nowhere to be seen. Neither is that atmosphere of repression so visible in states where power is held against the will of the governed. Sanctions have, in fact, consolidated the hold of the Smith government by winning over to its side such scattered opposition as existed before their advent. For many of the Africans, the fear is not of more white government but of a return to that brief period when nationalist terrorists, financed by Peiping, Cairo, et al., were allowed to employ the "persuasion" of bomb and knife.

Rhodesian Minister of Law Desmond William Lardner-Burke told our mission in this regard what others later confirmed. "We don't stop people from speaking," he stated. "The only time we get cross is when there is a bit of subversion." There was a heightening of that subversion when the African nationalists themselves split into two factions, each vying for the financial support of the Committee of Nine (the OAU Liberation Committee) in Tanzania. During that period, with a cash subsidy of $30,000 set aside by the committee, African fought African with gasoline bombs and hand grenades. Much of the violence was directed against children, and the schools were virtually closed as a result of nationalist threats. When witchcraft was invoked to silence witnesses against the terror, the Rhodesian Government had no option but to disregard the finer points of law. This was admitted by Mr. Lardner-Burke when he said, "You cannot allow complete chaos because of due process." In the United States, this would be heresy. For the population of Rhodesia, black and white, it was a stark necessity.

IV

If there is any noticeable apprehension on the part of the white or African population, it does not derive from the steps taken by the Smith government to put an end to violence and subversion. The fear is that Rhodesia's course toward a viable and responsible multiracial state will be interrupted by some overt military move against the country from either the British or a neighboring African country—with or without the support of the United Nations. These military adventures might take the form of outright invasion—which Britain's allies in Africa have already threatened, should economic sanctions fail to topple the present government. Neutral observers in Salisbury, London, and Paris discount the possibility of British military intervention, however. Such a maneuver would profit Britain little and cost her much. A former American official noted that if the British were to send in anything less than two divisions, they would be wiped out. An overwhelming force, moreover, would find a devastated country, put to the torch in "scorched earth" fashion. At least half the white population, with Africans at their side, are ready to fall, "rifle in hand"—a phrase heard with startling regularity in Rhodesia. The balance of the white population would probably leave the country permanently, emigrating to South Africa or to other countries which could absorb them and make use of their pioneering skills.

The African country most vocal in its incitements to violence in Zambia, which shares a border along the world's greatest manmade lake and also the hydroelectric installation at Kariba. But the Zambian economy has been sadly sapped by the sanctions which were to destroy Rhodesia in "a matter of months," and its government has so far survived only because of substantial aid from Britain, Canada, the United States, South Africa, and to some extent Rhodesia. Though demagogic passion often burns with a hard, senseless flame, it seems unlikely that the Zambian Government will risk its own downfall by launching an attack across the Kariba Dam against the well-trained and determined Rhodesian Army and Air Force. So far, there have been no overt acts to disturb the calm along the Zambian-Rhodesian border. On the Zambian side, there are no border guards, and the curious can cross over from Rhodesian territory without being challenged or molested. In the Rhodesian interior, Zambian workers continue to hold their jobs. They have made it plain that they do not want to return to the relative poverty of their Zambian homes.

There is, however, some concern that the more hotheaded African nations may mount a massive infiltration of saboteurs and activists whose aim will be to cause the kind of economic disruption which can be publicized abroad as "proof" of political unrest and a reaction to Rhodesian "tyranny." But here again the Government is prepared. An increase in unemployment, already making itself felt as a result of economic sanctions, can create the kind of unrest which feeds subversion. But with little official prompting, Rhodesian farmers and industrialists are spreading the work so as to lay off the fewest number of people. And unemployment will cease to be a problem if the Smith government is given time to rearrange the economy sufficiently to take up the slack. This rearrangement is already taking place as Rhodesia moves to manufacture at home many products once imported from Britain and the rest of the world.

Here again, the loser will be Great Britain. Though Rhodesian trade is not a major factor in the British economy, its loss is of sufficient importance to increase a balance-of-payments unfavorable to England and to force further retrenchment in an already distressing situation. Rhodesia, on the other hand, once she has survived this transition period, will find herself economically stronger and less reliant on the vagaries of Commonwealth politics. Even in the matter of oil, often called the lifeblood of a modern state, Rhodesia is not as pinched as Prime Minister Wilson or the American State Department had hoped. What stocks of oil had existed at the time sanctions were imposed is a state secret. So, too, is the amount of oil coming in from Portuguese Mozambique and independent South Africa. There are still cars on the streets, however, and South African neutrality has not prevented a small but steady stream of oil from pouring across the border. At the same time, the Rhodesians are preparing to convert their transport, if necessary, to the use of industrial alcohol for fuel—and since there is an abundance of sugar, this may be the ultimate solution.

The present danger to the Rhodesian economy is to be found elsewhere. Sixty percent of the country's export trade was in tobacco. It is its major cash crop, and Britain was Rhodesian tobacco's major customer. To soften the blow, the Rhodesian Government has set up a corporation to buy at a fair price the entire tobacco crop—but this will put a considerable strain on the budget. Unless a substitute market is found, this will be a source of trouble for Prime Minister Smith. There are signs, however, that Rhodesia may have found an ally in Britain's tobacco industry. The Times of London has already reported considerable perturbation over the ban on Rhodesian tobacco. Grade for grade, it is considerably cheaper than American tobacco. If the ban is maintained, the profit margin will either be wiped out for British cigarette manufacturers—or they will have to raise prices, which they feel will bring serious complaints from smokers who have already sustained a long series of increases.

In other areas, British sanctions have failed to cause any real pinch. Stores in Salisbury are well stocked with luxuries and necessities—and goods on order prior to the imposition of the ban on trade are still coming in. There is no inflation so far, though Rhodesian businessmen bemoan the fact that the greatest boom in their history was cut short by Britain's action. Food is no problem; Rhodesia raises its own. The country has been ridden by drought, but Rhodesians find a silver lining in this. Food was an export, but with home-grown supplies down there will be no surplus to rot in warehouses. To date, there has been no hoarding of food or of other consumer items—a tribute to the self-confidence and self-discipline of the Rhodesians.

V

When Britain's Prime Minister Wilson declared economic war on Rhodesia, there were expectations that this would (1) drive a wedge between the Smith government and the people, (2) cause widespread defections in the civil service and the military establishment, and (3) encourage the Africans to rise up. It has already been noted here that points (1) and (2) were dismal miscalculations. The effect of sanctions was simply to bring the people together—and if there have been any important defections from the Government's civilian or military service, no one in Rhodesia knows about them. Point (3), however, continues to intrigue those who seek the overthrow of Prime Minister Smith and the ouster of his Rhodesian Front party. Yet here again, their hopes are based on false premises and a profound ignorance of the attitudes and desires of the Africans in Rhodesia. In conversations with African members of the opposition in Parliament—and with the one white oppositionist Member of Parliament—it became abundantly clear to us that no one in Rhodesia wants to see the kind of upheaval which the African nationalists and their foreign supporters seek.

Among those Africans who have risen to public prominence, there are of course some who demand instant application of the one-man, one-vote formula. But for the most part, the desire to rule is tempered by the knowledge that at this point in Rhodesia's development, the precipitate introduction of Western political ideas would benefit no one. P. H. Mkudu, chief whip of the opposition, has freely conceded that his people need much training before they can take over the reins of Government. He puts the time period required at "not less than 5 years" and calls for increased educational opportunities and an end to social discrimination. And he has small patience with his colleague in the Parliament, I. H. Samuriwo, who insists that the Africans should be given the opportunity to rule—and then trained to administer the government and the economy of the country. The African opposition as a whole calls for a five-point program:

1. Change the franchise.
2. Institute a crash program in education.
3. Institute a crash program of agricultural development.
4. Change ownership rights and property rights.
5. End social discrimination.

What these points mean and how rapidly they are to be implemented are another matter. Specific proposals are shunned. Nor are the five points advanced as a panacea for Rhodesia's problems. The most articulate spokesmen contend that the acceptance of the five points will insure tranquility and prosperity for Rhodesia. The strongest argument offered in their favor is simple: Without the "change" that is demanded, the country faces bloodshed and turmoil. With it, there is "a possibility" that these eventualities can be avoided. But the demands for a "crash program" in this field or that fail to take into account the cultural context of the country. The changes that Rhodesia requires to make it a truly multiracial nation cannot come into being overnight. In a society as technologically sophisticated as Rhodesia, integration must take place gradually, on an individual basis and the gage must be merit rather than color of skin. Merit, moreover, must be measured by objective standards.

VI

The philosophy of the Rhodesian Government—and it is shared almost universally by the white population—is derived from these beliefs and from the practices that have evolved from them. But beyond this, there is a concept of the role of the races in Africa which commands respect. It is, as the Prime Minister has insisted, completely divorced from any trace of Herrenvolkism, as well as from the apartheid policy of South Africa. Rhodesians see the one-man, one-vote principle as a form of reverse racism, for in practice it would destroy the white community completely and deprive the country of all the techniques of a modern society.

In broad strokes, this has been painted by P. K. Van der Byl, the young Minister of Information. "In Rhodesia," he points out, "there are two distinct societies. One is Western, parliamentary, and democratic. The second is an African tribal society. This tribal society is authoritarian and hierarchical. In between, there is a no-man's land—an intermediary African group—for whom the tribal system has lost much of its meaning. This group belongs to neither the tribal nor the Western system. They are the problem in Africa today."

Like most other Rhodesians, Mr. Van der Byl believes that the whites have no right to tamper with the tribal society "except by example and persuasion." To take this view, however, does not mean that the Rhodesian Government will sit idly by and see its institutions destroyed, nor that it can condone violence and disregard of the law. "We must put a damper on such things as the killing of one of twins. But the Africans must be the arbiters of their own destiny. It would be morally and pragmatically wrong for Western society to impose its own mores. On the other hand, we will put no obstacle in the way of those who wish to leave the tribal society and join the Western system. There is no inhibition on an African getting the vote. But it is our belief that the franchise should call for a high degree of education or other qualifications."

The experience of the other new African nations would seem to confirm Mr. Van der Byl's contention that if those qualifications are forgotten or mechanically lowered to produce an overwhelmingly large percentage of enfranchised citizens, "it debases the entire system." It therefore boils down to two questions: (1) Is the electoral system theoretically impartial, and (2) is it also impartial in practice? There is no doubt that the Rhodesian whites have worked very hard at setting up an electoral machinery which will apply to all three categories of its population. There are two voting rolls—the A roll, which is dominant and which elects 50 members to the Parliament; and the B roll for those in the transitional stage, which elects 15 members. The qualifications for the A roll are higher than those for the B roll. But there are Africans in the A category and white men in the B category. Within the Parliament, members elected on either roll have the same rights and privileges.

To ascertain the practical impartiality of the Rhodesian system, factors other than the strict application of the electoral code must be considered. First, there is the attitude of those Africans still living within their tribal organizations. Among them, there is scant interest in the exercise of the suffrage. They are, therefore, pretty much represented by their chiefs, who have official status. Eventually, the Rhodesian Government hopes to institutionalize the role of the chiefs by setting up a second legislative chamber somewhat analogous to the American Senate or the British House of Lords—replacing the present Council of Chiefs. Such an innovation will enhance the status of the Africans and give them a greater voice in government affairs without debasing the franchise.

VII

But this is secondary to a matter of far greater significance in assessing the Rhodesian system. Are the whites sincerely dedicated to raising the educational and economic levels of the African population? Or are the inhibitions on the suffrage merely a polite way of preventing qualified Africans from using their numerical preponderance to take control of the country? On this point, the opposition is most vocal. It claims that the government of Ian Smith—or any other white government—will simply create new impediments to granting the franchise as the level of the African population rises to meet the present inhibitions. But this charge goes to the matter of motive and psychological imponderables. As such, it is almost impossible to weigh objectively. All the evidence at hand, certainly, points to an opposite conclusion.

Has the Rhodesian Government, for one thing, really tried to bring education to the African? The answer lies in economic statistics and an analysis of the school population. At present Rhodesia's ratio of children in school to total population is comparable to Britain's—even though there is a wide disparity (in favor of Britain) in the national incomes of the two countries. The following table of ratios tells a story which goes far to contradict those who reject the sincerity of the Rhodesian whites:

Great Britain	1 in 5.
Rhodesia	1 in 6.
Malagasy	1 in 11.
Tanzania	1 in 18.
Dahomey	1 in 20.
Mali	1 in 43.
Ethiopia	1 in 80.

African education is the single largest expenditure of the Rhodesian Government, and it has trebled in the last 7 years. It is significant in this context that 98 percent of all direct taxation is paid by whites. Despite this financial inequity, the Rhodesian Government has been able to meet the demands of an African school population of some 2 million children under 17 for a primary education. As this demand is met, the Government has moved ahead to provide secondary school education for those who desire it. But here the Government has run into several problems. First, the 10 percent of the primary school population which is female has been kept out of the secondary schools by parents who take their daughters out of school when they become nubile and sell them into marriage. Secondly, the demand for the admittedly few but steadily increasing places in secondary schools has yet to equal the supply.

As a matter of educational philosophy, moreover, the Rhodesian Government has subscribed to the Western idea of providing as much education as possible for all, rather than to the practice prevalent in former French and British colonies of training a small, elite group and ignoring the rest of the African population. The Rhodesian school system, moreover, is relatively young. (After all, the country has been under settlement for less than 75 years.) Rhodesians note that in Britain, with its ancient traditions, only 34 percent continue to go to school after age 15—and in the United States, which boasts of its public education, there are today some 23 million adults who never went beyond elementary school.

The opposition has criticized the Government for not providing more vocational schools. But the Rhodesian experience has been one of apathy among Africans toward this kind of training; and what demand there was has tended to fall off in the past year. The Government nevertheless has pressed for longer periods of education, particularly in the secondary schools. It has organized correspondence courses and night schools. There are, again, no discriminatory practices against Africans, and all African students at the university are eligible for Government support. At the present time, those African students at the University of Rhodesia receiving scholarships, grants, and loans would not have qualified had purely academic standards been imposed. Instead, the school authorities have discriminated in their favor—hardly a sign that there is official reluctance to raise educational opportunities for Africans. Nor is it a sign of foot dragging that the amount spent for African education doubled between 1963 and 1964—with the figure still rising—and that African pupil enrollment has tripled in the past 10 years, with approximately 700,000 students now attending school.

Simultaneously, a strong effort—some of it governmental and some private—is being made to raise the economic level of the African population by introducing better methods of working the land and by opening up new land for African use. Since 1920, farm and grazing land assigned for African occupation rose from 21.6 million acres to 44.3 million acres, whereas white acreage has been reduced 12 million. There are 5.9 million acres open for sale to either whites or Africans—but African lands (for which no rent or purchase price is paid in the tribal areas) are protected from encroachment by the more prosperous white farmers. The opening up of increased acreage for African use has been a continuing process, to meet demands by the African themselves.

What is done with that land is another matter. The charge has been made that the farmland occupied by whites is much better than African land holdings. This, however, is not sustained by the facts. For example, a tract of "worked out" land was taken over by an agricultural school. On this presumably worthless "sandveld" proper farming methods have produced a high yield of corn—yet African farms in the same area have remained on a subsistence farming level. Soils in the African area roughly match the fertility of those in areas being farmed by whites. Studies have further shown that 37 percent of Rhodesia has a rainfall in excess of 28 inches—and half the African areas are within the preferred zone. The government recognizes that it requires more than good soil and adequate rainfall to produce cash crops. Capital is necessary, and this is provided to African farmers in loans and grants.

At the same time, white farmers have banded together to help the African farmer increase his yield. They have provided seed, tractors, and instruction in agricultural know-how to those willing to join the program for a minimum period of 3 years. But they have run into what sociologists call a "high leisure preference" among Africans—as well as a tendency to retire from the economic contention once they have put aside enough money to provide subsistence for the immediate future. To counter these tendencies, the Government and white businessmen have attempted to increase the level of consumer demand by stocking the shops with the kind of items which will be attractive to the wives of African farmers and to the farmers themselves—washing machines, radios, bicycles, etc. Whether this modified form of the Madison Avenue technique will provide the drive that Europeans and Americans take for granted is not yet susceptible of proof. But the fact remaining that more and more African farmers are able to buy new farms in the unreserved areas, to pay substantial sums in cash for homes and farm equipment, and to derive incomes equal to or better than those of the white settlers.

It should be noted here that this previously steady development ran into trouble when the African nationalists began their campaign. An Englishman who has lived for some years in Rhodesia reported that "Agricultural agents would go to African farms to show how to improve the yield. Then the nationalists would follow and say, 'If you do that, we'll burn your house down.'" Since there were 35 petrol bomb raids a month before the Rhodesian Government clamped down, the effect on African farmers was considerable. The terror was not only physical, for many of the Africans still under tribal sway have not relinquished their belief in witchcraft and in the power of the spirit. The nationalists invoked these beliefs and powers and would still be using them if the Government had not proved that it was impervious to nationalist magic.

VIII

That, in brief, is the Rhodesian picture. A stable government, geared to the needs of a country in south-central Africa, commands the virtually unanimous support of the white population and the respect of a preponderance of the Africans. A sound and growing economy faces the threat of strangulation, but is moving energetically to adjust itself to new conditions. Should it fail, all of Africa will suffer. For the black people of Rhodesia, it would mean a return to the tribal wars which ended less than 70 years ago. It would mean the collapse of the economy as thousands of white farmers, businessmen, and technicians either died in the convulsions of a forcible takeover or migrated to South Africa. Under those circumstances, the burnt-out case of Rhodesia would become another and more terrible Congo. Chaos would inundate order, and Africa would not fail to read the message that Western civilization had abdicated. The joint achievement of white and African in Rhodesia would go up in acrid smoke.

It would be comforting to assume that sanity will prevail, that the ideologized fury of Britain's Prime Minister Wilson would be recognized for what it is and not for the principled assault on racism that it claims to be. It would be pleasant to believe that, in American policy toward Rhodesia, facts will triumph over ideological commitments, leading to the withdrawal of this country from participation in the sanctions Britain has imposed; that knowledge will vanquish ignorance. It would be only human to hope that fanaticism over majority rule will bow to the realization that Rhodesia's 4 million Africans and 220,000 whites are not living in Chicago or Birmingham but are slowly evolving a sound and democratic compromise which will give the white minority a realistic chance of survival and the black majority reopportunity, almost unique in Africa, of achieving political and economic equality.

But these are not the reasons which lead to our conclusion which is, that Rhodesia as now constituted will not be crushed by Mr. Wilson and the Labor government of England. On the beautiful streets of Salisbury, there is a firm determination to stand up to whatever the British, the neighboring African states, and the United States can throw at them. There is a conviction that Rhodesia is pointing the way to the kind of Africa which can develop its tremendous resources for the good of all; that it can sustain a deepening democracy against the totaliarian forces which one by one have taken over the less fortunate nations of the continent. Firepower wins wars, but guns are sometimes loaded with more than bullets. The Rhodesians will feed themselves and find new markets for their goods, whatever the effort may temporarily do to the way of life they have created on the African veld. They are pledged to this without drama, without vainglory, without hatred. Unless the world goes mad, this spirit of resolution is better than firepower and stronger than economic sanctions. It alone can build the Rhodesia that is desired, and deserved, by all her peoples.

EXHIBIT 2

[From Punch, Jan. 26, 1966]

RHODESIA—A PERSONAL VIEW

(The editor of Punch wrote to Mr. Ian Smith, inviting him to discuss UDI and his plans for Rhodesia's future. Mr. Smith, who had not previously given literary expression of his views, replied as follows. Next week Mr. Edward Heath, leader of the opposition, will comment on Mr. Smith's article.)

(By Hon. I. D. Smith, Member of Parliament, Prime Minister)

Now that Rhodesia is a sovereign independent country we can look forward with confidence to a long-term future of peace, racial harmony and an ever-expanding economy—something that we could not do while we drifted along in the constitutional twilight which successive British governments had manufactured to insure Britain's final withdrawal from Africa as a colonial power.

While the British Prime Minister and his colleagues would scarcely head popularity polls in Rhodesia, I think it is true to say that the majority of our people feel closer to the people of Britain today than they have for many years. It may be fashionable in certain quarters to deride the expression "kith and kin" but here in Rhodesia we do not deride it because we are both proud of and grateful to our own in Britain. Notwithstanding the endless flow of vituperation and distortion about us which is pumped out in the predominantly leftwing press and other information media, we are still receiving thousands of letters containing good wishes from people all over Great Britain. In the great majority of cases the good wishes have been accompanied by sincere offers of help and often this has taken the more tangible form of gifts to our exchequer.

Our case for independence is an overwhelming one, but I would like to assure your readers that the assumption of independence was not just a matter of taking that which we considered we were morally entitled to. After all, we have governed ourselves responsibly for more than 43 years. This was a long probation for independence, especially when one remembers that so many other countries to the north of us, merely because they had a black majority government, were freely given their independence after less than 1 year's probation. This was no question of pique, or lack of patience. Our pride was hurt, yes, because one of the great characteristics of Rhodesians is their national pride, but hurt pride had nothing to do with the decision. We declared independence because we considered that the national interest of Rhodesia demanded it, and I would like to stress this—Mr. Wilson made it abundantly clear to us, no matter what he may say now in an effort to promote his public image, that we would not get our independence on any fair or decent terms.

Ever since responsible government in Rhodesia the country has followed a policy of advancement on merit, regardless of race, color, or creed. It is in terms of this policy that our Parliament is open to all races, that our civil service offers senior posts on parity terms for all races, our university opens its doors to all races, and our voters' rolls are open to all races.

Merit is, and must be, the only criterion, because this is the only way that we can ensure the administration of the Government remaining in civilized hands.

We hear so much of the catch phrase "majority rule" in Africa today that I wonder if indeed it is the first principle of democracy that it is made out to be. I think not, because I believe that the true purpose of democracy is the maintenance of peace and economic viability so that the standards of civilization for all people are progressively improved.

To insure that adult suffrage is held in responsible hands we have set certain minimum qualifications for acquisition of the vote. As far as we are concerned it does not matter if a man's skin is black or white—if he meets the qualification for the vote, he gets the vote. The qualifications have not been set impossibly high—they are relatively easy to obtain and, in addition, we do all that we can to assist people to reach the required standard.

This is the principle of the 1961 constitution (a constitution which I must say was sold to Rhodesia on the grounds that it would insure our independence if the federation came to an end) and we have again enshrined the same principle in our 1965 independence constitution.

The administration is doing everything that is humanly possible to bridge the gap, but there is a long, long way to go.

As an example of what we are doing in this direction I will cite the progress we have made in the field of education.

Before the Second World War, and for some years afterward, the African was not particularly interested in education. Indeed, during those years inspectors of schools often went round the various kraals in an effort to whip up some enthusiasm among parents to insure that the village schools would have a reasonable level of attendance. Then, about 1950, the necessity for literacy and some sort of education began to make itself felt in the normally conservative and resistant-to-change atmosphere of tribal life. This desire for education rapidly made itself felt to the Central Government, and since 1955 the cost of providing adequate facilities has progressively become the biggest single item in our national budget.

Today we provide an academic and technical education, for those who have the ability to take advantage of it, to a standard of which we are justly proud. I know that there are people who say we don't do enough, but these same people always conveniently forget that the Rhodesian taxpayer already carries a heavy burden in his desire to provide amenities which promote the raising of standards for our African people. Again, any person who dispassionately views what is being done can see that education must be tied to the economic development of the country. If our economy expands at a faster rate than is anticipated and there is a greater demand for those who possess academic or technical skills, such is the design of our educational plan that existing establishments can keep pace with the demand.

Dedicated as it is to the principle of majority rule, the British Government refused to grant us our independence unless we were prepared to agree to throw over all those standards of British civilization which we have so proudly maintained in the 70-odd years of our existence. However, having been very close to the firing line and seen the appalling chaos which follows majority rule in Africa, we were not prepared to set the stage for a swift handover.

The lesson we learned long ago, and the one which the British Government must learn today, is that in an African context progress by merit can be the only guiding principle, or inevitably there follows corruption, injustice, inefficiency, rapine, murder, dictatorship, suppression of any kind of political oppression, and last, but not least, the incessant clamor for millions of pounds of aid, which is dissipated into trivialities and disappears like water in the sands of the Sahara.

Convinced as we were that our constitution went as far as commonsense would permit, we reached deadlock in our negotiations with Mr. Wilson.

Could we, you ask, have stayed as we were? My answer is "No," because the longer we drifted the more powerful was the pressure on Britain from those forces which see merit only in the ideological concept of world communism.

Look at it from our point of view. Over a great many years since the Second World War, we have seen successive British Governments yielding time and time again to the pressure of the rabble rousers which, to serve their own ends, desire the immediate liberation of all the colonial states of Africa and Asia. We all know the pattern that this pressure follows, but its reiteration at this point would do no harm. First, the forces of liberation seek out the power hungry, the favor peddlers, and the workshy for the purpose of forming them into a leadership nucleus of a terrorist organization. The second phase is the subjugation of the minds of the untutored by witchcraft and other bestial practices. Then follows the bloodshed of innocents who want nothing more from life than the opportunity to follow their own inclinations and desires in peace and tranquillity. At this point the forces of law and order swing into action. They arrest the so-called leaders and they incarcerate them. But somewhere in the weird recesses of the minds of those who lead the British Government there leaps the thought that these men, whose crimes against humanity are far worse than anything conceived by the beasts of Belsen, are the true leaders of the people, and must be elevated overnight to the administrative control of those who, in the first place, they sought to destroy. This phase is followed by the ceremonial hauling down of the Union Jack by some unfortunate member of the British Royal Family and then, sometimes within months, sometimes within weeks, but more often within days, there is the final phase of the installation of a totalitarian regime.

It follows, then, that every day that we waited the danger of this happening in Rhodesia loomed larger.

We know that, in anticipation of the second phase, caches of firearms and explosives were being smuggled into Rhodesia at points along our northern borders. We also know that in remote areas of other nations which pay lipservice to the Commonwealth ideal, training is being given to so-called freedom fighters so that they might undertake guerrilla operations in Rhodesia.

Meanwhile, Mr. Wilson began to realise our worst fears of British intention by playing along with those whom we regard as the leaders of the Rhodesian terrorist organizations. It was clear that here were the men that he had in mind to take over this country at the earliest possible moment. After all, did he not give a clear indication of this when he gave a lion's share of his time to Nkomo and Sithole, who represent no one but themselves, and who have never received one constitutional vote in their favor from any person living in this country, when to the Council of Chiefs, who are the traditional leaders of 3 million people, he impatiently gave less than 1 hour.

I am often asked why we find it necessary to put Nkomo and Sithole into restriction areas, and my answer is this: that these people are not just what they would appear to the world—political opponents of my government—they have been the originators, the guiding lights, of a movement which, like the Mau Mau of Kenya, has been responsible for the most appalling atrocities, bloodshed, and violence against their own kind. Once they were restricted, peace returned to Rhodesia and I am convinced that because of this, my government enjoys a great deal of African support for its policies. However, I have told both Nkomo and Sithole that if they are prepared to give me an undertaking that they will work constitutionally within the law, they can come out of restriction immediately, but note this—neither of them will give this undertaking because they believe that if they could engineer an Algerian or Congo situation in this country, Britain would hand independence to them on a plate and be glad to see the back of them.

Having given you some of the background to the events which took place on November 11, 1965, I now look into the future.

Our immediate future is, of course, one of overcoming the economic difficulties deliberately and maliciously put in our way by Mr. Wilson and those countries he has persuaded to follow his policy of sanctions.

However, once this period is over, we look forward to a future which, if we have anything to do with it, will outrival the fantastic development which took place in Rhodesia at the commencement of the now defunct Federation of Rhodesia and Nyasaland.

I make no secret of this. In Rhodesia the potential is almost unlimited. We have everything here that any discriminating investor could ever wish for—land, water, agriculture, minerals, a highly developed system of communications, a vast reservoir of manpower who are acquiring the skills of modern technology in ever-increasing numbers, a 40-year record of efficient self-government and last, but not least, a superb climate. We intend to pour every penny we can spare into the development of our country, but at the same time we acknowledge that it will be necessary for us to attract investment capital from overseas, because this is the only way in which we can build the good life that we so confidently visualize for all of our people.

Despite Rhodesia's proposals for the maintenance of civilized standards, it would be wrong of us to forget the traditional culture of our African people. This culture is not something which can be lightly thrown aside in the quest for modern civilization, because it is, in a great many cases, the only way of life known to the majority of people. Therefore its abandonment would cause nothing but misery to them.

We believe that the traditional culture has a great deal to commend it, and certainly it is worthy of the respect of all people.

While we shall continue to promote the development of African education to the utmost of our economic capacity, it is not our wish to undermine or destroy the tribal system and its many advantages.

I think it is reasonable for me to claim that my government is in a better position than the British Government to assess the needs and aspirations of the African people of Rhodesia. We have the facilities to make this assessment because of the close liaison we maintain with the people through the intricate form of pastoral government administered by the tribal chiefs.

Those who sneer at the value of the chiefs should remember that these people hold their position only because they and their council of elders are accepted and known by their own people as wise administrators.

I have been told time and again by Mr. Wilson that the value of the opinions of the chiefs is suspect because they are the paid servants of my government. Here, once more, Mr. Wilson clearly demonstrates his abysmal ignorance of the traditional pattern of African life. Indeed, it is true that the chiefs are subsidized by Government, but this is not because they are servants of the Government. The subsidy is paid because the chiefs assist the Government in the administration of the country. In fact the chiefs are encouraged to make the views of their people known to the Central Government even though such views may be critical of some aspects of Government policy.

Because it is necessary for the chiefs to learn to meet the needs of contemporary government we have, through a system of overseas tours, sought to broaden the experience and outlook of the tribal hierarchy. This broadening of experience makes the chief and his elders more receptive to modern ideas and we follow up this breakthrough by making opportunities to introduce better farming methods into tribal trust areas. This, in turn, has the overall effect of boosting *the tribal economy away from the* subsistence level. Already we have seen the result of this. In recent years productivity of the tribal farming land has risen steeply; more and more small holdings and farms are being profitably worked by Africans and with the transition from a subsistence to a cash economy not only the tribe benefits but also the overall national economy.

A word now about the Land Apportionment Act. Those who urge us to abolish it conveniently forget that this act gives greater protection to African security of tenure of land than would otherwise be the case if it were abolished. They also conveniently forget that the act prevents the exposure of African businessmen and traders in their townships to the merciless competition of the more highly organized European-controlled combines. They forget, too, that the act has prevented the creation of a Rhodesian Smethwick or a Rhodesian Notting Hill.

All that these starry-eyed liberals can see is that the act might represent a rigid dividing line between the races. Of course they conveniently overlook the fact that there is nothing to prevent social integration between the races in places such as Parliament, university, hotels, clubs, bars, places of entertainment, or private homes.

Let me say that at this particular point in time the Land Apportionment Act is very necessary and it does a good job. What the situation may be in years to come no one can with any certainty predict. However, while it is required it will stay on the statute book.

For the white Rhodesians the declaration of independence does not mean that they wish to promote the philosophy of "Herrenvolkism" in Rhodesia. So many of us living in Rhodesia today fought against this sort of thing in the last war that we have no taste for it now.

What the declaration of independence has meant is the preservation of civilized standards of government regardless of color; the grasping of a chance to build Rhodesia into a great country on a basis of Christian values with mutual respect among all people; the acknowledgment of economic realities.

This was the chance that we had to take. It was either this or yielding to a doctrinaire policy that would, in a short space of time, have spelled disaster; a philosophy that no one can deny has meant the end of real democratic freedom in far too much of Africa.

We asked the British Government to trust us. This they would not do. Now they have no option but to take us on trust.

Today our aim is to show the world that despite the pressure of certain evil forces, who desire nothing more than the complete elimination of the white man from Africa, we are prepared to honor the guarantee which we offered to the British Government.

Sit nomine digna.

We will prove worthy of it.

EXHIBIT 3

PRIME MINISTER'S MESSAGE TO AMERICA

The following is the text of a message from the Prime Minister, Mr. Ian D. Smith, which was read out at a meeting of the Los Angeles Chamber of Commerce on February 15, 1966, by Dr. Robert Wyckoff:

"In this age of ideological conflict when the forces of the left are ranged against the forces of the right in bitter war one cannot understand why the forces opposed to communism are at variance on the fundamental issues.

"That the Red Chinese differ in their approach from the Russian Reds is academic to us of the West and perhaps of little consequence except in the final analysis which is their utter destruction. But for us who cherish the same concepts of democracy it is to court disaster to tear the flesh from each others bones over issues which are of a domestic nature and therefore matters *of our own concern.*

"May I ask you: 'What is America fighting for in Vietnam?' The United States in our belief is embarked upon its present course of action in order that the backward peoples of the world shall be free to choose between the compulsive doctrine of the Reds which demands subjugation to the state and the freedom to live their lives according to their desires.

"On a less dramatic plane, but one which makes common purpose with democratic ideals, we too in Rhodesia are involved in a death struggle with those same forces that seek to annihilate the very basis of our existence.

"I do not wish to be unduly cynical, but one has listened with great interest to the protestations of friendship and support for your cause by Britain. Is it not significant then that the Socialist regime in that country has balked at the idea of committing troops to fight our common enemy in Vietnam?

"It is noteworthy that those countries in the Pacific—Australia and New Zealand—who live cheek by jowl with, and are alive to, the Communist menace are giving not only of their substance, but also their lives to repel the advance of communism in southeast Asia, and therefore the world.

"While your preoccupation is largely with the Communists in the East and your purpose to establish and enshrine the principles of democracy which we earnestly endorse, the British Government, with its vast financial interests in the African Continent, have in a few years capitulated completely to the clandestine advance of Chinese and Russian communism.

"Nasser's Egypt fell to the wiles of the Communists; Morocco was eroded and is now estranged from France; Ghana, Tanzania, the Sudan are further examples of the Communist rot. Kenya and Zambia are teetering on the brink. Gradually but inexorably the shadow of the hammer and sickle is enveloping Africa from the north. The lights of freedom and democracy in Africa are being extinguished and in the ensuing darkness the dictum: One man, one vote, is permitted once and once only before the new African countries are submerged and converted into despotic dictatorships.

"Nigeria—the showpiece of democracy in emergent Africa and the British socialists' pride and joy—has recently succumbed, and this only within 1 week of a call by its Prime Minister, the late Sir Abubakar Tafawa Balewa, to Britain to solve the so-called Rhodesian problem at a conference in Lagos.

"As we well know, a military dictatorship assumed authority in that unfortunate country, and what is more, received recognition by Britain almost immediately after the coup d'etat. Ironically Rhodesia, which declared its independence on November 11, 1965, and which has continued to enjoy calm and tranquility—where law and order prevail in the best traditions of democracy, is still treated as a parish—an outcast among those very countries whose cause she espouses.

"What, for instance, would be world reaction to a call by Rhodesia for a conference in Salisbury to solve the awful situation in *Nigeria, Tanzania, Uganda, and all the other* unhappy countries I have previously mentioned?

"*Unfortunately, Communist rule in the* guise of military dictatorships is the pattern emerging right through Africa. Astonishingly, the philosophy of the West seems to be: 'If violence and mayhem are visited on black Africans by black Africans, that is as it should be. But if a white African presumes to protect his heritage against the black instruments of communism, then nothing suffices but his complete extinction.'

"Our quarrel is not with the British people from whom we spring. They have constantly shown us sympathy and understanding—*it is with the Wilson regime that we are* at variance. This steadfastly refuses to acknowledge or to interpret the pattern of events in Africa. We stand for freedom and democracy. We fought side by side with you and with Britain in two World Wars. In the last war many Rhodesians fought under American commanders.

"Because we have made our stand—the first of its kind to be made on the African Continent—we are following in the footsteps of the American people. In latter years we sent a contingent of troops to Malaysia and had sincere hopes that our stand against communism would be recognized.

"Today my Government would be prepared to offer to your President tangible help in your struggle in Vietnam. This is an earnest of our understanding and belief in what you are doing. What we ask in return is similar sympathy and understanding from the people of the United States in the justice of our cause.

"Whether by design or through ignorance—or a combination of both—the Wilson regime is sedulously parcelling out the states of Africa between Red China and Communist Russia. We will have no part of this and we refuse to see Western civilization and all it stands for sacrificed on the altar of trade expediency. Examples of the duplicity of Britain are well known to you.

"First there was her insistence on trading with Cuba despite your appeal to boycott the Cuban Reds. Latterly, of course, there is the overwhelming evidence of British ships trading with North Vietnam.

"The French recognize this quirk in the character of the Wilson government and you have ample evidence of it. To us, understanding has come slowly but any false illusions we might have had have rapidly dissipated since November 11, 1965.

"It is a source of amazement to us, therefore, that the great United States should aline itself with Britain in the imposition of sanctions and embargoes upon us in Rhodesia whose only apparent offense is our determination to uphold yours and our way of life against growing Communist pressures."

EXHIBIT 4

RHODESIA'S CASE FOR INDEPENDENCE

On December 31, 1963, the 10-year-old Federation of Rhodesia and Nyasaland officially ceased to exist and the three territories that had comprised it—Southern Rhodesia, Northern Rhodesia, and Nyasaland—went their separate ways.

Almost 2 years ago. Since then, Northern Rhodesia and Nyasaland (now known as Zambia and Malawi) have become sovereign, independent states. And the third territory—Southern Rhodesia?

To future historians it may well present itself as an astonishing piece of irony that Rhodesia (as the country is now known), which voluntarily surrendered a strong claim to independence 12 years ago in order to become a partner in the now defunct federation, should be the one country denied the right it could have had so long ago, while the two other former partners have long since been granted their independence.

And those self-same historians will surely find something grotesque in the fact that various territories which, not so long ago, could never have put forward anything like the same claim as Rhodesia for independence, should now, as sovereign states, be threatening to quit the Commonwealth if Britain grants independence to Rhodesia.

THE FACTS

This document sets out the facts. What we are asking you to do is to consider the facts, check them if you will (and this can be done very easily).

What Rhodesia has been trying to get across to the world at large is that her Constitution is perfectly fair, and that in terms of that Constitution, the sky is the limit for anyone—regardless of race, color, or creed.

There is nothing, right now, to prevent the country's Africans claiming the vote in ever-increasing numbers. As things stand, Africans are virtually guaranteed a minimum of 15 seats in Parliament. It lies in their power to fill these seats with people of any race they choose.

And the 15 seats are only a minimum.

There is nothing to stop them from making a constitutional bid for every seat in the house. The way is wide open to them if they care to take it. At the moment there are 14 nonwhite members in the house and a 15th seat was won, on African votes, by a European. Every one of the remaining 50 seats could be contested by Africans.

"But," you may say, "if not enough Africans have the vote, how can they possibly contest such seats with any hope of success?"

The answer is that there is nothing to stop enough Africans obtaining the vote—if they care to make no more effort to do so, than Europeans have to.

Under Southern Rhodesia's present Constitution—

Africans are not barred from the vote;

Africans can stand for Parliament;

Measures to thwart at the outset any proposed racially discriminatory legislation are part of the law of the land;

The entrenched clauses of the Constitution—including the antidiscriminatory measures—cannot be altered without the approval, established by referendums of each of the four main racial groups.

At this point, let us quote a statement made by Mr. Joshua Nkomo, the African Nationalist, on the very Constitution we are now discussing.

HE AGREED

When the Constitution was agreed upon in 1961 at a conference (convened by the Southern Rhodesia Government) at which all races and all political parties were represented, Mr. Nkomo said:

"We are to have a new Constitution which is an achievement resulting from the pressure of the National Democratic Party—a thing never before thought of in this country. We feel that the new provisions have given us a certain amount of assurance that the country will not pursue policies which mean that Africans would perpetually be unable to control their country."

In other words, Mr. Nkomo publicly made the very point that we are stressing here: in terms of the new Constitution, there was (and is) no limit to African political advance. It depends entirely on Africans themselves. And that position still pertains today. The Constitution has been honored completely.

The fact that Mr. Nkomo and other African Nationalists, subsequently went back on their word, organizing an African boycott of the new Constitution, does not alter the position.

All applicants for the vote, whatever their color, are required to conform to minimal standards. But these standards have not been set impossibly high. They have only been set so as to insure that in a country of peoples comprising the most primitive to the most sophisticated, only responsible people who appreciate the meaning and significance of a vote shall have the privilege of voting.

They are not a cunning device to insure that only the present white voting population can attain them. There is no catch in it. The general approach was to bend over backward to give as many Africans as possible the opportunity of becoming voters. When the new constitution became law—as a result of a predominantly white electorate saying "yes" in a referendum—the then Prime Minister, Sir Edgar Whitehead, announced that he expected 50,000 new African voters to come on to the rolls. He would have got them, too (and it was to have been only the start) but for the boycott organized by African Nationalists—a boycott supported by gangster strong-arm methods of intimidation and terrorism.

TERRORISM

The then government ran an energetic "claim your vote" campaign, but to little avail. Nor is this really surprising, for at that time there was not the necessary legislation to curb terrorism. Ask yourself: Would you in Britain, in Canada, or elsewhere rush to register as a voter if you knew that by so doing you placed your whole family in appalling physical danger—that your home might be burned down, that you might be waylaid on a dark night, beaten up, and even murdered?

The extremists realized that the new constitution—notwithstanding the original agreement by African Nationalist leaders that it was fair—would deprive them of the weapons on which they had relied for so long. With its many built-in safeguards, the new constitution was obviously going to make it much more difficult to enforce a one-party, fascist state, and equally it was going to make it much more difficult for the extremists to bludgeon their way to power by terror methods.

There are two common rolls, and various ways in which people of any race can qualify for either. The A roll covers the country's 50 normal constituencies. The qualifications are higher than those for the B roll—but, again, not impossibly high. For example, would you say that an income of £330 a year plus 4 years' secondary school education was difficult of attainment? And this is only one of a number of ways.

The B roll was designed to give people a chance who just couldn't qualify in any way for the A roll. In other words to give representation for those who did not otherwise qualify for the ordinary vote. This covers 15 electoral districts (for all practical purposes, 15 very large constituencies into which the whole country has been geographically divided) and the qualifications for voting here are much lower. For example, an income of £264 a year earns a vote on this roll.

ALREADY THE SKY'S THE LIMIT

Obviously, the more Africans improve themselves the more they qualify for voting rights. And bearing in mind that Rhodesia devotes more to African education than to any other service (and has, indeed, one of the best records in this respect in the whole of Africa) you will see that there is no catch in this either.

It is, however, at once clear that in terms of this system, African Nationalist leaders could not expect to walk into the seats of power overnight.

They wanted shortcuts, and so they invented various catches in the new Constitution. For example, it was suggested that there were not enough opportunities for Africans as a whole to improve their position up to the franchise standards. The answer here is that Rhodesia is straining every effort to provide the necessary educational facilities and although there remains much to be done, she has a magnificent record.

Today there are many Africans earning the minimum scales laid down for the franchise, or with property valued at £500 (the latter, being with 4 years' secondary education, being an A roll qualification). Industrial councils are constantly making new awards and improving wage structures.

The whole franchise system was devised to give everybody, regardless of race, a fair chance without drastically lowering standards. Britain's Duncan Sandys, who presided over the all-races, all-parties conference in 1961, must surely have accepted it as such, for he certainly gave not the slightest indication then that he regarded it as any kind of interim arrangement.

In return for the guarantees Rhodesia gave (and has consistently honored ever since) Britain surrendered, with one or two minor exceptions, the reserved powers she held. Thereafter there could never be intervention by Britain in Rhodesia's affairs.

Rhodesia had been granted independence within the Federal framework. With the end of Federation (as a result of a unilateral British Government decision that had neither the approval of the Federal nor Southern Rhodesia Governments), it is unreasonable to suggest that Rhodesia had every moral right to expect that independence within the Federal framework should automatically become—straight independence?

DEFAULTING ON THE DEAL

By what tortuous reasoning is it possible to justify making a grant and then, by virtue of circumstances you have engineered yourself (Britain's breakup of the Federation) withholding the fruits of the grant?

Rhodesia's so-called white settlers (whose roots in this country actually go back the best part of 100 years) and the vast majority of Africans who have made common cause with them, have honored the 1961 deal in toto.

The economically thriving Federation was broken primarily to make is possible for Northern Rhodesia and Nyasaland to become sovereign, independent states. To single out Southern Rhodesia for different treatment is patently unfair.

Had there been no Federation, Rhodesia would have been—with her 40-year record of peaceful self-government—one of the first to attain independence. (During the last war there was talk of Rhodesia being offered full, sovereign independence, by a grateful Britain. Our attitude was: "Let's win the war first".)

The reserved powers Britain still holds concern the position of the Sovereign and the Governor, international obligations, and undertakings given by the Southern Rhodesia Government in respect of loans under the Colonial Stock Act.

UNO'S CONSTANT MEDDLING

From protestations at UNO urging Britain to take action, it is clear that the outside world does not appreciate fully that Britain cannot intervene in our internal affairs. It can be made to understand this only by the grant of full, formal independence to Rhodesia.

Rhodesia needs new development capital and offers almost unrivalled opportunities to investors. But who can blame the overseas investor for being somewhat cautious at a time when huge propaganda organizations are clamoring for Britain to take action?

For internal harmony and prosperity, Rhodesia needs some sense of unity and togetherness among all her peoples. The country has, in fact, gone a long way in achieving this, especially since it introduced legislation to diminish the fear of intimidation from extremist political thugs. But so long as there is any sense of divided authority, so long as malcontents can send cables of protest and denigration about the Rhodesian Government to any overseas government, so long will it be that much more difficult to foster unity.

And among other reasons for the demand of full, formal independence, is perhaps the not entirely unimportant one of national pride. Rhodesians, whose forbears came to this country with the pioneer columns of the last century, feel that they have earned their independence over and over again. Is it to be wondered at that they smart under a sense of deep injustice when they see how bloody violence and terrorism elsewhere is inevitably rewarded with * * * independence and a red carpet leading straight to the inner councils of the British Commonwealth of Nations?

It is a common propaganda ruse, on the part of those who oppose Rhodesian independence, to equate what they refer to as the settler government with a fascist regime.

The truth is that Rhodesia, with her present Constitution and franchise, is one of the few examples of democracy left in Africa today and the only country which still flies the Union Jack. It is not an exact replica of the British system, in that universal franchise cannot at this stage be introduced—except at the cost of installing a one-party, fascist regime.

But unlike so many of the new sovereign states in Africa resulting from the "freedom-for-Africa" policies, Rhodesia still has an official parliamentary opposition (whose Members need not fear that they will be accused of treason plots and either be thrown into gaol or rushed to the firing squad), and our judiciary does not have to look over its shoulder for ministerial approval of verdicts. Political parties that do not engage in violence have nothing to fear from Government.

AN OUTRAGEOUS LIE

Rhodesians are prepared to smile indulgently at wild accusations from Communist spokesmen and those of newly created dictatorship countries, that they seek independence solely for purposes of oppression. But they bitterly resent it when their own kith and kin in Britain and the rest of the Commonwealth believe this outrageous lie.

It hurts when people whose way of life is our way of life, people whose blood is our blood, people with whom we have stood in adversity and triumph—it hurts when our own family turns on us without fairly examining our case.

It is a good case, an overwhelming case.

We Rhodesians are determined to defend it with every possible means at our command. We will not allow our country to go the way of many of the neo-Fascist and Communist slums now festering on the face of Africa, to prove how right we are.

For if we yield to parrot cries of "one man, one vote" and "majority rule now," we know that we should be condemning the country to one-party, totalitarian rule. The most notorious African nationalist leader here is on record as having stated that he rejects Westminister-type democracy, with its insistence on parliamentary opposition, as being unsuitable for Rhodesia. As with other nationalist leaders in different parts of Africa, he has taken the line that any parliamentary criticism of "my" Government will come from within.

WE SHALL WIN

The warnings are plain to see. Events all over Africa are proving that the so-called grant of freedom now means the defeat of real freedom.

Justice is on our side and we dare not yield. If we did, history would quickly vindicate us—but all our people would be in chains.

We shall win. We have to.

MR. IAN SMITH, PRIME MINISTER OF RHODESIA, REPLIES TO MR. HAROLD WILSON'S TELEVISION BROADCAST

At a crowded press conference in Salisbury on October 18, Mr. Ian Smith, Prime Minister of Rhodesia, issued the following statement in reply to a television broadcast in Britain on October 12 by Mr. Harold Wilson:

"I now wish to refer to some points raised by Mr. Wilson in his broadcast the other evening (October 12). Mr. Wilson stated that for over 40 years we have run our own affairs, our own Parliament, made our own internal laws, but always subject to the ultimate authority of the Crown and the British Parliament. This is incorrect. Her Majesty's Government relinquished her responsibilities to the people of Rhodesia in 1923, and ever since the Government of Rhodesia has been the sole executive authority in and over the internal affairs of Rhodesia, and has been responsible to the exclusion of any other authority for the conduct of its affairs—with one limitation—namely that any law proposed to be passed by the Rhodesian Parliament which did not apply equally to the African and the European had to be reserved for the assent of Her Majesty's Government.

"A little later he stated that under the 1961 Constitution some 90,000 European electors were represented by 50 Members of Parliament, while perhaps 100,000 Africans qualified for the vote were represented by only 15 Members of Parliament. Of course there are only about 10,000 Africans qualified and so the representation is actually in favor of the Africans.

"Then further on he referred to racial discrimination, which has developed under the laws and practices of the Rhodesian Government. I believe it appropriate to point out that the British Government has been as much party to this discrimination as has been the Rhodesian Government. Indeed the new 1961 Constitution is riddled with racial discrimination, at the instigation of the British Government, and not of the Rhodesian Government.

"Then again he expressed the opinion that a UDI may mean that many innocent people could lose their lives. I wish to make it clear that this could never happen as a result of anything done by the Rhodesian Government. If British or other outside interferences were to promote this then the responsibility would rest on their shoulders.

"Toward the end of his speech Mr. Wilson claimed that there is an answer; namely, 'We are prepared to go on talking to examine even now the possibility of coming, at any rate, a little closer together on the issues which still so deeply divide us.' However, earlier he said 'and I have to tell you tonight that after all these months and after a week of hard, straight talks, we are no nearer agreement than we were a year ago. On every one of the five principles the disagreement is almost total, absolute.'

"One of the most significant passages is where he says that Britain has given independence to over 700 million people, and that this is a record without parallel in the whole course of human history. But I would ask what sort of independence is this? Does the British Government know that in one case, because of the grant of independence, within a matter of days, 3 million people were massacred, brutally murdered? Twice as many as the Commonwealth dead in both World Wars. Is this not a record without parallel in the whole course of human history?

"Moreover, because of this grant of independence, the conditions under which the grant was made, two of the largest members of this great family, this greatest multiracial association in the world are now at war with one another, each side claiming to have killed many hundreds on the opposing side. I ask, Is this one of the examples that the British Government holds before us?

"He concedes that countries gaining their independence have made mistakes. Against these disappointments Mr. Wilson sets the achievements of a free group of independent nations, the greatest multiracial association in the world. What does 'free' mean in this context? Admittedly it means one man, one vote, but it also means one candidate only. What does 'the greatest multiracial association in the world' stand for when Commonwealth nations are openly at war with one another and while some others are training saboteurs and stabbing in the back their neighboring fellow members.

"Now let me give you some examples of this wonderful democratic majority rule that Mr. Wilson is so irrevocably committed to.

"Look at the recent election in Nigeria, where a number of people were killed, houses burned and a voter was found with 40 ballot papers in his pocket; both parties claiming victory and two party leaders proclaiming themselves Prime Minister.

"Look at the totalitarian regime in Ghana, with the elimination of a free and impartial judiciary; the Chinese Communist takeover in Tanzania; the revolution and massacre in Zanzibar; the war in Cyprus; the suspension of the constitution and the state of emergency in Aden; the recent rift between Malaysia and Pakistan are the examples which the British Government holds before us and tells us that we should emulate. Do not a number of these cases which I have referred to produce a record of how enlightened, democratic civilizations have been transformed, almost overnight, into unenlightened, totalitarian regimes; and is this not perhaps a record without parallel in the whole course of human history?

"Now for a few moments let us look at the Rhodesian case—one of the highest standards of civilization on the African continent, an enlightened democracy where color is no barrier and merit the only criterion; a judiciary, the impartiality of which is world-renowned; a standard of living and opportunities for the indigenous African which is not exceeded in any country on the African Continent to the north of us—are these the things for which we stand condemned? A war service both in 1914 and 1939 which was in keeping with that of the other civilized nations of the Commonwealth. They were prepared to use us then, but what do we find now? After 43 years of proving our case we are told that we cannot be master in our own house.

"Is it not incredible that the British Government has allowed our case to deteriorate into this fantastic position—almost comical, if it were not so tragic.

"I believe I should say to Mr. Wilson: 'Prime Minister, think again.'"

SBA'S ROSS DAVIS ABLE ADMINISTRATOR

Mr. REES. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Fascell] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. FASCELL. Mr. Speaker, at the request of myself and others, President Johnson last fall appointed an ad hoc committee to help solve some of the problems raised by the Cuban refugee problem. The Honorable John Gardner, Secretary of Health, Education, and Welfare, was appointed to coordinate this committee of representatives of various Government agencies. While I rise to pay tribute to all of those involved in this work, I would like to pay particular tribute to the Small Business Administration and to its Acting Administrator, Ross D. Davis.

Mr. Speaker, Ross Davis is a career man in the finest tradition of public service. He is imaginative with a "can-do" attitude. When Secretary Gardner called Ross Davis to find out what, if anything, the SBA could contribute to efforts to solve some of the problems raised by the sudden influx of Cuban refugees, he was able to tell the Secretary that he had already been studying this problem. In truth, Mr. Speaker, he had already prepared detailed memorandum to his field office in Miami. Writing to my good friend, Tom Butler, SBA Regional Director, Miami, Mr. Davis authorized several programs and said he wanted them instituted on a crash basis.

In general, Mr. Davis decided that the Small Business Administration should direct its programs quickly and specifically to aid the Negro community. He proposed the following steps:

A. ECONOMIC OPPORTUNITY LOANS

Financial assistance under title IV of the Economic Opportunity Act of 1964 is aimed toward getting the deserving but poor citizens into business for themselves and off of the public dole. SBA recommended a Small Business Development Center for Miami which was approved by the Office of Economic Opportunity on January 19, 1966. OEO will grant the SBDC $74,628, to supplement non-Federal funds of approximately $8,308.

The SBA Miami office has been directed to expedite processing of all Economic Opportunity loan applications.

B. 502—LOCAL DEVELOPMENT COMPANY

Because of discussions with SBA, three local banks, and a television station appear willing to contribute cash toward the 20 percent required contribution by the local community.

This program can create new jobs by starting new companies. SBA can make 25-year loans for land, buildings, and machinery. If the local group will raise 20 percent of the total project cost, SBA makes a loan for the other 80 percent.

It was recommended that some staff time be given to the organization of local development companies using the 1 percent of surplus from banks, land or other facilities to create the local share.

SBA staff is attempting to secure land set aside preferably in renewal, rehabilitation areas to develop shopping strips and the like with emphasis on placing Negro businesses in these locations. It is hoped this will form the nucleus for a radiant redevelopment project which would retain some portion of this community in the downtown area.

C. GOVERNMENT PROCUREMENT

In an effort to diversify beyond the traditional Negro businesses, such as food, barber shops, beauty shops, etc., SBA's procurement division will survey the area, SBA will look for manufacturing potential that can be used to supply the Government. This may involve a single entrepreneur, as well as companies or small corporations. Such Government contracts will, at the outset, have the full scrutiny and assistance by SBA, or other guidance in terms of quality control and inspection.

D. PRIVATE SUBCONTRACTS

Western Electric Co., in Winston-Salem, has already agreed to make subcontracts available to firms in the target area with technical and administrative skills. It is possible that a portion of these subcontracts may be related to the aerospace industry at Cape Kennedy. SBA's coordinator will discuss this with the executive vice president of Western Electric.

E. MANAGEMENT ASSISTANCE

There is already an active service corps of retired executives (SCORE) chapter in Miami. SBA has recommended a crash program for the target area, a program based on SCORE and training programs. The program will be organized, developed, and conducted by SBA's management assistance staff. Such programs will use the building block concept, beginning with meaningful program clinics, workshops, and courses with emphasis on bookkeeping, records, and inventory control. SBA will concentrate on day-to-day operation of the small businesses. It will adapt to the specific needs of the area. It will be down to earth and useful.

F. DEVELOPMENT OF TALENT

We may ask from where administrative skills needed by Western Electric will come. SBA has answered this question. Contract has been made with the National Urban League, which is experienced in compiling lists of available and needed skills. The local Miami community will be surveyed to develop such a list. Filling the skill gap will require an SBA training program. The Miami-SBA experiment will be well documented so that other cities may benefit.

Mr. Speaker, as long as those of us in elective office get this kind of cooperation and initiative from our Federal officials, I am confident we can meet any challenge. And a challenge it is.

Those of us who have been trying to solve this problem are grateful for the support and help of SBA and its able and imaginative head, Ross D. Davis.

LEGAL SERVICES TO POOR

Mr. REES. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. Sickles] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SICKLES. Mr. Speaker, I rise to bring to the attention of my colleagues a recently formed arm of the Office of Economic Opportunity which I believe deserves our warmest commendation. It is a group of distinguished lawyers drawn from Government, the universities, the bar, and the bench, who have come together with the object of advising the OEO program to provide legal services to the poor on general policy and on ways in which the legal services program can most effectively accomplish its aims. The group is known as the National Advisory Committee to the legal services program.

The legal services program, Mr. Speaker, is a separate unit within OEO, under the community action program, which has assumed the important job of selecting and funding locally established groups throughout the country to serve the legal needs of the poor. Similar in concept to the traditional Legal Aid Societies but differing from them, first in that the governing boards of the local programs include representatives of the poor, and second in their emphasis on neighborhood instead of downtown legal offices, the legal services programs promise to be a really significant weapon in the antipoverty program's arsenal. They are designed to deal with all the legal problems which customarily confront poor people: Evictions, installment purchases, welfare problems, and the myriad of quasi-legal issues in which intelligent and articulate advocacy can protect a client against the arbitrariness of thoughtless or uninformed official acts. Judging by the success already attained in one city in which the program has been initiated, that design is being achieved rapidly and effectively: In Washington, D.C., during 1965, neighborhood legal centers assisted 4,896 clients, and the Legal Aid Society reported the largest caseload in its history. Neighborhood legal centers, which are crucial to successfully reaching people whose lives are often strictly curcumscribed by their immediate environment, are being initiated in legal services programs throughout the country and have already proved to be of great value in Los Angeles, St. Louis, Detroit, and Oakland, Calif., as well as in Washington. In many other cities, centers are just getting underway.

It goes without saying that OEO and the legal services program cannot hope to fight this battle without dedicated and distinguished leadership, and I am happy to say that I can personally testify to the dedication and distinction of the director of the legal services program, E. Clinton Bamberger, who is a native of Baltimore with a record of distinguished service to the legal profession and the public in Maryland.

Mr. Bamberger was selected outstanding young lawyer of Maryland in 1963, and has been the chairman of committees of the Maryland State and Baltimore City Bars dealing with representation of indigent defendants, legal services, legal ethics, and legal education. He was president of the Junior Bar Association of Baltimore City in 1961–62. Clinton Bamberger is highly qualified, personally as well as professionally, to assume the responsibility of directing the effort to provide legal services in the war against poverty.

Mr. Speaker, I would like to specifically focus upon the National Advisory Committee to the Legal Services Program. It is unusual to find a group of attorneys as brilliant and accomplished as this group, which includes not only U.S. Attorney General Nicholas Katzenbach, but also a past president, present president, and president-elect of the American Bar Association; Revius O. Ortique, president of the National Bar Association; Theodore Vorhees, president of the National Legal Aid and Defender Association; and Prof. Soia Mentschikoff, of the University of Chicago Law School, to mention merely a few of the 21 names on this distinguished list.

The National Advisory Committee has only been in existence a few months, and it has already met here in Washington on numerous occasions, providing advice and suggestions which have proved invaluable to the operations of the legal services program. I would like to take this occasion to express personal gratitude to the attorneys who have taken time from busy lives in order to make this contribution. I am sure I speak for the entire membership of this body in commending the National Advisory Committee for the responsible, imaginative, and exciting service it is rendering to the poor in America, and therefore to every one of us who is dedicated to equal justice under law.

Mr. Speaker, I would like to insert at this point in the RECORD the names of those serving on the National Advisory Committee to the Legal Services Program in the war against poverty:

NATIONAL ADVISORY COMMITTEE TO THE LEGAL SERVICES PROGRAM, OFFICE OF ECONOMIC OPPORTUNITY

Ex officio: E. Clinton Bamberger, Jr., director, legal services program; Earl Johnson, Jr., deputy director, legal services program.

Donald M. Baker, General Counsel, Office of Economic Opportunity.

Gary Bellow, deputy executive director, United Planning Organization.

Jean Camper Cahn, private attorney, Washington, D.C.

Edward Q. Carr, director, New York Legal Aid Society.

John W. Cummiskey, chairman, American Bar Association's Standing Committee on Legal Aid.

Prof. Harold Horowitz, UCLA Law School.

Hon. Nicholas deB. Katzenbach, Attorney General of the United States.

Edward W. Kuhn, president, American Bar Association.

Orison S. Marden, president-elect, American Bar Association.

F. William McCalpin, chairman, American Bar Association's Special Committee on the Availability of Legal Services.

Prof. Soia Mentschikoff, University of Chicago School of Law.

W. Robert Ming, Jr., private attorney, Chicago, Ill.

Pauli Murray, New York City, N.Y.

Hon. Philip M. Newman, judge of municipal court, Los Angeles Judicial District.

Revius O. Ortique, Jr., president, National Bar Association.

Lewis F. Powell, Jr., past president, American Bar Association.

Jerome J. Shestack, private attorney, Philadelphia, Pa.

Theodore Voorhees, president, National Legal Aid and Defender Association.

Elizabeth Wickenden, National Social Welfare Assembly, Inc.

Alanson Wilcox, General Counsel, U.S. Department of Health, Education, and Welfare.

Martin R. Wolf, coordinator, Alameda County Bar Association.

TRUTH-IN-LENDING AND TRUTH-IN-PACKAGING

Mr. REES. Mr. Speaker, I ask unanimous consent that the gentlewoman from Hawaii [Mrs. MINK] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mrs. MINK. Mr. Speaker, I want to add my support to two pieces of legislation which have been pending before three consecutive Congresses and which I consider of vital importance to the American consumer.

This legislation popularly known as truth-in-lending and truth-in-packaging has been introduced as far back as the 87th Congress, and Presidents Kennedy and Johnson have both urged passage of these bills.

President Kennedy, in a message to Congress in March 1962, asked for laws to protect consumers, particularly against the marketing of unsafe goods and against misleading or false advertising. He specifically asked for Federal Trade Commission authority over advertising and labeling of prescription drugs, but he also requested broader truth-in-lending and truth-in-packaging legislation. The 87th Congress responded by passing a bill to tighten the regulation of testing, marketing, advertising, and labeling of drugs as an important step in consumer protection, after which the President appointed a 12-member Consumers Advisory Council to represent consumer interests and needs.

President Johnson, after taking office, appointed Mrs. Esther Peterson, an Assistant Secretary of Labor, to be his special assistant for consumer affairs, and he also established a President's Committee on Consumer Interests, with members drawn from various Federal agencies and from the Consumers Advisory Council.

In a special message to Congress on February 5, 1964, President Johnson stated that his new Consumer Committee would effectuate action "against the selfish minority who defraud and deceive consumers." The President further stated:

> America's economy centers on the consumer. The consumer buys in the marketplace nearly two-thirds of our gross national product—$380 billion out of an output of $600 billion * * *. Yet, for far too long, the consumer has had too little voice and too little weight in government * * *. My special assistant, and the new Consumer Committee will lead an intensified campaign * * * to fight side by side with enlightened business leadership and consumer organizations, against the selfish minority who defraud and deceive consumers, charge unfair prices, or engage in other sharp practices.
>
> * * * * *
>
> Hearings on the Hart-Celler bill to require truth-in-packaging have shown us that informed judgments are often made difficult or impossible by deceptive or confusing packaging and labeling. The shopper ought to be able to tell at a glance what is in the package, how much of it there is, and how much it costs. We do not seek monotonous conformity. We do seek packages that are easily understood and compared with respect to sizes, weights, and degrees of fill * * *. More clear-cut regulations are needed to deal effectively with the problem of misleading adjectives; fractional variations in weight which are designed to confuse; illustrations which have no relationship to the contents of the package.
>
> The consumer credit system has helped the American economy to grow and prosper * * *. The antiquated legal doctrine "Let the buyer beware" should be superseded by the doctrine "Let the seller make full disclosure." I recommend enactment of legislation requiring lenders and extenders of credit to disclose to borrowers in advance the actual amount of their commitment and the annual rate of interest they will be required to pay.

The chief truth-in-lending bill is S. 2275, submitted by Senator PAUL DOUGLAS, Democrat, of Illinois, a bill on which hearings have been held since 1960 before the Subcommittee on Production and Stabilization of the Committee on Banking and Currency. Numerous similar bills have been introduced in the House of Representatives, but there has been no committee action on any of them as of this date.

The purpose of this legislation is to require anyone who extends credit or lends money to supply the borrower or credit-user with a statement of the total finance charge in dollars and cents and with a statement of the finance charge expressed in terms of a true annual rate on the outstanding unpaid balance of the obligation.

This represents no attempt to regulate the rate of interest or the cost of credit, but is a disclosure measure that would allow the typical consumer to compare the cost of credit from various sources and make an intelligent decision. Such information would help him to decide whether or not to borrow, pay cash, or save toward the purchase instead.

As Senator DOUGLAS so succinctly phrased it:

> We would apply the same conditions to those who sell the use of money as we require from those who sell goods. We expect the seller of breakfast food to at least state the quantity and the price on the package. We expect the butcher to list the price per pound for the meat he sells. We expect the gasoline dealer to disclose the price per gallon he charges for gasoline. We expect food stores to post the price for milk per quart at the retail level. Why should not we expect the lender or credit extender to post his price in a similar fashion?

In the hearings on truth-in-lending bills, the committee members have literally been shocked to find consumers paying over 100 percent, sometimes over 200 percent, rates of interest for appliances or automobiles. Most commonly, the true interest in cases brought before them ran in the 60 to 70 percent bracket, what with padding and fictitious fees added on. The committees have also found a link between the underworld and the growing loan-shark racket, and the ultimate conclusions of many Congressmen have been that the present system coddles the unethical who would be driven out of business by more honest dealers if disclosure legislation were passed.

Senator DOUGLAS has stated that his truth-in-lending bill will enable the consumer to shop intelligently for the best credit deal since all the facts must be presented. Thereby, the lowest interest-rate dealers would get more business and the consumer would have more money to spend on other things. It is unfortunate that the poor and the minority groups are the most preyed upon by certain types of businessmen, but legislation like this would not only protect the consumer but also the ethical businessman who loses out to the unscrupulous competitors.

In the words of Senator DOUGLAS once again:

> Basically, the question is whether we want truth to prevail in the marketplace. Men often fear truth, but ultimately it is beneficial and healing. It rewards the ethical and deters the careless and less ethical. In the end it benefits all but the determined and conscious wrongdoers.

Truth-in-packing legislation similarly has been introduced in the 87th, 88th, and 89th Congress. S. 985 introduced in 1965 by Senator PHILIP HART, Democrat, of Michigan, is the prototype of this legislation which deals with "trade and commercial practices affecting consumers in a manner which tends to restrain competition in interstate and foreign commerce, with particular reference to deceptive, misleading, fraudulent, or unfair practices in the production, processing, packaging, labeling, branding, advertising, statement of prices, and other conditions of sale, marketing, and furnishing of goods and services to consumers."

More than a dozen truth-in-packaging bills have been introduced the the House of Representatives, spearheaded by Chairman EMANUEL CELLER, of the Judiciary Committee.

The main thrust of these bills is to make it easier for the purchaser to compare prices on similar products, not to impose conformity on packaging as claimed by opponents. Hearings have been held and completed on S. 985, and I hope that this measure will come before the Senate for debate soon.

Both of these pieces of legislation are of vital concern to me because of their importance to the American consumer. It seems to me only simple justice that the borrower be informed of the full interest rate on his loan or credit purchase, just as it is eminently fair that the manufacturer clearly state the true content and weight of his packaged goods. Basic issues of honesty are involved, as well as an affirmation of the principle of business competition through a fair disclosure of what the consumer is getting for his money. Truth-in-packaging and truth-in-lending bills are promulgated on very basic American principles: the right of the consumer to know what he is buying and the obligation of the businessman to disclose what he is selling. I believe that these measures deserve the support of all fair-thinking Americans.

I urge my colleagues to support this vitally needed legislation.

CONGRATULATIONS TO BAKALAR AIR FORCE BASE, COLUMBUS, IND.

Mr. REES. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. HAMILTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HAMILTON. Mr. Speaker, I wish to report to the House an increased combat readiness posture which has been attained by the 931st Troop Carrier Group at Bakalar Air Force Base, Columbus, Ind.

This Air Force Reserve Group has earned a C–1 rating, the highest assigned to our tactical units.

Attaining this high proficiency under normal circumstances is commendable. This dedicated group increased its combat capabilities to the highest status, however, in the face of a Defense Department announcement that it was to be deactivated.

I think this is outstanding and deserving of special note.

Reflected in this achievement is the superior dedication of all members of this Reserve unit and the civil service workers—the civilians—who perform most of the maintenance and administrative chores for the reservists.

And, in view of the Vietnam situation and continued tensions elsewhere in the world, I am deeply concerned that the Defense Department phaseout orders, aimed at this highly proficient group and seven others across the country, have not been reviewed.

These groups represent an airlift capacity that could be utilized—indeed badly needed—in the delivery of supplies, men, and equipment. Aircraft from these units now are flying missions on a volunteer basis to Newfoundland, Bermuda, Puerto Rico, Dominican Republic, and within the United States.

This volunteer effort is helping to offset a callup of the Reserves. The airlift is being accomplished at a cost of about one-tenth the cost if a Reserve callup is required.

The 434th Wing at Bakalar Air Force Base, also scheduled for phaseout, has accrued an outstanding flying safety record with the C–119 aircraft. The men of the wing have flown over 106,000 hours over the last 9 years—without an aircraft accident. This is the highest record within all of Tactical Air Command—considering active, National Guard and Reserve units.

The 434th is truly a capable, combat-ready Reserve unit. Again, I believe its planned phaseout should be reviewed.

AN OPEN LETTER TO VIETCONG SYMPATHIZERS

Mr. REES. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. JOELSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. JOELSON. Mr. Speaker, I am now inserting in the RECORD my open letter which I hope, but doubt, will influence some sympathizers of the Vietcong in the United States:

> DEAR MR. X: I have received your recent letter in which you have opposed our Vietnam involvement and expressed some sympathy and support for Hanoi and the National Liberation Front.
>
> I wish to make it abundantly clear at the outset that I do not at all equate opposition to our Vietnam policy with pro-Communist sentiments. I am not now discussing the validity of our Vietnam policy. I am only addressing myself to that vocal minority among the critics of our position who seek to justify the actions of the Vietcong and the North Vietnamese.
>
> Frankly, Mr. X, you puzzle me. I am curious to know what makes you tick. You and others like you consider yourselves free and untrammeled spirits. Therefore, you dissent, you write letters to your Congressmen, you picket, you demonstrate. Has it not occurred to you that in the type of a society which you support, such persons as you would be among the first to be liquidated?

You must have read that recently in the Soviet Union, two writers who suggested that all was not well over there were sentenced to many years of hard labor in a prison work farm. Even as I write to you, they are probably being driven to exhaustion and collapse, felling trees in the frigid forests of the Soviet Eden. In Communist China, those free spirits who criticize the state are treated more mercifully. For the crime of "individualism," they are killed outright.

You have written to me, a member of the Federal Establishment, saying that our national policy is inhuman and suggesting that justice and decency reside with the adversary. Have you thought what would happen to someone who dispatched such a communication to a government official in Hanoi or Peping?

It is strange indeed that some dissenting nonconformists who could not survive in the political climate of communism seem to yearn for such a climate. Perhaps it is a subconscious wish for punishment, but I have no wish to be punished with you.

Because I venerate the right of dissent which you so freely exercise, and because I feel it vital to the viability of a democratic society that such right be protected, I shun the type of a system which you have attempted to justify.

So, Mr. X, you go right on protesting, writing letters and demonstrating. For my part, I shall try my best to support those policies which I thing are best designed to protect you against your own blind folly.

Sincerely,

CHARLES S. JOELSON,
Member of Congress.

MINIMUM WAGE FOR FARMWORKERS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from California [Mr. COHELAN] is recognized for 5 minutes.

Mr. COHELAN. Mr. Speaker, in order to pressure Congress against legislating a minimum wage for farmworkers, the Oregon Farm Bureau Federation is issuing a leaflet extolling the glories of child labor. The leaflet, "Steve's Job Is in Jeopardy," describes the possibility that a 13-year-old child might not work in agriculture if a minimum wage is extended to large farms.

The leaflet is simply incredible. One would think these arguments went out with the 19th century.

The leaflet also complains because H.R. 10518 would ban the use of children under 12 years of age in agriculture.

The leaflet neglects to mention that H.R. 10518 provides that full-time students may be worked at 85 percent of the minimum wage. Since the bill provides an initial agricultural minimum wage of $1.15 an hour, the Oregon Farm Bureau Federation is arguing against a minimum of 98 cents an hour.

Mr. Speaker, I hope every Member will read the leaflet of the Oregon Farm Bureau Federation. I can see no better reason for covering farmworkers under the Fair Labor Standards Act than the arguments made in this fantastic leaflet for excluding them.

I ask unanimous consent to have the full text of the leaflet, "Steve's Job Is in Jeopardy," printed in the RECORD.

STEVE'S JOB IS IN JEOPARDY: THIS IS WHAT YOU CAN DO

WHY?

The smiling, freckle-faced boy on the front of this folder is Steve Stapleton, age 13, of 605 Johnson NE., Salem, Oreg. Steve is an important part of the work force in the Willamette Valley. Steve, like thousands of other youngsters, works a few weeks each summer harvesting Oregon's pole bean and berry crops. Steve helps with the picking because he is needed, because he wants to and likes to, but, most of all he helps because it gives him the opportunity to earn his own money.

But Steve may have to enter the ranks of the unemployable. That is, unless you who believe Steve should have the opportunity to work do something about it.

It isn't that Steve can't work or doesn't want to work, nor is it that the farmer no longer wishes to hire him.

Steve, along with thousands of other youngsters, may be legislated out of his job.

H.R. 10518

H.R. 10518 is the number of a bill in Congress which would prohibit the hiring of any youngster under 12 years of age, and those over 12 who were permitted to work would have to be guaranteed a minimum wage for each hour worked.

Some may say, "What's wrong with that?" Well, you see, Steve has never been employed on an hourly basis. He works on a piece-rate basis. In strawberries he gets paid so much per carrier; with beans, so much per pound.

He gets paid for what he does. Steve likes it this way. It lets him set his own pace and his own hours. If he wants to leave the field and go practice ball, he can do it. The harder he works, the more his pay.

But the bill before Congress makes no provisions for those who work on a piece-rate basis. Every youngster who came to the field would have to be guaranteed a minimum wage of $1.15 an hour, regardless of what he produced.

The plain, simple fact is that the farmer cannot afford to hire Steve and his friends if he has to guarantee all of them $1.15 an hour.

And if the farmer cannot afford to hire Steve and his friends, then he cannot stay in the berry business. Steve and his friends are out of a job and the berry grower is out of business.

OTHERS ARE INVOLVED

There are more people than Steve and the farmer involved. What about the people who work processing and canning the beans and berries? What about the merchant downtown where Steve and his friends spend their earnings?

The following table shows what these crops contribute to Oregon's economy:

Importance of pole beans and berries, Oregon, 1964

Crop	Acreage	Production	Farm value (thousands)	Value added by processing (thousands)	Processed value
Pole beans	9,500	[1] 86,400	$10,380	$21,060	$31,440,000
Strawberries	15,500	[2] 100,800	14,447	14,650	29,097,000
Red raspberries	2,700	[2] 12,960	1,957	------------	------------
Black raspberries	2,600	[2] 4,160	1,165	------------	------------
Tame blackberries	3,500	[2] 23,100	3,765	------------	------------
Boysenberries and youngberries	1,150	[2] 3,795	676	------------	------------
Loganberries	420	[2] 1,680	286	------------	------------
Total, caneberries	10,370	[2] 45,695	7,849	6,825	14,674,000
Total	35,370	------------	32,676	39,125	75,211,000

[1] Tons.
[2] 1,000 pounds.

Source: Compiled from economic information for 1964 production furnished by Oregon State University.

WHAT YOU CAN DO

It's hard to believe Congress would intentionally legislate Steve and his friends out of a job. But unless we let our congressional delegation in Washington, D.C., know we think it is important that Steve and boys and girls like him should have the opportunity to work and earn, it could happen.

You are urged to wire or write each Member of Oregon's congressional delegation and urge them to vigorously oppose any legislation which would restrict the opportunity for the employment of our youth.

Here is how to address your communications:

Senators (WAYNE MORSE and MAUREEN NEUBERGER).

Hon. ———,
U.S. Senate,
Senate Office Building,
Washington, D.C.

DEAR SENATOR ———:

Representatives (EDITH GREEN, ROBERT DUNCAN, AL ULLMAN, WENDELL WYATT).

Hon. ———,
Member of Congress,
House Office Building,
Washington, D.C.

DEAR MR. (MRS.) ———:

If you want to help save Steve's job, write today. It is important that you do so.

Prepared and distributed by the Oregon Farm Bureau Federation, Post Office Box 2209, 1730 Commercial SE., Salem, Oreg., 97308.

DEMOCRACY: WHAT IT MEANS TO ME

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Rhode Island [Mr. FOGARTY], is recognized for 10 minutes.

Mr. FOGARTY. Mr. Speaker, the Veterans of Foreign Wars of the United States annually conducts a competitive contest throughout the country called the voice-of-democracy contest. I am advised that this year over 300,000 school students participated competing for the five scholarships awarded as top prizes.

In my State of Rhode Island the contest was won by a young lady from Westerly, R.I. Miss Faith Beam, who lives at 31 Champlin Drive in Avondale, did a wonderful job in developing her speech on the contest theme "Democracy: What It Means To Me." Her family and community should feel proud of her accomplishment and her teachers deserve a particular expression of appreciation for the obvious effectiveness of their efforts. Lastly, I should like to commend Miss Beam, herself. She is a fine example of the best of today's youth and a worthy representative of the school students of Rhode Island. Mr. Speaker, under leave to extend my remarks I include Miss Beam's speech.

DEMOCRACY: WHAT IT MEANS TO ME

(By Faith W. Beam, Westerly, R.I.)

Democracy is a type of government in which the supreme power is retained by the people and is exercised either directly, as in Greece in the Age of Pericles, or indirectly, through representation, as in the United States today. This is a very neat and precise textbook definition; but to the American people democracy must be a vital force of individual concern, or democracy as a practiced concept must vanish.

Democracy is the right of the individual to make his own choice, whether that choice be whom to elect for a national office or with whom to associate, what to believe or what to discard, how to worship or how to act privately. It is the right to make of his life whatever one wants. It is the right to serve or to concentrate on personal gain, to aspire to one's own goals without undo outside interference. Most of all, it is the right to be an individual.

Democracy is the paradox of allowance of rank and privilege and, nonetheless, equality for all. Our laws guarantee that all men be equal in liberty and opportunity, but they do not pretend to assert that everyone is equal in ability. The right to raise one's station in life as much as one can and still maintain respect for the equality of individuals is the essence of democracy.

But democracy is also responsibility, the responsibility of subordinating the right of the individual to the right of all. Personal rights mean nothing if one person's rights infringe upon another's. To do whatever we wish is our right only if that wish does not restrict someone else's privileges.

We Americans have the responsibility of guarding our liberties. If we would clamor if they were taken away, we must act now to insure their permanency. We are inclined to think of freedom as an international problem, concerning only those who are fighting in the far corners of this earth to liberate suppressed peoples. But freedom begins in the towns and villages all over our Nation. It is here that we must first fight for liberty, not with a rifle beside a Vietnamese soldier, but by standing up to voice our beliefs for all to hear and by supporting these beliefs with action. Our Nation was founded by men who had the courage of their convictions, to risk, and even to give, their lives to abolish what they felt was wrong and to institute something better. Have we not a moral obligation to defend these freedoms that they bequeathed to us, and even to improve upon them where they are faulty? Indeed we do. For only a country whose citizens are acutely aware of the necessity of strengthening their freedom can itself remain free.

Democracy challenges us not only to attack those institutions of government which we believe to be wrong, but also to support those that are right. We, as Americans, have the responsibility of supporting the forces that keep us free. It is our duty in a democracy to accept the will of the majority and the decisions of those leaders whom the majority has elected. We must keep our Nation united. We must support our President and the men who are daily giving their lives in dark, forgotten corners of the world that democracy may not be threatened. They are supporting our freedom, we must support them.

Democracy is a give-and-take proposition. Citizens in a democracy have the right to think for themselves, to shape their own lives. They must obey their laws, but they can determine those laws. Yet citizens also have the responsibility and the duty to make their government work, to keep their nation free. Democracy is an idealistic framework of government, but it is only as sturdy as those who support it. When it dies for individuals, it dies for the nation.

The United States is a powerful country, built on initiative and courage and responsibility. Its democracy is, above all, the conscientious effort of all the American people to protect, defend, and improve the government under which they live.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. RYAN, for today, for 5 minutes; to revise and extend his remarks and to include extraneous matter.

Mr. QUIE (at the request of Mr. HANSEN of Idaho), for 5 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. CURTIS, for 30 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. COHELAN (at the request of Mr. REES), for 5 minutes, today, and to revise and extend his remarks and include extraneous matter.

Mr. FOGARTY (at the request of Mr. REES), for 10 minutes, today, and to revise and extend his remarks and include extraneous matter.

Mr. ASHBROOK (at the request of Mr. HANSEN of Idaho), for 30 minutes, today.

Mr. PATMAN on Tuesday, March 15, for 30 minutes; and to revise and extend his remarks and include extraneous matter.

Mr. SWEENEY, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. HUNGATE.

Mr. FARBSTEIN.

(The following Member (at the request of Mr. HANSEN of Idaho) and to include extraneous matter:)

Mr. FINO.

(The following Members (at the request of Mr. REES) and to include extraneous matter:)

Mr. JOELSON.

Mr. HANLEY.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1484. An act for the relief of Mrs. Loneta Hackney;

H.R. 1918. An act for the relief of Eligio Ciardiello;

H.R. 3076. An act for the relief of the estate of Bart Briscoe Edgar, deceased;

H.R. 3236. An act for the relief of Louis Shchuchinski;

H.R. 4928. An act for the relief of Chizuyo Hoshizaki;

H.R. 4495. An act for the relief of Muhammad Sarwar;

H.R. 5231. An act for the relief of Jack Ralph Walker;

H.R. 5530. An act for the relief of the estate of Robert A. Ethridge;

H.R. 5973. An act for the relief of Edwin F. Hower;

H.R. 7667. An act for the relief of Donald F. Farrell; and

H.R. 10338. An act for the relief of Joseph B. Stevens.

ADJOURNMENT

Mr. REES. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 25 minutes p.m.) the House adjourned until tomorrow, Wednesday, March 9, 1966, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2157. A communication from the President of the United States transmitting proposed supplemental appropriations and provisions for the fiscal year 1966, for the District of Columbia (H. Doc. No. 405); to the Committee on Appropriations and ordered to be printed.

2158. A letter from the Director, Office of Economic Opportunity, Executive Office of the President, transmitting a draft of proposed legislation to provide for continued progress in the Nation's war on poverty; to the Committee on Education and Labor.

2159. A letter from the Secretary of Commerce, transmitting a letter advising that the Bureau of the Census has been directed to take no action at the present time to compile the voting and registration statistics contemplated in the Civil Rights Act of 1964; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GRAY: Committee on Public Works. S. 2394. An act to provide for the acquisition of an official residence for the Vice President of the United States; with amendments (Rept. No. 1310). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ASHMORE: Committee on the Judiciary. H.R. 4602. A bill for the relief of Capt. Donald W. Ottaway, U.S. Air Force; with amendments (Rept. No. 1307). Referred to the Committee of the Whole House.

Mr. GILBERT: Committee on the Judiciary. H.R. 10990. A bill for the relief of Maj. Alan DeYoung, U.S. Army; with amendment (Rept. 1308). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. S. 1049. An act to provide relief for the heirs and devisees of Fly and Her Growth, deceased Lower Brule Indian allottees; without amendment (Rept. No. 1309). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BOLLING:

H.R. 13385. A bill granting the consent of Congress to the compact between Missouri and Kansas creating the Kansas City Area Transportation District and the Kansas City Area Transportation Authority; to the Committee on the Judiciary.

By Mr. DOLE:

H.R. 13386. A bill granting the consent of Congress to the compact between Missouri and Kansas creating the Kansas City Area Transportation District and the Kansas City Area Transportation Authority; to the Committee on the Judiciary.

By Mr. ELLSWORTH:

H.R. 13387. A bill granting the consent of Congress to the compact between Missouri and Kansas creating the Kansas City Area Transportation District and the Kansas City Area Transportation Authority; to the Committee on the Judiciary.

By Mr. HULL:

H.R. 13388. A bill granting the consent of Congress to the compact between Missouri and Kansas creating the Kansas City Area Transportation District and the Kansas City Area Transportation Authority; to the Committee on the Judiciary.

By Mr. MIZE:

H.R. 13389. A bill granting the consent of Congress to the compact between Missouri and Kansas creating the Kansas City Area Transportation District and the Kansas City Area Transportation Authority; to the Committee on the Judiciary.

By Mr. RANDALL:

H.R. 13390. A bill granting the consent of Congress to the compact between Missouri and Kansas creating the Kansas City Area Transportation District and the Kansas City Area Transportation Authority; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 13391. A bill to provide for continued progress in the Nation's war on poverty; to the Committee on Education and Labor.

By Mr. GIBBONS:

H.R. 13392. A bill to provide for continued progress in the Nation's war on poverty; to the Committee on Education and Labor.

By Mr. RYAN:

H.R. 13393. A bill to repeal subsection (c) of section 245 of the Immigration and Nationality Act, to permit adjustment of status of persons from the Western Hemisphere on the same basis as other aliens; to the Committee on the Judiciary.

H.R. 13394. A bill to amend the act of October 3, 1965 (Public Law 89-236); to the Committee on the Judiciary.

By Mr. ABBITT:

H.R. 13395. A bill to authorize the Secretary of the Interior to acquire Appomattox Manor, a historic property in Hopewell, Va., for addition to the Petersburg National Battlefield in Virginia, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ANDERSON of Tennessee:

H.R. 13396. A bill to provide needed additional means for the residents of rural America to achieve equality of opportunity by authorizing the making of grants for comprehensive planning for public services and development in community development districts designated by the Secretary of Agriculture; to the Committee on Agriculture.

By Mr. ASHMORE:

H.R. 13397. A bill to amend section 2734a of title 10, United States Code, to provide for settlement, under international agreements, of certain claims incident to the noncombat activities of armed forces, and for other purposes; to the Committee on the Judiciary.

By Mr. ELLSWORTH:

H.R. 13398. A bill to amend the Internal Revenue Code of 1954 to provide an additional $3,000 exemption from income tax for amounts received as annuities, pensions, or other retirement benefits; to the Committee on Ways and Means.

By Mr. FINO:

H.R. 13399. A bill to amend and extend laws relating to housing and urban development; to the Committee on Banking and Currency.

By Mr. GILBERT:

H.R. 13400. A bill to amend the Public Health Service Act to provide for the establishment of a National Eye Institute in the National Institutes of Health; to the Committee on Interstate and Foreign Commerce.

By Mr. GOODELL:

H.R. 13401. A bill to amend section 8(b) (4) of the National Labor Relations Act, as amended, with respect to strikes at the sites of construction projects; to the Committee on Education and Labor.

By Mr. JOHNSON of California:

H.R. 13402. A bill to amend the act of September 26, 1950, authorizing the Sacramento Valley Irrigation Canals, Central Valley project, California, in order to increase the capacity of certain project features for future irrigation of additional lands; to the Committee on Interior and Insular Affairs.

By Mr. KEOGH:

H.R. 13403. A bill to provide for the temporary suspension of duty on granulated or ground cork; to the Committee on Ways and Means.

By Mr. LEGGETT:

H.R. 13404. A bill to amend the act of September 26, 1950, authorizing the Sacramento Valley Irrigation Canals, Central Valley project, California, in order to increase the capacity of certain project features for future irrigation of additional lands; to the Committee on Interior and Insular Affairs.

By Mrs. MINK:

H.R. 13405. A bill to extend the temporary provisions of the act of September 23, 1950 (relating to school construction in federally impacted areas) for an additional 3 years; to the Committee on Education and Labor.

By Mr. NELSEN:

H.R. 13406. A bill to authorize the Secretary of Agriculture to regulate the transportation, purchase, sale, and handling of dogs and cats in commerce; to the Committee on Agriculture.

By Mr. O'KONSKI:

H.R. 13407. A bill to amend chapter 34 of title 38 of the United States Code to restore entitlement to educational benefits to certain veterans of World War II and the Korean conflict; to the Committee on Veterans' Affairs.

By Mr. PERKINS:

H.R. 13408. A bill to provide for the establishment of a fish hatchery in the State of Kentucky; to the Committee on Merchant Marine and Fisheries.

H.R. 13409. A bill to amend title 38 of the United States Code to extend the period for accruing eligibility for educational assistance under chapter 34 of that title; to the Committee on Veterans' Affairs.

By Mr. REINECKE:

H.R. 13410. A bill to amend the Economic Opportunity Act of 1964 to prevent certain employees of community action agencies and Volunteers in Service to America from engaging in pernicious political activities; to the Committee on Education and Labor.

By Mr. WELTNER:

H.R. 13411. A bill to amend the Urban Mass Transportation Act of 1964 to authorize financial assistance for planning, engineering, designing, and other technical studies; to the Committee on Banking and Currency.

By Mr. WRIGHT:

H.R. 13412. A bill to amend the River and Harbor Act of 1965 to prohibit certain fees being charged in connection with projects for navigation, flood control, and other purposes; to the Committee on Public Works.

H.R. 13413. A bill to amend title II of the Social Security Act to provide that an individual may qualify for disability insurance benefits and the disability freeze if he has enough quarters of coverage to be fully insured for old-age benefits, regardless of when such quarters were earned, without regard to the month when an insured person became disabled; to the Committee on Ways and Means.

By Mr. FULTON of Pennsylvania:

H.J. Res. 884. Joint resolution proposing an amendment to the Constitution of the United States permitting nonsectarian prayer in public schools or other public places if participation therein is not compulsory; to the Committee on the Judiciary.

By Mr. OTTINGER:

H.J. Res. 885. Joint resolution to authorize the President to designate October 31 of each year as National UNICEF Day; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

414. By the SPEAKER: Memorial of the House of Representatives of the State of Arizona, relative to requesting the United States to provide for the altering of Whitlow Dam to impound water for recreational purposes; to the Committee on Public Works.

415. Also, a memorial of the Senate of the State of Arizona relative to opposing the Dodd bill or any other Federal legislation relating to regulation and registration of mail-order firearms sales; to the Committee on Ways and Means.

416. Also, a memorial of the House of Representatives of the State of Arizona, relative to opposing the Dodd bill or any other Federal legislation relating to regulation and registration of mail-order firearms sales; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROYHILL of Virginia:

H.R. 13414. A bill for the relief of Angele Magarian; to the Committee on the Judiciary.

By Mr. KING of California:

H.R. 13415. A bill for the relief of Miguel Vargas Diaz and his wife, Eva Almazon Diaz; to the Committee on the Judiciary.

By Mr. MULTER:

H.R. 13416. A bill for the relief of Lee Shan Gan; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Congressman Fino Introduces Housing and Urban Development Legislation

EXTENSION OF REMARKS

OF

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 8, 1966

Mr. FINO. Mr. Speaker, today I am introducing an honest version of the administration's Housing and Urban Development Act amendments legislation. My reason for introducing this bill is to correct one major, but well-camouflaged flaw in the administration proposal. On first glance, the administration proposal seems mostly technical and procedural, embodying only a minimum of substantive change. Such a first glance, however, is misleading. The administration Housing Act Amendments are a well-tooled part of a national blueprint for socialization of urban and rural development.

On February 24, I introduced an alternative demonstration cities bill as I felt the Republican Party, as a loyal opposition, had an obligation to delineate the conflict with regard to the far-reaching administration plans for control of American residential patterns. My demonstration cities bill stripped the demonstration cities proposal of the controversial Federal coordinator who, in my opinion, has an unfortunate potential for exercising commissar-like powers to the detriment of local self-government. My bill also took out of the demonstration cities program any mention of "economic integration." Economic integration, as distinguished from racial integration, has nothing to do with race relations. It is a pure and simple matter of quasi-collectivist control of residential patterns so as to insure that people do not live in accommodations they can afford, but in accommodations Government social planners decide they need.

Bluntly put, economic integration means that the middle-income taxpayer, in addition to shouldering his rent obligation, shoulders a tax obligation so that the Government can subsidize a poor person to live in middle-income accommodations at middle-income expense. I do not favor this. I know America does not.

Last year, it was my privilege to lead the bipartisan fight against an insidious piece of planning called "rent supplements." The rent supplement scheme has been hailed by every social planner from Seattle to Key West, but I know of no congressional district public opinion survey that has favored it. I understand that the liberal Berkeley, Calif., district opposes the scheme by a 3 to 1 majority.

I am sure that American public opinion puts about the same faith in the administration demonstration cities and related legislative proposals. A recent Lou Harris poll stated that the American people feel that the administration's residential development programs are one of the first things we ought to sacrifice to pay for Vietnam. The American people feel that the space program is number one on the sacrifice list, and right behind the space program, they are willing to sacrifice the urban development program.

I do not completely agree. I think we need the urban development program. I like the idea of the Federal Government offering these carrots to provoke urban self-improvement. What I dislike is the fact that the carrots are not being offered to provoke self-improvement.

They are rather being offered to achieve Federal control. I want to take the fishhook out of the carrots. I want to strip creative federalism of its corollary encroaching centralism. That is what I tried to do in my demonstration cities bill.

The second part of the administration residential planning package is a metropolitan planning bill. Succinctly put, this bill offers bribes to local governments to yield up control of city planning and zoning to Federal criteria. It also resurrects the new town idea which, while it has some very good aspects, also involves the subjection of American townbuilding to Federal criteria. Federalism is not always benevolent or Federal criteria would not be danger signals to the Congress.

I do not think that there is much that Republicanism can do with the metropolitan planning bill. It is an out-and-out power play. The role of the loyal opposition here is, quite simply, opposition. The bill contains a few palatable topics, however. For example, urban information centers. The metropolitan planning bill is also the vehicle through which mass transportation has been consigned to oblivion in the 2d session of the 89th Congress. The bill completely neglects real needs, presumably because they have no power-grab potentials.

I have cosponsored the commuter service bill introduced in the Senate by Senator WILLIAMS of New Jersey. This bill is receiving virtually no consideration this year. Presumably the administration is not interested in helping commuters, but just with taxing them to pay for socialized residential pattern programs. Nor is mass transportation research being realistically dealt with. Research again has no part in a power play.

The administration is fighting Custer's last stand this year. In November, General Custer's troops are going to suffer casualties, and no more of this collectivist blueprint will escape the drawing boards. For that reason, what we do here during this session is crucial. Power ungrabbed this year will be unreachable by the Johnson administration during whatever tenure remains to it.

The scheming of the demonstration cities and metropolitan planning bills is pretty much aboveboard. The scheming of the Housing Act amendments is not. It is quite well hidden as a minor change in the rent certificate program. My Housing Act amendments legislation keeps the rent certificate program honest.

The rent certificate program, you will remember, is the commonsense cousin of the rent supplement. While the supplement is to be used to put low-income people in middle-income housing, with the Government paying the difference between a quarter of the tenant's salary and the cost of the apartment, the rent certificate program is more restrained. The supplement involved committing Government funds for 40-year contracts, making the supplement a multibillion-dollar program.

The GOP-designed rent certificate involves nothing more than short-term commitments whereby low-cost private housing is used to take up the overflow of public housing. Low-cost private housing is used to supplement low-cost public housing, and persons thus aided are getting subsidized rents just as they would be in public housing. The thing is that they are not being given subsidies to live in middle-income housing. The rent certificate program is not now and was not intended to be a vehicle of economic integration. We Republicans originated the program, and we did not originate it as a vehicle of economic integration. We were simply trying to increase the supply of low-cost housing in order to handle the public housing overflow.

Unfortunately, the administration is trying to warp the "rent certificate" program. They are trying to make it apply to middle-income housing which has already been subsidized by the Government. Last year, we Republicans made it very clear that rent certificates were not to be used in housing which had already been subsidized by tax abatement. The hearings on the rent certificate show this conclusively. We had no intention of allowing rent certificates to be used in State-aided projects like New York's Mitchell-Lama houses, which receive New York State loans and New York City tax abatements. This sort of housing is not a substitute for public housing.

The provision that rent certificates cannot be used in housing not paying full taxes does not, regrettably, appear in the law we passed last year. We were mistaken in assuming a good faith adherence to our expressed views. We should have put the full taxes requirement in the bill.

We should have made the bill more specific with reference to rent certificates. We should have done so because the administration is not interested in rent certificates as a means of providing alternative low-cost housing to public housing. The administration is interested in using rent certificates as another program in its armory of swords of collectivism. As compared with rent certificates, rent supplements can only be used in 221(d)(3) housing projects. These are private structures, built with market-interest rates. They are market-interest rate structures in order that the rent supplement does not come on top of another subsidy.

This is important. The rent certificate program, as drawn up by the Republican minority of the Housing subcommittee, also made sure that certificates were not to be used in housing which had already been subsidized. We had no use whatever for the idea of double subsidies. They appear in neither program.

Now the administration is covertly pushing the double subsidy. They are doing so because they need it as a sword of collectivism—as a weapon of economic integration. Because rent supplements cannot be used in housing other than 221(d)(3) projects, there are many types of housing left which cannot be economically integrated. This disturbs some of the malcontented gentlemen in remote backrooms downtown. The rent certificate program can be used only in buildings where the owner offers to let the local housing agency put such tenants in. It seems apparent to me that most landlords are not going to invite these tenants in. Middle-class rent payers, many of whom find their rents a great strain on top of present day tax burdens, are not going to like having neighbors living in similar apartments on subsidized rents. The trick is to find housing where the landlord will invite subsidized tenants in to live with griping middle-income tenants. One such type of housing comes immediately to mind.

There is a growing class of housing in our Nation built by private builders with all-critical State and local loan and tax assistance. In effect, this is quasi-public housing. It is quite effectively controlled by the appropriate public agencies. This is the type of housing the backroom planners want to use for economic integration by way of the rent certificate.

Several weeks ago, there was a rumor in New York City that the Housing and Urban Affairs Department was contracting for rent supplements. As there is as yet no appropriation for this insidious program, I investigated. It turned out that they were preparing to make rent certificate commitments. One type of housing they were considering was Mitchell-Lama publicly subsidized housing. I said that the rent certificate program could not apply to these, citing committee hearings language, and for the moment, I thought they had backed down. Then I saw the administration housing bill.

The present language of the "rent certificate" program as enacted last year allows "rent certificates" to be used only in existing buildings. The administration would like to add to this such appropriate new construction as comes on the market. I have no objection if they mean low-income private construction similar to public housing. But this is not what they mean. The language of the proposed change in the act merely refers to making it read "structures" instead of "existing structures," but in the separate explanation of what they are trying to do, the administration refers to ventures between private builders and public authorities as being the newly built and to-be-built structures they want to apply the rent certificates to. The administration wants to put subsidized tenants in already subsidized housing.

Among others, I imagine they are after New York's Mitchell-Lama houses. These are built with State loans and city tax statements. They are effectively State controlled, so there would be no difficulty in getting the "private owner" to request a few subsidized tenants. I imagine that such a "request" could quickly become mandatory. These are middle-income houses, filled with hard-pressed middle-income taxpayers. I know full well that the tenants of these projects do not want subsidized neighbors living off Government rent handouts.

The people of New York State have turned down a proposal to put subsidized tenants into these housing projects. They did so in a State referendum. No referendum has ever supported this sort of thing. The Johnson administration is flouting the will of the tenants of Mitchell-Lama projects, the people of New York State and, I believe, the sentiments of a great majority of the people of this Nation.

As I have indicated, the rent certificate program was never meant to be warped into a sword of collectivism. It was meant as a program whereby the overflow from public housing could be put into low-cost housing which was private and unsubsidized. There was no intent to provide a second subsidy to put low-income people into subsidized middle-income housing. My bill reaffirms the intent of Congress by merely providing that rent certificates can only be used in housing which pays full taxes. This will keep the program within the original intent of the Congress.

I would like to add in closing that what the President is seeking to do with respect to aggradizement of the Federal power in urban areas, he is also seeking in rural areas. This is a national issue. Free residential patterns versus socialized residential patterns. It is an issue I intend to bring to the fore. My demonstration cities and Housing and Urban Development Act amendment bills stand for local self-determination and Federal aid as opposed to Federal control. On that basis, I think they constitute the legislation most worthy of passage.

A Polish-American Art Exhibition

EXTENSION OF REMARKS

OF

HON. CHARLES S. JOELSON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 8, 1966

Mr. JOELSON. Mr. Speaker, on March 5, 1966, I was pleased to attend an exhibition of the art of Bernard Lewandowski, sponsored by the Polish-American Youth Association of Passaic, N.J.

The artist who created the impressive paintings now resides in Passaic. He was born in Poland, and studied at the Kracow Academy of Fine Arts until the war. Leaving Poland in 1945, he studied in Paris, and after 18 years in France he came to the United States. His works can be found in many private collections, and also in museums in his native land.

I am proud to have an artist of Mr. Lewandowski's stature in the congressional district which I represent, and I compliment the Polish-American Youth Association of Passaic for its contribution to the cultural life of the community in sponsoring the exhibition of Mr. Lewandowski's stimulating work.

High School Survey in Missouri

EXTENSION OF REMARKS

OF

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 8, 1966

Mr. HUNGATE. Mr. Speaker, during the month of February 1966, I conducted a survey of high school students in the Ninth Congressional District of Missouri, and of 5,000 questionnaires sent out to civics, history, and government classes, we received a response of 1,781, better than 35 percent.

The questions and results are as follows:

	Yes	No	Undecided
1. Do you approve of our Government's policy in Vietnam?	1,116	641	24
(a) Would you favor withdrawal of troops from Vietnam leaving the area to Vietcong?	220	1,522	33
(b) Would you favor extending the war with widespread bombings and additional troop commitments?	1,014	728	41
2. Should Red China be admitted to the United Nations?	515	1,221	40
3. Is the poverty program effective in your area?	665	848	268
4. Do you favor expanding coverage of fair labor standards and minimum wage laws to farmworkers, restaurant, motel, and filling station employees?	1,302	376	14
5. Would you favor an increase in congressional terms from 2 to 4 years?	921	851	18

I thought this survey of the opinion of this portion of America's youth might be helpful to my colleagues.

I am presently conducting a like survey of 20,000 adult voters in my district and as soon as those returns are in, I shall make them likewise available.

Cities Demonstration Program

EXTENSION OF REMARKS

OF

HON. LEONARD FARBSTEIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 8, 1966

Mr. FARBSTEIN. Mr. Speaker, on March 7, 1966, there appeared in the New York Times an article dealing with the President's cities demonstration program.

I submit for the consideration of my colleagues the article, together with my comments thereon:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., March 8, 1966.

LETTERS TO THE EDITOR,
The New York Times,
New York, N.Y.

DEAR MR. EDITOR: I read with interest your article on Monday, March 7, 1966, dealing with the President's cities demonstration program.

The President's proposal, which is currently being studied in Congress, outlines a dynamic approach to eliminate blighted areas from a physical, social, and economic standpoint in a number of cities. As a New Yorker, I am vitally concerned with the waste of human resources and the poverty which characterize a number of sections in Manhattan. I believe that the $2.3 billion requested by the President for the cities demonstration program is a beginning in America's battle to adequately improve urbanized society, where 4 out of 5 Americans will live and work in cities by the year 2000.

To suggest that the appropriation is insufficient to achieve a meaningful contribution in the rehabilitation of urban areas would be correct if this were a terminal point. However, in addition to the suggested appropriation, other Federal funds from existing programs, carried out by many departments of Government, will also be channeled into the designated cities demonstration areas.

I am also hopeful that my amendment to the Public Works and Economic Development Act of 1965 (H.R. 10855) authorizing Federal economic development assistance to compact and contiguous areas with a population of 200,000 or more will be enacted in the current session of the Congress. I have reason to believe that the figure may be reduced to include compact and contiguous areas of 100,000. If this amendment is enacted, additional funds could be applied to the city demonstration approach.

We must approach the problem of rehabilitating great urban areas with a degree of prudence to insure that local initiative and foresight are brought into the planning and execution of the program. As the President said in his message to the Congress: "Let there be debate over means and priorities. Let there be experiment with a dozen approaches, or a hundred. But let there be commitment to that goal." I echo these sentiments. We in Congress must decide the scope of the cities demonstration program, given our current fiscal commitments to defense and other existing domestic programs. I, personally, shall do all I can to assure adequate funds for this important new program.

Sincerely yours,

LEONARD FARBSTEIN,
Member of Congress.

[From the New York Times, Mar. 7, 1966]

SLUM PLAN STIRS CONCERN IN HOUSE—KEY SUBCOMMITTEE MEMBERS BELIEVE JOHNSON PROGRAM NEEDS BIG RISE IN FUNDS

(By Robert B. Semple, Jr.)

WASHINGTON, March 6.—There is growing concern here that the proposed demonstration cities program, for cleaning up slums, cannot work unless substantially more money is poured into it or existing Federal programs.

Key members of the Housing subcommittee of the House Banking and Currency Committee have reached this stark and potentially troublesome conclusion. The subcommittee has heard a week of testimony on the much-publicized plan, on which President Johnson has pinned his hopes for improving city slum areas.

Under the President's plan a city applying for Federal aid would select one or possibly two blighted neighborhoods and submit an over-all plan for their rejuvenation.

AID PLANNED—$2.3 BILLION

The project would include housing for different income groups, with emphasis on those with lower incomes, as well as the health, education, welfare and other social services necessary to change the environment of the projects' residents.

Cities meeting a list of broad Federal criteria, including need and administrative capability, would be eligible for a share of $2.3 billion in Federal aid, spread over 5 years. They would also receive what Mr. Johnson described as "the complete array of all available Federal grants and urban aids in the fields of housing, renewal, transportation, education, welfare, economic opportunity and related programs."

The President's message submitting the proposal to Congress said that 60 to 70 cities would be chosen to participate in the demonstration program.

A survey of subcommittee sentiment suggests that most members accept the administration view that the plan is an imaginative and long overdue approach to solving slum problems.

But they fear $2.3 billion is not nearly enough to fulfill the program's promise.

Nor are they happy about the possible courses they believe are open to them if they try to match the capabilities of the program to the President's rhetoric.

COULD INCREASE FUNDS

One course would be to increase funds for the program or, alternatively, the authorized levels of the many existing programs that are expected to be used as part of the demonstration cities plan. But they believe this course would involve enormous legislative difficulties and would invite criticism from the inflation-conscious Congress.

A second approach would be to reduce the number of cities involved in the plan. This would be equally risky because the program needs broad support on the House floor to pass.

A third course would be to revise downward the expectations of the plan by limiting the funds available to each participating city. But this might violate the Presidential dictum that the program be of sufficient magnitude to make "a substantial impact within the coming few years on the development of the entire city."

This largely unexpected concern has arisen in the last week for three main reasons:

First, the committee has been troubled by repeated testimony from mayors of large cities. The mayors have said that if the program, as Mr. Johnson promises, makes available to demonstration cities the "complete array of all available grants and aids," it will tend to divert these funds from communities that do not participate in the demonstration program.

Despite assertions to the contrary from Robert C. Weaver, Secretary of Housing and Urban Development, committee members tend to agree that this would be true. To avoid such discrimination and diversion, they believe that the total Federal outlay for urban renewal and other Federal aid would necessarily have to be increased.

Second, some committee members believe that the problem of diversion or discrimination could be aggravated by a financing mechanism in the administration bill. They believe it would tend to encourage cities competing for the demonstration funds to put still further pressure on existing Federal programs.

The bill says that the Government will pay 80 percent of the local share of Federal grant-in-aid projects that are focused on the demonstration area.

Communities usually pay one-third of the net cost of urban renewal projects and the Government two-thirds. Under the bill, the Government would pick up 80 percent of the community's old one-third share.

This mechanism, some committee members believe, would encourage communities to seek additional funds from a wide variety of Federal agencies to be able to enlarge the base on which their share of the demonstration program's money would be computed. Many of these agencies are already oversubscribed and short of cash.

Third, there is a growing belief in the committee and among housing experts here that the administration badly underestimated the cost of certain important social aspects of the program. As a result, they believe the $2.3 billion requested by the President is grossly inadequate to do the kind of job he set out to do.

The $2.3-billion figure proposed by Mr. Johnson was arrived at by determining how much it would cost to meet certain physical and social goals in 60 to 70 cities and then subtracting from this the amount the cities would recover by selling to private owners the dwelling units constructed or rehabilitated under the program.

It is now clear however, that the costs of providing a family with all the social services envisioned in the President's message were grossly miscalculated.

Accordingly there are two separate moves afoot to "rationalize" the program as one committee member put it. One is to enlarge greatly the $2.3-billion fund to meet the program's targets without increasing other Federal programs. The other is to keep the $2.3-billion figure and limit the number of cities involved.

Fiftieth Anniversary of the Congressional Chartering of the Boy Scouts of America

EXTENSION OF REMARKS

OF

HON. JAMES M. HANLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 8, 1966

Mr. HANLEY. Mr. Speaker, this week commemorates the 50th anniversary of the congressional chartering of the Boy

Scouts of America. We salute the members of this organization and their leaders who have contributed so greatly to the growth of America's leaders and potential leaders.

Fifty years of progressive guidance for our young people through the Boy Scouts has produced a tradition measured not only within the boundaries of America but throughout the world.

In Syracuse and Onondaga County, N.Y., there are thousands of young boys who are taught honor to God and country. Within this nationwide organization our young realize the satisfaction of responsibility and the pride of hard work and achievement. They progress within the bounds of capable leadership. They realize the satisfaction of fellowship and the pleasure of solitude. Within the Boy Scouts is the gift of brotherhood.

HOUSE OF REPRESENTATIVES

Wednesday, March 9, 1966

The House met at 12 o'clock noon.

Rev. Richard P. Baird, C.PP.S., St. Anthony Catholic Church, Falls Church, Va., offered the following prayer:

Thy kingdom come—Thy will be done.—Matthew 6: 10.

Almighty God, Creator and Ruler of the universe, grant, we beg of You, Your divine guidance to those who by Your will, expressed by the will of Your people, govern in Your name this great Nation.

Enlighten their minds in order that their wills may always conform with Your will and that through their actions they may bring peace and concord to all citizens, eliminating crime and racial discord and alleviating ignorance, poverty, and disease.

In Your divine providence, You have in these most difficult times placed upon this Nation the tremendous burden and awesome responsibility of world leadership.

We humbly ask that You enlighten the minds of the heads of all governments, even of those who do not know You or have turned away from You in order that they too may conform their wills to Your will and thus bring lasting peace to the world. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Geisler, one of his secretaries, who also informed the House that on March 8, 1966, the President approved and signed a bill of the House of the following title:

H.R. 10625. An act relating to the tax treatment of certain amounts paid to certain members and former members of the uniformed services and to their survivors.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 2266. An act to authorize the Attorney General to transfer to the Smithsonian Institution title to certain objects of art;

S. 2540. An act to authorize the conclusion of an agreement for the joint construction by the United States and Mexico of an international flood control project for the Tijuana River in accordance with the provisions of the treaty of February 3, 1944, with Mexico, and for other purposes; and

S. 2729. An act to amend section 4(c) of the Small Business Act, and for other purposes.

The message also announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 1666. An act to provide for the appointment of additional circuit and district judges, and for other purposes.

The message also announced that the Presiding Officer of the Senate, pursuant to Public Law 115, 78th Congress, entitled "An act to provide for the disposal of certain records of the U.S. Government," appointed Mr. Monroney and Mr. Carlson members of the joint select committee on the part of the Senate for the disposition of executive papers referred to in the report of the Archivist of the United States numbered 66–12.

TO AUTHORIZE APPROPRIATIONS DURING THE FISCAL YEAR 1966 FOR PROCUREMENT OF AIRCRAFT, MISSILES, NAVAL VESSELS, TRACKED COMBAT VEHICLES, RESEARCH, DEVELOPMENT, TEST, EVALUATION, AND MILITARY CONSTRUCTION FOR THE ARMED FORCES, AND FOR OTHER PURPOSES

Mr. RIVERS of South Carolina. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 12889) to authorize appropriations during the fiscal year 1966 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, research, development, test, evaluation, and military construction for the Armed Forces, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina? The Chair hears none, and appoints the following conferees: Messrs. Rivers of South Carolina, Philbin, and Bates.

INTEREST RATE INCREASES FAR EXCEED GUIDELINES OF THE ADMINISTRATION

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include a letter to Secretary Fowler.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, the administration's wage-price guidelines are working extremely well in holding back the development of any inflationary trends.

However, I am deeply concerned that one element of the economy—the banking community—is remaining outside of these guidelines. Mr. Speaker, I do not believe that we can maintain a stable economy if we allow the banking community to raise the price of its product—money—at will.

I have today written a letter to Secretary of the Treasury Henry H. Fowler, requesting specific information concerning the extent to which the banks have exceeded the administration's wage-price guidelines of 3.2 percent.

It is obviously unfair to expect labor and business to hold back their demands if the banks, operating through the Federal Reserve System, are given a free rein to pile up higher and higher profits. Even more important is the fact that these rising interest rates are affecting the cost of every other item in the economy. You cannot add 25 percent to the cost of the businessman's borrowing and expect him to maintain stable prices. At the same time, you cannot expect the worker to restrain wage demands if he must pay 25 percent more for his credit on such things as housing, automobiles, and other essentials.

Mr. Speaker, on December 6 the Federal Reserve Board increased the discount rate—the wholesale cost of money to banks—by 12½ percent. Filtered down through the economy, this probably means an eventual 25 percent rise in the cost of borrowing. On that same date, the Federal Reserve increased by 22.2 percent and 37½ percent the interest rate that banks may pay on time deposits. These increases are obviously far in excess of the administration guidelines.

I place in the Record a copy of my letter which I have mailed to Secretary Fowler today, raising questions concerning the effect of rising interest rate costs on the administration's wage-price guidelines:

March 8, 1966.

Hon. Henry H. Fowler,
Secretary of the Treasury,
Washington, D.C.

Dear Mr. Secretary: At the present time the advocates of gloom and doom are assailing us with a great deal of discussion and alleged concern over the state of the economy. They charge that the economy is overheated and that we are entering a period of substantial inflation. These prophets of disaster have used the platform of these exaggerated charges as a justification for an increased tight-money policy and as a license to raise interest rates.

While one cannot deny that there have been isolated instances of price and wage increases in excess of the guideposts urged by the President, it remains my view that for the present the economy is stable and noninflationary.

However, I am very much concerned over the fact that this discussion has centered exclusively on increased prices for goods and labor, with no comparable emphasis being placed on the increased cost of money.

Some spokesmen continue to declare that any wage increase is a break with the wage guidelines. There is no justification for such careless allegations. However, these same spokesmen neither level criticisms at the explosive expansion of interest rates charged by commercial lending institutions on business, housing, or consumer loans, nor do they express objections to the interest charges that the Federal Government must now pay for its borrowings. Similarly, we hear no urging of guidepost restraints on corporate profits.

The December 6, 1965, action of the Federal Reserve Board, raising the Federal Reserve Bank discount rate by 12.5 percent and the time deposit rates by 22.2 and 37.5 percent, has constituted the grossest violation of the wage-price guideposts to date. This single action, forced upon the country by four members of the Federal Reserve Board, could well have created an inflationary situation far exceeding any which may be evidenced by past increases in wages or prices.

The Federal Reserve Board's continuing action to tighten credit, thereby raising interest rates and allowing banks to pay up to 5½ percent for certificates of deposits—causing the banks to charge more for their loans in order to be able to pay this rate—affects our entire economy. Increases in interest rates affect business loans and the prices which businessmen must charge for their products. Consumers will have to pay more for their loans and as a result of the Federal Reserve Board's action the rates on FHA-insured and VA-insured housing have increased. I could provide you with a whole list of detrimental effects that this Federal Reserve Board action has had on the American economy, but I am sure they are all familiar to you. As the Federal officer charged with the responsibility for managing our public debt, certainly you are aware of the fact that interest on the public debt for fiscal 1967 is estimated at $12.5 billion—an increase of $750 million over the estimate for 1966. This increase, as the budget for fiscal 1967 points out, is due almost exclusively to the higher cost of refinancing the debt and not to any anticipated increase in the debt as such. Long-term Treasury bonds are at their lowest price and highest yield in more than 40 years. We will be spending in fiscal 1967 approximately $13 billion in interest charges on the public debt, which by coincidence equals almost to the penny the funds being sought by President Johnson to fight the war in Vietnam this year.

Due to the action of the Federal Reserve Board in raising the discount rate and increasing the time deposit rate for certificates of deposit, the computed annual interest rate on the marketable public debt, according to the figures from your Department, amounts to 3.890 percent as of December 1965—the highest in modern times, as compared, for example, to a rate of 1.822 percent in 1943—the peak of World War II.

Mr. Secretary, as part of the administration you have been directly involved in assisting the President in maintaining the wage-price guidelines. However, increases in interest rates, the price paid for money, throughout our economy have far exceeded these guidelines.

I would appreciate your office furnishing me with the following information. I would like percentage comparisons made of the following, using for comparative purposes the year 1960 as compared to the most current figures available, and as a second standard a comparison between the time you assumed the office of Secretary of the Treasury, April 1, 1965, and again the most recent date available:

(a) The absolute and percentage increase in the computed annual interest rate on all Federal marketable public issues.

(b) The absolute and percentage increase in interest rates on 91-day bills, 182-day bills, and 1-year certificates.

(c) The average absolute and percentage increase in interest rates on Treasury notes.

(d) The absolute and percentage increase in interest rates on Treasury bonds.

(e) The absolute and percentage interest increase in market rate yields on long-term Treasury bonds.

(f) The dollar increase in the cost of financing the debt as a result of increases in interest rates for the same period.

(g) The increase, absolute and percentage, in comparable issues (by maturity class of government securities) comparing the years 1952 and 1966.

Further, I would appreciate your comment as to whether or not the Federal Reserve has in fact refused to support the Government bond market by allowing yields on short- and long-term issues to reach levels as high as 5 percent and more.

Do you not feel that in the area of interest rates, as a result of the Federal Reserve Board's action, the commercial banks have in fact broken the administration's price guidelines? I do not feel it is adequate to say, justified in the name of preventing inflation, that interest rates have to be raised in order to curtail borrowing. This could be done, as you know, by a number of other methods, such as raising reserve requirements, which would be less discriminatory against small business, farmers, and consumers.

In a phrase, Mr. Secretary, my question is whether you consider the explosive action of the Federal Reserve, and the reaction of the commercial banks, in direct violation of the President's wage-price guidelines? Your immediate reply would be appreciated.

With kindest regards and best wishes.

Sincerely,

WRIGHT PATMAN,
Chairman,
Banking and Currency Committee.

RELATING TO CRIME AND CRIMINAL PROCEDURE IN THE DISTRICT OF COLUMBIA—EXCUSING AND APPOINTMENT OF CONFEREE

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to excuse the gentleman from Texas [Mr. DOWDY] as the conferee on H.R. 5688, relating to crime and criminal procedure in the District of Columbia.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The SPEAKER. The Chair appoints the gentleman from Georgia, Mr. G. ELLIOTT HAGAN, as a conferee to replace the Honorable JOHN DOWDY.

The Clerk will notify the Senate.

LEGISLATION TO ESTABLISH CONGRESSIONAL COMPTROLLERSHIP

Mr. BENNETT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. BENNETT. Mr. Speaker, our country now is spending and taxing the people over $100 billion annually, but the 1966 Congress in the age of missiles and jets is attacking this problem with Continental Congress horse-and-buggy tools.

I introduce today in the House of Representatives legislation to establish a congressional comptrollership, to promote fiscal responsibility in the Federal Government and to give the Congress a computerized analytical ability.

We all recognize that the increasing growth and complexity of the Federal Government, and its budget and fiscal expenditures, has created difficulties for the Congress in the evaluation of ideas and untried plans which it must consider and assess.

The Arthur D. Little Co., of Cambridge, Mass., has done an extensive study of Congress, and a Congressional Comptroller's office is one of the suggestions outlined in the study. There is a great need today to study proposals from the executive branch and from Members of Congress in depth, to determine whether planned programs will be economical and effective and what the consequences will be in the future. The Congressional Comptroller would have all the modern day tools to do such a job and would report on all bills going to the floor and as to what effect they would have on the fiscal integrity of our Government.

What the Congress needs in 1966 is an establishment to preserve fiscal responsibility so the taxpayer will get his dollar's worth for every dollar he pays for taxes. We need a space age Congress to match the Great Society, one that uses the most modern equipment to handle its problems and analyze issues and proposals before they go into effect and after they are operating to determine their effectiveness. I am hopeful for favorable reports and early hearings.

A copy of the bill follows:

H.R. 13445

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Congressional Comptrollership Act."

SEC. 2. The Congress hereby finds and declares that the increasing growth and complexity of the Federal Government and its budget and fiscal expenditures has created difficulties for the Congress in the evaluation of ideas and untried plans which it must consider and assess. The Congress further finds that there exists a need to study proposals in depth to determine whether planned programs will be economical and effective and what the consequences of plans, programs, and policies will be as against alternative courses of action; and that, under existing procedures, the information necessary for such an evaluation is usually not available or when available is frequently inadequately developed or fails entirely to reach the appropriate legislative committees.

SEC. 3. (a) There is hereby established an agency of the Congress which shall be known as the Congressional Comptrollership and which shall be under the direction and control of the Comptroller General of the Congress. The Comptroller General of the Congress shall be appointed by the Speaker of the House of Representatives and the President pro tempore of the Senate, without reference to political affiliation and solely on the basis of his fitness to perform the duties of his office, and he shall hold office for ten years. The Comptroller General of the Congress shall be eligible for reappointment; he may be removed at any time by a joint resolution of Congress after notice and hearing, when in the judgment of Congress he has become permanently incapacitated or has been inefficient, guilty of neglect of duty, or of malfeasance in office, or of any felony or conduct involving moral turpitude, and for no other cause and in no other manner except by impeachment. Any Comptroller General removed in the manner provided in this section shall be ineligible for reappointment to that office. When a Comptroller General of the Congress attains the age of seventy years, he shall be retired from this office. He shall receive the same salary as a Member of Congress.

(b) Subject to the availability of appropriations, the Comptroller General of the Congress shall appoint, remove, and fix the compensation of such employees in the Congressional Comptrollership as may be necessary to carry on the work of his office.

(c) The Comptroller General of the Congress is authorized to utilize such equipment as may be necessary to fulfill the functions and duties of the Congressional Comptrollership. Such equipment may include that needed to provide the agency and the Congress with a complete computerized analytical capability which could be utilized by the various committees of both Houses of the Congress and the joint committee should such be the desire of the Congress at some later date.

SEC. 4. The Congressional Comptrollership shall be an advisory agency of the Congress and shall not set policy. Under the direction of the Comptroller General of the Congress, it shall provide both Houses of the Congress and individual Members of the Congress with up-to-date budgetary information relating to budgetary proposals and to agency performance. It shall further provide operations analyses by testing in advance of any proposal before either House of the Congress the relative effectiveness of alternative courses of action.

SEC. 5. (a) (1) Every bill reported to either House by a committee of such House shall be accompanied by a report of the Comptroller General of the Congress.

(2) The provisions of this subsection are enacted by Congress—

(A) as an exercise of the rule-making power of the Senate and the House of Representatives, respectively, and as such they shall be considered as part of the rules of each House, respectively; and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

(B) with full recognition of the constitutional right of either House to change such rules (so far as relating to the procedure in such House) at any time, in the same manner and to the same extent as in the case of any other rule of such House.

(b) Where feasible, each report of the Comptroller General of the Congress made pursuant to this section shall contain a cost/effectiveness analysis of the proposal, a projection of the expected long-range cost of the proposal, and an operations analysis of alternative courses of action and their expected long-range cost. In addition, it shall analyze the proposal as against previously enacted legislation so as to point out areas of duplication, inefficiency, overlapping of funds, excessive expenditures and surplus funds. The Comptroller General of the Congress may provide any other information and analysis which seems to him appropriate and proper, and either House may request such additional information as it may from time to time desire.

SEC. 6. The Comptroller General of the Congress shall make such investigations and reports as shall be ordered by either House of the Congress or by any committee of either House. The Comptroller General shall also, at the request of any committee, direct assistants from his office to furnish the committee such aid and information as it may request.

SEC. 7. All departments and establishments of the Federal Government shall furnish to the Comptroller General of the Congress such information regarding the powers, duties, activities, organization, financial transactions, and methods of business of their respective offices as he may from time to time require of them under the security protections established heretofore by law; and the Comptroller General of the Congress, or any of his assistants or employees, when duly authorized by him, shall, for the purpose of securing such information, have access to and the right to examine any books, documents, papers, or records of any such department or establishment. The authority contained in this section shall not be applicable to expenditures made under the provisions of Section 291 of the Revised Statutes (31 U.S.C. 107).

INTERNATIONAL DEMOLAY WEEK

Mr. VANIK. Mr. Speaker, I ask unanimous consent that the gentleman from Arkansas [Mr. MILLS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. MILLS. Mr. Speaker, the Order of DeMolay will observe its 47th birthday next week and International DeMolay Week will be observed during the period of March 13–20. In keeping with the tremendous contribution this organization has made over the years to the spiritual growth and manly development of our young men, I am including with my remarks a statement pertaining to the Order of DeMolay which I think everyone will agree is thoughtful and impressive:

"A nation's greatest asset is its youth." This often-coined statement becomes truer every day when it is realized that in just a couple of years half of the people in the United States will be under the age of 25.

The youth of our great country are of special interest to each of us. In a near tomorrow, they will be occupying our very seats here in the House of Representatives, as well as serving in positions of leadership and responsibility in the business and professional worlds.

There are many youth organizations that provide our young people with healthy activities, but there is one in particular that is known for its character-building among the young men of our Nation, and that is the Order of DeMolay.

It is fitting that a special tribute of recognition be paid at this time to this organization of young men, banded together and dedicated to leading clean, manly, upright, and patriotic lives, for this week the Order of DeMolay is celebrating its 47th birthday.

Recognizing a need of youth for an organization of inspiration and guidance, Frank S. Land, a man who had no sons, gathered nine teenage boys around him in his office in Kansas City, Mo., 47 years ago and the order was founded.

Today there are more than 2,500 active DeMolay chapters in every State of the United States as well as in 10 other countries around the world, and over 3 million young men have held membership in the order.

With humble and modest pride, DeMolay points to the thousands of leaders in all walks of life who started up the ladder of success in one of its chapter rooms.

The organization was named for Jacques DeMolay, the last grand master of the Knights Templars, who was burned at the stake by King Philip the Fair of France on March 18, 1314, as a martyr to loyalty, truth, and fidelity.

Today the members of DeMolay strive to carry on the fine ideals for which DeMolay gave his life, loyalty, and service to God and fellow men.

Membership is open to any boy of good character who is between the ages of 14 and 21. Although DeMolay chapters are sponsored only by Masonic bodies or individual Masons, it is not necessary that a boy be a son or a relative of a Mason to become a member.

The youth movement is governed by an international supreme council composed of over 200 outstanding Masons located around the world. They meet in annual session to review and approve the actions of the staff and the progress of the order.

Its ritual, which sets the organization apart from other youth groups, was written in 1919 by a prominent Mason and newspaperman, Frank Marshall, in Kansas City. It has been termed ageless, and is divided into the initiatory and DeMolay degrees.

The initiatory degree is one of solemnity and consecration, during which the initiate dedicates himself to uphold the virtues of filial love, reverence, courtesy, comradeship, fidelity, cleanness, and patriotism.

The DeMolay degree is a dramatic and historic portrayal of the trials, tortures, and martyrdom of Jacques DeMolay, and teaches a lesson in fidelity and comradeship.

As officers of a chapter, boys are taught responsibility and given the opportunity to express themselves before a group of fellow youths. Although DeMolay ritual and meetings are greatly reverent, the organization does not advocate any particular creed, but teaches only a profound faith in the one living and true God. At the altar of DeMolay, members promise, among other things, to be better sons, better men, better citizens.

In exemplifying its slogan, "Building Better Citizens," DeMolay has a three-way program designed to benefit the individual DeMolay, the chapter, and the community.

Various awards are given to individuals for achievements, and merit bars are awarded for distinction in civic service, athletics, music, dramatics, religion, and other fields. The Degree of Chevalier is the highest honor an active DeMolay can receive. It is earned by outstanding service to a chapter and to fellow DeMolays.

The top honor in DeMolay is the Legion of Honor. This is conferred on senior DeMolays, those over 25, for outstanding service to their community and their fellow men.

International and jurisdictional membership, ritual, efficiency and athletic competitions are held for the chapters. Each chapter is encouraged to have a balanced program of social activities. Each social event, like all other DeMolay activities, is supervised by an adult adviser of the chapter.

Chapters and individual DeMolays are also required to observe certain obligatory days annually. These include Devotional Day, Patriots Day, DeMolay Day of Comfort, Educational Day, Parents Day, and Frank S. Land Memorial Day.

The participation of DeMolay chapters in community projects has been extensive and is sometimes carried out on an international basis. Teenage traffic safety programs have been especially successful. These involve campaigns aimed at making safe drivers of all teenagers. Such efforts have received high praise from the National Safety Council and local law enforcement agencies.

Other projects that have been carried on include charitable fund drives, blood donations, civil defense, antinarcotics and anti-Communist campaigns, and distribution of safe-driving pledges.

Each chapter is supervised in all of its functions by an adult advisory council. One man is designated as the official chapter dad to handle the supervision of chapter meetings and to counsel the members.

And helping hand for most chapters is the mothers' clubs. These now number over 1,900. The mothers clubs primarily help the boys to raise money for their activities, and they usually handle the purchase and repair of robes and regalia.

DeMolay does not attempt to take the place of the home or church, but rather to supplement them. The organization's purpose is to offer the teenage boy of today: (1) a wholesome occupation for his spare time; (2) worthwhile associates; (3) the best environment; and (4) an interesting and complete program of all-around youth development.

Truly it is doing an outstanding service for our country by taking the youth of today and molding them into more responsible citizens for tomorrow.

Certainly these laudible principles of character and operation merit the commendation of the leaders of our Government also.

A LANDMARK IN THE DEVELOPING HISTORY OF PRESERVATION OF NATURAL BEAUTY

Mr. MACHEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. MACHEN. Mr. Speaker, today may prove to be a landmark in the developing history of preservation of natural beauty because today I am introducing a bill to save the view from Mount Vernon at Piscataway Park in Prince Georges County, Md.

I understand that this bill is being cosponsored by the gentleman from Pennsylvania [Mr. SAYLOR] whose bipartisan support of this measure demonstrates how highly we regard it. It is my hope that many other colleagues will join us in this twofold campaign for preservation of natural beauty in a unique, pilot project as well as enhancing the historical significance of the area across from Mount Vernon.

I am honored that the distinguished chairman of the House Committee on Interior and Insular Affairs has asked me to introduce this far-sighted administration bill.

This bill was drafted and has been recommended for passage by the Department of Interior and the National Park Service. It contains proposals for the use of new tools to save our countryside and the shorelines of our great waterways. These tools will be tested at Piscataway Park across from Mount Vernon and I am confident of their success.

Time has been running out in our campaign to save the view from Mount Vernon. We can stop the clock by enacting this bipartisan measure in this session of the 89th Congress. We cannot afford to let down those landowners, both private and nonprofit foundations, who have done so much to assure the preservation of this beautiful park on the Potomac River. Now it is once again our responsibility to these persons and to those across the Nation who value and prize Mount Vernon and the Potomac River to do our part in this campaign.

I hope that we can act on this landmark legislation with expedition and with a full understanding of the duty that lies before us.

A SAVAGE DEATH TOLL ON OUR HIGHWAYS

Mr. RONCALIO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

Mr. RONCALIO. Mr. Speaker, one of our Nation's greatest health problems is the savage death toll on our highways through automobile accidents. The listing of but a few of the statistics is enough to define the startling proportions of the problem.

During 1965 alone, an estimated 50,000 Americans died in automobile crashes; 150,000 were permanently crippled. Since 1900, over a million and a half Americans have died in motor vehicle accidents—more than twice as many as have died in all the battles the United States has fought since 1776.

The extent of this threat grows with every year. By 1975, it is estimated that 100,000 Americans will lose their lives in traffic accidents every year.

What is particularly tragic about this threat is that this situation has not come about because our Nation is lacking the technological expertise necessary to achieve greater safety in the cars Americans drive or the roads they travel. We have only to contemplate our Nation's phenomenal successes in orbital flight to see the heights this expertise can reach.

Nor has it come about because of indifference to the automobile. No other nation in the world can match America's fascination with the car. In many ways our life, even our economy, is built around the automobile. There are an estimated 89 million cars in this country—an average of more than one car per family. There is no excuse that can be extended for failure to pursue greater safety.

These deaths are not a gruesome sacrifice to almighty progress to be dismissed as inevitable. There are steps that can and must be taken to end this senseless slaughter.

Numerous suggestions are advanced—stricter requirements for drivers' licenses, improved roads, better enforcement of traffic laws, and increased attention to safety features in automobile design.

These ideas, brought forth at different times in response to specific circumstances, have not been successful to the extent that they have not been coordinated. A piecemeal approach will not solve the problem. What is required is a broad-based coordinated attack on every contributing factor in traffic fatalities.

The automobile is one form of transportation that has not been governed by minimum safety standards. Trains, buses, and planes are, and their safety record demonstrates the wisdom of establishing these minimum safety requirements.

It is estimated that 5 passengers die for every 10 billion miles traveled by train. Thirteen die for every 10 billion miles traveled in buses. Fourteen passengers die for every 10 billion miles traveled on an airplane. And yet, in automobiles—where there are no Federal safety regulations—570 passengers die for every 10 billion miles traveled by car.

Because safety on our Nation's highways is a problem that transcends State borders, some steps must be taken at the national level to promote research and development for highway traffic safety. Steps must be taken to provide financial assistance to the States to accelerate highway traffic safety programs. We must summon the resources of our State governments and our Federal Government in a conscientious and effective program of traffic safety.

I am today introducing a bill to establish a National Highway Traffic Safety Center to promote the necessary research and to provide the financial assistance to States.

Such a center can initiate and accelerate national research and development programs and apply the results to improving minimum standards for highway traffic safety. It can provide assistance to States for improved drivers education and motor vehicle inspection and testing programs.

And, equally important, this Center can encourage public and private organizations to participate in traffic safety programs to help develop the individual sense of urgency that will help these programs succeed.

Time is our worst enemy, for the longer we wait to initiate a nationwide program of highway safety, the higher the death toll will be.

I respectfully request my colleagues to consider this legislation, and I hope that as the Congress becomes more aware of the gravity of the problem, it will become determined to act upon this measure during this session of Congress.

MEETING INFLATION

Mr. LANDRUM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and include an editorial from the Atlanta Constitution.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. LANDRUM. Mr. Speaker, the Atlanta Constitution comments that it is a hopeful sign and "important point" that the administration is realistically recognizing the threat of inflation and is willing to deal with it.

> Since 1961—

The paper points out—

> the Kennedy and Johnson administrations have established that the Government can have a decisive influence on the entire national economy. The same tools used to combat recession or sluggish growth are available to fight inflation.

The editorial states that some measures of keeping the economy in balance are now being relied upon, and that other measures are available.

The editorial deals with an issue of upmost importance and with this in mind I feel that it will be beneficial to include it as part of the Record:

[From the Atlanta (Ga.) Constitution, Mar. 1, 1966]

ARMING AGAINST INFLATION

President Johnson has officially recognized the threat of inflation—a danger cited for several months by conservative economists. The President has asked Cabinet officers and other top Government officials to recommend methods of keeping the economy in balance.

For the moment, he will rely on relatively minor increases in taxes and tax collections: reimposition of certain excise levies, and a formula to speed up payroll deduction collection of income taxes without any change in the tax rates themselves.

Mr. Johnson also is continuing to urge industry and labor to limit price and wage boosts to those justified by more efficient production methods. Increasingly, though, there are signs that both sides are restless under these voluntary restraints.

If inflationary pressures persist—and the prospect is that they will—the Government has a number of economic weapons to combat them. There are arguments about the relative merits of these anti-inflationary devices, of course, and it is these propositions that the President's advisers will consider.

Perhaps most obviously, income tax rates could be increased. At a time when Vietnam war spending is boosting production, such an increase would not seriously cut back the number of jobs available in the country. But with the return of peace, it could be a drag on the economy.

The administration also is considering cutting off funds for Government contracts or Federal highway aid where inflationary price or wage increases threaten to unbalance the economy.

At the extreme, there is even a remote possibility of price- and wage-control legislation. At this stage, nobody's talking seriously about that, though.

Whatever method or combination of methods is used, the important point is that the administration is realistically recognizing the threat of inflation, and is willing to deal with it. Since 1961, the Kennedy and Johnson administrations have established that the Government can have a decisive influence on the entire national economy. The same tools used to combat recession or sluggish growth are available to fight inflation.

FOOD FOR FREEDOM

Mr. TODD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. TODD. Mr. Speaker, the food-for-freedom bill, H.R. 12785, was introduced on February 14, 1966, by the distinguished chairman of the House Agricultural Committee, the gentleman from North Carolina [Mr. Cooley]. This legislation implements the food-for-freedom message sent to the Congress by President Johnson on February 10, 1966, in which he said:

> The key to victory is self-help. Aid must be accompanied by a major effort on the part of those who receive it.

Earlier, in his message on international health, the President proposed "to help countries trying to control population growth by increasing our research, and we will earmark funds to help their efforts."

Immediately following the President's message on food, I offered a suggestion to the House that at least 15 percent of the funds generated by sales of food-for-freedom be set aside for use in an integrated program for maternal and child health and nutrition and for family planning. These funds, I suggested, would be made available upon the request of the governments involved in buying our food.

In the intervening weeks, I have made extensive studies of the feasibility and practicality of this suggestion. Favorable comment and encouragement have been received from many quarters. In order to make the suggestion more specific and available for general study, I have today introduced a bill which consists of the food-for-freedom bill to which a section has been added as an amendment to section 304:

> For financing a program emphasizing maternal welfare, child health and nutrition, and family planning services, and research activities related to the problems of population growth, for which purpose not less than 15 percent of the currencies received in any country shall be reserved, to be made available, at the request of such country, under the procedures established by the President to carry out the foregoing provisions of this paragraph through any agency of the United States, or through any international agency or organization of which the United States is a member and which he determines is qualified to administer such activities.

Under this amendment, funds would be made available under the same procedures now used to make Public Law 480 funds available for purposes of common defense, emergency relief, business loans, et cetera.

It has been my privilege to hear many of the expert witnesses testify on the food-for-freedom bill before the House Agriculture Committee. I believe their testimony, as well as that given by the many experts who have appeared before Senator Gruening's subcommittee studying the worldwide population explosion, lends informed support to the proposal.

The food-for-freedom bill is an imaginative and humane effort to help alleviate the terror of famine, which today is threatening many countries. The amendment is a corollary, which seeks to alleviate the terror of famine, in the long run. The addition of this amendment will make the food-for-freedom program a total food-for-freedom program.

This total program would:

First. Utilize the bounty of our land to feed those who are starving, right now.

Second. Encourage more rapid adoption of improved agricultural practices in countries facing food shortages.

Third. Make available part of the funds derived from the sale of food to improve the well-being of the family, by giving the mother guidance in matters of health and nutrition and by providing parents with information and services which will enable them to have the number of children they want and that they can feed and support.

Without such a total food-for-freedom program:

First. People will starve, in massive numbers, today.

Second. Their own lands will not possibly be able to support them tomorrow.

Third. Increasing population pressing on a static food supply will produce irresistible hopelessness and growing anger, accompanied by periodic famine, pestilence, and war.

The key point is simply this: The alleviation of hunger is the purpose of the food-for-freedom legislation. Without a longrun program to allow the production of food to catch up with population, this goal can never be achieved. President Johnson clearly indicated this, when he said:

> Candor requires that I warn you the time is not far off when all the combined production of all the acres of all the agriculturally productive nations will not meet the food needs of the developing nations, unless present trends are changed.

It seems to me that the addition of this amendment is appropriate to the food-for-freedom bill. This country has traditionally allocated Public Law 480 funds in ways consistent with the policies of the United States to improve the well-being and economic development of those nations involved. The existing requirement that maximum use of these funds be in the form of Cooley loans establishes a clear precedent for specifying that "at least" 15 percent of the food-for-freedom funds be used in the ways suggested by my amendment.

It should be noted that no program will be undertaken without the explicit request of the government purchasing food for freedom. This provision makes it certain that there will be local interest and support for any programs developed, and that they will be fully in keeping with the traditions and customs of those nations involved. The actual administration of any programs generated by this amendment would probably be most effectively done by the health services of the participating governments.

The figure of 15 percent in the amendment was determined in the following way: The proposed food-for-freedom legislation authorizes a figure of $2.5 billion. The population of the countries which probably would be involved in the food-for-freedom program is around 800 million. This means that the food-for-freedom program amounts to around

$3.25 per person per year in countries facing food shortages. Fifteen percent of this amounts to 47 cents per person per year.

It is estimated that a family planning program in these countries will cost between 10 and 20 cents per person per year—assuming that only 8 to 10 percent of the population would be participating in the program at any one time. The cost for maternal and child health and nutrition services might be two to four times this figure. Thus the cost of the total program would be between 40 and 80 cents per person per year. Initial costs of training personnel and getting the program underway might be higher, but the amendment allows some latitude and would allow more funds to be used to get the program started, if they were needed.

President Johnson, in his message to the Congress on foreign aid, said:

> We stand ready to help developing countries deal with the population problem.

My proposal would do just this, on a sound and long-term basis.

The idea of spending roughly 47 cents per person per year on maternal and child health and nutrition and on family planning in countries participating in the food-for-freedom program is economically sound. It has two aspects:

First. The effect upon family wellbeing and national health of providing maternal and child health and nutrition care.

Second. The effect upon the family itself of being given the voluntary option of spacing and limiting their children as they may desire.

Dr. Henry Sebrell, professor of public health and nutrition at Columbia University, in testimony before the House Committee on Agriculture, described the effects of chronic protein deficiency upon youngsters. He said, in part:

> Protein calorie malnutrition is actually one of the largest causes of death of children. It is estimated that 70 percent of the children in developing areas suffer from malnutrition, largely of this type. In those millions it does not kill, malnutrition permanently impairs their growth and probably causes irreversible mental and emotional damage.

If today's children are to grow into adults, performing physically and mentally at their full potential, their mothers need nutrition help today.

The human benefits of parents having the voluntary option to limit and space their families are obvious. The economic benefits, even though cold and calculated, are worth some elaboration.

Consider for a moment the ability of a nation to support a rapid increase in population—surely the most pressing problem facing the majority of the nations of the world. It was estimated by President Johnson in his speech before the United Nations in San Francisco that $5 spent in family planning is the equivalent of $100 in economic aid, insofar as the effect of the expenditure on improving the standard of living in less developed countries is concerned. I might note that the President's estimate is a very conservative one; I believe the ratio is more likely 100 to 1 or 200 to 1, rather than 20 to 1.

In a speech I delivered on the floor concerning the Asian Development Bank, I estimated that $16 billion of additional capital investment would be required every year just to maintain the present low standard of living for the 30 million people added to the population of Asia every year. This immense sum would do nothing to increase living standards. And, clearly, such a sum is not forthcoming, either from Asian sources or from our own already large investments.

On the other hand, it is estimated that a total program for maternal and child health and nutrition and family planning, which could cut population growth rates in half, would cost less than $500 million. We have the capacity for developing a total program in this area, and we should not wait longer to seize the opportunity, for if we wait the worldwide population explosion will engulf us all in misery and war.

The time is growing short. The time it will take populations in certain selected countries to double, at present population growth rates, is listed below:

Years to double population	Years
India	31
Pakistan	25
Egypt	28
Turkey	24
Costa Rica	16
Brazil	23

As these figures show, the problem is not of the longrun, pie-in-the-sky sort; it is here, right now, and it is enormous.

It is interesting to note, as a vivid example of the problem, that the Aswan Dam will have taken 15 years to design, build, and start supplying water to the deserts of Egypt. It will add 30 percent to the available cropland in Egypt. But during these same 15 years, the population of Egypt has increased 35 percent. Egypt, even running as fast as it could, has not quite kept up with its own population growth.

This is the hard, pressing, terrifying problem that all of the nations listed above—and more—must face. There simply is no known way in which improvements in technology, investments in fertilizer plants, roads, railroads, dams, irrigation projects, and machinery can be made fast enough or used efficiently enough to keep even in the race with population growth.

During the next critical decades, not enough arable land will become available to do the job. According to the 1964 Agriculture Yearbook, three-quarters of the world's potential additional cropland lies in tropical rain forest areas. But the latosols found there cannot be farmed by any known modern intensive technique of agriculture. The conclusion of an international conference on this subject, held at the Massachusetts Institute of Technology in the summer of 1964, was quite clear:

> No one knows how to handle the latosols under culture of annual crops without disastrous losses in productivity and irreparable damage to soil structure. * * * The single most important requirement at this time is a research program to provide the required knowledge and materials.

This is why an immediate reduction in the rate of population growth is so important. To give time to develop methods of farming land which cannot now support human life on this planet, at the present rate of population growth.

Mr. Speaker, there is overwhelming evidence that family planning programs, if made available on a voluntary basis, are eagerly received. This is as true at home as it is abroad. Let me mention some typical examples.

A cooperative project between the Governments of Sweden and Ceylon established a pilot family planning project in a village area of Ceylon. Not only were many families interested in learning family planning techniques, but also many families actually made use of them. Birth rate fell from 31 per 1,000 to 22 per 1,000 over a 4-year period.

In Mecklenburg County, N.C., a family planning clinic began offering newer medical techniques in 1960. After 2 years, 223 of the 272 original participants were still enrolled in the program, without a pregnancy. Dr. Wallace Kuralt, the director of the county welfare department, considered the program successful:

> Within a short time we hope to make oral contraceptives available to an increased number of women who are currently receiving public assistance but who do not want additional children, who cannot care for more children, or whose physical and mental health is endangered by too frequent pregnancies * * *. Such a program is rapidly gaining enthusiastic public support, not only for the reasons listed, but also because of the dollar facts that it is currently costing less than one twenty-fifth as much to prevent unwanted births as it costs the public to support these children.

In Corpus Christi, Tex., a similar program is receiving equally enthusiastic support.

South Korea and Taiwan, both encouraged by acceptance and success of pilot programs, are in the process of making family planning information generally available. Already, about one-fifth of families are making use of these services in Taiwan.

What about the opinions of our citizens at home? I recently sent to my own district in Michigan a questionnaire. Among other things, I asked whether or not the United States should assist other nations, upon their request, in developing family planning programs. Thus far the response has been overwhelmingly in favor of the idea. Eighty-two percent of those responding have favored the idea; 12 percent opposed it; and 6 percent were undecided. This is a staggering amount of support, and it suggests that in this area, as in so many others, the people are well ahead of the politicians. I was particularly struck by the large number of concerned citizens who added, in their written comments, that the population problem is probably the greatest problem facing the world, and that they favor giving all possible assistance to those who wish it.

Today the world faces an unparalleled problem, just as the Congress faces an unparalleled opportunity. The problem is simply that the world's food supply is running out and there is no known way to increase it to keep up with population growth. The opportunity is equally clear. We in this Congress have the chance to take the first steps in an effort which, quite literally, could save the world from onrushing disaster. The means are now at hand. We have the technology which allows parents to limit the size of their families if they wish; we have the food-for-freedom bill which sets up the administrative and economic groundwork for a program of family planning and child and maternal health and nutrition.

Both logic and necessity strongly argue that we seize this chance to move forward to a total food-for-freedom program. To ignore the amendment introduced today would condemn the hungry of the world to nothing more than a cruel and short-run palliative and face this country with spiralling foreign aid bills coupled with worldwide political instability.

Early in this session I suggested that if this Congress would move forward in the area of the worldwide population explosion, it would be remembered far more in this context than in any other. Nothing that has happened since has changed my mind. We can move; we simply cannot refuse to take up the challenge.

GUS SI! CHARLIE NO

Mr. MICHEL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MICHEL. Mr. Speaker, the Washington Post of March 9, 1966, reports that the State Department has lifted the passport of Ronald Ramsey, alias "Hanoi Charlie" who has been making morale-destroying tapes for use by the Vietcong against our GI's. These tapes are broadcast from Hanoi, tell GI's they are losing war, foolish, and so forth.

It is appropriate that this mockery of America be silenced. However, it is also all the more wondrous that the same State Department at the same time gives a passport to Gus Hall, U.S. Red head.

In revoking Ramsey's passport, the State Department said that he constituted a threat to the security of the United States. Yet, Gus Hall, a dedicated, full-time Communist Party worker, whose one aim is to overthrow the Government of the United States, is not considered a threat to our security, and is given tacit approval by our Government to travel to Russia for further instructions.

Lo, verily, many and mysterious are the ways of the Great Society—and dangerous to our future, too.

FINO INTRODUCES BILL TO TAKE PLUSH HOTELS AND CAVIAR OUT OF THE POVERTY PROGRAM

Mr. FINO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FINO. Mr. Speaker, today I introduced legislation to block poverty funds from being used to support aid recipients in stylish hotels with $9 per day food grants.

My bill provides that the OEO Director, Mr. Shriver, cannot pay out Federal funds to support local programs which are putting poverty aid recipients in hotels like New York City's Astor and paying $9 per day food allowances. I was disgusted to read that the Federal Government was footing the bill for the episode where poverty aid recipients were spending a plush month at the Astor sneering at maids and other workers. I am not surprised that the type programs pushed by the poverty people encourage this sort of attitude. I am sick of the poverty program trying to make a part of America's population feel that they deserve luxury and power without work and responsibility.

The purpose of my bill is to make certain that the Federal Government cannot pay out Federal funds to support this kind of fiscal and social giveaway. If Federal funds are not available, I have no doubt that local backroom planners will cut back on this sort of thing. Under my bill, once a public or private poverty agency paid more than $3.50 a night for commercial accommodations or gave out more than $2.50 a day meal allowances, they could not collect 1 cent of the cost of these allowances from the Federal Government. My bill will put a stop to wasteful funny business in a hurry.

I was particularly appalled to read that the families in the Astor were collecting $9 per day food allowances for each person. This amount of money will buy unmitigated luxury. I want to limit the meal allowances to the $2.50 a day given by the New York City Welfare Department. That is liberal enough.

It is getting to be true that the only way you can live a middle-class life is to be poor enough to qualify for the poverty program. The real middle-class is too saddled with taxes to pay for giveaways like the poverty program to be able to afford to stay at the Astor or spend $9 per person each day for meals. This is sickening.

HERO OF VIETNAM WAR TO BE BURIED IN ARLINGTON CEMETERY AT 1 O'CLOCK TODAY

Mr. DUNCAN of Tennessee. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. DUNCAN of Tennessee. Mr. Speaker, today at 1 o'clock a young marine, who was killed last week in Vietnam, will be buried at Arlington Cemetery. This is the ninth casualty from my congressional district within the past 8 or 9 weeks.

To those who advocate a "no-win policy"; who are against taking a risk in Vietnam, or who might classify themselves as "doves"; I would suggest that they attend the funeral of this young man, who did take a chance or risk in the defense of freedom.

Try to tell the father and mother, and eight brothers and sisters, of this deceased American, that the Communists should remain safe in their sanctuaries, and we should not bomb strategic military installations, or mine the harbor at Haiphong.

I think the American people have had enough of this no-win policy. If we want victory we must associate some risk with the effort.

WHITE HOUSE CONFERENCE ON CRIME

Mr. WHITENER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. WHITENER. Mr. Speaker, on yesterday evening I was privileged to attend a very significant meeting at the White House. At that time the Attorney General and others presented to us a discussion of crime and the effort which is being made to reduce the incidence of crime in this country.

Mr. Speaker, all of the Nation is troubled over the crime problem and its effect upon society. I know that our colleagues join me in our concern at the alarming crime statistics which were recently reported. I am sure that they are equally concerned about the social losses to our Nation represented in the lives of numerous individuals who have taken to crime and drug addiction. The latter problem of drug addiction has been a very vexatious one for many years. The drug addict not only harms himself, but there is no doubt, as both the Attorney General and the President have stated that the harm to our way of life as a result of crimes committed in order to support such addiction is great.

Mr. Speaker, the President's recommendation for the civil commitment of certain addicts, as was outlined to us yesterday evening, is a good one. Too long have we heard the prophets of doom speaking on this subject. I have no patience with the peddling or dispensing of narcotics. The criminal law should treat those who do this with promptness and with firmness. However, there is a real social benefit to be gained by undertaking to reclaim those who have fallen victim to the narcotics habit.

Mr. Speaker, I would also point out that we will be asked to consider the appointment of a commission to make a comprehensive review of Federal criminal statutes. It has been many years since this has been done. It is high time that such a study be consummated. There is no more important matter confronting the Members of Congress today than the crime problem, and I hope that we meet it head on with effective action.

THE PRESIDENT'S MANPOWER REPORT

Mr. DANIELS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. DANIELS. Mr. Speaker, I rise in support of President Johnson's proposal—contained in his annual manpower report—to establish a new position of Assistant Secretary of Labor for Manpower.

Of course, such a position will not, in itself, solve the remaining problems of hard-core unemployment. It will not, in itself, provide the skilled workers that a highly technical economy will demand. It will not, in itself, continue to provide the growing number of jobs that an expanding population will require.

But it does represent a very important step in the right direction. It recognizes that one of the most important task this Government faces in the years ahead is the task of matching our manpower to our jobs.

Consider for a moment some of the problems that the future holds for us. We know that certain areas of the United States—Detroit, for example—are already beginning to feel the shortage of both skilled and unskilled labor. Yet there are other areas of the country—in Appalachia and in the Mississippi Delta, for example—where honest and hardworking men cannot find jobs of any sort. Clearly, this situation can and must be corrected if we are to sustain our rate of growth.

Consider the fact that there are also millions of Americans who are employed in occupations and skills that do not fully utilize their capabilities. As the President said:

> There is no overall labor shortage. But the unemployed and underemployed are not fully matched with the jobs available.

This situation is a drain on our potential.

And finally, consider that too many of our young men and women are continuing to drop out of high school—at a time when the average American worker already has more than a high school education. What is to become of these people? How can we prepare them for the complexities that clearly lie ahead?

These are some of the problems that just must be solved—and solved soon.

In his compelling message on manpower, the President has given us the blueprint to which we can turn.

IMPACT AID, PUBLIC LAW 874

Mrs. MINK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentlewoman from Hawaii?

There was no objection.

Mrs. MINK. Mr. Speaker, I am greatly distressed by the recommendations to reduce Federal support of the impact program.

Currently the State of Hawaii is spending $73.9 million for the support of public education. On a per capita basis for total education expenditures, Hawaii ranks 4th among all 50 States, while ranking only 14th in per capita income. We are exerting every effort to maintain this support of public education to the end of providing high quality schooling for our children. Hawaii's personal taxes are the highest in the country now, but this is a load we are willing to carry for the important purposes of education.

The administration's reductions in recommended support of Public Law 874 imply that the local school districts could do more by absorbing greater percentages of the cost of educating federally connected children.

Let me explain the grave and serious burden which these recommendations would have upon our public education system in Hawaii.

In category A, under Public Law 874, for children whose parents live on Federal property and work for the Federal Government—in the main, military dependent children—the Federal support currently is based on 50 percent of the State's average per pupil cost, 2 fiscal years previous.

For fiscal 1964, the State of Hawaii's average per pupil cost was $422. Thus, the Federal Government's support of each category A child in Hawaii was 50 percent or one-half of $422, or $211. Measure that against the current school year's average cost which is nearly $500 per child. The State is currently paying for the category A child's education over $300 per pupil out of State funds.

There are over 15,000 children in my State of Hawaii in category A alone. The Federal contribution for this year is $3,621,089, while the current additional State support required for these children is in excess of $4.5 million.

You must be aware that military families residing on base in Hawaii are likely not taxpaying residents. These families buy their groceries in the base exchanges, tax free; nor is there any significant tax realization from them for cigarettes, liquor, gasoline, or entertainment, all of which can be found on the base, tax free.

As a matter of fact, for real equity, and considering this section of Public Law 874 as payment by the Federal Government in lieu of taxes, I sponsored a bill last year, H.R. 8626, which provides that the Federal Government shall pay the full State average per pupil cost based upon 2 previous fiscal years' State expenditure for education.

The administration's current proposal is that in category A, the State or local school district absorb the cost of educating that number of children which comes to 3 percent of the total enrollment in the school system.

In my State of Hawaii, given approximately 150,000 children in the public school system, 3 percent of this number would be 4,500.

Thus, the administration would have us pay the full cost of educating 4,500 of the 15,000 children in category A.

This increases the State burden as follows:

Under existing law (1967 estimate):	
Estimated total cost of educating 15,000 category A children is (at $500)	$7,500,000
Federal support under category A	3,840,000
State support for education of category A children	3,660,000
Under proposed cuts:	
Estimated total cost of educating 15,000 category A children is (at $500)	7,500,000
Federal support for education of category A children	2,243,000
State support for education of category A children	5,257,000

I am advised that the total combined Federal support which Hawaii would get under the new proposed cuts covering not just category A, but also adding the 30,824 children under category B would total only $4,609,000. This would be less than what it would cost to educate just the 15,000 children under category A ($500×15,000=$7.5 million).

H.R. 13160 provides that if a State or local educational agency refuses to educate these children living on Federal property, then all support under this impact program would be withdrawn.

The harshness of this reduction in aid is readily seen when viewed thusly:

Estimated cost to educate 15,000 category A children at $500	$7,500,000
Total reduced Public Law 874 impact aid support for both A and B children	4,609,000
State deficit for just category A on-base children	−2,891,000
Public Law 874 funds available for category B	0

It would obviously be more logical to abdicate authority over the education of these 15,000 on-base children and make that a total Federal responsibility as set forth in H.R. 8626, at a minimum estimated Federal cost of $7,500,000 just for the on-base children.

By providing this analysis and argument against these proposed cuts as they affect my State, I do not wish to imply that we would not make every conceivable effort to continue our existing program for all our children and even add to our own tax burden if necessary to make up the deficits. I refer to the alternative of withdrawal for purposes of illustration only.

I cannot believe that this is what the administration desires. This is certainly not what my State wants. We believe these children have profited as part of our school system, and that we can continue to provide them a better educational program than any administered separately under the Department of Defense, though this occurs already in some jurisdictions.

I respectfully urge my colleagues to join me in this effort to preserve the present system of apportionment of funds under Public Law 874.

If the law remains the same, Hawaii's picture in fiscal 1966 will be as follows:

Estimated cost of educating 15,000 category A children (on-base) at $500	$7,500,000
Total estimate, fiscal 1966 Public Law 874 impact funds for 15,000 A category children and 30,824 B category children	6,559,074
State deficit just for category A	−940,926
Public Law 874 funds available for category B	0

I submit that this latter picture, though not completely equitable, is at least one which will enable us to continue our present program of equal educational opportunity to all children residing anywhere within the borders of our State.

Mr. Speaker, the State of Hawaii Legislature which is currently in session is gravely concerned about this proposed cut. Under the leadership of the Speaker of the House of Representatives Elmer Cravalho; Senate President Kazuhisa Abe; Senator David Trask, chairman of the senate education committee; Senator Nadao Yoshinaga, chairman of the senate ways and means committee; Representative Robert Taira, chairman of the house education committee; and many others, we have seen our State's commitments to education grow over the last 2 years.

Yesterday, I received a copy of House Concurrent Resolution 9, Third Legislature of the State of Hawaii, budget session of 1966, urging the retention of the current program under Public Law 874, which I append to my remarks to advise my colleagues of the great concern which this resolution expresses on behalf of the schoolchildren in my State:

HOUSE CONCURRENT RESOLUTION OF THE STATE OF HAWAII

Whereas the Federal Government currently provides funds to areas designated as Federal impact areas to assist States which have a heavy financial burden of educating children of military and civil service workers residing on or employed on Federal property; and

Whereas approximately 31 percent of the schoolchildren in Hawaii from grades kindergarten through 12 are classified as students in Federal impact areas; and

Whereas President Johnson's proposal to cut back funds in Federal impact areas would have a severe and damaging effect on the educational programs of this State; and

Whereas Public Law 874 provides Federal funds to the department of education which are used to supplement State funds for operating budget expenditures; and

Whereas these funds were earmarked to help pay the salaries of teachers and administrative personnel required to meet the heavy student enrollment anticipated for the school year beginning in September 1966; and

Whereas the proposed cutback of Federal funds under Public Law 874 will result in an estimated loss of $3\frac{1}{3}$ million to Hawaii for the fiscal year 1966–67; and

Whereas President Johnson in his state of the Union message delivered January 12, 1966, reaffirmed the Nation's commitment to Vietnam while recommending that the programs of the Great Society be continued and that Congress provide the resources to carry forward, with full vigor, the great health and education programs that were enacted into law last year; and

Whereas President Johnson's proposal to cut back funds to States with designated Federal impact areas, reduces the effectiveness of his state of the Union promise to build a Great Society at home: Now, therefore, be it

Resolved by the House of Representatives of the Third Legislature of the State of Hawaii, budget session of 1966 (the senate concurring), That President Johnson be and is hereby requested to withdraw his proposal to cut back Federal funds for education in Federal impact areas; and be it further

Resolved, That Hawaii's delegation to Congress be and they are hereby requested to make all possible attempts to persuade the President not to cut back Federal funds to States with Federal impact areas; and be it further

Resolved, That certified copies of this concurrent resolution be transmitted to the President of the United States, Lyndon B. Johnson; the President of the Senate, Hubert H. Humphrey; the Speaker of the House, John W. McCormack; Senators Hiram L. Fong and Daniel K. Inouye; Representatives Patsy T. Mink and Spark M. Matsunaga; the Secretary of Health, Education, and Welfare, John W. Gardner; and the Honorable John A. Burns, Governor of Hawaii.

Elmer F. Cravalho,
Speaker, House of Representatives.
Shigeto Kanemoto,
Clerk, House of Representatives.
Kazuhisa Abe,
President of the Senate.
Seichi Hirai,
Clerk of the Senate.

EXTENSION OF REMARKS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to extend my own remarks on the subject of the manpower report of the President of the United States in his message to the Congress yesterday and also following my remarks my colleagues, the gentleman from Pennsylvania [Mr. Holland] and the gentleman from Wisconsin [Mr. Reuss], may extend their remarks.

The SPEAKER pro tempore (Mr. Price). Without objection, it is so ordered.

There was no objection.

MANPOWER REPORT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, only a short time ago, the specter of mass unemployment was a major national concern. Now, the President's manpower report, which we received yesterday, shows that unemployment has fallen to the almost-unprecedented level of 3.7 percent of the work force. That is its lowest point in more than 12 years.

It is true that pockets of unemployment still persist in such places as Appalachia and Mississippi Delta. There are thousands of teenagers who need jobs to help support their families. And there are others employed in occupations that do not fully use their capabilities. Furthermore, there are still many disadvantaged workers who are not getting their fair share of employment. While the unemployment rate for Negroes, for example, was down from nearly 13 percent in February 1961, to 7 percent this past February, it is still far too high.

But while we continue our programs for correcting these inequities, we must not lose sight of another danger. That danger is that we will not produce enough skilled workers and enough professional people to meet the rapidly expanding needs of modern America. Already we are suffering from acute shortages in the medical and nursing professions, in the teaching professions, and various industrial trades and crafts.

The President's manpower report, accordingly, calls attention to the need for better, faster, and more widespread vocational training. It calls attention to the need for making our work force more mobile, both geographically and in terms of learning new skills.

As the President indicates, in a prosperous economy the root of most problems of unemployment and underemployment lies in deficiencies in education. It is also education—and only education—which can help the Nation as a whole meet its growing needs for skilled manpower. I urge, therefore, that we give every possible support to the President and to the administration in carrying forward both those programs already initiated and in laying the foundation for those others requested by the President.

Mr. HOLLAND. Mr. Speaker, the President sent us yesterday an annual report on manpower in the United States which should be a source of pride to every Member of this body, and a source of hope and promise to every American.

The record of accomplishment described by this report is one that has rarely been matched by any nation, and not often even by our own. We have reduced unemployment to only 3.7 percent of our work force—the lowest in more than 12 years. Hundreds of thousands of persons have received training which will make them more productive, more useful citizens as a combined result of the new manpower, education, and poverty programs launched by this administration. All across the land more and more boys and girls have received training which will save them from a lifetime of chronic unemployment and poverty.

As the President's report points out, we are now beginning the sixth year of our longest and soundest period of peacetime prosperity. We can take pride in the growth of our economy and the achievements of our great free enterprise system. But we cannot afford to rest on our laurels. Our very success in banishing unemployment and maintaining a constantly expanding economy creates new problems of its own.

If we are to sustain progress, keep our hard-earned prosperity, then we must look ahead. We must be ready to assure not only that there is a job for every worker but also that there is a worker for every job. Already, in some areas of the country, there is a tight supply of skilled labor. For example, there are shortages of machinists in the metal working industry, and shortages of craftsmen in the building trades. There is a great shortage of medical and nursing personnel and of teachers.

Thus, while taking justifiable pride in the achievements we have made, the President also urges action which will create greater mobility in our labor force, and which will provide the necessary training to meet our needs for skilled craftsmen and professional men and women.

One of his recommendations is to increase the minimum wage and extend the coverage of the Fair Labor Standards Act. Another is to increase, by 1975, the number of medical school graduates by 50 percent, and the number of dental school graduates by 100 percent over 1960.

The overall lesson of the President's survey of our manpower resources is that whatever benefits the individual worker—or the future worker—is also good for the country. Men and women need skills if they are to earn a decent living. The country needs skilled men and women if it is to remain a great 20th century society.

The problems of labor, the problems of education, the problem of avoiding inflation, are all linked together. President Johnson has submitted to us in this and his other messages a coordinated program for moving our economy steadily forward in an orderly manner. I am proud to voice my strong support for his measures.

Mr. REUSS. Mr. Speaker, the President's message on manpower is both encouraging and challenging.

It is encouraging because it shows how much can be accomplished within the framework of a carefully balanced economic policy.

It is challenging because it points the way we must go if that policy is to continue to be effective.

We are now in the 61st month of the longest, continuous period of prosperity in America's peacetime history. Only the period of expansion during World War II exceeds it. Profits are up, wages are up, employment is up, and sales are up. And the best news of all is the announcement that February saw our unemployment rate drop to 3.7 percent of our workforce—the lowest in more than 12 years.

What this means is that more Americans are enjoying more of the fruits of their labors than ever before.

But President Johnson was quite correct in pointing out that there is still much that remains to be done.

Unemployment among Negroes and teenagers is still a national problem.

Troublesome "pockets of unemployment" still remain in depressed areas of the Nation.

Too many skilled jobs remain unfilled for lack of trained manpower while untrained workers remain on our unemployment rolls.

What is President Johnson's answer to these problems? Training and planning.

We must look to the decades of the 1970's and 1980's. We must determine—now—what our manpower requirements are going to be and then we must begin the task of training our workers, particularly our young workers, in the skills that those requirements demand.

We can sustain our great prosperity. The record of the past 6 years proves that we can. But we will not sustain it by sitting on our hands. What is needed is a well-coordinated and well-planned program from the national level down through the community level. And that program must begin with this session of Congress.

VOICE OF DEMOCRACY CONTEST WINNER FROM TEXAS—MISS LESLIE DIANE REED, OF TEXARKANA, WINS $2,500 SCHOLARSHIP PRIZE

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, the Veterans of Foreign Wars of the United States, and this organization's wonderful and effective ladies' auxiliary have again through their nationwide Voice of Democracy contest made a significant contribution to our understanding of a subject that is both simple and complex—simple because people everywhere turn toward democracy as winter-bound children seek the sun; complex because it is a concept that is too frequently strangely beyond the comprehension of philosophers, historians, economists, and—dare I add—politicians. It is therefore with great pride that I call to the attention of this Congress an essay, the winning essay from the State of Texas, written by a young constituent, Miss Leslie Diane Reed, of Texarkana, Tex., who writes with refreshing sincerity and clarity on the topic: "Democrary—What It Means To Me." Each generation must decide for itself whether the voting booth is a reluctant chore or the joyful exercise of a great human right. Miss Reed gives us words of most welcome reassurance.

I feel in my heart that she speaks truly for her generation of young Americans.

I am indeed happy to add that last night Miss Reed placed third in the national contest for which she will receive a $2,500 scholarship award.

Congratulations are certainly in order for all the national winners and for all those who participated in this worthwhile tribute by the Veterans of Foreign Wars to the youth of America.

DEMOCRACY—WHAT IT MEANS TO ME

(By Leslie Diane Reed, Texarkana, Tex.)

Since our first days in school we have been taught about democracy. But do we really know what it means?

When the great blackout struck the Northeastern States, millions of people who thought they appreciated electricity, were left in darkness. They suddenly found out what it is like to be without electric power.

Now, suppose that this same thing were to happen to our Government, and we should wake up some morning without freedom. Perhaps only in this way could some of us really appreciate what it means—the change would be greater than you think. For democracy is more than just a form of government. It is a way of life involving the greatest gifts and responsibilities at the same time.

Our first responsibility is to preserve democracy. The men who fought at Valley Forge, and those who signed the Declaration of Independence, did not deliver us a one-way ticket to liberty for all time. They gave us the framework, and we have found out since then that the rights of men must be fought for and worked for constantly.

Our legislatures and courts are always busy protecting those rights—rights which often bump into and overlap each other. Even now we are witnessing an agonizing struggle over civil rights that has been talked about and suffered since Abraham Lincoln.

A short time ago, in the famous Gideon case, the U.S. Supreme Court ruled that no American citizen could be convicted of a crime without legal counsel. A case before the Court this year will determine if a man has a right to play a guitar in a city park without being arrested. Insignificant? Perhaps, but, because it involves our rights, it will be decided.

We fought the First World War to make the world safe for democracy. Now, after another world war and the Korean and Vietnam wars, we know that there is no such thing as safety for democracy. There will always be those, inside and outside of our country, who would destroy what it stands for.

And what does it stand for? The right to vote, to get a good free education, to change leaders when leaders fail, to invent a better mousetrap, or a better computer, to compete with our neighbors and still be their friends, to worship as we choose, think as we please, and express our opinions. These are all things that our country gives us. But they create the responsibility of participation—for a voting booth without a voter is useless, a church without a congregation is not a church. Only by participating in democracy can we make it work.

And we don't have to wait until we are adults to begin this participation—our home, our school, our neighborhood—these are the places, and this is the time.

Some of us may soon be called upon to risk death for democracy, but for most of us the greatest thing we shall have to do is live for it—live clean, successful, happy lives—taking advantage of all the opportunities freedom gives.

Democracy is people, people on the move, people unlimited by injustice or slavery, people making progress, people with rights who respect the rights of others. The luckiest thing that can happen to a human being on this earth is to be born one of these people.

I, for one, do not intend to waste this wonderful life. I am going to accept the responsibilities and use the advantages of my country. This is democracy and what it means to me.

REPRESENTATIVE HALL CALLS FOR REPEAL OF EXECUTIVE ORDER IMPOSING ADMISSION FEES AT FEDERAL RESERVOIRS

Mr. HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, the Secretary of the Army's announcement this week that admission fees will be imposed at 105 Federal reservoirs throughout the Nation, including Table Rock and Pomme de Terre, constructed and administered by the Corps of Engineers in southwest Missouri, is a betrayal of previous assurances that such fees would not be indiscriminately imposed at Federal reservoirs.

The authority for the admission fees, which range from $7 for an annual permit to 50 cents for one individual for 1 day, was contained in Executive Order No. 11200, issued by President Johnson on February 26.

In view of the fact that this executive order is now a national policy affecting most of the large reservoirs throughout the Nation, it will take concerted action by the Congress if the policy is to be changed.

The Secretary of the Army's announcement is the culmination of a long and bitter difference of opinion that has been going on between the Secretary of Interior, Stewart Udall, and the U.S. Corps of Engineers, which has no real taste for the imposition of these admission fees, as opposed to user fees, which were authorized by the Land and Water Conservation Act of 1965.

Secretary Udall has insisted—from the very beginning—that these admission fees be imposed at Federal reservoirs. The Corps of Engineers resisted for a long time, pointing out the high cost of collections that would be incurred in any effort to establish collection stations on the perimeter of reservoir areas. Because of this difference of opinion, the rules that were to have been issued last June were not issued at that time. Their issuance now demonstrates that Mr. Udall has the President's ear, and is apparently determined to make every Federal reservoir his own private preserve, for which the average citizen will have to pay tribute.

Under the Land and Water Conservation Act, user fees were to be imposed for specific facilities, which the Federal Government provided, but not for the mere privilege of breathing fresh air at Federal reservoirs. This concept was underscored during the congressional debate in 1964, but now it has been "emasculated by Presidential decree." Here, again, we have erosion of legislative authority by the executive branch.

To further point up the absurdity of the Executive order, the congressional debate made it clear that no charge was to be assessed for the mere use of the water at a Federal reservoir. That assurance is now meaningless, because, while technically the use of the water is still free to a boatsman or a fisherman, he has to pay tribute for the privilege of getting to the water. How utterly ridiculous and two faced. I do not know how the President ever could have agreed to such an order. The Secretary of the Interior's estimate of accrual to the "land use fund" in the first year was $35 million—actually $5 million came in. Is it possible this is the reason for the Executive order, or is it more power and politics?

Furthermore, the Corps of Engineers admits that it would be prohibitive to establish toll stations at every access road in a reservoir area, so they are going to operate on some kind of honor system. In other words, a private citizen who takes his family into a reservoir area will risk arrest if he does not have a permit, but also might visit every day and never be stopped. Under this Department of the Army announcement, we will have an "army of snoopers" at every Federal reservoir. Besides Mr. Speaker, what of the man who floats "into the reservoir down a tributary stream?"

I will ask the Legislative Counsel to draft a bill for submission that would prohibit admission fees to reservior areas. The streams and the lakes still belong to the people.

EXTENSION OF REMARKS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that I may be permitted to extend my remarks on the subject of the President's crime message following other unanimous-consent requests on the same subject.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

HORTON RESOLUTION DESIGNATES FEBRUARY AS AMERICAN HISTORY MONTH

Mr. HORTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, the men, women, and events which make up our great American heritage are remembered and recognized in history classes throughout the country, and individually on national holidays set aside to commemorate their importance to our society. I think it is important, however, that these people and events—American history as the whole of our tradition and accomplishments—be remembered as one, by all Americans.

For this reason, I am proposing that the month of February be designated "American History Month."

February, the month in which we observe the anniversaries of the birth of those towering figures of our national past, Washington and Lincoln, is the appropriate month to be given such a designation. Every possible encouragement should be given to the study and appreciation of our history, the record of the greatest struggle for human liberty in the annals of mankind on this planet.

A nation preserves the memory of its past by its anniversaries, its stamps and coins, its symbolic places and its patriotic observances. Such an observance as American History Month would direct attention to our historic past, and would awaken the dormant interest of most of our citizens in the history of the long struggle for freedom under responsible government.

Students hard at work in the country's schools would be given renewed energy in their history classes by the ideals and activities of American History Month. They would be reminded during this month that forgetting a few dates or even failing a few tests are small vexations for what they will have gained by their study of American history. By such study they will have acquired an understanding of the great Nation whose future is in their keeping. That future will be secure only in the hands of those who know its past.

CONGRESSMAN HORTON RECALLS THE MEMORY OF TARAS SHEVCHENKO—RESOUNDING VOICE OF FREEDOM

Mr. HORTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, it is with great pleasure that I rise today in solemn commemoration of the anniversary of the birth of Taras Shevchenko, poet laureate and national hero of the Ukraine. His memory is revered by freedom-loving peoples the world over, for his poetry and his life eloquently express the great ideals of liberty for all men, of democracy, and of justice.

In paying this tribute to the memory of Shevchenko, I am honored also to salute the many Ukrainian-Americans whom I have the honor to represent. I feel particularly close to the Ukrainian community of the Rochester, N.Y., area and have taken part in its activities on many occasions.

It should be noted that the love of freedom which inspired the burning poetry of Shevchenko continues to characterize the Ukrainian people wherever they live today. There is in the hearts and souls of Ukrainian men, women, and children a fervent desire to loose once and for all the awful yoke of Communist imperialism that holds the original land of the Ukraine in a totalitarian vice.

Therefore, as we commemorate today the birth of Taras Shevchenko let us also reaffirm our faith in self-determination and individual liberty. Let our message to the captive peoples be clear. We can and must apply the democratic influence of the United States in the body of world opinion and take whatever steps we can to insure the restoration of independence to the Ukraine and the other once-free nations that now lie behind the Iron and Bamboo Curtains.

Taras Shevchenko was born in 1814 in the little Ukrainian village of Morintsy. The first 24 years of his life were spent in the lowly state of serfdom until he was redeemed in 1838 by the poet Vasili Zhukovsky and the painter Karl Bryullov.

Upon receiving his liberty, the young man was at last free to pour out his heartfelt words about the joy of freedom, and 2 years after becoming free, he produced his first work of poetry.

Upon reading his works, Ukrainians everywhere thrilled to the beauty of his poetry. The young writer had introduced a type of literature that had not been known in the Ukraine before. Rather than the traditional use of the Russian language, for Russia dominated the little Ukrainian land, Shevchenko turned to the tongue of his beloved homeland, the Ukraine.

The language that he used was that of the Ukrainian folk song—bright, singing, and emotional—but beneath the grace of his words beat an unyielding attack upon man's inhumanity to man. In "The Kobzar," his first work, almost every poem breathes the poet's sadness over the loss of his country's independence and the hardships his people were forced to endure. "The Kobzar" appealed to the Urkrainian people, for it set forth their deepest feelings about the injustice of tyrants and spoke of their past glory. Taras Shevchenko, from his advent into the literary world until this very day, retains the love and admiration of his fellow men.

Yet the power of his message and the courage of the young man soon brought him into extreme disfavor with the Russian czar. In 1845 Shevchenko associated himself with a revolutionary society which was determined to set up a great free union of all Slavonic peoples. His activity in this organization brought about his arrest in 1847 by the agents of the czar and subsequent conscription into the hated Russian Army. The czar issued a personal decree forbidding the poet to write or draw. Yet Shevchenko defied all attempts to silence him and continued to pour out his feelings, writing poems in notebooks which he sewed together and hid in his boots. Ten years after being forced into the army he was pardoned but remained under police surveillance for the rest of his life.

Shevchenko died in 1861, a man who had been destined to enjoy the blessings of personal freedom only 9 years. His life is thus symbolic of the fate of his beloved country, which gained freedom in 1918 only to be crushed under Russian tyranny only a few short years later.

More than a hundred years have passed since the promising career of Taras Shevchenko was blighted by Russian persecution. The Russian authorities had desired to prevent him from expressing the ideas in which he believed. They isolated him for 10 years in miserable army posts and broke his health, but the courageous poet never wavered in his ideas, and to the end of his days proclaimed the selfsame undying truths. Year by year his poems have been recovered, studied, edited, and reedited. Year by year his fame has increased until today it is abundantly clear that he was a prophet of a better world in which all the stains and ruins of the human spirit will disappear. The poet laureate of the Ukraine was also the poet laureate of humanity, for his message was that freedom, truth, and justice are indivisible and that if any man is denied these blessings then no freeman is truly free.

Taras Shevchenko was a poet and a patriot of the first rank. On this, the anniversary of his birth, we salute this great man and his Ukrainian compatriots everywhere. May the ideas in which Taras Shevchenko believed so fervently be realized throughout the earth.

MORE TIME NEEDED FOR SENIOR CITIZENS TO REGISTER FOR MEDICARE

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. FEIGHAN. Mr. Speaker, we must give assistance to our senior citizens, 65 and over, so that they can get the supplementary medicare coverage for $3 a month that Congress originally intended that they have.

However, it now develops that men and women who were 65 before last January 1 will be ineligible to apply for the supplementary medical expense phase of medicare, for which the Government will charge them $3 a month, until the last 3 months of 1967 if they miss the March 31 deadline.

It is well known that physical and mental infirmities are concomitants of advanced years. Moreover, in spite of massive publicity and a nationwide education program, there are still millions of elderly people throughout the country who do not understand the details of the medicare program. It would be brutal and tragic to deny them protection against catastrophic hospital and medical expenses because of a technicality.

It would be heartbreaking if thousands of families faced financial ruin because of catastrophic hospital and medical expenses of a parent or grandparent who, for ignorance or any other reason, had failed to register by the end of this current month.

It was the original intent of Congress and the American people to establish a national policy that senior citizens are entitled to hospital and medical care—not to establish a set of inflexible bureaucratic rules and regulations.

According to Social Security Administration reports, 13,545,000 of the estimated 19 million Americans eligible for medicare had enrolled for the program by March 3. Of these, all but 1,113,000 signed up for the $3 a month supplementary medical expense insurance program.

It is ridiculous to assume that the remaining four and one-half million eligible men and women will all sign up for medicare in the few weeks remaining before the March 31 deadline. Many of them are probably invalids, or unaware for one reason or another that they must make an application for their hospital and medical insurance rights.

In all likelihood, some of those who have not yet signed up are the very people to whose families the protection of medicare is most crucial and vital.

I am preparing a bill which will extend the March 31, 1966, filing deadline for medicare supplementary insurance applications indefinitely.

It may be argued that an indefinite extension will create recordkeeping problems for the Social Security Administration. However, the purpose of medicare is to have a humanitarian objective—to give our senior citizens rights which they have earned, to shield their children and grandchildren from the burden of gigantic hospital and medical expenses—not to simplify recordkeeping for any Government agency.

The Social Security Administration career employees with whom I have discussed this type of deadline said it is bound to inflict hardships on many families and is justifiable only on grounds of administrative convenience.

I expect my bill to receive sympathetic consideration from Congress, but I urge everyone eligible for medicare to protect his or her rights by registering as soon as possible.

Our national objective is to provide the elderly with hospital and medical insurance—and not to hem them in with a lot of fine print technicalities.

CRIME—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 407)

The SPEAKER pro tempore laid before the House the following message from the President of the United States which was read:

To the Congress of the United States:

Crime—the fact of crime and the fear of crime—marks the life of every American.

We know its unrelenting pace:

A forcible rape every 26 minutes;

A robbery every 5 minutes;

An aggravated assault every 3 minutes;

A car theft every minute;

A burglary every 28 seconds.

We know its cost in dollars—some $27 billion annually.

We know the cost it inflicts on thousands—in death, injury, suffering, and anguish.

We know the still more widespread cost it exacts from millions in fear:

Fear that can turn us into a nation of captives imprisoned nightly behind chained doors, double locks, barred windows.

Fear that can make us afraid to walk city streets by night or public parks by day.

These are costs a truly free people cannot tolerate.

The war against crime may be slowing its increase for the moment. The most recent report of the Federal Bureau of Investigation shows a 5-percent increase for 1965; compared to a 13-percent increase for 1964.

But we can take little comfort from such facts. We must not only slow, but stop—and ultimately reverse—the rate of crime increase.

The entire Nation is united in concern over crime. The entire Nation shares in the resolution to deal effectively with crime. But national concern is not enough. National resolution is not enough.

We must match our will with wisdom. We must match our determination with effective action.

The safety and security of its citizens is the first duty of government.

Today, therefore, I call on the Congress and the Nation to join in a three-stage national strategy against crime, welding together the efforts of local, State, and Federal governments.

WHAT WE HAVE DONE

This administration—with the support of this Congress—is committed to assist local authorities. For the first time in our history, an administration has pledged to the American people that the growth of crime—local, State, and National—will be checked.

We are working in a creative Federal partnership to fulfill that pledge.

1. The Law Enforcement Assistance Act, passed last fall, provides a sound foundation upon which we can now build. Under its imaginative scope, we have already launched local and Federal action—generations overdue—to modernize not only police work but all aspects of the system of criminal justice.

2. The Prisoner Rehabilitation Act, passed last fall, is the most significant legislative reform in modern American penology. Hundreds of prisoners already are working in daytime jobs as they finish their sentences at night. They are learning job skills that will bring dignity to themselves and support to their families.

3. The National Crime Commission and the District of Columbia Crime Commission, established last year, have launched searching studies into the causes of crime and our present shortcomings in dealing with it.

4. The Federal Bureau of Investigation is expanding its National Academy sixfold. It will soon be able to train 1,200 rather than 200 law enforcement officials each year. It will provide special training for an additional 1,000 officers.

5. Federal efforts against organized crime have continued to increase. Racketeering indictments last year rose to a record 674, compared with 535 in 1964 and only 19 in 1960.

A UNIFIED ATTACK

These programs are only initial steps on a long road. But they advance us far enough to see down that road more clearly.

And the plainest fact we can see is that piecemeal improvements will not be enough.

The need is not new. We have simply failed to meet it.

Despite the warnings of our law enforcement officials, years of public neglect have too often left the law enforcement system without necessary resources and public support.

Despite the devotion of our law enforcement officials, our law enforcement system does not deter enough of those who can be deterred. It does not detect and convict enough of those who cannot be deterred. It does not restore enough rehabilitated offenders into the law-abiding community.

Despite the dedication of our law enforcement officials, reforms too often defeat themselves because they do not go far enough.

There is a fundamental lesson we have too often ignored.

The problems of crime and law enforcement are closely interrelated.

One interlocking tie is within the very system of law enforcement.

Making police more effective is fruitless—if we continue to permit the overburdening of judges and the clogging of courts.

Increasing the number of judges is futile—if the number of competent prosecutors and defense attorneys remains inadequate.

An expanded judiciary cannot take advantage of modern thinking in sentencing—if new correctional facilities are not provided.

The best correctional programs will fail—if legitimate avenues of employment are forever closed to reformed offenders.

A second interlocking tie between all law enforcement problems is geographical.

Crime does not observe neat, jurisdictional lines between city, county, State, and Federal Governments.

Failure of a correctional system in one State may have a decided impact on the crime rate in another.

Shortcomings in Federal or State law enforcement make more difficult the work of a city police department in its fight against racketeering.

Devoted police work in a city is of little consequence if it merely drives criminals to the adjacent county.

To improve in one field we must improve in all. To improve in one part of the country we must improve in all parts.

We must mobilize all of the resources of our creative Federal system if we are to repel the threat of crime to our common well-being. The problems of crime bring us together. We must make a common response. There is no other way.

OUR NATIONAL STRATEGY

Even as we join in common action, we know there can be no instant victory. We face an immense journey. Ancient evils do not yield to easy conquest. Modern criminology has yet to light many corridors.

We cannot limit our efforts to enemies we can see. We must, with equal resolve, seek out new knowledge, new techniques, and new understanding.

In the battle against crime, unity can give us strength. But strength can give us victory only if it is joined with a bold and clear plan for the future as well as the present.

I propose a three-stage national strategy.

The first stage is an agenda for immediate action. These are the legislative steps we already know are needed—steps that should be taken without hesitation or delay.

The second stage is development of a comprehensive agenda of direct steps based on experiment and assessment for the future.

The third stage is a still broader agenda, an attack not only against crime directly, but against the roots from which it springs.

These three stages involve varying resources and commitments. But we must proceed on each of them with equal force—and we must do so now.

FIRST: THE IMMEDIATE ATTACK

Each of the four aspects of law enforcement calls for reform. There are steps we can now take.

A. TO IMPROVE CRIME PREVENTION AND DETECTION

We must improve the quality of local law enforcement throughout the country.

The frontline soldier in the war on crime is the local law enforcement officer. Federal aid to law enforcement at the State and local level was made possible by the Law Enforcement Assistance Act of 1965. Police, court, correctional, and university authorities have responded to the newly created Office of Law Enforcement Assistance with hundreds of imaginative ideas and proposals.

A number of projects are now underway:

The management methods of modern industry will be adapted to law enforcement problems in a new management institute for police chiefs.

Several New England States are combining their efforts in police training by establishing the first regional leadership school in the Nation.

The first intensive national training institute for State directors of corrections will bring the advice of experts to all States in their effort to break the cycle of criminal repeaters.

In support of these programs and the many others to follow, I am asking Congress to increase appropriations for the Law Enforcement Assistance Act from $7.2 to $13.7 million.

Even seeking the most imaginative reforms, however, underscores a fundamental truth: how well a job is done depends on the training and ability of the men who do it.

I have directed the Attorney General to—

Make grants to States, cities, and colleges and universities to elevate and intensify the training of law enforcement officers;

Provide grants for a management exchange program, enabling police officials to travel to other departments for on-the-spot studies of promising and effective approaches;

Provide grants to establish closed-circuit television training programs to teach basic police subjects. The first such program, involving over 200 locations in a single State, is being launched now;

Establish an award program, in consultation with State and local officials, giving annual public recognition to outstanding police officers and others who make notable contributions to the field of law enforcement.

I recommend legislation to establish a program to send selected police officers to approved colleges and universities for a year of intensive professional study.

I recommend a loan forgiveness program under the National Defense Education Act for students who wish to enter the law enforcement profession.

If crime is to be controlled, we must control the weapons with which so many crimes are committed.

We must end the easy availability of deadly weapons to professional criminals, to delinquent youth, and to the disturbed and deranged.

We must stop the flow of firearms into dangerous hands.

It is not enough to say that gun control is a State responsibility. States with gun control laws now stand helplessly by while those laws are flouted daily by the unchecked sales of guns by mail.

Our Federal responsibility is clear. It is promptly to enact legislation, such as S. 1592, to regulate and control interstate traffic in dangerous firearms.

The front pages of our newspapers make us actutely aware of the human tragedies that flow daily from the unchecked purchase of firearms. Recent congressional hearings added abundant evidence of the gravity of this problem.

There is no need to curtail the right of citizens to keep arms for such traditional pastimes as hunting and markmanship. But there is a pressing need to halt blind, unquestioned mail-order sales of guns, and over-the-counter sales to buyers from out of State whose credentials cannot be known.

Only the Federal Government can give the several States and cities their first real chance to enforce their own gun laws. We must do so without further delay.

We must bring the latest and most effective methods of law enforcement to the District of Columbia.

I have pledged to develop a program for the Nation's Capital covering all aspects of crime and crime prevention.

In the longer run, we will look to the recommendations of the President's Commission on Crime in the District of Columbia. In the meantime, there are several measures which can be carried forward.

I recommend a substantial increase in police salaries to attract and retain the best qualified officers in the District of Columbia.

I recommend a Pistol Registration Act prohibiting the sale of deadly weapons to those who have been convicted of violent crimes, to those with a history of mental instability, and to habitual alcoholics.

To strengthen the capability of District authorities, I have asked the Attorney General to provide experimental funds to:

Revitalize the overburdened police communications system.

Develop a computerized crime information system for the entire metropolitan area.

Provide additional equipment to increase police mobility and patrol effectiveness.

B. TO FACILITATE THE PROSECUTION OF CRIMINALS

We must intensify our campaign against organized crime.

The most flagrant manifestation of crime in America is organized crime. It erodes our very system of justice—in all spheres of government.

It is bad enough for individuals to turn to crime because they are misguided or desperate.

It is intolerable that corporations of corruption should systematically flaunt our laws.

This concern already is deeply shared by Congress. Statutes enacted in recent years have greatly strengthened Federal authority to deal with racketeering. But another legislative tool is required.

Organized crime will stop at nothing to escape detection and prosecution. Torture and murder of witnesses, efforts to bribe prosecutors and jurors—these are not shocking exceptions. They are familiar racketeering techniques.

Such methods not only make it harder to prosecute racketeers—they poison the system of law enforcement itself. They require a strong antidote, and an important one is now pending in both Houses.

This legislation would expand the authority of the Department of Justice to immunize hostile but knowledgeable witnesses against prosecution and thereby enable them to testify without incriminating themselves.

Such immunity is already provided in laws covering a number of crimes. The pending legislation would extend it to such racketeering crimes as bribery, graft, bankruptcy fraud, jury tampering, and other schemes for the obstruction of justice.

We must modernize our criminal laws.

I propose the appointment of a Commission to conduct a comprehensive review of all the Federal criminal laws and to recommend total revision by 1968.

A number of our criminal laws are obsolete. Many are inconsistent in their efforts to make the penalty fit the crime. Many—which treat essentially the same crimes—are scattered in a crazy-quilt patchwork throughout our Criminal Code.

The Commission will be composed of outstanding Americans, including Members of the Congress, officials of the executive branch, jurists, and members of the bar. This Commission will bring to us the most modern and rational criminal code.

We are a nation dedicated to the precepts of justice, the rule of law, and the dignity of man. Our Criminal Code should be worthy of those ideals.

C. TO ENHANCE JUSTICE IN OUR COURTS

We must reform our bail system.

The administration of criminal justice must be fair as well as effective.

Whether a person, released after arrest, is likely to flee before trial or endanger society is not determined by the wealth he commands. Yet all too often *we imprison men for weeks, months, and* even years—before we give them their day in court—solely because they cannot afford bail.

Effective law enforcement does not require such imprisonment.

To correct this injustice, I urge the Congress to complete action on the pending Federal Bail Reform Act and to give favorable consideration to the District of Columbia Bail Agency bill.

These measures will insure fairness. They will provide an enlightened model for those States and communities which have not already undertaken bail reform.

D. TO RECLAIM AND REHABILITATE LIVES IN OUR PRISONS

We must establish a rational, coordinated correctional system.

No national strategy against crime can succeed if we do not restore more of our first offenders to productive society. The best law enforcement has little value if prison sentences are only temporary and embittering way stations for men whose release means a return to crime.

Today that situation is all too prevalent. In the Federal system, 30 percent of all parolees revert to crime. In most State systems the percentage is substantially higher. The task of breaking this cycle must be part of our program.

At present, we administer the prison, parole, and probation functions partly in the executive branch and partly in the judicial branch. I believe the effectiveness of our corrections program depends on a rational, coordinated and unified approach.

Consolidating Federal correctional efforts can reduce the number of repeaters.

It can strengthen the training and performance of correctional officials.

It can produce a career service of the highest professional order.

I recommend that the Federal prison, parole, and probation functions be unified within the Department of Justice to consolidate our presently fragmented correctional system.

We must capitalize on the beginning already made in rehabilitating prisoners.

The importance of up-to-date vocational training for inmates is clear. Chronic underemployment often goes hand in hand with crime. In our Federal prisons, one of every three prisoners worked less than 6 months of the 2 years before confinement.

I am, therefore, directing the Secretary of Labor to develop effective ways to provide correctional institutions with job information for "good risk" parolees.

I am also directing the Chairman of the Civil Service Commission to reexamine the policies of all Federal departments and agencies regarding the hiring of released "good risk" offenders. I am asking him to prepare progressive and effective policies to deal fairly and sensibly with them. I urge the States, local governments, and private industry to do the same.

We must deal realistically with drug addiction.

Drug addiction is a double curse. It saps life from the afflicted.

It drives its victims to commit untold crimes to secure the means to support *their addiction.*

Drug addiction has been a matter of Federal concern for more than a half century. The Bureau of Narcotics has pursued its enforcement duties energetically and effectively. Seizure of illegal narcotics and marihuana rose 62 percent from 1962 to 1965.

But our continued insistence on treating drug addicts, once apprehended, as criminals, is neither humane nor effective. It has neither curtailed addiction nor prevented crime.

Recognizing this, we have proposed legislation to authorize the civil commitment of certain addicts, while retaining full criminal sanctions against those who peddle and sell narcotics.

This measure can reclaim lives. It can begin to eliminate the driving hunger for drugs that leads so many into lives of crime and degradation.

I urge Congress to enact this legislation.

The Federal Government seeks to share its knowledge, its experience and its research in this area. I have already asked the Secretary of the Treasury to develop materials which will enable local law enforcement organizations to train in far less time a far greater number of specialists in narcotics control.

I am today directing the Secretary of the Treasury to establish clinics in those cities where narcotics addiction is most prevalent to help train local law enforcement officials.

By enacting the Drug Abuse Control Amendments of 1965, Congress has demonstrated its concern over the illegal flow of nonnarcotic drugs. Traffic in these drugs offers a new source of income to the underworld and threatens our young people.

By these amendments, Congress has provided new weapons in the control of this traffic, and this administration will use them with determination. In my 1967 budget, I propose to double the funds for this program.

SECOND: A COMPREHENSIVE AGENDA

These various proposals are only beginning steps. If we knew today of measures to deal more effectively with crime, we would seek to adopt them. But we do not yet have the answers.

We must press forward for greater knowledge, better tools, and deeper insights. This is the task on which the National Crime Commission has already embarked. The Commission is composed of 19 distinguished citizens, judges, law enforcement officers, and other experts.

It is engaged in some 40 projects with State and local authorities.

It is drawing on the services of more than 200 of the Nation's leading police chiefs, judges, sociologists, and other specialists.

The Commission is—

Surveying key American cities to learn where and when certain kinds of crime are committed, and which people are most likely to become victims. Such facts—now largely unknown—are essential to intelligent police work;

Consulting 2,200 law enforcement agencies to identify successful police methods developed by local initiative and imagination. Communities everywhere should know about and benefit from these methods;

Seeking new ways to break the logjams in our criminal courts, where crowded calendars are a daily reminder that too often justice delayed is justice denied;

Analyzing alternatives to traditional, costly—and unsuccessful—prison sentences, in the effort to reclaim young first offenders and break the spiral of repeated crime;

Studying the sources of public respect and support for local police and police attitudes toward all segments of the community. Without mutual respect, effective law enforcement is not possible;

Exploring, in conjunction with the Law Enforcement Assistance Office, how to bring the remarkable advances of modern science to effective application in law enforcement.

The computer has revolutionized recordkeeping in modern industry. Surely it can do as much for criminal records.

Modern electronics has made it possible to summon a doctor from his seat at the opera. Surely it can do as much to make police instantly responsive to public needs.

And there may well be yet unimagined contributions which science can bring to the field of law enforcement.

The Commission's final report, due next year, can help provide specific blueprints for our national strategy. Its work will help replace the crutches of slogans, habits, and reflex with the firm support of knowledge and fact.

No matter how creative or detailed the blueprint we develop, we cannot succeed without parallel concentration by State and local authorities. They must undertake detailed planning of their own for reforms that take account of their own special strengths, needs, and traditions.

Some States and cities have already begun to do so. There is much for us to learn from them. But in many areas, there is no such broad planning, no recognition of the need for a unified attack on crime.

Therefore, I am asking the Attorney General to work with the Governors of the 50 States to establish statewide committees on law enforcement and criminal justice.

Such State committees can assist—and be assisted by—the National Commission. They can stimulate the growth of public involvement and the development of a comprehensive anticrime agenda in every part of the country.

THIRD: ATTACKING CRIME AT THE ROOTS

A century ago, Thoreau wrote that "there are a thousand hacking at the branches of evil to one who is striking at the root." So it remains today.

The efforts I have described—more effective police action, more efficient courts, improved corrections, comprehensive planning for major reform—all are urgently needed.

And yet all of them together can permit us only to strike more quickly and surely at the branches. The roots of crime will remain.

An effective strategy against crime must also rest on a base of prevention. And that base can come only from action against the wellsprings of crime in our society.

Our commitment to insuring social justice and personal dignity for all Americans does not flow from a desire to fight crime. We are committed to those goals because they are right.

But social conditions which foster a sense of injustice or exploitation also breed crime. More than 30 years ago, Clarence Darrow observed:

> It is very seldom that anyone is in prison for an ordinary crime unless early in life he entered a path that almost invariably led to the prison gate. Most of the inmates are the children of the poor. In many instances they are either orphans or half-orphans; their homes were the streets and byways of big cities, and their paths naturally and inevitably took them to their final fate.

The programs now underway to eliminate the degradation of poverty, the decay of our cities, the disgrace of racial discrimination, the despair of illiteracy—are all vitally important to crime prevention.

At the same time, even as we seek to fight crime by fighting injustice, the ways we deal with crime should not foster further injustice:

Bail requirements need not add families to the welfare rolls.

Court procedures need not increase a sense of unfair and differential treatment.

Sentencing practices need not require that the poor go to jail while others pay fines.

Imprisonment need not result in loss of job skills.

Social injustice is not the sole reason for crime. Social justice is not the sole cure.

Even the broadest social programs cannot be panaceas. The lives and attitudes of persons long neglected do not change upon command. The effects of even the most energetic programs may be long in coming. The vast majority of our citizens who suffer poverty and discrimination do not turn to crime.

But where legitimate opportunities are closed, illegitimate opportunities are seized.

Whatever opens opportunity and hope will help to prevent crime and foster responsibility.

Effective law enforcement and social justice must be pursued together, as the foundation of our efforts against crime.

The proposals I am making today will not solve the problem of crime in this country. The war on crime will be waged by our children and our children's children. But the difficulty and complexity of the problem cannot be permitted to lead us to despair. They must lead us rather to bring greater efforts, greater ingenuity, and greater determination to do battle.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *March 9, 1966.*

The message was, without objection, referred by the Speaker pro tempore (Mr. ALBERT) to the Committee on the Judiciary and ordered to be printed.

THE PRESIDENT'S MESSAGE ON CRIME

Mr. RODINO. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. RODINO. Mr. Speaker, I know of the President's concern for the problems of crime and welcome his help and sincerity in sending to us a meaningful program by which we can effectively combat it. There is no doubt we must remodel our entire law enforcement structure and this message provides a blueprint, a real beginning for these endeavors. I have no quarrel with the quality of our law enforcement, both Federal and State, but I want to see both improved and I want our society to be remembered as that era when man seriously attempted to alter traditional notions of crime and attempted to lessen it. Our goal is not only the victims of crime but as the President said we must prevent and deter those in our society who have not yet begun a life of crime. We cannot waste those natural and irreplaceable resources.

To this end, the President will have my wholehearted support on the measures he has spelled out. I firmly believe that policemen should have higher salaries and opportunities for better education. Modern science should be brought to the police station. I am pleased there is study on the use of computers to more effectively deploy forces to fight crime and that the most modern up-to-date communications methods will be employed by the police.

The President is right when he says that the District of Columbia should employ these techniques and be a model for the Nation; and I want to support that desire to make it such a model. But science, education, and salaries are clearly not the only answer to effective crime enforcement. The President recognized this and included in his message those statutory tools which are essential to give the policeman a better opportunity to control crime. It is of the utmost importance that we quickly enact legislation to regulate the interstate transportation of dangerous firearms. We are all aware of the havoc that can be wrought by the free use of such firearms. The legislation proposed by the President adequately protects the constitutional right of a citizen to bear arms and yet effectively provides a tool to protect society as a whole. We must not delay such legislation any longer. It is absolutely essential if the States are to provide effective and meaningful gun control regulation.

Mr. PRICE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE. Mr. Speaker, the President's message will find a very warm welcome on Capitol Hill. Reading it reminded me of an oft-repeated thought of Justice Felix Frankfurter, to the effect that a society will be measured in historical terms by the manner in which it conducts its system of criminal justice. What the President has done today is set forth a model, or a grand design to insure that this society will meet the judgment of history. And if we follow the plan outlined for us, I am of the opinion a real worthwhile beginning for the attainment of the ideal will be made.

There is no valid reason, as the President set forth in his message, for men to be imprisoned for long periods of time prior to their day in court. Our whole philosophy of criminal law is predicated upon the notion of the presumption of innocence. The presumption is meaningless if men are denied their freedom by an outmoded bail system which bears little or no relationship to the present day problems of law enforcement. Bail reform is essential, for we have long ago passed the day when only the rich can adequately prepare for trial. I agree with the President that the administration of criminal justice must be fair as well as effective. A society must be based upon concepts of fairness for it to be a society worthwhile to live in.

I was also particularly heartened to see the President's comments that we establish a rational coordinated correctional system. The Nation cannot afford the depletion of its men and women through failure to rehabilitate offenders. If persons convicted of crime and sentenced to prison can have no effective opportunity to then lead decent lives, we will not achieve the goals the President set down. Rehabilitation is so important that we cannot delay any longer.

The Secretary of Labor and the Chairman of the Civil Service Commission also have my unqualified support in achieving the goal of effective rehabilitation.

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ROGERS of Colorado. Mr. Speaker, I have read with care the President's crime message. It is directed at a problem we face not only in my constituency, but throughout the land. I agree with the President that all the institutions of society must join together to control and then attempt to diminish the incidence of crime. It is essential that Federal, State, and local law enforcement agencies cooperate together at all levels.

I was particularly pleased with the President's recommendations and report on the Law Enforcement Assistance Act. I supported the act when it was sponsored by the President, and its work to date has confirmed my trust in the act. As the President said, the modernization of police work and the framework of criminal justice is long overdue. It is urgent that society continue and expand upon this effort. The Law Enforcement Assistance Act has been an important contribution in this area. It is subsidizing excellent programs to improve the quality and efficiency of police work and, in addition, providing a basis for the development of many experimental programs for use in the fight against crime. The presence of the act has provided a stimulus for new ideas that were not even thought of a few short years ago.

No extensive fight on crime can succeed without the "day-to-day work" that must be done by the "cop on the beat." The Law Enforcement Assistance Act's prime concern is that end. For that reason, I do not hesitate to agree with and wholeheartedly support the President's request for the additional appropriations.

In addition, I am very pleased by the program to send police officers to school and provide for a law enforcement program under the National Defense Education Act. In the context of a complex society, our police officials must be well educated. They must be familiar with all the latest techniques in psychology, race relations, and science.

The decisions of the U.S. Supreme Court within the last years have set forth high standards for our law enforcement officials. And I am in agreement with the President that we must provide the means for the police to meet these requirements.

The President's message is a good one, and it will have my support.

Mr. ALBERT. Mr. Speaker, one of the biggest businesses in our Nation today is organized crime. Despite an intensification of the Federal attack on this business in recent years, racketeers continue to thrive on a base of human suffering and moral corrosion. I commend the President for the concern and commitment to this problem he has expressed in his message on crime.

The gambler operating a fixed roulette wheel, the narcotics peddler trading on the misery of the poor, the racketeer engaged in extortion, prostitution, corrupt labor relations, and bootlegging—all these are well-known predators.

Yet the enormous amounts of money involved in these activities tell only part of the story of the rackets' financial interests. Just as disturbing, and far more insidious, is the increasing encroachment of the rackets into legitimate business—into bankruptcy fraud, loan-sharking, and other financial ventures.

For these reasons, I share the President's concern over organized crime and endorse his proposal for legislation to step up the fight against it.

Evidence concerning the sinister, clandestine operations of this multimillion-dollar business is particularly hard to uncover because of the uncivilized means—murder and torture included—used to enforce the racketeer's code of silence.

The immunity legislation which the President proposes would be an effective tool for obtaining information vital to the prosecution of key rackets figures, to the war on organized crime and to the national welfare.

As the President has pointed out, the immunity provision is already available for use in laws covering several crimes.

It is important that the provision be extended to racketeering cases.

If we follow the President's suggestion, we will have taken a big step toward controlling what he so accurately describes as "corporations of corruption."

GENERAL LEAVE TO EXTEND

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent that all Members may have the privilege of extending their remarks on the President's message on crime at this point in the RECORD.

The **SPEAKER** pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from Colorado?

There was no objection.

SPECIAL ORDER VACATED

Mr. WILLIAMS. Mr. Speaker, I ask unanimous consent that my special order of 20 minutes today may be vacated and that I be permitted to address the House for 30 minutes tomorrow.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

ADMINISTRATION OF SUGAR PROGRAM BY DEPARTMENT OF AGRICULTURE

The **SPEAKER** pro tempore. Under previous order of the House, the gentlewoman from Washington [Mrs. MAY] is recognized for 1 hour.

GENERAL LEAVE TO EXTEND

Mrs. MAY. Mr. Speaker, I ask unanimous consent that all Members may add their remarks on this subject following this special order if they so desire.

The **SPEAKER** pro tempore. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Mrs. MAY. Mr. Speaker, some actions have been taken by the Department of Agriculture in the administration of the sugar program to which some of my distinguished colleagues and I should like to call your attention and the attention of all the Members of this House. While the actions may have been inspired by what some persons may consider to be the noblest of motives, their effect could be far from noble. While the actions apparently were taken with the prime objective of rolling back an extremely modest sugar price increase, the fact is that the actions could seriously reduce the income on thousands of farms in more than half the States of our Nation.

Some of my distinguished colleagues and I have joined today in dispatching a letter to Secretary Freeman expressing our deep concern over the situation, and strongly urging greater restraint in future administration of the sugar program.

Since that letter enumerates the administrative directives which cause us concern, and since it presents the basic reasons for our concern, I believe it will be helpful to the understanding of the problems involved for me to read this communication which we have sent to the Secretary of Agriculture. We have written:

> HOUSE OF REPRESENTATIVES,
> *Washington, D.C., March 8, 1966.*
>
> Hon. ORVILLE FREEMAN,
> *Secretary, Department of Agriculture,*
> Washington, D.C.
>
> DEAR MR. SECRETARY: On behalf of the domestic sugarbeet growers, we wish to register our strong protest against recent sugar quota actions taken by your Department in its administration of the Sugar Act.
>
> Just as raw sugar prices were approaching the so-called target levels—the price objective as defined in the law—the Department unloaded its heavy guns by taking strong measures plainly intended to have a price-depressing effect. On February 10, the first-quarter foreign import limitation was increased by 50,000 tons, to 750,000. Four days later authorized imports were raised by another 50,000 tons, and on February 23, your Department lifted all restrictions on the importation of raw sugar during the first 3 months of this year.
>
> Not only did this series of actions succeed in preventing raw sugar prices from reaching the level determined by the Congress to be fair to consumers and producers, but the actions also succeeded in pushing the price down until now it is 12 cents below the target.
>
> In its press release of February 14, 1966, announcing the second 50,000-ton boost in permissible imports, the Department said that it "took action * * * to check prices for refined sugar," and noted that price increases totaling 30 cents per hundred pounds had occurred in the Chicago-West marketing area and elsewhere. The Department failed to note, however, that prices in this important Chicago-West market—so important to domestic producers, and particularly domestic beet producers—had long been depressed and had been substantially lower than the price in the Northeast, which is a market filled almost exclusively by canesugar refined from offshore, largely foreign raws. The adjustments in the Chicago-West market, intended as they were to narrow the differential between Middle West and east coast prices, were vitally necessary.
>
> If any weapon should have been used, a rifle directed against the higher refined cane sugar prices in the Northeast might have been in order, but certainly not the shotgun attack that was used.
>
> Base prices in the Northeast for refined sugar are more than $1 per hundredweight above the base prices the same refiners are getting in the Chicago-West market. The Department's recent quota actions have not reduced the Northeast refined prices 1 cent, and therefore it would appear that, in net effect, the Department has succeeded only in posing a threat to worsen the lot of the domestic beet sugar industry. Certainly, with more "cushion" in the East, and with a greater quantity of offshore raws available to them through the Department's actions, it would seem that cane refiners are better able to sell at still lower prices in the Middle West markets. The east coast cane price even now is 95 cents a hundred pounds more than the west coast cane price.
>
> The statutory target price for raw sugar most recently calculated (mid-February) is $6.97 per hundred pounds. The spot raw price reached a peak this year, in February, of $6.94. By early March the raw price had been driven down to $6.85.
>
> The target price is up 89 cents from the 1957 average, but actual raw prices today are up only 65 cents from 1957.
>
> Growers' costs are increasing. They need the target price that the Sugar Act authorizes. Moreover, prices for competitive crops are now attractive, and sugarbeets and sugarcane should not be placed at a disparity. Growers should be encouraged and not discouraged from producing the sugar that the country needs and that the Congress authorized American farmers to produce.
>
> We urge the Department to practice great restraint in its price-influencing quota actions in the future, and to strive for the parity relationship in raw prices that was being achieved in 1965.
>
> Yours very sincerely,
>
> MRS. MAY.

Joining in sending this letter to the Secretary of Agriculture are 25 Members of this House, whose signatures appear on it. Included among the signers are Congressmen ROLLAND REDLIN, HARLAN HAGEN, ODIN LANGEN, DAVE MARTIN, JAMES HARVEY, BURT TALCOTT, EDWARD HUTCHINSON, DON CLAUSEN, JOHN RHODES, E. Y. BERRY, BEN REIFEL, JAMES F. BATTIN, CHARLES CHAMBERLAIN, CATHERINE MAY, ALBERT H. QUIE, BOB DOLE, LAURENCE BURTON, CHARLES TEAGUE, MARK ANDREWS, CLARK MACGREGOR, DELBERT LATTA, GEORGE HANSEN, E. A. CEDERBERG, JAMES B. UTT, and ANCHER NELSEN.

Let me point out, Mr. Speaker, that the Members joining in this protest to the Secretary of Agriculture are not all members of one political party, but that both parties are represented among those who are alarmed at the sugar quota actions taken by the Department of Agriculture.

I am sure, Mr. Speaker, that many other Members would also have joined in sending this protest to the Secretary if there had been time to inform that we were presenting it. But time was of the essence. The Department of Agriculture moved with such unusual speed on this occasion, there was deep concern on our part that additional ill-advised moves of the same nature might be made at any moment unless we promptly and forcefully called the Secretary's attention to their potential dangers.

Mr. Speaker, so often, and appropriately, we have heard the term, "too little and too late," applied to the actions of Government—but in strange contrast, the actions of the Department of Agriculture were too much and too soon.

So that the Members of this House may have additional background on this unusual situation in sugar, Mr. Speaker, I now yield to my distinguished colleague, the Congressman from North Dakota [Mr. ANDREWS].

Mr. ANDREWS of North Dakota. Mr. Speaker, I thank the distinguished Congresswoman from the State of Washington, and I wish to associate myself with her comments, and especially with her keen analysis that although the Agricultural Department's actions may have been taken with the highest of motives, they contain the seeds of serious trouble for farmers in vast areas of our Nation. A 50-cent-per-hundred drop in refined sugar price costs the grower $1 per ton of beets—in our Red River Valley this is $1.8 million—and to the individual grower it represents about one-third of his profit.

As the letter to the Secretary of Agriculture points out, Mr. Speaker, the obvious primary and initial intent of first opening the floodgates to huge new quantities of foreign sugar was to bring down the price of refined sugar in the Northeastern States—to roll back price increases which had been made in that area by the cane sugar refiners.

However, the actual effect of those governmental actions, the actual effect of authorizing unlimited quantities of foreign raw sugar to come into our country during this first quarter of the year, has been to drive down the price of raw sugar to some 12 cents a hundred pounds below the target price established by the Congress in the Sugar Act. And since the raw sugar price is the price that underpins refined prices everywhere in the Nation, the driving down of the raw price could seriously harm our own sugar producers by drastically reducing their returns for their crop.

As my contribution to this colloquy, Mr. Speaker, I should like to confine myself to a brief discussion of the target price, what it means, and why it is important the Secretary of Agriculture administer the sugar program so that target price—the price objective of the law—is achieved and maintained.

In section 201 of the Sugar Act, as amended, we find that the Secretary of Agriculture is directed to determine sugar requirements, in relation to demand, and that—and here I quote—"that such determinations shall be made so as to protect the welfare of consumers and of those engaged in the domestic sugar industry by providing such supply of sugar as will be consumed at prices which will not be excessive to consumers and which will fairly and equitably maintain and protect the welfare of the domestic sugar industry." That is the end of the quotation.

And then the law gives further definition to the price objective by directing that in administering the law the Secretary of Agriculture shall consider certain specific things. In addition to considering such factors as current rates of consumption, inventories, population, demand, and the level and trend of consumer purchasing power, the law says that the Secretary shall—and here I quote from the law again—"shall take into consideration the relationship between the price of raw sugar that he estimates would result from such determination and the parity index, as compared with the relationship between the average price of raw sugar during the three-year period 1957, 1958, and 1959, and the average of the parity indexes during such three years, with the view to attaining generally stable domestic sugar prices that will carry out over the long term the price objective previously set forth in this section."

Thus we see that the Sugar Act not only directs the Secretary so to administer the sugar program, so to regulate the flow of sugar available to the markets of this Nation, that a general price objective will be achieved, but the law also spells out just how that objective shall be measured—by what standards its fairness and equity shall be determined.

The responsibility of the Secretary of Agriculture in this regard was amplified by the report of the House Committee on Agriculture, presented to this body when the Sugar Act was being considered during the last session. On page 10 of that report is the following statement:

> The committee has been concerned with the fact that the price stability which the Congress intended under section 201 of the act has been consistently achieved.

The report goes on to say:

> The committee is not suggesting that the Secretary seek to pinpoint the New York daily raw sugar price but rather that he seek to achieve and consistently to maintain the approximate target price throughout the quota year.

Now I should like to emphasize the words, "achieve and consistently to maintain" the approximate target price. And yet, in the last few weeks we have seen the Secretary of Agriculture take quota actions under the Sugar Act which have done exactly the opposite. The raw sugar price was not even up to the target—had not even achieved the price objective so clearly defined in the law. And yet he took actions which drove it down further below the objective which the law—and the committee of this House responsible for sugar legislation—so clearly directed him to "achieve and consistently to maintain."

As those who are well versed with the sugar trade know, the price of raw sugar underpins the entire sugar price structure in the United States, and that is why it is so important both to the sugarcane producers of the South and the sugarbeet producers of the Midwest and West that the "target" raw price be achieved and maintained.

And when the Secretary of Agriculture takes actions that drive that price down, he is threatening the welfare of all the sugarcane and sugarbeet producers of the United States. That is why we are so concerned, and why we have expressed our concern directly to the Secretary, in our letter to him.

I thank the distinguished Congresswoman from the State of Washington for yielding some of her time to me.

Mrs. MAY. Mr. Speaker, I wish to thank, in behalf of all my colleagues, the distinguished Congressman from North Dakota for his carefully documented explanation of what the price objective is. He has shown, clearly, that the Secretary has a definite responsibility to achieve and maintain this objective, yet the record of the past few weeks shows that he has not met this responsibility. The current target price—the price objective—is 6.97 cents a pound, and the current raw sugar price is only 6.85 cents a pound, 12 cents per hundred pounds below the target.

Mr. Speaker, I now yield to the distinguished Congressman from Minnesota [Mr. LANGEN].

Mr. LANGEN. Mr. Speaker, I wish to associate myself with the erudite and carefully documented statements of the distinguished Congresswoman from the State of Washington and the distinguished Congressman from the State of North Dakota.

It is indeed a grave matter when the Secretary of Agriculture deliberately takes administrative actions which not only ignore the directives expressly given him in a law enacted by the Congress, but which—even worse—work to achieve exactly the opposite of the objectives which the law and the legislative history unequivocally direct him to achieve.

Now what has he done?

First he raised by 50,000 tons the amount of foreign sugar that could be imported into the United States during the first 3 months of this year, although the importation of 700,000 tons had already been authorized. He made that first increase of 50,000 tons on February 10. Then, only 4 days later, he authorized still another 50,000 tons, raising to 800,000 tons the amount of foreign sugar that could be brought in by the end of March. Then, only 9 days after that, on February 23, he lifted all restrictions on the amount of foreign sugar that could be imported in the first quarter of this year.

All these drastic actions, Mr. Speaker, were taken with the apparent objective of rolling back a modest refined price rise that had occurred in various sugar marketing areas of this country. He fired a shotgun instead of carefully drawing a bead with a rifle, as he should have done.

Moreover, when he issued this announcement on February 14, Mr. Speaker, he specifically called attention to a slight price rise that had occurred in some of the Middle Western States, specifically in that broad marketing area known in the sugar trade as Chicago-West.

This is an area in which sugar prices are usually depressed, and a price rise in this area was long overdue. This is the area in which is sold much of the cane sugar produced and refined in our States along the Gulf of Mexico, and so it is extremely important to our mainland cane sugar producers. It is also the area in which much of the beet sugar produced through most of the more than 20 producing States is sold. Moreover, some of the eastern cane sugar refiners who refine foreign raw sugar, and sell refined sugar on the east coast and in the Northeast States, also ship to the Chicago-West marketing area and sell large quantities there.

And so the sugar price in this area means a great deal to a great many American farmers, as well as to the cane refiners who sell there. The sugar price there is usually a depressed price. For example, the quoted base price there now is $1 per hundred pounds below the quoted base price in the Northeast States. The slight increase which the Department of Agriculture noted in its February 14 announcement was long overdue, and served only to help sellers in the Chicago-West market reduce somewhat their price disadvantage in relation to sellers in the Northeast. Similar slight price increases had taken place in the west coast States, also, where the quoted price even today is 95 cents per hundred pounds less than the quoted base price in the Northeast States.

Mr. Speaker, it is obvious that the Department of Agriculture initially, as shown by its February 10 announcement, had the primary goal of putting a damper on refined sugar prices in certain areas. Yet it is obvious also that the Department has so broadened its actions—so opened the gates to a potential flood of foreign sugar—that the actions threaten to reduce returns drastically to sugar producers throughout all sections of the Nation, including those who sell in the lowest priced areas.

In view of all this we are fortunate, Mr. Speaker, that the first quarter of this year is nearly over—the time has nearly expired during which unlimited amounts of foreign sugar, up to the full annual quotas, may be imported.

Let us be hopeful, Mr. Speaker, that during the rest of this year the Secretary of Agriculture and his sugar administrators will use more restraint in their administration of this law which is so vital to such broad areas of our land.

Mr. Speaker, I thank the distinguished Congresswoman from the State of Washington for yielding a portion of her time to me.

I suppose that this action is only commensurate with what seems to be the policy of the Department of Agriculture these days; namely, they have a great desire to hold all farm prices down. I guess maybe they are worried that agricultural income is going to show some little improvement. This they have evidenced in the past several days by the selling of corn in large quantities on the market.

Only a few days ago the Wall Street Journal made particular note of how corn prices have been depressed because of the large volume of corn that had been sold in recent weeks.

Mrs. MAY. Mr. Speaker, I thank my distinguished colleague from Minnesota for adding his emphatic and very forceful remarks to this problem that concerns all of us.

Now, Mr. Speaker, I yield to my distinguished colleague the gentleman from Wyoming [Mr. RONCALIO].

Mr. RONCALIO. Mr. Speaker, I thank the gentlewoman from Washington.

Mr. Speaker, I desire only to associate myself with the remarks rendered today from the well of the House and to indicate that the action taken by the Secretary of Agriculture has been a harmful one and has had a deleterious effect for the entire industry from Chicago west, including my State of Wyoming.

Mr. Speaker, I am doubly grateful to the gentlewoman from Washington for her vigilance in protesting the action of the Secretary of Agriculture in lifting all restrictions on the importation of raw sugar.

This action may result in adjustments favoring consumers of sugar in the industrial Northeast, but its wide-range result will inevitably lower the prices of the grower and the sugarbeet companies in the Rocky Mountain States. That is all they need these days.

The gentlewoman has presented able reasons why the Secretary's actions are harsh and unwarranted and I am happy to join with her to urge the Department practice great restraint in any future quota action and to strive for an equitable parity in raw sugar prices.

Mrs. MAY. I thank the gentleman from Wyoming.

I yield to my distinguished friend and colleague from Idaho [Mr. HANSEN].

Mr. HANSEN of Idaho. Mr. Speaker, I thank the gentlewoman from Washington.

Mr. Speaker, once again we are witnessing the complete disregard of the Department of Agriculture for the plight of the American farmer. This time it is the producer of sugar—cane and sugarbeet, but mostly beet—that is the victim of a highhanded ruling by the Department. Not only is the sugar producer victimized, Mr. Speaker, but also that forgotten man—the American taxpayer who must shell out his hard-earned dollars to subsidize foreign sugar barons who reap a windfall in the price they receive for their product.

Unfortunately, it is too late to do anything about the past actions of the Department of Agriculture but—and I believe this to be a matter of tremendous importance—the Congress should make it abundantly clear to the Department that it will not tolerate future actions and decrees that mitigate against the American farmer and taxpayer.

If this message is not sufficiently clear to Mr. Freeman, and he persists in his detrimental decisions, I would hope that the Congress would pass the legislation necessary to protect our citizens.

I commend my distinguished colleagues for the effective manner in which they are pointing out to the entire country the fallacy of this latest administrative blunder by the Department of Agriculture and desire to associate myself with the remarks of those who are taking part in this discussion.

I join this effort today, Mr. Speaker, in the fond hope that our protests to the Secretary of Agriculture will result in more careful and cautious administration of the Sugar Act in the future, and that a zeal to achieve and maintain the approximate price objective of the law will be displayed that is at least equal to the zeal that has been shown to drive down the price of sugar.

I suspect, Mr. Speaker, that the zeal of the Department of Agriculture in this instance is but an example of other displays of drastic action for the presumed benefit of consumers which we may expect the Department to put on as a demonstration that it is consumer oriented.

Well, we are all consumer oriented these days, Mr. Speaker, and well we might be—and, in fact, should be. American agriculture has so tremendously increased its efficiency that there are fewer farmers than ever before, producing the glorious abundance of food and fiber which makes us the envy of the world. As the number of farmers has decreased, in proportion to the total population, the number of persons who consume but do not produce either food or fiber has increased. Consequently, consumers—consumers who are not primary producers—make up the vast majority of our population. So it is only natural that in this Chamber, which is so conscious of the power of the majority, we should find the consumer increasingly championed. It is only natural, also, that in the various departments of the executive branch we should find that actions affecting many things are taken in behalf of consumers, and that there is a great eagerness to demonstrate that the interests of consumers are being protected.

Mr. Speaker, I do not say that there is anything basically wrong with this. We certainly should attune ourselves and our thinking and our programs to the needs of the great body of Americans.

But I also say, Mr. Speaker, that we should not be so zealous in our efforts to look out for the interests of consumers that we unfairly discriminate against the producers who have created the very abundance which our consumers now enjoy. And let us not permit any of our Government departments to become so eager to demonstrate that they are champions of the consumer that they injure the primary producers whose production is so essential to our continued welfare. To injure the producer, in the name of protecting the consumer, would in the long run be a poor favor for the consumer—for it would destroy the very basis of the abundance he now enjoys.

The sugar program for more than 30 years has done a remarkable and unprecedented job of balancing the interests of consumers and producers. The price objective in the law, as has been so ably pointed out earlier in this discussion, takes into account the needs and interests of the sugar consumer fully as much as it does the needs and interests of the sugar producer. We must make sure that in the administration of the law, the balance between consumer and producer is maintained, and that the scales are not weighted so heavily in favor of the consumer that the producer is severely penalized.

Over the years, the sugar program has maintained a level of prices that compares favorably with sugar prices in all the other major developed nations of the world. In data collected to help us in our consideration of the Sugar Act amendments last year, it was shown that sugar prices in the United States in January of the 5 preceding years were within a fraction of a cent per pound of the average of sugar prices at the same time in the 22 largest sugar-consuming nations in the world. In 3 of those 5 years, the U.S. price was lower than the average of prices in the other countries, and in 1 of the other 2 years the U.S. price was only one-tenth of a cent higher, and six-tenths of a cent higher in the other.

In terms of our standard of living—in terms of wages—sugar prices in the United States have long been known as the lowest in the world. That is, to earn the money to buy a pound of sugar the average wage earner in the United States needs to stay at his lathe or his workbench or his desk for a shorter time than a person engaged in a similar job anywhere else in the world.

And so it seemed quite amazing to me, with this tremendous record of reasonable sugar prices, and with prices really not out of line, that the Department should have jumped with such vigor and taken such drastic action when the price rose modestly a month or so ago.

The dangers to the producers posed by those actions have been well explained by my distinguished colleagues. I join with them in voicing my concern, and in strongly urging the Department to weigh all the elements more carefully before contemplating any similar action in the future.

I yield back to the distinguished Congresswoman from the State of Washington.

Mrs. MAY. Mr. Speaker, I thank my colleague from Idaho [Mr. HANSEN] for this very excellent analysis and warning. I am sure, or I should say I hope, his contribution to this discussion will help to remind the Department of Agriculture that while many of its myriad functions are, of course, in the broad interest of the consumers of our Nation, it still is the Department of Agriculture.

Mr. Speaker, at this point in the RECORD, I ask unanimous consent that there may be included the remarks of Congressman HAGEN of California, Mr. BATTIN of Montana, Mr. DOLE of Kansas, and Mr. REDLIN of North Dakota.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Mr. HAGEN of California. Mr. Speaker, I also wish to associate myself with the illuminating remarks and penetrating discussions of my distinguished colleagues who are bringing much light to a complicated subject, yet one which affects virtually every person in our land, since we all are, one way or another, consumers of sugar.

The sugar program, under which the actions being discussed today were taken, has several specific purposes, one of the most important of which is to provide the kind of economic climate which will encourage a healthy, competitive domestic sugar-producing industry. It has long been the policy of the Congress to equip the administrative branch of the Government with the tools for implementing this purpose of the Sugar Act, along with the other purposes. Repeatedly, the Congress has stated, as a matter of policy, that a healthy, competitive domestic sugar-producing industry is in the national interest because sugar is such a vital and essential food, and it is essential for the national welfare that we produce within our own borders, and in this nuclear age especially within the confines of this continent, a substantial portion of our annual sugar requirements.

Yet of course, it does no good if Congress provides the tools for achieving certain goals, but the administrators of a law do not use those tools effectively and therefore do not achieve those goals.

In the Sugar Act, a certain price objective is delineated. It is presented not only as an objective which must protect the welfare of consumers but also must protect the welfare of those engaged in the domestic sugar industry. The law also establishes the means for measuring whether the prices does indeed achieve that objective—and that measure is related to the parity index. Thus a definite target is established, but it is a moving target—a target which changes in keeping with changes in the economy.

Let me emphasize that this target—this price objective—is not a ceiling over which the price must not be permitted to go. Rather, the Secretary of Agriculture is directed to achieve and consistently to maintain the approximate target price throughout the quota year. This was pointed out earlier in this discussion, but it bears repeating.

Probably the most disturbing element in this entire situation is that the Department of Agriculture moved so rapidly to reduce the raw sugar price before it had even reached the target price. It was almost as if the Department was fearful that the actual raw sugar price might reach its objective—and the gates for more foreign sugar were opened wide to prevent this. It was indeed a case of "too much too soon," as the Congresswoman from Washington so appropriately expressed it.

The first action was directed toward getting more foreign sugar shipped directly to the Northeast States. The first 50,000-ton increase in the amount of foreign sugar that could be admitted here in the first quarter was made to apply only to sugar that would be shipped to ports north of Cape Hatteras—the ports of the Northeastern United States, on the east coast.

The second action, only 4 days later, added another 50,000 tons to the potential shipments of foreign sugar here in the first 3 months of the year, without restriction as to what ports it might enter.

The third action, which lifted all restrictions on first-quarter imports of foreign raw sugar, likewise contained no directives as to which ports the sugar should enter.

Thus in three rapid actions, over a period of only 13 days, the gates were thrown open wide for the importation of huge quantities of foreign sugar.

And the effect—as no doubt intended and expected—was to drive the raw sugar price down still further below the statutory target.

And these actions were taken by the Department of Agriculture despite the law, and despite the specific directives of the Congress that the Secretary of Agriculture should achieve and consistently maintain the approximate target price through the year.

I am sure, Mr. Speaker, that the sugar actions of the Department of Agriculture last month were not the kind of actions that help to provide the kind of economic climate for a healthy domestic sugar industry, which the Congress has declared is in the national interest.

Therefore, Mr. Speaker, I considered it my solemn duty to join with my distinguished colleagues in vigorously protesting the Department's actions and warning that greater restraint must be shown in the future.

Mr. BATTIN. Mr. Speaker, Secretary of Agriculture Orville Freeman continued his attack on United States and Montana farmers in announcing unlimited sugar imports for the remainder of the first quarter of this year.

After two successive increases of 50,000 tons each, all limitations were removed in an apparent effort to hold down rising prices of refined sugar in New York.

Meantime, gulf ports are being flooded with sugar brought in by U.S.-flag ships which in turn pick up return cargoes of grain. And this is the sugar that competes with beet sugar and may result in a loss to beet sugar refiners rather than checking the rise in New York prices. There is a freight rate differential between gulf ports and North Atlantic ports which makes the movement to gulf ports more attractive.

Montana, of course, took a considerable cut in sugar beet acreage allotments last year and producers now face the prospect of artificially lowered prices for the reduced crop. This follows by only a few months passage of the Sugar Act Amendments of 1965 which assigned both foreign and domestic quotas. It also follows recent administration directives for holding a ceiling price on other agricultural commodities such as wheat, corn, and feed grains. The administration has ignored the expressed will of Congress by dumping Commodity Credit Corporation stocks for the avowed purpose of depressing prices and forcing farmers to participate in so-called "voluntary" crop control programs.

When Congress wrote the CCC Charter in 1948, that agency was charged with stabilizing, supporting, and protecting farm income and prices. But today the greatest threat to farm income and price stability is CCC itself with its huge stocks of wheat, feed grains, cotton, and other commodities.

The primary responsibility of the Secretary of Agriculture is to protect our market system rather than to beat down farm prices in order to force farmers into compliance with Government programs. The current wheat-dumping program should convince skeptics that Congress must place tighter restrictions on the Secretary's authority to dispose of CCC stocks. Many of us are fearful that another large corn-dumping operation this spring will break prices and force farmers into compliance with the feed-grains program. This could have severe repercussions on the livestock industry in 1967–68 which is only now recovering from the last such operation which was topped off by a flood of cheaply produced imported meat. Congress had to act in the summer of 1964 to restrict imports which had broken the cattle market after the Secretary refused to act or even admit that such imports affected the market.

Fortunately, farm income was up slightly last year but so were Government payments which have more than quadrupled since 1960. Farm debt has increased more than 50 percent in the last 5 years and taxes on farmland have soared 76 percent in the last 10 years.

So it would seem that the Secretary of Agriculture might for once look to his primary responsibility to the farmer whose share of the country's so-called prosperity has lagged far behind all other segments instead of once again imposing a ceiling, again from imports, on farm income.

Mr. DOLE. Mr. Speaker, I am pleased to join with the gentlewoman from Washington [Mrs. MAY] in discussing recent actions of the Department of Agriculture, allowing unlimited imports of foreign sugar during the first quarter of this year. As one of a number of Members who signed the letter directed to the Secretary of Agriculture, Orville L. Freeman, it is my opinion that the action taken could seriously damage domestic sugar producers.

As has been stated on the floor today, the Department's action in opening the gates to more foreign sugar for the benefit of a few Northeast States has driven down the raw sugar price to 12 cents below the target set by Congress without reducing the price of refined sugar in the Northeast. As has also been stated, the raw sugar price underpins the entire sugar price structure of the United States, while the target price defined by Congress in the Sugar Act is geared to farmers' cost of production.

Again, I appreciate the opportunity of joining in this discussion and sincerely trust that our Department of Agriculture will practice greater restraint in its price influencing quota actions in the future, and further that the Department will strive to obtain the parity relationship in raw prices that was being achieved in 1965.

Mr. REDLIN. Mr. Speaker, I share the concern of many of my colleagues in Congress about the effect that a recent announcement by the Agriculture Department will have on domestic sugarbeet growers. The complete lifting of all restrictions on the importation of raw sugar during the first 3 months of this year has been a major factor, in my opinion, in preventing raw sugar prices from reaching the level determined by the Congress to be fair to producers and consumers.

Indeed, a case can be made that this action has pushed the price well below this target level, working a particular hardship in middle western and western sugarbeet growers, whose market has been depressed. I believe the target price which the Sugar Act authorizes should be reached to help growers whose costs are increasing at every turn.

As one who has long been interested in a restrained and careful policy for the disposition of Commodity Credit stocks in grain so as to allow grain producers the full benefit of market demand, in just this same vein, I respectfully request the Department to practice great restraint in its sugar quota actions in the future.

Mrs. MAY. Mr. Speaker, I now yield to my distinguished friend and colleague [Mr. NELSEN].

Mr. NELSEN. Mr. Speaker, I thank the gentlewoman for yielding. I would suggest that you add my name to the list of those who will submit a statement. There is one being prepared in my office to be included with your remarks in the RECORD. I thank the gentlewoman from Washington for her interest in our agricultural problems. I might point out that only yesterday we called to the attention of this House the dumping of corn which has been a drastic blow to the agricultural economy in our part of the State. So this seems to be a general practice.

Again I thank the gentlewoman for leading this discussion and calling it to the attention of this body.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. NELSEN. Mr. Speaker, I want to join many other colleagues here in the House today in protesting the Department of Agriculture's lifting of all restrictions on the importation of raw sugar during the first quarter of this year.

It is my feeling that sugar beet growers and refiners in Minnesota, the entire Midwest, and the West may very well suffer from abnormally depressed prices, because the USDA thought sugar prices were getting too high, particularly in the Northeast.

Almost all this foreign sugar after refining will eventually wind up in the Northeast market, where base prices are more than $1 a hundredweight above the base prices west of Chicago.

But the alarming fact is that the USDA action taken to reduce inflated sugar prices in the Northeast has not dropped prices there by so much as a penny, but raw sugar prices have been driven to 12 cents below the target set by Congress in the Sugar Act.

Since the raw sugar price underpins the entire price structure for beet and cane growers and refiners in the United States, this precipitate action by the Government may very well hurt those presently getting the least for sugar.

Mr. Speaker, most of us from the Midwest know that domestic sugar beet growers and refiners in our area have long had a depressed market. They have been just starting to narrow the price gap between Midwest and east coast prices, but this USDA action seems likely to prevent such a happening.

I want to join my colleagues in protesting the Department's action, and to urge the Department of Agriculture to practice greater restraint in its price-influencing quota actions in the future.

Mrs. MAY. Mr. Speaker, I thank the gentleman from Minnesota.

Mr. Speaker, I am very hopeful—and I am sure that this hope is shared by my colleagues—that this discussion has been helpful to all the Members of this House who have been here during this colloquy and that it also will be helpful to those who will read it in the RECORD. We hope that the presentation of these facts will increase, in this House, the understanding of the very serious threat which the Agriculture Department's recent sugar actions do pose to the sugar farmers of our Nation—the cane growers of the South as well as our beet growers in the Middle West and the West.

It has been pointed out today that the primary effect thus far of the Government's hasty actions has been to depress the raw sugar price, which is the price that underpins the entire sugar price structure in the United States. For the sugarbeet growers, a lower raw sugar price presents a serious potential danger. The beet sugar industry produces refined sugar—it does not produce raw sugar for later refining, as is the practice in the cane industry. But the raw price, as we have pointed out, has a most important bearing on the refined price, which is a fundamental factor in the return the sugarbeet farmer receives for his sugarbeets. Thus this matter is of very serious concern to the sugarbeet producer.

For the sugarcane producers of Louisiana and Florida, the effect of a lowered raw sugar price is even more immediate and direct—because the Louisiana sugarcane grower, for example, sells his crop to a raw cane sugar mill, and the income of that Louisiana grower, therefore, is directly and immediately dependent upon the price received by the raw cane sugar mill for raw cane sugar.

Just this morning there came to my attention some most pertinent comments on this subject in the March 1, 1966, issue of the Sugar Bulletin, published in New Orleans by the American Sugar Cane League of the U.S.A. The Washington column of Mr. Josiah Ferris, who represents the Sugar Cane League here and whom many of you know, discusses the very subject we have been discussing here today. Mr. Ferris writes, in part—and I quote:

> Sugar appears to be caught in the new effort by administration officials to avoid inflationary wage and price movements. President Johnson has called upon business, labor, and government to seek "new ways" to prevent price increases. While the President asked for voluntary control, there is speculation that as an alternative, the Government might utilize some new mechanism to enforce wage and price conformance to prevent the inflation threat.
>
> The February 15 issue of the bulletin carried an article in our column entitled "The Bull's Eye." The item praised the Government for its administration of the Sugar Act which resulted in a price for raw sugar exactly the same as the parity price set forth in the Sugar Act. No sooner had the article appeared in print than the Government in three successive movements completely jerked the rug from under the raw sugar price from $6.94 on February 23 to $6.80 on February 25.
>
> In their public announcements, the U.S. Department of Agriculture stated definitely that their quota manipulations were for the purpose of checking announced price rises for refined sugar. Agriculture Department officials state privately that it was not their intention to reduce the market price of raw sugar. Nevertheless, the raw market was, as always, the most sensitive of the two and consequently it fell while the price of refined has remained unchanged. USDA officials make no bones about saying that the announced price increases for refined sugar were unjustified and unwarranted and certainly are out of line with the President's request to industry to voluntarily do what it can to prevent inflation.

Mr. Ferris concludes his report to the members of the Sugar Cane League by saying:

> The feud between certain Government officials and some cane sugar refiners, which started over a year ago but quieted down for a short time while the Sugar Act Amendments of 1965 were being considered by Congress, has flared up anew and unfortunately,

> producers of raw sugar, who are innocent bystanders, are being substantially injured.
>
> When Government sugar officials go gunning for refiners, they should use a rifle and leave the scatter gun home in the closet.

Mr. Speaker, I hope that this discussion we have had here today will help to emphasize to the Secretary of Agriculture the special importance which this House attaches to the letter which I read at the beginning of the discussion and which we have dispatched to him.

There is no doubt that the Sugar Act for many years has contained the directive to the Secretary of Agriculture that one of his primary responsibilities with respect to administration of the act is to achieve and maintain the raw sugar price objective of the law. The purpose of some of the amendments enacted last year was to provide the Secretary with additional tools for achieving that objective. One of these tools was the clear and unmistaken authority to establish quarterly quotas during the first two quarters of the year. The statement in the House committee report, which has been referred to, further underscored the intent of Congress. A similar statement appeared also in the report of the Senate Finance Committee report on the sugar bill. It is my understanding that all the segments of the domestic sugar industry—the cane sugar refiners as well as the sugarcane and sugarbeet producers and processors—supported the provisions and directives designed to strengthen the Secretary's hand in achieving and maintaining the price objective of the law.

I am sure, Mr. Speaker, the Secretary will be aware of this as he reads our letter.

Mr. Speaker, with the request that all Members be permitted to revise and extend their remarks on this subject, I yield the floor.

Mr. GURNEY. Mr. Speaker, the Department of Agriculture has recently dealt a serious blow to the sugarcane growers in my own State of Florida and in other Southern States. The Secretary has opened the gates to foreign sugar imports by adding 100,000 tons to the quota in February, and more recently lifting the quota ceiling altogether for the first quarter of 1966.

Touted as an effort to reduce a cost raise by some cane sugar refiners in the Northeastern States, the only effect of these hasty actions has been to depress the price of raw sugar throughout the Nation.

For the grower who must sell his crop to a raw cane sugar mill, this flooding of the market is no small disaster. His price and his income are directly related to the price the miller gets for the raw sugar. When those prices drop, it is the cane grower who feels the squeeze first.

Since the Florida ports are the nearest U.S. ports to the Latin American sugar-producing areas, largest in the world, Florida will be the first to suffer.

The Department of Agriculture assures us that it did not intend to reduce the market price on raw sugar, but rather to prevent price hikes in refined sugar. A closer look before leaping would have shown them the results they could expect from this buckshot-scattering method.

But they chose not to look any closer, and went right ahead and lifted the quota. The result, of course, was to lower the price of raw sugar without affecting the price of refined sugar by one penny.

All this has happened at a time when the costs of growing sugar were increasing, and when the price the grower could expect to receive was just approaching the target levels set as fair prices by the Sugar Act.

All that has been accomplished is to worsen the lot of the domestic sugar producers. Certainly this is no way to encourage the development and growth of a domestic sugar industry.

In a letter to the Secretary of Agriculture, I have urged him to abandon these badly aimed shotgun tactics and use other means to accomplish his purposes without needlessly sacrificing our sugarcane growers.

Mr. BURTON of Utah. Mr. Speaker, I rise in the House this afternoon to protest action by the Secretary of Agriculture that threatens to seriously injure the sugarbeet industry not only in my State, but in some 25 States throughout the country. The Secretary has gradually relaxed import restrictions on raw sugar to the point at which there are now no limitations whatsoever on importation for foreign suppliers. This, of course, has had the effect of depressing prices paid to domestic growers. The price has been driven down to $6.85 per hundred pounds for raw sugar, a loss of 3 cents per hundred pounds since mid-February, and some 12 cents below the statutory target price determined by Congress to be fair to consumers and producers.

The action taken by the Secretary was ostensibly for the purpose of putting a brake on rising prices for refined sugar sold to consumers. But what the Secretary failed to point out is that prices are not uniform throughout the country and that the Chicago-West market has been depressed for some time. The price of sugar in the Chicago-West area has been substantially lower than the price in the northeastern part of the country. It should be pointed out that the northeastern market is served almost completely by cane sugar produced outside of the United States. The Chicago-West market, on the other hand, is vital to our American producers as it is a prime user of domestic sugar.

If it was necessary for the Department of Agriculture to depress sugar prices in the Northeast, it should have directed its attack at that particular part of the country. Its action, however, was of such a character as to threaten price stability for growers throughout the entire Nation. With the importation of more sugar from foreign producers, the effect on our own people may very well be disastrous.

In a time when costs to domestic producers are increasing, it hardly seems wise for the Department of Agriculture to take action that will depress the price that our domestic growers can receive for their products. The Department's action is going to push the domestic grower further back against the wall and, if pursued, will have disastrous consequences for the American sugarbeet industry. I deplore this action, and urge that the Secretary reconsider it in the interest of a healthy domestic sugar industry.

ADVERSE EFFECT OF DEEP DIVISION WITHIN DEMOCRATIC PARTY OVER AMERICAN POLICY IN VIETNAM

Mr. HANSEN of Idaho. Mr. Speaker, I ask unanimous consent that the gentleman from Arizona [Mr. Rhodes] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. RHODES of Arizona. Mr. Speaker, in a statement issued on March 2, 1966, the Republican policy committee pointed out that "the deep division within the Democratic Party over American policy in Vietnam is prolonging the war, undermining the morale of our fighting men, and encouraging the Communist aggressor." We also called upon the President "to disavow those within his party who would divide this country as they have divided the Democratic Party."

That this concern is real and not fancied, that the deep division within the Democratic Party does have a serious and detrimental effect on our effort in Vietnam is a matter of public record. Each day has seen a new report, a voiced concern, that this division is encouraging the enemy and dismaying our friends. For example:

It has been reported that following a White House briefing, Roving Ambassador Averell Harriman stated:

> I think those who dissent * * * should recognize that it does give comfort to the enemy—or not comfort, but it does give encouragement to the enemy.

In an article datelined Saigon, February 27, and entitled "Look is Different Where Action Is," Washington Post Correspondent Ward Just stated:

> From Washington it may seem that the war aims of the U.S. Government have not been defined and Senators may believe the Vietcong represent the will of the Vietnamese people, but in Saigon this talk strikes officials as neither instructive nor ameliorating. It unhinges friends and fence sitters in the Ky government and now it has unhinged American diplomats.

New York Times Columnist C. L. Sulzberger concluded that:

> Both Peiping and Hanoi must have gained fresh encouragement by the joining of our know-nothings with our know-it-alls.

Richard L. Strout, staff correspondent of the Christian Science Monitor, reported:

> Using Vice President Hubert H. Humphrey as its spearhead, the Johnson administration has embarked on an all-out counteroffensive to sell the Vietnam war to the American people, and overcome the uneasiness, restlessness, and doubts which have

> appeared in the past month * * *. Roving Ambassador W. Averell Harriman, who accompanied the Vice President on his whirlwind tour of nine nations, has come back just as firmly determined as Mr. Humphrey to combat what seems to be interpreted as defeatism. Messrs. Humphrey and Harriman take the position that it was providential they were in Asia at the time of the Fulbright hearings in order to counter there the misapprehension over American resolve.
>
> He [Humphrey] also said that the ADA (Americans for Democratic Action)—a left-of-center group which he formerly headed, and many of whose members are dubious about the war—are just the people he will try to persuade.

In an article entitled "U.S. Debate Rattles Saigon" and datelined Saigon, correspondent Takashi Oka stated:

> Washington's debate over possible Vietcong participation in a future South Vietnamese government has caused acute discomfort here.
>
> To suggest that the Vietcong be given seats in a coalition government, either before or after election, sounds to them like an invitation to take over the country.

In an article by Stanley Karnow datelined Hong Kong, March 4, 1966, it was reported:

> As the Chinese Communists see it, the divergent opinions over Vietnam within the U.S. Establishment are only tactical differences about how American aggressive aims are to be achieved. And these differences, in Peiping's view, dramatize the extreme weakness of the Johnson administration.
>
> Moreover, the Chinese leaders seem to consider this dissension a sign that the United States will eventually be forced by its own internal contradictions to withdraw from Vietnam. Thus they appear to believe that a compromise settlement of the Vietnam war is unnecessary—at least for the present.

In a recent interview, Vice President Hubert H. Humphrey stated:

> The success of negotiations is not improved by public discussion of suggestions which terrify one party and whet the appetite of another. * * * Had I not adequately repudiated it immediately [the Kennedy suggestion], it could have led to a serious crisis in Saigon.

And, in an article dated March 7, 1966, Marquis Childs stated:

> The belief among the President's closest military advisers was that the debate would prolong the war at least a year, with the Communists seizing on every word spoken in opposition to Vietnam involvement as proving the United States will not stay the course.

Finally, so that the record may be absolutely clear with respect to the March 1 Republican policy committee statement, as chairman of the policy committee, I would like to include at this point the complete text of that statement.

Republican Policy Committee Statement on Vietnam

> The deep division within the Democratic Party over American policy in Vietnam is prolonging the war, undermining the morale of our fighting men and encouraging the Communist aggressor. It has confused the people in other nations about the American purpose and has led North Vietnam to believe that in time we may falter, that we do not have the necessary will or determination to win. As a result, the peace that this Nation and the free world seeks has been delayed, the fighting intensified, and the threat of a major war deepened.
>
> In an effort to please the conflicting elements in the Democratic Party, the administration has had to dodge and shift. Its policy and position on Vietnam continues to be marred by indecision, sudden change and frequent reinterpretation. Under the circumstances, it is little wonder that the enemy has been encouraged, our friends dismayed, and the "national unity that can do more to bring about peace negotiations than almost any other thing" delayed.
>
> We, therefore, call upon the President to disavow those within his party who would divide this country as they have divided the Democratic Party. Certainly, as the President has stated, "there is much more that unites us than divides us." However, as long as the party in power cannot agree on such basic issues as whether Americans should be in Vietnam at all, what our Nation is trying to achieve there and whether the right means are being used, there will continue to be uncertainties, misunderstandings and fears about the war in Vietnam. America, indeed the world, is waiting for the Persident to take command of his party. Until this is done, the divisive debate will contnue, the confusion will grow, and a peaceful solution will elude us.
>
> Republicans are united in their support of the fighting men in Vietnam. We also support a policy that will prevent the success of aggression and the forceful conquest of South Vietnam by North Vietnam.
>
> In addition, we believe that the people of South Vietnam should have an opportunity to live their lives in peace under a government of their own choice, free of Communist aggression.
>
> Certainly, these objectives cannot be realized by admitting the Communists to a share of power in a coalition government. For this is "arsensic in the medicine," the "fox in the chicken coop." It would pave the way for a Communist takeover as surely as did the coalition governments in Poland, Czechoslovakia, Rumania, and Hungary. Moreover, it would make a cruel and indefensible mockery of the sacrifices of the fighting men in Vietnam.

THE TRUE STATE OF AFFAIRS IN GHANA

Mr. HANSEN of Idaho. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. Dickinson] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. DICKINSON. Mr. Speaker, what has been revealed about the true state of affairs in the African country of Ghana since Kwame Nkrumah was removed as head of government by the military February 24 is enough to make Americans stop and think.

It has been established that Nkrumah kept literally hundreds of his political opponents in jail, where many of them were tortured, and that he looted this once well-off land to the point where Ghana's people are hungry and in rags and tatters. Moreover, according to a March 2 dispatch to the Washington Post, Ghanaian police arrested, in a red Thunderbird, Nkrumah's "mistress," described as "a tall raven-haired woman from South Africa." They allowed to depart for Cairo "his Egyptian wife and her children."

The authoritative London Times reported March 7 that the people of Ghana demonstrated angrily after the dictator's former financial aid revealed how Nkrumah had plundered the nation's treasury to pay for his bid for Pan-African leadership and for his own personal gain. The British left Ghana with a big monetary reserve. It is all gone, along with what has since been taken in.

And just to show more of his real character, Nkrumah is now broadcasting to Ghana from nearby Guinea, according to United Press International, threatening to return and "put to death the leaders of the military regime that ousted him."

To cap this wild extravaganza, which would not be believable on the stage, Nkrumah was deposed while he was in Peiping hobnobbing with Red Chinese leaders, and en route to Moscow.

What was our Government doing while this was going on?

The administration in Washington was helping to support Nkrumah in office and permitting him to foster his ambitions for Africa-wide leadership by pouring public and U.S. money into the $360 million Volta project. Upon this dam and production effort, $150 million in U.S. taxpayers' money and $50 million in private American funds are being spent.

AID and the U.S. Export-Import Bank put $37 million into the just completed Volta dam and power facilities, apparently not realizing that the Ghanaian people were too poor to buy food or clothes, let alone electric power.

Then the administration provided—way down on the lower part of the African bulge—an aluminum plant, one-fifth completed, with a capacity of 150,000 tons a year. AID and our Export-Import Bank are spending $109 million on this, and the Kaiser and Reynolds companies the rest.

However worthy this Volta project may be, it was employed by Nkrumah as his major prestige piece for power at home and Africa-wide.

Now that the pro-Communist leader of Guinea has by decree made Nkrumah titular leader of Guinea, why do we not withdraw recognition from Guinea or insist upon some action to abort this weird development?

Either we did not know the character of Nkrumah and his regime and were putting our money in blindly or else we were informed and continued to support him anyway. Either is unthinkable.

I would suggest, Mr. Speaker, that in view of what has happened in Ghana, the Congress and the State Department should reexamine and reappraise our policies in this area.

PRODUCTION OF FISH PROTEIN CONCENTRATE

Mr. HANSEN of Idaho. Mr. Speaker, I ask unanimous consent that the gentleman from Oregon [Mr. Wyatt] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. WYATT. Mr. Speaker, today I have introduced a bill to authorize the Secretary of the Interior to develop through the use of experiment and demonstration plants practicable and economic means for the production by the commercial fishing industry of fish protein concentrate.

With the developing worldwide struggle against hunger, the potential of this new process for producing a wholesome fish protein concentrate which can be used as a diet supplement throughout the world is nearly unlimited.

The task of feeding a world confronted with a population explosion of the magnitude which we now anticipate is almost beyond belief. President Johnson's recent message to Congress on food for freedom documents the problem of the world.

At the present time, more than half of the inhabitants of the world are undernourished or in actual hunger. When the world's population is geometrically increased over the coming years, the world's food problem will be increased in like proportion.

Thus, this new concept of fish protein concentrate is of the utmost importance for us all.

We should waste no time in our efforts to commercialize the production of this new source of food.

THE TAXPAYER HAS A RIGHT TO KNOW

Mr. HANSEN of Idaho. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Gurney] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. GURNEY. Mr. Speaker, I am today joining several of my distinguished colleagues of the minority in introducing legislation to give the public and the Congress better access to information about the activities of the Federal Government.

The purpose of this bill is a simple one: to prevent the suppression of public information by Federal agencies. I have long been a stout advocate that the public's business ought to be open to the public.

It is unfortunate that a measure of this sort has become necessary, but recent events have pointed up the fact that many agencies have lost sight of the fact that it is the American people they work for. Many have taken it upon themselves to decide what the public should know and what they should not be able to learn.

The bill I propose would require that every Federal agency make all of its records promptly available to the public as requested. If an agency should refuse to do so, the courts have the power to decide whether the refusal is proper or not. Of course, there must be several exceptions to this rule. All material of a security nature, foreign policy information, agency material dealing with personnel policies and records, privileged trade secrets, investigatory material compiled for law enforcement, and other specifically exempt material, would not be made public.

The existing law on this matter simply provides a curtain behind which agencies may hide. They make the decision themselves. This has proven to be an effective way for hiding skeletons and covering up practices which, if known to the taxpayer, would lead to serious questions.

Recently, for example, the Post Office Department refused to release the names of its summer employees. It had become apparent that funds which were designed to pay salaries of people in the poverty group, were actually being used to employ political friends and relatives in the Post Office, regardless of their need. When asked, the Post Office refused to furnish the list of employees.

I, myself, have had similar experiences. Not long ago, I needed some information of an unclassified nature, based on official correspondence between the Army Corps of Engineers and another agency. I was refused access to the information by the Engineers until they secured the consent of the other agency, despite the fact that it had been referred to in detail in conversations with the corps and was in no way privileged.

The agency, under present law, does not have to give any reason for withholding information. Instead they simply assert that they have found a good cause not to release it. They determine whether a cause is good, and no one can effectively challenge that decision.

Mr. Speaker, that situation, coupled with the rapid expansion of the role and power of the Federal Government, has become a real threat to our democratic system of government.

When the people and their representatives in the Congress no longer have access to the information on activities of their servants in the Government, the whole democratic system begins to be undermined.

The administration has consistently opposed such legislation. This is a bit suspect in itself. The question which comes immeditely to my mind is, What have they to hide?

It is inconceivable that an administration dedicated to improving the public welfare and encouraging healthy participation of citizens in a responsible government, could reasonably object to assuring that the public be able to know what the Government is up to.

I am hopeful that the House of Representatives will act promptly to approve this legislation and guarantee that the American people will be able to find out how their money is being spent.

COMMODITY CREDIT CORPORATION DISCRIMINATES AGAINST THE COUNTRY ELEVATOR

Mr. HANSEN of Idaho. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Nelsen] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. NELSEN. Mr. Speaker, on December 17, 1965, the Department of Agriculture announced their feed grain sales policy for the 1965-66 marketing year. Included in that announcement was the following statement:

> Sales of CCC feed grain stocks in 1965-66 are expected to be considerably smaller than in 1964-65. * * * Anticipated 1965-66 requirements can be met largely out of the 1965 crop, with only limited amounts expected to be made available from CCC-owned stocks.

In a direct about-face, the CCC has dumped nearly 175 million bushels of corn on the feed grain market since the first of this year. In other words, during the past 9-week period of this year in which CCC sales "are expected to be considerably smaller than in 1964-65," the Government has loaded enough corn to equal almost 43 percent of the total dumped during the 1964-65 season. In just 2 days of last week, the CCC dumped 40 million bushels of corn in Minneapolis; nearly five times the amount sold in December on all markets.

Mr. Speaker, I have in the past attempted to point out the disastrous consequences these dumping practices have on the family farmer who uses most of his feed grain crop to feed his own livestock. While the large corporate feeders can buy the price-depressing unloaded stocks of the CCC at prices below what it costs the average farmer to raise his crop, the independent family farmer must suffer from unfair competitive influences.

There is another aspect of the CCC dumping policy which needs to be more fully explained. Yesterday, I told the House of a call I received from the operator of a small country elevator who had lost $12,000 because of the recent CCC practices. Today, I received a letter from the manager of the Farmers Co-op Elevator and Mill at Buffalo Lake, Minn., who was writing on behalf of 87 elevators in southwest Minnesota. With understandable consternation, the manager asks "why Commodity Credit Corporation does not use the same policy for the country elevator as it does for terminal trade." The country elevators, which have been forced to buy large quantities of corn from the CCC this year due to the weather-affected poor quality corn crop, have found that the prices they had to pay for off-grade corn were about 7 cents higher than those paid at the terminal markets.

Mr. Speaker, I request permission to include the text of this letter and its supporting documents at this point in my remarks. I encourage my colleagues to keep the problems of these country elevators in mind in connection with our efforts to curb such discriminatory activities by the CCC.

Farmers Co-op. Elevator & Mill,
Buffalo Lake, Minn., March 7, 1966.

Re sale of commodity corn on open market.

Hon. Ancher Nelsen,
1533 House Office Building,
Washington, D.C.

Dear Mr. Nelsen: The 87 elevators in southwestern Minnesota which make up the Western Grainmen's Association have asked me to present to you the situation the Government has placed them in by selling these large amounts of corn on the open market at this time.

The areas we are talking about were very much affected by weather conditions which resulted in a high moisture, low-test weight, in other words, poor quality corn.

The majority of elevators in our organization had Government-stored corn in their elevators and in December we had the option to buy this corn back or ship it to Commodity Credit Corporation. Most of us felt that we had to buy it back and keep it for future needs for spring and summer use to take care of local demands for turkey, hog, and cattle feeders.

Let me try to explain the problems on the takeover of Government corn. By the time the country elevator gets the corn from the farmer it has been stored on the farm from 3 to 4 years and, we from the Midwest know, corn stored this long very seldom grades No. 2 corn or better. For example, corn in our area graded all the way from 5 percent to 40 percent damage. In the past, when we redeemed Government corn storage tickets from our own storage, the discounts were based at the same price the terminals were discounting. Not so this year.

Enclosed you will find copies of purchases we made from Commodity Credit Corporation through our commission firm, showing the price we had to pay for off-grade corn and also the prices the terminal markets would have paid us for the same quality corn that day. You will note there is about 7 cents per bushel difference. We would like an answer as to why Commodity Credit Corporation does not use the same policy for the country elevator as it does for terminal trade. On March 3, corn dropped 3 cents, and I understand 47 million bushels of corn were picked up by terminal trade. Now again corn is up 3 cents. This type of thing is discriminating against the country elevator.

We are the first to realize the Government has to dispose of corn, but we hope in the future it can be done in a more orderly manner.

Thank you very much for any future consideration you might give us on this situation.

Sincerely yours,
Arvid Nelson, *Manager.*

P.S.—I sent copies of this letter to Representatives Quie, Olson, and Langen.

Farmers Co-op Elevator & Mill,
Buffalo Lake, Minn.

Re sale of commodity corn on open market.

Our track price f.o.b. Buffalo Lake, Minn., January 11 and 12 was $1.225. The discount on this corn on these days should have been as follows (according to terminal standards):

	Cents
Test weight (discount)	0.02
Foreign material (discount)	.02
Damage (discount)	.075
Total (discount)	.115

But you will note that we paid $1.175 instead of $1.105. The ASC Office discounts at above rate; terminal discounts at above rate; but when we buy it back they set their own scale.

Hallet & Carey,
Division of Bunge Corp.,
Minneapolis, Minn., January 19, 1966.

Farmers Co-op Elevator Co.,
Buffalo Lake, Minn.:

We debit your account $34,037.12 as follows:

Payment to CCC for $28 bus. corn lot 7651 714.03 sale No. FDC 78373	$33,749.28
Plus 1 cent brokerage fee	287.84
Total	34,037.12

Yours truly,
Hallet & Carey.

In-Store Sale Invoice—Confirmation

(Form No. MO-342 (1-63))

Agent: Hallet & Carey.

Buyer: Varian.

Date: January 12, 1966.

Time: P.M.

Sale No. FDC 78373.

To Farmers Coop Elevator Co., Buffalo Lake, Minn., (2–0211).

Authority: Certificate Pool Sale, 1965–66 feed grain program.

L/O No.: 7651.

Type: 46–2.

We today confirm sale to you of CCC grain in-store your warehouse as follows: Grade, SGYC; TW, 52.8; MST, 13.4, DMG, 19.3; FM, 4.4; net quantity, 28,784.03; price, $1.17¼; amount, 33,749.28; payment due, January 19, 1966.

Amount due CCC: 33,749.28.

Stipulations checked below are part of this contract:

1. Price basis: * * *. In-store: (B) track. * * * Commission and loadout transit balances if any to be used in computing freight allowance.

* * * * *

3. W/R's in warehouseman's possession title will pass to purchaser when payment is received by CCC.

4. Warehouse charges through January 16, 1966.

* * * * *

7. Warehouse numbers as shown on L/O 7651.

* * * * *

9. Any receiving, storage, or loadout to be paid separately.

* * * * *

Commodity Credit Corporation,
By Don Johnson, *contracting officer.*

THE NATIONAL COMMUNITY SENIOR SERVICE CORPS

Mr. JONES of North Carolina. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Fascell] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. FASCELL. Mr. Speaker, I introduce today a bill to establish a National Community Senior Service Corps within the newly formed Administration on Aging in the Department of Health, Education, and Welfare.

Briefly, this new program would provide encouragement, technical assistance, and funds to public and private organizations, cities, counties, or States for local programs designed to use the considerable energies of men and women past 60 for worthwhile projects within their own communities.

Programs would be funded through the State agencies that now have the responsibility of formulating State plans for the elderly for the approval of the Administration on Aging. Such programs—bringing the resources, knowledge, and assistance of the Federal Government directly to bear on the problems of individual aged citizens—would provide an important service to the many hundreds of thousands of aged who suffer from the emptiness and deprivation of later years.

For, not only would these programs provide useful activities and pastimes for the elderly who cared to participate, the work would be compensated at a rate decided by the individual sponsoring agency. Compensation might be in the form of a small salary or it might merely cover expenses—transportation, meals, et cetera—incurred by the participant. In no case, however, would a participant receive more than $125 monthly.

The benefits of this program are many and the necessity for it is growing. There are increasing numbers of elderly among our population. And more and more of them enjoy the blessings of vigor and good health. Modern science and technology has seen to that.

Yet, at the same time, circumstances and common practice have conspired to agree on the age of 65 as the age of retirement. Granted, many elder people look forward to these leisure years. They have arranged for adequate income to support them, for travel or hobbies or recreation to occupy them. But many, many others may not want to retire—they dread the emptiness of time; many, many more may not have adequate resources to fill their needs—they dread the deprivation that they may have avoided while working.

Within the next 20 years, we will have approximately 25 million people over the age of 65.

Life expectancy is steadily increasing and some scientists predict that an average life expectancy of 100 could theoretically be possible within 35 years.

Even now, a man who retires at 65 can expect 14 years of retirement—and this is equivalent in leisure hours to the length of an entire working life.

These are many years, many hours, of human life. These are years and hours that we are not benefiting from at this time. These are valuable natural resources that are left untapped, that are lying fallow in the ground, that are wasting at a time when there are many services to be performed in local communities across this Nation.

The National Community Senior Service Corps provides a plan for using these resources.

Some programs are already in existence—both public and private, national and local—which have shown us the way to proceed.

The war on poverty, in its campaign against need among the elderly, had devised several plans. One, Operation

Medicare Alert, has just gone into effect. Under the alert, older Americans enlist to notify isolated elderly citizens about their new social security benefits before the March 31 expiration date for first enrollment. Already many individual medicare alert programs have been funded and the rate of volunteering among elderly citizens interested in performing this service has been extraordinary.

Another program devised by the Office of Economic Opportunity is the foster grandparent plan. Announced by President Johnson last August, the plan employs older persons with low incomes to serve the needs of children in institutions. These "grandparents" provide love, personal attention, and understanding to children deprived of close relationships with adults. After 4 months, the program announced its own expansion. Applications from individuals desiring to serve and from institutions requesting programs exceeded all expectations. Even at this early stage, it is apparent that the benefits—both financial and psychological—to the "grandparents" has more than justified the investment; but perhaps the strongest selling point is the positive effect that attention and care is having on institutionalized children.

OEO programs are limited in scope. By funding community and local projects for foster grandparents or for medicare alerts, we would reinforce their efforts in behalf of elderly Americans. We could extend these programs to cities and towns which have not qualified for program funding from OEO or from other public and private agencies.

There are many other activities that are waiting to be performed and that can be well performed by idle elderly citizens. There are programs that use the elderly as health aids—visitors to incapacitated and ill elderly citizens who need assistance in performing simple tasks: shopping, going to doctors' offices for treatment, and the like. Private groups are using elderly citizens as volunteers in public and private hospitals, as library assistants, as handymen, as homemakers for housebound elderly or mothers with special household burdens, as counselors in youth programs, as a wide variety of useful and important workers.

Some of these programs pay their participants—providing an important income supplement. Some merely provide activity for those who find enforced idleness and leisure a heavy burden. One woman volunteer told a Senate committee that her activity gave her "something to get up for in the morning."

Yet, they serve not only these elderly. They produce invaluable service in their communities as well. Those who retire do so with widely varied talents and abilities which they do not leave behind them when they leave their jobs. These talents and energies can still be productive, can still serve.

Older persons are not just a problem segment of the population, as recent concerns have painted them. Only recently has the Nation recognized the troubles that old age creates in this Nation. We cannot think of the elderly only in terms of their liabilities; they have too much to offer for that.

By passing such legislation as the National Community Senior Service Corps, we are opening an outlet for these talents—and doing it in such a way that some of the liabilities of old age, idleness, and need are offset as well. The bill has many advantages to recommend it, advantages to the elderly participant, advantages to those directly served by their efforts, and advantages to the community at large.

We should surely support this bill, whose programs will enrich the Nation and the lives of the citizens it serves.

THE JOB THE VISTA VOLUNTEERS ARE DOING IS A REWARDING AND ENLIGHTENING EXPERIENCE

Mr. JONES of North Carolina. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. PEPPER. Mr. Speaker, during my recent trip to my home State of Florida I had a most rewarding and enlightening experience.

I spent a night in a migrant camp, sharing the meager fare and inadequate facilities of the migrant community with a group of dedicated VISTA volunteers in training there for a year of service to migrants in Florida and throughout the Nation.

As many of my colleagues know this is not my first contact with the grave problems which beset our migrant population or with the efforts of VISTA to bring help and hope for the future to these least fortunate of our citizens.

A year ago it was my privilege to accompany the First Lady to the graduation exercises for the first VISTA volunteers ever to be trained in this Nation. I recall that it was a little over 3 years ago that I called for American volunteers to go among our migrant farm families and our reservation-bound Indians in an effort to help them to help themselves.

Most recently, however, I had the opportunity to spend enough time with the volunteers to probe the sincerity of their dedication and the vitality and creativity of their attack on migrant problems. I visited them to address the sixth class of volunteers to be trained to help fight the War on Poverty by the Community Action Fund, Inc., in St. Petersburg, Fla.

During my overnight stay, I had an opportunity to talk with them about the War on Poverty, their impressions of VISTA, and why they decided to devote their most precious asset—their time, a year of their lives—to this important cause.

I learned a number of things from these 80 VISTA volunteers who have decided to spend a year among the Nation's poor. I learned that unselfishness is not dead; that personal commitment to others is still very much alive, and that dedication and sacrifice are not just empty words used to adorn slogans and Fourth of July speeches.

I was particularly impressed by the training that the VISTA volunteers received under the auspices of the Community Action Fund, Inc., at St. Petersburg.

Under the overall direction of Dr. Thomas P. Hardeman, the fund's president, the volunteers are doing exciting and most worthwhile things in all the six regions of the Florida program. They are creating community awareness of the needs of the migrants, and from this awareness is coming a much greater degree of community involvement than ever before.

The accomplishments of the VISTA volunteers in Florida are too numerous to describe in full. But a few examples are worthy of our attention. For instance, the citizens and communities of 11 counties are now deeply involved in a coordinated attack on the problems of Florida's migrant population as a result of the volunteers' efforts.

The use of 35 buildings has been offered for volunteer activities by individuals and public and private agencies. Volunteers in one community have been given space in a city hall. Certified teachers and specialists in industrial arts are now volunteering their time. Physical education and recreational experts have also stepped forward to offer their talents. Sewing machines, materials, thread, leather goods, patterns, and special arts and crafts material have been donated by individuals and firms to help the migrants learn by doing.

This appreciable response was brought about by the VISTA volunteers who are serving as the catalyst necessary to transform community apathy into community action. Working on their own, they have renovated dilapidated buildings and secured equipment necessary to open a community recreation and meeting center in Pompano Beach. In another area, they have helped sign up more than 100 older citizens for medicare. Other volunteers have organized Boy Scout troops among migrant youths, they are tutoring more than 2,000 children, and in one community 51 disadvantaged children are being given intensely personal, one-to-one tutoring by a VISTA volunteer.

In short, the VISTA volunteers are performing well in the areas of day care, home improvement, literacy, tutoring, youth counseling, home management, and citizenship education. Their supervisors have said that in some respects their work is more important than the work of the professional staff members because of the unique position they occupy as volunteers—and because they live among the poor whom they serve. This enables them to participate deeply in the lives of migrant families.

As an example of this, I would like to cite the case of one young lady who works among the migrant families in the strawberry-growing area near Tampa and St. Petersburg. She has established a day care center for the children of the fathers and mothers who work in the fields. She has won the respect and love of the children to whom she is giving a headstart on kindergarten. But she felt she should do more—that she should transform the children's respect into something more valuable. So she joined the mothers and fathers in the field to pick strawberries. She did this, she said, because if the children saw her doing it, they would respect and honor the labor that their parents performed.

This is only one of countless examples of the work performed by VISTA volunteers. They go where the need is to help those in need. They are indeed on the front lines of the war against poverty. Their service should be an inspiration to us all.

AMENDMENT TO THE FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT—H.R. 13432

Mr. JONES of North Carolina. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. PEPPER. Mr. Speaker, I am today introducing a bill, H.R. 13432, to amend section 201(c) of the Federal Property and Administrative Services Act of 1949. This bill would permit further Federal use and donation of surplus property.

For almost 20 years the Federal Government has offered personal and real property, excess to its needs, to educational, health, and civil defense organizations.

Section 203(j) of the act authorizes the Administrator of General Services, with the assistance of the Secretary of Health, Education, and Welfare, to donate surplus property for educational purposes. It is a remarkable fact that the donation of surplus property for educational use is one of the most economical aid-to-education programs of the Federal Government to States and localities.

From 1946 through December 31, 1964, the eligible donees of the United States received in excess of $5 billion worth—in acquisition cost—of Federal surplus property. Of this amount $4,099,165,747 consisted of personal property; $981,151,241 consisted of real property.

American schools have received machines and tools for their training programs in trades, books and desks for classrooms, dishwashers and tables for lunchrooms, and a host of other needed items.

Unfortunately, however, as was recently revealed in hearings before the Senate Subcommittee on Foreign Aid Expenditures of the Committee on Government Operations, the donation program is endangered by the administrative policies of GSA. It has been alleged that unneeded property is often sold by an agency before it becomes excess or surplus. Mr. Robert H. Arnold, president of the National Association of State Agencies for Surplus Property, testified in the hearings:

> It is quite obvious that the majority of the surplus property now being sold under the provisions of section 201(c) of the act is usable and currently needed for health, educational, and civil defense purposes.

Mr. Speaker, I am cognizant that GSA and other Federal agencies want to economize to the maximum extent. Section 201(c) authorizes the Administrator to set regulations which allow agencies to apply the proceeds from exchange or sale to the purchase of new property.

Yet it is clear that the Congress intended that the donation program authorized by section 203(j) operate for the maximum benefit of schools and colleges, hospitals, and other worthy community institutions.

Much of the surplus property being sold by the Federal Government has an extremely small return. During fiscal year 1964 GSA sold usable property for itself and the various civil agencies in the amount of $65,769,000 in terms of acquisition cost. The proceeds totaled $9,306,000, a return of 14 percent of the acquisition cost of the property.

When the Federal Government sells its surplus property for such a small return instead of donating it to a school which might use it for many years, the result is not economy, but parsimony. We save only in a shortsighted way. The taxpayer, in truth, loses—because the small saving involved in selling the property is destroyed by the necessity for the school to purchase comparable property, usually at a high cost, or curtail its educational functions.

The legislation I am introducing will correct this detrimental situation. The bill merely states in clear terms what the Congress intended in the Federal Property and Administrative Services Act—that to the maximum extent feasible, educational purposes shall be strengthened by the Federal property donation program.

Therefore, my bill sets up by statute reasonable but firm priorities for the Administrator of General Services. Property which is deemed surplus to the needs of an agency shall be disposed of in the following manner: First, made available for Federal utilization under section 202(a) of the act; second, made available for donation under section 203 (j) of the act; and third, made available for exchange sale or sold to the public.

Mr. Speaker, the benefits to education and health which this bill will guarantee far outweigh any narrow gains to certain Federal agency budgets. We owe it to our Nation's youth to continue this source of assistance by the Federal Government. I urge the Congress to make clear its original intent in the Federal Property and Administrative Services Act by adopting this amendment.

Mr. Speaker, I would like to point out the key provisions of this act which I have introduced today, H.R. 13432, is identical to S. 2610, and these key provisions are as follows:

I. KEY PROVISIONS OF THE ACT

H.R. 13432 would amend section 201(c) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 481(c)) which reads:

> In acquiring personal property, any executive agency, under regulations to be prescribed by the Administrator, may exchange or sell similar items and may apply the exchange allowance or proceeds of sale in such cases in whole or in part payment for the property acquired: *Provided*, That any transaction carried out under the authority of this subsection shall be evidenced in writing.

This section, then, provides for the disposal of unneeded property by Federal agencies and allows those agencies to use the proceeds for the acquiring of needed property. In such a way they are allowed to keep their appropriations requests at a lower level.

The act also provides for the transfer of property among Federal agencies. Section 202(a) states that:

> In order to minimize expenditures for property, the Administrator shall prescribe policies and methods to promote the maximum utilization of excess property by executive agencies, and he shall provide for the transfer of excess property among Federal agencies.

And, finally, the act contains provisions for the donation of surplus property in the following words:

> 203(j)(1) Under such regulations as he may prescribe, the Administrator is authorized in his discretion to donate for educational purposes in the States, Territories, and possessions without cost (except for costs of care and handling) such equipment, materials, books, or other supplies under the control of any executive agency as shall have been determined to be surplus property and which shall have been determined under paragraph 2 or paragraph 3 of this subsection to be usable and necessary for educational purposes.
>
> (2) Determination whether such surplus property (except surplus property donated in conformity with paragraph 3 of this subsection) is usable and necessary for educational purposes shall be made by the Federal Security Administrator, who shall allocate such property on the basis of needs and utilization for transfer by the Administrator of General Services to tax-supported school systems, schools, colleges, and universities, and to other nonprofit schools colleges, and universities, which have been held exempt from taxation under section 101(6) of the Internal Revenue Code, or to State departments of education for distribution to such tax-supported and nonprofit school systems, schools, colleges, and universities; except that in any State where another agency is designated by State law for such purpose such transfer shall be made to said agency for such distribution within the State.
>
> (3) In the case of surplus under the Control of the National Military Establishment the Secretary of Defense shall determine whether such property is usable and necessary for educational activities that are of special interest to the armed services, such as maritime academies of military, naval, Air Force, or Coast Guard preparatory schools. If such Secretary shall determine that such property is usable and necessary for such purpose, he shall allocate it for transfer by the Administrator to such educational activities. If he shall determine that such property is not usable and necessary for such purposes, it may be disposed of in accordance with paragraph 2 of this subsection.

II. CONFLICTING VIEWS ON THE ACT

On March 23, 1965, Senator JOHN McCLELLAN, chairman of the Committee on Government Operations, requested that

Senator ERNEST GRUENING, chairman of the Subcommittee on Foreign Aid Expenditures, hold hearings on the donable surplus property program. Those hearings were held on May 27, June 10, and June 11, 1965.

The principal critic of the donable surplus property program is the National Association of State Agencies for Surplus Property, which is composed of the State organizations responsible for receiving and distributing the surplus property donated by the Federal Government.

Mr. Robert H. Arnold, president of the association, testified:

> There are * * * facets of the total donation program which, by their existence, deny schools, hospitals, and civil defense units of many dollars worth of surplus property which is and always will be vitally required in their programs. Current laws, regulations, restrictions, and certifications governing both the disposal of surplus property, and the acquisition and distribution of surplus property by the State agencies, have created problems, many of which have resulted in additional expenses to the institutions and organizations which we serve.

Mr. Arnold's main criticism centers around the allegation that the authority granted under section 201(c) is being used to the detriment of the donation program. Specifically, the criticism of sale as opposed to donation follows from the following allegations:

First. There is a relatively small return on a large portion of the property sold.

Second. There are instances of schools having to bid for the property on public sale. The public interest is not served in this way.

Third. There are instances where State agencies have made efforts to acquire donable property only to have the property recalled for Federal use.

In short, the State agencies would like to see more priority given to the donation program. Their position is that machines, automobiles, electronic equipment, medical supplies, appliances, musical instruments, and so forth, should be contributed to needy institutions rather than sold to the highest bidder, and that the public interest is better served thereby.

The rebuttal to the above arguments was provided in the hearings by Mr. Robert T. Griffin, Assistant Administrator of the General Services Administration. In the first place he stated:

> I want to assure the subcommittee that the General Services Administration is in complete accord with both the principle and the objectives of the donable property program.

He also cited a steady dollar volume increase for the program—$37.4 million in 1952 to $392.5 million in 1964.

Second. Mr. Griffin stated that GSA does not overemphasize section 201(a):

> There is definitely no emphasis on it.

Mr. Griffin also expressed regret at instances of GSA personnel recouping property after it had been declared donable, and he declared that administrative measures would be taken to prevent such incidents.

III. H.R. 13432

H.R. 13432 essentially establishes by statute the priorities to be followed in disposing of surplus property. The bill states that before any exchange or sale is made under the authority of section 201 (c), the property must: First, be offered for utilization by Federal agencies under section 202(a); and second, offered for donation under section 203(j) of the act.

JIMMY DURANTE—THE EIGHTH WONDER OF THE WORLD

Mr. JONES of North Carolina. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. PEPPER. Mr. Speaker, all of us delight to see a man, ripe with honors, loved by countless millions, already a legend, still carrying on although he is three milestones past three score and ten. Such a man is Jimmy Durante.

At the National Press Club on Monday he gave a magnificent performance assisted by his longtime friend and partner, Eddie Jackson, and his talented new partner, Sonny King. Many of the oldtime members of the Press Club said it was the greatest show they had ever seen put on before that sophisticated audience.

Jimmy exhibited all those qualities for which he has been long famous—the keenest wit blended with touching sentimentality and the ever pervading warmth of his smile exhibiting the generosity of his heart, his genuine love of people.

Jimmy Durante is more than a man with a big nose; he is a great actor, a noble gentleman, a great American. For over half a century Jimmy Durante has had a great place on the American stage and in American hearts. He has kept his acts clean. He is the best loved man in show business in America.

I am sure we all wish Jimmy Durante many more years of great personal success in the show business and many more years to delight his fellow countrymen.

It is with particular pleasure, therefore, Mr. Speaker, that I insert in the body of the RECORD following my remarks three articles about Jimmy which I am sure all who read this RECORD will be delighted to see. The first is entitled "Jimmy Durante's 73d Birthday" in the Miami Beach Times of February 18, by George H. Maines, himself a great American press and public relations representative and a longtime friend of Jimmy; one by Don Hearn in the Washington Daily News of Monday, March 7; and another by Harry MacArthur in the Washington Evening Star of Monday, March 7:

[From the Miami Beach (Fla.) Times, Feb. 18, 1966]

JIMMY DURANTE'S 73D BIRTHDAY

(By George H. Maines)

"The Gentleman of Gentlemen" is the title accorded to Jimmy Durante by beauteous Jacqueline King, the wife of the Schnoz's junior partner Italian opera singer Sonny King. Women who have come into Durante's life have said likewise. He was never known to have been rude nor to tell an off-color story or joke. He leads a simple life, takes good care of his health, especially his legs. He looks after his associates as if they were his own family. He gives away his money to worthy causes, never accepts anything for the hundreds of appearances he makes at benefits and charity affairs. He once spent 3 days in a town to help raise money to complete a Catholic church and school, to keep his word made to a young priest he had known in his boyhood.

You can separate it, or put it together, but you can't change it, as either description fits, "the gentleman of gentlemen."

Jimmy Durante was 73 years old Thursday, February 10, 1966. He was born on Cherry Street, near the Bowery on the East Side of New York City, the son of Bartholomew Durante, a barber who came to America from Salerno, Italy.

Jimmy's mother, whose maiden name was Romano, wanted her son to be a concert pianist * * * She hired a Professor Fiore to teach him. But an Irish boy, Joey McLaughlin, encouraged Jimmy to play Ragtime, the popular music of the day. This he did on the QT. Jimmy saw his teacher coming down the street and Joey and he went out a window and down to the Chatham Club in nearby Chinatown. Jimmy got a job playing piano for $25 a week. He gave his first earnings to his mother and that ended his classical piano instructions. Through the years that followed he was able to play both classical and popular tunes.

He played at Coney Island in the summertime and at the Club Alamo in Harlem through the New York winters from 1910 to 1921, until in the latter year he formed the Jimmy Durante New Orleans jazz band. He got the idea from another Italian-American boy from New Orleans, Nick La Rocco, who had written a hit tune called "Tiger Rag." It was about that time that Eddie Jackson and drummer Jack Roth met Jimmy and were to be associated with his professional career all of his life to this day. (Roth is ill at his Bronx home, and Karl Quinn, one of America's foremost stickmen, is with the Durante show now.)

During the 1920's Durante played at various New York nightclubs. The first Broadway appearance was billed as Jackson and Harris, Jimmy Durante, accompanist, at the Dover and Everglades Clubs. Gene Austin, a rising young crooner, spotted the trio. Later Austin was to make a record that sold over 30 million copies, "My Blue Heaven." He heard the trio and told Lou Clayton about them. Clayton was a classy vaudeville entertainer who owned part of the club where Austin was playing piano and singing songs he had written. Clayton saw them and told Austin, "No class, just sawdust types and good only for saloons."

Soon Jimmy and his pals had their own Club Durant. Sime Silverman, the publisher of show world's famous Variety publication, saw the act, told Clayton about it, and took him to see them. Lou was then impressed with the new act of Harris, Jackson, and Durante. He talked with Jimmy and bought out Harry Harris' one-quarter interest in the club for $3,500. Frank Nolen, an Italian-American head waiter, formerly at the Everglades, had insisted the boys open their own place and feature the talents especially of piano-playing, comic Durante. This was the beginning, in the winter of 1923–24, of a, friendship without a contract, of Clayton, Jackson, and Durante, which was to last until Clayton's death in St. John's Hospital in Los Angeles 20 years ago.

When working at the Parody Club in New York City after the Club Durant venture had made the group a lot of money (they drew $75 a week salary at first), they drew $1,000 under Clayton's skillful management. First paynight Jackson was handed a $1,000 bill. "Nothing doing," he told Clayton. Might be a counterfeit. "Give me nothing but $5 bills * * * I want to carry a roll." And he got them. Durante gave his family, wife, and mother, part of his salary, and old Bowery pals got some, too.

Vaudeville was to accept the trio, and they broke all records at the noted Palace Theater, after turning away customers at nearby Loew's State on Broadway and Seventh Avenue. They were booked at night spots, and in Broadway shows. When the 1930–31 depression came, and business was getting tough, Clayton, Jackson, and Durante were appearing at the Ziegfield Theater in New York in an extravaganza called, "Show Girl." It featured the trio, Eddie Foy, Jr., Frank McHugh, Harriet Hocter, and Gershwin music. The book was by J. P. McEvoy. Bobby Connolly and Albertina Rasch staged the dances which were executed by Broadway's most beautiful girls. Ruby Keeler, a Texas Guinan protege, was married to Al Jolson. When Ruby was doing her famous tapdance, Al would appear and walk down the center aisle, and sing "Liza" to his new wife. It was a great show, but lasted only 4 months, and closed. Times were really hard. In late 1931, the team of Clayton, Jackson, and Durante temporarily broke up. Durante could go it alone to the top, advised their pal Sime Silverman. Clayton became manager, and Durante agreed to take care of Jackson, Jack Roth, and pianist Harry Donnolly. Jimmy became famous on radio, and took good care of his pals.

In 1935 Billy Rose staged a spectacle at the old Hippodrome with financial backing from Jock Whitney. Hart and Rodgers wrote the music and score, and Paul Whiteman's Band was featured, with Durante, and a jumbo elephant. Opening night grossed about $20,000, but the show never got over the hump, and Whitney and associates dropped about a quarter of a million dollars, which they "laughed off," said Durante.

Jimmy was offered $1,000 a day to appear in a tent show in the South. He was to appear in a medicine show with Gene Austin, and to return to his love, Broadway vaudeville and night clubs as business got better in the country.

During the 1940's his appearances at Jules Podell's Copacabana were sellouts. The year 1941 was good night club year. The Copa did more than $60,000 with Durante in 1 week. They used Jimmy and Joe E. Lewis, and cleaned up. Podell booked Durante and opera singer Helen Traubel in a boistrous act that in 1947–1948 was a sensation everywhere they appeared. The Victor Co. recorded Durante with an orchestra background singing his own tunes, "The Song Gotta Come from the Heart," "A Real Piano Player," "Inka Dinka Do" and others. Then television sought him. He clicked as did Martin and Lewis, Arthur Godfrey, Bob Hope, Jack Benny, Burns and Allen, Danny Thomas—all of whom he admired, and often they appeared on programs with him. Milton Berle got to the top fast via TV.

"Don't overdo, Miltie," Durante advised, and Jimmy was careful not to go on TV programs too much. "Oncst a month, or infrequently," he told the network program sponsors who sought his talent. "They'll get sick of me."

But the public seems never to have tired of the Bowery-born boy who has spent more than 50 years entertaining the world, with trips abroad, too, and who said he was so happy to be in San Juan, "amongst my new friends, where they have a fine lady mayor, a good governor, and lots of sunshine."

The gentleman of gentlemen was honored in San Juan at the city hall by Mayor-City Manager Felisa Rincon de Gautier at 5:30 to 7 the evening of his birthday.

And at 11:30 that night Bob Hope and Jerry Colonna showed as a complete surprise, "We wuz flagerblasted" he said as he cut the 150-pound horseshoe-shaped cake.

Happy birthday, Mr. James "Schnozzola" Durante.

[From the Washington Daily News, Mar. 7, 1966]

Tips on Tables

(By Don Hearn)

There is a tremendous love affair going on at the Shoreham.

Not behind closed doors either. You can glimmer it any night in the Blue Room.

It's Jimmy Durante, of course, and his audiences.

The lovable master showman has taken our town like Grant took Richmond. There just isn't enough room to accommodate his loyal legions of admirers and fans who storm the gates of Alfred's domain.

To call his current engagement a smash is the understatement of the season. It's a week that will make history in this swank showbowl.

The Schnozzola, who celebrated his 73d birthday on February 10, gives the droves of diners and drinkers his all—and it's a lot.

For the hour or more he is on stage it's wildly, wonderful entertainment.

As you may suspect, he has—as usual—surrounded himself with a cast of performers who give it their all, too.

Most of them are familiar faces. Exboxer and a fine singer Sonny King (his 15th year with the Great Guy), longtime partner Eddie Jackson and a half dozen, leglovely apples of his eye, the Ginny Parker Dancers.

Put them all together, toss in a hefty helping of "Inka Dinka Doo" and the result is one of the most remarkably satisfying nightclub offerings on the cafe circuit.

There is the usual magnum of massacred English, thanks to the master, the hilarious clowning around with Sonny, the words of wisdom set to music from Eddie and the fancy strutting of the supple young ladies of the chorus.

Nothing—but nothing—could be improved upon.

The show-stopping moments, quite naturally, are Jimmy's "Alley Cats," his now-immortal treatment of "September Song" and "Old Man Time."

Then, too, there is little to beat Jimmy, Eddie and Sonny combination during a rousing "Bill Bailey" or when the trio cuts loose on "Inka Dinka Doo," or the entire cast's bombastic "Saints" finale.

The packed-to-the-rafters opening night couldn't get enough. I'm certain everyone concerned would still be taking another bow if it hadn't been for a second show only an hour away.

There are few left in show business with this gentleman's rare gift of being able to entertain everyone—regardless of age.

To quote the Schnoz of leader Cross: "He didn't know how to play an instrument, so they gave him a stick."

For the record, Jimmy and pals will continue their capers through Thursday. Reservations are a must. (There's a better chance grabbing a table on the second show at 11:30.)

And—Where are you going tonight?

[From the Washington (D.C.) Evening Star, Mar. 7, 1966]

The Eighth Wonder of the World

(By Harry MacArthur)

The eighth wonder of the modern world is back in town after much too long an absence. In his case, of course, any absence is too long. The eighth wonder's name is Jimmy Durante, easily and for years the most beloved man in all of show business.

On this visit he is performing twice nightly in the Blue Room of the Shoreham Hotel, through Thursday. His first performance Friday night was the occasion for another joyful meeting of the oldest floating mutual admiration society in the land. Jimmy loves his audiences and his audiences love Jimmy.

You'd never guess (he himself was "flaggerblasted," he later said) that this man celebrated his 73d birthday last month. He expends enough energy at each show to get all of Cape Kennedy, not merely one of its spaceships, into orbit.

He probably is the most predictable entertainer in show business, but in Durante's case this is an asset. If he did not do all of those old, familiar things expected of him, the customers would arise in a body and demand them.

He does not make an entrance. He charges on stage, throttles the microphone as if it were a cobra about to strike and begins to sing, "Ya gotta start off each day with a song * * *." He pauses, belligerent, to call out, "C'mon, waiters, break it up over there." Then, to the audience, "The minute they congregate there's a strike."

He brings on the Ginny Parker Dancers to decorate the proceedings. They are attractive, talented girls, who obviously think Durante is the funniest man in the world. When they do a number with the boss, it's breakup time.

"This is the way we rehearsed it and this is the way we're gonna do it," he says and the girls almost fall down laughing.

Durante's longtime partner, Eddie Jackson, and his comparatively newer one, singer Sonny King, are given ample exposure, too. They also enjoy their work and clearly feel they never had it so good as when Durante is browbeating them. And browbeat them, he does.

One of them draws an especially big hand and Durante, an Italian boy who knows his Jewish holidays, puts him in his place: "He'll be back. * * * He'll be back the day after Russian Shonan."

The spirit of good cheer has reached such a peak by the time Jackson arrives that his old, familiar cakewalk brings down the house. Why it should at this late date may be a mystery, but it does.

Durante's lopsided logic is still as much a delight as everything else about him. He sits down at the piano, manages a spectacular run, and goes right off the keyboard. Matter-of-factly, he explains, "I coulda went further only for that blocka wood."

The man without a belligerent corpuscle in his blood stream is, you'll be glad to know, still carrying on his old fighting feud with whatever orchestra happens to be behind him.

"Stop tha music," he shouts to interrupt one number, "tha trumpet player's only usin' one lip."

At another point he casts a disdainful look over his shoulder and sneers, "He don' know how ta play an instrument, so they give him a stick."

One of Durante's finest twists of the language almost sneaks by you. It comes in his great rendition of "September Song," which is straight and sentimental. You suddenly realize you heard him say, of his younger technique with girls, "I plyered her with tears."

It's a fast, funny, and frantic show, from opening to rousing, full-cast finale built around "Bill Bailey," "This Train," and "Saints Go Marching In."

Jimmy Durante is the only one of his kind and a man who can do no wrong in the eyes of millions. Make a reservation (you'll have to) to see his Blue Room frolic and you will be, as he says of something or other, "looking forwardly and eagerly to it."

NATIONAL REGISTRY OF ART

Mr. JONES of North Carolina. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Bingham] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BINGHAM. Mr. Speaker, I am today introducing a bill to provide for the establishment of a National Registry of Art. It is the purpose of this bill to provide an additional means for reducing the sale of fraudulent and spurious works of contemporary art.

In recent years, there has been a serious increase in the production and sale of fraudulent and spurious sculpture, paintings, and other works of art. The problem of fraudulent art is one which not only affects the growing number of individual collectors and the dealers in art, but it also affects a much wider public, in that museums and educational institutions may be the victims of fraud. In addition, all taxpayers have a very real interest, because the Government is being victimized by gifts of fraudulent art to museums and other institutions, gifts which are taken as income tax deductions. Another serious aspect of the problem is that American dollars are being drained off for fraudulent art originating in Europe.

In recent months, the attorney general of New York State, the Honorable Louis Lefkowitz, has conducted a series of hearings in New York City which have brought out the scope of the problem and the difficulty of coping with it.

Frauds are often extremely difficult to detect, even for experts. One reason for this is that there is no central repository for accurate and verified information about contemporary works of art. Most purchasers of works of art are not accustomed to ask for any written information about the authenticity of the art they are purchasing. If you buy real estate you get a deed and a guarantee of title based on a system of recordation. If you buy a pedigreed dog you get the registration papers. If you buy stock you get a prospectus and reports. When you buy art you usually get nothing but a bill which is certainly no proof of authenticity.

Under the bill I am introducing, there would be established, within the Smithsonian Institution, a National Art Registry, which would be located presumably in New York City as the center of the art market. This Registry would act as a repository for filing, on a voluntary basis, of records concerning the origin, transfer, and ownership of works of art. Once established, it could be made self-financing because of the filing fees to be charged, and would therefore cost the taxpayers nothing.

Under the bill the Registry would work this way: Any person with a direct or indirect interest in a work of art could file a certificate of authenticity or a certificate of transfer in the Registry. Basically, a certificate of authenticity is a statement signed by the artist of the creation of the work, including a description of it supplemented by a photograph, and identifying the original purchaser. A certificate of transfer would merely record a change of ownership in the described item.

Under the bill, code numbers could be issued by the Director of the Registry to any person who did not wish to disclose to the public his interest in a work of art. Except as to the identity of the holders of such code numbers, the files and records of the Registry would be public documents open to public inspection.

The documents on file would have to speak for themselves. Neither the Director nor any person on behalf of the Registry could issue an opinion as to the origin, authenticity, ownership or value of any work of art or as to the validity of any record filed in the Registry.

As I have said, filing would be entirely voluntary but the bill does contain a provision that it would be unlawful to use or publish any information obtained from or issued by the Registry in a manner which would operate as a fraud or deceit upon the purchaser, transferee, or other recipient of a work of art. The bill also makes it unlawful for any person to make an untrue statement of a material fact in a certificate of authenticity, certificate of transfer, or collateral record filed in the Registry. These criminal sanctions have been introduced to protect the integrity of the records of the Registry and to prevent their perversion for fraudulent purposes.

The bill provides that the Registry would be established within and under the auspices of the Smithsonian Institution, which already has responsibility for the National Collection of Fine Arts. Under the bill there would also be established a National Registry of Art Commission, under the Board of Regents of the Smithsonian Institution. The Commission would be made up of recognized experts in their respective fields. This Commission would have authority to make rules and regulations for the conduct of the Registry, which would, among other things, specify the precise form of the certificates and other documents which would be accepted for filing. Presumably the Commission would examine each area of art separately and its program for the development of the Registry would take into account special problems in each such area.

It is clear that the proposed Registry would be of value primarily for works of art created after its establishment, although it is possible that certificates would be filed with respect to previously created works of art by living artists. Accordingly, its usefulness would increase with the passage of time. Even though filing would be on a voluntary basis, it is reasonable to suppose that filing of certificates would rapidly become customary for the work of important contemporary artists, since cautious purchasers would naturally want to have the assurance of authenticity provided by such public records.

Obviously, no one legislative proposal can begin to solve all the problems presented by the creation of fraudulent art. However, the Registry would provide an invaluable service for all those interested in minimizing the traffic in spurious art.

I intend to circulate the bill and this explanation widely among museum directors and other interested groups and individuals, and it is my hope that public hearings can be held in Washington in due course at which such groups and individuals could make their views known. The Secretary of the Smithsonian, without taking a formal position on the bill, has indicated to me he would welcome such hearings. The idea of the Registry has been endorsed by many art experts and by the Bar Association of the City of New York.

There is nothing sacrosanct about the provisions of the bill as presently introduced. No doubt it will be possible to improve it on the basis of comments to be received at the hearings and otherwise. Since announcing my intention of introducing such a bill, I have been advised that there is opposition in some quarters to the basic concept of the bill, and it may be that future developments will disclose flaws in that concept which are not now apparent.

In short, I am introducing the bill at the present stage in the hope that it will be fully discussed and studied.

If, as I believe, the basic concept is sound, it may well be that the establishment of such a National Art Registry would in time be of importance in the world of art comparable to the importance of the Copyright Office in the Library of Congress to the world of letters.

INTEROCEANIC CANAL QUESTIONS—RESOLUTIONS

Mr. JONES of North Carolina. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Dent] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. DENT. Mr. Speaker, since the President's announcement on September 24, 1965, about the current canal treaty negotiations with the Republic of Panama, there has been a steady growth of informed understanding of the interoceanic canal problem throughout the Nation, including an active interest on the part of patriotic, civic, and fraternal societies.

As evidence of such activity, the American Coalition of Patriotic Societies, at its 37th annual conference on February 10, 1966, in Washington, D.C., adopted two resolutions on the canal question, which call for action by the Congress in the premises.

To assist those who may wish to secure more detailed information, I would invite attention to two notable addresses by my distinguished colleague from Pennsylvania [Mr. Flood] before the

House as follows: "Interoceanic Canal Problem: Inquiry or Coverup?" in the Congressional Record of April 1, 1965; and a sequel under the same title in the Record of July 29, 1965. For persons who wish to go more deeply into the subject, I suggest an examination of the comprehensive bibliography prepared by Representative Clark W. Thompson, a former chairman of a Special Subcommittee To Investigate the Operations of the Panama Canal and the principal author of the Panama Canal Reorganization Act of 1950, which bibliography was published in the Record of September 2, 1964, under the title of "Isthmian Canal Policy of the United States—Documentation, 1955–64."

The indicated resolutions follow:

Resolution No. 3—Panama Canal

(By American Coalition of Patriotic Societies, Inc., 37th annual conference, Washington, D.C., Feb. 10, 1966)

Whereas the proposed treaty negotiations with the Republic of Panama endanger the security of the United States, both on the Isthmus and at home, and, present abject surrender of U.S. sovereignty and authority over a U.S. territorial possession; and

Whereas this territorial possession was granted by treaty in perpetuity and ownership of all land in the zone obtained by private purchase; and

Whereas in indicated agreements the U.S. investment in the canal enterprise and defense installations mounting into billions of dollars of taxpayers' money is not to be repaid; and

Whereas under proposed negotiations our Government would be left with responsibility without authority under a dual governmental managerial treaty; and

Whereas under Panamanian jurisdiction, laws enacted by the U.S. Congress for government of the zone and operation and maintenance of the canal may be abrogated by Panama at any time and suspended by Panamanian law; and

Whereas the Panama Canal or any other proposed new canal in that region represents a key narrow water channel, vital to the defense of the Western Hemisphere in general and our own shores in particular;

Resolved, That the American Coalition of Patriotic Societies expresses its concern over the treaty negotiations and opposes any abandonment of U.S. ownership and authority over the canal and the zone with or without any remuneration; and

Resolved, That the American Coalition petitions Congress to demand that only the U.S. flag be flown over canal and zone; and

Resolved, That the American Coalition opposes any revision of the treaty of 1903.

Resolution No. 4—New Isthmian Canal

Whereas there is agitation for a new Isthmian Canal to supplant that of Panama because of approaching saturation; and

Whereas experience has shown how to maintain, operate, and modernize the present canal without involving a new treaty with Panama; and

Whereas the United States, at present has a workable 1903 treaty with Panama and under its provisions later obtained title to all land and property in the zone; and

Whereas expending vast sums on a sea level project in the Canal Zone or elsewhere on assumptions of security and national defense would divert huge sums from vital defense programs; and

Whereas our country would have the same problems as those already existing at Panama and would have less authority than that granted in the original 1903 treaty;

Resolved, That the American Coalition of Patriotic Societies supports the objectives of H.R. 6963, H.R. 6126, and H.R. 4871 introduced by Representatives Anderson of Tennessee, Bow, and Flood to form an independent and broadly based Interoceanic Canals Commission to determine future canal policy; and

Resolved, That the American Coalition considers the whole question of Isthmian Canal policy of such vital import, both militarily and economically that it must not be left solely with the executive branch of Government but necessitates full and public discussion by Congress.

TO ESTABLISH A U.S. COMMITTEE ON HUMAN RIGHTS

Mr. JONES of North Carolina. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Gilligan] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. GILLIGAN. Mr. Speaker, I am today introducing a bill to establish a U.S. Committee on Human Rights.

The committee would direct and coordinate studies to prepare for U.S. participation in 1968 International Human Rights Year as designated by the United Nations General Assembly.

The 11-member committee would consist of a Member from each party from both the House of Representatives and the Senate and 7 members appointed from private life by the President of the United States.

The committee is directed to submit to the President a report of its activities with recommendations on how the United States can best participate in International Human Rights Year. The President, in turn, will submit the report to the Congress. The committee will cease to exist at the close of December 31, 1968.

THE NORTHEAST GRID AND A CORPORATE IMAGE

Mr. JONES of North Carolina. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Tenzer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. TENZER. Mr. Speaker, 5 long months have passed since the disastrous blackout that paralyzed the Northeast. We have heard of studies being made and reports rendered, but little about what has actually been done to avert a recurrence.

Individually, a number of utilities have taken steps to protect their own consumers. Progressive companies like Long Island Lighting Co.—Lilco—which serves the consumers in my Fifth Congressional District, are installing gas turbines which are capable of providing an extremely rapid restoration of service in the event of the loss of major generating equipment. They are to be commended for their foresight and initiative and I congratulate them, but individual action is not enough.

We must have long-range planning—cooperative planning. If the Northeast grid is to be truly effective, it must be an integrated system, capable of meeting the expanding power needs of the area and of producing energy at lower cost to consumers.

In general, the Northeast has the most expensive power in the Nation and the primary reason is because many of the utility companies operate as small fiefdoms, reluctant to enter into cooperative agreements to develop common sources of low-cost power. By overcoming this barrier, we cannot only have lower costs but make a future blackout impossible.

A recent article in Fortune magazine, one of the Nation's most responsible and highly regarded business publications, throws a great deal of light on this situation. Taking the case of Consolidated Edison of New York, the article explains the problems of philosophy and corporate policy that have blocked cooperative action. I am inserting this article in the Record, not with the intention of singling out Con Edison for criticism, but in the hope that an understanding of the problems will lead to finding a solution.

Con Edison: The Company You Love To Hate

(By Thomas O'Hanlon)

The Consolidated Edison Co. of New York is the Nation's largest electric and gas utility, serving some 3 million customers in New York City and Westchester County, exercising tight control over electric, gas, and steam distribution, and harvesting $840 million in annual revenues. It is also the Nation's most cordially disliked utility. To Charles Emil Eble, who this month at 65 becomes the company's new chairman and chief executive, this low state of esteem reflects not the company's true performance but only its size and conspicuousness. "When you are top dog," Eble says with an air of fatalism, "everybody is gunning for you."

How right he is on one count, and how wrong on the other, for Con Edison's deficiencies are legion. Since the midfifties, the company has lagged so far behind other utilities in growth and earnings that investors are beginning to suspect it is a musclebound giant unlikely ever to start moving again. Its customers in the past 6 years have had to pay for five rate increases totaling nearly $58 million, tacked on to the highest residential-rate structure of any major utility in the Nation. Despite these higher prices, they have been subjected to a series of power failures, culminating in the prolonged agony of November's Black Tuesday, which have made Con Edison an imprecation on the tongues of millions of New Yorkers. For its performance on black Tuesday, Con Edison was given a rebuke by the Federal Power Commission in its report to the President.

Faced with such internal and external crises, Con Edison, one would think, should be looking to some radical changes in its policies. But there will be few such innovations. In the fortresslike headquarters building on the East Side of Manhattan prevails an atmosphere that one executive compares to the camaraderie in a military camp toward the end of a long, exhaustive battle. Most Con Edison executives have spent their lives within the protective womb of the company—an environment that they will not now, in their latter days, permit to change. Old and embattled, proud, and thinskinned, the men who lead Con Edison look upon the company as their own personal creation. Given the length of their experience at Con Ed, their attitudes are not hard to understand.

Charles Eble began his career as a $6-a-week messenger boy when Woodrow Wilson was in the White House. In 1921 and 1922, Eble took a 2-year home-study course in business at the Alexander Hamilton Institute. He moved up through Con Edison's accounting department; in 1953, after 37 years, he became a vice president. Four years later he was elected president. "With his inside knowledge of the company and the industry," says a colleague, "Eble did a great selling job with the board." Eble succeeds Harland C. Forbes, a 41-year company veteran, who retires at 68.

The new president is 64-year-old John V. Cleary, an Eble protege who started his career back in 1925. Like Eble, he too began in the accounting department. Cleary later became an expert in rate regulation, and was elected senior vice president in 1962. One measure of the cost-plus approach to management at Con Edison is Cleary's idea that a rider should be added to the company's rate schedule so that future local tax increases would simply be tacked on to customers' bills.

The third member of top management is Executive Vice President Otto Manz, Jr., 63. Manz is a taciturn engineer who went to work for the company in the same year Cleary did—2 years before Lindbergh flew the Atlantic. Except for a World War II billeting to a powerplant at Oak Ridge, Tenn., Manz has been with Con Edison ever since.

Such records of longevity are not unusual at Con Edison. The 21 top officers have been with the company an average of more than 33 years—a state of affairs that prompted one Wall Street utility analyst to remark recently: "Con Ed isn't just a corporation. It's a way of life."

When they discuss Con Edison's present woes, its officers never fail to point out the unique and burdensome physical characteristics of the Con Ed system. Indeed, the inherent limitations that the company faces are enormous. It serves only 600 square miles; by comparison, California's Pacific Gas & Electric operates in a 94,000-square-mile territory. Con Ed's customer density is 5,000 per square mile—more than 300 times the industry average, and far above the ideal saturation point. Moreover, about 75 percent of its customers live in apartments, and pay an average annual electric bill of only $83. By contrast, the owner of an all-electric home in the Northeast pays a bill of about $375. "Our customers' bills are maximum to them, but minimum to us," bemoans one executive. The use of electricity by New Yorkers, one-fifth of whom live on the verge of poverty, is less than half the national average.

DIG WE MUST

Yet to service its low-yield area, which encompasses slums, high-rise apartments, and towering office buildings, Con Edison must expend huge amounts of cash. By law, all transmission lines in Manhattan must be placed below the streets; they cost from 5 to 15 times as much as an overhead system. To maintain its 66,700-mile web of subterranean cables, Con Ed's labor force of 5,000 makes about 40,000 excavations every year, so that its street sign "Dig We Must" has become a bitter joke. To transmit the enormous peak power loads most efficiently, the company has been forced to construct an 80-mile-long, extra-high-voltage cable at a depth of 4 feet—a $220-million backbone that links 12 generating stations. In all, for every $1 of plant Con Edison must spend $2 for transmission and distribution—25 percent above the national average.

Nor can Con Edison look to heavy industry for growth. Heavy industry is a vital factor in the sprightly performance of such regional utilities as American Electric Power and Detroit Edison. But service industries, banking, insurance, communications, and printing predominate in New York, and their energy requirements grow only moderately each year. Since the company's largest customers are public agencies, such as the subway system, the City Housing Authority, and the Port of New York Authority, there is good reason to believe Chairman Eble's contention that Con Edison is virtually recession-proof. But, by the same token, service to such static consumers has been a serious limitation on Con Ed's growth.

To compound its problems Con Edison has relatively high production costs. In electric generation, expenses per net kilowatt-hour for the most efficient plants run under 3.5 mills. But, according to the 1964 figures filed with the FPC, only 3 of Con Edison's 12 generating stations produced power within a mill of this cost. In its eight coal-, gas-, or oil-fired plants, costs ran from 7 to over 9 mills. Con Ed's new splash nuclear-powered plant at Indian Point, 24 miles from the city, produced energy at 12.46 mills in 1964—making it one of the most expensive in the Nation. Con Ed's latest average cost per net kilowatt-hour works out to a high 6.4 mills. Despite the company's massive construction program, about half of its capacity is in inefficient plant, some of it half a century old, that swallows up cash simply for maintenance.

The result of all these intrinsic difficulties shows up clearly in the company's financial record. Despite capital expenditures of over $2 billion in the past decade, which increased the investment in plant by 8.5 percent annually, revenues lagged at a disappointing 4.5 percent. In 1965 the company had a net income of $112 million on $840 million of revenues—about 82 percent from electric power, 13 percent from gas, and 5 percent from steam. Rising costs, particularly local taxes that now eat up 16 percent of revenues, have reduced the benefits that should have resulted from new plant. At a scant 5.4 percent for electric operations, Con Ed's return on its rate base has run 1 to 2 percentage points behind most of the industry, a depressing record to one of the company's most important constituents, the financial community. If only to preserve the company's standing in Wall Street as a good income stock, the board of trustees has been forced to pay out 75 percent of net income after interest charges. Even so, investors have shown a lack of enthusiasm—understandable when Con Edison's performance is compared to that of another large utility; since the midfifties per share earnings of Commonwealth Edison of Chicago have grown at an annual rate of over 8 percent, more than twice that of Con Ed.

Bad as Con Ed's performance seems, it looks even worse to a financial analyst's eye. For the company's reported earnings, like those of some other utilities, reflect the use of an accounting system that rapidly depreciates new equipment and brings the tax savings down to net income. The full complexities of the flowthrough accounting system need not be spelled out here; what matters is the effect of the system on earnings. Last year the flow-through method accounted for more than 30 percent of Con Edison's per share earnings. The practice of boosting earnings by this method of depreciation and tax deferral has been questioned by such a prestigious accounting firm as Arthur Andersen & Co., which has about a third of the U.S. public utility business.

Flow-through accounting is required by the New York State Public Service Commission; by following that practice, Con Ed is simply complying with regulatory procedures. Nevertheless, conservative members of the financial community still feel that dividends should not be paid from the extra earnings generated by an accounting procedure. They point out that if Congress should repeal the law permitting accelerated depreciation, or if the present level of expenditures for new plant should taper off, Con Ed's earnings would dip. In addition, the Investment Bankers Association has pointed out that the flow-through methods contribute to the difficulties of the average investor when he tries to form a sound judgment about the merits of individual utilities.

To Con Edison's Eble, all these arguments are academic. "I just don't see us having to pay back these deferred taxes to Uncle Sam," he says flatly, "because we are constantly expanding."

FROM OUTAGE TO OUTRAGE

While the infinite expansion is going on, not the least of Eble's concerns will be to overcome what has become known in the company as the problem of public acceptability. Commenting on this, Washington utilities consultant David Kosh says: "I've been in the utilities business for 34 years and I can't think of a company that goes out of its way to alienate customers the way Con Edison does. They're so stiff-backed. I have yet to hear a Con Edison executive say, 'Maybe you have a point,' By definition, they always think they are right."

Each year there are 3,000 interruptions in Con Edison's electric-distribution system—minor outages, according to the company's press releases, but major outages to infuriated customers. Most often these blackouts occur because of faulty equipment, but some have been caused by company employees digging into the city streets. When searching for a gas leak in midtown Manhattan, a workman drilling on 43d Street severed the powerline to the New York Times a few hours before that paper's deadline—and only a month after the Times had lost $100,000 of advertising revenue because of the big blackout in November. Power was restored quickly, but the incident did little to improve relations between the city's most influential newspaper and Con Edison.

Con Edison's service has been erratic many times in the past. In 1959, 500,000 people in Manhattan were struck by an 8-hour blackout that resulted from the failure of underground cables. Two years later a 5-square-mile area of mid-Manhattan was paralyzed for 4½ hours when switching equipment failed in a substation. After an investigation by the Public Service Commission, Con Edison was directed to install a second contingency system for the high-voltage substations that feed power into network areas. It complied, but city engineers protested that this installation in itself would not prevent a future blackout; the Con Edison transmission-and-distribution system was so designed, they charged, that future blackouts could not be localized. Last November, when the power failure paralyzed New York's life, their predictions came true—despite the previous insistence of Con Edison executives that maximum reliability was built into the system.

The fault that touched off the big power failure did not lie with Con Edison. But the air of unconcern that pervades the company was never more evident than at that time. New York, as former Mayor Robert Wagner put it, "lives, eats, and virtually breathes on power." When the blackout occurred, 2 of the metropolitan airports were closed, hospitals were without power, 600,000 passengers were trapped underground in subway trains, television and some radio stations went off the air, monumental traffic jams clogged the streets.

FOR THE WANT OF OIL

The company was taken to task by the Federal Power Commission in its report to the President. For one thing, the FPC wondered why there were neither automatic devices nor more precise guidelines to help the system operator at Con Edison's Power Control Center, so that he could cut clear of the interconnecting ties with the stricken upstate utilities. (There was a period of 7 to 12 minutes between the initial disturbance and the final collapse of the system.) Furthermore, the agency criticized Con Ed for the 13-hour delay in restoring service; it pointed to the company's reliance on slow-starting steam generators for reserve power, and the absence of auxiliary generators that would have provided electricity to restart the huge, inert turbines. When the power failure occurred, no electricity was available from auxiliary sources to pump a protective coat of oil on the massive bearings in many of the company's generators. As a result, 50 bearings were damaged by friction when they spun to a halt; 1,500,000 kilowatts of capacity lay dormant. The company's newest and largest unit, the massive 1-million-kilowatt Ravenswood generator, was down for repairs for 2 months after the blackout.

Consolidated Edison Co. came into being in 1936, when a group of gas, steam, and electric utilities were merged with an already existing amalgam of companies that a group of New York bankers had brought together over a period of 50 years. The man who set the current patterns at Con Ed was Hudson Roy Searing, chief executive from 1953 to 1957. Searing had spent the thirties coordinating the activities of the scores of utilities that made up Consolidated Edison. Since management people were pouring into the new company from the various subsidiaries, Searing's first task was to coordinate this new mass and to dampen personal feuds. "Some people were literally hitting each other over the head," recalls one executive. "At the very least, men from the gas companies simply did not talk to the people from the electrical side."

Searing's dream was to build an integrated utility that would operate as a "total energy system." To achieve it, he naturally needed the cooperation of local and State governments. But during the administration of Mayor Fiorello La Guardia, the attitude of the city toward utilities was distinctly hostile. An advocate of public power, La Guardia was constantly threatening that the city would go into competition with private power in order to force a reduction in rates. It was no empty threat: three publicly owned powerplants were then supplying power to the city subway system, and the city was one of Con Edison's largest customers.

Searing's answer was to put Con Ed deep into politics. He began a search for someone in the company who could mesh Con Ed's plans with the various departments of the city, and develop a close working relationship with city hall and other political powers. "Charlie Eble is the man for that. He knows everybody," Searing was told. Looking back today Eble recalls, "Over the years I struck up friendships with many politicians. It was not something that I had set out to do objectively at the beginning. But, as time passed, I found that many of my friends had moved into positions of authority in government. I could talk to them. It was as simple as that."

To talk to friends in authority has become an important part of Eble's job. He makes frequent trips to Washington, where he sees members of the New York Congressional Delegation, and to Albany, where he is on intimate terms with key politicians of both parties. Two of the utility's vice presidents, Ralph Norris and Bernard Gallagher, spend a great deal of time strengthening relations with city and State legislators. Gallagher also has forged a strong link between the company and the powerful central labor council; Gallagher says that Con Ed, because of its construction projects, provides 15 to 20 percent of the jobs for building trades workers in New York City. Besides his regular responsibilities, public relations Vice President Max Ulrich handles special political assignments. "He has a sixth sense about where the centers of power lie," says a colleague. Other work is handled for Con Edison by its public relations consultant, Sydney Baron, a longtime associate of former Tammany Hall leader Carmine De Sapio.

Con Edison is also directly involved in clubhouse patronage. Under a provision of the administrative code, the company must pay the salaries of "hole inspectors," who are charged with supervising excavations in the city streets. But these inspectors, who are part-time employees, are appointed by the highway department from a list of names submitted by the mayor's office. Con Ed has no voice in the choice of the inspectors and no supervisory control over their work. All it does is pay the tab.

Company executives are a major source of funds for both political parties. Most of these contributions are made by buying tables at fundraising dinners. Con Edison employees have quite a reputation for stolidly eating their way through innumerable rubber-chicken affairs. All this, of course, is intended to give the company a strong voice in legislative actions while they are still in the formative stage. As Eble puts it: "When I got into the political end of this business, a friend told me, 'Charlie, don't wait until you have a problem before you approach a politician. Build up your credit first.'"

THE POLITICAL PRICE OF POWER

With the election of John Lindsay, Con Edison's relations with city hall may not be quite so smooth as they have been in the past. For one thing, Lindsay is death on clubhouse politics, and has bitterly attacked partisan political patronage and the "power brokers" who, he charges, have long manipulated city government. One of his first actions—a call for the abolition of all coal burning in order to cut down air pollution—would have a direct effect on Con Edison, which burns approximately 5 million tons of coal a year in its city plants.

One of Con Ed's most furious political battles was fought and—by its management's lights, at least—won 7 years ago. The opponent was that old nemesis, public power. The three powerplants the city had owned since La Guardia's day needed to be modernized. Faced with an expenditure of $100 million, the city had either to take the plunge and possibly extend power distribution to other public agencies and authorities, or to sell the plants to Con Edison. But before the city could sell the plants it needed enabling legislation from the State capital. In Albany, Con Edison put on a display of political lobbying that professionals still recall with awe and admiration. The bill was finally passed with only a handful of dissenting votes.

But if the political generalship was masterly, the price paid for the obsolete generators was extraordinarily high. Con Ed gave the city the book value of $126 million for the three 50-year-old plants, whose real value was probably much lower. Moreover, the company since has had to spend heavily to maintain the equipment, and as the picture on page 123 indicates, even that has not been enough. Former Chairman Harland Forbes admitted that the economics of the powerplants was questionable, but that it was important for Con Ed to get the city out of the power business.

It was not the first time that Con Edison paid dearly to stifle the threat of public power. In the mid-fifties a group of powerful legislators were fighting hard in Washington to lead the Federal Government into the ownership of nuclear powerplants. To stave off this threat Con Edison made a surprising decision. The company plunged headlong into its plans for the construction of the first privately owned nuclear power station in the Nation, at Indian Point, on the Hudson River. Con Ed refused all Government assistance and subsidies, except for the $500 million Federal indemnity insurance that is mandatory under the Price-Anderson Act. It also rejected the thought that it might share the cost of a pilot plant with other public utilities, as was done by utilities in New England and the Midwest.

The first estimate for Con Ed's spectacular plant was $55 million. But it was plagued by engineering difficulties, took 4 years to build, and finally cost $127 million. A conventional plant of the same capacity would have cost about $190 per kilowatt of capacity; Indian Point cost between $450 and $500 per kilowatt. To make matters worse, the State public service commission has decided not to include the plant in the company's rate base. "There simply is not sufficient evidence," said the commission, "to reach a proper conclusion on appropriate and proper treatment of the costs of Indian Point operations, either capital costs or operational costs."

IF AT FIRST YOU DON'T SUCCEED

Despite the jolting experience with its first nuclear plant, Con Ed is determined to try again. It is convinced that in its area, where fuel costs are high, nuclear power will be competitive with energy produced from coal or oil. This summer Con Edison expects to receive a construction permit from the Atomic Energy Commission for an 873,000-kilowatt plant that will be located near Indian Point I. This time, however, having been burned when it acted as its own general contractor, Con Edison is buying a turnkey installation from Westinghouse at a cost of $125 per kilowatt. "By running Indian Point II at 80 percent of capacity," says Senior Vice President Mowton Waring, "we can deliver power at 5 mills, about as low as you can get with any conventional system."

Placing the plant 24 miles upriver from New York City is a bow to public opinion. In 1962, Con Edison applied for a license to build a nuclear plant in Queens, then had to abandon the project because of fierce public opposition. But executives like Waring are so enthusiastic about nuclear power that they plan to make another attempt to locate a generator within city limits in the 1970's. Such a plant would enable Con Edison to scrap some of its inefficient coal-burning stations. (Steam from the boilers could also be sold for heating and air conditioning.) "We're going to fight to put the next nuclear plant right in the city," says Waring. "We know it's safe, and the Atomic Energy Commission is convinced. The public has yet to be persuaded."

Another of Con Ed's ambitious projects whose outcome is questionable is the proposed construction of a 2-million-kilowatt pumped-storage plant at Cornwall, 8 miles upriver from the nuclear generator. On paper, this hydroelectric scheme seems to make sense: it would, Con Edison told the Federal Power Commission, provide large blocks of power at low cost, alleviate air pollution, provide reliability of service, pave the way for use of large nuclear plants, and improve the company's bargaining position in purchasing other fuels. "I do not know of any project the company has undertaken," intoned Harland Forbes, "that offered so many benefits of such great significance to the public as the company's Cornwall pumped-storage project."

THE EVER STUBBORN CITIZENRY

But in this case also the public has yet to be persuaded. Although the FPC granted a permit for the construction of the $162 million plant, conservationists carried the case to the Second Circuit Court of Appeals, which has set aside the FPC decision. The

FPC must now, at the direction of the court, undertake a study of other methods of power generation, such as gas-turbine plants. Nobody at Con Edison is betting on the final decision.

Besides giving consideration to the Cornwall project, Con Edison has been negotiating with the Quebec Hydro Electric Commission for the purchase of 1,500,000 kilowatts of Canadian power. Talks have bogged down on costs ("We're about half a mill apart," says a Con Edison executive). However, in a prospectus issued last November, the company said that conditions are promising for the importation of Canadian power sometime in the 1970's.

Currently Con Edison is revamping its system to guard against another disaster like the November blackout. The company has purchased 28 diesel generator sets. They will provide an emergency source of power to insure a safe shutdown of turbine generators and help start up smaller units. Larger generators have been ordered to provide start-up power for units in the newer stations. Company executives are also working out a method of providing emergency power for the city subway system. The cost of this backup service will be an estimated $10 million.

All this expansion is intended to do more than just to supply the needs of Con Edison's customers. By extending capacity and its high-voltage ties with other utilities, the company hopes to become a major regional supplier of power. It is already connected with upstate New York and New England. A new interconnection will link Con Ed with plants in Pennsylvania, Maryland, New Jersey, and New York. The benefits of such interconnections are obvious: each utility can use the most economical source of power within the pool, and large generating plants can be operated at high capacity.

In the past Con Ed attempted to acquire the neighboring Long Island Lighting Co., a more profitable utility with both the industrial and residential growth that Con Edison lacks. Both attempts were blocked, first by the regulatory agencies, and then by Long Island Lighting's directors. But with the promise of high-voltage interconnections, Eble no longer see a need for the acquisition. "We can really get the same results under separate managements through cooperation and joint planning," he explains. "That way, you don't get into trouble politically, and you don't antagonize people."

THE PLEASANTNESS OF CHANGE

This state of affairs would be a nice change for Con Ed, many of whose customers feel a good deal of antagonism at the moment. The long series of rate increases has brought some customers, at least, to the belief that they are being penalized for management's ineptitude. Some of the largest real estate companies in the city evidently shared that view. The real estate companies, banding together in the Owners Committee on Electric Rates, Inc., have spent $320,000 over a 12-month period fighting the company's last major rate application. Although the court of appeals upheld the $27 million increase, the group considers that its tactics were well worth the cost: The delay saved the group $22,500,000. Con Ed's growth depends on future construction in the city, and this battle has probably been a deterrent to other builders.

Charles Eble takes such opposition in stride. A prodigious worker, Eble has come to symbolize Con Edison to what he considers its most important constituents—Wall Street, the political power structure, and community organizations. In his spacious office on the 16th floor of Con Ed's command post, Eble puts in a 12-hour day, mainly on financial matters. Since the company must borrow constantly for its construction program, Eble juggles deftly to keep the capital structure in balance, to avoid an overload of debt, and to pave the way for an equity issue tentatively scheduled for 1967. And since all construction projects must be coordinated with other companies, Eble spends a considerable amount of time shoring up relations with other utility executives. Eble also lends his talents to a number of outside business and community organizations. Among other posts, he holds the position of chairman of the once moribund Greater New York Safety Council, designed to promote safety on the roads and in industry, and reactivated it by increasing its budget and by persuading some prominent businessmen to serve on the board.

Some of the intense pressures on Con Edison, and on its facilities, may be alleviated in a few years if the company's expansionary plans are translated into reality. But Con Ed also has a conspicuous weakness: a consistent reluctance to find within itself the reason for its consistent unpopularity. That failing is likely to endure, partly because the company has no visible second-line young managers to generate new ideas along with the generation of more power. Executive Vice President Otto Manz seemed to recognize the weakness when he said recently, "We're always the whipping boy. We just don't sit here in the tower and decide to do in the customers. We must find a way to show people that we don't have horns." In fact, the company has never proved—the way exemplary utilities such as American Electric Power and Detroit Edison have proved—that it is on the same side as the customers.

But then Chairman Eble thinks it has. "In a broad sense," he says, "the goals of Con Edison and the city are in harmony." Then in an odd twist he adds: "But you know, I'd never use Charlie Wilson's phrase, 'What's good for the company is good for the city.' "

After we are assured that a recurrence of the November blackout is remote, perhaps, one day soon, I hope, Fortune magazine will publish an article entitled: "Con Edison: The Company You Hate To Love."

FACTS AND FIGURES ON VIETNAM

Mr. JONES of North Carolina. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Stratton] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. STRATTON. Mr. Speaker, to quote a well-known military writer:

> A year or two ago a collapse (of the South Vietnamese army) would have been possible, but not today.

This is the opinion by Richard Fryklund, writing recently in the Washington Evening Star.

His article quotes officials as saying it is easy now to rule out a collapse of the South Vietnamese army and adds:

> It has never been in better shape. It is fighting at least as well as the enemy. It is growing. It is getting better equipment. Its morale is good.

The facts and figures given by this distinguished writer, and particularly the manner in which South Vietnam desertions are reported, seem most pertinent to our current discussion on developments in Vietnam. For that reason, I am taking the liberty of bringing the full text of Mr. Fryklund's article, from the March 1 issue of the Star, to the attention of my colleagues, as follows:

Viet Desertions: Figures and Facts

(By Richard Fryklund)

The Government of South Vietnam has added up the number of deserters from its armed forces during the last year. The total is more than 100,000.

In fact, South Vietnam has counted about 100,000 deserters annually for 3 years.

This is a huge number for a country that has only 675,000 men in all its forces, regular and home guard. In fact, any army that loses 100,000 men through desertions 3 years running simply cannot survive.

Clearly something here does not make sense. Either the Army of South Vietnam is collapsing or the figures are wrong or those men are not really deserters.

Washington officials say it is easy to rule out a collapse of the South Vietnamese Army. It has never been in better shape. It is fighting at least as well as the enemy. It is growing. It is getting better equipment. Its morale is good.

A year or two ago a collapse would have been possible, but not today.

Could the figures be wrong? Certainly not that wrong.

The South Vietnamese Army keeps pretty good statistics now, using methods taught by American military advisers.

The men are fingerprinted and photographed as they are enlisted. The roll is called every morning and anyone who does not answer "here" is put on the deserter list.

This is where we find a departure from the practices of the American forces. Here, a man is listed as "absent without leave" when he first fails to turn up and becomes a deserter only when it is clear that he does not intend to return.

But even if a missing South Vietnamese soldier returns the next day and apologizes for overstaying a pass, he still becomes a number on the desertion list. No one knows how many of the listed deserters are really AWOL, but there must be many of them.

Under the South Vietnamese system, a deserter can also be a man who transferred himself to another outfit without any legal formalities.

American advisers in South Vietnam say that it is common for a soldier, particularly a new recruit or a draftee, to leave his assigned base, return to his home village and reenlist as a home guardsman or even a regular.

He is listed as a deserter from his original outfit, but the South Vietnamese Government understands the deep feelings of a peasant for his home and for the graves of his ancestors and so it tolerates such transfers.

Some men, of course, are real deserters. They go over to the enemy or go home. What this true figure is, no one can say for sure. Pentagon estimates indicate it has been about 20,000 or 30,000 a year for several years.

This is a high desertion rate, too, but it also is misleading.

Men seem to desert without too many qualms and often without severe punishment from the armies on both sides in South Vietnam.

The Communist forces, regulars, irregulars and organizers who can bear arms, number about 235,000 men now. About 1,600 of these men deserted in January and came over to the Government's side. How many went home is not known. Through February 15, another 1,167 deserted.

On an annual basis, the enemy probably has a desertion rate therefore, of something like 5 or 10 percent. The South Vietnamese rate cannot be any higher.

It it probable, however, that the Vietcong rate is going up while the Government rate is going down. For the last 3 years, the strength of the Government forces has increased from 400,000 at the end of 1963 to 575,000 at the end of 1964 to 675,000 at the end of 1965. But the official desertion rate has been rather steady.

The present high rates on the enemy side are setting wartime records and may indicate an important new trend.

Despite desertions, both sides are able to maintain their strength and even grow, mostly by volunteers.

Draft figures on the enemy side are not known but the South Vietnamese regular armed forces have only 13 percent draftees—a figure comparable with that of the American army. All of the home guard forces, about 100,000 men, are volunteers.

The South Vietnamese people then, must be roughly as willing to fight for their village or country as are Americans.

If, even after all the corrections the desertion figures for South Vietnam cannot be easily reconciled with American experience, it may simply be because of differences in custom and outlook. The figures may always puzzle us, but they need not be cause for alarm.

AN HISTORICAL PERSPECTIVE ON THE VIETNAM DEBATE

Mr. JONES of North Carolina. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. STRATTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. STRATTON. Mr. Speaker, in the recent debates that have been taking place, both here and in the other body, some question has been raised as to whether historical parallels are really applicable. In that connection I believe a recent column by Mr. Kenneth Crawford, of the staff of Newsweek magazine, may be helpful. Perhaps is should also be borne in mind that Mr. Crawford has a long record of support for liberal causes.

The article from Newsweek for February 28, 1966, follows:

YET ANOTHER DEBATE

(By Kenneth Crawford)

The Vietnamese war debate is like the music that goes round and round and comes out here, exactly where it came out before. That is what happened with the campus debate last year. That is what is happening with the congressional debate now raging. When it is all over, the conclusion will be that no better alternative to the President's course—fighting a limited war while continuing the quest for peace—has emerged from the talk. The necessary funds will be voted. The bad business of war and the hopeful business of diplomacy will go on at the old stand.

At the end of the campus teach-ins, their more restrained leaders, those who did not favor a North Vietnamese takeover of South Vietnam, conceded that the United States couldn't honorably withdraw from southeast Asia until some kind of peace had been arranged. Responsible Senators are coming to the same conclusion, some of them belatedly. If the doves choose to believe that it was their protests that inspired the Johnson peace offensive and Secretary McNamara's announcement that Hanoi industry and Haiphong Harbor would not be bombed, nobody will begrudge them that satisfaction.

Senators who decide to vote for war appropriations out of a sense of obligation to the U.S. fighting men already in Vietnam while disavowing sympathy for the President's war policies out of considerations of political expediency will be understood, if not necessarily admired. As Senator WILLIAM FULBRIGHT has suggested in mitigation of his weakness on civil rights, a politician must make concessions to the prejudices of his constituents to survive in public life.

THE CRITICS' CASE

Actually, the area of disagreement between critics of Mr. Johnson as a war President and administration spokesmen is quite narrow. The critics' case is more clearly and thoughtfully delineated by Columnist Walter Lippmann than by witnesses appearing before the Foreign Relations Committee or by Senators speaking at the hearings and on the floor. In lucid newspaper commentaries printed last week, Lippmann agrees that "the containment of Red China today, like the containment of Stalinist Russia after the World War, is necessary to the peace of the world and is a vital interest of the United States."

But he goes on to say that the difference between successful containment of Stalinism after the Second World War and the present attempt to contain Red China lies in diplomatic policy. In the case of Europe, he contends, the United States led an alliance of Western Powers while in the case of China it is virtually alone. The fact is, however, that when Truman policy was initiated to save Greece from a Communist takeover, America's only active ally was Britain. Italy was paralyzed by communism, France by instability, and most other U.S. allies by a state of postwar shock.

CONFLICTING VIEWS

Lippmann opposed Truman policy at its inception in Greece as he now opposes what he believes to be too broad an Asian commitment. He advised American leaders not to get entangled "as partisans in a Greek civil war" until diplomatic explorations had been conducted in Moscow and satellite capitals and only then to consider defense of Crete and other maritime areas off the mainland. So he is consistent in saying, as he has, that the United States should recognize that it is a sea, not a land, power and comport itself accordingly in Asia.

Lippmann is against what he calls an unlimited commitment in Vietnam because he thinks the United States can't win without destroying the country, is making a land war with China well-nigh inevitable, and can't prevent similar wars elsewhere. All of which is reminiscent of his warning that Truman in Greece was projecting a vague global policy and an ideological crusade that has no limits. As it turned out, what Truman started in Greece saved Europe.

The President trusts that his Vietnam policy can do as much for south Asia. He is probably no stranger to the kind of forebodings Lippmann shares with several Senators, including FULBRIGHT. But the Commander in Chief cannot permit himself to be dominated and immobilized by a doomsday reading of the uncertain future. Like Truman, he will do the necessary and hope for the best.

CAB ZOOMS IN

Mr. JONES of North Carolina. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. ROONEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. ROONEY of Pennsylvania. Mr. Speaker, the February 26 issue of Business Week has a story I think all of us in Government should be interested in because it pertains to regulatory functions of the Civil Aeronautics Board.

Written by Bruce Agnew and entitled, "CAB Zooms in on Thriving Airlines," the article is an excellent story on the Board's role in promoting and regulating the airline industry. I am aware that the story has been well received both in the industry and at the Civil Aeronautics Board, an indication that the story is fair and accurate.

The article follows:

CAB ZOOMS IN ON THRIVING AIRLINES—WITH INDUSTRY PROFITS SOARING, THE AGENCY WINS PROMOTIONAL FARE CUTS, AND PREPARES TO COPE WITH LONG- AND SHORT-HAUL FARE DIFFERENTIALS, AND THE SUBSIDIZED LOCAL CARRIERS

Airline profits are the time and the tide that govern the affairs of the Civil Aeronautics Board.

Bad times mean CAB must play the role of solicitous parent, and try to nurse the industry back into the black even at the extreme of calling for fare boosts.

But good times mean elbow room to work in. These days, with airline profits soaring past 13 percent on invested capital, CAB is flexing its muscles.

The Board this month chalked up one major policy objective. Without bogging itself and the industry down in the costly redtape of a general fare investigation, it pressured airlines into proposing a package of promotional fare cuts that one airline estimates could save travelers $74 million a year—while attracting enough new business to increase revenues.

HOLDING THE LINE

The promotional fares, unforeseen outcome of a 7-month debate with industry over the traditional fare increases when new jets are brought into service, have satisfied the Board's demand for a "hold the line" policy. No new pressure on the overall fare level is likely.

However, the Board will devote increasing attention to two deep-rooted problems of adjustment and balance:

Should changes be made in the relationship between fares for long-distance and short-distance flights, possibly lowering the fares on some long hauls and boosting the price for some short hop?

Can the still-subsidized local service airlines be strengthened by changes in their route structures, even though the changes might mean more competition for the moneymaking long-haul airlines?

At the same time, the everyday run of business will present the Board with a series of policymaking opportunities. Among them:

Now in process or soon to get underway are four major route cases affecting the east coast, the Pacific Northwest-Southwest, and links with South America and across the Pacific.

Proceedings are on tap to develop a new subsidy formula for local service, to set a new nonsubsidy rate for carrying mail and to determine a new, probably reduced, rate for military passengers and freight.

In an international doubleheader next week, bilateral talks on air rights will begin with Britain, and international airlines flying the Pacific will begin meetings to discuss transpacific fares, which CAB for years has wanted to have chopped.

Any Board-induced adjustments in the fare structure will be selective and slow in coming. Chairman Charles S. Murphy—a longtime Government hand and former attorney for the Democratic National Advisory Council—says the staff "has just made a good beginning" in its study.

MAYBE A YEAR

"Maybe in 2 or 3 months we'll have something we want to get accomplished," Murphy says, "but I would not expect any major results in terms of changes being made for maybe a year."

The premise behind the CAB exploration, however, is simple. Long hauls are by their nature more profitable than short hauls. Maintenance, reservations, and other fixed costs can be spread thinner; even the planes can be operated more cheaply on a long, nonstop flight. But, says CAB member Whitney Gillilland, "at the same time, if we'd permit an air carrier to charge a profitable rate for a short haul, we'd probably drive him out of business."

Current fares reflect the disparity. In varying degrees, the long-haul earnings of the profitable trunks internally subsidize some of their shorter routes. And CAB directly subsidizes local service airlines, which just don't have enough long hauls to make ends meet.

OUT OF LINE

The degrees of such long- and short-haul differentials vary widely. And in a fare structure that was laid down, and is changed, route by route, there is a growing suspicion within CAB that some of the fares are out of line with the overall pattern.

"We think this thing is pretty much out of balance in the air carrier industry," says Gillilland, who was appointed to the Board by President Eisenhower in 1959 and served as Chairman in 1960 and 1961. But he adds: "We need to know more about it than we do now."

Not all the members of the Board are convinced that major changes are needed.

Airline spokesmen welcome the Board study. Murphy, for his part, has made clear that no decisions will be made on theory alone, in the vacuum of the CAB boardroom: "I suspect that before we reach any conclusions," Murphy says, "we will have some fairly extensive, comprehensive exchanges of views with the carriers—both written comment and oral discussion."

RESTRICTIONS

The problems of the local service airlines, which still require about $75 million Federal subsidies annually, reflect not only the difference in profitability between long- and short-haul flights but also another built-in handicap: System for system, the regionals are required to serve a much higher proportion of low-volume points than are the trunks.

There is no chance that the regionals will be able to fly without subsidy any time soon—or for that matter any time in the forseeable future. But with the new twin-engined jets, which can operate profitably on hops as short as 100 miles with a standard of service equal to that of the trunks, Board members see new opportunities for fattening local service route structures.

"Among the top 300 domestic markets," Murphy recently told a meeting of local service airline officials, "there are 101 markets under 300 miles in distance. These are markets for which your equipment and experience would appear especially adapted. Yet the total traffic in these markets is less than 6 percent of the trunkline revenue miles."

EASING UP

In more than half the markets Murphy has in mind, local service airlines are competitively hobbled by route restrictions, such as puddle-jumping requirements that make them touch down at cities en route instead of flying nonstop. But Murphy makes clear that the Board would consider pleas for authority to fly nonstop after making a minimum number of touchdowns daily at the cities en route—or in some cases even to break into a new short-distance market.

Such steps presumably would increase competition between the local service airlines and the trucks on some segments. Murphy and other Board members insist that the local service airlines' routes could be strengthened without biting deeply into the trunks' business.

"The trunks are so much bigger in relative terms than the local service carriers," Murphy says. "I think there's room to strengthen the routes of local service carriers without impairing the opportunities of the trunks."

RIVALRY

The prospect of increased competition apparently will not be a major bar. Vice Chairman Robert T. Murphy, appointed to the Board from the Senate Commerce Committee in 1961, notes: "I'd much rather depend on competition to do the regulating than on a series of rules, reading like an insurance policy, emanating from a regulatory body."

Whatever steps CAB takes are certain to be taken in close communication—perhaps even harmony—with the industry. In comparison with other regulatory agencies, the board has unusually close contact with company executives, and has easy access to unusually detailed management data.

Carriers subject to CAB regulation file quarterly financial reports so detailed that they even show the cost of inflight meals. The Board also can send its own auditors into airline offices to check the books—which it does regularly for subsidized airlines, and occasionally for the trunks.

TRAFFIC SURVEYS

The airlines also voluntarily submit surveys at passenger origin and destination, so that the Board can compile industrywide traffic figures. These are circulated among the airlines.

CAB depends heavily on all segments of the industry—manufacturers, airlines, and crew members' organizations—in its role as investigator of accidents. In major crashes CAB technical investigating groups are headed by Bureau of Safety staff experts but fleshed out by industry representatives. The practice serves two aims. It gives CAB investigators access to industry expertise, and it guards against snap conclusions about the probable cause of the crash.

CLUBBISH

Board staff officials tend to share one quality that eases communication with airline executives: They're aviation happy, to the clubbish degree of sporting aerospace tieclasps and dressing up their offices with plastic desk models of aircraft. A current favorite seems to be the Air Force's experimental supersonic RS-70.

The five Board members, all lawyers, came to the Board from different routes:

Chairman Murphy, who had served as an assistant to President Truman in 1947 to 1953, was moved to the CAB from the post of Under Secretary of Agriculture last summer.

Vice Chairman Robert T. Murphy, a Democrat whose term runs out at the end of this year, had served as an aid to the Aviation Subcommittee of the Senate Commerce Committee before his appointment by President Kennedy in 1961.

G. Joseph Minetti, a Democrat and senior member of the Board, had held a number of New York City positions and was a member of the Federal Maritime Board when nominated for the CAB by President Eisenhower in December, 1955.

Gillilland, an Iowa district judge in 1938 to 1941, served briefly in the Agriculture Department in the Eisenhower administration, and was chairman of the Foreign Claims Settlement Commission for 5 years before being named to the Board in 1959. He was CAB Chairman in 1960 and 1961.

John G. Adams moved up to Board membership last summer from the post of Director of the Board's Bureau of Enforcement.

NOTABLE SPEECH

The SPEAKER pro tempore (Mr. ALBERT). Under previous order of the House, the gentleman from Delaware [Mr. McDOWELL] is recognized for 15 minutes.

Mr. McDOWELL. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Delaware?

There was no objection.

Mr. McDOWELL. Mr. Speaker, the Philadelphia Inquirer has hailed the international leadership and distinguished public service of Mrs. Lyndon B. Johnson in her energetic campaign for highway and roadside beautification.

The paper says a recent speech she made in Denver did not deal in abstract theory but that it was "highly pertinent and applicable to imminent decisions in current highway planning."

I think we can all be grateful of the leadership being furnished along these lines and for the attention being given esthetic values. Because we are all concerned about these values, I insert the editorial on the subject in the RECORD:

[From the Philadelphia (Pa.) Inquirer, Feb. 27, 1966]

FIRST LADY'S ADVICE TO ROADBUILDERS

Mrs. Lyndon B. Johnson continues to provide inspirational leadership and perform distinguished public service in her energetic campaign for highway and roadside beautification. She directed some excellent advice in the right direction last week in an address to the American Road Builders Association, meeting in Denver.

The First Lady called for greater cooperation between Government agencies and the general public in planning highway projects. She urged that openminded and sympathetic hearing be given to citizens who seek to safeguard communities and landmarks against the ugliness and blight threatened by badly located or poorly designed highways. She appealed to highway planners to give more attention to "esthetic values."

We believe that Mrs. Johnson's remarks are timely and to the point. Public-spirited organizations and individuals—who are interested in making new highway construction as pleasing as possible to the eye, and compatible with surrounding landscape—find it enormously difficult to get their message across to the engineers who prepare highway plans, often with insufficient regard for scenic considerations.

A prime example, in Philadelphia, was the original "Chinese Wall" design for the Delaware Expressway, calling for an elevated monstrosity through the historic Independence Hall area. The design, after a hard fight, was modified, but there still is uncertainty whether the highway will be an unsightly open ditch or will have an attractively landscaped cover that will be a credit, instead of a detriment, to historic shrines nearby.

Mrs. Johnson's notable speech in Denver does not deal in abstract theory but is highly pertinent and applicable to imminent decisions in current highway planning.

MEKONG DELTA PITS HOME GUARD TROOPS AGAINST VIETCONG

Mr. McDOWELL. Mr. Speaker, it is becoming more and more apparent that the South Vietnamese are adopting a tried-and-true method of home guard defense. The article which I shall include in the CONGRESSIONAL RECORD as part of my remarks indicates that a system of what we have known for many years in this country as the National Guard under control of the several States is arising as a main force for defense in South Vietnam.

I submit the article at this point:

[From the Washington (D.C.) Post, Mar. 3, 1966]

MEKONG DELTA PITS HOME GUARD TROOPS AGAINST VIETCONG

(By Ward Just)

MYTHO, SOUTH VIETNAM, March 2.—More than the infantry regiments of the Army of South Vietnam, more than U.S. advisers or the jet-powered bombers of the Air Force, the war in the Mekong Delta is fought by low-paid, lightly equipped, erratically trained troops called regional forces and popular forces.

They get almost no publicity, but to the extent that there is stability and security in the Delta, the PF and RF are the reasons. "They are the most courageous people here," says Maj. Homer Stapleton, an American adviser to PF units.

In the 40-square-mile subsector called Chauthanh, which includes the capital of Dinhtuong Province, Mytho, there is an 86-man company of regional forces and 800 in the popular forces. These troops are spread over 30 outposts in the subsector.

RECRUITING DIFFICULT

It is indicative of the difficulty of recruitment, and the subsequent leanness of the PF and RF units, that the subsector chief, Maj. Ho Van Trinh, is authorized 17 companies of RF and has 1.

The reasons are partly pay (an RF soldier receives less than $35 a month, even with a wife and child. Popular forces earn less than that, and both must provide food and lodging even when on an operation) and partly the terms of employment. They play a very dangerous game.

Regional forces are at the disposal of the district or province chief, and are sent on patrols or used as a security force following large ARVN operations. Popular forces, recruited from the towns and villages where they live, are posted as a kind of home guard. Popular forces are controlled by the subsector chief.

In the delta, where the military situation has been mostly static for the past year after a long deterioration, the PF and RF forces are the most vulnerable. The Government controls the major population centers, and most of the roads, but the Vietcong controls the countryside and there are vast tracts of Dinhtuong Province in which the enemy moves freely.

OUTPOSTS ATTACKED

Every night, at official briefings in Saigon, there are two or three sentences devoted to this or that outpost which was hit or overrun with a few casualties—and with the Vietcong withdrawing at daybreak. The PF or RF defenders then move back in.

The point is that in the delta, the Vietcong can seize—for the moment—almost anything they want to seize. Their firepower and their training is superior to both PF and RF forces. ARVN troops are often unavailable. There are no U.S. units in the delta, only advisers.

The PF static defense posts are sometimes only that: static posts around which the Vietcong move freely, on a kind of you-leave-me-alone and I-will-leave-you-alone basis.

Major Trinh, an ARVN veteran, has been building up new outposts at the so-called New Life Hamlets that are strung around Mytho.

These are supposedly secure areas in which peasants can live without fear of Vietcong terror or taxes.

One of these outposts is at Luongthien, a neat, carefully laid out, narrow string of grass huts. It is on the main route from Saigon to Mytho, and extends perhaps 2,000 yards in from the road, across narrow canals, through palm groves and tree stands.

At the outermost edge stands the Popular Force fort. It is made of dried mud and contains 20 men. Three strings of barbed wire surround it.

The men are equipped with M-1 rifles, grenades, a few Thompson submachineguns, and a Browning automatic rifle. The fort, with its peepholes for weapons, its barbed wire, its trenches and battered yellow and blood-red flag, looked like a movie set for a bad Rider Haggard novel.

In the silence of the noon heat, the men had been lying in hammocks and listening to transistor radios. The atmosphere was tranquil.

This is in an area that is secure enough for the Vietcong that they sometimes use it as a rest and recreation center. One hundred yards east, the territory is theirs. Last month, in actions in the subsector, the Vietcong lost 68 dead, the PF and RF lost more than 100 killed, wounded, and missing in action.

MOVE OUT AT NIGHT

But the 200 people of the Luongthien hamlet are said to feel secure. In the evenings, the 20 men of the popular forces shoulder their weapons and move off into the banana groves in small units. They camp there overnight, waiting and listening for a Vietcong attack on the hamlet, and return at dawn.

It was explained that they could not stay in the fort itself, for the fort is vulnerable to mortar fire.

"They are much safer if they disperse," said an American major advising Trinh, "and they are in a much better position to trip Charlie if he tried an attack on the hamlet."

What the major said was substantiated by his associates and by the Vietnamese with whom he works.

Yet it was an indication of the state of Dinhtoung Province that Government forces, even in a fort, are not safe from attack. And it is an indication of their courage that they remain.

VIET GENERAL OPPOSES ROLE FOR GI'S IN DELTA

SAIGON, March 2.—Gen. Dang Van Quang, commander of the South Vietnamese 4th Corps area—the Mekong Delta where American combat troops have not been committed—has given notice that he'd like to keep it that way.

The delta, the richest rice-growing area in South Vietnam with a population of about 5 million, is the only one of South Vietnam's four Corps areas defended entirely by Government troops.

In the 1st Corps area, for instance, around Da Nang, there are more American Army and Marine troops than there are Vietnamese troops.

Quang is reportedly concerned about an American "pacification" program that might bring a great invasion of U.S. advisers into the area.

In an interview with the Agence France Presse, Quang said he feels that the "presence of foreign troops in the delta may give the Vietcong the pretext to propagandize that the Americans are replacing the French in that area."

ALIEN VETERANS—FULFILLING AN OBLIGATION

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. ROONEY] is recognized for 10 minutes.

Mr. ROONEY of New York. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROONEY of New York. Mr. Speaker, a week ago President Johnson signed into law the cold war GI bill which extends benefits, similar to those granted World War II and Korean veterans, to veterans who have served after 1955. In keeping with this spirit I today have introduced legislation which would grant to aliens serving in the U.S. Armed Forces after January 1, 1963, exemptions from the normal naturalization process.

This country has led the way for the world in caring for her veterans and survivors. It has in the past, out of gratitude, welcomed alien veterans who have borne the battle as true sons. This privilege should not be denied to those who already have fought, and are still to fight, in Vietnam. The dying there is no easier than it was in the Argonne Forest, the Battle of the Bulge, or Porkchop Hill.

If we can draft a man who is not a citizen and send him off to Vietnam or elsewhere to fight for this country, the very least we can do in return is offer him the chance to immediately enjoy the benefits of citizenship. We have passed legislation in the past to advance this privilege to aliens who fought in World War I, World War II, and Korea. It is fitting that we do the same for those called upon to presently serve.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. RONCALIO, for 6 days, on account of death of Jane Hynds Griffith, of Cheyenne, Wyo.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. WILLIAMS, for 20 minutes, today.

(The following Members (at the request of Mr. JONES of North Carolina) to revise and extend their remarks and to include extraneous matter:)

Mr. McDOWELL, for 15 minutes, today.

Mr. ROONEY of New York, for 10 minutes, today.

Mr. WILLIAMS, for 30 minutes, on March 10.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. MADDEN and to include his statement before the Banking and Currency Committee.

(The following Member (at the request of Mr. HANSEN of Idaho) to revise and extend their remarks—and include extraneous matter:)

Mr. MORSE.

(The following Member (at the request of Mr. JONES of North Carolina) and to include extraneous matter:)

Mr. ANNUNZIO.

Mr. MOORHEAD.

Mr. CALLAN.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 2266. An act to authorize the Attorney General to transfer to the Smithsonian Institution title to certain objects of art; to the Committee on Interstate and Foreign Commerce.

S. 2540. An act to authorize the conclusion of an agreement for the joint construction by the United States and Mexico of an international flood control project for the Tijuana River in accordance with the provisions of the treaty of February 3, 1944, with Mexico, and for other purposes; to the Committee on Foreign Affairs.

S. 2729. An act to amend section 4(c) of the Small Business Act, and for other purposes; to the Committee on Banking and Currency.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 2627. An act for the relief of certain classes of civilian employees of naval installations erroneously in receipt of certain wages due to misinterpretation of certain personnel instructions.

ADJOURNMENT

Mr. JONES of North Carolina. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 20 minutes p.m.) the House adjourned until tomorrow, Thursday, March 10, 1966, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2160. A letter from the Deputy Secretary of Defense, transmitting reports covering the same number of violations of section 3679, Revised Statutes, and Department of Defense Directive 7200.1, "Administrative Control of Appropriations Within the Department of Defense," pursuant to the provisions of section 3679(i)(2), Revised Statutes; to the Committee on Appropriations.

2161. A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to amend the act of October 4, 1961, in order to facilitate the efficient preservation and protection of certain lands in Prince Georges and Charles Counties, Md., and for other purposes; to the Committee on Interior and Insular Affairs.

2162. A letter from the Chairman, Federal Trade Commission, transmitting the 51st annual report of the Commission, for the fiscal year ended June 30, 1965; to the Committee on Interstate and Foreign Commerce.

2163. A letter from the Attorney General, transmitting a draft of proposed legislation to establish a Commission on Revision of the Federal Criminal Laws; to the Committee on the Judiciary.

2164. A letter from the Attorney General, transmitting a draft of proposed legislation to establish a consolidated Federal corrections system, and for other purposes; to the Committee on the Judiciary.

2165. A letter from the Attorney General, transmitting a draft of proposed legislation to amend the Law Enforcement Assistant Act of 1965, and for other purposes; to the Committee on the Judiciary.

2166. A letter from the Secretary of the Army, transmitting a report of claims settled during fiscal year 1965, pursuant to the provisions of title 10, United States Code; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. THOMPSON of New Jersey: Joint Committee on the Disposition of Executive Papers. House Report No. 1311. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. SAYLOR:

H.R. 13417. A bill to amend the act of October 4, 1961, to facilitate the efficient preservation and protection of certain lands in Prince Georges and Charles Counties, Md., and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ABERNETHY:

H.R. 13418. A bill to amend title 38 of the United States Code to permit certain increased amounts received as a result of enactment of the Social Security Amendments of 1965 to be disregarded in computing income for the purpose of determining eligibility for a veteran's or widow's pension under title 38; to the Committee on Veterans' Affairs.

By Mr. ASPINALL:

H.R. 13419. A bill to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource development proposals; to the Committee on Interior and Insular Affairs.

By Mr. COLLIER:

H.R. 13420. A bill to provide that the United States shall make no payments or contributions to the United Nations for furnishing assistance to Communist countries; to the Committee on Foreign Affairs.

By Mr. COOLEY:

H.R. 13421. A bill to amend the Agricultural Act of 1949, as amended, and for other purposes; to the Committee on Agriculture.

By Mr. DYAL:

H.R. 13422. A bill to establish a U.S. Committee on Human Rights to prepare for participation by the United States in the observance of the year 1968 as International Human Rights Year, and for other purposes; to the Committee on Foreign Affairs.

By Mr. FASCELL:

H.R. 13423. A bill to amend the Older Americans Act of 1965 in order to provide for a National Community Senior Service Corps; to the Committee on Education and Labor.

By Mr. FINO:

H.R. 13424. A bill to amend the Economic Opportunity Act of 1964 to place limitations on the amount which may be expended for housing accommodations and meal allowances; to the Committee on Education and Labor.

By Mr. WILLIAM D. FORD:

H.R. 13425. A bill to provide for the strengthening of American educational resources for international studies and research; to the Committee on Education and Labor.

By Mr. FRASER:

H.R. 13426. A bill to authorize the Secretary of Agriculture to regulate the transportation, purchase, sale, and handling of dogs and cats in commerce; to the Committee on Agriculture.

By Mr. FULTON of Pennsylvania:

H.R. 13427. A bill to provide a permanent special milk program for children; to the Committee on Agriculture.

By Mr. GILLIGAN:

H.R. 13428. A bill to establish a U.S. Committee on Human Rights to prepare for participation by the United States in the observance of the year 1968 as International Human Rights Year, and for other purposes; to the Committee on Foreign Affairs.

By Mr. GURNEY:

H.R. 13429. A bill to amend section 161 of the Revised Statutes with respect to the authority of Federal officers and agencies to withhold information and limit the availability of records; to the Committee on Government Operations.

By Mr. MACHEN:

H.R. 13430. A bill to amend the act of October 4, 1961, to facilitate the efficient preservation and protection of certain lands in Prince Georges and Charles Counties, Md., and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MILLS:

H.R. 13431. A bill to extend the Renegotiation Act of 1951; to the Committee on Ways and Means.

By Mr. PEPPER:

H.R. 13432. A bill to amend section 201(c) of the Federal Property and Administrative Services Act of 1949 to permit further Federal use and donation of exchange sale property; to the Committee on Government Operations.

By Mr. RODINO:

H.R. 13433. A bill to provide a permanent special milk program for children; to the Committee on Agriculture.

By Mr. RONCALIO:

H.R. 13434. A bill for the establishment of a Civilian Aviation Academy; to the Committee on Interstate and Foreign Commerce.

H.R. 13435. A bill to establish a National Highway Traffic Safety Center to promote research and development activities for highway traffic safety, to provide financial assistance to the States to accelerate highway traffic safety programs, and for other purposes; to the Committee on Public Works.

By Mr. ROONEY of New York:

H.R. 13436. A bill to amend the Immigration and Nationality Act and for other purposes; to the Committee on the Judiciary.

By Mr. SCOTT:

H.R. 13437. A bill to extend and amend the Library Services and Construction Act; to the Committee on Education and Labor.

By Mr. SICKLES:

H.R. 13438. A bill to authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs, cats, and other animals intended to be used for purposes of research or experimentation, and for other purposes; to the Committee on Agriculture.

By Mr. STRATTON:

H.R. 13439. A bill to provide a permanent special milk program for children; to the Committee on Agriculture.

H.R. 13440. A bill to amend the Public Works and Economic Development Act of 1965 to extend for an additional year the eligibility of certain areas of substantial unemployment; to the Committee on Public Works.

By Mr. TODD:

H.R. 13441. A bill to promote international trade in agricultural commodities, to combat hunger and malnutrition, to further economic development, and for other purposes; to the Committee on Agriculture.

By Mr. WOLFF:

H.R. 13442. A bill for the establishment of a Civilian Aviation Academy; to the Committee on Interstate and Foreign Commerce.

By Mr. ASPINALL:

H.R. 13443. A bill to require that certain officers in the Department of the Interior and the Department of Agriculture be filled by appointment by the President by and with the advice and consent of the Senate; to the Committee on Interior and Insular Affairs.

H.R. 13444. A bill to authorize the Secretary of the Interior to establish a National Visitor Center and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BENNETT:

H.R. 13445. A bill to provide for a congressional comptrollership to promote fiscal responsibility in the Federal Government; to the Committee on Government Operations.

By Mr. BINGHAM:

H.R. 13446. A bill to provide for the establishment and operation of a National Registry of Art for the purpose of maintaining and administering records relating to the origin, transfer, and ownership of works of art; to the Committee on House Administration.

By Mr. DINGELL:

H.R. 13447. A bill to authorize the Secretary of the Interior in cooperation with the States to preserve, protect, develop, restore, and make accessible estuarine areas of the Nation which are valuable for sport and commercial fishing, wildlife conservation, recreation, and scenic beauty, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. DULSKI:

H.R. 13448. A bill to amend title 39, United States Code, with respect to mailing privileges of members of the U.S. Armed Forces and other Federal Government personnel overseas, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HELSTOSKI:

H.R. 13449. A bill to provide a special milk program for children; to the Committee on Agriculture.

H.R. 13450. A bill to amend title XI of the National Defense Education Act of 1958 to permit the Commissioner of Education to carry on institutes to improve the qualifications of junior college teachers; to the Committee on Education and Labor.

H.R. 13451. A bill to provide for the strengthening of American educational resources for international studies and research; to the Committee on Education and Labor.

H.R. 13452. A bill to amend the Older Americans Act of 1965 in order to provide for a National Community Senior Service Corps; to the Committee on Education and Labor.

H.R. 13453. A bill to amend the Public Health Service Act to provide for the establishment of a National Eye Institute in the National Institutes of Health; to the Committee on Interstate and Foreign Commerce.

By Mr. MORRISON:

H.R. 13454. A bill to amend title 39, United States Code, with respect to mailing privileges of members of the U.S. Armed Forces and other Federal Government personnel overseas, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. RHODES of Pennsylvania:

H.R. 13455. A bill to amend title XVIII of the Social Security Act to provide payment for podiatrists' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. RIVERS of South Carolina:

H.R. 13456. A bill to authorize appropriations during the fiscal year 1967 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and research, development, test, and evaluation for the Armed Forces, and to maintain parity between military and civilian pay, and for other purposes; to the Committee on Armed Services.

By Mr. WYATT:

H.R. 13457. A bill to authorize the Secretary of the Interior to develop, through the use of experiment and demonstration plants, practicable and economic means for the production by the commercial fishing industry of fish protein concentrate; to the Committee on Merchant Marine and Fisheries.

By Mr. HORTON:

H.J. Res. 886. Joint resolution designating February of each year as American History Month; to the Committee on the Judiciary.

By Mr. HOWARD:

H.J. Res. 887. Joint resolution authorizing and directing the National Institutes of Health to undertake a fair, impartial, and controlled test of Krebiozen; and directing the Food and Drug Administration to withhold action on any new drug application before it on Krebiozen until the completion of such test; and authorizing to be appropriated to the Department of Health, Education, and Welfare the sum of $250,000; to the Committee on Interstate and Foreign Commerce.

By Mr. GRIFFIN:

H. Res. 756. Resolution expressing the disapproval of the House of Representatives of Reorganization Plan No. 1 of 1966; to the Committee on Government Operations.

MEMORIALS

Under clause 4 of rule XXII,

417. The SPEAKER presented a memorial of the Legislature of the State of Hawaii, relative to the proposed cutback of Federal funds for education in Federal impact areas; to the Committee on Education and Labor.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BATES:

H.R. 13458. A bill for the relief of Guiseppa Scarpino; to the Committee on the Judiciary.

By Mr. BENNETT:

H.R. 13459. A bill for the relief of Cecil A. Rhodes; to the Committee on the Judiciary.

By Mr. DADDARIO:

H.R. 13460. A bill for the relief of Lucia Amenta and Gaetano Amenta; to the Committee on the Judiciary.

By Mr. MULTER:

H.R. 13461. A bill for the relief of Mrs. Carmela Ciofalo and her minor son, Vincenzo Ciofalo; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 13462. A bill for the relief of Gianiale and Anna Russo; to the Committee on the Judiciary.

By Mr. PEPPER:

H.R. 13463. A bill for the relief of Alberto Vadra; to the Committee on the Judiciary.

SENATE

WEDNESDAY, MARCH 9, 1966

The Senate met at 11 o'clock a.m., and was called to order by the Acting President pro tempore (Mr. METCALF).

Rev. Elgar C. Soper, minister, Oxon Hill Methodist Church, Washington, D.C., offered the following prayer:

Eternal Father, to whom belongeth thanksgiving and praise, unto Thee we lift our eyes and our hearts, for from Thee cometh our much-needed help.

In contrition the people of our Nation would bow. Much of Thy love hath reached us but so little of that love hath been revealed through us to others. Prompt us this day to amend all that is amiss in our lives. Teach us the distinction between true patriotism and national vanity. Remove from our eyes blinders that keep us from seeing our failures as a nation, especially in our relationships with other nations and peoples. Wherein we have misused our power, or have wasted our wealth in the midst of dire human need, do Thou forgive. Through our repentance may we find pardon, and in our pardon find the will to strive for the perfect way which is in Christ Jesus, our Lord.

Grant, we beseech Thee, Thy favor upon this assembly of statesmen. Because their loads are heavy and their choices are hard, we covet for them understanding hearts, endless patience, complete charity. May nothing happen this day to weaken the ties that bind them, and us, as one people. Above all, help them to linger long at their own altars of private prayer, until Thy will is discerned for every issue they face. As we venture forth to our manifold tasks this new day, we pray the prayer of another:

"Dear Master, in whose life I see
All that I would, but fail to be;
Let Thy clear light forever shine,
To shame and guide this life of mine.
"Though what I dream and what I do
In my weak days are always two,
Help me, oppressed by things undone
O Thou whose deeds and dreams were one."

Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, March 8, 1966, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF JOINT RESOLUTION

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries, and he announced that on March 8, 1966, the President had approved and signed the joint resolution

(S.J. Res. 9) to cancel any unpaid reimbursable construction costs of the Wind River Indian irrigation project, Wyoming, chargeable against certain non-Indian lands.

THE WAR ON CRIME—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 407)

The **ACTING PRESIDENT** pro tempore. The Chair lays before the Senate a message from the President of the United States relating to the war on crime. Without objection, the message will be printed in the RECORD, without being read, and appropriately referred.

The President's message was referred to the Committee on the Judiciary, as follows:

To the Congress of the United States:

Crime—the fact of crime and the fear of crime—marks the life of every American.

We know its unrelenting pace:

A forcible rape every 26 minutes;

A robbery every 5 minutes;

An aggravated assault every 3 minutes;

A car theft every minute;

A burglary every 28 seconds.

We know its cost in dollars—some $27 billion annually.

We know the cost it inflicts on thousands—in death, injury, suffering, and anguish.

We know the still more widespread cost it exacts from millions in fear:

Fear that can turn us into a Nation of captives imprisoned nightly behind chained doors, double locks, barred windows.

Fear that can make us afraid to walk city streets by night or public parks by day.

These are costs a truly free people cannot tolerate.

The war against crime may be slowing its increase for the moment. The most recent report of the Federal Bureau of Investigation shows a 5-percent increase for 1965; compared to a 13-percent increase for 1964.

But we can take little comfort from such facts. We must not only slow, but stop—and ultimately reverse—the rate of crime increase.

The entire Nation is united in concern over crime. The entire Nation shares in the resolution to deal effectively with crime. But national concern is not enough. National resolution is not enough.

We must match our will with wisdom. We must match our determination with effective action.

The safety and security of its citizens is the first duty of government.

Today, therefore, I call on the Congress and the Nation to join in a three-stage national strategy against crime, welding together the efforts of local, State, and Federal Governments.

WHAT WE HAVE DONE

This administration—with the support of this Congress—is committed to assist local authorities. For the first time in our history, an administration has pledged to the American people that the growth of crime—local, State, and National—will be checked.

We are working in a creative Federal partnership to fulfill that pledge.

1. The Law Enforcement Assistance Act, passed last fall, provides a sound foundation upon which we can now build. Under its imaginative scope, we have already launched local and Federal action—generations overdue—to modernize not only police work but all aspects of the system of criminal justice.

2. The Prisoner Rehabilitation Act, passed last fall, is the most significant legislative reform in modern American penology. Hundreds of prisoners already are working in daytime jobs as they finish their sentences at night. They are learning job skills that will bring dignity to themselves and support to their families.

3. The National Crime Commission and the District of Columbia Crime Commission, established last year, have launched searching studies into the causes of crime and our present shortcomings in dealing with it.

4. The Federal Bureau of Investigation is expanding its National Academy sixfold. It will soon be able to train 1,200 rather than 200 law enforcement officials each year. It will provide special training for an additional 1,000 officers.

5. Federal efforts against organized crime have continued to increase. Racketeering indictments last year rose to a record 674, compared with 535 in 1964 and only 19 in 1960.

A UNIFIED ATTACK

These programs are only initial steps on a long road. But they advance us far enough to see down that road more clearly.

And the plainest fact we can see is that piecemeal improvements will not be enough.

The need is not new. We have simply failed to meet it.

Despite the warnings of our law enforcement officials, years of public neglect have too often left the law enforcement system without necessary resources and public support.

Despite the devotion of our law enforcement officials, our law enforcement system does not deter enough of those who can be deterred. It does not detect and convict enough of those who cannot be deterred. It does not restore enough rehabilitated offenders into the law-abiding community.

Despite the dedication of our law enforcement officials, reforms too often defeat themselves because they do not go far enough.

There is a fundamental lesson we have too often ignored.

The problems of crime and law enforcement are closely interrelated.

One interlocking tie is within the very system of law enforcement.

Making police more effective is fruitless—if we continue to permit the overburdening of judges and the clogging of courts.

Increasing the number of judges is futile—if the number of competent prosecutors and defense attorneys remains inadequate.

An expanded judiciary cannot take advantage of modern thinking in sentencing—if new correctional facilities are not provided.

The best correctional programs will fail—if legitimate avenues of employment are forever closed to reformed offenders.

A second interlocking tie between all law enforcement problems is geographical.

Crime does not observe neat, jurisdictional lines between city, county, State, and Federal governments.

Failure of a correctional system in one State may have a decided impact on the crime rate in another.

Shortcomings in Federal or State law enforcement make more difficult the work of a city police department in its fight against racketeering.

Devoted police work in a city is of little consequence if it merely drives criminals to the adjacent county.

To improve in one field we must improve in all. To improve in one part of the country we must improve in all parts.

We must mobilize all of the resources of our creative federal system if we are to repel the threat of crime to our common well-being. The problems of crime bring us together. We must make a common response. There is no other way.

OUR NATIONAL STRATEGY

Even as we join in common action, we know there can be no instant victory. We face an immense journey. Ancient evils do not yield to easy conquest. Modern criminology has yet to light many corridors.

We cannot limit our efforts to enemies we can see. We must, with equal resolve, seek out new knowledge, new techniques, and new understanding.

In the battle against crime, unity can give us strength. But strength can give us victory only if it is joined with a bold and clear plan for the future as well as the present.

I propose a three-stage national strategy.

The first stage is an agenda for immediate action. These are the legislative steps we already know are needed—steps that should be taken without hesitation or delay.

The second stage is development of a comprehensive agenda of direct steps based on experiment and assessment for the future.

The third stage is a still broader agenda, an attack not only against crime directly, but against the roots from which it springs.

These three stages involve varying resources and commitments. But we must proceed on each of them with equal force—and we must do so now.

FIRST: THE IMMEDIATE ATTACK

Each of the four aspects of law enforcement calls for reform. There are steps we can now take.

A. TO IMPROVE CRIME PREVENTION AND DETECTION

We must improve the quality of local law enforcement throughout the country.

The frontline soldier in the war on crime is the local law enforcement officer. Federal aid to law enforcement at the State and local level was made possible by the Law Enforcement Assistance Act of 1965. Police, court, correctional, and university authorities have responded to the newly created Office of Law Enforcement Assistance with hundreds of imaginative ideas and proposals.

A number of projects are now underway:

The management methods of modern industry will be adapted to law enforcement problems in a new management institute for police chiefs.

Several New England States are combining their efforts in police training by establishing the first regional leadership school in the Nation.

The first intensive national training institute for State directors of corrections will bring the advice of experts to all States in their efforts to break the cycle of criminal repeaters.

In support of these programs and the many others to follow, I am asking Congress to increase appropriations for the Law Enforcement Assistance Act from $7.2 to $13.7 million.

Even seeking the most imaginative reforms, however, underscores a fundamental truth: How well a job is done depends on the training and ability of the men who do it.

I have directed the Attorney General to—

Make grants to States, cities, and colleges and universities to elevate and intensify the training of law enforcement officers;

Provide grants for a management exchange program, enabling police officials to travel to other departments for on-the-spot studies of promising and effective approaches;

Provide grants to establish closed-circuit-television training programs to teach basic police subjects. The first such program, involving over 200 locations in a single State, is being launched now;

Establish an award program, in consultation with State and local officials, giving annual public recognition to outstanding police officers and others who make notable contributions to the field of law enforcement.

I recommend legislation to establish a program to send selected police officers to approved colleges and universities for a year of intensive professional study.

I recommend a loan-forgiveness program under the National Defense Education Act for students who wish to enter the law enforcement profession.

If crime is to be controlled, we must control the weapons with which so many crimes are committed.

We must end the easy availability of deadly weapons to professional criminals, to delinquent youth, and to the disturbed and deranged.

We must stop the flow of firearms into dangerous hands.

It is not enough to say that gun control is a State responsibility. States with gun-control laws now stand helplessly by while those laws are flouted daily by the unchecked sale of guns by mail.

Our Federal responsibility is clear. It is promptly to enact legislation, such as S. 1592, to regulate and control interstate traffic in dangerous firearms.

The front pages of our newspapers make us acutely aware of the human tragedies that flow daily from the unchecked purchase of firearms. Recent congressional hearings added abundant evidence of the gravity of this problem.

There is no need to curtail the right of citizens to keep arms for such traditional pastimes as hunting and marksmanship. But there is a pressing need to halt blind, unquestioned mail-order sales of guns, and over-the-counter sales to buyers from out of State whose credentials cannot be known.

Only the Federal Government can give the several States and cities their first real chance to enforce their own gun laws. We must do so without further delay.

We must bring the latest and most effective methods of law enforcement to the District of Columbia.

I have pledged to develop a program for the Nation's Capital covering all aspects of crime and crime prevention.

In the longer run, we will look to the recommendations of the President's Commission on Crime in the District of Columbia. In the meantime, there are several measures which can be carried forward.

I recommend a substantial increase in police salaries to attract and retain the best qualified officers in the District of Columbia.

I recommend a pistol registration act prohibiting the sale of deadly weapons to those who have been convicted of violent crimes, to those with a history of mental instability, and to habitual alcoholics.

To strengthen the capability of District authorities, I have asked the Attorney General to provide experimental funds to—

Revitalize the overburdened police communications system;

Develop a computerized crime information system for the entire metropolitan area;

Provide additional equipment to increase police mobility and patrol effectiveness.

B. TO FACILITATE THE PROSECUTION OF CRIMINALS

We must intensify our campaign against organized crime.

The most flagrant manifestation of crime in America is organized crime. It erodes our very system of justice—in all spheres of government.

It is bad enough for individuals to turn to crime because they are misguided or desperate.

It is intolerable that corporations of corruption should systematically flaunt our laws.

This concern already is deeply shared by Congress. Statutes enacted in recent years have greatly strengthened Federal authority to deal with racketeering. But another legislative tool is required.

Organized crime will stop at nothing to escape detection and prosecution. Torture and murder of witnesses, efforts to bribe prosecutors and jurors—these are not shocking exceptions. They are familiar racketeering techniques.

Such methods not only make it harder to prosecute racketeers—they poison the system of law enforcement itself. They require a strong antidote, and an important one is now pending in both Houses.

This legislation would expand the authority of the Department of Justice to immunize hostile but knowledgeable witnesses against prosecution and thereby enable them to testify without incriminating themselves.

Such immunity is already provided in laws covering a number of crimes. The pending legislation would extend it to such racketeering crimes as bribery, graft, bankruptcy fraud, jury tampering, and other schemes for the obstruction of justice.

We must modernize our criminal laws.

I propose the appointment of a Commission to conduct a comprehensive review of all the Federal criminal laws and to recommend total revision by 1968.

A number of our criminal laws are obsolete. Many are inconsistent in their efforts to make the penalty fit the crime. Many—which treat essentially the same crimes—are scattered in a crazy quilt patchwork throughout our criminal code.

The Commission will be composed of outstanding Americans, including Members of the Congress, officials of the executive branch, jurists, and members of the bar. This Commission will bring to us the most modern and rational criminal code.

We are a nation dedicated to the precepts of justice, the rule of law, and the dignity of man. Our criminal code should be worthy of those ideals.

C. TO ENHANCE JUSTICE IN OUR COURTS

We must reform our bail system.

The administration of criminal justice must be fair as well as effective.

Whether a person, released after arrest, is likely to flee before trial or endanger society is not determined by the wealth he commands. Yet all too often we imprison men for weeks, months, and even years—before we give them their day in court—solely because they cannot afford bail.

Effective law enforcement does not require such imprisonment.

To correct this injustice, I urge the Congress to complete action on the pending Federal Bail Reform Act and to give favorable consideration to the District of Columbia bail agency bill.

These measures will insure fairness. They will provide an enlightened model for those States and communities which have not already undertaken bail reform.

D. TO RECLAIM AND REHABILITATE LIVES IN OUR PRISONS

We must establish a rational, coordinated correctional system.

No national strategy against crime can succeed if we do not restore more of our first offenders to productive society. The best law enforcement has little value if prison sentences are only temporary and embittering way stations for men whose release means a return to crime.

Today that situation is all too prevalent. In the Federal system, 30 percent of all parolees revert to crime. In most State systems the percentage is substantially higher. The task of breaking this cycle must be part of our program.

At present, we administer the prison, parole, and probation functions partly in the executive branch and partly in the judicial branch. I believe the effectiveness of our corrections programs depends on a rational, coordinated, and unified approach.

Consolidating Federal correctional efforts can reduce the number of repeaters.

It can strengthen the training and performance of correctional officials.

It can produce a career service of the highest professional order.

I recommend that the Federal prison, parole, and probation functions be unified within the Department of Justice to consolidate our presently fragmented correctional system.

We must capitalize on the beginning already made in rehabilitating prisoners.

The importance of up-to-date vocational training for inmates is clear. Chronic underemployment often goes hand in hand with crime. In our Federal prisons, one of every three prisoners worked less than 6 months of the 2 years before confinement.

I am, therefore, directing the Secretary of Labor to develop effective ways to provide correctional institutions with job information for "good risk" parolees.

I am also directing the Chairman of the Civil Service Commission to reexamine the policies of all Federal Departments and agencies regarding the hiring of released "good risk" offenders. I am asking him to prepare progressive and effective policies to deal fairly and sensibly with them. I urge the States, local governments, and private industry to do the same.

We must deal realistically with drug addiction.

Drug addiction is a double curse. It saps life from the afflicted.

It drives its victims to commit untold crimes to secure the means to support their addiction.

Drug addiction has been a matter of Federal concern for more than a half century. The Bureau of Narcotics has pursued its enforcement duties energetically and effectively. Seizure of illegal narcotics and marihuana rose 62 percent from 1962 to 1965.

But our continued insistence on treating drug addicts, once apprehended, as criminals, is neither humane nor effective. It has neither curtailed addiction nor prevented crime.

Recognizing this, we have proposed legislation to authorize the civil commitment of certain addicts, while retaining full criminal sanctions against those who peddle and sell narcotics.

This measure can reclaim lives. It can begin to eliminate the driving hunger for drugs that leads so many into lives of crime and degradation.

I urge Congress to enact this legislation.

The Federal Government seeks to share its knowledge, its experience, and its research in this area. I have already asked the Secretary of the Treasury to develop materials which will enable local law enforcement organizations to train in far less time a far greater number of specialists in narcotics control.

I am today directing the Secretary of the Treasury to establish clinics in those cities where narcotics addiction is most prevalent to help train local law enforcement officials.

By enacting the Drug Abuse Control Amendments of 1965, Congress has demonstrated its concern over the illegal flow of nonnarcotic drugs. Traffic in these drugs offers a new source of income to the underworld and threatens our young people.

By these amendments, Congress has provided new weapons in the control of this traffic, and this administration will use them with determination. In my 1967 budget, I propose to double the funds for this program.

SECOND: A COMPREHENSIVE AGENDA

These various proposals are only beginning steps. If we knew today of measures to deal more effectively with crime, we would seek to adopt them. But we do not yet have the answers.

We must press forward for greater knowledge, better tools, and deeper insights. This is the task on which the National Crime Commission has already embarked. The Commission is composed of 19 distinguished citizens, judges, law enforcement officers, and other experts.

It is engaged in some 40 projects with State and local authorities.

It is drawing on the services of more than 200 of the Nation's leading police chiefs, judges, sociologists, and other specialists.

The Commission is—

Surveying key American cities to learn where and when certain kinds of crimes are committed, and which people are most likely to become victims. Such facts—now largely unknown—are essential to intelligent police work;

Consulting 2,200 law enforcement agencies to identify successful police methods developed by local initiative and imagination. Communities everywhere should know about and benefit from these methods;

Seeking new ways to break the logjams in our criminal courts, where crowded calendars are a daily reminder that too often justice delayed is justice denied;

Analyzing alternatives to traditional, costly—and unsuccessful—prison sentences, in the effort to reclaim young first offenders and break the spiral of repeated crime;

Studying the sources of public respect and support for local police and police attitudes toward all segments of the community. Without mutual respect, effective law enforcement is not possible;

Exploring, in conjunction with the Law Enforcement Assistance Office, how to bring the remarkable advances of modern science to effective application in law enforcement.

The computer has revolutionized recordkeeping in modern industry. Surely it can do as much for criminal records.

Modern electronics has made it possible to summon a doctor from his seat at the opera. Surely it can do as much to make police instantly responsive to public needs.

And there may well be yet unimagined contributions which science can bring to the field of law enforcement.

The Commission's final report, due next year, can help provide specific blueprints for our national strategy. Its work will help replace the crutches of slogans, habits, and reflex with the firm support of knowledge and fact.

No matter how creative or detailed the blueprint we develop, we cannot succeed without parallel concentration by State and local authorities. They must undertake detailed planning of their own for reforms that take account of their own special strengths, needs, and traditions.

Some States and cities have already begun to do so. There is much for us to learn from them. But in many areas, there is no such broad planning, no recognition of the need for a unified attack on crime.

Therefore, I am asking the Attorney General to work with the Governors of the 50 States to establish statewide committees on law enforcement and criminal justice.

Such State committees can assist—and be assisted by—the National Commission. They can stimulate the growth of public involvement and the development of a comprehensive anticrime agenda in every part of the country.

THIRD: ATTACKING CRIME AT THE ROOTS

A century ago, Thoreau wrote that "there are a thousand hacking at the branches of evil to one who is striking at the root." So it remains today.

The efforts I have described—more effective police action, more efficient courts, improved corrections, comprehensive planning for major reform—all are urgently needed.

And yet all of them together can permit us only to strike more quickly and surely at the branches. The roots of crime will remain.

An effective strategy against crime must also rest on a base of prevention. And that base can come only from action against the wellsprings of crime in our society.

Our commitment to insuring social justice and personal dignity for all Americans does not flow from a desire to fight crime. We are committed to those goals because they are right.

But social conditions which foster a sense of injustice or exploitation also breed crime. More than 30 years ago, Clarence Darrow observed:

> It is very seldom that anyone is in prison for an ordinary crime unless early in life he entered a path that almost invariably led to the prison gate. Most of the inmates are the children of the poor. In many instances they are either orphans or half-orphans; their homes were the streets and byways of big cities, and their paths naturally and inevitably took them to their final fate.

The programs now underway to eliminate the degradation of poverty, the decay of our cities, the disgrace of racial discrimination, the despair of illiteracy—are all vitally important to crime prevention.

At the same time, even as we seek to fight crime by fighting injustice, the ways we deal with crime should not foster further injustice:

Bail requirements need not add families to the welfare rolls.

Court procedures need not increase a sense of unfair and differential treatment.

Sentencing practices need not require that the poor go to jail while others pay fines.

Imprisonment need not result in loss of job skills.

Social injustice is not the sole reason for crime. Social justice is not the sole cure.

Even the broadest social programs cannot be panaceas. The lives and attitudes of persons long neglected do not change upon command. The effects of even the most energetic programs may be long in coming. The vast majority of our citizens who suffer poverty and discrimination do not turn to crime.

But where legitimate opportunities are closed, illegitimate opportunities are seized.

Whatever opens opportunity and hope will help to prevent crime and foster responsibility.

Effective law enforcement and social justice must be pursued together, as the foundation of our efforts against crime.

The proposals I am making today will not solve the problem of crime in this country. The war on crime will be waged by our children and our children's children. But the difficulty and complexity of the problem cannot be permitted to lead us to despair. They must lead us rather to bring greater efforts, greater ingenuity, and greater determination to do battle.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *March 9, 1966.*

ORDER FOR ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 11 o'clock tomorrow morning.

The **ACTING PRESIDENT** pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate tomorrow.

The **ACTING PRESIDENT** pro tempore. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING THE TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. MANSFIELD, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

VFW HONORS DIRKSEN

Mr. MANSFIELD. Mr. President, on *yesterday the distinguished minority* leader was given a most singular honor by the Veterans of Foreign Wars. It was an honor well deserved and well merited. I said a few words on the subject of this award a few days ago, and I now ask unanimous consent, Mr. President, *that I may have the pleasure of having* printed in the RECORD the introductory remarks by the commander in chief of the VFW and the remarks of the Honorable EVERETT MCKINLEY DIRKSEN, the minority leader of the Senate, on accepting the VFW award for outstanding *public service.*

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS BY MR. ANDY BORG, COMMANDER IN CHIEF, VETERANS OF FOREIGN WARS OF THE UNITED STATES, ON OCCASION OF PRESENTATION OF VETERANS OF FOREIGN WARS CONGRESSIONAL AWARD TO SENATOR EVERETT MCKINLEY DIRKSEN

Members of Congress, distinguished guests, ladies and gentlemen, it is now my honor to present the Veterans of Foreign Wars Congressional Award.

This is the third time an award has been made. The previous recipients were able, respected, and beloved Members of Congress. Senator HAYDEN, of Arizona, and the Speaker of the House of Representatives, Representative JOHN W. MCCORMACK, of Massachusetts.

There are many reasons why the Veterans of Foreign Wars decided to present the award this year to Senator EVERETT MCKINLEY DIRKSEN. He was a Member of the House of Representatives for 16 years. He became a Senator in 1950, and since 1959, he has served as the minority leader of the Senate.

Always he has demonstrated those characteristics of knowledge, ability, and hard work, so necessary to the successful functioning of our legislative system.

The list of good and lasting things Senator DIRKSEN has done for our country as a Member of Congress would fill a large book. They will be chronicled in the history books of our times.

Throughout his long service to our Nation he has demonstrated that rare ability to identify issues and decide what should be done about them. This is why he long ago clearly saw that it is communism that is determined to destroy freedom wherever it exists. This is why today he sees so clearly the necessity for defeating Communist aggression in South Vietnam.

But, there is one basic, fundamental reason why the Veterans of Foreign Wars Council of Administration unanimously voted that the Congressional Award should go to Senator DIRKSEN.

He is first, last, and always, a true patriot. This means:

He doesn't believe that patriotism is out of date.

He doesn't believe that it is old fashioned to fight for our country and the things it stands for.

He has lived by a very simple, but inspiring code: That love of country, like love of God, is a total and enduring personal commitment.

He believes in standing with and for the inspired principles which our Founding Fathers set forth in the Declaration of Independence and the Constitution. He believes these are principles that are worth living by, and if necessary, dying for.

And so does the Veterans of Foreign Wars.

Because of our deep admiration and appreciation for what you have done for our country and the cause of freedom—and which we hope you will continue to do for many years—it is my privilege, on behalf of the *Veterans of Foreign Wars of the United* States, to present to you, Senator EVERETT MCKINLEY DIRKSEN, this Veterans of Foreign Wars Congressional Award.

REMARKS OF HON. EVERETT MCKINLEY DIRKSEN, MINORITY LEADER, U.S. SENATE, ACCEPTING THE VFW AWARD FOR OUTSTANDING PUBLIC SERVICE

I am honored to be your guest. I am doubly honored with your award for outstanding public service. I can only hope that in modest measure, I merit this expression of esteem and confidence on the part of a great, farflung, patriotic organization.

The character and activities of the VFW give this award special significance and meaning to me. I am a member of the VFW post in my native city in Illinois. But over a third of a century of service in the Nation's Capitol, there has been ample opportunity to observe the work of your organization. Year by year, I become increasingly impressed *with your unselfish and patriotic service to* the Nation.

Fidelity to him who has borne the battle and to his widow and orphan has been your foremost concern. Always, you have valiantly championed the cause of those who served and sacrificed—so many of whom will all their days carry the ineffaceable marks of conflict.

Year in and year out, you have counseled that this Nation remain strong for only strength compels respect and generates prestige.

With rare diligence, you have been in the forefront in supporting policies designed to resist and stay the forces of godless communism.

Old fashioned and amusing as it may seem to the cynics and scoffers of our time, you have steadfastly asserted the principles of the Declaration of Independence and the freedoms established by the Constitution, knowing that therein lies the last best hope for preserving those ideals and principles.

Reverently have you taken to heart the kinship of the uniform and the sanctity of that fellowship, with those who wore it, with those who wear it now, and those who may be called upon to wear it in some future day.

Who then, great human segment of America that you are, more richly merits the right to a strong voice in finding solutions for the baffling problems which beset our land and especially those which affect our national security? Who can bring to these problems a greater competence and understanding than you who have served your country abroad and have been ever mindful of the Nation's future in a world that is aglow with fever and turbulence?

These are troubled times. These are days for prayerful concern for the cause of freedom and representative government. These are days when superficial thinking, polite nonsense, misguided views, and unfounded hopes can divert us from the business at hand.

That business is grim and undramatic. When it was proposed that Theodore Roosevelt be permitted to lead a division in World War I, it was President Wilson who vetoed the idea with this laconic observation. He said, "The business in hand is undramatic." And so it was. And so it is today.

Men write and speak so glibly of hawks and doves in assessing the present scene. How quaint that men in a world beset with ugly fevers and terrors in which young Americans, who in the language of Colonel McCrae in the conflict in which I served, "lived, felt dawn, saw sunset flow," and now stand on freedom's frontier in far-off jungles, should speak of doves? How odd, that men should so glibly write and speak of those as hawks because they seek to assert our prestige, carry out our solemn pledges, fulfill our treaty responsibilities, and give heed to the Macedonian cry of a weak and defenseless people.

But where is the American eagle in this strange lore of doves and hawks—that majestic bird who so truly symbolizes our hopes, our will, our strength, our purpose, and who knows the grandeur of freedom.

Consider for a moment just why young Americans fight and die in the tropic heat, the malaria-laden jungles and the monsoon mud, thousands of miles from home.

They serve to keep our word and redeem our pledges. They serve to give meaning to our treaty obligations. They serve freedom in a shrunken world, knowing that freedom is an indivisible boon to mankind. They serve to stay the ugly force of aggression.

Foggy and inconclusive thinking can always generate strange, unsound, and disastrous courses of action for the Nation to follow.

They speak of withdrawal and of retreat. They but sound the uncertain trumpet which leads to disaster.

They speak of the wrong war in the wrong place. I know of no better evidence that we neither initiated the struggle nor selected the place. They speak of having picked the wrong battlefield. Perhaps the enemy inadvertently forgot to consult us on that point before aggression began and the assault on the freedom and independence of Vietnam got underway.

Where freedom is involved, the issue will not be solved by withdrawal. Where aggression is involved, it will not be solved by retreat. Where an implacable foe is involved, any confession of weakness or show of disunity will command no respect at the conference table. No one knows better than the veterans of our foreign wars that victory and survival depend not on running but on winning.

If the history of warfare teaches anything, it is that the decisive battles which have affected the very course of history were not fought on some carefully selected battlefield agreed on in advance by the adversaries as being mutually advantageous.

On a small plain in ancient Greece, brave and badly outnumbered men fought and died to help save what is known as Western civilization. That was the Battle of Marathon.

The hope of the Founding Fathers in their struggle for independence and in fact their very personal destiny rested on a small but savage frontier at a place called Saratoga.

The decline of the powerful Spanish empire and the rise of this Nation as a world power was signaled by the naval battle at Manila Bay.

In World War II, the open door to Japanese expansion was slammed shut with a resounding bang at a little place scarcely known but now long and everlastingly remembered. That was at Guadalcanal.

Inchon in Korea was but a spot on the map and virtually unknown to any of our people. But it was there that General MacArthur smashed the Communist invasion of South Korea with one of the truly bold and brilliant amphibious operations in all history.

Many other illustrations could be offered to prove the point. And the point is simply this. Men and nations must expect a rendezvous with destiny at unexpected places and at unexpected moments.

Today, the scene is South Vietnam. If it were not there, it would be in some other place. But wherever it might be in the intense and unremitting struggle for freedom, there would be some to say in loud and emphatic tones: "It's the wrong place and the wrong time."

There is, of course, a way to make it the wrong place and the wrong time and that is for us to lose heart and a sense of mission, to follow the counsels of despair, and above all else to do the wrong thing.

And speaking of wrong things, could there be anything more wrong than inviting into a coalition government the very same savage terrorists who our young men are fighting and dying to keep out?

I for one believe that we are in a strategically sound position in Vietnam. True, it is far from home and the logistic problem becomes something of a burden.

Basically, it is a peninsular war. That makes it a maritime war. In World War II and again in Korea we demonstrated beyond all doubt how our superiority of sea gave us strategic advantages which were envied by the enemy. We have the equipment, the material, and we know how to use it. We can fight this kind of a war and we can win. What's more, it is far better to meet the enemy on the frontiers of freedom than in the citadel of freedom itself.

Tonight, as we, the old soldiers of another generation, salute the young soldiers in Vietnam who carry on for us in the cause of freedom, peace and self determination, let us not forget that we have an obligation to them until the job is done and the issue honorably disposed. Simply stated, that means that we must avoid placing any unnecessary burdens or handicaps upon them.

If the classical concept of winning a victory by force of arms is still valid; namely, to break the will and the resistance of the enemy, it must be achieved not merely by superior firepower and adequate manpower but also by interdicting the enemy source of supply of food, weapons, equipment and all other items necessary to the prosecution of a conflict.

I refer particularly to the unending procession of vessels, flying the flag of free world nations and Communist countries alike, who ply their trade in and out of the ports of North Vietnam.

A single cargo is one too many when we are engaged in a bloody and costly struggle with a relentless enemy. If that needs amplification, I need only point out that our problem is not merely the freedom and independence of a small country but the life and death of our own troops as well. Any exception to shutting off enemy supplies if it can be achieved is a clear departure from every concept of winning a victory.

For this we have a fresh precedent. When the Cuban situation became critical, we imposed a "Kennedy-type quarantine" and readied our massive sea and air power. Is there any valid reason why a similar tactic cannot now be employed to bring Hanoi to the conference table?

A few weeks ago, I travelled the wards of the U.S. Naval Hospital at Great Lakes, Ill., and sat with the young soldiers so recently returned from Vietnam for medical attention. It was an unforgettable experience. I could only hope that their sense of mission, their dedication to a cause and their determination might be matched by an overwhelming devotion on the home front. I am certain that you, the old soldiers of another generation who served abroad, share that spirit and conviction. There came back to me an old couplet from long ago as these young soldiers at Great Lakes, wounded in body but not in spirit, spoke of freedom's cause:

"No man escapes when Freedom fails
The best men rot in filthy jails
And those who cry, 'Appease! Appease!'
Are hanged by those they tried to please."

Mr. DIRKSEN. I thank the Senator.

Mr. MANSFIELD. It is a pleasure.

RECOMMITTAL OF BILLS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that Calendar Nos. 970, 971, 972, and 973 be recommitted to the Judiciary Committee.

The **ACTING PRESIDENT** pro tempore. Without objection, it is so ordered.

The bills, recommitted to the Committee on the Judiciary, are as follows:

Calendar No. 970, S. 976, a bill to amend the Bankruptcy Act with respect to limiting the priority and nondischargeability of taxes in bankruptcy;

Calendar No. 971, S. 1912, a bill to amend sections 1, 17a, 57j, 64a(5), 67(b), 67c, and 70c of the Bankruptcy Act, and for other purposes;

Calendar No. 972, H.R. 136, an act to amend sections 1, 17a 64a(5), 67(b), 67c and 70c of the Bankruptcy Act, and for other purposes; and

Calendar No. 973, H.R. 3438, an act to amend the Bankruptcy Act with respect to limiting the priority and nondischargeability of taxes in bankruptcy.

EXECUTIVE COMMUNICATIONS, ETC.

The **ACTING PRESIDENT** pro tempore laid before the Senate the following letters, which were referred as indicated:

Report on Special Pay for Duty Subject to Hostile Fire

A letter from the Secretary of Defense, reporting, pursuant to law, that no payments were made by the military departments to any officer of the Armed Forces, during calendar year 1965, for duty subject to hostile fire (with an accompanying paper); to the Committee on Armed Services.

Amendment of Chapter 55 of Title 10, United States Code, To Authorize A Civilian Health Benefits Program for Retired Members of the Uniformed Services and Their Dependents

A letter from the Secretary of Defense, transmitting a draft of proposed legislation to amend chapter 55 of title 10, United States Code, to authorize a civilian health benefits program for retired members of the uniformed services and their dependents (with an accompanying paper); to the Committee on Armed Services.

Proposed Legislation Relating to Disposal of Certain Items From National and Supplemental Stockpile

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting a draft of proposed legislation to authorize the disposal of thorium from the supplemental stockpile (with accompanying papers); to the Committee on Armed Services.

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting a draft of proposed legislation to authorize the disposal of amosite asbestos from the national stockpile and the supplemental stockpile (with accompanying papers); to the Committee on Armed Services.

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting a draft of proposed legislation to authorize the disposal of rhodium from the national stockpile (with accompanying papers); to the Committee on Armed Services.

Report on Federal Hospital Insurance Trust Fund

A letter from the Managing Trustee and members of the Board of Trustees of the Federal Hospital Insurance Trust Fund, Washington, D.C., transmitting, pursuant to law, the 1966 annual report of that Board (with an accompanying report); to the Committee on Finance.

Report on Federal Supplementary Medical Insurance Trust Fund

A letter from the Managing Trustee and members of the Board of Trustees of the Federal Supplementary Medical Insurance Trust Fund, Washington, D.C., transmitting, pursuant to law, the 1966 annual report of that Board (with an accompanying report); to the Committee on Finance.

Report on Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund

A letter from the Managing Trustee and members of the Board of Trustees of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund, Washington, D.C., transmitting, pursuant to law, the 1966 annual report of that Board (with an accompanying report); to the Committee on Finance.

Preservation and Protection of Certain Lands in Prince Georges and Charles Counties, Md.

A letter from the Deputy Assistant Secretary of the Interior, transmitting a draft of proposed legislation to amend the act of October 4, 1961, to facilitate the efficient preservation and protection of certain lands in Prince Georges and Charles Counties, Md., and for other purposes (with an accompanying paper); to the Committee on Interior and Insular Affairs.

Proposed Legislation From the Attorney General

A letter from the Attorney General, transmitting a draft of proposed legislation to establish a Commission on Revision of the Federal Criminal Laws (with an accompanying paper); to the Committee on the Judiciary.

A letter from the Attorney General, transmitting a draft of proposed legislation to amend the Law Enforcement Assistance Act of 1965, and for other purposes (with an accompanying paper); to the Committee on the Judiciary.

A letter from the Attorney General, transmitting a draft of proposed legislation to establish a consolidated Federal corrections system and for other purposes (with an accompanying paper); to the Committee on the Judiciary.

Economic Opportunity Amendments of 1966

A letter from the Director, Office of Economic Opportunity, Executive Office of the President, transmitting a draft of proposed legislation to provide for continued progress in the Nation's was on poverty (with an accompanying paper); to the Committee on Labor and Public Welfare.

CONCURRENT RESOLUTION OF PUERTO RICAN LEGISLATIVE ASSEMBLY

The ACTING PRESIDENT pro tempore laid before the Senate a concurrent resolution of the Legislative Assembly of Puerto Rico, which was referred to the Committee on Interior and Insular Affairs, as follows:

Senate Concurrent Resolution 14

Concurrent resolution to reassert that it is the irrevocable will of Puerto Ricans to fulfill the duties lawfully and morally imposed on us as citizens within our permanent union with the United States of America

Whereas the moral and political bonds that link the Puerto Ricans with the United States were established through their manifest will and express consent and are based on common loyalty to our American citizenship;

Whereas the Puerto Ricans have always answered the call of their civic duty, ever ready to fulfill same to their utmost effort and up to the supreme sacrifice;

Whereas service in the Armed Forces of the United States is not only an imperative of law but a high civic and moral duty fully and equally binding all citizens;

Whereas any action that obstructs the fulfillment of the civic duty to render military service is not only illegal but also antidemocratic and antipatriotic and repugnant to the moral sense of our people: Therefore be it

Resolved by the Legislative Assembly of Puerto Rico:

1. To reassert in behalf of the Puerto Ricans their irrevocable will to fulfill their obligations as citizens, both civic and military anywhere, and at any time.

2. To condemn every action that may obstruct or tend to weaken the armed efforts of the United States of America as circumstances at any time or place shall demand, for the preservation of peace and democratic justice in the world or, as now in Vietnam, to check Communist aggression; or that may tend to weaken the will of the citizens to fulfill the military duties which the law and morality impose on them;

3. That copy of this resolution be transmitted to the President of the United States, the President of the Senate and the Speaker of the House of Representatives of the United States, the Governor of Puerto Rico, and the Resident Commissioner for Puerto Rico in Washington.

RESOLUTIONS OF MASSACHUSETTS GENERAL COURT

Mr. KENNEDY of Massachusetts. Mr. President, on behalf of the senior Senator from Massachusetts [Mr. SALTONSTALL] and myself, I present a certified copy of two resolutions from the General Court of Massachusetts memorializing the Congress of the United States to enact legislation.

I ask that these resolutions be appropriately referred.

The ACTING PRESIDENT pro tempore. The resolutions will be received and appropriately referred; and, under the rule, the resolutions will be printed in the RECORD.

The resolutions were appropriately referred, as follows:

To the Committee on the Judiciary:

"RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO ENACT LEGISLATION PRESENTING TO THE STATES A PROPOSED CONSTITUTIONAL AMENDMENT PERMITTING THE RECITAL OF A NONSECTARIAN PRAYER IN THE PUBLIC SHOOLS

"Whereas in the recent case of Engel against Vitale, the Supreme Court of the United States declared the use of a voluntary prayer as prepared by the Board of Regents of the State of New York to be unconstitutional; and

"Whereas it is the will and desire of the majority of our citizens to recognize the existence of God and our dependence on Him; and

"Whereas it is their belief that there is a great need to instill in the hearts and minds of our youth proper respect and reverence to a supreme being; and

"Whereas the recital of voluntary prayers in our public schools will accomplish that purpose and will help maintain traditions cherished by so many of our citizens: Now, therefore, be it

"*Resolved,* That the General Court of Massachusetts respectfully urges the Congress of the United States to enact legislation presenting to the States a proposed constitutional amendment permitting the recital of a nonsectarian prayer in our public schools; and be it further

"*Resolved,* That copies of these resolutions be transmitted forthwith by the secretary of the Commonwealth to the President of the United States, the Presiding Officer of each branch of the Congress, and to the Members thereof from the Commonwealth.

"Adopted by the house of representatives, February 17, 1966.

"WILLIAM C. MAIERS,
"*Clerk.*

"Adopted by the senate in concurrence, February 21, 1966.

"THOMAS A. CHADWICK,
"*Clerk.*

"Attest:

"KEVIN H. WHITE,
"*Secretary of the Commonwealth.*"

To the Committee on Post Office and Civil Service:

"RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO ENACT LEGISLATION PROVIDING THAT CANCELLATION STAMPS ON ALL MAIL CONTAIN THE WORDS 'FOR GOD AND COUNTRY'

"Whereas the General Court of Massachusetts enacted chapter 502 of the acts of 1965, legislation which provides that on every public school building within the Commonwealth there may be placed in a conspicuous location a suitable plaque which shall contain the words 'For God and Country'; and

"Whereas veteran and patriotic groups and individuals are donating these plaques to schools and some of these groups are stamping their mail to members with the words 'For God and Country'; and

"Whereas these words appearing on all U.S. mail would be an answer to atheistic communism and to the anti-Vietnam agitators and would serve as an inspiration to all American adults and schoolchildren: Therefore be it

"*Resolved,* That the House of Representatives of Massachusetts respectfully urges the Congress of the United States to enact legislation providing that cancellation stamps on all mail contain the words 'For God and Country'; and be it further

"*Resolved,* That copies of these resolutions be transmitted forthwith by the secretary of the Commonwealth to the President of the United States, to the Postmaster General, the Presiding Officer of each branch of Congress and to the Members thereof from this Commonwealth.

"Adopted by the house of representatives, February 18, 1966.

"WILLIAM C. MAIERS,
"*Clerk.*

"Attest:

"KEVIN H. WHITE,
"*Secretary of the Commonwealth.*"

AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961, AS AMENDED—REPORT OF A COMMITTEE—SUPPLEMENTAL VIEWS (S. REPT. NO. 1060)

Mr. SPARKMAN, from the Committee on Foreign Relations, to which was referred the bill (H.R. 12169) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes, reported it favorably, without amendment, and submitted a report thereon, together with the supplemental views of Mr. CHURCH and Mr. CLARK; which report, together with the supplemental views, was ordered to be printed, and the bill to be placed on the calendar.

EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

The following favorable report of nominations was submitted:

By Mr. MONRONEY, from the Committee on Post Office and Civil Service:

Two hundred and seven postmaster nominations.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SCOTT:

S. 3060. A bill to amend title 39, United States Code, with respect to mailing privileges of members of the U.S. Armed Forces and other Federal Government personnel overseas, to extend such mailing privileges to voice recordings of personal messages, and for other purposes; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. Scott when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (for himself, Mr. Jackson, and Mr. Tydings):

S. 3061. A bill to amend the Urban Mass Transportation Act of 1964 to authorize financial assistance for planning, engineering, designing, and other technical studies; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bill, which appear under a separate heading.)

By Mr. CURTIS:

S. 3062. A bill to provide for the free entry of a mass spectrometer for the use of the University of Nebraska; to the Committee on Finance.

(See the remarks of Mr. Curtis when he introduced the above bill, which appear under a separate heading.)

By Mr. McCLELLAN (by request):

S. 3063. A bill to amend the Law Enforcement Assistance Act of 1965, and for other purposes;

S. 3064. A bill to establish a Commission on Revision of the Federal Criminal Laws; and

S. 3065. A bill to establish a consolidated Federal corrections system, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. McClellan when he introduced the above bills, which appear under a separate heading.)

By Mr. MONRONEY:

S. 3066. A bill to amend the River and Harbor Act of 1965 to prohibit certain fees being charged in connection with projects for navigation, flood control, and other purposes; to the Committee on Public Works.

By Mr. TOWER:

S. 3067. A bill to include in the prohibitions contained in section 2314 of title 18, United States Code, the transportation with unlawful intent in interstate commerce of securities bearing forged endorsements; to the Committee on the Judiciary.

(See the remarks of Mr. Tower when he introduced the above bill, which appear under a separate heading.)

By Mr. JACKSON (by request):

S. 3068. A bill to terminate the existence of the Indian Claims Commission, and for other purposes; and

S. 3069. A bill to prescribe the measure of damages for timber trespass on lands and certain other interests in lands under the jurisdiction of the Department of the Interior, and on lands under the jurisdiction of the Forest Service of the Department of Agriculture; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Jackson when he introduced the above bills, which appear under separate headings.)

By Mr. McGEE:

S. 3070. A bill to amend the Mineral Leasing Act with respect to limitations on the leasing of coal lands imposed upon railroads; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. McGee when he introduced the above bill, which appear under a separate heading.)

By Mr. BREWSTER:

S. 3071. A bill to amend the act of October 4, 1961, to facilitate the efficient preservation and protection of certain lands in Prince Georges and Charles Counties, Md., and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Brewster when he introduced the above bill, which appear under a separate heading.)

By Mr. TYDINGS (for himself and Mr. Morse, Mr. Allott, Mr. Douglas, Mr. Hart, Mr. McGee, Mr. Metcalf, Mr. Nelson, Mrs. Neuberger, and Mr. Ribicoff):

S.J. Res. 144. Joint resolution to authorize the President to designate October 31 of each year as National UNICEF Day; to the Committee on the Judiciary.

(See the remarks of Mr. Tydings when he introduced the above joint resolution, which appear under a separate heading.)

CONCURRENT RESOLUTIONS

TO EXPRESS SENSE OF CONGRESS AS TO CONTINUING THE SMALL BUSINESS ADMINISTRATION AS AN INDEPENDENT AGENCY

Mr. PROUTY (for himself and Mr. Allott) submitted a concurrent resolution (S. Con. Res. 80) to express sense of Congress as to continuing the Small Business Administration as an independent agency, which was referred to the Committee on Banking and Currency.

(See the above concurrent resolution printed in full when submitted by Mr. Prouty, which appears under a separate heading.)

COMMEMORATION OF FIFTH ANNIVERSARY OF THE PEACE CORPS AND COMMENDING PAST AND PRESENT MEMBERS THEREOF

Mr. McCARTHY submitted a concurrent resolution (S. Con. Res. 81) commemorating the fifth anniversary of the Peace Corps and commending past and present members thereof, which was referred to the Committee on Foreign Relations.

(See the above concurrent resolution printed in full when submitted by Mr. McCarthy, which appears under a separate heading.)

PRINTING OF THE HEARINGS OF THE UNITED STATES-PUERTO RICO COMMISSION ON THE STATUS OF PUERTO RICO AS SENATE DOCUMENTS

Mr. JACKSON (by request) submitted a concurrent resolution (S. Con. Res. 82) to authorize the printing of the hearings of the United States-Puerto Rico Commission on the Status of Puerto Rico as Senate documents, which, under the rule, was referred to the Committee on Rules and Administration.

(See the above concurrent resolution printed in full when submitted by Mr. Jackson, which appears under a separate heading.)

FREE MAILING PRIVILEGES FOR VOICE LETTERS GOING TO AND FROM VIETNAM

Mr. SCOTT. Mr. President, I introduce, for appropriate reference, a bill to authorize the mailing of voice recordings under the free mailing privileges which we have already extended to our men in the service.

Last year, we acted to provide free airmail service for letters and postal cards mailed by members of the armed services who are engaged in combat or who are hospitalized due to disease or injury suffered in an overseas area. We also made it possible to send, at reduced airmail rates, parcel post to and from overseas military bases.

Recently, it has been called to my attention that many of our men in Vietnam are now using tape recorders to send messages of their own voices on tape back home. In turn, they are receiving tapes in the mail from their families and friends in this country. I can well understand how a voice recording would be preferable to an ordinary letter and how morale is boosted when servicemen hear the voices of their families and their loved ones.

Mr. President, our troops in Vietnam are making great sacrifices in the defense of freedom. In recognition of the fine job which they are doing, it seems appropriate to extend free mailing privileges to include these voice letters.

The PRESIDING OFFICER (Mr. Byrd of Virginia in the chair). The bill will be received and appropriately referred.

The bill (S. 3060) to amend title 39, United States Code, with respect to mailing privileges of members of the U.S. Armed Forces and other Federal Government personnel overseas, to extend such mailing privileges to voice recordings of personal messages, and for other purposes, introduced by Mr. Scott, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

URBAN TRANSPORTATION

Mr. MAGNUSON. Mr. President, for myself and for Senators Jackson and Tydings, I introduce, for appropriate reference, a bill to authorize the Secretary of Housing and Urban Development to make matching grants to assist State and local public agencies in planning, engineering, designing, and other technical studies of proposed urban mass transportation projects and programs. This bill will enable presently authorized mass transport funds to be better utilized by States and local public bodies by providing Federal financial assistance for thorough studies, surveys and planning of proposed projects and programs for urban transportation systems.

In his recent message on transportation, President Johnson pointed out that

America today lacks a coordinated transportation system that permits travelers and goods to move conveniently and efficiently from one means of transportation to another, using the best characteristics of each. President Johnson also said that the future of urban transportation—the safety, convenience, and indeed the livelihood of its users—depends upon wide-scale, rational planning.

This bill would add a new section 9 to the Urban Mass Transportation Act of 1964 authorizing the Secretary of Houseing and Urban Development to make grants to States and local public bodies and agencies thereof for the planning, engineering, and designing of urban mass transportation projects, and for other technical studies, to be included, or proposed to be included, in a program—completed or under active preparation—for a unified or officially coordinated urban transportation system as a part of the comprehensively planned development of the urban area. The activities that may be assisted under this bill include studies relating to management, operations, capital requirements, and economic feasibility; preparation of engineering and architectural surveys, plans, and specifications; and, other similar or related activities preliminary to and in preparation for the construction, acquisition or improved operation of mass transportation systems, facilities, and equipment. These grants for planning, engineering and designing shall be made in accordance with criteria established by the Secretary, and as is the case with other grants under the Mass Transportation Act call for State and local financial participation of at least one-third of the cost of carrying out the activities for which the grant is made.

The Urban Mass Transportation Act presently provides that Federal grants to States and local public bodies for mass transportation facilities and equipment are to be made by the Secretary on the basis of engineering studies, studies of economic feasibility, and data showing the nature and extent of expected utilization of the facilities and equipment. The Secretary is not, however, authorized to make grants to these public bodies to make these necessary engineering, feasibility and design studies. As a result, communities must utilize local general funds or seek funds under other Federal programs of general application to make these necessary studies. Neither local funds nor other Federal programs, I am advised, can completely fill this gap.

By enabling the Secretary to make presently authorized mass transport funds available for matching grants to public bodies to do planning, feasibility, and engineering studies, we will enable Federal, State, and local moneys to be more wisely utilized. No additional funds need to be authorized under this bill. I believe this bill will save Federal, State, and local taxpayers millions of dollars through better planning and studies before construction is undertaken.

The need for such Federal financial assistance in this crucial area is nationwide. Cities such as Atlanta, Boston, Los Angeles, Pittsburgh, San Francisco, and Seattle have a probable or demonstrated need for new facilities and for coordination or extension of new facilities with present facilities. The commuter problems of the New York–New Jersey-Connecticut area and the Philadelphia area are well known to the members of the Commerce Committee. Other cities, too, across the Nation are presently facing problems in meeting their urban transportation needs. These cities include Niagara Falls, N.Y.; Portland, Maine; Salem, Oreg.; Terre Haute, Ind.; and San Diego, Calif., to name but a few. There are many, many more cities I could name if time permitted.

Nearly 3 years ago, the Committee on Commerce considered the transportation aspects of various bills designed to provide assistance for urban mass transportation and the Committee recommended changes in the Mass Transportation Act to strengthen the entire urban transit program. It is even more true today than it was then that the difficulties facing urban mass transit systems throughout our Nation are part and parcel of the overall spectrum of our transportation problems.

I ask unanimous consent that the bill be printed in the Record at the conclusion of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 3061) to amend the Urban Mass Transportation Act of 1964 to authorize financial assistance for planning, engineering, designing, and other technical studies, introduced by Mr. Magnuson (for himself, Mr. Jackson, and Mr. Tydings), was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the Record, as follows:

S. 3061

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Urban Mass Transportation Act of 1964 is amended—

(1) by redesignating sections 9 through 12 as sections 10 through 13, respectively; and

(2) by inserting after section 8 a new section as follows:

"GRANTS FOR TECHNICAL STUDIES

"Sec. 9. The Secretary of Housing and Urban Development is authorized to make grants to States and local public bodies and agencies thereof for the planning, engineering, and designing of urban mass transportation projects, and for other technical studies, to be included, or proposed to be included, in a program (completed or under active preparation) for a unified or officially coordinated urban transportation system as a part of the comprehensively planned development of the urban area. Activities assisted under this section may include (1) studies relating to management, operations, capital requirements, and economic feasibility; (2) preparation of engineering and architectural surveys, plans, and specifications; and (3) other similar or related activities preliminary to and in preparation for the construction, acquisition, or improved operation of mass transportation systems, facilities, and equipment. A grant under this section shall be made in accordance with criteria established by the Secretary and shall not exceed two-thirds of the cost of carrying out the activities for which the grant is made."

(b) Section 3(c) of such Act is amended by striking out "section 10(c)" and inserting in lieu thereof "section 11(c)".

FREE ENTRY OF A MASS SPECTROMETER FOR THE USE OF THE UNIVERSITY OF NEBRASKA

Mr. CURTIS. Mr. President, the University of Nebraska has asked me to introduce this bill to assist the development of its science facilities, and I am pleased to do so.

The bill would allow the free entry into the United States of a mass spectrometer and accessories imported for the use of the University of Nebraska.

It would authorize and direct the Secretary of the Treasury to admit this equipment free of duty. The effect would be to refund $4,647.12 paid in customs duty by the university as part of the purchase price.

This equipment is available only from foreign sources. It is used solely in the research work in the department of chemistry at the university.

The Congress has enacted similar legislation admitting a mass spectrometer for the use of Wayne State University free of duty. It also has authorized and directed the Secretary of the Treasury to admit free of duty a microcalorimeter imported for use by the University of Colorado and two rheogoniometers, one for the University of Tennessee and the other for Ohio State University.

The act that was passed on August 31, 1964, contained a section which enabled the University of Nebraska to obtain free of duty all stone imported for the construction of the Sheldon Memorial Art Gallery located on the university's downtown campus in Lincoln. The gallery constitutes a major cultural factor in the State, and is a nonprofit institution which needs all financial resources possible. The bill provided considerable saving for the university in construction.

I urge favorable consideration of this bill to assist the university in meeting its obligations to the young people of Nebraska in the field of scientific research and teaching.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3062) to provide for the free entry of a mass spectrometer for the use of the University of Nebraska, introduced by Mr. Curtis, was received, read twice by its title, and referred to the Committee on Finance.

PROPOSED LEGISLATION RELATING TO THE WAR ON CRIME

Mr. McCLELLAN. Mr. President, pursuant to the President's crime message of this date and at the request of the administration, I introduce the following three crime bills:

First. A bill to amend the Law Enforcement Assistance Act of 1965.

Second. A bill to establish a Commission on Revision of the Federal Criminal Laws.

Third. A bill to establish a consolidated Federal corrections system, and for other purposes.

Mr. President, these bills represent another effort in the ceaseless struggle against the forces of crime, and I am most happy to comply with the administration's request and introduce them.

Of course, my sponsorship of these measures does not necessarily mean that I unequivocally endorse each and every proposal they contain. For example, I presently entertain some reservations about some provisions in the bill relating to the corrections system. I assume that these bills will be referred to the Judiciary Subcommittee on Criminal Law and Procedures in which event I will endeavor to have them accorded early consideration.

Mr. President, I ask unanimous consent that excerpts from the letters transmitting these proposals to the President of the Senate, from the Attorney General, setting forth the need for this legislation, be printed at this point in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

1. TO AMEND THE LAW ENFORCEMENT ASSISTANCE ACT OF 1965, AND FOR OTHER PURPOSES

In the administration of the Law Enforcement Assistance Act of 1965 (Public Law 89-187), the Department of Justice has become increasingly aware of a variety of needs in the law enforcement and crime prevention fields. Many of these can be met within the framework of the act as it now exists, but some require the amendment of that legislation. The purpose of the proposed bill is to accomplish the needed adjustments.

Section 2 would be amended to establish a much needed scholarship and fellowship program to enable law enforcement officers to study at colleges and universities on the undergraduate and graduate levels. Its ultimate goal would be to provide better and broader education for such officers, thus enabling them to cope more effectively with the complex problems of modern crime and law enforcement.

The act is presently limited to affording assistance to State and local agencies and does not permit direct aid to individuals. Although the amendment has been drafted to permit the Department to structure such assistance in the most effective way possible, what is specifically contemplated for fiscal 1967 is a modest program of 1-year scholarships. Scholarships would be to individual law-enforcement officers for study in fields of their choice. These would range from the study of law-enforcement subjects to special studies in broader areas such as mathematics, computer systems, community relations, and fiscal administration. These special areas of study would be determined by the extent to which they promised a tangible contribution to the skills of such officers or the capabilities of their agencies.

The proposed amendment to section 6(a) would enable the Attorney General to make cash or honorary awards to individual policemen or other personnel engaged in crime prevention programs who make outstanding contributions to their fields. It is contemplated that awards would be made for contributions having national implication, such as the improvement of systems or the achievement of substantial progressive developments in the administration of a given program, rather than recognition, however meritorious, for the conscientious performance of duty or individual acts of courage.

Section 10 of the act would be amended to authorize the appropriation of funds for the 1967 and 1968 fiscal years. Rather than authorizing a fixed amount for this expanding program, the needs of which are still difficult to ascertain, it contemplates legislative review and control through the appropriation process.

The bill would also amend section 205(b)(3) of the National Defense Education Act of 1958 (20 U.S.C. 425(b)(3)), to afford to college students interested in law-enforcement careers a means by which a large portion of their educational loans received under that act can be canceled. This would be accomplished if they subsequently serve as full-time law-enforcement officers with a Federal, State, or local agency. Similar opportunities are now afforded by that act to persons who teach in designated types of schools. This amendment would provide much needed encouragement to persons with higher educational attainments who desire to become police officers. It will also counter, to some degree, a natural resistance to investing in higher education in preparation for a profession which offers a modest monetary compensation.

2. TO ESTABLISH A COMMISSION ON REVISION OF THE FEDERAL CRIMINAL LAWS

In providing for a Commission on Revision of Federal Criminal Laws, this proposal recognizes a great present need to review all of our criminal laws with a view to making them better serve the ends of justice. The Commission would be composed of nine members, three to be appointed by the President, one of whom shall be designated as Chairman, three members to be appointed by the President of the Senate, and three members to be appointed by the Speaker of the House of Representatives. Its mission, stated generally, is to conduct a comprehensive survey and study of all of the Federal criminal laws.

The Commission on Revision of the Federal Criminal Laws will recommend the best ways to implement the recommendations of the President's Commission on Law Enforcement and Administration of Justice. It will seek the clearest and most concise recodification of our criminal laws, including consolidation of those which treat of the same and similar subject matter. The Commission will recommend the repeal of unnecessary, undesirable, and obsolete sections of law and will suggest clarifications for existing ambiguous statutes. A most important function of the Commission will be the study of the penalty structure of existing criminal statutes with a view to recommending the elimination of existing disparities.

Members of the Commission appointed from among the Members of Congress and from the executive branch shall serve without compensation in addition to their regular salaries but will be reimbursed for travel, subsistence, and other expenses. Members of the Commission appointed from private life shall receive compensation at the rate of $100 per diem plus reimbursement for travel, subsistence, and other expenses.

The executive departments and agencies are directed to furnish such information and assistance, not inconsistent with law, as the Commission may require, and the General Services Administration shall provide administrative services for the Commission on a reimbursable basis.

The Commission shall submit interim reports to the President and the Congress at such times as it deems appropriate, and shall submit its final report within 2 years after the date of the act. The Commission shall cease to exist 90 days after the submission of its final report.

3. TO ESTABLISH A CONSOLIDATED FEDERAL CORRECTIONS SYSTEM AND FOR OTHER PURPOSES

The proposal is designed to consolidate under the authority of the Attorney General the presently fractionated parts of the Federal correctional service and by means of a unified program establish more effective rehabilitation machinery. Experience has shown that the high rate of recidivism throughout the country is a major factor in the growth of criminal misconduct. It is further an accepted concept that the absence of effective rehabilitation can vitiate the benefits of improved law enforcement.

Traditionally, correctional institutions and the parole of prisoners have been located within the executive branch and their voice in the Cabinet and before Congress has been the Attorney General. The administration of probation on the other hand has been the responsibility of the individual Federal district judges working through their appointed probation officers with the Administrative Office of the U.S. Courts acting in an advisory capacity. Such a division of responsibility and authority, both within the probation service itself and among the various kinds of correctional programs possible under Federal law, has obvious disadvantages.

But more important, the potential of corrections today for new and dramatic reduction of recidivism and rehabilitation of convicted offenders may be lost if the present system of administration continues.

The proposal of a unified system within the Department of Justice is predicated upon the overall responsibility of the Department not only to enforce the law but to make every effort to contain and reduce the incidence of criminal conduct throughout the Nation. Under the direct supervision of the Attorney General, the following needs in the case of corrections can be met:

1. Provisions can be made in the correction field for effective and economical allocation of resources in accord with the greatest need.

2. In the field of probation, opportunities can be provided for the development of professional career personnel knowledgeable in all phases of the correctional process.

3. It will be possible to plan a convicted person's treatment and supervise the working of the plan through each stage of the rehabilitation.

4. Research in the effectiveness of the various programs and devices used to train and supervise convicted persons will become feasible.

5. Coordination, countrywide, in programs, research, personnel management and fiscal policy can be established.

The proposal transfers the probation service to the Department of Justice wherein, with the Bureau of Prisons, it is redesignated the U.S. Corrections Service. It will be through the Service that the Attorney General will discharge his responsibilities with respect to persons charged with or convicted of offenses against the United States whether such persons are committed to the custody of the Attorney General by any enactment of Congress or placed on probation by any court having jurisdiction to try offenses against the United States. The U.S. Corrections Service would be headed by a Director and would include, in addition to any other division or office established by the Attorney General, a division responsible for institutional services, a division responsible for community services, and a division responsible for research and program evaluation.

The proposal would make several changes in the membership and the responsibilities of the Advisory Corrections Council. The

Council would be composed of four U.S. judges and, ex officio, the Chairman of the Board of Parole, the Chairman of the Youth Division of the Board of Parole, the Director of the U.S. Corrections Service, and the Surgeon General of the Public Health Service. This body would continue to consider problems of treatment and correction and would also consider the coordination and integration of policy among those branches of the Government having statutory responsibilities in this area. It would make recommendations to the Attorney General and to the Judicial Conference of the United States relating to these responsibilities and to the improvement of the administration of criminal justice.

The Department of Justice believes that the enclosed proposal would make a substantial contribution to the elimination of criminal misconduct within the country, in time reduce the occupancy of our Federal prisons, and return to a productive life many citizens who under present circumstances would continue in a life of crime. For these reasons, I urge its early introduction and enactment.

The PRESIDING OFFICER. The bills will be received and appropriately referred.

The bills, introduced by Mr. McClellan, by request, were received, read twice by their titles, and referred to the Committee on the Judiciary, as follows:

S. 3063. A bill to amend the Law Enforcement Assistance Act of 1965, and for other purposes;

S. 3064. A bill to establish a Commission on Revision of the Federal Criminal Laws; and

S. 3065. A bill to establish a consolidated Federal corrections system, and for other purposes.

PROHIBITION OF TRANSPORTATION WITH UNLAWFUL INTENT IN INTERSTATE COMMERCE OF SECURITIES BEARING FORGED ENDORSEMENTS

Mr. TOWER. Mr. President, I introduce, for appropriate reference, a bill which is intended to close a gap in Federal laws which are designed to protect the people against fraudulent interstate operations.

This bill is short in its verbiage and clear in its intent.

It would amend section 2314 of title 18, United States Code, to make unlawful the interstate transportation of any security bearing a forged endorsement.

The amendment would cover forged travelers checks which are transported interstate with unlawful and fradulent intent.

Most travelers checks move in interstate commerce on their way back to the issuer, and persons who use and forge them usually travel from State to State. Consequently, State action against the use of forged travelers checks is frequently ineffective.

The amendment would bring into play the same interstate criminal proceedings now used to protect other forms of interstate offenses.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3067) to include in the prohibitions contained in section 2314 of title 18, United States Code, the transportation with unlawful intent in interstate commerce of securities bearing forged endorsements, introduced by Mr. Tower, was received, read twice by its title, and referred to the Committee on the Judiciary.

EXTENSION OF TIME FOR TERMINATION OF INDIAN CLAIMS COMMISSION

Mr. JACKSON. Mr. President, by request, I introduce, for appropriate reference, a bill to amend the Indian Claims Commission Act of 1946 to provide that the Commission shall terminate no later than 5 years from and after April 10, 1967.

Recently I have received a communication from our former colleague, Arthur V. Watkins, who is the Chief Commissioner of the Indian Claims Commission, advising me that additional time is needed within which to adjudicate the many claims filed by Indian tribes under the 1946 statute, and requesting that I sponsor legislation for this purpose.

It is my hope that hearings on this measure may be held at an early date and legislation enacted so that sufficient time is provided for the Commission to complete its task.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3068) to terminate the existence of the Indian Claims Commission, and for other purposes, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

MEASURE OF DAMAGES FOR TIMBER TRESPASS ON CERTAIN LANDS

Mr. JACKSON. Mr. President, by request, I introduce for appropriate reference, a bill to prescribe the measure of damages for timber trespass on lands and certain other interests in lands under the jurisdiction of the Department of the Interior, and on lands under the jurisdiction of the Forest Service of the Department of Agriculture.

I ask unanimous consent that the letter from the Department of the Interior accompanying the bill be printed in full at this point in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the Record.

The bill (S. 3069) to prescribe the measure of damages for timber trespass on lands and certain other interests in lands under the jurisdiction of the Department of the Interior, and on lands under the jurisdiction of the Forest Service of the Department of Agriculture, introduced by Mr. Jackson, by request, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

The letter presented by Mr. Jackson is as follows:

U.S. Department of the Interior,
Office of the Secretary,
Washington, D.C., December 16, 1965.

Hon. Hubert H. Humphrey,
President of the Senate,
Washington, D.C.

Dear Mr. President: Enclosed is a draft of a proposed bill to prescribe the measure of damages for timber trespass on lands and certain other interests in lands under the jurisdiction of the Department of the Interior, and on lands under the jurisdiction of the Forest Service of the Department of Agriculture.

We recommend that this bill be referred to the appropriate committee for consideration, and we recommend that it be enacted.

In an action brought by the United States for trespass involving timber upon lands administered by this Department or by the Forest Service, the measure of damages applied is that established by the statutes of the State within which the trespass has been committed. If there is no applicable statute, the determination is made in accordance with the principles of the common law. Reliance upon State laws has not proved satisfactory. The differences between the statutes of the various States result in different measures of damages being applied to trespasses similar in nature and differing only in the jurisdiction within which they were committed. We regard the measure of damages as being too low in some States, while in others it may be too high. The bill substantially embodies the most modern State approach to timber trespass damages. (See ORS 105.810 and 105.815; Cal. Civil Code, sec. 3346.) Our proposal is limited to the problem of damages for timber trespasses, and has not attempted the complex task of determining the need for legislation dealing with other types of trespass on federally owned lands. Even in the case of timber, the bill specifically provides that it does not apply to fire trespass.

The bill provides a uniform and adequate measure of damages for acts of trespass with respect to the timber on lands and interests therein under the jurisdiction of the Department of the Interior or on lands of the Forest Service or on Indian lands or on lands in which the United States has a scenic easement. This bill is limited to the problem of damages. It is not inconsistent with any existing legislation. It imposes no restrictions upon the use of timber lands. It does, however, permit the fair and equal treatment of all trespasses involving the timber upon these lands.

The fundamental objective of this legislative proposal is to discourage timber trespass on Federal lands (or Indian lands) by providing a uniform standard of damages sufficient to motivate greater caution on the part of timber harvesters. For this purpose the bill establishes a rebuttable presumption that one who cuts timber in trespass does so with knowledge of the ownership situation. A deterrent, in the form of damages at three times the fair market value of the timber severed and removed, is appropriate.

In addition to the deterrent factor, this measure of damages is appropriate as a means of assuring that the Government is made whole from a purely financial standpoint. Had the timber been exposed to competitive bidding, there is always the possibility that the sale would bring a premium price. Also, there would be no assurance to the trespasser that he would acquire the timber as high bidder. The standard of damages, therefore, should be such that a trespasser does not pay less than would have been realized from an open sale in the competitive market.

On the other hand, it must be recognized that circumstances may attend a trespass situation which mitigate its gravity and warrant something less than the measure of damages prescribed for a willful taking. In such a case, however, the burden of demonstrating such circumstances is properly assigned to the party in trespass. This comports with the general rule of law as set forth in McCormick on Damages (1935 ed., p. 497) to the effect that "the trespasser has the burden of producing evidence of his good faith."

Consistent with this approach, therefore, the draft bill establishes two additional standards of damages, to be applied as follows:

1. When the unauthorized harvest can be shown to have been casual, involuntary, or with probable cause for belief that the land or other timber interest involved belonged to the harvester, his principal, or lessor, the measure of double damages is prescribed.

2. If the party in trespass relied on a survey made by a person acting in his official capacity as an employee of the United States, or by a qualified or licensed surveyor employed by the trespasser or his predecessor in interest, the measure of single damages is prescribed.

Certain salient features of the proposed bill should be noted. The United States need only prove ownership of the premises and commission of the trespass by the defendant in order to make out a prima facie case of willful trespass. Thereafter, the risk of nonpersuasion is on the defendant to show that he was not acting willfully. This is consistent, not only with the rule as stated by McCormick, supra, but also the better practice insofar as protection of the interests of the United States are concerned.

In addition, provisions for only double damages where the trespass is shown to be nonwillful have been interpreted by the courts to provide by statute for compensatory damages; that is, the doubling of the damages is not considered a penalty, *Kinzua Lumber Co.* v. *Daggett*, 281 P. 2d 221 (1955). This is important because, for example, under the Federal Bankruptcy Act, 11 U.S.C. 93(j), debts owing the United States as a penalty or forfeiture are not allowed in bankruptcy except to the extent of the actual pecuniary loss. In accordance with *Kinzua*, the doubling of damages is designed to provide full recovery for all harmful consequences of the trespass, including inconvenience, annoyance, and loss of time in litigation, attorney's fees, loss of choice of market, etc., as well as the value of the tree itself and the other damages to the real estate resulting from the cutting. We believe this is the proper interpretation for the language we propose.

Another point of importance relates to the damage question. For some time there was argument as to whether the plaintiff's damages to be assessed should be mitigated before or after they are doubled or trebled. In *United States* v. *Firchau*, 380 P. 2d 800, 805 (1963), the court decided that "* * * the actual damages suffered as a result of the trespass are to be computed and multiplied by the statutory factor before allowance is made for such salvage as the plaintiff, by its own diligence, realized or could have realized." Our bill reflects this view.

The *Firchau* case is also helpful because it illuminates what is intended by "actual damages" to be doubled. Thus, though the ordinary measure of damages in a trespass case is the before-and-after value of the land, where a trespasser severs mature, merchantable timber, a practical measure of such damages is the stumpage value (market value) of the standing timber. In addition, damages should be allowed for any injury to young growth, the cost of slash disposal and the like.

In the case of injury to young or premerchantable growth, ornamental or fruit trees and the like which have no market or stumpage values as timber, the measure of damages should be the cost of restoring the land to the condition it was in just prior to the trespass, *Feather River Lumber Co.* v. *United States*, 30 F. 2d 642 (1929). One of the elements of the cost of restoration will of course be interest on this cost for the period of time involved to effect the restoration.

The purpose of section 3 is to make it clear that the statutory remedy is not exclusive. In other words, the United States should have the right to elect its remedies. For example, in case of a willful trespasser where the value of the logs in his hands is greater than three times stumpage, the United States should have the right, in the alternative, to sue in conversion. (See Falk, "Timber and Forest Products Law" (1958), secs. 156–157.) Although the proposed legislation concerns itself solely with trespassers, we wish to make explicit that the United States would retain all its rights to proceed under common law counts against trespassers or purchasers of trespassed goods. More specifically, the United States would retain its rights to proceed against the purchaser of trespassed goods in accordance with the rules laid down in *Bolles Wooden-ware Co.* v. *United States*, 106 U.S. 432 (1882), and recover either the value of the goods at the time of trespass, the value of the goods at the time of purchase, or the value of the goods in the hands of the purchaser, depending on whether the trespass was willful or not and whether the purchaser was innocent or not.

We have provided for one situation in which only single damages would be assessed, i.e., where the trespasser has relied in good faith upon an improper retracement by a licensed surveyor, or if such survey was made by a person acting in his official capacity as an employee of the United States. The term "qualified surveyor" is not explained in the bill, other than by reference to those surveyors duly licensed by a State authority. Where no such authority exists the qualifications of a surveyor would be determined by usual professional criteria, e.g., achievement of appropriate academic degrees, membership in professional groups, extensive experience in land surveying, etc. A trespasser who has relied upon such a survey is entitled to this protection.

This proposal is designed to meet a demonstrated need for a uniform Federal timber trespass law applicable to the lands covered by this proposal. We believe that the enactment of this proposal is desirable prior to the completion of any study on this subject by the Public Land Law Review Commission. The merits of this proposal can be determined apart from the law applicable to the public lands. Enactment will not preclude or prejudice subsequent changes recommended by the Commission.

The Department of Agriculture concurs in this submission.

The Bureau of the Budget has advised that there is no objection to the presentation of this proposed legislation from the standpoint of the administration's program.

Sincerely yours,
HARRY R. ANDERSON,
Acting Secretary of the Interior.

AMENDMENT OF MINERAL LEASING ACT WITH RESPECT TO LIMITATIONS ON THE LEASING OF COAL LANDS IMPOSED UPON RAILROADS

Mr. McGEE. Mr. President, it gives me great pleasure today to introduce, for appropriate reference, a bill which, if enacted, could provide the stimulus to trigger one of the largest natural resource developments in Wyoming and the West.

This bill, Mr. President, would remove the archaic restrictions which prohibit commercial development of coal lands held by railroad companies and would strip from the United States Code a 10,240-acre limit on railroad coal lands in any State.

The effect of the removal of these outdated restrictions would enable railroad companies and coal operators to jointly invest and develop such projects as minemouth thermal power generation plants which could supply power to the huge west coast markets.

The unlocking of these coal reserves in Wyoming—the largest such reserves in the United States—would, of course, mean more industry and more jobs—the utilization of a resource that now lies fallow and for the most part, untouched.

Mr. President, in introducing this measure, I would like to briefly discuss the history of the act, the attitude of the Department of Interior, and the ramifications that would conceivably result from the speedy passage of this proposal.

HISTORY OF THE ACT

Section 202 of title 30 was first enacted as a part of section 2 of chapter 85, 41 Stat. 438, February 20, 1920—and provided:

> And no such company or corporation shall receive or hold more than one permit or lease for each 200 miles of its railroad line within the State in which said property is situated.

Under the preceding provisions of the act a lease or permit was limited to 2,560 acres as the maximum permit or lease to any individual, corporation, or association, other than a common carrier. An example: in Wyoming there are 500 miles of continuous track and under the 1920 act the railroad might have at least 5,120 while an individual or nonrailroad could have only 2,560 acres.

The 1944 amendment inserted into the act the words, "more than 10,240 acres in the aggregate," thus updating the 1920 act to the then current provisions of the preceding sections of the act which had been amended to permit 5,120 acres to an individual or nonrailroad corporation.

Section 184(a) of title 30 United States Code annotated—enacted in 1964 under Senator Moss' sponsorship—increased the acreage limitations to other than common carrier railroads to 46,080 acres; however, 202 of title 30 U.S.C.A. was not updated in line with the original theory.

It would, therefore, appear in the light of the above history, that the provisions restricting the common carrier to railroads' uses only was included because of the advantage given the carriers in the initial act of 1920 as it was updated. Therefore, where the limitations were increased to 46,080 acres in any one State, the discriminatory effect of limiting the carrier to 10,240 acres in any one State, plus the provisions relating to its restricted use, clearly eliminated the carrier from competing at all and locked up its vast reservoir in the checkerboard land areas and clearly puts equity on the side of the carrier.

DEPARTMENT ATTITUDE

On June 27, 1957, Roger Ernst, Assistant Secretary of the Interior, said:

> Section 2(c) of the Mineral Leasing Act is, in our opinion, a provision which has outlived its usefulness and may be appropriately repealed. We believe that the railroad companies should be placed on the same basis as other companies, and that the discriminatory principles embodied in section 2(c) requiring that one kind of company use its coal for only one purpose should be abandoned. To repeal section 2(c) would, therefore, mean the use of a lockedup natural resource.

On May 18, 1962, Assistant Secretary of the Interior John A. Carver, Jr., said:

> The provisions of the subsection have outlived their usefulness. They were designed for an era when the railroads had a virtual monopoly over transportation facilities.

The committee report of August 18, 1964, regarding development of coal resources on public domain says:

> At the hearings, evidence was submitted to the committee that demands for electrical energy are increasing rapidly, especially in the West. Substantial reserves of coal are necessary in order to warrant such investments and present-day limitations are not adequate for this purpose. This large acreage available for leasing makes any danger of monopoly on Federal coal lands extremely remote, the committee is convinced.

Assistant Secretary of the Interior Kenneth Holum said on February 15 of this year:

> One of the most important resources to economic growth and development is power. The Nation's requirements have been doubling every 10 years. As power load mushrooms in size, we will have to look to fossil fuels as a source of generation. With the gigantic Pacific Northwest-Pacific Southwest intertie, now under construction, connecting the Columbia River system with the Hoover-Parker-Davis system at Hoover Dam, by way of Los Angeles, and the Upper Colorado River Basin system with the Missouri River Basin system, there will be available a high-capacity, long-distance transmission network which will benefit a vast area of the Western States. This is a factor vital to the development of our coal resources.

George Fumich, Jr., Director of the Office of Coal Research, on February 17, 1966, said:

> Coal derived liquid fuels, when available at commercially competitive prices, will share in a large and growing market. U.S. demand today for petroleum products is running around 3½ billion barrels per year. By 1980, 6 to 8 billion barrels, and by 2000, 12 to 15 billion barrels.
>
> Oil companies are coming to realize that gasoline from coal would not be competitive, but would be a boon to the oil industry in helping it to supply the ever-increasing demand for gasoline, diesel fuel, LPG, and similar traditional petroleum products.

STATEMENTS OF LEGISLATORS

Senator ANDERSON, of New Mexico, at the confirmation hearing of Walter R. Hibbard, Director of the Bureau of Mines, on January 18, 1966, said:

> There is a new awareness of the importance of mining in this country. Coal opportunities of our country are tremendous right now and ought to be utilized and ought to be developed in every way they can. The Bureau of Mines ought to get interested in actual mining of coal and see what can be done to develop the coal producing areas.

STATISTICAL INFORMATION AVAILABLE

Robert R. Nathan Associates, Inc., of Washington, D.C., in their very recent report to the U.S. Department of the Interior Office of Coal Research, which is contained in two detailed volumes, identifies specifically the location of the resource, its highest potential uses, its market feasibility and the desirability of the use of the far western coals in the public interest for the new energy market.

QUESTION IN POINT

One of the unanswered questions in the Nathan report is: To what extent should existing policies and actions be supplemented so as to eliminate deterrents to the development and use of far western coal resources?

Railroads, such as the Union Pacific, who are desirous of unlocking the reserves in the checkerboard areas and in developing the far western coal resources, recognize section 202, with its double-barreled discrimination as to acreage limitation and restricted use, as a deterrent which must be eliminated in order to cooperatively develop this western resource for the following reasons:

First. Section 202 would probably prohibit the collective development of railroad-owned coal lands and adjoining Federal lands leased by a member of the coal industry by means of a subsidiary corporation jointly owned by the railroad company and the Federal coal lessee.

Second. It is thought that properly drawn contractual joint ventures between railroads and other Federal lessees would not be prohibited by this section. However, any opportunity for an attack on such an arrangement should be removed by repeal of section 202.

Third. Railroad-owned coal lands in the land-grant areas should not be required to lie fallow and undeveloped because of any lack of interest by others in the adjoining Federal sections. If such a circumstance should arise, a railroad company would desire to directly acquire Federal leases on the adjoining sections so that both classes of lands could be made available for development. It is not possible to mine separate sections of land independently. Large acreages of coal lands must be combined in a single operation to produce economically the large volumes of coal required by the present powerplant market.

Fourth. At the present time railroads are powerless to protect their coal lands in the land grant areas against the activities of mere speculators who acquire small acreages of Federal leases in key locations with no intention of engaging in development. Ownership of Federal leases by such persons, to whom responsible operators sometimes have to pay exorbitant tribute, is detrimental to the railroads as well as responsible members of the industry who desire to engage in development of Federal coal lands and adjoining railroad lands. Through repeal of section 202 a railroad would be enabled to protect coal areas containing railroad lands from the activities of mere speculators in Federal leases.

Fifth. The acreage limitation provisions in section 202 are now outmoded and completely out of step with the acreage limitations which apply on Federal coal lands generally. Section 184(a) of title 30 United States Code permits the holding by one person of coal leases on not to exceed 46,080 acres in any one State.

CONCLUSION

The Union Pacific as a holder of checkerboard lands in the Far West coal fields would like to invest large sums of its own capital in joint venture with responsible operators in an effort to provide the energy needs which have been detailed by the Department through their spokesmen and recognized by the Senate in past hearings on the subject.

Therefore, it would seem to clearly indicate that the repeal of section 202 would stimulate a flow of private capital into the development of the far western coal fields and supply a growing need for energy in the United States which would be in the best interest of the Nation and its consumers.

The Nathan report indicates a lack of interest on the part of industry in Wyoming, Idaho, and Montana during the next several years. The possibility of the Union Pacific and coal operations joint-venturing for the purpose of developing resources in the area will mean an additional aid in marketing the resources of the areas. The economic plight of such States as Wyoming would recommend all the aid possible for available resources at the present time.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3070) to amend the Mineral Leasing Act with respect to limitations on the *leasing of coal lands* imposed upon railroads, introduced by Mr. MCGEE, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

PRESERVATION AND PROTECTION OF CERTAIN LANDS IN PRINCE GEORGES AND CHARLES COUNTIES, MD.

Mr. BREWSTER. Mr. President, I introduce, for appropriate reference, a bill aimed at preserving the unusual scenic, historic, and recreational values along the Potomac River above and below Mockley Point in Prince Georges and Charles Counties, Md. The preservation of this land is especially desirable because it provides the principal over-view from Mount Vernon and Fort Washington—two of America's important historic shrines.

This proposed legislation was carefully prepared by the Department of the Interior. I believe it is an important part of the President's program to make the Potomac a model of conservation and scenic beauty. If this proposal is not enacted quickly, skyrocketing land costs may make the park's completion impossible.

My bill, and the House companion measures introduced by Representatives Hervey Machen and John P. Saylor, offer a new program of land management. Three zones are established, first, public development; second, preservation, and, third, private development.

Within the public development area would be located such facilities as roads, camping sites, and interpretive centers. The preservation zone would preserve natural, historic, and scientific features of unique public interest. The private development zone would allow compatible private uses such as agriculture, orchards, and grazing to continue. In this zone the Department would either purchase restrictive easements or buy the land and lease it back. This method of land management represents a new and more flexible method of land management. Furthermore, it will reduce the cost per acre of parkland and remove fewer acres from the local tax roles.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3071) to amend the act of October 4, 1961, to facilitate the efficient preservation and protection of certain lands in Prince Georges and Charles Counties, Md., and for other purposes, introduced by Mr. Brewster, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

DESIGNATION OF OCTOBER 31 OF EACH YEAR AS NATIONAL UNICEF DAY

Mr. TYDINGS. Mr. President, on behalf of my distinguished colleagues, Senators Allott, Douglas, Hart, McGee, Metcalf, Morse, Nelson, Neuberger, Ribicoff, and myself, I introduce, for appropriate reference, a joint resolution authorizing and requesting the President of the United States to designate October 31 as National UNICEF Day.

The United Nations established its Children's Fund—called UNICEF—in December 1946 as an emergency agency to provide aid to the children in the war-ravaged countries of Europe. UNICEF proved so successful in this immediate postwar operation that the United Nations extended UNICEF's mandate to include not only programs to insure children's survival but also programs to prepare children for healthy and useful lives.

More than 1 billion children are growing up in the world today. Many of them are slowly starving to death and many others will die from diseases which modern medicine has learned to prevent or cure. UNICEF aid is reaching millions of these children and their mothers in more than a hundred countries. UNICEF has helped to cure 37 million cases of yaws. It has treated 11 million cases of trachoma and over a million cases of leprosy. It has helped countless numbers of children through the health centers, clinics, and maternity hospitals it has equipped. In addition, UNICEF has supplied equipment and funds to train child health and welfare workers, nutrition experts, and teachers.

For its outstanding success in attacking age-old scourges such as leprosy, malaria, and tuberculosis, of which children are the most vulnerable victims, the United Nations Children's Fund was awarded the Nobel Peace Prize last October. In awarding this treasured honor to UNICEF, the Nobel Committee recognized the fundamental contribution to peace which UNICEF is making through its successful efforts to overcome some of the basic causes of unrest and war.

UNICEF promotes the cause of peace by helping children without regard to the color, creed, nationality, or political beliefs of their parents. Furthermore, UNICEF encourages nations to work together for the benefit of their children.

UNICEF is supported by voluntary contributions from governments, private organizations, and individuals who believe in the value of its work. The largest single private campaign for UNICEF in the world is that of our own boys and girls who collect coins for UNICEF instead of asking for treats on Halloween.

Trick or treat for UNICEF started spontaneously in 1950 when a small Sunday school class raised $17 for UNICEF. From that small beginning, the trick or treat for UNICEF program has grown until, last year, over 3 million young people in 50 States collected well over $2 million for UNICEF. Children in my own State of Maryland raised about $63,000 for UNICEF last Halloween.

The cumulative total raised by American children since the Trick or Treat for UNICEF movement began in 1950 amounts to over $17 million. These funds have purchased food, medicines, and other aid for millions of children in the developing countries in order to give them new hope for a healthier and happier life.

Every American President since UNICEF was established has given strong endorsement to its work. President Johnson has specifically approved the Trick or Treat for UNICEF campaign. On March 17, 1965, in a statement to the U.S. Committee for UNICEF, the President said:

> In keeping with our traditional spirit of good will and generosity, each American can help UNICEF to continue its work by participating in the trick-or-treat program at Halloween and in the greeting card campaign. Mrs. Johnson and I hope that our fellow citizens this year will once again join in bringing the opportunity for a better life to more of the world's children.

On receiving word of the Nobel Peace Prize Award, President Johnson said:

> UNICEF is giving new hope for a better life to the generations in whose hands the security of the world will soon rest. There is no nobler work for peace. Your UNICEF Trick or Treat Day has helped turn a holiday too often marred by youthful vandalism into a program of basic training in world citizenship.

In recognition of UNICEF's vital work and in recognition of the magnificent contribution by American children to the cause of international understanding and good will through the Halloween UNICEF campaign, I join these several of my colleagues in introducing this resolution to authorize and request the President of the United States to issue a proclamation, annually, designating October 31 as National UNICEF Day.

I ask unanimous consent that the joint resolution lie on the table for 1 week for the benefit of other Senators who will wish to cosponsor it, and that the joint resolution be printed in the Record.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will lie on the desk, as requested by the Senator from Maryland, and will be printed in the Record.

The joint resolution (S.J. Res. 144) authorizing the President to designate October 31 of each year as National UNICEF Day, introduced by Mr. Tydings (for himself and other Senators), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

S.J. Res. 144

Whereas the United Nations Children's Fund (UNICEF) is dedicated to improving the lives of children and youth in the world's developing countries through assistance to governments to help eliminate hunger, disease, and ignorance; and

Whereas the accomplishments of UNICEF have been recognized by the high honor of the award of the 1965 Nobel Peace Prize; and

Whereas the peace of the world in the future depends on increasing the opportunities for development of today's children; and

Whereas UNICEF's programs in behalf of children and youth are dependent for financial support upon the voluntary contributions of governments and private citizens; and

Whereas the children of the United States are making an important contribution to UNICEF through the trick-or-treat campaign on Halloween: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized and requested to issue annually a proclamation designating October 31 as National UNICEF Day, inviting the Governors and mayors of State and local governments of the United States to issue similar proclamations, and urging all Americans, both adults and children, in their traditional spirit of good will, to continue and to strengthen their support of UNICEF, not only as individuals but also through their schools, their churches, and other community organizations.

TO EXPRESS SENSE OF CONGRESS AS TO CONTINUING THE SMALL BUSINESS ADMINISTRATION AS AN INDEPENDENT AGENCY

Mr. PROUTY. Mr. President, for myself and the senior Senator from Colorado [Mr. Allott], I submit a concurrent resolution which expresses the sense of the Congress that the Small Business Administration presently in existence as an independent agency should remain precisely that. It was not the intention of the Congress when it passed the Small Business Act that that Administration should be placed within the jurisdiction or control of any other Federal department or agency.

It seems to me that the rumored proposals to submerge the Small Business Administration in the Department of

Commerce are of sufficient import to justify Congress making known its preference in the matter.

I ask unanimous consent that the concurrent resolution be held at the desk until the close of business on Tuesday, March 15, for the addition of the names of any Senators who might wish to cosponsor it.

The **PRESIDING OFFICER.** The concurrent resolution will be received and appropriately referred; and, without objection, the concurrent resolution will be held at the desk, as requested by the Senator from Vermont.

The concurrent resolution (S. Con. Res. 80) was referred to the Committee on Banking and Currency, as follows:

S. Con. Res. 80

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that the Small Business Administration should continue to be an independent agency within the executive branch of the Federal Government under the general direction and supervision of the President but not within or affiliated with any other department or agency of the Federal Government.

COMMEMORATION OF FIFTH ANNIVERSARY OF THE PEACE CORPS AND COMMENDING PAST AND PRESENT MEMBERS THEREOF

Mr. McCARTHY. Mr. President, 5 years ago, on March 1, President John F. Kennedy established the Peace Corps by Executive order. Shortly afterwards he recommended legislation to give the Peace Corps permanent status through legislation. Although some Members expressed doubts and reservations, the bill was approved by Congress in September 1961.

The record of the Peace Corps speaks for itself, both in terms of the response of the young people of the Nation and of other nations who have invited Peace Corps members to serve their people. Today nearly 12,000 Peace Corps volunteers serve in 46 nations of Asia, Africa, and Latin America.

I believe it is appropriate that the Congress commemorate the fifth anniversary of the creation of the Peace Corps and also that we commend those who have worked in it for the manner in which they have expressed the concern of the United States and our people for the welfare of the people in developing nations. Representative Richard L. Ottinger of New York is today introducing a companion resolution in the House of Representatives.

I believe that particular commendation is due to Mr. Sargent Shriver who served as Director of the Peace Corps through its first 5 years.

I ask unanimous consent that the text of the concurrent resolution be printed at this point in the Record and also that the resolution lie at the desk for 1 week to enable other Senators to join as sponsors.

The **PRESIDING OFFICER.** The concurrent resolution will be received and appropriately referred; and, without objection, the concurrent resolution will be printed in the Record and held at the desk, as requested by the Senator from Minnesota.

The concurrent resolution (S. Con. Res. 81) was referred to the Committee on Foreign Relations, as follows:

S. Con. Res. 81

Whereas the Peace Corps has identified itself with the common people in the developing countries of the world and with their aspirations for social and economic improvement without regard to political considerations; and

Whereas the Peace Corps volunteers work side by side with the people of these nations and share their way of life, thereby contributing to mutual understanding and effectively helping these people to resolve their problems through their own institutions and efforts; and

Whereas the Peace Corps has grown since 1961 from 750 volunteers in 13 countries to 11,826 Americans who are now serving as Peace Corps volunteers in 46 nations of Asia, Africa, and Latin American; and

Whereas another 6,097 volunteers have already successfully completed their 2 years of service; and

Whereas the response of other nations to the Peace Corps is reflected in the fact that more than 10,500 new volunteers will be needed this year: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That we hereby commemorate the fifth anniversary of the establishment of the Peace Corps by Executive order of the late President John F. Kennedy and commend the past and present members of the Peace Corps for their efforts in expressing the national purpose and the friendship and good will of the people of the United States to the people of the developing nations of the world.

PRINTING OF THE HEARINGS OF THE UNITED STATES-PUERTO RICO COMMISSION ON THE STATUS OF PUERTO RICO AS SENATE DOCUMENTS

Mr. JACKSON. Mr. President, by request, I submit, for appropriate reference, a concurrent resolution providing for printing, as a Senate document, the hearings held by the United States-Puerto Rico Status Commission on the Status of Puerto Rico, established by Public Law 88-271.

The United States-Puerto Rico Commission is charged with studying all factors which may have a bearing on the present and future relationship between the United States and Puerto Rico. As part of its study and as provided by law, the Commission held bilingual hearings in San Juan, P.R., in three subject matter areas as follows: Legal-constitutional hearings, May 14 through May 18, 1965; social-cultural hearings, July 28 through August 2, 1965; and, economic hearings, November 27 through December 1, 1965.

These hearings represent the most comprehensive expression of opinion ever obtained on the status issue. The Commission and observers were impressed with the quality of the testimony. Many people prepared papers specifically for the Commission to be delivered at these hearings. As a result, the members of the Commission unanimously agreed that these hearings should be available to the interested public in Puerto Rico and the continental United States who may now and in the future be concerned with the relationship between the mainland United States and Puerto Rico.

Therefore, at the Commission's meeting of February 9, 1966, the members voted unanimously to seek that the transcripts of these hearings be printed and copies be made available to the Congress, the Legislative Assembly of Puerto Rico, libraries and other institutions of learning, and the interested public, both on the mainland of the United States and Puerto Rico.

The Commission's budget only permits the printing of its final report. The Commission did not originally plan or budget for the printing expense of transcripts of public hearings. Widespread interest in the public hearings resulted in Commission efforts to obtain assistance from a public service organization or foundation for printing the transcripts. These were not successful. The Commission is, therefore, proposing that the transcripts be printed—in separate volumes for each hearing—as Senate documents, after approval of a concurrent resolution.

I point out that section 2 of the resolution provides that 4,500 copies of the hearing shall be printed, in addition to the usual number, in order to meet the anticipated need.

The **PRESIDING OFFICER.** The concurrent resolution will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 82) was referred to the Committee on Rules and Administration, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed as Senate documents, in separate volumes, the transcripts of the bilingual public hearings held by the United States-Puerto Rico Commission on the Status of Puerto Rico on (1) legal constitutional matters, (2) social-cultural matters, and (3) economic matters held in San Juan, Puerto Rico, on May 14-18, July 28-August 2, and November 27-December 1, 1965, respectively.

Sec. 2. In addition to the usual number, there shall be printed four thousand five hundred copies of such Senate document for the use of the United States-Puerto Rico Commission on the Status of Puerto Rico.

ADDITIONAL COSPONSOR OF BILL

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent that, at its next printing, the name of the junior Senator from New York [Mr. Kennedy] be added as a cosponsor of the bill (S. 2928) to amend title IV of the Civil Rights Act of 1964 in order to authorize the Commissioner of Education to provide technical assistance and grants to school boards in support of programs designed to overcome any racial imbalance in public schools.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of March 1, 1966, the names of Mr. Hartke, Mr. McCarthy, Mr. Moss, and Mr. NELSON were added as additional cosponsors of the bill (S. 2995) to authorize the President to establish and maintain reserve stocks of agricultural commodities for national security, and for other purposes, introduced by Mr. MONDALE (for himself and Mr. METCALF) on March 1, 1966.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. CARLSON:

Speech on subject of role that magazines play in a free society, delivered by John K. Herbert, president, Magazine Publishers Associations, Inc., before Advertising Club of Metropolitan Washington, Inc., on January 25, 1966.

CUTBACK IN PUBLIC LAW 874 PAYMENTS A HARDSHIP TO SCHOOL DISTRICTS

Mr. DOMINICK. Mr. President, several comments have been made on the floor by various Senators protesting the President's proposed cutback in Public Law 874 payments for the coming fiscal year.

Senators will recall that Public Law 874 provides for aid to public school districts in impacted areas, in which the Federal Government makes payments based on the number of children of Federal employees enrolled in the schools in those districts.

The staff of the Education Subcommittee has published a committee print, with a statistical table, showing the effects of the proposed amendments on the amount of money that each of the participating school districts in each of the 50 States would receive.

Even a casual glance at this report shows conclusively that every school district will be adversely affected by the proposed cut; but further analysis indicates that the degree of adverse effect varies from State to State and from district to district within a State.

Colorado, for example, is cut from $11,534,402 to $4,830,459, or approximately 60 percent, while the District of Columbia is cut from $5,241,036 to $3,404,733, or only about 38 percent.

The State of Florida is cut from $11,089,144 to $3,763,575, or approximately 65 percent, while the State of Hawaii is reduced from $7,828,897 to $4,609,128, approximately a 35-percent cut.

The Colorado Education Association has sent to me an analysis prepared to show the effect of the administration's proposal within Colorado, district by district, and indicating the increased mill levies required in each district to restore the funds the administration's proposal would delete.

I think it is important to emphasize some of these for the RECORD.

In one of our districts, known as El Paso County School District No. 8, at Fountain, which takes care of the area near Fort Carson and Peterson Field, both military establishments at Colorado Springs, it would be necessary to raise the mill levy by 72.45 mills; 72.45 mills in addition to the present mill levy imposed upon them.

In the Air Academy School District in El Paso County, in order to replace these funds, it would be necessary to raise the mill levy 59.75 mills.

In Ignacio Joint School District, in La Plata County, it would be necessary to raise it 13.75 mills.

One can go through these statistics, Mr. President, district by district, and they show the very difficult situation that each of these school districts will have in trying to put back into their school establishments the funds which will be cut out under the President's proposal.

The PRESIDING OFFICER (Mr. BYRD of Virginia in the chair). The time of the Senator has expired.

Mr. DOMINICK. Mr. President, I ask unanimous consent that I may proceed for an additional 3 minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. DOMINICK. Mr. President, the problems we have here are really extreme. In many cases, the school board and the superintendent of schools have been making their plans for the coming year. In many cases, they have hired their teachers, they have set up their programs, and they have set up an intensified effort to try to improve quality in the various school districts. Out of the blue comes this proposal to cut off funds which have already been taken into account when the programs were prepared, the teachers hired, and the decision made to try to upgrade the quality of the schools.

It is an incredibly difficult situation which the school board and the school superintendent, in my opinion, should not be required to encounter. The very least the administration could do, in the event it felt that some change should be made in Public Law 874, would be to give enough advance notice so that on a 5-year program it could be phased out in those areas which no longer really need it. But, to suddenly cut the funds by the amount that is going into this proposal, ranging anywhere from 60 to 65 percent in some States and from 35 to 40 percent in other States, and then to require them to say that they have got to get local funds by putting an additional 72 mills on, in our State, in our district, is incomprehensible to me.

Public Law 874 was created under the concept that where the Federal Government is supplying a national need by putting a Federal installation into a district, the local problem which is thereby created for educating the children of Federal employees, and its solving, should be assisted by providing Federal funds.

This is the way it has gone forward. It has been done without any Federal controls of any kind, and it seems to me to be an excellent program. It is my opinion that the attitude of cutting this program as abruptly as it has been done, is something which is strictly not in the interests of our efforts to improve education and to try to improve its quality, and the different kinds of programs which the administrators are urging be placed in effect.

Mr. President, I ask unanimous consent to have printed in the RECORD a capable analysis prepared by the Colorado Education Association, so that Senators may see the great effect this proposed cutback will have in our State.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

Public Law 874 payments

	Congressional district	1965-66	1966-67	Difference	Additional mill levies [1]
School District No. 1, Denver	1	$1,849,901	$210,461	$1,639,440	1.42
Congressional district total		1,849,901	210,461	1,639,440	
Jefferson County Rural 1 School District, Jefferson	2	913,897	214,035	699,862	2.09
Englewood School District No. 1, Arapahoe	2	54,638	0	54,638	1.23
Adams Arapahoe Joint School District No. 28, Aurora	2	1,112,713	703,587	409,126	4.66
Adams County School District No. 14, Adams	2	114,314	24,878	89,436	2.12
Littleton School District No. 6, Arapahoe	2	87,474	0	87,474	.98
Cherry Creek School District No. 5, Arapahoe	2	110,276	6,148	104,128	2.15
School District No. 50, Westminster	2	185,746	18,158	167,588	2.72
School District No. 12, Thornton	2	123,157	51,472	71,685	1.65
Mapleton School District No. 1, Adams	2	56,251	0	56,251	1.39
Clear Creek School District No. RE-1, Clear Creek	2	26,157	10,151	16,006	2.33
Boulder Valley School District No. RE-2, Boulder	2	493,614	147,123	346,491	2.58
St. Vrain Valley School District RE-1J, Boulder	2	131,536	47,754	83,782	1.55
Sheridan School District No. 2, Arapahoe	2	19,267	0	19,267	1.86
Gilpin County School District RE-1, Gilpin	2	3,904	0	3,904	1.29
Congressional district total		3,432,944	1,223,306	2,209,638	

See footnote at end of table.

Public Law 874 payments—Continued

	Congressional district	1965-66	1966-67	Difference	Additional mill levies [1]
Manitou Springs School District No. 14, El Paso	3	$34,517	$18,158	$16,359	1.87
Colorado Springs School District No. 11, El Paso	3	1,555,807	974,670	581,137	3.39
School District No. 60, Pueblo	3	579,017	217,610	361,407	2.31
Pueblo County School District No. 70, Pueblo	3	140,533	77,779	62,774	2.80
Cheyenne Mountain School District 12, El Paso	3	109,330	39,032	70,298	3.19
Manzanola School District No. 3, Joint, Otero	3	14,474	11,009	3,465	1.62
Harrison School District No. 2, El Paso	3	246,314	208,174	38,140	3.27
El Paso County School District No. 8, Fountain	3	725,909	436,364	289,545	72.45
El Paso County School District No. 3, Security	3	512,151	356,583	155,568	9.82
Lewis Palmer Consolidated School District No. 38, El Paso	3	41,737	24,163	17,574	6.14
Air Academy School District No. 20, El Paso	3	905,023	522,579	382,444	59.75
Falcon School District No. 49, El Paso	3	3,827	858	2,969	2.40
Peyton Consolidated School District No. 23, Joint, El Paso	3	3,935	1,287	2,648	2.85
Fremont School District RE-2J, Florence	3	18,813	2,717	16,096	1.65
Huerfano School District RE-1, Walsenburg	3	10,279	0	10,279	1.18
Elizabeth School District C-1, Elbert	3	3,768	572	3,196	1.77
Rocky Ford School District No. R-2, Otero	3	25,182	6,720	18,462	1.23
Fremont School District RE-1, Canon City	3	17,847	0	17,847	.93
Woodland Park School District RE-2, Teller	3	7,388	1,144	6,244	1.98
Fowler School District R4-J, Otero	3	23,831	13,583	10,248	1.77
Las Animas School District No. RE-1, Bent	3	125,525	83,499	42,026	4.28
East Otero School District No. R-1, La Junta	3	13,745	0	13,745	.88
Cripple Creek School District RE-1, Teller	3	6,261	1,287	4,974	1.71
Crowley County School District No. RE-1J, Crowley	3	24,617	12,439	12,178	1.70
McClave School District No. RE-2, Bent	3	4,031	715	3,316	.71
Big Sandy School District 100-J, Elbert	3	6,465	858	5,607	1.48
Congressional district total		5,160,326	3,011,800	2,148,526	
School District No. 27, Joint, Brighton	4	25,483	0	25,483	1.10
Mesa County Valley School District No. 51, Mesa	4	141,566	0	141,566	1.61
School District No. 50, Joint, Pagosa Springs	4	8,788	1,430	7,358	1.29
School District 9-R, Durango	4	76,836	16,442	60,394	1.86
Plateau Valley School District No. 50, Collbran	4	8,198	2,717	5,481	1.37
West Grand School District No. 1, Joint, Kremmling	4	11,044	2,859	8,185	1.77
East Grand School District No. 2, Grand	4	32,704	9,722	22,982	3.01
Ignacio Joint School District No. 11, La Plata	4	236,716	132,110	104,606	13.75
Mancos School District RE-6, Montezuma	4	20,952	9,579	11,373	5.29
Bayfield School District No. 10, Joint Rural, La Plata	4	13,570	7,292	6,278	2.14
School District RE-50J, Eagle	4	18,350	0	18,350	1.26
Dolores School District RE-1J, Dove Creek	4	12,918	2,859	10,059	1.95
Park School District R-3, Estes Park	4	38,666	8,435	30,231	2.09
Thompson School District R2-J, Loveland	4	16,055	0	16,055	.41
Sangre de Cristo School RE-22J, Alamosa	4	2,955	0	2,955	1.39
Gunnison Watershed School District RE-1, Gunnison	4	50,441	22,305	28,136	2.21
Roaring Fork School District RE-1, Glenwood Springs	4	46,365	15,442	30,923	1.80
Montrose County School District RE-1J, Montrose	4	88,527	43,322	45,205	2.25
Dolores School District RE-4A, Dolores	4	16,391	13,726	2,665	1.00
Garfield School District RE-2, Rifle	4	52,528	11,152	41,376	3.45
Montezume Cortez School District RE-1, Cortez	4	169,668	85,500	84,168	5.28
Congressional district total		1,088,721	384,892	703,829	
State total		11,531,892	4,830,459	6,701,433	

[1] Required to make up difference, based on 1964 assessed valuation (taxes payable in 1965).

STATEMENT OF APPRECIATION TO THE COMMUNITY NEWSPAPER

Mr. DIRKSEN. Mr. President, I received an extented letter from the publisher of a community newspaper who thought something should be said by way of appreciation of these newspapers which dot the country and have such a wholesome and salubrious effect upon our citizens—newspapers that do not feature sensationalism such as we sometimes find in our daily newspapers.

In that connection, I should like to make a statement for the RECORD in praise and appreciation of the small community newspapers of America. The history of American journalism and the community press is inseparable from the great saga of democracy.

In 1690, the first newspaper in the American colonies was published in Boston and suppressed after a single issue, by the British authorities. But the spirit of journalism remained undaunted, and 14 years later the first of many regularly published community newspapers was successfully established.

The colonial press reported the shots heard around the world at Lexington and Concord and rallied the sons of liberty to fight. After independence, the community press followed the pioneers as they fanned out across the continent and beckoned to others with their reports and stories of new land and new hope.

America's great and priceless heritage of a free press has not only been a privilege, it has also been an absolute necessity to the growth and development of democracy. The local community newspapers have nourished the grassroots of this Republic. They have provided a town meeting where there was no official town meeting. They have been a sounding board for the local opinions and aspirations of our citizens throughout the Nation.

The clean and constructive journalism of our small local papers stand as a tribute to their excellent reporting and sense of responsible partnership in this Government of the people. The local editor is a leader in his community, a man steeped in civic affairs and vitally interested in the church and community activities of his locality.

The local newspaper is the heart and brain of its community. Its circulation provides the neighborhood with a meaningful concept of small group life which cannot be achieved by the great dailies. The economic life of the community pulses through the advertisements and market reports; its social life through the personal and society notes; its intellectual life through the news and editorial columns.

But of most vital importance is the political life of the community, which is viewed better through the small local newspaper than anywhere else except the polls themselves. It is through the local press that the citizen can keep informed on the activities of the minor, as well as major officials—constable and sheriff, selectman and councilor, alderman and assemblyman. It is here that he can learn of neighbors who believe, like himself, that the community needs more frequent garbage collection, or higher salaries for teachers, or stricter adherence to zoning regulations, or stringent economy and lower taxes.

Crusading, a rare and major enterprise for most big dailies, is often the constant breath of life for the small, local press. Any evil, any hazard, any inconvenience, however great or small, is a proper object of attack. The community newspaper is usually characterized by the urge for perfection that makes it the constant and open enemy of everything that harms the community. And, this same urge for perfection that gives force to a crusade may be expanded in a positive fashion, in backing valuable community enterprises, and often in originating them.

The newspaper as a public servant is unequaled at the local level. National and world news can be obtained better from radio, television, and the great dailies, but for information of those close around us, our neighborhood and our homes we must be served by the community press. The local paper must help its community to know its own past and present and to plan its own future. It renders an invaluable service which can be performed by no other means so effectively.

It is refreshing to note that our local community newspapers utilize their news space for responsible reporting on constructive achievements and accomplishments of the business, professional, and civic leaders. Progressive activities of the church, the home, and the school have priority for space in the community newspaper. Achievements and decency are displayed and encouraged as a way of life.

Accomplishments of the leaders in the YMCA, 4-H Clubs, Junior Achievements, Boy Scouts, and Girl Scouts are pictured in their proper perspective. Only in the community newspapers are the progressive activities of the Kiwanis, Lions, Sertoma, Eagles, Elks, Moose, Knights of Columbus, Masons, American Legion, AMVETS, VFW, women's clubs, parent-teachers' associations, the ROTC, and many, many more, reported and applauded. The community is the heartland of America; the community newspaper enunciates the real and the true greatness of America.

The challenges posed by a free press remain with us as a constant force for good as we strive toward a better society. Our small community papers are leading this fight at the point where it most counts, at the grass roots. I salute them today and offer, for all of us, our thanks and appreciation.

TAX RELIEF FOR STUDENTS AND PARENTS

Mr. DODD. Mr. President, during each Congress in which I have served, I have introduced legislation to extend tax relief to parents and to students who are putting themselves through school.

Last year I joined with my distinguished colleague from Connecticut [Mr. RIBICOFF] and other Senators in introducing S. 12, a bill to provide a tax credit for the costs of higher education.

This bill was similar to the one we worked out under Senator RIBICOFF's leadership, which we almost succeeded in having adopted as part of the tax reduction bill in 1964. S. 12 was not acted upon in the 1st session of the 89th Congress.

Now, once again, Senator RIBICOFF has introduced a measure in the form of an amendment to the Tax Adjustment Act of 1966 that would give the much-needed tax relief.

Congress has long recognized that the expenses of doing business, the expenses of producing income, and certain expenses necessarily connected with employment should be deductible from one's gross income. Recently we extended such tax relief to the expenses of moving to a new locality for employment.

But we have yet to give fair treatment to the expenses required to prepare a person through a higher education to earn an income.

The Ribicoff amendment has been carefully drafted, to provide the broadest possible relief and to bring together behind one measure those of us who have advocated over the years different approaches to this problem.

Time after time we have offered bills and amendments like the one offered now by Senator RIBICOFF only to be put off with the promise that hearings will be held on the question next session. And time after time such hearings have not been held.

The need for higher education tax relief is urgent. More and more families are being forced to invade their life savings and even to mortgage their future by borrowing more than $200 million from Federal, State, and commercial institutions this year alone.

The 88th Congress distinguished itself by passing a major program for Federal assistance in the construction of higher education classroom facilities.

I hope this, the 89th Congress, will pass complementary legislation to provide Federal assistance to lighten the burden, on students and parents, of paying for a higher education.

And I hope that today the Senate will take the first step toward this objective, by approving this amendment.

PREPARE TO MOVE NATO HEADQUARTERS

Mr. JAVITS. Mr. President, our Nation and the rest of the world have read with great interest the exchange of correspondence between the President of the United States and the President of France with respect to NATO.

I have been deeply concerned with the problems of NATO since I have been in the Senate and long before, in the other body. I am the rapporteur of the Policy Committee of the NATO Parliamentarians Conference, as well as chairman of one of its special committees for the purpose of bringing about economic cooperation between Greece and Turkey.

I have been deeply involved in its affairs. It seems to me that this correspondence highlights a number of points which should be emphasized for the Nation.

We in the Senate, as we do with Vietnam, have the right to speak and to be heard, for, Mr. President, NATO is and must continue to be the linchpin of U.S. foreign policy and of the free world's security and desire for peace. Whenever our attention and energies are drawn to crises such as that in Vietnam, we must never forget or minimize the fact that NATO is both the symbol and the reality of free world strength and unity of purpose.

The United States must be prepared to continue the structure and operations of NATO with or without President de Gaulle.

If President de Gaulle wants to pull France out of NATO, the United States and the 13 other members should carry on by themselves with integrated military commands and joint planning; hopefully, with some tie with France, if that can be arranged, but arrangements made with all of them; not just between the United States and France.

If President de Gaulle insists on direct French control of NATO bases in France or if he insists on removing the infrastructure of NATO out of France, the United States and other NATO countries must be prepared to stick together and pay the cost of transfer. Let me say, parenthetically, that I said as much in London last fall when this move by France seemed to be on the horizon. The cost of such a transfer will be approximately $1 billion, a necessary price to pay for the continued security of Europe, a reasonable price which must be paid for the linchpin of the Free World, a small price considered in relation to the expenditures of the struggle in Vietnam.

If President de Gaulle wants SHAPE out of Paris, we must begin making preparations to move it to the Low Countries or to Great Britain. The organization must never stop functioning for a moment.

I am proud to say that I support the President's rejection of President de Gaulle's offer for bilateral talks and bilateral arrangements with France. NATO is an organization, not an ad hoc committee. The members are committed to acting together as a unit and not on a bilateral basis. The precedent of bilateral negotiations could lead to a breakdown of the whole NATO framework. Special arrangements will destroy the common purpose and create confusion.

President de Gaulle has raised the call to nationalism in an age of internationalism and multilateralism. I have confidence that the French nation will find a way to get along with the other 14 nations in NATO and that the 14 other members of NATO will not be lured by the call.

VIETNAM: THE WAR IS WORTH WINNING

Mr. JAVITS. Mr. President, Hedley Donovan, the editor in chief of Time, Inc., has written a vital editorial in the February 25, 1966, issue of Life magazine. Mr. Donovan makes a convincing case on two counts: First, that our military task is a feasible one in Vietnam and shows likelihood of success; and, second, that our cause there is a just one and is worth pursuing. Many myths have grown up around the struggle in Vietnam, about the invincibility of wars of national liberation, about our objectives in the area, and about the meaning of the war in general.

Mr. Donovan's careful attention to the facts of the military situation should go a long way to dispel these myths. He points out that pacification is only the first step and must be a prelude to the next and longer phase of the economic, political, social, and psychological construction of the country. He concludes—and I am in full agreement with him on this—that the real meaning of the conflict in Vietnam is the future of Asia.

I ask unanimous consent to have Mr. Donovan's editorial printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

VIETNAM: THE WAR IS WORTH WINNING

(By Hedley Donovan)

The war in Vietnam builds up. It is often called a war without "fronts" or "lines," but there are authentic battles and all too authentic casualties, in rising number. There is a quickening of ambush and counterambush, patrols, sweeps and armed convoy runs, up and down the 900-mile curve of this lovely, tortured land. The buildup is felt from the sector of the "Paddy Rats," the 21st ARVN Division (Army of the Republic of Vietnam), at the tip of the steamy Mekong Delta country, all the way north to the U.S. 3d Marine Division encampments in the wildly complicated terrain around Danang—jungles, canals, rice fields, swamps, red clay hills, sharp little mountains, teeming towns, broad sand beaches. In shabby, swarming Saigon, people speculate about all the VIP traffic from Washington; many of them work prodigiously hard; some profiteer and racketeer, and at least a few work for the Vietcong at night.

The supply lines pump harder. They stretch back halfway around the world through the Philippines and Okinawa, through Hawaii, to the training camps in California and Georgia, the factories in St. Louis and Cleveland.

Vietnam begins to dominate the public life of the United States and the private thoughts of many an American family. It dominates the Presidency of Lyndon Johnson, the economic outlook, the intellectual climate.

But it is still a mystifying war to many Americans, despite heavy press coverage, loud public dialog, and all the earnest exposition of Lyndon Johnson, Robert McNamara, and Dean Rusk. It is certainly not a popular war (though it may be noted, to the general credit of mankind, that there aren't many popular wars nowadays). Some of the country's misgivings are reported elsewhere in this issue, not the sloganeering of the well-publicized "Vietniks," but the thoughtful, responsible dissent and doubt.

In this article Life offers its own general judgments and guesses about Vietnam. What might it take to end the business? What would be victory? What is this strange war all about?

For all the war's strangeness and difficulty, and for all the dangers and uncertainties ahead, our side in fact is doing fairly well.

The war need not last a generation, or 10 years or 6 or 7 years (to cite one curiously precise guess that recent press stories attributed to unnamed Pentagon observers). There is a reasonably good chance the present phase of the war can be successfully wound up in 1967, or even late 1966.

President Johnson's peace offensive was well worth trying, and there is still a remote possibility that the diplomacy he set in motion could lead to a satisfactory negotiated settlement of the war.

The likeliest ending is not around a conference table, however, but in a quiet withdrawal of main-force North Vietnamese units, after they have been hurt enough, back to the north, and a gradual tapering off of the Vietcong military effort in the south.

This would not leave South Vietnam fully pacified by any means; there would still be strong VC pockets and sporadic violence and terrorism. But the war of battalion- and regiment-size battles, and big airstrikes, would be over.

In the next phase of the struggle, though there would still be shooting, the war would be essentially economic, political, psychological. Heavy U.S. economic aid would still be required, and some continuing U.S. military presence. This phase might indeed last for some years.

We are not bogged down in Asia. We are deeply, inescapably involved with Asia and have been for decades. The involvement has its perils; it also holds high promise.

The war in Vietnam is not primarily a war about Vietnam, nor even entirely a war about China. It is a war about the future of Asia. It is very possibly as important as any of the previous American wars of this century.

In fact this ugly, maddening, big-little war may some day be remembered as a historic turning point. Many peoples of the West as well as Asia could have reason for gratitude to the extraordinary generation of Americans now serving in Vietnam (their harassed chiefs in Washington might even rate a word or two of thanks), and to the long-suffering troops and people of South Vietnam.

In the United States the most persistent question about Vietnam is why the injection of 200,000 Americans has seemingly made so little difference.

The injection of the 200,000 has in fact made an enormous difference. It prevented what otherwise might have been the collapse of the South Vietnam Government and Army, late last spring, and the defeat of all the previous years of American effort.

When Senator FULBRIGHT and Walter Lippmann and other opponents of the administration policy say, as they frequently do, that our side controls no more territory today than we did a year ago despite all the buildup and fighting in 1965, they are being technically accurate and totally misleading. A year ago, the South Vietnam Government's grip on what it ostensibly held was beginning to disintegrate very rapidly. The startup of U.S. air operations against the North in February 1965, and the arrival of the first few thousand U.S. Marines in March, briefly slowed but did not halt the deterioration. The Government continued to lose territory and population through spring of 1965, and more fatefully, the ARVN was losing its last thin reserve of mobile battalions, while the people were losing their last shreds of confidence that the Vietcong could ever be defeated.

Perhaps because they never confessed how desperate the situation was last May and June, neither the Saigon government nor the Johnson administration has given any detailed accounting of how much better the situation is today. In the United States, this leaves critics free to argue that no amount of U.S. effort and sacrifice seems to accomplish anything in Vietnam, so we should disentangle ourselves from a hopeless venture on the best terms we can get.

A turnaround did begin in early summer. By that time the United States had 75,000 troops in South Vietnam, and on July 28 President Johnson made his announcement that another 50,000 were on the way. The announcement itself had a salutary effect on the stability of the Saigon regime and on the attitudes of the fence-sitters, a numerous element, understandably enough in the Vietnamese population.

Today, although there is no such thing as total security anywhere in the country, including the most heavily guarded military bases, the Saigon government has reasonably good control of territory containing about 50 to 55 percent of the country's population. This contrasts with a highly precarious control of about 45 percent last June. The territory under the government's control includes all the cities, all 43 of the provincial capitals, all but half a dozen of the 241 district capitals. There has been a decided extension of government control in the populous Mekong Delta area, source of most of the country's rice supply and in the past a rich recruiting ground for the Vietcong as well as the ARVN. About 20 percent of the country's population is in disputed or fluid territory or places that neither side is bothering with at the moment. The rest is under fairly solid Vietcong control. The Vietcong dominate at least half the country's area, but much of its domain is jungle, mountain, and mangrove swamp.

The 10-man military directory headed by Air Vice Marshal Nguyen Cao Ky has now been in office 8 months, which nobody would have dared predict last summer. It can scarcely be described as strongly entrenched or broadly popular, but it looks much more effective than the revolving-door regimes that followed the fall of Diem (nine of them in 19 months). It has lived down the bombastic pronouncements of Ky's first weeks in office, suppressed one minor coup attempt, and made some fairly convincing announcements about the drafting of a new constitution and the introduction, perhaps next year, of a limited measure of democracy. With powerful prodding and backing from the U.S. Embassy and AID mission, it began an ambitious new program of economic reconstruction in the more or less pacified parts of the countryside. There have been previous efforts—and failures—in this field, the strategic hamlets program, the new life hamlets, etc. The Ky regime has been going at it quite seriously, however, and its program now has the direct and insistent patronage of Lyndon Johnson himself, as announced at Honolulu and amplified by the new wave of emissaries he sent to Saigon.

Meanwhile, South Vietnam's badly battered army has had a chance to catch its breath. A number of understrength units have been considerably beefed up in men and equipment. The desertion rate has been reduced, though it is still shocking. There has been an encouraging pickup in defections from the Vietcong—11,000 in 1965 versus 5,000 in 1964. One of the most sensitive indicators of all—the willingness of people out in the countryside to furnish intelligence on VC movements—points to a healthy increase in popular confidence in the ultimate defeat of the VC.

Where does the war go from here? The most urgent need right now is to break the bottleneck in port facilities. Saigon itself is a second-rate river port, 50 twisting miles upstream from the South China Sea, with antiquated docks and stevedoring techniques. Until a few months ago virtually all oceanborne supplies for the South Vietnam economy and the war had to pass through this one congested port. Last June, U.S. Army Engineers and civilian contractors went to work at the superb natural harbor of Cam Ranh Bay, previously untouched, and before the end of this year it will be handling more cargo than Saigon. Construction work continues at a furious pace at Cam Ranh Bay; facilities are being expanded at Qui Nhon, Danang and lesser ports; and some improvements are in progress at Saigon. At most of these places, however, ships still wait 30 to 40 days for unloading. It will probably be another 2 or 3 months before the ports are fully equal to the support of the troops already in Vietnam, and capable of supplying new arrivals. Almost equally high priority must go to the enlargement of military storage facilities, and improvement of the highways in the major operating areas.

How many more U.S. troops will be needed for the big-unit phase of the war? Fewer than half the U.S. troops now in Vietnam are actually available for offensive operations against the Vietcong on the ground. As in any war, the men up front are supported by a long train of medics, truck drivers, construction battalions, headquarters, staffs, etc. And in this particular war, where VC suicide squads can turn up almost anywhere, we have thousands of combat-unit men tied down by static-defense duties around our major bases. Perhaps 80,000 to 90,000 of the Americans now in Vietnam are available for serious offensive action; only about 50,000 of these can range far from their bases to seek out the VC.

Total strength of the South Vietnam armed forces is generally put around 650,000 to 700,000 men, but this total must be stripped down even more drastically. There are perhaps 25,000 to 40,000 South Vietnamese troops, including some tough marine and airborne battalions, that could be considered fully mobile offensive forces, unencumbered by fixed-defense responsibilities. Adding in a robust little Australian-New Zealand contingent, and the marine brigade and Tiger Division that Korea has sent, the allies have a total striking force of 150,000 men at the most, and by the maximum mobility test the total would be more like 100,000.

They are up against a fanatically brave and highly resourceful army of about 90,000 men, Vietcong main-force units plus perhaps a dozen regiments of the North Vietnam Army, always free to group and strike against a weaker force wherever they can find it, since they themselves hold no intrinsically valuable territory that ties them down to defense. (The VC may have another 100,000 men in small local cadres, in porter gangs along the supply trails, part-time guerrillas, etc.)

The much quoted dictum that it takes a 10 to 1 superiority to suppress a determined guerrilla force is not regarded as gospel in Vietnam. No modern counterguerrilla army has ever operated with such a tremendous margin of firepower and mobility as the United States has introduced into Vietnam. But it is generally agreed that we will need a manpower superiority of at least 2 to 1 and very possibly 3 to 1 in mobile offensive forces.

Most of the reinforcements will have to come from the United States. Among the Vietnamese themselves there is not very much young manpower not already in one uniform or another, though some existing ARVN units can probably be upgraded into a higher offensive capability. No very significant allied contributions are in sight. We must be prepared, therefore, for the total U.S. commitment in Vietnam to rise from the present 200,000 men to at least 400,000 men, assuming that half or more of the new forces are in ground combat units that can seek out the Vietcong. This would mean a commitment about on the scale of the Korean war at its peak.

But what if the enemy simply feeds more and more men into the war? The fact is he would find it very difficult to match our buildup. The VC have pretty well scraped the bottom of the barrel in recruiting within South Vietnam. From the north it is possible to infiltrate only 2,000 to 4,000 men a month over the Ho Chi Minh trail, and the capacity can't be much increased as long as we keep up our air attacks.

Conceivably, North Vietnam might decide on overt, all-out invasion of the south, and launch the rest of its army—perhaps a dozen first-line divisions, totaling more than 200,000 men, across the demilitarized zone along the 17th parallel. Then there would indeed need to be a big American Army in Vietnam—perhaps the million men who figure in some of the forebodings here at home. But for the enemy to pour men down the narrow coastal corridor, or in fact try to get large bodies of troops into the south by any other route, would be to sacrifice most of the advantages of the hit-and-run jungle warfare he is so expert at. Every time full regiments have been brought to battle by U.S. forces, the enemy has been badly beaten. If North Vietnam went all-out, it would have to offer us concentrated targets—massed troops, big supply depots, clogged roads and trails. Ho Chi Minh would be risking his whole army, and with it his rule. The repeated U.S. assurances that we do not seek to overthrow the North Vietnamese regime would surely be the first casualty of any all-out attack from the North.

Let us guess, then (there are no guarantees about Vietnam), that the North does not come down in a big way, that the U.S. buildup proceeds, that the bottleneck in the ports is largely overcome this spring. By summer the effects of all our effort should really begin to be felt on the battlefields. A point comes in a war when momentum develops; cumulative and multiplying effects spread across a whole theater; one action goes well, and things seem to go better in half a dozen other places. The momentum was running strongly for the Vietcong in early 1965. It could be running strongly for our side in late 1966.

Barring a negotiated settlement, nobody will ever be able to name the exact date when the present phase of the war came to an end. But the day should come, late this year or next, when it will be possible to add up some such set of facts as this: dwindling southbound traffic on the Ho Chi Minh Trail for several months; increase in northbound traffic; no firm contact with a full VC regiment or battalion for several weeks; occasional capture of VC or North Vietnam regulars now operating with small local guerrilla units; extension of government control to territory containing 75 percent of the population; decline of VC incidents within this territory. This would be the end of the big-unit war, and the first installment of victory, and this the United States does tacitly recognize. To turn the South over to communism which would almost certainly be the consequence of a peace negotiated from a few enclaves, would be defeat.

Assuming we will not settle for that, and that we persevere through the big-unit war, we should then see Hanoi quietly deescalate. We would presumably stop bombing the north, and perhaps announce a provisional and gradual schedule of withdrawals of a major part of the American force. (The north could come back in, of course, but so could we.) In the new phase of the war, more and more of the military responsibility would revert to the rebuilt ARVN, which by then should include a number of highly equipped, trained and seasoned units, increasingly capable of dealing with the small-scale VC attacks which would doubtless persist for some years, or moving against some of the remote VC redoubts. Increasingly, the American support of South Vietnam would be channeled into economic, medical, educational aid. In civil terms as well as military, the Vietcong are deeply entrenched in considerable areas of the countryside. Their political, economic and psychological hold on village life will not necessarily disappear just because their troops go underground. The Saigon government will have to prove that it can provide the villagers physical safety from the VC, but more important for the long run, that it is not simply a rival gang of tax collectors.

So the second installment of victory would come, probably not before the early 1970's, when VC activity in South Vietnam had been reduced to the proportions of a police problem, when all or almost all the American troops could be brought home (we still keep two divisions in Korea), when a thoroughly viable economy was operating, when an independent, effective and stable government (by the standards of Asia, not Switzerland) seemed established. That would be victory for the prodigious American effort in this country of 15 million people some 8,000 miles from San Diego.

In a way, it doesn't sound like much. For these modest purposes, in a far distant place, can the United States really be preparing to send hundreds of thousands of Americans into battle and spend tens of billions of dollars, allowing a bitter divisiveness to come into American life, courting abuse from world opinion, and running a faint risk of war with China, and even world war III?

The Communists say that the Americans wouldn't do all this just for the sake of Vietnam, and in this they are absolutely right. But the Johnson administration has never successfully articulated the broader purposes of our Vietnam commitments and the very promising possibilities it could create. It is deplorable that such a courageous and far-sighted policy should be so badly explained.

The administration offers a good many dull and lofty generalities about helping to preserve the freedom of South Vietnam. These are not entirely satisfying since South Vietnam is not really a nation yet—it is an artificial half of one of three countries carved out of a former French colony only 17 years ago—and in its short life it hasn't even been fully free, either of Communist aggression or domestic autocracy.

The administration is more eloquent and persuasive when it stresses the importance of honoring our commitments. If we do not stand fast in Vietnam, who else will trust our guarantees? This leads into the familiar domino argument—if South Vietnam falls to communism, Laos, Cambodia, and Thailand would go next; Malaysia, Singapore, and Burma soon after; then Indonesia; neutralism, anti-Americanism and pro-Peiping sentiment would spread in India, the Philippines, Japan. The damage to U.S. credibility could spread further—to Berlin and NATO, Latin America, Africa, and the Middle East. Mr. Johnson and Mr. Rusk do not themselves spell it out in such lugubrious detail, but that isn't necessary. "Honoring our commitments" has become a kind of shorthand for a whole train of disasters that could ensue if we pulled out of Vietnam.

It is a sound argument, at least as applied to the southeast Asian peninsula, but it is a needlessly grim backs-to-the-wall sort of argument. It casts our whole effort in South Vietnam in negative terms—as something we must do to prevent a catastrophe. This negative argument offers no hint of the very difficult problems that face Communist China today, or the ways in which those problems have been intensified by our stand in Vietnam. It offers no vision of the positive good that could be accomplished in Asia if our Vietnam effort succeeds.

You would never know it, from listening either to the Johnson administration or its critics, but China had a very bad year in 1965. Despite the advance hand-wringing in the United States, the fears early last year that China might come in if the United States bombed North Vietnam or put ground combat units in South Vietnam, China did not come in. Nor did the growing U.S. effort in Vietnam prove to be "the one thing that would bring China and Russia back together." If anything, China-Russia relations are worse than a year ago, and Vietnam seems somehow to have inflamed matters.

Vietnam is precisely the kind of war of national liberation that China has proclaimed to be the wave of the future all through the underdeveloped regions of Asia, Africa, and Latin America, the Communist revolutions that would sweep the rural areas of the world and eventually bring down the world "city" of Western Europe-United

States-Japan. (The Soviet leadership sometimes wonders whether Russia is considered part of the city, too.) China has given loud polemical sponsorship to the Vietcong-North Vietnam cause, and it supplies a good part of the north's arms, but it has been very careful to avoid any move that might bring a direct confrontation with the growing U.S. power in Vietnam. And this certainly had something to do with the decline last year in China's prestige among the underdeveloped and uncommitted. In the India-Pakistan skirmish in September, China attempted a kind of ultimatum to India, but India paid very little attention, and China had to back down. China has suffered several recent rebuffs in its courtship of the new African states, and is even having a noisy quarrel with Castro. The upheaval in Indonesia, starting with the suppression of the Communist coup attempt on October 1, has been a major defeat for China, replacing what had been an increasingly Peiping-oriented policy with a strongly nationalist independent line.

South Vietnam is one of the last major positions not buttoned down, all around the rim of China. Laos is mushy, of course, though its neutralist and pro-Western factions have been doing fairly well in their exotic little war against the pro-Communist Pathet Lao. Neutralist Burma also seemed last year to respond to events in Vietnam and began acting as neutralist toward China as it long has toward the West. The most sensitive of all China's frontiers, of course, are the long reaches where it faces the Soviet Union. The state of Soviet-Chinese relations must contribute, to say the least, to sensations of isolation in Peiping. But if South Vietnam is held, China is substantially "contained," on the borders facing the non-Communist world. This could open up a whole new era of promise and growth for the potentially prosperous and stable nations of southeast Asia.

South Vietnam itself could be a dazzlingly successful country. It has immense food and timber resources, limitless water, hydroelectric possibilities, rubber, superb beaches and scenery, energetic, attractive people. Along with the tragic destruction of war, it is also acquiring, willy-nilly, the best port facilities between Hong Kong and Singapore, and half a dozen first-class jet airfields. It shares the great Mekong Valley system with Cambodia, Thailand, and Laos. President Johnson, in one of the few really affirmative specifics he has ever put before Asia, made a generous offer of U.S. aid for a big Mekong Basin project in his Johns Hopkins speech of last April. In a situation which permitted some degree of trust among these countries, an international effort to harness the Mekong could be one of the most exciting engineering and political ventures in the world.

If southeast Asia, instead of being a temptation to aggression and a threat to world peace, became a strongpoint of economically vigorous and fully independent states, the beneficent effects would spread well beyond the peninsula itself. Communist China would be contained in the best sense, not just in military positions but in terms of performance, by the dynamism of Japan on the northeast and this healthy new growth center to the south. South Korea, Taiwan, the Philippines, Burma, Indonesia, would all benefit to some degree; even India's staggering problems would look a little less hopeless.

It might be that these vistas will be opening up at the same time that the first major changes in the Chinese Communist leadership take place. Mao is 72, and said to be sick, Chou En-lai is 67; most of the rest of the Politburo, old comrades of the long march of the 1930's, are in their late sixties. If the defeat of the Communist attempt to take over South Vietnam comes around the same time that new men are moving into power in Peiping, this could be a very interesting moment in history. In several interviews with foreign visitors, Mao has expressed with startling frankness his doubts as to the revolutionary militance of the next Chinese generation. They might even be men with whom the West could attempt a comprehensive settlement of the major issues dividing us: nuclear proliferation, China trade, the partition of Korea and Vietnam, the status of Taiwan, admission of mainland China to the U.N.

In the past 25 years Asia has experienced three epochal changes that would have filled up several centuries' worth of slower-paced, old-fashioned history. World War II, the first war ever to sweep all of Asia, brought all of Asia irrevocably into the main currents of world politics. The breakup of the British, French, Dutch, and Japanese colonial empires created a dozen new nations—total population 800 million—of meager civil experience but powerful aspirations for a better life. Meanwhile the Communist takeover of China gave the earth's most populous country the most strongly centralized government it has known since the Ch'in dynasty fell in 207 B.C. Out of all this upheaval a new Asia will form. The pattern is not yet set. Vietnam is one of the places, at the moment the most crucial place, where the next Asia is being shaped.

Less than a year ago Cam Ranh Peninsula was little more than a hook of sand locked around a magnificent but totally neglected natural harbor, 185 miles northeast of Saigon. Today the expanding port is the logistical gateway to the war. At least half of the American troops committed to the struggle—and many of South Vietnam's forces as well—soon will be wholly dependent for supplies on Cam Ranh. Cam Ranh's new port facilities expand almost hourly, pressed along by the seething activity of Army roustabouts and engineers who work day and night in temperatures that often soar to 130°. Though the port is not yet fully operational, warehouses and supply dumps already sprawl along the peninsula as far as the eye can see. The mountains of material are destined mainly for combat troops operating across central Vietnam.

The 12,600 men who keep the port functioning—their job is considered the toughest in the country short of combat—handle the beans, bullets, and black oil routinely required by an expeditionary force. Through their hands also pass such sophisticated field expedients as pods for flying cranes and inflatable warehouses. * * *

This is the theater of war, unique in U.S. military history. Connected by a few roads and thousands of hidden trails, it stretches for 900 miles through jungles, mountains, and rice fields. The enemy is dedicated and tough, expert at surprise and hit-and-run guerrilla fighting. For years he has been winning the war. To respond to his tactics, the United States and South Vietnam have devised a two-part strategy, necessarily difficult: (1) Organize their striking power in order to expand their territory and keep the enemy off balance; (2) remain even more mobile than the enemy—not only to respond to his thrusts but also to track him down and destroy him.

(The maps and charts referred to in the following paragraphs are not printed in the RECORD.)

The overall scheme is shown on this map. The Army of the Republic of Vietnam (ARVN) has divided the country into four corps areas, each with its own command. To augment this pattern the United States has strung a series of enclaves along the coast. Each serves a multiple purpose. It is a port for bringing in supplies. It is an airbase for planes that constantly harass the enemy. And it is a fortress so well defended (with support from U.S. Navy carriers and guns offshore) that it could withstand a combined assault of enemy troops and planes.

The scheme is expensive in its use of manpower. Because the enemy infests every corner of the land, some 90 percent of the 680,000 South Vietnamese troops are tied down in static defense or by local militia duty. Of the 200,000 U.S. troops in Vietnam, some 7,500 are assigned to ARVN units as advisers. Thousands more are engaged in truckdriving, air supply and other logistical chores—leaving only about 90,000 U.S. troops for actual fighting. Thus the United States will probably send at least 200,000 more men to Vietnam to build up the ratio of combat troops.

The enclaves are not passive, Maginot-like turtles, maintained solely for defense. These are dynamic offensive installations, designed to force the enemy out of the area. The men not required for guard duty are sent out in actions ranging from squad patrols to major amphibious and helicopter assaults, to hunt the Vietcong and keep them on the defensive. In recent weeks the Marines and U.S. Army troops carried out the largest operation of the war so far. It took place in the central highlands, a key tactical area that both sides are fighting to control.

HOW THE ALLIED AND ENEMY FORCES ARE DEPLOYED

The enemy directs his war from the North Vietnamese capital of Hanoi. Much of his Chinese- and Soviet-built weaponry arrives through the port of Haiphong and over two railroads running from China to Hanoi. Soviet surface-to-air missiles (SAM's) help defend Hanoi against U.S. jets flying out of Thailand and South Vietnam. The South Vietnamese Air Force (VNAF) shares some bases with the United States. Though Soviet Mig's have seldom appeared in combat, these are poised on the Chinese mainland and the island of Hainan and at bases in North Vietnam. Most enemy troops and weapons enter South Vietnam along the Ho Chi Minh Trail. Most U.S. supplies come by ship and are unloaded at ports ringed by enclaves.

The key to victory in South Vietnam lies in the central highlands area shown here—and in marked rectangle on preceding page—a mass of mountains, trails, and tiny villages dotting the valleys. For even when the Marines succeed in expanding their enclaves in the north and other allied units control the Mekong Delta rice fields in the south, the enemy could still frustrate the total strategy by holding these highlands in between. For this would cut South Vietnam in two, disrupt communications and prevent the kind of national unity South Vietnam must achieve.

This is precisely what the enemy has been trying to do, and the terrain is a factor that works heavily in his favor. The Ho Chi Minh Trail spills right into the area, providing a steady stream of men and weapons. The mountains and jungles afford excellent hiding places for units as large as regiments.

The tide is now beginning to turn. The mountainous area does lack food, and in recent weeks enemy units from the highlands have had to move down to the coast where other Vietcong have long controlled the rice fields. The allies were waiting for this. Mounting Operation Masher, a large-scale attack that included U.S. Marines landing by sea and U.S. Army troops coming in by helicopter, they forced entire enemy regiments back into the mountains.

Infiltrating over the Ho Chi Minh trail, North Vietnamese troops have joined up with Vietcong units in the central highlands. Some have hidden out in staging areas (across-hatched red zones) or settled down in organized units with several regimental and at least one divisional headquarters (see chart at left for unit designations). To meet this challenge, the South Vietnamese Army (ARVN) has set up a corps headquarters at Pleiku and stationed battalions at Kontum. Special Forces camps, manned by local toops under U.S. advisers, are situated at key points near Laos and Cambodia to guard communications and set up islands of resistance along infiltration routes. The enclave of Qui Nhon, supervised by the 1st U.S. Logistical Command and guarded by ARVN and South Korean divisions, provides most supplies for the area. The biggest U.S. unit is the 1st Cavalry Division (Airmobile) with headquarters and a huge helicopter field called the golf course at An Khe. It constantly sends forces along the An Khe-Qui Nhon road to keep it open. Recently 6,000 troops from the 1st Cavalry moved overland by copter or north along Route 1 to launch Operation Masher in the vicinity of Bong Son. Some 5,000 marines made an amphibious assault 20 miles to the north. Then the Marines and more 1st Cavalry troops linked up in the An Lao Valley. Bad weather hampered further operations and many of the main enemy force estimated at 8,000 men escaped. But they left 1,300 dead, 300 prisoners and had taken a stiff beating.

The tactics of the elusive enemy and the difficult terrain on which he operates have forced the United States to exploit a method of infantry warfare which could prove to be the most effective means of putting down guerrilla brush wars. Its essence is the mobility provided by fleets of highly specialized helicopters—with the superior firepower they can deliver—that can gain the initiative against the enemy.

There are now more than 1,600 helicopters operating in Vietnam. These include armored gunships bristling with machineguns, troopcarriers like the *Chinook* that can set a platoon down almost anywhere, and "flying cranes" which can pick up loads as heavy as a 105-millimeter howitzer. Recently a pair of U.S. chopper pilots chatted with a Frenchman who had served during the Indochina war. "Ah, my friends," he said, "if only we had had your helicopters, it might have been a very different story."

Helicopter at work: Returning from a mission in the central highlands, gunships of the 1st Cavalry come in near Pleiku to gas up from doughnut-shaped "refuel bladders." In a thicket too dense for the *Chinook* to land, troopers climb down a ladder.

Troops disembark from the rear of *Chinook* which has found a clearing. Helicopters stand by on division's main base at An Khe, the biggest chopper pad in Vietnam. Field was dubbed the "golf course" because it was hand cleared.

Airborne hospital: At its home base at An Khe, a flying crane helicopter swoops down in a swirl of dust. Clutching onto a mobile surgical pod it soars away on an urgent medical mission into the thick of battle. The fatality rate among the wounded in Vietnam is far below that of World War II and Korea, largely because the techniques of evacuation of casualties have been keyed to the new concept of mobility. The pod is an emergency clinic, with X-ray, laboratory and all-purpose surgical facilities. Within minutes of being hit a man can get surgical care even before he is evacuated.

Interlude: Logistics is a sweeping term that includes the import of stateside entertainers to boost the morale of the troops. At Cam Ranh Bay, GI's, who are allowed 1 day off every 2 weeks, cluster around a girl from back home—and are momentarily distracted by photographer's helicopter. She is Leigh Ann Austin, Miss Texas of 1961, who was flown out to Vietnam to sing for the Americans and got her own taste of the war's swift mobility by being whisked from one U.S. base to the next.

UNITED STATES ENCOURAGES DOMINICAN MILITARISTS

Mr. YOUNG of Ohio. Mr. President, it is now almost a year since more than 30,000 men of our Armed Forces were sent into the Dominican Republic—enough almost to sink that little island.

I said at that time and, I consider it a sound statement now, that the threat of a Communist takeover was misrepresented and greatly exaggerated. I think it was nonexistent. Our President ordered this action on the advice of Ambassador W. Tapley Bennett, who was on that day in charge of our Embassy in the Dominican Republic. President Johnson is not to be blamed for relying upon Mr. Bennett's poor judgment. Ambassador W. Tapley Bennett became panic stricken and unduly excited when it appeared to him that the military junta which had taken over the Government from the duly elected civilian President was about to be chased out of the island.

Now, almost a year later, our servicemen are still in the Dominican Republic and there is still unrest in that unhappy island. It is time that we established a clear and definite policy toward the Dominican Republic and fulfill our pledge to bring order, stability, and a freely elected government to that nation.

It is unfortunate that we have in our State Department some officials who seem to denounce as Communists Latin American leaders who take action in opposition to the wealthy economic royalists of any Latin American country. They failed to distinguish between the Communist elements and the truly democratic elements in the citizenry seeking to release the people from the stranglehold of absentee landlordism and to help free the impoverished, underprivileged laborers and peasants from misery and squalor. W. Tapley Bennett and others misrepresented the facts, claiming some 58 Communists were among the thousands of rebels seeking to oust the military junta. It later developed there were duplications of names in this list of 58 and that only a few—2 or 3—Communists or Communist sympathizers were among the leaders of some thousands in the rebel forces.

Mr. President, there appeared in the Cleveland Press of February 15, 1966, an outstanding article on this subject entitled "United States Encourages Dominican Militarists" by Clayton Fritchey, one of our Nation's outstanding journalists. I commend this to my colleagues and ask unanimous consent that it be printed in the RECORD, at this point, as part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Cleveland (Ohio) Press, Feb. 15, 1966]

UNITED STATES ENCOURAGES DOMINICAN MILITARISTS

(By Clayton Fritchey)

WASHINGTON.—It's about time for a showdown on American policy in the Dominican Republic. The question, which the administration has been persistently evading, is whether or not we are going to support the provisional government we installed with the avowed purpose of paving the way for a new democratic system.

The test of our sincerity, which many still doubt, revolves around the defiance of a group of officers, supporters of the former military dictatorship, who have been ordered to leave the country by the provisional President, Garcia-Godoy.

The renewed rioting in Santo Domingo is a warning of what's ahead if the United States continues to shirk its responsibility. Many weeks ago President Godoy assigned a group of constitutionalist rebel officers and a rival group of regular army officers to diplomatic posts abroad, so that preparations for the proposed June elections could be carried on peacefully.

The constitutionalists departed, but the ex-Trujillo army clique has refused to budge, showing its traditional contempt for a civilian president. Not having an army of his own, the provisional President must rely on the Inter-American Peace Force (a euphemism for U.S. troops) for support in attaining the objectives to which the United States says it is so devoted.

But the United States, which has cooperated with the military junta ever since it overthrew Juan Bosch, the country's only elected president, has been strangely impotent. In fact, long after he had openly defied President Godoy, one of the leaders of the banished military clique was actually invited to a farewell party for the American commander on the island.

The United States, of course, can bring about the removal of these arrogant officers whenever it chooses. Why doesn't it choose? It is a pity that the Senate Foreign Relations Committee did not press this question more sternly last week when it examined Jack Hood Vaughn, the retiring Assistant Secretary of State for Inter-American Affairs, and his successor, Lincoln Gordon, the former Ambassador to Brazil.

Both were up for confirmation: Vaughn as the new Director of the Peace Corps, and Gordon as the new Director of Hemispheric Affairs in State. The committee had before it the man who has been guiding policy in the Dominican Republic, and a man who will be running it from now on, but it still didn't get the answer to the critical question. Vaughn just vaguely thought the officers would be leaving.

The man the committee should really have pinned down is Gordon, for, in view of his warm relations with the Brazilian military dictatorship while he was Ambassador to that country, we need to know more about how he is going to conduct himself as the head of Latin American affairs.

We might also keep in mind that the officer in charge of the Inter-American Peace Force in the Dominican Republic is and has been a Brazilian, selected, of course, by the Brazilian military government, which naturally has an affinity for the military in other lands. The reason the Inter-American Peace Force, composed overwhelmingly of Americans, has a Latin commander is to give it a hemispheric camouflage.

This fools nobody, and it would be funny if it were not so serious. While Brazilians commanded the Peace Force, the dissident military group launched a violent attack against the constitutionalists in Santiago on December 19.

Several weeks later, on January 7, they seized the official Santo Domingo radio and television center, apparently in preparation for a coup which did not come off. There have been other vicious episodes and it is clear there are going to be more if the militarists are not removed.

"PATRIOTISM AND BELIEF IN GOD"—REMARKS OF SENATOR SIMPSON, OF WYOMING, AT SENATE PRAYER BREAKFAST

Mr. CARLSON. Mr. President, our distinguished colleague from Wyoming *[Mr. Simpson], at a meeting of the Senate* prayer breakfast, delivered a fine statement on the subject of "Patriotism and Belief in God." I ask unanimous consent that the statement be printed in the body of the Record as a part of my remarks.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Patriotism and Belief in God

For Americans these concepts—patriotism and belief in God—were forged together in inseparable links when our Nation was born. Surely, our Founding Fathers were inspired by their faith in God to form the documents that created and endowed this favored Nation with freedom of soul and mind and body for its citizens. They believed that America had a divine destiny to fulfill.

Washington said, "It is impossible rightly to govern the world without God and the Bible." Moral strength was epitomized in the persons of Washington, Jefferson, Lincoln, Madison, Adams, Franklin, and a host of others. Those men visualized the potential greatness and goodness of a nation founded on a belief in God—"In God We Trust." Let us resolve that this motto does not become an empty slogan on an empty coin.

God has been so good to us that now we expect it—we think it cannot be otherwise. It is time we took inventory. It is not at all improbable that God could raise another nation to bless with prosperity, victory, and world leadership—if we prove unworthy.

The great men of the past understood and heeded the word of God and knew that faith in God was the dominating power in their lives and in the life of our Nation. Visit the little churches in Williamsburg and Jamestown and get the inspiration emanating from the patriotic utterances of great Christians whose words sounded liberty's call throughout the world. How far we have wandered from those paths of righteousness.

In recent years the Christian faith and ethics of our Founding Fathers have been downgraded by some teachers and professors in our schools who call them myths. The recent denial of God by people in high places should be attacked fearlessly by men who have faith in God—"I will therefore put you in remembrance, though ye once knew this, how that the Lord, having saved people out of the land of Egypt, afterward destroyed them that believeth not." Jude verse 5.

There is a lack of courage in people holding great positions of responsibility, not only in government, but in business, industry, and labor; a lack of angry and resolute men and women who should protect and defend our faith, the very fiber of our being. We don't have that quality of courage any more. We supinely bow to the order of the day. We even indulge ourselves in demeaning our lawmaking bodies instead of strengthening them. We appeal to the weakness of our people. More harm is done by the weak than the wicked. Never has our country been so leaderless and rudderless when it comes to adhering to our inherent principles of faith and morality. We are distintegrating morally.

We tolerate insurrections and riots in America because too many politicians in vying for votes to secure election and reelection sacrifice their convictions, and too great a proportion of our citizenry remain quiet when they should speak out. All that is needed for evil to triumph is for good people to remain silent. We stand idly by while prayers and Bible reading are forbidden in our schools. Now a New York court has ruled out the singing of the last verse of "The Star-Spangled Banner" because it mentions God.

Recently I read in the paper that a policeman was thrown off the stage at a meeting because he wanted to sing "God Bless America." Where is everybody? Where are the defenders of the faith? Corruption, pornography, lasciviousness and immorality are not only condoned, but encouraged in literature, on the stage, and in the movies. The purveyors of degrading material rationalize it all by saying, "After all, it is real. We merely portray reality." My retort to that is "Garbage is real too, but we don't put it on the table for food." Crime runs rampant through our streets. The courts have opened the gates for Communists to have free reign to spill their atheistic poison over our land. Hardly a word of protest is uttered by anyone. Where is everybody?

In February a remarkable conference was held for 3 days in Washington. Great Christian leaders attended from all parts of the world. The President of the United States and the inspiring Evangelist Billy Graham gave talks to over 2,000 men and women at the Presidential prayer breakfast. A full report of that meeting of International Christian Leadership could be an inspiration to thousands who are struggling to maintain their faith in a jungle of confused thinking. What does it take to get constructive publicity in our crime-ridden cities? Crimes of all sorts catch the headlines, but a worldwide meeting of Christian leaders is comparatively unnoticed. The U.S. Senate prayer breakfasts provide a challenge to keep me fighting in the hope (vain though it may be) that we will recapture leadership that was developed and sustained by our religious beliefs.

Everyone should see the documentary film "While Brave Men Die," where the flag of the enemy is seen flying freely in parades in the Nation's Capital while our American flag is spat upon, dragged in the dust and reviled. While brave men are dying in Vietnam, beatniks and Communists with a few misguided followers are cheering draft card burners and slackers, shouting treasonable insults at our flag and our President. One group is shown "sitting in" at the entrance of the White House. One hard-faced rebel is saying, "The next time we'll keep him from going in that door." Think of our tolerating such action. Where is everybody?

What's happened to the patriotic quotations we learned and loved as we were growing up? They've passed into the limbo of forgotten things or they are being repeated in derision—such quotes as:

John Paul Jones: "I've just begun to fight."

Patrick Henry: "Is life so dear or peace so sweet as to be purchased at the price of chains and slavery? Forbid it, Almighty God. I know not what course others may take, but as for me, give me liberty or give me death."

Comdr. James Lawrence: "Don't give up the ship."

Nathan Hale: "I only regret that I have but one life to lose for my country."

There were popular songs that made our blood tingle. I recall one that is surely appropriate for our times:

"Last night as I lay asleeping,
A wonderful dream came to me.
I saw Uncle Sammy weeping
For his children from over the sea;
They had come to him friendless and starving,
When from tyrants' oppression they fled,
But now they abuse and revile him,
Till at last in just anger he said:

"If you don't like your Uncle Sammy,
Then go back to your home o'er the sea,
To the land from where you came,
Whatever be its name,
But don't be ungrateful to me!
If you don't like the stars in Old Glory
If you don't like the red, white, and blue,
Then don't act like the cur in the story,
Don't bite the hand that's feeding you!"

We are now hearing horrifying slogans like "God is dead," uttered by strange people calling themselves "Christian atheists." An atheist cannot be a Christian. A Christian cannot be an atheist. How many people are publicly revealing this as heresy and contradicting these false doctrines? Where are the defenders of the faith? Where is everybody?

We hear some so-called leaders of the church denying the authority and authenticity of the Scriptures and the divinity of Christ. They are going out of their way to stir up strife of class against class, race against race. These people are doing great harm behind the mask of Christianity. The Nation has many who are politically oriented but confused—"religious but lost."

Let us once and for all get over the idea that communism is just another political party. Let us keep reminding ourselves that the goal of the Communist Party has been clearly stated by all its leaders, past and present, and that goal is the destruction of our form of government "by force if necessary." It would not be possible for the creeds of socialism and communism to persuade and prevail upon mankind to follow their godless road to slavery if the believers in God would rise up with the same zeal and dedication, and portray God's road to freedom.

A system of government that relegates man to an ambitionless, soulless role lost in the mass of mediocrity could not succeed if the millions of people who believe in the dignity of the human soul and freedom for the mind, body, and soul of men raised their voices. The glory of America's faith and system of government should be shouted to the world.

St. Peter in his second letter, chapter 2, verses 1 and 2, gives us fair warning about false teachers and doctrines: "But there were false prophets also among the people, even as there shall be false teachers among you, who privily shall bring in damnable heresies, even denying the Lord that brought them, and bring upon themselves swift destruction. And many shall follow their pernicious ways; by reason of whom the way of truth shall be evil spoken of." Jesus knew the importance of truth when He said, "Ye shall know the truth and the truth shall make you free."—John 8:32.

Many years ago, Lenin discovered that Christianity was the greatest obstacle to communism and stated that it must be destroyed. He found out that he could destroy church buildings but he could not destroy faith in the hearts and minds of true Christians—so he hit upon a plan. We have had a phrase for the course he chose: "If you can't beat 'em, join 'em." So communism began its work of infiltration into the churches to destroy them from within. The work had to be done slowly and carefully—not to alarm the victims.

It has been expertly planned and executed so that now publicly and with great show of churchianity, priests and pseudo-Christians emerge from Russia and the Communist slave states to take their places in the councils of the godly while true Christians are weeping behind the Iron Curtains. Knowing that communism is an atheistic, cruel power that does not hesitate to annihilate its opponents we must know that no priests or delegates of any sort would be permitted to leave those slave nations unless they were to act under the direction of the hierarchy.

Our very Christian charitableness is apt to render us gullible and blind to their deceit. We must be wary of this infiltration and combat it with true Christian zeal. II Peter 2:20 and 21: "For if after they have escaped the pollutions of the world through the knowledge of the Lord and Saviour Jesus Christ, they are again entangled therein, and overcome, the latter end is worse with them than the beginning. For it had been better for them not to have known the way of righteousness, then, after they have known it, to turn from the holy commandment delivered unto them."

I find solace and comfort in what many of my colleagues and brothers are doing in helping to keep us mindful of our Christian heritage. I want to devote myself more wholeheartedly from now on out to a restoration of faith in God in our country for it is so sorely needed. To quote from the lay committee of one of the largest religious denominations of our country: "Christ refused to become a political Messiah or purely a social reformer. The kingdom of righteousness and justice was to be established by conversion to Jesus Christ and not by political coercion with the church acting as another political pressure group. While the church has been devoting much emphasis in the area of social action, the fire of moral deterioration has been burning with increasing intensity.

There is much evidence in history that in proportion to the church's engrossment as a corporate entity with social, economic, and political matters, her evangelical mission and moral influence is weakened. We believe it is time to change the policies currently being followed by our church and to follow the plan of Christ and the Apostles. Those who compromise the authority of the Bible as a mixture of truth and error will fail this generation."

We have the formula for obtaining God's material and spiritual blessings in II Chronicles 7:14: "If my people, which are called by my name, shall humble themselves, and pray and seek my face, and turn from their wicked ways; then will I hear from heaven, and will forgive their sin and will heal their land."

The first step is to humble ourselves. That is not easy for Americans to do. We have a great example of humility in prayer in our own little chapel in the Capitol—the beautiful stained glass window portraying Washington bending his knee to God with the quotation, "Preserve me, O God, for in Thee do I put my trust."

The next injunction is to seek God's face. When we seek His face, we see the majesty of God, the glory of God, the power of God, the glory of God, the goodness, the justice, the truth, the faithfulness, the love and the unchangeableness of God. Can we think on these things and fail to see what our sinful lives are?

After having done these things, there is still another step—"turn from their wicked ways." Our national signs are mountainous—alcoholism, gambling, dishonesty among students, professionals, businessmen, Government officials at every level, the high divorce rate, illegitimacy, venereal diseases, lawlessness, demonstrations, and rioting. We must turn from these wicked ways. Then, and then only, will our sins be forgiven and our land be healed.

I see hope in the youth of America. I was impressed by the caliber of young people from many colleges across the country who attended the ICL Conference I had the privilege of addressing them. A handful of youth with a crusading spirit can do much to change the world. But they need leadership and examples of stalwart faith from the leaders of our Nation. We must help them by letting them hear words of inspiration and of faith in God ringing from our Halls of Congress before it is too late.

If we of this group become dedicated, determined and inspired we could create a bulwark across this Nation that could save us from the evildoers in our midst who are using our God-given freedom to destroy that freedom and using our churches to destroy the churches. Surely there is no more obvious truth than this—if our churches are changed from places of worship of Almighty God and sanctuaries for teaching the word of God to meeting places for voicing socialistic strife and harbors for teaching materialistic slogans instead of the 10 Commandments, it will be too late to preserve our faith and our country. Let us remember Washington's words, "It is impossible rightly to govern the world without God and the Bible." As an example of this, in a day when peace is the great goal—the Bible states—God has made us agents of peace—God was in Christ personally reconciling the world to Himself—not counting their sins against them, and has commissioned us with this message of peace.

There were only 12 disciples. These 12 men under God's leadership changed the world. We are more than 12 and we too have the same Son of God as our leader. We have but to follow His direction and allow the power of God to move us, strengthen us and guide us and we too can change the world.

I find the words spoken at the Presidential prayer breakfast ringing through my mind: "Great things could happen in this country—from coast to coast—a tremendous revival could sweep this great land of ours, and it could start in this room this morning."

WHAT PROPOSED CUTS IN SCHOOL MILK PROGRAM WOULD MEAN TO STATES

Mr. PROXMIRE. Mr. President, back in January I pledged to speak every legislative day against the administration's effort to cripple the special milk program for schoolchildren. I have made good that promise. I am glad to say that in these 2 months a majority of my colleagues in the Senate have indicated their support for my position both by joining me in sponsoring legislation to make the school milk program permanent and by speaking out on the floor of the Senate.

My first criticism of the administration's actions in this area was based on the Bureau of the Budget's decision to withhold $3 million that Congress had appropriated. This decision resulted in a 10-percent cutback in the Federal reimbursement rate. The cutback, which went into effect on February 1, meant that the States had to assume more of the cost of the milk or pass it on to schoolchildren.

This Bureau of the Budget decision was insignificant when compared with the fiscal 1967 budget for the school milk program, which was made public a few days after I began my series of floor statements. That budget, as my colleagues well know, would cut the milk program by a whopping $80 million. Not only would the budget be slashed by 80 percent, but the program would be directed solely to the needy and schools without a school lunch program.

Naturally the impact of a program reduction of such magnitude on the States would be infinitely greater than the present 10-percent cutback which itself has had serious repercussions. If the Child Nutrition Act, which contains this school milk revision, were enacted, millions of children now receiving milk at reduced rates would drop out of the program as their milk costs went up. The States could not possibly provide for these increased costs out of their own revenues.

What would this cutback mean to each of the States of the Union? The Department of Agriculture has provided the members of the Agriculture Subcommittee of the Senate Appropriations Committee with a table showing the effects of the cut if it were applied uniformly to all States. This table is based on estimated consumption of milk in fiscal 1966. Consequently it is simply a projection which does not take into account the fact that some States will benefit more from the program than others. Of course, the reverse is also true—other States will get less than is shown in the table for fiscal 1967. In any event, these are the best figures available.

My own State of Wisconsin, which received $3,615,000 in fiscal 1966 would get a mere $756,000 in fiscal 1967.

So that my colleagues in the Senate can see the pernicious effect the proposed cutback would have on their States I ask unanimous consent that the table be printed in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

SPECIAL MILK PROGRAM

State-by-State distribution of special milk funds in 1967, based solely on estimated use rate in fiscal 1966

[In thousands of dollars]

State	Cash payments	
	Fiscal year 1966 [1]	Fiscal year 1967 [2]
Alabama	1,451	304
Alaska	38	8
Arizona	519	108
Arkansas	1,220	255
California	8,941	1,869
Colorado	898	187
Connecticut	1,508	315
Delaware	327	68
District of Columbia	614	128
Florida	1,440	301
Georgia	1,200	251
Hawaii	174	36
Idaho	224	47
Illinois	6,582	1,376
Indiana	2,642	552
Iowa	1,896	396
Kansas	1,135	237
Kentucky	1,882	393
Louisiana	703	147
Maine	463	97
Maryland	2,174	455
Massachusetts	3,335	697
Michigan	5,682	1,188
Minnesota	2,676	559
Mississippi	1,500	314
Missouri	2,191	458
Montana	197	41
Nebraska	666	139
Nevada	115	24
New Hampshire	423	88
New Jersey	3,550	742
New Mexico	745	156
New York	9,484	1,983
North Carolina	2,208	462
North Dakota	387	81
Ohio	6,270	1,311
Oklahoma	1,060	221
Oregon	583	122
Pennsylvania	4,820	1,008
Rhode Island	416	87
South Carolina	734	153

See footnotes at end of table.

State-by-State distribution of special milk funds in 1967, based solely on estimated use rate in fiscal 1966—Continued

[In thousande of dollars]

State	Cash payments	
	Fiscal year 1966 [1]	Fiscal year 1967 [2]
South Dakota	435	91
Tennessee	2,064	432
Texas	3,818	798
Utah	377	79
Vermont	202	42
Virginia	1,686	352
Washington	1,488	311
West Virginia	586	123
Wisconsin	3,615	756
Wyoming	129	27
Total	97,417	20,365

[1] Based on expenditure pattern in fiscal year 1965.

[2] Based on percent relationship of each State to tota as prevailed in fiscal year 1966.

NOTE.—The actual allocation and use of special milk funds in 1967 will depend upon the number of schools participating which provide no other food program and the number of needy children participating in these and other schools. Thus the above distribution per State can be altered significantly as a result of program acceptance and performance. For example, States having a high percentage of all schools providing a lunch program will be eligible for less special milk funds than States with a low percentage of such schools.

UNEMPLOYMENT LOW IN WARTIME

Mr. FONG. Mr. President, yesterday the U.S. Department of Labor announced that unemployment in February this year declined to 3.7 percent, compared with 4.0 percent in January.

I rejoice—and I am sure all Americans rejoice—that more people are employed and fewer people are without jobs.

We all want to see unemployment decline further—to the very minimum.

We all want every person who desires a job to have a job—and at a living wage.

Most of all—we want to see this happen in a nation at peace.

Nobody should be fooled that the Government has now solved unemployment. The administration has yet to prove it can keep unemployment low in peacetime.

Unemployment traditionally goes down when America goes to war.

Unemployment was 9.9 percent the year World War II began—1941.

It fell to 4.7 percent in 1 year and to 1.9 percent the second year.

In 1950, when the Korean war began, unemployment ran 5.3 percent. In 1 year, it went down to 3.3 percent.

In 1963, when there were only a few hundred Americans in Vietnam, unemployment was 5.7 percent.

In 1965, when our forces grew to about 200,000, unemployment dropped to 4.6 percent.

With the further buildup which has continued, it is not surprising that unemployment continues to decline.

Congress must not be lulled by these rosy unemployment figures into believing the fundamental problems of employment and unemployment have been solved. These basic problems will continue to plague us in peacetime when that time returns.

The relationship between war and unemployment shows up vividly in the following figures obtained from the Legislative Reference Service of the Library of Congress:

	Year	Average annual rate of unemployment
		Percent
World War II	1941	9.9
	1942	4.7
	1943	1.9
	1944	1.2
	1945 [1]	1.9
Korean War	1950	5.3
	1951	3.3
	1952	3.1
	1953	2.1
Vietnam	1963	5.7
	1964	5.2
	1965	4.6
	January 1966	[2] 4.0
	February 1966	[2] 3.7

[1] War in Europe ended in June; in the Pacific in August.

[2] Monthly rate.

A DEEP AND ABIDING FAITH IN AMERICA

Mr. TALMADGE. Mr. President, for a number of years the Georgia State Chamber of Commerce has sponsored "Eggs and Issues" breakfasts during the time that the Georgia General Assembly is in general session in order to provide a forum for the discussion of the vital issues confronting the legislature and the State government.

My warm friend W. Kirk Sutlive of Savannah has presided over these weekly breakfasts with great distinction, and he has contributed much to their success. At the last "Eggs and Issues" breakfast, Mr. Sutlive expressed in moving terms his deep and abiding faith in the United States and the American way of life.

I ask unanimous consent that his inspirational remarks be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

> Would you indulge me a couple of minutes for a few philosophical observations. I have had the honor of serving as chief cook at these chamber of commerce breakfasts for long number of years. They have proved to be a great tonic for my ego. But, over and above this contribution to my vanity, these breakfasts have afforded me the opportunity of bringing a bit of brightness into the everyday lives of all of us who are confronted with problems, challenges and decisions that pose the question at times: Is all of this worth while?
>
> We are privileged to live in an era that calls for the best from all of us. At no other time in the magnificent history of this great country of ours has courage and leadership been in such great demand. We are a people who have been destined to provide world leadership. And at the same time we are a people beset with domestic problems, the solving of which cry out for patience, decency and loyalty on the part of each and every one of us.
>
> Yet, despite the problems that beset us and the challenges that confront us, I have a deep and abiding faith in the United States of America.
>
> It is my country.
>
> It is the only country I will ever want.
>
> America has been good to me.
>
> It has provided me with the things I need.
>
> It has given me most of the things I want.
>
> I know America's strength.
>
> I recognize America's weaknesses.
>
> Her strength is in the character and courage of her individual people.
>
> And, her weaknesses are in their hearts.
>
> We have fought for the liberty we cherish.
>
> We have died for the liberty to which other people strive.
>
> I know the history of America.
>
> I have read it a dozen times.
>
> It was discovered by a man of courage.
>
> Others of courage have made it great.
>
> We are subjected to all of the frailities of the human being.
>
> We do things we are ashamed of.
>
> More often we can point with pride to our behavior.
>
> In the main we can distinguish ambition from avarice.
>
> Yet, we have our share of the self-centered and greedy.
>
> We are a group of people who have enjoyed the myriad blessings of a divine providence.
>
> We would be derelict in our duties as citizens of the greatest country on the face of the earth, if we failed to hold intact these blessings for future generations.
>
> —W. KIRK SUTLIVE.

SOIL AND WATER CONSERVATION DISTRICTS IN MISSOURI

Mr. LONG of Missouri. Mr. President, on March 7 the Missouri State Soil and Water Districts Commission authorized three new soil and water conservation districts as board corporates.

The commission's action, however, was anticlimactic to events of February 19 when the residents of Oregon, Polk, and Taney Counties voted overwhelmingly to form soil and water conservation districts.

With these new districts Missouri now has 68 soil and water conservation districts, and 45 of them have signed modernized agreements with the U.S. Department of Agriculture.

Twenty-nine Missouri counties have had successful referendums since 1960 for formation of soil and water conservation districts, and in counties not fully organized, 12 subdistricts to soil and water conservation districts were established as legal and financial sponsors of Public Law 566 projects.

It is encouraging to see this support being given the conservation effort in Missouri by local landowners and the State legislature which in fiscal 1966 appropriated over $84,000 for soil and water conservation work. This was a $47,000 increase over fiscal 1965 with about $30,000 designated for watershed planning—the first time the State ever made an appropriation for this purpose.

With this kind of progress Missouri is well on the way to joining ranks with those States that are 100-percent covered by soil conservation districts and well along in watershed development work.

It is an accomplishment well deserved by the interested and dedicated leaders of soil and water conservation districts in Missouri.

BURKBURNETT, TEX., SOLVES ITS LOCAL PROBLEMS BY ITS OWN ACTIONS

Mr. TOWER. Mr. President, there is a town down in the State of Texas not far from my own hometown of Wichita Falls which, I believe, deserves a great deal of recognition.

Some rather remarkable people live in this town—even for Texans they are remarkable—and they have been doing some remarkable things.

Under a community improvement program sponsored by the General Federation of Women's Clubs and the Sears, Roebuck Foundation, the people of Burkburnett, Tex., have proved how resourceful a town can be in solving its local problems by its own actions. What the people of Burkburnett have done for themselves, they have done by themselves in true Texas fashion.

This town on the edge of the Texas-Oklahoma border was founded in 1907 and soon became the arch type of the oil boomtown. Things have quieted down considerably in Burkburnett since those days, although the oilfields are still producing and are an important part of the economy of the area.

Not long ago some of the citizens of Burkburnett began to give serious consideration to the problems and the needs of the town—problems and needs which were not terribly different from those of towns of similar size.

As president of the Council of Federated Study Clubs of Wichita Falls, Mrs. F. M. McMurtry was one of the first to recognize the needs of the town and that something could be done from within to improve the town. Her first observation was that Burkburnett had no library and that high school students were having to travel 15 miles to the nearest library at Wichita Falls. This was the first project for the community improvement program.

Once the ball was started rolling, those behind the project found widespread support within the community. Mr. and Mrs. Walter Bohner contributed a lot across from the town hall for the library, along with $1,000 for the project. The town has proposed a $42,000 bond issue, to be matched by State funds for the proposed $84,000 library building. Mr. Claude Adams, president of the nearby Clara-Fairview community, now heads up the library committee.

Other projects were begun. A campaign to clean up litter in the town brought out the men's clubs, schoolchildren, the high school student council, the Community Service Council, and the Boy Scouts. This campaign continues.

Members of the ministry in the town mounted tractors and cleared vacant lots of rubble and litter.

Other ambitious projects are underway. I am proud to say that none of them lack volunteers, nor enthusiasm, nor interest.

There is no doubt in anyone's mind now that Burkburnett is a better place in which to live. Not necessarily because there will be a new library, or because the streets are cleaner.

These projects have had another effect. There is a certain nebulous feeling among those who have participated in these projects—and many have. I would guess that it is composed partially of civic pride, partially from the satisfaction of having acted in their own behalf, and a good deal of pride of accomplishment.

As Mr. Adams puts it, "People's attitude is wonderful."

Many people have worked on these projects. There is no doubt however that they were initially the responsibility of a few. Mrs. Marjorie Kauerof, the community service council, Mayor and Mrs. James E. Frye, and Mrs. Philip Carpenter were among the prime movers of these projects. They were by no means the only leaders, however.

The actions of all who participated in these projects stand as a model for other similar towns whose people are interested enough and industrious enough to solve their own urban problems.

THE DEADLINE FOR VOLUNTARY MEDICAL BENEFIT PROVISIONS OF THE SOCIAL SECURITY ACT

Mr. PELL. Mr. President, March 31 of this year is the deadline for those persons who were 65 years of age or older on the first of the year, to sign up for the voluntary medical benefit provisions of the social security amendments passed by this body during the last session.

As of this date, approximately 70 percent of those eligible for these benefits have enrolled in the program. This figure is a fine one, one of which the Department of Health, Education, and Welfare should be proud. The Department's efforts in this field have been admirable, as have the efforts of the many private groups throughout the country who have advertised the impending cutoff date.

However, Mr. President, 30 percent of those eligible have not signed up, and we cannot assume that such a large number of people are not interested in the program. It is with this thought in mind, that I joined with the other members of the Rhode Island congressional delegation in sending out the following letter, for which I ask unanimous consent to have printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEAR FELLOW RHODE ISLANDER: This is a reminder.

March 31 is the absolute deadline for signing up for the voluntary medical plan financed under social security. For those of you who are eligible, or who have relatives or friends who are eligible for hospitals insurance or voluntary medical insurance, the following information we believe will be helpful.

Those who are presently receiving social security or railroad retirement benefits will be automatically enrolled by those respective agencies.

Those persons not automatically enrolled who are 65 or older, or who will become 65 before January 1, 1968, are also eligible for hospital insurance and should contact the nearest Social Security office to register. In Rhode Island, the addresses are:

Providence: 200 Dyer Street.
Pawtucket: 15 High Street.
Woonsocket: Stadium Building, Monument Square.

Part-time offices are: Newport Post Office, Tuesday and Friday, 9:30–12:30; Westerly Post Office Building, Wednesday, 9:30–3; West Warwick Town Council Chamber, Veterans Memorial Building, Tuesday, 9–12; Wakefield Post Office, Tuesday, 1–3; Warren Town Hall, Friday, 1–3; Burrillville Town Hall, second and fourth Thursday.

The supplemental or voluntary plan is available to all persons 65 and older, regardless if you are presently covered by social security or railroad retirement. This plan costs the individual $3 per month, matched by an equal amount by the Federal Government. There is a deadline for subscribing to it, which is March 31, 1966. If you became 65 after December 31, 1965, the enrollment period will end 4 months after that birth date. Eligible persons who do not apply by the March 31, 1966, deadline, will not have another opportunity to obtain this protection until October 1, 1967, and they will have to pay a special penalty in addition to their regular premium.

Those who have private medical or hospital insurance plans should not cancel them, because coverage under the hospital insurance and supplementary Federal plans will not start until July 1, 1966.

Please note. The programs we have described are the Federal hospital insurance and voluntary medical insurance programs financed under social security. They are not to be confused with our Rhode Island State program which is financed by a tax on wages and which requires a financial test for participation.

We do hope this is helpful to you or your friends, and if you have any questions or need any assistance, please let us know.

Sincerely,

JOHN E. FOGARTY,
FERNAND ST GERMAIN,
JOHN O. PASTORE,
CLAIBORNE PELL.

Mr. PELL. Mr. President, this letter, the purpose of which is self-evident, will get the broadest possible distribution. Hopefully, it will have the effect of bringing more Rhode Islanders under the voluntary benefits program. However, Mr. President, the problem of nonenrolling eligibles is a national one, and I call upon both the legislative and executive branches of our Government to do all they can to insure that the benefits are utilized by all.

I also believe that after the 31st of March, a full report on the numbers signing up for the medical benefits should be sent to the Congress by the Department of Health, Education, and Welfare.

At that time, with the full details available, the Congress should consider the possibility of taking further steps which fully implement the legislation passed last year.

AN ORATION ENTITLED "DEMOCRACY: WHAT IT MEANS TO ME"

Mr. CURTIS. Mr. President, a young lady from Nebraska is visiting Washington to learn more about our Government and the system of democracy under which we live. She came here because she won the Nebraska Voice of Democracy oratorical contest conducted by the Veterans of Foreign Wars and the ladies auxiliary of the VFW.

While she was here learning more about the way we function I feel she contributed greatly to the understanding of our heritage and our responsibilities in her oration entitled "Democracy: What It Means to Me." Therefore, I am asking unanimous consent that her oration be printed in the Record. This is the text on the speech given by JoAnn Frickenstein, of Creighton, Nebr.

There being no objection, the oration was ordered to be printed in the Record, as follows:

Democracy: What It Means to Me

America and democracy—perhaps the two most cherished words ever spoken; certainly these are two words that have become almost synonymous today. Yet, the term "democracy" usually only relates to a form of government. But, to me, it means much more than this.

Democracy is more than just a government of the people, by the people, and for the people. To me, democracy is my life, my home, my school, my church, my community, and my country. Democracy itself gives its followers faith and hope in greater tomorrows yet to come. As a young American citizen I know that I must in the near future choose my position among the adult citizens of these United States. It is comforting to know that I will be able to do this freely and without fear.

In this country I am assured of many rights which are taken for granted in these modern times. I know that I am free to voice my opinions, to say I agree or I disagree. I am free to worship my Creator in any church or in any manner I so desire, free to stand up and proudly say, "I am a Republican, or to say I am a Democrat," and free to do what I know is right without any fear of oppression.

These are the rights that fill each and every one of us with the desire to live, to learn, and to love. No other form of government in the world could offer me such great privileges and honors.

I consider these and other rights granted to me by a democracy to be of far greater value than anything money could possibly buy. These rights have been purchased by the sweat and bloodshed of our loyal and brave ancestors whose only goal was to create a situation in which their followers might live happily as free individuals in a free society.

Democracy to me is a privilege which enables me to live in this great land of opportunity. But I also realize that with every right goes a corresponding duty. I believe my duty in the society is to help preserve these rights and privileges which our forefathers so nobly fought for. We must maintain these rights that have been so abundantly bestowed upon us. It shall be my sacred duty as well as that of my young fellow citizens to safeguard these rights for coming generations.

The torch of democracy must be held high by those of us who will soon be tomorrow's leaders in this land of the free and home of the brave. My home, my school, my church, my community, and my country are all a result of democracy. They are my pride and joy for they will create my tomorrows. I must help safeguard democracy not only for me, but for all future generations.

Democracy means that I must work to instill or to strengthen, whichever the case may be, the values of democracy among my fellow citizens. I will be joining other loyal Americans in a united effort. Our democracy must be a candle, spreading light to dark and troubled portions of the world. I am confident that we will have nothing to fear.

Democracy is a task laid in hand of each and every individual today for it is truly a task of preservation. To me, it means work and wholeheartedness to today's world of turmoil. The results will be most rewarding, for they will mean generations of continued happiness. When our forefathers achieved democracy for this country, I am sure that they never dreamed it would be what it is today. Everywhere we look we see their democracy. We live and breathe it. Therefore, democracy is my assignment for it is truly my American way of life.

EDITORIAL APPROVAL OF HEARINGS ON VIETNAM CONDUCTED BY THE COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, every Senator hopes that his actions in the Senate will be received with approval in his home State. I am no exception. Consequently, I was greatly encouraged by editorials which have appeared in some of the fine newspapers in the State of Arkansas. These editorials endorse the decision of the Committee on Foreign Relations to hold hearings on our problems in Vietnam and the role of Communist China in these problems.

Mr. President, I ask unanimous consent that editorials from the following newspapers be inserted at this point in the Record:

Arkansas Democrat, February 10, 1966; Northwest Arkansas Times, February 15, 1966; the Baxter Bulletin, February 17, 1966; and the Arkansas Democrat, February 23, 1966.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Arkansas Democrat, Feb. 10, 1966]

Beneficial Debate

Without the blessings of the administration, Senator J. William Fulbright and his Foreign Relations Committee are doing an admirable job by their forthright inquiry into President Johnson's Vietnam war policies.

While much of the testimony has been extremely tedious for the public to follow, it is of unquestioned value to the members of the Foreign Relations Committee and to the other lawmakers.

It is imperative that Congress know all that should be known about the war and about the administration's policies regarding it. After all, Congress is responsible for appropriating funds for the war, and while it has not refused any money requests, it is aware of the need to know the full picture, so that it, as well as the executive branch of the Government, can act in the best interests of the Nation.

The pressures being placed on President Johnson by the hawks and the doves is fairly understandable, and he must weigh gravely the options he chooses. He is explicitly committed to seek peace as well as to carry out his pledge in war. His is the problem to scale up the American attack or to scale it down. In reaching his decision he should properly consider the views of the Senate. Those views were not being expressed 6 months ago as they are today. We uphold the debate as a means for the President's decision to be influenced and guided by the best judgment of Congress.

[From the Northwest Arkansas Times, Feb. 15, 1966]

Opportunity To Know

The people of the United States have reason to thank the Committee on Foreign Relations of the Senate for the inquiry it is conducting concerning the Nation's role in the Vietnam war.

The people need to know the circumstances and reasons for the developments which have taken place to date. And they need to be able to understand what future steps are likely, why they may be taken, and the probable results.

This is a most peculiar war in its relation to those who will fight and pay for it—the country is full of people who don't know why American soldiers are being killed in battle 10,000 miles from home, how many will be committed before the year is out, what accomplishments these men are supposed to record, or where the present war may lead.

Headlines from day to day report half a hundred or so Vietcong troops are killed by United States and South Vietnam forces; the enemy escapes traps carefully laid; American planes and pilots are lost to North Vietnamese groundfire; villages are overrun by troops searching the countryside for northern fighters; the jungle is smashed by bombs from the air and shells from warships. American forces are being stepped up in numbers soon to reach a half million or more Army, Navy, Marines, and Air Force personnel.

Where it will lead nobody knows. Whether it will bring Red China into the fray is unsettled. If the Chinese Communists fight Americans, what will Russia do? How close to a nuclear war will it take the world?

These things deserve the closest kind of attention, not only by policymakers in the American Government, but by the people, who will pay the piper. They need to know the present aims of the administration in Washington, what it will mean to them for this Government to achieve its stated aims, what may occur if the goals are reached.

There is great danger in the air today. War fever definitely is discernible among a portion of the American population. Some say: Bomb the rascals where they live, attack their strongholds, show Red China some real power, spread the assaults further north. There is even some sentiment to hit China itself "before that country gains a nuclear force."

As long as this philosophy is preached and practiced by a weak minority it is not a menace, but it is spreading as the Vietnam war stretches out in time and grows in size. It could make enough noise to influence policy of those directing the war effort—and this could lead directly to a third world war.

All this might be prevented if the people of the United States discern the possibilities—and the Senate committee, under the able leadership of Senator Fulbright of Arkansas, is alerting them so they can exercise some judgment.

The United States now has troops on the alert in Korea, Germany, Santo Domingo, and fighting in Vietnam—to name a few of the more urgent situations. The people of this country are told all this is done to halt the spread of communism, to stop aggression, to prevent expansion of a form of government alien to our own.

American forces are killing in pursuit of this policy. The spread of fighting is imminent. Where it will take us is a most pressing question which the people of the United States must consider before they become committed to a policy of victory or surrender—a sentiment which is being accepted by a growing portion of the population as the fighting is extended.

The duty of the Foreign Relations Committee and its chairman is entirely clear—and they are pursuing the correct course. The people have the right to know and to discuss and to decide, and the only way this decision should be made is with a knowledge of the present situation and what may follow. A difference in convictions among the Members of Congress exists, just as is evident among the people themselves. Both sides deserve a hearing.

Citizens of this country owe a debt of gratitude to the committee which is striving to bring to public attention not only details of where this country has gone, but the direction the road leads so that intelligent conclusions may be reached. If the public can understand what is involved, commitment to further escalation of the war to a highly explosive point may be averted.

Americans deserve to know. The opportunity to find out is being provided by the hearings the committee is conducting—thank goodness.

[The Baxter Bulletin, Feb. 17, 1966]

Fulbright Recognizes Responsibility

Senator Bill Fulbright has staked out a lonely and exposed position for himself as the Vietnam storm darkens and crackles.

It would be easier to be a follower in this perilous and puzzling time. It would be simpler and safer for the Senator to suppress any negative questions which might arise from his conscience or evaluation, as a number of other Senators have done.

But Senator Fulbright has chosen to lead the Foreign Relations Committee which he heads into a thoroughgoing investigation of the Vietnam war—of how we got into a mounting major conflict on the Asian mainland and of our prospects for success. He also hopes the hearings, which are being televised and include some "star" figures, will reveal the philosophies and trends of overall U.S. foreign policy.

The decision is in the best tradition of legislative responsibility and the Senator is to be congratulated for his courage. He is not against the President; he believes that he is for the American people and that, if they are asked to make great sacrifices, they have a right to know what forces are in motion and what the costs and risks are. The inquiry he is conducting is, in fact, a bit late, because never before has a commitment on such a scale been made by this country with so little discussion and debate at the highest levels. The legislative branch has followed in a docile way, but now it is resuming its historic functions.

This is the field in which Senator Fulbright is especially well equipped, through training and experience. If he believes that the evidence weighs against the Johnson administration's policies anywhere, it is his duty to tell the people what he thinks regardless of whether his statements are politically advantageous. These are the gravest of times and the worst that can happen is perhaps worse than the average person thinks. This is not the year for shallow political calculating.

Fulbright could be wrong, of course, and he is no doubt ready to accept the penalties if time disproves his assessments. He is against the escalating of the conflict, believing that that can easily lead to war with Red China and perhaps with Russia, and that a nuclear exchange could be the final result. He favors a holding strategy and a continuing effort to settle the conflict through negotiations. He fears that the country is already in too deep and that there can be no successful resolution of the dilemma from our standpoint.

If he is wrong, it can be recalled that the prophecies of administration officials have also failed thus far. According to Secretary McNamara's statements earlier in the war, the troops should already have been home. The strategy has not worked as envisioned.

We fervently hope that the Senator is wrong—that the Vietcong will capitulate before the swelling U.S. forces and that South Vietnam will be made into a model Asian democracy, flourishing through programs initiated by this country. Perhaps the United States has the power to make it work out that way. But a good many knowledgeable people believe the odds are not encouraging, and certainly all the facts should be laid on the table. The President has been unduly sensitive it seems, about full disclosure and criticism.

The Foreign Relations Committee hearings at least are a counterbalance to the hawks who are strong in government and who counsel a plunge into a much hotter and broader war than the President is ready to undertake at this time.

The hearings deserve attention by people in Arkansas and elsewhere. The populace is being given an unusual opportunity, through television, to become informed and to participate in history. And the people have a heavy stake in the policies that are being discussed.

Fulbright is being accused by some people of being an appeaser of communism, but he has no use for communism and believes that he is a realist in matters concerning not only the the survival of democracy but of mankind. His ideas are presented impressively in his book, "Old Myths and New Realities," published last year.

He is also an erudite student of history, who knows that wars are almost always popular in their early days, but not always in the lengthening years of combat. History shows that wars of attrition cannot easily be won by the stronger force—perhaps cannot be won at all—if the guerrillas have the support of a sizable portion of the population. The American Revolutionary War is an early example, the French experience in Vietnam and Algeria are later ones. The French suffered ghastly losses in Vietnam, in a military effort largely financed by the United States. They finally threw in the towel in Vietnam because they could not sustain two wars, and their "honor" was committed in Algeria, nearer to home. In Algeria, too, they failed dismally, leaving many thousands of dead behind, because the foundation for any success of their policy was absent.

He remembers, too, that the philosophy in Vietnam has changed radically in a short time. In 1963 President Kennedy said, "They're the ones (the South Vietnamese) who have to win or lose it. We can help them, give them equipment. We can send our men out there as advisers, but they have to win it."

The situation is different now, and the men over there have the support of Americans. But that does not mean that all inquiry must come to an end, that alterations in our world policies cannot be critically examined. Fulbright believes he is working for a stay of execution for the human race, and that is no mean motivation.

[From the Arkansas Democrat, Feb. 23, 1966]

More Light on Vietnam Policies

Senator Fulbright's statement that there was a possibility of another round of discussions on Vietnam before the Foreign Relations Committee is an encouraging one, because such discussions are bound to bring further enlightenment on this grave problem.

Anxiety about the future of administration policy has drawn more Senators into the arena, where eminent critics, as well as leading supporters, of the Vietnam war have been heard. It is highly beneficial to the Nation for the Senate to become realistically engaged in probing the depths of this problem of war.

By all means, let the experts on China be heard. Through them it may be possible to develop a meaningful appraisal of China's attitudes, intentions and present capabilities in regard to warring with the United States.

Secretary of Defense Robert McNamara's position of declining to testify for security reasons is not a valid one. There already has been far too much silence and "coverup" in the name of national security. Even if the sessions must be closed, the Senators should be able to question the Defense Secretary.

THE 119TH BIRTHDAY ANNIVERSARY OF THOMAS ALVA EDISON IN MILAN, OHIO

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator from Ohio [Mr. Lausche], who is presently ill, may be allowed the privilege of having printed in the Record his remarks concerning an editorial published in the Columbus, Ohio Dispatch, which is a fitting tribute to the 119th birthday anniversary of Thomas Alva Edison, whose birthplace was in Milan, Ohio.

There being no objection, the statement and editorial were ordered to be printed in the Record, as follows:

Statement by Senator Lausche

In a recent editorial published in the Columbus (Ohio) Dispatch, fitting tribute was given to the 119th birthday anniversary of Thomas Alva Edison, whose birthplace was Milan, Ohio.

I am sure that the editorial will remind my colleagues in the Senate and others of the many conveniences and luxuries of today's modern life which are a result of Mr. Edison's foresight and ingenuity.

[Editorial published in the Columbus (Ohio) Dispatch]

Our Heritage From Edison

Today is the 119th anniversary of the birth of the man who gave light to the world. Any schoolboy can tell you that we mean, of course, Thomas Alva Edison.

Possibly no other man in recorded history has had such an impact upon the civilized world as did this former railroad newsboy whose formal education was limited to a mere 3 months in the public schools.

In addition to his most famous achievement—invention of the electric light—Edison either invented, improved or found practical application for the phonograph, the motion picture camera, the auto storage battery, the teletype, the Ediphone, radio and television tubes, the mimeograph, and many other lesser or related items.

Even the telephone, invented by Alexander Graham Bell, was not practical until Edison developed a carbon transmitter to obtain the necessary variable resistance in a circuit.

So when you are curled up under the bedlamp reading a good book, or listening to the radio or watching television, or enjoying a wide screen movie, or humming along with the soft music from your hi-fi or stereo or gabbing on the phone, or running off the church newsletter on the mimeograph, or driving along the highway, you are paying unconscious tribute to one of mankind's greatest benefactors.

Ohio is known as the State that gave light and flight to the world, referring to the achievements of Edison and the Wright brothers, all Buckeyes by birth or adoption.

Edison's home at Milan, where he was born in 1847, is a national shrine and attracts thousands of tourists annually.

Ohioans are proud today as they reflect on the blessings Thomas Alva Edison has wrought upon their lives.

THE PRESIDENT'S CRIME MESSAGE TO CONGRESS

Mr. BIBLE. Mr. President, the President's message is a blueprint for action in the homefront war against crime—a deadlier if less dramatic foe than American boys are fighting in Vietnam. Our war here at home against the enemies of decency and law and order is one we have been losing for too many years.

Obviously, crime prevention primarily is a local responsibility but the Federal Government should assist with its resources where it properly can, as the President has outlined.

The country's best minds must be probed to stamp out the root causes of crime. Our survival as a nation depends upon this success. Law must prevail or we will no longer be a nation of laws.

Today more Americans worry more in their ordinary daily lives about getting murdered, raped, yoked, or robbed than ever before in out history. The rising tide of crime ranks as the country's foremost domestic problem.

The President's call to arms against the homefront criminal should be met with wholehearted acceptance and praise but more important, the best energies of each of us to join the fight to restore law and order.

THE PROPOSED CURTAILMENT OF FUNDS FOR THE SCHOOL MILK PROGRAM

Mr. PELL. Mr. President, the proposed fiscal year 1967 budget contains a curtailment of the funds to be appropriated for the Department of Agriculture's school milk program. The proposed funding would cut back a program which in fiscal 1965 provided approximately 3 billion half-pints of milk to children in 92,005 schools throughout the Nation.

The Secretary of Agriculture has given a twofold reason for the proposed budgetary cutback. In the first instance, we have been informed that through this curtailment of Federal activity, approximately $52 million would be saved.

From a purely monetary standpoint, I doubt whether the Department of Agriculture would actually realize such a great saving. For under our Agricultural price-support program, the Commodity Credit Corporation would, in all probability, be forced to acquire those products now being utilized in the school milk program which would become surplus. And some people estimate that the cost of acquiring this surplus would cost well over the $103 million which is the fiscal 1966 appropriation for the school milk program.

The second justification for the proposed cutback is contained in the President's message on child nutrition, recently delivered to this body. The portion of that message which dealt with school milk explained that the Department of Agriculture has perfected a method of milk distribution which would in effect bring more milk to needier children.

True, a new distribution method which would bring milk to those children with greater need is surely an admirable idea. However, here we are faced with the question of who has the greater need. How does one single out which school is to be included? In my own State of Rhode Island, where the public schools have children from the richest and poorest homes in the same classroom, do we question each child on his parents' earnings, and segregate children at lunch time according to economic status?

How much more sense it would make for the Department of Agriculture to come before us and ask for a greater budgetary allowance so that the school milk program could be continued at its present level, and at the same time, enable the Department to inaugurate the new distribution system which would bring milk to needier children.

During this year, in the State of Rhode Island, 14 million half-pints of milk will be distributed through 370 outlets, at a total cost of $415,000. The proposed budget will cut funds for the State of Rhode Island 79 percent, to $81,000. To the child in school, it will mean that the same dime which this year buys three containers of milk, will next year buy one container.

Why save a few dollars at the expense of our children's health? We speak of poverty programs and physical fitness standards, yet we deprive needed milk. I shall, therefore, urge the Senate to reinstate the funds which were curtailed and shall work toward this end when this portion of the budget comes up for consideration on the floor.

THE RURAL POVERTY PROGRAM AND THE DEMONSTRATION CITIES PROGRAM

Mr. BASS. Mr. President, for many years I have been privileged to sponsor and support legislation directed toward improving the lot of the residents of my State who live on the farms and in the rural communities. Sometimes this legislation was directed toward agricultural price supports, to soil and water conservation, and to rural electrification, and sometimes toward improving rural library services and vocational education. Always I have been aware that there were many people living in small communities and on farms just a few miles away from the superhighways and the cities who did not have the opportunity to share equitably in the goods and services of our affluent society.

Therefore, I was pleased when President Johnson focused attention on these problems in his message to Congress on February 4, 1965, urging energetic action on the part of all Government agencies to insure that full equality of opportunity be made available to the people of rural America. In the same message, the President announced the formation of the Rural Community Development Service in the U.S. Department of Agriculture, charged with the responsibility to assist in bringing the benefits of all programs to the countryside.

A start has been made. Now this year, President Johnson in his message of January 25, renewed his pledge to combat poverty in rural areas. The President said:

> Legislation enacted by the first session of this Congress, and in prior years, provides the means for a massive attack on poverty in America.
>
> But—even with the help of these great new programs—too few rural communities are able to marshal sufficient physical, human, and financial resources to achieve a satisfactory level of social and economic development.

In this message, the President proposed the establishment of a number of community development districts to carry out coordinated planning for public services and economic development. The basic essential programs exist; through this new planning tool they can be made available to the rural people who need them so badly.

Mr. President, I am proud to be a cosponsor of the Community Development District Act, introduced February 17 by the Senator from Louisiana, Senator ELLENDER, chairman of the Senate Committee on Agriculture and Forestry, on which I am privileged to serve.

Mr. President, I ask unanimous consent to have printed in the RECORD two recent editorials, one in the Nashville Tennessean, the other in the National Observer; both discuss the value of the program to alleviate rural poverty as outlined in the President's message. In addition, the article from the National Observer points up the proposals concerning our cities contained in the demonstration cities bill, which I am also privileged to cosponsor. This bill is designed to coordinate city planning and various Federal programs. The need for this in cities is as great as the need for comprehensive poverty programs in rural areas.

There being no objection, the editorial and article were ordered to be printed in the RECORD, as follows:

[From the Nashville (Tenn.) Tennessean]

RURAL POVERTY AID SOUGHT BY PRESIDENT

The long-awaited Federal program for overcoming rural poverty began to take shape yesterday in a special message from President Johnson to the Congress.

The seeming inability of the existing war on poverty to reach effectively down into the rural areas first received public attention last summer. At that time 23 Senators from States with large rural populations called for fresh efforts pinpointed to rural needs.

Since that time practically all of the President's poverty program advisers from Mr. Sargent Shriver, chief of the overall task force, to Vice President HUBERT HUMPHREY, publicly acknowledged that existing weapons seem inadequate for a rural poverty war.

The President made clear in his message that the first year of his administration's new poverty effort will be largely a year of study and planning.

A few action programs will be initiated in pilot areas while all rural areas interested will be organized into community development districts. In these districts an attempt will be made to plan on a multiple county basis, many public services and improved governmental functions.

The message offers a satisfactory indication that the President is by no means unaware of the difficulty of establishing poverty programs that fit the needs of urban and rural areas.

Both the Secretary of Labor and Mr. Shriver's Office of Economic Opportunity have expressed concern recently at a fresh wave of migration from rural sections to big city ghettos.

In such situations there seem to be few hopeful possibilities. One of these is the knowledge gained in pilot manpower training programs scattered over the rural South in the past 2½ years. It has been demonstrated that rural citizens who could not be pushed into vocational or indoctrination for city life courses once they arrived in the urban center, gladly will enroll in such courses when they are offered at home.

Regardless of the problems and complexities facing Mr. Shriver, it is encouraging that the President has pushed new life into this most important domestic issue.

[From the National Observer]

Two Presidential Messages: Mr. Johnson's Newest Goals—Model Cities and a Rural Rebirth

Billions of dollars to remake entire sections of cities and to upgrade the basic patterns of living in rural America may be spent in the next few years. Concentrated planning at the national and local levels would be the initial step, with Gotham and Dogpatch the targets.

This was the gist of two messages President Johnson sent to Congress last week. Aimed at helping implement his Great Society programs now in existence, the President's proposals call for new concepts in planned redevelopment and rehabilitation to make the city the "masterpiece of our civilization" and to make rural America "more beautiful, more livable."

The fulfillment of President Johnson's hope that 1966 will mark the "rebirth of urban America" depends upon the passage of his demonstration cities program. Mr. Johnson asked Congress to appropriate $2.3 billion over a 6-year period to be used in 60 to 70 cities of varying sizes and environments "to rebuild completely—on a scale never before attempted—entire slum areas marred with blight and decay." The new funds would be in addition to the billions the Government now makes available to cities through existing Federal assistance programs.

THE PROPOSAL'S PHILOSOPHY

The philosophy behind the proposal is this: There are enough Federal assistance programs for the proper physical and social restoration of cities. These programs are being used across the Nation but on a piecemeal, ad hoc basis. The size and scale of urban assistance has been too small and too widely dispersed in the past, Federal officials say. With proper planning and coordination, entire sections of a city—perhaps up to 20 percent of it, involving as many as 100,000 people—could be renovated.

So the nub of Mr. Johnson's idea is to plan and coordinate this variety of existing programs to enable cities to make better use of their own and the Federal Government's resources. But instead of seeking to improve several blocks as under present urban-renewal projects, the demonstration cities program would take in far bigger chunks of a city and encompass much more than just urban renewal. Mr. Johnson's new program would bring together such Federal programs as low-cost housing, mass transportation, aid to education, and antipoverty. The planners would consider what was being done under all these programs before deciding how the city should attempt to reconstruct its blighted areas.

Mr. Johnson doesn't see this program solving the problems of the city across the Nation. He believes, instead, that it can point out the proper paths for progress. Once 60 to 70 cities have entire sections and neighborhoods rebuilt, and the results are visible, he hopes the cities will then undertake similar programs on their own initiative.

BIGGER ROLE FOR UNCLE SAM

To entice cities to participate in the demonstration program, the President would have the Federal Government pay nearly the entire bill. Uncle Sam now pays 50 to 90 percent of the cost of the various Federal programs underway in the cities. The President proposes that the Government pay 80 percent of the remaining 10 to 50 percent of the cost that is the city's present share.

An official of the Department of Housing and Urban Development (HUD) says local governments and industry lack the resources to risk an undertaking of such magnitude without advance certainty of the results. "Once the social and economic advantages of large-scale redevelopment and rehabilitation can be seen," he says, "then the way will be clear for significant progress on a large scale across the Nation."

If the large-scale redevelopment does get past the demonstration phase, Mr. Johnson's ideas on how it should be accomplished would amount to an operating plan for a major phase of the principal assignment he has given HUD—to make cities better places to live. A key man in each local project would be the Federal coordinator, a Housing and Urban Development representative, whose job would be to correlate all Federal programs, and also to encourage cooperation by local officials. The Federal coordinator would be the one source through which all Federal funds would be disbursed at the local level.

The President said $12 million would be available the first year for use as planning grants to cities that participate in the program. About $400 million would be used each following year to assist the cities in financing the redevelopment. This would be in addition to money already available through existing Federal programs.

President Johnson's proposal for rural America could be just as far reaching as his demonstration-cities program. In his message on the rural program, he said there was an urgent need to extend the some concentrated efficiency of city antipoverty efforts to the countryside where nearly "one-half of the poor live * * * [and] people lag almost 2 years behind urban residents in educational attainment."

THE RURAL PLAN OF ATTACK

His proposal is to establish community development districts to help sparsely populated areas tackle such problems as health care, education and vocational training, cultural opportunities, and public services. The proposal would accomplish two main objectives. It would enable rural residents to band together to obtain a complete set of public services, or to have a voice in how these services are planned and operated by the nearby city where the rural residents usually have to go for them. Also, it would make the many Federal antipoverty programs available to rural areas, where nearly half of the families have a cash income less than $3,000 a year.

Robert G. Lewis, administrator of the Rural Community Development Service in the Department of Agriculture, says the development districts will be planning and coordinating agencies. In some cases, the major city in a development district will be wooed through Federal grants to expand its planning functions to include outlying rural areas. In places where there is no local planning agency the Government would give the district a grant to establish one.

"The development district's boundaries were determined long ago when rural residents decided where to go for such services as medical care," Mr. Lewis says. "The district will give the rural resident a voice in the development of the area. Too long he has been a second-class citizen, only a customer, using services of a nearby city that are inadequate or nearly inaccessible to him."

PORNOGRAPHIC LITERATURE

Mr. TOWER. Mr. President, the City Federation of Women's Clubs in Abilene, Tex., has passed recently a resolution concerning the availability of pornographic literature on our newsstands.

This resolution represents the concern of mothers and housewives about the effect of such publications on the young people of our Nation. It is pointed out in this resolution that much undesirable behavior and juvenile delinquency result from the exposure of these offenders to such offensive magazines.

In an attempt to recognize the nationwide efforts of this organization to have morally undermining magazines removed from our newsstands, I ask unanimous consent that this resolution be printed in the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

> Whereas young people are impressionable because of their lack of experience and so are easily swayed by the guile of attractively presented sex magazines; and
>
> Whereas there is an alarming rise in juvenile problems of all descriptions—delinquency, unmarried mothers, social diseases, sexual crimes; and
>
> Whereas the greatest danger of modern-day sex magazines is their class appearance so that they are purchased openly and read by people in every acceptable social level, unlike similar magazines of years ago that were printed on pulp, written by low-grade writers and which catered to the lower elements of society; and
>
> Whereas the effects of these sex magazines on our society is evidenced in the increasing number of tragic mistakes, often irreparable, made by our young people: Therefore be it
>
> *Resolved,* That the City Federations of Women's Clubs of Abilene, Tex., representing concerned mothers, and housewives of the General Federation of Women's Clubs in a nationwide crusade to remove from our newsstands offensive and character-undermining sex magazines.

THE SMALL BUSINES ADMINISTRATION

Mr. PELL. Mr. President, on January 27, February 18, and March 2, of this year, I have addressed my colleagues concerning the dire straits of the average small businessman because of the lack of direct loan assistance from the Small Business Administration.

Mr. President, we are faced with an entirely ridiculous situation whereby the Small Business Administration has not even been able to accept applications since October 11, 1965. But even though this is the most important situation confronting SBA, there have been a series of other problems that have developed which lead me to believe that the entire scope and purpose of the Small Business Administration should be thoroughly reevaluated and every attempt should be made to put it back on its feet.

I would like to point out that in the annual report for 1964 of the Small Business Administration, released on March 31, 1965, the SBA, with something more than justifiable pride, pointed to 58,000 contracts—totaling $2.3 billion—which were set aside for awards to small firms through the joint efforts of SBA and Government purchasing agencies.

In fact, the Small Business Administration's report reads as follows:

> SBA representatives at major Government buying offices review future purchases for several purposes: to see whether they can be set aside for small business or could be set aside if SBA found additional small firms

that would be interested in bidding on them; to determine whether, though the purchases remain open to bidders of all sizes, additional small firms should be brought into the competition, and to judge whether purchases that are being made from single sources could be opened up to completion by qualified small businesses.

However, the Small Business Administration last year went ahead, under the guise of efficiency and economy, and removed its procurement center representatives from the various Government agencies, including the Department of Defense.

What this means is that a small businessman, who is experiencing a problem in trying to bid on a contract, can no longer come to the Small Business Administration and expect that SBA will have a fieldman in the very agency with which he is dealing in order to assist him.

Granted there are small business procurement representatives in the various agencies, but they are not per se tentacles of the Small Business Administration and the very reason for SBA's creation by Congress was to help the small businessman overcome the highly competitive, management staffing that big business has available to it.

Mr. President, in my judgment, this is the first mistake that SBA has made in the last few months, but that, unfortunately, was just the beginning.

On May 19, 1965, the then Administrator, Eugene Foley, testified before the Senate Select Committee on Small Business and he said, and I quote:

> Today the Small Business Administration has better programs reaching more small businesses more effectively than ever before. We have put the principles that Congress wrote into the Small Business Act into action, in the marketplaces of the Nation.
>
> Our agency is almost completely reorganized and it is operating efficiently and economically.
>
> We are finding new uses for our old programs, and developing new programs to meet the needs of small business in a booming economy; in a society that is perpetually transforming itself.
>
> We welcome these challenges. You know the energy and the determination that push Americans toward the President's dream of a Great Society. There is no room, any more, for a Government agency that jogs along in a rut. There are no funds for complacent programs, that have trifling goals and avoid the big problems of our time. All of us, and all our programs, must work harder and do more.

Mr. President, Mr. Foley said in May of 1965 that the Small Business Administration was almost completely reorganized and that it was operating efficiently and economically, but what has transpired since then is that the administration has rumored it is contemplating a merger with the Department of Commerce.

As far as I am concerned, it would be a grave mistake to merge the Small Business Administration into the big business oriented Department of Commerce.

Furthermore, Mr. President, Mr. Foley made reference to the fact that there is no room, any more, for a Government agency that is "jogging along in a rut." The Small Business Administration is not just "jogging along," but it has, in fact, come to a dead stop.

Mr. Foley then went on to say that there are no funds for complacent programs that have trifling goals. Well, I know there is one thing on which we all agree—the goals of the Small Business Administration, as set up by Congress in 1953, were anything but trifling.

From 1953 until December 1965, the Small Business Administration has made 117,642 loans in a total amount of approximately $3.5 billion. During the same period of time, 57,335 direct loans were made in the amount of $2,610 million.

In my own State of Rhode Island alone, where 94.8 percent of the industries are considered small business by the Small Business Administration, there have been 1,053 loans in the amount of $33,019,000, between 1953 and September 30 of last year.

I think I have established, without a shadow of a doubt, that the Small Business Administration has played an important part in our economy as a lender of last resort when the businessman has no other place to turn.

But what has now happened to the Small Business Administration?

An Administrator has not been appointed since August of last year and I understand that the morale in this agency has reached an all-time low.

Furthermore, as if the administration were attempting to add insult to injury, I now understand that the Small Business Administration has been ordered, at the earliest possible moment, to vacate its present headquarters at 811 Vermont Avenue, and it will be shuffled into another building. I would like to know where is the efficiency and economy to this kind of a movement?

Recently there appeared a very thoughtful editorial in the Evening Star of March 5 concerning the Small Business Administration. Mr. President, I should like to ask unanimous consent that this article be inserted in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Evening Star, Mar. 9, 1966]

Protecting the SBA

For several weeks a rumor has persisted that the administration intends to transfer the independent Small Business Administration to the Commerce Department. Commerce officials are reported busy trying to round up support for the idea on Capitol Hill. And a group of lawmakers, largely drawn from Small Business Committees in both House and Senate, have been attacking the proposal.

Admittedly, the task of opponents is difficult. The White House hasn't as yet broached the subject, and as one critic declares, "It's like trying to dynamite fog." But obviously a behind-the-scenes contest is taking place.

Supporters of the SBA's independence fear that tucking it in some cranny of Commerce, where big business enjoys major influence, will in effect kill the agency. There is some historical justification for this view. During World War II a couple of small precursors of the SBA did an ineffective job. The Division of Contract Distribution, created in 1941, and the subsequent Small Business Unit within Commerce, were both largely paper organizations.

But as Ross D. Davis, SBA executive administrator, noted recently, there are ways to assure the agency's independence even within a larger department. He suggests that placing it at the under secretary level in Commerce and granting it semi-autonomous status could do the trick.

Obviously there would be administrative advantages in such a consolidation. Apart from the savings of taxpayer dollars, the SBA would have a voice in many decisions affecting all business. The resources of Commerce, including its economists and data and research staff, would be available.

The small businessman represents a powerful political force in every industrial nation. One has only to recall how Pierre Poujade, for all his irresponsible rabble rousing, was able to capture a quarter of the National Assembly seats in France a decade ago by appealing to little shopkeepers. For this reason the GOP now seems to have seized upon the SBA "shutdown" as an election issue.

All of which demonstrates that the White House should make sure to preserve this agency's function. If the SBA is to be left as is, an administrator should be appointed now. (The post has been vacant since last September.) If the agency is to join Commerce, guarantees of its autonomy need to be made explicit.

Mr. PELL. Mr. President, I think that the administration is doing an injustice to the Small Business Administration by allowing it to stagger along in this fashion.

What I would hope is that the Bureau of the Budget would expand the loan limit on the Small Business Administration immediately so that SBA regular business loan program might get going again.

As I have said previously on the floor of the Senate, I am continuing to receive communications from small businessmen throughout my State who are gravely concerned that they will not be able to participate to their greatest capability during this thrust forward in our economy.

PROPOSED ELECTORAL SYSTEM OVERHAUL

Mr. DIRKSEN. Mr. President, on Tuesday, March 8, 1966, there appeared in the Washington Star an article under the caption "Electoral System Overhaul Urged," written by James J. Kilpatrick, which I ask unanimous consent to be printed in the Record as a part of my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

Electoral System Overhaul Urged

(By James J. Kilpatrick)

South Dakota's Senator Karl Mundt ambled around to a Senate Judiciary Subcommittee the other day, briefcase in hand, looking for all the world like an old salesman making an old familiar call. He had come to sell his district plan for the election of Presidents; and after 13 years of trying, he felt his product was better than ever.

The Subcommittee on Constitutional Amendments had convened partly out of courtesy to the President, in order to take up Johnson's request for an amendment that would hogtie maverick electors. It swiftly became clear, however, that the committee regarded this as a very minor concern. After all, as Senator MUNDT pointed out, presidential electors have exerted their independence only 8 out of a possible 14,554 times since 1820. Otherwise, they have dutifully rubber-stamped their party's choice.

If the committee reports any resolution at all dealing with the election of Presidents, it is likely to report a plan for wholesale changes.

Indiana's Senator BAYH would abolish presidential electors altogether, but retain the present system of "winner take all," by which a State's entire electoral vote goes to the candidate winning a majority in the State as a whole.

Florida's Senator SMATHERS also would abolish the electors, but his resolution would divide a State's electoral vote, down to three decimal places, according to the popular vote. Thus, under the Smathers plan, Missouri's 12 electoral votes in 1964 would have been counted 7.684 votes for Johnson, 4.316 votes for Goldwater, Ohio's 26 electoral votes would have gone 16.365 for L.B.J., 9.635 for Goldwater.

Senator MUNDT's plan is the best of the three. It is basically the same proposal once advanced by Madison, Jefferson, and John Quincy Adams. This is the district plan, used as recently as 1892 in Michigan. Under this system, the presidential electors are preserved. Each party nominates two electors, corresponding to Senators, who serve for the State at large. In addition, each party nominates an elector for each congressional district. The electoral vote then is divided accordingly.

In the 1964 election, 32 of California's 38 congressional districts went for Johnson. Under the system of winner take all, L.B.J. claimed the whole of the State's 40 electoral votes. Under the Mundt plan, by contrast, Johnson would have received 2 electoral votes for winning in the State as whole, plus 32 for the districts he carried, but the 6 other votes would have been cast for Goldwater. Similarly, Goldwater would have picked up 1 electoral vote in Nebraska, where he carried the State's Third District while losing by 31,000 in the State as a whole.

The Mundt plan makes great good sense. Its adoption would tend to break the unfair power now held by the large States and especially by key blocs in the large cities of the large States. Under the general ticket system, a relative handful of swing votes can have a fantastic effect on the electoral vote. In 1960, it will be recalled, Nixon polled 3,446,000 votes in New York on the Republican ticket, while Kennedy polled 3,423,000 on the Democratic ticket. But Kennedy also picked up 406,000 votes on the liberal line. It was enough to give him 45 electoral votes for the State as a whole. The same thing happened in Illinois, where Kennedy led Nixon by only 8,858 votes in 4,740,000 cast. Bloc votes in Cook County delivered all of Illinois' 27 electoral votes to Kennedy.

If the Mundt plan had been in effect, the voters of Harlem and Cook County would have had the same power, neither more nor less, that was exerted by voters everywhere else. Under the inequitable system that now prevails, each individual voter in New York in effect casts 43 separate votes for a presidential candidate, and each individual voter in Illinois casts 26 separate votes. Meanwhile, the individual in Alaska, Delaware, Nevada, Wyoming, and Vermont casts but three votes.

In the reapportionment case of *Reynolds* v. *Sims*, the Supreme Court remarked that it would be extraordinary, inconceivable and plainly unconstitutional for any plan to be adopted by which voters in one part of a State were permitted to vote 2, 5, or 10 times, while persons elsewhere could vote only once. Yet this is precisely what now happens in presidential elections: Each person's vote is multiplied by the whole number of his State's electors.

It will be an interesting test of the liberals' sincerity to see how warmly they embrace the Mundt plan. For the last several years, the great clamor has been for "one man, one vote. Up and down the country, the cry has gone forth that the most elementary principles of democracy, and of Republican government as well, demand that all voters be treated alike. The election of a President by direct popular vote would accomplish that end, but at the price of abandoning the Federal system altogether. Under either of the plans advanced by SMATHERS or MUNDT, fairness and federalism would alike be preserved.

The old salesman has been pushing his plan since 1953. Now that the Supreme Court has laid down the law on substantial equality among congressional districts, the last objection to its validity has been removed. If big-State liberals will put their principles above their politics, MUNDT might yet make his sale.

BIG BROTHER

Mr. LONG of Missouri. Mr. President, as you probably know, the Subcommittee on Administrative Practice and Procedure has made an in-depth investigation of eavesdropping and harassment tactics of the Internal Revenue Service.

The Kiplinger tax letter of March 4, 1966, deals with this subject in some detail.

I ask unanimous consent that that part of the letter dealing with this subject be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE KIPLINGER TAX LETTER

WASHINGTON, D.C.,
March 4, 1966.

DEAR SIR: It's time to get the record straight on Revenue Service snooping. There have been all kinds of charges about how it conducts investigations. Many taxpayers believe the IRS uses wiretapping and bugging extensively.

Devices aren't even used in routine audits. But not all agents are lily white. Some used pretty sneaky methods. When this was exposed before Congress, IRS blew the whistle. Promises it won't happen again.

Fact is, IRS says use of electronic devices is limited to cases involving criminal tax evasion, other criminal acts. It may wire an agent who has reported a bribe. And Supreme Court has held that this is legal.

But no more wiretaps. Congressional committee brought out fact that some revenue agents did wiretaps. But the Revenue Service has since issued orders forbidding the use * * * and there has been no recent evidence that IRS agents are listening to telephone calls of suspected tax cheats.

Exception is made to no-wiretapping rule with owner's permission. Under Federal law it is OK to eavesdrop with one party's permission.

Bugging taxpayers' homes or offices isn't done, the IRS claims. It would involve illegal entry to plant the bugs, and IRS won't do that. It may tape interrogation of taxpayers and witnesses in tax fraud cases. IRS admits that it used to bug its conference rooms, but still insists it didn't listen to taxpayer-lawyer conversations * * * respected privacy.

All official use of electronic devices is now rigidly controlled, so that permission for even most routine use come from very high up in the Service. Purpose is to avoid future abuse in use of such devices.

A school to train intelligence agents, the IRS special agents, is operated by Treasury. They learn about wiretaps, burglary methods * * * not for own use but to thwart criminals trying to use them against government.

Electronic devices play only a small part in IRS investigations. IRS has many other techniques. Some are just about as bad as wiretapping, and under congressional heat the Service has agreed to stop using a few. It asked postal inspector to note all data on outside of mail a taxpayer got or sent. Senders and addressees were called in to make a statement. It also seized some mail before it was delivered if it had tax assessment against addressee. Now it waits until mail is delivered to seize it.

IRS checks unusual money deals through the Federal Reserve Board. Banks file a quarterly report with FRB on unusual currency transactions.

Agents are skilled at measuring increases in taxpayer's assets each year * * * the so-called net worth approach. Amount of annual increase, with certain adjustments, is the true income. Much used in fraud cases.

Special agents work only on fraud cases. And if one is called in he should identify himself to taxpayer. Thereafter, taxpayer should talk only if his lawyer is present, and he should stay away from IRS offices. IRS is out to get facts legally. But some agents may stretch legal way.

Your tax return may not be kept as secret as you might believe. Just about any Federal agency can inspect it. Although final say-so is left to discretion of the Commissioner of Internal Revenue, if the request is based on matters an agency regulates it is hardly ever turned down.

Justice Department has the right to inspect and make copies of returns. IRS Commissioner has no discretion on this, he must obey request of Justice.

State and local tax officials can get copies if the Governor asks the Revenue Service for them—used to detect nonpayers of State taxes.

IRS won't lightly refuse these requests, since in most instances Federal agencies, State officials, etc., can and do furnish the Service with much more information about taxpayers than IRS gives the agencies. For example, Department of Agriculture can give Service a rundown on subsidies it pays farmers. Easy for IRS to check up to see if they were reported. Or State may give IRS a list of trucks registered in the State. Government has collected millions from truckers who were not paying highway use tax.

Congress, not IRS, has the blame for exposing Federal tax returns. Years ago, it enacted laws requiring the Commissioner to allow this to be done under supervision. While Service carefully controls returns inspection, fact is that hundreds of tax returns are opened to other Government officials, and data gleaned from them are used against taxpayers in nontax cases.

Congress let barrier down and only Congress can put it up again.

FAMILY PLANNING WORKS IN BALTIMORE

Mr. TYDINGS. Mr. President, a news release from the Information Center on Population Problems presents an interesting summary of the effects of accelerated birth control services in the city of Baltimore. In 1965 there were 2,000 fewer children born than the previous year. The reduced birth level in Baltimore is a result of careful coordination in private and public facilities so that low-income groups may have the same complete family planning services that are available to those with higher incomes. In the last 3 years, Baltimore has acquired birth control facilities in eight private and public hospitals and four planned parenthood clinics. The rhythm method is offered to patients at three Catholic hospitals.

Family planning programs have spread further to 20 of Maryland's 23 counties. Baltimore has been selected as a training center for family planning by Planned Parenthood/World Population in conjunction with the Johns Hopkins School of Hygiene and the Maryland State Health Department. Doctors, nurses, social workers, and other health professionals are receiving training in family planning techniques.

Mr. President, I ask unanimous consent to have printed in the RECORD an article on these developments.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PHENOMENAL BIRTH DROP YIELDS HUGE SAVINGS

(By Malcolm Lewis)

BALTIMORE, MD.—Acceleration of birth control services for poor families brought down the number of babies born in this city in 1965 to the lowest level in 20 years. The 19,800 new babies were 2,000 less than those born the year before.

The 10-percent drop in the Baltimore birth rate is called phenomenal by Dr. Matthew Tayback, deputy health commissioner.

A health statistician, Dr. Tayback says: "There is no longer any doubt that our poorer families want the same chance as the middle and upper economic groups to control the size of their families."

He cites as most important the vast savings in anguish for the families where the unwanted babies were not born.

A $14 MILLION SAVING

But Dr. Tayback adds that the economic savings for city and State will be at least "$1 million in projected education costs alone for 50 classrooms that won't be needed 6 years from now." Other savings, such as aid to dependent children, are many times the cost to the community for birth control clinics and supplies.

The Information Center on Population Problems projects a minimal total saving to city, State, and Federal governments of $14 million as a result of the 2,000 drop in births. These projected savings include the investment and operating expenses for education, health, sanitation, fire and police facilities, and the costs of aid to dependent children and maternal care.

The reduced birth level in Baltimore stems from the meshing of private and public facilities to give low-income groups complete family planning services. From a standing start less than 3 years ago, people in Baltimore now have birth control clinics in eight private and public hospitals, four planned parenthood clinics and the rhythm method is offered at three Catholic hospitals.

JUST A START

Dr. Hugh J. Davis, chief of the contraception clinic program at Johns Hopkins Hospital, says the 10-percent drop in the birth rate last year is just a start. He predicts a further drop of more than 30 percent in the next 3 years.

Says Dr. Davis: "Within 3 years the number of births annually here will be no more than 12,000." He reasons that of the 44,000 fertile women in the medically indigent group of 15- to 40-year-olds, there are 30,000 women still in need of family planning service.

"Having skilled nurses and volunteers at clinics able to reach women while pregnant or just after they have their babies, is the heart of the program. It's the surest way of reaching these mothers effectively. Child spacing helps both the mother and the children," Dr. Davis adds.

WHERE WERE YOU?

One nurse interviewer reports that women constantly say "Why weren't you here a year ago to tell me this, then I wouldn't have had this baby." The nurse says "the clinics are full of this sentiment."

The "saddest problem we are attacking now," says Dr. Tayback, "is the hard core of 1,000 births each year to girls under 16 years, 150 of whom are mothers already." Clinics in Baltimore are now offering birth control to all mothers who want it.

When the accelerated program began in Baltimore in 1962, according to Mrs. Anne Huppman, executive director, Planned Parenthood of Maryland, the State Welfare Department agreed to permit referral to birth control clinics only of married women living with their spouses. In 1965 the ruling was amended to permit all mothers to be referred.

NATIONAL TRAINING CENTER

The family planning program has spread to 20 of Maryland's 23 counties. Baltimore has been picked as the U.S. training center on family planning and birth control by Planned Parenthood/World Population. Planned Parenthood is joining with the Johns Hopkins School of Hygiene and Maryland State Health Department in training doctors, nurses, social workers and other professionals in family planning techniques.

"There is no question the pill gave us the simple method we needed. Older methods were too complicated," Mrs. Huppman says. "In local health clinics in 1964, the first full year of recordkeeping, of 3,000 women who received family planning, 90 percent chose this method. At our own clinic that year, of 4,388 new patients, 2,640 chose the pill." Others selected foams, diaphragms, intrauterine devices, or instruction in the rhythm method.

MOBILE UNIT

To reach patients in outlying areas a mobile unit takes a trained volunteer with birth control information and materials into the home. Mrs. Oakley Saunders, mobile unit director for Planned Parenthood and wife of a pediatrician, quotes one mother's feelings:

"I have four kids, the oldest one is 5, and I've never been to a doctor. It's hard when you don't have the money and all.

"I love kids but I need a rest. I'd like to have one or two more later."

Mrs. Huppman says the night clinics are the busiest because it is easiest for working women to get there. She joins Dr. Davis and Dr. Tayback in saying that family planning clinics, using pills and devices and teaching the rhythm method, "now have a full arsenal with which to help these women reach a more responsible position in respect to parenthood."

PROPOSED CUT IN FUNDS FOR IMPACTED AREAS

Mr. TOWER. The administration's budget message to Congress contains a proposal for a cut in funds for federally impacted areas.

One result of this proposal has been in the form of expressions of concern from those areas that would be affected by the proposed cut. Many school officials are quite worried about the damage that will be done to the State educational system unless this proposal is withdrawn by the administration.

Under the present program, the Federal Government contributes to local districts funds to cover part of the costs imposed on those districts near Federal installations because these schools educate many children from federally connected families. In many areas, if this plan is implemented, the appropriations for this program would be cut in half. In others, funds would be eliminated entirely. Obviously the educational system would be greatly impaired. In Texas, for example, losses to 240 Texas school districts would result, and some 25,000 Texas students would suffer.

One particular area greatly affected by this proposal is the El Paso, Tex., district. In two leading newspapers, the El Paso Herald Post and the El Paso Times, articles relating to this issue have appeared. I ask that two representative articles from these papers be printed at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the El Paso (Tex.) Times,
Feb. 22, 1966]

PLEDGES FIGHT TO KEEP FEDERAL SCHOOL FUNDS

A fight to keep Federal impact school funds from being cut by $1.4 million annually was signaled by Dr. H. E. Charles, superintendent of El Paso Independent School District, at a meeting of the district's board of trustees Monday.

Charles, who noted he has gone to Washington in previous years to fight for retention of the funds, said if the cuts are made "I'm not saying that we are going to raise taxes at this time."

He noted, however, the only two alternatives it would give the district would be to cut back 200 teachers by attrition or to raise taxes. He said it might be necessary to enact a combination of both.

The uproar over the Federal funds was started after President Johnson asked for a cut in his budget message. The funds have been provided under Public Law 874 in recognition that many school districts were educating children whose parents were employed by the Federal Government.

Charles said 4,079 children at present live on Fort Bliss and attend the district schools. The Goverment proposes cutting the amount of payment to school for these children from $230 in half.

There are 11,502 children who attend district schools. They do not live on a military installation, but their parents work on one. Payment has been $115 for each student. Recommendations are being made to eliminate it.

This year 26.8 percent of the student body is made up of military dependents. This year, $1,989,241 in Public Law 874 funds are being provided. This, however, is only 8.6 percent of total operational costs.

In other words, average cost for educating a student this year is $431.92 while the average revenue obtained from Federal funds for Federal connected pupils is $127.67. The difference of $304.25 is made up from State and local taxes.

Charles said that the school district gets over $1 million a year in Elementary and Secondary School Act antipoverty funds, but that this money has to be paid for specific programs.

He said he would rather the Government eliminate the antipoverty funds than cut the Federal impact funds.

The board Monday awarded Vowell Construction Co. a $54,500 contract for construction of running tracks at Austin High School and Coronado High School. Vowell also was given a $74,322.92 contract for paving and resurfacing of outdoor courts, play areas, and parking lots at all district schools.

The board approved the 1966-67 school year. It will begin September 1. Christmas holidays will begin December 21 with class resuming January 2. May 25 will be the last day of school, unless a makeup day needs to be made.

[From the El Paso (Tex.) Herald-Post, Feb. 21, 1966]

Federal Cut in Funds Protested—Declare Operations Would Be Hurt by Slash in Money

El Paso school officials today protested a proposed cut in funds for federally impacted areas and warned it could bring an increase in the local school tax rate.

The cut was proposed by President Johnson in his budget message to Congress.

If finally approved, the reductions would cut Federal allotments to seven independent school districts in El Paso County from $2,948,012 to $1,254,122 a loss of $1,693,890.

Officials of the two largest districts, El Paso and Ysleta, which would be the hardest hit, were protesting by telephone and letter to U.S. Representative Richard C. White and Senators Yarborough and Tower.

Since 1950, the districts have been receiving varying amounts of Federal funds as partial compensation for instructing children of military and other Federal personnel. Fort Bliss, which is in the El Paso district, and Biggs Air Force Base, which is in the Ysleta district, have paid no local school taxes.

The administration budget would reduce El Paso's allotment from $2,274,997 to $978,253, and Ysleta's from $621,567 to $260,339. Socorro is cut from $12,473 to $4,160. Anthony from $19,171 to $8,586, and San Elizario from $6,061 to $2,734. Fabens, which in the current year is getting $7,507, and Canutillo, now getting $6,236, would be cut off entirely.

"This is a severe blow to El Paso schools," said Supt. J. M. Hanks of the Ysleta district. "I can't understand it. I think this is one program that has proven to be justified." Mr. Hanks indicated the Ysleta tax rate, $1.35 per $100 of valuation, may have to be hiked to meet operating expenses.

Mr. Hanks conferred by phone with Representative White today and expressed hope the budget cuts can be restored by Congress.

Superintendent H. E. Charles of the El Paso district noted that while about $1 million is coming to the schools under the Elementary and Secondary Education Act, this money cannot be used in place of the Public Law 874 funds, which are for federally impacted districts.

"The last time these funds were threatened was in 1963 at the time of our last bond issue," Dr. Charles said. "We told the public frankly that their local school taxes would have to be raised to pay for the school bonds unless Public Law 874 was continued by Congress. Fortunately, Congress did extend the bill and we did not have to raise taxes at that time."

El Paso district school tax rate is $1.50.

Superintendent Charles said the Public Law 874 funds being received reimburse the schools only one-fourth to one-half of the actual cost of educating a pupil, and that local and State funds make up the difference. "A school district's eligibility for State funds is governed by law," he said. "The district's only recourse would be to turn to local sources for needed funds, or else reduce its educational program in keeping with the reduction in revenue."

Superintendent Charles cited figures showing that more than one-fourth of El Paso's school children are federally connected (27.3 percent in 1964-65), and that nearly half of the school district is nontaxable military land (101 of the 212 square miles).

Superintendent Charles and the school board are to discuss the proposed cutback and ways to combat it at a board meeting at 7:30 p.m. today.

U.S. POLICY TOWARD RED CHINA

Mr. McCARTHY. Mr. President, the Committee on Foreign Relations yesterday, March 8, held its first hearing on U.S. policy toward China. The witness was Prof. A. Doak Barnett, of Columbia University, a widely recognized authority on China.

In my opinion, and I think the opinion of virtually every member of the committee, Professor Barnett's prepared statement, which he read at the beginning of the hearing, was one of the finest statements on the subject of China that I have ever heard. His analysis and recommendations were sound and sensible. How could there be a better statement of how we should deal with China now than Professor Barnett's opening remark that the question "will demand not only firmness, determination, and commitment, but also flexibility, understanding, and patience."

Professor Barnett also had some very wise words to offer on the subject of the changes that should be made in our policy toward China. He said that he believed that the time had come for the United States "to alter its posture toward Communist China and adopt a policy of containment but not isolation, a policy that would aim on the one hand at checking military or subversive threats and pressures emanating from Peiping but at the same time would aim at maximum contacts with, and maximum involvement of, the Chinese Communists in the international community."

Mr. President, I ask unanimous consent that the text of Professor Barnett's statement before the Committee on Foreign Relations on March 8 be inserted in the Record at this time. I urge all of my colleagues who are interested in the crucial question of our future relations with this most populous country on earth to read Professor Barnett's statement carefully.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement of A. Doak Barnett Before the U.S. Senate Committee on Foreign Relations, March 8, 1966

Mr. Chairman and members of the committee, I would like to express my appreciation for this opportunity to meet with you to discuss some of the problems of U.S. relations with China and to examine policy alternatives which, in my opinion, our Government should consider.

The question of how to deal with China is now—and certainly will continue to be during the decade ahead—one of the most crucial foreign policy issues facing us. It will demand not only firmness, determination, and commitment, but also flexibility, understanding, and patience. Rigid dogmatism cannot point the way toward sound policies. We need creative and imaginative thinking about a wide range of questions—not only about how to contain and check China's pressures on its neighbors and how to achieve a more stable military balance in Asia, basic as these questions are, but also about how to avoid war, minimize conflict, and reduce tension, how to meet the multiple nonmilitary challenges which China poses, how to evolve policies which can exert a moderating influence on Peiping's leaders, how to accommodate to Communist China's legitimate interests as a major power, how to reestablish a reasonable basis for contact and discourse between the United States and mainland China, how to create a broader consensus among non-Communist nations on reasonable approaches to dealing with the Chinese, and how over time to involve Communist China increasingly in more responsible roles in the general international community.

Mr. Chairman, you suggested to me that when initiating these hearings I attempt to outline briefly some of the broad areas of inquiry that the committee, the American Government, and the American people might well consider in any systematic effort to reexamine the problems of U.S. relations with China, and I will try to do this.

It is my understanding that while the committee does intend, during the course of these hearings, to probe the interconnections between our policy toward China and the pressing problems that we now face in Vietnam, the intention is to examine China policy also in a broader and longer term perspective, and that is the kind of perspective which I have adopted in formulating my remarks this morning.

You also invited me to present some of my own views on key issues and problems, and I consider it a privilege to have this opportunity to do so.

I would like, right at the start, to state my own belief that there is a need for basic changes in the overall U.S. posture toward Communist China. For almost 17 years, we have pursued a policy that might best be characterized as one aimed at containment and isolation of Communist China. In my view, the element of containment—using this term in a broad sense to include both military and nonmilitary measures to block threats posed by China to its neighbors—has been an essential part of our policy and has been, in some respects at least, fairly successful. Our power has played an important and necessary role in creating a counterbalance to Communist China's power in Asia, and we have contributed significantly to the task of gradually building stable non-Communist societies in areas that lie in China's shadow. But the U.S. attempt to isolate Communist China has been, in my opinion, unwise and, in a fundamental sense, unsuccessful, and it cannot, I believe, provide a basis for a sound long-term policy that aims not only at containing and restraining Chinese power but also at reducing tensions, exerting a moderating influence on Peiping, broadening the areas of non-Communist agreement on issues relating to China, and slowly involving Communist China in more normal patterns of international intercourse.

I strongly believe, therefore, that the time has come—even though the United States is now engaged in a bitter struggle in Vietnam—for our Government to alter its posture toward Communist China and adopt a policy of containment but not isolation, a policy that would aim on the one hand at checking military or subversive threats and pressures emanating from Peiping but at the same time would aim at maximum contacts with and maximum involvement of the Chinese Communists in the international community. Such a policy would involve continued commitments to help non-

Communist regimes combat Communist subversion and insurrection, as in Vietnam, and continued pledges to defend areas on China's periphery, including Taiwan. But it would involve changes in many other aspects of our policies. While continuing to fulfill our pledge to defend Taiwan against attack, we should clearly and explicitly acknowledge the Chinese Communist regime as the de facto government of the China mainland and state our desire to extend de jure recognition and exchange diplomatic representatives with Peiping if and when it indicates that it would be prepared to reciprocate.

We should press in every way we can to encourage nonofficial contacts. We should, instead of embargoing all trade with the China mainland, restrict only trade in strategic items and encourage American businessmen to explore other opportunities for trade contacts. And within the United Nations we should work for the acceptance of some formula which would provide seats for both Communist China and Nationalist China. In taking these steps, we will have to do so in full recognition of the fact that Peiping's initial reaction is almost certain to be negative and hostile and that any changes in our posture will create some new problems. But we should take them nevertheless, because initiatives on our part are clearly required if we are to work, however slowly, toward the long term goal of a more stable, less explosive situation in Asia and to explore the possibilities of trying to moderate Peiping's policies.

Some people believe that a policy combining the differing elements I have suggested—that is, containment but also increased attempts to deal directly with Peiping—would involve contradictory and inconsistent elements. I would argue that, on the contrary, in terms of our long term aims the seemingly contradictory elements would in fact be complementary and mutually reinforcing. Others argue that a change of posture such as the one I have suggested might be interpreted as a sign of weakness and irresolution on our part, and therefore be dangerous, particularly if taken while we are engaged in a major struggle against Communist insurrection in Vietnam. I would argue that our commitments and actions in Vietnam make it wholly clear, to both friend and foe, that we are not acting out of weakness and that while we search for areas of possible agreement and accommodation we will also continue in our determination to protect the interests of ourselves and our friends, to oppose violence as a means of political change, and to assist in the growth of viable, progressive, non-Communist regimes, in Asia as elsewhere.

I hope that later in our discussion we will have an opportunity to examine in more concrete terms some of the detailed aspects of our China policy. But before proceeding further perhaps I should try to outline briefly, in response to your suggestion, Mr. Chairman, some of the broad areas of inquiry that it would be desirable to cover in any examination of U.S. relations with China that attempts to probe background factors as well as immediate issues. Briefly stated I think it is necessary to examine: the historical background to the Chinese revolution, including both the general characteristics of the historic confrontation between China and the West and the causes of the rise of communism in China; the internal situation in Communist China since 1949, including the domestic political situation, recent trends, and possible changes in the future, and the state of the Chinese economy; and Communist China's general international position and foreign policy, with special attention to the Sino-Soviet split and China's military strength and potential. I can do no more than make a few comments on each of these complicated subjects, but if time permits I would like to do that much.

It is important, I think, to view recent developments in China and the present state of American-Chinese relations in some kind of historical perspective. The perspective of the policymaker must, of necessity, be very different from that of the historian, and analysis of the past does not necessarily provide answers to the urgent policy issues of the present. But unless one has some understanding of the broad forces that have been at work overtime, it is difficult to evolve a rational or coherent framework even for policies designed to meet immediate problems.

For roughly 2,000 years prior to the mid-19th century, China was the center of one of the great world civilizations. It was relatively isolated from comparable centers in Europe and elsewhere; it considered itself superior to all of its neighbors, and it played a role of unchallenged primacy in the world as Chinese leaders knew it. Then, in the mid-19th century, its isolation was shattered by the restless, expanding, technologically superior nations of the West, and it became an arena for, and pawn of, competing imperial and colonial powers. The "Chinese revolution", if one uses this term in a broad sense, started at that time, in response to the traumatic impact of the West as well as to mounting domestic problems. It has been underway, therefore, for over a hundred years. In this revolution the Chinese people have been groping, painfully and slowly, to find effective means to modernize and develop their country, to build a strong modern nation-state, and to reassert China's role in the world.

It is worth noting that to date there has been no extended period of peaceful relations between China and the Western world on the basis of reasonable equality. Before the mid-19th century, the Chinese held a superior position and attempted, unsuccessfully, to fit the Western powers into its traditional imperial system of relations with subordinate states. During the next hundred years, the Western powers held a superior position and attempted, also without great success, to fit China into the modern international system of relations. The still unresolved problem for the future is whether both China and the West can, in time, reach an acceptable peaceful accommodation within the modern nation-state system, on the basis of relationships in which the rights and obligations of both will be recognized.

Part of the legacy of the past hundred years is the intense nationalism and self-assertiveness that all Chinese—whatever their ideology—now feel. All Chinese, non-Communist as well as Communist, are now determined to end China's recent position of inferiority and see their country achieve recognized major power status. There seems little doubt that in due time it will. The question is whether both China and the West can discover and accept roles for the Chinese in the international community as a whole—or whether China and the West must face an indefinite period of dangerous confrontation and high risk of major military conflict.

One obviously cannot look at the Chinese historical background simply in the terms I have suggested, however. China has been, and still is, undergoing not just a revolution, but more specifically a Communist revolution, led by men dedicated to promoting their own pattern of revolutionary struggle and change abroad as well as at home. It is important for us to understand the reasons for Communist success in China and the impact of their success elsewhere.

The explanations for Chinese Communist successes in the 1930's and 1940's are numerous, but I would say that the most important ones were the following: One was the Sino-Japanese war, which had a shattering effect on China and helped to create a revolutionary situation. Another was the failure of the non-Communist leaders in China to achieve unity in their own ranks, to define and pursue effective programs designed to cope with such basic problems as landlordism, inflation, and corruption, or to build a firm grassroots base of support—a failure which in effect created a vacuum into which the Communists moved. Still another was the Communists' success in building an unprecedentedly disciplined and strong revolutionary organization, in appealing to nationalism and reformism especially during the war, in developing a shrewd revolutionary strategy, and in implementing their programs with determination and, whenever necessary, ruthlessness.

Peiping's leaders now maintain that their experience provides a primary model for revolutions throughout the underdeveloped world. It is a model calling for the creation of Communist-led peasant armies, the establishment of so-called liberated areas as bases for revolutionary struggle, the creation of broad anti-imperialist united fronts, and the overthrow of existing non-Communist regimes by violence. There is little doubt that the Chinese model has had, and will continue to have, an impact far beyond China's borders; revolutionary leaders in many parts of the world look to it for inspiration. We need, therefore, to understand it, and to grasp not only how it helps to explain Communist success in China, but also how it may influence events elsewhere.

We should not, however, magnify its significance. Careful analysis indicates, I think, that the particular constellation of factors and forces which make it possible for Mao Tse-tung's strategy to succeed in China are not widely duplicated, and there are many reasons to believe that the Chinese model cannot be exported as easily as Mao and some of his colleagues have hoped. The available evidence also suggests that while the Chinese leaders would like to see their model widely emulated, their capacity to promote, and willingness and ability to support, Chinese-style revolutions elsewhere is definitely limited.

The historical background is important, but obviously the primary focus of any inquiry into current problems must be on developments in China in the 17 years since Communist takeover. Communist China in 1966 is a very different country in many respects from China in 1949.

Perhaps the first thing that should be noted about the political situation in China is that the Communists have created a very strong totalitarian apparatus that has unified and exercises effective control over the entire China mainland, and they have used their power to promote uninterrupted revolution aimed at restructuring the nation's economy, social structure, and system of values. While the impact of the regime has been harsh and painful for millions of Chinese, the Communists have built a strong base of organized support, partly on the basis of appeals to nationalism as well as promises of future accomplishments. They have also demonstrated a remarkable capacity to make and implement decisions and an impressive ability to mobilize people and resources. Not surprisingly, however, there are many tensions in the society and, in my opinion, fairly widespread—even though largely unarticulated—dissatisfaction with numerous Communist policies and methods of rule. But there is no significant organized opposition and no foreseeable prospect of its developing. In short, the regime is not a passing phenomenon. In time it may change its character, but it will continue to exist, as we will continue to have to deal with it, for the predictable future.

There are some important questions one can raise, however, about the future. I believe that among the leaders in China there are significant differences on policies, under the surface—especially differences regarding domestic policies but some of them are relevant to foreign-policy issues as well—and that one can differentiate between groups that might be labeled the technical-bureaucrats and the specialists in power, politics, and ideology. I further believe that these differences are reflected, even today, in the complex mixture of policies in China, and that in the future they are likely to become increasingly important, especially after the death of Mao.

The biggest question about the future arises from the fact that Communist China is on the verge of an historic transition period in which virtually the entire top leadership will pass from the scene in a relatively brief period of time. To date the unity as well as longevity of the Chinese Communist leaders has been remarkable, but what has been an asset to the regime in the past is now becoming a liability, as the leaders steadily age and resist bringing younger men into the top inner circle. When Mao and other top leaders die, therefore, I would expect China to enter a period in which there could be a great deal more fluidity and uncertainty about both leaders and policies than in recent years. It would be reasonable to expect, I think, that the outcome of the competition between leaders and policies that is likely to occur, and the resulting balance between radicals and moderates will be definitely influenced by the perceptions that the new leaders have of the international environment as it affects China. While it may not be possible for outsiders to exert very much influence on the outcome, our hope, certainly, should be that the balance will in time shift in favor of technical-bureaucrats promoting relatively moderate policies.

The economic performance of the Chinese Communist regime to date has been a very mixed one, characterized by some notable successes, some serious failures, and some basic unanswered questions. When the Chinese Communists first came to power they were impressively successful in bringing order out of economic chaos, and in initiating an ambitious development program. During their first 5-year plan, under a Stalinist-type program, China's annual increase in gross national product—about 6 or 7 percent—was as rapid or more rapid than that of any other important underdeveloped nation at the time. But the momentum of growth started to decline by 1957, the last year of the first plan—as a result of the lag in agricultural output, the steady increase in population, and the ending of Soviet credits. And in 1958 Peiping's leaders embarked on their radical and reckless "great leap forward" and commune program, hoping to achieve the impossible by unprecedented political and ideological mobilization.

The failures of the "leap" produced an economic crisis of major proportions in China, which lasted from 1959 through 1961. The result, in effect, was a Communist version of a great depression. It compelled the regime to abandon many of its most extreme policies and ambitious goals, and Peiping redefined its economic policies to include some sensible elements, showing realism and pragmatism. Emphasis was placed on the need to promote agriculture, various sorts of incentives were restored, needed food was imported from the West, major industrial projects were postponed, and in general more modest goals were adopted.

Since 1962 there has been a slow but steady recovery of both agricultural and industrial production in China, and today overall Chinese output is comparable to what it was just before the "leap"—although it is still not that high in per capita terms. The primary stress on developing agriculture continues, and its results, plus continuing grain imports, have greatly eased the food situation. This year a new 5-year plan, the third, has begun, and even though no details on the plan have yet been published, undoubtedly there is renewed growth in industry—although at a more gradual pace than in earlier years.

In any overall assessment of the Chinese economy since 1949, several things would have to be noted. The Communists have not yet converted China into a major industrial power, but they have begun to build a significant industrial base. At one point, in 1960, steel output was claimed to be 18 million tons; production now is below peak capacity but is probably between 8 and 10 million tons. Moreover, since the regime decides how output will be used, current production fully supports the nation's military power and further industrialization. There has been no appreciable overall increase in living standards in China since 1949, but, except during the worst post-leap years, the regime has met the population's minimum requirements, distributed available goods fairly equitably, and kept the economy running—a not insignificant accomplishment in China. However, the Communists have not found panaceas capable of rapidly solving the nation's most basic economic problems. Agriculture continues to lag, and it will take time for present improvement programs to change the situation. And the population steadily rises; a birth control program has been initiated, but quick results cannot be expected.

As a consequence of the Sino-Soviet split, and the ending of Soviet technical assistance as well as credits, the Chinese Communists, have decided to glorify the virtues of economic "self-reliance". On a more practical level, however, they have pragmatically adapted to the changed situation and have done all they could to expand trade with Japan and a variety of Western nations. As a result, Communist China's international economic orientation has fundamentally changed, and now a majority of its trade is with the non-Communist world. Even though to date this fact has not greatly affected Peiping's overall foreign policy, the shift has slowly created new and diversified patterns of relations which could be of some significance over time.

In examining Peiping's general foreign policy, the first thing to note is that China's leaders obviously have very ambitious long-term goals. Moved by intense nationalism, they aim to build a strong base of power at home and to strengthen China's security; they also hope to recover what they consider to be "lost territories" (including Taiwan); and they are determined to play the role of a major power on the world stage. At the present time, they view the United States as the major obstacle and threat to many of their aims and interests—and call, therefore, for the removal of American power from Asia—but they also regard the Soviet Union at present as a serious obstacle to Chinese aspirations and therefore compete with it too, whenever and wherever feasible.

As first generation revolutionary leaders, and true believers in the Maoist version of Marxism-Leninism, Peiping's leaders are also dedicated to the promotion of revolutionary struggles, especially in the underdeveloped world. Their public pronouncements now tend to concentrate on this aim and in at least some areas, such as Vietnam, they are prepared to give significant support to revolutionary forces, even though they have avoided direct Chinese military intervention.

While it is important to recognize Peiping's ambitious goals, it is equally important to note that, on the basis of available evidence and Communist China's performance to date, the Chinese Communists do not appear to think primarily in terms of spreading their influence through direct military and territorial expansion; they appear to recognize the limits to their capabilities for military action outside of China's borders; they have usually been quite realistic in assessing the power balance in concrete situations; they have generally been calculating and even cautious in avoiding military adventurism and limiting their risks; they have tended to think in long-range terms about their most ambitious goals; and they have repeatedly been flexible and pragmatic (at least until recently) in adapting their strategy and tactics to fit changing situations in pursuit of their shortrun goals.

If one analyzes the Chinese Communists' overall foreign policy strategy since 1949, one can identify at least three major periods in which their approach to the outside world has been distinctive. In the period immediately after 1949, Peiping—like Moscow at the time—adopted a militant posture of struggle against the entire non-Communist world and called for revolutions wherever possible in the underdeveloped countries. By contrast, in the mid-1950's, during the so-called Bandung period, it adopted a much more moderate and flexible strategy and promoted friendly relations with a wide variety of non-Communist countries, especially in the underdeveloped world. Then, in the late 1950's it shifted back to a militant posture and renewed its calls for worldwide revolutionary struggle. Further shifts of this sort are certainly possible, in the future as in the past.

Even in the recent period of militancy, moreover, Peiping's doctrinaire and rigid ideological statements have not fully represented Chinese Communist policies, which in practice have included a variety of elements. In fact, even its major ideological statements on strategy have not been wholly consistent. For example, while Peiping's leaders have sounded the trumpet for "people's wars" wherever feasible and for the mobilization of the rural areas of the world (the underdeveloped nations) against the cities of the world (North America and Western Europe), at the same time they have called for closer links with many countries in the so-called intermediate zone—including Japan and many Western countries—since their practical requirements, dictated by economic considerations, make it seem desirable to promote trade and other contacts with these nations.

On balance, nevertheless, Peiping's primary stress in the most recent period has been a revolutionary militancy. But developments of recent months must have raised questions in the minds of at least some of the policy planners in Peiping as to whether they should continue present policies or consider a new shift in overall foreign policy strategy. Where the Chinese Communists have been dogmatically and rigidly militant in the recent period, they have suffered a series of major setbacks and policy defeats—in relations with the Soviet Union, at the Algiers Conference last fall, and in such widely scattered countries as Indonesia, Cuba, and Ghana. It seems probable, also, that Peiping's leaders misestimated the probable extent of American involvement and commitment in Vietnam.

Recent events demonstrate, in short, that Peiping's ability to manipulate or control even those situations where receptivity to Chinese influence has been greatest is severely limited. It remains to be seen whether Peiping's leaders will grasp this fact and modify their policies as a result. Mao and some other top leaders may well resist doing so. But changes in Chinese policies are certainly within the realm of possibility—after Mao's death if not before.

What is required, it seems to me, to maximize the possibility of a desirable sort of shift in Peiping's posture and policies, is a combination of two elements: developments in Vietnam as well as elsewhere that will help to convince Chinese Communist leaders that excessive militancy is counterproductive, but at the same time indications in the general international environment, as they see it, that there are other reasonable and promising policy options—that they can see some possibility of expanding China's role in international affairs and achieving at least some of China's legitimate aspirations by moderate rather than militant means.

In any careful examination of Communist China's international role, two subjects certainly deserve special attention: the Sino-Soviet dispute and its implications for the rest of the world, and China's military position and potential.

The Sino-Soviet dispute as it has evolved in recent years is clearly one of the most important developments in the international politics of the 1960's—just as the formation of the Sino-Soviet alliance was in the 1950's. There can be no doubt that the conflicts between Peiping and Moscow now are very real, very bitter, and very deep. The dispute has involved basic clashes of national interests as well as major ideological differences, and it has resulted in worldwide competition between the two countries.

In a fundamental sense the Sino-Soviet dispute has weakened Peiping's international position, which has been to our advantage in many respects, since it imposes increased restraints on the Chinese Communist regime. But not all of the results of the dispute have been good from our point of view. It appears, for example, to have been a significant factor reinforcing Peiping's tendency in recent years to maintain a highly militant posture. We cannot, moreover, rely on the dispute to solve our own basic problems in relations with the Chinese. In certain situations, Soviet interests and policies may run parallel to ours, as appears to be the case even in Vietnam today, to a very limited degree. But we cannot expect such parallelism to be dependable or believe that it will result—as some suggest—in a kind of Soviet-American anti-Chinese axis. Even when a degree of parallelism does exist, it cannot be expected to resolve all the difficult problems of dealing with the Chinese. Furthermore, although it is difficult to see in the predictable future any full restoration of the type of Sino-Soviet relationship that existed in the early 1950's, it is certainly possible that Communist China, particularly under new leaders, might decide to try to repair at least some of the damage that has been done to the alliance in recent years. In any case, the United States will itself have to work toward a solution of at least some of our problems with Communist China; the Sino-Soviet dispute will not solve them for us.

Turning to the question of Communist China's military position, several things should be noted. First of all, the Peiping regime has developed China into a significant military power, with large, modernized, conventional land forces and a sizable air force. However, these forces appear to be designed mainly for defense, and Peiping lacks many of the prerequisites for successful operation outside of China against the forces of a major power such as the United States. The strength of Communist China's military establishment far exceeds that of its Asian neighbors, though, and its mere existence argues for the maintenance of adequate counterbalancing forces in Asia, which at the present time must be provided largely by the United States.

Despite Peiping's formal entrance into the nuclear club, and despite the fact that Communist China will probably acquire some sort of missile delivery system in the not distant future, the Chinese Communists are not close to achieving superpower status. For the predictable future, therefore, Peiping's leaders are likely to use China's limited nuclear arsenal primarily for political purposes—although they doubtless also hope that they will be able to deter and cancel out the significance of American nuclear power in Asia.

Peiping's leaders will probably continue to be sensitive to the actual balance of military strength, and reluctant to take excessive risks; for a while, in fact, the vulnerability of their embryonic nuclear establishment may actually impose additional restraints on them.

However, it would be a dangerous error to conclude that Communist China would not risk major war if it genuinely felt that its vital interests were threatened. In regard to Vietnam particularly, there is considerable evidence, I believe, that while Peiping hopes to avoid any major conflict with the United States, it fears that American escalation will create situations demanding escalation on the Chinese side, which could lead to major conflict. In recent months, in fact, Peiping has repeatedly warned its own people of the dangers of American attacks and major war, and there appears to be a genuine apprehension that this may take place. No one can say with certainty what actions might provoke an increased Chinese response. Since Peiping appears to view North Vietnam, like North Korea, as a vital buffer area, it is likely that if the Chinese concluded there was a major threat to the existence of the North Vietnamese regime, the result could be large-scale, direct Chinese intervention. There is no guarantee, however, that even less drastic forms of American escalation—such as bombing of North Vietnam's major cities—might not impel the Chinese to escalate their involvement in smaller ways which might lead to much higher risks of direct American-Chinese clashes that are not desired by either side. In view of this uncertainty, it is essential that the United States exercise great restraint in the use of its power, especially in North Vietnam, and demonstrate by deeds as well as words that we are determined to avoid provoking any direct American-Chinese conflict.

Let me, at this point, return again to questions relating to U.S. policy.

On February 23, President Johnson clearly stated that our desire is to avoid major conflict with China. "Some ask," he said, "about the risks of wider war, perhaps against the vast land armies of Red China. And again, the answer is no. Never by any act of ours—and not if there's any reason left behind the wild words from Peiping. We have threatened no one, and we will not. We seek the end of no regime, and we will not." He declared that we will employ a "measured use of force," with "prudent firmness," and that "there will not be a mindless escalation."

This is a wise posture for us to adopt—although to insure against major war resulting from miscalculation we must firmly hold the line against further escalation in practice as well as theory. This stand is excellent, as far as it goes. But in my opinion we should go still further, especially in regard to policy toward China, and, as I suggested earlier, we should alter our basic posture toward the Chinese Communist regime from one of containment plus isolation to one of containment without isolation.

I indicated earlier that such a change of posture would call for reexamination of many specific aspects of our current policy toward China, and I would like now to make a few comments on some of these.

The China issue in the United Nations is in many respects an urgent question, since unless we can soon evolve a new and sounder position on this issue, we are likely to be defeated in the General Assembly, and then our entire policy of isolation of Peiping will begin to unravel as a result of a major political defeat, even before we can, on our own initiative, attempt to redefine our posture.

Last fall, we were barely able to get enough votes to sustain our position. Conceivably we might do so once or twice again; but it is equally conceivable that next fall the General Assembly might, despite our opposition, vote to seat Peiping in the present China seat occupied by the Chinese Nationalist regime. If this takes place there is little likelihood that the Nationalists could later be brought back into the United Nations, since this would then be a question of admitting a new member, which is subject to the veto.

It would be to our interest, therefore, to take the initiative in the General Assembly in promoting a solution in which the Assembly would declare that there are now two "successor states" ruling the territory of the original China which joined the United Nations when it was formed in 1945, and that both should have seats in the Assembly. Neither the Chinese Communists nor the Chinese Nationalists is presently willing to accept such a solution, and conceivably both might boycott the United Nations for a period of time, if such a solution were adopted. Nevertheless, it is a realistic and reasonable position for the international community as a whole to adopt, and I believe that, if it were adopted, there would be numerous pressures operating overtime to induce Peiping and Taipei eventually to reexamine their positions and consider accepting seats even under these conditions.

If and when Communist China does assume a seat in the United Nations, its initial impact is likely to be disruptive, but I firmly believe that over the long run it is nonetheless desirable to involve Peiping in this complicated political arena, where it will have to deal on a day-to-day basis with such a wide variety of countries and issues. It will soon learn, I think, that dogmatic arrogance will result only in self-isolation and that even a major nation must make compromises to operate with any success in the present world community.

A shift of American policy on the United Nations issue—and, in fact, any significant change in our posture toward Peiping—will inevitably require some modification of our policy toward the Nationalist regime on Taiwan. For many reasons—political, strategic, and moral—we should continue defending Taiwan against attack and should firmly support the principal of self-determination in regard to the 13 million inhabitants of the island. But we will not be able to continue sustaining the fiction that the Nationalist regime is the government of mainland China. Our view of the Nationalist regime should be one in which we recognize it as the legal government of the territories it now occupies, essentially Taiwan and the Pescadores, rather than as the government of all China; this, one might note, is the position which the Japanese Government already maintains in regard to the Nationalists. We should do all we can to obtain representation for the Taipei regime in the United Nations and to urge the international community to accept and support it as the government of its present population and territory. But we cannot indefinitely sustain the fiction that it is the government of all China.

The desirability of increased unofficial contacts with Communist China has already been accepted, at least to a limited degree, by the U.S. Government, and there is now a sizable number of American newsmen, and some doctors and medical scientists, who would be permitted to visit mainland China if the Chinese Communists would grant them visas. The present obstacles to limited contacts, in short, are created by Peiping, not by us. But, despite Peiping's current intransigence, we should continue searching for every possible opportunity for contact, in the hope that Peiping will eventually modify its present stand, and should encourage scholars, businessmen, and others, as well as newsmen and doctors, to try to visit mainland China.

As a part of our effort to increase unofficial contacts with Communist China we should end our embargo on all trade and permit trade in nonstrategic items. The present significance of our embargo, it should be stressed, is wholly symbolic, since no other major trading nation maintains such an embargo, and Peiping is able, therefore, to purchase in Japan, Germany, England, or elsewhere any goods that are denied to it by us. The ending of our embargo might well be largely symbolic too, since the Chinese Communists are likely to prefer trading with countries other than the United States. Nevertheless, it is conceivable that over time some limited trade contacts might develop, and be desirable from our point of view.

The question of de jure recognition of Communist China—which in some discussions of China policy is given more attention than it deserves—is really a question for the future rather than the present. Until Peiping indicates a willingness to exchange diplomatic representatives with us, there are no strong arguments for our unilaterally extending official recognition that would not be reciprocated. Our aim, certainly, should be to work toward eventual establishment of normal diplomatic relations, but it is likely to be some time—even if we alter our own overall position—before that is possible. We can and should, however, clearly indicate now—in much more explicit fashion than we have to date—that we do recognize the Peiping regime in a de facto sense. One might argue that our frequent ambassadorial meetings with the Chinese Communists in Warsaw already constitute a form of de facto recognition, but officially we have refused to acknowledge any sort of recognition—de jure or de facto—and we should now do so.

No discussion of China policy would be complete without at least a word on American public opinion. Although there are many persons in the United States—in the Government, in universities, and elsewhere—who are relatively well informed about Communist China, there is no doubt that the American people, as a whole, know far too little about China, or about the problems of evolving effective policies to deal with it. At the same time, issues relating to China policy have been among the most emotional in American public life ever since the late 1940's. It is probably fair to say that there has been less responsible public discussion of China policy than of any other foreign policy issue of comparable importance. I believe, therefore, that the holding of these hearings is of very great importance, and I hope that they will stimulate nationwide interest and will encourage widespread discussion of U.S. policy toward China.

It is sometimes assumed that, because issues relating to China policy have tended to be viewed emotionally, it has not been politically wise to discuss them. I do not know to what extent this has been true in the past, or to what extent it has inhibited responsible public debate. I do believe, however, that public opinion has been slowly changing and is increasingly receptive to a reexamination of China policy. In support of this view, I would like to call your attention to a book just published, called "The American People and China." It is written by A. T. Steele, formerly of the New York Herald Tribune, and published by the Council on Foreign Relations as part of its broad study, which will result in almost a dozen books, on the United States and China in world affairs. Steele concludes that "American public opinion would, on the whole, welcome a public reappraisal in Congress and among the people, of our China policy," and that public opinion would respond to both congressional and presidential leadership on this issue. I believe he is right, and I hope, therefore, that these hearings will mark the start of the most important public reexamination of China policy since the Communist takeover of China in 1949.

SOVIET TRAWLERS IN U.S. TERRITORIAL WATERS

Mr. TOWER. Mr. President, Navy magazine has printed a most perceptive article about the problem of Soviet trawlers frequenting U.S. territorial waters. I commend this article by Raymond Schuessler to the attention of other Senators and ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE PROBLEM OF SOVIET TRAWLERS—FREQUENT ENTRY INTO OUR TERRITORIAL WATERS BY THESE ELECTRONIC-LADEN SHIPS CALLS FOR TIT-FOR-TAT RESPONSE BY UNITED STATES, AUTHOR SAYS

(By Raymond Schuessler)

Early on the morning of January 22, 1963, a U.S. tanker radioed the Coast Guard that five Russian trawlers equipped with radar and electronics antenna were proceeding south, 11 miles off the coast of St. Lucie Inlet on the east coast of Florida. Eight hours later the merchantman *Keibe* radioed the Coast Guard that a flotilla of six Russian trawlers, with electronic equipment, was heading south in diamond-shaped formation 3 to 4 miles off Lake Worth Inlet, 40 miles south of the position reported by the tanker.

Since this incident many Russian vessels have been seen off our Florida coast, often within our territorial waters. As Capt. W. K. Thompson, Jr., Chief of Public Information of the U.S. Coast Guard told us, "During the past year and a half there have been about 60 Russian trawler passages and entries into U.S. territorial waters."

ABOUT 5,000 ARE OCEANGOING

What are these Russian ships doing so close to our shores? Are they engaged in harmless fishing expeditions, or are they threatening our security with espionage work and preparing the way for a successful attack in case of war?

The size of Russia's fishing fleet has been variously estimated at from 23,000 to 25,000 steam- and diesel-propelled vessels of modern design and capabilities. About 20 percent or about 5,000 of these ships are classified by our Navy Department as oceangoing trawlers and support ships.

The Soviet oceangoing fishing fleet is scattered around the world, equipped both for fishing and for gathering scientific data, including intelligence of military value. Photographs by U.S. Navy planes show that many of the ships have special electronic capabilities not normally required on fishing boats.

Most of the northbound sightings positioned the trawlers several miles offshore, so it appears that the sailing pattern of those trawlers observed was to avoid the Gulf Stream southbound and to ride it on the passages north. The exception occurred on May 27, 1963, when a trawler was reported 3 miles off Miami Beach, a course not recommended. Within 5 minutes, a 40-foot Coast Guard boat was dispatched to chase it. Although the U.S. craft with a speed of 18 knots had only to close a gap 7½ miles, it gave up pursuit without getting close enough to identify it. Adm. I. J. Stephens, of the Miami Coast Guard District, agreed that the trawler had no reason to follow a northern course so close to the shore.

On May 14, 1963, the Navy reported that the destroyer tender U.S.S. *Sierra* had sighted what was described as a hydrosurvey ship of the *Okean* trawler class, 3 miles south of Molasses Reef. The trawler did not answer the *Sierra's* signals. On the same day a Coast Guard boat reported the sighting of a trawler 2½ miles off Molasses Reef.

MATTER OF CONCERN

On June 8, 1963, the Lake Worth Light Station reported sighting a Russian trawler 2 miles off Palm Beach southbound. A Coast Guard boat sent located it about a mile and a half off Delray Beach.

In view of their adaptability to purposes other than fishing, the presence of these Russian trawlers within our waters is a matter of some concern to our Government.

Russia maintains a fleet of about 200 to 400 fishing vessels operating off the Grand Banks and Georges Bank in the North Atlantic. More than a dozen of these Russian trawlers make regular trips between the North Atlantic fishing banks and Cuba, according to Rear Adm. A. L. Reed, Acting Deputy Chief of Naval Operations for Fleet Operations and Readiness.

Admiral Reed explained that in July 1962, several Soviet fishing trawlers began activities in Cuba for the announced purpose of training Cuban fishermen and rehabilitating the Cuban fishing industry. In September 1962, the Castro regime announced a Soviet-Cuban agreement where the Soviet Union would assist in the construction of a large fishing port in Havana Bay committed to provide services to Soviet trawlers in the North Atlantic for 10 years or longer.

WITHIN OUR 3-MILE LIMIT

On their trips south these vessels hug the south Florida coastline for a distance of about 150 to 200 miles and at times are well within (1½ miles) the 3-mile limit of our territorial waters. Although this route is recommended by the U.S. Coast and Geodetic Survey publication U.S. Coast Pilot to avoid the northerly current of the Gulf Stream, it is, according to the Coast Guard, neither the shortest nor fastest for ships moving from the North Atlantic fishing banks to Cuba.

This raises the possibility, according to the Subcommittee for Special Investigations of the Committee on Armed Services:

"That the trawlers may be using the pilots' recommended course as an excuse for moving in our territorial sea * * * a cover for operations of a military or paramilitary nature."

There is also the possibility of these vessels conducting electronic surveillance of our military defenses and exploring ways of interfering with or controlling the guidance and abortive systems of our missiles and rockets. If routine radio communications in taxis can wreak potential havoc on the launching pads, what can Soviet trawlers with their supersecret electronic gear do? A NASA scientist says: "They would have no trouble throwing a communications monkey wrench into our space flights if they wanted to."

SOUGHT POLARIS DUMMY

Nicolai F. Artamonov, former skipper of a Russian destroyer, testified that Soviet trawlers are "loaded with electronic gear for keeping tabs on U.S. Navy units, radar frequencies, shore-based signals and flight patterns of early warning aircraft." The Soviet trawler *Vega* nearly collided with a U.S. destroyer off Long Island when the Russian crew tried unsuccessfully to recover a dummy Polaris missile.

Vice Adm. John T. Hayward, U.S. Navy, has testified: "The Soviet fishing fleet is mapping New England coastal waters."

Off our east coast we have a system of underwater sonar buoys, an antisubmarine project—upon which the trawlers could be spying and prying.

We have discovered radioactive devices of Soviet manufacture imbedded on the ocean floor along both the Atlantic and Pacific coasts of North America which were explained by our Navy as "position markers planted by trawlers for use by Soviet subs to home in on such markers before firing on inland targets." We found 43 of our largest cities and over 80 percent of our industries within range of the markers.

In the fall of 1961 during the North American Air Defense Command's Skyshield II exercises, designed to protect our preparedness against sudden attack, 85 Russian trawlers positioned from Newfoundland to Virginia were interested spectators.

BRITISH IRKED, TOO

Little wonder the activity of the Russian fishing fleet has become of increasing concern to Western governments. Soviet trawlers have been sighted in such unlikely fishing areas as the waters of Scotland's St. Kilda Island, the British Army's rocket-homing base; and off Holy Loch, Scotland, a U.S. nuclear submarine base. Britain's Sir Pierson Dixon told the U.N. Security Council in 1960:

"We have been subject to the annoyance of seeing Soviet trawlers equipped with electronic equipment in waters where naval exercises or research activities are carried out."

Soviet trawlers are stationed near American military bases in southeast Asia. When the Guam-based B-52's began strikes against Vietnam, two Russian trawlers with huge antennas set up posts 4 miles from the Guam airbase. Since we did not protest, we soon found the Russian trawlers trailing the 7th Fleet off Formosa. Now spy trawlers are off Vietnam where they can give immediate information of American air attacks and, at times, amphibious landings. During one U.S. Marine attack, according to a Pulitzer Prize correspondent, the Soviet trawlers were able to report to the Vietcong when, what, and how many U.S. troops were involved. Both the Navy and the Coast Guard admitted that the ships could be landing or picking up spies or saboteurs or smuggling military items and that this could be done with little chance of detection in the landing or picking up operations.

IT WOULD BE EASY

We interviewed a fishing charter boat captain in Fort Lauderdale, Capt. E. B. Kitchell, who stated that he or any other private boat owner could leave the Florida coast without clearing for a foreign port, pick up passengers in the Bahamas and, again without clearing, bring them into the United States along the Florida coast without anyone knowing about it. The same pattern, he said, applied to trawlers; that is, he could meet a trawler as far as 20 miles out, put an agent on the trawler and take one on his ship. This goes for messages or any equipment he may want to bring in.

Peacetime deployment of our Coast Guard facilities on the eastern coast of Florida is so thin that the Commandant concedes that the trawlers could put ashore or take aboard agents, weapons, and other contraband with slight chance of detection.

Admiral Stephens explained that the Coast Guard is not on a war footing with horse patrols, dog patrols, and foot patrols to guard against this type of illegal entry. Except for a patrol boat at Port Everglades, the Coast Guard has no facilities between Palm Beach and Miami.

This applies to the entire east coast of the United States. A special Government interagency task group recently completed a comprehensive study of the vulnerability of the continental United States to smuggling from the sea. The study revealed many inlets and beaches where hydrography, terrain, and isolation would permit a resourceful enemy to smuggle persons or weapons ashore with little risk.

(Some press reports suggest that Russian trawlers are being used to transport subversive agents to Latin American countries.)

"INNOCENT PASSAGE"

Of course, we must consider the doctrine of "innocent passage" as justification for the unhampered transit in our territorial waters by these Russian ships. The doctrine holds that a vessel not prejudicial to the peace, good order, or security of the coastal state should be permitted passage through the marginal sea.

In reply to a question as to whether the Soviets would accord the United States the same right, Admiral Reed pointed out that the Russians subscribed to the Convention on Territorial Sea and Contiguous Zone, and the right of innocent passage in 1958 at Geneva. He said, however, that the Russian position in this respect had not been tested, since our shipping does not normally approach Soviet territory.

The Navy view on the presumption of innocence with respect to the passage of trawlers so close to our shores was presented by Admiral Reed.

"It is a question," he said, "of interpretation of what is prejudicial to security."

Lacking any evidence of any overt act which could be considered a potential hazard to security—such as stopping, anchoring, or behaving in a suspicious manner—and in the light of a general pattern of ordinary navigation, he indicated that it is to the mutual interest of all nations that the right of innocent passage not be denied under the present circumstances.

SECURITY RISK BY SHIP

Yet, it is the view of the subcommittee, that there are many ways in which a ship could collect military intelligence or engage in other subversive activity without stopping, anchoring, or behaving in a suspicious manner. It could be done while steaming along our coast on a steady course and at a constant speed with no visible activity to belie the ship's innocence.

It is, therefore, vital to determine what constitutes a ship of war or a security risk by a ship. The rapid postwar development in the electronic and nuclear fields has changed the armor plate and cannon image of sea warfare. It is possible for trawlers of the class now passing along the Florida coast to be equipped with devices to give them a significant capability in case of war while still maintaining the appearance of fishing trawlers.

In a legal sense there seems to be a distinction between a privately owned ship designed and operated for normal commercial or peaceful purposes and a Government-owned vessel, which is equipped or operated in a manner as to cause a reasonable person to question the normalcy or peacefulness of its presence along our shores.

There is no concurrence among our agencies as to just how the problem should be handled. According to the Coast Guard, "We believe that it would be most consistent with the interests of national security and the interest of other agencies involved for it to adopt a policy of boarding any such vessels found fishing, hovering, or anchored within our territorial waters. Such boarding would be for the purpose of examining the ship's papers, checking for violation of U.S. laws, and ordering the vessel to leave U.S. territorial waters. Any force necessary to compel compliance with this order would of course be used."

THE U.S. POLICY

The Department of State approved the policy of stopping or boarding foreign fishing vessels found in the territorial sea, not in innocent passage. Since this policy of stopping or boarding does not apply to vessels in innocent passage, it is necessary to understand what this term means.

The concept of the doctrine of innocent passage is found in the antiquity of maritime law. In 1958, the United Nations clarified such a term and policy. Briefly, they provide that ships of foreign states should enjoy the right of passage through territorial seas provided that passage is not prejudicial to the peace, good order, or security of the coastal state. However, paragraph 3 of article 16 provides that a coastal state may suspend temporarily, without discrimination, in specific areas of its territorial sea, the innocent passage of foreign ships if such suspension is essential for the preservation of security. There is also a distinction made in the article between warships and merchant ships.

The key word seems to be innocent. It is true that the presumption of innocence is basic to our system of government; yet, it does not prevent, and was never intended to prevent, a police officer from stopping and questioning a person suspected of being engaged in unlawful activity.

CONGRESSIONAL RECOMMENDATIONS

What's to be done? The Subcommittee for Special Investigations of the Armed Services offers the following recommendations:

The present situation requires increased vigilance, and consideration of the adoption of some modification of those rules in the interest of national security. For example, the Navy recognizes the military potential of ships with a certain electronic configuration. Therefore, it would seem reasonable to require that all potentially dangerous ships using our territorial seas do so in a manner which would permit adequate surveillance to determine the vessel's capabilities.

The present U.S. policy for the treatment of foreign fishing vessels within the territorial waters of the United States considers these ships only as fishing vessels and not as potential instruments for the gathering of military information through various means, including electronic surveillance. To this extent the policy is deficient, for it does not give adequate guidance to the responsible services for a course of action to be followed in the case of an emergency which might adversely affect our national security.

NEED AUTHORITY

The subcommittee believes that if the Coast Guard, Department of Defense and the Department of Interior joined in a well-coordinated program, the deterrent against the smuggling of enemy agents and weapons into the United States would be raised to a more credible level.

The Navy and Coast Guard should adopt a uniform national policy which would permit them to take such immediate and unilateral action as may be required in the national interest whenever vessels having electronic or other capabilities which constitute a threat are found traveling through our territorial waters.

The Coast Guard should initiate daily air and sea patrols along the territorial waters on the Florida coast from St. Lucie Inlet to Miami.

The Seventh Coast Guard District in Miami should publicize the help which civilian sources could give to augment its surveillance activities, and particularly invite commercial and private boatowners to report all sightings of Iron Curtain craft in U.S. coastal waters. (After all, the records of 39 trawler sightings from all sources in the Miami district show that 20 reports of sighting originated with the Coast Guard, 1 by the Navy, and 18 by private vessels.)

If we may proffer a personal suggestion—let's send American trawlers into Russian territorial waters to find out what their reaction would be. Would they shoot them out of the water like they shoot our planes out of the skies near the East German border? If they object in any manner whatsoever, perhaps a reciprocal, definitive and security-proof treaty might be enacted to dispel all suspicions on both sides. Otherwise, the advantage the Soviets gain with continued, unmolested presence so close to our shores could give them a vital advantage in any future confrontation.

THE JOHN BIRCH SOCIETY—PROGRAM AND ACTIVITIES

Mr. McGEE. Mr. President, the Anti-Defamation League of B'nai B'rith has recently published an excellent summary of the tactics and goal of the John Birch Society which I believe will enlighten many Americans who may not comprehend the nature of this organization.

I believe this publication represents one of the most honest and forthright appraisals of Birch Society activity yet published and I have had several of its chapters printed in the Record.

Today, I ask unanimous consent, Mr. President, that the chapter entitled "Program and Activities" be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Program and Activities

The peculiar John Birch view of reality—the United State seen as 60- to 80-percent Communist controlled, of 19th-century America as some sort of idyllic pinnacle of civilization, and most subsequent American history as the disastrous result of diabolical conspiracies—has attracted significant numbers of rightwing radicals. It has produced, necessarily, a program to satisfy needs that have obviously led to successful organization. Officially, action is limited to the dissemination of a barrage of propaganda—books, flyers, tapes, films, rally speeches, petitions, and bumper stickers—to the infiltration of various civic, political, church, and school organizations, to the formation of front committees and to the writing of letters. But often action has taken more subtle and disturbing forms under the traditional Birch mantle of secrecy and the Welch dictum that justifies the use at times of "mean and dirty" tactics.

THE NATIONAL ACTIVITIES

Some analysts have suggested that the society's national program amounts to little more than the hard recruiting of new members—that all else is propaganda developed for recruitment purposes. In any event, the society's basic biases have spawned certain causes and crusades which form the framework of its national effort. To this framework are hung the local front groups, the flood of pseudoeducational materials disseminated through a network of bookstores, and the loyalties of the members themselves.

The society's early scattered shots at enemies far and wide have been gradually narrowed down to selected targets described in the "Standard Agenda" in the September 1963 Bulletin. It is into this agenda, with only slight variations, that the national program has been jelled:

I. Recruiting.
II. The movement to impeach Warren.
III. The United Nations—Get U.S. Out.
IV. Civil rights.
V. The Liberty amendment. (Abolish income tax.)
VI. Support your local police.
VII. American opinion.
VIII. American opinion libraries.
IX. American opinion speakers bureau.
X. Conduct study clubs.
XI. The review of the news.
XII. Your own reading.

The Bulletin urges support for some of the above items (e.g., liberty amendment) and damnation for others (e.g., Civil Rights). A series of temporary projects often follows—a torrent of letters to some unsuspecting Senator, perhaps, or greeting cards to a Welch hero.

THE ATTACK ON THE U.N.

"There are more Communists in the United Nations Building in New York than there are in the Kremlin." So wrote Robert Welch in the society's bulletin for May 1965. As Public Relations Director Rousselot states it:

"The U.N. was originally designed and planned by key Communist sympathizers, and today the organization is controlled and administered by the Communists." When Rousselot made this charge in a speech at the Birch-dominated 1965 Rally for God and Country in Boston, G. Edward Griffin, a society official from California, turned to the eastern public relations director, Tom Davis, and commented: "He's read my book."

Griffin's book, "The Fearful Master," has recently been the Birch Society's chief weapon in the propaganda assault against the United Nations.

The author, comparing Americans to suicidal lemmings, writes that in supporting the United Nations, the United States "abandoned the secure ground of national strength and independence to leap into the boiling waters of internationalism." He sees the U.N. itself as a nest of spies and Communist murderers; says that loyalty to the U.N. is being designed to supplant loyalty to the United States, and that the loyalty eventually demanded will be to world communism. These facts, he concludes, are all hidden from the American people because the U.N., like all enemies of the Birch Society, is secret and conspiratorial.

Other anti-U.N. materials of the society include postcards (a picture of the U.N. Building labeled "The House That Hiss Built"), stickers of various sizes with the slogan "The U.N.—GET U.S. Out" which are available for envelopes or auto bumpers, a special $2 packet of propaganda which includes the Griffin book and a purported exposé of the World Health Organization by J. B. Matthews.

In Michigan, a group of Birchers added a wrinkle of their own when they flew over the stadium at the 1964 Michigan-Minnesota football game in a helicopter dragging a 50-foot "Get U.S. Out" trailer.

MASS LETTER WRITING

The society's national anti-U.N. campaign has included several massive letter-writing efforts. In his November 1964, bulletin, Welch requested all Birch members to bombard Mrs. Norman Chandler, Walt Disney, and other directors of the new Los Angeles Music Center with mail protesting a decision to fly the U.N. flag over the project. For whatever reason, the flag did not fly, and Welch crowed of a victory.

In 1964, the John Birch Society declared war on the Xerox Corp.—after the company had anounced its sponsorship of a projected series of television specials on the United Nations. Robert Welch immediately urged his members to send "a veritable flood" of letters to the corporation.

Xerox received 29,500 pieces of adverse mail even before the first broadcast reached the screen. A tabulation revealed that the 29,500 letters had been sent by only 6,000 individuals. During the next 6 months, in which Welch wrote several reminders, the company received another 15,700 letters, analyzed as having come from only 5,500 individuals. (During the same period Xerox received 4,400 pro-U.N. letters from about 4,400 individuals.)

THE MOVEMENT TO IMPEACH EARL WARREN

Visitors to the Indianapolis Speedway on Memorial Day, 1965, could not miss the huge outdoor billboard opposite the entrance. It advised: "Save Our Republic. Impeach Earl Warren."

The mammoth advertising space had been contracted by a local group calling itself the "Committee for Outdoor Advertising to Save Our Republic." A similar sign greeted the civil rights marchers just outside the city of Selma, Ala., during their famous march early in 1965. There, the billboard was signed "The John Birch Society." There are hundreds of "Impeach Earl Warren" billboards on streets, roads, and highways all across the country. The campaign is a Birch project.

The Birchers' appeal in the Selma area was, intentionally or not, to certain obvious emotions. But the official purposes of their now-famous "Movement To Impeach Earl Warren" are much broader. Welch wrote in the March 1965, bulletin that the proposal to impeach the Chief Justice of the United States was intended "to make men behave, not to give them more laws to distort and ignore. And the way to make the Justices on the present Supreme Court behave is to impeach the ringleader in their judicial crimes."

In May, Welch assessed the effort: "If and when we can make enough good citizens informed enough and aroused enough to force the impeachment of Warren, we shall have won a battle of tremendous importance in the total war." In short, the society wants to persuade good citizens that the court of ultimate appeal in this country today is besmirched by terrible treason. The idea was expressed in an unsigned article in the July-August 1965, issue of American Opinion:

"The theory that the Warren Court is working for a domestic, as distinct from foreign, dictatorship becomes less tenable every day."

To advance the idea of such infamy in high places the Birch Society sells a Warren impeachment packet—a $2.45 bundle of propaganda for $1, which includes the Robert Welch leaflet, "Republics and Democracies" (condemning democracy), and two pamphlets by Mississippi's Senator James O. Eastland (one entitled "Is the Supreme Court Pro-Communist?").

Welch continually urges circulation of the packet, of a series of "Dan Smoot Reports" on the same subject, and of a 1-page compendium entitled "Why Warren Should Be Impeached"—all explanations of "the role played by Earl Warren in the destruction of our Republic." The large billboard posters displayed at Selma and elsewhere across the land are available through society headquarters at $20.

AN ABORTED PLAN

A group of avid Birchers in the New York metropolitan area, encouraged by the society's huge local growth during the election campaign, began secretly to plan an "Impeach Warren" saturation drive in the spring of 1965. It was to burst upon the tristate area of New York, New Jersey, and Connecticut like an unexpected comet on April 1—with airplane trailers and motor cavalcades, spot advertising, sound trucks, rallies, and thousands of posters and billboards. But Belmont was never consulted on the plan. This was, in Welch's words, "due to the worst failure, or lapse, of communication within our staff organization itself, in the history of the society." The result was the sacking of the local coordinator and a wrist-slapping for the New York Birchers who were guilty of straying from the proper authority within the society monolith. Welch softened the blow by stating that most of their plans and materials could be "used to full advantage at a later date."

In the June 1965, Birch bulletin, Welch aimed the impeachment campaign in a frankly political direction. He reported the society's "announced intention of making the question of Warren's impeachment a very important criterion by which to judge congressional candidates in the summer of 1966." Many on the American Right have been disturbed by Webb's goal of impeachment for the Chief Justice of the United States. They ask, why impeachment, instead of remedial legislation proposed by some ultraconservatives?

Welch's answer: it is "simply that not enough people understand, or will get excited about, amendments to limit the appellate jurisdiction of the Supreme Court. While anybody and everybody can understand, and quickly acquire very strong feelings about, the impeachment of Earl Warren."

THE COMMUNITY LEVEL

The influence of the John Birch Society—and of the radical right in general—is often most effective, most easily seen, and most keenly felt at the grassroots level of American life. It is in the community that their political plans and their hopes to reverse the direction of American life and government—and even of world affairs—must inevitably begin. It is at the local level—in hundreds of cities, suburbs, towns and hamlets—that the 5,000 Birch chapters and the 80,000 or so Birch members have been feverishly toiling in recent years.

Robert Welch fully understands the importance of local community groups, civic organizations and voluntary committees in American life. He knows full well that the Birchers must penetrate and influence these vital sinews of American life if the society is to achieve the counter-thrust it seeks at the national level—to repeal the last 30 years of American political, social and economic history since 1933.

The vital need for effective strength at the local level is obvious:

Infiltration and the capture of positions of influence are more easily accomplished, and ultimately more effective, at the local level. The position of public librarian in the town of Boxford, Mass., for example, was held by a Birch member who had done public recruiting and organizing work for the society. She lost her job after using it to promote the distribution of Birch literature through the library.

The apathy of moderates is more in evidence, and offers more potent an opportunity for an extremist minority, at the local level. Turnouts for community or school board elections, for example, are notoriously low almost everywhere.

There is a greater emotional pull on issues that "hit home"—particularly when the emotions can be buttressed with a manufactured fear, or where neighborhoods are split in bitterness.

Greater political pressure, concentrated and personal, can be brought to bear on local, county, and State officials, and on local businessmen.

Pressures can be tightly organized, and it is easy to mount saturation propaganda drives reaching great percentages of the local population.

In the Washington, D.C.-Maryland area, where substantial Birch Society growth has recently taken place, activity is energetic and well financed. A heavy volume of Birchite propaganda is distributed through six local book outlets. The membership has influential friends at State and county legislative levels. In the Baltimore area, Birchers and their allies were instrumental in campaigns to kill an urban renewal program and various poverty program projects. In several Maryland counties they have been able to distribute society materials to teachers in the schools. This is typical of Birch effectiveness on the local community level.

FRONT GROUPS

A major Birch activity in communities from coast to coast has been the establishment of front groups—often used as cloaks of respectability or anonymity—through which the national programs of the society can be adapted to the local scene and new members lured into cooperation first and recruitment later. Very often these are committees named as being in "support of the police," or of "law and order," or of "God in our schools." Many have been called the Committee To Get the U.S. Out of the U.N.—although under the Birch drive for respectability, a New England group of that name became the Committee To Promote Understanding of the United Nations. There are, likewise, many Committees to Impeach Earl Warren—but one in California's San Gabriel Valley has become the Committee for Judicial Reeducation.

The Southeastern Massachusetts Educational Committee apparently has but one educational activity—it shows the new Birch Society recruiting film in and around the city of Taunton.

In newspaper advertisements, the Wakefield (Mass.) Forum not long ago announced a lecture series under its sponsorship at the Wakefield Memorial High School. The Forum did not identify itself as a Birch operation. But a local citizen, whose only far right link had been his registration on July 4, 1965, at Boston's "Rally for God and Country" (which itself had officially denied Birch Society affiliation), received a mailing from the society's national headquarters in September. It included a handful of Birch literature, an application for tickets to the Wakefield Forum, and a map showing routes to the Wakefield High School.

The American Opinion Forum of Long Island (N.Y.), which also sponsored a series of conservative speakers, was more obvious. Its usherettes wore uniforms emblazoned with a gold-embroidered "JBS."

The purpose of such committees and forums is to expose the public to Birch ideology with the aim of recruitment—usually under the cloak of some righteous-sounding cause. The chairman of Connecticut's Christian Committee for Prayers in Schools, for example, is the John Birch Society's paid State coordinator.

By infiltrating community organizations—school, civic, and church groups—and by harassing those it cannot dominate, or those of an opposing viewpoint (such as those fostering civil rights, civil liberties, or the UN), the local Birch apparatus seeks to gain that measure of grassroots control that is the necessary base of power.

ATTEMPTED TAKEOVERS

When a number of residents in Mount Prospect, Ill., called a preliminary meeting for the formation of a human relations council, the local Birch chapter leader (Chapter QRKJ) alerted all society members in the area to the potential danger of leftwingers. The Birchers showed up in strength at an organizational meeting of the new antibias group, packing its membership. They managed to have their own people elected to office—some of whom had opposed formation of the council in the first place—and appointed to draft the proposed bylaws. They made it clear they wanted the organization to take a strong stand against racemixing ("mongrelizing"), to watch out for Communists, and perhaps to dissolve itself. Thus, a genuine community effort to improve relations between the races, and between persons of different religions, was to be made a shambles by the infiltration and tactics of John Birch Society members.

Late in November 1965, a public meeting was called in Saratoga, Calif., to discuss ways to establish an advisory board of directors for an area center of the poverty program. Establishment of the board was a necessary step toward setting up the area center and the meeting had been called by an ad hoc committee for the district which included more than a half dozen communities. Close to 250 persons were present, including several prominent members of the John Birch Society in the area, and when the voting came, it appeared that at least two-thirds of the audience were Birchers or their fellow-travelers. The Birchers elected all 18 members of the advisory board.

A LOCAL FRONT GROUP

The Birchers and their allies attempted takeovers, both in Mount Prospect and at Saratoga. In other communities across the Nation, they have attacked on wider fronts. A case in point: Nashua, N.H. There the local Birchers operate through a front organization called the Southern New Hampshire Forum for American Opinion, Inc., which has helped fan the ideological fires by bringing to town a parade of speakers from the Birch bureau including Tom Anderson of the Birch Society Council, Julia Brown, Willis Stone, and Harold Lord Varney. They have been aided in their activities by the presence of a Nashua outlet of the "Let Freedom Ring" telephone message service which, during 1965, was warning about treason right in the White House and charging that the National Council of Churches is openly promoting bloodshed through armed revolution by Negroes.

Another local outlet for the Birch line has been the letters-to-the-editor columns of the Manchester Union-Leader, which have seen long essays in thousands of words contributed by local society members and coordinators. Even the rightist-oriented editorial column of Union-Leader Editor William Loeb, however, penetrated what it called the sham of the Southern New Hampshire Forum's name, declaring: "This is the John Birch Society. That's a fact, not our opinion."

But another fact, not so plainly noted, was that the Young Republican organization had been infiltrated and was under Birch control. This organization, rather than the front group, brought another of the Birch bureau's speakers into the Nashua area. He was Samuel Blumenfeld, now a Western Islands editor and one of Robert Welch's "international experts," who believes that democracy is all wrong and promises it will be replaced "when and if the John Birch Society becomes a dominant political force in America."

Blumenfeld's prophecy is in words; others act. A Catholic priest in North Attleboro, Mass., who advised his parishioners not to attend a lecture by Father Francis Fenton, a member of the Birch National Council, became the target of abusive telephone calls and a whispering campaign. In Santa Barbara, Calif., a reporter who had exposed local Birch Society activities had his automobile tires slashed. The culprit is unknown.

SCHOOLS AND PTA'S

Birch members and other extremists use the democratic processes to harass local school boards and municipal governments.

A campaign begun by religious organizations in New Jersey to persuade schools and other municipal buildings to fly a pennant reading "One Nation Under God," together with the American flag, aroused bitter controversies in some communities. It was seen by some as an effort to circumvent—or even to thumb the community nose at—rulings of the Supreme Court on questions of the separation of church and state. The Bergen (N.J.) Record disclosed that the sale of the "religious" pennants was a major local operation of Birch Society units, netting a new American Opinion bookstore in Bergen County some $200 weekly.

School boards and parent-teacher associations have been a prime target of other radical rightist pressures on the community level in the last year or two. The National Education Association has estimated that one school district in every 30 "experienced some sort of attack, opposition, or attempt to infiltrate the schools by the extremists and dissident critics."

In Carmichael, Calif., a local Birch Society member presented a petition to the school board demanding that a certain American history textbook be withdrawn as "subversive." She cited American Opinion Poet E. Merrill Root as her expert authority. The Carmichael Courier reported that after her speech before the board, the lady—representing a committee for the return of morality—screamed at the president of the local teachers' asociation that she would see him "burn in hell" because of his opposition to extremist views.

In 1960, Welch advised his followers to "join your local PTA at the beginning of the school year, get your conservative friends to do likewise, and go to work to take it over." Birchers around the country have been doing so, and the society has reaped a whirlwind of adverse publicity and public hostility from mothers across the land who devote countless hours to sincere PTA work.

ROUSSELOT'S DENIAL

When the adverse publicity mounted, Rousselot—in February 1965—wrote to the Christian Science Monitor which had published an Associated Press dispatch under the headline "PTA Tells of Extremist Pressures." Blandly ignoring Welch's September 1960 plea that Birchers should take over local PTA's, Rousselot admitted that members were encouraged to join PTA's, but "not because the society has any intention of taking over."

Rousselot said that the Birchers wanted only to expose the PTA "to conservative thinking." He argued that "liberal elements within the PTA should welcome the ideological competition which results from contact with conservatives." Adding that the society had "never encouraged society members to foment discord within the PTA," he said, members were counseled at all times to be "morally correct and in every way decent."

Exactly how local Birchers carried out these strictures was, perhaps, exemplified in Upper Saddle River, N.J., where Birchers, in the face of public indifference, seized control of the local PTA. While there was some indication that clashing personalities may have been involved, it was also a fact that the man who had been nominated for PTA president had been active in interracial activities. As the PTA election approached, he was made the subject of a whispering campaign—that he was a nigger lover. At the election meeting, a large proportion of Birchers and their allies were present; most PTA members were not. The presidency and the vice-presidency went to Birch Society members. Happily, the publicity alerted indifferent PTA members who, in the year the Birchers held office, effectively restrained them.

THREAT TO PTA

This episode suggests that the Birchers can be successful not only in capturing other PTA's but even in taking them out of the PTA national organization, as has, in fact, happened.

The Birch view of the PTA was, perhaps, spelled out in recorded telephone messages broadcast by the "Let Freedom Ring" stations often run by local Birch Society members. LFR said that the PTA was Communist infiltrated.

National PTA President Mrs. Jennelle Moorhead reported that by early 1965, tactics of intimidation, coercion, and misrepresentation by Birchers and other extremists had become commonplace. She said that in her opinion, "these extremists are not really after the PTA but are attempting to gain control of it to get at their real objective—the educational system."

UNICEF—the U.N. Children Fund—is also a target of the Birchers, who have zeroed in on the Halloween "trick or treat" collections which schoolchildren make to bring in coins for UNICEF. In Needham, Mass., a local Bircher gave some children boxes of candy with a telephone number on a sticker affixed to the boxes. The number was for the local "Let Freedom Ring" radical right telephone message propaganda operation; those who called the number heard an attack on UNICEF and a plug for the Birch book on the U.N. by Griffin.

At Falmouth, Mass., on Cape Cod, a local Birch leader persuaded the Pilgrim Youth Fellowship of the First Congregational Church, consisting of high school students, to vote against supporting the 1965 UNICEF drive in the community.

Another effort by the Birchers to reach American youth took place on a national scale in the fall of 1965. Each of the 5,000 society chapters was asked to distribute—to college freshmen—25 copies of "None Dare Call It Treason," the paperback book by John Stormer, charging the national administrations of the last 30 years with treason. (The book was distributed by the millions during the 1964 presidential election campaign by Birchers and other radical rightists.) In line with Welch's suggestion, society members sent a personal note to each freshman recipient, urging that he read the Stormer book "to get some idea * * * of the true state of affairs in the world and his own country as against optimistic and deceptive twaddle he is so likely to be fed in most of the academic halls of today."

ATTACKS ON THE PRESS

Another American institution which has been the target of Birchers and other radical rightists is the Nation's free press. In November 1964, the California Newspaper Publishers Association found it necessary to launch a long-range campaign against rightwing and leftwing attempts to discredit newspapers and other news media.

A report by a CNPA committee which studied the problem said in part:

"Members of the John Birch Society and other extreme rightwing groups have joined the long list of leftwing extremist groups which have, for at least a generation, vigorously and viciously attacked the integrity of the reporting in the press, have attempted to discredit and damage economically newspapers with which they disagree and have sought to bring into being more news media which will be subservient in reflecting their own prejudices."

The report said the attacks were particularly acute during the 1964 presidential campaign, but added that there was "abundant evidence that the derogation of newspapers will not end after the election."

Two months earlier, Publishers H. H. Ridder, of the Long Beach Independent, and L. Finder, of the Sacramento Union, told the publishers association of antipress efforts by both extremes, but characterized the campaign of the ultraright John Birch Society and Birch-connected affiliates as most effective and most dangerous. Jack Baldwin, of the Long Beach Independent, confirmed their findings in his report on a nationwide investigation he and a colleague had conducted over a period of 8 months.

Ridder, Finder, and Baldwin said the attack on the press was in two parts. "First," Editor & Publisher reported, "is a general attack on all of the press that is not under the control of the John Birch Society. Second is the picking off of one paper at a time and attempted intimidation to force submission to the organization's dictation."

The three newsmen cited wide-ranging tactics used by extremists against the press. These included: "vituperative letters, threatening boycotts of advertisers, picketing, loading of a newspaper's mail to the point where it is unmanageable, jamming classified advertising telephone lines, and telephoned midnight threats of bodily harm to publishers, editors, and their families."

Late in 1965, there began to be evidence that Birchers and other radical rightists in California were buying suburban dailies and weeklies, and shopping news "throwaways," in what appeared to be the beginning of an effort to build a Birchite radical rightist press network in the myriad California suburbs. In mid-1965, for example, the Downey (Calif.) Live Wire was sold to a group that included a John Birch Society coordinator.

CALLING ALL CARS

One of the most persistent Birch Society campaigns of the last few years—and to some, one of the more alarming ones—is wrapped up in the Birch slogan, "Support Your Local Police." It is both a part of the national Birch program and an intensive local activity; it involves infiltration and it makes use of front groups; it is a holding maneuver against the enemy, a society recruiting device, a propaganda slogan, and a hullabaloo of buttons and bumper stickers.

The campaign, begun originally in the society's bulletin of July 1963, was obviously designed to exploit the so-called white backlash and to win friends for Welch's movement—and more particularly, to draw recruits wearing blue uniforms into the Birch chapters.

As it began, Welch declared policemen to be "the best friends everywhere of anti-Communists, like overselves." The question that immediately arose stemmed from the Welch-Birch view of all-pervading communism in American life. Just how would friendship with the Birch sort of "anti-Communist" affect the required neutrality and objectivity of law enforcement officers? For example, with respect to police handling of civil rights problems? The Birch drive had been kicked off in the first bulletin with a paragraph of generous praise for the handling of Negro demonstrations by the police of Birmingham, Ala.—including their use of police dogs against peaceful demonstrators.

HUNDREDS OF COMMITTEES

Within a year, hundreds of committees to support your local police were established in communities all over the country. They have since distributed literally tons of society literature and served as recruitment teams.

Through such local efforts the Birch Society has enlisted, according to publicity chief Rousselot, "growing number of police and personnel in sheriff's departments throughout the country." Such recruitment has been pressed vigorously; in many cities its success, and the possibilities of police-Birch alliances, have become matters of deep concern.

In Santa Ana, Calif.—a city of 100,000 lying 30 miles southeast of Los Angeles—the membership of the Birch Society's chapter QXTZ was composed of 23 city police officers. A private detective assigned by the city manager to investigate a mysterious campaign of harassment against Police Chief Edward Allen (such as anonymous telephone calls at night; an unsigned pamphlet questioning his honesty; the theft of his badges at headquarters and false alarms that dispatched fire trucks to his home) reported that the incidents had been perpetrated by members of QXTZ as a power play to get rid of a chief they did not like.

The John Birch chapter controlled the Santa Ana Police Benevolent Association, all of its officials but one being QXTZ members, and under this controlling majority the PBA bylaws were changed to enable a grievance committee to hear secret testimony against Chief Allen. One lieutenant was later dismissed from the force for engaging in Birch recruiting while on duty and for misappropriating a police vehicle. He allegedly used it while on a secret snooping mission aimed at discrediting the chief.

Other communities have witnessed what may be the beginning of a process that tears at departmental loyalties and community unity. For example:

Two police officers in Minneapolis, one of them a deputy inspector, openly criticized the Nation's courts in addresses delivered before a meeting of Birch Society members.

In Salisbury, Mass., all persons attending the 1965 Police Association banquet on June 23 were given copies of a "Support Your Local Police" pamphlet published by the Birch Society.

The police chief of Trenton, N.J., quoted the society's monthly bulletin verbatim in a departmental memo sent to all his men.

James J. Allman, director of community relations for the St. Louis Police Department, resigned his position recently to become the Birch Society's paid coordinator for the State of Missouri.

In New Jersey, State Trooper George Demetry resigned from the force to take a full-time job as a society organizer. The State police superintendent said that a conference with Demetry indicated the trooper had allowed his personal philosophy to influence his professional behavior.

In Newark, N.J., a policeman was given a 3-month leave of absence to conduct Birch recruiting activities. He later went to work permanently as a society coordinator.

In Los Angeles, Rousselot claimed, in the fall of 1965, that at least 3 district attorney's investigators, more than 25 policemen, about 15 sheriff's deputies and other law enforcement personnel were members of the society.

Official Birch material has been placed on the police bulletin board in Rockford, Ill., and on at least one precinct bulletin board in New York City.

A large number of city policemen attended a rally at New York's Town Hall auditorium in July 1965; the rally was sponsored by the Birch Society's American Opinion Speakers Bureau. A New York Post reporter judged that the officers, identifiable by the Police Benevolent Association badges, made up a majority of the audience. One of the speakers, a Birch Society section leader, declared: "Some people hate the police. The Birch Society has the answer—it is the only hope for the world."

Mayor James H. J. Tate of Philadelphia, Pa., in placing 15 city policemen on limited duty because of their Birch Society recruiting activities, explained: "They have limited their capacity and usefulness to the police department." He added that Birch members are, by their very membership, "against certain groups in the big cities."

Chief William H. Parker of Los Angeles, on the other hand, is not concerned about society membership among his men because the organization is "not on the subversive list." A young patrolman, suspended by Parker last June for his off-duty participation in the activities of the Congress of Racial Equality (which also is not on the subversive list) charged that the department had "given tacit endorsement" to the recruiting of police officers into the right-wing ranks. On May 30, Chief Parker himself had appeared for an interview on the Manion Forum, the weekly radio broadcast of Clarence Manion, a member of the Birch Society's national council. During that interview Parker vehemently attacked the courts and decried a "socialistic trend" in American life which, he charged, "involves an increased emphasis on the rights of the individual."

DANGERS

The John Birch Society is similarly concerned about the enlargement of individual rights, especially those that have been termed civil rights. The society believes the civil rights movement to have been conceived by Communists, carried out by Communists, and controlled by Communists. This Birch line on civil rights is one of the potential dangers of police membership in the Birch Society.

Another danger in Birchite influence in the field of law enforcement is the society's view of American law itself: it preaches that much of existing law is unconstitutional and perhaps even subversive, and that the courts of the country are serving a Communist conspiracy.

HIDDEN MEMBERSHIP

Still another danger lies in the possible manipulation of the police power itself by a quasi-political force that subscribes to a strange, extremist creed and whose members take direction from a leader who controls their monolithic organization. Most important is the fact that membership in the John Birch Society (like membership in the Communist Party), is not open and aboveboard. It is most often secret—which means that local police departments cannot know whether any particular officer is a society member, and whether he may therefore have divided loyalties.

Commenting on police membership in the Birch Society, Mayor Tate remarked: "This is the way the Nazi Party began."

Though the society has had only limited success in infiltration so far, the value of the support your local police campaign for purposes of public image, and as an aid in general recruiting, should not be underestimated.

The real significance of the campaign, however, lies perhaps in its implication for the civil rights movement. For Welch began it—at least in the pages of the Birch Society bulletin—with the situation in Birmingham, where the police and civil rights workers were clearly squared off against each other. The implication was that civil rights activity was a lawless cause, quite aside from the Birch charge that it is controlled by Communists.

JET AIR SERVICE AT WASHINGTON NATIONAL AIRPORT

Mr. BREWSTER. Mr. President, one of the Washington metropolitan area's leading radio stations, WWDC, has commented on the Federal Aviation Agency's plans to renovate National Airport.

WWDC's editorial is justly critical of FAA plans to allow noisey jets to land at National Airport and then use this as justification for a multimillion-dollar renovation program. WWDC has a right to raise its eyebrow over the airwaves.

I have asked the FAA to consider the views of local governments, planning agencies, other Federal agencies, and cultural and civic groups before going ahead with its plans to allow jets to land at National Airport. So far I have received no response to my request. The FAA has shown a disregard for the views of the local residents who will suffer from the roar of the jets.

Mr. President, I ask unanimous consent to place this WWDC editorial in the RECORD.

There being no objection, the radio editorial was ordered to be printed in the RECORD, as follows:

LITTLE RENOVATION JOB

Broadcast of this editorial by WWDC Vice President Ben Strouse began on March 3, 1966. We welcome comments.

One thing you have to say for the boys at the Federal Aviation Agency. When it comes to spending money on the airports they operate, they go first class.

Back in January the FAA announced it was—come April 24—opening National Airport to medium-sized jets. With the announcement the point was made that no renovation of National would be required. And as for the noise of jets which some people find objectionable, FAA took a casual view. They explained jet noise was only a little bit worse than the noise of propeller-driven aircraft.

That was for openers. Now the FAA people are saying it's going to be necessary to renovate National after all—to accommodate all the traffic to be generated by the jets. The Agency has a consultant's word for it that $150 million worth of renovations might be required by 1980. For a frame of reference, bear in mind the FAA's other local airport—Dulles International—cost only $108 million, complete. While local boosters hail Dulles as one of the world's most beautiful air terminals, it remains, alas, relatively unused.

That does not seem to trouble the FAA. When it come to spending money on airports, they think big.

THE LAST CHANCE FOR THE STATES—REAPPORTIONMENT

Mr. DOUGLAS. Mr. President, Senator JOSEPH TYDINGS has written for the current issue of Harpers magazine a brilliant and persuasive article on the effect which the fair reapportionment of our State legislatures is having on the American federal system.

He correctly points out that:

> One of the great political ironies of our time is that the Supreme Court's reapportionment decisions, which the self-proclaimed champions of States rights so bitterly assail, will do more to rebuild our withering federal system than any other event in this century.

On the basis of his observations in leading both the fight for fair apportionment in Maryland and the fight against the Dirksen rotten borough amendment in the Congress, Senator TYDINGS effectively substantiates the importance of this reform in the revitalization of the States as vigorous and representative partners in the federal system.

As a member of the Senate Subcommittee on Constitutional Amendments, Senator TYDINGS has given continuous study to the question of State legislative apportionment. As a former member of the Maryland House of Delegates, he knows very well the handicaps under which most of the State legislatures operated until recently.

The simple fact is that the State legislatures have been grossly unrepresentative, and hence State governments have been unable and unwilling to do the job demanded of them by the Federal system in the 20th century. Through the Supreme Court's enforcement, at last, of the constitutional and unalienable right of equality of citizenship, the States now have the opportunity to regain their position of balance and initiative.

I hope every member of every State legislature will read this article. And then I hope the question will be seriously considered, whether we really want to abandon this last chance for the States by passing the Dirksen amendment which would reverse the Supreme Court and return to malapportionment of the legislatures.

Mr. President, I ask unanimous consent that Senator Tydings' article, from the March 1966 issue of Harper's magazine, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Last Chance for the States

(By Senator Joseph D. Tydings)

State government is dying—or so many of our politicians, political scientists, and journalists would have us believe. The obituaries have already begun to appear. During the reapportionment debate last August, Senator Everett Dirksen declared in his typically colorful prose that the continued erosion of State authority will soon bring the day when "the only people interested in State boundaries will be Rand McNally." If we go much further, warns Senator J. Strom Thurmond, an articulate States' rights advocate, "in a few years the States will be nothing more than territories." The problem has become so acute that both ultraconservative columnist David Lawrence and British Socialist Harold Laski have concluded that State government is outmoded and should be replaced by a system of regional governments.

Few liberals would want to be identified as "States' righters" in the commonly accepted sense of the term, but the dangers of a vast Federal bureaucracy are not the exclusive concern of conservatives. Many thoughtful people across the political spectrum believe that Government operations, affecting millions of Americans, cannot be directed from Washington without a loss of efficiency, flexibility, and responsiveness. The answer does not lie, as some rightwing romantics would have us believe, in less government. We cannot repeal the 20th century and the demands it has created for public services. The only realistic approach to the problem of over-centralization is a healthier distribution of power through a rebirth of effective State and local government.

Fortunately, the predictions of the demise of State government, like the premature report of the death of Mark Twain, are highly exaggerated. One of the great political ironies of our time is that the Supreme Court's reapportionment decisions, which the self-proclaimed champions of States' rights so bitterly assail, will do more to rebuild our withering Federal system than any other event in this century.

To be dealt with effectively, many of the problems generated by big business, powerful labor unions, superabundant agriculture, and the demands of world leadership must be met at the national level. But even after allowance is made for the inevitable growth of the Federal Government, the fact remains that with few exceptions our States have failed to meet many of the modern needs of their citizens. These failures, which John F. Kennedy called the shame of the States, are primarily responsible for the decline of our federal system.

There is no inescapable logic of history or economics which makes elementary and secondary education, and water pollution, urban renewal, mass transit, housing, medical care for the elderly, or adequate law enforcement the concern of Federal Government. But in the 1 year I have been in the U.S. Senate, we enacted Federal programs in all these areas. My colleagues and I did not vote for these measures because we coveted more power in Washington. Our constituents were demanding governmental action and the States, for the most part, had failed to act.

The causes for this abdication of State responsibility are not hard to trace. Most State legislatures have simply been out of touch with a majority of the people in their States. Before the Supreme Court ruled that legislative reapportionment is a proper subject of judicial scrutiny, a large number of seats in almost every State legislature were allotted to rotten boroughs. None were quite as rotten as Old Sarum, the English borough with no inhabitants and two representatives in Parliament until the Reform Act of 1832, but most State apportionment schemes were indefensible. In 1962 a majority of the senators in 11 States represented less than 20 percent of their State's total population.[1] In June 1964, when the reapportionment cases were decided, there were 38 States—more than three-fourths—in which 40 percent or less of the population could elect a majority of the representatives in at least 1 house, and 15 States in which 40 percent or less could select a majority in both houses.

The undemocratic consequences of malapportionment are easily illustrated. Last year, for example, the Missouri House of Representatives defeated a bill to provide a $1-an-hour minimum wage by a vote of 83 to 68. The 83 negative votes were cast by legislators who represented a combined population of 1.3 million people. The 68 affirmative votes were cast by legislators representing 2.6 million—exactly twice as many. Prior to its reapportionment, the Michigan Senate blocked bills to provide free polio shots, increased unemployment compensation, additional mental health hospitals, and other needed measures, despite the fact that in each case senators representing a substantial majority of the people voted for these proposals.

In addition to stifling popular legislation, rotten-borough legislatures have blocked much-needed constitutional reform. Most State constitutions, written in the last half of the 19th century, are permeated by the philosophy of Herbert Spencer: the government which governs least governs best. As a result, most State legislatures are constitutionally designed to kill rather than enact legislation. A favorite device is the short, infrequent session. Thirty-one legislatures meet only once every 2 years. Most city and county councils, on the other hand, meet year round. Twenty-six State legislatures face mandatory adjournment deadlines after 90 days or less—hardly time enough to consider multibillion-dollar budgets, much less study and debate new legislation. This distrust of State legislatures runs deep. Even the usually enlightened Baltimore Sun seems to feel that if the Maryland Legislature were permitted to operate more than 70 days per year, it might commit some grave error or encroach upon some restricted sanctuary.

MARYLAND'S NEED FOR REFORM

Maryland, the State I know best, is an excellent case of the need for change. Our 99-year-old constitution, often amended but never revised, consists of 282 provisions, some of them contradictory. It contains such antiquated provisions as a ban on hereditary titles and a prohibition against officeholders dueling with deadly weapons. Our executive branch is weighted down with more than a hundred separate and virtually autonomous departments, agencies, boards, and commissions.

Maryland's General Assembly, in which I served for more than 6 years, was, until 3 years ago, the fourth most unfairly apportioned legislature in the country. Three of our four largest suburban counties ranked among the 10 most underrepresented in the Nation. Each county is still represented by a single senator, regardless of its size. As a result, less than 15 percent of Maryland's voters, all living in rural areas, are able to select more than half the members of the senate.[2] In 1928, Maryland's H. L. Mencken wrote that the gross overrepresentation of rural interests created "barnyard government." Is it any wonder that the Maryland Legislature has been more concerned with the salaries of registrars of wills and legal limits on the size of rockfish than with slum housing, mass transit, or an educational TV network?

Malapportionment fosters and perpetuates other anachronisms. One of the most debilitating practices of the Maryland Legislature is the tradition of "local option." Under this curious folkway a senator or the majority of a county delegation in the house of delegates can automatically exempt their county from the provisions of any statewide law. By invoking this rule, the only two Maryland counties in which coal is mined recently exempted themselves from proposed legislation designed to regulate strip mining. For years the four counties which permitted slot machines were able to exempt themselves from statewide gambling laws. By the same device, 12 counties, including those in which racial discrimination had been a real problem, exempted themselves from a 1962 public accommodations law. The anti-slot-machine law and the public accommodations law were ultimately extended to the unwilling counties, but only after Gov. J. Millard Tawes exerted a degree of executive leadership rare in Maryland's history to convince the legislature to override the custom of local option.

As with other legislatures, a flood of local measures and the mandatory adjournment deadline combine to create a frantic end-of-session stampede in Annapolis. In the closing hours, when everyone is watching the clock and legislators are weary after several weeks of day and night sessions, good legislation is frequently killed while "snakes"—tricky bills with hidden and undesirable features—slip by. During the final hours of the 1965 session, the senate engaged in a spirited debate on the location of a garbage incinerator for the city of Annapolis. Meanwhile, bills to regulate consumer credit and to control the distribution of firearms died in the adjournment crush.

Staff, technical assistance, and salaries in the Maryland Legislature, as in most other States, are shamefully insufficient. As a member of the house of delegates representing 76,000 people, I was expected to greet constituents, answer mail, study legislation, and initiate bills—all without an office, an assistant, or even a stenographer. We had 4 girls in a Democratic secretarial pool to serve almost 100 legislators. In addition to actual days in session, I devoted an average of one-third of my time, year round, to my legislative duties, on a salary of $1,800 per year.

OUT OF SIGHT, OUT OF MIND

All of these factors—low output, antiquated procedures, inadequate staff, low salaries—combine to create what is probably the most serious infirmity of most State legislatures: their low visibility to the electorate. Not one Marylander in a hundred can name his State legislators or explain what his legislature has accomplished or failed to accomplish.

---

[1] These States included California (10.7 percent), Florida (15.2 percent), Maryland (14.2 percent), Nevada (8 percent), and New Jersey (10 percent).

[2] A recent decision of the Maryland Court of Appeals assures that both houses of the legislature will be fairly apportioned before the November 1966 elections.

This low visibility contributes very substantially to the poor repute of State legislatures. Free from the discipline of public attention, State legislators engage daily in activities that on a national level would cause a torrent of criticism and demands for reform. Illinois State Senator Paul Simon has disclosed open bribery in his legislature.[3] The late Richard Neuberger, a distinguished State legislator before he came to the U.S. Senate, reported blatant conflicts of interest in the Oregon Legislature. And journalists have recorded innumerable examples of the undue influence of lobbyists.

My own experience confirms some of these reports. Lobbyists for race tracks, liquor, slot machines, labor, big utilities, and small loan companies are an integral part of the Annapolis scene. They crowd the corridors, fill the restaurants, and, on occasion, walk right on the house or senate floor. There is, of course, nothing inherently wrong about a group hiring a spokesman to represent it in the legislature, but it has been my observation that when powerful economic interests are at stake, the Maryland Legislature has frequently proven more responsive to the lobbyists—and the special interests they represent—than to the public interest.

How do lobbyists exert this influence? Trading on old political friendships, carefully cultivated over many years, the buttonhole brigade persuades key legislators, usually committee chairmen, either to bottle up reform or push forward special legislation. When the stakes are high, well-paid lobbyists, earning up to $30,000 for a single cause, work the corridors with every resource at their command. Bribery is not unheard of. Clarence Mitchell III, an able and honest young delegate from Baltimore City, reported that he was approached by a lobbyist and offered $300 to "take a walk" on a bill to ban slot machines.

Generally, however, the financial incentives are more subtle. Liquor lobbyists, for example, were reported to supply whisky to the alcoholic beverage control committees. Since legislating is only a part-time job in Maryland, every legislator has outside economic interests. It is easy for lobbyists to steer legal fees or real estate and insurance commissions to a friend in the legislature. Even the executive branch can indulge in this practice by directing State business to cooperative legislators.

Unrestricted lobbying by outsiders is bad enough, but the situation is infinitely worse when a member of the legislature lobbies his colleagues on a matter of direct economic benefit to himself. This occurred during the 3-year fight to bring Maryland savings and loan associations under effective control.

Until 1961, Maryland and Alaska were the only States which failed to regulate either savings and loan associations or the private corporations which purport to insure them. As a result, numerous Maryland associations were plundered, and thousands of unsuspecting depositors lost their savings. From 1958 through 1961, I worked to place savings and loan associations under effective regulation. Despite the obvious need for this legislation, prominent legislators blocked my efforts at every turn.

When I became U.S. Attorney for Maryland, postal inspectors brought to my attention possible cases of mail fraud involving two out-of-State promoters who had created the Security Financial Insurance Corp. SFIC was a seriously undercapitalized Maryland corporation purportedly established to insure savings and loan associations.

The grand jury investigated and found that among the original incorporators of SFIC were four legislators, including the two men who were the chairman of the House Insurance and Banking Committee and the Democratic majority leader in the house of delegates during the 3 years I fought for regulation.[4] Court records show that in less than 3 years, the majority leader had drawn $30,000 as a director and counsel of SFIC, and the chairman of the Insurance and Banking Committee, who had become SFIC's president, was earning at the rate of $24,000 per year. These legislators were the principal opponents of my savings and loan legislation.

Eventually public attention, skillfully focused by Laurence Stern, and Morton Mintz of the Washington Post, resulted in the enactment of reform legislation. The two out-of-State promoters, the speaker of the house of delegates, and the former chairman of the Insurance and Banking Committee were all convicted of mail fraud, although three of the four cases are pending appeal.

I tell this story because I see the whole unhappy episode as an example of the power of public opinion to effect needed reforms. So long as our State legislatures remain invisible, so long as few know or care what happens there, a climate for corruption exists.

Admittedly, reapportionment will not of itself raise the moral statute of legislators. (The legislators involved in the Maryland savings and loan scandal came from the largest, most underrepresented suburban county in the State.) But reapportionment can bring a new capacity to State government to act, and this new capacity may stimulate the public interest and the press scrutiny that are the greatest deterrents to corruption.

MICHIGAN'S VIRTUOSO PERFORMANCE

While the Maryland legislature has been all too typical, its style of doing business is rapidly going out of fashion. The Court's reapportionment decisions are awakening creative energies that are vitally changing State governments. The corridors of our statehouses are attracting suburban housewives, Negro ministers, college students, professors, and many others who previously had little or no interest in State governments. And these new voices are beginning to make an impact on legislation.

Michigan's first one-man, one-vote legislature turned in what the Detroit News called a "virtuoso performance." Educators, labor leaders, conservationists, and agricultural groups were all pleased with the most productive legislative session since the 1930's. Among its accomplishments were dramatically increased State aid to education, a stringent water pollution law, an air pollution control commission, summer classes for children of migrant workers, licensing and inspection of agricultural labor camps, election reform, law enforcement training programs for police officers, and a birth control information program.

This record is particularly impressive when compared with this legislature's predecessors. Before reapportionment the Michigan Senate killed a bill to provide an unemployment compensation increase of $3 per week. Voting for the bill were senators representing 3.5 million people; voting against it were senators representing 2.4 million people. Last year the Michigan Legislature increased unemployment compensation benefits by 20 percent and extended coverage to all workers. Before reapportionment, the addition of several hundred desperately needed mental health beds was blocked by senators representing 2.8 million people, despite support for the measure by senators representing 3.1 million. This year a broad new mental health program was enacted and funded.

Michigan has also made significant structural reforms. The 120 State agencies were consolidated into 19 principal departments. The legislators raised their own salaries to $12,500 a year, provided themselves with decent office space and stenographic services, and strengthened their research, legal, and technical staffs. House Speaker Joseph J. Kowalski says that "for the first time, we have a committee system operation."

Who are these new Michigan legislators? Half of them are freshmen. As a group they are the youngest Michigan legislators in memory. The average age is 44, as compared to 55 in 1959. Fifteen of the 37 senators are in their thirties and 12 more in their forties. "This is no longer an old folks' home for retired farmers and township supervisors," a veteran house member observed. The members of the 1965 legislature are better educated than their predecessors. Seventeen are teachers and educators, more than twice the previous number. There are 22 college graduates and lawyers in the senate today; only 12 in 1959. There are also more Negroes and more women. These new legislators, the Detroit Free Press observed, "are carving out a broadened, more professional, better informed, and probably year-around role for the State legislative function—something akin to the place of Congress in the national scheme of things."

LIFTING THE LID IN COLORADO, DELAWARE, AND GEORGIA

The reapportioned Colorado Legislature also tackled controversial problems that previous legislatures had ducked. Abolition of the death penalty was submitted to referendum, dissemination of birth control information and materials through public health clinics was authorized, and a long-standing deadlock on municipal annexation was broken. Substantial financial aid, long overdue, was given to education on all levels, fair housing legislation was strengthened, workmen's compensation benefits were raised, and a police academy was established for local law enforcement officers.

"Reapportionment was not, in and of itself, responsible for all this legislation," concluded the able speaker of the Colorado House of Representatives, Allen Dines. "But to a significant extent, I think, it contributed to all, by creating what one might call an atmosphere for action, not inaction." A young Denver legislator summed it up by saying, "We passed things which should have been passed 10 years ago. The rural bloc sat on the lid too long—and now it is off."

The 1965 session of the Delaware Legislature, also reapportioned in both houses, produced an impressive record of legislation last year, including adoption of the State's first minimum wage law after a 13-year fight, and improved workmen's compensation and consumer protection legislation.

Supreme Court decisions have likewise inspired reforms in Georgia. The abolition of the county unit system for electing a Governor allows, for the first time, the election of a man responsive to the needs of urban and suburban areas. Reapportionment has resulted in the election of 10 Negroes to the Georgia Legislature, more than any State except Michigan.

Under the leadership of an energetic and progressive Governor, Carl Sanders, the partially reapportioned legislature has begun to focus on urban problems. A larger share of the State tax revenues has been earmarked for the cities, and committees of the legislature are now preparing bills to provide a mass transit system for Atlanta and to combat water pollution.

---

[3] See "A Study in Corruption" (Harper's, September 1964).

[4] By the time of the grand jury investigation, the majority leader had been elevated to Speaker, but the chairman of the House Insurance and Banking Committee had retired from the Legislature.

REAPPORTIONMENT: THE FARMER'S FRIEND

The reapportioned Colorado and Michigan Legislatures not only began to meet the staggering problems of their urban communities; they also won praise from agricultural groups. A spokesman for the Michigan State Farm Bureau characterized the 1965 session as "friendly to the needs of agriculture" and "exceptionally productive of good farm legislation." The Michigan Farm Grange called the session the best in years. In Colorado, the great majority of rural legislators are reliably reported to feel that they received fair treatment and honest consideration of their needs.

These reports are consistent with the recent findings of the highly respected Advisory Commission on Intergovernmental Relations. In the four predominantly urban States whose legislatures had been more or less fairly apportioned prior to the reapportionment decisions, (Massachusetts, Wisconsin, Washington, and Oregon) the Commission found that the urban representatives "appeared to recognize certain special needs of rural areas" and allocated State aid for education and highways according to formulas that "clearly benefited rural areas."

I am sure that in my own State, for example, a fairly apportioned legislature is more likely to protect the Chesapeake Bay and conserve its recreational and underwater farming resources than its rural-dominated predecessors. It is ironic but true that those who depend on the Bay for their livelihood have, through the unwise exercise of their disproportionate power in the legislature, contributed to its becoming, in some areas, unfit for human use or animal life.

Reapportionment is not alone responsible for the recent surge of progressive legislation. Some credit must go to Barry Goldwater and the extraordinarily large number of Democrats who rode to victory on his backlash. But even if the progressive accomplishments of reapportioned legislatures have been magnified by President Johnson's 1964 landslide, there can be no doubt that reapportionment has opened doors that have been locked to change for more than half a century. Most experts agree that the results in Michigan, Colorado, Delaware, and Georgia indicate that reapportionment will, at a minimum, result in closer legislative attention to urban problems.

Perhaps even more important than the actions of reapportioned legislatures is the great wave of constitutional reform now washing over the States. Here the reapportionment decisions have undoubtedly prompted a major portion of the progress that is being made.

The Governor of Maryland has recently appointed a blue-ribbon commission to review the entire constitution and bring in recommendations for thoroughgoing reform. This step in all probability would not have been taken if the apportionment question had not been resolved by the courts. In fact, it was tried before without success. In 1930 and again in 1950 Marylanders voted overwhelmingly to call a constitutional convention, but the legislature refused to act. The legislature's refusal was based entirely on the fear that a constitutional convention would fairly apportion the legislature.

This same bottleneck existed in many other States, but now the pace of reform is dazzling. Since 1962, constitutional conventions have been completed or are in progress in six States: Michigan, Connecticut, Kentucky, New Hampshire, Tennessee, and Rhode Island. Conventions are scheduled in three more: New York, New Jersey, and Hawaii. All told, at least 28 States have either completed or are working toward revision of archaic constitutions, probably the greatest burst of State constitutional reform in our history.

SENATE JOINT RESOLUTION 103 AND THE MINORITY MYTH

The onstage action to revitalize State legislatures is heartening, but there lurks in the wings a 19th century villain which threatens to undo the progress that has been made. The villain is Senate Joint Resolution 103, a proposed constitutional amendment called the new Dirksen amendment.

This amendment, like its predecessors, is designed to perpetuate a rural minority stranglehold over State legislatures. Immediately after the Supreme Court's 1964 decisions requiring both houses of a legislature to be apportioned substantially on the basis of population, the opponents of fair representation managed to push through the U.S. House of Representatives a bill that would have denied the Federal courts jurisdiction to consider the apportionment of either house of a State legislature. That effort failed in the Senate.

The rotten-borough apologists returned last year with a proposed constitutional amendment to permit one house of a bicameral legislature to be apportioned on the basis of "factors other than population." When that measure was killed in the Senate last August, Senator DIRKSEN promptly introduced his revised constitutional amendment, which would allow one house of a bicameral State legislature to deviate from constitutional standards of apportionment "in order to insure effective representation of the various groups and interests making up the electorate." If that vague phrase means anything at all, it must mean that certain minority groups may be given representation out of proportion to their numbers in order to guarantee them, in Senator DIRKSEN's words, an "effective check upon a rampant majority."

I do not accept the view that any minority should hold the whip hand in a State legislature. In our majority rule system, minority rights find their legislative protection in the inevitable give-and-take compromises inherent in achieving the majority needed to pass any particular piece of legislation. Minority rights are ultimately protected by the courts implementing the common law and State and Federal constitutional safeguards, and not through the exercise of a veto power in the legislature.

But even if the concept of preferential minority representation were accepted, how would a State determine which minorities would receive special treatment? There are, of course, a virtually unlimited number of groups and interests which make up the electorate in any State. The obvious ones are racial, religious, business, farm, and labor interests. But there are also less obvious groups and interests: bird watchers, duck hunters, antivivisectionists, patriotic organizations. And there are numerous groups within groups.

Within any so-called urban group there are bankers and beatniks, housewives and haberdashers, scholars, and steelworkers. How can a State possibly determine—except by crass political logrolling—which minority group is to be given "an effective check" on the majority?

After all of the various groups are broken down to their component parts, we find single individuals, each with unique aspirations. While each man may share common concerns with his fellow worker, his coreligionist, or his neighbor, there is no other individual who combines all of the same interests in the same proportions. That is why, ultimately, the only fair and effective system of representation must accord each man an equal voice.

Fortunately, we killed the Dirksen amendment once before in the Senate, and I am confident we will do it again in the present session.

FEDERALISM IN THE FUTURE

With the Dirksen amendment finally out of the way, we can begin to give greater attention to the pressing problems of federalism. There are grave dangers in the steady, almost inexorable growth of Federal power. Necessary and justifiable as each single accretion of power may be, they add up to a centralization of power in Washington that has serious implications. This centralization in an age of nuclear weapons, strategic stockpiles, massive Government expenditures, and tightly consolidated information media threatens our Jeffersonian principles of democracy and civil liberties.

Once our States are again responsive to the needs of all their people, we can consider other, more imaginative schemes for bolstering federalism. The former chairman of the Council of Economic Advisers, Walter Heller, has proposed that excess Federal revenues be distributed among the States with no strings attached. This may well be feasible once we are assured that State governments can be expected to use the money responsibly. We should also explore other possibilities, including greater use of interstate compacts to solve multistate problems, and perhaps even a constitutional amendment which would permit States within a region to form a superstate for some purpose that cannot be met by a compact.

Jefferson warned that the only way to prevent the encroachment of Federal power into areas beyond its proper sphere is to strengthen State governments. Although reapportionment has been bitter medicine for some of our State legislators to swallow, it is the long-needed prescription to bring our Federal system back to life. It is the last chance for the States.

RESIGNATION OF ABBA SCHWARTZ

Mr. KENNEDY of New York. Mr. President, the United States within the last few days has lost by resignation one of its most able and dedicated public servants. And in the resignation of Abba Schwartz we lose doubly, because his contributions have come in an area where there has not always been agreement within our Government. His humane administration of the Bureau of Security and Consular Affairs in the State Department has repeatedly overcome the resistance of those who have doubts about our policy of maintaining a free and open society. His rulings that our society is strong enough to take the chance of having foreigners of alien political beliefs within its borders have time and again overcome the resistance of people of more limited perspective. His creative contribution to the drafting and enactment of last year's historic immigration legislation helped to overcome serious opposition to that bill.

The circumstances of Mr. Schwartz' resignation as reported in the press raise serious questions. For this reason, if a reorganization plan to abolish the office he held does come before the Congress, it should be examined most carefully and most thoroughly.

Abba Schwartz made an important contribution to liberalization of our immigration policy, both in his role in the enactment of the historic 1965 immigration legislation and in his role in the formulation and application of our Nation's visa policy. His departure is a loss of the Government he served and to this Nation of immigrants.

I ask unanimous consent that there be placed in the RECORD at the close of my remarks an article which appeared in the New York Times on March 7, reporting Mr. Schwartz' resignation. It describes in more detail the reasons why the resignation is such a loss to the Government and the people of the United States.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

EXPERT ON REFUGEE AFFAIRS QUITS OVER RUSK PLAN TO ABOLISH POST

(By Max Frankel)

WASHINGTON, March 6.—Abba P. Schwartz, a vigorous advocate of liberal immigration, travel, and refugee policies in the Kennedy and Johnson administrations, has been forced out of his high post in the State Department.

Mr. Schwartz submitted to the White House last night his resignation as Administrator of the Bureau of Security and Consular Affairs. He said it had been offered 24 hours after he learned that he was to be the principal victim of a reorganization to abolish his Bureau.

The reorganization was described to him as an economy measure. He said it had been planned for "many, many months" without his knowledge and had the approval of Secretary of State Dean Rusk.

The State Department had no comment. A spokesman referred all questions to Mr. Schwartz.

Some high officials said they were too upset by the affair to discuss it. One described it as "shabby," another as "scandalous." Mr. Schwartz, who is 49 years old, was the principal architect of changes last year in the immigration law that abolished restrictive quotas limiting admission to the United States for certain nationality groups. He also has long worked on measures to liberalize regulations governing the issuance of passports and to eliminate travel restrictions upon Americans.

Most recently, Mr. Schwartz is said to have used his wide contacts in international refugee and Red Cross circles to try to negotiate the release of more than 200 Americans being held prisoner by the Vietcong or North Vietnamese forces. He has been described as the Government's only link to these secret negotiations.

Together with Dr. Howard A. Rusk, director of the Institute of Physical Medicine and Rehabilitation at the New York University Medical Center, Mr. Schwartz has also worked to promote new programs of help for refugees in South Vietnam.

He was a principal negotiator of the accord with Cuba under which about 10,000 Cubans have been admitted to the United States in recent months. He has also administered American participation in worldwide efforts to relieve the plight of refugees and other displaced persons.

These have been his principal duties as head of the Bureau of Security and Consular Affairs. Security programs were removed from the Bureau before his arrival in September 1962, but he had charge of the visa and passport offices, an office protecting the interest of Americans overseas and one for refugee and immigration affairs.

Mr. Schwartz was the first person to hold the post with a Presidential appointment, requiring Senate confirmation, with the rank of Assistant Secretary of State.

He was a close associate of President Kennedy and his brother, Senator ROBERT F. KENNEDY. Mr. Schwartz brought to the job the twin credentials of long service for liberal causes under the tutelage of Mrs. Franklin D. Roosevelt and the warm endorsement of Representative Francis E. Walter, chairman of the House Un-American Activities Committee, who was a zealous congressional guardian of immigration policies.

Before joining the Government, Mr. Schwartz practiced law in Washington in the firm of Landis, Cohen, Rubin & Schwartz and became one of the Nation's recognized experts on refugee and immigration matters and prisoner-of-war questions.

He was an early member of Americans for Democratic Action, a liberal wing of the Democratic Party, and first became a friend of Mrs. Roosevelt while promoting programs to help refugees from Nazi Germany. He was befriended by Mr. Walter, a Pennsylvania Democrat, while counsel to the United Nations International Refugee Organization and legal adviser to the Intergovernmental Committee for European Migration.

Once in the Government, he soon became embroiled in a series of controversies.

There has been an almost constant feud with Mrs. Frances G. Knight, director of the passport office, his subordinate, who protested, among other things, what she called the "dangerous" policy of letting suspected Communists obtain passports unless they were given an opportunity of facing their accusers.

Mr. Schwartz has had many brushes with congressional security investigators. He is thought to have encountered frequent resistance inside the State Department in efforts to abolish U.S. bans on travel to Communist China and other Communist-held territories.

He refused to comment today, however, when asked what quarters or issues he believed had inspired the move to eliminate his job. Other sources said they believed past conflicts and not "economy" had led to the reorganization.

Mr. Schwartz said he had not seen the reorganization plan but understood that his Bureau's major functions were to be placed under the office of the Deputy Under Secretary for Administration, William J. Crockett. Organizationally, Mr. Crockett already had supervision over the Bureau, so the main result of its abolition will be the removal of Mr. Schwartz.

Although the change, in effect, will amend the Immigration and Nationality Act that created the Bureau, the administration was said to be submitting it to Congress as a reorganization matter. Unless Congress objects, the change will take effect 60 days after submission.

Secretary Rusk and White House aids having long ago approved the change, Mr. Schwartz said, it appeared to be only a matter of days before the plan would be sent to Capitol Hill.

He said he had first learned of the plan a few hours after his return Thursday night from a confidential mission abroad and was officially informed Friday.

Apparently no effort was made to discourage his resignation.

"I knew nothing about it whatsoever," Mr. Schwartz said.

He said he had made no other plans so far and was awaiting word from the White House on the effective date of his departure.

NAVY UNIT COMMENDATION AWARD TO U.S.S. "GENESEE"

Mr. KENNEDY of New York. Mr. President, I would like to call to the attention of my colleagues the action of the Secretary of the Navy in awarding to the U.S.S. *Genesee*, a Navy gasoline tanker in operation in Vietnam waters, the Navy Unit Commendation.

The U.S.S. *Genesee* (AOG–8) was named after the Genesee River which runs through the beautiful Genesee Valley in southwestern New York State. I know that the people of the Genesee Valley and of New York State join me in expressing our gratitude and appreciation for the excellent job performed by the men of the U.S.S. *Genesee*.

While serving a record 120 consecutive days on station supporting forces at Chu Lai and Da Nang, the 1,800-ton tanker pumped over 9.8 million gallons of petroleum fuel, and over 2 million gallons of salt water to help pack down the new airstrip at Chu Lai. In recognition of this record, Secretary of the Navy Paul Nitze awarded the U.S.S. *Genesee* the Navy Unit Commendation.

I ask unanimous consent that the citation for the U.S.S. *Genesee* be inserted in the RECORD and ask my colleagues to join me in this tribute to the U.S.S. *Genesee*.

There being no objection, the citation was ordered to be printed in the RECORD, as follows:

THE SECRETARY OF THE NAVY,
Washington, D.C.

The Secretary of the Navy takes pleasure in commending U.S.S. *Genesee* (AOG–8) for service as set forth in the following citation:

For exceptionally meritorious service while acting as fuel supply ship for the 3d Marine Amphibious Force in the Republic of Vietnam from May 23 to September 25, 1965. During this period, U.S.S. *Genesee* contributed materially to the success of military operations by delivering over 9.8 million gallons of petroleum fuel, pumping over 2 million gallons of salt water to aid in airstrip construction, delivering diesel fuel from her bunkers, and maintaining the bottom lay fuel lines on a most demanding schedule and frequently under most adverse weather conditions in an open sea anchorage. While skillfully and efficiently performing these various tasks, the officers and men of U.S.S. *Genesee* maintained their ship in a completely operational and combat-ready status. Their determined and inspiring efforts were in keeping with the highest traditions of the U.S. Naval Service.

All personnel attached to and serving on board U.S.S. *Genesee* during the period designated above, or any part thereof, are hereby authorized to wear the Navy Unit Commendation Ribbon.

PAUL H. NITZE,
Secretary of the Navy.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

TAX ADJUSTMENT ACT OF 1966

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The PRESIDING OFFICER. Without objection, the Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H.R. 12752) to provide for graduated withholding of income tax from wages, to require declarations of estimated tax with respect to self-employment income, to accelerate current payments of estimated income tax by corporations, to postpone certain excise tax rate reductions, and for other purposes.

Mr. RIBICOFF. Mr. President, I call up my amendment, No. 496.

The PRESIDING OFFICER. The amendment offered by the Senator from Connecticut will be stated.

The legislative clerk proceeded to read the amendment.

Mr. RIBICOFF. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with, and that it be printed in the Record at this point.

There being no objection, the amendment (No. 496) offered by Mr. Ribicoff, for himself and other Senators, was ordered to be printed in the Record, as follows:

At the end of the bill insert the following new section:

"Sec. —. Income Tax Credit for Certain Expenses Incurred in Providing Higher Education.

"(a) In General.—Subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 (relating to credits allowable) is amended by renumbering section 39 as 40, and by inserting after section 38 the following new section:

" 'Sec. 39. Expenses of Higher Education.

" '(a) General Rule.—There shall be allowed to an indiivdual, as a credit against the tax imposed by this chapter for the taxable year, an amount, determined under subsection (b), of the expenses of higher education paid by him during the taxable year to one or more institutions of higher education in providing an education above the twelfth grade for himself or for any other individual.

" '(b) Limitations.—

" '(1) Amount per individual.—The credit under subsection (a) for expenses of higher education of any individual paid during the taxable year shall be an amount equal to the sum of—

" '(A) 75 percent of so much of such expenses as does not exceed $200.

" '(B) 25 percent of so much of such expenses as exceeds $200 but does not exceed $500, and

" '(C) 10 percent of so much of such expenses as exceeds $500 but does not exceed $1,500.

" '(2) Proration of credit where more than one taxpayer pays expenses.—If expenses of higher education of an individual are paid by more than one taxpayer during the taxable year, the credit allowable to each such taxpayer under subsection (a) shall be the same portion of the credit determined under paragraph (1) which the amount of expenses of higher education of such individual paid by the taxpayer during the taxable year is of the total amount of expenses of higher education of such individual paid by all taxpayers during the taxable year.

" '(3) Reduction of credit.—The credit under subsection (a) for expenses of higher education of any individual paid during the taxable year, as determined under paragraphs (1) and (2) of this subsection, shall be reduced by an amount equal to 1 percent of the amount by which the adjusted gross income of the taxpayer for the taxable year exceeds $25,000.

" '(c) Definitions.—For purposes of this section—

" '(1) Expenses of higher education.—The term "expenses of higher education" means—

" '(A) tuition and fees required for the enrollment or attendance of a student at a level above the twelfth grade at an institution of higher education, and

" '(B) fees, books, supplies, and equipment required for courses of instruction above the twelfth grade at an institution of higher education.

Such term does not include any amount paid, directly or indirectly, for meals, lodging, or similar personal, living, or family expenses. In the event an amount paid for tuition or fees includes an amount for meals, lodging, or similar expenses which is not separately stated, the portion of such amount which is attributable to meals, lodging, or similar expenses shall be determined under regulations prescribed by the Secretary or his delegate.

" '(2) Institution of higher education.—The term "institution of higher education" means an educational institution (as defined in section 151(e)(4))—

" '(A) which regularly offers education at a level above the twelfth grade, and

" '(B) contributions to or for the use of which constitute charitable contributions within the meaning of section 170(c).

" '(d) Special Rules.—

" '(1) Adjustment for certain scholarships and veterans' benefits.—The amounts otherwise taken into account under subsection (a) as expenses of higher education of any individual during any period shall be reduced (before the application of subsection (b)) by any amounts received by such individual during such period as—

" '(A) a scholarship or fellowship grant (within the meaning of section 117(a)(1)) which under section 117 is not includible in gross income, and

" '(B) education and training allowance under chapter 33 of title 38 of the United States Code or educational assistance allowance under chapter 35 of such title.

" '(2) Noncredit and recreational, etc., courses.—Amounts paid for expenses of higher education of any individual shall be taken into account under subsection (a)—

" '(A) in the case of an individual who is a candidate for a baccalaureate or higher degree, only to the extent such expenses are attributable to courses of instruction for which credit is allowed toward a baccalaureate or higher degree, and

" '(B) in the case of an individual who is not a candidate for a baccalaureate or higher degree, only to the extent such expenses are attributable to courses of instruction necessary to fulfill requirements for the attainment of a predetermined and identified educational, professional, or vocational objective.

" '(3) Application with other credits.—The credit allowed by subsection (a) to the taxpayer shall not exceed the amount of the tax imposed on the taxpayer for the taxable year by this chapter, reduced by the sum of the credits allowable under this subpart (other than under this section and section 31).

" '(e) Disallowance of Expenses as Deduction.—No deduction shall be allowed under section 162 (relating to trade or business expenses) for any expense of higher education which (after the application of subsection (b)) is taken into account in determining the amount of any credit allowed under subsection (a). The preceding sentence shall not apply to the expenses of higher education of any taxpayer who, under regulations prescribed by the Secretary or his delegate, elects not to apply the provisions of this section with respect to such expenses for the taxable year.

" '(f) Regulations.—The Secretary or his delegate shall prescribe such regulations as may be necessary to carry out the provisions of this section.'

"(b) The table of sections for such subpart A is amended by striking out the last item and inserting in lieu thereof the following:

" 'Sec. 39. Expenses of higher education.
" 'Sec. 40. Overpayments of tax.'

"(b) Effective Date.—The amendments made by subsection (a) shall apply to taxable years beginning after December 31, 1966."

Mr. RIBICOFF. Mr. President, this amendment will provide an income tax credit for college tuition costs. The credit is based on the first $1,500 paid for tuition, fees, books, and supplies for any student at an institution of higher education. The amount of the credit is 75 percent of the first $200, 25 percent of the next $300, and 10 percent of the next $1,000. The maximum credit is $325.

The credit is not a deduction. It is a subtraction from the amount of taxes an individual would otherwise pay. It is subtracted at the end after he has computed his tax liability. Thus, because each $1 of credit reduces a person's tax by $1, the tax relief is provided uniformly without regard to the taxpayer's bracket. Thus, while a deduction or exemption saves a $15,000-a-year man more tax dollars than one who earns $5,000, a tax credit saves both the same number of dollars.

Sixty-two percent of these benefits go to families earning between $3,000 and $10,000 a year. A special provision cuts out the wealthy person. The amount of credit is reduced by 1 percent of the amount by which the taxpayer's adjusted gross income exceeds $25,000. Thus, for each $5,000 of adjusted gross income above $25,000, $50 is subtracted from the credit otherwise available. In this manner, the credit gives less dollar benefits to upper-middle-income groups and no benefits at all to high income groups.

Mr. President, the cost of this amendment has been the source of considerable confusion. I have heard it said that this amendment would take away $1 billion from the $6 billion raised by this bill to finance the fighting in Vietnam. The facts are these:

The bill, as reported by the Senate Finance Committee, would provide $1.1 billion for fiscal year 1966. It would provide $4.8 billion for fiscal year 1967, which I point out, ends in June 1967.

I have supported and still support the efforts to raise the money required by this bill.

My amendment is carefully drawn so as not to jeopardize the money-raising purpose of this bill. The tuition tax credit provided by my amendment does not go into effect until 1967. The credit will first be available for tuition paid in calendar year 1967. It will therefore first appear on the individual returns filed in 1968. It therefore does not jeopardize the purpose of this bill.

It should further be noted that a budget surplus has been predicted for 1968.

I therefore feel that this Nation can well afford to support the blue-collar workers, the white-collar workers, the salaried persons of the lower and middle income groups who are struggling to pay their bills, buy their homes, and educate their children.

These are the people who pay their taxes and for whom a $10,000 burden to educate a child—multiplied by several children—over a few short years constitutes a major financial crisis of their lifetime.

The Treasury Department has estimated that the cost of this amendment will rise to $1.3 billion by 1970. I believe that this Nation can well afford to provide this amount by 1970, to foster the education of our young people.

Let me further set the record straight. The distinguished junior Senator from Louisiana has stated that the amount of credit available on a tuition payment of $750 is $175. With all due respect to my very distinguished colleague, he misunderstands the amendment. The credit on $750 is $250, not $175.

The junior Senator from Louisiana feels that $250 of assistance is no help in getting through a college year. I agree that the benefits of this bill are certainly of no significance to the wealthy. But to the student working summers and evenings to put himself through, this amount cannot help but be of great encouragement to him.

To the family making $8,000, with three or four children to raise and put through college at $10,000 per child, I believe this encouragement will mean a great deal. The vast majority of the 5 million students in college today are not wealthy and to the vast majority of these students the benefits of this bill will be very significant.

To further correct the Record, I must also point out that the junior Senator from Louisiana misunderstands my amendment when he states, on page 5188 of the Record, that:

> The tax credit would be available to any taxpayer who legitimately may claim the student as dependent of his on his income tax return.

The amendment is not so limited. It clearly is available to anyone who pays tuition expenses for higher education for himself or any other purpose.

Thus the benefits are clearly available to students who are working to put themselves through school. It is not limited to parents. It would also encourage the giving of scholarships by individuals to designated deserving students.

It has also been argued that if this amendment is passed, college tuitions will go up. Mr. President, college tuitions are going up whether this amendment is passed or not. This amendment is merely designed to provide relief as the squeezing of our lower income families gets tighter.

The U.S. Office of Education has stated that annual current expenditures by institutions of higher education rose from $3.6 billion in 1954–55 to an estimated $9.7 billion in 1964–65—an increase of 169 percent. Rising enrollment combined with an increasing cost per student is expected to cause current annual expenditures to climb to $20.1 billion in 1974–75.

The annual cost per student education rose from $881 in 1954–55 to an estimated $1,220 in 1964–65 and is expected to climb to $1,537 by 1974–75.

This amendment provides credits against tuition paid only in nonprofit institutions as defined by the Internal Revenue Code. These institutions are going to raise their fees to cover increasing needs. There will be no increase of profits to shareholders or others. This amendment will not cause tuition increases, it merely recognizes them.

Proponents of the bill have stated that "many college administrators" oppose this plan.

Mr. President, I have a telegram which I ask to be printed in the Record, which reads:

> Recent poll by Citizens National Committee for Higher Education of college presidents and trustees indicates 4,056 in favor and 401 against the Ribicoff-Dominick amendment for tuition tax credits. Parents need help. More scholarships can be provided. Please support this amendment.

The overwhelming majority of college presidents and trustees recognizes the problems, the crisis in education today. They overwhelmingly support the tuition tax credit as a practical nondiscriminatory, nonbureaucratic essential step toward a solution.

Even today, some people are required to pay more than $3,000 a year in total college expenses. The College Scholarship Service reported that the median of income for students applying for scholarships was $8,436. The hardships are real, the inequity exists. This is simply good tax law. We recognize the financial hardships caused by medical expenses, by hurricanes, by floods, by business losses, by bad debts, even the payment of taxes. It makes sense and it is fair and equitable that we recognize the extraordinary cost of providing a college education. The working people are taxed again and again.

The distinguished junior Senator from Louisiana stated the case well in a colloquy with Secretary Fowler at the hearings on the proposed Tax Adjustment Act of 1966, when he stated:

> An increase in interest rates of one-half of 1 percent, when passed on throughout the economy, means about a $7 billion tax on the rank and file of the people, the working class—generally speaking, the middle and lower income classes of people.

These are exactly the people I am trying to help. If the rise in interest rates cost them $7 billion this year, surely we can give them $1 billion in tax relief.

Increased social security taxes will take another $6 billion a year.

Sometime we must squarely face the issue of providing tax relief to ease the heavy burden of college costs.

The people who are in desperate need of the relief provided by this amendment are the lower- and middle-income groups of the United States. The amendment is designed to provide them with the relief they need. The wealthy need no relief and this amendment gives them none.

Mr. President, the Hartford, Conn., Courant of March 7 contains a very interesting editorial on this subject. I ask unanimous consent that it be printed at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

TUITION TAX CREDIT AGAIN IN TROUBLE

> Parents with modest incomes and children who are going to college, will applaud the efforts of Senator Ribicoff who again is seeking to get tax relief through tuition credits written into the income tax law. At the last session of Congress he lost by only a small majority. He has again lost another skirmish, this time in committee when a majority voted against the plan. He now plans to go to the floor in an attempt to add his tax-credit plan to the administration tax bill.
>
> Mr. Ribicoff's amendment would allow credits against income taxes due on a sliding scale geared both to college costs, including tuition, books, and supplies, and to the adjusted gross income of the person paying the college costs. These credits would be permitted on a sliding scale, with a maximum tax credit of $325 for the first $1,500 of college expenses.
>
> Strangely enough the greatest foe of the Ribicoff plan is the Treasury Department, which sees in it a reduction of about a billion dollars in income-tax receipts. At the last session, while there was great sympathy among Members of Congress, some strong arm twisting resulted in the defeat of the measure. If it is defeated again it will not be because the bill is not equitable, but for reasons of expediency.
>
> This is, of course, only one instance of where the income tax law works a hardship on people of modest means. On the other side of the spectrum is that group of millionaires who actually pay no income tax at all. Then there are the fat-cat Texans with their oil-depletion allowances. All these special-interest groups are treated tenderly. But when it comes to poor, hardworking Joe Doakes, who is trying manfully to educate his children, Congress turns a cold shoulder. Let us hope Mr. Ribicoff is lucky this time. Let the Treasury work on oil depletion to make up for the deficit.

Mr. MANSFIELD. Mr. President, will the Senator yield without losing his right to the floor?

Mr. RIBICOFF. I yield.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. RIBICOFF. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RIBICOFF. Mr. President, last Friday I made my major speech on the amendment now before the Senate. I would like to emphasize a few points.

First, the question has been raised whether this amendment will cut $1 billion from the money to be raised by this bill to fight the war in Vietnam. It should be pointed out that the purpose of this bill is to raise $6 billion in the fiscal years 1966 and 1967. The floor manager of the bill so stated on page 4931 of the Congressional Record of last Friday.

The tuition tax credit involved in this amendment has been so drawn that it applies only to tuition paid in 1967 and thereafter. Thus, the tax credit will first appear on the tax returns filed in 1968.

It should also be noted that a budget surplus in 1968 has been predicted. This will be found on page 5152 of the Congressional Record of Monday, March 7, 1966.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. RIBICOFF. I yield to the Senator from Louisiana.

Mr. LONG of Louisiana. How large a budget surplus is predicted?

Mr. RIBICOFF. I will use the Senator's own figures, as shown on page 5152 of the RECORD. I quote the distinguished Senator who asked the question:

> In fiscal year 1968, after the impact of these new tax provisions, the continuing growth of the economy will continue to generate its normal growth of Federal tax receipts—about $7½ billion a year. This increase will be large enough to provide a budgetary surplus in 1968 if the presently projected level of Federal expenditures, including Vietnam costs, can be maintained.

I have assumed that the distinguished floor manager, who is the chairman of the Finance Committee, knew what he is talking about when he made that statement. I am using that statement.

Mr. LONG of Louisiana. I did not ask the questions without having knowledge as to what the answer would be.

For the record I wish to make it clear that that is what we hope to do. Let us face it. The Prouty amendment we voted yesterday would increase the cost of the Government by $700 million. Congress voted to increase the President's request in connection with the GI bill proposal by a couple of hundred million dollars. There is a billion dollars. There is also going to be a Federal pay raise bill this year that will cost more than a billion dollars.

There are certain economies that the President is recommending, such as the one concerning the REA program, which probably will not take effect because Congress will balk.

There is also the President's proposal to economize on the school lunch and school milk programs. I guarantee the Senator that these proposals will not carry.

We are already faced with expenditures that exceed the President's requests. It appears logical that even if we do not increase expenditures in Vietnam, the deficit in the budget to the extent Congress adds to the expenditures or reduces the revenues proposed by the President.

Mr. RIBICOFF. That may be so, but I have tried to act responsibly on this amendment, taking into account the administration's need for revenue because of the situation in Vietnam. Consequently, I have deferred the impact of the effect of this amendment to the tax returns filed in 1968. To this extent I have gone along with the desire of the administration and the distinguished floor manager of the bill, taking into account what they are trying to do to preserve the revenues for 1966 and 1967.

To anticipate what will happen 3 years from now is difficult. However, my amendment is responsible in that it will not have an effect on 1966 or 1967.

The amendment has been referred to as a "rich man's bill." I would like to point out the fact that the bill is so drawn that 62 percent of the benefits go to families earning between $3,000 and $10,000 a year. Ninety-one percent of the benefits will go to persons with family income of less than $20,000 a year.

It is said that the amendment does not help families too poor to pay college tuition for their children.

Last year Congress passed a program providing for 140,000 scholarships. These Federal scholarships go to low-income families. I voted for and supported that proposal. As a matter of fact, I refrained from placing my amendment on that bill, keeping in mind that I did not want to jeopardize the Federal scholarship program because I considered it essential.

It should also be noted that the tuition tax credit would provide a lessening of the pressure on present scholarship funds and encourage individuals to give designated scholarships to deserving students.

It is said in argument against this bill that private colleges are favored.

A study of the entire bill shows that the tax credit provision is weighted in favor of the public and land-grant colleges. The credit is based on 75 percent of the first $200 of tuition, 25 percent of the next $300, and only 10 percent of the next $1,000. Thus, lower tuition schools get a higher percentage of the benefits than higher tuition schools.

One of the great difficulties of education is the high cost to a family in the middle-income group, who suddenly find themselves faced with high expenditures to educate their children.

A report by the College Scholarship Service, which assists many universities and colleges to determine which students are entitled to help, shows that a family—a husband and wife with one child in college—with income before taxes of $6,000 a year, is expected to contribute $790 a year to the support of their child in college. A family earning $8,000 a year is expected to contribute $1,290 to support their child in college.

When one considers this family, with all of the other expenses, burdens, and the taxes, one realizes the large expense they must undertake to send a child to college.

In the past decade 400 measures have been introduced in the Senate and the House of Representatives concerning tax relief for college students.

Up until 1964, none of these measures had ever been called up for a vote. Many of us—and I am glad to have the able assistance and support of the distinguished Senator from Colorado [Mr. DOMINICK]—have determined that the time has come to do something for the lower- and middle-income groups of our society. Year in and year out, Congress passes legislation to take care of those on the poverty level. I have supported those programs and shall continue to support them.

Yesterday the Senate rejected an amendment—and I supported the leadership in rejecting it—to eliminate the investment credit on machinery. So we are taking care of the large taxpayers. That credit will involve some $2 billion.

Still, year in and year out, there is reluctance on the part of the Treasury Department to be concerned with the problems of the low-income and middle-income groups. One of the great tragedies for America would be to have Congress adopt tax policies and programs which would tend to impoverish the middle-income group of America.

The last time the Senate voted on this measure, it defeated the proposal by a vote of 45 to 48. I do not know what the vote will be today. It is my hope that the Senate will reverse the position it took in 1965. I believe that this issue is so important to the people of our Nation that we must continue our fight. It is my feeling that we will continue the fight and that the day will come in the not too far distant future when a measure such as this will be passed by Congress and eventually signed by the President.

Mr. President, I yield the floor.

Mr. DOMINICK. Mr. President, I wish to express my support for the adoption of the Ribicoff-Dominick amendment. I congratulate the distinguished Senator from Connecticut not only on his presentations today and last Friday, but also on the vast amount of work he has done in connection with this problem. It is interesting that both of us should support such an amendment, one of us coming from a Western State, the other from an Eastern State, both of us having started our studies of this problem independently.

My interest in this subject is nothing new. My interest in providing tax relief to those who are bearing the expense of higher education dates back prior to my first days in public office. I introduced and sponsored legislation for this purpose, first, in the Colorado Legislature in each of my 4 years as a member. I introduced and sponsored this type of legislation in the U.S. House of Representatives during the 87th Congress, while I was serving as a Representative from the Second Congressional District of Colorado. I have introduced it, backed it, and worked for it in the Senate during the 88th and 89th Congresses, working closely with the distinguished Senator from Connecticut [Mr. RIBICOFF].

Surprisingly enough, I should say that I started my activity on this subject long before I became engaged in politics. Together with other persons who were concerned about the degree of impact that college education was having on the middle-income group, I started a drive at that point throughout my State in an attempt to have legislation introduced in the Senate and House of Representatives to correct this condition. So this is not a new subject to me. It is not one that is novel and is not something that is a spur-of-the-moment idea.

In proposing this amendment to the pending tax adjustment bill, it should be made crystal clear that our amendment will not have any effect upon the revenues which this bill is designed to raise. The tuition tax credit provision can be called a follow-on program. The effective date for the beginning of the tax credit program for the expenses of higher education will make the program applicable to taxable years beginning after December 31, 1966. So the results would appear in individual income tax returns due to be filed before April 15, 1968.

The urgent need for the enactment of this amendment is reflected in the growing percentage of American families who are hard pressed to meet the rising costs of higher education for their children, whether at public or private colleges or universities. Survey after survey has shown that 62 percent of American families have annual incomes between $3,000 and $10,000 a year. These surveys have revealed—this is a most interesting statistic—that 60 percent of such families have no savings at all, while the savings of the remaining 40 percent average only $150. These are the families who would derive the greatest benefit from the enactment of this amendment. These are the families who are largely left out by the higher education bill which Congress passed last year.

The distinguished Senator from Connecticut [Mr. RIBICOFF] has previously had printed in the RECORD a table which was published in U.S. News & World Report on September 20, 1965. The table was compiled and published by the College Scholarship Service, an organization that assists many major universities and colleges in determining which students are entitled to first call on available financial help. The table sets forth the amount that families are expected to contribute annually from current income if they have only one child in college.

Any college that followed the guidelines set forth in that table would require that a family consisting of a man and wife with one child in college, and having a gross family income of $6,000 a year, must contribute $790 a year from the family income before his child could be entitled to scholarship assistance. This is a staggering burden. If the same family had a gross income of $8,000, it would be required to contribute $1,290 to the child's college expenses before the child could be eligible for scholarship assistance.

Such is the dilemma which faces millions of American families who are trying to educate their sons and daughters as an investment in the future of this Nation. It is not surprising that in a poll of my constituents, more than 80 percent of those responding enthusiastically favored the enactment of tuition tax credit legislation to cover a part of the costs of higher education.

Another recent survey on this subject is of special interest and importance. This survey was directed to all presidents and trustees of both public and private institutions of higher education. The response was exceptionally large, and the results are highly significant.

As of March 3, 1966—only 6 days ago—of the 3,231 trustees of private institutions responding, 91.7 percent, or 2,960, favored the tax credit approach to provide assistance for higher education. Only 215 trustees of private institutions, or 6.6 percent, opposed the tax credit approach, and 56 trustees of private institutions, or 1.7 percent, were undecided.

Of the 530 trustees of State institutions of higher education who responded, 440, or 83 percent, favored tax credits for the costs of higher education; while 85, or 16 percent, were opposed, and 5, or 1 percent, were undecided.

Of the 99 presidents of State colleges and universities responding, 42, or 42.4 percent, favored the tax credit approach; while 57, or 57.6 percent, were not in favor of it. On the other hand, 92 percent of the 667 presidents of private colleges and universities who responded to the survey favored tax credits for higher education expenses. Forty-four presidents of private colleges, or 6.6 percent, did not favor tax credits, and 9, or 1.4 percent, were undecided.

In summary, 89.6 percent of all responses received favored the tax credit approach; only 8.9 percent were opposed, and 1.5 percent were undecided.

I might comment that in a country as large as ours, considering the many diverse ideas and thoughts, it is almost a miracle to be able to get 89.6 percent of the persons responding to the poll to agree to the proposition that is presented to them in detail. This shows the strength of this particular type of proposal as an aid and assistance to those families who are trying to send their children or their neighbor's children to school or who want to provide a scholarship. They would have an incentive to provide such help. Second, it shows the aid that this approach would give to the higher universities and colleges, whether private or public.

Why should such an overwhelming percentage of those responsible for administering our colleges and universities favor enactment of tax credits for higher education expenses? I believe it is because these individuals recognize a most important factor which is overlooked by many of those who have not favored tuition tax credits. That factor is the effect which tax credits will have on the pressure now being exerted on existing Federal programs now providing scholarships, loans and grants, and upon the future of privately financed scholarships. The greatest benefit accrues for the first $200 spent for tuition, fees, and books, and even at these State institutions which do not charge tuition, the cost of fees and books average more than $200 per year. This amendment would cover 75 percent, or $150 of this cost. The effective help provided to the student and his parents in this way will greatly lessen the pressures now being exerted on existing scholarship programs, and in addition will provide some much needed help to those students who are not able to receive scholarship help now because of the preference given to the lower income group under the guidelines being followed by many colleges and universities.

During the consideration of the higher education bill of 1965—and I am a member of the Subcommittee on Education of the Committee on Labor and Public Welfare—we went into this matter at great length. I was happy to support the bill and did support it last year. However, in the process, we raised the limitation on the income level of those people who would be eligible to receive loans or scholarships up to $15,000 of adjusted gross income. So we have already recognized by legislation passed last year that the middle and moderate income groups should be entitled to receive assistance in trying to educate their children.

It is only fair, in order to relieve the pressures on those funds which we supplied, to say to the people, as the amendment does; "You have the right, out of part of your gross earnings, to educate your own children." That is all that this amendment is trying to say.

Incentive is also provided for individuals who are not related to the student to provide financial help to students for tuition, fees, and books. For example, I or anyone else in the Senate, if he felt so inclined, could pay the educational fees of any individual who wanted to obtain a higher education, and whoever paid those fees would be the one entitled to receive the tax credit. So it is not merely for the families who are sending their own children through school. It also takes care of people who want to send their neighbor's children, or anyone else, to a college which they can designate, and thereby afford an opportunity which that individual might not otherwise have.

To the extent that private sources will be encouraged to provide such funds, the American taxpayer will benefit. Under our sliding scale formula, for every $500 scholarship donated by a private individual, the Federal Government will be getting money devoted to education at a 55-percent discount. This is not possible at present because an individual taxpayer gets no tax benefit whatever if, out of his own generosity, he pays for the tuition, fees, or books of a needy and deserving and named college student. The effect of this factor alone—in agreeing to this amendment—should direct many millions of dollars of private funds into American higher education, both public and private.

Since this question was last debated here and failed by the narrowest margin, we have met the challenge of providing higher education assistance to the lowest income group which pays no income taxes. Since 1964, we have enacted the work-study program under the Economic Opportunity Act of 1964 and the Higher Education Act of 1965, and we have provided student loans for vocation education. With this amendment, we shall be adding the badly needed fourth leg to the stool. We shall provide help for higher education to that group of our population which carries the greatest burden. More than 90 percent of the tax benefits provided by this amendment will go to families with incomes of less than $20,000 per year. Anyone who contends that this is a rich man's bill just simply does not understand the sliding scale provisions.

Furthermore, we avoid many serious problems through using the tax credit approach. No additional Federal bureaucracy will be required since we shall utilize the existing machinery of the Internal Revenue Service. And, equally important, no Federal control of our education system will be encountered since the individual will be using his own pretax dollars for higher education. Second only to the cost of buying a home, the next largest single expense facing the American family today is the cost of sending their children to college. To the extent that we can relieve this by agreeing to this amendment, we shall have benefited everyone in the country.

The costs of obtaining a higher education continues to increase, as they have done over the years. In my own State of Colorado, we are spending nearly 3 times as much on higher education this year as we spent 6 years ago. Many families in my State are having great difficulty in meeting the expenses of higher education for their children. In all probability, the adoption of this amendment would give much needed tax relief to families and individuals whose financial burden is particularly great. It would also have the effect of feeding back much needed revenues into the private sector of our economy.

Some opponents of tax credits for higher education have speculated that the adoption of this amendment would directly cause public and private educational institutions to raise their tuition and fee schedules. This is obviously pure speculation. I think history has shown us that these costs have been rising steadily anyway, as they have been doing in my State. It seems equally logical to me to assume that the people who will realize tax savings from this amendment might be inclined to plow these savings back into public and private educational institutions. It seems even more logical that these savings would allow the recipients to contribute toward the education of more of their children beyond high school and may well form the incentive for some to pay part of the expenses for children of neighbors or friends.

It should be emphasized in the strongest terms that this amendment has been specifically designed to be of greatest assistance to the lowest cost public universities. One of the major attacks which was made on earlier tax credit proposals was that they would be of greater assistance to Ivy League colleges or higher cost private institutions. This argument had some validity, at least enough to make it a rallying point for those who are opposed to the principle of tax credit. So, in drafting this amendment, we have designed a sliding scale to answer this argument. The sliding scale will give maximum tax credit benefits to institutions which charge the least tuition, or no tuition at all, but which still have expenses involved in education fees and books. As will be noted, the greatest amount of benefit accrues on the first $200 spent for tuition, fees, and books. This is clearly shown on the excellent dollar-benefit schedule which has been placed on every Senator's desk by my friend, the Senator from Connecticut.

This amendment is aimed at strengthening the individual's efforts on his own behalf to obtain the highest level of education to which he aspires. It does not aim at any institution or any class of institutions. It does provide the maximum benefits to students at colleges and universities which are supplying the maximum needs for people having the lowest incomes. This again is clearly evident from the sliding scale formula which provides a tax credit of 75 percent of the first $200; 25 percent of the next $300 and 10 percent of the next $1,000 paid by or on behalf of a student at an institution of higher education. The maximum credit is $325.

Mr. President, I believe that we can all agree that the education of America's children should be among the foremost priorities of this Nation. This holds true for the present as well as for the future. In fact, how well we meet this challenge could very well determine the future existence of this Nation as we know it or hope it shall continue to be. The program proposed by this amendment is the best investment we can make in the future of our country.

A whole series of surveys have shown that the college-trained individual will earn at least $150,000 more during his lifetime than an individual who does not go on to college. At today's tax rates, this means that the college-trained individual will pay at least $30,000 more into the Federal Treasury in income taxes. The help given to a student by this amendment to enable him to obtain a college education will cost at the maximum $325 per year, or a total of $1,300 for the 4 years of college. For every dollar we invest in tuition tax credits for higher education for our children, the Federal Government will receive a return on this investment at the rate of 2,300 percent. That is a pretty big percentage of return on any investment, public or private.

Mr. President, we cannot afford to pass up this investment opportunity. We cannot afford to deny our children the help they need to obtain higher education. We need the incentives to private scholarship assistance which this amendment will provide. In short, Mr. President, we need the enactment of this amendment, and we need it now. I sincerely hope it will be adopted.

On October 18, 1965, there appeared in Newsweek an article by Raymond Moley discussing this tax credit proposal. I ask unanimous consent that that article be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Perspective: Tax Help for Parents

(By Raymond Moley)

The immense bundle of gifts, loans, and other helps which is the Johnson aid-to-education plan is understood by few except some Members of Congress, the administration, and professional educators. But everyone knows that it will cost a lost of money and that this money must be raised by taxation or inflation. The Government giveth, and the Government taketh away.

But the legislation leaves untouched the plight of parents in the lower middle income range who, in the exercise of freedom of choice, want their children to get a college education. It also does not help the private colleges that are having a hard time keeping alive in the face of rising costs and competition from State-supported institutions.

Help for parents is analyzed, along with a general review of the problems of higher education, in a new book, "Crisis in College Finance?" by Roger A. Freeman of the Hoover Institution at Stanford University (243 pages. Institute for Social Science Research, Washington, D.C. $5).

INCOME TAX CREDITS

Many plans for tax credits or deductions have been before Congress in the past few years. The authors of these have ranged politically and ideologically from Barry Goldwater to Hubert Humphrey. But largely because of the indefatigable labor of Senator Ribicoff since he entered Congress in 1963, a single plan was introduced and voted upon in February 1964. This was called the Ribicoff-Dominick plan and it was cosponsored by 16 Senators. This year the number of Senate sponsors has risen to 34. It will be an issue again next year.

Because of pressure from the Johnson administration, several Senators who had introduced similar plans and three, including Humphrey, who actually sponsored the Ribicoff-Dominick amendment voted against the measure in 1964. It lost 48 to 45.

The amount of relief would depend upon the plan which would be adopted. In any of the versions, it would be less than half the cost of the student's tuition and other expenses. It would still leave the valuable incentive on the part of students and parents to secure an education. But it would help where help is badly needed. And, in general, the students who would thus be able to go to college would be more promising than those who go simply because of loans and gifts. (It is important to note that loaning and giving will be provided in any event because of this year's legislation.)

Tax credits or deductions would, moreover, be a great help to smaller private and denominational colleges which face a struggle for existence. If some such help is not provided, the drift to State-supported institutions will continue for costs there are lower because of State and Federal subsidies. This will mean that the great number and influence of independent private institutions will diminish at a dangerous rate.

CONGRESS FAVORABLE

The tax credit plan measurably lessens the danger of government control of all education. It leaves freedom of choice in the hands of parents and students, and independence in the colleges themselves.

The major objection of the Treasury is loss of revenue. There are various estimates of this. Generally, however, these estimates are far lower than the cost of many Federal programs which have far less justification than this.

It is clear that a plan for tax relief would induce private colleges to raise tuitions. But even if they do this, the net gain to the parents and students is considerable for the amount of credit could be adjusted to a percentage of the tuition.

The ultimate extension of the Johnson trend would mean free education for all. And this would mean vast hordes of students many of whom would seek the relatively easier life in college rather than the rigors of the world outside. Most of such students would be ill prepared and unworthy and the terribly wasteful trend toward dropouts would rise higher and higher.

There is no doubt that if there had been no pressure from the administration in 1964 and 1965, some plan for help to parents would have passed. We must now look to 1966 for this needed reform.

Mr. DOMINICK. Mr. President, in the Rocky Mountain News on March 7, last Monday, there appeared an excellent article by that newspaper's very capable Washington reporter, Mr. Dan Thomasson, reporting on my support of this amendment. I ask unanimous consent that that article be printed in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

Dominick Urges Tax Credit for College Support

(By Dan Thomasson)

Washington, March 6.—A bipartisan group of U.S. Senators will move Monday to tack a $700 million amendment on President Johnson's tax adjustment bill.

The Senators, led by Peter H. Dominick, of Colorado, and Abraham Ribicoff, of Connecticut, want to give parents of college students an income tax break.

They will argue that their plan won't disturb revenues the administration claims it needs to meet soaring Vietnam costs because effect of the amendment won't be felt until 1968.

The Tax Adjustment Act would restore automobile and telephone excise taxes cut last year and will increase the rate of the Federal withholding tax.

The bipartisan amendment provides a $325 maximum tax credit for $1,500 or more spent by parents or guardians on college tuition, books and fees.

Formula Set

Those spending less than $1,500 would get less tax credit on the basis of a formula worked out by the Senators.

An example would be a parent who could claim the full credit and who owed the Government $400 after figuring his income tax return. He would send the Treasury a check for only $75. If his tax bill came to less than $325, he would receive a rebate for the difference.

A credit differs from a deduction in that it is subtracted from the amount owed after the tax has been figured. Deductions are figured when the return is being made out.

Dominick estimates 92 percent of the benefits will go to families whose income is below $20,000 a year. He says it will encourage expansion of private scholarships, relieve pressure on this type grant and also stimulate private individuals to increase support of both public and private institutions of higher education.

Opponents' Claims

Opponents claim the credit plan would hit the Treasury at a time when it can least afford it because of Vietnam and Great Society domestic programs.

Ribicoff and Dominick argue that a college graduate earns at least $150,000 more in his lifetime than a noncollege graduate and pays an extra $30,000 in income tax.

Thus, they say, the Treasury ultimately will be wealthier because of the credit plan.

A similar measure missed passing the Senate by only two votes 2 years ago. It was not brought up last session because of Mr. Johnson's higher education program.

Even with strong bipartisan support, it is doubtful Senators would accept this latest attempt especially with the mounting Vietnam expense. But the amendment's proponents want to build a strong case for its passage next year.

Should the amendment be approved, it would stand little chance of surviving a conference committee appointed to iron out differences between the House and Senate versions of the Tax Adjustment Act.

Vote on the amendment would not come until late Tuesday if the debate on the bill goes as expected.

Mr. DOMINICK. Interestingly enough, on March 6, there came through the Denver Post, a very reliable newspaper in Denver, a UPI release reporting that the proposed amendment would be defeated, the headline being "Tax Break Plan Gets Death Note."

I ask unanimous consent that that article from the March 6, 1966, issue of the Denver Post be printed in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

Tax Break Plan Gets Death Note

Washington.—A tax leak plan which had the earmarks of becoming a votegetter in the November elections is being reluctantly put to death in Congress.

The proposal was an amendment by Senator Abraham Ribicoff, Democrat, of Connecticut, which would have extended a tax credit to parents financing college education for their children. He offered it as an amendment to President Johnson's package tax bill which would net $6 billion to help pay for the Vietnam war.

Under Ribicoff's plan, a parent could subtract up to $325 in education expenses from his computed tax bill.

Administration leaders moved quickly to scotch the move.

First, word was passed that the House would definitely reject any such proposal.

Second, proadministration Senators pointed out that the plan would cost the Treasury $1 billion at a time the President is seeking more money to pay Vietnam costs and keep a lid on inflation.

Even if the Senate approved the plan, Senators have been told it would be disapproved by Chairman Wilbur Mills, Democrat, of Arkansas, of the tax-writing House Ways and Means Committee.

Mills is a dominant member of the House-Senate conference committee where the President's tax measure will go after final Senate action next week. The program would increase auto and telephone excise taxes to last December 31 levels, impose a graduated income withholding rate, and speed up corporate tax collections.

Votes on the Ribicoff proposal and amendments that would eliminate the excise tax provisions are scheduled for Monday and Tuesday.

Ribicoff's plan is unquestionably popular. It was narrowly defeated, 48 to 45, in 1964 in a Senate vote.

Mr. DOMINICK. Mr. President, I have only a few more things to say about this matter. I know that the distinguished Senator from Louisiana [Mr. Long] is under obligation to present the oppposite viewpoint, because he has been so requested by the President.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. DOMINICK. Yes, I am happy to yield.

Mr. LONG of Louisiana. May I say to the Senator that the President has not requested me to do anything about his amendment. I am just against it. I frankly think it is a very poor amendment, and I am against it. Everything in me cries out against the amendment. It did not take a request from the President to set me against it.

If the Senator were prepared to spend a billion dollars to help grandma or someone else who needed it, rather than to donate the money to those who do not need it, it would be a different matter. But I do not think this is a good amendment.

I would appreciate it if the Senator from Colorado would give me credit, once in a while, for doing something on my own. I am capable of thinking. I do not say that the Senator does not have a conscience of his own, and I would appreciate it if he would give me credit for the same thing.

Mr. DOMINICK. I am happy to concede the Senator a conscience, although yesterday I note he fought against giving $400 million, or whatever it was, to grandma through the Prouty amendment.

Mr. LONG of Louisiana. That was $790 million. What I was opposed to was the fact that the amendment just gives money away to anybody, including millionaires. As I said, it is like climbing to the top of the Washington Monument with a barrel of cash and throwing it to the four winds. It does not ask the first, elementary question: Does the recipient need the money?

What I am against is taxing poor folks to provide giveaways for the rich.

Mr. DOMINICK. In this particular case, we do not happen to be taxing anybody. What we are trying to do is say to people that they can use their own earnings to educate their children and their neighbors' children.

Mr. LONG of Louisiana. Well, I have no——

Mr. DOMINICK. Mr. President, I have not yielded. I still have the floor, I believe.

Mr. LONG of Louisiana. I recognize that the Senator has the floor. I merely ask that the Senator permit me to say I do not quarrel with his view. He is entitled to his view, and I have mine. I just hope the Senator will recognize that the Senator from Louisiana has as much conscience and has intentions as good as our friend, the Senator from Colorado.

Mr. DOMINICK. I am always happy to find those characteristics in the distinguished Senator from Louisiana, and I know he does have them. But I was most distressed upon reading the statement he put into the Record on March 7, to the effect that "If you vote for this, you are voting against the boys in Vietnam."

There could be nothing more erroneous than that type of argument; and I felt I should bring that out very clearly.

I wish to say right now that as far as we are concerned, the sponsors of this amendment have been supporting whatever means are necessary to assist the people in Vietnam. We have supported the GI bill for education for the servicemen over there. We have supported a higher education bill.

What we are trying to do is to emphasize that these financial burdens are constantly mounting on the people who pay their taxes to the Government: the ordinary income fellow tries to educate himself, tries to educate his children, pays the mortgage on his house, tries to put some savings in the bank, encourages community activities, and has not received a tax break of any kind since time immemorial. I think it is time we did something about it. This is one way that we can start taking steps in that direction.

Mr. President, the Senator from Connecticut [Mr. Ribicoff] was kind enough to have placed on everyone's desk a statistical worksheet prepared by the Office of Education, showing the opening enrollment in institutions of higher education by States, beginning in the fall of 1965. It shows the number of students enrolled in both public and private institutions, and breaks them down by those categories. There are 3,999,940 young people in public colleges and universities, and 1,967,471 in private universities.

This is part of the diversity program in which I think we are all interested, diversity of education and opportunity; and it strikes me that we have a bill which will be beneficial to people, enabling them to make their own choices without having any problem of a question of violation of the Constitution on the matter of aid by the Federal Government to private institutions. We can do that very well by this mechanism. We can also generate scholarship funds, and do it without incurring a revenue loss in 1966 or 1967.

There is one thing I wish to add about the latter point. I will hear, I am sure, in opposition to this amendment, spokesmen saying that this is going to cost the Treasury a billion dollars. I submit, Mr. President, that there is no basis for any such assertion. In 1964, the Treasury said that in the first year—the program was then designed to start in 1965, and is now designed to start in 1967—the cost would be only $700 million. Just a short time before that, I had requested an estimate on a bill that I had introduced, and the Treasury came up with $400 million.

I do not know what it will cost, because it would be necessary to go to every person who has a son or daughter in college, and determine what his income is, to begin with, and what the educational fees and expenses are in each of those colleges, in order to determine what the actual cost will be.

But, even assuming that it will cost $700 million, and assuming what they said in 1964 is accurate, then I would say that this is not a cost, this is an opportunity for the people of this country to use their own earnings to educate their own friends and their own children.

Mr. President, I yield the floor.

Mr. HRUSKA. Mr. President, I rise in support of the pending amendment.

I have supported the adoption of legislation which would give tax relief to those who are required to bear the costs of educating their children, not only by supporting the various Ribicoff amendments which have been offered, but also by introducing bills in other sessions of the Congress which dealt with this problem. I applaud the junior Senators from Connecticut and Colorado for their perseverance on this matter in spite of administration opposition.

Most of us here well remember how close we came to amending the Revenue Act of 1964 along these lines. Only some strong administration persuasion defeated the educational tax credit amendment. We came so close, in fact, that as I recall, it was necessary for three of the cosponsors, including the then Senator HUMPHREY, to vote against their own amendment to kill it, 45–48.

It is my hope that we will meet with success this time. While this administration has paid great lipservice to the need for assistance in the field of education, the string that is always tied to its suggestions is also hooked to the bludgeon of Federal control or Federal handouts.

We have heard thousands of words from the President about helping this group or that, but there seems to be no concern about the average family whose head works for a salary and who wants to see that his youngsters get a college education.

It does not make sense to appropriate large sums for Federal aid to education on the one hand and on the other to deny tax relief to parents to achieve the same purpose without the bureaucracy and Federal direction which accompanies massive programs administered from Washington.

The approach provided by this amendment is highly desirable. It represents neither a windfall nor boon to any pressure group or vested interest, it does not create another tentacle on the octopus of Federal bureaucracy, nor does it steal the pride from the recipient as does the handout. The tax credit is simple, direct, and provides an incentive for a person or a family to do for themselves. This is a plan for the average family in America who has no pressure group lobbying its cause.

When discussing this question, it is easy to describe it as merely an education, rather than higher education. We have all come to recognize there is an increasing need for those possessing the ability, to continue their education beyond the secondary level. There is a shrinking demand for the skills and knowledge developed through only a high school education.

These changing requirements make it more important that we give a boost to those who are trying to educate themselves and their own. Surely, the most important investment this country can make is the investment in well educated citizens.

As has been pointed out, it is hard to find any difference in concept between a business which invests part of its present earnings in expanding its future growth and earnings and the investment in the individual's ability to increase his productive capacity. For years we have properly provided the tax incentive to business to improve its ability to produce, for it advances our national interest. All we are now urging is that we recognize that some part of the cost of educating our children is as much an investment in the future of this country as are the credits we allow for industrial machinery or new factories.

These arguments are not new. In the past 10 years, more than 400 bills to achieve this purpose have been introduced in the Congress. This time, I am hopeful we can do something about it.

Mr. HARTKE. Mr. President, I speak in support of the Ribicoff-Dominick amendment for a tax credit for college tuition. In February of 1964, I introduced a bill, S. 2490, to provide a package of aids including scholarships, federally guaranteed loans, and work-study funds. At that time, the senior Senator from Oregon [Mr. MORSE] promised to hold prompt hearings on comprehensive aid to students in institutions of higher education.

That promise was kept. One week later, the Education Subcommittee opened those hearings. Subsequently, it recommended a bill incorporating the measures I had advocated. Those provisions are now law, and I am happy to have had such a role in the development of the approach of the Higher Education Act.

My concern then was, and still is, for the improvement of means whereby we may best meet the goal which President Johnson has reaffirmed, and which was stated by President Kennedy as the objective of "assuring that no student of ability will be denied an opportunity for higher education because of financial need."

In the last session of Congress, we moved closer toward that goal, but it is still far from reached. For me, our first and primary necessity in education for our youth was to stop the drain and the waste which occurs when those of superior talent, and with potential contribution to society, are unable to develop that potential simply because of financial inabilities.

It is for the same reason, to upgrade the capabilities of our people through improved education, that I recently introduced the Adult Education Act of 1966, encouraging the greater use of our public school system for the continuing education of adults.

It is for that reason, in order to facilitate the higher education of millions of our youth who stand at the doors of colleges and universities, and to further the cause of education by making easier the financial burden it entails, that I now support the tax credit amendment.

In accordance with the old maxim of first things first, we have now given in the Higher Education Act the greatest assistance to those who need it the most. There is no denying the fact that the conditions which surround our provision of grants in aid, the supplying of jobs through the work-study program on the Nation's campuses, and the opportunity for students to borrow with Federal guarantees of their loans, has greatly enhanced the educational opportunities of the neediest. Addition of the cold war GI bill opportunities for returning servicemen also aids especially those whose financial situation was a factor in sending them to enlistment instead of to college.

Mr. RIBICOFF. Mr. President, will the Senator from Indiana yield at that point?

Mr. HARTKE. I am glad to yield to the Senator from Connecticut.

Mr. RIBICOFF. Mr. President, I ask for the yeas and nays on the pending amendment.

The yeas and nays were ordered.

Mr. RIBICOFF. I thank the Senator from Indiana.

Mr. HARTKE. Mr. President, we need have little concern on the financial score for the comparative minority who are truly affluent, whose incomes and resources can easily afford the best private colleges, and often the best private secondary schools as well, for their children. But there is still the vast range of those who are regarded by sociologists as belonging to the middle class in this Nation, who come to the education of their children with justified trepidation for the financial burden which it entails upon their families. While I would still like to see more encouragement and opportunity for those to whom college has formerly been a more or less impossible dream, I am also concerned for the educational finances of the middle income taxpayer, for the vast numbers of those with incomes of $7,000, $8,000, and $10,000, or even more, who can count less often on scholarship aid, and who so frequently must mortgage homes or other property to provide college expenses.

Yet, while the tax credit amendment would benefit them, it would also further aid those in the lower income bracket who are still subject to income taxes. The graduated scale of the proposal before us is an assurance that the tax credit plan will help most, in terms of percentages, those whose incomes are lower. For example, under the proposed formula, a student at Indiana University or at Purdue, whose parents live within the State and whose annual income is $6,000, would receive a tax credit of $198 or 3.3 percent of their total gross income. For the family with $10,000, the benefit would be, for a student at the same school, less than 2 percent of annual income.

It is unlikely that the $6,000 family will choose the additional sacrifice entailed in attendance at a private school such as DePauw, where the tuition is three times as great. The $10,000 family might. If they did, the tax credit would amount to 22.2 percent of the tuition; for the family with a student at the State-supported school, the credit would be 50.8 percent of the tuition. This bill will help a great deal where it is most needed.

First, then, I support this proposal now as a further aid to encouragement of higher education of young people from all financial backgrounds, including particularly the hard-pressed economic middle class.

Second, let me turn to the increasing need for such a measure, a need which is increasing year by year as the costs for college soar higher and higher.

Among educators the fate of our private colleges is one which is causing concern. We had private higher education, usually sponsored by churches, before we had public higher education. We still have a great many church-related colleges and universities. As it has been necessary for them, and all private schools, to increase tuitions even though most reluctantly, they have tended to price themselves out of the educational market for many people. As recently as 1950, the parents of half our students sent them to private institutions. But, today, enrollment in private colleges and universities is growing far more slowly than the total increase in attendance, until the ratio now is only about a third instead of half—more precisely, 35 percent. In 1963, of all freshmen entering higher educational institutions, only 10 percent of the increase went to private schools and 90 percent to publicly supported schools. Yet, in many respects, the smaller private schools have often been pace setters. Their decline would be a tragedy. While this measure does not give them direct assistance, it would undoubtedly influence many families who are undecided as to which type of school their son or daughter should attend, thus taking some of the burden from the public institution.

At the same time, it is worth noting that the fast-growing State colleges and universities are themselves finding it necessary to increase tuition and to seek ever greater funds from the taxpayers. Relief from Federal income taxation to the extent of the tax credit, for the great numbers flooding into State institutions, will to a large extent be an offset to the increasing State taxation needed for these schools. The State university system of Wisconsin, for example, is seeking an increase in its budget of 72 percent during the period 1965–67. If we average the increased tax funds sought for State higher education in the same biennium by the States of New York, Georgia, Indiana, Iowa, Wisconsin, and California, the sum amounts to a 51-percent increase. The same taxpayers to whom the credits for tuition payments will go are those who must help to pay the soaring State costs which are such a big factor in the dilemma of all our States as they seek ever more tax income. The offset will help to ease the growing State tax burden for many thousands of families.

Third, this amendment should have the effect of stimulating investment in college tuition, not simply by parents with children in school but by others as well. This includes the student who is working for all or a part of his tuition money, and often it includes—in these days when so many college students are married before completing their course of studies—the student whose wife is working for what has sometimes been called a P.H.T. degree, "putting hubby through."

But there is also the stimulus to come to the aid of students who are not sons and daughters. An uncle or a brother-in-law, for example, might be encouraged to provide the first $200 of tuition, since his tax credit would be $150, although he might not feel it possible to do so otherwise. Further, there is the possibility, and even the probability, that this device can open up great avenues of philanthropy for educational institutions, both public and private, and do so without any supervising bureaucracy, since it is a simple matter of employing the existing Internal Revenue Service mechanisms.

This point has been well made by Dr. Oliver C. Carmichael, Jr., in an address which he gave before the Educational Writers Association at its annual meeting in 1965. Mr. Carmichael is presently chairman of the board of Associates Investment Co. of South Bend. He holds a Ph. D. in public law and government from Columbia University, as well as A.B., M.A., and bachelor of law degrees. Furthermore, he was dean of students at Vanderbilt University from 1952 to 1955, and from 1956 to 1960 he was president of Converse College. He is now a trustee of that college and also of three others—Vanderbilt, Notre Dame, and St. Mary's College. He is also chairman of the Committee on Higher Education in north-central Indiana and president of the Citizens National Committee for Higher Education. Dr. Carmichael's words are as follows:

> Under the Ribicoff bill any individual can pay $200 for a nontaxpaying student and receive a credit of $150. Thereby $50 could mean the difference between college education or no college education for some students. The individual could give $300 and receive $175 credit—$400 and receive $200 tax credit.
>
> The colleges and universities could use this concept for the promotion of philanthropy.
>
> One of the maxims of successful fund raising is the establishment of concrete goals toward which donors can become actively motivated. Tuition tax credit will stimulate just such involvement in support of the most needy students. The involvement will immediately embrace alumni—and can be expanded to include the public as a whole. The possibilities are exciting and limitless.

This procedure will not only be tax relief, but it will also be a stimulus to further aid needy students with their educational finances. The funds we have provided through the Higher Education Act are a help, but the magnitude of the task of furnishing higher education to all who can benefit by it is rather staggering. Already we have more students in the entering freshman class in the fall than the total who were enrolled 20 years ago. Estimates by the Office of Education show a growth of college and university enrollment from the more than 5 million of 1965 to more than 7 million in 1970, 8,667,000 in 1975, and more than 10 million by 1980. The 1980 figure will include more than one out of three of all persons between the ages of 18 and 24.

Fourth, although this argument is in a somewhat different category from those I have been adducing, I believe it should not be ignored that this concept has increasingly won favor from educators actively working in the college and university field.

The Citizens National Committee for Higher Education, of which Dr. Carmichael is president, last year sent a questionnaire to college and university presidents and trustees. There are a little more than 2,000 colleges and universities in this country, and responses came from 746 college presidents. Ninety-nine of these preside over public institutions, and 42 of them said they favor this concept. Presidents of private institutions were in favor by the overwhelming score of 594 to 44, with 9 undecided. The overall score is more than 6 to 1.

More than 7 out of 8 trustees were in favor, for a total of 2,895 out of 3,248 replies.

In the same category of favor, it seems to me significant that such a great number of Senators are in agreement as evidenced by their cosponsorship of S. 12, the Ribicoff bill, and that in both this Congress and the 88th there have been some 100 such bills introduced in the House. Among them are a number of members of the Ways and Means Committee, including Congressman SYDNEY HERLONG of Florida, who found in a poll of his constituents, to which 40,000 replied, that 78 percent were in favor of tuition tax credit legislation.

Further, this measure has been in the making over a period of years. In the 87th Congress there were over 100 bills offered to provide assistance by tax deductibility, additional exemptions, or tax credit. Among these was a bill offered by the then Senator from Minnesota, Mr. HUMPHREY, now the Vice President of the United States, who then proposed a straight 30-percent credit on tuition expenses up to $1,500. It was he, so far as I can discover, who first refined the proposal to a more equitable and less regressive measure by a graduated scale such as this bill contains, beginning with a 75-percent credit on the first $100.

The Humphrey bill, S. 1677 of the 88th Congress, was introduced by him on June 6, 1963. I quote from his statement made to the Senate upon its introduction, in words which are applicable today equally as well:

> The sliding tax credit schedule provides a sensible and workable system of Federal assistance that helps every student, indirectly helps both public and private institutions, and does so in a manner that in no way interferes with individual or institutional freedom or policies.
>
> While this tax credit proposal would not solve all the financial problems related to higher education, it would represent a significant contribution well within our national means.
>
> Support in the Congress has been growing for this general approach to the problem of Federal aid to higher education. I know the appropriate committees in both Houses are giving these proposals careful scrutiny and consideration. I hope that the administration will consider seriously requesting such legislation from the Congress.

I would hope the present Vice President would influence the administration, which is opposing this proposal, and would give the same encouragement to it now which he did at that time. I hope the administration will seriously consider requesting such legislation from the Congress.

Finally, I would ask my colleagues to look at the situation of Federal aid to higher education as it appears in the budget. In spite of the fact that loans under the National Defense Education Act have served 890,000 students at 1,700 institutions who have borrowed $800 million to invest in their college education, the proposal is to cease and cut off this source of funds. It is the announced program of the administration to use instead the private loan sources authorized in the Higher Education Act. But this program depends for its operation upon a 10-percent reserve to guarantee the private loans, operating through a State agency. In the case of Indiana, the State legislature is not in session this year and the agency and its reserves are, therefore, unable to come into being in time for students this fall.

I asked whether these funds would become operative in the fall of 1965, and I was told that they would not at that time, but would in 1966. Now we see the sorrowful situation where it is not going to be available to these students in the fall of 1966.

National Defense Education Act loans current in Indiana colleges and universities are held by 8,792 borrowers in an amount of $5,097,000. To transfer these to the private loans of the Higher Education Act would require a reserve of half a million dollars. Lacking that opportunity, how are we to service the young people who must borrow in the fall, when National Defense Education Act new loans have disappeared from the college horizon?

In addition, as a letter recently read into the CONGRESSIONAL RECORD has made abundantly clear, the bankers themselves in these times when there is a very tight squeeze in the money market, are gravely concerned as to their ability to shoulder the load all at once of such a great loan program as that which the National Defense Education Act now supplies in addition to the furnishing of private funds for the new program—in itself a very considerable strain.

I do not say that the tax credit amendment is the full answer to this problem. I want to see the National Defense Education Act program fully restored to its usefulness at least until experience proves that the new guaranteed private loan program can absorb the need. But every available bit of evidence indicates that with both new and old programs there are still unmet needs, needs to which the parents of more than 5 million college students can abundantly testify. I supported filling those needs in part by title IV of the Higher Education Act, and I am proud of my association with that achievement. I support the further advance which is offered now in the tax credit amendment. It is urgently needed, and I shall vote for it. I hope a majority of my colleagues will do likewise.

Mr. LONG of Louisiana. Mr. President, this amendment was before the Senate 2 years ago. At the time the amendment was before the Senate, the distinguished Senator from Oregon stood on the floor of the Senate and said that his committee was going to study the need for aid to education, and that they were going to consider what needed to be done.

I know that when the matter was studied, the committee went into it carefully. Under the leadership of the Senator from Oregon the Senate enacted the aid to higher education bill and other measures which sought to help families of young men and women who would otherwise have difficulty providing a college education so that they would get the help that they needed. Congress provided under this legislation scholarships for young men and women going to college. It provided that they would have the benefit of grants when grants were needed. Congress also provided a loan program, and provided that there would not be a pauper's oath connected with it. A family could have an income of modest means and still be eligible for a loan.

Under this approach to help young people who have difficulty paying their way through college, we have increased the amount of money available since 1964. We more than doubled the amount of money for education. In doing that we provided money where it was needed. We provided aid for students who would have difficulty paying college expenses. They have the benefit of work scholarships, loans, and grants.

So, Mr. President, we have made tremendous efforts. It is worthy to note that the committee, in recommending these matters, did not recommend that we take the approach recommended in the amendment before us. It recommended instead that we help those who need help to go to college rather than many people who do not need help.

Under this measure, a man and wife could make $50,000 a year, provided they split it between them, and have the benefit of a tax credit of $325 for a child attending college, be it their child or somebody else's child. That is very wasteful. Money is already being spent to send needy persons to college.

The conclusion arrived at in studies made by those who are responsible for administering the programs passed by the Congress is that few additional children would go to college as a result of this measure. It does not have an impact like the GI bill that we passed. That bill provides $100 a month, for a number of months, based on the time a person served in uniform, to help him go to college.

Mr. President, it is said, "But this money would go to people with incomes of less than $10,000." It is worth pointing out that of the benefits provided by this amendment, over 62 percent would go to people with incomes above $7,500 a year.

I concede that $7,500 a year is not a great amount of income. But I would say that in State schools, to which most students in Louisiana go, a great amount of money is not needed for a young man to go to college. The tuition is low in such schools. This low tuition would prevent students from receiving the full benefit of the amendment. Students at colleges with high tuition would get the major benefit of the amendment.

In addition, it is fair to point out that this amendment favors a particular group of taxpayers. It favors those who are not only making enough, so that they are in a position to pay income taxes, but it also favors those who in the future will be making more money.

Somebody has to make up this loss of revenue to the Government and I assume that that would be those who were not able to go to college, through no fault of their own. Those who have so little income they are not able to go to college would pay taxes to help those who are in a position to go to college.

I submit that this would be a very inefficient, inequitable, and even unfair way to further education. Those who need help least would obtain the full benefit of the amendment and those who need it the most would receive no help at all in obtaining a college education.

Yesterday the Senate agreed to an amendment to reduce the overall revenue gain of this bill by $790 million. This amendment would cost the Treasury an additional $1 billion. The two amendments combined would reduce the revenue gain from the bill by almost $2 billion.

It is not proposed that the amendment go into effect this year. It would go into effect in 1968. If that be the case, why not wait until 1967 or 1968 to see what the budgetary situation is and if we can afford it? Certainly we cannot afford it now because the Government is running a deficit.

I submit, that with all we are already doing for education, this amendment is not needed at this time. Even the sponsors of the amendment in effect concede this argument when they propose that the amendment not go into effect in 1968 rather than in 1966 or 1967.

Mr. President, I yield the floor.

Mr. SMATHERS. Mr. President, I have made clear my own deep concern with the problem of higher education. I recognize the great importance of making available the financial resources to continue to improve the quality of higher education and to make the opportunity of higher education available to a larger proportion of our young men and women.

I am also deeply concerned about the heavy financial burden that is imposed on parents when they have to face the matter of financing the higher education of their children.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield.

Mr. LONG of Louisiana. The Senator knows, does he not, that a double exemption, in effect, is already provided for a young person who is going to college. Both he and his parents can take a $600 personal exemption. So in effect a double exemption is provided for the benefit of young persons attending college.

Mr. SMATHERS. I understand that. I agree with the Senator from Louisiana. I am glad that such a provision exists. Actually, I submitted the same kind of amendment last year and thought I would push it. It would have had the effect of allowing a deduction for education expenses.

Mr. RIBICOFF. Mr. President, will the Senator yield?

Mr. SMATHERS. I am happy to yield.

Mr. RIBICOFF. A student can obtain a $600 exemption. But if a young person is working his way through college—as are some of those who operate elevators in the Capitol or who serve as Capitol policemen—and has a job which pays him $1,200, $1,500, $1,800 a year, he is required to pay income tax on the earnings over $600. Is that not correct?

Mr. SMATHERS. That is correct.

Mr. RIBICOFF. So if a boy is working his way through college and is attending a college where he has to pay $200, he would get a credit of $150, which is very substantial for a boy—it is the equivalent of a month's pay.

UNANIMOUS-CONSENT AGREEMENT

Mr. LONG of Louisiana. Mr. President, will the Senator from Florida yield, so that I may propound a unanimous-consent request?

Mr. SMATHERS. I yield.

Mr. LONG of Louisiana. Mr. President, I have discussed the parliamentary situation with a number of Senators. I believe it is possible for us to agree to limit the time for debate on the amendment, so that the Senate may know when a vote will occur.

I ask unanimous consent that further debate on the amendment be limited——

Mr. RIBICOFF. Mr. President, I have no objection to a limitation of debate, but I wonder whether the distinguished Senator from Louisiana, the manager of the bill, would agree that there be a live quorum before the limitation of time begins. I am willing to agree to a short limitation of time. So far as I am concerned, it can be 15 minutes to a side. I think we have talked about the amendment sufficiently so that everyone understands it. I suggest that there be a live quorum and that after the quorum call the debate be limited to 15 minutes to a side.

Mr. LONG of Louisiana. Could we first agree to a limitation of time and then agree that there be a live quorum, with the time for the quorum call not to be charged to either side? Then we could proceed with the debate under the limitation of time.

Mr. RIBICOFF. Very well.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that further debate on the pending amendment be limited to 40 minutes, 20 minutes to be under the control of the distinguished Senator from Connecticut [Mr. RIBICOFF] and 20 minutes to be under the control of the manager of the bill or whoever he may designate; and that prior to the initiation of the limitation of time there be a quorum call, the time for the quorum call not to be charged to either side.

The PRESIDING OFFICER (Mr. GORE in the chair). Is there objection to the request of the Senator from Louisiana? The Chair hears none, and it is so ordered.

Mr. SMATHERS. Mr. President, if the Senator from Louisiana would withhold his request for a live quorum and allow me to speak for a few minutes, I should be most appreciative.

Mr. LONG of Louisiana. Very well.

The PRESIDING OFFICER. The Chair recognizes the Senator from Florida.

Mr. SMATHERS. Mr. President, I am deeply concerned about the heavy financial burden that is imposed on parents to pay for higher education of their children, so I am sympathetic to the idea of dealing with the problem through some type of tax benefit.

As a matter of fact, I heard a Senator—I shall not name his State—say that he paid $360 a month tuition for his son's education. I have just sent a child of mine through a well-known college in the Northeast, and I know that it was quite a burden.

For a number of reasons, however, I do not believe that this is the proper time to enact the tax credit for tuition that is provided by the amendment offered by the Senator from Connecticut.

In the first place, the general fiscal and budgetary situation should be a matter of great concern to all of us. With the unemployment rate for February reported at 3.7 percent, it is clear that we are in a situation where we should not be increasing the Federal deficit. It may well be that we will shortly have to increase taxes more than is provided by the present bill. We have no assurance that this fiscal and budgetary problem will be any different in the calendar year 1967 than it is now. It seems particularly unwise to commit us to so large a tax reduction that would reduce liabilities of taxpayers on 1967 incomes.

In addition, one must recognize that the Federal Government did take large steps toward meeting the cost of higher education through the Higher Education Act of 1965. It would be the course of wisdom to get more experience on the actual operation of the Higher Education Act of 1965 before we commit ourselves to a new program that goes off in a different direction. It should be recognized that the subsidized loan program contained in the 1965 act does provide dramatic savings for a very large proportion of potential college enrollees; in many cases, much larger savings than would be provided through the amendment now under discussion.

M. DOMINICK. Mr. President, will the Senator yield?

Mr. SMATHERS. I prefer not to yield now. I shall be happy to yield in a few moments. I wish to complete my statement. Then I shall be happy to yield.

The 1967 budget provides increased funds to meet the added Federal responsibilities for education. Expenditures in 1967 are estimated at $2.8 billion, an increase of 23 percent over 1966 when the new programs are just getting underway. Legislation is being proposed to make greater use of private credit in loan programs and to achieve budgetary savings through program modifications.

Expenditures for all elementary and secondary education activities are estimated to rise from $730 million in 1966 to $1.5 billion in 1967. This increase reflects mainly the second year cost of programs under the Elementary and Secondary Education Act of 1965.

Proposals to help students get an education is a matter of great concern to us and to the administration. Congress has increased appropriations for education in the last 3 years by 150 percent. That demonstrates that Congress is trying to do something to solve the problem of education.

I observe in the Chamber the distinguished senior Senator from Texas [Mr. YARBOROUGH]. He has long been a sponsor of the GI bill of rights for education. It is a most worthy bill. As I recall, all of us voted for it—the Congress was unanimous. I do not believe there was one negative vote. It is a great bill. It will provide $300 million annually to pay education expenses for peacetime veterans. That bill was recommended by the administration.

But if education is to be provided for young persons, it should be provided for those who are fulfilling their responsibilities to the Nation, rather than by the particular route which is recommended by the amendment. The amendment, it seems to me, would provide a little additional shelter, perhaps, for some students who do not wish to go into the military service. They would be given tax incentives to complete their education rather than serve in the military. At the moment, if a boy is attending school and is doing well in his studies, he can avoid the responsibility of serving his country. This proposal would encourage that kind of shelter. I believe it would be much wiser to follow the course that was pursued so vigilantly by the distinguished Senator from Texas.

Mr. YARBOROUGH. Mr. President, I appreciate what the distinguished Senator has said. I want to read a statement as a preface for a question I shall ask him. The statement is from a bulletin prepared by the Association of State Universities and Land-Grant Colleges of the United States. The title is "Tax Credits for Educational Expenses, or How To Spend $1¼ Billion Annually in Tax Money To Help Those Who Need It Least."

The pamphlet lists some alternatives to spending money in this manner to help those who need it the least. The Senator from Florida has put his finger on one of them.

The third alternative listed is: "Provide Direct Student Aid." Although this involves many problems, it would cost less Federal money to provide every student in every college and university in the United States $200 a year than it would to adopt the tax-credit plan, which in general would provide the most help to those who need it least.

Does the distinguished Senator from Florida agree with the statement from this bulletin?

Mr. SMATHERS. I absolutely do, and I shall supplement that particular point in a moment by reading some additional information from distinguished presidents of universities who say exactly what the Senator is saying, that this particular bill would do nothing but help certain groups of colleges and universities which are already making plans to raise their tuition in order to siphon away the tax benefits of this amendment.

It means that the Federal Government would have spent this money to run a great many colleges which, actually, and factually, it should not do.

I shall read that statement in a moment to supplement the point made by the distinguished Senator from Texas.

Mr. RIBICOFF. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield.

Mr. RIBICOFF. Mr. President, do I correctly understand the position of the distinguished Senator from Florida to be that the 5,967,411 students now enrolled in the colleges and universities of the United States are all enrolled in those colleges and universities for the sole purpose of avoiding their obligations to the United States of America?

Mr. SMATHERS. No, I do not. I have not made that allegation, and I do not intend to make it. I do say, however, that some of the 5,967,411 students are there for the sole purpose of not being drafted into the service.

This encourages and helps some—whoever they may be—of those 5,967,411 students.

Mr. RIBICOFF. Mr. President, does the Senator believe that a tax credit of $150 a year would make the difference between a man feeling an obligation to his country and not feeling an obligation?

Mr. SMATHERS. I think that it might mean the difference between enabling some students to stay in school or having to leave school. Why do we not continue to follow the method pursued under the GI bill of rights and let the young men serve overseas or elsewhere in the uniform of their country? The young men would undoubtedly receive great benefits from that service.

Why do we not proceed along that line? It would be much fairer. The young man would be more mature and would benefit more from his college life. This has been demonstrated many times.

Mr. RIBICOFF. I voted for and supported the GI bill of rights. I voted for and supported the measure to provide 140,000 scholarships.

The cost of college education involves many facets and many programs. It is very interesting to note that some people who are against this measure have also been against educational programs.

Mr. SMATHERS. I want to stop the Senator right there. I have the floor, and I yielded for a statement, not for a speech. On that point, I state to the distinguished Senator from Connecticut what I stated to him on the day of the hearings. Twelve years ago I introduced a bill almost like this one. The distinguished senior Senator from Washington [Mr. MAGNUSON] also introduced a bill almost like this measure some 15 years ago. However, when we found that it would cost several billion, we decided this was not the correct approach. Particularly so when we discovered that actually it would help those families and students who needed help the least. We finally abandoned that approach, as I believe the Senator from Connecticut in time, as well as the Senator from Colorado, will do.

The Senators will finally come to the conclusion that this is not the proper way to go about creating educational opportunities for the young people of the Nation.

When the Senator states that other people do not have any interest in this field, that statement is not supported by the record. I do have an interest, and have had an interest, because I was the granddaddy of that amendment.

Mr. RIBICOFF. With no reflection on the distinguished Senator, people have been introducing tuition tax credit bills for 10 years without trying to get the bills to a vote.

In 1964, some of us wanted to do something about this matter. We wanted to make sure that this would not involve a cost of $5 billion. The distinguished Senator from Colorado and myself worked day after day to work out a program that would not cost $5 billion, a program that would give an advantage to the public and land-grant colleges over the private schools. We wanted a bill that would give proportionate credits depending upon the income of the people.

We have a measure that would cost $1 billion. We consider it to be very essential.

I believe that the distinguished Senator from Colorado and I will stay with this cause and that this Congress and succeeding Congresses will have this question before them for many years to come.

I have the feeling that it will not be too many years before this measure is adopted into law.

Mr. SMATHERS. Mr. President, I do not wish to compare my particular ability with the ability of the distinguished Senator. I have no doubt that his ability far exceeds mine. He has been a distinguished Congressman. We served in the House together. He has been a distinguished Secretary of the Department of Health, Education, and Welfare, and a very able Governor of his State.

It is possible that the Senator has more ability and more friends in the Senate than I do. I do not want to debate that with him. I concede that fact.

The reason that I did not pursue my bill is that I discovered how much it would cost. By pursuing this approach, 62 percent of the people that would be helped would have income of more than $7,500, and the people below that income level would get only slight relief.

This is not the way to help families and young boys who need help. That is the reason why we abandoned the cause. I refused to stay with the cause any longer.

The Senator has a group of large private colleges located in his area of the country. I understand why he is pushing for the adoption of the amendment. However, as the Senator from Texas [Mr. YARBOROUGH] already pointed out, the measure would be rather discriminatory to schools in the South and Midwest. It would benefit mostly the schools in New England.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. RIBICOFF. Will the Senator yield?

Mr. SMATHERS. I do not blame the Senator from Connecticut for his continued espousal of the program.

I told the Senator the reason that I stopped pushing for passage of my bill. I discovered the injustices of the measure. I discovered that it would not accomplish the purpose that I thought it should accomplish, the purpose of helping young men and women all over the United States who were in need of educational opportunities.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. SMATHERS. I should like to finish my statement.

Mr. RIBICOFF. Mr. President, will the Senator yield? The Senator has made reference to the reason that I support this measure. I think that I should have an opportunity to reply.

Mr. SMATHERS. I made that reference merely because the Senator made reference to me.

Mr. RIBICOFF. The Senator from Florida then made a reference to me.

Mr. SMATHERS. I yield.

Mr. RIBICOFF. Mr. President, of the 84,038 students enrolled in colleges in my State, private enrollments were 36,761, and public enrollments 47,277. Of the private enrollments, the overwhelming majority of the students came from all over the country, including the State of Florida. The public students were basically home-based students from the State of Connecticut. So there is a difference.

Mr. SMATHERS. As the Senator knows, one of my sons graduated from the biggest and finest university in his State. I know something about it. I know what I had to pay. I know what it would have meant to me if a provision such as this had been the law at that time. However, he has now graduated and I am glad that I did not have to ask anyone to help me financially. But that is beside the point.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. SMATHERS. I am happy to yield to the distinguished Senator from Colorado.

Mr. DOMINICK. I gather from what the Senator from Florida says that he was in favor of the 1965 Education Act, which assisted people to get into college, is that correct?

Mr. SMATHERS. I think that is correct, yes, sir.

Mr. DOMINICK. Would the Senator say that that was an added charter to those young men to avoid their obligation to their country?

Mr. SMATHERS. No. I would say this——

Mr. DOMINICK. That is what the Senator said about this.

Mr. SMATHERS. Here is what I say. I say we have 5,967,411—I think that was the figure the distinguished Senator from Connecticut quoted—who are now in college. I know that the Senator from Colorado himself had a very distinguished service record, and I do not wish to put this on any kind of patriotic basis; but I think the Senator would agree that he knows of certain young men who probably availed themselves of this opportunity to avoid the draft. The way our draft laws are now written, as long as a boy stays in school and does even satisfactory work, he does not have to serve.

So therefore, it seems to me the more sensible approach, as provided in the GI Bill of Rights, is to say, "Let's let all the boys serve, and let's don't encourage them in any respect whatsoever to continue"——

Mr. DOMINICK. The same argument would be true for the Higher Education Act.

Mr. SMATHERS. I would say this: I voted for the Higher Education Act; I thought we needed it. I do not believe we need this.

Mr. DOMINICK. Will the Senator yield further?

Mr. SMATHERS. I yield.

Mr. DOMINICK. Is not the Senator aware that without this bill, educational expenses have been steadily increasing?

Mr. SMATHERS. I am very much aware of it. I am aware of the increase in educational expenses. I just finished saying that I put a young son of mine in the same institution of higher learning where the distinguished Senator has his son, and from which he himself graduated. I know about the expenses, and the way they are going.

According to some of the college administrators, what they are going to do—and I shall read in just a minute what they propose to do with respect to the proposed amendment, if it passes—is raise the costs even higher and get there faster.

Mr. DOMINICK. Is the Senator aware that 83 percent of the administrators in State institutions and land-grant colleges are in favor of this bill?

Mr. SMATHERS. Of course, the colleges like it. They are in favor of education. The basic question is, How is the best way to approach the problem of getting our young people educated? Do we want to help people who can educate themselves, or do we want to help those who are in the greatest need to get an education?

Mr. DOMINICK. Will the Senator yield further?

Mr. SMATHERS. Yes, I am happy to yield.

Mr. DOMINICK. Does the Senator feel that a dollar can be used more advantageously through the Federal Government, after administrative expenses, than it can be used directly?

Mr. SMATHERS. No, I do not. I do not necessarily feel that way at all.

But I do think this: We have provided, in the last 3 years, enough educational opportunities that there is not a boy or a girl who, either through a loan program or the job program or the scholarship program, cannot, today, get himself an education.

I do not think we need to put this extra whipped cream on top of that pie we already have; not at a time when we are running a deficit. Not when we have responsibilities and commitments in Vietnam—when we are trying to raise revenue to meet those commitments. We adopted an amendment, yesterday, which will cost us $3.4 billion in 5 years; and now it is proposed to add an amendment which will cost the Government another $1 billion.

I say, of course, we are interested in education, but there is a time and a place and a proper way to encourage it, and this is not the way, in my judgment.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. SMATHERS. I am happy to yield to the distinguished Senator from Louisiana.

Mr. LONG of Louisiana. Mr. President, I was just thinking about the situation that happened in my father's family.

My grandfather had nine children. He was a farmer. He succeeded in sending all nine of them to college. The way they did it was by old grandpa sweating and slaving and working overtime to find a little money to get the first boy through college, and then each of the boys helped, through borrowing money, through saving, and lending to the next one to help him get through college. They helped one another, and then the boys helped the girls get through.

The best I can figure out, if this had been the law, with that old farmer putting all his children through college, not one of them would have received 1 cent of benefit out of this proposition.

Mr. SMATHERS. I think the Senator is correct. It is not proper to argue that those of us who oppose the Ribicoff amendment are against education. We have a loan program; we have scholarship programs and job programs; and on top of that, we have the GI bill of rights.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. SMATHERS. I am delighted to yield to the distinguished Senator from Texas.

Mr. YARBOROUGH. I wish to congratulate the Senator for what he has just said, that it is not fair to charge that those who are opposed to the Ribicoff amendment are opposed to education.

I have been a member of the Education Subcommittee since 1958. I was a coauthor of the National Defense Education Act of 1958, and have either coauthored or been one of the principal sponsors in that subcommittee of every education act written on the books since 1958. I have been a member of every conference committee on educational bills between the House and the Senate since 1958.

I am opposed to this administration attempting to cut back the extension services of land-grant colleges. I am opposed to the administration attempting to cut down on the funds available under the National Defense Education Act. I am for education. I am in favor of developing in every way our human resources. I have sponsored education bills this year.

But the proposed amendment is not for education. It is the best way I have seen to spend $1.25 billion annually of tax money to help those who need it least. This is not an education bill; it is a tax subsidy for those in the higher income brackets who happen to have children in college.

Mr. SMATHERS. I thank the distinguished Senator from Texas.

I think at this point it is appropriate that I read from the statements compiled by Pageant magazine in an article in its July 1965 issue, with reference to this particular amendment. The article says:

> Rev. John E. Walsh, vice president of Notre Dame, who has seen that university's tuition go from $750 to $1,400 in 10 years, makes no bones about it: "The tuition tax credit plan is basically a form of Federal assistance to American higher education * * *. It would enable colleges and universities to raise their tuitions without fear of pricing

> themselves beyond the ability of parents to pay. The full value of each tax credit dollar would flow directly and immediately to higher education."

To wit, the colleges. As I said a moment ago, this bill is just subsidizing the colleges. It is not really, in point of fact, ever going to help any family or any individual.

If Senators have any further doubt about it, here is what the article quotes Arthur G. Coons, president of Occidental College in Los Angeles, as saying:

> There is little doubt but that the great majority of independent colleges and universities, and to some extent also the publicly oriented colleges and universities, would increase tuitions further in the event the tax credit plan should be adopted.

The article continues:

> The whole idea started as a way to aid the colleges, admits Waldo C. M. Johnston, associate director of alumni relations at Yale—

Which is that big university in the State of Connecticut—

> but, he explains, "In order to get the American Council on Education to sponsor the proposal we were forced to reverse our field and place the emphasis on the side of the parents.
>
> "While this reversal may have had momentary advantages by making the proposal more salable to Congress and probably State universities, I think the wheel of fortune has turned to a point where the emphasis once again should be placed where it belongs. The fact that the tax credit plan would enable institutions to raise their tuition without adding 1 cent to the burden parents are already paying is a thoroughly convincing statement."

It is plain to see what they plan to do. The proposed amendment, as a matter of fact, would not help anybody except the universities, and particularly the big universities, the most well-to-do universities.

Here is a statement from an administrator of another institution. Dr. Roger A. Freeman, of Stanford University, said he believes:

> "Institutions," Dr. Freeman [Dr. Roger A. Freeman, senior staff member of Stanford University's Hoover Institution on War, Revolution, and Peace] believes, "may be expected to recoup as much as three-fourths of that through increased tuitions. Tax concessions need not aim as much at providing relief for students and their families as at enabling colleges to augment their tuition income without proportionately increasing the burden on those who pay."

Further than that, the Ribicoff amendment has other shortcomings which the article points out, as follows:

> The Ribicoff bill shortchanges you if you live in, say, California or one of the many other States that have developed modern systems of public colleges and universities. With some exceptions it favors the North Atlantic States as a group. Two out of three students in that area attend private institutions, almost the exact reverse of the Nation as a whole.
>
> The State of Massachusetts, for example, spends only $6.47 per capita on higher education. It has great and expensive private universities, but until recently its State university was a stepchild. California, on the other hand, spends about seven times as much per capita, $45.14. Eighty-five percent of California's students attend public institutions, 50 percent the excellent free or very cheap junior colleges.
>
> States that spend a lot on their State colleges have low tuition rates, because they've already taxed themselves to guarantee it. Under the Ribicoff bill, taxpayers in such States would receive smaller tuition credits and would pay more of any increase in Federal taxes imposed to make up the $1 billion shortage.
>
> Seymour Harris, Harvard economist and an expert on college finances, has called tax credits costly and wasteful, because they would be available to families irrespective of need, and unfair, because they discriminate against families not paying income tax or paying very little.
>
> Today out of 100 college-age young people in the top one-third income level, 55 enter college. In the bottom one-third only 10 out of 100 make it.

Thus, Mr. President, it seems to me rather obvious that the argument I was presenting, to which great exception was taken by the Senators from Connecticut and Colorado, is being supported by these professors and men in education who themselves admit just what we are saying, that the bill as drafted is calculated to help those who need such help the least, that it is calculated to benefit mostly universities in a certain area of the country and not help colleges and universities equally throughout the country.

That is one of its basic faults.

To go back to my original theme for just a moment, as to the cost of this particular program and other programs, and why I believe we should be concerned about cost at this time, we must recognize that the Federal Government did take large steps toward meeting the cost of higher education through the Higher Education Act of 1965. It would be the course of wisdom to get more experience on the actual operation of the Higher Education Act of 1965 before we commit ourselves to a new program that goes off in a different direction. It should be recognized that the subsidized loan program contained in the 1965 act does provide dramatic savings for a very large proportion of students, in many cases, larger savings than would be provided through the amendment now under discussion.

Mr. SYMINGTON. Mr. President, will the Senator from Florida yield to me for a brief insertion, without losing his right to the floor?

Mr. SMATHERS. I am happy to yield to the Senator from Missouri.

Mr. SYMINGTON. Mr. President, I would normally want to join the Senator from Connecticut in voting for his amendment to provide tax credit for higher education expenses, and last year I joined some 37 cosponsors of his bill to that end, S. 12. It has long been my opinion that the Government should do everything within reason to encourage and support higher education; and the Ribicoff bill moves toward that goal.

Now, however, we have another problem, the price of freedom, reflected not only in the security forces we currently have around the world, but also in our effort to repel aggression in Vietnam. Because of this heavy additional pressure on the National Treasury, I do not believe that at this time we can afford to make a commitment along the lines of the tax credit proposed by the able Senator from Connecticut.

Mr. President, I thank the Senator from Florida for his gracious courtesy in yielding to me.

Mr. SMATHERS. I thank the distinguished Senator from Missouri for his fine statement. Let me state to him that I have been arguing right along that line for the last few moments. This year, we passed $200 million more than the President asked for in the cold war GI bill of rights which, in my judgment, is really an education bill.

On top of that, yesterday we adopted an amendment which will cost $750 million a year, and over 5 years will be $3.5 billion. If we adopt the amendment of the Senator from Connecticut we will add another $1 billion in cost to the Federal Government; and then, if we adopt the amendment of the Senator from Indiana [Mr. HARTKE], which he will offer in a few moments, this will cost $1 billion loss of revenue to the Government. Instead of having a revenue raising bill, we will end up by having a tax cutting bill. Yet, we are trying to raise revenue in order to meet our commitments in Vietnam.

What are we doing?

We are loading the bill down with gifts—as the Senator from Louisiana has stated, sort of like Santa Claus.

Mr. President, I cannot help thinking that we are more responsible in the Senate than that. It seems to me that instead of providing ammunition and providing encouragement and backstopping our boys fighting in Vietnam, and loading their guns, so to speak, we are unloading them. We are going in the reverse direction.

I certainly agree with the statement made by the distinguished Senator from Missouri.

Finally, I believe that while the tax credit approach is promising, there are quite disturbing problems in any particular version of this approach which require further study. It is not a happy aspect of this approach that no benefit is provided to those parents, of college students, who have no income tax liability. As we know, other approaches have been advanced to provide benefits to parents in a way that might be more equitable than that provided in the present amendment. I have advanced an alternative approach. The Senator from Vermont [Mr. PROUTY] has also advanced an approach which is worthy of study.

I am, however, unwilling to support the proposal in the present form and at the present time. Our general economic situation does not permit this kind of tax reduction. We need further experience under the Higher Education Act of 1965, and we need further study of the particular form of a measure which provides some financial relief to the parents of college students if such a measure is to be adopted.

EXPLANATION OF UNRECORDED VOTE BY SENATOR MORSE OF OREGON ON THE GORE AMENDMENT

Mr. MANSFIELD. Mr. President, on yesterday when the vote was taken on the amendment of the Senator from Tennessee [Mr. GORE], the bells which summon Members to the floor for a vote were in a state of disrepair. They did not ring in the office of the Senator from Oregon [Mr. MORSE] and several other Senators, as they should have. He was not otherwise notified that a vote was in progress.

The Senator from Oregon was in his office waiting to come to the floor for the vote but he was not advised, as he should have been, when the vote came.

The leadership regrets deeply the breakdown in the technical system of notification. And it is most deplorable, therefore, that the Senator from Oregon is not listed on the vote on the Gore amendment. Under the rules, moreover, it is impossible to rectify the matter, except to announce, as the leadership did on yesterday, that had the Senator from Oregon been present he would have voted for the Gore amendment. His position on the issue involved is clear and unequivocal and it is regrettable that, through no fault of his, that the vote of the Senator from Oregon was not taken.

Mr. SMATHERS. Mr. President, I suggest the absence of a quorum, and I believe it is wise that we inform both cloakrooms that under the unanimous-consent agreement this will be a live quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The legislative clerk called the roll and the following Senators answered to their names:

[No. 49 Leg.]

Aiken
Allott
Anderson
Bartlett
Bass
Bayh
Bennett
Bible
Boggs
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Clark
Cooper
Cotton
Curtis
Dirksen
Dominick
Douglas
Eastland
Ellender
Ervin
Fong
Fulbright
Gore
Gruening
Harris
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McIntyre
McNamara
Metcalf
Miller
Mondale
Monroney
Montoya
Morse
Morton
Mundt
Nelson
Neuberger
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Russell, S.C.
Russell, Ga.
Saltonstall
Scott
Simpson
Smathers
Smith
Sparkman
Stennis
Symington
Talmadge
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

Mr. LONG of Louisiana. I announce that the Senator from Idaho [Mr. CHURCH], the Senator from South Dakota [Mr. MCGOVERN], the Senator from Utah [Mr. MOSS], the Senator from Maine [Mr. MUSKIE], and the Senator from New York [Mr. KENNEDY] are absent on official business.

Also, I announce that the Senator from Connecticut [Mr. DODD] and the Senator from Ohio [Mr. LAUSCHE] are necessarily absent.

Mr. DIRKSEN. I announce that the Senator from California [Mr. KUCHEL] is absent because of illness.

The Senator from Arizona [Mr. FANNIN], the Senator from California [Mr. MURPHY], and the Senator from South Carolina [Mr. THURMOND] are necessarily absent.

The **PRESIDING OFFICER.** A quorum is present.

The Chair recognizes the Senator from Connecticut [Mr. RIBICOFF].

Under the unanimous-consent order the 40 minutes of debate is to be equally divided between the junior Senator from Louisiana [Mr. LONG] and the junior Senator from Connecticut [Mr. RIBICOFF].

Mr. RIBICOFF. Mr. President, I yield myself 5 minutes.

The **PRESIDING OFFICER.** The Senator from Connecticut is recognized for 5 minutes.

Mr. RIBICOFF. Mr. President, this debate has now extended over a period of nearly 3 years. There is no question in my mind that Senators are well informed on the issues on both sides.

However, there has been raised the question of the nature of this bill and other issues to which I would like to address myself.

The pending bill is designed to raise funds and revenues for the Vietnam war. It is said that this amendment would cut $1 billion into funds available for the Vietnam war. I was well aware of the purposes for which this bill was designed. In drafting the amendment, we were careful to so draft it so that it would have no impact on revenues until the year 1968. The amendment was drawn to accomplish that in this way.

It was provided that no credits would come into existence until after December 31, 1966. That means credits could be claimed only for tuition paid in the year 1967 and thereafter. They would first appear on the tax returns due April 15, 1968.

As the manager of the pending bill pointed out in the CONGRESSIONAL RECORD, this bill was designed to raise $6 billion for the fiscal years 1966 and 1967.

Not a dime that would be used for this amendment would in any way encroach on the revenues in 1966 and 1967.

It was further pointed out by the manager of the bill that it is anticipated that there will be a budget surplus in the year 1968.

Another argument made on this bill is that this is a rich man's bill.

Of the total amount, 62 percent of the benefits under this provision would go to taxpayers in the bracket between $3,000 and $10,000 a year. Ninety-one percent of all benefits would go to people earning gross incomes under $20,000 a year.

The next argument is that the amendment favors private colleges. Again, we were most zealous to draw the amendment to give preference to public and land-grant colleges. This was done by a tax credit formula weighted in favor of public and land-grant colleges. We did it as follows: 75 percent of the credit would apply to the first $200 of tuition. This means that if a land-grant college charged $200 for tuition, fees, and books, the person paying $200 would receive a credit of $150. The 25 percent would be credited on the next $300, which is the sum of $75; and only 10 percent on the next $1,000. The maximum amount of credit available would be $325.

We have printed at pages 4998–4999 in the RECORD a table which lists most State universities and land-grant colleges in our Nation. We pointed out the amount of dollar benefit of tax credit to be received by students going to these universities and colleges.

We were very careful to take into account that last year Congress passed a scholarship program. This scholarship program provided 140,000 scholarships to be made available to the low-income groups.

What has not been done in the United States in tax policies is to take care of the problem of the middle-income families.

The College Scholarship Service, which assists major universities and colleges in determining how scholarships and allocation of financial help should be made available to students, points out that a family earning $6,000 income before taxes, before funds would be made available to that student, would have to pay $790 toward the education of their child. A family earning an income before taxes of $8,000, before having available to it financial help, would be required to pay the sum of $1,290.

The **PRESIDING OFFICER.** The time of the Senator from Connecticut has expired.

Mr. RIBICOFF. I yield myself an additional minute.

We have been very careful to provide for people who are at the poverty level. I support such measures. We were very careful yesterday, in rejecting an amendment offered by the Senator from Tennessee [Mr. GORE], who is now occupying the chair, to preserve the investment credit to large corporations. If we were unwilling to provide for a suspension of the investment credit for machinery, it is difficult for me to understand why we are unwilling to provide middle-income groups with investment credit for education, because the brainpower of America is our principal asset.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. RIBICOFF. Mr. President, I am pleased to yield myself an additional minute to respond to the Senator from Kentucky.

Mr. COOPER. As I understand, the Senator from Connecticut states categorically that the amendment would have no impact on revenues until fiscal year 1968. Is that a correct statement?

Mr. RIBICOFF. That is correct.

Mr. COOPER. It would not diminish revenues that would be raised by this tax bill to assist in financing the war in Vietnam?

Mr. RIBICOFF. That is correct. The amendment has been carefully drawn to provide that the first time the credits would show up would be on the tax returns of 1968.

Mr. COOPER. Would the Senator wish to comment on the impact on revenues in fiscal 1968? What would he consider the impact to be?

Mr. RIBICOFF. I estimate that in fiscal 1968 the impact would be to the extent of about $1 billion. By 1970, it is estimated that the impact would be $1,300 million. Of course, as the number of students in college increases in future years, the impact would be greater, depending on the number of students attending college. I point out, however, that it is anticipated that the revenue picture of the Government will change substantially by 1968. I am not a sufficiently capable seer to try to estimate what the revenue picture of our country will be after 1968.

Mr. COOPER. I know the Senator cannot do that.

But the Senator from Connecticut argues that whatever the fiscal position is, it is his belief that the amendment is of much importance in assisting those who do not benefit under any existing educational legislation. Whatever its fiscal impact, he feels it is important that the amendment be adopted.

Mr. RIBICOFF. That is correct. I was so zealous concerning the positions of both the administration and of the chairman of the Committee on Finance that I made certain that the amendment was designed not to impair the revenues of 1966 and 1967.

Mr. COOPER. I thank the Senator from Connecticut.

In 1964, when the Senate was considering the general tax bill, which became the Revenue Act of 1964, I voted for a similar Ribicoff-Dominick amendment. This amendment would give reasonable tax relief to parents bearing the heavy financial burden of sending children to college and helping support them while there.

The amendment is needed and it should be enacted into law. In the debate, it has been said that the cost of the amendment will not be felt for 2 years, and it has been established that would not cause a decrease in the additional funds required now for the war in Vietnam.

The budget deficit projected by the President is $1.8 billion, and it is a projection based on the approval of this bill and upon other temporary fiscal management measures, all of which may not be realized.

My judgment is that the costs of the war will increase, and I believe that this increase will mean that the budget deficit can be much larger than the President has anticipated for the next fiscal year.

I do not like the reimposition of the excise taxes which were repealed last year, and I believe the additional excise on telephone service particularly strikes at a necessity and not a luxury. Nevertheless, because of Vietnam, this tax bill is designed to raise additional revenue of almost $6 billion, including an estimated $4.8 billion in the coming fiscal year, which will be needed for the war.

As I have listened to the debate and studied the bill, it has seemed that it might be better if the administration had proposed a general tax measure. But this has not been done, and I believe it possible that another bill will follow.

In considering this bill, I have believed that the additional revenue to be provided should go for the stated purposes given by the President, and I have not wanted to vote additional deficits by tax measures which would balance off the revenues to be raised in the period covered by this bill.

With this view of holding the full revenue sought for the needs of the war over the next year, yesterday I voted against the Prouty amendment, which is an amendment that I supported in a vote in the Senate during consideration of social security changes in 1965. I am for its purpose, as I am for its coverage and its objectives, but I did so because it would have used up over $700 million of the revenue raised by this bill in its first year of application.

If Senator PROUTY offers this amendment to a general tax bill, I would want to vote for it. Also, I would say that though the House did not adopt such a provision in this bill it voted last month, if it acts on this amendment and provides a means for its payment, I would want to vote for its passage.

I thank the Senator and I yield back the floor.

Mr. LONG of Louisiana. Mr. President, I yield myself 4 minutes.

I regret to say that the Senator from Connecticut is in error about his amendment. The Senator said there would be no revenue impact until 1968. I hope the Senator from Kentucky [Mr. COOPER] will remain in the Chamber to hear what I am about to say, because I know that what I shall say will interest him.

The Senator from Connecticut stated that his amendment would have no impact upon revenues for fiscal year 1967. I have checked this point with the committee staff, and I am advised that the Senator is very much in error.

Persons, particularly wealthy ones, who made declarations of estimated income for 1968 would have to make them in 1967. When they made their declarations, they would begin to take their tax credit with their first quarterly payment. So they would have taken a portion of it in the first quarter, another portion at the end of the second quarter, another portion in the third quarter, and so on. So there would be a heavy loss to the Treasury at the very time the struggle in Vietnam was underway and the Government was trying to prevent a heavy deficit.

In addition, there would be a heavy revenue loss at a time when revenue was badly needed. The boys who would get the benefit would come from families who were in a position to pay the taxes. Those families are relatively well-to-do. The estimates are that 62 percent of the money to aid education will go to families having incomes exceeding $7,500 a year. A third of the money would go to families having incomes exceeding $10,000 a year.

As I said when fewer Senators were in the Chamber, an example comes to mind to show how completely unfair and inequitable the Senator's proposal is, if it is desired to help young persons to go to college.

In my father's family there were nine children, five boys and four girls. Every last one of them received a college education. How did they get it? That old farmer, my grandfather, sweated and worked and saved and scrimped. He did without meat on the table, so that he could get the first child through college. Then the first child did without to help the second child go through college. Both of them then sacrificed to help the third and the whole nine get an education.

What would this amendment have done for them?

This amendment would spend $1 billion to help people go to college who could well afford to pay their way, but not a penny would go to help the poor farmer who was trying to put nine kids through school.

The idea of saying that a man and wife making $50,000 a year—$25,000 for the husband and $25,000 for the wife—should get a $325 tax credit to send a child through school is ridiculous. Furthermore, it would not have to be their own child; it could be the child of someone else. If they wanted to, they could adopt a whole school full of children and send them all to college. They could spend $325 apiece to put those children through college.

The PRESIDING OFFICER. The time of the Senator from Louisiana has expired.

Mr. LONG of Louisiana. I yield myself an additional minute.

We had a similar amendment before our committee in 1964. We studied it and rejected it. The Senator from Oregon [Mr. MORSE] said he would have his committee study it and submit recommendations for financing higher education. The recommendations were submitted.

In addition, the Government will now provide education to our fine veterans. That has been accomplished under the leadership of the distinguished Senator from Texas [Mr. YARBOROUGH]. We are now assisting veterans, to whom we have an obligation, to get an education when they return from fighting.

But now it is proposed that those whose parents are well-to-do and well able to pay should receive the benefit of a tax credit. That is the same as making a gift from the Federal Treasury to those who are well-to-do, to enable them to send their young people to college who are being deferred from the draft. They would be sent to college with a handout from the Federal Government. It is a highly inequitable way to aid education—to provide it to those who do not need it, do not expect it, and who are well able to provide for the education of their own children.

Mr. RIBICOFF. If it is so unfair to take money out of the Federal Treasury with my amendment, would the Senator consider using money that is made available from the oil depletion allowance funds? Would he agree to use such funds for this particular purpose?

Mr. LONG of Louisiana. Mr. President, I yield myself an additional minute.

I invite the Senator from Connecticut to offer such an amendment with respect to the oil depletion allowance. Louisiana produces large quantities of oil and gas. I shall not support his amendment. I shall demonstrate to the Senator, if he brings up such an amendment, that the oil and gas industry pays more taxes than any other industry. But that is a different issue. The Senator can tie his oil depletion proposal to the bill if he wishes; in fact, he can do it now. He can couple his oil depletion amendment to the pending amendment if he wishes, but I assure him that I will pick up a few votes that I do not have now. [Laughter.]

Mr. McCARTHY. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I yield 3 minutes to the distinguished Senator from Minnesota.

Mr. McCARTHY. Mr. President, I opposed the amendment when it was first offered in the last Congress. The conditions this year are such as to make my opposition even stronger than it was when the amendment was first proposed.

The Senate yesterday acted, in my judgment, irresponsibly. We ought to be concerned about adding an amendment of this kind to a tax bill when it comes before the Senate. We should not send it to conference in the hope that the House, acting through its conferees, will somehow absolve us from our faults and reverse actions which should never have been taken by the Senate.

I think that this relationship is a matter of long-range concern in the Senate. If we were concerned with the matter of fiscal responsibility in the Senate, the amendment offered by the distinguished Senator from Tennessee [Mr. GORE] should have received significant debate and attention from the Senate. The Senator from Tennessee raised a question with reference to investment credit. Economists and men who are, I think, the best judges of the condition of the investment area of our economy today have raised serious questions about the investment credit and suggested that some modification should be provided.

The Senate refused to give serious attention to that proposal in the committee or on the floor of the Senate.

The Senate then adopted the Prouty amendment which, in my judgment, is fiscally unsound and, I think, socially unsound. It also raises very serious questions about the relationship of the Federal and State Governments in taking care of some of the welfare needs of the country.

This particular education tax credit proposal as now presented is even worse than when first presented, since it is projected into 1968. One of the battlecries of our forefathers was "Taxation without representation." It appears to me that the advocates of this amendment are in favor of representation without taxation. They are in favor of representing the people on all good things but are not in favor of taxing the people in order to pay for what is being provided.

No one knows what the situation will be in 1968 with reference to the condition of the Federal budget, the economy, or the situation in Vietnam. No one knows what it will be, not even Secretary of Defense McNamara, who is a man whom we would expect to be most sure about his position.

I make three basic arguments against this proposal. It is fiscally unsound. I do think that we must consider this argument since there is a prospective loss of a billion dollars a year.

Second, the measure is unsound as a device for improving education in this country. The consequences of loss of a billion dollars in revenue is that education will be benefited by about $250 to $300 million. I believe this points out the basic fault in the proposal. Advocates say to the educators that it will provide $1 billion for education. They say to the parents and others that they will gain $1 billion in tax reduction. If the people who are paying the bill get the tax reduction, then the educators will not get the money. If the educators raise their tuition cost, then the people who are paying the tuition will not get the benefit. We cannot have it both ways.

The best estimate we have is that roughly one-fourth to one-third of the tax reduction will go to education; will be reflected in increased expenditures in the field of education.

We do have problems in education. Those interested in improving and expanding educational opportunities should be concerned about the budget recommendations on education. Greater interest should have been shown in the Hartke bill which would have provided a grant of approximately $200 to every student who was fully enrolled in a college or university. This is the way to achieve opportunity on a nondiscriminatory basis.

This proposal is unsound as a matter of tax policy. We should not introduce a tax credit principle without serious consideration, and we should not do it under a condition such as this. This particular amendment would do nothing but distort the rates and confuse the tax laws of this country without full consideration by the Committee on Ways and Means of the House of Representatives or by the Committee on Finance of the U.S. Senate.

Mr. RIBICOFF. Mr. President, I yield 3 minutes to the Senator from Colorado.

The PRESIDING OFFICER. The Senator from Colorado is recognized for 3 minutes.

Mr. DOMINICK. Mr. President, I shall be as brief as I possibly can.

It seems to me that the arguments I have heard from the other side are completely irreconcilable.

The Senator from Minnesota states that we should not do this, that it would cost too much money. He then advocates doing what the Senator from Indiana [Mr. HARTKE] recommended. The recommendation of the Senator from Indiana would have cost the Treasury Department $12 billion. To me, that does not fit together.

It is said that the universities and colleges would raise their tuition. I have here an analysis of tuition increases from 1955 to 1963. Many of the colleges, not all of them, in all of the States have been increasing their tuition.

The Senator from Florida spoke against this amendment. The University of Florida charged $240 for educational fees and books and tuition in 1955. In 1963, they charged $429, and the cost is still increasing. The cost is over double what is was.

The same thing can be said of the University of Alabama and the University of Minnesota. Expenses are going up constantly, and that is without the benefits that would be provided by such a measure.

Sixty percent of the people who have incomes of between $3,000 and $10,000 a year in this country have no savings at all. Forty percent of them have only $150 in savings. The ones who would be getting the maximum amount of benefits under this proposal would be the ones who would put their own earnings into the education of their own children.

It strikes me that this is something that we can well afford to do.

Anyone who says that those who are in favor of the Ribicoff bill are in favor of promoting an avoidance of the draft is making a ridiculous statement. Anyone who voted in favor of the higher educational bill to afford an opportunity to young men and women to go to college could be classified in the same way.

The argument made on Friday and again on today by the Senator from Louisiana and the Senator from Florida is simply not accurate. It is erroneous on its face. It is ridiculous in its context.

We are trying to get something done in the way of affording an opportunity to the young people of the country to get an education. This is one way by which we can get it done.

The opportunity or lack of opportunity to go to college depends largely at this point on what happens in Vietnam and upon what the draft board will do in the way of drafting people.

That is not a question that is involved in the particular bill insofar as the amount of revenue that would be lost or not lost is concerned.

Last year we reduced taxes on the concept that it would raise revenue. This year we are raising taxes on the concept that it will raise revenue. We are doing both on the recommendation of the administration.

We are providing an opportunity for education to the young people of our country. This will enable them to make more money over their lifetime and pay back more taxes to our country. It is consistent with the idea that what we are trying to do is to give people an opportunity to earn their own living, increase their own welfare, and get their own benefits by way of hard work and college education.

This is one of the ways by which we can help them pay our country back. It would be the fourth leg of the stool.

We now have the GI bill and the Higher Education Act, and other acts for education. This measure would supplement those acts.

Mr. RIBICOFF. Mr. President, I yield 2 minutes to the Senator from Texas.

The PRESIDING OFFICER. The Senator from Texas is recognized for 2 minutes.

Mr. TOWER. Mr. President, I voice my support for the amendment offered by the distinguished Senator from Connecticut and express my pride in being one of the cosponsors of the amendment.

I believe that this program, in leaving the money with the individual taxpayer, would be an excellent way in which to assist education.

The tax-credit approach would also have the effect of limiting Federal Government control in the education field, while, at the same time, freeing sufficient funds to guarantee continued college expansion.

In this program, the taxpayer's money never leaves his control. It never goes to Washington, to be only partially returned after the cost of administration is removed.

There are no Federal strings attached to the funds. There is no Federal control. All American universities would benefit from this program, not just those who would be singled out for specific grants.

American higher education would be tremendously aided by the adoption of this amendment. I believe that families would have more money to spend on education, and I believe that they would take every advantage of it.

As an ex-college professor, a profession that I followed for 9 years before coming to this distinguished body, I can say without reservation that I can think of nothing that would be a greater stimulus and benefit to the cause of college education for more people in the United States than would be the amendment offered by the distinguished Senator from Connecticut.

I trust that after careful consideration of this proposal, the Senate will overwhelmingly adopt it. It is my firm conviction that this is one of the very best ways in which the American people can decide which universities they will support.

I earnestly hope that the Senate will adopt the amendment overwhelmingly.

Mr. LONG of Louisiana. Mr. President, I yield myself 1 minute.

The PRESIDING OFFICER. The Senator from Louisiana is recognized for 1 minute.

Mr. LONG of Louisiana. Mr. President, boys who are presently going to college are already favored. They are allowed an exemption of $600, and their parents who contribute to their support can also claim a $600 exemption. Families with a child in college get twice the exemption of the family of a young man who might drop out of school and go to work in a grocery store or some other place of business.

The Senator from Colorado states that this measure has nothing to do with the war in Vietnam. The whole idea of the bill is to cover the costs of the war in Vietnam.

It would seem to me that it would be a lot more reasonable and fair to appropriate a billion dollars to help the boys who are fighting get a pay raise and cover their expenses. These boys are fighting in Vietnam for our country. It would be much better to spend the money in that manner than to give a billion dollars to boys who are presently exempt from the draft. These boys do not need assistance. Their families are able to pay their tuition.

I yield 3 minutes to the Senator from Texas.

The PRESIDING OFFICER. The Senator from Texas is recognized for 3 minutes.

Mr. YARBOROUGH. Mr. President, we have just enacted the Veterans Cold War Readjustment Assistance Act, which provides educational allowances for veterans, more than 3 million of whom will be eligible for that asistance on June 1.

The tuition tax credit amendment now pending would not only fail to give those veterans any tax benefit, but in addition, will make it more difficult for veterans to make ends meet.

It is generally recognized that the credit would result in higher tuition rates. In fact, many supporters of the credit have advanced it as a way of helping colleges and universities by making it possible for them to raise their tuition.

I ask unanimous consent, at this point, to have printed in the Record a compilation prepared by the Office of Institutional Research, National Association of State Universities and Land-Grant Colleges, entitled "Who Says the Tax Credit Plan Will Result in Higher Tuition?" It consists of five pages of statements by leading educators in the colleges of America who concede that the prime aim of this tax credit plan is to enable them to raise their tuition rates.

There being no objection, the statements were ordered to be printed in the Record, as follows:

Who Says the Tax Credit Plan Will Result in Higher Tuition?

Alfred Bowker, chancellor of the City University of New York: "I don't think there is any question that things like the tax credit and the scholar incentive program in New York have the effect of providing an incentive to raise tuition. If you want to document this, I think the regents' master plan for the development of higher education in New York gives an extensive table of tuition increases in the State since the State put in the scholar incentive program." (May 24, 1965, before the Republican Task Force on Education, in testimony generally supporting tax credits, reprinted in the Congressional Record, volume 111, part 9, page 12652.

Buell Gallagher, president of the City College of the City University of New York: "We have experience with governmental aid to institutions which is geared to the tuition payment. That experience is not reassuring. In the State of New York, the so-called scholar incentive program, geared to the tuition charge, has had the direct result of escalating tuition charges in both public and private higher education. There are no safeguards which can be built into such a program to prevent this escalation; and insofar as the purpose of the program is to help the institution, increased tuition charges became an essential sequel to the enactment." (May 24, 1965, before the Republican Task Force on Education, in testimony opposing tax credits.)

Senator Wayne Morse, of Oregon: "I was visited by a group of presidents of private colleges some weeks before the debate on the Ribicoff amendment. They were of religious denominations. I said: 'Gentlemen, I understand that you plan to raise your tuition fees if you get this amendment.'

"'Oh yes; but the parents of our students know that is going to be necessary. That is the only way we can get Federal money into our institutions.'" (Mar. 10, 1964, in hearings before the Subcommittee on Education of the Senate Committee on Labor and Public Welfare, college student aid legislation, p. 255.)

John E. Walsh, C.S.C., vice president, public relations and development, Notre Dame: "The tuition tax credit plan is basically a form of Federal assistance to American higher education. It would enable colleges and universities to raise their tuitions without fear of pricing themselves beyond the ability of parents to pay. The full value of each tax credit dollar would flow directly and immediately to higher education." ("Tax Credit for Tuition for Higher Education," Notre Dame magazine, vol. 17, No. 5, winter 1964, pp. 12–13.)

Legislative Committee, Association of American Colleges (headed by President Calvert Ellis of Juniata, Pa., College): "From the beginning there has been confusion about the aims of the proposal. The original promoters claimed that their plan would help both colleges and parents, and the validity of the claim has been generally accepted ever since. Still the proposals continue to enforce the counter-argument that it is hard to see how both the college and the parent can benefit at the same time. In order to gain any financial advantage, the college would presumably have to increase its charges to students, but if charges were raised they would tend to nullify any advantage derived by parents from tax remission. The poorest parents, who would get little or no relief from tax credits, would be even worse off than they are now." (Report issued to the 1964 annual meeting of the AAC.)

The Wall Street Journal: "It would also allow many institutions to raise tuitions quickly with the assurance that the Federal income tax aid would compensate parents for the added expense" (Dec. 17, 1963).

The Chicago Tribune: "By adopting the course Congress could assist institutions of higher learning (IHL). If IHL raised their tuitions following congressional adoption of a tax credit plan, the money the Government did not collect could be transferred intact to IHL treasuries, leaving the tuition-paying parent neither better nor worse off. Insofar as IHL did not raise tuitions to an amount equal to the tax relief granted, families with one or more members in college would be money ahead" (Dec. 1, 1963).

Dr. Virgil C. Blum, chairman, Department of Political Science, Marquette University: "The prime purpose of the tax credit is to help the student pay a bigger share of the actual cost of his education. * * * His university could * * * reduce or level off its annual subsidy to him. This it could do by charging tuition closer to the full cost of his education" (Journal of Higher Education, December 1963, p. 485.)

Douglas Dillon, former Secretary of the Treasury: "If there is such an exemption for tuition, many colleges have made no secret of the fact that what they will do is simply increase—use this as a reason to increase—their tuition so as to get the benefit themselves, rather than have the benefit go to the student." (Hearings on the Revenue Act of 1963, p. 321.)

Roger A. Freeman, senior staff member, the Hoover Institution on War, Revolution, and Peace: "The tax saving or revenue loss under my schedule may be estimated at $700 million per annum or more. Institutions may be expected to recoup as much as three-fourths of that amount through increased tuitions. * * * Congress could determine how much it desires to aid institutions of higher learning and revise the credit schedule accordingly as time goes on * * *.

"Tax concessions need not aim as much at providing relief for students and their families as at enabling colleges and universities to augment their tuition income without proportionately increasing the burden on those who pay the fee. * * * Every college in the country could boost tuition by $100 without adding to the college expense of any taxpaying parent." (Nov. 6, 1963, before the Senate Committee on Finance, reprinted in the CONGRESSIONAL RECORD, volume 109, part 16, page 21909.)

Allan M. Cartter, American Council on Education: "Although tuition charges have advanced rapidly over the last decade, the increasing real burden on the parents of college students has been a retarding factor. A tax reduction program which shifts part of the burden from the parent taxpayer to the Federal Government is therefore likely to result in a more rapid increase in tuition charges. In contrast to the direct aid to colleges and universities proposed in the administration's education bill in this and the previous session of Congress, the only way that institutions will be helped in their critical needs by a tax deduction program is through an immediate increase in tuition charges. Many educators who advocate tax relief do so explicitly with the aim of raising tuition levels. * * * Thus, what the parent who bears the burden of college costs views as a partial 'cure' may turn out to be quite illusory, and in fact the disease may be worsened for those who would not be substantially helped by such tax reduction." (The Education Record, October 1963.)

U.S. Treasury: "Colleges could be expected to increase their tuition charges. Representatives of some private colleges have urged a deduction or credit on the grounds that it would make possible tuition increases." (Memo, Aug. 20, 1963.)

Citizens National Committee for Higher Education (a 2-year-old organization whose principal activity has been to promote tax credit legislation): The legislation "permits the entire amount of each allowable credit to go directly to an institution of higher education."

Waldo C. M. Johnston, Yale alumni board: "The basic concept of the plan as we originally envisioned it was an aid to the institution. In order for us to get the American Council on Education to sponsor the proposal we were forced to reverse our field and place the emphasis on the side of the parents rather than the institution as originally intended. While this reversal may have had momentary advantage by making the proposal more salable to Congress and probably State universities, etc., I think that the wheel of fortune has turned in this era of sputniks to a point where the emphasis once again should be placed where it belongs. The fact that the tax credit plan would enable institutions to raise their tuition 42 percent without adding 1 cent to the burden parents are already paying is a thoroughly convincing statement." (Letter, May 21, 1958.)

The income tax deduction for costs of education, Alumni board, Yale University: "If tuition were made deductible, the universities could increase their charges for tuition without increasing the burden on the parents. If tuition were made deductible, a 25-percent increase in tuition would involve no increased burden on those in the 20 percent or higher income tax bracket. Similarly, tuition could be increased by 50 percent without any added burden on those in the 33⅓ percent or higher income tax bracket, and tuition could be doubled without added burden on those in the 50 percent or higher income tax bracket. (The bill hereby presented) is drafted from the point of view of the educational institutions themselves, rather than the parent, for we think that the greatest good to be achieved and the fundamental purpose of the bill is the benefit of education rather than relief for taxpayers." (May 16, 1958.)

Arthur G. Coons, president, Occidental College: "I think there is very little doubt but that the great majority of the independent colleges and universities, and for that matter to some extent also the publicly oriented colleges and universities, would increase tuitions further in the event that the tax credit plan should be adopted. Increasingly we shall be looking to a higher level of tuitions to finance our colleges and universities. I really believe that such legislation as is proposed, if adopted, would aid the colleges and universities financially for the purpose for which intended." (Letter, May 13, 1958.)

George C. S. Benson, president, Claremont Men's College: (Whether the colleges would raise their tuition) "I can assure you that they would. I have seen them increase tuition substantially without the tuition deduction and I feel sure they would do so more certainly if there were a tuition deduction." (May 12, 1958.)

Mr. YARBOROUGH. For instance, Mr. Waldo C. M. Johnston, of the Yale Alumni Board, says:

> The basic concept of the plan as we originally envisioned it was an aid to the institution * * *. In order for us to get the American Council on Education to sponsor the proposal we were forced to reverse our field and place the emphasis on the side of the parents rather than the institution as originally intended. While this reversal may have had momentary advantage by making the proposal more salable to Congress and probably State universities, et cetera, I think that the wheel of fortune has turned in this era of sputniks to a point where the emphasis once again should be place where it belongs. The fact that the tax credit plan would enable institutions to raise their tuition 42 percent without adding 1 cent to the burden parents are already paying is a thoroughly convincing statement.

All through these statements, it is shown that the real aim of those who devised this amendment and brought it to Congress, was to get added support for that limited group of universities. They are going to raise their tuition; there is no doubt about it.

COLD WAR VETERAN WILL NOT BENEFIT

Most cold war veterans will not earn enough to receive any tax credit. If he is a single man, under the present law, he can receive as much as $900 before he has any tax liability. A married man with two children with $3,000 of income would receive no credit. With $3,500 of income, his total tax credit would be limited to his tax liability of $74.

So that group of prospective students, with their tuition rates being increased, will only suffer additional hardship.

I call the attention of Senators to a pamphlet entitled "Tax Credits for Educational Expenses, or How to Spend $1¼ Billion Annually in Tax Money to Help Those Who Need It Least." This is an admirable statement on the question, prepared by the Association of State Universities and Land-Grant Colleges, Office Of Institutional Research.

I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the pamphlet was ordered to be printed in the RECORD, as follows:

Tax Credits for Educational Expenses or How To Spend $1¼ Billion Annually in Tax Money To Help Those Who Need It Least

In the 88th Congress a proposal to provide an income tax credit for costs of tuition, books, supplies, and equipment at colleges and universities was narrowly defeated in the U.S. Senate. It undoubtedly will come up in the next session of Congress.

Advocates of the proposal make these conflicting claims:

1. To prevent hard pressed to pay college expenses, they say it will provide relief but to educational institutions pressed for money they say it is an opportunity to collect Federal tax money by simply raising tuition by the amount of the credit.

2. To those in the lower income brackets they say the major benefit will be to people of modest income but to those in high income brackets they indicate that tax credits bring greater dollar benefits to persons choosing to send their children to expensive schools than to persons who must send their children to inexpensive schools.

3. To those opposed to Federal tax support of institutions that discriminate on the basis of race, religion, or national origin they say the tax credit is an aid to individuals only but to those in favor of such Federal support they say that the tax credit is a way of bypassing the constitutional provisions against use of public funds for discriminatory purposes.

4. To those who favor Federal aid to education they say the tax-credit plan is not intended to supplant, but to supplement, other forms of Federal aid but to those who oppose Federal aid, tax-credit plan proponents say their plan is a major step toward supplanting all other forms of Federal aid to education.

It is time for plain speaking about the tax-credit plan for educational expenses. It is fair to judge what the plan is intended to do by the statements of its major proponents. The major organizational proponent of the tax-credit plan is the Citizens National Committee for Higher Education, Inc. This group has 5 officers and 30 members of a steering committee, as indicated in the July 1964 issue of its publication entitled Comment. The chairman is O. C. Carmichael, Jr., who is chairman of the board of Associates Investment Co., one of the country's largest loan firms.

1. Is the tax-credit plan intended primarily to benefit parents and students or to provide Federal tax money for colleges and universities?

In debate in the Senate on the issue last fall, most proponents of the measure said it was intended to provide tax relief to parents, not tax money for colleges and universities. In material prepared for use elsewhere this is not what the proponents say. For example:

Dr. Roger Freeman, economist, and member of the Steering Committee of the Citizens National Committee supporting the tax-credit plan, told the Senate Finance Committee (see the CONGRESSIONAL RECORD, volume 109, part 16, page 21909).

"The purpose of indirect aid to higher education is—

"1. To augment the financial resources of institutions.

"2. To aid talented young persons with aspirations for higher education from families with limited incomes.

"The tax saving, or revenue loss, under my proposal, may be estimated at $700 million per annum or more. Institutions may be expected to recoup as much as three-fourths of that amount through increased tuitions."

In short, Dr. Freeman believes, and so told the Senate Finance Committee that the tax-credit plan which he advocates is 75 percent a plan for getting Federal money through increased tuition, and only 25 percent a plan for providing relief to parents and students.

Dr. Oliver Carmichael, Jr., chairman of the Citizens National Committee, said in an editorial in the July 1964 issue of his publication that "Tuition tax credit will benefit the student and his parents. It will go far to ease many of the crushing pressures on our colleges and universities."

Question. How will the tax-credit plan ease pressures on our colleges and universities unless it is intended to provide indirect Federal aid to them rather than to parents?

Mr. Waldo Johnson of New Haven, Conn., and Mr. Herbert Sturdy of Los Angeles, Calif., were members of a group which framed the original major tax-credit proposal for educational expenses in 1954. Their proposal stated then, and they have repeatedly reaffirmed this position in correspondence, that the objective was to provide Federal funds for colleges and universities by the device of (1) getting a tax credit, and (2) raising tuitions by the approximate amount of the credit.

Another member of the Steering Committee of the Citizens National Committee explained in a magazine article (Journal of Higher Education, December 1963) how "a university of 5,000 full-time tuition-paying students would get an increase of $2,250,000 in income from tuition charges" under the tax-credit plan. Is this relief to parents?

2. If the tax-credit plan is intended to aid parents, what parents would it help?

Proponents of the tax-credit plan have said repeatedly that it is so devised that most of the aid would go to parents with modest to low incomes. They justify this statement by the fact that the percentage of aid given in terms of fees paid drops as the fees rise and as income rises. The fact is, however, that in terms of money (which is what people pay educational bills with, not percentages) the tax-credit plan provides the most benefit for those who choose to send their children to institutions charging high fees, and to people of relatively high incomes. Specifically, the amendment defeated in the Senate last fall (see chart on page 22592, CONGRESSIONAL RECORD, volume 109, part 17) provides that the maximum amount of tax dollars going to individuals under the plan would be to those with incomes of up to $25,000, paying tuitions of $1,500 or more a year. Some benefits are provided under this plan for individuals with incomes as high as $55,000 a year.

A family with an income of $35,000 could get up to $225 off its tax bill to help pay college expenses. On the other hand, a family with an income of only $5,000 and five children would get no help at all since it pays no Federal taxes.

This so-called relief proposal for families that need help makes no distinction in terms of income up to $25,000 a year. It, of course, provides no relief at all for a family unless it pays an income tax, no matter how much it sacrifices to help its children attend college. The Treasury Department has stated that a tax credit would be of negligible value to the 37 percent of all U.S. families with incomes of less than $5,000.

An analysis of figures published by one of the principal proponents of the bill shows that almost half of the total dollar benefits would go to the wealthiest top 20 percent of the population (those earning over $10,000 a year), while the other half of the total benefits would be shared by the remaining 80 percent of the population. And almost 10 percent of the funds would go to people earning over $20,000 a year—only about 2 percent of the population.

In answer to criticism that the bill provides no help at all to families in the lowest income brackets, the proponents have stated that children from these families receive scholarship aid. But the income groups who would be helped most by the tax-credit plan are also the groups who get most of the scholarship aid. According to a recent study by Elmer West and Charlene Gleazer of the American Council on Education, a higher proportion of scholarship aid is awarded to students from families earning over $11,000 than to those from families earning less than $5,000.

Clearly, the greatest dollar benefits of the tax-credit plan go to the people who need them least.

3. The tax-credit plan would provide no help to low-income families, but would have an adverse effect on their ability to finance higher education.

If the statements of Dr. Roger Freeman and other sponsors of the Citizens National Committee for Higher Education, chief proponents of the tax-credit plan, are correct in their estimate that most of the money would be recovered by colleges and universities through higher tuition, then the tax-credit plan not only would fail to aid students from low-income families, but would actually add to their burdens in seeking higher education.

The reason is very simple. In order to collect from the parents the income tax relief given them by the Government, colleges and universities would have to raise tuition. If they raised their charges, all students would have to pay more. Students whose parents got no governmental aid from the tax credit would find themselves having to pay higher college charges. And even those families qualifying for a tax credit would find themselves no better off, since all or more of the credit would be absorbed through the higher tuitions charged. Another name for the tax-credit plan is the high tuition plan—scarcely the way to help parents eager to see their children attend college.

Comment: Sponsors of the plan commonly answer this charge either by denying it indignantly or saying that tuition charges are "going up anyway." The last is probably true. The question is "How high is up?" Every potential source of income dependent on increases in tuition charges for its realization increases the pressure to raise fees higher and higher. Every increased source of income other than tuition charges, however, helps colleges and universities combat the trend toward putting higher education beyond the reach of all but the wealthy and the few of highest talent who can win scholarships.

A fundamental concern is that the tax-credit plan will stimulate a shift in the entire basis of support for higher education from traditional sources such as private endowments and public appropriations to the students themselves.

Hit hardest by this shift would be parents of low to moderate income with children who are bright but not brilliant, and students who are trying to work their way through college.

4. How much would the tax-credit plan for educational expenses cost the Federal taxpayer?

The Treasury Department has estimated that the first-year cost would be a minimum of $750 million, and that this would rise within 5 years to at least $1¼ billion annually. This is the largest single "Federal aid" proposal ever put before Congress, yet it has never been the subject of detailed hearings by any committee of Congress. Such hearings would show that those who think they are getting something for nothing under the tax-credit plan are being misled. Calling the plan a "tax-credit" does not change the fact that the $1¼ billion annual cost has to be met in higher tax rates by the taxpayers, including those who are the presumed beneficiaries of the plan.

WHAT ARE THE ALTERNATIVES?

There are a number of alternatives to the tax-credit plan. Among them are:

1. Expand the Federal share of "matching" for construction of new college and university facilities, now set at a rate of up to one-third of the cost. The Federal share might well be increased to two-thirds of the cost. This expansion would cost a third as much as the tax-credit plan and would be available to all colleges and universities to help them keep their student charges down, not raise them.

2. Return a portion of Federal income tax payments to the States for educational purposes.

3. Provide direct student aid. Although this involves many problems, it would cost less Federal money to provide every student in every college and university in the United States $200 a year than it would to adopt the tax-credit plan, which in general would provide the most help to those who need it least.

Mr. YARBOROUGH. Mr. President, in the last 3 years we have had the greatest volume of educational legislation in the history of this Nation. I ask unanimous consent that the table of contents from the volume "Enactments by the 88th Congress Concerning Education and Training, 1963–64"—just 2 years in the vast history of educational legislation in this country—be printed in the RECORD at this point. It takes 5 pages just to list that great mass of educational legislation.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Contents

Page
Chapter I. Introduction 1
  A. Purpose of this report 1
  B. Scope of the report 1
  C. Sources 2
Chapter II. Bills reported from the Committee on Labor and Public Welfare 3
  A. Approval of courses under the War Orphans' Educational Assistance Act (1963) 4
    1. Legislative history 4
    2. Summary of the act 4
    3. Text of the act 5
  B. Health Professions Educational Assistance Act of 1963 9
    1. House action 9
    2. Senate action 10
    3. Subsequent action 10
    4. Digest of the act 10
    5. Text of the act 11
  C. Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 18
    1. Senate action 19
    2. House action 20
    3. Conference and approval 20
    4. Digest of Public Law 88–164 21
    5. Text of the act 22
  D. The Higher Education Facilities Act of 1963 36
    1. House action 37
    2. Senate action 39
    3. Conference and approval 40
    4. Principal provisions of the act 41
    5. Text of the law 41

Contents—Continued

Chapter II—Continued Page

E. The Vocational Education Act of 1963: Provisions affecting education and training 53
  1. House action 54
  2. Senate action 55
  3. Conference and approval 56
  4. Digest of the act 57
  5. Text of the act 57
F. National Defense Education Act amendments and extension (1963) 67
  1. House action 68
  2. Senate action 69
  3. Conference and approval 71
  4. Digest of Public Law 88–210, part B 71
  5. Text of the law 72
G. School assistance to federally affected areas extension (1963) 75
  1. House action 75
  2. Senate action 76
  3. Conference and approval 77
  4. Digest of Public Law 88–210, part C 77
  5. Text of the law 77
H. Manpower Development and Training Act Amendments (1963) 77
  1. House action 77
  2. Senate action 78
  3. Subsequent action 79
  4. Summary of Public Law 88–214 79
  5. Text of the act 80
I. The Library Services and Construction Act (1964) 83
  1. Action on House and Senate bills 83
  2. Principal provisions of the act 84
  3. Text of the act 85
J. Educational assistance for veterans' children (1964) 88
  1. Legislative history 88
  2. Digest of the law 89
  3. Text of the act 89
K. Extensions of the Juvenile Delinquency and Youth Offenses Control Act of 1961 (1964) 90
  1. Senate action 90
  2. House action 91
  3. Approval 91
  4. Digest of Public Law 88–368; provisions of 1961 act
  5. Text of the law 92
L. Educational and training aspects of the "Economic Opportunity Act of 1964" 92
  1. House action 93
  2. Senate action 93
  3. Approval 93
  4. Educational and training features of the act (summary) 94
  5. Text of educational and training features of the act 95
M. Graduate Public Health Training Amendments of 1964 102
  1. Background 102
  2. Legislative history 102
  3. Summary of the act 102
  4. Text of the act 102
N. National Arts and Cultural Development Act of 1964 103
  1. Background 103
  2. Action in 1963 103
  3. Action in 1964 104
  4. Digest of the act 104
  5. Text of the act 105
O. Nurse Training Act of 1964 107
  1. Background 107
  2. Legislative history 108
  3. Digest of the act 108
  4. Text of the act 109
P. Loans to students of optometry 117
  1. Legislative history 117
  2. Digest of the act 118
  3. Text of the act 118

Contents—Continued

Chapter II—Continued Page

Q. National Defense Education Act amendments and extension (1964) 118
  1. Background 118
  2. Senate action 119
  3. House action 119
  4. Conference and approval 119
  5. Summary of the enactment 120
  6. Text of the enactment 120
R. School assistance to federally affected areas amendment and extension (1964) 128
  1. Background 128
  2. Senate action 128
  3. House action 128
  4. Conference and approval 129
  5. Summary of the enactment 129
  6. Text of the enactment 129
Chapter III. Bills reported from other committees of the Senate 131
A. Universal military training and service extension (1963) 131
  1. Legislative history 131
  2. Educational significance of the act 131
  3. Text of the act 132
B. Labor, Health, Education, and Welfare appropriations, fiscal 1964 132
  1. Legislative history 132
  2. Appropriations affecting education and training 134
  3. Partial text of Public Law 88–136 135
C. Department of Defense appropriations, fiscal 1964 139
  1. Legislative history 139
  2. Appropriations affecting education and training 139
  3. Text of certain provisions of the act 140
D. Peace Corps Act Amendments (1963) 141
  1. Legislative history 141
  2. Educational activities of the Peace Corps 141
  3. Summary of Public Law 88–200 141
  4. Text of the act 141
E. Foreign Assistance Act of 1963 143
  1. Legislative history 143
  2. Provisions affecting education and training 144
  3. Excerpts from Public Law 88–205 144
F. The Clean Air Act: Training provisions (1963) 145
  1. Legislative history 145
  2. Summary of provisions concerning training and research 146
  3. Partial text of the act 147
G. Independent Offices appropriations, fiscal 1964 149
  1. Legislative history 149
  2. Appropriations affecting education and training 150
  3. Partial text of Public Law 88–215 150
H. Indian vocational training amendments (1963) 151
  1. Legislative history 151
  2. Summary of the act 151
  3. Text of the act 152
I. Departments of State, Justice, and Commerce, the Judiciary and related agencies appropriations, fiscal 1964 152
  1. House action 152
  2. Senate action 153
  3. Conference and approval 153
  4. Appropriations affecting education and training 153
  5. Text of Public Law 88–245 154
J. Preparation of high school and college debate materials (1963) 155
  1. Legislative history 155
  2. Summary of the act 156
  3. Text of the act 156

Contents—Continued

Chapter III—Continued Page

K. Appointments to the U.S. Military, Naval, and Air Force Academies (1964) 156
  1. Legislative history 156
  2. Principal provisions of the act 157
  3. Text of the act 157
L. Titles of Civil Rights Act affecting education and training (1964) 161
  1. House action 162
  2. Senate action 162
  3. Approval 162
  4. Summary of titles concerning education and training 162
  5. Text of titles affecting education and training 163
M. Establishment of water-resources research centers at land-grant colleges and State universities (1964) 166
  1. Senate action 166
  2. House action 167
  3. Conference and approval 167
  4. Digest of the law 167
  5. Text of the law 168
N. New training programs in the Housing Act of 1964 171
  1. Legislative history of the act 171
  2. Summary of training provisions 172
  3. Text of title VIII of the act 172
O. Labor, Health, Education, and Welfare appropriations, fiscal 1965 174
  1. Legislative history 174
  2. Appropriations affecting education and training 175
  3. Text of certain provisions of the act 175
P. Supplemental appropriations for fiscal 1965 181
  1. Legislative history 181
  2. Appropriations affecting education and training 181
  3. Excerpts from the act 181
Q. Foreign Assistance Act of 1964: Provisions affecting education and training 182
  1. Senate action 183
  2. House action 183
  3. Conference and approval 183
  4. Provisions affecting education and training 184
  5. Excerpts from the act 184
R. "Vitalization" of the Reserve Officers' Training Corps program 185
  1. Background 185
  2. Legislative history 185
  3. Digest of the act 186
  4. Text of the act 187
Chapter IV. Summary of the legislation 197
A. Bills reported from the Senate Committee on Labor and Public Welfare 197
B. Bills reported from other committees of the Senate 198
Chapter V. Presidential recommendations concerning education and training 201
A. Recommendations and related statements by President Kennedy 201
  1. Address before a joint session of the Senate and the House of Representatives relative to the state of the Union, Jan. 14, 1963 [excerpt] 201
  2. Budget message of the President to the Congress, Jan. 17, 1963 [excerpts] 202
  3. Message from the President relative to a proposed program for education, Jan. 29, 1963 203
  4. Special message on our Nation's youth, Feb. 14, 1963 [excerpts] 212
  5. Special message on civil rights, Feb. 28, 1963 [excerpts] 216
  6. Message on civil rights and job opportunities, June 19, 1963 [excerpts] 218

Contents—Continued

Chapter V—Continued *Page*

B. Recommendations and related statements by President Johnson ... 221

1. Remarks of the President to a joint session of the Congress, November 27, 1963 [excerpts] ... 221
2. Remarks of the President upon signing the Higher Education Facilities Act of 1963, December 16, 1963 ... 221
3. Remarks of the President on the signing of the vocational education bill, December 18, 1963 ... 223
4. Address of the President before a joint session of the Senate and the House of Representatives relative to the state of the Union [excerpts] ... 223
5. The budget message of the President to the Congress, January 21, 1964 [excerpts] 225
6. Statement concerning the report, "One-third of a Nation," January 5, 1964 [excerpts] ... 228
7. Message to Congress on housing and community development, January 27, 1964 [excerpts] ... 229
8. Message to Congress on health, February 10, 1964 [excerpts] ... 229
9. Remarks at St. Louis University, St. Louis, Mo., February 14, 1964 [excerpts] ... 231
10. Remarks on the third anniversary of the Alliance for Progress, Pan American Union, March 16, 1964 [excerpts] ... 231
11. Message on foreign aid, March 19, 1964 [excerpts] ... 232
12. Press conference, April 16, 1964 ... 232
13. Remarks in a courtroom at city hall, Rocky Mount, N.C. [excerpts] ... 232
14. Remarks before the New Jersey State Democratic Committee Convention Hall, Atlantic City, N.J., May 9, 1964 [excerpts] ... 233
15. Remarks at the University of Michigan, Ann Arbor, Mich., May 22, 1964 [excerpts] ... 233
16. Remarks at the Gallaudet centennial banquet, Gallaudet College, Washington, D.C., June 6, 1964 [excerpts] ... 234
17. Remarks at site dedication ceremonies of the University of California at Irvine, Calif., June 20, 1964 [excerpts] ... 234
18. Remarks at the convention of the Communications Workers of America, Cleveland, Ohio, June 17, 1964 [excerpts] ... 235
19. Remarks at the fund raising dinner, Hilton Hotel, San Francisco, Calif., June 19, 1964 [excerpts] ... 235
20. Proclamation concerning American Education Week, July 21, 1964 [excerpts] ... 236
21. Remarks of the President to delegates to Conference on International Rural Development in the Rose Garden, July 28, 1964 [excerpts] ... 236

Contents—Continued

Chapter V—Continued *Page*

B. Recommendations and related statements by President Johnson—Continued

22. Remarks of the President at the meeting of school superintendents, July 30, 1964 [excerpts] ... 238
23. Remarks of the President at signing of H.R. 11241—An act to amend the Public Health Service Act to increase the opportunities for training professional nursing personnel, in the Rose Garden, September 4, 1964 [excerpts] ... 239
24. Remarks of the President to 200th anniversary convocation of Brown University, Meehan Auditorium, Providence, R.I., September 28, 1964 [excerpts] ... 240
25. Statement by the President at the White House, October 14, 1964 ... 241
26. Remarks of the President upon signing of S. 3060, National Defense Education Act Amendments, East Room, October 16, 1964 ... 242

Mr. YARBOROUGH. Under the able direction of the senior Senator from Oregon, who is chairman of the Education Subcommittee, we have devised a great mass of other legislation, during the first session of the present Congress, to provide aid to education.

Mr. LONG of Louisiana. Mr. President, will the Senator from Texas permit me to interrupt for an observation?

Mr. YARBOROUGH. Yes.

Mr. LONG of Louisiana. I merely wish to point out that a man like my grandfather, with a family consisting of a wife and 9 children, would have had to make more than $7,334 a year to obtain any benefit at all under the proposed amendment.

Mr. YARBOROUGH. Will the Senator yield me 1 more minute?

Mr. LONG of Louisiana. I yield the Senator an additional minute.

Mr. YARBOROUGH. Here is a summary of the legislative record and digest of major accomplishments of the 89th Congress during its first year, 1965, the most favorable record of legislative accomplishments in any one year in the history of this Nation.

I ask unanimous consent that that portion of the index on page V, under the title "Education," be printed in the RECORD at this point. It includes the Elementary and Secondary Education Act, the GI bill, the Higher Education Act, the National Technical Institute for the Deaf Act, the National Vocational Student Loan Insurance Act.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Education: *Page*

Captioned films of the deaf (S. 2232) ... 131
Elementary and Secondary Education Act (H.R. 2362) ... 131–140
GI bill (S. 9) ... 140–142
Higher education (H.R. 9567) ... 142–146
Juvenile Delinquency Control Act extension (H.R. 8131) ... 146, 147

Education—Continued *Page*

National Museum Act of 1965 (S. 1310) ... 147
National Technical Institute for the Deaf Act (H.R. 7031) ... 147
National Vocational Student Loan Insurance Act (H.R. 7743) ... 147, 148
Okaloosa Junior College (H.R. 4905) ... 148, 149
School construction outside the continental limits (H.R. 5874) ... 149
School districts' aid requisites (H.R. 9022) ... 149, 150

Mr. YARBOROUGH. In the 2 years before, we had the Higher Educational Facilities Act, we had the Mental Retardation Facilities Act, we had the Health Professions Educational Assistance Act to build medical schools. We passed acts which we felt were urgently needed in those fields of education.

The proposed amendment is not urgently needed.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. YARBOROUGH. Will the Senator from Louisiana yield 1 more minute?

Mr. LONG of Louisiana. I yield an additional minute.

Mr. YARBOROUGH. Mr. President, as was stated earlier in the debate, if we take the 6 million students, approximately, who are in college today, if we wanted to take $1.2 billion and help the students directly, instead of distributing it in tuition to the few able families and the few schools with high tuition rates which would benefit, if we took that $1,200 million and divided it equally among those students, it would amount to $200 in cash in the pocket of every one of those 6 million students. Under such a plan, about 90 percent of those who would benefit would be the poor folks; so if we want to distribute the money equitably, let us give $200 around to everybody in college today, instead of giving $1.2 billion to those who need it least.

Mr. LONG of Louisiana. Mr. President, how much time do I have left?

The PRESIDING OFFICER. The Senator from Louisiana has 3 minutes remaining.

Mr. McCARTHY. Will the Senator from Louisiana yield 1 minute?

Mr. LONG of Louisiana. I yield 1 minute to the Senator from Minnesota.

Mr. McCARTHY. I appreciate what the Senator from Texas has said, because what he has just described is the objective of the bill introduced by Senator HARTKE. That bill would help the veterans, the poor, the rich, and everybody who lies in between. I would suggest to the Senator that those who are interested in education should get behind that bill and also concern themselves with the appropriations with which we shall have to deal in this session of Congress.

The estimates which the Senator from Colorado [Mr. DOMINICK] has made in determining the cost of the Hartke bill is in error, he has overstated the cost by 10 to 1, if I heard him correctly say $10 to $12 billion; as against official estimate of the cost is $1 to $1.2 billion.

I hope that the Senate will reject this amendment, as it should have rejected the Prouty amendment yesterday, because my judgment is that both will be dropped when we proceed to meet with the House Ways and Means Committee before our conferees can reach the rotunda.

Mr. DOMINICK. Mr. President, will the Senator yield? I would like to speak on this matter.

Mr. McCARTHY. The Senator said $10 to $12 billion, did he not?

Mr. DOMINICK. The Senator said the Hartke bill would provide $200 per person in college. That is almost 6 million people in college. The figure is $1.2 billion.

Mr. McCARTHY. It is. And the difference between $1 and $12 billion is a significant mistake, I think.

Mr. DOMINICK. Mr. President, do I have the floor?

The **PRESIDING OFFICER.** The Senator from Colorado has the floor, but his time has expired.

Mr. RIBICOFF. Mr. President, I yield 1 more minute to the Senator from Colorado.

Mr. DOMINICK. I appreciate the statement that the Senator from Minnesota has made, and I point out that if he has a program which is going to go on, costing $1,200 million, or whatever it is, we should figure out what the cost of it will be over the long term. All I can say is that each one of these programs of that type would require that the money be taken first from taxes, and then reduced by administrative expenses, and then sent back. The proposed amendment allows the person involved to use the money derived from his own earnings and his own ability to pay, by means of a tax credit. It is an attempt to do something for all the children under a different type of plan, which to me is far more preferable.

Mr. RIBICOFF. I yield 1 minute to the Senator from Kansas.

Mr. PEARSON. Mr. President, as cosponsor of this amendment, I rise to voice my approval of it, and urge its adoption.

So much of the debate here today seems to represent some measurement of our great responsibilities in the war effort in Vietnam against our equally great responsibilities to the education of the American people today.

I think those aims are not inconsistent. I suggest that if anyone could define the two great problems facing the country today, they would probably be national security and education.

I was struck by a comment I heard not too long ago, when someone suggested that in the long run, the measurement of the military might of this Nation would not be in the number and the complexity of the weapons systems, but in the capabilities, the scope, and the abilities of our colleges and universities throughout the Nation, and our ability to educate the young people of this Nation.

Mr. President, I ask unanimous consent to have printed in the Record a statement in support of my position.

There being no objection, the statement was ordered to be printed in the Record, as follows:

STATEMENT BY SENATOR PEARSON

As a cosponsor of S. 12, introduced last year by my distinguished colleague from Connecticut, Mr. Ribicoff, and as a cosponsor of amendment 496 to the Tax Adjustment Act which we are considering here today I should like to add only a word to emphasize the importance, the urgency and, indeed, the reasonableness of allowing a tax credit against income tax to individuals across this Nation who are working to educate themselves or are seeking to provide their children with an adequate higher education.

Not long ago I was impressed by the comment that the military might of any nation is judged not so much by the numbers and complexities of the weapons systems they possess but by the scope and the capacity of the educational systems which that nation may provide for each generation. It seems to me that the two great problems facing America today are national security and education. And these go hand in hand. We desire an educated citizenry, not so much because we wish each person to develop a sophisticated set of talents, aptitudes, or taste, but because the educated citizen is best able to live with himself, his community, and to make a substantial contribution to the problems of these times.

To do this we need to face the facts and stare them down and the facts are that the cost of education is rising even as the demand for educated people and skilled labor is increasing. While the President only yesterday reported a new low in the unemployment rate, it was necessary that he combine this good news with a warning that skilled labor was in scarce supply. To repeat, the need for educated people is increasing but the cost of education is also increasing and to provide some relief the amendment now before us has, I think, substantial merit.

Even now, the Federal Government is spending over a billion dollars to underwrite various programs to provide assistance to people seeking higher education. I think it not an exaggeration to argue that if this amendment is adopted we could very well find that these Federal programs will, at the end of each fiscal year, exist without great backlogs of requests and perhaps even with money yet unexpended.

The purpose here as proposed by this amendment and reduced to its simplest form is that we seek to encourage advanced education. It is clearly in the best interests of the students now working so that they may attend college. It is clearly in the best interest of parents who are sacrificing to send their children to college. It is clearly in the best interest of the colleges and universities who are struggling to meet enlarged enrollments in changing times.

If this statement would seek to touch many facets of the truth it must be conceded that this is an expensive proposition. So the managers of the tax bill have contended. So the Treasury has allowed. But I think it worth the price. In the next fiscal year, depending upon which budget figures one uses, this Nation will spend from $125 to $175 billion.

I share the concern of those who are concerned with the broad problem of fiscal responsibility, of budget deficits, of inflationary pressures, of the deficit in the balance of payments which such great Federal spending involves. Yet, in the proper value of things and what I conceive to be a good order of priority, college education is mandatory for our youth today. We have, by this amendment, an opportunity to make an investment in the future and I urge support of this amendment.

Mr. SMATHERS. Mr. President, how much time remains?

The **PRESIDING OFFICER** (Mr. Russell of South Carolina in the chair). Two minutes remain.

Mr. SMATHERS. Will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I yield 2 minutes to the Senator from Florida.

The **PRESIDING OFFICER.** The Senator from Florida is recognized for 2 minutes.

Mr. SMATHERS. Mr. President, today we have a $112 billion budget. The first item of expense in that budget is for defense appropriations. The second item is for interest on the debt, and the third item is the amount we appropriate for education. Under our educational system, there is no boy or girl in the United States who, through a job, scholarship, or any other method, cannot obtain an education today. Yet here we would go further than that. We do not need this particular amendment offered by the Senator from Connecticut because not only is it unnecessary to have a cost of this character, but also his particular method is the wrong approach.

The benefits of the Senator's amendment would go to the people whose incomes are $7,500 or over. It would not help those people in this country who need help the most.

If there is any doubt about it, Seymour Harris, professor emeritus of Harvard, has called tax credits "costly and wasteful because they would be available to families irrespective of need and unfair because they discriminate against families not paying income tax or paying very little."

Mr. MANSFIELD. Mr. President, will the Senator from Florida yield?

Mr. SMATHERS. I yield.

Mr. MANSFIELD. If the amendment is successfully adopted, how much would it cost on a yearly basis?

Mr. SMATHERS. I heard the Senator from Connecticut say $1.2 billion, but let us say $1 billion.

Mr. MANSFIELD. And the Prouty amendment, to which the Senate agreed on yesterday?

Mr. SMATHERS. $790 million. Over the next 5 years, $3.4 billion.

Mr. MANSFIELD. I thank the Senator from Florida.

Mr. SMATHERS. Let me add that if we adopt the amendment to be offered in a few minutes by the Senator from Indiana [Mr. Hartke], more millions will be added.

As I stated earlier, the bill started out to be a revenue-raising bill in order to meet our commitments in Vietnam. The Senator from Connecticut stated that it is sad that we did something for machinery by retaining the investment credit. We need machinery. We need guns and bullets, planes and helicopters to supply our boys fighting in Vietnam. We are trying to get machinery to those who are trying to meet our commitments in Vietnam.

That is what this revenue measure is all about. However, it seems to me that we are going in the opposite direction and making this an appropriation bill for everyone who wishes to help the old and the young, or anybody.

We must be responsible.

The **PRESIDING OFFICER**. All time of the Senator from Louisiana has expired.

Mr. RIBICOFF. Mr. President, how much time do I have remaining?

The **PRESIDING OFFICER**. Three minutes remain to the Senator from Connecticut.

Mr. CURTIS. Mr. President, will the Senator from Connecticut yield?

Mr. RIBICOFF. I yield 2 minutes to the Senator from Nebraska.

The **PRESIDING OFFICER**. The Senator from Nebraska may proceed for 2 minutes.

Mr. CURTIS. Mr. President, the remark was just made that the pending bill was in the nature of an appropriation bill. I reject the idea that all of an individual's income belongs to the Government and that any portion he gets back from his earnings is a gift from the Government. What we are considering here is what is an appropriate deduction to figure taxable income. The Federal Treasury is spending $10 billion on education. If parents wish to take on the burden of paying part of that cost, why should there not be an appropriate tax benefit in order to do that? That would lessen the amount of money which would need to be appropriated.

I totally reject the idea that all of a man's income or earnings belong to the Government and that the Government will generously give him part of it back. It belongs to him and he owes an obligation to pay his just share of the taxes and if he can pay for the education of his children and thus lessen the burden upon the Government it should be a factor to be considered. That is what it is. The only one trouble with the amendment is that the Senate is too late in adopting it. However, we cannot turn the calendar back now.

Mr. RIBICOFF. Mr. President, first, in answer to the queries which the majority leader made to the Senator from Florida, let me point out to the majority leader that the Prouty amendment goes into effect in 1966, and that the Ribicoff amendment would go into effect in 1968. Thus, it does not apply this year.

Second, while the distinguished Senator talks about investment credit for machinery, which I support, I do believe that an investment credit for the brainpower and education of American youth is just as important as investment credit for machinery for America.

Mr. President, I yield back the remainder of my time.

The **PRESIDING OFFICER**. All time on the amendment has now expired or been yielded back.

The question is on agreeing to the amendment of the Senator from Connecticut offered for himself and other Senators.

On this question the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BENNETT (when his name was called). On this vote I have a pair with the senior Senator from South Carolina [Mr. Thurmond]. If he were present and voting, he would vote "yea." If I were permitted to vote, I would vote "nay." Therefore, I withhold my vote.

Mr. DIRKSEN (when his name was called). On this vote I have a pair with the distinguished Senator from Arizona [Mr. Fannin]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." Therefore I withhold my vote.

Mr. KENNEDY of Massachusetts (when his name was called). On this vote I have a pair with the Senator from Connecticut [Mr. Dodd]. If he were present and voting, he would vote "yea." If I were permitted to vote, I would vote "nay." Therefore I withhold my vote.

Mr. NELSON (when his name was called). On this vote I have a pair with the Senator from Maine [Mr. Muskie]. If he were present and voting, he would vote "nay." If I were permitted to vote, I would vote "yea." Therefore I withhold my vote.

Mr. WILLIAMS of Delaware (when his name was called). On this vote I have a pair with the junior Senator from California [Mr. Murphy]. If he were present and voting, he would vote "yea." If I were permitted to vote, I would vote "nay." Therefore I withhold my vote.

The rollcall was concluded.

Mr. LONG of Louisiana. I announce that the Senator from Idaho [Mr. Church], the Senator from New York [Mr. Kennedy], the Senator from South Dakota [Mr. McGovern], the Senator from Utah [Mr. Moss], and the Senator from Maine [Mr. Muskie] are absent on official business.

I also announce that the Senator from Connecticut [Mr. Dodd] and the Senator from Ohio [Mr. Lausche] are necessarily absent.

I further announce that, if present and voting, the Senator from Idaho [Mr. Church] would vote "yea."

I further announce that, if present and voting, the Senator from New York [Mr. Kennedy] would vote "nay."

I further announce that, if present and voting, the Senator from South Dakota [Mr. McGovern] would vote "yea."

I further announce that, if present and voting, the Senator from Utah [Mr. Moss] would vote "nay."

Mr. DIRKSEN. I announce that the Senator from California [Mr. Kuchel] is absent because of illness.

The Senator from Arizona [Mr. Fannin], the Senator from California [Mr. Murphy], and the Senator from South Carolina [Mr. Thurmond] are necessarily absent.

The respective pairs of the Senator from Arizona [Mr. Fannin], the Senator from California [Mr. Murphy], and that of the Senator from South Carolina [Mr. Thurmond] have been previously announced.

The result was announced—yeas 37, nays 47, as follows:

[No. 50 Leg.]

YEAS—37

Allott
Boggs
Brewster
Cannon
Carlson
Case
Cooper
Cotton
Curtis
Dominick
Eastland
Fong
Gruening
Harris
Hart
Hartke
Hickenlooper
Hill
Hruska
Jackson
Jordan, Idaho
McIntyre
Miller
Morton
Mundt
Pearson
Prouty
Proxmire
Randolph
Ribicoff
Russell, Ga.
Scott
Simpson
Sparkman
Tower
Young, N. Dak.
Young, Ohio

NAYS—47

Aiken
Anderson
Bartlett
Bass
Bayh
Bible
Burdick
Byrd, Va.
Byrd, W. Va.
Clark
Douglas
Ellender
Ervin
Fulbright
Gore
Hayden
Holland
Inouye
Javits
Jordan, N.C.
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McNamara
Metcalf
Mondale
Monroney
Montoya
Morse
Neuberger
Pastore
Pell
Robertson
Russell, S.C.
Saltonstall
Smathers
Smith
Stennis
Symington
Talmadge
Tydings
Williams, N.J.
Yarborough

NOT VOTING—16

Bennett
Church
Dirksen
Dodd
Fannin
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
McGovern
Moss
Murphy
Muskie
Nelson
Thurmond
Williams, Del.

So the amendment offered by Mr. Ribicoff, for himself and other Senators, was rejected.

Mr. YARBOROUGH. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. SMATHERS. Mr. President, I move to lay that motion on the table.

The **VICE PRESIDENT**. The question is on agreeing to the motion to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

Mr. TYDINGS. Mr. President, when the friends of higher education in the United States are counted, I want always to be counted among them. Consequently, when the right time comes to count the supporters of the Ribicoff amendment, I want to be among them. I have expressed my support for this proposal in the past and I want to do so again now.

The time will come to pass the Ribicoff amendment.

The time will come again to consider tax reduction and, when we do, this proposal to reduce the burden on parents who have sons and daughters in our colleges and universities must merit a high priority.

But the time is not now.

The first reason the time is not right for this proposal is that not even the United States can achieve all its goals at once—even such worthwhile goals as those in higher education.

We have already taken major steps which will provide generously for higher education. The President's budget for fiscal 1967 calls for an expenditure of $2.8 billion for education. This is more than 80 percent higher than the fiscal 1965 level. The increase, to a great extent, reflects the Higher Education Act which we passed last year.

One major provision of the 1965 act is the guaranteed student loan program, which will enable any student, without any test of need or ability, to borrow without security for the cost of going to college. The loan will be guaranteed by State or private plans which meet the specifications we have established or directly by the Federal Government.

For 90 percent of the students using this loan program, the Government will pay all the interest while they are in school and a substantial proportion of it afterward. The Department of Health, Education, and Welfare estimates that 775,000 students will receive these federally subsidized loans next year.

Congress has also established grants and loans for the construction of college classrooms, libraries, and laboratories through the Higher Education Facilities Act. This program has expanded rapidly. An estimated 1,300 colleges and universities will receive assistance under its provisions during the coming fiscal year.

The President in his message on domestic health and education recommended extension of this program for 3 more years and an increase in the funds to be authorized for construction grants in fiscal 1967. This program will not only help our colleges and universities provide necessary facilities for the growing number of students; it will also assist them substantially in holding down their tuition charges and fees.

Only last week, President Johnson signed into law the cold war GI bill of rights, which will provide educational opportunities to hundreds of thousands of young veterans. This new program exceeded the amount requested by the President by almost a quarter of a billion dollars for fiscal 1967. Over the next 5 years, it will exceed the scope of the President's recommendation by more than $1.8 billion.

In the face of such programs, no one can argue that we have neglected the field of higher education. In fact, we have done very well for higher education. We have not met every goal. But we have accomplished so much that the need for any further action now must be weighed very carefully against the effect on the budget. This brings me to my second argument against enactment of the Ribicoff proposal now.

We have before us the President's tax program, which will increase revenues by $1.2 billion during the remainder of this fiscal year and $4.8 billion in fiscal 1967. These additional revenues will come on top of the revenues generated by greater economic growth—which is resulting in part, from the tax reductions we enacted in 1964 and 1965. Together, the increase in revenue from economic growth and from these tax proposals will total $11 billion in fiscal 1967.

Unfortunately, most of this increase in revenue will be offset by the demands posed by our defense of freedom in Vietnam. The overriding concern in all our budgetary considerations at this time is, in fact, the Vietnamese conflict.

The President has asked for a supplemental authorization of $12.8 billion for Vietnam. We have just passed a part of that supplemental authorization totaling $4.8 billion.

This commitment to the defense and assistance of a brave ally is adding $4.7 billion to fiscal 1966 expenditures over original estimates. It is expected to add $5.8 billion above that level to our expenditures in fiscal 1967, making a total of about $10.5 billion in that fiscal year in additional expenditures for Vietnam.

The war in Vietnam will absorb most of the increase in revenues generated together by economic growth and by the tax program we are considering today. Further, between today and June 1967—the end of the fiscal year for which we must budget now—we cannot know at this time that nothing will occur which will require still greater expenditures.

We hope no such development will occur, but the matter is not ours alone to control.

The President in his 1967 budget did a magnificent job in holding the deficit to $1.8 billion while providing for foreseeable requirements of our commitment in southeast Asia. His budget is extremely tight. In fact, that is exactly the point I want to make. There is no room—no slack—anywhere in the responsible forecasts of revenues and expenditures for any program not already contemplated in the budget. Since we cannot foresee what situation we will face in the years beyond, we have no choice but to assume that the budgets will be similarly tight.

We cannot at this time predict that either in fiscal 1967 or at any specific future time, there will be slack in the budgetary equation which will allow for the cost of more than $1 billion resulting from the Ribicoff proposal.

At this point in time, therefore, we must look at it for what it is, a proposal to spend money which we do not have—a proposal which, without an accompanying and offsetting revenue-raising plan, would of necessity increase the deficit.

Finally, we have still another cold reality which we must face.

For 5 years, we have enjoyed unprecedented prosperity. But even as we in Congress have deliberated the tax proposals before us now, the green light of safe and healthy economic growth has changed to the amber of caution.

There are a number of respected voices within Congress and still others outside which are already calling for tighter reins on the economy. Many respected observers of the economy are urging tax increases in addition to the tax adjustments proposed by the administration.

The proposal of the Senator from Connecticut will have its day in court. I have always supported aid to higher education, both in the Maryland Legislature and in the U.S. Senate, but for the reasons that I have cited, this plan is not appropriate today. The time has not yet arrived for it. Reluctantly, then, I shall withhold my support from it and wait for a more propitious time to cast my lot in its favor.

APPOINTMENT BY THE VICE PRESIDENT

The VICE PRESIDENT. Pursuant to Public Law 170 of the 74th Congress, the Chair appoints the Senator from Oklahoma [Mr. MONRONEY] as an additional Senator to attend the Interparliamentary Union meeting at Canberra, Australia, from April 11 to 16, 1966.

VIETNAM—SUDDEN REDISCOVERY OF SEATO

Mr. MORSE. Mr. President, the eminent columnist for the New York Times, Mr. Arthur Krock, has written an excellent article on March 6 entitled "The Sudden Rediscovery of SEATO." Mr. Krock notes, as several of us in the Senate have noted, that the administration has suddenly shifted its emphasis to SEATO as the fundamental source of the President's authority to sustain the war in Vietnam.

Mr. Krock calls the belated argument a fragile claim. He cites Senator George's statement in the 1954 Senate debate on the treaty that "if any course of action shall be agreed, or decided upon, then that action must have the approval of Congress, because the constitutional process—of each signatory—is provided for, we have no obligation to take positive measures of any kind. All we are obligated to do is to consult together about it."

Mr. Krock then takes note of the fact that if we have been acting in Vietnam under SEATO we have been violating the treaty for years because we have not been reporting the measures taken to the Security Council.

But the most interesting part of Mr. Krock's column is the composite he drew up of comments "made by persons interviewed by this correspondent who participated in the drafting of the treaty in 1954." This composite of their comments included the following points:

The reservation requiring constitutional processes in the case of action was written into the treaty at Secretary Dulles' insistence in order to put the other signatories on notice that the final decision to make war was vested in Congress.

Vietnam, Cambodia, and Laos are not parties and the signatories are not bound to them. They were added to the treaty area by a protocol—not for their benefit but for the benefit of the signatories.

Our trouble in Vietnam is that we have not been proceeding under the treaty, but going it alone.

I think that Mr. Krock's reference to the sudden rediscovery of SEATO is most apt. The latest memorandum of law issued by the Department of State on this subject was, as far as I am aware, dated March 8, 1965. It was entitled "Legal Basis for United States Action Against North Vietnam." This statement does not mention SEATO. Several days before the memorandum was published, the

Department of State issued a statement that South Vietnam and the United States were engaged in a collective defense under the inherent right of individual and collective self-defense recorded in article 51 of the United Nations Charter. SEATO was not mentioned.

I believe that Mr. Krock has analyzed clearly and objectively a point of constitutional law. In this case it is the power of Congress to make war that is involved. It is time to rediscover our Constitution, just as Mr. Rusk has rediscovered SEATO.

I ask unanimous consent to have Mr. Krock's column for March 6 printed in the RECORD at the conclusion of these remarks, as exhibit 1.

The PRESIDING OFFICER (Mr. PROXMIRE in the chair). Without objection, it is so ordered.

(See exhibit 1.)

Mr. MORSE. I also ask unanimous consent to have printed as exhibit 2 an editorial from the St. Louis Post-Dispatch of March 6 entitled "Agreement with Peiping?"

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. MORSE. As the editorial points out, those seeking to downgrade and discount the proposals of the Senator from Arkansas [Mr. FULBRIGHT] for a neutralization of southeast Asia are the same people who profess adherence to the Geneva agreement of 1954 on behalf of the United States. The very purpose of that agreement was, of course, to neutralize a large area of southeast Asia—Indochina. We gave lipservice to it even as we began violating it. Now, our Government officials try to discredit the whole idea even though they are fighting a war for objectives that are supposed to bring about a return to the 1954 agreement.

Finally, I ask unanimous consent to have printed as exhibit 3 an editorial from the Washington Post of today, March 9, entitled "Hatchet Job."

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 3.)

Mr. MORSE. The editorial comments on the calculated, planned operation to rid the State Department of a liberal officeholder, Mr. Abba Schwartz. It is not to be wondered at, of course, that a State Department managed by Dean Rusk, George Ball, William Bundy, and Thomas Mann cannot tolerate men in its midst who believe in freedom to travel and freedom of ideas, as a part of American foreign policy formulation.

I do not agree for a moment with the Post's explanation that Mr. Schwartz was a victim of McCarthyism on the Hill. He is a victim of McCarthyism's residue in the State Department. Perhaps the legacy of the McCarthy era on the Hill is involved in that it deprived the American Department of State of most of its top men who were willing to think in terms of optimum freedom rather than optimum security in its most narrow and limited sense.

The hatchetmen who did in Mr. Schwartz are in the administration, and particularly in the Department of State. I wish there were something Congress could do about it; but as with our China policy, which is another product of the residue from McCarthyism in the State Department, I am not very hopeful.

EXHIBIT 1

[From the New York Times, Mar. 6, 1966]

THE SUDDEN REDISCOVERY OF SEATO

(By Arthur Krock)

WASHINGTON, March 5.—The citation by Secretary of State Rusk of the Southeast Asia Treaty of 1954 as the fundamental source of President Johnson's authority to commit the United States to whatever expenditure of manpower and treasure he deems "necessary" to sustain the war in Vietnam was a shift of emphasis by the administration. And the reason is as plain as the ground is weak.

The reason was that influential senatorial voices were rising in protest against the administration's oft-reiterated claim that the President's open ended commitment in Vietnam derives from the so-called Gulf of Tonkin concurrent resolution approved by Congress in 1964.

The voices arose from Senators who had been given officially to understand at the time that the resolution would not be so construed by the administration, and some of them had stated this reservation in voting for the measure. It was in the presence of this disturbance that Rusk, in the course of his testimony before the Senate Committee on Foreign Relations, fell back on the treaty as a sworn national obligation which the President is executing with steadily mounting employment of armed force.

ARGUMENT DAMAGED

This belated argument has since been badly damaged in the critical analysis to which it has been subjected. Mr. Johnson appeared to recognize its vulnerability when he interposed in the debate a reminder that he is also Commander in Chief of the armed forces, and believes this role gives him the obligation as well as the power to make such use of these forces as he considers essential to preserve the national security when he adjudges it to stand in peril.

Though there are impressive constitutional challenges of this interpretation of Commander in Chief power when the United States is not formally at war, it has been established in previous practice. And the Supreme Court has dismissed all such challenges which have reached it for review.

The actual consequences are that (1) any President can involve the Nation in war and maintain it there indefinitely without the formal declaration which the Constitution reserves as an exclusive power of Congress; and (2) count on the declaration being made when and if his conscience or his political necessity induces him to propose it to Congress.

UTILIZED PROVOCATION

This is a fixed condition, and not a theory. But for obviously practical and technical reasons Presidents do not concede it on the public record. The alternative chosen by Mr. Johnson was to utilize the provocation of the Tonkin Gulf attack on the 7th Fleet by North Vietnamese gunboats to get a generalized expression of support from Congress. This worked well enough until it was argued, against the public record, as approval by Congress of any expansion of the war the President might make in an unforeseeable future. Then Rusk shifted the major basis for the claim to the SEATO compact.

But extracts from the 1954 Senate debate on the treaty demonstrate the fragility of this claim. In explaining the commitment to the Senate, Chairman George of the Committee on Foreign Relations made these statements:

> The treaty does not call for automatic action; it calls for consultation (with the other signatories). If any course of action shall be agreed * * * or decided upon, then that action must have the approval of Congress, because the constitutional process (of each signatory government) is provided for. It is clear that the threat to territorial integrity and political independence * * * also encompasses acts of subversion * * *. (But) even in that event (the United States) would not be bound to put it down. I cannot emphasize too strongly that we have no obligation * * * to take positive measures of any kind. All we are obligated to do is to consult together about it.

In the debate which followed Rusk's new resort to the treaty. Senator MORSE made this point: If the administration is almost unilaterally waging the war on a decision that there has been "an armed attack" (that represent "a common danger") on an independent Nation within the treaty's zone of protection, then the treaty requires that the measures taken "shall be immediately reported to the Security Council of the United Nations." With respect to this requirement, said MORSE, "we have been acting in violation of the U.N. Charter for years." And when the United States at long last went before the Council it was "with an olive branch in one hand and bombs in the other."

FIRST HAND EVIDENCE

But the most effective refutation of Rusk's statement that SEATO imposes on the United States "a clear and direct commitment to the security of South Vietnam against external attack" is made by persons interviewed by this correspondent who participated in the drafting of the treaty in 1954. This is a brief composite of their comments:

The reservation as to "constitutional processes" was written in at Secretary Dulles' insistance to give notice to the other signatories that the final decision as to making war was vested in Congress. He was also a great believer in collective security, and he knew that when the French pulled out of Indochina there would be a vacuum into which the Communists would flow if there was not collective action to prevent it.

All of the parties, including Great Britain and France, are bound to the others to take action under the treaty. Vietnam, Cambodia, and Laos are not parties, and the treaty signatories are not bound to them. They were added by protocol to the treaty area, not for their benefit but for the benefit of the signatories.

Our basic trouble in Vietnam is that we have not been proceeding under the treaty but going it alone. This is due to a complete misappraisal and underestimate of the military and political considerations involved. We thought it was a minor concern we could handle ourselves without difficulty. So we did not insist that our partners participate.

For confirmation of this background, the persons interviewed cited the report on the treaty of the Senate committee. Hours of effort to procure a copy were, however, unsuccessful.

EXHIBIT 2

[From the St. Louis Post-Dispatch, Mar. 6, 1966]

AGREEMENT WITH PEIPING?

Senator FULBRIGHT went straight to the heart of the U.S. problem in Asia in a Senate speech last Wednesday. History and logic and common sense, he said, suggest that a viable settlement in Vietnam must be a part of a general settlement in southeast Asia, and therefore:

"Unless we are prepared to fight a general war to eliminate the effects of Chinese power in all of southeast Asia, we have no alternative but to seek a general accommodation. This is what really causes uneasiness among most of us. The central issue is the contest between Chinese and American power; and the prospect for a lasting peace depends far more upon the resolution of that issue than it does on the matter of who is to participate in the South Vietnamese Government and by what means it shall be formed."

What Mr. FULBRIGHT proposed was a broad agreement with Peiping to neutralize all of southeast Asia. Administration spokesmen immediately termed this idea impractical, though this is what, in substance, the 1954 Geneva agreements provided. We are inclined to wonder whether it is impractical and, indeed, whether there is any other answer.

It is easy to be negativistic. Also, as Mr. FULBRIGHT says, it is easy to advocate military escalation and difficult to indorse accommodation, since the latter is often complex, ambiguous and easily misunderstood. It is easy to cite Chinese verbal belligerence, and Chinese insistence on a prior settlement of the problem of Formosa. But perhaps ways could be found through a greater understanding of China and its problems.

For one thing, what does China think when it sees the United States, already in possession of major bases on Formosa and Okinawa, spending a billion dollars on permanent-type bases in South Vietnam? What does it think when Secretary of Defense McNamara tells Congress one day, "We have done everything humanly possible, both militarily and diplomatically, to make it unmistakably clear there is no justification for Communist China to involve itself in the war in Vietnam," and the next day U.S. bombers attack North Vietnamese targets only 40 miles from China?

Not so long ago Mr. McNamara attended a meeting of the North Atlantic Treaty Organization council and issued a warning about the threat of Communist expansion. Like other followers of a hard line against China, he has been extensively quoting a statement by the Chinese Defense Minister, Lin Piao, which allegedly details the Chinese plan for aggression. As discussed elsewhere in the Post-Dispatch today by Richard Dudman, Lin Piao's words, as interpreted by scholars who know a great deal more about the subject than Mr. McNamara, mean something quite different.

What the United States urgently needs to do is to follow the advice of Roger Hilsman Jr., former Under Secretary of State for Far Eastern Affairs, and look at China dispassionately. We know too little about the problems and intentions of this country, which holds a quarter of the human race. Perhaps if we knew more—and Mr. McNamara should be a good candidate for instruction—we could formulate rational policies.

Mr. FULBRIGHT's Foreign Relations Committee will hear testimony from China experts during the coming week. This should be a contribution to public knowledge and public debate. It should help identify the points on which to [illegible] a policy toward China (and Indochina) that would be in the long-range interest [illegible] the United States.

EXHIBIT 3

[From the Washington (D.C.) Post, Mar. 9, 1966]

HATCHET JOB

The Abba Schwartz story might well be headed: "Joe McCarthy Rides Again." And the painful fact seems to be that someone in the White House saddled the horse for him. It is impossible to believe that the State Department reorganization which eliminates his Office and puts control of passport and visa policy in the hands of persons hostile to his views was motivated by considerations of economy. Mr. Schwartz, like so many State Department officials in the unhappy years of Senator McCarthy's reign of terror, appears to be a victim of hatchet men on the Hill—men who, like McCarthy, think that all Americans are patsys for Communist propaganda.

Abba Schwartz has done a superb job in the State Department in leading the long fight for immigration reform. He deserves great credit for a major role in drafting and bringing to realization the wise and decent immigration bill passed last year by Congress. If he made enemies in that fight, they are an honor to him. He has conducted the Bureau of Security and Consular Affairs with commonsense and humanity, granting passports in conformity with the rules laid down by the Supreme Court and granting visas to foreigners of divergent views, confident that the loyalty of Americans to their own system of Government is not going to be overturned by the arguments of itinerant Communists or Fascists. He is no believer in iron curtains.

A man who has served his Government ably and faithfully does not deserve to have his job abolished while he is abroad on official duty. There ought to be a good, searching look at the Abba Schwartz case—not alone by the Government Operations Committee of the Senate but by the President himself as well.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. GRUENING. I commend the distinguished Senator from Oregon for calling the attention of the Senate to the fact that this latest justification for the action in Vietnam does not square with the facts. It does not square with the text of article IV of the SEATO treaty, which is cited as a justification of the U.S. unilateral military intervention allegedly to repel aggression.

The Senator will recall that the official justification until very recently was that three Presidents had pledged the kind of aid we are now giving South Vietnam and that, therefore, there was a solemn commitment, a national pledge, to do what we are doing and that we had to pursue this course or we would be dishonoring that solemn pledge.

The basis for this allegation was presented in a State Department document called "Why Vietnam?" and has been recently cited by several administration spokesmen in defense of our policy there. The State Department document in question quotes in full a letter from President Eisenhower to then-President Diem, written in October 1954, in which, in the first place, President Eisenhower mentioned that the Government of the United States, in response to his request, had assisted Diem in transferring thousands of refugees from North Vietnam to South Vietnam. But that is the only allusion to any request by Diem. Then, the letter goes on to say that President Eisenhower had instructed his Ambassador to explore with Diem in what manner aid could be given by the United States. President Eisenhower stipulated a number of conditions attached to giving such aid. Diem was to make reforms and establish a government respected at home and abroad. Three times in that letter President Eisenhower specified conditions. Those conditions were never fulfilled. But the most that President Eisenhower offered was economic aid. There is nothing in that letter to show that President of the Council of Ministers Ngo Diem asked for it. It was President Eisenhower who initiated the proposal. The letter makes that clear.

So, the statement that we were asked to come in there and responded to a request by a friendly government is shown to be a myth.

Then, we come to the second President, who is alleged to have pledged aid, and that is President Kennedy. He never offered more than military advisers and economic aid and never American troops for combat.

So the official allegation that three Presidents have committed us to what we are now doing in Vietnam; namely, sending our men into combat and bombing Vietnam indiscriminately and using the Armed Forces of the United States to whatever extent the present President decides, is utterly without foundation.

So with that justification exploded, the SEATO treaty was dredged up. As the author of the article read by Senator MORSE points out, that also provides no justification for our unilateral military involvement.

Article 1 of the SEATO treaty refers to the United Nations Charter and pledges us to use only peaceful means. If SEATO was to bind us, the most that we could do by its terms was to use peaceful measures and refrain from the threat of use of force. By using force we have violated that treaty.

Article 4, which is now cited to justify our activities in Vietnam, requires that in case of aggression, there must be unanimous agreement among the signatories in designating the aggressor—which has not happened—and if there is evidence of aggression in the view of one of the parties, these parties shall consult in order to agree on what measures should be taken. Well, we have never consulted. There was no unanimous agreement. We went in unilaterally. Later we were joined tokenwise by not more than four of the seven signatories, Australian, New Zealand, Philippines, and Thailand, after much prodding on our part, and such action in no wise corresponds to the requirements of article IV of the SEATO treaty.

Moreover, if a joint decision had been made that all seven signers act together, it would have to have been done by the constitutional means provided for each nation. But the signatories never acted together. But if they had, we, the United States would have to have acted by means of a declaration of war by the Congress, as the Constitution provides. So the second justification falls to the ground. The administration's latest justification for our presence there with a vast and growing Army, Navy, and Air Force finds no justification in the SEATO treaty, and the statements on which that allegation is based are baseless and false.

The American people have been deceived into believing that we have a moral basis for being in Vietnam; that we received a request from a friendly nation for help; that three Presidents pledged that help; and that further, we were obligated under the SEATO treaty to give such assistance. I believe it is important that the American people should know that the basis on which we allege we are in Vietnam is without any foundation.

Mr. MORSE. The Senator from Alaska is eminently correct. The State Department is grasping at a straw in its reference to SEATO. The testimony of the Secretary of State, in executive sessions of the committee, both in 1962 and 1964, does not support his present position on SEATO. The Senator from Arkansas [Mr. Fulbright] has requested the State Department to state whether it would be willing to declassify that testimony.

Furthermore, the argument is made that the House of Delegates of the American Bar Association has alleged, in a resolution, that our Government's course of action in South Vietnam is legal and constitutional. The Committee on Foreign Relations immediately wired the house of delegates to send to the committee the documentation that supports the resolution. The point is that the house of delegates had no authoritative documentation. They held a meeting, someone offered a resolution, and the house of delegates voted for the resolution without thoughtful analysis. Of course, even lawyers sometimes "curbstone" without going to the books. This was a case of the House of Delegates of the American Bar Association "curbstoning" without going to the books. The fact is that documentation has been placed in the Record by the Senator from Alaska [Mr. Gruening] and the Senator from Oregon from time to time over a period of 2 years, and the case is against the State Department.

But the State Department is now trying to argue on the basis of the SEATO treaty, completely overlooking article 53 of the United Nations Charter, which would require authorization from the Security Council for any such course of action as we have been following in South Vietnam. The United States has never sought the authorization from the Security Council for the good reason that we would have difficulty getting it.

Finally, what this administration does not like to face up to—and the administration will hear about this between now and November—is that no Republican President sent any boy in uniform to South Vietnam to die. American boys have been sent to Vietnam only by Democratic Presidents.

Mr. GRUENING. Mr. President, I ask unanimous consent that at the conclusion of the colloquy between the Senator from Oregon and the Senator from Alaska the complete text of the SEATO treaty be printed in the Record. My reference to it was only from memory. I think it important that the exact text, particularly the text of article I, which prescribes the use of only peaceful means, and article IV, which is used as the basis for our being in South Vietnam militarily, be clear to all who read the colloquy that has taken place between the Senator from Oregon and me.

Mr. MORSE. Mr. President, I join in that request.

There being no objection, the text of the SEATO treaty was ordered to be printed in the Record, as follows:

Southeast Asia Collective Defense Treaty and Protocol Thereto

Text of the Southeast Asia Collective Defense Treaty With Protocol, 6 UST 81; Treaties and Other International Acts Series 3170; Signed at Manila, September 8, 1954; Ratification Advised by the Senate, February 1, 1955; Ratified by the President and Ratification Deposited February 19, 1965; Proclaimed by the President March 2, 1955; and Entered Into Force February 19, 1955

The Parties to this Treaty,[1]

Recognizing the sovereign equality of all the Parties,

Reiterating their faith in the purposes and principles set forth in the Charter of the United Nations and their desire to live in peace with all peoples and all governments,

Reaffirming that, in accordance with the Charter of the United Nations, they uphold the principle of equal rights and self-determination of peoples, and declaring that they will earnestly strive by every peaceful means to promote self-government and to secure the independence of all countries whose peoples desire it and are able to undertake its responsibilities.

Desiring to strengthen the fabric of peace and freedom and to uphold the principles of democracy, individual liberty and the rule of law, and to promote the economic well-being and development of all peoples in the treaty area,

Intending to declare publicly and formally their sense of unity, so that any potential aggressor will appreciate that the Parties stand together in the area, and

Desiring further to coordinate their efforts for collective defense for the preservation of peace and security,

Therefore agree as follows:

Article I

The Parties undertake, as set forth in the Charter of the United Nations, to settle any international disputes in which they may be involved by peaceful means in such a manner that international peace and security and justice are not endangered, and to refrain in their international relations from the threat or use of force in any manner inconsistent with the purposes of the United Nations.

Article II

In order more effectively to achieve the objectives of this Treaty the Parties, separately and jointly, by means of continuous and effective self-help and mutual aid will maintain and develop their individual and collective capacity to resist armed attack and to prevent and counter subversive activities directed from without against their territorial integrity and political stability.

Article III

The Parties undertake to strengthen their free institutions and to cooperate with one another in the further development of economic measures, including technical assistance, designed both to promote economic progress and social well-being and to further the individual and collective efforts of governments toward these ends.

Article IV

1. Each Party recognizes that aggression by means of armed attack in the treaty area against any of the Parties or against any State or territory which the Parties by unanimous agreement may hereafter designate, would endanger its own peace and safety, and agrees that it will in that event act to meet the common danger in accordance with its constitutional processes. Measures taken under this paragraph shall be immediately reported to the Security Council of the United Nations.

2. If, in the opinion of any of the Parties, the inviolability or the integrity of the territory or the sovereignty or political independence of any Party in the treaty area or of any other State or territory to which the provisions of paragraph 1 of this Article from time to time apply is threatened in any way other than by armed attack or is affected or threatened by any fact or situation which might endanger the peace of the area, the Parties shall consult immediately in order to agree on the measures which should be taken for the common defense.

3. It is understood that no action on the territory of any State designated by unanimous agreement under paragraph 1 of this Article or on any territory so designated shall be taken except at the invitation or with the consent of the government concerned.

Article V

The Parties hereby establish a Council, on which each of them shall be represented, to consider matters concerning the implementation of this Treaty. The Council shall provide for consultation with regard to military and any other planning as the situation obtaining in the treaty area may from time to time require. The Council shall be so organized as to be able to meet at any time.

Article VI

This Treaty does not affect and shall not be interpreted as affecting in any way the rights and obligations of any of the Parties under the Charter of the United Nations or the responsibility of the United Nations for the maintenance of international peace and security. Each Party declares that none of the international engagements now in force between it and any other of the Parties or any third party is in conflict with the provisions of this Treaty, and undertakes not to enter into any international engagements in conflict with this Treaty.

Article VII

Any other State in a position to further the objectives of this Treaty and to contribute to the security of the area may, by unanimous agreement of the Parties, be invited to accede to this Treaty. Any State so invited may become a Party to the Treaty by depositing its instrument of accession with the Government of the Republic of the Philippines. The Government of the Republic of the Philippines shall inform each of the Parties of the deposit of each such instrument of accession.

Article VIII

As used in this Treaty, the "treaty area" is the general area of Southeast Asia, including also the entire territories of the Asian Parties, and the general area of the Southwest Pacific not including the Pacific area north of 21 degrees 30 minutes north latitude. The Parties may, by unanimous agreement, amend this Article to include within the treaty area the territory of any State acceding to this Treaty in accordance with Article VII or otherwise to change the treaty area.

Article IX

1. This Treaty shall be deposited in the archives of the Government of the Republic of the Philippines. Duly certified copies thereof shall be transmitted by that government to the other signatories.

2. The Treaty shall be ratified and its provisions carried out by the Parties in accordance with their respective constitutional

---

[1] Australia, France, New Zealand, Pakistan, Philippines, Thailand, United Kingdom, and the United States.

processes. The instruments of ratification shall be deposited as soon as possible with the Government of the Republic of the Philippines, which shall notify all of the other signatories of such deposit.

3. The Treaty shall enter into force between the States which have ratified it as soon as the instruments of ratification of a majority of the signatories shall have been deposited, and shall come into effect with respect to each other State on the date of the deposit of its instrument of ratification.

Article X

This Treaty shall remain in force indefinitely, but any Party may cease to be a Party one year after its notice of denunciation has been given to the Government of the Republic of the Philippines, which shall inform the Governments of the other Parties of the deposit of each notice of denunciation.

Article XI

The English text of this Treaty is binding on the Parties, but when the Parties have agreed to the French text thereof and have so notified the Government of the Republic of the Philippines, the French text shall be equally authentic and binding on the Parties.

UNDERSTANDING OF THE UNITED STATES OF AMERICA

The United States of America in executing the present Treaty does so with the understanding that its recognition of the effect of aggression and armed attack and its agreement with reference thereto in Article IV, paragraph 1, apply only to communist aggression but affirms that in the event of other aggression or armed attack it will consult under the provisions of Article IV, paragraph 2.

In witness whereof, the undersigned Plenipotentiaries have signed this Treaty.

Done at Manila, this eighth day of September, 1954.

For Australia:
R. G. CASEY.
For France:
G. LA CHAMBRE.
For New Zealand:
CLIFTON WEBB.
For Pakistan:
Signed for transmission to my Government for its consideration and action in accordance with the Constitution of Pakistan.
ZAFRULLA KHAN.
For the Republic of the Philippines:
CARLOS P. GARCIA.
FRANCISCO A. DELGADO.
TOMAS L. CABILI.
LORENZO M. TAÑADA.
CORNELIO T. VILLAREAL.
For the Kingdom of Thailand:
WAN WAITHAYAKON KROMMUN NARADHIP BONGSPRABANDH.
For the United Kingdom of Great Britain and Northern Ireland:
READING.
For the United States of America:
JOHN FOSTER DULLES.
H. ALEXANDER SMITH.
MICHAEL J. MANSFIELD.

I certify that the foregoing is a true copy of the Southeast Asia Collective Defense Treaty concluded and signed in the English language at Manila, on September 8, 1954, the signed original of which is deposited in the archives of the Government of the Republic of the Philippines.

In testimony whereof, I, Raul S. Manglapus, Undersecretary of Foreign Affairs of the Republic of the Philippines, have hereunto set my hand and caused the seal of the Department of Foreign Affairs to be affixed at the City of Manila, this 14th day of October, 1954.

[SEAL] Raul S. Manglapus
RAUL S. MANGLAPUS,
Undersecretary of Foreign Affairs.

PROTOCOL TO THE SOUTHEAST ASIA COLLECTIVE DEFENSE TREATY

Designation of States and Territory as to which Provisions of Article IV and Article III are to be applicable

The Parties to the Southeast Asia Collective Defense Treaty unanimously designate for the purposes of Article IV of the Treaty the States of Cambodia and Laos and the free territory under the jurisdiction of the State of Vietnam.

The Parties further agree that the abovementioned states and territory shall be eligible in respect of the economic measures contemplated by Article III.

This Protocol shall enter into force simultaneously with the coming into force of the Treaty.

In witness whereof, the undersigned Plenipotentiaries have signed this Protocol to the Southeast Asia Collective Defense Treaty.

Done at Manila, this eighth day of September, 1954.

TAX ADJUSTMENT ACT OF 1966

The Senate resumed the consideration of the bill (H.R. 12752) to provide for graduated withholding of income tax from wages, to require declarations of estimated tax with respect to self-employment income, to accelerate current payments of estimated income tax by corporations, to postpone certain excise tax rate reductions, and for other purposes.

Mr. HARTKE. Mr. President, it is my intention to offer an amendment to the tax bill.

During the 1st session of the 89th Congress, we passed a program of reduction of excise taxes, including those on telephone service and automobile sales. I worked for these tax eliminations because they were proper and long overdue; because they placed an excessively heavy tax burden on lower and middle income groups; and because the administration had requested their repeal as a stimulus to the national economy.

Now we have before us a bill which would restore the excise tax cuts we all worked so hard to obtain last summer. If excise tax cuts were a good idea last summer, why are they not a good idea now? Are they now any less burdensome to the lower and middle income groups? Speaking quite frankly, is not this proposal just a quick way to raise money to fight the war in Vietnam?

The primary purpose of an excise tax of this type is to curtail consumer demand for luxury items. I wish to stress that point. They are designed to curtail the buying of luxury items. This was the reason for their adoption during the Second World War, when it was essential that industry shift its emphasis from peacetime to wartime production. We could ask our people to make this kind of sacrifice then. We were in a life and death struggle with Germany and Japan, a struggle involving the freedom of the world. We could ask our people to restrict their telephone usage because telephones were needed for the war effort. We were producing no new civilian automobiles because we were too busy building tanks. Yes, we could ask our people to make these sacrifices, and we could pass laws to back up our requests.

During the 1940's, when we were fighting a two-front war and had millions of men on the battle lines, only 36.9 percent of the households in the United States had telephone service. Even then, and also during the Korean war, excise taxes were a part of a comprehensive tax program. Today we are living in the 1960's, and we are fighting a different type of war in a faraway country. According to various estimates, about 215,000 of our men are in the field, and today 83.9 percent of the households in the United States have telephone service. Thus, the telephone is no longer a luxury, nor is an automobile a luxury. Are we to ask the American public to make selective sacrifices in the 1960's, using an outdated and piecemeal tax formula, when we have been told repeatedly that Vietnam may cost us a few guns, but not any of the butter?

It is interesting to examine the record to see just what was said last summer when we were asked to cut excise taxes. As President Johnson said in the message he sent to the Congress requesting the tax cuts:

> Unwise tax policy can unduly restrict private purchasing power; hold back economic growth; stifle incentives; distort decisions by consumers and producers; enlarge, rather than shrink budget deficits.
>
> On the other hand, wise tax policy can raise the purchasing power of private citizens; expand production and create jobs; stimulate initiative and improve efficiency; reduce budget deficits by expanding the tax base and increasing tax revenues.
>
> The proposed program of excise tax cuts and revisions will spur growth and move us closer to full employment by removing an unnecessary drag on consumer and business purchasing power. It will also lower prices to consumers; lessen the burden of regressive taxes on low-income families; raise business profits by expanding sales and cutting costs of tax compliance; cut the Government's costs of tax collection and enforcement; end an unfair burden on many businesses and workers who produce the commodities singled out for excise taxation; free consumers from the distorting effects of these taxes on their market choices.

AMENDMENT NO. 504

Mr. HARTKE. Mr. President, in order to accommodate the chairman of the committee, the assistant majority leader, I call up my amendment, No. 504, so that we might proceed to obtain a unanimous-consent agreement.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. HARTKE. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment ordered to be printed in the RECORD is as follows:

On page 52, after line 12, insert the following new subsection:

"(b) LOCAL RESIDENTIAL TELEPHONE SERVICE.—Section 4252 (relating to definitions for purposes of the tax on communication services) is amended—

"(1) by striking out the last sentence of subsection (a) and inserting in lieu thereof the following: "The term 'local telephone service' does not include any service which is toll telephone service (as defined in subsection (b)), private communication service (as defined in subsection (d)), or local residential telephone service (as defined in subsection (e)).''; and

"(2) by adding at the end thereof the following new subsection:

" '(e) LOCAL RESIDENTIAL TELEPHONE SERVICE.—For purposes of this subchapter, the term "local residential telephone service" means the communication service furnished to a subscriber which provides access to a local telephone system, and the privilege of telephonic quality communication with persons having telephone or radio telephone stations constituting a part of such local telephone system, if the telephone station which is furnished to the subscriber is located in a personal residence of the subscriber and is not used principally in the conduct of any trade or business.' "

On page 52, line 13, strike out "(b)" and insert "(c)".

On page 52, line 22, strike out "(c)" and insert "(d)".

On page 52, lines 22 and 23, strike out "subsections (a) and (b)" and insert "this section".

UNANIMOUS-CONSENT AGREEMENT

Mr. **LONG** of Louisiana. Mr. President, I have discussed this matter with the sponsor of the amendment. He indicated that he would be willing to have limited debate.

I ask unanimous consent that debate on the amendment be limited to one hour and a half, 45 minutes to be controlled by the sponsor of the amendment, the Senator from Indiana [Mr. HARTKE], and 45 minutes to be controlled by the Senator in charge of the bill.

The **PRESIDING OFFICER**. Is there objection? Without objection, it is so ordered.

Does the Senator from Indiana wish the time limitation to begin as of now?

Mr. **HARTKE**. Yes.

Mr. **LONG** of Louisiana. That is correct. I do not believe that those who will speak in opposition to the amendment will use the entire 45 minutes. If the Senator from Indiana finds that 45 minutes is not sufficient time, I shall yield him more time.

Mr. **HARTKE**. I yield myself 15 minutes. I say to my distinguished friend—and he is my friend—that I do not anticipate needing 45 minutes.

I note that during the debate on the military authorization bill, comment was made to the effect that there was a filibuster or delay on the part of those who wanted to speak on the measure. That urgency seems to have disappeared since the measure was passed. I looked at the House calendar on today and there were no conferees appointed. They were appointed this afternoon, March 9, although the bill was passed by the Senate on March 1. Conferees could not have met on this matter before this time because no conferees were appointed. It was not the fault of the Senate. The urgency seems to have now disappeared.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, informed the Senate that Mr. HAGAN of Georgia has been appointed a manager on the part of the House at the conference of the two Houses to the bill (H.R. 5688) relating to crime and criminal procedure in the District of Columbia, vice Mr. DOWDY excused.

The message announced that the House had disagreed to the amendment of the Senate to the bill (H.R. 12889) to authorize appropriations during the fiscal year 1966 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, research, development, test, evaluation, and military construction for the Armed Forces, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. RIVERS of South Carolina, Mr. PHILBIN, and Mr. BATES were appointed managers on the part of the House at the conference.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H.R. 2627) for the relief of certain classes of civilian employees of naval installations erroneously in receipt of certain wages due to misinterpretation of certain personnel instructions, and it was signed by the Vice President.

TAX ADJUSTMENT ACT OF 1966

The Senate resumed the consideration of the bill (H.R. 12752) to provide for graduated withholding of income tax from wages, to require declarations of estimated tax with respect to self-employment income, to accelerate current payments of estimated income tax by corporations, to postpone certain excise tax rate reductions, and for other purposes.

Mr. **HARTKE**. Mr. President, I did not know that the messenger was going to come in with that message. It was very nice of him to come in with that message at this time.

Mr. President, as Secretary Fowler said, when he appeared before the Senate Finance Committee on June 8, 1965:

> Reduction of our selective excise taxes increases the equity of the tax system. Many selective taxes are discriminatory and burdensome on producers, sellers, and consumers of the items subject to tax.
>
> I believe that the Congress and the public have long felt that many of our excise taxes have no place in a permanent tax system. Thus, wherever it is appropriate to remove a particular burden on one product or another, we should strive consistently with other tax goals to provide a freely operating competitive price system, and, repeating the President's words: "end an unfair burden on many businesses and workers who produce the commodities singled out for excise taxation."
>
> Excise taxes, unlike income taxes, impose burdens on those whose income is below the level of their personal exemptions and deductions. The present excise tax reduction program will lighten the burden of regressive taxation on low and middle income people. A great deal of the revenue involved comes from extremely regressive taxes, which are a heavy burden on low incomes. These include the taxes on telephones.

And, as my good friend and colleague, the distinguished Senator from Louisiana [Mr. LONG], a man noted for his great record of protecting the consumer's interest with respect to public utility charges, said on the floor of this Senate on June 17 of last year:

> The telephone people feel that the tax reduction will mean a saving of $17 for the average telephone customer in the State of Louisiana. The telephone company is already preparing its publications to advertise and tell the people about the tax cut, and to express their gratitude to Congress on behalf of both the company and user for the tax reduction voted by Congress.

This is what I meant when I asked earlier, why, if the excise tax cuts were a good idea last summer, they are not a good idea now. Or, are they any less burdensome to the lower and middle income groups? I do not think the people of Louisiana are any more willing to pay $17 a year more in taxes than the people of Indiana. And I do not think the people of Louisiana need to be asked to make selective sacrifices any more than the people of Indiana.

When Secretary Fowler came before the Finance Committee a few days ago to ask for repeal of the excise tax cuts, one of the reasons he gave for asking for an increase in excise taxes was that they were easy to collect. It is apparent to me that the Treasury is more concerned with convenience than the equity of the taxes.

We could have pointed to a number of items on which we did not have the same approach. The excise tax on these items expired on December 31, 1965. These items were not increased. We went instead to the telephone and automobile.

I point out that the telephone, automobile, food, and housing are four of the basic items used by every American household today. However, if we wanted to, we could have said: "Why don't we extend the tax on these other items?" Really, we are seeking to put another tax on the docket. It could have been said: "Why don't we put the tax back on race tracks? That tax expired last year. Why do we not put the tax back on theaters, cabarets, country club dues, the documentary stamps for stocks and bonds, light bulbs, chewing tobacco, and snuff?"

These taxes expired December 31. However, they did not put the tax on those items. Instead, the tax is proposed to be placed back on the telephones and automobiles. If the tax had been placed on the other items, it would have raised $303 million, without the equivalent of my amendment. That would be $303 million compared with $315 million.

If we want to be fair, why do we not go back to the luxury items, such as I have just mentioned, and put the tax on those items? We might go a little further and put the tax back on jewelry, fur, toilet preparations, and luggage. That would account for another $550 million. Perhaps we could go further and put on a manufacturer's tax—if we exclude the one before us at this time—on sporting goods, playing cards, air conditioners, and items of that sort. That would be another $608 million.

The taxes on most of these other categories would have raised $1.461 billion. The total of these taxes would be

$2 billion more than raised by the total revenue package on necessities of life.

When asking for tax cuts, Treasury was quick to point out that this would cure one of the inequities of excise taxes—their regressiveness. The fact remains that a 10-percent excise tax on a $6 telephone bill means the user will have to pay an additional 60 cents monthly whether he makes $3,000 or $300,000. Twenty-one million households with telephones have less than $6,000 annual income, and 8 million have less than $3,000 annual income. Why should these families be faced with an increase in their cost of living, an increase which would weigh more heavily upon them than upon the higher income families?

But the elimination of the inherent regressiveness in the excise taxes was just one of the reasons given in asking for their repeal. Another reason given to repeal the excise taxes on so-called luxuries was to help simplify the tax system. Treasury pointed out that the repeal of the excise taxes on luxuries would leave the remaining excise taxes in three categories:

First. Excises levied on the benefit principle. Included in this category are such taxes as those on gasoline, tires, and tubes. These revenues go to building new highways.

Second. Regulatory excise taxes which are levied on such items as marijuana, opium, and gambling.

Finally, there are excise taxes which are sumptuary taxes, such as those on alcohol, cigars, and cigarettes.

An excise tax on telephones falls into neither of these three categories. An excise tax on telephones is a tax on a service, and it is the only service tax levied by the Federal Government. So instead of retaining the reform we worked to bring to the tax system we must sacrifice it in the name of convenience.

The best that can be said for reimposition of those regressive, oppressive, annoying, and burdensome excise taxes is that they can be quickly put back on.

This is a symptom of the method which has been selected by some responsible Government leaders for financing our Vietnam war effort—take the easy way, avoid a comprehensive, well-thought-out program of financing.

I submit that this leaves us with a financing program that is piecemeal as well as inequitable.

The amendment which I have called up, and on which I shall ask for a vote in a few moments, is very simple.

It is an amendment whose purpose is to exempt from restoration of the excise tax on telephones those subscribers who do not have business service phones but rather residential phones. It would leave the tax applicable to business service and also to toll messages. Thus the exemption would be confined to local residential service only.

I want to point out that this is not a tax on telephone companies which we are talking about eliminating. It is a tax on telephone customers, including those elderly persons living in couples or alone who maintain a phone primarily for emergency use in case it becomes necessary to call a doctor or a relative—persons who pay out more than they can really afford were it not that this protection is necessary.

The tax I wish to prevent us from restoring is a service tax, and it is one which is not justified by the comparatively small amount of money it involves. I will even concede that a tax on purchases such as automobiles is more desirable than such a tax on an essential service.

Figures of the Bureau of the Census show that in March 1960, more than half of households with telephones had incomes of less than $6,000 per year, and that 20 percent of all telephone households had incomes of less than $3,000 a year. In other words, once again unless my amendment is adopted we are proposing shifting part of the burden of Vietnam's costs to the low-income segment of our people. Twenty percent of telephone service or a fifth of all residential users come from the bracket below the established poverty line—not because they are splurging on a luxury when they subscribe to telephone service, but because it is as much a necessity for them as it is for the rest of us.

The growth of telephone usage has been remarkable over the years. As recently as 1940 less than 37 percent of households had telephone service, as reported to the Ways and Means Committee in its excise tax study of 1964. By 1950 the number had gone up to 62 percent, and by 1963 more than 81 percent of all households were telephone subscribers.

One of the major areas where telephone service has not kept up with the population average distribution is in our farm communities. In 1959 there were still States like Mississippi where only 27 percent of the farms had telephone service. We are trying to remedy that situation at least in part through the support and encouragement we give to cooperative telephone systems for farm families. These are almost entirely residential phones, not commercial. The telephone tax on these phones alone is estimated at $14 million per year.

Mr. President, I can see no logic in supplying funds to extend the rural telephone systems with one hand, only to take back $14 million a year from the farmers whom they benefit by reenacting the telephone excise on local residential service as well as the other categories which this amendment specifically still leaves as taxpayers. Also, it is beyond dispute that the rural telephone users of whom I speak are often those who coincide with the lower income groups.

Telephones are certainly not to be considered in the same case with the items on which we impose sumptuary taxes, which we retain. Furthermore, and this is a reason for the distinction my amendment makes between residential and business service, payments for telephone service by the individual householder are not deductible from gross income for tax purposes, as they are for businesses. Yet, which of us would say that a telephone in the home is not as much a necessity for the resident as it is for the businessman?

That the householder himself thinks so is shown by the growing use of telephones to which I have pointed, and also by the fact that the majority of households with telephones, or 81.2 percent in 1963, are maintained by those with incomes below $6,000. In 1960 the median family income in the State of Indiana was $5,084, yet 79 percent of Indiana households had telephones. Also in Indiana, by 1960 114,000 farms were serviced by 97,000 telephones on those farms—even though the farm income in that year was only $2,813 per household.

Mr. President, we do not need to penalize our low-income farmers, our low-income citizens, our average individuals by reimposing the telephone service excise tax on private residential telephones. We do not need to tax the opportunity of calling a doctor, a fire department, or a policeman in time of need. We need instead, as the repeal of this tax has done, to stimulate the installation of more rather than less telephones. The average telephone user, according to Joseph A. Beirne, president of the Communications Workers of America, pays approximately $14 per year in excise taxes. The total excise revenue collected on telephone excises in 1963 was less than 1 percent of all internal revenue collections.

But what I am proposing would preserve more than half of that sum. The $315 million provided by the tax on residential local service is less than the cost of 10 days of the fighting in Vietnam.

We have already removed this tax. There is no reason why we should be selective in such a way as this. If we are to have new revenues for the financing of the war, let us not be piecemeal and arbitrary about it. And let us not now, for the sake of a comparative pittance, discriminate against telephone users in this way. Let us instead adopt my amendment and exempt the householder from this tax upon the necessity he feels he must maintain, the telephone.

I yield the floor.

Mr. McCARTHY. Mr. President, I rise somewhat reluctantly to take issue with the Senator from Indiana, since he and I served on the Finance Committee, and generally have fought together, particularly on the matter of tax policy in recent years, including the question of excise tax reductions.

In 1964, when the tax rate extension bill was before the Senate, recommendations were made that excise taxes generally be repealed. I was among those Members of the Senate who fought from a political point of view rather courageously against accepting those reductions. After we had made the fight against them, we turned aside and came back in 1965 only to find that the administration was back recommending that practically all the excise taxes which we had attempted to keep on the statute books were now considered to be bad and that, therefore, the administration recommended they be repealed.

I had some reservations in 1965 as to whether the tax cuts which were being recommended at that time were desirable. The Senator from Indiana has cited some of the testimony and arguments which were made by spokesmen for the Treasury when the Senate was called upon to consider their recommendations.

I believe it was questionable whether these tax cuts—excepting those which related to excise taxes which were difficult to administer, and which had built-in inequities—should have been repealed; I believe particularly the recommended reduction of automobile taxes, and also the recommended reduction of excise taxes on the telephone.

The recommendations involved a misreading of the economic conditions at the time, that there was a great need to increase consumer purchasing power in 1965. The record shows clearly that consumer credit was expanding, between 1964 and 1965, from roughly $76 billion in 1964 to $85 billion in 1965, assuming that this involved an increase in purchasing power of something like $9 billion to $10 billion.

In addition to that, personal compensation in the country was going up from $365 billion to $391 billion, which was a great increase in purchasing power. It was also a period in which we were approaching full employment. Therefore, to argue the need for excise tax cuts as necessary to stimulate buying power in the country seemed to me to read inadequately the economic indicators which were quite clear at that time.

In addition, we were proposing to increase social security benefits, and also to make money available to the older people in our population, under the medicare bill, which they could use to meet medical expenses, thereby releasing other income or other sources of spending power for consumer purchases.

At the same time, farm prices were rising—at least the policy of the administration was declared to be directed toward an increase and to a rise in farm income. I am pleased to say that, for a variety of reasons, that increase is taking place today.

At the same time, the employment of those who had previously not been employed, those who were unorganized and generally employed at low wages, were receiving an increase in their incomes; so that, all of these things taken together argued against the position taken that the excise tax cuts were necessary in order to stimulate consumer purchasing power.

Mr. President, now we are back in 1966, and the argument is being made that we should reinstate or at least postpone or delay, as the case may be, the application or the effect of excise taxes which were approved in the last session of Congress.

Ordinarily, my disposition would be to support the Senator from Indiana, if we did have alternate revenue, or if the Finance Committee had given the kind of thorough study to the task which I think it should have given. My judgment is, as I have said earlier in this debate, that the proposal which the Senator from Tennessee [Mr. GORE] raised for Senate consideration is that of whether some revision or modification, at least, of the investment credit provisions, which are now found in the tax code of this country, should have received much more serious attention in our committee and, following that, more serious attention on the floor of the Senate.

It is current opinion, an opinion which is becoming more widespread among economists and those studying the movement of such forces in our country, that we may have reached the point that we have overinvested in capital equipment and capital goods—the kind of inflationary forces working in that sector of the economy.

At the time that we improved investment credit, the argument was made that there was underinvestment, that our capital equipment and machinery was out of date, and that we needed a special kind of tax incentive in order to bring about the rebuilding and replacement of inefficient and obsolete equipment and capital goods in America.

I believe that was a sound argument. Certainly, the response to investment credit was a most encouraging one, but the time has passed. New equipment has been installed. New capital-producing instruments have been purchased or are in the process of being purchased. I believe, therefore, that this is the time in which we should have taken another look at investment credit to see whether perhaps it should have been cut back or, perhaps, whether there should have been consideration whether it should have been made more selective than it is now.

I am not of the opinion that this credit should be a permanent part of the tax structure, but it serves temporary ends and temporary objectives, and it should be subject to periodic reexamination. We should consider alternatives, other forms of tax reduction—excise taxes, perhaps, or reductions in the general corporate rate so that the managers of corporations can make their own decisions.

I fear that if we permit investment credit to become a permanent part of the tax structure, we may soon find ourselves in the position in which we found ourselves after the accelerated depreciation was put into effect and had been allowed to run for a number of years. It served a good purpose but, eventually, we reached the point that some of the men responsible for investment, for the financing of American industry, came to us and almost begged us to do something about it. They stated, "It is too much temptation. We are forced to invest when we should not invest, in order to take advantage of accelerated depreciation." They stated further, "It is almost like dope, we cannot quit ourselves; but if you will change the tax laws, then we can make the necessary adjustments in our own management plans within the corporation."

Mr. President, it is my judgment that we have reached the point that this kind of study and examination should be made of investment credit. The administration and the Treasury Department evidently have a statement prepared, or will make recommendations to us. The Finance Committee did not stop to make this kind of examination itself. I wish that it had. If this had been done, I believe that we would have been in a position—I would be in a position, at least—to recommend that the excise tax increases being proposed should be denied, and that some adjustments in investment credit be substituted for them, which would replace the revenue which would be lost if we do not follow the recommendations of the committee with reference to excise taxes.

Mr. HARTKE. The Senator from Minnesota well knows that both of us feel deeply about this matter; that a complete review of the entire tax situation probably could have served a useful purpose in view of the increased cost of the war effort. The point still remains that the investment credit measure which was offered by the Senator from Tennessee [Mr. GORE] as a substitute for the excise taxes was not successful, although I supported it. The point is that the mere fact other tax approaches should have been taken, that greater studies should have been made, the fact that there are inflationary forces at work, and the fact that someone misread the economic indicators last summer, is no justification for coming back and placing a tax upon a service, or a pittance. The fact is that this is as I have indicated, 10 days of war. If we take the telephone tax that they are going to raise for next year, that is fiscal 1967, it will pay for 20 days of war. I do not know of anyone in a responsible administration position who has indicated we can have a short-term war. The New York Times stated that a 3- to 7-year war is the present indication. I do not know why we should have a tax policy which is aimed at a 6-month and temporary stopgap approach.

I might point out one other thing in regard to these excise taxes—that why, when we place them on telephones again, we do not go back and grab some of these things which could be called luxuries?

If the administration and the leadership are sincerely concerned about taxes, I would feel much better if we would go back and reinstitute all these excise taxes rather than picking out these few.

I cannot conceive of anything except convenience and necessity, that is, necessity for easing the convenience—both of which amount to the same thing—as a reason for picking out these selective parts of our economic structure.

I am quite prepared, as the Senator from Minnesota well knows, to meet the tax problem head on. I have no hesitancy to vote for the taxes required. The previous proposal affected $1.2 billion in taxes for fiscal year 1967. This proposal involves $16 million. We recently passed a $4.3 billion emergency bill. Yet we are asked to cut down a $16 million proposal. It is like putting a toothpick up for a full-course dinner.

Mr. LONG of Louisiana. Mr. President, I have consulted with the leadership on this proposal. Ordinarily we would not do this, but I ask unanimous consent that——

Mr. HARTKE. Mr. President, will the Senator withhold his request until I send a modification of the amendments to the desk?

Mr. LONG of Louisiana. Yes.

Mr. HARTKE. I send modifications to my amendments.

The PRESIDING OFFICER. The modifications will be stated.

The Legislative Clerk. It is proposed on page 2, line 10, after the word "means" to insert "(1)".

On page 2, line 18, before the period, to insert: ", (2) any facility or service provided in connection with such communication service".

The PRESIDING OFFICER. The amendments are so modified.

Mr. LONG of Louisiana. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. McCARTHY. Mr. President, I find myself in considerable agreement with the case made by the Senator from Indiana with respect to the idea of raising revenues by other means if his amendment is adopted. I have not felt personally that if an amendment of mine were offered which would result in loss of revenues I should offer an amendment which would result in raising the lost revenues. I do not think the Senator from Indiana is ready, if his amendment should be adopted, which would result in loss of revenues of $350 million, to offer the alternatives which he has talked about, or which I am talking about, which would likely be adopted by the Senate today or which would be likely to be established in conference in the event the Senate version of the bill goes to conference with a tax bill which falls far short of providing revenues proposed to be raised by the House.

However, I hope the debate may have some effect on the Treasury in moving it toward some revision of the investment tax law which we now have. I am hopeful that another alternative will be adopted; one giving the administration discretionary authority, within limits, to increase both individual and corporate tax rates. This is an authority which, in my judgment, the administration should have under ordinary conditions for better directing the movement of our economy, but particularly so at a time like this, when the costs of escalating our military activities are quite uncertain.

The investment tax credit or the individual or corporate tax rates or the alternative taxes to which the Senator from Indiana has referred would be much more desirable taxes by which revenues would be raised to make up the losses of revenues if his amendment were to be adopted.

I think realistically the alternatives he has talked about or that I have referred to are not likely to be adopted. Consequently, I think, in the name of some fiscal responsibility—although there is a relatively fine line here—I must oppose the amendment offered by the Senator from Indiana and urge the Senate to accept the position of the Finance Committee.

Mr. HARTKE. Mr. President, I yield 2 minutes to the Senator from South Dakota.

Mr. MUNDT. Mr. President, I am extremely disappointed that this proposed Tax Adjustment Act reaches the floor of the Senate still carrying among its provisions one of the most discriminatory and regressive taxes in our entire tax structure. I am referring, of course, to the telephone excise tax.

As one who has opposed this tax in the past, I shall oppose it again. I shall do so because I believe this tax is indefensible. If more money is needed to finance our operations in Vietnam we must, of course, make it available. We need not make it available by reimposing this tax upon telephone users, however, for there are other alternatives open to us.

I believe that first of all the President should pare down some of his domestic programs during this emergency. If sacrifice is needed, the fat can be cut off the Great Society. If the administration feels that this cannot be done or that it is politically unwise to do so, there are other tax sources which are not as discriminatory and regressive. Indeed, when President Johnson requests that the telephone tax be reimposed, a tax that hits hardest at the poor, it makes a mockery of his ringing oratory in his state of the Union address when he said he will not sacrifice the poor and the unfortunate.

That such a tax is regressive can hardly be questioned. In fact it was admitted by this same administration less than a year ago, and I fail to see how the character of this tax could have changed in that short period of time.

Over 50 percent of the residence telephones in America are in homes where income is less than the median income in the United States. Over 20 percent of them are in homes where the income is below the poverty level. Thus, a tax imposed on all residence telephones hits most heavily at the low-income group, the poor, and the near-poor.

It is perhaps difficult for those of you who come from urban States to grasp the importance of a telephone to rural areas such as my home State of South Dakota. It may be the only way to reach a doctor when a child is sick and needs medical attention immediately. It may be necessary to contact a fuel company or an electric company when for some reason the furnace has failed and the temperature is below zero. It is certainly not a luxury but rather an absolute necessity.

Mr. President, as I mentioned earlier, I had sponsored legislation in the last session of Congress which would have repealed this tax completely. When the gradual reduction plan was included in the administration's general excise tax legislation I agreed not to pursue my proposal any further. Now the Treasury Department is back asking that the tax be "temporarily" reimposed to its full 10-percent level. They claim that eventually it will be reduced until it is completely repealed. The record discloses that this promise may be an empty one.

This so-called "luxury tax" on that which is not a luxury has been a temporary one for the permanent period of 25 years. Congress has been asked to extend this temporary tax time and time again. If we reimpose the full tax this time it will be the 11th time it has happened. I do not believe we should vote to do so and I hope that the Senate will join those of us who are endeavoring to reject the attempt to reimpose this discriminatory and regressive tax.

I urge support of the Hartke amendment as at least a step in the right direction.

Mr. HARTKE. Mr. President, I yield 2 minutes to the Senator from West Virginia [Mr. Byrd].

Mr. BYRD of West Virginia. Mr. President, I would like at this time to raise my voice against the proposal which seeks to reimpose the Federal excise tax on local telephone service.

I fully realize that our Government needs additional revenues to meet our stepped-up defense requirements in southeast Asia. However, I seriously question the wisdom of arbitrarily singling out the tax on such a highly essential service as the telephone as a means of financing this effort.

It is inconceivable to me that serious consideration is now being given to restoration of the tax on telephone service while other less essential consumer goods and services are now completely exempt.

All of us will agree that in this day and age a telephone can scarcely be considered as a luxury, but is absolutely essential in the conduct of daily business and household operations. Especially in emergency situations which we all have to face from time to time—when we must report a fire, theft, or illness—is a telephone an absolute necessity. In my own State of West Virginia I was informed recently that there was only one doctor available to serve all of the people of a certain county. Thus if one of our citizens there is involved in a traffic accident or has a sudden heart attack, it is highly imperative that a telephone be available to summon help immediately. Otherwise, it may be too late. It is entirely unreasonable to have this essential service subject once again to such a high tax.

As is true of all Federal excise taxes, the telephone tax works the greatest hardship on low-income families who can least afford to have this essential service. To reimpose this tax rate will only add to the cost the consumer must pay and will deprive more of our people of this vital service.

Therefore, let us not act hastily in restoring this tax, but let us seek to achieve more economy in Government operations, and let us look to other revenue sources which are more equitably based upon the principle of ability to pay.

Mr. McCARTHY. Mr. President, I have no requests for time.

I yield back my remaining time.

Mr. HARTKE. I yield back the time remaining to me.

The PRESIDING OFFICER. The question is on agreeing to the amendments of the Senator from Indiana (No. 504), as modified. The yeas and nays have been ordered, and the clerk will call the roll——

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendments of the Senator from Indiana [Mr. Hartke] No. 504, as modified.

The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Idaho [Mr. Church], the Senator from Pennsylvania [Mr. Clark], the Senator from South Dakota [Mr. McGovern], the Senator from Utah [Mr. Moss], and the Senator from Maine [Mr. Muskie] are absent on official business.

I also announce that the Senator from New Hampshire [Mr. McIntyre] is absent because of illness.

I further announce that the Senator from Connecticut [Mr. Dodd] and the Senator from Ohio [Mr. Lausche] are necessarily absent.

I further announce that, if present and voting, the Senator from South Dakota [Mr. McGovern] and the Senator from Utah [Mr. Moss] would each vote "yea."

I also announce that if present and voting, the Senator from Ohio [Mr. Lausche would vote "nay."

Mr. DIRKSEN. I announce that the Senator from California [Mr. Kuchel] is absent because of illness.

The Senator from Arizona [Mr. Fannin], the Senator from South Carolina [Mr. Thurmond], and the Senator from Pennsylvania [Mr. Scott] are necessarily absent.

If present and voting, the Senator from Arizona [Mr. Fannin], the Senator from South Carolina [Mr. Thurmond], and the Senator from Pennsylvania [Mr. Scott] would each vote "yea."

The result was announced—yeas 46, nays 42, as follows:

[No. 51 Leg.]

YEAS—46

Aiken
Allott
Bartlett
Bass
Burdick
Byrd, W. Va.
Cannon
Carlson
Case
Cooper
Cotton
Curtis
Dominick
Eastland
Ervin
Fong
Fulbright
Gore
Gruening
Hartke
Hickenlooper
Hruska
Jordan, N.C.
Jordan, Idaho
McClellan
McNamara
Metcalf
Miller
Morse
Mundt
Murphy
Nelson
Pearson
Prouty
Randolph
Ribicoff
Russell, S.C.
Russell, Ga.
Simpson
Smith
Stennis
Talmadge
Tower
Williams, N.J.
Young, N. Dak.
Young, Ohio

NAYS—42

Anderson
Bayh
Bennett
Bible
Boggs
Brewster
Byrd, Va.
Dirksen
Douglas
Ellender
Harris
Hart
Hayden
Hill
Holland
Inouye
Jackson
Javits
Kennedy, Mass.
Kennedy, N.Y.
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McGee
Mondale
Monroney
Montoya
Morton
Neuberger
Pastore
Pell
Proxmire
Robertson
Saltonstall
Smathers
Sparkman
Symington
Tydings
Williams, Del.
Yarborough

NOT VOTING—12

Church
Clark
Dodd
Fannin
Kuchel
Lausche
McGovern
McIntyre
Moss
Muskie
Scott
Thurmond

So, Mr. Hartke's amendments, as modified, were agreed to.

Mr. HARTKE. Mr. President, I move to reconsider the vote by which the amendments as modified, were agreed to.

Mr. MORSE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. METCALF. Mr. President, I send to the desk an amendment. I ask unanimous consent that the amendment not be read, but that it be printed in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment reads as follows:

On page 40, after line 6, insert the following:

"(f) Authority for Secretary or His Delegate To Alleviate Hardships Caused by Withholding in Excess of Tax Liability.—

"(1) In general.—Section 3402 (relating to income tax collected at source) is amended by adding after subsection (m) (as added by subsection (e) of this section) the following new subsection:

"'(n) Withholding in Excess of Tax Liability.—Notwithstanding any other provision of this title, the Secretary or his delegate may by regulations establish such procedures as he deems proper to alleviate hardships imposed, by reason of the amounts deducted and withheld under this chapter, on employees or classes of employees whose liability for tax under subtitle A for a taxable year is less (or is expected to be less) than the amounts deducted and withheld (or expected to be deducted and withheld) under this chapter which are allowed as a credit against such tax for such year.'

"(2) Effective date.—The amendment made by paragraph (1) of this subsection shall apply only with respect to remuneration paid after December 31, 1966."

On page 40, line 7, strike out "(f)" and insert "(g)".

On page 40, line 19, strike out "(g)" and insert "(h)".

On page 40, line 20, strike out "subsection (e)" and insert "subsections (e) and (f)".

Mr. METCALF. Mr. President, the amendment I have called up gives the Secretary of the Treasury the authority to devise procedures to reduce overwithholding. The bill before the Senate establishes a procedure for reducing overwithholding by allowing taxpayers to claim extra withholding allowances whenever their itemized deductions are especially large relative to their income. In effect, this particular procedure permits taxpayers to claim extra exemptions in much the same manner as they can at present for dependency deductions.

One of the good features of the bill is that it provides for more realistic withholding than is the case under the present law. For the ordinary taxpayer, the person who has an annual income, the new, graduated withholding rate is being adopted at a particularly important time, so far as both the economic situation and the inflationary situation are concerned. It provides a more realistic method of withholding.

However, even with the withholding allowances provided by the bill, there still remains a substantial volume of overwithholding attributable to such factors as seasonal employment. Seasonal workers generally receive a comparatively high weekly rate, but perhaps work for only a few weeks out of the year. They include clothing workers, coal miners, loggers—especially in the part of the country from which I come—cannery workers, seamen, and building trades workers who engage in some specialties in some areas.

Because of this, the amendment I am now presenting authorizes the Secretary of the Treasury to provide, by regulations, procedures for decreases in such overwithholding. Thus, my amendment would provide that, notwithstanding any other provision of the new section relating to the withholding allowances, the Secretary of the Treasury or his delegate may, by regulations, prescribe the amount to be deducted and withheld from wages to the end that, to the extent practicable, the amounts deducted and withheld do not exceed the income tax liability with respect to the wages during the withholding period.

In addition, he may, by regulations, establish any other procedures to alleviate the hardships imposed on employees or classes of employees, such as those I have outlined, whose tax liability is less than the amount deducted and withheld. The procedures proposed, of course, would not allow for the payment of interest, but would enable the Secretary of the Treasury to develop any procedures which he may devise to reduce any hardship resulting from overwithholding.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. METCALF. I yield.

Mr. GRUENING. Would the Senator's proposal apply to fishermen in Alaska, who have a short working season? They fish mostly during the summer months, and during the remaining 7 or 8 months of the year they do not fish.

Mr. METCALF. That is a situation to which my amendment would apply. The fishermen of Alaska have relatively high income for a few months of the year. The tax would be collected from them, and months would pass before they would be able to get their money back.

This measure would increase the amount of withholding. They are already at a disadvantage, but this would increase the amount that would be taken from them.

My amendment would take care of exactly that situation.

Mr. GRUENING. Mr. President, I thank the Senator.

The VICE PRESIDENT. The Senator from Delaware is recognized.

Mr. WILLIAMS of Delaware. Mr. President, I have examined the amendment of the Senator from Montana, and I am familiar with the problem which he is trying to solve. This is a real problem, and I was hoping that we could work it out.

I have discussed it with the staffs and with the representatives of the Treasury Department. They do not know how to write an amendment or formula which they could offer as a legislative proposal to solve the problem which the Senator from Montana is trying to correct.

I could not agree to go along with any delegation of authority to the Secretary. I would not like to establish such a precedent.

We should spell out our tax laws exactly as we expect them to be administered and not delegate authority.

Having discussed this matter with the representatives of the Treasury Department, I wonder if the Senator from Montana would be willing to withhold his amendment at this time. The Senator is a member of the committee, and I assure him that if he will do so I shall cooperate with him in working with the staffs and with the Treasury Department. If we can come up with a legislative proposal which would achieve the objectives of the Senator I would have no objection to it.

I am aware of the problem. It can affect us all in our respective States, but we do not have a solution. I would not want to go along with a delegation of authority.

Mr. METCALF. Mr. President, I certainly sympathize with the Senator from Delaware in his reluctance to delegate authority to the Secretary of the Treasury or to the Commissioner of the Internal Revenue Service to change the various tax laws. However, if we are going to delegate authority, certainly the authority could be delegated in this instance when we say that we will allow them to give back what they withhold.

The Internal Revenue Service has never been known to be very favorable to giving back any money to the taxpayers. The Internal Revenue Service will hold onto the taxpayer's dollar as long as it can. I am sure that in this instance there would not be any abuse. However, I agree with the Senator from Delaware that perhaps the remedy I suggested is not the exact solution.

With the assurance that the Senator from Delaware will help me in working this matter out, and with the knowledge that he is sympathetic with me, I shall certainly withdraw my amendment and go back to the committee and work with the Senator and with the Treasury Department in an effort to take care of the abuse that would result from the passage of this act.

Mr. WILLIAMS of Delaware. Mr. President, I appreciate that. I assure the Senator that I shall work with him on this matter.

I have discussed this with the chairman of the committee and he will give us his cooperation. If we can come up with a solution, we shall do it. It is a problem that exists. If we can achieve a solution, I shall be happy to help. I would like to have the Senator withdraw his amendment.

Mr. METCALF. Mr. President, I yield to the Senator from New Mexico.

Mr. ANDERSON. Mr. President, the Senator has taken a very fine position. This is a most difficult problem and needs attention and study.

Mr. METCALF. Mr. President, I point out, as the Senator from New Mexico knows, that, because we are increasing the graduated withholding, we are emphasizing and accelerating an already grievous problem.

This is a problem that we must work out. The chairman of the committee has assured me that he will help. The ranking minority Member has assured me that he will cooperate.

I am hopeful that something will be done.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. METCALF. I yield.

Mr. LONG of Louisiana. Mr. President, the suggestion certainly has merit. As the Senator knows, the only real objection to the measure by some members of the Finance Committee is based on the view that they would prefer to have any change spelled out by statute rather than leave it to the discretion of the Treasury Department to work out regulations.

The Treasury Department does not know how it would handle the matter if it had the authority. The Department would like to have a chance to study the matter.

The Senator can have my cooperation in trying to work out a solution to the problem. There is merit in his suggestion.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. METCALF. I yield.

Mr. PASTORE. Mr. President, I realize that the Senator will withdraw his amendment. However, I wonder if he has given thought to the problem which exists in the temporary jobs of college students who work during the summer. A deduction is made from their salaries and then the students must wait until the following year for a refund, when they are actually trying to earn money with which to help them pay their tuition. However, the Government holds the money and they cannot get the money when they need it.

Mr. METCALF. The student does not get the money until January or February. He has to return to school in September. That is exactly the situation that we are trying to correct.

Mr. PASTORE. In other words, something will be worked out so that there would be no withholding at all in a situation of that kind if no tax were to be paid?

Mr. METCALF. The Senator is correct.

I thank the Senator from Delaware.

Mr. President, I withdraw my amendment.

The VICE PRESIDENT. The amendment is withdrawn.

AMENDMENT NO. 502

Mr. HART. Mr. President, I call up amendment No. 502.

The VICE PRESIDENT. The amendment will be stated.

The LEGISLATIVE CLERK. On page 49, beginning with line 3, it is proposed to strike out all through line 16 on page 51 (sec. 201 of the bill relating to passenger automobiles).

Mr. HART. Mr. President, I shall speak very briefly in support of this amendment. It is a subject with which all of us are very familiar.

A year ago after intensive study and debate, a scheduled elimination of the excise taxes on automobiles was agreed to. The bill before us would postpone the application of that scheduled deduction.

I acknowledge that when one from Michigan offers an amendment such as this, he is suspect because cars are made in Michigan. However, the consumers of these vehicles are located in 50 States of the Union.

The burden that we seek to lighten falls in all 50 States.

Let me review very briefly, facts made clear last year. This tax is wholly discriminatory. It targets in on one business with precision, and really the justification that is offered for it is that it is easy to collect. That is a so-what argument. Is it fair? Is it right? Is it equitable? Those are the tests we should apply. In our judgment it meets none of these tests.

Those who oppose my amendment now argue that this is the wrong time. It is quite true that the automobile industry is enjoying a profitable return. It is an industry that does consume basic materials. It is an industry that gives employment and consequently drains off from the labor force.

Parenthetically, the automobile industry employs 1 out of every 6 employed in this country either in direct or indirect support of the industry. But in reply, one can say that no time is the wrong time to do what is right. To do what is right is always appropriate.

If Senators share with us the conviction that this is a discriminatory tax, a regressive tax, then I think we should correct it. Now is the right time to do this.

Let me plead guilty to some pangs of conscience here.

I have and shall continue to insist that there are domestic needs unmet, which should be met, which have just as high priority as anything which confronts the country. Victory in the war on poverty will be more satisfying than any victory obtained in armed conflict. Determined prosecution of that war on poverty must be continued.

In taking that position, I have a special responsibility to be conscious of revenue needs. It was for this reason that I supported the effort of the senior Senator from Tennessee [Mr. GORE], who sought to continue the scheduled reduction of the auto excise tax by substituting as a compensating revenue source the elimination of the 7-percent investment credit. This to me made good sense. It still does. It protects the principle of fairness by removing the discriminatory auto excise tax while providing offsetting revenue.

I regret that his effort, which I supported, met with very little success. We got only 10 votes. It was the preferable way to do it. However, we failed in that.

I think a principle important enough to be brought to our attention again is involved. Here we have a tax which is clearly intended to hit one segment of our economy, and one segment only. Let us not forget that there are approximately 2½ million families of $7,000 annual income who buys a car in this country. Home and automobile are the largest investments of the American family, and in very many cases today the automobile is a necessity, an economic necessity.

Think also of the situation this bill will cause unless we adopt my amendment. On April 1, 1968, the auto excise would drop from 7 to 2 percent. Think of the deterrent this will be to the purchase of a car the closer we come to the spring of 1968; think of the severe distortion in the used car market.

I wish very much that we were responding to our need for additional revenue by a tax increase of broad application reaching broad sectors of our economy. We are not, and I have very little illusion about the attitude of the Senate toward this proposal. Certainly, our 10 votes on the Gore amendment reflect the attitude which I believe unwise.

In summary, Senator McNAMARA and I ask support for this limited proposal, one which will keep on schedule the removal of an excise tax which is regressive, discriminatory, calls for selective sacrifice on an item of necessity in many cases; which is, in short, not sound tax policy.

Mr. LONG of Louisiana. Mr. President, I can understand that a telephone is a necessity, and that some Senators felt they should vote to continue the reduction in the telephone tax we approved last year.

But a new automobile is not a necessity. The people who buy new automobiles are in a position to pay taxes. They make enough money to pay taxes. In fact, they pay a sizable amount in taxes on gasoline and various other things. We are trying to tighten our belts to cover the cost of the war in Vietnam. I would hope that this amendment would not be agreed to, because it does not seem to me that the tax on new automobiles is a particularly burdensome tax. The individuals who pay the tax are more fortunate than a great many of their neighbors. Those who buy used cars, of course, have no tax to pay.

The revenue effect of this bill, by the various amendments which have been agreed to, has been reduced by a billion dollars. As it stands now, the long-term effect of the bill, once the corporate speedup has expired, will be to lose more revenue than it will gain. That being the case, I hope Senators will not insist on further reducing the amount of revenue to be realized.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The question is on agreeing to the amendment of the Senator from Michigan.

The amendment was rejected.

Mr. DIRKSEN. Mr. President, I should like to inquire of the majority leader or the manager of the bill if they know how many more amendments are pending, and how long they are likely to be discussed.

Mr. LONG of Louisiana. Mr. President, I imagine there will be about three more amendments. I do not anticipate there will be insistence on the yeas and nays on more than one of them.

We may take one of the amendments to conference, and that being the case, I should imagine we would be able to finish tonight.

Mr. DIRKSEN. Mr. President, I wish to inquire further. The Senator from New York [Mr. JAVITS] has an amendment which he will discuss for perhaps 10 minutes. Will he then press it to a vote?

Mr. JAVITS. It depends on the manager of the bill. I rather hope it will not be necessary, but I cannot state positively.

Mr. DIRKSEN. I think the distinguished Senator from Texas [Mr. TOWER] also has an amendment.

Mr. TOWER. I am perfectly agreeable to a controlled time situation on my amendment.

Mr. DIRKSEN. I believe that will be agreeable to the Senator from New York as well.

Mr. JAVITS. The Senator is correct.

Mr. DOUGLAS. Mr. President, I shall propose an amendment. I think the discussion, as far as I am concerned, will be rather brief; I hope the manager of the bill will accept it, and if he does, we should be able to conclude the matter fairly quickly.

Mr. LONG of Louisiana. Mr. President, I ask that debate on the three amendments we have been discussing be limited to 20 minutes on each amendment, to be controlled by the sponsor of the amendment and the manager of the bill.

The PRESIDING OFFICER. Does the Senator mean 20 minutes to a side?

Mr. LONG of Louisiana. Ten minutes to each side.

Mr. TOWER. Mr. President, reserving the right to object——

Mr. LONG of Louisiana. If the Senator needs more time, we can work it out.

Mr. TOWER. Reserving the right to object, I am concerned about the nature of the amendment being offered by the distinguished Senator from Illinois. I should like to know what that is before I agree to a controlled time situation on every amendment.

Mr. LONG of Louisiana. It is not a policing amendment, I assure the Senator.

Mr. JAVITS. Mr. President, reserving the right to object, as far as I am concerned, I should like to make it 15 and 15.

Mr. LONG of Louisiana. Why not make it 15 and 15?

Mr. GORE. Mr. President, reserving the right to object, I hesitate to do so, but I simply do not think that 10 minutes to a side, or 15 minutes to a side, on a tax amendment, particularly one involving such an important matter as the one Senator DOUGLAS will offer, is adequate. Therefore, I must object.

The PRESIDING OFFICER. Objection is heard.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. PASTORE. Why not do them one at a time?

Mr. LONG of Louisiana. Well, then, I ask that the limitation apply on the first two amendments, because, as I understand, they do not involve large amounts of money, or unusual questions.

The PRESIDING OFFICER. Is there objection? The chair hears none, and it is so ordered.

The time on the amendments of the Senator from New York and the Senator from Texas will be 30 minutes each, to be controlled by and divided equally between the sponsor of the amendment and the manager of the bill.

Mr. JAVITS. Mr. President, I call up my amendment, and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. At the end of the bill, it is proposed to add the following new section:

SEC. —. TAX CREDIT FOR EXPENSES OF EMPLOYEE TRAINING PROGRAMS.

(a) DEFINITION OF QUALIFIED INVESTMENT.—Section 46(c)(1) (relating to qualified investment) is amended—

(1) by striking out "plus" at the end of subparagraph (A);

(2) by striking out the period at the end of subparagraph (B) and inserting in lieu thereof ", plus"; and

(3) by adding after subparagraph (B) the following new subparagraph:

"(C) the employee training program expenses (as defined in section 48(h)) paid or incurred by the taxpayer during such taxable year."

(b) DEFINITION OF EMPLOYEE TRAINING PROGRAM EXPENSES.—Section 48 (relating to definitions and special rules) is amended by redesignating subsection (h) as (i), and by inserting before such subsection the following new subsection:

"(h) EMPLOYEE TRAINING PROGRAM EXPENSES.—

"(1) IN GENERAL.—For purposes of this subpart, the term 'employee training program expense' means only an expense which—

"(A) is allowable as a deduction under this chapter, and

"(B) is incurred by the taxpayer in providing one or more approved employee training programs in connection with his conduct of a trade or business.

Such term does not include any expense incurred by the taxpayer in the conduct of his trade or business without regard to any approved employee training program provided by him.

"(2) APPROVED EMPLOYEE TRAINING PROGRAMS.—For purposes of paragraph (1), the term 'approved employee training program' means only a program which—

"(A) is designed to afford training to employees or prospective employees of the taxpayer in trade, business, industrial, or scientific skills which have been determined by the Secretary of Labor to be necessary—

"(i) for the national defense,

"(ii) to replace skills of the individuals receiving training which have become obsolete because of advances in trade, business, industrial, or scientific procedures or techniques, or

"(iii) to replace skills of the individuals receiving training which have become unneeded because of changes in the national defense program; and

"(B) has been approved by the Secretary of Labor as fulfilling the standards, requirements, and conditions prescribed by him for purposes of this subsection (including requirements relating to the employment or continued employment by the taxpayer of individuals receiving training).

The Secretary of Labor shall withdraw his approval of an employee training program previously approved by him if he determines that such program no longer fulfills the standards, requirements, and conditions prescribed by him for purposes of this subsection."

(c) Clerical Amendments.—(1) The heading for section 38 is amended by inserting after "PROPERTY" the following: "AND EMPLOYEE TRAINING PROGRAMS".

(2) The table of sections for subpart A of part IV of subchapter A of chapter 1 is amended by inserting after "property" in the item relating to section 38 the following: "and employee training programs".

(3) The heading for subpart B of part IV of subchapter A of chapter 1 is amended by inserting after "Property" the following: "and Employee Training Programs".

(4) The table of subparts for part IV of subchapter A of chapter 1 is amended by inserting after "property" in the item relating to subpart B the following: "and employee training programs".

(5) The heading for section 381(c)(23) is amended by inserting after "property" the following: "AND EMPLOYEE PROGRAMS".

(d) Effective Date.—The amendments made by this section shall apply to taxable years beginning after December 31, 1965. In applying section 46(b) of the Internal Revenue Code of 1954, to the extent the excess described in such section for any taxable year beginning after December 31, 1965, is attributable to employee training program expenses, such excess shall be an investment credit carryback only to a taxable year beginning after such date.

Mr. JAVITS. Mr. President, my amendment proposes to include within the existing 7-percent investment credit for new equipment and machinery, any money which is invested in a training program for workers which is approved by the Secretary of Labor. Such training programs may encompass only the following categories: Where the training is necessary for the national defense; or the training is necessary to replace skills of the individual which have become obsolete because of automation or technological change; or to replace the skills of individuals dislocated because of changes in the national defense program, such as, for example, the shutdown of the Brooklyn Navy Yard in my State, where thousands of people have been let out.

In these cases, if the employer complies with the criteria established by the Secretary of Labor for a manpower training program, then the amounts which the employer expends in that respect would, along with, or in place of, his new equipment investments, be entitled to the 7-percent credit.

The estimated loss of revenue which would result, as closely as I can get it, would result only from the fact that there would be some modest increase in the use of the 7-percent tax credit in cases where it is not now fully being used. The tax now aggregates something in the area of $850 million to $1 billion; and at the very outside, the estimate of the amount involved here is $125 million.

Mr. DOUGLAS. Mr. President, will the Senator yield for a question?

Mr. JAVITS. I yield to the Senator from Illinois.

Mr. DOUGLAS. Would this be a dollar-for-dollar deduction from the amount of the tax?

Mr. JAVITS. No; it would not. It would be solely in addition to the amount which qualifies for investment credit otherwise.

Mr. DOUGLAS. But I mean, would that addition be a dollar-for-dollar deduction?

Mr. JAVITS. It would not. The investment credit is only 7 percent of qualified investments, and therefore, this particular training expense would fall into the same category, and be subject to the same limitations as the expense for purchase of new equipment which now qualifies for the credit.

Mr. DOUGLAS. Would the 7 percent of it be a dollar-for-dollar deduction?

Mr. JAVITS. The 7 percent, I say, is a dollar-for-dollar deduction; but I understood the Senator's question to mean that it would go beyond the 7-percent figure on some kind of dollar-for-dollar basis.

Mr. DOUGLAS. Is it not true that present expenses for training classify this as an operating cost, therefore not subject to taxation?

Mr. JAVITS. No; that is not the case. Under training programs undertaken by the employer in cooperation with manpower training programs, it is not for the purpose of increasing his own productivity, or carrying on his own business, but programs which employers would undertake who have a unique capacity such as machine tool companies, automobile companies, and so forth, which would be extra to and outside of the normal operations of their businesses which produce revenue for them. This is something which they would do in order to give themselves and others a pool of new workers.

Mr. DOUGLAS. Is this training conducted outside the factory or place of business?

Mr. JAVITS. It is often conducted inside the factory, in the place of business.

Mr. DOUGLAS. Why would that not be an operating cost, therefore not subject to taxation?

Mr. JAVITS. It would not, because it is not producing revenue for the employer.

Mr. DOUGLAS. Ultimately it may. A trained work force produces revenue.

Mr. JAVITS. Ultimately it may, but in the meantime it is not allowable as a tax credit. That is the whole point of the amendment.

The estimated revenue cost I have given is the outside estimate, because it was given to the Senator from Vermont [Mr. Prouty] in connection with the bill which he has introduced which seeks an additional 7-percent tax credit for manpower training.

Mr. President, I believe it is urgent that we understand the tremendous manpower needs of the country which are the reason for the amendment which I have submitted.

Manpower training lags far behind manpower needs. The best figures that we can get indicate that something like 1 million people are actually in training, when the Automation Commission itself has given the opinion that there are 2 million who will need retraining as a result of automation alone every year, or are in that condition now. In addition, it has material effect upon the situation of minority groups, whose workers are generally unskilled and who would be quickly affected by the contingencies which I have described.

For example, we had testimony, to which I should like to refer, before the Employment and Manpower Subcommittee of the Committee on Labor and Public Welfare, on February 24, from Adolph Holmes, Associate Director for Job Development and Employment of the National Urban League of New York, which is the leading agency for dealing with problems of employment and manpower for minority groups, particularly Negroes, stating, and I quote:

> We feel that not only the small employer, but also the major employers, if given some sort of tax relief, could and would absorb some of the costs that are involved in the training. It is our concern and our opinion at the moment, based on our experience, that it is not fair to expect the governmental sector of the economy to absorb the total cost of training the Nation's manpower, and we should look to the private sector of the economy to absorb some of this cost in that the present corporate structure tax would then allow for this to be some portion of their tax relief.

Mr. President, the Employment and Manpower Subcommittee has been holding hearings this session and last on the real problem which faces us that, somehow or other, even with such programs as the Manpower Development and Training Act, we have not adequately tapped the resources of the private sector with respect to manpower training, that our need for manpower training is unusually great, and that we should, therefore, encourage it. I believe the incentive credit is the way to do this, especially as the 7-percent equipment credit has not been fully used.

It was expected at the time of its enactment in 1962 that its potential tax loss was approximately a billion and a half dollars, but the actual credits have run in the area of $850 million to a billion dollars.

It is at least as important to have trained personnel in the country as it is to have modern and effective machinery. Moreover, this amendment does not in any respect diminish our tax situation, because this is a 7-percent credit which could be availed of only up to the maximum limits already in the law. All that the amendment does is expand the usefulness of the credit to include action in this critically important manpower training field.

Mr. LONG of Louisiana. Mr. President, will the Senator from New York yield on my time?

Mr. JAVITS. I am happy to yield to the Senator from Louisiana.

Mr. LONG of Louisiana. The Senator's amendment, of course, is meritorious and it certainly should be considered. However, I would hope that the Senator would not insist on making us vote on it at this time, because this is the kind of thing that the Finance Committee should study. We should hold a hearing on it and let the Senator explain what he has told us on the floor of the Senate today, and also obtain the views of the Department of Labor. Although the Treasury Department, naturally, becomes upset every time we discuss a proposal that would lose $125 million in revenue, it may very well be that the committee would approve precisely what the Senator is suggesting. On the other hand, perhaps a deduction should be provided rather than a tax credit.

I would hope, therefore, that the Senator would not insist on a vote on his amendment at this time. If he does not insist, I will schedule a hearing and invite the Senator to come and testify and give his views, and also get the views of the Department of Labor, as well as the views of the Department of the Treasury.

If we take the amendment to the House in conference at this time, they would in good conscience say to us, "You did not make a thorough study of this. You just accepted it on the floor."

We did not have an opportunity to study the amendment in committee. It seems to me that it would be better if the Senator would allow the committee to study it.

Mr. JAVITS. Let me make a counterproposition to the Senator from Louisiana, because we both know how these bodies work. This is a desirable tax proposal. We know this from the enormous response which we have received from the business community.

I believe that the Senator is somewhat sympathetic to the belief that it would encourage very considerably additional manpower training.

We could handle this in one of two ways. We can proceed, as the Senator suggests, to a hearing—and the Senator would give me some assurance, I am sure, as to a reasonable hearing because sometimes these things become long deferred—and cooperation in seeing that the necessary facts are produced. The fact is that this matter has been around for months and has not even got departmental reports. Therefore, perhaps the better course would be for the Senator to take it to conference. I will understand perfectly if, as a result of the conference, the Senator would drop it, because we cannot get agreement with the House. At least, it will force the Treasury Department and Labor Department, and others, to lay the facts on the line quickly. If it is dropped in conference, then I am sure the Senator will honor his indication to me that we will get a rather early hearing and be able to get to it; on the other hand, if it should be accepted in conference, and the departments really find there is merit to it, or may very well change it, we can work this out to their satisfaction, and to the Senator's satisfaction as well. At least it will be in being, and we will get action, in view of the fact that the amendment does not involve diminution of the existing tax or increase the existing tax. I make that alternative suggestion.

Mr. LONG of Louisiana. Mr. President, the staff informs me that the Treasury is opposed to the amendment as of now. I would imagine that part of the Treasury's opposition is based on the revenue situation which it would face. We have a deficit. Of course, the fact the Treasury says it is opposed because it does not want to lose any money is not conclusive. We are here to legislate. But we should consider the Department's views. We should study the problem and see exactly what their position is on the matter.

I can assure the Senator that we will give him a hearing within a month, and I will see that he is down before the committee, and that the Department of Labor reports on the measure. The Department of Labor might say that they think the ideas are meritorious but they would prefer to act in a different way, perhaps, or that they would prefer to appropriate the money directly. But I will assure the Senator that we will consider the matter. Let me say that if he will withhold it now, we will be in a lot better position to act on it at a later date. It might very well be that we can support the Senator and give him substantial support.

Mr. JAVITS. Mr. President, I am prepared to accept the Senator's assurance.

Mr. ANDERSON. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I am very happy to yield to my beloved friend, the Senator from New Mexico [Mr. Anderson].

Mr. ANDERSON. Mr. President, I am inclined to go along with the suggestions made by the Senator in charge of the bill, the Senator from Louisiana [Mr. Long]. The question now is whether it is not a chargeable expense. These are people who believe it now can be charged off. We should find out, at least, what the rules are before we pass upon it. I do not know them. I do not believe that representatives of the Treasury or other departments know them. I would hope the Senator would be willing to put it aside until they could take a good look at it.

Mr. JAVITS. May I say to the Senator that it is deductible as a business expense, but it is not creditable under the 7-percent incentive provision, which it would be under this proposal.

Therefore, Mr. President, on the assurance of my friend, whose sincerity I do not question, and whom I know to be on my side on this, I withdraw my amendment.

Mr. LONG of Louisiana. I thank the Senator.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. TOWER. Mr. President, I call up my amendment No. 501.

The PRESIDING OFFICER. The amendment offered by the Senator from Texas will be stated.

The legislative clerk proceeded to state the amendment.

Mr. TOWER. Mr. President, I ask unanimous consent that further reading be dispensed with and that the amendment be printed in the Record at this point.

The PRESIDING OFFICER. There being no objection, it is so ordered.

The amendment (No. 501) was ordered to be printed in the Record, as follows:

Sec. —. (a) Subpart B of part 1 of the appendix to the Tariff Schedules of the United States (19 U.S.C. 1202) is amended by inserting after item 915.20 the following new item:

" 915.25	Articles constituting a bona fide gift from a member of the Armed Forces of the United States serving in a combat zone (within the meaning of section 112(c) of the Internal Revenue Code of 1954) to the extent such articles in any shipment do not exceed $50 in aggregate retail value in the country of shipment and with such limitations on the importation of alcoholic beverages and tobacco products as the Secretary of the Treasury may prescribe if such articles were purchased in or through authorized agencies of the Armed Forces of the United States or in accordance with regulations prescribed by the Secretary of Defense................	Free (see headnote 2 of this subpart)	Free (see headnote 2 of this subpart)	On or before 12/31/67 ".

(b) Headnote 2 for subpart B of part 1 of such appendix is amended by striking out "item 915.20" and inserting in lieu thereof "items 915.20 and 915.25".

(c) The amendments made by this section shall apply with respect to articles entered, or withdrawn from warehouse, for consumption after the date of the enactment of this Act.

The PRESIDING OFFICER. How much time does the Senator from Texas yield to himself?

Mr. TOWER. I yield myself 3 minutes.

Mr. President, during the Second World War, Congress enacted a law which granted servicemen the privilege of sending gifts of values up to $50 into the country from abroad without having to pay customs duties. This law, Public Law 790 of the 77th Congress, was extended several times in the following years, during the Korean conflict, and at other times, but was finally allowed to expire as of the 1st day of July 1961.

Recognizing the value of this law and the purpose it served in a minor way in bolstering troop morale during those earlier conflicts, and realizing that we are again engaged in a conflict in which American men are offering their lives, I introduced a bill earlier this session to reinstate this tariff provision.

However, it now seems that this could be more appropriately effected by adding an amendment to the tax bill which we are presently considering.

The amendment I am offering, Mr. President, is short and very simple. It is no different in any way from the earlier tariff provision, except my amendment is limited to those serving in a combat zone. It would extend to those servicemen the privilege of sending gifts home from abroad without having to pay customs duties, provided the gifts did not exceed $50 in value.

This does not seem an unreasonable request to make for the men who at all times are on call to defend with their lives our safety and freedom as well as their own.

This seems no more than a minor, a token privilege which our servicemen deserve. Its price would be relatively insignificant in comparison to the psychological value it would have for members of our Armed Forces. I would say that there is probably a "multiplier effect" inherent in the granting of certain special privileges to members of our armed services. A small courtesy such as this represents much more to a servicemen than the amount of money he saves thereby. It represents the fact that his country cares for him and is properly concerned.

Therefore, I hope my distinguished friends the Senator from Louisiana [Mr. Long], and the Senator from Delaware [Mr. Williams] will be willing to accept this amendment.

Mr. LONG of Louisiana. Mr. President, I have discussed this proposal with the distinguished Senator from Delaware [Mr. Williams]. Both of us agree that the amendment has popular appeal. It may give the Treasury some problems with its balance of payments, because it is estimated that there is about $100 million in shipments involved. But I would be willing to take the amendment to conference and see what can be done.

On that basis, I am willing to accept the amendment.

Mr. TOWER. Mr. President, I yield myself 1 minute.

I would like to point out that this amendment is confined solely to combat zones, which essentially would be South Vietnam and other places in southeast Asia where our men are stationed. I think the continuance of the tax is not going to stop the boys from buying. They are still going to buy. But this amendment is merely a courtesy to them. It is not going to exempt relatively large amounts. It is merely a measure of our appreciation for our boys who are stationed there and fighting.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. TOWER. I yield to the Senator from Delaware.

Mr. WILLIAMS of Delaware. I join the Senator from Louisiana in endorsing the amendment. As I understand it, the $100 million that the Treasury suggested was an old estimate applicable to all tourists. This provision would be applicable only to the boys in combat zones. So it entails a relatively small amount, even if they all took advantage of the $50, which they will not do. So the balance of payments amount involved would be insignificant.

In addition, this is only a small token of appreciation in recognition of the sacrifices the boys are making. I would certainly be glad to take it to conference, and hope we can come back from conference with the provision.

Mr. TOWER. I thank the Senator.

I would like to reemphasize that the absence of this amendment is not going to deter the buying on the part of our boys over there. It is only natural that they will want to buy exotic gifts there to send to the folks back home. So they are going to buy them whether this amendment is adopted or not. The adoption of the amendment I do not think will greatly increase buying on the part of the boys. It is just a courtesy that we could extend to them which I think would be of some help to their morale.

Mr. CARLSON. Mr. President, will the Senator from Texas yield?

Mr. TOWER. I yield to the Senator from Kansas.

Mr. CARLSON. Mr. President, I rise to support the amendment of the Senator from Texas. I appreciate the statement made by the chairman of the committee in stating that he and the ranking minority member of the committee are willing to take the amendment to conference. I think we should understand that previous similar measures have been offered. At least, I offered Senate 2767 that would apply to gifts sent overseas.

Let me relate what happened to a wife living in Junction City, Kans., whose husband is serving in Vietnam. She had to pay $8 in customs duties on two sweaters valued at $19, sent from Vietnam.

That is what is happening to gifts going overseas. We certainly do not want to see that continue. We took care of this situation in World War II.

I hope that not only will the amendment be taken to conference, but that it will come back approved. I know that this will be of some help to those who are serving overseas.

I ask unanimous consent to have printed at this point in the Record an editorial from the Junction City Daily News of Wednesday, November 24, 1965, which explains the situation to which I have referred.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Junction City Daily Union, Nov. 24, 1965]

Something Needs To Be Done

An unfortunate situation was brought to the attention of the Daily Union on Tuesday after the wife of a Fort Riley soldier now in Vietnam received a shipment of Christmas gifts from her husband. She was required to pay customs duties. For example, two sweaters, valued at $19 required an additional 42 percent, or about $8 more.

As nearly as the Union can learn, the duties are fixed by act of Congress and the post-office workers act only as agents for the Treasury Department in collecting duties on shipments having a wholesale value of more than $10 if more than one shipment is made each day. Even purchases made at the post exchanges are subject to a duty if the article was made in a foreign country.

It seems unjust to order military personnel overseas and then require them to pay a duty on Christmas gifts when they can make the purchases only in a foreign land, even providing they have a chance to enter a store or shop.

Such instances may become numerous in the next 30 days because many of the gifts purchased abroad now are on the high seas, en route to relatives and friends here in the States.

Mr. LONG of Louisiana. Mr. President, I yield back the remainder of my time.

Mr. TOWER. I yield back the remainder of my time.

The PRESIDING OFFICER. All time on the amendment of the Senator from Texas has been yielded back.

The question is on agreeing to the amendment.

The amendment (No. 501) offered by the Senator from Texas [Mr. Tower] was agreed to.

Mr. TOWER. Mr. President, I thank the distinguished Senator from Louisiana.

Mr. GORE. Mr. President, the pending bill in its present form provides no additional net revenue whatsoever for the Government. On the contrary, it represents a loss of $22 million.

Except for the excise tax provisions, the bill provides for no additional revenues. It is not a $6 billion bill. Except for the excise taxes, the bill merely changes the collections from one period to another.

The only revenues involved in the bill as presented by the committee were excise taxes in the sum of $1,205 million.

The amendments that have been adopted and accepted, not counting the last one, either increase expenditures or reduce revenues by $1,227 million.

So we are financing the war very rapidly in the wrong direction and in the wrong manner.

An administration that would present such a picayune bill and then oppose all constructive amendments, and a Finance Committee that would permit itself to be a pawn for the Treasury could not really expect anything but an irresponsible performance. That, Mr. President, is what we have.

Every economist worthy of the name is pointing to the inflationary pressures, the tightness in plant and equipment, skilled labor, and recommending a suspension or repeal of investment credit, or suggesting other measures to save this economy from the rigors of an inflation, to save it from a further spiral in the cost of living, to save it from a greatly increased war cost.

And what do we do? We come forward with a picayune bill, levying excise taxes on the people who, to make a living, must buy automobiles and on telephone service which everyone must use.

What do we do with corporations? Nothing. Not one additional penny of taxes is levied by this bill on the corporations that have had a 65-percent increase in profits after taxes since 1961.

What do we do with income from interest, with the Federal Reserve tightening money and increasing interest rates all the time? Nothing, even though income from interest has increased 59 percent since 1961.

We greatly reduce the taxes of the people who are earning unprecedented profits from the manufacture of automobiles. But when we need additional revenue we do not levy it upon those making unprecedented profits. We levy it on the people who must buy automobiles and use telephones, necessities for most people. And this a Democratic administration and a Democratic Congress.

We are financing the war with this bill by going $22 million deeper into debt. What a tumultuous wave of cheer we deserve.

The PRESIDING OFFICER (Mr. Tydings in the chair). The bill is open to further amendment.

Mr. DOUGLAS. Mr. President, I send to the desk an amendment. I would like to discuss it and then, at the conclusion of my remarks, to vote on it.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to state the amendment.

Mr. DOUGLAS. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and without objection, the amendment will be printed in the RECORD.

The amendment, ordered to be printed in the RECORD, is as follows:

At the end of the bill add the following new section:

"SEC. —. LIMITATION ON AMOUNT OF QUALIFIED INVESTMENT FOR PURPOSES OF THE INVESTMENT CREDIT.

"(a) LIMITATION.—Section 46(c) (relating to qualified investment) is amended by adding at the end thereof the following new paragraph:

" '(5) LIMITATION.—Notwithstanding any other provision of this subpart, the qualified investment of a taxpayer for any taxable year shall not exceed an amount equal to 50 percent of the taxpayer's taxable income for such year.'

"(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to taxable years ending on or after March 15, 1966, but only with respect to property placed in service on or after such date."

The PRESIDING OFFICER. How much time does the Senator from Illinois request?

Mr. DOUGLAS. I will try to take not more than 10 or 15 minutes but I do not think I am on limited time. Mr. President, am I correct in that understanding?

The PRESIDING OFFICER. There is no limitation of time. The Senator is correct.

Mr. DOUGLAS. I will try not to strain the patience of the Senate.

ORIGINAL PROPOSAL HELPFUL

Mr. President, the original bill presented by the administration, with good fortune, could have met the immediate contemplated increases in expenditures for the war in South Vietnam. As the Senator from Tennessee [Mr. GORE] has said, it would have raised $1,200 million in taxes from telephones and automobiles and the additional increase would have come from speeding up payment of corporation and individual income taxes which would have been a one-shot affair and would have netted around $4 billion.

With this item and with the transfer of financing certain governmental expenditures by private capital rather than by public borrowing of another $4 billion, the increase in expenditures would have been approximately met if everything went right, and if the added expenditures ceased at the end of fiscal year 1967.

But if the war in Vietnam were to continue beyond July 1, 1967, obviously these one-shot expenditures would have been used up. The assets that could have been unloaded on private financing would have been largely exhausted and we would then be faced with the problem of raising additional amounts of revenue for which even the original bill would have been insufficient.

I was one who felt that, while I would not reprove the administration in the same way that my good friend from Tennessee has done, we should have tried for a greater margin of safety, and that also in doing so we should try to levy those taxes which would reduce the danger of inflation by the greatest degree and which would have conformed to principles of justice in taxation.

SENATOR GORE CORRECT

I was very happy, therefore, to be one of the 10 Senators who voted for the amendment of the Senator from Tennessee. If there had been more of us—and there were only 10—I would have offered another amendment to have eliminated the bonus on the so-called investment credit and, therefore, doubled the permanent tax income contemplated by the bill.

But after the Senator from Tennessee [Mr. GORE], got only 10 votes on the amendment I thought that this would be an exercise in futility.

I think in the future the Senator from Tennessee will be proved to have been correct and the overwhelming majority who voted against him will be proved to have been wrong.

BILL NOW NEUTRAL IN REVENUE EFFECTS

But now, Mr. President, as Grover Cleveland said, it is a condition and not a theory which confronts us.

There is no question but that the bill in its present form does not add any new permanent revenues to the Federal Treasury. The arithmetic of the Senator from Tennessee is correct.

The increase in social security expenditures will be approximately $790 million a year. The Hartke amendment will cost, in revenues, $437 million. So that we do get a total loss of revenues of $1,227 million, or about equal to or a little more than the gains from the tax on long-distance telephone calls and automobiles.

The bill, so far as its permanent effect is concerned, is now neutral on revenue, and I do not believe that it should be neutral on revenue.

SOURCES OF PRESSURES

I think that we should get more revenue to meet the cost of the war and also to reduce the danger of inflation. There have been exaggerated statements about the amount of inflation in the past. I do not subscribe to the theory that we are now being devoured by the increase in the price level. We have had the most steady price level of any industrial nation. I do not subscribe to the theory that we have already experienced large inflation, except in certain items. Those items are, first, meat. I think it is probably true that the farmers deserved an increase in the price of hogs and cattle. Moreover, this is caused by a production cycle that should ultimately correct itself.

The second source of increase comes in services—primarily in the field of medical services, such as doctors' bills, hospital bills, and drug bills. This increase cannot be met with the conventional policies of monetary stringency and probably not by conventional tax policies.

CAPITAL INVESTMENT IS PROBLEM

The third group of items, where the threat of inflation is very real and where I predict it will be greater, is in the field of capital goods, particularly machinery. This is an area we can do something about. Pressures in this field are very great and have been stimulated by the investment credit, which this body stubbornly refuses to reduce. Last year, the increase in capital equipment—that is, the increase in 1965 over 1964—was approximately 15 percent.

There was a dispute between the President, on the one hand, and the Edie Corp., on the other, as to how much the increase in 1966 over 1965 will be. The Edie Corp. estimates that it will be an increase of 19 percent; and in manufacturing, an increase of 32 percent. The President, in his letter to Representative PATMAN, cites Commerce-S.E.C. estimates that it will be only another 15½- or 16½-percent increase and not 19 percent. But this is an increase in 1966 over 1965, and 1965 already had a 15-percent increase over 1964.

So far, if we take 1964 as the base, we have a compounded rate of increase. The increase will be at least 15 of 115 percent, in comparison with 1964, or a further increase of 18 or 19 percent, making a total overall increase of more than 30 percent over 1964.

This is where the inflationary pressures are beginning to show up, in addition to meat and in addition to services, particularly medical services. This is where the chief danger will lie. We should very frankly face up to the danger.

REDUCE STIMULUS TO INVESTMENT

I deeply regret that the Gore amendment was rejected, because it would have reduced the stimulus to capital investment and therefore would have reduced the pressures toward inflation in capital goods. We should realize that the so-called 7-percent credit is, in reality, much more than a 7-percent credit, so far as taxes are concerned. While corporate taxes are 48 percent on corporate profits above $25,000, a 7-percent credit on the total capital investment means much more than a 7-percent reduction in taxes. This factor is only slightly mitigated by the fact that under the existing law the total tax liability cannot be reduced by more than 25 percent of the total tax liability.

Thus, a corporation which pays the regular corporate income tax of 48 percent can reduce its effective rate by one-quarter of this amount, or to 36 percent. In order to do this, it is, of course, true that it would have to invest an amount equal to about 170 percent of its net profits in plant and equipment. But I have made some inquiry on this subject of those who have observed the situation. I am told that this is not unusual in the large concerns and that in practice, therefore, the big concerns, which have large corporate surpluses, frequently get this reduction of 12 percentage points. I wish to emphasize that it is a reduction of 12 percentage points of income tax, or from an effective rate of 48 percent to 36 percent.

So by the investment credit we are stimulating expenditures in the one field which is most dangerous and, at the same time, most amenable to governmental control. If we do not deal with this subject by taxation, we shall have a movement for credit control and still higher interest rates, which will fall upon small business primarily, because big business already has its corporate surpluses and does not have to go to the open market to borrow; it can invest from its corporate surpluses, which are huge, and thus the rise in interest rate will not restrain them. A rise in the interest rate will restrain firms that have to go to the money market for borrowing, and they tend to be the smaller firms.

Unless we face up to the question both of financing the added costs of the war in Vietnam and devising a tax system which will go to the specific source of such inflation as is likely to occur, we shall really fail in our obligations, which, in our hearts, I believe, we all want to carry out.

AMENDMENT LIMITS INVESTMENT CREDIT

I have a simple proposal, which on its face may seem complicated, but is not. The amendment which I am suggesting proposes that we limit the amount of investment against which the credit can apply, to 50 percent of taxable income. To illustrate how that would work, under this proposal a corporation which earns taxable profits of $1 million could receive a full credit of 7 percent on investments up to $500,000—nothing beyond $500,000. This would mean that the corporation would pay $480,000 minus $35,000; that is, the original 48 percent, which would be $480,000 minus 7 percent of the $500,000 investment. So the corporation would pay $445,000 in taxes. In other words, the corporation could reduce its effective rate from 48 percent to 44½ percent, but not below 44½ percent. This proposal would leave intact the investment credit as a structural part of our tax system. Personally, I do not believe it should be a part of the system, but evidently the vast majority of this body believe at the moment, that it should be, although I hope and believe that with the passage of time they will change their point of view.

REDUCES AMOUNT OF CREDIT

However, instead of limiting its effect, or providing that its effect will amount to a 12-percentage point cut in the effective rate, as is done in the present law, the maximum reduction would be limited to 3½ percentage points. The revenue effects would not, in the terms under which we operate, be very great. It would perhaps add a couple of hundred million dollars in revenue. But it would be a bullet-like attack upon that sector of the economy where the inflation is likely to come from—and, indeed, is already coming from.

I realize that the Treasury will want to study this proposal. However, I ask the chairman—who is in his usual friendly mood this afternoon and radiating good will—to accept this amendment, take it to conference, and then discuss it in conference. I think this gives to the Treasury Department a convenient out so that they can retreat from the position into which, I am sorry to say, they have forced themselves.

The amendment does not go quite as far as the Senator from Tennessee and I would like to go. But it is a very modest step.

I beg my dear friend, the Senator from Louisiana, not to close the gates of mercy upon mankind, but to give us at least a chance to check inflation somewhat and to raise at least a little toward the expenditures of the war.

I am pained at the thought that we now have a bill which raises no revenue permanently for the support of the war in Vietnam.

It will compel the Government to borrow money to finance the war. Some of this will be created by the banks who finance the purchase of bonds, and therefore it will tend to be inflationary, rather than the reverse.

Let us at least diminish this danger in the one area in which we can operate. I beg my dear friend not to be hardhearted, but to give the economy a break.

Mr. LONG of Louisiana. Mr. President, some time ago we considered this general problem, and the majority of the committee saw it the other way around. We voted for an amendment that would have liberalized the investment credit, rather than tightened it. The present amendment would be very unfair and inequitable in a number of cases which come to my mind. For example, what would happen in a case of hurricane damage, such as Louisiana suffered last year from Hurricane Betsy. If a man's plant is wiped out, he will go to work to rebuild it. He has no income. Under this amendment he would lose some of the tax credit for rebuilding his plant. That tax credit could otherwise have been carried forward under the existing law. However, there is no carry-forward provided in the proposal of the Senator.

The railroad people came to us, as the Senator from Kansas recalls, because he mentioned the matter, when we were studying it. The railroads have low incomes and are trying to modernize the equipment that they have. They feel that their only solution and salvation is to become more efficient and provide better service.

Because of low incomes, many of the railroads are now unable to get the benefit of their investment credit because they do not have sufficient income to pay a large enough tax to claim their full credit under the 25-percent limitation.

Under the terms of the investment credit, an amount equal to 7 percent of qualified investment, not to exceed 25 percent of the tax, that is, can be claimed. If one has no income tax under the existing law, he can carry the credits earned forward to a subsequent year when he might have enough income to pay a tax, and therefore get the benefit of his investment credit.

The carryover provision is not contained in the amendment of the Senator. The Senator puts on an additional limitation that would mean the loss of such provision. It is not quite fair to put additional limitations on people who have heavy investment expenses relative to their income. Upon that basis, many people could be injured by this measure.

Some transportation and airline companies have undertaken, in order to avoid losing their investment credit, to persuade the banks to make special arrangements. The banks buy an airplane or a lot of boxcars, and, because it has a lot of income, is then able to get the benefit of the investment credit. Twenty-five percent of the bank's income is a lot more money than 25 percent of the income of a railroad or an airline. The bank, having purchased the equipment, is able to take advantage of the investment credit, and the bank can then make a deal with the company to find some way to pass some of the tax credit along to the company.

As a practical matter, and with considerable logic, companies have urged the committee—and the majority of the committee agreed—to ease up on the 25-percent limitation.

Mr. President, it has been said that this bill goes too far toward taxing the people with modest income and not far enough toward taxing those who are well to do. I point out that after the agreement to the Hartke amendment, we have in this bill now, on excise taxes, only about $450 million, mostly on long-distance telephone calls, and about $400 million in taxes on new automobiles.

We raised $3,200 million in this bill by a speedup in the corporate tax collections. Someone can say that all we are doing is changing the date of tax payments. However, if we pass a law that provides that I must pay this year's tax 6 months sooner, and that next year I must pay next year's tax 6 months sooner, and the following year I must pay that tax 6 months sooner, in the year that law is put into effect, my tax has been increased by 50 percent.

Mr. DOUGLAS. But is this not a one-shot affair?

Mr. LONG of Louisiana. It is just for 1 year. I quite agree.

If we have a big deficit next year, we will undoubtedly be asked to pass another tax bill to offset the deficit. I hope that will not be the case. However, if I might, I shall quote one of the favorite quotations of the distinguished senior Senator from Illinois, from that beautiful old hymn "Lead, Kindly Light."

Mr. DOUGLAS. "I do not ask to see the distant scene; one step enough for me."

However, I wanted a good step.

Mr. LONG of Louisiana. This would give us $3.2 billion in additional revenue from corporations in this coming year.

Mr. DOUGLAS. It would be for 1 year only.

Mr. LONG of Louisiana. That gets us 1 year further toward our destination. Next year we can take another look and see where we stand. However, for now we will increase the revenue that we have coming in.

If we look at what is contained in the bill and the amount of money that we pick up in fiscal year 1967, about 80 percent of this increased revenue is revenue that we are levying on corporations. We are hitting them pretty hard when we speed up tax collections to collect more money in a single year.

Mr. DOUGLAS. But it does not increase their liability. It merely means that they pay the amounts earlier.

Mr. LONG of Louisiana. Any time we change a law to make me pay my taxes 6 months sooner, unless I am given a windfall elsewhere, I have been deprived of that much money. The corporations of America will have been relieved of $3,200 million in this case and the Government will be ahead by $3,200 million. They have paid the $3,200 million and they will be behind by the $3,200 million.

It would be just as though we had a bushelful of cash here. If I were to separate the Senator from Illinois from that bushelful of cash, I would be ahead by that much money.

Mr. DOUGLAS. It is eating into the future.

Mr. LONG of Louisiana. Who gets the money? If no one never gets it back, we are ahead by that much money, and the other fellow is behind by that much money, unless someone gives it back to him somewhere down the path.

I admit that it is a one-time windfall. However, that does not change the situation. It is money just the same. The one real big collection here is on this speedup of the corporate tax payments.

Mr. DOUGLAS. The Senator is correct.

Mr. LONG of Louisiana. So when one really gets to it, in this bill we are getting the money ahead of time.

Mr. DOUGLAS. The Senator is correct.

Mr. LONG of Louisiana. That is for fiscal 1967. Most of the money comes out of the corporations; the way the bill now stands, about 80 percent of it.

So I say we have not let those who are well able to pay taxes go home scot free; they are paying a lot of taxes, and if we are going to change this investment credit around, I would certainly hope the Senator would develop his ideas with the committee, because we did not have the chance to study it and vote on it. It may very well be that we need to tighten up on some aspects of it, and perhaps loosen up on some of the tight ends; but this is the kind of thing upon which I think the Senate really should have the benefit of a committee study and a committee report before it is asked to vote.

Mr. DOUGLAS. May I say, if my dear friend the Senator from Louisiana would only accept this amendment, it would go to conference, and the Treasury would have time to study it and express its opinion.

I personally think that in the case of disaster, a special allowance should be made, except that I do not believe that this should be used as an excuse to demolish the principle I have been trying to advocate. It is a legal adage, I believe, that good cases make bad law. The Senator from Louisiana can cry about the storms and hurricanes coming from the north which sweep down upon the lower Mississippi Valley, and of the tides which come in. He can weep over that, and I will weep with him. In fact, I have many handkerchiefs here with which to weep, if that is necessary.

But this can be changed in conference to provide for that exception. Please do not postpone, until a conjectural new bill comes in, the attempt to raise more revenue and to direct any tax increases which occur toward the points where inflation threatens.

I do not make a case for the removal or reduction of the investment credit on the ground of justice. I could make one, but I did not. The Senator from Tennessee did that, and I voted with him. But I now make the case for a reduction on the ground of inflation, or the danger of inflation, because it is here that we are likely to see, unless we take action, an increase in the price of metals and the price of machinery; and that would be felt throughout the economy.

I am proposing a rifleshot approach to the points of greatest danger, and those points that we could really affect, instead of blanket proposals.

As Warren Hastings remarked:

> I am astonished at my own moderation.

Mr. LONG of Louisiana. Mr. President, I do not think the Senator would wish to do all that his amendment suggests.

For example, he concedes that people who suffer disasters should be exempt from his proposal; and to be fair about it, the matter would discriminate between investors.

Let us say, to begin with, that a company loses its carry-forward. That would be very unfair to a company, to lose the carry-forward of investment credit, if they do not have enough income to pay a tax in a given year.

In addition to that, as between a company that does its financing by a stock issue and a company that borrows money, it would discriminate in favor of the company that finances by a stock issue and against the company that borrows money; and it would lead also to this gimmick I was talking about, getting the bank to buy the plant or the equipment, and lend it to you, so that the bank could get the investment credit eventually, if you could not.

So there are all sorts of inequities, all sorts of ways people might maneuver to get around it.

If you are going to reduce or restrict the investment credit, we should give much more study and consideration to the Senator's amendment than we have been able to give it. The things I have mentioned are just some inequities that appear on the surface. I did not hear about the Senator's amendment more than 15 minutes ago.

Mr. DOUGLAS. Do not the inequities—which is a polite word for injustices—exist in the law now? I do not see that this amendment increases them in the slightest.

Mr. LONG of Louisiana. I submit that it would.

Mr. DOUGLAS. If the Senator from Louisiana wishes to address his reforming zeal toward removing injustices in the law, I shall be very glad to join him. But that should not be used as an argument against the attempt to reduce inflationary pressure and produce a little more revenue.

Mr. LONG of Louisiana. Mr. President, I am convinced of the integrity of the Senator from Illinois, and I know he is sincere in his views in presenting his amendment. But speaking as one member of the Finance Committee, if I offered to take the amendment, I know I would be recommending contrary to a majority of my committee, because they have voted on measures relevant to this issue, and their view has been that we have restricted investment credit too strictly, particularly insofar as railroads trying to modernize are concerned. The Senator from Florida [Mr. SMATHERS], for example, was formerly chairman of the subcommittee that dealt with surface transportation. He is well aware of the problems of the railroads, and that those that are not making much money find it very difficult to get the benefit of their investment credit, the way it is now, because of the existing limitation of 25 percent of the tax they pay.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. SMATHERS. I thank the Senator for mentioning me and my alleged knowledge with respect to railroads.

However, I am not worrying about the railroads as respects the amendment of the Senator from Illinois. It seems to me what would be confusing to the entire business community is that if we should adopt his amendment and his approach, we will be changing the concept of investment credit as it has heretofore existed. Because, as I understand it, the Senator's amendment says that you cannot get the benefit of the investment credit; it is tied to income.

There are many little businesses, of which the Senator from Illinois and all of us know, that go out and borrow money and pay interest on the money which they borrow, and they do not finance their building by, we will say, equity financing or selling stock; but they have an interest problem, and when they pay it, they have no income. Therefore, having no income, they are declared ineligible for the use of any investment credit.

So what we would do is complicate what is already a bad situation. The Senator's amendment would remove from businesses which are already being hurt, and which are most in need, the possibility of enjoying an investment credit.

That is what worries me about the proposal of the Senator from Illinois.

Another illustration would be casualty losses. Suppose we had a storm such as we had up in New England a couple of years ago, which blew down many business buildings, knocked down signs, and one thing and another, and they had to build new buildings. The casualty loss would have to be used against the income, so that there would be no income, and that business then could not have the advantage of an investment credit.

So it would seem to me that while I, as the Senator from Louisiana, have the highest regard and respect for the purposes and the sincerity of the distinguished Senator from Illinois, I should be inclined to think that this particular proposal would hurt the people he would not wish to hurt, would not reach the people he is trying to reach, and actually would confuse the investment credit issue even more than it is now confused.

Mr. DOUGLAS. I say to my good friend, the Senator from Florida, that if he is worried about the small businessman who invests up to $25,000—and I am worried about him, too—I shall be very glad to modify the amendment so that the first $25,000 will not have any relevance to the amount that can be reinvested; the first $25,000 will continue as now, and the amendment will merely apply to sums in excess of $25,000, and, in effect, there will be a reduction of 3½ percentage points instead of 7 percentage points.

I do not wish to take an excessive amount of time on this subject. I am, however, deeply pained that my good friend, the Senator from Louisiana, is so obdurate and hard of heart; but he sits in the seat of the mighty and I will not ask for a yea-and-nay vote, but would like to have a voice vote, and at least let the Record show that the issue was raised and that this honorable body passed upon it.

Mr. McCARTHY. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. I yield.

Mr. McCARTHY. I should like to add that I believe this is the most deserving amendment which has been offered on the floor of the Senate since the tax bill has been under consideration.

Mr. DOUGLAS. I thank the Senator from Minnesota. I hope it is preparatory to support.

Mr. McCARTHY. I come very close to supporting it. My only reservation is concerning the Senator's suggestion as to the burden of settlement upon the conference committee.

Mr. DOUGLAS. That is correct.

Mr. McCARTHY. I have the strong feeling that we should not permit the conferees to do too much for the committee. By virtue of protecting my position on the committee, which is way down the line, I would probably be moving to suggest that the committee study this matter, rather than put the burden on the conferees.

Mr. DOUGLAS. I believe that they can do both generally. I notice that we study matters only when they are possible action matters. I believe that this should contribute to the attitudes of the conference committee and the Treasury Department. I cannot quite make out what my good friend from Minnesota is going to do, but I am ready to abide by the vote.

Mr. GORE. Mr. President, I hope that the Senate will carefully review the remarks which the distinguished chairman of the committee has just made. He has exposed a shocking manner of machinations by which investment credit is realized, not by the industry making the investment, but by the financiers.

The colloquy that has just preceded constitutes a very good argument why investment tax credit should be repealed outright.

I rise only to invite the attention of the Senate to this point, and to suggest to the able chairman of the Finance Committee of the Senate that the Constitution places upon the legislative branch of the Government a peculiar responsibility for revenue measures. It does not provide that the Finance Committee of the Senate must sit on its hands and be spineless and motionless until some Secretary of the Treasury sends up a recommendation.

The responsibility is clearly upon the legislative branch of the Government to initiate revenue measures and the only priority which the House has is that of origin. It is incumbent upon the legislative branch of the Government to raise the revenue to support the Government, to provide for the common defense. The constitution does not require the Congress to wait until the President or the Secretary of the Treasury tells it precisely what to do, when to act, how to act or not act, after all the wheeling and dealing that goes on prior to such a recommendation.

I implore the chairman, who is a new chairman of the committee, to provide the leadership to make of it a powerful and effective committee, not merely a compliant pawn for an administration.

Mr. LONG of Louisiana. Mr. President, I should like to speak for a moment to the Senator's remarks, for he has suggested for the second time that he does not have the high regard for my committee that I have. The Finance Committee included a number of amendments in the bill, and I believe that they did a very fine job in adding a number of amendments which we thought to be meritorious.

The Constitution declares that revenue bills shall originate in the House. The Senate does not have the power to originate such bills. The Senate really does not have the right or the duty to initiate legislation of a revenue nature. It must start in the House of Representatives. I suppose that we on our committee are to be regarded as a bunch of lackeys because we reported most of what the administration recommended, as well as adding other amendments, I suppose that puts the House in a bad light.

The House brought back to the floor and voted through almost precisely what the package was when it was recommended by the Treasury, but we do have to work together. I suppose that if we have been lacking in this matter, in a bill passed by the House which was reported by the Committee on Ways and Means, at least we did do our best to try to be responsible as a committee. We resisted the temptation to put a lot of additional taxes on which we did not feel were justified, and we did not try to make an appropriation bill out of a tax bill.

As a committee, I believe that it has tried to be responsible. It has considered all amendments which were offered on their merits. While it is true that we did not agree with some of the amendments offered by some Senators, we certainly did respect their good faith, their good intentions and their desires to serve their country as patriotically and as ably as their consciences dictated.

I am sure that they all do that, and I wish the Senator to know that if he does not have as much regard for some of us who did not vote the way he did, that we do not reciprocate, that we have a high regard for him.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Illinois.

The amendment was rejected.

Mr. LONG of Louisiana. Mr. President, I send to the desk an amendment which is technical in nature.

Let me explain the amendment. It merely gives us some flexibility on the effective date of the bill. The reason it is necessary is that with so many controversial amendments voted on in the Senate and added to the bill, we may be in conference longer than we originally anticipated. If that turns out to be the case, then we would have to change the effective date to the first of the following month, rather than the middle of this month—so that we can make the date April 1, in the event we have to go to that date, as it will give us some flexibility in conference.

Mr. CARLSON. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I yield.

Mr. CARLSON. This amendment was discussed with the minority and we agreed with the chairman on it; is that not correct?

Mr. LONG of Louisiana. The Senator is correct.

Mr. MILLER. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I yield.

Mr. MILLER. Is this date primarily calculated in order to enable business firms to adjust their computers or business machines to carry out the complicated withholding provisions for their employees?

Mr. LONG of Louisiana. Not the withholding, but the telephone tax. They can handle that part of it better.

Mr. MILLER. In that connection, would this amendment give some leeway in conference to adjust the dates with respect to withholding for the same purpose?

Mr. LONG of Louisiana. No. That is a May 1 effective date, so that we are not worried about the effective date. That would not give us any difficulty. What we are concerned about is the telephone tax, which may give us some difficulty and, therefore, we felt that we would need some flexibility to work out the effective date insofar as the telephone tax is concerned.

Mr. MILLER. On that point, let me ask the Senator whether the committee is satisfied that the May 1 date will give ample opportunity to business firms to make the transition and change their business machines in order to comply.

Mr. LONG of Louisiana. Yes, we think so. The Treasury is working on that. My understanding is that they believe it will work out all right.

Mr. MILLER. I appreciate that assurance, because I must say some of us have received correspondence indicating there would be difficulty in making these changes in the time envisioned by the committee's bill.

Mr. LONG of Louisiana. There will be some problems in changing over, of course, but no matter what date would be picked, there would still be serious problems in this field.

Mr. MILLER. If there are these serious problems, is there any thinking on the part of the Treasury Department, for example, to take those problems into account so that people who are unable to do something physically in time, such as being unable to acquire machines, will not be penalized?

Mr. LONG of Louisiana. In view of the fact that we have included a tax table, we think they will be able to do it. We think the May 1 date will work out.

Mr. MILLER. In the Treasury Department's appearance before the committee, I am sure this problem was discussed, but did the Treasury Department's evidence show that it had a policy that if there were some literally impossible situations, taxpayers were not going to be penalized as a result of this provision?

Mr. LONG of Louisiana. The Treasury is going to work it out the best way it can. It believes it has the answers to this problem. But, in complete frankness, I must say to the Senator that when there is a changeover from one withholding system to another, there are bound to be some difficulties. We are going to expect the Treasury to walk the extra mile in an attempt to work out difficulties. We do not think it is going to impose any unusual hardship. There will be inconvenience. But it will be a better system after the changeover is made.

Mr. MILLER. I am not questioning the efficacy of the system, but I have received a letter, for example, from a businessman in my State who, in order to change over to the new system, is going to have to get a new machine, and the delivery of the new machine will be delayed until after this 1st of May deadline. I would hope that if this fact can be shown to the Treasury Department, such a taxpayer, as a result of this provision, will not be penalized.

Mr. LONG of Louisiana. We will direct that problem to the Treasury's attention, and if we have to provide some additional means to take care of the problem, we will certainly do that. I do not think we are going to have difficulties on this matter.

Incidentally, this amendment was not my brainchild. It is the thought of the Senator from Delaware [Mr. WILLIAMS]. After studying it, I became convinced that he was correct about it. So I offer it as the thinking of more than one person. We did talk it over. The Senator from Delaware pointed out that there could very well be problems.

Mr. MILLER. The only reason for my raising the point at this time is to make sure that the committee has flexibility in case this becomes a problem.

With the assurance of the Senator that, if there are impossible hardships which the Treasury Department cannot cope with, we will take remedial action, I will go along.

The PRESIDING OFFICER. The amendments offered by the Senator from Louisiana will be stated.

The LEGISLATIVE CLERK. On page 52, line 24, beginning with "the first day" strike out all through "enacted" on page 53, line 1, and insert "April 1, 1966".

On page 53, lines 2, 3, 4, 7, and 8, strike out "such first day" and insert "such date".

The PRESIDING OFFICER. The question is on agreeing to the amendments of the Senator from Louisiana.

The amendments were agreed to.

Mr. LONG of Louisiana. Mr. President, I send to the desk a number of technical amendments. These are merely technical amendments.

The PRESIDING OFFICER. The amendments of the Senator from Louisiana will be stated.

The LEGISLATIVE CLERK. On page 3, in the matter following line 5, before "$8 but not over $27" insert "Over".

On page 7, in the matter following line 3, after "withheld shall be" insert "the following amount multiplied by the number of days in such period".

On page 8, in the matter following line 1, after "withheld shall be" insert "the following amount multiplied by the number of days in such period".

Mr. LONG of Louisiana. Mr. President, these amendments are merely to correct clerical errors. I move that they be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendments offered by the Senator from Louisiana.

The amendments were agreed to.

Mr. SIMPSON. Mr. President, I am sorry that the economic conditions of our country have compelled the President to ask for the passage of the Tax Adjustment Act. Unfortunately, however, our country is at the crossroads of an economic crisis.

There are many reasons for the inflation and other economic factors that are threatening our economy. More needs to be done than merely adjusting the tax laws, if we are to protect our economy from the inflationary spiral that has been accentuated by the Democrat administration's policies.

We are faced with a war in Vietnam which must be won. This should be given No. 1 priority and all efforts—economically, militarily, and politically, should be made to bring this war to a satisfactory conclusion. I regret that the President seems unwilling to set priorities and pay the price required in meeting them. Tough action is needed, not mild hopes.

The most reliable economic indicators warn of an overheated economy, which will bring about inflation. Government deficits and spending contribute to inflation and must be reduced.

Since we cannot curtail the war effort in Vietnam until victory is obtained, we must establish priorities and eliminate or curtail some of the domestic programs which are of dubious value and, for the most part, are of little value in meeting the high priority demands of our Nation.

Our problems today do not stem so much from a lack of revenue, but from a lack of control over government spending. If our Government would restrain its spending ambitions, our economy could continue its growth. But when we have increased government expenditures at home, coupled with the expenditures incident to the war in Vietnam, added to an already record private demand, there is an invitation to disaster.

We must avoid this disaster.

Who suffers when the administration does not control its spending which brings on inflation? Unfortunately, those suffer most who can least afford to suffer. In the name of wage earners, the social security beneficiaries, and those Americans on fixed incomes who suffer most in times of inflation, I urge the administration to set priorities and spend only that money which is needed to carry on our essential programs.

Because of the threats of inflation and the administration's failure to set priorities, we are being asked to adjust the tax laws with regard to collection of income taxes payable to the Federal Government. While I am unalterably opposed to the fiscal policies which have brought about this crisis, I feel that this legislation is needed as a tool to fight inflation and to help us pay for the war in Vietnam.

I think we must face up to the crisis that does exist, and have the courage to enact whatever legislation is needed—no matter how unpopular it may be.

The American people should be warned, however, that even this action will not give us the needed protection if the President and his advisers do not establish priorities and curtail their nonessential spending.

Mr. TOWER. Mr. President, as a nation, we are faced with a very serious and costly military action in Vietnam. No one is counting on our actions there being of short duration, and our commitment will not be fulfilled without a substantial cost. Certainly funds for support of this action should receive top priority above any other project.

What I object to, Mr. President, is that apparently we are not viewing this commitment in a scale of priorities. We must learn that spending for lesser projects must be curtailed, at least for the duration of our action in Vietnam.

All I request, and I think it is a reasonable request, is that we should acquire more of a sense of responsibility and priority in considering domestic programs, and that we take into account our primary obligation of defense. I believe it is reasonable to ask that the Government reestablish its sense of responsibility toward the taxpayers.

I intend to support this request for additional funds for our military operations, Mr. President. I do this out of a sense of duty toward our men in southeast Asia.

At the same time, I find it regrettable that no better way could be found to raise revenue for our Vietnam operations than by raising the excise tax rate. There are certain priorities involved and I believe that ample opportunities exist for saving in the proposed domestic budget.

I intend to support this tax increase, but I hope that the passage of this bill will not be interpreted as a signal to increase spending. I trust that we can still effect significant savings in the domestic portions of the 1967 fiscal year budget.

The **PRESIDING OFFICER.** The bill is open to further amendment.

If there be no further amendment to be offered, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The **PRESIDING OFFICER.** The bill having been read the third time, the question is, Shall it pass?

Mr. **GORE.** Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The **PRESIDING OFFICER.** The question is on passage. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. **LONG** of Louisiana. I announce that the Senator from Idaho [Mr. CHURCH], the Senator from Arizona [Mr. HAYDEN], the Senator from South Dakota [Mr. MCGOVERN], the Senator from Utah [Mr. MOSS], and the Senator from Maine [Mr. MUSKIE] are absent on official business.

I also announce that the Senator from New Hampshire [Mr. MCINTYRE] is absent because of illness.

I further announce that the Senator from Connecticut [Mr. DODD] and the Senator from Ohio [Mr. LAUSCHE] are necessarily absent.

I further announce that, if present and voting, the Senator from Idaho [Mr. CHURCH], the Senator from Connecticut [Mr. DODD], the Senator from Arizona [Mr. HAYDEN], the Senator from Ohio [Mr. LAUSCHE], the Senator from South Dakota [Mr. MCGOVERN], the Senator from New Hampshire [Mr. MCINTYRE], the Senator from Utah [Mr. MOSS], and the Senator from Maine [Mr. MUSKIE] would each vote "yea."

Mr. **DIRKSEN.** I announce that the Senator from California [Mr. KUCHEL] is absent because of illness.

The Senator from Arizona [Mr. FANNIN], the Senator from South Carolina [Mr. THURMOND], and the Senator from Pennsylvania [Mr. SCOTT] are necessarily absent.

If present and voting, the Senator from California [Mr. KUCHEL], the Senator from Arizona [Mr. FANNIN], the Senator from Pennsylvania [Mr. SCOTT], and the Senator from South Carolina [Mr. THURMOND] would each vote "yea."

The result was announced—yeas 79, nays 9, as follows:

[No. 52 Leg.]

YEAS—79

Aiken
Allott
Anderson
Bartlett
Bayh
Bennett
Bible
Boggs
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Clark
Cooper
Cotton
Curtis
Dirksen
Douglas
Eastland
Ellender
Ervin
Fong
Fulbright
Gruening
Harris
Hart
Hartke
Hill
Holland
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McNamara
Metcalf
Mondale
Monroney
Montoya
Morton
Mundt
Murphy
Neuberger
Pastore
Pell
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Russell, S.C.
Russell, Ga.
Saltonstall
Simpson
Smathers
Smith
Sparkman
Stennis
Symington
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—9

Bass
Dominick
Gore
Hickenlooper
Miller
Morse
Nelson
Pearson
Talmadge

NOT VOTING—12

Church
Dodd
Fannin
Hayden
Kuchel
Lausche
McGovern
McIntyre
Moss
Muskie
Scott
Thurmond

So the bill (H.R. 12752) was passed.

Mr. **LONG** of Louisiana. Mr. President, I find that the amendment offered by the Senator from Indiana [Mr. HARTKE] failed to read as the Senator explained.

Mr. **HARTKE.** In the technical drafting of the amendments, the amount of the tax eliminated was to revert to what it was at the first of the year—3 percent. As the drafting service prepared the bill, that provision was eliminated entirely. That was not the intention. I have explained this to the Senator from Louisiana.

Mr. **LONG** of Louisiana. Mr. President, that is what the Senate thought it was voting for. So I ask unanimous consent that the Senator from Indiana be permitted to modify his amendment in accordance with the explanation he has given to the Senate.

The **PRESIDING OFFICER.** Is there objection? The Chair hears none, and it is so ordered.

The Hartke amendments (No. 504) as modified and agreed to, are as follows:

On page 51, beginning with line 18, strike out all through line 12 on page 52 and in lieu thereof insert:

"(a) POSTPONEMENT OF CERTAIN RATE REDUCTIONS.—Section 4251 (relating to tax on communications) is amended—

"(1) By striking out subsection (a) and inserting in lieu thereof the following:

" '(a) IN GENERAL.—

" '(1) Except as provided in subsection (b), there is hereby imposed on amounts paid for—

" '(A) local residential telephone service, a tax equal to the percent of the amount so paid specified in paragraph (2)(A), and

" '(B) local telephone service, toll telephone service, and teletypewriter exchange service, a tax equal to the percent of the amount so paid specified in paragraph (2)(B).

The taxes imposed by this section shall be paid by the person paying for the services.

" '(2)(A) The rate of tax referred to in paragraph (1)(A) is as follows:

" 'Amounts paid pursuant to bills first rendered—

	" '*Percent*
During 1966	3
During 1967	2
During 1968	1

" '(B) The rate of tax referred to in paragraph (1)(B) is as follows:

" 'Amounts paid pursuant to bills first rendered—

	" '*Percent*
Before April 1, 1968	10
After March 31, 1968, and before January 1, 1969	1'

"(2) By inserting at the end of subsection (c) the following new sentence: 'For purposes of paragraphs (1)(B) and (2)(B) of subsection (a), in the case of communication services rendered before February 1, 1968, for which a bill has not been rendered before April 1, 1968, a bill shall be treated as having been first rendered on March 31, 1968.'

"(b) LOCAL RESIDENTIAL TELEPHONE SERVICE.—Section 4252 (relating to definitions for purposes of the tax on communication services) is amended—

"(1) by striking out the last sentence of subsection (a) and inserting in lieu thereof the following:

" 'The term "local telephone service" does not include any service which is toll telephone service (as defined in subsection (b)), private communication service (as defined in subsection (d)), or local residential telephone service (as defined in subsection (e)).'; and

"(2) by adding at the end thereof the following new subsection:

" '(e) LOCAL RESIDENTIAL TELEPHONE SERVICE.—For purposes of this subchapter, the term "local residential telephone service" means (1) the communication service furnished to a subscriber which provides access to a local telephone system, and the privilege of telephonic quality communication with persons having telephone or radio telephone stations constituting a part of such local telephone system, if the telephone station which is furnished to the subscriber is located in a personal residence of the subscriber and is not used principally in the conduct of any trade or business, and (2) any facility or service provided in connection with such communication service.' "

On page 52, line 13, strike out "(b)" and insert "(c)".

On page 52, line 22, strike out "(c)" and insert "(d)".

On page 52, lines 22 and 23, strike out "subsections (a) and (b)" and insert "this section".

Mr. **LONG** of Louisiana. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. **MANSFIELD.** I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. **LONG** of Louisiana. Mr. President, I ask unanimous consent that the bill be printed with the amendments numbered; and that in the engrossment of the amendments of the Senate to the bill H.R. 12752, the Secretary of the Senate be authorized to make all necessary technical and clerical changes and corrections, including corrections in section and subsection numbers, designations, and cross references thereto.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. LONG of Louisiana. Mr. President, I move that the Senate insist on its amendments to the bill H.R. 12752 and ask for a conference with the House thereon; and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. Long of Louisiana, Mr. Smathers, Mr. Anderson, Mr. Williams of Delaware, and Mr. Carlson conferees on the part of the Senate.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, I should like to ask the distinguished majority leader what the business before the Senate will be tomorrow.

AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961, AS AMENDED

Mr. MANSFIELD. Mr. President, in response to the question of the distinguished minority leader, I ask unanimous consent that the Senate proceed to the consideration of H.R. 12169, the Foreign Economic Assistance supplemental bill, and that it be laid before the Senate and made the pending business.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (H.R. 12169) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Foreign Relations.

Mr. DIRKSEN. Mr. President, I should like to ask the majority leader, further, whether there is a possibility that the Senate may finish its consideration of the bill tomorrow. Some Senators are encumbered with engagements on Friday. I assume that if the Senate convened a little earlier, there might be a prospect of completing action on the bill tomorrow.

Mr. MANSFIELD. I guess I have a long neck, so I can stretch it a little.

ORDER FOR ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business tonight, it adjourn until 10 o'clock tomorrow morning.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. On that basis, I am hopeful, but I would not wager, that we might be able to make real progress on the bill.

Mr. DIRKSEN. Mr. President, I observe in the Chamber the distinguished Senator from Alabama [Mr. Sparkman], who will probably manage the bill on the floor of the Senate. Probably he can give us some assurances on that point.

Mr. SPARKMAN. I am one of those who have appointments out of the city on Friday, so I shall certainly be cooperative.

Mr. DIRKSEN. Would the distinguished Senator care to speak for other members of the committee?

Mr. SPARKMAN. The committee has 19 members. It would be quite a job to speak for all of them.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. MORSE. I wonder if the Senator from Alabama is in an associating mood. Would the majority leader be receptive to a vote on the passage of the bill tomorrow afternoon at 3 o'clock?

Mr. MANSFIELD. Mr. President, would the Senator be willing to make that 3:30?

Mr. MORSE. Very well; 3:30.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the vote on the passage of the pending bill occur at 3:30 tomorrow afternoon, and that rule XII, clause 3, requiring a quorum call before setting the time for final passage of the bill be suspended.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. DIRKSEN. Mr. President, is it in order now to ask for the yeas and nays on the passage of the bill at 3:30 tomorrow afternoon?

The PRESIDING OFFICER. The bill has been laid before the Senate. The request is in order.

The yeas and nays were ordered.

Mr. MANSFIELD. This is all a little unusual.

Mr. DIRKSEN. I have one more question. Can the majority leader state when we may expect to consider the mine safety bill?

Mr. MANSFIELD. Following the completion of the pending business, it is planned to call up the mine safety bill, which would be, I believe, on either Friday or Monday, depending on the progress that is made tomorrow. That bill will be followed by the small business bill, in which both the Senator from Wisconsin and the Senator from Massachusetts are interested.

Mr. HICKENLOOPER. Mr. President, will the Senator yield for an inquiry?

Mr. MANSFIELD. I yield.

Mr. HICKENLOOPER. In the unanimous-consent agreement which was just entered into—and which, I frankly say, was so smoothly and quickly done that I have not recovered yet from the shock——

Mr. MANSFIELD. Neither have I.

Mr. HICKENLOOPER. Nothing was said about amendments. I merely suggest this because some Senator may obtain the floor tomorrow, offer an amendment, and talk until 3:30 in the afternoon, when the Senate is scheduled to vote. How is that situation to be met?

Mr. MANSFIELD. The Senator has asked a fair question. I was as much surprised as he was in the granting of the unanimous-consent request.

Mr. President, if amendments are to be offered—and I assume they will be—how much time would the Senator suggest be allowed for amendments?

Mr. HICKENLOOPER. I am ready to vote on the bill now. I have no amendments to offer. I am merely suggesting a parliamentary situation which could be rather unfair to the Senate, if the agreement is left open-ended in this way. It raises the possibility that a Senator could offer an amendment and then talk all the way to 3:30 in the afternoon.

Mr. MANSFIELD. The Senator is correct.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. MORSE. In defense of the entire Senate, I should like to say that no Senator is thinking of doing that.

Mr. DIRKSEN. I acted on my own responsibility today to speak with the Senator from Oregon. I also spoke with the Senator from Alabama [Mr. Sparkman] and the chairman of the committee [Mr. Fulbright], and with every Senator whom they suggested, to ascertain whether there would be an extended discussion of the bill; and second, whether any amendments would be offered. All this was done with the hope of trying to determine how much time would be required for the consideration of the bill. I did this only because requests were coming from Senators who had meetings scheduled for Friday. They felt that they might be embarrassed and might have to cancel their meetings. The Senator from Oregon gave me some assurance as to how long he would talk; likewise, the other Senators. On that basis, I can readily see that action on the bill can be concluded, without rushing, by 3:30 tomorrow afternoon.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that if amendments are to be offered, there be a limitation of 30 minutes to each amendment, 15 minutes to a side, the time to be equally divided between the proposer of the amendment and the manager of the bill.

Mr. HICKENLOOPER. Mr. President, I am sorry I opened up this whole can of worms. I withdraw all my statements.

Mr. ALLOTT. Mr. President, I wonder if the distinguished majority leader would agree that we might avoid some difficulty if he would also include in the unanimous-consent request a division of time on the bill, so that we would not encounter on the bill itself the same possibility that the Senator from Iowa feared might occur on amendments.

Mr. MORSE. That is what I was about to suggest. I was a little surprised that any Senator might not cooperate completely within the spirit of the unanimous-consent agreement. I am perfectly willing to have the time divided during the day. I sought to do so in order to cooperate with the two leaders, so that the Senate could vote tomorrow and not have the bill go over until Monday.

I think that is what we were faced with. We must either get it out of the way by 3:30 tomorrow afternoon or go over to Monday.

I told the majority leader that I did not expect to speak for more than 30 minutes. It is such a terrible bill that a reading of it speaks for itself.

I shall vote against the bill. Amendments were offered in committee. We failed in the committee to get needed amendments to the bill.

I do not think that it will take very long, if anyone offers amendments on tomorrow, to get votes on the amendments.

I know what the situation is in regard to the power bloc that is going to roll in the Senate tomorrow on this bill. We might as well get it behind us and get it to the people. They will have to be the final judges anyway. I shall be ready to vote at 3:30 tomorrow afternoon.

Mr. MANSFIELD. Mr. President, I amend my unanimous-consent request and ask unanimous consent that, in addition to the time being divided equally on the amendment, the last hour be divided equally between the majority and minority leaders.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, the understanding is that the unanimous-consent request on the amendments in no way extends the unanimous-consent agreement to vote at 3:30 tomorrow afternoon.

Mr. MANSFIELD. The Senator is correct.

Mr. MORSE. With that understanding, I do not object.

Mr. MANSFIELD. Mr. President, just to make the RECORD straight on the unanimous-consent request, I think it should be understood that the vote will take place not later than 3:30 tomorrow afternoon. It could be ahead of that time.

The PRESIDING OFFICER. Without objection, it is so ordered.

The unanimous-consent agreement, subsequently reduced to writing, is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That the Senate proceed to vote not later than 3:30 p.m. on Thursday, March 10, 1966, on final passage of the bill (H.R. 12169) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

Ordered further, That debate on any amendment be limited to 30 minutes, to be equally divided and controlled by the author of the amendment and the majority leader or any Senator designated by him. *Provided further*, That the last hour of debate before the vote be equally divided and controlled by the majority and minority leaders.

ADJOURNMENT TO 10 A.M. TOMORROW

Mr. METCALF. Mr. President, if there is no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand adjourned until 10 a.m., tomorrow.

The motion was agreed to; and (at 5 o'clock and 57 minutes p.m.) the Senate adjourned, under the previous order, until tomorrow, Thursday, March 10, 1966, at 10 a.m.

EXTENSIONS OF REMARKS

Sokol Square in Passaic, N.J.

EXTENSION OF REMARKS
OF
HON. CHARLES S. JOELSON
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 9, 1966

Mr. JOELSON. Mr. Speaker, the January 1966 issue of the Fraternal Monitor, affiliated with the National Fraternal Congress of America representing some 10 million members, published an interesting editorial under the title "Sokol Centennial."

The article deals with the Sokols in general and the Sokol Square in the city of Passaic, N.J., which is in the congressional district which I represent.

The year 1965 was a centennial year of the first Sokol, which is a physical fitness organization in the United States. However, only in one city, that of Passaic, N.J., was there a dedication of a Sokol Square. This dedication took place on Saturday, November 13, 1965, in connection with the 2-day celebration of the 60th anniversary of the Slovak Catholic Sokol organization. There were impressive ceremonies and Governor Richard J. Hughes of New Jersey and Mayor Pauly G. De Muro proclaimed the Slovak Catholic Sokol Week.

Tribute was paid to the founders, one of whom, Andrew Klukosovsky of Clifton, N.J., was present for the ceremonies. Right Reverend Monsignor Andrew J. Romanak, P.A., said the invocation and celebrated mass for the founders. The present and former supreme officers visited Passaic on this occasion, coming from many cities.

On Sunday, November 14, 1965, Right Reverend Abbot Theodore G. Kojis, OSB, of Cleveland, celebrated pontifical mass at St. Mary's Church and Right Reverend Monsignor K. M. Mlynarovic of Valparaiso, Ind., and the present supreme chaplain, Right Reverend Monsignor Emil R. Suchon of Rockaway, N.J., a native son of Passaic, preached. A large banquet was held with Paul C. Fallat, supreme president, as principal speaker and Joseph G. Prusa, supreme secretary, as toastmaster. Messages of felicitations were read from many Governors and Pope Paul VI bestowed his papal blessing on the organization.

Princeton Cooperative School Program

EXTENSION OF REMARKS
OF
HON. WILLIAM S. MOORHEAD
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 9, 1966

Mr. MOORHEAD. Mr. Speaker, I take pride and pleasure in calling the attention of the House to the Princeton cooperative school program, now in its third year at Princeton University.

There is a line in Dante's "Divine Comedy" which says, "Great flame follows a tiny spark." I feel this is particularly applicable to the Princeton program because the program takes boys who have shown their teachers a spark of something but who do not show it consistently and tries to fan that spark to a steady glow.

Basic support from the program, which has as its general overall purpose the encouragement of qualified high school boys who are disadvantaged because of race or economic status or both to go on to college, came from the Rockefeller Foundation and additional funds have been received from the National Science Foundation, the U.S. Office of Education, and Princeton University.

Unique features of the program are the boys' nominations on the basis of "teacher's hunches" that with special help and encouragement they may develop into all-round leaders, and that they are not taken out of their own schools but returned after an intensive 6 weeks' session. Final selection is made by the director of the program, Prof. Sheldon Judson, of Princeton's Geology Department; Prof. Charles McCracken, of Newark State College, program coordinator; and Robert F. Engs, assistant to the director.

Classes are of the seminar type where students are invited to express their own thoughts and wonder, analyze their own problems, and seek self-expression and objectivity. They include English, science, art, social studies, and photography. Nor is the social atmosphere forgotten: besides the exposure to the beauties of the college campus, the boys have an opportunity to live in comradeship in special dormitories, to exchange ideas freely with the faculty in informal gatherings, and to avail themselves of the services of a staff psychologist. The session begins with a buffet dinner for students and parents on registration day and concludes with the presentation of a certificate of completion at a stag roast beef dinner. There is also a parents day midway during the program. It is significant that in the classes of about 40 16-year-olds there have been no dropouts.

No less important is the second phase of the program as boys are returned to homes and classes. During this time the staff, high school teachers, and counselors continue to work with students through their year of college decision. The university held a reunion 8 weeks after the last session during which time the boys of the previous year recounted their summer experiences in activities ranging from the National Science Foundation Institute at Bucknell University, Outward Bound School on Hurricane Island, Maine, and the U.S. Naval Reserve summer training program. As one teacher put it:

> The boys seemed to feel that they have accomplished quite a bit. Those of us who had worked with them had a paternal feeling and would want to keep in touch and continue to help if possible.

Amerigo Vespucci

EXTENSION OF REMARKS

OF

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 9, 1966

Mr. ANNUNZIO. Mr. Speaker, the case of Amerigo Vespucci is one of the strange paradoxes in history. The whole Western Hemisphere bears his name, yet a great deal of controversy exists over the worthiness of the man to whom this singular honor has been extended.

Vespucci, according to the records available, made four voyages to the New World between 1497 and 1504. Two of Vespucci's letters, giving an account of these four voyages, were translated and published in the leading countries of Europe. They resulted in a profound impact on the geographical sciences and caused enlightened changes to take place. Not only did these letters have a decisive influence on the content of the early maps and the charting of unknown territories, but they also helped to give rise to the idea of calling the New World America.

Early Spanish historians, because they did not want to detract from Columbus' glory, began to downgrade Vespucci's character and his contributions in the field of navigation. Strangely, however, Columbus and Vespucci were close friends in Seville from 1492 until Columbus' death in 1506, and there is no indication of rivalry between them. In fact, they shared a warm and understanding friendship. Later, Portuguese historians, as well as English historians, repeated and elaborated on the earlier unfavorable Spanish historians' views of Vespucci.

Contrary to what has been said, Vespucci was both a good man and an educated man. Two basic qualities guided him and served him well throughout his life: a spirit of scientific inquiry, coupled with keen intelligence, and the reputation, which he always upheld, of being a man of trust. He possessed great discretion, and unusual as it may seem, enjoyed the complete confidence of such a diversified group as King Ferdinand of Spain, King Manuel of Portugal, the Medici of Florence, the Florentine bankers in Seville, Christopher Columbus, and other great navigators, and even the ordinary sailors.

Vespucci's greatest contribution to posterity was his correction of a common misconception which existed in his day. The technical knowledge he had at his command led him to make the pronouncement that the new lands, whose location Columbus had discovered, were not Asia or the Indies, but a totally new world.

From 1508 to the time of his death in 1512, Vespucci by order of King Ferdinand, turned his house in Seville into a university of pilots and trained all the pilots who sailed under King Ferdinand's flag. In addition, he drew up all the navigators' charts used by the pilots, and no charts other than Vespucci's were used. And finally, he was given the official title of pilot major for the crown. All navigators who returned with news of new land or discoveries not appearing on Vespucci's master chart had to report their findings to the pilot major. He, in turn, recorded them, and in this way the chart grew in accuracy and was kept up to date for the use of other navigators.

This, then, became Vespucci's final and perhaps most significant contribution to mankind, because, by training pilots in the science of navigation and by charting unknown territories, he opened the door to unlimited exploration and development of the New World.

It is fitting, therefore, that today we pause to observe the 512th anniversary of Amerigo Vespucci's birth and to honor the memory of this great man.

Role That Magazines Play in a Free Society—Speech by John K. Herbert, President, Magazine Publishers Association, Inc.

EXTENSION OF REMARKS

OF

HON. FRANK CARLSON

OF KANSAS

IN THE SENATE OF THE UNITED STATES

Wednesday, March 9, 1966

Mr. CARLSON. Mr. President, during my years of service as a member and former chairman of the Senate Post Office and Civil Service Committee, one of the most rewarding experiences has been the knowledge that, through the work of that committee, we have insured the continued and unequaled success of the periodical press of the United States by providing postal service to readers of newspapers, magazines, and other periodicals.

On January 25, the Advertising Club of Metropolitan Washington, Inc., held its annual Magazine Day. John K. Herbert, president of the Magazine Publishers Association, Inc., spoke to a group of 150 Washington advertising executives concerning the role that magazines play in a free society. The magazine industry of the United States is unequaled by that of any other country in the world.

It is my pleasure to ask unanimous consent to have incorporated in the CONGRESSIONAL RECORD, Mr. Herbert's remarks concerning the dynamic force that industry has created on our economy and way of life.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

Thank you, Mr. Chairman, ladies and gentlemen, guests of the Advertising Club of Metropolitan Washington, you do the magazine industry great honor in affording me this time and attention.

Yet your compliments and interest perhaps reflect that of another Washingtonian who wrote me:

SEPTEMBER 16, 1965.

DEAR MR. HERBERT: I am particularly pleased to extend my best wishes to the members of the Magazine Publishers Association as they meet in their annual convention.

I do so because few avenues of communication in his country play a role as vital as yours.

The extent to which any society can be free and responsive is equated by the degree to which it is enlightened and informed. In this respect, the American people are a classic example. Nowhere are the people of a single nation as intelligently and keenly aware of the ever-changing panorama of global events.

This, I believe, is a direct tribute to you.

Your publications not only inform and educate, but since the days of Thomas Paine, who well deserved the title of publisher, they have been a major force in unifying this country.

The broad spectrum of magazines published in the United States reflects vividly the breadth of interests and concerns of our people. Your publications reach out to every segment of our society to fill an urgent need for the information that is essential in forming the wise decisions on which our democracy thrives.

The American magazine industry is a vital and indispensable force of which we are all proud, and I wish you continued success in your efforts.

Sincerely,

LYNDON B. JOHNSON.

What are the qualities of magazines that have evoked this sincere and perceptive tribute? What are the characteristics which enable them to accept unblushingly the compliment paid them by Henry R. Luce, perhaps a biased but nonetheless professional witness?

I quote: "Magazines have been educative, especially of adults, in many, many ways. We have educated the American people in the sense of providing information for information's sake. We have also been educators in ways of living, in ways of thinking and believing. In pragmatic terms, magazines have been responsible, to some very great extent, for the standard of living of the American people, the beneficent wonder of the world."

Well, how does this come about? First, the magazine is read. It is read usually at the time and place of the reader's choosing, when the mood, the leisure and the interest coincide.

In this I am reminded of the observations of two oldtime scholars which seem particularly applicable to magazines today.

Noah Porter, when president of Yale University from 1871 to 1886, declared: "No man can read with profit that which he cannot learn to read with pleasure." And the noted English commentator and writer, Samuel Johnson, advised simply and succinctly, "One ought to read just when the inclination takes him, for what he reads as a task will do him little good."

But magazines offer more than selective reading for learning with pleasure. The magazine offers the invaluable act of reading itself, invaluable because reading is the tested and certain path to comprehension, and comprehension is the foundation of learning, of judgment, of decision. Thus, the appealing fusion of text and illustrations produces this component of the magazine character, simply that it is read.

The magazine has timely authority. It also often has enduring entity.

Though the magazine is constantly reinterpreting the lessons of history as new facts and perspectives emerge, it doesn't consume valuable years to do so. Usually it is the first to change ideas which may have been erroneously held for decades.

This quality which gives the magazine its informative vigor is worth emphasis. Day to day changes in the news often relate to central events of major importance. A series of circumstances occurs here or in Asia. Each is reported as it happens.

But the concerned reader is confused. He wants to know what is the sum of these events. Linked together, what do they portend? What is the real significance of De Gaulle? What are the chances of peace in Vietnam? What were the political implications of the New York transit strike? Were any of them national? What is behind the headlines on Soviet commitments in North Vietnam? Medicare? How may they affect the farmer, the businessman, the housewife, the mechanic, the cost of living, a new automobile, a vacation, the children's education?

Here is where the interest lies. Do these bits and pieces of news add up to a passing shower or a Noah's deluge? Where can we get authoritative, reflective answers while they are still meaningful?

The facts must be appraised and interpreted by articulate experts trained in the interests of their readers.

The first place such authority usually appears is in a magazine, to be read at your convenience.

It is, therefore, neither book nor newspaper; neither audio nor visual device, it is a magazine, separate and distinct from all other communication media, and it has authoritative timeliness.

Magazines increase learning abilities among schoolchildren. That's a strong statement—it is also a provable one. A few years ago the National Education Association issued a report on a unique study of the results of effective magazine use in elementary high schools. The only magazines tested were those read widely by the general public. Only one teacher in each school was asked to report. So intense was the interest engendered that replies were received from 900 of the 1,200 schools surveyed.

With the often deplorably slow updating of textbooks—some are used for 5 or even 10 years—magazines were demonstrated to provide a vital means of relating learning to the experience of daily living.

The deep nationwide concern of serious teachers for up-to-date viable learning systems was most aptly expressed by one California teacher who said: "Without magazines our programs would die."

What greater proof that magazines increase learning abilities? They increase them pleasurably. And, I may add, at all literate ages.

I emphasize the word pleasurably because learning is an inevitable process of living and living can and should be always a pleasant process. But learning has a deeper meaning than the discovery of something new. Learning also implies a broadening appreciation of the tested and stanch precepts of the past.

In our youth, studying early American history, we heard about the something called freedom of speech. Coming after some years of parental discipline more or less based on a canon that children should be seen and not heard, the term "freedom of speech" at best elicits a mixed response. It seems that what was right for Patrick Henry may not be right for children; what is right for schoolteachers is interpreted differently for pupils. Only very, very gradually do we assimilate the real meaning of Thomas Jefferson's living words: "Freedom of religion, freedom of the press and freedom of person * * * these are the principles which have guided our steps."

I submit that our national magazines today have more effect in sustaining and maintaining such fundamentals to the democracy of our Republic than any other influence available throughout the entire Nation. Since the first American magazine was announced by Benjamin Franklin in 1740, they have strengthened our determination to uphold and forever preserve the only political way of life tolerable for freeman.

Think of this a little, when you think of the 95 million adults who are magazine readers.

Magazines protect and implement national unity. We are a nation; we are not simply 50 loosely federated States or, if you like, a dozen regions. We are a nation and whatever local rights and customs we may stanchly uphold, our national purpose is indivisible.

Magazines may quickly transport the relaxed and comfortable ranchhouse style of home from the West to the East. With equal speed they can and do widen appreciation and understanding of art, of education needs, of religion, and of our place and purpose in this increasingly complex world.

But, in the fundamental principles of our Nation, even those involving abstruse economics and perplexing politics, there is no other interpretive means whereby widely divergent opinions can be expressed in depth and quickly annealed for a resolute course of action.

Where national unity is of importance, the essential ingredients to its achievement are found in magazines.

There is one quality common to magazines which, to me, is very special: they vigorously express honest and forthright differences of opinion.

Magazines, especially many that may be small in circulation but huge in influence, seem to represent just about all the points of view there are. So long as the reader is selective, he can find high, low, or middle ground on virtually every important domestic and international question likely to concern him. Equally important, he can get timely discussion of all three views. From magazines, readers can learn not just what to think, but what to think about. There is a vast difference.

New magazines are constantly appearing on the market, 33 in the past year. Most of them represent new ideas; new thinking; a fresh approach. Rarely are they aimed at that audience en masse. They do not seek the lowest common denominator of a group interest, though one aim is surely financial success. But that success is expected through effective, articulate, even dramatic presentation of an idea and the idea dominates the mere technical skills of promotion, display, and exploitation.

Magazines affect and motivate people of influence. Top business executives—and their counterparts in the leaders and homemakers among women—are in a position to pick and choose. In fact, they must do so. They are not people with idle time, content to accept any mental stimuli, however slight, rather than none at all. They are people looking for ideas which will enhance their capacity and zest for living, for producing, for broadening the scope of their interests. They select magazines—several particular magazines—only because these provide what they want and what will influence them—help them—meet their wants. The magazine influences people because they want it to influence them. That is why people buy them.

Magazines inspire confidence. The printed word, backed by reputation, has a powerful effect on believability. This is heightened by the timespan over which the printed word is expected to be subject to public scrutiny. Broadly magazines meet this test. The magazine departments—archives—of great public libraries daily demonstrate their value as a continuing source of reliable reference.

Magazines encourage selectivity. Some people regard this as the most important manifestation of the magazine character. Advertising makes possible our rich world of magazines. And advertising helps the selective process. But magazines in themselves suggest and inspire improvement in standards and methods of living which excites ambition among many classes of people. Because they are magazine readers, these people generally have or can accumulate the means to pay for desired and desirable improvements. Further, they have the will, the tenacity and the job security which makes possible early accumulation of such improvements. Moreover, they tend to have a plan for developed living which encourages thoughtful consideration of their purchases. They read. They reflect. They compare. And finally they buy. And what they buy and where they buy are strongly influenced by the editorial content which surrounds and often provides essential background for their decision.

It provides background, too, for consideration of well-planned, effectively executed and appropriately placed advertising designed specifically to appeal to the special groups within the heterogeneous 49 million families of loyal and consistent magazine readers.

In summary: The magazine is read. It has timely authority. It increases learning ability. It offers widely varying opinions. It motivates people of means and influence. It covers literally—universal interests. It inspires confidence. Its audience is vast but entirely self-selecting. Finally, it distributes the products, the ideas, and the ideals of our educators, our philosophers, our writers: the sum of our creative talent in the arts and in business and industry.

Anyone aware of the recent changes and impressive growth in the magazine business cannot avoid being impressed by the dynamics of this vast and influential industry. For 200 years magazines have helped mold the minds, the ambitions and the achievements of mankind. Where else, with meaning, can we find a continuously vivid influence on our daily life, with so rich an experience in the past, from which we may resolve our problems of the present; and develop to the full, our opportunities of the future?

And in these achievements, accumulated over more than two centuries and actively and vitally working today, are embodied the real power inside your magazines.

Banking and Currency Committee Hearings on City Demonstration Programs

EXTENSION OF REMARKS

OF

HON. RAY J. MADDEN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 9, 1966

Mr. MADDEN. Mr. Speaker, the Banking and Currency Committee of the House of Representatives is to be commended on its diligence in holding hearings on H.R. 12341, legislation to assist metropolitan cities in demonstration programs for rebuilding slum and blighted areas and for providing public facilities and other necessary services to improve the general welfare of the people who live in these areas.

This morning I testified before the Subcommittee of the Banking and Currency Committee that has been holding hearings on this legislation.

I hereby submit recommendations set out in my statement to the committee.

TESTIMONY OF RAY J. MADDEN, MEMBER OF CONGRESS, ON THE HOLDING OF HEARINGS ON THE CITY DEMONSTRATION ACT BY THE SUBCOMMITTEE ON HOUSING, MARCH 9, 1966

Mr. Chairman, I wish to commend Chairman PATMAN, Subcommittee Chairman BARRETT, and the members of the Banking and Currency Committee for holding hearings on the pending bill, H.R. 12341. This bill proposes to assist cities in rebuilding slum and blight areas and providing public facilities and other municipal functions to aid the general welfare of the people.

I know there are many metropolitan cities throughout our Nation that have been undergoing a "population explosion" during the last 20 years and especially since World War II. These congested localities are handicapped and distressed in their efforts to meet the needs of crowded conditions pertaining to housing, transportation, schools, and many other municipal improvements and necessities.

A half century ago our Nation was not confronted with the phenomenal exodus of millions of our population into our urban areas which has taken place in recent years. It is estimated that over 70 percent of our population today has been crowded into metropolitan areas. City governments in these large urban concentrations are financially helpless to meet the housing, school, transportation, and other problems facing millions of their citizens. This legislation which you are considering will be a major step to curtail and solve the problem which is expanding in urban centers as the years pass.

I realize your committee has been hearing testimony from mayors and municipal officials concerning their particular necessities and I want to submit to your committee an outstanding example of a city in my district which would be greatly benefited if the pending legislation were enacted into law.

Gary, Ind., might be an outstanding model as a "logical demonstration city" which needs outside financial aid and supervision to solve its municipal problems. Gary, with a population of a little under 200,000, is the youngest metropolitan city in the United States.

Gary's population started exploding at the beginning of World War II. The largest steel mill in the world is located in the city. We have other steel subsidiaries as well as minor industries pertaining to defense production in the city of Gary. East Chicago, Whiting, and Hammond, three smaller industrial cities, join the city of Gary. East Chicago has two major steel mills, Youngstown and Inland, and refineries from major oil companies are located in the Calumet region. All this concentration of defense industries has caused the population explosion in the city of Gary. In the last 20 years the population has risen in Lake County, which is known as the Calumet Industrial Region, from 240,000 to over 600,000 in 1966. The taxpayers—homeowners especially—are unable to bear the tax load in order to supply the avalanche of municipal needs for workers who have come into this steel producing area since World War II and every year since, defense production has increased annually. During World War II, publicity and newspaper ads called for workers to come into the Calumet region to work in the steel mills, factories, refineries, and other industries in order to meet the national defense effort.

I mention these facts in order to bring out how necessary it is for legislation of this type to be passed in order to solve the urban problems that face areas like the Calumet region of Indiana.

In one of President Johnson's recent speeches, he mentioned the "crowded miles of inadequate dwellings—poorly maintained, and frequently overpriced" as one of the prime reasons for the Federal Government to make an attack on blight and slum areas. The city of Gary, especially, has been spending money and going in debt to "meet the population explosion" to provide adequate housing and eliminate slums, provide school buildings, and other facilities for our overcrowded youth population. If we cannot meet this challenge, areas like these overcrowded industrial centers will be victims of disease, ignorance, crime, violence, and many on public relief rolls.

This legislation will give authority to the Secretary of the Department of Housing and Urban Development to make grants and provide technical assistance to enable city demonstration agencies to plan, develop and carry out comprehensive city demonstration programs.

In determining whether a proposed comprehensive city demonstration program is eligible for assistance, the Secretary would give maximum consideration to whether (1) substantive local laws, regulations, and other requirements are, or can be expected to be, consistent with the objectives of the program; (2) the program will enhance neighborhoods by applying a high standard of design and will, as appropriate, maintain distinctive natural, historical, and cultural characteristics; (3) the program is designed to make maximum use of new and improved technology and design, including cost reduction techniques; (4) the program will encourage good community relations and counteract the segregation of housing by race or income; and (5) the program is consistent with comprehensive planning for the entire urban or metropolitan area.

The bill would also authorize the Secretary to make grants to, or contract with, city demonstration agencies to pay 90 percent of the costs of planning and developing comprehensive city demonstration programs. Such financial assistance must be approved by the local governing body of the city.

No doubt your committee after hearings will meet in executive session and determine in your wisdom practical methods which will provide a means of implementing this legislation to the satisfaction of the Federal, State and the municipal governments concerned.

The Gary Post Tribune over the last several months has been carrying out in various editions, editorials of some dire needs of our rapidly expanding city. These various editorials printed in different editions of the newspaper are too long for inclusion in my testimony before your committee. I might mention some of the titles of the various editorials which included the following:

1. "Revitalizing Downtown Gary."
2. "Look at Our Highways and Streets."
3. "Expand Hospitals—Wisely."
4. "Need: Places for Children To Play."
5. "The Medical School Drive."
6. "Cleaner Air and Water."
7. "Equitable Tax Evaluation."
8. "Keeping Up With Education."

I wish to include with my testimony excerpts from an editorial written by Dale E. Belles, Jr., editor of the Gary, Ind., Post Tribune, the following inserted on February 20, 1966.

"1. Gary shares the President's view that '1966 can be the year of rebirth for American cities.' It was beginning to demonstrate before the Presidential program was outlined that it meets its requirements of being one of 'those cities who help themselves' and where there is a 'serious commitment to the project on the part of local * * * authorities'.

"2. Gary City Council during the past year has formally adopted a previously promulgated metropolitan plan, sharing with the President, the view that it 'should be an instrument for shaping sound urban growth—not a neglected document.'

"3. Gary's City Council, with urging of civil leadership, adopted last year probably the most liberal open housing ordinances of any city in the Nation, exhibiting its realization of the Presidential point that 'at the center of the cities' housing problem lies racial discrimination.'

"4. On the opposite side, not negative exactly, but showing need—Gary is the core of an industrial area where increasing steel and other production insures growth, but has reached the point where help is needed to make sure that 'the powerful forces of urban growth' do not 'overwhelm efforts to achieve orderly development.'

"5. Gary is still beset with what the President terms 'crowded miles of inadequate dwellings—poorly maintained, and frequently overpriced in which many of the Negroes still live. While twin attacks, through the housing ordinance and the newest urban renewal program, have been launched, help will be essential.

"6. Gary's mass transportation facilities are deteriorated and inadequate. Its major street system, cut up by railroads, is unsuited to carrying the necessary load. Some plans have been drafted, but a coordinated effort, preferably with Federal help, is needed.

"7. Gary's parks, once a point of civic pride, and its indoor cultural and recreational facilities have been outgrown or become outmoded. Assistance is needed in pushing through plans already under consideration for meeting these needs both for the present and the anticipated population.

"8. Gary's 'one industry' image is gradually being altered, but making it one of the major 'demonstration cities' could step up the program of intended diversification which could help make it a better city for all its people."

Address of Secretary of Agriculture Orville Freeman, at Symposium on Research in Agriculture, at Warrenton, Va.

EXTENSION OF REMARKS

OF

HON. CLAIR CALLAN

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 9, 1966

Mr. CALLAN. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following address by Secretary of Agriculture Orville L. Freeman during a symposium on research in agriculture, at Airlie House, Warrenton, Va., Thursday, February 24, 1966:

When a scientist named Justus von Liebig was just 14 years old, he blew the roof off a drugstore in Heppenheim, Germany.

This explosion, the result of the boy's secret experiments with fulminate of mercury, discouraged the druggist from keeping him on as an apprentice. But being fired didn't destroy young von Liebig's interest in chemistry and plantlife. He continued his studies, his experiments.

They led him to the discovery of phosphate and potash in the ashes of burned plants, and ammonia in their vapors. He put all three into barren ground, and made it a wonder of fertility.

"There will be a time," he said, "when the fields will be fed with substances produced by chemical industries, and containing the substances indispensable for plants."

History has treated few prophets more kindly.

Justus von Liebig was born in 1803, and when he died at the age of 70, the U.S. Department of Agriculture was only 11 years old—but already deeply involved in basic and applied research.

I know of no legend which claims USDA researchers began by blowing the roof off a grocery store, a dairy barn, a grain bin, or packing plant.

They have, however, triggered many of the explosions which mark revolutionary changes in the physical environment, the food and fiber production and utilization patterns, and the social and economic aspects of American life.

I welcome the opportunity to discuss with leaders of the science community the role of research in the missions of the Department of Agriculture—but first:

Let me express my very deep gratitude to Dr. Seitz and the National Academy of Science for joining the Department in sponsoring this symposium on research in agriculture, and thank all of you for your participation.

The Department of Agriculture and its research services are honored by your presence, inspired by your interest, enriched by your cooperation.

I am not, as you know, a scientist—unless it can be held that practical politics and government administration hold a place on the fringe, if not actually in the field, of science.

I can measure the B.t.u.'s of a public issue without a thermometer, but I cannot regulate the flame of a bunsen burner with any degree of skill.

I can analyze the generation of turmoil in a political party convention far better than that resulting from combinations of chemicals in a test tube.

I can read between the lines of a Gallup poll, but not between specimens under a microscope.

And I react more quickly to the theory of votability than to the theory of relativity.

So allow me, then, to paraphrase Voltaire: I may not fully understand how you do what you do, but I shall always be grateful for the fact you do it—and do it well.

For without research the politician, the public official, would function constantly in a vacuum—because it is research that both asks and answers the questions related to public policy and program determinations.

Does it need doing? Can it be done? If it can be accomplished in a variety of ways, which method should have priority? How can it be kept in balance with other policies and programs? What type of administrative structure will be required? How is it related to the various States, to other agencies of Federal Government, to private industries and institutions? What will happen as a result of the action or actions taken?

I have found these questions and the search for answers applicable across the vast range of the Department of Agriculture's operations—whether it be in finding, as USDA did, a faster and more economical method of producing penicillin, or—

Encouraging an environmental adjustment that will solve, in major degree, the population pressures of cities and the underutilization of both natural and people resources along the countryside;

Encouraging, and maintaining, abundant production of food and fiber while moving toward the economic goals of parity of income opportunity for farm families and fair prices for consumers;

Protecting food purity and quality, developing new products and new and better distribution, marketing, and processing systems;

Cooperating in the public welfare field with direct distribution of foods to needy families, participation in school milk and lunch programs, and food stamps;

Protecting, developing, and expanding the multiple-use of natural resources on public and private lands, and helping the food-deficit nations of the free world take the lead in the war of liberation from hunger and malnutrition through the improvement of their own agricultural production plants.

I would hesitate, without strong and versatile research arms, to attempt to carry out these and other missions that the people, the Congress, and the President have assigned—and will continue assigning—to the Department of Agriculture.

As I pointed out earlier, the Department of Agriculture was engaged in research long before any of us was born—and for 99 years before I became its Secretary. Consequently, I can point to its research performance with pride without being self-serving.

The first major support provided to research by government was in the field of agriculture. And as recently as 1940, when the Federal Government began broadening its research and development support to a total of $74 million, agriculture research received two-fifths of the outlay.

A quarter of a century later, in fiscal 1965, Federal support for agricultural research alone exceeded the entire 1940 expenditure—amounting to $231 million. But instead of two-fifths of the total research and development budget, Agriculture has 1.5 percent of it. By that time Defense was being awarded $7 billion; NASA, $4.9 billion; the Atomic Energy Commission, $1.5 billion; and HEW, $813 million.

I do not cite those figures to call attention to the fact Agriculture's share of research and development appropriations has declined in relationship to the total Federal expenditure—but rather to emphasize that, as a pioneer in the field, Agriculture perhaps deserves some credit for creating a favorable climate for expanded governmental interest and investment in research. In other words, agricultural research—since 1862—had been demonstrating to the people and the Congress they were getting something for their research money.

Our Government has not only used the Department of Agriculture as a trailblazer in research, but in tieing research to education through the land-grant colleges, and then carrying knowledge to the rural community through extension services, thus providing, in fact, a working model for the transition of science into technology.

Out of this combination of basic and applied research, of education and extension, has come in substantial measure the greatest food and fiber production plant the world has ever known—great in the skills and judgments of its operators—great in the volume and quality of its output—great in its potential for perpetuating the era of abundance.

American agricultural development is, indeed, one of the miracles of this century.

It was when we freed more and more people from the task of producing food that we made our human resources increasingly available for an ever-widening range of activity in industry, commerce, education, science, and culture.

It was when we began making an adequate supply of food an ever-decreasing drain on family incomes that Americans could increase their investments in living well beyond buying their daily bread.

Look at what has happened:

Today one farm worker provides food and fiber for 35 other persons. A century ago he met the needs of just 5 others, and as recently as 1950 only 15.

In 1950 American families were spending about 25 percent of their take-home incomes for food. A decade later it was 20 percent. In 1965 it was an alltime low of 18.5 percent. Continued advances in production and marketing efficiencies, and in consumer earnings, are expected to bring further cuts in family food outlays—to about 17 percent of take-home pay in 1970, 15 or 16 percent in 1975.

Meanwhile, average realized net income per farm reached a record high in 1965 and our farm families are well on their way to parity of income opportunity with their urban neighbors—a development which, in turn, improves the tone of the total economy.

Important as it is internally, this production miracle is even more vital this year—and in the years ahead—as an export item while the world accelerates mobilization for an all-out war on malnutrition, hunger—even famine—in its widespread food-deficit sectors.

We have the knowledge accumulated through research and its application, we have the experience in grassroots educational programs, and we have the food—all the weapons essential for leadership in helping less developed nations help themselves achieve the ability to grow—and to buy—enough food for their families.

This is a task that has captured the hearts and the imaginations of our people. It was blueprinted by President Johnson in his inspiring—yet studied and realistic—food-for-freedom message to the Congress. And now legislation in support of the food-for-freedom program is being hammered out by the committees of Congress.

A few weeks ago I visited the fighting front—and the farm front—of South Vietnam. I saw efforts to protect freedom, and to produce food, going on side by side. Agriculture is the key to freedom's victory in Vietnam. Fertilizer is just as important as bullets in the winning of that war.

We must fight in Vietnam. And we shall fight until its people have the right to determine in their own way the type of government under which they shall work and live. Yet, military wars come to an end. The battle against malnutrition, hunger, and related mental and physical health hazards is endless—new victory is demanded every year.

There can be no great love of country, nor firm loyalty to its institutions, in a human heart that beats above an always-empty stomach.

There can be no genuine economic growth future in a nation overpopulated with children whose bodies are thinned, eyes glazed, minds dulled by malnutrition. And even though there are—at least in the judgment of those not their parents—too many of them, these children are in our world, now, and the world must, as Pope Paul pleaded, find them a place at the table. Population control cannot be retroactive.

We can and we shall use our food, or productive resources, and our know-how to help the farm families and the agribusiness structures in those developing nations where production is now losing the race with need.

But our food can only support—not substitute for—their own efforts.

A successful war against hunger and want has its roots in research and education. Unless our food supports research and education aimed at making the agricultures of developing Nations grow and support their total economic development, history will rule it wasted.

The Indian boy who eats American wheat today still must eat 10 years from now—and provide food, at that time, for his own children.

Over a span of a hundred years, agricultural research has asked many questions, answered many, and in the process has raised more questions demanding more answers, because that is the inevitable—and usually desirable—result of the research cycle. Now these questions must be asked, and answered, in increasing volume around the world if it is to adequately feed itself—asked and answered not only by the scholars and scientists of agriculture, but of the entire research and education structure of our society.

During the past quarter hour I have described the Department of Agriculture as an agency of many missions.

We are a production instrument, an economic innovator and stabilizer, a custodian of publicly owned natural resources and a cooperative planner in those privately owned.

We are a teacher, a communications media, a regulatory system, a welfare unit, a rural development promoter, an arm of foreign policy implementation.

But we are not an island. We are a part of the main. And in relationship to every area of science and education we are dependent—and seek to be dependable.

That's exactly why we asked Dr. Seitz and the National Academy of Science to help us bring outstanding representatives of the science community to the same place at the same time.

And that's why, as I enter and leave the Administration Building of the Department of Agriculture each day, I see exhibits in the patio not only of research covering food and fiber, but exhibits of the Corps of Engineers related to buildings that will some day be constructed on the moon, and exhibits of the Bureau of Ships related to making submarines of glass.

Within USDA itself the competition for men and women and dollars in the various units of research is rugged, and fixing priorities in assignments and objectives isn't easy. Reconciliation, cooperation, coordination—meshing the parts to end up with a meaningful whole—demand much of each of us at the Department's policymaking level.

This intradepartment situation is applicable to the entire range of Government-sponsored research and development. It is mandatory, in the public interest, that we constantly develop new bases for coordination of research and the pooling of knowledge among Federal agencies and, hopefully, among other Government and private agencies as well.

If this symposium achieves nothing more than a demonstration of the Department of Agriculture's appreciation for the strength that lies in the creation of broadened understanding, and the promotion of concerted endeavor, we shall consider it most worthwhile.

We are anxious to earn, and to hold, full partnership in the basic and applied research community so that we may contribute to it—receive from it—with the purpose of moving more quickly toward the goal all of us share; improving opportunities for all people, everywhere, to achieve maximum quality in every facet of their lives.

Basic Issues Face Us and Our Key Allies—Crisis in the Atlantic Community

EXTENSION OF REMARKS

OF

HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 9, 1966

Mr. MORSE. Mr. Speaker, on February 18, our colleague Mr. Frelinghuysen, of New Jersey, gave an excellent keynote address to the Cincinnati Council on World Affairs' 12th Annual Conference on International Affairs.

The topic of the conference was "Basic Issues Face Us and Our Key Allies—Crisis in the Atlantic Community," and Mr. Frelinghuysen used this opportunity to remind us how many crucial problems still face us in Europe. He pinpointed the subjects of German reunification and a halt to nuclear proliferation as two of the areas to which we must continue to give our attention.

Our colleague wisely highlighted the constructive achievements of the Atlantic Community during the postwar period, not as a sign that the job is finished, but as evidence of what can be accomplished when wisdom and patience inform our policy. I include the text of Mr. Frelinghuysen's address in the Congressional Record.

Keynote Speech of Representative Peter H. B. Frelinghuysen, Before the Cincinnati Council on World Affairs' 12th Annual Conference on International Affairs

A keynote speaker has a tough assignment, especially when, as is the case today, the topic which brings us together is broad and complex. His job is further complicated when his audience consists of so many distinguished scholars and public servants, such as are participating in this conference. My aim will be, therefore, to get the ball rolling, to identify some of the issues so as to encourage fruitful inquiry, to suggest lines of inquiry into other issues, and generally to provide some perspective for the forthcoming discussions.

Many of you have worked for years on Atlantic affairs; many have written and spoken with passion and lucidity on Atlantic problems. On some issues you are united, on others you are divided; there are few on which you are not experts. Under such circumstances it would be presumptuous for me "to lay down the law," or to review familiar issues in great detail. So, too, I hope the informed and concerned citizens who are attending this conference will understand my reluctance to anticipate in a methodical manner the proceedings of this afternoon and evening.

What then should I say? Perhaps the best way to begin is as a Member of Congress—and incidentally a stanch Republican, presently in the minority in the House of Representatives. I shall try to avoid being parochial, but inevitably my views have been shaped by my experience of nearly 14 years in Congress. I do not wish to speak, however, of my experiences on the Foreign Affairs Committee, as a sometime delegate to the NATO Parliamentarians' Conference, nor even my recent service as a member of the U.S. delegation to the United Nations.

At the outset let me say that I am convinced that most of the Members of this 89th Congress recognize—as did earlier Congresses—the continuing importance of close ties between the United States and the other members of the Atlantic Community. We take pride in the fact that the bulk of our population emigrated more or less recently from Europe, and we cherish that heritage. We may take our neighbor Canada too much for granted but we have long had very close associations. Furthermore, the ties forged in war and strengthened for a period of 20 years since that conflict bind us still, and bind us strongly. Admittedly, the reasons for close ties have changed since the end of World War II, but the need still exists.

So, too, I am sure most Members of Congress feel that the Atlantic Alliance remains a most practical and effective way—although not the only way—of coping with international problems today. Admittedly there are those in Congress who feel that the best way to pursue the interests of the United States is by going it alone, by minimizing our commitments to and reliance on others; they would shun discussions on such subjects as arms control, and economic progress and development in other parts of the world. Then too frequently there is heard criticism that the United States helps its allies but that there is insufficient response by our allies in matters of interest to us. As one Senator put it, any alliance should be "a two-way street." The lack of interest of others in our involvement in Vietnam, and especially the continuing trade of some allies with North Vietnam, is a growing, and in my opinion, a legitimate grievance.

Experience is still the best teacher, however, and in my opinion the realities of the difficult world of today have given the death knell to the old isolationism of the past. The dramatic political and economic developments of the postwar period, coupled with almost unbelievable technical progress, including development of awesome weapons of destruction, have brought a broad awareness of the necessity of closer associations among all nations, and most particularly among nations sharing broad common interests.

It is perhaps inevitable that our increasing commitments in support of Vietnam have raised questions about our continued willingness—indeed our ability—to support the Atlantic alliance as we have in the past. Let me say here that I feel strongly that our efforts in southeast Asia, massive as they are, in no way cause us to minimize the importance of the alliance to our own national security. Today, no less than at any time in the postwar period, a strong Europe—strong militarily, politically, and economically—is of vital importance to the United States. Our problem essentially is how best to promote that strength and to harness it for the common objectives of the Atlantic nations.

Turning to the Atlantic scene, we should, I feel, look more at what has been done, and what is being done, than at what is being said. Observers of the Atlantic alliance should not overlook the very substantial achievements of the past, and the potential for the future, by their heavy and often pessimistic emphasis on the problems we face.

We hear much talk, for example, of the disarray of the Atlantic alliance, its decline, and even its end. To me such pessimistic talk is unjustified by the facts; it is unrealistic as a description of the problems which we face today. To tell you the truth, I am not enamored of the word "crisis," even though it occupies such a crucial spot on the agenda of this conference.

The word "crisis" connotes to me some kind of dire emergency, requiring immediate action. In emergencies one is often obliged to act hastily, without much forethought or planning. If there is a crisis in the alliance—and I do not wish to bicker over words—the problems do not seem of a kind which lend themselves to precipitate action—indeed haste might do harm rather than good. Nor do I feel we should be unduly pessimistic about the situation we face today, even though we may see no early, or even long-range, solutions to some of our common problems.

We must admit, for example, that the drawing together—I hesitate to use the word "integration" lest I offend the French—of the countries of Europe has not been as rapid nor as complete as we had anticipated. Indeed, we find two NATO countries, Greece and Turkey, at serious cross-purposes over the future of Cyprus. Let us admit therefore that considerable unfinished business needs prompt attention. The task of this conference today will be to consider how best to cope with this business. But let us not bemuse ourselves with the difficulties we face.

In our examination of today's problems let us keep firmly in mind the solid achievements of the past, which were made possible because of the firm cooperation between allies. Let us recognize also that it is the very success of our past cooperation which has made possible this period of transition which so disturbs the pessimists.

Let us avoid the tendency to exaggerate the differences between us. Let us beware lest emotionalism and polemics gain the upper hand in the Atlantic dialog. Let us guard against encouraging confusion and misunderstanding as we seek solutions to current problems. Also, let us not forget the immense amount of practical activity and cooperation which occurs daily between us. These exchanges at all levels have vastly increased over the years, especially since World War II, and reflect the many realities among the Atlantic nations—financial, cultural, economic, political, social, scientific, and military.

Perhaps the reason why we must be basically confident and optimistic about the future of the Atlantic nations is because of the problems with which we have already wrestled, and which in some cases we have surmounted. We need only recall the blockade of Berlin and the airlift, the Khrushchev ultimatums and the disagreements over how they were to be met. We are hardly likely to forget the Korean war, or the ill-fated invasion of Egypt by Great Britain and France. We remember the abortive European Defense Community, and sputnik, and the confrontation with the U.S.S.R. over the missiles in Cuba in the fall of 1962.

In a sense all these events, and others too, were crises of varying degrees of acuteness. In each case some or all members of the alliance believed their vital interests were threatened. In no case, however, was there a crisis within the alliance in the sense that it was in danger of being split irretrievably.

So now, looking at the current state of affairs, I am not pessimistic though it be foolish to minimize the problems we face. Our course is not clear, and there are admittedly differences among us. However, the fact that such differences exist should not disturb us unduly. If we look to the past we are reminded that on several occasions there were sharp disagreements on how to meet external threats, even when those threats seemed most ominous. As those external threats appear to have diminished, the opportunities for internal problems of dissension have increased. Thus the problems of today in many instances differ from those which we faced a decade ago. But let us not forget that the reasons for our concerns which resulted in the growth of the Atlantic institutions and organizations are still present. We still have need of this community of preparation and action even though its form may be changed as its goals and objectives are modified.

Let me touch on just a few of the problems we face today. Together they may justify the word "crisis." However, if we are armed with a sense of proportion founded on past experience, and if we maintain a common desire to solve them, we can be confident that further progress will be made.

I mentioned earlier the problem of Berlin. Certainly the status of that city, and also the lack of progress toward the reunification of Germany, should give us all concern. Ever since the achievement of German unity more than a century ago, Germany has held the key to the shape of Europe. And no one can forget the two ghastly wars which Germany precipitated. Nonetheless, in my opinion, a divided Germany today is as serious a problem as was a united Germany after World War I. The present division of Germany introduces a fundamental instability into European relationships, and thus into the Atlantic Alliance, that no prudent man can ignore.

The United States, and Europeans also, have reason for pride in the handling of the German problem since World War II. Recognizing the shortsightedness of the vindictive policies toward the Weimar Republic after World War I, we have consistently faced up to the problem for two difficult decades. It is enough to look at the shambles which followed the pre-World War II diplomacy to see how far we have come. It is enough also to recall the moral strength and political courage that led France in 1950, despite the bitter experience of the past, to take the lead in creating the framework for treating West Germany as a moral and political equal.

West Germany and its allies deserve equal credit for creating a new Germany from the wreckage of the Nazi nightmare. The wisdom of our support for the Bonn government has been evidenced by the quality and character of German postwar leadership. The Bonn government has pursued prudent policies designed to encourage democratic government. In its foreign policy it seeks to achieve reunification by responsible relationships both with the Soviets to the east and with the free world. It has, furthermore, made a historic break with the past by seeking its political and economic future in a united Europe, and by tying its defense into close relationships with NATO. This course has made far more likely a bright future both for Europe and the Atlantic Alliance.

These are developments which the United States and its allies have encouraged and supported. These are accomplishments which add measurably to our common ability to build a postwar world assuring economic well-being, national security and political democracy.

Yet these genuine accomplishments cannot conceal the festering problem of German reunification. Germany is still brutally divided, and Berlin is beseiged by a hostile East German regime. The division is primarily because of the attitudes and actions of the Soviet Union, and the sad fact is that the reunification of a democratic and independent Germany may have to wait for many agonizing years. Reunification must remain, nonetheless, a firm goal of the Atlantic Alliance.

Mention of Germany inevitably raises the thorny question of nuclear proliferation. Despite the danger of assuming that complex questions can be easily solved, no current problem seems to arouse such a search for simplistic solutions as that of control over nuclear weapons. Rather than attempting to suggest any general solution, I shall merely touch on certain aspects of the problem—a problem, I might add, which needs a pragmatic approach.

The problem of nuclear proliferation is not primarily a dispute between the United States and the Soviet Union. There is little reason to suppose that the Soviet Union, any more than we, desires to create any new nuclear powers. At the same time there is no reason to believe that any United States-U.S.S.R. nonproliferation agreement would deter Communist China in its efforts to establish itself as a nuclear power. And a nonproliferation agreement between the two great nuclear powers, or even among all five existing nuclear powers, would have little impact on the real problem—the desire of nonnuclear countries to gain either security or prestige by building their own nuclear arsenal.

Each existing nuclear power was a major political power in the world even before it achieved nuclear capacity. But the countries now reported to be on the verge of building nuclear weapons—Sweden, Japan, Israel, India, United Arab Republic—are "second" or "middle" or "developing" powers. If one of them were to achieve nuclear capacity, the race for equal prestige among their colleagues would be on.

Many insist that a pragmatic approach to the nuclear problem must begin with recognition that additional nuclear weapons in the hands of new nuclear powers would be virtually meaningless—that they can provide no real defense because their use is not credible. I would suggest the opposite—that a pragmatic approach to the problem calls for recognition of the fact that the French nuclear force, the British nuclear force, the Chinese nuclear force, and all potential nuclear forces are very meaningful indeed to the governments involved.

Who would suggest that the French nuclear force has not added to French prestige or that the French nuclear force is meaningless? Certainly France's nuclear capacity must be of interest to Soviet military planners.

The eventual solution of the nuclear proliferation problem undoubtedly must involve a greater willingness between nuclear powers to submit to international inspection. It is unlikely that the nonnuclear powers would sign a nonproliferation agreement that requires international inspection of their peaceful nuclear facilities unless the nuclear powers, including the U.S.S.R., also submitted to meaningful inspection. In addition, as Ambassador Goldberg proposed to the United Nations last fall, there is a need to freeze and reduce nuclear capabilities.

We shall have to find constructive solutions to the genuine security problems of the nonnuclear powers. Without firm assurances we can only expect the drive toward nuclear weapons to continue, elusive as the security which those weapons provide may be. If the complexity of the problem seems staggering, so too are the implications if serious steps are not taken. This will require the highest degree of statesmanship. And before we complain of the performance of others in the alliance, before we regret the smallness of their sacrifice, we must first ask ourselves whether our own commitment to halting the spread of nuclear weapons has been sufficient.

In any discussion of the Atlantic Community today, the name of General de Gaulle inevitably comes up, frequently in a critical way. Although few will argue over the value of De Gaulle's leadership to France, or the vigor with which he has articulated his views, his policies are often controversial. De Gaulle, for example, vetoed Great Britain's entry into the Common Market in 1963; he has insisted that France develop its own small nuclear force, the force de frappe; he has withdrawn from NATO the French fleet and major French land forces; he has increased trade with Cuba; and he advocates neutralization of Vietnam.

This hasty cataloging indicates why De Gaulle has complicated the search for a common purpose and policy among the Atlantic nations. The alliance today is an alliance of sovereign states, and will probably remain so for the foreseeable future, but there is real danger that the alliance itself will be disrupted if one member country continues to insist on pursuing policies which are independent of its allies, or even contrary to their wishes. Even though it is a major power, the United States has learned that no nation can any longer afford to go it alone. For that reason, therefore, the search for greater unity—with or without France, but hopefully with her eventual full cooperation—must continue.

Let us look at another area where the Atlantic allies have been pursuing quite different policies and where greater coordination appears indicated—trade with the East.

We all know, of course, of the ban on certain strategic items agreed upon following World War II; over the years that list has been considerably shortened. We know too of the "gentleman's agreement" reached among Western nations in 1934 to limit credit guarantees for normal business transactions to no more than 5 years.

In recent years Western Europe has been much more aggressive in resuming trade with the East than has the United States. In addition, the countries of Western Europe, led by France and Germany, now frequently extend credit to Communist countries for periods of up to 15 years. Since 1948 U.S. trade to the East has doubled, whereas the Western European countries have expanded exports fourfold. It is worthy of note also that U.S. exports to the East are still unimportant compared to our worldwide trade, whereas for countries like Turkey and the Netherlands this trade is much more significant.

If closer coordination of policy could be achieved it almost surely would result in a considerable liberalization of U.S. policy. A special study mission of the Foreign Affairs Committee, of which I was a member, recommended to Congress a year ago that this whole question be reviewed and that expansion of nonstrategic trade be encouraged. President Johnson has only recently made recommendations to the same effect. Even with the President's support, however, the going will be tough. There are many in Congress who are strongly opposed to any significant increase in trade with the Communist world, or in any easing of our credit policy.

There is, of course, considerable urgency about some of these problems. Because of France's boycott of the Common Market, ended just a few weeks ago, there has not yet been a meeting of the minds by those six member countries. Without that preliminary agreement the so-called Kennedy round can make little progress. It is obviously impossible for the United States to utilize the powers granted under the Trade Agreements Act of 1962 until Europe puts its house in better order. And we need not remind ourselves that powers granted under that act will lapse in June of next year.

So, too, we need to give immediate attention to the broad problem of monetary reform. There is, I am glad to say, growing recognition that something must be done in this area. The sooner we wrestle directly with the various specific suggestions which have been made, the sooner a solution is likely to be found.

One additional problem which has not been mentioned is the necessity for exploring the interrelationship of the Atlantic nations with respect to science and technology. In this connection, we might explore the possibility of joint scientific and space ventures, as suggested by the President at the time of Chancellor Erhard's visit to this country last December.

In the face of this growing list of pending business one can sense a certain restlessness on both sides of the Atlantic, and indeed in Congress, too. There is uneasiness about what change bodes for the future, and a reluctance to contemplate the unfamiliar. Then, too, there is the fear that fear is all that has held us together. There is feeling that without the threat of an imminent invasion, or the danger of flagrant subversion in Europe, centrifugal forces may take hold.

This current hesitation is in sharp contrast to the high hopes of 1962. That was the year, you will recall, when we appeared on the threshold of a new era of economic expansion. In the United States we passed the Trade Expansion Act, Great Britain appeared about to enter the Common Market, and the trend toward greater unity appeared both imminent and inevitable.

That was the year, too, when we heard much talk about a "grand design," Atlantic Federation, and so on. It was in 1962 that Secretary of Defense McNamara gave a lesson in strategy to our European allies, in a speech in which he deplored independent nuclear efforts in Europe as redundant, divisive, and dangerous. Speaking more tactfully, President Kennedy on July 4, 1962, stressed the interdependence of nations, and outlined his idea of a future equal partnership between Europe and the United States.

In the years since 1962 those high hopes for one reason or another were shattered. Divisions among allies increased, and in many areas Europeans assumed a tougher stance with respect to the leadership of the United States. Understandably these developments produced confusion in this country. We were disappointed and disillusioned, we were frustrated and even angry—and in our disappointment we overreacted. If anything, we became more dogmatic about our ideas. We attached our hopes to new chariots and sped off.

Take, for example, the multilateral force. This idea was first put forward as a limited but negotiable step in the sharing of major responsibility with our allies. Gradually, however, the MLF proposal became almost a panacea for all sorts of problems. The MLF would promote military and political unity in Europe; it would help sell our strategic doctrine to the Europeans; it would enable Great Britain and France to rid themselves gracefully of their burdensome nuclear forces. In our enthusiasm we pushed the project with increasing energy, apparently oblivious to an evident lack of enthusiasm in most of Europe.

Recent experiences will teach us, I hope, to avoid going through another such cycle of high expectations, impatient activity, sharp disappointment, and overreaction. Such an approach will do little to solve the vital unfinished business of Europe. Indeed, as the preponderant power in the alliance, the United States should exercise special care in preventing the development of unnecessary frictions and potential crisis situations.

In your work here today I would ask that you keep the broad objectives of the community uppermost in mind: that we are all part of one community dependent each upon the other for our freedom and prosperity. Centuries ago the psalmist sang this song: "Behold, how good and how pleasant it is for brethren to dwell together in unity." The bold vistas of a truly united community of nations are indeed pleasant to contemplate. To achieve our goals, however, demands more than contemplation.

We should take care not to downgrade what we have already accomplished. Our alliance was necessary and it has been productive; it has brought us safely through a dark period. What we need now is to ask, are we ready to undertake new tasks to achieve new objectives? Are not the values, the ideals, and the culture of the West worth this further effort?

The answer to this can only be affirmative.

Let us Americans take the lead again now as we did in 1949. Let us not be timid, even when we argue over which is the wisest course of action. This time let us lead our friends with patience and understanding, in a spirit of cooperation among sovereign and equal nations. In our common search for greater unity let us recognize and understand the desires of each of the Atlantic nations to participate in decisions which affect them—and to participate in the decisionmaking process before final commitments and actions are taken.

As our Secretary of State has said:

"So let us proceed with quiet determination, avoiding both the drag of inertia and outmoded concepts, and the seduction of sloganeering and apparent shortcuts, seizing the opportunities for more cohesive action with vigorous and open minds. In so doing we will demonstrate anew the vitality of the North Atlantic Alliance in meeting the needs of our time."